UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 87th CONGRESS
FIRST SESSION

VOLUME 107—PART 13

AUGUST 24, 1961, TO SEPTEMBER 5, 1961
(PAGES 16897 TO 18214)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1961

J
11
.R
V.107
pt. 13

DEPOSITED BY THE
UNITED STATES OF AMERICA

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 87th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES

FRIDAY, AUGUST 24, 1961

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Proverbs 29: 18: *Where there is no vision the people perish: but happy is he who keepeth the law.*

Eternal and ever-blessed God, we earnestly beseech Thee to give counsel and courage to our President, our Speaker, and the Members of Congress, who, in these days of conflict and confusion, are bearing the responsibility of making decisions which are of momentous and far-reaching significance.

We humbly acknowledge that frequently the windows of our soul seem to become opaque and we need a clearer vision of Thy way and Thy will lest we lose our spiritual perception, and surrender to fear and foreboding, to doubt and despair.

Fill us with a deeper experience of those verities and virtues which will inspire us to join heart and hands with all who are praying and laboring, to build a civilization that is more God fearing, and more brotherly in character and spirit.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 8599. An act to amend various sections of the Atomic Energy Act of 1954, as amended, and the Euratom Cooperation Act of 1958, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1005. An act to amend section 10 and section 3 of the Federal Reserve Act, and for other purposes; and

S. 1991. An act relating to manpower requirements, resources, development, and utilization, and for other purposes.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1653) entitled "An act to amend title 18, United States Code, to prohibit travel or transportation in commerce in aid of racketeering enterprises," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. EASTLAND, Mr. KEFAUVER, Mr. JOHNSTON, Mr. DIRKSEN, and Mr. HRUSKA to be the conferees on the part of the Senate.

HOUSE DOCUMENT 336: "FACTS ON COMMUNISM—VOLUME I, THE COMMUNIST IDEOLOGY"

Mr. HAYS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Concurrent Resolution 311 entitled "Concurrent resolution providing for additional copies of House Document No. 336, 86th Congress, 2d session, entitled 'Facts on Communism—Volume I, The Communist Ideology,'" with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the concurrent resolution.

The Clerk read the Senate amendment, as follows:

After line 11, insert:

"SEC. 2. There shall be printed ten thousand three hundred additional copies of such document for the use of the Senate."

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

COMMITTEE ON BANKING AND CURRENCY

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency have until midnight tomorrow to file reports on H.R. 8870 and H.R. 8762.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

DEFENSE DEPARTMENT PLANS TO VIOLATE U.S. SHIPPING LAWS

Mr. TOLLEFSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. TOLLEFSON. Mr. Speaker, throughout the years Congress has insisted that the departments of government comply with our Cargo Preference Act which provides that at least 50 percent of Government-sponsored cargoes be carried on American-flag ships. I was distressed to learn this morning that the Defense Department with the concurrence of the White House has announced that it will not use American vessels for the carriage of 440,000 tons of coal to be purchased in this country for use at our military installations in Europe. Such failure violates the provisions of the cargo preference law. Congress should insist, as it has in the past, that at least 50 percent of the coal be shipped on our own vessels.

The stated reason for the purchase of coal in the United States was that it would reduce our unfavorable balance of payments. Heretofore, the bulk of coal for our military installations in Europe has been purchased in Europe and has been paid for in American dollars, thus adding to the unfavorable balance, it is alleged. Under the announced proposal American dollars will be paid to U.S. coal producers, theoretically reducing the unfavorable balance of payments. But, gentlemen, the ocean freight costs for coal are higher than the cost of the coal itself. Therefore, more American dollars will be paid to foreign-flag operators than to American coal producers. Thus the unfavorable balance will be increased rather than reduced.

I applaud the decision to purchase American coal, but deplore the decision to violate U.S. shipping laws by using only foreign-flag vessels.

COMMITTEE ON RULES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file reports.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

NONCOMPLIANCE WITH CARGO PREFERENCE ACT BY DEPARTMENT OF DEFENSE

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I should like to ask the gentleman from Washington a question: How many tons of

coal did the gentleman say are now being bought in the United States to supply our forces overseas that previously had not been bought here?

Mr. TOLLEFSON. 440,000 tons.

Mr. GROSS. It is entirely fitting that this announcement is being made following the passage of the foreign giveaway bill.

STABILIZING MINING OF LEAD AND ZINC ON PUBLIC LANDS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 424 and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 84) to stabilize the mining of lead and zinc by small domestic producers on public, Indian, and other lands, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on Interior and Insular Affairs now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN], and pending that I yield myself such time as I may consume.

Mr. Speaker, this rule makes in order the consideration of a bill dealing with the stabilization of lead and zinc mining. It is a much smaller bill than those brought in here before. There are some restrictions, as I understand, that assure that it will be of maximum benefit to small producers. There are strict limitations as to the amounts of production of the producers who would be eligible. There are strict limitations as to the amounts they may receive in subsidy.

As I understand the program, it is designed to be a phaseout program providing for $4,500,000 a year for 1962 and 1963, in 1964 cutting down to $4 million, and in 1965 $3,500,000.

Mr. BROWN. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, the gentleman from Missouri, my colleague on the Committee on Rules [Mr. BOLLING], has ably explained this rule, which makes in order the consideration of H.R. 84, a bill to grant a subsidy to lead and zinc mines in the United States to be paid, of course, as usual, from the Federal Treasury at the expense of the American taxpayers.

The rule is an open rule. Any germane amendments desired may be offered. The time allotted is 1 hour to debate this issue, which in my opinion is most basic in importance. I find it difficult in my own mind to understand why, if we are to pay subsidies to lead and zinc mines of this country to protect them from unfair foreign competition, we should not also pay subsidies to other types of mines and to other industries and to other business activities in this country which have been affected seriously, and have been injured greatly, as the result of some of our peculiar trade policies, and of the competition they have met from foreign sources.

We have had this issue before us, as far as lead and zinc mines and other mines are concerned, for a long, long time. This rule was reported out by the Rules Committee by a divided vote, because there are those members of the committee who, while not objecting to the consideration of this legislation, or even the adoption of this rule, feel that there should be some better approach to the problem which confronts the lead and zinc mines of this country and confronts, of course, other mines, other industries, and other activities, as well.

The lead and zinc mines in this country are in serious trouble, and I can agree with the proponents of this bill that it is important to keep some of our lead and zinc mines operating so that we may supply ourselves with these mineral products in time of great national emergency. Yet, it is difficult to understand why we want to meet and to solve this problem—and, of course, we will not permanently solve it by doing this—or attempt to solve it, by taking money out of the Federal Treasury to pay a subsidy when the simple, logical, and sensible thing to do would be for the Congress of the United States, or for our Tariff Commission, if they are permitted to do so by the Department of State, which seemingly controls their decisions, to increase the tariffs or the import duties on foreign-mined lead and zinc so as to give adequate protection to the lead and zinc mining industry in this country. To do that, of course, if we should do it, would result in some money coming into the Federal Treasury instead of millions of dollars going out of it, as provided in this bill before us.

It is my opinion, and a studied opinion, if I may say so, as a result of a good many years of experience, almost a quarter of a century here with this problem, that what we need to do is to get a little bit sensible as far as the Reciprocal Trade Agreements Act is concerned, and give protection to American industry, not only to the lead and zinc mining industry, but to other industries as well.

For instance, let us take the great American textile industry of today. It has approximately the same difficulties with foreign competition as our lead and zinc mines. They are being undersold on goods imported from foreign countries under low import duties, or low tariffs, with the result that there is also much unemployment in that particular industry just as there happens to be unemployment in the zinc and lead mining industry.

So I say to you, this bill is one of greater importance than even this particular industry may be, because we will be fixing a national policy here. If we are going to pay subsidies to the lead and zinc mining industry; what about the hard coal mining industry? It is having difficulties as a result of competition from imports of residual oil, as well as from that which is produced in this country.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROWN. I yield to the gentleman from Iowa.

Mr. GROSS. And, yet, some of those who are hurt the worst by these imports lose no opportunity to vote for the giveaway programs and uncollectible loans to build plants and develop mines in foreign countries to produce goods and products that are brought into this country to undersell American made products.

Mr. BROWN. I will say to the gentleman, one of our troubles has been in connection with the imports of some minerals produced from foreign mines that we have furnished millions of dollars through our foreign-aid program at the expense of the taxpayers of this country. They, in turn, have competed unfairly with the mines in this country in producing some needed minerals and some needed metals.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. BROWN. I yield to my colleague.

Mr. HOEVEN. What is the cost of this bill?

Mr. BROWN. It is difficult to determine the entire cost.

The cost starts out on a rising scale, and is dropped down year by year. The total cost will depend, of course, on how many mines produce how much lead and zinc.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. BROWN. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I would agree with the gentleman's statement that it may be variable, but under the terms of the bill it could not exceed $16.5 million over the 4-year life of the program.

Mr. BROWN. Yes, but I would like to say to the gentleman, if I may—and his is a fair statement and I appreciate his contribution—that it has been my experience that once we start these subsidies and these programs, it is usually difficult to get rid of them when they expire. Somehow they are extended, and quite often they are increased, before the expiration date even rolls around.

So, I want to impress upon you, if I may, those of you who are here, that this is a matter of fixing a policy; that is the point at issue today, rather than any attack against the lead and zinc mining industry, which, I agree, is in difficult circumstances at this time because of some of the foolish practices we have put into effect in connection with tariffs and import duties, and an intense national desire, seemingly, at least, of some agencies and some departments of the Government, to forget

about the best interests of Americans, whether they be in the mining industry or in some other activity, and think only of what may be the most beneficial to the peoples or the governments of foreign countries.

So, I suggest that you give some attention to this question in the debate to follow.

Mr. WIDNALL. Mr. Speaker, will the gentleman yield?

Mr. BROWN. I yield to the gentleman from New Jersey.

Mr. WIDNALL. How many mines are affected by this proposal?

Mr. BROWN. Well, that will also depend on circumstances. The gentleman from Oklahoma, the author of the bill, may be able to answer that.

Mr. EDMONDSON. The estimates of the Department of the Interior have gone from a high point in 1956 in excess of 600 mines to a level which represents present production of around 250 mines.

Mr. BROWN. I believe the gentleman understands why it has been impossible for me, after trying to study this bill, to tell you just how much money it will cost or how many mines will actually be affected.

Mr. WIDNALL. Mr. Speaker, if the gentleman will yield further, how much employment does this cover? How much maximum employment?

Mr. BROWN. Well, again that varies. I cannot answer that because it depends entirely, as the gentleman knows, on the number of mines which will actually be affected, and that varies, according to the estimate of the Department. And, of course, as to the number of mines that get the monetary advantage from this program. As their activities decline, probably employment will decline. So, I cannot answer that question.

Mr. WIDNALL. As I understand, the total employment in the lead and zinc industry is about 15,000, and this just covers a minor part of the entire industry.

Mr. BROWN. That is probably correct, although we do not know how many are actually affected.

Mr. Speaker, I now yield 5 minutes to the gentlemen from Iowa [Mr. KYL].

Mr. KYL. Mr. Speaker, the considerations attendant to this legislative proposal have a direct consequence for every member of this body—and not just for those who have lead or zinc mines in their districts. This is a story which will be repeated in every section of the country unless the Congress takes affirmative action in the very near future. The next time, the material involved will be coal, or iron, or furs, or plywood, or any other product which is a means of livelihood for U.S. workers and manufacturers. I want to review this story, chapter by chapter.

Several years ago, in an effort to bolster the economy of certain foreign countries, the United States sent geologists, mining engineers, and technical advisers to those nations. The United States further offered monetary assistance in establishing mining operations which followed the preparatory assistance. The countries began to produce lead and zinc. At this time I am not going to argue whether or not the action of our Government was wise. It is simply delineated as chapter 1 of the story. But having assisted in establishing the mining industry, we had a sentimental obligation to make the proposition work. We began to import metals produced in these mines. In the interest of further promoting the foreign economy and developing or maintaining friendly relations with the foreign nations, we increased the imports until the foreign producer had captured the majority of our domestic market. Couple this with the substitutes developed to compete with the basic metals, and a serious condition developed which brought loss of profits, loss of jobs, closing of mines in our own Nation. Nineteen hundred and sixty showed a new low in U.S. production of lead and the lowest price in a decade was reached.

A feeble gesture was made toward limiting the importation of lead and zinc. In actuality, the quotas imposed were not effective in solving the problem, but it was hoped that Congressmen could tell their interested constituents that they had accomplished something of value, and the Congressmen would get off the backs of the striped pants boys. We still developed a flooded market, plus a huge stockpile.

This was the situation last year when a similar bill was before the House. This was the situation that prevailed this year when the current proposal was introduced.

Now, in the face of a preponderant evidence, one might reasonably expect that effective action would be taken to bring some logic into the import situation. However, led by the same internationalist clique, injury was added to injury, and the United States early this year pledged to import 100,000 extra tons of lead from foreign nations at the same time the administration departments argued, as the printed report indicates, that this bill (H.R. 84) would create additional surpluses for the American market. What astounding inconsistency this is—the feeble gleam of the miner's lamp flickered lower. Finally, insult was added to injury when the report came from the Commerce Department saying—

> To increase domestic lead and zinc production at this time through payment of subsidies * * * may be considered an inimical act by those countries whose producers have reduced output.

No words here, you see, for "better relations with the unemployed miner in the United States," no, indeed. Here we import an extra 100,000 tons of lead and zinc. The United States first creates the import monster and now seeks to destroy it by overfeeding.

This is not the entire story. We are exchanging for this lead, surplus agricultural products which the foreign recipient already has in surplus. It is quite obvious that the recipient will reexport the products and thereby fill normal cash markets available to the United States, thus curbing direct exports which could help in this balance-of-payment proposition.

I have listened to debate on this legislation for two sessions. I have not heard one witness who did not agree that excessive imports were the cause of our problem. We are in the sorry position again wherein we give consideration to the foreign nation first and thus far always.

We have good reason to believe that our downtown departments feel our small miners should be phased out—who feel that the small producer is not an efficient producer and should give way to the larger, more efficient mine. The bill itself is built in this direction. If this were good legislation the payments should be graduated from small to large rather than starting with the biggest annual payment and reducing it through a phaseout. The water-filled mine will not be ready to produce the first year.

With the current market situation and surplus, added production by small mines will necessarily reduce production by big mines. A miner unemployed in a big mine is just as unemployed as one laid off in the small mine, unless we curbed imports proportionately and this action is apparently beyond all hope.

To you Members so vitally interested in the current hearings on impact of imports—to you devoted Members who hopefully look for relief for your textile industries—to every other segment, I say, look well to this lead and zinc situation. Change the caption on the picture and there you are.

We do not plead for protective tariff. We plead for a sensible, logical, middle ground. We do not say forget the foreigner. We say, give a little consideration to our citizen.

It is our lofty aim as a Nation to bring all peoples of the earth from their level of degradation to a social, economic, and political station of equality, decency and respect. What does the struggle avail if in the process we are drained of our own vitality and strength—if the equality is achieved by moving our Nation down the ladder while attempting to bring our fellows upward. We have been standing in the mud—sinking ourselves while lifting our fellow man. We must get on firm ground of economic sensibility—and the hour is late.

Mr. BROWN. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado [Mr. DOMINICK].

Mr. DOMINICK. Mr. Speaker, with the full knowledge that H.R. 84 will not fulfill the purpose for which the gentleman from Oklahoma [Mr. EDMONDSON] and other members of the Committee on Interior and Insular Affairs have worked so hard, I shall reluctantly support the bill rather than watch the entire small lead-zinc mining industry die completely. I recognize, and I hope the small miners will recognize, that this bill, if passed, will not revive good conditions and may prove a cruel hoax to those who rely on it.

Notwithstanding there is a chance that it may keep enough of them with a spark of life still in them so that the complexion and philosophy of Congress in preferring industries in other countries over our own can be changed in the next 4 years.

The record repeatedly shows that when the industry has gone to the Tariff Commission for relief, the Commission has found that injury to the industry exists because of foreign competition and they have recommended that steps be taken to relieve this condition. The fact of the matter is that neither administration, Republican or Democrat, has put into effect the recommendations proposed by the Tariff Commission, so that the injury stays in effect.

Mr. BROWN. Mr. Speaker, will the gentleman yield?

Mr. DOMINICK. I yield to the gentleman from Ohio.

Mr. BROWN. Has the gentleman explored and investigated to ascertain who it was that opposed the action of the Tariff Commission and somehow or other was able to get its decision set aside on these matters?

Mr. DOMINICK. No, I have not.

Mr. BROWN. It might be interesting to do that.

Mr. DOMINICK. It might be. I do know when we asked for a report in the committee from the administration on H.R. 84, it took us months to get it, and despite specific commitments made by the present President when he was a candidate that if he had been President last fall when a similar bill was passed by the Congress and vetoed by President Eisenhower, he would have signed it; nevertheless when a similar bill came to him the administration report was opposed to it.

Mr. Edwards' testimony specifically states that H.R. 84, as it was originally proposed, would result in a greatly increased output of lead and zinc, and he stated further that this increased output would arise in the face of a market already overburdened with surpluses. He indicated that the administration is at least somewhat aware of the inevitable result of a production subsidy program. Then he went on to say that although it did not like a big subsidy, the administration will support a little subsidy. It is the little subsidy that you have before you today.

He made another statement that I think is of extreme concern to the Members of this Congress. In explaining the administration's position, he said:

> By and large the mineral policy has to be largely determined by the broader policies of Government, such as labor relations, antitrust measures, foreign economic policy, and monetary policies.

This can be found in the hearings. What he is in effect saying is that the domestic mining industry which has suffered a severe and sharply depressed condition is an orphan child compared to the foreign countries we are helping by permitting them to continue their imports into this country in competition with our own minerals. What he is saying is that there is no way to help the mining industry without harming labor relations, violating antitrust laws, and injuring foreign economic policies and domestic policies.

I do not see how this can be justified by any stretch of the imagination.

There were 15,900 people totally employed in the January-September 1957 period in the lead and zinc industry. This declined to 9,800 in the same period in 1959, with a still further decline in 1960, and a further one in 1961.

There are only 256 lead and zinc mines, according to the Department, eligible for aid under this particular bill. This has been cut successively over the last 3 years. Recently the last custom mill in Colorado went out of business.

Mr. Speaker, it certainly seems to me that we have allowed these people to take the brunt of these sacrifices about as long as we can. The question is, How do we do something about it?

Mr. Speaker, the gentleman from Iowa pointed out the extra imports that we brought into the stockpile, 100,000 tons in an industry that is already depressed by overproduction. I have cited to you the fact that the report to the House Interior Committee specifically stated that the administration did not believe in subsidies, but that they were not going to do anything about increasing tariffs or cutting down on quotas from foreign countries.

Mr. Speaker, in the report before the other body it was specifically stated that the administration opposes and would give no support to the proposal of the Aspinall-Anderson bill, designed to create a legislative program similar to the sugar program, under which the mining industry in this country might be revived and might obtain for itself a fair share of the domestic market. This is an important bill. It is obviously getting no support from the administration. It is perhaps one of the few solutions available to the mining industry. I suggest that the bill before us is not a solution, but that by its passage we can keep the industry alive long enough so we can get at the root of the real evil.

Mr. BROWN. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, what was said by the gentleman from Ohio [Mr. BROWN] calls to mind the fact that some of the old truths are still operating—that is, we cannot get around the law of supply and demand, no matter how we may try. We will never get along with this idea of the Government telling us what to do and how to do it. As the gentleman from Ohio suggested, we have dropped into the habit of giving a subsidy or encouragement or some kind of help to first one industry and then another. In so doing, we have upset the overall situation. At least, that is my opinion. The only way we will get regulation by the Central Government to work is for the Government to lay down and enforce rules and regulations, telling each of us what and how much to eat, and when; what to wear, and where to live, and the ladies, of course, though none need it—what makeup to use. That is to say, individuals will have to be treated like food products, like vegetables, fruits, berries, like the steer put in the stall to fatten so you can better enjoy eating him, or the egg you buy, and put in the hatchery to raise little chickens, then force them to grow to be tender and tasty.

By the way, our wives may be interested in this, as well as some of the men who read it. I noticed in this morning's paper that they are sending in I do not know how many truckloads of chickens to sell here on the market at 25 cents a pound. That price, as most of us know, is less than they can be raised for on the farm. However, it is due in part because Government regulation enables big chainstores to get into production. Maybe we all benefit from it. But I go back to this: Unless the Government is to regulate everything we do there will be no end to these problems often created by the regulation we make possible. I have no fault to find—in fact, there is nothing for the zinc and lead mineowners and employees to do but come here and ask for something. I find no fault when they come in and ask for their share of the handouts. We are all inclined to do that.

As the gentleman from Iowa, who followed Mr. BROWN, pointed out, as a result of our foreign policy we have created competition from abroad and that is interfering with our local people. We have the same old, old story. We, to help others, impose unfair burdens on our own people, taking from their opportunity to make a living. One thing I have never been able to understand is why Walter Reuther—you see, I am back on my old theme—representing hundreds of thousands of workers throughout the United States, has always been in favor of sending money, machinery, and knowledge abroad to establish industries in the other countries which come back here with their production and in competition with his own members. American workers are forced out of their jobs.

You remember one time when he wrote that letter to President Truman, he wanted us to give—what was it?—$13 billion a year for 100 years to other countries. What happened shortly after we began to aid other countries?

Factories went abroad. They asked for tax deferments. And what do they send over here? They send over what some of those people in Detroit call little monsters, those little cars. But people purchased. Sure, I want to buy American, and so do all of us. But what happens? Being human with man's desire to help himself, if we can get something that is made abroad for a couple of cents cheaper, we buy it, don't we? Personal interest comes first. How many Members on their trips abroad at the taxpayers' expense buy all the law will let them bring in duty free?

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Iowa.

Mr. GROSS. This bill that is about to come before the House is another form of those compensatory payments that the distinguished majority leader from Massachusetts, one of our great freetraders, talks about.

Mr. HOFFMAN of Michigan. Of course, back of all this has been the thought, as the gentleman knows, that

we must help the whole world. Well, that is all right. The first 25 cents I ever lost or was deprived of mother shook out of that red little tin bank, pennies if you know what they are, which I had earned and saved, went to the church—I was there and saw her do it—and gave it to the Foreign Aid Society to help the Chinese. That was all right—but we can do too much giving. Of course, that practice has grown and now some of our internationalists are shaking down all of us to give to somebody else far away. That idea is all right, but let us first pray for them then treat them decently but save a little for ourselves. But in the meantime let us build up our own country so that we are secure, so that our people have freedom of opportunity, and all that. Because the weak policeman on the corner, who has thrown his club into the alley, who has forgotten to take his gun, left it at home, who has taken a couple or too many drinks, he is in no condition to protect the pedestrian going across the street. The bankrupt individual or nation cannot help anyone.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. HOFFMAN of Michigan. I yield.

Mr. GROSS. This bill is to make compensatory payments of $16½ million to those who are injured by virtue of the fact that we have given away our markets in this country to foreigners. It is for the purpose of raiding the U.S. Treasury to make compensatory payments.

Mr. HOFFMAN of Michigan. We have created a situation so that you and I have to vote for this bill today to make these workers in the lead and zinc mines and the owners come out even on this deal. Sure we do not like it. It is unsound policy but just once let those who vote for farm subsidies, minimum wage law, cheap power, a dozen other handouts, foreign aid, know if that is to be the program we, too, can act like Santa Claus.

The rollcall, if we have one, will show all the giveaway boys voting no on this while just this once I will forget my convictions and vote to remedy in part the harm and injustice this particular group has suffered.

Mr. BROWN. Mr. Speaker, I have no further requests for time.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. BROWN. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BROWN. Mr. Speaker, because of the importance of this bill and the philosophy which it carries, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. EDMONDSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 166]

Addonizio	Gubser	Nelsen
Alexander	Harrison, Va.	Nix
Andersen, Minn.	Henderson	O'Brien, N.Y.
Ashley	Hull	Passman
Bailey	Jones, Ala.	Peterson
Bass, N.H.	Kearns	Pilcher
Blatnik	Kee	Pillion
Bonner	Keith	Powell
Boykin	Kilburn	Rabaut
Brooks, La.	Kilday	Riehlman
Buckley	King, Utah	Roudebush
Cahill	Kornegay	Santangelo
Celler	Landrum	Scott
Chiperfield	Lennon	Shelley
Cook	Lipscomb	Shipley
Cramer	Loser	Slack
Curtis, Mo.	McMillan	Smith, Calif.
Daniels	Mason	Teague, Tex.
Davis, James C.	Miller, Clem	Tupper
Dawson	Miller, N.Y.	Vanik
Dulski	Milliken	Van Zandt
Ellsworth	Minshall	Weis
Gallagher	Moorehead, Ohio	Westland
	Moulder	Willis
		Young

The SPEAKER pro tempore. On this roll call 364 Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

STABILIZING MINING OF LEAD AND ZINC ON PUBLIC LAND

Mr. EDMONDSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 84) to stabilize the mining of lead and zinc by small domestic producers on public, Indian and other lands, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 84, with Mr. Bass of Tennessee in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Oklahoma [Mr. EDMONDSON] will be recognized for 30 minutes and the gentleman from Pennsylvania [Mr. SAYLOR] will be recognized for 30 minutes.

Mr. EDMONDSON. Mr. Chairman, I yield 5 minutes to the distinguished chairman of the Committee on Interior and Insular Affairs [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, before the House debates the provisions of H.R. 84, the lead-zinc small producers bill, which the gentleman from Oklahoma [Mr. EDMONDSON] has so expertly worked for as sponsor and chairman of the Mines and Mining Subcommittee that handled the legislation, I would like to provide for the House the background necessary for a full understanding of any legislation dealing with the problems of lead and zinc.

It is my considered opinion that no segment of our national economy has been requested to absorb more hard knocks, in the name of the Nation's best interest, than has the lead-zinc industry. I say this knowing that many industries, including other mining and mineral industries, textiles, and many others, have been hard hit and have problems of their own.

To demonstrate what I mean, I shall analyze lead and zinc in detail, while at the same time recalling for the Members some of the frustrations that we have faced or had forced upon us in trying to develop a policy to assure healthy, stabilized, domestic mining and minerals industries.

In October 1953 the President designated the Secretaries of the Interior, State, and Commerce, along with the Director of the Office of Defense Mobilization, as a Cabinet Committee, with the Secretary of the Treasury and the Director of the Bureau of the Budget as consultants to inquire into the national policy affecting the production and utilization of metals and minerals. The Committee reported on November 30, 1954, with a series of recommendations dealing with the general problem rather than specific commodiites. Recognition was given to the need for a "strong, vigorous, and efficient domestic mineral industry as essential to the long-term economic development of the United States." Specifically, the recommendations were oriented toward review and study pointing toward increased efficiency.

In that same time frame, first in May of 1950, and then in February 1951 and September 1953, the lead-zinc industry petitioned the Tariff Commission for relief. The first two petitions were dismissed on technicalities involving the type of action available under trade agreements then in effect; the third petition was for escape clause action under section 7 of the Trade Agreements Extension Act of 1951. Hearings were held in November 1953 and resulted in the first of three unanimous findings by the Tariff Commission that serious injury was resulting from excessive imports. In 1954, as in subsequent years, the Commission recommended maximum permissible increase in duties.

Concurrently with this escape clause action the Tariff Commission, in response to a resolution of the Ways and Means Committee and the Finance Committee of the other body, conducted a "general investigation" under section 332 of the Tariff Act of 1930. The resultant 356-page report—No. 192, second series—which contains an excellent historical analysis and then current appraisal of the lead-zinc industry, had been submitted to the respective committees on April 19, 1954—1 month before the recommendations were made for increasing the duties.

These were no sudden recommendations. The industry had been thoroughly studied. The naive, who thought relief was in sight, were soon disillusioned: the President did not accept the recommendations of the Tariff Commission.

The lead-zinc industry has been studied and restudied ever since—and now we are told there are to be more studies. But, I will come to that in a moment.

Again in 1958 and 1960, in response to industry petitions, the Tariff Commission

found that the domestic lead-zinc industry was suffering serious injury; nonetheless, the President did not act to implement the Commission's recommendation to increase the duty.

Quota restrictions on imports for consumption of unmanufactured lead and zinc were established by the President after the 1957–58 recession had dealt another severe blow to the lead-zinc industry. However, the quotas, which became effective October 1, 1958, limited each country to an annual quota equal to 80 percent of that country's average annual competitive export to the United States during the years 1953 to 1957. Of course, if consumption of lead and zinc had continued at the 1953–57 level, the domestic producers would have continued to hold the same proportionate position in the market that they had had previously. One difficulty was that consumption fell—Department of Interior statistics indicate that 1960 consumption fell 200,000 tons below what had been "anticipated"—thereby reducing the portion of the market available to domestic producers. As a matter of fact, because lead quotas have been filled regularly with only minor exceptions, lead mines have been compelled to absorb the entire decline in consumption; although zinc quotas have not been entirely filled domestic mines are still producing considerably less than the 1956 and 1957 totals.

The Interior and Insular Affairs Committee during the 85th and 86th Congresses took considerable testimony from Government and industry representatives concerning our mining and minerals industries generally and the lead-zinc industry in particular. We thereafter recommended, and on September 10, 1959, the Congress adopted, House Concurrent Resolution 177, 86th Congress, which called upon the President to have a review made of existing programs and advise Congress concerning action taken and to be taken, as well as legislation that might be necessary to accomplish the objective of the maintenance and development of sound and stable domestic mining and minerals industries without critical dependence upon foreign sources. For the information of Members I have secured permission to include with my remarks a copy of House Concurrent Resolution 177 so that its complete policy statement will be available to all:

Whereas the Constitution empowers the Congress to make all needful rules and regulations respecting the territory or other property belonging to the United States, to regulate commerce with foreign nations and among the States, and to provide for the common defense and general welfare; and

Whereas mining and the extraction of minerals from Federal, State, and privately owned lands situated within the United States and its Territories and possessions are basic industries upon which the transporting, processing, and distributing industries and the consumers of the Nation depend; and

Whereas the interests of national security have brought about Government programs for the establishment and maintenance of national stockpiles of strategically important metals and minerals and for the development of mine and plant capacities for the production thereof; and

Whereas the administration of these and related programs, through Government purchases, contracts, loans, grants, technical assistance, barter, and other means, has resulted in the abnormal and artificial stimulation of foreign metal and mineral exploration and development and the expansion of foreign capacities for the production of metals and minerals; and

Whereas increased foreign production of certain metals and minerals, together with downward revision of national stockpile requirements, has resulted in depressed domestic prices for these materials, drastic curtailment of domestic production, economic disaster to individual firms, hardships for dependent industries, extensive unemployment, and severe contraction of business in the affected communities; and

Whereas an emergency exists since further delays in the recovery of the domestic mining and mineral industries would cause irreparable damage to mining and mineral properties, wastage of human and natural resources, and loss of productive capacity, and would have a depressing effect upon the national economy and threaten national security; and

Whereas all governmental efforts to date have not been effective in alleviating these detrimental effects: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the President is requested—

(a) to have reviews made at once of the existing programs of the departments and agencies of the executive branch with the purpose of using them more effectively to provide for increased production and employment in critically depressed domestic mining and mineral industries;

(b) to advise the Congress at the earliest possible date as to the actions taken or proposed to be taken to this end; and

(c) to submit any reorganization plans or recommendations for legislation that may be necessary to accomplish this objective.

SEC. 2. It is the sense of the Congress that it is in the national interest to foster and encourage (a) the maintenance and development of a sound and stable domestic mining and minerals industry; (b) the orderly discovery and development of domestic mineral resources and reserves on Federal, State, and privately owned lands; and (c) mining, mineral, metallurgical, and marketing research to promote the wise and efficient uses of domestic metal and mineral resources.

SEC. 3. It is the sense of the Congress that the maintenance and development of a sound and stable domestic mining and minerals industry, without critical dependence upon foreign sources, is essential to national security and the welfare to the consuming public, and that this objective is independent of and cannot be accomplished by the maintenance of national stockpiles for planned defense needs in a single emergency or the existence of productive capacity based upon the importation of foreign materials.

In the almost 2 years that have passed since the adoption of the concurrent resolution we have been waiting to receive an overall program. I have been informed that the Secretary of the Interior is making a continuing survey of mineral industry needs and coordinating material from other departments. The administration has assured me further that, in response to House Concurrent Resolution 177, results of the survey will be forwarded to the Congress early next year.

In 1958, the study of the lead-zinc industry shifted to the international forum with the London Conference of the United Nations Interim Coordinating Committee for International Commodity Arrangements. This led to the creation of a long-term group with the first formal meeting of the International Lead and Zinc Study Group being held in January and the second session in September 1960, at Geneva. I am, frankly, skeptical of the so-called voluntary restrictions on commercial offerings of lead that were undertaken by foreign representatives at these meetings. I am even more skeptical of the results of the most recent meeting at Mexico City, in March of this year, when "commitments" were undertaken by representatives of other nations in the Western World to restrict the production of lead; and, this country initiated discussions for the barter of some of our surplus agricultural commodities in exchange for foreign lead to be added to the U.S. supplemental stockpile.

The lead-zinc industry has been studied by the Tariff Commission, by the executive agencies, by an international study group, and now, in response to varying legislative items awaiting action in several committees of the House and the Senate, we are told that the administration is taking steps to implement the Area Redevelopment Act through the establishment of a task force that will be charged with the primary responsibiilty of studying the problems of depressed communities "historically related to mining."

While all this studying has been going on let us see what has happened to the lead-zinc industry.

The Tariff Commission in 1954 found that employment in the entire lead-zinc industry had declined by 9,000 jobs from the 42,000 that were employed in 1952; and, in its 1958 decision, the Commission found that an additional 4,500 employees had lost their jobs since January 1957 alone. By the time the Commission filed its latest report in October 1960, it showed that approximately 20,000 jobs have been lost in the lead-zinc industry since 1952. The full impact, however, of conditions is realized when we consider that, of the 20,000 job loss in the entire industry, 15,000 jobs have been lost in the lead and zinc mines and mills and 5,000 in the primary smelters and refineries.

Prices have steadily declined so that lead at 11 cents a pound is at the lowest level since 1946 and zinc at 11½ cents a pound is doing only slightly better than its lowest level in the same period. However, the combination of lead and zinc in the mines makes it necessary that we think in terms of the combined price; the combined price today of 22½ cents per pound for lead and zinc is the lowest that it has been since 1946.

Domestic production has suffered proportionately. The 246,669 tons of recoverable lead produced in the U.S. mines in 1960 is the lowest output reported since 1900. The 435,427 tons of zinc was slightly better than the preceding 2 years but was otherwise the lowest production since the 1930's.

Quotas, as I indicated a moment ago, failed to assure domestic producers their fair share of the U.S. market. General imports of lead in 1960 amounted to 359,917 tons or approximately 145 percent of the U.S. mine production of 246,669 tons; general imports of zinc,

at 571,000 tons, were 131 percent of the U.S. mine production of 435,427 tons. I have heretofore secured permission to include as part of my remarks charts, based on U.S. Bureau of Mines statistics, indicating domestic mine production of recoverable lead and zinc in the United States, by States together with other vital data:

U.S. LEAD AND ZINC

1. U.S. LEAD STATISTICS

TABLE 1.—*U.S. lead statistics, 1950–60*

	Mine production, recoverable (short tons)	General imports (short tons)	Quoted price per pound, New York	Consumption total	Consumers stocks [1]	Producers stocks [1]
1950	430,827	(2)	13.30	1,237,981	115,022	35,619
1951	388,164	(2)	17.49	1,184,793	84,952	25,339
1952	390,162	(2)	16.47	1,130,795	101,197	43,560
1953	332,644	(2)	13.48	1,201,604	90,668	79,449
1954	325,419	(2)	14.05	1,094,871	99,612	92,181
1955	338,025	464,000	15.14	1,212,644	96,561	30,955
1956	352,826	480,000	16.01	1,202,717	113,809	40,977
1957	338,216	532,000	14.66	1,138,115	120,083	85,273
1958	267,377	578,000	12.11	986,387	114,435	187,909
1959	255,586	411,000	12.21	1,091,149	118,965	119,044
1960	246,669	359,000	11.95	1,021,172	88,955	158,898

[1] Refined lead and lead content of antimonial lead.
[2] Not available.

2. U.S. ZINC STATISTICS

TABLE 2.—*U.S. zinc statistics, 1950–60*

Year	Mine production recoverable (short tons)	General imports (short tons)	Price, East St. Louis prime western grade, cents per pound	Slab zinc consumption (short tons)	Consumers' stocks of slab zinc (short tons)	Producers' stocks of slab zinc (short tons)
1950	623,375	(1)	13.88	967,134	64,835	8,884
1951	681,189	(1)	17.99	933,971	51,063	21,980
1952	666,001	(1)	16.21	852,783	92,857	85,021
1953	547,430	(1)	10.86	985,927	86,102	179,902
1954	473,471	(1)	10.69	884,299	104,182	123,396
1955	514,671	672,000	12.30	1,119,812	124,139	39,264
1956	542,340	772,000	13.49	1,008,790	104,672	66,575
1957	531,735	796,500	11.40	935,620	88,837	135,533
1958	412,005	657,000	10.31	868,327	94,356	184,020
1959	425,303	657,000	11.46	956,197	103,186	156,210
1960	435,427	571,000	12.95	877,884	69,221	187,961

[1] Not available.

TABLE 1A.—*Mine production of recoverable lead by States*

State	1951–55 (average)	1956	1957	1958	1959	1960
Alaska	6	1	9	2		23
Arizona	12,309	11,999	12,441	11,890	9,999	8,495
Arkansas	8			38		
California	8,953	9,296	3,458	140	227	440
Colorado	23,157	19,856	21,003	14,112	12,907	18,080
Idaho	71,701	64,321	71,537	53,603	62,395	42,907
Illinois	3,718	3,832	2,970	1,610	2,570	3,000
Kansas	5,548	7,635	4,257	1,299	481	781
Kentucky	60	228	411	516	409	558
Missouri	125,901	123,783	126,345	113,123	105,165	111,948
Montana	18,876	18,642	13,300	8,434	7,672	4,879
Nevada	4,928	6,384	5,979	4,150	1,357	987
New Mexico	3,999	6,042	5,294	1,117	829	1,996
New York	1,256	1,608	1,667	579	481	775
North Carolina		10	9			424
Oklahoma	13,869	12,360	7,183	3,692	601	936
Oregon	3	5	5	1		
South Dakota	3					
Tennessee	8	5				
Texas	20					
Utah	47,521	49,555	44,471	40,355	36,630	39,398
Virginia	3,082	3,035	3,143	2,934	2,770	2,152
Washington	10,218	11,657	12,734	9,020	10,310	7,725
Wisconsin	1,739	2,582	1,900	800	745	1,165
Total	356,883	352,826	338,216	267,377	255,586	246,669

TABLE 2A.—*Mine production of recoverable zinc by States*

State	1951–55 (average)	1956	1957	1958	1959	1960
Arizona	34,364	25,580	33,905	28,532	37,325	35,811
Arkansas	15				49	50
California	6,526	8,049	2,969	51	78	465
Colorado	43,445	40,246	47,000	37,132	35,368	31,278
Idaho	67,587	49,561	57,831	49,725	55,690	36,801
Illinois	18,255	24,039	22,185	24,040	26,815	29,550
Kansas	23,324	28,665	15,839	4,421	1,017	2,117
Kentucky	1,537	417	837	1,258	673	869
Missouri	9,026	4,390	2,951	362	92	2,821
Montana	75,510	70,520	50,520	33,238	27,849	12,551
Nevada	8,463	7,488	5,292	91	217	420
New Jersey	43,373	4,667	12,530	607		
New Mexico	25,010	35,010	32,680	9,034	4,636	13,770
New York	46,086	59,111	64,659	53,014	43,404	66,364
North Carolina				2		
Oklahoma	45,209	27,515	14,951	5,267	1,049	2,332
Oregon	1					
Pennsylvania				10,812	16,718	13,746
Tennessee	37,133	46,023	58,063	59,130	89,932	91,394
Texas	5					
Utah	34,807	42,374	40,846	44,982	35,223	35,476
Virginia	14,497	19,196	23,080	18,472	20,334	19,885
Washington	24,583	25,609	24,000	18,797	17,111	21,317
Wisconsin	17,406	23,890	21,575	12,140	11,635	18,410
Total	576,552	542,340	531,735	412,005	425,303	435,427

U.S. LEAD AND ZINC MINE DATA

1954–60 PRODUCTION

[Production in tons]

Size of mine		1954	1955	1956	1957	1958	1959	1960
0 to 499	Mines	524	479	557	372	368	182	244
	Production	26,394	25,303	27,248	27,264	19,377	8,628	13,130
500 to 999	Mines	31	29	27	21	16	10	8
	Production	20,053	20,927	18,750	17,042	12,097	6,440	5,906
1,000 to 1,999	Mines	30	24	29	32	17	15	14
	Production	40,005	34,372	41,984	44,614	23,441	20,460	21,804
2,000 to 2,999	Mines	11	18	24	73	3	6	7
	Production	28,135	43,195	61,544	32,102	7,820	14,359	17,192
3,000 to 3,999	Mines	8	9	13	9	4	2	3
	Production	27,073	29,662	46,607	32,554	14,466	7,151	10,923
4,000 to 4,999	Mines	8	8	9	4	4	2	3
	Production	35,022	35,560	41,901	16,568	17,642	8,148	12,854
5,000 and over	Mines	33	34	37	32	35	33	36
	Production	616,208	663,674	657,135	699,786	584,539	615,694	600,478
Total	Mines	645	601	696	543	447	250	315
	Production	798,890	852,696	895,169	869,930	679,382	680,889	682,096

In the face of employment losses, production decline, and depressed prices, the lead-zinc industry has been told that nothing can be done to bring a better balance between domestic production and imports because, in the words of the Department of Defense, "major repercussions could be expected from a number of less-developed countries in Latin America and elsewhere which would make even more difficult our present relations with them."

In the same letter from the Department of Defense to the chairman of the Committee on Ways and Means, in commenting on a bill, H.R. 3416, that I have introduced for the purpose of establishing a long-range policy for stabilization of the entire lead-zinc industry starting with revised tariffs, it is stated that in dealing with lead and zinc a relatively small number of miners are involved. Naturally, we have reached the state of having only "a small number of miners" because of the depressed conditions that have existed for these past several years and the loss of 15,000 jobs in 9 years that I referred to a moment ago. This is a new approach. First, you reduce the industry through distress and then you say "why bother with it, there aren't many people involved, anyhow."

A similar technique has been employed by the State Department. In its comments to the chairman of the Committee on Ways and Means on my bill, the State Department, despite the failure to implement repeated findings by the Tariff Commission on behalf of the lead-zinc industry, points to the escape clause procedure as "the appropriate mechanism for restricting imports of commodities subject to trade agreements concessions, upon demonstration of injury or

threat of injury to domestic industry." The real basis of the State Department position is stated thusly:

The Department of State is strongly opposed to H.R. 3416. It is our judgment that U.S. relations with countries which have been traditional suppliers of lead and zinc to this market would be impaired by passage of this legislation. These countries include principally Peru and Mexico, important less-developed countries in Latin America where long-term interests of the United States are at stake, and Canada and Australia, important factors in the security of the free world. All of these countries, and others, depend significantly on the sale of lead and zinc to the United States. Restriction of U.S. imports would inflict a very real hardship on these countries. They protested vigorously last year when similar legislation was introduced. In underdeveloped countries in general, and Latin America in particular, restrictions by the United States on the importation of lead and zinc have acquired a symbolic character and tended to evoke intense political and emotional reactions.

We have then, I submit, come full cycle in approximately 10 years except that employment has not been reestablished, prices have not been stabilized, and the industry has not been revitalized. In the face of study without affirmative action on the one hand and the failure of Tariff Commission recommendations to be implemented on the other hand, we are told that it is in the Nation's best interests for the domestic lead-zinc industry to continue to suffer lest the security of the free world be impaired. I know of no other industry that has been asked to absorb so much in this cause.

In conclusion, before yielding to the chairman of the Subcommittee on Mines and Mining, who will explain the details of the bill before you today, I want to assure Members that, from personal contacts and the letters I have received, I know that the people who make up the lead-zinc industry are loyal, patriotic Americans. However, their patience is beginning to run thin. They ask only that some assistance be given to save the domestic lead-zinc industry. We anxiously await the recommendations of this administration for an overall policy, and, just as I have assured the White House and the Secretary of the Interior, I assure the Members of the House that any recommendations that are referred to the Interior and Insular Affairs Committee will be given prompt, careful, and sympathetic consideration.

Mr. SAYLOR. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this bill presents a problem which if you will read the report of the Department of the Interior, the Office of the Secretary, would leave one in wonder and amazement. The Secretary in his report states as follows:

The Department believes that the Government's objective with reference to lead and zinc should be to bring about better conditions in the industry, and to permit it to operate normally within our traditional concepts of private enterprise. We do not believe that such conditions can be achieved by a continuing program of subsidies.

We recognize that the Government is responsible in part for stimulating world production by its defense programs. For this reason, we have endorsed the temporary use of import quotas and have used international consultations to push for reductions in output by producers outside of the United States. But approval of H.R. 84, in its present form, would operate to disrupt the efforts now being made to restore a reasonable balance in world production and consumption of these commodities.

The administration is supplementing these efforts to reduce production abroad and reduce the available supply of metal in the world by offering to barter surplus agricultural products in exchange for surplus lead stocks held outside of the United States.

They then go on to say that they will not approve H.R. 84 as originally passed last year, which is a direct contradiction of statements made during the last campaign. Then they go on and say that they will approve a limited temporary measure, one that would assist a number of small producers. A program for 750 tons of each metal produced in the first year, 500 tons the second year, 250 tons the third and last year, based upon a combined price of 27½ cents for lead and zinc.

Let us look at what has happened to this industry. In 1954 there were 645 mines in the United States producing a total of 798,890 tons. In 1960 the number was a little less than half of that number, 315 mines producing 682,096 tons of both lead and zinc.

Mr. Chairman, this bill, in my opinion, will do more harm than good; and I will tell you why. This bill is completely reversed in its philosophy. In other words, if you want to help the lead and zinc industry; if you want to do it by subsidies; if you want to take care of the mines that have been shut down, then you do not start out by making the maximum payment in the first year of operation. This bill provides for the largest payment and for the largest tonnage in the first year; a reduced amount in the second year, and a smaller amount in each of the third and fourth years. Many of these mines that are shut down cannot possibly get into operation during this first year. If you are going to have a subsidy program then the entire philosophy should be reversed and you should make the payment for the smallest amount in the first year and have the large amount in the last year.

This bill as it is drawn will do nothing more than excite a lot of people in the lead and zinc business to believe that they can get some help from the Government; and instead of being helpful it will end up being a hindrance.

Unless the payments provided for in this bill are reversed, and the tonnages are reversed this bill should be defeated.

Mr. EDMONDSON. Mr. Chairman, I yield myself 7 minutes.

Mr. Chairman, I would like to begin my remarks here today by thanking a number of people who have been tremendously helpful in connection with this legislation. I would like particularly to acknowledge a debt of gratitude to the distinguished chairman of this committee, the gentleman from Colorado [Mr. ASPINALL], for his sympathetic understanding of the mining problems of the country and for the help which he has extended to our small producers. I would like to thank all the members of the Mines and Mining Subcommittee who have worked hard to bring forth this legislation.

I would like to thank particularly the gentleman from Pennsylvania [Mr. SAYLOR] who has just spoken to us for some helpful amendments which he offered in connection with this legislation back in the 86th Congress and for the statesmanlike view which he usually takes on behalf of mining legislation. The gentleman from Colorado [Mr. DOMINICK] and the gentleman from Iowa [Mr. KYL] have been helpful with amendments in connection with this legislation. The gentleman from Tennessee [Mr. BAKER] has been of consistent strength and help to us on this matter. So has the gentleman from Colorado [Mr. CHENOWETH]. There are numerous others I could mention.

The bill has been introduced in the House by a number of Members, including the gentleman from Wisconsin [Mr. THOMSON], the gentleman from New Mexico [Mr. MONTOYA], the gentleman from New Mexico [Mr. MORRIS], the gentlewoman from Idaho [Mrs. PFOST], the gentleman from Nevada [Mr. BARING], the gentleman from Kansas [Mr. MCVEY], who has worked tirelessly in connection with it, and the gentleman from Montana [Mr. OLSEN].

All of these people have been of yeoman assistance to us.

I would also like to acknowledge a debt of gratitude to the staff of the Committee on Interior and Insular Affairs, and particularly to Mr. Milton Pearl of that staff for the very fine work he has done.

Mr. Chairman, this bill culminates a long and exhaustive effort in this field. I think in the product we bring to the floor today we have a bill which cannot only be supported enthusiastically by a majority of the Members of the House who voted for it in the 86th Congress but can also win the votes of those who stood with the then President Eisenhower in opposition to the bill. I believe they will find that many of the objections of President Eisenhower to the bill have been eliminated in the product we now bring to the floor.

I should like to mention just in a quick summary some of the very substantial modifications which have been introduced into this bill in an effort to meet Presidential objections of a year ago.

One of the particular things which then President Eisenhower said in objection to this bill was that it was going to create too great an increase in production of lead and zinc in the United States. He said it simply was not going to be possible to finance it within the limits of the appropriation authorized in that bill. This bill has significantly, even drastically cut the cost items in connection with its operation. It has reduced the term from 5 to 4 years. It has reduced the eligibility from a combined tonnage of 4,000 tons to a combined tonnage of 3,000 tons under the new bill.

It has adopted a phaseout principle described a moment ago by the gentleman from Pennsylvania, in which, although producers are allowed to have 1,500 tons of each metal in the first year of operation they must scale down to

less than 600 tons of each metal in the fourth and final year.

The price stabilization level has been reduced from 31.5 cents in the last bill to only 29 cents in the pending bill. The estimated cost is down by approximately $9 million in the current bill.

In my judgment, the increases in production would be only a fraction of the increases that would have occurred under the bill which was vetoed after passage by the last Congress.

It is my hope that this bill can be passed by an overwhelming vote.

One point I would like to make bearing upon the comments of the gentleman from Pennsylvania just a few moments ago: I have no quarrel with his viewpoint about the greater desirability of this bill if it adopted his principle and escalated upward rather than escalated downward in a phaseout of subsidy. From the miner's standpoint it would undoubtedly do better if we had his principle in operation, but we are realists. We are trying to get a bill enacted that can be signed into law and have an operating program we can finance. This principle of escalation downward and the phasing out of a subsidy is absolutely basic and indispensable to legislation that can become law. I earnestly hope that the gentleman from Pennsylvania will not press too hard for the amendment he is advocating, because I would like to believe that he, like all of us on this side, would like a piece of legislation that would help this desperately hurt industry.

One thing that impressed me about the remarks made so far is that there has not been one voice raised on this floor by any speaker disputing the very urgent need of this industry. The gentleman from Ohio [Mr. BROWN] when he spoke to us said that he recognized the need of this industry. He knew it was hard hit. The gentleman from Michigan [Mr. HOFFMAN] said he did not blame the industry for coming in here and seeking help. The gentleman from Michigan, I assume, knows of the hard-hit conditions of this industry.

The only real difference of opinion we have on either side of the aisle is the approach that is to be taken to meet this need. I have been for a long time a firm believer in the old principle that a bird in the hand is worth any number of birds in the bush.

Here is an opportunity for this hard-hit industry, which everyone agrees is hard hit, to get something in hand to help meet the desperate need.

Mention has already been made of repeated findings of the Tariff Commission in regard to the inquiry to this industry. At the proper time, I will obtain permission to put some of these specific findings of the Tariff Commission in the RECORD on this point. They are now available here in the Chamber at our table. This information will show you how many times this industry has sought relief. I daresay I am one of the Members of the House who has been to the Tariff Commission on as many times in the last 5 or 6 years as anyone else in this body. I know a good many members of the Tariff Commission by their first names and have a high regard for them; I have been there pleading the cause of this industry so many times. This is an opportunity, with a working plan, under which miners are held to very strict limitations and with strict penalties in the law for violations, which the gentleman from Pennsylvania offered as amendments to strengthen this bill—with limitations against subleasing by the big producers and to limit their subleasing to levels which they have experience records to prove are normal types of levels for subleasing.

Mr. Chairman, I submit to you, this is an opportunity to do justice for a great industry which is being very badly hurt and which is in dire need today. How many of you in your lifetime have had the experience of seeing a beautiful tree wither away and die? If you have seen that happen, you have seen something that is happening in the lead and zinc mining areas of the United States. In the tristate district we have seen a great and thriving industry wither away. We have seen good mines shut down. We have seen proud men who were once taxpaying citizens lined up to get surplus food, their unemployment benefits exhausted. We have seen the desperate need of hungry families who were once proud and independent citizens. This is an opportunity to restore not only productivity to a great industry and to many regions of our country, but also to restore dignity and pride and honor to the mining men in America who are among the finest men in our country.

Mr. Chairman, I urge the adoption of this bill.

Mr. BAKER. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Tennessee.

Mr. BAKER. I compliment the gentleman from Oklahoma and associate myself with him in support of this bill. This bill will not help the district that I have the privilege to represent, but I know it is good for the entire country. This bill will help the lead and zinc industry until such time as we pass a real duty bill to take care of the situation.

Mr. EDMONDSON. I thank the gentleman from Tennessee. A chronological summary of actions and proceedings before the Tariff Commission follows:

CHRONOLOGICAL HIGHLIGHTS OF PROCEEDINGS OF LEAD-ZINC INDUSTRY BEFORE THE TARIFF COMMISSION

May 10, 1950: The lead mining industry petitioned the Tariff Commission for escape clause action. However, this petition was dismissed because the trade agreement with Mexico, under which it had been brought, was canceled by the United States effective December 31, 1950, after which the 1930 duty on lead was temporarily restored.

February 14, 1951: The lead mining industry made application under the provisions of section 336 of the Tariff Act of 1930 for an investigation of the differences in the cost of production of lead in the United States and foreign countries. This petition was dismissed on May 29, 1951, when the Commission decided that trade agreement rates could not be changed by action under the provisions of section 336.

April 19, 1954: The Tariff Commission, in response to resolutions of the House Ways and Means Committee—July 29, 1953—and the Senate Finance Committee—July 27, 1953—submitted a report—T.C. 332–26—following a general investigation in accordance with the provisions of section 332 of the Tariff Act of 1930. This report is comprised of 356 pages of detailed analysis of the industry.

May 21, 1954: The Tariff Commission, as the result of an escape clause action under section 7 of the Trade Agreements Extension Act of 1951, made a unanimous finding of serious injury to the lead-zinc industry resulting from excessive imports, and recommended maximum permissible increase in duties—T.C. No. 27.

August 20, 1954: The President advised the Committee on Ways and Means that he would not implement the unanimous recommendations of the Tariff Commission in its May 21, 1954, report. Instead, the President outlined an expanded stockpiling program and subsequently initiated a barter program as well.

April 24, 1958: The Tariff Commission, in another escape clause action—T.C. No. 65—again unanimously found that the domestic lead-zinc industry was suffering serious injury. Three Commissioners recommended reimposition of the 1930 rate of duty and three Commissioners recommended the maximum increase in duty—50 percent above the 1945 rates—and also recommended the imposition of absolute quotas based on 50 percent of imports during the period 1953–57.

At the conclusion of a 60-day period provided in the Trade Agreements Act, the President advised the chairman of the Ways and Means Committee that he was "suspending consideration" of the Commission's 1958 recommendations.

September 22, 1958: The President—Proclamation No. 3257—established absolute quota restrictions on imports for consumption of unmanufactured lead and zinc effective October 1, 1958. The quota amounts were set at 80 percent of the average annual commercial imports during the base period of 1953–57, compared with 50-percent quotas recommended by the Tariff Commission as indicated above. There was no change in basic tariff rates and no provision for quota control of manufactured items.

August 21, 1959: Senate Resolution 162, 86th Congress, called upon the Tariff Commission to make an investigation under section 332 of the Tariff Act of 1930, and bring down to date the Commission's report of April 19, 1954.

March 1960: The Tariff Commission filed its report—No. 332–26, supplemental—but four of the six Commissioners refused to make specific findings on the grounds that the Commission lacked authority to submit recommendations or findings. However, two of the Commissioners found continued serious injury and recommended increases in tariffs on lead and zinc metal, ores and

concentrates and compensatory duties on manufactured items.

NOTE.—Prior to the adoption of Senate Resolution 162, 86th Congress, the industry sought to file another escape clause action. However, Tariff Commission counsel advised that an industry operating under an escape clause proclamation was precluded from filing again for section 7 relief. This, despite the fact that the Tariff Commission recommendations had not been fully implemented by the President.

September 30, 1960: The Tariff Commission submitted a report to the President under paragraph 1 of Executive Order No. 10401, indicating that there was a continuation of the serious injury previously found.

EXTRACTS FROM TARIFF COMMISSION REPORTS

The Commission in its May 1954 report said:

Information obtained by the Commission in its investigation indicates * * * that on the whole lead and zinc mine production in the principal foreign countries supplying the United States with lead and zinc imports have not been affected as seriously as such activities were affected in the United States (p. 24).

In April 1958 report, three of the Commissioners pointed out:

Many of the lead and zinc mines, particularly in the Western States, are located in areas where other means of livelihood are limited or nonexistent. Mine or mill shutdowns in such areas present a difficult problem both to the worker and his family and to the supporting service industries. In some areas the situation, if long continued, can give rise to so-called ghost towns, with the consequent severe depreciation or total loss of realty holdings in addition to the loss of income to the worker. The mine operator, on the other hand, loses skilled workmen who may not be easily replaced should economic conditions warrant resumption of operations at a later time (p. 63).

Further in this 1958 report:

The reduction in lead and zinc market prices in the United States at a time when wage rates, costs of supplies and equipment, and other expenses of production had increased substantially has resulted in distress for the lead and zinc industries, especially for the mining and milling segment. This distress is reflected in many mine closures and curtailments of operations; reduced employment and loss of wages; abandonment or postponement of essential mine exploration, development, and maintenance activities; resort to wasteful practices of selective mining of highest grade ore reserves; smelter shutdowns or curtailments of activities; accumulation of excessive stocks of unsold lead and zinc metals at primary smelters and refineries; and large financial losses or sharply curtailed profits for the producing companies.

The average number of employees in the primary lead and zinc industries declined from 42,170 in 1952 to 33,890 in 1956, and to 28,960 in October 1957, the last month for which data were available. The average number of employees at mines and mills alone declined from 24,280 in 1952 to 16,840 in 1956, and to 12,760 in October 1957—representing a total reduction since 1952 of about 11,500 employees. In addition, the number of employees at primary lead and zinc smelters and refineries declined from 17,890 in 1952 to 17,000 in 1956, and to 16,200 in October 1957—representing a total reduction since 1952 of 1,690 employees (p. 71).

The two Commissioners who made findings in the March 1960 report noted, in a preface to their findings:

On the question of whether the domestic lead and zinc industries are in a depressed condition and in need of assistance, we assume that there can be no reasonable doubt (p. 153).

Mr. BARING. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Nevada.

Mr. BARING. Mr. Chairman, I rise in support of H.R. 84, the Edmondson lead-zinc bill, which I myself have cosponsored; H.R. 2874—this bill, appearing on the floor of the House today, 1 week after the debate and vote on the foreign aid bill, is one of the most important reasons why I would not support the foreign aid bill. Hundreds of millions of dollars of American moneys have been spent in building and developing mines in foreign countries. Economic slave labor used in these foreign countries prohibits competition by the American domestic miners.

Most of our men, with the exception of the prospectors—and I am sorry to say that there are very few of these great Americans left, for it was they who at one time opened up the vast domestic mineral wealth—are unionized and our high standard of living will not let us compete with the low standards met in other portions of the world. The foreign aid program, now 14 years old, has completely closed the doors of our domestic mining industry; for along with the disastrous effects of the reciprocal trade treaties, we can no longer keep our men working when the cheaply produced minerals enter this country duty free.

As long as the policy of the U.S. Government is to assist foreigners—and you have all heard this quotation many times in the last decade, "We cannot hurt our friends in Peru, Mexico, Canada, and Korea"—we must resort to some kind of subterfuge. Actually, there would be no need of distressed area legislation if our own policy had not made it necessary. The Congress was wrong in letting the Tariff Commission get out from under its scrutiny.

All there is needed today is tariff and quota systems, but because this country has acted the way it has, there is nothing left but to subsidize the various areas that have been affected.

Normally, I believe in free enterprise, but we cannot compete against these conditions. It seems ridiculous to barter with the foreign countries and subsidize our "limping and sick" industry, but this is necessary. I was not only disgusted, and discouraged, when I was informed that the Department of the Interior had sent recommendations for our lead-zinc policy which would take some 3 years to survey and study. We heard this same story back in President Truman's administration, and a study was made at that time. My remarks today are not political, nor do they stem from action or inaction of any particular administration. During the last 8 years of the Eisenhower administration very little concern was shown toward our domestic minerals policy.

The miners of this country, plus their families, want to eat today, they do not want to wait another 3 years to see whether or not conditions will be such that they might go back to work. The excessive importations has dropped the market price of lead and zinc, making it almost impossible for our American mines to operate.

Others have told you on the floor of the House today, that once these mines close they fill with water and it is actually cheaper to start a new mine than it is to repair the old ones. Many good discoveries are lost by mines filling with water.

The serious world conditions today should open the eyes of everyone here today for these mines might have to be used in the following months ahead. Should our sealanes ever be cut by a foreign power we would have to rely on our domestic industry. We have promised over the last several years many mineral programs. Some of them became public law, but Congress did not keep their promises. We have closed the tungsten mines all over the West where people invested their private capital and lost their shirts, because the Government would not stockpile the minerals they promised to buy. The situation is very serious, my colleagues, for you have all heard the old saying, "You can fool some of the people some of the time, but you cannot fool all the people all of the time"—I do not believe these miners will be fooled any more.

If our position in the world today is as it is given to us in the morning headlines, we should start now to help one of the most important segments of our economy, the domestic minerals, needed in the defense of our country. The best and most effective line of defense is a healthy going mineral supply right here at home.

Let us recall that for over 10 years the domestic lead-zinc mining industry has worked with and importuned our Government to establish a sensible minerals policy to stabilize our business and provide normal metal stocks at reasonable prices to the producer, consumer, and importer. The cause of instability of price and stocks during this period has been and still is the import of excessive foreign supplies of these metals. Not once during the past 10 years has our domestic mine output equaled foreign imports. Why? Excessive foreign imports of cheap metal and concentrates have kept our domestic market prices for these metals below levels that are needed for our mines to remain competitive with the foreign producer. The result has been closed U.S. mines, loss of employment, and permanent damage to our mining economy.

During the past 10 years, the domestic lead-zinc mining industry has tried, by procedural and legislative means, to correct the source of our problem—again, that of excessive foreign imports of lead and zinc. The record shows several Tariff Commission determinations of injury with recommendations for greater tariff protection. The repeated legislative efforts have demonstrated the interest and concern of the Members of Congress who

understand the importance of domestic lead-zinc mines in our economy and who also recognize the need to control foreign imports to reasonable levels. We need similar recognition by the administrative departments.

Industry wants and needs a long-term solution for stability of supply at an adequate price. This can only be accomplished through tariff legislation controlling imports to needed levels. Barter does not accomplish this but compounds the problem. The present proposals once again put off the political problem of facing up to a permanent solution. Barter and stockpiling were used in 1954–57 in lieu of accepting and implementing Tariff Commission recommendations for increased tariff. The result was an artificial price that resulted in unprecedented imports. When the program was discontinued in 1957, the price broke radically, and the domestic industry has never recovered from the excessive buildup of stocks. The end result was that the foreign producer received a U.S. subsidy.

My colleagues, let us think back a week ago, once more, to an $8 billion program in which good old Uncle Sam pays out hard-earned taxpayers' money to be used all over the world, yes, to be used in many countries, who have already turned their backs on us. This program today, while in the form of a subsidy, only entails some $16 million over the next 4 years. It is a drop in the bucket, so to speak, but it would mean a fresh outlook, a shot in the arm, to a sick industry, and the knowledge that our Government can still think in terms of American citizens rather than throw away our democracy in an attempt to be big brothers, and get nothing but blackmail in return.

I hope that my remarks will be interpreted in the right direction, for I know that the tone of my remarks today are bitter. I certainly hope, Mr. Chairman, that Congress will today pass this bill, small as it is, but one which will give some faith and assurance to our own taxpayers.

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Illinois.

Mr. GRAY. Mr. Chairman, I take this opportunity to congratulate the distinguished gentleman from Oklahoma [Mr. EDMONDSON] for the valiant effort he has put forth in behalf of this important legislation.

Although we have no lead or zinc industry in my district, we do have similar problems in our mining industry, particularly in the fluorspar industry. I hope this committee will help us with legislation to save the fluorspar industry from disaster.

Again, Mr. Chairman, I congratulate the gentleman.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. SAYLOR. Mr. Chairman, I yield 4 minutes to the gentleman from Colorado [Mr. CHENOWETH].

Mr. CHENOWETH. Mr. Chairman, it gives me great pleasure to rise in support of H.R. 84, a bill to assist the small domestic producers of lead and zinc.

I commend the gentleman from Oklahoma [Mr. EDMONDSON] for his diligence and perseverance over the years in trying to obtain the passage of legislation of this type. It gives me double pleasure to rise in support of this legislation as I am anxious to cast my lot with those who are trying to do something to help our domestic mining industry. The gentleman from Tennessee just referred to the fact that, perhaps, the logical way to do this would be to increase the duties on the imports of lead and zinc from foreign countries.

I agree with him, but there is absolutely no possibility of any such action by our State Department. This is the only means we have of doing something for our domestic lead and zinc industry. I am giving this bill my wholehearted support and I hope it will be passed by an overwhelming vote.

Mr. Chairman, Colorado is a mining State. We have seen the decline of the mining industry in our State. In 1956 we had 93 small lead and zinc mines. This was reduced to 40 in 1960 and the number is still going down. We have also observed what has happened to the coal mining industry. On the floor of the House just last week we heard reports on the decline of the coal mining industry all over the country, and the large number of coal miners who are unemployed. I represent the Cripple Creek and Victor gold producing area. The gold mining industry is in need of assistance, and I have introduced bills providing for increased payments for newly mined domestic gold.

I say the time has come for us to raise our voice in behalf of our domestic mining industry, as we have the opportunity of doing here today by passing this bill. This bill may not be, and I do not contend it is, the ultimate solution of the problem facing our lead and zinc industry. However, it will be of some help, and will enable a number of small lead and zinc mines to resume operation. I supported the bill last year which was vetoed by the President. This is a more modest bill but will be of substantial help to our small operators. In my opinion this is the only bill of this type that can be passed this year.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. CHENOWETH. I yield to the gentleman from Illinois.

Mr. COLLIER. I understood the gentleman to say that Congress has no other course of alleviating the condition which this legislation would alleviate. I cannot agree in that respect because it is solely the constitutional authority and duty of the U.S. Congress, not an agency of Government, to establish duties and tariffs.

Mr. CHENOWETH. Would the gentleman agree with me that we gave away that jurisdiction and prerogative when we passed the Reciprocal Trade Agreements Act?

Mr. COLLIER. I understand that, but many of those who favored abdicating constitutional authority by voting for the Reciprocal Trade Agreements Act are the same folks who are now coming back here, realizing that they have created a problem of looking for a remedy outside of the one that was available to them at the time the Reciprocal Trade Agreements Act was brought before this House.

Mr. CHENOWETH. At the time we passed the last extension of the Reciprocal Trade Agreements Act we were assured that relief would be forthcoming for our domestic mining industry, but I have not seen any assistance as yet. I repeat that our only recourse is to pass this bill today.

Mr. COLLIER. Plus remembering the fact that the Reciprocal Trade Agreements Act comes up for renewal next year.

Mr. CHENOWETH. I thank the gentleman and recognize the responsibility we will have when this act is considered next year.

Mr. Chairman, I urge the passage of this bill, and I am happy to give this measure my full support.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. EDMONDSON. Mr. Chairman, I yield 5 minutes to the gentlewoman from Idaho [Mrs. PFOST].

Mrs. PFOST. Mr. Chairman, I rise to join my colleagues in support of the small producers bill on lead and zinc now before the House for consideration.

And before getting into the merits of the legislation, I wish to commend the very able chairman of the Mines and Mining Subcommittee, ED EDMONDSON, for the magnificent job he has performed in furthering the advancement of this measure. He has led a hard fight, first to secure the administration's approval of the modified bill, and then the subsequent favorable action by the committees, making it possible for it to come before this distinguished body for consideration today.

The purpose of the bill, as previous speakers have outlined, is to stimulate the domestic lead-zinc industry and particularly to lend a helping hand to small producers of these metals. The bill's dimensions are extremely modest—$4½ million the first year and then scaled down during the 4-year program to $3½ million in 1965, for all small producers in the United States. This is a mere drop in the bucket compared to the proposed foreign aid program of $8.8 billion, or the defense budget of around $50 billion. And do not forget that some of our foreign aid funds have been used to open mines in foreign countries, only to have the ore shipped here in competition to our own producers.

State Mines Inspector George Fletcher informs me that some 48 Idaho mines will benefit under the bill and be able to boost their production. He also reported that another 25 mines in the State, which heretofore have been closed, may be able to reopen and go back into production.

This is good news for the people of Idaho. Lead-zinc has been a stricken industry for too many years, even though the State remains a prime producer of the metals.

Last year, Idaho ranked third in zinc production in the Nation with 37,000 tons. In lead production, it ranked second with 42,000 tons. Yet, these

figures hardly represent the capacity which the State is capable of producing.

This bill will help increase lead-zinc production in Idaho by tapping the resources of its small mines, some of which have been closed for years because of depressed market conditions. It will give a much needed boost to the economy of small mining communities by putting people back to work. These people deserve our help and we have delayed too long in giving it to them.

One north Idaho county leading in lumber and mining production has been designated as a "redevelopment area". Four others are being surveyed right now because of critical unemployment. These counties will be able to help themselves if we help them put men back to work in our small mines.

I am sure other lead-zinc producing States will be helped as well as my own State. Our domestic economy uses just under a million tons of lead and zinc annually. Yet, domestic production last year stood at 435,000 tons of zinc and 246,000 tons of lead. This means, in short, that some 60 percent of these metals used here, came from abroad.

The bill, in serving to boost domestic production, is a step in the right direction. But still more remains to be done in developing and strengthening our domestic sources of lead and zinc. This is only commonsense considering the troubled world in which we live today. We must gear ourselves to supply our needs at home, to meet any emergency. I urge Members to support this bill.

Mr. RIVERS of Alaska. Mr. Chairman, will the gentlewoman yield?

Mrs. PFOST. I shall be glad to yield.

Mr. RIVERS of Alaska. Mr. Chairman, I rise in support of H.R. 84 which would in a small way rectify the hardship being imposed upon the small producers of lead and zinc by virtue of the foreign policy pursued by the United States over a period of years. At the outset I wish to express my admiration of the gentleman from Oklahoma [Mr. EDMONDSON] for the valiant fight he has waged to help the dwindling number of small lead and zinc producers in the United States, and the hardy miners who have lost their jobs because of the oversupply of these minerals on the U.S. market which stems from imports from abroad.

I point out that a sound foundation has been laid for bringing this legislation to the floor of this House. Year after year this matter has been taken to the Tariff Commission which has made the findings necessary to warrant executive relief under the peril point provisions of the Reciprocal Trade Agreements Act, but in the interest of foreign relations such relief has been denied. Thus at this point this body is the court of last resort, so to speak, and justice must be done and notice served that our foreign aid policies must be modified to afford a modicum of equity and fair play to the industries of the United States. I wholeheartedly support this bill.

Mr. MONTOYA. Mr. Chairman, will the gentlewoman yield?

Mrs. PFOST. I yield to the gentleman from New Mexico.

Mr. MONTOYA. Mr. Chairman, I want to join my colleagues in urging the passage of H.R. 84, a bill which would stabilize the lead and zinc industry in our country and alleviate the grave situation in these industries which has been increasing with the passing of the last several years.

I would like to express my profound belief that it is now time to enact some positive legislation if we are to put hard-hit industries on their feet, and in the long run accomplish the much needed objective of assuring development.

Testimony has been presented to the committees in hearings with respect to national figures concerning not only the low ebb of production but also the low ebb of employment. I will not go into the national picture in any great detail, but I believe it is important to emphasize that the Tariff Commission only last fall unalterably, through the medium of carefully compiled statistics, greatly strengthened our convictions as to the basically depressed conditions concerning the zinc and lead industry in this country. On pages 2 and 3 of the report submitted by the Tariff Commission to the President it is pointed out that U.S. mine output of zinc declined from 532,000 tons in 1957 to 412,000 tons in 1958, and although there was a slight increase to 425,000 tons in 1959, production in these years was lower than in any year since our gravest depression in the early 1930's. Further, the U.S. mine output of lead declined from 338,000 tons in 1957 to 256,000 tons in 1959, and this production in 1959 was the lowest on record since 1899. I sincerely believe that these figures speak for themselves, and the Tariff Commission report squarely places these industries in a most precarious and untenable position. I am sure that we are all familiar with the findings and recommendations of the Tariff Commission, with the subsequent unsatisfactory actions taken by the executive department.

I would sincerely appreciate a few moments more, if I may, in pointing out the severe impact of this depressive condition in New Mexico. The zinc and lead industries were of prime importance to the economy of our State for many years, and this was particularly true from 1948 to 1952 when the aggregate production on an average of both industries approximated almost $12 million a year. There were in the neighborhood of 1,200 men employed in these industries in New Mexico in 1952. In subsequent years, because of the rapid decline in metal prices and increased imports, our zinc and lead production dropped 55 percent, which is a most sizable figure economywise when we take into account not only the size of our State but the fact that we can hardly be considered as an industrial State.

I think I can advisedly argue that both industries were virtually closed down well over 2 years ago, and the localities affected, particularly Grant County, lost the principal source of tax revenue. I think it is significant to note that the Employment Security Commission of New Mexico recently reported after exhaustive research that mining job openings alone had dropped 23 percent just from last year. New Mexico has had countless families on breadlines similar to those of the 1930's, and we say this not figuratively but literally since Government records will show that commodities such as dried eggs, powdered milk, and other basic subsistence needs had to be channeled into these areas time and again. As a matter of fact, those areas never received enough commodity assistance to anywhere near meet their needs, and it is a sad plight indeed in this great country that such situations should exist, which situations, of course, are wholly incomprehensible to the loyal Americans suffering the plight firsthand.

I strongly contend and believe, rightfully so, that coordinated efforts to alleviate these grave conditions and stabilize these industries through workable, long-range programs fall directly within the intents and purposes of our new President in his efforts to meet head-on the most challenging problems connected with distressed and depressed economic conditions in our country.

I would like to emphasize that the current urgency in the lead-zinc mining industry is underscored by the complete shutdown of several mines in New Mexico. Production in New Mexico has fluctuated to such an extent during the last 10 years, from 7,021 tons of lead and 50,975 tons of zinc mined in 1952 to almost a standstill in 1954, at which time production of lead reached a bottom of 887 tons and only 6 tons of zinc. Production during 1960 was only 35 percent of normal. Severe unemployment and job insecurity has plagued our lead-zinc mines in New Mexico creating extreme hardship on many families.

Mr. ALBERT. Mr. Chairman, will the gentlewoman yield?

Mrs. PFOST. I shall be glad to yield to the gentleman from Oklahoma.

Mr. ALBERT. I desire to take this time to say a word on behalf of my colleague, the gentleman from Oklahome [Mr. EDMONDSON]. I have never seen anybody pursue a matter more diligently or thoroughly than the gentleman from Oklahoma, my colleague, has pursued this particular matter. His district is in the great tristate area which is one of the principal lead- and zinc-producing areas in the world, and the people living in that area have him to thank for a tremendous and important job. He has used his great and resourceful talents in their behalf on this as on many other occasions.

I thank the gentlewoman from Idaho for yielding.

Mr. McCORMACK. Mr. Chairman, will the gentlewoman yield?

Mrs. PFOST. I yield to my distinguished leader.

Mr. McCORMACK. I am very glad to hear the remarks made by my distinguished friend, the majority whip, about the gentleman from Oklahoma [Mr. EDMONDSON], the remarks by the chairman of the committee, and the remarks of the gentlewoman from Idaho who now has the well.

ED EDMONDSON has been tireless in his efforts to get this bill out of committee; and after the bill came out of committee he certainly was on my trail. I told him that if he got a rule out of the

Rules Committee I would program it just as quickly as I possibly could. The rule came out last Tuesday, and the bill is programed for today and is now under consideration.

I want the record to show that I have never had any more pleasant experience, but an indefatigable one on the part of another colleague, than I have had with reference to this bill and programing it for the consideration of the House—the pleasant, wholesome, constant, persuasive, and effective observations and requests by the gentleman from Oklahoma [Mr. EDMONDSON].

Speaking on the bill, I think it is a very fair bill. The committee has done an excellent job. The departments in reporting on the bill recognize the situation that exists with its relationship to small producers, and it is a pleasure for me not only to cooperate with my good friend, the gentleman from Oklahoma [Mr. EDMONDSON], in bringing the bill up for very early action in the House, but it is also a pleasure to speak in its support.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. LANGEN].

Mr. LANGEN. Mr. Chairman, the committee has before it H.R. 84, a bill designed to stimulate the mining of lead and zinc by small domestic producers at a cost of $16,500,000 for the next 4 years. I arise in opposition to this legislation for specific reasons:

First. This legislation starts another subsidy program in a new field that could grow into gigantic proportions.

Second. The bill does not provide any resemblance of a solution to the problem which is one of establishing a reliable market for American mined lead and zinc.

Third. The bill does not even recognize the heart of the problem which is excessive stocks of lead and zinc created by reduced market demands and continuous increases in imports.

Fourth. The legislation creates more problems than it proposes to solve. May I speak briefly to each of these points.

First, may I state most emphatically that I am sympathetic to the plight of the small lead and zinc producers, many who have been forced out of business in recent years due to a variety of reasons. With the industry's economic plight, I surely have no quarrel. Statistics show that since 1956, the domestic miner has continuously received a smaller percentage of our market, and the importer has been flooding us with excessive unneeded imports. The results, of course, have been excessive metal stocks, reduced market prices, closed mines, unemployment, and a genuinely sick industry. Such conditions are surely worthy of our most sincere and dedicated attention.

The legislation before us, however, would be the beginning of a new subsidy program in the field of the mining industry. If we single out lead and zinc for this giveaway program, why not bring in other materials such as iron ore and other metals? I am not suggesting a similar scheme for iron ore, but may I remind the House that it is an industry that also finds itself in about the same state of depression as lead and zinc; with iron ore, too, we continue to import more and more to the detriment of our domestic mining areas specifically identified by the now-depressed Minnesota iron range, which has historically been a supplier of the Nation's raw material for steel. It would be equally foolish to subsidize the iron ore industry without a long-range program to stabilize the mining community in general.

May I call your attention to the magnitude of a program of this kind in iron ore which involves millions of tons a year as compared to thousands in the field of lead and zinc, and an industry that has a much more intricate relationship to our entire national economy. At the same time it would be most discriminating to recognize in this manner one segment of the mining industry and not the other. Time would surely bring like requests for equal treatment.

The bill does not provide a solution to the problem. Statistics submitted to the committee by the Bureau of Mines indicate that in 1956 there were 638 mines in operation which produced less than 3,000 tons per year—the maximum volume to which the legislation is applicable—by 1960 the figure had been reduced to 273 mines, indicating that 365 had been forced to shut down their operation during this period. The 273 mines in operation during 1960 produced annually 58,000 tons of ore. These 273 mines in operation would be eligible for subsidy payments which at present prices would probably average about $40 per ton. These mines would then demand more than 50 percent of the $4,500,000 appropriation for the first year. The 365 mines that are now not operating produced 149,500 tons of ore in 1956, and so there would be money enough available to accommodate less than one-third of their production in the first year and this would be continuously reduced in each of the suceeding years. By these mathematics it is easily understood that the legislation at best would offer some relief to less than a third of the mining operations that are now closed.

The bill further fails to recognize that the lead and zinc problem has been aggravated and generated by a continuous increase in the imports of lead and zinc to the point of where we now import about 60 percent of our annual U.S. requirements. Mr. Clark Wilson, chairman of the Emergency Lead and Zinc Committee, Washington, D.C., told the Subcommittee on Mines and Mining that domestic miners believe we should provide for them at least 50 percent of the annual U.S. requirements of lead and zinc, ores and concentrates. This situation has been further verified by the Tariff Commission.

Three times within recent years the lead and zinc industry has appealed to them, claiming that imports were creating an excess supply in relation to our requirements and were destroying the industry. The Tariff Commission agreed in all three instances that the lead and zinc industry was being substantially injured by this great volume of imports. I am sure that a combination of tariffs and quotas could be worked out that would stimulate the lead and zinc industry without direct subsidies to the marginal producers, which would still give foreign producers a market for these materials, while at the same time provide the United States with a tariff income instead of a "handout" deficit. This method would provide a giant step for the entire domestic lead and zinc industry to recover on a sound long-range basis.

The legislation creates more problems than it solves. First, there would be real administrative problems in determining who would be eligible for these subsidies, inasmuch as we have already indicated the bill provides sufficient moneys for only about one-third of the closed mines.

Second, inasmuch as the legislation does nothing to provide an improved market, if the total production is increased by the reopening of smaller mines, then it obviously follows that larger mines would be forced to reduce their production. A reduction in their production would necessarily mean unemployment and the same hardships that are now experienced by the closed mines. Consequently, we would only be shifting the problem from one area to another. A future problem would be created during the second, third, and fourth years, because the bill provides for reduced amounts of moneys and participation during these years, and unless some other steps are taken at the end of the 4-year period, the problem becomes substantially worse than it is now, both in relationship to excessive material stocks, reduced prices, closed mines, and unemployment.

In view of these most undesirable features, I would implore my colleagues to consider the dangers that accompany a continuing policy of temporary assistance measures that add not one ounce of mortar to the firm foundation needed to help a sick industry. Perhaps if we start saying "no" to this succession of "stopgap handouts" we can generate some enthusiasm for long-range planning as has recently been suggested by the Tariff Commission and others who are well acquainted with the nature of this problem. At best, the legislation can offer little but a prolonged agony to the lead and zinc mining industry that needs more than a prescription of a temporary Federal handout to cure its ills.

For these reasons, I urge the House to disapprove the legislation before us.

Mr. BECKER. Mr. Chairman, will the gentleman yield?

Mr. LANGEN. I yield to the gentleman from New York.

Mr. BECKER. I want to say that I agree with the position taken by the gentleman. There are many other industries in the United States, the textile industry, for instance, that have been very seriously affected by imports. Why should we not bring bills in here to subsidize these various industries, and will the same people who brought this bill in support the reciprocal trade agreements when they are up for consideration, that has brought about this condition?

Mr. LANGEN. I thank the gentleman.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. KYL].

Mr. KYL. Mr. Chairman, it is not easy to oppose the legislative proposals of those who have shown me such kindness and consideration. I do so without any rancor.

Mr. Chairman, the major fault with this legislation, as everyone agrees, is that we do not go to the cause. The prescription does not fit the diagnosis of the ailment. But beyond that, we have to look at the practical side. Every one of us is interested in helping these miners who are unemployed. Every one of us is sympathetic to these people. This bill is designed to stimulate production—I repeat, stimulate production.

I suppose if we have any sympathies, our sympathy would be with the small producer as opposed to the larger producer. But let us look at this practically. We have an oversupply of these products, and we are trying to stimulate production. From a practical standpoint, the barn is full. We have to look at the problems we create as well as those we solve in this legislation. Suppose we do help these small producers of lead and zinc on a temporary basis? Every time we add another ton of lead and zinc to the oversupply—and this is always the inevitable result of compensatory payments—that production has to be taken from the production of the larger mines which are in operation. I cannot see any other result than that the unemployment will move from the small segments of the industry to those larger producers.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield for a question?

Mr. KYL. I yield very briefly.

Mr. EDMONDSON. Assuming the state of facts that we have in agriculture, with our warehouses full of surplus agricultural goods, would the gentleman say we should cut off all supports to agricultural production?

Mr. KYL. The present program in agriculture is not one of compensatory payments which have historically increased production.

Mr. EDMONDSON. But it is one where we have a surplus on hand, and we are continuing to support it.

Mr. KYL. The attempt is to limit production rather than increase production. However, the point is this: If we have an individual who is unemployed in a larger mine, I submit that that man is just as unemployed and just as much a hardship case as is one who is unemployed in a small mine.

Mr. Chairman, there is another factor to which I would like to call attention. This legislation is a very strong admission that the depressed areas legislation which we have employed to solve problems of this specific nature—these depressed area programs—are not capable of solving the problem. So we have to move to some other program like this to assist in this area. These depressed mining areas are the exact situations to which this broad area redevelopment proposal was directed. We see that it is not filling the need.

Mr. Chairman, I would move to one other consideration. The gentleman from Pennsylvania [Mr. SAYLOR] will shortly propose an amendment which would reverse the procedure under this bill. The largest payments will be made first, and then we go to smaller payments as the program progresses.

In actuality, these small producers are not ready to jump into a full-fledged program of production. I do not think there is any question that the small producers would be better off starting with the smaller production and moving to a larger production. I intend to assist the gentleman from Pennsylvania in his amendment for the simple reason that if this legislation does pass I want it to be the best possible legislation we can get for the small miner. I think the gentleman from Oklahoma recognizes that principle.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield to the gentleman.

Mr. EDMONDSON. If the Saylor amendment is adopted reversing the procedure and increasing the production resulting from this program, would the gentleman then support the bill?

Mr. KYL. The gentleman's position would be this. He would still be opposed because of the reasons he has thus far expressed; but I would feel much better because the legislation had been improved if it does indeed pass.

Mr. EDMONDSON. The gentleman has been frank with me and I appreciate it.

Mr. KYL. In other words, the Saylor amendment asks this question: What are we trying to do in this proposal? Are we trying to nurse a sick patient to health or are we simply trying to buy flowers for the funeral? There is every reason to believe that there are many people in the departments of government around this city who see this as a means not only of phasing-out a subsidy program but a means of phasing-out the small producers of lead and zinc.

Mr. SAYLOR. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Chairman, I would be the last to decry the need, because I come from the famous tristate area of southwest Missouri. There are many people in this area who are out of mining jobs just as we are about out of lead and zinc ore. There is a tremendous stockpile on hand and a decreasing demand with greater imports. The proper correction of an error is not to commit another. However, it is a stopgap measure similar to the fabulous opening of Pandora's box. Now, because I have made a study, I can answer one of the gentlemen from the Committee on Rules who is worried about the reaction of the State Department, the administration, and the Department of the Interior. At the proper time I shall ask permission to have certain letters elucidating this printed in the RECORD; but at this time I would say that our office has made a long study, and basically this bill would be expected to stimulate about 60,000 tons of lead and zinc production during the first year, if passed. These estimates are well based. Nevertheless, there remains the fundamental fact that the bill in effect will result in increased lead and zinc production without providing an additional market, and thus will only deteriorate the long-range market-price problem. It does not even treat the symptom, but merely sideskirts it. It would be like trying to prevent Roger Maris from hitting 60 home runs by giving him an intentional walk every time. He might not hit 60 home runs, but he would be on base every time and would score on somebody else's hit.

The only sane solution appears to be more proper quotas with the backoff of the State Department, or the Aspinall approach which will reduce the amount of foreign ore coming into this country. It appears that if Congress adopts this approach it will have to do it over the obstinate efforts of the State Department whose concern is more with the problems of foreign producers than with our own producers.

Mr. Chairman, under leave to extend my remarks in the body of the RECORD at this point, herewith is my letter to the President pertinent to the subject of lead-zinc, July 13, 1961, and the reply which I received from the President's office dated July 18, 1961. Subsequently I received a letter from Mr. John Kelly, Department of the Interior, which in essence contained the same recommendations this Department made to the House Committee on Interior and Insular Affairs. As yet I have not had a reply from the Department of State:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 13, 1961.

Hon. JOHN F. KENNEDY,
President of the United States,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I am disturbed by the recommendations of your administration within the past few weeks affecting policy toward the lead-zinc industry. I wish to call several matters to your attention, and to the attention of your advisers in the Department of Interior and the Department of State.

One cannot help but draw the conclusion that the Department of State and the Department of the Interior are recommending a course of action which will be utterly disastrous for our domestic lead-zinc industry, and for the thousands of persons employed in that industry.

Specifically, I refer to the administration's recommendation for a system of barter and stockpile as the solution to the lead-zinc problem. More "solutions" like this and we will no longer have a lead-zinc problem—or a lead-zinc industry.

As a Representative of the Seventh District of Missouri, with a concentration of lead-zinc mines, I call attention to these recent developments:

1. Negotiations are nearing completion for barter of 100,000 tons of lead from Australian and Canadian mining companies. This metal will be added to the U.S. supplemental stockpile in spite of the unanimous objection of the domestic lead-zinc industry.

In essence, we are thus using our agricultural surpluses in a barter arrangement which will add to our lead-zinc surpluses and will tend to further depress the lead-zinc market.

2. The administration has recommended a "new" policy that would consist of a barter program to purchase $60 million worth of surplus domestic lead-zinc stocks now held by U.S. producers, to be added to the supplemental stockpile.

A review of our policy over the past 10 years will disclose that the major effect of

stockpiling and barter has been to encourage more foreign production of lead and zinc. Foreign producers, many of them subsidized through our foreign aid program, have never failed to take advantage of opportunities to feed their production into the United States.

The present quotas are so high that they offer virtually no restriction on these imports. Any temporary benefit from this proposal would not reach the miners who are the ones who need help, but would go to two or three large producers whose excess stocks, in many cases, has been refined from foreign ores, and who have large oversea investments.

The major cause of instability of price and stocks during the past 10 years has been and still is the import of excessive foreign supplies of these metals, largely the result of higher production costs here and economic assistance to oversea producers.

It might be added that other domestic programs implemented by the administration affecting wage costs, tax demands, etc., are hardly calculated to lower our own production costs.

It is an irrefutable fact that the State Department has been the major obstacle in efforts to grant relief to our lead-zinc industry through adjustments in tariffs and quotas—this in spite of the fact that several Tariff Commission determinations of injury with recommendations for greater tariff protection have fallen—and continue to fall—on deaf ears.

I contend that the State Department has virtual sole jurisdiction in an area affecting thousands of domestic jobs in the lead-zinc industry, and that responsible persons in that Department are resigned to the demise of this industry, this in spite of the fact that lead and zinc are strategic materials, the domestic production of which is absolutely vital to our defense needs in times of emergency.

I submit that the domestic miner should have at least a minimum of 50 percent of our U.S. market needs of lead and zinc ores and that it is time for this administration to begin paying more heed to the advice of industry spokesmen and less heed to officials in the State Department who seem to be wholly preoccupied with the creation of jobs overseas at the expense of domestic workers. Surely, we must realize that we cannot and should not curry favor or influence foreign loyalty with self-degrading and one-way trade agreements.

I believe that H.R. 3416, involving judicial use of tariffs and import quotas with less influence on subsidies, is at least a step in the right direction and is urgently needed if the lead-zinc industry in southwest Missouri is to survive. Do you recall your campaign promises in Joplin, Mo., while wearing a miner's "hard hat"?

I also urge the administration to reconsider its support of section 609 of the foreign aid bill which would permit the AID Administrator to dispose of lead-zinc from our supplemental stockpile unless the Congress specifically disapproves the plan within a 60-day period. Such "vest-pocket approval" techniques have no place in a statesmanlike legislative program.

Aside from the constitutional question of whether Congress should abandon its authority in this area, it makes little sense for the administration to be seeking authority to unload our lead-zinc stockpile on the world market at the same time that it is negotiating an agreement with Canada and Australia to obtain their lead and zinc for inclusion in that same stockpile.

Nor do I believe that the administration should take such authority out of the hands of a domestic agency, OCDM, and place it in the hands of an agency primarily concerned with foreign affairs and having little regard for the effect of its actions on our domestic economy.

At the meeting with the mining State congressional group on June 23 you indicated your intent to assign a task force to devote further study to the lead-zinc problem.

The last thing we need is a task force study to tell us what our problems are in the lead-zinc industry. We know what those problems are; we know what initial steps should be taken; and we certainly know that the situation will become steadily worse as long as policy is being dictated by the Department of State.

I hope you will see fit to reverse the administration's policy so that a sick industry will be given a chance for survival, and our internal economy may flourish again on principles which have made our Nation great.

Respectfully submitted.

DURWARD G. HALL,
Member of Congress.

THE WHITE HOUSE,
Washington, D.C., July 18, 1961.

Hon. DURWARD G. HALL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: For the President, I would like to acknowledge and thank you for your letter of July 13 commenting on a policy for the domestic lead-zinc industry. Certainly, the domestic barter program suffers from some of the disadvantages to which you refer, and I am bringing your comments to the attention of the Department of the Interior and the Department of State for consideration.

We expect that within a few days, the Department of Interior will be prepared to express its views on the pending legislation dealing with the lead and zinc industry. We appreciate your letting us have the benefit of your thinking.

Sincerely yours,

LAWRENCE F. O'BRIEN,
Special Assistant to the President.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., August 7, 1961.

Hon. DURWARD G. HALL,
House of Representatives,
Washington, D.C.

DEAR MR. HALL: Your letter of July 13 addressed to the President has been referred to this Department for further reply.

The proposed barter program is not being pursued actively at the present time. It is undoubtedly true that the Government's acquisition of lead and zinc, both by purchase for the strategic stockpile and by barter, over a period of several years did serve to perpetuate an overproduction of these metals. It was for this reason that in 1958 this Department requested the Department of Agriculture to remove lead and zinc from the list of materials eligible for barter. We did not suggest merely a resumption of the earlier program. We specifically proposed that it be limited to the acquisition of surplus stocks in the United States, and we had expected to obtain some kind of agreement with producers holding these stocks not to rebuild them. This proposal was never thought of as the solution to the entire lead-zinc problem. In fact, we believe that any single solution to such a complex problem is likely to create as many difficulties as it solves.

I am enclosing a copy of the statement which I presented to the Senate Subcommittee on Minerals, Materials, and Fuels on July 25 concerning lead-zinc legislation. You will note that our reference to task forces is not a further study of the lead-zinc problem, but a basic analysis of depressed community problems and a beginning of a program of basic improvement of the economic opportunities in these areas.

We welcome your interest and appreciate your continued cooperation.

Sincerely yours,

JOHN M. KELLY,
Assistant Secretary.

Mr. SAYLOR. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. THOMSON].

Mr. THOMSON of Wisconsin. Mr. Chairman, I rise to support and to assist the descendants of generations of mining families in the district I represent. This is a historic industry in that area. It was devised to defend the people of this country when they were fighting the Indian wars in the Midwest. It was the zinc-and-lead-producing area that provided the bullets that Abraham Lincoln used when he came as an Illinois militiaman into the State of Wisconsin 130-some years ago.

I believe that we have the question here today of determining whether we want a bill of this kind which will stabilize an industry and keep it alive or whether we are going to pursue the policy of providing money for distressed areas. The area I represent does not have a county in it that is eligible for rural rehabilitation or for distress relief, and we want to keep it that way. This is a breath of oxygen, if you please, for an industry which is suffocating from foreign imports. I believe in keeping the industry alive rather than sending aid to the families after they have lost their jobs in this industry.

My distinguished colleague from Missouri said we need to back up the State Department. We do not need to back up the State Department. What he meant was that we need a State Department with some backbone in it, and the doctor well knows that. There is no relief through the tariff procedure.

Mr. HALL. I wanted to say "back off" the State Department, not "back up." I think they ought to be backed out of Washington.

Mr. THOMSON of Wisconsin. You are improving.

There is no aid to come through the tariff provision. There is no hope in the field of quotas. We were in the White House and we tried to sit around the rocking chair, but the President was sick that day.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. EDMONDSON. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin.

Mr. THOMSON of Wisconsin. There is no hope for this industry through quotas. They do not want even to mention the world "quotas" because it will irritate some of the people in foreign lands that are shipping lead and zinc in. There is no hope in the barter system because they are going to barter our surplus agricultural products for lead and zinc that has been produced in foreign countries. We want the production to be in American mines by American workers for the benefit of an industry that is essential in war and in peace.

I think this approach is the only possibility. It is not the solution. I hope to keep these industries alive until the

time we can reappraise the policy of this Government as it affects reciprocal trade agreements.

I have long been disturbed at the ruination of the plywood business in Wisconsin from foreign imports of plywood. I am disturbed at the ruination of the rubber manufacturers in my district. I am disturbed because of the textile mills in my district that are going out of business, because last year we imported enough woolen textiles to keep 60 American mills in operation.

I hope this bill will be approved.

Mr. SAYLOR. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas [Mr. McVEY].

Mr. McVEY. Mr. Chairman, I wish to compliment the gentleman from Colorado and also the gentleman from Oklahoma for their tireless efforts in behalf of the lead and zinc industry.

We can talk until we are blue in the face about the evils of subsidies but the fact is that they are here. It is an accepted principle, and it exists in many forms. In this one world philosophy we are going to have to use the subsidy because it is our only hope for the small producers of lead and zinc to offer them immediate relief.

Somebody mentioned the law of supply and demand. The law of supply and demand was repealed by foreign aid. We are trading surplus agricultural products for 45,000 tons of lead and zinc from Australia, and for 55,000 tons of lead and zinc from Canada. You talk about supply and demand. The demand is in the United States, which is the largest consumer of these products, yet the supply is abroad because most of it is being imported. The result is we have already subsidized the miners through welfare payments being doled out in the social welfare program.

In Cherokee County in my district, which is involved in this, that county has the largest welfare load of any county in Kansas in proportion to population. Southeast Kansas has lost 15,000 people in the last 10 years, not merely because of the decline in this industry but as a partial result of it. In 1956 there were 40 operating mines in the State of Kansas with combined production of lead and zinc under 3,000 tons. Today there is only one good operating mine, and there are two marginal mines. In 1956 in Kansas, 36,300 tons of lead and zinc were produced, yet last year there were only 3,898 tons, a decline of approximately 90 percent.

Additionally, in southeastern Kansas we have the largest supplier of mining equipment in the tristate area, so that we would also be indirectly benefited in this way by the passage of this legislation.

I am not talking about a depleted field for there are approximately 1,900,000 tons of recoverable metal in the tristate area. These are good mines, the water is pumped out and they are ready for production. We talk about spending money to retrain people. You could retain people down in southeastern Kansas, but there would be no jobs for them to go to. In the first place, they do not want to leave their chosen homes. So what is the matter with giving a little money to build up an industry that we already have and furnish the miners employment? The chamber of commerce spends money to attract new industries into our State. That is fine, but here is an existing industry we can revitalize by giving some positive relief through this bill. What is the matter with helping our American citizens? We have subsidized foreigners with $8.8 billion in the foreign aid program, subsidizing, in effect, foreign miners. I think it is high time we took care of our own. It seems to me, our Government today is somewhat in the position of a woman who used to live in my hometown. She was so carried away with her missionary work and by the people abroad that she neglected her own family with the result that her own son ended in the penitentiary. Let us not neglect American industries.

Admittedly, this bill does not solve the basic cause, but it does offer necessary relief. We need relief. Everybody gets up here and says, "Well, we can sympathize with the lead and zinc mining industry."

Gentlemen, I submit we appreciate your sympathy, but we need your help.

Mr. BREEDING. Mr. Chairman, will the gentleman yield?

Mr. McVEY. I yield to the gentleman from Kansas.

Mr. BREEDING. I thank my colleague. I want to join with all my colleagues today in support of this legislation. In my 5 years as a Member of the Congress, I have always supported this legislation. I compliment the gentleman from Oklahoma [Mr. EDMONDSON], chairman of the subcommittee, for his diligent work and his hard work in bringing this legislation to the floor of the House again this year. I join with the remarks of the gentleman from Kansas in support of the bill.

Mr. Chairman, I am happy to support H.R. 84. Domestic lead and zinc producers are in trouble, and it seems to me that the only way help can be secured for them is through legislation of this type.

A similar bill passed the House last year. The present bill is a modified version of that legislation, having been scaled down both in cost and coverage, and it is carefully written to limit the program to 4 years.

I have no lead and zinc mines in my congressional district, Mr. Chairman. But lead and zinc is important to the State of Kansas and I firmly believe that whatever helps one section of my State helps the entire State. That accounts for my interest in this legislation.

For 8 years efforts have been made to have the Tariff Commission take appropriate action to protect this important domestic industry against unfair competition. The Tariff Commission has failed to act so the only recourse is to seek relief through legislation.

The future of a vital domestic industry is at stake in this legislation. The jobs of thousands of miners are also at stake. If we pass this bill, we will enable the industry—and especially the small producers—to get through a very difficult period ahead.

Without this legislation, I doubt that the lead and zinc industry can survive. Therefore, Mr. Chairman, I urge the passage of this legislation today.

Mr. EDMONDSON. Mr. Chairman, I yield 1 minute to the gentleman from Utah [Mr. PETERSON].

Mr. PETERSON. Mr. Chairman, in the west central area of my district, Juab County, in the State of Utah, we are in desperate need of relief for our small operators of lead and zinc mines and mills such as would be provided in this bill, H.R. 84.

In 1949 we had 2,948 men employed in these mines in my district; today we have but 981. In 1949 our lead and zinc mines had an assessed valuation of nearly $10 million; today that valuation is $2½ million. In 1956 we had 54 small producers of lead and zinc in Utah; today we have only 39.

Production of these minerals in the United States has decreased by 338,700 tons annually since 1947; 287,600 tons of this reduction, or 85 percent of the total, has occurred in the Western States alone, with a substantial part of it from my district in Utah.

Our domestic lead and zinc mining industry is suffering from the effects of low market prices as a result of excessive foreign imports. In January of this year I introduced H.R. 3461, a bill to stabilize the mining of lead and zinc in the United States. Five months later I appealed directly to the President for an effective policy by this new administration for relief from instability of prices and stocks.

The industry has worked for the past decade to establish a sound domestic minerals policy, but legislation to achieve that purpose has been given the pocket veto and the industry has been further sidetracked with such palliatives as stockpiling, barter, and ineffective quotas. The direct effect of this stockpiling, barter and inordinately high quotas during this 10-year period has been to encourage more foreign production, and not once in the last 10 years has domestic production equaled the foreign imports.

Industry needs and seeks a long-term solution to their basic problem of instability of prices and supply. I am confident that given time the administration will present such a long-term solution, but in the meantime the small producer needs immediate assistance. H.R. 84 as reported by the House committee would provide temporary relief during the next 4 years, making it possible for our small operators to remain in business. It would also encourage those who have been forced to shut down to resume operations.

Mr. Chairman, I appeal to the Members of this body for enactment of H.R. 84, which will provide a limited subsidy as a practical solution to the problems of the lead-zinc industry.

Mr. SAYLOR. Mr. Chairman, I yield 4 minutes to the gentleman from South Dakota [Mr. BERRY.]

Mr. BERRY. Mr. Chairman, I shall support this legislation not because it solves any problem and not because it offers any solution to the problem that confronts us, but my friends until the Congress gets sufficient intestinal fortitude to attack this and these other import problems at the roots, then I say

we must have these subsidy programs. This is just another such program. We need no farm program—we need no farm subsidies. The American farmer cannot today produce sufficient food and fiber to feed and clothe the American people. We need no mineral program. We need no mineral subsidies. We need no fishing and marine life program or subsidy or coal program or textile subsidy or any of the rest of these subsidy programs. All we need in this country is import protection—some kind of an import tax.

Now I say to you that the producers in every field can meet the additional cost of living in this country, because they can produce more efficiently but they cannot meet the additional cost of living and at the same time meet the additional cost of our tax burdens. Our producers are asked to raise, in addition to everything else, $50 billion for defense. Defense of whom? Not the United States but the entire free world. This $50 billion has got to be added to the cost of everything that we produce, but our competitors, whom we defend, are not required to add this expense to the cost of their production.

Now I say to you that I do not know whether the answer is import duties, whether it is quotas, or an import tax, but I do say to you that the only way we can require our competitors in these countries that we are defending to assist in their own defense, and the cost of their own defense, is to provide some kind of an import tax. And, until we do that we are going to have farm subsidies, we are going to have mineral subsidies, we are going to have textile subsidies, and we are going to be subsidizing everything else. I say to you that until we get to the root of the problem, until Congress is ready to attack it at the roots, this is the kind of a program we must resort to and we must continue to resort to.

Mr. BAKER. Mr. Chairman, will the gentleman yield?

Mr. BERRY. I yield to the gentleman from Tennessee.

Mr. BAKER. I agree with the gentleman from South Dakota completely. I have a bill pending before the Committee on Ways and Means, H.R. 5173, which will impose substantial import duties. This would be a permanent solution. I hope to get a favorable report in January. I had a favorable report last year from the Committee on Ways and Means. I feel that we should pass this bill to help this almost dying domestic segment of the industry.

Mr. BERRY. I agree with the gentleman.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. BERRY. I yield to the gentleman from Washington.

Mr. HORAN. I want to associate myself with the thoughts expressed by the gentleman from Tennessee [Mr. BAKER] and the present speaker and, I understand, the committee. We have to keep the water out of these mines or lose this important industry in our country.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. SAYLOR. Mr. Chairman, I yield the balance of the time to the gentleman from Colorado [Mr. DOMINICK].

Mr. DOMINICK. Mr. Chairman, in my talk to the House during the debate on the rule I mentioned some statements that were made by the administration. I would like to again quote from that in order to bring to you the problem that we are facing. On page 109 of the committee hearing, in connection with the original H.R. 84, Mr. Edwards said:

> We have offered no panacea for the ills of the domestic mining industry. We think it is increasingly clear that short-term measures of assistance, such as subsidies to production, merely call for more and greater subsidies and lead to more and greater direct intervention in business by the Government.
>
> We think now is the time to make the sacrifices needed and so direct our energies as to assure that over the long run we shall have viable economies in every region of our Nation.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. EDMONDSON. Mr. Chairman, I yield the balance of the time to the gentleman from Montana [Mr. OLSEN].

Mr. OLSEN. Mr. Chairman, it is a real pleasure to be permitted to support H.R. 84 dealing with special emergency relief for the lead and zinc industry. Lead and zinc, as I suppose everyone knows, occur together in a natural state. Thus they are treated as one problem. The Congress is again wrestling with a program and with a problem, as everyone has observed, that has been an annual problem and an annual program before this House.

Our State Department has influenced the several administrations, past and present, against tariffs and import quotas. However, most of us, as has been observed here by those speaking, think that the lead and zinc miners have paid more than their share for the promotion of mutual security programs in the free world. The lead and zinc miners have sacrificed more than their share in contributing to the welfare of their country and their country's foreign policy.

Along with other mining district Congressmen, I introduced a bill to tax imports of foreign lead and zinc and with those tax proceeds pay stabilization payments for domestic production. However, the administration would only agree to small stabilization payments, such as H.R. 48 and would not agree to import quotas and would not agree to import tariffs. Thus the House Committee on Interior and Insular Affairs has recommended to the Congress this small producers' bill for aid to the lead and zinc industries, H.R. 84.

I wish to commend Chairman ASPINALL of the full committee, House Interior and Insular Affairs, and Chairman EDMONDSON of the subcommittee on their efforts in behalf of the lead-zinc industry and in behalf of this H.R. 84. I think it has been very adequately explained to the House of Representatives.

However, I wish to add to that explanation, the situation in my State of Montana. There, the lead-zinc mines have, for years, employed many miners and produced valuable new income from these natural resources. Lead-zinc income in 1951 was $38,517,056. This was reduced to $4,379,844 in 1960, as a result of low metal prices caused by excessive imports of foreign lead and zinc. The mines in Montana experienced a combined lead-zinc production in 1956 of 89,162 tons—adverse market conditions reduce this until 1960 when the experience was 17,430 tons of combined lead-zinc.

Today, the lead-zinc mines in the famous Butte district are all closed. Only a small percentage of former employees are engaged in producing lead and zinc. The Bureau of Mines estimates that there are between 38 and 98 mines in Montana which could qualify under the bill.

We hope the upturn in the economy will accelerate consumption of lead and zinc. From time to time, we will have an opportunity to alter the foreign policy insofar as it affects our domestic mining policy.

In the meantime, H.R. 84 will help put some breath of life in the domestic lead-zinc miners.

This is the commencement of several solutions. This is an emergency program while we provide better, more lasting recommendations to bring this industry long awaited lasting prosperity.

I urge the adoption of H.R. 84.

Mr. KING of Utah. Mr. Chairman, will the gentleman yield?

Mr. OLSEN. I yield to the gentleman from Utah.

Mr. KING of Utah. I would like at this time to associate myself with the remarks of the distinguished gentleman from Montana, and with the remarks of those other Members who have spoken on behalf of the bill. This is not a permanent solution to the lead-zinc problem, but I think it will be a step in the right direction if properly administered.

I feel that the lead and zinc industry has a great potential. It was one of the greatest industries in the West, in days gone by, and there is no reason why it cannot be, again. It is a great industry. I have not lost faith in it. I shall continue to do all in my power to bring it back to its former state of health.

The CHAIRMAN. The time of the gentleman from Montana as expired, all time for general debate has expired.

Under the rule, the Clerk will read the substitute amendment printed in the bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to establish and maintain a program of stabilization payments to small domestic producers of lead and zinc ores and concentrates in order to stabilize the mining of lead and zinc by small domestic producers on public, Indian, and other lands as provided in this Act.

SEC. 2. (a) Subject to the limitations of this Act, the Secretary shall make stabilization payments to small domestic producers upon presentation of evidence satisfactory to him of their status as such producers and of the sale by them of newly mined ores, or concentrates produced therefrom, as provided in this Act. Payments shall be made

only with respect to the metal content as determined by assay.

(b) Such payments shall be made to small domestic producers of lead as long as the market price for common lead at New York, New York, as determined by the Secretary, is below 14½ cents per pound, and such payments shall be 75 per centum of the difference between 14½ cents per pound and the average market price for the month in which the sale occurred as determined by the Secretary.

(c) Such payments shall be made to small domestic producers of zinc as long as the market price for prime western zinc at East Saint Louis, Illinois, as determined by the Secretary, is below 14½ cents per pound, and such payments shall be 55 per centum of the difference between 14½ cents per pound and the average market price for the month in which the sale occurred as determined by the Secretary.

(d) The maximum amount of payments which may be made pursuant to this Act on account of sales of newly mined ores or concentrates produced therefrom made during the calendar year 1962 shall not exceed $4,500,000; the maximum amount of such payments which may be made on account of such sales made during the calendar year 1963 shall not exceed $4,500,000; the maximum amount of such payments which may be made on account of such sales made during the calendar year 1964 shall not exceed $4,000,000; and the maximum amount of such payments which may be made on account of such sales made during the calendar year 1965 shall not exceed $3,500,000.

SEC. 3. (a) Subject to the provisions of subsection (b) and subsection (c) of this section, no stabilization payments under this Act shall be made to any small domestic producer on sales, or further processing in lieu of sales, in the twelve-month period ending December 31, 1962, in excess of one thousand five hundred tons of zinc and one thousand five hundred tons of lead; or in the twelve-month period ending December 31, 1963, in excess of one thousand two hundred tons of zinc and one thousand two hundred tons of lead; or in the twelve-month period ending December 31, 1964, in excess of nine hundred tons of zinc and nine hundred tons of lead; and in the twelve-month period ending December 31, 1965, in excess of six hundred tons of zinc and six hundred tons of lead, subject to the further limitation that no producer may be paid in any such calendar year for an amount in excess of his maximum production during any calendar year between January 1, 1950, and December 31, 1960. Payments shall be made only with respect to ores and concentrates produced from an operating unit which was operated during the whole or some part of the period January 1, 1956, to August 1, 1961. No payments shall be made on any production from any property acquired by sale, lease, permit, or otherwise (except devise or inheritance) subsequent to August 1, 1961: *Provided, however,* That any person or firm acquiring a property by sale, lease, permit, or otherwise may qualify as a small domestic producer if such person or firm produced ores or concentrates from a mine specified in a lease, permit, or contract during the whole or some part of the period January 1, 1956, to August 1, 1961.

(b) No stabilization payments under this Act shall be made on any domestically produced material which is sold to or eligible for sale to the United States Government, or any agency thereof, pursuant to a contract made under the provisions of the Defense Production Act of 1950, as amended, or the Strategic and Critical Materials Stockpiling Act. Any such material shall be applied to reduce the annual limitations specified in this section, and the quarterly limitations as fixed by the Secretary.

(c) For purposes of administration the Secretary may fix quarterly limitations on the total amounts of each material on which stabilization payments are made for the purpose of achieving stabilization in the annual rates of production.

SEC. 4. The Secretary is authorized to establish and promulgate such regulations and require such reports as he deems necessary to carry out the purposes of this Act, but such regulations shall assure equitable distribution of the benefits of the programs provided by this Act among the small domestic producers affected.

SEC. 5. The Secretary may delegate any of the functions authorized by this Act to the Administrator of General Services.

SEC. 6. (a) For the purposes of this Act—

(1) The term "Secretary" means the Secretary of the Interior.

(2) The term "small domestic producer" means any person or firm engaged in producing ores or concentrates from mines located within the United States or its possessions and in selling the material so produced in normal commercial channels who, during any twelve-month period between January 1, 1956, and the first day of the period for which he seeks payments under this Act, has not produced or sold ores or concentrates the recoverable content of which is more than three thousand tons of lead and zinc combined, recoverable content being computed as 95 per centum of the lead content of the ores or concentrates and 85 per centum of the zinc content of the ores or concentrates.

(3) The term "sale" means a bona fide transfer for value of ores and concentrates from a producer to a processing plant. In the event that a producer further processes ores or concentrates, a sale shall be deemed to have occurred when such ores or concentrates are shipped to the processing plant.

(4) The term "newly mined" means domestic material processed into concentrates or severed from the land subsequent to the date of enactment of this Act, but shall not exclude normal inventories of crude ore. The term does not refer to material recovered from mine dumps, mill tailings, or from smelter slags and residues derived from material mined prior to the date of enactment of this Act.

(5) The term "quarter" means the calendar periods commencing on the first day of the months of January, April, July, and October.

(b) For the purposes of this Act, the Secretary may determine what constitutes a single operating unit producing ores and, in the event that more than one producer claims payment for sales from production of a single operating unit, the Secretary may determine the quantity of sales for each such producer to which the above limitations apply.

(c) For purposes of this Act, sales of concentrates produced from ores sold to a mill or processing plant in accordance with regulations issued pursuant to this Act shall not be considered as the sales of the owner of the mill, but shall be considered as the sales of the small domestic producer of the ores.

SEC. 7. No payment shall be made under this Act on any ores or concentrates sold, or processed in lieu of sale, after December 31, 1965; but authorized payment shall be made only if application therefor is filed not later than March 31, 1966, in accordance with regulations established by the Secretary.

SEC. 8. The Secretary shall make an annual report with respect to operations under this Act not later than March 1 of each year to the Congress of the United States. Any such report shall contain such recommendations as the Secretary may deem appropriate.

SEC. 9. (a) Whoever, for the purpose of procuring a payment to which he is not entitled under this Act and the regulations issued pursuant thereto or for the purpose of assisting another to procure a payment to which the other is not entitled under this Act and the regulations issued pursuant thereto, misrepresents any material fact, knowing the same to be false, fictitious, or fraudulent, shall be guilty of an offense against the United States and shall be fined not more than $5,000 or imprisoned not more than two years, or both, and shall thenceforth be entitled to no benefits under this Act.

(b) Whoever accepts a payment under this Act to which, or any portion of which, he is not entitled, knowing that he is not entitled thereto or whoever, having accepted a payment under this Act to which, or any portion of which, he is not entitled, retains the same, knowing that he is not entitled thereto, shall be required, in a civil action instituted by the Attorney General, to refund treble the amount accepted or retained by him. The acceptance or retention of any payment as aforesaid shall also constitute an offense against the United States punishable by a fine of not more than $5,000 or imprisonment for not more than two years, or both, and any person who shall be convicted of such offense shall thenceforth be entitled to no benefits under this Act.

(c) No producer shall be eligible for payment under this Act if he is operating under a lease, contract, or permit obtained after the effective date of this Act from another producer of lead and zinc who has placed a larger portion of his mining properties under lease, contract, or permit to other producers than he had placed at his highest production level since January 1, 1956, to the effective date of this Act.

Mr. ASPINALL (interrupting the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

Mr. GROSS. Mr. Chairman, reserving the right to object, will the gentleman include that it be open to amendment at any point?

Mr. ASPINALL. Certainly, that it be open to amendment.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent that further reading of the amendment be dispensed with and that it be open to amendment at any point. Is there objection?

There was no objection.

Mr. SAYLOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAYLOR: Page 8, line 23, strike out section 2(d) and section 3(a) through line 24, page 9, and insert the following: "(d) The maximum amount of payments which may be made pursuant to this Act on account of sales of newly mined ores or concentrates produced therefrom made during the calendar year 1962 shall not exceed $3,500,000; the maximum amount of such payments which may be made on account of such sales made during the calendar year 1963 shall not exceed $4,000,000; the maximum amount of such payments which may be made on account of such sales made during the calendar year 1964 shall not exceed $4,500,000; and the maximum amount of such payments which may be made on account of such sales made during the calendar year 1965 shall not exceed $4,500,000.

"SEC. 3. (a) Subject to the provisions of subsection (b) and subsection (c) of this section, no stabilization payments under this Act shall be made to any small domestic producer on sales, or further processing in lieu of sales, in the twelve-month period ending December 31, 1962, in excess of six hundred tons of zinc and six hundred tons of lead; or in the twelve-month period ending December 31, 1963, in excess of nine

hundred tons of zinc and nine hundred tons of lead; or in the twelve-month period ending December 31, 1964, in excess of one thousand two hundred tons of zinc and one thousand two hundred tons of lead; and in the twelve-month period ending December 31, 1965, in excess of one thousand five hundred tons of zinc and one thousand five hundred tons of lead, subject to the further limitation that no producer may be paid in any such".

Mr. SAYLOR. Mr. Chairman, the amendment which I have offered ends up with the same subsidy, the same production, except it looks at the problem as one of a sick industry.

The program included in the bill reported by our committee begins in 1962 to make its largest payments, producing the largest amount of money; in 1965 makes the smallest amount of money and the smallest production. If this industry is sick, and I think we have had ample proof that we are dealing with a very sick industry, then you do not begin to pour medicine down the throat of the patient in such quantity it cannot even swallow it.

Let us look at what has happened. In 1959 we had 182 small producers, and in 1956—I take these 2 years because it happens that is also a 4-year period—you had 557 small producers. In other words, you had about one-third of the number of mines producing in 1959 that you had in 1956. My amendment merely says that in 1962 you will appropriate $3½ million for those people and pay it to those people who produce 600 tons of each one of the metals. In 1964 you take $4 million and you pay it to those mines that are now getting into production and can produce 900 tons of each of the metals. In 1964 you have $4½ million and you pay it to those mines that are back in production producing 1,200 tons of each of the metals. In 1965 you still have the same amount of money, $4½ million, but the mining industry, if the theory is correct, has now recovered, and you are going to pay the people who are producing on the basis of 1,500 tons of each of the metals.

To me this is a very reasonable approach. The only reason I have had advanced to me that this is not a good idea is the fact that the President will not sign a bill containing this provision, the Interior Department downtown does not like it.

Well, I am one of those who believes they do not have all the answers downtown under this administration any more than they had all the answers downtown under any prior administration. If they downtown do not want to look at this sick patient in the manner a patient should be looked at, there is no reason why Congress should blindly follow a policy that will not do any good.

If we are going to spend $16 million for this industry, let us spend it in the most judicious manner. Let us try to get the men back to work. Let us try to see what this industry can produce here in this country and let us give it a reasonable opportunity to get back into production to supply our domestic needs.

If my amendment is adopted, I may say to the gentleman from Oklahoma I will support the bill and I will ask everybody else to support the bill, because I think if we have to have a program, this is the kind of program we should have. This is a reasonable approach.

Figures from the U.S. Bureau of Mines supports this approach, because it shows that in the past 4 years that a large number of mines have dropped out of existence and are not in production. I think they could be brought back into production and make the lead and zinc producing mines of this country a real contributing factor in our economy.

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have no question at all about the good faith of the gentleman from Pennsylvania [Mr. SAYLOR], with reference to his desire to be helpful to the mining industry. I can see some merit in this proposal that he has made from the standpoint of a miner who is out of production and has to come back into production. But I would like to point out several things that outweigh these considerations. In the first place, the great bulk of mines that are going to be benefited by this program produce less than 500 tons a year. These mines, even if they are out of production, can get back into production in a very few months, and would be able to participate in this program during the 1962 year.

In the second place, if the gentleman is trying to avoid the big production increase which his colleague from Iowa is so concerned about, he is going exactly the opposite direction to get that done. Taking his approach, the production increase is going to be considerably more than the approach which has been recommended by the committee.

Finally, Mr. Chairman, I would like to say this: If we want a bill, if we want a bill that will be signed into law, believe me when I say we need to stick with the formula of the committee. We have a clear indication from the administration, with their recommendations to the committee, that this escalation down in the stabilization payments is favored by the administration and would be preferred by the administration. We also have a very clear question confronting those of us who would like to see a more fundamental answer to this, a more basic, long-range answer to it: that if we escalate downward the payments, the incentives to get a proper long-range answer are with us immediately. If we have the payments ranging up, then the incentives to get a basic long-range answer to the problem are reduced and shoved off 4 or 5 years away. Let us not make the mistake of killing this bill with kindness for the industry, as the gentleman from Pennsylvania [Mr. SAYLOR] I believe is doing with this amendment. Let us stick with the well thought out and reasoned program which the committee has brought to the floor.

Mr. Chairman, I urge the rejection of the Saylor amendment.

Mr. ICHORD of Missouri. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, no Member of Congress has worked more diligently and more effectively in behalf of the lead and zinc industry than the author of this bill, the gentleman from Oklahoma. The entire industry owes him a tremendous debt and for that reason, I greatly regret that I cannot support this legislation on which he has worked so long and untiringly. I rise in opposition, not only because I feel that the legislation will be detrimental to the overall interest of the lead and zinc industry, but also because it will lessen the possibility of any effective relief for a genuinely sick industry at the cost of $16½ million to the taxpayers of the United States. My district is very much concerned with this legislation as it produced approximately 42 percent of all the lead mined in the United States in 1960.

H.R. 84 constitutes no cure for the ills existing. It merely deals with results and does not concern itself with the causes. The small producer has been driven out of business by imports. But should we put them back in business with the taxpayers' money to further glut the market? Should we not deal with the cause itself?

For the last 10 years the domestic lead and zinc mining industry has pleaded with our Government to establish a sensible minerals policy—one which would stabilize the industry and provide the metals to the producer, consumer, and importer at reasonable prices. Their pleas have fallen upon deaf ears.

Our Government has refused to deal with the cause of the sickness, which was and still is the imports of excessive foreign supplies of lead and zinc. Imports of lead and zinc now supply approximately 60 percent of the annual U.S. requirements for lead and zinc ores and concentrates. Not once during the past 10 years has our domestic mine output equaled foreign imports. These excessive imports have depressed the price of lead to 11 cents a pound and zinc to 11½ cents per pound. The result has been closed mines, employment losses and severe damage to our mining economy. Employment in mines and mills has dropped from 24,000 in 1952 to 9,000 in 1960. My own congressional district, which produced 42 percent of the total lead production in the United States in 1960, has been very hard hit. Four mines have been closed in my district during this session of Congress.

H.R. 84 will merely help one segment of the industry at the expense of another. I wish to bring to the attention of the House the report of July 20, 1961, from Mr. John Kelly, assistant to the Secretary of the Interior, to Chairman ASPINALL, and I quote:

> The Department believes that subsidies of the magnitude envisioned by these bills would be seriously detrimental not only to national interests but to the welfare of the lead-zinc industry itself. If enacted, the subsidies authorized would stimulate a large amount of production from marginal mines which would be unable to survive the expiration of the subsidy program. They would bring on the market substantial additional tonnages of metal at a time when stocks are unusually large and are depressing prices. These additions to supply from subsidized production would undoubtedly result in lower prices and force the nonsubsidized portion of the domestic lead and zinc industry to curtail output and reduce employment.

H.R. 84 will put more lead on the market and further depress the price. It will only affect a small percentage of the total workers involved, and the ultimate result will be a shift in jobs and production from one segment of the mining industry to another. The larger mines now producing will have to close to make way for the production of the smaller mines. In other words, the efficient producer who is now able to keep operating at 11 cents a pound will be forced out of business by the inefficient producer who will be brought back into operation at a guaranteed price of 14½ cents a pound, while the efficient producer will only be receiving the market price of less than 11 cents a pound.

In my judgment, Mr. Chairman, that is a poor way to promote a healthy lead and zinc industry.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. ICHORD of Missouri. I yield to the distinguished Chairman of the full committee.

Mr. ASPINALL. I am sure the gentleman from Missouri does not want to mislead the committee. He called attention to a letter written by Assistant Secretary John M. Kelly relative to the payments provided in the original bill. I think it is altogether proper that I should call attention to the fact that we have the latest word on that, dated August 16, 1961, this is an excerpt from a recent letter from Assistant Secretary of Interior, John Kelly. The letter reads:

> There has been no official word from the White House that the proposed barter program would be shelved, but it is not being actively pursued. In the meantime, we have reported on the so-called small mines subsidy bill and have indicated our willingness to support a reasonable program along these lines.

This refers to the bill now before us in the form of the substitute to the original bill to which Mr. Kelly does not offer any objection.

Mr. ICHORD of Missouri. That is correct. But it is my contention that the bill as amended merely guarantees 14½ cents a pound rather than 17 cents a pound, as originally proposed. It is my contention that it is just a smaller dose of the same bad medicine and that the bill should not pass.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield?

Mr. ICHORD of Missouri. I yield to my colleague from Missouri.

Mr. JONES of Missouri. As I understand the gentleman, what he says is that where you are in an area with one large producer who would not be subject to the subsidy it would cause more unemployment in that area; while the bill might help a small producer it would cause more unemployment in the section the gentleman represents.

Mr. ICHORD of Missouri. That is correct. The district which I represent now produces approximately 42 percent of all the lead mined in the United States. Conditions are bad there. This would cause additional unemployment beyond that which we have at the present time.

Mr. JONES of Missouri. I thank the gentleman.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to ask a question or two. I am not clear as to whether the Tariff Commission has tried to grant relief to this industry on the basis of the peril point clause in the Reciprocal Trade Agreements Act. Is it the fact that the Commission held that the peril point provision should be invoked?

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. EDMONDSON. The Commission on three different occasions has recommended specific remedies for the assistance of the industry after a unanimous finding and yet the recommendations have never been followed by the Executive to this date; in part one of them has been.

Mr. GROSS. What is the matter with the present President of the United States that he has done nothing to relieve this industry?

Mr. EDMONDSON. There has been no report by the Tariff Commission to the present President of the United States. There has been a report to the Senate Finance Committee, if I understand the gentleman correctly.

Mr. GROSS. Even though President Eisenhower overrode the Tariff Commission and refused to grant relief, there would be nothing to prevent President Kennedy from taking a different position with respect to sustaining the same decision granting relief, would there?

Mr. EDMONDSON. There are two bodies of opinion on that point. My own view, which I believe is the gentleman's, is that it remains an open question, and even a succeeding President should be able to come in and revise the program initiated on Tariff Commission recommendations. There is another body of opinion, and I admit those thus far prevail, which holds that there is no power to revise except downward after one of those recommendations has been implemented by Presidential decision.

Mr. GROSS. Let us be specific now. What attitude does President Kennedy take? I think I know the attitude of former President Eisenhower on this and other matters with respect to foreign imports, and I did not agree with him. What position does President Kennedy take?

Mr. EDMONDSON. I have no personal commitment one way or the other from the President on this point. It is my view that the men who advise the President on this point hold to the same view that was held by the advisers in this field to President Eisenhower, which is that there is no authority to revise upward safeguards which have been imposed on the escape clause recommendation.

Mr. GROSS. Would not the gentleman think the logical thing to do is to go to the White House to find out what the attitude of the executive is in this matter before authorizing the appropriation of $16,500,000 to provide a subsidy for this industry?

Mr. EDMONDSON. I can state my own view, and that I have been to the White House three times on this question trying to get administrative approaches. To this date I have not had any success in any of my trips along that line other than to get a commitment to support a task force to implement the distressed areas bill and to support this small producers bill on a limited scale.

Mr. GROSS. Then we have a continuation of the same thing we had under the previous administration, the Eisenhower administration, with respect to damage from foreign imports. This is a very interesting discussion. At the outset I want to make an exception for those who voted against foreign aid on both sides of the aisle, those who are supporting this bill but voted against foreign aid. But for the life of me, I cannot see the consistency of those who vote billions for foreign aid, which develops mines and builds factories overseas to create products that pour into our country to wreck our markets. I cannot see your consistency.

Mr. EDMONDSON. Will the gentleman yield further to correct an impression I inadvertently left a minute ago?

Mr. GROSS. It is interesting to see these people who vote for foreign aid now going to the wailing wall and crying for more millions to take care of those who have been injured by the folly of these international programs. There is one effective way to halt these imports, and that is to establish a tariff that represents the differential in the costs of production as between all foreign imports and similar products made in this country.

LEGISLATIVE PROGRAM FOR THE REMAINDER OF THIS WEEK AND THE WEEK OF AUGUST 28, 1961

Mr. ARENDS. Mr. Chairman, I move to strike out the last word, in order to inquire of the majority leader if he can give us the program for the remainder of this week and next week.

Mr. McCORMACK. For the remainder of the week, after the disposition of this bill and a resolution, I will ask unanimous consent that the House adjourn until Monday.

This is the program for next week:

Monday is District day. There are nine District bills:

H.R. 6747, the juvenile court bill.

H.R. 8181, National Fisheries Center and Aquarium.

H.R. 8466, authorization in connection with the construction of a railroad siding.

H.R. 6967, to amend the Nonprofit Corporations Act.

S. 561, a bill relating to the small claims court, as to amounts of claims and so forth.

S. 2239, a bill relating to the National Society of the Sons of the American Revolution.

H.R. 7752, a bill amending the Alcoholic Beverage Control Act.

H.R. 5831, relating to retirement of judges.

H.R. 5968, relating to workmen's unemployment compensation.

H.R. 7176, eradication of hog cholera.

The above bills may not be called in the order in which I have announced them today.

For Tuesday, if the hog cholera bill is not disposed of on Monday, that would come up on Tuesday. Then, there would be the following bills scheduled for Tuesday:

H.R. 8773, Armed Forces lump-sum payments to reservists.

S. 1488, attorneys' salaries, Department of Justice.

For Wednesday and the balance of the week:

H.R. 8028, Juvenile Delinquency and Youth Offenses Control Act of 1961.

H.R. 6360, authorization, additional Assistant Secretary of Commerce.

The usual reservation is made, that conference reports may be called up at any time.

Any further legislative program will be announced later.

Mr. AREND. I might say to the gentleman from Massachusetts that from the looks of this, we may be drawing to the end of the session and I would say the quicker the better.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Iowa.

Mr. GROSS. Did the gentleman mention the public works appropriation bill?

Mr. McCORMACK. No, no appropriation bill is scheduled for next week. I have made inquiry, I can assure the gentleman.

Mr. GROSS. That bill has been around a long, long time.

Mr. McCORMACK. I can assure the gentleman I have made inquiries and there is no appropriation bill for next week.

Mr. KYL. Mr. Chairman, I move to strike out the last word, for the purpose of directing a question to the gentleman from Oklahoma.

First, I would like to ask the gentleman which of the two proposals, the one that is embodied in the bill or the one embodied in the Saylor amendment, does the gentleman honestly think will be of the greatest benefit to the greatest number of mineworkers?

Mr. EDMONDSON. I will be quite frank with the gentleman. I think the only proposal that has any hope of being of any benefit to the mine producers is one that we get signed into law. Whatever the pie-in-the-sky aspects of the proposition of the gentleman from Pennsylvania [Mr. SAYLOR] may be, there is no point in speculating on what good it will do for the industry, if it is a "dead pigeon" on the floor right now.

Mr. KYL. That brings me to the second question. I do not understand this apparent feeling that the President of the United States would not sign the bill if it were altered from the present status. It was my understanding, that he had even pledged that he would sign a bill which would be of the same proportions as the bill vetoed last year. The hearings, page 60 and again on page 120 indicate this. This bill certainly does not come to the proportions of the 1960 measure.

Mr. EDMONDSON. Of course, the gentleman has a matter that he may want to take up with the President personally rather than with me. But on the question of the difference between the proposal of the gentleman from Pennsylvania and the proposal last year, there is a very significant difference. The proposal last year did not escalate upward in supports and in subsidies.

The gentleman's proposal represents a rising scale of subsidies for the industry which, I think, is in the exact opposite direction from what either the President or this Congress is likely to approve. So I would ask—why pursue a remedy that does not have a realistic chance for implementation into law in the program? I see no useful purpose that can be served by that kind of operation.

Mr. KYL. I would suggest that the gentleman's attitude has changed a little from last year when we flew in the face of expected opposition from the White House on this legislation.

Mr. Chairman, I yield back the balance of my time.

Mr. DOMINICK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time only to point out some facts and figures which I think might be of interest to my colleagues here in connection with their decision on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

In 1956 the report of the Department indicates that there were 631 small lead and zinc mines in operation. In 1960 there were only 273, less than 50 percent. In 1961 the last custom mill in our area closed, and I am sure this same thing happened in other places in other areas.

Imports have gone this way: In 1946 lead foreign imports were only 19 percent of U.S. production, but in 1958 those same lead foreign imports constituted 91 percent of the U.S. production. In 1946 the zinc foreign imports were only 37 percent of our production, but in 1958 they were 119 percent of our production.

So, you can see very plainly from those figures what has happened.

The degree of assistance which this bill will give to the lead and zinc industry is the next point that I wanted to make. It was estimated in committee that if the full amount of allowable production were seized upon by the requisite number of mines, there could be only 40 mines in the Nation who would be helped under this proposal. If you look at it the other way and say that there are a lot more mines that are available and divide the money up amongst the number of mines, you would get about $8,000 which any mine could get. If, on the other hand—and the figures indicate that this is true—by virtue of bringing additional mines into production that are not now in production and all get a subsidy the amount of money that they are going to get under this program will be even less. In each instance I am talking about the maximum amount that can be given as authorized in this bill, $4.5 million.

Now, it seems to me apparent, if you reverse these figures and if you say that you can only do it on 600 tons this year and 1,500 tons in the third and fourth years and go up this way, by that time you will have more mines in production and you are going to be having a less amount of money available as a subsidy to any individual mine, while at the same time the market prices will still be declining because of the great amount of imports.

So, I suggest to you that in this particular amendment you have a very important policy decision to make. Are we trying to do something that will support the production of these mines, or are we trying to do something just to keep them alive long enough until we can take action on tariffs? If we cannot take action on tariffs, we have to go to the subsidy approach or the agricultural approach—giving the mining industry a subsidy in lieu of production. I certainly hope we will never come to that condition.

Mr. DENT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I just want to take a few minutes to state that I supported this legislation before and intend to support it again today. But, I do it probably for a different reason than some of the others. I do it because I have been making a rather deep study of the situation of our economy as it relates to the question of American production, American consumption, sales, exports, and imports. And, I say to this Committee today that this is the only alternative to external protection: Either we do subsidize our industry or we lose our industry. In every field of endeavor, particularly in those fields which can be copied easily or those products which can be produced easily in other countries, this is the only answer. And, the sooner we get to it, the sooner we subsidize all of our industries, the sooner we will get around to the belief that perhaps there is some reason to do otherwise.

This industry is here for relief; as of recent date, the last 60 days, they have said: "Give us one-quarter-of-1-cent-per-pound tariff protection and we will ask for no relief from Congress, no relief from the State Department, Commerce, or anyone else."

Instead of that their proposal of need was rejected; and, therefore, these Members of Congress are doing the only thing they can. It is like putting a splint on as the first application in the treatment of a broken leg. You can probably hold that leg in place for a while, but sooner or later you are going to have to operate. If a person has an ulcer, you can feed him milk or soft food for a while, but if you let it go long enough to grow into a cancerous condition, you have to operate. We are now in the first-aid stage, and the Members who have introduced this proposal before us know full well it is not the answer.

For instance, just to show you what happened, the need for lead and zinc is greater than it ever was, yet out of 596 mines that were operating I understand we are down to 315 mines operating today. We recognize that a price-fixing proposition has to be put into effect by putting this legislation on the books, and we say that any difference between the 14½ cents which is considered a norm of production cost, we will pay 75 percent

of that in a subsidy; and yet when we consider that overseas or the imported product coming in can be produced for as much as 60 percent of our norm cost of production, what is to stop the increased importation of the product?

I will give you a specific illustration. This country was forced, because of the high labor content in the true freshwater oyster button business. A simple business, some people laugh about it. It only employs 57,000 Americans, so it does not matter, they say. It is not comparable with big basic industry, but they were forced to develop something we could produce through mechanization and technological advancements. So we invented in this country, and invented a button for shirts called a plastic pearl-type button. We produced them, and in 1951 we went into some small production. Within 4 years the basic cost of that button was reduced from 68 cents to 52 cents a gross. The Japanese copied the process. In the first place they had driven us out of the oyster button industry because of the high labor content. The Japanese reduced the price of the buttons to 42 cents; the Americans reduced it to 41 cents. The Japanese reduced it to 39 cents, the Americans to 37. The Japanese reduced it to 33 cents and today they are selling for 27 cents. Imports have increased to such a proportion that it becomes difficult to find shirts made in America with an American-made button.

The lead and zinc people will be saved for a little while, but my advice to this Congress is: Pass it, double it, triple the subsidy, because until we do get to the point that we realize that the problem is basic, that the danger is deep rooted, we will never solve the problem.

It is a strange logic that demands obedience to rules that destroy all initiative, all purpose, and all pride.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. JOELSON. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, this bill is, of course, a subsidy bill. It seems that the word "subsidy" is a dirty word around here unless it is applied to one's own district. When subsidy is given to someone else it is a giveaway or a handout, but if it goes to ones' own district it is called an economic stabilizer.

Where are we going to stop this? I come from a district that has textile mills. Are these textile mills to get a subsidy? Is my grocer or shoemaker going to get a subsidy? Where are we going to stop this program of relief payments to industry?

I can foresee as sure as I am standing here that the coal miners will be in here for subsidies. There will be a parade without end. I say we have to consider that and consider it very carefully unless we want to revamp the entire nature of our American economy.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. The gentleman mentioned two other badly impacted industries. I can certainly see their problem. Can the gentleman mention any other industry that has the history of frustration and of inability to get relief when following the Tariff Commission routes and the escape clause routes that have been set up that the lead-zinc industry has?

Mr. JOELSON. I think there are dozens of industries in America that are suffering very badly because of imports. We have to take a good, hard, long look at our tariff problem, but I do not think we can cure the disease by making it worse. We are embarking on a disastrous policy when we say the policy of our Congress is to keep giving handouts to every industry that finds itself in trouble.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from Iowa.

Mr. GROSS. This country is in trouble because it is spending billions of dollars abroad to build plants and develop mines to ship their cheap labor products to this country.

Mr. JOELSON. I do not agree that is the reason we are in trouble. We are in trouble because the goods produced in foreign countries are sold here at prices that undercut our own prices. I do not think foreign aid is the culprit. I think our tariff policy needs reexamination.

Mr. BECKER. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from New York.

Mr. BECKER. I would like to ask the gentleman this question: Would not the sensible way to approach this matter of subsidy, whether for lead, zinc, textiles, or any other, is to refuse to pass any subsidy bills, which would force the administration and the Congress to put in tariffs to protect all of our industries? Would that not be better than to subsidize one step after another step, making our Nation a socialistic nation rather than a free enterprise nation?

Mr. JOELSON. When our farmers plant 2 acres and they get 4 acres worth of money——

Mr. BECKER. I think that is wrong, too.

Mr. JOELSON. That is called farm policy, but when a worker asks for an 8-hour pay for 6 hours' work it is called featherbedding. I fail to see the difference. A subsidy is a subsidy.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania, Mr. SAYLOR.

The amendment was rejected.

Mr. SAYLOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAYLOR: Page 11, line 24, strike out "three thousand", and insert "four thousand nine hundred ninety-nine".

Mr. SAYLOR. Mr. Chairman, the purpose of this amendment is to determine the size of a small mine. We have been told that the purpose of this bill is to make sure those mines that have gone out of production are going to be put back into production.

If you will look at page 134 of the testimony taken at the hearings before our committee, you will find that of those mines that qualify under the bill that were operating in 1956, 613, in 1959 there were 207 mines that would qualify under this bill, 33⅓ percent of the mines operating now that were operating in 1956.

If you will look at the figures that go from 2,000-ton production up to 5,000-ton production, you will find that there were 46 of these mines in operation in 1956; there were only 10 in operation in 1959, or 20 percent. The greatest loss that has occurred in this country is in the mines that come under this classification. In other words, they have produced more mineral, they would be the ones that should be subsidized if you are going to put them into production.

I am only asking that these mines that have been more affected than any other group be allowed to qualify up to the extent of the subsidy program, even though they produce more than they could be subsidized for.

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, while the effect of this amendment in terms of affected mines would seem to be small, and only six mines operating in 1960 would be affected by it, the effect of it in terms of tonnage would be very significant. I think that the gentleman from Pennsylvania [Mr. SAYLOR], is once again attempting to kill this bill with kindness. His heart may well be in the right place when he tries to do it, but I urge the Members of the House to reject this amendment and keep this bill within the limits which the committee has reasoned out and on which we have consulted fully with the Department of the Interior and the administration.

Mr. Chairman, I have every sympathy in the world for the affected mines which the gentleman seeks to help, but I think they get beyond the classification of small producers. I hope and trust that the amendment will be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR.]

The amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. WALTER] having resumed the chair, Mr. BASS of Tennessee, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 84) to stabilize the mining of lead and zinc by small domestic producers on public, Indian and other lands, and for other purposes, pursuant to House Resolution 424, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. SAYLOR) there were—ayes 103, noes 51.

Mr. SAYLOR. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 196, nays 172, not voting 69, as follows:

[Roll No. 167]

YEAS—196

Albert	Hagen, Calif.	O'Konski
Anderson, Ill.	Hansen	Olsen
Aspinall	Harding	Patman
Avery	Harris	Perkins
Baker	Harrison, Wyo.	Peterson
Baring	Hays	Pfost
Bass, Tenn.	Healey	Philbin
Battin	Hébert	Poage
Beckworth	Hechler	Powell
Belcher	Hemphill	Price
Bennett, Fla.	Herlong	Pucinski
Bennett, Mich.	Hoffman, Mich.	Rains
Berry	Holifield	Randall
Blatnik	Holland	Reece
Blitch	Horan	Reifel
Boland	Hull	Reuss
Bolling	Ikard, Tex.	Rhodes, Ariz.
Boykin	Inouye	Rhodes, Pa.
Brademas	Jarman	Riley
Bray	Jennings	Rivers, Alaska
Breeding	Johnson, Calif.	Rivers, S.C.
Brooks, Tex.	Johnson, Md.	Roberts
Burke, Ky.	Jones, Ala.	Rogers, Colo.
Burke, Mass.	Karsten	Rogers, Tex.
Byrne, Pa.	Karth	Rooney
Cannon	Kastenmeier	Roosevelt
Carey	Kelly	Rostenkowski
Celler	Keogh	Roush
Chelf	King, Calif.	Ryan
Chenoweth	King, Utah	St. Germain
Clark	Kirwan	Saund
Coad	Kluczynski	Scranton
Corbett	Kowalski	Shelley
Corman	Lane	Sheppard
Curtin	Lankford	Siler
Davis, John W.	Lesinski	Sisk
Davis, Tenn.	Libonati	Smith, Iowa
Delaney	McCormack	Smith, Miss.
Dent	McDowell	Spence
Denton	McFall	Staggers
Diggs	McVey	Steed
Dingell	Machrowicz	Stephens
Dominick	Mack	Stratton
Donohue	Madden	Stubblefield
Doyle	Magnuson	Sullivan
Edmondson	Mahon	Taylor
Elliott	Marshall	Thomas
Everett	Matthews	Thompson, Tex.
Evins	May	Thomson, Wis.
Feighan	Merrow	Thornberry
Finnegan	Miller, George P.	Toll
Fisher	Mills	Tollefson
Flood	Montoya	Trimble
Fogarty	Morgan	Udall, Morris K.
Forrester	Morris	Ullman
Frazier	Morrison	Van Pelt
Friedel	Moss	Vinson
Garmatz	Moulder	Walter
Gathings	Multer	Watts
Giaimo	Murphy	Wickersham
Gilbert	Murray	Willis
Granahan	Natcher	Wright
Grant	O'Brien, Ill.	Yates
Gray	O'Hara, Ill.	Young
Green, Pa.	O'Hara, Mich.	Zablocki
Griffiths		

NAYS—172

Abbitt	Alford	Ashbrook
Abernethy	Alger	Ashmore
Adair	Andrews	Auchincloss
Addabbo	Arends	Baldwin
Barry	Goodling	Moorehead, Ohio
Bates	Green, Oreg.	Moorhead, Pa.
Becker	Griffin	Morse
Beermann	Gross	Mosher
Bell	Gubser	Norblad
Betts	Hagan, Ga.	Norrell
Boggs	Haley	Nygaard
Bolton	Hall	Osmers
Bow	Halleck	Ostertag
Brewster	Halpern	Pelly
Bromwell	Hardy	Pike
Broomfield	Harsha	Pirnie
Brown	Harvey, Ind.	Poff
Broyhill	Harvey, Mich.	Quie
Bruce	Hiestand	Ray
Burleson	Hoeven	Robison
Byrnes, Wis.	Hoffman, Ill.	Rodino
Casey	Holtzman	Rogers, Fla.
Cederberg	Hosmer	Rousselot
Chamberlain	Huddleston	Rutherford
Church	Ichord, Mo.	St. George
Clancy	Jensen	Saylor
Cohelan	Joelson	Schadeberg
Collier	Johansen	Schenck
Colmer	Johnson, Wis.	Scherer
Conte	Jonas	Schneebeli
Cooley	Jones, Mo.	Schweiker
Cunningham	Judd	Schwengel
Curtis, Mass.	Kilgore	Selden
Dague	King, N.Y.	Short
Derounian	Kitchin	Shriver
Derwinski	Knox	Sibal
Devine	Kunkel	Sikes
Dole	Kyl	Smith, Calif.
Dooley	Laird	Smith, Va.
Dorn	Langen	Springer
Dowdy	Latta	Stafford
Downing	Lennon	Taber
Durno	Lindsay	Teague, Calif.
Dwyer	Lipscomb	Tuck
Fascell	McDonough	Utt
Fenton	McIntire	Wallhauser
Findley	McSween	Weaver
Fino	MacGregor	Weis
Flynt	Mailliard	Whalley
Ford	Martin, Mass.	Wharton
Fountain	Martin, Nebr.	Whitener
Frelinghuysen	Mason	Widnall
Fulton	Mathias	Williams
Garland	Meader	Wilson, Calif.
Gary	Michel	Winstead
Gavin	Moeller	Younger
Glenn	Monagan	
Goodell	Moore	

NOT VOTING—69

Addonizio	Ellsworth	O'Neill
Alexander	Fallon	Passman
Andersen, Minn.	Farbstein	Pilcher
	Gallagher	Pillion
Anfuso	Harrison, Va.	Rabaut
Ashley	Henderson	Riehlman
Ayres	Kearns	Roudebush
Bailey	Kee	Santangelo
Barrett	Keith	Scott
Bass, N.H.	Kilburn	Seely-Brown
Bonner	Kilday	Shipley
Brooks, La.	Kornegay	Slack
Buckley	Landrum	Teague, Tex.
Cahill	Loser	Thompson, La.
Chiperfield	McCulloch	Thompson, N.J.
Cook	McMillan	Tupper
Cramer	Macdonald	Vanik
Curtis, Mo.	Miller, Clem	Van Zandt
Daddario	Miller, N.Y.	Westland
Daniels	Milliken	Whitten
Davis, James C.	Minshall	Wilson, Ind.
	Nelsen	Zelenko
Dawson	Nix	
Dulski	O'Brien, N.Y.	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Shipley for, with Mr. Harrison of Virginia against.

Mr. O'Neill for, with Mr. Alexander against.

Mr. Buckley for, with Mr. Bonner against.

Mr. Bailey for, with Mr. Roudebush against.

Mr. Santangelo for, with Mr. McCulloch against.

Mr. Nix for, with Mr. Scott against.

Mr. Anfuso for, with Mr. Ellsworth against.

Mr. Barrett for, with Mr. Riehlman against.

Mr. Daddario for, with Mr. Henderson against.

Mr. Dawson for, with Mr. Keith against.

Mr. Dulski for with Mr. Bass of New Hampshire against.

Mr. Fallon for, with Mr. Nelson against.

Mrs. Kee for, with Mr. Seely-Brown against.

Mr. McMillan for, with Mr. Addonizio against.

Mr. Macdonald for, with Mr. Gallagher against.

Mr. O'Brien of New York for, with Mr. Farbstein against.

Mr. Zelenko for, with Mr. Daniels against.

Mr. Rabaut for, with Mr. Thompson of New Jersey against.

Mr. Clem Miller for, with Mr. Kornegay against.

Mr. Loser for, with Mr. Whitten against.

Mr. Slack for, with Mr. Brooks of Louisiana against.

Mr. Landrum for, with Mr. Westland against.

Until further notice:

Mr. Teague of Texas with Mr. Cramer.

Mr. Thompson of Louisiana with Mr. Chiperfield.

Mr. Kilday with Mr. Ayres.

Mr. Ashley with Mr. Andersen of Minnesota.

Mr. Pilcher with Mr. Miller of New York.

Mr. Passman with Mr. Minshall.

Mr. Cook with Mr. Van Pelt.

Mr. James C. Davis, with Mr. Kilburn.

Mr. Vanik with Mr. Pillion.

Mr. GUBSER changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The doors were opened.

GENERAL LEAVE TO EXTEND REMARKS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMITTEE ON FOREIGN AFFAIRS

Mr. McCORMACK. Mr. Speaker, at the request of the gentleman from Wisconsin [Mr. ZABLOCKI], I ask unanimous consent that the Committee on Foreign Affairs may have until midnight Saturday to file a report on a bill relating to the Philippine War Claims Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ADJOURNMENT UNTIL MONDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AUTHORIZING SECURITIES AND EXCHANGE COMMISSION TO CONDUCT A CERTAIN STUDY AND INVESTIGATION

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up

House Resolution 426 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (H.J. Res. 438) to amend the Securities Exchange Act of 1934 so as to authorize and direct the Securities and Exchange Commission to conduct a study and investigation of the adequacy, for the protection of investors, of the rules of national securities exchanges and national securities associations. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendments under the five-minute rule. It shall be in order to consider without the intervention of any point of order the amendment recommended by the Committee on Interstate and Foreign Commerce now printed in the bill. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Kansas [Mr. AVERY] and pending that, I yield myself such time as I may require.

Mr. Speaker, House Resolution 426 provides for the consideration of House Joint Resolution 438, a resolution to amend the Securities Exchange Act of 1934 so as to authorize and direct the Securities and Exchange Commission to conduct a study and investigation of the adequacy, for the protection of investors, of the rules of national securities exchanges and national securities associations. The resolution provides for an open rule, waiving points of order, with 1 hour of general debate.

When the Securities and Exchange Act of 1934 was enacted it not only provided that certain items should be contained in the rules of national securities exchanges but also directed the Commission to make a study of the rules and report to the Congress the results of its investigation together with its recommendations. That study, together with the Commission's hearings into the difficulties of Richard Whitney & Co., led to certain legislation and a program of reforms drafted with the cooperation of the Commission, which was approved by the New York Stock Exchange in October 1938.

Since that study many important changes in market practices have occurred. There has been a tremendous increase in the size of the securities markets, a growth in trading volume, changes in method of distribution and trading, and new types of investment media.

Accompanying the growth of public participation in the securities markets have been changes in the methods of distributing and selling securities such as the spread of branch offices, the employment of part-time salesmen, and the use of novel methods to distribute certain securities. In the words of Chairman Cary:

> These changes raise questions as to possible assaults upon the integrity of marketing procedures.

The number of customers' men registered with the New York Stock Exchange has increased in the last 10 years from 10,608 to 27,896 and the number of customers' men registered with the National Association of Security Dealers has increased from 28,794 in 1950 to 93,351 in 1961. The number of branch offices maintained by member firms of the New York Stock Exchange alone has increased from 1,661 in 1950 to 3,166 at the end of 1960.

This increased market activity has been accompanied by an increase in the number of cases involving violations of the securities laws.

In view of these facts, Mr. Speaker, I urge the adoption of House Resolution 426.

Mr. AVERY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution, of course, should be adopted making in order the consideration of an authorization for the Securities and Exchange Commission to conduct the investigation and study of the National Securities Exchanges and Associations. I think there are two matters in connection with the resolution that need clarification. I think the record should be abundantly clear here today that this investigation or this study is not being made because there is undue concern over the stability of the stock market. I think the Congress would be doing a disservice to the investors and to the companies that are offering securities for sale if we leave the illusion here today that this investigation is being instigated and being authorized because there is concern in Congress over the stability of the stock market generally.

Mr. Speaker, that is not my understanding, and I hope that during the general debate some expression will be forthcoming from members of the legislative committee to that fact.

Mr. Speaker, there is matter upon which I would like to direct a question to the chairman of the Committee on Interstate and Foreign Commerce [Mr. HARRIS]. There was a paragraph in the committee report, as I recall, that authorized the Securities and Exchange Commission to retain and employ such help as they find necessary without regard for civil service regulations and conditions of employment. Certainly, that is the way it should be. I would agree that the provision is sound. There was no reference made in there as to what per diem or what salary was contemplated for these people.

I wonder if the chairman of the committee [Mr. HARRIS] would make a comment in reference to the anticipated salary for the RECORD.

Mr. HARRIS. If the gentleman will refer to page 30 of the hearings, which I am sure he has not had an opportunity to read——

Mr. AVERY. That is right; I have not read the hearings.

Mr. HARRIS. The gentleman will find that the committee in the course of the hearings did make a record on this. We would not expect the salaries to be out of line with salaries paid to Government employees for comparable services performed. I would assume that they would be in the field of about $18,000 plus, downward. That would be the top.

Mr. AVERY. Was it contemplated that there would be any consultants hired? We had a resolution in the Rules Committee this morning which I believe had a ceiling of $75 a day for occasional consultants.

Mr. HARRIS. You mean consultants hired on a per diem basis, or a matter of that kind?

Mr. AVERY. Yes.

Mr. HARRIS. There has been no discussion, or there is nothing in the record that would indicate the use of such employees as you refer to as "consultants."

Mr. AVERY. If such consultants were needed, it was contemplated, of course, they would be in line with the prevailing allowance for comparable assistance.

Mr. HARRIS. We would in our oversight function be sure to see that the administration of this matter was carried out as intended. It is certainly not intended by the committee to use consultants, as the gentleman speaks of.

Mr. AVERY. I thought probably that was the case, but I thought also there should be some record made here of what the legislative committee had intended.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to the gentleman from Iowa.

Mr. GROSS. While the resolution provides that the Commission is authorized to appoint, without regard to the civil service laws, rules, and regulations, such personnel as the Commission deems advisable to carry out such study and investigation, it does carry a limitation of $18,500 per annum. But, of course, I assume that if they do hire consultants they may be hired for a shorter period than a year and still be paid on the basis of $18,500 per annum. I assume that if they hire consultants it could be done that way. That seems to be the way it is done in government. They fix an annual salary and then they can pay up to $18,500 a year whether they are on an annual basis or whether they are hired as consultants by the day at $75 per day plus expenses. But there is a limitation of $18,500 in the bill.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to the chairman of the legislative committee.

Mr. HARRIS. Mr. Speaker, I would agree with the gentleman from Kansas that this matter ought to be handled in accordance with the normal wage scale arrangement. I would say to the gentleman from Iowa [Mr. GROSS] that our committee is not in the custom of agreeing with any of these agencies that they might use devious means to frustrate the intention of Congress or in any way bypass the normal and regular wage

scale and salaries which the Congress intended to pay.

Mr. AVERY. I thank the gentleman from Arkansas.

Mr. BARRY. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from New York [Mr. BARRY].

Mr. BARRY. Mr. Speaker, I should like to say that about 10 years ago the New York Stock Exchange took a long time to find a new president. They searched beyond the financial community in order to bring into that area of influence someone who could do an excellent job of reorganizing the machinery of the New York Stock Exchange so that it would be beyond question. They found such a man in Keith Funston who was then president of Trinity College in Hartford, Conn. After he became president he took many steps of reorganization of the Exchange which led to a worthwhile management. I would say that you could call it clean as a whistle.

There may be in the securities business some infringements and violations but the organization that this man has developed is such that, to me, it is an insult for us to investigate it. But I certainly would not deny to anyone the right to investigate it. However, I call attention to this fact, that if we start to investigate a business which has set up an organization to police itself as the New York Stock Exchange has done, then where are we to stop as a Government in investigating other businesses? I submit that this group, the new organization of the New York Stock Exchange, has done a masterful job. I do not believe the investigation is warranted, and I hope during the debate more testimony will come out to this effect.

Mr. AVERY. Mr. Speaker, I should like to make one further comment; and this observation is entirely my own. It was developed in the Committee on Rules. The question was presented when this matter was under consideration, why should this special investigation be necessary? Is not this study what the SEC is expected to be doing year after year in the normal discharge of their responsibility? There was not a very satisfactory answer given to that. I would say for the record, Mr. Speaker, it would seem to me if it has been lack of funds, if the Securities and Exchange Commission has not been given sufficient funds from year to year to discharge their full responsibility that was intended to them under the authorizing legislation, then their budget should be increased to the extent they are able to do it. It seems a little strange to me that after about 30 years we should have to come back into the House and ask for three-quarters of a million dollars to help an agency do something that most of us assumed they had been doing all the time.

I hope the legislative committee will take cognizance of the fact and perhaps request the Securities and Exchange Commission to advise them what they need from year to year to carry out this function in the normal discharge of their duty.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to the gentleman from Arkansas.

Mr. HARRIS. I thank the gentleman for yielding because I am glad to have an opportunity to respond to the point the gentleman has just raised.

We endeavored to make it clear—perhaps we did not—before the Rules Committee as to the necessity for this approach to it. If the gentleman will recall, and if he will observe from the report on page 8 in compliance with the Ramseyer rule, in 1934 the Congress by this very same method directed the Securities and Exchange Commission to make this kind of study and investigation. In that direction the Congress authorized and directed the Commission to make its report to the Congress on January 3, 1935, and that ended the direction of the Congress and there has not been any such direction to the Commission since that time. We feel that the time has come during these many years that the rules and regulations of the exchanges themselves ought to be gone over and looked into. I think from that standpoint when it is understood, despite the statement of the gentleman from New York, it is not only appropriate but it is highly necessary. It does not mean that there is any reflection on the president of the New York Stock Exchange or anyone else in connection with the exchanges.

Mr. AVERY. I should like to make this further observation to the gentleman from Arkansas, but first let me ask this question: How old was the Securities and Exchange Commission in 1934?

Mr. HARRIS. Very young indeed.

Mr. AVERY. That is exactly my point. They had to make that study then because they had no history, but now they have had almost 30 years of experience in regulation and study.

Mr. HARRIS. The gentleman, from what I gathered of his statement, is not clear as to why this joint resolution is introduced. The point I make is that there has not been any direction by Congress since 1934; therefore, the Commission does not have the direction of the Congress to make the periodic studies, neither does the Congress provide funds for that.

Mr. AVERY. As the gentleman will recall, the point I was making was that I think Congress should provide funds from year to year so this study could be kept current in the course of regulation. I do not see why we can go for 30 years and assume the Securities and Exchange Commission is discharging these very functions, and then we suddenly find they have not been doing the things we had assumed were done, so now it appears desirable to explore this whole matter again.

Mr. HARRIS. I thoroughly agree with the gentleman. It is true that from time to time there have been certain studies made, and appropriate ones; but this is a different type of investigation, one which is needed, and the Congress should have information on it. If the gentleman will refer to the joint resolution and the report, he will find this is a study and investigation of the adequacy of the rules of the national securities exchanges and national securities associations. That type of study and investigation has not been made, and it is highly important in order to protect the investors. I know the gentleman is making a good record here. I think I know how he feels about this, that such a study is necessary.

Mr. AVERY. I thank the gentleman from Arkansas.

Mr. LINDSAY. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to the gentleman from New York.

Mr. LINDSAY. It seems to me the gentleman from Kansas has raised the point which has occurred to a great many Members listening to this debate. I do not see that the question has been answered yet. I suppose nobody in this Chamber would question the desirability of examining and reexamining the rules and regulations governing the conduct of any quasi-public body such as the New York Stock Exchange and other exchanges. The question I have is, What on earth has this Commission been doing if it now requires an extra appropriation and special legislation in order to push it into an investigation which it probably should have conducted in any event and reported to the Congress from time to time by congressional request?

I wonder if the able chairman of the committee can tell us whether from time to time they have not invited reports from the securities exchanges as to this very subject that we are now talking about. It seems to me, that as a matter of continuing supervision, the Committee on Interstate and Foreign Commerce might well over the past years have invited reports from the securities exchanges around the Nation on the very subject of this proposed investigation.

Mr. HARRIS. As I tried to explain heretofore, there have been a number of studies and investigations, and our own committees have made some. I think the last one was a more extensive one, which was in 1952. The Commission itself has made a good many of these investigations and studies. But, as to this subject matter, with reference to the rules and regulations of these exchanges themselves, there has not been any careful analysis made of them recently. That is the point this resolution is directed toward. And if I may point out just one further thing, which might assist the able gentleman from New York as well, the question was discussed in our committee as to the appropriateness of the committee itself undertaking this work. The committee felt that if the committee were to undertake such a study on itself, and to undertake such an investigation, the wrong connotation might very well be placed on it. We felt that since this is the kind of study that requires people who are skilled and experienced in this particular work, it would be a great deal better for the Commission itself to do it, since it was investigating not the Commission itself but the exchanges themselves and the rules under which they operate, and that, therefore, it would be better for them to do it and not have the connotation or the sting,

if there is any such, of such a congressional investigation.

Mr. LINDSAY. Would the gentleman yield for one further question?

Mr. AVERY. I presume that it would have been more appropriate to cover this in general debate. It seems to me, we have drifted afield somewhat, and I would prefer not to yield to my colleague.

Mr. Speaker, I would just like to close by restating what I said when I first took the floor, and that is that it should be made unmistakably clear that this authorization does not carry with it any overtones of lack of confidence in the financial structure of this country or of the market. I think this should be characterized more as a routine reexamination, if you please, of some of the rules and regulations and procedures that govern the conduct of the affairs of these exchanges.

The SPEAKER. The gentleman from Kansas has consumed 17 minutes.

Mr. SISK. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to proceed out of the regular order.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, today I have filed a resolution asking that the House of Representatives act favorably on the same for the purpose of calling to the minds of millions of people in our Nation and throughout the free world of the unlawful acts of aggression and efforts to enslave not only 17 million inhabitants of East Germany, but also the malicious encroachment upon the freedom of millions within the confines of the free West Germans.

By reason of a quadripartite agreement and treaty entered into on May 4, 1949, and by the additional agreement made in Paris on June 20, 1949, by the Council of Ministers of Foreign Affairs, the four major governments, including the Soviets, agreed on freedom of movement within the confines of Berlin. Our Government and all the free governments on the globe should realize that the steps taken by the Soviets and East Berlin authorities, restricting the freedom of citizens of East Berlin, are in violation of this agreement and illegal. The actions of the U.S.S.R. in East Germany have been a violation of their solemnly pledged word in signing the agreement on the zones of occupation in Germany and the administration of greater Berlin.

The inhabitants of East Germany have not committed any crime or crimes or trespassed upon any other nation's territory, but by reason of the Communist dictators and aggressors, they have been imprisoned and confined within East German borders and their freedom and liberties restricted. Both Soviet and East German soldiers patrol the barbed wire and concrete barriers in order to restrict them to their large Communist prison.

The East German people are helpless and unable to express their will and let the world know of their enslavement by their Communist oppressors. We read today about the acts of cruelty inflicted by Communist soldiers upon the people of East Berlin which are identical with what took place when the population of Hungary rebelled against Communist tyranny a few years ago.

For some reasons, the nations of the free world, including our own, have a hesitancy in publicly denouncing and calling for a unified condemnation by the free nations of Communist aggression and cruel tyranny which has been inflicted on East Berlin during the last few weeks. Only in this morning's paper, the Soviets are resorting to their timeworn method of lies and false charges against our Nation and the military personnel who are stationed in West Germany for preserving freedom. This type of false propaganda has been identified with Communist aggression during the last 25 years but the free world has not seen fit to demand any organized propaganda attack and expose the true facts throughout the globe as to these methods of the Kremlin. Sometimes I feel that our State Department during recent years, has been hesitant in doing anything that might offend Nikita Khrushchev and anything we might say might prove a barrier against securing concessions and agreements out of the Soviet dictator. This attitude is reminiscent of the days of Munich before World War II. I do not think our Nation, as the leader of the free world, should remain passive and refrain from demanding cooperation on the part of England, France, Italy and all other nations who are free or neutral. Now is the time for all free nations including neutrals who treasure freedom to speak out and publicly condemn what is taking place in East Germany. If we do not encourage other peoples to speak up and expose this unlawful aggression now taking place, it will only be a short time until the Communist tyrants will be agressing on additional nations as they are now doing in Germany.

Certainly nobody in their right senses wants a shooting war, but experience with the Communist dictators and Hitler and Mussolini has taught us that failure to act in protest and insist on justice, will ultimately mean the loss of liberty eventually throughout the whole world. The free world should now begin to realize that the mass exodus of East Berlin citizens across the Iron Curtain is an open admission to all the world that Communist tyranny and its methods is a 100 percent economic failure. The people of South America, Cuba, Asia, and Africa should realize that the present movements of the Soviets in Berlin is an open admission of this fact and an effort to take the minds of their enslaved people off from their economic and domestic problems.

In the resolution which I filed today, I am asking the President of the United States and our State Department to declare and designate Labor Day, September 4, 1961, and the week following Labor Day as a period for all labor, industry, and business, including civic and fraternal organizations and all other groups, to pass resolutions condemning the Soviet Communist leaders for violating and abrogating the quadripartite agreement of 1949 by their open aggression and transgression against the people of both East and West Berlin.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Illinois.

Mr. COLLIER. I compliment my friend from Indiana for his resolution and remarks. I hasten to make the observation that in adopting this resolution we might well remember that some of the so-called friendly nations who have received assistance through foreign aid from us dared not even support a resolution in the United Nations 3 years ago which simply called for citing the Soviet Union for the action they took in the Hungarian revolution blood baths.

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

Mr. AVERY. Mr. Speaker, I yield 5 minutes to the distinguished and eloquent gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, earlier today it was said very convincingly—by the gentleman from Ohio [Mr. BROWN] and also by the gentleman from Iowa [Mr. KYL]—that interference by the Federal Government with personal and corporate business activities, with the private lives and efforts of everyone, just would not work. That was on the rule when we had coming up the bill to give a subsidy to the lead and zinc workers and mineowners.

Having served here several years, having rather firm convictions, among which was agreement with what the gentleman from Ohio and the gentleman from Iowa said, on the overall issue that is being thoroughly convinced that Government interference does not work, just makes more trouble, and being also against subsidies, some of my very dear and helpful friends, when I voted in favor of the bill which granted a subsidy, which of course, is contrary to my convictions, took me to task, and quite rightly. Especially did my friend from Iowa [Mr. GROSS] the other member of our economy and efficiency party verbally chastize me—I had it coming; though not from him—a friend of the farmer. My answer was that for once I was entitled to forsake my attempt to act as a statesman and make an effort to become a politician. What I tried to do by my vote was as well an attempt to bring home to the international spenders that not only were our own people injured by our giveaway appropriations, but we should pay for the harm we cause here at home. Then the gentleman said, or someone asked: What became of your convictions? My answer? I just filed them away on the shelf where we will let them gather dust the rest of today and perhaps tomorrow, and I just voted along with the gentleman from these mining States. While some whose people have been collecting dollars for growing or not growing crops, getting powerplants; built for their use, receiving an artificial wage; a public building; a harbor; a new factory—and the list is a long, long one—vote against this one.

And let me say right here we have no mines of any kind in the Fourth District of Michigan. All we have over there in that poor, poor district is acre upon acre of fine fruit, berry, and vegetable land, good productive farmland, industries in there, all union organized, big unions, and where they produce efficiently for the Government—I will not say at a loss, but sometimes at nominal cost and always at very, very small profit to the stockholders and executives—very small. Nor are the executives overpaid. Do not forget that, please.

So why should a man forsake his convictions and vote for a bill which carries a subsidy? Well, in confidence, I will tell you. I have checked the record a little bit and watched the activities of the gentleman from Minnesota year after year, and it was even said by a colleague that the gentleman from Minnesota [Mr. JUDD] was so able and so sincere that we should all follow him, all the way. Vote as he did. That I cannot do. My self-respect will not permit. I just thought the vote on the last bill was a good opportunity to let the gentleman from Minnesota and others know that the harm, the damage done by the giveaway he and they insist upon should be corrected; paid for by the constituents of the gentleman who caused the injury.

So, I just forget trying to act and vote as a statesman and, I repeat, went to the political angle of it; and as long as so many have voted and insisted on foreign aid, as they have, and have created competition aboard—yes; abroad. What did I say, aboard? Well, that is true on ships—even the ships under foreign flags have to come in and be taken care of by us. And the crews as well. They give our shipowners competition which really hurts.

Well, as long as Members created this situation by appropriations for foreign aid, for once in my life I felt justified in just saying, "Well, now, let us go along and give just a little relief to those we have hurt, and let the gentlemen who have voted for foreign aid, just let their constituents help pay the cost."

Let them know what the result sometimes is. You see, those who created the situation by insisting upon foreign aid—whose people get subsidies and handouts—let them pay part of the loss which fall upon the owners of, and workers in, the lead and zinc mines.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. AVERY. Mr. Speaker, I yield the gentleman 1 additional minute. Will the gentleman yield to me?

Mr. HOFFMAN of Michigan. That is a typical New Deal move. Offer me something I cannot have.

Mr. AVERY. I was going to remind the gentleman, I was about to agree with his unanimous consent request to permit him to strike out the words I used in yielding time to the gentleman.

Mr. HOFFMAN of Michigan. Yes. The gentleman was mistaken about that.

Mr. AVERY. No. In view of the learned way the gentleman has addressed the House, I feel I must insist on those words remaining in the RECORD.

Mr. HOFFMAN of Michigan. The gentleman is very generous.

Mr. AVERY. The gentleman is learned, eloquent, and persuasive.

Mr. HOFFMAN of Michigan. I hope you folks heard that. I will keep that in my revision even though it is not in accord with the fact.

Mr. Speaker, getting back to the point, I am against subsidies as a matter of principle. I voted for this one because the Members who have established and insisted on continuing foreign aid, although they admit its failure and state, as the gentleman from Minnesota [Mr. JUDD] did, that we are in worse danger today, greater danger of war today, than we have ever been, they still insist upon continuing the policy as long as they are responsible for this condition. I can momentarily lay aside those convictions and help bail out people who are now in a hard situation. I do not know whether I will ever do it again.

Just this once my desire is to let those who elect those who join together force us into a one-world organization entangle us with foreign nations give away a part of our national independence—billions of our dollars—let the homefolk know they will pay and pay and through the nose. Kipling put it this way—"The sins we do by two and two we pay for one by one."

Those who elect the internationalists who join together and give us a program which the chairman of the Senate Committee on Foreign Affairs recently wrote the Secretary of Defense the people would reject if they had a chance to vote on it might just as well know now as later that they, the homefolk, will pay the piper. The amount carried in the bill to aid the zinc and lead people is just a grain of sand on miles of beach.

Mr. SISK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 438, to amend the Securities Exchange Act of 1934 so as to authorize and direct the Securities and Exchange Commission to conduct a study and investigation of the adequacy, for the protection of investors, of the rules of national securities exchanges and national securities associations.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 438, with Mr. SISK in the chair.

The Clerk read the title of the resolution.

By unanimous consent, the first reading of the resolution was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arkansas [Mr. HARRIS], will be recognized for 30 minutes, and the gentleman from Michigan [Mr. BENNETT], will be recognized for 30 minutes.

Mr. HARRIS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, House Joint Resolution 438 authorizes and directs the Securities and Exchange Commission to make a study and investigation of the adequacy, for the protection of investors of the rules of national securities exchanges and national securities associations. The Commission is directed to report to the Congress by January 3, 1963, the results of its study and investigation together with recommendations including recommendations for legislative action.

The study here being authorized by adding section 17(d) to the Securities Exchange Act of 1934 is in enlargement upon and a bringing up to date of a similar study which the Commission was directed to make by section 17(c) some 27 years ago.

Since that study many important changes in market practices have occurred. There has been a tremendous increase in the size of the securities markets, a growth in trading volume, changes in methods of distribution and trading, new types of investment media, a rate increase in the number of stockholders, of broker-dealer offices, and securities salesmen.

Our committee cannot but be aware of these important changes and of the current situation in the securities markets, nor can our committee be unmindful of the responsibilities which it has to the Congress and to the public as to the adequacy of protection afforded to investors and to the public by the various securities accounts which are now on the books.

These acts relating to disclosure of information about securities and regulating market practices have done much to rebuild public confidence in the securities markets following the market collapse of 30 years ago. The maintenance of this confidence is most essential.

It is important to be informed now whether in the light of changed market conditions the investing public is afforded the protection which was contemplated in the passage of the original legislation.

What new statutes or rules are needed? What now unregulated areas of the securities markets need regulating? What rules need change?

The Securities Exchange Act of 1934 imposed certain duties and responsibilities upon national securities exchanges and the amendment to this act in 1938 imposed similar duties and responsibilities upon national securities associations governing over-the-counter market operations. The act as amended thus requires that both the exchange and the over-the-counter markets should be substantially self-governed by certain rules for the protection of the public in the conduct of their operations.

House Joint Resolution 438 is couched in rather specific language in its providing for a study and investigation of the adequacy for the protection of investors of these rules of national securities exchanges and national securities associations. While the language is brief, the scope of the subject matter to be covered by the study and investigation is very broad inasmuch as the subject matter encompassed or not encompassed by the rules of the securities exchanges and

securities associations is extremely wide in breadth.

The rules not only cover such items as are appropriate to the mechanism of a free and open market, the prevention of fraudulent and manipulative acts and practices, the promotion of just and equitable principles of trade, safeguards against unreasonable profits or unreasonable rates or commissions or charges, the financial responsibility of members and the financing of transactions, and the protection of investors in the public interest, but also certain types of disclosure of information by the issuers of the securities which are being traded. In addition, the rules—including those relating to expulsion, suspension, or disciplining of a member—of the exchanges and of the national securities association cover the ethical conduct of its members in all of their activities.

The Committee on Interstate and Foreign Commerce is unanimously of the opinion that in the faithful discharge of the responsibilities which it has to the Congress and to the public in this legislative field, the time is most appropriate for again examining into the securities markets and the statutes and rules governing market practices to determine how the statutes and rules are being administered, and whether changes, modifications, or expansions are desirable now in the public interest.

Our committee after full examination and consideration of the matter believes that the Securities and Exchange Commission properly as an arm of the Congress should make this study, report to the Congress from time to time the results of its study and investigation together with its recommendations.

This proposed study and investigation has the support not only of the Commission but of the securities industry. No one appeared before the committee in its hearings on the measure in opposition to this proposal.

I urge the enactment of the legislation.

Mr. Chairman, the full Committee on Interstate and Foreign Commerce reported this bill by a rollcall vote unanimously. I think, Mr. Chairman, in the memory of the present members of the committee that this is the only time that situation has occurred. So, this is a matter that is urgently needed and I would implore the Members of the House to give their wholehearted approval.

Mr. Chairman, at this time I should like to yield to the gentleman from Illinois [Mr. MACK], chairman of the subcommittee, 10 minutes, in order to go into a further explanation of the proposal.

Mr. BOW. Mr. Chairman, would the gentleman yield for a question?

Mr. MACK. I yield to the gentleman from Ohio.

Mr. BOW. I have been looking through the committee report, as well as the committee hearings, trying to find a table of the employees that would be hired by the Commission in order to do this investigation; that is, the numbers, their grades, and what they would be, but I could not find it.

Mr. MACK. I might say to the gentleman that there is a table in the report concerning the investigation and we also have in the hearings a table in more detail.

Mr. BOW. That is what I would like to have.

Mr. MACK. This is a table on compensation. Of course, this is only a tentative budget that they have proposed.

Mr. HARRIS. If the gentleman will yield further, I was going to refer the gentleman from Ohio [Mr. Bow] to page 30 of the hearings.

Mr. BOW. I thank the gentleman.

Mr. MACK. Mr. Chairman, because of the colloquy which took place here in the course of the hearing on the rule I think it would be important to make a short statement concerning this basic problem. It is quite technical and I feel that some of the Members might want additional information concerning the complicated procedures through which we go in dealing with this complicated and technical subject.

Our committee for the past year has been very much concerned with the activities in the securities markets. We have felt for some time that a thorough study should be made of the activities of the national exchanges and the over-the-counter market. For these reasons early this year I introduced House Joint Resolution 438 which would provide for a study and investigation of the adequacies of the rules of the national security exchanges and the national security associations. This resolution would authorize a very thorough study of the markets generally including trading and market practices.

It seems that many others in the securities field support my views. This year the president of the New York Stock Exchange issued two warnings against the speculation in the stock markets. The Securities and Exchange Commission has initiated an investigation of the American Stock Exchange.

A few weeks ago, the Commission disclosed that they had more manipulation cases in various stages of administrative and criminal proceedings than ever before. The Chairman of the Commission testified before the House Appropriations Committee that the recent action in newly offered over-the-counter securities raised questions as to whether there are forms of manipulation.

The National Association of Securities Dealers has written to all members indicating concern over the very large total of outstanding undelivered transactions—fails. This letter warned that there were $1,400 million of outstanding over-the-counter contracts upon which delivery had not been made.

Our subcommittee cannot but be aware of these various pronouncements concerning the current situation in the securities markets nor can it be unmindful of the responsibilities which it has to the Congress and to the public as to the adequacy of the protection afforded to investors and to the public by the various securities acts which now are on the books.

The Securities Act of 1933, relating to the truthful disclosure of information about new security offerings, the Securities Exchange Act of 1934, relating to disclosure of information about listed securities and regulating practices in exchange and over-the-counter operations, and succeeding legislation which is administered by the Securities and Exchange Commission, represent legislation of which the House Committee on Interstate and Foreign Commerce and the Congress are justly proud. These statutes have gone a long way in the mitigation and elimination of undesirable practices in the securities field, in the restoration of confidence in the securities markets, and in the protection of the investing public.

In addition to the responsibilities and duties with which the SEC is charged relating to disclosure of information about listed securities and regulating practices in exchange and over-the-counter operations, the Securities Exchange Act of 1934, as amended, imposed certain duties and responsibilities upon national securities exchanges and upon national securities associations. That act requires that both the exchange and the over-the-counter markets should be governed by certain rules for the protection of the public in the conduct of their operations. That legislation, when enacted, not only provided for certain items which should be contained in their rules but also directed the Commission to make a study of the rules and report to the Congress the results of its investigation together with its recommendations.

That study, together with the Commission's hearings into the difficulties of Richard Whitney, who at the time was president of New York Stock Exchange, led to a program of reforms drafted with the cooperation of the Commission, which was approved by the New York Stock Exchange in October 1938. In view of the more than 20 years which have elapsed since that time and the experience which necessarily grows out of the administration of such programs and of the statutes, and in view of the comments which recently and currently have been made as to today's market conditions, it has seemed to us that it is now highly appropriate again to review these rules governing the activities of the various securities markets to see whether they are adequate to protect investors, to determine just how they are being administered by the exchanges and the over-the-counter associations, and whether changes, modifications, or expansions of the rules or statutes are desirable now in the public interest.

It is our feeling that the SEC properly, as an arm of the Congress, now should bring up to date and enlarge upon the study which it was authorized to make some 27 years ago. Therefore, I strongly urge the adoption of this resolution, which would authorize to be appropriated the sum of $750,000 for the Commission to make a study and investigation and to require that a report be made to Congress by January 3, 1963, the results of its study together with its recommendations.

Mr. Chairman, there has been some question raised concerning a precedent for such a study. The gentleman from Kansas [Mr. AVERY] raised this ques-

tion in the discussion on the rule. I would like to call to the attention of the House various studies that the Congress requested on various occasions and which they directed the Securities and Exchange Commission to make.

That is the responsibility of the Congress, and it is certainly appropriate for us to give direction to the Securities and Exchange Commission to conduct such a study. In my opinion, such a study is very badly needed at this hour.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MACK. I would be glad to yield to the gentleman but I would like to cover some additional points first.

Mr. HOFFMAN of Michigan. I withdraw my request. I thought the gentleman had finished. I do not want to interrupt.

Mr. MACK. The Securities and Exchange Act of 1934 directed the Securities and Exchange Commission to make several studies. The first one, section 11(e), called for a study which the Commission made on the feasibility and advisability of completely segregating the functions of a dealer from those of a broker. A report was made thereon to the Congress on June 30, 1936, recommending against such segregation. In view of the tremendous increase in activity in the securities markets, I would think that would be a subject which could be looked into at this time.

The original section 12(f) ordered a study by the Commission of unlisted trading on the stock exchanges. The present section 12(f), enacted in 1936, was the result.

Section 19 directed the Commission to study certain aspects of the rules of the stock exchanges. The results of this study were set forth in a report to Congress on January 25, 1935, which contained recommendations in 11 areas. These recommendations—and this is the interesting part—were not for legislative action, they were for action to be taken by the exchanges themselves to amend their rules to improve the operation of the exchanges to provide adequate protection for the investing public.

I might say that at the suggestion of the Securities and Exchange Commission at that time the exchanges took such action.

Section 211 of title II of the 1934 act, which was actually an amendment to and became section 28 of the Securities Act of 1933, led to an exhaustive study and an eight-volume report by the Commission which was in turn followed by the enactment of both chapter X of the Bankruptcy Act and the Trust Indenture Act of 1939.

The Public Utility Holding Company Act of 1935 included a direction in section 30 that this Commission study and report to Congress upon numerous aspects of investment trusts. The resulting report led to the enactment of the Investment Company Act of 1940.

I would say that this is not only a precedent, this is a good indication that what we are doing today is necessary and that some good can come from the investigation.

The Investment Company Act contains a continuing authorization in section 14(b) for the Commission to study and report to Congress from time to time on the size of investment companies. I might say that they are taking advantage of that and have taken advantage of it, and at the present time have such an investigation underway.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MACK. I promised to yield to the other Member of the gentleman's party first. I should like to stay in the good graces of both of you.

Mr. GROSS. Youth defers to age in this case.

Mr. HOFFMAN of Michigan. Permit me to say I yield to superior intelligence and rank.

The CHAIRMAN. To whom does the gentleman from Illinois yield?

Mr. MACK. With the permission of the gentleman from Michigan, I desire to yield to the gentleman from Iowa.

Mr. GROSS. The gentleman hopes this investigation will do some good. I would hope that for three-quarters of a million dollars it would do a lot of good for somebody, but I do not understand how in conscience you can ask for $750,000 for an investigation.

I do not understand how you can ask any $750,000 for an investigation.

Mr. MACK. We have given a great deal of study to this problem. We have had the chairman of the Securities and Exchange Commission before our committee. We have had the president of the New York Stock Exchange and the president of the American Stock Exchange. We have had the chairman of the board of governors of the National Association of Security Dealers before our committee, and we have given it considerable study. I feel every member of my committee joins with me in expressing the need for such an investigation. When the gentleman asks about $750,000 for this type of investigation, this is a difficult area and it is highly technical. I personally feel that $750,000 is a minimum amount of money that we can have to do this kind of job.

Mr. GROSS. But in this case, you have a commission that is already established. This legislation would simply be for the purpose of hiring additional personnel and not for setting up a new commission or a committee or anything else. It is simply augmenting the personnel already in the Securities and Exchange Commission.

Mr. MACK. I appreciate the views of the gentleman. But, actually, what we are doing here is authorizing an investigation similar to the one which was conducted in the thirties. We are authorizing the Securities and Exchange Commission to conduct an investigation of the rules of the stock exchanges and associations to determine whether the investing public is adequately protected. If you want to do that, you are going to have to give them enough money to do the job.

Mr. GROSS. Has the other body, which investigates almost everything, had any kind of investigation of the stock market or anything that is comparable to what is proposed here? Have they carried on an investigation in recent years?

Mr. MACK. To the best of my knowledge, they had an extensive investigation in the other body following the stock market crash of 1929. It was very interesting, as a matter of fact, to read some of the reports that are available as a result of that investigation.

Mr. GROSS. They really did not have to investigate the causes of that crash; did they?

Mr. MACK. No, but it is very interesting, as to some of the things that were going on in Wall Street at that time, and we certainly do not want a repetition of that today.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BENNETT of Michigan. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, I want to ask our distinguished chairman a question or two so that the record will be clarified in respect to what I regard as a very important matter. We are giving the Commission authority to investigate, and I am in favor of that even though I think they have adequate authority to go ahead and do it anyway. I do favor this resolution and I think the investigation is necessary, but the bill provides that the Commission shall report to the Congress on or before January 3, 1963. Is it the chairman's feeling and intention in this matter that the Commission will report to our committee from time to time and to our counterpart in the other body as to the progress that they are making as a result of this investigation or, after we pass this resolution, are we going to have to wait until 1963 before we hear anything more about it?

Mr. HARRIS. I will say to the gentleman, if he will yield, as I stated heretofore, the resolution requires the Securities and Exchange Commission to report to the Congress by January 1963, but it also is intended for the Commission to report to our committee and the respective committee in the other body from time to time during the course of the investigation.

Mr. BENNETT of Michigan. In other words, it is the intention of our committee that the Commission is to keep the Congress advised through the respective committees of the House and the Senate as to its progress from time to time during the course of its investigation.

Mr. HARRIS. The gentleman is correct.

Mr. BENNETT of Michigan. Mr. Chairman, I think the purposes of the resolution are good. I think the investigation is needed, not because we have any specific evidence or wrongdoing on the part of the stock exchanges or the National Association of Security Dealers and others that come under the jurisdiction of this Commission, but I think on general principles it is a highly constructive thing for the agency of Government having control, administrative jurisdiction over the stock markets of the country, to, from time to time, take a careful look at their activities, with the view of possibly giving them more tools to work with or possibly taking some tools away that they are not using and that they do not need.

I might say this, Mr. Chairman, too, that the Securities and Exchange Commission itself has been the subject matter of investigation by our committee at least twice during the period that I have been a member of that committee, one in 1950–51, I believe, and then again during the last 2 or 3 years under the Legislative Oversight Committee. I must say that we found as the result of both of those investigations that the Securities and Exchange Commission had not exercised the diligence that the law intended it to use in the enforcement of certain provisions of the law on important matters entrusted to its care. The reason I asked our distinguished chairman whether we were going to be kept advised as to what the Commission is doing is because I think the Commission has the tools and has the authority to do this work, but I believe it should at all times be under the careful scrutiny of the Committee on Interstate and Foreign Commerce and of the Congress itself.

There is one other thing I wanted to bring to the attention of the committee and to the attention of the Securities and Exchange Commission. We have found over the years a great deal of fraud in what I would call the small securities market; the unregulated and unprotected securities market. Under existing law sales of securities under $300,000 do not have to be registered, and because they do not have to be registered, the officers, the people associated with the financing, are not responsible for civil fraud. They are responsible for criminal fraud, but in many cases, such as the great uranium scandals out West a few years ago, where fly-by-night outfits were organized and sold penny stocks to millions of unsuspecting American citizens, for the most part, all of that money went down the drain. The Securities and Exchange Commission did little if anything to prevent these frauds or to insure against their reoccurrence. As a matter of fact the Commission has consistently opposed legislation to make small security issuers subject to the civil fraud provisions of the law, which would give the buyers of these securities the same protection as purchasers of registered issues.

I think this resolution is broad enough, and I hope the Commission in its study of the securities markets will also take a careful look at the practically unregulated over-the-counter markets, so long neglected, which have accelerated the sale of penny and dollar stocks, where the promoters deliberately keep their issues under $300,000 so they do not have to comply with the fraud provisions of the present law. Before its investigation is completed I hope the Commission will snap out of its lethargy and come up with constructive legislative suggestions to give the investing public better protection from swindlers in unregistered securities. The Commission's lackadaisical attitude in this area during the past 15 years leaves much to be desired.

I believe that it is proper for the Securities and Exchange Commission to make a thorough study of this matter, and to report to the Congress the results of its investigation, but as a member of the committee, I feel that it is most important that we recognize our responsibilities in this legislative field and our duty to the Congress and to the public to see that the investing public is adequately protected. While the Commission, as an arm of the Congress, is an appropriate agency to conduct this investigation, I am sure that by directing the Commission to do so, the committee and the Congress in no way is minimizing its responsibility eventually to legislate effectively in this field.

Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey [Mr. GLENN].

Mr. GLENN. Mr. Chairman, as a member of the Subcommittee on Commerce and Finance of the Interstate and Foreign Commerce Committee, I attended the hearings on this joint resolution, and I am convinced that the study and investigation proposed is proper and perhaps urgent.

We are familiar with the great activity which has taken place in the last decade by the general public in the stock market, as the record shows a tremendous increase in such activity and the great expansion in the exchanges and the brokerage business. I think we should recall the situation which occurred in 1929 and 1930 when the whole stock market structure nearly collapsed, and the terrible conditions which resulted to the Nation's economy, particularly to the individual interests of so many of our citizens. There is no reason to believe this is going to happen but it is best to be cautious rather than sorry. Our economy is now in the ascendancy, and has been for some time. With predictions of increased stock market activity of the public, it is timely that we have a detailed check on the sufficiency of safeguards and protection for the individual investor, so that if a similar situation takes place as occurred in that other boom period, we, the Congress, will not be blamed for not taking all precautionary measures available by law to protect the investors and the public.

In addition, there has been sufficient evidence produced through the routine investigations of the Securities and Exchange Commission of the need for a present study to strengthen the rules and to better police the industry.

I make no claims of being expert in matters pertaining to the securities market and found it necessary, as most of us do, in formulating an opinion, to depend on the statements and testimony produced by witnesses. We had the officers of the various exchanges appear before the committee, the officers of the National Association of Securities Dealers, individual witnesses, and the officials of the Securities and Exchange Commission. In every instance, it was the opinion of the witness that such a study and investigation was timely, advisable, and proper. Certainly, under such circumstances, the Congress should be alerted to the need and proceed accordingly.

I suggest that every Member of this House should support this resolution.

Mr. BENNETT of Michigan. Mr. Chairman, I reserve the balance of my time.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman——

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. Certainly.

Mr. HOFFMAN of Michigan. I say to the gentleman from Texas, having served with him so many years, and recognizing his ability, and having profited by the gentleman's talks he has made just since the bill came up, I have noted that there are only some 54 Members present, 34 on the gentleman's side, and 26 over here. Does not the gentleman feel we ought to have a quorum?

Mr. PATMAN. No, sir; I do not think so, and I would not want to impose on the committee that brought this bill up.

Mr. HOFFMAN of Michigan. Will the gentleman yield further?

Mr. PATMAN. Let me answer you, please. I had intended to offer an amendment, but I discussed it with others and I shall not do so because it would mean delay and it would cause a rollcall.

I am not going to offer the amendment, but I do want to say something about the bill.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield for a question?

Mr. PATMAN. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. The gentleman from Iowa [Mr. GROSS], my colleague, just informed me he had an amendment, but that he had been persuaded—I will not say talked out of it, but persuaded—not to offer it. If I refrain from making a point of order that a quorum is not present, will the gentleman put in the request that the Members read his remarks in the RECORD?

Mr. PATMAN. Certainly, but I want to deliver them.

Mr. HOFFMAN of Michigan. I want to hear them.

Mr. PATMAN. Mr. Chairman, I would like to ask the distinguished gentleman from Arkansas [Mr. HARRIS], the chairman of the Committee on Interstate and Foreign Commerce, whether or not this resolution covers the so-called open market for U.S. Government securities and whether or not it would permit an investigation of the operations of that market.

In case the gentleman does not know about the so-called open market, let me describe it briefly. Very few people do know about this so-called open market because, although it is the largest financial market in the world, it is also the most closed market—being confined to a very small group of traders—and it is also the most hidden market insofar as the public view is concerned.

Two years ago the Joint Economic Committee made a rather general inquiry into this market, in that the committee collected information as to the names of the traders, their volume of business, their profits and related matters. The so-called open market consisted of 17 dealers. More recently, I understand, two more dealers have been permitted to join the club. These 19 dealers are those that are privileged to

trade in U.S. Government securities with the Federal Reserve System.

The Federal Reserve System buys and sells many billions of dollars of Government securities annually. The policies under which these purchases and sales take place are determined by the so-called open market committee of the Federal Reserve System. The Federal Reserve Bank of New York acts as agent for the entire System and it does the trading for these so-called open market dealers.

Furthermore, the Federal Reserve Bank in New York makes the rules insofar as these dealers trading with the Federal Reserve are concerned.

The open market dealers do an even larger volume of business, however, in their purchases of Government securities from the Federal Treasury and in their trading in Government securities with the commercial banks of the country, the insurance companies and other big financial and nonfinancial corporations.

These open market dealers are, in effect, the top echelon wholesalers of Government securities just as the members of the New York Stock Exchange are the top echelon wholesalers of corporate securities.

The Joint Economic Committee found, as a result of questionnaires filled out by the open market dealers that their volume of business amounts to some $200 billion a year—not millions of dollars—I repeat, $200 billion a year.

In other words, the volume of transactions in this so-called open market is more than three times the combined volume of business done in all of the stock exchanges and in all of the organized commodity markets of the country.

What the trading rules of these dealers are, if any, I do not know. I have not heard of any rules ever being published. These dealers do, however, observe some peculiar conventions.

For example, they all have direct telephone lines between and among themselves, although their trading with the Federal Reserve Bank of New York is also by telephone. Bid and offer prices made to the New York bank are made by telephone, and sales to or purchases from the New York Federal bank are consummated by telephone.

Up until a year or so ago the dealers had agreement to operate a kind of "put and take" system such as is outlawed by the Securities and Exchange Act. It worked this way:

Any dealer could telephone another dealer and ask that dealer's bid and offer prices on any particular Government bond. After hearing his competitor's bid and offer prices, the dealer initiating the call was then privileged to require his competitor to sell him $100,000 worth of the Government bonds in question at the offer price his competitor had named, or to purchase from him $100,000 of the bonds at the bid price which his competitor had named. Under the rules of the game, the competitor receiving the call has no choice in the matter. The option is strictly with the dealer who initiates the inquiry. He can force his competitor to buy or to sell to him at the prices his competitor has named, or he need not require this competitor to do either.

We were having hearings in New York 2 years ago, and we had some of these open market dealers on the witness stand, as well as the trading manager for the New York Federal Reserve Bank. I asked the manager, Mr. Rouse, what the effect is of such a put-and-take system. His answer was one that dealers in all markets well know, which is that this system results in all of the dealers having the same bid and offer prices, and in their confronting the general public with identical bid and offer prices.

What all of the conventions and rules of this so-called open market are, I do not know. This open market club has never been investigated, although probably every other market in the country has been investigated at one time or another.

This so-called open market very much needs investigation because the way this market operates not only affects prices and interest rates which the Treasury obtains for its securities, but prices and yields on U.S. Government securities indirectly effects the stock market and every other financial market in the country. Yields on Government securities very largely determine yields on corporate bonds as well as yields on Government bonds have a great deal to do with whether investors put money into the stock market, or pull money out of the stock market.

It is because of the very great importance of this so-called open market in U.S. Government securities that I ask the gentleman whether this resolution, House Joint Resolution 438, is broad enough to authorize the Commission to make a study and investigation of this so-called open market.

That is my question. I ask the chairman that question. Is it broad enough if they receive sufficient money to cover this matter?

Mr. HARRIS. I shall be glad to respond to the question by the gentleman from Texas. In my judgment, the resolution is broad enough to cover the subject matter which the gentleman from Texas [Mr. PATMAN] has brought up and discussed with the committee. I might also state that it is not contemplated by the resolution and by the record that such will be included in the investigation by the Commission.

Mr. Chairman, when we are back in the House I shall make a request to include a statement or a memorandum which has been prepared by the staff members of the Commission for the Commission on this subject.

The gentleman from Texas [Mr. PATMAN] was kind enough to notify me that he intended to ask me whether or not House Joint Resolution 438 would permit an investigation of the open market for U.S. Government securities.

The gentleman stated to me that:

> This so-called open market very much needs investigation because the way this market operates not only affects prices and interest rates which the Treasury obtains for its securities, but prices and yields on U.S. Government securities indirectly affects the stock market and every other financial market in the country. Yields on Government securities very largely determine yields on corporate bonds as well as yields on Government bonds have a great deal to do with whether investors put money into the stock market, or pull money out of the stock market.

In answer to the gentleman, I would say that the scope of the investigation authorized by this resolution is exceedingly broad and to some degree might be deemed to be broad enough to cover an examination of this market insofar as it relates to the adequacy of protection afforded the investing public. Government securities, of course, are listed and certain of the dealers are registered with the Securities and Exchange Commission.

On the other hand, the gentleman has indicated that the investigation he desires relates primarily to the fiscal policy of the Government, the prices and interest yields which the Treasury obtains for its securities, the prices and yields on U.S. Government securities, and the effect upon interest rates generally. I do not believe that it is contemplated that this resolution authorized an investigation into this field.

SECURITIES AND EXCHANGE COMMISSION,
Washington, D.C., August 23, 1961.

Hon. OREN HARRIS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN HARRIS: When I was in your office on Monday, you brought to my attention a letter from Congressman PATMAN (attached) relating to House Joint Resolution 438. I have asked our Director of the Division of Trading and Exchanges, Philip A. Loomis, Jr., to set forth the Commission's views, and his memorandum on the subject is enclosed.

We have discussed this with Dr. Andrew Stevenson.

If there is anything further to be done concerning this matter, please let me know.

With best wishes,
Sincerely yours,
WILLIAM L. CARY, *Chairman.*

MEMORANDUM

AUGUST 22, 1961.

To: The Chairman.
From: Philip A. Loomis, Jr., Director, Division of Trading and Exchanges.
Subject: Dealer market for U.S. Government securities.

I understand that a question has been raised as to whether an inquiry by the Commission into the operation of the so-called open market for U.S. Government securities would fall within the scope of House Joint Resolution 438.

It seems to me that there is substantial doubt as to whether or not this subject is within the scope of the resolution. The resolution calls for a study of the adequacy of the rules of national securities exchanges and national securities associations. While, as indicated in your testimony of June 27, 1961, this resolution should be broadly interpreted to include a study of markets in which these associations operate and the conduct of their members, it should be borne in mind that the so-called open market in Government securities is conducted over the counter and not on an exchange, and that the principal factors in this market are several large commercial banks and a small group of specialist dealers who deal exclusively, or primarily, in Government bonds. Such bonds are exempted securities within the meaning of the Securities Exchange Act of 1934.

National securities associations are established and registered pursuant to section 15A of the Securities Exchange Act of 1934 (the so-called Maloney Act). Subsection (m) of that section provides that nothing in the section shall be construed to apply with respect to any transaction in exempted securities. As a result of this subsection and the legislative history, the NASD has never concerned itself with transactions in Government bonds. Its rules, by their terms, do not apply to transactions in exempted securities and the specialized dealers referred to are, in most instances, not members of the association. Commercial banks are ineligible for membership.

Even if the resolution might be construed as authorizing some inquiry into the open market in Government bonds, there are considerations which might make this inadvisable. None of the statutes administered by the Commission apply to Government bonds except certain fraud provisions. Dealers confining their business to Government bonds are exempt from registration under the Securities Exchange Act. Commercial banks, of course, are excluded from the definition of brokers and dealers and are not subject to the regulatory jurisdiction of the Commission. By reason of these provisions, the Commission has never particularly concerned itself with the operation of the open market for U.S. Government bonds, and we have very limited information about it. Furthermore, the Treasury and the Federal Reserve Board are intimately concerned with this market, deal in it themselves, and have a greater degree of regulatory jurisdiction over most of the participants than the Commission has.

Finally, in 1959, the Treasury and the Federal Reserve Board completed an extensive study of this market and issued a three-volume report with recommendations. It seems unlikely, under all the circumstances, that anything we can do in this field would go much beyond, or even as far, as this report went.

Mr. PATMAN. I thank the gentleman. I understand the situation, and I am glad his statement is broad enough.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from California.

Mr. YOUNGER. I believe the gentleman from Texas [Mr. PATMAN] has written letters to all the funds all over the United States requesting that they make rather elaborate reports to him; is that correct?

Mr. PATMAN. Well, a comparative few reports have been requested which they have to make, anyway, as to particular money in their printed reports with some additional information requested. That question does not relate to this matter at all.

Mr. YOUNGER. If the gentleman will yield further, from those reports does the gentleman feel he will get any information that might help in regard to this matter?

Mr. PATMAN. Not on this matter. It does not concern this. I assure the gentleman that it is not relevant to this discussion.

Mr. YOUNGER. Among the questionnaires, did the gentleman from Texas ask for a report from the Kennedy Foundation?

Mr. PATMAN. It does not relate to this question at all, I assure the gentleman. If the gentleman will bring it up when that question is before the House, I will answer the gentleman candidly, forthrightly, and will be glad to do so. But that question is not before the House at this time.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield for a question?

Mr. PATMAN. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Is it the gentleman's understanding that this report will give us any idea as to the amount appropriated for Federal aid, and how much of that stays with the New York lawyers and bankers—the international lawyers and bankers? Would not the gentleman like to know about that?

Mr. PATMAN. Well, that is irrelevant to this particular resolution.

Mr. HOFFMAN of Michigan. I realize that, but we are curious about these matters. The gentleman spoke about it being irrelevant. How often do we stick to the text here?

Mr. PATMAN. Well, the gentleman is not sticking with the text; the gentleman is off the text.

Mr. HOFFMAN of Michigan. I think it is relevant. I think we ought to know where the money is going.

Mr. PATMAN. The gentleman from Michigan is off the text. When we get on the text, I shall be very glad to answer the gentleman's question, or at least try to answer it.

Mr. BENNETT of Michigan. Mr. Chairman, I have no further requests for time.

Mr. HOFFMAN of Michigan. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Sixty-three Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 168]

Abernethy	Friedel	O'Brien, N.Y.
Addonizio	Gallagher	O'Konski
Alexander	Garmatz	O'Neill
Alger	Gavin	Passman
Andersen, Minn.	Griffiths	Pilcher
	Harrison, Va.	Pillion
Arends	Hemphill	Pirnie
Ashbrook	Henderson	Powell
Auchincloss	Herlong	Rabaut
Ayres	Jonas	Riehlman
Bailey	Jones, Mo.	Roudebush
Baker	Kearns	St. Germain
Barrett	Kee	Santangelo
Bass, N.H.	Keith	Scherer
Bass, Tenn.	Kelly	Scott
Becker	Kilburn	Scranton
Belcher	Kilday	Seely-Brown
Boland	Kluczynski	Shipley
Boykin	Kornegay	Slack
Breeding	Landrum	Smith, Miss.
Brooks, La.	Lesinski	Smith, Va.
Broomfield	Loser	Spence
Buckley	McCulloch	Staggers
Cahill	McIntire	Steed
Carey	McMillan	Taber
Celler	Macdonald	Teague, Tex.
Chiperfield	MacGregor	Thompson, La.
Cook	Machrowicz	Thompson, N.J.
Cramer	Martin, Mass.	Tupper
Curtis, Mo.	Martin, Nebr.	Ullman
Daddario	Mason	Vanik
Daniels	Miller, Clem	Van Zandt
Davis, James C.	Miller, N.Y.	Vinson
	Milliken	Westland
Davis, Tenn.	Mills	Wharton
Dulski	Minshall	Whitten
Ellsworth	Monagan	Willis
Fallon	Morrison	Wilson, Ind.
Farbstein	Moulder	Winstead
Fogarty	Nelson	Yates
Frelinghuysen	Nix	Zelenko

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. ALBERT] having resumed the chair, Mr. ASPINALL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the resolution, House Joint Resolution 438, and finding itself without a quorum, he had directed the roll to be called, when 310 Members answered to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 19 of the Securities Exchange Act of 1934 is amended by adding at the end thereof a new subsection as follows:

"(d) The Commission is authorized and directed to make a study and investigation of the adequacy, for the protection of investors, of the rules of national securities exchanges and national securities associations, including rules for the expulsion, suspension, or disciplining of a member for conduct inconsistent with just and equitable principles of trade. The Commission shall report to the Congress on or before January 3, 1963, the results of its study and investigation, together with its recommendations, including such recommendations for legislation as it deems advisable. To carry out such study and investigation there is hereby authorized to be appropriated the sum of $750,000."

With the following committee amendment:

Page 2, line 7, after the word "advisable." insert: "The Commission is authorized to appoint, without regard to the civil service laws, rules, and regulations, such personnel as the Commission deems advisable to carry out such study and investigation and to fix their respective rates of compensation without regard to the Classification Act of 1949, as amended, but no such rate shall exceed $18,500 per annum."

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having resumed the chair, Mr. ASPINALL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration House Joint Resolution 438 to amend the Securities Exchange Act of 1934 so as to authorize and direct the Securities and Exchange Commission to conduct a study and investigation of the adequacy, for the protection of investors, of the rules of national securities exchanges and national securities associations, pursuant to House Resolution 426, he reported the resolution back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the House joint resolution.

The House joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the House joint resolution.

The House joint resolution was passed.

A motion to reconsider was laid on the table.

NEW YORK STATE, NOT CALIFORNIA, THE REAL BIRTHPLACE OF NAVAL AVIATION

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, last Monday I exercised my right as a Member of this body to object on the Consent Calendar to House Concurrent Resolution 208, introduced by the gentleman from California [Mr. WILSON], to recognize officially on the part of the Congress of the United States, San Diego, Calif., as the birthplace of naval aviation which is celebrating its 50th anniversary this year of 1961.

Mr. Speaker, I exercised this right to hold up this legislation because I have uncovered evidence which convinces me that San Diego is not the real birthplace of naval aviation, but rather Hammondsport in my own great State of New York.

So that other Members of Congress may have the information on this point available to them, I submit the following facts.

The claim of San Diego, supported by the concurrent resolution offered by the gentleman from California [Mr. WILSON], rests upon the single point that the Navy's first naval aviator, Lt. Theodore G. Ellyson, U.S. Navy, received his preliminary flight training in early 1911 from Mr. Glenn Curtiss at his aviation camp then located at North Island in San Diego. The records of the Navy Department, a copy of which I have photostated in my possession, disclose that on March 31, 1911, Lieutenant Ellyson reported to the Navy that in the opinion of Mr. Curtiss he had "qualified in practical aviation." His letter to the Navy Department, however, adds that this indicated that he was qualified to fly a Curtiss biplane "under favorable wind conditions," but that he needed more practice to be able to fly in strong winds and that he had "had no practice in the hydroplane."

Immediately after Lieutenant Ellyson submitted this letter to the Navy Department, in April 1911, Mr. Curtiss' aviation camp moved from San Diego to Hammondsport, N.Y., and Lieutenant Ellyson moved with it for further training.

It was while Glenn Curtiss' camp was in Hammondsport, N.Y., that the first naval aircraft, the A–1, a Curtiss hydroplane, made its first flight on Lake Keuka, on July 1, 1911. Lieutenant Ellyson soloed in this plane on the same day and thus finally became qualified for flying hydroplanes, the first and only aircraft of naval aviation.

The following day, on July 2, 1911, while Lieutenant Ellyson was still stationed at Hammondsport, N.Y., he received his civilian aviator's license, No. 28, from the Aero Club of America, a group recognized by the Federation Aeronautique International—FAI.

Actually, there should be no confusion at all about the actual birthplace of naval aviation because as long ago as April 7, 1948, the Navy officially designated May 8, 1911, as the actual birthday of naval aviation. This day happens to be the date on which the first naval aircraft, the A–1, mentioned above, in which Lieutenant Ellyson finally flew on July 1, 1911, to qualify himself for flying hydroplanes, was actually requisitioned by the Navy Department to be built by Glenn Curtiss at his Hammondsport establishment. After all, one's birthplace is where one is on one's birthday.

So I believe that all of these bits of information clearly establish that the fact that the birthplace of naval aviation, the place in which naval aviation actually began and started, was not San Diego, where the Navy's first aviator got his preliminary flight training, but rather Hammondsport, N.Y., where the Navy's first aviator actually became qualified in the first naval aircraft and where the undertaking was underway which was officially designated by the Navy more than 13 years ago as marking the official birthdate of naval aviation.

For these reasons, I cannot approve House Concurrent Resolution 208. I believe it is essential that New York State should receive the recognition it properly deserves.

Mr. ROBISON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROBISON. Mr. Speaker, I commend the gentleman from New York [Mr. STRATTON], for bringing this matter to our attention.

Glenn H. Curtiss was a native son of the beautiful village of Hammondsport, in Steuben County, N.Y., which I have the honor to represent in this body. As my colleague has mentioned, Curtiss instructed Lieutenant Ellyson in flight training at or near San Diego, Calif., early in 1911, but then in April of that year the Curtiss camp was moved to Hammondsport on the shores of Lake Keuka in upstate New York where Ellyson was given further training.

As I understand the situation, on or about May 8, 1911, the Navy requisitioned the Curtiss hydroplane, known thereafter as the A–1, from Curtiss, and it was this airplane that Ellyson eventually flew, taking off from Lake Keuka on July 1, 1911, in his first attempt at soloing.

Mr. Speaker, I do not wish to precipitate any serious misunderstanding with my colleague from California [Mr. WILSON] sponsor of House Concurrent Resolution 208, over this matter, but in all fairness to my constituents from Hammondsport who are presently engaged in planning to commemorate the 50th anniversary of the start of naval aviation at Hammondsport, in ceremonies to be held this coming October 7 and 8, I do believe that this entire matter should be looked into further. If the Navy, by official action taken back in 1948, has itself designated May 8, 1911, as the birthday of naval aviation—that being the day the Navy requisitioned the original A–1—and both Curtiss and Lieutenant Ellyson then being at Hammondsport, it would surely seem that this honor of being the birthplace of naval aviation ought to belong to Hammondsport. I hope, therefore, that Congress will not pass House Concurrent Resolution 208.

FORTIETH ANNIVERSARY OF LOCAL 802, AMERICAN FEDERATION OF MUSICIANS: ASSOCIATED MUSICIANS OF GREATER NEW YORK

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, it is with pleasure that I direct the attention of my colleagues in the House of Representatives to the 40th anniversary of the Associated Musicians of Greater New York, Local 802. This distinguished organization received its charter from the Federation of Musicians in August 1921. It is now the largest local in the Federation with some 30,000 members. The membership represents the foremost musicians in America today.

The affiliation of the Associated Musicians of Greater New York with our great labor organizations—the American Federation of Labor and the Congress of Industrial Organizations—has been beneficial for the musicians and for the general public.

I am reminded of the struggles and injustices that pursued many of the great masters of the past.

Johann Sebastian Bach, the most profound and original musical thinker the world has even seen, died in poverty.

The thematic catalog of Bach's works contains 1,110 instrumental and 1,936 vocal numbers. All of them combined probably never brought him in as much as the $1,175 paid at a Berlin auction some years ago for three of his manuscripts.

Every artist is a part of his times, but he also helps to create them. The American Federation of Musicians believes the individual is important. An artistic individual may dominate his generation; but, if we are conscious of only one or two outstanding personalities, we may miss the significance of the whole era. By supporting and encouraging numerous individuals and following their developments and their contributions, we cannot easily jeopardize a true understanding of the development of the art of music in our times.

It has been written many times that music through the ages has a universal appeal. It is constantly entangled with

the social, the religious, the scientific, the political and the esthetic elements of life. It becomes, therefore, a document of human experience.

Running the gamut from modern jazz to grand opera, music in Greater New York gives to the Nation and the world, the symbols of freedom. Music is free and spontaneous by its very nature, and it should be closely associated to American democracy for that very reason.

It has been proved again and again that good music—of all classifications—is one of the best areas in which the United States can cement cordial relations with other nations of the world. Our musical ambassadors are prime examples.

Music in Greater New York has become one of our leading industries. Through the work of each individual in the American Federation of Musicians our performing standards are higher today than ever. Rapid strides are being made in music education and there are many signs of awakening interest in American composition and performance. More American music is being performed, published, and recorded than ever before. During the past few years citizens from other nations, who have always liked our popular music, have discovered that we in America have made strides forward with serious intent. From the time of early settlements on our eastern shores in the 17th century our people have liked music and made it a part of their lives.

During the lifetime of local 802 we have witnessed encouraging support of things musical in America. We have come—more and more—to regard the power of music and its freedom of expression. Music has stirred man's emotions and his ambitions. It has influenced man's behavior. It's effects are universal. To honor those who contribute to and participate in this art is to do justice to greatness.

My hearty congratulations and best personal wishes are extended to the membership of Local 802, Associated Musicians of Greater New York, on the occasion of its 40 successful years of existence.

ALLOTMENTS OF 1961 SUGAR QUOTAS FOR DOMESTIC BEET SUGAR AREA

Mr. DOLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, those in Congress who represent districts which have sugarbeet production or a potential for such production, are aware this is not a hearing to consider acreage allotments for domestic growers, but one to consider procedures for imposing marketing allotments this year on the individual beet sugar processing companies of the United States.

Those of us who are so concerned agree, however, that this hearing and another to be held in Denver, Colo., Tuesday, August 29, to consider the reduction of sugarbeet acreage for next year are indeed strange. I say strange because it is hard to conceive of anything more inconsistent than hearings to consider restricting marketing of domestically produced beet sugar and reduction of sugarbeet acreage of American farmers at a time when we are reaching to nations halfway around the globe, many of which never before had a place in the American sugar market, to obtain sugar for replacing the supplies we formerly obtained from Cuba.

The administrators of the U.S. sugar program are forced to take these inconsistent and utterly unreasonable steps to restrict American sugar production and marketing because of the strange sugar law now in effect. The present Sugar Act requires the administrator to obtain from foreign nations all the sugar formerly supplied the United States by Cuba. This Sugar Act forbids the administrator from allocating any of the former Cuban sugar quota to American farmers and the American sugar producing industry. This policy in itself is incomprehensible, inconsistent, and indefensible.

The present Sugar Act expires June 30, 1962. For more than a year we have had only temporary extensions of the act without any provisions for domestic producers to replace Cuban sugar in our domestic market. Under the present law, about 4½ million tons of sugar will be imported from foreign nations this year including the 3.3 million tons formerly supplied from Cuban sources.

For more than a year we have received only promises from those in positions of responsibility for having action taken on long-range sugar legislation giving domestic growers at least a share of the former Cuban quotas. For more than a year we have had only delays, on one pretext or another. American producers of sugarbeets and potential growers as well as processors cannot rely on the present act for expansion.

The opportunity which exists for giving American growers their fair share of the Cuban windfall may never present itself again if further delays are encountered. American growers and potential growers have demonstrated their ability and willingness to increase sugarbeet production if only they can be given the assurance and protection they deserve.

The inaction on the part of both the Congress and the executive department to take affirmative steps leading toward an equitable solution is deplorable.

I maintain that farmers of Kansas have as much right to provide sugar for the American market as do the sugar interests of India, Australia, and Hong Kong. Yet farmers of Kansas under the present law are forbidden the right to replace 1 ounce of Cuban sugar, while 24 foreign nations around the globe have been authorized shipments of 3,247,195 tons to replace Cuban sugar in the American market. Nine of these nations have never had a quota in this market.

Our Government has authorized shipments of 12,000 tons of sugar from El Salvador; 17,000 tons from Guatemala; 336,474 tons from Brazil; 36,000 tons from Ecuador; 46,000 tons from Colombia; 75,000 tons from the French West Indies; 90,000 tons from Australia; 5,000 tons from Paraguay; and 225,000 tons from India. None of these countries have a regular quota. Foreign countries that do have regular quotas also have received huge windfalls as a result of our cutting off the Cuban quota.

In addition to their regular quotas, the Republic of the Philippines is permitted this year to ship in an extra windfall of 490,731 tons; Peru, an additional 544,870 tons; the Dominican Republic, an additional 222,723 tons; Mexico, an additional 589,591 tons; Nicaragua, an additional 25,897 tons; Haiti, an additional 37,005 tons; the Netherlands, an additional 5,851 tons; Nationalist China—Formosa—an additional 186,048 tons; Panama, an additional 6,020 tons; Costa Rica, an additional 26,282 tons; Canada, an additional 1,266 tons; the United Kingdom, an additional 1,034 tons; Belgium, an additional 1,453 tons; the Federation of the West Indies and British Guiana, an additional 265,923 tons; and Hong Kong—Hong Kong, mind you—an additional 27 tons, nine times the regular Hong Kong quota.

Yet the farmers of Kansas have not been permitted to replace a single ounce of the Cuban quota.

To demonstrate our good faith and desire to try to help find a solution to the present legislative stalemate, the four Republican freshman members of the Agriculture Committee of whom I am one, have indicated to the chairman our willingness to remain after the adjournment of Congress to serve on a subcommittee to hold hearings on long-range legislation for sugar. We feel the problem is of such urgency that it deserves our attention now—not just before the expiration of the present extension of the Sugar Act.

YOUTH IN 4–H ORGANIZATIONS LAUDED

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, now that a good portion of the summer season has passed, and with an average of about 30,000 visitors per day passing through the Halls of Congress, we have had a pretty good opportunity to make comparisons of groups under sponsorship of different organizations and from every corner of the United States. This opportunity for comparison gives us some qualification as an appraiser of good manners, proprietry, and genteel conduct of those who walk through our Capitol. Our appraisal of 4–H people has never been higher than this year with 3 years of service as a Congressman behind us.

Accordingly, I want to pay tribute to this fine group of young men and women who are making a great contribution to the American way of life.

Recently a group of 33 Jackson County, Mo., 4–H junior leaders and 4 adults were in Washington. Two weeks earlier, another group of 32 4–H'ers came from the counties of Cass, Johnson, Henry, Bates, Pettis, and St. Clair, mostly from the Fourth Missouri District. These fine young people came to participate in the 4–H citizenship short course at the National 4–H Club Center out on Connecticut Avenue, here in Washington, D.C.

But, Mr. Speaker, judging from my impression of these young people I would say they have had considerable prior instruction in citizenship long before their trip to Washington. Over the 3-year period we have been in Congress, with many diversified groups visiting from time to time, including the high school and even college groups, we were most impressed by the very fine manner in which these 4–H'ers conducted themselves. They are among the most orderly and most well mannered group of any large group that has ever visited our Capital.

These young people, together with other 4–H groups from Missouri, who may be coming to our Capital City later on, sustain my long belief in the continuance of this fine work. When I was on the county court in Jackson County, Mo., we believed in 4–H work to the extent that when the question of a possible reduction in budget was under consideration, we saw to it that the necessary reduction always came from places other than from the 4–H budget.

Therefore, it is a great honor and privilege for me to recognize today and pay much deserved tribute to the 36,350 4–H Club boys and girls in the State of Missouri who were enrolled in the 1,752 clubs throughout the State.

We think special recognition should be given to the 227 selected 4–H Club members from Missouri who have been in Washington this summer to participate in the 4–H citizenship short courses. For a while the Nation's Capital becomes the classroom for these selected boys and girls who participate in this short course offered by the National 4–H Club Foundation. This program provides an opportunity to learn more about our Government, with a better understanding of national problems and our citizenship responsibilities. It develops an understanding of our relationship to world problems as well as being a new insight into 4–H Club work.

The 4–H Club program, as it is designed in Missouri, is to help make available opportunities for self-education and development of boys and girls to their own volunteer efforts. Missouri 4–H Clubs range in size from 5 to 98 members, clubs averaging 20 members with approximately 6 adult leaders giving them help and guidance. A local group receives a 4–H Club charter from the University of Missouri when five or more members are active in the program. It gives 4–H boys and girls the opportunity to develop their abilities in leadership, individual skills, and knowledge. The monthly program of the community meeting is built around such activities as health, safety, conservation, grooming, courtesy, and citizenship development. Special events in the county, State, and Nation are designed to inspire the boys and girls to carry on a good community 4–H Club program. The success and achievements of local club events is a result of the combined effort of the leaders, the members, the parents, and other people of the community. Some of the activities carried on cooperatively by these groups in Missouri are rodent control, safety drives, roadside cleanup campaigns, and development of recreational areas. Perhaps one of the most outstanding achievements is the development of community meeting places. Many Missouri 4–H Clubs have taken pride in initiating, remodeling, and improving abandoned school houses throughout the State.

The project work of the individual is still considered the most important part of the 4–H Club program. The project of the individual requires knowledge related to subjects of interest to them. To do this work requires responsibility, work habits, and keeping records. Through the project work the member is given experience in demonstrating, judging, exhibiting, and many skills from production to marketing. The member develops the characteristics of independence, initiative, and resourcefulness.

I highly commend the county extension workers who are introducing the 4–H Club program in the communities where the boys and girls are not presently organized in 4–H Club work. Yes, even to neighborhoods inside some towns and smaller cities. I understand these efforts are meeting with considerable success and many new areas now have 4–H Club work. Certainly, the boys and girls of Missouri will be better prepared to face life's responsibilities because of this opportunity to "Learn to do by doing" through the 4–H Club program.

Why do we go out of our way at this particular time to call the attention of our colleagues to the work of 4–H? There are two reasons: First, the results of their good training showed itself during their trip to Washington, proving beyond a doubt the value of such an investment in fine young people, and second, because our colleagues should ponder a little bit on the relatively small cost of this training. When both the authorization and appropriation bills for the Department of Agriculture are under consideration and the sums seem very large, then it is a time to reflect and realize there are many items included in the omnibus appropriation bill other than crop control, and one of the most important, in our opinion, are the grants in aid which go to the various States for extension service which, in turn, provides the means to train these young people.

As a local administrative official back in Jackson County, Mo., we always tried to find the money to include in the county budget for help to 4–H Clubs. As a Member of Congress, we will continue to study both the authorization and appropriation bills for the Department of Agriculture to be sure that this cause is supported from the national level.

SMUT—THE CHILDREN'S PLAGUE

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the creation of a happy home where children are raised in a wholesome environment to become men and women who will be a credit to themselves and the community, is one of the finest achievements of human experience.

Parents, teachers, and responsible citizens make many sacrifices to provide a healthy, normal climate for children and youngsters during the impressionable years when they are growing up.

Americans would be shocked at the extent to which a few mercenary individuals, seeking quick profits out of sensationalism, are undermining the character of youngsters.

The hit-and-run peddlers of pornography, in printed or photographic form, are stirring up a morbid preoccupation with sex that incites to immoral and antisocial behavior.

Have you any idea as to what these merchants of sin may have sent to your young daughter in a letter that looks like a harmless advertising solicitation?

Do you know of the erotic pictures that some stranger showed to your boy, near the neighborhood school?

Pornography is poisoning the mind and spirit of youngsters throughout our country.

Approximately 1 million children are being solicited by mail-order pornography each year according to the U.S. Post Office Department, which last year received 70,000 separate complaints from parents.

The commercial filth by mail is estimated to be a half-billion-dollar-a-year racket.

J. Edgar Hoover, Chief of the Federal Bureau of Investigation, attributes the Nation's rising sex crimes to commercial pornography.

Already, 50 percent of major crimes are committed by minors.

These true and alarming quotes were taken from the article titled: "Smut—the Children's Plague." They were written by Bob Brizzolara, after a factual investigation of this problem, and appeared in the February and March 1961 issues of St. Jude, a national Catholic monthly, published by the Claretian Fathers, Chicago, Ill. Robert J. Leuver, C.M.F., says:

I know that you will agree that this is one of the major cancers that menace our society. * * * We at St. Jude have tried to make our readers more aware of its dangers.

The good work being done by the Claretian Fathers in alerting the public to the insidious spread of smut, so that effective countermeasures will be taken to protect our children from its demoralizing influence, should enlist the support of every decent-minded American in the crusade against pornography.

Under unanimous consent I bring this report to the attention of more people

by inserting it in the CONGRESSIONAL RECORD:

SMUT—THE CHILDREN'S PLAGUE

(By Bob Brizzolara)

There is a black plague sweeping the Nation more devastating than the one that ravaged Europe in the Middle Ages. Its principal victims are children and adolescents, although like its ancient predecessor, it destroys adults as well. Clergymen, educators, sociologists, city, State, and Federal law enforcement agencies are hard pressed to curb it—and often disagree as to method.

The children's plague is pornography. Its name, however, is legion: obscenity, sexual depravity, sadism—the entire spectrum of carnality usually in printed or photographic form, or both. It is sold by the ton primarily to elementary and high school boys and girls. Approximately 1 million children are being solicited by mail-order pornographers each year, according to the U.S. Post Office Department, which last year received 70,000 separate complaints from parents. The commercial filth by mail is estimated to be a half-billion-dollar-a-year racket and growing more lucrative by the day, thanks to hobbling court decisions, light prison sentences and fines, and public apathy.

Side by side with the mail-order smut peddlers are the incredibly prolific publishers of obscene paperback books and magazines considered to gross at least a billion dollars annually.

Those concerned declare that no act of subversion planned by the Communist conspiracy could be more effective in shredding the Nation's moral fabric than the lethal effects of pornography. While it is not impossible that some of the material now sold is Kremlin inspired, ironically the Reds need not work too hard at this. They are well aided by thousands of amoral, dollar-crazed Americans, many of them militant in defense of their constitutional rights to pander to man's baser passions and their consequent fallout: perversion and depravity.

Sex crimes have skyrocketed in virtually every American community, particularly in urban areas. In Chicago crimes against children in 1959 were second only to forcible rape cases. Jack Mabley, crusading Chicago newspaperman, estimates there are at least 14,000 known sex criminals loose in Chicago who, in a year's time, escaped detection, were freed, or given probation with short jail sentences of less than 1 year. By 1962 it is expected that we will arrest 1 million children for major crimes. Already 50 percent of major crimes are committed by minors.

J. Edgar Hoover, Chief of the Federal Bureau of Investigation, attributes the Nation's rising sex crimes directly to commercial pornography:

"We know that in an overwhelmingly large number of cases, sex crime is associated with pornography. We know that sex criminals read it, are clearly influenced by it. I believe pornography is a major cause of sex violence."

His view is supported by virtually every reputable authority. Dr. Nicholas G. Frignato, chief neuropsychiatrist and medical director of Philadelphia's municipal court, could well serve as a spokesman with this indictment:

"Pornography is an instrument of delinquency. It is an insidious threat to moral, mental, and physical health. It debases the true meaning and function of sex; it leads to excessive eroticism, morbid preoccupation, with sex, and it incites to immoral and antisocial behavior."

While Hoover and Dr. Frignato virtually echo the consensus of their colleagues in their respective fields, there are dissenting voices at the same level maintaining, in effect, that a little obscenity is good for what ails us. One such voice belongs to Dr. Benjamin Karpman, chief psychotherapist at Washington's St. Elizabeths Federal Hospital. He insists that "you'll never be able to outlaw smut because everybody needs a certain amount of it." Further, as quoted by United Press International, he opines that "crusading against obscenity has an unconscious interest at its base * * * the interest may be denied by bitter opposition to all forms of obscenity, the same as a condemnation and attack against homosexuals may cover up * * * latent homosexuality." This remarkable thesis, if extended logically, would lump the FBI, Post Office Department, parents, priests, nuns, ministers—anyone and everyone concerned—into Karpman's suspect camp. He adds:

"Obscenity can make no appeal, exert no influence or power, nor make converts except in those cases of individuals whose psychological makeup has the necessary specific conditioning. Hence, obscenity cannot undermine public morals."

Postal Inspectors Raymond J. Dunne and J. P. Kelley of the Chicago Post Office would welcome the opportunity to open their files to Dr. Karpman and display some of "the necessary specific conditioning" that comes to their attention. For almost a year they have painstakingly built a case against approximately 1,000 members of a homosexual ring who made the mistake of corresponding and exchanging nude and lewd photographs by mail. For instance, the inspectors would reveal "the necessary specific conditioning" involved in the case of a youth seduced by a member of the ring who had appealed to a pen pal for assistance. The seducer wrote: "I am interested in——— but can't make him see things my way. Do you have any pictures I could show him that might bring him around?" The pen pal supplied "the necessary specific conditioning" as evidenced by the profuse "thank you" letter written by the triumphant seducer.

Theologians simplify Dr. Karpman's technical phrase but extend it to the whole of mankind. They call it the effects of Original Sin.

The merchants of filth reap huge profits by supplying—cheap—"the necessary specific conditioning" with such tantalizing come-ons as these:

"Stag shows on film, delightfully different, sensational thrilling. * * * Too bashful to make a model your friend? I'd love to send you my real pics and films. The book nobody dared to print. Actual photos, dangerous art. Like 'em young? Our pretty young girls have gone all out to please. Hear the uninhibited candor of erotic love in high fidelity. * * * Exotic and revealing photos."

And on and on, in nauseating detail.

If your son or daughter has ever ordered a penknife, doll, camera, flower seeds—anything—by mail or had their name and address listed in a school directory or yearbook, chances are increasing that they may be solicited to purchase pornography by explicit offers as those above, and worse. The Kefauver committee reports uncounted instances of obscene circulars sent to children as young as 10 or 12. The mail order sin merchants hunger for better and newer mailing lists, particularly those of schoolchildren and teenagers who, once "hooked" in the manner of dope addicts, form a faithful and steady market for future purchases. In one grade school in Los Angeles 600 pieces of pornographic material were confiscated from schoolchildren in a 2-month period. It is also naive to assume that Catholic schoolchildren, both boys and girls, are immune from the children's plague. Nuns, Brothers, and priests are discovering pornography not only in classrooms but in church and in sacristies on the persons of altar boys. Its effect in a classroom is electric. One nun in a midwestern suburb said: "We can always tell when this stuff is making the rounds. You can sense it in the room. When this happens we question each pupil individually until we uncover the rotten truth."

James Jackson Kilpatrick, author of "The Smut Peddlers," (Doubleday $4.50) has written one of the best documented exposés of smut rackets to date. Editor of the Richmond News Leader, newspaperman Kilpatrick spent 6 months investigating both mail order and newsstand obscenity. Using three pen names he dredged up a nauseating dung heap of erotica by mail.

New York and Los Angeles, says Kilpatrick, are the major sources of pornography for two reasons: The availability of models and photographic facilities and tolerant Federal judges loath to impose heavy sentences. The Los Angeles syndicates operate behind a "buxom front of 'girls' clubs," he says. "The pitch is always the same. Alice, Jane, Ilene, and Shirley are four starlets who 'tried real hard but didn't make the movies.'" The girls, of course, are subterfuges for the pornography pros, mostly men. They offer sets of 12 photos for $3; sets of 12 slides of the girls "as you like them," $5.95; the whole works—48 photos and 48 slides, $30. Stag movies are available—starring the girls, of course—from $6 to $20, "and every purchaser gets a friendly handwritten letter from the gal of his choice."

The advertising copy of most mail-order rot plainly is intended to produce one return first of all: names. Names and addresses. "The racket will take the willing sucker for just as much as the sucker can be taken," writes Kilpatrick. "Preying upon adolescents, curious girls, sex-hungry old men, the pornography factories will fill any order that promises a ready profit." The filth merchants aim the bulk of their garbage at the so-called "normal" male animal. However, should he tire of photos and movies he can readily obtain novelties, playing cards, peephole viewers, jigsaw puzzles, erotic recordings, suggestive statuettes, and lewd chinaware. (He may even obtain "girl getting" advice: "Go to church. You don't have to be religious. Just go.")

These objets d'art are the "refinements" of the smut racket sold by mail and mobile salesmen near schools and gathering places. The stockpiles are fabulous. In one of the biggest raids in the history of New York City, postal officers confiscated 14 tons of obscene material from a single source. It was valued at $878,000 and required more than a month for a team of three inspectors, four clerks, and two laborers to inventory.

In recent years the mail-order racket has taken a new and ominous turn: that of homosexual (male) pornography, due to the availability of the self-developing camera and certain physical culture magazines for men whose columns serve as clearinghouses of names and addresses. It was while investigating one such publication that the Chicago Post Office authorities discovered the homosexual ring of 1,000 members. Their evidence was replete with obscene photos and drawings, letters, and notes exchanged by the ring members who are from all walks of life. "You name the occupation," said Inspector Kelley, "and we've got it."

Common to the depravity displayed in the correspondence was the preoccupation with adolescent youths—boys 14, 15, and 16. One ring member—a psychiatrist—inquired of his pen pal where he might obtain the names and addresses of boys in this age group. The majority of the equally noisome photographs featured teenage males.

Supporting their contention that homosexual erotica was on the increase Inspectors Dunne and Kelley produced one typical circular letter that purported to offer "art nudes." The sample enclosure, while not blatantly obscene perhaps by legal standards, featured adolescent boys exclusively.

It also offered a key to the character of the mail-order peddlers who brazenly insist they are fighting the good fight in the name of freedom of speech and of the press. The outer mailing envelope contained the sender's special rubber stamp message: "Support the Supreme Court. Fight postal censorship." Enclosed was a diatribe against "the new McCarthyism" which excoriated "do-gooders, bluenose club women, and postal inspectors." There was also a printed card the recipient was asked to sign. It read:

"I believe in the natural decency of the human body, and that representations of it are not obscene. I want to buy your male nude art studies, clearly understanding that they are unretouched photos of young men and boys who posed without guilt or shame while stripped absolutely stark naked. I am a free human being living in a free country and sincerely believe I have the right to see, read, or think what I choose."

This does not impress the Post Office. By statute, it may not open or seize first-class mail in transit but it can act upon a complaint and prosecute the sender. This the agents of the Nation's oldest law enforcement body do as vigorously as the law will allow, which, incidentally, is not enough, in the opinion of many.

Guarding the mails from this flood of sensuous sewage is a cat and mouse game that never ceases. The vultures who live off mail-order depravity are a canny lot who know and work every possible angle to beat the law, and frequently do. Contrary to the popular impression, they are not, for the most part, uneducated back alley latrine artists but more often well educated, articulate experts who write motivating copy with professional skill. They shift aliases and addresses with the speed of chameleons, bobbing and weaving geographically within a city to avoid the law. If caught they face a maximum sentence of 5 years in prison and a $5,000 fine for unlawful use of the mails. Usually, courts on the east and west coast do not impose the maximum. This was not true, however, with Mary J. Hall, 29, of Cottonwood, Calif.

Mrs. Hall and her 31-year-old husband and seven children were living in two bedrooms described by postal inspectors as "filthy beyond description." She was the subject of almost all the obscene films and pictures the pair sold through the mails. She and her husband were indicted and sentenced to 10 years in prison—a sentence which had as its side effect the voluntary retirement of known dealers from the racket.

The Post Office's dogged pursuit of the mail morons assumes dramatic proportions, at times right out of "Dragnet." This was true in the case of C. Damron, alias Dale Collins, alias Carol Cooper, alias Betty Cooper.

A man in Houston complained to inspectors that he had received on July 3, 1959, a mimeographed letter signed C. Damron from Crenshaw Station in Los Angeles. The letter was accompanied by an obscene photo. Films, color slides, and movies were offered, but for cash only: "The postal inspectors use checks and money orders as trial evidence and since this is a new list. * * * I cannot take the chance," the letter read. Investigation revealed no C. Damron. On July 23 complaints reached the Post Office in Washington of similar mailings from a Dale Collins at a post office box in North Hollywood. A comparison of post office box applications indicated that the boxes rented by C. Damron and Dale Collins belonged to the same person. The day before another box in North Hollywood was rented by a woman using the name of Carol Cooper. That same afternoon a Betty Cooper rented a box in Burbank, Calif. Complaints mounted against pornographic mailings made by C. Cooper and B. Cooper.

Postal Inspector Harry Simon, a veteran of the pornography wars, was assigned to the case. He obtained one of the pictures and noted that it was inadequately fixed, an old dodge by smut peddlers to cause the photograph to fade before it can be used as evidence. Simon, who had learned this trick 30 years earlier, dropped the photo into a convenient tray of hypo and transformed it into a permanent print.

In Los Angeles, meanwhile, the various post office boxes were placed under surveillance. On August 13 a supervisor at Crenshaw Station saw a man pick up mail from Damron's box; the supervisor also noted the license number of a pickup truck in which the man had left the post office. This led inspectors to a Garland L. Coughtry of Porterville, Calif. Before closing in on Coughtry the inspectors watched him remove 23 letters from the box at Burbank. Coughtry, when apprehended, admitted he was both Damron and Collins and identified Betty and Carol Cooper as a female office assistant. Between July 1 and August 15, 1959, he had mailed 2,000 circular letters. His gross sales were, in that time, between $7,000 and $8,000. He was sentenced to 3 years in prison and fined $2,000.

Commenting on this case, Author Kilpatrick writes:

"Multiply the names * * * by 1,000, and then multiply this figure by 20 different names for each one and some idea of the complexity of the postal inspectors' problem begins to emerge. Then imagine that many of these fronts spring into being and remain in existence only 2 to 6 weeks; consider that the mail-order dealers operate through first-class mail which cannot be opened in transit by postal inspectors; take into account that the fines and punishments levied upon conviction for violation of postal laws ordinarily are mere slaps on the wrist—and the stubborn nature of the racket begins to appear."

What is the answer?

What can apprehensive parents do to wipe out this aspect of the children's plague?

"Vigorous prosecution," say Inspectors Dunne and Kelley.

"Tougher laws," say jurists, youth leaders, and educators.

Meanwhile, ex-Postmaster General Arthur E. Summerfield outlines three steps if vermin begin to infest your mailbox:

1. Save all the materials received, including envelopes and all enclosures.

2. Report the matter to your local postmaster and turn the material over to him.

3. Stand ready to sign a formal complaint and testify if necessary.

Unless this insidious racket is smashed by direct public and official action, Summerfield envisions this dark future:

"The obscenity business with its vast revenue, will be taken over by organized crime to a far greater extent. It will become a gigantic organized racket, with millions more of our children its principal victims. The undermining of the moral fiber of the Nation's children will spread; with the poisoning of increasing millions of minds. Sex crimes will be spreading blight on our society and will become far more prevalent than they are today. And overall, we could expect an ultimate breakdown of order and decency in this country."

This applies as well to all forms of commercial smut, including the hardcore, point-of-purchase material, pornographic paperback novels, and "girlie" and nudist magazines which, unhappily constitutes yet another chapter in the sordid American saga of the children's plague.

Last summer one of Chicago's largest hotels was the scene of a national youth conference. Directly behind the hotel was situated a bookstore that had more than one encounter with the law for violating the city's obscenity codes. At certain times it was questionable whether the bookstore or the hotel had more teenage activity. "They were in from morning to night poring over and buying the printed trash," reported Chicago Daily News columnist Jack Mabley, who described a typical book's jacket:

"The incidents of perversion and unnatural desire that led Wanda the stripper; Walter the fetishist; Paula, the co-ed Lesbian; frigid Helen and oversexed Burt to meet in a strip joint that New Year Eve."

In downtown Los Angeles there are numerous pornographic shops. The front third of the shops on one wall have all the back issues of questionable magazines with reduced prices. The opposite wall of the front third of these stores features imported classic erotica, obscenity, and copies of psychiatrists' books dealing with sex. The stores also feature packets of nude photos, film slides, and other material openly displayed. Prices: $1 to $25—depending on the customer's personal poisonous preference. The back rooms of the shops feature color films of nudes similar to burlesque shows. The customer—any age—is always welcome.

Unusual, isolated incidents? Hardly. Their counterparts are legion in many sections of the country. Draw a straight line west from Maine to Washington, south to the tip of California and eastward to Florida; within this rough rectangle you will have boxed countless newsstands, drugstores, magazine display racks, bookstores, train, bus, and air line terminals, each, in varying degree, spreading the contagion of the children's plague.

Completely aside from the mail-order racket (which, by the Post Office Department's 1 million children) are the paperback, nudist, "girlie" magazines, confessions, expose publications, and others that comprise vile viruses of the plague. Add them all together and they spell billions of dollars—anywhere from 1 to 4 billion. And still growing.

The customers: primarily American children, teenagers and young adults of both sexes, of every faith, of no faith.

Sex crimes in America have skyrocketed to unprecedented heights, including crimes against children. And virtually every law enforcement officer in the land, from J. Edgar Hoover to village constables are unanimous in their belief that commercial pornography is a major contributor to sex crimes. Commenting on the scope of commercial smut, Mr. Hoover has said: "Not so long ago, this problem existed as a serious juvenile hazard largely in the hard-to-control underprivileged areas of our big cities. Today it has spread to the green landscaped areas of our schoolyards. Distribution of porongraphic material prepared especially for juveniles is now so efficient that it is quite accurate to say that no child is beyond its reach."

Pitirim A. Sorokin writes in "The American Sex Revolution": "The sham literature of our age is designed for the commercial cultivation, propagation and exploitation of the most degraded forms of behavior. * * * The world of this popular literature is a sort of human zoo, inhabited by raped, mutilated murdered females, and he-males outmatching in bestiality any caveman and outlusting the lustiest animals. * * * And what is especially symptomatic is that many of these human animals are made to seem to luxuriate in this way of life. * * * Instead of exhibiting its filth and rottenness, the pulp-sexualists daze the reader with the glamor of 'smartness,' 'orgasmic curves,' 'dynamic' lines, violent passions and 'freedom' unlimited to do everything one wants to do."

What manner of animal is the filth merchant?

KATHRYN E. GRANAHAN, of Philadelphia, who succeeded her late husband in the House of Representatives, defined the pornographer's code:

"Sex is for personal enjoyment, a biological necessity like eating and drinking; a woman is a means for gaining sexual satisfaction * * * love is a passion that cannot

be restrained, only surrendered to. Homosexuality is enticingly presented. Basic normal principles of honesty, integrity, forthrightness, purity, respect for authority, and regard for person, life, property, and good name are ridiculed as antiquated relics of a simpler era. The body, not the human personality, is made dominant."

What effect does pornography have upon the individual, particularly the volatile passions of the adolescent and young adult? The same effect, say the experts, as a match to a stick of dynamite. In this theologians and psychologists are in accord. Dr. Nicholas G. Frignato, chief neuropsychiatrist and medical director of the Philadelphia municipal court appeared before the Granahan committee. In his job he has the opportunity—daily—to evaluate the effects of obscenity on the conduct of youth law violators. He testified:

"The Philadelphia municipal court has case histories in which sexual arousals from smutty books led to criminal behavior from vicious assaults to homicide. Some of these children did not transgress sexually until they read suggestive stories and viewed lewd pictures of licentious magazines. In several instances these children were very young, varying in age from 9 to 14 years. The filthy ideas implanted in their immature minds impelled them to crime.

"Sexual stimulation by printed material does not always lead to crime, but it is always an inducement to impurity and in the more suggestible individual leads to aberrant forms of sexual misconduct, incest, voyeurism, and narcissism."

One police officer could not recall a single arrest in a juvenile sex case in which quantities of pornography were not found in the offender's possession. Inspector Harry Fox, of the Philadelphia Police Department, told the Granahan committee in 1959; "My men search all juveniles taken into custody. I wish I could lay before you the pile of obscene pictures ripped out of magazines and valued as cherished possessions by these boys. We destroy them with a lecture—but many times this is 'closing the door after the horse has been stolen.' The damage has been done."

Among these "cherished possessions" are the cheap paperback novels that contain nothing less than completely vivid accounts of sexual perversions with little left to the imagination. Since the war and particularly in recent years, fly-by-night publishers have entered the field aided by unscrupulous distributors not recognized by the bona fide members of the industry. A publisher must have his distributor and the filth merchants rely on two kinds: those who peddle publications that the Council for Periodical Distributors Association will not handle and the "station wagon" boys, those who deliver by the wagonload to various retail outlets in a region.

In the realm of periodicals there arises a precious point of constitutionality which guarantees freedom of the press. And it is here that the battle rages between those who would seek the protection of the Constitution for their own nefarious ends and those who hold with Cardinal Spellman that "perhaps the most widespread and popular form of perversion is the perversion of 'freedom.' When hypocrites apply this sacred term to contemptible schemes in order to prey upon the weaknesses of unformed character under the banner of 'freedom of speech' or 'freedom of the press' they are not only victimizing our children but endangering our Nation's treasured heritage."

Various courts at different times have handed down decisions on obscenity which have later been reversed or revised by virtue of new interpretations, new mores. Today, a particular book may be legally obscene under one State's law and not another; obscene in one State and not obscene under a Federal postal prosecution in another. Recently, many State and municipal obscenity laws have, when contested, been found unconstitutional or defective. Penalties also vary and for the most part are light.

Recently, the Supreme Court of the United States held that the protection of the constitutional guarantees of freedom of expression does not extend to obscenity. It also defined obscenity as: "Whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to the prurient interest."

The law, jealous of restricting any freedom, is strictly construed. By this definition a book may be judged to violate the contemporary community standards of, say, Sioux City, Iowa, but not a presumably more sophisticated community, for example, New York.

The Catholic Bishops of the United States, in their meeting in 1957, defended the principle of minimal restraint but noted that between the legally punishable and the morally good there exists a wide gap. If we are content to accept as morally inoffensive all that is legally punishable we have lowered greatly our moral standards. It must be recognized that civil legislation by itself does not constitute an adequate standard of morality.

It was to bridge this gap between the legally acceptable and the community moral standard that the Catholic Bishops in 1938 organized the National Office for Decent Literature, 33 East Congress Parkway, Chicago, Ill., and headed it with Msgr. Thomas J. Fitzgerald. He, incidentally, added his own postscript to the bishops' statement when he said:

"God help future generations if the legal standard becomes the community standard."

The purpose of NODL, as defined by the bishops, is to set in motion moral forces against lascivious literature threatening moral, social, and national life. In no sense is the office exclusively a Catholic movement. Primarily it is a service organization coordinating activities and supplying information for and to all interested groups. It is recognized even by its opponents as the largest and most active organization in the field of private action against obscenity.

NODL lists as objectionable reading for youths those publications which, among other things, glorify crime, exploit horror, cruelty or violence, portray sex facts offensively or feature indecent, lewd or suggestive photographs or illustrations. Thanks to its code and efforts, the former comic books of ill repute have, for the most part, cleaned up their contents by self-policing of the Comic Magazine Association of America. NODL has also established good working relations with the major publishers and periodical distributors, many of whom willingly cooperate with the national office's work.

NODL's evaluation system is virtually unique. A committee of five mothers of grammar school or teenage children receives a specified number of books and periodicals to review regularly. Each member of the committee reads each book in the light of the NODL code and evaluates it as (1) unobjectionable, (2) borderline, or (3) objectionable. If all five reviewers find the book unobjectionable it is added to the acceptable list. If four of the five mothers consider the book unsuitable it is listed as objectionable. If they vote it borderline the NODL takes no further action. On the same general basis, magazines and comic books are also reviewed. NODL listings are available on request.

Other organizations very much in the frontlines are the Christian Brothers Boys Association headed by Brother H. Basil, F.S.C., of De La Salle High School, Chicago; Citizens for Decent Literature, Inc., 3901 Carew Tower, Cincinnati, Ohio; Churchmen's Commission for Decent Publications, 1405 G Street NW., Washington, D.C.; and Americans for Moral Decency, 173 West Madison, Chicago, Ill. Jewish Rabbinical Council and other Protestant groups such as the Board for Christian Social Action of the American Lutheran Church, to name a few, are waging the fight with vigor.

How effective are these organizations? Evidence is considerable. NODL suggests carefully blueprinted methods for local citizens groups to work effectively through organized local action. CFM, Holy Name, and other church organizations, as well as many nonsectarian and interdenominational groups, follow the steps outlined by NODL. These include visits by members to local retailers suggesting removal of books and magazines considered objectionable. Retailers, who in the main cooperate, are often dismayed to learn the nature of the periodicals left in volume too large for them to evaluate personally after each delivery. It frequently happens that the local druggist or grocer will welcome the regular visits by NODL-inspired members who volunteer to check the books and magazines. When a retailer refuses to cooperate NODL advises polite withdrawal. Little is ever gained by argument, but silence can often be most effective. Some dealers will wail the cliche plaint, "Why pick on me? I have to take the junk in order to get the good stuff." Answer: block-buying or job-lot policy is now illegal in most States because of the enactment of tie-in sale laws. If a dealer insists that this is still the case the NODL-motivated groups approach the distributor and ask, in effect, how come?

In Cincinnati some highly effective work was accomplished through the organization of a citywide women's division under the auspices of the Citizens for Decent Literature. A remarkable army of 9,000 volunteer workers was assembled in 1 day by doorbell ringing. Seventy thousand women were enlisted to support CDL objectives.

Operation Newsstand in Coral Gables, Fla., was perhaps the most dramatic example of an aroused citizenry in action against printed smut. A Decent Literature Council representing 46 community organizations succeeded not only in driving pornography from Coral Gables newsstands and bookracks but also was instrumental in persuading the Florida General Assembly to adopt strong new antiobscenity laws. The American Legion Auxiliary, State Federation of Women's Clubs, and the Florida Association of Juvenile Judges all united with CDL in the drive.

The Christian Brothers Boys Association, through its speakers' bureau, has spotlighted the problem and contributed to its solution, particularly in suburban Chicago. In Granite City and Springfield, Ill., other groups—and individuals on their own—waged effective warfare by the simple expedient of reading aloud extensively at meetings some of the typically lurid and lewd book passages readily obtainable anywhere in town.

The inevitable cry of censorship and freedom of the press always arises. In some instances overzealousness may have justified the complaint but the organized combatants are learning the law so that they can fight ultimately on the only effective level—the law and the courts. Monsignor Fitzgerald of NODL acknowledges a certain period of trial and error, if not naivete in NODL's original approach to its work. Today he hopes for the enactment of stronger statutes that will provide at least minimal restraint on publishers and other offenders. "In that way," he says, "perhaps the publishers will set their sights just a little higher than the minimum in order to play it safe."

The antidote to the children's plague rests, as it must, upon the citizen, individually and collectively. It does not suffice

to rail at the courts and the law and let it go at that. "Government," says Msgr. Francis J. Lally, editor of the Boston Pilot, "cannot be unmindful of public morality, to be sure * * * but Government concerns itself about the acts of its citizens, not their ideas." Therefore, he continues, it is not the province of the individual citizen to attack the courts or lawmakers "as if to say that they should judge and legislate in terms of the minutest implications of the moral law." He calls for "a strong and intelligent public opinion [which] must be directed at those who produce and distribute questionable material so that the climate of the society has itself an effect on the standards of morality in art. This is where much of our present problem lies."

To influence morality of art of which the Monsignor speaks, NODL, CDL, AMD, CBBA, and others espouse positive programs by urging parents to foster good reading and reading habits in the home and out; support drives for newer and better libraries and book fairs; compliment publishers, wholesalers, and retailers who stock good literature—the positive possibilities are endless. Brother Basil lays great stress on the value of even one voice raised in protest. "Each of us speaking out in our own behalf can work wonders. I've seen it happen many times. Let your voice be heard."

Until this dual program is effected to combat immorality and foster morality, the children's plague will continue in its spiritual slaughter of the innocents. Perhaps no one better epitomized the scope and dreadful ramification of this new diabolism than a school nurse in Cleveland, Ohio, who wrote:

"I work in elementary and junior high schools and watch much of the delinquency in the making * * * the erotic absorption of sexual subjects, the blocks to learning [that] are appalling. * * * What do I tell an 11-year-old boy who hands over a group of pornographic photos and who has even been paddled for picking up girls' dresses? What do I say to a mother when I ask her to take her seventh grader into a clinic because she was named as a VD contact? What do I say to a teacher who is crying because a group of seventh grade girls leave a dirty, filthy bit of hand-drawn obscenity with remarks about her on her desk? I was shown four big stacks of textbooks too filled with hand-drawn obscenities to be further usable."

She concludes solemnly—and ominously: "I can see the day when our children will rightfully curse us for our present apathy."

AMENDMENT TO SOCIAL SECURITY ACT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Washington [Mr. MAGNUSON] is recognized for 1 hour.

Mr. MAGNUSON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MAGNUSON. Mr. Speaker, I wish to call to the attention of the House, H.R. 4222, the bill introduced by the gentleman from California [Mr. KING], and presently being considered by the House Committee on Ways and Means.

H.R. 4222 would extend the social security system to include medical-care provisions for those retired under the old-age, survivors, and disability insurance program. It would provide inpatient hospital diagnostic care, and, under certain limitations, drugs and biologicals. This service would be financed through a social security deduction without a drain on general revenues, thus allowing an efficient mechanism through which people could provide during their most productive years for their postretirement medical needs. It would provide guaranteed protection as an earned right, eliminating the means test and the uncertain reliance upon charity. By providing protection during the highest risk period, it would lower the cost of commercial insurance and would release public assistance funds at the local level. It would provide a more even and assured income to hospitals and nursing facilities. In no way would it alter the traditional patient-doctor relationship or limit the patient's free choice of a physician or of hospital facilities.

NEED: GENERAL

It is a tragic delusion to consider social security apart from medical security. The one without the other is an empty fantasy. Particularly is this true for our senior citizens, whose earning capacity is lowest and whose needs for skilled medical care are most frequent and pressing. Without a program of medical-care insurance, there can be no security for the elderly.

There are presently in the United States 16 million persons more than 65 years of age. By 1970, it is estimated there will be 20 million in this age group. Their annual medical bill is twice that of persons under 65, while their annual income is only half as high. A letter from one of my constituents summarizes clearly their plight:

> They are exposed to the incredibly high costs of doctors and hospital expenses. Existing medical-insurance plans are too high-priced for the average retired couple to finance, and they are also filled with so many exclusions as to be inadequate, especially in extreme cases.

Medical costs can overnight wipe out a lifetime of saving, destroying the hard-earned economic security of many retired persons, leaving them destitute and dependent.

The vast majority of those over 65 live close to their current economic resources. The median yearly income for a widow is about $1,000, while that of an aged couple is less than $2,500. About one-third of the aged have no assets that can readily be turned into cash, and about half have less than $500. For these people, medical care is neither budgetable nor manageable. Thus are they condemned to insecurity and mental anguish during their years of retirement—years which ought to be happy, the earned reward of a lifetime of productivity. Under a program of medical care insurance as set forth in H.R. 4222, medical insecurity could be greatly limited. An estimated 95 per cent of our present working population would be assured increased medical security after age 65.

NEED: PRESENT VOLUNTARY PROGRAMS

Very largely, America's retired population is not covered—or not adequately covered—by the present medical-health insurance programs. Less than half of the aged have any hospitalization insurance at all, no matter how inadequate. This is not to be taken as a reflection upon the intent of the various groups preparing or marketing insurance programs, but rather should be attributed to factors substantially beyond their control.

COMMERCIAL POLICIES

Despite recent increases in the total number of policies written—and the number is minuscule in relation to those who both desire and need such coverage—commercial companies cannot feasibly offer anything approximating comprehensive coverage for those in the over-65 age bracket. Adequate coverage is not effectively available. The reasons are varied. First, the aged require about 2½ times as much hospitalization as the rest of the population. If they are included in calculating the costs of insurance protection, they force up the premium rate out of proportion to their numbers, low-risk subscribers being compelled to share the expense of higher risk protection. Thus, companies maintaining community rates are placed at a competitive disadvantage with those who set premiums on the basis of experience rating. No group plan that includes the aged can be sure of maintaining a broad enough membership to absorb the extra costs they entail. Second, many commercial policies are cancelable. In 1956, a survey of individual commercial policies showed that only 1 percent were lifetime policies. Nineteen percent were conditional, while 80 percent were openly cancelable. In the latter case, when the policy should become most needed by the subscriber, the company was free to cancel it. Such policies clearly constitute no insurance at all and are a waste of the subscriber's limited resources. Third, many commercial companies, by economic necessity, write into their policies programs of deductibles and exclusions. Thus, the first costs of treatment are borne by the patient. Many ailments may not fall within the scope of the policy. The patient is left, therefore, in spite of his policy, with a wide area of medical expense which he must pay from private resources. Fourth, commercial health and medical-care insurance for the aged is often not available to those who desire it. And in instances where special programs are instituted, where they provide comprehensive coverage, they are financially beyond the means of those who need them most.

Let us emphasize. Where the individual, clearly foreseeing the increased medical expenses of his retirement years, seeks with insight and in a spirit of independence to obtain insurance coverage to protect himself and his dependents, this desired insurance is not available to him—at least not available on terms that are economically feasible, or within the scope of his limited means, unless the benefits are so restricted as to be ineffective.

NONPROFIT POLICIES

The influence of organized labor in the health-insurance field has been commendable. In many instances, trade unions have taken the lead in establishing health and disability programs and have experimented with feasible

methods of financing. The voluntary plans negotiated by labor and management, however, are faced with the same barriers confronting commercial policies in regard to protection for the aged. Some unions have tried to extend their plans to cover retired workers and their dependents. However, low-risk groups are not willing to undertake so expensive a program. As they are siphoned off to low-premium commercial companies, the elderly become an increasingly heavy burden to the remainder—a potentially disastrous cycle for the nonprofit plans. Thus, protection for retired workers, as provided by organized labor and other nonprofit groups, has been successively cut back and is the subject of increasing limitation.

The problem of the retired worker has been well summarized by Don Ellis, Seattle Teamster official, in an address at the University of Washington School of Medicine:

> As long as the teamster works, he knows he has protection. What he worries about is the day when he retires. What then? He knows he can expect to have more medical expenses in his old age, yet when he will most need insurance, he will be unable to afford it.

The problems faced both by nonprofit and commercial policy programs are virtually insurmountable. First, the narrow budgetary limitation of retired persons makes desirable an insurance program which is paid up prior to retirement. To achieve this, the premium must be prepaid throughout the years of gainful employment, with the risks divided, a single fund, and with very wide membership. This is virtually unachievable on a voluntary basis. Second, under the negotiated labor-management plans, change of occupation may mean exclusion from benefits after retirement. Adolph Ekman, prominent Seattle labor representative, has observed with regard to the findings of his union, the Auto Sheet Metal Workers:

> Our principal objection to the average plan that we have investigated is the lack of a provision for reciprocity. An individual who changes employment before having become vested in a plan, usually 15 to 20 years, suffers a loss of accumulated credits.

Generally, eligibility for benefits is determined by a certain continuity of employment up to retirement age. Should a worker be forced to terminate his employment, whether through technological displacement or for other reasons, he may be subject to forfeiture of retirement medical benefits. Such changes with concomitant loss are all too frequent in our present industrial society. Third, many employment-based medical-care plans end with retirement, or continue only with prohibitive premium payments beyond the means of the average retiree. Lacking current labor market attachment, these retired persons have no one with whom to share premium costs. Other plans, which provide care for the retired worker, specifically terminate this coverage upon the death of the retiree, making no continuing provision for his survivors.

Recognizing the insurmountable barriers to effective private coverage, either nonprofit or commercial, organized labor, long a leading advocate of medical care for the aged, has switched its emphasis to legislation. Since 1957, it has been an increasingly vigorous advocate of public health insurance for this group.

NEED: PRESENT GOVERNMENTAL PROGRAMS

At present, public programs for medical care for the aged are as inadequate as the private nonprofit and commercial plans. Federal and State programs offering specific services are of vital importance, but cannot hope to cope with the problems of general medical care for the elderly. They were not designed for this purpose. There appears to be little coordination between the present facility availability, while covering and eligibility may differ widely. This situation must be hopelessly confusing to any older person seeking needed medical treatment. How can the aged, often alone, be expected to possess a ready comprehension of the various public laws governing their cases? In the face of a means test and the bulk of technical requirements, many senior citizens will postpone needed treatment until their health problems have reached the emergency level where treatment is vastly more expensive and often of questionable success, permitting a simple disorder to become a terminal illness with vast human suffering.

During the last session, Congress enacted the Kerr-Mills program of Federal assistance to the States for care of the indigent aged—Public Law 86–778. This act was clearly necessary, but was not intended to be a comprehensive program, being essentially marginal in scope and offering assistance only to those who have no other means and are emergency cases. The development, scope of coverage, types of treatment allowed, and general administration may differ with each State as the State plans for the indigent themselves differ. To date, only 12 States are actively participating under the Kerr-Mills Act.

Washington was one of the first States to qualify under this act. As set up in the Washington plan, medical benefits are extended to those who have a sustaining income but who cannot afford medical expense beyond that income—the medical needy. Care is limited basically to immediate and emergency situations—when one's life is in danger or when one is in pain. Clearly no program of early detection or general care is envisaged. Since October of 1960, Washington State has received $903,579 in payment of 4,656 claims.

One of the most unfortunate aspects of the Kerr-Mills program is the provision for a means test to determine eligibility. Although a means test is essential for any limited program where only the indigent are to receive assistance, it is both socially undesirable and medically unwise. This consideration dramatically demonstrates the need for a more enlightened philosophy of medical care for the aged and for the immediate enactment of H.R. 4222.

The philosophy of a means test in the present complex of social legislation is unfounded and ill advised. First, statistically the income and resources of retired persons can be shown to be generally low—of a marginal sustenance level. The expenditures necessary to meet extraordinary medical expense—in no sense a luxury—can rapidly extinguish these limited resources, leaving the individual in debt and dependent upon society for even that which he was earlier able to provide for himself. Thus, the burden upon the state is compounded through the state's failure to allow the people, collectively, through legitimate legislative process, to prepare for the foreseeable medical expenses of their retired years—to provide, for example, through the extension of social security, to include medical security as proposed in H.R. 4222. A means test is the very negation of social security.

Mr. Meany of the AFL–CIO has well summarized the fallacies in the application of a means test to needed medical assistance:

> What we object to is the concept of a health program for the aged based entirely on old-age assistance—or in other words, a means test.
>
> It is all very well to argue that medical care is available to all who need it; to those who are described as the medically needy. This would be an unsound argument, even if it were true. For a heavy proportion of the needy, who cannot afford to pay for medical care, were forced into that unhappy position by the medical bills they have already paid.
>
> This is a postmortem approach to living people. We tell a man he can get all the medical care he needs, provided he becomes a public charge; provided he has spent his savings; provided he has sold his possessions and also provided he has exhausted the resources of his relatives in an effort to meet the costs himself.

We have the regrettable spectacle of the elderly—ill, confused, uncertain as to the future—being forced to submit to a means test to obtain needed medical services. Such action is clearly a last recourse—when no other possibility remains and when conditions of health have become intolerable. How contrary is this to the principles for good health and the early detection of illness as preached by the American Medical Association and the life insurance companies.

Gov. Albert D. Rosellini, of Washington, together with 22 other Governors, has urged legislation beyond the Kerr-Mills Act to provide health benefits for the aged under an extension of the old age, survivors, and disability insurance system. Governor Rosellini reasoned:

> Such a program would enable the citizens of our country to contribute small amounts during their working lives and have as a matter of right a paid-up health insurance policy to protect them during retirement years.

Essentially, this suggestion is embodied in H.R. 4222, the bill introduced by Mr. KING.

The Anderson-King proposals would not void the program begun under the Kerr-Mills Act, but rather would supplement it. By utilizing a self-supporting insurance method, the number of indigent persons now requiring public assistance should be sharply reduced, relieving the pressures upon State and local funds.

Hopefully, services to those remaining under Kerr-Mills assistance programs would be made more inclusive, more nearly adequate. Benefits under the Kerr-Mills Act would still be available first, to persons who are needy but are not covered by social security; second, to persons who have exhausted benefits under the Anderson-King program, but who are still needy; and third, to persons whose medical needs do not normally fall within the scope of the Anderson-King proposals.

HISTORY OF HEALTH CARE LEGISLATION

The first formal agitation for a compulsory system of medical care insurance in the United States began just prior to World War I. The American Association for Labor Legislation—AALL—largely a body of professional social scientists and attorneys but lacking a broad popular base, was organized in 1906. By 1915 the AALL had succeeded in sponsoring—successfully—workmen's compensation legislation in 30 States. This gain was followed by an attempt to secure medical-care insurance. As workmen's compensation was designed to protect the worker on the job, the latter would protect him away from his place of employment. In January of 1916 a major legislative battle was planned for Congress and the State legislatures to be carried out by a subcommittee of the AALL in cooperation with the American Medical Association. Compulsory medical-care insurance was endorsed. When, in 1917 and 1918, bills began to make headway in the State legislatures, an opposition began to organize.

Pharmaceutical companies, insurance groups, and organized medicine were joined in their denunciation of compulsory medical care, to the great dismay of State trade union federations, by Samuel Gompers, then president of the American Federation of Labor. The struggle subsided without positive results in 1920, when the AMA resolved in convention in New Orleans:

> The American Medical Association declares its opposition to the institution of any plan of compulsory contributory insurance against illness, or any other plan of compulsory insurance which provides for medical service to be rendered contributors or their dependents, provided, controlled, or regulated by any State or Federal Government.

From this position, the American Medical Association has never retreated.

In 1922 the Sheppard-Towner Act, to provide grants-in-aid to States for maternal and child-health programs, was passed over the vehement objections of the American Medical Association. The mid-1920's saw the formation of the Committee on the Costs of Medical Care, supported by the Carnegie Corp., the Milbank Foundation and other such groups. When this body finally released a report strongly urging that the costs of medical care should be placed on a group-payment basis through the use of insurance, taxation, or both, the committee split asunder—1932—while the American Medical Association condemned the great foundations and referred to the spirit of the movement as social theory—even socialism and communism.

Beginning in 1933, State and Federal Governments, through their various administrative agencies, began to take the initiative in advocating government-sponsored medical-care insurance. Important in the evolution of Federal medical service was the Federal Emergency Relief Administration—1933—which, maintaining the traditional patient-doctor relationship, provided payment for limited medical, dental, and nursing service. Patients were allowed free choice of practitioner, payment being made according to State fee schedules, adopted by the organized medical, dental, and nursing professions. Limited as this program was, it was symbolic of the increasing role of government in medical care.

The original draft of the social security bill, 1934, directed the Social Security Board to study the problem of medical care, which the new administration placed on a par with food, clothing, and shelter as a basic right, and to report to Congress. So great was the furor that the provision was deleted. In 1935, the Social Security Act was passed. Title VI provided the first Federal grants to States for general public health purposes. From 1935 to 1938, the National Health Survey, the Interdepartmental Committee To Coordinate Health and Welfare Activities, and the Technical Committee on Medical Care researched the health needs of the country. In 1938, the creation of a general program of medical care and insurance against loss of wages as a result of illness was recommended.

Legislative action adhered closely to the spirit animating the administration. Following the National Health Conference held in Washington in 1938 on Government initiative, Congress was seized with a desire to implement the findings and recommendations of the conference: the Wagner bill, 1939; the Capper bill, 1941; the Eliot bill, 1942; the Wagner-Murray-Dingell bills, 1943 and 1945; and a separate bill by Congressman DINGELL, of Michigan, in 1945. In 1947, Senator Taft sponsored an alternative measure to assist States providing medical care for the indigent, a measure somewhat similar to the Kerr-Mills Act of 1960.

In 1948, another National Health Conference was held in Washington, D.C., again under administration auspices, which, like its predecessor, stimulated a rash of congressional proposals. It was these two conferences—1938 and 1948—that made compulsory medical-care insurance a national issue. By the late 1940's, private medical-care insurance was no longer an issue, but the question of a national compulsory medical care insurance system under Federal auspices remains very much an issue to the present. The sides in the conflict form around the American Medical Association and the conservative right opposing such legislation, while the American Nurses' Association, the AFL–CIO, and the increasingly effective organizations of senior citizens are alined in its defense, the senior citizens being most directly and most grievously affected from the absence of a national compulsory medical-insurance program. The divergent positions taken by the American Medical Association and the American Nurses' Association have not been made sufficiently clear. Under unanimous consent, I include at this point in my remarks material that my office has received with regard to this philosophical division:

SEATTLE, WASH., *July 6, 1961.*

The Honorable DON H. MAGNUSON,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE MAGNUSON: I wish to inform you of my support of your stand on the issue of social security extension of health care for the aged.

As a registered nurse I feel impelled to write because of the tremendous pressure being exerted by the American Medical Association against the stand taken by the American Nurses Association in their house of delegates at the national convention in which they voted to support the principles of the bill.

We feel the American public is entitled to the best medical care available, regardless of age, race, color, creed, or finance.

As you know, at the present time an average retired person could have one hospital illness and end up completely indigent. This I do not think is fair, especially if this person has been a hard-working and competent citizen during his working years.

As a Washington voter, I wish to thank you for your thoughtful attitude to our elderly citizens.

Respectfully,
(Signed by a registered nurse.)

SEATTLE, WASH., *July 6, 1961.*

The Honorable DON H. MAGNUSON,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE MAGNUSON: You may well receive letters from registered nurses in the State of Washington in opposition to the King bill, and I believe you should be aware of the pressures that are being applied to these nurses to take such action. Enclosed is a recent bulletin of the Washington State Medical Association to its members which is self-explanatory.

The professional registered nurses, members of the American Nurses Association, have made their position clear to Congress in support of extension of social security for health care for the aged, and as a member of the American Nurses Association I am in complete agreement.

Thank you for your consideration.

Sincerely,
(Signed by a registered nurse.)

JUNE 21, 1961.

To: Members, Washington State Medical Association.
From: Central office.
Subject: Nurses' letters to Congress.

The American Nurses' Association will testify in favor of the King bill at the House Ways and Means Committee hearings in July. The Washington State Nurses' Association also is officially and actively supporting the King bill. Therefore, it is of the utmost importance that our Senators and Representatives receive letters from Registered Nurses who are against the King bill.

Please encourage your nurse to write her Congressmen immediately if she is opposed to social security medicine in general, and the King bill (H.R. 4222) specifically. She should sign her letters with her R.N. identification in her signature.

Thanks kindly.

At its biennial convention in 1958, the American Nurses' Association adopted a position in support of medical care for the aged based on the social security principle. This position was reaffirmed at its biennial

convention in 1960. The resolution adopted by the American Nurses' Association follows:

"Whereas necessary health services should be available to all people in this country without regard to their ability to purchase; and

"Whereas prepayment through insurance has become a major and an effective method of financing health services; and

"Whereas certain groups in our population, particularly the disabled, retired and aged, are neither eligible nor able to avail themselves of voluntary health insurance: Be it therefore

"Resolved, That the American Nurses' Association support the extension and improvement of the contributory social insurance to include health insurance for beneficiaries of old-age, survivors, and disability insurance; and be it further

"Resolved, That nursing services, including nursing care in the home, be included as a benefit of any prepaid health insurance program."

The following letter was received by me from a group involved with hospital administration:

SEATTLE, WASH.,
February 10, 1961.

Representative DON MAGNUSON,
House of Representatives,
Washington, D.C.

DEAR MR. MAGNUSON: We are employees of a large hospital in the city of Seattle, employed in the business office. We are very much aware of hospital costs. In our own particular hospital the per diem cost is $47.20 a day. Our patients would be considered among the young group, but are all well aware that these people would not be able to afford hospital care if it were not for the fact that 75 percent of them have insurance available to them. Realizing that 59 percent of our people over 65 make less than $1,000 a year, according to 1959 figures, we cannot see how this age group can afford to pay for hospital care at present costs.

We do not feel that these people who are receiving social security and other small rental income or annuities should come under the welfare department. The majority of these people have always met their own costs and were able to provide some little income for the future. We do not feel that they should be subjected to having to ask for welfare when they are over 65. We urge you strongly to vote for the bill as suggested by President Kennedy, and shall be most interested in the votes of our Washington Representatives.

Sincerely yours,

(Signed by 12 persons.)

THE SOCIAL SECURITY APPROACH

Mr. Speaker, a comprehensive, coordinated plan for medical care for the aged is not a luxury but a vital program, the enactment of which can no longer be justifiably delayed. Health insurance is within our means because it would be financed largely by the group expenditure of money that we are already spending individually.

As proposed in H.R. 4222, the system of old age, survivors and disability insurance would be extended to include a program of medical care for those falling within the social security system, this service to be paid for in the same manner as social security itself. Such a system could be put into effect nationally at once, utilizing an organization already trained and fitted for the task. It would place all beneficiaries on an equal basis. It would eliminate the means test. And it would be paid for through a specific assessment, none of it being financed from general tax revenue.

The problem basically is that the aged are high-cost, high-risk, low-income customers. Their health needs can be met only by themselves when they are young or by other younger people who are still working. The most effective way to handle their health problem, therefore, is to spread the risks and costs over the widest feasible base. The social security system provides just such a base. This does not imply intervention by the Federal Government in a new area. The Government is already involved, or perhaps more correctly, the people are already involved. Someone is going to pay the bill for medical care for our senior citizens. This can be done through the uncertain media of charity, State and/or local relief assistance, or through special stopgap programs of emergency care—a disorganized and inadequate approach. As Secretary Ribicoff explains:

We are simply proposing a more logical, a more equitable, a more efficient, and a more fiscally responsible approach to medical-care problems with which the Government is already involved.

H.R. 4222 projects a system of prepaid medical care, provided by those who later are to be the beneficiaries, during a period when they are best able to afford it, and administered by the Federal Government. If H.R. 4222 is enacted, it will do much to encourage the development of new facilities and services. The Secretary explains:

This is because adequate operating funds from patient income must be reasonably assured before a building project can be undertaken, before standards can be raised, or before new service programs can be put into effect. Social insurance financing would help to furnish these operating funds by its payment of the full reasonable costs of the covered services they will provide.

Without medical security, the entire program of social security is utterly frustrated. Secretary Ribicoff explains this thesis admirably:

Provisions for health insurance benefits for the aged are a necessary part of income protection in retirement. Without such benefits the social security program cannot adequately provide basic security for the aged. For most older people, old-age, survivors, and disability insurance cash benefits are barely large enough to keep them housed, clothed, and fed, and half of the beneficiaries do not have any significant additional regular income. The benefits are not large enough to meet the costs of expensive illnesses or to pay large health insurance premiums during retirement. The only way to remove the threat to the financial independence of older people posed by the high cost of illness is through providing the aged with basic health insurance protection in addition to their monthly cash benefits. And this can be assured only through the social insurance method.

The interdependence of medical security and basic social security is clear. The only feasible method of eradicating the health and fiscal fears that beset our retired senior citizens appears to be through the social security system as it would be extended under H.R. 4222.

THE CONTROVERSY

It is difficult to give credence to the arguments of those who oppose the extension of social security benefits to include medical care to the aged. Largely, they are based upon half-truths and emotionalism, playing upon hidden fears and enunciating jingoistic slogans designed to mislead and to confuse.

THE QUESTION OF CHARITY

Many of the opponents of H.R. 4222, at least in the face of a proposed extension of benefits, are willing to settle for the status quo, advocating a combination of existing nonprofit and commercial programs with charity. We have already seen the inadequacy of the present programs to render to the aged needed medical security.

By charity, the opponents of H.R. 4222 refer to free treatment by hospitals and doctors, free drugs from pharmacists, and the charitable care and contributions of beneficient organizations and individuals. One witness before the Ways and Means Committee termed "maudlin" the philosophy behind the King bill—the social security approach to prepaid medical care for the aged—and then noting the gratuitous care given by doctors and hospitals, he continued:

I would hate to see such true Christian charity destroyed by legislative design.

Ralph Hooke, of Richmond, Va., speaking for the National Association of Retail Druggists, concluded an endorsement of the charity approach with a pledge:

I also wish to take this opportunity to state that independent retail pharmacists, like the Nation's physicians, would never deny essential services to the medically indigent. Personally, I have never refused to fill a prescription for a person unable to pay for it. The same, I am sure, can be said for retail druggists all over the country. Literally millions of dollars of drugs are given to the medically needy every year by druggists like myself.

Although this protestation may be welcomed by the indigent of Richmond, it is difficult to believe that anyone within the context of present-day American society could sincerely advocate a system of beggary, almshouses, and means tests as the solution to the problems of the medically needy.

If those advocating charity as the solution to the problem of medical care for the aged are serious, then the most generous thing we can say is that they are ill advised.

First, charity is not free, financially or spiritually. When hospitals and physicians grant charitable medical care, someone must pay the bill. In some instances, it is added to the general fees of paying patients. As Secretary Ribicoff has pointed out:

If hospitals have to collect from those who can pay the costs for those who cannot, the burden on middle-income hospital patients will be unconscionable.

In other instances, it is paid out of the low salaries paid to nurses and other hospital staff personnel, or by a high markup on retail drugs. Its costs in mental anguish and the sacrifice of individual independence are incalculable. For each charitable contribution, someone must pay the bill, and in human terms the bill can be costly.

Second is the question of the personal charity of physicians. To be sure, this is very considerable. Very many physicians treat patients when they know there is no probability of being paid for their services. This, although meritorious, has many disadvantages.

For long there was the somewhat standard concept that the care of the poor would be paid for by the rich through flexible fees charged by individual physicians. In the modern context, who are the rich who are able to pay? Does this mean that anyone who attempts to pay his medical expense, no matter how nearly destitute, will also be paying those of his poorer neighbors? Why not permit, rather, each individual to pay his own way through prepaid medical-care insurance, administered under the social security system.

The economic variations of our Nation might well place unwarranted burdens upon the physician or hospital, functioning under the charity system advocated by the opponents of H.R. 4222. Physicians working in poorer areas will find more poorer patients in need of care. How are these costs to be balanced? The ironic part is that this strain upon the physicians and hospitals is largely unnecessary.

Such problems could be eliminated to a large measure by H.R. 4222.

Finally, there is the consideration of the elderly themselves. Many are alone, living in inadequate, unhealthful accommodations, and even deprived of the blessing of good health. Are these people to be unnecessarily deprived of assured medical attention and compelled to rely upon the uncertain hand of charity? This would be the solution offered by the opponents of H.R. 4222.

Further, the opponents of H.R. 4222 have mistakenly assumed medical care for the aged under social security is a free gift from the Federal Government. They argue, "Financially secure persons should not be looking to Washington for assistance they do not need." And they complain, "No consideration would be given individual financial need—that is, a means test—for such assistance. As a result, a rather considerable number of persons would have provided for them by the Federal Government health services which they could easily afford themselves." Surely even the opponents of H.R. 4222 are aware that such assertions are blatantly untrue. As proposed under the social security framework, medical care would not be a free gift—rather it would be prepaid by each recipient. It would not be health service provided by the Federal Government, but rather thoughtfully provided by the people at large, at their own expense, through their legitimate legislative processes, and granted on the basis of an earned right rather than as a charitable dole over a pauper's oath to the downtrodden, the dependent, and the destitute.

VOLUNTARY CARE VERSUS COMPULSORY CARE UNDER H.R. 4222

Opponents of the social security approach to medical care for the aged complain of the compulsory nature of the proposed program, pleading instead for voluntary plans. They fail to recognize here, however, that voluntary coverage is most often not available to the aged, lacking an attachment to the labor market—or at least not available within their means. The question of compulsion is well explained by Dr. Howard A. Rusk, in his New York Times column. Dr. Rusk notes:

> Although Mr. Kennedy does not bring out the following point specifically, it is the crux of the question: The very groups of individuals who are economically most likely to need health insurance benefits in their old age are the least likely to take out voluntary health insurance during their working years.
>
> As a result, they must depend upon public assistance provided by tax funds for medical care in their later years.
>
> Consequently, the more prudent people who elect to take out health insurance under a voluntary system end up not only paying for their own health insurance, but paying through taxes for the medical care of the less prudent who did not take out insurance.

The argument of compulsion, used by the opponents of H.R. 4222, equally can be used against the entire social security system, against public education, public sanitation, or police and fire protection. One of the more extreme objectors declared before the committee, "My essential opposition is based squarely upon opposition to any governmental attempt to violate individual rights by legislative action; then, to pay for this violation of basic human rights by additional taxation." This is nonsense.

The question of rights and freedoms here is roughly comparable to those posed by advocates of right-to-work legislation. As the latter argues for the right of the individual workman, under the economic pressure of his dependents, to bargain individually with a giant corporation, the former argues for the right of the elderly retired person, suffering from illness, to finance his medication and hospitalization individually from his very limited resources. Both arguments are rhetorical. Both are intended to mislead; to confuse. Both represent the same philosophical issue. Where is the freedom of an elderly person, suffering from an illness which may prove fatal, who lacks the financial resources for treatment? What rights can such a person claim which H.R. 4222 would violate?

ROLE OF THE GOVERNMENT

Adolph Held, a leader in the senior citizens' organizations in New York, speaking on behalf of the elderly, notes:

> We are disheartened by the attempt to shunt our needs for medical care aside by scare words and bogeymen.

The use of such tactics to defeat the program of medical care for the aged has grown to alarming proportions. The role of Government is presented as one of the chief bogeymen, but without foundation in fact. Rather, as Held explains:

> Those most interested in preserving our great voluntary hospitals and the independence and self-reliance of our senior citizens should look to the social security system as the solution.

It is argued that the entrance of the Government into the field of public and private health care will have a deleterious effect upon medicine, lower standards and rob the medical profession of the incentive to provide adequate care. This is patently untrue. The Government is now and has long been active in the medical field. Historically, in almost every instance, the effects of Government activity have been beneficial, providing increased facilities, raising standards, and encouraging the entrance of greater numbers of young men and women into the medical field—almost the reverse of what the opponents of H.R. 4222 charge.

Let us examine briefly the role the Federal Government has played in the medical field. This is not the Government's first venture into the area of public health care. Its actions have been direct in regard to the military and their dependents, veterans' hospitals and care for prisoners in penal institutions. Since 1798, the Government has provided general medical care for sick and disabled seamen. Reservation Indians are recipients of publicly supported medical and hospital care. The Government has taken the lead in providing care for those afflicted with leprosy and in the treatment of persons addicted to narcotics. In 1943, the emergency maternity and infant care program was enacted by Congress to provide care for the wives of servicemen and their children up to the age of 1 year. Before its termination in 1949, it had served 1.5 million mothers and infants. At its height, one out of every seven births in the Nation fell under this program. The EMIC program contributed heavily to improving the quality of hospital facilities by establishing minimum standards.

The Government has involved itself in treatment and research programs for specific ailments—venereal disease, tuberculosis, cancer, industrial diseases, heart disease, and psychiatric disorders. It maintains facilities such as St. Elizabeths Hospital and the National Institutes of Health. This latter hospital and research complex—the largest center of medical research in the world—had its beginning in 1901, when Congress established a hygienic laboratory as part of the original Marine Hospital Service. It provides research facilities, sponsors medical studies, presents grants and academic aid to students and technicians.

In 1951, 87 percent of hospital care of tuberculosis patients in the United States was governmental; 97 percent of that for the mentally ill. Federal programs for the vocational rehabilitation of the physically or mentally handicapped have been instituted. Public health programs provide immunization services as a matter of public welfare.

It is argued that medical care under social security will cause many who do not need medical treatment to make use of it. One witness before the committee testified:

> The skill and efficient work of our physicians would be curbed to a serious extent if they had to give less attention to those actually in need while taking care of multitudes who would come to them without any serious ailment.

This hypothesis appears ill founded. First, H.R. 4222 does not provide coverage for office consultation with a physician. In this area, which would be paid for privately by the patient, most cases of psychosomatic distress could be eliminated. Second, that care which is covered by H.R. 4222 is subject to a series of deductibles by which the first expense is borne by the patient. This is considered by the authors of this legislation to serve as a deterrent to unnecessary use of medical care facilities. Of course, should H.R. 4222 be enacted, there would be some increase in medical treatment, for many disturbances presently left untended for lack of funds could then receive needed care.

The thesis of the third party is perhaps the most obvious case of a bogeyman, of a conscious effort to frighten or to confuse. The third-party thesis appears to be the most dramatic and potentially the most dangerous argument which the opponents of H.R. 4222 can use—while at the same time perhaps the least valid.

The third party refers to that which stands between the person seeking treatment and the vendor—doctor, hospital, nursing home—that is, the insuring agency, here the Government. In spite of the very cautious language of H.R. 4222 and Congressman KING's assurance, "the Government would provide no care; the Government would offer no services; the Government would only establish the means for paying for the health care of the aged. The medical profession will continue to be responsible for the quality of the care available to the people of the United States." The opponents' advertising has insinuated that the proposal would inject the Government into every consultation room, would deprive patients of their free choice of doctors, would undertake to dictate patterns of treatment.

The exaggeration involved here is amply demonstrated in the statements of two witnesses who appeared before the House Ways and Means Committee the same day. A Protestant minister rose to declare:

> Quite aside from the fact that this bill seeks, through additional taxation, to regiment human feelings, it seeks to ultimately destroy one of the primary rules of good medicine—the relationship which must exist between the patient and his doctor.

The president of the Harvard Student Council, appearing before the committee rather in his position as a member of the board of directors of the rightwing organization, Young Americans for Freedom, was more specific in voicing his fears. "We have confidence," he declared, "that our health is much safer in the hands of our own physicians than it would be if a third person were in the doctor's office with us."

What is the "third-party thesis" and to what extent is it valid? Generally, groups who launch an organized assault on third-party interference direct their attack against economic or financial intervention which they regard as undesirable. This is explained by Herman and Anne Somers in their recent book, "Doctors, Patients, and Health Insurance."

> This concern—

They explain—

> is aggravated as the second party, the patient, consumer, becomes increasingly organized and sophisticated and better equipped to bargain on financial matters with the doctors—often through the channels of the third party. It is a situation analogous, in some ways, to the beginning of trade-union organization and the early attacks by employers on unions as third parties intervening in the traditional individual employer-employee relationship.

Though this may serve to explain the objection of the opposition groups, their fears with regard to H.R. 4222 are without foundation. The King bill does not cover physician services except insofar as they are hospital or nursing-home based—that is, part of the normal care provided by such facilities. Thus, no third party comes between doctor and patient.

The charge is made that H.R. 4222 deprived citizens of their choice of physician and hospital. This is not true. There is no provision in H.R. 4222 which would in any way limit the patient's freedom of choice beyond that of the voluntary Blue Cross and Blue Shield plans. However, one might here inquire of the opponents of H.R. 4222: How free is the patient to choose a physician or medical facility when he lacks the capacity to pay or must rely on public health? How many rights and freedoms are guaranteed to a charity case?

Rather than abridging the rights of American citizens, H.R. 4222 further guarantees them. It assures the aged assistance in meeting costly medical expense. It assures treatment to the medically needy, without the necessity of a means test, without imposing utter destitution as a prior requisite. It provides all this without robbing the elderly of their independence and self-respect; rather it confirms them in the awareness that they are paying their own way and are not a burden either to their children or to society.

The opponents of H.R. 4222 charge that it is socialistic. What does this charge mean in the present context? If it means the collective action by the citizens of a Nation through legislative process to provide for their future needs, then H.R. 4222 is properly to be termed socialistic. But if this is true, then our Nation is traditionally socialistic. Our American public school system is socialistic, as is the postal system and our institutions of national defense, not to mention the Federal Bureau of Investigation. Surely no one would urge the abandonment of these programs as socialism.

Many members of the American Medical Association who now so vigorously oppose medical care to the aged under social security were themselves educated in university medical schools supported in part by research grants from public moneys or received scholarship assistance under the GI bill or some other Government program. Many of these universities are land-grant schools. How many hospitals in which AMA doctors practice were built at least in part from Government funds made available since the Hill-Burton Act of 1946?

Our national course is guided by faith in our collective strength and creativity, that we may move forward in an orderly and progressive fashion toward the satisfaction of human needs. We cannot afford the luxury of fears grounded in misconception, ill-defined slogans and jingoism.

SUMMARY

At this point several facts seem clear. First, there is the serious problem of medical care for the aged which faces the elderly individually and the Nation at large. It is a serious situation which demands action.

Second, it is clear that the present programs, both commercial and nonprofit, are inadequate to meet the needs of the retired aged. Desired coverage is not effectively available.

Third, it is clearly the desire of the people of the United States to be self-sufficient, to avoid charity, but to enjoy freedom from medical want.

Fourth, the most nearly adequate method of meeting the challenge of a medically secure retirement, appears to be an extension of the social security system as proposed by H.R. 4222—a systematic approach that grants security with dignity, that is financially sound and within the capacity of the beneficiary to provide.

Mr. Speaker, I wish to commend the gentleman from California [Mr. KING], for sponsoring H.R. 4222. I am thoroughly convinced of the necessity for its enactment. It is basically sound, conservative legislation. It will assist our senior citizens in the achievement of a life of independence with dignity, of true social security—security of income and security of health, insofar as it is possible for man to provide.

I believe this program should have top priority at next year's session of the Congress.

NATIONAL LABOR RELATIONS ACT

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. MARTIN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARTIN of Nebraska. Mr. Speaker, I have today introduced a bill to amend the National Labor Relations Act so as to provide that the discharge of employees who engage in a strike not authorized by the collective bargaining representative shall not be considered an unfair labor practice.

I conducted an investigation of malpractices at missile sites at Offutt Air Force Base, Omaha, Nebr.; Lincoln Air Force Base, Lincoln, Nebr.; and Warren Air Force Base, Cheyenne, Wyo., the latter part of May. I found much evidence of slowdowns and unauthorized work stoppages at these sites, as reported to the House on June 8, 1961. This bill provides that it shall not be

an unfair labor practice for an employer to discharge any employee who engages or participates in a strike, slowdown, or other concerted stoppage of work, or in concerted absenteeism unless the employer has received written notice that the union has legally authorized such strike or slowdown or absenteeism.

Most American men and women are 100 percent patriotic and are willing to do defense work, but those who refuse to cooperate should be fired. The very gravity of present worldwide conditions makes it imperative that everyone realize that the defense and welfare of the United States comes first in all matters. This bill would only interfere with those whose motives are entirely selfish and motivated by greed.

This same bill has been introduced in the other body jointly by Senators CURTIS, MCCLELLAN, and MUNDT, whose committee has held extensive hearings on malpractices at missile sites.

LOOSE TALK IN JUSTICE DEPARTMENT UPSETS STOCK MARKET

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BARRY] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BARRY. Mr. Speaker, in the public interest irresponsible action by high members of the executive should not be allowed. I believe that one particularly flagrant instance should be brought to the attention of the Congress.

The specific case I refer to concerns a high official of the Justice Department. Three times recently the Assistant Attorney General in charge of the Justice Department's Antitrust Division has made utterly irresponsible remarks concerning plans to split up a large American corporation before the Department has actually come to a definite decision on the matter. Each time these remarks caused serious financial dislocation of that company's stock prices. Losses to the public of literally more than a billion dollars resulted.

The first time this happened it might have been excused on the grounds of inexperience. But when he repeated the offense a second, and then yet a third time, the man's actions might seem to border on the intentional—a very serious matter indeed. In my opinion thought should be given as to whether or not the gentleman has disqualified himself from public trust.

In May, the official to whom I refer, Mr. Lee Loevinger, informed a union officer that his Division was investigating various aspects of the telephone industry and A.T. & T. In June, he threatened a divestiture suit against General Electric Co., in the course of outlining possible Government action if the company failed to sign a consent decree in an identical-bidding case. Three weeks ago he again struck at A.T. & T.—this time in the form of a statement to a congressional committee that the Government was considering antitrust action to force the company to divest itself of its oversea operations.

The trouble with all of these statements is that they subsequently had to be softened or denied.

The Justice Department said Loevinger's May statement about investigating A.T. & T. was a routine response to a complaint he had received. The June statement, he claims, did not constitute a threat against GE. Loevinger tried to modify his latest statement shortly after he made it, by telling reporters covering his congressional appearance that no decision had been reached to proceed against A.T. & T.

This is irresponsible talk. It will not advance the work of the Department nor the economic and social welfare of the country. It should be reviewed at the highest level.

Each time this man made these statements the stock market reacted quickly and severely. So did the press. Enormous profits could be made on the stock market by anyone who knew what Mr. Loevinger was likely to say. This is not just idle conjecture. The total value of A.T. & T. stock dropped over $1,069 million in 1 day, August 2, the day the Government official in question casually remarked that his Department was considering divestiture action against A.T. & T. Causing such a loss to the 2 million shareholders involved is bad enough. Creating a situation where large quick profits could be made at the public's expense is even worse.

Some of the comments that appeared in editorials and columns early this month are of interest:

[From the New York Journal-American, Aug. 3, 1961]

ANTITRUST "LOOSE" TALK ON A.T. & T. AGAIN UPSETS MARKET

(By Leslie Gould)

For the second time in 3 months an off-the-cuff remark by the head of Antitrust regarding "possible" action against American Telephone & Telegraph has upset the stock market.

This time it was a statement before a Senate subcommittee by Lee Loevinger, head of the Antitrust Division of the Justice Department.

Mr. Loevinger casually remarked that Antitrust was considering an order to A.T. & T. to divest itself of its overseas operations.

When the news came out, the stock, which had closed the day before at $125.62½, up $1.25, broke sharply. It dropped to $120.50, and closed at $121, for a loss on the day of $4.62½.

A BILLION DOLLAR LOSS

For A.T. & T.'s more than 2 million shareowners this was a loss in market value of their investment of more than a billion dollars—$1,069,975,250 to be exact. A.T. & T. has 231,346,000 shares outstanding.

The general market was upset by the news. The Dow-Jones averages, which had been up to 719.86, a new alltime high, closed at 710.46, off 3.48 points on the day.

This was just a rerun of what happened in May, when Mr. Loevinger, in a letter to the head of a union in the communication field, said Antitrust was investigating American Telephone as a result of many complaints, including one from the union.

STOCK TOOK BIG DROP

The letter was dated May 8, but it was not made public—then by the union—until May 23. Publication of the letter May 24 in the Wall Street Journal—which had a "scoop"—sent A.T. & T. shares tumbling and upset the general market.

Telephone had closed the day before—May 23—at $125.12½, unchanged on the day, on a volume of 16,500 shares.

The next day, on publication of the letter, it opened at $124, and plummeted to $117.75. It closed at $122, off $3.12½ on the day. Volume was a whopping 112,800 shares, making Telephone the second most active stock. The next day it closed at $119.75, off $2.25 on a volume of 51,400 shares.

Trading was so heavy on the big day—May 24—that the Stock Exchange had suspended trading just before the close, but one final trade was allowed at $122.

At the low on May 24, the loss amounted to $1.7 billion.

Both are a high price to shareholders for another's loose talk, which both were. In fact, after the May 24 news break and market drop, Antitrust termed the investigation only "a routine check into some complaints it has received."

[From the New York Journal-American, Aug. 8, 1961]

READERS JOIN IN PROTESTING "LOOSE TALK" ATTACKS ON A.T. & T.

(By Leslie Gould)

Readers share our views on the "loose talking" by the Antitrust Division's head regarding "possible" investigations and "routine" inquiries into American Telephone & Telegraph Co.

One statement knocked $1 billion off the market value of the company's shares. Another off-the-cuff remark—the "routine" one—dropped values $1.7 billion, as well as upsetting the general stock market.

Here are some of the letters:

"I have been a reader of your column for many, many years and really must congratulate you on your article about American Telephone & Telegraph Co.

"This company (although large) has benefited the public and our Government as no other company has in the world. They are first in the electronic and communication field, from which the public and Government have continuously received benefits during war and peace.

"There are so many people who have invested their life's savings and depend upon the dividends they receive. In view of this fact, any Government spokesman should be more than careful in making any statement that could affect the stock (to the tune of $1 billion in 1 day).

"It is disgraceful to allow this in view of the fact that the party involved might be seeking a political office or might be a career seeker and uses a company like this as a whipping boy to impress the public. Why doesn't the SEC investigate this?"

An incensed New Jersey stockholder:

"Seldom have I had the desire to write, complimentary or otherwise, to journalists. Your article relative to A.T. & T. in the Friday August 4 issue, however, deserves commendation from every honest citizen and those of us, particularly, who have been so ill advised as to invest in an honest, progressive company marked by a Department head of the Justice Department to be maligned, threatened, and disparaged constantly.

"I'm sure that you know all too painfully of the tax-on-tax discrepancy in our income tax structure. Uncle Sam takes 52 percent of corporation earnings. The something less than 48 percent left, distributed to investors, is again taxed as dividend income for 30 percent and more. Now Uncle can't wait till we, the people, get our earnings to get paid off. He wants it deducted by bankers in advance. It isn't like that in every country.

"Our progressive neighbors to the north and to the south are a little more honest. Canada does not tax capital gains. Mexico taxes neither capital gains nor dividend earnings. The National Bank of Mexico advises on many stock brochures that no further taxes are imposed, that they have already been paid by the corporation.

"Thank you for your outspoken article revealing just why our justice is blind. Perhaps it's time to remove the blindfold and find out why it's profitable for our servants in the Justice Department to be so unjust."

[From the Boston Herald, Aug. 4, 1961]

ANTITRUST ABSURDITY

You can pick up the phone, call London and talk for 3 minutes for $12. Soon you will be able to dial a call to London.

You can do this cheaply, quickly and conveniently because one big company operates both domestic and foreign phone service. The Federal Communications Commission plus State utility commissions work to see that charges are reasonable. On foreign calls, the FCC does not have to supervise the rates of two separate companies; it deals with only one.

The superb span of telephonic communication we enjoy today is the result of the bigness of the one company that does it.

But it appears that the Department of Justice is going to see to it that this bigness is cut down. It is considering an antitrust action to force the Bell System to divest itself of its foreign service.

This, too, it proposes to do at the very time when the Federal Communications Commission is looking to the Bell System to take part in the impressive introduction of world communication by satellites. This is an undertaking that calls for the resources of a big company; lacking that only the Government can do the job.

This conflict of purpose in Government is nothing new. Back in the early days of the atomic bomb, the Atomic Energy Commission asked the Bell System to take over the redesigning and mass production of the bomb. Simultaneously the FCC moved to split off the Western Electric Co. from the Bell System and slice it up, thus eliminating the capacity for carrying out the bomb design.

What possible need can there be for cutting up a telephone system the real usefulness of which depends on its breadth of coverage?

Is anyone making undue profits out of this monopoly? Of course not. No one owns more than a thirtieth of 1 percent of A.T. & T. shares. The net return on its investment last year was less than the median return of the 50 biggest U.S. utilities—it stood 32d among the 50.

A big operation like world communication demands a big company with big resources. To weaken it is to weaken the position of the United States in this field.

COMMEMORATION OF THE 41ST ANNIVERSARY OF THE RATIFICATION OF THE 19TH AMENDMENT

Mr. GIAIMO. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MCCORMACK. Mr. Speaker, on August 26, 1920, a great event occurred in the history of our Nation. The 19th amendment to the Constitution was ratified and women received the right to vote. Today is the 41st anniversary of that eventful day and it behooves us to commemorate the occasion by paying tribute to the valiant women, both living and gone, who dedicated their lives to the long and arduous struggle to achieve their goal.

How did this movement begin? How was the objective attained? What have women accomplished by their vote, and what tasks still lie ahead?

On July 4, 1776, when we were declaring that "all men are created equal," women had already conceived this same idea of equality. In March of that year, Abigail Adams, the wife of John Adams, had already threatened rebellion unless the rights of her sex were secured. "If particular care and attention are not paid to the ladies," she wrote to her husband who was then sitting in the Continental Congress, "we are determined to foment a rebellion, and will not hold ourselves bound to obey any laws in which we have no voice or representation."

On the 19th of July 1848, the first Woman's Rights Convention was held at Seneca Falls, N.Y. Among the leaders of that organized campaign were Lucretia Mott, Martha Wright, Elizabeth Cady Stanton, and Mary Ann McClintock. In 1851, the work initiated by the 1848 convention was taken up by Susan B. Anthony. Meetings were held and societies were organized in the various States, and by 1861 there was a well-defined movement toward woman suffrage. From a convention held in New York City in 1866 came the first organized demand for an amendment to the Constitution.

Suffrage proposals began to reach Congress as early as 1869; and in 1878, only 30 years after the first convention, the suffrage amendment in the form in which it was finally ratified, was introduced in the Congress. Not waiting for Congress to act, the States began to give women the right to vote through State action. By 1913, when the National Woman's Party was formed by Alice Paul, six States had already granted suffrage to women. In June of 1919, when Congress passed the suffrage amendment—41 Stat. 362—and referred it to the States for ratification, there were 11 States where women had the right to vote. By August 26, 1920, the 36th State had ratified the amendment, and in the fall of that year women voted throughout the Nation.

Very many of the rights which were demanded by the pioneers of the movement have today been secured. Equal access to universities and colleges and to the trades and professions, the right to vote and to share in political offices, the right to hold property, to make contracts, to sue and be sued, are but a few of the gains which women have made. Congress has, by other acts throughout the years, recognized the equality of women in all walks of life. As early as 1870 Congress authorized the appointment of female clerks in the respective Government departments "with the compensation belonging to the class to which they may be appointed * * *" (16 Stat. 250, ch. 251, sec. 2). In 1879 Congress approved the admission of women to practice before the Supreme Court of the United States (20 Stat. 292, ch. 81). The principle of equal compensation for equal work is constantly being followed in acts passed by Congress.

When the call to service was issued during World War II, women took their places in the Armed Forces alongside their brothers, and served with honor and distinction. We all remember the WAC, the WAVES, the SPARS and the WASP. In fact the women's units have now become an integral part of our armed services.

In the professions, women are recognized for their accomplishments in all fields. Women lawyers number in the thousands. Women serve as judges, and as you know many are honored and distinguished Members of Congress.

They have indeed done well in these 41 years. Let us salute them; but better still, let us help them to complete the tasks still unfinished, so that when we reach the new frontiers toward which we are so diligently striving, we will reach them in full equality, men and women alike.

THE PEACE CORPS AND ITS DIRECTOR

Mr. GIAIMO. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. RODINO. Mr. Speaker, the Peace Corps is at once both inspired and inspirational. Its immediate goals are practical assistance, promotion of mutual understanding, and the cultivation of trust on an international basis. Its ultimate goal is the achievement of world peace. But as President Kennedy has said, the American Peace Corps—our own effort—will be "only one step in a major international effort to increase the welfare of all men and improve understanding among nations."

To what better purpose can man's energies be directed than to a common endeavor with the moral purposes of peace and the betterment of humanity? Those who plan such goals and those who voluntarily share their intellectual, physical, and spiritual gifts with one another are truly inspired and inspiring. Those who witness the application of such principles to practical endeavor can scarcely remain unmoved. How can the fruits of such effort fail to be good?

The Peace Corps idea is an ambitious one. It appeals to man's altruism. It is based on the principle that the contributive working of one human being with another will foster economic and social growth and the promotion of cultural understanding. The Peace Corps presents an opportunity for individual citizens to work directly with the people of other countries, sharing their knowledge, their skills, their efforts, and their ideals in the ultimate hope of peace. As

a Norwegian student put it, in a discussion of the Peace Corps, "We want to fight problems, not people."

It is to the young, new countries and the underdeveloped areas of the world, faced with urgent problems of technical know-how, professional and educational needs, that the plan will be first directed. There is abundant evidence that young Americans are eager to participate in the development programs in the countries of Africa, Asia, the Middle East, and Latin America. Once the scheme is in full operation they will serve in a myriad of ways—teachers, administrators, agricultural extension workers, medical assistants, accountants, librarians, nurses—and so on.

Though the goals of the Peace Corps will not be achieved easily, those who participate will have the satisfaction of knowing that they are actively engaged in what President Kennedy has called "a struggle against the common enemies of man: tyranny, poverty, disease, and war itself."

Although the Peace Corps is only in its infancy, it has already proved its worth. Indeed, even in the proposal stage the results were gratifying. Men's thoughts were directed to the possibility of harnessing large-scale activity to high purpose. In the investigative stage individuals, public and private institutions and organizations banded together to study ways and means of giving life to an exalted idea. With the formulation of a specific program came a heartening response. Enthusiasm was nationwide. There was an interested and grateful reaction abroad; at home volunteers appeared immediately and in impressive numbers.

In each one of the formative stages of the Peace Corps, among the names of those eminently involved is to be found that of Robert Sargent Shriver, Jr. In him we find a truly dedicated individual. Not only has he shown himself willing to devote his time, his energies, and his spirit to this project. The sacrifices which he has made to do so must have been great indeed, for seldom does one find a person already so deep in so many activities.

Modest in demeanor, Sargent Shriver was already a man of no mean achievement even before the Peace Corps presented a new challenge to him. Busy is an inadequate term for this executive in the business world, leader in educational fields, and humanitarian engaged in innumerable charitable and progressive activities. In endorsing Mr. Shriver for the post of Director of the Peace Corps, Senator DOUGLAS, before the Senate Committee on Foreign Relations, briefly touched upon a few of the significant facts of his background. These facts indicate at once his high aptitude for the position and also the sacrifice that must have been necessary for him to accept it.

Senator DOUGLAS said first that: He is one of the ablest and most useful citizens of Chicago." As a businessman for the past 13 years Mr. Shriver has been the assistant managing director, and actually, the operating head of the Merchandise Mart. This is the largest office building in the world. At this business he was conspicuously successful.

As an executive of the school board and the extensive public school system of Chicago, he was also notably good. That system has 25,000 employees and an annual budget of $185 million. Of this operation Senator DOUGLAS said: He has carried out the affairs of the school board with complete integrity, with great efficiency, and with a fine humane and progressive spirit."

In spite of the time and energy involved in these pursuits, Mr. Shriver still somehow found time to be "active in virtually every good cause in the city of Chicago."

As a direct background for his work with the Peace Corps, Sargent Shriver, in earlier years, served on three occasions as a group leader for groups going abroad under the Experiment for International Living. He also had practical experience from his travels in southeast Asia and on a trip through Africa.

This is the man who was willing to dedicate his efforts toward making the Peace Corps program with all its vast potentialities a practicality. Before he became its Director, he had, at the President's request, lent his abilities to this project for peace in its initial stages. He was among those who studied the possibilities of the idea, and how the Peace Corps might be organized. He consulted with many experienced people in the area of student exchange and oversea work. He sought to discover the extent of interest in the proposed Peace Corps. He instituted operations to try to determine the possible requirements or demand for Peace Corps volunteers overseas. He assayed the possibilities for practical applications of the scheme.

At the request of President Kennedy, Mr. Shriver prepared a comprehensive report on his findings. On this report the President based his Executive order establishing the Peace Corps. He issued this order pursuant to authority granted him under the Mutual Security Act, and it is from mutual security funds that the Peace Corps was financed in its initial stages.

Operation of the plan is still on a temporary pilot basis. It is anticipated that by the end of 1961 some 500 to 1,000 volunteers will be in training or overseas. The eventual dimensions of the Peace Corps will be determined by congressional and executive action, based somewhat upon the extent of requests from foreign governments. An important element in determining its magnitude will be the judgment of the program's effectiveness by the American people and the people of other nations.

Already the American people have voiced great enthusiasm for the Peace Corps in prospect. Even before it was established—when it was only in the discussion stages—the Gallup poll reported that 7 out of 10 Americans favored the organization of such a scheme.

Less than 6 weeks after it was launched more than 4,000 applicants had voiced their desire to join the Peace Corps. There had been ample warning, too, that the demands would be great upon those who served. The training would be strict. The experience would doubtless be rigorous. Living conditions, as well as the wage scale, would depend upon the level of the conditions in the places to which the volunteers would be sent. Their qualifications must meet not only the standards set for service but the needs of countries where they would serve. To be sure there would be arrangements for additional compensation to be set aside for those who joined the program, so that they would not ultimately suffer for their contribution. Important, however, is the necessity of adjustment to living the life of the people with whom they are to work, play, and fraternize.

The hallmark of the Peace Corps volunteers will be altruism, idealism, and devoted service to their country and the cause of peace. Certainly all of these will be inspired by the man chosen to lead the program. Already Sargent Shriver is notably conspicuous for his contribution, prominent for his perspective, distinguished for his dedication. With such character and talents behind it, we may look for success from the Peace Corps program.

HON. CLEVELAND BAILEY OF WEST VIRGINIA, A FIGHTER FOR HIS PEOPLE

Mr. GIAIMO. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. DENT. Mr. Speaker, I believe that most of the membership of this House is aware of the serious problem affecting the coal industry of this Nation. This problem is particularly aggravated by governmental actions which fail to take into consideration the effect upon the total economy of the country.

Early this year the Department of the Army announced its intention to purchase approximately 1 million tons of coke from sources outside the United States. Members of Congress have for years been successful in fighting this kind of governmental policy. It has always been a great mystery to Members of Congress from the coal producing States that while this Government has restrictive conveyances in defense buying protecting American producers of clothing, certain textiles, food products and other basic requirements of the military, there has always been a negative attitude displayed when the interest of the coal producing areas was at stake. I am happy to announce that pursuant to the attached memorandum there has been a reversal by the White House on the position taken by the military and that at least 440,000 tons of the contemplated purchase from West Germany will be made in the United States. It is likely that most of the coal and coke will come from labor surplus areas such as Pennsylvania, West Virginia, Alabama, Oklahoma, and other coal producers. This change in governmental

purchase policy did not come easy. Chief among the Members of Congress who led the fight against the foreign purchase of this coal was the gentleman from West Virginia, the Honorable CLEVELAND M. BAILEY. He arranged meeting after meeting with the Defense Department, State Department, and in fact, took the problem directly to the White House. No person in this Congress is more acutely aware of the serious and dangerous economic condition of his district and the whole coal producing area of the United States than the gentleman from West Virginia, CLEVE BAILEY.

Marching abreast of the venerable legislator from West Virginia were many other Members of this Congress, notably the Honorable DAN FLOOD, TAD WALTERS, Dr. MORGAN and your humble servant on the Democratic side, and the Members of the Republican side, VAN ZANDT, SCRANTON, SAYLOR, FENTON and others. In fact, the entire delegation from the State of Pennsylvania and West Virginia were in full accord with the valiant fight being waged for domestic-produced coal and coke. Time and space do not allow the recounting of the many setbacks and heartbreaks encountered by Congressman BAILEY and the other Members of Congress in their efforts to have the administrative agencies recognize the full impact of their contemplated action upon the economy, not alone of the States involved, but of the entire Nation. The time is fast approaching when Congressman BAILEY and others who have been virtually alone in their fight for the change in the purchasing policies of the past administration must bring to bear in all of our governmental operations the simple, practical policy of preservation of this Nation, its institutions, its industries, and its peoples.

WASHINGTON.—The White House today announced a move to help depressed American coal mines by giving them orders to supply U.S. military needs for coal and coke in West Germany.

The Defense Department in the past has purchased coal and coke from foreign producers, and generally from sources in West Germany.

Meyer Feldman, special assistant to President Kennedy, said 440,000 tons of anthracite coal and coke will be purchased next month from American producers.

He estimated the fuel will cost about $10.8 million delivered in West Germany and said the same amount could have been purchased abroad for just over $8 million.

The White House announcement said: "It is likely that most of the coal and coke requirements will be filled by mines and firms located in labor surplus areas of Pennsylvania, West Virginia, Maryland, Virginia, Alabama, Arkansas, and Oklahoma."

Next year the Defense Department plans to purchase even more coal from American sources. This year's purchases will be on a reduced level because the needed coal and coke for the year already has been ordered abroad.

Feldman said that perhaps the most important reason underlying the policy change is the continuing deficit in the U.S. balance of international payments. By placing orders here, the Pentagon will reduce the flow of dollars abroad and lessen the deficit, running so far this year at an annual rate of about $1.5 billion.

The White House said the Armed Forces in Germany will use approximately 305,000 tons of bituminous coal, and 720,000 tons of anthracite coal or coke in the current fiscal year, which ends next June 30.

Contracts already have been awarded American producers to supply the bituminous coal. Originally, the 720,000 tons of anthracite was open to international competitive bidding, and 280,000 tons were ordered on this basis from foreign producers.

The remaining 440,000 tons of anthracite will be open to bidding only by American sources, with bids to be opened September 13.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CHAMBERLAIN (at the request of Mr. HALLECK), for Monday, August 28, on account of official business.

Mr. HARVEY of Michigan (at the request of Mr. HALLECK), for Monday, August 28, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. RIVERS of South Carolina, for 1 hour, on Wednesday, August 30, 1961.

Mr. O'HARA of Illinois, for 1 hour, on Thursday, August 31, 1961.

Mr. SCHWENGEL (at the request of Mr. LINDSAY), on Monday, August 28, 1961, for 1 hour.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ASPINALL, his remarks in Committee of the Whole today on H.R. 84, and to include extraneous matter and tables.

Mr. WALTER and to include a letter.

Mr. HALL and to include extraneous matter, following the remarks he made in general debate.

Mr. PHILBIN in two instances.

Mr. PELLY.

(The following Members (at the request of Mr. LINDSAY) and to include extraneous matter:)

Mr. HOSMER.

Mr. FINO.

Mr. HALPERN.

Mr. BERRY.

Mr. MATHIAS.

(The following Members (at the request of Mr. GIAIMO) and to include extraneous matter:)

Mr. MULTER.

Mr. FARBSTEIN.

Mr. BREEDING.

Mr. ALFORD.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1005. An act to amend section 10 and section 3 of the Federal Reserve Act, and for other purposes; to the Committee on Banking and Currency; and

S. 1991. An act relating to manpower requirements, resources, development, and utilization, and for other purposes; to the Committee on Education and Labor.

ADJOURNMENT

Mr. GIAIMO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 18 minutes p.m.), under its previous order, the House adjourned until Monday, August 28, 1961, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1256. A letter from the Acting Secretary of the Treasury, transmitting a report covering the progress made in liquidating the assets of the former Reconstruction Finance Corporation for the period ending June 30, 1961, pursuant to 67 Stat. 230, and Reorganization Plan No. 1 of 1957 (22 F.R. 4633); to the Committee on Banking and Currency.

1257. A letter from the Assistant Secretary of the Interior, transmitting a proposed concession contract with Richard G. Voce, which will authorize him to establish and operate a concession at the Echo Bay site within Lake Mead National Recreation Area, pursuant to 70 Stat. 543; to the Committee on Interior and Insular Affairs.

1258. A letter from the Deputy Administrator, Veterans' Administration, transmitting a draft of a proposed bill entitled "A bill to amend certain administrative provisions of title 38, United States Code, relating to the Department of Medicine and Surgery in the Veterans' Administration"; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BROOKS of Louisiana: Committee on Science and Astronautics. H.R. 8556. A bill to amend the National Science Foundation Act of 1950 to require certain additional information to be filed by an applicant for a scholarship or fellowship, and for other purposes; without amendment (Rept. No. 1029). Referred to the Committee of the Whole House on the State of the Union.

Mr. RUTHERFORD: Committee on Interior and Insular Affairs. H.R. 6729. A bill to provide for the disposal of certain lands held for inclusion in the Cape Hatteras National Seashore Recreational Area, N.C., and for other purposes; without amendment (Rept. No. 1030). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 5831. A bill to amend section 11 of the act of April 1, 1942 (56 Stat. 197, ch. 207; D.C. Code, 1951 edition, sec. 11–776), being an act to consolidate the police court of the District of Columbia and the municipal court of the District of Colum-

bia, to create the municipal court for the District of Columbia, to create the municipal court of appeals for the District of Columbia, and for other purposes; in order to modify the retirement benefits of the judges of the municipal court for the District of Columbia, the municipal court of appeals for the District of Columbia, and the juvenile court of the District of Columbia, and for other purposes; with amendment (Rept. No. 1031). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 6967. A bill to provide for the incorporation of certain nonprofit corporations in the District of Columbia, and for other purposes; with amendment (Rept. No. 1032). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 7752. A bill to amend the District of Columbia Alcoholic Beverage Control Act, as amended, and for other purposes; without amendment (Rept. No. 1033). Referred to the House Calendar.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 8719. A bill to amend the act of July 23, 1947, chapter 301, as amended, to extend for 2 years the authority to make temporary appointments and promotions in the U.S. Coast Guard; without amendment (Rept. No. 1034). Referred to the Committee of the Whole House on the State of the Union.

Mr. SISK: Committee on Rules. House Resolution 435. Resolution for consideration of H.R. 7176, a bill to provide for a national hog cholera eradication program; without amendment (Rept. No. 1035). Referred to the House Calendar.

Mr. ELLIOTT: Committee on Rules. House Resolution 436. Resolution for consideration of H.R. 8028, a bill to provide Federal assistance for projects which will evaluate and demonstrate techniques and practices leading to a solution of the Nation's problems relating to the prevention and control of juvenile delinquency and youth offenses and to provide training of personnel for work in these fields, and for other purposes; without amendment (Rept. No. 1036). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 437. Resolution for consideration of H.R. 8773, a bill to amend section 265 of the Armed Forces Reserve Act of 1952, as amended (50 U.S.C. 1016), relating to lump-sum readjustment payments for members of the Reserve components who are involuntarily released from active duty, and for other purposes; without amendment (Rept. No. 1037). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H.R. 8889. A bill to create a National Peace Agency and to prescribe its functions; to the Committee on Foreign Affairs.

By Mr. THOMPSON of New Jersey:

H.R. 8890. A bill to amend Public Law 815 and Public Law 874, 81st Congress, so as to extend their expired provisions for an additional year and to authorize payments under Public Law 815 for school construction in school districts with severe classroom shortages, to extend for 1 year the student loan program of title II of the National Defense Education Act of 1958, and for other purposes; to the Committee on Education and Labor.

By Mr. MARTIN of Nebraska:

H.R. 8891. A bill to amend the National Labor Relations Act so as to provide that the discharge of employees who engage in a strike not authorized by the collective bargaining representative shall not be considered an unfair labor practice; to the Committee on Education and Labor.

By Mr. ROGERS of Florida:

H.R. 8892. A bill to amend the Agricultural Act of 1956, as amended, and the Agricultural Act of 1949, as amended, to prohibit the subsidized export of any agricultural commodity to Communist nations and to prohibit sales by the Commodity Credit Corporation of any agricultural commodities for export to such nations; to the Committee on Agriculture.

By Mr. RYAN.

H.R. 8893. A bill to eliminate the requirement that poll taxes be paid in order to qualify for voting; to the Committee on House Administration.

H.R. 8894. A bill to provide protection against lynchings; to the Committee on the Judiciary.

By Mr. SELDEN:

H.R. 8895. A bill to amend the joint resolution providing for membership and participation by the United States in the Inter-American Children's Institute; to the Committee on Foreign Affairs.

By Mr. FLYNT:

H.R. 8896. A bill to prohibit the shipment in interstate or foreign commerce of articles imported into the United States from Cuba, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GIAIMO:

H.R. 8897. A bill to make available to children who are handicapped by deafness the specially trained teachers of the deaf needed to develop their abilities, and to make available to individuals suffering speech and hearing impairments the specially trained speech pathologists and audiologists needed to help them overcome their handicaps; to the Committee on Education and Labor.

By Mrs. GREEN of Oregon:

H.R. 8898. A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination; to the Committee on Education and Labor.

By Mr. MORRISON:

H.R. 8899. A bill to require the expenditure of 75 percent of the funds expended for the conversion, alteration, and repair of naval vessels to be expended with private ship repair yards; to the Committee on Armed Services.

By Mrs. GREEN of Oregon:

H.R. 8900. A bill to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities, and to authorize financial assistance for undergraduate study in such institutions, and for other purposes; to the Committee on Education and Labor.

By Mr. RYAN:

H.R. 8901. A bill to amend section 2004 of the Revised Statutes of the United States to provide that all citizens of the United States may vote at all elections without being required to take literacy tests; to the Committee on the Judiciary.

By Mr. SMITH of Iowa:

H.R. 8902. A bill to amend the act to promote the education of the blind, approved March 3, 1879, as amended, so as to authorize wider distribution of books and other special instruction materials for the blind, and to increase the appropriations authorized for this purpose, and to otherwise improve such act; to the Committee on Education and Labor.

By Mr. HULL:

H.R. 8903. A bill to prohibit the shipment in interstate or foreign commerce of articles imported into the United States from Cuba, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STRATTON:

H.J. Res. 543. Joint resolution providing for the establishment of a National Letter Carriers Week; to the Committee on the Judiciary.

By Mr. BURLESON:

H. Con. Res. 380. Concurrent resolution expressing the sense of the Congress regarding the Mongolian People's Republic; to the Committee on Foreign Affairs.

By Mr. HIESTAND:

H. Res. 429. Resolution to authorize the Committee on Armed Services to study use of military personnel and facilities to arouse the public to the menace of the cold war; to the Committee on Rules.

By Mr. MADDEN:

H. Res. 430. Resolution requesting the President to designate the week of Labor Day as a period for concerted action by labor, industry, and other groups to condemn the Soviet Communist leaders for their open aggression against the people of Berlin; to the Committee on the Judiciary.

By Mr. MONAGAN:

H. Res. 431. Resolution to express the sense of the House on time for holding national conventions for nominations of President and Vice President; to the Committee on House Administration.

By Mr. SAUND:

H. Res. 432. Resolution providing for a study by the Committee on Government Operations of the use or disposal of certain excess real property at Corona, Calif.; to the Committee on Government Operations.

By Mr. BUCKLEY:

H. Res. 433. Resolution to provide for the further expenses of the investigation and study authorized by House Resolution 23; to the Committee on House Administration.

By Mr. BURLESON:

H. Res. 434. Resolution expressing the sense of the House of Representatives regarding the Mongolian People's Republic; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLLIER:

H.R. 8904. A bill for the relief of Evangelos Tourles; to the Committee on the Judiciary.

H.R. 8905. A bill for the relief of Athanasias P. Papadakos; to the Committee on the Judiciary.

By Mr. HAGAN of Georgia:

H.R. 8906. A bill for the relief of Michail Petrakis; to the Committee on the Judiciary.

H.R. 8907. A bill for the relief of Lodato Giuseppe; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 8908. A bill for the relief of Jan Kazimierz Lewandowski; to the Committee on the Judiciary.

By Mr. LIBONATI:

H.R. 8909. A bill for the relief of Stanislaw Jozef Scislowski; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H.R. 8910. A bill for the relief of Franklin Wai Yat Sun; to the Committee on the Judiciary.

By Mr. THOMPSON of Texas:

H.R. 8911. A bill for the relief of Dr. Tao Ping Li; to the Committee on the Judiciary.

SENATE

THURSDAY, AUGUST 24, 1961

The Senate met at 10 o'clock a.m., and was called to order by the Vice President.

Rev. Theodore Henry Palmquist, D.D., minister, Foundry Methodist Church, Washington, D.C., offered the following prayer:

Eternal Spirit, mysterious beyond our understanding, yet to be found in all that is beautiful, excellent, and true, we need Thy help. Here in this sacred place we would lay aside proud self-sufficiency and ask for light in dark days—hope that no defeat can overthrow—loyalty that distress cannot wear out, and a thankfulness for a great heritage—worth living for—dying for.

Trusted with great power may we not misuse it; called upon to make crucial decisions may we rise above self and not fail the best within us or the people about us. Make us realistic enough to be frightened; courageous enough to think without confusion, clearly; dedicated enough to live dangerously, not by default, but by design. Above all, assure us that in or out of the Promised Land we belong to Thee, a power that will never fail. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, August 23, 1961, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 468. An act to amend section 1073 of title 18, United States Code, the Fugitive Felon Act;

H.R. 641. An act to provide for the free entry of an intermediate lens betaray spectrometer for the use of Tulane University, New Orleans, La.;

H.R. 4380. An act to quiet title and possession to an unconfirmed and located private land claim in the State of Louisiana;

H.R. 6371. An act to amend section 37 of the Internal Revenue Code of 1954 with respect to the limitation on retirement income; and

H.R. 8662. An act for the relief of Jose Fuentes.

The message also announced that the House had agreed to the amendment of the Senate to the concurrent resolution (H. Con. Res. 311) providing for additional copies of House Document No. 336, 86th Congress, 2d session, entitled "Facts on Communism—Volume I, the Communist Ideology."

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred, or placed on the calendar, as indicated:

H.R. 468. An act to amend section 1073 of title 18, United States Code, the Fugitive Felon Act; placed on the calendar.

H.R. 641. An act to provide for the free entry of an intermediate lens betaray spectrometer for the use of Tulane University, New Orleans, La.; and

H.R. 6371. An act to amend section 37 of the Internal Revenue Code of 1954 with respect to the limitation on retirement income; to the Committee on Finance.

H.R. 4380. An act to quiet title and possession to an unconfirmed and located private land claim in the State of Louisiana; to the Committee on Interior and Insular Affairs.

H.R. 8662. An act for the relief of Jose Fuentes; to the Committee on the Judiciary.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. KUCHEL, and by unanimous consent, the following subcommittees or committees were authorized to meet during the session of the Senate today:

The Special Committee on the Aging.

The Committee on Finance.

The Flood Control and Rivers and Harbors Subcommittee of the Committee on Public Works.

The Committee on Banking and Currency.

Upon request of Mr. HUMPHREY, and by unanimous consent, the Committee on Interior and Insular Affairs was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar, beginning with the new reports.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. CANNON, from the Committee on Armed Services:

Capt. Levering Smith, U.S. Navy, for temporary promotion to the rank of rear admiral while serving as Technical Director, Special Projects Office, Department of the Navy; and

Robert B. Brown, Emory D. Stanley, Jr., Stephen Sherwood, and Lewis C. Coxe, for temporary promotion to the grade of rear admiral.

Mr. CANNON. Mr. President, from the Committee on Armed Services, I report favorably 142 appointments in the Regular Air Force, in the grade of captain and below, and 689 appointments and promotions in the Navy and Marine Corps, in the grade of captain and below. All of these names have already appeared in the CONGRESSIONAL RECORD. In order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk, for the information of any Senator.

The VICE PRESIDENT. The report will be received; and, without objection, the nominations will lie on the desk, as requested by the Senator from Nevada.

The nominations are as follows:

William H. Carnahan, and sundry other persons, for appointment in the Regular Air Force;

Arthur W. Ahl, and sundry other distinguished military students of the Air Force Reserve Officers' Training Corps, for appointment in the Regular Air Force;

Newton W. Allenbach, and sundry other officers, for temporary promotion in the Medical Corps of the U.S. Navy;

Marvin M. Aldrich, and sundry other officers, for temporary promotion in the U.S. Navy;

Edgar C. Church, and sundry other officers, for permanent promotion in the line and staff corps, U.S. Navy;

Martin L. Fackler, Jr., and sundry other Naval Reserve officers, for permanent and temporary appointment in the U.S. Navy;

Gertrude H. Nelson, U.S. Navy retired officer, to be reappointed a permanent commander in the Nurse Corps of the U.S. Navy;

Jack Hamer, and Chester A. Murphy, lieutenants (junior grade), U.S. Navy (temporary), to be lieutenants in the Navy, limited duty only, for temporary service in the classification electronics, in lieu of avionics, as previously nominated and confirmed, to correct classification;

Peter M. Bush, and sundry other officers, for temporary appointment in the Marine Corps; and

John H. Buchanan, and sundry other officers, for permanent appointment in the Marine Corps.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the Executive Calendar, beginning with the new reports, will be stated.

COLLECTORS OF CUSTOMS

The Chief Clerk proceeded to read sundry nominations of collectors of customs.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

NATIONAL CAPITAL TRANSPORTATION AGENCY

The Chief Clerk proceeded to read sundry nominations in the National Capital Transportation Agency.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. FOREIGN SERVICE

The Chief Clerk proceeded to read sundry nominations in the U.S. Foreign Service.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

Mr. MANSFIELD subsequently said: Mr. President, in view of the fact that a promise was made yesterday that the nomination of the Adjutant General of West Virginia for a commission in the Army of the United States in the rank of brigadier general would be taken up at 3 o'clock, I should like to state now that it will not be taken up until the conclusion of the consideration of the Hickenlooper amendment to the Peace Corps bill.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SCOTT. May I inquire if the procedure is satisfactory to the senior Senator from Maine [Mrs. SMITH]?

Mr. MANSFIELD. I have not discussed it with her, but I am sure it will be, because I understood that she was at a policy meeting, and she is always gracious and understanding. I ask that she be notified.

Mr. SCOTT. I thank the Senator.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair desires to substitute the name of the Senator from Utah [Mr. Moss] for the name of the Senator from Rhode Island [Mr. PASTORE], as a delegate to the Interparliamentary Union meeting to be held in Brussels.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letter, which were referred as indicated:

PROPOSED AMENDMENTS TO THE BUDGET, 1962, FOR DISTRICT OF COLUMBIA (S. DOC. NO. 45)

A communication from the President of the United States, transmitting amendments to the budget for the fiscal year 1962, involving an increase in the amount of $389,210 for the District of Columbia (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

AMENDMENT OF CERTAIN ADMINISTRATIVE PROVISIONS RELATING TO THE DEPARTMENT OF MEDICINE AND SURGERY IN VETERANS' ADMINISTRATION

A letter from the Deputy Administrator, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to amend certain administrative provisions of title 38, United States Code, relating to the Department of Medicine and Surgery in the Veterans' Administration (with an accompanying paper); to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PASTORE, from the Committee on Commerce, with amendments:

S. 1186. A bill to facilitate the protection of consumers of articles of merchandise composed in whole or in part of gold or silver from fraudulent misrepresentation concerning the quality thereof, and for other purposes (Rept. No. 767).

By Mr. RUSSELL, from the Committee on Armed Services, without amendment:

H.R. 44. An act to authorize the appropriation of $150,000 for use toward the construction of a U.S. Pacific War Memorial (Rept. No. 770).

By Mr. SYMINGTON, from the Committee on Armed Services, without amendment:

H.R. 7447. An act to amend the Strategic and Critical Materials Stock Piling Act to provide for the immediate disposition of certain waterfowl feathers and down (Rept. No. 769).

By Mr. SALTONSTALL, from the Committee on Armed Services, without amendment:

H.R. 1794. An act to provide for the conveyance of certain real property of the United States situated in Hawaii to the State of Hawaii (Rept. No. 768).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 2898. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof (Rept. No. 772);

H.R. 3526. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof (Rept. No. 773); and

H.R. 6102. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in Highlands County in the State of Florida to the record owners of the surface thereof (Rept. No. 774).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with an amendment:

S. 2272. A bill to disclaim interest in certain rights in certain lands in the State of Nevada (Rept. No. 777); and

H.R. 566. An act authorizing the establishment of a national historic site at Fort Davis, Jeff Davis County, Tex. (Rept. No. 771).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 46. A bill to provide for the establishment and administration of basic public recreation facilities at the Elephant Butte and Caballo Reservoir areas, New Mexico, and for other purposes (Rept. No. 775).

By Mr. WILLIAMS of New Jersey, from the Committee on Banking and Currency, with amendments:

S. 2135. A bill to authorize the Securities and Exchange Commission to delegate certain functions (Rept. No. 776).

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated August 8, 1961, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ANDERSON (for himself and Mr. KERR):

S. 2460. A bill to provide for a study by the Secretary of the Interior of the need or desirability of developing pumped storage; to the Committee on Interior and Insular Affairs.

By Mr. COTTON (for himself and Mr. AIKEN):

S. 2461. A bill for the relief of Wahidi Romanos Jariash (also known as Waheeda Bachus Romanos); to the Committee on the Judiciary.

By Mr. CASE of South Dakota:

S. 2462. A bill to defer the collection of irrigation maintenance and operation charges for calendar year 1962 on lands within the Angostura unit, Missouri River Basin project; to the Committee on Interior and Insular Affairs.

By Mr. BENNETT:

S. 2463. A bill to amend section 613(b)(2)(B) of the Internal Revenue Code; to the Committee on Finance.

(See the remarks of Mr. BENNETT when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota:

S. 2464. A bill for the relief of Barbara Lechleitner; to the Committee on the Judiciary.

By Mr. BIBLE:

S. 2465. A bill to amend the act of May 25, 1920, relating to conveyances of certain parts of rights-of-way by railroad companies; to the Committee on Interior and Insular Affairs.

DEPLETION FOR ALL BERYLLIUM MINERALS

Mr. BENNETT. Mr. President, I introduce, for appropriate reference, a bill

which would give a 23-percent percentage depletion allowance to all beryllium minerals, rather than only to beryl as under existing law.

The use of beryllium metal in industry is a fairly recent development. However, its high strength-to-weight ratio and excellent heat capacity have made its use of strategic importance in missiles, aircraft, and electronics, while its unusual nuclear properties in the oxide state as well as in metal have developed keen interest in its use in this new and important field.

Until recently there were only two producers of beryllium compounds and metal in this country, both of which use the mineral beryl as their feed material. This mineral is quite widespread in its occurrence both in the United States and in foreign countries, but since its recovery has always been based on the hand cobbing of visible crystals from the ore, the mineral requirements for the American beryllium industry have come from foreign countries where low labor rates permit economic hand picking. Thus, up until the present time, 90 percent to over 95 percent of this strategic ore consumed in the United States has been imported.

The strategic nature of beryllium was first recognized in the late forties or early fifties, when the Atomic Energy Commission undertook an extensive buying program for this material. As a large percentage of our imports came from India and Brazil—both of which countries had placed an embargo on monazite, another imported nuclear material—it appeared advantageous to encourage the mining of domestic beryl to help assure our requirements, should the foreign supplies of this material be cut off as well. As a result, beryl was added to the series of domestically produced minerals eligible under section 613 of the Internal Revenue Code for 23 percent depletion allowance. Subsequently the General Services Administration offered a substantial premium for hand-cobbed beryl produced from domestic sources, and still later the Defense Minerals Production Administration offered Government loans to companies engaging in exploration for domestic beryl deposits.

When, in 1954, Congress included beryl in the list of strategic minerals included in section 613(b)(2)(B), it is clear that it did so because beryl was the principal ore of beryllium—if not the only one then found. That the chief use for beryl is to refine it and produce beryllium metal is shown by a statement in the Mineral Yearbook, 1959 edition:

> Domestic consumption of beryl in 1959, 8,173 tons, was the greatest recorded, and almost all was processed into beryllium metal and its alloys.

Further, beryl is generally bought and sold on the basis of its beryllium oxide content. For example, the statistics given in the Minerals Yearbook for 1959 refer to beryl with a 10 to 12 percent content of beryllium oxide. The yearbook showed that 328 tons of domestic beryl with this beryllium content was produced in 1959, whereas 8,038 tons was imported. Beryl is priced on the basis of its beryllium content; for 1959 the price was $47 per unit of beryllium oxide.

Early in 1960 extensive deposits were discovered of a new beryllium ore in the Topaz Mountain area of Utah. This ore was substantially different from previous beryllium ores found, in that it was highly disseminated throughout large areas of waste rock and contained no beryl whatsoever. Obviously, it would not be possible to hand pick the values from this ore, but laboratory processing studies done with the assistance and cooperation of the Bureau of Mines and the U.S. Geological Survey indicated that it could be mined by modern bulk handling methods and processed by hydrometallurgical techniques similar to those currently used in the production of uranium yellow cake. Large tonnages of this ore have already been indicated in the Topaz Mountain area, and its amenability to chemical treatment gives a strong indication that this new find may be the foundation of a new mining and processing industry in Utah which could readily supply our national requirements for beryllium and its products and make us independent of foreign imports of this strategic material. While the Utah deposit has been characterized as perhaps the most significant new area of beryllium mineralization, many of the other Western States have reported recent finds of beryllium minerals other than beryl.

In mid-1960, the Office of Minerals Exploration of the Department of the Interior agreed to a change in its executive order, substituting the words "beryllium minerals" in place of "beryl," in order to void the limitation imposed by the previous wording. In view of this action, and in light of recent discoveries, coupled with the great strategic importance of our beryllium minerals, I strongly believe that the use of the term "beryl" in section 613 of the Internal Revenue Code is no longer appropriate. Therefore, my bill makes a simple but nonetheless important change in the wording of this act, to include in its stead the term "beryllium minerals."

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2463) to amend section 613(b)(2)(B) of the Internal Revenue Code, introduced by Mr. BENNETT, was received, read twice by its title, and referred to the Committee on Finance.

REORGANIZATION OF THE SEC

Mr. JAVITS. Mr. President, I rise only to make the announcement that the Committee on Banking and Currency has reported a bill which will bring about a reorganization of the Securities and Exchange Commission without all the difficulties which caused us to turn down Reorganization Plan No. 1 when it was submitted. This again is a tribute to how to do a right thing right.

I ask unanimous consent that I may have printed in the RECORD, as a part of my remarks, an analysis of the material differences between the bill reported today and the reorganization plan, and how the bill reported today does the job that needs to be done.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

REORGANIZATION PLAN NO. 1	S. 2135
1. All functions of SEC delegable to lower levels, subject only to section 7(a) of the Administrative Procedure Act, relating to adjudication.	1. Same, except that no rulemaking is delegable other than rules of particular applicability and in the special case of section 19(b) of the Securities Exchange Act of 1934.
2. Discretionary right of review of delegated action by full Commission upon vote of majority of less than one, i.e., two members.	2. Mandatory right of review in four most serious cases: (1) denial of a request for acceleration of the effective date of a registration statement. (2) suspension, denial, or revocation of a broker-dealer registration. (3) suspension, denial, or withdrawal of a registration, or suspension or expulsion of a member of a national securities exchange. (4) suspension of trading on an exchange. In all other cases, discretionary right of review upon the vote of one member.
3. Delegated action becomes final unless review by full Commission is sought.	3. Same.
4. Transfer to chairman of assignment powers relating to delegated functions.	4. Same.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT: Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Lincoln Gordon, of Massachusetts, to be Ambassador to Brazil.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

EXPORT AND SALE OF SURPLUS AGRICULTURAL COMMODITIES TO COMMUNIST RUSSIA AND SATELLITE COUNTRIES

Mr. LAUSCHE. Mr. President, on Thursday, June 22, the Department of Commerce issued a bulletin declaring there would be a change of policy, in that export licenses would be issued to American exporting firms, authorizing them to sell subsidized surplus foods to Communist Russia and to satellite countries.

My mail has been exceedingly heavy on this subject; there have been great numbers of protests against the sale to Communist nations, at the expense of the American people, of subsidized foods. The writers of such letters who live in Ohio believe it to be unsound that the money of the American taxpayers be used in connection with the sale of surplus foods to Communist countries, at prices below the cost of purchasing the food and putting it in Government bins. I am in vigorous agreement with their views.

Mr. President, I am quite sure that many Senators do not realize that in the Agricultural Act of 1961, Congress clearly expressed its opposition to the sale of surplus subsidized foods to such countries. In that connection, I shall read from Public Law 87–121, 87th Congress. Subsection (c) of section 2 reads as follows:

Expand foreign trade in agricultural commodities with friendly nations, as defined in section 107 of Public Law 480, Eighty-third Congress, as amended (7 U.S.C. 1707), and in no manner either subsidize the export, sell, or make available any subsidized agricultural commodity to any nations other than such friendly nations and thus make full use of our agricultural abundance;

The definition of "friendly nation," as set forth in title 7, United States Code, section 1707, is as follows:

1707. Definition of "friendly nation."

As used in this chapter and sections 1427 and 1431 of this title, "friendly nation" means any country other than (1) the U.S.S.R., or (2) any nation or area dominated or controlled by the foreign government or foreign organization controlling the world Communist movement. (July 10, 1954, ch. 469, title I, par. 107, 68 Stat. 457.)

Mr. President, I deprecate the policy, which was indicated on June 22, of selling subsidized foods to Communist nations. I would have introduced a bill, on my own behalf, to forbid such sales; but I am of the opinion that the act of 1961 specifically spells out the intent of Congress to prohibit the sale to Communist Russia or to any of its satellites of surplus food at subsidized prices.

The VICE PRESIDENT. The time available to the Senator from Ohio, under the 3-minute limitation, has expired. Without objection, the Senator from Ohio is recognized for an additional 3 minutes.

U.S. AID TO COMMUNIST COUNTRIES

Mr. LAUSCHE. Mr. President, last week, in dealing with the foreign-aid bill, there arose the question of our giving foreign aid to Communist countries. The Senator from Connecticut [Mr. DODD] submitted an amendment which would have specifically prohibited the granting of aid to Communist nations. I supported that amendment but unsuccessfully.

I hold in my hand a letter from a source in which I have absolute confidence. The letter quotes a letter from Yugoslavia. It was written in Yugoslavia, by a Yugoslav national; and it states, among other things:

I read in our newspapers how the United States has been magnanimous again for Yugoslavia. Yet on the other hand there are in the same papers frequent if not daily derisions, criticisms, expressions of hatred against America and Americans. They picture your country as if it were on the brink of bankruptcy. According to their story, your President is a narrowminded unable, reactionary individual.

Then the writer of the letter asks two questions:

Do you really have to support such "friends"? According to what kind of moral standards do you do that?

Mr. President, I think those questions are replete with sound thinking, and typify what the citizens of those Communist nations think. Let me read the questions again:

Do you really have to support such "friends"? According to what kind of moral standards do you do that?

Mr. President, I should like to know the answers to those questions—if they can be answered. But, Mr. President, no answers can be given.

NEW FRONTIERS AND WIDER HORIZONS

Mr. HUMPHREY. Mr. President, on Monday, August 21, the Secretary of Agriculture, Mr. Orville Freeman, delivered a remarkable address before the annual meeting of the American Institute of Cooperation at Northrup Auditorium in the University of Minnesota. Secretary Freeman discussed in some detail the agricultural situation in our country.

He also cited considerable optimism of some possibilities of better use of agricultural production for purposes at home and abroad. I was particularly pleased with the emphasis the Secretary placed upon the use of farm cooperatives as a means of strengthening our agricultural economy and also as a means of promoting our foreign policy. I commend the Secretary on his splendid address. I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

NEW FRONTIERS AND WIDER HORIZONS

(By Orville L. Freeman)

It is timely and appropriate that the theme of the 1961 meeting of the American Institute of Cooperation is "New Frontiers for Cooperatives." The American people, indeed, the people of the entire world, face new frontiers and new challenges today.

Beyond these new frontiers lie hazards greater than those ever confronted in history, for the dangers that threaten include even the potential destruction of civilization itself. But there also lies, beyond these new frontiers, opportunity for progress greater than man has ever dared to dream of in decades past. The greatest revolution in history, the revolution in science and technology that is now underway, enables us to look forward with confidence toward the conquest of those physical frontiers that may yet lie in the way of sufficient food, clothing, and shelter for every human being on earth. We can confidently foresee the harnessing of new sources of power that can—literally as well as figuratively—take us to the stars.

Yet we are afraid, today, because we do not have that same confidence that we can control the power we can harness. Our last great frontier—the frontier of human relations—remains to be conquered. If we do not progress toward the conquest of this frontier with sufficient speed, it could indeed be humanity's last frontier. But if we do make sufficient progress in human relations—on levels all the way from the individual and the family on up to worldwide understanding—we can look forward to a future with undreamed-of possibilities.

I have presented this broad framework for my discussion of the theme of "New Frontiers for Cooperatives" because cooperatives can make their maximum progress toward conquest of their own new frontiers only if they proceed in the broad context of our world and our times. They can make their maximum contribution only if they consciously seek ever-widening horizons toward which to set their goals. I would like to suggest to you today three specific directions in which a broadening of horizons by American farmer cooperatives can contribute to their conquest of new frontiers.

First, there is the horizon that encompasses the entire farm problem in the United States.

The American Institute of Cooperation is a broad association of farmer cooperatives. You represent many kinds of farmer cooperatives, each with its own special problems and goals, all of which are of immediate importance. But I know that each one of you is concerned with the overall economic situation of the American farmer. The cooperatives you represent were organized to improve that economic situation. And, in turn, farm income and farm prospects have a determining role in your activities and success.

For many years I have been interested in cooperatives, as constructive, democratic enterprises of real service to their members and with great potential for making a significant contribution to our free economy. For 6 years as Governor of Minnesota I saw how much cooperatives contribute to the life and economic growth of our State. and for the past 6 months as Secretary of Agriculture I have become increasingly concerned with how farmer cooperatives might make their greatest contribution to a solution of the overall farm problem.

Permit me to make a few suggestions for your consideration.

First, I believe that farmer cooperatives should make their voices heard effectively and constructively in the formulation and adoption of a national farm policy directed toward the achievement of broad goals for American agriculture. An effective, long-term solution of the farm problem must do two things. It must provide, for the present and for the future, the efficient production of food and fiber adequate to meet human needs at home, and to serve as an instrument to further economic growth, peace, and freedom abroad. It must also assure the efficient American family farm the opportunity to achieve an income comparable to that earned by other segments of our economy, and it must do this with due regard for the interest of taxpayers and consumers.

We cannot achieve these goals without a broad, flexible, sound national farm program.

I believe that the Agricultural Act of 1961 just enacted by the Congress and signed by the President marks a great step forward toward the achievement of these goals. But no one claims that it is the final solution.

There will be other sessions of Congress, and other farm bills up for consideration.

I am not suggesting that farmer cooperatives should necessarily support the kind of farm program that I may recommend, although such support would be most welcome. But I am asking that they study problems involved in overall farm legislation very carefully, and that they give serious consideration to giving effective support—not only to legislation directly affecting cooperatives as such—but also to legislation directed toward improving agriculture as a whole.

The proportion of farmers in our population is declining—and the proportion of people represented by farmer cooperatives is affected by that decline even if the cooperatives increase their membership. If dairy cooperatives concern themselves only with legislation concerning dairying, if cotton cooperatives consider only the cotton problem, if grain cooperatives devote themselves only to grain programs, and electric cooperatives only to legislation affecting the REA—then the voices of these cooperatives will be small and fragmented and relatively ineffective as applied to the overall picture.

What I am really asking is that farmer cooperatives cooperate with each other in the interest of a broad legislative program for farmers.

My second suggestion with regard to a broad program for agriculture is related to the first. I beleive that farmer cooperatives could make an invaluable contribution if they would channel some of their public relations efforts in the direction of bringing about a greater public understanding of the contributions and needs of the farmers of this Nation.

There is no single fact that I have learned as Secretary of Agriculture that has surprised and concerned me more than the vast depth of misunderstanding that prevails with regard to farm problems.

It is only very recently that we have seen any public recognition of the productive success of American agriculture in providing consumers with more and better food at less real cost than anywhere else in the world or at any other time in history. There is need for much greater public awareness of how small a portion of the consumer dollar reaches the farmer, of how much of the research in agriculture actually benefits the consumer more than it benefits the farmer, of the billions charged to agriculture's budget that goes to foreign aid, of the importance of farm prosperity to every other segment of our economy. Only when the general public realizes these facts and understands the nature of the farm problem can we expect public support for the kind of agricultural program we need.

A third suggestion with regard to the frontier that is involved in the Nation's agricultural policy lies in the field that is of special concern to farmer cooperatives—that of strengthening the bargaining power of the farmers. Government encouragement of cooperatives was originally based on the need for strengthened bargaining power. That need is certainly as great today as it ever was. Cooperatives have a tremendous challenge and a great opportunity in this respect today. They can explore the potential benefits from both horizontal and vertical integration, especially in those fields of agriculture where modern science and technology provide great advantages in integrated operation. They can consider further expansion into the processing of agricultural commodities as one way of bringing to the farmer a fair share of the consumer's dollar. They can and should consider whether a more rational organization into fewer and stronger units, or a further integration of services provided to farmers, would make their operations more effective in strengthening farmers' bargaining power.

If we are to proceed in the conquest of this new frontier—if we are to widen cooperative horizons along the line of strengthening the farmer's bargaining power enough to substantially improve his income, if, in other words, we seek to build bigger and better cooperatives in order to be effective in reaching that goal, we must overcome the roadblocks that lie in the way.

One roadblock is the lack of adequate, scientifically accurate information with regard to potential gains, possible difficulties, and probable results to expect from expansion and integration of farmers cooperative enterprise. Expansion may be difficult and expensive, but it may be well worth the labor and expense involved. Surveys and studies that could clearly set forth what might be accomplished and how it might be achieved could establish guidelines for progress for farm cooperatives.

Cooperation among the cooperatives represented here could develop such studies and surveys. I want to assure you that the USDA and its agencies will help in every appropriate way to obtain the essential knowledge and evaluate its meaning.

Another roadblock to the expansion and consolidation of cooperative enterprise arises with regard to legal authority. Most of you know that there was some discussion and controversy in the present session of the Congress with regard to cooperatives and the antitrust laws. If you have read the record of the discussion that took place in the Senate, and the comment in the press, you realize how great is the lack of understanding of the issues involved. It is only when you examine the details of the controversy that took place that you realize how much misunderstanding exists with regard to the nature and purpose of cooperatives.

Cooperatives expect opposition from their competitiors, and from those who for their own reasons oppose the development of cooperative enterprise. But there is something wrong with public relations and public understanding when those who are genuinely concerned with preventing the evils of monopoly, those who are sincerely anxious to prevent the exploitation of the consumer, fear that farmer cooperatives threaten to perpetrate the evils of monopoly.

I suggest that it is imperative to find out what is wrong, and seek to correct it, if we are to remove this roadblock in the way of a sound expansion of cooperative enterprise in the interest of both co-op members and the general public.

I suggest that we review American history to note that it was American farmers who first felt the pressure of monopolistic practices so keenly that there arose an agrarian revolt that produced our first antitrust laws. I suggest that we analyze how cooperatives have been an effective brake on monopoly.

I suggest that we review the economic facts of life today, facts that show clearly how weak is the bargaining power of the farmer when arrayed against the power of the forces with which he must bargain.

I suggest further that cooperatives concern themselves, forthrightly and directly, with answers to charges of monopoly. I know of no cooperative that seeks the right to engage in unfair competition and predatory practices. I also know that genuine misunderstanding about such matters can be corrected only by a complete and honest examination and presentation of the facts, and by a positive effort to win a general public recognition of the nature of cooperative enterprise.

To this effort the Department of Agriculture will offer full cooperation. We seek to strengthen the sound growth of farm cooperatives, not only in the interest of the cooperatives themselves and their members, but also for the significant and essential role they can play in the development of a national farm program.

Wherever farm programs can operate most effectively in the interest of farmers through their cooperatives we seek to further that role. Within the last few weeks the Department has affirmed this principle by authorizing the making of loans to soybean producers through their cooperatives, and we reviewed and reaffirmed that position in response to hostile reactions against our decision.

In another aspect of our farm program—that of marketing orders and agreements—cooperatives have an essential role that will grow in importance. Under these self-help programs the producers themselves, under the authority of and in partnership with Government, seek to achieve better incomes through orderly marketing and quality control. The recently passed farm bill authorized expansion of the marketing order program. As we progress along these lines the role of cooperatives in participating in our national farm program will increase.

I have thus far discussed the widening of the horizons for farmer cooperatives in the direction of positive concern for overall farm policy in the United States. But horizons have a way of broadening as one progresses toward them, and as we give serious study to a comprehensive program for agriculture we find that we must be concerned with the entire national economy. And, therefore, the second direction in which I suggest broader horizons for farmer cooperatives in their conquest of new frontiers is a concern for the general welfare of the people of this Nation—in the cities and in the villages as well as on the farms. I shall take time today only to outline the scope of this broad horizon.

Farmers, and therefore farmers' organizations, have a major interest in the conservation of our most valuable resources—the soil and water on which human life itself basically depends. The wisest use of our soil and water resources is a significant point of contact between the economic well-being of farmers today and the welfare of our children and grandchildren in the years to come. It is therefore a part of the New Frontier.

Farmers and their problems—inadequate farm incomes, areas of rural poverty—are closely interrelated with problems of unemployment and poverty in the cities. To a significant degree unemployment in cities and underemployment on farms are alike products of automation and technological change. The aggravation of one of these problems will aggravate the other, and, similarly, any improvement in one area will help the other. We must seek a joint attack on the problems that arise when new inventions throw people out of work—when automation cuts employment in the factory and mechanization cuts employment on the farm. These are joint problems. It is a joint responsibility to discover ways and devise methods whereby the technological revolution, with its potential for abundance, can be made to serve the interest of all the people.

Farmers and their problems are intimately related to problems of the consumer. With regard to this relationship we find one of the greatest areas of public misunderstanding toward the farmer today. It seems as though a deep artificial gulf has been created between the farmer and the consumer; and it is of vital interest to farmers, and therefore to their cooperatives, to bridge that gulf. The public does not realize how much the efficiency and productivity of the American farmer contributes to the high standard of living of the American consumer. It does not realize how much of the research and experimentation directed toward improved production and processing of farm products really benefits the consumers more than it does the producers. It is even possible that the Department I head might more accurately be described as the "Department of Food and Agriculture."

I could go on much further to indicate the breadth of this horizon of interdependence with the general welfare, if time allowed. However, I have said enough to indicate its scope. I believe that farmers have a deep interest in all of these broader areas, and that this interest can often be expressed through their cooperatives.

I would especially hope to see a closer relationship between farmer cooperatives and consumer cooperatives. I am fully aware that in some circles "cooperative" is regarded almost as a dirty word unless it is preceded by the word "farmer." I assure you that this approach does no good—either to farmers or to cooperatives. On the other hand, positive gain might be achieved by a closer working relationship between the two.

As we seek to bridge the gulf of misunderstanding between the farmer and the nonfarm public, as we seek the better public relations for farmers that I spoke of earlier, no one thing could contribute more than a joint concern for problems that affect the welfare of all of the people.

The wider horizons for cooperatives that I have described have now broadened to include, first, the national farm problem, and second, the entire national economy. But the process cannot stop there. The horizons we must face on the New Frontier today encompass the entire world.

The greatest threat to American farmers today is not too low prices. The greatest threat to farmer cooperatives is not too little capital or too much opposition from competitors. The greatest threat to the well-being of the American people is not depression or unemployment.

The greatest threat to all of these is the threat to freedom and peace in the world.

The most urgent need is to overcome that threat—to mobilize all our resources to the end that peace can become permanent—to the end that progress and freedom can prevail all over the world. To this end our entire Nation is mobilizing, not only for defense but also for foreign aid. In this great effort I believe that American agriculture and the American cooperative movement have much to contribute.

We are now contributing to food for peace and freedom. We can and will contribute more. We are gearing up to contribute our maximum in technical assistance to help the underdeveloped areas of the world—areas that are primarily agricultural in nature—to improve their own conditions, by sharing with them our agricultural know-how.

This know-how is not only technological—it applies to social and economic matters as well. I believe that cooperatives have a tremendous contribution to make to social and economic progress in underdeveloped areas. The cooperative movement has only begun to make its contribution to human freedom. There lies within the cooperatives of this Nation resources of ability, organization, experience, and conviction that can make invaluable contributions in helping the people of the emerging nations to achieve economic growth and higher standards of living within the framework of democracy and freedom.

And therefore I am urging you to expand your horizons to encompass the entire world.

The New Frontier, as I have described it, is asking a great deal. But I do not think it is asking too much. It can ask no less if we are to reach our goals.

I would conclude by saying that the U.S. Department of Agriculture will cooperate to the utmost of its resources. We want to work with you and we seek your suggestions and your cooperation.

To further this end I am reconstituting a Cooperative Advisory Committee to the Department of Agriculture, a Committee that has functioned well in the past but has not been called on for many years. I am asking each of the six nationwide organizations of cooperatives—the American Institute of Cooperation, Cooperative League of the U.S.A., National Council of Farmer Cooperatives, National Federation of Grain Cooperatives, National Milk Producers Federation, and National Rural Electric Cooperative Association—to send one or two of its executives to meet with heads of the appropriate agencies within the USDA to discuss problems relating to the New Frontier for cooperatives. I hope that we can hold the first meeting of this committee in the very near future.

POLICY ON COOPERATIVES

In 1952 the U.S. Department of Agriculture formally expressed its policy on cooperatives as a part of its specific responsibility to promote the well-being of our rural population and its broad public responsibility to promote the general welfare.

It is fitting that we reaffirm that policy today.

The Department of Agriculture has a positive responsibility with regard to farmer cooperatives. This responsibility arises in part out of Federal legislation. It also results from the nature of the economic problems that confront American agriculture.

The 1952 statement of policy expressed the nature of this responsibility as follows:

"American family farms fall in the category of small business firms, and face the problems of such firms in a national economy in which there is a definite trend toward more and more concentration of economic power. The farmer is in a weak competitive position in dealing with economic problems beyond his individual control. He has sought and continues to seek means of overcoming his isolation and improving his position by joining with other farmers to gain mutual advantage and protection through self-help. From such efforts have come the many and diverse forms of cooperatives found in rural America today. They represent modernization of the tradition of neighbors working together to help themselves and each other in purely democratic fashion.

"Based on these truths, Congress and State legislatures have both seen fit, over several decades, to pass legislation which they felt would encourage farmers to attack their own problems directly through the formation of cooperatives. Numerous acts have aimed to encourage the establishment, operation, and growth of cooperatives organized, owned, and controlled by farmers. It is fair to say that these acts have given recognition to the following concepts:

"American agriculture is the most basic industry of the Nation, and farmer cooperatives are vital to its continued functioning as a strong productive segment of the national economy,

"The American system of family farms is a foundation of the Nation's democratic traditions, and farmer cooperatives with their highly democratic structure make continuation of that foundation possible,

"The American economy is highly organized and it is important that farmers have means of acting together for common purposes and in order to protect their economic position. Farmer cooperatives are a means toward these ends."

These concepts are as valid today as they were in 1952. In accepting these concepts and carrying out its responsibility under them, the USDA will encourage the growth of cooperatives through which farmers can work together to produce and market their products to greater advantage and supply themselves with goods and services more economically and effectively than otherwise available.

In giving that encouragement to cooperatives the USDA seeks to provide research, educational, and advisory services that will help to strengthen cooperatives in all appropriate activities in the interest of their members and the general welfare. To that end the various agencies of the Department will give proper recognition to the basic nature of cooperative enterprise, and will exercise their functions and coordinate their activities accordingly.

The USDA will give especial attention to the importance of cooperative enterprise in terms of the critical years that lie ahead. The President of the United States has clearly recognized the place of cooperatives when he affirmed his support in the following terms:

"I believe that cooperative enterprises are a valuable part of our American system. In addition, they may be a means of raising living standards and counteracting the influence of communism in other nations. Certainly they should be encouraged. Greater emphasis on the development of and assistance to the cooperatives will be among the major objectives of our foreign aid programs."

Under this inspiring challenge we shall seek to expand the horizons of cooperatives in America—to explore whether there are ways by which cooperatives can contribute more to strengthening the bargaining power of farmers and thus improve their incomes—to consider how cooperatives can so function that they contribute to the public interest of the entire Nation as well as the interest of their members—and to urge that they seek to develop ways in which they can contribute to furthering the cause of freedom and democracy in the world.

This statement of policy I have just read gives recognition to the wider horizons that are demanded by the new frontiers for cooperatives. The frontiers that lie ahead, for those in cooperatives, for those in Government, and for all of our people, are the most serious and critical—and the most exciting and challenging—of any in human history. If the hazards on these frontiers are greater than any of those of the past—and they are—so are the potential gains infinitely greater than they have ever been before.

The tremendous power that the human mind has learned to harness could destroy what civilization has built through the centuries, but it can also be used to banish from the earth the fear of hunger and poverty. You can have a significant role in the conquest of this frontier.

I wish you every success in your meetings of the American Institute of Cooperation. I trust you will conclude your meetings with new hope, with new and stimulating ideas, and with an aroused determination to work toward wider horizons of human freedom.

DELAY IN COURT CASES

Mr. WILEY. Mr. President, a major feature of our free system is a judicial system that aims to provide fair, timely, equal justice under the law.

Unfortunately, this does not always happen. The growth, expansion, and increased complexity of our Nation, for example, has not been accompanied by proportionate improvements and case-handling capacity of the courts. According to the annual report by the Institute of Judicial Administration—limited to personal injury cases—it takes an average of 13.3 months for a case to reach a jury trial. The circuit and superior courts regrettably take even longer, ranging up to more than 5 years between filing and adjudication of cases.

Mr. President, this is a sad reflection upon our judicial system.

Earlier this session, Congress enacted legislation to provide for additional

judges in our Federal courts. Again, I stress that it is important that all of these judges be appointed as rapidly as possible—on judicial qualification, not on partisan considerations. At the same time, there is need to explore for new ways to improve our court system for handling of the backlog of cases.

Recently, the La Crosse Tribune published a thought-provoking editorial reviewing the tragically long time factor in consideration of cases, as well as discussing some of the possible alternatives for improvement of our judicial machinery.

I ask unanimous consent to have this editorial published at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NATION'S COURTS ARE CLOGGED WITH CASES TO BRING DISTRESSING DELAYS

This is a nation of laws, not of men, Americans are proud to say. Men, of course, make the laws, but no individual may place himself above them.

But men must also administer the laws, and it is in this respect that serious shortcomings are noted, particularly in the field of civil suits, which make up the vast bulk of court business.

The annual report by the Institute of Judicial Administration (limited to personal injury cases) reveals that in 1961 it takes an average of 13.3 months for a case to reach a jury trial. In counties with over 750,000 population, the average delay is 22.6 months.

The circuit and superior courts of Cook County (Chicago) take honors as the worst—64.9 months' lag between filing and adjudication. Others are Westchester County, N.Y., 51 months; New York City, 34 months; Pittsburgh, 33 months; Philadelphia, 30 months; Cleveland, 26 months.

The result, in many instances, is financial loss or outright injustice for litigants, although judges do their utmost to alleviate what they can by advancing hardship cases on the docket.

Suggestions for a cure of the situation are not lacking. Some advocate simply adding more judges in the congested areas. They point out that the judicial system is still geared for the number of lawsuits filed 50 years ago.

Other jurists disagree. Says Cuyahoga County (Cleveland) Common Pleas Judge Samuel H. Silbert, "I do not believe we need more judges. The average lawyer does not want his case tried quickly. But there are several ways to handle the problem. In Los Angeles, for example, the judges appoint commissioners to hear many cases."

Another answer may be the attack launched this month by the Allegheny County Court (Pittsburgh) on a backlog of 2,000 cases. Between 250 and 400 of them are hoped to be settled by an intensified pretrial and conciliation program. The remainder will be submitted to compulsory arbitration beginning in October. Cases involving $1,000 or less may be submitted to an arbitration board of three volunteer members of the local bar. Litigants have the right to appeal their decision to a jury trial.

The problem is one that does not directly concern the majority of persons, who only pray that they may never be involved in court litigation. But as citizens of the Nation, the problem does ultimately concern them. For the quick administration of justice, even if it only involves private conflicts, is one of the strengths of democracy.

The case of the clogged courts is under attack and there is no reason to doubt that it will be solved.

THE MANPOWER DEVELOPMENT AND TRAINING ACT OF 1961

Mr. CLARK. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a table showing the principal features of S. 1991, which was passed by the Senate yesterday. Copies of the table have been distributed to all Senators.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

PRINCIPAL FEATURES OF S. 1991, MANPOWER DEVELOPMENT AND TRAINING ACT OF 1961—RECOMMENDED BY THE PRESIDENT MAY 29, 1961; PASSED BY THE SENATE AUGUST 23, 1961

1. The bill provides for a 4-year program of training—with priority given to unemployed persons including those in farm families which net less than $1,200 per year.

2. Training allowances, roughly equal to unemployment compensation payments, will be available to heads of households with 3 years of working experience. Under some circumstances, youth between 16 through 21 will be eligible for small allowances in case of need shown.

3. The number which will be given training is estimated as follows:

	1st year	2d year	3d and 4th years [1]
Full-time vocational	110,000	160,000	430,000
On-the-job training	50,000	125,000	200,000
Total	160,000	285,000	630,000

[1] 50 percent State matching.

4. The bill provides for a stepped-up program of promoting on-the-job training. Reduced training allowances will be available for those undergoing part-time vocational training as part of the on-the-job training program.

5. Modest travel and subsistence payments can be made to individuals receiving allowances away from home.

6. Special programs for employment guidance and counseling for youth where the Secretary finds the school dropout problem acute.

7. The bill contains safeguards to prevent its benefits from being used in the "pirating" of industry from one location to another; to require that States maintain existing levels of expenditure for vocational training from their own funds; and to encourage prospective trainees to accept training opportunities rather than remain on unemployment compensation.

8. An annual manpower report will be prepared and submitted to the Congress.

9. Maximum appropriations authorized:

1st year	$90,000,000
2d year	165,000,000
3d and 4th year (50 percent State matching)	200,000,000

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Is there further morning business? If not, morning business is closed.

PEACE CORPS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business, S. 2000, be laid before the Senate for consideration.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (S. 2000) to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower.

There being no objection, the Senate resumed the consideration of the bill (S. 2000) to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower.

Mr. MOSS. Mr. President, from the beginning I have found the Kennedy administration proposal to establish a Peace Corps a particularly satisfying one.

It embraces a concept that is both elevating and practical. What could be more magnificent than sending well-prepared and youthful Americans to other lands to help teach and train people there for a better life; than giving a natural outlet for the deep current of idealism in the American character; than providing a much-needed opportunity for the dedicated to contribute for other than personal gain? What could be more practical than choosing for the task people who are equipped to render a service in such basic fields as health, education, and agriculture?

Perhaps one reason why the Peace Corps has appealed so strongly to me is that I grew up in a State where a good many people have lived abroad for 2 or 3 years as missionaries for the Church of Jesus Christ of Latter-day Saints—or Mormons, as we are more popularly known—and there have always been a substantial number of citizens among us who could talk with understanding and depth about the culture and aspirations of people in every land around the globe.

The purpose of the Mormon missionary has, of course, always been different from the stated purpose of the Peace Corps. The missionary is dedicated to spreading a philosophy of religion, while the Peace Corps man must be dedicated, among other things, to spreading a philosophy of government. But the approach of both emissaries must be much the same. And I doubt that the overall impact of the missionary on a country has been so greatly different from what we hope will be the overall impact of the Peace Corps man—and that is acquainting the people of other countries, and particularly of the underdeveloped countries in which freedom is new and raw, of the basic concepts of America through contact with our most effective apostles, our American youth.

I can best explain why the Latter-day Saints' missionary system has made me enthusiastic about the promise of success for the Peace Corps, Mr. President, by, with your indulgence, telling you something about the missionary program. Under it approximately 10,000 young men and women, mostly between the ages of 19 and 25, are now working in all corners of the world. They remain in a given country for 2 to 3 years. New ones are always replacing those who are completing their term of service.

The Mormon missionary could not be effective if he did not learn to know well

the people among whom he is working. They therefore live among the inhabitants, eating the same food prepared in the local way. The missionary speaks the native language and participates in the local customs and habits. He learns to share feelings and anxieties, and to converse on their level with the people to whom he is sent.

In following this pattern, the missionary daily associates with the common man of the land and society in which he is living. And while he is learning about them, they are learning about him. These people see America through his eyes, and they judge its people and customs through him. All around the world the Mormon missionary is showing the citizen of Europe, of South America, of New Zealand, the true spirit of America, not the America of the movies or the rich tourist.

This Latter-day Saints' missionary system was begun in 1830, and has been a tremendously successful undertaking. The young men and women themselves testify to its intensely rewarding personal benefits, and there can be no question that the missionaries have, by the example they have set, shown to many foreign peoples America in its true perspective.

When some question whether the Peace Corps can be made to work, when they ask whether enough of our people are willing to go to the underdeveloped countries and live as its citizens do, when they raise doubts as to whether enough of our well-trained professional people will be willing to give up 2 or 3 years of their lives to make the world a better place in which to live and to spread a doctrine in which they believe, I say that they will.

I say that Americans will do this out of the deep core of our humanitarianism, and with no thought of material gain to themselves.

I say that they will do it because they know that we must make friends in the underdeveloped countries—we must make them understand that the fruits of self-government are far superior to those of an authoritarian state, and we must make them realize that, in choosing the direction which they will take, it will be wisest and most rewarding to walk in the ways of freedom. All of this we can do while we teach health, agriculture, and the three R's.

We know that Communist Russia is training young people to work in foreign lands. We see every day in various parts of the world the effective results of that training. We know we must not only meet our Communist adversaries in this field; we must surpass them.

In my opinion, the concept of the Peace Corps is as sound as Plymouth Rock. Its potential for buttressing the foundations of freedom and democracy are limited only by the extent to which the Corps is—or is not—well administered and the people who go out to teach new skills and methods to the world are wisely or poorly chosen and trained. If we can meet these problems—and with care I am confident we can—the job will be done.

It is my honor to cosponsor the measure before the Senate today. I am confident that the majority of the people in my State of Utah also support it, and that out of their particular understanding of it will contribute greatly to it.

AMENDMENT OF THE ATOMIC ENERGY ACT AND THE EURATOM COOPERATION ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid aside temporarily, and that the Senate proceed to the consideration of Calendar No. 722, Senate bill 2391.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (S. 2391) to amend various sections of the Atomic Energy Act of 1954, as amended, and the Euratom Cooperation Act of 1958, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Joint Committee on Atomic Energy, with an amendment, on page 10, line 24, after the word "Board", to strike out "of" and insert "to", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby retroceded to the State of California the exclusive jurisdiction heretofore acquired from the State of California by the United States of America over the following land of the United States Atomic Energy Commission located in Alameda County, State of California, and within the boundaries of the Commission's Livermore site:

Beginning at a post marked L.P. XII, in the exterior boundary line of the Rancho Las Positas, set at the southeast corner of subdivision numbered 6 or plot J, of said rancho, as said plot is described in the decree of partition of said rancho rendered June 18, 1873, in case 2798, Aurrecoechea against Mahoney, certified copy of which decree was recorded December 13, 1873, in book 95 of deeds at page 206, Alameda County Records, and as said subdivision is shown on the map hereinafter referred to; and running thence west along the southern boundary line of said plot J 79.28 chains to a post marked L.P. XI, set at the southwest corner of subdivision numbered 5 of said plot J, as said subdivision numbered 5 is shown on said map; and thence north along the western boundary line of said subdivision numbered 5 and along the western boundary line of subdivision numbered 8, as said subdivision numbered 8 is shown on said map, 79.46 chains to a post set at the northwest corner of said subdivision numbered 8; thence east along the northern boundary line of said subdivision numbered 8 and subdivision numbered 7 as shown on said map, 79 chains to a post marked L.P. XIII; and thence south along the eastern boundary line of subdivision numbered 7, as said subdivision numbered 7 is shown on said map, and along the eastern boundary line of said subdivision numbered 6 of said plot J to the point of beginning.

Being a portion of said plot J of said rancho, as shown upon a certain map of a portion of the Rancho Las Positas surveyed for J. Aurrecoechea, August 1876, by Luis Castro, county surveyor, and also known as subdivisions 5, 6, 7, and 8 in the official map of the county of Alameda, State of California, made by George L. Nusbaumer and W. F. Boardman, adopted by the supervisors of said county, September 24, 1888, and issued May 1, 1889.

Beginning at the northeast corner of the northwest quarter of section 13, township 3 south, range 2 east, Mount Diablo base and meridian, being also the northeast corner of the 160 acre tract owned by Louis Madsen, thence south 2,640 feet, more or less, along the east line of said quarter section and along the east boundary fence of said 160 acre tract to the southeast corner of said northwest quarter of said section 13, being the southeast corner of said 160 acre tract and the northeast corner of a 30.66 acre tract owned by John and Dora Bargman; thence south 506 feet, more or less, to the southeast corner of said 30.66 acre tract; thence south 965 feet, more or less, along the east fence of a 129.34 acre tract owned by Charles M. and Sue I. G. Nissen to a fence running east and west through said 129.34 acre parcel; thence west 500 feet along said fence through said 129.34 acre tract; thence north, parallel to the east line of the northwest quarter of said section 13, 4,111 feet, more or less, to north boundary of said section 13; thence east 500 feet to the point of beginning, containing 47.175 acres, more or less.

Beginning at a point 30 feet east of the northeast corner of the northwest quarter of said section 13; thence due south, 4,111 feet, more or less, to a point 30 feet due east of the end of a fence across the 129.34 acre tract owned by Charles M. and Sue I. G. Nissen; thence west 30 feet, thence north 4,111 feet, more or less, to the northeast corner of the northwest quarter of said section 13; thence due east 30 feet to the point of beginning, containing 2.83 acres, more or less.

This retrocession of jurisdiction shall take effect upon acceptance by the State of California.

SEC. 2. Subsection 11 b. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"b. The term 'agreement for cooperation' means any agreement with another nation or regional defense organization authorized or permitted by section 54, 57, 64, 82, 91 c., 103, 104, or 144, and made pursuant to section 123."

SEC. 3. Subsection 11 u. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"u. The term 'public liability' means any legal liability arising out of or resulting from a nuclear incident, except: (i) claims under State or Federal workmen's compensation acts of employees of persons indemnified who are employed at the site of and in connection with the activity where the nuclear incident occurs; (ii) claims arising out of an act of war; and (iii) whenever used in subsections 170 a., c., and k., claims for loss of, or damage to, or loss of use of property which is located at the site of and used in connection with the licensed activity where the nuclear incident occurs. 'Public liability' also includes damage to property of persons indemnified: *Provided,* That such property is covered under the terms of the financial protection required, except property which is located at the site of and used in connection with the activity where the nuclear incident occurs."

SEC. 4. Section 54 of the Atomic Energy Act of 1954, as amended, is amended by inserting after the words "five thousand kilograms of contained uranium 235" the following: "five hundred grams of uranium 233 and three kilograms of plutonium".

SEC. 5. Section 143 of the Atomic Energy Act of 1954, as amended, is amended by striking out "subsection 145 b." and adding in lieu thereof "subsection 145 b. and 145 c."

SEC. 6. Section 145 of the Atomic Energy Act of 1954, as amended, is amended by deleting subsections d., e., and f., redesignating subsection "c." as subsection "d."

and subsection "g." as subsection "h." and adding the following subsections:

"c. In lieu of the investigation and report to be made by the Civil Service Commission pursuant to subsection b. of this section, the Commission may accept an investigation and report on the character, associations, and loyalty of an individual made by another Government agency which conducts personnel security investigations, provided that a security clearance has been granted to such individual by another Government agency based on such investigation and report.

"e. If the President deems it to be in the national interest, he may from time to time determine that investigations of any group or class which are required by subsections a., b., and c., of this section be made by the Federal Bureau of Investigation.

"f. Notwithstanding the provisions of subsections a., b., and c. of this section, a majority of the members of the Commission shall certify those specific positions which are of a high degree of importance or sensitivity, and upon such certification, the investigation, and reports required by such provisions shall be made by the Federal Bureau of Investigation.

"g. The Commission shall establish standards and specifications in writing as to the scope and extent of investigations, the reports of which will be utilized by the Commission in making the determination, pursuant to subsections a., b., and c. of this section, that permitting a person access to restricted data will not endanger the common defense and security. Such standards and specifications shall be based on the location and class or kind of work to be done, and shall, among other considerations, take into account the degree of importance to the common defense and security of the restricted data to which access will be permitted."

SEC. 7. Section 151 of the Atomic Energy Act of 1954, as amended, is amended by deleting in the descriptive title the words "MILITARY UTILIZATION," and inserting in lieu thereof "INVENTIONS RELATING TO ATOMIC WEAPONS, AND FILING OF REPORTS."

SEC. 8. Subsection c. of section 151 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"c. Any person who has made or hereafter makes any invention or discovery useful in the production or utilization of special nuclear material or atomic energy, shall file with the Commission a report containing a complete description thereof unless such invention or discovery is described in an application for a patent filed with the Commissioner of Patents by such person within the time required for the filing of such report. The report covering any such invention or discovery shall be filed on or before the one hundred and eightieth day after such person first discovers or first has reason to believe that such invention or discovery is useful in such production or utilization."

SEC. 9. Section 151 of the Atomic Energy Act of 1954, as amended, is amended by adding at the end thereof the following new subsection:

"e. Reports filed pursuant to subsection c. of this section, and applications to which access is provided under subsection d. of this section, shall be kept in confidence by the Commission, and no information concerning the same given without authority of the inventor or owner unless necessary to carry out the provisions of any Act of Congress or in such special circumstances as may be determined by the Commission."

SEC. 10. Section 152 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 152. INVENTIONS MADE OR CONCEIVED DURING COMMISSION CONTRACTS.—Any invention or discovery, useful in the production or utilization of special nuclear material or atomic energy, made or conceived in the course of or under any contract, subcontract, or arrangement entered into with or for the benefit of the Commission, regardless of whether the contract, subcontract, or arrangement involved the expenditure of funds by the Commission, shall be vested in, and be the property of, the Commission, except that the Commission may waive its claim to any such invention or discovery under such circumstances as the Commission may deem appropriate, consistent with the policy of this section. No patent for any invention or discovery, useful in the production or utilization of special nuclear material or atomic energy, shall be issued unless the applicant files with the application, or within thirty days after request therefor by the Commissioner of Patents (unless the Commission advises the Commissioner of Patents that its rights have been determined and that accordingly no statement is necessary) a statement under oath setting forth the full facts surrounding the making or conception of the invention or discovery described in the application and whether the invention or discovery was made or conceived in the course of or under any contract, subcontract, or arrangement entered into with or for the benefit of the Commission, regardless of whether the contract, subcontract, or arrangement involved the expenditure of funds by the Commission. The Commissioner of Patents shall, as soon as the application is otherwise in condition for allowance, forward copies of the application and the statement to the Commission.

"The Commissioner of Patents may proceed with the application and issue the patent to the applicant (if the invention or discovery is otherwise patentable) unless the Commission, within 90 days after receipt of copies of the application and statement, directs the Commissioner of Patents to issue the patent to the Commission (if the invention or discovery is otherwise patentable) to be held by the Commission as the agent of and on behalf of the United States.

"If the Commission files such a direction with the Commissioner of Patents, and if the applicant's statement claims, and the applicant still believes that the invention or discovery was not made or conceived in the course of or under any contract, subcontract, or arrangement entered into with or for the benefit of the Commission entitling the Commission to the title to the application or the patent, the applicant may, within 30 days after notification of the filing of such a direction, request a hearing before a Board of Patent Interferences. The Board shall have the power to hear and determine whether the Commission was entitled to the direction filed with the Commissioner of Patents. The Board shall follow the rules and procedures established for interference cases and an appeal may be taken by either the applicant or the Commission from the final order of the Board to the Court of Customs and Patent Appeals in accordance with the procedures governing the appeals from the Board of Patent Interferences.

"If the statement filed by the applicant should thereafter be found to contain false material statements any notification by the Commission that it has no objections to the issuance of a patent to the applicant shall not be deemed in any respect to constitute a waiver of the provisions of this section or of any applicable civil or criminal statute, and the Commission may have the title to the patent transferred to the Commission on the records of the Commissioner of Patents in accordance with the provisions of this section. A determination of rights by the Commission pursuant to a contractual provision or other arrangement prior to the request of the Commissioner of Patents for the statement, shall be final in the absence of false material statements or nondisclosure of material facts by the applicant."

SEC. 11. Section 157 of the Atomic Energy Act of 1954, as amended, is amended by adding at the end thereof the following new subsection:

"d. PERIOD OF LIMITATIONS.—Every application under this section shall be barred unless filed within six years after the date on which first accrues the right to such reasonable royalty fee, just compensation, or award for which such application is filed."

SEC. 12. The second sentence of section 158 of the Atomic Energy Act of 1954, as amended, is amended to read as follows: "If the court, at its discretion, deems that such licensee shall pay a reasonable royalty to the owner of the patent, the reasonable royalty shall be determined in accordance with section 157."

SEC. 13. Subsections 161 t., u., and v. of the Atomic Energy Act of 1954, as amended, are hereby redesignated respectively as subsections 161 s., t., and u.

SEC. 14. Section 167 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 167. CLAIMS SETTLEMENTS.—The Commission acting on behalf of the United States, is authorized to consider, ascertain, adjust, determine, settle, and pay any claim for money damage of $5,000 or less against the United States for bodily injury, death, or damage to or loss of real or personal property resulting from any detonation, explosion, or radiation produced in the conduct of any program undertaken by the Commission involving the detonation of an explosive device, where such claim is presented to the Commission in writing within one year after the accident or incident out of which the claim arises: *Provided, however,* That the damage to or loss of property, or bodily injury or death, shall not have been caused in whole or in part by any negligence or wrongful act on the part of the claimant, his agents, or employees. Any such settlement under the authority of this section shall be final and conclusive for all purposes, notwithstanding any other provision of law to the contrary. If the Commission considers that a claim in excess of $5,000 is meritorious and would otherwise be covered by this section, the Commission may report the facts and circumstances thereof to the Congress for its consideration."

SEC. 15. Subsection d. of section 170 of the Atomic Energy Act of 1954, as amended, is amended by adding at the end thereof the following new sentence: "A contractor with whom an agreement of indemnification has been executed and who is engaged in activities connected with the underground detonation of a nuclear explosive device shall be liable, to the extent so indemnified under this section, for injuries or damage sustained as a result of such detonation in the same manner and to the same extent as would a private person acting as principal, and no immunity or defense founded in the Federal, State, or municipal character of the contractor or of the work to be performed under the contract shall be effective to bar such liability."

SEC. 16. The Atomic Energy Act of 1954, as amended, is amended by adding thereto the following new section:

"SEC. 190. LICENSEE INCIDENT REPORTS.—No report by any licensee of any incident arising out of or in connection with a licensed activity made pursuant to any requirement of the Commission shall be admitted as evidence in any suit or action for damages growing out of any matter mentioned in such report."

SEC. 17. The second sentence of section 202 of the Atomic Energy Act of 1954, as amended, is amended by striking out the word "sixty" and adding in lieu thereof the word "ninety".

SEC. 18. Section 4(c) of the Euratom Cooperation Act of 1958 is amended to read as follows:

"SEC. 4. (a) The Commission shall establish and publish criteria for computing the maximum fuel element charge and mini-

mum fuel element life to be guaranteed by the manufacturer as a basis for inviting and evaluating proposals."

SEC. 19. Section 5 of the Euratom Cooperation Act of 1958 is amended in the following particulars:

(a) by deleting the words "One kilogram" and substituting the words "Nine kilograms" immediately following "Thirty thousand kilograms of contained uranium 235",

(b) by adding the words "Thirty kilograms of uranium 233" as an additional item immediately following "Nine kilograms of plutonium", and

(c) by adding the words "or agreements" immediately following the words "an agreement".

SEC. 20. Section 7 of the Euratom Cooperation Act of 1958 is amended by deleting the period after the word "amended" and inserting thereafter the following: ": *And provided further,* That nothing in this section shall apply to arrangements made by the Commission under a research and development program authorized in section 3."

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). The Senator will state it.

Mr. PASTORE. What is the pending business?

The PRESIDING OFFICER. Calendar No. 722, S. 2391.

Mr. PASTORE. Mr. President, the bill before the Senate now, S. 2391, is the AEC omnibus bill for 1961. The Joint Committee believes that it is a desirable practice for the AEC to submit, and the committee to consider, each year any proposed amendments to the Atomic Energy Act of 1954 and related atomic energy legislation. It is our belief that this method will provide the best possible framework for our atomic energy program, and, in addition, will help us to keep pace with emerging developments in atomic energy.

I believe that the amendments proposed in this bill are in keeping with these objectives and accordingly I urge enactment of this bill, S. 2391, in the form reported by the committee without dissent. Each provision in the bill has been the subject of extensive hearings and has received the careful consideration of the Joint Committee on Atomic Energy.

The bill as recommended by the committee makes miscellaneous amendments to existing atomic energy legislation.

Section 1 of the bill retrocedes jurisdiction on the AEC's Livermore site to the State of California.

Sections 2 through 17 of the bill amend the Atomic Energy Act of 1954, as amended, in various respects.

Sections 18 through 20 amend the Euratom Cooperation Act of 1958.

The one amendment adopted by the joint committee is a technical amendment which provides for deleting the word "of" and inserting in lieu thereof the word "to" on page 10, line 24.

At this point I ask unanimous consent to insert in the RECORD a section-by-section analysis of this bill.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS

Section 1 of the bill provides for the retrocession to the State of California of the exclusive jurisdiction which the United States presently holds over certain portions of the AEC's Livermore site. The amendment would place the Livermore site in the identical jurisdictional status occupied by the majority of the Commission's other sites, including those at, or adjacent to, Los Alamos, Hanford, Oak Ridge, and Idaho Falls. The purpose of this retrocession is to facilitate the handling of local disturbances at the Livermore site. At present, contractor guards have no authority to make arrests except in the status of private citizens. After acceptance of the retrocession by the State of California, it will be possible for appropriate guards to make arrests as peace officers of the State of California. In addition, the retrocession of jurisdiction will enable the trial of offenders at the Livermore site to be held before local justice courts rather than U.S. commissioners. This retrocession will become effective upon acceptance in accordance with the laws of the State of California.

Section 2 of the bill eliminates a technical inconsistency between section 11 b. and 91 c. of the Atomic Energy Act of 1954, as amended. Section 91 c. of the Atomic Energy Act authorizes "the Commission or the Department of Defense with the assistance of the other" to enter into bilateral agreements "with another nation." However, section 11 b. defines "agreement for cooperation" as "any agreement with another nation or regional defense organization, authorized or permitted by sections 54, 57, 64, 82, 103, 104, or 144 and made pursuant to section 123." This definition does not mention section 91 c. although section 123 does include cooperative agreements made pursuant to section 91. The proposed amendment eliminates this technical inconsistency by adding section 91 c. to the sections enumerated in section 11 b.

Section 3 of the bill excludes from Atomic Energy Commission indemnity coverage under section 170, any liability for damaged property which is at the site of and used in connection with a licensed activity. Under the Commission's interpretation of section 11 u., indemnity coverage has been extended to onsite property used in connection with a licensed activity on the ground that no exception for onsite property is contained in the first sentence of that section. The language is sufficiently unclear to warrant a clarifying amendment. Accordingly, section 11 u. will now make it clear that indemnity coverage under section 170 of the Atomic Energy Act will not extend to liability for damage to property of a licensee, located at the site of and used in connection with the licensed activity where the nuclear incident occurs.

Section 4 of the bill amends section 54 of the Atomic Energy Act of 1954, as amended, to authorize the transfer of 3 kilograms of plutonium and 500 grams of uranium 233 to the IAEA. The plutonium is expected to be used primarily in the form of plutonium-beryllium neutron sources, while the uranium 233 is expected to be used principally for research in basic physics and chemistry. Under the terms of section 54 of the Atomic Energy Act of 1954, as amended, uranium 233 and plutonium, falling within the category of "special nuclear material" can be made available to the IAEA only if furnished on a matching basis or pursuant to a specific authorization by the Congress. Since no other nation has contributed uranium 233 or plutonium, the AEC cannot furnish such material on a matching basis. In order to assist IAEA's development as a distribution center for special nuclear material, the AEC has sought, and the committee has recommended, this specific authorization for the distribution of the material in question.

Section 5 of the bill amends section 143 of the Atomic Energy Act of 1954, as amended, to permit individuals who are granted security clearance under the provisions of new subsection 145 c. (sec. 6 of this bill) to exchange restricted data with Department of Defense personnel under the provisions of section 143.

Section 6 of the bill amends section 145 by adding a new subsection c. to permit the Commission to grant access to restricted data to any individual who possesses or has possessed a security clearance granted by another Government agency provided that—

1. The security clearance is or was based on an investigation and report furnished to the Commission on the character, associations, and loyalty of such individual and made by a Government agency which conducts personnel security investigations, and

2. The Commission shall have determined that permitting the individual to have access to restricted data will not endanger the common defense and security.

By the addition of new subsection c., the present subsection c. and those that follow are redesignated and certain minor amendments are made in the redesignated subsections to carry out the purposes of the new subsection c.

Section 7 of the bill amends section 151 of the Atomic Energy Act of 1954 by changing the title of that section from "Military Utilization" to "Inventions Relating to Atomic Weapons, and Filing of Reports." The new title is more accurate and descriptive of the contents of section 151.

Section 8 of the bill amends section 151 c. of the Atomic Energy Act of 1954, as amended, by eliminating certain superfluous language and extending the period of filing reports. This amendment alters subsection c. of section 151 in three respects:

1. Clauses (2) and (3) are deleted since they would appear not to embrace any subject not covered by undeleted clause (1).

2. The period within which to file reports of inventions is extended from 90 to 180 days which the committee believes is a more reasonable period.

3. The existing clause "whichever of the following is the later either the * * * day after completion of such invention or discovery, or the ninetieth" would be deleted since this clause would appear not to embrace any circumstances not covered by the undeleted clause which remains: "after such person first discovers or has reason to believe that such invention or discovery is useful in such production or utilization."

Section 9 of the bill amends section 151 of the act by adding a new subsection e. It is the purpose of this amendment to give express statutory sanction to the Commission's existing practice of treating reports of inventions as "business confidential." Under the terms of the amendment, the Commission would not release publicly the information contained in the report without the consent of the inventor unless such a release were necessary to carry out the provisions of an act of the Congress or under such special circumstances as the Commission might determine.

Section 10 amends section 152 of the Atomic Energy Act of 1954, as amended, to substitute certain clarifying phrases for existing language. The amendment has the effect of sharpening the coverage of section 152 by eliminating certain obscure references such as "other relationships" and "in connection with." The purpose of the foregoing changes is to more clearly define the applicability of section 152.

Section 10 also makes two minor changes designed to facilitate the handling of patent applications as follows:

(1) Section 152 now requires a statement from the applicant for a patent giving the full background of the conception or making of the invention or discovery. At the Commission's request, the committee has inserted the following parenthetical phrase: "(unless the Commission advises the Commissioner of Patents that its rights have

been determined and that accordingly no statement is necessary)."

This parenthetical phrase will eliminate this requirement where the Commission advises the Commissioner of Patents that its rights have already been determined by contractual arrangement or otherwise.

(2) Section 152 now requires that the Commissioner of Patents will "forthwith" forward copies of the patent application and statement of the Commission. This amendment will substitute the phrase "as soon as the application is otherwise in condition for allowance" in lieu of the word "forthwith." The purpose of this change is to eliminate the necessity for the AEC to examine patent applications prior to an indication by the Commissioner of Patents that the application contains allowable subject matter.

Other minor amendments have been made to section 152 in order to clarify or remove existing superfluous language.

The provisions of section 152 gives the Commission the authority to waive its claim to patent rights. In the belief that some standard applicable to the exercise of the Commission's authority was required, the committee added the words "consistent with the policy of this section." Thus, the language of this bill reads:

"Except that the Commission may waive its claim to any such invention or discovery under which circumstances as the Commission may deem appropriate, consistent with the policy of this section."

Section 11 of the bill amends section 157 of the Atomic Energy Act of 1954, as amended, by adding a new subsection d. The effect of this amendment is to place a 6-year statute of limitations on suits or applications for patent royalties, patent compensation, and awards instituted under section 157 of the Atomic Energy Act of 1954, as amended.

This amendment codifies the 6-year statute of limitations which the Commission has, in fact, been following under the authority of section 157 c.(1)(B) and section 157 c.(2) of the Atomic Energy Act, as amended.

Section 12 of the bill amends section 158 of the Atomic Energy Act of 1954, as amended, to make it discretionary rather than mandatory for a court to require the payment of royalties by a licensee to the owner of a patent who is found guilty of using that patent in violation of the antitrust laws.

Section 13 of the bill is a technical amendment to reletter certain subsections of section 161.

Section 14 amends section 167 of the Atomic Energy Act of 1954, as amended. Under the existing terms of section 167, the Commission is authorized to settle claims up to $5,000 for damages resulting from "any detonation explosion or radiation produced in the conduct of the Commission's program for testing atomic weapons." This amendment will broaden the Commission's authority so as to permit the Commission to settle claims up to $5,000 arising out of the conduct of such programs as the seismic improvement and plowshare programs, whether the resulting damage be caused by a nuclear or nonnuclear explosive device. In addition, the Commission is given new authority to recommend to the Congress meritorious claims in excess of $5,000.

Section 15 of the bill amends subsection d. of section 170 of the Atomic Energy Act of 1954, as amended, by adding a new sentence which has the effect of removing certain defenses based upon the relationship between the Commission and the contractor or sovereign immunity, which may otherwise be available to a contractor engaged in activities connected with the underground detonation of a nuclear explosive device. To the extent that such a contractor is indemnified under the provisions of an agreement of indemnification entered into pursuant to the provisions of section 170 d. he will be liable in the same manner as a private person acting as principal. Such a contractor, therefore, to the extent so indemnified will not be able to bar liability with defenses grounded upon his agency relationship with the U.S. Government, his sovereign immunity, or the Federal, State, or municipal character of the work performed under the contract. This amendment will not reduce in any way the indemnity protection provided a contractor by the indemnity provisions in his contract whether those provisions are based on section 170 d. or other authority.

Section 16 of the bill adds a new section 190 to the Atomic Energy Act of 1954, as amended. Under the terms of this new section, no report by a licensee of any incident arising out of or in connection with a licensed activity, which is made pursuant to any Commission requirement, shall be admitted as evidence in a suit of action for damages growing out of any matter mentioned in such report. The purpose of this amendment is to encourage the free and uninhibited disclosure of the facts surrounding accidents at licensed facilities. Such report may not be used to prove the truth of the facts asserted in the report, but may be used for other purposes in a civil action.

Section 17 of the bill amends section 202 of the Atomic Energy Act of 1954, as amended, by extending the period for holding annual hearings on the "Development, Growth, and State of the Atomic Energy Industry" (202 hearings) from 60 days to 90 days following the beginning of each session of Congress.

Section 18 of the bill amends section 4(c) of the Euratom Cooperation Act of 1958 by eliminating language relating to the establishment of minimum levels of fuel element cost and life in order to remove any statutory implication that the AEC is obliged to publish specific numerical values for fuel element performance and fabrication costs. This amendment is intended to make clear that the Commission need only publish criteria for indicating maximum fuel element charge and minimum fuel element life in connection with the fuel cycle guarantee program under the Euratom Act.

Section 19 of the bill amends section 5 of the Euratom Cooperation Act to authorize the transfer of 8 additional kilograms of plutonium and 30 kilograms of uranium 233 to Euratom. The amendment would further make it clear that this material, as well as all other materials furnished to Euratom, could be supplied under the U.S.-Euratom additional agreement, as well as the joint program. The plutonium in question will be used for research purposes, while the uranium 233 will be used in connection with the startup of an experimental plant for reprocessing irradiated uranium-thorium fuel elements. This experimental plant is a project of the Italian National Committee for Nuclear Research.

Section 20 of the bill amends section 7 of the Euratom Cooperation Act to exempt U.S. research and development contracts from the requirement of disclaimer or indemnity arrangements in favor of the U.S. Government. In the domestic research and development program, if there are indemnity arrangements, they run in favor of the contractor. No reason is perceived to treat these contractors differently on the basis that their work product will be used in connection with Euratom. This amendment is therefore designed to bring research and development contracts under the Euratom cooperation program in line with such contracts in the domestic atomic energy program.

Mr. PASTORE. Mr. President, that is all I have to say at the moment. I shall be happy to answer any questions that may be asked on any one of these sections. The analysis I have placed in the RECORD covers in detail an explanation of each section.

The bill met with the unanimous approval of the committee. I understand there is no objection on the other side of the aisle. Therefore, I move its passage.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. KUCHEL. I observe, in the report of the committee on section 1 of the bill, the reason given for the retrocession of the jurisdiction to the government of the State of California of the Atomic Energy Commission Livermore site. The committee report goes on to say:

> Contractor guards have no authority to make arrests except in the status of private citizens.

The question I wish to ask the Senator is, Has there been any trouble there, or is this in line with the Atomic Energy Commission policy at the moment of permitting the State to exercise the same police power over the facility in which the Atomic Energy facility is located as it does in the rest of the State?

Mr. PASTORE. The primary reason is to bring it in line with what is done in other places. As it stands now, these people can make arrests only as private citizens can. We have had only one, or perhaps several, pacifist demonstrations that were of no consequence. The real object is to bring it in line with the ordinary practice. It is the only place where we have that situation prevailing, and this is an attempt to bring it in line with what is done in the other locations. It will give the officers an official status that may be necessary, under certain circumstances, to avoid frivolous suits of false arrest.

Mr. KUCHEL. I am inclined to think, as I read the report, that the policy recommended by the Atomic Energy Commission and the committee is a wise one. It seems to me the police power should be exercised by the State government over the area in its jurisdiction.

Mr. PASTORE. That is correct. Heretofore there was a substantial reason for this kind of setup, for the simple reason that we had security matters which had to be protected.

Mr. KUCHEL. Even under the provisions of the bill, however, there will be adequate security provided by the Federal Government with respect to the facilities located there. Is that correct?

Mr. PASTORE. Yes; the committee has been so assured. As a matter of fact, that has been our experience at other plants.

Mr. KUCHEL. I thank the Senator. Since I am not a member of the committee, am I to understand that the legislation which is before us was unanimously approved by both majority and minority members?

Mr. PASTORE. So far as I know, there was no dissent.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). It is the understanding of the Chair that there is on the calendar a House bill, Calendar No. 744, H.R. 8599, which is exactly the same as the Senate bill with the amend-

ment. With that understanding, and without objection, the House bill will be substituted for the Senate bill, and the Senate bill (S. 2391) will be indefinitely postponed.

There being no objection, the Senate proceeded to consider the bill (H.R. 8599) to amend various sections of the Atomic Energy Act of 1954, as amended, and the Euratom Cooperation Act of 1958, and for other purposes.

The bill (H.R. 8599) was ordered to a third reading, was read the third time, and passed.

Senate bill 2391 was indefinitely postponed.

TRIBUTE TO GEN. EDWIN A. WALKER

Mr. LAUSCHE. Mr. President, last weekend I was visiting in Cleveland. In the newspapers I read a report that the First Special Service Force Association, which was led by Maj. Gen. Edwin A. Walker in World War II, was having a reunion in that city. I decided to attend the reunion of these veterans of World War II. I went to the meeting at the Hotel Carter and there saw assembled about 125 veterans. They came from all over the country, and a number of them from Canada. Gen. Edwin A. Walker was with them.

Among the veterans were armless and legless men. Others were scarred by the injuries received in World War II.

I sat in the meeting and had the opportunity of beholding the affection and admiration which resided in the hearts and souls of those men toward their leader.

This unit, with many others, landed at Anzio Beach, went north in Italy to Rome, and from Rome was moved in rubber boats into France. The men finally found themselves in the Normandy landing.

I was the mayor of Cleveland during World War II. I attended many functions which were vibrant and replete with motivations of deep affection for our country. I say to my colleagues that at no meeting I ever attended did I witness a vibrancy and an affection greater than that which I saw exhibited last Saturday by those men toward their leader.

When I left the meeting I concluded that each one of the men, including the injured, the armless and the legless, was ready to rise and follow General Walker. There was no question in my mind about the thinking of those men.

I know of no source which more eloquently and forcefully speaks than that represented by men who served with each other in war. General Walker, with others, has been muzzled because he believed that as a patriot he owed his country the duty of pointing out the evils of communism and the virtues of our system of government. Wrongly and unjustly he has been relegated to obscurity in the military organization.

A few days ago there was delivered to my office a resolution passed by that group of veterans. The resolution contains declarations of their affection, admiration, and faith in their fellow soldier. I ask unanimous consent to have the resolution printed in the RECORD.

The PRESIDING OFFICER (Mr. PASTORE in the chair). Is there objection to the request of the Senator from Ohio?

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the members of this group here assembled have known Gen. Edwin A. Walker from close association in combat in World War II; and

Whereas we are proud to have been associated with General Walker in the First Special Service Force; and

Whereas we feel General Walker's record as a soldier in the service of his country has been outstanding; and

Whereas we further feel that General Walker provided the finest of leadership and the highest of military ability in the First Special Service Force and in his subsequent commands in the U.S. Army; and

Whereas we members of the First Special Service Force Association, here assembled at our 15th annual reunion, have an abiding affection, deep respect, and continuing admiration for our comrade at arms Edwin A. Walker: Be it therefore

Resolved, That this association express a rising vote of confidence and trust in Gen. Edwin A. Walker and express the hope and prayer that his outstanding leadership qualities, his military ability, and his basic humanitarianism will long continue in the service of his country.

On the motion to adopt this resolution, members of the association rose and applauded.

COLORADO RIVER STORAGE PROJECT TRANSMISSION LINE CONTROVERSY

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in the RECORD two articles which pertain to the question of the upper Colorado transmission grid, which is generating a great deal of discussion on Capitol Hill and around the country. One of the articles, from the Washington Post and Times Herald of August 15, 1961, is entitled "Public, Private Power Gird for a New Struggle," and the other article, also from the Washington Post and Times Herald of August 23, 1961, is in the form of a letter written to that newspaper by Mr. Kenneth Holum, Assistant Secretary of the Interior, in which he raises the question, "Who should own the grid?"

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 15, 1961]

DUEL OVER TRANSMISSION LINES—PUBLIC, PRIVATE POWER GIRD FOR A NEW STRUGGLE

(By Julius Duscha)

Public and private lobbyists are getting ready for another congressional struggle that could make the Hanford atomic power battle look like a mere short circuit.

The second of the two major public power fights of 1961 involves the construction of more than 2,000 miles of transmission lines in five Western States.

The lines would move 1.3 million kilowatts of power from three large Federal dams nearing completion in Colorado, Arizona and Utah.

The dams are a $1 billion undertaking comprising the Colorado River storage project. Its primary purpose is to prevent floods and provide water for irrigation, industrial and municipal uses.

POWER A BYPRODUCT

The power would be a byproduct of the dams and would be transmitted in Colorado, New Mexico, Utah, Wyoming, Arizona, and parts of Nevada and California.

Both Secretary of the Interior Stewart L. Udall and his predecessor, Fred A. Seaton, have supported a proposal for construction of all the transmission lines by the Bureau of Reclamation, which is part of the Interior Department.

Five private utility companies that serve the area want to build about two-thirds of the lines themselves. Under the utilities' proposal the other third of the lines, connecting the dams, would be constructed by the Federal Government.

The all-Federal system would cost $189 million and would comprise nearly 3,000 miles of lines. Under their plan the private utilities would spend $100 million to build 2,000 miles of the lines, while the Federal Government would spend $53 million for the rest.

CONSUMER PAYS IN END

The users of electricity in the area would eventually pay for the cost of either the all-Federal or the Federal-private utility system.

There is some dispute over the figures used by both sides. The public power proponents also argue that Government-owned lines could deliver power at less cost to users than could the private utilities.

President Kennedy has asked Congress to appropriate $5.8 million to complete planning for the lines and begin building them.

The request is part of the public works appropriations, which are expected to be reported out by the House Appropriations Committee within a week. The House probably will act on the bill soon after it is approved by the committee.

APPROPRIATION DELAYED

The appropriations measure has been delayed by the illness of committee chairman CLARENCE CANNON, Democrat, of Missouri, and by a decision to keep it in committee until the Hanford controversy was resolved.

A $95 million authorization for the construction of an atomic powerplant at Hanford, Wash., has been the subject of bitter congressional debate and intensive maneuvering for several weeks.

Private power companies, the coal industry, and the House Republican leadership have led an apparently successful fight against the Hanford project, which has been vigorously supported by the same Western leaders in Congrers who are behind the plans for the construction of Federal transmission lines from the Colorado storage project.

The House has twice defeated the Hanford project, but the Senate has approved it. Although the legislation containing the proposal is still before a Senate-House conference committee, it is considered highly unlikely that Congress will authorize the plant this year.

Although most of the power generated at the Colorado storage dams would go to rural electrification cooperatives, municipally owned power companies, and other nonprofit distributors of power, the private utilities want to own the lines for three important reasons:

1. There is, of course, considerable profit to be made in the transmission of power.

2. By introducing 1.3-million kilowatts of additional power into their lines the private utilities would probably be able to use it to avoid the construction of additional generating facilities of their own for peak periods while still meeting all the needs of the cooperatives and the municipally owned companies.

3. The private utilities fear that, in the words of a recent council of State chambers of commerce bulletin, the Federal transmission lines would be "a giant step toward accomplishment of a nationwide power grid."

PUBLIC POWER VIEW

Public power proponents envision the day when the West is tied together by Government-owned transmission lines. An Interior Department task force is studying a proposal to send power from the Pacific Northwest as far south as Los Angeles.

The three Colorado storage dams that would produce power are Glen Canyon (900,000 kilowatts) on the Colorado River in northern Arizona; Flaming Gorge (108,000 kilowatts) on the Green River in northern Utah and Curecanti (160,000 kilowatts) on the Gunnison River in Colorado. A fourth dam, the central Utah project, would produce little power.

The Colorado storage project was authorized by Congress in 1956. The first power from the project is expected to be available in June 1963.

The 1.3 million kilowatt capacity of the project is about 2½ times as large as that of the gigantic Grand Coulee Dam.

[From the Washington Post, Aug. 23, 1961]

WHO SHOULD OWN THE GRID?

Julius Duscha's article of August 15 concerning the Colorado River storage project transmission line controversy was most interesting and very well done. It practically pointed up the public versus private power elements of the dispute.

However, there is another major facet of the controversy which should also be discussed because it is vital to success of the Colorado River storage project and is not well understood. That is the need of revenue from the sale of project power to finance the participating water use projects.

The Colorado River storage project and participating units were authorized by the Congress to enable the upper basin States of Colorado, New Mexico, Utah, and Wyoming, to obtain their allocated share of Colorado River water. This is the end purpose of the total authorization.

The primary purpose of the storage project itself is control and storage to meet downstream commitments and, at the same time, to permit the upper basin States to put their allotted share of Colorado River water to beneficial use for irrigation and municipal and industrial water purposes.

All of these participating projects are expensive, so much so that water users cannot carry the entire repayment burden even though the total advantages to the local and national economy clearly show the worth of the individual units.

As elsewhere in the West, revenue from federally constructed and operated hydroelectric plants, which are a part of multipurpose water projects, is to be used to help in the payout of these projects. In our studies of the all-Federal backbone transmission system, as contrasted with the partial system and wheeling offer of the utilities for the remainder, we found an overwhelming financial advantage in the all-Federal system.

Since the findings, which were approved by the former Secretary of the Interior, Fred A. Seaton, and also the present Secretary, Stewart L. Udall, there has been a barrage of confusing figures and statements laid down to confuse the issue. The simple fact remains, however, that, just like buying a home, when the all-Federal transmission grid is paid for in 44 years with interest, revenue will be available to help pay out the participating water use projects whereas the rent paid under the proposal of the private utilities, while saving the Government a large initial investment, goes on in perpetuity.

One other point needs clarification—the interconnection with other Federal systems. The private utilities seek to obtain an overwhelming benefit from the public investment in the project by interconnection of their own systems with the Colorado River project system, but would deny the Federal Government the same advantage.

Actually the 1.3 million kilowatt capacity of the Colorado River storage project hydropower system is small compared to other Federal systems. Grand Coulee Dam hydroplant, for example, has a capacity of 1,974,000 kilowatts and has produced as high as 2,200,000 kilowatts in a peaking operation.

By interconnection with the existing Missouri River Basin project and the Parker-Davis-Hoover project power systems, the value of the Colorado River storage project system to the service area could be enhanced tremendously. This will add flexibility which will mean much better utilization of the public investment in development of our water resources. But if we must interconnect only through private systems which collect a transmission toll every time the power moves either way from one system to another, the public system will carry an impossible burden.

At the same time, we expect that the public system will help, not hurt public and private utilities in the area because the total needs are such that both steam and hydro generation facilities must be fully utilized. The advantages of complete coordination and integration are so overwhelming to all utilities, public and private alike, that we anticipate that when the fussing and feuding are all over, we will sit down with the private utilities and work out exchange and integration agreements such as now exist between public and private systems and the Bonneville Power Administration in the famed Pacific Northwest power pool.

A backbone Federal system and interconnection with other public systems, is essential to such an operation.

KENNETH HOLUM,
Assistant Secretary of the Interior.

PEACE CORPS

The Senate resumed the consideration of the bill (S. 2000) to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The pending business is the bill (S. 2000) to provide for a Peace Corps.

Mr. McGEE. Mr. President, I should like to address myself for a very few moments to the bill to provide for a Peace Corps.

Mr. MANSFIELD. Mr. President——

Mr. McGEE. I shall be glad to yield to the majority leader. I wish to speak briefly on the Peace Corps, if it is in order.

Mr. MANSFIELD. It is in order, but I think we ought to have some Senators here to listen, in addition to those in the half-filled Chamber. Will the Senator yield to me so that I may suggest the absence of a quorum, without the Senator losing his right to the floor?

Mr. McGEE. I yield to the majority leader.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TENNESSEE VALLEY AUTHORITY

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. McGEE. I yield.

Mr. KEFAUVER. Mr. President, ever since coming to the Senate, I have heard year in and year out the same old cry from the same old private-power lobby: That the taxpayers in the rest of the country subsidize the power program of the Tennessee Valley Authority. It was only a week or so ago, in fact, that we heard that false cry raised again in this very same body.

As every Senator knows, or should know, there has been no Federal subsidy in terms of congressional appropriations for the TVA power program for several years. Instead, this program has been paying its own way, out of power revenues and proceeds from the sale of bonds.

Today I would like to suggest that, rather than being subsidized by the taxpayers outside the Tennessee Valley, the shoe is on the other foot: TVA is, if you will, subsidizing these taxpayers. However, this is a kind of subsidy which I am sure no Member of the Senate on either side of the aisle will object to; for what it means in practical terms is jobs for individual taxpayers who may never have visited the valley, and money not only in their pockets but also in the pockets of the industries which employ them.

I refer to a recent report by TVA showing that during the fiscal year ended June 30, the Authority spent $206,154,044 to buy equipment, materials, supplies, and nonpersonal services. Of this amount, $128,869,228 went toward the purchase of manufactured articles, most of which are used in the TVA power program. And the important point is that by far the largest portion of these expenditures for manufactured goods—78 percent—was spent outside the seven valley States.

In New York, for example, TVA during fiscal 1961 made purchases worth $39,096,228. That amount, spent in one State alone, is almost double the fiscal 1961 appropriation of $20,520,000 to carry on TVA's very worthwhile nonpower programs, among them flood control, navigation and resource development.

Here are some other State-by-State examples of TVA purchases, largely for manufactured goods, during fiscal 1961: In Pennsylvania, $17,582,562; in Illinois, $12,941,603; in Ohio, $8,530,820; in Indiana, $8,170,036; in Massachusetts, $3,261,353; in Missouri, $2,028,804; in Michigan, $1,660,689; in California, $1,422,961; in Wisconsin, $1,324,348; in Florida, $1,255,936; in Oklahoma, $1,229,663; in Louisiana, $1,103,430. And these are just the nonvalley States where more than $1 million was spent by TVA for equipment and supplies last year.

Over the entire period of TVA's existence, fiscal 1934 through 1961, it has

made purchases of one kind or another in every State, except Alaska, and in the District of Columbia. The total amount runs to almost $3 billion.

While TVA has spent $125 for unidentified items in our 50th State, Hawaii, I find no purchases in Alaska. And yet my colleague from that State, Senator GRUENING, was the first to defend TVA when it came under attack again recently; obviously because he believes, as many of us do, in the wisdom, the feasibility, and the tremendous benefit to the Nation of the Tennessee Valley Authority.

This recent TVA report on purchases makes another point which, in my view, is of particular significance to the consumers of the Nation, and that includes all of us.

The Senate will recall that it was TVA which 2 years ago lit the fuse under inflationary prices on electrical equipment—prices which later turned out to have been rigged. TVA did this by venting its outrage against the uninterrupted flow of identical bids it had received for years on purchases of electrical and other goods, and by going abroad to buy many of these items at much lower prices.

What has been the healthy result? It is simply that American manufacturers, particularly in the electrical field, have sharpened their pencils and lowered their bids to the extent that, in power transformers at least, they have recaptured the TVA market that they had been losing to foreign competition.

No better evidence of this can be found than in the fact that TVA's purchases of equipment and supplies from abroad dropped from $12,565,053 in fiscal 1960 to a comparative trickle of $2,484,252 in the fiscal year just ended. And American taxpayers—all of them—were the beneficiaries.

So, I suggest to my colleagues that whenever the charge is made that TVA's power program is subsidized, let the critic read the record which refutes this and which shows the many benefits accruing to virtually every State from this greatest resource development project that our Nation has ever undertaken.

Most of its critics will now concede at least that TVA is an accomplished fact. I suggest that it is also a fact of accomplishment of which all Americans can be proud.

ADDITIONAL EXPENDITURES BY COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside temporarily, and that the Senate proceed to the consideration of Calendar No. 745, Senate Resolution 198.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 198) authorizing additional expenditures by the Committee on Interior and Insular Affairs.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may have printed at this point in the RECORD an excerpt from the report—No. 764—on Senate Resolution 198.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This resolution would authorize the Committee on Interior and Insular Affairs to expend not to exceed $10,000 from the contingent fund of the Senate during the 87th Congress for the routine purposes specified in section 134(a) of the Legislative Reorganization Act of 1946, such amount to be in addition to the $10,000 authorized by such section each Congress for each standing committee of the Senate.

Additional information relative to the purposes of Senate Resolution 198 is contained in a letter to Senator MIKE MANSFIELD, chairman of the Committee on Rules and Administration, from Senator CLINTON P. Anderson, chairman of the Committee on Interior and Insular Affairs, which letter is as follows:

U.S. SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
August 21, 1961.

Hon. MIKE MANSFIELD,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR MIKE: On August 17 I reported from the Interior and Insular Affairs Committee Senate Resolution 198, authorizing additional expenditures by the committee under the Legislative Reorganization Act.

This resolution is pending before the Committee on Rules and Administration, and it is my understanding that it might be considered at your meeting on Wednesday, August 23.

This resolution simply would authorize a replenishing of the $10,000 allowed under the Legislative Reorganization Act for expenses incurred by the standing committees of the Senate. The Interior and Insular Affairs Committee has expended a little over $9,000 on reporting service fees and transportation and per diem allowances for members of the committee on legislative business. These two items make up the heaviest expenditure by the committee. As you may be aware, the committee has acted on several national park bills which required investigation and examination by members of the Public Lands Subcommittee. We have held extensive hearings on a variety of subjects before the committee, and I believe we have accomplished a great deal.

It is my hope to obtain favorable action on this resolution during this session of Congress in order to prevent the necessity of burdening you with this resolution at the beginning of next year when your committee will have many other similar type resolutions with which to deal.

Sincerely yours,
CLINTON P. ANDERSON,
Chairman.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 198) was agreed to, as follows:

Resolved, That the Committee on Interior and Insular Affairs is hereby authorized to expend from the contingent fund of the Senate, during the Eighty-seventh Congress, $10,000, in addition to the amount, and for the same purposes specified in section 134 (a) of the Legislative Reorganization Act, approved August 2, 1946.

PRINTING OF ADDITIONAL COPIES OF SENATE DOCUMENT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 746, Senate Resolution 192.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 192) to print as a Senate document with additional copies, a hearing before the Judiciary Internal Security Subcommittee entitled "Analysis of the Khrushchev Speech of January 6, 1961."

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the resolution which had been reported from the Committee on Rules and Administration, with an amendment, at the beginning of line 7, to insert "14,000," so as to make the resolution read:

Resolved, That there shall be printed as a Senate document the hearing before the Subcommittee To Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary, United States Senate, entitled "Analysis of the Khrushchev Speech of January 6, 1961". There shall be printed fourteen thousand additional copies of such Senate document which shall be for the use of the Committee on the Judiciary of the Senate.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 192) was agreed to.

PRINTING OF ADDITIONAL COPIES OF SENATE DOCUMENT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 747, Senate Resolution 193.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 193) to print as a Senate document with additional copies, the hearings before the Judiciary Internal Subcommittee entitled "Communist and Workers' Parties' Manifesto, and so forth."

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration, with an amendment, in line 7, after the word "printed", to insert "thirteen thousand", so as to make the resolution read:

Resolved, That there shall be printed as a Senate document the hearings before the Subcommittee To Investigate the Administration of the Internal Security Act and

Other Internal Security Laws of the Committee on the Judiciary, United States Senate, entitled, "Communist and Workers' Parties' Manifesto Adopted November-December 1960, Interpretation and Analysis". There shall be printed thirteen thousand additional copies of such Senate document which shall be for the use of the Committee on the Judiciary of the Senate.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 193) was agreed to.

EVERETT J. COLYAR AND DELLAMAE I. COLYAR

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 748, Senate Resolution 199.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 199) to pay a gratuity to Everett J. Colyar and Dellamae I. Colyar.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 199) was agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Everett J. Colyar, brother, and Dellamae I. Colyar, sister of Glen W. Colyar, an employee of the Senate at the time of his death, a sum to each equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

PEACE CORPS

The Senate resumed the consideration of the bill (S. 2000) to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower.

Mr. McGEE. Mr. President, I should like to address myself for a few moments to the question at hand, namely, the Peace Corps. I do this, with my colleagues in the Senate, at a time when our leadership in the world is being severely challenged in a hard, material way and in military terms; at a time when we are being asked to hold the line in terms of material sacrifices as well as the risk of lives. We are in a period also in which after some 15 years of the tortuous and often frustrated crises of the cold war, people seem to be growing tired, with some assuming the fatalistic attitude, "What's the use? It's going on forever. Why should we worry?"

It is at a time like this when, in my judgment, our own country stands in an even greater crisis than at times when it is driving toward an actually agreed-upon exciting national goal.

We now find ourselves in a situation in which, because of our line holding action and our so-called containment of Soviet materialism, we have assumed the role of policeman, rarely an enviable role in any society, no matter how complex or how understandable.

Therefore, I submit it is understandable that a great many of our people have become unhappy and critical in their desperate effort to seek some easy way out of the perpetual and multiannual crises which are thrust at them.

It is at this very moment when some of our people believe that if we will but sit tight, everything will blow over since the rest of the world is on its way. To be sure, it is not always certain which way. But the desire of the peoples of the newly independent entities upon the globe is to move forward and to work toward what they regard as their legitimate national aspirations. It is at the identical moment when we are tempted to take a smug attitude and sit tight realizing that three-fourths of the world is moving toward that goal. For us to sit tight at this time would be to place in peril the predominant position our country has exercised up to now as the spokesman and defender of what we call the free world.

So this is indeed a time when the idea for a Peace Corps has come as a refreshing new hope, as a point of personal dedication for many thousands of individuals, and as a guideline for national direction and national purpose on our own part.

We are young as nations go, in spite of the fact that half the nations now on the face of the world are younger by far than our own President. Even so, the American idea of less than 200 years, in its origin, continues to be an exciting, thing, if we would but let it be that. That is the reason why more and more people have asked those of us who have had an opportunity to go to the more remote corners of the earth, to find out about the changes that are taking place. They want to know indeed what America stands for. We have been asked, "Where are you going?" That is the question that was put to me on a half dozen occasions, both in southeast Asia and in Africa. They said to me, "We know where you have been." That was said to me by a young university student in Saigon. He said, "We know where you have been. We know what you have done to stop the Russians. But what have you done, in our language, to start people?"

In the Peace Corps we have a golden opportunity to answer that question, which is sincerely and movingly raised in almost any quarter of the newly developing areas of the world that anyone cares to select.

What, indeed, have we to offer? Mr. President, you and I know that we Americans for the first time in the history of great powers have almost without objection and with no serious qualms until now, poured out our wealth, our riches, and our personal endeavors in the wake of one of the great wars of history.

As Arnold Toynbee has said, this may become one of the emergingly dominant facts of history, that a great power would in victory share the opportunities of that victory with both the vanquished and those who were materially affected in economic and social setbacks as victims of the war.

But that is behind us now. The story of the Marshall plan, the excitement of the rehabilitation of Western Europe, and the restoration of those ravaged victims of war, is one of the brilliant episodes of modern power political history.

We would reach a hiatus in our drive, when entirely new sectors of the world—Africa, Latin America, Asia—now are craving not only attention but also help and guidance and, most of all, understanding, were we to fail at this moment, to stand at their frontiers with nothing more than bayonets, jet planes and the military image.

It is not the military image of America that is our historical face, nor is it our exciting face. It is the image that we have acquired because the current of times has thrust it upon us. We have not been, in history, a nation of soldiers. We have been a nation of men with ideas, unfolding exciting new opportunities and dedicated to the fundamental principle that all men are free.

That is why we should dare not lose sight at this moment that the real image, the real face of the great American Republic, more than ever before, needs to be turned toward these new areas of concern which surrounds us and may conceivably engulf us if we fail to rise to the opportunity which they present to us.

The idea of a Youth Corps has caught the imagination not only of those people to whom I have referred; it has caught the imagination of the youth of America.

While I was traveling in Africa last December, the idea of the Youth Corps was receiving greater and greater currency in our own country. News of it spread rapidly in every country where we visited and in every little group with which we talked. It was the central subject of conversation. I can report firsthand that it was likewise the central theme of hope. It provided a common denominator of understanding and a common language of communication which the people in the so-called Dark Continent immediately understood and were quick to grasp with enthusiasm. I suggest that there has been considerable concern about projecting our cultural pattern in ways which other men may understand, a concern over closing the gap between our way of life and the way of life of people who seem not to have been so fortunate as we. The closing of the gap is made possible, in considerable measure, by an idea which serves as a bridge from one society to the other. It is that contribution, which we now have a chance, in the ratification of this bill, to endorse and to realize in its fulfillment.

Here at home, the excitement that the Peace Corps has provoked is a reflection, it seems to me, on the complacency, the lethargy, or the frustration that is understandably bound to overtake a people after 15 years of repeated crisis. It is, therefore, most important that we avoid the temptation of doing nothing, of nailing down the hatch, of standing on the status quo, when the world around

us is sweeping through courses of change perhaps far greater than any the world has ever known before in such a compacted interval of time and over so vast an area.

So for our own people to be stirred to the realization of the opportunity at hand is important, indeed. How much they need to be stirred can be testified to by anyone who travels within the country these days. The tendency on the part of people to retreat to the conception that they can buy their way into the solution of the problem, or to believe that we can now arm our way into the solution of the problem, is an approach which indeed poses dangers to our country and constitute real roadblocks to the final solution of these problems.

In the past year, I have had occasion to speak on the campuses of a good many of the colleges and universities of the Nation, campuses where the young people of America are being accused of going to sleep on the affairs of our time, where the finger is being pointed to them as a generation of coming delinquents. I can say that everywhere on those campuses the mere mention of the Peace Corps has triggered an excitment, a sparkle in the eye, a vigor in discussion, which should remind us all that the real spirit of America is very much in our youth.

I should like to echo what the distinguished senior Senator from Minnesota [Mr. HUMPHREY] said yesterday when he remarked that our real concern should be with our delinquent adults more so than with our juveniles at a time like this. That is evident in the faces of young America on the campuses of our country, faces which display the personality, the drive, and the ideas which get through. Among the new nations which aspire to the twin goals of independence and individual freedom, we have found, in our contacts around the world, that the youth of America serve perpetually as the finest ambassadors of the American idea.

I can remember in one of the newly independent countries in the Congo how difficult it was at the beginning of our stay to talk to anyone except officials, the so-called dignitaries in the community. It was through the efforts of an 18-year-old American youth that we broke through the barriers of officialdom and reached an opportunity for frank and open conversation, discussion, and understanding agreements with peoples who, in some ways, are as far removed from our habits and experience as any people could be.

Even while traveling in the Soviet Union, I remember how, after the difficulties of many days of trying to break down the formalities of the official tourist service, and the rigidities of the Communist Party members, and their politeness but lack of open communication, the young university students who were traveling with us found the ways through and around those curtains of communication. Because of them, we were able to talk a language that the youth, even of that remote area, could understand.

What I am saying is that in the youth of America we have an arsenal of freedom, a weapon of the greatest potency. It is that weapon, the spirit of freedom and the pursuit of peace, that the proposed legislation creates for us the opportunity to employ. This is an opportunity which we have been too cautious in putting to work. It is not as though we were going out on untried paths. While there have been suggestions made that the Peace Corps should have started on a more modest basis, that we are starting on too great a scale and in too hurried a fashion, I think it is well for the RECORD to show that there are many guidelines and many collective experiences which can help to shape our activities in this endeavor. The excellent endeavors of the missionary groups, particularly in Africa, Asia, and a part of Latin America, have helped in many ways. The activities of private groups, such as Crossroads Africa, likewise, have accumulated experiences from which we are able to profit. The activities of some of the great private foundations in the United States which have been exploring the foreign frontiers for many years help still further. Our own immediate experiences, through the activities of the ICA, add to our reservoir of experience.

In my judgment, out of those accumulated experiences Mr. Sargent Shriver, the Director of the program, has very ably, cautiously, and with sensitive reasoning, drafted a meaningful and useful launching program in order to put to work the youth of our land for the youth of the world. Overseas, we have had requests, for something over 20,000 Peace Corps men. On the other hand, we have, here at home, the filed applications of more than 12,000 volunteers. What this says is not only that there is a receptivity for the Peace Corps overseas, but that there is a readiness to serve, with a sense or spirit of austerity here at home far in excess of what the initial program makes possible. The calculated program which will put to work some 2,700 to 3,000 Peace Corps men in the first year is a far cry from the requests which have been made and far from the number of volunteers for this service here at home.

In my judgment, this is, if anything, a program which is perhaps too small in its very inception. Certainly it is not too large. In fact, one of the real calculated risks we will be taking now is that there will be only 3,000 young people—only 3,000 who will be put to work with a purpose, a cause, and a goal in sight.

I say that because of the excitabilities that have emerged from the idea for the tens of thousands of young people in our country who have found in the Peace Corps a new reason for believing in a much larger American cause and have found an opportunity to serve in the achievement of that cause.

It is that conviction which leads me to hope that in the careful, cautious, and dedicated efforts which go into the commencement of this program work, we shall set the pattern or the stage for a very carefully projected expansion of it as our experience with it permits us to do. It is this area, then, which reflects the real opportunity for our country to strike a blow, at minimal cost, in a way which will bring in returns immeasurable in terms of dollars or calculated material standards, but in a way that will last with people.

Recently, in another forum, I had occasion to talk about the importance of having Americans reach the minds, the spirit, and the soul of other peoples.

Mr. President, I submit that in the long run such contacts will mean a great deal more to the ultimate balancing of the record and to the registering of achievements than will the immediate, year-to-year, material landmarks which may be erected in behalf of countries and peoples in other parts of the globe.

So I lend my wholehearted and dedicated support, endorsement, and vote to the Peace Corps and its full complement, as requested. I express the wish that it might be more, not less. I think it well that we remember that at this time when we are increasing our military appropriations and are intensifying our military endeavor, the very worst move we could make would be to permit our heavily weighted military posture to crowd out of the spectrum of human events the profile of a peaceful America, the face of a young America, and the goals of an ideal America, for it is there that our richest harvest indeed lies.

In time of crisis we have always found it possible to rise to military heights. But unless we learn that in the crisis of peace, equal heights must be mounted, equal fervor must be commanded, and equal sacrifice must be encouraged, we shall not reach those higher goals in a less warlike world.

Surely a country such as ours, which during the last great war was willing and able, by brilliant dedication, to send 12 million of its young people around the world, with guns on their shoulders, can find it possible now to send 3,000 of its young people around the world with their hands ready for toil, with their heads ready for ideas, and with their hearts ready for the spirit of human companionship, individual dignity, and the freedom of man.

CONDITIONS FOR NEGOTIATIONS WITH CASTRO

Mr. KEATING. Mr. President, there is increasing evidence that Castro is trying to effect a reconciliation with the United States. He is trying to secure U.S. recognition of the status quo there, with an ultimate renewal of the very profitable United States-Cuba trade, now greatly reduced. This information, which has been hinted at from many directions, was apparently clearly conveyed to U.S. representatives at the Punta del Este Conference by Major Che Guevara, the real mastermind behind the Communist takeover in Cuba.

Mr. President, I am not surprised by this latest move of Che Guevara, who apparently accomplished many of his objectives at the Conference in winning over Latin American diplomats and creating new pressures for a Cuban-American accommodation. But I believe the administration should quickly move by a firm declaration of policy to counteract these Cuban schemes. It is time for the United States to take a clear

public position with regard to Cuba. For a long time I have advocated that a complete embargo be instituted, except for indispensable food and medicine supplies. The fact that this has not been done to date has certainly strengthened Castro's hand to such a point that now he is apparently trying to restore American-Cuban trade at its high pre-Castro level. It is evident that Cuba is suffering from economic dislocations which are common in all Communist countries and which have led to untold hardship in Eastern Germany and Communist China, for example. It is no wonder that Castro is trying to alleviate this hardship by restoring some of his profitable trade with the United States. But there is no reason why we should help him out.

Before this Government even considers such a possibility, there are four conditions which should be met. First, there should be free elections in Cuba, supervised by the Organization of American States, in which all Cubans, including refugees, are permitted freely and safely to cast their ballots. Opposition parties must be permitted to present candidates and to operate, regardless of the election results. Such an election is the best long-term method of purging Cuba and this hemisphere of the Soviet and Communist domination which Castro and Guevara have brought.

Second, there must be equitable compensation from the Cuban Government for all American property seized and nationalized. Unless this is done, we can come to no terms with Castro. His action in seizing these goods was the action of a bandit, and full restitution must be made before we can consider renewing contacts with Cuba.

Third, there must be an end to armaments and munitions imports from the Soviet bloc and strategic shipments to the Soviet bloc. Imported weapons will be used only as a threat to Cuba's neighbors, or as a means of intimidating the Cuban population. In no case should these weapons shipments be allowed to continue. We should also call for a halt on shipments of strategic materials like cobalt from Cuba to the Communist bloc.

Finally, Castro must put an end to his efforts at infiltration and subversion in the rest of the hemisphere. The distribution of propaganda pamphlets, the training of guerrilla forces, incitement of riots and mob demonstrations have all been a deliberate part of Castro's policy to undermine the free, elected governments of Latin America. Until these efforts are brought to a clear and definite halt, there should be no further U.S. transactions with the Communist government of Fidel Castro.

The policy of the United States in Latin America has too often been marked by vacillation and a lack of vigor. This is no time to substitute foreign air for foreign policy. It is time for the United States to take the initiative in foreign policy and to offer fewer dollars and more sense.

In Latin America and Cuba, as elsewhere in the world, we must stand by our principles. No reconciliation with Castro is possible, as the President and Secretary of State have indicated, as long as he remains the pawn of an alien Communist ideology. The steps and conditions I have proposed are the very minimum which the United States should set for any renewed contacts with Cuba. The administration should make this clear, not only to Castro, but also to all the other nations of this hemisphere.

In the long run, the success of the alliance for progress, which was so eloquently initiated by the President, will depend not only on increased foreign aid to Latin America but also on more vigorous hemispheric cooperation against the menace of communism, as exemplified by Fidel Castro. The principles of self-determination, which the Vice President most eloquently reaffirmed in Berlin, must also be reaffirmed in this hemisphere, for Cuba, because only by self-determination and flexible democratic institutions can the nations of Latin America realize the long-range high-level social and economic goals set by the alliance for progress at the recent meeting.

WE MUST NOT FORCE BRITISH GUIANA INTO SOVIET CAMP

Mr. YOUNG of Ohio. Mr. President, the people of British Guiana have gone to the polls in a free election. With more than 80 percent of all eligible voters casting ballots. Dr. Cheddi Jagan has been elected to lead the Government. His People's Progressive Party apparently has won 20 of 35 seats in the legislature.

This appears to me to be a decisive victory in an election which, as far as we know, was honestly conducted. The election was supervised by British authorities. There have been no charges of fraud or vote buying.

Some responsible Americans assert the United States should have attempted to influence the voting in British Guiana to try to prevent the election of Dr. Jagan.

Mr. President, we cannot talk out of both sides of our mouth at the same time. We cannot risk war in Berlin over the right of Germans to self-determination while at the same time implying we should have prevented it in British Guiana.

Frankly, had I been a voter in British Guiana, undoubtedly I would have voted for another party and its candidate, and regretted Dr. Jagan's victory.

But it is one thing, Mr. President, to regret the results of a freely held election. It is another thing to denounce it and assert the United States should have prevented the result.

Can it be possible that responsible Americans take the view that the United States has a mandate from Almighty God to interfere with elections in a country emerging into freedom?

In our country we are presently attempting to revive the good neighbor policy of Franklin D. Roosevelt and Cordell Hull through a new alliance for progress with Latin American nations. It is a mockery of this concept to contend we should have intervened in, or attempted to influence, free elections in a neighboring nation south of the border.

Mr. President, the gloomy prediction has been made that the election of Dr. Jagan establishes a Communist beachhead on the South American Continent and that Dr. Jagan will go the way of Castro.

I assert this is jumping the gun. There is no surer way of pushing British Guiana into the Communist orbit than to declare it an enemy, and treat it as such, at this early date and without any proof.

We should extend the hand of friendship to the new government and encourage its efforts to improve conditions of the people of British Guiana.

Certainly, we should not turn our backs on this emerging nation and thus force it into dependence on Moscow.

Mr. President, in a very perceptive editorial, the New York Times of August 23 states the hope that British Guiana can become a constructive member of the inter-American alliance. I ask unanimous consent to have the editorial printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 23, 1961]

GUIANA ELECTIONS

Dr. Cheddi B. Jagan and his leftist People's Progressive Party won their expected victory in the British Guiana elections. He will form a government that will have internal self-rule, and it is indicated that he will press immediately for independence for British Guiana.

Dr. Jagan has been labeled by some high American officials and some Senators as a Communist, or the equivalent of one. If this were to prove the official U.S. Government attitude, Dr. Jagan and his government would certainly be in the communistic camp alongside of Cuba very soon.

He has made it clear that he does not want this to happen. In letters quoted in the Times by our correspondent Tad Szulc last week, Dr. Jagan pledged himself and his party to adhere to the principles of parliamentary democracy. He also expressed his desire and expectation to link Guiana economically to the hemispheric system. In fact, Guiana will probably try to share in President Kennedy's alliance for progress plan.

This does not mean that British Guiana will be politically alined to the United States. The People's Progressive Party professes neutrality in foreign affairs. There is no doubt that Dr. Jagan and his American-born wife are far to the left and very radical in their ideas. "The People's Progressive Party has definite objectives," Dr. Jagan said on July 29 in a radio speech. "It is dedicated to the goal, to the ideal of socialism."

Pending evidence to the contrary, the United States has everything to gain by taking Dr. Jagan's pronouncements at their face value. If British Guiana is handled by the United States with some understanding, sophistication and sympathy there is every reason to hope it will become a desirable member of the inter-American system.

Mr. McGEE. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I yield.

Mr. McGEE. I commend the Senator for his statement on the election in British Guiana and to associate myself completely with his statement and the point he makes. It seems to me we have acquired a severe tendency in this coun-

try to assume, that whenever there is an election in which a person we do not favor has been elected, the Communists must have engineered it. By this type of reasoning we are giving Mr. Khrushchev and his associates credit for events over which they had no control. We are employing the very worst psychology and very poor reasoning in so doing. The sooner we in this country come to realize that there are great movements and great changes, which would take place even if there were not a Communist nor a Russian on the face of the earth, the sooner we will begin to acquire a posture in which people will be able to understand the kind of movements that are taking place.

To assign to the Communists credit because somebody we like has not been elected is giving to the Communists unjust rewards. It is not logical nor does it represent sound reasoning to give them all of the credit for happenings over which they had no control and over which they could not have exercised any influence in the first place.

Mr. YOUNG of Ohio. May I extend my congratulations to the senior Senator from Wyoming for his statement in connection with the brief remarks I have made. He has said so ably what I have been trying to say. All of us know that the winds of freedom are blowing throughout the world in a manner and to an extent almost beyond belief. Certainly, we should do everything within our power to encourage the newly emerging nations that are seeking freedom.

It is noteworthy that some responsible Americans, who have been saying right along what a splendid ally we have in Franco Spain, and who have been paying deference and devotion to the dictator Franco and his dictatorship in Spain, where no free elections have been permitted and where hundreds of people who were on the losing side in the 1937 civil war still languish in Spanish dungeons, are the very people who speak about this allegedly Communist beachhead in British Guiana and criticize the free and democratic election recently conducted there.

I appreciate the remarks by my distinguished colleague. I am happy he is in agreement with me.

Mr. CHURCH. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BURDICK in the chair). Does the Senator from Ohio yield to the Senator from Idaho?

Mr. YOUNG of Ohio. I am glad to yield to the distinguished junior Senator from Idaho [Mr. CHURCH].

Mr. CHURCH. I commend the distinguished Senator from Ohio for the remarks he has made. It seems we have come to view the world in two colors—red and white. This results, I fear, from the extent to which we have become intimidated by communism, and it has led us, since we seem to regard all the world which is not Communist as white, to formulate a foreign policy based upon the preservation of the status quo. This, as the Senator from Ohio has so well pointed out leads us into strange alliances with countries having nothing at all in common with the principles of the United States. It also results in allowing the Communists to appear to be the champions of change, even while we appear to be defenders of a status quo which cannot last, for history will wash over it.

Such a policy, it seems to me, is foredoomed to failure. It is self-defeating. Somehow the United States must break out of this vice and undertake to ally itself with these forces of change, whenever we can, and thus to make clearer that the United States does, in fact, stand for progress for people, and for reform in many parts of the world which are desperately in need of it.

I think that is the gist of the message the Senator from Ohio has given us today. I commend the Senator for it. It was very timely indeed, because he has related it to the elections which have just taken place in British Guiana, where there may yet be an opportunity to rescue the reform movement from Communist hands.

Mr. YOUNG of Ohio. I thank the able and learned Senator from Idaho.

Mr. McGEE. Mr. President, will the Senator yield again?

Mr. YOUNG of Ohio. I yield.

Mr. McGEE. This discussion has touched off a rather stirring feeling on the particular question. It seems to me it brings into focus how much we have become obsessed with stopping the Communists, with stopping the Russians, so much so that we have lost sight of the rest of the world.

The important thing, as I said a moment ago, is to take care of people. The real contest is not that of the Americans against the Russians. I think the history of the human race some day will record, as to this interval in which we are living, that the great movement afoot was neither communism nor Americanism but the drive for independence and human dignity on the part of great masses of the world.

What we are doing is competing with the Communists, among others, for a solution to the plight of individuals who have been negelected up to now in the story of mankind. If we could view our own way of life, the principles to which we hold and our general dedication, as a fair, reasonable and exciting solution to the cause of people, I think we would more clearly keep in the proper perspective the role of Russian imperialism and Communist conspiracy. We would then not be so ready to engulf ourselves so completely in the negative posture of fighting communism—which we know we must do, and dare not relent on—and we would more carefully select the most effective way to fight.

If we can remove from around the world the beds of disease, starvation, and poverty in which communism feeds, and if we can supply in the wake a reasonable hope for people to raise their standards of living and to increase the areas of freedom, communism will wither on the vine. This is the positive projection, in my judgment, to which our own country and our own way of life must dedicate itself and concentrate its efforts toward achieving.

The excellent comments made by the Senator from Idaho, added to those made by the Senator from Ohio, seem to me to have brought appropriately into the picture the combination of these two concepts.

Mr. YOUNG of Ohio. Mr. President, I appreciate very much the erudite statements of the learned Senator from Wyoming. I am happy indeed to find that he and I are in complete agreement in our views on this tremendously important subject.

PEACE CORPS

The Senate resumed the consideration of the bill (S. 2000) to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower.

Mr. YOUNG of Ohio. Mr. President, it has been rightfully said many times by the distinguished assistant majority leader, the Senator from Minnesota [Mr. HUMPHREY] that the Peace Corps deserves an opportunity to prove itself.

One of the obligations that a shrinking world has thrust upon us is the need to learn how other peoples live and to inform them how we live.

For these purposes, it is proposed to make permanent by legislation the Peace Corps, which will train American men and women to help other nations meet urgent needs for skilled manpower.

Mr. President, I support this program. I think we can approve the Peace Corps with our eyes wide open. We should neither overestimate, nor underestimate, its potential value. We should give it a fair opportunity to prove itself by voting for this authorization for 1 year.

No doubt it is true there is a need for trained groups of American men and women to go overseas, either through private organizations or as representatives of the U.S. Government, to help people in poverty-stricken nations to improve their lot.

Much more than sending inexperienced groups of "do-gooders" is essential. I am glad to note that Sargent Shriver, Director of the Peace Corps, has instituted a thorough screening and training program for volunteers. We shall know that persons who go overseas as Peace Corps representatives will have been carefully selected and prepared for the arduous jobs they must do and the hardships they will face.

At the outset, $40 million, which has been requested to operate the Peace Corps through June 30, 1962, should be considered adequate; probably this entire amount need not be spent.

This will enable our Government to send approximately 3,000 men and women to Latin America, Asia, and Africa.

It should be understood, Mr. President—and apparently there is a great deal of misinformation about this—that Peace Corps groups will not go barging into a nation uninvited.

They will work in a foreign land at the express request of the host government and on projects which will further the development of that country, and raise the standard of living of its people.

Mr. McGEE. Mr. President, will the Senator yield at that point?

Mr. YOUNG of Ohio. I yield.

Mr. McGEE. The Senator has spoken of the signal fact that the Peace Corps men are not going in where they are not wanted or asked. I think we ought always to bear in mind that as of today there are more than 20,000 requests for Peace Corps men in countries in which we believe they would have a contribution to make.

In the face of that request, we are asking in the pending bill for 2,700 individuals to go to work. Therefore, it seems to me that, we cannot be accused of exaggerating the beginnings of this program.

Mr. YOUNG of Ohio. The distinguished senior Senator from Wyoming has made an extremely important statement.

At the present time there are approximately 450 Peace Corps volunteers in training for 7 projects. All 50 States of the Union are represented.

The contemplated pay of $75 a month for volunteers is, in the end, only a fraction of the cost to our Government. It is undoubtedly an inadequate payment to the men and women who will be selected for this important work.

Director Shriver very frankly estimates that the cost for each volunteer will be $9,000 a year. They will receive subsistence, clothing allowances, travel expenses, and medical services.

Some, unfortunately, will be injured in the line of duty. It is possible that many will be afflicted with malaria or other serious ailments Americans acquire in some underdeveloped countries. We might as well face that fact head on. In the future, claims for disability payments will probably be sought and obtained.

It is clear that Peace Corps volunteers will have to be prepared to sacrifice what most of them consider elementary comforts.

They must be physically fit. They must be men and women of good will and must have the zeal of hardy missionaries. They must not be propagandists. Instead, by example, they must win friends for America and our way of life. Sargent Shriver knows that these attributes are necessary, and applicants are thoroughly screened for them.

In my opinion, the Peace Corps can gain friends for the United States and greatly assist development of backward nations. I assert it deserves the chance to succeed.

Mr. McGEE. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I am happy to yield.

Mr. McGEE. The Senator makes a very important point near the conclusion of his remarks when he emphasizes that this is no exotic pleasure jaunt on which these people are embarking. I know that in some conversations many individuals who have not been well acquainted with the functions of the Peace Corps program, suggest that it would be an exciting thing to visit Africa, certain parts of southeast Asia or some portions of Latin America. What our people must understand is that it is one thing to take a Cook's tour of these areas and to stop at air conditioned hotels, to enjoy the usual comforts that are available and to accept the treatment that is accorded tourists, but that it is quite another thing to go back into the hinterland, into the bush of Africa, or back in the bush in southeast Asia to help build a road, or to teach in a small village, or to work in a rice paddy. That is a far cry from the comforts usually associated with tourist travel. The sooner that this is understood, the better it will be for all concerned. We must face the situation realistically. The people who will take part in this program will make sacrifices.

Apparently the only reason that these people are doing what they are doing is that they believe in people and in this kind of people-to-people work, and wish to contribute to the goal sought to be achieved by the program.

Mr. YOUNG of Ohio. The Senator is entirely correct.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I am glad to yield to the distinguished Senator from Minnesota.

Mr. HUMPHREY. I wish to say both to the Senator from Ohio and to the Senator from Wyoming how much I concur in their analysis of this situation and in the worthwhileness of the program, as well as their basic analysis of the world situation which faces our country. I express my commendation and appreciation to the Senator from Ohio for his support of the Peace Corps, and I particularly am pleased by the support of the Senator from Wyoming.

It seems to me what we are doing is adding some real spirit and new purpose to our foreign policy. If ever there was a program which exemplified the ideals of this country and the genuine purposes of the United States, I believe it is the Peace Corps, because it emphasizes the contribution which people can make.

This is not a money program. In fact, the amount of money involved in the program is modest, when one considers foreign relations and national security. This is a program in which we put the talent, the spirit, the body and the mind of our people to work helping other people. It is a cooperative endeavor. It has reciprocity to it, as I tried to indicate yesterday. It is a program not only of what we are able to give to others but, in a sense, what they are able to give to us through a better understanding of the world in which we live.

As the Senator from Wyoming indicated, we are obsessed these days, and have been for a long time, with Soviet Russia and the Communist approach. We are obsessed to the point that we forget one of the ways the Soviet Union may conquer the world is for us to forget the rest of the world. I have oftentimes thought, as we build great military bases around the Soviet Union, which put our fighting forces in an advance position, that we might very well think of how we could surround the Soviet Union not merely with military bases but, more importantly, with viable, progressive, free societies. The impact on the Soviet Union of that kind of environment would have much more effect even than the impact of a military base.

What we are attempting to do in the Peace Corps is to take the long look.

That is what I like about the Peace Corps. It is realistic. We know one does not change the patterns of decadence, frustration, unemployment, hunger, poverty, misery, and sickness quickly. It takes time. We have learned this from our experience in our own communities, when we have sought to clear up slum areas, or when we have sought to rehabilitate a bit of America. Even when there is an area of temporary employment, we know how much effort it takes, how much time it takes, and how difficult it is to change the patterns of conduct.

This is a program designed to bring to bear upon a particular set of circumstances not only the money and the wealth of the United States, which is a very limited part, but also our greatest asset—our skill, our capacity, our ability, our trained manpower; in this instance most of it being young.

I believe I have heard the Senator from Wyoming say how good our young people have proved to be as representatives of our country overseas. Seldom, if ever, do we receive a complaint about a young person overseas. Rather some old fellow who has decided that he knows how to run the whole world will barge into a meeting and give those attending a piece of his mind. Such people ought to be exceedingly careful about such procedure, because they may run short of "pieces."

The other day a letter came to me from an executive of a large company, who in complete violation of another country's rules and regulations, and in violation of the law, insisted on his rights as an American citizen to violate their laws. He went to our Ambassador and wanted to know why the Ambassador had not stood up for him.

This is the kind of thing that causes America to have the image of the "ugly American." The young people who have been in the experiment for international living, the Friends program overseas, in the program of the 4–H Clubs, and in a host of other programs have been towers of strength for this country.

What the Peace Corps really does is to implement, supplement, and augment the work that is already underway by many voluntary organizations. It puts the Government of the United States in step with the people of the United States. That is the purpose of the Peace Corps. Let the Government catch up with what the people are attempting to do by fortifying the efforts of our voluntary organizations, and thus putting the Government of the United States on record as being a part of a great movement in this Nation of young men and women who are determined to devote their lives to the purpose of saving life rather than losing it.

I have often wondered how people can describe patriotism as being only that which requires that we stand firm at Berlin. They say, "You must be of stout heart." Sometimes it is good also to be of warm heart. Sometimes it is good to

have hands that know how to do something besides pull a trigger. Sometimes it is better to have a kind of know-how to create and construct rather than merely to destroy.

What the Peace Corps attempts to do is to build the other side, so to speak, of our defense structure.

We all know the need of defense. We are now speaking about a $40 million bill. We have already spent more time in consideration of the bill than we spent on the $46 billion defense bill. We could hardly get the defense bill to the Senate fast enough. Senators were saying to the President, "Hurry up. Send down a bigger request." Not only that, but when the President did send down a request, we added another $500 million to it, and said, "Mr. President, you did not know what you were doing. We will give you more money than you wanted."

Yet here is a program in respect to which we ask for an authorization. Our citizenry must know the difference between an authorization and an appropriation. Sometimes the two never meet. The authorization goes far out to one side, and the appropriation frequently stops about two-thirds short of the mark, and sometimes less than that.

But here we have a Peace Corps proposal to put 2,700 young men and women to work in the far-off places of the world, teaching people how to read and write, helping them with their sanitation, helping them with their work in construction, and with their agriculture. There are 2,700 of them.

That is almost twice the number that went into Berlin on the occasion of our Vice President's visit to Berlin. The 2,700 young men and women who go out to do this work will cost the Government of the United States far less for 1 year on the job than will the 1,500 men who are on the line in Berlin. Both groups are needed. We do not have an either/or choice. We need both. I compliment Senators for taking up the cudgel for the proposed program.

This morning's newspaper indicated the caliber of people that Mr. Shriver is selecting as oversea representatives of the Peace Corps. I do not know how he gets some of the people he obtains. Men and women are leaving jobs that pay far more than they will receive under the Peace Corps. They are being asked to leave their universities; they are being asked to give up their work. Some of them have invested years of their lives in their work. They are being asked to pick up and move to another place under the uncertainties of congressional legislative policy.

We are talking about a 1-year program, a $40 million authorization. Yet this morning's newspaper revealed that top grade administrative and academic personnel at top grade universities in this country, at which men and women have devoted a lifetime to their professions, are prepared to help—not to stay in the comforts of Washington, but to go, as representatives of the United States for the Peace Corps, to countries where living conditions are not good, where members of the Corps must leave their families, and take less income.

I believe the program embodies real sacrifice. This kind of patriotism touches my heart, and the hearts of other Senators. I thank the Senator from Ohio [Mr. YOUNG] for what he is doing, and other Senators who have participated in the discussion during the last 2 days.

Mr. CHURCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll and the following Senators answered to their names:

[No. 166]

Anderson	Hickey	McClellan
Bartlett	Hill	McGee
Beall	Holland	Moss
Bible	Hruska	Neuberger
Boggs	Humphrey	Pell
Burdick	Jordan	Prouty
Church	Keating	Proxmire
Clark	Kefauver	Randolph
Dirksen	Kerr	Scott
Ervin	Kuchel	Tower
Gruening	Lausche	Wiley
Hart	Long, Hawaii	Williams, N.J.
Hickenlooper	Mansfield	Young, Ohio

Mr. MANSFIELD. I announce that the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Indiana [Mr. HARTKE], and the Senator from Missouri [Mr. LONG] are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The PRESIDING OFFICER (Mr. HICKEY in the chair). A quorum is not present.

Mr. HUMPHREY. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms is instructed to execute the order of the Senate.

After a little delay, Mr. AIKEN, Mr. ALLOTT, Mr. BENNETT, Mr. BUSH, Mr. BUTLER, Mr. BYRD of Virginia, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CAPEHART, Mr. CARROLL, Mr. CASE of New Jersey, Mr. CASE of South Dakota, Mr. COOPER, Mr. COTTON, Mr. CURTIS, Mr. DOUGLAS, Mr. DWORSHAK, Mr. ELLENDER, Mr. ENGLE, Mr. FONG, Mr. FULBRIGHT, Mr. GOLDWATER, Mr. GORE, Mr. HAYDEN, Mr. JACKSON, Mr. JAVITS, Mr. JOHNSTON, Mr. LONG of Louisiana, Mr. MAGNUSON, Mr. MCCARTHY, Mr. MCNAMARA, Mr. METCALF, Mr. MILLER, Mr. MONRONEY, Mr. MORSE, Mr. MORTON, Mr. MUNDT, Mr. MUSKIE, Mr. PASTORE, Mr. ROBERTSON, Mr. RUSSELL, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mr. SMATHERS, Mr. SMITH of Massachusetts, Mrs. SMITH of Maine, Mr. SPARKMAN, Mr. STENNIS, Mr. SYMINGTON, Mr. TALMADGE, Mr. THURMOND, Mr. WILLIAMS of Delaware, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. HICKEY in the chair). A quorum is present.

Mr. MANSFIELD. Mr. President, after consultation with various interested Senators I wish to propound a unanimous-consent request. I ask that 1½ hours be allocated to the Hickenlooper amendment, which seeks to reduce the amount for the Peace Corps reported by the committee with that time to start at 2 o'clock and to conclude at 3:30, or before, if time is yielded back; the time to be equally divided between the majority leader and the minority leader; and that at the conclusion of the allocation of time the yeas and nays be taken on the question of adoption of its amendment.

Mr. HICKENLOOPER. I should like to have the yeas and nays on my amendment.

Mr. MANSFIELD. That is what I meant; the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, it is my understanding that in the meantime other amendments will be considered. The Hickenlooper amendment will be debated starting at 2 o'clock. The debate will go to 3:30, or could be concluded before that time if there is no inclination to use up all the time by either side.

Mr. HICKENLOOPER. Mr. President, if time is yielded back it will be understood the vote can be taken immediately upon the expiration of the time for debate, even though it is prior to 3:30?

Mr. MANSFIELD. The Senator is correct.

The PRESIDING OFFICER. Does the Senator wish to include in the unanimous-consent request amendments to the Hickenlooper amendment?

Mr. MANSFIELD. Yes. I ask for the regular stipulation, that it cover all amendments to the amendment.

Mr. CURTIS. Mr. President, reserving the right to object, I should like to inquire whether we shall be permitted to offer amendments after the Hickenlooper amendment is acted on.

Mr. MANSFIELD. Yes. The Senate will not start debate on the Hickenlooper amendment until 2 o'clock. Perhaps we could in the meantime arrive at accommodations or agreements concerning the other amendments which are now at the desk. After consideration of the Hickenlooper amendment, there will be no precluding of other amendments.

Mr. CURTIS. I have an amendment at the desk, but I cannot agree to offer it between now and 2 o'clock.

Mr. MANSFIELD. The Senator may offer it later, or perhaps we can arrive at an accommodation in the meantime.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana. The Chair hears none, and it is so ordered.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HICKENLOOPER. I have two or three amendments, which I am perfectly

willing to begin to call up at this time for consideration, none of which is the amendment referred to in the unanimous-consent agreement. I am perfectly willing to proceed with those amendments at this time.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HUMPHREY. I think we can clarify the parliamentary situation in order to enable the Senate to move along the lines that the Senator from Iowa has suggested. I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill, as amended, be considered as original text for the purpose of amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Mr. President, as I understand the parliamentary situation would permit the offering of the amendments of the Senator from Iowa [Mr. HICKENLOOPER], the Senator from New York [Mr. KEATING], the Senator from Nebraska [Mr. CURTIS] and others. Those amendments are at the desk. Therefore, I would appreciate it if we could proceed on the basis of that understanding.

The PRESIDING OFFICER. The bill is open to amendment until 2 o'clock p.m., when the Senate will proceed to consider the Hickenlooper amendment.

Mr. SYMINGTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SYMINGTON. Do I correctly understand that there is no time limitation on any amendment except the Hickenlooper amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HICKENLOOPER. Do I correctly understand the request of the Senator from Minnesota [Mr. HUMPHREY] to be that the only time to offer amendments will be from now until 2 o'clock?

Mr. HUMPHREY. No. I said between now and 2 o'clock the Senate could take up such amendments as it might be able to consider.

Mr. HICKENLOOPER. I have an interest in three amendments, and I believe the Senator from Nebraska [Mr. CURTIS] has one, which he cannot bring up before 2 o'clock. If at the hour of 2 action has not been concluded on any particular amendment, will consideration of that amendment carry over until after the business that is scheduled for 3:30 p.m.?

Mr. HUMPHREY. That is my understanding.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HICKENLOOPER. Mr. President, I should like to offer in sequence two or three amendments, if possible. Therefore, if the Senator from New York [Mr. KEATING] would like to go ahead with his amendment now, he would not have to wait until the other amendments are out of the way.

The PRESIDING OFFICER. Does the Senator from New York seek recognition?

Mr. KEATING. Mr. President, I seek recognition. I call up my amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator from New York will be stated.

The LEGISLATIVE CLERK. On page 43, between lines 10 and 11, it is proposed to insert a new section as follows:

SEC. 23. Study by Foreign Relations Committee. (a) Upon the expiration of the fiscal year 1963, the Committee on Foreign Relations of the Senate shall undertake or cause to be undertaken a full and complete study of the operation and activities of the Peace Corps during the preceding two years with a view to ascertaining (1) whether the Peace Corps is accomplishing the purposes for which it was established, (2) whether the activities of the Peace Corps have been effectively coordinated with foreign-aid programs, student exchange programs, and other programs of the Government involving our relations with other countries, and (3) whether the Peace Corps should be continued in the same or modified form or whether it should be discontinued. The committee shall report to the Senate the results of its study, together with such recommendations as it deems desirable.

Renumber succeeding sections.

Mr. KEATING. Mr. President, the Peace Corps proposal is a novel and interesting one, which has excited much discussion throughout the country. The purpose of the Peace Corps, as I understand, is twofold. On the one hand, it would help the people of interested countries and underdeveloped areas throughout the world in meeting their needs for skilled manpower. On the other hand, it would encourage and promote better understanding between the American participants and the residents of those countries as to the common goal of political freedom and economic betterment. These are objectives which I am sure most Americans are eager to promote and achieve.

There has been an enthusiastic response to the Peace Corps among students in universities throughout the country. The Peace Corps staff has on the whole set about the planning and organization of Peace Corps projects with skill and efficiency. The Peace Corps has met several of the most ticklish problems which it must face. One of those is by taking a strong stand on the matter of discrimination against American citizens in foreign countries. This is a commendable achievement. I wish that other parts of our foreign aid program were administered on a similar forthright basis.

Secondly, Mr. Shriver, the Director of the Peace Corps, has wisely agreed to permit Peace Corps volunteers to work in conjunction with volunteer groups which are religiously oriented so long as Peace Corps volunteers themselves are not discriminated against in any way in selection and so long as they avoid religious or proselytizing work. This is a wise decision and is to be commended.

Mr. President, all this shows commendable effort on the part of the Peace Corps to combine both practical needs and fundamental American principles. But the real question about the Peace Corps, Mr. President, in my mind and in the minds of many other people throughout the country is simply this: Will it work? Will these relatively young and inexperienced volunteers be able to bring genuine assistance and understanding to people of very different cultures and backgrounds in remote countries and have at the same time the deep root dedication to the American principles of democracy which will be necessary for success on this difficult mission?

Mr. President, another one of the biggest problems which the Peace Corps faces is in its selection of personnel. Already there has been serious criticism of at least two of the prospective volunteers. In the interest of the success of this program, I strongly urge the Peace Corps staff to pay particular attention to the selection, the purposes, the qualifications, background and loyalty of prospective Peace Corps volunteers.

Finally the question is also raised what is there to prevent this program from becoming another entrenched Washington bureaucracy with high-paid administrators in Washington who can show little concrete benefit for their labors? These are, I submit, Mr. President, the real questions which even the strongest supporters of the Peace Corps have asked. These questions are more important than the question of the number of administrators or the size and scope of the program.

I think these questions are more important than the precise amount of money which is to be allotted to different aspects of this program. Therefore, I have offered this amendment, which would provide that at the end of the fiscal year 1964—in other words, after the program has been in operation about 3 full years—a full and impartial study and investigation be undertaken, either by the Senate Committee on Foreign Relations or by a reputable search and study group commissioned by the Committee on Foreign Relations. The purpose of the study would be to ascertain whether the Peace Corps is actually accomplishing the purposes for which it was established, and whether the activities of the Peace Corps have been effectively coordinated with foreign aid programs, with student exchange programs, and with other existing programs of Government involving our relations with other countries, and whether the Peace Corps should be continued in the same way that it is set up, modified, or discontinued.

This study and report, with its recommendations, under the terms of my amendment, would have to be reported to the Senate for whatever action is may deem to be desirable.

The purpose of the amendment is to make clear that the Peace Corps as a

new and promising idea is still on trial, that its future must depend upon its actual performance in the field and that the Senate intends to undertake a careful review of Peace Corps operations after 3 years.

The amendment is important. I am in favor of the Peace Corps, and I expect to vote for the bill on passage. However I want to be sure, as I know many other Senators and a large number of American people also want to be sure, that the Peace Corps will accomplish what it was set up for. If the report at the end of 3 years indicates that it has not fulfilled its purposes, that it has clashed with other organizations, or that there has been an effort to determine or affect foreign policy by the people in the Peace Corps, we should call the experiment off at that time. In the meantime I believe the program has great potentiality, and I certainly wish all success to our Peace Corps volunteers.

I commend the amendment to the consideration of my colleagues.

(At this point Mrs. NEUBERGER took the chair as Presiding Officer.)

Mr. LAUSCHE. Madam President, will the Senator yield?

Mr. KEATING. I yield.

Mr. LAUSCHE. What date does the Senator designate as to when the study should be made?

Mr. KEATING. At the end of fiscal year 1964; June 30, 1964.

Mr. LAUSCHE. That would allow the organization to function until June 30, 1964, to see what the experiment has demonstrated, would it?

Mr. KEATING. That is the purpose of the amendment.

Mr. LAUSCHE. Would the Senator give consideration to advancing the date to fiscal year 1963?

Mr. KEATING. I do not feel strongly about it. That would give them 2 years of operation, instead of 3 years.

Mr. LAUSCHE. They contemplate that these workers would be engaged on a 2-year basis. I point out how sound the proposal of the Senator from New York is. Mr. Shriver, in testifying before the committee, took the position that the experiment has already been made, that the pilot study is complete, and that the pilot study and experiment have demonstrated the feasibility of the project. I am unable to find evidence of the pilot study and of the experiment. Mr. Shriver testified, at page 104 of the hearings:

> We have been working on a pilot experimental basis for 3½, almost 4 months. During that time we have tried to get answers to the basic problems—whether there is an adequate supply of manpower, the demand. That was the experimental phase.

Of course, I am somewhat perplexed to rationalize his presentation in claiming that an experiment and pilot study has been made, when not even one Peace Corps worker has been sent into the world, so that we can determine what the ultimate results will be.

Mr. KEATING. I share the view of the distinguished Senator from Ohio. The experiment goes beyond the very limited field Mr. Shriver has referred to in his testimony. The experiment is whether the actual programs will work. We want to determine whether the Peace Corps will work, whether the Peace Corps personnel will carry on in harmony with other Government agencies. We want to be sure that there is no effort on their part to formulate or initiate foreign policy. There are a great many things which those of us who feel well disposed toward the Peace Corps are anxious to be convinced of.

This is being made a permanent agency. It is not a temporary agency for a short time or for a long time. It will be placed on the statute books as a permanent agency. Therefore I do believe that there should be some check on it. It seems to me that the Foreign Relations Committee is the appropriate body to make that check at the end of some period.

I picked the period of 3 years, because that seemed to me to be a reasonable time for some of these questions to be answered. I will be glad to hear what the Senator from Minnesota has to say as to the suggestion of the Senator from Ohio, who queried me as to whether I would be willing to make the study and survey at the end of 2 years instead of 3 years. I do not feel strongly about the length of time. I felt they ought to have 3 years to prove their case, and that less than that might be too short a time. However, I would be happy to accept such a modification, if that is the general feeling.

Mr. LAUSCHE. I made that suggestion because of the very weak argument to the effect that they have already made the experiment. The experiment they made is to see if there were volunteers or whether foreign countries would accept the volunteers. That is not an experiment at all. The only way to find out what the results will be is to see the work that has been done by these young men and young women. That cannot be done until they have finished their job in the field.

Mr. KEATING. The distinguished Senator from Minnesota informs me that he feels 2 years is sufficient. I am very happy, therefore, to modify my amendment. I modify my amendment to provide for 1963 instead of 1964. I believe the date appears in two places in the amendment.

The PRESIDING OFFICER. The Senator has the right to modify his amendment.

Mr. HUMPHREY. I should like to say to the Senator from New York and the Senator from Ohio that the purpose of the amendment is a commendable one. It was designed originally for a 3-year period. However, I believe that 2 years offers a good basis for studying and evaluating the program, to see whether it fits into the general context of our foreign policy. In other words, we would give a full legislative review and report on the findings. That is the purpose of the amendment.

Mr. KEATING. That is the purpose.

Mr. HUMPHREY. I believe that in a new program like this that sort of oversight on the part of Congress is necessary. I have said to the Senator privately, and now do so for the RECORD, that I would be more than happy, as the Senator handling the bill on the floor, to accept the amendment, and not only to accept it but to join in it. I thank the Senator from Ohio also, who gave great attention to these matters in the committee. The point he has raised is a valid point. It will be helpful.

Mr. KEATING. I thank the Senator.

Mr. LONG of Louisiana. Madam President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. LONG of Louisiana. We should keep in mind that one of the great dangers of this program is that we may expect too much too soon from the Peace Corps proposal. I have talked to some persons who have some idea of what it is like to live in jungles and under unsanitary conditions. These people indicate to me that American companies which have sent them out to do that kind of work really do not expect any real return from such a person during his first year in the field. They expect that it will take a person at least a year before he understands enough about the language and the people to adjust himself to the rigors of unsanitary food and uncomfortable living conditions and other hardships that a person experiences in those areas before he is capable of making worthwhile contributions.

I should imagine that the Government would have the same experience in sending personnel to those areas. In fact, the expressions of fear which have concerned me the most are those which are based on the feeling that the program may fail because too much will be expected of it too soon, rather than to realize that a certain period of time must elapse before the program can blossom into real maturity, so as to enable us to see what it can do.

Mr. CASE of South Dakota. Madam President, the junior Senator from South Dakota has some commitments which he must keep in his State in connection with centennial observances. Regrettably, he will be compelled to leave the Senate during the afternoon in order to take a plane to keep those commitments.

Personally, I have some reservations as to parts of the mechanics of the operation of the Peace Corps program. At the same time, I recognize the great potentialities for service through such an organization as the Peace Corps.

I hope that if the Peace Corps is launched at this time, the enabling legislation will embrace two amendments which will be offered by the distinguished senior Senator from Iowa [Mr. HICKENLOOPER], one which would reduce the amount in dollars, and the other which would provide that service in the Peace Corps as a volunteer shall not in any way exempt such a volunteer from the performance of any obligations or duties under the provisions of the Universal Military Training and Service Act.

The Universal Military Training and Service Act contains a provision for conscientious objectors to be assigned to constructive tasks, but it does not exempt

them from liability for national service. I hope the Peace Corps will not be handicapped in the minds of many persons by the possibility that it might be interpreted as a sort of cyclone cellar for escaping the responsibility for military service. Therefore, I believe the proposal to be offered by the Senator from Iowa will contribute to a better public atmosphere and attitude toward the Peace Corps.

Mr. HUMPHREY. Madam President, will the Senator from South Dakota yield?

Mr. CASE of South Dakota. I yield.

Mr. HUMPHREY. The Senator's point is well made and well taken. It is the intention, when the Senator from Iowa offers his amendment, to accept the amendment, because I believe it is needed.

Mr. CASE of South Dakota. I am glad to have that statement made by the distinguished assistant majority leader. It will clear the atmosphere, so far as the Peace Corps is concerned, in the minds of many persons. I hope the program will be launched under the best auspices possible. Its potentials for good are great. It ought not to be handicapped by limitations or restrictions which will impair its usefulness.

I feel also that the observations made by the distinguished junior Senator from Louisiana [Mr. LONG] are to the point. Too much should not be expected of the Peace Corps in the initial stages. It deserves a chance to mature. To begin such a program on a modest basis at this time will enable us to learn more about its possibilities as it goes forward.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York [Mr. KEATING].

The amendment was agreed to.

SPACE PLATFORMS

Mr. STENNIS. Madam President, I have been concerned for some time about the Soviet ability to launch a space vehicle from an already orbiting satellite—as in the case of their Venus probe earlier this year and more recently their pinpoint accuracy and success in bringing down to a predetermined and precise point on earth the Titov spacecraft which circled the earth 17 times in 25 hours.

The launching achievement by the Soviets demonstrates not only a great rocket power sufficient to toss a 5-ton capsule into space, but equally as important, great advancement in guidance and control systems of the utmost precision to bring about such a spectacular experiment.

Congress, the American people, and especially those scientists, engineers, and technicians in American industry cannot help but be impressed by the recent Soviet achievement.

The United States attempted, yesterday, to duplicate the great technological success of the Russians by launching a 1,400-pound so-called Agena space platform from which a 675-pound satellite known as Ranger was to have been launched farther into space.

Some would call the space shot of yesterday a failure; some a partial success, and some a complete success. I choose to consider it a great success.

Reports from NASA indicate a separation occurred, but that the nearly 700-pound vehicle did not move as far away from its apparent payload as intended.

I am elated, nevertheless, for several reasons. First, the Atlas rocket functioned perfectly as it left its pad at Cape Canaveral and pitched the multipound space platform into orbit. This proves great reliability of the rocket under severe testing conditions. Secondly, the launching of Rover I from the space platform was in every sense of the word a true success, even though it was moved only a short distance from its orbiting launching pad.

We have reached another and most important plateau in our space technology—that of skillful orientation of our guidance and control mechanisms which were reported only a few weeks ago to be inferior to the Russians.

Further developments along this line of technology will enable us to match the Soviets and once again close the gap in space technology which has so threatened the free world since the launching of sputnik in 1957.

I am convinced that space technology will eventually become a dominant factor in determining our national military strength.

Space is the new "high ground" in the military sense. I find it difficult to separate the civilian and military aspects of space exploration. In fact, in times to come, whoever controls space controls the world.

To me, the Soviet's Venus and Titov shots have great military implication. The feats adequately convey to me the eventual ability of the Soviets to launch missiles from orbiting platforms to destroy earth targets. I prefer to call them attack satellites for want of a better name.

Because of their great rocket power, the Soviets can pitch 7 tons or more into orbit, giving them a space vehicle sufficiently large to house an appreciable amount of nuclear weapons plus sophisticated equipments.

Their space satellites, therefore, can be large enough to carry conventional instrumentation such as guidance and control mechanisms, and other necessary electronic parts.

Because our rocket power is limited, we must miniaturize and especially build all instruments and rely heavily on expensive ground facilities to reach our objectives.

The military implications of the accuracy and payload size of Soviet space launches are a serious cause for concern. In spite of our space accomplishments to date, there is an impending military space threat. We are behind the Russians in big booster development.

Madam President, I ask unanimous consent to have printed at this point in the RECORD a list of the vehicles programed for long-term utilization by the National Aeronautics and Space Administration.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Vehicle	1st stage thrust (pounds)	Payload in pounds in 300-mile orbit
Thor-Delta	150,000	480
Scout	105,000	150
Thor-Agena B	165,000	1,600
Atlas-Agena B	360,000	5,000
Atlas-Centaur	360,000	8,500
Saturn C-1	1,500,000	19,000
Saturn C-2	1,500,000	45,000
Nova	[1] 12,000,000	[1] 290,000

[1] Approximately.

Mr. STENNIS. Madam President, we must strengthen our military space program for the decade ahead so that we are able to defend ourselves and our allies from possible attack from space. This means that satellite detection, tracking, inspection, neutralization, and capture systems and techniques require accelerated development.

We must develop the basic capabilities required for future offensive and defensive space operations. We must continue our development of large boosters so that we can place large payloads in orbit; transport, support, and utilize man in space; and so that we can rendezvous and construct manned and unmanned space stations.

I have said many times that we should not separate the military and civilian applications of space quite as arbitrarily as we have in the past. I think we have hampered the military from adequately and properly proceeding along in the space field as expeditiously as possible.

The development of space capabilities is one of the greatest challenges facing this Nation.

Recently we voted the largest single money bill to face this Congress in peacetime—the bill to supply the necessary funds for the so-called Dyna-Soar program. This is an Air Force program, and it envisions placing a man in a predetermined orbit around the earth with maneuverable capabilities far exceeding those of the Titov capsule. This glide vehicle—now in the research and development stage—will have both military and pure space application.

The Ranger shot opens a new era in the exploration of the moon by the attempt to orbit a launching platform from which a deep space probe could be hurled more than 500,000 miles into space. The Ranger experiment was probably the most complex ever attempted by the United States. If it did nothing more, the experiment demonstrated our concern regarding the ability of the Soviets to launch such a vehicle.

To me, it will be immaterial whether Ranger I ever reaches the moon. The important point is that the experiment demonstrated unquestionably our capability to launch a vehicle from an already orbited satellite. This is the heart of the matter.

Military operations in space offer great advantages, and it would be fatal complacency to assume that the Soviets will fail to recognize and exploit these advantages. In my opinion, our Nation

has no choice but to develop manned, maneuverable space weapon systems, if for no other reason than to deny our potential enemies any military and political advantages that are likely to accrue to them from superiority in space.

Therefore, I supported the expanded space budget and the acceleration of our efforts to put a man on the moon and return him safely within this decade. I did this, not because I was overly impressed with the much-publicized prestige factor attached to the feat, but, rather, because of the byproducts to be offered by such an accomplishment; for if we can succeed in the moon shot, we shall then have demonstrated our capability to explore far-distant planets, using manned vehicles, and we shall have developed the skills necessary to keep man alive for extended periods of time, and we shall have demonstrated our ability to develop guidance and control instrumentations of extreme accuracy and reliability.

Madam President, I cannot overemphasize the fact that it is a great mistake to refer to this special space project as merely a man-on-the-moon or shot-at-the-moon operation. Such terminology is grossly misleading.

One byproduct of the moon shot will be the mandatory development of a large booster to get the vehicle to the moon and return it safely to earth. This will be accomplished by virtue of clustering our present basic engines in the Atlas and Thor to make a booster configuration known as the Saturn. It will also be accomplished by clustering the single-thrust chamber F–1 engine of 1½-million-pound-thrust capability into a booster configuration known as the Nova, having many millions of pounds of thrust. The development of Saturn and Nova will definitely be a step forward in support of the military missions in space.

Our national space program will open many new avenues for strengthening our military posture, once large payloads and maneuverable orbits can place men in a functional role in space.

I should like to emphasize, again, that the accelerated space program recently voted by the Congress and signed by the President is not merely a matter of going to the moon and returning safely. It involves the whole concept of development—the machinery for the conquest of space, from both a peaceful standpoint and a military standpoint.

Contrary to the thinking of most persons, a leap in the dark is the only leap we can successfully make at this time. We must approach the problem as "all or nothing." There can be no middle ground, no sanctuary where men of great vision would be allowed to hide from the true realities of the day.

I am sure we are now standing in the same period of time in the developments in connection with space technology that we were in aeronautical developments at the beginning of World War I. No one could then realize the uses to which the airplane would be put, or the influence it would have on all persons in the world.

But if at that time we had not followed through with the development of the airplane, from its beginnings shortly prior to World War I, down to today, we would not now be a first-rate power; in fact, today we might not even be an independent nation. Instead, we might now be a satellite of some world power.

I am sure the capability to operate in space will give us greater methods of operating military and deterrent capabilities. This is one of the byproducts of our moon shot. This is one of the reasons that we must proceed full speed ahead with our lunar probe.

In recognizing at all times the military value, the military implications, and the military needs, I hope our policy will never reach the point where the military is restricted or curtailed in connection with any of these ventures. Instead, the military must be given full opportunity to follow through with these necessary developments.

It must be clear to all of us that the destiny of our Nation and of the world, for that matter—is bound up with the decisions that are made and the speed with which they are made in Congress and in the executive branch of our Government.

We shall continue to make these decisions together, and to make them as Americans moving forward with a common purpose. By such decisions we are making real contributions to the common welfare and to our own survival.

Madam President, I yield the floor.

BIAS IN THE SOUTH EXAGGERATED

Mr. JOHNSTON. Madam President, there appeared in the August 22 Washington Evening Star a very interesting article entitled "Bias in South Exaggerated, Africans Say."

In the article, which had a Greensboro, N.C., dateline, I found many comments which gave me heartwarming satisfaction. It is certainly worth our while to note that the persons who made the statements were Africans, members of an 18-member group currently studying agricultural extension work in the United States.

A primary spokesman for this group, a Mr. Gared, a young Ethiopian agricultural official, said he is convinced that the South's racial troubles have been exaggerated. Mr. Gared noted that when he came to this country, he chose to go to the North, because of what he had read about the South. He also pointed out that the false information upon which he based that decision had been given to him, not by Russians, but mostly by Americans.

Mr. Gared subsequently was sent to work in Texas and in North Carolina—over his own objections. But once he had had an opportunity to live in our area of the country and to meet the people, who traditionally have been noted for their hospitality, Mr. Gared made his observation that the bias in the South had been greatly exaggerated.

He further noted that much of the misinformation had appeared in weekly news magazines and Negro newspapers published in America. Mr. Gared was in Texas and in North Carolina for a period of some 5 months. His group has visited State institutions and businesses; and for a period of about 2 weeks, various members of the group lived with farm families in Wilson, Greene, Wayne, Franklin, Vance, Warren, Granville, Durham, Rockingham, and Caswell Counties, in North Carolina. As a result of his extensive visit, Mr. Gared said his attitude about race relations in the South was entirely changed, and he added: "If you don't look for embarrassing things, you won't find them."

Members of Mr. Gared's party were interviewed at North Carolina A. & T. College, where they spent several days evaluating their North Carolina study. There was general agreement with Mr. Gared's observation about racial conditions in Texas and in North Carolina.

Madam President, this article certainly supports the statements made by me and by many other southern Senators on the floor of this body—namely, that racial conditions in the South have been grossly exaggerated, and human relations between the people of our area of the Nation have been used primarily as a political football.

It is certainly worth noting that these African visitors have reached a conclusion that certain elements of our own citizens deliberately fail to recognize; to wit, wherever in the world you go, deliberately looking for trouble, you can find it. But if you go seeking harmonious relationships and mutual respect, you also will find them.

Another member of the group, a Ministry of Agriculture official from Kenya, noted, "You see a good deal of what you are looking for." He, too, noted that racial problems are worldwide.

Still another member of the group noted that he could get himself into trouble any place, whether it was in America or in his own country.

Particularly enlightening was the comment of an additional member of the party that he remembered reading about that "rock place"—Little Rock—but when he got there he found the races were getting along in all phases of life.

At this particular time civil rights legislation is receiving much publicity and discussion both on the floor of the Senate and off, and I think it is very appropriate that we note these enlightening comments of the African officials.

These comments underscore what I, along with the other Senators from the South who have lived with the people and know them best, have tried to convey to those people from other sections of the country who would like to see harmonious racial relations in the South changed into distrust, disruption, and disharmony.

Madam President, when we are considering bills, such as we have seen introduced, trying to legislate morals and force brotherly love, it well behooves us to keep in mind such unprejudiced, enlightening comments as those made by these African officials.

I hope that every Member of this body will read the article and give it careful consideration before trying to enact additional legislation to cause agitation in our great Southland.

I ask unanimous consent that the article from the August 22, 1961, issue

of the Evening Star of Washington, D.C., be printed in the body of the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. JOHNSTON. Madam President, I also ask unanimous consent that an article from the Washington Post of August 23, 1961, entitled "CORE Stages Sociodramas To Teach Techniques of Sit-Ins," be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. JOHNSTON. Madam President, I also ask unanimous consent to have printed at the conclusion of my remarks letters received by and which were printed in the Washington Evening Star of August 20, 1961.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. JOHNSTON. Madam President, at this time I would like to note, too, that the Congress of Racial Equality, better known as CORE, is now conducting, practically within the shadow of the Capitol, what they call sociodramas, which is nothing but a high-class name for defiance of the law. It shocks me to contrast the actions of this group of our own citizens seeking agitation and publicity for their defiance with those of the visiting Africans who felt compelled to report they have found racial harmony in our Southland.

Madam President, I think the contrast of these two groups should go a long way toward opening the eyes of the vast majority of Americans to what CORE actually wants from their demonstrations; that is, racial unrest and large headlines.

EXHIBIT 1

[From the Washington (D.C.) Star, Aug. 22, 1961]

BIAS IN SOUTH EXAGGERATED, AFRICANS SAY

GREENSBORO, N.C., August 22.—Bekele Gared, a young Ethiopian agricultural official, says he is convinced the South's racial troubles have been exaggerated.

Mr. Gared, who has lived in Texas and North Carolina for 5 months, says the people who exaggerated these troubles to him were not Russians, but mostly Americans.

Mr. Gared is 1 of 18 Africans currently studying agricultural extension work in the United States. A number of them have lived with farm families in central and eastern North Carolina.

Mr. Gared and others of the group were interviewed by a representative of the Department of Agriculture Information of North Carolina State College's School of Agriculture.

"When I came to the United States, I chose to go to the North," Mr. Gared said, "because of what I had read about the South."

Mr. Gared said most of the things he had read about the South had appeared in weekly news magazines and Negro newspapers published in America.

Officials of the International Cooperation Administration granted Mr. Gared his wish. They sent him to Michigan State University.

"Later, when they told me they were going to send me to Texas, I protested," Mr. Gared said. "And when I told people at Michigan State that I was going to be sent to the South, they were most sympathetic."

He said he finally agreed to go to Texas "when I found I had no alternative."

The headquarters of his Texas visit was Prairie View A. & M. College, a State-supported Negro college. In early July, he and his group moved on to North Carolina.

EXPERIENCE OPENS EYES

Since then, they have visited State institutions, businesses, and for about 2 weeks, various members of the group lived with farm families in Wilson, Greene, Wayne, Franklin, Vance, Warren, Granville, Durham, Rockingham, and Caswell Counties.

As a result of his extensive visit, Mr. Gared said his attitude about race relations in the South was entirely changed.

"If you don't look for embarrassing things, you won't find them," he said.

Members of Mr. Gared's party were interviewed at North Carolina A. & T. College here, where they spent several days evaluating their North Carolina study. There was general agreement with Mr. Gared's observation about racial conditions in Texas and North Carolina.

KENYA OFFICIAL AGREES

"You see a good deal of what you are looking for," said a Ministry of Agriculture official from Kenya.

This official, incidentally, said he tried to eat at a white restaurant in Greensboro and was refused service.

"But I didn't get upset," he said, "because I realized that in my own country a white man may have had the same trouble in many places."

"Racial problems are worldwide," he continued in a distinct British accent, result of 3 years of study at Cambridge University.

"But perhaps you in America have done more about these problems than many places in the world," he added.

INDIANA NOT MUCH DIFFERENT

A 36-year-old superintendent for the Ministry of Agriculture in Nigeria, Agorinda Alawode, felt that he had an objective view of America's race problems before he came to this country.

"The American Ambassador explained the situation at a lecture I attended," he said.

Mr. Alawode, whose face is marked by tribal tattoos, has attended Indiana University for 9 months.

"And I don't see much difference in race relations in Indiana and other places I have been," he commented. "I could get myself into trouble any place," he added, "whether it's in America or my own country."

A Tanganyikan official, Ally Mondoma, said he remember reading about that "Rock place" (Little Rock). "But when I got here," he added, "I saw the races were getting along in all phases of life."

One visitor said: "Any time people are indifferent to you, you are segregated. And here I found people very sympathetic."

EXHIBIT 2

[From the Washington Post, Aug. 23, 1961]

CORE STAGES SOCIODRAMAS TO TEACH TECHNIQUES OF SIT-INS

After the two Negro actors were refused restaurant service in a sociodrama put on yesterday by the Congress of Racial Equality (CORE), the audience criticized their performance.

The mock test of segregation practices was conducted by CORE's "Virginia Action Institute" at the 12-acre hilltop estate of the Mount Vernon Unitarian Church near the Potomac in Fairfax County.

The 18-day conference is being held for 40 CORE members to train them in nonviolent methods of combating segregation and to try to end discrimination in places of public accommodation in northern Virginia.

CORE Field Director Gordon R. Carey explained that the sociodrama shows CORE members what to expect when they test the policy of a cafe, bowling alley or movie or when they "negotiate" with owners of such places.

In one sociodrama the waitress served two white men but ignored their two Negro companions. When one Negro asked for a hamburger and milk shake, she said, "We don't serve Negroes here."

Finally he asked to see the manager, who said:

"It's the law—we don't serve Negroes. You'd save me a lot of trouble if you'd just go." After disputing the decision, they went. The manager was played by Rudolph Lombard, a Negro who is former CORE chairman in New Orleans.

After the scene, one CORE member in the audience said the actors who played the Negroes should not have argued with the manager.

Carey said the institute, which will end August 31, plans "action projects"—sit-ins, stand-ins, picketing—if it fails in current negotiations with local business operators. He said CORE began the first of three negotiations yesterday. "We may also go to a segregated beach," he said.

So far, CORE members have visited about 30 northern Virginia restaurants and have been refused service in 19. Sometimes they were admitted to bowling alleys and drive-in movies which later turned them away. They were refused entry into theaters, pools and skating rinks.

Last Sunday CORE representatives, who are trying to set up a local chapter in northern Virginia, spoke at 10 churches in Alexandria and Fairfax. They also are writing area political leaders.

EXHIBIT 3

[From the Washington Sunday Star, Aug. 20, 1961]

TACTICAL ERROR?

The Sunday Star carried this heading: "Tactical School for Law Defiance Set Up by CORE." Since when is it lawful to teach defiance of the law?

Who is providing the money for this defiance? Is the Attorney General going to sit idly by and have a group of people plan to defy the law?

The Senate Internal Subcommittee and the House Committee on Un-American Activities should investigate this internal subversion. This should be stopped before it begins. The State of Virginia should investigate these unlawful people that are planning to cause nothing but trouble.

AGNES ROBINSON.

Your last Sunday edition carried a news item which revealed the proposed activities of CORE here in Virginia. Please accept my sincere thanks for alerting your readers to this organization which appears to be engaged in a program of flouting law and order in this country.

ROSA M. BARNES.

You printed a news item headed "Tactical School for Law Defiance Set Up by CORE."

I haven't been so shocked since General Walker was smashed by the administration for the high crime of promoting Americanism.

You, a leading newspaper of the Capital of our country, report this outrageous gathering of people who openly announce that they are going into training to defy the law (although I notice that they are not so open and above board as to allow the address of this school to be printed), as casually as one might expect you to report Carolina's latest antic.

What we need is a pro-blue newspaper in this area instead of a setting Star.

ELEANOR GIBSON.

This note is to express appreciation for the factual articles appearing in the Star for last Sunday and last Tuesday concerning the CORE classes set up in Fairfax County; also for the headlines on those articles.

Loyal Americans need and want to be alerted to such things.

From time to time, as a member of the rapidly growing body of conservatives, I have protested certain articles appearing in the Star, knowing that since the loss of the Times-Herald, it was no use to protest elsewhere.

Now I am glad to express appreciation.

Dr. MOLLIE RAY CARROLL.

I've never written a protest letter to a paper before, because I often wonder how much is thus accomplished, but a headline in the Sunday Star made me burn for 3 days, so here goes the steam.

The CORE organization brazenly admits that it is planning classes in law defiance.

Americanism, as envisioned by the framers of our Constitution, is certainly on the ebb, when our State and National law enforcement bodies countenance such efforts. Is racial equality achieved if their accomplished objective is still a bitter pill or a thorn in the side of the vanquished? Rather an empty victory, I'd say because of the increased and brooding hatred perpetuated.

C. B. RAINE.

Last Tuesday's edition contained an article on CORE which is tantamount to free advertising for an organization dedicated to unlawful and illegal activities. Last Sunday's article on the same subject should have been sufficient to satisfy CORE's appetite for publicity.

CORE officials should be asked where it stands in supporting the House Un-American Activities Committee. It should also be queried very closely about the source of its income and about its supporters, moral and political.

Neither the methods nor the aims of CORE are in keeping with our concepts of morality and obedience to our laws.

V.F.C.

ACTION ON PADRE ISLAND AND OTHER PUBLIC SITES URGED BY WASHINGTON POST

Mr. YARBOROUGH. Madam President, the people of the State of Texas are proud that Padre Island, America's last great undeveloped beach, is being considered for preservation for all Americans.

S. 4, the bill which I introduced to establish an 88.5-mile park on Padre Island, offers our Nation an opportunity to preserve a magnificent national seashore recreation area.

This bill is now before the Senate Public Lands Subcommittee of the Senate Interior and Insular Affairs Committee. The bill is deserving of passage. It is simple prudence for the United States to act now to acquire lands for preservation. Delay is costly, because the price of land advances as our Nation progresses.

The Washington Post, in a timely editorial in the August 24 edition, today, urged that Congress speed consideration of acquiring new areas of natural wonders that are worth preserving. Time is running out. This Washington Post editorial, titled "The Wild Prairie," is worthy of the attention of the Congress. It urges committee action on Padre Island now.

I ask the unanimous consent to have printed in the RECORD the fine editorial of the Washington Post, "The Wild Prairie," which points to a present opportunity for Congress to be of service to those of our time and those who come after us.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE WILD PRAIRIE

The National Park Service is looking ahead, wisely, to acquiring new areas which would round out its anthology of natural wonders worth preserving. One particularly interesting proposal is for a Prairie National Park which would be located within the Flint Hills area of eastern Kansas. Despite the importance of the prairie in our history, few untouched grassland areas are left—for the obvious reason that the rolling prairies were the wild areas most easily settled.

The proposed park seems altogether inviting. Visitors would have a chance to see a typical prairie in the blue-stem country where Indians, pioneers, and cattlemen once roamed. The seasonal palette is brilliant, varying from the green of early spring to the bronze red of the tall grass in autumn. The flood plains of the Kansas and Blue Rivers lend graceful contours to the 57,000-acre site.

Plans for the Prairie Park were begun in the last administration and ought to be completed as a fitting part of the New Frontier program. The proposed recreational area is one of a number of meritorious projects in the formative stage. Meanwhile, Congress ought to complete action on other immediate measures aimed at conserving natural treasures while there is still time.

These include the wilderness bill, the Indiana Dunes, Padre Island and Point Reyes. The wilderness bill seems to be smoothly in process, and the Indiana Dunes project depends in some measure on compromise action to save parts of this inland beach area from industrial use. But the Padre Island beach area in Texas and the Point Reyes seashore in California both deserve a nudge out of committee before this session ends.

No one disputes the need for setting aside more recreational areas to keep pace with population growth. Each year, land costs rise and the threat of commercial development increases. It is simple prudence to acquire these areas now. Now that the Cape Cod Seashore Area has finally been made part of the park system, Congress ought to speed consideration of the remaining items on the agenda.

PEACE CORPS

The Senate resumed the consideration of the bill (S. 2000) to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower.

Mr. YARBOROUGH. Madam President, if the distinguished Senator from Minnesota [Mr. HUMPHREY] will lend me his ear, I should like to have my name added as a cosponsor of S. 2000, the Peace Corps bill.

When this bill was first introduced, it was circulated. I was not then listed as a cosponsor. I declined because I had misgivings about it, but I have studied the bill and the Peace Corps training program in the intervening weeks and no longer have the misgivings I once had.

On Saturday, August 12, I visited the campus of Texas Western University at El Paso, where a group of Peace Corps volunteers are in training for service in Tanganyika. I talked to the instructors and members of the faculty at Texas Western who are in charge of the training program for these trainees. They told me they had never seen a more intelligent, dedicated group of students in any college they had ever taught in, than these trainees at Texas Western. They arise at 5:30 in the morning and worked until 9 in the evening. They are men whose age average about 25 years. They were primarily civil engineers and geologists. They are to go to Tanganyika to build a system of roads, somewhat similar in purpose to our farm-to-market road system, to tie the remote tribes, villages and towns to cities or roads or arteries of commerce.

Their training at Texas Western includes study of rock structures that are almost identical with the rock structures in Tanganyika, and they go hundreds of miles from El Paso and camp in areas where the geological formations are minerally identical with those found in Tanganyika. There will be four geologists and some other experts to advise the Tanganyikans on the resources of their country.

They say in El Paso that trainees do not walk up mountains; they run. El Paso itself is 3,700 feet above sea level. These Peace Corps trainees climb higher mountains around El Paso in order to toughen themselves to withstand the climate and other conditions they will have to face in Tanganyika.

In addition, representatives of the Tanganyika Government have been there and have interviewed these trainees, and they left thrilled with the prospect of receiving the advice and help of these dedicated Americans.

In addition to the training at El Paso to which I have referred, these trainees will go to Puerto Rico for about 3 weeks, living in the jungle and becoming accustomed to living under primitive conditions. On leaving Puerto Rico, they will go to a camp on the slopes of Kilimanjaro, for several weeks of study of the Swahili language, which will be useful to them in Tanganyika. They have been studying the Swahili language at El Paso. I doubt if we have ever had a group of people who have been more highly trained for a special mission than this group of people in Texas Western, training for service in East Africa.

I am glad to lend my support to the bill.

Mr. HUMPHREY. I thank the Senator for his statement. I am pleased he has joined us as a cosponsor.

Mr. HICKENLOOPER. Madam President, I call up my amendment 8–23–61—C and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 42, between lines 2 and 3, it is proposed to insert a new section as follows:

UNIVERSAL MILITARY TRAINING AND SERVICE ACT

SEC. 22. Service in the Peace Corps as a volunteer shall not in any way exempt such volunteer from the performance of any obligations or duties under the provisions of the Universal Military Training and Service Act.

Mr. HICKENLOOPER. Madam President, in view of certain declarations made in the last few minutes in connection with the Universal Military Training and Service Act, I wish to modify my amendment. I invite the attention of the Senator from Minnesota [Mr. HUMPHREY] to the modification, which I believe will contribute to the purposes of the amendment.

Madam President, I modify my amendment as follows: At the beginning of the amendment, following the words and figures "Sec. 22." insert, prior to the word "Service," the following:

Notwithstanding the provisions of any other law or regulation

I believe a comma should appear after the word "regulation".

The entire amendment would read as follows:

SEC. 22. Notwithstanding the provisions of any other law or regulation, service in the Peace Corps as a volunteer shall not in any way exempt such volunteer from the performance of any obligations or duties under the provisions of the Universal Military Training and Service Act.

I ask the Senator from Minnesota if that would in any way alter or change the discussion we had prior to my offering the amendment. I do not mean to alter the amendment substantially, but I believe the language I am suggesting will carry out definitely and succinctly the purposes I had in mind.

Mr. HUMPHREY. I wish to make sure we have a clear understanding. Service in the Peace Corps will not exempt anyone from his military obligations. Is that crystal clear under the Senator's amendment?

Mr. HICKENLOOPER. I intend it so.

Mr. HUMPHREY. Yes. Service in the Peace Corps will not exempt anyone from his military obligations. At the time the pilot Peace Corps program was initiated, the Peace Corps consulted with General Hershey, Director of Selective Service, and reached complete understanding with him on this point.

The Universal Military Training and Service Act gives the President authority to defer persons who are engaged in activities in the national health, safety, or interest. Under this authority, temporary deferments are granted to full-time high school or college students, farmworkers, teachers, scientists, engineers, and others. These deferments are granted by the local draft boards throughout the country on a case-by-case basis based upon the fact the individual involved is engaged in an activity in the national health, safety, or interest. General Hershey has announced that Peace Corps volunteers would be eligible for deferment as being engaged in such an activity, although the initial decision is up to the local draft board. Upon return from service in the Peace Corps, the volunteer would be subject to the draft in exactly the same manner as anyone else and would be eligible for further deferment on the same basis as anyone else, depending upon the nature of his activities following completion of his Peace Corps service.

I understand the amendment to intend that simply because one goes into the Peace Corps it would not mean he had fulfilled any military commitment, any more than a person who went to college fulfills any military commitment. During the period of enrollment the local draft board, if one were taking a certain course of study, could give a temporary deferment. Once that is completed, the person is still eligible for the full provisions of service under the Universal Military Training and Service Act.

Mr. HICKENLOOPER. That is substantially correct. I especially wish to avoid any regulations to be issued pursuant to the Universal Military Training and Service Act which would exempt members of the Peace Corps per se from obligations, present or future, under the act. In other words, simply because a person is a member of the Peace Corps will not automatically, either under the law or regulations, exempt him from military service. I presume one would have to say that the local draft board would apply the same tests individually to an individual member as to other persons.

Mr. HUMPHREY. The Senator is correct.

Mr. HICKENLOOPER. But service in the Peace Corps would not per se be a basis for exempting a person from military service.

Mr. HUMPHREY. General Hershey has announced that the Peace Corps volunteers will be eligible for deferment.

Mr. HICKENLOOPER. Under the law as it now exists?

Mr. HUMPHREY. Yes. They are eligible for deferment, not for exemption.

Mr. RUSSELL. Madam President, there is a great deal of difference between deferment and exemption.

Mr. HUMPHREY. The Senator is correct.

Mr. RUSSELL. Those are entirely different things. Deferment means that the time of a man's military service may be postponed for 6 months or 12 months or some other period. There has been no universal rule, as applied by the various draft boards, for example, with respect to deferments for college students. The regulations have been applied differently.

As I understand the amendment offered by the Senator from Iowa, he wishes to avoid any case whereby a man may be exempted from his military obligation.

Mr. HICKENLOOPER. The Senator is correct.

Mr. HUMPHREY. I agree.

Mr. RUSSELL. I think the amendment would do that. As the Senator from Minnesota stated, deferment is a matter which would be considered by each local draft board.

Mr. HICKENLOOPER. By the same token, I wish to make it clear it is not my intent that service in the Peace Corps would produce an automatic deferment. It would still be left to the local draft board to say whether the circumstances in a particular case warranted deferment. Service in the Peace Corps would not automatically be the basis for such deferment, any more than a boy could say, "I am a farm boy. I live on the farm. I help my father with the plowing. Therefore, I should have an automatic deferment."

Draft boards do not follow such a procedure. They look at the hardship involved and the particular circumstances surrounding the individual case. A man may fall into a class as to which the circumstances may warrant a deferment. However, if the circumstances, in the judgment of the draft board, do not warrant a deferment, the man in that class is not entitled to a deferment. I wish to have that clear for the RECORD.

Mr. HUMPHREY. I understand. The initial decision will rest with the local draft board. We do not seek to change that under the law, and the Senator's amendment makes that clear.

Mr. HICKENLOOPER. I realize that. I wish to make it doubly clear in the legislative history that no draft board should take service in the Peace Corps as a basis for automatic deferment. A man may be eligible for deferment, under various circumstances surrounding his draft status. Service in the Peace Corps might be one of the elements the draft board might take into consideration, of course, but that alone should not be the basis for an automatic or mandatory or even permissive deferment, unless there were other elements, the same as is true with respect to other categories.

Mr. HUMPHREY. Let us make it crystal clear. The amendment would not in any way exempt anyone from his obligation for military service. Secondly, insofar as deferment is concerned, the initial decision will rest with the local draft board. Any man will be considered along the lines of consideration of a college student, in the areas spelled out under regulations already promulgated.

Mr. HICKENLOOPER. Yes.

Mr. HUMPHREY. That has to be done by the local draft board.

Mr. HICKENLOOPER. That is correct.

Mr. HUMPHREY. In other words, simply because one is in the Peace Corps, whatever his job may be, it would not automatically grant him a deferment. The decision will be made case by case.

Mr. HICKENLOOPER. It should not be considered that the draft board would hang its hat on the fact of service in the Peace Corps and say, "We will defer for that reason."

Mr. HUMPHREY. It surely could be a factor as to deferment.

Mr. HICKENLOOPER. As I said a moment ago, that would be one of the things which could be a factor, but it should not be the sole criterion by any means.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. HICKENLOOPER].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HICKENLOOPER. Madam President, I call up my amendment designated "8-22-61—F" and ask to have it stated.

The PRESIDING OFFICER. The amendments of the Senator from Iowa will be stated.

The LEGISLATIVE CLERK. On page 17, it is proposed to strike out section 10 (a) (2).

On page 24, lines 22 and 23, it is proposed to strike out "and international organizations."

On page 25, line 2, it is proposed to strike out all after the word "agency" up to "to any office" on line 4, page 25.

On page 26, line 4, it is proposed to strike out "international organization or".

On page 26, lines 6 and 7, it is proposed to strike out "international organization or".

On page 27, lines 1 and 2, it is proposed to strike out "or international organization".

The PRESIDING OFFICER. Does the Senator from Iowa desire that the amendments be considered en bloc?

Mr. HICKENLOOPER. Yes, because they all go to the same subject. It would be ineffective to adopt one of the amendments and not adopt all. They must all stand or fall together.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

The question is on agreeing to the amendments of the Senator from Iowa.

Mr. HICKENLOOPER. Madam President, the amendments would delete reference in the bill to "international organizations." The purpose of the bill, according to section 2, is:

> To promote world peace and friendship through a Peace Corps, and to promote a better understanding of other peoples on the part of the American people and a better understanding of the American people on the part of the peoples served.

It would not serve this purpose of promoting better understanding between the American people and other peoples if the Peace Corps projects contemplated under this bill were carried out by non-Americans, or even though carried out by Americans, were identified as being under international rather than American auspices.

In the United Nations, the United States is the greatest contributor, yet the moneys expended by the United Nations are sometimes—as for example, the recent aid to Cuba—expended for purposes directly contrary to U.S. interests and objectives. Control over the Peace Corps should remain in the hands of our own policymakers, and it should not be utilized contrary to our foreign policy. Should the United Nations desire to start its own Peace Corps, then there should be a separate decision by the United States whether to participate, and any appropriation for that purpose should be clearly identified. This bill should not be used as another means of funneling moneys piecemeal to the United Nations or to other international organizations.

Over the years I have not opposed reasonable cooperation with international organizations. I am not now opposed to reasonable cooperation with international organizations under proper auspices and under legislation which clearly contemplates such cooperation and which clearly sets it out. But, as I pointed out a moment ago, the organization is proposed to be set up with an objective as a Peace Corps—an American institution.

I have heard various reports. I cannot verify them at the moment. One of the reports which I have heard is that some who are enthusiastic about the Peace Corps and its administration have proposed that as many as a thousand of the Peace Corps members be assigned to various international organizations. To me the suggestion was fantastic. As I said, I do now know whether such assignment would be included in the program, with the unlimited assignment authority contained in it now, but it would be fantastic if it were, because the Peace Corps would immediately lose all identity with the United States. It would no longer be a U.S. Peace Corps.

I see no reason that is justifiable or sustainable as to why we should participate in this Peace Corps operation, which is an attempt to carry American methods and American zeal, as an American institution, into the less-developed countries. I can see no reason why we should turn it over in any substantial degree to international organizations to operate.

I hope that at the end of the debate on the Peace Corps I can support the Peace Corps idea, because I think in the program is the germ of a potentially fine idea. But to start at the inception of the program, when it has not in the slightest degree been put into effect, so far as foreign fields are concerned and is still in the early training period, with unlimited authority to assign Peace Corps members to international organizations is certainly repulsive to me, compared to the announced purpose of the Peace Corps. The amendments would merely remove authority to make such assignments of members of the Peace Corps, which I consider to be established to serve American interests, ideals, and methods. They would merely remove that authority and state, "This program will remain a strictly American institution." I submit that is all the amendments would do, and what I seek to accomplish.

Mr. HUMPHREY. Madam President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. HUMPHREY. I have discussed the amendments with the Senator. They are very restrictive, as the Senator knows, and I can fully appreciate the purpose he has in mind. I know the purpose of the amendments is to clarify the bill with respect to its specific objectives. Personally I feel that there might well be a justified limitation on the assignment of personnel of the Peace Corps to international organizations.

I invite the Senator's attention to page 17, section 10, of the bill, wherein rests authority for assignment of Peace Corps members to international organizations. Subsection 2, section 10, is an amendment placed in the bill by the committee, and states as follows:

> (2) assign volunteers in special cases to temporary duty with international organizations and agencies when the Secretary of State determines that such assignment would serve the purposes of this Act;

The section to which the Senator's amendments applies is the operative section relating to this point that spells out the detail of how the assignment will be made.

Mr. HICKENLOOPER. The first provision of my amendments would strike out that section.

Mr. HUMPHREY. I wish to make a suggestion of an amendment in the nature of a substitute, to the Senator from Iowa. I hope he will find it possible to concur in the substitute. It would read as follows:

> On page 17, line 21, after the word "at" add the following:
> "*Provided*, That not more than one hundred Peace Corps volunteers or volunteer leaders shall be assigned to international organizations as described in this section."

Such a provision would establish a ceiling, and would obviously impose a rather strict limitation, but it would permit what I think the Senator would like to have, which is some leeway, flexibility, and room for experimentation, and yet at the same time it would not go as far as the administration has recommended relating to activities with international organizations. I hope my friend will find it possible to accept the amendment.

Mr. HICKENLOOPER. I appreciate the suggestion of the Senator from Minnesota. I think we are not far apart. In fact, basically, I do not believe we are apart on this subject.

We discussed the subject a little before the amendments were called up. As I understand, the Senator from Minnesota feels that the institution should be basically and fundamentally American.

Mr. HUMPHREY. The Senator is correct.

Mr. HICKENLOOPER. He also feels that, at this point—I would not want him to commit himself for the indefinite future—we should not turn the general operation of the Peace Corps over to an international organization.

Mr. HUMPHREY. I think the Senator recognizes that the language on page 17 makes quite clear that there shall be temporary duty with the international organizations, which was the intent of the committee.

Mr. HICKENLOOPER. So far as my personal feeling about this subject is concerned, and starting with the idea that we are pioneering and that it is an experimental operation, I could see at least some exploratory benefit in perhaps assigning some specialists to certain international organizations under special circumstances.

Mr. HUMPHREY. That is what I hope we can have.

Mr. HICKENLOOPER. Would the Senator mind reading his proposed amendment again?

Mr. HUMPHREY. It would read on page 17, line 21, after the word "act," which is the conclusion of that subsection, with the addition of a proviso:

> *Provided*, That not more than one hundred Peace Corps volunteers or volunteer leaders—

That means including both in that number—

> shall be assigned to international organizations as described in this section.

Mr. HICKENLOOPER. The Senator has modified the suggestion somewhat along the line of special cases or special qualifications. In other words, what I would like to provide is that we do not willy-nilly make the assignment of Peace Corps members because they are members of the Peace Corps, to an organization, but, rather, that there should be some justifiable purpose to be accomplished by assigning an individual to an international organization. Otherwise, I could not go along with the Senator. It must be understood that there is a real, special purpose to be accomplished by the assignment.

Mr. HUMPHREY. I would suggest to the Senator that the language on line 18, page 17, meets the same objective. It says:

> Assign volunteers in special cases to temporary duty with international organizations and agencies when the Secretary of State determines that such assignment will serve the purposes of this Act.

That is not a wide open proposition; it provides for special cases and temporary duty.

Mr. HICKENLOOPER. And where some special or unusually advantageous result might be expected from the assignment of a particular individual or individuals.

Mr. HUMPHREY. That would be my understanding of it. That is how I would interpret the legislative history of the words "special cases."

Mr. HICKENLOOPER. I am not certain about this, but again I understand that within the Peace Corps organization there may be some thought that only 25 or 30 might be assigned, and that they do not envision at the immediate moment more than 25 or 30 being assigned. The Senator proposes 100. I do not want to be too touchy, but the Senator is a horse trader. Will the Senator settle for 60?

Mr. HUMPHREY. If I were a good trader, I would start at 150.

Mr. HICKENLOOPER. The Senator from Minnesota started high enough.

Mr. HUMPHREY. The Senator from Iowa is a man of prudent judgment. Not only is he a man of prudent judgment, but also of great influence in the Senate. The figure of 100 is intended to be a ceiling. I am of the opinion that the Peace Corps agency will recognize that this is no mandate to rush out, and that the legislative history is quite clear that these are special cases and temporary assignments. We would like to have some pioneering and some experimental work with international organizations. I know how basically fair the Senator from Iowa always is, and I know he would not want to make it too restrictive, or to adopt any language which might put the organization in a straitjacket. The figure of 100 is such a commonplace figure. It reveals purity of intent and heart. It is like 100 percent. I appeal to the Senator to join with me in urging the adoption of that figure.

Mr. HICKENLOOPER. I appreciate the Senator's compliment as to what he thinks about my fairness. I do not know whether his opinion is justified. I know the Senator from Minnesota is always fair. He started with 100. I started with nothing. The Senator from Minnesota now wants me to come up to 100.

Mr. HUMPHREY. I was going to modify my figure to provide for 200.

Mr. HICKENLOOPER. I started with nothing, and I have suggested that the Senator come down to 60. I am asking that he drop from 100 to 60. That is almost like a 50–50 ratio of one horse and one rabbit.

Mr. RANDOLPH. Madam President, perhaps a third party could help in the situation.

Mr. HUMPHREY. We appreciate any wisdom we can get at this point.

Mr. RANDOLPH. I would be glad to help if I could do so in the circumstances.

Mr. HICKENLOOPER. I would be glad to have the Senator help me out, because I need some help with the Senator from Minnesota. If he can help me out in this matter, I would appreciate it very much.

Mr. RANDOLPH. As my grandfather used to say, "You are both right and both wrong. The truth lies between you." The Senator from Minnesota has suggested 100.

Mr. HUMPHREY. Oh, wait a minute.

Mr. HICKENLOOPER. Let the Senator continue, please.

Mr. HUMPHREY. The bill contains no limit. What poor, conservative Senator HUMPHREY is suggesting is a mild 100.

Mr. RANDOLPH. My conservative friend from Minnesota suggests 100, and my conservative friend from Iowa suggests 100 less 40. I wonder if we might agree on the figure of 80, in a serious way, so as to resolve the problem between 60 and 100. I know that both Senators are cooperative.

Mr. HICKENLOOPER. We are getting closer to the 50–50 ratio of one horse and one rabbit. We are getting closer to it all the time. I started with nothing, and the Senator from Minnesota started with 100. Now I am supposed to compromise at 80.

Mr. HUMPHREY. The Senator from Iowa is such a good lawyer, he takes what he considers to be the better part of his case. The fact is that the Senator from Minnesota, on behalf of the committee, started with no limitation. Out of a desire to accommodate what I consider to be a reasonable point made by the Senator from Iowa, I suggested that we agree on a figure of 100. Very frankly, I do not believe that there will be 100 volunteers so assigned. I am being perfectly honest about it. The Senator from Iowa feels that way, too, I am sure. I do not want to put a figure in the bill which might limit the operation of this section of the bill. I am sure that whatever figure we put in the bill we will have to go to conference with it with our colleagues from the other body. The Senator from Iowa will be one of the conferees. He is one of the ranking minority members of the Committee on Foreign Relations. He will be even more persuasive then than he is now, and he has already practically pushed me off the steps here in the Chamber.

Mr. HICKENLOOPER. I thank the Senator from West Virginia for his helpfulness. I have discussed this matter with people who are quite familiar with the activities of this organization, and I got my suggestion from them. They could not envision at the moment a real necessity for placing more than 25 or 30 volunteers with international organizations. I said, "Well, I will be glad to be very generous in my attitude, and I might even consent to 50." Now I am being pushed up all the time in respect to the figure.

Mr. President, this is what I will do. I will offer the Senator from Minnesota the best bargain he could possibly get. I will amend my amendment to provide for 75.

Mr. RANDOLPH. Sold.

Mr. McCLELLAN. Sold. [Laughter.]

Mr. HUMPHREY. The Senator's qualities as a bargainer are exceeded only by his persistence and his qualities as a Senator. The assignment of a hundred is really a great limitation. The committee did not want any. We went over this matter in committee, and we did not want any limitation, as the Senator will recall, and that was determined by a substantial majority vote in committee. I recognize the validity of the Senator's objective. I know he wants to make sure that when we work with national organizations we work rather carefully, at least in the beginning stages.

That is why the Committee on Foreign Relations adopted this language. This is our language, not the administration's language. It is proposed to assign volunteers, in special cases, to temporary duty with international organizations. If we establish a ceiling of 100 workers, which will include group leaders as well as volunteers, it seems to me we are being fair and equitable. I do not like to higgle and jiggle to decide whether the number will be 80, 75, 60, or 100. I think the figure of 100 is reasonable; it approaches the problems with some flexibility for the administrator. I feel certain Mr. Shriver will demonstrate to us that he is a responsible man and understands all the ramifications. I hope that we may obtain a figure of 100. The Senator from Iowa will be with us in conference.

Mr. HICKENLOOPER. I too, think Mr. Shriver is a capable man and will be dedicated to the administration of the program. But we are not writing a program for Mr. Shriver, much as we all think of him. We are writing a law and a program for the United States. The figure I have proposed may not be correct. I do not say it is. But it is in accordance with information I received this morning from persons who ought to know what the administrative possibilities of the program are. They told me they did not envision at this moment utilizing more than 25 or 30, or perhaps 22; a figure such as that. I replied, frankly, that if I were pushed, I would probably amend the figure to 50. I have already proposed 50; the Senator from Minnesota asks for 100.

I will propose 75. That is halfway between. It is three times as many as I understand can possibly be put to work, but a ceiling of 75 is established. I think the Senator from Minnesota, out of the charity of his own heart, ought to reduce somewhat the figure he proposes. He has not come down a bit from 100. I think he ought to settle for 75.

Mr. RANDOLPH. Mr. President, the Senator from Iowa is generous, because he has indicated, first, that 60 would be a "giving" from the figure he had earlier believe to be acceptable. Now he suggests, not facetiously, 75. Frankly, I hope the Senator from Minnesota will accept my proposal of 80. [Laughter.]

Mr. HICKENLOOPER. The Senator from Minnesota has indeed receded from his original position of an unlimited assignment, which he supported in the committee.

Mr. HUMPHREY. Mr. President, I will modify my amendment in the nature of a substitute, because if modified it might better work, since the amendment of the Senator from Iowa touched a series of provisions in the bill. Or the Senator from Iowa might offer this proposal as a substitute because of his own keen interest in the subject. Or I could offer it in behalf of both of us. The amendment would be on page 17, line 21, after "Act", to insert:

Provided, That not more than seventy-five Peace Corps volunteers or volunteer leaders shall be assigned to international organizations as described in this section.

Mr. HICKENLOOPER. Mr. President, I accept that amendment.

Mr. Humphrey. How about the distinguished Senator from West Virginia [Mr. RANDOLPH], the 80 percenter?

Mr. RANDOLPH. The role of peacemaker sometimes is not pleasant, but it has been pleasant today because I find both Senators desirous of selecting a figure which is reasonable and also realistic.

Mr. President, I call for a vote on the amendment.

The PRESIDING OFFICER. Does the Senator from Minnesota offer as an amendment the language he has just stated?

Mr. HUMPHREY. I offer it.

Mr. HICKENLOOPER. Or I can modify my amendment.

Mr. HUMPHREY. I think this language will modify it. I offer it as an amendment on behalf of the Senator from Iowa and the Senator from Minnesota.

Mr. HICKENLOOPER. I shall ask the opinion of the Senator from West Virginia and the Senator from Minnesota. In my view, if this amendment is adopted, it will not be necessary to adopt the rest of the items in the amendment which is before the Senate.

Mr. HUMPHREY. I suggest that the Senator from Iowa withdraw his original amendment and then offer the new language as an amendment. That would solve the parliamentary problem.

The PRESIDING OFFICER. Is that agreeable to the Senator from Iowa?

Mr. HICKENLOOPER. It is agreeable. I think it is understood that what we seek to do is to limit the overall number to 75, in the assignments of members of the Peace Corps to special cases in international organizations. I withdraw the original amendment.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Iowa.

The LEGISLATIVE CLERK. On page 17, line 21, after "Act," it is proposed to insert:

Provided, That not more than seventy-five Peace Corps volunteers or volunteer leaders shall be assigned to international organizations as described in this section.

The question is on agreeing to the amendment of the Senator from Iowa.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HICKENLOOPER. Mr. President, I call up my amendment designated "8-22-61—G" and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 11, line 15, it is proposed to strike out "forty" and insert in lieu thereof "twenty". On page 11, line 18, strike out "thirty" and insert in lieu thereof "twelve".

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, the purpose of the amendment is to reduce the number of supergrades provided for in the bill. I may be wrong in my assumption, but as I view the setup of the Peace Corps as proposed in the bill, there seems to be a desire to establish an elite group of high-salaried employees to contrast with the group of low-salaried volunteers. If that be so, I ask: Where is the original concept of self-dedication in the Peace Corps?

Apparently it is not to apply across the board, but is to be sacrifice only on the part of the low echelon. Only the fieldworkers will sacrifice. The employees are to be all out for the almighty dollar, receiving entertainment allowances and other perquisites, as well. A number of those positions have been set up.

In the proposed legislation, the Peace Corps seeks one supergrade for every nine Washington employees in the administration of the Peace Corps. In other words, the figures show that 269 employees are wanted in Washington, together with 30 supergrades. Where else in Government does this sort of top-heavy supergrade situation prevail? What makes the Peace Corps so unique? Is not foreign aid just as important? Or the Department of State or any other of the vital departments of Government? Moreover, under the bill, Foreign Service reserve officers can be hired for Washington work, and their salaries can be as high as $19,650, so the ratio of 1 to 9 could even be 2 or 3 to 9.

There are no indications that any of the top grade employees intend to take any cut in salary to work for the Peace Corps. On the contrary, the indications are that most of the personnel involved will be getting jumps in pay. Many will probably simply transfer from other Government agencies.

Two Peace Corps supergrade positions are unallocated on the theory that GS-15's can do the jobs. Should the Congress require definiteness, or should it leave such decisions to the speculative whims of remote possibility? Naturally, if a supergrade position is open, a jobseeker will demand it.

How does the Peace Corps justify supergrade positions for such employees as an "executive secretary"? The ICA's executive secretary does not hold a supergrade position. How does the Peace Corps justify the position of special assistant for U.N. programs when no U.N. programs are currently in the offing?

The PRESIDING OFFICER (Mr. PELL in the chair). The hour of 2 o'clock has arrived and the attention of the Senator from Iowa is called to the fact that under the order previously entered, the Senate is now to proceed to the consideration of his amendment lettered "D."

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senate may now proceed with the further consideration of the amendment the Senator from Iowa has been discussing. From the time that has been allotted—45 minutes—I shall be happy to yield to the Senator from Iowa such time as he may need to complete the presentation of his amendment. I ask unanimous consent that the Senate continue with its consideration at this time.

The PRESIDING OFFICER. Is there objection?

Mr. SYMINGTON. Reserving the right to object, Mr. President, let me ask what the amendment is.

Mr. HUMPHREY. It is the amendment which would reduce the number of supergrade positions in the Peace Corps establishment from 40 to—I believe—20, and in the other category from 30 to 12.

Mr. HICKENLOOPER. That is correct.

Mr. SYMINGTON. In other words, the amendment would reduce the opportunity to obtain skilled personnel to handle the program?

Mr. HUMPHREY. That would be my interpretation.

Mr. SYMINGTON. I have no objection to the request.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, at this time I yield to the Senator from Iowa 5 minutes—to begin with—in order that he may continue with the presentation of his amendment.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 5 minutes.

Mr. HICKENLOOPER. Mr. President, why should there be a Congressional and Public Affairs Office, and also a Public Information Office? Why should there be two supergrade positions in the Office of the General Counsel? The ICA has today but one, and it is a GS-16, at that. And why should there be a Director of Near East and south Asia programs, and when all the indications are that no Near Eastern

countries are interested in the Peace Corps projects?

And why should there be a Medical Director? Cannot this type of activity be handled by the Public Health Service on a reimbursable basis?

And why should there be seven supergrade positions in the Office of Program Development and Operations? Even with this amendment, the Peace Corps would still have 8 GS–15 positions to be filled without regard to civil service regulations, and 12 supergrade positions, 2 of which could be compensated at $19,000 a year.

All I am trying to do, Mr. President, is take a realistic look at this matter.

I wish to point out that 2 months of the present fiscal year have not passed, and the Peace Corps now has only about 600 persons in its employ. The Peace Corps will have more employees as its work expands. But the request for 40 positions in the administrative setup, to be compensated without regard to the provisions of the Classification Act of 1949, as amended, and the request that 30 of them may be compensated at rates higher than those provided for grade 15 of the general schedule established by the Classification Act of 1949, would result, if agreed to, I submit, in a top-heavy operation by high-salaried persons who, for good organization or good administration, are not needed in the numbers requested. That is why I propose, by means of my amendment, to reduce the number.

Mr. President, we shall have a chance to look further into this matter next year. I hope I do not have to oppose the Peace Corps, and I hope we can consider it next year. The end of the present fiscal year is only 10 months away, and presumably this matter will have to be considered next January and February, in order for us to see how the program has worked out and what the needs may be.

At this time we could easily load down the Peace Corps program to a point where it would be laughed out of existence; or we can proceed cautiously and conservatively in developing it, and then see whether it will produce the results we seek.

All I am trying to do is keep the program within the lines of the original intent, as proposed last winter. I certainly believe that the reduction in the requested number of supergrade positions, as proposed by my amendment, not only will increase the respect for the Peace Corps, but also will increase its efficiency in administration and will avoid the criticism that the Peace Corps is an additional haven for high-salaried persons who are not needed. I believe that the adoption of my amendment will contribute to the acceptance of the Peace Corps as a body dedicated to doing sacrificial jobs in the interest of peace.

Mr. President, that concludes my statement on the amendment.

Mr. HUMPHREY. Mr. President, I yield myself whatever time may be necessary in order to respond to the statement made by the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. HUMPHREY. Mr. President, I have discussed the amendment at some length with those responsible for the administration of the Peace Corps, as well as with my colleagues on the Senate Committee on Foreign Relations.

I believe that the best testimony about the amendment was given by the Director of the Peace Corps, Mr. Shriver, when he appeared before the Manpower Subcommittee of the House Committee on Post Office and Civil Service. He spoke there in behalf of section 7(b) of the Peace Corps bill. It is the section which the Senator from Iowa seeks to amend by means of his amendment. This section provides for 40 positions, 20 of which may be compensated at rates between the highest provided for in grade 15 of the general schedule, which is $15,030, and the GS–18 rate, which is $18,050; and 2 would be compensated at rates in excess of $18,050, but not in excess of $19,000. The additional 10 positions could also be compensated without regard to the Classification Act, but not at rates higher than that for GS–15, which is $15,030.

I believe a good case has been made for what are called the supergrade positions. This part of the bill provides for the administration of the act by competent persons who will be specialists in certain areas. If they are competent, it will be necessary to pay them adequately. For example, Mr. Shriver pointed out that one of the positions is that of Medical Director. The Peace Corps has a Medical Office, which is responsible for the health and care of volunteers in the field. As Mr. Shriver indicated, it is very difficult to obtain a first-class physician to discharge this important responsibility, unless the pay for the position is sufficient to interest a person of high professional qualifications. That is why one of these positions—that of Medical Director—will have to carry a salary of $15,000.

For two of these positions it is requested that the compensation be at a rate not to exceed $19,000. These positions are very important. The first is that of Associate Director for Program and Operations. The second is that of Director of the Peace Corps Volunteers. One is the administrative director; the other is the manpower director. Those two positions must have salaries of approximately $19,000, and some provision must be made in the bill in that connection.

Mr. HICKENLOOPER. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. HICKENLOOPER. The last two positions to which the Senator from Minnesota has referred are not dealt with by this amendment, and would not be eliminated or affected in any way by it.

Mr. HUMPHREY. I realize that. I understand what the Senator from Iowa seeks to do. The total number is 40, and includes all of the so-called supergrade positions.

Mr. HICKENLOOPER. Yes.

Mr. HUMPHREY. The Senator from Iowa wishes to reduce that number to 20, and to make a similar reduction in the group of 30. The bill provides that there shall be a group of 30 who may be compensated at rates for grades higher than grade 15. In other words, 10 would be paid salaries up to a maximum of $15,000, under the bill, and 30 would be paid salaries of more than $15,000, but not over $19,000 a year.

I believe the amendment is so restrictive that it would seriously injure the management of the Peace Corps program, because the Peace Corps deals primarily with people, not with goods and services. I recall the interest of the Senator from Missouri [Mr. SYMINGTON] in this amendment. He was present in the Chamber a moment ago. He spoke to me and said something during the debate about it. These persons relate to the management personnel of the Peace Corps agency. This group of men and women will be specialists, who will be recruited from the universities, who will take on the job of operating the program. This relates to recruitment personnel, management and administrative personnel. It means that 30 of them may go as high as $19,000. It does not mean all of them will go that high. In fact, as I understand, there will be only two. It means 10 shall go no higher than $15,000.

I would hope the Senate would view the amendment with considerable care, because when we are putting this large number of people at work and we are dealing with people, we had better have the kind of administrative management that can do the job we want done.

I think the amendment is far too restrictive. If the Senator wants to make a modest adjustment, I think he can find a more suitable figure. I ask him to reexamine his thinking on the number of supergrades. If I were to go along with any change, it would be simply for the first year. We may not be operating at full speed. There may be some justification for a mild adjustment on that basis. Where the 40 figure is suggested, he ought to examine his proposal. I would want to leave it at 40. I want to proceed on that basis. I hope, if the Senator wants to make a modest reduction, he might talk about 35.

Where he has referred to 30, if it might satisfy his desire to place some restraints, even though there are plenty of restraints in the bill, he might suggest 25.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. RANDOLPH. While the Senator from Iowa is considering the proposal advanced by the manager of this important legislation, may I ask the Senator from Minnesota if it would not be true that these so-called super or higher grades are, in essence, protective of this program?

Mr. HUMPHREY. That is my view.

Mr. RANDOLPH. Because it is a volunteer program?

Mr. HUMPHREY. It is, and requires good management.

Mr. RANDOLPH. Several thousand persons are in the category of loyal volunteer people. These men and women, well intentioned as they are, and dedi-

cated as they will be, certainly need this management group from so-called higher or supergrades.

In our Committee on Post Office and Civil Service we have had this subject before us in many ways and in several hearings. By and large, it has been our thinking—and this is not partisan in any degree—that the so-called management group within any agency or department of Government really, in a sense, is dollar saving, because with management practices by trained personnel, we can find a better functioning of the programs within the structure of our Federal system.

So I would hope that, if the Senator from Iowa could not agree fully with what the committee has proposed, he might think substantially in terms such as have been suggested to him by the Senator from Minnesota.

Mr. HICKENLOOPER. Mr. President, I merely want to point out that this is a new, experimental agency—that at the present time there are in the neighborhood of 600 persons in the Corps. It is contemplated having only about 236, or in that order, in Washington, to administer the program. To have 40 supergrades for a total of 236 persons is a little topheavy.

It is proposed to have a public affairs office. In the first year of operation and experimentation, they do not need a public affairs office as such, with some high-salaried official.

It is proposed to establish a public information office. I submit they do not need a public information office in the first year of experiment. It has only 10 months more to run.

We can look at it, and must look at it, next January or February. This is not an organization which has been going on. It has no history of operation. We do not know what it will do. Therefore, I think it is unwarranted to set up this many officers.

Why do they need two supergrades in the Office of General Counsel? There is plenty of legal talent around Washington. I talked to a man a couple of days ago—manifestly, I cannot give his name, for his own protection—who works for the Department of Labor. He said that in his office there is legal talent going to waste all around. They are looking at the shelves. They do not have anything to do, they have so many people at the legal end of the Department. We are surfeited with legal talent in Washington. Yet it is proposed to have two new people as general counsel. The International Cooperation Administration has only one. If that is not a technical operation, I do not know what is. Yet they have only one. The Peace Corps wants two. So it goes.

I merely wish to refer to what the chairman of the Post Office and Civil Service Committee, the Senator from South Carolina [Mr. JOHNSTON] said about the supergrade positions. I am quoting from his statement as presented to the Committee on Foreign Relations.

> My second comment relates to the number of supergrade positions established pursuant to section 7(b). It occurs to me that 30 such positions as contemplated by the bill may be somewhat on the plush side—

That is a modest statement—

> Without having the benefit of the oral justification for such a number, it is difficult to properly appraise whether they are actually needed, but it does seem a bit out of proportion to the number now existing in other agencies.

Mr. President, that is my whole case. I think the provision is topheavy. I think there are too many supergrades. I do not think we can justify 40 supergrade positions for 236 people.

Mr. HUMPHREY. That is 40 for the 236 people in the Washington office, but this program is to be administered throughout the world.

Mr. HICKENLOOPER. That is true, but we have been told repeatedly that the people who are coming into the Peace Corps for training are highly intelligent and capable, with a very high IQ, and a high level of intelligence, and everything else. It is not proposed to set up an agency consisting of a bunch of incompetents. Those who enter the Peace Corps are going to have intensive training during the training period. Theoretically, the level of intelligence of those persons will demand a lesser number of high-paid supervisors than would be true if there were brought into the Corps people of low intelligence and capability, who had to be supervised all the time. These people are going to be on their own, they tell us. They are going into remote places and they will be on their own. They will make their own programs and have their own assistants.

I think that 40 of these people in supergrade positions, for an administrative staff totaling only about 260, is way out of proportion. I think it should be cut down. That is why I propose a cut to 20.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. RUSSELL. It seems that is a rather large number of supergrade positions. I have been attracted to the idea and the organization, and I wish to support it. I have been told it was to be a "Spartan" outfit, and that all those who engaged in the Peace Corps would do so in a spirit of self-sacrifice, to contribute to the cause of world peace. Apparently that spirit is not supposed to extend to the administrative staff in Washington, from what the Senator from Iowa says.

Mr. HICKENLOOPER. I think a strong case could be made for what the Senator from Georgia has said. These are good positions with good salaries. There is nothing sacrificial about $15,000 to $19,000 a year. If the positions are allowed, they will all be filled, and we may have no doubt about that.

I believe there are too many, from the standpoint of balance. I have tried to point out several positions I do not think are needed at all, at least in the formative period.

Mr. RUSSELL. Some of the fine people who are volunteering to go to Tanganyika to survey roads will receive how much pay?

Mr. HICKENLOOPER. Seventy-five dollars.

Mr. RUSSELL. The volunteer will get $75 a month, but it is said that to get a lawyer to make a sacrifice in Washington it is necessary to pay $19,000 a year.

Mr. HUMPHREY. Mr. President, all these people will not be paid $19,000 a year.

Mr. RUSSELL. In the supergrades they can be.

Mr. HICKENLOOPER. From $15,000 up.

Mr. HUMPHREY. Two of them could be compensated at a rate in excess of $18,500, up to $19,000. Twenty-eight could be compensated at rates in the highest grade of from $15,000 up to $18,500. They could be so compensated.

Mr. HICKENLOOPER. Yes.

Mr. HUMPHREY. Mr. Shriver, when he testified on the proposal, pointed out that when one starts an organization one ought to start it with the best personnel obtainable. The administrators have tried to get competent personnel.

I do not think Mr. Shriver has demonstrated any padding of the payroll. He has run a pretty big business, which has made more profit than anything in the Government, called the Merchandise Mart in Chicago. I gather he knows a little bit about business management. That is one of the most engaging features of the whole program. When Mr. Shriver testified before the committee he demonstrated a rather intimate knowledge of management techniques.

I do not wish to see the program overloaded with management personnel. The committee gave this problem considerable thought. There was testimony in the two Houses in regard to the problem. The figure of 40 was not put in the bill by accident. The Senator proposes to cut that in half, by the amendment. The Senator is attempting to cut it in half by his amendment. I think that would be a body blow.

After all, this relates to all of the services the organization will fulfill. If we cut the management side, we will not save money. Management is not the main cost of the program. The worst one can do in any program is to trim down good management, because good management will really determine how much one can get from the volunteers.

Surely, these people will be intelligent volunteers. There are intelligent people on our staffs, also, yet the Senate provides considerable management for its staff.

There are intelligent people in industry, but they require management services.

The provisions of the bill would provide for up to 40 such people. The Senator from Iowa would like to cut the figure to 20. I think that would be too severe a cut. I have said most frankly to the Senator, in the light of the lateness of getting the program underway, I think some very modest cut might be contemplated. I gave him some indication of that.

I make this statement in full knowledge of the feelings of some of my colleagues. The Senator from Missouri [Mr. SYMINGTON] really led the fight on

the question of management of the program. He speaks with some authority about management relationships. I am sure the Senator from Missouri would not wish to see the management provisions in the bill cut in half. If we are to have a program, we must have people who can operate it.

Mr. HICKENLOOPER. Mr. President, I do not wish to destroy the management provisions of the bill. There is no intention to do that. My contention is that the proposal contained in the bill is too large. We voted on this in the committee, and my motion was defeated. I made the motion to cut down the provision. The committee acted, and by a majority vote defeated the motion. The committee has acted. I am now presenting this to the Senate.

I make the point that an examination of the jobs proposed to be filled with people in supergrade positions reveals a topheavy administrative operation. I think a better job could be done with fewer such positions, so as not to get into so many ramifications.

I point out that there are not 2,700 people in the Peace Corps now. I doubt that there will be 2,700 people in the Peace Corps during this fiscal year. The latest figure I could get, as of August 23, indicates there are 462 people in the Peace Corps now; in the process of training, and all of that. That is not 2,700, which is the number contemplated under the full quota.

As to the number of permanent employees, as of July 31, which is the latest figure I could get, there were 121. I think probably there are a few more by now, but I could not get a figure for later than July 31.

Mr. HUMPHREY. What was the figure?

Mr. HICKENLOOPER. One hundred and twenty-one permanent employees in Washington, with four hundred and sixty-two in the Peace Corps as of August 23.

The organization now has 59 consultants. I have not submitted an amendment on the question of consultants, or the number of consultants, but, using probably a little extravagant comparison, I will say that the bill is as full of consultants, if one follows through all the provisions, as a dog is of fleas. Every place one turns one finds consultants. Panels can be brought in. People can be brought in from all over the country. These people can be paid from nothing up to $100 a day, I suppose—perhaps only $60 a day.

As of July 31 this organization had 59 consultants. They are getting topheavy on management. There is no dearth of management personnel. There is no dearth of consultative advice. Everything they wish to have, they have.

The point I make is that there are only 462 people in the volunteer group, yet as of July 31 in Washington there were 121 employees.

I do not think the Peace Corps will fill its quota at all during this fiscal year, yet the request is for 40 supergrades.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. HUMPHREY. They are not requesting 40 supergrades. There are to be 30 supergrades. Ten of the forty positions will be under GS–15, and those positions are not supergrades.

Second, this is not a request to hire the personnel tomorrow. This is a request for a ceiling about which we are talking. I think we ought to have the record perfectly clear.

We are not talking about 40 positions which will pay above $15,000. We are talking about 30 positions as a maximum for the entire operation in full bloom. The other 10 positions will have salaries of under $15,000. Those are not supergrades at all.

As I said to the Senator, I feel the management side of the operation is extremely important.

May I ask the Senator from Iowa if he will yield 10 minutes from his time?

Mr. HICKENLOOPER. Certainly. The Senator has yielded his time.

Mr. HUMPHREY. Mr. President, I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, the Senator from Iowa knows the great respect I generally have for his opinion. It is rare I disagree with the able Senator, and even more rare that I disagree with him to the degree present in this particular case.

Whenever a new project is started, one first puts in men well above the caliber of the average of those who will work on the project later in order to be sure to get off to a good start. Now, this proposed agency is a new agency. It will have troubles, as any agency does, in getting off the ground.

As the distinguished Senator from Minnesota pointed out, we are talking about cutting the number of supergrades authorized from 30 to 15. Therefore, the suggested amendment is really a request to reduce the opportunity of managing this new agency with maximum efficiency.

If we go to the site of a planned new apartment house, we might see a big hole in the ground. That hole means that ultimately something will be built there. But if at the time half the apartment house is built we discover that the other half planned does not fit, then the builders would lose almost everything.

From the standpoint of those who desire efficiency in Government, it is incredible to me that we would not be willing and anxious to have the proposed plan carried out. The plan has been gone over carefully by able people who have been a great success in private business. It has been checked and doublechecked, time and time again. We warned the people who will be identified with the agency that there must be proper accounting. We said that we expected them to show unusual management ability in carrying out the functions of the agency.

At the same time, in effect, we are now saying to those who will be responsible, " 'Hang your clothes on a hickory limb, but don't go near the water.' In other words, we want you to give us superlative management, but we do not want you to have the people necessary to provide that management."

I must say I do not understand that point of view at all. It is well known that long-established agencies in Government, such as the State Department, the Defense Department, Treasury Department, the Department of Justice, do not operate perfectly at all times. But they have opportunity to build up their staffs over a period of decades so as to be in position to do the job of the agency with maximum efficiency.

The people to be employed in the Peace Corps agency have had no such opportunity. The agency is completely new; therefore, it will require extraordinarily able people to handle it right. I would urge—if we are to have an agency at all, let us provide for the necessary people to manage it well. The least we can do therefore is provide the relatively few supergrades requested.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. SCOTT. I am about to make a request of the distinguished assistant majority leader. Before I do so, I should like to say that one of the awkward aspects of a public official is to have to change his mind publicly. As I have indicated, I have had misgivings about the Peace Corps, and I have indicated opposition to it. I still hold some reservations. I want to be sure that the agency is not one which would permit evasion of military service. I understand from the distinguished Senator from Minnesota that that point has been taken care of.

I have been concerned with the feeling that perhaps the proposed work could have been done by existing agencies. I have been concerned in my orthodox Republicanism with the aspects of economy. But I believe that at a time like this, in an emergency such as the one which faces us, there is a higher responsibility, and that is that measures which are adjudged by the President and his leadership to be important implements in the working out of our efforts toward the relaxation of tension, toward the expanding of the American ideal of freedom, of self-help and cooperation, should be given a chance. I do not know that the program will work. I do not know that it will not work. But I say publicly that I have reversed my position and that I will support the Peace Corps. I will wish it well. I will maintain my reservations should future occasion demonstrate that perhaps the program is not the way to approach what is certainly an important objective.

I should like to make a request of the distinguished Senator from Minnesota at this time. Will the Senator from Minnesota accept an amendment on page 11, line 15, to strike out "40" and insert in lieu thereof "35," and on page 11, line 18, to strike out "30" and insert in lieu thereof "25," which would be a reduction of 5 in the supergrades? The amendment would strike out "40" and insert in lieu thereof "35" on page 11, line 15, which are the GS–15 jobs involved. On page 11, line 18, the proposed amendment would strike out "30" and insert in lieu thereof "25," which would reduce the supergrades by 5.

Would the Senator from Minnesota accept such an amendment? I have made the point that I intend to support the program. Therefore, I am not in any sense dickering with the Senator from Minnesota. I should like to have the views of the Senator from Minnesota.

Mr. HUMPHREY. On behalf of the committee, so far as I am concerned, I will accept the amendment. Other Senators present may have stronger views. But if the Senator from Pennsylvania wishes to offer the amendment, I will be willing to take the responsibility of accepting the adjustment.

Mr. SCOTT. Madam President, I ask that the amendment be stated.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HICKENLOOPER. I believe I have an amendment before the Senate. At least I ought to participate in the discussion of a proposed "decapitation" of my amendment that is apparently taking place.

Mr. SCOTT. Will the Senator from Iowa permit me to offer an amendment in the nature of a substitute for the amendment of the Senator from Iowa?

Mr. HICKENLOOPER. The Senator from Pennsylvania has a right to offer such an amendment. I merely wanted to know what was going on.

The PRESIDING OFFICER. The amendment of the Senator from Pennsylvania to the amendment of the Senator from Iowa will be stated.

The LEGISLATIVE CLERK. On page 11, line 15, it is proposed to strike out "forty" and insert in lieu thereof "thirty-five". On page 11, line 18, it is proposed to strike out "thirty" and insert in lieu thereof "twenty-five".

Mr. HICKENLOOPER. For the record, I wish to say that I do not care for the amendment. I do not approve of it. So far as I am personally concerned, I prefer my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. SCOTT] to the amendment of the Senator from Iowa [Mr. HICKENLOOPER].

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa [Mr. HICKENLOOPER], as amended.

The amendment, as amended, was agreed to.

Mr. HICKENLOOPER. Mr. President, I call up my amendment "8–22–61–D."

The PRESIDING OFFICER. The amendment of the Senator from Iowa will be stated.

The LEGISLATIVE CLERK. On page 2, line 22, it is proposed to strike out the figure "$40,000,000" and insert in lieu thereof "$25,000,000".

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Iowa has 35 minutes remaining.

Mr. HICKENLOOPER. I yield myself 10 minutes.

My amendment would permit 2,700 volunteers to be in training or overseas by June 30, 1962. That is precisely the number which the Peace Corps contemplates having in training or overseas by that date, according to their presentation and according to their own statements. I do not believe that they will have that number. However, that is the outside limit of their proposal.

According to that testimony, at $9,000 per volunteer, the overall cost for 2,700 volunteers will be $24,300,000. The bill provides for an authorization of $40 million. My amendment proposes to cut that figure to $25 million. I do not believe they will reach that figure. However, my amendment, if adopted, would give them all the money they say they need for the operation this year for the full complement and quota of people. I am trying to cut $15 million out of the unnecessary fat in the authorization, and yet give them what they say they need and what they say they want. I would hold them to their own figure.

As I pointed out a while ago, the present estimated administrative program support expenses under the bill would be excessively high. We determined that a moment ago in connection with the amendment cutting down the supergrades. It amounts to approximately 30 percent of the total, so far as administrative expenses are concerned. The administrative expenses under the foreign aid program are nowhere nearly that high. Moreover I have seen figures indicating that the administrative and overhead expenses incurred by private agencies doing similar work abroad run to about 20 percent. It seems to me reasonable that the figure for administrative expenses should be reduced to 20 percent. In that case the net savings would bring the program well within the confines of the $25 million proposal in my amendment by any stretch of the imagination.

Moreover, it should be pointed out that by the time the legislation is passed, at least 2 months and probably 3 months of fiscal year 1962 will have passed. That in itself should justify the decrease.

The whole meat of the amendment is that if it is adopted, it will not cut out so much as $1 that they say they need for the administration of the program, according to their own figures. I say that because according to their own figures the cost will be less than $25 million, if they have their full complement and if they operated for 12 months of the year, which they cannot do, because 2 months have already gone by. There are only 462 people in the Peace Corps now, not 2,700. Two months have already gone by, and another month will have gone by before the full program can go into effect. Three months, in other words, will have gone by before it goes into full effect. Unless they get a hayrack and load it with currency and pitch it out with pitchforks, they cannot possibly spend $25 million by the end of this fiscal year. Yet my amendment proposed to reduce the $40 million for which they are asking to an amount which is more than they can possibly spend, according to their own testimony. However it would cut $15 million of the excess amount.

I wish to point out a little of the history of this matter, to show how it has gone up in the estimates. On March 21, 1961, in testimony on the nomination of the Director of the Peace Corps, Mr. Shriver, before the Senate Committee on Foreign Relations, he made this answer in response to a question by the chairman. They were talking about the program, the pilot program, for this year. The chairman asked:

> Do you have any estimate of what this pilot program, we will assume for the first year, will cost?

Mr. Shriver answered:

> It is difficult, Mr. Chairman, to be too specific about that, because the cost of the program will be determined in large part by the demands for the Peace Corps volunteer services abroad. We don't know yet exactly what that demand will turn out to be. But in any event it will certainly not be any larger than a maximum of, let us say, $10 million, and maybe as little as $3 million or $4 million.

My amendment would cut the figure to $25 million, which would take care of the full 2,700 volunteers that they now propose to have. When they offered the bill, they jumped the figure to $40 million. In March it was $10 million, at the outside, and probably $3 million as a minimum.

All I am trying to do is to hold this program within reasonable bounds, still in contemplation of the fact that this is a pilot program. We do not know whether it will work. They will have ample money to operate it to the full extent of the planning which they have laid down and with the personnel that they say they will employ.

It is only a matter of good judgment and good conservation of public money and of the authorization process not to authorize an amount which plainly is $15 million more than they can use according to their most recent estimate, and which is $15 million more than they said they could use, in March, as a maximum, which was $10 million.

My amendment reduces the authorized amount from $40 million to $25 million.

Mr. LAUSCHE rose.

Mr. HICKENLOOPER. Does the Senator wish me to yield to him?

Mr. LAUSCHE. I should like to have some time.

Mr. HICKENLOOPER. I am perfectly willing to yield the floor. I make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HICKENLOOPER. Mention was made at the time the unanimous consent was entered into about a yea-and-nay vote. Did that go into effect?

Mr. HUMPHREY. Yes; a yea-and-nay vote was ordered under the unanimous-consent agreement.

The PRESIDING OFFICER. Yes; a yea-and-nay vote is provided.

Mr. HICKENLOOPER. The yeas and nays have been ordered on the amendment?

The PRESIDING OFFICER. Yes.

Mr. HICKENLOOPER. I yield 7 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I rise to give support to the amendment offered by the Senator from Iowa. At the beginning I should like to point out that presently under the technical aid program we will spend $161 million in 1961 in foreign countries; through the United Nations we will spend $30 million in foreign countries in giving technical aid; under the Organization of American States, we will spend $1½ million.

These expenditures are entirely outside the category of general foreign aid that we are now giving.

It strikes me rather peculiarly that when the Peace Corps was given birth, it was argued that we would have young Americans, willing to sacrifice for their country, enter into dismal living conditions in foreign lands solely for the purpose of raising the esteem in which the people of the world in general hold the goodness of our Nation.

We now have a situation where $40 million will be spent to hire 2,700 people in 1 year. We have the spectacle of spending $15,000 per person.

The lowly worker will not be paid much but the overall cost especially of the administrative and supervisory service will be excessive.

The argument has further been made that those persons will work for $75 a month. The fact is it will cost $9,000 a year for the one who is paid the lowliest salary. What does that portend? It was testified that the Peace Corps workers will go to foreign countries to work on sanitation problems, to teach, or to do engineering work. They will not be the leaders; they will be the workers, working side by side with the native workers. The record shows that the average age of the enlistee is about 24 years. The testimony further shows that most of them are enlisting directly from college. They have attended college and have graduated, and are now enlisting to serve throughout the world.

That brings me to the most critical aspect of the whole problem—the 23-year-old boy or girl who will be sent to a foreign land. What are we to expect? Are we to expect as a forerunner of everything else that the 23-year-old enlistees will have a stable approach? Or are we justified in stopping, looking, listening, and wondering what the 23 year old or 24 year old will do?

In Florida, last week, one of the enlistees, in a sort of mob spirit, entered a service club meeting and began to challenge the chairman and members about the propriety of what they were doing, practically indulging in a mob demonstration. He is one of the enlistees, one of the 457 who are now being trained to be sent abroad.

Mr. BENNETT. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I do not have much time.

I believe this program should be conducted on the basis of experiment and test. I should like to know how many persons will go into foreign countries and attempt to philosophize on economics, social problems, or political problems. How many have in their minds deep-seated convictions about what politics or economics ought to be? How many of them will go abroad and begin to be the preachers?

Mr. President, this is not a light matter. I say we ought to approach the problem now on the basis of an experiment.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. LAUSCHE. May I have 3 more minutes?

Mr. SALTONSTALL. Mr. President, in the absence of the Senator from Iowa [Mr. HICKENLOOPER], I yield an additional 3 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, the ridiculous statement was made by the Director of the program, "We have completed the experiment; we have made the test."

I asked him, "What has been done?"

He said, "We found that we have sufficient enlistees, and we have found the countries which will accept them. Therefore, the experiment is completed."

What type of experiment is that? It is a travesty to claim that that is an experiment. The experiment will be made only when those 2,700 persons are sent throughout the world and it is possible to appraise their work.

I respectfully submit that the $40 million which is sought is not justified at this time. The $25 million is more in order than the amount which has been recommended.

Mr. President, I now yield to the Senator from Utah.

Mr. BENNETT. Mr. President, I simply wish to make an observation concerning the Florida incident to which the Senator from Ohio referred. After that incident, the newspapers reported that the heads of the Peace Corps had investigated the situation. In spite of the fact that the man who was involved showed obvious emotional instability, they decided that his record was good enough and that they would keep him in the Peace Corps.

Mr. President, can you imagine doing that sort of thing in a foreign country? I cannot without becoming apprehensive of the impact.

Mr. LAUSCHE. Mr. President, the greatest disservice we can render to the people of our country and to the legitimate members of the Peace Corps, and the worst impact that we can make upon the people of the world, is to present the kind of spectacle which was carried in the headlines. Many of our worthy young men and women will enlist. We can adequately test whether the program will work by a $25 million and not a $40 million trial.

Mr. GORE. Mr. President, will the Senator from Ohio yield?

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. HUMPHREY. Mr. President, I yield 5 minutes to the distinguished Senator from Missouri.

Mr. SYMINGTON. Mr. President, there has been much talk this afternoon against $40 million, and why $25 million would be better.

The Peace Corps program is carefully planned. It has been considered extensively by experienced people from the private business community. For the first year, the request before us is for $40 million. This amount is required for orderly programing for a Corps of 2,700 volunteers to be in training or overseas on June 30, 1962.

As we consider the amount of money involved, let us remember that most of the work must be in foreign countries. Specifically, the money will be used, first, to pay the cost of building a Corps of more than 2,000 volunteers who will be in training or overseas on June 30, 1962, for programs to be administered directly by the Peace Corps; second, to enter into contracts with universities and other private organizations which will cover the costs of 1,450 volunteers for the 2-year period of their service—not for 1 year only; and third, to enter into contracts for summer training programs for volunteers who will begin training for direct-administered programs in the summer of 1962.

The first category will cost about $11,400,000. This figure derives from the fact the average number of volunteers during the year on direct-administered programs will be about 1,263. Multiplying this by the average cost per volunteer of $9,000 gives $11,400,000.

Category 2 will cost about $26,100,000. This is because 1,450 volunteers will be supported for 2 years under these contracts—1,450 volunteers times 2 years times $9,000 per year gives a total cost of $26,100,000. Of the 1,450 volunteers funded in this category, 500 will actually be overseas or in training by June 30, 1962, and the remaining 950 will go into training soon after July 1.

Category 3 covers training contracts which must be let in the spring of 1962 for July and August training programs, so as to assure the availability of selected university training facilities on an economical basis—$2,500,000 is budgeted for these contracts.

It is important to note that any money not obligated on June 30, 1962, will be returned to the Treasury. The Peace Corps is not asking for authority to carry forward unobligated balances.

Mr. President, not long ago both the Senate and the House unanimously passed bills providing $47 billion for defense. What is being asked for today is less than one-tenth of 1 percent of that amount.

If there is anything at all in the idea of the Peace Corps—the concept of young Americans going abroad to serve their country—if it is deemed to be important, as we face current world tensions, to have psychological, economic, and spiritual strength, as well as physical strength, the Peace Corps offers the least expensive form of defense the United States can obtain.

There is nothing better than to have young Americans spread the doctrine of free enterprise, and carry abroad word

of what our country stands for; and that is what will be done by this bill.

There has been discussion of the average age of the participants. I believe the average age of those under the program is 28—not 24. Let me say we have had major generals at age 25, and lieutenant generals at the age of 28. One of the greatest of British Prime Ministers held office at 23. I do not see why it is felt necessary to overemphasize the relative youth of those who are in their twenties and will serve with this program. Some of the finest accomplishments in world history have been done by persons in their twenties. Everyone cannot be the age of the average Senator to perform his function properly. [Laughter.]

Mr. President, if we are to do this job, planned carefully by experienced persons, let us go all the way with it. Let us not build a ladder that will reach only to the fourth floor if what we are after is on the sixth floor. We should either scrap the program or follow these recommendations of those with experience who have studied it so carefully, because it represents rare value in our search for security and world understanding.

Mr. LONG of Louisiana. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I yield to the able Senator from Louisiana.

Mr. LONG of Louisiana. Is not most of the money actually to be used for the training of these people, so that when they go overseas they will be able to make the impression that we want them to make on the people of those countries?

Mr. SYMINGTON. That is correct.

The PRESIDING OFFICER. The time yielded to the Senator from Missouri has expired.

Mr. HUMPHREY subsequently said: Mr. President, I yield 1 minute to the distinguished Senator from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. President, our esteemed colleague, Senator SYMINGTON, has very effectively set forth the fact that notable achievements have been given in world history by youth. It is my purpose to further focus attention on such contributions.

Mr. President, at 15 years of age Victor Hugo presented a poem to the Royal Academy in Paris and Leigh Hunt was a prolific writer of verses. At 16, Michelangelo's ability as a sculptor and painter had been discovered and Mozart had captivated the courts of Germany. At 17, Alexander Hamilton commanded the attention of his country and Washington Irving delighted the readers of the Morning Chronicle. At 18, Spurgeon was pastor of a congregation and Stephenson was carrying within his brain an improved steam engine. At 19, George Washington was a major in the army and William Cullen Bryant had given "Thanatopsis" to the world.

At 20, Bach was organist at Armstadt and Beethoven had added another great name to music. At 21, Galileo was awake to the secret of the vibrations of the bronze lamp of Pisa Cathedral and Wilberforce was a member of the British Parliament and fearlessly introduced a bill against slavery in Africa. At 22, Alfred began one of the most magnificent reigns which England had ever seen and Savonarola was robed with a splendid name. At 23, David Hume had written his treatise on "Human Nature" and Richard Wagner had composed "Lohengrin." At 24, Alexander the Great had taken Thebes and had crossed the Hellespont and John Ruskin had written "Modern Painters."

At 25, Aeschylus was the greatest tragic poet of Greece and Coleridge had written "The Ancient Mariner" and at 25 Charles A. Lindbergh, had piloted his frail craft, "The Spirit of St. Louis" from New York to Paris, was acclaimed by millions, and added a second story to the world. At 26, Mark Anthony was the hero of the Roman Empire and Benjamin Franklin had written the wisdom of "Poor Richard." At 27 Correggio had the commission to execute the frescoes on the cupola of San Giovanni in Parma and Francis Bacon was already counsel extraordinary for the queen. At 28, Hannibal took Sagunto while Rome deliberated on its rescue and William Wordsworth had written some of his greatest poems. At 29, Cromwell had begun his work as a mighty religious figure and Sir Joshua Reynolds was the most noted portrait painter in England.

At 30 the finest example of living had been given to the world through the service of the Man of Galilee, and today we do not ask "How long did He live?" but we know the fullness of His earthly existence.

Mr. President, I ask unanimous consent that these remarks be placed immediately following the speech of the senior Senator from Missouri [Mr. SYMINGTON], who referred to the accomplishments made by young people.

The PRESIDING OFFICER. Is there objection?

There was no objection.

Mr. HICKENLOOPER. Mr. President I yield 4 minutes to the Senator from Massachusetts [Mr. SALTONSTALL].

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 4 minutes.

Mr. SALTONSTALL. Mr. President, I wish to support the bill, and I also wish to support the amendment of the Senator from Iowa.

I consider this program an experiment. If we move forward with it a little more slowly, I believe we shall then know better where we stand, and perhaps we shall appropriate more money for the program next year, and thus will have it used more efficiently, if the program proves to be a success.

I should like to approach this matter from a somewhat different point of view. I have great confidence in young people as good ambassadors. My first experience in that connection was when I was in college, and went abroad with an athletic team. We competed against Germans, English, and Canadians; and we had an opportunity to meet with them and to come to understand their point of view. I hope we helped them, and I am confident that they helped us.

It is my understanding that those who are to be employed in connection with the Peace Corps program are to work in the smaller communities, particularly in the underdeveloped countries. Over the last 3 or 4 years I have been in correspondence with a friend who has been working in the smaller villages in Thailand. His experience there has been most informative, and the reports he has sent back to me and to his other friends have been extremely illuminating.

I understand that these young people are first to be trained in this country, and that their training will include education in the language of the country in which they are to serve. Such education is certainly most important. Certainly one must understand the language of the country in which he serves if his work there is to be of maximum usefulness.

Young persons have great enthusiasm, energy, confidence in themselves, and confidence in their ability to make friends with others.

I hope the Peace Corps program will be conducted this year as an experiment. Judging from what the Senator from Iowa has said, I believe $25 million is all that can be spent to advantage this year for it.

The PRESIDING OFFICER. The time yielded to the Senator from Massachusetts has expired.

Mr. HICKENLOOPER. Mr. President, I yield 2 more minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 2 more minutes.

Mr. SALTONSTALL. Mr. President, the Director of the Peace Corps has just announced his selection of the first seven Peace Corps representatives to serve in foreign countries.

I am delighted to note that four of these first seven men were educated in Massachusetts, and two of them are outstanding leaders in my home State at the present time.

I want to salute these men, and to congratulate the Peace Corps for selecting them for these responsible positions of leadership in a sensitive new program.

Prof. Lawrence Howard Fuchs, who will head the Peace Corps activities in the Philippines, is presently dean of the faculty at Brandeis University, and is an outstanding political scientist.

Walter C. Carrington, who will head the program in a west African country, is presently a commissioner for the Massachusetts Commission Against Discrimination.

Edwin R. Hellawell, who goes to Tanganyika and east Africa, was educated at Williams College, and his wife was educated at Mount Holyoke.

Christopher B. Sheldon, who will head the program in Colombia, was a crewman on the world tours of the schooner *Yankee*, which sailed from Massachusetts.

George E. Carter, selected for leadership of the program in Ghana, did graduate work at Harvard University.

All these men have great opportunities. They have enrolled as missionaries for the American way of life.

All of us who have known them and admired them in Massachusetts salute

them for their courage and their leadership, and wish them well in the exciting and challenging adventures that lie before them.

Mr. President, I know these four men both by reputation and personally, and I know they are good men. Certainly in selecting them, outstanding leaders have been chosen.

This experiment is worth while. It will stimulate interest among our young people in this work, and will give them opportunities to do their part in building a peaceful world.

Therefore, Mr. President, I hope the amendment will be adopted; and I hope that the bill as thus amended will then be passed.

Mr. HUMPHREY. Mr. President, I yield 5 minutes to the Senator from Tennessee [Mr. GORE].

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 5 minutes.

Mr. GORE. Mr. President, those of us who for years have watched and witnessed the U.S. foreign aid program in many countries have seen many things with which we disagreed and have found many results which we could not approve.

Many of these shortcomings have occurred because our aid program has tended too much toward the large projects.

One of the most successful undertakings in this field upon which our country has ever embarked was the point 4 program, essentially technical aid. As the senior Senator from Ohio has stated, it is true that under the programs now underway, technical aid is still going forward. I would that more of our program fell into this category.

The Peace Corps is the single most distinctive new program of this administration in the field of foreign aid. I believe it is commendable and worthy. It has attracted the imagination and the attention of people around the world. Every foreign dignitary from the continent of Africa, for instance, with whom I have come in contact, as they have visited this Capitol Building, appears interested in the Peace Corps.

This undertaking is supported by the idealism of thousands of our young people. They regard the Peace Corps, for which they are volunteering, as an organization which will give them opportunities to render service to the cause of peace and understanding. I believe that most of them think they will render that service at some sacrifice to themselves.

The distinguished and able senior Senator from Ohio has referred to the cost of $9,000 per corpsman. I wish to point out that the Peace Corps volunteers will not receive this $9,000. It costs a considerable sum to send a young man to Tanganyika where he may assist in the survey of roads. But this transportation cost is paid to the airlines or steamship lines, not to the young man who has volunteered 2 years of his life for this purpose. To him it represents, I respectfully submit, a considerable sacrifice—no salary, and an allowance of $75 a month for 2 years.

I hope the distinguished Senator will not insist that an able young man, a college graduate, who volunteers to serve at $75 a month is not making some sacrifice.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LAUSCHE. I did not mean to leave the impression that they were getting the $9,000 a year, but it is more than $75 a month, because they have an allowance that they finally draw when they leave. I think those who are qualified are worthily rendering service, but my position is that the expenditure for the experiment ought to be smaller than $40 million.

Mr. GORE. I welcome the remarks of the distinguished Senator from Ohio. I was sure he did not intend to leave the impression that he did not regard the service of these young people as a sacrifice; and I appreciate the clarification of his views.

The essence of this program is people to people. Many of the difficulties of this Nation's foreign aid program have arisen out of the complications of government-to-government relationships.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HUMPHREY. I yield 2 more minutes to the Senator from Tennessee.

Mr. GORE. The essence of this program is people to people. The young man from Ohio, Florida, Maine, or any community in our respective States, volunteers to go to some community—he knows not where—for service to the people of the community to which he is sent—not to build a hydroelectric dam, not to construct superhighways, but to assist, working side by side with the people of the country to which he is sent, in the elemental things that these people need to better their conditions of life.

I hope the agency will be able to spend, prudently, $40 million in a fiscal year. It may be that this is not possible. It may be that $40 million will not be appropriated, although the Congress authorizes an appropriation of $40 million. But that is the request before us. It is the amount which the administrators of the program think they can spend wisely, prudently, and fruitfully. If they can do so, I shall be pleased, and I want to be sure that it is done in an advisable manner.

Therefore, I respectfully suggest that it would be arbitrary and unwise to reduce the authorization from $40 million to $25 million.

Mr. HUMPHREY. Mr. President, will the Senator from Iowa permit me to grant the Senator from New York [Mr. JAVITS] 5 minutes on his time?

Mr. HICKENLOOPER. Yes. I yield 5 minutes to the Senator from New York out of my time.

Mr. JAVITS. Mr. President, I am very grateful to the Senator from Iowa for yielding to me, especially in view of the fact that I shall not support his position. I can only state that I hope to reciprocate on another occasion.

Mr. President, on the proposal before us, three questions have been raised: First, Shall we go into the program at all? Second, How much shall we put up with respect to it? Third, What about the personnel who are going to be in the Peace Corps?

The Senator from Ohio suggested that the young man from the South, in doing what he did, rightly or wrongly, made a fool of himself. But, Mr. President, we are behind the Russians in this field. For years they have been going out, building the toughest kinds of structures, in Siberia and other places, out of sheer patriotism. They have to do it, but, nevertheless, that is the way it comes across to the other countries.

Some of our hardheaded friends—not softheaded friends—as Balewa of Nigeria, Ayub of Pakistan, and Garcia of the Philippines, say this is a very good idea. We are behind in it.

I have been on this wicket for years. I supported an effort, in 1947, to educate people to go to work in Latin America. I urged it on our candidate for the Presidency in 1960. I am sorry he did not accept it. The fact that this opponent did does not mean it is a bad idea. It is a very good idea. This is one of the original initiatives coming out of the campaign which inspired American youth and people of other lands. We ought to do it.

The second question is, How much shall we put into it? If we were to get $50 or $60 million out of it, then I would say it is not worth spending more than $25 million. But we know that if the program works, we can expect it to be of great help in our effort to succeed in the struggle with the Communists. It is nothing that can be valuated in terms of money, but it is worth many billions of dollars. Therefore, to those who are on the taking end, I ask our friends who say it is not worth $40 million, but is worth only $25 million: Shall we give those who oppose us the opportunity to say, "You cut it down so we could not make it work"? In short, if the program is worth $25 million, it is worth $40 million. I shall vote against the amendment to cut it, because it either is a worthwhile effort or we should not make it at all, and the $15 million, considering the magnitude of the sums with which we deal, does not make much difference, and we should not set our judgment against the judgment of those who are directly trying to make a good job out of the program.

This question goes to the inspiration of the young volunteers who are concerned, and to the tens of thousands of young people in all our American colleges.

As to the question of the personnel in the Corps, this is a matter which is concerned with the blowing up of the Miami incident. I may leave out the words "blowing up." How many of the parents of men who went into the Army used to say, "I cannot wait for the day when they take you into the Army and finally make a man of you"? What we are talking about is training. If the young man to whom reference has been made made a fool of himself in Florida—and he has admitted in the press that he did—let us see what would happen to him. It is a good experience. It

might be that his worst critics might think he would be a fine conscript for the Peace Corps.

So I think the effort is worth while. I think we ought to do it. I think it is an initiative which gives morale to our people.

For years we have been talking about what we can do to "spark" our own people. This is something to "spark" our young people. So, if this program is worth $25 million, I think it is certainly worth $40 million to do it right.

Mr. HICKENLOOPER. Mr. President, I yield 1 minute to the Senator from Utah [Mr. BENNETT].

Mr. BENNETT. I shall need only 30 seconds.

Mr. HICKENLOOPER. I yield 30 seconds to the Senator from Utah.

Mr. BENNETT. Mr. President, the bill establishing the Peace Corps, which is now before the Senate, is one which can have an effect quite contrary to that which is intended, and I believe we should consider carefully the pitfalls in this program before giving the Peace Corps the stamp of congressional approval.

In a newsletter which I sent to some of my constituents on April 19, 1961, I discussed some of the problems connected with the Peace Corps. I ask unanimous consent that this excerpt from my newsletter be placed in the RECORD at this point, which includes also an editorial from the Richmond News Leader.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

THE PEACE CORPS—PRO AND CON

One of the more dramatic ideas advanced by the administration, and one which in my opinion has been subjected to too little scrutiny, is the Peace Corps idea. It may be the key to development of the backward areas of the world, as its backers believe. On the other hand, it is easy to foresee many situations where it could backfire, where it could cause resentment against the United States, or where it could provide the spark that might explode a delicately balanced political situation.

The Peace Corps will have much in its favor. Most of its people will be young, and youth is a period of enthusiasm, dedication, adaptability, and robust health. These are qualities essential to success in such an undertaking.

But there are other essentials. Such things as experience, technical knowledge, maturity of judgment, and language skill. But above all, there must be a situation which lends itself to this type of a project, and the project must be welcomed by the people it is intended to help.

For example, consider India. There are many thousands of well-educated people in India who are now unemployed. These native Indians are not likely to welcome young American Peace Corps volunteers whom they see as taking jobs away from them.

Then there is the delicate problem of national pride. How will people of these countries feel when we send American youngsters to tell them how to handle their local problems. And if the Peace Corps identifies itself with a project which later fails, whom do you think the local politicians are going to blame?

The Peace Corps will be a prime target for local Communist parties, who will try to stir up the population against "interference from outsiders," and who will try to sell the idea that this is an instrument of "American imperialism." In such an atmosphere, one mistake, one failure, by Peace Corps personnel could wipe out gains that might have been made over a period of many years.

James Kilpatrick, editor of the Richmond, Va., News Leader, summed it up this way:

"The Peace Corps idea taps latent longings in the most hardened heart. It combines the ancient ideal of the missionary and educator with the innocence, the audacity, that opens all doors. The combination of these notions was enough to spread a halo of romance and legend around that dreadful fiasco, the children's crusade of the 13th century. The child buried in us all would like to fly off with Peter Pan to conquer the pirates, or join a misty quest through the wonderful land of Oz. We are certain that, armed with innocence, we would find the wizard and be happy ever after.

"But children who go off to find the wizard find witches and wolves along the way; they are met by the dragon of the fairy tales, by the lurking serpent in every Garden of Eden. That is how children become adults. The world, alas, is no Eden; and the population of serpents in proportion to the supply of doves is nowhere so unbalanced as in the area of politics. And so, sadly, people are beginning to take a second look at the great idea that burst on Americans like their lost youth.

"The practical difficulties of a Peace Corps are staggering. It will be impossible to keep the young idealists out of politics, a touchy business even for trained diplomats. It is hard enough to find the evidence of responsibility among the young, even when these young people are not going to be subjected to extraordinary tests of their maturity. And the invasion of Communists, ideologues, and doctrinaires is as certain as rain in Richmond. Already the youth conference in Washington that discussed the Corps has gone on record as willing to eat rice and sleep with rodents; but sign a loyalty pledge to their own Government? Never."

Although the Peace Corps is now a going concern, Congress has not yet had a chance to study it, or to wrestle with the difficult problems it brings up. (The Peace Corps was created by the President without congressional approval, in an action of dubious constitutionality.) I hope that when we do consider it, we can do so in an atmosphere of calm, reasoned judgment, and that our emotions will not cause us to embark upon another poorly equipped, visionary children's crusade such as that ill-fated "Peace Corps" of the Middle Ages.

Mr. McGEE. Mr. President——

The PRESIDING OFFICER. Who yields time?

Mr. HUMPHREY. Mr. President, what is the time remaining?

The PRESIDING OFFICER. The Senator from Minnesota has 3 minutes, and the Senator from Iowa has 7 minutes.

Mr. HICKENLOOPER. Mr. President, I yield 3 minutes to the Senator from Wyoming.

Mr. McGEE. Mr. President, I thank both sides for combining enough time for me to make a basic comment, which goes to the theory of the amendment.

The basis for the amendment is that the idea proposed is a good one, but we ought to take a little longer to get the experiment off the ground to make sure we shall be going in the right direction. As between the amendment and the bill itself, there is no basic disagreement as to principle, but only as to approach.

On the basis of the record and experience, we have guidelines in this regard. We know what can be done through private organizations, through private foundations, through missionary endeavors and through operations such as Crossroads Africa. We have a great many indications of the real capabilities of youth.

We know what demands are. We know from overseas there are requests from these developing nations for 20,000 members of the Peace Corps. The bill envisions only 2,700 members at the figure of $40 million. This is our response to the oversea request for 20,000 individuals and the 12,000 volunteers who have made themselves available for the service. The demand is really not for cutting the appropriation, but, if anything, for increasing the appropriation.

The real answer, in my judgment, to the question of whether to cut the appropriation to $25 million is the psychology, both abroad and at home, triggered by this idea—the psychology of great expectations.

We have proved that this program will work. We have guidelines. We have expectations, and we dare not risk extra frustrations and new delays. The rate of change around the world is frightening. The speed at which the rest of the world is going ought to give us reason for concern as we think of cutting the program even to $25 million.

We have seen the African and Asian areas, which have the curious image, purveyed in the first place by very wealthy and elderly Americans, who were the only ones who could afford to travel to that part of the world, and, secondly, by the image of the American soldier who helped to trigger the expectations now in motion. Because of the military image and because of the image of age, these new nations need a corrective image of our great American ideals, the image of youth, of the young face of America.

The PRESIDING OFFICER. The time of the Senator from Wyoming has expired.

Mr. McGEE. We have every reason to vote "nay." If we can send 12 million young men around the world with guns why can we not send around the world 3,000 young men with hearts and hands and ideas in their heads?

Mr. HUMPHREY. Mr. President, I yield 1 minute to the distinguished Senator from Oklahoma [Mr. KERR].

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 1 minute.

Mr. KERR. Mr. President, I rise to oppose the amendment.

The effort to amend the proposal in this situation reminds me of a story my father used to tell of the fellow who was trying to get across a creek swimming. He gave out about 25 feet from the shore, and a friend of his threw a rope out to him which was 20 feet long, and never could understand why the fellow did not come on in.

If we are going to have a bill, Mr. President, we should have it on the basis

that has been established and in the amount which has been justified.

The amendment, I feel, should be rejected.

Mr. HUMPHREY. Mr. President, I believe I have 2 minutes remaining.

The PRESIDING OFFICER. The Senator from Minnesota is correct.

Mr. HUMPHREY. Mr. President, I hope the Senate will sustain the majority of the Senate Committee on Foreign Relations in regard to this particular proposal. The $40 million is an authorization. Every Member of this body knows that we go through the legislative process which is entitled a "conference" with the other body. Also, we know that generally in the conferences there are some adjustments made, and in this instance they will be made, most likely, downward.

Secondly, there is an appropriations process. Frequently the appropriation is less than the authorization.

The real argument is the one which has been advanced: We have a job to do. We know what it is. We ought to proceed to get it done. If we are not going to do it, then there is no need to have a program which will be ineffective by putting in a little money but not enough to do the job.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I join the distinguished senior Senator from Minnesota in what he says, because I think that he is correct on the subject of the Hickenlooper amendment, as are the Senator from Oklahoma and other Senators who have spoken on this subject.

I point out that in the beginning something on the order of $100 million was requested for this program. Since that time the amount had been reduced considerably.

We know that if we approve a program of this magnitude and nature it will run up against difficulties in the Appropriations Committee. I hope that at least, in getting the program afloat, we will on this occasion allow the full amount requested by the Committee on Foreign Relations.

Mr. HUMPHREY. I thank the majority leader.

Mr. President, if the Peace Corps budget were reduced from $40 million to $25 million this would mean that the 2,700 Peace Corps volunteers we propose to have in training overseas by the end of fiscal year 1962 would be reduced by over 1,000. In terms of total effectiveness, this would mean that what is already a modest program would be reduced to such a point that its impact would be largely lost.

The success of the Peace Corps approach will depend in large measure on person-to-person contact—on reaching people hitherto unexposed to American ideas. Clearly, we stand to lose much with each volunteer we are not able to send abroad. We will lose in terms of the farmers, the mechanics, the local officials, and the schoolteachers of other countries who will not come into intimate contact with young American men and women, and the ideas and know-how they represent. With a reduction of over 1,000 in the number we are able to send abroad, the number of countries in which the Peace Corps can have an impact will also be significantly reduced.

There is certainly much merit in beginning a new and somewhat experimental program modestly and cautiously, with a keen awareness of both the potential opportunities and pitfalls. This is what the Peace Corps is doing. However, there is also a real danger of being so cautious that we sacrifice the tremendous benefits to be gained. The response to the Peace Corps, both in this country and abroad, has been overwhelming. With each volunteer who is not able, through lack of funds, to participate in the program abroad, we waste the support young American men and women have shown. Moreover, we would have to disappoint the many foreign governments who have reacted so positively to the Peace Corps, and who have expressed intense interest in having a Peace Corps project in their country.

In short, if the Peace Corps program were to be curtailed, much of the momentum and idealism generated by this unique concept in this country and abroad would be lost. Our words of new approaches to foreign policy might acquire a hollow sound. More than 1,000 qualified Americans anxious to serve their country would be denied this privilege and opportunity. And furthermore, the United States as a country will lose in large measure this momentous opportunity to give people all over the world and in all walks of life, a chance to come to know better both America and Americans.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a letter from the Director of the Peace Corps, Robert Sargent Shriver, Jr., be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PEACE CORPS,
Washington, D.C., August 23, 1961.

DEAR HUBERT: In response to your inquiry concerning the amendments to reduce the Peace Corps appropriations and the number of supergrades requested by the executive branch for the Peace Corps, I would like to make the following points:

First, the primary factor in the appropriations is not the reduction of money itself but the reduction in the number of qualified people we can send abroad to serve our country if the appropriations request is cut. Every $9,000 eliminated from the request eliminates one qualified person who otherwise would have been able to serve our country through the Peace Corps. I believe it is important to remember that the loss will not be in terms of dollars but in terms of people.

Second, the demand for Peace Corps volunteers in underdeveloped countries has surpassed our expectations. Nigeria alone asks us for 1,300 people. The Philippine Government indicated it could use as many as 5,000 people. Obviously we cannot meet these requests; we are proposing only 2,700 people for the entire program. But the fact is that Americans are wanted and needed in these countries. If we do not help them to fill their critical manpower shortages we can be certain that these countries will ask the Soviet-Sino bloc for people and will probably get them.

Third, we are convinced that 3,000 qualified, dedicated Americans are available for service in the Peace Corps. Four months ago this supply was an unknown factor. Since then, more than 12,000 persons have actually volunteered and we are certain that 3,000 of them and more are qualified to do this work abroad. Applications are still coming in at a significant rate.

The fact is, Senator HUMPHREY, that we did not arbitrarily set a number of 2,700 or a figure of $40 million. These figures represent a reasonable compromise well below both the demand and supply available.

The amendment to reduce the number of supergrades could greatly cripple the Peace Corps in these early stages. I am sure you believe that good management is the key to a good program, and that the essential management positions must be filled in this early period—as the Peace Corps grows, it will grow in the number of volunteers in the field rather than in the number of top level positions. Every job for which we are asking a supergrade is a key job which has a direct bearing upon the success of the Peace Corps mission. I do not believe the Peace Corps can afford to fail. As a businessman, I think one safeguard against failure is high caliber personnel administering the program.

Thank you for your interest and with best regards.

Sincerely,

ROBERT SARGENT SHRIVER, JR.,
Director.

The PRESIDING OFFICER. The Senator from Iowa has 4 minutes remaining.

Mr. HICKENLOOPER. Mr. President, will that exhaust the remaining time?

The PRESIDING OFFICER. The Senator is correct.

Mr. HICKENLOOPER. Mr. President, in order to keep the lines of discussion straight, I point out that my amendment in no way will curtail the programed activities of the Peace Corps. The Senator from Missouri presented figures, apparently developed from the Corps itself, which I consider to be accurate, and admitted in his statement there would not be more than 2,000 people in the Peace Corps on June 30, 1962, the end of the fiscal year. Those people will not be in the Peace Corps all year.

The program of $25 million would cover 2,700 members of the Peace Corps for the full fiscal year, though the average will be about 1,400 instead of 2,700. This agency will not be able to spend, under the present program, as it is laid out, $25 million, unless a lot of contracts are made with some agencies going far beyond the fiscal year.

If we consider the program presented on a total number in the Peace Corps of 2,700 for the fiscal year 1962 multiplied by the $9,000 each which it is said will be the cost, that is less than $25 million. There will be an average of about 1,400 in the Peace Corps, according to its own figures. There are only 600 now, and part of the fiscal year is gone.

I submit that my amendment would not curtail the activities, would not cut the program down. It is a realistic appraisal that this is an experimental program and there is no excuse whatsoever, in good fiscal and financial management,

in my judgment, to authorize $40 million when, by the figures presented, the agency cannot use even $25 million. That is the whole basis for the amendment.

I believe there is a lot of emotional romanticism in some of the approaches to the Peace Corps. I believe the Peace Corps can, if it is properly operated, contribute something to international relations. I am perfectly willing to go along reasonably and sensibly with the program, but all I am saying by proposing the amendment is that we should cut the authorization from an amount of money the Peace Corps cannot possibly use, under any figures they have presented, to an amount which is, practically, more than they can use according to their own figures. We should cut the amount from $40 million to $25 million. There will still be a surplus in the operation.

To me this is only a realistic and sound financial and fiscal management approach.

I do not know what the other body is going to do. The issue is before this body today. The issue is before the Senate, and is not before the other body. We have a responsibility to act in our best judgment, in the interests of the public and in the interests of the program. That is what I am asking be done.

The PRESIDING OFFICER. The time of the Senator from Iowa has expired.

Mr. HICKENLOOPER. I thank the Presiding Officer. I hope the amendment will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa, as amended. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Indiana [Mr. HARTKE], and the Senator from Missouri [Mr. LONG] are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

On this vote, the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from South Dakota [Mr. CASE]. If present and voting, the Senator from New Mexico would vote "nay," and the Senator from South Dakota would vote "yea."

On this vote, the Senator from Connecticut [Mr. DODD] is paired with the Senator from Maryland [Mr. BEALL]. If present and voting, the Senator from Connecticut would vote "nay," and the Senator from Maryland would vote "yea."

I further announce that, if present and voting, the Senator from Indiana [Mr. HARTKE] and the Senator from Missouri [Mr. LONG] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Maryland [Mr. BEALL] is necessarily absent.

The Senator from South Dakota [Mr. CASE] is absent on official business.

On this vote, the Senator from Maryland [Mr. BEALL] is paired with the Senator from Connecticut [Mr. DODD]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from Connecticut would vote "nay."

On this vote, the Senator from South Dakota [Mr. CASE] is paired with the Senator from New Mexico [Mr. CHAVEZ]. If present and voting, the Senator from South Dakota would vote "yea," and the Senator from New Mexico would vote "nay."

The result was announced—yeas 32, nays 59, as follows:

[No. 167]

YEAS—32

Allott	Fulbright	Robertson
Bennett	Goldwater	Russell
Boggs	Hickenlooper	Saltonstall
Bush	Holland	Schoeppel
Butler	Hruska	Smith, Maine
Byrd, Va.	Kuchel	Stennis
Capehart	Lausche	Thurmond
Cotton	Miller	Tower
Curtis	Morton	Williams, Del.
Dirksen	Mundt	Young, N. Dak.
Dworshak	Prouty	

NAYS—59

Aiken	Hayden	Monroney
Anderson	Hickey	Morse
Bartlett	Hill	Moss
Bible	Humphrey	Muskie
Burdick	Jackson	Neuberger
Byrd, W. Va.	Javits	Pastore
Cannon	Johnston	Pell
Carroll	Jordan	Proxmire
Case, N.J.	Keating	Randolph
Church	Kefauver	Scott
Clark	Kerr	Smathers
Cooper	Long, Hawaii	Smith, Mass.
Douglas	Long, La.	Sparkman
Ellender	Magnuson	Symington
Engle	Mansfield	Talmadge
Ervin	McCarthy	Wiley
Fong	McClellan	Williams, N.J.
Gore	McGee	Yarborough
Gruening	McNamara	Young, Ohio
Hart	Metcalf	

NOT VOTING—9

Beall	Case, S. Dak.	Eastland
Bridges	Chavez	Hartke
Carlson	Dodd	Long, Mo.

So Mr. HICKENLOOPER's amendment, as amended, was rejected.

Mr. McGEE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. CAPEHART. Mr. President, I could support the Peace Corps bill if it were written on the basis of hiring experienced people like doctors and dentists and engineers, who would be paid regular wages to go overseas to do a specific kind of work and to spend a certain period of time overseas, thereby doing a great deal of good. However, on the basis on which the bill is presently written, with the concept behind it, with the philosophy behind it, I cannot support it, because in my opinion it will do more harm than good. We ought not to pass such legislation in Congress. Therefore I cannot support it as it is written. The idea behind the bill is all right, and it would work if we employed experienced men. Otherwise it will not work.

Mr. HOLLAND. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order. The Senator from Florida is recognized.

Mr. MANSFIELD. In view of the fact that there are several more amendments to be proposed and still to be considered on the pending bill, with the permission of the Senator from Florida, I should like to ask unanimous consent that the pending business be temporarily laid aside and that the Senate go into executive session to consider the nomination on the Executive Calendar.

Mr. HOLLAND. I have no objection. I yield the floor at this time.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider executive business.

ARMY NATIONAL GUARD

The PRESIDING OFFICER. The clerk will state the nomination on the Executive Calendar.

The legislative clerk read the nomination of Maj. Gene Hal Williams to be a brigadier general.

Mrs. SMITH of Maine. Mr. President, at the outset, I wish to announce that I desire to make my statement without interruption, so that there may be an orderly presentation of the case I am about to place before the Senate.

Mr. President, my opposition to the nomination of Maj. Gene Hal Williams to be a brigadier general in the U.S. Army Reserve is the latest act in a sustained effort that I have made during the past 5 years to clean up the very loose and disturbing conditions that have existed in the selection of Reserve officers for general and admiral rank in our armed services.

HISTORY OF EFFORTS

My campaign to clean up the Reserve general and admiral officer selection systems started 4½ years ago in February 1957, when several Air Force Reserve leaders, including the then national president of the Reserve Officers Association, a then past national president of the Reserve Officers Association, and a then past national president of the Air Reserve Association, protested to me against some of the Air Force Reserve general nominations received at that time by the Senate Armed Services Committee.

At their request, I investigated the record of these nominees and my investigation established the validity of their protests and caused me to respond to their request that I oppose certain of the nominations. I opposed two of the nominations, and the Senate Armed Services Committee, agreeing with and upholding my opposition, withheld approval of the two nominations and so

these two nominees were not promoted to brigadier general that year.

The next year, in 1958, I opposed an Army Reserve major general nomination and the committee withheld approval in that case and the nominee was never promoted to major general.

In 1959 I opposed three Air Force Reserve general nominations and the committee turned these nominations down.

In 1960 I opposed two Marine Corps Reserve general nominations and the committee upheld my opposition. Also in that year, when another member of the committee opposed a National Guard general nomination, I supported that opposition and the committee turned down that National Guard general nomination.

Early this year I opposed two Naval Reserve admiral nominations and the committee withheld approval in these two cases.

When some of these nominees in these 5 years increased their Reserve participation and improved their qualifications, I removed my opposition to them and they were then finally approved.

In addition to these dozen individual cases, the Senate Armed Services Preparedness Investigating Subcommittee issued two reports on the conditions existing in the Reserve admiral and general officer selection system of the armed services. In these reports, the subcommittee, headed by LYNDON B. JOHNSON, severely condemned the Air Force and the Navy on their Reserve admiral and general officer selection policies, practices and administration, and called for major reforms.

HISTORY OF RESULTS

The Air Force was the first to respond with specific and affirmative action. The Air Force change in attitude and the reformation in the Air Force started in the late summer of 1959 under the administration of Gen. Truman H. Landon as Deputy Chief of Staff for Personnel and it was completed in 1960, with one of the most significant changes in Air Force attitude, as well as in practice, coming in the change in the law that the Air Force asked the Senate Armed Services Committee to make through an amendment to Reserve legislation before the committee in 1960.

The committee and the Congress adopted the Air Force-requested amendment, which incorporated into the Air Force Reserve general officer selection system a proposal that I had been advocating for 3 years.

This year the Navy has responded well under the administration of Vice Adm. William R. Smedberg III, the Chief of Naval Personnel, with sweeping reformation of its Reserve admiral selection system—and with the adoption of basic changes advocated by the Preparedness Investigating Subcommittee.

Generally speaking, the Army selection system has been commendable. It has been vulnerable to severe criticism only in its manner of granting of Federal recognition to National Guard State adjutants general, and National Guard State assistant adjutants general for air and National Guard State chiefs of staff for air.

However, the Gene Hal Williams nomination has served to emphasize and underscore the looseness of the National Guard Federal recognition system so much that on July 18, 1961, the Department of Defense notified the Senate Armed Services Committee, by a letter of the Deputy Secretary of Defense to the chairman of the committee, that the standards for recognizing National Guard State adjutants general would be raised considerably.

Thus, Mr. President, my 4½-year campaign to clean up the Reserve general and admiral selection systems has been almost completed—culminating with even reform in the National Guard, which has been regarded heretofore as being so politically strong that it was beyond criticism or change.

CHARACTERIZATION OF EFFORTS

I can assure you, Mr. President, that this 4½-year campaign of mine to clean up this situation has not been easy and has not been pleasant. It has brought down upon me many unflattering characterizations of my motives. This time I, and the six Senators joining me, have been accused of asking "for the pound of flesh."

Whether I have been right or wrong, I will leave to the American people to judge. There is certainly no question in my mind about the rightness of my position. Had I had the slightest doubt, I would have long ago let the attacks on me force me to give up my fight for decency in the Reserve.

I think perhaps the best qualified person to judge my efforts and my motives in this campaign is the chairman of the Senate Armed Services Committee—and I am proud of the characterization that he has given my efforts—that I have made a contribution which he would have been proud to have been able to render himself.

NATIONAL GUARD PRIDE AS FIRST LINE OF DEFENSE

The National Guard has proudly called itself the first line of defense after the Regular Establishment and ahead of the Reserve forces. It has been so insistent upon this first line of defense role that it got Congress to make it a part of the law—a part of the law which is found in the 32d volume of the United States Code, section 102, which states:

> In accordance with the traditional military policy of the United States, it is essential that the strength and organization of the Army National Guard and the Air National Guard as an integral part of the first line defenses of the United States be maintained and assured at all times.

I cannot believe that an organization, which is so proud of such first line of defense designation, can be very happy about the Gene Hal Williams nomination in view of his very limited military experience and qualifications for the rank of brigadier general—the rank normally accorded in the field to an assistant division commander with command from 7,000 to over 10,000 troops.

ANALYSIS OF ARGUMENTS FOR NOMINATION

Several arguments have been advanced by Major Williams in his contention that his nomination should be confirmed. Let us look at these arguments and examine them.

PREDECESSOR IN SAME SITUATION

In reading a letter of Major Williams, Senator BYRD of West Virginia stated to the Senate Armed Services Committee that Major Williams' "predecessor was in this same situation" as an argument to support confirming the Williams nomination.

This is not an accurate representation for there is a vast difference in the situation between Major Williams and his predecessor as the adjutant general of West Virginia. The only fact of similarity was that both Williams and his predecessor, William Edwards Blake, were majors at the time of their appointments as adjutants general. With that sole exception, there is no other similarity whatsoever—but instead very marked contrasts in: first, years of military status; second, years of commissioned active service; third, years in grade; fourth, war service; fifth, combat service and experience; sixth, combat decorations; and seventh, age.

The record, as furnished by the Army Adjutant General in official documents to the Senate Armed Services Committee, shows that Blake had a vastly superior record of training and experience as compared to that of Williams at the time each was appointed State adjutant general. Williams had military officer status of less than 9 years while Blake had more than 25 years—three times as great as that of Williams.

Williams' total commissioned active service was less than a year and a half while Blake's was over 3 years and 8 months—nearly 3 times as great as that of Williams.

Senator BYRD has made a point that Williams had 1 year and 3 months of enlisted service in addition to this. Yet, the Army and National Guard apparently did not feel this was sufficiently important for the committee to consider on his qualifications for the grade of brigadier general—as it did not include it in the official document accompanying his nomination.

Williams had served only 8 months in the grade of major while Blake had served over 3 years in the grade of major—more than four times as long as that of Williams.

Williams had not served either in combat or overseas while Blake had extensive combat and oversea service.

The only award Williams has is the Parachute Badge, while Blake had been awarded the Purple Heart for being wounded in combat action, the Silver Star for heroism in combat, the Air Medal, the Soldier's Medal and the Combat Infantryman Badge.

Williams was only 32 years old at the time of the appointment while Blake was 46 years old.

Clearly the cases are not similar as the record shows the vast superiority in experience, training, and military accomplishment and distinction of Blake over Williams.

Inasmuch as Major Williams has raised the standard of comparison, I think it also pertinent to make a comparison between Major Williams and the

case of Col. Homer Reid Flynn, the assistant State adjutant general for air of the Georgia National Guard, whose nomination was rejected last year by the Committee on Armed Services even though it had been approved by the Department of Defense.

I think it pertinent to compare the record of Major Williams with that of the Georgia National Guard nomination so recently rejected by this committee. At the time of State appointment Williams was a major while Flynn was a colonel—Williams had less than 9 years military status while Flynn had twice as much with almost 18 years—Williams had 17 months commissioned active service while Flynn had more than twice as much with almost 39 months commissioned active service—Williams had served only 8 months in the grade of major while Flynn had served 150 months in the grade of major or higher or nearly 19 times as great as Williams—Williams was a major at the time of appointment in 1961 while Flynn was a full colonel at the time of appointment in 1960—Williams was 32 while Flynn was 41. Flynn had twice previously been given Federal recognition in the grade of brigadier general and confirmed by this very committee.

With the Committee on Armed Services having rejected Flynn last year, I asked the members how could they logically conclude with this comparison that Williams is qualified for the rank of brigadier general?

Mr. President, I think that it will come as no surprise to the Senate that after I had set forth the comparative records of Williams and his predecessor as the West Virginia adjutant general—and with the rejected nomination last year—that this argument of comparative "same situation" was quickly dropped and it was admitted by Senator BYRD that the experience and training record of Williams' predecessor was far superior to that of Williams.

REJECTION WOULD RESTRICT GOVERNORS OF SMALLER STATES

A second argument offered by Major Williams in support of his nomination was that to reject it would result in restrictions on Governors of smaller States. Major Williams stated specifically:

> Governors of smaller States are going to be extremely limited in choosing an adjutant general who would qualify for Federal recognition. Thus, the Governor of West Virginia would be told by the Federal Government that he could only pick an adjutant general who would qualify for brigadier general from the small group of officers here who now hold the grade of colonel. The question then arises as to whether or not any Governor's hands should be tied.

This argument offered by Major Williams does not bear close scrutiny for several reasons. In the first place, there are 21 States having a smaller population than West Virginia and they do not seem to have had any difficulty in the past of finding qualified colonels for appointment as adjutant generals. It is difficult to believe that the great State of West Virginia has such a dearth of qualified colonels.

In the second place, at the time of the letter of Major Williams, the Department of Defense had adopted a policy on Federal recognition under which no State adjutant general who held a rank less than that of colonel will be given Federal recognition in the rank of brigadier general.

In the third place, a Governor's hands are not tied because he can still make an adjutant general a brigadier general in the State even though the adjutant general is not given Federal recognition in the rank of brigadier general and thus not given an Army Reserve Federal commission in the rank of brigadier general.

TWENTY-FIVE MEMBERS OF UNITS WOULD OUTRANK HIM

A third argument made by Major Williams is, and I quote from his letter which was read to the committee by Senator BYRD:

> Assuming that I would be given recognition in the grade of lieutenant colonel, I would be placed in a very awkward position. First of all, over 25 members of our units would outrank me.

In this contention, Major Williams is guilty of a very glaring inconsistency and a contradictory argument, for in the paragraph immediately preceding these two sentences he argues that the Governor of West Virginia would be extremely limited in his choice for adjutant general to choose from "the small group of officers here who now hold the grade of colonel."

Major Williams cannot argue both ways. I do not think a group of 25 to choose from is a small group or greatly limits the Governor of West Virginia—the group of 25, whom Major Williams states would outrank him even if he were a lieutenant colonel.

He would not be outranked in the West Virginia National Guard because he would be a brigadier general even though not federally recognized and not given that rank in the Army Reserve—and it is his State militia status that would govern on his position as the adjutant general of West Virginia—not his Federal status.

The National Guard Bureau states that State rank alone is controlling when the National Guard is performing duty in its State status, and that neither Federal recognition nor Federal Reserve status has any bearing on command authority when in State status.

REDUCED TO MERELY WRITING SUGGESTIONS

A fourth argument made by Major Williams is that if Federal recognition and the concurrent Army Reserve commission in the grade of brigadier general were withheld from him by the Senate refusing to confirm his nomination, he would be reduced to a position of no real authority or power but to a position of writing suggestions instead of directives. Specifically he stated:

> I would be placed in a situation whereby in military operations I would be inclined to write suggestions instead of directives.

Mr. President, how could anyone take this contention seriously? I asked the National Guard Bureau a specific quesiton on this, my question being:

> Does withholding Federal recognition prevent the State adjutant general from having any power—does it reduce him merely to being able only to write suggestions instead of directives?

The answer that the National Guard Bureau gave to my question was a clear "No," for it stated:

> The authority of a State adjutant general, a State officer, is derived exclusively from State law. He, like all other officers of the State militia, is appointed under State law * * *. Presence or absence of a federally recognized status, or Federal Reserve status, neither adds to nor detracts from his powers as a State officer.

Again I ask how could anyone take this "suggestion writing" argument of Major Williams seriously? It does not speak well for him, for it indicates a deficiency in his knowledge and experience for the high rank of brigadier general in the revelation that he has so limited a knowledge and concept of military command.

To be absolutely sure on this I asked a second question:

> If Federal recognition is not granted to a State adjutant general, and as a result he holds a rank less than that of general officer in the Army Reserve but is a general in the State National Guard, is his power reduced to merely writing suggestions rather than directives?

The answer of the National Guard Bureau was an unequivocal "No" as it stated:

> No. So long as the National Guard remains in State service, the adjutant general commands, subject only to the laws of his State and such limitations as the Governor of his State imposes upon him.

Major Williams would operate and administer under the laws of the State of West Virginia as the West Virginia National Guard would be administered in the State militia status and not Federal status.

In that State militia status, he would be a brigadier general even without Federal recognition—and as the adjutant general and a brigadier general—or a major general if the Governor of West Virginia so chose to make him—he would be issuing directives and not merely writing suggestions.

The weakness of this argument made by Major Williams is that there are 11 State adjutants general doing this now as the adjutants general of 11 States hold ranks in which they have not been extended Federal recognition. If they can do it, there is no reason why Major Williams cannot do it.

WOULD HAVE TO RELY ENTIRELY UPON POLITICAL POWER

A fifth argument made by Major Williams is that Senate refusal to confirm him would force him to rely entirely upon political power for control rather than military position as he states:

> I would be compelled to rely entirely upon political power for control rather than military position.

This argument is no more tenable than the writing "suggestions instead of directives" contention made by Major Williams—for the simple reason that the power of an adjutant general stems not from Federal recognition or from the concurrent Army Reserve commission that Federal recognition gives him, but

rather from his State position as the head of the West Virginia National Guard.

The power of his position as adjutant general is of State derivation—not Federal derivation. The Federal Government does not give him the power to command and administer the West Virginia National Guard—that power comes from the State and from the Governor. For an adjutant general commands from National Guard status, which is actually the State militia status—he does not exercise any command in the concurrent Army Reserve status given him by Federal recognition.

In short, the power is derived from the position, not the rank.

And again, Mr. President, I say that this young man in his contentions has revealed his lack of experience and knowledge for the grade of brigadier general.

WOULD HAVE TO LOWER RANK INSIGNIA

A sixth argument made by Major Williams is that he would be placed in the embarrassing position of wearing the uniform of his lower Army Reserve federally recognized grade of major or lieutenant colonel instead of his State grade of brigadier general while participating in annual duty for training each year—and that his position would thus be further jeopardized.

Again by making such contentions as he does, Major Williams reveals a basic lack of knowledge on his part about his job and thus raises further questions as to his qualifications for the rank of brigadier general.

The National Guard Bureau has stated very clearly on this point that annual field training is conducted in State National Guard status rather than in Federal status. It has stated specifically:

> Annual field training is conducted in State National Guard status. * * * At such times, the National Guard is trained in its State status. * * * From the standpoint of command, the adjutant general being the ranking State officer, directly below the Governor as commander in chief, is the superior officer of all other officers and enlisted personnel of the militia including the National Guard which is the federally recognized portion of the organized militia. His command is independent of a federally recognized status.

In all realism, it is a well-known fact that State adjutants general, as a matter of practice, wear the insignia of their higher State militia rank rather than their lower federally recognized rank insignia.

That is what 11 State adjutants general, who have not been given Federal recognition in the higher State rank, do now—and there is no reason to believe that Major Williams would depart from existing actual practice or do any differently from these 11 nonrecognized adjutants general or any differently from what he has been doing.

STATE APPOINTMENT SHOULD MAKE SENATE CONFIRMATION AUTOMATIC

A seventh argument made by Major Williams is that there is a moral obligation for him to be given Federal recognition and the Senate confirmation merely because he was appointed by the Governor of West Virginia. He stated specifically:

> Had there been any doubt about my Federal recognition last January, I am positive that Governor Barron would not have appointed me, and I am positive that I would not have accepted the appointment had I known that I would be promoted only one grade.

This argument made by Major Williams makes unwarranted and unrealistic assumptions. It further raises questions as to his experience and maturity qualifications for the rank of brigadier general.

In the first place, it erroneously assumes that Federal recognition would be given automatically just because he was appointed by the Governor. The statistics on Federal recognition of State adjutants general shows that this is an unwarranted and unwise assumption—for there have been several cases in which Federal recognition has been refused.

In fact, there are now 11 State adjutants general who are not federally recognized in the State ranks that they hold.

In the second place, this argument made by Major Williams is erroneous in that it assumes that the appointment by the Governor made Senate confirmation automatic. If this were true, then the Senate would be relegating itself to a legislative rubber stamp—and would be abrogating its constitutional "advise and consent" authority and responsibility.

During the time that it has been my privilege to serve on the Senate Armed Services Committee, this committee has 12 times withheld confirmation of general and admiral nominations—11 times on Reserve nominations and once on a Regular nomination.

And even more to the point, one of the Reserve instances was last year when this committee withheld confirmation of a National Guard-Reserve nomination from the State of Georgia, the assistant adjutant general for air.

REJECTION WOULD BE RETROACTIVE ACTION

An eighth argument made by Major Williams is that for the Senate to refuse to confirm him would constitute unfair retroactive action against him. He bases that contention upon the fact that the regulations are now being changed prohibiting promotion from major to brigadier general in one step.

This contention of Major Williams is not valid for the simple reason that seven members of the Committee on Armed Services are opposing him not on the grounds of the three-grade jump—but more specifically on the grounds that he does not have the training and experience necessary for the qualifications for a brigadier general. I call your attention to the minority views in Executive Report No. 8, which was placed on your desks.

But if this is a valid contention now by Major Williams—then so surely it was a valid contention last year when this committee withheld confirmation of the Georgia National Guard nomination—assistant adjutant general for air.

The standard is not the regulations or the change in regulations—the standard is one of qualification based on training and experience in the eyes of this committee.

After all, this committee has a dozen times withheld confirmation of general and admiral nominations even when the regulations had been complied with—and even when the Department of Defense and the services requested that the committee act favorably on the nominations.

DEPARTMENT OF DEFENSE REQUEST

A ninth argument made in behalf of Major Williams is the emphasis placed on the fact that the Department of Defense has requested favorable action on the entire list in which Williams was on.

The fact that the Department of Defense has requested favorable action on the pending list despite its admission of laxity in its regulations in the past and its tightening up those regulations belatedly, may be considered by the committee—but it is surely no more binding on this committee than in those dozen cases when the Department of Defense urged favorable action but the committee rejected the request and withheld favorable action—five times with the Air Force Reserve, once with the Army Reserve, twice with the Marine Corps Reserve, twice with the Naval Reserve, once with the Air Force Regular, and once before with the National Guard.

We know how the Air Force so vigorously and repeatedly sought to get committee approval of a rejected Air Force nomination but failed because the committee did not feel the nominee to be qualified—despite the action of the selection board and the President of the United States.

WILLIAMS' ARGUMENTS EXPOSE HIS LACK OF KNOWLEDGE FOR GENERAL RANK

Mr. President, I believe that the record that I have outlined in detail proves beyond any doubt that Major Williams is not qualified for the rank of brigadier general in the Army Reserve. The facts overwhelmingly refute the arguments he makes for his confirmation. In fact, the very arguments that he does make reveal his inexperience and lack of knowledge of the true character of the high-command rank he seeks in the Army Reserve—and thus expose his lack of qualifications for the high rank of brigadier general in the Army Reserve.

POLITICAL PREROGATIVE OF GOVERNOR IS A STATE PREROGATIVE

If the Governor of West Virginia desires to make an inexperienced young man a brigadier general in the West Virginia National Guard—the West Virginia State militia—in State status as distinguished from Federal status—then that, as a State status, is a State matter and clearly the prerogative of the Governor of West Virginia.

That is his business, and I do not propose to take that power away from him. As far as I am concerned, the Governor of West Virginia can put five stars on the shoulders of Major Williams—he can put a galaxy of stars on the shoulders of Major Williams—as long as they are strictly West Virginia State militia stars.

But I am not going to permit such action to bind me to approve of putting Federal U.S. stars on the shoulders of a

major who is clearly not qualified for the rank of general—to make Federal U.S. stars automatic because of State milita stars, regardless of the record. Otherwise, we could end up with State adjutants general wearing even more Federal stars than the Chief of Staff of the U.S. Army or even the Chairman of the Joint Chiefs of Staff.

NOT BINDING ON THE SENATE

But it is clearly not binding upon the Senate of the United States—either legally or morally—and I resent any attempt to make it so. Otherwise we might as well junk and scrap the "advise and consent" responsibility and authority placed upon us by the Constitution.

Only last year the Senate Armed Services Committee refused to consider the action of the Governor of Georgia making a far more experienced, mature, and higher ranking officer a brigadier general in the Georgia National Guard as assistant State adjutant general for air as binding—either legally or morally—upon it. For the committee declined to approve such appointee for the grade of brigadier general in Federal Reserve status.

ONLY REASON GIVEN FOR SUPPORT: ALLEGED RETROACTIVE EFFECT

The only reason given by those supporting this nomination is the contention that they oppose retroactive or ex post facto applications. This is offered as the means to resolve their admission that this nominee does not possess the qualifications of a brigadier general—or to resolve their very grave doubts about this nominee's qualifications to be a brigadier general.

Mr. President, with fullest respect to these members, I contend that this is not realistic reasoning. It does not resolve the obvious lack of genuine qualifications for brigadier general. Repeatedly before, in at least a dozen cases, in the past 5 years, the committee has rejected nominees for Reserve general and admiral rank because the members did not consider them qualified—even if the Department of Defense did recommend their confirmation.

When qualification comparisons are made between the Williams nomination with these dozen nominees rejected in the past on the basis of lacking qualifications, it is clear that the retroactive contention is not a valid one.

Nor is it a satisfactory answer to observe that this is really not important because Major Williams is exempt from involuntary Federal callup in a war in his status as the West Virginia State adjutant general, which vests the rank of brigadier general in the West Virginia State militia. It not only begs the question, but it reveals the real hollow character of a concurrent rank of brigadier general in the Army Reserve based solely on the fact that the nominee as a State adjutant general is a brigadier general in the West Virginia State militia.

Make no mistake about it, even among these members who voted to report the nomination out there is grave doubt—if not outright expressed opinion—that Major Williams has the experience and record to qualify him for the rank of brigadier general in the Army Reserve.

GENERAL REACTION TO WILLIAMS NOMINATION

Make no mistake about it, Mr. President, there is no enthusiasm for the Gene Hal Williams nomination. It is a source of keen embarrassment to many. Because of his obvious lack of qualifications, it is a degradation of the rank of brigadier general in the Army Reserve and the Army.

In fact, the Gene Hal Williams nomination is so bad that the Army, the National Guard Bureau and the Department of Defense have agreed on adopting new regulations to prevent a repetition of the extremely embarrassing Williams nomination.

The Williams nomination is literally the straw that broke the camel's back. It was just too much for the authorities to take again in the future—so they have now acted to bar anything like it happening again in the future.

In the consideration of this nomination, Mr. President, do not forget that if the application for Federal recognition and an Army Reserve commission in the grade of brigadier general for Major Williams were submitted anew today to the recognition board, it would clearly be rejected because he does not possess the necessary qualifications.

In fact, the Williams nomination is so bad that the regulation on Federal recognition of State adjutants general is being changed to remove the favoritism exemption treatment for them and instead to require of them the same basic qualifications of all other National Guard officers for Federal recognition and an Army Reserve commission.

NEW APPLICATION WOULD TAKE UNTIL 1969, AT LEAST, FOR WILLIAMS TO BE A GENERAL

Under this change prompted by the Williams case, were the application of Federal recognition for Major Williams starting anew, it would take at least 8 years more of military status in the future from now for him to qualify for Federal recognition in the grade of brigadier general. Even if he served faithfully from now on, he could not make brigadier general until 8 years from now in 1969.

This is because he would have to serve 3 more years in his present grade of major in order to be promoted to lieutenant colonel, then he would have to serve at least 3 years in the grade of lieutenant colonel before he could be promoted to full colonel, and then he would have to serve at least 2 years in the grade of full colonel before he could be promoted to the grade of brigadier general.

Now what is sought in the pressure for confirmation of this nomination is to telescope his 8 months in the grade of major preparatory to becoming a brigadier general instead of requiring 8 more years under the revised policy. Telescoping 8 years into 8 months is just about the most intensive shortcutting I have ever seen.

One of the basic trouble in our country today during these times of crises is the far too prevalent attitude of trying to do things the easy way—the shortcut way. It is this kind of attitude that leads to national softness at a very time when we need desperately to be firm. I think this nomination is symptomatic of that weakness that is too prevalent in our country today.

WILLIAMS' NOMINATION IN BACKGROUND OF GRAVE WAR THREAT

And surely there is no mystery about those grave doubts on the part of even those who voted to report the nomination out of committee. All that you have to do is to look at the world situation today when Khrushchev has ringed West Berlin with military divisions on the one hand—and on the other hand, at the same time, the U.S. Senate is being asked to confirm and approve making a brigadier general—the rank accorded an assistant division commander commanding from 7,000 to over 10,000 troops—of a 33-year-old major, whose total commissioned officer active service is only a year and a half and who has no combat experience and has never served overseas.

The U.S. Senate is being asked to confirm and approve this nominaton at the same time of the announcement of the Secretary of the Army that he was issuing orders to alert thousands of Army National Guardsmen and Army reservists for anticipated Federal callup because of the international crisis and the threat of war.

In doing so, he dramatically announced a sweeping program for building a million-man Army. Mr. President, I submit that one way not to build an effective million-man Army is to make an Army Reserve brigadier general out of a 33-year-old major with only a year and a half of stateside commissioned active service.

This is truly frightening. I ask the Members of the Senate what are we doing—where are we going—if we confirm such a nomination? What is the true status of our Army if brigadier generals are made this way?

Because I am opposing this nomination, I have been accused of cruelly asking "for the pound of flesh" and embarrassing a young man. Well, Mr. President, I am more concerned with the military preparedness of our country—with a realistic National Guard and Reserve commanded by leaders of proved ability and experience—than I am with embarrassment of one young man who is embarrassed, not by what I have done or said, but who is embarrassed by the shocking facts in this nomination.

I am opposing this nomination because I have the deepest conviction that the security of my country demands that I oppose it. In a time of such dire peril as our country faces now, there is no other choice.

Mr. BUSH. Mr. President, will the Senator yield?

Mrs. SMITH of Maine. I yield.

Mr. BUSH. I rise to commend heartily the Senator from Maine upon her devastating argument against the nomination. I resent, on my own behalf as well as hers, the charge of the "pound of flesh." I am afraid that if the nomination is confirmed, the pound of flesh will come out of some American soldier or soldiers.

Like many other Senators, I have served my country in its uniform. I

have sons who have done so. I have one in the service now. I deplore the possibility that the nomination of a man so ill suited to be a general officer in the Army of the United States could be confirmed with the advice and consent of the Senate. I have followed the case very carefully. I have followed minutely the argument of the Senator from Maine [Mrs. SMITH], which is devastating. She has demolished the case for approving the nomination of this young man to be a brigadier general.

What I have said is no reflection upon the young man's character. We mean nothing like that. We are thinking of the U.S. Army and the military service of the United States.

In support of my position, I ask unanimous consent to have printed at this point in the RECORD a statement by those Senators, six in number, who, with the Senator from Maine [Mrs. SMITH], signed dissenting views on the nomination.

There being no objection, the views were ordered to be printed in the RECORD, as follows:

VIEWS OF SENATORS SMITH OF MAINE, THURMOND, CANNON, BRIDGES, SALTONSTALL, CASE OF SOUTH DAKOTA, AND BUSH IN OPPOSITION TO THE CONFIRMATION OF THE NOMINATION OF MAJ. GENE HAL WILLIAMS TO THE GRADE OF BRIGADIER GENERAL IN THE ARMY RESERVE

The undersigned members of the Senate Committee on Armed Services, without reflecting on the character or integrity of the nominee, are convinced that Maj. Gene Hal Williams does not possess the military qualifications required for the rank of brigadier general in the Army Reserve. Accordingly, we recommend that the nominee not be confirmed by the Senate to this rank.

BACKGROUND INFORMATION

As of January 16, 1961, Major Williams was named State adjutant general of the State of West Virginia, Army National Guard. By virtue of his office of State adjutant general he holds under State law the State rank of brigadier general. His nomination was submitted to the Senate because of the specific provision of law (sec. 3392, title 10, United States Code) which provides in effect that the adjutant general or assistant adjutant general of a State or territory may, upon being extended Federal recognition, be appointed as a Reserve officer of the Army as of the date he is federally recognized.

The matter of Federal recognition of adjutants general is controlled by Army regulations and until July 18, 1961, these rules can be characterized by the almost complete absence of any qualitative standards for recognition.

Until July 18, 1961, an adjutant general, in order to be federally recognized, was required to have only three qualifications:

1. Be under age 64;

2. Be physically qualified to hold a Reserve commission; and

3. Have been at some time a member of some component of one of the Armed Forces.

REASONS FOR OPPOSING THE NOMINATION

The undersigned have one purpose in opposing this nomination. It is to raise, for this category of personnel, the standards for promotion in the Army Reserve. Because of his very limited background and experience, it is our view that under no reasonable standard could Major Williams be considered qualified for a three-grade promotion to the rank of brigadier general in the Army Reserve. These are the significant facts as of May 1, 1961, when his nomination was received in the Senate:

(a) He had a military status of only 10 years, beginning in January 1951.

(b) His total active military service was only 2 years, 8 months, and 21 days. This service was performed during 1951–53, all in various units located in the United States. A little less than one-half of this active service was in an enlisted status as distinguished from commissioned officer status. At the time of his appointment as State adjutant general he had had no command experience above the company grade of captain.

(c) He had been promoted to major in the Army Reserve in only June of 1960.

(d) With respect to his civilian background he had completed his education only 5 years ago in 1956. Since that time it is our understanding that his civilian positions consisted solely of a clerk to a Federal judge and service as an assistant attorney general for the State of West Virginia.

(e) Major Williams was only 32 years of age. While age alone should not normally be a controlling factor, it is significant in the case of Major Williams, because of his limited background and experience.

No significant changes have occurred in the record of Major Williams since May 1, 1961.

It should be emphasized, that this promotion would be a three-grade promotion from major to brigadier general.

NO INTERFERENCE WITH STATE RANK

It should be emphasized that the undersigned oppose only Major Williams' nomination in the Army Reserve, which should be determined solely by Federal standards. No attempt is being made to infringe in any way on the prerogatives of the Governors, who should continue to have the right to accord under State law whatever State rank they wish to confer on their adjutants general as officers of the Governor. In most States the State rank of major general is authorized. In at least one State, however, it is understood that upon retirement the adjutant general is accorded the honorary rank of lieutenant general in a State status. The States under their own State laws can provide such a State rank as they choose to authorize, even to the extent of a 4- or 5-star rank for their State adjutants general.

At the same time, in establishing standards for appointment in the Army Reserve, which is strictly a Federal component, there should be minimum Federal standards consistent with the requirements which apply to other Reserve and National Guard officers. It is realized that the adjutant general upon leaving office reverts to the rank held immediately prior to his appointment. At the same time, while in office he is eligible for Federal training duty pay based upon the Federal rank he holds as adjutant general. Moreover, if he becomes qualified for retirement pay, such pay is based upon the Federal rank he held as adjutant general.

DEPARTMENT OF DEFENSE POSITION

On July 18, 1961, the Department of Defense wrote to the chairman of the Senate Armed Services Committee advising that the standards for recognizing adjutants general would be raised considerably. In the future, with one exception, an adjutant general, in order to receive a Reserve appointment, must meet the same standards as other National Guard officers and members of the Reserve. They would have to be fully qualified to hold the grade in terms of education and background, total service, and other requirements applicable to Reserve officers. The one exception would be that if an officer were in the grade of colonel he could be advanced two grades to major general, if he was appointed to major general under State law; otherwise, promotions could be only one grade at a time.

The departmental letter was in response to a communication from Senator SMITH requesting Department of Defense comment on the nomination of Major Williams and the desirability of reexamining the present policy of almost automatically appointing adjutants general to the same rank in the Army Reserve as they hold under State law.

The departmental letter further recommends, however, that the new standards not be applied to the pending list of National Guard nominations. We welcome the new rules which the Army and Air Force will apply in the future to National Guard nominees. At the same time we certainly oppose the departmental position that the Senate is precluded from examining the qualifications of any of the nominees on the pending list.

The test should be whether any nominee under any reasonable standard possesses the qualifications to hold the Reserve rank to which he is nominated. The Senate could use such a standard whether or not the Department of Defense changed its rules for the future.

Application of this qualification standard to Nominee Williams would not set any new precedent, for, as a matter of fact, in recent years the Senate Committee on Armed Services has used such a standard in withholding approval of 12 nominations, including 1 in the National Guard.

For the reasons we have already cited, we do not believe that Major Williams by any test could be found qualified to hold the rank of brigadier general in the Army Reserve.

Distinction of two other names on the list

We realize that there are two names on the list as reported who under the new rules would not be eligible for promotion. Those are Lieutenant Colonel Anderson and Lieutenant Colonel Moeglein, both nominated to be brigadier general. They would be precluded because of the rule against more than one-grade promotions except for colonels.

We would like to point out, however, that both of these nominees are in a different category from Major Williams in terms of background and experience. Lieutenant Colonel Moeglein, who is 48 years old, has possessed a military status for over 23 years and has had extensive active service both during World War II and Korea. He was promoted to the rank of major in 1942 and to lieutenant colonel in 1953.

Lieutenant Colonel Anderson, who is 41 years old, has had a military status for 19 years and had extensive active duty during World War II. He became a major in 1943 and a lieutenant colonel in 1957.

While we do not like a two-grade promotion for these officers, their background and experience places them in a completely different category from that of Major Williams. We think the Senate would be justified in view of these factors to approve of their nominations, and at the same time reject that of Major Williams.

Different rule for assistant adjutants general

We would like to observe that for some years the Army in its regulations has required assistant adjutants general to be fully qualified and, therefore, meet the same promotion standards for Federal recognition that are applied to other guardsmen and reservists. This rule existed upon the premise that if the adjutant general did not have to qualify under the normal rules, the assistant adjutant general should at least meet all of the Reserve qualifications. We might also add that with respect to the new rules, it is our understanding that for a number of years efforts to upgrade the standards for Federal recognition had been unsuccessful. Until Senator SMITH's letter raised this issue, there was no success in overcoming the general opposition.

PREMISE FOR OPPOSITION

It is our deep conviction that the security of our country demands the highest qualification requirements in the selection of military leaders of all components, particularly those chosen for general officer rank. It is on this premise that we oppose this nomination.

MARGARET CHASE SMITH.
PRESCOTT BUSH.
LEVERETT SALTONSTALL.
STYLES BRIDGES.
HOWARD W. CANNON.
FRANCIS CASE.
STROM THURMOND.

Printed below is the personal history statement submitted by the Department of the Army to the Senate Committee on Armed Services:

MARCH 1961.

Military history of Williams, Gene Hal, O1882263.

Major, Infantry, USAR.

Born: June 20, 1928, in Charleston, W. Va.

Years of service: 8 years, 11 months, 13 days, as of March 14, 1961.

Present assignment: State adjutant general, West Virginia Army National Guard.

Civilian occupation: Adjutant general, State of West Virginia.

Military schools attended:	*Year completed*
Infantry school, officers candidate school	1952
Infantry school, basic airborne course	1952
Army area school, unit CBR course	1952

Civilian education:	*Degree received*
4 years, Charleston High School, West Virginia.	Graduated 1946.
4 years, political science, West Virginia University.	A.B. 1950.
3 years, law, West Virginia University.	LL.B. 1956.

U.S. decorations: Parachute Badge.

Promotions

	Temporary	Permanent
2d lieutenant		Mar. 31, 1952
1st lieutenant	Sept. 30, 1953	Sept. 30, 1953
Captain		Sept. 20, 1955
Major		June 24, 1960

Duty assignments

	From	To
Student, infantry school	Mar. 31, 1952	May 13, 1952
Casual Off, en route to station asgd	May 14, 1952	June 2, 1952
Plat Leader, 95th Infantry Bn	June 3, 1952	Sept. 30, 1952
Cosmo Off, 95th Infantry Bn	Oct. 1, 1952	Dec. 20, 1952
Unit Off, 2118th Army Service Unit	Dec. 21, 1952	Jan. 9, 1953
Safety Off, 11th Airborne Division	Jan. 10, 1953	Sept. 30, 1953
Relieved from active duty Sept. 30, 1953.		
Asgd to 2101st USAR Control Gp	Oct. 1, 1953	Jan. 25, 1954
Exec Off and Co Comdr, 398th Infantry	Jan. 26, 1954	Sept. 19, 1955
Co Comdr, 398th Infantry	Sept. 20, 1955	Aug. 31, 1956
PCofS, Hq 2350th USAR Special Group	Sept. 1, 1956	Oct. 15, 1956
Co Comdr, 398th Infantry	Oct. 16, 1956	Oct. 31, 1958
Asst S-3, 398th Infantry	Nov. 1, 1958	Mar. 19, 1959
Asst S-3, 4th Battle Gp, 19th Infantry	Mar. 20, 1959	May 4, 1959
S-1, 4th BG, 19th Infantry	May 5, 1959	Jan. 15, 1961
State AG, West Virginia NG	Jan. 16, 1961	Present

By authority of the Secretary of the Army:
R. V. LEE,
Major General, USA,
The Adjutant General.

Mr. BUSH. Mr. President, I ask unanimous consent also that the statement of the Reserve generals in the U.S. Senate, signed by the Senator from South Carolina [Mr. THURMOND], the Senator from New York [Mr. KEATING], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Nevada [Mr. CANNON], be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF RESERVE GENERALS IN THE U.S. SENATE

The undersigned, who constitute the Reserve general officers in the U.S. Senate, urge your serious consideration and study of the Executive Report No. 8 which expresses the minority views of seven members of the Committee on Armed Services in opposition to the nomination of Maj. Gene Hal Williams for the rank of brigadier general in the U.S. Army Reserve.

We do not believe that this young man, a 33-year-old major with only a year and a half of commissioned active duty service, with no combat service, no oversea service, and no decorations (only the parachute badge award), possesses the necessary qualifications for general officer rank in the U.S. Army Reserve.

We fully recognize, and acquiesce in, the right of the Governor of West Virginia to bestow whatever State rank he wishes to on this nominee or any other person. That is clearly a State right and his prerogative. But we do not recognize that right as being binding so as to require that automatically the same rank must be given in Federal status in the U.S. Army Reserve, particularly when a nominee such as Major Williams is so obviously lacking in qualifications for the rank of brigadier general.

We believe that Major Williams should be required to meet the same qualifications as other members of the U.S. Army Reserve for promotion.

Under a policy of long standing, in order to be eligible for promotion to brigadier general, an Army reservist (a) must have been a full colonel for at least 2 years (b) must have served in a general officer authorized position for at least a year and (c) must have earned credit for completion of the Command and General Staff College. Major Williams has none of these qualifications.

Under the present policy applied to Reserve officers in the U.S. Army Reserve, Major Williams would not be eligible for consideration for promotion to brigadier general before 1969. We see no reason why he should be given special treatment and exemption from the requirement of 8 more years' service before even being eligible to be made a brigadier general.

This, in addition to his other obvious lack of qualifications, would make such special shortcut treatment for him grossly unfair to the thousands of loyally participating reservists and would seriously impair the morale of the Reserve Forces generally.

We hope all Senators will be present for the debate on August 24, 1961, to hear the pertinent and disturbing facts in this case presented before the vote is taken on this nomination.

STROM THURMOND,
Major General,
U.S. Army Reserve.
KENNETH B. KEATING,
Brigadier General,
U.S. Army Reserve.
BARRY GOLDWATER,
Brigadier General,
U.S. Air Force Reserve.
HOWARD W. CANNON,
Brigadier General,
U.S. Air Force Reserve.

Mr. SCOTT. Mr. President, will the Senator yield?

Mrs. SMITH of Maine. I yield.

Mr. SCOTT. I believe the distinguished Senator from Maine has performed a real service in bringing before the Senate a situation which can only have a very bad effect upon the morale of members of the armed services, especially upon all the other majors and lieutenant commanders in the armed services who are striving for promotion in the hard way, who are going up slowly, and who may have had the experience which General Eisenhower had. General Eisenhower served, I believe, 11 years in the rank of major. There are among the armed services men who, with their wives and families, have considered their chances for promotion and recognition.

I can imagine the hooting in the barracks from here to Berlin and from Mare Island to Tokyo at the idea of promoting a major, against whom I offer no personal comment or criticism, but who is nevertheless a major, to the rank of brigadier general. That is a long step for a short man to take with the concurrence of the Senate. I would paraphrase the point in this way: "Ask not what you can do for your country; ask only what the Senate can do for you."

The distinguished major has been quoted in a statement printed in yesterday's RECORD at the request of the Senator from Maine to the effect that he does not regard himself as fit for command-in-combat status. I will read the exact statement:

> I am not capable of leading a division into combat. I know that as well as anyone.

Then he said:

> If today's international situation had existed when I was offered the adjutant generalship, I would not have accepted it.

That statement, of course, offers the opportunity to make the obvious comment that the situation is now grave, and the nominee knows it. He is under no compulsion to accept the nomination. The Berlin situation will not change because the particular major wishes to be a brigadier general.

It seems to me that if he is not fit to command and wants merely to wear the uniform for show, why should he wear the rank which indicates otherwise, because one must assume that a general officer is trained either to command military forces in combat or to exercise administrative responsibility over large numbers of personnel.

Perhaps I make no personal reference, because my own position in the Naval Reserve is undistinguished. I find by surprise, however, that I am the senior ranking Naval Reserve officer in the Senate. The Senator now presiding, the Senator from Rhode Island [Mr. PELL] has a much more distinguished record than I, and so do many other Reserve officers in Congress. However, I do recall that it took me 8 years to move from lieutenant commander to commander, and that it took me nearly 11 years to move from commander to captain. I therefore look with a jaundiced eye on spurts of promotion which are due to the desire of the Governor of a State to

recognize someone who may indeed be well qualified to be an adjutant in a noncombat status and exempt from combat duty in the West Virginia National Guard, for which National Guard I have very high regard.

The moral factor concerns me.

Also, Mr. President. I have no objection if the Governor of West Virginia, as the Senator from Maine has said, wishes to decorate his adjutant general. If he wishes to do that, why not let him wear the five stars of a general of the army of West Virginia or even the insignia of a generalissimo? It has been brought out that it would cost $1.25 for each star, as against 50 cents for a major's leaf. So the 75-cent expenditure for every star would not be an excessive burden on the Governor or the gentleman involved.

The Senate of the United States ought not to do what the Armed Forces no longer want to do and which the Armed Forces have decided they will no longer do, namely, to promote and to recognize in Federal status a person who is not qualified for the promotion but holds a designation from the Governor of a State and can wear the uniform and enjoy the status of an adjutant general and brigadier general in his State.

I assume that many of us will feel sorry for the publicity attending this situation. Many of us will sympathize with the major's desire. I am only a captain in the Navy. However, if the Senate wanted to make me an admiral of the fleet, I hope I would allow sufficient time for compliments and then decline the honor. At the same time it does not seem fair to me that we should make an exception in this case. Therefore, I will support the position taken by the distinguished Senator from Maine.

Mr. SALTONSTALL. Mr. President, will the Senator yield to me?

Mrs. SMITH of Maine. I will yield to the Senator, provided I do not lose the floor.

Mr. SALTONSTALL. Mr. President, I am very sorry to see divisions in the Committee on Armed Services. We have them very seldom. However, as the senior ranking minority member of the committee, I voted with the minority in this case, because I believe that the record, which I have read very carefully, and the testimony to which I listened indicated that the position of the Senator from Maine is the correct position and is the position that should be sustained by the Senate.

I was Governor of Massachusetts for 6 years. I know that there is a big distinction between an officer who is a State officer and one who is also a Reserve officer. Officers who are appointed by the Governor for State purposes may be very helpful to him within his State. He can give them whatever rank he wants to give them in his State. The officer may be a friend of his, someone who may be efficient in his knowledge of State needs and State uses, and someone whom the Governor likes to have with him and to travel with.

In my case I had as aides and adjutant generals at one time men who were Reserve officers, and others who were not Reserve officers. I made no distinction between them. However, the Reserve officers had to be efficient and had to know the needs of the service in which they were Reserve officers in a national capacity, as well as being State officers.

I believe that there is a great distinction, as the Senator from Maine has brought out. In this case I have no hesitation in saying that Major Williams is efficient as an aide to the Governor of West Virginia. There is a big distinction between that service to his Governor and service to the United States of America as a Reserve officer in time of trouble.

The record shows clearly that Major Williams has had very little experience. If a crisis should arise, he could not possibly serve efficiently as a brigadier general in the U.S. Army. Therefore I believe that the Senator from Maine is right in resisting his appointment.

It is unfortunate that there should be a difference in opinion in the committee. It is unfortunate that an appointment of this character should not be confirmed. However, when a man has not the experience or the training to hold the office in the Reserve forces of our Army that his rank would give him in this instance, his appointment must not be confirmed. We are doing this, I am confident, on a perfectly impersonal basis. It is based on the qualifications of Major Williams as a general in the U.S. Army in a time of trouble. I hope the position of the Senator from Maine will be sustained and that the appointment will not be confirmed by the Senate.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mrs. SMITH of Maine. I yield to the minority leader.

Mr. DIRKSEN. It is no easy thing to oppose a nomination. It requires a sense of dedication and devotion to the country to do that. I commend most highly the distinguished Senator from Maine for bringing before the Senate this array of facts as a basis for requesting the Senate to reject the nomination.

The distinguished captain from Pennsylvania [Mr. SCOTT] mentioned how long it took him to move from lieutenant commander to commander. I can go him one better. It took me a long time to move from private to private first class. [Laughter.] That is really something.

If anyone wants a guideline, would any Member of the Senate who has a son of military age be willing to commit him to a unit that is the equivalent of that over which the gentleman in question would preside in time of combat? The issue becomes very personal. Having been up against it before, I think on the basis of that criterion the Senate ought to reject the nomination.

Mr. RUSSELL. Mr. President, will the Senator Yield?

Mrs. SMITH of Maine. I yield to the distinguished chairman of the committee.

Mr. RUSSELL. Can the Senator from Illinois cite one case in which an adjutant general, when an adjutant general, has led troops in combat? It is not done.

Mr. DIRKSEN. I do not know about that, but——

Mr. RUSSELL. The Senator knows what an adjutant general does. He does not command troops in action.

Mr. DIRKSEN. When he accepts that rank, it places him in the position where he could be called.

Mr. RUSSELL. When the Senator makes the kind of emotional appeal he has made, based on something that is not a fact, I must challenge it.

Mrs. SMITH of Maine. I should like to reply to what the distinguished chairman of the Armed Services Committee has said. Far be it from me to disagree with anything the distinguished chairman has said. He is absolutely right in what he has said about an adjutant general, so far as State status is concerned. However, if that same gentleman is a brigadier general in the Army Reserve, whether he has ever been called or not, he is in a position to be called. I am sure the chairman will agree with me on that.

That is what I am objecting to; not State status.

Mr. DIRKSEN. In time of combat, he could be called.

Mrs. SMITH of Maine. Yes, indeed.

Mr. DIRKSEN. Then, of course, we would be squarely up against the personnel question.

Mr. RUSSELL. My original question has not been answered. I challenge any Member of the Senate to point to a case in which a man who has been an adjutant general, and has had only the training of an adjutant general, whatever his rank may be in the Reserve corps, has been called to the command of a division in time of war. There have been a great many generals, or so we have found recently. I should like to have pointed out a case in which a man whose only training has been that of an adjutant general in the Reserve Corps, whether he was a major general or a brigadier general, has ever been placed in charge of a division.

Mr. DIRKSEN. The Senator from Georgia will not challenge the fact that such a man would be subject to call in time of war.

Mr. RUSSELL. The President of the United States could call up the Senator from Illinois and put him in charge of a division in time of war.

Mr. DIRKSEN. Oh, no, he would not. He would have to make me a private, or I would not accept the call. [Laughter.]

Mr. KEATING. Mr. President, will the Senator from Maine yield?

Mrs. SMITH of Maine. I yield.

Mr. KEATING. I do not understand that the distinguished Senator from Georgia says that an adjutant general, if his unit is federalized, could not be called into service as an assistant to a commander of a division.

Mr. RUSSELL. I did not say that. I said I did not believe there had been an instance, to my knowledge, in World War II when an adjutant general took a division into combat.

Mr. KEATING. My belief is subject to correction, but as I recall General Drum, of New York State, a distinguished combat leader, who was the

adjutant general of New York State, is a case in point.

Mr. RUSSELL. That may be, but I do not know of one. I have known of General Drum. I know he had a long record of military service, dating back to World War I.

Mr. KEATING. Yes, he did. He had other service besides acting merely as adjutant general.

Certainly in West Virginia, as in other States, there are qualified military personnel whose service has not been limited to their service in the State Guard. That is one of the great objections to the nomination now before the Senate.

Mr. RUSSELL. In the case of war or other national emergency, if the President summons all the guardsmen to active duty, as he would do, such a man could be assigned to command troops. But I happened to live through World War II here. I know that those men were swept out. Stars were flying around as if they had been swept out with a broom. They were the stars of men who had not been adjutants general, but who had held the rank of major general and had been in command of National Guard divisions.

Mr. DIRKSEN. Stars were being swept out, but stars were being swept in, at the same time.

Mrs. SMITH of Maine. I wish to make one more observation concerning the comment of the chairman. The argument now taking place shows how very, very hollow it is to nominate as a brigadier general in the Army an adjutant general who will never be called to command a division in the armed services.

Mr. GOLDWATER. Mr. President, will the Senator from Maine yield?

Mrs. SMITH of Maine. I yield.

Mr. GOLDWATER. What the distinguished chairman said is, I should say, substantially true. The services look to the Regular Establishment for their top echelons in time of war. However, there have been very brilliant leaders who came out of the National Guard, not necessarily of the rank of adjutant general. I am thinking of the 158th Combat Division, of my own State, which had one of the lowest combat loss ratios in the South Pacific. That division was led by a classmate of mine.

If the Senator from Georgia considers the Korean war, he will find that a number of Air National Guard adjutants general participated as leaders during that conflict.

However, I agree in general with the statement of the Senator, that during a time of war we look for command to the Regular Establishment.

We must be extremely careful in selecting adjutants general, because they can be used in time of war. A situation might arise in an emergency when there might not be enough members of the Regular Establishment to go around. A great percentage of officers are Reserve officers. I think 94 percent of the officers in World War II were Reserve officers, but they were not necessarily in the top echelons.

Mr. RUSSELL. Mr. President, will the Senator from Maine further yield?

Mrs. SMITH of Maine. I yield.

Mr. RUSSELL. I do not say that a great many National Guard officers did not lead troops in World War II with great distinction and renown. I cannot recall all of them now. One of them was General Wing, of Connecticut, as I recall.

Mr. AIKEN. He was from Vermont. He succeeded General Hester, of Georgia, who retired because of disability.

Mr. RUSSELL. I thank the Senator. General Wing, when a division went to pieces on landing on an island off Guadalcanal, took over and led the division with great distinction.

General Beightler from Ohio, led the 40th Division.

General Persons, of Alabama, and other National Guard generals led troops, and did so with distinction.

However, all generals, in all wars, do not lead troops. Hundreds of them are assigned to boards and commissions. I doubt very much if half the generals, whether in the Regular Army or in the Reserve, are actually in command of troops in combat divisions in a war of the magnitude of World War II.

Mr. THURMOND. Mr. President, will the Senator from Maine yield?

Mrs. SMITH of Maine. I yield to the Senator from South Carolina, with the understanding that I do not lose the floor.

Mr. THURMOND. I express my sincere appreciation to the able and distinguished Senator from Maine for the outstanding service she has rendered to the Senate and the Nation by bringing to our attention the information she has brought before the Senate today.

The Senator from Maine has been a most diligent and able member of the Committee on Armed Services. No one has been more effective in presenting to the committee information on personnel matters. Again I commend her for the great service she has rendered in this particular case, as in many other cases during the years I have been a member of the Committee on Armed Services.

Does the Senator from Maine know of any Reserve officer who was raised to the rank of brigadier general with only a year and half of commissioned active duty service?

Mrs. SMITH of Maine. In checking the records, I could not find any case whatever similar to the one now before us.

Mr. THURMOND. Does the Senator from Maine know of anyone who became a brigadier general who had as little as 2 years and 9 months of active service including both commissioned and noncommissioned service?

Mrs. SMITH of Maine. The answer is the same; no.

Mr. THURMOND. Does the Senator from Maine know of anyone who ever reached the rank of brigadier general without having at least one or more decorations?

Mrs. SMITH of Maine. I could not answer that question; I am sorry.

Mr. THURMOND. In order to be eligible for appointment to the rank of brigadier general, is it not true that at least three requirements, among others, must be met: one is that he must have held the rank of colonel for at least 2 years; second, a colonel must have filled a vacancy position of brigadier general for at least 1 year before being eligible for promotion to the rank of brigadier general; and, third, such an officer must have completed the course of a General Staff Command College or its equivalent?

Mrs. SMITH of Maine. That is my understanding with respect to the Army Reserves; I do not know about the other services.

Mr. THURMOND. The appointment in this instance is in the Army Reserve, is it not?

Mrs. SMITH of Maine. That is correct.

Mr. THURMOND. Therefore, there are three requirements which any other officer would have to fulfill. For instance, the Senator from Delaware [Mr. BOGGS], who is a colonel in the Army Reserve; the Senator from New York [Mr. JAVITS], or the Senator from Utah [Mr. MOSS], or any other Member of the Senate, or any other Reserve officer, from any State, would have to meet all those requirements; is that not true?

Mrs. SMITH of Maine. That is correct.

Mr. THURMOND. In the Army Reserve.

Mrs. SMITH of Maine. I may observe to the distinguished Senator from South Carolina, in connection with his reference to the Senator from Delaware, that Colonel BOGGS, as the Senator from South Carolina may know, is a brigadier general but is not federally recognized as such.

Mr. THURMOND. He is a brigadier general in the guard, or the militia, of the State of Delaware.

Mrs. SMITH of Maine. That is correct.

Mr. THURMOND. But he is a colonel in the Army Reserve.

Mrs. SMITH of Maine. That is correct.

Mr. THURMOND. I should like to ask the Senator from Delaware [Mr. BOGGS]—if the Senator from Maine will yield for that purpose—how long he served in the rank of colonel in the Reserves and how long he has served in the rank of brigadier general in the National Guard of Delaware?

Mrs. SMITH of Maine. I yield for that purpose.

Mr. BOGGS. I was commissioned second lieutenant in the U.S. Army Reserve in June 1931. I have just completed 30 years of commissioned service.

Before I was commissioned second lieutenant, I served 5 years as an enlisted man in the Delaware National Guard.

I was very proud to be first sergeant in my battery in 1927, the year I graduated from high school.

Mr. THURMOND. How long has the Senator from Delaware been a colonel in the Army Reserve?

Mr. BOGGS. Since January 1946.

Mr. KEATING. Mr. President, will the Senator from Maine yield, so that I may make a correction of the RECORD?

Mrs. SMITH of Maine. I am very glad to yield.

Mr. KEATING. The Senator from Delaware referred to himself as a brigadier general of the Delaware State

Militia. I wish the Senate to know that he was commander in chief of the Delaware State Militia. He could have put as many stars on his shoulders as he wished. But he decided not to do so. He was a good commander in chief of the Delaware State Militia.

Mr. BOGGS. Mr. President, if the Senator from Maine will yield again to me, inasmuch as my name has been mentioned——

Mrs. SMITH of Maine. I have yielded to the Senator from South Carolina. But, if he is willing, I am glad to yield now to the Senator from Delaware.

Mr. BOGGS. First, I congratulate the distinguished Senator from Maine [Mrs. SMITH] on the very fine presentation she has made. I know it is intended to be a strengthening force of our Military Establishment, especially of the Army Reserves and of the National Guard.

I would not want anyone to think that those of us who may oppose the confirmation of this nomination wish in any way to cast any reflection upon the National Guard organization or upon any of its officers or men, because, as the Senator knows, all of the officers and men of the National Guard are required to meet the same criteria for promotion as are those in the Regular service, and they are meeting them today; and in only the past few months it has been testified before congressional committees that the Army National Guard and the Air National Guard are today at the highest levels of mobilization readiness ever achieved by a force of citizen soldiers.

That has been testified by representatives of the Joint Chiefs of Staff, the Secretary of Defense, and the Chiefs of Staff of the Army and the Air Force.

That high level of readiness has been attained in large measure because our National Guard organizations are commanded by experienced, competent, qualified officers.

Certainly those of us who today may oppose the confirmation of this nomination, on the merits of the case, without any personal reference, are doing so because of our faith and our confidence in the National Guard organization of our States and our country, and because we want to have that force keep the high reputation it has.

I certainly wish to compliment the distinguished Senator from Maine.

Let me say that I am sorry my name and my little record were brought into the debate, because my record has no bearing on this matter.

I should like to say that during the years in which I have had the privilege of serving in the National Guard and the Army Reserve and as commander in chief of the Delaware National Guard for 8 years, the association with the officers and the men whom it has been my privilege to meet are about as great treasures as any I have ever had, and I value them very highly. All the officers and men I know are making great citizen contributions to the national strength of our country and the preservation of freedom in the world.

Mrs. SMITH of Maine. Mr. President, just to keep the record straight, I should like to observe that the Senator from Delaware [Mr. BOGGS] did not make himself a brigadier general. He was appointed a brigadier general of the State National Guard.

Mr. THURMOND. Mr. President, will the Senator from Maine yield again to me?

Mrs. SMITH of Maine. I yield.

Mr. THURMOND. I used for purposes of illustration the record of the distinguished and able Senator from Delaware [Mr. BOGGS] because I know he is both an able Senator and an able officer who has had 30 years of service in the Reserves, and he has been a colonel for 14 years. But in this case we are asked to confirm the promotion to the rank of brigadier general a major who has been in the service only 9 or 10 years.

I point out that the Reserve officers spend many years of their lives becoming colonels or brigadier generals or major generals. It is a long, hard row. One must attend a great many Army schools; one has to go on active duty regularly; one has to earn so many points a year; and one has to meet other requirements, besides the three I mentioned a few moments ago.

I believe that the able Senator from Maine is rendering the country a great service by showing the lack of qualifications of the particular officer in question.

If I were to follow my own personal feelings, I should like very much to vote the distinguished Senator from West Virginia, who is a member of the Senate Armed Services Committee, because it would certainly be easier for me to do so.

On the other hand, I think there is only one test which we should consider when these nominations come before the Armed Services Committee and before the Senate, and that test is whether the officer in question is qualified. If he is qualified, then it is our duty to vote for confirmation of his nomination. If he is not qualified, then it is equally our duty not to vote for confirmation of his nomination.

As has been brought out by the distinguished Senator from Maine, this particular officer has had only a year and one-half of commissioned active-duty service; and his total active service, both commissioned and noncommissioned, has been only 2 years and 9 months. He has had no combat service; he has had no oversea service; he has no decorations.

The point has been made that his work as adjutant general of West Virginia might be affected if his present rank there is not federally recognized. That is a question which I think the Governor of West Virginia had to consider and resolve when he appointed this particular officer, because he had no reason to believe that if he appointed this officer adjutant general, his rank would be federally recognized, because each case has to stand on its own merits.

While this officer serves in the rank of adjutant general, I am quite sure he will not be called to service; that position would exempt him from being called.

On the other hand, when his service as adjutant general ended, if in the meantime he had been appointed to fill a position vacancy, then he would go out as brigadier general, and therefore he would have jumped three grades, and would have attained a rank which normally any other officer in the same position could attain only after waiting until 1969. In my judgment, it would greatly damage the morale of the officers in the National Guard and in the Reserves over the country, if persons not qualified were to be promoted.

I do not think the Senator from West Virginia would even claim that this officer is qualified. I do not believe this officer himself said he is qualified. I believe he justified the promotion on the basis that he would not have the prestige he would if he were federally recognized.

The point has been brought out that in 11 States, even today, the adjutants general hold higher rank than their federally recognized rank. I am sure that fact will not handicap his work. It is possible that all the talk about his qualifications may have some effect upon his effectiveness, but that is something he brought upon himself.

Mr. President, I am a States Righter. I believe in States rights, and yield to no one in my stand for States rights. But this is not exactly a question of States rights. The State of West Virginia can appoint this man to be a brigadier general, a major general, or, as was done in the State of Pennsylvania for former Senator Martin, who was a major general, I believe, while he was a Senator here, can appoint him to the rank of lieutenant general. The State of West Virginia could appoint him to be a lieutenant general or even a full general. With that, I would have no quarrel. It is up to the sovereign State of West Virginia, and to the Governor of West Virginia. But when it comes to Federal recognition of an officer, I see no reason to grant a special dispensation or give special favoritism to an officer in West Virginia, merely because he has been appointed by the Governor as adjutant general, when he fails to meet the qualifications to be a federally recognized brigadier general.

As I have said, it would certainly be much easier for me to vote for the officer's nomination, but since he does not meet the qualifications that any other officer would have to meet, I shall be obliged to vote against the confirmation of the nomination.

Again, I commend the able Senator from Maine for bringing these facts to the attention of the Senate.

Mr. LAUSCHE, Mr. CANNON, and other Senators addressed the Chair.

Mrs. SMITH of Maine. Mr. President, I promised to yield to the Senator from Nevada [Mr. CANNON] first.

Mr. CANNON. Mr. President, I thank the distinguished Senator for yielding to me. I compliment her on the very fine factual presentation insofar as this case is concerned.

I agree with the distinguished Senator from South Carolina that this is an extremely difficult position, because it would certainly be much easier to vote for a nomination such as this rather than oppose it. However, as Senators,

we have a responsibility fixed upon us under the Constitution insofar as the military services are concerned.

As of May 31, 1961, there were 2,473,350 men and women in the Armed Forces of this country. We owe to those people the obligation to see that they get responsible leadership, because the only way we can have a strong military organization is, first, by having good, strong, capable leaders; second, by having good and sufficient material and equipment; and, third, by having the very best training for our military forces. If those three elements are combined, we shall have a strong Military Establishment.

In this case the fact that this is a "jump" promotion should not enter into the discussion. It certainly is not relevant. I know of many instances in which "leapfrog" promotions have been made, but I believe I am correct in saying none have had similarity to this case.

The Governor of West Virginia certainly has the prerogative of promoting anyone to whatever rank he sees fit, but we are talking about Federal recognition of an officer in the rank of brigadier general. It has been stated very well that the State rank would control while this man was serving in the status of the State militia or National Guard. That is absolutely correct. It has also been stated that he would not be called to active duty while in the active position of adjutant general of the State, and I presume that is correct, though if he were called, I am sure he would not wish to claim an exemption.

But the distinguished Senator from Maine has made a very good point that, if this man does not intend to be called to active duty, there is no necessity for him to be appointed to the rank of brigadier general in this establishment, because he can certainly carry out the duties and responsibilities of his job insofar as the rank in his State is concerned.

We have a precedent for that in the case of adjutants general who do not now have Federal recognition in the ranks in which they serve their States.

I rest my most emphatic objection on the fact that Federal recognition of this promotion would place this applicant on a par with seasoned veterans with oversea campaign experience who are years this man's senior. Should he and his unit be called to active duty, he could be placed in command of junior officers who, through study and experience, might be better qualified to command than would the senior officer.

Let us take a look at some of the requirements for promotion in our own establishment. Just last year the Senate acted upon H.R. 8189, at the request of the Air Force.

This came about by reason of the fact that the Air Force needed additional spaces to promote some men to the rank of major. The Senate and the House gave them authority to promote 3,000 more; the ceiling was lifted by 3,000. We have not opposed that.

A portion of the report stated that with the additional 3,000 vacancies which would provide a combined total of 5,900, there would be 80 percent promotion opportunity during the period until June 30, 1961, for all Air Force captains, Regular and Reserve, to complete their 14 years of active commissioned service.

This authorization gave the Air Force an opportunity to consider for promotion to major, on an 80-percent opportunity basis, 3,000 men who had 14 years military service. Here we have a man who has had 9 years, or somewhat in excess of 9 years, but certainly not 10 years, of military service, and we are requested to confirm his nomination to the position of brigadier general in the Reserves.

Only today the Armed Services Committee acted on H.R. 7809, reporting it favorably from committee, to authorize in the Air Force 4,000 additional spaces for lieutenant colonels, because of the stagnation in the promotion cycle. What will that bill, which was reported out of committee this morning, do? According to the testimony before our committee, it will permit the Air Force to consider for promotion to lieutenant colonel men who have served 18, 19, 20, and 21 years in our Armed Forces. It does not even give them a leeway to consider men who have only 17 years of service, as I understood the testimony this morning. That is for the purpose of promoting men to the rank of lieutenant colonel—not colonel, not brigadier general.

A while ago the Senator from Pennsylvania read into the RECORD a certain comment. I quote from an article in the New York Herald Tribune of August 23, 1961, which I presume to be factual. The comment made by the gentleman whose nomination we are asked to confirm was—

> I am not capable of leading a division into combat. I know that as well as anyone. If today's international situation had existed when I was offered the adjutant generalship, I would not have accepted.

Today the international situation does exist.

The Berlin situation exists. We are calling up additional men, citizens of this country, to serve their Armed Forces because we may be confronted with a very grave crisis.

I say again that we owe a responsibility, as Members of the Congress, to provide the best leadership possible. To me the action contemplated here today would have a devastating effect on the morale of the leaders of our military services and the morale of the men whom they lead.

Again I compliment the distinguished Senator from Maine for the very fine presentation she has made in a factual manner to show why this nomination should not be confirmed. I agree with the Senator from Maine on the points she has made. I submit to the Senate that, with the limited experience this nominee has, he has not yet learned to follow, and that is one of the first requisites of leadership. I hope the Senate will not confirm the nomination.

Mr. LAUSCHE. Mr. President, will the Senator permit me to ask a question?

Mrs. SMITH of Maine. I shall be glad to yield for a question only, but the Senator from New York [Mr. KEATING] has been on his feet for a long time and would like to speak.

Mr. LAUSCHE. I have only a question. Either Senator may answer.

I have heard the statement made that this nominee has served 9 to 10 years and that he has been, in all, a commissioned and noncommissioned officer for a period of 1 year and 9 months. Would one of the Senators answer as to what the commissions have been in the period of 1 year and 9 months? Am I correct in my understanding?

Mrs. SMITH of Maine. I shall be glad to get the information for the Senator.

Mr. LAUSCHE. He was a noncommissioned officer and a commissioned officer for a period, in all, of 1 year and 9 months, I understand.

Mrs. SMITH of Maine. Mr. President, I wish to read from the military history which came to us from the Army.

Mr. LAUSCHE. Please do.

Mrs. SMITH of Maine. He became a second lieutenant March 31, 1952; a first lieutenant September 30, 1953; a captain September 20, 1955; and a major June 24, 1960.

Mr. LAUSCHE. I thank the Senator very much.

Mrs. SMITH of Maine. I yield to the distinguished Senator from New York if I do not lose the floor by so doing.

Mr. KEATING. Mr. President, to supplement the answer given by the distinguished Senator from Maine to the distinguished Senator from Ohio, I believe the record shows the active duty commissioned service of this man was only 1½ years. Actual time as a commissioned officer was something more than that.

Mr. President, I commend enthusiastically and emphatically the diligence, perservance and thoroughness displayed by the distinguished Senator from Maine. She has done a service for all of us in this body, for we obviously do not have the opportunity, the facilities, or the access to the detailed facts with regard to nominations which are sent to the Armed Services Committees of the Congress by the armed services. She has made this a real crusade, and has served our country well.

It is inconceivable to me how the Army ever submitted to the Senate the nomination of a 33-year-old major with 1½ years of commissioned active duty service, no oversea service, and no combat duty service; a man who never served in the grades of lieutenant colonel or colonel, and who possesses none of the qualifications for general rank.

It is regrettable that we are even considering a nomination such as this. This is no reflection whatever on the character or integrity of the nominee. I regret deeply that any young man would be subjected to such a situation as Major Williams faces. It is, however, as the Senator from Maine pointed out, not any fault of ours. In my mind it was a mistake from the beginning on the part of the Army to send the nomination to the Senate.

As the Senator pointed out, now the procedures have been revised and, as I understand it, nothing like this can come to us again under the revised procedures.

The qualifications for advancement to the rank of brigadier general have been set forth by the distinguished Senator from South Carolina. This question will not rise again. Any such special short-cut treatment as the nomination represents would be grossly unfair to the thousands of loyally participating reservists and National Guard officers and men serving in our armed services, and would seriously impair the morale of these forces.

I speak, if I may, as a GI, and not in any other rank. I know what it would mean to the morale of the troops who may be faced with a crisis at any time for the Senate of the United States to raise to general rank a man with no more qualifications than those possessed by this young man, fine as his character may be and excellent as he may be in an administrative capacity in the State of West Virginia.

I would be the last to try to say to the State of West Virginia, or to any other State, how the State should run the military affairs of the State, for that is for the State to say, but we are dealing with a Federal question now. No man, however gifted or talented, should be even considered for a position of brigadier general in the U.S. Army Reserve if he has as little experience and as few military qualifications as Major Williams.

Mr. President, I do not wish to delay the Senate. I want to add a word to what the distinguished Senator from Delaware said about the National Guard. My understanding is exactly the same as his, that the National Guard today is at the peak of readiness and efficiency and effectiveness. I never served in the National Guard, but I consider the guard to be one of the foundation stones of our defense force. It is a very important adjunct to our military services. It does a fine job, and will, I am sure, continue to play an even better and more indispensable role in our defense posture as time goes on.

From the point of view of the National Guard itself, the confirmation of the nomination in this case would be a great mistake.

The statement made, or reported to have been made, by Major Williams when this question was raised has been read several times during the debate. I shall not read it again. I should like to insert it at the conclusion of my remarks, however, because it strikes me that it is a devastating and unanswerable argument. This man says if today's international situation had existed when he was offered the adjutant generalship he would never have accepted it. On the strength of his own words, therefore, the Senate has no choice but to reject him. In the first place, a man who makes such a statement as that shows his disqualification to serve as a brigadier general, because a brigadier general has to have confidence in his own ability. It is very important, when leading troops, that he have that confidence. Secondly, Major Williams has sealed his own doom by that statement, if he is correctly reported, for by his own confession he does not want the heavy burden of responsibility that falls upon a brigadier general in the Army Reserve in these perilous times.

Following is the quote of Williams' own statement:

> I'm not capable of leading a division into combat. I know that as well as any one. If today's (international) situation had existed when I was offered the adjutant-generalship, I would not have accepted it.

I never felt more exercised over an issue than I am over this attempt to have the Senate confirm such a nomination. I sincerely hope that in its wisdom the Senate will decide that the nominee should not be confirmed. I thank the Senator, and again commend her for her wonderful study.

Mrs. SMITH of Maine. I thank the Senator from New York.

Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Arizona without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, I thank the Senator from Maine for what appears to be the culmination of years of effort to correct inequities that have existed for too long in the Reserve and in our National Guard system. I think I speak for all of us in the Reserve and those of us who served in the guard, when I thank the Senator from Maine, because we have seen inequities. We have seen the damage that can be done. For a long time we have wanted to end them. So I thank the Senator from Maine. I think I speak for most reservists and guardsmen in the country when I extend thanks for a job wonderfully done and perfectly documented. It will serve as an example to all of us in the Senate who wish to do our homework correctly in the future.

I have had the good fortune to serve in the regular establishment, the Reserve, and the National Guard. One of the faults of the National Guard system, although I must say it has been overcome pretty much by voluntary action, is that prior to World War II, and to some extent since World War II, there has been political use of the Adjutant General's Office. Men have been promoted to higher ranks for political payoffs. As the distinguished Senator from Georgia [Mr. RUSSELL] observed, when World War II came along, it was necessary to remove many adjutants general from command. I think had we had the Senator from Maine [Mrs. SMITH] in the Senate prior to World War II—although she could not possibly have been old enough to have served in this body at that time——

Mrs. SMITH of Maine. I thank the Senator.

Mr. GOLDWATER. I believe we would have had more adjutants general capable of active service.

Mr. President, this is not the end of the problem. I know that my friend from Maine understands this point. We still have a very serious problem of promotion throughout the guard and the Reserve.

Today we are talking about promoting a major with 2 years' service to the rank of brigadier general. When I formed the Arizona Air National Guard 16 years ago, I took men into that outfit who had served in World War II as captains, and they are still flying as captains. They are still serving as captains and majors. It is impossible to get the group commander promoted from lieutenant colonel to full colonel. Yet the job calls for a full colonel. So I hope the Senator from Maine will continue her efforts to see that the whole problem of promotion is cleared up, so that deserving men are promoted and undeserving men are not retained in the service, whether it to Regular, Reserve, or guard.

If I were the nominee, frankly, I would refuse the promotion to brigadier general, even though it had only been offered on the basis of a State promotion. I make that statement because, by his own admission, if I remember the figures correctly, approximately 11 or 12 men would outrank the nominee in the guard. It is a very difficult thing to jump 11 or 12 men in an organization as small as a State guard and maintain and retain the respect and loyalty that one must have. Making a jump or one or two files is not too difficult to overcome, but to go as far as the nominee has gone is certainly a difficult jump. If I were Major Williams, I would ask the Governor to withdraw my name. I believe the nominee would serve his State better. He certainly would serve himself better. He would be better equipped in an emergency to serve his country.

I point out also that during World War II, as I related earlier, approximately 94 percent of our officers were Reserve officers. I may be off a point or two, but the Reserve officers came out of the ROTC's of the country, the National Guard, and Reserve units. We depended for our top echelon upon graduates from West Point, as we will depend in the next war upon the graduates of West Point and the Air Force Academy—dividing now the two—and, of course, Annapolis and the Coast Guard Academy for their commanders. But, to fill in the many-needed ranks in between, we must depend on the Reserve.

If we demoralize the Reserve anywhere in this country or make promotions that are not earned or deserved, we shall lose Reserve officers who should be retained. For that reason alone I hope the Senate in its wisdom and judgment will reject the nomination from West Virginia. I do not know the nominee. I have no reason to believe that he is anything but a very capable and fine young man, who has probably earned the rank of major. But to believe that with 2 years and 9 months of experience he can jump to the rank of brigadier general is very difficult to accept.

In closing, I should like to reminisce back to my first assignment, which was with the 25th Infantry. In those days, a private first-class had 12 years of service behind him, because he would not be considered for promotion to that rank until he had that much service. Many of our captains had served 35 years. They had become first lieutenants, and had served at least 16 to 18 years as

second and first lieutenants, with the earliest opportunity of becoming a captain only after 18 to 20 years of service.

We know that today's rapidly expanding ground forces, the Army, Navy, and Air Force, require more personnel. I remind the Senator from Maine that at the outset of World War II, in 1939, the Air Force had 13,000 members, of whom some 1,200 were officers, pilots, and administrative personnel.

At the end of World War II that body had grown to an organization of approximately 2 million.

I remember that I went overseas as a captain and returned as a major. I reported to a brigadier general whom I had taught to fly. The last time I had seen him, about 2 years previously, he was a second lieutenant. But he had had combat experience, and he had had experience in leading men. At that time we had to expand rapidly. Today we can take our time and we can be careful about our selections.

Again I express my great admiration for the detailed and meticulous work the Senator from Maine has done on this study, and thank her for a job that is long overdue. I suggest that while she believes that 4 years of application to this study has resulted in some degree of victory for her tonight, she is faced with more years before this whole problem is straightened out.

Mrs. SMITH of Maine. Mr. President, I thank the Senator for his statement and support. I yield the floor.

Mr. RUSSELL. Mr. President, I desire to make a few brief observations with respect to the pending nomination. I wish first to express my profound regret that cleavage has occurred in the Committee on Armed Services over any issue, and particularly over one which I regard as relatively as unimportant as the one that is now before the Senate.

I wish also to associate myself with every compliment that has been paid to the distinguished Senator from Maine for her ceaseless work to improve the quality of the Reserve forces of the United States, and more particularly their commissioned personnel. No person living in this country today has done more to bring about a higher state of readiness and a higher degree of training in the Reserve forces of the United States than has the Senator from Maine. I have so stated often in the Senate Committee on Armed Services, and I am happy to repeat the statement here in the Chamber. I regret that we view this issue somewhat differently.

It so happens that for as long a time as the memory of man runneth not to the contrary—at least around these parts—it has been customary to confirm nominations that are made by the Governors of the several States of those whom the Governors wish to serve as their adjutants general. Such nominations have generally been considered the personal prerogative of the Governor. There may have been instances to the contrary, but certainly none in the last 20 years, in which the nomination of an adjutant general who had the approval of the Senators from the particular State has been turned down.

When these nominations came to the committee—I believe there were three or four of them, although I do not recall the exact number—the Senator from Maine raised the question as to the qualifications of one or more of these nominees. She requested me, as chairman of the committee, to take the matter up with the Department of Defense and to ascertain whether or not the requirements for service as adjutants general and as Reserve officers were not somewhat lax.

It is unnecessary to go through the whole routine or history of the correspondence and the conferences that were held with Mr. Gilpatric and others. However, it all resulted in a tightening and improvement in the requirements for all Reserve officers, whether they were adjutants general or not, or whether they served in the Reserve forces, as did distinguished Senators who have addressed the Senate today, or whether they served in the National Guard forces, which is another component of the Reserves.

I felt, in view of the fact that this nomination had come to the Senate under the old dispensation and under the old order, it was not fair to apply to this nomination in West Virginia the new rules and new requirements that were promulgated and issued after this nomination had reached the Senate.

That is why I supported the nomination in committee. It is for that reason that I shall cast my vote for the nomination when it is voted on by the Senate.

That is just about all I care to say about the nomination as such. However, I wish to clear away some of the misunderstandings that have apparently been voiced here today.

In the first place, some of our friends have referred to Major Williams as a general getting command of a brigade or division and having his command decimated due to his lack of knowledge in being able to lead troops in battle.

If Senators will read the nomination on the Executive Calendar they will note that this is a staff appointment. He is being nominated to serve in the Adjutant General's Corps of the Army National Guard. Unless he were transferred from that position to another, he could not possibly lead any brigade or any division in battle. Staff officers and adjutants general do not do that. That is done by line officers. Unless he were changed from that position, he could not lead troops in battle.

Therefore all this great emotion and pouring out of tears—"Your son or my son could be killed in battle because of the inexperience of Williams," is sheer bunk. There is not a word of truth in it. The man is a staff officer, not a line officer.

We have heard a great deal, also, about leapfrog promotions, and what a devastating effect such a leapfrog promotion in this case would have on the morale of military personnel. I suppose the outstanding illustration of a leapfrog promotion in the history of our country is that of the past President of the United States, Dwight D. Eisenhower. I do not recall the rank he held at the time—perhaps he was a lieutenant colonel or a colonel—but he was picked up from the rank he held at that time and put in command of all the Armed Forces in Europe. If that devastated morale and if everybody then said they were not going to fight, it never came to my attention. Of course there were some few soreheaded generals in between who did not like it because they were not promoted and General Eisenhower was, and because he was jumped over a large number of generals and promoted to that position. He certainly served well and nobly as commanding general during the war.

I am not quite as sure of my facts, but if I recall correctly, in World War I General Pershing was picked up and moved over a large number of officers who had higher rank and was put in command of the expeditionary forces in Europe. Did the armies quit? Was morale destroyed? Did they all say, "No; they put up a man who was a captain or a major and made him the commanding general; therefore everything is ruined?"

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. GOLDWATER. Did General Pershing have a little over 2 years of experience?

Mr. RUSSELL. I am coming to that. In fact, I am coming to it right now. We have heard it said on the floor that because Major Williams has had only a year and a half of commissioned experience he is not entitled to be promoted, particularly because he has not been on active duty except for that length of time. I must say that I was rather shocked to hear that argument made by some of our distinguished colleagues. There are thousands of men serving on active duty as captains who have had more active duty than any number of major generals in the Reserve forces. Does that destroy their morale? We have men serving as captains and majors today, men to whom we look for the defense of this Nation, who have accumulated more active service on active duty than any man who has addressed the Senate today. It has not broken down our Armed Forces. It has not destroyed morale. It has not crushed the military spirit of our people.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. GOLDWATER. What has that to do with this case?

Mr. RUSSELL. It has a good deal to do with it.

Mr. GOLDWATER. I do not understand what it has to do with it.

Mr. RUSSELL. The argument was made here today that we have just considered a bill in the Armed Services Committee whereby we would promote about 4,000 men who have served up to 18 or 20 years in the grade of lieutenant colonel, and because this man has not served that long he should not be promoted. There is a considerable difference between Reserve requirements for service on active duty and the requirements for those who make the Army their career.

Mr. GOLDWATER. I am glad the Senator from Georgia brought that out. I do not see any correlation between pointing out that a captain or a major has served longer on active duty than is the case with some of us who have spoken today.

Mr. RUSSELL. We are discussing a Reserve commission.

Mr. GOLDWATER. I am trying to get the Senator to point out some relationship between unrelated arguments.

Mr. RUSSELL. If the Senator heard all the arguments today I am sure he heard the argument that was made about the men who have served for 14 or more years, and their relation to the nomination the committee reported today, and that it would affect their morale to see this man promoted when he has not had much active duty. I have tried to show the fallacy of that argument.

Mr. GOLDWATER. I do not believe I heard that argument made. The argument the Senator is referring to is the one I made, with respect to a jump like this. I have never found anyone in the Regular Establishment who felt ill will toward any Reserve officer who had been promoted in the regular course of events, and I never found a Reserve officer who felt ill will toward a Regular officer because he received his justly deserved promotion. We are talking about three different organizations, really. What we are objecting to is this type of promotion. This change in policy has long been overdue. I remember that the adjutant general of my State retired a few years ago—he was an elderly man—and we gave him a third star, without even bothering to come here.

Mr. RUSSELL. Of course the Senator is correct in saying a State also has ranks and grades. The Senator only recently promoted legislation to get additional rank or a distinguished service medal for a person who was one of the first flyers. There is a great difference in these matters. I do not believe it is a valid argument to say that we destroy the morale of people on active duty because someone is promoted in the Reserve who has not had as much active duty as others. I am perfectly willing to stand on that point.

Mr. GOLDWATER. I believe the Senator would be correct if that argument were used. The question I referred to was the argument he made that I had so argued.

Mr. RUSSELL. I did not have the Senator's statement in mind when I made my statement and I did not refer to the Senator from Arizona.

Mr. GOLDWATER. I did not hear anyone else use the comparison. I remarked that it is almost impossible to have a guard commander promoted to the rank he deserves, when men are serving in the same rank in which they served in World War II. Those are the people who find this procedure a little hard to swallow, when they have served in the guard for 16 years, after having served 4 or 5 years in the Regular service during the war, and they look across the country and find a man having 2 or 3 years experience being jumped. It does not affect the Regulars, and it does not affect the Reserves. It affects the guard, and especially the morale in the guard. I think it does have a bearing.

Mr. RUSSELL. That may be. But I can only observe that this is not the first time there has been a jump of this proportion in the National Guard from the Office of Adjutant General. It has happened many times.

I must confess that the system which is followed is rather archaic. We have approved the nominations of men who have had this many more jumps in their ranks than is involved in this case.

Getting down to the question of experience, I am not prepared to answer the question, because I have not analyzed all of the data. I do know that all this detailed procedure governing these appointments is relatively new in this country. It has not been too long since men were called to the colors, and they had their own officers, including brigadier generals, elected by the men in their commands. Some of them have written glorious records of valor, heroism, and courage in the history of the United States. Lawyers, farmers, and even medical officers I have in mind were elected brigadier generals and led men into battle. I do not advocate that as a policy in modern warfare. I am very much pleased that, largely due to the efforts of the Senator from Maine [Mrs. SMITH], the Reserve requirements have been tightened up greatly. But I say it is not fair to tighten them up on this man, who is caught in a squeeze, and who had already been named to his present position when the requirements for approval were strengthened and tightened.

Mrs. SMITH of Maine. Mr. President, will the distinguished Senator from Georgia yield for a question?

Mr. RUSSELL. I am happy to yield.

Mrs. SMITH of Maine. Would the Senator say, if we are so wrong, then, why is it that the Department of Defense, the Army and the National Guard Bureau are changing the rules so that this procedure cannot happen again?

Mr. RUSSELL. Mr. President, I was not undertaking to defend the system under which this nomination was sent to the Senate. I said I could look with compassion on this man as an individual, because he had nothing to do with getting himself into this squeeze. How could he know the rules would be changed after his nomination had been submitted? I am glad this sort of nomination cannot be submitted again. I have said so again and again in committee to the distinguished Senator from Maine. But I will not crush this poor fellow beneath my heels when he was named to this position before the change was made.

To the best of my knowledge, the Senate, over the past 50 years, has confirmed the nominations of a large number of adjutants general—I say adjutants general because these are staff officers, not line officers—who have not had any more experience than the man involved in this case.

I do not know the man; I have never seen him. He has very little experience to be appointed; but he is a human being; he is a fellow American; and he has feeling and sensitivity. For my part, I think it is changing the rules on an individual in the middle of a game, when his nomination was submitted under the archaic, ineffective, and improper requirements; when he expected his nomination to be considered on the basis of those requirements. But after it comes here, he finds that the book has been rewritten and he is confronted with an entirely new set of requirements. That is the only reason why I am supporting the nomination.

Mr. STENNIS. Mr. President, first, I wish to pay my deep and great respects to the distinguished Senator from Maine [Mrs. SMITH], who is and has been for many years, a most valuable and effective member of the Committee on Armed Services. Further, she is one of the great Senators with whom I have had the honor to serve. I think she will go down in history as one of the truly great, all time Senators who have served the United States. It is a real privilege to me, as well as a lasting benefit to serve on three major committees with Mrs. SMITH: Armed Services, Appropriations, and Space. She has a fine mind, a tremendous capacity for work, is sincere and effective.

There has been no attack on the integrity of Major Williams whose nomination is now before the Senate. There has been no attack upon his character. He does not lack those essential qualities which one would look for in a position of this kind or in any other important position in the military establishment. There is no question of his occupying the niche of some other Reserve officer, because there are no limitations, so far as I know, upon the number of Reserve officers.

I refer again to the Senator from Maine [Mrs. SMITH]. Her efforts have brought forth very fine fruit in other cases. They brought forth splendid fruit in this case, in that I think, due to her insistence and her effectiveness, she has forced the military authorities into a reconsideration of a matter which has been somewhat neglected, and has resulted in a better rule and a better guide for the appointment of adjutants general, a highly important position now and for the future, too, because I believe we shall have to enlarge our Reserves and our National Guard.

I cannot, however, in this case go beyond that point with the Senator from Maine in this case. Should we attempt to apply a new rule to this nomination we would be violating well-known fundamental, elemental principles of our system of government, which go to the spirit of the very basic framework of our constitutional government.

I turn now to page 510 of the latest revised Senate Manual, and read from the Constitution of the United States itself the limitations placed on Congress:

> No bill of attainder or ex post facto law shall be passed.

That is a limitation on Congress. On the next page, the same Constitution places the same limitation on the States. We have always lived up not only to the letter but to the spirit of this prohibition, because it is a constitutional provision.

If we do not confirm the nomination of this man, whose character, honor, and essential qualifications of integrity, and certainly a reasonable amount of military background and training are not questioned, I think we shall violate not the letter, but the whole spirit of the fundamental, elemental principle I have just read from the Constitution.

The nominee was appointed adjutant general in West Virginia in January of this year by the Governor of West Virginia, a man whom I do not know. Neither do I know the appointee.

For the Senate to change the rules in July and make them retroactive to January violates that fundamental principle pertaining to ex post facto actions over and over again. It violates it as to the State of West Virginia, and a State is not something to be brushed aside. The State of West Virginia acted in good faith in this appointment.

We shall violate this principle with reference to the Governor of West Virginia. Everyone says he acted in good faith. He acted under the rules that the Senate and the military authorities had applied heretofore, and have followed with reference to adjutants general.

Moreover, we shall violate those principles with reference to the Major Williams, because he accepted this position in good faith last January. Now, even though a new rule, which may be better, has been formulated in July, we have no right under the spirit of the Constitution retroactively to apply the rule to his nomination, a rule which originated some 6 months after the appointment was made.

I think it has been clearly shown that this is not a question of confirmation of the nomination of one who may lead troops in battle. The nominee's new position is an administrative post, or a staff post, at least. As I understand, if an attempt were made to put him in command of troops—for example, a division—he would have to be given a different commission, and his nomination to that rank would have to be confirmed by this body, or at least would have to be approved by the Federal military authority.

So, Mr. President, with the greatest deference, I say that I believe the Senate would do far more harm than good if it rejected the nomination; and I believe that rejection of the nomination would be basically unfair to the State of West Virginia, to its chief executive, and, in particular, to this fine young officer, who accepted the nomination in good faith, and against whom no unfavorable facts have been alleged, much less proved.

Therefore, Mr. President, I believe that the Senate should confirm this nomination.

Mr. BARTLETT. Mr. President, as a consequence of the interest shown by the Senator from Maine [Mrs. SMITH], the situation which confronts the Senate today cannot arise again. I join my colleagues in congratulating the Senator from Maine for this.

As a member of the committee, I have been deeply troubled by the situation. I feel, as does the Senator from Mississippi [Mr. STENNIS], that it would be the equivalent, in a way, to a bill of attainder if the Senate were to refuse to confirm the nomination, because when the Governor of West Virginia made Major Williams the adjutant general, he did so under the rules and regulations then in force, and with no knowledge that later there would be any question about his action; and when Major Williams accepted, it was with the same understanding.

I do not know the nominee, Williams. I do not know the Governor of West Virginia. But, Mr. President, I take it the Governor of West Virginia must have had faith that Williams would be a competent and able adjutant general. Certainly the Governor of West Virginia would not want to put into that position a man in whom he did not have full confidence. He would want the National Guard of his State to be respected and to do well.

When Major Williams was made adjutant general of West Virginia, several senior officers in the West Virginia National Guard were jumped over—which fact in itself gives definite proof that the Governor of West Virginia thought Major Williams had all the qualifications he desired in his adjutant general, and thought Major Williams had the competence to do a first-class job.

I do not believe that at this late hour, in dealing with this one case—and only this one case, a newly formulated rule ought to be applied. So I believe the Senate would do well to confirm this nomination.

The prestige of the chief executive of West Virginia is at stake to a certain degree. So is the personal life of Major Williams. As the Senator from Mississippi has said, we must consider these matters.

I believe that all Senators can vote for confirmation of the nomination with the sure and certain knowledge that this situation will not arise again.

I hope the nomination will be confirmed.

Mr. CANNON. Mr. President, will the Senator from Alaska yield?

Mr. BARTLETT. I yield.

Mr. CANNON. Does the Senator from Alaska believe that the fact that the situation may not arise again is justification for confirmation of the nomination of one who does not have the qualifications for the position?

Mr. BARTLETT. I have no personal knowledge—and no information of this kind was supplied to the committee, so far as I am aware—that this had not been done many times in the past. In that case, there is no reason why Major Williams' nomination to this new rank should not be confirmed.

Mr. CANNON. Mr. President, will the Senator from Alaska yield further to me?

Mr. BARTLETT. Certainly.

Mr. CANNON. Does the Senator from Alaska believe the Senate has the responsibility of determining whether those who are nominated are qualified to serve in the positions to which they are nominated?

Mr. BARTLETT. So far as I can understand, in the past, to a very great degree, and perhaps altogether, that has been left to the judgment of the original nominating authority—namely, in such cases, the Governor of each State; and it is my understanding—although not my sure knowledge—that thereafter Federal recognition was accordingly given.

Mr. CANNON. I thank the Senator from Alaska.

Mr. BYRD of West Virginia. Mr. President, both the Senator from Maine [Mrs. SMITH] and the Reserve generals of the U.S. Senate refer to the nominee as Major Williams—that being his grade in the Army Reserve. Since he has been appointed to the grade of brigadier general, West Virginia Army National Guard, and federally recognized in that grade by the Secretary of the Army, I think it more appropriate to refer to him by that title. So, as far as I am concerned, he is not Major Williams; he is General Williams.

The question of whether his nomination as a Reserve brigadier general of the Army shall be confirmed, for service in the Army National Guard of the United States—not in the Army Reserve, as the Senators in opposition to confirmation suggest—is now before the Senate.

I do not suggest that General Williams' record in World War II can begin to match that of my colleagues in the Senate who are general officers in the Army Reserve or the Air Force Reserve. The outstanding war records of the Senator from South Carolina [Mr. THURMOND], the Senator from New York [Mr. KEATING], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Nevada [Mr. CANNON], as set forth in their joint statement of August 22, 1961, speak for themselves.

Mrs. SMITH of Maine. Mr. President, will the distinguished Senator from West Virginia yield for a question and an observation?

Mr. BYRD of West Virginia. Yes, I am glad to yield.

Mrs. SMITH of Maine. I understood the Senator from West Virginia to say that I was referring erroneously to "Major Williams." I would call the Senator's attention to the Executive Calendar of August 24, which reads as follows:

Maj. Gene Hal Williams.

I was following that listing in the Executive Calendar of the Senate.

Mr. BYRD of West Virginia. I thank the distinguished Senator from Maine. I do not believe I said anyone was erroneous in making such a reference. I merely said that I preferred to refer to him as brigadier general, and that is precisely what he is. He is a major in the Army Reserve; that is true.

Mrs. SMITH of Maine. Mr. President, will the Senator from West Virginia yield further to me?

Mr. BYRD of West Virginia. I yield.

Mrs. SMITH of Maine. I only wanted to keep the record straight, on my own part.

Mr. BYRD of West Virginia. The record was already straight, permit me to say to the distinguished Senator from Maine.

I can well understand the reaction of the signatories to that statement, each of whom had completed his military service and was a Member of the U.S. Senate or the House of Representatives at the time of his appointment to general officer grade.

However, inasmuch as General Williams had entered his teens less than 6 months prior to the attack on Pearl Harbor, and was a high school junior on V–E Day, his dearth of decorations and campaign medals for World War II is readily understandable.

This is not to say however that General Williams' service is to be discounted altogether.

I think I should state that General Williams was completing his senior year at West Virginia University when the Korean emergency was declared in 1950. The following January he was inducted and served in grades from private through sergeant in the 101st Airborne Division, a crack division whose battle history needs no recitation here.

He volunteered for the Army's Officer Candidate School, and was commissioned a second lieutenant of Infantry in May of 1952. He volunteered for airborne training, and after completing that hazardous jump training, was awarded the Parachutists Badge.

He served in various positions, including that of platoon leader of an infantry rifle platoon of the 95th Infantry Battalion. He later became a special staff officer in the 11th Airborne Division. That Williams, along with other members of the 11th Airborne Division who served during the Korean emergency, did not see action on the Korean front, was no doubt due to the fact that the division itself was in the Strategic Reserve, ready to be committed anywhere at any time. If his division had been committed, Gen. Hal Williams would have gone with that division.

While the life of a platoon leader in a U.S. Army airborne division may not be as challenging as that led by the Senators in opposition during their wartime days, I suggest that it was hazardous as well as important.

Mrs. SMITH of Maine. Mr. President, will the Senator yield for an observation?

Mr. BYRD of West Virginia. Although I did not ask other Senators to yield when they were making their statements, I am very happy to yield to the Senator from Maine.

Mrs. SMITH of Maine. Only to keep the RECORD straight. It was I who put out the records of the generals, not themselves. They put out the statements, and I put out the records.

Mr. BYRD of West Virginia. General Williams' continuing military career has been exemplary. He was released from active duty on September 30, 1953, after some two and a half years' service as an enlisted man and officer.

He voluntarily assumed a further Reserve service obligation. He did not have to. He could have dropped out of the Army or could have gone into the Standby Reserves, but he volunteered for duty in the Active Reserves.

He was promoted to first lieutenant upon his release from active duty in 1953, served 2 years in that grade until he was promoted to the grade of captain in the Army Reserve, and served over 4½ years as a captain before being promoted to Major on June 24, 1960. He has served regularly, and without a break, ever since he became a member of the Army Reserve about 8 years ago. He has attended all authorized annual active duty for training periods, and his efficiency reports have been excellent.

Any suggestion, expressed or implied, that General Williams' military record is deficient is belied by the facts.

I do not dispute with my colleagues that General Williams' military record to date is not convincing proof of his ability to discharge the duties of a brigadier general of the line on the field of combat. Were he being considered for such a position, I would be prone to agree with the Senator from Maine and the other distinguished Senators who have stated their opposition in their August 22 release.

This is the crux of the matter. I believe an understanding of what it is that Brigadier General Williams is being nominated for will result in confirmation by this body.

The position of State adjutant general was first mandated by the Second Congress in section 6 of the act of May 8, 1792—1 Stat. 271—"an act more effectually to provide for the national defense by establishing a uniform militia throughout the United States." The provision, in somewhat more modern form, is now restated in section 314(a) of title 32, United States Code.

The duties of the adjutant general of each State, as prescribed by Federal law are expressed in subsection 314(d) of title 32, which requires each such adjutant general "make such returns and reports as the Secretary of the Army or the Secretary of the Air Force may prescribe, and shall make those returns and reports to the Secretary concerned or to any officer designated by him."

The unique status of State adjutants general, and a clear implication that they are not expected to serve in a command capacity should they ever be ordered to active duty, is reflected in several Federal statutes. Thus, section 594 of title 10, United States Code, excepts State adjutants general from the general prohibition against appointing Reserves above the grade of major or lieutenant commander.

I read section 594:

(a) No person may be appointed as a Reserve in a commissioned grade above major or lieutenant commander, unless

(1) he was formerly a commissioned officer of an armed force; or

(2) such an appointment is recommended by a board of officers convened by the Secretary concerned.

(b) This section does not apply to adjutants general and assistant adjutants general of the several States and Territories, Puerto Rico, the Canal Zone, and the District of Columbia.

State adjutants general are excepted from the requirements relative to retention in an active status, by section 1002 of that title. Section 3218 excepts them from the authorized strength of the Army in reserve general officers. They are expressly excluded from the usual rules requiring elimination from an active status by reason of time in grade and length of service under sections 3851, as amended, and 3852, as amended, and are permitted to remain in an active status until age 64 by section 3845.

These, Mr. President, and the many other provisions of Federal law originally contained in the Reserve Officers Personnel Act of 1954 plainly contradict the view, asserted by Senators who have indicated their opposition, that a State adjutant general is expected to have the same qualifications as a candidate for confirmation in the Army Reserve or in the Air Force Reserve.

While Executive Report No. 8 of August 11, 1961, setting forth the opposition views to the confirmation of the nomination of General Williams, duly notes that his appointment as a brigadier general is for tenure of office only, it fails to state, as is the case, that his nomination is not being confirmed as a general officer of the line, but as a brigadier general, Adjutant General's Corps.

This is the distinction, and it is a vital one. Officers of the Adjutant General's Corps are not officers of the line. Generals of the Adjutant General's Corps do not command troops of the line any more than do general officers of the Medical Corps or of the Chaplains' Corps or of the Judge Advocate General's Corps.

If the nomination of General Williams is confirmed by the Senate, as I earnestly hope it will be, and if the entire National Guard of the United States is ordered to duty, as I devoutly hope it will not be, General Williams, as a brigadier general, Adjutant General's Corps, would, like all other officers of that corps, perform administrative as distinguished from command, functions. The dread and foreboding that an officer without Command and General Staff School experience may command troops of the line, implicit in the Senate Reserve generals' statement of August 22, 1961, is illfounded and without merit; and, with the explosion of that myth, the grounds for opposition vanish.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I am glad to yield.

Mr. GOLDWATER. If we accept the fact that this nominee is commissioned into the Adjutant General's Corps and would not be called upon to lead troops, which is a fact I do not necessarily accept, because there are many exceptions with respect to officers who have been relegated to the Reserve and picked up by the Regular Forces who have found themselves in the position of command—assuming that would not happen, and that the gentleman in question would serve only in an administrative capacity, I fail to find anything in the military background which would give any indication that he has the capability of being an administrative officer.

He attended the Infantry School, Officers Candidate School and the basic airborne course. He has taken the unit CBR course. He has not attended Command and General Staff School, which

is necessary for any administrative duties of this rank. In fact, unless a general officer has completed Command and General Staff School coming up, he will never reach the rank of brigadier general. Unless he has taken advance training in one of the colleges he will not serve as a brigadier general, as a star officer, on any administrative staff.

I cannot follow my friend's argument that the nominee could fit into an administrative position. I think he is disqualified on both counts.

Mr. BYRD of West Virginia. Now, as I have indicated, an Adjutant General's Corps officer commands nothing. I know of no basis for an assumption that any Secretary of the Army would be so lacking in discretion as to transfer General Williams to the line and place him in command of troops on the basis of his present experience alone. If, at some indiscernible time in the future, General Williams' services are required, and he has manifested the qualities of leadership required of a commander of troops, I would hope and expect he would be given a command. But for now, the horror expressed by those opposing his nomination on this score is a bugaboo and so patently absurd as to be rejected out of hand.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. GOLDWATER. Let us assume that it is a bugaboo and that the gentleman is never to be asked to lead any campaign and is never to be asked to command any number of troops, regardless of the size of the organization. What will he do? He will be asked to be an administrative officer, my friend says. I still have not had an answer to the question, What is his background to be an administrative officer in the Armed Forces of the United States? He has attended no schools that are requisite for that job. As I stated, I consider him not fit to lead because of a lack of experience, although he might well lead a platoon or a company with great distinction.

Let us say that the Senator's argument is completely correct, and assume that I accept it. I still am plagued with the idea that this man would have no place to go, because he has no background in the administrative work of the armed services.

Mr. BYRD of West Virginia. I say to my friend from Arizona that those Senators who have been speaking in opposition to the confirmation of the nomination of Hal Williams today have been speaking of apples, while we are speaking of oranges.

Mr. GOLDWATER. Let us peel one and take a look at it.

Mr. BYRD of West Virginia. Very well.

Mr. GOLDWATER. I am trying to find out what are this man's qualifications.

Mr. BYRD of West Virginia. If the Senator will suspend, I shall tell him the difference between the apples and the oranges.

Mr. GOLDWATER. I should like to know.

Mr. BYRD of West Virginia. The Senator will soon learn.

The minority views, expressing the views of the Senator from Maine [Mrs. SMITH], the Senator from South Carolina [Mr. THURMOND], the Senator from Nevada [Mr. CANNON], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from South Dakota [Mr. CASE], and the Senator from Connecticut [Mr. BUSH] of the Committee on Armed Services, in opposition to the confirmation of the nomination of Maj. Gene Hal Williams, express opposition to the confirmation of the nomination to the grade of brigadier general in the Army Reserve. Gene Hal Williams is not being considered for promotion to the grade of brigadier general in the Army Reserve.

Mrs. SMITH of Maine. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I am glad to yield.

Mrs. SMITH of Maine. Will the Senator please advise the Senate why the Senate is asked to act on the nomination, if it is not a nomination as a member of the Reserve? Is there any reason why the U.S. Senate should be asked to act on a State officer, to interfere with States rights?

Mr. BYRD of West Virginia. The Senator from West Virginia will repeat what he said.

The minority views, and all of the arguments which have been presented today in opposition to Hal Williams, have taken the position that the Senate is being asked to confirm his nomination for promotion to the rank of brigadier general in the Army Reserve, and that is not the case.

Mr. GOLDWATER. Mr. President, will the Senator yield at that point?

Mr. BYRD of West Virginia. I yield.

Mr. GOLDWATER. I am not able to tell an orange from an apple, but I can surely read. The Executive Calendar reads:

> The officer named herein for appointment as a Reserve commissioned officer of the Army, in the Adjutant General's Corps,

Mr. BYRD of West Virginia. Correct.

Mr. GOLDWATER. If that is not a Reserve commissioned officer in the Army, then the nomination has no business being before this body, because the Senate does not confirm State appointments. The Senate would have no business doing that.

Mr. BYRD of West Virginia. I am glad the Senator referred to the Executive Calendar. I intended to refer to it. The Executive Calendar is precisely correct.

The Senate will soon vote to confirm the promotion of Gene Hal Williams to the grade of brigadier general, Adjutant General's Corps, in the Army National Guard of the United States.

Mr. GOLDWATER. As a Reserve commissioned officer.

Mr. BYRD of West Virginia. Does the Senator from Arizona not know the difference between the Army Reserve and the Army National Guard of the United States?

Mr. GOLDWATER. I think I do. I have been at it for 31 years. I again read:

> This is a nomination of the officer named herein for appointment as a Reserve commissioned officer of the Army in the Adjutant General's Corps.

It could be in the Air Corps, the Army, or the Medical Corps. The Adjutant General's Corps is specified. There are two things involved. The State of West Virginia, in its sovereign right, has conferred upon the nominee the rank of brigadier general in the West Virginia National Guard.

Mr. BYRD of West Virginia. The Senator is correct.

Mr. GOLDWATER. Customarily those nominations are referred to this body for appointment in the Reserve.

Mr. BYRD of West Virginia. In the Reserve of the Army, not the Army Reserve. There is a difference.

Mr. GOLDWATER. A great many individuals are called up who do not know the difference. As I understand, the nominee is now a major in the Reserve.

Mr. BYRD of West Virginia. The Senator is correct—in the Army Reserve.

Mr. GOLDWATER. He has been appointed to brigadier general in the West Virginia National Guard. He is a major in the Reserve.

Mr. BYRD of West Virginia. Yes, in the Army Reserve.

Mr. GOLDWATER. Yes. If tomorrow the Governor should decide that he did not want the nominee to be an adjutant general any longer, the rank of the nominee would revert to major. What we are being asked to do today is to promote him in the Reserve to a rank that corresponds with his rank in the National Guard.

Mr. BYRD of West Virginia. No. If the Senator means the Army Reserve, the Senator is in error.

Mr. GOLDWATER. Such action is customary.

Mr. BYRD of West Virginia. No.

Mr. GOLDWATER. It is done in all ranks.

Mr. BYRD of West Virginia. No. We are being asked today to confirm the nomination to the grade of brigadier general in the Adjutant General's Corps, the Army National Guard of the United States. There is a difference. I shall cite my authority.

Mrs. SMITH of Maine. Mr. President, will the distinguished Senator yield?

Mr. BYRD of West Virginia. I yield.

Mrs. SMITH of Maine. However the question is viewed, the only reason the nomination is before the Senate is on the question of whether to give him a concurrent appointment as a brigadier general in the Army Reserve.

Mr. BYRD of West Virgina. No, indeed. Mr. President, this is a vital point. There is a difference between the Army Reserve and the Reserve of the Army. The Army Reserve is a component of the Army. The Army National Guard of the United States is a component of the Army. But the Reserve of the Army is a status, and it embraces both components.

When one speaks of confirming the nomination of Hal Williams to the grade

of brigadier general in the Army Reserve, he is entirely in error. Hal Williams is the adjutant general of West Virginia, and a brigadier general, State-recognized, in the Army National Guard. Therefore, he could not possibly be a member of the Army Reserve.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. GOLDWATER. I agree that he cannot be in the Reserve and in the National Guard at the same time. That is impossible. But we are not talking about that.

Mr. BYRD of West Virginia. What are we talking about?

Mr. GOLDWATER. We are talking about a concurrent promotion to brigadier general in the Reserve.

Mr. BYRD of West Virginia. In the Reserve of the Army?

Mr. GOLDWATER. A Reserve officer in the U.S. Army. That is the way the commission will read.

Mr. BYRD of West Virginia. But not in the Army Reserve.

Mr. GOLDWATER. He will be assigned to the status of a Reserve officer of the U.S. Army, or a Reserve officer in the U.S. Air Force. I can almost quote the commission verbatim: "You are commissioned as a brigadier general in the U.S. Army Reserve"—or—"brigadier general in the U.S. Air Force Reserve."

What the National Guard can do and does is to call on the Reserve pool for this man, in the same manner as if he were called to active duty. He would report to Reserve status and be ordered from the Reserve status to active duty.

The request to the National Guard depends upon the Reserve pools. One cannot hold a commission in both at the same time. If we confirm the nomination this afternoon, the nominee will not be looked upon as a Reserve brigadier general. He will be looked upon as an adjutant general of the State of West Virginia, a brigadier general, and when the time comes when he no longer serves in that capacity——

Mr. BYRD of West Virginia. A brigadier general, Adjutant General's Corps, Army National Guard of the United States.

Mr. GOLDWATER. Yes. The Senator is now returning to the National Guard. We do not have to worry about that. We are talking about the Reserve angle of it. In this body we must advise and consent on every nomination to the rank of general and above.

In the Reserve of the Regular Army those men form a pool, and out of the pool every individual is moved. I have gone through the same procedure with my own National Guard time and time again. It is nothing new.

Mr. BYRD of West Virginia. Mr. President, as I have said, this is a distinction and it is a vital distinction. Those who oppose the nomination maintain that Hal Williams is being confirmed in the grade of brigadier general in the Army Reserve. That is not the case. If he were, the requirement would be different and we would then be concerned lest he be given a command assignment in the event of war.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I should like to complete my statement before I yield further. If Senators would let me complete my statement, I might be able to clarify some of these points. I do not yield further at this time. I shall be glad to yield to the distinguished Senator from New York when I have completed my statement.

The same argument could be made concerning general officers of the Medical Corps and general officers of the Chaplains Corps. The Chief Chaplain is a major general, but he does not command troops. I believe the Surgeon General is a lieutenant general, but he does not command troops. I believe the Adjutant General of the Army is a major general, but he would not be expected to command troops. The Judge Advocate General is a major general, but he would not command troops. Hal Williams as brigadier general, Adjutants General Corps, the Army National Guard of the United States, would not command troops.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. The Senator from West Virginia will not yield. After he completes his statement he will be delighted to yield to his charming friend from Arizona but not now.

As I have already stated, and, as the statutes referred to above indicate, the office of State adjutant general is unique. These officers have both Federal and State functions. They have the military grade which the State confers upon them, in consonance with authority conferred upon them by article I, section 8, clause 16 of the Constitution and their own State statutes. Section 1154 of the West Virginia statutes of 1955 provides that the Governor shall appoint the adjutant general in a grade not below brigadier general. This he has done.

Moreover, and of great significance, is the fact that at the time of his appointment and now, Gen. Hal Williams possesses each and every one of the qualifications prescribed by the Secretary of the Army for the Federal recognition and Reserve of the Army appointment of a State adjutant general in the grade of brigadier general.

The Governor of the State of West Virginia had every reason to assume that General Williams would receive consideration identical to all of those who had gone before him. Williams' immediate predecessor had been promoted from major to brigadier general, and had been confirmed. Like promotions and confirmations, involving a like number of grade changes, had taken place in other States.

General Williams likewise had no reason to expect that his appointment would encounter resistance in the executive or legislative branches of the Federal Government. He met, and does now meet, all of the qualifications set forth in the governing statutes and regulations.

Had either the Governor of West Virginia or General Williams anticipated a sudden reversal of all precedent by the U.S. Senate, I doubt that General Williams' nomination would be before us today. Surely neither of them would have desired the political and personal humiliation that would necessarily follow rejection by this great body.

As late as the July 18, 1961, letter from the Department of Defense, elicited as the result of Senator SMITH'S request, and referred to in the opposition report of August 11, the Governor and General Williams had no reason to anticipate adverse action on the confirmation. That letter strongly recommended against applying any new rules in the consideration of the list of nominees theretofore submitted by the Secretary of Defense through the President of the United States. It is hardly likely that the Secretary of Defense would have made that recommendation if he had shared the misgivings expressed in the minority report.

I must take exception to the statement contained on page 3 of Executive Report No. 8 of the minority, dated August 11, 1961. It reads "application of this qualification standard to nominee Williams would not set any new precedent, for, as a matter of fact, in recent years the Senate Committee on Armed Services has used such a standard in withholding approval of 12 nominations, including one in the National Guard."

I do not know the names, grades or assignments of the 11 who were not members of the National Guard. Suffice it to say that they could not have been State adjutants general.

The single National Guard officer who was not confirmed was not a State adjutant general. Moreover, his rejection could not have been for want of military qualifications for the officer had previously been federally recognized and confirmed by the Senate Armed Services Committee in the grade of brigadier general. The failure to confirm related to a reappointment to the same position and grade after he had vacated it, and must have been for reasons not relating to the military qualifications which the same committee had on a prior occasion found him to possess.

Hence, I must deny the statement in the report, and again state unequivocally that the U.S. Senate has never failed to confirm the appointment of a State adjutant general. The recommendation of the minority, if adopted, would be unprecedented. It would be an affront to a qualified nominee, and to the Governor of West Virginia who appointed him.

It may be asked what mobilization assignment General Williams could be expected to fill in the event of war or national emergency.

General Williams is, like the adjutants general of many other States, also State director of selective service. If he still holds that position at the time of the theoretical mobilization, in all probability he would continue in the position, and head the State selective service system. In that position he would have under him the selective service section of the West Virginia Army National Guard State headquarters and headquarters detachment, as well as other military and

civilian employees who might be assigned. This precedent was established in World War II and it is my understanding that it will be followed in the future, should the occasion arise.

General Williams might be inclined to resign his State office and tender his services to the Secretary of the Army for duty in such branch and grade as the Secretary of the Army in his discretion believed to be appropriate. Such action also has its precedent in World War II when a number of adjutants general resigned their State offices and took reductions in rank in order to serve in the field.

If such mobilization be partial, it is quite probable that General Williams would remain in his State adjutant general's position, there to continue to administer the remainder of the West Virginia National Guard, such State defense forces as might be organized, and perhaps perform additional duties of State civil defense director. It may be appropriate to observe that civil defense is often a function and agency within the State military department which the adjutant general heads.

If General Williams should no longer occupy the office of adjutant general, his Federal recognition and Reserve of the Army appointment would have been terminated. His mobilization assignment would then depend upon such military status as he might have. Regulations provide for his reversion to the grade he held prior to his appointment as adjutant general of his State. If he is not confirmed by the Senate, his Federal recognition will be withdrawn. He will then revert to his grade of major and his position in the Army Reserve, as has been the case with his predecessor in office. If he is thereafter appointed to a position vacancy in a unit of the Army National Guard and federally recognized, he would be subject to an order to active duty in that grade and branch assignment.

However, I must again make the point that he will not be called upon to serve as a commander of troops so long as he continues to hold an appointment of brigadier general, Adjutant General's Corps, Army National Guard of the United States.

Mr. RANDOLPH. Mr. President, will my colleague yield?

Mr. BYRD of West Virginia. I yield.

Mr. RANDOLPH. My esteemed colleague from West Virginia is a conscientious member of the Armed Services Committee. I am not, of course, a member of that committee. It seemed unnecessary for me during this debate to attempt to enter into the discussion. However, I wish to say for the RECORD, that I concur most earnestly in the convincing arguments made by Senator BYRD. It is true that our State is involved, as is the Governor of West Virginia, and Gene Hal Williams, one of our respected citizens. We would not desire to separate ourselves from these considerations but I would wish to consider the paramount issue as one calling for approval based on fairness and on fact.

The question to be resolved is a matter for determination by each member of this body. I accord sincerity to each Senator in the decision to be made. I believe that confirmation will be effectuated by a majority of this membership. This is my genuine hope.

Mr. BYRD of West Virginia. Mr. President, if the Senate does not confirm the nomination of Gene Hal Williams today, it will be taking back something that he already has had extended to him. Gene Hal Williams was federally recognized as a brigadier general in the West Virginia Army National Guard on March 16, 1961. He was accorded that Federal recognition as of the date when the general officers Federal recognition board recommended him for confirmation in the grade of brigadier general, Adjutant General's Corps, Army National Guard of the United States. So they have already given him one paper, so to speak, the paper of Federal recognition as of the date he was recommended by the Federal Recognition Board, recognizing him as a brigadier general in the West Virginia Army National Guard.

Today we are being asked to give him a second paper, confirming him in the rank of brigadier general, Adjutant General's Corps, Army National Guard of the United States. So if the Senate does not confirm the nomination of Gene Hal Williams, it will take back from him the additional pay and allowances and the right to wear the uniform of brigadier general already extended by virtue of Federal recognition. I submit that this will be doing a disservice to an individual who accepted his appointment in January of this year, at which time the old policy was in effect, but who now is being subjected to a change of signals after he is already two-thirds of the way to the goalposts. I do not believe Senators wish to change the rules of the game at this point and to apply them ex post facto to an individual who is fully qualified, under regulations at the time of his appointment, for the grade to which he has been nominated.

There has been much talk this afternoon about Gene Hal Williams not being qualified. The fallacy lies in the premise that we are confirming his promotion in the grade of brigadier general in the Army Reserve. Let us see exactly what the qualifications are. These are the promotion eligibility requirements for the Army Reserve. I quote from page 4 of the Army Regulations 135–156:

5. Promotion eligibility requirements. To be recommended for promotion to or within the general officer grades the officer must meet the following requirements:

(a) Be assigned to a general officer position.

(b) Be in an active status when the board meets.

(c) Have completed 2 years of service for promotion purposes in grade of colonel or brigadier general, as appropriate, when the board meets.

I ask unanimous consent to have printed at this point in the RECORD the appropriate paragraphs of Army Regulations 135–156.

There being no objection, the paragraphs were ordered to be printed in the RECORD, as follows:

5. Promotion eligibility requirements. To be recommended for promotion to or within the general officer grades the officer must meet the following requirements:

(a) Be assigned to a general officer position.

(b) Be in an active status when the board meets.

(c) Have completed 2 years of service for promotion purposes in grade of colonel or brigadier general, as appropriate, when the board meets. Nonunit officers must have at least 19 total years of service.

Mr. BYRD of West Virginia. It is true that Gene Hal Williams would not meet the requirements prescribed for promotion to brigadier general in the Army Reserve. But that is not the position to which he is being confirmed. He is being confirmed to the rank of brigadier general, Adjutant General's Corps, Army National Guard of the United States which is an entirely different matter. Let us consider the qualifications required for that position. I read from page 13 of the National Guard Regulations 20–2.

15. Requirements. a. General. To be considered for Federal recognition, the applicant must meet the following requirements:

(1) [1] Hold an appointment in ([1] be nominated for) the Army National Guard of a State, Puerto Rico, or the District of Columbia in the grade for which he is being considered.

Gene Hal Williams meets that qualification.

Now let us consider change No. 1, National Guard Regulations 20–2. What does it indicate that his further qualifications shall be?

Under the provisions of title 32, United States Code, section 307, a board of officers will be convened for the purpose of determining whether applicants for appointment as general officers, except for the position of State adjutant general, meet the medical, moral, and professional qualifications to perform the duties of the grade and position for which examined.

Mind you, Mr. President, change No. 1 reads: "except for the position of State adjutant general," applicants shall "meet the medical, moral, and professional qualifications to perform the duties of the grade and position for which examined."

The phraseology continues:

A candidate for Federal recognition as a State adjutant general must have had prior service in any component of the Armed Forces of the United States and meet the medical and moral qualifications of the position for which examined.

Note that with reference to Federal recognition as a State adjutant general, the word "professional" is omitted, thus indicating that the candidate for Federal recognition as State adjutant general does not have to meet the professional qualifications required of those who are being promoted to the rank of brigadier general in the Army Reserve.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, change No. 1, National Guard Regulations 20–2; and also paragraph 15, entitled "Requirements," of section IV, which is entitled "Federal Recognition Boards for General Officers," including subparagraphs 1, 2, 3, and 4, and the explanatory footnote.

[1] Applicable in the case of applicants being considered for a certificate of eligibility.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CHANGES NOW IN FORCE: C 1—COMMISSIONED OFFICERS—FEDERAL RECOGNITION

HEADQUARTERS,
DEPARTMENT OF THE ARMY,
Washington 25, D.C., 1 January 1960.

NGR 20–2, 1 January 1960, is changed as follows:

"14. Federal Recognition Boards for general officers. a. (Superseded) Authority. Under the provisions of Title 32, USC, Section 307, a board of officers will be convened for the purpose of determining whether applicants for appointment as general officers, except for the position of State adjutant general meet the medical, moral, and professional qualifications to perform the duties of the grade and position for which examined. A candidate for Federal recognition as a State adjutant general must have had prior service in any component of the Armed Forces of the United States and meet the medical and moral qualifications of the position for which examined.

* * * * *

[NG–PL 325.1 (NGR 20–2) Gen (28 Dec 59)]

By Order of Wilber M. Brucker, Secretary of the Army:

D. W. McGOWAN,
Major General,
Chief, National Guard Bureau.

Official:

JAMES E. BARBER,
Colonel, NGB,
Executive.

SECTION IV

FEDERAL RECOGNITION BOARDS FOR GENERAL OFFICERS

* * * * *

15. Requirements. a. General. To be considered for Federal recognition, the applicant must meet the following requirements:

(1) [1] Hold an appointment in ([1] be nominated for) the Army National Guard of a State, Puerto Rico, or the District of Columbia in the grade for which he is being considered.

(2) [2] Be in an active status when the board meets.

(3) [2] Have completed a minimum of 2 years' service for promotion purposes in the next lower federally recognized grade when the board meets.

(4) [2] Have at least 2 years to serve in the higher grade for which examined prior to mandatory removal from active status. Waiver of this requirement may be granted by the Secretary of the Army when it is clearly proven that an injustice is being done an individual under the normal board scheduling.

In connection with the foregoing the board is authorized to call upon the Chief, National Guard Bureau, and the appropriate Army commander for such records and reports as may be desired.

Mr. BYRD of West Virginia. Mr. President, all the talk about Gene Hal Williams not meeting the qualifications for general officer, Adjutant General's Corps, ANGUS, goes into the trash can when we measure this man against the qualifications set forth in the regulations which I have just read.

Mr. GOLDWATER. Mr. President, will the Senator from West Virginia yield?

The PRESIDING OFFICER (Mr. HICKEY in the chair). Does the Senator from West Virginia yield to the Senator from Arizona?

Mr. BYRD of West Virginia. Mr. President, I have not finished my statement. I shall yield when I complete it. I do not wish to be discourteous to the Senator from Arizona; but I have already yielded to him and to others a number of times in the midst of my statement; and I wish now to complete it.

Mr. President, the difference between the Army Reserve and the Adjutant General's Corps, Army National Guard of the United States, can be determined by reading section 3076, title 10, United State Code, 1958 edition. The minority views, in essence, state that the nomination of Maj. Hal Williams is about to be voted on for confirmation to the grade of brigadier general of the Army Reserve. But now I read from section 3076, title 10, United States Code, 1958 edition:

> The Army Reserve includes all reserves of the Army who are not members of the Army National Guard of the United States.

So Hal Williams, while he is a major in the Army Reserve, is about to be confirmed in the grade of brigadier general, Adjutant General's Corps, Army National Guard of the United States; and this section states that "the Army Reserve includes all reserves of the Army who are not members of the Army National Guard of the United States."

How, then, can the Senate be about to vote on the confirmation of Hal Williams to the rank of brigadier general in the Army Reserve? We are voting to confirm him in the grade of brigadier general, Adjutant General's Corps, Army National Guard of the United States. He cannot be a member of the latter and also a general officer in the Army Reserve. The section I have just read excludes him from that. The Army Reserve and the Army National Guard of the United States are two different components of the Army. So, when Senators say the nominee does not have the necessary qualifications, they have in mind the qualifications for the office of brigadier general in the Army Reserve but not in the Adjutant General's Corps, Army National Guard of the United States.

I think I have adequately emphasized the point that as brigadier general in the Adjutant General's Corps, Army National Guard of the United States, Hal Williams would not be given a command assignment. If he should leave the Office of Adjutant General, he would revert to his grade of major in the Army Reserve.

A great deal has been said about his age. Hal Williams is 33 years of age. So what. He was born when he was born. Evidently some Senators take the position that the main criterion for the confirmation is that one must have served in World War II. If Hal Williams were a little older, perhaps he, too, would have served in a foreign theater. It is not any fault of Hal Williams that he did not serve overseas. He was in the 11th Airborne Division; and if that division had gone overseas at that time Hal Williams would have gone overseas.

It is true that he is a young man. But he has not shirked his duty. It may very well be that he will be jumping out of airplanes when some of us are too feeble to lift ourselves out of wheelchairs. This young man may yet have to die for his country.

Mr. President, when the Senator from Idaho [Mr. CHURCH] came to the Senate, I suppose he was 32 or 33 years of age; but he was not too young to serve in the U.S. Senate.

When the Senator from Louisiana [Mr. LONG] was elected to the U.S. Senate, he was only 29 or 30 years of age, if my information is correct. Perhaps he had to wait until he became 30 years of age, before he could be sworn in as a Member of the Senate.

My colleague, Senator RANDOLPH, and I recall that a former West Virginian was in precisely that position.

Alexander the Great conquered the world and died before he was 33 years of age.

George Washington had an Army command before he attained that age.

Jesus Christ taught the doctors in the temple when He was only 12 years of age. He died at age 33, after a ministry that has never been and will never be equaled.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. So let us not attempt to apply a rule of thumb that the fact that a person is 32 or 33 years of age should have a bearing on the question of confirmation of his nomination to a general officer rank, Adjutant General's Corps, Army National Guard of the United States.

Mr. GOLDWATER. Mr. President, will the Senator from West Virginia yield, so that I may clear up a point?

Mr. BYRD of West Virginia. Not just yet.

Mr. President, we may have to depend on young men to save this country. Senators speak about the Berlin crisis and about the ring of steel the Soviets are putting around the city. It may very well be that, in the final analysis, Hal Williams will be one of those who will have to help break that ring of steel.

Some reference was made earlier to a pound of flesh. I stand by my statement that the attempt here is to extract "the pound of flesh."

I congratulate the Senator from Maine on the excellent work she has done in bringing this matter to the attention of the Defense Department. I compliment her on her campaign to bring about a change in the policy.

But, in the first place, we are not promoting Hal Williams to the rank of brigadier general in the Army Reserve. So the whole argument of the opposition falls flat on its face as a result of the distinction in terms.

In the second place, if we are going to operate under new rules in the future, with regard to Federal recognition of adjutants general let us not apply them to one who entered the game when the old rules were in effect.

The argument has been made that the Governor's appointment of Mr. Williams is not binding on the Senate. Of course it is not binding. The argument has been made that the Secretary of De-

---

[1] Applicable in the case of applicants being considered for a certificate of eligibility.

[2] Not applicable to State adjutants general.

fense's recommendation is not binding on the Senate. Nobody contends that it is. But certainly it should be accorded some recognition.

I ask unanimous consent to have printed in the RECORD the letter that was written to Senator RUSSELL, chairman of the Armed Services Committee, under date of July 18, and which was first alluded to by the Senators in loyal opposition in which the Department of Defense indicated that in the future more rigid qualifications for Federal recognition of adjutants general would be established. I read from the last paragraph of that letter:

It is requested that the National Guard list, which your committee now has for action, be reported out favorably. All State adjutants general now serving in a federally recognized status were considered under the former criteria as well as those on this nomination list. In fairness to the officers on the current list and the Governors concerned, they should not be required to be reexamined under the new policy.

Of course, the Senate does not have to follow the suggestion of the Department of Defense; but I think we can assume that the Secretary, the Under Secretary, and the Deputy Secretary have the interests of our Nation at heart. I do not believe that, if the confirmation of the nomination of Hal Williams were to be detrimental to the best interests, security, and welfare of this country, Roswell Gilpatric would have signed his name to the letter addressed to the chairman of the Armed Services Committee of the Senate, asking that the nomination be reported favorably.

The PRESIDING OFFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF DEFENSE,
Washington, July 18, 1961.

Hon. RICHARD B. RUSSELL,
Chairman, Committee on Armed Services, U.S. Senate.

DEAR MR. CHAIRMAN: This is in further reply to your letters of May 8 and June 12 which had enclosed letters from Senator MARGARET CHASE SMITH to you regarding the Federal recognition procedure and system for National Guard officers.

Officers of the National Guard are appointed by the several States under section 8, article I, the Constitution of the United States. In order for an officer so appointed to be federally recognized, he must meet certain standards prescribed by the Secretary of the military department concerned under the authority of Federal law. Upon being federally recognized, an officer may be considered for appointment as a reserve of the Army or reserve of the Air Force. Federal law requires confirmation by the Senate only in the case of those officers nominated for appointment as a reserve of the Army or Air Force in a general officer grade.

The reexamination of the existing policies and regulations relating to Federal recognition of State adjutants general referred to in my letter to you dated June 1 has been completed.

Notwithstanding the special consideration accorded adjutants general by Federal law, both Departments of the Army and Air Force considered that it would be in the best interest of their respective services to establish more rigid qualifications for Federal recognition of adjutants general than currently exist. Accordingly, both services will in the future require that all officers below the grade of colonel who are appointed as adjutants general be fully qualified, to include length of service, time in grade, time to serve in the higher grade, and a military educational qualification, before they are extended Federal recognition and promoted in the Reserve to the next higher grade. The effect of this will be to limit promotions to one grade at a time up to and including the grade of colonel. Officers in the grade of colonel and above who are appointed as adjutants general will be required to be fully qualified as indicated above to be eligible for Federal recognition but may be extended Federal recognition and promoted in the Reserve to the grade of brigadier general or major general. This means that the only authorization for promotion of over one grade at a time will be in the case of colonels being promoted to major general. Such a policy is considered to be in keeping with the provisions of law for the Active Military Establishment which provides for the promotion of colonel to the grade of major general in the case of the chiefs of branches (secs. 3036 and 8072, title 10, United States Code.)

It is requested that the National Guard list, which your committee now has for action, be reported out favorably. All State adjutants general now serving in a federally recognized status were considered under the former criteria as well as those on this nomination list. In fairness to the officers on the current list and the Governors concerned, they should not be required to be reexamined under the new policy.

The Department of Defense appreciates your continuing interest in the Reserve components.

Sincerely,

ROSWELL GILPATRIC,
Deputy.

Mr. BYRD of West Virginia. I also ask unanimous consent to have printed in the RECORD a letter dated August 22, 1961, which I received from Maj. Gen. Winston P. Wilson, Deputy Chief, National Guard Bureau. I shall not impose on the time of the Senate to read all of the letter, but I believe it would be well if I read a portion of it. General Wilson answers a question which I propounded to him. I asked the question:

Have there been any instances in which an adjutant general has not been confirmed by the Senate?

General Wilson's answer was this:

There has never been an instance in which the U.S. Senate has failed to confirm the appointment of a State adjutant general. In only one instance has there been a failure to confirm a State assistant adjutant general, and in that case the individual had previously been confirmed by the Senate in the grade and assignment which he thereafter vacated, and for which he was considered after subsequent reappointment.

I asked General Wilson this question:

What would be the mobilization assignment of General Williams?

This is the answer:

This office is informed that General Williams is the part-time State Selective Service director. It seems likely that he would become the full-time director, in either a civilian or military capacity. The National Director of Selective Service, Lt. Gen. Lewis B. Hershey is the appropriate officer to furnish an authoritative answer. If he is not required for this purpose, or elects to perform other military service, his grade, branch, and assignment will be as determined by the Secretary of the Army.

I ask that the entire letter be printed in the RECORD at this point.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 22, 1961.

Hon. ROBERT C. BYRD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BYRD: Receipt is acknowledged of your letter of August 17, 1961, in which you request answers to several questions relating to the military status of Brig. Gen. Gene Hal Williams, the adjutant general of West Virginia.

The questions are answered in the order in which they appear in your letter.

Question 1: What are the peacetime functions of an adjutant general and what are the wartime functions?

Answer:

(a) The functions of a State adjutant general can be described by quoting pertinent portions of the Federal laws and regulations on the subject.

(b) At the outset, it should be noted that in the early days of the Nation, when the standing Army consisted of a few hundred Regulars, the militia of the several States was the principal force available to the Federal Government "to execute the laws of the Union, suppress insurrections and repel invasions" (art. I, sec. 8, clause 15, U.S. Constitution). The Congress very quickly exercised its power "to provide for organizing, arming, and disciplining, the militia * * *" (art. I, sec. 8, clause 16), and in the act of May 8, 1792, provided that there should be in each State an adjutant general who had the duty of reporting the size, armament, and state of training of the militia.

(c) The act of May 8, 1792, with the most minor changes is now the current law, found in section 314 of title 32, United States Code. There shall be an adjutant general in each State and territory, Puerto Rico, the Canal Zone, and the District of Columbia. He shall perform the duties prescribed by the laws of that jurisdiction.

(d) Subsection 314(d) of title 32 states that the State adjutant general "shall make such returns and reports as the Secretary of the Army or the Secretary of the Air Force may prescribe, and shall make those returns and reports to the Secretary concerned or to an officer designated by him."

(e) The foregoing are the principal direct statutory references to the adjutants general. Federal regulations further prescribing their duties are in implementation of other statutes. For example, "The Secretary of the Army has delegated to the adjutants general of the several States * * * the authority to employ, fix rates of pay, establish duties and work hours * * * supervise and discharge employees within the purview of these regulations; subject to the provisions of law and such instructions as may from time to time be issued by the Chief, National Guard Bureau" (par. 2, National Guard Regulations 51, dated July 8, 1951). These regulations are founded on the Secretary's authority under section 709 of title 32, United States Code, to provide for the employment of "caretakers and clerks," more familiarly known as "National Guard technicians," to care for the Federal property issued to the National Guard.

(f) He is the chief of the State military department ordinarily known as adjutant general but the title of the office may vary (par. 3, National Guard Regulations 20–1). He is, when federally recognized, a member of State headquarters and headquarters detachment (National Guard Regulations 15).

(g) However "A State adjutant general may be appointed and serve in that capacity

without Federal recognition" (par. 6, National Guard Regulations 20).

(h) The adjutant general's duties are reflected in the purposes for which his State headquarters and headquarters detachment is constituted. Those purposes are set forth in paragraph 13 of National Guard Regulations 15:

"(1) To assist the State authorities in the administration, logistics, training, and operations of the military forces of the State.

"(2) To train for use during a national emergency a nucleus of National Guard officers for duties in connection with Selective Service, internal security, and civil defense."

(i) In this connection, it should be noted that a Selective Service section, which may range from 9 to 27 commissioned officers (fig. 1, National Guard Regulations 15) is an integral part of each State headquarters and headquarters detachment.

(j) The foregoing are the principal Federal statutes and regulations germane to the question posed, and relate to each and every of the adjutants general. Each State has its own statutes relating to the composition of its military department and to the appointment, powers, duties, and responsibilities of its adjutant general. Those of the adjutant general of West Virginia are set forth in chapter 15, article 1, section 1154 of the West Virginia Code of 1955. In time of peace [the adjutant general] shall perform the duties of chief of the pay, quartermaster, and ordnance departments unless otherwise ordered by the Governor. The cited section enumerates the other duties of the adjutant general. He records all State military commissions, maintains records of the militia, reports to the Governor as to the expenditure of funds of the military department, procures and issues books and blank forms for reports and general administration, causes military laws and regulations to be published and distributed. He accounts for all Federal and State property issued to the National Guard, employs necessary clerical help, and keeps records pertaining to veterans within the State.

(k) The wartime functions of an adjutant general are difficult to define. As adjutant general, he would administer such portion of the National Guard as had not been ordered into the active Federal service. If the State has organized a State defense force as authorized by section 109 of title 32, that force would occupy a position within the military department framework similar to that of the National Guard, and the adjutant general would administer the State defense forces. He may also have overall responsibility for civil defense if that function is granted to the State military department as it frequently is. He may perform a similar function with respect to the naval militia, if the particular State maintains such a force. His duties with respect to administering State benefits for veterans would continue.

(l) Whether he might occupy some other position either in addition to or independent of the office of adjutant general depends on his status. In many States, the adjutant general is State Selective Service director. In time of war it is probable he would serve in that capacity, either in a military or civilian capacity, and head up the National Guard Selective Service section and the other officers and employees assigned to that duty.

(m) Often the State adjutant general is also the State civil defense director, and it is very possible that if he were not given some other function, he would serve in that capacity.

(n) Whether he would serve in a military capacity would depend on whether he had a military status and the appropriate service Secretary desired to order him to active duty. Some adjutants general (e.g., in Ohio) are Army National Guard division commanders and occupy both positions. Presumably in that case the individual would be ordered to duty as a division commander. It should be noted that the position of division commander is a table-of-organization position, for which the incumbent must be fully qualified physically, professionally, and in point of age, and for which he has been found qualified entirely apart from any qualification for the position of adjutant general.

(o) If the adjutant general is federally recognized, and holds an appointment as a reserve of the Army, he is a member of the Army National Guard of the United States. He is therefore in the Ready Reserve, and subject to being ordered to active duty under the same circumstances as is any other individual who is not a member of a unit organized to serve as a unit. A State headquarters and headquarters detachment is not a "T/OE" (table of organization and equipment) unit, that is a unit organized along the lines of units of the Active Army, and it will not be mobilized as a unit. Its members, from the adjutant general on down, will be ordered to active Federal service, if at all, as individuals, and assigned to such positions and given such duties as the service Secretary finds appropriate.

(p) Members of Reserve components must be ordered to active duty in the Reserve grade which they hold. Accordingly, an adjutant general having a Reserve grade of brigadier general could not be ordered to active duty, involuntarily, in a lower grade. However, an adjutant general might, if he desired, follow the precedent of the adjutant general of Massachusetts in World War II and resign his general officer position, Adjutant General's Corps, to accept appointment in a different grade and branch for the purpose of being ordered to duty. This would depend on the desire of the individual, and the acceptability of his tender to the Secretary of the Army.

(q) Conceivably, a State adjutant general could be ordered to duty, or if he had no military status, tendered an appointment and ordered to duty. He could be given such duty assignment as the Secretary should conclude he should be given, commensurate with his military grade and branch. If he were ordered to duty as an officer of the Adjutant General's Corps, in which branch all adjutants general (with the exception of those who have otherwise been found qualified, federally recognized, and appointed as officers of the line) are appointed, he would not command a tactical organization, since members of that corps do not command. His branch could be changed by the Secretary and his duties assigned as appropriate to the new branch. This again is a prerogative of the Secretary, not an inherent right of an adjutant general. It can only be assumed that the adjutant general's wartime duties would be those which the Secretary of the Army believed he was best fitted to discharge by reason of his previous civilian and military experience, his age, his temperament, and his demonstrated qualities of leadership. Assuming the adjutant general was qualified for a military assignment the Secretary would no doubt weigh his comparative importance to the military and to the position the adjutant general then held (e.g., as State director of Selective Service, or civil defense director).

Question 2: What would be the mobilization assignment of General Williams?

Answer: This office is informed that General Williams is the part-time State Selective Service director. It seems likely that he would become the full-time director, in either a civilian or military capacity. The National Director of Selective Service, Lt. Gen. Lewis B. Hershey, is the appropriate officer to furnish an authoritative answer. If he is not required for this purpose, or elects to perform other military service, his grade, branch, and assignment will be as determined by the Secretary of the Army.

Question 3: In the event the Senate fails to confirm General Williams, how will this affect his status in the federally organized National Guard?

Answer:

(a) In order to become a member of the Army National Guard of the United States, a federally recognized officer must be appointed as a reserve of the Army in the grade he holds as a federally recognized Army National Guard officer. Thus, if a federally recognized National Guard general officer is not confirmed by the U.S. Senate as required by subsection 593(a) of title 10, United States Code, he will not become a general officer of the Army National Guard of the United States.

(b) Should he fail to be confirmed, and thus not become an officer of the Army National Guard of the United States in the grade for which he was considered by the Senate, the following results will follow:

(1) Upon qualifying for retired pay under chapter 67 of title 10, United States Code, one of the factors used in computing the rate of retired pay is the "Monthly basic pay of highest grade held satisfactorily by person at any time in the Armed Forces" (formula 3, table, sec. 1401 of title 10, United States Code.) The Army National Guard, as such, is not a part of the Armed Forces except while in the service of the United States (subsec. 3062(c)(1)). Accordingly, save in the unlikely circumstance that he was "called" into active Federal service in his Army National Guard status (ch. 15 or sec. 3500 of title 10, United States Code) he would not have held general officer grade in the Armed Forces within the meaning of the applicable laws relating to retired pay for nonregular service. Thus, if General Williams is not confirmed, his retired pay will be computed on the basis of the highest military grade he may have attained, below general officer, at the time he qualifies.

(2) In the event the Army National Guard of the United States is ordered to active Federal duty, General Williams will be ordered to duty, if at all, in the Reserve of the Army grade he then holds, or such higher grade in which the Secretary of the Army may see fit to appoint him.

(3) Except as noted in (1) (a call of the National Guard) which occurred earlier, the failure of Senate confirmation will result in the withdrawal of General Williams Federal recognition as a brigadier general, since paragraph 3n, National Guard Regulations No. 20–4, states "Federal recognition of a National Guard officer will be withdrawn by the Chief, National Guard Bureau: "When the Adjutant General of the Army fails to appoint an officer as a Reserve commissioned officer of the Army within a reasonable time after Federal recognition has been granted * * *." In the absence of Senate approval, the Secretary of the Army will have no authority to make the Reserve of the Army appointment, and Federal recognition perforce will be withdrawn. General Williams will then, if he is assigned to a T/O position for which he is qualified (e.g., a position appropriate for a major, infantry) be federally recognized. If he already holds an appropriate Reserve of the Army appointment, he will automatically become an officer of the Army National Guard of the United States. If he does not hold an appropriate appointment he will then be appointed a reserve in his federally recognized grade. If no action is taken, his only Federal military status will be that of major of infantry, U.S. Army Reserve.

Question 5: Have there been any instances in which an adjutant general has not been confirmed by the Senate?

Answer: There has never been an instance in which the U.S. Senate has failed to con-

firm the appointment of a State adjutant general. In only one instance has there been a failure to confirm a State assistant adjutant general, and in that case the individual had previously been confirmed by the Senate in the grade and assignment which he thereafter vacated, and for which he was considered after subsequent reappointment.

The National Guard Bureau welcomes this opportunity to supply you with information in this complicated and highly technical area of interrelated Federal and State law. Your understanding of the problems of the National Guard is invaluable in the consideration of legislation before the Senate Committee on Armed Services of which you are a member. If the National Guard Bureau can be of further assistance to you, it will be happy to do so.

Sincerely yours,

WINSTON P. WILSON,
Major General,
Deputy Chief, National Guard Bureau.

Mr. BYRD of West Virginia. I also ask unanimous consent to have printed in the RECORD a letter which I have today received from Lt. Gen. Lewis B. Hershey, Director of the Selective Service System.

I shall not read the entire letter, but only one paragraph:

In each State there is, within the National Guard headquarters, a Selective Service section. Those guardsmen assigned to this section are trained for duty with the Selective Service System in their State as needed. Their actual assignments in event of mobilization would be determined by the adjutant general. In no State is the adjutant general a member of this section. Thus, apart from the Governor's authority to recommend the adjutant general to be State director, no adjutant general has a mobilization designation for duty with the Selective Service System in any position at any time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL HEADQUARTERS,
SELECTIVE SERVICE SYSTEM,
Washington, D.C., August 24, 1961.

Hon. ROBERT C. BYRD,
U.S. Senate.

DEAR SENATOR BYRD: I have your letter of August 23, 1961, with respect to the appointment of State directors of Selective Service.

The Governor of the State recommends an individual to be State director of Selective Service who is then appointed by the President. At the present time some State directors are civilians, others are Reserve officers recalled to active duty, or officers in the State National Guard on active duty.

In several States the adjutant general is serving as director of Selective Service on the recommendation of the Governor. He may serve as State director in either a civilian or military status. With respect to State directors serving in a military status, none is on active duty in a rank higher than colonel or comparable rank in the Navy, regardless of the rank held as adjutant general.

Under present law, the position of State director of Selective Service would be filled in the event of mobilization as it is now, by an individual recommended by the Governor.

In each State there is, within the National Guard headquarters, a Selective Service section. Those guardsmen assigned to this section are trained for duty with the Selective Service System in their State as needed. Their actual assignments in event of mobilization would be determined by the adjutant general. In no State is the adjutant general a member of this section. Thus, apart from the Governor's authority to recommend the adjutant general to the State director, no adjutant general has a mobilization designation for duty with the Selective Service System in any position at any time.

I trust these comments will answer your questions concerning the relationship of the State adjutant general to the Selective Service System.

Sincerely yours,

LEWIS B. HERSHEY,
Director.

Mr. BYRD of West Virginia. Mr. President, I have very seldom taken the time of the Senate to speak on any matter. There are Senators who have been in this body much longer than I, and I do not think that anything I say will likely change many minds.

Today I have gone to some length to state my position on this question, and I have stated my position with enthusiasm.

It was indicated earlier by one of the previous speakers that those who support Hal Williams do not do so with enthusiasm. I support him with enthusiasm. I make no apology for my support of him. He meets the qualifications for the grade of brigadier general in the Adjutant General's Corps, Army National Guard of the United States.

Others have been given two-step and three-step promotions in the past. There are precedents for such promotions. Then, why do some persons want to change the ground rules now, and deny this man the same confirmation that was accorded his predecessor by the Senate?

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I see a statement indicating that this officer should not be promoted because he had no decorations.

Has the Senator from West Virginia any idea of the great number of wonderful fighting men who have not been decorated? In my own limited experience among fighting people, the great majority of the real, firstline fighters whom I knew were the Army type who did not have decorations.

It is my impression that some of the greatest fighting men I knew never had any decorations. As one who had the pleasure of fighting for his country, I knew what it was to go home and be told to write up a citation for a decoration for an officer who had never been engaged against hostile forces and try to justify a high decoration for him. It was my duty to do the best I could.

It is my impression that the idea of decorations sets less with privates and lower line officers than it may with higher ranking officers, and that decorations are the expected things with the latter. They are expected to have a chest full of them by those who have similar rank. My impression was that among privates, sergeants, and lower line officers, one might get a decoration if someone had the good fortune to notice him, but that great numbers fought bravely, were killed, and never did get a citation or a decoration.

They did the best they could for their country at the time.

Mr. BYRD of West Virginia. I thank the Senator from Louisiana. He has made a very pertinent observation.

Mr. RANDOLPH. Mr. President, will my colleague yield?

Mr. BYRD of West Virginia. I yield to my faithful and devoted colleague from West Virginia.

Mr. RANDOLPH. Mr. President, my colleague from West Virginia need not be modest in speaking on this subject. He has been painstaking and thorough in detailing his remarks. His conviction is shared. I hope we shall soon vote, and that the Senate will confirm the nomination.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD section 3218, title 10, United States Code, which sets forth the authorized strength of the Army in Reserve general officers in an active status, exclusive of those serving as adjutants general, as being 207.

There being no objection, the section was ordered to be printed in the RECORD, as follows:

§ 3218. Reserves: strength in grade; general officers in active status.

The authorized strength of the Army in reserve general officers in an active status, exclusive of those serving as adjutants general or assistant adjutants general of a State or Territory, Puerto Rico, the Canal Zone, or the District of Columbia, and those serving in the National Guard Bureau, is 207. (Added Pub. L. 85–861, § 1 (69) (A), Sept. 2, 1958, 72 Stat. 1463.)

HISTORICAL AND REVISION NOTES

Source: United States Code, revised section 3218, 50: 1227(a) (4th sentence).

Source: Statutes at Large, September 3, 1954, chapter 1257, § 307 (a) (4th sentence), 68 Stat. 1155.

The words "in the Army Reserve and the National Guard of the United States" are omitted as covered by the word "reserve".

Mr. BYRD of West Virginia. I also ask unanimous consent, Mr. President, to have printed in the RECORD section 3392 of title 10, United States Code, 1958 edition.

There being no objection, the section was ordered to be printed in the RECORD, as follows:

§ 3392. Commissioned officers: reserve grade of adjutants general and assistant adjutants general.

Notwithstanding any other provision of this chapter, the adjutant general or an assistant adjutant general of a State or Territory, Puerto Rico, the Canal Zone, or the District of Columbia may, upon being extended Federal recognition, be appointed as a reserve officer of the Army as of the date on which he is so recognized. (Added Pub. L. 85–861, § 1 (80) (E), Sept. 2, 1958, 72 Stat. 1479.)

HISTORICAL AND REVISION NOTES

Source: United States Code, revised section, 3392, 50: 1255.

Source: Statutes at Large, September 3, 1954, chapter 1257, § 323, 68 Stat. 1161.

The words "upon being extended Federal recognition" are substituted for the words "effective upon the date of extension of Federal recognition".

Mr. BYRD of West Virginia. Mr. President, I did not ask that General

Williams' name be submitted to the Senate for confirmation in the grade specified. My colleague [Mr. RANDOLPH] and I had nothing to do with that.

The process is this: The officer is first appointed to a grade in the State. His papers are then sent to the Department of the Army, where the name is submitted to the General Officer Federal Recognition Board, appointed by the Secretary of the Army. That Board consists of equal numbers of officers of active Army and Army National Guard of the United States, senior in grade to the applicant being considered. If that Board finds the applicant possesses all of the military qualifications as prescribed in the National Guard regulations, which regulations are promulgated by authority of the Secretary of the Army, and which meet the criteria the Secretary of the Army has set for the Board, then the Board recommends that officer for Federal recognition.

That Board recommended Hal Williams for Federal recognition as of March 16, this year. Upon that date he was accorded Federal recognition as a brigadier general, West Virginia Army National Guard.

The Secretary of the Army considers the findings and the recommendations of the Federal Recognition Board, and, if he approves, he then advises the Chief of the National Guard Bureau and instructs the Chief to issue Federal recognition.

So all of them get a shot at this.

General Williams has gone through this procedure.

There is a further step. The Secretary of the Army places the candidate's name on a nomination list to be submitted to the President, and by him to be submitted to the Senate for confirmation. So Hal Williams' name has traveled the prescribed route, and it is before the Senate today. While I had nothing to do with its being here, I support the nomination with sincere enthusiasm, and I trust my colleagues will join me in voting for his confirmation.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. SYMINGTON. Mr. President, no Member of this body has more respect than I for the distinguished senior Senator from Maine [Mrs. SMITH] and the work which she has done over the years as a member of the Committee on Armed Services, which has been constructive and thoughtful, especially with respect to our Reserves. I have listened with great respect to her recommendations. In many cases, I have followed them.

Unfortunately I was not at the committee hearings when this matter came up, but have done my best to understand it since that time.

Likewise, Mr. President, there is nobody in this body for whom we have greater respect than the chairman of the Senate Committee on Armed Services [Mr. RUSSELL]. We know him to be thorough and conscientious. He believes that if we fail to confirm this nomination we shall be going back many months from the time of this nomination and that would be unfair. I agree with that conclusion.

I have also listened to the distinguished Senator from West Virginia, and been impressed by his remarks he has made. The age of the nominee should not be held against him. General Custer was a brigadier general in the Army of the United States when he was 25. General Joe Wheeler was a lieutenant general of the Army of the Confederacy when he was 27. General J. E. B. Stuart led the Cavalry Corps of the Army of the Confederacy before he was 30, and was killed when he was 32.

I hope, and believe, as a result of the intelligent and effective work in this area by the senior Senator from Maine, for whom we all have great respect, in the future the regulations will be changed. In fact I understand they have been changed. But it would be unfair to single out this particular man, this particular nominee, 6 months after his nomination. Am I correct in the understanding that the nomination was made back in January?

Mr. BYRD of West Virginia. He was appointed on January 16.

Mr. SYMINGTON. January 16. Therefore, I intend to vote for confirmation of the nomination.

Mr. BYRD of West Virginia. I thank the great Senator from Missouri.

Mr. GOLDWATER. Mr. President, I shall take the floor, if the Senator from West Virginia has finished.

The PRESIDING OFFICER. Does the Senator from West Virginia yield?

Mr. BYRD of West Virginia. Mr. President, I yield the floor.

Mr. GOLDWATER. Mr. President, first I should like to make a few things clear.

I have great respect and admiration for both Senators from West Virginia and for all their actions, particularly in standing up, as they have today, for a fellow citizen of their State. I think we all have that feeling.

Second, I wish to make it perfectly clear that age has nothing to do with the problem, so far as I am concerned. One of the finest generals with whom I ever served was Casey Vincent. He was 28 years old.

I wish to say to my friend from Louisiana [Mr. LONG] that decorations have never entered into any of my consideration of military matters, and will not at this time.

I should like to make a few things clear, because I think it is perfectly obvious that my friend from West Virginia misunderstands the system by which we get adjutants general and by which we get Reserve generals. I should like to read the pertinent paragraphs from Army Regulations No. 135–156, of August 29, 1960. I shall ask unanimous consent to have the entire regulation printed in the RECORD at the conclusion of my remarks.

Speaking of the Army National Guard of the United States, paragraph 10 of section III, it says:

> The selection and promotion to general officer grades of officers of the Army National Guard, not in active military service, are functions of the authorities of the several States, Puerto Rico, and the District of Columbia.

After the Governor has selected the man he wants to be adjutant general, then comes the operation that we call Federal recognition. We find this procedure described under paragraph 11 of section III:

> 11. Federal recognition: In order to be granted Federal recognition in a general officer grade, an officer must be examined by a Federal Recognition Board as outlined in NGR 20–2. Such boards will be convened at Headquarters, Department of the Army, normally in April and November of each year. As an exception, the Board considering officers for the position of State adjutant general will be convened at such times as appointments are made by the Governor of the State concerned, and applications received. Only Headquarters, Department of the Army, will grant Federal recognition for general officer grades.

I now skip to paragraph 12 of section III and get to the meat of what we are talking about today.

> Par. 13. Promotion as Reserve officer of the Army.

That is what we are talking about. We are not talking about the Governor's action in promoting Mr. Williams to be adjutant general of his State. Such promotion is recognized, in paragraph 10, to be the prerogative of the Governor of the State. But as to promotion as a Reserve officer in the Army:

> 13. Promotion as Reserve officer of the Army: An officer of the Army National Guard of the United States who is promoted to fill a vacancy in a federally recognized unit and is extended Federal recognition in the higher grade—

Observe the next word—

> may be promoted as a Reserve officer of the Army effective on the date of extension of Federal recognition. A State adjutant general or assistant State adjutant general, upon being extended Federal recognition in his grade, may be appointed as a Reserve officer of the Army effective upon the date of extension of Federal recognition.

I call attention again to today's Executive Calendar:

> Nominations passed over.
>
> Army National Guard. The officer named herein for appointment as a Reserve commissioned officer of the Army, in the Adjutant General's Corps, Army National Guard of the United States, under the provisions of title 10, United States Code, section 3392.

That is the typical language that is used.

The language is used in every Executive Calendar on which the promotion of Reserve officers is listed.

Let me go back. The date is August 4, 1961. There appears the nomination of a Col. Adams Watts Meetze:

> The U.S. Army Reserve officers named herein for promotion as Reserve commissioned officer of the Army under the provisions of title 10—

And so forth.

So what we are doing this afternoon is exercising the right of the Senate to advise and consent upon the desire of the Governor of West Virginia to exercise his prerogative and, I might say, the prerogative of the Attorney General, not that he shall be promoted, but that he may be promoted.

Once we get to that point, then let us take a look at page 4 of the same regulation, paragraph 5:

5. Promotion eligibility requirements: To be recommended for promotion to or within the general officer grades the officer must meet the following requirements:

(a) Be assigned to a general officer position.

This man is.

(b) Be in an active status when the board meets.

I presume he was.

Now we get to the jokers.

(c) Have completed 2 years of service for promotion purposes in grade of colonel or brigadier general, as appropriate, when the board meets. Nonunit officers must have at least 19 total years of service.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. GOLDWATER. The Senator from West Virginia did not yield to me. Let me get through and then I shall be glad to yield.

(d) Have at least 2 years to serve in the grade recommended—

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. GOLDWATER. No.

(d) Have at least 2 years to serve in the grade recommended prior to mandatory removal from an active status.

(e) Have successfully completed, or received constructive credit for the Regular or Associate Course of the U.S. Army Command and General Staff College, or have successfully completed one of the following:

1. USAR School Associate Command and General Staff Course.

2. The Special Associate Course CGS (Division) and (Advance) (no longer administered).

3. U.S. Army Command and General Staff College extension course supplemented by 2 weeks resident instruction within 1 year of completion of extension course (5th year ANACDUTRA USAR School Associate CGS Course).

4. A course of instruction at a service school level higher than U.S. Army Command and General Staff College.

(f) Meet standards of medical fitness. See AR 40-500.

We are not asked this afternoon to promote the nominee to adjutant general of West Virginia. He is already in that status. We are not asked to say that he cannot wear the star of brigadier general. He can do so. He is already a brigadier general in the National Guard of West Virginia.

What we are asked, as is always asked, is to promote the nominee at the same time to the commensurate rank in the Reserve, so that when the nominee steps out of the guard, for one reason or another, his Reserve rank will have kept up with him. That is the simplest explanation I can make of this situation.

I am sure that the Senator from West Virginia did not purposely try to misguide us on this question, but we would in effect be naming a Reserve officer of the U.S. Army, and there is no other way in the world to interpret the proposed action.

The argument actually has reached this point. The nominee has come along at a time when the rule is being changed. The argument is, "Let us not apply the rule to him. Let us start with the next fellow." That is a pretty easy argument to make. I presume it is a fairly easy argument to accept. Do not think for one moment that I am comparing the case I am about to cite as an example in the same category as the case of Major Williams. However, it would be like a man who had broken the speed law every afternoon for 30 days, and on the 31st day he gets caught. He might say, "You can't punish me because I have not been caught up to now." Or, "The rules have changed only today."

That argument will not hold water. What we are faced with is the question of when we would make the cutoff on proposed promotions from low ranks to high ranks. I have heard my friends today cite examples of great generals in history who were young. I have heard the plea made that the young men must save the country. I agree with all of that argument. Some of the finest men with whom I have ever served were much younger men than myself, but they did not gain a position of command in the space of 2 years. They served years and years, and went through the necessary schools to make themselves ready.

I have yet to hear an answer to my question as to what the nominee would do. If we are to make him supervisor of the Selective Service Board in West Virginia, I do not think that office requires the rank of general. I think the duties of the office could be performed by one with a civilian title starting with "Mr." It certainly does not need "General" tacked onto the name.

I am convinced that there must be officers in the West Virginia National Guard who are senior to the nominee, and who have the required service, who have been through the required schools, and who have done the required homework, whose nominations the Governor of West Virginia could send down. I repeat that if I were Major Williams, I think I would withdraw my name from the list, because it will be more embarrassing to him to try to raise himself to higher rank than he has ever imagined.

I have merely attempted to make the record straight. I wanted to make certain that Army Regulations No. 135-156 is inserted in the RECORD. I ask unanimous consent that the regulation be printed at this point in the RECORD.

There being no objection, the regulation was ordered to be printed in the RECORD, as follows:

ARMY REGULATIONS NO. 135-156, HEADQUARTERS, DEPARTMENT OF THE ARMY, WASHINGTON, D.C., AUGUST 29, 1960

RESERVE COMPONENTS

General officer assignments and promotions

Section:	Paragraph
I. General:	
Purpose and scope	1
Definitions	2
II. Army Reserve:	
Assignment to general officer position vacancy	3
Evaluation of officers in general officer positions	4
Promotion eligibility requirements	5
Recommendations for promotion	6
General Officer Selection Board	7
Personal communication	8
Promotion upon transfer to Retired Reserve	9
III. Army National Guard of the United States:	
Promotion authority	10
Federal recognition	11
Withdrawal of Federal recognition	12
Promotion as Reserve officer of the Army	13
Promotion upon transfer to Army Reserve	14
Assignment after transfer to Army Reserve	15

General officer assignments and promotions—Continued

Section 1. General

1. Purpose and scope: These regulations provide for assignment and/or permanent promotion, pursuant to title 10, United States Code, chapter 337, to and within the grade of general officer, of officers who hold appointment as Reserve officers of the Army. These regulations are not applicable to Reserve general officers serving on active duty.

2. Definitions: For the purpose of these regulations the following definitions apply, in addition to those listed in AR 140-305 and AR 320-5:

(a) Promotion service:

1. A Reserve commissioned officer's years of promotion service are computed by adding—

(a) all service that he has, or is credited with having, in his current grade in the U.S. Army while in an active status or on the active list;

(b) all service an officer has or is credited with having, in any other U.S. Armed Force while in an active status or on the active list, in his current grade;

(c) for an officer who was on active duty (other than for training) before 3 September 1945, all service while on active duty (other than for training) before 1 January 1949 in the Army, or in any other U.S. Armed Force, in a temporary grade equal to or higher than his current Reserve grade; and

(d) in the case of the first promotion of an officer originally appointed in a grade below colonel, all constructive service credited that exceeds the minimum years of service prescribed for the grade in which he is appointed.

2. No service may be counted more than once. For an officer credited with constructive service, no actual service before appointment or transfer may be counted under (1) (a), (b), or (c) above.

(b) Years of service (10 U.S.C. 3360(c)):

(1) A Reserve commissioned officer's years of service are the greater of—

(a) the sum of—

1. his years of service as a commissioned officer of any component of the U.S. Armed Forces or of the U.S. Army without specification of component;

2. his years of service before 15 June 1933, as a commissioned officer in the federally recognized National Guard or in a federally recognized commissioned status in the National Guard, and in the National Guard after 14 June 1933, if his service therein was continuous from the date of his Federal recognition as an officer therein to the date of his appointment in the National Guard of the United States; and

3. the years of constructive service credited to him; or

(b) the number of years by which his age exceeds 25 years.

(2) No service may be counted more than once. For an officer credited with constructive service, no actual service before appointment may be counted.

Section II. Army Reserve

3. Assignment to general officer position vacancy: The best qualified general officer will be nominated. If there is no general officer of the appropriate grade available, three officers from the next lower grade will

be nominated. Officers nominated must, within 1 year following such assignment to a general officer position, be able to qualify for promotion under paragraph 5. Nominees will be listed in order of preference. Names of those nominated will be submitted to The Adjutant General, Attn: AGPR–A, Department of the Army, Washington 25, D.C. Selection of the officer for assignment to the general officer vacancy will be made at Headquarters, Department of the Army. The procedure to submit nominations to Headquarters, Department of the Army, and effect assignment follows:

(a) The area commander will submit nominees' names and the correspondence will be signed by the area commander or his deputy. It will be forwarded through the Commanding General, U.S. Continental Army Command, for comment.

(b) Nominations for mobilization designation TD vacancies will be submitted by the TD proponent and the correspondence will be signed by the TD proponent or his deputy. It will be forwarded through area commander and Commanding General, U.S. Continental Army Command for comment.

(c) Upon receipt of nominations in Department of the Army, selection will be made. The Adjutant General will issue instructions to the area commander to issue assignment orders. Distribution of assignment orders will include The Adjutant General, ATTN: AGPR–A, Department of the Army, Washington 25, D.C., and the TD proponent.

4. Evaluation of officers in general officer positions: (a) Within 1 year after an officer has been assigned to a general officer promotion vacancy, his performance will be evaluated. This will be done by the area commander for a unit officer or by the TD proponent for a nonunit officer. If the evaluation discloses the officer—

(1) Has not demonstrated fitness and qualified himself for promotion, he will be relieved from the assignment. A successor will be nominated.

(2) Has demonstrated fitness for the position and meets the standards in paragraph 5, he will be recommended for promotion.

(b) An officer recommended for promotion in accordance with a(2) above but not selected for promotion by the Reserve General Officer Selection Board will be relieved from the assignment unless the Board recommends that he be retained in the position for further training. If retained in the position he will be considered by the next Selection Board and if he is again not selected for promotion, he will be removed from the assignment.

5. Promotion eligibility requirements: To be recommended for promotion to or within the general officer grades the officer must meet the following requirements:

(a) Be assigned to a general officer position.

(b) Be in an active status when the Board meets.

(c) Have completed 2 years of service for promotion purposes in grade of colonel or brigadier general, as appropriate, when the Board meets. Nonunit officers must have at least 19 total years of service.

(d) Have at least 2 years to serve in the grade recommended prior to mandatory removal from an active status.

(e) Have successfully completed, or received constructive credit for the Regular or Associate Course of the U.S. Army Command and General Staff College, or have successfully completed one of the following:

(1) USAR School Associate Command and General Staff Course.

(2) The Special Associate Course CGS (Division) and (Advance) (no longer administered).

(3) U.S. Army Command and General Staff College extension course supplemented by 2 weeks resident instruction within 1 year of completion of extension course (5th year ANACDUTRA USAR School Associate CGS Course).

(4) A course of instruction at a service school level higher than U.S. Army Command and General Staff College.

(f) Meet standards of medical fitness. See AR 40–500.

6. Recommendations for promotion: Recommendations for promotion will be forwarded to The Adjutant General, ATTN: AGPR–A, Department of the Army, Washington, D.C. The recommendation must reach The Adjutant General 30 days prior to the first day of the month in which the Selection Board is scheduled to meet. The procedure to submit recommendations follows:

(a) Unit vacancy: The recommendations for unit promotions will be signed by the area commander or his deputy and forwarded through the Commanding General, U.S. Continental Army Command, for comment. The recommendation will include—

(1) Special Army Reserve Officer Evaluation Report (DA Form 1301) to include an evaluation of performance of duties and fitness for promotion.

(2) Statement identifying the assignment and position occupied.

(3) A statement outlining the status, strength, state of training, training mission assignments, attachments, and readiness of the unit to which assigned.

(4) Copy of medical examination report on Standard Form 88 (Report of Medical Examination) and Standard Form 89 (Report of Medical History).

(5) A statement signed by the officer recommended that he will continue to perform the duties of his assignment if promoted.

(6) DA Form 201 (Personnel Records Jacket, U.S. Army), or Personnel Field file, including a copy of DD Form 98 (Armed Forces Security Questionnaire (edition of 1 February 1954 or later).

(7) A résumé of the officer's Reserve training and participation during the past 7 years. It will include retirement points accumulated during each year, broken down into Reserve duty, membership, extension course, and active duty points. Nonparticipation in training, caused by lack of opportunities or overriding civilian occupational demands, will be explained.

(b) Nonunit vacancy: Recommendation for nonunit promotion will be signed by the TD proponent and forwarded through the area commander and Commanding General, U.S. Continental Army Command, for comment. The recommendation will include items listed in (a)(1) and (2) above. The area commander will forward the recommendation with comment incorporating the items listed in (a) (4), (5), (6), and (7) above.

7. General Officer Selection Board: Reserve General Officer Selection Boards will be convened at Headquarters, Department of the Army, normally during May and December of each year.

8. Personal communication: Any officer eligible for consideration for promotion by any Selection Board will have the right to forward a written communication inviting attention to any matter of record in the Armed Forces concerning himself which he deems important to his consideration. The communication may not criticize or reflect upon the character, conduct, or motive of any officer. It may be forwarded either direct or through military channels to The Adjutant General, attn: AGPR–A, Department of the Army, Washington 25, D.C. As such communication cannot be considered by the Board if received after the date upon which the Board convenes, it should arrive not later than the first day of the month in which the Board is scheduled to convene.

9. Promotion upon transfer to Retired Reserve: (a) Officers recommended by a Board for promotion under these regulations, if subsequently electing transfer to the Retired Reserve, because of physical disability or as a result of completing the number of years of service or reaching the age at which his removal from an active status is required by law, will be transferred to the Retired Reserve in the grade for which recommended, unless holding appointment in, or is otherwise entitled to, higher grade. Such promotion and transfer to the Retired Reserve will be accomplished at Headquarters, Department of the Army.

b. A Reserve officer will, upon transfer to the Retired Reserve, be advanced to the highest grade, permanent or temporary, satisfactorily held by him in the Army, unless otherwise entitled to a higher grade. Such transfer and advancement in grade will be accomplished at Headquarters, Department of the Army.

Section III. Army National Guard of the United States

10. Promotion authority: The selection and promotion to general officer grades of officers of the Army National Guard, not in active military service, are functions of the authorities of the several States, Puerto Rico, and the District of Columbia.

11. Federal recognition: In order to be granted Federal recognition in a general officer grade, an officer must be examined by a Federal Recognition Board as outlined in NGR 20–2. Such Boards will be convened at Headquarters, Department of the Army, normally in April and November of each year. As an exception, the Board considering officers for the position of State adjutant general will be convened at such times as appointments are made by the Governor of the State concerned, and applications received. Only Headquarters, Department of the Army, will grant Federal recognition for general officer grades.

12. Withdrawal of Federal recognition: Provisions for terminations of appointments and withdrawal of Federal recognition of general officers of the Army National Guard are contained in NGR 20–4.

13. Promotion as Reserve officer of the Army: An officer of the Army National Guard of the United States who is promoted to fill a vacancy in a federally recognized unit and is extended Federal recognition in the higher grade may be promoted as a Reserve officer of the Army effective on the date of extension of Federal recognition. A State adjutant general or assistant State adjutant general, upon being extended Federal recognition in his grade, may be appointed as a Reserve officer of the Army effective upon the date of extension of Federal recognition.

14. Promotion upon transfer to Army Reserve: Notwithstanding any other provision in these regulations, a Reserve general officer transferred from the Army National Guard of the United States to the Army Reserve will be advanced as a Reserve officer to the highest temporary, regular, or reserve grade ever held by him in the Army, provided the Secretary of the Army does not determine that such advancement is contrary to the best interests of the service. Headquarters, Department of the Army, will effect advancements under this paragraph.

15. Assignment after transfer to Army Reserve: General officers of the Army National Guard of the United States transferred to the Army Reserve will be governed by section II. Officers extended Federal recognition in general officer grades as State adjutant general or assistant State adjutant general, upon reverting to the Army Reserve will be governed by AR 140–160. Such officers are not eligible for assignment to a general officer position in an active status or transfer to the Inactive Status List of the Standby Reserve in the general officer grade held at time of transfer to the Army Reserve.

[AG 210.1 (23 Jun 60) AGPR.]

By Order of Wilber M. Brucker, Secretary of the Army:

L. L. LEMNITZER,
General, U.S. Army,
Chief of Staff.

Official:

R. V. LEE,
Major General, U.S. Army,
The Adjutant General.

Distribution:

Active Army: To be distributed in accordance with DA Form 12–4 requirements for Department of the Army regulations, Reserve Components—D plus Corps (CONUS less XVIII and XXV) (5).

NG and USAR: To be distributed in accordance with DA Form 12–4 requirements for Department of the Army regulations, Reserve Components—C.

Mrs. SMITH of Maine. Mr. President——

Mr. GOLDWATER. I am glad to yield to the Senator from Maine.

Mrs. SMITH of Maine. Mr. President, the junior Senator from West Virginia said that Gen. Hal Williams might be inclined to resign from the position of West Virginia adjutant general. I wish to set the record straight on that question, and to show clearly that such was not the case. I read from the August 22, 1961, issue of the Charlestown Gazette.

AS ADJUTANT GENERAL, WILLIAMS WANTS HIS JOB WITH OR WITHOUT RANK

(By John Marsh)

Gen. Hal Williams said Monday he would like to continue as West Virginia adjutant general even if the Senate fails to grant him the rank that customarily goes with the job.

"If I fail to get confirmation, I would submit my resignation to the Governor, but I would hope that he would not accept it," Williams said.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mrs. SMITH of Maine. I yield.

Mr. SALTONSTALL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SMITH of Maine. Following the statement which I am about to make in concluding my discussion of this subject I shall move that the nomination be recommitted to the committee. I ask now for the yeas and nays.

The PRESIDING OFFICER. The motion must be presented before the yeas and nays are requested.

Mrs. SMITH of Maine. I withhold it until I have made my statement.

Mr. President, I am about to make a very important statement. If Senators will remain in the vicinity of the Chamber and listen to it I am sure that we can finish much sooner than we would otherwise be able to do. I would appreciate that courtesy.

Mr. President, the principal—and practically sole—argument made by those who urge confirmation of this nomination is the contention that there is a moral obligation to do so because rejection of the nomination would be retroactive and ex post facto in effect.

RETROACTIVE ARGUMENT

In making this very argument, the proponents of the Williams nomination reveal one of the very basic weaknesses of the nomination—that the Williams case is so bad that the Department of Defense, the Army and the National Guard Bureau have decided to adopt regulations to prevent such a bad case from ever occurring again.

Make no mistake about it—the Williams case is that bad—so bad that it has forced a change that has heretofore been resisted for years.

But the argument of retroactivity or ex post facto is not valid—for the very simple reason that those of us who are opposing the nomination are doing it basically because Major Williams so very clearly is not qualified by training and experience to be a brigadier general—regardless of the very loose and irresponsible regulations of the past.

We are applying to Major Williams the very same standard of qualification, regardless of regulations, that we applied to the five Air Force Reserve general nominations that the Committee on Armed Services has rejected in the past 5 years—the one Army Reserve general nomination that it rejected—the two Marine Corps Reserve general nominations that it rejected—the two Naval Reserve admiral nominations that it rejected—and yes, the National Guard general nomination in the Air Force Reserve that it rejected last year.

And I say, without the slightest equivocation, that in my opinion Major Williams possesses even less qualifications than any of these 11 Reserve nominees previously rejected by the Committee on Armed Services.

STATES RIGHTS ARGUMENT

There has been a strong indication—even if not openly expressed—that this nomination should be supported because of States rights. But States rights is not an issue here and is not involved for the very simple reason that no attempt is made to interfere with the Governor of West Virginia being able to appoint Major Williams to any rank he wants to in the West Virginia State Militia and National Guard in State status as distinguished from Federal status.

All that we say is that no Governor has any right to impose his will upon the U.S. Senate to the extent that it abrogate its constitutional responsibility of "advise and consent" and to force Senators to confirm a nominee they know in their hearts is not qualified to be a brigadier general.

As the complete refutation to any claim that States rights is an issue and involved in this nomination, I point to the fact that a leader in opposition to the Williams nomination is the Senator from South Carolina, who was the nominee of the States Right Party for President in 1948.

UNABLE TO FUNCTION WITHOUT FEDERAL RECOGNITION

Attempts have been made to give the impression that Federal recognition and a concurrent Army Reserve general commission in the same rank as the State rank are never withheld from State adjutants general but instead automatically given. An elaboration of this argument is that otherwise a State adjutant general would not be able to function if he were not given such Federal recognition and a concurrent Army Reserve commission in the same rank that he holds in the State militia and Guard.

The fallacy of such a contention that a State adjutant general must have Federal recognition in order to be able to function as a State adjutant general is obvious when you examine the record—for at the present time there are 12 adjutants general who are not federally recognized in the State rank they hold—and they certainly are still able to function as State adjutants general.

In addition to this, there are three other States in which the assistant adjutants general or chiefs of staff are not federally recognized in the State rank they hold—yet they are certainly able to function in those positions.

In Georgia, Indiana, Iowa, Kansas, Louisiana, Maryland, Mississippi, Missouri, Montana, South Dakota, and the District of Columbia, the State adjutants general do not have Federal recognition in the State ranks they hold—and yet they are certainly functioning fully as State adjutants general.

In Georgia, the assistant State adjutant general does not have Federal recognition in the State rank he holds—and surely he is functioning fully in his position even though he has been denied Federal recognition and an Air Force Reserve brigadier general commission.

In Alabama, Michigan, and West Virginia, the Chiefs of Staff for Air National Guard are not federally recognized in their State ranks. The West Virginia chief of staff for air case is very interesting because he is awaiting consideration by the General Officer Federal Recognition Board.

WEST VIRGINIA COMPARISON

I would expect that he would be federally recognized and approved by the Committee on Armed Services because he possesses far superior qualifications to his boss, Major Williams.

He has met the requirements of Air National Guard Regulations No. 36–01, which require that he be a rated pilot, with not less than 12 years commissioned service, a minimum of 3 years of active Federal commissioner service, a minimum of 3 years in the Air National Guard, and at least 1 year's service as a wing or higher echelon commander.

I invite your very special attention to this West Virginia situation—to a comparison between the West Virginia National Guard chief of staff for air, Col. James K. McLaughlin, and his boss, Major Williams, the State adjutant general.

McLaughlin is a colonel—his boss Gene Hal Williams is a major. McLaughlin has been a full colonel for over 9 years, while his boss Williams has been a major for only a little over a year. McLaughlin has 19 years commissioned service while his boss Williams has only 9 years commissioned service—in other words McLaughlin has over twice as much commissioned service as his boss Williams.

McLaughlin has over 7 years of active Federal commissioned service while his boss, Williams, has only a year and a half of active Federal commissioned service.

McLaughlin has been a wing commander for over 10 years while the highest command his boss Williams ever had prior to appointment as adjutant general was that at company level in the grade of captain.

McLaughlin at 42 is 9 years older than his boss, Williams.

McLaughlin has been awarded the Distinguished Flying Cross three times, the Air Medal six times and the French Croix de Guerre while his boss Williams has no decorations but does have the Parachute Badge Award.

McLaughlin has had combat service while his boss Williams has not had any combat service.

McLaughlin has had oversea service while his boss Williams has not had any oversea service.

McLaughlin has served in an authorized General rank for over 9 years while his boss Williams has no service in an Army Reserve general rank.

I ask the Members of the Senate, "What more ridiculous situation could you get than this?" It is almost like a piece out of a comic Gilbert and Sullivan opera.

NO ENTHUSIASM—MUCH EMBARRASSMENT

Make no mistake about this nomination, Mr. President—there is no enthusiasm for it except that on the part of Major Williams and the Governor of West Virginia. There is no enthusiasm for it in the Department of Defense. There is no enthusiasm for it in the Army. There is no enthusiasm for it in the National Guard. There is no enthusiasm for it in the Army Reserve. There is no enthusiasm for it among the State adjutants general in the other States. There is a lack of enthusiasm for it back in West Virginia.

And there has been no enthusiasm for it in the Committee on Armed Services, for while that committee voted the nomination out 10 to 7, most of the members voting to report it out have expressed grave doubts about the qualifications of Major Williams.

Actually of those present for the discussion at the meeting on which the vote was taken, they were 6 to 5 against the nomination. The nomination won only with five proxies of Senators who were not present—and of those five proxies voted for the nomination, four were from members who did not attend either of the two committee meetings at which this nomination was discussed—and the fifth did attend the first meeting at which he recorded his opposition to the nomination, but changed his position later and gave a proxy to vote for the nomination at the second committee meeting, which he did not attend.

And among the five members who did vote in person for the nomination at the second meeting, a clear majority of them expressed grave doubts as to the qualifications of Major Williams to be a brigadier general.

And I have noted the lack of enthusiasm for it in the debate on the Senate floor as demonstrated by the significantly small number of Senators speaking in behalf of the nomination—and even in those few instances, their restraint and reservations were most significant.

EXPRESSIONS FROM WEST VIRGINIA

Make no mistake about it, Mr. President, this nomination is embarrassing to everyone—even to the nominee himself, because of the actual record that has been revealed.

Make no mistake about it, the nomination is embarrassing to West Virginia where there is expressed opposition to it—and where that opposition is definitely not politically motivated.

I call the attention of the Members of the Senate to the August 17, 1961, editorial of the Weston Democrat, the weekly newspaper in Weston, W. Va. I now ask the Senate pages to place on the desk of every Senator for them to see with their own eyes this editorial, which is entitled "Pick Away, MARGARET," and which I now read:

Gov. W. W. Barron, who has shown broad vision and political courage in the larger matters concerning the State, has let us down somewhat on his reaction to the blocking of the promotion of his adjutant general from a major to a brigadier general in the U.S. Army Reserve.

He is quoted as saying that he didn't follow Senator MARGARET CHASE SMITH'S objection to the promotion and declared the Maine Senator was picking on West Virginia.

Personally, we say, "bully, for MARGARET." We are glad someone is keeping an eye on our Army Reserves.

A group of seven senators has decided to make a test issue of the promotion of Gene Hal Williams, currently holding the rank of brigadier general as adjutant general of West Virginia. They say that if a State wants to promote its brigadier general to a one-star or five-star rank it's all right. But when that same man becomes a general in the Army of the United States, even if he is not on active duty, he should be qualified to discharge the duties of a general.

In a minority report of the Senate Armed Services Committee, they said Williams had less than 3 years active service, some of it as an enlisted man.

They stressed they weren't reflecting on "the character or integrity of the nominee" but added, "it is our view that under no reasonable standard could Major Williams be considered for a three-grade promotion to the rank of brigadier general in the Army Reserve."

In these perilous times when reservists face imminent mobilization, all care should be taken that its officers are fully qualified for the rank that they hold.

If blocking a three-rank jump from major to brigadier general of a 33-year-old Army reservist of 3 years military experience is "picking on" us then we say, "Pick away, MARGARET."

Mr. President, I now turn to another very telling expression coming from West Virginia. It comes from one of the most prominent Democrats in the State of West Virginia—from an ardent supporter of Governor Barron and Senator ROBERT BYRD—from Mr. Walter L. Hart, editor of the daily morning newspaper of Morgantown, W. Va., the Dominion News.

Mr. Hart wrote me and enclosed a copy of his letter to Senator BYRD. I first read his letter to me, which states:

MY DEAR SENATOR SMITH: Your thoughts on military promotions in the categories explained in the enclosed copy of a letter to my fine friend and political ally—Senator BOB BYRD of West Virginia—have been challenging to say the least. I thought you might like a copy of my letter to my friend.

BILL HART.

I now read the copy of his letter to Senator BYRD:

AUGUST 16, 1961.

Senator ROBERT BYRD, of West Virginia,
Senate Office Building,
Washington, D.C.

DEAR BOB: I am well aware that you are following a time-honored policy in supporting the elevation of a young gentleman from our State to the status of general as the titular head of our State's armed forces.

For a long time, BOB, I have been worrying about this policy simply because it seems to me that it has failed to reconcile itself to the present-day situation relating to military affairs, purposes, and efficiencies.

I hasten to explain, too, as you perhaps already know, that I come "to court" prejudiced simply because as a father I have seen it take nearly 11 years for my son to be ready and to have earned the rank of Air Force major and as father-in-law have seen my son-in-law work nearly 12 years including winning a battlefield promotion and decoration (Korea) to achieve his majority.

Is there not among we West Virginians someone who has earned the rank of general to whom this honor of heading our State's armed services might be given? Must we always elevate someone—regardless of his merit in his present rank—to be our military leader with the subsequent feeling among too many of our military career people from our State that the "cheap and easy way to become a general is to have the Governor so nominate you"?

I am not sure what the answer is but I do know in view of the necessity of placing a premium on earned rank our practices of the past may be entirely inadequate presently and could be harmful since more and more of our youth must, of necessity, make military a career.

Of course, I know you will follow the conscience of your convictions in this matter, but as a member of the Armed Services Committe of the Senate it is my understanding that you and your associates are charged with a part of the responsibility of leading our thinking and directing our policy so far as it is possible and desirable for the civilian component of our Government to be a party to purely military affairs.

I have watched Senator SMITH of Maine in a number of these cases in the past; as well you know, I am a violent Democrat, but her challenges have raised some deep thoughts on the elevation matter in my mind and I direct those thoughts to you now hoping that they may be helpful to you in your present and future actions in such matters.

With every good wish, I am,
Sincerely yours,

BILL.

Mr. President, I now turn to a third very telling expression coming from West Virginia. It is an expression from a major in the U.S. Army Reserve—William A. Jameson, Jr., of Bramwell, W. Va. His letter to me is dated August 22, 1961, and states:

MY DEAR SENATOR SMITH: While I do not often write letters of this kind I cannot refrain from writing this one to you commending you most sincerely for your firm

stand on the promotion of unqualified officers to high rank—particularly in the case now pending of the adjutant general of West Virginia.

To those of us who serve as Reserve officers in a sincere desire to be of service to our country and to qualify ourselves to perform those duties to which we may be called with reasonable ability and to secure the background of training essential to that result, it is disturbing to see appointments made on political grounds, and to see men lacking the standard qualifications for their proposed rank pushed ahead on purely political grounds. It decreases the pride with which the average Reserve officer must regard his status, as well as reducing the public confidence in the Reserve and National Guard as an important factor in our national defense.

I do not know Major Williams; in fact I know only those facts which you have brought out in his case, but if these facts are correct, and I am sure that they are, then he is obviously not qualified to assume a rank in the Reserve which other officers have worked long and hard to attain. I do know from conversations with National Guard officers of the West Virginia National Guard that they are considerably and understandably disturbed at the appointment of a commanding officer whose qualifications are dubious. Certainly, with political motives placed in second place, there are in West Virginia qualified officers of whom those of us who serve as Reserve officers can be proud. I might add at this point that I am not voicing opposition on political lines in this instance, for I am a registered Democrat and the administration making this appointment is Democratic.

I know that your stand on this matter both in the present case and in others in the past has won you the deep admiration of Reserve officers everywhere, and that you have their support and hope that you will continue to oppose such appointments in the future.

This letter does not require any acknowledgement, and is written only as a means of letting you know that you have warm support among West Virginia Reserve officers in this fight.

Sincerely yours,

WILLIAM A. JAMESON, Jr.,
Major, U.S. Army Reserve.

MATTER OF PERSONAL HONOR

Some Senators have stated to me that they were supporting the Gene Hal Williams nomination not on its merits but rather because they felt that the personal honor of Senator ROBERT BYRD was at stake.

I submit that such is clearly not the case. We are voting on Gene Hal Williams not on Senator ROBERT BYRD. It was not Senator ROBERT BYRD who appointed Gene Hal Williams adjutant general of the State of West Virginia.

While I can fully appreciate the position of Senator BYRD in defending this nomination of his friend from West Virginia, I sincerely believe that the Senate should vote on the merits in this case rather than on the personalities.

Neither the honor of Senator BYRD nor the honor of the State of West Virginia is involved in this issue. In fact, the honor of Gene Hal Williams is not involved in this issue.

What is involved is his qualifications to be a brigadier general in the U.S. Army Reserve.

What is involved is the security of our Nation—and whether we feel that a 33-year-old major with only a year and a half commissioned active duty service, none of which is combat or overseas, and without any decorations, should be made a brigadier general at the very time when our Nation is in its most perilous time.

I think the answer is clear.

Because I do not believe that all members of the Committee on Armed Services, especially the five members voting by proxy for this nomination, were fully aware of the facts and aspects of the nomination at the time their votes were cast, I submit that this nomination should be recommitted to the committee; and I so move, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the motion to recommit the nomination to the Committee on Armed Services.

Mrs. SMITH of Maine. On this question, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. On the question of agreeing to the motion to recommit, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENGLE (when his name was called). On this vote, I have a pair with the Senator from South Dakota [Mr. CASE]. If the Senator from South Dakota were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mrs. NEUBERGER (when her name was called). On this vote, I have a pair with the Senator from Missouri [Mr. LONG]. If the Senator from Missouri were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. SYMINGTON (when his name was called). On this vote, I have a pair with the senior Senator from New Hampshire [Mr. BRIDGES]. If the Senator from New Hampshire were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. WILLIAMS of Delaware (when his name was called). On this vote, I have a pair with the senior Senator from Virginia [Mr. BYRD]. If the senior Senator from Virginia were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from North Dakota [Mr. BURDICK], th Senator from Virginia [Mr. BYRD], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Indiana [Mr. HARTKE], and the Senator from Missouri [Mr. LONG] are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Mississippi [Mr. EASTLAND] would each vote "nay."

On this vote, the Senator from North Dakota [Mr. BURDICK] is paired with the Senator from Wisconsin [Mr. WILEY].

If present and voting, the Senator from North Dakota would vote "nay," and the Senator from Wisconsin would vote "yea."

On this vote, the Senator from Indiana [Mr. HARTKE] is paired with the Senator from Kansas [Mr. SCHOEPPEL].

If present and voting, the Senator from Indiana would vote "nay," and the Senator from Kansas would vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Maryland [Mr. BEALL] is necessarily absent.

The Senator from South Dakota [Mr. CASE] is absent on official business.

The Senator from Kansas [Mr. SCHOEPPEL] and the Senator from Wisconsin [Mr. WILEY] are detained on official business.

The respective pairs of the Senator from New Hampshire [Mr. BRIDGES] and the Senator from South Dakota [Mr. CASE] have previously been announced.

On this vote, the Senator from Kansas [Mr. SCHOEPPEL] is paired with the Senator from Indiana [Mr. HARTKE]. If present and voting, the Senator from Kansas would vote "yea," and the Senator from Indiana would vote "nay."

On this vote, the Senator from Wisconsin [Mr. WILEY] is paired with the Senator from North Dakota [Mr. BURDICK]. If present and voting, the Senator from Wisconsin would vote "yea," and the Senator from North Dakota would vote "nay."

The result was announced—yeas 37, nays 46, as follows:

[Ex. No. 1]

YEAS—37

Aiken	Dirksen	Moss
Allott	Dworshak	Mundt
Bennett	Fong	Muskie
Bible	Goldwater	Pell
Boggs	Hickenlooper	Prouty
Bush	Hruska	Saltonstall
Butler	Javits	Scott
Cannon	Keating	Smith, Maine
Capehart	Kuchel	Thurmond
Case, N.J.	Lausche	Tower
Cooper	Miller	Young, N. Dak.
Cotton	Monroney	
Curtis	Morton	

NAYS—46

Anderson	Holland	Morse
Bartlett	Humphrey	Pastore
Byrd, W. Va.	Jackson	Proxmire
Carroll	Johnston	Randolph
Church	Jordan	Robertson
Clark	Kefauver	Russell
Douglas	Kerr	Smathers
Ellender	Long, Hawaii	Smith, Mass.
Ervin	Long, La.	Sparkman
Fulbright	Magnuson	Stennis
Gore	Mansfield	Talmadge
Gruening	McCarthy	Williams, N.J.
Hart	McClellan	Yarborough
Hayden	McGee	Young, Ohio
Hickey	McNamara	
Hill	Metcalf	

NOT VOTING—17

Beall	Chavez	Neuberger
Bridges	Dodd	Schoeppel
Burdick	Eastland	Symington
Byrd, Va.	Engle	Wiley
Carlson	Hartke	Williams, Del.
Case, S. Dak.	Long, Mo.	

So the motion of Mrs. SMITH of Maine to recommit was rejected.

Mr. BUSH. Mr. President, I ask for the yeas and nays on the nomination.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Maj. Gene

Hal Williams to be a brigadier general in the Army National Guard?

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. NEUBERGER (when her name was called). On this vote I have a pair with the junior Senator from Missouri [Mr. LONG]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

Mr. SYMINGTON (when his name was called). On this vote I have a pair with the senior Senator from New Hampshire [Mr. BRIDGES]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

Mr. WILLIAMS of Delaware (when his name was called). On this vote I have a pair with the senior Senator from Virginia [Mr. BYRD]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. ENGLE (after having voted in the affirmative): Mr. President, I have a pair with the Senator from South Dakota [Mr. CASE]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

Mr. HUMPHREY. I announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Virginia [Mr. BYRD], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Indiana [Mr. HARTKE], the Senator from Missouri [Mr. LONG], and the Senator from Massachuetts [Mr. SMITH] are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ], is absent because of illness.

I further announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Massachusetts [Mr. SMITH], would each vote "yea."

On this vote, the Senator from North Dakota [Mr. BURDICK] is paired with the Senator from Wisconsin [Mr. WILEY].

If present and voting, the Senator from North Dakota would vote "yea," and the Senator from Wisconsin would vote "nay."

On this vote, the Senator from Indiana [Mr. HARTKE] is paired with the Senator from Kansas [Mr. SCHOEPPEL].

If present and voting, the Senator from Indiana would vote "yea," and the Senator from Kansas would vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Maryland [Mr. BEALL] is necessarily absent.

The Senator from South Dakota [Mr. CASE] is absent on official business.

The Senator from Kansas [Mr. SCHOEPPEL] and the Senator from Wisconsin [Mr. WILEY] are detained on official business.

The respective pairs of the Senator from New Hampshire [Mr. BRIDGES] and the Senator from South Dakota [Mr. CASE] have been previously announced.

On this vote, the Senator from Kansas [Mr. SCHOEPPEL] is paired with the Senator from Indiana [Mr. HARTKE]. If present and voting, the Senator from Kansas would vote "nay," and the Senator from Indiana would vote "yea."

On this vote, the Senator from Wisconsin [Mr. WILEY] is paired with the Senator from North Dakota [Mr. BURDICK]. If present and voting, the Senator from Wisconsin would vote "nay," and the Senator from North Dakota would vote "yea."

The result was announced—yeas 45, nays 37, as follows:

[Ex. No. 2]

YEAS—45

Anderson	Hill	McNamara
Bartlett	Holland	Metcalf
Byrd, W. Va.	Humphrey	Morse
Carroll	Jackson	Pastore
Church	Johnston	Proxmire
Clark	Jordan	Randolph
Douglas	Kefauver	Robertson
Ellender	Kerr	Russell
Ervin	Long, Hawaii	Smathers
Fulbright	Long, La.	Sparkman
Gore	Magnuson	Stennis
Gruening	Mansfield	Talmadge
Hart	McCarthy	Williams, N.J.
Hayden	McClellan	Yarborough
Hickey	McGee	Young, Ohio

NAYS—37

Aiken	Dirksen	Moss
Allott	Dworshak	Mundt
Bennett	Fong	Muskie
Bible	Goldwater	Pell
Boggs	Hickenlooper	Prouty
Bush	Hruska	Saltonstall
Butler	Javits	Scott
Cannon	Keating	Smith, Maine
Capehart	Kuchel	Thurmond
Case, N.J.	Lausche	Tower
Cooper	Miller	Young, N. Dak.
Cotton	Monroney	
Curtis	Morton	

NOT VOTING—18

Beall	Chavez	Neuberger
Bridges	Dodd	Schoeppel
Burdick	Eastland	Smith, Mass.
Byrd, Va.	Engle	Symington
Carlson	Hartke	Wiley
Case, S. Dak.	Long, Mo.	Williams, Del.

So the nomination of Maj. Gene Hal Williams was confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LEGISLATIVE PROGRAM; ORDER FOR ADJOURNMENT; AND UNANIMOUS-CONSENT AGREEMENT TO LIMIT DEBATE ON THE PEACE CORPS BILL

Mr. DIRKSEN. Mr. President, I should like to query the majority leader concerning the work for the rest of the day—whatever is left of it—the schedule for tomorrow, and the schedule for the rest of the week.

Mr. MANSFIELD. Mr. President, there will be no further votes tonight.

I ask unanimous consent that when the Senate concludes its deliberations this evening, it stand in adjournment until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, beginning at the conclusion of the morning hour tomorrow, 10 minutes be allotted to each amendment, to be divided 5 minutes to a side, and 1 hour be allotted to consideration of the bill, S. 2000, to provide for a Peace Corps.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, following consideration of the bill to provide for a Peace Corps, it is the intention of the leadership to call up Calendar No. 475, H.R. 258, to amend the District of Columbia Sales Tax Act to increase the rate of tax imposed on certain gross receipts, and for other purposes; Calendar No. 671, S. 1130, to amend title II of the Public Health Services Act to authorize grants for improving domestic agricultural migratory workers' health, service, and conditions; Calendar No. 672, S. 1126, to provide for the registration of contractors of migrant agricultural workers and for other purposes; Calendar No. 673, S. 1123, to amend section 13(c) of the Fair Labor Standards Act of 1938 with respect to the exemption of agricultural employees from the child labor provisions of such act; Calendar No. 674, S. 1132, to provide for the establishment of a council to be known as the National Citizens Council on Migratory Labor; Calendar No. 675, S. 1124, to provide certain payments to assist in providing improved educational opportunities for children of migrant agricultural employees; Calendar No. 665, H.R. 6765, to authorize acceptance of an amendment to the articles of agreement of the International Finance Corporation permitting investment in capital stock; Calendar No. 685, H.R. 4785, relating to withholding for State employee retirement disability and death benefit system purposes, on the compensation of certain civilian employees of the National Guard; Calendar No. 269, S. 1703, to amend the Federal Airport Act so as to extend the time for making grants under the provisions of such act, and for other purposes; Calendar No. 720, S. 1729, to promote the foreign commerce of the United States, and for related purposes.

That ought to take us up to and including Saturday.

It is anticipated that on Monday the Senate will consider Calendar No. 664, S. 1969, a bill to amend the Federal Aviation Act of 1958, as amended, to provide for a class of supplemental air carriers, and for other purposes.

On Monday or Tuesday it is tentatively believed the Senate may consider Calendar No. 624, S. 543, to promote the preservation, for the public use and bene-

fit, of certain portions of the shoreline areas of the United States.

That is where we shall start.

Mr. DIRKSEN. Mr. President, I should like to ask the majority leader, while Senators are in the Chamber, whether he anticipates a lengthy session on Saturday.

Mr. HUMPHREY. I am also interested in that question.

Mr. MANSFIELD. If our leaders will cooperate, we ought to be able to get away at a reasonable hour. But we are their servants, and what they do, we do.

Mr. DIRKSEN. I assure the majority leader of our cooperation to the full.

Mr. HICKENLOOPER. Mr. President, the minority leader could certainly cooperate with the majority leader by eliminating the Saturday session entirely.

Mr. MANSFIELD. The suggestion is a long way out.

The PRESIDING OFFICER. Does the Senator from Montana wish the usual provisions in the unanimous-consent agreement?

Mr. MANSFIELD. Yes, indeed.

The unanimous-consent agreement was subsequently reduced to writing as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Friday, August 25, 1961, at the conclusion of routine morning business, during the further consideration of the bill (S. 2000) to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 10 minutes, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

PLIGHT OF THE U.S. LEAD AND ZINC MINER

Mr. ANDERSON. Mr. President, among the important problems currently being considered by the Congress is the renewal of the foreign-aid bill. As we all know, it involves huge sums of money, and with enactment will affect the lives of many people, both domestic and foreign.

In considering our international relationships, we unfortunately tend to overlook the impact of foreign policy on our domestic economy. I call your attention once again to the plight of the U.S. lead and zinc miner. During the war years, the domestic miner was urged to double or triple his production, often at the expense of exploration and development required to find new ore reserves to keep him in business, but under price controls that limited his income. At the same time, our foreign friends were given financial incentives to increase also their production, much of which was sold on world markets at prices greatly exceeding the U.S. price.

Following the Korean emergency, the domestic prices dropped under pressure of foreign imports that exceeded our own production. The industry then began a series of appeals to the U.S. Tariff Commission which resulted in findings of import injury to the domestic miner in Tariff Commission reports of May 1954, April 1958, and March 1960. Unfortunately for the domestic lead-zinc miner, the recommendations of the Tariff Commission have not been followed. I am sure we all agree that the substitution of stockpile purchases and barter of foreign surpluses for Tariff Commission recommendations of 1954 only aggravated the situation by further subsidizing the foreign producer. This action only prolonged the day of reckoning. In 1957, the previous administration proposed a sliding scale tariff based on market price, but the tariff rates suggested were too low to be effective as a permanent solution, and this proposal could not get through Congress. The 1958 Tariff Commission recommendations for relief were held in abeyance pending congressional action on an administration subsidy proposal, entitled the "Domestic Minerals Stabilization Plan." When enactment failed, the President did establish quotas, effective October 1, 1958, but on a much more generous basis to the importer than recommended by the Commission.

Quotas have not solved the domestic problems, and our Government has looked to a solution through voluntary agreements on production restraints as a part of the negotiations at meetings of the international lead-zinc study group. The domestic prices have continued downward and the industry continues to deteriorate.

Our foreign friends tell us that surplus zinc stocks are a U.S. problem to be solved internally and offer no help. They do, however, look to us for help in controlling world lead surpluses. Our Government is even now negotiating a barter transaction to buy over 100,000 tons of foreign lead, to be placed in our national stockpiles. These stockpiles already have excessive lead-zinc stocks. It seems to me that such action is a further subsidy to the foreigner.

Friends of the industry in Congress continue to bring this problem to your attention and propose legislation, which incidentally is the only immediate effective solution to the situation. We know this to be true in view of statements made recently by administration representatives before the Senate Committee on Interior and Insular Affairs. It has been my pleasure to sponsor, together with other interested mining State Senators, a Lead and Zinc Act of 1961—S. 1747—and hearings have been held requesting opinions from the administration and industry. The Department of the Interior and other interested Departments have given adverse reports. I quote from Interior's report:

> The administration is opposed to any increase in the duties on lead and zinc, especially at this time when world conditions are such that we dare not weaken the friendship and support of friendly nations.

In conferences with State and other Departments, we find the administration position to be that of expecting our domestic mining industry to compete on an international basis with miners having entirely different living standards with the ultimate objective of reduced import protection and a phasing out of the declining U.S. mines through use of a small mine subsidy program.

A good many of our States, particularly in the West, were founded and are still based on a mining economy. Many communities rise or fall with the fortunes of the mining industry. The average miner supports three other people in his family and creates at least two other jobs in service industries. Approximately 12 persons are supported directly and indirectly by each miner. It has been said that metal mine products multiply in value 17 times before they reach the ultimate consumer. It certainly behooves this Congress and this country to sponsor rather than phase out the domestic lead-zinc miners.

Mr. President, for several years our lead-zinc industry has continued to suffer from closed mines, loss of employment, and lost communities while the importer has taken the large percentage of our domestic markets. We feel that our miners should provide a minimum of 50 percent of our lead-zinc needs, which they can and will do when given a reasonable price. The domestic consumer of lead and zinc should be assured of an adequate metal supply at a fair price, and we expect the importer to participate in a share of our market at a price most beneficial to the foreign miner. This is the basis of legislation proposed in S. 1747 that is patterned after Public Law 690, the National Wool Act. My bill, when enacted, will reestablish the lead-zinc miner in our economy on the basis of principles I have just enumerated.

My friends in the mining industry need help—immediate help. Industry studies, redevelopment programs, tax incentives, and so forth, all of which are administration suggestions, will not do this in time. It takes legislation, and I shall continue to work for passage of S. 1747 in this Congress.

I ask unanimous consent that a summary of S. 1747, as reported by the Senate Committee on Interior and Insular Affairs, as revised to incorporate subsidy provisions of the Edmondson bill, H.R. 84, be inserted in the RECORD at this point.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF PROVISIONS OF S. 1747 (COMMITTEE PRINT), REVISED TO INCORPORATE SUBSIDY PROVISIONS OF THE EDMONDSON BILL, H.R. 84

Title I, declaration of policy: Unchanged. (Same as original S. 1747.)

Title II, subsidy features:

1. Payments shall be made to only small producers.

2. Payments to small producers of lead shall be 75 percent of the difference between the market price and 14½ cents.

3. Payments to small producers of zinc shall be 55 percent of the difference between the market price and 14½ cents.

4. Maximum annual cost of the bill shall be $4.5 million for calendar years 1962 and 1963; for 1964, $4 million; for 1965, $3.5 million.

5. Maximum tonnage on which payments to small producers shall be based shall not exceed 1,500 tons of zinc and 1,500 tons of lead in the 12-month period ending December 31, 1962; for the year ending December 31, 1963, not more than 1,200 tons of each metal; in the period ending December 31, 1964, not more than 900 tons of each metal; in the period ending December 31, 1965, not more than 600 tons of each metal, provided that no producer may be paid in any calendar year for an amount in excess of his maximum production during any year between January 1, 1950, and December 31, 1960.

6. Payments shall be limited to production from an operating unit which produced during all or part of the period January 1, 1956, to August 1, 1961.

7. No payments shall be made on production from a property acquired by sale, lease, or otherwise (except inheritance) subsequent to August 1, 1961, except that a small producer shall be deemed qualified if such producer derived production from a mine specified in a lease, permit, or contract during all or a part of the period January 1, 1956, to August 1, 1961.

8. Minerals which may be sold to the United States of America pursuant to DPA contract or Stockpile Act contract are not eligible.

9. Prevents a producer from leasing a greater portion of his property than that which was subject to lease at his highest production level since January 1, 1956, to the date of the act.

10. The program is administered by the Secretary of the Interior.

11. To be eligible for payment, a producer must have a history of production sometime between January 1, 1956, and the first day of the period for which he seeks payment.

STABILIZATION PAYMENTS FUND

1. Subsidy shall be paid from a special Treasury fund into which are deposited all receipts resulting from the increased tariffs provided in title III of the bill.

2. Funds remaining in the special fund at the end of the fiscal year following subsidy payments shall be included in the general funds of the Treasury.

3. In the event the fund is insufficient to pay the subsidy, appropriations are authorized.

Title III, amendments to Internal Revenue Code of 1954:

1. A basic 2 cents per pound tariff is imposed on lead and zinc metal; 1.4 cents per pound on lead and zinc ores and concentrates.

2. If the market price of lead and zinc is below 13½ cents per pound, a similar second tax is imposed.

3. When the market price of lead and zinc is 14½ cents or more per pound, the second tax is suspended.

4. A minimum 2 cents per pound is imposed on lead and zinc in manufactured items; certain zinc manufactured items are taxed at more than 2 cents a pound.

BACKGROUND

For the past several years various bills designed to limit imports of lead and zinc into this country have been introduced in both Houses of the Congress. Such proposed legislation involved both tariff increases and quotas. All failed of passage. Following termination of hostilities in Korea, the Tariff Commission on three different occasions has issued findings that this industry suffers from excessive imports. Aside from temporary measures adopted by the administration, such as stockpile and barter, the only relief afforded it is that contained in the Presidential proclamation of October 1, 1958, imposing a quota on imports of unmanufactured items. Contrary to the Tariff Commission recommendation, the quota was fixed at 80 percent of annual imports during the period 1953–57.

PROTECTION OF THE WILDERNESS

Mr. ANDERSON. Mr. President, I take a great deal of pride and satisfaction in the bill which I understand is soon to be before the Senate, the wilderness bill.

The measure is the product of more than 10 years of study and refinement. Many Members of the Senate have contributed to making it a wise and well-fashioned piece of legislation which will become, in my opinion, a milestone in national public lands policy. Hundreds of citizens, who have contributed to nearly 2,500 pages of hearing record, have likewise assisted in shaping an excellent bill, and I include among those some critics of the measure who have, as often as not, pointed up provisions which we have reconsidered and revised.

The senior Senator from Minnesota [Mr. HUMPHREY] is entitled to a great deal of credit for his sponsorship of early wilderness proposals—the progenitors of the present bill—and for patience and persistence with which he and other proponents have modified the provisions of the measure to meet the legitimate criticisms of agencies and citizens involved.

The late Senator James E. Murray, my predecessor as chairman of the Interior and Insular Affairs Committee, is entitled to a great deal of credit for helping to keep the measure before us and for introducing drafts of the bill as revision became desirable. Although he had then passed his 80th birthday, and did not anticipate that he would ever again pack into a wilderness area himself, Senator Murray frequently told us that he would take real satisfaction "in knowing the wilderness areas are there, so my children and grandchildren, and their progeny, can enjoy them and get an idea of what America was like when their forefathers arrived."

The junior Senator from Idaho [Mr. CHURCH] has also made a real contribution to the development of the measures in the present session by the proposal of thoughtful amendments, adopted by the committee, to perfect the review procedures under which we will process the original wilderness areas, and to permit limited prospecting compatible with the wilderness environment.

If the service of any Senator is to be praised, then I must surely add the names of the senior Senator from California [Mr. KUCHEL] and the junior Senator from Montana [Mr. METCALF]. When the committee was struggling with the question of whether there should be a positive determination by the Congress on each piece of primitive area, it was the Senator from California [Mr. KUCHEL] who pointed out clearly that this would virtually destroy the whole bill because such an action can be taken by the Congress now any day that it wishes to take it. It was his clear and convincing argument which helped persuade the committee to hold to the original text of the bill and not adopt an amendment which would have required approval of each individual tract by affirmative action of the Congress. The Senator from Montana [Mr. METCALF] has long been a friend of the wilderness areas and wilderness legislation, and was a tower of strength in the deliberations of the committee.

The "loyal opposition" has likewise helped improve the measure. Former Senator Joseph C. O'Mahoney and the junior Senator from Colorado [Mr. ALLOTT], who cosponsored a substitute bill, have brought about amendments which facilitate the original establishment of the wilderness preservation system by allowing 43 wild and wilderness areas to be included at the outset, by assuring continuation of grazing, and by assuring that legal descriptions of wilderness areas will be accessible to the public.

By "loyal opposition" I do not want to imply that either of these distinguished gentlemen was opposed to the basic idea of preserving wilderness. In the 4½ years that we have been studying and working over the wilderness legislation, I do not recall a man or woman who was opposed to preserving some of our great, natural scenic areas in their primitive, wilderness state. The debate has been over how it is to be done, how much wilderness there should be, and what safeguards should be placed around the wilderness preservation system once it is established.

The wilderness bill is an effort to achieve a highly desirable national objective—the preservation of significant wilderness tracts still owned by the U.S. Government—with as little adverse effect as possible on individuals, on private institutions, and on the economy of communities, regions, and the Nation.

By the enactment of the measure, I believe we will bring about the establishment of a wilderness preservation system of between 35 million and 45 million acres—about 2 percent of our more than 2 billion acres of national land area—without real injury to anyone, and to the perpetual benefit of the Nation and its citizens today and for many generations to come.

This is in a very real sense last-chance legislation.

I have been an advocate of the preservation of wilderness for more than 30 years, since a day many years ago when I discussed with Aldo Leopold of the Forest Service the Gila wilderness area in New Mexico and was sold by him on the value of setting aside a few such areas for preservation, undisturbed.

In the intervening years, I have watched more and more of our remaining wilderness developed and exploited. This has not been by commercial interests alone. Great increases in recreational visits to the parks and the na-

tional forests have put pressure on them for more mass recreation facilities in whatever areas are available, impinging further and further on the primitive areas which remain even within the parks.

True wilderness is not a renewable resource. Once cut over or otherwise exploited, it is no longer an undisturbed natural area. Although quasi-wilderness areas for recreational use can be redeveloped over a century in once-exploited regions, the chain of natural forces responsible for the existence of soil, microscopic biological life, for plants and wildlife will have been interrupted and ended, and an entirely new ecological cycle—the result of man's influence—will have resulted.

Unless we reserve true wilderness areas now, the influence of man are inevitably going to consume all that we have. There will be roads and commercial operations, campsites, and facilities which will not only mar scenic beauty but destroy the natural values found only in undisturbed areas.

There is no second chance, and we are already down to a very limited number of remaining true wilderness areas. We need very much to act on this matter at once.

Understanding of the measure requires a little background concerning the areas involved.

The bill establishes a wilderness preservation system by superimposing a directive to the administering agencies to maintain the wilderness character of three types of Federal areas already committed in some degree to preservation in their wilderness state. They are:

First. National parks and monuments;

Second. Some of the wildlife ranges and refuges, and

Third. Wilderness-type areas in the national forests comprising about 8 percent of total national forest acreage.

The first Federal activity leading toward the preservation of great primitive areas occurred in the park field. Nearly a century ago, in 1864, President Abraham Lincoln signed an act which transferred to the State of California for preservation a tract which included what is now Yosemite National Park. It was returned to the Federal Government later, when the national park concept was adopted.

In 1872 Congress established Yellowstone National Park, and in 1906 Congress enacted the National Monuments and Historic Sites Act which authorized the President to set aside landmarks, historic and prehistoric structures and other objects of historic and scientific interest on Federal lands. Individual parks acts followed. In 1910 Congress enacted the Reservations Act, which said:

> The President may, at any time in his discretion, temporarily withdraw from settlement, location, sale, or entry any of the public lands of the United States, including Alaska, and reserve the same for water-power sites, irrigation, classification of lands, or other public purposes to be specified in the orders of withdrawal, and such withdrawals or reservations shall remain in force until revoked by him or by an Act of Congress.

In 1910, Congress established the National Park Service.

The Park Service has almost contradictory instructions. It is directed to "conserve" the scenery and the natural and historic objects and the wildlife in the areas under its jurisdiction and also "to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." How to "conserve" while we "enjoy" has always presented a problem for the Park Service.

The Park Service has done a splendid job of minimizing the use of park lands in its development of mass facilities in the primitive, or wilderness areas in its jurisdiction. But it has had to carve out picnic grounds, camp grounds, hotel sites, administration areas, roads, and trails to provide reasonable access for the general public.

There is increasing pressure, as visitors to the parks increase, to carve out more and more areas for mass facilities, to build roads through the remaining wilderness areas in the parks and thereby lose them for all time as true wilderness areas.

The National Forest Service, aware that it had great scenic areas of marginal or submarginal economic value as forest because of their alpine or subalpine character, or inaccessibility, or because of outstanding scenic and wilderness value, began setting aside wilderness-type areas in 1924. The first was the Gila wilderness area in New Mexico which my friend Aldo Leopold and his associates designated under a regional office order, later confirmed as a primitive area by the Chief of the Forest Service and the Secretary of Agriculture.

In the twenties and thirties, about 80 additional primitive areas were designated, the last of them in 1939.

In the 30-odd years since the original designations as primitive areas, 43 of these Forest Service areas have been carefully reviewed, acre by acre, to determine if every portion within the original boundary was predominantly of wilderness value. If not, it was taken out. In some instances, a little area outside the original boundaries has been added. Public hearings have been held wherever there was demand for hearings. Following these reviews and hearings, the areas have been classified as permanent "wild" or "wilderness" areas by the Chief of the Forest Service and Secretary of Agriculture. Twenty-nine of them are known as wild areas because they are under 100,000 acres in size. Fourteen are classified as "wilderness" because they are over 100,000 acres in size. One other is the so-called boundary waters canoe area in Minnesota. The 40 on which review has not been completed are of varying sizes, comprising totally 7,890,000 acres. All of the areas together, those which have been reclassified and those which have not, comprise 14,664,000 acres out of the 186 million acres in the national forest system. On an acreage basis, this is about 8 percent of national forest land, but on a production basis it is far less, because the high, alpine character of much of the wilderness-type lands makes it an area of slow growth, or of no growth, so far as timber is concerned.

The third category of areas involved here are wildlife refuges and ranges under the jurisdiction of the Fish and Wildlife Service. There are more than 275 such areas, comprising totally about 28 million acres. Most of them are small areas. But a minor fraction of them are areas where the Fish and Wildlife Service regard the maintenance of the wilderness character of the land an essential to preservation and propagation of the game they are intended to protect. The Fish and Wildlife Service would welcome wilderness designation, for it would not interfere with the purpose for which the areas are now being administered and would give them statutory protection.

What S. 174 does is to create a wilderness system to be composed of these already reserved areas—forest, park, and wildlife areas, and provide that the areas would continue to be administered by the agency now in charge. There would be no alteration of their present purpose as game ranges or refuges, parks, monuments, or forests. We would simply add to existing directives to their administrators instructions to maintain the areas in their wilderness condition.

In the case of the parks, the Interior Department would be given 10 years to prepare development plans for each park and monument over 5,000 acres and reserve areas for service facilities—roads, picnic grounds, campgrounds, and similar installations. Remaining park areas of over 5,000 acres without roads would be sent up to us, in the President's discretion, under a recommendation for inclusion in the wilderness system, or exclusion from it.

In the case of the Forest Service primitive areas, after they had been reviewed and nonwilderness areas excluded, the President would send up a recommendation as to their continued inclusion in the wilderness system, which would be subject to disapproval by either the House or the Senate within the next full and continuous session of the Congress.

Let me direct the Senate's attention again to the fact that all of the areas I have been discussing, which are subject to inclusion in the wilderness system upon recommendation of the President to Congress, unless one or another body of Congress disapproves of the recommendation, are presently restricted areas. They have already been set aside by Congress, the President or the Department of Agriculture or Interior, for special purposes, including preservation in their natural state.

The committee has been unanimous that the carefully reviewed and classified wild and wilderness areas in the forests should be placed in the wilderness system by the enactment of this act. There is no debate about them. There apparently will be debate about whether the so-called primitive areas in the forests and the park and wildlife areas should be given statutory wilderness designation except by affirmative act of Congress.

The bill itself provides that any new area—any area of any kind except the three groups I have been discussing—which is proposed for inclusion in the wilderness system in the future shall be included only by affirmative act of Congress.

What we have done, in essence, is to say that those areas presently under a high degree of wilderness protection may be placed in the wilderness system upon the recommendation of the President if neither body of Congress objects, following the procedures of the Reorganization Act of 1949. That act gives any individual Member of either the House or the Senate the right to have a vote on a motion to bring a resolution of disapproval to the floor.

But any further areas—any new areas designated in the national forests or out of the public domain lands—can only be included in the wilderness system by act of Congress.

There is a very sound reason for drawing a line between handling of areas already reserved, and any new areas.

Inclusion of the wild, wilderness, primitive, park, and wildlife areas in the wilderness preservation system will cause little or no disturbance of individuals, communities, or economic patterns. The areas have been withdrawn for years. There have been no timber sales from forest lands involved so there are no lumber mills dependent on them which will have to close down. Established mining operations and grazing will not be disturbed.

There is thus virtually no change in the status quo of the areas to be handled under the Presidential recommendations procedure in the bill. The bill simply makes wilderness preservation a statutory directive and responsibility of the existing land-administering agency in its handling of already reserved lands. It does not set up any new agency, or entirely new category of land classification.

The designation of new areas usually does mean disturbance of individuals, communities, and economic patterns, The Interior Committee has found many special problems to consider in the creation of seashore areas, such as Cape Cod, Point Reyes, and Padre Island. We have an almost unsolvable problem at the Indiana Dunes on the southern tip of Lake Michigan, but we still hope to save some of the area.

Under the provisions of the wilderness bill, the committee has provided that reservations of such new areas for wilderness which may require adjustments from the status quo, even though they are public lands, shall occur only after affirmative legislative action.

Only the existing wilderness-type areas are to be handled on recommendations which become effective unless vetoed by Congress. Behind the use of this procedure is a very practical consideration.

Chairman CLARENCE CANNON of the House Appropriations Committee and author of Cannon's Rules of Procedure in the House, tells some of his audiences that there are 27 steps involved in passing a bill through Congress, including introduction in two Houses, subcommittee hearings, subcommittee consideration, full committee consideration, Rules Committee consideration, calendaring, action on the floor, conferences, ratification of conference reports and, finally, approval by the President.

There are about 100 prospective wilderness tracts to be processed. On the basis of Chairman CANNON's estimate, it would involve at least 2,700 separate actions here in Congress to pass a bill on each and every one of the prospective wilderness tracts. There is going to be little objection to the inclusion of a great majority of these existing wild areas in the wilderness preservation system, so a vast workload will be avoided, without sacrificing any of the power of either House of Congress to work its will.

I have a sheet circulated by the National Lumber Manufacturers Association, charging that this bill dilutes the constitutional powers of the Congress by delegating power over the public lands to the executive branch.

The bill does no such thing. It recaptures congressional powers.

Article IV, section 3, clause 2 of the Constitution says:

> The Congress shall have the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

A half a century ago in 1910, the Congress saw fit to pass the Reservations Act to which I have previously alluded, which authorizes the President to reserve lands, by proclamation, for waterpower sites, irrigation, classification, or other public purposes.

Previously, in 1894, the Congress had authorized the Secretary of the Interior, under the Carey Act, to issue patents to States or their assigns for up to 1 million acres of public lands in each State for irrigation purposes.

The National Forest Act of 1891 provided that:

> The President of the United States may, from time to time, set apart and reserve, in any State or Territory having public lands bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as national forests, and the President shall, by public proclamation, declare the establishment of such forests and the limits thereof.

In the Antiquities Act of 1906, the President was authorized to set aside historic landmarks, historic and prehistoric structures, and other objects of historic and scientific interest as national monuments.

In the Taylor Grazing Act of 1934, the Congress delegated part of its constitutional powers over all of the remaining public lands to the Secretary of the Interior.

The National Parks Act of 1916 and a whole series of Wildlife Range and Reserve Acts delegate rulemaking authority over areas of public land to executive agencies.

Under these various laws, which are in effect today, the Secretary of Agriculture could declare every one of the 186 million acres of national forest as a wilderness reserve. The President could issue a proclamation declaring every acre of the public domain a wilderness reservation.

Congress is not giving away an additional iota of its constitutional authority under S. 174. Instead, it is recapturing the right to review administrative action under previous delegations of authority and saying, insofar as establishment of new wilderness system areas is concerned: "Hereafter, it must be done by act of Congress."

The widespread effort of some of the critics of the wilderness bill to alarm the people with charges that it bestows new and unusual dictatorial powers on the executive branch could not be further from the fact than it is.

S. 174 does not extend any new powers to the executive branch. It recaptures for Congress a right to review what has been done in the past and full authority and initiative over establishment of any new wilderness system areas.

Let me say parenthetically that I am not in the least critical of past delegations of administrative functions in relation to the public lands to the executive branch.

When we were a new Nation, trying to get this great continent settled and a sound economy established, we gave away homesteads. We gave the railroads huge land grants. We subsidized economic development with land under various laws entrusting the executive branch with the disposal of land.

The Forest Act, the Antiquities Act, the National Park Act, and the Reservations Act of 1910, while delegating some of our constitutional authority to the President and executive agencies, changed the emphasis from disposal of land, as in the case of the Homestead Acts and railroad grants, to retention, reservation, and preparation of our remaining lands for public purposes. By the time the forest, park, and reservation laws were enacted, our predecessors in Congress had begun to see the need for holding onto some of the remaining public lands to serve public purposes.

We may take a step further away from the giveaway era, and away from the present system of executive reservations, very soon. There are pending before our committee bills by Senator Moss of Utah and Senator BARTLETT of Alaska, with a number of cosponsors, which provide that there shall be no reservation of public lands involving more than 5,000 acres made by the executive branch for any purpose except with the approval of Congress.

We have already passed such a law in regard to military reservations.

S. 174 embodies this very principle of affirmative congressional approval in regard to new reservations for wilderness preservation.

As soon as we can, we are going to hold hearings on the Moss and Bartlett bills, and they may very well result in a further withdrawal of the basic congressional authority over the territory belonging to the United States which has been delegated to the executive branch in the past.

While I am discussing public lands policy, I want to call attention to the so-called Alaska amendment in the bill.

The bill carries a provision that in States where more than 90 percent of the land is in Federal ownership, there

shall be established a Presidential Land Use Commission to advise on the best utilization, development, protection, and preservation of the lands in that State, and specifically to advise the Secretary of the Interior in relation to his recommendations to the President on wilderness areas. I understand that the Senator from Alaska [Mr. GRUENING] is going to offer an amendment, which is entirely acceptable and proper, to include the Secretary of Agriculture as well as the Secretary of the Interior, since both administer lands in Alaska.

The 90-percent amendment applies only to Alaska. There is not 90 percent Federal ownership in any other State.

This amendment is a recognition that Alaska is not so far along in settlement, development, and establishment of economic pattern as the contiguous States.

Alaska is still in the homestead era, the period of its development when distribution of public lands is desirable to encourage development, and a period when the resources are largely unknown and the pattern of ultimate settlement undetermined.

No other State is comparable to Alaska. While there is a high proportion of Federal ownership in some of our Western States, they have been thoroughly explored, prospectors have clambered over them, communities have been established, and the pattern of development and prospective land utilization is known.

In view of these circumstances, the Alaska provision is not special consideration, but appropriate and wise consideration of Alaska's special character and problems. A great deal of good can flow, not only in relation to establishment of wilderness areas but in relation to all our special Alaskan development problems, from the Land Utilization Commission authorized in section 9 of the bill.

There is one further argument made in opposition to the enactment of wilderness legislation now with which I want to deal.

That is the argument that this legislation should be postponed until the Outdoor Recreation Resources Review Commission reports.

If anyone believes that the Outdoor Recreation Resources Review Commission is going to report that wilderness is not desirable, and that Abraham Lincoln, Teddy Roosevelt, and all the succeeding Presidents in the present century who approved wilderness preservation in parks and forests were wrong, they might as well dispel any such delusion now.

The Commission obviously is not going to recommend against either continuation of the national park system, nor against preservation of wilderness.

Four years ago I sponsored the legislation which established the Outdoor Recreation Resources Review Commission, and I am an enthusiastic member and participant in its deliberations.

I can assure the Senate that enactment of the wilderness bill will aid and assist the Commission in developing its reports.

We have a National Parks Act. We are committed to a national parks system which includes parks, monuments, recreational areas, seashore areas, and scenic and scientific areas.

We have a national forest system, and appropriate money every year to provide for recreation facilities within the forests.

We have recently made provision for recreational facilities at more of our Federal reservoirs, and have adopted a policy of maximizing the development of recreational opportunities at all such water facilities.

The existence of each of these programs and policies assists and does not hinder the Commission in discharging its responsibility of determining "the amount, kind, quality, and location of such outdoor recreation resources and facilities as will be required by the year 1976 and the year 2000" and of recommending "what policies should best be adopted and what programs be initiated, at each level of Government and by private organizations and other citizen groups and interests to meet such future requirements."

Enactment of S. 174 will indicate to the Commission readiness of the National Government to dedicate a small fraction of its remaining lands to meeting wilderness requirements, the conditions under which the Federal Government is willing to make it available, and the geographic location of the areas likely to become a part of the Federal wilderness preservation system.

If S. 174 is enacted, the Commission's job will be put a step ahead, and we can devote ourselves to the very serious problem of how to provide a little more wilderness in the Eastern States where, unfortunately, the Federal Government does not have remaining public lands which can be used, without expense, to meet wilderness needs.

The plea to postpone action on wilderness legislation until the Outdoor Recreation Resources Review Commission reports has confronted S. 174 and its predecessors every step of the way along its legislative course. I fear that the plea is not so much in the interests of the Commission, as it is in the interests of causing delay. Certainly, it is not a meritorious plea.

The U.S. Government is ultimately going to have to provide areas affording its citizens an opportunity to "get back to nature," and to escape the pressures of modern life.

We can do it now, without expense to the National Treasury and with little or no disturbance to established private rights and community economies, or we can wait and spend tens of millions of dollars later trying to recapture a few tracts to rebuild into second-hand, quasi-wilderness areas.

We are now engaged in acquiring some seashore areas. They are going to cost us about $15 million each. The Federal share of Cape Cod will exceed that. The bill for acquisition of Point Reyes in California has a $14 million ceiling in the bill.

In 1935 we could have acquired 12 areas, totaling 400 miles of shore, for the cost of either one of these 2 areas.

The House and the Senate are currently debating whether to put $100 million or $150 million into the acquisition of wetlands for wildlife sanctuaries—wetlands once a part of the public domain.

The reservation of a great wilderness preservation system, in sharp contrast, is not going to cost a single dollar of public funds if we do it now, while we still have the land.

And we can do it without serious disturbance to any segment of our economic life, for the lands involved were long ago removed from easily exploitable classification. It will not interfere with the economic activities of anyone.

About the most drastic thing it will do is force a few people who may dream of unearthing riches some day from some lonely mountain peak, or unexploited wilderness valley, to transfer the locale of their dream to another spot.

A year after the bill is passed, this will have been accomplished and we will be wondering what all the fuss was about.

I hope my colleagues will support this bill.

A PACIFIC BLOCKADE OF CUBA

Mr. CURTIS. Mr. President, many of our colleagues have advocated in recent weeks a blockade of Cuba. I fully support this objective and believe it should be initiated immediately. The best logic surely directs us to an act, short of war, which can curb the spread of communism in the Western Hemisphere.

There is no doubt that, in armed conflict, the Communist forces in Cuba could be easily liquidated by the United States. We must, however, be mindful of the friendship we have had from the people of Cuba since we gave freedom to that nation some 60 years ago. Our conduct must be calculated to destroy the threat of communistic imperialism in the Western World with the least possible chaos for the homeland of our Cuban friends. It is incumbent upon us to attain an objective with full regard for humanitarian means to our end.

I advocate the institution of a pacific blockade—a term well understood in international law. A succinct definition of the term "pacific blockade" is found in the work of Charles Cheney Hyde, "International Law Chiefly as Interpreted and Applied by the United States," vol. II, pps. 1667 and 1668. I quote:

> The term "pacific blockade" refers to the cutting off of access to or egress from a foreign port or coast by naval operation designed to compel the territorial sovereign to yield to demands made of it, such as the granting of redress for the consequences of its wrongful conduct, and by a process whereby the blockading state does not purport to bring into being a state of war. Such action is deemed to be pacific merely in the sense that the blockading state is disposed to remain at peace, while the state whose territory is blockaded does not elect to treat the operation as producing war or as compelling it to make war upon its adversary.

The people of the United States are both intelligent and patriotic. Often they are far in advance of their representatives in Washington.

I believe it is an understatement to say that our citizens are alarmed about

the Communist invasion of the Western Hemisphere. They are particularly alarmed about the Communist conquest of Cuba.

Their concern with communism in the Western Hemisphere is accompanied with concern about the understanding by their representatives in Washington of the real dangers to the people of the Americas from this Communist invasion. They likewise are concerned about the resoluteness of their representatives in Washington in resisting this aggression. Our people remember the articles in the press and the advice of the advisers which said that Castro was the leader in the fight to make Cubans free. They also remember that there were informed and experienced voices which labeled Castro as the agent of communism when the bearded dictator was only a guerrilla leader in the remote jungle hills, accessible only to the correspondents who saw him as the apostle of liberty.

The people of the United States realize that you cannot do business with Communists. They are familiar with the broken promises and the violated treaties which are the constant patterns of Communists.

Our people know that appeasement is the one sure way to war. They know also that concession to the Communists is only a sign of weakness—it is not regarded as a disposition to find a common ground upon which reasonable men can get together.

Our people are also aware of something else which Washington does not fully recognize. That is that world problems are not solved by charm or by getting out the checkbook.

The Castro Cuban situation worsens daily. Is it true that Communists are the dominant factor in the Castro regime? Are Communist nations sending guns, planes, missiles and other implements of war to Cuba? Are Communists providing military and civilian leadership to advance the communization in Cuba? Is Cuba today a center for the planning and carrying out of the design for Communist aggression of other peoples and nations of Latin America?

Is the Monroe Doctrine still the doctrine of the United States? Is that doctrine still an instrument to keep the people of the Western Hemisphere free of foreign conquest?

Mr. President, if the answer to these questions are in the affirmative then the time has come for us to act because of our long-established obligation to preserve freedom in the nations of our Latin American friends.

Is it true that citizens of the United States have been subjected to indignities and even terrorism in Cuba? Is it true that property in Cuba of U.S. citizens has been taken from them by the Castro government without their consent and without payment of compensation?

Whether or not any of the recent plane hijacking attempts were inspired by the Castro authorities I do not know, but I do know that the Castro government did withhold an Eastern Air Lines plane from its rightful owners for a lengthy period and thus in fact endorsed that particular hijacking venture. It ratified if it did not inspire this act of air piracy.

The Eastern Air Lines plane incident was more startling and certainly more publicized but in its economic aspects it is insignificant when compared with the confiscation of the properties in Cuba of U.S. investors who, by their investments, provided so much of the capital to build the industry and economy of Cuba. This, Mr. President, is no question of failing to pay for goods purchased. This is a matter of having invited people to invest in the economy of Cuba and then seizing their properties after the businesses have been established.

Mr. President, the time has come for the United States to act because the rights of our citizens have been violated by the Castro government which makes no serious effort to make amends for these violations.

I do not advocate the invasion or bombing of Cuba. The long record of demonstrated friendship by the people of Cuba can leave no doubt of our lasting and sincere affection for the Cuban people and our deep interest in both their welfare and their freedom.

But we are faced with the harsh fact that the people of Cuba are now under a tyranny more despotic and destructive of their freedom than they have ever known and the people of Cuba have known many. They truly are the victims of Communist aggression.

The Cuban people are experiencing every aspect of communism and they, like people who love freedom everywhere, have had the same reactions. One of the inevitable consequences of communism everywhere is that it produces refugees. The Communist claim of popularity is defied by the fact that the refugees under communism move only along a one-way road—a one-way road that leads away from communism. The flight from East Germany is being matched daily by the flight of brave Cubans from Havana.

The harsh fact also is that citizens of the United States have been insulted, subjected to indignities and terrorism by the Castro Cuban Government. They have had their property confiscated without compensation and without any serious or substantial effort to pay for what has been forcibly taken from them.

These are acts of aggression and unfortunately they are only some of the acts of aggression of the Castro Cuban Government.

International law recognizes the use of nonamicable measures short of war to check the commission of such acts of aggression. ("Hyde International Law Chiefly as Interpreted by the United States," 2d rev. ed., vol. 2, p. 1654.)

President Roosevelt said in his annual message to Congress on January 4, 1939:

> The mere fact that we rightly decline to intervene with arms to prevent acts of aggression does not mean that we must act as if there were no aggression at all. Words may be futile, but war is not the only means of commanding a decent respect for the opinions of mankind. There are many methods short of war, but stronger and more effective than mere words, of bringing home to aggressor governments the aggregate sentiments of our own people. (84 CONGRESSIONAL RECORD, p. 74.)

Words have proven to be futile.

We do not wish war but we must take measures that have more effect than words, measures which will bring home to the aggressor government of Castro the aggregate sentiments of the people of the United States.

There is one measure which is "stronger and more effective than mere words" which I believe we should seriously consider at this time.

It meets the necessity for action but the action it involves is action short of war.

As I stated at the outset, the measure which I believe we should adopt is a pacific blockade of Cuba. Such a blockade should be established under the express stipulation by the United States that it is engaging in such action not as an act of war and it should be accompanied with suitable notification to all nations who engage in commerce with Cuba.

There has been some discussion of the effect of the United Nations Charter on the right of member nations to resort to the instrument of pacific blockage. Prof. Pitman Potter, one of the most respected American writers on international law, in an editorial comment (on the proposal to use pacific blockade against the Chinese Communists at the time of the Communist intervention in Korea) in the American Journal of International Law for April 1953, concluded:

> In short, the idea of using the weapon of blockade against Communist China, without war, is not excluded by international law, although that depends largely on the reaction of Peiping—or of Moscow. It has little to do with the Charter of the United Nations or the Constitution of the United States.

Professor Potter carefully limited his comments to the question of the present legality of pacific blockade. The question remains as to whether or not this instrument should be used even though it is legally available under international law.

Pacific blockade, in my opinion, while an extreme measure, is yet one short of war. It can preserve the lives and homes of millions of Cubans friendly to the United States, whereas war brings horrible destruction to persons innocent of any part in the conflict. While pacific blockade, and its suppression of Cuban trade with third-party nations, may be viewed by many as an extreme measure, it is the most desirable means of securing our objective at this time. Unless we are ready to scrap the Monroe Doctrine, we must subscribe its direction to armed conflict, if necessary, to preserve the integrity of Western Hemisphere nations. If this doctrine sanctions war, it must certainly sanction an act short of war contemplated to secure the same objective.

Mr. President, we, in the case of Cuba, are confronted with hard alternatives but the situation which has led to these alternatives has been created not by us but by the aggressive action of the Castro government.

No American desires war with Cuba. We have been friends of the Cuban people for generations. We aided them in their own struggle for independence and we have assisted them in the development of their nation.

Yet the Castro government of Cuba—

Has established a Communist base in the Western Hemisphere assisted by and alined with the Communist governments of Red China and Russia, which constitutes a military invasion of the Western Hemisphere and in violation of the Monroe Doctrine,

Has, by the establishment of a base for the Communist criminal conspiracy in the Western Hemisphere, threatened the enslavement of all freedom-loving people of this hemisphere,

Has subjected our citizens to indignities and terror,

Has ratified the unlawful and armed seizure of an American plane while in flight and not in Cuban territory by withholding the airplane from its rightful owners,

Has seized without consent and without reasonable compensation the private property of U.S. citizens who have invested in the Cuban economy.

We have protested and we have been patient but we have received in return only vilification.

The Castro Cuban Government has left us only with the alternative of action.

Protests and words have already proven futile. Unusual measures to obtain justice are certainly not to be discarded because they are unusual, if they provide a means of effective action short of the extreme measure of war which we sincerely wish to avoid.

Cuba's economy is dependent upon imports for its petroleum supplies. Also, 1958 trade reports—the latest available year—indicates a total dependence on imports for machinery, appliances, instruments, vehicles, ships, and aircraft. The value of these finished goods imported in 1958, is $204 million, according to the 1958 Cuban Trade Annual. It is far more desirable to destroy Castro's regime by a curb on these necessities of life than to bomb it into oblivion. We must eradicate Castro and his Communist imperialism. We must preserve and protect, insofar as we are able, our multitude of friends among the Cuban people.

Mr. President, we cannot avoid or prevent war by permitting a Communist invasion of the Western Hemisphere to go unchecked. It is because the likelihood of war is lessened by freeing Cuba of Communist control and domination that I speak as I do. A blockade should be applied to Cuba cutting off all her imports from all countries and all sources other than food and medicines until such time as the Cuban patriots who love freedom control Cuba and Castro and his Communist associates are ousted. Such a course will bring respect for the United States from not only the people of the Western Hemisphere, but throughout the free world.

FOREIGN AID

Mr. WILLIAMS of New Jersey. Mr. President, what the President has asked for, in essence, is an expression from the Congress of its trust in him to improve our foreign aid operation.

The President has made it clear that he feels the borrowing authority form of financing is more necessary for the new development lending activities than it is for the 20-odd established Government programs for which Congress in the past granted borrowing authority.

We must not risk tearing the heart out of the President's proposal. It is the President who bears the overriding responsibility for leading the United States in the struggle against Communist tyranny. He must not be deprived of any tool which he needs to live up to these responsibilities.

We should all bear in mind that not a single country which has received a substantial U.S. assistance under the aid program as we now know it, has surrendered to, or has been conquered by the Communists. No Member of Congress can escape or evade his own responsibility to create a program that encourages freedom and promotes peace.

The President wants to work with developing nations on long-term planning under which they will commit their own resources and undertake tax reforms and land resettlement programs. In many cases these countries cannot hope to succeed unless they have our assurances of help over a period of several years.

The authority the President has asked is needed to give our Government the assurance of future funds to enable it to make these long-term commitments. I believe Congress should express its trust in the President's leadership by approving the essential ingredients of his foreign aid proposals.

CENTENARY OF THE GOVERNMENT PRINTING OFFICE

Mr. WILLIAMS of New Jersey. Mr. President, the Government Printing Office has more demands placed upon it by Congress in the daily execution of its duties than any other governmental agency. In response to these demands, the GPO has established for itself a reputation of excellence and promptness which border on the phenomenal. It is unfortunate, however, that the commendable work of the Government Printing Office is frequently taken for granted by those of us who are most familiar with it until it is brought to our attention by someone unconnected with the congressional scene.

Inasmuch as this year marks the centennial of the Government Printing Office, I think it particularly appropriate that its anniversary has been brought to our attention in an informative editorial entitled, "A Century of Printing," which appeared in the New York Times on August 16.

The editorial states:

In a field mostly reserved to private initiative, public ownership and operation, it has created in Washington perhaps the largest and most complex printing establishment in the world.

Besides printing material by and for the Government, this amazing agency also prints many booklets and studies for public use. A few of its publications have received national honors—an accomplishment which in itself is impressive.

Because it recognizes the invaluable services which the Government Printing Office renders to the Government and to the public, I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 16, 1961]

A CENTURY OF PRINTING

This year marks the hundredth anniversary of the Government Printing Office. In a field mostly reserved to private initiative, public ownership and operation, it has created in Washington perhaps the largest and most complex printing establishment in the world.

In March 1861, GPO began operations under the legislative branch of our Government. A principal motive at the outset was economy. An early report, according to records of the Library of Congress, says that "since the establishment of the GPO no elaborately embellished works * * * have been printed." Eventually this economy made for ugly, uninteresting printing. But since the 1930's, after printer-designers were added to the staff and other changes made, printing steadily improved, with a few publications achieving national honors.

Through the years GPO has had its ups and downs. In 1956, after adverse publicity resulting from investigations during the McCarthy hearings, the GPO consented to reprint one of its previously honored works: "Documents Illustrative of Formation of Union of American States." This consisted of 1,165 pages including records of Congress and political conventions, the Declaration of Independence, the Articles of Confederation, and the Constitution.

Besides printing everything for and by the Government, the GPO has for many years printed hundreds of helpful little booklets and studies for public consumption—from taxation to forest conservation. It is a vast operation.

COMMITTEE MEETINGS DURING SESSION OF THE SENATE TOMORROW

On request of Mr. HUMPHREY, and by unanimous consent, the following committee and subcommittee were authorized to meet tomorrow Friday, August 25, 1961, during the session of the Senate:

The Committee on Government Operations.

The Subcommittee on Labor of the Committee on Labor and Public Welfare.

THE PEACE CORPS—AMENDMENTS

Mr. HICKENLOOPER submitted amendments, intended to be proposed by him to the bill (S. 2000) to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower, which were ordered to lie on the table and to be printed.

Mr. MILLER submitted an amendment, intended to be proposed by him to Senate bill 2000, supra, which was ordered to lie on the table and to be printed.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, I move that the Senate adjourn, under the order previously entered, until 10 a.m. tomorrow.

The motion was agreed to; and (at 8 o'clock and 42 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Friday, August 25, 1961, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate, August 24, 1961:

COLLECTOR OF CUSTOMS

Louis A. Mezzano, of Michigan, to be collector of customs for customs collection district No. 38, with headquarters at Detroit, Mich.

DIPLOMATIC AND FOREIGN SERVICE

Lincoln Gordon, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Brazil.

CONFIRMATIONS

Executive nominations confirmed by the Senate, August 24, 1961:

ARMY NATIONAL GUARD

The officer named herein for appointment as a Reserve commissioned officer of the Army, in the Adjutant General's Corps, Army National Guard of the United States, under the provisions of title 10, United States Code, section 3392:

To be brigadier general

Maj. Gene Hal Williams, O1882263. (See Ex. Rept. No. 8.)

COLLECTORS OF CUSTOMS

H. Singleton Garrett, of Virginia, to be collector of customs for customs collection district No. 14, with headquarters at Norfolk, Va.

Daniel W. McKinnis, Jr., of Tenessee, to be collector of customs for customs collection district No. 43, with headquarters at Memphis, Tenn.

NATIONAL CAPITAL TRANSPORTATION AGENCY

Donald C. Hyde, of Ohio, to be a member of the Advisory Board of the National Capital Transportation Agency.

Thomas L. Farmer, of the District of Columbia, to be a member of the Advisory Board of the National Capital Transportation Agency.

G. Franklin Edwards, of the District of Columbia, to be a member of the Advisory Board of the National Capital Transportation Agency.

Frederick Gutheim, of Maryland, to be a member of the Advisory Board of the National Capital Transportation Agency.

DIPLOMATIC AND FOREIGN SERVICE

The following-named persons, now Foreign Service officers of class 2 and secretaries in the diplomatic service, to be also consuls general of the United States of America:

Joseph F. Donelan, Jr., of New York.
Joseph J. Jova, of New York.
Alexander Schnee, of New York.

The following-named persons for appointment as Foreign Service officers of class 2, consuls, and secretaries in the diplomatic service of the United States of America:

Roger C. Dixon, of Virginia.
Turner B. Shelton, of California.

The following-named persons, now Foreign Service officers of class 3 and secretaries in the diplomatic service, to be also consuls general of the United States of America:

Arthur B. Allen, of Virginia.
John Calvin Hill, Jr., of South Carolina.
Homer W. Lanford, of Alabama.

Lawrence Koegel, of Maryland, for appointment as a Foreign Service officer of class 3, a consul, and a secretary in the diplomatic service of the United States of America.

Maurice J. Scanlon, of Wisconsin, for appointment as a Foreign Service officer of class 4, a consul, and a secretary in the diplomatic service of the United States of America.

Edward J. Chesky, Jr., of Kansas, for promotion from Foreign Service officer of class 6 to class 5 and to be also a consul of the United States of America.

John J. Helble, of Illinois, now a Foreign Service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America.

Mrs. Winona Eyre Hanlin, of Colorado, for appointment as a Foreign Service officer of class 7, a vice consul of career, and a secretary in the diplomatic service of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 8, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Kenneth E. Block, of Maryland.
Paul H. Boeker, of Ohio.
Kenneth L. Brown, of California.
Balfour B. Cassen, of California.
Joseph R. Chesen, of Wisconsin.
James R. Cobbledick, of Connecticut.
Robert G. Davis, of Nebraska.
Gerald de Santillana, of California.
David K. Edminster, of Virginia.
Frederick D. Elfers, of New York.
Otho Evans Eskin, of the District of Columbia.
Robert E. Ezelle, of California.
David J. Fischer, of the District of Columbia.
Frederick A. Hahn, of New York.
Robert F. Illing, of California.
Robert H. Knickmeyer, of Missouri.
C. William Lafe, of Pennsylvania.
Stephen R. Lyne, of Vermont.
Richard H. Melton, of Maryland.
Bert C. Moore, of Ohio.
James H. Moss, of Colorado.
Ernest C. Ruehle, of Missouri.
Peter Bird Swiers, of New York.
Charles T. Sylvester, of Rhode Island.
Haven N. Webb, of Tennessee.
Richard L. Wilson, of Iowa.
Warren Zimmermann, of the District of Columbia.

The following-named Foreign Service Reserve officers to be consuls of the United States of America:

William C. Buell, of Washington.
Milton M. Chase, of Ohio.
Harold E. Engle, of the District of Columbia.
Thomas J. Flores, Jr., of New York.
Richard M. Long, of Colorado.
Paul E. A. Van Marx, of Connecticut.
Earl J. Wilson, of Maryland.
John R. Wood, of Georgia, a Foreign Service Reserve officer, to be a consul general of the United States of America.
Albert S. Bonner, Jr., of Maryland, a Foreign Service Reserve officer, to be a consul and a secretary in the diplomatic service of the United States of America.

The following-named Foreign Service Reserve officers to be vice consuls of the United States of America:

William D. Carey, of Virginia.
Peter B. Edmonds, of New York.
Robert L. Fambrini, of California.
Stephen R. Gibson, of California.
Mrs. Lillian L. P. Mullin, of Virginia.
Patrick H. Ramsey, of Texas.
James Frederick Smith, of Ohio.
James K. Welsh, Jr., of New York.
Stephen Winsky, of Maryland, a Foreign Service Reserve officer, to be a vice consul and a secretary in the diplomatic service of the United States of America.

The following-named Foreign Service Reserve officers to be secretaries in the diplomatic service of the United States of America:

Edwin F. Atkins, of the District of Columbia.
William V. Broe, of Maryland.
William B. Caldwell, of Texas.
G. Huntington Damon, of Maryland.
Ralph J. Katrosh, of Pennsylvania.
John F. Markham, of the District of Columbia.
Gray M. Randall, of Washington.
Carl R. Sharek, of New Hampshire.
Eugene S. Staples, of the District of Columbia.
Ernest G. Weidul, of the District of Columbia.

The following-named Foreign Service Staff officers to be consuls of the United States of America:

John J. Curtis, of Ohio.
Samuel P. Dieli, of Michigan.

The following-named Foreign Service officers for promotion from class 8 to class 7:

James A. Placke, of Nebraska.
Herbert E. Wilgis, Jr., of Maryland.

EXTENSIONS OF REMARKS

Women's Suffrage

EXTENSION OF REMARKS
OF
HON. CHARLES McC. MATHIAS, JR.
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES

Thursday, August 24, 1961

Mr. MATHIAS. Mr. Speaker, August 26 is the 41st anniversary of the 19th amendment to the Constitution. I am proud to say that in 1920 it was the Republican Party who gave American women the right to vote. Since 1920, women voters have strengthened our Government and the importance of their participation in Government affairs has been recognized by appointment to many high level Government positions.

Women's enhanced position in Government has been paralleled in all phases of American life. More women are being welcomed in professional, technical, and clerical occupations. As every Member of this House knows, without women's participation in U.S. politics, our electoral process could not have kept up with the times. Whether it is actually running for an office at the Federal, State, and local levels, or babysitting while others vote, women assume an important role.

In the 1956 election, 57.6 percent of the eligible women voted in contrast to 60.91 percent of men eligible to vote. The percentage is rising fast. Also rising fast is the number of women in State govern-

ment offices. Seven women are secretaries of state; 34, State senators; and 294 State representatives. I am pleased to say that six women hold important offices in the State of Maryland.

Because today is the 41st anniversary of the Susan B. Anthony amendment, it is not only fitting we pause and pay tribute to her, but also to the millions of American women today who play important roles as leaders of our United States. As we remember them and this anniversary, we look ahead to the future and recognize the demand for equal rights for women in every sense of the word.

End Control of Residual Oil

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 24, 1961

Mr. PHILBIN. Mr. Speaker, many people in the country are greatly disturbed about the continued Government restrictions on the importation of residual fuel oil.

In my section of the country, for example, where we depend upon these oils to serve fuel needs of many industries, public utilities, and others, the regulation of the supply of this commodity available in the open market is having many unhappy repercussions.

Oil users are being charged more for their supplies. Generally speaking, the price of the commodity has increased. The products are being dispensed under a control economy which is the antithesis of free enterprise operations.

Current regulations virtually freeze the number of supplies and make it impossible for new suppliers to enter the business.

Bureaucratic regulations requiring coupons are bearing down upon businessmen and users alike. Instances of improper use and misuse of the coupons have been reported.

Users and the people have become restive because of the fear of scarcity of products that are vital to the continuance of business and the comfort and convenience of the people.

I believe it is unquestioned that by virtue of Government controls on residual fuel oil imports, the Government has created a regulated economy for these items and to that extent, has been responsible for higher and greater costs in a seller's market and misuse of coupons.

While I deplore the way much of the residual fuel oil problem has been handled, I must wholeheartedly acknowledge the deep interest and friendly response of my valued former colleague, the distinguished Secretary of the Interior, the Honorable Stewart L. Udall, who has assured me that he will continue to give this important subject his most careful consideration.

I hope that a solution can be reached regarding this question in the near future, that will encourage free private enterprise businessmen, eliminate the inequities and trafficking in residual oil, and, above all, insure adequate supplies for my own district, State and area, and other sections of the country that need and must have residual oil in adequate quantities as a matter of prime necessity to serve the convenience, necessity, and welfare of millions of Americans.

Memorializes Anniversary of Lincoln's Defense of Catholicism

EXTENSION OF REMARKS
OF
HON. SEYMOUR HALPERN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 24, 1961

Mr. HALPERN. Mr. Speaker, let us today memorialize an important event in our national history that took place on August 24, 1855. On that date Abraham Lincoln deplored bigotry then flowing in rampage against Americans of the Roman Catholic faith.

Following the national election of 1852 a secret organization, calling itself the Grand Council of the United States of North America, was formed. Because its members refused to divulge information concerning it, always replying they knew nothing, the party became known as the Know-Nothings. It was, in fact, a concealed group that arrayed its power against Catholics.

The Know-Nothings adopted a constitution requiring that every member had to be a native-born citizen, a Protestant, born of Protestant parents, and not married to a Catholic. It declared that—

> The object of this organization shall be to resist the insidious policy of the Church of Rome, and other foreign influence against the institutions of our country by placing in all offices * * * or by appointment, none but native-born Protestant citizens.

Soon the Know-Nothings exploded in rage. The floodgates of the wildest bigotry opened when President Franklin Pierce appointed a citizen of the Catholic faith to be U.S. Postmaster General. Though slanders were hurled at him, President Pierce remained firm.

In New York, Boston, and other cities there were vicious attacks incited by "Know-Nothing" agitators against Catholic churches, schools, homes, and individuals, especially persons of Irish background. The Pope was burned in effigy, along with churches and even dwellings containing women and children. Persons innocent of any offense were beaten and murdered merely because they were Catholics.

From Springfield, Ill., Abraham Lincoln dispatched a letter on August 24, 1855, denouncing "Know-Nothingism." He said:

> As a nation we began by declaring that "all men are created equal." We now practically read it, "all men are created equal except Negroes." When the "Know-Nothings" obtain control, it will read "All men are created equal except Negroes, foreigners, and Catholics."

Let us today dwell for a moment on Mr. Lincoln's words. America has made great strides. But some remain motivated by prejudice rather than by reason.

Reasonable Americans may entertain honest differences over the constitutionality of Federal aid to parochial schools. But no measure of prejudice must color our decision. Involved in the present debate is the interpretation of principles contain in the first amendment pertaining to separation of church and State as well as the guarantee of free exercise of religion.

Let the question be settled on its merit. We must guard against attacks on the patriotism or Americanism of citizens of any faith or race.

Reply to an Unfair Attack Which Appeared in the Sons of Italy Times

EXTENSION OF REMARKS
OF
HON. FRANCIS E. WALTER
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 24, 1961

Mr. WALTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following letter:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 16, 1961.

EDITOR,
Sons of Italy Times,
Philadelphia.

DEAR SIR: I am constrained to take note of the unfair personal attack against me by Congressman ALFRED E. SANTANGELO and the Federation of Italian-American Democratic Organizations of the State of New York, Inc., which was headlined in your paper, Sons of Italy Times, in the July 24 issue.

The clear import was that I for "obvious personal prejudices" opposed the appointments of Salvatore Bontempo and Michael Cieplinski to the State Department's Bureau of Security and Consular Affairs because of their Italian-American and Polish-American origins, respectively.

My "obvious personal prejudices" were not specified although the impact of that allegation was that I am prejudiced against Italians and Poles. Nothing could be further from the truth.

My reasons for opposing the appointments of Mr. Bontempo and Mr. Cieplinski were strictly impersonal since I have never met either gentleman. My reasons, which I stated publicly, were and are that Messrs. Bontempo and Cieplinski are utterly unqualified for the position they were respectively appointed to.

The position of Director of the Bureau of Security and Consular Affairs, established and defined by law, is a most important one in our Government—one dealing with the security of our Nation. The Director has charge of issuing passports, visas, and the security of all our foreign diplomatic installations and personnel. It naturally calls for a highly qualified individual with extensive experience in security, immigration matters and personnel problems.

Mr. Bontempo, as well as his deputy, Mr. Cieplinski, admittedly are lacking in these requisites. Neither of them has handled security matters, nor had they experience in handling immigration, nationality, and personnel matters. Both were, admittedly,

appointed for political considerations—solely.

It was for these reasons that I advised President Kennedy and the Secretary of State of my objections to the appointments.

Even though Messrs. Bontempo and Cieplinski have assumed the position, I still have these objections and no information has been supplied to me which would cause me to change my thinking in any respect.

Now, as to the totally false allegation as to my "prejudices against Italians and Poles." My record of 29 years in Congress, which is a matter of public knowledge for all to see, has been to the contrary.

It is no secret that I have Americans of Italian and Polish origin on my personal staff and on the staffs of committees under my chairmanship.

Incidentally, I want to also state that I recommended an American of Italian origin for one of the most important positions in another agency in the executive branch. I haven't heard any protests from the Sons of Italy or the other Italian organizations that my Italo-American candidate failed to get the appointment.

Let me add a more general remark. While I have no quarrel with one having pride with one's ancestry, that pride should not become a controlling factor on whether or not a particular person should be given a job to make certain that a particular ethnic group is given recognition.

Such thinking is prejudicial all right. It is prejudicial unfortunately to the best interests of America, since we are and should always strive to be Americans, not Italian-Americans, Polish-Americans, etc.

When we seek to fill a responsible position in Government, the test should be whether a person is qualified by experience and not whether he qualifies because he is of a minority group.

I always have said and I say it again, nationalities groups are not assets for our country. They are a devisive influence. They are an indirect, but nevertheless, formal recognition of an unsupportable thesis—the idea that certain groups in this country have a legitimate interest based on ties with foreign countries. This thesis I reject, as I am sure most Americans with Italian heritage must also reject.

I might add that I know of not one constructive step Representative SANTANGELO has taken on behalf of or in the interest of the people he attempts to categorize as Italian-Americans except to shout vituperations against those who have actually helped these people.

Here is my record in that regard: I have been brought up and educated in an atmosphere of admiration for the Mediterranean cultures and civilization, and all my life I have been an admirer of Italy and a true friend of the Italian people. These are not statements made to suit a politician.

I ask my Italian critic and colleague, Representative ALFRED E. SANTANGELO, to compare the record with his—my record speaks for itself:

1. In 1947, as a member of the House Select Committee on European Aid (Herter committee), I insisted on bringing Italy into the purview of the Marshall plan. I do not have to tell you what the Marshall plan did for Italy and its people.

2. In 1949, after an investigation in Italy and upon my return I sponsored legislation which has restored U.S. citizenship to thousands of Americans of Italian origin who voted in political elections in Italy. I believe that by this legislation I have helped to reunite more than 5,000 families.

3. In 1950, I sponsored amendments to the Displaced Persons Act of 1948, which included Italian refugees from Venezia Giulia. That amendment helped to provide American homes for 2,000 Italian refugees hopelessly stranded in Trieste.

4. In 1951, I conceived and sponsored the creation of the organization now functioning under the name of the Intergovernmental Committee for European Migration. This 24-nation committee has so far been helpful primarily to the people of Italy, providing oversea homes for upward of 80,000 Italians.

5. In 1953, I sponsored on the floor of the House an amendment to the Refugee Relief Act of 1953, providing for the admission of Italians who have relatives in the United States. I believe that I have so far—through that amendment—helped more than 20,000 Italians to join their kin in this country.

6. In 1954, I worked out another amendment to the 1953 act, under which all of the 60,000 additional quota numbers for people born in Italy have been made available to Italian relatives of American citizens, or to Italian refugees.

7. In April 1961 I introduced H.R. 6300, a bill that would revise in some respects America's immigration policies. I quote from the ACIM Dispatch, published monthly by the American Committee on Italian Migration: "In analyzing Mr. Walter's suggested legislation, and using the number of unused quotas from the last fiscal year, 1959–60 as a base—the number was 53,514—we find that Italy is particularly favored and will receive the greatest number as she will be entitled to approximately 6,300 additional immigration visas yearly, over and above its annual quota of 5,666."

I feel compelled to protest against this vicious campaign and answer it with facts, and to ask my critics what they have done to compare with this record.

Sincerely yours,

FRANCIS E. WALTER.

Judge Learned Hand

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 24, 1961

Mr. PHILBIN. Mr. Speaker, the legal profession and the Nation were greatly saddened to learn of the recent passing of the outstanding and most distinguished jurist, Judge Learned Hand of New York, one of the great legal minds that the free world has known.

Judge Hand served in the Federal judiciary since 1909, when he was appointed by the late President William Howard Taft, a period of service longer than that of any other Federal judge in the history of the Nation.

Educated at Harvard and dedicated from early youth to the study and application of law in a dynamic, advancing, social, and economic system, Judge Hand's career has hardly ever been equaled.

His numerous legal opinions were so cogent, incisive, and outstanding for their clarity, legal substance, and practical commonsense that he was long recognized by lawyers and in judicial circles as "the 10th member of the Supreme Court."

Why he was never selected for that august and distinguished body is certainly a matter of serious speculation, because his great ability, legal training, and many epochal decisions marked him not only as an untiring student, penetrating mind, and keen, gifted appraiser of legal problems but also as a great political and social philosopher.

During his 42 years on the bench he wrote 2,000 opinions, many of which were literary gems as well as accurate legal treatises and decisions. He interpreted the Constitution the way it should be interpreted, as an instrument for protecting the rights of man and reinforcing the free system under which America progressed.

This philosophy was based on an abiding patriotic fervor and a profound religious spirit which was typified by understanding, tolerance, and fair dealing.

In one classical opinion he wrote some memorable words, which are well worth recounting in these days of turmoil, materialism, and challenge to free institutions:

> The spirit of liberty is the spirit of Him who nearly 2,000 years ago taught mankind a lesson that it has never learned, but has never quite forgotten; that there may be a kingdom where the least shall be heard and considered side by side with the greatest.

Judge Hand was not the only distinguished judge in his family. His first cousin, Federal Judge Augustus N. Hand, was another celebrated jurist who served for many years as a contemporary of Judge Learned Hand in the Federal Southern District Court of New York; also an outstanding judge noted for his scholarship, ability, devotion to the rule of law, and dedicated to lofty American principles.

The Nation can ill afford to lose such great jurists as Learned and Augustus Hand, but those charged with the appointment of our judges can take inspiration from their illustrious service and the high standards they set by seeking for the Federal bench men who meet the promise of their high qualifications, their selfless zeal, and their patriotism. The Nation and the legal world will long gratefully remember the outstanding service of Learned Hand and his distinguished first cousin, Augustus Hand. They will go down in the history of American jurisprudence as among our very best judges.

May the good Lord bring them eternal peace in their heavenly home.

The National Lottery of Yugoslavia

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 24, 1961

Mr. FINO. Mr. Speaker, I should like to acquaint the Members of this House with the national lottery of Yugoslavia. Yugoslavia is one of only three Communist nations utilizing the lottery device. It is perhaps noteworthy that the three Communist nations using lotteries, Yugoslavia, Poland, and Czechoslovakia, are the three nations in the past most heavily subjected to Western

influences. The more stringent Communist nations will have no part of lotteries.

The gross receipts of the Yugoslav national lottery came to $20 million in 1960. The net income to the state in that year was $5 million. The bulk of the money is used to assist orphanages, hospitals, and other institutions.

Of the nations of Europe and the Americas, only the United States, Canada, and most Communist countries do not operate lotteries. The two great nations of North America are in rare company.

Should Congressional Committee Hearings Be Televised?

EXTENSION OF REMARKS
OF
HON. LEONARD FARBSTEIN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 24, 1961

Mr. FARBSTEIN. Mr. Speaker, Congressman EMANUEL CELLER, the dean of the New York delegation and one of the most experienced and honored Members of the House of Representatives, is the author of an article which appeared in the TV Guide under the title of "What Television Would Do to Congress." This article deals with the exposition to television of hearings by the various committees of the House of Representatives. Whether one agrees or disagrees with the position taken by Congressman CELLER, a serious question is raised for the consideration of the people of this country. His, as ever, considered and thoughtful views I find are a source of enlightenment:

SHOULD CONGRESSIONAL COMMITTEE HEARINGS BE TELEVISED?—A VETERAN CONGRESSMAN SAYS "NO" AND TELLS WHY

(By Representative EMANUEL CELLER, of New York, chairman of the House Judiciary Committee)

Hearings before congressional committees, like regular sessions of the Senate and the House of Representatives, have traditionally been open to members of the public and to the press. This enables the people to keep posted on the activities of their Government, as befits citizens in a democracy. With the coming of television the question has arisen whether this powerful new mass medium should be given the run of congressional hearing rooms under the same terms, subject only to technical limitations, as are now accorded members of the working press. The Senate has no rule on the subject—each committee decides for itself, and Senate committee hearings are sometimes televised. On the House side, however, Speaker SAM RAYBURN has, wisely, I believe, refused to permit televising of committee hearings. The present statement was stimulated by Senator JOHN L. MCCLELLAN'S interesting article in the May 6 issue of TV Guide magazine, in which he advocates the use of television in this area.

Those who, like Senator MCCLELLAN, recommend that congressional hearings should be televised, stress the growing interest of the American people in public affairs. To encourage and satisfy this interest, they argue, it is well to take the people fully into confidence by letting them see and hear, as well as read about, the legislative process.

Procedural fairness will be guaranteed, these protagonists of congressional TV contend, by the fact that possible dictatorial or arrogant behavior by Congressmen toward witnesses will show up and discredit those responsible. On the other hand, they urge, defiant, evasive, and untruthful witnesses will be deterred from excesses or be publicly exposed.

I am unable to share these optimistic estimates of the results of televising committee hearings. Indeed, I fear that we have much more to lose than to gain by turning these necessary factfinding proceedings into television spectaculars.

The heart of the matter is that television, for all its unquestioned wonders, is not well-adapted for broadcasting the sober, factfinding inquiries that committee hearings are supposed to be. Nor does the undoubted success of the medium in broadcasting ceremonies, addresses, press conferences, and debates afford a basis for contrary view. All such events are spectacles; they are intended to be spectacles. They edify as spectacles. What is more, whether the purpose be to dramatize our national traditions, to win or hold political support or to inform the audience on public issues, the participants in these spectacles exhibit themselves voluntarily.

By contrast, the purpose of committee hearings is neither to dramatize, nor to vie for political preferment, nor to entertain the public. It is to inform the members of the committees with respect to the virtues and shortcomings of pending measures and with respect to the need for legislation not yet introduced. Indeed, the sole justification for the exercise of the subpena power of Congress, with its attendant sanction of punishment for contempt, is the search for truth. What is more, in the exercise of that power, congressional committees frequently summon to their hearings participants who do not appear voluntarily, who have not participated in the formulation of the ground rules, and whose interest may even be to conceal or misstate the truth, rather than aid in its search. Whether subjecting such people to the glare of television cameras is calculated to transform their reluctance into cooperativeness is open to serious question.

Insofar as congressional committee hearings partake of the nature of accusatory proceedings, witnesses are neither accorded the traditional safeguards of the criminal law such as the right to cross-examine, nor do they enjoy the privacy imposed upon grand-jury proceedings. In consequence, if the chairman and committee members be unfair, witnesses face the risk of irreparable damage to their reputations under extremely unequal, not to say prejudicial, circumstances. What valid purpose can be served by subjecting them to the further ordeal of television lights and national network audiences?

There are other reasons why the medium is inappropriate for broadcasting such proceedings. I am breaching no confidence when I observe that Members of Congress are, in the nature of their elective office, extremely sensitive to publicity. The tendency of committee members to "get in the act" in the course of hearings is well known. This compulsive need to compete for the spotlight is immeasurably stimulated when the hearings are broadcast live.

Congressional TV cannot be justified by the assertion that the television public has a right to see and hear, in its living rooms, what goes on at these hearings. Historically, the publicity of legal proceedings was and is a right of the litigants.

Nor has it been established that the interest of the people in receiving telecasts of committee hearings arises primarily from a desire to observe the Government at work. Judging from the type of broadcast the industry has presented, the general public is less interested in the serious, detailed consideration of problems than in the confessions of a Charles Van Doren, the humiliation of a Sherman Adams, the discomfiture of discredited corporate executives, the surliness of racketeers at bay, the number of times a witness takes the fifth amendment. It is the sensational, not the solid, on which coverage is focused.

Finally, it should be noted that although committee hearings are an important part of the legislative process, they are not the only or the most important part. It is the executive sessions of the committees in which the real give-and-take of the process predominantly takes place, and the debates on the floor of the House and Senate in which conflicting views and interests are finally resolved. Only the committee hearings, however, are proposed to be televised, for only they lend themselves to a publicity free-for-all for committee members.

I emphatically agree with the observation that Government business is not show business. The work of Congress requires sober reflection and quiet deliberation. It cannot operate at its best under the scrutiny of floodlights, invisible audiences and the confusion of light and sound equipment. We must not permit any practice, however popular, that tends to weaken the functioning of Government.

Testimony of Hon. Abraham J. Multer, Democrat, of New York, on Behalf of H.R. 2783

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 24, 1961

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following remarks I made in testimony before the House Judiciary Committee on H.R. 2783, a bill which would increase the membership of the House to 450:

STATEMENT OF HON. ABRAHAM J. MULTER, OF NEW YORK, ON BEHALF OF H.R. 2783, BEFORE SUBCOMMITTEE NO. 3, JUDICIARY COMMITTEE, U.S. HOUSE OF REPRESENTATIVES

Mr. Chairman, it is always a pleasure to come before you to testify on matters pending before the committee and I appreciate the opportunity to come here today to support a proposal which concerns all of us—the membership of the House.

H.R. 2783 would provide that the House of Representatives shall be composed of 450 Members.

I believe, Mr. Chairman, that in fairness to the several States of the Union and to ourselves that we must increase the membership of the House by at least these 15 seats. The duties we, as Members, carry are heavy ones and the doubling of the population in the past 50 years since the last increase in the number of Members has placed an additional burden upon us, especially those Members representing the highly urbanized areas of this country.

An increase in the size of the House membership to 450 as provided in H.R. 2783 would freeze the present number of seats apportioned to each of the 50 States and designate that number as the minimum number that that particular State may have. The additional seats would be apportioned to those

States which have shown an increase in population which would warrant new seats being apportioned to them.

An index to the importance of this matter to our colleagues is the fact that no less than 20 bills concerning the size of the membership of the House have been introduced since the beginning of the session. I feel strongly that we should act on a measure this session and urge that this committee report out a bill which would increase the membership to 450 and which would further set up the procedure the States are to follow in any reapportionment and provide for court review of any action taken by the legislatures of the States.

With regard to reapportionment in the States I would urge the committee to consider the provisions contained in H.R. 841, a bill which I introduced on January 3, 1961. H.R. 841 would require the establishment of contiguous and compact congressional districts containing approximately the same number of inhabitants.

Thank you.

Who Controls U.S. Export Policy?

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 24, 1961

Mr. PELLY. Mr. Speaker, I wish to express extreme gratification that the House Committee on Rules, following a hearing on August 23, 1961, reported favorably House Resolution 403, to create a select committee to conduct an investigation of the administration, operation, and enforcement of the Export Control Act of 1949 and related acts.

Having joined with the gentleman from North Carolina [Mr. KITCHIN] and the gentleman from California [Mr. LIPSCOMB] in support of this resolution, I think it important that Members of the House be informed as to what this measure seeks to accomplish.

Mr. Speaker, in testifying before the Rules Committee, I stated that my preference was legislation to completely cut off all shipments into all Communist countries, including Yugoslavia, Poland, and Cuba. I have introduced H.R. 8547 to accomplish that purpose. However, as a prelude to the passage of my own bill, I am strongly supporting House Resolution 403, because I am at a loss to understand why the administration is allowing the export from the United States of materials that seem to me to be of great strategic military value to the Sino-Soviet bloc and I believe that it is essential that Congress find out more with regard to our policy of issuing export licenses.

As I stated to the Rules Committee, a group of House Members were recently led to believe, by the Secretary of Commerce, that the policy is that we will allow shipment of any materials which the Soviet Union can acquire elsewhere in the world. For example, the Defense Department raised objections to the export of a machine to bore V–8 engine blocks. This machine would have greatly increased the Soviets' capacity to produce automotive engines for trucks so vital to military transportation. Nine days after the Defense Department action, however, it reversed itself and a permit was issued on the basis that similar equipment could be obtained in another country.

In connection with export permits, I have taken strong exception to the policy of the Department of Commerce of not making public the names of exporters. I have been told that the reason these names are not being furnished is that the business firms do not want their names given out. To me, it is obvious that the reason these firms do not want their names publicized is because they are embarrassed to have it known that they are selling materials that are of obvious military significance to the Communists. Ball bearings, synthetic rubber, railroad equipment, and all kinds of items that are said to be of nonmilitary value are being shipped behind the Iron Curtain in increasing quantities. The dollar value of U.S. goods licensed for shipment to the Soviet bloc increased 800 percent in the 3 weeks following President Kennedy's frank address to the Nation on the Berlin crisis, as compared to the preceding 3 weeks.

In June, the Department of Commerce lifted the ban and announced that its subsidized farm commodities would be sold to the Soviet Union and its satellites. Some of us were told by the Secretary of Commerce that no food was being shipped, following which his attention was called to the fact that he was in error. A recent article in the newspapers referred to a reduction in food shipments, so it causes some of us to wonder if the Secretary knows actually what is going on.

I am now seeking information as to the licenses issued for technical data which is being sent to Communist countries almost daily. I feel that it is important that the Congress know what is going on. I think this should have some bearing on our foreign aid program. For example, we helped Poland build a new steel plant. I asked the Secretary of State recently as to whether or not the Soviet Union would get some of the product of this steel mill and he admitted that it would. He went on to say that he had picketed shipments of scrap iron going to Japan before World War II. I wonder why he now favors sending scrap iron to the Communists?

Mr. Khrushchev has said that he is going to bury us. It seems to me, Mr. Speaker, that we are in the process of helping him do just that. I think that someone at a lower echelon is making policy and that the President and the members of the Cabinet are so busy that they themselves do not know what is going on. I think there should be an immediate curtailment of shipments to the Soviet bloc, until a policy in line with the national interest can be worked out with the Department of Commerce.

Mr. Speaker, Poland is making a loan to Cuba and among other things, the proceeds will be used to build a shipyard and battery repair facilities. Obviously, this is designed to provide a base for Russian submarines, yet the administration goes on the naive basis that by helping Poland we are buying the good will of the Polish people. Actually, it seems to me we are assisting the Communist leadership of Poland to hold these people under the lash of Godless communism. As I said earlier, I personally believe that we should cut off all trade with all Communist countries, but in the interval and until Congress meets in 1962, I would hope that a select committee, as provided for in House Resolution 403, would look into these things and as a result of their investigations and study let the Congress and the American people know what is going on.

Farmers Not To Blame for Increased Costs of Bread

EXTENSION OF REMARKS

OF

HON. J. FLOYD BREEDING

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 24, 1961

Mr. BREEDING. Mr. Speaker, as you know, the Congress recently passed a new wheat program for the 1962 crop. One of its main provisions increased the support level for wheat from $1.79 to $2 a bushel in exchange for a 10-percent reduction in wheat acreage. Just this week, the president of the American Bakers Association said that it would be a miracle if the price of bread is not increased 1 cent a loaf, and the higher support price of wheat was listed as the primary reason for the increase. There was immediately a hue and cry raised about the wheat program. Some people cited this prospective increase in bread prices as further proof of the failure of what they call a multibillion dollar subsidy program for farmers. Now what are the facts? First, increased labor costs, increased costs for wax paper, and increases in a number of other items are listed as the reasons for the increase in the cost of bread. The increase in the wheat price support represents less than one-third cent a loaf, and this increase will not be reflected in the market for another year. This is just another example of how people from urban areas take out their dissatisfaction with higher food prices on the farmers.

From 1950 through 1960 the price of bread rose 6 cents a loaf. Yet, the farmer's share of the cost of each loaf of bread declined 15 percent. Other factors were solely responsible for higher bread costs. In recent months the anti-farmer propaganda has decreased in tone and intensity.

A major reason for this is the fact that the present Secretary of Agriculture stands up for the farmers against unfair attacks. He does not feed the propaganda campaign, as did his predecessor, by undermining and undercutting the programs passed by Congress for the benefit of agriculture. But the farm programs are still fair game for people who like to make political capital out of them in the large consuming areas—even though the facts prove conclusively

that the farmers are not to blame—that they are receiving less and less of every dollar spent by the consumer on food.

Civilian Control

EXTENSION OF REMARKS
OF
HON. DALE ALFORD
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 24, 1961

Mr. ALFORD. Mr. Speaker, numerous patriotic groups have expressed concern over indications that there are those who would subjugate the sovereignty of this country to the international collectivists. Invariably these groups urge a policy of firmness, devoid of compromise to the international Communist conspiracy. In order to provide facts on the recent controversy involving civilian control of the military, I made the following address which was broadcast over a number of radio stations. I submit the text of this address for the study of the readers of the RECORD:

CIVILIAN CONTROL

The issue of civilian control of the military has been raised in the Congress.

The principle of military subordination to civilian control has been extended by some to include activities which seem to involve matters of conscience.

When one considers that the so-called police action in Korea and the use of Federal troops in Little Rock are traceable to civilian control, it seems to me that a definition of the principle is overdue.

Let us return to the birth pangs of our Republic. Let us review the genesis of the military. Let us search for the truth.

On June 14, 1775, the Second Continental Congress authorized the formation of 10 companies of infantry and directed that these companies join with the 16,000 men of the New England Army near Boston. It is generally accepted that this act created the Continental Army and gave to the Army the distinction of being the senior service among the military components of the Department of Defense. Gen. George Washington, as "chief general" of the Continental Army, maintained a deference to the civil authority of the Congress and its instrumentalities that has served as an unbroken precedent for American military leadership. The Continental Congress, as executive agent for the conduct of the Revolutionary War, developed a Board of War to exercise the function. When the Articles of Confederation of 1777 were finally ratified by Maryland in 1781, the Board was replaced by a Department of War. It is of interest to note that Maryland had instructed her delegates in 1778 not to agree to the Confederation until matters respecting the western lands were settled. However, on January 30, 1781, finding that the enemies of the country took advantage of the circumstance to disseminate opinions of an ultimate dissolution of the Union, the Maryland Legislature passed an act to empower their delegates to subscribe and ratify the articles forthwith. The waiving of disagreements, the closing of ranks and the presentation of a united American front to those who would seek to divide us is traditional.

Article I, section 8, of the Constitution of the United States (1787), which superseded the Articles of Confederation (1777), provided for Congress "to declare War—raise and support Armies—make Rules for the Government and Regulation of the land and naval forces—calling forth the militia—organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress."

Article II, section 2, of the Constitution further prescribes that "the President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States when called into the actual service of the United States."

Still further, article VI of the Constitution prescribes that, "this Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land;" The first act of Congress under the Constitution relating to the Army was the act of 1789 which continued in being the Army created by the earlier Continental Congress. In 1792 the Congress passed the Militia Act which remained law until passage of the National Defense Act 124 years later. The U.S. Military Academy was established at West Point, N.Y., on March 16, 1802, with a class of 10 cadets and a faculty staff of 5 officers. Several wars later, in 1857, Secretary of War John B. Floyd recognized the need of an Army General Staff, but neither he nor his successors could gain acceptance of the idea until Secretary of War Elihu Root created the Army War College in 1900 and paved the way for the General Staff measures of 1903.

Passage of the National Defense Act of 1916 reduced the Army General Staff from 36 officers to 19, leaving only 9 staff officers for coordinating work. At the outbreak of World War I, the strength of the German General Staff was 650; the French staff, 664; the English staff, 232. The 1916 act also standardized and converted the militia into the National Guard and provided for a Reserve Corps. Also about this time another important change in national policy began to take form. This change, through the succeeding decades, affected in major proportions the Army's organization structure, size, and disposition. On April 2, 1917, President Wilson in a World War I message to the Congress said in part, "The world must be made safe for democracy. * * * civilization itself seeming to be in the balance." This departure in concept from that of George Washington who, in his farewell address counseled against involvement in European affairs and permanent alliances, forced a projection of the Army's organization on the continent of Europe and laid the groundwork for the next generation of politico-military planners.

Based on World War I experience, a reorganization of the War Department and the Army was effected by passage of the act of June 4, 1920, amending the National Defense Act of 1916. This act divided the territory of the United States into nine corps areas and created three oversea departments to which were allotted specific troops. The staff at all levels was organized on identical functional lines. The Air Corps became a separate arm, Chemical Warfare a separate service, the Tank Corps was absorbed by the Infantry. The Army school system was improved and the Army Industrial College (now Armed Forces Industrial College) was established in 1924. The Officer Reserve Corps and the Reserve officers training program was firmly established. In addition, the act provided the General Staff with the planning function (to present plans for the mobilization of the Nation and its resources in an emergency), and with responsibility for investigating and reporting on efficiency of the Army of the United States and its state of preparation for military operations and the rendering of professional aid and assistance to the Secretary of War and the Chief of Staff. The General Staff was organized in five major divisions: personnel, intelligence, operations and training, supply (labeled G1, G2, G3, and G4, respectively), and a War Plans Division known as WPD, a mobile division designed to move into the field as the nucleus of a headquarters staff of an expeditionary force.

Unfortunately, the act of 1920 was not clear on the division of responsibility. The control exercised by the General Staff over the supply arms and services was shared with the Assistant Secretary of War (now Under Secretary). The Assistant Secretary was held responsible for the development of plans for industrial mobilization as well as the supervision of the procurement of all military supplies. Chiefs of supply branches reported to the Assistant Secretary on all procurement matters. A tentative distinction was drawn between the military and civilian aspects of the supply problem, with G4 handling the former and the Assistant Secretary the latter. However, by 1941 there were more than 1,200 people in the office of the Assistant Secretary and the ability to coordinate successfully was increasingly impaired.

In addition to the G4 supply problem, another general difficulty was created by the large number of commands reporting to the Chief of Staff. The rather extraordinarily wide span of control of the Chief of Staff was further complicated by congressional acts that rapidly increased appropriations and the size of the Army. In 1934–35 the appropriation for the Army had dropped to $277 million and the enlisted strength had been reduced to 118,000 men. Seven years later it bounced up to where 10½ million men and women would find service with the Army and appropriations of billions of dollars would be made.

Except for its civil functions—harbor dredging, flood control, Civilian Conservation Camps, etc.—the Army's work in the mid-thirties was more theoretical than applied. At the outbreak of World War II the Chief of Staff had to deal personally, or through the General Staff, with 40 different major commands and 350 smaller ones.

These difficulties, coupled with the inadequacy of the WPD which had been designed for a "one front" operation and the problem of the relation of the Air Force to the existing structure which had been constant since 1920, led to the reorganization of February 28, 1942. By Executive order of the President on that date, the Army of the United States was divided into three great commands under the Chief of Staff: Army Ground Forces, Army Air Forces, and Army Service of Supply Forces, later designated Army Service Forces.

Thus, after 40 years of wrangling over the administrative functions of the General Staff, the principle of coordination over a large group of subordinate operating agencies was abandoned in favor of the principle of decentralizing to three major commands the responsibility for supervision. It is also important to note, because of subsequent organizational impacts, that President Roosevelt, in his 1941 message to Congress, spelled out his famous "four freedoms" (of speech, of worship, from want, from fear) as American ideals in terms of responsibility "everywhere in the world."

Later in 1945 the President also said, "We have learned that we cannot live alone, at peace; that our own well-being is dependent upon the well-being of other nations far away."

Thus the rupture, started by Wilson and the League of Nations in the 140-year policy of no "entangling alliances," was completed on June 26, 1945, with the signing of the Charter of the United Nations. Thus, also, the signing of the various treaties and agreements stemming from the covenants of the

Charter has created a "supreme law of the land," and the commitments for which place their own unique requirements on the Army and the way the Army is organized. The Army's proverbial seesawing between the extremes of the famines of peace and the plenties of war have come to an end, at least for the foreseeable future. A more or less stable Army organizational requirement has evolved in order that American principles may be maintained "everywhere in the world" and that "the world may be made safe for democracy."

Reduction of the Army to peacetime size, such as occurred after every war prior to the Korean war, is a thing of the past. No longer can the risks encouraged by military weaknesses be afforded by the United States, or by its allies in the free world.

A strong active Army constantly reorganizing to meet the day-to-day advances of technological advancements, is now a permanent fixture of our national policy. At the same time, neither can an Army of extravagances, such as historically evolved out of the emergency wholesale recruitment, procurement, and an unlimited purse, be condoned. In its stead every segment and entity of the Army's organization must be constantly weighed in light of its continuing contribution to combat effectiveness. Effective management must go hand in hand with combat effectiveness.

Combat effectiveness must relate to the nature of the war being fought.

Past conflicts have depended on physical force to destroy men and render them hors de combat.

Today the war is fought in the minds of man, to destroy their wills and reduce them to slavery.

In such a war the entire population must be united in positive thought and action.

Americans are born or have by their own free will become members of one organization—the United States of America.

Americans affirm but one loyalty above all—the sacred contract that made us one, under God.

Americans pledge their loyalty to the flag which stands for all that the Constitution has brought into being.

The officials of our Federal Government, in their oath of office, swear to support and defend this Constitution against all enemies, foreign and domestic.

The Constitution is the contract that grants them office and, in the event of infidelity to its terms, excludes them from official status.

The Constitution is the essence of the principle of civilian control.

Vice President Johnson in Berlin

EXTENSION OF REMARKS

OF

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 24, 1961

Mr. BERRY. Mr. Speaker, Vice President JOHNSON reassured the people in Berlin that we are behind them. He went up and down the streets giving away fountain pens, apparently to prove that even a ballpoint pen is mightier than the sword.

Impacted School Areas: Will Anything Be Done?

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 24, 1961

Mr. HOSMER. Mr. Speaker, each day when the Houses of Congress adjourn, the day of adjournment sine die comes 1 day closer. Estimates are it will come in less than 1 month. Yet legislation to relieve the financial chaos certain to occur in the Nation's impacted school districts is still stalled. There is a petition at the Clerk's desk to discharge a bill extending these statutes. I call it to the attention of the over 300 Members of the House in whose constituencies impacted school districts are located. The need to bring this legislation to the floor is urgent; it is great.

SENATE

FRIDAY, AUGUST 25, 1961

The Senate met at 10 o'clock a.m., and was called to order by Hon. J. J. HICKEY, a Senator from the State of Wyoming.

Rev. Charles H. H. Scobie, Ph. D., minister, Clark Memorial Church, Largs, Scotland, offered the following prayer:

Father of peace and God of love, may Thy blessing rest upon this Nation, and upon all who lead it in these difficult and trying days.

Help us to seek always to be strong—in the strength of the Lord.

Help us to rely not on rockets, but on righteousness, which alone exalteth a nation.

Help us to build our might not on our missiles, but on our morals, remembering that a country is only as strong as the spiritual strength of its people.

Grant that we may resolve to dedicate our lives, our fortunes, everything that we are, and everything that we have, to the cause of peace with justice throughout the world.

May Thy presence guide and sustain us throughout the business of this day, and forevermore.

For Jesus' sake. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., August 25, 1961.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. J. J. HICKEY, a Senator from the State of Wyoming, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. HICKEY thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. HUMPHREY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 24, 1961, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Ratchford, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H.R. 84. An act to stabilize the mining of lead and zinc by small domestic producers on public, Indian, and other lands, and for other purposes; and

H.J. Res. 438. Joint resolution to amend the Securities Exchange Act of 1934 so as to authorize and direct the Securities and Exchange Commission to conduct a study and investigation of the adequacy, for the protection of investors, of the rules of national securities exchanges and national securities associations.

HOUSE BILL REFERRED

The bill (H.R. 84) to stabilize the mining of lead and zinc by small domestic producers on public, Indian, and other lands, and for other purposes, was read twice by its title and referred to the Committee on Interior and Insular Affairs.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. HUMPHREY. Mr. President, under the rule, there will be the usual morning hour for the transaction of routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION TODAY

On request of Mr. HUMPHREY, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the

consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

THE NAVY

The Chief Clerk proceeded to read sundry nominations in the Navy.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

THE AIR FORCE, THE NAVY, AND THE MARINE CORPS

The Chief Clerk proceeded to read sundry nominations in the Air Force, the Navy, and the Marine Corps, which had been placed on the Secretary's desk.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON TORT CLAIMS PAID BY GENERAL SERVICES ADMINISTRATION

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that administration, during fiscal year 1961 (with an accompanying report); to the Committee on the Judiciary.

EQUAL PAY ACT OF 1961

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination (with accompanying papers); to the Committee on Labor and Public Welfare.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report of the Archivist of the United States on a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. JOHNSTON and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution adopted by the State Council of North Carolina, Junior Order United American Mechanics, at Asheville, N.C., reaffirming its pledge for the perpetuation and preservation of the constitutional principles of this Government, and so forth; to the Committee on the Judiciary.

SURVEY OF IRON ORE SITUATION—RESOLUTION

Mr. WILEY. Mr. President, I received a resolution from the mayor of the city of Hurley, Wis., relating to the iron ore situation. I ask that it be printed in the RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas the underground iron ore bodies represent one of the prime natural resources of our Nation and should not be wasted; and

Whereas such iron ore bodies are vital to our national security and should be preserved in case of emergency; and

Whereas the Gogebic iron range of Wisconsin is presently a very seriously depressed area recognized as such by the U.S. Government, and the iron mines represent a large proportion of the wealth and income producing industry in the area; and

Whereas the U.S. Government should be aware of its responsibility in this respect; Therefore be it

Resolved, That the U.S. Government be requested to survey the iron ore mining situation, that the iron mines should not be allowed to close down without exhausting every possibility to keep them in operation; and be it further

Resolved, That the U.S. Government be requested to investigate the possibility of subsidizing iron mining in a plan of stockpiling iron ore above the ground as a national defense measure; and be it further

Resolved, That copies of this resolution be forwarded to Congressman Alvin E. O'Konski, Senator Alexander Wiley, Senator William Proxmire, Gov. Gaylord Nelson and President John F. Kennedy.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROBERTSON, from the Committee on Banking and Currency, without amendment:

S. 2325. A bill to amend the Export-Import Bank Act of 1945 (Rept. No. 787);

S. 2454. A bill to amend the housing amendments of 1955 to make Indian tribes eligible for Federal loans to finance public works or facilities, and for other purposes (Rept. No. 788);

H.R. 7108. An act to amend the Federal Home Loan Bank Act and title IV of the National Housing Act, and for other purposes (Rept. No. 778); and

H.R. 8277. An act to amend the Federal Home Loan Bank Act to simplify and improve the election and appointment of directors of the Federal home loan banks (Rept. No. 779).

By Mr. CHURCH, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 5235. An act to authorize the Confederated Tribes of the Warm Springs Reservation of Oregon to acquire land within the boundaries of their reservation (Rept. No. 783); and

H.R. 5964. An act to authorize the use of funds arising from a judgment in favor of the Potawatomi Nation of Indians, and for other purposes (Rept. No. 782).

By Mr. CHURCH, from the Committee on Interior and Insular Affairs, with amendments:

S. 923. A bill to authorize the Secretary of the Interior to replace lateral pipelines, line discharge pipelines, and to do other work he determines to be required for the Avondale, Dalton Gardens, and Hayden Lake Irrigation Districts in the State of Idaho (Rept. No. 781).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 2156. A bill to expand and extend the saline water conversion program being conducted by the Secretary of the Interior (Rept. No. 780); and

S. Res. 105. Resolution to create a Special Committee on National Fuels Study (Rept. No. 784); and, under the rule, the resolution was referred to the Committee on Rules and Administration.

By Mr. MAGNUSON, from the Committee on Commerce, without amendment:

H.R. 29. An act to amend section 216(b) of the Merchant Marine Act, 1936, as amended, to permit the appointment of U.S. nationals to the Merchant Marine Academy (Rept. No. 785).

By Mr. RUSSELL, from the Committee on Armed Services, with an amendment:

H.R. 7809. An act to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel (Rept. No. 786).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by

unanimous consent, the second time, and referred as follows:

By Mr. BOGGS:

S. 2466. A bill for the relief of Maria Alessia Murano; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 2467. A bill to improve commerce and industrial development through the establishment of a county industrial agent program; to the Committee on Commerce.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON:

S. 2468. A bill to increase annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

By Mr. BIBLE (by request):

S. 2469. A bill to authorize the Commissioners of the District of Columbia to utilize volunteers for active police duty; and

S. 2470. A bill to authorize the construction of a railroad siding in the vicinity of Taylor Street NE., District of Columbia; to the Committee on the District of Columbia.

By Mr. WILLIAMS of New Jersey:

S. 2471. A bill for the relief of Maria Huszty Boros; to the Committee on the Judiciary.

By Mr. McCARTHY (for himself and Mr. HUMPHREY):

S. 2472. A bill to authorize marketing agreements and orders under section 8c of the Agricultural Adjustment Act (as reenacted by the Agricultural Marketing Act of 1937), as amended, with respect to honey; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. McCARTHY when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. KEATING, Mr. KUCHEL, Mr. ENGLE, Mr. CHURCH, Mr. HUMPHREY, and Mr. SYMINGTON):

S.J. Res. 127. Joint resolution authorizing the issuance of a gold medal to Danny Kaye; to the Committee on Banking and Currency.

(See the remarks of Mr. JAVITS when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTION

PRINTING AS A SENATE DOCUMENT, WITH ADDITIONAL COPIES, OF THE FORTIETH BIENNIAL MEETING OF THE CONVENTION OF AMERICAN INSTRUCTORS OF THE DEAF

Mrs. NEUBERGER (for herself and Mr. MORSE) submitted the following concurrent resolution (S. Con. Res. 40); which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That the report of the proceedings of the fortieth biennial meeting of the Convention of American Instructors of the Deaf, held in Salem, Oreg., in June 1961, be printed with illustrations as a Senate document; and that four thousand additional copies be printed for the use of the Joint Committee on Printing.

ESTABLISHMENT OF A COUNTY INDUSTRIAL AGENT PROGRAM

Mr. HUMPHREY. Mr. President, with the passage of the Area Redevelopment Act this year, we have taken the first step toward helping underdeveloped communities to share in the fabulous wealth of the rest of the United States. We have allocated funds to enable communities with a "substantial and persistent labor surplus" to build new industries and to help themselves out of a situation of progressive impoverishment.

This is only the first step. This measure was never intended as a total solution to the problem of labor surpluses in rural areas resulting from automation in agriculture and overconcentration of industry in the great cities. The difficulties are more extensive and of a longer range nature. They cannot be solved by a policy of waiting until the needs of a specific area are great enough to warrant Federal aid. They must be met by planning and foresight so that disasters do not initially occur. Any other way is too expensive both in terms of human misery and of the Nation's economy.

Each year new developments in industrial technique are changing our way of life throughout the country. Often, however, small communities do not benefit as much as the more flexible cities from our advances in knowledge. Without expert technical advice they are left behind in a backwater of long outmoded practices.

The agricultural extension agents do an invaluable service by communicating the latest scientific information to farming areas. I propose that we borrow from their experience to establish a county industrial agent program.

The industrial agents would work in cooperation with the agricultural agents in counties suffering economic difficulties because of—

First. Excessive concentration on one product or one nonbasic industry.

Second. A changing agricultural technology, which produces a need for fewer workers, combined with a significant drop in farm income.

Third. A nonintegrated approach to the problems of economic development.

It would be the work of these agents to give technical assistance, channeling information on opportunities for diversification of industries, new legislation, new industrial improvements and new markets to the local communities. They would also have the responsibility of reporting on the local situation to State and Federal officials so that policymaking would be based on the hard facts of local conditions, and not solely on statistical projections. They would promote cooperation and coordination of voluntary groups now at work in local communities with public governmental agencies—eliminating costly duplications and false starts. Finally, they would create opportunities for vocational training of the unemployed men and women in each locality.

We must not overlook the fact that by the creation in smaller communities and rural areas of adequate standards of health, education, and economic self-sufficiency we will ease the steadily growing financial burdens of our larger cities faced with sudden influxes of untrained workers.

Thus, Mr. President, for the present and future development of America's small industrial and rural communities, I introduce, for appropriate reference, a bill to establish the county industrial agent program.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2467) to improve commerce and industrial development through the establishment of a county industrial agent program, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Commerce.

MARKETING AGREEMENTS AND ORDERS FOR HONEY—AMENDMENT

Mr. McCARTHY. Mr. President, for myself and my colleague, the senior Senator from Minnesota [Mr. HUMPHREY], I introduce, for appropriate reference, a bill to authorize marketing agreements and orders under section 8c of the Agricultural Adjustment Act—as reenacted by the Agricultural Marketing Act, of 1937—as amended, with respect to honey.

The purpose of the bill is to permit honey producers, if they choose to do so by a two-thirds vote in a referendum of honey producers, to authorize a marketing order for honey.

Honey was one of the products included among the eligible commodities in the omnibus farm bill as reported by the Committee on Agriculture and Forestry, but the bill was amended on the floor of the Senate to remove it.

In my judgment, this action was taken without sufficient evidence that honey producers desired to be excluded. Since the passage of the bill, I have received reports that members of the Minnesota Beekeepers Association at their summer meeting, which was held following the Senate action, voted heavily in favor of having honey included among the commodities eligible for marketing orders. I ask unanimous consent to have a letter I received from Mr. Glen McCoy, chairman of the Minnesota Committee for Honey Market Improvement, printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ALEXANDRIA APIARIES,
Alexandria, Minn., August 11, 1961.

The Honorable EUGENE J. McCARTHY,
U.S. Senate, Washington, D.C.

DEAR MR. McCARTHY: On the 9th of August 1959, I wrote to you urging support of legislation which would enable honey producers to set up a marketing order agreement, if and when a majority of the industry should vote for the move.

The honeypackers of the Nation made a loud protest in this matter, and our producers decided to bide a while in the hope the industry would support a voluntary plan for collection of promotion funds, as an alternative to the proposed marketing order.

This hope has proved entirely futile, and we producers are now determined to see to it that machinery is set up to permit a marketing order.

This summer, Senate bill 1643, Report No. 566, was up for action, under which honey would have been made eligible for institution of a marketing order. Again, the loud voices of the packers caused deletion of honey from coverage in the bill.

Now, the packers represent a very small minority of the whole industry. We should

like to remain on friendly terms with them. But it seems to us that this is distinctly a matter of the tail wagging the whole dog. Now we are resolved to push for what the main body of the industry really wants. We are convinced that only by a systematic method can we secure funds for improvement of our honey market.

Marketing order legislation from now on will seem imperative to us.

At the summer meeting of our Minnesota Beekeepers Association, the issue of pursuing the marketing order legislation was put to a vote. Only the packers present (four or five in number) were against it. All the producers voted for it. And at once one of the packers protested that the vote was "unfair." What is unfair about a majority vote, we ask?

I urge that when any legislation designed to enable honey to be covered by a marketing order, comes up in your congressional Chamber, you give it full and active support.

Very truly yours,

GLEN MCCOY,
Chairman, Minnesota Committee for Honey Market Improvement; Member Marketing Committee, American Beekeeping Federation.

Mr. McCARTHY. Mr. President, I have also received a letter from Mr. Henry W. Hansen, president of the American Beekeeping Federation, asking that honey be made eligible for a marketing order. I ask unanimous consent to have his letter printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE AMERICAN BEEKEEPING FEDERATION, INC.,
Dakota City, Iowa, August 10, 1961.

Hon. EUGENE J. MCCARTHY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MCCARTHY: Due to the influence of a small group of honey packers led by a large Idaho honey packer, honey was deleted from the omnibus farm bill before it passed, in spite of the effort of the American Beekeeping Federation to have honey included.

Our industry is in dire need of funds for promotion and research. We have tried voluntary checkoff, and it has failed miserably due to lack of cooperation between packers and producers.

The only solution to our problem seems to be compulsory checkoff as set forth in the omnibus farm bill. If honey were included in the omnibus farm bill (by amendment), it would be possible to reach three goals badly needed by our industry:

1. Make the collection of funds for promotion and research mandatory;

2. Set up a quality control program; and

3. Put us in a favorable position to bring about at least some restrictions on excessive imports of honey.

We feel that it is unfair discrimination against the honey producers when honey was removed from this legislation and an opportunity to set up a self-help program beneficial to honey producers and packers has been thwarted by the action of a very small group of honey handlers, packers, and dealers.

We therefore urgently request that you either introduce or actively support an amendment to include honey in the omnibus farm bill.

Sincerely yours,

HENRY W. HANSEN,
President.

Mr. McCARTHY. Mr. President, honey producers should have an opportunity to decide whether they wish to develop a marketing order for their product. The bill would make it possible for them to do so.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2472) to authorize marketing agreements and orders under section 8c of the Agricultural Adjustment Act (as reenacted by the Agricultural Marketing Act of 1937), as amended, with respect to honey, introduced by Mr. MCCARTHY (for himself and Mr. HUMPHREY), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

GOLD MEDAL TO DANNY KAYE

Mr. JAVITS. Mr. President, I have the honor this morning to introduce a joint resolution authorizing the issuance of a gold medal to a very famous entertainer, Danny Kaye. I am joined in the sponsorship of the joint resolution by my colleague from New York [Mr. KEATING], the majority whip, the Senator from Minnesota [Mr. HUMPHREY], the minority whip, the Senator from California [Mr. KUCHEL], the junior Senator from California [Mr. ENGLE], the Senator from Idaho [Mr. CHURCH], and the senior Senator from Missouri [Mr. SYMINGTON].

I ask unanimous consent, Mr. President, as I send the joint resolution to the desk for appropriate reference, that it may remain upon the desk until the close of business on Monday next in order that other Members of the Senate may join as cosponsors.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will remain on the desk as requested.

The joint resolution (S.J. Res. 127) authorizing the issuance of a gold medal to Danny Kaye, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. JAVITS. Mr. President, I also have the honor to announce that a similar resolution is being introduced in the other body by Representative MULTER, of New York, Representative BELL, of California, Representative CORMAN, of California, Representative KEOGH, of New York, and Representative LIPSCOMB, of California.

Mr. President, I should like to say a word about Danny Kaye, who has given his time, talent, and energy unselfishly to many humanitarian causes. During World War II and the Korean war, he entertained millions of servicemen and women all over the world. In peacetime, he has continued this work for the U.S.P. and has scheduled another tour of Korea and Japan in December to entertain U.S. servicemen.

Closest to Danny's heart is his work for the United Nations Children's Fund—UNICEF. As ambassador at large for UNICEF, he has traveled more than 125,000 miles in 17 countries in Asia, the Middle East, Europe, and Africa, to bring cheer to the children of the world and to promote the lifesaving and lifegiving objectives of UNICEF.

His reports on film and television on the conditions of children aided by UNICEF is estimated to have been seen by more than 145 million viewers in 28 languages and have won many awards throughout the world.

Danny Kaye has truly become an ambassador at large to the world's children. He has proved that language is no barrier to a better understanding of the peoples of the world. And in serving UNICEF and the world so devotedly, he also has been a tremendous good will ambassador for his own country.

Throughout the world, Danny Kaye has been honored for his humanitarian work. I believe we should honor him here, too.

Mr. President, we have very few opportunities to honor outstanding citizens who have served beyond the line of duty in our Republic. One of them is by the awarding of the gold medal. So it is an honor for me to seek this recognition for so deserving an American, who has given so much to our country, and, in our country's name, to the world, as has Danny Kaye.

Mr. HUMPHREY. Mr. President, I merely wish to say I am pleased to join with the Senator from New York in this endeavor. I only hope our colleagues will act promptly upon the measure.

Mr. JAVITS. I am very grateful to the Senator from Minnesota. It is typically generous and understanding of him, and I very much appreciate his joining in this effort.

Mr. KEATING. Mr. President, it is with pleasure that I join with my colleague in sponsoring a joint resolution to strike a medal for Danny Kaye. Danny Kaye has contributed greatly of his time, talent, and energy to UNICEF, the USO, and to the men who serve America in uniform overseas. He radiates a spirit of warmth and spunk that has meant a great deal to the people in need of a lift—who need to laugh and relax. We must never forget that a well-aimed quip can be a powerful weapon in the war of ideas and economic strength that today divides the world.

ESTABLISHMENT OF A NATIONAL WILDERNESS PRESERVATION SYSTEM—AMENDMENTS

Mr. ALLOTT submitted amendments, intended to be proposed by him, to the bill (S. 174) to establish a national wilderness preservation system, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT OF TITLE V OF AGRICULTURAL ACT OF 1949, AS AMENDED

Mr. McCARTHY. Mr. President, I send to the desk an amendment intended to be proposed to the bill (H.R. 2010) to amend title V of the Agricultural Act of 1949, as amended, and for other purposes, and I ask that it be printed.

Mr. President, a number of Senators have told me that they have had considerable mail urging support of the McCarthy amendments to the Mexican

farm labor program—Public Law 78. This is the principal amendment which I intend to offer, and I ask unanimous consent that it be printed in the RECORD at this point so that interested Senators may have an opportunity to study it before the bill is called up for debate on the floor of the Senate.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and will lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 3, lines 1 through 9, strike out all of "SEC. 505" through "Mexican workers." and substitute the following:

"SEC. 505. (a) No workers recruited under this title shall be made available to any employer or permitted to remain in the employ of any employer unless the employer offers and pays to such workers wages at least equivalent to ninety percent of the average farm wage in the State in which the area of employment is located, or ninety percent of the national farm wage average, whichever is the lesser.

"(b) The determination of the average farm wage in a State and the national farm wage average required in (a) above shall be made by the Secretary of Labor, after consultation with the Secretary of Agriculture. In making these determinations, the Secretary of Labor shall consider, among other relevant factors, the applicable average farm wage rate per hour for workers who do not receive board and room, or such other appropriate information and data as may be available."

Mr. McCARTHY. Mr. President, Public Law 78 was enacted by the Congress in 1951 as a temporary program to meet the needs for agricultural workers at the time of the Korean conflict. It has been extended four times, and during this period no substantial change has been made in the law.

The intent of Congress was stated in the original act. No Mexican nationals were to be brought into this country for agricultural work unless the Secretary of Labor determined that there a shortage of domestic workers existed and that the employment of Mexican nationals would not adversely affect the wages and working conditions of domestic workers.

The program is now 10 years old, and it is the judgment of the Secretary of Labor and of many who have studied closely the program that the program has adversely affected the wages, working conditions and employment opportunities of domestic migratory workers.

In large part the difficulty has arisen from the absence of an objective formula or of any guideline to determine whether there is a genuine shortage of workers—or only a shortage at the low wages being offered and under the poor working conditions which exist.

During the 10 years the program has been in effect the average number of workers employed on farms has decreased from 9.5 million to 7.1 million, but during the same period the number of Mexican nationals brought into the United States increased from less than 200,000 annually in 1951 and 1952 to over 430,000 annually for the years 1956 through 1959. It was 315,000 in 1960.

During the same period the wages paid domestic workers for work in which Mexican nationals are also employed have remained low and in some areas and for some crops have not risen at all.

I ask unanimous consent to have printed in the RECORD two tables which show the extent of the Mexican farm labor program and selected data on employment and wages for major Mexican-using States in 1960.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE I

Year	Total number of Mexican nationals contracted, by year 1951–60 [1]	Average number of workers employed on farms, United States, 1951–60 (in thousands) [2]		
		Farm operators and unpaid family workers	Hired workers	Total
1951	192,000	7,310	2,236	9,546
1952	197,100	7,005	2,144	9,149
1953	201,380	6,775	2,089	8,864
1954	309,033	6,579	2,060	8,639
1955	398,650	6,347	2,017	8,364
1956	445,197	5,899	1,921	7,820
1957	436,049	5,682	1,895	7,577
1958	432,857	5,570	1,955	7,525
1959	437,643	5,459	1,925	7,384
1960	315,846	5,249	1,869	7,118

[1] Administrative reports, Bureau of Employment Security.
[2] U.S. Department of Agriculture, Statistical Reporting Service, Farm Labor.

TABLE II.—*Selected employment and wage data for major Mexican-using States, by State, in 1960*

Major Mexican-using States [1]	Employment of Mexican nationals, 1960		Hourly wage rates paid U.S. workers in work in which Mexican nationals were employed		Average hourly farm wage rate without room or board, 1960 [3]
	Contracted [2]	Employed at peak	Lowest rate	Most common	
Texas	122,755	103,680	$0.40	$0.50	$0.78
California	112,995	73,430	.75	1.00	1.23
Arkansas	27,413	31,296	.35	.50	.73
Arizona	19,324	14,312	.70	.70	.97
New Mexico	10,404	11,257	.60	.60	.85
Michigan	4,815	11,151	.75	.85 / .75	1.07
Colorado	8,492	6,539	.65	.75	1.09
Montana	2,438	2,563	(4)	(4)	1.13
Nebraska	2,255	2,310	.85	.85	1.10
Georgia	(5)	1,264	(4)	(4)	.66
Wyoming	1,215	1,213	(4)	(4)	1.12
Wisconsin	528	1,004	.80	1.00	1.09
Tennessee	1,138	659	.50	.50	.63
Indiana	65	612	.75	.80	1.06

[1] 500 or more Mexican nationals employed at peak. Other States with fewer than 500 are: Missouri, Utah, Oregon, Illinois, North Dakota, South Dakota, Kentucky, Iowa, Nevada, Minnesota, Washington, and Kansas.
[2] In addition to Mexican workers contracted at reception centers, 64,535 were recontracted or reassigned from one employer to another, sometimes in another State. For example, Michigan contracted 4,815 and recontracted 6,486 for a total of 11,301.
[3] U.S. Department of Agriculture. The U.S. average hourly farm wage rate without board and room, 1960, was 97 cents per hour.
[4] No hourly rates reported in 1960.
[5] All of the workers employed in Georgia were recontracted from other States.

Source: Bureau of Employment Security.

Mr. McCARTHY. Under the international agreement between our Nation and Mexico, the Mexican Government has set 50 cents per hour as the minimum at which it will permit its nationals to come to this country for agricultural work.

In effect, this minimum which the Mexican Government insists upon has become a kind of wage ceiling for thousands of domestic workers, and in many areas the wages for domestic workers have not gone above 50 cents an hour for 10 years.

The purpose of my amendment is to establish a moderate and reasonable guide as to whether a shortage of domestic labor exists and as to whether importing Mexican nationals would have an adverse effect on wages and working conditions of domestic migratory workers.

Mr. President, the amendment provides that no Mexican nationals would be made available to an employer unless he offers and pays such workers wages at least the equivalent to 90 percent of the average farm wage in the State, or 90 percent of the national farm wage average, whichever is the lesser.

This formula takes into account differences between the States. While the national hourly farm wage average in 1960 was 97 cents per hour, several of the States using Mexican nationals had averages considerably below that, as is shown in table II.

I should like to make clear that this amendment applies only to the conditions under which a grower can make use of the service of the U.S. Government to secure Mexican workers. It does not impose any requirement on any agricultural employer unless he wants to get Mexican nationals. It does not impose an arbitrary or unreasonable demand for the use of this service. It does not require him to pay a premium wage to Mexican nationals. It does not even require that he pay the average wage, but only 90 percent of the average State or National farm wage, whichever is the lesser.

Mr. JAVITS. Mr. President, will the Senator from Minnesota yield?

Mr. McCARTHY. I yield.

Mr. JAVITS. Does the Senator from Minnesota have any idea when the bill will be called up?

Mr. McCARTHY. I do not have any idea now. I understood yesterday it would be brought up today, but I found that, evidently, what the leadership had in mind was not this bill, but a bill dealing only with domestic migrants.

It is my opinion that it will be brought up early next week, unless more pressing business displaces it.

Mr. JAVITS. I thank the Senator.

NOTICE OF HEARING ON NOMINATION OF WILLIAM H. BECKER, OF MISSOURI, TO BE U.S. DISTRICT JUDGE, WESTERN DISTRICT OF MISSOURI

Mr. JOHNSTON. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, September 5, 1961, at 10 a.m., in room 2228 New Senate Office Building, on the nomination of William H. Becker, of Missouri, to be U.S. district judge, western district of Missouri, vice Albert A. Ridge, elevated.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Missouri [Mr. LONG], chairman, the Senator from Nebraska [Mr. HRUSKA], and myself.

NOTICE OF HEARING ON NOMINATION OF THADDEUS M. MACHROWICZ TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN

Mr. HART. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, September 1, 1961, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nomination:

THADDEUS M. MACHROWICZ, of Michigan, to be U.S. district judge for the eastern district of Michigan, vice Frank A. Picard, retired.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Colorado [Mr. CARROLL], the Senator from New Hampshire [Mr. COTTON] and myself, as chairman.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. JACKSON:

Proposal for an International Institute of Science and Technology in Western Europe.

YOUTH CONSERVATION CORPS

Mr. HUMPHREY. Mr. President, it has become increasingly evident that one of the most popular and acceptable proposals ever presented in the Congress is the establishment of a Youth Conservation Corps, modeled along the lines of the Civilian Conservation Corps of the 1930's.

It is my privilege to be the sponsor of such a proposal, S. 404. The Senate Labor and Public Welfare Committee has reported favorably S. 404. The House Labor and Education Committee has taken similar action. It would be most unfortunate if this Congress failed to act on this constructive program.

A recent public opinion poll—the Gallup poll of August 22—shows that 80 percent of the people believe that a YCC camp program would be a good idea.

It seems to me that overwhelming expression of support therefore commends itself to the passage of such legislation.

I ask unanimous consent that the poll demonstrating that the Youth Conservation Corps is approved by 80 percent of the people be printed at this point in the RECORD.

There being no objection, the poll was ordered to be printed in the RECORD, as follows:

YOUTH CORPS APPROVED BY 80 PERCENT IN VOTE

(By George Gallup)

PRINCETON, N.J., August 22.—The American public overwhelmingly supports the idea of youth conservation camps modeled along the lines of the Civilian Conservation Corps of the 1930's.

Eight out of ten persons interviewed in a nationwide Gallup poll say they think such youth camps—for young men who want to learn a trade and earn a little money—would be a good idea.

President Kennedy has backed the creation of a "token" Youth Conservation Corps with a maximum enrollment at any one time of 6,000 youths. Alternative plans providing for larger Youth Corps have been introduced in both the House and Senate.

The current survey indicates that the public is of a mind to go further than any of the existing YCC proposals—all of which would be based on voluntary enrollment by boys between the ages of 16 and 22.

Six out of ten Americans interviewed believe that attendance in these camps should be required of young men of this age who are not in school and do not have jobs.

To get the public's current views on the principle of the youth camps, Gallup poll reporters first put this question to a representative sample of 1,648 adults from coast to coast:

"It is proposed that the Federal Government set up youth camps—such as the CCC camps of the 1930's—for young men 16 to 22 years old who want to learn a trade and earn a little money by outdoor work. Do you think this is a good idea or a poor idea?"

The results nationwide:

YCC camps for young men 16 to 22?

	Percent
Good idea	80
Poor idea	13
No opinion	7

The issue of requiring idle young men to work in these camps was phrased as follows:

"Do you think young men who are not in school, do not have jobs, and are not learning a trade should be required to go to one of these camps, or not?"

The vote:

Require idle young men to go to camp?

	Percent
Should be required	59
Should not	34
No opinion	7

STATESMANSHIP OF VICE PRESIDENT LYNDON JOHNSON ON RECENT VISIT TO GERMANY

Mr. HUMPHREY. Mr. President, we have all been deeply impressed by the statesmanship of our Vice President, LYNDON JOHNSON. On his recent visit to the Federal Republic of Germany and Berlin, we witnessed those qualities of courage, leadership, and political insight which are so characteristic of this great American.

Max Freedman, Washington correspondent of the Manchester Guardian, accompanied Vice President JOHNSON on his trip to Germany. Mr. Freedman has described that trip and his evaluation of Vice President JOHNSON'S efforts in an article which appeared in a recent issue of the Washington Post and Times Herald. Every American should read this article, and, above all, every Member of Congress. It not only tells a great deal about our Vice President, but it is a remarkable analysis of the situation which exists in Berlin.

I ask unanimous consent that the article by Mr. Freedman be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW WEST BERLIN WELCOMED L.B.J.

(By Max Freedman)

(Mr. Freedman, Washington correspondent of the Guardian, of Manchester, accompanied Vice President JOHNSON on his trip to Germany.)

Since my return from Berlin, I have read the admirable reports in the press on Vice President LYNDON JOHNSON'S mission to Bonn and Berlin. I am not surprised by these sensitive and responsible accounts of the Berlin situation.

Never have I seeen a group of reporters more deeply moved by a political crisis that contains many elements of human tragedy. Perhaps I can add one or two points to their description of the journey. As the only non-American on the trip, I can say some things that cannot be said so easily by my American colleagues.

There is something very inspiring, and at the same time almost frightening, in the reliance of the German people on American policy. It is almost as if all will be lost if America falters.

They believe that neither Britain nor France can take up the burden if America defaults; and they show their trust in America not by measured calculations of diplomacy but by an outpouring of friendship and hope that can never be forgotten by anyone who has felt it in these last few days.

Every mention of President Kennedy's name was caught up in the cheers of endless German crowds. To them he is quite plainly the supreme guardian of the endangered frontier of freedom. But he was not the only American who evoked these cheers.

Few diplomats have been cheered the way the citizens of West Berlin cheered Charles E. Bohlen. The man who has never lost faith in the freedom of Berlin, Gen. Lucius Clay, received a stupendous welcome which showed this gallant guardian of American honor that he is enshrined in the memory of a grateful people.

Everyone expects President Kennedy to name General Clay to a position of responsibility in West Berlin. That appointment would be a splendid stroke that would ring through West Germany, and its echoes would reach beyond East Berlin to Moscow, giving new courage to the free and bringing new anxieties to the Communists tyrants.

As for the reverberating ovation for Vice President JOHNSON, no words can give the full measure of its significance. The most famous editor in West Berlin told me there has never been such a welcome to an American in the entire history of Germany. What is more amazing, these cheers never seemed to slacken during our 2 days in the city.

I can tell you the one experience which moved Vice President JOHNSON beyond all others. When he visited the refugee center an old German lady gave him a shriveled and forlorn bouquet of flowers. She had brought them with her in her escape from East Berlin.

As she presented her bouquet, she leaned over and kissed the Vice President's hand. To hide his emotion, the Vice President turned his head to look in the distance, and there, facing him, was a ruined building, wrecked by our bombs in the war, and still a gaunt finger against the sky. Have not the passing years brought their mercies and even stranger reconciliations?

One constant hazard faced the Johnson mission. It was essential to keep American policy from being entangled in the confusions and prejudices of the German election campaign. This problem arose several times during the stay in Germany but not once did it lead the Vice President or any member of the official party into the smallest indiscretion. I can testify that Chancellor Adenauer and Mayor Brandt are grateful for the skill which enabled the mission to define American policy so clearly without at any time brushing against the embattled arguments of German politics.

The criticism has been heard that the declarations made during this mission, often in circumstances of emotional intensity, have increased America's commitments to Berlin beyond hope of reasonable fulfillment. It is quite wrong to believe that Vice President JOHNSON, acting for President Kennedy, gave West Berlin a blank check which the German people can fill to create the maximum duties for the United States.

In the task of safeguarding the peace and freedom of West Berlin, there are increased duties that will fall on the German people themselves, and on the allies, as well as on the American Nation. There are risks to be shared, and obligations to be fulfilled, and burdens to be carried, and duties to be discharged by everyone in this united defense of freedom's dauntless yet endangered cause.

FOOD FOR PROPAGANDA

Mr. HUMPHREY. Mr. President, I wish to call to the attention of the Senate an article which appeared in the London Economist of August 5, 1961, entitled "Food for Propaganda."

What this article refers to is our food-for-peace program and the splendid manner in which the food resources of this Nation are being used in order to strengthen American foreign policy, help underdeveloped countries, and relieve human suffering.

This is one of the most perceptive and analytical articles I have read on the matter of the use of food as an instrument or as a means of foreign policy, and particularly foreign economic policy.

I ask unanimous consent that the entire article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOOD FOR PROPAGANDA

WASHINGTON, D.C.—Grudgingly, grumbling about waste and ingratitude, Congress every year passes a multibillion-dollar program of foreign aid—though never as much as the President asks, which this year was over $4.8 billion. At the same time, with the warm approval of Congress, the United States spends up to $2 billion a year on sending food abroad for the needy. The taxpayer foots both bills, one glumly, one with relative gladness. He believes fervently (or at least most Congressmen do) that the two processes are as different as chalk from cheese. Foreign aid is felt to be a heavy burden (even the President called it that) while food for peace is just the opposite—the lightening of the back-breaking burden of the surplus foodstuffs produced by high price supports, modern science and capitalist enterprise which have piled up in the custody of the Commodity Credit Corporation to the total value of $9 billion. One reason for the difference is that although many industries have come to have a vested interest in foreign aid (since the machinery and other goods sent abroad generate employment and incomes in America) no business pressure group fights for it. On the other hand, food for peace is backed vigorously by the Farm Bureau, an organization representing the large agricultural producers.

A clear indication that the two types of transactions have a totally different political impact was found in the administration's attempt to sweeten the pill of the unpopular farm bill by tacking on to it provisions for funds to extend and increase the purchase of food for peace after December 31, when current appropriations will be nearly exhausted. It knows that Public Law 480 (which lays down the food-for-peace program) is generally popular, and that Congress would be appalled if the Department of Agriculture and the several other agencies involved were to run out of money for making agreements with hungry lands to reduce the mountain of surpluses. Congress is even ready to allow the administration some freedom to make flexible forward commitments to supply food, although when a similar freedom is proposed in connection with foreign aid it is immediately attacked as back-door financing.

One of the creative ideas of President Kennedy's administration was to switch the emphasis of the food-for-peace operations from the dumping of agricultural overproduction to the positive employment of American agricultural prowess to speed up development as part of the whole foreign aid policy, using the agricultural surplus overtly as a tool in the war of ideologies instead of simply as a waste pipe of the American price support system for maintaining farm incomes. As the program stands it provides ingenious ways whereby the surplus, overwhelmingly grain, can be acquired by foreign countries—once they have spent all they can afford on normal imports.

Over three-quarters of the food exported under Public Law 480 is sold for blocked local currencies under long-term, soft-loan agreements. The Treasury issues a purchase authorization to an exporter, who buys and ships through commercial channels. His debit notes are duly redeemed by the Commodity Credit Corporation and the CCC, as the final link in the chain, is reimbursed by the Department of Agriculture out of its appropriations under Public Law 480. Most of the remainder of the food is bartered for various strategic raw materials; about $1 billion worth of these has been obtained. A small additional amount is given as an outright gift or grant, mainly through voluntary distributing bodies.

The blocked currencies so acquired amount to $4 billion (with billions more resulting from foreign aid). Most of them are unspendable and sterilized, but many elaborate devices have been thought out to give Congress the impression that they are used and that there are no unduly debilitating eleemosynary effects. These funds are spent, for example, to pay the salaries of local American officials, for educational purposes and to develop markets for American exports. Most important of all, in countries where the monetary and credit system is still rudimentary, the counterpart funds are used as a source of credit and finance capital—a procedure often preferred to burdening local budgets. But in general, these vast sums cannot be used without causing local inflation, and most food for peace is a gift from the American taxpayer.

Since 1954 the United States has sent abroad food (under Public Law 480 and some other minor programs) worth nearly $9 billion, representing about a third of its total exports of food including 70 percent of its exports of wheat. But such figures do not bring the realities home. In terms of calories, the basic unit which measures the intake of human energy (2,500 a day are necessary to human efficiency—Americans take in 3,200), the wheat, flour, maize, rice, other grains, fats, and dairy produce sent abroad under Public Law 480 in the financial year 1960 were enough wholly to feed over 31 million adult human beings throughout that 12 months. This food was, of course, spread more thinly over many more millions who were already being locally but inadequately fed: Thus, the food sent to India now represents, on the average, 90 to 100 calories a day for every Indian, against a deficiency estimated at 250 calories in 1958. The diet of 54 million children has been eked out by food for peace. But it does not constitute a balanced diet, which requires proteins and vitamins as well as calories.

The administration plans to increase both the quantity of this food and its protein content. Unfortunately, in extending Public Law 480 in the new farm bill which was passed last week, neither the House nor the Senate granted the full 5-year authorization which the administration sought and the Senate refused to increase the amount of money which may be spent. Whether the amount of food sent abroad will rise by 15 to 20 percent, as the administration hoped, depends on the outcome of the conference between the Senate and the House. But the volume of shipments is in any case limited by the severe bottlenecks in transport, storage, distribution, and administrative arrangements at the receiving ends.

It is hoped to tie more and more foreign aid projects directly to the food program by supplying grain to areas where wages are generated by the employment of much local labor on construction of, for example, dams or irrigation systems. Hitherto such sudden increases in incomes have inflated local food prices disastrously. Food for peace can operate as a brake on this inflation, which is normal in rapid phases of development.

To provide more protein for foreign diets the administration is raising price supports for soya beans, cotton seed and peanuts in relation to those for wheat. A more ambitious plan is to work with the foreign aid agency to persuade the recipients to convert grain into protein by raising hogs and cattle. This is still confined to a few pilot projects. Yet another idea is to purchase more American-processed foods with Public Law 480 funds (baby food is an obvious example). This would stimulate the food industry even more. But all these plans are, in varying degrees, dearer than the simple device of shoveling out surplus wheat as the basic human fuel.

Many words have been spun—by the President, by Mr. McGovern, who directs the program and by Mr. Freeman, the Secretary of Agriculture—about making American agricultural prowess a great prestige talking-point among the underdeveloped countries, an argument to which the Communists, whose people are hungry, starving, or even dying of famine, have no reply. But the President did not dare to point up this devastating contrast by offering famine relief to China, which has used up its exchange reserves to buy from Canada and Australia; American public opinion would not have stood for such a move. Popular as Public Law 480 is, it is so in a hole-and-corner way.

The legislators lack any vision about the use which might be made of it in a world where the food deficit has reached 36 million tons a year for wheat alone. The dollar sign, the cry of "extravagance" and the fears of commercial exporters, both in America and other countries, that their markets will suffer hang sullenly over any such initiative, shrilly as the President's critics call for successful anti-Communist propaganda. The same mental straitjacket stands in the way of rationalizing the counterpart funds. This means that America fails to get full credit for what is in every sense a remarkable work of mercy and of generosity, as well as a demonstration of capitalist efficiency. Once again, the President and his idea men may have to be satisfied with doing just a little more good, still very largely by stealth.

THE BERLIN CRISIS

Mr. JAVITS. Mr. President, I wish to say only a word about Berlin, because so often people in the country wonder what we think. I think all of us recognize the utmost seriousness of the moment. Great powers like the Soviet Union and the United States do not bluff. They do not dare to. They cannot afford to. Yet there is a deep feeling in the hearts of all Americans, that much as we know we must do what we are doing, and we know the risk, there is ground for negotiation, that negotiations will ensue both between the parties among the various countries affected—and, we certainly have every reason to expect, in the United Nations—and that a solution will be found.

But to ask the American people to assume that there is no risk involved would be nonsense. There is great risk. What we can do is understand the risk and, as has been said at times of great crisis, let politics stop at the water's edge. The White House, as one of the New York papers has said, does not have to press for unity. There is unity, and the unity will remain in the face of this danger.

It is the sobriety and the seriousness with which we regard this crisis and our determination that it shall be met with dignity and responsibility which befit the leader of the free world, and the fact that we are dedicated in backing our constituted authority, that I think are the best augury to the American people that we are neither bellicose nor reckless; that we know we must stand where we are, but, more than that, that we are willing, ready, and able to bring about an end to the dangerous tension by appropriate negotiations.

I think it should be very reassuring to the people that we, like them—and this problem is on everybody's mind—understand the risks, the dangers, and our responsibilities.

A WELCOME TO KANSANS AND THE SEARCH FOR SERENITY

Mr. SCHOEPPEL. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD the welcome to Kansans by Rev. Canon Luther D. Miller, of the Washington Cathedral, together with a sermon by Rev. Canon Luther D. Miller at the Washington Cathedral entitled "The Search for Serenity." The sermon is an appropriate message because of the world condition as it exists today.

There being no objection, the message and sermon were ordered to be printed in the RECORD, as follows:

WELCOME TO KANSANS

(By the Reverend Canon Luther D. Miller, Washington Cathedral, August 20, 1961)

It is the custom here at Washington Cathedral to honor one of the United States each Sunday. Today we honor the State of Kansas. In recognition of the Kansas centennial we had as special lesson readers Senator ANDREW F. SCHOEPPEL and Senator FRANK CARLSON. Also the Governor of Kansas issued a proclamation of thanksgiving in celebration of 100 years of statehood. Also to mark the centennial year the State, through voluntary contributions, is presenting to Washington Cathedral a 590-pound bell to be part of a 10-bell peal to be placed in the Gloria in Excelsis Tower. The bell will be inscribed: "From the people of Kansas." Interest in the gift of the bell and this service has been possible through the efforts of Mrs. Gordon Huribut, Jr., and Mrs. John A. Shahan, regional chairman of the National Cathedral Association. Just a personal word—I was stationed at Fort Leavenworth, Kans., for 9 years as chaplain of the Army's Command and General Staff College, so we Millers feel that we are part Kansans, at least. Those of us associated with the cathedral give you people from Kansas a special welcome to this service and may God bless you all always.

THE SEARCH FOR SERENITY

(By the Reverend Canon Luther D. Miller, Washington Cathedral, August 20, 1961)

The nameless, indefinable longing of our day is for safety and security. Behind the tempo and tension of current unrest—behind the turmoil in the world—and we surely do have turmoil in Asia, in Tunisia, in South America, in Europe, in Africa, and now the Berlin crisis. Did you happen to see the cartoon in the New Yorker last week? A doctor is handing a prescription to his patient with these words: "I'm going to give you something to take the instant it looks as if the Berlin crisis is coming to a head." Perhaps this is the time for the patient to take the medicine, for Khrushchev is doing a lot of missile rattling and bragging about the new Russian bomb with the power of 100 million tons of TNT. Then the closing of the Bradenburg gate and the ringing of Berlin with Soviet divisions. Then Khrushchev bulled the Italian Premier, saying that Italy and Great Britain, as U.S. bases, would be Russian hostages should war break out. Then the United States has upped the defense appropriation to over $46 billion. Then 25,000 men are to be called for Army duty in September and 113 National Guard and Reserve units and Reserve units of the Navy and Air Force have been alerted, a 1,500-man battle group ordered to Berlin by the President. I think the man in the cartoon had better get his prescription filled for it looks as if the Berlin crisis is coming to a head. Behind all this is the feeling among so many of our people that we are no longer secure. We are finally discovering that the United States and the free world is vulnerable, and that the world can get at us.

Almost every day someone will say: "I'm scared to death; where is this peace which religion promises? Why do we all feel so insecure? How can we attain poise and perspective?" It is this sense of something impending which makes living so difficult—for we do not know what lies ahead.

What the scared, bewildered people of our day want above all things is some secret place where tension will be subdued, where the streams are never ruffled, where the waters are never muddy and where all fear vanishes. Millions of people of this country are looking for some soundproof chamber where the Russians cease from troubling and everybody is at rest. They long to put their feet upon a rock that cannot be moved and to live in a house that will not fall in a nuclear blast. What most of us want today is a depth so deep and a height so inaccessible and a distance so great than nothing can reach it.

Many people today who are disturbed about the world situation and especially the Reds' program to make the world communistic, many of those pepole would be the last to admit that religion can help them. If it were suggested that the church offered the way out—they would regard it as an empty jest. I was reading recently about a clergyman who had been invited to speak at a youth conference, on the subject "The Place of the Church in a Challenging World Order." The room was crowded with a selected group from colleges and universities, and as he entered a heated discussion was in progress and the chairman said, "Well, at least we are agreed that the church can do little for us and we will have to turn to something else," and the whole conference group heartily applauded. It was not a very auspicious setting for the speaker and yet strangely enough before the hour was over they adopted, on their own initiative, a resolution stating that only in the return to some fundamental philosophy of life which dealt with the supernatural could the world ever again have peace of mind or heart. They had no sympathy with the church; but they could not escape the need of God.

It is security that people want. The world right now is in the mood to pay almost any price for it. We are perfectly willing to toss aside everything no matter how dear and vital it may have been in the past, if only we can feel secure. That is especially so in our national life. Why many people today are perfectly willing to change the form of government, scrap any theory of national life, if only they can have security. The watchcry of a former generation was political freedom, but that of our generation is political security.

Behind all treaties, international conferences, undercover arrangements and secret alliances is the quest for security. That seems to be the goal of the world—security. Most nations are attempting to obtain as much as possible for themselves by giving as little as possible. The great interest in space vehicles that has aroused our country and the world since Russia has put two men in orbit and the United States two men in space—since then our people feel unsafe and afraid and are determined to have security at any cost.

It is a significant fact that an era in which the sense of insecurity is so rife should be one which has largely turned its face from God. There is a strange interrelation between insecurity and irreverence. Our forefathers knew little of this sense of human helplessness because they lived with an unconquerable faith. They, of course, had their shadows, too, but they were always conscious of a presence in the darkness. Sooner or later we pay dearly for indifference to religion. Whatever else we may say of religion this always stands first: it gives men reason for living and the power to face things as they are. It is only as man lives with a sense of eternity in his heart that he is able to stand up before life's tensions. Religion offers and guarantees to every man an adequate power to cope with life. It gives us strength equal to the need. The most profound truth of religion is that every person has a place in the purpose of God. We do not make our way alone through the world. Life is not just a commingling of atoms. History is not just a muddy stream of disconnected and unrelated events.

The universe is not just a jumble of stars and planets, and character is not just a tangled mass of twisted strands and threads which can never be untangled and untwisted to some divine design.

We shall never live fearlessly and securely until we live with a sense of God in our lives. A tree can stand against any storm if its roots are down deep enough to anchor it. It is because we live with inadequate or false philosophies that we cannot cope with the current world situation. Religion makes the profound assurance that life is a venture to be made with God. When we cease to believe that—something goes out of us. When there goes out of life an awareness of God and a sensitiveness to invisible things—we feel afraid. A sense of security depends upon a sense of reverence. What most people need who are afraid of this world situation is not

a clinic but a church—not a psychiatrist but a savior—not a readjustment but redemption.

Unless we keep vivid in our faith the spiritual veracities, seeing clearly that God is not dead and that Jesus Christ still is right and that the Sermon on the Mount is unshaken—unless we do that fear and anxiety will dominate our lives.

We must believe that he who molds the destiny of nations is with us. Our trust must be in God and we must believe that the same devine hand which has guided us through all the perils of the past still holds the helm of our ship of state and guides us safely through every storm and every crisis.

MIGRANT LABOR AND CONGRESS

Mr. PELL. Mr. President, in the very near future, the Congress will have an opportunity to remove from the face of our Nation a blight which has persevered for too long. Five migratory farmworker bills were recently reported by the Committee on Labor and Public Welfare. These bills, the first of their kind to reach the full Senate, have evolved from the work of the Subcommittee on Migratory Labor under the able leadership of Senator HARRISON A. WILLIAMS, JR., of New Jersey.

Two of these bills, which I am pleased to cosponsor, concern the children of migratory farmworkers. One seeks to restrict agricultural child labor. The other would improve the educational opportunities for migratory farm children, and includes as well, a provision to establish adult education projects. The other three bills would provide for Federal registration of crew leaders, improved health services for migratory farm families, and the establishment of a National Advisory Council on Migratory Labor. Congressional action in this area will extend to migratory farmworkers the benefits and protections of social legislation from which they have been excluded for nearly 30 years.

It was, therefore, with great interest that I noted the excellent New York Times editorial this past Sunday which, without reservation, urges enactment of these bills. This editorial entitled "Migrant Labor and Congress," points out:

All five bills should be promptly passed by the Senate, and their companion bills by the House. There is unanimous support in the administration for them, led by Secretary of Labor Goldberg. There can be no doubt that President Kennedy would sign them.

Because the New York Times editorial is indicative of national concern for our migratory farmworkers and their families, and because it recognizes the urgent need for legislation in this area, I ask unanimous consent that the editorial appear in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 20, 1961]

MIGRANT LABOR AND CONGRESS

After far too many years of neglect by Congress it looks now as if something were going to be done to give migrant farmworkers the protection they need—and that industrial workers have long since been given. This is largely due to the outstanding efforts of Senator HARRISON A. WILLIAMS, JR., of New Jersey, and the Senate Subcommittee on Migratory Labor of which he is chairman, and also to a small number of dedicated social welfare agencies. Migrants have not had the facilities for propaganda and political pressure which the big unions can command.

Five migratory labor bills—the results of many months of study by the Senate subcommittee—have been introduced in the Senate by Mr. WILLIAMS, with bipartisan sponsorship, and have been favorably reported by the Committee on Labor and Public Welfare. They are due soon for action on the floor.

Most important is one (S. 1126) which requires annual Federal registration of crew leaders—the middlemen who arrange agreements between workers and growers, and furnish interstate transportation. This is designed to establish and enforce adequate standards of performance in dealing with the migrants. Other measures place limits on child labor on farms outside of school hours, give Federal financial assistance to States and local communities for the education of the migrants and their children, provide Federal grants to stimulate and support local health programs, and establish a National Advisory Council on Migratory Labor to advise the President and Congress and to inform the public as to the problems of these workers and how to deal with them.

All five of the bills should be promptly passed by the Senate, and their companion bills by the House. There is unanimous support in the administration for them, led by Secretary of Labor Goldberg. There can be no doubt that President Kennedy would sign them.

THE JOHN BIRCH SOCIETY

Mr. McGEE. Mr. President, I call the attention of the Senate to a scholarly and sobering article published in Commentary magazine, issue of August 1961, entitled "The John Birch Society, Fundamentalism on the Right." The article was prepared by Prof. Alan F. Westin, who was associate professor of public law and government at Columbia University.

The burden of the article is to analyze in historical perspective the operations and role of the John Birch Society. In it Mr. Westin suggests first, that the Birch group poisoned their own image of world events and American politics by viewing them as a wholly conspiratorial operation. Everything is conspiracy and perpetrated by conspirators.

Second, Mr. Westin suggests that the Birchers impugn the integrity and patriotism of those at the head of every major social and economic group in the country. That would include the Republican Party, the Democratic Party, the Chamber of Commerce of the United States, and other similar organizations.

Third, Mr. Westin points out that the Birchers are convinced that the Communists have gone so far in penetrating American politics that there is little hope in the existing political system of America to resolve our problems.

Fourth, he points out that most of the Birch Society's positive program consists of advocating the repeal of things or the removal of the Nation from something or somewhere—a completely negative approach in an attempt to turn back the hands of time.

Finally, Mr. Westin suggests that the Birch Society advocates both direct action and dirty tactics to break the grip of the Communist conspiracy in this country.

I ask unanimous consent that the entire article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Commentary magazine, August 1961]

THE JOHN BIRCH SOCIETY: FUNDAMENTALISM ON THE RIGHT

(By Alan F. Westin)

Last April, the Gallup poll asked a nationwide sample of Americans whether they had heard of the John Birch Society and found that 39 million persons—an extraordinary number, according to Gallup—had read or heard of the Birchers. Of these, 47 percent had an unfavorable estimate of the society, 8 percent were favorable, and 45 percent had not yet reached a judgment. In one sense, these figures suggest a firm rejection of the Birchers by majority sentiment. But the figures also indicate that at the moment when the society was receiving its most damaging publicity—when the mass media were featuring the charge by Birch Founder Robert Welch that President Eisenhower was "a dedicated, conscious agent of the Communist conspiracy"—3 million persons still concluded that the society was a commendable, patriotic, anti-Communist organization. If the undecided 45 percent were to be divided in the same proportion as those who had reached a judgment (and this would probably underweigh pro-Birch sentiment), another 2½ million persons would be added to the ranks of the approving. By this estimate it can be argued, then, that at least 5½ million Americans from among the most public-affairs-conscious 40 million of our adult population were favorably impressed with the John Birch Society.

One reason for this extraordinarily high degree of support is that the Birch Society has become the most appealing, activist, and efficient movement to appear on the extreme right since the fertile decade of the 1930's. Birch membership at present is probably close to 60,000 and is distributed widely throughout the Nation, with particular strength in traditional centers of fundamentalism like Houston, Los Angeles, Nashville, Wichita, and Boston. This membership provides an annual dues income of $1,300,000. Life memberships at $1,000, special donations by wealthy supporters, and sales of society literature add perhaps $300,000 more, giving the group a present working fund of $1,600,000 a year. By its own count, the society has 28 staff workers in its home office in Belmont, Mass., 30 fully salaried and expense-paid traveling coordinators, and 100 partially paid or volunteer coordinators. Its jabbing forefinger has already been felt in the midsection of dozens of communities, and some commentators not prone to overestimating fringe movements warn that the society may become an effective united front for the hundreds of rightwing groups currently operating on the American scene.

All this being the case, it is worth asking what kind of group the John Birch Society is and how it compares with traditional rightwing organizations. Why has it suddenly come into prominence at this particular moment, and what are its prospects in the decade ahead?

I

However much factors like urbanization, the cold war, and status insecurities may have provided a new setting for native fundamentalists, a large and irreducible corps of such people has always existed in the United States. Unlike American liberals and conservatives—who accept the

political system, acknowledge the loyalty of their opponents, and employ the ordinary political techniques—the fundamentalists can be distinguished by five identifying characteristics:

1. They assume that there are always solutions capable of producing international victories and of resolving our social problems; when such solutions are not found, they attribute the failure to conspiracies led by evil men and their dupes.

2. They refuse to believe in the integrity and patriotism of those who lead the dominant social groups—the churches, the unions, the business community, etc.—and declare that the American "establishment" has become part of the conspiracy.

3. They reject the political system; they lash out at politicians, the major parties, and the give-and-take of political compromise as a betrayal of the fundamental truth and as a circus to divert the people.

4. They reject those programs for dealing with social, economic, and international problems which liberals and conservatives agree upon as minimal foundations. In their place, the fundamentalists propose drastic panaceas requiring major social change.

5. To break the net of conspiracy they advocate direct action, sometimes in the form of a new political party, but more often through secret organization, push-button pressure campaigns, and front groups. Occasionally direct action will develop into hate-propaganda and calculated violence.

At various periods, the United States has experienced both left-fundamentalism (the Knights of Labor, the Wobblies, the Populists, the Communists, the Trotskyites, and the Wallace Progressive) and right-fundamentalism (the Know-Nothings, the Coughlinites, the Silver-Shirts, and America First). Today, right-fundamentalism spans a broad spectrum. At one pole, with its passionate thousands, is the "hate" right, led by the Conde McGinleys, Gerald L. K. Smiths, Admiral Grommelins, Father Terminellos, John Kaspers, and George Rockwells, who offer various combinations of anti-Semitic, anti-Catholic, and anti-Negro sentiment. These groups are thoroughly discredited in contemporary America, and the major problem they present is a matter of defining the line which our law should draw between deviant expression and hate-mongering or advocacy of violence. At the opposite pole is the semirespectable right. Here we encounter a variety of different political and educational organizations including the Foundation for Economic Education, the Daughters of the American Revolution, the Committee for Constitutional Government, and the White Citizens' Councils of the South. Socially prominent figures belong to such groups, which are well-financed, often have connections with local and national major party factions, and exercise substantial lobbying influence. Their supporters and leaders may long to break with the two-party system and start a rightist party, but they are restrained by the knowledge that this would isolate them and thus diminish their present effectiveness.

The John Birch Society stands between these two poles. In the words of one of its chapter leaders in Louisville, Ky., it is a middle-of-the-road rightwing organization. In order to get a precise picture of its ideology and tactics, I have examined every published word issued by the society since its formation in 1958: in 1961 annotated edition of the "Blue Book of the John Birch Society," its operating manual and theological fount; the monthly bulletins which are sent to members and contain the agenda of activities (the 1960 issues of the bulletin are available in a bound edition titled "The White Book of the John Birch Society"); those writings of Robert Welch which have been officially incorporated and reprinted by the society (e.g., "The Life of John Birch," "May God Forgive Us," "A Letter to the South on Segregation"); and every issue of American Opinion, the monthly publication edited by Robert Welch for the society. (This was published by Welch before February 1958 under the slightly more modest title of "One Man's Opinion.")

Measured by its official materials, the authenticated accounts of Welch's speeches, and public comments by members of the society's council, the society emerges as a purebred specimen of American right-fundamentalism.

1. Its image of world events and American politics is wholly conspiratorial. In the July 1960 bulletin, Welch explains that the key to the advance of world communism "is treason right within our Government and the place to find it is right in Washington." The danger, Welch says in the Blue Book, "is almost entirely internal." And it is "a certainty," he writes in "May God Forgive Us," that there are "more Communists and Communist sympathizers in our Government today than ever before." As recently as January 1961, Welch was informing his supporters that "Communist influences are now in almost complete control of our Federal Government."

Each year since 1958, Welch and his board of experts have published a scoreboard rating all the nations of the world according to the "present degree of Communist influence and control over the economic and political affairs" of the country. In 1958, the United States was rated as 20 to 40 percent under Communist control; in 1959, the United States went up to 30 to 50 percent; and in 1960, the figure climbed to 40 to 60 percent. (At that pace, we will reach the 80 to 100 percent mark in 1964). England's rating went from 20 to 40 percent in 1958 to 50 to 70 percent in 1960. Israel is presently rated as 40 to 60 percent controlled; Egypt 80 to 100 percent.

Everywhere, the Birchers advise, Communists are at the heart of events, even some events that might seem to less skilled observers remote from Kremlin direction. In an open letter to Khrushchev in 1958, Welch said "your hands played the decisive unseen part" in the run on American banks and their closing in 1933. It was the Communist-contrived recognition of the Soviets in 1933 that "saved them from financial collapse." The "very idea of American foreign aid was dreamed up by Stalin, or by his agents for him." The "trouble in the South over integration is Communist-contrived"; the Communists have invented a "phony civil rights slogan to stir up bitterness and civil disorder, leading gradually to police-state rule by Federal troops and armed resistance to that rule." The U.S. Supreme Court "is one of the most important agencies of communism." The Federal Reserve System is a realization of point 5 of the Communist Manifesto, calling for centralization of credit in the hands of the state. The purpose of proposed legislation requiring registration of privately owned firearms is to aid the Communists in making "ultimate seizure of such by the government easier and more complete." Everywhere, Welch concludes, the Communists are winning: in "the press, the pulpit, the radio and television media, the labor unions, the schools, the courts, and the legislative halls of America."

All the above descriptions of conspiratorial trends have been cited from official Birch Society literature, what Welch calls the society's steps to the truth. But the picture grows darker when one turns to the "Black Book," or, as it is more commonly known, "The Politician"—the book length letter which Welch circulated privately to hundreds of persons but which the society has carefully rejected as an official document. "The Politician" is to the society what Leninist dogma is to the Communist front groups in Western or neutralist nations—it is the ultimate truth held by the founder and his hard core, but it is too advanced and too powerful to present, as yet, to the masses being led. In "The Politician," Welch names names. Presidents Roosevelt, Truman, and Eisenhower; Secretary of State John Foster Dulles; CIA Director Allen Dulles; Chief Justice Warren—all of these men are called knowing instruments of the Communist conspiracy.

It is worth noting that Eisenhower and his administration draw the strongest venom in "The Politician," just as Social Democrats do in full dose Communist literature. For Welch (a Taft supporter and McCarthy stalwart), the Eisenhower administration was a betrayal which could only have had Communists at its source. "For many reasons and after a lot of study," Welch writes, "I personally believe (John Foster) Dulles to be a Communist agent." "Allen Dulles is the most protected and untouchable supporter of communism, next to Eisenhower himself, in Washington." Arthur H. Burns' job as head of the Council of Economic Advisers "has been merely a coverup for Burns' liaison work between Eisenhower and some of his Communist bosses." "The chances are very strong that Milton Eisenhower is actually Dwight Eisenhower's superior and boss within the Communist Party." As for Dwight Eisenhower himself, Welch states unequivocally:

"There is only one possible word to describe (Eisenhower's) purpose and actions. That word is treason." "My firm belief that Dwight Eisenhower is a dedicated, conscious agent of the Communist conspiracy," he continues, "is based on an accumulation of detailed evidence so extensive and so palpable that it seems to put this conviction beyond any reasonable doubt." Discussing what he terms Eisenhower's "mentality of fanaticism," Welch refuses to accept the idea that Ike may just be an "opportunistic politician" aiding the Communists. "I personally think he has been sympathetic to ultimate Communist aims, realistically willing to use Communist means to help them achieve their goals, knowingly accepting and abiding by Communist orders, and consciously serving the Communist conspiracy for all of his adult life."

2. The Birchers impugn the integrity and patriotism of those at the head of the major social and economic groups of the Nation. In a supplement to the February 1961 Bulletin, Welch announced that "Communist influences" are "very powerful in the top echelons of our educational system, our labor union organizations, many of our religious organizations, and of almost every important segment of our national life. Insidiously but rapidly the Communists are now reaching the tentacles of their conspiracy downward throughout the whole social, economic, and political pyramid." Thus, the National Council of Churches of Christ is Communist minded, and from 3 to 5 percent of the Protestant clergy have been called actual Communists. "Treason," Welch further declares, "is widespread and rampant in our high Army circles."

The American Medical Association has been "took" and can no longer be depended upon for support in the fight against socialism. So too with the U.S. Chamber of Commerce, which has been preaching dangerously liberal and internationalist doctrines in its courses on practical politics. (When chamber leaders protested this slur, Welch replied that their outraged reaction was exactly like that of the State Department in the 1940's when charges of Communist infiltration were first raised.) The leadership of our universities, corporations, foundations, communications media—all are riddled with Communists, or "Comsymps" (a word Welch coined to avoid having to say whether a given person was a real party member or only a sympathizer).

Naturally, Welch and his colleagues are certain that these "Comsymp" elites are out to destroy him and his movement. References to persecution and images of martyrdom abound in Birch literature, ranging from incessant mention of how the patron saint (Senator McCarthy) was driven to his death, to suggestions that Welch may be murdered one day by the Communists.

3. The Birchers are convinced that the Communists have gone so far in penetrating American politics that there is little hope in the existing political system. In his letter to Khrushchev, Welch wrote that the Communists obviously intended to "maintain and increase (their) working control over both our major political parties." We cannot count on "politicians, political leadership, or even political action." Though he advocates the nomination, on an American Party ticket, of Senator BARRY GOLDWATER for President, and J. STROM THURMOND for Vice President in 1964, Welch has warned his followers that even GOLDWATER—the most "Americanist" figure around in politics at the moment—is "still a politician" and therefore not to be relied upon. Welch has also had some things to say about "Jumping Jack" Kennedy. According to Welch, the Nation received "the exact Communist line * * * from Jack Kennedy's speeches, as quickly and faithfully as from the Worker or the National Guardian. * * *" And in 1959, Welch denounced the "Kennedy brat" for "finding the courage to join the jackals picking at the corpse of McCarthy."

A particularly revealing sample of Welch's sense of American political realities is found in his description of the Eisenhower steal of the Republican nomination in 1952, one of the "dirtiest deals in American political history, participated in if not actually engineered by Richard Nixon." If Taft had not been cheated of the nomination, Welch predicted:

"It is almost certain that Taft would then have been elected President by a far greater plurality than was Eisenhower, that a grand rout of the Communists in our Government and in our midst would have been started, that McCarthy would be alive today, and that we wouldn't even be in this mess."

4. Most of the Birch Society's positive program consists of advocating the repeal of things or the removal of the Nation from something or somewhere. A partial list of the things that the society describes as wicked, Communist, and dangerous includes: U.S. membership in the United Nations, the International Labor Organization, the World Health Organization, the International Trade Organization, and UNICEF; membership in GATT (the General Agreement on Trades and Tariffs); reciprocal trade agreements; the useless and costly NATO; so-called defense spending; all foreign aid; diplomatic relations with the Soviet Union and all other Communist nations; the National Labor Relations Act; social security; the graduated income tax; the Rural Electrification Administration, the Reconstruction Finance Corporation, and TVA; Government wage and price controls; forced integration; deliberately fraudulent U.S. Government bonds; the Federal Reserve System; urban renewal; fluoridation; metro government; the corporate dividend tax; the mental health racket; Federal aid to housing; and all programs regimenting farmers.

Some items on this list may be opposed by conservatives or by liberals. But taken together, it adds up to a nihilist's plea for the repeal of industrialism and the abolition of international politics. Such a program can be called rational or even political only by people who do not know what those words mean.

5. Finally, the Birch Society advocates both "direct action" and "dirty tactics" to "break the grip of the Communist conspiracy." Unlike those right-fundamentalist groups which have energetic leaders but passive memberships, the Birchers are decidedly activist. "Get to work or learn to talk Russian," is a slogan Welch recommends to his followers, and they are certainly hard at work. From national headquarters in Belmont, Mass., Welch formulates a set of complementary national and local action programs, then issues them to members through directives in the bulletin and contacts with chapter leaders. A mixture of traditional and fundamentalist techniques is prescribed. The local programs include infiltration of community organizations such as PTA ("to take them away from the Communists"); harassment of "pro-Communist" speakers at church meetings, political gatherings, and public forums; creation of local front groups (e.g., the Committee Against Summit Entanglements, College Graduates Against Educating Traitors at Government Expense, the Committee To Impeach Earl Warren, and the Committee To Investigate Communist Influences at Vassar College); campaigns to secure endorsement of Birch positions and signatures for Birch petitions in all groups that Birch members belong to (e.g., veterans and business organizations); letters and telephone calls to local public officials, leading citizens, and newspapers who support what the society opposes or oppose the society directly; monthly telephone calls to the local public library to make sure it has copies of the five rightwing books recommended by Welch every month.

The national campaigns are carefully pinpointed efforts. They range from letter and postcard writing to national advertising campaigns. In the past 2 years, Birchers have been told to: write the National Boy Scouts director and demand to know why the president of the National Council of Churches addressed their national jamboree; insist personally and in writing each time a member flies American, United, or Eastern Airlines that they stock Human Events and National Review on their planes; write to Newsweek to protest a "pro-FLN Communist" story (the society has a crush on Jacques Soustelle), to Life protesting the "glorification" of Charles Van Doren, and to the NBC network and the Purex Corp. for sponsoring a TV drama favorable to Sacco and Vanzetti; circulate petitions and write letters on the No. 1 project of the moment, to impeach Chief Justice Warren and thereby "give the Communists a setback." Welch also sends out the copy for punchy postcards to be addressed to national political leaders. To cite instances in 1960 alone: to Ambassador Henry Cabot Lodge, Jr., at the U.N., "Two questions, Mr. Lodge: Who murdered Bang-Jensen? And which side are you on?"; to Secretary of State Christian Herter, "Castro is a Communist. Trujillo is an anti-Communist. Whose side are you on?"; and to President Eisenhower, on the eve of the scheduled summit conference, "Dear President Eisenhower: If you go, don't come back."

The last postcard stirred some protests from society members, who felt that Welch's savage little message to the President was a bit too strong. Welch set them straight in the Bulletin: "It is one of our many sorrows that, in fighting the evil forces which now threaten our civilization, for us to be too civilized is unquestionably to be defeated." The Communists, he continued, want us to be "too gentle, too respectable * * * [but] this is not a cream-puff war * * * and we do mean business every step of the way." Welch admitted that the technique of planted and loaded questions and the disruption of meetings was a "dirty trick," but he still defended it as another vital tactic.

To stimulate compliance by members with the local and national efforts prescribed each month in the Bulletin, Welch has devised the MMM system, or "member's monthly memos." These forms are filled out by the member detailing what he or she has done and including sundry observations on the "Americanist fight." They are then collected by the chapter leader and transmitted to Belmont. Welch and his staff, according to the Bulletin, spend much time going over the MMM's.

So far, the Birch Society has been successful in attracting to it some highly substantial figures in local communities—physicians, stockbrokers, retired military officers, lawyers, businessmen (particularly small and middle-sized manufacturers in the Midwest and South), and professionals, many of whom have become local chapter leaders and State coordinators. The council of the society is a veritable board of directors of right-fundamentalism: men like Col. Lawrence Bunker, Cola G. Parker, T. Coleman Andrews, Clarence Manion, and Spruille Braden. Among the contributing editors and editorial advisory committee for American Opinion are J. B. Matthews, William S. Schlamm, Kenneth Colegrove, J. Bracken Lee, Ludwig von Mises, Adolph Menjou, J. Howard Pew, and Albert C. Wedemeyer. In several communities, observers of the society have noted a significant number of 30- to 40-year-olds joining the organization. Welch has stated that half of the society's membership is Catholic, that there are some Jewish members, and that there are Negroes also—two segregated locals in the South and integrated chapters in the North.

Press reports suggest that most of the society's members already had strong affiliations with other rightwing groups before the Birch Society was formed. What Welch hopes to do is build a 1 million member organization by welding together the masses of right-fundamentalist joiners into the fighting educational and pressure arm of the John Birch Society. In the Bulletin and American Opinion, Welch continually offers flattering salutes to various rightwing groups, publications, and personalities, stressing that Americanists can work in several forums at once for the cause. In May 1961, for example, Welch listed two pages of other anti-Communist groups which he endorsed and urged Birchers to support. These included the American Coalition of Patriotic Societies, the American Council of Christian Laymen, the Cardinal Mindszenty Foundation, the Catholic Freedom Foundation, the Christian Crusade, the Freedom Club (of Los Angeles), Freedom in Action (Houston), the Intercollegiate Society of Individualists, the Network of Patriotic Letter Writers (Pasadena), and We, the People (Chicago). In turn, Welch's appearances are often sponsored by such groups: The Freedom Club of Rev. James Fifield arranged his Los Angeles rally, and the Sons of the American Revolution sponsored his Houston appearance.

To a large extent, Welch's personal selflessness and his salesmanship have already made him a rallying point for the fundamentalist right, and no recent rightwing group comes to mind which has achieved so large and solid a dues-paying and working membership. In a world of Communist advances in Asia and Africa, pressures on Berlin, vast changes in the relation of white to colored populations throughout the world, the Birch Society has developed a thoroughly satisfying way for the thin-lipped little lady from Wichita or the self-made manufacturer of plumbing fixtures in North Carolina to work in manageable little daily doses against "the Communists." The cancer of the unquestioned international Communist menace and the surgery of local pressure on the PTA and public library—here is a perfect appeal for right fundamentalism. This highlights the fact that the society's most successful efforts to date have not been on the national scene but on the soft underbelly of American democracy—those places where a minimum of pressure can often pro-

duce maximum terror and restrictive responses. Welch has stressed that school boards, city colleges, local businesses, local clergy, and similar targets are the ones to concentrate on. Above all, Welch has brought coordination to the fundamentalist right—coordinated targets, coordinated meetings and rallies, and coordinated pressure tactics. "All of a sudden," the director of a Jewish community council in one city reflected, "the rightwingers began to function like a disciplined platoon. We have had to contend with precision and saturation ever since."

II

If this is what the society advocates and how it functions, what are its immediate and long-range prospects? In the short run, the society has lost one of its most potent weapons—the element of secrecy. Those in local communities who felt the sting of Birch campaigns during 1959–61 report that it was the factor of surprise at these sudden fundamentalist pressures and the unawareness of their organizational source which threw them off balance. Now, however, the society has been brought into public view. Its authoritarian character and extremist statements have been attacked in both liberal and conservative newspapers; by important Catholic, Protestant, and Jewish leaders; and by political figures as diverse as Richard Nixon, President John Kennedy, Attorney General Robert Kennedy, Representative Sam Rayburn, Senator Thomas E. Dodd, and even Senator Barry Goldwater himself. The fact that a prominent leader of the society who had been chosen as Washington lobbyist for the American Retail Federation was hastily discarded in June by the federation because of his Birch affiliation indicates that recent publicity has damaged the society's claim to respectability. One midwestern Congressman known for his open advocacy of rightwing movements felt it wise recently to seek out liberal leaders from his community and explain privately that he did not support the Birch movement. Increasingly, those "solid" figures who joined the group when it was operating privately will have to face public disapproval of the society, and this will probably cause some falling away among borderline conservatives.

In the longer perspective, however, there are three specific factors which deserve mention in assessing the society's potential growth. The first is the authoritarian character of the group and the centralized control exercised by Robert Welch (a situation which has led Senator GOLDWATER to criticize Welch directly). According to the charter of the society, Welch is the absolute leader; there is no accounting of dues or contributions; there is no representative process or democratic system for selecting programs or defining positions; and Welch has the power (which he has used) to expel any member or chapter for reasons sufficient to him, without right of hearing or appeal on the expulsion. This has produced widespread criticism of Welch as a "little Hitler" and the society as a group run on Fascist lines. However, Welch has stressed again and again that members can disagree with him; that he doesn't expect any member to carry out a project which violates his conscience; and that the society definitely opposes an "enforced conformity" within its ranks. The controls, Welch explains, are needed to prevent Communist infiltration of the society—which he believes has already begun or will certainly begin as the society becomes more effective—and infiltration by hatemongers. This blend of leader principle and group self-protection has great appeal to right-fundamentalists and even to some rightwing conservatives. The authoritarian setup makes fine ammunition for liberal and mainstream conservative fire, but this is not likely to harm Welch a bit in his recruiting among fundamentalists.

A second factor is Welch himself. The fantastic allegations he has made in "The Politician"—even though the book has not been endorsed by the council and is, indeed, repudiated by some members—have branded him as an unbalanced figure and convinced many stanch conservatives that Welch is a truly dangerous leader. The conservative Los Angeles Times recently did a thorough exposé of the society and wrote a stinging editorial which read Welch out of the conservative camp. Out of self-defense, Republicans in California joined in with the Times (especially in condemning Welch's attacks on Eisenhower), for the Birchers were proving so effective in pulling the Republican Party to the far right that some counterattack was felt to be essential. Welch himself has been highly equivocal about "The Politician." He insists that it was a private letter and never published, though he does not deny its authenticity. In the May 1961 issue of the Bulletin, he alludes to "questions or criticism from some of our most loyal members" relating to "The Politician." To these, he replies that, "the considerations involved in connection with many such matters are varied, overlapping, involved, and with too many ramifications to be explained in short compass. There are even times when, for reasons of strategy, we take an oblique approach to a specific objective, and fully to explain every step of our course would seriously handicap our effectiveness." Having decided not to say anything at all, Welch assured members that if he, "could give * * * the whole background of events" then objections might turn into approval, and with this, he dropped the subject of his magnum opus.

Those members and leaders of the society who find anything to criticize in "The Politician" (and many have fully endorsed the charges it featured) have stressed that Welch is entitled to his personal views and that their disagreement with him on Ike or the two Dulles brothers indicates how free and diverse the society is.

In all probability Welch's talents as an organizer, salesman, proselytizer, and unifier of rightwing ranks overweigh (for the rightwing aristocracy) his tactical blunder in "The Politician." Since he controls the society fully, he is not likely to be replaced, and, indeed, there is no indication that an acceptable replacement is available either in the society or outside it. As long as he heads the society, however, "The Politician" will severely limit his credibility outside fundamentalist strongholds.

A third factor relating to the Birch Society's immediate prospects is the question of anti-Semitism. Repeated charges have been made that the society is a genteel endorser of anti-Semitic persons and literature. Welch has recommended to his members such anti-Semitic publications as Russell Maguire's American Mercury and Merwin K. Hart's Economic Council Newsletter. Hart—who often talks about a conspiracy of "Zionists and their confederates" controlling America and whose organization was described by a congressional committee investigating lobbying as one which relies on "an ill-concealed anti-Semitism"—is presently leader of the Birch Society's Manhattan chapter No. 26. In addition, such open anti-Semitic spokesmen as Conde McGinley have rushed to endorse the Birch Society. In the March 15, 1961, issue of Common Sense, McGinley wrote: "Inasmuch as we have received many inquiries from all over the United States regarding the John Birch Society, we want to go on record. We believe this to be an effective, patriotic group, in good hands."

On the other hand, Welch has always appealed to all religions, has urged Jews to join the society, and has warned that it is a "Communist tactic to stir up distrust and hatred between Jews and Gentiles, Catholics and Protestants, Negroes and whites." Much of the April 1961 issue of his Bulletin is devoted to a discussion of the allegation that the society is anti-Semitic, and what Welch has to say there is well worth close examination.

He opens by noting that "the most vicious" charges leveled against him have come from "such notorious anti-Semites as Lyrl Clark Van Hyning (Women's Voice), and Elizabeth Dilling (the Dilling Bulletin) on the grounds that my various committees and supporters are nothing but a 'bunch of Jews and Jew-kissers.' * * *" He then cites the names of Jewish members of the society such as Willi Schlamm, Julius Epstein, Morrie Ryskind, the late Alfred Kohlberg, and Rabbi Max Merritt, and indicates that it has been endorsed by the American Jewish League Against Communism (a Jewish right-fundamentalist group). Next, Welch explains that he probably has "more good friends of the Jewish faith than any other Gentile in America." When he was in the candy manufacturing business in Massachusetts, he recalls, he had many Jewish customers; he drank coffee in their kitchens at midnight, borrowed money from them and lent them money in return, and engaged in every kind of business and social activity with Jews.

Turning to some specific accusations, Welch admits that he used a pamphlet by Joseph Kamp as a source for his book "May God Forgive Us," and also paid Kamp a hundred dollars to go through "The Life of John Birch" to find errors. This was in 1954. But later, he says he became "aware of both the fact and the weapon of anti-Semitism in America, and I wanted no part of the whole argument." He had nothing further to do with Kamp after the 1954 contact, but he adds that he still simply doesn't know enough to say whether Kamp is really anti-Semitic.

Welch goes on to relate that a person who had been trying to convert one local chapter into "a hotbed of anti-Semitism" was dropped from the society, and he pledges that the society will never become a haven for anti-Semitic feeling "so long as I am directing its policies." After several additional paragraphs explaining why no member of the Jewish faith can also be a Communist (and pointing out that Karl Marx was "probably the most vicious anti-Semite of all times"), Welch concludes with the following warning:

"There is only one real danger in the charge of anti-Semitism today, to the man who actually is not anti-Semitic. It is that the utter (and in some cases malicious) unfairness of the charge may cause him to react with anger against Jews in general, and then begin to let some of his feeling creep into his writings or his speeches. That brings on even more vitriolic attacks, with a few more straws to support them. And so the development continues until the man in question winds up actually becoming violently anti-Semitic. And he seldom realizes that this was the Communist game and purpose all along, of which the majority of Jews who innocently helped the Reds to implement it were as unaware and innocent as the ordinary Methodist who supports the National Council of Churches. And many an anti-Communist fighter of great promise in America has had his career ruined and his effectiveness destroyed by letting himself fall into that carefully prepared trap."

This will never happen to him, Welch declares; to his "thousands of Jewish friends" he pledges, "I shall remain your friend, no matter what happens." (One other bit of information bearing on Welch's attitude is that he has been consistently anti-Nasser, viewing the Arab nationalists as aiding the Communists in gaining control of the Middle East.)

All the evidence available at the moment suggests the presence of a certain ambivalence in the Birch Society on the matter of anti-Semitism. Welch himself seems to be personally without bias toward Jews, and he wants the society to reflect this position. Yet there is no doubt that some local leaders and members are well-known anti-Semites. With one after another of the rabbinical associations and major Jewish civic groups speaking out in complete condemnation of Welch and his movement, there will be rising pressures to respond to the "Jewish attacks." Probably, Welch will continue to allow some light flirtation with the more sophisticated anti-Semitic spokesmen. But it is a testimony to American maturity and the activities of Jewish defense agencies that open anti-Semitism is seen as a dead end today for any "middle-of-the-road right-wing organization."

One final aspect of the society should be noted. Welch's writings have a remarkable combination of fantastic allegation and sweet reasonableness. Along with his proposals advocating drastic action against the Communist agents all over America will go reminders to be polite while making menacing telephone calls to local officials, to exercise self-restraint when attacked unfairly, and to take no action which violates "moral principles." "It is a major purpose of the John Birch Society," he often explains, "one never to be overlooked by its members, to help in every way we can—by example as well as precept—to restore an abiding sense of moral values to greater use as a guide of conduct for individuals, for groups, and ultimately for nations." If there are some right-fundamentalists to whom this sort of passage sounds a bit like the National Council of Churches, the total blend of warm-hearted, main-street vigilantism is still appealing to the majority of Welch's followers.

Whatever the specific prospects for the Birch Society—and I consider them unhappily bright—the 1960's will surely be years of expansion for the fundamentalist right in this country. Several things point toward that conclusion.

First, this will be a decade of immense frustration for American foreign policy. We will witness increased neutralism among the new nations; increased militancy among the nonwhite peoples over questions of color; constant military and scientific pressures from the Russians and, soon, the Chinese Communists; diminished American influence in the United Nations; greater conflict in Latin America; and continued outlays of foreign assistance which do not "buy loyalties" or "deliver votes" on critical issues. If the United States can simply prevent these situations from exploding, most informed students of diplomacy would think we had done well. But cutting losses inflicted by the stagnant 1950's and preparing hopeful future positions is not going to appeal to the right-fundamentalist masses (or the frantic pacifist variety on the left either). The right is unshakable in its faith in unilateral solutions and its belief that each loss for America can be traced to a Communist agent or "Comsymp" in the CIA, at the New York Times, in the Cathedral of St. John the Divine, or at the Yale Law School. And the inescapable strategic retreats of the early 1960's (Laos is a good example) will lend fuel to the fires on the right.

Second, the domestic racial issue also poses a serious threat of a rise in right fundamentalism. In the 1960's the struggle for Negro equality will move increasingly into areas outside the South. Lower middle-class and middle-class resentments against Negro neighbors and Negro competitors are bound to increase. The crescendo of Negro militancy and the spreading use of Government power to enforce civil rights will peel away the already thinned layers of toleration in many sectors of the Northern and Western population. In this area of public policy, groups like the Birch Society—which are not explicitly anti-Negro but oppose compulsory integration—have a promising position, and the reservoirs of white hostility, unless carefully and wisely channeled by both white and Negro liberal leaders, could fill the well of the fundamentalist right to overflowing.

Third, there exists the distinct possibility of an unprecedented coalition of Catholic and Protestant right fundamentalists in the 1960's. Only those who know little about the history of American Catholicism would assume that this is a monolithic community. Yet many factors suggest that the 1960's may see an even deeper division of American Catholics into warring ideological factions than has obtained at any time in the past. Already some influential Catholics are complaining bitterly that President Kennedy has joined the liberalist establishment, that he has been selling out Catholic Church interests, and that the administration of the first Catholic President may go down in history as the softest on communism. This is far from the dominant view among American Catholics. Indeed, it may represent the last thrashing of the old, superloyalist element in the American Catholic community—a group which will be goaded to extremism by the sight of an aclerical, literate, sophisticated Catholic liberal in the White House Under these conditions, and with the magic memory of Joseph McCarthy to help bridge the chasm of the Reformation, the fundamentalist Protestants and the fundamentalist Catholics may enter into an alliance (possibly inside the Birch Society).

But perhaps the central question mark for right-fundamentalism in the 1960's is not issues or groups but a man—Senator BARRY GOLDWATER, of Arizona. At the moment, he is the beloved crusader of the right and he has given his fundamentalist supporters every possible encouragement. Before very much longer, however, as the jockeying for position in 1964 begins, GOLDWATER will have to decide whether he wants to be a Republican presidential hopeful and Senate leader or the head of an ideological crusade. If he chooses two-party politics, GOLDWATER will have to undercut the Birch Society, for it could embarrass him by its extremism, and it is not under his control. (Already, GOLDWATER has called on Welch to resign because of his authoritarian controls and his charges against Eisenhower.) Many experienced observers of Washington politics doubt whether GOLDWATER has the personality and the paranoia to become a fundamentalist ideologue and wander in a political wilderness. However, if GOLDWATER should lose the Republican nomination to someone like Nelson Rockefeller and if he were to decide that there was no hope for his ambitions within the GOP, he could mold the fundamentalist right into a cohesive movement which would assume immediate political influence.

These, then, are the factors which point to a resurgence of the far rightwing in the 1960's. But, it should be said on the other side, a rejuvenated and expanded liberal movement is also likely to develop in the United States during the next few years. The signs are already present on American college campuses, where a decade of student apathy and fatalism is giving way to a revival of both liberal and (respectable) conservative political commitment. Whether the Kennedy administration will move from its first year of dreary if realistic compromise to give direction and enthusiasm to the liberal cause remains to be seen. At any rate, the resources are there to be marshaled, and they are potentially our greatest protection against the mounting right-fundamentalist threat.

CASPER, WYO.

Mr. McGEE. Mr. President, I wish to call attention to an article published in the summer 1961 issue of "Petroleum Today." The article is entitled "Town on the Go," and was written by Peggy Simson Curry, who is a personal friend of the present occupant of the chair, my colleague from Wyoming [Mr. HICKEY]. The article is the story of Casper, Wyo., a vigorous, restless, and exciting blend of frontier heritage and modern industry. The article describes the very rapid rise of this community out in the prairies, a rise that was encouraged largely by the discovery of oil in the area. Among the interesting attributes of Casper's rise has been the play on names among some of the community personalities. For example, one colorful early pioneer was called "Give a Damn" Jones, a nickname, of course, referring to one of his favorite expressions. Another was "Puzzle Face" Reed, who earned his title at the poker table. Still another was "Hard Winter" Davis. Still another, "Sod Corn" Gore. The Lucas brothers were referred to as "Big Bones" and "Little Bones." That was a reflection on some of their extracurricular activities.

The citizens of present-day Casper have an inherited fondness for nicknames. Ben Scherck, a realtor whose firm is the oldest in town, is still known as "See Ben" Scherck, on the basis of his catchy business slogan, "A Look Means a Lot."

I read from the article:

In today's Casper, a town of 40,000 as compared to the settlement of 100 when the first well was drilled, two-thirds of the business volume can be traced to petroleum. There are 3 refineries in or adjacent to the city, 3 interstate pipelines, 78 oilfield equipment houses, 28 oil-hauling concerns, 84 oilfield service houses, 53 oilfield property brokers, 39 consulting geologists and geophysicists, 73 oil company exploration and production offices, and 41 drilling contractors.

Wyoming produces about as much oil as Brazil and Mexico combined. And of the $22 million spent annually for petroleum exploration in Wyoming, it is estimated that 90 percent is spent in and from Casper.

This then is Casper—Indian campground, frontier fort, cow town, sheep town, oil town—imaginative, impulsive, colorful, and, as might be expected from its past history, always on the go.

I ask unanimous consent that the article may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TOWN ON THE GO: CASPER, WYO., IS VIGOROUS AND RESTLESS—AN EXCITING BLEND OF FRONTIER HERITAGE AND MODERN INDUSTRY

(By Peggy Simson Curry)

This was Indian country before the fur trappers arrived. It was Oregon Trail country before the cattle came winding in a long dust from Texas to the wind-rippled grasslands and before the Irish sheepherders danced to concertina music on the summer ranges of the Big Horn Mountains.

Casper sprawls along the banks of the North Platte River in central Wyoming—a town of strong personality, vigorous, restless, cosmopolitan; a land of blindingly bright summer days and winter blizzards, of raging

winds and spectacular thundershowers. Casper's history is as violent and full of contrasts as its weather.

You can see the contrasts today. By the river, only 15 minutes by auto from the bustling center of town, across earth where Indian arrowheads are exposed by the fierce brush of wind or the wash of spring rains, is the site of the first white man's cabin in the region, built by a band of trappers in 1812. Almost in the shadows of one of modern Casper's oil refineries stands old Fort Caspar, originally known as Platte Bridge Station. Caspar and Casper, the fort and the town, both were named in honor of Lt. Caspar Collins, who lost his life leading an attack against superior Indian forces in 1865 at the battle of Platte Bridge. (A frontier Army clerk is said to have given the town its incorrect spelling.) The old fort and the modern town frame our story.

When the Oregon Trail migration began in 1840, the covered wagons gathered where the city now stands, and a safe river crossing was established through the turbulent North Platte. Brigham Young camped here in 1847, when a few trappers' shacks and the rutted trail were the only signs of the white man; and the river crossing became known as Mormon Ferry. By 1852 the number of settlers bound for Oregon had reached a peak, and the Indians were no longer placated by presents or platitudes. In 1859 an Army post (Platte Bridge Station) was established.

In 1868 the cattle began to arrive in large numbers, and Judge Joseph Maul Carey established the CY Ranch. The ranch's "poorest pastureland" was to become the site of modern Casper. Oldtimers spoke of Casper as "a town built on buffalo chips," for the earliest residents were alfalfa growers who gathered fertilizer where they could.

Through the streets of the town rode the Hole-in-the-Wall rustling gang, pursued to its remote hideout in the Powder River country by Bob Divine, foreman of Carey's ranch. Bob vowed he'd "bring back anything wearing the CY brand."

One of the most famous of the many inmates of Casper's jail was Red Cloud, great chief of the Sioux, arrested for hunting antelope to feed his people. The record reads that he was "killing game out of season."

The year 1888 was an important one for the town. The first band of sheep arrived in what is now Natrona County. And the first crude buildings, with corrugated iron roofs and floors of packed gumbo, appeared that summer.

In the fall of 1888 there occurred an event that was to have even more lasting effects upon Casper. Some 3 miles from the rough new business houses with their flanking of tent residences the first oil well was drilled, known appropriately as Casper well.

Thus, 2 years before Wyoming became a State, the town built on buffalo chips was beginning to have thoughts of another economic base.

While cowboys and Indians roamed the single main street and the canvas walls of the first homes shuddered and popped under the onslaught of the persistent March wind in the spring of 1889, the Casper Mail carried this item: "The reported oil strike at Casper well last week is still shrouded in mystery. Work has been stopped * * * workmen claiming that the 2-inch cable is broken and the drill is at the bottom of the well. It is a noticeable fact that the manager and his men have been locating oil claims ever since the 'break' occurred."

By June, 90 claims had been filed in the Casper area, most of them in the Salt Creek Field. And while other adjoining oilfields, particularly the Big Muddy, have contributed to the growth of Casper, none has been so significant as the Salt Creek Field, approximately 40 direct miles north of town, on the road toward the Big Horn Mountains. Here, in a basin of prairie, surrounded by wind-carved monuments of rock and lifts of broken ridges, was the scene not only of concentrated oil activity but also of violent claim struggles, bawdy and vigorous camp life. Here was found crude oil that came out of the ground so rich that it was said to be "like no other oil anywhere on earth."

Salt Creek's first well was brought in by the Pennsylvania Oil & Gas Co. in the fall of 1889. While the cattlemen's range wars were beginning and the sheep business was in its infancy, samples of Salt Creek crude oil were on their way to Pittsburgh for chemical analysis. President Phillip Mark Shannon of Pennsylvania Oil, impressed by results of the tests, continued drilling with great success.

The Union Pacific, Denver & Gulf Railway used this "natural" oil for lubrication for many years. During the first 5 months of that time, the oil wasn't even treated, there being no refinery in town.

While growing Casper dealt with murder, cattle rustling, problems of education and street development, oil was being hauled from Salt Creek and other fields by the "string team" method. A local newspaper described this early stage of transportation:

"Two string teams were loaded out from here with 26,000 pounds of piping. One of the teams was made up of 16 head of horses and 4 wagons and when the wagons were coupled out to receive the piping, the entire outfit occupied a space of ground 240 feet long and was the longest string outfit that ever went out of Casper."

Early in 1895 Pennsylvania Oil built the first small refinery in Casper (it was also the first in the State). Politicians, local and national, were subjected to the "45-minute tour." And when they emerged, their shoes and clothing were smudged with oil, but they were smiling.

While dynamic Mark Shannon was heading exploration of Salt Creek, English, French, Dutch, and Belgian businessmen were also becoming interested. Pennsylvania Oil was taken over in 1905 by the Société Belgo-Américaine des Pétroles du Wyoming. This, in turn, was absorbed by a company founded by English, French, and American capital.

But it was the Midwest Oil Co., formed in 1911, that began the most intensive exploration of Salt Creek and built a refinery in Casper and a pipeline and telephone line connecting the town with the field.

There came a time of violent claim disputes; and companies hired line riders, fast on the trigger, to protect their claims at any cost. Often sheriff or deputies arrived too late to prevent bloodshed.

During the latter part of 1916 and most of 1917 Casper became a boomtown. Men in all walks of life deserted professions and business interests to buy and sell oil stock. The Midwest Hotel was a scene of wild speculation. Those who couldn't get expensive hotel rooms for "offices" set up business in the lobby without benefit of desk or filing cabinets. The town overflowed with people, and new companies were formed overnight. But by the fall of 1917 many brokers had gone out of business, and the town settled into a steadier economy. By 1923 three large refineries were running, one of them the largest in the world at that time.

A second oil flourish hit Casper following World War II, when intensive exploration began not only of new areas but also of old ones. The chance of finding uranium provided an added inducement for visitors. With the upsurge of the oil business Casper became known as "Oil Capital of the Rockies."

In today's Casper, a town of 40,000 as compared to the settlement of 100 when the first well was drilled, two-thirds of the business volume can be traced to petroleum. There are 3 refineries in or adjacent to the city, 3 interstate pipelines, 78 oilfield equipment houses, 28 oil hauling concerns, 84 oilfield service houses, 53 oilfield property brokers, 39 consulting geologists and geophysicists, 73 oil company exploration and production offices, and 41 drilling contractors.

Wyoming produces about as much oil as Brazil and Mexico combined. And of the $22 million spent annually for petroleum exploration in Wyoming, it is estimated that 90 percent is spent in and from Casper.

Today's Casper is as colorful as its vivid past. "Nobody ever goes to bed in Casper" is an assumption based on visual evidence, for there are people moving on Center Street any night of the week between dark and daylight. And, as in the days of the frontier, a man's best passport to recognition is the force and individuality of his own character.

It is not considered an anomaly to see a cowboy wearing his high-heeled boots at a gathering where tuxedoes predominate Nor is it considered strange that a wealthy man's friend may be a sheepherder.

The town is creative. Art classes are crowded, night and day, at growing Casper College; and art exhibits hang in banks, cafes, and hotels. Music is a vital interest in the town; and it is often remarked, between pride and laughter, that an amazing number of people turn out to hear anyone play a piano. The community concert series is well supported, and the civic symphony boasts that 15 of its musicians travel more than 100 miles to attend weekly rehearsals. Casper College's theater-in-the-round draws packed houses, and anyone in town is likely to show up in grease paint at the Paradise Valley Play House.

This then is Casper—Indian campground, frontier fort, cow town, sheep town, oil town—imaginative, impulsive, colorful, and, as might be expected from its past history, always on the go.

CIVIL DEFENSE

Mr. YOUNG of Ohio. Mr. President, recent events indicate that the surest way to obtain an appropriation, which might otherwise encounter difficulty in the Congress, is to attach it to the Defense Department appropriation bill.

When the Office of Civil Defense Mobilization requested $104 million for 1962, extensive hearings were held in committees in both Houses of Congress. As a result this boondoggling agency received $85 million, which in my estimation is still too much.

However, after President Kennedy assigned civil defense functions to the Department of Defense, and abolished the boondoggling OCDM agency which has wasted more than $1 billion of public money in the past 9 years, the Defense Department appropriation bill included a request for over $207 million for fallout shelters in Federal buildings. It is my belief that these shelters will be of little use in event of a nuclear attack and that this money will have been wasted. Therefore, I opposed this item and offered an amendment which would have deleted this $207 million request.

This was defeated by a majority vote of my colleagues.

I seriously question whether this money would have been so readily appropriated had it not been for the fact that it was made a part of the total Defense Department appropriation.

It is my hope that in the future we shall give closer scrutiny to civil defense appropriation requests than we have this year. We should not allow the fact that these requests are now part of the Department of Defense budget to cloud our judgment on this vital issue.

Mr. President, a recent editorial, "Hard To Believe In," was published in the St. Louis Post-Dispatch on August 12, 1961. It points out the fact that, although civil defense appropriations have been cut by an average of 74 percent in the past, this year it passed almost without question. It also offers in few words an exceedingly clear commentary on the hopelessness of a shelter program in an all-out nuclear war. The St. Louis Post-Dispatch is one of the Nation's outstanding newspapers and in this editorial its editors, once again, prove its right to this fine reputation.

I commend this editorial to my colleagues and ask unanimous consent that it be printed in the RECORD at this point as part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch, Aug. 12, 1961]

HARD TO BELIEVE IN

The House finally went along with the administration's civil defense program, but in attempting to defeat it the House conferees on the defense bill were expressing a profound popular skepticism on the subject. The American people find it hard to believe in civil defense. That is why the House has cut appropriation requests by an average of 74 percent in the past.

Secretary of Defense McNamara has told Congress the administration plan to identify and stock shelters in existing buildings would save "at least 10 to 15 million lives." Of course, neither he nor anybody else can know this. In the event of a massive nuclear attack on our major cities, nobody knows how many people would have warning enough to get into the shelters. If they did get in, the streets and buildings above them might become a mass of rubble and debris which would bury them alive. And, if they survived for a few days they might emerge to find themselves doomed by disease, lack of drinkable water, and safe food. So it is the wildest kind of speculation to guess how many lives would be saved by shelters.

But assuming that an unknown number would be saved, still what boggles the imagination is the number that would not be saved. An all-out nuclear attack, Congress was told would probably cost 40 million casualties. The figure may be conservative. Former Civil Defense Administrator Val Peterson, who advocated spending billions for shelters, conceded that if our entire population had shelter, "at least half of them would die in a surprise enemy attack." With casualties of that magnitude, how can it be supposed that a shelter program would prevent the utter breakdown of national life?

Everybody wants national survival, but which is the more realistic way of seeking it—by trying to make nuclear war tolerable, or by realizing that the only real defense against it is to see that it does not happen?

HONORARY CITIZENS OF SOUTH DAKOTA

Mr. MUNDT. Mr. President, in behalf of my colleague from South Dakota [Mr. CASE] who is necessarily absent today, and myself, it is a pleasure and honor today to be able to bestow upon our 98 colleagues from the 49 sister States of the Union honorary citizenship of our State.

I have with me certificates of honorary citizenship each of which has been appropriately inscribed with the name of the Senator so designated. At the conclusion of my remarks, I shall be most appreciative if the pages will place these certificates upon the desks of the Members.

I should also point out, Mr. President, that honorary citizenship certificates are also being presented to two members of the press corps who have been assigned by their respective wire services to cover the four offices of the South Dakota congressional delegation. They are Mr. Robert Hunt, of the Associated Press, and Miss Marguerite Davis, of the United Press International. Mr. Hunt and Miss Davis have been reporting the news of South Dakota interest for the various newspapers, radio stations, and television stations in South Dakota which utilize one or the other of the wire services. So we of South Dakota feel that they should also be declared honorary citizens, since by nature of their particular assignments they have more than a passing interest in the affairs of our State.

Mr. President, the certificates have been signed by two of our South Dakota officials, the Governor of our State, the Honorable Archie Gubbrud; and the chairman of the South Dakota Centennial Commission, Mr. J. Leonard Jennewein.

The certificates are presented in recognition of the signing of the act establishing the Dakota Territory in 1861. This year, in South Dakota we are observing the 100th anniversary of this act with appropriate ceremonies and celebrations.

One such Dakota Territory Centennial event will be held this Sunday, August 27, at Manchester, S. Dak. It will be Gold Rush Day, an event simulating the early gold-rush days of the Territory. I may point out that one of our more illustrious South Dakotans, Lawrence Welk, will be the honorary marshal of the day's events.

Mr. President, at this time, I think it appropriate to place in the RECORD the text of the certificate of honorary citizenship; and for the RECORD I shall read the certificate we are presenting to our most senior colleague, the distinguished Senator from Arizona [Mr. HAYDEN].

It reads as follows:

DAKOTA TERRITORY CENTENNIAL 1861–1961

The Dakota Territory Centennial Commission extends greetings, and hereby declares that Senator CARL HAYDEN is an honorary citizen of South Dakota and is cordially invited to partake of the beauty and pleasures of the land of infinite variety.

Furthermore, said honorary citizen is invited to visit the land of the Dakotas for the statewide festivities of the centennial year 1961.

ARCHIE GUBBRUD,
Governor, State of South Dakota.
J. LEONARD JENNEWEIN,
Chairman, Centennial Commission.
Senator KARL E. MUNDT.
Senator FRANCIS CASE.

Mr. President, I suggest that in the event Congress adjourns some time this year, we would like to have Senators spend a happy vacation in the beautiful Black Hills of South Dakota.

DEATH OF PERCY W. BRIDGMAN

Mr. BIBLE. Mr. President, on behalf of the distinguished junior Senator from Massachusetts [Mr. SMITH], who is detained in his State on official business, I ask unanimous consent to have printed in the RECORD a statement by him on the death of Percy W. Bridgman.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SMITH OF MASSACHUSETTS

On August 20, 1961, the world of science and men lost one of its foremost leaders and contributors. I refer to the eminent physicist and professor emeritus of Harvard, Percy Williams Bridgman, who was born in Cambridge, Mass., on April 21, 1882, and who has made Cambridge his residence ever since. The distinctions and accolades he received from his fellow men of science and letters are enjoyed by very few other men in the world today.

I submit the following editorial from the Boston Herald of August 23, 1961, which dutifully recognizes the greatness of this Nobel laureate.

"PROFESSOR BRIDGMAN

"Nobel Laureate Percy Williams Bridgman, who died tragically this week at the age of 79, brought unusual distinction to the Harvard and Boston community for more than half a century.

"Dr. Bridgman received the Nobel prize in 1946 for his pioneering work in high pressures and his contributions to thermodynamic theory, but his inquiring mind ranged over the whole field of natural science and beyond. He did important studies in semantics, logic, and the philosophy of science, as well as in physics.

"More important, he concerned himself, when few of his colleagues bothered to do so, with the place of the scientist in the larger community. He warned of the gulf that was opening up between the scientist and the nonscientist a generation before the atom bomb brought this problem into glaring focus.

" 'It seems to me,' he once told a Harvard seminar, 'that scientists are curiously obtuse as to the social conditions which make possible their existence as a class. It is by no means a certainty that society will so evolve that the individual will be allowed to engage in independent intellectual activity.'

" 'If society is ever going to become a place in which intellectual activity is encouraged and intellectual ability prized, those of us who like to think have got to fight for it.'

"Professor Bridgman was one of those who 'liked to think.' He believed that the good scientist, like the searcher for truth in every field, should 'give no hostages to the future.' 'He should follow his leads wherever they took him and state the results without fear or favor.'

"The professor was also astute enough to realize that only a few and precious societies permit such a luxury. His warning should not be lightly forgotten."

COMMENDATION OF SENATOR CLARK

Mr. MANSFIELD. I wish to express my gratitude to the distinguished Senator from Pennsylvania [Mr. CLARK] the floor manager of the bill having to do with retraining the Nation's workers who because of automation have lost their jobs.

In this connection, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "New Skills for the Jobless", which appears today in the Philadelphia Inquirer. The editorial gives the Senator from Pennsylvania [Mr. CLARK] full credit for the great ability and leadership he showed in guiding that bill through the Senate.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NEW SKILLS FOR THE JOBLESS

The Senate's action in passing a measure authorizing $655 million to teach new skills to the Nation's unemployed and underemployed workers over a 4-year period indicates an encouraging recognition of the fact that automation, as it is being introduced today, does not automatically solve its own unemployment problems.

This legislation—if it is accepted by the House in its present form—will not answer all the country's needs by any means, and there is question whether it contains sufficient safeguards against misuse of funds. If the House can improve on the bill in these respects it should do so.

But legislation substantially along the lines of this bill, which Senator CLARK has guided through the Senate, is urgently needed, even if its main function is to pioneer the retraining which private as well as public agencies should undertake.

So far attempts at the State and local levels—even in Pennsylvania where the strongest effort has been made—fall short of meeting the needs. Unemployment remains high in the face of a shortage of skilled workers.

The Senate measure by itself cannot be expected to change this but, if it becomes law, it should provide the incentive and opportunity for a substantial number of individuals to set a good example by striking out in new fields. With this to build on, businesses and industries should find it easier to do their part in helping displaced workers acquire new skills.

THE NEED TO EXTEND THE NATIONAL DEFENSE EDUCATION ACT AT THIS SESSION OF CONGRESS

Mr. HILL. Mr. President, when the Committee on Labor and Public Welfare was holding its hearings in January, February, and March of 1958, on the National Defense Education Act, a number of the leading scientists in the country testified to urge upon the committee the importance of passing this legislation to strengthen our educational system for national defense. Among the group of eminent scientists who appeared before the committee were Dr. Detlev W. Bronk, President of the National Academy of Sciences and National Research Council; Dr. Lee A. DuBridge, president of the California Institute of Technology; Dr. I. I. Rabi Higgins, professor of physics at Columbia University, and past Chairman of the President's Science Advisory Committee; Dr. Frederick L. Hovde, president of Purdue University; and Dr. Edward Teller, who is generally considered to be the father of the H-bomb.

Mr. President, there can be no doubt that the National Defense Education Act has assisted greatly in strengthening our educational system. However, the job has just started; and it is absolutely necessary that the act in its entirety be extended this year, so that the programs which now are in existence can be continued without letup or confusion.

A number of eminent scientists have just released a public statement urging the Congress to extend the act before the adjournment of the first session of the 87th Congress. As they so aptly point out, unless the act is extended now, the school year of 1961–62 will inevitably be one of confusion, uncertainty, and partial loss of the gains already made. This statement has been signed by:

Dr. Detlev W. Bronk, president, National Academy of Sciences, president, Rockefeller Institute, formerly president, Johns Hopkins University; Dr. James B. Conant, presently engaged in a study of the American public schools under a grant from the Carnegie Corporation of New York, president-emeritus, Harvard University, formerly U.S. Ambassador to the Federal Republic of Germany; Dr. Lee A. DuBridge, president, California Institute of Technology, formerly member of the President's Scientific Advisory Committee; Dr. Frederick L. Hovde, president, Purdue University, Chairman of the Task Force Committee on Education for President-Elect Kennedy; Dr. James R. Killian, chairman of the Corporation of the Massachusetts Institute of Technology, formerly Special Assistant to the President of the United States for Science and Technology, formerly, Chairman, President's Scientific Advisory Committee; Dr. George B. Kistiakowsky, professor of chemistry, Harvard University, formerly Special Assistant to the President of the United States for Science and Technology, formerly Chairman, President's Scientific Advisory Committee; Dr. W. A. Noyes, chairman, department of chemistry and dean of the graduate school, University of Rochester; Dr. Thomas Park, president, American Association for the Advancement of Science, professor of zoology, University of Chicago; Dr. J. A. Stratton, president, Massachusetts Institute of Technology.

Mr. President, I ask unanimous consent that this statement may be printed in full at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

CONCERNING THE NATIONAL DEFENSE EDUCATION ACT

We, the undersigned, are disturbed by the serious damage which will be done to the vital program of the National Defense Education Act if the Congress fails to extend that act before adjournment of the 1961 session. If action is delayed until 1962, State Legislatures which must appropriate matching funds, school and university officials who must now plan for the 1962–63 academic year, and students whose educational plans are in part dependent on NDEA programs will be unable to plan with confidence. Unless the act is extended now, the school year of 1961–1962 will inevitably be one of confusion, uncertainty, and partial loss of the gains already made.

The National Defense Education Act, enacted by Congress in 1958, provided major help toward the improvement of science and mathematics instruction in the Nation's schools and colleges. Specifically it has:

1. Enabled thousands of high schools to secure laboratory equipment, library books, and teaching facilities in science and mathematics that they would not otherwise have obtained.

2. Enabled many States to engage the services of science and mathematics supervisors or scientific consultants to help classroom teachers improve their teaching of science and mathematics. These supervisors and consultants have been particularly helpful in introducing new and improved texts and teaching materials in science and mathematics.

3. Offered financial help to high school graduates who have the desire and ability, but not the money, to go to college. Among these students, preference has been given to those who want to specialize in science, mathematics, engineering, or foreign languages.

4. Helped universities—widely scattered over the United States—to develop new or improved programs for graduate students.

5. Aided graduate students who want to become college teachers, and who will be needed for the much larger college enrollment that must be expected in the next few years.

6. Provided similar improvements in the teaching of foreign languages.

These results of the National Defense Education Act have benefited students who wish to become scientists, mathematicians, or engineers. They have benefited students who plan on careers in other fields but to whom a knowledge of science is an essential part of education for intelligent participation in the affairs of a scientific and technically oriented world. In benefiting these two groups the National Defense Education Act has started to make an important contribution toward strengthening the Nation that both groups will serve.

The job is well started, but far from complete. The National Defense Education Act has been in effect for only 3 years. The first year was largely one of tooling up. The second and third were years of growth and improvement. There is good momentum now. However, failure to extend the National Defense Education Act this year will bring many of the gains to a halt. Extending the act this year will enable the Nation to continue to build upon the improvements that have already been started. These improvements in science education are too vital to the welfare of the Nation to allow the act to be weakened.

(The signers are making their statement as individuals and not in affiliation with any organization.)

DETLEV W. BRONK.
JAMES B. CONANT.
LEE A. DUBRIDGE.
FREDERICK L. HOVDE.
JAMES R. KILLIAN.
GEORGE B. KISTIAKOWSKY.
W. A. NOYES.
THOMAS PARK.
J. A. STRATTON.

THE WOMAN SUFFRAGE AMENDMENT

Mrs. SMITH of Maine. Mr. President, on August 26, 1920, women in the United States, regardless of State laws to the contrary, were given the right to vote. This struggle for equality was long and sometimes bitter.

There were some who believed that women were too high, too pure, to engage in the rough and tumble work of politics. There were some who believed that women had not the education or talent for casting a ballot. But there were also those men and women who believed that woman voting was the necessary responsibility and privilege of living in a democracy and all women, as well as all men, should have that right.

Certain States granted women the franchise, but this was usually done only after gruelling referenda campaigns to change the State constitution. More campaigns were lost than were won, but they educated the voters by showing that women did want to vote.

The justice of votes for women demanded that it become part of our Constitution. For such a foundation of democratic society deserves to be proclaimed as such in our Constitution.

Women had worked for a long time for a constitutional amendment. While the women were working in their States, others, like Susan B. Anthony—for whom the 19th amendment is named—worked a lifetime for amendment to the U.S. Constitution.

On August 26, we should remember all those men and women who believed that women must take full responsibility for their citizenship. We should remember all those men and women who worked so that women might become citizens in a truly great democracy.

PEACE CORPS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

Mr. HUMPHREY. Mr. President, I move the unfinished business, the Peace Corps bill, S. 2000, be laid before the Senate.

The ACTING PRESIDENT pro tempore. Under the order, the unfinished business automatically comes before the Senate.

Under the unanimous-consent agreement, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 2000) to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill is open to further amendment.

Mr. CURTIS. Mr. President, I call up my amendment, "8-22-61—H," but before it is read I ask to modify the amendment in accord with the substitute language, and ask that the amendment, as modified, be read.

The ACTING PRESIDENT pro tempore. The Senator has a right to modify his amendment.

The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 42, between lines 2 and 3, it is proposed to insert a new section, as follows:

FOREIGN LANGUAGE PROFICIENCY

SEC. 22. No person shall be assigned to duty as a volunteer under this Act in any foreign country or area unless at the time of such assignment he possessses such proficiency as his assignment requires in speaking the language of the country or area to which he is assigned and, in the event such language is a written language, in the reading and writing of such language.

Mr. CURTIS. Mr. President, I ask unanimous consent to have an explanation of my amendment printed in the RECORD.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CURTIS

Many complaints are repeatedly leveled at several aspects of our diplomatic and foreign economic programs. A few days ago, during debate on foreign aid, I pointed out that 15 years' experience in that program has elicited two major criticisms from even its stanchest proponents. One is a lack of efficiency in foreign aid programs and projects—that we may be falling far short of a dollar return for a dollar spent. The second is that foreign aid, in many instances, supports corrupt governments which are unpopular. Aid fails to reach the average man, and this Nation becomes, in his mind, an ally of a disliked or despised local government.

In the diplomatic area, a widespread complaint is that foreign service personnel too often are not conversant in the language of the assigned country. This creates an awkward barrier which reduces substantially the effectiveness of otherwise capable individuals. The State Department is to be commended for its diligence in correcting the problem. Graduates of the Foreign Service Institute receive intensive training in foreign languages, and become competent in the tongue of the country where they are stationed. This intensive work, on the part of the Department of State, will undoubtedly pay dividends in the years ahead.

It is reported that about the first question asked of an ambassadorial nominee, by the chairman of our Foreign Relations Committee, is whether that nominee speaks the language of his designated country. I am gratified to learn that a surprisingly large majority of the nominees have been able, in recent years, to answer the chairman in the affirmative.

Now we are embarking on a new program in foreign affairs. The Peace Corps is a unique adventure of this administration which proposes a service not now performed by foreign assignees—diplomatic or military, or by Americans who serve as missionaries or as representatives of American business in foreign lands. Prudence should compel us to demand that Peace Corps personnel speak the language of the countries wherein they serve. A person-to-person approach, which seems to be the essence of Peace Corps service, would surely be thwarted from the start if a language barrier exists.

For most countries this poses no great problem. From our millions of young people, we can surely draw a sufficient number expert in the languages of Western Europe and Latin America. In areas where strange tongues and native dialects are the medium of exchange, the specific language must be learned with appropriate facility as a prerequisite to assignment.

I am offering an amendment to accomplish this objective. Without it we stand to squander time, talent and funds. Without it, we assume the risk of launching a new venture in a leaky vessel. Our relations cannot be improved, our prestige cannot be elevated, by promulgating a new program glaringly deficient in its first instance.

Mr. CURTIS. Mr. President, the revised edition of the amendment, as well as the original which was printed, is self-explanatory. My object is to require that any volunteer serving in any area must be able to speak the language of that area with reasonable proficiency, and, if the particular area has a written language, he also must be able to show proficiency in reading and writing the language.

Mr. President, the amendment, as originally drawn, would have required this of all personnel. After I conferred with the distinguished Senator from Minnesota, we agreed that an absolute blanket requirement might create certain difficulties. The revised language, which is before the Senate as my modified amendment, provides in substance that whenever the assignment so requires a volunteer serving under the Peace Corps must be able to speak the language of the place where he is serving and, if it is a written language, he must be able to read and write it.

It is conceivable there will be a few people sent to areas for short periods of time as to whom the requirement perhaps would not be necessary, because they serve in many places.

I should like to ask the distinguished Senator from Minnesota, who assisted in the drafting of the revised edition of the amendment, a few questions about our intent.

Mr. HUMPHREY. Yes, indeed.

Mr. CURTIS. It is my understanding, in which I hope the distinguished Senator will concur, that under the amendment as now drawn, if a volunteer is sent to an area to remain there, to live and work with the people in the area, the intent is that he must be able to speak the language.

Mr. HUMPHREY. The Senator is correct. I should like to give an example or two.

If a volunteer were sent to Nigeria, where, of course, the official language is the English language, indeed English proficiency would be the only requirement. However, if a volunteer were sent to an area such as one of the former French colonies, where the official language is French, he would have to be able to speak French.

As I understand the intent of the amendment, if a volunteer is to work with the people of the area and is to be on location for a considerable period of

time providing services or instruction, he would be required to be proficient in the language to meet the requirements of his duties.

If the volunteer were to be in the area for a brief period of time, perhaps being transferred from one place to another, and not assigned to full-time work, we might say—being in one area only a month or so and then in another area only a month or so, in a semisupervisory capacity—he would not necessarily have to be able to speak the language.

I wish to make it quite clear that I think language proficiency is very helpful, no matter for how long a period of time a person may be on location in a particular country, and no matter what his work may be.

Mr. CURTIS. Yes.

Mr. HUMPHREY. This applies to the volunteers. As the Senator understands, it does not apply to administrative personnel or even to the country representative, who is included in administrative personnel.

Mr. CURTIS. I thank the Senator.

The program is submitted to the Congress as a people-to-people program.

Mr. HUMPHREY. Yes.

Mr. CURTIS. These young folks will contribute either for good or for evil to the image which people around the world have of the United States. It is the intent of the Congress that these young people who spend time with and who mingle with the people in other lands, in order to carry out a project, should be able to communicate with them in the language of the particular country or of the part thereof in which they are working.

As I say, if there is a written language the volunteer should be able to read and write it. Does the Senator concur?

Mr. HUMPHREY. I concur. So that we will have no misunderstanding, because the Senator and I have attempted to work this out to mutual satisfaction, let us presume that a man is a geologist and goes to a country where it is not necessary for him to be able to address large student groups or civic groups.

The PRESIDING OFFICER. The time of the Senator from Nebraska has expired.

Mr. HUMPHREY. Mr. President, I understand there are 5 minutes on each side. I yield the time on my side, to meet whatever are the needs.

If the man had what we might call a working knowledge of the language and could communicate, though he did not necessarily have expert knowledge, his ability to communicate would be adequate.

Mr. CURTIS. Yes. The type of employment with which we are primarily concerned is that employment in which the young person mingles with the local people, visits in their homes, and assists them in carrying out the program. We feel that such people must be proficient in the language not only of the country but also of the particular part of the country in which they serve.

With that understanding, I am happy to accept the revised language of the distinguished Senator from Minnesota, and I hope the amendment will be agreed to.

Mr. HUMPHREY. Mr. President, the amendment is perfectly agreeable. I thank the Senator from Nebraska for his courtesy and his cooperation in working out these arrangements.

Mr. President, I yield back any remaining time I have.

The ACTING PRESIDENT pro tempore. The remaining time has been yielded back. The question is on agreeing to the amendment offered by the Senator from Nebraska, as modified.

The amendment, as modified, was agreed to.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment.

Mr. HICKENLOOPER. Mr. President, on behalf of my colleague from Iowa [Mr. MILLER], who is unavoidably absent attending a meeting this morning which it was necessary for him to attend, I call up amendment designated "8–24–61—C," and ask to have it stated.

The ACTING PRESIDENT pro tempore. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 16, between lines 4 and 5, it is proposed to insert a new subsection as follows:

(c) Training hereinabove provided for shall include instruction in the philosophy, strategy, tactics, and menace of communism.

Mr. HICKENLOOPER. Mr. President, I do not think it will be necessary for me to use the entire 5 minutes allotted. The amendment is completely self-explanatory. All one has to do to explain the amendment is to read it. The amendment provides that "training" of these people "shall include instruction in the philosophy, strategy, tactics, and menace of communism."

That is perfectly clear. The amendment has been discussed by my colleague from Iowa [Mr. MILLER] and the Senator from Minnesota [Mr. HUMPHREY]. I understand the Senators are in substantial agreement on it. I offer the amendment in behalf of my colleague.

Mr. HUMPHREY. Mr. President, I yield myself 1 minute.

What is proposed in the amendment is now being done in the course of study in the training centers. I felt that the Senator from Iowa had a definitely valid point, because we surely wish to have these young men and women, when they go to these far-off places where they will be up against pretty tough competition on the part of many Communist agents and Communist propagandists, to be fully acquainted with what they will face.

The purpose of the amendment is to complete the instruction of these people in what one might call a political counteroffensive.

I accept the amendment. I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Iowa [Mr. MILLER].

COMMENT ON THE NEW SOVIET COMMUNIST PARTY PROGRAM

Mr. KEATING. Mr. President, will the Senator yield 1 minute at that point?

Mr. CURTIS. I yield whatever time the Senator desires.

Mr. KEATING. It seems to me that this would be an appropriate place in the RECORD, in the light of the proposed amendment, which is salutary, in my judgment, to present a very thoughtful analysis of the new Communist Party program as outlined by Soviet Prime Minister Khrushchev in July. This has been prepared by Dr. Laszlo Bartok, a former Hungarian career diplomat, former permanent delegate to the League of Nations in Geneva, and Minister to Austria until 1947. He has provided an analysis which is very illuminating. It is a part of continuing studies on communism by the Assembly of Captive European Nations. Dr. Bartok has good reason to know the wiles and perfidies of Soviet communism. As Dr. Bartok points out:

The program is full of contradictions, lies and distortions, and false professions.

But as Dr. Bartok also points out, it nevertheless represents a "terrific menace against Western civilization."

Mr. President, Dr. Bartok's analysis is rather lengthy for inclusion in the full CONGRESSIONAL RECORD, but I should like to ask unanimous consent to include the conclusions which he has reached.

The text is available to any Senators who may be interested. I ask unanimous consent to have his conclusions printed at this point in the RECORD.

There being no objection, the conclusions were ordered to be printed in the RECORD, as follows:

CONCLUSIONS

1. The new party program reiterates the declaration of war made by the Communist Manifestos of 1957 and 1960 against capitalism and foremost against the capitalist central power, the United States, a war to be fought with political, economic and military means short of thermonuclear weapons if possible.

2. Khrushchev, the presumed author of the program seems to be fully aware that a nuclear conflict may decisively shatter the Soviet Union's military and economic potential which is the power basis of the world socialist system. Also, he is certainly aware of the Soviet people's extreme reluctance to go to war especially after the fantastic prospects in the improvement of their life depicted by the party program.

3. Therefore, when taking a stiff decision to conclude a peace treaty with East Germany by the end of the year, Khrushchev is seemingly basing its strategy on his firm conviction that the Western public opinion could not withstand the Soviet psychological and political pressure and it will ultimately force the Western governments to make concessions rather than to plunge mankind in a nuclear catastrophe. The party program expressly reckons with the defeatism of a large segment of the Western bourgeoisie.

4. This official order of thought of the Soviet leadership corroborates the assumption that in case of a Western stiffness over Berlin, Khrushchev may go to the brink of war owing to his belief that he may not risk a nuclear holocaust through this tactic. It seems extremely important for the Soviet dictator to triumph over Berlin in order to

make his leadership even more respected within the Communist bloc and abroad especially in Africa, Asia, and Latin America. Moreover a Western retreat over Berlin would demonstrate the growing political force of communism, and particularly Khrushchev's personal ability to level with the "imperialists."

5. The party program is not only a blueprint for global Communist subversion, but an important piece of propaganda since it forcefully attempts to refute by untrue assertions all Western arguments and evidence against the terroristic and tyrannical character of the Communist regimes and against the global danger of the Communist promoted "social revolutions" and "liberation wars."

6. Part two of the programs which gives a fantastic picture of the hitherto unmatched well-being and happiness of the members of Communist society, a well-being to be attained within a relatively short period, is apparently aimed primarily at impressing the newly emerged nations who are on the crossroad to choose the form of their regime. These nations do not know that the Soviets have been compelled to recently introduce the death penalty for crimes of slowing down industrial production and that Khrushchev had to attack vehemently several of his colleagues at the January central committee meeting over the deplorable state of Soviet agriculture.

7. Thus, unfortunately these new nations and masses of low standard of living elsewhere on the globe, may give credence to these fantastic Communist promises as well as the program's assertion and in case of a worldwide Communist victory, there would be everlasting peace and thus no country would need to maintain armies anymore.

8. These peoples may give credence to all these utopian predictions simply on the ground of the factual "miraculous" technical achievements of the Soviet Union, believing in the assertions of the Communist propaganda that the Communist system is capable to bring about similar incredible miracles even in the spheres of social and economic life of mankind within a relatively short period.

9. The unceasing assertions of Communist propaganda that the final victory of communism is an unavoidable historical development, coupled with the diminishing Western influence in the undeveloped nations and with the regrettable inability of the Western powers to conceive a unified Western political strategy against the global Communist strategy inside and outside the United Nations, certainly are such factors which may induce nations (threatened directly or indirectly by Communist aggression) to revise their foreign policy originally based on the assumption that the West will be able to counter Communist expansion.

10. The fact that communism was able to build up its image in the eyes of peoples in Asia, Africa, and Latin America as the greatest defender of peace, freedom, and self-determination is primarily due to the irremediable failure of Western policy and propaganda to ceaselessly expose both the Soviet aggressions in Eastern Europe and the institutional violations of the basic human rights by the Communist regime. The Western propaganda has also failed to relentlessly and continuously repeat the undeniable facts that the nationwide Hungarian Revolution of 1956 was carried by the indoctrinated students, workers, and soldiers who were regarded by Moscow as the most reliable elements of the Hungarian people.

11. Thus, it is mainly due to this Western failure that the authors of the new party program are so confident to be able to convince peoples that it is the Soviet Union and not the West who fights for the genuine freedom and happiness of mankind.

12. Finally the new party program which faithfully mirrors Khrushchev's philosophy based on the recent changes in the world and on the obsolescence of the party program of 1917 written by Lenin, is apparently aimed at hightening the prestige and stature of Khrushchev within the "world socialist system" still before the 22d party congress which opens on October 17, 1961. Although Khrushchev was not yet placed officially on the same pedestal as Lenin, one should not forget that after the fiasco of the Paris summit meeting, Defense Minister Marshall Malinovsky already called Khrushchev as "our teacher," in his speech of May 30, 1960. No Soviet leader was called "teacher" except Lenin and Stalin. Therefore it may be expected that the 22d Soviet Communist Party Congress will equate the personality of Khrushchev with the historical greatness of Lenin.

The ACTING PRESIDENT pro tempore. Do the Senators yield back their remaining time?

Mr. HUMPHREY. Mr. President, I have yielded back the remainder of my time.

Mr. HICKENLOOPER. I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Iowa [Mr. MILLER].

The amendment was agreed to.

Mr. HICKENLOOPER. Mr. President, I call up my amendments "8-24-61—B" and ask that they be stated.

The ACTING PRESIDENT pro tempore. The amendments of the Senator from Iowa will be stated.

The LEGISLATIVE CLERK. On page 11, line 7, after the comma, it is proposed to insert "not to exceed 275 in fiscal year 1962,".

On page 11, line 8, before the comma, it is proposed to insert "and Peace Corps representatives abroad as provided in section 7(e),".

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendments of the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, as the bill now stands, there is no limit on the number of employees that could be hired to administer the operation. I think there should be a limit. I have discussed this question with the Senator from Minnesota. As I understand—although the Senator, of course, will speak for himself—we are agreed that a reasonable limitation would be a total of 275 administrative officials, which would include stenographers, administrative people, and officers who administer the program, but would not include the country representatives who may be sent abroad. They are excluded from the proposed limitation. The second part of the amendment attempts to take care of that question.

Mr. HUMPHREY. The Senator is correct.

Mr. HICKENLOOPER. My own feeling is that 275 people are far too many for the proposed assignments. I think it is an extravagant limit for an operation such as the one proposed. I would prefer that the limit be much lower, but being a realist in some degree, I believe it would be better to have a limit even though the limit is much more than I think is necessary. The amendment fixes a limit of 275, exclusive of those officers who serve as country representatives, under section 7(e) of the bill.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. HUMPHREY. The provision would not include consultants who may be called upon.

Mr. HICKENLOOPER. No. The amendment does not include consultants.

Mr. HUMPHREY. But it includes the full-time employees in the administrative division.

Mr. HICKENLOOPER. The full-time employees in the administrative division.

Mr. HUMPHREY. Other than the country representatives. The Senator has been very considerate on this question. Personally, I believe it is good to have a ceiling. I hope that the full ceiling will not be utilized.

Mr. HICKENLOOPER. I certainly hope so, because I think it is absolutely unnecessary to have available the amount of money requested for that purpose, but the amendment would fix a ceiling.

Mr. HUMPHREY. Mr. President, I yield back the remainder of my time.

Mr. HICKENLOOPER. Mr. President, I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Iowa [Mr. HICKENLOOPER].

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment.

Mr. HICKENLOOPER. Mr. President, I had submitted a proposed amendment along the lines of the amendment which was voted upon yesterday, which would reduce the total amount of the authorization from $40 million to $30 million. The amendment that was voted upon yesterday would have reduced the authorization from $40 million to $25 million. The proposed amendment of which I now speak would increase that proposed ceiling from $25 million to $30 million.

However, I feel very definitely that the issue was substantially met yesterday. The Senate has discussed it, and I believe everybody understands what it provides. I do not see that going through the discussion again would accomplish any useful purpose if I did call up the amendment. If I did so, I would insist upon a yea-and-nay vote. I frankly see no particular purpose that would be served by doing so. Therefore, for the benefit of those who anticipated that I would call up the amendment which would reduce the authorization from $40 million to $30 million, I should like to say that I believe the issue was substantially settled yesterday, and I would not care to take the time of the Senate today to "plow the same ground," practically. Therefore, I do not intend to call up the amendment.

Mr. HUMPHREY. Mr. President, I thank the Senator. I thank him for his cooperation also in the discussion of the bill.

The ACTING PRESIDENT pro tempore. The bill is open to further amend-

ment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2000) was ordered to be engrossed for a third reading and was read the third time.

Mr. HUMPHREY. I yield 1 minute to the Senator from Tennessee [Mr. KEFAUVER].

Mr. KEFAUVER. Mr. President, the authorization of a permanent Peace Corps, which we are considering today, represents a major step forward in improving human relations on an international scale.

It will provide the means for doing something which accords with our national character, something which we have talked about for a long time but which, unfortunately, we have heretofore done too little about: Helping people on a person-to-person basis whatever help is needed.

And the success which I am sure will crown this effort will, by contrast, show to the world the cynicism of what Mr. Khrushchev called "genuine Communist humanism" in his recent speech at a Soviet-Rumanian rally.

The success of a permanent Peace Corps, at least operationally, is indicated by the fine leadership so far provided by the Peace Corps Director, the Honorable Sargent Shriver.

Mr. Shriver has organized the unorganized; he has tapped the great reservoir of youth's idealism and channeled it into useful performance. As I have said many times, wisdom is not the monopoly of those with gray hair. Throughout history, it is the youth of the world who have carried the banners of ideas and progress, who have brought civilization a more intelligent view of its destiny.

Too often, I feel, the rest of the world gets a misleading picture of America and its people. It may be because those who represent us abroad, by necessity, are not usually the "plain people" of whom Lincoln spoke.

We need more plain people to carry our story to the plain people elsewhere in the world—people who farm and can teach others to farm; carpenters who can build and can help others learn the art; and teachers and nurses and the managers of small industries who can likewise encourage others in distant lands to make a better life for themselves and their neighbors.

A permanent Peace Corps will help to accomplish these things and, in the process, provide a new dimension of the meaning of freedom in the world.

Mr. DIRKSEN. I yield 3 minutes to the Senator from Vermont.

Mr. AIKEN. Mr. President, now that the bill to establish the Peace Corps and to authorize funds for its operation has had its third reading, I should explain why I have not spoken on a subject in which I have been very much interested. Many of my own personal friends and neighbors have participated in setting up the Peace Corps, to the point where it is today, and I did not want anyone to think that I was promoting it or supporting it for purely local or personal reasons. The fact is that even before I knew that any of my own neighbors were to participate in the establishment of the organization it seemed to me like a worthwhile experiment. I do regard it as an experiment, an experiment in human nature and for human welfare.

We have tried many ways to get on friendly terms with all the other peoples of the world. I find people much the same the world over, regardless of their race or creed or other circumstances. They have the same fears and the same desires. We have tried to promote our friendly relations with them in various ways. We have spent enormous amounts of money very generously—even extravagantly. We have cajoled; we have used strong talk. Recently the missile has been shaken very much. Yet all the methods we have used seem to have failed or at least partially failed up to this time.

It seems to me that we should not give up in trying to win our objective, which is to be on friendly terms with all the rest of the world.

I believe this experiment of people getting acquainted with and trying to do good and be helpful to other people is a program which is certainly worth trying. I have the greatest hopes for its success, although we must expect that there will be some individual failures in the program. It cannot be otherwise. However, all in all, it gives promise through a method we have not really tried up to this time.

Mr. DIRKSEN. Mr. President, I yield myself 3 minutes.

This is a brandnew governmental adventure. It articulates what has been discussed over a long period of time as a kind of people-to-people program with governmental sanction. It can be an incandescent success or it can be a monumental failure. If it is a success, I think a large share of the credit can be attributed to the devotion and dedication of the Director, Mr. Sargent Shriver. If the program is a failure, it will probably fail because of certain intrinsic difficulties that the program will encounter abroad.

It is interesting to note that this program, in the form of the bill now pending, is a far cry from the first idea advanced a good many years ago by Mr. Heinz Rollman, of Waynesville, N.C. I gather that he was really the father of the so-called Peace Corps idea. His background is rather intriguing. His own statement, which appears in the hearings, indicates that more than two decades ago he was a refugee from Hitler's Germany. He became eminently successful in the business of manufacturing shoes. As I understand from his statement, he operates shoe plants in many countries in South America and in many other countries throughout the world. He was a refugee, having that sense of humanity and touch of kindness, and his idea was probably a natural reflection of his feeling and the difficulties which he encountered in his earlier days. However, he had a more ambitious plan. His plan was to recruit 5 million mature people and send them abroad. He was willing, even, to put his plan on the basis of conscription.

Before the committee, Mr. Rollman expressed great doubt about the Peace Corps plan, largely because he was afraid that immature young persons would not be able to cope with the conditions with which they would be confronted in the countries to which they would be assigned. He thought it was work for far more mature people. However, it is rather interesting to think of the transformation of his idea of some huge estimate that would put a 5-million-person peace army into every corner of the earth under the program which is now before the Senate.

Mr. President, we must accept this program on faith. I voted for the cut from $40 million to $25 million. I am sorry that that amendment did not prevail. The program ought to be kept on a token basis until we can better determine what its success will be. I shall support the plan, even though I have some misgivings about it. But it will be our responsibility, after a year or two, to make a careful examination and to scrutinize thoroughly the results and the impact of the program in the countries where it has been accepted. If the results are unfavorable, then I think it will be the obligation and the responsibility of Congress to liquidate it just as quickly as we embraced the idea and brought the new agency into being.

So I accept the program on faith. For that reason, I shall vote for the bill. If there were behind it that spirit of dedication and zeal on the part of all field workers which is found in the charitable organizations which have been conducting this type of work for many years, there is no doubt that it would be a success. That is one of the imponderables in the program. That, too, we must accept on faith.

Mr. HICKENLOOPER. Mr. President, will the Senator from Illinois yield time to me?

Mr. DIRKSEN. Mr. President, I yield to the Senator from Iowa whatever time he desires.

Mr. HICKENLOOPER. Mr. President, somewhat after the fashion expressed by the Senator from Illinois, I approach the proposal of the Peace Corps with mixed emotions. The basic idea of sending Americans, especially young persons, to have intimate contact with the peoples of other countries, in the less-developed areas, has an appeal, if it is successful. And, of course, it has a romantic appeal to youth. It offers an opportunity to see strange and exotic places and to eat strange and exotic food. I predict that many of the persons chosen will have the opportunity of saying whether their cooked alligators should be fricasseed or fried, or their iguana should be hung for a certain length of time, so that the meat will be tender enough to eat. There will probably be various experiences of that kind.

Quite likely these people will experience some hardships. I imagine that when they understand the purpose of the Peace Corps and what they are expected to do, they will have a far worse time

than they anticipate. It will not be a picnic. On the other hand, it may be less effective. Although I do not have accurate figures, not having had a recent review of them made, I am told that, according to reports, there are some 135,000 missionaries who are dedicated, spiritually and physically, to the assistance of people in the less-developed areas of the world. They are people of all denominations and of all groups. They are not entirely or strictly devoted to spiritual evangelism. Among them are doctors and technicians; 135,000 of them are in all parts of the world.

Still, even those dedicated people, of all kinds and types of religious or spiritual bent, have not been able to move us substantially toward peace or toward the mutual understanding which is our goal. In the light of that experience—and it has been going on for a good many years in this country; missionaries have been sent from the United States since almost the first days of our independence—and the fact that they have not been able to reorient the less-developed countries of the world toward our ideas of freedom and the dignity of man, I am not quite certain how youths from this country will bring that salvation to the world in a short period of time. In other words, I am merely trying to be realistic.

When the bill comes to a final vote, I shall vote for it, because of the principle that if we can do anything which will substantially contribute to a better understanding among peoples, we should do so. But I hope we will not delude ourselves by thinking that this idea, which has been given so much fanfare and advertising, is the answer to the question of human relationships throughout the world in respect of political and social thinking.

As was stated yesterday, the program originally was planned to cost from $3 million to, at the most, $10 million. The bill authorizes the appropriation of $40 million, which those in charge of the program cannot possibly spend this year. Yesterday, I tried to have the total amount of authorization reduced to $25 million, which would be more than they would be able to spend this year; but that amendment was defeated. So those in charge of the program will have access to a great amount of money.

The participants in the operation will be very well treated, indeed, for they will not now be the sacrificial group originally proposed. Sacrifice will not really be a part of the so-called Peace Corps, because those who participate will be provided with everything except fancy salaries. The Peace Corps volunteers will not be paid fancy salaries; but they will receive maintenance, health care, retirement, tenure credits—all the things that go with Government employment, except good salaries; and they will receive their keep, their health-care requirements, their food, their clothing—everything. So the operation is no longer to be a sacrificial one. It will be an interesting and a rather exotic and bizarre experience for many of them. I hope they will actually get down to work with the people of other countries. Under the program, the plan is now to send out geologists, and to send English teachers to the Philippines. Of course, we have been sending English teachers to the Philippines for more than 50 years; but now the Peace Corps is to send English teachers there. I do not know how that will help the people there to plant palm shoots, and so forth, and get their produce to the market; but this high-level operation will go on.

We already have had the ICA and the international cooperation program and other programs, under which thousands of our people have been sent all over the world. It seems to me that as this program becomes more fixed, the administrators will become more expansive in their ideas in regard to the treatment of the program. At first I said that if the program was handled by dedicated people who would work with almost a missionary zeal in helping the people of other countries, they would be able to do some good in some of those countries; and I shall be willing to go along with the program. I still am willing to go along with it, because I think it may be of some help. But I think it has become extravagant and is now creating some delusions as to what its real purpose eventually will be.

Again I point out that there is nothing new about this idea, because we have been sending missionaries—agricultural missionaries, technicians, medical missionaries, and others—from the United States to other countries for 150 or 160 years. Again I point out that the best information I have been able to obtain recently indicates that we have 135,000 of them over the world at the present time.

All I am saying today is that after passing a bill which in my judgment is extravagant and calls for the authorization of more appropriations than can possibly be used in the program—according to the figures of its own administrators—a bill which has been changed from the original total cost of $10 million, to which Mr. Shriver testified in March, to $40 million at the present time, and I do not know what the amount will be next year—we should certainly keep watch on the program and its development.

I believe that next year we should ascertain what progress, if any, has been made. I am perfectly willing to give the program sympathetic attention next January or February, when it comes before us again.

There will not be 2,700 employees by the end of the fiscal year; even the officials of the program admit that. Two thousand is the most they will have then. They now have only 600. The average for this fiscal year will be only approximately 1,400. But their basis is a total of 2,700 employees. It was in view of that situation that I attempted to have the total authorization set at $25 million; but that amendment has been rejected.

Nevertheless, Mr. President, so far as the bill is concerned, it now appears obvious that the bill will be passed, without any question. I support the idea behind it; but I shall continue to oppose the extravagance and the change of direction which has occurred during the last several months in connection with the program. I hope the program can be returned to that of a dedicated organization, one of service and of zeal and of real dedication and sacrifice, which is what it must be if it is to be effective and accomplish the purposes we all hope it will accomplish.

The idea behind the program is a very high-sounding one, and it has excited a number of people. However, not as many people are excited about it now as there were at first.

But I am perfectly willing to give the program a trial, even though, as I have stated, I shall continue to oppose many of the extravagant and, as I regard them, unwarranted features of the bill.

Mr. DIRKSEN. Mr. President, I have received no further requests to yield time on the bill. Therefore, I yield back the remainder of the time under my control.

Mr. MANSFIELD. Mr. President——

Mr. HUMPHREY. Mr. President, I yield to the majority leader.

Mr. MANSFIELD. Mr. President, I urge the passage of the Peace Corps bill. I believe the bill will have the overwhelming support of Members of the Senate.

The Senator from Iowa [Mr. HICKENLOOPER] certainly has rendered distinguished service, throughout the debate, by offering amendments which will strengthen the concept, which, as he has so aptly stated, will be on trial during the next year or so.

In a sense, this organization is of a new type, and it will be on trial. But I am confident that under the direction of Mr. Shriver, who has tried to make a solid concept out of the Peace Corps, it will live up to expectations. If it does not, of course, means will be found to exercise due scrutiny, and corrections can be made at the proper time.

I think great credit should also go to the distinguished senior Senator from Minnesota [Mr. HUMPHREY], the floor manager of the bill, who has shown perspicacity, understanding, and tolerance, and certainly is wholeheartedly in favor of the proposal upon which we shall vote shortly. He has been his usual good-humored self. He knows the bill backward and forward. He is able to see the points of view of others, and to arrive at reasonable accommodations.

Now that the distinguished minority leader has spoken in favor of the bill, even though he would have preferred to have some further amendments adopted, I hope the bill will be passed speedily by both Houses of Congress, and that the program will get underway very shortly.

Mr. HICKENLOOPER. Mr. President——

Mr. HUMPHREY. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. I call attention to a misinterpretation which went out over the news wires yesterday afternoon. I shall read from the news ticker item in regard to the adoption of my

amendment, or the joint amendment, providing that not more than 75 Peace Corps men can be assigned to serve other international organizations. That amendment was adopted yesterday.

But a misinterpretation was sent out over the news wires. It is entirely erroneous; it is not correct in any respect, so far as I know. I now read the news ticker item:

> The Senate approved a modified amendment by HICKENLOOPER providing that no more than 75 Peace Corps men could be assigned to serve with other international organizations, such as the United Nations or oversea missionary groups.

Mr. President, nothing in the amendment would prevent service with missionary groups.

Mr. HUMPHREY. Or with any of the voluntary organizations.

Mr. HICKENLOOPER. Yes. Those are not the international organizations which are referred to in the amendment. The dispatch creates an entirely incorrect impression. We have often stated that the work could well be done with other such organizations, including our missionaries, in areas where they have had experience.

Mr. HUMPHREY. Exactly.

Mr. HICKENLOOPER. So I hate to have such an erroneous interpretation issued, when there is nothing to that effect in the amendment.

Mr. HUMPHREY. Mr. President, I thank the Senator from Iowa for making this correction. Certainly we had a complete understanding about the amendment. We were referring to the agencies of the United Nations—the established, governmental, international organizations—and not to voluntary or private organizations.

Mr. HICKENLOOPER. That is correct.

Mr. KEATING. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. KEATING. Mr. President, the Sovereign Order of Malta, with which the Senator from Minnesota may be familiar, has through its nearly 1,000 years of existence, dedicated itself to the care of the sick, the wounded, refugees, and needy. It has established and operates research centers, missions, hospitals, sanitariums, and dispensaries throughout the world using modern methods to fulfill the age-old precepts of Christian charity.

It has also done magnificent work among lepers all over the world. Thousands of lepers have been cured through the direct efforts of this order. Others have been benefited, not only through medical care, but through the social rehabilitation projects of the order.

It would be entirely appropriate, would it not, for the Peace Corps to cooperate with the Order of Malta—not by giving them money, which they do not want, but I have had an indication that perhaps they would have a great interest in using the services of Peace Corps volunteers in countries where many lepers are located.

In the judgment of the Senator, would it not be entirely in keeping with the spirit of this legislation for Peace Corps volunteers to work with the Order of Malta in connection with work in those countries?

Mr. HUMPHREY. There is certainly nothing in the legislation that would prohibit it. Each of the voluntary organizations must be considered on the basis of its work and the contractual relations they will enter into. Let me make it clear that there is nothing in the legislation to deny that possibility. In fact, the legislation is directed toward encouraging cooperation with recognized, reputable voluntary organizations.

Mr. KEATING. I thank the Senator. I yield to the Senator from Idaho [Mr. CHURCH].

Mr. CHURCH. Mr. President, I have listened with great interest to the remarks of the distinguished Senator from Iowa. We sat long hours in the deliberations on this bill in the Foreign Relations Committee. I know of the constructive role he played in the legislation. Many of the amendments suggested by him were adopted by the committee, and I think they have served to strengthen the bill.

However, I respectfully disagree with him when he charges that this is an extravagant program. I would say it is a modest program. Only 2,700 corpsmen are contemplated. The $40 million authorization is less than one one-hundredth of what we appropriate to sustain our general foreign aid program all over the world.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. GORE. It is almost identical with the cost of the fertilizer plant in South Korea which we have yet found almost unusable. Is that correct?

Mr. CHURCH. I think that is correct, and I thank the Senator for his very pertinent comment.

The amount of money we are authorizing here is less than one one-thousandth of what we have authorized this year alone for the military forces. So I do not think it can be charged that this is an extravagant program.

Indeed, I hope the pilot effort this bill embraces will prove so successful that we can expand the program in the future.

Last year I had the opportunity to make an extensive trip through Africa, which carried me into 16 African countries, over a distance of some 22,000 miles. I discussed the concept of the Peace Corps with some of the leading African public men. Everywhere the response was affirmative. But I will remember best, I think, the expression of one African leader who said, with regard to our existing foreign aid program, that it was rather like water on a water wheel; that money, either in the form of grants or loans, may be useful in turning the wheel once, but the money is then lost in the stream below. When we send young Americans who believe strongly in free institutions, who are trained to do useful and constructive work in the newly emerging countries, to assist in projects that are helpful to them, but who will also, in the process, become acquainted with the Africans themselves, we will be sending young ambassadors of our own way of life who will make a more lasting impression upon the people with whom they come in contact, and in the long run will be of greater benefit to the United States and the way we shall come to be regarded in remote parts of the world, than money alone can ever accomplish.

I think that is the promise of the Peace Corps. It represents the only innovation, the only "new start" we are making in our aid program abroad. I think we ought to support it strongly.

The distinguished Senator from Iowa has mentioned the great work that has been done by the fine missionaries of the United States in many foreign lands. No one would gainsay his statement. But those missionaries are primarily concerned with religious and humanitarian work. The new African countries have other problems to cope with. They do not need massive inoculations of money. Their economies are not sufficiently advanced to make it possible for them to absorb large sums of capital. They desperately need trained persons who are civil engineers, who can assist them in rudimentary reclamation projects, or in laying out roads into the hinterland; teachers capable of assisting them in the primary and secondary levels of education; agricultural extension agents; and people who are trained in accounting and other specialties that are so badly needed in establishing modern societies.

The Peace Corps offers great promise in the very areas that are most important to the newly emerging countries of Africa and Asia.

Therefore, I think it is worthy of our support, and that it may do more in the long run to build good will toward the United States, and all the wholesome things we stand for, than any other phase of our foreign aid program.

I commend the administration for offering it, and our distinguished assistant majority leader for the fine work he has done, both in sponsoring the legislation, and in managing it on the floor.

I hope the bill will receive the strong endorsement of the Senate.

Mr. HUMPHREY. I yield 2 minutes to the Senator from Kentucky [Mr. COOPER].

Mr. COOPER. Mr. President, I am a cosponsor of the Peace Corps bill and I have been glad to support it.

I shall not repeat the arguments which have been so ably advanced by other Senators in support of the bill, but I should like to state some additional reasons which make me believe the bill is a very valuable one.

The young people who will be members of the Peace Corps will be able to represent our country in a special and valuable way—in a way that those who represent us in our foreign aid programs and our Foreign Service cannot do. These young people will represent our programs and the purposes of our country in the remote villages and areas of foreign countries, and most of them will be closely associated with their peoples.

Further, I believe the Peace Corps will stimulate the governments and peoples

of other countries to undertake larger programs for their young people to work in the villages and remote places of their own countries toward their own development.

I have found, in some countries I have visited, that despite the great need for work—in teaching, agriculture, health—in the villages, the colleges were pouring out young people who were unemployed, who did not know what to do, and it seemed the government did not know what to do with the college graduates—even though great need for their services existed in the villages and crowded cities. Perhaps the example of young Americans working in those communities on basic needs will stimulate the governments of those countries to use their own young people more effectively.

Finally, I point out that the Peace Corps has aroused imagination, and engendered a sense of mission among the young people of our country, I would not wish to do anything to deny or to limit the feeling of responsibility, of mission, of value to mankind which the measure has inspired among young men and women in the United States. This program will do much to stimulate and inspire in young people of our country, the belief that they have a part to play in helping to solve the world problems facing our country today.

Mr. President, these are some of the reasons which led me, at the outset, to support the Peace Corps.

Mr. DIRKSEN. Mr. President, I yield 3 minutes to the distinguished Senator from Florida [Mr. HOLLAND].

The ACTING PRESIDENT pro tempore. The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, I intend to support the proposed legislation because I think it will give to young people of imagination, fervor, and patriotic enthusiasm an opportunity to enlist in their country's service in performing tasks which I think will be most helpful in a peaceful way, and which I am sure will appeal to many of them even more than the opportunity for military service, which they meet willingly if they are challenged with it.

I should have preferred to have the program approached a little more slowly. For that reason I voted for the amendment to cut the first year's appropriation to $25 million. The program is so new, careful selection is so important, and careful and cautious planning and administration is of such great importance to the success of the enterprise, that I should have preferred to proceed more slowly.

I have conferred twice with Mr. Shriver. I find him to be a highly personable, attractive, and dedicated young man who I think will be an inspiration to all the youngsters in this service. He has assured me that in the process of selection of personnel great attention will be given to getting young people, both men and women, who have demonstrated maturity and stability. I emphasize the fact that both those qualities are necessary. I hope they will be carefully determined to be present in the character and qualities of every individual who is selected for this important work.

I shall support the proposed legislation.

Mr. DIRKSEN. Mr. President, I yield myself 1 minute.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

Mr. DIRKSEN. I wish to pay a compliment to the distinguished Senator from Iowa [Mr. HICKENLOOPER] for the diligence with which he has followed this whole proposal, both in the committee and on the floor. I believe the bill, as it comes before us for enactment, is a classic example of what can be done by a diligent Senator pursuing his objective, in season and out, offering amendments both in the Senate and in the committee, to improve the ultimate bill on which we shall vote.

Mr. AIKEN. Mr. President, will the Senator yield me 1 minute?

Mr. DIRKSEN. I yield 1 minute to the Senator from Vermont.

The ACTING PRESIDENT pro tempore. The Senator from Vermont is recognized for 1 minute.

Mr. AIKEN. Mr. President, I wish to add to what the minority leader has said. I not only compliment the Senator from Iowa for his work on the bill, which will probably result in a better program, but also for the work he has been doing day after day, year after year, in the Foreign Relations Committee. I do not think people realize the extent to which the Senator from Iowa has assisted in making loosely drawn bills into good bills so that they can accomplish in a sound and efficient manner the purposes for which they are intended.

I am glad at this time to say to the whole world that the Senator from Iowa has been a tower of strength in shaping our foreign policy and keeping it as good as it is.

Mr. HUMPHREY. Mr. President, I shall take only 1 minute.

First, I thank the staff members of the Peace Corps who worked so closely with Senators in the preparation of this proposed legislation and in the difficult days when we were marking up the bill and deciding the adjustments which needed to be made in order to perfect the legislation.

Particularly I wish to compliment Mr. Shriver and his associates for their patience and their helpfulness.

I also wish to thank Miss Mary Ann Sames of the Senate Foreign Relations Committee staff for her work. She has been a real guiding force in the preparation of the report and in helping us with regard to the bill.

I thank the majority leader for his personal references to me and for the handling of this proposed legislation, and I thank my colleagues for their splendid support.

I understand the distinguished Senator from Alabama [Mr. SPARKMAN], who has given much support to this proposed legislation, wishes to make a comment, so I yield to him at this time.

Mr. SPARKMAN. I thank the Senator from Minnesota.

Mr. President, I shall be very brief. I regret that I have not been able to be in the Senate Chamber during much of the time while the bill was being considered. I suppose it is well known that we have been quite busy in the conference committee with regard to the foreign aid program.

We have had to divide forces. The Senator from Minnesota has remained in the Chamber pretty much all the time, as has the distinguished majority leader. Others of us, who have been greatly interested not only in the Peace Corps but also the foreign aid legislation, have been attempting to work out the foreign aid program.

I am pleased that we have reached the point of passage of the proposed legislation. I am pleased that it has come through in the good shape it has. I think it is a good measure. The idea itself is challenging. I have heard very few say otherwise.

I think everyone has felt there ought to be a great deal of care and caution exercised in organizing the program and in preparing the proposed legislation. I believe that has been done.

During my service in both Houses of the Congress, I can recall very few men who have made the fine impression on those who listened to them that was made by the man who is directing this program, Sargent Shriver. I have heard nothing except the most favorable comment regarding the manner in which he has presented the program and the manner in which he has organized it. He has shown initiative and imagination. He has exercised caution. I believe I have never seen a person more dedicated to a program than Sargent Shriver is to this program. Those who have accompanied him in the various appearances made before the committee have also been dedicated.

The proposed legislation was handled sympathetically by the Foreign Relations Committee. I believe it was reported in good and rather conservative form. Sargent Shriver told us that he did not contemplate making a big show immediately; in other words, he will carry out the program gradually in accordance with the best organization which can be built up, under agreements which can be made with the various countries.

I think a great many people all over the country perhaps got the idea, in the beginning, that this was to be a very large program, with hundreds of thousands or millions of people participating. I think a great many may have been surprised when they learned that the most optimistic expressions on the part of those in charge of the program were, for the first year, a maximum number of 2,700.

The amount of money provided in the bill is all that is necessary to support a Corps of modest size, and the Senate saw fit to retain the amount that was requested.

I commend the distinguished Senator from Minnesota for the fine leadership that he has exercised in steering the measure through the Senate. I am glad

that we have arrived at this historic point in establishing the Peace Corps.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished Senator from Rhode Island.

Mr. PASTORE. I thank the Senator. I desire to associate myself with the excellent statement made by the distinguished Senator from Alabama. Recently it was my happy privilege to participate in a private briefing presided over by Mr. Shriver. I was very much impressed. No one need fear that the program is in any but the most capable hands. In Mr. Shriver we have a man who knows where he is going and knows how to get there. The program has been very well designed. It is a magnificent program that I think will do much to promote our good relations with other peoples of the world by the most appropriate means. I desire further to congratulate my good friend from Minnesota for the distinguished and skillful leadership that he gave to the proposed legislation. It is a privilege and a pleasure to endorse it.

Mr. HUMPHREY. Mr. President, I understand that my time has expired.

The ACTING PRESIDENT pro tempore. The time of the Senator from Minnesota has expired.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. All time has been yielded back. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 2000) was passed.

Mr. HUMPHREY. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. CHURCH. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HUMPHREY. Mr. President, the action of the Senate today in passing the Peace Corps bill (S. 2000) is a most significant event. The overwhelming support of this measure by the Senate is most heartening. This measure represents a new, imaginative, and bold venture, to help promote a free and more prosperous world. It is a new frontier of cooperation and assistance in our foreign policy.

I am proud that the Senate has given its approval to this program, which was set in motion by Executive order of the President on March 1. And I am pleased indeed that it has won the support of Senators on both sides of the aisle. This is as it should be for the vast majority of Americans—Democrats, Republicans, and independents alike—have been favorably impressed with this program to enlist skilled and dedicated volunteers in a Peace Corps to help the underdeveloped countries of the world in their struggle to bring a better life to their people.

The bipartisan support for the Peace Corps was evidenced in the Foreign Relations Committee which reported out the bill by a vote of 14 to 0. The backing of S. 2000 by our distinguished committee chairman and the ranking Republican, Senator WILEY, was a major factor in the prompt and favorable consideration of this measure.

I also wish to thank the distinguished minority leader, Senator DIRKSEN, and the senior senator from Iowa [Mr. HICKENLOOPER] for their statements today indicating support of the Peace Corps bill.

I am confident that this bill will be received in the House of Representatives with the same degree of support and enthusiasm as shown here in the Senate—transcending political and geographical lines. It is my fervent hope that before this session adjourns the Peace Corps bill will be approved by the Congress and signed into law by the President.

Mr. JAVITS subsequently said: Mr. President, in connection with the debate on the Peace Corps measure, the Senator from Minnesota [Mr. HUMPHREY] and I addressed a letter to the Department of the Treasury with respect to employees volunteering for the Peace Corps continuing to draw compensation from the companies with which they are connected, assuming there is no conflict of interest under the law, or as to the propriety of such salaries being considered as business expenses.

I am very glad to state that we have received a letter from Mr. Stanley S. Surrey on behalf of the Treasury Department stating that such expenses would be considered appropriate business expenses.

I ask unanimous consent that the letter from the Assistant Secretary of the Treasury Surrey may be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

TREASURY DEPARTMENT,
Washington, August 11, 1961.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: This is in further reference to your letter of June 9 to Secretary Dillon, also signed by Senator HUMPHREY, previously acknowledged by Mr. Barr, assistant to the Secretary, in regard to the deductibility by business firms for tax purposes of salaries paid to their employees who are on leave of absence in the national interest, with specific reference to those who will be serving with the Peace Corps. I was much interested in your colloquy with Senator HUMPHREY, reported in the excerpt from the CONGRESSIONAL RECORD of June 8 which you enclosed, in regard to the development of the Peace Corps program.

During World War II, when a similar question arose, the Internal Revenue Service issued income tax ruling 3417 (Internal Revenue Cumulative Bulletin 1940–42, p. 62). This ruling stated that: "Salaries paid by employers during the present emergency to employees who are absent in the military or naval service, or who are serving the Government in other ways at a nominal compensation, but who intend to return at the conclusion of the emergency, are allowable deductions from gross income for Federal income tax purposes." This ruling continued to be in effect during the Korean defense effort.

The Internal Revenue Service has informed me that the principles outlined in Income Tax Ruling 3417 are still applicable in those cases where the circumstances are substantially similar and would be applicable to wages and salaries paid to members of the Peace Corps.

If I can be of any further assistance to you in this matter, please let me know.

A similar letter is being sent to Senator HUMPHREY.

Sincerely yours,

STANLEY S. SURREY.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, following consideration of the bill (H.R. 258) it is intended to bring up for consideration a number of migrant bills, Calendar Nos. 671 to 675, inclusive. I ask unanimous consent on behalf of the manager of those bills, the distinguished Senator from New Jersey [Mr. WILLIAMS], that, during consideration of those bills, Mr. Marvin Friedman and Mr. Paul Nejelski be allowed the privilege of the floor of the Senate during consideration of those bills.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT OF DISTRICT OF COLUMBIA SALES TAX ACT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 475, H.R. 258.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 258) to amend the District of Columbia Sales Tax Act to increase the rate of tax imposed on certain gross receipts, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia, with an amendment, to strike out all after the enacting clause and insert:

TITLE I—AMENDMENTS TO THE DISTRICT OF COLUMBIA SALES TAX ACT AND THE DISTRICT OF COLUMBIA USE TAX ACT

SEC. 101. Section 125 of the District of Columbia Sales Tax Act, as amended (63 Stat. 115, as amended; sec. 47–2602, D.C. Code, 1951 ed., supp. VIII), is amended to read as follows:

"SEC. 125. For the privilege of selling certain tangible personal property at retail sale and for the privilege of selling certain selected services defined as sales at retail in this title, a tax is hereby imposed upon all vendors at the rate of 3 per centum of the gross receipts of any vendor from the sale of such tangible personal property and services: *Provided*, That the rate of tax with respect to sales of food for human consumption off the premises where such food is sold shall be 1 per centum of the gross receipts from such sales, and that the rate of tax with respect to sales or charges for any room or rooms, lodgings, or accommodations, furnished to transients by any hotel, inn, tourist camp, tourist cabin, or any other place in which rooms, lodgings, or accommodations are regularly furnished to transients shall be 5 per centum of the gross receipts from such sales."

SEC. 102. (a) Subsection (a) of section 127 of such Act (sec. 47–2604(a), D.C. Code, 1951 ed., supp. VIII), is amended to read as follows:

"(a) On each sale, other than sales of food for human consumption off the premises where such food is sold, and other than sales or charges for rooms, lodgings, or accommodations furnished to transients, such amounts as may be prescribed by the Board

of Commissioners of the District of Columbia to carry out the purposes of this section."

(b) Subsection (c) of section 127 of such Act (sec. 47–2604(c), D.C. Code, 1951 ed., supp. VIII), is amended by striking out "3 per centum" and by inserting in lieu thereof "5 per centum".

SEC. 103. Section 212 of the District of Columbia Use Tax Act, as amended (63 Stat. 126; sec. 47–2702, D.C. Code, 1951 ed., supp. VIII), is amended by striking out the figure and words "2 per centum" and inserting in lieu thereof the figure and words "3 per centum".

SEC. 104. The provisions of this title shall take effect on the first day of the first month which begins on or after the thirtieth day after the enactment of this Act.

TITLE II—AMENDMENTS TO DISTRICT OF COLUMBIA CIGARETTE TAX ACT

SEC. 201. (a) Subsection (a) of section 603 of the District of Columbia Cigarette Tax Act (63 Stat. 136, ch. 146, title VI, sec. 47–2802(a), D.C. Code, 1951 ed., supp. VIII) is amended by striking out the figure and word "2 cents" and inserting in lieu thereof the figure and word "4 cents".

(b) The increase in tax upon cigarettes, as provided by subsection (a) of this section, shall be applicable to all cigarettes in the possession on the effective date of this title of the holder of a wholesaler's, retailer's, or vending machine operator's license under said District of Columbia Cigarette Tax Act, whether or not a stamp or stamps denoting payment of tax at the rate of tax in effect prior to the effective date of this title shall have been affixed to such cigarettes.

SEC. 202. Within twenty days after the effective date of this title, every holder of a wholesaler's, retailer's or vending machine operator's license under said Act shall file with the Commissioners a sworn statement in duplicate on a form to be prescribed by the Commissioners showing the number of each kind of stamps denoting payment of cigarette taxes affixed to packages of cigarettes held or possessed by such licensee or anyone for him at the beginning of the day on which this title becomes effective, and shall, at the time of the filing of said statement, pay to the Commissioners the difference between the amount of tax represented by such stamps and the amount of tax imposed by the District of Columbia Cigarette Tax Act as amended by section 201 of this title.

SEC. 203. Within twenty days after the effective date of this title, every holder of a wholesaler's retailer's, or vending machine operator's license under said Act shall file with the Commissioners a sworn statement in duplicate on a form to be prescribed by the Commissioners showing the number of each kind of stamps held or possessed by such licensee or anyone for him which were not affixed to packages of cigarettes at the beginning of the day on which this title becomes effective, and shall, at the time of the filing of said statement, surrender such stamps to the Commissioners. The Commissioners shall credit the amount of tax represented by the stamps surrendered against new stamps purchased by such licensees. In lieu of the credit allowed for surrendering stamps as provided in this section, the licensee shall be entitled to a refund of the amount of tax represented by the stamps surrendered as an overpayment of tax in the same manner and to the same extent as provided in section 4 of the Act of July 10, 1952 (66 Stat. 543, 546, ch. 649): *Provided*, That the requirement that the amount of refund shall not exceed the portion of tax paid during the two years immediately preceding the filing of the claim for refund shall not be applicable.

SEC. 204. Every holder of a wholesaler's, retailer's, or vending machine operator's license under said District of Columbia Cigarette Tax Act shall keep and preserve for a period of twelve months after the effective date of this title, the inventories and other records made which form the basis for the information furnished on the sworn statements required to be filed under this title.

SEC. 205. Any violation of the provisions of this title shall constitute a violation under the District of Columbia Cigarette Tax Act and regulations promulgated pursuant thereto.

SEC. 206. The provisions of this title shall take effect on the first day of the first month which begins on or after the thirtieth day after the enactment of this Act.

TITLE III—AMENDMENTS TO THE DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL ACT

SEC. 301. (a) So much of section 23(a) of the District of Columbia Alcoholic Beverage Control Act, as amended (48 Stat. 319; sec. 25–124, D.C. Code, 1951 ed., supp. VIII), as reads:

"(4) a tax of $1.25 on every wine-gallon of spirits and a proportionate tax at a like rate on all fractional parts of such gallon; (5) and a tax of $1.25 on every wine-gallon of alcohol and a proportionate tax at a like rate on all fractional parts of such gallon." is amended to read as follows:

"(4) a tax of $1.50 on every wine-gallon of spirits and a proportionate tax at a like rate on all fractional parts of such gallon; (5) and a tax of $1.50 on every wine-gallon of alcohol and a proportionate tax at a like rate on all fractional parts of such gallon."

(b) The increase in tax upon spirits and alcohol as provided by subsection (a) of this section, shall be applicable to all such beverages in the possession on the effective date of this title of the holder of a manufacturer's license, class A, a wholesaler's license, class A, or a retailer's license, under said District of Columbia Alcoholic Beverage Control Act whether or not a stamp or stamps denoting payment of tax at the rate of tax in effect prior to the effective date of this title shall have been affixed to the containers of such beverages.

SEC. 302. Within twenty days after the effective date of this title, every holder of a manufacturer's license, class A, and every holder of a wholesaler's license, class A, and every holder of a retailer's license under said District of Columbia Alcoholic Beverage Control Act shall file with the Commissioners a sworn statement in duplicate on a form to be prescribed by the Commissioners showing the number of each kind and denomination of stamps denoting the payment of beverage taxes on spirits and alcohol held or possessed by such licensee or anyone for him on the date on which this title becomes effective, or on the following day if the effective day be a Sunday, including stamps affixed to the containers of such beverages manufactured in or imported into the District prior to or on the effective day of this title, and shall, at the time of the filing of said statements, pay to the Commissioners the difference between the amount of tax represented by such stamps at the time of purchase and the amount of tax imposed by the District of Columbia Alcoholic Beverage Control Act, as amended by this title, represented by such stamps.

SEC. 303. Within twenty days after the effective date of this title, every holder of a manufacturer's license, class A, and every holder of a wholesaler's license, class A, and every holder of a retailer's license under said District of Columbia Alcoholic Beverage Control Act shall file with the Commissioners a sworn statement in duplicate on a form to be prescribed by the Commissioners showing the amount of spirits and alcohol, except such spirits and alcohol upon the containers of which required stamps have been affixed, held, or possessed by such licensee in the District of Columbia on the date on which this title becomes effective and state the number of each kind and denomination of stamps necessary for the stamping of such spirits and alcohol so held or possessed on and after the effective date of this title. All stamps denoting the payment of taxes on spirits and alcohol shall be sold by the Commissioners at the rate of tax as amended by this title.

SEC. 304. Every holder of a manufacturer's license, wholesaler's license, or retailer's license under said District of Columbia Alcoholic Beverage Control Act shall keep and preserve for a period of twelve months after the effective date of this title, the inventories and other records made which form the basis for the information furnished on the sworn statements required to be filed under this title.

SEC. 305. Any violation of the provisions of this title shall constitute a violation under the District of Columbia Alcoholic Beverage Control Act and regulations promulgated pursuant thereto.

SEC. 306. The provisions of this title shall take effect on the first day of the first month which begins on or after the thirtieth day after the enactment of this Act.

TITLE IV—AMENDMENTS TO THE DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT OF 1947

SEC. 401. Paragraph (1) of subsection 7(a) of title XII of the District of Columbia Income and Franchise Tax Act of 1947, as amended (61 Stat. 353; sec. 47–1586f(a)(1), D.C. Code, 1951 ed., supp. VIII), is amended to read as follows:

"(1) Except as provided in paragraph (2) of this subsection, the total amount of tax due as shown on the taxpayer's return is due and payable in full at the time prescribed in this article for the filing of such return."

SEC. 402. The provisions of this title shall be applicable to the taxable years beginning after December 31, 1961.

TITLE V—REAL ESTATE DEED RECORDATION TAX ACT

SEC. 501. DEFINITIONS.—When used in this title, unless otherwise required by the context—

(a) The word "District" means the District of Columbia.

(b) The word "Commissioners" means the Commissioners of the District of Columbia, or their duly authorized agents or representatives.

(c) The word "deed" means any document, instrument, or writing (other than a will and other than a lease), regardless of where made, executed, or delivered whereby any real property in the District of Columbia, or any interest therein, is conveyed, vested, granted, bargained, sold, transferred, or assigned.

(d) The words "real property" mean every estate or right, legal or equitable, present or future, vested or contingent in lands, tenements, or hereditaments located in whole or in part within the District.

(e) The word "consideration", except as otherwise provided in section 504 of this title, means the price or amount actually paid, or required to be paid, for real property including any mortgages, liens, or encumbrances thereon.

(f) The word "person" means an individual, partnership, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, any individual acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, any combination of individuals, and any other form of unincorporated enterprise owned or conducted by two or more persons.

(g) The word "deficiency" as used in this title means the amount or amounts by which the tax imposed by this title as determined by the Commissioners exceeds the amount shown as the tax upon the return of the

person or persons liable for the payment thereof.

(h) The word "taxpayer" means any person required by this title to pay a tax, or file a return.

SEC. 502. EXEMPTIONS.—The following deeds shall be exempt from the tax imposed by this title:

1. Deeds recorded prior to the effective date of the enactment of this title.

2. Deeds to property acquired by the United States of America or the District of Columbia.

3. Deeds to property acquired by an institution, organization, corporation, association, or government (other than the United States of America or the District of Columbia) entitled to exemption from real property taxation under the Act of December 24, 1942 (Public Law 846, Seventy-seventh Congress, chapter 826, second session), which property was acquired solely for a purpose or purposes which would entitle such property to exemption under said Act: *Provided,* That a return, under oath, showing the purpose or purposes for which such property was acquired, shall accompany the deed at the time of its offer for recordation.

4. Deeds to property acquired by an institution, organization, corporation, or association entitled to exemption from real property taxation by special Act of Congress, which property was acquired solely for a purpose or purposes for which such special exemption was granted: *Provided,* That a return, under oath, showing the purpose or purposes for which such property was acquired, shall accompany the deed at the time of its offer for recordation.

5. Deeds which secure a debt or other obligation.

6. Deeds which, without additional consideration, confirm, correct, modify, or supplement a deed previously recorded.

7. Deeds between husband and wife, or parent and child, without actual consideration therefor.

8. Tax deeds.

9. Deeds of release of property which is security for a debt or other obligation.

SEC. 503. IMPOSITION OF TAX.—(a) There is hereby imposed on each deed at the time it is submitted to the Commissioners for recordation a tax at the rate of one-half of 1 per centum of the consideration for such deed: *Provided,* That in any case where application of the rate of tax to the consideration for a deed results in a total tax of less than $1 the tax shall be $1.

(b) Each such deed shall be accompanied by a return under oath in such form as the Commissioners may prescribe, executed by all the parties to the deed, setting forth the consideration for the deed, the amount of tax payable, and such other information as the Commissioners may require.

(c) The parties to a deed which is submitted to the Commissioners for recordation shall be jointly and severally liable for payment of the taxes imposed by this section: *Provided,* That neither the United States nor the District of Columbia shall be subject to such liability.

(d) The Commissioners are authorized—

(1) to prescribe by regulation for reasonable extensions of time for the filing of the return required by subsection (b) of this section; and

(2) to waive as to any party to a deed the requirement for the filing of a return by such party whenever it shall be determined by the Commissioners that a return cannot be filed: *Provided,* That any waiver granted by the Commissioners to a party shall not, unless specifically authorized, be deemed to be a waiver as to any other party. Any waiver made pursuant to this subsection shall not affect the requirements of subsection (c) of this section.

SEC. 504. ABSENCE OF CONSIDERATION.—Where no price or amount is paid or required to be paid for real property or where such price or amount is nominal, the consideration for the deed to such property shall, for purposes of the tax imposed by this title, be construed to be the fair market value of the real property, and the tax shall be based upon such fair market value. In any such case, the return required to be filed with the deed shall contain such information as to the fair market value of the real property as the Commissioners shall require. Whenever, in the opinion of the Commissioners, a return does not contain sufficient information as to the fair market value of such real property, the Commissioners are authorized to make a determination thereof from the best information available.

SEC. 505. INVESTIGATION BY COMMISSIONERS.—The Commissioners, for the purpose of ascertaining the correctness of any return, statement, affidavit, or other document filed pursuant to the provisions of this title or pursuant to any regulations of the Commissioners promulgated hereunder, or for the purpose of ascertaining the correctness of any payment of the tax imposed by this title, or the consideration for any deed upon which a tax is imposed, are authorized to examine any books, papers, records, or memorandums of any person bearing upon such matters and may summon any person to appear and produce books, records, papers, or memorandums pertaining thereto and to give testimony or answer interrogatories under oath respecting the same, and the Commissioners shall have power to administer oaths to such person or persons. Such summons may be served by any member of the Metropolitan Police Department. If any person having been personally summoned shall neglect or refuse to obey the summons issued as herein provided then, and in that event, the Commissioners may report that fact to the United States District Court for the District of Columbia, or one of the judges thereof, and said court or any judge thereof hereby is empowered to compel obedience to such summons to the same extent as witnesses may be compelled to obey the subpenas of that court. Any person in custody or control of any books, papers, records, or memorandums bearing upon the matters to which reference is herein made who shall refuse to permit the examination by the Commissioners or any person designated by them of any such books, papers, records, or memorandums, or who shall obstruct or hinder the Commissioners or any person designated by them in the examination of any books, papers, records, or memorandums, shall upon conviction thereof be subject to the penalties provided in this title.

SEC. 506. RECORDATION.—Except as otherwise provided in this title, no deed shall be recorded by the Commissioners until the return required by this title shall have been filed, and the tax imposed by this title shall have been paid.

SEC. 507. PRESUMPTIONS AND BURDEN OF PROOF.—For the purpose of proper administration of this title and to prevent evasion of the tax hereby imposed, it shall be presumed that all deeds are taxable and the burden shall be upon the taxpayer to show that a deed is exempt from tax.

SEC. 508. DEFICIENCIES IN TAX.—(a) If a deficiency in tax is determined by the Commissioners, the person liable for the payment thereof shall be notified by registered or certified mail of said determination, which shall include a statement of taxes due, and given a period of not less than thirty days after such notice is sent in which to file a protest with the Commissioners and show cause or reason why the deficiency should not be paid. If no protest is filed within such thirty-day period, the deficiency as determined by the Commissioners shall be final. If a protest is filed within said period of thirty days, opportunity for hearing thereon shall be granted by the Comissioners, and a final decision thereon shall be made as quickly as practicable and notice of such decision, together with a statement of taxes finally determined to be due, shall be sent by registered or certified mail to the person liable for the payment of the deficiency.

(b) Any deficiency in tax which has become final in accordance with the provisions of subsection (a) of this section shall, if no protest is filed, be due and payable within ten days after the expiration of the thirty-day period provided in subsection (a) of this section or, if a protest is filed, shall be due and payable within ten days after notice of the final decision of the Commissioners upon such protest is sent to the person liable for payment of the deficiency.

SEC. 509. PENALTIES AND INTEREST.—(a) In case of any failure to make and file a correct return as required by this title within the time prescribed by this title or prescribed by the Commissioners in pursuance of this title, 5 per centum of the tax imposed by this title shall be added to such tax for each month or fraction thereof that such failure continues, not to exceed 25 per centum in the aggregate, except that when a return is filed after such time and it is shown that the failure to file was due to reasonable cause and not due to neglect the Commissioners may in their discretion waive, in whole or in part, the addition to the tax provided by this subsection.

(b) The amount added to any tax under subsection (a) of this section shall be collected at the same time and in the same manner and as a part of the tax unless the tax has been paid before the discovery of neglect.

(c) Interest upon the amount finally determined as a deficiency shall be assessed at the same time as the deficiency, and shall be collected as a part of the tax, at the rate of one-half of 1 per centum per month or portion of a month, from the date prescribed for the payment of the tax to the date the deficiency is assessed.

(d) If the time for payment of any part of a deficiency is extended, there shall be collected, as a part of the tax, interest on the part of the deficiency the time for payment of which is so extended at the rate of one-half of 1 per centum per month or portion of a month for the period of the extension. If a part of the deficiency the time for payment of which is so extended is not paid in full, together with all penalties and interest due thereon, prior to the expiration of the period of the extension, then interest at the rate of one-half of 1 per centum per month or portion of a month shall be added and collected on such unpaid amount from the date of the expiration of the period of the extension until it is paid.

(e) If any part of any deficiency is due to negligence, or intentional disregard of rules and regulations but without intent to defraud, 5 per centum of the total amount of the deficiency (in addition to such deficiency) shall be assessed, collected, and paid in the same manner as if it were a deficiency.

(f) If any part of any deficiency is due to fraud with intent to evade tax, then 50 per centum of the total amount of the deficiency (in addition to such deficiency) shall be so assessed, collected, and paid.

(g) Where a deficiency, or any interest or additional amounts assessed in connection therewith under subsections (c), (e), or (f) is not paid in full within the time prescribed by this section, there shall be collected as part of the tax interest upon the unpaid amount at the rate of one-half of 1 per centum per month or portion of a month from the date when such unpaid amount was due until it is paid.

(h) The Commissioners are authorized at the request of the taxpayer to extend the time for payment by the taxpayer of the amount of the tax imposed by this title,

whether determined as a deficiency or otherwise, for a period not to exceed six months from the date prescribed for the payment of such tax.

SEC. 510. COMPROMISE AND SETTLEMENT.—(a) Whenever in the opinion of the Commissioners there shall arise with respect of any tax imposed under this title any doubt as to the liability of the taxpayer or the collectibility of the tax for any reason whatsoever, the Commissioners may compromise such tax.

(b) The Commissioners are authorized to enter into a written agreement with any person relating to the liability of such person for payment of the tax imposed under this title. Any such agreement which is approved by the Commisisoners and the taxpayer involved, or his authorized agent or representative, shall be final and conclusive and—except upon a showing of fraud, malfeasance, or misrepresentation of a material fact—the case shall not be reopened as to the matters agreed upon or the agreement modified; and in any suit or proceeding relating to the tax liability of the taxpayer such agreement shall not be annulled, modified, set aside, or disregarded.

(c) Any person who, in connection with any compromise under this section or offer of such compromise or in connection with any written agreement under this section or offer to enter into any such agreement, conceals from any officer or employee of the District of Columbia any material fact relating to the tax imposed by this title; destroys, mutilates, or falsifies any books, documents, or record; or makes under oath any false statements relating to the tax imposed by this title shall, upon conviction thereof, be fined not more than $1,000 or imprisoned for not more than one year, or both. All prosecutions under this section shall be brought in the municipal court of the District of Columbia, in the name of the District of Columbia, on information by the Corporation Counsel of the District of Columbia or any of his assistants.

SEC. 511. COMPROMISE OF PENALTIES AND ADJUSTMENT OF INTEREST.—The Commissioners shall have the power for cause shown to compromise any penalty which may be imposed under the provisions of this title. The Commissioners may adjust any interest, where, in their opinion, the facts in the case warrant such action.

SEC. 512. LIMITATIONS.—(a) Except as otherwise provided in this section, the amount of any tax imposed by this title shall be assessed within three years after the deed is recorded by the Commissioners and no proceeding in court without assessment for the collection of such tax shall be begun after the expiration of such period.

(b) In the case of a false or fraudulent return, with the intent to evade tax, the tax may be assessed, or a proceeding in court for collection of such tax may be begun without assessment, at any time.

(c) In case of a willful attempt in any manner to defeat or evade the tax imposed by this title, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time.

(d) In the case of failure to file a return, the tax may be assessed, or a proceeding in court for collection of such tax may be begun without assessment, at any time.

(e) Where, before the expiration of the time prescibed in this section for the assessment of the tax imposed by this title, the Commissioners and the taxpayer have consented in writing to its assessment after such time, the tax may be assessed at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

(f) The running of the period of limitations provided in this section on the making of assessments, or the collection of the tax imposed by this title in any manner authorized by law, shall be suspended for any period during which the Commissioners are prohibited from making the assessment or from collecting said tax, and for ninety days thereafter: *Provided*, That in any case where a proceeding is commenced by a taxpayer in any court in connection with the tax imposed by this title, the running of the period of limitations shall be suspended for the period of the pendency of such proceeding and for ninety days after the decision of the court shall have become final or, if the proceeding shall have been dismissed or otherwise disposed of, for a period of ninety days after such dismissal or other disposition.

SEC. 513. ADMINISTRATION OF OATHS.—The Commissioners are authorized to administer oaths and affidavits in relation to any matter or proceeding conducted by them in the exercise of their powers and duties under this title.

SEC. 514. APPEAL.—(a) Any person aggrieved by any assessment of a deficiency in tax finally determined by the Commissioners under the provisions of section 508 of this title may appeal to the District of Columbia Tax Court in the same manner and to the same extent as set forth in sections 3, 4, 7, 8, 9, 10, 11, and 12 of title IX of the Act entitled "An Act to amend the District of Columbia Revenue Act of 1937, and for other purposes", approved May 16, 1938, as amended and as the same may hereinafter be amended.

(b) The remedy provided in subsection (a) of this section shall not be deemed to take away from the taxpayer any remedy which he might have under any other provision of law but no suit by the taxpayer for the recovery of any part of the tax imposed shall be instituted or maintained in any court if the taxpayer has elected to file an appeal with respect to such tax, or any part thereof, in accordance with the provisions of subsection (a) of this section.

SEC. 515. REFUNDS AND COLLECTION.—The provisions of section 14 of title IX of the District of Columbia Revenue Act of 1937, as added by the Act of May 16, 1938, and as amended by the Act of July 26, 1939, and as added by section 4 of the Act of July 10, 1952, and the provisions of section 1601 and section 1602 of title XVI of the District of Columbia Public Works Act of 1954 shall be applicable to the tax imposed by this title.

SEC. 516. STAMPS.—The Commissioners are authorized to prescribe by regulation such methods or devices, or both, including the use of a stamp or stamps, for the evidencing of payment, and the collection of the taxes imposed by this title, as they may deem necessary and proper for the administration of this title.

SEC. 517. PROMULGATION OF RULES AND REGULATIONS.—The Commissioners are hereby authorized to prescribe such rules and regulations as they may deem necessary to carry out the purposes of this title.

SEC. 518. ABATEMENT.—The Commissioners are authorized to abate the unpaid portion of any tax due under the provisions of this title, or any liability in respect thereof, if the Commissioners determine under rule or regulation prescribed by them that the administration and collection costs involved would not warrant collection of the amount due.

SEC. 519. ELIMINATION OF FRACTIONAL STAMPS OR DEVICES.—For the purpose of avoiding, in the case of any stamps or devices employed pursuant to authority of this title, the issuance of stamps or the employment of devices representing fractional parts of $1, the Commissioners are authorized, in their discretion, to limit the denominations of such stamps or devices to amounts representing $1 or multiples of $1, and to prescribe further that where part of the tax due is a fraction of $1, the tax paid shall be paid to the nearest dollar.

SEC. 520. GENERAL CRIMINAL PENALTY.—Whoever violates any provision of this title for which no specific penalty is provided, or any of the rules and regulations promulgated under the authority of this title, shall be subject to a fine of not more than $1,000, or to imprisonment of not more than one year, or to both such fine and imprisonment. Prosecutions for violations of this title shall be on information filed in the municipal court for the District of Columbia in the name of the District of Columbia by the Corporation Counsel or any of his assistants, except for such violations as are felonies, and prosecutions for such violations as are felonies shall be by the United States attorney in and for the District of Columbia, or any of his assistants.

SEC. 521. CRIMINAL PENALTY AS TO STAMPS.—(1) Any person who, with intent to defraud, alters, forges, makes, or counterfeits any stamp, or other device prescribed under authority of this title for the collection or payment of any tax imposed by this title, or sells, lends, or has in his possession any such altered, forged, or counterfeited stamp, or other device, or makes, uses, sells, or has in his possession any material in imitation of the material used in the manufacture of such stamp, or other device; or

(2) Fraudulently cuts, tears, or removes from any deed, parchment, paper, instrument, writing, or article, upon which any tax is imposed by this title, any adhesive stamp or the impression of any stamp, die, plate, or other article provided, made, or used in pursuance of this title; or

(3) Fraudulently uses, joins, fixes, or places to, with, or upon any deed, parchment, paper, instrument, writing, or article upon which a tax is imposed by this title,

(a) any adhesive stamp, or the impression of any stamp, die, plate, or other article, which has been cut, torn, or removed from any other deed, parchment, paper, instrument, writing, or article upon which any tax is imposed by this title; or

(b) any adhesive stamp or the impression of any stamp, die, plate, or other article of insufficient value; or

(c) any forged or counterfeited stamp, or the impression of any forged or counterfeited stamp, die, plate, or other article; or

(4)(a) Willfully removes, or alters the cancellation or defacing marks of, or otherwise prepares, any adhesive stamp, with intent to use, or cause the same to be used, after it has already been used; or

(b) knowingly or willfully buys, sells, offers for sale, or gives away, any such washed or restored stamp to any person for use, or knowingly uses the same; or

(c) knowingly and without lawful excuse (the burden of proof of such excuse being on the accused) has in his possession any washed, restored, or altered stamp, which has been removed from any deed, parchment, paper, instrument, writing, package, or article;

shall be guilty of a felony and, upon conviction thereof, shall be fined not more than $5,000, or imprisoned not more than three years, or both.

SEC. 522. DISPOSITION OF FUNDS.—All moneys collected under this title shall be deposited in the Treasury of the United States to the credit of the general fund of the District of Columbia.

SEC. 523. SEPARABILITY CLAUSE.—If any provision of this title, or the application thereof to any person or circumstances, is held invalid, the remainder of this title, and the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 524. APPROPRIATIONS.—There are hereby authorized to be appropriated such amounts as may be necessary for the carry-

ing out of the provisions of this title, including the use of stamps or other devices for evidencing payment of the tax imposed by this title.

SEC. 525. EFFECTIVE DATE.—The provisions of this title shall take effect on the first day of the first month which begins on or after the sixtieth day after the enactment of this Act.

TITLE VI—AMENDMENTS TO WATER RENT RATES AND SANITARY SEWER SERVICE CHARGES

SEC. 601. Section 101 of title I of the District of Columbia Public Works Act of 1954 (68 Stat. 101; sec. 43–1520c, D.C. Code, 1951 ed.) is amended by inserting the subsection designation "(a)" immediately after "SEC. 101", and by adding to such section the following subsection:

"(b) Notwithstanding the provisions of subsection (a) of this section, the Commissioners are authorized, in their discretion, to increase the rates charged by the District for water and water services furnished by the District water supply system: *Provided*, That no such increase shall exceed 25 percentum of the rate or rates in effect on January 1, 1961."

SEC. 602. Section 207 of title II of such Act (sec. 43–1606, D.C. Code, 1951 ed.) is amended by striking "60 per centum" wherever it occurs in such section and in each such instance inserting in lieu thereof "75 per centum".

SEC. 603. Section 208 of title II of such Act (sec. 43–1607, D.C. Code, 1951 ed.) is amended by adding thereto the following new subsection:

"(c) If at any time, or from time to time, the Commissioners shall change the established sanitary sewer service charge, the sanitary sewer service charge for any period beginning prior to any such change and ending thereafter shall be prorated on a monthly basis, in accordance with the established charges prevailing in the respective periods."

SEC. 604. The provisions of this title shall become effective on the first day of the third month following the date of enactment of this Act.

TITLE VII—INCREASE IN THE ANNUAL FEDERAL PAYMENT

SEC. 701. Subsection (a) of section 2 of article VI of the District of Columbia Revenue Act 1947 (sec. 47–2501b, D.C. Code, 1951 ed.) is amended (1) by striking "and the sum of $21,000,000 for the fiscal year 1959 and for each fiscal year thereafter" and inserting in lieu thereof "the sum of $21,000,000 for each of the fiscal years 1959, 1960, and 1961, and the sum of $25,000,000 for each fiscal year thereafter", and (2) by striking from the proviso "and $25,000,000 for the fiscal year 1959" and inserting in lieu thereof "$25,000,000 for each of the fiscal years 1959, 1960, and 1961, and $29,000,000 for the fiscal year 1962".

TITLE VIII—AMENDMENTS TO DISTRICT OF COLUMBIA MOTOR VEHICLE PARKING FACILITY ACT OF 1942

SEC. 801. The first sentence of section 3 of the District of Columbia Motor Vehicle Parking Facility Act of 1942 (56 Stat. 91; sec. 40–804, D.C. Code, 1951 ed.) is amended to read as follows: "The Commissioners, within the limits of appropriations by Congress therefor, are authorized to exercise all powers necessary and convenient to carry out the purposes of this Act, the said purposes being hereby declared to be (a) the acquisition, creation, and operation of public off-street parking facilities in the District, and (b) the maintenance of the streets, avenues, roads, highways, and freeways of the District, including the clearing of snow and ice therefrom, by the acquisition (by purchase, rental, or otherwise) of machinery and equipment and the operation and maintenance thereof and the purchase of supplies, as necessary incidents to insuring in the public interest the free circulation of traffic in and through said District."

SEC. 802. Section 7 of the District of Columbia Motor Vehicle Parking Facility Act of 1942 (sec. 40–808, D.C. Code, 1951 ed.) is amended to read as follows:

"SEC. 7. There is hereby established within the highway fund a parking fee account, referred to in this Act as the 'parking fee account', into which there shall be deposited (a) all fees and other moneys collected under this Act, including all fees collected pursuant to section 11 of the Act entitled 'An Act making appropriations to the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1939, and for other purposes', approved April 4, 1938 (sec. 40–616, D.C. Code, 1951 ed.), (b) all fees collected under the Act entitled 'An Act to authorize the Commissioners of the District of Columbia to provide for the parking of automobiles in the Municipal Center', approved June 6, 1940 (54 Stat. 241, and (c) all moneys derived from the sale of any property, real or personal, which was acquired or may hereafter be acquired with funds in the special account created by section 7 of this Act as approved February 16, 1942, and as amended by the Act of December 16, 1944 (58 Stat. 809), or with funds in the parking fee account. Moneys deposited in the parking fee account shall be appropriated and used solely and exclusively for the purposes set forth in this Act. As used in this Act, the term 'highway fund' means the special account established in the first section of the Act entitled 'An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes,' approved April 23, 1924, as amended (sec. 47–1901, D.C. Code, 1951 ed.)."

SEC. 803. The first sentence of section 8 of the District of Columbia Motor Vehicle Parking Facility Act of 1942 (sec. 40–809, D.C. Code, 1951 ed.), is amended to read as follows: "The Commissioners shall include in their annual budget such amounts as may be required from the parking fee account for carrying out the purposes of this Act."

SEC. 804. The unexpended and unobligated balance which on the effective date of this title is in the special account in the Treasury of the United States to the credit of the District of Columbia established by section 7 of the District of Columbia Motor Vehicle Parking Facility Act of 1942, as approved February 16, 1942, and as amended by the Act of December 16, 1944 (58 Stat. 809), is hereby transferred to the parking fee account established within the highway fund by the amendment made to such section 7 by this title and such balance shall be available for carrying out the purposes of such District of Columbia Motor Vehicle Parking Facility Act of 1942, as amended.

SEC. 805. This title shall take effect on the first day of the first month following enactment of this Act.

TITLE IX—GENERAL PROVISIONS

SEC. 901. DEFINITIONS.—

COMMISSIONERS.—Wherever the word "Commissioners" appears in this Act it shall be deemed to mean the Board of Commissioners of the District of Columbia, or their designated agent.

SEC. 902. Any word or term used in any title of this Act, unless the context of this Act requires otherwise, shall have the same meaning as that applicable to such word or term in the Act to which such title applies.

SEC. 903. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 904. REGULATIONS.—The Commissioners of the District of Columbia are authorized to make rules and regulations to carry out the provisions of this Act.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the debate on Calendar No. 475, H.R. 258, the District of Columbia sales tax bill, and on all amendments thereto, be limited to 1½ hours, such time to be equally divided between the majority and the minority leaders. The agreement is to be in the usual form with respect to germaneness. I am making the unanimous-consent request after receiving the approval of the minority leader, the chairman of the District Committee, and others who are interested in offering amendments.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. BIBLE. Mr. President, on the pending business which has been laid before the Senate I allot myself such time as is necessary to make an opening statement.

The bill, the first of its kind to increase revenue sources for the District of Columbia government since 1956, as amended by your Senate District of Columbia Committee, is designed to face the hard facts of increasing expenditures in the central city of the Washington metropolitan area.

The purpose of this bill is fourfold. First, it will raise $12,575,000 of additional revenue for the 1962 fiscal year and $14,850,000 in succeeding years by increasing the general sales tax on commodities from 2 to 3 percent, transient lodging from 3 to 5 percent, cigarettes from 2 to 4 cents per package, alcohol and spirits from $1.25 to $1.50 per gallon, eliminate deferred payment of corporate and unincorporated franchise tax and impose a new tax on real estate deed recordations of one-half of 1 percent.

Second, this bill will provide standby authority to the District of Columbia to increase water rates and sanitary sewer service charges to meet increasing maintenance and construction costs, the first increase in this area since 1954.

This is a user's tax and is paid by the user, and because of the improvements, renovation and rehabilitation that must be made in this particular field, this standby authority was sought by those charged with the responsibility of running the District of Columbia.

Third, this bill authorizes an increase from $32 to $36 million in the authorized amount of the Federal payment to the general fund of the District of Columbia.

Fourth, this bill continues the Motor Vehicle Parking Agency with full authority to plan, acquire and construct public parking facilities after congressional approval; provides authority for the use of parking meter funds for the maintenance of highways and the purchase or rental of snow removal equipment; and continues the civilian parking meter attendant program.

The need for snow removal equipment I think was pointed up as a result of the experiences during December of last year and January and February of this year, and the funds received from

the parking meters can be used for this particular purpose.

The committee, in concluding to recommend a major revision of the District's revenue producing program, both in higher taxes and in a greater Federal payment, has sought to face realistically this Capital City's acute fiscal problem. The committee has sought to recognize, as a guiding principle, that the tax burden on District residents and businesses should be kept in balance with neighboring Maryland and Virginia suburban communities.

Congress increased District taxes the last time 5 years ago and raised the Federal payment 3 years ago. Social and economic trends have increased costs of local government here year after year, not unlike those of the Federal Government itself. If this city of Washington is to fulfill its role as the capital of a great nation, additional revenues are essential. Projections of population characteristics and social and economic changes point to continuing cost increases in the years ahead if essential services are to be maintained. It was the sense of the committee in recommending this bill that if the Federal Government is called upon to appropriate the $36 million annual Federal payment to the District, then the District of Columbia's citizens and businesses alike must bear their fair share by providing $21,350,000 of higher taxes including $4½ million as an increase in real estate taxes.

I might say that this increase in real estate taxes from $2.30 to $2.50 has already been approved and imposed by the District Commissioners this year, pursuant to the strong recommendation that was made by our full District of Columbia Committee.

These tax increases are designed to provide additional revenue urgently needed for financing District government activities in fiscal year 1962 supported from the District of Columbia general fund, which represents 81 percent of the District's total budget. Financing from the general fund include the cost of police protection, fire protection, education, health, welfare costs, and other general government functions.

To summarize the District's financial picture for the 1962 fiscal year, the estimated general fund financing requirement in the District government's 1962 budget request is $247 million. General revenues are estimated to bring in $173,800,000 and the Federal payment, as recommended, $36 million. With $16 million in loan authority, a total of $225,800,000 would be made available. This would leave a budget deficit of $21,300,000 for the year.

The committee, in giving close examination to the District's revenue requirements for this year and for future years, concluded to raise taxes to meet portion of this deficit. Tax measures proposed in this bill and the approximate annual revenue yield include:

Increasing general sales tax on commodities from 2 to 3 percent	$9,000,000
Increasing sales tax on lodging furnished to transients from 3 to 5 percent	650,000
Increasing cigarette tax from 2 to 4 cents per package	$2,600,000
Increasing alcohol and spirits tax from $1.25 to $1.50 per gallon	1,100,000
Eliminating deferred payment of District of Columbia incorporated and unincorporated income and franchise tax (not affecting personal income tax payments)	2,000,000
Imposing a real estate deed recordation tax at rate of one-half of 1 percent	1,500,000
Total	16,850,000

The accumulated total of these tax measures, assuming enactment of this bill during the month of August, would yield the District government $12,570,000 in new revenue this year. The annual yield for each fiscal year thereafter would amount to $14,850,000.

The committee realized fully that these yields will not provide the District sufficient revenue to meet the entire $21.3 million deficit for this fiscal year as computed by the District Commissioners. To offset this factor to some degree, your committee recommended that the real estate tax rate be increased from $2.30 to $2.50 per $100 valuation by the District Commissioners. The Board of Commissioners has acted to increase this tax which will yield $4.5 million annually.

The expected yield of all tax measures will make the total fall short of meeting the $21.3 million deficit for fiscal year 1962. However, the revenues will provide great improvement in the District's serious financial situation and make it possible for the District to more adequately meet its budgetary requirements without seriously impairing essential police, fire, education, health, and other necessary government functions.

Likewise, we must remember in considering the District's expenditure and revenue projections that the 87th Congress has approved $2½ million in money authorizations for fiscal year 1962 for the District of Columbia in excess of the budget request now before the Congress.

These include bringing the Metropolitan Police force to an authorized strength of 3,000 men, something on which the legislative committee felt very keenly and deeply, in view of the increasing crime situation in the District of Columbia. This is something we cannot brush under the rug. It is here, and it is something we must face. This will cost something in the neighborhood of an additional $1,100,000 each year.

There is also provided authority for the District to participate with the 50 States in a program to provide aid to dependent children of unemployed but employable parents. This alone will cost approximately $1,400,000 this year in addition to the items I have previously recited.

This week the full committee ordered to be reported to the Senate a bill which would shorten the workweek of firemen from 60 to 56 hours. The cost of that program in the present fiscal year of operation would be in the neighborhood of $350,000.

For a full year it would be closer to a half million dollars. This additional legislative item will come before the Senate for consideration in the very near future.

It was the feeling of the committee, by a vote of 6 to 1, I believe, that the revenue measures set forth in the bill are reasonable, consonant to the changing conditions of a metropolitan area, where the great middle income producers live outside the city itself, and not adverse to a proper maintenance of a tax balance with adjoining jurisdictions.

I am very happy to yield at this point to the distinguished Senator from Wisconsin, who has some questions.

Mr. PROXMIRE. Mr. President, will the Senator from Nevada explain why the committee did not increase, or consider increasing, the District of Columbia income tax?

Mr. BIBLE. This item, as I recall it, was not one of the items recommended for increase by the Commissioners. It was felt that the income tax in the District of Columbia at the present time, as is shown by the table on page 21 of the report, is in approximate balance with the income taxes which are levied in the States of Maryland and Virginia. It was for that reason, I believe, that the committee did not increase the income tax above the present rates.

Mr. PROXMIRE. Is it not true that on page 22 of the hearings a comparison is made of the various taxes paid by the different income brackets—the $5,000, the $7,500, the $10,000, and the $15,000 brackets?

Is it not true that in Montgomery County, in Prince Georges County, and in each of the surrounding counties in Virginia, the income tax is greater, particularly in the higher income brackets, than it is in the District of Columbia? For example, in Virginia, in the $15,000 income bracket, the tax in Arlington, Alexandria, Falls Church, and Fairfax is $475; in the District of Columbia, it is $310. That is a very substantial difference.

Mr. BIBLE. The Senator is correct as to the amounts; I do not know that it is considered to be a substantial difference.

Looking at the $5,000 income bracket, the income tax in the District of Columbia is $38; in the Maryland counties of Montgomery and Prince Georges it is $39; in the Virginia area it is $47; which is, I think, fairly comparable.

In the $7,500 income bracket, the tax in the District of Columbia is $94; in the Maryland counties it is $114; and in Virginia, it is $112. So I think the taxes in those particular brackets are fairly comparable.

Mr. PROXMIRE. That is precisely my point. The District of Columbia income tax should be made more progressive as in surrounding States and accordingly revenues would be increased. The sales tax could stay where it is. On the other hand, the sales tax in the District of Columbia will be higher after the enactment of the bill than it is in any of the surrounding counties. In Virginia, there is no sales tax. At least, that is, according to the information in the hearings on page 22. So what the

committee decided to do was to leave untouched the one tax which is a progressive tax, based on ability to pay, and increase the real estate tax, which is the most regressive tax of all, and increase the sales tax, which is also a very regressive tax. It increased the sales tax substantially, although the sales tax now is already larger than it is in the surrounding counties.

In comparison with the situation in my own State, the income tax in Wisconsin, which is one of the more progressive States, on an income of $15,000, for a family of four, taking the standard deduction, is $800. In the District of Columbia, it is $310.

In my opinion, the committee has concentrated the burden of the increased tax on the people who are least able to pay, and has not called upon those whose incomes are high to pay in proportion.

Is it not true that the District of Columbia has one of the highest per capita incomes of any of the States in the country?

Mr. BIBLE. I believe that is a correct statement.

Mr. PROXMIRE. Is it not true also that the District of Columbia has a large number of people whose incomes are very low?

Mr. BIBLE. I cannot answer the second question. I am happy to say that the District of Columbia has one of the highest per capita incomes in the United States, along with the great States of Nevada and Delaware. They are the three highest per capita income entities in the United States.

Mr. President, I shall make one comment about the sales tax. It is true that there is no sales tax in the Commonwealth of Virginia; but it is also true that there is a 3 percent sales tax in the State of Maryland. The staff of the committee tells me that the District of Columbia provides more exemptions in its Sales Tax Act than do most of the 35 States which impose a sales tax. Twenty-four of the 35 States impose a tax on groceries at the basic rate, which in every case is higher than 1 percent. Maryland imposes a straight 3 percent sales tax on all commodities. However, it is true that the Commonwealth of Virginia does not have a sales tax.

Mr. PROXMIRE. Is it not true that the table placed in the hearings at page 22 by Mr. Walter Tobriner, president of the Board of Commissioners, shows that the impact of the sales tax, as it is proposed to be changed, will be far greater in the District than it will be outside the District?

The sales tax on those with incomes of $5,000 will be $62 in the District, as compared with a sales tax of $42 in Maryland.

In the $7,500 income group, the sales tax in the District of Columbia will be $88 as compared with $63 in Maryland.

On an income of $10,000, the sales tax in the District of Columbia will be $111, as compared with $81 in Maryland.

In the $15,000 income group, the sales tax in the District of Columbia will be $168 as compared with $126 in Maryland.

It seems to me that those are all substantial and significant differences. They are not enormous, but they are significant. In every category, they are substantially different.

Virginia has no sales tax at all. However, so far as Maryland is concerned, to increase the District of Columbia sales tax would put Maryland in the position where everyone there who was working for a regressive tax would look at the District tax and say that Congress—the Senate and the House—"have decided that it will hike the sales tax in the District; why should not the same thing be done in Maryland?" Would not that be the effect?

Mr. BIBLE. I do not know that it would have that effect. What we are trying to do is to keep the taxes in this particular area in balance. Every time a tax is raised in the District, it is raised in Maryland or Virginia. The three areas are trying to keep their taxes fairly closely balanced. Whether they will or will not attempt to follow the lead of the District in the sales tax or the income tax or the real property tax, or any other kind of tax that the mind of man can conceive, I do not know. It seems to me that every time one area imposes a new kind of tax, other areas are likely to follow suit and adopt the same type of tax.

Taxation is not a popular area. It is not a pleasure to rise in the Senate and say that it is necessary to tax this, that, or the other.

Mr. PROXMIRE. No; that is an important point. The Senator from Nevada serves as chairman of the Committee on the District of Columbia. His is a difficult task. He has rendered outstanding service to the community. It is never a happy moment when a Senator must fight for higher taxes. But this is something which the Senator from Nevada is doing, and it is a great public service. I am conscious of that. I hope nothing I say will be interpreted as reflecting on the Senator from Nevada, for whom I have the highest regard. He is a man having great humanitarian and liberal instincts. I have raised this question simply because I wanted to discuss the subject on a completely impersonal basis.

Mr. BIBLE. Oh, certainly. I fully recognize the attitude and good intentions of my close friend, the distinguished junior Senator from Wisconsin. What we are trying to do is to have a full explanation of the problem in an attempt to find some revenue to meet the difficulties which the District of Columbia faces.

Mr. President, I should like to develop a few other points. How much time have I remaining?

The PRESIDING OFFICER. The Senator from Nevada has 21 minutes remaining.

TITLE I—GENERAL SALES TAX INCREASE ON COMMODITIES

Mr. BIBLE. Mr. President, title I of this bill proposes to amend the District's Sales Tax Act so as to increase from 2 to 3 percent the rate of sales tax now in force on general commodities. The other body has already approved this increase, expected to raise $9 million per year in additional revenue, and $6.3 million over the balance of this fiscal year.

The District's sales tax, in effect since 1949, is below that of most States with its present basic 2 percent rate. The tax is now levied in three separate categories, at different rates of taxation.

Foods and groceries to be taken from a store are taxed at 1 percent; hotel room rentals and other accommodations furnished to tourists are taxed at 3 percent; and most other sales of commodities are taxed at 2 percent. The latter category includes by far the greatest number of items taxed and is the source of almost 90 percent of the sales tax revenues collected in the District.

The Committee believes that the District's pressing financial needs require this increase of a tax considered economical of administration, easy to collect and one that yields substantial revenue. Its application to District residents, suburbanites and visitors has a definite appeal as a desirable and major revenue source.

Its impact on low-income groups is mitigated by the fact that the tax on groceries remains at 1 percent, a level at which it has been maintained since it was imposed in 1954 to help provide funds for an urgently needed public works program.

Actually, the District has more exemptions in its sales tax act than do most of the 35 States which impose it. Twenty-four of the 35 States impose a tax on groceries at their basic rate which in every case is higher than the 1-percent rate in the District on groceries. In 1960 in the District the 1-percent tax on groceries raised $2,300,000 in revenue.

The State of Mayland has a straight 3-percent sales-tax rate on all taxed commodities. Last year a sales tax was proposed for the Commonwealth of Virginia but failed of enactment.

Sales tax revenue for the District amounted to $22.5 million for fiscal year 1960, with the 2-percent rate on general retail sales producing $19.2 million and the 1-percent rate on groceries producing $2.3 million. Such represents a major revenue source in supporting the District government.

With the increase in the general sales tax, your committee concluded to increase from 3 to 5 percent the rate of tax applicable to sales or charges for rooms, lodgings, or accommodations furnished to transients.

In view of the pressing need for additional revenue, the committee believes that an increase in the rate applicable to visitor and tourist accommodations is logical and that such an increase will not adversely affect hotel and motel business within the District of Columbia.

Such an increase was proposed on the Senate floor last year, but such an increase had not been the subject of examination and hearings at that time. This year such has been studied and its imposition is recommended.

In 1960, the 3-percent tax on transient accommodations raised $1 million. The increase is expected to bring in $650,000 per year additionally in revenue.

TITLE II—CIGARETTE SALES TAX INCREASE

Title II of the bill proposes to increase the tax on cigarettes from 2 to 4 cents per package in the District.

The District's present rate is lower than 46 of the 50 States. Most States impose a cigarette tax at 5 or 6 cents per pack. State cigarette taxes vary from a low of 2 cents per pack to a high of 8 cents, the latter in Louisiana, Montana, and Texas.

Earlier this year, Maryland increased its cigarette tax from 3 to 6 cents per pack. The Virginia levy is 3 cents. Only three States, Colorado, North Carolina, and Oregon impose no cigarette tax.

Additional anticipated revenue from a 4-cent rate is estimated at $2.6 million per year. Your committee was again convinced that this increase is justified by revenue requirements in the District.

TITLE III—ALCOHOL, SPIRITS TAX INCREASE

Title III of the bill proposes to increase from $1.25 to $1.50 the tax on every gallon of spirits and alcohol.

The tax on alcohol and spirits has long been a significant revenue source for both Federal and State Governments. The present District rate of $1.25 is lower than 22 States, including Maryland, which taxes its spirits at $1.50 per gallon and alcohol at $2.50 per gallon. Virginia is 1 of 16 States operating a monopoly State-operated system of liquor control. On an equivalent comparative basis of selling prices, the rate of tax in Virginia would be aproximately $1.60 per gallon, considering selling prices there.

An increase in the District's spirits and alcohol tax rate, expected to raise $1.1 million annually, will eliminate part of the favorable price differential that now exists between the District and surrounding jurisdictions, although any sales decline should be offset since District liquor stores tend to underprice their counterparts in surrounding areas.

The tax increase, as recommended, is not expected to affect adversely the sales volume within the District and would provide another revenue source easily obtainable.

TITLE IV—CORPORATE AND UNINCORPORATED INCOME AND FRANCHISE TAX PAYMENT ACCELERATION

Title IV of the bill proposes to accelerate the date of payment of taxes of corporate and unincorporated business income taxes. Actually, this provision will make this tax due and payable in full at the time prescribed for the filing of the taxpayer's return, rather than deferring such payment.

The effect of this change would be to eliminate installment payments presently allowed. The time of payment for individual income taxes is not affected by this provision since such taxes are payable in the District now in full at the time prescribed for filing individual income tax returns.

Accelerating payment of corporate and unincorporated business income tax payments would yield an estimated $2 million on a one-time basis, without increasing rates. This procedure is followed with respect to business income tax payments in Maryland and 14 other States. Virginia corporate income tax payments are likewise required to be made in full at the time of billing and not in installments.

TITLE V—REAL ESTATE DEED RECORDATION TAX

Title V of the bill proposes an entirely new tax for the District of Columbia but one which is common in most other jurisdictions.

The tax, which is imposed upon deeds submitted to the Commissioners for recordation, will produce an estimated revenue of $1.5 million per year, and is a method of raising revenue which in various forms is in common usage in the States.

The tax will be based upon the fair market value of the property concerned in the transaction and all parties to a deed are jointly and severally liable for its payment. The tax will be imposed upon each deed at the time it is submitted for recordation at the rate of one-half of 1 percent of the consideration for the deed.

The committee believes such a tax is a logical revenue source to help meet the District's pressing financial requirements.

TITLE VI—WATER AND SEWER SERVICE CHARGE INCREASES

Mr. President, title VI of this bill proposes to provide the District government with standby authority to raise water rates and sanitary sewer charges for District residents.

This provision would authorize the Commissioners to increase water rates by as much as 25 percent to meet continuing construction and operating costs, and assist the pollution abatement program.

Similarly, the Commissioner, as needed, could increase the sanitary sewer service charge—which is presently a maximum of 60 percent of the water rate—to a maximum of 75 percent of the water rate.

Both, if levied at the maximum allowed, would raise $4,300,000. However, the District does not contemplate increasing the rates until 1963. This revenue is not reflected in general fund revenues or expenditures since these represent earmarked items.

This rate increase—the first for the District in water and sewer service since 1954—will bring the District's charges closer to those already imposed in nearby Maryland and Virginia communities. Maximum effect on the average customer would be a total annual increase of $5.93 for water service and $8.01 for sewer service.

TITLE VII—FEDERAL PAYMENT INCREASE

Mr. BIBLE. Title VII of this bill proposes to increase from $32 million to $36 million the authorized amount of the annual Federal payment to the general fund of the District of Columbia.

The committee feels strongly that at the same time that legislation is recommended increasing the amount of taxes required to be paid by District residents by $16,850,000, that the Congress should not only approve an increase of $4 million in the authorized Federal payment but that the Congress should also appropriate the full $36 million.

Washington's role as the Nation's Capital imposes many special and costly requirements, not the least of these being that almost 50 percent of the land area of the city is nontaxable because of Federal ownership or having a tax exempt status by virtue of its diplomatic status or the headquarters of educational and patriotic organizations wanting this Capital City for their national offices.

As the central city of one of America's fastest growing metropolitan regions, the many problems generated by the location of this city can no longer be considered solely those of the District of Columbia alone.

Personally, I would favor a realistic formula for determining each year the Federal payment, thereby compensating for the fact that the Federal Government as the principal employer and landowner, is tax exempt, thus depriving the city of major sources of tax revenue common to other major cities. I hope some headway can be made in this direction of a yardstick, such as that used from 1879 to 1920 when 50 percent of the general fund appropriation was designated as the Federal contribution. A proper formula would provide a business-like approach.

Extraordinary expenses the District, by its Capital City role, must bear include public structures, such as bridges, requiring a one-third greater cost to fit into the master Federal plan for the city's beautification; wide, tree-lined streets to fit the master Federal plan which must be built and maintained by the taxpayers of the city while those persons living in the suburbs, now having a greater population than the city itself, ride to and from their suburban homes on streets and freeways within the city which the local taxes build and maintain. Likewise, the District pays $3½ million yearly to the Federal Government to maintain the parks which are not in size and beauty comparable to most other major cities.

Today, the District has an $18 million liability for hospitals built in the District, 40 percent of whose patients live in the nearby suburbs and provide little or no tax revenue for such facilities.

Police and fire protection must be carried out. Economic changes in the city's population have generated a need for greater expenditures in the areas of schools, health services, and public welfare.

Since the Congress controls District operations and costs, the committee believes the Congress along with local taxpayers must share the task of meeting the District's financial problems, created principally by its dual capacity as a great city and as the Nation's Capital.

To point up an awareness of this Federal payment to the city of Washington, I ask unanimous consent to be inserted at this point in my remarks editorials from 24 daily newspapers from 15 different States urging the Congress to provide additional Federal funds for the support of the Capital City. These editorials were provided to me by the Federal City Council, a local organization made up of civic-minded citizens from

all over the country interested in building up this city.

TITLE VIII—MOTOR VEHICLE PARKING FACILITY ACT

Title VIII of the bill proposes to transfer and establish the motor vehicle parking fund as a parking fee account within the District highway fund. This special fund would be used to carry out the purposes of the District of Columbia Motor Vehicle Parking Facility Act of 1942, and to help maintain the streets and highways of the District.

This bill would place all parking meter revenue in the future in a parking fee account together with revenue already accumulated in the motor vehicle parking fund, now totaling approximately $4,300,000.

Features of this bill permit the District flexibility in using the parking fee funds, within limits of appropriation by the Congress, for maintenance of roads and highways, including the removal of ice and snow from the city streets with either rented or purchased equipment. Equally important, the bill proposes to preserve the purposes of the Motor Vehicle Parking Agency by allowing it, within congressional appropriation, to continue its function of acquiring and constructing public parking facilities.

Clearly, the authority afforded the District under the Motor Vehicle Parking Facility Act is particularly important at this time when the city is engaged in efforts to revitalize and rebuild the Southwest, the downtown, and other areas of Washington. Likewise, the District is planning and building modern freeways, thereby changing automobile traffic patterns. The District is also participating in the planning and establishment of a mass transportation system for the Metropolitan area.

There is a foreseeable long-range need to have an agency of the District government offering leadership and planning assistance for the orderly solution of parking problems. Such can be used in concert with private enterprise for the best interests of the general public.

Mr. President, I hope that as we move forward in this field, the day will come when we shall have a realistic formula for the Federal Government payment to the District of Columbia, to compensate the District for the loss of taxes due to the removal of taxable property from the tax rolls of the District of Columbia.

Mr. MILLER. Mr. President, will the Senator from Nevada yield?

The PRESIDING OFFICER (Mr. METCALF in the chair). Does the Senator from Nevada yield to the Senator from Iowa?

Mr. BIBLE. I am happy to yield to the distinguished Senator from Iowa. He is a freshman member of our committee, but I know of no one who takes a more active interest in District of Columbia affairs. He has been a most valuable member of the committee.

Mr. MILLER. I thank the Senator from Nevada.

I should like to ask whether it is true that the amount of payment by the Federal Government to the District of Columbia, as called for by this bill, is necessary in order to offset action taken by the Congress itself in connection with pay raises which have been forced upon the District of Columbia. Is it not true that in order to meet those increases in salaries, which Congress itself has supported, the amount of Federal Government payment to the District of Columbia called for by this bill is necessary, in order to balance those pay increases?

Mr. BIBLE. In large measure that is true. Other items have been added since then, but it is true that at the last session the Congress passed pay increase measures which, as I recall the figures, increased the total cost to the District of Columbia in the neighborhood of $9 million. So the Senator from Iowa is correct in his observations.

The Federal payment to the District of Columbia is extremely important. For example, the District of Columbia has approximately $18 million of liability for hospitals built in the District of Columbia, but 40 percent of the patients live in nearby suburbs, and provide the District of Columbia with little or no tax revenue for such facilities.

In addition, police protection and fire protection must be provided. I have already commented on the police protection. It is necessary because of one of the most distressing, alarming, and grave situations which has developed in the District of Columbia, and which must be faced. We have increased the appropriation, and have provided for police dogs. I am happy to say they have worked well. The purpose is to serve as a deterrent to the crimewave which plagues everyone in the Nation's Capital, and likewise plagues people throughout the country, for the crimewave is not localized. It is nationwide, but certainly it is also felt in the District of Columbia.

Mr. President, in order to demonstrate the awareness nationwide of the importance of the Federal payment to the city of Washington, I ask unanimous consent to have printed at this point in the RECORD editorials from 23 daily newspapers, published in 15 different States, urging the Congress to provide additional funds for the support of the Capital City. The editorials were sent to me by the Federal City Council and by Mr. George Garrett, past president of the council, which is a local organization of civic-minded citizens from all over the country, who are interested in having the District of Columbia built up until it is a showcase and a model city for the world. Of course we are much interested in having that done, whereas, believe me, the District of Columbia now has its shortcomings.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Indianapolis Times, Feb. 15, 1961]

CAPITAL HEADACHE

While fretting about the tax burden of local government, there's one thing to be thankful for:

Indianapolis isn't Washington, D.C.

The citizens of the Nation's Capital, who can't elect their own officials, pay taxes for all the services we get from local, county, and State governments.

More than half the property in Washington belongs to the Federal Government, foreign governments, and tax-exempt outfits—so the taxable property has a double job to do.

The huge Washington payroll of the Federal Government can't be touched.

The Federal Government does kick in a subsidy, much less than is commonly believed.

From 1879 to 1921, half the District budget was paid for by the Federal Government, but this is down to 16 percent in the budget for 1962.

This budget includes the cost of Federal projects, such as the zoo, Federal Park Police, Federal hospital construction.

Washington, D.C., this year is asking Congress to kick in $36 million ($32 million was authorized for 1961, but only $25 million spent).

Too many Congressmen, charged with responsibility for the Capital's municipal problems, don't really care, no more than some State legislators care about the problems of Indianapolis.

But Washington needs this increase, a drop in the bucket to the Congressmen, a great aid to the city.

[From the Boston Herald, Feb. 16, 1961]

HARD-UP CAPITAL

Citizens of the Nation's Capital, who have long complained about their votelessness, now have another gripe. The Federal Government isn't paying its fair share of the municipal bills.

The Government occupies about half of the Capital City's total area and its holdings are tax free. In the past this has been made up by substantial Federal contributions to the city budget. But the size of the contributions has been steadily diminishing. Since 1921 it has dropped from 50 percent to less than 15 percent. Most recently it has averaged about 12 percent.

This simply is not enough to meet the city's budgeted expenses, many of which, such as park and police costs, are dictated by the Federal Government.

Boston should be particularly sympathetic to Washington's problem. A geographically restricted city like the capital, it also has an excessive amount of its area (35 to 40 percent) given over to tax-free uses. But Boston now gets more financial help from the State (26 percent of total general revenue) than Washington gets from the Federal Government (19 percent of total general revenue).

Washington, to be sure, doesn't bear down nearly as hard on the property tax as Boston does. But it raises more money from other sources. And the Capital's higher income families and business have been migrating to the suburbs, just as Boston's have, to escape the increasing imposts.

The District Commissioners are asking Congress this session to authorize a Federal contribution of $36 million. We hope that the full amount will be voted and that Congress will study the city's financial situation to determine whether a more generous sum should be allocated in the future.

Washington is not just another city. It is the National Capital, and, as such, it is everybody's responsibility. We cannot afford to have it run down because the Federal Government doesn't pay for its accommodations. Voting America must see to it that the voteless Capital gets its due.

[From the Commercial Appeal, Feb. 16, 1961]

CAPITAL SEEKS HELP

There is a popular idea that the Federal Government pays expenses of the city of Washington. On the contrary, owners of homes and businesses are taxed as much as they would be in an ordinary city, county, and State of the same size. Their taxes are $30 million more than they were 4 years ago.

But almost 53 percent of the land is tax exempt and boundaries of the District of Columbia are fixed in a way that blocks annexation which might enlarge other cities.

Because of the high proportion of land it occupies, the theory is that the Government will make up the tax loss by appropriations. But since 1956 the Government has been paying an average of only 12 percent of the city budget. Congress authorizes more generous amounts but follows through with only part of it in appropriation. For fiscal 1961 the appropriation is $25 million.

Now the city's government is asking the Nation's citizens to help them get both authorization and appropriation of $36 million for the new budget. With a more rapid movement to the suburbs than in other large cities, the tax ability is declining and the city is deteriorating.

On the point of appearance of the Nation's Capital, as well as the justice of replacing taxes on property used for governmental purposes, the Federal City Council is hoping Members of Congress will get messages from home in support of more adequate Federal money for city government.

[From the Cincinnati (Ohio) Enquirer, Feb. 16, 1961]

LET AID BEGIN AT HOME

It is one of the ultimate ironies, we think, that Congress should find itself beseiged by petitions for financial assistance from—of all people—the residents of Washington.

But the fact is that the Commissioners of the District of Columbia are asking the current session of Congress to authorize and appropriate $36 million as the Federal Government's share in defraying the cost of municipal government in the Nation's Capital.

Many Americans probably have supposed that Congress provides Washington with its entire financial support. But in actuality, the residents of Washington pay property and other taxes comparable to those paid by the people of other U.S. cities of similar size. The Federal Government has contributed to the city's budget as recompense for the fact that the Federal Government occupies roughly half of Washington—all on a tax-free basis.

The obligation of the Federal Government to help defray the costs of local government was recognized almost from the moment of Washington's establishment. During the city's early history, Congress made occasional, though generally hit-and-miss, financial contributions. From 1879 until 1921, Congress recognized 50 percent as an equitable Federal share of Washington's financial load. For the following 3 years, the Federal share was fixed at 40 percent of the city budget. But in the years since, Congress has simply appropriated a lump sum.

One result of Congress' failure to recognize its financial responsibilities to the people of Washington has been the growing inability of Washington's city government to keep abreast of the city's growing population and its demand for the same services and facilities that the people of comparable cities enjoy.

These failings are as much a matter of concern to the people of Cincinnati and Dayton and Columbus as they are to the people of Washington. For Washington, alone among the cities of America, belongs to all the American people. It is a Federal district, in which the people of Utah and Vermont, Florida and New Mexico own an equal share.

It certainly behooves a Nation like ours to be able to point with pride to its Capital. Yet pride demands the kind of orderly, efficient municipal government that Washington can scarcely provide if its principal industry—the Federal Government—fails to assume its fair share of the cost.

[From the Sunday Oregonian, Feb. 19, 1961]

TAX-PINCHED CAPITAL

Members of Congress, whose second home is in the Nation's Capital, should not need an annual reminder from their home-State newspapers that they have been neglecting a financial obligation to the city of Washington, D.C. But the fact is that the Federal appropriation for city government, in lieu of taxes on the more than 50 percent of the real property area occupied by the Federal Government, has been on a declining scale since 1921—that is, from 50 percent to 12 percent.

At the same time, there has been a flight of residents to the suburbs beyond Washington's fixed city limits, requiring annual tax increases on those remaining. Municipal taxes are comparable to city, State, and county taxes in other cities and have increased more than $30 million in the past 4 years. District officials are asking for a $14.1 million increase in 1962.

The District Commissioners are asking Congress to contribute $36 million for fiscal 1962, compared with $32 million authorized and only $25 million actually delivered in fiscal 1961. The equity of this Federal support to the National Capital is undisputed. We suggest that our Members of Congress look into the matter.

[From the Hartford Courant, Feb. 20, 1961]

THE NATION'S CAPITAL HAS FINANCIAL TROUBLE

The annual Washington report has been presented to Congress by the Board of Commissioners of the District of Columbia. It contains the financial, social, and economic facts covered in most city reports. What is unusual is that it is given to Congress. In Washington the functions of a city council are performed by a legislative body that ought to concern itself with national and world affairs. Washington has become a neglected stepchild, whose demands for the right to control its own affairs ought to be supported by the rest of the country.

More than pride is involved in the plight of the Capital's voteless citizens. Their financial troubles are different from those of other cities. The Federal Government owns many buildings and installations there upon which it pays no taxes. Foreign government properties are also tax exempt. A total of 52 percent of the city's area pays no taxes. No other city has so high a percentage of tax-exempt land. Most of the city's budget of $287 million is raised through local taxes. And the higher income families and businesses are rapidly moving to the suburbs.

The payments made by Congress in place of taxes have been falling behind the city's needs. The share was 50 percent of the city budget up to 1921, then 40 percent up to 1924, and since then Congress has appropriated a lump sum. In 1958 it was down to 12.9 percent. Last year the Government paid $25 million.

This year it is being asked to put up $36 million. In a well-regulated system Congress would not have to concern itself with the internal affairs of a city government. The least it can do is to make an adequate payment to the District of Columbia for services provided. Then it might well give attention to the request for home rule.

[From the San Francisco Chronicle, Feb. 22, 1961]

TAX PROBLEM IN DISTRICT OF COLUMBIA

As this is Washington's birthday, we as citizens should look into the affairs of the city we have named for him.

Certainly conditions in the Capital are not healthy. The problem is financial. Some of Washington's leading, voteless citizens are asking for general understanding of it.

About one-half of Washington's total area is occupied by the Government tax free. (Actually, 43 percent is owned by the Federal Government and 9.8 percent by foreign governments and other tax-exempt groups.) No other major city has so high a percentage of tax-exempt land.

It has been customary for Congress to provide money in lieu of taxes to help the District of Columbia; the latest such payment was $25 million, or less than 10 percent of the city's proposed $287 million budget.

District of Columbia Commissioners are asking Congress to authorize a Federal share of $36 million this year. We are impressed and sympathetic and urge Congress to do so.

[From the Cleveland Plain Dealer, Mar. 2, 1961]

ATTENTION, CONGRESS

We have received a letter from John T. O'Rourke, editor of the Washington Daily News, saying that the Nation's Capital is having budget trouble and asking for our assistance.

Our first thought was to wonder why we should worry about the District of Columbia's budget when we have other budgets to worry about which affect us more directly—such as Mayor Celebrezze's budget, Governor Di Salle's budget, and President Kennedy's budget.

But then we realized that Washington has problems which no other city has, and it has these problems precisely because it is the Nation's Capital. Almost half of the total area of Washington is Federal property, on which no local taxes are paid. To compensate the city for the resources taken off the tax rolls by Government buildings and installations, Congress customarily makes a contribution to the city's budget.

From 1879 to 1921 the Federal contribution amounted to approximately 50 percent of the budget. Since then it has fluctuated from a high of 39½ percent in 1924 to a low of 8½ percent in 1954.

Last year the Federal contribution was $25 million. This year, with a total budget of $287 million the city, or District, is asking for a Federal contribution of $36 million. All the city's expenditures, except the Federal contribution, are financed by local taxes.

This seems to be a reasonable request. The $36 million is a paltry sum in comparison with the billions that are spent on foreign aid. If Congress can find justification for spending billions around the world in projects of dubious value, it surely can afford to appropriate enough money to keep the Nation's Capital in good working order.

[From the Corpus Christi (Tex.) Times, Mar. 4, 1961]

OUR CAPITAL

The physical well-being of this Nation's Capital City should be a matter of concern to all prideful Americans. It should be a showplace of democratic achievement. Unfortunately it is much less than it should be, and could be, largely because of Congress unfair parsimony in the Federal share of the city's upkeep and improvement.

The Washington, D.C., city budget is financed from two sources, local taxes on residents and business and an in-lieu-of-tax payment appropriated by Congress on tax-exempt Federal properties and operations. During this century, the Federal payment has dropped from 50 percent to less than 10 percent of the city's budget.

Meanwhile, local taxes have increased $30 million in the past 4 years, with a $14.1-million increase anticipated for the coming year. District residents and businesses thus pay the bulk of the city's total budget, now $287 million.

Federal cost-causing operations are increasing, with 52.8 percent of the city's land area now tax exempt. Residents and businesses are moving to the suburbs to escape the tax burden, and Washington's bound-

aries cannot be extended to include the growing suburbs. To continue this financial squeeze is bound to cause the Capital City to deteriorate.

Congress since 1958 has authorized a flat $32 million Washington payment, about 13 percent of the current budget, but has actually appropriated less—$25 million, for example, for the fiscal 1961 budget. District Commissioners are asking Congress this session for a $36 million authorization, appropriated in full. That appears to be a modest enough request under the circumstances, and one that the rest of the Nation in all fairness should favor.

[From the Bridgeport Post, Mar. 4, 1961]

MORE WASHINGTON WOES

No matter where they live, all Americans are obliged to take a serious interest in the housekeeping problems of Washington, D.C. The condition of the Nation's Capital is especially important both for the inspiration derived by visiting citizens and the impression it gives those from foreign lands. Through our Representatives in Congress, we all share a great deal of the responsibility for keeping Washington up.

These days, an effort is being made to focus attention on Washington's mounting financial problems. An increase is sought in the amount appropriated annually by Congress to compensate the Federal City for resources taken off the tax rolls by Government buildings and parks. About one-half of Washington's total area is occupied by the Government and is tax free. The Federal share is paid in lieu of taxes on this area. In recent years, the share has been cut steadily until it now represents only 16 percent of the budget for 1962.

The District Commissioners are asking this session of Congress to authorize a Federal share of $36 million and to follow up by appropriating this amount. The Federal share has been appropriated in varying amounts ever since Washington was established as the Capital City. Until 1879, it was voted on an occasional hit-or-miss basis. From 1879 to 1921, it was fixed at 50 percent of the budget. From 1921 to 1924, the ratio was set at 60 percent local and 40 percent Federal. Since 1924, Congress has simply appropriated a lump sum.

The percentage of costs borne by the United States, since 1924, has fluctuated from a high of 39.5 percent in that year to a low of 8.5 percent in 1954. Since 1956, the Federal payment has averaged only slightly over 12 percent. In fiscal 1961, Congress approved a Federal payment of $25 million. This year, a budget of $287 million has been proposed for the city.

Many non-Washington residents mistakenly believe that Congress appropriates Washington's entire budget. The fact is, the bulk of the city's overall budget is raised completely through local taxes. An adequate Federal payment should be approved by Congress to prevent deterioration of the Nation's Capital.

[From the Raleigh (N.C.) News and Observer, Mar. 4, 1961]

FENCED IN

Any spreading city worrying about the problems of annexation, services, and so forth, should contemplate the situation of Washington, D.C. Perhaps such a State capital as Raleigh should recognize how much luckier it is than the National Capital.

Washington wants the Federal Government to pay a greater share of the cost of its government. Some similar suggestions have been heard in Raleigh where, as in Washington, much tax-free State property exists. But, while in Raleigh, government brings people to the town and its suburbs who can be taxed, Washington is really caught.

The borders of the District of Columbia were long ago fixed. Indeed, they were retracted to return some of the area to Virginia. Now, however, the Washington Daily News reports that there "higher income families and businesses have been migrating to the suburbs." That, of course, has happened everywhere but, in the case of Washington, vast suburbs are in Maryland and Virginia beyond the firmly fixed District line.

This puts the National Capital in a box which deserves the contemplation of the American people. Other cities have the same problem. Few are so fenced in from possible local solutions.

[From the St. Joseph (Mo.) News-Press, Mar. 6, 1961]

FINANCIAL TROUBLES

Our Nation's Capital and the city that houses it are the pride of every American. Washington, D.C., is a beautiful city with more than half of its area taken up by Federal buildings. Now our Nation's Capital is in stringent financial difficulties.

Each year Congress appropriates money to compensate Washington, D.C., for resources taken off the tax rolls by Government buildings and installations. This appropriation is paid in lieu of taxes. The sum has steadily been trimmed in recent years. It now represents only 16 percent of the 1962 budget.

Washington's higher income families and even businesses have been migrating to the suburbs at a much higher rate than in other cities. Washington's taxes are comparable to those of surrounding areas. To raise those would only quicken the exodus from the city to the suburbs.

The District Commissioners have asked Congress to appropriate $36 million this session as a fair compensation for the loss of taxes on the half of the area that houses Government structures.

Many non-Washington residents erroneously think that Congress appropriates all of the District's budget. Nothing could be further from the truth. The city's overall budget this year totals a proposed $287 million raised completely through local taxes.

If the Federal Government were to pay the city the amount which a private employer of comparable size would pay in taxes the annual Federal share to the city would be $62.5 million. That is almost double the $36 million being asked of Congress by the city of Washington, D.C.

We think that Congress, in all fairness to the taxpaying residents, should appropriate the $36 million being asked by the District Commissioners.

[From the Santa Barbara (Calif.) News-Press, Mar. 6, 1961]

CAPITAL HAS FINANCIAL WOES

Most Americans, whether they have been there or not, know that the climate of Washington, D.C., is generally atrocious. Few realize that the tax situation in our Capital is just as abominable.

One of the public misconceptions about the city which houses our National Government is that Congress pays all its municipal expenses. The truth is that Federal appropriations make up only a low fraction of Washington's budget. The rest is raised through local taxes, which have been increased by more than $30 million in the past 4 years, to the point where Washington citizens are paying the equivalent of city, county, and State taxes paid by the citizenry of other cities of comparable size.

About one-half of Washington's total area is occupied by the Federal Government and is tax free. The Federal appropriation is to compensate the city for resources taken off the tax rolls by Government buildings and installations. In recent years, Congress has been trimming the amount steadily until it now represents only 16 percent of the 1962 municipal budget.

To ward off another tax rise, District of Columbia Commissioners are asking Congress to authorize a Federal share of $36 million, or $11 million more than was approved in fiscal 1961. This amount seems entirely reasonable, for the U.S. Government would be paying the city more than $60 million if the ratio applied whereby private corporations pay $1 in State and local taxes for every $20 spent for salaries.

Americans take pride in their Capital City. Residence there should not be penalized by unfair taxation. The modest Federal share needed for its upkeep is insignificant in the grand total of national expenditure, and to scrimp on it is like pinching from the egg money. By all means, Congressmen, pay the $36 million.

[From the Lincoln (Nebr.) Evening Journal, Mar. 7, 1961]

AN APPEAL FOR HELP

Rating with the man bites dog story is the appeal from Washington to the States.

So commonplace has been the appeal by the States to Washington for help, it comes somewhat as a surprise when the Nation's Capital looks to the States for aid. The States are not unsympathetic. Many have already ratified the amendment to the Constitution which would give Washingtonians the right to vote for President and Vice President.

But now comes a letter from a fellow editor, John T. O'Rourke of the Washington Daily News, which says, "The Nation's Capital is in trouble. Washington's problem is financial. It arises from the need for a more adequate Federal payment to the city's budget. About one-half of Washington's total area is occupied by the Government and is tax free. The Federal share is paid in lieu of taxes on this area. In recent years the share has been cut steadily in amount until now it represents only 16 percent of the budget for 1962."

The Federal share has been appropriated in varying amounts ever since Washington was established as the Capital City. Until 1879, it was voted on an occasional, hit-or-miss basis. From 1879 to 1921, it was fixed at 50 percent of the budget. From 1921 to 1924 the ratio was set as 60 percent local, 40 percent Federal. Since 1924, Congress has simply appropriated a lump sum.

In 1958, Congress authorized an annual payment of $32 million which is 12.9 percent of the budget for 1962. However, Congress has never appropriated this full amount. In fiscal 1961, for example, Congress approved a Federal payment of only $25 million.

Washington's boundaries are fixed and cannot be extended to include the growing suburbs, where many, who make their livelihood in Washington, live. Increasing the tax burden in the Capital City will only accelerate the flight to the suburbs.

Recent studies show that a cross section of the Nation's largest corporation pays $1 in State and local taxes for every $20 spent for salaries. If the same ratio were applied to the total estimated Federal payroll of over $1,250 million in Washington, and the Federal Government were to pay the city the amount which a private employer of comparable size would pay in State and local taxes, the annual Federal share to the city would be $62.5 million. District officials are asking for $36 million.

Why is this issue important to people living in the hinterlands? Because Washington is the Nation's showcase. Unless the Federal Government bears a fair share of the operational costs of this city, unique in government and problems, the city will deteriorate.

Further the city must depend upon the charity of the Congressmen, many of whom are dedicated to cutting expenses of Government, and it is easier for the Congressmen who gets no votes in the District of Columbia, to trim Washington's budget item than items affecting their own State.

It would, indeed, seem that our fair Capital City needs help and Nebraskans should encourage their Congressmen to be a bit more generous to the end that Washington will always be the city beautiful.

[From the Utica Daily Press, Mar. 7, 1961]

FUNDS FOR U.S. CAPITAL

In addition to its primary functions of legislating for the Nation as a whole, the Congress also has the job of providing some of the money needed to maintain the city and district in which the Government is located.

Fundamentally, every American cannot oppose helping defray some of the costs of maintaining his Nation's Capital City, for it is a burden to be shared by 180 million citizens rather than the 90,000 who live and work there. The city's beauty alone is enough repayment for many of us.

For the past 6 years the United States has paid slightly over 12 percent of the cost of District operation. However, there have been years when the actual appropriation failed to catch up with the voted amount. In fiscal 1961, Congress approved $25 million, which was less than authorized. Washington's current budget is $287 million.

Washington, moreover, has unusual problems that do not confront other U.S. cities. Last year the Federal Government owned 43 percent of the land, all tax exempt. Foreign governments own considerable land for embassies. Its figure of 52.8 percent is the highest of any city for tax-exempt land.

The city has the expense of such things as federally owned parks, Federal Park Police and a Federal zoo. Nor can the city extend its boundaries as so many others have done to rope in further taxable units.

All in all, the District faces an urgent need for more funds, which must be approved by House and Senate District Committees and the money then released by the Appropriation Committees of both Houses.

The desire of every citizen to maintain a beautiful, modern and efficient Washington should be translated into prompt action by the proper committees in the form of increased funds.

[From the Visalia (Calif.) Times-Delta, Mar. 8, 1961]

WASHINGTON, D.C., IN FINANCIAL DILEMMA

Residents and taxpayers of Washington, D.C., the Federal City, who long have drawn sympathy from other U.S. citizens because they cannot vote, are in another sort of trouble.

Most persons may not be aware of this, but the Washingtonians pay heavy property taxes, just like everyone else. Many believe that the Federal Government foots the bill for operating Washington as a city, but this is only partly true, and that's where the trouble comes in.

Actually, the Federal Government pays only a share of the Federal City's budget. Through the years it has ranged from 50 percent of the budget to a low of 8½ percent The bulk of the city's overall budget, this year amounting to a proposed $287 million, is raised completely through local taxes.

Because of the Government's tendency to grow and grow, the taxable portion of Washington, whose boundaries are frozen, is getting smaller and smaller. The Government now owns 43 percent of the land; other nations which also are tax exempt own another 10 percent, approximately.

This means that the citizens and taxpayers of Washington are facing additional higher taxes, and many of the individuals and businesses in the higher income levels are escaping that by fleeing to the suburbs, out of the city proper.

For 1961, Congress has approved a Federal payment of $25 million to the city's budget, which seems like a minute portion indeed in view of the tax-exempt property it holds and the many services it expects the city to maintain.

There doesn't seem to be any doubt that the Government is getting quite a bargain in its present in-lieu-of-taxes payments to the city, but there isn't any doubt either that a more equitable formula for these payments should be devised.

[From the St. Louis Globe-Democrat, Mar. 13, 1961]

WASHINGTON'S STAR BOARDER

Residents of Washington, D.C., who are having their problems in winning the right to vote in presidential elections, are taking a beating by having the Government as their star boarder.

About half of the city's total area is occupied by Government facilities which are tax-free. In lieu of taxes, the Government is supposed to assume its fair share of the city's upkeep. But in recent years the amount has been cut steadily until it represents only 16 percent of Washington's municipal budget for 1962.

Congress ought to approve the District Commissioners' request for $36 million of Federal funds toward Washington's $287 million budget. Our national edifices and shrines would lose some of their patriotic luster if they stood in surroundings grown shabby because Uncle Sam reneged on a solemn promise.

[From the Honolulu Star-Bulletin, Mar. 17, 1961]

A CRY FOR FEDERAL AID

Few Americans are more frustrated than the residents of Washington, D.C.

They are disfranchised. They also are heavily taxed, more so perhaps than those of any city of comparable size in the country.

The city of Washington occupies a Federal district in which 43 percent of the land is owned by the Federal Government and other tax-exempt land (foreign embassies, for instance) brings the total nontaxpaying area of the city to 52.8 percent.

The cost of running the city government is higher than that of a normal city of similar size for a variety of reasons. There is no heavy industry. The U.S. Government is the principal employer. The city's boundaries are fixed and cannot be extended to include the growing suburbs, where residents' income has risen more swiftly than that in the city proper.

The Federal Government realizes it has a responsibility to bear a share of the burdens of running the city, but its actual contributions have fluctuated widely over the years.

Until 1879, the Federal contribution was voted on an occasional, hit-or-miss basis. From 1879 to 1921, it was fixed at 50 percent of the budget. From 1921 to 1924 the ratio was 60 percent local, 40 percent Federal. Since 1924, Congress has simply appropriated a lump sum, ranging from a high of 39.5 percent in that year to a low of 8.5 percent in 1954.

In fiscal 1961 Congress appropriated $25 million. This year's budget totals $287 million (more, incidentally, than the total budget of the State of Hawaii and all the counties combined).

Residents and businesses have borne an increasing tax burden. Their taxes have increased by more than $30 million in the past 4 years and District officials are asking Congress to approve a further tax increase of $14.1 million for fiscal 1962.

Recent studies show that on the average, the Nation's largest corporations pay $1 in State and local taxes for every $20 spent for salaries. If the same ratio were applied to total estimated Federal payroll of more than $1,250 million in Washington, and the Federal Government were to pay the city the amount which a private employer of comparable size would pay in State and local taxes, the annual Federal share to the city would be $62.5 million.

Is it any wonder that Washington residents are appealing for additional Federal aid to run their municipal government.

[From the Christian Science Monitor, Mar. 21, 1961]

FAIRNESS TO WASHINGTON

How would you like to be a member of the city council of a town where the largest industry did not have to pay taxes or could set its own tax bill? The Capital of the United States—Washington, D.C.—is in this situation, without even an elected city council to speak for its residents and taxpayers.

There is a Federal City Council which has taken an interest in the plight of the Capital City. Members of its national board live in New York, Boston, Philadelphia, Baltimore, Cincinnati, Detroit, Chicago, New Orleans, Dallas, and elsewhere. This cross section expresses in a way the responsibility the Nation should feel for assuming its share of the municipal services for an area which is or should be its showplace.

The Commissioners who administer the Washington City government are asking Congress this year to appropriate $36 million as its part of the District of Columbia budget to compensate for the resources taken off the tax rolls by Federal buildings and installations. This would be 12 percent of the budget.

Last year Congress appropriated only $25 million, or less than 10 percent of the budget, for this purpose. That figure was, as usual, substantially less than the same Congress earlier had "authorized."

At the same time it voted a $6 million increase in salaries for District employees which the Commissioners had not recommended, but has failed in its capacity as city council to act on a request for supplemental funds to cover the increase.

Tax collections from property owners in the District of Columbia have risen $30 million during the last 4 years and are expected to rise another $14 million in 1961–62. In a city where the Government owns 43 percent of the land it would certainly seem only fair for it to meet more than 12 percent of the municipal costs.

[From the Courier-Journal, Mar. 21, 1961]

IS THERE NO BALM IN WASHINGTON?

Iowa has ratified the proposed constitutional amendment permitting residents of the District of Columbia to vote in presidential elections. Only five other State ratifications are required. The Washington Post expects that these will be forthcoming in the next week or so. The rapid progress of the amendment is gratifying, although Congress is still left a cruel stepmother of Washingtonians.

The Federal Government owns 43 percent of the real estate in Washington. But that is not the full total of the city's tax-exempt property. Foreign embassies and tax-exempt private organizations at the Capital bring the sum of such property to 52.8 percent of the urban area. Every major city suffers from the financial problem produced by tax-exempt property within its borders, but none to the extent Washington endures.

Congress fixes Washington's local taxes, but in recent years has just barely recog-

nized the city taxpayer's plight. Currently less than 10 percent of the city's budget is met from Federal funds. Congress is now being asked to appropriate a modest increase in the Federal share—that is, $36 million, or 12 percent of the municipal budget. Washington's taxpayers would still groan under a heavy load of about $250 million, but they deserve at least a drop of painkiller.

The proposed amendment giving the District's residents the right to vote in presidential elections is itself a grudging thing. The District is allotted only three votes—the barest minimum—in the electoral college. "Is there no balm in Gilead?" Jeremiah asked. Is there no political balm for the Washington taxpayer? Well, hardly any.

[From the Los Angeles Times, Mar. 31, 1961]

THE 23D AMENDMENT—AND TAXES

For the first time since 1800 citizens of the Nation's Capital will have the right to be heard in presidential elections. Ratification of the 23d amendment to the Constitution by three-fourths of the States means that, come 1964, three more electoral votes will be cast for President and Vice President.

Approval of the amendment corrects an oversight which was written into the Constitution by its framers. Article II, section 2 provides that "each State shall appoint * * * a number of [presidential] electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress * * *."

But the District of Columbia (which, as the Nation's 13th city, is more populous than 11 of the States) has neither Senators nor Representatives nor statehood. Hence, it has had no electors and therefore no right to the ballot. The new amendment, it should be noted, does not provide for direct popular voting. But it does authorize electors for the District, and Congress can now, by a simple law, establish the terms for voting.

Washington, however, still has a major grievance. To a great extent the Capital is an economic ward of the Federal Government, subject to the whims of Congress. The cost of running the city, which this year is expected to come to $287 million, must be raised almost completely through local taxes. But local taxes in Washington are hard to come by.

A total of 52.8 percent of the District's area is owned either by the Federal Government or by foreign governments (for embassies, etc.). None of this property is subject to tax. In place of taxes Congress used to authorize up to 50 percent of the city's budget. Lately it has authorized a lump sum, now only $25 million for fiscal 1961.

Citizens of Washington are already paying the equivalent of city, county, and State taxes paid by residents of other cities of comparable size. They cannot be expected to bear a heavier tax burden. Furthermore, the city's boundaries are fixed, and cannot be extended to include the growing and economically prosperous suburbs.

The Federal Government, which is the largest property owner and user of municipal services in Washington, now pays less than 10 percent of the city's budget. In addition Congress continues to authorize pay raises for District employees, but neglects to authorize additional funds to meet these budgetary increases. Washington now needs a minimum of $36 million from the Federal Government to meet its budget. Congress has seldom neglected the obvious economic needs of the States. The least it can do now is take care of the interests of its own home.

[From the Columbus Citizen-Journal, Apr. 1, 1961]

WASHINGTON WINS VOTE

Only 38 States needed to ratify the 23d constitutional amendment granting citizens of the District of Columbia the right to vote in presidential elections. Ohio this week became the 39th. The legislature, typically slow, missed the chance to be the decisive State.

When first adopted, the Constitution provided for a Federal City. The site hadn't been chosen, so no provision was made for voting rights for people living in it.

As James Madison suggested, it was an oversight rather than any intention to deprive voters of their rights. It took 161 years to remedy—only partially at that. They can now vote for President, but 763,000 District of Columbia residents still have no Representative in Congress.

Washington is the only city of the world whose citizens are deprived of suffrage simply because of their address. A Senate report commented last year:

"In a democratic society * * * created to rectify the inequity of 'taxation without representation,' the denial to any group of citizens of a voice in the Government which taxes them and can send them to their deaths in the country's defense is an injustice."

Congress has been niggardly toward voteless Washingtonians who must look to it for support. Residents of the District pay taxes comparable with other cities. But 43 percent of its area is Government occupied and nontaxable.

Its people are moving to outside suburbs as in other cities. But unlike other cities it cannot annex them. Congress contributes a share to city expense, but it is erratic, fluctuating from a high of 40 percent to a low of 8.

Washington, Capital City of all Americans, is deteriorating. Congress has been just as neglectful of Washington's economic rights as it has of its civil rights.

Washington's overall budget is $287 million this year. It is asking Congress to pay $36 million as the Federal share.

If Congress can tear its attention away from foreign aid long enough, it should give heed to the needs and rights of our Capital City. All of us, not just the people who live there, are proud of it.

[From the Houston Post, Apr. 16, 1961]

NATIONAL CAPITAL NEEDS FEDERAL AID

Washington is not an ordinary city, and no one wants it to be. The District of Columbia, which it occupies, belongs to all the people of the United States, not just those who live there. The American people expect the Capital to be more than a center of government. They want it to be a monument. They want it to present a face to the world that is beautiful, impressive, and symbolic of the Nation.

This imposes a special burden of responsibility upon those charged with administration of the local government, who are appointed Commissioners since the District is not self-governing. They have succeeded to a considerable degree in making Washington the kind of city the country wants it to be, but the ideal is far from realized.

As a city, the Capital has the same problems as other populous urban centers. There are unmet needs for municipal services and improvements of all kinds, needed to keep pace with a growing population and the forces which make for blight and decay. Most of the civic blemishes, as in other cities, result primarily from lack of money.

Many Americans are under the mistaken impression that Congress, because it retains control, fully finances the local government. The Federal Government has contributed varying amounts to the municipal budget in the past. From 1879 to 1921, the contribution was 50 percent. Since 1921 it has declined, and in recent years has averaged about 12 percent. The rest must be raised locally from property taxes and other sources.

Yet half the city's area is occupied by Government and is tax free. The city's financial problems have been aggravated by the fact that many higher income families and businesses have moved to suburbs outside the District to escape high property taxes.

The District's Commissioners are asking Congress to contribute $36 million toward the municipal budget this year. The request should be granted. More than that, the Federal contribution should be maintained at an equitable level in the future. The amount should be sufficient to permit local officials to remove the unsightly features that now mar the appearance of the Capital and also to develop and maintain the kind of city the American people want their National Capital to be.

Mr. BIBLE. Mr. President, title VIII of the bill deals with the Motor Vehicle Parking Facilities Act. As I have previously stated, it deals with the use of parking meter revenues in the future, either for the purpose of acquiring and constructing parking lots, at the discretion of the agency, or the renting and purchasing of snow-removal equipment. It also provides for continuance of the so-called civilian meter attendants, thus increasing the potential of the police force for actual police work.

Mr. President, how much time remains under my control?

The PRESIDING OFFICER. Thirteen minutes.

Mr. MORSE. Mr. President, I call to the attention of the Senator from Nevada [Mr. BIBLE] the fact that the Senator from Oregon will have six or seven amendments to offer to the bill. The Senator from Oregon is desirous of having several yea-and-nay votes on these amendments, because they are of importance, and I ask for the cooperation of the majority leader and the chairman of the committee in helping me get those rollcalls. However, I shall discuss all the amendments in my first speech. I am glad to cooperate with the chairman of the committee and the majority leader by proceeding in this way, in order to save time.

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. MORSE. I yield myself 15 minutes.

I merely want the majority leader and the chairman of the committee to know that in the back of my mind is the intention I have stated.

Before I proceed to expressing my opposition to portions of the bill, I first want to say that the Senator from Nevada [Mr. BIBLE] is deserving of the commendation of the Senate for the wonderful leadership he has rendered in this field as chairman of the Committee on the District of Columbia. I have served on that committee for many years. I have been an alderman for the District of Columbia ever since I have been in the Senate. I mean no flattery when I say to the Senator from Nevada [Mr. BIBLE] that every citizen of the District of Columbia is greatly indebted to him for the wonderful leadership he has given to the District as chairman of the Committee on the District of Columbia.

I find it regrettable that I cannot agree with him as to some parts of the

bill. I am going to let the RECORD speak for itself. I hope, before I finish, I may be able to work out some compromises in respect to the bill which are, in my opinion, sorely needed.

As the Senator from Nevada knows, I cannot in good conscience, acquiesce in a proposal to increase a sales tax. I would greatly prefer to be in a position to assist the committee in passing a measure designed to repeal existing sales taxes. As the Senator is aware, I submitted a statement against the sales tax feature of the pending bill, before the Fiscal Affairs Subcommittee, and I voted against it in our full committee session.

I oppose the measure on the following grounds.

First. H.R. 258 increases a tax which is regressive, inequitable, and a nuisance to the business community, which, perforce, must act as tax collectors for the District of Columbia.

Second. The sales tax already adds its burden to many items which in this day and age are necessities, even though it does exempt food from its increase in levy. It taxes, I repeat, necessities which are already subject, in many instances, to Federal excise taxes.

I am against excise taxes, although I am going to propose increases in excise taxes, but not on necessities. Such excise taxes are going to be based on ability to pay, but excises generally are not based on that principle.

Excise taxes, as I am sure the Senator is aware, are but disguised sales taxes. H.R. 258 thus increases the cost of living to the consumer, which is already high.

Mr. President, I say in all seriousness that we can, and should, find alternative sources of revenue to operate the government of the District of Columbia.

I do not think, simply because the Congress has not appropriated sufficient money, that we, as Senators, can justify imposing upon the people of the District of Columbia what I think is a very unfair tax.

My view is that we have to make a stronger drive than we have made in some years past for a much larger appropriation from the Congress to pay what I think is a greater share of the costs of the District—a share which Congress owes to the District and owes to the country.

The status of the District as the Federal City imposes unique financial burdens which should be borne by the people of the United States as a whole, rather than by residents of the District of Columbia alone. As we all know, it is expensive to maintain an entire city as a national monument. When public structures are required to harmonize with a master plan, costs go up. This factor, for example, will increase the cost of the new Theodore Roosevelt Bridge by one-third. The National Park Service receives more than $3½ million a year from the District of Columbia for the maintenance of federally owned and operated parks which are far more extensive—and, indeed, more beautiful—than those maintained by most other major cities. This year the cost to the District for the support of the federally operated National Zoological Park alone is $1.3 million. Congress has required the District to share a substantial part of the cost of hospital construction within the city; yet 40 percent of the patients treated at these hospitals are not residents of the District of Columbia.

Mr. BIBLE. Mr. President, will the Senator yield at that point?

Mr. MORSE. I yield.

Mr. BIBLE. I thought it might be well to state this for the RECORD. The Senator has mentioned that the zoo costs the District of Columbia $1.3 million a year. This is a problem that has always somewhat troubled me, because the zoo is under the control of the Smithsonian Institution. Yet the District of Columbia pays the price tag on a zoo which I think may well be of national significance.

Mr. MORSE. I agree.

Mr. BIBLE. We have received donations of tigers and various other animals from all over the world. If the point that the Senator from Oregon is attempting to make is that this should be a Federal responsibility, rather than a city responsibility, I certainly wholeheartedly join with him. Perhaps we could devise legislation, as long as the zoo is controlled by the Smithsonian Institution, whereby the U.S. Government would pick up the price tag.

Mr. MORSE. I agree. What I am trying to do in this part of my speech is point out to the Congress and the country what the fiscal situation is and how unfair we are, as a Congress, to the District of Columbia; and the responsibility and fault rest squarely on the Congress.

That is why, for the years I have been in the Senate I have been trying to get the Congress to give up its control over the District of Columbia, and stop preventing the citizens of the District of Columbia from becoming first-class citizens, and let them run their own city, as do the citizens of the capitals of States all over this country. Those capital cities are run by the citizens of those cities, and not by the States.

I know the Senator from Nevada and I agree on this principle. I am not in dispute with him. I am in dispute with him only over the fact that he is willing to increase the sales tax, rather than go on with a deficit. Perhaps that is what has to be done in order to awaken the Congress to its responsibility.

Mr. BIBLE. Mr. President, will the Senator yield?

Mr. MORSE. I know the Senator from Nevada has many contributions that he can make to the debate, but I do not wish to yield until I complete my statement. I have a lengthy statement to make.

Mr. BIBLE. This would not take over 30 seconds.

Mr. MORSE. I am glad to yield to him for that short time.

Mr. BIBLE. When I find myself in agreement with the Senator from Oregon, I like to rise to state it——

Mr. MORSE. We are in agreement 99 percent of the time.

Mr. BIBLE. On the question of home rule for the District of Columbia, I am in 100-percent accord with the Senator from Oregon. He has led the good fight year after year. We have a bill before the committee on that question. I hope, prayerfully, it may be enacted into legislation.

Mr. MORSE. Why does the Senator want to raise the sales tax?

Mr. BIBLE. Because some of the teachers and policemen may go without pay.

Mr. MORSE. I am for paying them. I take care of them in my amendments.

Mr. President, Congress has required the District to share a substantial part of the cost of hospital construction within the city; yet 40 percent of the patients treated at these hospitals are not residents of the District of Columbia.

At the present time, the District's unpaid liability in this program alone is almost $18 million.

I think it should be pointed out that the District attracts many tax-exempt activities; for example, patriotic organizations, foreign agencies, and others, because it is the Nation's Capital. According to the District Commissioners, property with an assessed value of $275.3 million is exempt.

Property with an assessed value of $81 million has been taken off the tax rolls of the District of Columbia in the last 3 years. We continue to increase the amount of property that is tax exempt in the District of Columbia.

It should also be remembered that Federal legislation imposes building height limitations to prevent any commercial structure from overshadowing Federal structures, and this holds realty values and tax revenues down.

There are many other similar factors which tend to increase the District's cost, and at the same time decrease its revenues. Most important, however, is the fact that the tax-exempt status of the Federal Government, which is the city's primary industry, deprives the District of major sources of tax revenue such as is paid by principal employers and land users in other cities. If the Congress were contributing to the District what the average corporate employer pays in State and local taxes—an average of $1 for every $20 spent in salaries—the annual Federal payment would be approximately $62.5 million. The committee recognized some of these factors in recommending that the authorized annual Federal payment be increased to $36 million. I think $36 million is a minimum figure. A very strong case can easily be made for a much larger annual Federal payment.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point two editorials from Oregon newspapers bearing upon this subject.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Sunday Oregonian, Feb. 19, 1961]

TAX-PINCHED CAPITAL

Members of Congress, whose second home is in the Nation's Capital, should not need an annual reminder from their home-State newspapers that they have been neglecting a financial obligation to the city of Washing, D.C. But the fact is that the Federal appropriation for city government, in lieu of taxes on the more than 50 percent of the real

property area occupied by the Federal Government, has been on a declining scale since 1921—i.e., from 50 percent to 12 percent.

At the same time, there has been a flight of residents to the suburbs beyond Washington's fixed city limits, requiring annual tax increases on those remaining. Municipal taxes are comparable to city, State, and county taxes in other cities and have increased more than $30 million in the past 4 years. District officials are asking for a $14.1 million increase in 1962.

The District Commissioners are asking Congress to contribute $36 million for fiscal 1962, compared with $32 million authorized and only $25 million actually delivered in fiscal 1961. The equity of this Federal support to the National Capital is undisputed. We suggest that our Members of Congress look into the matter.

[From the Eugene (Oreg.) Register-Guard, Mar. 5, 1961]

CAPITAL (AND) FUNDS

It seems strange that there should be any public money shortages in Washington, D.C. But there are.

The city of Washington operates on a budget in part supported by congressional appropriations. These are intended to offset the Federal Government's occupancy, tax free, of about one-half of all the land area of the city.

Sadly, for residents of the National Capital, Congress has been getting stingier and stingier about these payments in recent years. At the same time, most of the city's high-income families have been moving out to the suburbs.

These matters affect not only those remaining to pay taxes in Washington. They are matters of national concern. If the city's budget isn't fattened up, the Capital of this most affluent of capitalist nations is headed toward serious deterioration. Streets will go unswept, perhaps. Pavements will go unmended. And Washington will no longer be the showplace city every American—and foreigner—expects it to be.

How much is being asked of Congress by the city of Washington this year? Thirty-six million dollars. That would be about 14 percent of the city's overall budget needs.

Back in 1921–24 Congress was willing to pay 40 percent of Washington's municipal operating expenses. In recent years the percentage of Federal participation has slipped as low as 8.5 percent.

We can't help wondering if Washington's inability to convince Congress of its critical needs has anything to do with the fact that residents of the Capital City are voteless.

Mr. MORSE. Mr. President, as I stated earlier in my remarks, my principal objection to the pending bill is that it would increase the sales tax. I am certain that if the people of the District of Columbia had any voice in the matter—and there is no sound reason in the world why they should not—they would make the same decision as the people of my State have made on at least five different occasions in rejecting a sales tax.

The proponents of this measure assert that the sales tax is the least felt of all forms of taxation. This is not true at all. The truth is that the sales tax is felt most heavily by low-income families. The illusion that they do not feel a sales tax is fostered by the fact that as a group they tend to be less articulate than the more moneyed families who would be affected by, and complain about, an increase, for instance, in the income tax.

It is true that the income tax in the District of Columbia is lower, in many brackets, than the income tax in Maryland and in Virginia. What we ought to be proposing is an increase in the income tax, based upon the progressive principle of the ability to pay.

Unlike an income tax, which tends to lessen inequalities in income, the sales tax tends to defeat this objective. It reduces consumption by the poor who spend all their income on the necessities of life.

The virtue of the income tax is that it allows an exemption of amounts considered necessary for subsistence and exempts that which is saved.

The proponents of the increase in the District sales tax recognize this inherent evil, and the best they can do is make a plea of confession and avoidance. "Our tax on food is only 1 percent," they say, "it is only other purchases which will be taxed at the rate of 3 percent." But man does not live on bread alone. What they do not say is that those other purchases include soap and shoes and all the other things which are necessary. The poor must, of necessity, spend a larger part of their income on these things than the wealthy. Whether they complain or not, they feel it, and it is most unfair to increase this burden upon them when there are so many ways it can be avoided.

Mr. President, I am of the opinion that other taxes imposed directly upon the shoulders of people in accordance with their ability to pay ought to be imposed rather than to take these people less able to pay and impose what I consider to be an unconscionable, regressive tax. I think it is an example of people in a strong economic position of power taking advantage of taxpayers that are not in a strong position of power.

I am rather shocked on moral grounds, by the imposing of sales taxes on the necessities of life. I believe that people who are not able to pay taxes on necessities should be relieved of them; and there are many, many of them here in the District of Columbia from whom these taxes are being extorted, who, I believe, should be relieved of such taxes on the basis of moral grounds.

The PRESIDING OFFICER. The time yielded by the Senator from Oregon has expired.

Mr. MORSE. Mr. President, I yield myself an additional 5 minutes.

It is estimated that the proposed increase in the sales tax will bring a corresponding increase of $9 million in the District's revenue. What I recommend, however, is a five-point package embracing increases in two existing taxes, the addition of two new taxes which will fall only on those who can afford to pay them, and the repeal of the sales tax on groceries, to replace the increase in the general sales tax and at the same time replace the $9 million which the District sorely needs.

I have added to my package, I say for the benefit of the press representatives, another amendment which would bring the District of Columbia under coverage of the federally impacted area legislation, Public Law 874. This would entitle the District of Columbia to receive approximately an additional $5 million annually. Is there any sound reason why Bethesda, Md., and Arlington, Va., should be under Public Law 874, and not the District of Columbia?

I shall go into that amendment a little later, but I serve notice now that I am ready to debate the federally impacted areas issue today. Let the minority leader take note. I am ready today to proceed, on this bill, to pass the federally impacted areas legislation by adding the District of Columbia. This is the time to really draw the issue, by applying it to the District of Columbia for the benefit of the people in the District of Columbia, who ought to be eligible under the federally impacted areas legislation.

Why in the world should schools in Bethesda and Arlington receive the benefit of Public Law 874, but not those in the District of Columbia? Why should not the District of Columbia be treated as a State with respect to federally impacted areas legislation, exactly the same as Maryland and Virginia and other States?

The committee has recommended an increase in the tax on spirits and alcohol from $1.25 to $1.50 a gallon. This is expected to raise $1,100,000 annually. I would raise the tax on spirits and alcohol to $2 a gallon.

If there were ever an excise tax which could be considered based upon ability to pay, this is it. The District of Columbia has a shocking record of consuming more alcoholic beverages per capita than any city of its size in the country. It is a disgraceful consumption record for the District of Columbia. We ought to increase the tax on hard liquor in the District of Columbia. Thus I propose to increase it to $2 a gallon. I do not know of a more sound social recommendation that anyone could make.

After all, let us face up to the fact that hard liquor is one of the greatest social menaces facing this country. It is a shame that we are asked to impose an increased sales tax on shoes for the poor in the District of Columbia and not to increase the tax on liquor to at least $2 a gallon. That is how we can raise additional revenue—a tax on "booze" rather than a tax on boots. That is the source from which we should raise the money.

The experts tell me that such a tax would increase the revenues by an additional $2.5 million above the committee recommendation. This figure would indicate that the committee's estimate is a little low. The important factor, however, is that the tax increase would fall not upon those who have a difficult enough time buying their foods and their clothing, the necessities of life, but rather upon those who are well able to afford the luxury of a drink now and then. Oh, there may be some who point out that the District's poor buy more than their share of the spirits sold here. Even if this is true, if a choice must be made, I would rather make it more difficult for the poor man to purchase a drink that he does not need than to

make it more difficult for him to buy a pair of shoes which his little girl does need.

When anyone talks to me about the amount of hard liquor the poor buy, I say we should take a look at the psychological escape mechanism involved. Perhaps if we give the people in the District of Columbia a little better standard of living and make it a bit easier to buy shoes for the little children, they would not take the psychological escape into consuming hard liquor.

Mr. President, I would make it more difficult for the people to buy booze but I would make it easier for them to buy boots.

I suggest that if one of the side effects of such a tax be the decrease in the consumption of hard liquor in the District of Columbia, that this will be to its credit and might, just possibly, cut down on some of the social costs which can be attributed to the consumption of intoxicants.

The amended bill increases the tax on cigarettes from 2 to 4 cents a package. This will furnish an estimated increase of $2.6 million a year. I would increase the tax to 5 cents a package and add an additional $1.3 million a year to the amount the committee has recommended. This would still leave the District's tax lower than Maryland's 6 cents a package.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a table dealing with comparisons on cigarette taxes in this country, which points out the differences with respect to Maryland and other places.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Cigarette tax rates per pack of 20, District of Columbia and States

Tax rate and number of States:
None (3 States):
Colorado
North Carolina
Oregon
2 cents (2 States):
Arizona [1]
District of Columbia
2.5 cents (1 State): Kentucky
3 cents (5 States):
California
Delaware
Indiana
New Hampshire
Virginia
4 cents (8 States):
Hawaii [1 2]
Illinois
Iowa
Kansas
Nebraska
Utah
Wyoming
Missouri
5 cents (10 States):
Connecticut
Florida
Georgia [1]
Michigan
New York
Ohio
South Carolina
South Dakota
Tennessee [1]
Wisconsin
6 cents (11 States):
Alabama [1]
Arkansas
Idaho
Maine
Maryland
Massachusetts
Mississippi [1]
North Dakota [1]
Pennsylvania
Rhode Island
West Virginia

See footnotes at end of table.

Cigarette tax rates per pack of 20, District of Columbia and States—Continued

Tax rate and number of States—Continued
7 cents (6 States):
Minnesota [1]
Nevada
New Jersey
Washington [1]
Oklahoma [1]
Vermont [1]
8 cents (5 States):
Alaska
Louisiana [1]
Montana
New Mexico
Texas [1]

[1] These States impose a tax on other tobacco products.
[2] Actual rate is 20 percent of wholesale sales price.
Source: Commerce Clearing House—State Tax Guide.

Mr. MORSE. Mr. President, 4 cents is not enough.

In spite of my tobacco friends in the Senate I think this would also have a great social benefit. They may say, "Oh, that would result in a decrease in consumption of cigarettes." I would say "Good; that will be fine for the health of the young people of the country, if that is the result."

I would rather increase the tax on cigarettes than to increase the tax on the necessities of life needed for the children of the poor families in the District of Columbia.

I do not wish to get into an argument at this point, although I shall be glad to on some other occasion, in respect to what the scientists tell us. I should like to have my colleagues go to the Cancer Research Institute at Bethesda, and go through the Institute and talk to the doctors there about this subject.

The PRESIDING OFFICER. The time of the Senator from Oregon has again expired.

Mr. MORSE. Mr. President, I yield myself another 5 minutes.

I should like to talk with the doctors and hear what they have to say about the cause-and-effect relationship as between cigarettes and cancer. In my judgment, enough evidence exists not only to establish a prima facie case but a strong presumption in regard to the cause and effect between cigarette smoking and certain types of cancer. Therefore I offer no apology for suggesting an increase in the cigarette tax to 5 cents a package.

The third part of the package I recommend is a 10-percent tax on parking fees. One of the significant costs of the District government is highway maintenance. I see no valid reason why parking lot owners should not pay a greater share of the tax burden. Of course the yield on such a tax is somewhat difficult to estimate. But I have received one estimate that in the central business district alone, that is in the area bounded by 2d and 23d Streets and Constitution and Massachusetts Avenues, a 10-percent tax on the fees paid for commercial spaces would yield about $1.2 million a year.

The final tax I would recommend is a tax on commercial rents that would be paid by individuals and organizations engaged in activities in the District but not effectively subject to the District of Columbia corporate tax—the tax on unincorporated business or the individual income tax. Although it would fall on nonprofit as well as profitmaking organizations, it would not be paid by any organization or person whose real property would be exempt from taxation under existing law if the property rented is used for purposes which would qualify it for exemption if owned rather than rented.

Among the organizations and individuals on whom the tax would fall are the following:

First. Lawyers, doctors, and members of other unincorporated trades or professions exempt from the income tax on unincorporated businesses who reside outside the District but conduct their affairs here.

Second. Trade and labor associations.

Third. Washington offices of business enterprises and other groups.

Fourth. A variety of organizations, mostly of a nonprofit character, which find it desirable to be located in Washington.

It is estimated that such a tax would raise $5 million a year. But in addition to raising substantial amounts of revenue, a tax of this kind will do a great deal toward eliminating some of the inequities in existing tax laws. For example, a printing shop, even though its operator may reside in the suburbs, pays a substantial property and income tax. Next door there may be a lawyer, a trade association, or the Washington office of a defense contractor paying no income tax. They make just as much use of the city's services, and a 10-percent tax on the amounts they pay as rent would be an effective way of requiring them to share the cost.

Summarizing the increases which can be expected from the first four points of the five-point program, we find that the increase to $2 a gallon on spirits and alcohol will yield $2.5 million; the increase to 5 cents a pack on cigarettes will yield $1.3 million; the 10-percent tax on parking fees, $1.2 million; and the tax on commercial rents, $5 million. In all, these proposals would yield $10 million a year, $1 million more than the proposed increase in the general sales tax would yield.

The last point of my five-point program is the repeal of the present 1-percent sales tax on food purchased for home consumption in the District. I introduced S. 1744, a bill to repeal the sales tax on groceries, in this session of Congress. The amendment I propose is identical to S. 1744. As much as I am opposed to the sales tax principle, I am even more opposed to a sales tax on food. The price of the tax is too high in terms of human values to be tolerated for one moment longer than it takes to repeal it. The District of Columbia Finance Office informs me that it collects approximately $2,250,000 annually from the sales tax on food.

The secret of successful taxation is to impose taxes on those to whom it will be least burdensome. Each of the taxes I propose seems to me to meet that test. The increased general sales tax they would replace most certainly does not.

I now come to the additional amendment which I drafted this morning.

The District of Columbia differs from the surrounding metropolitan area, so far as school revenues are concerned, in that the Virginia and Maryland counties immediately adjacent receive Federal funds under Public Law 874.

These payments are made because of the number of children who are federally connected, that is to say children whose parents either live or work on Federal property or both.

Certainly if there is any geographical area in the United States which is impacted with federally connected children, it is the Capital of our country. The Federal Government is by far the largest single employer in the District of Columbia. If my memory is correct over one-third of all gainfully employed individuals in the District of Columbia are employed by Uncle Sam.

Equity alone would seem to cry out that Washington, D.C., should be given the very same Federal benefits as are available to every other major or minor city or town in the Nation which can qualify under the provisions of Public Law 874.

It may be objected that to include the District of Columbia under Public Law 874 would be a meaningless gesture since the Federal payment to the District now made under existing laws would have to be deducted from payments made under Public Law 874. This would be a very sound argument if its premise were true. However, I am advised by the Department of Health, Education, and Welfare that the opinion of the Department is that the Federal payment to the District is not of the category which would have to be offset. Let me quote a pertinent paragraph from a memorandum I received on this point:

> Public Law 874 requires there be deducted from gross entitlement computed for a school district any Federal payment made to the district with respect to Federal property and available for school purposes during that year. The Federal payment made to the District of Columbia each year is based on a number of considerations, but is not allocated to specific functions or purposes. A review of the legislative history of the annual Federal payment to the District of Columbia leads to the conclusion that any amount of this Federal payment that may be allocated to current operating expenses of schools, on any proportionate basis or otherwise, would not be deductible from the gross entitlement computed for the District of Columbia under terms of the act as currently in effect. Consequently, it appears that there would be no deduction from the estimated gross entitlement.

How much would be received by the District if my amendment were to be adopted? An estimate of the Department of Health, Education, and Welfare has been prepared and it indicates that approximately $5 million annually could become available. This amount, in my judgment, would go far to offset the regressive tax proposals contained in the committee-reported bill. I therefore strongly recommend to my good friend and chairman of the District Committee, that he accept my amendment in lieu of the sales tax provisions of the committee bill. In order to document further my case, I ask unanimous consent that there be printed at this point in my remarks materials which are to be found on pages 1318 through 1320 of part 2 of the hearings before the Subcommittee on Education of the Committee on Labor and Public Welfare entitled "Public School Assistance Act of 1961." The material consists of a statement regarding financing of school programs in Arlington County, Va., and includes a table entitled "Information Regarding Number of Federally Connected Children in and Federal Payments Under Public Law 874 to Arlington County, Va."

Mr. President, I further request unanimous consent to insert other testimony excerpted from the same hearings record given by witnesses testifying on behalf of an extension of Public Law 874.

There being no objection, the materials were ordered to be printed in the RECORD, as follows:

STATEMENT RE TESTIMONY OF ROBERT B. WALKER AND DOROTHY S. MCDIARMID, OF FAIRFAX COUNTY, VA.

The facts presented in the testimony of Robert B. Walker, assistant superintendent of schools and Dorothy S. McDiarmid, member of the General Assembly of Virginia, regarding the expansion of school population in Fairfax County since 1950 and concerning the crucial importance of the Federal financial assistance provided under Public Law 874 and Public Law 815 in meeting the educational problems in the county occasioned by this expansion are not challenged. Fairfax County, Va., has been one of the fastest growing counties in the United States. Much of this growth may be attributed to its location adjacent to the Nation's Capital.

It can hardly be said, however, that Fairfax County is typical of the 3,861 school districts which received assistance under Public Law 874 in 1959–60. Fairfax County has, according to the testimony, some 51 percent of its school attendance federally connected and 14 percent of its current operating expense budget from Federal payments. This compares with the average for all applicant school districts in the Nation of 15 percent of their children federally connected and 5 percent of their current operating expenditures derived from Federal payments. Attached hereto is a study of the distribution of applicant school districts in 1959 by percentage of their current expenditures derived from Public Law 874 payments. This study indicates that for 2,365, or 62.9 percent of the 3,761 school districts eligible in that year, the Federal payment under Public Law 874 was less than 5 percent of their current operating expense budgets. In only 383, or 10.2 percent of the school districts, did the Federal payments constitute as large a proportion of the current operating expenditures as in the case of Fairfax County, Va.

The 1960 application of Fairfax County under Public Law 874 shows the following data:

Two hundred and sixty-two children in average daily attendance in the "A" category; 4,720 children in the "B" category; total federally connected 25,500 or 50.3 percent of the total average daily attendance in a county of 50,751. The payments to the county were based on $246.94 as the local contribution rate times the "A" category children plus one-half of the "B" category children or $3,187,008. The school district revenues of $16,592,728 consisted of $4,208,199 or 25.4 percent from State sources, $9,197,521 or 55.4 percent from local sources, and $3,187,008 or 19.2 percent from Federal sources. The expenditure per pupil in average daily attendance from State sources was $82.92 and from local sources was $181.22.

These data would indicate that payment at the rate of 50 percent of the local contribution rate for the "B" category children resulted in an amount per pupil of $123.47 which is 68 percent of the county expenditure per pupil from local revenue sources. Had the rate been that proposed in S. 1021, title II, in that year, or $61.73 per pupil for "B" category pupils, it would have constituted 34 percent of the county's expenditure per pupil from local revenue sources.

We note in the testimony an estimate made by the county department of assessments that Federal property within the county would yield $5,872,500 per year at current assessed valuations and at current county tax rates. We understand that this estimate is as of January 1, 1960. Since 64 percent of the county budget is devoted to support of public schools, the school portion of the $5,872,500 estimated yield would be $3,758,400. It may be noted that in 1960 the county's entitlement under Public Law 874 was $3,187,008, and under Public Law 815 was $2,319,456, or a total of $5,506,464.

TABLE 125.—*Number and percent of eligible applicants in fiscal year 1959 by proportion of Federal payments (Public Law 874) to total current expenditures of the applicant district*

Percent Federal payments (Public Law 874) of total current expenditures	Number of districts	Percent of districts
Total	3,761	100
Less than 5 percent	2,365	62.9
5 to 9 percent	734	19.5
10 to 14 percent	279	7.4
15 to 19 percent	140	3.7
20 to 24 percent	58	1.5
25 to 29 percent	55	1.5
30 to 39 percent	58	1.5
40 to 49 percent	28	.75
50 to 59 percent	19	.5
60 to 69 percent	13	.4
70 to 79 percent	6	.2
80 to 89 percent	2	.05
90 to 100 percent	4	.1

STATEMENT REGARDING FINANCING OF SCHOOL PROGRAMS IN ARLINGTON COUNTY, VA.

The purpose of this statement is to present factual information regarding the portion of the Arlington County operating budget each year that comes from Public Law 874. This information in the attached table presents actual data by year from the 1956 through the 1960 fiscal years and estimated data for the 1961 fiscal year. It will be seen from this table that more than half of all schoolchildren attending Arlington County public schools each year are federally connected for the purposes of Public Law 874. This proportion ranges from a low of 53 percent to a high of 57 percent federally connected during the 5 years. This table also shows that the per pupil cost in Arlington County public schools has risen gradually from $389 per child in 1956 to an estimated $506 in 1961. State funds have provided from 16 to 18 percent of the total operating costs each year, and local funds have provided between 67 and 68 percent. Federal funds have provided between 14 and 16 percent of the budget each year ranging from a high of 16.1 percent in 1958 down to 14.4 percent in 1961.

The table shows one other significant fact. The local contribution rate paid under Public Law 874 for "A" category children has increased from $207 in 1956 to $265 in 1961. During the same period, local funds have provided $265 per child in 1956 increasing up to $340 per child in 1961.

TABLE 126.—*Information regarding number of federally connected children in and Federal payments under Public Law 874 to Arlington County, Va.*

Item	Fiscal year				
	1956-57	1957-58	1958-59	1959-60	1960-61 (estimated)
Average daily attendance:					
Total	20,918	21,330	21,646	22,030	23,624
Federally connected children [1]	12,047	12,103	12,049	11,996	12,596
Percent Federal ADA of total	57.6	56.7	55.7	54.5	53.3
Current operating expenses:					
Total	$8,137,179	$8,699,781	$9,529,685	$10,595,910	$11,956,521
State funds	1,332,762	1,432,281	1,702,874	1,929,876	2,209,335
Federal funds [2]	1,250,298	1,400,257	1,432,115	1,523,028	1,700,000
Local funds	5,554,119	5,867,243	6,394,696	7,143,006	8,047,186
Percent of total expenses	100.0	100.0	100.0	100.0	100.0
State funds	16.4	16.5	17.9	18.2	18.5
Federal funds [2]	15.4	16.1	15.0	14.4	14.2
Local funds	68.2	67.4	67.1	67.4	67.3
Cost per child:					
Total	$389.00	$407.87	$440.25	$480.98	$506.12
State funds	63.71	67.15	78.67	87.60	93.52
Local funds	265.52	275.07	295.42	324.24	340.64
Rate per child paid under Public Law 874 for 3(a) category [3]	207.57	231.39	234.85	250.21	265.98
½ paid for 3(b) category	103.79	115.70	117.43	125.11	132.99

[1] Less than 2 percent of these are "A" category children in any year.
[2] Paid under Public Law 874.
[3] Local contribution rate paid per child in average daily attendance for children residing on Federal property with a parent employed on Federal property (sec. 3(a) category). ½ this local contribution rate paid per child in average daily attendance for those either residing on, or residing with, parent employed on Federal property (sec. 3(b) category).

I point out that 900,000 children in New York City are receiving the benefit of payments under the Federal program of aid to impacted areas. Under Public Law 874, the Federal aid to impacted areas for a part of the cost of operation and maintenance of public schools in one school district of New York City covers 900,000 children in average daily attendance. Yet we are not willing to grant similar assistance to the children in the Capital City of the Nation.

I ask unanimous consent that the testimony on pages 717–720 of the hearings alluded to earlier, which bear out my amendment, be printed at this point in my remarks.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

STATEMENT OF FREDERICK SHORE, ADMINISTRATIVE ASSISTANT, EAST MEADOW PUBLIC SCHOOLS, NASSAU COUNTY, LONG ISLAND, N.Y.

Mr. SHORE. May I read it, please?

Senator GOLDWATER. Certainly.

Mr. SHORE. Senator, I am Frederick Shore, administrative assistant to the superintendent of schools of the East Meadow School District, Nassau County, Long Island, N.Y. I am also representing the federally impacted school districts of New York State.

I greatly appreciate this opportunity to present our views to this committee and to urge the extension of the present provisions of Public Law 874, 81st Congress.

There are many of my colleagues here, as you heard, who will be presenting other aspects of this matter tomorrow.

Last year, 161 New York school districts had an aggregate entitlement under Public Law 874 of approximately $4,800,000. Most of the payments were for the education of 25,242 children who were federally connected by reason of employment of parents on Federal tax-exempt properties—the section 3(b) children. The entitlement for such purposes was $3,781,000. New York school districts also provided publicly supported education for 2,809 section 3(a) children, those with residence and parental employment on Federal tax-exempt property.

The following is a summary of the effect of Public Law 874 provisions in New York State for fiscal 1960.

This summary shows there are 161 districts eligible for Public Law 874 entitlements out of 24 districts in the State that operate schools, including the city of New York. That is about 17 percent.

The Federal impact ADA under section 3 is 28,000-plus, and that represents approximately 1.1 percent of the 2.5 million children in ADA. However, it is interesting to note that almost 900,000 of that ADA is in New York City alone in one school district.

Therefore, it is a shade under 2 percent when we take into account that 1,600,000 are in the so-called upstate districts of our State.

The total entitlement was a little under $4,800,000, and that represented in those districts that are federally affected 2 percent of their current expenses of $230 million, and that is 17 percent of the total current expenses in the State of $1,349 million, including almost $½ billion for the city of New York.

Senator GOLDWATER. So that this can be kept in proper order, we will print your table at this point in the remarks.

Mr. SHORE. Thank you, Senator.

(The table referred to follows:)

TABLE 66.—*Summary of effects of Public Law 874, New York State, 1961*

Federally impacted school districts		Total New York State school districts	Percent
161 districts eligible for Public Law 874 entitlements		924 districts operating schools, including New York City	17.4
Sec. 3(a) ADA	2,809	Approximate total ADA 2,500,000	1.1
Sec. 3(b) ADA	25,242	(Including almost 900,000 ADA for New York City) (about 1,600,000 excluding New York City).	(1.8)
Federal ADA	28,051		
Sec. 3(a) entitlement	$752,807		
Sec. 3(b) entitlement	3,780,833		
Total	4,533,640		
Add additional net	[1] 256,339		
Total net entitlement	4,789,979		
Total current expenses $230,031,060 (net entitlement represents 2.1 percent of aggregate current expenses in these districts).		Total current expenses approximate $1,349,000,000 (Including $446,000,000 for New York City) (about $903,000,000 excluding New York City).	17.1 (25.5)

[1] Consists of entitlement of $301,432 for 874 "sec. 4(a)" pupils, $2,496 for sec. 2 net entitlement, less deductible funds under sec. 3.

Mr. SHORE. When one looks at these aggregate figures, it is noted that the overall impact is not too large. However, the picture changes when individual districts are examined. In some districts, the federally connected children represent a little more than 3 percent of the total.

In many, the percentage is much more substantial.

In some districts the Public Law 874 paypayments represent a small tax rate equivalent, while in others the receipt of these moneys prevented a considerable tax rate increase.

My school district, East Meadow, is one of the latter. It is a residential community of 60,000 persons situated on Long Island, adjacent to the Mitchel Airbase and about 12 miles from the New York City line.

East Meadow is one of the rapid-growth districts that appeared on Long Island in the post-World War II period and which faced a tremendous increase during the Korean war with the consequent expansion of Federal defense activities in the 1950's.

We grew from a 2-school system educating about 1,000 elementary pupils to the largest district on Long Island and the eighth largest in New York State with a pupil enrollment of over 18,000 in 12 elementary and secondary schools.

For fiscal 1960, East Meadow's entitlement under Public Law 874 was $186,687, consisting of $119,591 for attendance of 475 section 3(a) children and $67,096 for 533 section 3(b) youngsters.

Our 3(a) children resided on 3 Federal housing projects containing 909 dwelling units:

Mitchel Manor, a 628-unit Wherry housing garden apartment project for Armed Forces personnel; Santini housing, consist-

ing of 203 units, including a guesthouse and transient quarters on the Mitchel Airbase; a trailer village with 78 trailer sites on base property.

Their parents were stationed at 17 military installations in the general metropolitan area as well as being on active duty at a number of oversea bases or on board naval vessels.

The 3(b) youngsters had parents employed on 38 federally owned, tax-exempt properties in New York. In the past 10 years we have noted employment or military assignment on 83 different Federal properties or installations, all tax exempt.

This Public Law 874 entitlement represents a tax-rate equivalent of almost 23 cents per $100 of assessed valuation and was equivalent to 2.5 percent of our current expenditures of $7,480,000, for the last school year.

Our tax rate is presently 4.07 per $100 for school purposes alone on an assessed valuation of $82.3 million. Last year, real property was determined to be assessed at 38 percent of true value in our town.

As previously indicated, the major portion of Federal payment was for the attendance of residents on Federal tax-exempt property in our district. Thus, the United States made direct payments for the education of these children which were, in effect, payments in lieu of taxes.

The remaining moneys were for the education of children who were federally connected by reasons of parental employment. These payments recognized the Federal responsibility involved in the education of children whose parents are employed on Federal tax-exempt property.

While it is true that in the latter case property taxes are derived from the residences of these families, the valuation per child is insufficient to meet their proper share of educational costs. Thus there must be an increase in the local tax rate to produce more dollars on a shrinking base.

Furthermore, as additional siblings in these residences reach school age, no additional taxable valuation can be anticipated which leads to a further tax rate increase.

What has occurred in our school district and many others is that we are bedroom communities for large numbers of federally connected personnel.

The Federal Government has affected or impacted these school districts and should continue to bear its share of the financing costs of maintenance and operation of schools when this occurs.

The Congress, for the past decade, has declared it to be the policy of the United States to recognize its responsibility "to provide financial assistance for those local educational agencies upon which the United States has placed financial burdens by reason of the fact that * * * that such agencies provide education for children residing on Federal property; or such agencies provide education for children whose parents are employed on Federal property; or there has been a sudden and substantial increase in school attendance as the result of Federal activities."

We respectfully urge this committee to continue this policy and to provide the same provisions of law as now exist for these purposes.

We also request that sufficient appropriations be made available to meet the full entitlements of the federally affected school districts.

Without these Federal payments, constantly rising school taxes would have risen even higher and the real estate tax burden on the small homeowner, which is very great now, would have been even heavier.

This is no time to reduce the funds available to these school districts. Proposals for changes in the provisions of Public Law 874 payments for section 3(b) children would result in a decrease of about $2 million for New York State school districts. East Meadow's loss would be about $35,000; something we cannot afford to lose.

Neither is this a time to make eligibility requirements more stringent. For many years now, the determination of eligibility has provided for an equitable level of initial eligibility.

Congress has also given recognition to the problems brought about by changes in the impact problem and has provided for a taper in the payments when changes took place and eligibility could no longer be established at the 3-percent level. Proposed changes would eliminate a great many districts from eligibility. Yet, the children are still federally connected and they are still in school.

Your support and favorable action is sought in order that we may continue to provide the proper educational program which our children need and deserve, and without having our local property taxpayers assume the additional costs which are a Federal responsibility. Thank you, sir.

Senator GOLDWATER. Thank you very much, Mr. Shore, and I want to add my apologies to those of the chairman for having kept you here so long.

Mr. SHORE. That is all right.

Senator GOLDWATER. But you find, when Senators testify, they utilize the privilege of speech just as they do on the floor.

Mr. SHORE. I appreciate this a great deal.

Mr. MORSE. Mr. President, I now read from the Department of Health, Education, and Welfare memorandum I quoted earlier, the basis used to determine the estimated amount of Federal entitlement for the District of Columbia in the 1962 fiscal year if brought under the provisions of Public Laws 815 and 874.

Public Law 874 authorizes any applicant school district to count for Federal entitlement those children who live on Federal property with a parent employed on Federal property, and those children who either live on Federal property or live with a parent employed on Federal property, but not both. Since the District of Columbia has not been included in the provisions of Public Laws 874 or 815, there is no recent data available to the Office to indicate the percentage of children in the District's public elementary and secondary schools who meet either of the two conditions described in the previous sentence. In the six jurisdictions in the Washington, D.C., metropolitan area, 42 percent of all public school children were classed as federally connected children in 1960. In the four northern Virginia school districts, 50 percent were federally connected, and the proportion in Prince Georges and Montgomery Counties was 37 percent. It is believed that the same ratio would hold true for the District of Columbia as for the entire metropolitan area.

Subsection (d) of section 3, Public Law 874, specifies the method for computing the "local contribution rate" for applicant school districts in each State, which is the amount paid per child for "A" category children. One-half the local contribution rate is paid for "B" category children. The basic method of computing the local contribution rate is the expenditure per child from local revenue sources in comparable communities in the same State in the second preceding year. However, no school district has to take a lower contribution rate than one-half of the State average cost per child, or one-half of the national average cost per child, both in the second preceding year.

This subsection further specifies that the Commissioner determine the local contribution rate in any State in which there is one local educational agency, which is the case in the District of Columbia, in accordance with policies and principles which will, in his judgment, best effectuate the purposes of this act and most nearly approximate the policies and principles provided herein for determining local contribution rates in other States.

In view of the circumstances in the District of Columbia and the fact that there are no comparable local educational agencies to the District, it is extremely difficult in the time available to determine the basis on which the Commissioner would determine the rate of payment per child in the district. However, it appears that in view of all the circumstances, the rate that would be established for the District of Columbia to best effectuate the policies and principle of the statute would be one-half of the State cost per child in the second preceding year. This alternative minimum is higher than one-half the national average cost per child, which is the other alternative minimum.

DETAILS OF THE ESTIMATE

In fiscal year 1960, the year on which the local contribution rate is determined for payments for the 1962 fiscal year, there were 105,801 children in average daily attendance in the District of Columbia public schools, and the total current operating expense budget was $44,102,211. This gives a per capita cost of $416.84. One-half of this per capita cost is $208.42, which would be the rate of payment for "A" category children if one-half the State average were used as the local contribution rate. Although there are a small number of "A" category children in the District of Columbia, for the purpose of this estimate, entitlement has been computed at the "B" category rate for all eligible children, which would be one-half of the local contribution rate, or $104.21 per child.

The estimated average daily attendance for the 1962 fiscal year in the District of Columbia public schools, as reported to the Office of Education, is estimated to be 113,500. This number, multiplied by the estimate of 42 percent federally connected children, gives an estimate of 47,670 federally connected children for the purpose of computing Federal entitlement. The estimated number of federally connected children multiplied by the rate of $104.21 per child equals $4,967,690 entitlement rounded to $5 million for the purpose of this estimate.

Public Law 874 requires there be deducted from gross entitlement computed for a school district any Federal payment made to the district with respect to Federal property and available for school purposes during that year. The Federal payment made to the District of Columbia each year is based on a number of considerations, but is not allocated to specific functions or purposes. A review of the legislative history of the annual

Federal payment to the District of Columbia leads to the conclusion that any amount of this Federal payment that may be allocated to current operating expenses of schools, on any proportionate basis or otherwise, would not be deductible from the gross entitlement computed for the District of Columbia under terms of the act as currently in effect. Consequently, it appears that there would be no deduction from the estimated gross entitlement:

Estimated entitlement for the District of Columbia for the 1962 fiscal year if brought under the provisions of Public Law 874: $5 million.

PUBLIC LAW 815

It appears that the District of Columbia could not qualify for assistance under Public Law 815 in fiscal year 1962 because there would not be sufficient increase in the number of federally connected children to equal the required percentages.

Mr. President, to document further the basis of the payment of benefits under Public Law 874, I turn to pages 565 through 569, of the Public School Assistance Act of 1961 to a letter and attachments I received under date of March 20, 1961, from that great and dedicated friend of education legislation, the distinguished Senator from Montana [Mr. METCALF].

I ask unanimous consent that the correspondence be printed at this point in my remarks.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
March 20, 1961.

Senator WAYNE MORSE,
Chairman, Subcommittee on Education, Senate Labor and Public Welfare Committee, New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: Following is the statement I promised to furnish following Senator DIRKSEN'S and my colloquy before the subcommittee on Monday, March 16.

In support of my contention that Federal impact funds are not in lieu of taxes but are based on the needs of students in affected school districts, I cite first this statement which appears in the introduction (p. 1) to the Sixth Annual Report of the Commissioner of Education on Administration of Public Laws 874 and 815:

"Instead of a straight payment in lieu of taxes on the property itself in the jurisdiction where it is situated, the payment under Public Law 874 is calculated on the basis of that part of the local share of the cost of educational services normally borne by a property tax on places of residence or places of employment. Under Public Law 815, the payment is in terms of a grant to the school district of the Federal share of the cost of providing school facilities for children residing on or with parents employed on tax-exempt Federal property. This Federal share is computed in relation to the State average per pupil cost of constructing school facilities."

I promised to cite specific examples, in connection with the Glasgow Air Force Base and Northern Cheyenne Indian Reservation in Montana, which show the relationship of the payment to educational needs rather than taxes replaced.

The Glasgow Airbase in Valley County contains 4,520 acres. Of these 3,917 acres were obtained from State lands and 603 acres were purchased from private owners. These 603 acres paid $87.85 taxes in the year 1957–58. Valley County school officials advise me the payment would be at the same rate were the lands still privately owned.

These formerly private lands are comparable in value to the former State lands which form the remainder of the airbase. Had the entire 4,520 acres been taxed at the rate which applied and still applies for the 603 acres, the taxes received annually would be $658.87.

Total school enrollment in Valley County in May of 1957 was 1,333 students. There were 54 teachers. As of March 14, 1961, there were 2,676 students, 120 teachers, plus an enlarged administrative staff. Thus the school operations (and costs) have more than doubled. The county superintendent of schools, Mrs. Ruth Putz, says "with very little exception the airbase has caused this change."

Mr. William C. Greer, superintendent of schools, district No. 1, Glasgow, reports that percentagewise, in the period from the 1957 school year to the 1960–61 school year, pupil increase has been 200 percent, operational increase 202.7 percent, operational increase as represented in teacher salary 56 percent.

However, he states the loss in taxable value represented by those 603 acres has been 0.01 percent.

A total of $1,553,643 under Public Law 815 and $720,808 under Public Law 874 has gone into Valley County. Most of this Federal payment stems from the Glasgow Airbase, whose lands when taxed, I repeat, brought the county $87.85 a year.

In fiscal 1959, Valley County schools included 85 children whose parents or parent lived and worked on the base and 294 children of airbase personnel who lived off base.

In fiscal 1960 the number of children rose respectively to 281 children in category "A" and 370 children in category "B."

In fiscal 1960 more than $250,000 went into Valley County schools under Public Law 874. Well over half that amount relates to the Glasgow Airbase. But if only half the annual payment were related to the airbase, that $125,000 would be more than 1,400 times greater than the taxes previously paid on lands now part of the base.

Or, to put it another way, each year the Federal Government grants that $87.85, formerly raised by taxes, several times over, for each of several hundred children.

I hope the details I have cited on this particular question make clear to all that Public Laws 815 and 874 relate to the cost of educating children, that they are not in lieu payments.

On the Northern Cheyenne Reservation, 89 percent of the land is in trust status, and subsequently no taxes are paid on it. Much of the land in this area, as on many Indian reservations, is poor and unproductive, worth less than that in Valley County. Under Public Law 815, $629,178 in Federal money has been spent in the Lame Deer and Ashland School Districts in this area. Under Public Law 874, the Federal Government contributed $36,446 to these two school districts in 1959, and $50,709 in 1960.

On March 17, 1961, Valley County Superintendent of Schools Ruth Putz wrote me a letter describing the history and criteria of Federal impact appropriations in that area. I ask that it be printed as part of my presentation, and I commend to all this enlightening letter from a fine teacher and administrator.

Sincerely yours,

LEE METCALF.

VALLEY COUNTY,
Glasgow, Mont., March 17, 1961.

Hon. LEE METCALF,
Old Senate Building,
Washington, D.C.

DEAR SENATOR METCALF: A day message sent you on Tuesday, March 14, 1961, gave you statistical information regarding school district No. 1, Valley County, Glasgow, Mont.

Are these payments under Public Law 874 "in lieu of taxes?" Does "in lieu of" mean that certain lands were once privately owned and taxed, and then taken by the Federal Government to public use, and now the Federal Government under Public Law 874 is compensating for this loss? Or does "in lieu of taxes" mean that there was, nor is, any existing tax base to lose and because public education depends upon such a base for taxes, Public Law 874 is given to the district "in lieu of" any property upon which to base a tax to support education for children, in other words "impact."

Five of Valley County's thirteen operating school districts receive Federal aid for maintenance and operation of public schools under the provisions of Public Law 874, and likewise all five have or are now receiving construction aid under Public Law 815. Let me sketch for you a brief narrative of three of these districts which will review the history and philosophy of Federal Government in giving aid for public education.

(a) Frazer—Fort Peck Indian Reservation.

(b) Fort Peck—Project Missouri River at Fort Peck (Fort Peck Dam).

(c) Glasgow—Glasgow Air Force Base.

FRAZER—FORT PECK INDIAN RESERVATION

Frazer School District No. 2 is presently receiving aid under Public Law 874 after transferring from Johnson-O'Malley 3 years ago.

History shows us that the first President of the United States recognized the need for education of the Indian children and made this an obligation of the Federal Government by treaties. Such treaties were made with all Indian tribes and when Montana became a State, we accepted this obligation for education of native Americans in our enabling act. From 1934 until 1958, Indian education was financed under the provisions of the Johnson-O'Malley Act. We are now under Public Law 874 in district No. 2, Frazer.

Was this "money in lieu of taxes" under definition 1 or 2?

"Lands which are occupied by a tribe or tribes of Indians have always been regarded as not within the jurisdiction of the State for purposes of State property taxation." The tribes have been regarded as distinct political communities. Therefore we never lost any land from taxation (definition 1 cannot apply), but we need funds for education of children for which according to our philosophy, we have a civil, as well as a moral obligation.

FORT PECK DISTRICT NO. 21, VALLEY COUNTY—MISSOURI RIVER AT FORT PECK

The Fort Peck Dam started construction in 1933. The townsite of Fort Peck lies in school district No. 21, Valley County, but the powerhouse lies across the Missouri River and in fact in another county (McCone).

The project[1] consists of 610,036 acres associated with it. Of this 422,069 acres were public domain, and 20,263 acres in river bed and flow, and only 167,704 acres were purchased. Of the lands purchased only 36,217.26 acres lay in Valley County, the remainder in Garfield, McCone, Phillips, Petroleum, and Fergus Counties. Specifically, school district No. 21 lost 8,880 acres or 86 percent of its land. It was operating a 1-room rural school with an enrollment in 1932 of 12, 1933 of 7, 1934 of 30, 1935 of 332 aside from a Federal Government school which had an enrollment of 258. (See exhibit A, col. A.) Likewise, the impact of elementary school children had overflowed into the adjoining districts Nos. 6 and 20.

[1] Information courtesy of Don Beckman, Corps of Engineers, Fort Peck.

(See cols. B and C of exhibit A and for location of same see map exhibit B.) Remember this was 1932–37 and while everyone was happy to have a job, the schools had a terrific pupil-teacher load and no means of finance. (I was a "dam" teacher, you know.) There was no Federal aid and no taxable property to support education.

Finally in 1946, Wesley D'Ewart, Republican, introduced a bill in the House which became Public Law 586 which made an appropriation to the Corps of Engineers at Fort Peck to be used for education of the public school children whose parents were employed on the Fort Peck project and who resided at Fort Peck. No mention was made to "in lieu of." It was a recognition of a responsibility for education due to a Government-directed order.

Then in about 1952, after the Federal Government had built more dams, projects, etc., a general policy for any school district federally impacted was adopted and Federal funds for impacted areas was established and administered through the Office of Education under provisions of Public Law 874. Today, Fort Peck School District No. 21 receives financial aid under Public Law 874.

If this was money in lieu of tax property lost, then the other counties of McCone, Garfield, etc., should likewise be compensated by the Federal Government.

GLASGOW SCHOOL DISTRICT NO. 1, VALLEY COUNTY, MONT.

As stated in our other correspondence the present Glasgow Air Force Base contains 4,520 acres. Three thousand nine hundred and seventeen acres was State land (not subject to tax). The loss in acres to school district No. 1, is 603 acres or 0.019095 percent. However, the impact of students is immense:

	1957 (May)	1961	Percent increase
Enrollment	1,333	2,626	200
Teachers	54	[1] 120	56
Operational costs			202

[1] Plus administrative staff.

Payment in lieu of taxes on property lost (0.019095 percent) could never compensate for the impact of enrollment of 200 gain.

Do we need Federal aid to replace money lost by seizure of property by Federal Government, or do we need Federal aid to compensate for the increased burden of education placed upon a district by reason of a Federal installation?

The criteria set forth for entitlement under Public Law 874 takes into account (a) local effort and (b) eligible pupils in terms of residence and employment.

If Federal reimbursement is to be made on "in lieu of" the basis of actual acres lost to taxation because of a Federal installation—

(1) Frazer School District No. 2 would have no entitlement since no acres were lost.

(2) Fort Peck School District No. 21 should receive 86 percent of what the land would earn in taxation to support a school population of 99.4-percent 3(a) pupils.

(3) Glasgow School District No. 1 should receive 0.019095 percent.

The loss of acreage is not the important aspect. The increase in school population with its allied increase in maintenance, operational, and construction costs is of prime importance.

Respectfully submitted.

RUTH PUTZ
Mrs. Wayne Putz, Sr.,
County Superintendent, Valley County Schools.

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
March 24, 1961.

Senator WAYNE MORSE,
Chairman, Subcommittee on Education,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Please make the attached March 19 letter and enclosures from Harry H. Cloke part of my response to your and Senator DIRKSEN's request, when I testified on Monday, March 13, for documentation of the statement that Public Laws 815 and 874 are directly related to the costs of education, rather than local taxes.

I previously sent you my letter and a supporting letter from Superintendent Ruth Putz.

Sincerely,

LEE METCALF.

LAME DEER PUBLIC SCHOOL,
Lame Deer, Mont., March 19, 1961.

Senator LEE METCALF,
Senate Office Building,
Washington, D.C.

DEAR SENATOR METCALF: As a school administrator for many years in federally affected areas I can most emphatically assure you that Public Law 815 and Public Law 874 funds are most directly related to the cost of education and not a mere means of payment in lieu of taxes. It is most imperative to state that these funds are honorably intended to educate children not to reduce taxes.

It is lamentably shortsighted for anyone to consider the vital funds of Public Law 815 and Public Law 874 as a mere meeting of a moral obligation by the Federal Government. The enclosures give most irrefutable proof of my thesis that Federal funds are solely directed to the educating of children and not to the mere reduction of taxes. (It seems essential to emphasize this.)

Columns 7 and 8 of exhibits A and B show the local contribution rate and the per capita cost of five school districts comparable in this instance to Lame Deer. It is noted that our local contribution rate is $216.61 while our per capita cost is $473.05. Our Public Law 874 money is used in its entirety for a percentage portion of the cost of operating and maintaining our public school whose students are 95-percent Northern Cheyenne Indians.

Sincerely,

HARRY H. CLOKE,
Principal, Lame Deer Public Schools.

TABLE 42.—*Tables relating to local contribution rate under Public Law 815 and Public Law 874, Montana school districts*

EXHIBIT A

TABLE 6.—*Comparable district data for school districts individually selected as comparable to applicant district*

(To be completed in full by sec. 3 and sec. 4 applicants unless: (1) State has group rates or (2) application is made under subsec. 3(c)(1) only and applicant elects to have local contribution rate based on minimum rate, requested in table 4, item 1)

Montana-60-E-506

LAME DEER NO. 6, ROSEBUD COUNTY

Names of 5 comparable school districts and county in which located	ADA	Revenue receipts for current expense purposes		Current expenses paid from local sources only (exclusive of debt service and capital outlay expenditures excluded by Public Law 874)	Total current expenses (exclusive of debt service and capital outlay expenditures excluded by Public Law 874)	Local contribution rate (col. 5 divided by col. 2)	Per capita cost (col. 6 divided by col. 2)
		From local sources only	From all sources				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1. Total for all districts in State	124,051	$33,803,202	$49,861,901	$33,801,383	$49,861,901	$272.48	$401.95
2. Names of comparable school districts (data for 1956–57):							
Roosevelt County, Bainville, No. 64	148.2	52,582	72,180	48,014	65,908	323.98	444.72
Bonner, No. 14, Missoula County	225.0	71,658	99,641	75,658	105,198	336.26	467.55
Swan Valley, No. 33, Missoula County	34.7	12,918	22,044	13,154	22,447	379.08	646.89
Froid, No. 65, Roosevelt County	135.7	55,795	70,439	54,945	69,367	404.70	511.18
Greenfield, No. 75, Teton County	109.0	31,350	47,899	33,134	50,625	303.98	464.45
3. Comparable districts: Aggregate for cols. 2 to 6; quotient for cols. 7 and 8, Lame	652.6	224,303	312,203	224,905	313,545	344.63	480.50
4. Applicant district (1956–57), Lame Deer, No. 6	180.4	30,097	65,722	39,077	85,339	216.61	473.50

HARRY H. CLOKE,
Principal, Authorized Representative.
K. F. BERGAN,
State Director of Public Law 874.

TABLE 7.—*Information relating to school districts entered in table 6 for fiscal year 1957–58*

(To be completed in full by sec. 3 and sec. 4 applicants unless: (1) State has group rates or (2) application is made under subsec. 3(c)(1) only and applicant elects to have local contribution rate based on minimum rate, requested in table 4, item 1)

LAME DEER NO. 6, ROSEBUD COUNTY ELEMENTARY

Montana-60-E-506

School districts	Legal classification	Type of community (urban, suburban, or rural)	Grade levels maintained	Percent of pupils transported	Pupil-teacher ratio	Assessed taxable valuation		School tax rate for current expenses only (mills per $1)	Total tax rate for all school purposes (mills per $1)
						Total for school purposes	Percent of true value		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1. Bainville, No. 64, Roosevelt County	3d	Rural	1 to 8	49.38	23 to 1	1,177,556	30.7	38.82	38.82
2. Bonner, No. 14, Missoula County	2d	do	do	None	20 to 1	1,445,020	30.2	53.44	66.82
3. Swan Valley, No. 33, Missoula	3d	do	do	100.00	13 to 1	163,396	27.9	63.22	65.85
4. Froid, No. 65, Roosevelt	2d	do	do	46.58	19 to 1	775,640	26.5	53.35	53.35
5. Greenfield, No. 75, Teton County	3d	do	do	91.73	22 to 1	312,423	24.6	45.76	50.04
6. Applicant:									
Lame Deer a. 1957–58	do	do	do	11.16	20 to 1	77,444	24.6	26.57	26.57
Lame Deer b. 1959–60	do	do	do	11.16	do	98,014	28.3	30.00	30.00

EXHIBIT B

TABLE 6.—*Comparable district data for school districts individually selected as comparable to applicant district*

(To be completed in full by sec. 3 and sec. 4 applicants unless: (1) State has group rates or (2) application is made under subsec. 3(c)(1) only and applicant elects to have local contribution rate based on minimum rate, requested in table 4, item 1)

BABB NO. 8 ELEMENTARY, GLACIER COUNTY

No. 102-874 (1960-61)

Names of 5 comparable school districts and county in which located	ADA	Revenue receipts for current expense purposes		Current expenses paid from local sources only (exclusive of debt service and capital outlay expenditures excluded by Public Law 874)	Total current expenses (exclusive of debt service and capital outlay expenditures excluded by Public Law 874)	Local contribution rate (col. 5 divided by col. 2)	Per capita cost (col. 6 divided by col. 2)
		From local sources only	From all sources				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1. Total for all districts in the State	128,785	$35,530,164	$53,287,708	$34,116,039	$51,148,485	$264.91	$397.16
2. Names of comparable school districts (data for 1958–59):							
Boyd No. 28, Carbon	35.7	11,708	16,870	10,415	15,007	291.74	420.36
Winkler No. 28, Glacier	27.8	16,580	21,610	15,070	19,643	542.09	706.58
Heligate No. 4, Missoula	63.5	17,463	26,123	15,432	23,085	243.02	363.54
Heron No. 3, Sanders	45.7	16,261	22,930	16,909	23,846	370.00	521.79
Logan No. 1, Gallatin	42.9	11,972	18,467	10,807	16,679	251.91	388.79
3. Comparable districts: Aggregate, cols. 2 to 6; quotient, cols. 7 and 8	215.6	73,984	106,000	68,633	98,260	318.33	455.75
4. Applicant district (1958–59): Babb No. 8, Glacier	47.7	14,934	26,552	16,970	30,174	355.77	632.57

TABLE 7.—*Information relating to school districts entered in table 6 for fiscal year 1958–59*

(To be completed in full by sec. 3 and sec. 4 applicants unless: (1) State has group rates or (2) application is made under subsec. 3(c)(1) only and applicant elects to have local contribution rate based on minimum rate, requested in table 4, item 1)

BABB NO. 8 ELEMENTARY, GLACIER COUNTY

No. 102-874 (1960-61)

School districts	Legal classification	Type of community (urban, suburban, or rural)	Grade levels maintained	Percent of pupils transported	Pupil-teacher ratio	Assessed taxable valuation		School tax rate for current expenses only (mills per $1)	Total tax rate for all school purposes (mills per $1)
						Total for school purposes	Percent of true value		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Boyd	3d	Rural	1 to 8		13 to 1	$230,861	28.82	33.00	33.00
Winkler	do	do	do		10 to 1	709,194	46.06	20.20	33.52
Heligate	do	do	do		19 to 1	1,353,174	29.32	21.87	25.40
Heron	do	do	do		15 to 1	258,457	31.06	44.59	52.81
Logan	do	do	do		16 to 1	727,095	36.41	23.05	23.05
Applicant:									
Babb a. 1958–59	do	do	do		17 to 1	338,969	27.55	31.22	35.78
Babb b. 1960–61	do	do	do		do				

EXHIBIT C

TABLE 6.—*Comparable district data for school districts individually selected as comparable to applicant district*

(To be completed in full by sec. 3 and sec. 4 applicants unless: (1) State has group rates or (2) application is made under subsec. 3(c)(1) only and applicant elects to have local contribution rate based on minimum rate, requested in table 4, item 1)

Names of 5 comparable school districts and county in which located	ADA	Revenue receipts for current expense purposes		Current expenses paid from local sources only (exclusive of debt service and capital outlay expenditures excluded by Public Law 874)	Total current expenses (exclusive of debt service and capital outlay expenditures excluded by Public Law 874)	Local contribution rate (col. 5 divided by col. 2)	Per capita cost (col. 6 divided by col. 2)
		From local sources only	From all sources				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1. Total for all districts in State	128,785	$35,530,164	$53,287,708	$32,116,039	$51,148,485	$264.91	$397.16
2. Names of comparable school districts (data for 1958–59):							
Logan No. 1, Gallatin County	42.9	11,972	18,467	10,807	16,679	251.91	388.79
Swan Valley No. 33, Missoula County	41.6	10,520	25,520	9,567	23,221	229.98	558.20
Herris No. 3, Sanders County	45.7	16,261	22,930	16,909	23,846	370.00	521.79
Lonepine No. 12, Sanders County	44.3	16,587	26,565	13,972	22,377	315.40	505.12
Frazer No. 2, Valley County	124.0	30,215	55,994	30,405	56,347	245.20	454.41
3. Comparable districts: Aggregate cols. 2–6; quotient, cols. 7 and 8	298.5	85,555	148,458	81,660	142,470	273.57	477.29
4. Applicant district (1958–59)	65.5	17,566	25,789	25,278	37,119	385.92	566.70

TABLE 7.—*Information relating to school districts entered in table 6 for fiscal years 1958–59*

(To be completed in full by sec. 3 and sec. 4 applicants unless: (1) State has group rates or (2) application is made under subsec. 3(c)(1) only and applicant elects to have local contribution rate based on minimum rate, requested in table 4, item 1)

School districts	Legal classification	Type of community (urban, suburban, or rural)	Grade levels maintained	Pupil-teacher ratio	Assessed valuation		School tax rate for current expenses only (mills per $1)	Total tax rate for all school purposes (mills per $1)
					Total for school purposes	Percent of true value		
(1)	(2)	(3)	(4)	(6)	(7)	(8)	(9)	(10)
1. Logan No. 1, Gallatin	3	Rural	L–1–8	16–1	$727,095	36.41	23.05	23.05
2. Swan Valley, Missoula	3	do	1–8	20–1	169,881	25.03	52.31	62.94
3. Heron, Sanders County	3	do	1–8	17–1	258,457	31.06	44.59	52.81
4. Lonepine No. 2, Sanders	3	do	1–8	6–1	207,625	27.34	53.16	53.16
5. Frazer No. 2, Valley	3	do	1–8	21–1	483,998	25.29	46.37	46.37
6. East Glacier No. 50 [1]	3	do	1–8	21–1	656,538	33.16	37.88	37.88
East Glacier No. 50 [2]	3	do	1–8	21–1			27.60	27.60

[1] 1958–59.
[2] 1960–61.

Mr. MORSE. Mr. President, how much time have I left?

Mr. DIRKSEN. The Senator has not any.

The PRESIDING OFFICER. The Senator from Oregon is speaking on time yielded by the minority leader.

Mr. MORSE. We have an hour and a half available.

Mr. DIRKSEN. But I have control of the time.

Mr. MORSE. I ask the Senator from Illinois how much time he has remaining.

Mr. DIRKSEN. I will ask the Chair.

The PRESIDING OFFICER. The Senator from Nevada has 11 minutes remaining. The Senator from Illinois has 18 minutes remaining.

Mr. MORSE. I beg the Senator from Illinois to yield to the Senator from Wisconsin [Mr. PROXMIRE]. I should like to reserve some time to explain my amendments.

Mr. DIRKSEN. I shall be most charitable.

I yield 10 minutes to the distinguished Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I enthusiastically support the statement of the Senator from Oregon. I support his amendments. I hope the Senate will agree to them.

I wish to discuss the sales tax increase which has been recommended by the District Committee. I recognize that substantial additional revenues are needed in the District of Columbia.

I think the Senator from Oregon has offered alternative methods of securing the revenues. In fact, his amendments would raise more revenue than the sales tax would raise.

As I believe was brought out in my colloquy with the distinguished Senator from Nevada [Mr. BIBLE] who is chairman of the committee, the present taxes in the District of Columbia, including all taxes, income, real property, personal property, sales, auto tax, and so forth, are roughly proportionate to income in middle income brackets. If income ranges between $5,000 and $15,000, according to a table introduced by District of Columbia Commissioner Tobriner in the record on page 22 of the hearings, District of Columbia taxes are 5.8 percent of income for a man making $5,000 a year and about 5.8 percent for a man making $15,000 a year. However, it seems to me that the concept that should be grasped in imposing taxation is that people with a small income use a very large proportion of that income to buy the bare necessities of life.

A man with a $5,000 income must spend perhaps $4,000 to provide a bare minimum of food, shelter, clothing, and all the other essentials for his family and himself in the District. This means that he has only about $1,000 left for recreation and everything else that he wants to spend money on. I believe that this is a fair and proper and realistic concept. If the proposed tax measure is adopted it will mean that a man with a $5,000 income must pay 23 percent of the money he has available above the bare essentials of life; with a $7,500, it would be 12 percent; with a $10,000 income, about 9 percent; with a $15,000 income, about 8 percent. In other words, applying this concept the District of Columbia tax is highly regressive.

Of course, a man with an income of less than $5,000 is hit cruelly by this kind of tax system, because it means that if he has an income of $2,500 or $3,000—and many families in the District have that low an income—he will simply not be able to buy the bare necessities of life, and will very possibly be pushed over the edge onto relief.

The fact is that virtually all taxes are taxes on income. However, a sales tax is a tax on income which is spent. It is not a tax on income which is saved. It is a tax on income which is spent within the taxing area.

I submit that a man with a small income who cannot travel and certainly cannot save much will have to pay a far higher proportion of his income in sales taxes than a man who can save a part of his income. That is why a sales tax is regressive.

The District of Columbia, by increasing its sales tax, encourages Maryland and Virginia to increase their sales taxes. As the chairman of the Committee on the District of Columbia has admitted in the colloquy with me, the fact is Virginia has no sales tax. Maryland has a 3-percent sales tax. However, that Maryland sales tax exempts food. The District of Columbia puts a 1-percent tax on food. This will mean that the sales tax in the District will

be more burdensome and more regressive than the sales tax in the surrounding areas.

It seems to me that the real argument here should be that the alternative obviously beckoning to the District Committee is to increase the income tax. The income tax in the District of Columbia is a maximum of 5 percent. But that rate is not reached until income goes up to $25,000, so that the overwhelming majority of high income people pay a lower rate tax. It does not go higher. In Virginia the income tax is 5 percent on all income over $5,000. In Wisconsin it goes up to 10 percent. In Oregon it is about 10 percent. Many other States are trying to have a progressive tax system. Yet in the Capital of the Nation we find a regressive tax system, with a maximum income tax at $25,000 of 5 percent. It puts the surrounding States in the position where they are forced to adopt the same kind of regressivity because of the competition of business and so forth.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. PROXMIRE. I have only a few minutes, but I will yield quickly to the Senator from Florida.

Mr. HOLLAND. Does not the Senator think that the imposition of a sales tax will allow the millions of people who visit here each year as tourists from other parts of the country to make a contribution to the expense of the government in the District of Columbia which they could not do in any other way?

Mr. PROXMIRE. I am delighted that the Senator has asked me that question. The people who visit the District of Columbia are taxpayers who contribute to the District of Columbia in the Federal payment that is made to the District. It seems to me that to impose additional taxes upon these people, who bring their children to visit the District of Columbia—and they should be encouraged to do so—is a very serious mistake. I oppose it on that ground, too.

I wish to conclude by saying that the disparity in income in the District of Columbia is obvious to anyone with eyes to see. One cannot drive around the city without finding area after area in which people have to live in the most dilapidated and dirty conditions. Slums here are among the worst anywhere.

Housing is very poor. Obviously the income of a very high proportion of the residents of the District of Columbia who are colored is very low. These are the people who will have to pay more in taxes because of the sales tax. On the other hand, statistics show that the per capita income in the District of Columbia is higher than in any other State except Delaware. This means that we should certainly, if we have any regard for progressivity, insist on an income tax which is at least comparable to that in most of the other States.

The President of the United States has called for an alliance of progress, which is a fine name for our South American aid program. The great weakness in many South American countries is that they do in those countries what is being done in the District of Columbia, namely, that the burden of the taxes is imposed upon those who are least able to pay. If any area of the country should set an example for these countries, it is the District of Columbia, the Capital of the Nation.

The money is needed. The District should have it. I feel very strongly that Washington, D.C., should be the model for the country and the model for the world.

When the District of Columbia recommends a series of tax increases, every one of which is regressive, and does not touch the District income tax, which is far lower than in other areas of the country, being only 5 percent, it seems to me that the District is not living up to the ideals of the administration or the progressive ideals of our Nation.

I yield back the remainder of my time.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I offer an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 36, between lines 20 and 21, insert the following:

TITLE IX—AMENDMENT OF PUBLIC LAW 874, EIGHTY-FIRST CONGRESS, TO INCLUDE THE DISTRICT OF COLUMBIA

SEC. 901. Section 9(8) of the Act of September 30, 1950 (20 U.S.C. 244(8)) is amended by inserting "the District of Columbia," after "Guam,".

On page 36, line 21 and following, redesignate title IX as title X and redesignate the sections in such title accordingly.

On page 37, line 14, before the period insert a comma and "other than title IX".

Mr. MORSE. The amendment provides that the District of Columbia shall come under Public Law 874. The Department of Health, Education, and Welfare has assured us that the law can apply to the District of Columbia if we adopt an amendment.

The amendment contains technical provisions however to make certain that the District authorities will not determine what is covered. I ask the chairman if he will agree to take the amendment to conference. It is a sound amendment.

Mr. BIBLE. What the Senator from Oregon has said during his very able discussion of the revenue problem of the District of Columbia is very impressive, and has impressed me a great deal today.

There is a question here about the impacted areas bill not having included the District of Columbia. I am frank to say that this was not completely discussed by our committee. It seems to me, however, if it is good for Bethesda, as the Senator has pointed out, and good for New York City—and I know it is good for the State of Nevada—perhaps it is good also for the District of Columbia.

I do not know all the ramifications. The only thing that concerned me was that it might possibly mean that this amount will be taken off the Federal payment. The Senator from Oregon seems to think and made the statement in his preliminary remarks that this would not happen.

Mr. MORSE. I have read into the RECORD a memorandum which indicates that that would not happen.

Mr. BIBLE. I am perfectly willing to take the amendment to conference. It has considerable merit. I am happy to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon.

The amendment was agreed to.

Mr. MORSE. Mr. President, I send the next amendment to the desk. It is an amendment to increase the tax on hard liquor from $1.50 to $2 a gallon. As the chairman knows, the committee felt there was a great deal of merit to the amendment. There is a chance here to impose a tax on the basis of ability to pay.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 10, line 14, strike out "$1.50" and insert "$2.00". On page 10, line 16, strike out "$1.50" and insert "$2.00".

Mr. MORSE. It would be better to have a tax on booze than on boots.

Mr. BIBLE. Mr. President, in this area the Senator from Oregon makes a rather impressive case. By way of comparison, the State of Maryland imposes a tax of $2.50 per gallon on alcohol and $1.50 per gallon on spirits. The figure proposed by the committee was the best judgment of the committee. We arrived at a figure of $1.50 per gallon for both alcohol and spirits. However, I am not adverse to accepting the figure of $2 a gallon on spirits and alcohol. I am perfectly willing to take the amendment to conference and attempt to hold it in conference.

Mr. MORSE. I appreciate the Senator's statement. I am ready to vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

The amendment was agreed to.

Mr. MORSE. Mr. President, I offer an amendment to increase the tax on each package of cigarettes to 5 cents. I think it would be in the public interest as well as in the interest of increasing the tax revenues of the District of Columbia on the basis of ability to pay rather than to tax the necessities of life.

As the Senator from Nevada knows, the State of Maryland imposes a higher tax on cigarettes. I think a tax of 5 cents a package is a reasonable compromise. I beseech and urge the chairman of my committee to accept the amendment.

Mr. LAUSCHE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. LAUSCHE. If we keep increasing these taxes, will we not ultimately be producing an amount far more than is requested? Does the Senator from Oregon propose a reduction of the tax on some items?

Mr. MORSE. My last amendment will propose some reduction in the amount of revenue to be raised.

The PRESIDING OFFICER. The amendment of the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. On page 7, line 13, it is proposed to strike out "4 cents" and insert in lieu thereof "5 cents."

Mr. BIBLE. Mr. President, this question was discussed at length in the full committee. There was some feeling that the tax should be 4 cents, some feeling that it should be 5 cents, and some feeling that it should be 6 cents a package. The tax in Maryland is 6 cents a package; in the Commonwealth of Virginia it is 3 cents a package. This proposal, again, involves a question of judgment. The committee was fairly well divided as to whether the tax should be 4 cents or 5 cents. I am willing to accept the amendment and take it to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

The amendment was agreed to.

Mr. MORSE. Mr. President, I offer the next amendment which I send to the desk. I have not been so persuasive with the chairman with respect to increasing the tax on parking facilities. I think the operators of such facilities are getting away with a tax that is too low.

The PRESIDING OFFICER. Does the Senator from Oregon desire to have his amendment read?

Mr. MORSE. Not in its entirety; just the title. I ask that the amendment be printed in the RECORD.

The PRESIDING OFFICER. The amendment will be printed.

The amendment is as follows:

On page 36, after line 20, insert the following new title:

"TITLE IX—TAX ON AMOUNTS PAID FOR PARKING OF MOTOR VEHICLES

"SEC. 901. TAX ON PARKING FEES.

"(a) IMPOSITION OF TAX.—There is hereby imposed on amounts paid for parking any motor vehicle in any commercial parking facility in the District of Columbia a tax equal to 10 percent of the amounts so paid.

"(b) FRACTIONAL PARTS OF CENTS.—If the amount of tax imposed under subsection (a) includes a fractional part of a cent—

"(1) such fractional part shall be disregarded if it is less than ½ cent, and

"(2) the tax imposed shall be increased to the next higher whole cent if such fractional part is ½ cent or more.

"(c) BY WHOM PAID.—The tax imposed by subsection (a) shall be returned and paid by the person receiving the amount paid for parking.

"SEC. 902. DEFINITIONS.

"For purposes of this title—

"(1) COMMERCIAL PARKING FACILITY.—The term 'commercial parking facility' means any premises used for the parking of motor vehicles if a charge is made, directly or indirectly, for the parking of any motor vehicle thereon, except that such term does not include—

"(A) any such facility which has a maximum capacity for parking less than five motor vehicles of average size, or

"(B) any such facility if the maximum charge for parking a motor vehicle thereon does not exceed a rate of 25 cents per day.

"(2) COMMISSIONERS.—The term 'Commissioners' means the Commissioners of the District of Columbia.

"SEC. 903. EXCEPTIONS.

"(a) TRUCKS AND BUSES.—The tax imposed by section 901 shall not apply to amounts paid for parking—

"(1) any truck or truck trailer or semitrailer, or

"(2) any motor vehicle which has a passenger seating capacity of ten or more adult passengers, including the driver.

"(b) GOVERNMENT-OWNED MOTOR VEHICLES.—The tax imposed by section 901 shall not apply to amounts paid for parking any motor vehicle owned by the United States, the District of Columbia, or any State, or any agency or instrumentality of any of the foregoing, if—

"(1) such motor vehicle may be used only in the official business of the Government which owns such motor vehicle, or

"(2) an occupant of such motor vehicle is engaged in official business during the time that such motor vehicle is parked.

"(c) PARKING METERS.—The tax imposed by section 901 shall not apply to any amount paid for parking if the amount paid is deposited in a parking meter maintained by the District of Columbia.

"SEC. 904. AMOUNTS PAID WHICH INCLUDE AMOUNTS PAID FOR PARKING.

"(a) PARKING PRIVILEGES INCLUDED AT NO ADDITIONAL CHARGE.—In any case in which a lease of property (other than property used by the lessee as his personal residence) confers on the lessee a privilege to park one or more motor vehicles in a commercial parking facility without additional charge, the amounts paid under such leases shall be considered to include an amount paid for parking such motor vehicle or vehicles within the meaning of section 901. The amount so considered to be paid shall be an amount, determined under regulations prescribed by the Commissioners, equal to the amount by which the payments for the property leased exceed payments for the lease of comparable property which does not confer any parking privileges on the lessee.

"(b) PARKING PRIVILEGES INCLUDED UPON PAYMENT OF HIGHER RENTAL.—In any case in which a lease of property (other than property used by the lessee as his personal residence) confers on the lessee a privilege to park one or more motor vehicles in a commercial parking facility for a stipulated additional rental, the amount so stipulated shall be considered an amount paid for parking such motor vehicle or vehicles within the meaning of section 901.

"SEC. 905. ADMINISTRATIVE PROVISIONS.

"The provisions of section 126 and of sections 129 through 152 of the District of Columbia Sales Tax Act, as amended (63 Stat. 115, 117–124; D.C. Code § 47–2603 and § 47–2606–§ 47–2629), shall, under regulations prescribed by the Commissioners, apply with respect to the tax imposed by section 901.

"SEC. 906. SHORT TITLE.

"This title may be cited as the 'District of Columbia Parking Tax Act'.

"SEC. 907. EFFECTIVE DATE.

"The tax imposed by section 901 shall apply only with respect to amounts paid on or after the first day of the first month which begins more than 60 days after the date of the enactment of this Act for the parking of motor vehicles on or after such first day.

"Renumber title IX, and sections 901, 902, 903, and 904, to be title X, and sections 1001, 1002, 1003, and 1004, respectively."

Mr. BIBLE. Mr. President, I must resist this amendment. It has not had the full consideration of the committee. It concerns a new area of taxation and requires further study. It may have merit, but I hope the Senator from Oregon will not press the amendment, but will give the Subcommittees on Fiscal Affairs of both the Senate and the House an opportunity to explore it further.

Mr. MORSE. I think it is a fair tax. The need for it is so obvious that hearings are not needed. The operators of parking facilities are not paying enough taxes. They have the ability to pay.

Mr. President, I ask for a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

The amendment was rejected.

Mr. MORSE. Mr. President, I offer the next amendment which I send to the desk.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. BIBLE. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Nevada has 10 minutes remaining.

Mr. BIBLE. I yield 3 minutes to the distinguished senior Senator from Oregon.

Mr. MORSE. The Senator from Nevada is gracious.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 36, after line 20, insert a new title 9, as follows:

TITLE IX—TAX ON AMOUNTS PAID AS RENTS FOR NONRESIDENTIAL PROPERTY

SEC. 901. TAX ON RENTS FOR REAL PROPERTY.

(a) IMPOSITION OF TAX.—There is hereby imposed on amounts paid as rent for any real property situated in the District of Columbia a tax equal to 10 percent of the amounts so paid.

(b) TAX APPLICABLE ONLY TO AMOUNTS PAID FOR RIGHT OF OCCUPANCY.—If any lease of real property confers on the lessee any rights or privileges in addition to the right to occupy the real property leased and to services or facilities furnished in connection therewith, the tax imposed by subsection (a) shall apply only to that portion of the amounts paid as rent under such lease as is attributable to the right to occupy the real property leased and to such services or facilities. The portion of the amounts paid so attributable shall be determined under regulations prescribed by the Commissioners.

(c) SUBLEASES.—If the amount paid as rent is paid by a lessee who has subleased the rented property to a sublessee, or is paid by any subsequent sublessor of such property, the tax imposed by subsection (a) shall apply only to that portion (if any) of the amount paid as exceeds the amount paid as rent for such property by his sublessee.

(d) BY WHOM PAID.—The tax imposed by subsection (a) shall be returned and paid by the person paying the rent.

(e) DEFINITION.—For purposes of this title, the term "Commissioners" means the Commissioners of the District of Columbia.

SEC. 902. EXCEPTIONS.

(a) PERSONAL RESIDENCES.—The tax imposed by section 901 shall not apply to amounts paid as rent for any real property used solely as a personal residence. In any case in which real property is used both as a personal residence and for any other purpose or purposes, the tax imposed by section 901 shall apply only to that portion of the amounts paid as rent as is attributable to such other purpose or purposes. The amount so attributable shall be determined under regulations prescribed by the Commissioners.

(b) UNIMPROVED PROPERTY.—The tax imposed by section 901 shall not apply to amounts paid as rent for unimproved real property.

(c) RENTS PAID BY THE UNITED STATES, THE DISTRICT OF COLUMBIA, ET CETERA.—The tax imposed by section 901 shall not apply to amounts paid as rent by the United States or the District of Columbia, or by any government, organization, or person specified in section 1 of the Act entitled "An Act

to define real property exempt from taxation in the District of Columbia", approved December 24, 1942, as amended (56 Stat. 1089; D.C. Code § 47–801a), if the property rented is used for purposes which would entitle such property to be exempt from taxation under such section if it were owned by such government, organization, or person.

SEC. 903. CREDITS FOR TAX PAID.

(a) CORPORATIONS.—Title VII of the District of Columbia Income and Franchise Tax Act of 1947, as amended (61 Stat. 345; D.C. Code § 47–1571—§ 47–1571a), is amended by adding at the end thereof the following new section:

"SEC. 3. CREDIT FOR TAX PAID ON RENT.—There shall be allowed as a credit against the tax imposed by section 2 of this title for any taxable year an amount equal to the amount of tax paid or accrued by the taxpayer during such taxable year under section 901 of the District of Columbia Rent Tax Act. The amount of tax paid or accrued under such section shall not be taken into account in computing the taxable income (as defined in section 1 of this title) of the taxpayer."

(b) UNINCORPORATED BUSINESSES.—Title VIII of the District of Columbia Income and Franchise Tax Act of 1947, as amended (D.C. Code § 47–1574—§ 47–1574e), is amended by adding at the end thereof the following new section.

"SEC. 7. CREDIT FOR TAX PAID ON RENT.—There shall be allowed as a credit against the tax imposed by section 3 of this title for any taxable year an amount equal to the amount of tax paid or accrued by the taxpayer during such taxable year under section 901 of the District of Columbia Rent Tax Act. The amount of tax paid or accrued under such section shall not be taken into account in computing the taxable income (as defined in section 2 of this title) of the taxpayer."

SEC. 904. COLLECTION; ADMINISTRATIVE PROVISIONS.

(a) RETURNS AND PAYMENTS.—Returns of the tax imposed by section 901 shall be made at such times, but not more often than once during each calendar quarter, as may be required by regulations prescribed by the Commissioners. The tax shall be paid at the time of making the return.

(b) INFORMATION BY LESSORS.—Every person owning real property situated in the District of Columbia which is leased to any other person, and every person leasing or subleasing real property situated in the District of Columbia who subleases such property to any other person, shall furnish at such times and in such manner as may be required by regulations prescribed by the Commissioners—

(1) the name of the person or persons to whom such property is leased or subleased;

(2) the amount of rents payable under the lease or sublease; and

(3) such other relevant information as may be required by regulations prescribed by the Commissioners.

The provisions of this subsection shall not apply with respect to property used solely as a personal residence or to unimproved property.

(c) ADMINISTRATION PROVISIONS.—Except to the extent inconsistent with the provisions of this title, the provisions of sections 217, 220, 221, and 223 of the District of Columbia Use Tax Act, as amended (63 Stat. 127–128; D.C. Code § 47–2707, 47–2710, 47–2711, and 47–2713), including the provisions of the District of Columbia Sales Tax Act made applicable by such sections, shall, under regulations prescribed by the Commissioners, apply with respect to the tax imposed by section 901.

SEC. 905. SHORT TITLE.—This title may be cited as the "District of Columbia Rent Tax Act".

SEC. 906. EFFECTIVE DATE.—The tax imposed by section 901 shall apply only with respect to amounts paid on or after the date of the enactment of this Act for rents becoming due and payable on or after the first day of the first month which begins more than 60 days after the date of the enactment of this Act.

Renumber title IX, and sections 901, 902, 903, and 904, to be title X, and sections 1001, 1002, 1003, and 1004, respectively.

Mr. MORSE. Mr. President, the only purpose of the amendment is to tax the fellow who makes his money in the District of Columbia but lives outside the District. It imposes a tax on commercial rents that would be paid by individuals and organizations engaged in activities in the District but not effectively subject to the District of Columbia corporate tax—the tax on unincorporated businesses, or, the individual income tax. He ought to be required to pay such a tax. If he makes his living here, he ought to be required to pay a tax. I urge that the amendment be agreed to.

Mr. BIBLE. Mr. President, the amendment was considered by the committee. It has some appeal, but it raises some problems. I hope it will be possible for the committee to consider it in another year. I am opposed to this particular amendment offered by the Senator from Oregon.

Mr. MORSE. Mr. President, I ask for a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

The amendment was rejected.

Mr. MORSE. Mr. President, I call the attention of the Senator from New York to my next proposal, to my plea for the elimination of the sales tax on groceries. It is offered as an amendment to the bill. I simply do not think a 1-percent tax can be justified on the food which poor people have to take into their mouths in order to live in the District of Columbia. I think the tax ought to be repealed. My amendment proposes to repeal it.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the appropriate place in the bill it is proposed to insert the following:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 114(a)(1) of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2601) is amended to read as follows:

"(1) The sale for consumption of any meals, food, drink, or other tangible personal property for a consideration at any restaurant, hotel, drugstore, club, resort, or other place at which meals, food, drink, or other tangible personal property are sold."

SEC. 2. The proviso in section 125 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2602) is amended by striking out "the rate of tax with respect to sales of food for human consumption off the premises where such food is sold shall be 1 per centum of the gross receipts from such sales, and that".

SEC. 3. Section 127 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2604) is amended—

(a) by striking out, in subsection (a), the following: "other than sales of food for human consumption off the premises where such food is sold, and";

(b) by striking out subsection (b); and

(c) by redesignating subsection (c) as (b).

SEC. 4. Section 128(d) of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2605) is amended by inserting before paragraph (2) thereof a new paragraph as follows:

"(1) Sales of food for human consumption off the premises where such food is sold."

SEC. 5. Paragraph (5) of section 201(a) of the District of Columbia Use Tax Act (D.C. Code, sec. 47–2701) is repealed.

SEC. 6. Section 212 of the District of Columbia Use Tax Act (D.C. Code, sec. 47–2702) is amended by striking out ", except that the rate of tax with respect to sales of food for human consumption off the premises where such food is sold shall be 1 per centum of the sales price of such sales".

SEC. 7. This Act shall take effect on July 1, 1961.

Mr. JAVITS. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. JAVITS. When I was a member of the Committee on the District of Columbia, I espoused this amendment. I am glad the Senator from Oregon has offered it. It is the general practice in communities which impose a sales tax to exempt food because a tax on food is regressive. I sincerely hope the chairman of the committee may see fit to accept the amendment and take it to conference, as he has done with respect to a number of other amendments which, with his usual distinction and force, the Senator from Oregon has offered.

Mr. MORSE. This was the bill of the Senator from New York in the 86th Congress. I cosponsored it with him then.

Mr. JAVITS. I thank the Senator from Oregon.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. BIBLE. Mr. President, I yield 2 additional minutes to the Senator from Oregon.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LAUSCHE. Will the tax still be applicable on food which is consumed in a public merchandising place—that is, restaurants?

Mr. MORSE. Unfortunately, yes.

Mr. PROXMIRE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. PROXMIRE. I enthusiastically support the amendment. While it will cause the loss of $2.4 million of revenue, more than twice as much will be gained by the impacted areas amendment, accepted by the chairman of the committee. If this amendment is adopted, there will still be more revenue than was provided in the bill to begin with.

Mr. MORSE. The Senator from Wisconsin is correct.

Mr. President, I am ready to vote.

Mr. BIBLE. Mr. President, I am opposed to the amendment. It is a difficult amendment to resist. Twenty-four of the 35 States impose a tax higher than is imposed in the District of Columbia. Thirty-five States of the Union have this type of tax.

Believe me, the District of Columbia needs revenue, even if the impacted areas amendment is successful, because we are

premising the total amount of revenue on a $36 million Federal payment. The House has allowed, to date, $30 million. There is a $6 million differential. I hope the amendment will be rejected.

Mr. MORSE. Mr. President, on this amendment I ask for a division.

On a division, the amendment was rejected.

Mr. MORSE. Mr. President, I offer my last amendment, which simply strikes out the sales tax provision.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. Beginning on page 5, line 12, it is proposed to strike out all matter through line 5 of page 7.

Mr. MORSE. Mr. President, this amendment strikes out the increase in the sales tax.

Mr. BIBLE. Mr. President, again, regrettably, I must oppose this amendment. The amendment simply brings the District of Columbia tax into accord with that of the State of Maryland. I oppose the amendment and ask that the question be put.

Mr. MORSE. Mr. President, on this amendment, I ask for a division.

On a division, the amendment was rejected.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. How much time have I remaining?

The PRESIDING OFFICER. The Senator from Illinois has 3 minutes remaining; the Senator from Nevada has 4 minutes remaining.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished Senator from Ohio.

Mr. LAUSCHE. Mr. President, on page 48 of the hearings it is shown that the problem of the District of Columbia is mainly the result of the action of Congress in granting salary increases last year. I look back with a bit of comfort in remembering that I opposed a part of those salary increases. I think if we had been called upon to impose new taxes a year ago, when the salary increase bill was passed, we would not have been so liberal.

I should like to point out that the District of Columbia has 34 employees for every thousand population; Pittsburgh has 10 per thousand; Cincinnati has 12 per thousand; Cleveland has 12 per thousand.

It is quite bewildering, even recognizing that there are so many public services, to find that the District of Columbia has 34 employees per thousand. I venture to say—without having made a study of the matter—that that number is in excess of the needs.

Moreover, I should like to point out that the expenditure for personal services in the District of Columbia is $127 million; in Cleveland, $71 million; in Cincinnati, $44 million; in Buffalo, $49 million. Cities with larger populations have service expenditures 50 percent less than those in the District of Columbia.

The PRESIDING OFFICER. The time yielded to the Senator from Ohio has expired.

The question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question now is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. MORSE. Mr. President——

Mr. BIBLE. Mr. President, I am happy to yield 1 minute to the Senator from Oregon.

Mr. MORSE. First, Mr. President, I wish to thank the chairman of the committee [Mr. BIBLE] for his cooperation in connection with this measure. It is typical of his leadership of the committee.

I hope the amendments which have been agreed to will be approved in the conference.

I cannot vote for the bill, because by the levying of a sales tax it imposes on the poor people of the District of Columbia. Nevertheless, I appreciate the help of the chairman of the committee in connection with the adoption of my amendments.

I wish to say that, in my judgment, the salary increase last year in the District of Columbia should have been larger. The trouble lies with Congress. Congress has not done its job; the Members of Congress have not served as good aldermen for the city of Washington.

What Congress should do is transfer to the free citizens of the District of Columbia their citizenship rights, and let them run the District of Columbia. Then Congress would not have to spend its time in dealing with what amount to city-council matters for the District of Columbia.

Mr. President, I shall not vote for the bill, because it is not good enough.

Mr. BIBLE. Mr. President, I wish to associate myself with the first remarks of the distinguished Senator from Oregon—who is a most helpful member of our committee—in reciting again that there should be self-government in the District of Columbia.

If the Senator from Ohio [Mr. LAUSCHE] will examine the record of the Appropriations Committee in connection with this matter, I believe he will find that very little waste or extravagance exists in the various District of Columbia departments, in connection with the performance of the various responsibilities with which the District of Columbia is charged. This is not an ordinary American city; it is more in the nature of a combination city and State—the Nation's Capital. Certainly it has unusual problems. Under the able leadership, on this side of the Hill, of the distinguished junior Senator from West Virginia [Mr. BYRD], I believe every effort is being made to remove the waste and the fat from the District of Columbia appropriation bill.

Of course, it costs money to run the government of the Nation's great Capital City, and it will continue to cost money. Those who provide the necessary services in the District of Columbia—for instance, the services provided by the Police Department—are repeatedly lost to Federal agencies which are able to pay higher salaries. One of the very large problems in connection with the District of Columbia is in connection with recruiting sufficient personnel for an adequate police force. That is most difficult, because it is impossible for the District of Columbia to pay high enough salaries to command the best possible police force members, whereas the District of Columbia should have the best police force both in the Nation and in the entire world.

Mr. LAUSCHE. Mr. President, will the Senator from Nevada yield?

Mr. BIBLE. I yield.

Mr. LAUSCHE. I believe the Senator from Nevada and I are talking along the same line. The Federal Government has established the salary schedule; and the District of Columbia loses its employees to the Federal Government agencies, because of the higher salaries paid by those agencies. The Federal Congress has fixed the salary schedule, and that is the source of the problem.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the schedules appearing in the hearings on page 11, under exhibits 1 and 2, and on page 12, under exhibit 3, showing the number of employees and the expenditures for personal services, as compared with those for other cities.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXHIBIT No. 1

City	Population, 1950	Population, 1960	Percent change in population	Number of city government employees per thousand population, 1950	Number of city government employees per thousand population, 1960	Number change
Milwaukee	637,392	734,788	+15.3	10.3	12.4	+2.1
Baltimore	949,708	921,363	−2.9	27.0	27.0	
Pittsburgh	676,806	600,327	−11.3	9.6	10.9	−1.3
Boston	801,344	677,626	−15.4	17.4	30.9	+2.5
Cincinnati	503,998	505,000	+.19	11.25	13.56	+2.31
Cleveland	914,808	869,867	−4.9	12.59	12.39	−.2
Buffalo	580,132	528,387	−8.9	15.56	17.34	+1.78
San Francisco	775,357	715,609	−7.7	25.54	29.93	+4.39
Houston	596,163	932,680	+56.4	6.3	9.1	+2.8
St. Louis	856,796	754,134	−11.9	9.3	12.5	+3.2
Minneapolis	521,718	482,872	−8.0	16.7	19.1	+2.4
New Orleans	570,445	627,525	+10.0	11.3	11.7	+.4
Washington	802,178	746,958	−6.9	24.9	34.5	+9.6

EXHIBIT No. 2

Changes in District of Columbia government personnel, by grade classifications, June 30, 1952, through June 30, 1960

Grade	Number of employees, June 30, 1952	Number of employees, June 30, 1960	Percent of change
1	421	44	−89.5
2	365	755	+106.8
3	982	1,312	+33.5
4	733	1,448	+97.5
5	1,092	1,122	+2.7
6	270	1,086	+302.2
7	522	1,207	+131.2
8	68	270	+297.0
9	268	622	+132.1
10	39	102	+179.4
11	161	351	+118.0
12	107	280	+161.7
13	70	188	+168.5
14	29	101	+248.2
15	19	54	+184.2
16	4	19	+375.0
17	3	6	+100.0
18	0	2	

Source: District of Columbia personnel office.

EXHIBIT No. 3

[In thousands of dollars]

City	Expenditure for personal services, fiscal 1951	Expenditure for personal services, fiscal 1959	Increase
Milwaukee	28,097	49,964	21,867
Baltimore	58,322	113,759	55,437
Pittsburgh	23,758	35,131	11,373
Boston	75,131	106,787	31,656
Cincinnati	22,843	44,126	21,283
Cleveland	55,012	71,740	16,728
Buffalo	31,649	49,821	18,172
San Francisco	51,811	85,818	34,007
Houston	13,531	33,537	20,006
St. Louis	33,968	54,717	20,749
Minneapolis	21,048	29,204	8,156
New Orleans	18,997	34,671	15,674
District of Columbia	65,387	127,725	62,338

Source: "Compendium of City Government Finances" (1951 and 1959 eds.), Bureau of Census, U.S. Department of Commerce.

Mr. LAUSCHE. I recognize the problem, Mr. President; and 2 years ago I opposed the salary increase at that time, in part because I knew it would result in this burden.

The PRESIDING OFFICER. The bill has been read the third time.

The question now is, Shall the bill pass?

The bill (H.R. 258) was passed.

The title was amended, so as to read: "An Act to amend the District of Columbia Sales Tax Act to increase the rate of tax imposed on certain gross receipts, to amend the District of Columbia Motor Vehicle Parking Facility Act of 1942 to transfer certain parking fees and other moneys to the highway fund, to increase the annual Federal payment to the District of Columbia, and for other purposes."

Mr. MANSFIELD. Mr. President, I wish to extend my thanks to the distinguished chairman of the District of Columbia Committee, the Senator from Nevada [Mr. BIBLE], who has had an onerous job to perform. As always, he has done well.

My thanks go also to the Senator from Oregon [Mr. MORSE] and the Senator from Wisconsin [Mr. PROXMIRE], both of whom offered amendments and suggestions which in part made the bill better.

MIGRATORY WORKERS' HEALTH SERVICES AND CONDITIONS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 671, Senate bill 1130.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 1130) to amend title III of the Public Health Services Act to authorize grants for improving domestic agricultural migratory workers' health services and conditions, which had been reported from the Committee on Labor and Public Welfare, with an amendment, at the top of page 2, to strike out:

GRANTS FOR IMPROVING DOMESTIC AGRICULTURAL MIGRATORY WORKERS' HEALTH SERVICES AND CONDITIONS

SEC. 310. (a) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1962, and for each fiscal year thereafter, such sums, not to exceed $3,000,000 for any year, as may be necessary to enable the Surgeon General (1) to make grants to public or other nonprofit agencies, institutions, and organizations for paying part of the cost of special projects to improve health services for and the health conditions of domestic agricultural migratory workers and their families, including training persons to provide health services for or otherwise improve the health conditions of such migratory workers and their families, and (2) to conduct studies, investigations, and demonstrations, to train Federal or other personnel for providing such services or otherwise improving such conditions, and to encourage and cooperate in intrastate or interstate programs, for the purpose of improving health services for or otherwise improving the health conditions of domestic agricultural migratory workers and their families.

(b) The Surgeon General is authorized to appoint an expert advisory committee to advise him in connection with the administration of this section, including the development of program policies and the review of grant applications.

And, in lieu thereof, to insert:

GRANTS FOR FAMILY HEALTH SERVICE CLINICS FOR DOMESTIC AGRICULTURAL MIGRATORY WORKERS

SEC. 310. (a) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1962, and for each fiscal year thereafter, such sums, not to exceed $3,000,000 for any year, as may be necessary to enable the Surgeon General (1) to make grants to public or other nonprofit agenices, institutions, and organizations for paying part of the cost of (i) establishing and operating family health service clinics for domestic agricultural migratory workers and their families, including training persons to provide services in the establishing and operation of such clinics, and (ii) special projects to improve health services for and the health conditions of domestic agricultural migratory workers and their families, including training persons to provide health services for or otherwise improve the health conditions of such migratory workers and their families, and (2) to encourage and cooperate in intrastate or interstate programs, for the purpose of improving health services for or otherwise improving the health conditions of domestic agricultural migratory workers and their families.

(b) The Surgeon General is authorized to appoint an expert advisory committee to advise him in connection with the administration of this section, including the development of program policies and the review of grant applications.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title III of the Public Health Service Act (42 U.S.C., chapter 6A, subchapter II) is amended by inserting at the end of part A thereof the following new section:

"GRANTS FOR FAMILY HEALTH SERVICE CLINICS FOR DOMESTIC AGRICULTURAL MIGRATORY WORKERS

"SEC. 310.(a) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1962, and for each fiscal year thereafter, such sums, not to exceed $3,000,000 for any year, as may be necessary to enable the Surgeon General (1) to make grants to public or other nonprofit agencies, institutions, and organizations for paying part of the cost of (i) establishing and operating family health service clinics for domestic agricultural migratory workers and their families, including training persons to provide services in the establishing and operation of such clinics, and (ii) special projects to improve health services for and the health conditions of domestic agricultural migratory workers and their families, including training persons to provide health services for or otherwise improve the health conditions of such migratory workers and their families, and (2) to encourage and cooperate in intrastate or interstate programs, for the purpose of improving health services for or otherwise improving the health conditions of domestic agricultural migratory workers and their families.

"(b) The Surgeon General is authorized to appoint an expert advisory committee to advise him in connection with the administration of this section, including the development of program policies and the review of grant applications."

The amendment was agreed to.

Mr. WILLIAMS of New Jersey obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. MANSFIELD. It is the intention of the leadership to take up this afternoon the pending business, Calendar No. 671, Senate bill 1130; and also Calendar No. 672, S. 1126; Calendar No. 673, S. 1123; Calendar No. 674, S. 1132; and Calendar No. 675, S. 1124.

It is my understanding that there is little in the way of opposition, if any, to Calendar No. 671, S. 1130, and Calendar No. 672, S. 1126.

Some Senators will want to comment on Calendar No. 673, S. 1123, and there will be some opposition to Calendar No. 674, S. 1132, and Calendar No. 675, S. 1124.

Therefore, I ask unanimous consent that when we come to consider Calendar No. 674, S. 1132, and Calendar No. 675, S. 1124, an hour be allotted to each proposal, that hour to be equally divided between the Senator from New Jersey [Mr. WILLIAMS] and the Senator from Texas [Mr. TOWER].

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. Mr. President, the bill, S. 1130, deals with the health problems of our migratory farm families. Studies of the Subcommittee on Migratory Labor have shown this to be one of the most acute parts of the migratory labor problem existing

today. It is also one of the most unnecessary parts of the problem, for the machinery and medical techniques needed to eliminate it exist in abundance.

Mr. President, in practical terms, the migrant families' health problem can be stated this way:

First, migrant families have less access to health care than other members of our population, although they generally have a greater need for health care; second, present efforts to meet their needs are inadequate; and third, in spite of several commendable starts and efforts, the States and local communities have not been able to cope with this severe problem alone.

Most of the preventive health measures in use throughout the Nation fail to reach migrant families. Serious health problems result, affecting both migrants and local residents alike. Such a problem occurred last winter in Hale County, Tex. In November, an epidemic of diphtheria started with seven cases in two migrant families. By mid-February, the disease had spread to more than 70 persons—43 of them local residents. Immunization—an inexpensive measure—could have prevented this epidemic. But because the migrant families had not been immunized, Hale County residents were exposed to a disease that is almost unknown in the United States today.

These health problems involve more, though, than just the personal pain and misery of the workers. They also produce serious fiscal pain for the public and private facilities that serve them. Unpaid hospital bills of migrant workers are a matter of growing concern for hospitals in farm areas. Year after year, these hospitals are faced with the necessity of providing emergency medical care for migrant patients. In the vast majority of cases the migrant has no means of paying his bill. In 1955, for example, the State of New York paid about $80,000 to its local communities for public assistance to migratory workers. Of this sum, more than $60,000 went for hospitalization.

The New York hospitals were extremely fortunate, though, in that they were partially reimbursed for this outlay. Many hospitals providing medical care for migrant workers have no way to recover these costs, and therefore must bear them alone.

This legislation would not, of course, provide payment for these hospital bills. Nonetheless, its provisions would have an indirect curtailing effect on such costs. By providing migratory farm families with simple preventive health care, the necessity for hospitalization could be significantly reduced.

The preventive health care to which I have referred, Mr. President, will be put into effect, at the local level, through the existing State-Federal public health facilities. The bill, S. 1130, which we have developed to deal with this problem, would support local efforts through Federal grants.

Specifically, the bill authorizes up to $3 million annually in Federal grants to stimulate State and local health programs in areas seriously affected by the seasonal impact of migratory farmworkers. The grants would be made by the Surgeon General of the U.S. Public Health Service. Local public or nonprofit organizations would use the grants for paying part of the cost of establishing and operating family health clinics and for special health projects to improve health services for the migratory farm family.

Mr. President, the legislation also authorizes the Surgeon General to encourage interstate and intrastate programs to improve the health conditions of migratory farmworkers and their families. An expert advisory committee could be appointed by the Surgeon General to assist him in the administration of the program. The programs under this bill would operate through local, State, and Federal health agencies in accordance with their existing successful pattern of relationships.

Primary responsibility for the planning and conduct of health projects would be at the local level. Federal project grants and technical assistance would be employed in conjunction with established community health services. The programs which could be provided under this bill are not limited to family clinics. Public health nurses could also be provided in those areas where there are not enough workers to justify a clinic. The public nurse being in the right place, at the right time, can be just as important as the family clinic. By treating illness in its early stage, it will frequently be possible to prevent it from becoming a serious hospital case. Where the illness does become serious, despite early treatment, the public nurse will be invaluable in referring the patient to an appropriate health organization with minimum effort and expense.

The Belle Glade project in Florida has proved that effective health care can be made available to migratory families and also that local communities find this both acceptable and desirable. The Belle Glade type project should be made available to migratory families throughout the Nation. Some States already recognize the need for these health projects, and are making new efforts to improve the health services for migratory families. California has recently made $75,000 available to counties and communities for implementing health programs for farmworkers. Full utilization of this program will, however, depend upon Federal assistance such as that provided under this bill.

Mr. President, the pending bill provides a practical, tried, and proved program for a problem that can no longer be ignored.

I therefore urge the Senate to adopt this program by the passage of S. 1130, the pending business.

Mr. JAVITS. Mr. President, I appreciate the fine explanation made of the bill by the chairman of the subcommittee, upon which I have had the honor to serve with the Senator from New Jersey [Mr. WILLIAMS].

I think, as we take up this series of bills, it may be well for us to understand the comprehensive character and the milestone which this measure represents in our discussion of the whole problem. The Senator from New Jersey [Mr. WILLIAMS] has made this subject a very important element of his congressional career. He has been widely hailed for his services in the migratory labor field, and I think very deservingly.

I think, as we are human first, it should first be noted that a very extraordinary job in a field which needed it to be done has been accomplished in respect of the investigations of the Subcommittee on Migratory Labor of the Committee on Labor and Public Welfare, which subcommittee is headed by the Senator from New Jersey [Mr. WILLIAMS], and of which I am the senior Republican member. Hearings have been held throughout the country. There has been an opportunity to air the conditions as a result of personal inspections on the ground which the Senator from New Jersey has made, with staff members of the committee. In all, I should say a more solid body of evidence to support the minimal body of legislation which is before us today has been made than I have seen made in any other province.

Mr. President, what is proposed to us today is elementary in its character. As the bills will develop, it will be seen the first involves the public health program. That is the bill before the Senate. Of course, this bill is not something we are doing for the migrant laborer. As the Senator from New Jersey [Mr. WILLIAMS] has so properly explained, the migrant laborer can be a health problem in an entire community.

The second bill relates to the registration of migrant labor contractors, or crew leaders, and will be a means of regulation of some of the worst excesses in this field. This concept was developed in the preceding administration under Secretary of Labor Mitchell. I introduced a bill at that time. The bill was reported but never received action by the Senate.

This bill, happily, will be before the Senate, following the train of events set in action by Secretary of Labor Mitchell, now sponsored by the Senator from New Jersey [Mr. WILLIAMS] with the concurrence of the present Secretary of Labor.

Then there will be an effort to deal with the child-labor provisions of the Fair Labor Standards Act of 1961, to limit the area which was left wide open in that regard, which has been utilized in a way not consistent with the public interest.

Then will follow 2 bills which will be contested, as to which there are minority views. One is for a National Advisory Council, and one is for improving the pretty miserable educational opportunities of migratory farmworkers, adults, and their children. These people have been kept in something of a benighted state, as a result of which many have been victimized. This has been attributable to the fact that these people lacked education, and at times even literacy.

Mr. President, one should not discuss this subject without at the same time making it clear that no one is entitled to make a diatribe against those who

employ farm labor in any across-the-board way. Surely, many cases were found by the committee of victimization of these very unfortunate people, but at the same time many cases were found of enlightened farmers, of enlightened employers, of decent circumstances and surroundings for the farmworkers. The pattern is by no means all black and all against the migratory workers.

Certainly we discovered enough very seriously wrong in the situation—conditions in housing, education, and health, as well as compensation, which were completely intolerable to the American concept of fairness and decency—so as to demand at the very minimum this body of proposed legislation.

We are talking about a half million American workers who normally leave their homes to fill temporary farm labor needs in distant areas. In 1959 at the peak about 313,000 of such migratory farmworkers were employed by the end of August. In 1960 the number was some 293,000. These figures exclude the workers who come by contract with governments, like the Mexican Government, with respect to whom there are separately applicable laws.

A number of States have made very intelligent efforts to deal with this problem, but, of course, since it involves an interstate problem, their dealings with it must be confined to their own borders; hence, there is a need for Federal regulation.

I am glad that my own State of New York has a whole body of laws with regard to this problem. I inserted in the RECORD an article describing those laws carefully. There are broad aspects affecting child labor, registration of migrant workers, registration of contractors, payroll records, wage payments, and licensing of commissaries for migrant labor.

The laborers coming from out of State to New York average some 22,500 workers for every agricultural season.

Mr. President, this is a very long overdue reform in an area which has filled America's heart with concern for many years.

It will be remembered that the great Steinbeck book, "Grapes of Wrath," first brought our attention to the serious social problem and the grave amount of social injustice existing in this field. Since then may efforts have been made to do something about it. National citizens' committees and many welfare organizations testified before the subcommittee and have taken an interest.

It is a matter of tremendous personal gratification to me that at last we are before the Senate with bills which I hope very much will be passed today, making some elementary effort to bring relief in this very material and important field of working people at one of the lowest economic levels of which we know in this country, as it affects those who work hard.

Finally, this is work which is constructive and essential in the national interest. Farm productivity is vital to us, and many areas are heavily dependent upon the availability of this type of labor.

Mr. WILLIAMS of New Jersey rose.

Mr. JAVITS. Finally, before I yield to the Senator from New Jersey, I wish to express personal gratification for being able to work with the Senator in so constructive an endeavor, in which I feel he has made a truly historic contribution.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. WILLIAMS of New Jersey. We know that migratory farm families live with many problems. We have known this for years, if not decades. Sporadic efforts have been made over the years in the Congress in an attempt to understand the problems. A committee was formed in 1949 to look into the problem. However, nothing has been done. No legislation has been passed to improve the conditions of American farm families who travel and harvest our crops.

I wish to have the RECORD reflect that approximately 2 years ago a Subcommittee on Migratory Labor was created. At that time the senior Senator from New York joined the subcommittee. It has been my pleasure, indeed, to work persistently with the Senator through the 2-year period, in our efforts to understand the problem and to formulate some solutions, and now to come before the Senate with a program dealing with health, education, and the welfare of that segment of America which is truly the most depressed segment of our country. I express my gratitude, as chairman of the subcommittee, to the senior Senator from New York for his significant contribution over these years.

Mr. JAVITS. I am very grateful to my colleague, whom I respect and admire.

Mr. President, I wish to conclude on this note: It is rarely possible in this Chamber that we can do something which we can actually see, and feel, and grasp and comprehend will have such constructive results in human terms as the body of legislation now before the Senate.

I hazard the feeling that every Senator who participates in the enactment of this proposed legislation today will, in the years ahead, have a sense of personal gratification in seeing the improvements of fundamental consequence which will take place in the lives of fellow Americans whose lives and fortunes have so long been neglected by our National Government.

I am grateful to my colleague.

Mr. WILLIAMS of New Jersey. Mr. President, I wish to say, finally, that within the last few months those of us who worked on the subcommittee have had the benefit of the counsel, experience, and knowledge of two of our senior colleagues who come from States very much involved in agriculture, States which are heavy users of migratory farmworkers.

With respect to this health measure particularly, the senior Senator from Florida and the senior Senator from Virginia have been significantly important in the evolution and development of the program designed to take our traditional health services to the community level and to be of assistance to the migratory farm families who have been, until now, left out.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1130) was ordered to be engrossed for a third reading, and was read the third time.

Mr. COOPER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. COOPER. Which one of the bills concerning migratory workers is now before the Senate?

Mr. WILLIAMS of New Jersey. The bill, S. 1130, which deals with health problems.

Mr. HOLLAND. Mr. President, the Senator from New Jersey, who has continuously done fine work in this field, has mentioned the fact already that he, along with the senior Senator from Virginia [Mr. BYRD] and the Senator from Florida, had two conferences, and a third conference was held, which was attended by my legislative assistant—I personally was not able to attend—in attempting to reach a solution on some of these bills. I had previously joined the Senator from New Jersey in connection with two of the bills, the day nursery bill and the housing bill.

For the RECORD I wish to say now that we came to agreement on certain of the bills. One of them is the bill now pending, concerning health. The Senator from New Jersey, who had introduced this measure, was most reasonable and practical. Certain amendments were agreed to, and they were written into the bill as reported from the committee. Since it has been thus perfected, I hope that it may be passed. It gives preeminence to the local effort. But it likewise calls for some Federal financial support of the effort. I shall not go into details, because they have been adequately described in the able remarks of the Senator from New Jersey.

I think we must all admit that the health problem affects much more than the families of the migrants themselves. It affects other workers who are with them. It affects their employers and their employers' families. It affects the whole community. It not only affects the community in which the migrants may be working today, but it may equally or even more affect the community in which they may be working next week.

It seemed to all of us that this particular measure was sound and salutary. I commend it. I shall support it, and I am sure that if the Senator from Virginia [Mr. BYRD] were present, he would make the same announcement for himself.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 1130) was passed.

The title was amended, so as to read: "A bill to amend title III of the Public Health Service Act to authorize grants for family clinics for domestic agricultural migratory workers, and for other purposes."

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. WILLIAMS of New Jersey. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

REGISTRATION OF CONTRACTORS OF MIGRANT AGRICULTURAL WORKERS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 672, Senate bill 1126.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1126) to provide for the registration of contractors of migrant agricultural workers, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 1, line 3, after the word "the", to strike out "Migrant Agricultural" and insert "Farm"; on page 2, line 9, after the word "of", where it appears the second time, to strike out "migrant agricultural laborers" and insert "workers for interstate agricultural employment"; in line 15, after "(a)", to strike out "'Person'" and insert "The term "person""; in line 18, after "(b)", to trike out "'Migrant agricultural" and insert "The term "farm"; in line 22, after word "family", to insert "at any one time in any calendar year"; in line 23, after the word "employment", to strike out the semicolon and "but such term shall not be held to include any employment agency duly licensed to operate under the laws of any State, any State employment service affiliated with the United States Employment Service, or any other State or Federal agency engaged in the recruiting or referring of migrant workers for interstate agricultural employment" and insert "Such term shall not include (1) any nonprofit charitable organization, public or nonprofit private educational institution, or similar organization; (2) any farmer, processor, canner, ginner, packing shed operator, or nurseyman who engages in any such activity for the purpose of supplying migrant workers solely for his own operation; (3) any full-time or regular employee of any entity referred to in (1) or (2) above; or (4) any person who engages in any such activity for the purpose of obtaining migrant workers of any foreign nation for employment in the United States, if the employment of such workers is subject to (A) an agreement between the United States and such foreign nation, or (B) an arrangement with the government of any foreign nation under which written contracts for the employment of such workers are provided for and the enforcement thereof is provided for in the United States by an instrumentality of such foreign nation."; on page 3, line 22, after "(c)", to strike out "'Fee'" and insert "The term "fee""; in line 24, after the word "a", to strike out "migrant agricultural" and insert "farm"; on page 4, line 1, after "(d)", to strike out "'Interstate" and insert "The term "interstate""; in line 7, after the word "by", to strike out "a migrant agricultural" and insert "an individual"; in line 11, after "(e)", to insert "the term"; in line 14, after "(f)", to insert "the term"; in line 17, after the word "migrant", to strike out "agricultural"; in line 18, after the word "individual", to strike out "(A)"; in line 20, after the word "or", to strike out "performing" and insert "who performs"; on page 5, line 2, after "SEC. 4.", to insert "(a)"; at the beginning of line 3, to strike out "migrant agricultural" and insert "farm"; at the beginning of line 6, to strike out "his" and insert "such person's immediate"; after line 6, to insert:

(b) A full-time or regular employee of any person holding a valid certificate of registration under the provisions of this Act shall not, for the purpose of engaging in activities as a farm labor contractor solely on behalf of such person, be required to obtain a certificate of registration hereunder in his own name. Any such employee shall be required to have in his immediate personal possession when engaging in such activities such identification as the Secretary may require showing him to be an employee of, and duly authorized to engage in activities as a farm labor contractor for, a person holding a valid certificate of registration under the provisions of this Act. Except as provided in the foregoing provisions of this subsection, any such employee shall be subject to the provisions of this Act and regulations prescribed hereunder to the same extent as if he were required to obtain a certificate of registration in his own name.

On page 6, line 3, after the word "registration", to strike out "as a migrant agricultural labor contractor" and insert "under this Act"; after line 5, to strike out:

(1) has executed and filed with the Secretary, in such form and manner as may be prescribed by the Secretary, a written application subscribed and sworn to by the applicant, and containing such information (as the Secretary may by regulation require) concerning his conduct and method of operation as a migrant agricultural labor contractor, his financial responsibility, and information with respect to transportation, wage arrangements, housing, and other working conditions to be afforded migrant agricultural workers; and

(2) has filed proof satisfactory to the Secretary of the existence of a policy of insurance, with any insurance carrier authorized to do business in the State wherein the applicant resides and in an amount satisfactory to the Secretary, which insures said applicant against liability for damage to persons or property arising out of the applicant's operation of, or ownership of, any vehicle or vehicles for the transportation of individuals in connection with his business, activities, or operations as a migrant agricultural labor contractor.

And, in lieu thereof, to insert:

(1) has executed and filed with the Secretary a written application subscribed and sworn to by the applicant containing such information (to the best of his knowledge and belief) concerning his conduct and method of operation as a farm labor contractor as the Secretary may require in order effectively to carry out the provisions of this Act; and

(2) has filed, within such time as the Secretary may prescribe, proof satisfactory to the Secretary of the financial responsibility of the applicant or proof satisfactory to the Secretary of the existence of a policy of insurance which insures such applicant against liability for damages to persons or property arising out of the applicant's ownership of, operation of, or his causing to be operated any vehicle for the transportation of migrant workers in connection with his business, activities, or operations as a farm labor contractor. The amount of any such policy of insurance shall be not less than the amount required under the law or regulation of any State in which such applicant operates a vehicle in connection with his business, activities, or operations as a farm labor contractor; but in no event shall the amount of such insurance be less than $5,000 for bodily injuries to or death of one person; $20,000 for bodily injuries to or death of all persons injured or killed in any one accident; $5,000 for the loss or damage in any one accident to property of others.

On page 8, line 6, after the word "any", to strike out "migrant agricultural" and insert "farm"; in line 7, after the word "that", to insert "such contractor"; in line 8, after "(1)", to strike out "the migrant agricultural labor contractor"; in line 12, after "(2)", to strike out "that the migrant agricultural labor contractor has"; in line 13, after the word "knowingly", to insert "has"; in line 14, after the word "migrant", to strike out "agricultural"; in line 16, after "(3)", to strike out "the migrant agricultural labor contractor, without justification,"; in line 17, after the word "failed", to insert "without justification"; in line 20, after "(4)", to strike out "the migrant agricultural labor contractor"; at the beginning of line 23, to strike out "agricultural"; after line 23, to strike out:

(5) the migrant agricultural labor contractor's policy of insurance required by subsection (a)(2) has lapsed or has been canceled;

And, in lieu thereof, to insert:

(5) has failed to show financial responsibility satisfactory to the Secretary required by subsection (a)(2) of this section or has failed to keep in effect a policy of insurance required by subsection (a)(2) of this section;

On page 9, line 7, after "(6)", to strike out "the migrant agricultural labor contractor"; after line 11, to strike out:

(7) the migrant agricultural labor contractor (A) has himself, or through business arrangements with another person or persons, engaged in, or (B) has permitted, authorized, or directed any person in his employ to engage in, any illegal activities on or near the vicinity of any premises being utilized for housing purposes by migrant agricultural workers;

And, in lieu thereof, to insert:

(7) has been convicted of any crime under State or Federal law relating to gambling or prostitution, or to the sale, distribution, or possession of alcoholic liquors or narcotics in connection with or incident to his activities as a farm labor contractor;

In line 24, after "(8)", to strike out "that the migrant agricultural labor contractor"; on page 10, line 5, after "(9)", to strike out "that the migrant agricultural labor contractor"; in line 19, after the word "times", insert "while engaging in activities as a farm labor contractor"; in line 21, after the word

"a", to strike out "migrant agricultural" and insert "farm"; after line 22, to strike out:

(b) ascertain in preseason contracting and disclose to each worker he recruits such information as the Secretary may by regulation require.

And, in lieu thereof, to insert:

(b) ascertain and disclose to each worker at the time the worker is recruited, the following information to the best of his knowledge and belief: (1) the area of employment, (2) the crops and operations on which he may be employed, (3) the transportation, housing, and insurance to be provided him, and (4) the wage rates to be paid him;

On page 11, line 13, after the word "occupancy;" to insert "and"; after line 13, to strike out:

(c) in the event he supervises the field work or pays those engaged in agricultural employment, keep payroll records for each worker of wage rates, wages earned, number of hours worked, and all withholdings from wages on a form and in the manner prescribed by the Secretary.

And, in lieu thereof, to insert:

(c) in the event he pays migrant workers engaged in interstate agricultural employment, either on his own behalf or on behalf of another person, keep payroll records which shall show for each worker total earnings in each payroll period, all withholdings from wages, and net earnings. In addition, for workers employed on a time basis, the number of units of time employed and the rate per unit of time shall be recorded on the payroll records, and for workers employed on a piece rate basis, the number of units of work performed and the rate per unit shall be recorded on such records. The Secretary may prescribe an appropriate form for recording such information.

On page 12, after line 7, to strike out:

REPORT OF VIOLATIONS

SEC. 7. Upon receipt from any person of a statement alleging a violation of this Act or any regulation promulgated hereunder, the Secretary shall cause such alleged violation to be investigated and shall determine whether the circumstances warrant a hearing pursuant to section 5(b) of this Act. Such statements may be directed to the Secretary or to such other person or persons as the Secretary may designate.

And, in lieu thereof, to insert:

AUTHORITY TO OBTAIN INFORMATION

SEC. 7. The Secretary or his designated representative may investigate and gather data with respect to matters which may aid in carrying out the provisions of this Act. In any case in which a complaint has been filed with the Secretary regarding a violation of this Act or with respect to which the Secretary has reasonable grounds to believe that a farm labor contractor has violated any provisions of this Act, the Secretary or his designated representative may investigate and gather data respecting such case, and may, in connection therewith, enter and inspect such places and such records (and make such transcriptions thereof), question such persons, and investigate such facts, conditions, practices, or matters as may be necessary or appropriate to determine whether a violation of this Act has been committed.

On page 13, line 15, after the word "this", to strike out "Act" and insert "Act, and to allocate or transfer funds or otherwise to pay or to reimburse such agencies for expenses in connection therewith"; in line 19, after the word "Any", to strike out "migrant agricultural" and insert "farm"; at the beginning of line 20, to insert "or employee thereof"; in line 22, after "$500", to strike out the comma and "or imprisoned not more than six months, or both"; on page 14, after line 5, to insert a new section, as follows:

JUDICIAL REVIEW

SEC. 11. Any person aggrieved by any order of the Secretary in refusing to issue or renew, or in suspending or revoking, a certificate of registration may obtain a review of any such order by filing in the district court of the United States for the district wherein such person resides or has his principal place of business, or in the United States District Court for the District of Columbia, and serving upon the Secretary, within thirty days after the entry of such order, a written petition praying that the order of the Secretary be modified or set aside in whole or in part. Upon receipt of any such petition, the Secretary shall file in such court a full, true, and correct copy of the transcript of the proceedings upon which the order complained of was entered. Upon the filing of such petition and receipt of such transcript, such court shall have jurisdiction to affirm, set aside, modify, or enforce such order, in whole or in part. In any such review, the findings of fact of the Secretary shall not be set aside if supported by substantial evidence. The judgment and decree of the court shall be final, subject to review as provided in sections 1254 and 1291 of title 28, United States Code.

On page 15, line 4, to change the section number from "11" to "12"; in line 9, to change the section number from "12" to "13"; after line 13, to insert a new section, as follows:

RULES AND REGULATIONS

SEC. 14. The Secretary is authorized to issue such rules and regulations as he determines necessary for the purpose of carrying out the provisions of sections 4, 5, 6, and 8 of this Act.

And, after line 18, to insert a new section, as follows:

EFFECTIVE DATE

SEC. 15. The provisions of this Act shall become effective on January 1, 1962.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Farm Labor Contractor Registration Act of 1961".

CONGRESSIONAL FINDINGS AND DECLARATION OF POLICY

SEC. 2. (a) The Congress hereby finds that the channels and instrumentalities of interstate commerce are being used by certain irresponsible contractors for the services of the migrant agricultural laborers who exploit producers of agricultural products, migrant agricultural laborers, and the public generally, and that, as a result of the use of the channels and instrumentalities of interstate commerce by such irresponsible contractors, the flow of interstate commerce has been impeded, obstructed, and restrained.

(b) It is therefore the policy of this Act to remove the impediments, obstructions, and restraints occasioned to the flow of interstate commerce by the activities of such irresponsible contractors by requiring that all persons engaged in the activity of contracting for the services of workers for interstate agricultural employment comply with the provisions of this Act and all regulations prescribed hereunder by the Secretary of Labor.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "person" includes any individual, partnership, association, joint stock company, trust, or corporation.

(b) The term "farm labor contractor" means any person who, for a fee, either for himself or on behalf of another person, recruits, solicits, hires, furnishes, or transports ten or more migrant workers (excluding members of his immediate family) at any one time in any calendar year for interstate agricultural employment. Such term shall not include (1) any nonprofit charitable organization, public or nonprofit private educational institution, or similar organization; (2) any farmer, processor, canner, ginner, packing shed operator, or nurseryman who engages in any such activity for the purpose of supplying migrant workers solely for his own operation; (3) any full-time or regular employee of any entity referred to in (1) or (2) above; or (4) any person who engages in any such activity for the purpose of obtaining migrant workers of any foreign nation for employment in the United States, if the employment of such workers is subject to (A) an agreement between the United States and such foreign nation, or (B) an arrangement with the government of any foreign nation under which written contracts for the employment of such workers are provided for and the enforcement thereof is provided for in the United States by an instrumentality of such foreign nation.

(c) The term "fee" includes any money or other valuable consideration paid or promised to be paid to a person for services as a farm labor contractor.

(d) The term "interstate agricultural employment" means employment in any service or activity included within the provisions of section 3(f) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 203(f)), or section 3121(g) of the Internal Revenue Code of 1954 (26 U.S.C. 3121(g)), when such service or activity is performed by an individual worker who has been transported from one State to another or from any place outside of a State to any place within a State.

(e) The term "Secretary" means the Secretary of the United States Department of Labor or his duly authorized representative.

(f) The term "State" means any of the States of the United States, the District of Columbia, the Virgin Islands, Puerto Rico, and Guam.

(g) The term "migrant worker" means an individual whose primary employment is in agriculture, as defined in section 3(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)), or who performs agricultural labor, as defined in section 3121(g) of the Internal Revenue Code of 1954 (26 U.S.C. 3121(f)), on a seasonal or other temporary basis.

CERTIFICATE OF REGISTRATION REQUIRED

SEC. 4. (a) No person shall engage in activities as a farm labor contractor unless he first obtains a certificate of registration from the Secretary, and unless such certificate is in full force and effect and is in such person's immediate possession.

(b) A full-time or regular employee of any person holding a valid certificate of registration under the provisions of this Act shall not, for the purpose of engaging in activities as a farm labor contractor solely on behalf of such person, be required to obtain a certificate of registration hereunder in his own name. Any such employee shall be required to have in his immediate personal possession when engaging in such activities such identification as the Secretary may require showing him to be an employee of, and duly authorized to engage in activities as a farm labor contractor for, a person holding a valid certificate of registration under the provisions of this Act. Except as provided in the foregoing provisions of this subsection, any such employee shall be subject to the provisions of this Act and regula-

tions prescribed hereunder to the same extent as if he were required to obtain a certificate of registration in his own name.

ISSUANCE OF CERTIFICATE OF REGISTRATION

SEC. 5. (a) The Secretary shall, after appropriate investigation, issue a certificate of registration under this Act to any person who—

(1) has executed and filed with the Secretary a written application subscribed and sworn to by the applicant containing such information (to the best of his knowledge and belief) concerning his conduct and method of operation as a farm labor contractor as the Secretary may require in order effectively to carry out the provisions of this Act; and

(2) has filed, within such time as the Secretary may prescribe, proof satisfactory to the Secretary of the financial responsibility of the applicant or proof satisfactory to the Secretary of the existence of a policy of insurance which insures such applicant against liability for damages to persons or property arising out of the applicant's ownership of, operation of, or his causing to be operated any vehicle for the transportation of migrant workers in connection with his business, activities, or operations as a farm labor contractor. The amount of any such policy of insurance shall be not less than the amount required under the law or regulation of any State in which such applicant operates a vehicle in connection with his business, activities, or operations as a farm labor contractor; but in no event shall the amount of such insurance be less than $5,000 for bodily injuries to or death of one person; $20,000 for bodily injuries to or death of all persons injured or killed in any one accident; $5,000 for the loss or damage in any one accident to property of others.

(b) Upon notice and hearing in accordance with regulations prescribed by him, the Secretary may refuse to issue, and may suspend, revoke, or refuse to renew a certificate of registration to any farm labor contractor if he finds that such contractor—

(1) knowingly has made any misrepresentations or false statements in his application for a certificate of registration or any renewal thereof;

(2) knowingly has given false or misleading information to migrant workers concerning the terms, conditions, or existence of agricultural employment;

(3) has failed, without justification, to perform agreements entered into or arrangements with farm operators;

(4) has failed, without justification, to comply with the terms of any working arrangements he has made with migrant workers;

(5) has failed to show financial responsibility satisfactory to the Secretary required by subsection (a)(2) of this section or has failed to keep in effect a policy of insurance required by subsection (a)(2) of this section;

(6) has recruited, employed, or utilized the services of a person with knowledge that such person is violating the provisions of the immigration and nationality laws of the United States;

(7) has been convicted of any crime under State or Federal law relating to gambling or prostitution, or to the sale, distribution, or possession of alcoholic liquors or narcotics in connection with or incident to his activities as a farm labor contractor;

(8) has failed to comply with rules and regulations promulgated by the Interstate Commerce Commission that are applicable to his activities and operations in interstate commerce; or

(9) has failed to comply with any of the provisions of this Act or any regulations issued hereunder.

(c) A certificate of registration, once issued, may not be transferred or assigned and shall be effective for the remainder of the calendar year during which it is issued, unless suspended or revoked by the Secretary as provided in this Act. A certificate of registration may be renewed each calendar year upon approval by the Secretary of an application for its renewal.

OBLIGATIONS AND PROHIBITIONS

SEC. 6. Every migrant agricultural labor contractor shall—

(a) carry his certificate of registration with him at all times while engaging in activities as a farm labor contractor and exhibit the same to all persons with whom he intends to deal in his capacity as a farm labor contractor prior to so dealing;

(b) ascertain and disclose to each worker at the time the worker is recruited, the following information to the best of his knowledge and belief: (1) the area of employment, (2) the crops and operations on which he may be employed, (3) the transportation, housing, and insurance to be provided him, and (4) the wage rates to be paid him;

(c) upon arrival at a given place of employment, post in a conspicuous place a written statement of the terms and conditions of that employment.

(d) in the event he manages, supervises, of otherwise controls the housing facilities, post in a conspicuous place the terms and conditions of occupancy; and

(e) in the event he pays migrant workers engaged in interstate agricultural employment, either on his own behalf or on behalf of another person, keep payroll records which shall show for each worker total earnings in each payroll period, all withholdings from wages, and net earnings. In addition, for workers employed on a time basis, the number of units of time employed and the rate per unit of time shall be recorded on the payroll records, and for workers employed on a piece rate basis, the number of units of work performed and the rate per unit shall be recorded on such records. The Secretary may prescribe an appropriate form for recording such information.

AUTHORITY TO OBTAIN INFORMATION

SEC. 7. The Secretary or his designated representative may investigate and gather data with respect to matters which may aid in carrying out the provisions of this Act. In any case in which a complaint has been filed with the Secretary regarding a violation of this Act or with respect to which the Secretary has reasonable grounds to believe that a farm labor contractor has violated any provisions of this Act, the Secretary or his designated representative may investigate and gather data respecting such case, and may, in connection therewith, enter and inspect such places and such records (and make such transcriptions thereof), question such persons, and investigate such facts, conditions, practices, or matters as may be necessary or appropriate to determine whether a violation of this Act has been committed.

AGREEMENTS WITH FEDERAL AND STATE AGENCIES

SEC. 8. The Secretary is authorized to enter into agreements with Federal and State agencies, to utilize (pursuant to such agreements) the facilities and services of the agencies, and to delegate to the agencies such authority, other than rulemaking, as he deems necessary in carrying out the provisions of this Act, and to allocate or transfer funds or otherwise to pay or to reimburse such agencies for expenses in connection therewith.

PENALTY PROVISIONS

SEC. 9. Any farm labor contractor or employee thereof who willfully and knowingly violates any provision of this Act or any regulation prescribed hereunder shall be fined not more than $500.

APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT

SEC. 10. The provisions of the Administrative Procedure Act (5 U.S.C. 1001 and the following) shall apply to all administrative proceedings conducted pursuant to the authority contained in this Act.

JUDICIAL REVIEW

SEC. 11. Any person aggrieved by any order of the Secretary in refusing to issue or renew, or in suspending or revoking, a certificate of registration may obtain a review of any such order by filing in the district court of the United States for the district wherein such person resides or has his principal place of business, or in the United States District Court for the District of Columbia, and serving upon the Secretary, within thirty days after the entry of such order, a written petition praying that the order of the Secretary be modified or set aside in whole or in part. Upon receipt of any such petition, the Secretary shall file in such court a full, true, and correct copy of the transcript of the proceedings upon which the order complained of was entered. Upon the filing of such petition and receipt of such transcript, such court shall have jurisdiction to affirm, set aside, modify, or enforce such order, in whole or in part. In any such review, the findings of fact of the Secretary shall not be set aside if supported by substantial evidence. The judgment and decree of the court shall be final, subject to review as provided in sections 1254 and 1291 of title 28, United States Code.

STATE LAWS AND REGULATIONS

SEC. 12. This Act and the provisions contained herein are intended to supplement State action and compliance with this Act shall not excuse anyone from compliance with appropriate State law and regulation.

SEVERABILITY

SEC. 13. If any provision of this Act, or the application thereof to any person or circumstance, shall be held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

RULES AND REGULATIONS

SEC. 14. The Secretary is authorized to issue such rules and regulations as he determines necessary for the purpose of carrying out the provisions of sections 4, 5, 6, and 8 of this Act.

EFFECTIVE DATE

SEC. 15. The provisions of this Act shall become effective on January 1, 1962.

Mr. WILLIAMS of New Jersey. Mr. President, the five migratory labor bills which are being presented to the Senate today offer sound and practical solutions to some of the most serious problems facing the migratory farmworkers of America.

This five-point legislative program is the result of a long period of intensive study of these problems. In the 86th Congress and in the present Congress, the Subcommittee on Migratory Labor held extensive hearings on these bills, both here in Washington and in communities throughout the Nation. The subcommittee has visted farm communities in Florida, California, Michigan, Wisconsin, Minnesota, New York, Pennsylvania, and New Jersey. In these hearings we have heard the opinions of farmers, workers, and numerous other parties concerned with migratory labor.

More recently, in the development of the specific legislative proposals now before the Senate, I have received invaluable aid and advice from two of the most

outstanding and respected Members of this body.

I have already referred to the significant help and contribution of the senior Senator from Florida [Mr. HOLLAND] and the senior Senator from Virginia [Mr. BYRD].

The pending bill (S. 1126) establishes a system of Federal registration for interstate farm labor contractors, or—as they are often called—crew leaders. These labor contractors are the middlemen in making work arrangements between growers and migratory farmworkers.

The legislation defines a crew leader as any person who for a fee, for himself or on behalf of another person, recruits or transports 10 or more migrant farmworkers for interstate agricultural employment. The minimum of 10 workers is determined by reference to the number of workers transported at any one time, exclusive of members of the crew leader's immediate family. Persons and entities engaged in certain kinds of recruitment activities would not be required to register under the provisions of the bill. Those exempted from the registration requirements are: First, charitable, educational, or similar nonprofit organizations and their full-time or regular employees; second, farmers or processors—and their full-time or regular employees—hiring for their own operations; or third, persons engaged in obtaining foreign workers whose employment is already subject to an international agreement.

There are certain other excepted categories within the provisions of the bill.

Under the registration procedures of this legislation, a crew leader must obtain a certificate of registration each year from the Secretary of Labor. This certificate or license must be kept in the crew leader's immediate possession and shown to growers and workers as proof that the crew leader has complied with obligations specified by the legislation.

The Labor Department estimates that about 8,000 crew leaders are presently engaged in interstate recruitment of farmworkers. Each year approximately 200,000 workers, with 50,000 nonworking family members, depend upon these crew leaders for food, shelter, and protection as they move about looking for harvest jobs.

A system of Federal registration is made necessary by the unique role of the crew leader in the farm labor market. The employer's contact with migratory farmworkers is often temporary and impersonal. But the crew leader has a continuing, close relationship with the workers, the nature of which makes the worker almost totally dependent upon the crew leader's honesty and sense of fairplay. Here are some of the major functions of the crew leader:

He generally recruits the workers at the beginning of the season.

He negotiates the working contract, and supplies transportation to the work.

He lends money to the workers.

He handles the payment of wages and frequently acts as foreman on the harvest job.

Many crew leaders perform their functions in a satisfactory manner yet there is increasing evidence that a large number of crew leaders take advantage of the worker's dependency upon them. A special survey conducted by the Department of Labor in January 1960, has revealed numerous crew leader abuses. Among these were: Overcharging for transportation, unauthorized withholding from wages, misrepresentation of working conditions, abandoning a crew without means of transportation and failure to return workers to their homes. Opportunities for these kind of abuses are particularly prevalent in those many instances where workers are illiterate or speak little English.

From the growers have come repeated stories of breach of contract and failure to report with a crew after accepting a transportation advance.

The pending legislation deals with this problem by providing specific obligations which the crew leader must meet to continue in this business. This legislation would also assure safer transportation for migratory farmworkers. This will result from a requirement that the crew leader have a public liability insurance policy on his vehicles, or show financial responsibility under a State law in lieu thereof. In addition, a crew leader would be required to post for his workers, written statements of the terms of employment and housing and, when he pays workers, to keep proper payroll records.

Ten States have recognized the crew-leader problem by enacting registration laws or issuing regulations on the subject. The commissioners of labor of at least six of these States have said that State action is not enough and that Federal registration of farm-labor contractors is also needed. Since State laws are applicable only within the State's jurisdiction and since most crews operate across State lines, effective action on these problems cannot be achieved without Federal legislation.

The administration has recommended enactment of this proposed legislation. Its favorable views on the bill have been presented to the Subcommittee on Migratory Labor by the Department of Labor, the Department of Agriculture, and the Bureau of the Budget.

Mr. President, we must drive the dishonest, irresponsible crew leader out of our farm labor market. This bill will do that—without imposing impractical burdens on the reliable crew leader—and I urge that the Senate approve it.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. ELLENDER. I have just walked into the Chamber, and I have not had occasion to study the migratory labor bills. Does the pending bill or any other bill which the Senator hopes to present this afternoon have to do with fixing of wages to be paid to these migratory laborers? I understand there are four which the Senator intends to bring up.

Mr. WILLIAMS of New Jersey. Five.

The bill we have now presented to the Senate today, and which we have already considered and passed, dealt with health.

Mr. ELLENDER. Health?

Mr. WILLIAMS of New Jersey. Health services, which are modeled in part on the Belle Glade, Fla., health clinics.

Mr. ELLENDER. Is that to be carried on by the States and the Federal Government?

Mr. WILLIAMS of New Jersey. It is in the tradition of the public health pattern, with a great deal of reliance on the local health services.

The bill which is now before us deals with the crew leader, the liaison between the workers, who recruits the workers, and the growers. It would put the crew leaders under registration and would withhold from them registration if they do not honor their contracts with the worker and the grower.

There are also three other bills that we wish to take up. They deal with a program of assistance to education of the youngsers who travel with their families, both in regular school sessions and in summer schools. There is also included in the bill a pilot program of adult education.

Mr. ELLENDER. The Senator has not reached that bill yet. Is that correct?

Mr. WILLIAMS of New Jersey. Not yet. Following that there will be a bill under consideration which will deal with child labor. Finally there will be a bill to create a National Advisory Committee to study the problems of migratory farm workers. No wage bill will come before us today.

Mr. ELLENDER. Does the Senator expect to take up the bill creating the commission this afternoon?

Mr. WILLIAMS of New Jersey. Yes, we do.

Mr. JAVITS. Mr. President, I express support for the so-called crew leader bill. This bill developed in the administration of Secretary of Labor Mitchell during the last administration, and has now happily come to action in the administration of Secretary of Labor Goldberg.

The best evidence of the need for this bill is experience. I therefore ask unanimous consent that there may be printed in the RECORD as a part of my remarks a letter addressed to the counsel of our Subcommittee on Migratory Labor by M. P. Gatherwood, industrial commissioner of the Department of Labor of the State of New York.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE OF NEW YORK,
DEPARTMENT OF LABOR,
Albany, N.Y. May 23, 1961.

Mr. FREDERICK R. BLACKWELL,
Counsel, Subcommittee on Migratory Labor, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR MR. BLACKWELL: Thank you for your letter of May 15, 1961, concerning the New York State registration law for farm labor contractors and crew leaders.

The registration law became effective on May 1, 1954. It provides that the commissioner may revoke, suspend, or refuse to renew the registration of a farm labor contractor or crew leader when he finds that the registrant has violated the labor or penal laws, has been convicted of any crime or offense except traffic violations, has made misrepresentations or false statements in his application or has given false or misleading information to his workers. Before taking

such action, however, the applicant is furnished with the opportunity to be heard.

Since the date that the law became effective, 132 hearings were held concerning the registration provisions relating to farm labor contractors or crew leaders. Twelve registrations were revoked. Sixty-two applications for a certificate of registration were denied. The reasons for such actions included the convictions of the registrants for: carrying loaded and concealed weapons, assault, gambling, selling alcoholic beverages without a license, larceny, robbery, illegal employment of children, false statements concerning convictions, etc.

When the application for a certificate of registration is received, we transmit the applicant's identification to the department of correction and the division of State police to ascertain whether there is a criminal record. The information that is received is posted on the applicant's card and the appropriate action is taken.

The applicant's registration is sent to our field staff for the purpose of visiting the farms and farm labor camps to interview the agricultural workers and to determine compliance with the conditions of employment as shown in the registration.

I hope that this information will be helpful and if I can be of further assistance, please let me know.

Sincerely,

M. P. CATHERWOOD,
Industrial Commissioner.

Mr. JAVITS. As will be seen, the letter details the experience in the last 7 years of the State of New York, which has had a crew registration law in effect since May 1, 1954. Dr. Catherwood in pointing out the need for this law, states that since our law in New York became effective, 132 hearings have been held concerning registration provisions relating to crew leaders. Twelve registrations were revoked. Sixty-two applications were denied. Here is the important thing: Dr. Catherwood points out the reason for the denial to be convictions of registrants or applicants for carrying concealed weapons, assault, gambling, sale of alcoholic beverages without a license, larceny, robbery, illegal employment of children, false statements concerning convictions of crime, and so forth.

It seems to me that this very clearly indicates the dangers which the crew leader registration bill seeks to guard against, based upon actual experience with men who engage in this line of business in New York.

This is not true of all crew leaders, because there are many decent people trying to do an honorable job in this as in every other field, but it is enough true, as shown by actual experience in New York and by our own hearings, to require regulation on the Federal level, because it cannot be effectively reached by State laws, and very few States have such regulations.

Mr. HOLLAND. Mr. President, this is the second of a series of bills which were discussed in the conference I mentioned a few moments ago as having taken place between the distinguished Senator from New Jersey, the senior Senator from Virginia [Mr. BYRD] and myself. We not only had conferences with the staff members of our own committees, but also staff members of the committees involved and also representatives of the outstanding agricultural organizations, such as, in my own State, the Florida Fruit & Vegetable Association, and the American Farm Bureau Federation. I am not pretending to express the position of any of these organizations. All I can say is that with reference to the one in Florida, the Florida Fruit & Vegetable Association, that they interpose no objection to the first bill that was on the calendar and which we have already passed. I believe the distinguished Senator from New Jersey has already stated that that bill seeks to make general the application of a series of experiments in health installations which have taken place at Belle Glade, Fla., for the last 2 or 3 years. Am I correct?

Mr. WILLIAMS of New Jersey. The Senator is correct.

Mr. HOLLAND. With respect to the crew leader bill, that is another of the bills on which agreement was reached.

Senators will note from looking at the bill that rather sizable amendments have been made to the original text of the bill. Some of those were suggested by the Senator from New Jersey. Some of them were suggested either by the Senator from Virginia or myself, or by some farm organizations, or by our staff members.

I merely wish to say with respect to the present bill that it represents a fair effort to deal with the problems which have arisen out of the fact that some crew leaders have imposed upon their rather uneducated charges who were committed to their hands. I support the bill, and I hope it will be passed.

While I am on my feet, I should like to say that I also support several of the other bills in the series. I understand that some will not be taken up today. I joined the Senator from New Jersey in the introduction of the bill to provide day nurseries for migrant children, which again follows the pattern we have developed in Florida.

Mr. WILLIAMS of New Jersey. Another measure which the senior Senator from Florida and I both sponsored relates to the program of insurance guarantees for better housing.

Mr. HOLLAND. Yes. I am glad the Senator mentioned that. I do not believe that that bill has been reported as yet, has it?

Mr. WILLIAMS of New Jersey. It has not been reported from committee.

Mr. HOLLAND. I was glad to join with the Senator from New Jersey, because he is decidedly a leader in this field of legislation. As stated, I have joined with him in two bills, one to provide day nurseries for the children of migrant families, and one under which the Federal Government would provide some help in the construction of migratory labor housing. That bill, as I understand, has not yet been reported, but will come up later.

The State of Florida and the farm groups in Florida, which were pretty badly mistreated by the so-called documentary film entitled "Harvest of Shame," about which we have had discussions on the floor heretofore, should take considerable comfort and satisfaction from the fact that several of these bills are based upon experiments successfully made on the Florida scene, which have produced the pattern on which the bills are modeled. One of them, the health bill, will come up today. Another, to come up at a later time, refers to day nurseries.

I think the two committees were surprised, although the Senator from Florida was not, when it was discovered, after figures had been made available by the Department of Labor, that the average hourly rate paid to migrant labor in Florida was as high as it was. My recollection is that the average hourly wage rate in the citrus industry was $1.29, which was above the minimum rate imposed by Federal law for industrial workers. The average rate for workers in the vegetable fields was only a little less than that. I do not recall the exact figure, but if the Senator from New Jersey can supply it, I shall be glad to have him place it in the RECORD.

The point I make now is that the documentary film was literally a diatribe upon the State of Florida, which I believe had made more progress in this field than any other State. We had not only the day nursery program and the health program, which have now become models for all, but we had high average rates of pay. In other respects, also, we had written a good record with respect to the treatment of migratory farmworkers.

Some years ago the Florida Legislature passed a bill which gave the State control of the housing of migratory workers on a salutary basis. I think if nothing else good comes from this discussion, other than the passage of the bills—which I hope will be good also—there will be an opportunity for the public to examine the record. Instead of having a bad record, such as was depicted by the rather atrocious so-called documentary film I have mentioned, the State of Florida and its people, especially its vegetable and fruit producers, have made a good record, a record in which they have never claimed to have attained perfection, a record such that their leading organizations have appeared before the Senate in connection with this effort, trying to be helpful in promoting general progress in some of these fields.

Before I take my seat, I wish to make it clear that I am not supporting all the measures relating to this subject. They will probably come up later in the day, or perhaps on another day. For reasons which I shall advance at that time, I do not support at least two of the measures. However, in general, our group of producers is supporting most of these measures and has been helpful in framing them. We are glad to have this opportunity to have the facts concerning our operations appear in the record of this debate, because there is nothing whatever about it of which we should be ashamed.

Again, I thank the distinguished Senator from New Jersey, who has assiduously and in a dedicated way addressed himself to bringing about better conditions in this field. So far as I am concerned, and so far as the people of my State are concerned, we wish to have our expression of satisfaction and gratitude toward the Senator from New Jersey spread upon the RECORD at this time.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. WILLIAMS of New Jersey. I feel certain the senior Senator from Florida will recall that the motion picture entitled "Harvest of Shame" was shown on the day before Thanksgiving, last year. It was shown in Washington a day or two later. The Senator from Florida and I had discussions on the floor about the film, but even more about the problems. The Senator from Florida will recall that at that time he made a pledge and I made a pledge that we would persist in our efforts to develop a legislative program which would improve the conditions of migratory farmworkers and their families. That pledge is being honored in the Senate today with the outstanding cooperation of the senior Senator from Florida.

Mr. HOLLAND. The pledge, of course, was made by the Senator from New Jersey. I said on the floor at that time—and I certainly have lived up to it—that I would be glad to join in sponsoring certain of these measures to help perfect the efforts. That I have done. There are one or two measures that I cannot support, but which may be amended to meet my views and the views of the people of my State. But I wish to be fully expressive of the feeling that the Senator from New Jersey has rendered outstanding service in this field, which has been entrusted to his chairmanship. So far as we in Florida are concerned, we have nothing but a feeling of gratitude toward him.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator from Florida further yield?

Mr. HOLLAND. I yield.

Mr. WILLIAMS of New Jersey. I have had an opportunity to travel with our subcommittee to Florida. Many of the ideas we are now expressing affirmatively in the proposed legislation were developed from the very enlightened and humane programs which we have seen, and which were first developed in Florida.

Mr. HOLLAND. I thank the distinguished Senator from New Jersey. This is a demonstration of his generous and completely fair-minded treatment of the whole question. I only wish that the persons who composed the so-called documentary film "Harvest of Shame," who, it seems to me, deliberately picked out those things which represented the uncharacteristic features in the field of migrant workers, had shown a small sample of the fairness which has been shown in such high degree by the junior Senator from New Jersey.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments are agreed to en bloc.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1126) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JAVITS. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. WILLIAMS of New Jersey. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that during the consideration of the three migratory labor bills which remain, the limitation on staff be removed.

The PRESIDING OFFICER. Without objection, it is so ordered.

EDUCATIONAL OPPORTUNITIES FOR CHILDREN OF MIGRANT AGRICULTURAL EMPLOYEES

Mr. WILLIAMS of New Jersey. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 675 (S. 1124).

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1124) to provide certain payments to assist in providing improved educational opportunities for children of migrant agricultural employees.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Jersey.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 1, at the beginning of line 5, to insert "Agricultural Employees and"; on page 2, line 9, after the word "of", to insert "and in providing adult education for"; in line 13, after the word "employees", to strike out "and"; in line 15, after the word "education", to insert a comma and "and to provide financial assistance for pilot projects for adult education for such employees"; on page 3, line 5, after the word "public", to strike out "elementary and secondary schools," and insert "elementary, secondary, and adult education"; on page 6, line 16, after the word "to", where it appears the first time, to strike out "75" and insert "100"; on page 8, line 12, after the word "employee", to insert "except that allotments for the fiscal year beginning July 1, 1963, and each fiscal year thereafter shall be available for paying not more than 50 per centum of any such costs"; in line 20, after "SEC. 203.", to insert "(a) "; on page 9, at the beginning of line 11, to insert "(b)"; on page 10, line 16, after the word "children", to insert "except that allotments for the fiscal year beginning July 1, 1963, and each fiscal year thereafter shall be available for paying not more than 50 per centum of the costs of any activities for which payments are made under the provisions of this title"; on page 11, in line 2, after "SEC. 303.", to insert "(a)"; at the beginning of line 15, to insert "(b)", and at the top of page 12, to insert a new title, as follows:

TITLE IV—ADULT EDUCATION

Appropriations

SEC. 401. There is authorized to be appropriated $200,000 for the fiscal year beginning July 1, 1961, and for each of the four succeeding years, for grants under the provisions of this title.

Pilot project grants

SEC. 402. Amounts appropriated pursuant to section 401 for any fiscal year shall be used by the Commissioner for paying the operating costs of pilot projects for adult education for migrant agricultural employees and their spouses in such migrant agricultural employee States as he deems appropriate. As used in this section the term "operating costs" includes all ordinary costs of operating other than any costs for the acquisition of facilities or costs related to any such acquisition.

Application and payments

SEC. 403. (a) The Commissioner may approve an application for funds provided under this title if such application—

(1) is from a State educational agency;

(2) sets out a program of adult education classes for migrant agricultural employees and their spouses which is to be conducted in such State on a pilot project basis by a local educational agency or an institution of higher education, or both, to provide fundamental education and training for healthful modern living, including the operating costs of such classes, and the amount needed under the provisions of this title to defray such costs; and

(3) provides that such State agency will make such reports, in such form, and containing such information as the Commissioner may from time to time reasonably require, and, to assure verification of such reports, give the Commissioner upon request access to the records upon which the information is based.

(b) Upon approval of any such application the Commissioner shall pay, in such installments as he may deem appropriate, to such State agency the amount requested. Such payments shall be made through the disbursing facilities of the Department of the Treasury and prior to audit or settlement by the General Accounting Office.

Cooperation with Department of Agriculture

SEC. 404. In carrying out the provisions of this title, the Commissioner shall consult and cooperate with officials of the Federal Extension Service of the Department of Agriculture.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Migrant Agricultural Employees and Children Educational Assistance Act of 1961".

FINDINGS AND PURPOSE OF ACT

SEC. 2. The Congress hereby reaffirms the principle and declares that the States and local communities have and must retain control over and primary responsibility for public education. The Congress recognizes, however, that the interstate and large seasonal movement of migrant agricultural employees imposes severe burdens on local educational agencies in discharging their responsibilities with respect to the education of the children of, and in providing adult education for, such employees who temporarily live within their school districts. It is therefore the purpose of this Act to provide financial assistance for the education of chil-

dren of migrant agricultural employees, to provide for certain planning grants to the States to improve such education, and to provide financial assistance for pilot projects for adult education for such employees.

FEDERAL CONTROL OF EDUCATION PROHIBITED

SEC. 3. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

DEFINITIONS

SEC. 4. As used in this Act—

(1) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary, secondary, and adult education, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law;

(2) The term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of free public education in a county, township, independent, or other school district located within a State, and includes any State agency which directly operates and maintains facilities for providing free public education;

(3) The term "child" means any child who is within the age limits for which the applicable local educational agency provides free public education;

(4) The term "parent" includes a legal guardian or other person in loco parentis;

(5) The term "migrant agricultural employee" means an individual (a) whose primary employment is in agriculture, as defined in section 3(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)), or performing agricultural labor, as defined in section 3121(g) of the Internal Revenue Code of 1954 (26 U.S.C. 3121(f)), on a seasonal or other temporary basis, and (b) who establishes with his family for the purpose of such employment a temporary residence;

(6) The term "Commissioner" means the United States Commissioner of Education;

(7) The term "average daily current expenditures per public school child" means the total current expenditures for a State's public elementary and secondary schools during a particular year divided by the product of the average daily attendance in such schools during such year times the number of schooldays in such year; the term "current expenditures" means expenditures for free public education in such schools to the extent that such expenditures are made from current revenues, except that such term does not include any such expenditure for the acquisition of land, the erection of facilities, interest, or debt service; and for the purposes of payments under title I for attendance during any academic year the Commissioner shall determine and use the average daily current expenditures per public school child for the year preceding such academic year;

(8) The term "institution of higher education" means any such institution which is accredited as such by a nationally recognized accrediting agency; and

(9) The term "migrant agricultural employee State" means any State which has five hundred or more such employees in any five or less counties each of which has at least one hundred such employees, and determinations for the purpose of this definition shall be made for the most recent year that satisfactory population figures are available from reliable sources.

ADMINISTRATION

SEC. 5. (a) The Commissioner shall administer this Act, and he may make such regulations and perform such other functions as he finds necessary to carry out the provisions of this Act.

(b) The Commissioner shall include in his annual report to the Congress a full report of the administration of his functions under this Act, including a detailed statement of disbursements.

TITLE I—PAYMENTS TO CERTAIN STATE EDUCATIONAL AGENCIES FOR ASSISTANCE IN EDUCATING CHILDREN OF MIGRANT AGRICULTURAL EMPLOYEE PARENTS

Appropriations authorized

SEC. 101. There are authorized to be appropriated for the fiscal year beginning July 1, 1961, and for the four succeeding fiscal years, such amounts as may be necessary to carry out the provisions of this title.

Payments

SEC. 102. (a) Upon application in accordance with the provisions of this section for the school year beginning in 1961, or for any of the four succeeding school years, by the State educational agency of any migrant agricultural employee State, the Commissioner shall pay to such agency an amount equal to 100 per centum with respect to the school years beginning in 1961 and 1962 and 50 per centum with respect to the school years beginning in 1963, 1964, and 1965, of the average daily current expenditures per public school child, for such State, for each day's attendance during such school year in a free public elementary or secondary school of a local educational agency in such State, by a child who attends any such schools in such State for at least five days during such year and whose parent is a migrant agricultural employee. The amount paid under this section to a State educational agency for each day's attendance in a school of a local educational agency shall be paid by such State agency, in accordance with regulations established by the Commissioner, to such local educational agency.

(b) Payments by the Commissioner under this section shall be made for attendance during the regular school year beginning in 1961, and the four succeeding school years, and may be made at such intervals as the Commissioner deems appropriate. Such payments shall be made through the disbursing facilities of the Department of the Treasury and prior to audit or settlement by the General Accounting Office.

(c) An application under the provisions of this section shall be in such form and contain such information as may be required by the Commissioner to carry out the provisions of this section, and the Commissioner may require such additional information and reports at such intervals during the school year as he deems necessary.

TITLE II—GRANTS FOR SUMMER SCHOOLS FOR CHILDREN OF MIGRANT AGRICULTURAL EMPLOYEE PARENTS

Appropriations

SEC. 201. There is authorized to be appropriated $300,000 for the fiscal year beginning July 1, 1961, and for each of the four succeeding fiscal years, for grants under the provisions of this title.

Allotments and grants

SEC. 202. Amounts appropriated pursuant to section 201 for any fiscal year shall be allotted among the migrant agricultural employee States on the basis of their relative populations of migrant agricultural employees for the most recent year that such populations are available from reliable sources. A State's allotment under this section shall be available during the year for which made and the succeeding fiscal year for payments in accordance with the provisions of this title for the operating costs of conducting necessary summer school sessions for children who have a parent who is a migrant agricultural employee, except that allotments for the fiscal year beginning July 1, 1963, and each fiscal year thereafter shall be available for paying not more than 50 per centum of any such costs. As used in this section the term "operating costs" includes all ordinary costs of operation other than any costs for the acquisition of facilities or costs related to any such acquisition.

Application and payments

SEC. 203. (a) The Commissioner shall approve any application for funds provided under this title if such application—

(1) is from a State educational agency;

(2) sets out the State program for summer schools to be conducted in such State by local educational agencies or institutions of higher education, or both, the necessity therefor, the operating costs of such summer schools, and the amount needed under the provisions of this title to defray such costs; and

(3) provides that such State agency will make such reports, in such form, and containing such information as the Commissioner may from time to time reasonably require, and, to assure verification of such reports, give the Commissioner upon request, access to the records upon which the information is based.

(b) Upon approval of any such application the Commissioner shall pay, in such installments as he may deem appropriate, to such State agency out of the allotment to such State, the amount requested. Such payments shall be made through the disbursing facilities of the Department of the Treasury and prior to audit or settlement by the General Accounting Office.

TITLE III—PLANNING GRANTS

SEC. 301. There is authorized to be appropriated $250,000 for the fiscal year beginning July 1, 1961, and for each of the four succeeding fiscal years for grants under the provisions of this title.

Allotments and grants

SEC. 302. Amounts appropriated pursuant to section 301 for any fiscal year shall be allotted among the migrant agricultural employee States on the basis of their relative populations of migrant agricultural employees for the most recent year that such populations are available from reliable sources. A State's allotment under this section shall be available during the year for which made for payments in accordance with the provisions of this title (1) to survey the need for summer school sessions for children who have a parent who is a migrant agricultural employee; (2) to develop plans for such sessions where needed; (3) to develop and carry out programs to encourage such children to attend school during the regular academic year and such summer sessions, and to improve the quality of education offered such children; and (4) to coordinate programs provided for in this Act with similar programs in other States, including the transmittal of pertinent information with respect to school records of such children, except that allotments for the fiscal year beginning July 1, 1963, and each fiscal year thereafter shall be available for paying not more than 50 per centum of the costs of any activities for which payments are made under the provisions of this title. Grants under the provisions of this title shall not be available for the cost of acquisition of any facilities.

Application and payments

SEC. 303. (a) The Commissioner shall approve any application for funds provided under this title if such application—

(1) is from a State educational agency;

(2) sets out such program in sufficient detail to satisfy the Commissioner that it carries out the purposes of this title; and

(3) provides that such agency will make such reports, in such form, and containing such information as the Commissioner may from time to time reasonably require, and to assure verification of such reports, give the Commissioner, upon request, access to the records upon which the information is based.

(b) Upon approval of any such application the Commissioner shall pay, in such installments as he may deem appropriate, to such agency out of its State allotment the amount requested. Such payments shall be made through the disbursing facilities of the Department of the Treasury and prior to audit or settlement by the General Accounting Office.

TITLE IV—ADULT EDUCATION

Appropriations

SEC. 401. There is authorized to be appropriated $200,000 for the fiscal year beginning July 1, 1961, and for each of the four succeeding fiscal years, for grants under the provisions of this title.

Pilot project grants

SEC. 402. Amounts appropriated pursuant to section 401 for any fiscal year shall be used by the Commissioner for paying the operating costs of pilot projects for adult education for migrant agricultural employees and their spouses in such migrant agricultural employee States as he deems appropriate. As used in this section the term "operating costs" includes all ordinary costs of operating other than any costs for the acquisition of facilities or costs related to any such acquisition.

Application and payments

SEC. 403. (a) The Commissioner may approve an application for funds provided under this title if such application—

(1) is from a State educational agency;

(2) sets out a program of adult education classes for migrant agricultural employees and their spouses which is to be conducted in such State on a pilot project basis by a local educational agency or an institution of higher education, or both, to provide fundamental education and training for healthful modern living, including the operating costs of such classes, and the amount needed under the provisions of this title to defray such costs; and

(3) provides that such State agency will make such reports, in such form, and containing such information as the Commissioner may from time to time reasonably require, and, to assure verification of such reports, give the Commissioner upon request access to the records upon which the information is based.

(b) Upon approval of any such application the Commissioner shall pay, in such installments as he may deem appropriate, to such State agency the amount requested. Such payments shall be made through the disbursing facilities of the Department of the Treasury and prior to audit or settlement by the General Accounting Office.

Cooperation with Department of Agriculture

SEC. 404. In carrying out the provisions of this title, the Commissioner shall consult and cooperate with officials of the Federal Extension Service of the Department of Agriculture.

The PRESIDING OFFICER. Under the previous order, the debate on the bill will be limited to 1 hour, the time to be equally divided between the Senator from Texas [Mr. TOWER] and the Senator from New Jersey [Mr. WILLIAMS].

Does the Senator from New Jersey yield himself time?

Mr. WILLIAMS of New Jersey. I yield myself 5 minutes.

Mr. President, Senate bill 1124 provides a 5-year program of annual Federal financial assistance to the States to improve educational opportunities for migratory farmworkers and their children.

The legislation provides the assistance to States for these purposes: First, educating migratory children during the regular school term; second, establishing summer school sessions for migratory children; third, coordinating and planning educational programs for migratory children on a State and interstate basis; and fourth, establishing pilot projects for adult education for migratory workers.

For the first three of these purposes, pertaining to child education, the States would not be required to add to the Federal assistance during the first 2 years that such assistance is given. During the next and last 3 years of the programs, the States would match Federal money on a 50–50 sharing basis. Adult education for migratory workers would be financed on a pilot project basis through Federal grants. The States would not be required to add to the Federal grants during the operation of this program.

The bill expressly prohibits any Federal control of education and guarantees that State and local agencies shall have sole responsibility for their own educational programs.

This legislation follows very closely the proven administrative principles of educational assistance to federally impacted areas. By granting aid on the basis of the number of migrants in an affected locality, this program provides help where it is most seriously needed.

NEED

Mr. President, there is serious and widespread need for this program. Migratory children and adults have the lowest educational attainment, and the most restricted educational opportunity, of any group in the Nation.

In the words of Secretary of Health, Education, and Welfare Abraham Ribicoff:

> The children of migrant agricultural workers constitute the most educationally deprived group in our Nation. Despite increasing efforts by State and local school officials, and others, to remedy the situation, the vast majority of these children never attain the bare minimum of education required to participate effectively in our society.

Each year some 150,000 of these children accompany their parents in search of agricultural employment. A great number of migratory children are enrolled in grades below normal for their age. Often, they are from 2 to 5 years behind their proper grade. As they grow older, they fall farther and farther behind. Many migratory children never achieve the equivalent of a fourth grade education, the established dividing line between literacy and illiteracy.

REGULAR SCHOOL NOT AVAILABLE

A primary reason for such low educational attainment is that regular school classes are available to migratory children on an irregular basis. They enroll in several different schools during the school year, often for very brief periods of time. As a consequence, their education is severely disrupted.

Local school districts want to help migratory children overcome the problems arising from irregular school attendance. Unfortunately, however, the cost of educating these children constitutes a burden which most local communities are unable to bear.

The fact of the matter is that this fiscal problem, caused by the seasonal impact of migratory children, occurs in rural school districts, which, in comparison to urban school districts, already have the most serious financial handicaps in our entire educational system. We cannot reasonably expect these rural communities to shoulder the added burden of educating migratory children. These children are from transient, low-income families who do not contribute to the local tax system or otherwise help to defray the cost of educating their children.

If funds were available to affected local school districts, migratory children could be offered adequate educational opportunities. A number of pilot projects have demonstrated the feasibility of educating the migratory child. But because needed financing is not now available, such projects cannot be expanded into continuing programs for all migratory children. The Federal assistance provided by S. 1124 would make it possible to achieve the results of such pilot projects on a national scale.

The PRESIDING OFFICER. The time of the Senator from New Jersey has expired.

Mr. WILLIAMS of New Jersey. Mr. President, I yield myself 5 minutes more.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 5 minutes more.

SUMMER SCHOOLS AND PLANNING GRANTS

Mr. WILLIAMS of New Jersey. Mr. President, the program of grants for summer schools would allow communities to use otherwise idle facilities to offer more education to the children. This would markedly reduce the disruptive effects caused by their transient life. Planning grants would make it possible for local school districts and State educational agencies to work together, on a State and interstate basis. In this way, continuity in educational programs for migratory children could be developed.

ADULT WORKERS

Like their children, adult migratory farmworkers are in serious need of educational programs. They have received little formal education. In fact, many have never attended school at all. This, of course, has ramifications in almost every aspect of their lives.

Our migratory workers often do not know how to operate complex agricultural machinery. As a result, agricultural mechanization is restricting their job opportunities. Moreover, programs now available to migratory workers—such as safe transportation regulations, job placement services, and agricultural housing codes—are limited in their effectiveness. The migratory worker all to often does not understand how to participate in these programs. In many instances migratory workers do

not know how to use ordinary living facilities, such as toilets, showers, bedding, kitchen appliances, and garbage cans. The result has frequently been unnecessary damage to employers' property, as well as needless expense for repairs.

PILOT PROJECTS

The pilot projects for adult education provided by this bill are a fundamental and necessary first step in dealing with these problems. Although experimental programs have demonstrated that the migratory worker is able to respond to education and, consequently, to make substantial improvements in his way of life, these efforts have been too limited.

Federal assistance would enable local communities to take the initiative in providing fundamental, practical training for migratory workers. These pilot projects would, in my judgment, prove conclusively that feasible techniques for educating the adult migratory worker can be developed, and, once developed, would benefit the worker, his employer, and the community.

Mr. President, this legislation is strongly supported by both Government and private groups. The administration has recommended enactment of the bill. Across the Nation, interested organizations and individuals have urged that this legislation be adopted.

Mr. President, there is a serious need to improve educational opportunities for our migratory farm families. This legislation provides a sound, practical program, responsive to this need. Therefore, I urge the Senate to pass this bill.

Mr. ELLENDER. Mr. President, will the Senator from New Jersey yield for a question?

Mr. WILLIAMS of New Jersey. I am happy to yield to the senior Senator from Louisiana.

Mr. ELLENDER. Has the committee obtained information in regard to the number of migratory children who would be involved in such a program?

Mr. WILLIAMS of New Jersey. Yes. If the Senator will consult the report on the bill, I believe he will find the data there.

Mr. ELLENDER. I wish I had time to do so, but I have not been able to. Until a few minutes ago I did not know that these bills were coming up today. That is why I have asked the question.

Mr. WILLIAMS of New Jersey. The estimate appears on page 11 of the report; it is shown State by State.

It is difficult to answer specifically the Senator's question, because children listed under the State of Florida may also be listed under Delaware, under New Jersey, and other States.

Mr. ELLENDER. That was the next question I was about to ask the Senator. Would it be possible, under this bill to deal with migratory children, who, let us say, start in Alabama, and then go to New Jersey, and then go to four or five States within a period of 4 or 5 months?

Mr. WILLIAMS of New Jersey. That is the stream, that is the flow, we have, on the eastern seaboard—Florida, Alabama, up the eastern coast, as far as Maine, as a matter of fact. There are an average of four or five stops on the way.

Mr. ELLENDER. Has the committee obtained any advice as to how such a problem can be met when there may be four or five children in a school for perhaps 2 weeks, who then go to another State for perhaps 3 weeks, and then go to another State and remain for perhaps a month? I can foresee many difficulties that might arise, and I am wondering if the Senator is able to state to us how such a problem can be dealt with effectively, in order to give the children the proper amount of education, so they may have an education comparable to that which is made available to people who live in only one community.

Mr. WILLIAMS of New Jersey. First of all, the bill deals with areas having heavy concentrations of migratory farm families. There is a requirement that before the community receives any assistance, the youngster must be in school at least 5 days. The assistance that would be granted for the first 2 years would be 100 percent of the operating costs, dealing with books and teachers' salaries, but not with new buildings or capital construction or expansion.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of New Jersey. I yield myself 5 more minutes.

We have been all over the country, and have seen the results when communities in different farm areas have reached out and stimulated adults to bring their youngsters into the regular schools. The problem here is that where there are areas of heavy concentration, it will be found that school populations are doubled for perhaps 5 weeks, and it is an almost impossible financial burden for local communities to care for the additional school population by way of providing temporary teachers, textbooks, and other items. We know the community can give a youngster who is there for 5 weeks, or perhaps 2 months, a decent education. What we are trying to do is stimulate the communities in their efforts to give attention to the needs of the youngsters who are transients and visitors in the community for a brief period of time.

Mr. ELLENDER. I can well understand that if migrant children lived in a community for as long as 2 or 3 months, they probably could be fitted into the program, and it would probably work very well; but, as the Senator knows, migrant workers are on the move practically all the time. They may live in a particular area 2 or 3 weeks, to save a crop, and then move onto another area, even in the same State.

I am wondering if the committee has studied the problem to the point where it will be possible for the migrant to receive the kind of education the Senator is talking about.

Mr. WILLIAMS of New Jersey. Certain crops are harvested within a period of 2 or 3 weeks. Others take a longer period. The average stop would be 5 to 6 weeks. There is a problem when the interval is shorter. In the bill we provide for a program of interstate planning, in an effort to develop means of relating education in one State to the opportunities in another State.

For example, a report card or a profile of a youngster could be carried with him, and a youngster coming to a new school for 3 or 4 weeks would not lose a week while the teacher found out just what the youngster's capabilities were. The youngster would bring his profile with him, which would describe his achievements to date, and he would then be placed at the level of education where he belonged.

In addition, we have a summer school program which, in my judgment, is probably the most notable of all. It embraces the idea of using idle school facilities where the youngsters are located for a period of time and would enable them to catch up with the education they lost in their travels.

Mr. ELLENDER. Would that be during the summer, while the school was closed, and would the teachers give them special courses?

Mr. WILLIAMS of New Jersey. That is exactly what we hope to achieve through a program of utilizing unused and idle school facilities. Operating money would be granted for hiring teachers for that period.

Mr. ELLENDER. As I understand, the bill provides that for the first 2 years the Federal Government will be contributing 100 percent of the cost of the program. Is that correct?

Mr. WILLIAMS of New Jersey. Yes; and after that 50 percent.

Mr. ELLENDER. On the 50–50 basis, can the Senator tell us how the program is to operate? It is entirely possible that some States will have many more children than will other States? I am wondering how the 50–50 funds will be apportioned.

Mr. WILLIAMS of New Jersey. Where a State qualifies because of the concentration of migrant youngsters, the 50–50 arrangement would be based on the State's findings of per-pupil cost per day. Those figures have been furnished our committee. We know what the State's estimates of the cost per pupil per day are, and that information would be used as the basis.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of New Jersey. I yield myself 5 additional minutes.

Mr. ELLENDER. It would be possible, then, for a State to be notified in advance as to the approximate number of migrant children that would be taught during a particular year, and, on the basis of the average cost in that State, a State would be able to contribute so much and the Federal Government so much. Is that correct?

Mr. WILLIAMS of New Jersey. The information would come from the State. The State would advise the Commissioner of Education of the number of school youngsters to whom it hoped to furnish education or opportunities for education, and break down its costs. The estimates would then come from that information. The initial impulse to get into this program would come from the community, at the local level.

Mr. ELLENDER. I express the hope that the program will work, but I can see many pitfalls in it. My fear is that much of this money may be used in order

to pay schools for doing what they ordinarily should do, anyway.

Mr. WILLIAMS of New Jersey. Of course, if the bill is enacted and becomes a program, I am sure the senior Senator from Louisiana and the junior Senator from New Jersey will be alert to make sure the program works. If it does not work, we shall try to improve it. If we cannot improve it, of course, it should not be continued. But we have seen in many States pilot projects—not full State-wide programs for the education of the children, but pilot projects—which work magnificently. We would like to see this fine experience spread throughout the States. There are 30 or more States in which the migrant workers are a part of the State economy.

Mr. ELLENDER. Who operates the pilot programs?

Mr. WILLIAMS of New Jersey. The local education groups.

Mr. ELLENDER. At whose expense?

Mr. WILLIAMS of New Jersey. The operation is a combination. In the State of Michigan——

Mr. ELLENDER. Does the Federal Government contribute anything?

Mr. WILLIAMS of New Jersey. On the pilot project?

Mr. ELLENDER. Yes.

Mr. WILLIAMS of New Jersey. Not that we have seen.

There is not a present program. That is why the bill is before us.

Mr. ELLENDER. Will any effort be made to have contributions paid by the parents of the children to the States, in order to give the children an education?

Mr. WILLIAMS of New Jersey. The parents will have to make a contribution. Believe it or not, many of the migratory youngsters do not go to school because they do not have shoes or clothing, and do not have enough money to buy the books. I have seen this situation in many States.

The bill will provide for the books. It will provide the money for the teachers. We found that when the adults are stimulated to bring their youngsters to school, their contribution will be forthcoming. They will take the last dollar to get the shoes, and the next to the last dollar to get decent clothing for the children. They will make their contribution.

The PRESIDING OFFICER. The Senator's time has again expired.

Mr. CARROLL. Mr. President, will the Senator yield to me?

Mr. WILLIAMS of New Jersey. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. WILLIAMS of New Jersey. How much time remains?

The PRESIDING OFFICER. The Senator from New Jersey has 10 minutes remaining.

Mr. CARROLL. I do not wish to take all the Senator's time. I have a short statement to present. The Senator from Wyoming [Mr. McGEE] and I wish to address ourselves to a subject we think is important, but we do not wish to use the Senator's 10 minutes if he needs this valuable time. Is there more time on the bill itself?

Mr. WILLIAMS of New Jersey. We are limited to an hour. I understand there is some opposition to the proposed legislation. I should like to reserve a little time to reply.

Mr. McGEE. Would it not be possible to yield time under a unanimous-consent request not to charge the time?

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that I may yield to the Senator from Colorado for 5 minutes without the time being charged to either side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Jersey to yield 5 minutes to the Senator from Colorado without the time being charged? The Chair hears none, and it is so ordered.

TRIBUTE TO PROF. CLAY MALICK

Mr. CARROLL. Mr. President, in the colleges and universities of our Nation, thousands of professors are given an opportunity to enrich the minds and lives of their students. In each college, in each generation, there are a few professors who stand out in their students' memories long after graduation because these outstanding men had such a profound influence upon those whom they taught.

Clay Malick, professor of political science at the University of Colorado, is one of those men. Twenty-five classes have graduated from the university since Professor Malick began teaching there, and today there are thousands of men and women who remember him with respect and love.

I am very happy to pay tribute to Clay on the 25th anniversary of his teaching career at the University of Colorado. I have known him and appreciated his friendship for many years. I have known many people who have had the benefit of his instruction and inspiration. And I have had the pleasure of having his son, Larry, on my staff this summer.

Mr. President, I have received a letter from two of Professor Malick's former students which I believe well sums up what many others feel about this distinguished man. I ask unanimous consent that it be placed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 24, 1961.

The Honorable JOHN A. CARROLL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CARROLL: The purpose of this letter is to pay tribute to Prof. Clay P. Malick, who is now rounding out his 25th year on the political science faculty at the University of Colorado. We had the good fortune to be students of his during a part of this time and to learn from him, as thousands have before and since, the dynamics and the glory of the American political system. On this 25th anniversary, on behalf of the many whose imaginations have been fired by Clay Malick's great teaching gift, we wish to voice our indebtedness to one of Colorado's most distinguished citizens.

Clay Malick came to the University of Colorado in 1936 with a B.A. from Duke, an M.A. from Columbia, and a Ph. D. from Harvard. Since that time, he has held in succession all of the professorial ranks. Thousands of young people from all over Colorado and much of the Nation have learned from him considerably more than just the rudiments of political science. Ever ready with a flash of humor or an anecdote to brighten a musty text, Professor Malick has that all-too-rare ability to breathe life into old issues, giving them current application. Students take with them from Clay Malick's classroom the deep commitment to and comprehension of our system of government which are the distinguishing features of his own thinking and teaching.

Of at least equal significance is the contribution which Dr. Malick has made to the development of a challenging and fruitful graduate program at the university. Hundreds of graduate students over the years have had their wits sharpened and their horizons broadened by the intimate contact with Dr. Malick which is so valued a part of graduate experience in the social sciences at the university.

One of the first to see the possibilities in a general social science program, he pioneered in the development of courses in the college of liberal arts which cut across narrow compartments of learning and, while describing the diversity of social knowledge, allowed students to see, in a broad sweep, the unity which lies at its foundation. Those who have shared this revelation can never don the blinders of pedantic specialization.

Yet, though he has a breadth of vision denied to many scholars, Clay Malick knows also the worth of solid research and meticulous analysis. Attached is a list of research articles spanning 30 years which have contributed significantly to the store of knowledge in the various fields of political science, assuring Dr. Malick's standing as a respected specialist in his profession. Early publication of his latest work, "Cosmology and Political Theory," is expected. Dr. Malick performed valuable public service with the War Labor Board during World War II. He has since 1954 been a member of the editorial board of the Colorado Quarterly. Also, he is a member of the American Political Science Association and of the Western Political Science Association and has contributed many papers to the annual meetings of both groups.

The real impact of Clay Malick's career at the university cannot even be suggested by any mere list of achievements. He has brought to the campus community, to the city of Boulder, and to the State of Colorado a special kind of intellectual courage which has more than once led him to defend unpopular causes at some personal risk. Yet his political and professional judgment has always been tempered by awareness that responsibility no less than freedom is indispensable to the sustenance of a democratic society. Balanced, moderate, and mature, he has at all times been a spokesman for sanity, a rock on whom others could safely lean for counsel. His long professional concern with the public interest and the methods of those who pursue it has uniquely equipped him for this role of opinion-leader in the community.

But for us, as for many others who were his students and remain his friends, Clay Malick is first of all a great teacher, one of those rare human beings who has the capacity to light up hidden corners in a student's mind. His courses in political theory, in constitutional law, and his seminars in government were mind-stretching voyages of discovery for all who took them. The ancient teachings of Plato, Aquinas, and Augustine, the dry dicta of the High Court shake off the dust at his touch and become as when they were written. For Clay Malick and for those fortunate enough to study

with him, the past is alive in the present; and we are as a nation what our heritage has made us.

For this lesson, for his friendship through the years, for the hospitality of his home, and for the artistry of his conversation, we will always be grateful.

Sincerely yours,

CHARLES F. WHITTEMORE,
NORMAN I. GELMAN.

Mr. CARROLL. Mr. President, I also ask unanimous consent to have printed in the RECORD a list of publications by Professor Malick.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

PUBLICATIONS: 1931–60

MONOGRAPH

"Labor Policy Under Democracy." Colorado Studies, series C. No. 1, July 1939.

ARTICLES

"Toward Unemployment Insurance." Current history. May 1931.

"Syllabus for General Social Science." 1949. Pages 1–113.

"Toward a New Constitutional Status for Labor Unions." 21 Rocky Mountain Law Review 260–276. April 1949.

"The Case for General Education in the Social Sciences" (with Morris E. Garnsey). American Economic Review, supplemental. December 1950.

"The Confusion in Union Status: A Proposal." Labor Law Journal, November 1951, pages 830–845.

"Let's Join a Lobby." The Colorado Quarterly, winter 1953.

"Some Thoughts on the Public Interest." Colorado Studies, political science series, July 1954, pages 1–31.

"Some Reflections on Labor, the Economy, and the Public Interest." Labor Law Journal, February 1954.

"*Terry* v. *Adams*—The Supreme Court Looks at Power-bearing Groups." The Western Political Quarterly, March 1954.

"These New Citizen Lobbies." Western Humanities Review, autumn 1959.

"The Moral State of the Nation." Midwest Review, March 1959.

"Is the Supreme Court Too Liberal." Midwest Quarterly, April 1960.

BOOK REVIEWS

Fador, M. W., "The Revolution Is On." Boston, Houghton-Mifflin, 1940, pages xv+239; introduction by Dorothy Thompson. Journal of Central European Affairs, April 1941.

Benes, Eduard, "Democracy Today and Tomorrow." New York, Macmillan, 1939, pages XIV+244, April 1941. Journal of Central European Affairs.

Van der Slice, Austin, "International Labor, Diplomacy and Peace." Philadelphia, University of Pennsylvania Press, 1941, pages 408. Journal of Central European Affairs, January 1943.

N. Arnold-Forster, "The New Freedom of the Seas." Methnur, London, 1942, pages VI+132. Journal of Central European Affairs.

Allen, Carleton Kemp, "Democracy and the Individual." Oxford University Press, pages 109, 1943. Journal of Central European Affairs.

Cobban, Alfred, "National Self-Determination." Royal Institute of International Affairs, Oxford, 1945, page 182. Journal of Central European Affairs.

Von Misis, Ludwig, "Omnipotent Government." Yale University Press, 1944, pages 291. Journal of Central European Affairs.

Juan de Mariana, "The King and the Education of the King." Translation with introduction by George Albert Moore, the Country Dollar Press, 1948, pages XXIII+440. The Western Political Quarterly, October 1948.

Corwin, E. S., "Court Over Constitution: A Study of Judicial Review as an Instrument of Popular Government." New York, Peter Smith, 1950, pages IX+262. Rocky Mountain Law Review.

Commager, H. S., "Majority Rule and Minority Rights." New York, Peter Smith, 1950, pages 92. Rocky Mountain Law Review.

Ernst Frienkel, "The Dual State." Oxford, 1941, pages XVI+244. Journal of Central European Affairs, April 1942.

Mr. McGEE. Mr. President, will the Senator yield?

Mr. CARROLL. I yield to the Senator from Wyoming.

Mr. McGEE. I wish to associate myself with the acknowledgement and praise the Senator from Colorado is according to Prof. Clay Malick, of the University of Colorado. I do this for several reasons.

Professor Malick went to the University of Colorado as a professor in 1936. I arrived at the University of Colorado in the next year, 1937, as a graduate student in history and political science. I came to know Dr. Malick well as a student, and later as a colleague in the academic world. On both counts I have always regarded him as one of the truly shining lights, a great teacher as well as a great student of the problems of his time. As one of his colleagues, I can say he is one of the leaders of his academic generation, always in the forefront with new ideas and courageous ideas, at times when it takes real courage in a professorial role to hold to what he regards as both the truth and the central thrust of the events of our time.

I think it is a great credit to Professor Malick to invite attention to the two students mentioned by the Senator from Colorado, whose letter has been put into the RECORD. Dr. Malick's influence has stretched into this body. One of his distinguished students, my assistant, Charles F. Whittemore, has carried on the high principles and dedication which Clay Malick has inspired. The other student, whom I know well, Norman Gelman, worked for the Committee on Commerce as a staff member, and is also carrying on in the Malick tradition.

As a developer of a deep study of so-called "public interest pressure groups." Clay Malick in particular is far out in front of his time. This was true 25 years ago. It is true today. It is a source of great satisfaction not only to him but also to those of us who have sat at his feet to witness the coming to fruition of ideas and programs he espoused a quarter century ago.

I am delighted to associate myself with the accolades of the Senator from Colorado to Dr. Clay Malick of the University of Colorado.

Mr. CARROLL. Mr. President, I am happy to associate myself with the brilliant remarks of the able Senator from Wyoming.

I thank the majority leader, as well as the Senator from New Jersey [Mr. WILLIAMS] and the Senator from Texas [Mr. TOWER] for giving us this opportunity to pay tribute to a great professor.

EDUCATIONAL OPPORTUNITIES FOR CHILDREN OF MIGRANT AGRICULTURAL EMPLOYEES

The Senate resumed the consideration of the bill (S. 1124) to provide certain payments to assist in providing improved educational opportunities for children of migrant agricultural employees.

Mr. TOWER. Mr. President——

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. TOWER. Mr. President, I yield myself 5 minutes.

I certainly support the objectives of the proposed legislation now under consideration. As an educator, I am bound to support those objectives.

I recall that Mirabeau Lamar, the second President of the Republic of Texas, said that "a cultivated mind is the guardian genius of democracy." I believe that.

I commend the distinguished Senator from New Jersey for his efforts in this field, and I add my commendation to the many others he has received, but I believe the bill should be opposed on the ground that it is simply another intrusion on the part of the Federal Government into the educational responsibilities of the States.

I do not believe that the demands made upon the educational system as a result of migratory workers living in an area should be met by the Federal Government. That is not a function of the Federal Government.

When we give aid to areas impacted as a result of Federal defense installations or other Federal activities, that aid is justified. That is a legitimate function of the Federal Government. It is indeed a Federal responsibility, because by virtue of the Federal activity additional demands have been made on the school system. In the case of the federally impacted areas, as we know, Federal property and Federal activities are not taxable by State and local governments. Therefore, something must be given in lieu of taxes.

This situation with respect to migratory workers is not the result of any Federal activity. In this situation the property on which the migratory workers labor is taxable. The fruits of their labor are taxable. Except where the Federal Government has preempted the sources of taxation from the States, the sources are available to the States to do the job for themselves.

Very often the migratory laborers never go outside one State. They may move within one State. When we look at the figures as to migratory labor to be found on page 11 of the committee report, to show the total number of migrants and the total number of migrant children, and so forth, these figures may contain duplications; that is to say, one laborer may be counted in figures for more than one State, or may be counted several times in the figures for one State.

I do not think the Federal Government should further intrude into the affairs of the States insofar as educational responsibilities are concerned by supporting the proposed legislation.

I further point out that it is not always a problem of making facilities

available for educating these people. Some migratory workers prohibit their children from going to school. To make the law fully comprehensive and effective it might be necessary to include a compulsory attendance provision in the bill, such as many States have. The children are not compelled to go to school, and very often do not take advantage of the facilities offered them.

I urge the defeat of the bill.

Mr. JAVITS. Mr. President, will the Senator yield me 2 minutes?

Mr. WILLIAMS of New Jersey. I yield 2 minutes to the Senator from New York.

Mr. JAVITS. I heard with great interest the argument of the Senator from Texas, and I should like to state to Senators why I think in this particular case, without any regard to the principle of Federal aid to education, the bill is deserving of support. There are two big reasons. One is that the children who would be covered need schooling outside the normal school year. They come into work areas in the summer months when the schools are not open. Hence it is an extremely expensive operation for school systems. The situation is analogous to the impacted area idea in the sense that it requires special handling because of the incidence of time when the children need the schooling.

Second, an odd situation exists, which hangs in the air. People move interstate for the purpose of doing a job, which, because it adds to the sum total of the national life, contributes to the national interest. It is quite difficult for States to meet the problem, unless they can really afford it. The record shows that there is some schooling in States that can afford it, such as New York, which has made efforts in that direction, Colorado, and a number of other States.

The important point is that these people have no real situs in the State. They are not large earners, and hence their tax-supporting capability, in the absence of a situs or home, is not proportionate to the drain upon the State represented by the cost of education for them. They fall between two stools. They are not solid and fixed residents in a taxpaying capacity of a State in which the State school system is located. On the other hand, they are in a State at a time when their children ought to have schooling, and when it is in the national interest that they should.

For that reason I felt that the program was not analogous to the normal Federal aid to education, which is another battle on another question. I think the Senator from Texas [Mr. TOWER] is quite correct on that point. We should not intrude in that field. But I think there exists a special set of circumstances of the nature which I have described, which dictates the need for special legislation.

Mr. WILLIAMS of New Jersey. The Senator will agree, I believe, that we have been working persistently for a general Federal aid to education program. Does not the Senator agree that the group of people that we are now talking about are those who most need a program of education for their youngsters, including regular school, summer school, and education for adults, because those people are the lowest paid group of people in the whole country? They have no money. They cannot contribute. They have no property for taxation where they go. They are the lowest income people. They do not contribute, and therefore we have the proposed program.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. JAVITS. I do not gather that the Senator from Texas [Mr. TOWER] has challenged the need. I think the need is very clear. We do need adult and child education. I think the Senator from Texas made the point that this problem is essentially a State responsibility. Therefore, I should like to show why this is a rather special situation which deserves the intercession of the Federal Government, even without regard to the general ideas which are incorporated in the Federal aid to education bill. Certainly the need in terms of the group of citizens, coupled with the fact that we really cannot assess the aid on the States fairly—though one of the major provisions of the bill is matching funds—dictates special legislation of this character.

Mr. TOWER. Mr. President, in Texas we have a saying that goes something like this: "You can lead a horse to water but you can't make him drink."

I think one of the principal problems, so far as the people who would be covered by the bill are concerned, is that in many instances they resist any attempts to educate them. I wonder how effective the proposed program could be made. I remember that at one time the distinguished junior Senator from the State of New York [Mr. KEATING] said that every time we are confronted by a problem, we throw some money at it and hope it will go away. I do not think we can eradicate the problem with money—with additional aid—because I do not think the people whom the program would cover are prepared to accept the benefits that we propose to confer upon them under the terms of the bill. I think the State and local authorities are far more perceptive on these problems and know better how to deal with them.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, will the Senator from New Jersey yield me an additional minute so that I may submit certain information?

Mr. WILLIAMS of New Jersey. I yield.

Mr. JAVITS. I have before me a report of the U.S. Department of Labor, James P. Mitchell, Secretary, issued in June 1960, in which it is shown that there are a good many education projects in this general area in quite a few States.

I ask unanimous consent that there may be printed in the RECORD as a part of my remarks that part of the report entitled "Migrant Children Need Schooling."

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

MIGRANT CHILDREN NEED SCHOOLING

Migrant children generally enter home-base schools late and leave early. They get no schooling while traveling from place to place. When they arrive at their destination they may find schools closed for crop vacations. Where schools are open, migrant children often find they are not welcome. Soon they are behind other children in school achievement—increasingly so as they get older. Studies show most are retarded from 1 to 5 years.

FAIR LABOR STANDARDS ACT AMENDED TO PROHIBIT EMPLOYMENT DURING SCHOOL HOURS

When the Fair Labor Standards Act was amended in 1950, it became illegal for children under 16 to be employed in agriculture while schools were in session. This provided an added reason for admitting them to school—but still comparatively few communities sought out the children or welcomed them if they appeared. As the new amendment began to be enforced there were many complaints that children who were not allowed to work were being refused admittance at school.

SERIES OF CONFERENCES CALL ATTENTION OF SCHOOL OFFICIALS TO THE LAW AND THE NEED FOR COMMUNITIES TO OPEN SCHOOL DOORS TO MIGRANT CHILDREN

In 1952 the U.S. Office of Education held regional conferences with the chief State school officers to stimulate nationwide interest of school officials in the education of the children of migrants. Since then education of migrant children has been discussed at many community, State, regional, and national conferences and congressional hearings. These conferences have brought out the obstacles and made many recommendations for ways in which communities and States could overcome them.

SOME COMMUNITIES OVERCAME OBSTACLES AND PROVIDED SCHOOLING FOR THE CHILDREN OF MIGRANTS WITHOUT HELP FROM THE STATE

In the early 1950's a small proportion of the communities that had migrants managed to solve the problem for themselves. Under the leadership of a few interested people in a community, resistance of local parents to having their children associate with migrant children was overcome. The resistance of school officials to having the school program disrupted by children who attend for a few days, weeks, or months was superseded by a sense of responsibility for these children who so much needed schooling. The children were sought out, given the necessary immunizations, and somehow the space, teachers, and other facilities were found and financed. Teachers adapted curricula as best they could. Examples of such communities are Hollandale, Minn.; Morgan County, Colo.; Hoopeston, Ill.; King Ferry, N.Y., and many communities in California where the migrants were often California's own children. In the midfifties, however, a large proportion of communities in many States still failed to seek out the migrant children. Some admitted those who came to school; others rejected them.

EDUCATION PROJECTS OF STATEWIDE SIGNIFICANCE IN RECENT YEARS

In the last few years there has been a trend for more broadly based efforts. Many State education departments have advised local school officials of their responsibility for providing schooling for migrants. For example, in North Carolina all elementary school principals in the State have been briefed on the necessity for providing adequate school facilities and teachers for migrant children of school age. During the fall school term migrant children are expected to attend the schools in the areas where their parents work even though the

time is short. For the past 3 years in September additional teachers and buildings have been obtained for the increased number of school-age children in the Hendersonville area. Four additional teachers were obtained in 1958 for a period of 4 months. The North Carolina schools use the school transfer record for migrant children which has proved to be helpful.

Of course, the fact that a State education department advises local school officials of their responsibilities for the education of migrant children does not necessarily mean that they get into school in all communities. Citizen interest and support and continuing effort on the part of school officials in seeking out the children is required.

Trend: In the last few years there has been a growing interest on the part of school officials and others to provide schooling for migrants and to see that the children get into school.

Questions: What is your community doing to get migrant children into school? Does your State school attendance law clearly require children of migrants to attend school? How is the school attendance law being enforced in your area? Do you have a committee for migrants that finds out when the migrants are coming, where they will be located, and how many school-age children there will be in your area? Is your committee working with local school and health officials and private agencies on such problems as community acceptance of the children; providing school clothes and necessary immunizations; preparing local children to welcome the migrants; providing necessary school facilities?

PROGRESS IN 1959 IN TWO STATES

Oregon makes a study of seasonal workers' children in Oregon schools and gets an appropriation to do a more adequate job for them

The purpose of the Oregon study was to find out how many children of seasonal workers actually were in school and how adequately they were being educated.

The State department of education made the study in cooperation with the Governor's interagency committee on migratory labor and an interim committee of the legislature concerned with migrant problems. The school records of 1,287 children enrolled in 9 counties in the 1957–58 school year were studied. County and district superintendents, principals, teachers, school nurses, welfare workers, attendance officers, summer school camp directors, members of school boards, farmers, orchardists and growers were interviewed.

The usual problems of overcrowding were reported. In some schools gymnasiums and basements had been converted into classrooms. Six districts employed nine extra teachers for 2 to 2½ months. Usually the children were assimilated in regular classes.

The study included information on the number of years the children were retarded. It showed that 26 percent were at grade level; 33 percent were retarded 1 year; the rest were retarded 2 to 6 years; only 27 children who were 6 years retarded stayed in school. The largest percentage of children attending were in the 6- to 8-year group. Attendance dropped off rather sharply after 11 years of age.

In 64 percent of the school districts, attendance officers or principals made a special effort to get the children into school; in other districts they did not "beat the bushes" but all pupils who voluntarily attended were accepted in school. The report showed an estimated 2,450 children of school age in the State during the harvest season and concluded that only slightly more than half were in school.[1]

That the people of Oregon were not satisfied with what was being done for the education of children of seasonal workers is attested to by action of the 1959 legislature; $50,000 was appropriated for this purpose for the biennium beginning July 1, 1959. Part of the money was for a pilot summer school program. The State board of education was authorized to contract with school districts and State institutions of higher learning for this purpose. Also the board was authorized to employ a "migrant children education administrator" to evaluate the pilot program and to make a census of the total number of migrant children in the State, the number attending regular schools, and the number in the pilot program. It provided that the administrator should make a report to the board before November 1, 1960, that would include recommendations as to the establishment of a permanent program for the education of migrant children. It created an "advisory committee on migrant children education" to advise the board and the migrant children education administrator on the pilot program and the permanent program.

In July 1959, Oregon began to operate pilot summer schools in two areas with its new appropriation.

Ohio solves the school tax problem and expands summer school program

In Ohio the school census on which school taxes were based was taken in mid-October after most of the migrants had left. This created serious problems for some school officials who had been enrolling the children of migrants in the spring and fall. Most of the children were retarded and needed special attention.

Ohio made a two-pronged attack on the problem: (1) a survey in the nine counties where migrant labor was employed and (2) a demonstration summer school in Ottawa County.

The survey had been proposed by the subcommittee on education of the Governor's Committee on Migrant Labor. The State department of education, with the cooperation of administrators and teachers in nine counties, obtained information on 580 children enrolled in 56 schools—the enrollment per school, days in attendance, their age and grade placement, and extent of retardation, and language handicap. After the survey the subcommittee on education held meetings in northwestern Ohio to which they invited employers, church workers, and school people to discuss what should be done.

Meanwhile the Consumers' League of Ohio had been exploring the possibility of a summer school. The league found that the Ottawa County Board of Education would conduct such a school if a way could be found to finance it. The league referred the request for funds to the Elizabeth S. Magee Foundation, which, with the assistance of the Ohio Council of Church Women, financed the school for 2 years. Reports of the project show that the children had the same range of learning ability as a comparable group in an average public school, that they were retarded from 1 to 6 years because of irregularity in school attendance and language difficulty, that they gained educationally, socially, and physically while at summer school. The report pointed out the need for more summer schools.[2]

The next step was to use the survey on enrollment in regular schools and the report showing the need for more summer schools to get support for legislation to do two things: (1) to reimburse local boards of education for extra expenses incurred for migrants during spring and fall; and (2) to allow for use of State funds for summer schools. The Governor supported this legislative proposal and the inclusion in the budget of $175,000 for the biennium. No opposition was encountered either from the legislators or the finance chairman in the house and senate. The law was amended and the appropriation was obtained in 1959.

Trend: State education departments are helping communities provide education for children of migrants.

Questions: Do you have a State committee for migrants that supports your State education department in overcoming obstacles to the education of migrant children? In many States the Governor of the State has appointed such a committee. Have you tried to organize a group to discuss such a committee with the Governor of your State?

SUMMER SCHOOL FOR CHILDREN OF MIGRANTS

There has apparently been a growing awareness that, even if migrant children attend regular schools in most places where their parents work, there will be gaps in their schooling because of time lost while traveling, and because some communities still reject them or close schools for crop vacations while the migrants are there. An increasing number of summer schools are being set up to help close those gaps.

In addition to the summer schools in Ohio and Oregon there are also summer schools for migrant children in Colorado, New York, New Jersey, Pennsylvania, Michigan, Minnesota, and perhaps other States.

The Colorado pilot schools

The first pilot school in Colorado was a local project in Wiggins in 1955. Then in 1957 a 3-year research in action program was started by the Colorado Department of Education and the U.S. Office of Education. The U.S. Office of Education financed the research and the State department of education the pilot schools. These are summer schools operated by local school districts. There were four in 1958 and five in 1959. Before the schools open each year, workshops for the teachers are held at the Adams State College of Colorado. The pilot schools aim to offer school opportunity to a maximum number of migrant children; to provide suitable curriculums; to contribute to the health, health habits, and character growth of the children; to interest them in attending school, and encourage their parents to enroll them.

There were 359 children enrolled in the pilot schools in 1958. The reports indicate that the children who attended made good progress in the use of the English language, in reading, arithmetic, music and arts. They gained in self-discipline and in ability to get along with others. Growth-weight charts showed above-normal gains. The individual reports reflect happy children.[3]

This pilot program is not yet completed. The Colorado Department of Education has issued interesting reports of the project with valuable statistical information and human interest stories.

New York State expands summer school program

In 1956 and 1957 the New York State Department of Education financed, and local school officials operated, pilot summer schools in two communities with a special appropriation of $10,000 a year. New York

---

[1] "Study of Seasonal Workers' Children in Oregon Schools," done in cooperation with the Governor's Interagency Committee on Migratory Labor, Oregon State Department of Education, Salem, January 1959.

[2] "Meeting the Educational Needs of the School-Age Children of Migrant Farm Workers in Ohio," Ohio Governor's Committee on Migrant Labor, Education Subcommittee, Columbus, January 1958. Also "Report on the Ottawa County Summer School for Migrant Children," by Betty C. Fall, Curtice, Ohio, Allen Township School, 1958.

[3] "Now We Go—Too!" A Summary Report of the 1958 Colorado Pilot Schools for Children of Migratory Farm Labor Families, Colorado State Department of Education, Denver, 1958.

has 35,000 migrants with 4,000 to 5,000 children.

The report of the State Education Department in describing the purposes and objectives says:

"In visualizing the entire program, it may be said that the purpose of the pilot summer schools for the children of migrant workers is to change what many consider to be a liability into an asset; to use our zeal for a better Nation by investing in its future through better educational opportunities for our migrant population; to unselfishly build for our migrant workers and their children the opportunities, rewards, and respect that they and their services deserve; to better understand these children and secure information useful to local schools in providing more appropriate education for these and similarly underprivileged children during the regular school year."

The New York State child labor law prohibited employment in agriculture of minors under 14 years of age outside school hours and during school vacations. The report states:

"The statistics in the tables at the end of the report indicate that attendance was only a few percentage points below a normal expectancy for a regular school year, even though attendance was voluntary."

The program was adapted to the needs of the group and of individuals in the group. The children and parents were reported to be well satisfied with the program. Teachers in the regular schools who had some of the children before and again after they had attended summer school were most enthusiastic about the results.[4]

In 1958, the New York State education law was amended to provide for reimbursement of local school districts that operated summer schools under specified conditions. The 1958 appropriation was for $10,000 which still provided for only two schools.

In 1959, an appropriation of $40,000 was made for the summer school program, and summer schools for migrants were operated in five communities. All the money was not used and education department officials in New York State hope to expand the program in 1960.

The 1959 report says the purpose of the summer school program for the younger migrant children was to provide a general education program specifically designed to bring them nearer to actual age-grade level in basic subjects and also to facilitate the process of integration with the regular school classes in the fall term.[5]

In New York State a census of migrant children is taken each year and all children from 7 to 16 years of age are required to attend school. Local school districts receive State aid for migrants, on the same basis as for other children.

Pennsylvania has demonstration summer school

Since 1955, Pennsylvania has had a summer school for migrants in Potter County operated by Pennsylvania State University. Sponsored by the Governor's Committee on Migratory Labor, the school has been financed by private funds, mainly through the National Child Labor Committee, private foundations, and the committee on civil rights of the United Steelworkers of America. Seventy-one children attended in 1958.[6]

Efforts have been made in Pennsylvania to have this summer school and others that are needed financed by the State, but the legislature in 1959 turned down a bill to provide State funds for summer schools. However, in 1959, a State law was passed in Pennsylvania providing for reimbursement to local school districts of an extra $1 per migrant child per day, not exceeding 40 days for each such child in attendance during the regular school term.

New Jersey has summer schools for migrants

Three summer schools were supported by a legislative appropriation in the budget of the bureau of migrant labor in the department of labor and industry in 1959. They were financed and sponsored by the bureau with the State department of education assisting in the operation of the school program. At a hearing held before the Special Subcommittee on Migratory Labor of the Senate Committee on Labor and Public Welfare in Trenton, N.J., on November 30, 1959, the Governor and representatives of several government agencies and private groups expressed approval. The vice president of the New Jersey Farm Bureau said:

"We commend the New Jersey Migrant Labor Board for its pioneering efforts in establishing three summer schools for migrant children."

In New Jersey for several years there has been a law prohibiting employment in agriculture for children under 12 years of age outside school hours and during school vacation.

In the past year special emphasis has been given to vocational training. Two experimental projects have been developed with foundation funds, one in Florida with a group of teenage boys where they are learning skills in motor mechanics. The other experiment is in New Jersey, where 80 migrant boys and girls for the third summer have been building two model cabins, repairing an old car, planning meals, making skirts and dresses, cooking and serving supper for the whole group, and repairing screen doors on the cabins where they live for the summer. Last year many of the parents asked to be included, and it became an educational project in homemaking and family living. Two exceptionally skilliful teachers, one in industrial arts and the other in home economics, directed the project. The head of the division of vocational education of the State department of education served as consultant, and under his direction a guide for schoolteachers is being prepared, thereby extending the influence of the project far beyond the 80 children immediately involved.[7]

Michigan experiments with summer schools

The Detroit Council of Catholic Women is sponsoring summer schools for migrant children in southern Michigan. Six of the schools are staffed by Marygrove College, Detroit, and the seventh by Siena Heights College, Adrian, Mich. These schools have been operating for several years. In the summer of 1959 there were 440 children enrolled.[8]

A demonstration school in Bay County, Mich., financed mainly by the National Child Labor Committee in 1956 and 1957, was not continued in 1958.[9] Requests for funds to carry on the program were made to the State legislature but money was not granted.

Minnesota has summer boarding schools for migrant children

For many years the Crookston Diocese of the Catholic Church has provided boarding schools for the children of migrants in Moorhead and Crookston, Minn. In these parochial schools, rooms and gymnasiums are transformed into dormitories and the children live at the schools from Monday through Friday.[10]

Trend: Summer schools for migrants are increasing.

Questions: Is there any interest in summer schools for children of migrants in your State? Have you explored the possibilities with your State education departments, universities, the U.S. Office of Education, and private foundations?

University cooperation in education of migrant children

The preceding pages mention the cooperation of universities in summer school programs in Colorado, Michigan, and Pennsylvania.

In at least two State universities, in cooperation with State education departments, school administrators and classroom teachers have also developed materials to help teachers who have migrant children in their classrooms during the regular school year.

"Working with Migrant Children in Our Schools" issued by Florida State University, Tallahassee, Fla., says in the foreword:

"This booklet is both a report of work accomplished by a group of teachers, principals, and supervisors, in an extension class situation and a handbook for other teachers engaged in teaching children enrolled in schools serving both resident and migrant populations.

"We brought to this work a wealth of experience, most of us having taught in this area a number of years. If the reader is inclined to place a high trust in experience, he may be assured that our cumulated experience exceeds 300 years.

"In addition to the contributions made by each of us, we drew freely upon the work of our fellow teachers in the Glades area and enlisted their aid in testing new ideas as they were developed."

"Nomads of the Classroom—Special Helps for Migrant Children in Arizona Classrooms" is a report of a workshop at Arizona State College, Tempe, Ariz. In addition to chapters on curriculums it has a section on "Hi-lights in Teaching the Bi-lingual Child," a bibliography and a listing of films used in teaching.

Since many migrant children who are in Florida and Arizona during the winter move to other States the following months, these materials should be especially useful to the teachers of these children.

Trend: Some State universities have developed material to help teachers of migrant children.

Question: Have teachers of migrant children in your area seen these studies?

Research projects of universities on education of migrant children

Research projects in three universities concerned with the education of migrant

---

[4] "A Report on the State Education Department Pilot Project Summer School Education of Migrant Children," The University of the State of New York, State Education Department, Albany, September 1957.

[5] "Report of the 1958 Summer School Program for Children of Migrant Parents," the University of the State of New York, State Education Department, Albany, January 1959.

[6] "School for Migrant Children," Department of Education, Pennsylvania State University, University Park, Pa., 1958.

[7] "An Experiment in Homemaking With the Children of Migrant Farm Workers," Migrant Ministry, National Council of Churches, New York, 1957.

[8] "Regional Reports to the National Council of Catholic Women," National Council of Catholic Women, Washington, D.C., 1959.

[9] "Will You Make a School?" by Lazelle D. Alway, Pub. No. 421, National Child Labor Committee, New York City, May 1957, p. 17. See also "Bay County School for Migrant Children," Bay County Board of Education, Bay City, Mich., 1956.

[10] "Farm Placement 1957," Employment Security Exchange No. 7, Section II Migrant Workers 6d, Minnesota, Bureau of Employment Security, U.S. Department of Labor, Washington, D.C., p. 85.

children are supported by funds provided through the Office of Education, U.S. Department of Health, Education, and Welfare.

Southern Illinois University is studying the effect of farm labor performed by nonresidents on the education of their children and how this interference could be lessened.

The University of Wisconsin is studying how to design and test a feasible system of providing education for the children of migrants outside of their home communities. On January 20, 1960, the Wisconsin Legislature passed a joint resolution which affirmed that the State of Wisconsin intended to meet its responsibilities for helping to create, develop, and maintain an effective educational program during regular school periods and during the summer for the children of migrant workers in the State.

Western Michigan University has completed a study to clarify the educational patterns of migrant children in two localities in Van Buren County. The final report entitled "A Study of Migrant Education—Survey Findings in Van Bureau County, Michigan, 1957" can be purchased from Western Michigan University Press, Kalamazoo, Mich., 50 cents a copy.

Trend: Some universities are working on educational problems of the children of migrants.

Question: What are universities in your area doing to find ways of improving education programs for migrants?

Mr. JAVITS. The article relates to the efforts of Oregon, Ohio, Colorado, New York, Michigan, Pennsylvania, and other States, to develop projects in this field. It refers to the work of the Southern Illinois University and the University of Wisconsin.

It seems to me that all these efforts, including those in my own State of New York, reveal that children do attend summer school, and it seems to me they indicate that there is a market for what we are talking about.

Mr. TOWER. Mr. President, many needs exist throughout the United States, but merely because there is need does not necessarily mean that it is the Federal Government's responsibility to fulfill that need. I think we have reached the point where our people have been actually reduced, over a period of years, to a state of dependency on the National Government, and we have come to think that it is the Federal Government's responsibility to afford a minimum standard of living for us all. I reject this notion.

Mr. WILLIAMS of New Jersey. Mr. President, I yield back the remainder of my time.

Mr. TOWER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1124) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. WILLIAMS of New Jersey. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

NATIONAL CITIZENS COUNCIL ON MIGRATORY LABOR

Mr. WILLIAMS of New Jersey. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 674, Senate bill 1132.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1132) to provide for the establishment of a council to be known as the National Citizens Council on Migratory Labor.

The PRESIDING OFFICER. The question is on the motion of the Senator from New Jersey.

Mr. ELLENDER. Mr. President, as I indicated earlier, I was not aware until about an hour ago that all the bills pertaining to this subject were to be taken up today. There is no objection to the two other bills that have been passed so far. But the one that has been called up now is a very far-reaching bill. I do not know what the cost of the bill to the taxpayers would be. As I see it, it provides for a council of 15 members. It provides for a director to be paid up to $18,000 a year. There seems to be no limitation as to the number of personnel that could be hired by the Council. Consultants could be hired. There is no limitation on such hiring. The fee fixed for consultants is up to $50 a day. As I read section 3 of the bill, the Council shall hold national and regional conferences throughout the country at intervals. There is no limitation as to that point.

The Committee on Agriculture and Forestry is, of course, very much interested in labor matters pertaining to the farm.

I am wondering if my good friend from New Jersey would consent to permit the Committee on Agriculture and Forestry to take a look at S. 1132. I can promise him that we will look into the matter at an early date and report back. I know that our committee has studied some of these problems in the past, and it is my judgment that the Committee on Agriculture and Forestry should have a look at the bill. I would suggest to my friend that that be done.

Mr. WILLIAMS of New Jersey. The Department of Agriculture has been heard from.

Mr. ELLENDER. I understand.

Mr. WILLIAMS of New Jersey. They do not oppose the bill. It creates a National Advisory Council to advise us on the problems of migratory workers.

Mr. ELLENDER. The Committee on Labor and Public Welfare has made a study of it, has it not? As a result of that study the committee is presenting several bills today. Is that correct?

Mr. WILLIAMS of New Jersey. That is correct.

Mr. ELLENDER. Why create a Council which will delve into the matter further and which will issue, as I understand, under section 5 of the bill, reports in the nature of propaganda. At least, that is the way I look at it.

Mr. WILLIAMS of New Jersey. Mr. President will the Senator yield at that point?

Mr. ELLENDER. I yield.

Mr. WILLIAMS of New Jersey. There will not be any propaganda involved. There would be findings of fact and statements of honest opinion. Representation on the Council would be broad and comprehensive and would be complete. It would not be stacked or loaded in any direction. I am sure that the people comprising the Council, gathered from various groups with deep interest in the matter, would not be propagandizing the situation, but would be helping us to understand the problems, so that we could more effectively deal with them.

Mr. ELLENDER. I read from section 5:

> From time to time the Council shall issue information relating to migratory agricultural labor, in the form of publications or otherwise, for the use of the public generally, and for the use of persons and institutions engaged in work relating primarily to migratory agricultural labor.

That gives power to the Council which is not usually given. It may be all right for a council to hold hearings here and there and report to the President. However, here we would be creating machinery by which hearings could be held in various parts of the country. I can visualize some more news films being put out because of the certain findings that the Council might make.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. TOWER. I point out that there was created by Executive Order 1089 of November 1960, a Presidential Interdepartmental Committee on Migratory Labor, which has, in essence, the same functions as those which would be given to the Council to be created by the bill.

Mr. ELLENDER. That was Executive Order 1089. That is a further reason that I advance to my good friend for having the Committee on Agriculture and Forestry take a look at the bill. We would be creating a more or less permanent commission or committee here.

Mr. WILLIAMS of New Jersey. It is not more or less permanent. It is limited.

Mr. ELLENDER. Five years is quite a long time.

Mr. WILLIAMS of New Jersey. It is less time than the Senator's term.

Mr. ELLENDER. I understand. What does the Senator expect the Council to do that cannot be done or has not been done by the committee appointed by the President?

Mr. WILLIAMS of New Jersey. The committee appointed by the President, as the junior Senator from Texas has said, is an interdepartmental committee for advising the President. It is in the executive department. The administration approves of the establishment of the Council that is provided in the bill. The proposed National Advisory Council would not be in the executive machinery. Its membership would be drawn from private life. It would allow us to get people at the grassroots who know the problems—farmers, workers, health officials, educators, who live day in and day out with migratory workers and their problems—to get together and exchange information and to advise us. This is a very modest program, involving only one

staff director at a salary of up to $18,000 a year.

I would find it much more effective and more efficient to stay here in Washington and have these people, drawn from all over the country, to advise us here. It would save money, too. Our committee budget would be saved a very substantial increment from engaging in further study across the country, because we have not, with these bills, unlocked all the problems. We still know that this is the most depressed economic group in the Nation. We are not today dealing with wages. We are not dealing with many things today. Much will remain to be done even if all the bills are passed today. I do not see why we should not have the opportunity to advice from the workers and the growers and other people who are knowledgeable in this field.

Mr. ELLENDER. The Senator well knows that once these commissions or committees are formed there is hardly any end to them. It is true that this Council will be limited to 5 years. However, I can see at the end of 5 years the Senator saying, "There is much more to be done. We ought to further extend it." It strikes me that the executive branch has this committee already appointed, which can be of service.

Mr. WILLIAMS of New Jersey. Not this committee.

Mr. ELLENDER. No; I am speaking about the one created by Executive Order 1089. I am sure that the subcommittee headed by my distinguished friend from New Jersey will be before the Senate next year for some more money to continue its studies of migratory labor. Here we would establish a council composed of 15 people, who would be forced by the act, as I understand, to hold conferences. There would be a number of consultants engaged also, and the number of these consultants is unlimited. The number of people the Council can employ is unlimited. The amount to be paid the consultants is $50 a day. This Council could grow into quite a large bureau, maybe even a little bureaucracy.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. WILLIAMS of New Jersey. Could the Senator from Louisiana suggest an amount of money that he might consider ample to meet the expenses of such a commission?

Mr. ELLENDER. If the Senator will permit us to take a look at this matter, I would appreciate it. We are interested as well as the Senator is in these problems. It affects the Committee on Agriculture and Forestry. The committee has had a great deal of experience in this field. I would certainly like to have the committee take a look at the matter, to see what can be done about it.

Mr. TOWER. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. TOWER. Does it also occur to the Senator from Louisiana that the makeup of the committee seems to be weighted very much against the farmer?

Mr. ELLENDER. As I understand, only three members represent farmers. That would leave 12 who are nonfarmers. I can well see that if a Council is to be created, various segments of the problem ought to be represented. I can see that.

I ask the Senator from New Jersey to let the Committee on Agriculture and Forestry consider this bill. I do not wish to argue or offer amendments which would minimize the work of the Council. If the Senator will agree to let the Committee on Agriculture and Forestry consider the matter for a stated period of time, we shall be glad to do so.

Mr. TOWER. Mr. President, will the Senator from Louisiana further yield?

Mr. ELLENDER. I yield.

Mr. TOWER. I support the suggestion of the distinguished Senator from Louisiana. Certainly the poor farmer, who is not in such good financial condition these days, has a vital stake in the outcome of the proposed legislation. I think the Committee on Agriculture and Forestry should have the privilege of considering the proposal and considering it from the standpoint of how it will affect the farmer. So I lend my support to the suggestion of the Senator from Louisiana.

Mr. HOLLAND. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. HOLLAND. This is one of the measures to which I referred earlier this afternoon, when I said there were some bills in the whole group to which I did not agree. This is one that was not even discussed at any meeting which I personally attended. It seems to me the Committee on Agriculture and Forestry should consider it under a time limitation which would be reasonable, because it appears to me that a tremendous organization is contemplated. The bill provides that each member of the Council shall be entitled to receive $50 a day for his attendance at a meeting, including travel time, and including attending at least one national meeting a year, and as many regional meetings as they may wish to attend.

Among other items is a provision for an $18,000 salary for a staff director.

It seems to me that this is a proposal which the people who are most affected ought to have a chance to examine. I hope the bill may be referred to the Committee on Agriculture and Forestry.

I remind the Senate that, as a member of the Committee on Agriculture and Forestry, although not serving as such, I attended two conferences with the Senator from New Jersey [Mr. WILLIAMS] and the Senator from Virginia [Mr. BYRD], who was there as chairman of the Committee on Finance. Some of the bills were before the Committee on Finance. I recall also that another meeting was attended by my legislative assistant when I could not attend. Perhaps there was more than one.

We who are interested in this problem have tried to be cooperative. This is one of the bills with which, as written, I am not in accord. There is another bill, on child labor, with which, as written, I am not in accord. I have tried to be completely cooperative. I have not opposed the three bills which have been passed. I supported two of them actively on the floor. In the effort to be cooperative, I joined in the introduction of a bill relating to the nursery program and also one with respect to the housing program. I think it is time for some cooperation from the other end of the street.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. WILLIAMS of New Jersey. The Senator from Louisiana has described an understandable and legitimate interest in studying more thoroughly, within a period of time, the proposal to which I have moved to proceed. I am willing to withdraw my motion to proceed to the consideration of Calendar No. 674, S. 1132, and to suggest that for a week the Senate not proceed to its consideration. That would give the Senator from Louisiana time to look into and think further about the bill.

Mr. ELLENDER. Would the Senator from New Jersey agree to have the bill referred to the Committee on Agriculture and Forestry, conditioned on the committee reporting the bill back, say, a week from today?

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. MANSFIELD. I hope the Senator in charge of the bill will give the proposal the consideration which it merits. After all, he and his committee have spent much time on the bill. I think he is being quite generous in agreeing to postpone the consideration of the bill after it had been announced, not only on yesterday, but also several days previously, that it would be brought up today. I should think that a week's time would be more than fair. It would mean a delay in the consideration of the bill which was slated for action today. That would provide the chairman and the other members of the Committee on Agriculture and Forestry all the time they need to consider the proposal.

I hope that just as the distinguished Senator from Florida [Mr. HOLLAND] has shown cooperation, in spite of his opposition to certain proposals, the distinguished Senator from Louisiana, with his usual courtesy and graciousness, will do the same thing.

Mr. WILLIAMS of New Jersey. As I understand the suggestion of the majority leader, it is that the bill be held on the calendar, but not be taken up for a week, so as to give the distinguished Senator from Louisiana, the chairman of the Committee on Agriculture and Forestry, a chance to consider it.

Mr. ELLENDER. I had hoped that the Committee on Agriculture and Forestry might perhaps call in some witnesses to testify. We have a special subcommittee which would consider this proposal. However, we should like to have the bill before our committee.

Mr. MANSFIELD. The Senator from Louisiana could, of course, call in witnesses on this subject. He could have the bill, a copy of which is on the desk of every Senator, before his committee for consideration. However, I hope he will not push his point too far.

Mr. ELLENDER. As I suggested to the Senator from New Jersey, I would

agree to report the bill back next Friday. I do not wish to hold hearings, which might result in the chairman having to pay for the hearings. The bill will have to be before us, as I understand, before hearings can be held.

Mr. MANSFIELD. I am certain that neither the chairman, nor, for that matter, any member of the committee, would have to pay for any hearings which would be conducted; but I hope that a degree of consideration will be shown. I fear that if what is being asked with respect to Calendar No. 674, S. 1132, were to be allowed, the first thing we know, Calendar No. 673, S. 1123, to amend section 13(c) of the Fair Labor Standards Act of 1938 with respect to the exemption of agricultural employees from the child labor provisions of such act, and other measures, would be referred to the Senator's committee, and that bills of other kinds would be referred to other committees. In that way, the due procedures which are proper in the Senate would, I think, be carried to extreme lengths. I hope that the proper procedure will prevail.

Even though this particular proposal has not yet been laid before the Senate, because Senators decided to do some talking about it before that act was performed, it was agreed earlier this afternoon, by those who are interested in this proposal, that there would be an hour's limitation, one-half hour to be allocated to each side.

I hope it will be possible to proceed to the consideration of the bill; or if that is not possible, that the Senator from Louisiana, the Chairman of the Committee on Agriculture and Forestry, will agree to the proposal for a postponement on the basis of the suggestion made by the Senator from New Jersey [Mr. WILLIAMS].

Mr. ELLENDER. Mr. President, I certainly am not qualified at the moment to discuss the bill as it ought to be discussed. I should certainly like to have the Committee on Agriculture and Forestry consider it, because that committee has studied problems of this kind before. It strikes me that we ought to have such an opportunity at least. Since the Senator from New Jersey will not agree to have the bill committed to the Committee on Agriculture and Forestry, I will accept the proposal to postpone action until at least a week from today, in order to afford the committee an opportunity to study the bill.

Mr. WILLIAMS of New Jersey. I wonder if the Senator from Louisiana will not agree that we are, as the majority leader has suggested, simply following the orderly procedures of the Senate. Many bills are referred to committees when other committees have an interest in them. Many bills which come under the jurisdiction of one committee are of considerable interest to other committees, of course.

I hope the Senator understands that, by postponing for a week the further consideration of the bill, pursuant to the request, he will have full and adequate opportunity for the purposes of the study he has in mind.

Mr. MANSFIELD. Mr. President, will the Senator from New Jersey yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. MANSFIELD. Mr. President, I believe that both the Senator from New Jersey, the Senator in charge of the bill, and the Senator from Louisiana [Mr. ELLENDER], the chairman of the Committee on Agriculture and Forestry, are willing to act in accord with the suggestion which has been made, namely, that consideration of Calendar No. 674, Senate bill 1132, to provide for the establishment of a council to be known as the "National Citizens Council on Migratory Labor," be postponed for no longer than 1 week, with the proviso, as I understand, that it can be brought up again by next Friday.

Mr. WILLIAMS of New Jersey. That is correct.

The PRESIDING OFFICER. Does the Senator from New Jersey withdraw his motion to have the Senate consider the bill?

Mr. WILLIAMS of New Jersey. I do.

The PRESIDING OFFICER. The motion has been withdrawn.

EXEMPTION OF AGRICULTURAL EMPLOYEES FROM CHILD LABOR PROVISIONS

Mr. HOLLAND. Mr. President, I realize that the Senator from New Jersey [Mr. WILLIAMS] probably is preparing in due course to move that the Senate proceed to the consideration of Calendar No. 673, Senate bill 1123, to amend section 13(c) of the Fair Labor Standards Act of 1938 with respect to the exemption of agricultural employees from the child labor provisions of such Act. I think the bill comes exclusively within the jurisdiction of the Committee on Labor and Public Welfare, because it proposes an amendment of the Wage and Hour Act. So there cannot be any disagreement on that score.

However, I am greatly concerned with a completely novel provision of the bill; namely, the one to make the employers of children in agricultural labor absolutely liable, regardless of any defense—there could be none—for any injury or for death "arising out of or in the course of such employment."

It seems to me that to visit so drastic a penalty upon the employers of child agricultural labor—a more drastic penalty than that visited by any other Federal law upon any other employer of children—would be manifestly wrong and indefensible.

I am sure this situation has come into being without a realization of the very great and prejudicial departure proposed by means of this amendment.

Mr. DOUGLAS. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. DOUGLAS. Is the Senator from Florida directing his remarks to Calendar No. 675, Senate bill 1124?

Mr. HOLLAND. No; I am addressing my remarks to Calendar No. 673, Senate bill 1123.

Mr. DOUGLAS. Has Calendar No. 673 been passed?

Mr. HOLLAND. No, it has not been passed. Of the five bills which were scheduled to be brought up at this time, it is the only one which has not yet been considered by the Senate. Three of the bills listed have been passed. Two were passed with my active support; the other was passed without active objection from me.

But in Senate bill 1123, on page 2, beginning in line 14, will be found a completely novel proposal to visit liability upon an employer of agricultural labor. Let me say this bill permits the employment of minors under certain conditions, and at certain distances from their homes, and would give them certain advantages.

But I now wish to read the provision which would visit upon farmers more drastic liability than that visited upon any other employer group in the Nation. This provision appears on page 2, beginning in line 14:

> (d)(1) Except as provided in paragraph (2), the employer of any employee under the age of eighteen who is (A) employed in agriculture, and (B) engaged in commerce or in the production of goods for commerce, shall (unless such employee is his own child or a child with respect to whom he stands in the place of a parent) be liable, regardless of fault, in money damages for disability or death of the child arising out of or in the course of such employment.

The amount of damages to be recovered is then stated to be that set forth under State law, and the like.

The Wages and Hours Act does not contain a similar provision; neither does any other act, so far as we can ascertain.

I have asked the Legislative Reference Service of the Library of Congress to attempt to ascertain whether any provision so drastic already has been enacted into any Federal law, but it could not find any applicable to any other employer or any other group of employers in the Nation.

Mr. ALLOTT. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. ALLOTT. In view of what the Senator from Florida has said, is he aware of any statue—and I state frankly that I have never been aware of any such statute—which would make a person liable for a tort, without regard to whose fault the accident was?

Mr. HOLLAND. I do not immediately recall any such statute. There may be such; but I addressed such an inquiry to the Library of Congress, and asked them to check on this matter; and they reported to me that they could not find any such provision in any Federal law. Similarily, my legal staff was not able to find any such provision of law. Certainly the Wage and Hour Act does not contain any provision visiting any such heavy degree of liability upon any other group of employers.

Mr. DOUGLAS. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. DOUGLAS. Is it not true that in the main the workmen's compensation laws are State laws? As I understand those laws, the great change which they introduced, as compared with the common law, was that whereas the common law imposed liability only if the employer was at fault and was

not excused by the various common-law defenses, the essence of the workmen's compensation law is that if the accident occurs in the course of employment, then, regardless of actual responsibility, the legal responsibility is lodged upon the employer where the accident occurred. This is justified for three reasons: First, it avoids suits as to the comparative responsibility; second, it is the best point at which to lodge the responsibility with a view to reviewing accidents; and, third, because the responsibility thus is placed on the person who is best able to provide compensation.

Mr. HOLLAND. Mr. President, the Senator from Illinois is correct in some of his statements, but not in all of them. There are at least two Federal workmen's compensation laws. One deals with Federal employees generally. The other deals with maritime employees like longshoremen and harbor workers.

My point is that after permitting the employment of children in agriculture under certain conditions, this measure would impose on the farmer much greater responsibility, and would assess it against him regardless of fault—for instance, if a child died from a bee sting received while he was hoeing, or received a self-imposed injury, due to his own carelessness, while hoeing. I do not believe that was the intention of the committee, because this provision would impose a heavier degree of liability than that imposed upon any other employers of children, in an occupation which is exempt from almost all provisions of the Fair Labor Standards Act.

Mr. JAVITS. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. JAVITS. I do not think we have yet reached a stage of disagreement or difference; I believe we are now attempting to ascertain the facts. Does the Senator find the formula set forth on page 2, in line 1, in regard to the responsibility arising from the course of such employment, different from that the normal standards imposed by the Workmen's Compensation Act?

Mr. HOLLAND. I have not had an opportunity to compare the two; but I suspect that this formula is quite like that to be found in the Workmen's Compensation Acts; and I notice later in the bill a provision authorizing application of the Workmen's Compensation Act. But that is no remedy at all for a small farmer remote from knowledge of the Workmen's Compensation Act provisions or from persons selling workmen's compensation insurance.

To impose this kind of requirement upon small farmers all over the Nation I think is something the Senate would not want to consider doing.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. WILLIAMS of New Jersey. I am sure the Senator is aware that in his State of Florida the representative of the Fruit & Vegetable Growers Association advised us that over 75 percent of the farmers and growers now have workmen's compensation insurance. All we do here is create a liability, which can be discharged through the workmen's compensation statutes of the various States and the insurance programs that most people avail themselves of under those statutes.

Mr. HOLLAND. There is no doubt that would be an adequate handling for the employer of a large amount of labor, or the large farmer who thinks about the matter of getting workmen's compensation insurance and can afford to pay it; and there is likewise no doubt that the very association which the Senator mentioned, the Florida Fruit & Vegetable Association, has complained bitterly against this provision of this bill to me. They say the average small farmer would be left without a remedy, and generally he would be without knowledge of the fact that he was subject to some liability until some child stubbed his toe, or got stung by a bee, or got hurt as a result of a fall out of a truck which was carrying him to a field where he was going to pick beans, or another accident occurring in the course of his employment.

The Senator from Florida may be the only Senator who feels that way, but I could not possibly give my consent to passing a bill of this kind which would visit such a penalty upon small farmers all over this Nation, when I know perfectly well that most of them will not know how to protect themselves, and even if they know how, many will not be able to protect themselves financially.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. ALLOTT. I want to say to the Senator from Florida that he is not the only Senator on the floor who feels that way. We have spent years and years talking about the plight of the farmer. I have lived in a farming community for the last 30 years of my life. I think I know a little of the farmer's problems and the tough time he has facing up to increasing costs of his equipment and everything else he buys.

In my own State, for many years the workmen's compensation law required that an employer must have eight or more employees to come under the law. I believe the number required has been lowered somewhat, but I am not in a position to say offhand what the number is. But in a case like this, the family farmer, who works his own land, with perhaps the aid of a neighbor who helps him and who trades work with him, and with the help of their half grown boys, in putting in or getting out his his crop, would be absolutely at the mercy of almost anyone, under the provisions of this bill. If, for example, his neighbor happened to be a person who was wholly unscrupulous, and his child was injured while helping, he could absolutely wipe the farmer out of his land and everything else.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield so I may reply to that point?

Mr. HOLLAND. If the Senator from Colorado has concluded, I shall be glad to yield.

Mr. WILLIAMS of New Jersey. I wish to make a comment at that point. What we are trying to do is cover a liability with workmen's compensation. Workmen's compensation programs provide schedules for disabilities which limit liability—far from wiping the farmer out. If the farmer does not have workmen's compensation, and if a youngster who is an employee gets hurt, the employee can bring a suit under the common law. The case goes before a jury. If the boy had lost an arm and I were in the employer's position, I would much rather be subject to a workmen's compensation schedule limited by the law than be liable for an unlimited jury finding.

Mr. ALLOTT. I know exactly what the Senator is trying to do. I am under no disillusionment as to what the Senator is trying to do.

Mr. WILLIAMS of New Jersey. Then the Senator should be in favor of this bill.

Mr. ALLOTT. I am opposed to it. In the first place, I do not believe in bringing every farmer of the United States under the Federal laws and having him irked and whipped, as he will be, by inspections and by the payment of fees to a Federal workmen's compensation system.

Mr. WILLIAMS of New Jersey. This bill relies completely on the State workmen's compensation systems.

Mr. ALLOTT. The farmer would not pay under the State system unless the State law so provided.

Mr. WILLIAMS of New Jersey. All States except Alabama provide for it, and I have an amendment prepared to cover this exception.

Mr. HOLLAND. Mr. President, my understanding—and I have had no chance to make a survey of it—is that some States do not provide for workmen's compensation insurance for agricultural workers. I do not make any statement as to how many States do or do not have such laws, but I understand there are some that do not. But quite entirely aside from that question, workmen's compensation insurance is designed to take care of industrial risks and risks of large operations where there are sizable numbers of people employed and where employers have means to protect themselves, as well as knowledge of and contact with insurance firms from whom they can purchase workmen's compensation insurance.

I have not heard anybody even suggest heretofore, and I am surprised to find anyone suggesting, that workmen's compensation be adopted as a method to be followed in protecting the small farmers throughout this Nation in the employment of child workers that would be permitted by this bill.

Let me for a moment read from this bill. The exemption from the ordinary provisions of the bill will be found beginning at the bottom of page 3 of this bill, at line 22, and going over onto page 4. I simply read the classifications of the children working in agriculture outside school hours who are covered by the exemption:

(A) Employed by his parent, or by a person standing in the place of his parent, on

a farm owned or operated by such parent or person—

That particular class, and only that class, is exempted from this absolute liability provision—

(B) Is 14 years of age or over—

So this permits the employment of children 14 years or over in agriculture outside school hours—

(C) Is 12 years of age or over and is employed on a farm within the county of the employee's permanent residence or within an adjoining county, but not more than 25 miles from the employee's permanent residence.

It is quite obvious that most child labor in agriculture outside school hours is permitted by the bill, but the possibility of using such labor will be cut off by this provision which, when it becomes generally known and understood by farmers, will cause many farmers, the very farmers who need and have customarily hired the children of their neighbors in making a crop to avoid giving those children this means of earning money. This is because they will not know how to purchase workmen's compensation insurance.

They do not have the means to do it. They do not have the contacts to do it. I have never before heard the suggestion that small employers of that kind should be required to secure workmen's compensation insurance.

Mr. WILLIAMS of New Jersey. Madam President, will the Senator yield?

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Does the Senator yield?

Mr. HOLLAND. I wish to make one additional statement.

The reason I bring this up at this time, prior to the making of a motion to consider the bill, is that it is apparent we are to be delayed a week while the Committee on Agriculture and Forestry considers the other bill. I do not know what we can suggest by way of amendments. I have not come up with any suggestion which I think would be appropriate or adequate to deal with the situation. To work out a solution, I suggest that the Senator agree to have the bill come up a week from today. I will agree, so far as I am concerned, to have no objection to its being considered at that time. That will give us an opportunity to study the problem. It will give us an opportunity to advise with counsel for the various farm organizations, and perhaps get somebody to work out a tolerable amendment.

I think I understand what the Senator seeks to do. If the Senator would properly limit the application of the workmen's compensation laws to employers of a certain size, to those employing a certain number of employees, I might be willing to accept it. There is no such limitation provided.

It seems to me we could not properly proceed in this way. I do not believe one Senator, realizing the effect, including the Senator from New Jersey would wish to impose such a penalty upon every small farmer in the Nation.

Mr. WILLIAMS of New Jersey. Madam President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. WILLIAMS of New Jersey. What the Senator suggests is a delay so that we may talk to farmers and growers and work out the problem. I must say, that has been done. That is what we have done in the Subcommittee on Migratory Labor and in the full committee. That is what we have done in informal meetings with the Senator and his staff. Perhaps the Senator was not present.

Mr. HOLLAND. Not for this bill.

Mr. WILLIAMS of New Jersey. This bill was considered when we gathered around the table with the senior Senator from Virginia. The Senator's assistant was present. Mr. Triggs of the American Farm Bureau Federation was present. Other representatives of other growers were present. Some gentlemen from Virginia were present. We labored and labored and labored, and this was the final conclusion.

I will say that in the original form the bill I introduced in February, and the bill introduced by the senior Senator from New York, did not have this type of a provision providing for liability and the discharge of liability under the workmen's compensation statutes of the various States. In the original bill we gave the Secretary of Labor the authority to define those areas which were particularly hazardous, which would be under the reach of the child labor laws. This appeared to involve a cumbersome national program of having inspectors going to the farms all over the country.

With the help of the committee of the other body, we evolved this provision as the best and most efficient means of meeting the problem of the injured youngster and getting him covered by workmen's compensation insurance in the same manner that other employees outside of agriculture are covered.

I am appalled by the thought that we should not insure our risks and cover with workmen's compensation the youngsters employed in agriculture between 12 and 18, when everybody else in industry is covered. Agriculture is the third most hazardous industry, by all statistics, in our country. Behind mining and construction comes agriculture—not manufacturing.

Mr. HOLLAND. I know the Senator wishes to have the RECORD clear. This bill was not discussed at any meeting attended by the Senator from Florida. This bill, as I understand from my legislative assistant, was discussed at a later meeting attended by the Senator from New Jersey, the Senator from Virginia, and others. Our adviser from the Florida group, Mr. Morefield, was not present and did not attend that meeting. Apparently he did not know of this change in the provision, which apparently took place after that meeting. Am I correct in that understanding?

Mr. WILLIAMS of New Jersey. The Senator's very able assistant was present when this matter was discussed.

Mr. HOLLAND. My own feeling is that to be given a week is a small request to be made by a Senator who feels deeply affected by the proposal, and who has been very cooperative in the consideration of most of the program, since it will be necessary to consider one of these measures a week from now anyway. That would give us an opportunity to work out a more satisfactory approach to the problem.

Mr. JAVITS. Madam President, I suggest the absence of a quorum.

Mr. HOLLAND. Madam President, I do not yield for that purpose. I have the floor.

Mr. JAVITS. I did not realize that.

Mr. HOLLAND. I understood the Senator from New Jersey was conferring with the majority leader.

Mr. MANSFIELD. Madam President, do I correctly understand that the Senate is still considering Calendar No. 673?

The PRESIDING OFFICER. No motion is pending. The Senator from Florida has the floor.

Mr. HOLLAND. Madam President, I made these remarks, which I thought would be shorter than this, prior to the making of a motion to consider the measure. Frankly, I was surprised to learn of the severity proposed in the bill. I have moved as fast as I could to have the statutes searched, both in my own office and in the Library of Congress. I find no precedent like this applicable to children engaged in labor. Certainly there is none under the Wage and Hour Act, which has other provisions applicable to the employment of children.

For instance, the next subsection has to do with employment of children for the delivery of newspapers, and there is no such language as is proposed, visiting absolute liability upon the employers in that case. I do not think the Senate will wish to single out the farming population and to say that they alone should be under such a provision. If that is the judgment of the Senate, after we have had an opportunity to study the problem and after we have had an opportunity to make such suggestions for amendment as we deem appropriate, of course I shall bow to the Senate's judgment.

Mr. COOPER. Madam President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Kentucky.

Mr. COOPER. I discussed this problem a few minutes ago with the distinguished Senator from Florida and also briefly with the Senator from New Jersey. I believe and hope that this may be given further consideration, so that the Senate and Senators will have time to study the provision.

I think all of us are moved by humanitarian motives and instincts to protect minors, and certainly to protect the young men and women of the ages mentioned in the bill.

I think that protection might be obtained in many ways. It could be obtained by setting up certain requirements for safety and so forth upon the farm, to which the farmer would have to adhere. It might be that the Senate, after consideration, will say, "You shall apply a law of total responsibility to the farmers."

I must say I do not know of any other situation in our law which applies that rule. Even under the Workmen's Compensation Act, I do not not know that that rule is applied to an employer if he does not come under the Workmen's Compensation Act.

Even if we accept the idea of total liability without regard to negligence on the part of the farmer, there is a further defect in the bill. The only way a farmer could protect himself would be to put himself under the Workmen's Compensation Act, yet it is provided that he must do it within 60 days.

Whatever point of view one takes, we all have great regard for the work which has been done, and we are in sympathy with the purposes of the measure.

I believe, as to the broad step, we should have some time to consider its effect and to study it.

I make this suggestion merely to meet what the Senator is trying to do, and also with recognition that there are greater duties upon farmers and other persons with respect to minors and with respect to those who have low wage practices.

Mr. HOLLAND. Madam President, I thank the Senator from Kentucky. I confirm the fact that we did confer on the subject the Senator from Kentucky mentions a few minutes before this colloquy started, which is insufficient time to advise the agricultural community throughout this Nation of such a drastic proposed change in law. I thoroughly concur with him that more time should be given.

Mr. ELLENDER. Madam President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. ELLENDER. As I understand, the RECORD shows that last week it was announced that S. 1124 and S. 1130 would be taken up, but as to the bill that we are now discussing and the other bill that was postponed, announcement was made as to them only yesterday. The bills to which I have referred were reported from committee on August 9. I believe the request made by the Senator from Florida is a legitimate one, and the Senator from New Jersey ought to be in accord with it.

Mr. WILLIAMS of New Jersey. Madam President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. WILLIAMS of New Jersey. We know that we are dealing with a difficult area. When we started with the subcommittee 2 years ago, I had the attitude—and I know my good friend the senior Senator from New York did also, as did other members of the committee—that we would go about our work quietly and, we hoped, effectively.

We were not going to move with emotion and sensation. We never have.

Mr. HOLLAND. Madam President, the Senator is certainly correct. As I have said repeatedly, and I do so again, I pay tribute to the kindly and considerate way in which the Senator from New Jersey has handled matters.

Mr. WILLIAMS of New Jersey. In our efforts during the last months, particularly, we have had the benefit of the counsel of the senior Senator from Florida hour after hour. I could not express adequately the contribution which he has made to our deliberations.

Mr. HOLLAND. I thank the Senator.

Mr. WILLIAMS of New Jersey. At this time, if the senior Senator from Florida wants us to postpone further consideration of this measure in order to give more study which will allow us to deal more effectively with the problem of youngsters injured in agriculture, I would be the first to feel that he has every legitimate right to ask for it.

Mr. HOLLAND. I thank the Senator from New Jersey most gratefully. Does the majority leader wish to be recognized?

Mr. MANSFIELD. I should like to have the floor when the Senator finishes.

Mr. HOLLAND. I yield the floor, after thanking the Senators involved in the handling of the bill.

Mr. JAVITS. Madam President, I agree with the Senator from New Jersey that one would not wish to precipitate action in view of the deep feeling of the Senator from Florida. We are making no grandstand play about the humanitarian aspects involved. We all understand that aspect. It is basic to our discussion. Would it not be useful, however, if the Senator from New Jersey should make a part of the RECORD an analysis of the workmen's compensation statutes of the various States which have been researched in order to demonstrate whether such compensation is or is not available. The question also has a bearing—and this worries me, too—upon the effective date. We have had some views from the American Farm Bureau Federation, for example, expressing great concern about the date of applicability. I suggest that, in view of all those considerations, we would all be helped by having made a part of the RECORD a careful analysis of the existing state of the workmen's compensation laws in all 50 States.

Mr. HOLLAND. Madam President, I approve the suggestion. I hope that course will be followed by the Senator from New Jersey and his staff. I also request the Senator from New York [Mr. JAVITS] and the Senator from New Jersey [Mr. WILLIAMS], as able lawyers, much more closely in touch with this whole field of operations than I am, to cudgel their brains a bit to see how we can get out of this situation, because neither of them would want to have imposed this particular condition upon a small farmer employing two or three children.

Mr. JAVITS. Madam President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. JAVITS. I think we must give priority to protection of children. I am sure everyone would agree with that statement. In my own State it happens that anyone who employes more than two people, even domestic help, is required to obtain workmen's compensation. That may not be the universal rule.

Also in my own State workmen's compensation is easily available. They even have a State agency to insure risks that find it difficult to get insurance otherwise.

Again that may not be true elsewhere. But one thing is sure. Recognizing the need and the fact that we must take some real action with respect to child labor in order to protect children, we shall also have to architect the practical provisions, and so I hope we shall use the time effectively.

Mr. HOLLAND. I thank both Senators.

Mr. MANSFIELD. Madam President, I thank the distinguished Senator from New Jersey [Mr. WILLIAMS] for the courtesy and graciousness which he has shown. They are his hallmark and always have been.

I also thank the Senator from Florida for making it very clear that the proposal which we were almost on the point of considering was not something which he, under any stretch of the imagination, thinks should have been referred to the Committee on Agriculture and Forestry as was proposed for the previous matter.

I also thank the Senator from Louisiana [Mr. ELLENDER] for agreeing to accept a week's delay in the consideration of the measure so that, if possible, it can be considered next Friday.

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. I would not want the RECORD to be clouded on this subject. I thought the previous measure was of such a nature that it could with all propriety be referred to the Senate Committee on Agriculture and Forestry. But I do not think that is the case with reference to the measure which we are now talking about, the child labor amendment to the wage and hour law.

Mr. MANSFIELD. That is what I was trying to say. I am glad that the Senator from Florida has reinforced my statement.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Madam President, for the information of the Senate, and after discussion with the distinguished minority leader, I make the following announcement: If action can be completed upon the pending business, and if consideration of Calendar No. 685, H.R. 4785, relating to withholding for State employee retirement disability, and death benefit system purposes, on the compensation of certain civilian employees of the National Guard; can be completed. Calendar No. 665, H.R. 6765, to authorize acceptance of an amendment to the articles of agreement of the International Finance Corporation permitting investment in capital stock; Calendar No. 712, H.R. 2883, an act to amend title 28 entitled "Judiciary and Judicial Procedure" of the United States Code to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment and for other purposes; Calendar No. 730, S. Res. 141, a resolution to express the sense of the Senate on time for holding national conventions for nominations of President and Vice President; and Calendar No. 743, H.R. 3596, an act to direct the Secretary of the Interior to convey certain lands to Purvis C. Vickers, Robert I. Vickers, and Joseph M. Vickers, a copartnership doing business as Vickers Bros., can be completed, it is anticipated that the Senate will adjourn until Monday.

This is not a carrot, or a series of carrots, being held out. We have made fairly good progress. Most of the proposed legislation remaining is not controversial, and if we can complete the work within a reasonable period—say between 6 and 7 o'clock tonight—it is the intention to go over until Monday.

CENSORSHIP, FRUSTRATED NATIONAL POLICIES, AND GAGGING OF MILITARY ANTI-COMMUNIST STATEMENTS AND SEMINARS

Mr. THURMOND. Madam President, since the mid-1940's it has been the policy, aim, and goal of international communism to weaken by any method, ruse, or device the economic, political, and moral structure of the United States of America.

Since 1951 the Soviets have streamlined their contacts with foreign agents and sympathizers. This new system makes the detection of Communist agents extremely difficult. The primary interest of the Soviets is information to be forwarded to the Soviet policymakers. Military and technical intelligence are secondary. A Communist Party member or sympathizer in a policy control position will be contacted only occasionally by MVD experts. His job is to hold his sensitive position in order to influence policy in favor of the Communists. He will assist another Communist or sympathizers to retain their positions or to be shifted or elevated to other sensitive spots. These methods, combined with techniques of psychological warfare, are the principal Communist weapons of attack against us internally.

The expertise of the Communists is attested to by our experience with years of frustrated policies.

Many of our policy decisions when examined must be attributed to our conditioned reaction to stimuli administered as portions of the Communist attacks of psychological war. In order to recognize the ideas still being fostered upon us, we must examine those concepts which the Communists are still feeding us as a part of their total war upon our existence. These ideas are systematically and invariably fed by international Communist psychological warfare organizations into our official estimates and policy statements by innumerable means. These ideas have been, and are, responsible for the frustration of our attempts to combat the Communist menace. Every blow conceived to strike at the heart of communism, if not thereby completely precluded, has been deflected.

Typical of such ideas were those which halted our drive toward victory in the Korean war. Official estimates and policy statements contained the suggestion that "Korea is an inconclusive operation" and that "an aggresive pursuit of our military mission in Korea could lead to general war."

Madam President, it was not inevitable that the Korean war had to be inconclusive; rather it was inconclusive because the information given to us psychologically conditioned us to the assumption that it was inevitably inconclusive. Similarly, we were during the Korean conflict, and for that matter are today, being conditioned to an overpowering fear of general war. Madam President, it should be obvious to us all, as it certainly is to in-depth students of communism, that positive action, even positive military action when the chips are down, by the United States will not precipitate a nuclear holocaust. As Lenin himself expressed it, communism advances "two steps forward, one step backward." The fallacious idea that "Korea is an inconclusive operation" in which "an aggressive pursuit of our military mission in Korea could lead to general war," completely pounded into us by psychological attack, resulted in our frustration in Korea.

Other examples of ideas pounded into us by the Communist brainwashing effort are as follows:

First. The United States should bring about changes in the Sino-Soviet empire by evolution instead of revolution. Such an assumption left, and leaves, the heart of Communist power unmolested, and the Communists free to concentrate on the offensive while we settle for a defensive position.

Second. Soviet vulnerabilities are of such a nature that under present conditions efforts to exploit them vigorously will not contribute to the realization of U.S. objectives. Again, this gives the Soviets a clear field in which to operate without guarding their own backyards.

Third. Ideological motivations are relatively unimportant. This little gem of deception has resulted in halting any concentrated drive against the Marxist-Socialist-Communist conspiracy.

Fourth. The United States must not appear intransigent or too anti-Communist since this might convey the attitude that we are not interested in peace. This concept is designed to insure that we remain forever on the defensive. In it lies the seed of unilateral disarmament, and the scrapping of the B–70 program to give the appearance of peace seeking.

Fifth. There is no reliable intelligence available that an international Communist conspiracy exists. This is patently absurd, for such evidence is available to convince us beyond any shadow of a doubt, if we will but open our minds and examine the evidence. The Communists, as did the Nazis, brag continuously about their conspiracy.

Sixth. The time for a rollback of Soviet power is not in the foreseeable future. It would be hard to conceive a more defeatist attitude or one which would more tightly circumscribe any positive action against the heart of the Communist conspiracy in the Union of Soviet Socialist Republics.

Seventh. A present revolt or detachment of a satellite must be ruled out. The acceptance of such fallacious precepts condemns all hope of oppressed people and necessarily embodies complete acceptance of Soviet expansion.

Eighth. The United States should support any established independent Communist regime which appears to defy Moscow. This not only results in our material and moral support of our godless enemy, communism, but ignores the irrefutable efforts of the singleness of purpose of the international Communist conspiracy.

Ninth. The United States should assist any nationalistic Communist leaders to assert their independence of the Kremlin. This idea condemns millions of Yugoslavs and Poles to subjugation at the hands of Communist dictators, and provides the rationale by which we are pressured to grant diplomatic recognition and United Nations membership for Red China.

These are but a few of the policies resulting from Communist psychological warfare directed against us. The effect of these few is devastating. There are many more. I could name 10 more or 10 times 10 more. All are as insidious as the ones I have named, and their cumulative effect can be well titled "Long Years of Frustrated Policy."

Madam President, the psychological warfare of international communism against the United States can only be effective so long as the American people are either apathetic or without complete understanding of the total nature of communism and its methods of operation. It is no surprise, therefore, that when anti-Communist educational activities began to flourish and show signs of catching on around the country, the Communists would commence an all-out counterattack. That counterattack began this year and has now reached a full crescendo. The counterattack takes the form of anti-anti-communism, and is designed to stamp out each and every effort to alert the American people to the Communist menace.

The foremost target of this attack is our Military Establishment. There are two principal reasons why the Communist-originated campaign has been leveled at the military. First, and most obvious, it is in the military officers that the knowledge, which has resulted from intensive study and training as to the nature of the enemy, resides which is available to alert the American public, in and out of uniform, to the total menace of communism. Secondly, and of equal importance, the attack on the military could be camouflaged behind a smokescreen of civilian versus military control. In conjunction with all their other facilities, the Communists have launched the attack with a barrage of psychological warfare. Their successes are a sad commentary on our understanding of our enemy.

As I have previously mentioned on the floor, one effect of this campaign is censorship of the statements of military leaders, which goes far beyond any requirement of security classifications or the insurance of compliance with civilian-made policy, unless we admit in the latter instance that we have adopted the very policies impressed upon us by Communist psychological warfare attacks. What other explanation could there be for censoring the expressions "Communist conspiracy directed toward domination of the world" or "Soviet infiltration menacing this Nation and extending throughout far corners of the globe" or "insidious ideology of world communism"? These expressions, Madam President, are too aptly conceived

to stimulate in an audience a desire for further information and study concerning the particulars of the Communist conspiracy and the methods by which it works. Such a desire for knowledge, if fulfilled, could only spell defeat for Communist psychological warfare, and recognition and rejection of the fallacious concepts by which the Communists have so long managed to frustrate our fight against them.

The success of the Communist campaign is apparent elsewhere, particularly in the cancellations and postponements of anti-Communist seminars in which the cooperation of military personnel, or use of military facilities, has been scheduled.

In the last few days there have been numerous press reports of postponements or cancellations of such seminars. Among them are ones scheduled for Fredericksburg, Va.; Fort Benjamin Harrison, Ind.; Glenview Naval Air Station, Ill.; Fort Sam Houston, San Antonio, Tex.; and Shreveport, La. Madam President, I ask that articles which report such actions and published in the Washington Post of August 24, the Richmond, Va., News-Leader of August 22; the Chicago Daily News of August 4; La Prensa of San Antonio, Tex., of August 3; the Indianapolis News of August 18; the Shreveport Journal of August 14; and the Richmond Times-Dispatch of August 24, be printed in the RECORD at the conclusion of my remarks.

(See exhibit 1.)

Mr. THURMOND. Madam President, how much longer will we, or, for that matter, how much longer can we, submit docilely to Communist psychological warfare? How much more will we limit the use of our sole weapon against such psychological war—the understanding by Americans of communism and its methods? We are busy sowing the seeds of our own defeat, and the harvest will soon be at hand. It will be a Communist harvest of our lives and liberty. Who will rise now to stay the hand with the hammer and sickle?

EXHIBIT 1

[From the Washington Post, Aug. 24, 1961]

FULBRIGHT TIED TO ROW OVER CAMP SEMINAR

FREDERICKSBURG, August 23.—Postponement of a seminar for Maryland and Virginia National Guardsmen was attributed yesterday to a too-heavy training schedule amid protests that Senator J. W. FULBRIGHT, Democrat of Arkansas, had helped sabotage the anti-Communist indoctrination session scheduled here for Friday.

Maj. Gen. William C. Purnell, commanding the 29th National Guard Division currently in training at nearby Camp A. P. Hill, said the proposed seminar "will be held later in the fall, when summer training problems are out of the way."

General Purnell said it was his decision not to hold the seminar at this time "when it became apparent that the subject had become a controversial one in the interval since the division's training program was published a number of weeks ago."

Earlier in the day, W. C. Daniel, president of the National Security Council of Virginia, one of the seminar's sponsors, charged in Danville that a Fulbright memorandum to President Kennedy and the Pentagon was responsible for the Fredericksburg program being called off. The memorandum urged military officers not to attend such seminars.

[From the Richmond (Va.) News Leader, Aug. 22, 1961]

SENATOR FULBRIGHT AT FREDERICKSBURG

A Richmonder much interested in public affairs returned from vacation on Monday to find on his desk a letter from Brig. Gen. Arch A. Sproul of Staunton, assistant commander of the 29th Division. The letter, dated August 10, extended an invitation to attend a seminar on national security affairs to be held in Fredericksburg on August 25.

An accompanying program gave the details. At 9 o'clock, Dr. Paul W. Blackstock was to speak on "The Sino-Soviet Threat." At 10:10 o'clock, Charles T. Vetter was to discuss "International Communications and Communism." Just before lunch, the guests were to see a motion picture, "The Challenge of Ideas," described as a film "pointing out underlying differences between Western institutions of freedom and the totalitarian, monolithic state." Following lunch, Dr. Frank R. Barnett was to speak on "The Protracted Conflict." Later in the afternoon, Delegate W. C. "Dan" Daniels was to lead a panel discussion of "America's Task."

Dr. Blackstock was identified on the program as an associate professor of international relations at the University of South Carolina, a former intelligence officer, and the editor of The Russian Menace to Europe. Mr. Vetter was identified as an instructor in communications and communism for the U.S. Information Agency. Dr. Barnett was identified as a former Rhodes scholar who now is director of research for the Richardson Foundation, Inc., a leading anti-Communist organization. Mr. Daniels, of course, is a member of the Virginia House of Delegates, a member of the Virginia Commission on Constitutional Government, and a former national commander of the American Legion.

Much interested in this stimulating program, the Richmonder had just begun to write his acceptance when a second letter appeared on his desk. This letter, dated August 17, read as follows:

"Because of the impact of training requirements on the annual active duty encampment of the division which has been accentuated by recent world events, Gen. William C. Purnell, the division commander, felt it desirable to postpone the seminar originally scheduled for Friday, August 25, 1961.

"General Purnell joins me in expressing regret that the seminar had to be postponed; however, he has asked me to tell you that plans are being made to present it shortly after camp in both Maryland and Virginia, and you will receive an invitation."

What really happened between August 10 and August 17? Plainly, General Purnell and General Sproul got the word. As a consequence of the now famed "Fulbright Memorandum," drafted by the Senator from Arkansas, all such anti-Communist seminars have been called off. Professors of international relations, experienced intelligence officers, and serious students of the Soviet conspiracy no longer may be asked by military leaders to educate both National Guard personnel and leading civilians in the nature of the enemy.

"General Purnell joins me in expressing regret that the seminar had to be postponed." For "postponed," write "canceled." Or does anyone really wish to hold his breath until the program, as originally scheduled, is finally staged?

[From the Chicago Daily News, Aug. 4, 1961]

NEW GLENVIEW COMMANDER BARS ANTI-RED SEMINARS—CAPTAIN BOWMAN REJECTS MEETINGS THAT SMACK OF "POLITICS"

(By Joseph Haas)

The new commander of Glenview Naval Air Station said Friday he will not permit the base to be the scene of any ultraconservative, anti-Communist seminars.

Capt. D. W. Bowman also said that he will not allow any of his men on active duty to take part in any off-duty activities such as arch-conservative meetings which might smack of "political activity."

"Service personnel cannot take part in political activity," said the commander terselv.

The House Government Operations Committee in Washington Thursday disclosed it has canceled an investigation into possible cooperation between military personnel and civilian conservatives in anti-Communist indoctrination activities.

Last month, the committee told of plans to hold hearings at Glenview and other military bases to check reports of such activity.

But staff investigators blamed the cancellation of the inquiry on pressures brought to bear by Senators BARRY GOLDWATER, Republican, of Arizona, KARL E. MUNDT, Republican, of South Dakota, and STROM THURMOND, Democrat, of South Carolina.

The Glenview base held a big 4-day anti-Communist rally last August with the permission of Capt. Isaiah M. Hampton, then the commander there.

Hampton was transferred last month to Upper Darby, Pa., to become supervising inspector of Navy materials in that district.

Hampton told the Daily News before he left he cooperated in setting up the meeting to follow a secret 1958 directive by the Joint Chiefs of Staff calling on military commanders to help alert the public to the dangers of communism.

Defense Secretary Robert S. McNamara recently revoked the directive because it violated the principle that military men should keep out of politics.

Captain Bowman said he will continue to hold training sessions for base personnel on the dangers of communism, in line with Navy Department orders and using official pamphlets on the subject.

He said also that reservists not on active duty will be permitted to engage in whatever political activity they desire when "off duty and as civilians."

Lt. Comdr. Charles Bigler, Glenview training officer who helped plan the rally last year, said he will curb his off-base speechmaking on communism if he is ordered to do so.

"My speeches are not political, merely comparing the ideologies of communism and democracy," he said, "but I will submit them to my commander before delivering any more and if he gives the order, I will stop making them."

Bigler said he has been speaking before Rotary, Kiwanis, and similar groups.

[From the San Antonio (Tex.) La Prensa, Aug. 3, 1961]

DEFENSE DEPARTMENT EDICT COULD CURB SEMINAR

(By Nancy Phillips)

The Jaycee's Americanism seminar, that started as a local controversy, has set off reverberations from here to Washington, and high ranking G–2 officers in the 4th Army, stationed at Fort Sam Houston, may have some tall explaining to do if the Defense Department decides to take a hand.

Last week the junior chamber of commerce held a press conference on the premises of Fort Sam Houston. The Jaycees issued a release that listed three military establishments in San Antonio as cosponsors of the September 2-day seminar: 4th Army, Lackland Military Training Center, and the U.S. Navy training center.

Both the Navy and Lackland issued official statements to La Prensa that they are not cosponsoring the seminar. Fourth Army spokesmen stated, however, that they are sponsoring the seminar and moreover, have called a civilian (reservist-captain) into ac-

tive duty and placed him on Army payroll for 2 months at the recommendation of the Jaycees.

Capt. Jim Lunz, who earlier this year had completed his required tour of duty, was ordered back into service to coordinate the whole project for the Jaycees and the 4th Army.

A G–2 officer disclosed that after conferring with Jaycee members at Fort Sam, he requested that Lunz's orders be cut. The officer also said the Jaycees came to the 4th Army early this summer, with the proposed seminar, and the 4th Army gladly agreed to promote the seminar, since it had the blessing of the mayor and the chamber of commerce.

He further stated that the Army has promoted many such seminars in Texas, acting under a directive issued by the Defense Department in 1958. This directive gives local military authorities the freedom to participate in such civilian activities, he said.

La Prensa has learned however, from reliable sources, that a G–2 officer called on officials of the Southwest Research Institute more than a year ago. The officer suggested to officials of the institute, that San Antonio needed a cold war strategy seminar similar to those held in other Texas towns. At that time nothing was said about the Jaycees sponsoring the seminar, in fact the G–2 officer stated that he was going from there to call on the chamber of commerce.

One year later, the G–2 officer returned to the institute with Jaycee representatives, and from then on the cold war strategy seminar became an Americanism seminar sponsored by the Jaycees, who listed cosponsors as 4th Army and the Southwest Research Institute. The Southwest Research Institute has from the beginning stated that it is not cosponsoring the seminar.

The question now, becomes: Who hatched the idea for the seminar in the first place, and why is the 4th Army so committed to the project—since the other San Antonio military installations are not?

The Defense Department, under Secretary Robert McNamara, has good reasons to be concerned, for as a result of a blistering 22-page memorandum from Senator J. W. FULBRIGHT, Democrat, of Arkansas, chairman of the Foreign Relations Committee, a new directive has been issued, dated July 10.

Senator FULBRIGHT'S memorandum was sent to the White House and to Secretary McNamara over a month ago, according to a report in the New York Times (dated July 21). The memorandum cited a growing pattern of high military officers, engaging in or sponsoring a variety of educational programs, seminars, and forums designed to familiarize the civilian community with problems of cold war. Such programs often veered into rightwing radicalism.

In its press release, the Jaycees stated that Communist determination to take America from within is not controversial, and a list of nonpartisan experts to speak on the subject had been invited.

The speakers who have accepted, however, have a background of extreme rightwing views and some belong to or participate in activities of rightwing organizations such as Life Line, John Birch Society, and the Anti-Communist Christian Crusade. Frank Barnett, connected with the Richardson Foundation, has not accepted but his office says that he might. The Richardson Foundation was specifically cited in the Fulbright memorandum.

The Jaycees say that general subjects to be covered at the seminar are "The Threat We Face"; "American Communist Activity"; "Collectivism in Education"; "National Sovereignty versus International Socialism," and "What Can I Do?" Dates for the meetings are September 22–24.

The Army spokesman said that it was perfectly all right for the 4th Army to participate in this program, because, after all, it wasn't political. Someone in Washington may take a different view.

[From the Indianapolis (Ind.) Star, Aug. 18, 1961]

COLD WAR TALKS HERE CALLED OFF

After working for a month on preparations for a cold war seminar at Fort Benjamin Harrison, the Indianapolis Chamber of Commerce was abruptly notified yesterday of its cancellation.

Plans for the seminar were undertaken originally at the request of the Army, William H. Book, executive vice president of the chamber, said.

The request was the result of a seminar held last year in Chicago which was pronounced such a success that the Army asked that it be held this year in all military districts, Book said.

The purpose of the program was to show the Communists' techniques in the cold war, their methods of penetration and subversion, and how to combat them.

Industrial, business, labor union, veteran, and educational leaders from throughout the State were to have been invited.

"It appears that the criticism from Senator J. WILLIAM FULBRIGHT, of Arkansas, has resulted in this cancellation," Book said. "The Army was forced to knuckle down to FULBRIGHT who opposed the program because it offered an opportunity for conservatives to express their viewpoint."

The seminar was scheduled for October and a cross section of organizations had been invited to participate, ranging from the AFL–CIO to the Indiana Bankers Association, Book declared.

Among the speakers sought were Edwin Martin, Assistant Secretary of State for Economic Affairs; Dr. Gearhart Niemeyer of the University of Notre Dame; William C. Sullivan, assistant to FBI Director J. Edgar Hoover; Dr. Charles Malik of Lebanon, former United Nations General Assembly President and now a lecturer at George Washington University; and Gen. Thomas D. White, former Air Force Chief of Staff.

"With men of that caliber, I cannot understand how there could be any fears of the consequences of the seminar," Book commented.

[From the Shreveport (La.) Journal, Aug. 14, 1961]

ANOTHER IS SCHEDULED—PENTAGON CLOBBERS LOCAL ANTI-COMMUNIST SEMINAR

A chamber-of-commerce-sponsored anti-Communist seminar which had been set for September 7–8 in Shreveport has been postponed indefinitely after a Government directive forbidding military men from participating, but the Ark-La-Tex Anti-Communist School planned for October 3–7 will open as scheduled, spokesmen announced.

The chamber event had counted on the military for some of its speakers. The October school is not involved with the military.

HAD LEGION SUPPORT

The 2-day seminar, Project Alert, proposed by the chamber's armed services committee with backing by Lowe-McFarlane Post of the American Legion and other groups, was postponed after R. G. Singleton, committee chairman, was notified by Assistant Secretary of Defense Arthur Sylvester that military personnel cannot partitcipate "in your seminar in any manner."

Sylvester quoted a directive stemming from a controversial memorandum by U.S. Senator J. WILLIAM FULBRIGHT, urging the Pentagon to stop military officers from speaking on nondefense issues. The local committee had also wanted the Armed Forces as a cosponsor of the seminar.

Mayor Clyde Fant, who had been invited to serve as chairman for the seminar, said that in view of the Washington directive and the seminar's proximity and similarity in purpose to the 4-day school the project has been postponed for the time being.

CHURCH INVITED

Meanwhile, the dozens of business, professional, and civic leaders sponsoring the Ark-La-Tex Anti-Communist School are completing their arrangements and Chairman Addison O. Wood had invited churches, civic groups, and other organizations to add their support.

The school will be conducted at Municipal Auditorium, with a total of 30 lectures planned. Additionally, the Caddo School Board has approved the group's plans for a Youth Rally Day October 3.

Among top speakers at the 4-day school will be Herbert Philbrick, former counterspy for the FBI who recorded his experiences in the book "I Led Three Lives," and Dr. Fred Schwartz, president of the Christian Anti-Communism Crusade.

Fant said the chamber program, that carried the full title of "Cold War Seminar of the Ark-La-Tex—Project Alert," is expected to be conducted at a later date. He said, however, that just how soon that might be is undetermined.

DIRECTIVE QUOTED

The directive to which Sylvester referred states:

"In public discussions, all officials of the Department should confine themselves to defense matters. They should particularly avoid discussion of foreign policy matters, a field which is reserved for the President and Department of State. This long-established principle recognizes the danger that when defense officials express opinions on foreign policy, their words can be taken as the policy of the Government." The directive was issued by Defense Secretary Robert McNamara.

[From the Richmond (Va.) Times-Dispatch, Aug. 24, 1961]

FULBRIGHT MEMORANDUM HIT

DANVILLE, August 23.—Cancellation of an anti-Communist seminar for Virginia and Maryland National Guardsmen brought an angry protest Wednesday from W. C. Daniel, president of the National Security Council of Virginia, a sponsor of the seminar.

Daniel, a member of the Virginia House of Delegates and past national commander of the American Legion, said blame for cancellation of the program—scheduled for Friday at Fredericksburg—apparently could be laid to a recent memorandum sent by Senator FULBRIGHT, Democrat, of Arkansas, to President Kennedy.

The controversial memorandum, which also went to the Pentagon, advised against attendance at such seminars by military officers.

Daniel was to have moderated a panel at the Fredericksburg seminar, plans for which were announced by the National Security Council of Virginia shortly after it was organized July 28. He also had helped arrange the speaking program.

The Danville State legislator said the Fulbright memorandum was intended to muzzle the military "and cannot help but serve the cause of the Soviet Union. * * * Our military leaders as a group are the most realistic and objective people on the Washington scene today and understand Communist intent, which Mr. FULBRIGHT does not."

The National Security Council of Virginia, which Daniel heads, was formed to increase public awareness of the Communist threat and the need for national security. It has announced plans for an autumn seminar in Richmond of the type originally scheduled for Fredericksburg this Friday.

Daniel said he hadn't been notified formally of the cancellation of the Fredericksburg seminar and could not state categorically that the action resulted from the Fulbright memorandum.

He said, however, the cancellation "bears a sharp resemblance to the intent of the memorandum and it is my judgment that it was."

NO MILITARY MEN SPEAKING

No military leaders were to have been among the speakers at the seminar. Addresses were scheduled by Dr. Paul W. Blackstock of the University of South Carolina on "The Sino-Soviet Threat"; Charles T. Vetter, Jr., of the U.S. Information Agency on "International Communications and Communism," and Frank Barnett, director of research for the Richardson Foundation, Inc., on "The Protracted Conflict."

Virginia and Maryland guardsmen at the seminar were to have come from the ranks of the 29th Division of the National Guard.

"Our military leaders recognize their responsibility to acquaint the men under their command with the enemy," Daniel said in his Wednesday statement. "They would be derelict in their duty if they failed to do so. To discredit all anti-Communists with particular emphasis on our military leaders is a prime objective of the Kremlin."

THE DECLINE OF CONGRESS—BACK-DOOR FINANCING

Mr. BENNETT. Madam President, since the Kennedy administration took office in January, we have witnessed an acceleration in the decline of the power of Congress. Executive agreements, pressures from the White House, and proposals for legislation which bypass Congress, such as the foreign aid bill and the farm bill, are all examples of this trend. One of the most serious expressions of this alarming process is the gradual willing abdication by Congress of its constitutional responsibility and control over the purse strings of the Federal Government. What is particularly shocking is the utter lack of concern shown by most Members of the Senate and the House. A Senator would probably call out the guard if a purse snatcher were to steal his wife's purse. But we turn our heads when the President gently lifts the public purse from our fingertips.

Typical of this dangerous trend toward congressional impotence is the eagerness displayed by a majority of the House and Senate to forfeit fiscal control to the executive branch by giving the President the key to the back door of the Treasury. In just 7 months this year, the Senate has approved bills which call for $27 billion in back-door spending. The House has approved $20 billion, but when the foreign aid bill conference is completed, its back-door record will be just about as bad as the Senate's.

Back-door spending takes various forms. The most common is for an agency or department of the Government to make use of public debt receipts and go directly to the Federal Treasury for its funds. Another approach is for an agency to contract to obligate funds in advanced of appropriations for the various "contract" programs. This does not do away with the appropriations process, but it reduces the function of the Committee on Appropriations to one of honoring a commitment already made. No matter what the fiscal situation, the Government's contract liabilities must be honored. Annual review of the program is thereby made meaningless.

Proponents of such spending are relying on the old adage that "what you don't know won't hurt you." However, in Government spending, hidden spending does hurt. It hurts our pocketbooks, both through tax drains and through decreased purchasing power through inflation. It completely violates the constitutional requirement that no spending of public funds shall occur without annual review by Congress.

Referring to just the type of financing handled with public debt receipts, the Senate may be surprised to know that to date the Treasury has put $140 billion of such back-door spending authorizations on the books. Of that amount, $114.5 billion has been loaned or advanced; and $25.7 billion remains to be withdrawn at the will of the agencies involved, without congressional approval.

I ask consent to have printed in the RECORD a table which summarizes these public debt transactions since they were first inaugurated in 1932. Incidentally, it was the now defunct RFC that was first given a key to the Treasury's back door.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Record of public debt transactions from June 30, 1932, to June 30, 1960

[In millions of dollars]

Fiscal year	Borrowings and other advances from Treasury	Unused balance of authority at end of year
1932	350.0	1,150.0
1933	1,235.0	2,537.4
1934	1,670.0	7,570.7
1935	825.0	5,590.4
1936	865.0	4,586.9
1937	227.0	4,997.8
1938	345.0	5,783.8
1939	426.3	6,235.2
1940	641.8	6,874.3
1941	798.2	9,374.4
1942	4,178.3	18,868.4
1943	6,969.0	15,774.7
1944	7,615.0	15,156.8
1945	4,149.0	16,810.0
1946	3,553.1	24,527.1
1947	7,346.6	21,206.2
1948	5,505.0	15,166.8
1949	5,851.0	13,473.8
1950	4,031.7	16,991.4
1951	3,780.6	17,604.9
1952	2,739.2	21,326.7
1953	4,420.4	20,006.2
1954	5,398.4	20,738.4
1955	6,224.0	19,245.2
1956	5,273.1	17,979.9
1957	6,077.7	19,834.4
1958	7,301.7	25,197.4
1959	9,958.7	25,185.7
1960	6,733.6	25,734.0
Total	114,489.6	

Mr. BENNETT. Madam President, the tempo of this spending is picking up rapidly, as shown by the $20 billion and $27 billion of such spending measures already passed by the House and Senate thus far this year.

Original presidential requests for back-door spending authority for legislation proposed this year totaled $29 billion. The major programs involved were housing with $8 billion in back-door authorizations, a 5-year foreign aid bill with $9 billion in back-door spending, and agricultural programs totaling $9 billion over a 5-year period.

Madam President, for a complete and detailed list of all the authorizations which make up this total, I refer Senators to page 16583 of the CONGRESSIONAL RECORD for August 22, 1961. Congress has not been giving the President exactly what he wants, but in my opinion we have already given him too much.

On June 1, I introduced Senate Resolution 155, which would provide that all spending authorizations must be approved by the Senate Appropriations Committee. A similar measure, House Resolution 115, has been submitted in the House by Representative PELLY. It provides that all spending authorizations on the House side must be cleared by the House Appropriations Committee.

Mr. PELLY's resolution was blocked in the revamped House Rules Committee by a vote of 8 to 6. It never reached a test in the House itself. Because of that action, I submitted my resolution on the Senate side, in an attempt to close this back-door to the Treasury by Senate action. My resolution would not require House approval, but would achieve the desired end by requiring at least the Senate Appropriations Committee to give its approval to any spending proposals.

I urge the Senate to take action on this resolution, so as to restore its rightful controls over Government spending. These controls have been continually eroded in recent years, particularly this past year, by opening up new doors to the rear of the Treasury. One open door is bad enough. However, so many doors are now being opened that we stand in danger of permitting an inflationary gale to blow through our fiscal house. If the trend continues, we might as well give a blank checkbook to the President and his departments and agencies, abolish the House and Senate Appropriations Committees, and give a souvenir rubberstamp to each Representative and Senator.

FOREIGN COMMERCE ACT OF 1961

Mr. MANSFIELD. Madam President, I move that the Senate proceed to the consideration of Calendar No. 720, Senate bill 1729.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1729) to promote the foreign commerce of the United States, and for related purposes.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments, on page 3, line 4, after the word "Act", to insert "and in addition to his authority under any other Act"; in line 11, after the word "in", to strike out "consultation and"; after line 15, to strike out:

(3) to cause such notices or advertisements to be placed in the informational

media of this country as he determines will be most helpful to domestic manufacturers and businessmen in maximizing their foreign trade opportunities and in utilizing the commercial services available to them through the various departments and agencies of the Government;

On page 4, at the beginning of line 1, to strike out "(4)" and insert "(3)"; at the beginning of line 2, to strike out "consultation and"; at the beginning of line 7, to strike out "(5)" and insert "(4)", and in the same line, after the word "to", to strike out "establish in Washington, District of Columbia, and" and insert "encourage and facilitate the establishment by private organizations and/or local government groups"; in line 10, after the word "United", to strike out "States," and insert "States of"; in line 12, after the word "United", to strike out "States, and for this purpose to acquire land, construct suitable buildings, and arrange with American industries for the exhibition of their goods" and insert "States"; after line 14, to strike out:

(6) to establish, in consultation and cooperation with the Secretary of State, a limited number of pilot projects in foreign market areas to provide warehousing and other permanent basic support facilities to aid the export operations of the United States businessmen and manufacturers, aid to provide for the eventual sale of such facilities to United States business concerns, or to associations of such concerns as authorized by the Act of April 10, 1918 (the "Webb Pomerene Act" (40 Stat. 516)), for private operation;

At the beginning of line 25, to strike out "(7)" and insert "(5)", and in the same line, after the word "to", to strike out "expand the trade mission program" and insert "organize"; on page 5, line 1, after the word "in", to strike out "consultations and"; in line 2, after the word "abroad", to strike out "joint governmental and private enterprise groups" and insert "specially qualified trade development and promotion missions from government and private enterprise"; at the beginning of line 7, to strike out "(8)" and insert "(6)", and in the same line, after the word "to", to strike out "establish, in consultation and" and insert "establish and operate, in"; in line 8, after the word "of", to strike out "State," and insert "State"; in line 10, after the word "Agency,", to strike out "United States" and insert "temporary or continuing"; in line 11, after the word "centers", to insert "and merchandise exhibit centers"; after line 14, to strike out:

(9) in consultation and cooperation with the Secretary of State (A) to undertake such market surveys and other commercial research in foreign market areas as he determines to be most useful for the expansion of United States export trade, and for such purpose to contract with such private firms or organizations, either domestic or foreign, as he may determine without regard to section 3709 of the Revised Statutes of the United States or any other provision of law requiring competitive bidding; (B) to disseminate the results of such surveys and research in such form as may be most useful; and (C) to cause such notices or advertisements to be placed in the informational media of other countries as he determines will be most helpful in making known to manufacturers and businessmen the facilities available to them through the Foreign Commerce Corps and the Department of Commerce for the purchase of American products or the sale of their own products to American importers;

On page 6, after line 8, to strike out:

(10) to compile, edit, and publish in English and such other languages as deemed necessary, a suitable periodic journal or magazine containing developments in American industry and advertisements of established American individuals, firms, or business organizations on a paid basis and to make such journal or magazine available without charge to foreign firms, individuals, and business organizations as a means of publicizing business opportunities and to attract foreign nationals to the services and facilities available through the Foreign Commerce Corps and the Department of Commerce;

After line 19, to insert:

(7) to collect, survey, analyze, and disseminate by all practical means information as to export trade opportunities, by commodity or industry and potential market areas;

At the beginning of line 24, to strike out "(11)" and insert "(8)", and in the same line, after the word "to", to strike out "expand, as he may determine," and insert "develop and organize"; on page 7, after line 5, to strike out:

(12) to make such organizational changes within the Department of Commerce and to effect such communications and operational liaison between the Bureau of Foreign Commerce, the Business and Defense Services Administration, other divisions of the Department of Commerce, the field offices of the Department of Commerce in the United States, and the Foreign Commerce Corps, as the Secretary considers necessary to directly link domestic producers with markets abroad and to expedite the flow of information between exporters or potential exporters in the United States and buyers abroad; and

At the beginning of line 18, to strike out "(13)" and insert "(9)"; on page 8, after line 2, to strike out:

SEC. 201. (a) In furtherance of the policy and purpose of this Act, there is hereby established in the Small Business Administration an Office of Liaison with the Department of Commerce. The Liaison Office shall be headed by a Liaison Officer to be appointed by the Administrator of the Small Business Administration. The Liaison Officer shall have the rank of, and receive compensation at the rate provided by law for, Deputy Administrators of the Small Business Administration. In close cooperation with the Secretary of Commerce, such Administrator is authorized, through such Liaison Office—

(1) to assign personnel to the Department of Commerce field offices in the United States for duties directly related to expanding the opportunities and facilities for the participation of small businesses in foreign commerce;

(2) when requested by the Secretary of Commerce, to undertake a program for the expansion of the number and the variety of export services provided by regional and branch offices of the Small Business Administration;

(3) to cause such notices or advertisements to be placed in the informational media of this country as he determines will be most helpful to small business in maximizing its foreign trade opportunities and in utilizing the commercial services available to it through the Department of Commerce and other departments and agencies of the Government;

(4) to represent, when requested by the Secretary of Commerce and the Secretary of State, the interests of the small businesses of the United States at international commercial treaty and other trade negotiations in which the United States Government participates, and on interagency committees, boards, or other organizations established within the executive branch to deal with foreign trade matters;

(5) in close coordination with the Department of Commerce, to disseminate trade information, for the purpose of aiding small businesses in developing and expanding their exports; and

(6) to encourage and assist small businesses in forming associations as authorized under the Webb-Pomerene Act (40 Stat. 516).

(b) Section 4(b) of the Small Business Act, as amended (15 U.S.C. 633(b)), is amended by striking the word "three" in the final sentence of such subsection and inserting in lieu thereof the word "five".

And, in lieu thereof, to insert:

SEC. 201. In furtherance of the policy and purpose of this Act, the Administrator of the Small Business Administration, in cooperation with the Secretary of Commerce and the heads of other departments and agencies of the Federal Government having responsibilities in the field of foreign trade, is authorized to foster and stimulate the interest of domestic small business concerns in foreign trade opportunities through its programs of advice and assistance to such concerns.

On page 10, line 13, after the word "the", to strike out "Bureau of Foreign Commerce" and insert "Department of Commerce"; in line 21, after the word "the", to strike out "Bureau of Foreign Commerce" and insert "Department of Commerce"; on page 11, at the beginning of line 5, to insert "Commercial"; in line 20, after the word "universities", to insert "or other public or private nonprofit institutions or associations"; in line 23, after the word "Corps", to insert a comma and "and with the concurrence of the Secretary of State, to assign or detail members of the Corps for special instruction or training at the Foreign Service Institute"; on page 13, line 5, after the word "insure", to insert "coinsure"; in line 6, after the word "against", to insert "political and commercial"; in line 13, after the word "insurance", to insert "coinsurance"; at the beginning of line 14, to strike out "and/or" and insert "and"; in line 17, after the word "such", to insert "guarantees and"; in line 18, after the word "such", to insert "guarantees and"; in line 22, after the word "Bank", to strike out "shall" and insert "is authorized and empowered to"; in line 23, after the word "such", to strike out "guarantees, insurance, or reinsurance" and insert "guarantees and insurance"; on page 14, line 6, after the word "make", to insert "such", and in the same line, after the word "guarantees", to strike out "against both political and commercial risks" and insert "and insurance"; in line 12, after the word "make", to insert "such", and in the same line, after the word "guarantees", to insert "and insurance"; in line 14, after the word "other", to strike out "currency," and insert "currency"; in line 23, after the word "determine", to insert "all the terms and conditions of the guarantee

program including, but not limited to,"; on page 15, line 1, after the word "be", to insert "guaranteed and"; in line 2, after the word 'insured", to strike out "to determine", and in the same line, after the word "charges", to strike out "to determine"; in line 3, after the word "policies", to strike out "to determine"; in line 5, after the word "guarantees", to insert "and insurance"; in line 10, after the word "guarantees", to insert "and insurance fully"; in line 11, after the word "competitive", to strike out "in all respects"; in line 14, after the word "section", to strike out "307 of this Act" and insert "309 of the Export-Import Bank Act of 1945 (59 Stat. 529)"; in line 21, after the word "of", to insert "such guarantees and"; in line 23, after the word "risk", to insert "guarantees and"; at the top of page 16, to strike out:

"(6) When any payment is made to any person or corporation pursuant to a guaranty as hereinbefore described, the currency, credits, or other assets on account of which such payment is made shall become the property of the United States Government, and the United States Government shall be subrogated to any right, title, claim, or cause of action existing in connection therewith.

After line 7, to strike out:

"(7) As used in this Act—

"(a) the word 'goods' shall mean any raw materials or manufactured goods exported from the United States;

"(b) the word 'services' shall mean all services by exporters ordinarily resident in the United States rendered in foreign countries, and shall include (A) the rendering of engineering, architectural, other technical services, the rental of leasehold property, and the licensing of intangible property rights, including patents, trademarks, and copyrights, and (B) the dollar and other currency costs of equipment, materials and total installed costs of a complete project, facility, or installation;

"(c) the words 'political risk' shall mean the risk of loss caused, in whole or part, by the occurrence of any action by a foreign government interfering with the completion of and/or the payment for the export of goods or services as defined herein in accordance with the lawful terms agreed upon by the parties thereto, within a period of time stipulated in the guaranty contract;

(d) the words 'commercial risk' shall mean the risk of loss within the period of time stipulated, caused by the occurrence of the insolvency or protracted default of the buyer; failure or refusal to accept and pay for goods or services which have been exported or contracted for export, or any other cause of loss not being within the control of the exporter or the buyer which arises for events occurring outside the United States and which is not normally insurable with insurers covering other than export credit risks and which was not caused by a political risk."; and

On page 17, line 17, after the word "from", to strike out "section 306" and insert "section 8"; after line 19, to strike out:

TITLE V—USE OF FOREIGN CURRENCIES

SEC. 501. Section 104 of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1705), is amended (1) by striking out the colon at the end of paragraph (r) and inserting in lieu thereof a semicolon, and (2) by adding after paragraph (r) a new paragraph as follows:

"(s) For financing in such amounts as may be specified from time to time in appropriation Acts, programs and projects to be undertaken in foreign countries in accordance with the Foreign Commerce Act of 1961:".

And, on page 18, in the heading, in line 7, after the word "Title", to strike out "VI" and insert "V"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Commerce Act of 1961".

STATEMENT OF POLICY AND PURPOSE

SEC. 2. It is the sense of the Congress that the peace and economic well-being of the peoples of the world increasingly depends on wider recognition, both in principle and practice, of the interdependence of men upon an expanding exchange of goods and services. The Congress finds and declares that foreign trade represents a strong and vital element in the economic leadership of the United States among free nations. It is the purpose of this Act—

(a) to provide a coordinated and augmented program of Government action to improve and expand the services necessary to assist United States manufacturers and businessmen in developing export markets;

(b) to establish, within the Department of Commerce, a professional career service to promote foreign commerce and to assist United States businessmen, both in the United States and abroad, in finding export opportunities and in expediting sales transactions;

(c) to authorize such reorganization within the Department of Commerce as is necessary to facilitate the flow of trade information betwen exporters in the United States and importers abroad;

(d) to improve the competitive position of United States exporters through the establishment of comprehensive program for the insurance of export credits against political and commercial risks.

TITLE I—EXPANSION OF SERVICES FOR EXPORT PROMOTION

SEC. 101. In furtherance of the policy and purpose of this Act, and in addition to his authority under any other Act, the Secretary of Commerce is authorized and directed—

(1) to undertake a program for the expansion of the number, and the variety of export services provided by the Department of Commerce and the field offices of the Department of Commerce in the commercial centers of the United States;

(2) to undertake, in cooperation with the Secretary of State, a program for the expansion of the number and variety of services provided to American and foreign exporters and importers by commercial attachés abroad;

(3) to establish, or make arrangements for, in cooperation with the Secretary of State, exhibits of goods produced in the United States, in major foreign trade areas, when he determines this to be advisable in the furtherance of the policy and purposes of this Act;

(4) to encourage and facilitate the establishment by private organizations and/or local government groups in selected cities of the United States of permanent centers for the exhibition of goods produced in the United States;

(5) to organize and, in cooperation with the Secretary of State, to send abroad specially qualified trade development and promotion missions from government and private enterprise, for the purpose of promoting trade;

(6) to establish and operate, in cooperation with the Secretary of State and the Director of the United States Information Agency, temporary or continuing trade information centers and merchandise exhibit centers in the principal commercial centers and trade fairs of the world, whenever he determines this to be advisable in the furtherance of the policy and purpose of this Act;

(7) to collect, survey, analyze, and disseminate by all practical means information as to export trade opportunities, by commodity or industry and potential market areas;

(8) to develop and organize the facilities of the Department of Commerce for the promotion of trade fairs (including floating exhibits of United States export commodities) and for increasing the participation of United States business concerns in international trade fairs;

(9) to organize and conduct, as determined appropriate, export promotion conferences or seminars in the major commercial centers of the United States, and through use of speakers, films, and other media, to advise businessmen of trade opportunities and of conditions in foreign countries relevant to trade promotion.

TITLE II—EXPANSION OF SERVICES BY SMALL BUSINESS ADMINISTRATION

SEC. 201. In furtherance of the policy and purpose of this Act, the Administrator of the Small Business Administration, in cooperation with the Secretary of Commerce and the heads of other departments and agencies of the Federal Government having responsibilities in the field of foreign trade, is authorized to foster and stimulate the interest of domestic small business concerns in foreign trade opportunities through its programs of advice and assistance to such concerns.

TITLE III—FOREIGN COMMERCE CORPS

SEC. 301. To effectuate the carrying out of the purposes of this Act, the Secretary of Commerce is authorized and directed to establish within the Department of Commerce a career service to be known as the "Foreign Commerce Corps of the United States" (hereinafter referred to as the "Corps").

SEC. 302. The Secretary of Commerce is authorized to prescribe regulations governing the Corps; to appoint personnel, and, with the concurrence of the Secretary of State, to assign such personnel to service abroad, and to rotate such personnel between duty abroad and duty in the Department of Commerce or duty directly related to export promotion in the field offices of the Department of Commerce in the United States.

SEC. 303. Professional staff members of the Corps shall have the designation of Foreign Commerce Officer. Officers or employees assigned or appointed to a post abroad pursuant to this title shall have the designation of Commercial Attaché, Commercial Officer, Commercial Counselor, or Commercial Minister, or such other titles or designations as are jointly agreed to by the Secretary of State and the Secretary of Commerce.

SEC. 304. Upon the request of the Secretary of Commerce, the Secretary of State shall regularly and officially attach the officers or employees of the Corps to the diplomatic mission or other Foreign Service posts of the United States in the country in which such officers or employees are assigned by the Secretary of Commerce, and shall obtain for them diplomatic privileges and immunities and afford diplomatic status equivalent to those enjoyed by Foreign Service personnel of comparable rank and salary.

SEC. 305. The Secretary of Commerce is authorized to prescribe training programs, to establish a Foreign Commerce Institute or other training facilities within the Depatment of Commerce, and to contract with universities or other public or private nonprofit institutions or associations in the United States or abroad, for training mem-

bers of the Corps, and with the concurrence of the Secretary of State, to assign or detail members of the Corps for special instruction or training at the Foreign Service Institute.

SEC. 306. The provisions of sections 602(d), 603, 604, 605, and 606 of the Act of August 28, 1954 (the Agricultural Act of 1954) (68 Stat. 908), shall apply to the members of the Corps and their functions in the same manner such provisions apply to agricultural attachés, and their functions, except that in applying such provisions to the Corps (1) the Secretary of Commerce shall have the authority given to the Secretary of Agriculture with respect to agricultural attachés, and (2) wherever such provisions refer to agriculture they shall be deemed to refer to commerce.

SEC. 307. For the current fiscal year so much of the unexpended balances of appropriations, allocations, and other funds employed by the Department of State in connection with the same functions authorized in this title, as are determined by the Director of the Bureau of the Budget or by appropriation or other law, shall be available to the Secretary of Commerce for the purposes of this title, and there are authorized to be appropriated to the Department of Commerce such additional amounts as may be necessary for the purposes of this title.

TITLE IV—EXPORT CREDIT GUARANTEES

SEC. 401. The Export-Import Bank Act of 1945, as amended (12 U.S.C. 635), is amended by:

(1) striking out subsection (c) of section 2 and inserting in lieu thereof the following:

"(c) (1) The Export-Import Bank of Washington, in furtherance of its objects and purposes under this Act, is authorized and empowered to guarantee, insure, coinsure, and reinsure against political and commercial risk of loss arising in connection with export transactions.

"(2) The Bank shall, to the fullest extent possible, utilize the services of insurance companies, financial institutions, or other private enterprises, or groups thereof in the issuance and operations of such guarantees and for this purpose the Bank may make contracts or agreements for the issuance of such guarantees, insurance, coinsurance and reinsurance with insurance companies, financial institutions, or others, or groups thereof, and may employ or contract with any of the same: to act as its agent for the issuance of such guarantees and insurance; to provide specialized technical services of underwriting such guarantees and insurance; to collect and disseminate credit risk information; and, to adjust any claims arising thereunder, subject to the further provisions of this section.

"(3) The Bank is authorized and empowered to—

"(a) make such guarantees and insurance available on a nonpreferential basis assuring participating membership and free access of all qualified insurance companies, financial institutions, or groups thereof to any central credit clearinghouse or coordinating agency which the Bank may engage as its agent;

"(b) make such guarantees and insurance available to exporters or financial institutions in their own communities, at one place, without requiring in each instance direct correspondence or communication between exporters or financial institutions and the Bank;

"(c) make such guarantees and insurance applicable to the export of goods and related services, including the dollar and other currency costs of a complete installation, facility, or project, when such installation, facility, or project is an integral part of a contract which includes the export of goods;

"(d) establish procedures designed in all respects to assist American exporters and contractors in effective competitive bidding; and

"(e) publish and make public the current policy and procedures applicable to export credit insurance.

"(4) The Bank is authorized to determine all the terms and conditions of the guarantee program including, but not limited to, the maximum amount of the total contract price for goods and related services which may be guaranteed and insured; premium fees or charges; the effective duration of insurance policies; the aggregate amount of political and/or commercial risk guarantees and insurance which may be outstanding at any one time; and to establish such operating and reserve funds, within the limits of the existing capital and reserves of the Bank, as may be necessary: *Provided*, That the Bank shall endeavor to make the program as self-supporting as may be possible; to make the guarantees and insurance fully competitive with the credit guarantee or insurance facilities offered by foreign governments or their agencies, and to include in any report submitted to the Congress under section 309 of the Export-Import Bank Act of 1945 (59 Stat. 529) a complete and separate summary of operations under this subsection including, whenever practicable, an evaluation of such operations in terms of programs of a similar nature which are being carried out by other countries doing major export business.

"(5) The Bank is authorized to modify from time to time the terms and conditions of such guarantees and insurance against political and commercial risks: *Provided*, That the terms of political risk guarantees and insurance shall be on a country basis and shall be uniformly applicable to all exports to that foreign country.

(2) Striking from section 8 thereof the date "June 30, 1963" and inserting in lieu thereof "June 30, 1968."

TITLE V—AUTHORIZATION OF APPROPRIATIONS

SEC. 501. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Mr. ENGLE. Madam President, I ask unanimous consent that the committee amendments to S. 1729 be agreed to en bloc, and that the bill as amended be considered as original text for the purpose of further amendment.

Mr. SALTONSTALL. Madam President, will the Senator from California yield before that consent is granted?

Mr. ENGLE. I yield.

Mr. SALTONSTALL. Do the committee amendments include an amendment offered by the Senator from Alabama [Mr. SPARKMAN] and me from the Committee on Small Business? I understood that the amendment was agreeable to the Senator from California.

Mr. ENGLE. The amendment is not included in the committee amendments; but, speaking as the author of the bill, I have no objection to the amendment, and when it is offered, I will agree to accept it.

My request was simply to provide a clean bill, and have it in a position for consideration.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and it is so ordered. The bill is open to further amendment.

Mr. ENGLE. Madam President, I ask unanimous consent that the figure "309" on line 14, page 15, be corrected to read "9". This is a correction of a clerical or printing error.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ENGLE. Madam President, S. 1729—the Foreign Commerce Act of 1961—is designed to promote the foreign commerce of the United States by increasing the flow of our exports to the various markets of the world. This would be accomplished by providing a number of new services, and expanding certain existing services, which the Federal Government provides to U.S. businessmen who are interested in exporting their products and services. The present Government machinery does not enable our exporters to compete effectively with their counterparts in the major trading nations, and it is my belief that this bill would provide incentives and opportunities to American business to increase our exports.

Before explaining the means and methods proposed in this bill to institute an export promotion program, I want to make it absolutely clear that there is not going to be any subsidization of our exporters. While there have been some scattered requests for subsidy, our business community has by and large opposed the use of export subsidies, requesting only that they be given Government support comparable to that supplied by other nations to their exporters. The American businessman just wants an opportunity to enter the competitive fray on an equal basis with his opponents, believing—and I most assuredly agree—that our know-how, inventiveness, and technical competence will enable us to recapture lost markets and open vast new markets for American goods and services.

Madam President, I do not for one minute believe that the decline in U.S. exports is due to any deficiency in the structure for our free enterprise system. I feel that given a chance, our exporters can return this Nation to its preeminent position as the world's greatest trading Nation.

Today, however, we do not occupy such a lofty peak. Just last week—Thursday, August 17—the Department of Commerce announced that our nonmilitary merchandise exports declined from an annual rate of about $20.2 billion in the first quarter of 1961 to about $19.1 billion in the second quarter. While the United States maintains a favorable trade balance, that is we export more than we import, the decline in the export surplus was from an annual rate of $6.7 billion in the first quarter of 1961 to about $5.4 billion in the second quarter.

Needless to say, this does not bode well for our balance-of-payments position. Based on figures for the first quarter of 1961, we would have had a deficit in gold or dollar assets of $1.15 billion in 1961, but our second-quarter figures show a deficit at an annual rate of $1.8 billion, when excluding the extraordinary repayments of loans, amount to $650 million, by Germany, the Netherlands, and the Philippines.

Madam President, the United States cannot afford to continue to have deficits in our balance of payments—as we

have had in every year of the last decade, except that of the Suez crisis in 1957—when such deficits cannot only be erased but turned into profitable balances by proper exploitation of the opportunities for increasing our exports. A witness who is well acquainted with the foreign market appeared before the Committee on Commerce to testify in support of S. 1729, and told us that by 1970 it is quite likely that the oversea markets will be two to three times as large as those in the United States, and by 1980 possibly three to four times as large. This should be compared to the situation which existed a few scant years ago, when approximately 50 percent of the total market for many manufactured goods was located in the United States. In other words, right now we here in the United States purchase and consume about half of all the world's manufactured goods in many categories, but in 10 and 20 years, the foreign markets will be purchasing two, three, and even four times as much as we do.

Madam President, the question is, How are we going to take advantage of and become a part of this tremendous world economic expansion? It is essential that we make this determination here and now, since we are today losing existing markets and watching new markets go to our competitors, and it is basic business knowledge that it is going to be much harder to capture markets from well-entrenched competitors than it would be to gain the initial footholds ourselves.

We asked the business witnesses who testified on S. 1729 to tell us what the problem is, and what we can do about it. I want to mention that the Committee on Commerce, during its study of foreign trade during the last Congress, had an opportunity to put such questions to a great number of witnesses, both here and overseas. We also sent questionnaires to members of the business community, to Government officials, to economists and trade specialists—in every instance asking what could be done to improve our trade program. I myself traveled overseas, as did other committee members, and in Asia, Africa, Latin America, and Europe, we asked foreign officials, our own Government people and members of the business community, both American and foreign, what ails our export business that we not only are unable to hold our own in foreign markets, but are in fact falling behind.

Madam President, their answers were at first surprising, but after a time we realized that from all over the United States, as well as from all over the world, the answers and replies were more than a little redundant. The complaints were basically the same, and the advice and suggestions became more and more familiar.

The two most prevalent complaints concerned the lack of a comprehensive export guarantee program and the inefficiency of our oversea commercial services. Other areas for improvement, often raised by such witnesses, concerned our oversea trade fair program and the lack of interest in the United States in export opportunities.

Madam President, I sincerely believe that S. 1729 provides answers to the major problems presently facing our exporters. I would like to discuss briefly the various sections of the bill, explaining the defects each is expected to correct and the benefits which will flow from such changes.

Title I of S. 1729 proposes an expansion of the export promotion services of the Department of Commerce, both here and abroad. This means increasing the scope of information and services available at field offices of the Department of Commerce in the United States—thereby meeting the complaint that adequate aid and information concerning export opportunities is not available except at the Department headquarters in Washington. By adding to the number and variety of services provided overseas, we would provide help and information where it is most needed, where purchases would be made by the foreign importer.

Authority is given to the Secretary of Commerce to increase the scope of our trade fair program, and to improve the operations now being provided. The complaint has been made that our trade fairs too often are limited to exhibits of extremely technical machinery and services which are far beyond the reach or needs of many of the newly developing nations. Such exhibits are fine as examples of the scientific advancements of the United States, and undoubtedly have commercial sales value in such nations as Japan, Germany, and England. But when we have trade fairs or exhibits in those nations which are only today moving toward mechanization, we should show items which have immediate sales appeal, such as shovels and hoes, simple tractors, and the like. There is room for both types of exhibits, but when we are interested in making sales to increase our exports, then we should concentrate on items that the purchaser needs and wants.

There is also authorization for the Secretary of Commerce to expand the very concept of trade fairs—to promote the establishment of permanent centers in the United States for exhibition of domestically produced goods; to send abroad trade development and promotion missions; and to establish and operate overseas both temporary and continuing trade information centers and merchandise exhibit centers.

Madam President, in title II of this bill there is authorization given to the Administrator of the Small Business Administration, acting in cooperation with other departments and agencies of the Federal Government, to foster and stimulate the interest of small business voncerns in foreign trade opportunities. Recent statistics show that less than 5 percent of our businesses have taken part in foreign trade, and that among these the participation by small businesses is extremely limited. Through its programs of advice and assistance to these small businesses, the Small Business Administration with its many field offices is in an ideal position to carry out a program of trade promotion.

I may add that a series of hearings of the Small Business Committee last year, held throughout the Nation, demonstrated a need for such aid and services by the Small Business Administration. The Committee on Commerce has attempted to coordinate its efforts in this area with the Small Business Committee, and I believe this bill is acceptable to that committee.

Title III of S. 1729 provides for the establishment within the Department of Commerce of a professional career service to be known as the Foreign Commerce Corps. Members of this group would serve as our commercial attachés and in other related offices overseas. In this way the Department of Commerce, which has the responsibility for trade promotion, would be accessible to the foreign purchaser as well as to the American exporter.

Madam President, I want it clearly understood that this transfer of the commercial attachés from State to Commerce would not alter or change the role of the Department of State in formulating the broad lines of foreign trade policy. Moreover, the commercial attachés would continue to operate overseas under the immediate jurisdiction of our ambassadors. The basic purpose of the transfer would be to place in commercial activities persons with commercial training and an interest in such work.

The comments the committee received concerning our present commercial officers overseas were particularly critical of the procedure whereby a young Foreign Service officer was assigned for a 2-year period to act as commercial attaché. He is generally unhappy about the prospect of spending this time outside of what he considers to be the main line of his endeavors—the political work. Moreover, he is not trained for commercial work, and by the time he acquires any competency from his experience, he usually has completed his 2-year tour and returns to political work. In addition, the fledgling commercial attaché has a multitude of other tasks—such as the preparation of economic reports—which prohibit any valuable work in selling our products. Mind you, there are undoubtedly exceptions to the rule, but this is, by and large, the role of our commercial attachés.

There were also complaints concerning the timelag in obtaining commercial information through our embassies, and the fact that sales are all too often lost because of the delay in being able to transmit to a prospective purchaser the information he requires. It was made clear that such services prior to 1939, when commercial attachés were still in the Department of Commerce, were superior to those achieved under the present system.

It was pointed out that there are a number of Federal agencies and departments which still have their own personnel serving overseas, including Agriculture, Treasury, Labor, and ICA, and that such a system is not only feasible for the Department of Commerce, but is even more desirable.

In short, we were told that other nations with a professional commercial service overseas give their exporters and

businessmen a distinct advantage over our people, and that this advantage was often translated into lost sales for us, and additional sales for other nations.

Madam President, S. 1729 is designed to provide our businessmen with commercial attachés who have professional training and a true interest in commercial work. Our attachés would no longer be sidetracked on odd jobs around the embassy, but could devote their full time to trade promotion and development. Under such a system, there would be a more orderly channeling of information, since there would be direct operational lines between the attaché and the Department of Commerce, and thus we would eliminate unnecessary delays in forwarding information to interested persons overseas.

This part of the bill would eliminate one of the major stumbling blocks to effective trade promotion, by providing an oversea commercial service equal to that of our competitors for foreign markets.

The other major inhibition to increasing exports, the lack of an adequate credit-guarantee program comparable to that of other major training nations, would be corrected by title IV of this bill.

Madam President, when an importer in Latin America or Africa is contemplating a purchase, he is as much interested in the credit terms available as he is in the price or quality of the goods or products involved. No matter how superior an American item may be to that produced in another country, if the buyer cannot get acceptable terms from the American, the sale will go to the other country. And this is what has been happening repeatedly all over the world. The reason for our failure can most often be found in the well-established export guarantee programs provided to their businessmen by the German, English, French, and other Governments. Our present limited program is just not competitive.

We provide, in this bill, additional authority to the Export-Import Bank of Washington to establish a comprehensive program of export credit guarantees and insurance against both political and economic risks. The Bank is authorized to make arrangements with private insurance companies and financial institutions which will enable the Bank to free itself from the technical details of actually issuing policies, but allow it to maintain control over the policy and operations.

Madam President, the Export-Import Bank needs this authority and needs it right now to enable it to establish this program. Every day of delay means that many more sales lost because of the lack of credit terms our competitors can and do offer. On August 18, former Gov. George Docking, now a Director of the Export-Import Bank, wrote to the chairman of the Commerce Committee urging passage of legislation giving the Bank the needed authority. I ask unanimous consent to have the letter printed at this point in the RECORD, in connection with my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EXPORT-IMPORT BANK OF WASHINGTON,
Washington, August 18, 1961.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce, U.S. Senate.

DEAR SENATOR MAGNUSON: In February of this year the President directed the Export-Import Bank to develop a new program to place U.S. exporters on a basis of full equality with their competitors in other countries. In compliance therewith the Bank has been conducting negotiations which look toward the creation of an association of insurance companies which will issue comprehensive export credit insurance.

To assist in bringing these negotiations to an early and successful conclusion, the Bank considers it necessary to have legislation enacted in this session of Congress which will clarify the Bank's authority to guarantee, insure, coinsure, and reinsure against risks of loss arising in connection with export transactions; and to extend the life of the Bank from June 30, 1963, to June 30, 1968. As you know, title IV of S. 1729, introduced by Senator ENGLE and reported favorably by the Committee on Commerce, would accomplish these purposes.

We want to take this opportunity to express our hope that Congress will pass such legislation in this session, as it would be of assistance to the Bank in its efforts to place U.S. exporters on a basis of full equality with their competitors.

The Bank also needs legislation authorizing it to establish a reserve equal to 25 percent of the Bank's contractual liability in connection with such export guarantees and insurance. It would be of considerable aid to the Bank in developing its export credit guarantee program if such a provision could be added as an amendment to S. 1729.

We want to take this opportunity to thank you and the Committee on Commerce for your efforts on behalf of this program.

Sincerely,

GEORGE DOCKING,
Director.

Mr. ENGLE. Madam President, that, in summary, is the content of S. 1729. There can be no doubt that there is a need for legislation to improve and implement our export program. The benefit of increased exports to our economy is understood by all. This bill proposes no radical changes, or the institution of subsidies or vast spending programs.

The Foreign Commerce Act of 1961 will provide inestimable aid to our businessmen and exporters by allowing them to compete effectively with other nations. Should we delay in taking such action, we risk the permanent loss of additional foreign markets.

Our domestic economy would benefit immensely from the "shot in the arm" that increased exports would bring about. There would be greater employment and increased earnings, which in turn would produce more tax revenue.

Madam President, I can conceive of no reason why this bill should not receive favorable action, while realizing full well how expensive further delay would be. I urge the Senate to quickly come to grips with this problem by passing S. 1729.

I yield to the Senator from Florida.

Mr. SMATHERS. Madam President, the pending measure of which I am a cosponsor is, in my opinion, one of the most important pieces of legislation to come before the Congress.

We have long recognized the importance of a favorable balance of trade to the Nation's economy. We all realize that in the past few years the United States has suffered from a continuing loss of gold and dollar reserves. We are also conscious of the fact that this loss is not yet appreciably halted. The latest estimate for 1961 is that there will be a deficit of about $1 billion.

While this represents a considerable improvement over the $3.5 to $4 billion losses incurred during the years 1958, 1959, and 1960, we are by no means "out of the woods."

Because of the continuance of our massive economic and military aid programs, there must be a substantial increase in U.S. exports—which presents the only feasible means of recouping these dollars and achieving a favorable balance of trade.

I joined in sponsoring S. 1729 since this measure provides for a well-considered program for increasing our exports. When I say "well considered," I refer to the fact that during the 86th Congress, the Committee on Commerce conducted an extensive study into all aspects of foreign trade. As chairman of the Subcommittee on Latin American Trade, I made a trip to 10 countries in Central and South America to assess the trade situation and submitted a report to the chairman of the committee making a number of suggestions for improving our trade relationship with our Latin American neighbors. Many of these were endorsed by other committee members who had made similar field trips to other parts of the world.

To make our exporters competitive with their counterparts in other trading nations, it is essential that Congress act immediately to establish a credit insurance or reinsurance program comparable to those now in existence in Western Europe and elsewhere. These guarantees would enable American firms to meet the credit competition of Western European, Japanese, and Canadian exporters who are now making significant inroads in world markets, not because they offer better quality goods or lower prices but simply because they can grant more favorable terms than those which U.S. firms can reasonably extend.

In addition, a system of full-time commercial attachés, adequately trained in the intricacies of the governmental labyrinth capable of giving knowledgeable advice when it is solicited on where and how things are done, is of equal importance. These men should have sufficient help so that they are able to investigate trade conditions in the field instead of being chairbound by the demands of their job. The great need is for a catalyst to bring together existing opportunities and the businessmen who can make the most of them. To date, this country has been too little interested in this kind of trade promotion. Trade fairs are fine and we should have more of them. They do much good. But they are only part of the job which must be done.

Legislative action instituting a comprehensive credit guarantee program and establishing a professional career service of commercial officers is before us today in the pending bill.

Our trade position presently is not improving. In fact it is deteriorating. In Latin America, our percentage of the market has been going down every year, while our competitors in Western Europe and Japan have been rapidly increasing their proportionate shares. I doubt that I have to remind the Senate of the inroads now being made by the Sino-Soviet bloc in their efforts to attain economic domination of the underdeveloped nations to the south.

Khrushchev and Mao export hard goods as well as political propaganda. Their commercial officers are both enthusiastic and well-trained trade technicians. They have made astonishing inroads into the economic patterns of Latin America. Our newspapers carry new articles every day of the Russian and Chinese trade missions visiting Central and South America, and of the reciprocal missions sent to Moscow and Peiping.

I was told time and time again by Latin American statesmen, officials, and businessmen that they prefer our goods, products, and services—but that they all too often cannot obtain the favorable credit terms offered by foreign exporters. In some instances they were unable to get sufficient technical information from our embassies concerning our exports.

I will tell the Senate that our businessmen and exporters are doing an A–OK job in their efforts to increase foreign sales, but are shackled by a lack of Government support which their competitors have long since enjoyed.

The provisions of S. 1729 will break those shackles and free U.S. exporters to effectively compete in every foreign market. I do not believe I am too optimistic when I state that I sincerely believe American business with its ingenuity and a little old-fashioned "go get them" salesmanship—will soon be able to turn the tides and rapidly increase our exports to every corner of the world.

I would like to also point out that substantial domestic benefits flow from increased exports. In addition to correcting our balance of payments, new markets and a new demand for goods and services require increased productivity—which in turn means more jobs.

Transporting our exports to such markets would give a well-needed boost to our transportation system—trains and trucks could bring goods to embarkation points. Ships and planes could carry these goods to foreign shores. The economy of every State would benefit from an export promotion program which the pending bill contemplates.

Needless to say, my own State of Florida would reap part of this harvest. Providing the gateway to Latin America, I would expect that the economy of Florida would benefit considerably from any increase in exports to that area. First of all, products and goods manufactured or grown in my State would have an advantage over those from other areas, because of proximity and the corresponding decrease in transportation costs. Moreover, our ports and airports would logically serve as embarkation points for much of the increased traffic. There would be new money in circulation and new employment opportunities in providing the necessary goods and services.

I want to stress the point that the entire Nation will benefit from the export promotion program envisaged by S. 1729—the Foreign Commerce Act of 1961. I hasten to add that we cannot delay, lest other nations capture markets which would otherwise be ours. We must act now, and act decisively to get this program underway. Our exporters are not requesting a subsidy—but an opportunity to effectively compete in the foreign markets, free of the restrictive chains now hobbling their efforts. I urge that the Senate give its support to this program by acting favorably on S. 1729.

Mr. SALTONSTALL. Madam President——

Mr. ENGLE. I yield.

Mr. SALTONSTALL. I offer an amendment which I understand is acceptable to the Senator from California, who is in charge of the bill. The amendment is offered by me, on behalf of the Senator from Alabama [Mr. SPARKMAN] and myself, the two senior members of the Select Committee on Small Business.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to strike out subsection (8) of section 101, title I, and to insert in lieu thereof the following:

(8) to develop, organize, promote, and conduct a program of trade fairs and floating trade fairs, designed to show and sell the products of United States business, and agriculture, large and small, in the commercial centers and ports of the world, said program to include the acquisition, conversion, construction or lease of a suitable vessel or vessels, and the operation thereof by the Government or private enterprise in such manner as the Secretary may deem most economical and effective in carrying out the purposes of this Act;

Mr. SALTONSTALL. Madam President, I understand this amendment is acceptable.

I ask unanimous consent to have printed at this point in the RECORD a brief statement on behalf of the Senator from Alabama [Mr. SPARKMAN] and myself.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATORS SALTONSTALL AND SPARKMAN

I am happy to join with my distinguished colleague from Alabama, the chairman of our Small Business Committee, in offering this important amendment to S. 1729. And I am grateful to the Senator from California, Mr. ENGLE, for accepting it.

This new legislation mentions trade fairs in passing, but we feel that a subject of such great importance to our foreign commerce deserves more attention, deserves clearer authority.

Senator SPARKMAN and I joined in the filing of S.J. Res. 73, and the adoption of our amendment will accomplish the same purpose. We also joined in sponsoring S. 1379, a major provision of which called for an Office of Foreign Trade in the Small Business Administration. I am delighted to report to the Senate that this idea has been approved already by that agency, and is in operation without further statutory direction. This Office can greatly expand the usefulness of this agency, particularly in encouraging small business participation in world trade.

We feel that floating trade ships can be of great value also to U.S. businesses, large and small.

I am delighted that the Senator from California agrees that this amendment is a helpful addition to his bill. I wish to thank him for his cooperation in this matter.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts.

The amendment was agreed to.

Mr. ROBERTSON. Madam President, I submit amendments which I send to the desk and ask to have stated. The amendments follow the text of Senate bill 2325, which was introduced by me on behalf of myself, the Senator from Indiana [Mr. CAPEHART], the Senator from Alabama [Mr. SPARKMAN], the Senator from Connecticut [Mr. BUSH], the Senator from Pennsylvania [Mr. CLARK] and the Senator from New York [Mr. JAVITS]. They would write into S. 1729 the 25-percent-reserve provisions in S. 2325, thereby making title IV of S. 1729 the same in substance as S. 2325.

Madam President, I ask unanimous consent to have printed at this point in the RECORD a letter I have received from the Chairman of the Export-Import Bank of Washington, indicating why he favors the additional provisions of Senate bill 2325, which I am now offering as amendments to the pending bill.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EXPORT-IMPORT
BANK OF WASHINGTON,
Washington, D.C., August 21, 1961.

DEAR SENATOR ROBERTSON: In compliance with the President's directive to the Bank to place the U.S. exporters on a basis of full equality with their competitors abroad, the Bank has been conducting negotiations which look toward the creation of an association of insurance companies which will issue to exporters comprehensive export credit insurance. We anticipate that the private insurance companies soon will agree on the formation of such an association. In order to assist in bringing these arrangements to a successful conclusion, the Bank considers it necessary to have legislation enacted in this session of Congress which will (a) clarify the Bank's authority to guarantee, insure, coinsure, and reinsure against risks of loss arising in connection with export transactions, (b) authorize the Bank to establish a reserve equal to 25 percent of the Bank's contractual liability in connection with such guarantees and insurance, and (c) extend the life of the Bank from June 30, 1963, to June 30, 1968.

S. 2325 which you introduced, and H.R. 8381 introduced by Congressman SPENCE, cover all of these three points. S. 1729, as reported by the Committee on Commerce, covers points (a) and (c).

We wish to take this means of expressing our hope that Congress will pass legislation in this session which will accomplish the three purposes described above. The enactment of such legislation will evidence congressional support of the Bank's efforts to provide expanded export credit guarantees in cooperation with private insurance companies, and will thus be of considerable as-

sistance in placing U.S. exporters on a basis of full equality with the competitors abroad.

Sincerely yours,

HAROLD F. LINDER.

The PRESIDING OFFICER. The amendments will be read.

The LEGISLATIVE CLERK. On page 13, it is proposed to strike out line 7, and insert in lieu thereof the following: "arising in connection with export transactions: and to establish and maintain fractional reserves in connection therewith. The reserves maintained by the Bank for the guarantees, insurance, coinsurance or reinsurance issued pursuant to this section shall be not less than 25 per centum of the related contractual liability of the Bank. Insofar as contracts of guarantee, insurance, coinsurance, and reinsurance are concerned, only that part of the Bank's liabilities represented by reserves provided for above shall be taken into account for the purposes of applying the limitations imposed by section 7 of this Act."

On page 15, lines 6 through 8, strike out "; and to establish such operating and reserve funds, within the limits of the existing capital and reserves of the Bank, as may be necessary".

The PRESIDING OFFICER. Without objection, the two amendments submitted by the Senator from Virgina will be considered en bloc.

The question is on agreeing to the amendments of the Senator from Virginia.

Mr. JAVITS. Madam President, I hope the Senate will understand the real importance of what is being done here today, both by means of the splendid initiative undertaken by the Senator from California [Mr. ENGLE] in accepting the provisions of Senate bill 1729, and by means of the equally critical change being made by means of the amendments submitted by the Senator from Virginia [Mr. ROBERTSON].

When we rush through legislation—and I do not say that invidiously—we have a tendency to fail to recognize its purpose and its critical importance.

Madam President, the bill the Senator from California is presenting to the Senate today relates in a most important way to the export trade of the United States, which amounts to almost $20 billion a year, and determines the employment in the United States of between 4 million and 5 million persons. The amendments which the Senator from Virginia [Mr. ROBERTSON] has submitted—and I understand that the Senator from California will accept them—put the Export-Import Bank for the first time in an effective position to enable our export trade to compete with the export trade of the United Kingdom, France, Germany, Belgium, Holland, Japan, and the other industrialized nations of the world, by enabling the Export-Import Bank effectively—and I think the RECORD should show precisely what that means—to guarantee and insure export credits, both short term and long term, with a heavy emphasis upon insuring against political risks, but also taking some of the commercial risks, and permitting the Export-Import Bank to back up such guarantees and insurance with a 25-percent capital reserve, thereby giving the Bank increased ability to make such guarantees.

This is to be done in cooperation with a large number of U.S. banks and insurance companies which, in cooperation with the Export-Import Bank, will handle these credits. In addition, the life of the Export-Import Bank will be extended 5 years, from 1963 to 1968—which is necessary in order to enable the Bank to undertake so momentous and sizable a program.

Of course all of us want the bill to be enacted. There is some dispute as to the utilization of diplomatic officials who are particularly concerned with commerce. The Senator from California would prefer to have them treated in one way; others prefer another way. But in my opinion that point is not critical to the bill.

What is critical is the enactment of the bill. We want it enacted. But if it is not enacted, at least let the RECORD show clearly that at the very least the substance of the amendments of the Senator from Virginia must become law, because they are indispensable to the expansion of our trade and, indeed, to enabling the export trade of the United States to compete with the export trade of the other industrialized nations of the free world.

Mr. ENGLE. Madam President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. ENGLE. I agree completely with the statement the Senator from New York has made.

I should like to add that the amendments offered by the Senator from Virginia make the bill we have brought forward conform, insofar as the Export-Import Bank provisions are concerned, with the bill which his committee separately and individually reported.

I recognize that there are some problems in regard to other aspects of this legislation.

I hope that when the bill is passed, the Senate thereafter will pass the more limited bill of the Senator from Virginia, so that both bills will be before the House of Representatives. Then, if there is difficulty in proceeding with the overall legislation, at least the parts relating to the Export-Import Bank—regarding which the bills will conform when these amendments are adopted—at least a bill can be acted on, because of the emergency nature of those requirements.

I appreciate very much the contribution made by the Senator from New York and the cooperation and contribution of the Senator from Virginia.

Mr. MAGNUSON. Mr. President, will the Senator from California yield?

Mr. ENGLE. I yield.

Mr. MAGNUSON. I wish to compliment the Members of the Senate who are engaging in this task, particularly the Senator from California and the other Members who have been most active in this work.

The Commerce Committee made a long and exhaustive study of the entire matter of foreign commerce, during the last 2 years. That work was well done. Many suggestions were made by the staff to the committee members; and this bill carries out some of the more important recommendations.

While we were making the study in the field of foreign commerce, we kept running into the situation caused by the balance-of-trade deficit. This measure is one of the positive approaches to that problem, as the Senator from New York has pointed out.

Another major problem we encountered in connection with our foreign trade study was the matter of export credit guarantees and insurance. In that connection, American exporters have had no chance to compete with other exporters whose governments provided such guarantees.

After our study was completed, the Export-Import Bank proceeded, by means of executive action, to ease the restrictions on export guarantees and to lessen the difficulties involved. It did what it could in that connection, but those steps did not result in what was needed or desired. The desired result can be obtained only by following the proposals these Senators have made.

The study by the Committee on Commerce has already resulted in the approval of the travel bill, in which the Senator from New York and I have been interested; and the bill now before the Senate is the outcome of another of the recommendations.

I wish this to be shown in the RECORD, because sometimes Congress is criticized for making studies, holding inquiries into various problems, hearing witnesses, arriving at conclusions, drawing up reports based on that long, detailed process, and then permitting the reports to lie in pigeonholes. Here is one case in which the Commerce Committee started a study a long time ago, even before we had this serious problem of balance of payments. The bill of the Senator from California is very positive evidence of doing something about this problem in the United States.

Mr. JAVITS. Madam President, I wish to yield to the chairman of the Committee on Banking and Currency, [Mr. ROBERTSON], so he may put some necessary papers into the RECORD, and I ask unanimous consent that I may then regain the floor, as I have some other remarks to make.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTSON. Madam President, when we complete action on the pending bill, I am going to ask that we call up S. 2325, which is in substance the same as title IV of S. 1729, as revised by the amendment we have just adopted to the pending bill, and which has been explained by the distinguished Senator from New York.

In the pending bill, as revised by my amendment, and S. 2325, the essential part is to guarantee exporters' accounts in other countries against special risks. There are insurance companies ready and willing to guarantee an exporter's account against ordinary commercial risks, but they want the Government to back them up, particularly in the case of political risks, such as expropriation and currency revaluation.

I ask unanimous consent to have printed in the RECORD reports of agencies,

which were unanimous in their action, and a statement indicating the purpose and meaning of the bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

S. 2325 would amend the provisions of the Export-Import Bank Act of 1945 which relate to export credit guarantees, by clarifying the provisions relating to insurance of exports so as to make it clear that the Export-Import Bank is authorized to insure, coinsure, and reinsure against risks of loss arising in connection with export transactions, and by authorizing the Bank to establish fractional reserves in connection with such export guarantees in the amount of at least 25 percent of the related contractual liability of the Bank. In addition, S. 2325 would extend the expiration date of the act from June 30, 1963, to June 30, 1968.

These amendments would make it possible for the Export-Import Bank to provide greater assistance to U.S. exports through an expanded program for insuring or guaranteeing such exports. Under the provisions of S. 2325, the Bank would be in a position to provide assistance to American exporters fully equivalent to those provided to exporters of other nations. The assistance so provided would help to solve the balance-of-payments problem of the United States by increasing exports. These added exports would be of benefit to the domestic economy and to our international interests.

HISTORY OF THE LEGISLATION

The Export-Import Bank was originally established in 1934. Its charter has been amended from time to time, and its powers and financing increased by legislation reported from the Banking and Currency Committee. The Export-Import Bank was completely revised by the Export-Import Bank Act of 1945, following hearings before this committee. In 1953, the committee made a thorough study of the Bank's operations in Latin American countries and filed an extensive report (S. Rept. 1082, 83d Cong.). This study, together with other hearings before this committee in connection with S. 3589, 83d Congress, resulted in the Export-Import Bank Act Amendments of 1954, which reorganized the Bank. And most recently, its lending authority was increased from $5 billion to $7 billion, and its authority to borrow from the Treasury was increased from $4 billion to $6 billion by Public Law 85-424, approved May 22, 1958. The previous year, the Export-Import Bank's duration was extended from June 30, 1958, to June 30, 1963, by Public Law 85-55, 86th Congress.

Subsection (c) of paragraph 2 of the Export-Import Bank Act authorizes the Bank to provide insurance for U.S. exports against certain political kinds of risks. This section was added to the act by Public Law 30, 83d Congress, approved May 21, 1953. This bill originated in S. 1413, introduced by Senator Maybank, for himself and Senator CAPEHART, and reported to the Senate by Senator BUSH (S. Rept. 169, 83d Cong.) after hearings had been held by this committee. Export insurance was again under consideration by the committee in 1956, when hearings were held on S. 2256, 84th Congress, introduced in 1955 by Senator FULBRIGHT, then chairman of the committee.

Recently several studies have been made which have indicated the need for increased programs to assist U.S. exports. The Senate Select Committee on Small Business held hearings in New York, New Orleans, and San Francisco in November and December 1960, on the subject of small business exports and the world market. A report was filed by Senator SPARKMAN for the select committee on March 27, 1961 (S. Rept. 89, 87th Cong.). This report recommended that additional export credit insurance should be provided by the Bank. The Committee on Interstate and Foreign Commerce made an extensive study of foreign commerce and held hearings on export credit guarantees in April of 1960. This study also disclosed the importance of export credit guarantees to U.S. exports and the need for increasing this program.

In his message on the U.S. balance of payments (H. Doc. No. 84, 87th Cong.), the President listed among the necessary measures, to correct the basic payments deficit and achieve longer term equilibrium, export guarantees and financing. He stated:

"4. Export guarantees and financing: Our Export-Import Bank must play an increasingly important role in our export promoton efforts. Last year the Export-Import Bank announced a widening of the facilities which it offers for extending credit to American exporters. Despite the improvements made, these facilities are not yet adequate, nor are they comparable to those offered by foreign countries, especially those offered to small- and medium-sized exporting concerns and those offered for the financing of consumer goods. I am directing the President of the Export-Import Bank, by April 1, to prepare and submit to the Secretary of the Treasury, as Chairman of the National Advisory Council on International Monetary and Financial Problems, a new program under the Export-Import Bank to place our exporters on a basis of full equality with their competitors in other countries. Also, I have asked the Secretary of the Treasury to initiate and submit by the same date a study of methods through which private financial institutions can participate more broadly in providing export credit facilities."

In accordance with the President's recommendations and following up on the recommendations of congressional groups, the Export-Import Bank has been working to develop programs for export credit insurance. The Bank has been holding meetings with insurance companies and others in the field in order to institute such a program. The Bank has reported that legislation along the lines of S. 2325 would be of great assistance in establishing such an insurance program.

Several bills have been introduced in the 87th Congress which would strengthen the Bank's authority in this field. Two of these bills, S. 852 and S. 1729, which contain numerous provisions other than those relating to credit insurance, were referred to the Commerce Committee which has now reported out S. 1729, as amended (S. Rept. 744, 87th Cong.). As reported, title IV of S. 1729 would clarify the authority of the Export-Import Bank in the field and extend its existence. Title IV of S. 1729 does not contain the provision for a 25-percent reserve for the credit insurance program. An amendment to S. 1729 has been introduced which would accomplish this.

Other bills in this field have been referred to the Banking and Currency Committee because of its jurisdiction over the Export-Import Bank—S. 1379, S. 2264, and S. 2325.

The committee has received from the President of the Export-Import Bank a letter, dated August 21, 1961, strongly urging legislation along the lines of S. 2325 at this session of Congress. Upon receipt of this letter, S. 2325 was considered by the committee and ordered reported.

The above letter from the Export-Import Bank and other favorable reports on the bill are printed below as part of this report.

DEPARTMENT OF STATE,
Washington, D.C., August 25, 1961.

Hon. A. WILLIS ROBERTSON,
Chairman, Committee on Banking and Currency.

DEAR MR. CHAIRMAN: The Department of State appreciates the opportunity to provide you with its comments on S. 2325 now pending before the Senate Banking and Currency Committee.

While recognizing that the bill is of primary concern to the Export-Import Bank, the Department is pleased to state that it fully concurs in the amendment which would: (1) Authorize and empower the Export-Import Bank to (a) guarantee, insure, coinsure, and reinsure against risks arising in connection with export transactions; and (b) establish and maintain fractional reserves, not less than 25 percent of the related contractual liability of the Bank, in connection therewith; (2) permit the Bank to issue such guarantees, insurance, coinsurance, and reinsurance to or with exporters, insurance companies, financial institutions, or others, and where appropriate employ any of the same to act as its agent in the issuance and servicing of such guarantees, insurance, and reinsurance, and the adjustment of claims thereunder; and (3) provide for the continuation of the Export-Import Bank for an additional 5 years, that is, until June 30, 1968.

The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this report for the consideration of the committee.

Sincerely yours,

BROOKS HAYS,
Assistant Secretary
(For the Secretary of State).

TREASURY DEPARTMENT,
Washington, D.C., August 25, 1961.

Hon. A. WILLIS ROBERTSON,
Chairman, Banking and Currency Committee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request of July 28, 1961, for the views of this Department on S. 2325, to amend the Export-Import Bank Act of 1945.

The first section of the proposed legislation would amend section 2(c) of the Export-Import Bank Act of 1945 to specifically authorize the Export-Import Bank to establish a guarantee and insurance program to assist the expansion of U.S. exports. It would also authorize the bank to participate with private institutions in the extension of such insurance and guarantee facilities and would provide for the establishment by the Bank of fractional reserves of not less than 25 percent of the bank's contractual liabilities on account of any guarantees, insurance, etc., issued pursuant to the section. For the purposes of applying the limitations on the lending authority of the Bank imposed by section 7 of the Export-Import Bank Act, only that part of the bank's liabilities on such contracts of guarantee, insurance, etc., which is represented by such reserves, would be taken into account. The second section of the proposed legislation would provide for the extension of the termination date of the Export-Import Bank from June 30, 1963, to June 30, 1968.

The first section of the proposed legislation would carry out a recommendation made by the President in his balance-of-payments message to Congress of February 6, 1961, that as part of our program for achieving equilibrium in our basic balance of payments through the promotion of exports, the facilities of the Export-Import Bank for extending credit to American exporters should be widened with a view to placing our exporters on a basis of full equality with their competitors in other countries.

With regard to the second section of the bill, which extends the termination date of the Export-Import Bank, the Treasury Department is of the opinion that the financial facilities afforded by the Bank have played an important role in promoting the foreign trade of the United States and in the development of our foreign economic policy.

The Department further believes that the facilities of the Bank will be needed for these purposes during the period indicated in the legislative proposal.

Accordingly, it is recommended that this proposal be given favorable consideration.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this report to your committee.

Sincerely yours,

ROBERT H. KNIGHT,
General Counsel.

EXPORT-IMPORT BANK
OF WASHINGTON,
Washington, D.C., August 21, 1961.

Hon. A. WILLIS ROBERTSON,
Chairman, Banking and Currency Committee, U.S. Senate.

DEAR SENATOR ROBERTSON: In compliance with the President's directive to the Bank to place U.S. exporters on a basis of full equality with their competitors abroad, the Bank has been conducting negotiations which look toward the creation of an association of insurance companies which will issue to exporters comprehensive export credit insurance. We anticipate that the private insurance companies soon will agree on the formation of such an association. In order to assist in bringing these arrangements to a successful conclusion, the Bank considers it necessary to have legislation enacted in this session of Congress which will (a) clarify the Bank's authority to guarantee, insure, coinsure, and reinsure against risks of loss arising in connection with export transactions, (b) authorize the Bank to establish a reserve equal to 25 percent of the Bank's contractual liability in connection with such guarantees and insurance, and (c) extend the life of the Bank from June 30, 1963, to June 30, 1968.

S. 2325, which you introduced, and H.R. 8381, introduced by Congressman SPENCE, cover all of these three points. S. 1729, as reported by the Committee on Commerce, covers points (a) and (c).

We wish to take this means of expressing our hope that Congress will pass legislation in this session which will accomplish the three purposes described above. The enactment of such legislation will evidence congressional support of the Bank's efforts to provide expanded export credit guarantees in cooperation with private insurance companies, and will thus be of considerable assistance in placing U.S. exporters on a basis of full equality with their competitors abroad.

Sincerely yours,

HAROLD F. LINDER.

THE SECRETARY OF COMMERCE,
Washington, D.C., August 25, 1961.

Hon. A. WILLIS ROBERTSON,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further reply to your request for the views of this Department with respect to S. 2325, a bill to amend the Export-Import Bank Act of 1945; and S. 2264, a bill to provide for the continuation of the Export-Import Bank for an additional 5 years.

S. 2325 would authorize the Export-Import Bank to guarantee, insure and reinsure directly, by coinsurance or through insurance companies or financial institutions against risks of loss from export transactions. It would also authorize the Export-Import Bank to establish and maintain fractional reserves in connection with such guarantees or insurance. Finally, it would extend the Bank's authority from June 30, 1963, to June 30, 1968. S. 2264 would accomplish only the last purpose.

The Export-Import Bank has, over the years, performed an extremely useful function in financing the export of American products. With the institution of the export expansion program in the spring of 1960, it broadened the scope of its activities, developed procedures for closer relations with commercial banks, and put into operation a system of political risk guarantees of short-term export transactions. These changes in policy greatly increased the usefulness of the Bank to the export community and contributed to the initial successes of the export expansion drive.

In the light of the experience of the last half of 1960, the President directed the Export-Import Bank to institute policies and procedures which would make the credit and credit guarantee facilities offered our exporters second to none. In fulfillment of this directive, the Export-Import Bank announced on March 24 a series of changes in policy which would serve to make its financing activities available to more exporters and at the same time eliminate a good many of the delays which had detracted from the usefulness of these facilities. Simultaneously, it announced that it was working on plans for comprehensive guarantees of export transactions in collaboration with insurance companies and other private institutions.

S. 2325 would be very helpful to the Bank in concluding and administering the kind of arrangements with insurance companies, banks, and other financial institutions which are necessary if its announced policies are to be fully effective.

While the authority to guarantee, insure, coinsure, and reinsure, either directly or through agents, would seem to be implicit in the broad grant of authority which the Congress has already made to the Bank, it is desirable that these powers be made explicit. The explicit statement of powers would contribute to the success of the arrangements which the Bank is undertaking, and would represent an express congressional approval of the course of action which the Bank is pursuing. The authority to maintain fractional rather than full reserves would be consistent with usual business practice and the practice which the Congress has authorized in the case of the Development Loan Fund and International Cooperation Administration guarantee systems. Finally, the early extension of the Bank's life would place it in a better position to develop the kind of long-range program for assisting American exporters with their financial problems which is so necessary under our present circumstances.

In the event that the Congress passes S. 2325, S. 2264—which is identical with section 2 of S. 2325—would be unnecessary.

In view of the considerations briefly outlined above, this Department, which is charged with the major responsibility for expanding our exports, strongly endorses S. 2325.

The Bureau of the Budget advised there would be no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

EDWARD GUDEMAN,
Under Secretary of Commerce.

Mr. ROBERTSON. Madam President, after we finish acting on the pending bill, I shall ask unanimous consent to bring up S. 2325.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from Virginia.

The amendments were agreed to.

Mr. JAVITS. Madam President, first let me express my gratification at the way in which two committees can get along. I wish to congratulate both my colleagues from Virginia and Washington, as well as the floor manager of the bill. There could have been a real collision between these two very important Senate committees, but through the intelligent way in which it has been handled not only has that been avoided, but the cause, which is the important thing, has been forwarded.

I think I would be remiss in my duty, because of my deep concern in this question, if I did not call attention to the fact that this is a bill for export promotion. Also, I bring attention to the fact that nobody can buy from us unless they sell to us. So let those who have stood on the floor here inveighing against the competition of imports bear in mind that when we pass a bill like this, which is vital to the economy of our country, also undertake to understand the importance of the export situation which affects our country.

I have a bill pending with the Senator from New Jersey [Mr. CASE], which relates to the problems of imports into the United States and endeavors to find some way of dealing with the problem where the concentration of imports has materially harmed American business. I know we shall be into the subject up to our ears in connection with the extension of the Reciprocal Trade Agreements Act, and I shall not detain my colleagues with a statement on it this afternoon, except to point out, and it is inherent in this debate, that as we strive to move toward the step which is embodied in the bill from the Banking and Currency Committee, and the bill of the Senator from California, we are taking a big step forward in relation to expanding American exports, with the enormous implication of range that it has in domestic employment, aid to underdeveloped areas, in terms of good will to the whole world, and in the facilitation of our own place in the world in terms of our own prestige. But this involves our having imports, and let us not forget it.

Madam President, in that connection, it not only involves the import problem, as to which the Senator from New Jersey [Mr. CASE] and I recommend the idea of adjustment assistance—as I say, we will come to that in another debate—but it also involves the opportunity for imports. Included in that opportunity is the opportunity for foreigners to show their wares in our own country.

S. 1729 has a fine provision with respect to encouraging our participation in trade fairs abroad as a part of our export expansion. I had hoped to go further and to have the proposal for an export commission adopted, but that can be done by Executive action, so I am not too despondent by its omission.

As the Senator from California [Mr. ENGLE] has said, there are enough problems involved without taking on another one.

I am sorry title 5 was stricken out, the intention having been to utilize counterpart funds piled up under Public Law 480, the Agricultural Trade Act under which we sell so much of our produce abroad in return for counterpart currencies, and also to expand our exports.

A correlative aspect of it would be an opportunity for foreigners also, utilizing these piled up currencies, which now run into billions of dollars in face amount, to send trade exhibitions and trade fairs

to our country, thus stimulating the two-way intercourse which is the very essence of the life of trade.

The committee did not see fit to include that title. I can understand why. I utilize this time merely to express the hope that the committee will not relinquish its study of the problems of counterpart currencies, so that they may be used going both ways, to develop our exports as well as the opportunity for foreigners to show their wares in this country, so that those currencies may not go down the drain.

That provision is not included in the bill. I understand why, but I call attention to that fact.

The bill has one other purpose. Again I hope the people of our country will pay strict attention to this situation. We are about to have, because diplomatically it seemed wise to encourage it, far greater competition in respect of export trade than we have ever had before in terms of the European Economic Community, otherwise known as the Common Market, which is going to be expanded by the inclusion of Great Britain. It is estimated that 25 percent of our total exports will now be moving into the European Economic Community. That is an enormous proportion. Obviously, if the Economic Community were to use even a fraction of the devices which are available to them, we could be very materially harmed. That is all the more reason why we should show the enterprise which is shown in this bill.

I hope very much that when we get to the issue next year we will show enterprise again in the consideration of the extension of the Reciprocal Trade Agreements Act. I have the honor to be chairman of the NATO interparliamentary committee, which is made up of representatives of 16 parliaments. Hence my acquaintance with the situation.

I hope we will all understand that situation, though we may lose more exports to the new European Economic Community with its tremendous bloc of power, which is likely to reach a population of 300 million, with a gross national product equaling our own, somewhere in the area of $500 billion a year. So we are dealing with a vital part of our whole society.

We may lose some exports, but we will more than gain what we lose by utilizing the increased standard of living that the people in the Common Market itself, which has now materially increased its own economic well-being by nearly 40 percent, and can meet this potential by adapting ourselves to meet the new opportunity which the world affords us, as well as the new challenge.

It is in that spirit that I think we ought to understand the bill which the Senator from California has brought up, as well as the one from the Banking and Currency Committee, S. 2325, to which the Senator from Virginia [Mr. ROBERTSON] has referred.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment, the question is on the engrossment and third reading of the bill.

The bill (S. 1729) was ordered to be engrossed for a third reading, and was read the third time.

Mr. KEATING. Madam President, this is an extremely important measure. The State of New York has a great many firms engaged in the export trade, or which could and would seek foreign markets, given the incentives provided in S. 1729. To improve and facilitate our export trade is the best and most direct way to deal with our balance-of-payments situation. There is wide agreement on this point.

There are many exporters in the State of New York, particularly New York City. This bill goes beyond our borders and includes not only many areas but many types of products. For example, the American Farm Bureau has done a great deal to assist in the export of agricultural products. This is a new and important field, as I pointed out earlier this week in a statement delivered on the floor of the Senate.

This measure would permit a very substantial expansion of export credit guarantees, principally from the Export-Import Bank. Without these guarantees we cannot expect American business firms to indulge in the expansion of their operations which is necessary in connection with meeting our overall balance-of-payments situation.

Almost all of the major trading nations of the world have established or encouraged the establishment of comprehensive export credit guarantee programs. These guarantees, which are actually a form of insurance, enable an exporter to obtain the necessary advance credit he will need in order to sell his goods overseas. In most cases, export credit guarantee programs are financed by the government, thus putting exporters in the countries involved in a much better competitive position, vis-a-vis their American counterparts.

Export credit guarantees are especially beneficial to American small businesses, who for obvious reasons often do not have the necessary cash available to plan and finance long-range oversea transactions.

This is, of course, not the entire story. We must also come to grips with the problems relating to certain types of imports. There are communities throughout our country—several in the State of New York—which have been seriously affected by imports from low-wage countries. These countries have a wage rate not more than a small fraction of the wage rate in the United States.

As I said, this bill represents the most direct and logical way—and, if we had an ideal world situation, it would be desirable to have it the only way—to meet our balance of payments. But it is not that simple.

I have proposed a partial solution on this side of it, which I think is realistic and responsible. My bill is S. 675. I hope the Senate will review and consider this measure in the near future. I note that the administration has shown some interest in this area, as regards imports. I hope this will prove to be an encouraging sign for the future.

I commend the distinguished Senator from California for bringing the measure before the Senate. I hope that in the legislative process we shall work out and formulate a bill which, after conference, will become law. It will certainly mean the dawning of a new day for export commerce from this country.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 1729) was passed.

PROHIBITION OF LIQUOR ADVERTISING OVER BROADCAST FACILITIES

Mr. MAGNUSON. Madam President, on August 23, 1961, the Senator from Rhode Island [Mr. PASTORE] and I dispatched a letter to the Honorable LeRoy Collins, president of the National Association of Broadcasters. I wish to read the letter, which I think should be brought to the attention of the Senate:

DEAR MR. COLLINS: Recently our attention has been drawn to the recurrent rumors as well as stories in trade publications concerning the plans of certain large distilling companies to use broadcast facilities to advertise liquor.

As chairman of the Senate Committee on Commerce, and chairman of the Subcommittee on Communications, we think this is of grave importance to the American public. You will recall that the Committee on Commerce has held numerous hearings with regard to this issue, specifically the bills that would prohibit the advertising of liquor on radio and television.

When the broadcasting industry spokesmen appeared before this committee they urged that no action be taken with regard to the legislation because the industry was capable of handling the situation itself. It was generally agreed that this type of advertising should not be permitted and as an indication of its good faith adopted provisions in its code to the effect that stated "the advertising of hard liquor should not be accepted."

We applauded the industry for this approach because it was consistent with our view that self-regulation is more desirable than legislation.

We were, therefore, surprised and amazed with the current flock of stories about the attempts to break down this hard liquor barrier by certain broadcasters. In these trying times, with criticism of the broadcast industry mounting—particularly in the programing field—it would be foolhardy to permit the provision of the broadcasting code regarding hard liquor advertising to become meaningless.

We would appreciate a reply from you as to what steps the industry has taken to live up to the code and to indicate whether there is any substance to the stories on this issue.

We think we should point out at this time that we stand ready to move ahead with appropriate legislation in the event self-regulation proves to be ineffective. Also, that we propose to call upon the Federal Communications Commission to take into consideration the type and kind of advertising broadcast by a licensee when it considers that license for renewal.

No one, we are sure, will disagree that the public interest, convenience, and necessity is not being served by the broadcasting and televising of liquor advertising into the American home. While we are aware that broadcast licensees are all anxiously looking for new sources of revenue, we never believed

that they would be so lacking in their sense of public responsibility as to even consider the broadcast of liquor advertising.

Madam President, the reply by Governor Collins is as follows:

DEAR MR. CHAIRMAN: Receipt is acknowledged of your letter of August 23.

The advertising of hard liquor is banned in unequivocal terms in both the radio and television codes of the National Association of Broadcasters. To our knowledge, adherence by code subscribers is complete. This is true despite considerable pressure by some distillers and their agents to breach the line.

You may be assured that every effort will be made to continue this fine record. If a breach should occur, our NAB code enforcement will be prompt and decisive.

Unfortunately, all broadcasters do not now subscribe to our codes. Subscription is voluntary, and nonsubscribers are not obligated to conform to code standards. It is also true that all code subscribers are not members of the NAB. All broadcasters, however, regardless of membership in the NAB, are urged to subscribe. This is so because of the strong desire of the NAB to have its code standards as universal and all embracing as possible.

We deeply appreciate your writing. You are correct in your assumption that in our view self-regulation in the tradition of free enterprise is much to be preferred over legislative stricture.

If you have any specific information of any violation of our codes in this or any other respect, we urgently request that you advise us thereon for our prompt investigation and any needed disciplinary measures.

With the total industry behind our efforts in these delicate areas, such problems would not arise. I am hopeful that the strengthening of our code operations and its greatly stepped-up activity in the coming weeks will enable us to impress more clearly on broadcasters the folly of carrying this advertising.

I also am pleased to say that today I received a letter from the Distilled Spirits Institute, the office of the president. I wish to read this letter into the RECORD in full.

DEAR SENATOR MAGNUSON: Your letter of August 23 to Governor Collins of the National Association of Broadcasters, regarding airwaves advertising of distilled spirits, is certainly a vindication of the attitude of this institute whose members have been opposed to such advertising and have voluntarily refrained from its use for more than 25 years—

Which is correct—

No legislation, nor ban, for that matter, should be necessary. Far more appropriate is the Distilled Spirits Institute code which has never been breached by any member.

Your moral support is of value beyond estimate to persuade nonmembers of the institute that its rules of self-conduct are based on commonsense that should be respected by all.

The issue is not settled, Madam President, but I desire to have the Senate know that the committee, the Senator from Rhode Island [Mr. PASTORE], and I have been very conscious of this situation. I hope there will not be any breakthrough or letting down of the voluntary code under which the broadcasters have lived for 25 years. I think it would be more than serious at this time, with the programing problem over the networks, to inject into the argument hard liquor advertising over that great medium known as television.

AMENDMENT OF EXPORT-IMPORT BANK ACT OF 1945

Mr. ROBERTSON. Madam President, earlier today there was reported the bill, S. 2325, to amend the Export-Import Bank Act of 1945. I ask unanimous consent that the Senate proceed to the consideration of the bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2325) to amend the Export-Import Bank Act of 1945.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia?

There being no objection, the Senate proceeded to consider the bill.

Mr. ROBERTSON. Madam President, as I previously indicated, the substance of this bill has already been included in S. 1729, as amended, on which the Senate has completed action.

As pointed out by the distinguished senior Senator from New York, there never was a time when it was more important for us to put the full weight of our Government behind our exporters. The fact that Great Britain will become a member of the Common Market in Europe indicates that competition in foreign markets will be intensified.

The purpose of the proposed legislation is to do for our exporters what the governments of the Common Market countries are doing for the exporters of Western Europe; that is, to stand behind them and to guarantee or insure their accounts when they go into countries in which there might be some upheaval of some kind.

The explanation of the bill, excerpts from the committee report, and the departmental reports have already been printed in the RECORD. Helpful statements have been made by both Senators from New York. I merely add that great help on this proposed legislation was furnished by the distinguished Senator from Indiana [Mr. CAPEHART]. He was a copatron of a bill in the 83d Congress with the chairman of the committee at that time, the late Senator Maybank. The bill, S. 1413, inserted into the Export-Import Act the section which S. 2325 would clarify and expand. This bill became Public Law 30, approved May 21, 1953. The Senator from Indiana has also been a copatron on many other bills to strengthen the law in aid of exporters.

The members of the committee unanimously support this proposed legislation.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2325) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 2 of the Export-Import Bank Act of 1945 is amended to read as follows:

"(c) (1) The Export-Import Bank of Washington, in furtherance of its objects and purposes under this Act, is authorized and empowered to guarantee, insure, coinsure, and reinsure against risks of loss arising in connection with export transactions; and to establish and maintain fractional reserves in connection therewith. The reserves maintained by the Bank for the guarantees, insurance, coinsurance, or reinsurance issued pursuant to this section shall be not less than 25 per centum of the related contractual liability of the Bank. Insofar as contracts of guarantee, insurance, coinsurance, and reinsurance are concerned, only that part of the Bank's liabilities represented by reserves provided for above shall be taken into account for the purposes of applying the limitations imposed by section 7 of this Act.

"(2) The Bank may issue such guarantees, insurance, coinsurance, and reinsurance to or with exporters, insurance companies, financial institutions, or others, or groups thereof, and where appropriate may employ any of the same to act as its agent in the issuance and servicing of such guarantees, insurance, coinsurance, and reinsurance, and the adjustment of claims arising thereunder."

SEC. 2. Section 8 of the Export-Import Bank Act of 1945 is amended by striking out "June 30, 1963" and inserting in lieu thereof "June 30, 1968".

TRANSFER OF CERTAIN LANDS TO VICKERS BROS.

Mr. MANSFIELD. Madam President, I move that the Senate proceed to the consideration of Calendar No. 743, H.R. 3596.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 3596) to direct the Secretary of the Interior to convey certain lands to Purvis C. Vickers, Robert I. Vickers, and Joseph M. Vickers, a copartnership doing business as Vickers Bros.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 3596) was ordered to a third reading, was read the third time, and passed.

The PRESIDING OFFICER. Without objection the companion bill, Calendar No. 740, S. 724, will be indefinitely postponed.

INVESTMENT IN CAPITAL STOCK BY INTERNATIONAL FINANCE CORPORATION

Mr. MANSFIELD. Madam President, I move that the Senate proceed to the consideration of Calendar No. 665, H.R. 6765.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 6765) to authorize acceptance of an amendment to the articles of agreement of the International Finance Corporation permitting investment in capital stock.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. MANSFIELD. Madam President, H.R. 6765 would permit a change to be made in the charter of the International Finance Corporation which would enable the IFC to do more to fulfill its goal of promoting private enterprise in the free world. The IFC is an international organization created to stimulate private investment in its member underdeveloped countries, which are also members of the International Bank for Reconstruction and Development. In association with foreign and American private capital, the IFC invests in promising private enterprises in underdeveloped countries for a limited period in order to get them started; it then seeks to sell its interests to replenish its revolving fund and permit further investments.

I yield to the distinguished chairman of the Senate Committee on Foreign Relations.

Mr. FULBRIGHT. Madam President, the bill would authorize our representative on the Board of the International Finance Corporation to agree to an amendment of the articles of that organization. The effect of accepting this amendment will be to permit the International Finance Corporation, in addition to its normal financing operations, to purchase common stocks in certain enterprises when that appears to be the best way to provide assistance.

Members of the Senate will recall that the International Finance Corporation was established in 1956. Its authorized capital was fixed at $100 million, of which the United States subscribed $35.2 million.

The basic purpose of the IFC is to encourage the development of private business enterprises in less developed countries which in many instances have virtually no capital available for investment. At the time the International Finance Corporation was created it was anticipated that its investments in private business enterprises abroad would consist almost exclusively of loans. Although some individuals felt that the International Finance Corporation should have been permitted to purchase common stocks as a method of aiding private enterprise in less developed countries, it was decided to limit investments to those of a nonequity nature.

During the past 4 years of operating experience, the International Finance Corporation has been only modestly successful. It has made some 40 investments, totaling $44 million, in 18 countries, mostly in medium-size and small manufacturing industries. IFC investments have served to induce private investors to supply over $125 million into the same enterprises that the IFC has supported.

One of the reasons why the International Finance Corporation has not been more active is because of the existing prohibition against investment in capital stock. The President has recommended, therefore, that the IFC be authorized to make such equity investments.

The Board of Governors of the IFC supports this recommendation and the House of Representatives, on June 19, approved the pending bill by a vote of 328 to 18.

It should be made clear that the basic purpose of the International Finance Corporation is to promote private enterprises in underdeveloped countries. It does this by encouraging the creation of private businesses with the idea that once the business is on its feet, so to speak, the IFC would then divest itself of its interest in the business, selling its debentures to private enterprise, or private purchasers.

Forty-seven of the fifty-nine states members of the IFC have already approved the proposal embodied in this bill. I hope very much, therefore, that the Senate will approve it.

The Secretary of the Treasury has strongly recommended the measure. I ask unanimous consent to have the letter of Secretary of the Treasury Dillon, under date of August 24, 1961, printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE TREASURY,
Washington, August 24, 1961.

Hon. J. WILLIAM FULBRIGHT,
U.S. Senate.

DEAR SENATOR: Under the provisions adopted by the IFC Directors in submitting the current charter amendment to governments for approval, votes were to be received from governments on or before September 1, 1961. Should the United States be in a position to record its favorable vote by this date the charter amendment would be effective, as enough other governments have ratified to provide the necessary 80 percent when added to the U.S. vote. Therefore, I hope very much it may prove possible for the Senate to act favorably early next week.

The alternative would be a request by the U.S. Government to the IFC to extend the time limit for receiving votes, a request which I would prefer not to make unless it proves absolutely necessary.

Sincerely,

DOUGLAS DILLON.

Mr. FULBRIGHT. Mr. Garner, who has been the president of this organization, appeared before the committee at a long session, in which he explained in great detail the necessity for this change. I hope that the Senate will accept it.

Mr. JAVITS. Madam President, I support the bill. I will not, of course, repeat the words already stated so very well by the distinguished chairman of the Committee on Foreign Relations.

The need for greatly increased private capital investment in enterprises in developing areas is urgent. The debt-equity ratio in the financing of private enterprise in the less developed areas is much too high for sound economic growth. While, in the United States, manufacturing enterprises have approximately $2 of equity investment to each dollar of debt, the ratio in even the most stable manufacturing enterprises located in the less developed areas is about $1 of equity to $1 of debt. The fixed and often high interest rates that have to be paid on this large proportion of debt severely hamper the growth of these enterprises, especially during their formative years when large reinvestments should be plowed back into the business.

Equity investment by IFC can help to improve this situation and will serve to encourage private enterprise efforts in the developing nations. Madam President, I believe that these results are very much in line with the foreign policy objectives of the United States and with our desire to strengthen freedom of choice and initiative in the emerging free world nations. I therefore favor this bill, and hope it will pass.

Mr. DIRKSEN. Madam President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. DIRKSEN. In looking back over the record on this bill, I noted in the hearings that, when the original act was passed, Secretary Humphrey testified before the committee and indicated that the Treasury had deleted the idea of acquiring equities for fear that under certain circumstances we might have a situation in which Government would have to step in to protect its interest and then become the operator of any kind of enterprise in which equities were involved. It may be that the situation has changed since that time. I do not know. The point was not too sharply pressed then.

Of course, I can see the wisdom of the caution that was uttered by Secretary Humphrey at that time, but not having heard the testimony on the instant bill, I am sure that members of the Committee on Foreign Relations are in a better position to comment. Other than that I have no objection if the measure is regarded as necessary.

Mr. HICKENLOOPER. Madam President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HICKENLOOPER. I believe that the Senator from Arkansas, the chairman of the Committee on Foreign Relations, has probably stated the case for the adoption of the bill. I happen to be opposed to it for certain reasons.

Basically, I oppose it because I believe the opening up of the charter of the International Finance Corporation to authorize the Corporation to buy common stocks in foreign corporations is an unwarranted and improper invasion of the governmental function into private enterprise.

There is no one in the Chamber who is more in favor of encouraging private enterprise than I am, but I believe it should be encouraged by private enterprise and private activity.

The charter of the International Finance Corporation authorized the Corporation to make loans to private business and private activities, such as small or large manufacturing plants, small or large businesses, in which, because of the prospects of the business, there was a reasonable assurance of repayment of the loan.

The agency has operated along that line in the loans it has made. In that activity it has done a very good job.

Now, however, the International Finance Corporation has said, "We want the authority under our charter enlarged. Whereas now under the charter

we are prohibited from buying common stocks of corporations, we will enlarge the charter so that we can buy common stocks in corporations."

As I see it, the International Finance Corporation wants to move from a position in which it loans money on security, that is, whatever security there may be to assure repayment of the loan, into a position in which the Corporation will buy common stocks of corporations without losing their continuing right to make loans, in addition, if they want to do so.

But it is proposed that the International Finance Corporation will buy common stocks of corporations, with no security whatsoever, no due date, and only the possibility that at some future time the IFC can either divest itself by sale of the common stock and get its money back, or perhaps make a profit on the speculative increase in value of the stocks.

I think it is the wrong way for the Government to operate. I think the International Finance Corporation should remain in the lending business and not go into the speculative investment business in stocks.

I am frank to say that there is some very formidable financial opinion that supports the proposed change in the charter. The State Department wants the charter changed. I understand that the Treasury Department has now OK'd the change. Many of the people in those Departments are able financial people. I find myself in disagreement with them. Therefore, I feel rather humble in my opposition. But, by the same token, there is some pretty respectable opinion against it. A moment ago the Senator from Illinois [Mr. DIRKSEN] pointed out the strong objection of former Secretary of the Treasury Humphrey. He was strongly opposed to an international or governmental agency entering into the business of investing in common stocks, which is a speculative activity, rather than remaining a loaning activity.

Mr. DIRKSEN. Madam President, will the Senator yield?

Mr. HICKENLOOPER. I am glad to yield.

Mr. DIRKSEN. I wondered whether there was any really persuasive testimony to indicate that the measure would actually energize the investment of private funds in addition to governmental funds, and so spur activity in the underdeveloped countries.

Mr. HICKENLOOPER. Yes, the arguments of the proponents of the measure are that in many countries local investors who will buy the capital stock and invest in equity capital in those countries cannot be found, and proper capitalization of a corporation is sought, so that a company's capital structure, as compared with the money that it wants to operate, will be more in balance.

Therefore, the Finance Corporation desires to buy capital stock to strengthen its capital structure, on the theory, I presume, that the capital structure will then be of such size or proportion that the Corporation can borrow money on some kind of business ratio relationship.

I feel that if there is not enough confidence in the potential of a particular business in the area or locality where it is situated to attract a reasonable amount of equity capital into that business, knowing that it can get a loan from the International Finance Corporation, it is a pretty risky business, indeed, and the governmental body should stay out of that speculative area of buying capital stock or common stock in the corporation.

It is very true that under the present situation the Corporation can lend money; and under certain circumstances it can, along with the loan, get certain favorable stock options in the company which they have not exercised, or of which they may have none, but which could put them into the stock investment business. However, it is specifically provided in the change which is asked for that the Corporation will not exercise any of the prerogatives or rights of privilege of stock ownership. They will not vote the stock once they buy it. They will not participate in the management of the corporation. All they will do is to buy common stock, which has no due date, which, for the recovery of the amount they put in, is dependent on the future soundness of the company and the possibility that the stock may appreciate so that it may be sold on the market someday when the Corporation can get its money out, or make a profit, or perhaps be forced to lend some money.

Mr. FULBRIGHT. Madam President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. FULBRIGHT. I overlooked stating, a moment ago, that I have a letter from the previous Secretary of the Treasury, Mr. Robert B. Anderson, dated August 24, 1961. I should like to read the letter into the RECORD.

New York, N.Y., August 24, 1961.

Hon. J. W. FULBRIGHT,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR FULBRIGHT: My attention has been called to the fact that you have under consideration H.R. 6765 by Mr. SPENCE which would authorize the American Governor of the International Finance Corporation to agree to an amendment to article 3 that would permit the Corporation to make investments of its funds in capital stock and to limit the voting rights by the Corporation unless the exercise of such rights was deemed by the Corporation as necessary to protect its interests.

During the meeting of the Corporation in September of 1960, Mr. Graydon Upton, speaking in my behalf as the U.S. Governor, agreed to thoroughly examine the merits of the proposed amendment. We did so carefully and exhaustively and reached the conclusion that the amendment as now proposed was necessary to the full development of the Corporation's utility.

We concluded that the experience of recent years has proven that without this power, the International Finance Corporation could not do an effective job in at least some of the less developed countries. Today this Corporation is the international agency most directly dedicated to promote private enterprise in these countries and it would be particularly important that it should have the opportunity of achieving maximum effectiveness.

Without entering into a prolonged technical discussion, I simply point out that experience has shown quite clearly that long-term stock purchase options and convertible debentures are largely unknown in the less developed countries. If we are to assure the availability to multilateral sources of capital in order to enhance the growth and participation of private enterprise in these less developed countries of the free world, it is my judgment that we should give a wide range of flexibility to the International Finance Corporation.

Upon the retirement of the able Mr. Robert Garner, it is important to note that Mr. Eugene Black has agreed to take on the added duty of the presidency of the International Finance Corporation and Mr. Black's competent management of the International Bank for Reconstruction and Development is sufficiently well known to inspire confidence both here and abroad.

With every good wish, I am,
Sincerely, your friend,
ROBERT B. ANDERSON.

Madam President, I emphasize that here is one agency, especially devoted to the creation of private enterprise in foreign countries. It is amazing to me that so many persons who have complained about our fostering socialism of Government enterprise are opposing this particular agency. All it is trying to do is to promote the creation in those countries of privately owned small businesses. Only a small amount of money is involved compared with the amount which is used in our big aid programs. Our part is $35 million of a total of $100 million. In 4 or 5 years, the United States has committed only about $44 million. Not all of that amount has been used. The Corporation has found by experience that it is not doing much of a job; and the people who borrow are certainly conservative businessmen.

Mr. Robert Garner is an experienced businessman with the Morgan Guaranty Trust Co. of New York. He is not of a socialistic nature by any stretch of the imagination.

I do not understand why there is such strong objection to enabling the Corporation to do its work. In effect, it is said—not only in this letter, but, I should judge, in the testimony plus the letter—that if the Corporation is not given this kind of freedom and not allowed to move forward, and its money is frozen, we might as well liquidate it.

Mr. HICKENLOOPER. Madam President, the Senator from Arkansas says that those who advocate private enterprise may object to this proposal. I do not know of anyone who is objecting to the present activities of the Bank, which is supporting private enterprise by way of loans. But when we talk about socialism, socialism is government getting into the ownership and operation of business. That is what the Corporation seeks to do. I know the Corporation is not socialistic, of course; but it wishes to buy capital stock in a corporation. That is ownership. I contend that that is one step further toward the Government getting into the ownership of what ought to be private business.

Mr. FULBRIGHT. It is clear that the Corporation does not make investments to keep. Its clear intention is to start companies and then get out of the picture. The fund is a revolving fund. It has sold some $6 million of the loans it has made, which have been converted into stock options. That is the purpose.

It is not intended that the Government should own these investments permanently. The purpose is purely to provide some assistance in the creation of small private business.

Furthermore, this is a multilateral agency of 69 members. The United States is not committing its funds to the ownership of private industries on a permanent basis. It is an operation to try to start, in this case, privately owned and privately operated companies.

Mr. CAPEHART. Madam President, I wish I could agree with all that the able Senator from Arkansas has said. I think it will be found that what the Corporation is doing and what it proposes to do is to buy stocks from existing companies, and not necessarily start new ones. Instead of being a finance company, lending money to countries, the Corporation is buying equities and buying ownership. This will further involve the Government in private business.

The same purpose can be accomplished by lending money or taking debentures. When the original plan was presented a couple of years or more ago, it was intended that the International Finance Corporation should lend money; and then, when it was suggested that they might participate in the ownership of those businesses, it was recommended that they do so by the purchase of debentures, thereby giving the Corporation a first lien on the assets.

The Corporation would have nothing to do with the management, but merely would lend money through debentures rather than by direct loans.

This is only another wedge being driven into the private enterprise system of America, because the greater part of this money is not needed. The able Senator from Arkansas himself said so. The Corporation has committed only about $44 million over a period of several months, even in loans, let alone buying equities.

This is simply another method of pushing governments into the private enterprise system. I should much prefer to see the efforts confined entirely to loans, the purchase of debentures, and purchase of preferred stock, or even the purchase of bonds, which carry with them no equity or ownership in the business. Now it is proposed to start buying equities in private enterprise. The plan would not be limited to new industries. The Corporation could help to refinance or could buy stock in existing companies.

I think this is bad practice. For the reasons I have stated, I have never favored it. I realize that others have, but I believe they are wrong. I think the tendency of too many businessmen and bankers to invite the Government into private industry is wrong. I believe that if we keep up the pace at which we are traveling now—I have reference to the foreign aid bill, to this situation, and to many others—we shall only be hurrying toward the day when private industry will be eliminated, not only in this country, but throughout the world, and there will be socialistic or communistic kinds of government.

I do not like to see the U.S. Government misguide businessmen, who feel they can trifle with this situation—that they can go into it a little and then pull back. They cannot. The International Finance Corporation will get deeper and deeper into the ownership of private industry throughout the world. In my opinion, this program should be handled on the basis that the Government will set up private enterprise systems by lending money, but not by purchasing equities, not by accepting any share of management, and keeping itself free, so that it will not interfere with or participate in the ownership of private industry.

Socialism and communism mean government ownership. The free private enterprise means exactly what the term implies. How far can we go? How far should we go? When should we stop? Who knows when to stop?

In my opinion it is a bad practice, and I believe we should frown on all such endeavors as this.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 6765) was ordered to a third reading, read the third time, and passed.

Mr. FULBRIGHT. Madam President, I move that the vote by which the bill was passed be reconsidered.

Mr. SPARKMAN. Madam President, I move that the motion to reconsider be laid on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

HOLDING OF NATIONAL CONVENTIONS FOR NOMINATION OF PRESIDENT AND VICE PRESIDENT

Mr. MANSFIELD. Madam President, I move that the Senate proceed to the consideration of Calendar No. 730, Senate Resolution 141; and I ask that the attachés of the Senate notify the Senator from Mississippi [Mr. STENNIS] so that he will have an opportunity to come to the floor.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution to express the sense of the Senate on the time for holding national conventions for nominations of President and Vice President.

Mr. KEATING. Madam President, this resolution simply expresses the sense of the Senate that the nominating conventions for President and Vice President be held after the first Monday in September, rather than in July or August, as has been the practice.

Of course that decision is under the control of the political parties; but it is generally agreed that real dangers result from having the campaigns continue for so long that the campaign speeches become repetitious and voters lose interest.

One solution would be to hold the nominating conventions somewhat later in the year. Another proposal, of course, would be to make the campaign speeches more interesting.

This matter has been discussed in the Committee on Rules and Administration. The resolution was unanimously reported.

The extent to which the political parties will pay attention to this expression of the sense of the Senate remains to be seen; but the resolution is a constructive one, and has unanimous support.

I hope the resolution will be agreed to.

Mr. CAPEHART. Madam President, I wish I could agree with the Senator from New York. But in my opinion there should be more time, rather than less time, to inform the people. So I think the nominating conventions should be held in June. Why not allow more time—rather than less time—for the American people to think about the candidates for whom they wish to vote?

I have no particular objection to the resolution, because it means nothing; I am sure neither party will pay any attention to it.

Mr. KEATING. Madam President, I realize that the Senator from Indiana may feel that way. This resolution however reflects the feeling of the members of the Committee on Rules and Administration, who believe that it is most difficult to arouse and maintain voter interest during campaigns which last longer than 2 months.

I thank the Senator. No doubt the Senator from Indiana is able to engender greater interest.

Mr. MANSFIELD. Madam President, I think the resolution is an excellent one, and I commend the Senator from New York [Mr. KEATING] for his initiative.

I point out that the resolution was reported unanimously from the Committee on Rules and Administration.

I believe it would be better to have shorter campaigns, rather than longer ones.

I recall that in the last campaign the Vice President of the United States one day made a speech, before lunch, in New York City; then he took a plane to Anchorage, Alaska, made a speech there, had lunch, and then took a plane to Detroit. In Detroit he had dinner, and then made a speech there. That was traveling entirely too fast, but it indicates the pace maintained during the campaigns. Both candidates were brutally treated as the result of the pace which was maintained in that campaign.

Mr. KEATING. Madam President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. KEATING. Let me say that the majority leader has submitted a more comprehensive measure, which has many features with which I find myself in agreement.

Mr. HRUSKA. Madam President, I should like to inquire of the Senator from New York—whom I know to be a very successful campaigner of long years standing—whether any consideration was given by the Rules and Administra-

tion Committee to matters such as the chartering of the plane to take the candidate from New York to Anchorage and then to Detroit. That took some arranging, and there are also the arrangements for television programs, advertising space in newspapers, and so forth.

I wonder whether consideration was given to the necessary advance arrangements in connection with campaigns, as that matter may relate to this resolution.

Mr. KEATING. Yes, the whole area was well canvassed.

Of course we recognize that what the Senate has to say in regard to this matter will not be the last word. But, as a matter of fact, both the chairman of the Republican National Committee and the chairman of the Democratic National Committee, who appeared before our committee, also urge shortening of the campaigns for President and Vice President.

It is true that in the case referred to there might have been a slight, the emphasis on slight, financial problem which both of them had in mind. But both of them testified in conformity, in general, with this resolution which expresses the sense of the Senate.

Mr. HRUSKA. I am grateful to the Senator from New York for his very fine explanation.

Mr. McCARTHY. Madam President, will the Senator from New York yield?

Mr. KEATING. I am glad to yield.

Mr. McCARTHY. I should like to ask whether in the deliberations in the Committee on Rules and Administration any thought was given to making a recommendation in regard to presidential primaries and whether they should be held at all?

Mr. KEATING. That was discussed, but we have not come to any conclusion thereon. [Laughter.]

Mr. HUMPHREY. Madam President, I register a protest. [Laughter.]

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 141) was agreed to, as follows:

Resolved, That it is the sense of the Senate that the conventions held by the political parties for the purpose of nominating candidates for President and Vice President shall not be commenced prior to the first Monday in September of the year in which the election is to be held.

The PRESIDING OFFICER. Without objection, the preamble will be agreed to.

DIRECT APPROPRIATIONS OR BACK-DOOR FINANCING—TELEGRAM FROM GOVERNOR ROCKEFELLER

Mr. DIRKSEN. Madam President, when the foreign aid bill was before the Senate and when it was before the House of Representatives, considerable capital was made of a telegram sent by Governor Rockefeller of New York to a great many Members of the House of Representatives.

Since that time the matter has been rather widely discussed; and it was discussed in the minority leadership conference on Thursday morning, at which time both Representative HALLECK, the minority leader of the House, and I had occasion to allude to the matter.

It then came to the attention of Governor Rockefeller, who sent a telegram stating very clearly what his position really was with respect to direct appropriations for foreign aid, as opposed to back-door financing.

In order to make sure that the entire context would be before the Senate, I had reproduced the entire text of the news conference we held on Thursday morning. The minority leader of the House and myself were among those who participated.

So, in connection with these remarks, I ask unanimous consent, Madam President, that the text of the entire press conference and the telegram from Governor Rockefeller be printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection——

Mr. MANSFIELD. Madam President, let me say the telegrams will prove to be very interesting reading, for perhaps then we shall know where Governor Rockefeller stands on this particular recommendation.

Mr. DIRKSEN. Madam President, I shall be glad to read both of them now.

Mr. MANSFIELD. Oh, no. [Laughter.]

Mr. HRUSKA. Madam President, perhaps it would be of benefit to have the telegram read at this time.

Mr. DIRKSEN. First, I request that the news conference text be printed at this point in the RECORD.

There being no objection, the text of the news conference was ordered to be printed in the RECORD, as follows:

Mr. HALLECK. In response to your question of course I shall refer to Governor Rockefeller's appeal recently to Republicans for long-range planning on the mutual security program and then I would like to make just some general observations about the situation as I see it.

As the so-called foreign aid bill—I've always preferred to call it the mutual assistance bill—was coming onto the floor of the House, while it was being considered in the Senate * * * we had considerable discussions among ourselves and with some people on the other side of the aisle about the 5-year blank check arrangements to take the money out of the Treasury, $8.8 billion for 5 years, with what, to us, seemed an absolute abdication of congressional responsibility for appropriating the taxpayers' money. And we came up with a proposition for a 4-year authorization.

The reason we wanted 4 years instead of 5 years was because that would cover the term of the present administration. We, standing for the authorization, wanted the full amount for the first year and then for each of the succeeding 3 years, $1 billion a year.

Now, that figure was adopted because we felt that for amounts above that, as Representative JUDD, who certainly is no enemy of this program said, "It would be the frosting on the cake"—would give the Foreign Affairs Committee an area of responsibility in respect to the program.

Also, the authorization voted by the Congress of the United States carried with it, it seems implicitly, an assumption of responsibility on the part of the Congress to provide for the carrying on of the program.

We Republicans announced that we were for long-range planning, but we've insisted on annual congressional control. Now, the billion dollars per year would certainly provide a wide area for long-range planning.

Now I've said, and I say it again, that the Congress of the United States in respect to this program going clear back to the 80th Congress when I was the majority leader and we enacted the program the first time, has met, I think reasonably well, the commitments that have been made. I say the Congress would continue to do that. I say it is a false assumption to go on the proposition that the Congress will not meet its commitments.

Now then, there have been a lot of things said about how the Republican votes for the amendment that was adopted had represented a complete breakdown of bipartisanship. First of all, that is not true. We Republicans were not responsible for the arrangement by which the Saund amendment for 1-year authorization came on first, ahead of what would have been the Vaughan Gary amendment or the Dr. Judd amendment, which were for a 4-year authorization.

I've said before and I say again that this proposition was submitted to responsible leaders in the administration and responsible Democratic leaders in the Congress of the United States.

Now there have been things said about what President Eisenhower wanted and what Dick Nixon wanted and what Governor Rockefeller wanted. Now, I have every reason to believe that President Eisenhower is not for the blank check arrangement that has been insisted upon. The newspaper article that was written by Richard Nixon clearly advocated long-range planning—no one disagrees with that—but continuing congressional control.

Now to get down to Governor Rockefeller's recent telegram. Except that he asked us to vote against the Saund amendment in the last line, in my opinion the telegram from him would not put him in opposition to the arrangement for authorization that I have talked about with continuing annual appropriations. I haven't communicated with him; I have answered his telegram and have pointed out what our position is. I have had no response from him, probably haven't had time to have a response from him.

Now there is one other thing I'd like to point out. This business of foreign aid or mutual assistance has never been a partisan program and it is not now. It carried better than $4 billion when it passed the House of Representatives; more Republicans voted for it than against it. The number of Democrats voting against it was just about the same as the number of Republicans voting against it.

In other words, it follows that pattern, and I just think it's unfair to say that in this area there has been some breaking in what otherwise should be a bipartisan or nonpartisan approach. As I pointed out on the floor, President Eisenhower asked for something like this once. It was certainly a much lesser program, lesser in dollars and lesser in time and lesser in other details and features, but at that time I didn't vote for it; I supported the Selden amendment as did the overwhelming majority of the House, Democrats and Republicans, and there was no great outcry then about throwing this whole matter into the field of partisan operation.

Mr. DIRKSEN. One other observation. You may recall that on the floor I asked Senator FULBRIGHT whether he would swap what he had in the bill pending before the Senate at that time for what he had worked out on a 2-year basis before under the Eisenhower administration, and obviously the answer was "No" because it involved only $1.5 billion for a 2-year period. But I emphasize also the letter that President Eisenhower sent to Senator FULBRIGHT in 1959

where President Eisenhower made emphatically known his views with respect to back-door financing as against careful congressional scrutiny and annual appropriations.

Question: Mr. HALLECK, you mentioned that the Republicans had worked out a responsible alternative to the administration's plan, a 4-year authorization.

Mr. HALLECK. That's right.

Question. You had taken this up with the Democratic leadership. In that event, why didn't the Republicans vote against the Saund amendment?

Mr. HALLECK. Well, that question has been raised. Actually, at that point it became apparent that the matter was going to conference. Now, we could have voted down the Saund amendment, I suppose. I say we could have; maybe we could have, but the way the matter came up, the better plan seemed to be to let this thing go to conference and I said as much in the speech that I made.

Now then, you understand that if the chairman of the Foreign Affairs Committee, Dr. MORGAN, of Pennsylvania, for whom I have the highest regard, had not offered his so-called compromise, then if the Saund amendment had been offered, it was our plan to have VAUGHAN GARY of Virginia offer the substitute that I have just talked about. But we were precluded from doing that.

May I say with respect to this bipartisanship, I was not consulted before this 5-year blank check proposition was sent to the Congress, and so far as I know, no leader on the Republican side was consulted. The first I knew about it was when it was made known that that recommendation was coming from the administration.

And I wasn't consulted about the so-called Morgan compromise. We didn't find out about that until just a few minutes before it was offered. In other words, this bipartisanship should be a two-way street.

I don't want to be supercritical and I don't think I am, but it's my recollection and I'm sure Senator DIRKSEN will bear me out, that on occasions like this there were consultations—bipartisan—at the White House under President Eisenhower.

Question. Is it correct to say that you know President Eisenhower is against this 5-year proposal?

Mr. HALLECK. Well, I stand on what I said. I said I have every reason to believe that he would not be too unhappy with those of us who sought some further congressional arrangement in respect to the 5-year program.

Mr. DIRKSEN. Well, let's make it a little more affirmative. I think it can be said that President Eisenhower was definitely for the appropriation procedure as the regular, normal procedure for dealing with matters of this kind.

I am speaking now about what I think his stand would be on the basis of the letter that he sent to Senator FULBRIGHT in 1959, and I have no reason to believe that he has changed his mind because I know of his great respect for the procedures that we follow here and for that constitutional provision with respect to taking money out of the Federal Treasury only in pursuance of an appropriation done by law.

Question. Mr. HALLECK, you said that bipartisanship was very much more effective in the Eisenhower administration.

Mr. HALLECK. Well, if I used the word "effective," I think probably I shouldn't use the word "effective." Let me just say that in matters in this sort of an area I'm quite sure that there were more occasions when the Democratic leaders were called to the White House to be consulted before the program was recommended.

Question. Do you think the Democratic Members of Congress contributed more to bipartisanship than Republicans are contributing now?

Mr. HALLECK. No.

Question. In other words, the White House.

Mr. HALLECK. On the passage of the bill we had, I think it was, 92 Republicans voting for it and 77 against it, and that's just about the way it has been running. But there have been times when amounts were involved or other features were involved that Republicans have been in opposition. We were under President Eisenhower; we were under President Truman.

Mr. DIRKSEN. Well, to nail it down, I went down to examine the record votes on this matter in 1959 and 1960. Percentagewise there were a greater number of Republicans who supported the program than there were Members on the Democrat majority side.

Mr. HUMPHREY. Before the Senator from Illinois reads the telegram, can he inform us whether it states the final position; or is this just being presented in serial form, with the result that later we shall be informed of a new position? I wish to be sure that our good friend, the Senator from New York, knows what is the final position of the Governor of New York. My interest in this matter is taken only because of my affection for him, I may say. [Laughter.]

Mr. DIRKSEN. Madam President, let me say that the Governor had no difficulty making his position clear.

I shall read the telegram, as follows:

NEW YORK, N.Y.

Representative CHARLES HALLECK,
House Office Building,
Washington, D.C.:

I learned from the press today that at a press conference after the joint Senate-House Republican leaders meeting you expressed the view that while I strongly support long-range planning in foreign aid, I am at the same time opposed to doing it through so-called back-door financing of mutual security and favor instead multiyear authorization on a basis which would keep the program under the constant review of the Executive and the Congress. This is exactly my position and I greatly appreciate your expression of it. It is my clear impression that I share this view with General Eisenhower and Richard Nixon. In 1942, as Coordinator of Inter-American Affairs, working with the Congress and through the Institute of Inter-American Affairs, I developed this exact procedure of long-term authorizations and annual cash appropriations. This procedure proved to be eminently satisfactory. I was then and I am now inalterably opposed to the handling of these programs in any manner that impairs the constitutional prerogative of the Congress. If you wish to make this communication available to the press, I would have no objection.

With best wishes.

NELSON (ROCKEFELLER).

Mr. JAVITS subsequently said: Madam President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. JAVITS. I ask the Senator from New York if he would have any objection to my asking unanimous consent that there appear in the RECORD immediately following the telegram to which the Senator has referred the original telegram from Governor Rockefeller to Members of the House, because I think, as a matter of evidence, they ought to be read together. I think Governor Rockefeller's purpose is certainly sincere, and is certainly in aid of the foreign aid program of the United States, in which, for many years back, as he mentioned in his own telegram, he has been a great servant. So I think if the whole body of evidence of both telegrams might appear in the RECORD together, it would be helpful.

Mr. DIRKSEN. I am delighted to entertain that request, because no adequate judgment can ever be rendered until all the evidence is before the jury.

Mr. JAVITS. Madam President, I ask unanimous consent, therefore, that I may insert in the RECORD, to appear immediately following the remarks of the Senator from Illinois, the original telegram of Governor Rockefeller.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

NEW YORK, N.Y., *August 17, 1961.*

I am taking the liberty of sending you this wire because I deeply believe that this Nation's program of assistance in strengthening the forces of democracy is vital to the survival of freedom. I consider it is essential, in terms of our own interests that our aid program be placed on a basis permitting long-range planning, which has had bipartisan endorsement. This will not only enable us to assist more effectively in orderly economic growth of developing nations to the end that they may remain free, but will also assure maximum usefulness of the U.S. contribution to the developing multilateral aid program of the free world. We must face the reality of our responsibilities as leader of the free world. The long and relentless struggle with communism must be sustained if freedom is to live. In light of the above, I urge you to vote to reverse yesterday's adoption of the crippling Saund amendment.

NELSON A. ROCKEFELLER.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HUMPHREY. Receiving the historical document which the Senator from Illinois has read, and which comments on ancient history, reminds me of a great occasion in the history of the world called the Battle of Waterloo, when Marshal Ney arrived too late to defend against the ranks of Blucher. He was coming in on the right flank—and I use that term not only in the geographic sense, but in the political sense. Marshal Ney was to have been there to stem the tide of the battle, but he arrived several hours too late, and the victory was taken from the hands of the great Napoleon, and went to the Duke of Wellington.

I am sure this telegram would have been most effective at the appropriate time, but it reveals to me the powers of the "Ev and Charlie" performance, and it reveals to me the sterling qualities of the joint committee of the House and Senate Republican leadership. It also shows that the factions in the Republican Party apparently are united.

I see now that Governor Rockefeller and Senator GOLDWATER have joined together in support of this type of financing—of course, after the Senate and House have acted. I thank them for that consideration. At least the symbolism was there, if not the persuasive qualities that could have been manifested at the time we were casting our votes. For this I thank the Governor

of New York. He is a fine gentleman. I admire him very much, particularly when his messages come as late as this one.

Mr. DIRKSEN. Madam President, so long as the Little Corporal has gotten into the act, first let me strike the appropriate pose. [Laughter.]

I differ with the Senator on his allusion to Marshal Ney. There will be a time when we will vote on the conference report, and it will be rather interesting to see what is in the conference report. I am already beginning to have ideas about it, and I have noticed the stand taken by the conferees of the House of Representatives. It may well be somewhat in the language of Napoleon, when the Little Corporal sent the marshal to the snows of Russia. He called him into his military office and said, "Marshal, I shall have plenty of time to hear you tell me how you succeeded. I shall have no time to hear you tell how you failed."

The last word, Madam President, may well be that.

Mr. HUMPHREY. That was Marshal Murat. That was not Ney.

Mr. DIRKSEN. It was Ney. I would have to look it up. I am not sure I could run it down between now and adjournment tonight.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the Senator from New York.

Mr. KEATING. The Senator, in his usually courteous and charming manner, has referred to the presence of the Senator from New York.

Mr. HUMPHREY. He is my friend.

Mr. KEATING. I realize that.

It seems to me that the telegram of the distinguished Governor of New York is consistent with the action taken. The Dirksen amendment was arrived at after a long series of conferences, in an attempt to have congressional oversight. The Governor says he recognizes the constitutional prerogatives of Congress, which is entirely appropriate, and we have made provision for that. The House has seen fit to do it in a different manner, but in both bills there is provision for congressional oversight, which I am sure is in accord with the views of the Governor.

Mr. DIRKSEN. Napoleon was a great hand at oversight.

Mr. HICKENLOOPER. Madam President, will the Senator yield?

Mr. DIRKSEN. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. In the event the Governor of Iowa desires to express himself on this subject at some length, in a telegram or otherwise, would the Senator have any objection, if the Governor cares to submit such a communication, to my including it with the other distinguished expressions?

Mr. DIRKSEN. If it arrives in time.

Mr. HICKENLOOPER. I do not know that the Governor cares to express himself, but if he does, I would like to have the Senator's consent.

Mr. McCARTHY. Madam President, will the Senator yield?

Mr. DIRKSEN. I yield to the Senator from Minnesota.

Mr. McCARTHY. In addition to the Governor's telegram, I think it would be in order to suggest that we keep the record open for the Governor, in case he wishes to change his mind or in case he wishes to reinterpret his mind—this would also honor the request of the Senator from Iowa—until after the sense of the resolution which we adopted a few minutes ago has been manifested in the two national conventions which will be held after Labor Day, 1964.

Mr. DIRKSEN. I am glad to keep it open. It may change the mind and heart of the Senator from Minnesota.

Mr. HICKENLOOPER. I think the request of the Senator from Minnesota is very appropriate and proper. So far as I am concerned, I have been trying to find out what the exact position of the administration is, as between the discussions of last fall and this spring and summer. If we can keep the record open so we can find out what the present administration intends to do, based on what it said last fall and the different statements it is making now, it will be illuminating to the country and informative to the people, and will be a political document of great value. I hope the administration will get down to some kind of program we can tie onto.

Mr. DIRKSEN. Winter is for discontent, spring and summer for change, so I yield to the distinguished Senator from Indiana [Mr. CAPEHART].

Mr. CAPEHART. I am only suggesting that we quit.

THE CONSTITUTIONAL RIGHTS OF THE AMERICAN INDIAN

Mr. ERVIN. Madam President, as chairman of the Senate Judiciary Subcommittee on Constitutional Rights, I wish to announce forthcoming hearings on the "Constitutional Rights of the American Indian." These hearings are scheduled to begin in room 357 of the Senate Office Building at 10 a.m. on August 29, and will continue through September 1.

The initial hearings will be concerned with the constitutional protections afforded reservation Indians as compared to those of other American citizens. With this view in mind, the subcommittee will receive testimony from various individuals in the Department of Interior, members of the Secretary of Interior's Task Force on Indian Affairs, and private individuals and organizations active in Indian affairs.

The subcommittee, in a preliminary study, has ascertained that even though Indians are full citizens of the United States, there are areas in which they may be deprived of property and liberty without due process of law; further, they are denied the benefit of the same constitutional limitations as guaranteed in the Bill of Rights.

Two important studies recently have pointed up the need for clarification of the American Indian's constitutional rights. The Fund for the Republic's report, "A Program for Indian Citizens," states:

> No government of whatever kind should have the authority to infringe upon fundamental civil liberties; government itself must ever be subject to law. Freedom of religion, utterance, and assembly, the right to be protected in one's life, liberty, and property against arbitrary government action, and to be immune from double jeopardy and bills of attainder, and the guarantee of a fair trial are not privileges; they are minimum conditions which every American should enjoy. For any tribe to override any of them violates the very assumptions on which our free society was established. The absence of these safeguards will, moreover, retard the economic development of reservations, for business concerns are not likely to risk their capital when confronted with the possibility of arbitrary taxation and similar oppressive measures. * * *
>
> Neither Congress or the States may infringe upon the basic constitutional rights of Indians, for they enjoy the same protection in respect to these governments as all other American citizens. But the Federal judiciary has determined that the guarantees of freedom of worship, speech, and the press, the right to assemble and petition the Government, and due process do not restrict tribal action. Thus, a U.S. court has held that the Navajo could enforce tribal legislation prohibiting the possession or use of peyote on the reservation, even though the ban interfered with the observation of a religion. Nor can the deprivation of religious liberty be redressed under the Civil Rights Act. Similarly, the amendments which forbid the United States and the States to deprive any person of life, liberty, or property without due process of law do not apply to a tribe's conduct of criminal trials. A tribe can also impose a tax without due process requirements.

The Task Force on Indian Affairs, in its report to the Secretary of Interior, states:

> In short, except as Congress has transferred its authority to the States, the States have no jurisdiction over Indian reservations or Indians on reservations. Indians away from reservation, on the contrary, are subject to State law.
>
> A specific complaint against tribal governments (on the reservations) which the task force heard from both Indians and non-Indians is that many tribes either have no constitutional directives to extend the guarantees of the Bill of Rights and the 14th amendment to those within their jurisdiction, or, if they have them, they ignore them.
>
> The task force strongly recommends that the responsible unit of the Bureau of Indian Affairs begin an immediate review of the constitutions of Indian tribes to determine the most significant deficiencies in these documents, and make recommendations to the tribes for overcoming them. Such matters as civil rights * * * should be given special attention.

As a part of its study, the subcommittee plans comprehensive surveys among the following groups: reservation, nonreservation, and off-reservation Indians, general counsels for Indian tribes, Indian centers in cities where Indians have been relocated, area directors and superintendents of Indian reservations, Indian committee of the bar associations, private organizations, specialists, State attorneys general and State and Federal agencies dealing with American Indians.

The subcommittee will study also the rights enjoyed by Indians living off the reservation who have either been relocated by the Federal Government or have always lived in Indian communities.

The hearings next week are the first of a series which the subcommittee expects to conduct on this subject. During

the congressional recess, the subcommittee will hold field hearings in various parts of the country to hear from Indian citizens as to their evaluation of Indian constitutional rights and the extent to which the exercise of these rights are restricted under present law.

JUDGE LEARNED HAND

Mr. ERVIN. Madam President, last week America lost one of the greatest judges of all times. I allude to the death of a truly great and fine gentleman, the highly esteemed and brilliant jurist, Learned Hand. I say without fear of contradiction that Judge Hand had no peer in the American judiciary. A humble man, with a rare intellect and a probing mind, he was dedicated to truth. He was a great liberal in the truest sense of the word. His 52-year tenure on the Federal bench produced numerous opinions, always eloquently written and founded on the firmest principles of American jurisprudence.

The admiration, respect, and, indeed, the devotion, which the members of the judiciary and bar had for him are evidenced by the accolades which continually were bestowed upon him throughout the years. In spite of lionization, this great man remained ever unassuming and perhaps it was only in discussing himself that his dispassionate objectivity was overcome by his modesty.

Judge Hand bequeathed to the American people a superb legacy of legal philosophy. He admonished us that the path to truth is cleared by "skepticism, tolerance, discrimination, urbanity, some—but not too much—reserve toward change, insistence upon proportion and, above all, humility before the vast unknown." In pursuing the truth, Judge Hand was a strong advocate of dissent; he said:

> It is only in a society that has learned to tolerate dissent that human rights and civil liberties can be safe.

Judge Hand epitomized that spirit of liberty which he so aptly described:

> As the spirit which is not too sure that it is right * * * which seeks to understand the minds of other men and women * * * which weighs their own interest alongside its own, without bias * * * remembers that not even a sparrow falls to earth unheeded * * * and is the spirit of Him who, nearly 2,000 years ago, taught mankind that lesson that it has never learned, but has never quite forgotten; that there may be a kingdom where the least shall be heard and considered side by side with the greatest.

Today that same spirit of liberty lives on rekindled with new vigor by the deeds of Learned Hand.

It has been said that a man deserving a eulogy does not require one. This is eminently true of Learned Hand. I have not attempted to eulogize him, but rather to pay a final tribute to a great American.

GAMBLING

Mr. ERVIN. Madam President, this morning's New York Times, in an editorial entitled "Gambling as an Industry," discussed the hearings held this week by the Permanent Subcommittee on Investigations of the Committee on Government Operations.

Since these hearings began on Tuesday, I have spent a considerable amount of time participating in them, and I should like to associate myself with the conclusion of the New York Times that it may be impossible to suppress the gambling instinct, but that it is possible to enact more effective laws regulating this mammoth, illicit industry. It is my hope that these hearings will result in legislation which not only will plug the tax-evading tactics of gamblers, but, more importantly, will provide sufficient safeguards for the protection of society in general.

I ask unanimous consent to have the New York Times editorial of this date placed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GAMBLING AS AN INDUSTRY

The Senate subcommittee currently investigating gambling in the United States has produced some majestic arithmetic and some startling assertions. One witness said the total of betting in the United States amounted to $50 billion annually. This is about one-third of the value added by manufacture in all industries in the United States.

Gambling is in fact an industry. To some extent it is a legal industry. It is lawful to bet on the horses in the State of New York and 2 dozen other States, provided one goes to the track and uses the pari-mutuel system. It is, as a rule, not legal to bet on a horse race when one is not where one can see the horse.

It is also legal to manufacture and sell playing cards and other equipment that give professional gamblers an advantage over the amateurs. One witness, a detective who specializes in detecting gamblers, believes that 1 out of every 10 card games for high stakes is played with a marked deck. This is, of course a warning to the unwary—they should limit themselves to the other nine games.

Where gambling is illegal it goes on just the same. One well-informed witness said gamblers could rarely operate 48 hours without the policeman on the beat knowing about it. Another witness said he believed that police chiefs knew the whereabouts of virtually every professional gambler who is now operating in the United States.

It was hardly necessary for any witness to add that there was a great deal of corruption. When professional gamblers do not buy the $50 tax stamp that the Federal Government requires of them annually, there is suspicion of corruption. The subcommittee chairman, Senator MCCLELLAN, of Arkansas, said that the data on hand indicated that professional gamblers were evading as much as $5 billion in Federal taxes every year. An ominous suggestion was made that the capital accumulated in corrupt gambling was invested in worse forms of crime.

As some wise man doubtless said when Babylon was merely a country town, it is impossible to suppress the gambling instinct. It is not impossible, however, to put more sense into the laws affecting gambling and then to enforce those laws with more regularity.

RADIATION HAZARDS FROM X-RAY FACILITIES

Mr. WILLIAMS of New Jersey. Madam President, I wish to call the attention of the Senate to an important article from the forthcoming September issue of Consumer Reports on the radiation hazards involved in medical and dental X-rays.

Consumer Reports has on a number of occasions directed attention to the serious public health problems arising from exposure to radiation. This article deals with the problem of medical and dental X-rays, and points out that we receive on an average an estimated 20 times as much radiation from these sources as from radioactive fallout.

Having received an advance copy of this magazine, I have read the article with a great deal of interest. I found it a sober and responsible treatment of the issue, recognizing that X-rays have been an invaluable tool to the medical and dental professions in improving the health of all of us.

Yet the article reminds us that the only "acceptable" amount of radiation from X-rays is the least amount that will do the job well. It points out numerous illustrations of actual and possible "overdoses" received by individuals through inferior design, manufacture, installation, and use of X-ray facilities. And it is clear that there is much that could be done to lessen the radiation hazards of X-rays without impeding their usefulness.

As a member of the Senate Health Subcommittee, I commend this article to my colleagues, and I ask unanimous consent, Mr. President, that it be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ENORMOUS BENEFITS WE OWE TO X-RAYS SHOULD NOT BLIND US TO THE TWO SERIOUS ABUSES WHICH ARE FREQUENTLY MET WITH TODAY—THE IMPROPER USE OF X-RAYS AND THE USE OF UNNECESSARILY LARGE DOSES

This review of the medical and dental X-ray situation is accordingly focused on these problems. CU's conclusions can be summed up in this series of questions and answers.

Question. Are American patients receiving larger-than-necessary doses of radiation from medical and dental X-rays?

Answer. Yes, in a distressingly high proportion of cases.

Question. Could these unnecessarily high doses of radiation be curtailed without impairing the medical and dental usefulness of X-rays?

Answer. Yes, in many instances by taking a few simple, inexpensive precautions which are widely known but much less widely utilized.

Question. Where should the responsibility lie for enforcing these minimum safeguards?

Answer. Primarily on State and local health departments, with help and guidance from the U.S. Public Health Service.

Question. Is this responsibility being met?

Answer. Some States are making progress. Some States have not yet taken even the first effective steps toward controlling X-ray abuses. (For CU's own State-by-State survey, see table at end of speech.)

Question. Can patients themselves recognize improper X-ray techniques likely to produce unnecessarily large doses?

Answer. To a certain extent; certainly the presence or absence of some of the protective devices described further on is observable by patients. Inspection by trained fieldworkers and actual radiation measurements are needed, however, to spot fully shortcomings of X-ray installations and practices; and some kinds of misuse can be avoided only by the physician, dentist, or technician using the machine.

Medical and dental X-rays, of course, are essential both in the diagnosis of a wide range of conditions and in the treatment of serious disorders. Without X-rays, the medical and dental professions would be severely handicapped indeed; and a patient who refused to be X-rayed because of fear of radiation would not be protecting his health but jeopardizing it. In a series of earlier reports, we reviewed in some detail the hazard presented by radioactive substances found in milk and other foods as an aftermath of nuclear weapons tests (Consumer Reports, March 1959, January, February, March, and June 1960). This month CU reports on a related topic: the radiation which tens of millions of us receive each year from medical and dental X-ray examinations. Measured in overall terms, we receive on the average an estimated 20 times as much radiation from these sources as from radioactive fallout.

Another comparative measurement is the genetic dose—that is, the dose received by the gonads, the male and female sex glands, during the first 30 years of life. This measurement is significant because it is presumed to govern the number of genetic defects which may show up in future generations as a result of exposure to radiation today. On this scale, medical and dental X-rays are somewhat less important—in part because the gonads can be kept out of the direct X-ray beam during most X-ray procedures, and in part because a number of those procedures are performed mostly on older men and women past childbearing age. Even so, the dose to the gonads from medical and dental X-rays is estimated at 5 to 10 times the dose attributable to fallout for men and women under 30.

Two central assumptions underlie CU's study, and these should be clearly stated at once.

First, the only acceptable amount of radiation is the least amount that will do the job well; and this is doubly true at a time when the atmosphere and our foods have been, and may again be, contaminated by radioactivity from nuclear tests and when medical and industrial uses of radioactive materials are increasing. Some of the dosages cited in this report are quite small and would not be, in themselves, a cause for alarm. But the effects of radiation, whatever the source, are cumulative; even a minor saving in dosage each time you have an X-ray taken may add up to a significant saving through the years.

Second, the dosage to the sex glands is of particular importance in people of childbearing age. If any reasonable step can be taken to reduce the gonadal dose significantly, failure to take it constitutes a serious lapse in good medical or dental practice. Viewed in the light of its overall effect on future generations, even a minor reduction in X-ray dosages may mean a major genetic gain.

Following these two central assumptions, CU's concern has been to identify those procedures which produce good results with a minimum of radiation and to warn against those procedures which result in unnecessarily high dosages.

THE ADRIAN REPORT

A little less than a year ago, a committee of outstanding British experts under the chairmanship of Lord Adrian published an epoch-making report on "Radiological Hazards to Patients."

Typical of the committee's work was a series of actual measurements made in English and Scottish hospitals to determine just how much radiation patients were actually receiving. One series of 503 measurements made in 104 hospitals, for example, gaged the dose to the adult male gonads when an X-ray picture was taken of the chest.

In one group of eight hospitals, the adult male gonadal dose was estimated at an average of 15 milliroentgens[1] per chest X-ray. This is certainly not a dangerous amount of radiation. But the average dose in the 104 hospitals taken as a whole was only 1.34 milliroentgens. These 8 hospitals, in short, were delivering more than 10 times as much radiation to the male gonads per chest X-ray picture as the average hospital.

Nor was this all. The 34 hospitals which used the most effective dose-reducing techniques were delivering on the average only 0.03 milliroentgens to the male gonads per chest X-ray. Gaged by this standard, the average hospital was delivering on the average 44 times as much radiation as necessary to the male gonads each time it took a chest X-ray; and the 8 worst hospitals were delivering 500 times as large a gonadal dose as necessary.

From these and many other findings, the British experts concluded that the genetic dose from medical and dental radiation to inhabitants of Great Britain averaged 19.3 milliroentgens per year at the time the study was made (1957–58). This, the Adrian report rightly notes, is not an alarming amount in itself. But it is an unnecessarily large amount. "We are convinced," the Adrian report concludes, "that in many instances of diagnostic and therapeutic procedures this does could be substantially reduced without any detriment to the efficiency of the examination or treatment. If the recommendations which we have set out below are carried out we are satisfied that the total annual genetic dose to the population from all forms of medical radiology can be reduced (from 19.3 milliroentgens per person per year) to a figure of 6 milliroentgens or less." This, the report notes, is not the ideal but the readily attainable goal.

CONDITIONS IN THE UNITED STATES

No nationwide study comparable to Britain's Adrian report has been made in the United States. Limited local surveys have been made in various parts of the country—notably in Oregon, Philadelphia, New York City, and Dade County (Miami), Fla. These studies, reported in several professional journals over the past 2 years, covered a total of 6,857 X-ray installations, medical and dental. They very likely represent average conditions existing throughout the United States; and they reveal conditions which in some respects are considerably worse than those turned up in Great Britain.

In New York City, for example, inspectors from the city's office of radiation control checked a number of medical X-ray installations. They discovered, says Prof. Hanson Blatz, director of the control program, that with about 50 percent of the machines "every time that a chest X-ray was taken, the patient's reproductive organs would be exposed to the [direct] beam of X-rays, thereby exposing the gonads to hundreds of times the radiation dose that would be necessary if the proper beam-limiting diaphragm had been used." It was even found that in the simple X-raying of a wrist, the equipment was sometimes used in a way which would also expose the genital region to the direct beam.

If medical and dental X-ray exposure could be cut by even a few percent, Professor Blatz adds, the effect would be "more than equivalent to eliminating all other sources of manmade radiation exposure."

One simple way to cut down unnecessary exposure is through the use of metal devices which limit the beam of X-rays to the "area of medical interest." Devices for this use are illustrated above. The commonest of them is a set of cones of various sizes. The physician or technician taking the picture can use the smallest available cone which will encompass the relevant area.

But the surveys disclosed that many physicians do not have any beam-limiting device to use. For example, in the Dade County survey, of 183 physicians with X-ray machines, 44 did not have on hand even one cone or other device for limiting their beams. An even larger number (84) had on hand one and only one cone. A simple cone-centering device is also needed to direct the cone at the area of medical interest; only 16 of 183 X-ray machines were equipped with such a device.

Note that these figures refer only to the availability of cones and cone-centering devices. But physicians who do have a set of cones do not always take the trouble to select the right size for each exposure. For example, the Oregon survey showed that the beam-limiting methods used were "satisfactory" in less than half the cases. Radiologists and hospitals using radiologists (that is, physicians trained and specializing in radiology and certified by the American Board of Radiology) were better in this respect than other physicians using X-rays; about 84 percent of them used satisfactory beam-limiting methods—as compared with 39 percent of the physicians who were not radiologists.

Limiting the area of the radiation field during routine dental X-rays is simpler. Only one size of beam-limiting device is generally needed. The National Committee on Radiation Protection and Measurement (NCRP) recommends a 3-inch maximum field diameter at the tip of the cone, the American College of Oral Roentgenology, 2¾ inches.

But in Oregon, a survey of 170 dental X-ray machines revealed that only 22 percent of them met the 2¾-inch standards. In New York and Philadelphia, the record was better. About 53 percent of 1,200 Philadelphia dentists were using radiation fields no larger than 2¾ inches in diameter. But other Philadelphia dentists were found to be using 4-, 5- and even 5⅛-inch beam diameters. A beam 3 inches in diameter has a cross-section area of 7 square inches; a beam 5 inches in diameter has an area of almost 20 square inches—almost three times as large. Even a modest reduction in the beam diameter achieves a substantial reduction in the area radiated.

GONADAL SHIELDING

By far the simplest method of cutting down the gonadal dose in many kinds of X-ray exposure is to cover the genital area with a rubber apron or sheet containing lead, or other form of shielding. The lead blocks the direct X-rays, and may also block most of the scattered or reflected rays which would otherwise reach the sex glands.

Gonadal shielding is especially important when babies are X-rayed, in part because their gonads may be especially sensitive to X-rays and in part because the baby's small size makes it more likely that his gonads will be struck by the direct beam. Yet, in Dade County, only 15 percent of 133 units used to X-ray infants employed gonadal shielding.

In the course of the Oregon survey, a number of physicians and technicians stated that they rarely used gonadal shielding. One reason given: it might alarm patients.

CU, accordingly, offers this obvious bit of advice:

Don't be alarmed if a physician places a lead-rubber sheet or apron or other type of shielding over your genital area before turning on the X-ray beam. On the contrary,

[1] A milliroentgen is one one-thousandth of a roentgen (the basic unit of radiation measurement). The limit suggested by the U.S. National Academy of Science for gonadal radiation for all sources for the first 30 years of life for the population as a whole is 10 roentgens.

accept this as a welcome sign that he is concerned about your gonadal dosage. If he does not do it, ask him to do it.

FILTRATION

Not all of the X-rays emitted by an X-ray tube are useful in taking pictures. Some are "hard" and some are "soft." The hard rays have great penetrating power and actually reach the X-ray film, producing the image on it. The soft rays are generally absorbed by the body.

A simple way to reduce the patient's X-ray exposure is to place a sheet of aluminum, about one-twelfth of an inch thick, directly in the X-ray beam. Such a filter blocks the soft X-rays while letting the hard rays through unimpeded. Far from degrading the resulting picture, filtration may improve its quality. And it protects the patient. The dose to female ovaries, for example, sometimes is cut in half.

Knowing this, you would expect all X-ray machines to be equipped with adequate filters—but such is not the case.

In Oregon, for example, where 368 medical and dental X-ray machines were checked, only 182 had adequate filters in their beams. The remaining 186 machines had less filtration than the minimum permissible under NCRP standards—and some had no filters in the beam at all. Radiologists were, in this as in other respects, better than physicians who were not radiologists; nine-tenths of the former met NCRP filtration standards as compared with only one-fifth of the latter. Similar conditions were found in Dade County, Philadelphia, and New York City.

FLUOROSCOPY

Fluoroscopic examinations are not as common as medical and dental X-ray pictures but because of the heavy dosages involved their radiation can be even more significant to individual patients. The fluoroscope presents a continuously moving though fuzzy image rather than a stationary and clear picture taken at a particular moment. The difference between the fluoroscope image and the X-ray picture is much like the difference between television and a snapshot. In some cases, the moving image is important to diagnosis. It enables the physician to see your internal organs in operation and to observe the relationships between them. By having you turn in front of the fluoroscope he can get a perspective view of the heart, for example, and all its surrounding organs which would require a whole series of X-ray pictures.

The trouble is that fluoroscopy is not being confined to these special applications. In the Oregon survey, for example, some pediatricians were found who routinely fluoroscoped all babies. Elsewhere it has been reported that physicians use fluoroscopes in routine adult examinations and checkups. The routine use of the fluoroscope for checkup purposes, however, is now universally condemned, for babies and for adults. The dosage is much too high even with impeccable technique and a good machine. A fluoroscope examination of the chest, for example, may subject the patient to 200 times the X-ray dosage required for a good X-ray film. In place of routine fluoroscopy, conscientious physicians now use a fluoroscope only when there is a specific medical need not met by other diagnostic means, and use very special care with infants, children, pregnant women, and young adults.

All the surveys point up the dangers inherent in misused fluoroscopy. One such danger lies in the amount of radiation per minute which is beamed at you. Some radiologists manage to get along with the X-ray beam set for only two or three roentgens per minute. The NCRP recommendations specify that exposure should be as low as possible, and shall not exceed 10 roentgens per minute.

In Dade County, 113 of 189 fluoroscopes in private offices were delivering more than 10 roentgens per minute, and of these, 25 were delivering radiation at a rate in excess of 20 roentgens per minute.

The Oregon survey showed what is probably the typical situation: many physicians did not know and could not even guess how much radiation their fluoroscopes were emitting. More than a third of the Oregon machines outside hospitals and radiologists' offices failed to meet the generous NCRP standard; one beam was measured at 65 roentgens per minute. Exposure to such a machine for a minute would give the patient a larger X-ray dose than several hundred ordinary X-ray pictures.

The foregoing dangers involve excessive fluoroscopic dosage per minute of exposure. But there is a second way in which you can receive an excessive fluoroscope dose—by being exposed to the beam for too long a period. Sitting there in the dark, a physician may find it difficult to judge the passage of time. The possibility of a fluoroscopic exposure which goes on and on at the rate of 10 roentgens or more per minute is thus a very real hazard.

To avoid excessive length of exposure, the conscientious radiologist uses such precautions as a foot switch of the "deadman" type and a timer which automatically turns off the beam when a fixed time (5 minutes or less) has elapsed. Once he has checked the points which can be checked only with the fluoroscope, he turns the machine off altogether and takes ordinary X-ray pictures to record the rest of the details. Some fluoroscopes, the surveys revealed, lack timers altogether; some have timers which are out of order; some have timers which do not turn off the beam when the maximum time has elapsed; some have timers which run for an hour instead of for the recommended 5-minute maximum. In the Dade County survey only 30 of 204 fluoroscopes were equipped with suitable timing devices.

When using the fluoroscope, the physican himself is exposed to radiation, some of it coming directly from the tube and some of it scattered toward him by X-ray-reflecting objects. Good practice therefore requires that he wear a lead apron and lead gloves when using the machine. The surveys showed that some physicians don't even own these items for their own protection.

Shoe-fitting fluoroscopes, which were common in shoestores years ago, have been recognized as a source of severe gonadal dosage of an utterly unnecessary kind. Many States prohibit their use entirely, but they are still in use in many places (see table).

X-RAY THERAPY

Like the use of X-rays for fluoroscopy, the use of X-rays for the actual treatment of disease often requires dosages far in excess of those used for taking X-ray pictures.

The use of X-rays to treat cancer is an example. Massive dosages are generally administered to the tumor; but the hoped-for benefit greatly outweighs the hazard to adjoining areas. For the patient facing cancer radiation, there is only one sensible rule: Make sure you are in the hands of a competent radiation therapist.

The use of X-rays to treat nonmalignant conditions—X-rays are frequently so used—raises a number of additional questions. Among the many ailments for which a physician may (or may not) prescribe X-rays are such common afflictions as acne, arthritis of the spine, bursitis, eczema, fungus infections, and warts. Should you accept X-ray treatment for mild, non-life-threatening conditions such as these?

CU's medical consultants hesitate to advise a fixed rule against all such use of X-rays. Most medical authorities now condemn their use in any ailment for which there is another treatment that works as well. In bursitis severe enough to be disabling, for example, some physicians might prescribe X-ray treatments when other measures fail, but there is no evidence that X-ray is better than other treatments such as steroid hormone injections, for this painful condition. The truth of the matter is that properly controlled tests comparing the treatments have never been made. CU's advice to patients can best be summed up in two simples rules.

1. If a physician recommends a course of X-ray treatments for any nonmalignant condition without first trying other kinds of treatment, get a second medical opinion before going ahead.

2. Do not accept a series of X-ray treatments from a practitioner not specifically qualified in the use of X-rays. Consult a radiologist or, next best, a specialist in the particular field of your illness—such as a dermatologist for skin treatment.

BABIES AND PREGNANT WOMEN

The available evidence suggests that unborn babies may be particularly susceptible to radiation damage, especially during the first few weeks of intrauterine life. Radiologists therefore recommend that for all pregnant women X-ray procedures which are not urgent be postponed until after the baby is born.

Not so many years ago, physicians often X-rayed pregnant women to measure the pelvis and determine the position of the baby. Routine X-ray pelvimetry is no longer considered to be good medical practice. In selected cases, however, obstetricians still feel the need for pelvic X-rays late in pregnancy. If a woman knows she is pregnant, she is well advised to avoid any X-rays merely for checkup purposes. If there is a sound medical reason for an X-ray, and the area involved is not the pelvic area, she should request that a lead sheet be placed over her abdomen and pelvic area before the X-ray is taken.

What about the woman who has been pregnant for a week or two but who doesn't yet know it? Her unborn baby is presumably at the stage of greatest susceptibility to X-rays. Her solution is obvious. During her childbearing years, a sexually active woman should whenever possible have her X-ray examinations scheduled during the 2 weeks immediately following a menstrual period. By avoiding X-rays during the 2 weeks preceding a menstrual period, she can reduce the chance of exposure while she is unwittingly pregnant. (When an X-ray is urgently needed, it should of course be promptly performed whether or not there is a pregnancy or possible pregnancy.)

ROUTINE CHEST AND DENTAL X-RAYS

Annual chest X-ray examinations for tuberculosis are no longer considered necessary, except for segments of the population whose rate of exposure and susceptibility are high. For most people, a tuberculin skin test is adequate for screening, with an X-ray only if the skin test is positive. Annual or even semiannual X-ray examinations for lung cancer in persons over 40 may be advisable.

Nowadays, according to the American Dental Association, dentists generally take one full set of X-rays of new patients, and of any other patients when conditions indicate the need. X-rays are taken more frequently, for example, of the caries-prone patient or the patient with periodontal (gum) disease. For other patients, most dentists now use X-rays at less frequent but regular intervals. The dentist may also use a "bite wing" X-ray for such patients. The bite wing X-rays show both the upper and lower teeth on one film; fewer exposures are thus required.

If your dentist's X-ray machine has a filter and a cone, and he uses fast film, you need not hesitate to let him take X-rays

when he indicates they are necessary. The exposure involved in dental X-rays is not large, and the dosage to the gonads from a good machine is very slight. He should also use a protective apron on you, of course.

WHAT NEEDS TO BE DONE

CU's consultants agree that, in the final analysis, the protection of the patient from unnecessary X-ray dosage is a responsibility of the medical profession. Laws and regulations cannot assure sound procedures. The individual practitioner must be educated; he must carefully apply what he has learned.

A patient's best protection is thus a competent, conscientious physician—one who will not use X-rays unnecessarily or use more than the necessary amount, and who will refer his patients to a radiologist or other specialist if an X-ray procedure is needed which taxes his own capacities or that of his machine.

But there still remains a wide area of protection within which laws and regulations can work and should be adopted and enforced. While regulations cannot guarantee sound procedures, they can eliminate the worst abuses.

A physician who takes longer than necessary to fluoroscope a patient, for example, cannot readily be curbed by State regulation. But the State can at least require that every physician have a timer on his fluoroscope, properly designed and in good condition, so that he will not by accident keep the patient in the beam too long.

Here, in rough outline, are the legal measures which, in CU's opinion, are likely to accomplish the most.

Type approval

A well-designed X-ray machine has a number of built-in safeguards. The tube housing, for example, is so constructed that no more than a specified amount of radiation leaks out in unwanted directions, and there are safeguards to prevent the beam from being turned on accidentally.

Specifications covering such design points as these have been published by the NCRP and have been adopted as standards by some States; and there are more detailed Federal specifications which must be met by X-ray equipment purchased for use by the Federal Government. CU believes that all new equipment should be required by law to meet such standards and specifications before it is sold in interstate commerce. Manufacturers of X-ray equipment might be required to submit a sample or prototype of each model for governmental testing. If the sample met standards and specifications, type approval could then be granted for all machines identical with the sample. A type approval insignia permanently affixed to the machine would assure purchasers, State and local inspectors, and patients that the machine had been properly designed in the first place.

Thought also should be given to the regulation of "X-ray jalopies"—secondhand machines. "Obsolete equipment is being traded in," the Dade County survey notes, "only to be resold by some distributors without regard to the radiation hazards inherent in the design."

Registration

State laws should require the registration of all medical and dental X-ray machines. This is a minimum requirement without which other regulations are impossible. If inspectors don't know where X-ray machines are located, they cannot, for example, check them to make sure they are equipped with adequate filters. As noted below only about half the States now require registration of medical and dental X-ray machines. Several other States (Connecticut, for example) require the registration of sources of radiation generally—but specifically exempt from registration the medical and dental machines which are responsible for the bulk of all man-made radiation received by the public.

Legal standards

Even though an X-ray machine meets Federal standards and specifications initially, it should continue to be subject thereafter to compliance with State regulation or codes. This is necessary for two reasons.

For one thing, a machine may be modified after manufacture. The filter with which it was initially equipped may be removed, for example, or other changes may be made. Protective accessories may be omitted to cut the cost. "Some means must be found," says the Dade County survey, "to prevent sales personnel from cutting corners which nullify good original design."

For another thing, the way in which the machine is installed may present a hazard. An X-ray machine aimed at a wall may constitute a hazard to occupants of the next office if the wall is not shielded; in the case of fluoroscopes, shielding may be required to protect the neighbors upstairs. During the New York City survey, two cases turned up of X-rays passing through walls into neighboring apartments occupied by families. Standards governing such matters may be based on NCRP recommendations—but they should be enacted and enforced by the States, and the States should be free to enact stricter requirements than the minimums set by the NCRP.

Inspection and certification

State and city health departments should be adequately staffed to inspect all medical and dental X-ray installations periodically, in part to assure compliance with State regulations, and in part to suggest improvements in technique over and above the regulations.

An X-ray installation which meets standards, CU believes, should receive a certificate, showing the date of inspection, to be posted conspicuously in the X-ray room—just as restaurants and elevators are now required to post inspection certificates. Patients could then refuse to be X-rayed by any machine which lacked a properly dated certificate.

Certification would not, of course, assure the patient that he would receive only the necessary dosage. Even though a fluoroscope were carefully inspected yesterday, a physician today could keep the beam turned on longer than necessary. But a patient would at least be assured that the machine was capable of being operated safely, that all necessary safeguards were available—and that the operator's methods had been checked by an inspector capable of recommending improvements.

The need for periodic inspection, reinspection, and recertification after each inspection is abundantly shown by the experience in Dade County.

Following the original Dade County survey of 204 X-ray machines and 204 fluoroscopes, health officials checked again. They had left written recommendations for eliminating potential hazards with physicians whose installations or methods had been found to be substandard. And about a year after the original survey, 50 of these physicians were selected at random for a resurvey. Their offices had contained 32 X-ray machines and 37 fluoroscopes. Seven physicians, the re-survey showed, had discontinued use of their fluoroscopes; and two had purchased new X-ray machines. But the rest of the compliance picture was hardly satisfactory: Out of 118 recommendations made, only 41 had been complied with.

In New York City, where inspectors not only recommend improvements but point out that failure to comply is a violation of the law, results were somewhat better—but hardly a cause for congratulation. Professor Blatz estimates on the basis of spot checks and other data that the New York City physicians' compliance with required improvements has been about 60 percent. He adds, however, that among physicians required to install structural shielding to protect neighbors within a 5-year grace period, the city's inspectors were not able to turn up even one physician during the first 4 years who had actually installed such shielding.

A NOTE TO PHYSICIANS AND DENTISTS

When a physician or dentist buys a new machine, he should get a written guarantee that it meets Federal purchasing specifications as well as NCRP recommendations, and he should make sure that all recommended safety and protective devices are included. Whether his machine is new or old, he should have his X-ray area and machine inspected to make sure there is adequate shielding in proper places, that the machine is not leaking, and that the protective devices and techniques give optimum results with maximum protection for himself and his patients. City or State health departments may perform such inspections; otherwise a radiologist or health physicist can be called in.

The U.S. Public Health Service maintains a mail-order service for checking on dental X-ray exposures, made available to dentists through State health departments. The service utilizes an equipment packet known as a Sur-Pak, which contains an 8- by 10-inch X-ray film. The dentist exposes this film in his own X-ray machine in accordance with instructions. The film is then checked by the Public Health Service, and recommendations for improvement are returned to the dentist. The Sur-Pak checks only the size of the irradiated area and adequacy of filtration; a complete inspection of the X-ray and techniques is still advisable.

If this service is not available in your State, ask your State health department to make the necessary arrangements with the U.S. Public Health Service.

Two booklets which contain the basic fundamentals of good X-ray machine design and techniques are available:

"A Practical Manual on the Medical and Dental Use of X-rays With Control of Radiation Hazards," available from the American College of Radiology, 20 North Wacker Drive, Chicago, Ill., at 30 cents per copy.

This is a clear, simple exposition of the basic principles of radiation biology and radiation physics. Its excellent text and illustrations cover the subjects of radiation hazards and radiation dose and control, including practical procedures.

"Medical X-ray Protection up to 3 Million Volts," National Bureau of Standards Handbook 76; available from the Superintendent of Documents, Government Printing Office, Washington, D.C., at 25 cents per copy.

A more technical manual, covering proper methods of construction (i.e., shielding) of the X-ray area, inspection for radiation hazards of the installed machines, rules for operating conditions, and specific recommendations for radiation protection measures (beam-limiting devices, filters, switch and timer on fluoroscopes, protective aprons, etc.). This handbook contains the recommendations of the NCRP.

HOW MUCH CAN X-RAY EXPOSURE BE REDUCED?

Many physicians and dentists make use of a few simple techniques to reduce the patient's X-ray exposure without impairing the quality of the pictures. One is the use of a filter (see discussion above and drawing). Another involves varying the kilovoltage and milliamperage to achieve proper density of the picture: old instruction charts call for relatively low kilovoltage for the X-rays of thin parts of the body. The preferred procedure today is to use higher kilovoltages than were formerly recommended

for all exposures; a larger proportion of the X-rays then reaches the film and the dose to the patient is thereby reduced. Still a third useful approach is to use fast film and a fast intensifying screen to get pictures of good quality (except where exceedingly fine detail is needed) with minimum exposure to the patient. With regard to film development, the doctor can (and apparently often does) save a little time by giving a longer exposure and using a shorter development, but this is poor practice. Careful development, using the full time and temperature recommended, improves the picture and cuts down radiation to the patient.

The Oregon State Health Department has shown just how much can be accomplished toward safeguarding patients from radiation with such techniuqes in a more or less typical situation. An ordinary X-ray machine without a filter, operated at 60 kilovolts, with standard-speed film developed for 3 minutes, used to take a picture of a woman's pelvis, will deliver a dose to the ovaries which, for comparison purposes, we can arbitrarily set at 100 units. By developing the film for 5 minutes instead of 3, or by adding an adequate filter, or by increasing the kilovoltage from 60 to 85, the physician can reduce the dosage to the ovaries from 100 units to about 60. If all three measures are taken, the dosage will fall to less than 30 units. In addition, the use of fast film and a fast screen will further reduce the dosage to 14 units, one-seventh the original level. Moreover, the area receiving this reduced dosage can be reduced by proper beam-limiting devices.

State-control programs for X-ray machines

	Compliance with protective regulation	Registration program	Number registered	Field inspection		Sur-Pak program	Shoe fluoroscopes prohibited	Additional comments
				Personnel	Machines inspected			
Alabama	No regulation	None		None		Yes	No	(1).
Alaska	Optional	Optional	None	¼	25	Yes	Yes	
Arizona	No regulation	None		None		No	No	(2).
Arkansas	Mandatory	do		None		No	Yes	
California	No regulation	Mandatory	18,000	None		No	No	(3).
Colorado	Mandatory	do	2,238	1	600	Yes	No	
Connecticut	do	None		None		No	Yes	(4 5).
Delaware	Optional	do		None		No	Yes	(2).
District of Columbia	No regulation	Mandatory	1,000	None	50	No	Yes	
Florida	Mandatory	do	(6)	3	800	(7)	Yes	
Georgia	No regulation	None		1	650	Yes	No	(2).
Hawaii	Mandatory	Mandatory	450	½	25	No	No	
Idaho	do	do	(6)	½	200	(7)	No	
Illinois	do	do	9,000	15	3,000	(7)	Yes	
Indiana	No regulation	do	3,300	1	350	Yes	Yes	
Iowa	do	None		None		Yes	Yes	(2).
Kansas	Mandatory	Mandatory	2,000	None	30	No	Yes	(2).
Kentucky	do	do	(6)	½	85	Yes	No	
Louisiana	do	None		½	300	No	Yes	
Maine	do	Mandatory	733	1	100	No	No	(2).
Maryland	No regulation	None		None	(8)	Yes	No	
Massachusetts	Optional	Optional	None	5	2,500	Yes	Yes	
Michigan	Mandatory	Mandatory	10,000	4	1,700	No	No	
Minnesota	do	do	2,449	2	800	Yes	Yes	
Mississippi	Optional	do	330	1	330	Yes	Yes	
Missouri	No regulation	None		None		Yes	No	
Montana	do	do		½	300	(7)	Yes	(2).
Nebraska	do	do		1		Yes	No	(2).
Nevada	do	Optional	97	None	(8)	(7)	Yes	
New Hampshire	Optional	do	None	1	250	(7)	Yes	
New Jersey	Mandatory	Mandatory	6,850	4	80	(7)	No	
New Mexico	No regulation	do	308	None	308	Yes	Yes	(2).
New York	Mandatory	do	27,056	33	13,965	(7)	Yes	
North Carolina	No regulation	Optional	(9)	½	200	(7)	No	
North Dakota	Optional	do	408	½	200	Yes	No	
Ohio	No regulation	None		None	20	No	Yes	
Oklahoma	do	do		None	10	Yes	No	
Oregon	Mandatory	Mandatory	(6)	2	1,400	Yes	Yes	
Pennsylvania	do	do	9,100	13½	4,200	No	Yes	(2).
Rhode Island	No regulation	None		1	5	No	Yes	
South Carolina	do	do		(9)	200	No	No	(2).
South Dakota	Optional	Mandatory	600	1	70	No	Yes	
Tennessee	No regulation	do	4,000	6	660	No	Yes	
Texas	Mandatory	do	5,200	4	700	Yes	Yes	(2).
Utah	No regulation	None		None		Yes	No	
Vermont	do	do		None		Yes	Yes	
Virginia	Optional	Mandatory	2,500	3	104	Yes	Yes	
Washington	Mandatory	do	None	1	381	Yes	Yes	
West Virginia	No regulation	None		None	20	Yes	No	(7).
Wisconsin	do	do		None	69	Yes	Yes	(2).
Wyoming	do	do		1	19	Yes	No	(2).

[1] Inspection planned for Jefferson County.
[2] Inspection on request basis.
[3] X-ray machines in Los Angeles are being inspected.
[4] Dental machines in Hartford are being inspected.
[5] Standards for protection of operator only.
[6] In process.
[7] Sur-Pak not necessary; complete inspection available.
[8] Inspections are being made on a limited survey basis.
[9] Not stated.

EXPLANATION OF SUBSTITUTE FOR H.R. 10 AS APPROVED BY SENATE COMMITTEE ON FINANCE

Mr. MANSFIELD. Madam President, I ask unanimous consent that an explanation of the substitute for H.R. 10 as approved by the Senate Finance Committee and ordered favorably reported to the Senate be incorporated in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EXPLANATION OF SUBSTITUTE FOR H.R. 10 AS APPROVED BY THE SENATE FINANCE COMMITTEE AND ORDERED FAVORABLY REPORTED TO SENATE

1. Basic concept: Self-employed persons generally would be treated as employees for pension plan purposes and would become eligible for coverage in qualified plans. All separate businesses of self-employed persons would be considered as one business for their retirement plan purposes.

2. Coverage for employees of self-employed individuals: Self-employed persons establishing retirement plans for themselves would be required to cover all full-time employees with more than 3 years of service. Seasonal, part-time and temporary employees could be excluded.

3. Amount deductible annually by self-employed individuals: A self-employed person would be permitted to contribute to a retirement plan 10 percent of his earned income or $2,500, whichever is the lesser. He would be permitted to deduct 100 percent of the first $1,000 contributed and 50 percent of the remaining $1,500 which may be contributed. Maximum deductible amount would be $1,750.

4. Base for deduction: "Earned income." This term means professional fees and other compensation for personal services. Where both capital and personal services are material income-producing factors, the term means not more than 30 percent of income from the business, but not less than $2,500 where self-employed person renders full-time personal services.

5. Vesting: In plans covering self-employed persons immediate vesting would be required with respect to amounts contributed for employees.

6. Coordination with social security: Coordination would be permitted for plans covering self-employed persons if contributions for such self-employed persons do not exceed one-third of the total deductible contributions. Plan is given credit only for actual social security contributions made by the employer.

7. No capital gains treatment: Special averaging provided instead of capital gains treatment with respect to lump-sum distributions received by self-employed persons.

8. Estate and gift tax exclusions: Self-employed individuals not eligible for estate and gift tax exclusions.

9. Limitation on time of payment of benefits: Benefits could not be payable to more than 10 percent owners before age 59½ (except in the case of permanent disability or death) but must begin before age 70½.

10. Face amount certificates: Investment in nontransferable face amount certificates permitted.

11. Custodial account: Custodial account in a bank is permitted in lieu of trust if investments are solely in regulated investment company stock or life insurance policies. In this connection the committee included in the term "bank" various institutions regulated by State banking authorities.

12. Bond purchase plan: Direct deductible investment in special issue of nontransferable retirement bonds permitted.

The Finance Committee substitute did not include provisions which would restrict contributions or benefits under corporate owner manager type pension plans.

The committee approved several miscellaneous amendments to the bill. One of these amendments would enable the self-employed person to use a level premium annuity or life insurance policy under his retirement plan, the premium to be limited in accordance with his average earned income for a 3-year period, the deduction (if any) being based on his earned income for the taxable year. Another would require that annuity contracts under all pension plans must be nontransferable. A third amendment would permit annuities which have commenced to pay out to a self-employed person or to his surviving spouse to continue to be paid out to a surviving beneficiary of the self-employed person or his spouse.

As approved by the committee, H.R. 10 would become effective for taxable years beginning after December 31, 1961.

The bill will not be reported to the Senate before Tuesday, September 5, 1961.

WITHHOLDING OF PAY OF CERTAIN CIVILIAN EMPLOYEES OF THE NATIONAL GUARD

Mr. MANSFIELD. Madam President, I move that the Senate proceed to the consideration of Calendar No. 685, House bill 4785.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 4785) relating to withholding for State employee retirement disability, and death benefit system purposes, on the compensation of certain civilian employees of the National Guard, which had been reported from the Committee on Armed Services, with an amendment.

Mr. STENNIS. Madam President, I do not think there is any disagreement, so far as the Senator from Mississippi knows, as to the principal part of the bill, but merely in connection with the amendment that has been added by the Armed Services Committee.

Quite briefly, an explanation of the bill is that there is now a law which permits the Federal Government to withhold, and to pay over to the State retirement systems, employees' contributions for civilian employees of the National Guard. The House bill would merely extend that law and permit it to apply not only to retirement plans, but also to death and disability benefits.

The Senate Committee on Armed Services recommends the passage of the bill; and, in addition, suggests an amendment to cover something which has been before the Senate and the House and before the Appropriations Committees several times.

Technicians are employed by the National Guards of the various States. Technically these people are State employees, but actually their salaries are paid by the Federal Government. They are selected solely through the agents of the Federal Government. To all intents and purposes, except for the technical situation, they are Federal employees. Therefore, based on merit and on right, the Federal Government should pay at least the employer's share of the retirement benefits for these particular employees.

This suggestion has already been included in an appropriation bill and approved by the Senate. It went to conference. The Senator from Mississippi was a member of the conference committee. I understand there was no objection to the payments on the merits of the question, but a serious question was raised by the House conferees that really there was no statutory authority for the payments yet, and even if there might be, by implication, it was still a legislative problem which should be passed upon.

The Senate yielded that money in the conference with the idea of seeking legislative authority, which the amendment offered by the Senate Committee on Armed Services would provide.

I repeat that for clarity. The Committee on Armed Services proposes an amendment to permit the Federal Government to pay into the State retirement systems, for the benefit of the employees, the employer's share up to a certain level, for the technicians who work for the National Guard.

A question arose as to what percent the Federal Government should pay. Some States have retirement benefits under which employers pay up to 9.6 percent. It was agreed, under the amendment, that payments would be authorized up to only 6½ percent. That percentage was selected because it is the amount paid for regular Federal employees. The Senate Armed Services Committee recommends a payment up to 6½ percent, but not beyond. If the payment should happen to be lower in any State, only the amount normally paid in that State would be allowed. Six and a half percent would be the maximum.

I do not wish to anticipate what the Senator from New York will say in his arguments, but to cover the point I must refer to the amendment to be offered by the Senator from New York. The amendment to be offered by the Senator from New York would strike out the 6½ percent and permit the maximum to be whatever the State law provided. The proposal was considered in the committee. For what seems to me to be almost obvious reasons it was rejected. With logic and consistency we could hardly allow more than we allow for the regular Federal employees.

The Bureau of the Budget also considered the problem during the course of the year, and agreed on the figure of up to 6½ percent.

With deference to my friend from New York, perhaps at this time he may wish to present his amendment.

Mr. KEATING. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KEATING. Is the Senate considering the bill as an original bill, or has the distinguished Senator from Mississippi offered the amendment known as section 2?

The PRESIDING OFFICER. The committee amendment has not been stated.

The committee amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 3, after line 3, it is proposed to insert a new section, as follows:

SEC. 2. Section 709(f) of title 32, United States Code, is amended by adding at the end thereof the following: "Compensation authorized under this section may include the amounts of the employer's contributions to retirement systems. Such contributions shall not exceed 6½ per centum of the compensation on which such contributions are based."

Mr. KEATING. Madam President, I offer an amendment to the committee amendment. The amendment is printed and designated "8-16-61—A." I offer it on behalf of myself, my colleague [Mr. JAVITS], the Senator from New Jersey [Mr. CASE], and the Senator from Hawaii [Mr. FONG].

The PRESIDING OFFICER. The amendment to the amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 3, line 8, beginning with "Such", it is proposed to strike out all down through the period in line 9.

Mr. KEATING. Madam President, the amendment, offered by my distinguished colleagues and myself, would strike out the words:

Such contributions shall not exceed 6½ per centum of the compensation on which such contributions are based.

The purpose of the amendment is to retain what seems to me to be the elemental principle of fairness, so far as retirement benefits for the civilian employees of the National Guard are concerned. These employees work side by side with State employees in the supervision and handling of National Guard equipment. Their salaries have been paid by the Federal Government, but no contribution has been made for their retirement benefits.

The proposed legislation would authorize the Federal Government to pay the employer's contribution for retirement costs but, as presently written, would set the limit, as the distinguished Senator has pointed out, at 6½ percent.

It is true that 6½ percent is the percentage paid for other Federal employees. I point out that it is not the percentage which is contributed for retirement benefits for Members of Congress, which is 7½ percent.

At first glance there appears to be good reason for placing a statutory limitation of 6½ percent on the amount the

Federal Government should pay for National Guard technicians' retirement, but in fact this limitation is completely arbitrary and unfair, because the 6½-percent contribution which the Federal Government makes for Federal employees is not adequate to cover the retirement benefits which are already authorized by law. In a few years it will be absolutely necessary, I am informed by actuaries at the Civil Service Commission, to provide additional appropriations or set a higher contribution rate in order to meet the needs under the present Federal employee benefit schedules. In short, today, because of salary increases and other benefits, the Federal retirement fund is actuarially unsound.

To illustrate exactly how unfair the limitation would be, I wish to place into the RECORD the figures from the latest annual report of the Board of Actuaries of the civil service retirement system. The standard figuring for normal cost of the system as of June 30, 1959, is 13.83 percent. Of this 6.5 percent is contributed by the employer and 6.5 percent is contributed by the employee. If one adds 6.5 percent to 6.5 percent, one cannot reach 13.83 percent. There is a deficit of .83 percent, which can be met only by further Government appropriations.

To translate this relatively small percentage figure into dollars, we apply an 0.83-percent deficiency to the estimated payroll as of June 30, 1959, the last I could obtain, though I assume the situation would be worse now. The result is an amount equivalent to over $92 million. In other words, the 6.5-percent limitation on the Federal contribution written into the bill is roughly inadequate for present Federal employee benefits in the amount of more than $92 million a year. The very size of this deficiency, it seems to me, reinforces the argument that the 6.5-percent limit is completely arbitrary and unrealistic.

On the other hand, many States are required by law to maintain actuarially sound and fully funded retirement funds. That applies to the State of New York, for instance. The State cannot pay out anything without first insuring that the integrity of the fund will not be impaired.

Many States pay a total contribution to employment retirement benefits greater than 6.5 percent. New York State pays nearly 13 percent, including social security, and nearly 10 percent without social security.

I have some figures on that subject which are very interesting.

California pays 9.16 percent; Hawaii pays 7.29 percent; New Jersey pays 7 percent; New York pays 9.619 percent; and Ohio pays 7.41 percent.

If we add the 3 percent for social security, the following States also would be prejudiced by the amendment: Delaware, Florida, Kentucky, Minnesota, Missouri, Nevada, New Mexico, Tennessee, Texas, Vermont, Virginia, and Washington.

I recognize that this is a complex subject. For that reason I invite attention to the fact that there are many National Guard units and others trying to protect the technicians who would like to have a mandatory provision that the Federal Government contribute what the States contribute to the systems. The amendment is not mandatory. It would merely eliminate the 6.5-percent ceiling on Federal contributions from the authorizing legislation. That would merely mean that payments would be discretionary.

It would permit the Department of Defense to study this question further rather than to be limited to the 6½ percent. The record shows that the Department of Defense takes exactly the position that I take on this question. It is true, as the distinguished Senator has pointed out, that the Bureau of the Budget wishes to have a percentage limit, but the Department of Defense makes precisely the point which is made in the amendment.

I strongly suspect that even if the amendment were agreed to and permission were given to go beyond 6½ percent, the actual amount of retirement benefits paid by the Federal Government would in fact be limited to 6½ percent for several years. But I am confident that as it becomes progressively clearer that the 6½-percent limitation on the contributions for Federal civil servants is inadequate, it will also be possible to increase the percentage paid to the National Guard technicians without requiring the repeal of the authorizing legislation.

What we seek to accomplish by the amendment is that the standard in the law should remain flexible enough to meet the circumstances that unquestionably will change from year to year.

As I have said, there are only 5 States in which 6½ percent is clearly below the level of the State contributions. There will be 23 other States involved altogether. Undoubtedly State increases in retirement pensions will bring other States in addition to these 23 over the 6½-percent limit as time goes on. To maintain a purely fictional limit on the Federal contribution to retirement funds of civilian employees of the National Guard seems to me to be manifestly unfair, particularly because so many of the States now provide equitable and actuarily sound retirement pensions for their employees.

So that even though the amendment may not mean much in dollars and cents, I feel strongly that it would be a mistake to place such an arbitrary top limit on the amount which may be contributed by the Federal Government to this retirement system.

Mr. HRUSKA. Madam President, will the Senator yield?

Mr. KEATING. I am happy to yield to the Senator from Nebraska.

Mr. HRUSKA. Are the States now receiving the 6½ percent, or is payment made by the Federal Government of 6½ percent toward these payrolls?

Mr. KEATING. As I understand, they receive nothing now for retirement contributions.

Mr. HRUSKA. If that is true, it is difficult to understand the statement of the Senator from New York that the States are being penalized by reason of receiving 6½ percent from the Federal Government toward these systems, when they are not receiving anything now. As I understand the position of the committee, they will be treated as well as the other Federal employees are treated in respect to funds from the public treasury, namely, 6½ percent. If there is any State system of retirement whose percentage exceeds that percentage, it will be up to the employee or the State to pay the difference in order to have whatever they want.

But it is very doubtful reasoning, it seems to me, to say that the State or the employee receiving the benefit of 6½ percent of his pay now, which he is not now receiving, would suffer a penalty and there would be a prejudice to the State or to the employee.

Mr. KEATING. In answer to my friend from Nebraska, we are establishing the principle that the Federal Government should pay the employer's contributions to retirement systems. That is a sound principle, in my judgment, and if we set it up as a principle, I do not see what basis there would be for placing an arbitrary top limit on the contribution when there is such a variance between the various States as to the amount which they contribute to the employer's system.

Mr. HRUSKA. The alternative would be to inflict an even greater inequity. The employees in reality are State employees, although they are paid from the Federal Treasury.

Mr. KEATING. In some respects, they are considered State employees, but in other respects they are Federal.

Mr. HRUSKA. In effect, until they are federalized, they are State employees. I do not think there is any question about that point. However, if the contention of the Senator from New York should prevail, a greater inequity would be created, because then all the rest of the employees under the civil service, as I understand, would be limited to 6½ percent, and favored persons would receive from the Federal Treasury more than 6½ percent toward retirement.

That alternative has been canvassed by the Committee on Armed Services. The question has been adjudicated as between those two inequities, and the committee has chosen the lesser of the two for many millions of employees.

Mr. KEATING. These particular employees are paid by the Federal Government and are working in the States side by side with State employees all over the Nation. For example, employed by the State of New York a technician sits beside a National Guard technician. They are doing exactly the same work. The State is contributing a very much larger percentage to the State employee who is seated in one chair than the Federal Government would, under this legislation, contribute to the one next to him.

I have pointed out that example. I do not think for 1 minute that the Federal Government under its present system can afford to pay more than 6½ percent at the moment. If the amendment is adopted, they will not pay more than 6½ percent, because the fund cannot go any further in the red than it has gone already, or is going every year. But the amendment would operate under the doctrine of States rights, in which I am a firm believer. Yet the

amendment is being opposed by some who seriously contend for States rights day after day. This is a good States rights amendment. Those who believe in each State having the privilege of handling this question under its own State laws ought to support the amendment.

Mr. HRUSKA. I could not disagree with the Senator more politely but more forcefully than when he tries to contend for States rights on this question.

The rejection of the amendment is called for by those who firmly and conscientiously believe in States rights, because by the defeat of the amendment, there will be preserved to the States the right to have a State retirement fund for all their employees at any rate they want to set.

I suggest, in regard to the example stated by the Senator from New York, with respect to having one chair filled by a State employee and another by a State employee paid under the proposed Federal 6½-percent payment, that there be a third chair, and that that chair be occupied by a regular full-time employee, in a technical sense, who would be receiving 6½ percent while the others would be receiving more than 6½ percent.

Mr. KEATING. But the fallacy in the argument of the Senator from Nebraska is that there is no third chair.

Mr. HRUSKA. Why not?

Mr. KEATING. The technicians work along with the State employees. I am told that is the manner in which they operate. There are no Federal employees involved in this particular operation.

It is a little hard for me to vote, as we do year after year, a 7½-percent contribution to Members of Congress, and to put an arbitrary ceiling on the contribution of National Guard technicians of 6½ percent. I must stress the fact that all the amendment would do would be to strike out the ceiling. I do not see why any ceiling is placed on the proposal. Probably the Federal Government will operate the system so that the same amount will be given to all Federal employees. But why should we place a ceiling on the percentage? I do not understand the reasoning.

Mr. HRUSKA. As I understand, the bulk of civil service employees now receive 6½ percent. Roughly 2½ million are on the basis of 6½ percent. The Senator calls attention to a segment of legislative officials who are receiving 7½ percent. We would eliminate that inequity and create a much larger one.

Mr. STENNIS. Madam President, will the Senator yield for a question?

Mr. KEATING. I am happy to yield.

Mr. STENNIS. I thank the Senator from Nebraska for his very fine statement of the committee's position, and the very clear-cut manner in which he explained the full problem.

As I understand, the Senator from New York now has a retirement percentage contribution by employers of 9.6 percent.

Mr. KEATING. The Senator is correct.

Mr. STENNIS. Of course, that percentage might be changed to an even higher percentage in the future. That is a possibility. If the amendment of the Senator from New York should be agreed to and this bill should pass, I do not think it would have a chance to pass, with all deference, if the amendment of the Senator from New York were agreed to—any State could increase the amount of contribution, and the entire burden of the increase would fall on the Federal Government.

Mr. KEATING. Is the Senator asking me a question?

Mr. STENNIS. Yes.

Mr. KEATING. That would be true if the amendment were worded so as to make its provisions mandatory. All the amendment would do would be to leave the question discretionary. The Federal Government, as a practical matter, would probably not pay to National Guard technicians a larger percentage than is paid to other Federal employees. But the amendment would not in any way force the Federal Government to pay more, and if the States kept boosting their contribution to the employees, the Federal Government would not be required to pay the larger amount.

Mr. STENNIS. Nevertheless, the States would be permitted to increase their percentage, and therefore the Federal Government would either have to pay it or establish a cutoff level, or a maximum would be set somewhere. Is that not correct?

Mr. KEATING. The Federal Government probably would pay the same percentage to National Guard technicians as it would pay to other Federal employees. There is nothing in the amendment which would force the Government to do anything different.

Mr. STENNIS. We are trying to reach the point where those men will get something, and a legislative determination on this subject matter is what is required. The maximum amount to be paid is certainly a part of the problem. It is, therefore, a question for Congress to determine what the maximum should be.

In that connection, there is no doubt that the only way to have the proposed legislation passed is to place a limitation on it at exactly the same level as that at which Federal employees are paid. If it is not done at that level, I do not believe the bill should pass. If it should pass with the amendment of the Senator from New York included, we would rightfully be surrounded immediately by the regular Federal employees, who would be asking for an increase, because they would then be a nonfavored group.

Mr. JAVITS. Madam President, will my colleague yield?

Mr. KEATING. I yield.

Mr. JAVITS. First, I express appreciation to my colleague, the distinguished Senator from New York [Mr. KEATING], for carrying the ball on this amendment. So many problems arise in such a great State that if we did not divide the work and do our homework, we would be sunk in this Chamber. So it is gratifying to me that my colleague from New York has made a special study of the subject.

There is one thing which I believe has not been pointed out with respect to the Federal Government. I agree with the Senator from Mississippi when he says the Federal Government wishes to do something now in a situation which it has not done before. The Federal Government wishes to do justice; I am sure the Senator will agree with that statement. Therefore, it is not a matter of looking a gift horse in the mouth. We are dealing with our own Government and our own taxpayers, with a very large part of the money which would be used coming from our own State of New York. It is estimated that more than 19 percent of all Federal tax money comes from the State of New York, without going into the fact that tax money comes also from the other States. Of course it does. I think that is a point which must be made, and the Senator from Mississippi certainly has made it eloquently. However, I think we are entitled to plead for justice, even though the Federal Government is, as it were, "bountiful."

I believe the point which needs to be made is made in a letter from the steering committee of the New York congressional delegation, which I shall place in the RECORD. It lends some equity to our position.

The soundness of the fund will depend on Congress. Congress will make it good. I have heard the argument made many times that the fund is actuarily sound, based on the contributions from hard-money people like the Senator from Nebraska [Mr. HRUSKA], who has been one of the first to argue that point. However, in the State of New York, just as in the other so-called high payment States, the funds are actuarily sound.

When I was the attorney general of the State of New York, one of the members of my staff was an outstanding expert on retirement systems. He said the best thing I could do was to fund my Federal retirement, which was far greater in terms of service than State retirement. I was in the State government for only 2 years, but I have been a Federal official for 14 years. He advised me to take the State system. Under the Federal system, Congress may make good the commitment, because there is not enough money in the fund to make it good.

So from that point of view there is equity, in that the State employees affected do not have anything to look to but the fund. Fortunately, our State is trying to keep its fund actuarily sound, whereas under the Federal system the argument we accept as implicit is that the fund is dependent, to a substantial extent—the promise of retirement being kept—on the fact that Congress will back up the fund.

Mr. HRUSKA. Is the present New York rate 9½ percent?

Mr. JAVITS. It is something like that.

Mr. HRUSKA. Who pays the 9.6 percent now?

Mr. KEATING. The State of New York pays that amount for State employees.

Mr. HRUSKA. That makes it simple. The bill which is advanced here, which the Senator from Mississippi is advocating, merely provides that out of the 9.6 percent, instead of the State or the employee paying 9.6, they will pay 9.6 less 6½. No one is hurt; everyone is helped, it seems to me. I cannot quite see the argument or the logic of the position of the Senators from New York.

Mr. JAVITS. The logic of our position is that the Federal Government has taken the position, in principle, in this bill—this is the position the committee took—that it will follow this course in order to equalize the situation among the employees who are dedicated to the Federal service. That is what it really means. What we are pleading for is that the Government implement its principle. Senators are saying they are willing to implement this principle if we put something toward it. That is what the argument is.

Mr. KEATING. It is about two-thirds of the principle. We will pay two-thirds of the principle and the rest we will let go for the time being. That is the position of our opponents.

Mr. HRUSKA. This is interesting, because the principle which is involved in the amendment is that the bill seeks to invoke the principle of making whom equal? Not the State employees who are paid by the Federal Government, but employees paid by the Federal Government for this purpose, along with two and a half million other Federal employees. Certainly it is necessary to balance that equity, or inequity, which may arise and the fulfillment of that principle with the relatively limited principle of trying to equalize State employees with the employees who are on the Federal payroll.

Mr. JAVITS. It is necessary to look at the end of the process. The retirement benefit which the State employee will get is not very much different from the retirement benefit which the Federal employee will get, except that in the Federal Government the retirement is bought with less money, because if Congress decides there is not enough money, Congress will make good the deficit.

Under the State plan, the retirement is bought with the money which is required. That is really the point which my colleague from New York [Mr. KEATING] and I are making. We are asking for a Federal congressional promise to make up the difference with a percentage payment. So we argue that is the principle involved in the payment for the Federal employees. In order to equalize the payments for the State employees, it is necessary to pay the full amount which they require.

Mr. STENNIS. Mr. President, will the Senator from New York yield for one factual question? I do not have exact information. What does the employee in New York pay? What is the rate of his contribution?

Mr. KEATING. I believe that he pays the same amount. This is a cooperative retirement plan between the employer and the employee. He pays some 9.619 percent.

Mr. STENNIS. He pays 9.6 percent?

Mr. KEATING. I believe so.

Mr. STENNIS. I did not have that information before me. Madam President, I am ready to vote.

Mr. KEATING. The same is true in other States, including New Jersey, Hawaii, California, and Ohio. They are affected just as New York is affected.

Mr. STENNIS. Madam President, I am willing to vote. I think the Senate understands the facts.

Mr. JAVITS. Madam President, I ask unanimous consent to have printed at this point in the RECORD the letter of the New York Congressional Delegation Steering Committee, addressed to Honorable David E. Bell, Director of the Bureau of the Budget, dated June 2, 1961, concerning the bill.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NEW YORK CONGRESSIONAL DELEGATION,
Washington, D.C., June 2, 1961.

HON. DAVID E. BELL,
Director, Bureau of the Budget,
Washington, D.C.

DEAR MR. BELL: The New York congressional delegation has unanimously approved the proposal that necessary action should be taken and funds should be appropriated to permit full inclusion of Army National Guard and Air National Guard technicians in the State retirement systems of all States which authorize and desire such employees to be brought into their system.

In 1960 the Department of Defense recommended to the Bureau of the Budget the inclusion of sufficient funds for this purpose to cover all States concerned, including New York, but the Bureau of the Budget imposed a ceiling on the employer's contribution of 6.5 percent of the payrolls. The Bureau gave the following reason for its action, as stated on page 511 of the President's Budget:

"Since the pay rates of such employees are equated to those of comparable Federal employees, the total employer's contribution to Federal funds is limited to the rate authorized for Federal employees participating in the civil service retirement system."

It has been understood throughout the negotiations on this subject between the States and the National Guard Bureau during the past several years, that the Federal Government would take the State retirement systems as they found them and would make appropriations for the employer's contributions based on the amount that each State concerned is required to contribute for this purpose, according to its laws and regulations. The limitation imposed by the Bureau of the Budget is artificial and arbitrary and will, in many States, defeat the purpose of the negotiations, which is to provide retirement benefits for these technicians whose skills are vital to the successful operation of the Army National Guard and Air National Guard.

Special skills are vital in the administration and maintenance of the millions of dollars worth of airplanes, tanks, artillery, communications, and other essential equipment in the hands of the National Guard. If the National Guard is to bring its hardware and equipment readiness to the highest attainable standards and keep it there, it must be able to attract and keep the best technicians. This cannot be done without adequate retirement protection.

The days when the National Guard went into action a year or a year and a half behind the Active Forces are long gone. We might easily see a situation in which the first available reinforcements for a NATO emergency would be Army National Guard divisions and Air National Guard units. The National Guard needs to retain skilled technicians in order to meet any such emergency.

Efforts to secure retirement benefits for these technicians have been carried on for many years. Failure to obtain these benefits to date has made it difficult to secure and even more difficult to retain these technicians. If this trend is not reversed, the efficiency of the National Guard is bound to suffer.

To use the 6½-percent Federal contribution to the Federal retirement system as the ceiling for contributions to the State retirement systems is not a fair or accurate yardstick. Most States compute their rates for contributions to the State retirement systems on an annual basis, based on current experience. On the other hand, the Federal rate of 6½ percent was established by the act of July 31, 1956. Although the compensation of Federal employees has since been increased, no revision of cost factors and rates of contributions to the Federal retirement system has been made.

The 6½ percent does not take into consideration the costs of administration of the Federal retirement system. The appropriate yardstick is the current actual cost to the Federal Government rather than the outdated, arbitrary, and inadequate figure established by the 1956 act.

The reason given by the Bureau of the Budget, as quoted above, for fixing the 6½-percent limitation is fallacious on another ground. There is no legal requirement that technicians' pay be equated to the pay of Federal employees. Under title 32, United States Code, section 709, the service Secretaries can fix the salaries of the technicians at, below, or above Federal salaries. Since 1951 the Secretaries have fixed the ceiling on salaries that could be paid, at the going Federal rate in the geographical area concerned, leaving to the State authorities, the fixing of the actual rates.

For the reasons stated above, reconsideration is requested of your prior action in this matter and it is requested that you advise the Appropriations Committees of Congress that you are amenable to:

(a) Removal of the limitation imposed by the Bureau of the Budget on the employer's contribution, to 6½ percent of the payroll in each State concerned.

(b) Increase the appropriations requested in the President's Budget for this purpose by an additional $1.5 million of which $1 million is required for additional contributions in behalf of the Army National Guard technicians and $500,000 is required for additional contributions in behalf of Air National Guard technicians.

Yours very truly,
Representative EMANUEL CELLER,
Chairman.
Senator JACOB K. JAVITS.
Representative JOHN TABER.
Representative JAMES J. DELANEY.
Representative WILLIAM E. MILLER.

Mr. JAVITS. Madam President, I shall summarize the letter by pointing out the patriotic interest which is involved; the special skills of the National Guard employees who would be affected and who maintain many millions of dollars worth of equipment; and the fact that, whereas in former days if trouble should break out, the guard would be called, perhaps, a year or a year after the active force, now we know the guard will be called practically immediately.

The very same retirement benefits for these valuable technicians have been in effect for years. These are the equities which my colleague from New York [Mr. KEATING] has so very eloquently de-

cribed, and whose argument I have done my best to buttress.

We believe that equity and the fulfillment of the Government's desire to do the right thing in the proposed legislation requires the adoption of the amendment.

Mr. STENNIS. Madam President, I ask unanimous consent that a statement which has been prepared on the bill and also a statement which has been prepared concerning the amendment of the Senator from New York [Mr. KEATING] be printed at this point in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR STENNIS

The basic purpose of this bill is to amend an existing provision of law under which the Federal Government may withhold and pay over to State retirement systems the employees' contributions of civilians employees of the National Guard. This authority now is limited to State retirement systems only. Since some of the States have their retirement plans or death or disability plans administered by insurance companies or comparable private institutions, the bill proposes to authorize withholding and paying over of the employees' contributions not only to State systems but also to State-sponsored systems involving retirement, disability, and death coverage. This basic purpose is simple and noncontroversial.

The Senate Committee on Armed Services amended the bill to authorize specifically a Federal contribution of not more than 6½ percent of the compensation on which the contribution is based to retirement systems for civilian employees of the National Guard, such as National Guard technicians.

Members of the Senate will recall that section 638 of the Department of Defense appropriations bill for fiscal year 1962 contained a provision having a purpose similar to the committe amendment to H.R. 4785. The House version of the Department of Defense appropriations bill contained no comparable provision. Section 638 was eliminated in conference not because of any disagreement with its provisions but because of the view that its subject matter is one properly for consideration by legislative committees rather than in an appropriations bill.

Under the amendment the contribution by the Federal Government to retirement systems for this group of employees would be limited to 6½ percent of the compensation on which the contribution is based. Any amounts now paid by the Federal Government as employer contributions to social security would be included within the 6½-percent limitation. The committee adopted the 6½-percent limitation in the realization that 6½ percent is the current rate of employer contribution to the civil service retirement system for regular Federal employees. There is no apparent justification for authorizing a contribution for the National Guard civilian personnel in excess of the rate authorized for regular Federal employees. It was the committee's view that any difference between the 6½-percent contribution and the cost of funding separate State systems should be provided by the States or by the employees themselves.

The amendment adopted by the committee is one that was supported by the Department of Defense and the Bureau of the Budget for inclusion in the defense appropriations bill. I believe it represents a sound approach in an attempt to provide an equitable retirement program for these National Guard employees who are not considered classified employees of the Federal Government and who, in some States at least, are not considered State employees. The Federal Government pays their salaries, and it seems entirely reasonable to make the same contributions for their retirement systems as are made for the regular Federal employees.

STATEMENT BY SENATOR STENNIS

I regret that I must oppose the amendment suggested by the Senator from New York, Mr. KEATING.

It is true that there are varying rates of employer contributions among the several States now having retirement systems. Some of these rates range as high as 9.6 percent. If the amount of the Federal contribution to these systems is to be measured by the State rate, however, inequities could be created, not only between different States but also between this group of National Guard technicians and regular Federal employees.

I am informed that the New York system involves an employer contribution rate of approximately 9.6 percent. If the social security contribution of 3½ percent on the first $4,800 of annual compensation is added to the State rate of 9.6 percent, it is clear that the total Federal contribution would be about 13 percent. In addition, approximately 95 percent of these employees also have membership in a Reserve component. As a result of this status, it is possible that they will qualify for Reserve retirement pay. This is entirely proper, but it also has a bearing on the amount of Federal contribution to other retirement systems.

The argument may be made that the current rate of contribution, 6½ percent, to the civil service retirement fund for regular Federal employees is inadequate to keep that system on a sound financial basis. If this is true, I think it does not necessarily follow that the Federal Government alone should provide for this specialized group of employees a contribution that conforms to the State rates.

If we are going above the 6½-percent rate for this group, it seems that it would be preferable from the viewpoint of the Federal Government to make these employees regular Federal employees for all purposes. These employees now are hired by the States, discharged by the States, and their rates of compensation are determined locally in accordance with standards and criteria set by the Secretaries of the Army and the Air Force.

I think it would be unwise to adopt the principle that the Federal contribution in this area is to be determined by the States. In my opinion the 6½-percent contribution is a fair one. I think it is not unreasonable to expect that any difference between this contribution and the rate required to conform to that of the several different State systems be made up by the employees themselves or the States.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York [Mr. KEATING] to the committee amendment.

Mr. KEATING. Madam President, on this amendment, I ask for a division.

On a division, the amendment to the amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 4785) was read the third time, and passed.

The title was amended, so as to read: "An act to provide specific authority for Federal payments of the employer's share of the cost of retirement systems for civilian employees of the National Guard and to extend the authority for withholding employee contributions to State retirement systems by permitting deductions of employees' contributions to State-sponsored plans providing retirement disability or death benefits."

Mr. STENNIS. Madam President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. SPARKMAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FOREIGN AID FALLACIES AND FACTS

Mr. SPARKMAN. Madam President, much confusion has arisen concerning the amount of foreign aid which has been extended from time to time. We see all kinds of figures and tables about the amount of such aid which has been extended over the years.

Mr. John Nuveen, chairman of the Foreign Policy Clearing House, has prepared one of the best statements on this subject that I have seen. It clarifies the situation with a series of tables and statements. I think it would be well for everyone to read it, particularly in view of the foreign aid program on which we are now working in conference committee. Therefore, I ask unanimous consent that the statement be printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FOREIGN AID FALLACIES AND FACTS

(By John Nuveen)

The principal debate on foreign aid for 1961–62 revolves around President Kennedy's request for $7.3 billion in long-term borrowing authority for "development assistance * * * to promote the economic development of less-developed countries and areas." Here is a sample of what the critics are saying:

Henry Hazlitt, Newsweek, June 26, 1961: "Since the end of World War II our foreign aid of all sorts has reached the fantastic total of $90 billion. Yet the Kennedy administration not only wishes to increase foreign aid substantially but to avoid the necessity for annual congressional approval by authority to borrow $7.3 billion for it over the next 5 years."

The Chicago Daily News lead editorial, July 13, 1961, entitled, "$100 Billion Later": "* * * after nearly $100 billion in foreign aid expenditures, there is slight evidence that we have brought the benefits of democracy, freedom, and a better life to any except those who either already had them or at least had the basic know-how to get them."

John C. Sparks, a Canton, Ohio, businessman, in the July 1961 issue of the Freeman, published by the Foundation for Economic Education, Inc.: "Shortly after World War II the Government of the United States imposed upon itself the task of saving the world from poverty and illiteracy—thus, proposing to stop the progression of communism over

the globe. But 16 years and expenditures of $100 billion have not accomplished that goal."

Two questions are raised by such statements. First, exactly how much have we spent on foreign aid, and second, how much of this is pertinent to the present debate which is on promoting the economic development of less developed countries.

The Office of Business Economics, U.S. Department of Commerce, has been keeping records of "Foreign grants and credits" since July 1, 1940, and then publishing them quarterly. In the March 1961 report, "Table IA—Summary of major U.S. foreign assistance, postwar period July 1, 1945, through March 31, 1961," reveals a total of $83,943 million. This figure, which is pertinent to our balance of payments, has very little relevance to the present foreign-aid bill, and there is certainly no basis for casually adding another $6 to $16 billion.

There is, however, some justification for the confusion. While the name of the above report, which was originally called "Foreign Transactions of the U.S. Government," has only been changed once, the title of the summary table has been changed successively as follows:

In 1940: "Summary of Foreign Grants and Credits."

In 1952: "Summary of Foreign Aid (Grants and Credits) War and Postwar."

In 1954: "Summary of Foreign Aid (Grants and Credits) Postwar."

In 1960: "Summary of Major U.S. Foreign Assistance—Postwar."

While the title of the table has changed, the items which make up the balance-of-payments summary have not, and an examination of them shows that only a very small fraction of the $84 billion of what is now called foreign assistance has any relation to the present strategic concept of foreign aid to promote the economic development of less developed areas. This can be revealed by a breakdown by periods.

Period	Purpose	Amount
The war years (July 1, 1940, to June 30, 1945).	Almost exclusively lend-lease (not included in total since 1954).	$48,546,000,000
Post-war relief (July 1, 1945, to Mar. 30, 1948).	To the relief and rehabilitation of countries devastated by war and to the reestablishment of international economic relationships. Credits constituted slightly more than half of this postwar assistance.	16,300,000,000
European recovery program (Apr. 1, 1948, to Dec. 31, 1951).	Replacing working capital and revitalizing the highly developed European economy. Grants, $10,237,000,000; credits, $1,153,000,000. Carryovers brought the final total to about $12,500,000,000.	11,390,000,000
Mutual security programs since Jan. 1, 1952. (ICA report of obligations and commitments.)	The name of the agency administering foreign aid was changed in 1952 from Economic Cooperation Administration to Mutual Security Agency, reflecting a change in direction from the developed European nations to the less-developed nations and a change in emphasis from economic to military aid.	39,778,000,000
Balance miscellaneous	Lend-lease carryover, International Monetary Fund, Export-Import loans, civilian relief in Korea, Public Law 480, etc.	16,475,000,000
Total		83,943,000,000

It is obvious that the first three items concern almost exclusively expenditures related to World War II and European recovery and reconstruction and can be checked off as having been eminently successful in accomplishing their purpose.

Mutual security aid is broken down as between "military" and "economic" but economic aid is not separated to distinguish between economic development and support of military programs. To get a breakdown and be able to determine how much has been devoted to economic development of the less developed countries, it is necessary to examine the annual appropriations by Congress. This causes some discrepancy in figures.

Mutual security appropriations

[In millions of dollars]

Fiscal year	Military assistance and defense support	Total development assistance and loans	Administration, international agencies and miscellaneous	Total appropriations
1953	5,880	522	44	6,447
1954	4,123	329	79	4,531
1955	2,789	332	123	3,252
1956	2,472	354	459	3,285
1957	3,178	402	185	3,766
1958	2,029	638	101	2,768
1959	2,265	750	283	3,298
1960	1,995	976	254	3,225
1961	2,410	962	350	3,722
Total	27,141	5,265	1,878	34,294

Thus it appears that mutual security and development loan fund appropriations for economic development of the less-developed countries in the 9 years since the start of the program have amounted to only $5,265 million, not $100 billion. To this can be added a small fraction that cannot be readily determined of the $6.1 of Public Law 480 farm products disposal other than that used for alleviation of famine, emergency relief, and defense support.

By comparison: During the last 9 years for which figures are currently available (1951–59 inclusive) from the Office of Business Economics, Department of Commerce, the gross private domestic investment in the United States was $522,004 million, which comprises new construction and producers' durable equipment. What we have given or loaned to the less-developed countries, therefore, to help raise their economic level in 9 years is only 1 percent of what we spent to maintain ours.

Considering that the United States has only 6 percent of the world's population and that the less-developed nations have 50 percent of the world's population, the amount we have given or invested to raise the economic level of the people in the less-developed nations on a per capita basis is one-eighth of 1 percent of what we have spent to maintain our own.

It would not appear, therefore, that the underprivileged masses in the underdeveloped world are going to experience any spectacular increase in their economic well-being as a result of the munificence of the U.S. foreign aid program at its present level.

INVESTIGATION OF RULES OF NATIONAL SECURITIES EXCHANGES AND ASSOCIATIONS

Mr. WILLIAMS of New Jersey. Madam President, I ask that the Chair lay before the Senate House Joint Resolution 438.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair) laid before the Senate the joint resolution (H.J. Res. 438), to amend the Securities Exchange Act of 1934 so as to authorize and direct the Securities and Exchange Commission to conduct a study and investigation of the adequacy, for the protection of investors, of the rules of national securities exchanges and national securities associations which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. WILLIAMS of New Jersey. Madam President, the Committee on Banking and Currency authorized the chairman, the Senator from Virginia [Mr. ROBERTSON], by unanimous vote to waive the referral of House Joint Resolution 438 to this committee and to request that it be given immediate consideration on the floor.

House Joint Resolution 438 would authorize $750,000 for the Securities and Exchange Commission to make a study and investigation of the adequacy, for the protection of investors, of the rules of national securities exchanges and national securities associations.

Few things are more important to the growth of American industry than the flow of capital through its markets. At all costs, investor confidence in these markets must be maintained. With this in mind, I have expressed my support on several occasions of a broad study and investigation of the securities industry.

The words "study and investigation" as they are expressed in the resolution—and the order in which they appear—are very significant. Their usage indicates that the Securities and Exchange Commission would be authorized not only to search for abuses in present laws and regulations but also, through a comprehensive study to accumulate the facts and professional opinions which would serve as a firm basis for future legislation designed to offer the investor more substantial protection.

Mr. William F. Cary, Chairman of the Securities and Exchange Commission, has expressed a need for a study of this kind.

In testifying this year before the House Subcommittee on Commerce and Finance, Mr. Cary noted the following developments:

The average daily volume of stocks traded on the New York Stock Exchange thus far in 1961 more than doubles the volume traded on that exchange in 1950. The number of salesmen registered at present with the National Association of Security Dealers more than triples the number of salesmen registered in 1950. Public participation in the market doubled between 1952 and 1959. Such growth factors, coupled with the many changes in the methods of distributing and selling securities, indicate that the stock market of 1961 is not the same market which the Securities Act of 1933 and the Securities Exchange Act of 1934 were designed to regulate. A comprehensive study is, therefore, necessary to determine what laws and regulations would be required to give today's market adequate supervision.

Areas which Mr. Cary has indicated that the Commission would explore in-

clude not only the rules of national securities exchanges and associations but also the mutual fund industry, the over-the-counter market, and margin requirement provisions. It is intended that this study and investigation be wide in scope; otherwise the resulting information will not enable Congress to examine the broad spectrum of the securities industry.

I want to emphasize that the Banking and Currency Committee and the Securities Subcommittee, of which I am chairman, fully intend to meet our responsibilities under the Legislative Reorganization Act of 1946 by exercising "continuous watchfulness" over the course of this study and investigation. On behalf of the Commission, Mr. Cary has indicated not only a willingness but a desire to work closely with the Banking and Currency Committee and its staff.

In closing, I would like to say that House Joint Resolution 438 has received the unanimous approval of the House Interstate and Foreign Commerce Committee and the Senate Banking and Currency Committee. At no time during the hearings before the House Subcommittee on Commerce and Finance did witnesses from any source indicate disapproval of the aims of the resolution or an unwillingness to cooperate.

Therefore, I hope the Senate will give House Joint Resolution 438 favorable consideration at this time.

Mr. JAVITS. Madam President, today the Senate has been legislating at a rapid pace—perhaps an indication that there is a possibility that the date of sine die adjournment is not too far in the offing. However, we have been dealing with many very important matters, and certainly this one is in that category.

When this matter came before the committee and it was decided that it could be acted upon without being referred to the Banking and Currency Committee, it was clear that the taking of great care in the handling of this matter is of the utmost importance.

The chairman of the committee was kind enough to ask that I make this statement here on the Senate floor, in a sense speaking for the minority, and perhaps thus give the statement more force than if I were on the majority side. He asked that I state that the committee recognizes the grave dangers involved in an investigation of this character. This matter deals with the money, the credit, and the basic economic structure of the Nation, in terms of the ownership of securities which represent the major part of our wealth and our productive power. Great confidence in the securities system and in the companies which are so essential to our production could be destroyed and billions of dollars of security values, which depend upon the maintenance of that confidence, could be lost if improper procedures were followed.

The great progress which has been made in the ownership of securities in our country—it is estimated that there are now somewhere between 12 million and 15 million security owners in the United States—could be jeopardized by an improvident investigation. I believe it is generally hoped that there will be even more widespread security ownership; and it is the purpose to have the investigation handled in such a way that even greater confidence will be inspired, so as to help broaden the ownership base of such securities. So the chairman of the committee wished emphasis to be placed on our desire to make sure that the Securities and Exchange Commission investigation will not result in a situation destructive of those values or that confidence. Of course, we desire to have anything that is wrong unearthed; but it is our fervent and definite desire that no harm be done to the fundamental, most important values at stake. Furthermore, the committee intends to assign one of its staff members to be constantly in touch with the investigation, so that at all times we shall be advised of the character and the progress of the investigation, and also so that the committee members may determine whether in their opinion the investigation is being conducted wisely and properly or unwisely or improperly, and so that at least the committee members may have an opportunity to have knowledge of that matter, and, through the exercise of legislative oversight, may make sure that the investigation is a constructive one.

Of course, any wrongdoers or rascals must be found, and all necessary corrections must be made. I may say that as a result of my experience during the period of time when I served as attorney general of New York, I came to know the importance of finding any wrongdoers; but I also came to realize the importance of treating such investigations with both judiciousness and vigor.

That duty and that responsibility are being presented to the Securities and Exchange Commission; and the chairman of our committee was so gracious as to ask me to make this statement at this time, and also to state that the committee intends to do its duty in order to make sure that no injustice or improvidence results from the way in which the investigation is handled, and to make sure that it is handled constructively.

Knowing Professor Cary as I do—he is now Chairman of the Securities and Exchange Commission; and I had opportunity to learn much about him before his nomination was confirmed; he is a fellow New Yorker—I have every confidence that he will see to it that precisely what we desire does occur.

Mr. WILLIAMS of New Jersey. Madam President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. WILLIAMS of New Jersey. I am glad the last point has been made. I agree with the Senator from New York that we have every confidence that the new Chairman of the Commission is of judicious temperament and will undertake both a study and an investigation that will be fair and will not be destructive of the values which are of such great importance. I would like to emphasize our confidence in Senator Frear, our former colleague, and other Commissioners.

Mr. JAVITS. I, too, am certain of that; I am sure that will be the case.

The PRESIDING OFFICER. The question is on the third reading of the joint resolution.

The joint resolution (H.J. Res. 438) was ordered to a third reading, read the third time, and passed.

PROVISION FOR SUPPLEMENTAL AIR CARRIERS

Mr. MANSFIELD. Madam President, I move that the Senate proceed to the consideration of Calendar No. 664, Senate bill 1969. I desire to have the bill made the pending business.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 1969) to amend the Federal Aviation Act of 1958, as amended, to provide for a class of supplemental air carriers, and for other purposes, which had been reported from the Committee on Commerce, with an amendment, to strike out all after the enacting clause and insert:

That (a) section 101 of the Federal Aviation Act of August 23, 1958, as amended, is amended by redesignating paragraphs (13) through (31) as (14) through (32) and inserting therein a new paragraph to read as follows:

"(13) 'Charter service' means air transportation performed by an air carrier holding a certificate of public convenience and necessity where the entire capacity of one or more aircraft has been engaged for the movement of persons and their baggage or for the movement of property on a time, mileage, or trip basis, but shall not include transportation services offered by an air carrier to individual members of the general public or performed by an air carrier under an arrangement with any person who provides or offers to provide transportation services to individual members of the general public, other than as a member of a group on an all-expense-paid tour."

(b) Section 101 of the Federal Aviation Act, as amended, is further amended by redesignating paragraphs (32) and (33) as (35) and (36), respectively, and inserting therein two new paragraphs to read as follows:

"(33) 'Supplemental air carrier' means an air carrier holding a certificate of public convenience and necessity authorizing it to engage in supplemental air transportation.

"(34) 'Supplemental air transportation' means charter service and other air transportation rendered pursuant to a certificate of public convenience and necessity issued pursuant to section 401(d)(3) of this Act to supplement the service authorized by certificates of public convenience and necessity issued pursuant to sections 401(d) (1) and (2) of this Act."

SEC. 2. Section 401 of the Federal Aviation Act is amended by adding to subsection (d) thereof a new paragraph (3) to read as follows:

"(3)(1) In the case of an application for a certificate to engage in air transportation as a supplemental air carrier, the Board may issue a certificate, to any applicant not holding a certificate under paragraphs (1) or (2) of this subsection, authorizing the whole or any part of the transportation covered by the application, and for such period, as may be required by the public convenience and necessity, if it finds that the applicant is fit, willing, and able properly to perform such transportation and to conform to the

provisions of this Act and the rules, regulations, and requirements of the Board hereunder. In determining whether an applicant for such a certificate is fit, willing, and able within the meaning of this paragraph the Board shall give consideration to the conditions peculiar to the type of supplemental air transportation for which authority is sought, including the nature of the public need therefor and the extent to which the applicant will be required to provide such air transportation.

"(ii) Any certificate issued pursuant to this paragraph authorizing individually ticketed or waybilled service shall contain such limitations, including the term thereof, as the Board finds are required to insure that such service will not result in significant diversion of traffic from any air carrier authorized to render service between the same points by a certificate or certificates of public convenience and necessity issued pursuant to paragraphs (1) and (2) of this subsection."

SEC. 3. Subsection (e) of section 401 of the Federal Aviation Act is amended to read as follows:

"TERMS AND CONDITIONS OF CERTIFICATE

"(e)(1) Each certificate issued under this section shall specify the terminal points and intermediate points, if any, between which the air carrier is authorized to engage in air transportation and the service to be rendered; and there shall be attached to the exercise of the privileges granted by the certificate, or amendment thereto, such reasonable terms, conditions, and limitations as the public interest may require.

"(2) A certificate issued under this section to engage in foreign air transportation shall, insofar as the operation is to take place without the United States, designate the terminal and intermediate points only insofar as the Board shall deem practicable, and otherwise shall designate only the general route or routes to be followed. Any air carrier holding a certificate for foreign air transportation shall be authorized to handle and transport mail of countries other than the United States.

"(3) A certificate issued under this section to engage in supplemental air transportation shall, with respect to charter service, designate the terminal and intermediate points only insofar as the Board shall deem practicable and may designate only the geographical area or areas within or between which service may be rendered.

"(4) No term, condition, or limitation of a certificate shall restrict the right of an air carrier to add to or change schedules, equipment, accommodations, and facilities for performing the authorized transportation and service as the development of the business and the demands of the public shall require; except that the Board may impose such terms, conditions, or limitations in a certificate for supplemental air transportation when required by subsection (d)(3)(ii) of this section.

"(5) No air carrier shall be deemed to have violated any term, condition, or limitation of its certificate by landing or taking off during an emergency at a point not named in its certificate or by operating in an emergency, under regulations which may be prescribed by the Board, between terminal and intermediate points other than those specified in its certificate.

"(6) Any air carrier, other than a supplemental air carrier, may perform charter service or any other special service, without regard to the points named in its certificate, under regulations prescribed by the Board."

SEC. 4. Clause (3) of section 406(b) of the Federal Aviation Act is amended by inserting after "each such air carrier" the words "(other than a supplemental air carrier)".

SEC. 5. Title IV of the Federal Aviation Act is amended by adding at the end thereof a new section to read as follows:

"SPECIAL OPERATING AUTHORIZATIONS

"Authority of Board to issue

"SEC. 417. (a) If the Board finds upon an investigation conducted on its own initiative or upon request of an air carrier—

"(1) that the capacity for air transportation being offered by the holder of a certificate of public convenience and necessity between particular points in the United States is, or will be, temporarily insufficient to meet the requirements of the public or the postal service; or

"(2) that there is a temporary requirement for air transportation between two points one or both of which is not regularly served by any air carrier; and

"(3) that any supplemental air carrier can provide the additional service temporarily required in the public interest;

the Board may issue to such supplemental carrier a special operating authorization to engage in air transportation between such points.

"Terms of authorization

"(b) A special operating authorization issued hereunder shall—

"(1) contain such limitations or requirements as to frequency of service, size or type of equipment, or otherwise, as will assure that the service so authorized will alleviate the insufficiency which would otherwise exist, without significant diversion of traffic from the holders of certificates for the route;

"(2) be valid for not more than thirty days and extended not more than twice; and

"(3) not be deemed a license within the meaning of the Administrative Procedure Act (5 U.S.C. 1001, et seq., as amended).

"Procedure

"(c) The Board shall by regulation establish procedures for the expeditious investigation and determination of requests for such special operating authorizations. Such procedures shall include written notice to air carriers certificated to provide service between the points involved, and shall provide for such opportunity to protest the application in writing, and at the Board's discretion to be heard orally in support of such protest, as will not unduly delay issuance of such special operating authorization, taking into account the degree of emergency involved."

SEC. 6. Section 901(a) of the Federal Aviation Act of 1958 is amended to read as follows:

"CIVIL PENALTIES

"Safety, economic, and postal offenses

"SEC. 901. (a)(1) Any person who violates (A) any provision of title III, IV, V, VI, VII, or XII of this Act, or any rule, regulation, or order issued thereunder or under section 1002(i), or any term, condition, or limitation of any permit or certificate issued under title IV, or (B) any rule or regulation issued by the Postmaster General under this Act, shall be subject to a civil penalty of not to exceed $1,000 for each such violation. In the case of a violation of a provision of title IV or VII or any rule, regulation, or order issued thereunder, or under section 1002(i), or any term, condition, or limitation of any permit or certificate issued under title IV, if such violation is a continuing one, each day of such violation shall constitute a separate offense: *Provided,* That this subsection shall not apply to members of the Armed Forces of the United States, or those civilian employees of the Department of Defense who are subject to the provisions of the Uniform Code of Military Justice, while engaged in the performance of their official duties; and the appropriate military authorities shall be responsible for taking any necessary disciplinary action with respect thereto and for making to the Administrator or Board, as appropriate, a timely report of any such action taken.

"(2) Any such civil penalty may be compromised by the Administrator in the case of violations of title III, V, VI, or XII, or any rule, regulation, or order issued thereunder, and by the Board in the case of violations of titles IV and VII, or any rule, regulation, or order issued thereunder, or under section 1002(i), or any term, condition, or limitation of any permit or certificate issued under title IV, or the Postmaster General in the case of regulations issued by him. The amount of such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged."

SEC. 7. (a) If any applicant who makes application under section 401(d)(3) of the Federal Aviation Act for a certificate for supplemental air transportation within thirty days after the date of enactment of this Act shall show—

(1) that it, or its predecessor in interest, was an air carrier authorized to furnish service between places within the United States either by a certificate of public convenience and necessity issued by the Civil Aeronautics Board pursuant to order E–13436, adopted January 28, 1959, or order E–14196, adopted July 8, 1959, or that it was given interim authority to operate in interstate air transportation as a supplemental air carrier under Board order E–9744 of November 15, 1955, and has pending before the Board an application for certification as a supplemental air carrier which was filed prior to July 14, 1960;

(2) that between January 1, 1960, and May 25, 1961, the applicant or his predecessor in interest lawfully performed either (A) any portion of the service authorized by the certificate or interim operating authority, or (B) any operations for the Military Establishment of the United States;

(3) that such certificate or interim operating authority had not been revoked or otherwise terminated by the Board or had not otherwise expired prior to the enactment of this Act: *Provided,* That for the purposes of this section such certificate or operating authority shall be considered to have been revoked or terminated if the Board has issued a final order to that effect, notwithstanding a pending judicial review of such order; and

(4) that such certificate or interim operating authority is held by the original grantee or has been transferred with Board approval pursuant to section 401(h) of the Federal Aviation Act: *Provided,* That application under this paragraph may also be made by a person who on the date of enactment hereof had on file an application to the Board for the approval of transfer to him of a certificate for supplemental air transportation or interim operating authority, in which case the Board shall extend the authority hereunder if it approves the transfer pursuant to section 401(h) of such Act;

the Board, upon proof of such facts, shall issue new interim authority to such applicant to engage in supplemental air transportation to the same extent authorized in the applicant's certificate or interim authority and subject to the terms, conditions, and limitations attached thereto pending issuance or denial of a certificate pursuant to section 401(d)(3) of such Act authorizing the whole or any part of the transportation covered by the application.

(b) If any applicant who makes application under section 401(d)(3) of the Federal Aviation Act for a certificate for supple-

mental air transportation within 30 days after the date of enactment of this Act shall show that it or its predecessor has received interim operating authority from the Board pursuant to section 1(2) of Public Law 86–661 of July 14, 1960 (74 Stat. 527), the Board, upon proof of such facts, shall issue new interim authority to such applicant to engage in supplemental air transportation to the same extent authorized in the applicant's interim authority and subject to the terms, conditions, and limitations attached thereto pending issuance or denial of a certificate pursuant to section 401(d)(3) of such Act authorizing the whole or any part of the transportation covered by the application.

SEC. 8. (a) If any air carrier, or its predecessor in interest, was an air carrier authorized to furnish service between places within the United States either by a certificate of public convenience and necessity issued by the Civil Aeronautics Board pursuant to order E–13436, adopted January 28, 1959, or order E–14196, adopted July 8, 1959, or it or its predecessor received interim operating authority from the Board pursuant to section 1(2) of Public Law 86–661 of July 14, 1960 (74 Stat. 527), it may perform operations under its existing authority for thirty days from the date of enactment of this Act, and if it has filed application pursuant to section 401(d)(3) of the Federal Aviation Act within said thirty days, until the Board has granted or denied interim authority under section 7 of this Act. Any air carrier whose application for certification as a supplemental air carrier is pending before the Board and which (A) has operated in interstate air transportation as a supplemental air carrier pursuant to authority granted under Board order E–9744 of November 15, 1955, and (B) had such application for a certificate as a supplemental air carrier pending before the Board on July 14, 1960, may continue to operate in interstate air transportation under its existing authority for thirty days from the date of enactment of the Act, and if it has filed application pursuant to section 401(d)(3) of the Federal Aviation Act within said thirty days, until the Board has granted or denied interim authority under section 7 of this Act. The certificates of public convenience and necessity issued by the Board pursuant to order E–13436 adopted January 28, 1959, and order E–14196, adopted July 8, 1959, and the interim operating authority issued by the Board pursuant to section 1(2) of Public Law 86–661 of July 14, 1960 (74 Stat. 527), and the exemption authority issued by the Board under order E–9744 of November 15, 1955, and prior authority under individual exemptions or Letters of Registration reinstated by the Board under order E–10161 of April 3, 1956, shall terminate on the date of an order of the Board granting or denying interim authority under section 7 of this Act, or if the carrier files no application under section 401(d)(3) within 30 days from the date of enactment of this Act, at the end of said 30-day period. Any carrier whose operating authority in interstate air transportation under Board order E–9744 is continuing solely by virtue of a judicial stay of a Board order which would otherwise terminate such operating authority, is hereby authorized to continue to operate, subject to all conditions and limitations contained in order E–9744 or imposed by the court, until the court shall lift such stay or until the final disposition of judicial review proceeding, whichever shall first occur.

(b) The provisions of this Act shall in no way affect any enforcement or compliance proceeding or action against the holder of a certificate of public convenience and necessity issued pursuant to order E–13436 or order E–14196 or against the holder of interim authority issued under section 1(1) of Public Law 86–661 pending before the Board on the date of enactment of Public Law 86–661 or this Act, or the power of the Board to institute any enforcement or compliance action against such holder subsequent to the date of enactment of this Act with respect to violations of the Federal Aviation Act or provisions of the certificate or interim authority or the Board's regulations which may have occurred prior to such date. Any sanction which the Board might lawfully have imposed on the operating authority of an air carrier for violations occurring prior to the extension of its authority under section 7 or the issuance to such carrier of a certificate of public convenience and necessity for supplemental air transportation under section 401(d)(3) of the Federal Aviation Act may be imposed upon such extension of authority or certificate issued to such air carrier.

(c) Any application of an air carrier heretofore consolidated into the Board proceeding known as the Large Irregular Air Carrier Investigation, Docket Numbered 5132 et al., shall be deemed to have been finally disposed of upon the date of enactment of this Act.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Madam President, for the information of the Senate, I wish to state the very tentative schedule of measures to be considered by the Senate following its consideration of Calendar No. 664, Senate bill 1969, which has now been laid before the Senate.

The schedule is as follows: Following Calendar No. 664, Senate bill 1969, the next measure will be Calendar No. 681, House bill 7391, to promote the conservation of migratory waterfowl; Calendar No. 610, Senate bill 174, the wilderness bill; Calendar No. 629, Senate bill 1703, amending the Federal Airport Act; Calendar No. 624, Senate bill 543, preserving the U.S. shorelines; Calendar No. 557, House bill 2244, relating to the deduction for income tax purposes of contributions to certain charitable organizations; and Calendar No. 727, Senate Joint Resolution 51, relating to the Woodrow Wilson Memorial.

Following that, I assume that the merchant marine bills, which have been held up because of requests on both sides, will be taken up.

The Mexican labor bill may come up early next week. It is Calendar No. 592, House bill 2010.

Mr. JAVITS. Madam President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I do not expect to be present on Monday. Does the Senator from Montana believe that Calendar No. 592, House bill 2010, the Mexican labor bill, so-called, will come before the Senate on Monday?

Mr. MANSFIELD. I cannot give the Senator from New York any assurance in that respect. I have given him assurance in regard to the airport bill; but he will have to take his chances in regard to the Mexican labor bill. I cannot give him any assurance regarding it. I am sure he understands the situation.

Mr. JAVITS. I understand.

ORDER FOR ADJOURNMENT TO MONDAY

Mr. MANSFIELD. Madam President, I ask unanimous consent that when the Senate concludes its business today, it adjourn to meet at 12 o'clock noon Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR CALL OF CALENDAR ON TUESDAY NEXT

Mr. MANSFIELD. Madam President, I ask unanimous consent that at the conclusion of morning business on Tuesday next, it will be in order to call up items on the calendar to which there is no objection, starting with Order No. 740, Senate bill 724.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE AMERICAN PATENT SYSTEM

Mr. HRUSKA. Madam President, as a member of the Senate Antitrust Subcommittee, I was particularly interested in an editorial which appeared in the Wall Street Journal, August 23, 1961, and which has previously been inserted in the RECORD. The subject matter dealt with concerns the patent provisions contained in the drug bill now before our committee, which would cut down the historic patent period of 17 years to a maximum of 3 years, with compulsory licensing to competing pharmaceutical firms for manufacture of the product. The bill would also require the holder of the patent to reveal all the know-how and technical information gathered in the course of their research.

The editorial, from which I quote, commented on the recent indictment of three pharmaceutical firms which alleged conspiracy among them to eliminate competition in the selling of certain antibiotics. Whether or not the allegation is true is a matter that must await court action and the evidence presented therein:

But a good part of the Justice Department's statement is devoted to a broader question. The charge is that up to 1955, when tetracycline was patented, Cyanamid's Aureomycin and Pfizer's Terramycin dominated broad-spectrum antibiotic sales, accounting for 92 percent of all sales in 1953. In short, the charge here is not of conspiracy but of the monopoly situation.

That there was for a time a monopoly situation seems rather indisputable; indeed for 1 year (1949–50) Cyanamid held an absolute monopoly since it briefly had the only patent on a broad-spectrum antibiotic. But this was a monopoly created by the patent system itself.

The patent system, which is imbedded in the Constitution, provides that the holder of a patent on a new thing shall have the exclusive rights to that invention for a period of years. It was adopted not to give privileges of profit to a few but for the very practical reason that it thus encouraged men to spend much time, money, and effort in inventing new things, and it prevented others from getting a free ride on the successful efforts of the inventors.

A patent is a monopoly—a beneficial monopoly. It stimulates the desire, the quest for knowledge, by guaranteeing to the inventor an exclusive right for a limited time to the fruits of his labor. Would our pharmaceutical companies expend the millions of dollars they do each year on research and development if they had to share their discoveries with competing firms? What would happen to the medium- and small-sized companies who are in existence solely because they hold one or two patents if they had to give their valuable property to competition? Quoting from the article:

In the case of the drug industry the attack on the patent system has a particularly emotion-packed argument. Why, so we are told, should a company discovering a new miracle drug be allowed to profit from a monopoly? Once an Aureomycin or a Terramycin is discovered, would it not be better public policy to let all the drug companies make it, increasing competition and lowering the price faster? Why should one or two companies get rich on human misery?

This is an argument not without its appeal. But before either the courts or the public accepts it, we think a little reflection is in order.

We don't know how much money Cyanamid spent to develop Aureomycin, or how much Pfizer spent to develop Terramycin to compete with it. But would Cyanamid have spent any, if it knew in advance that it would have to let every other company, which spent nothing, get a free ride on Cyanamid's research efforts? Or if Pfizer from the beginning could have made and sold Aureomycin would it have spent time and money to develop a different broad-spectrum antibiotic to compete with Aureomycin?

Madam President, the basis for our patent system is found in article I of the Constitution and was initiated with the passage of the first patent law in 1790. On September 12, the U.S. Patent Office expects to issue its 3 millionth patent. Almost every 10 minutes someone in this country develops an idea that is patentable. Some of them are putterers in the basement; some are nuclear physicists or missile experts in elaborate laboratories. Without question, the search for knowledge and the drive for financial success is a most powerful partnership in creating for everyone better means of living and bringing about a greater enjoyment of life.

Now we are confronted with legislation which in the judgment of the Senator from Nebraska would do irreparable harm to ourselves and to the American system of free enterprise.

The bill pending before us is not designed to correct or improve the patent system; as designed it would destroy that system.

Abraham Lincoln, who himself held a patent issued in 1849, said "the patent system added the fuel of interest to the spark of genius." Thomas Jefferson, as Secretary of State, said the patent law had "given a spring to invention beyond my conception." These two observations by two of our great Americans have withstood the test of time. Their truth has been proved.

Some of the dangers of this legislation has also been analyzed in an editorial appearing in the Saturday Evening Post of August 26. I ask unanimous consent that this editorial be placed in the RECORD following my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE AMERICAN PATENT SYSTEM IS THE BASIS FOR OUR INDUSTRIAL GROWTH AND PROGRESS

If Abraham Lincoln was right in believing that "the patent system added the fuel of interest to the spark of genius," it is difficult to understand why so many politicians want to tamper with it. Senator ESTES KEFAUVER, for example, is sponsoring a bill which would cut down the exclusive use of a drug patent by its owner from the 17 years in the present law to a maximum of 3. When the 3 years are up, the Senator's bill would compel a company with a new prescription drug to license its manufacture by any competitor who applied.

Actually licenses to manufacture prescription drugs are commonplace under the present law, but the owner of the patent is free to choose the licensee and stipulate the conditions under which the privilege to make the product is granted. Moreover, the courts have compelled holders of patents in other industries to license others to use them when it appeared that the owner of the patent was abusing his privilege.

As to competition, the industry asks with considerable plausibility what would happen to the effort to produce more effective medicines and drugs if a drug manufacturer need only copy a successful drug invented by a competitor, instead of spending his own money on research in the hope of making a better product? Another question is: How much money would a drug manufacturer spend on research if he knew in advance that his exclusive right to the product of his investment had been cut so drastically that he would have no chance to "get his nut back"?

The attack on risk takers is by no means confined to the Kefauver bill or the drug industry. Our defense industries are in a perpetual state of revolt against Government departments which insist that a contract to deliver, say, valves for use in airplane engines must be accompanied by drawings and other data which indicate how the gadget was made. Such information is described in patent law as a "proprietary right" because it is an essential protection against patent infringement. Anybody who buys a valve and takes it apart can learn a lot about it—but not necessarily how to make it under conditions assuring a profit. According to one patent expert, the Department of Defense obtains from all contractors "complete and detailed information on the manufacturing process of everything it buys and then redistributes these valuable data to those who do not have it under the guise of competitive bidding."

This is obviously an ex parte charge; and the Defense Department's reply to it would be that it needs the drawings for use in repairing the equipment purchased, that in some cases the product could be made without this "proprietary" information anyway, and that information on products which were developed at public expense should be available to everybody. Industry takes no serious exception to handing over its secrets for such reasons, but it does object when its information is passed along indiscriminately to competitors under the guise of aid to small business. It is a complicated subject, but it would not be complicated if the departments actually stuck by the principles laid down in a Defense Department directive that "it is the policy of the Department of Defense to encourage inventiveness and to provide incentive therefore by honoring 'proprietary data' resulting from private developments and hence to limit demands for data to that which is essential for Government purposes."

Representative EMILIO Q. DADDARIO, of Connecticut, in a recent address reported that the National Aeronautics and Space Administration, whose requirements in this field are onerous, had difficulty in obtaining the best research for lowest cost and in the shortest time. Mr. DADDARIO, a member of the Committee on Science and Astronautics, added, "We actually found some instances in which the contractors refused to take NASA contracts, but far more important was the obvious fact that contractors who are required to surrender commercial rights to their inventions just do not give NASA their best efforts."

The committee declared that industrialists are "responsible under the private enterprise system for operating a profitable business, yet if they decline Government business because it is unprofitable, they become vulnerable to charges of lack of patriotism. American industry should not be placed in this awkward, often injurious, position."

That seems to us pretty close to an important general truth, whether the product is a tranquilizer or a carburetor.

ADJOURNMENT TO MONDAY

Mr. HRUSKA. Madam President, pursuant to the order previously entered, I move that the Senate stand in adjournment until noon on Monday next.

The motion was agreed to; and (at 6 o'clock and 14 minutes p.m.), under the previous order, the Senate adjourned until Monday, August 28, 1961, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 25, 1961:

U.S. DISTRICT JUDGE

THADDEUS M. MACHROWICZ, of Michigan, to be U.S. district judge for the eastern district of Michigan, vice Frank A. Picard, retired.

DISTRICT OF COLUMBIA MUNICIPAL COURT

Mary C. Barlow, of the District of Columbia, to be associate judge of the municipal court for the District of Columbia for a term of 10 years. She is now serving in this office under an appointment which expired March 2, 1960.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 25, 1961:

U.S. NAVY

The following-named officer for temporary promotion to the rank indicated while serving as Technical Director, Special Projects Office, Department of the Navy:

To be rear admiral

Capt. Levering Smith O71497/1450, U.S. Navy.

The following-named officers of the staff corps of the Navy, as indicated, for temporary promotion to the grade indicated, subject to qualifications therefor as provided by law.

MEDICAL CORPS

To be rear admiral

Robert B. Brown

SUPPLY CORPS

To be rear admirals

Emory D. Stanley, Jr.
Stephen Sherwood

CIVIL ENGINEER CORPS

To be rear admiral

Lewis C. Coxe

IN THE AIR FORCE

The nominations beginning William H. Carnahan, to be captain, and ending James H. Woodward, Jr., to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on August 8, 1961.

IN THE NAVY AND MARINE CORPS

The nominations beginning Marvin M. Aldrich, to be chief warrant officer, W-2, in the Navy, and ending David V. Wood, to be first lieutenant in the Marine Corps, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on August 10, 1961.

IN THE NAVY

The nominations beginning Newton W. Aliebach, to be captain, and ending William L. McMichael, to be lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on August 10, 1961.

EXTENSIONS OF REMARKS

International Institute of Science and Technology in Western Europe

EXTENSION OF REMARKS

OF

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Friday, August 25, 1961

Mr. JACKSON. Mr. President, I had the honor to submit to the NATO Parliamentarians Conference in Paris last fall a proposal for an International Institute of Science and Technology in Western Europe—an "MIT of Western Europe" to help assure the continuing scientific preeminence of the NATO community.

Supported by the Parliamentarians Conference, and subsequently considered by the NATO Council, the proposal is now being studied in detail by a NATO committee under the chairmanship of James R. Killian, president of MIT.

In view of the serious study being given to the possible establishment of an International Institute of Science and Technology I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of last fall's recommendation.

There being no objection, the proposal was ordered to be printed in the RECORD, as follows:

NATO SCIENCE PROGRAM: FORWARD PLANNING

(Report by Senator HENRY M. JACKSON, United States of America, Chairman to the Scientific and Technical Committee of the NATO Parliamentarians Conference, 6th annual conference, NATO headquarters, Paris, Nov. 21–26, 1960)

The Atlantic world is the birthplace of modern science, and most of the great advances in the forward march of science have occurred in the Atlantic world, either in Europe or North America.

It is the scientific leadership of our Atlantic community which has enabled it to achieve the world's highest standard of living. It is the same leadership which has enabled us to build the armaments needed to deter those who would destroy our way of life.

A continued flourishing of science and technology in our community is needed to maintain our dynamic economic growth. It is needed equally if we are successfully to withstand the across-the-board Soviet challenge to our community, a challenge which may persist for 25 or 50 years in the future.

And today, we find yet another reason why we must not surrender the scientific preeminence of our community. One-third of the world—populated by the billion people who live in the underdeveloped nations—is now in ferment and turmoil. These peoples are bent upon reaping the harvest of scientific advance, in the form of industrial progress, greater agricultural productivity, lower mortality rates, and longer and richer lives. They are not content with the timetables of gradualism. They urgently need scientific and technical help, and they need it now. If they cannot secure it from our community, they will turn for assistance to Moscow or Peiping.

A full year before the first sputnik, this Conference warned the member states of NATO that our continued scientific supremacy was not preordained. It established a Science and Technical Committee charged with the task of seeking ways and means to invigorate the study and practice of science within our community.

Subsequent reports of the Science and Technical Committee, all of which were unanimously adopted by the Parliamentarians Conference, made detailed and wide-ranging recommendations for improving the state of science within the Atlantic community, both through national programs and through cooperative international action. During this period, the member states of NATO have with few exceptions undertaken vigorous programs to accelerate the training and education of scientists and engineers and to put scientific and technical talent to better use.

Initiatives taken by this Conference, upon the recommendation of its Science and Technical Committee, have been directly responsible for NATO-wide efforts to reinforce and supplement national scientific programs.

Specifically, this Conference took the lead in establishing the NATO science fellowship program, the NATO advanced study institute program, and a NATO research program.

The NATO Science Adviser and the NATO Science Advisory Committee are now assisting the NATO Council in developing communitywide programs for the improvement of science.

In short, the NATO science program is now a going concern. It works; it is producing results; it is engaged in imaginative forward planning across a broad front.

Late last year the NATO Science Advisory Committee suggested that outstanding scientists from our community undertake a study in depth of the ways whereby science in the Western World could be strengthened. The members of this study group, which was headed by M. Louis Armand, worked at this task long and hard and well. A few weeks ago their findings and recommendations were incorporated in a report entitled "Increasing the Effectiveness of Western Science." This report makes numerous eminently practical and desirable suggestions for invigorating science within the Western World. It merits the careful study of every member of this Conference.

One suggestion in the study deserves particularly close attention. This concerns the possibility of establishing in Western Europe an International Institute of Science and Technology.

In the New World, educational institutes like the Massachusetts Institute of Technology and the California Institute of Technology have played a central role in promoting scientific and technical development. They bridge the crucial gap between pure science and applied technology. They bring large aggregations of scholarly talent to bear upon cross-disciplinary problems. They do outstanding work in training graduate students.

Western Europe now has no comparable institutions. Nor is it clear whether any one European country, acting by itself, could mobilize the financial and manpower resources needed to establish institutions of equal scope and vigor.

The study points out, however, that the Western European nations, acting in concert, could easily assemble the skills and facilities required to establish and operate a Western European equivalent of the Massachusetts Institute of Technology.

Such an international institute might grant its own degrees and concentrate on graduate work. It would, of course, in no sense, be a substitute for existing national universities. It would supplement, and not replace, their activities.

There is every reason to think that such an international institute would do as much for science and technology in Western Europe as MIT and its sister institutes have done for North America. The prospective dividends of money invested in such an institute appear great. What is needed at this time is a thorough and detailed study of the practical problems involved in establishing such an institute, together with practical suggestions for solving them.

How would such an institute be financed, both in terms of capital and operating costs?

Where might it be located?

What would be its initial areas of concentration?

How would its first faculty members be chosen?

What would be the yardsticks in selecting students?

What kind of basic laboratory facilities would be needed?

How would the institute relate itself to universities and industrial research centers?

We therefore recommend that the NATO Council speed studies leading toward the earliest practical establishment of an International Institute of Science and Technology in Western Europe.

SENATE

MONDAY, AUGUST 28, 1961

The Senate met at 12 o'clock meridian, and was called to order by Hon. J. J. HICKEY, a Senator from the State of Wyoming.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of all wisdom, away from the confusion of tongues, at the week's beginning, we turn to this quiet pavilion of prayer where the bewildering voices of the busy world, and the clamor of wordy arguments, are hushed.

When the reality behind all shadows—Thy presence in all things and behind all things—captures our awareness, then our arrogance is rebuked, our pride is mocked, and we confess that our knowledge is only partial and our judgment fallible.

May all narrow barriers be burned away that shut us out from fellowship and understanding with any of Thy other children. And may the decisions made here in this forum of the Republic conform to Thy will, as to those who look and listen for Thy guidance are revealed the things which belong to our peace and to the peace of the whole world.

We ask it in the dear Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., August 28, 1961.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. J. J. HICKEY, a Senator from the State of Wyoming, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. HICKEY thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, August 25, 1961, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Ratchford, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a joint resolution (H.J. Res. 544) making continuing appropriations for the fiscal year 1962, and for other purposes, in which it requested the concurrence of the Senate.

CALL OF THE CALENDAR DISPENSED WITH

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour for the transaction of routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

On the request of Mr. MANSFIELD, and by unanimous consent, the Committee on Government Operations and the Judiciary Subcommittee on the Committee on the District of Columbia were authorized to meet during the session of the Senate today.

Mr. MORSE. Mr. President, I ask unanimous consent that the Subcommittee on Public Health, Education, Welfare, and Safety of the Senate Committee on the District of Columbia be permitted to meet this afternoon. I have cleared the request with the Republican member of my committee, the Senator from Vermont [Mr. PROUTY] and the minority leader. All we seek to do is to get a bill out of the subcommittee to the full committee. The meeting will require only a few minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

On request of Mr. MAGNUSON, and by unanimous consent, the Committee on Commerce was authorized to meet during the session of the Senate tomorrow.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF ACT OF JULY 21, 1961

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting a draft of proposed legislation to amend the act of July 21, 1961, and for other purposes (with an accompanying bill); to the Committee on Aeronautical and Space Sciences.

REPORT ON PROPERTY ACQUISITIONS BY OFFICE OF CIVIL AND DEFENSE MOBILIZATION

A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, reporting, pursuant to law, on property acquisitions by that Office, for the quarter ended June 30, 1961; to the Committee on Armed Services.

REPORT ON FEDERAL CONTRIBUTIONS, OFFICE OF CIVIL AND DEFENSE MOBILIZATION

A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, reporting, pursuant to law, on Federal contributions, for the quarter ended June 30, 1961; to the Committee on Armed Services.

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate a resolution adopted by the 30th Infantry Division Association, at Charleston, S.C., relating to the preservation of the prestige of the United States, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MORSE, from the Committee on the District of Columbia, without amendment:

S. 557. A bill to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes," approved March 1, 1899, as amended (Rept. No. 792);

S. 560. A bill to amend the act entitled "An act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes," approved February 4, 1925 (Rept. No. 790);

S. 563. A bill to amend the act entitled "An act to create a Board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes," approved May 1, 1906, as amended (Rept. No. 791);

S. 1328. A bill to authorize the establishment of a junior college division within the District of Columbia Teachers College, and for other purposes (Rept. No. 793); and

H.R. 7154. An act to authorize the Commissioners of the District of Columbia to regulate the keeping and running at large of dogs (Rept. 789).

By Mr. BEALL, from the Committee on the District of Columbia, without amendment:

S. 1529. A bill to amend the act entitled "An act to regulate the height of buildings in the District of Columbia," approved June 1, 1910, as amended (Rept. No. 796);

H.R. 6495. An act to amend the Life Insurance Act of the District of Columbia (Rept. No. 799);

H.R. 7044. An act to amend section 35 of chapter III of the Life Insurance Act for the District of Columbia (Rept. No. 798); and

H.R. 8032. An act to amend the Healing Arts Practice Act, District of Columbia, 1938, and for other purposes (Rept. No. 797).

By Mr. BEALL, from the Committee on the District of Columbia, with amendments:

S. 2356. A bill to amend the act known as the Life Insurance Act of the District of Columbia, approved June 19, 1934, and the act known as the Fire and Casualty Act of

the District of Columbia, approved October 3, 1940 (Rept. No. 800).

By Mr. HARTKE, from the Committee on the District of Columbia, without amendment:

H.R. 3222. An act to amend section 4(a) of the act of April 1, 1942, so as to confer jurisdiction on the municipal court for the District of Columbia over certain counterclaims and crossclaims in any action in which such court has initial jurisdiction (Rept. No. 795); and

H.R. 6798. An act to amend the act of incorporating the Washington Home for Foundlings and to define the powers of said corporation (Rept. No. 794).

By Mr. BIBLE, from the Committee on the District of Columbia, with an amendment:

H.R. 256. An act to amend the District of Columbia Alcoholic Beverage Control Act (Rept. No. 806).

By Mr. BIBLE, from the Committee on the District of Columbia, with amendments:

H.R. 5486. An act to prohibit the examination in District of Columbia courts of any minister of religion in connection with any communication made to him in his professional capacity, without the consent of the party to such communication (Rept. No. 805).

By Mr. PROXMIRE, from the Committee on Banking and Currency, with an amendment:

S. 902. A bill to amend the Small Business Investment Act of 1958, and for other purposes (Rept. No. 801).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with an amendment:

H.R. 32. An act authorizing the establishment of the Fort Smith National Historic Site, in the State of Arkansas, and for other purposes (Rept. No. 803).

By Mr. BYRD of Virginia, from the Committee on Finance, without amendment:

H.R. 1098. An act to amend section 901 of title 38, United States Code, to provide that a flag shall be furnished to drape the casket of each deceased veteran of Mexican border service (Rept. No. 804).

AMENDMENT OF SMALL BUSINESS ACT—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 802)

Mr. PROXMIRE. Mr. President, from the Committee on Banking and Currency, I report favorably, with amendments, the bill (S. 836) to amend the Small Business Act, and for other purposes, and I submit a report thereon. I ask unanimous consent that the report, together with the individual views of the Senator from Utah [Mr. BENNETT] and the Senator from Texas [Mr. TOWER], be printed.

The ACTING PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Wisconsin.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Executive J, 87th Congress, 1st session, a Treaty of Friendship, Establishment, and Navigation Between the United States of America and the Kingdom of Belgium, together with a related protocol, signed at Brussels on February 21, 1961 (Executive Rept. No. 9); and

Executive L, 87th Congress, 1st session, A Treaty of Amity and Economic Relations Between the United States of America and the Republic of Vietnam, signed at Saigon on April 3, 1961 (Executive Rept. No. 9).

By Mr. MAGNUSON, from the Committee on Commerce:

David H. Douglas, and sundry other persons, for appointment in the U.S. Coast Guard.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LONG of Hawaii:

S. 2473. A bill for the relief of Jen Cheng Shao; to the Committee on the Judiciary.

By Mr. COOPER:

S. 2474. A bill to provide for an appropriation of a sum not exceeding $175,000 with which to make a survey of proposed national parkway extensions or connections to Blue Ridge Parkway, Great Smoky Mountains National Park, Foothills Parkway, Mammoth Cave National Park, and Natchez Trace Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MONRONEY (for himself and Mr. KERR):

S. 2475. A bill to remove the present $5,000 limitation which prevents the Secretary of the Air Force from settling certain claims arising out of the crash of a U.S. Air Force aircraft at Midwest City, Okla; to the Committee on the Judiciary.

(See the remarks of Mr. MONRONEY when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE (for himself and Mrs. NEUBERGER):

S. 2476. A bill to amend section 207 of the Military Construction Act of 1960 in order to clarify the authority granted under such section to the Secretary of the Navy to exchange certain lands owned by the United States for lands owned by the State of Oregon; to the Committee on Armed Services.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 2477. A bill to provide that the Secretary of Defense shall furnish assistance in connection with the 1962 world aviation championships and the General Conference of the Federation Aeronautique Internationale, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA:

S. 2478. A bill to amend section 144 of title 28 of the United States Code; to the Committee on the Judiciary.

By Mr. KEATING (for himself and Mr. KEFAUVER):

S.J. Res. 128. Joint resolution proposing an amendment to the Constitution of the United States relative to residence requirements for voting in presidential elections; to the Committee on the Judiciary.

(See the remarks of Mr. KEATING when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTION

ENDORSEMENT OF WORLD ECONOMIC PROGRESS EXPOSITION

Mr. DOUGLAS (for himself and Mr. DIRKSEN) submitted the following concurrent resolution (S. Con. Res. 41), which was referred to the Committee on Foreign Relations:

Whereas the encouragement of private and public participation in international economic development is vital to the achievement of a free and democratic economic growth process, and the responsibility for stimulating international economic growth, and especially the growth of those nations in the less developed areas, must be shared and supported, in accordance with their capacity, by the peoples of the world, whether as individuals or through their private organizations and their government ; and

Whereas the Government of the United States and its people have consistently endorsed the aspirations of all peoples and nations to realize a free and prosperous society and have, towards these ends, actively supported and participated in programs for free economic development whether designed to meet the needs of groups, cities, states, nations, or global areas, and whether carried forth by private individuals, institutions, private business and industry, or by national, regional, or supranational government agencies or organizations; and

Whereas the success or failure of these objectives and the freedom of the individual, his nation, and the world, depends upon the scope and quality of public understanding and the ability of the individual to focus on this historic movement of our century, and is dependent upon the ability of the leaders in the great endeavor to understand each other and each other's efforts and thus find ways by which mutual efforts can be joined for the good of all mankind; and

Whereas in order to assist in bringing about a greater understanding and acceleration of this effort, a World Economic Progress Assembly and Exposition, privately organized, financed, and sponsored, will be presented in November 1962 in Chicago, Illinois, at the new exposition center known as McCormick Place; and

Whereas the purpose of this Assembly and Exposition is to bring together for the first time a world assembly to examine and explore the many diverse elements of mankind's struggle to assure to itself adequate food, clothing, shelter, health, education, and other elements of its well-being and to provide the means through exhibits, meetings, and special events to translate what is now a vague topic to many into an understandable reality; and

Whereas further purposes of this assembly and exposition are to provide the opportunity to bring to the United States, which has spearheaded the effort for the betterment of mankind, representatives of national governments and international and national government and private agencies, including foundations and educational, religious, labor, banking, and business organizations and institutions and the general public, to enable them, and their American counterparts, to come together to report, explain, and evaluate their progress, roles, and operations, catalog needs as yet unmet, exchange views and plan within a coherent framework the new opportunities for private and government cooperation, chart new and mutually productive and advantageous paths into the future, and achieve a closer understanding and collaboration in this great and essential endeavor; and

Whereas it is the declared policy of the United States to encourage the contribution of United States enterprise toward economic strength of less-developed countries, through private trade and investment abroad and exchange of ideas and technical information, and to increase mutual understanding between the people of the United States and the people of other countries, using to the maximum extent practicable the facilities of private agencies, and the World Economic

Progress Assembly and Exposition will provide a unique and effective means of carrying out these objectives; and

Whereas the President of the United States recognizing that the Assembly and Exposition provide a response to the urgent need to broaden understanding, at home and abroad, of the progress and challenge of international economic development and that the participation of the American people through various United States Government programs in the development of the economies of other nations and in the evolution of international economic growth is an integral part of the story to be projected at the proposed assembly and exposition has therefore instructed the various agencies and departments of the Government concerned to assist in every way possible in contributing to the success of the event: Now therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the World Economic Progress Assembly and Exposition is consistent with the objectives of the Government of the United States and represents a significant contribution to the objectives of the United States and to all who seek to realize a society in which man and nations can realize his potential in freedom and peace.

SEC. 2. The President of the United States and the departments and agencies of the United States Government with an interest in activities included within the subject matter of the World Economic Progress Assembly and Exposition are requested to devote such resources and personnel as may be necessary to assure that the United States Government's participation will adequately reflect the important role of our Nation in contributing to the economic growth of other nations.

SEC. 3. The President of the United States is requested to issue a proclamation reciting the purposes of the World Economic Progress Assembly and Exposition and inviting participation by all concerned with international economic development.

REMOVAL OF $5,000 LIMITATION IN SETTLEMENT OF CERTAIN CLAIMS

Mr. MONRONEY. Mr. President, on behalf of myself, and my colleague, the senior Senator from Oklahoma [Mr KERR], I introduce, for appropriate reference, a bill to remove the present $5,000 limitation which would prevent the Secretary of the Air Force from settling certain claims arising out of a very tragic accident which occurred in Midwest City, Okla., last Friday. Last Friday afternoon an Air Force fighter aircraft on a training mission refueled at Tinker Air Force Base. Immediately after takeoff the airplane caught fire.

The pilot, very bravely, and, I think, using great presence of mind, jettisoned his fuel tank over an uninhabited part of the area surrounding the field, and, according to regular procedures, attempted to return to the field. As the fire grew worse and broke out in another place, the pilot stayed with the plane and endeavored to bring it in for a landing. While he was only seconds away from reaching the field, the fire burned out the controls of the aircraft and he was forced to eject himself with his parachute, and did succeed in landing safely. The airplane, being slightly off course because it was without controls either when the pilot was in it or later, crashed in a densely populated area of Midwest City and created a large fire. Regrettably, two children were killed and another child and the mother of the three children were seriously injured. She was flown to the Air Force hospital at San Antonio, where she could receive specialized treatment for the extent of the burns she and the surviving child had suffered. A number of houses and automobiles were completely destroyed by the fire, and others seriously damaged.

The bill which I have introduced is a duplicate of the bill, S. 3338, of the 86th Congress which was favorably reported by the Judiciary Committee after the equally tragic crash of an Air Force aircraft at Little Rock, Ark. As in the case of the Little Rock accident, there will be a number of claims arising out of this accident in excess of the $5,000 limit. Enactment of this bill is necessary to permit the Air Force to adjudicate this latter class of claims on a prompt basis.

If it were not for this bill, all those who suffered serious and tragic damages would have to go to the Court of Claims, and perhaps wait 3 to 5 years for the adjudication of their proper claims, when, with the authority contained in this bill, the Secretary of the Air Force would be able to settle the just claims, within the limitation of what he judged the damage to be, and offer immediate settlement, if the claimants were willing to accept it.

Of course, there is no way to compensate or repay the families who have suffered these tragic losses. However, the least we can do is settle the claims as fairly and as quickly as possible.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2475) to remove the present $5,000 limitation which prevents the Secretary of the Air Force from settling certain claims arising out of the crash of a U.S. Air Force aircraft at Midwest City, Okla., introduced by Mr. MONRONEY (for himself and Mr. KERR), was received, read twice by its title, and referred to the Committee on the Judiciary.

ASSISTANCE IN CONNECTION WITH 1962 WORLD AVIATION CHAMPIONSHIPS

Mr. MAGNUSON. Mr. President, by request I introduce, for appropriate reference, a bill to authorize the appropriation to the Secretary of Defense of not more than $450,000 to provide assistance to the National Aeronautic Association in connection with the world aviation championships and the general conference of the Federation Aeronautique Internationale to be held in the United States in 1962.

The National Aeronautic Association is the oldest independent, nonprofit aviation organization in the United States. It was chartered on Otcober 13, 1922, as the successor to the Aero Club of America, which was founded in 1905. The purpose of National Aeronautic Association is primarily the advancement of the art and science of aviation and space flight.

When the National Aeronautic Association assumed the role of the Aero Club of America, it became the sole United States representative for the Federation on Aeronautique Internationale. As such, it is the only organization in this country that can sanction, certify, and register national and world record attempts in aviation by the United States—both military and civilian. Among its many other activities for the past year, National Aeronautic Association sent a large U.S. delegation to the 1960 Federation Aeronautique Internationale general conference in Barcelona, as well as parachute, soaring, and balloon teams to the world competitions in Europe. It issued over 200 Federation Aeronautique Internationale sporting licenses to pilots, sanctioned 40 national and world record attempts, and registered 28 national and world records.

I believe the Senate may be interested in a brief summary of the total flying records held by countries throughout the world, and the comparison of records held by the United States and other countries:

First. Of the 403 aviation records, of all types, held by all countries, the United States holds 98, and the U.S.S.R. holds 108.

Second. Of the 103 speed records for noncommercial aircraft between capitals of countries and cities of international importance, the United States holds only 9, Great Britain holds 78, and the U.S.S.R. holds none.

Third. Only 10 speed records have been established by commercial aircraft, over international scheduled air routes. Of these, Great Britain holds five, Canada two, Spain two, Greece one, and the United States none.

Every 2 years the international aviation sporting events are hosted by one of the 53 member nations of Federation Aeronautique Internationale. The Federation Aeronautique Internationale general conference is hosted by one of the member nations annually. The United States has been the host to the Federation Aeronautique Internationale general conference only twice in the 56-year history of Federation Aeronautique Internationale, and it has never been the host to the international sporting aviation championships.

NAA is very anxious to have the next sporting aviation championships, and the Federation Aeronautique Internationale general conference held in the United States in 1962. The five championships are in parachuting, ballooning, aeromodeling, aerobatics, and soaring. The first of the four championships would be held at Orange, Mass., in August of 1962. The soaring championship is being planned for 1963, probably in August or September, and would be held either in Texas or California. Both of these States have areas where geographic and weather conditions are ideal for such a contest.

It will cost $450,000 to host properly the five championships and the Federation Aeronautique Internationale general conference. National Aeronautic Association does not have the means to provide a sum of this amount. Because of the international significance, and the

national benefits which the United States would receive from being host to these very important events, it seems altogether proper that the Federal Government should help substantially in providing the necessary funds. I understand that the State of Massachusetts will also provide assistance if we are able to bring the championships to the United States.

If we are going to do this, however, the invitation must be extended at a meeting sponsored by the Federation Aeronautique Internationale in Monaco, October 13–20 of this year.

A bill identical to the one I now introduce was introduced in the House of Representatives earlier in the year by Representative TEAGUE of Texas. That bill is H.R. 6068. It is now before the House Armed Services Committee. I believe this proposed legislation deserves prompt and careful attention by both Houses of Congress.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2477) to provide that the Secretary of Defense shall furnish assistance in connection with the 1962 world aviation championships and the general conference of the Federation Aeronautique Internationale, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Foreign Relations.

CONSTITUTIONAL AMENDMENT ON RESIDENCE REQUIREMENTS FOR VOTING IN PRESIDENTIAL ELECTIONS

Mr. KEATING. Mr. President, on behalf of the distinguished senior Senator from Tennessee [Mr. KEFAUVER] and myself, I introduce a joint resolution, and ask that it be appropriately referred.

Our joint resolution liberalizes residence requirements for voting in presidential elections. It is a modification of previous resolutions introduced by the Senator from Tennessee and myself. We believe that it incorporates the best features of both, and represents a particularly effective approach to the problem of residency disqualification in presidential elections.

Let me briefly describe our proposal. It sets a maximum residence requirement of 90 days for presidential elections only. It further requires that any voter, who was otherwise qualified to vote in the State or election district from which he moved, shall be permitted to vote, even if he has resided at his new residence for less than 90 days. This, of course, is providing he meets all of the other qualifications to vote in his new election jurisdiction. For example, he would be required to register prior to the close of the legal period of registration and to file an appropriate affidavit that he is qualified, on all other counts but residence, at both his new and old residences.

Our amendment will permit almost every citizen to vote in presidential elections, regardless of where he lives. I want to take this opportunity to commend and thank my colleague, Senator KEFAUVER, for his fine cooperation and assistance in preparing this proposal. As the chairman of the subcommittee on Constitutional Amendments of the Senate Judiciary, he has shown a real and serious interest in the need for this and other electoral reforms. He has generously given of his time and effort to permit experts in this field to appear before his subcommittee and place their views in the record. I am pleased to be working with him on this amendment.

Mr. President, one out of every five Americans move every year. Many find themselves voteless in their new homes. It is estimated that between 5 and 8 million Americans could not vote in 1960 for this reason. They are every inch as much Americans as the next fellow, but because they moved from New York to Chattanooga or from Tulsa to Walla Walla, they cannot vote for President and Vice President.

Five States have already taken steps to lower residence requirements for voting for President and Vice President below 90 days. They are: Wisconsin, Missouri, California, Ohio, and Oregon. Wisconsin, in fact, has adopted language very similar to that of our amendment. Six States, including New York, have legislation pending to liberalize residence requirements for presidential elections. This progress is encouraging, but there is much that remains to be done.

It is our deep conviction that the role of the Federal Government should be limited to Federal elections. The amendment which we submit today would not affect State and local elections in any way. However, in presidential elections, there is no justification for disenfranchising otherwise qualified citizens just because they move from one place to another shortly prior to the election.

Senator KEFAUVER and I sincerely believe that this amendment represents a long step forward in liberalizing our Nation's election laws. It is our hope that we can bring about favorable congressional action on this amendment in the 87th Congress.

Mr. President, I ask unanimous consent that the text of our joint resolution be printed at this point in the RECORD.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 128) proposing an amendment to the Constitution of the United States relative to residence requirements for voting in presidential elections, introduced by Mr. KEATING (for himself and Mr. KEFAUVER), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution if ratified by the legislatures of three-fourths of the several States within seven years of the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. No citizen of the United States who is otherwise qualified to vote in any election held in any State or in the District constituting the seat of Government of the United States for the purpose, in whole or in part, of choosing electors of President and Vice President shall be denied the right to vote for such electors in such election because of any residence requirement of such State or such District, as the case may be, if such citizen has resided in such State (or the political subdivision thereof with respect to which the requirement applies), or in such District, as the case may be, for a period of at least ninety days preceding such election.

"SEC. 2. Any citizen of the United States who has been a resident of a State, or any political subdivision thereof, or the District constituting the seat of the Government of the United States for a lesser period than that required for voting in an election for electors of President and Vice President, and who is otherwise qualified to vote in such election, shall nevertheless be entitled to vote in such election, if he was either eligible to so vote in another political subdivision of the same State, or in another State, or in such District, immediately prior to his change of residence, or if he would have been eligible to so vote if he had continued to reside in such place until such election."

THE WILDERNESS PRESERVATION SYSTEM—AMENDMENT

Mr. MOSS. Mr. President, a number of amendments have been filed to S. 174, the wilderness bill, which is shortly to come before the Senate for consideration. Among them is an amendment by my colleague the Senator from Utah [Mr. BENNETT] intended to put the High Uintas Primitive Area into the wilderness preservation system without further review by the National Forest Service.

I shall put in the RECORD a letter I have received from the Forest Service, confirming my understanding that some alteration of the boundaries of the High Uintas area, a wonderful 240,000-acre tract of great scenic beauty, is desirable.

The letter from the Forest Service, and an accompanying map, indicate that the forest supervisor in charge of the High Uintas area favors the removal of about 40,000 acres of the present primitive area from the reservation, because it contains certain reservoirs and structures which impinge on the wilderness character and can best be maintained if outside of wilderness. He has also recommended inclusion in the final wilderness area of tracts which would include the crest of Uintas lying just north and east of the present area.

Mr. President, this situation illustrates the wisdom of proposed wilderness legislation, and gives the Senate an example of the care with which it has been drafted.

There were created in the twenties and thirties about 80 so-called primitive areas. They were not carefully surveyed. As the Senator from New Mexico [Mr. ANDERSON] told the Senate last Thursday, 43 of the primitive areas, since their original establishment, have

been carefully reviewed by the Forest Service. Acreage not of preponderant wilderness value has been taken out of them. Some contiguous area of greatest value for wilderness has been added. When finally carefully reviewed, the 43 areas have been reclassified as "wild" if under 100,000 acres, and "wilderness" if more than 100,000 acres.

There remain in the national forests about 40 primitive areas on which review has not been completed, including the High Uintas. It had been my understanding that some adjustment of boundaries was contemplated before it was reclassified as a permanent wilderness area, which the Forest Service letter verifies.

The High Uintas are an outstanding scenic area. But, in my judgment, their final inclusion in the wilderness system should await the Forest Service review, and adjustment of boundaries, contemplated in the wilderness bill.

I hope that my colleague will not call up his amendment, which would freeze the boundaries of the area and preclude review. It will be necessary for me to oppose it.

I have on my desk a map of the area. It cannot be put in the CONGRESSIONAL RECORD for Members' inspection. I shall be pleased, however, to show it to any of the Senators who want more information on this matter and want to see the nature of the changes in boundaries which are under consideration. It is my understanding that there is no agreement yet even among Forest Service people on the precise changes which should be made. In my judgment, it is an excellent example of the need for review which the bill has wisely provided.

The situation illustrates a second feature of the proposed legislation. The changes in the boundaries tentatively suggested would make a net increase in the High Uintas area of about 24,000 acres. S. 174 provides that when primitive areas are finally recommended to Congress, after review, they should not exceed their original size.

It may be possible for the Forest Service to include sufficient of the crest of the Uintas in a final wilderness area without exceeding the original size. If not, any addition will have to be authorized by an affirmative act of Congress.

Under the provisions and procedure of S. 174, the establishment of wilderness is going to be carefully done, with Congress, right to pass on expansion of the total areas carefully guarded.

In my opinion, the existence of wilderness areas, as the splendid committee report on S. 174 stated, is going to act as a magnet for tourists in the years ahead.

The High Uintas will be but one area of great natural grandeur available to the people of the Nation within the boundaries of my State. There will be other great scenic areas, unduplicated anywhere in the world—in Bryce Canyon National Park, Zion National Park and the Arches, Capitol Reef and Dinosaur National Monuments, and, I hope soon, a Canyonlands National Park.

I want the citizens of the United States to know about these areas so even more of our citizens will come out and visit Utah. Consequently, I am filing and intend to offer an amendment to the bill to provide that the Secretaries of Agriculture and Interior shall annually report to Congress on the status of the wilderness system, including a list and general description of the areas included in it so folks back East will know the attractions we have to offer in the West—especially Utah.

In providing for the maintenance of detailed descriptions of wilderness areas to be available to citizens, the committee, I believe unintentionally, struck out a sentence calling for such annual reports, which my amendment will restore.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and will lie on the desk.

Mr. MOSS. Mr. President, I ask unanimous consent to have printed in the RECORD the letter I received from the Forest Service.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, D.C., August 28, 1961.

Hon. FRANK E. MOSS,
U.S. Senate.

DEAR SENATOR MOSS: This is in response to your telephone request of August 26 for a letter on the status of the High Uintas Primitive Area.

This area in due course will be proposed for reclassification by the Secretary of Agriculture as a wilderness area under the procedures prescribed by secretarial regulation.

Preliminary studies toward such reclassification have been made to the local forest supervisor and recommendations submitted by him to the regional forester in Ogden. The regional forester has not completed his consideration of the forest supervisor's recommendations. When this has been done, public notice will be given and a hearing held if there is a demand.

When the regional forester reaches a conclusion as to what boundary changes, if any, should be made in the primitive area when reclassified as a wilderness area, his recommendations will be made to the Chief of the Forest Service who in turn may accept or modify them and he in due course will recommend a course of action to the Secretary of Agriculture. Thus there are several major steps still pending before reclassification will be completed under normal procedures. These can be expected to take considerable time.

You inquire specifically as to the nature of the forest supervisor's recommendations regarding boundary adjustments. These include two major additions along the high mountain crest of the Uintas which, if activated, would mean the area would encompass five of the six highest mountain peaks in the State. Also proposed by the forest supervisor is one major elimination along the southern boundary of the present primitive area. This recommendation is made in part, at least, because of heavy insect infestation of lodgepole pine timber in the area. These three proposals by the forest supervisor would result in additions of about 70,000 acres and an elimination of about 45,000 acres or a net increase of about 25,000 acres.

I wish to again emphasize that these proposals have been neither accepted nor rejected by the regional forester; and the Chief's Office has given no consideration to them.

Sincerely yours,
EDWARD C. CRAFTS,
Assistant Chief.

PRESERVATION OF INDIANA DUNES AND RELATED AREAS, INDIANA—AMENDMENTS

Mr. DOUGLAS (for himself, Mr. GRUENING, Mr. MCCARTHY, Mrs. NEUBERGER, Mr. METCALF, Mr. HUMPHREY, and Mr. MOSS) submitted amendments, intended to be proposed by them, jointly, to the bill (S. 1797) to provide for the preservation of the Indiana Dunes and related areas in the State of Indiana, and for other purposes, which were referred to the Committee on Interior and Insular Affairs and ordered to be printed.

DEFENSE OF CERTAIN SUITS AGAINST FEDERAL EMPLOYEES—AMENDMENT

Mr. KEATING submitted an amendment, intended to be proposed by him, to the bill (H.R. 2883) to amend title 28, entitled "Judiciary and Judicial Procedure," of the United States Code to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment, and for other purposes, which was ordered to lie on the table and to be printed.

ISSUANCE OF GOLD MEDAL TO DANNY KAYE—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Under authority of the order of the Senate of August 25, 1961, the name of Mr. LONG of Missouri was added as an additional cosponsor of the joint resolution (S.J. Res. 127) authorizing the issuance of a gold medal to Danny Kaye, introduced by Mr. JAVITS (for himself and other Senators) on August 25, 1961.

NOTICE OF CHANGE OF HEARINGS ON CONSTITUTIONAL RIGHTS OF THE AMERICAN INDIAN

Mr. ERVIN. Mr. President, on Friday I announced that the Senate Judiciary Subcommittee on Constitutional Rights would begin holding hearings tomorrow on the constitutional rights of the American Indian. At that time, I stated that the hearings would begin at 10 a.m. Since making this announcement, it has come to my attention that the Judiciary Committee has scheduled an executive session for 10:30 tomorrow. In view of this development, I am rescheduling the subcommittee hearings to begin at 2 p.m. on August 29, in room 357 of the Senate Office Building. The hearings will continue through September 1. The witness list for this series of hearings is as follows:

August 29, 1961, 2 p.m.: Stewart Udall, Secretary of the Interior, accompanied by Philleo Nash, member of the Secretary of the Interior's Task Force on Indian Affairs.

August 30, 1961, 10 a.m.: William Zimmerman, Jr., member of the Secretary of the Interior's Task Force on Indian Affairs; Henry E. Hyden, Associate Solicitor in the Division of Indian Affairs, Office of the Solicitor, Department of the Interior; Selene Gifford, Assistant Commissioner, Community Service Division,

Bureau of Indian Affairs, Department of the Interior.

August 31, 1961, 10 a.m.: Homer B. Jenkins, Chief, Branch of Tribal Programs, Bureau of Indian Affairs, Department of the Interior; Delbert H. Bruce, Chief, Branch of Realty, Bureau of Indian Affairs, Department of the Interior; William B. Benge, Chief, Branch of Law and Order, Bureau of Indian Affairs, Department of the Interior.

September 1, 1961, 10 a.m.: John W. Cragun, general counsel for the National Congress of American Indians; Arthur Lazarus, Jr., general counsel for the Association of American Indian Affairs.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MUNDT:

Address by Hon. BEN REIFEL, a Representative in Congress from the State of South Dakota, before the South Dakota Young Republican Convention delegation luncheon, at Brookings, S. Dak., on August 26, 1961.

"CAPITOL CLOAKROOM" BROADCAST

Mr. MANSFIELD. Mr. President, last Thursday, August 24, I engaged in a broadcast known as "Capitol Cloakroom" with three correspondents of the Columbia Broadcasting System—Bill Downs, Neil Strawser, and Wells Church. I ask unanimous consent that the broadcast be printed in the RECORD.

There being no objection, the broadcast was ordered to be printed in the RECORD, as follows:

"CAPITOL CLOAKROOM"

(As broadcast over the CBS Radio Network, August 24, 1961)

Guest: The Honorable MIKE MANSFIELD, Senate majority leader, Democrat, of Montana.

Correspondents: Bill Downs, Neil Strawser, Wells Church.

Producer: Ellen Wadley.

Mr. DOWNS. Senator MANSFIELD, will the United States fight to preserve our rights in Berlin?

Mr. STRAWSER. Will the Senate pass legislation to limit debate this year?

Mr. CHURCH. How do you assess the legislative record of this Congress to date, Senator MANSFIELD?

Mr. DOWNS. Senator MIKE MANSFIELD, welcome to "Capitol Cloakroom." We feel fortunate indeed to get the Democratic leader of the Senate at this crucial period in international diplomacy, and when the Congress is now driving for adjournment, while you are pressing for passage of important sections of the Kennedy administration program.

Senator, the Russians have made new charges that the West is misusing its air corridors into Berlin, by flying in saboteurs and espionage agents, heading at a new blockade. Will the United States use military force if necessary to preserve our rights and communications with West Berlin?

Senator MANSFIELD. Well, I would assume that we would use whatever means would be necessary to preserve our rights in Berlin, and also to preserve our rights of access into West Berlin and out of West Berlin into West Germany.

Mr. STRAWSER. Well, there comes a question, Senator MANSFIELD, just where do we draw the line? The things that have been going on in the past several days have all been piecemeal and chipping away at our rights as we define them. Where do we draw the line?

Senator MANSFIELD. That is something which the President would have to decide, because he is in charge of the foreign policy of this country. I don't think, though, that we should be surprised at the fact that this chipping away has taken place. The surprising factor to me is that it has not occurred sooner than it did. And as long as they are just chipping away as they are, I would say that while tension would mount, that the immediate difficulty would not become too apparent.

Mr. STRAWSER. What is your personal feeling about where we should draw the line?

Senator MANSFIELD. Well, the line has already been drawn, and that is the border between East and West Berlin, and the routes of access into and out of Berlin.

Mr. CHURCH. Senator MANSFIELD, how do you assess the value of the Vice President's trip over there?

Senator MANSFIELD. I was one of those who was somewhat perturbed at the fact that the Vice President was going over to Berlin and Bonn, evidently in response to allegations made by the Germans, both in West Berlin and in West Germany itself. I for one did not like the statement made by Mayor Willy Brandt about politics, and that actions were needed and not words. I did not like the idea of these German students in West Germany sending an umbrella to the President of the United States. I was a little apprehensive even of the convoy of 1,500 combat troops from Helmstedt to West Berlin. But my worries were needless, because the Vice President was tremendously successful in what he was able to accomplish, along with Ambassador Bohlen and General Clay in West Berlin, and I think that by and large it was a successful venture in diplomacy, and had the affect of creating psychologically, at least, a good feeling and a feeling of security.

Mr. CHURCH. I take it you don't think that he went too far in promising all the way up to our sacred honor in defense of West Berlin?

Senator MANSFIELD. The Vice President did not go too far, because, despite the stories carried in the newspapers, he did not carry to the Germans any commitment which had not already been made to them.

Mr. DOWNS. Well, he is alleged to have recommended to President Kennedy that we should send more troops into the West Berlin garrison. Would you go along with that?

Senator MANSFIELD. No, I don't think that that allegation is correct, because, as I understand it, the total which we are allowed under the agreement in West Berlin is 6,000. We had 4,500 prior to the bringing up of the 1,500 over the Autobahn. So now we have our full total of 6,000. I dare say that the French and the British are perhaps a little understrength at the present time, and that may be where the reference is.

Mr. CHURCH. There has been some water over the dam, Senator MANSFIELD, since you first made your suggestion for a free city of Berlin. How do you feel about it now?

Senator MANSFIELD. Well, I don't feel as good about it now as I did then, because since that time the East Germans have taken over control of East Berlin, erected a wall of sorts, and created certain points of entrance and egress. Up to that time, and for the 2 years previous, I think that the idea had much in the way of merit. It may not have been the answer, but certainly somebody has got to get off dead center. If we keep on going as we are now, it is like two trains coming together from opposite directions on the same track. And if a third way, or a way out is not found, those two trains are going to collide and the whole world is going to pay part of the price.

Mr. DOWNS. Well, Senator, you mentioned the fact that the French and the British seem to be understrength in their garrisons in Berlin. There have also been suggestions they are dragging their feet on this entire crisis situation, President de Gaulle particularly.

Senator MANSFIELD. I understand that the British are fairly anxious along with the Americans to undertake negotiations, but that President de Gaulle seems to think that all we have to do is to remain firm and that conditions will work out. I do not think that we should be guided in our policy by President de Gaulle, any more than I think we should be guided in our policy by Mayor Willy Brandt or Chancellor Adenauer. We have to do what we think is best, pick out a time which is propitious, and then get to work.

Mr. CHURCH. Do you feel that same way about resumption of nuclear testing—do it when we think it is right?

Senator MANSFIELD. Yes, I think we have to chart our own destiny. We have to figure out just what course we should pursue. We have to recognize the fact that we have carried on negotiations, that we are trying to do the best we can to arrive at an accommodation. When you reach a point where that is no longer possible, then I think a decision must be made, and if one is to be made, it should be made by us.

Mr. DOWNS. You are not saying, sir, that our destiny is not tied up with the destinies of the entire free world.

Senator MANSFIELD. Not at all. But I do not think that we ought to hold back always and make sure that our allies will come around to our way of thinking, because we have something to perform in the function of leadership, and I think that we ought to assume that responsibility.

Mr. DOWNS. Well, I would like to get back to this question of what they call the undeclared policy of Britain and France. It was mentioned by Walter Lippmann. It has been mentioned in the European press—that the division, permanent division of Germany is not entirely a bad thing. And as one London newspaper put it, after fighting a bloody war to remove the Germans as a threat to the peace, we are not going to fight another war to unify them. And this seemed to be a very popular concept among the people at least of Western Europe. We call for reunification. Aren't we out in left field alone on this?

Senator MANSFIELD. That is right. And I daresay that the French and the British are not too dissatisfied with the present division of Germany. Maybe they have got something from their point of view. Our policy has been, under both Democratic and Republican administrations, to at least pay lip service to the idea of a reunified Germany. But I would point out that when we speak of a reunified Germany, we speak of East and West Germany primarily. The West Germans themselves refer to East Germany as Mittel Deutschland or Middle Germany, meaning, of course, that beyond the Oder-Neisse there is another Germany which has been occupied by the Poles and which in time may well have to be faced up to, because of the influence it may have on the history of Europe and the world.

Mr. DOWNS. You don't think we are going to come out, though, for a readjustment of that line at this particular time.

Senator MANSFIELD. Not at all. As a matter of fact, I think that insofar as the unification of Germany is concerned, which we have advocated consistently, that it is not in the immediate offing.

Mr. STRAWSER. Senator MANSFIELD, in exerting this Western leadership goal that you think we have, where do you think we

should go in this question of Berlin? What steps should we take now?

Senator MANSFIELD. Well, I think that what we ought to do now is to call Mr. Khrushchev to task on the basis of some of the statements and assertions he has made in his various speeches in recent weeks. He has said that he would—that he was going to negotiate a treaty with East Germany. Well, he can do that. There isn't a thing we can do to stop him. He has said that he would guarantee our access in and out of Berlin. How? Under what means? What guarantees will we have and how good will those guarantees be? What I think we ought to do is return to old-fashioned diplomacy and put our Ambassadors to work in a private way, away from the glare of publicity, give them authority and responsibility, and see if some way could not be found whereby we could both get off the main track on which we are coming together at the present time, some way in which an honorable, negotiable solution could be found which would protect the people of West Berlin, which would protect our right of access in and out of the city, and give some hope to the people of Middle Europe and the world of a peaceful future.

Mr. CHURCH. Senator MANSFIELD, why aren't we doing these things? What are we waiting for? What is the roadblock?

Senator MANSFIELD. I don't know. We may be doing them. But if we are, I have no knowledge of it. But it appears to me that the Soviet Ambassador, for example, is still in Moscow. We have a good Ambassador over there in the person of Ambassador Thompson. I see no reason why he couldn't carry on conversations with the Soviet Foreign Office, and Mr. Menshikov or his successor here carry on conversations with the State Department.

Mr. DOWNS. You seem to be dissatisfied with the recent course of American foreign policy. You feel that it has been too passive and not positive enough?

Senator MANSFIELD. I think we have been reacting for the past 10 or 12 years.

Mr. STRAWSER. Senator MANSFIELD, part of the fencing that is going on in this Berlin situation now is done with the uncommitted watching world in mind. And we have been quite shocked here in the West, I think, recently, by this statement by Nehru that our rights in Berlin are a concession from the Soviets. What suddenly happened in this fight for Nehru's mind?

Senator MANSFIELD. Well, this appears to be opposite to what Nehru said last week, so I would expect him to reverse himself again next week. Those are things you have to expect. He has no immediate interest, though he does have, as all neutrals have, an indirect interest in what happens in Berlin.

Mr. DOWNS. There has been one suggestion that followed up your original one of several months ago, to make Berlin a free city, that perhaps they move the United Nations there as the capital of the divided world, perhaps as a third way of preserving the integrity of Berlin.

Senator MANSFIELD. That wouldn't be a bad idea—anything which would bring about the unification of Berlin, both East and West. And what a lot of people don't seem to realize is that the capital of East Germany is in Pankow, which is a part of East Berlin. It is an idea which I am sure that Mr. Ulbricht will never accept, which Mr. Khrushchev will never allow. But we have got to throw the ball back to them some way or other, and this is one way to put them, perhaps, on the defensive for a change.

Mr. CHURCH. I asked you about nuclear testing a moment ago, Senator MANSFIELD. What about disarmament? I suppose it seems to a good many of the people listening to you today that talking about disarmament under these Berlin conditions is kind of silly. How does it strike you?

Senator MANSFIELD. Well, I think there is a reason for the administration, and some of our best minds, thinking that the proposition of a disarmament agency ought to be given consideration at this time. Whether or not that is true, I am not prepared to say. But I do know this—that the executive branch does have a disarmament agency of sorts in operation under Mr. McCloy, and that if there is any need in the minds of the executive for a continuation of this kind of an agency, that can be done very well in the foreseeable future at least in the executive branch of the Government under Presidential order.

Mr. DOWNS. We seem to be having, or you do, at least, seem to be having a little trouble with the President's foreign aid program. What is going to come out of this House-Senate conference?

Senator MANSFIELD. That is hard to say. They tell me they have come to an agreement on 16 points of difference, and that 116 points of difference still remain. But I would hope that out of it would come a 3-year Treasury financing plan, and that the difference in the first year in funds between those allowed by the House and Senate would be split, so that the President would have something on the order of a little over $4 billion to inaugurate his program.

Mr. CHURCH. As I understand Mr. HALLECK of the House Republican leadership, he won't stand still for that.

Senator MANSFIELD. Mr. HALLECK is only one House Member, though he does control a lot of Republicans and controls them quite well, on the basis of his record to date. But we will see what the conferees do, and then what the House will do if it has a chance to vote on a different proposition.

Mr. STRAWSER. Senator MANSFIELD, as the Democratic leader in the Senate, you promised to see that there is a chance to vote on further limiting debate in the Senate before this year is up. What do you think will be the chances for passage of such legislation?

Senator MANSFIELD. I couldn't say. We have reported out the change in rule XXII, out of the Rules Committee. It will be on the calendar shortly. It will be brought up before the Senate to work its will on as the last measure this session. Now, what the outcome will be, I cannot say. But I intend to do my best in line with the pledge made last January to bring about a change which would call for three-fifths of those present and voting instead of the two-thirds of those present and voting as is the case at the present time.

Mr. CHURCH. Has there been any pressure that you could relate or speak of in any way whatsoever put on you to back away from your cold promise?

Senator MANSFIELD. There have been some members who have come to me with the proposal that this matter could be put over until next January. I have stated that I have given my word, I intended to keep it, and unless they can unanimously agree to do so, the change in rule XXII will come up this session.

Mr. CHURCH. Would you be inclined, Senator MANSFIELD, to call a halt to the whole session if you should run into a bona fide long discussion of this matter on the floor—on the Senate floor—what is the word I am trying to find——

Mr. STRAWSER. Filibuster.

Mr. CHURCH. Filibuster.

Senator MANSFIELD. Oh, yes, indeed. I think we ought to try and invoke cloture, and if cloture wins or fails, then I think we ought to, after a reasonable time, quit and go home and be ready for next year.

Mr. DOWNS. Well, how do you regard the Senate's failure to renew the flat for the President's special Commission on Civil Rights? Is that a defeat for the Democrats, or did he want this Commission particularly?

Senator MANSFIELD. Oh, yes. The President wants the Civil Rights Commission extended. We have suffered a temporary setback, not a defeat. And I anticipate that before we close up shop for this session, that we will have extended it—that Commission.

Mr. STRAWSER. How will you arrange this?

Senator MANSFIELD. We will probably tie it to the State, Justice, and judiciary appropriation bill again, and ask permission to suspend the rules.

Mr. STRAWSER. What makes you feel this time you will be able to pass it?

Senator MANSFIELD. Well, I think in time we will win.

Mr. CHURCH. Senator MANSFIELD, we have been talking about a lot of individual pieces of legislation here, or possible legislation. Take a good, long breath and assess the legislative successes of the Congress from the Democratic standpoint.

Senator MANSFIELD. I can only speak for the Senate, Ted, and I think that on the whole we have had a fairly successful record. We have had a lot of cooperation, a lot of luck, and we have had a President of our own party in the White House, and all those amalgamated together spell a degree of success. But I think that one of the real reasons why we have been able to achieve a creditable record is because of the groundwork laid by LYNDON JOHNSON as majority leader over the past 3 or 4 years. He laid this groundwork, or he laid these foundations—what we have done is to build on them. And we get the credit but he has really done the work.

Mr. CHURCH. I can't help but inject a little bit of political thinking into this. Do you suppose the rank-and-file voter would agree with you?

Senator MANSFIELD. Yes, if they knew the circumstances.

Mr. DOWNS. But the President still—for example, the medical aid to the aged, which was one of his big campaign issues and promises—that is dead for this session, isn't it?

Senator MANSFIELD. That is true. We can do nothing in the Senate, because of the appropriation responsibility of the House. So we have to wait for the House to take action. And that will be next year.

Mr. DOWNS. What kind of a school bill is going to come out? I mean what are you going to end up with?

Senator MANSFIELD. I wish I knew. We passed four school bills out of committees, passed one of them through the Senate. But we are just marking time to see what the House will do, and that will determine in large part what we will do.

Mr. STRAWSER. Senator MANSFIELD, what are you and the other Senators hearing from back home?

How is this getting across to the voters? We hear that the Republicans think they are going to make big gains in 1962.

Senator MANSFIELD. I think the Republicans have been strengthened since the November election. The proposal that this is a spending Congress and a spending administration is achieving some headway. The Republicans are saying it is all right to spend as much as you want on defense, but go slow on the domestic spending. They are operating in a way which I think will be politically advantageous to them. I don't blame them. It is a good tactic. But I think we have to take care of both the domestic and the foreign fronts at the same time if we can, and it is going to take money to take care of both.

Mr. CHURCH. Were you saying then, sir, that the Republicans are right when they say they will pick up some seats in 1962?

Senator MANSFIELD. I would say that things look a little more encouraging for them now than they did last November.

Mr. DOWNS. Well, you seem to have gotten over the economic hump, and the recession that we heard so much about at the beginning of the year is rapidly disappearing. How much can this be claimed as the achievement of the Kennedy administration, or how much is this just a momentum of our own economy coming back?

Senator MANSFIELD. I think that some of the measures taken by President Kennedy in his position as the Chief Executive did help to slow the downturn in the economy. However, I do not think that we have recovered purely because of Democratic policies. It is the way the economic cycle works. I think there is credit enough to go all the way around. I think that the President, though, made a significant contribution.

* * * * *

Mr. DOWNS. Well, there was some talk that when LYNDON JOHNSON stepped upstairs to the Vice-Presidency, that he was going to continue to operate the Senate. This has not been true. You have been the operating man on the floor.

Senator MANSFIELD. Well, LYNDON JOHNSON, in my opinion, was the greatest majority leader the Senate has ever had. I don't operate the Senate. I try to do what I can on behalf of my colleagues, both Democratic and Republican, in accord and cooperation with HUBERT HUMPHREY, who is the majority whip and GEORGE SMATHERS, who is the secretary of the conference. And then, of course, we have a very good sidekick on the other side in EVERETT DIRKSEN who, in my opinion, is one of the outstanding leaders the Senate has ever had, too.

* * * * *

Mr. DOWNS. Well, to get back to this campaign, the 1962 campaign, which is going to be an interesting one, because the policies of the New Frontier administration are going to be tested, what do you foresee as the major issues?

Senator MANSFIELD. Oh, next year it will be foreign policy. For the next decade it will be foreign policy and I think we might as well recognize that, and prepare ourselves accordingly. If some accommodation is not reached, we are going to have to continue to spend tens of billions of dollars in our defense, and in the promulgation of our foreign policy. Of course, you cannot disassociate domestic policy from that. But the prime factor is going to be our relations with other countries overseas and most importantly with the Soviet Union.

Mr. DOWNS. Have you been satisfied with the cooperation and contacts with the White House? For example, under the Eisenhower administration the Republicans were screaming that they often felt cut off and isolated. Are you advised in advance of policy? Are you called in and asked for your advice?

Senator MANSFIELD. Oh, sometimes; very rarely.

I think that is the way it should be, because under the Constitution the responsibility is the President's or through his agent, the Secretary of State. As far as the Congress is concerned, both Republicans and Democrats, I think, have had a good deal of easier access to the White House under President Kennedy than they ever did under President Eisenhower.

Mr. STRAWSER. You are an independent thinker in many ways, Senator MANSFIELD, and so is Chairman FULBRIGHT, of the Senate Foreign Relations Committee. Do you think your independent and sometimes differing views are appreciated by the White House?

Senator MANSFIELD. I think so.

Mr. CHURCH. That is quite a spread sometimes there between you and Mr. FULBRIGHT. How could they be happy about two such important Members of the U.S. Senate, the majority leader and the chairman of the Senate Foreign Relations Committee?

Senator MANSFIELD. Well, I think that President Kennedy has served long enough in the House and Senate, 14 years, to understand the practical situation as it applies to the Congress, and he doesn't expect to have things all his own way. He recognizes points of differences. But he realizes, and so do we, that he and he alone makes the ultimate decisions.

* * * * *

Mr. DOWNS. Thank you very much for appearing on "Capital Cloakroom."

BERLIN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there may be inserted at this point in the RECORD a statement I made to the press on August 26 relative to the Berlin situation.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR MIKE MANSFIELD

The situation in Berlin seems to be edging toward the point where either a collision or an explosion can take place. The collision could be brought about by the Soviet Union and the Western powers keeping on the same track until they come together, and the explosion could be generated through an incident, an accident, or a provocation.

As I have indicated previously, a possibility for a "third way" must be found; a possibility which does not endanger our rights in West Berlin on our rights of access to and exit from West Berlin to West Germany. Beyond the defense of those rights against unilateral change by others, as I have said many times, I am not wedded to any particular situation at Berlin.

I am of the belief that other situations, other ways can be found which are better than those which have now existed for so many years despite the changes which have occurred since the end of World War II.

Mr. Khrushchev, in his public statements, has insisted that the situation in Berlin must be changed. He has also stated that the changes will not infringe upon our rights in that city, including the rights of access to West Berlin. While he has indicated the changes which he desires, he has not set forth in specifics how Western rights would be protected.

What we need, if there is to be peace as well as change at Berlin, is an elaboration of what the changes which Khrushchev proposes may mean. For example:

1. Mr. Khrushchev has contended that the East Germans can succeed to Soviet occupation rights in East Berlin by unilateral action. Does he recognize equally, then, that West Germans can succeed to Western rights of occupation in and access to West Berlin by unilateral action of the Western Powers?

2. Mr. Khrushchev insists that the routes of access to Berlin will remain open after he signs a peace treaty with East Germany. He says that there will be "any" guarantees necessary to achieve this end. But what kind of guarantees? Will East Germany have control of the routes of access after a peace treaty is signed? Will Russian forces remain in control of them? Will they be transferred to the Western Powers whose forces remain in West Berlin, which would be most logical inasmuch as the Soviet Union is the nation which desires to withdraw from its occupational responsibility? Or, if control is transferred to the East Germans, will the Soviet Union recognize and support the right of the Western nations to use whatever means may be necessary to guarantee access to Berlin if it should subsequently be impeded?

These are some of the questions which must be faced and answered soon. These are questions which can be discussed through negotiations at the ambassadorial level or, if need be, at a foreign ministers conference. Mr. Khrushchev has stated that we should sit down at a table and negotiate. These questions can form the substance of negotiations. They should be considered in private, without benefit of publicity and with a desire to avert a collision or an explosion. It is not so important who many initiate negotiations or in what circumstances they may be initiated. The people of the world would be grateful to whoever had the courage to initiate negotiations. It is not a question of negotiating through fear. It is not a question of giving up our rights in West Berlin and the routes thereto. It is a question of the substance of the negotiations and the sincerity of the desire to find mutually satisfactory answers to the kind of questions which I have enumerated and the skill of the diplomacy by which these answers are sought.

Mr. MANSFIELD. Mr. President, in previous comments on the Berlin situation, going back to early 1959, I have emphasized time and again that we needed to stand firm on our rights and the rights of freedom in Berlin. At the same time, I have suggested that changes in the situation in that city were likely whether we pursued them or not, but with an effective diplomatic initiative the changes might be turned to the advantage of all the parties concerned, toward peace rather than war.

As the Senate knows, Mr. President, one suggestion for a diplomatic initiative, for negotiations, was built on the concept of the international control of all Berlin—free West Berlin and Communist East Berlin—under effective guarantees, as an interim measure until such time as all of Germany might be unified.

For a complex of reasons, Mr. President—perhaps very valid and unavoidable reasons—a change of that kind was never pursued by a vigorous Western diplomacy. We are now confronted with the actuality of change at Berlin, a unilateral change on the part of the Soviet Union within their zone of occupation. This change, Mr. President, creates a situation of far greater tension than that which previously existed and very dangerous to the interests of all concerned—including the Soviet Union, whether Mr. Khrushchev realizes it or not. For it has brought closer than ever before, not a durable peace, but rather the danger of nuclear war by collision or explosion.

The recent closing of the Berlin border, Mr. President, would seem to make improbable the effective pursuit of a policy of internationalizing all of Berlin—Communist East and free West Berlin—such as was proposed more than 2 years ago and reiterated in June this year.

The question remains: Are any negotiations, now that this possibility has receded, compatible with the concept of standing firm on Western rights and the rights of freedom in what has become, by unilateral Communist action, a deeper truncation of Berlin? I still believe that any lasting progress toward a solution of the problem of peaceful unification of Germany must encompass the peaceful unification of Berlin, all Berlin. But what of the interim? What, if anything,

is there to negotiate now that the wedge of division has been driven deeper into Berlin? If Western rights to be in and to have access to that city, if the right of freedom to be present in Berlin, are not negotiable—and they are not—what, then, is there to negotiate?

It seems to me, Mr. President, that the only point on which negotiations are admissible is the "how" of these rights. How is the position of freedom to be protected? How are Western rights of access and presence to be safeguarded if the Soviet Union withdraws from its occupational responsibilities as it insists that it will do in the near future?

The important point is not who may initiate negotiations in a search for answers to these questions. What is important is the substance of negotiations. The Soviet Union has undertaken unilaterally to revise the situation at Berlin and contemplates revising it throughout East Germany, along the routes of access, by signing a peace treaty with the East German Government. So far the changes have affected only the zone of its own occupational responsibilities. But if the Soviet Union means to have peace, the responsibility rests with that nation to spell out in particulars how it means to safeguard the rights of the Western Powers of presence and access and the rights of freedom in Berlin before it proceeds with further changes in this situation. If the Soviet Union is prepared to do that then there is a function for negotiation. If they are not, there is a place only for propaganda and posing in any meetings which may take place at whatever level.

The point of no return is very close at Berlin and along the routes of access. The danger of the explosion or collision is real. It may still be possible to check or reverse the trend which has now begun but time is running out. There is no room left for bluff; there is only room for blunder. The responsibility of every responsible leader is to seek through sober negotiations to forestall a worldwide catastrophe.

TRIBUTES TO SENATOR BUSH

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Farmington Valley Herald, of Farmington, Conn., which appeared in its August 10 issue. The editorial is a very fine analysis of the services in the Senate of our colleague, the senior Senator from Connecticut [Mr. BUSH], and is also a tribute to his qualities as a man. I know it will be read with great interest by many people throughout the country who know Senator BUSH personally or who know of his distinguished career, and the editorial will be read with particular interest by the Members of the Senate, both Republicans and Democrats, because they will know it reflects accurately their judgment of his service in the Senate and his character.

We know that Senator PRESCOTT BUSH is one of the ablest and most effective Members of the U.S. Senate. He is respected in the Senate for his ability and his leadership and for the qualities of integrity and courage which are manifest in everything he says and does.

We have no doubt that he will continue to serve his State and country in the Senate.

Mr. SCOTT. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. SCOTT. The qualities which have made Senator PRESCOTT BUSH so able and so valued a Member of the Senate are those which have earned for him the respect of all his colleagues, on both sides of the aisle. He has been an able, thoughtful, earnest, and well-informed Senator; his services are of great value to this body; and his interest in his home State of Connecticut and its welfare and its problems has been demonstrated throughout his term here, and will continue to be of value to Connecticut and to the Nation.

Mr. GOLDWATER. Mr. President, will the Senator from Kentucky yield to me?

Mr. COOPER. I yield.

Mr. GOLDWATER. Mr. President, I should like to associate myself with the remarks of the distinguished Senator from Kentucky. It has been my pleasure to have served with the Senator from Connecticut [Mr. BUSH] during the entire time of my tenure as a Member of the Senate; and I have found him to be not only a faithful and valuable friend, but, more important, a valuable Member of this body.

Through my friends in Connecticut, I know that they realize his great worth, and I am certain that Senator BUSH will be returned by the people of Connecticut at the next election.

Mr. COOPER. Mr. President, I am very glad the able Senator from Arizona has spoken in regard to this matter.

Mr. KUCHEL. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield to the Senator from California.

Mr. KUCHEL. I am honored to associate myself with the coments made by the distinguished Senator from Kentucky and the other Senators who just now have spoken.

It was not very many days ago that the Senate engaged in a debate in regard to the level of expenditures recommended by the administration in the field of housing; and it was the Senator from Connecticut [Mr. BUSH] who stood on this floor and led the fight in favor of holding the line. The House conferees had demanded that the Senate bill be increased by $1,200 million, above what the administration itself had asked for. The distinguished Senator from Connecticut [Mr. BUSH], with courage and clarity, led the fight against such fiscal irresponsibility. The Senator from Connecticut performed a brave, valiant, and patriotic service on that occasion, and on many others. I hope the people of Connecticut and the people of the United States may enjoy his honorable and constructive services to this Government for many years to come.

I thank the Senator from Kentucky for yielding to me.

Mr. WILEY. Mr. President, will the Senator from Kentucky yield to me?

Mr. COOPER. I yield.

Mr. WILEY. I wish to join with all the other Senators who have spoken in regard to the character, the ability, and the fine service Senator PRESCOTT BUSH has rendered to the State of Connecticut and to the Nation. I could speak at length and in detail in regard to his outstanding service, altough I am sure it is not necessary that I do so at this time. I hope the people of his State will realize that his service here has been most constructive and has been the kind that makes a real statesman.

So I am very glad to join with all the other Senators who have spoken in saying thanks for a good man.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THEN WE'RE IN TROUBLE, TOO

The weekend news from Washington carried a statement by Senator VANCE HARTKE, of Indiana, chairman of the Democratic senatorial campaign committee, to the effect that Senator PRESCOTT BUSH had been warned that he was in trouble with his bid for reelection to the U.S. Senate. While such statements, and many more besides, will be made to generate interest in the 1962 elections, it seems to us that such a statement carries a disturbing element.

At the present time, Senator BUSH has no opponent, either in the Republican Party or the Democratic Party. After the political conventions have been held, there will be a Democratic nominee to oppose him, chosen possibly from the field of hopefuls that includes Lee, Kowalski, and Ribicoff.

But much more important than the caliber of the opposition is the character, the service, and ability of PRESCOTT BUSH during his tenure in the U.S. Senate. Most of us in the valley got to know him shortly after the floods of 1955, when we found him to be a man of deep compassion, boundless energy, and an unquenchable thirst for service to his State and constitutents.

In the 6 years that have intervened, Senator BUSH has demonstrated many times over that he possesses ability, understanding, integrity, dedication, and energy to a remarkable degree. No person is too small for his attention, nor too big for his stature. On top of everything else, he's got guts, too.

HARTKE has to be talking through his hat, for if the man who is one of the most able men in the entire Congress of the United States is in trouble, then the United States itself must be in dire straits, indeed. Since Oliver Ellsworth first represented Connecticut in the U.S. Senate in 1789, few of the 49 men have served her as well as PRESCOTT BUSH. We're not in trouble so long as men of BUSH's caliber represent us, and he won't be in trouble so long as we can see the difference between night and day.

Mr. JAVITS. Mr. President, I rise to join my colleagues in paying tribute to Senator BUSH, of Connecticut. I believe he represents a very effective point of view in the Senate, aside from his individual effectiveness as a Senator, to which reference has been made today.

I find that his views on money and credit, with which I sometimes do not agree, are nonetheless so informed as to make me feel that the mosaic of information and expert advice available to us in the Senate is, because of men like PRESCOTT BUSH, one of the best in existence in any legislative body in the world.

I think the State of Connecticut has done us all a service in sending him to the Senate. He has as fine a body of information, as interesting and provocative an outlook on the way in which the economy of our country and of the world should be organized, as any Senator. As for me, I think to lose Senator BUSH would be an absolutely irreplaceable loss to the Senate. I hope very much the people of Connecticut will send him back to us. I am proud to be a witness to his capacity, his skill, and his real contribution to the Senate.

NEEDED: NEW DYNAMIC-PSYCHOLOGICAL OFFENSIVE AGAINST COMMUNISTS

Mr. WILEY. Mr. President, the morning newspapers state that Premier Khrushchev says he is ready for talks on Berlin. As I read the articles, I remembered there was a man named Chamberlain, the head of the British Government, who had a talk with Hitler, and Hitler sold him a "bill of goods." Then Hitler broke his word. So, instead of "peace in our time," there was "war in our time."

In our negotiations with Khrushchev, we must bear in mind that Chamberlain-Hitler incident.

Shortly we shall have a report from the conference committee in relation to the funds that are being made available for Latin America. The conference at Punta del Este resulted in noble ideas and far-reaching promises. It was an attempt to achieve an orderly revolution in Latin America. Now, in spite of the terms of the foreign-aid bill, we know that the real responsibility for making progress will be that of the people of South America and their leaders. Right now, Brazil is having her troubles. The trouble with South America, of course, has been between the "haves" and "have-nots." The Latin Americans themselves will have to take hold of their economic and social problems. Upon their shoulders rests the responsibility to marshal their resources, bring about equitable tax laws, and see that there is expansion, agriculturally and industrially.

Unless this is done, our aid will be of no avail. If we shove this economic aid into South America without there being cooperation in the direction that I have suggested—I mean fundamental reforms as indicated—then our aid may aggravate social and political tensions. We seem to have little choice, however, but to go ahead. Unless you are able to guide the forces toward the values that we have suggested, Moscow will take a hand and channel the political and social structure into its way of thinking and living.

The world situation is such that, while we cannot intervene in South America, we do owe an obligation to ourselves and the South Americans to see that our resources that we pour in there are being well used, and not wasted on unsound projects, or shipped off, by the "haves," to bank accounts in other lands.

The ACTING PRESIDENT pro tempore. The time available to the Senator from Wisconsin in the morning hour has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Wisconsin may proceed for 3 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, the Senator from Wisconsin may proceed for 3 more minutes.

Mr. WILEY. Mr. President, the free world—indeed all the people of the globe—have a great stake in peaceful settlement of the Berlin crisis.

To successfully meet and triumph over the challenge laid down by the Reds, the Western alliance, serving as the standard bearer of freedom, must maintain, of course, a maximum degree of unity. However, I believe this must be active, not inactive, unity. In Berlin, for example, Khrushchev is running with the ball, militarily, psychologically, economically, politically.

Meanwhile, the West appears to be too greatly preoccupied with just keeping its team organized.

In my judgment, however, we must get up off our sedentary solidarity and, shoulder to shoulder, march forward to undertake a dynamic diplomatic-psychological counteroffensive; continue to maintain, of course, a strong military deterrent against massive attack; and flexibly parry the jabbing harassments of the Reds.

Within the past days, Mr. Khrushchev has violated standards of international conduct in the following ways:

Broken postwar agreements by slamming shut the Iron Curtain.

Engaged in provocative acts on the border between the East and West Zones of Berlin.

Committed economic aggression against West Berlin.

Denied the rights of self-determination to the people of East Berlin and East Germany.

Challenged legitimate rights of the West to free access to the city, and other misdeeds.

Meanwhile, he has falsely accused the West of a wide range of provocative acts. And he gets away with it.

Is the West tonguetied? Must we stand idly and silently by while the Reds themselves commit dangerous threats to peace—brand us as black provocateurs threatening peace?

Now, it is true that from time to time the West "talks back." All too often, however, these are indistinct, weak-voiced rebuttals to Red charges, often cloaked, or lost in hypercomplex diplomatic language.

Strangely, the Western nations, many priding themselves on long traditions of high standards of diplomacy, find themselves handicapped in this crisis by loss of voice, by lack of ingenuity in proposing counterattacks, by ineffective counterpunching, by general inability to meet the Red tactics and maneuvers, particularly in propaganda.

The United States, for example—in its free enterprise system—has reflected a genius for salesmanship for such things as: soap, cigarettes, automobiles, cosmetics—you name it.

Paradoxically, however, we have not created successful enough techniques for selling: principles, ideals, legal facts, or truth—certainly not to the degree necessary to cope with the distortions created by the Red propaganda machine.

If we are not to be made the silent villian of the Soviet-staged power play in Berlin, then we need a stronger, clearer voice for Western policy. Among other things, this necessarily includes:

First. Presenting our case—right and just—to the court of world opinion.

Second. Baring flagrant violations of international good conduct by the Communists.

Third. Reemphasizing—harping upon, if necessary—the need for self-determination by the Berliners and all Germans on, for example, such questions as: The status of the city of Berlin; and unification or nonunification of Germany.

Day by day, there is a dangerous heightening of tensions—a pillbox hardening of East-West positions—advancement toward a military showdown—with all its dreadful implications for peace and the survival of humanity.

Between now and such a military showdown, however, there is time—precious time—which can, and should, be utilized by the West: First, to undertake a more dynamic, psychological, diplomatic, political counteroffensive; second, refute Red propaganda; third, muster support for the Western position among the nondirectly involved nations of the world; and fourth, create constructive alternatives for solution of the crisis.

The time to act is now—not after the nuclear-warheaded rockets are firing.

Yesterday, I was privileged to discuss other aspects of this challenge is a broadcast over radio station WGN, Chicago. I request unanimous consent to have excerpts from this address printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS OF ADDRESS OF HON. ALEXANDER WILEY

Day by day, the Communists attempt to carry out new types of harassment to the West. The first steps in the Kremlin's dangerous campaign included: slamming shut the Iron Curtain between East and West Berlin; challenges to utilization of the air corridors by the West; and other provocative acts.

Now, let's face it: Mr. Khrushchev is dead set on attempting to choke off West Berlin. From all evidence, he is willing to push the world to the brink of a third world war.

In the harrowing days ahead, then, we can expect more border incidents; deliberate attempts to delay, or obstruct, access to the city by the West; interference with the internal life of the West Berliners; and other efforts to snuff out the light of this beacon of freedom within the Red orbit.

The Red campaign, too, includes threats of signing a separate peace treaty between the Soviet Union and East Germany. Realistically, this would—if it occurs at all—only be a deceptive ritual. For Khrushchev will still be pulling the strings; and the East German puppet government will be dancing to the tune played in Moscow.

To withstand such a barrage of provocation, however, we will need to be alert, strong, but not trigger happy. Khrushchev would probably like nothing better than to have us take countermeasures that would provide justification—in the eyes of the world—for further Communist aggression.

In attempting to cope with such threats to peace, the West, unfortunately, finds itself in an extremely difficult position. Why? Because our posture—now that East-West positions are relatively hardened and deadlocked—is essentially defensive, rather than offensive.

To protect Western rights, obligations, and interests, however, we will need to: stand firm to repel and broadscale attacks by the Communists; utilize flexible diplomatic and military footwork in parrying provocations; and undertake a more dynamic psychological-diplomatic offensive to brand the Kremlin's deliberately created crises in Berlin as a threat and danger to world peace.

Particularly, I believe, we need renewed, more expansive efforts to educate world opinion on the issues at stake in Berlin. Why? Because the weight of global opinion—bearing on an East-West deadlock—may well be a strongly influencing factor in determining the outcome.

On global broadcasting systems—as well as behind the scenes—the Communists are busy telling their story—and distorting the Western position.

What are we doing? Is the West being left at the post?

For our own security, this had better not happen. Why? Because in the event of a showdown, this could do immeasurable damage to our cause. It could affect not only the outcome of the Berlin crisis, but, if war is averted now, future contests between freedom and communism.

Fundamentally, the Western position is morally and legally right. But we must not hide our light under a bushel. We cannot, for example, take it for granted that less directly involved nations will automatically know, and understand, the true facts involved in the crisis. Rather, we must clearly present the picture for comprehension by the global mind.

To succeed in Berlin, then, our actions must equal—and surpass—the ingenuity of the many-pronged political, psychological, military, economic Red offensive.

REMOVING THE SAFEGUARD

Mr. KUCHEL. Mr. President, recently the Senate had before it the question of mutual security legislation. The President of the United States requested that the program for the Development Loan Fund be authorized for 5 years, and that Congress write into the proposed legislation authorization for Treasury borrowing, or what is more popularly known as back-door spending. Some of us in the Senate contended that Congress ought not to abdicate its constitutional responsibility. We opposed what the administration requested. Some of us who have favored mutual security in the past, and who do so today, urged that the administration be given long-term authorization, but that Congress continue to discharge its constitutional obligations of determining each year the amount of money to be expended by the administration in the entire mutual security program, precisely as is the rule generally with respect to the laws which govern this country.

On August 18, the Los Angeles Herald Express published an excellent editorial on this subject entitled "Removing the Safegard." The editorial indicates that Congress ought not to abandon what the Founding Fathers gave to this legislative branch with respect to authority over the purse strings. I agree.

This is not the first time that this problem has been before us. In 1959, under the administration of President Eisenhower, certain Senators wanted Congress to abandon its control over the purse strings in a fashion somewhat similar to that recommended this year by the Kennedy administration. Some of us objected to it in 1959. We object to it again in 1961.

I ask unanimous consent that the text of the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

REMOVING THE SAFEGUARD

President Kennedy asked authority from Congress to be allowed to borrow $8.8 billion over the next 5 years to finance long-range development loans as a part of the foreign-aid bill.

But why for 5 years or even 4 years? There is no assurance that Mr. Kennedy even will be President then. Someone else might be elected; someone else will have hold of the purse strings.

The President's argument is that he wants the 5-year term authority, because it would enable the administration to undertake long-range projects on a businesslike basis without the danger of interference by Congress, which might decide not to advance the money.

But that is what we would not like to see, the abandonment by Congress of its power to carefully oversee, and to deny, the squandering of billions of dollars if it feels such expenditures are not in the people's interest.

It would be a complete surrender of Congress power to check extravagances. It would be a givein to dictatorship at the top.

Senator THOMAS J. DODD, Democrat, of Connecticut, proposed an amendment to the aid bill which would flatly prohibit any assistance to Communist regimes behind the Iron Curtain.

In this connection, Senator DODD declared:

"Aid to the Communists, in whatever guise, strengthens their war machines, reinforces their reign of terror against their own people, helps them to hide their failures, lends them respectability, breaks the spirit of underground resistance, and weakens the free world by diverting our resources from our own vital needs."

Our principal fear is that if the long-range bill should be passed, there might be wrongful diversion of the taxpayers' billions, without the safeguard of congressional approval.

No matter how much the committees or Congress might oppose any of these loan proposals, they would have no power to stop the spend boys, even when the spenders are dead wrong.

Although we know this is a period of emergency, there is no good reason for Congress to abandon its power to hold the Nation's purse strings.

CONCERN FOR THE CONSUMER

Mrs. NEUBERGER. Mr. President, it was interesting to me to note in this morning's issue of the Washington Post that the National Association of Manufacturers is now coming over to a point of view that many Senators have long espoused, and that is concern for the consumer. However, the editorial to which I have referred indicates that the NAM is taking a positive tack. They now fear the consumer may suffer from a labeling provision that is suggested regarding some of the plastic and plywood uses of wood.

I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SIMULATED PERIL

A new threat to the spirit of free enterprise has been lately discerned by the National Association of Manufacturers. Several Congressmen are attempting to require labeling of products that may be painted to look like wood but, like the wolf in grandmother's bed, are not quite what they seem. If a table is made of plastic or tin printed to resemble mahogany, it would have to be marked "simulated." This, according to the NAM, would lead to widespread deception of the public.

The very word "simulated" carries a connotation of trashiness, the NAM fears, calculated to blight the sale of goods that, in the larger design of things, are perhaps better made of hardboard and sheet steel than oak. The public would be misled into thinking there was something the matter with these articles. A warning of this sort would only create more problems for the consumer than it solves, according to the association. For one thing, it would make him wonder what he was getting for his money. That thought always creates problems among consumers, as the NAM knows.

On the other hand, behind these bills one can perceive the same generous and competitive spirit that for years lobbied diligently to prevent manufacturers from coloring margarine yellow. This is one of the rare instances in which one is quite justified in permitting himself the luxury of opposing both sides of the question.

AMENDING THE CONSTITUTION BY JUDICIAL FIAT

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point, an interesting discussion of the Supreme Court decision in the school desegregation cases of 1954, commonly referred to as Brown against Board of Education, by a very distinguished constitutional lawyer of Seattle, Wash., the Honorable Alfred J. Schweppe.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SEPARATE STATEMENT OF ALFRED J. SCHWEPPE, OF SEATTLE, WASH.

(Partial dissent from report of the standing committee on the bill of rights of the American Bar Association presented at the annual convention at St. Louis, Mo., August 1961.)

While I agree with the committee's statement that during the past year "the most conspicuous constitutional problem has involved the 14th amendment and race relations," I cannot subscribe to the statement "that the outcome of the public school cases of 1954 was by no means surprising to one who evaluated the preceding series of adjudications."

Being on the public record with the opposite opinion (CONGRESSIONAL RECORD, vol. 104, pt. 11, p. 14380), I am unable to endorse that statement. To one who, both academically and professionally, has closely followed the course of the Supreme Court for many years, the Brown and Bolling cases and the rationale of those decisions as judicial rulings under the Constitution came as a tremendous shock.

I disagree strongly with those who claim that the Brown and Bolling cases were foreshadowed in such cases as *Sipuel* v. *Board of Regents of the Univ. of Okla.*, 332 U.S. 631 (1948); *Sweatt* v. *Painter*, 339 U.S. 629 (1950); and *McLaurin* v. *Okla. State Regents*, 339 U.S. 637 (1950). The cases just cited were based squarely upon the separate and equal doctrine under the equal protection clause, in that in those cases equal facilities in certain institutions of higher education had not been provided at the time the Negro students applied for entrance to exclusively white State-supported universities.

Those decisions, dealing with equal facilities at the college level, can hardly be said to be a precedent for the radical change in constitutional doctrine contained in the Brown and Bolling cases in 1954, dealing with elementary and secondary educational systems which had been set up at great cost over many decades in reliance upon what appeared to be a constitutional pattern that was thoroughly and unanimously settled at the Federal level as late as the Gong Lum case in 1927 and fully recognized in later cases, unless Congress, exercising its legislative grant of power under the 14th amendment, should otherwise declare.

Congress under section 5 of the 14th amendment had "power to enforce, by appropriate legislation," the equal protection clause contained therein. That body had the primary constitutional duty to carry out the intent of the amendment. The very Congress that proposed the 14th amendment, from the beginning, and all subsequent Congresses down to the date of the school decisions in 1954, had expressed their intent as to equal protection by providing for separate but equal schools in the District of Columbia and for equal treatment in the States.

The 14th amendment, adopted July 28, 1868, was proposed by the 39th Congress on June 16, 1866 (14 Stat. 358). On July 23, 1866, the same 39th Congress passed a bill requiring school moneys in the cities of Washington and Georgetown to be divided proportionately between white and colored schools (14 Stat. 216), and on July 28, 1866, it passed a bill setting aside certain lands in Washington, D.C., for colored schools. Separate schools for colored children in the District of Columbia were provided by the act of July 11, 1862. In the tough Civil Rights Act of 1870 imposed by a punitively minded North-dominated Congress and subsequent statutes enacted in the seventies to enforce the 14th amendment, no provision was made for integrated schools. On March 3, 1873, Congress reenacted an act governing colored schools in the District of Columbia (17 Stat. 619). As late as 1946 in the school lunch legislation (42 U.S.C. 1760) Congress provided that if a State maintained separate schools for minority and majority races the money should not be available "unless a just and equitable distribution is made within the State." Without cataloging all of the enactments, it is utterly unthinkable historically that the framers of the 14th amendment intended white and colored schools to be integrated, and that the identical Congress and subsequent Congresses completely misinterpreted that intent by passing unconstitutional legislation for almost a hundred years. Yet the intent of the framers of the amendment was the only question before the Court in 1954.

My views on the Court's conduct in these 1954 public school cases are set forth in U.S. News & World Report, October 24, 1958, pages 110–112, in part, as follows:

"When the Court, in the first *Brown* v. *Board of Education* school-segregation case, in 1954, found the history of the 14th amendment to be inconclusive—which was, I believe, an understatement—one would think a court, acting judicially, would have said that, 'there being no persuasive evidence of intent of the framers of the amendment that the prior decisions of the Court are wrong, those decisions must stand, with the subject matter left to Congress or the amendatory process, as the Court has so often heretofore said about policy matter.'

"Just a few words about the prior decisions to illustrate my point. There were a number of applicable earlier precedents, the first in 1896, the last in 1950.

"By way of concrete example, in the Gong Lum case of 1927—a school case from the State of Mississippi, in which both the question of equal protection of the laws per se and the separate-but-equal question under the 14th amendment were directly raised—the Supreme Court, then composed of Chief Justice Taft and Justices Holmes, Brandeis, Stone, Van Devanter, McReynolds, Sutherland, Butler, and Sanford, unanimously decided both questions in favor of the segregated schools provided for by the constitution of the State of Mississippi (see detailed comments, CONGRESSIONAL RECORD, vol. 104, pt. 11, p. 14380).

"Indeed, Chief Justice Taft, writing the opinion of the unanimous Court, said: 'Were this a new question it would call for very full argument and consideration, but we think that it is the same question which has been many times decided to be within the constitutional power of the State legislature to settle without intervention of the Federal courts under the Federal Constitution.'

"Thus in 1954 the present Supreme Court reversed precedents upholding segregated-school legislation not written alone in 1896, although the Court in *Plessy* v. *Ferguson* was much closer in time to the intent of the 14th amendment than it was 60 years later, but a decision rendered unanimously in 1927 by a great Court headed by Chief Justice Taft, and including among its membership Justices Holmes, Brandeis, and Stone, whose names are commonly associated with a liberal view of the Constitution in the field of individual rights.

"It will be especially noted that the distinguished 1927 Court considered itself bound by the long-established precedents, and that it was not within judicial competence to upset a constitutional interpretation so long settled.

"There is no question that the decisions in the Brown and Bolling cases in May of 1954, giving a completely new meaning to the Constitution, were a violent shock to those who believe in constitutional stability and constitutional precedent, and who look upon the judges of the Supreme Court as declarers of law rather than as social engineers, since changes in the social order, insofar as they fall within the Federal domain, seem clearly to have been left to Congress or the amendment process by those who wrote the Constitution and its various added provisions.

"Chief Justice John Marshall said in the great case of *Marbury* v. *Madison:* 'It is emphatically the province and duty of the judicial department to say what the law is.'

"There is no doubt what the law was at 11:59 a.m. on May 17, 1954. It had been definitely settled in Gong Lum in 1927, and in other cases. In 1938, Chief Justice Hughes, speaking for a majority of himself and Justices Brandeis, Stone, Black, Reed, and Roberts, had said in Missouri *ex rel Gaines* v. *Canada* (305 U.S. 337): 'The State has sought to fulfill that obligation by furnishing equal facilities in separate schools, a method the validity of which has been sustained by our decisions. *Plessy* v. *Ferguson* (163 U.S. 537, 544); *McCabe* v. *Atchison, Topeka and Santa Fe Railway Co.* (235 U.S. 151, 160); *Gong Lum* v. *Rice* (275 U.S. 78, 85, 86). Compare *Cumming* v. *Board of Education* (175 U.S. 528, 544, 545).'

"In fact, in *Sweatt* v. *Painter*, 339 U.S. 629 (1950) the identical Court that decided the Brown case in 1954—substituting only Chief Justice Vinson for Chief Justice Warren—namely, Justices Black, Reed, Frankfurter, Douglas, Jackson, Burton, Clark, and Minton, rested the decision squarely on the separate-but-equal doctrine.

"But on May 17, 1954, at 1 p.m., all this was changed—changed by a judicial amendment of the Constitution—by a court that, instead of declaring 'what the law is,' declared what, in the personal opinion of the then-incumbent judges, the law ought to be, in spite of a hundred years of Federal and State legislation to the contrary, and contrary to judicial decisions long accepted by the Court itself as conclusive.

"How far the Court went overboard in 1954 is most luridly demonstrated in the companion case—*Bolling* v. *Sharpe*, a case amazingly overlooked most of the time by Court critics—in which the Court flagrantly amended the due-process clause of the fifth amendment by converting it into an equal-protection clause.

"If the *Brown* v. *Board of Education* case was startling, the companion Bolling case, invalidating the segregated-school statutes of Congress in the District of Columbia almost 100 years old, was even more startling.

"The Court decided the Brown case under the equal-protection clause of the 14th amendment, saying: 'We hold that the plaintiffs and others similarly situated, for whom the actions have been brought, are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the 14th amendment. This disposition makes unnecessary any discussion, whether such segregation also violates the due-process clause of the 14th amendment.'

"But in the companion case of *Bolling* v. *Sharpe*, decided the same day with reference to the District of Columbia's segregated-school statutes enacted by Congress, the Court faced the dilemma that the Federal Constitution contains no equal-protection clause as a limitation on the Federal Government. The 14th amendment contains both a due-process and an equal-protection clause, the due-process clause having been taken over verbatim from the fifth amendment, and adds purposefully an equal-protection clause, because that concept was deemed and construed not to be embraced in due process (see *Hurtado* v. *California*). But the fifth amendment, applicable to the Federal Government, contains only a due-process clause.

"However, the Court that had made the psychological ruling in the Brown case was equal to the dilemma that it faced in the Bolling case. It held that the due-process clause of the fifth amendment should be deemed also an equal-protection clause as respects the Federal Government—a clear case of judicial amendment of the Constitution

"When the fifth amendment was adopted in 1791, at the instance of the very first Congress, importation of slaves was expressly protected in the Federal Constitution until 1808—article I, section 9—and slaves were then considered property protected by the due-process clause of the fifth amendment.

"Thus a provision of the Federal Constitution which when adopted in 1791 did not prohibit but protected slavery, is now construed in 1954 to prohibit segregation in the public schools of the District of Columbia. The present Court no longer concerns itself with the intent of the Founding Fathers or the framers of the 14th amendment, but substitutes its own (see Ralph T. Catterall, 'Judicial Self-Restraint,' American Bar Association Journal, September 1956, p. 829).

"While I can agree with Bancroft that a court decision that violates the Constitution is just as void as an act of Congress that violates the Constitution who will settle the

question? The Bolling case, for example, in my opinion, flagrantly and by illogical and ludicrous reasoning violates the Constitution and indelibly highlights how far the Court was making policy in the Brown case and changing the 5th amendment to conform to the 14th in the Bolling case (see comments printed in the CONGRESSIONAL RECORD, vol. 104, pt. 11, p. 14380, especially p. 14381).

"Obviously the Court, having made up its collective mind to outlaw State statutes and constitutional provisions, did not face up to the completely different constitutional situation in the District; so the judges closed their eyes to the text and history of the due-process clause of the 5th amendment—and as interpreted in the 14th—and completely rewrote it, I think, inexcusably."

The Court, apparently without realizing it (it had expressly decided the Brown case under the equal protection clause of the 14th amendment) actually rendered the equal protection clause of that amendment pure surplusage, because, notwithstanding the contrary history, it found that the equal protection concept is embodied in the due process clause of the 5th amendment; and as everybody knows, the due process concept of the 14th was bodily adopted from the 5th. As now construed by the present Court, we have never needed an equal protection clause in the 14th amendment, although hundreds of decisions are based on it. This is the sort of thing that happens when a court abnegates the judicial function and undertakes to legislate.

Having been born and reared in Minnesota, I grew up in an atmosphere free of legal restrictions on race, and am in accord with the State policies of nonsegregation which prevailed in the schools and colleges I attended in the Middle West, though I have never felt that I should force my opinions on southerners who have a different viewpoint and possibly a different experience. However, as a lawyer I have been deeply concerned over the legal processes by which desegregation has been arrived at by the Supreme Court in the State and Federal segregation cases decided in May 1954 and 1955.

I had thought long prior to the school cases of 1954, that the continued pressure of the separate and equal doctrine as declared by Congress and by the Supreme Court, the high cost of maintaining segregated schools of equal stature, the more rapid emergence of the colored race under better schooling, and the cooperation of the intelligent persons of both races might in foreseeable time bring about substantial progress in this sensitive area, without the violent reactions that have since ensued. To me it was a problem to be solved by orderly evolution, not by a judicial explosion.

As a matter of principle, I believe that nonsegregation is sound and a proper goal to be effected by appropriate constitutional means—by the Congress or by constitutional amendment at the appropriate time when the requisite majorities approve; but I deny that the Court had the constitutional competence to effect the change.

I do not subscribe to the theory that the end juistifies the means, however desirable the end.

The committee report mentions President Jackson's attitude toward nullification. In an earlier period we might have seen a demonstration of the attitude toward unpalatable Supreme Court decisions ascribed to President Jackson, who was both a lawyer and an ex-judge of the Tennessee Supreme Court. He said: "John Marshall wrote it; let him enforce it."

But then is not now.

The course pursued by the Supreme Court in the school cases may properly be described as unconstitutional. Mr. Justice Brandeis in *Erie Railroad* v. *Tompkins* 304 U.S. 64, 77–78, so described a long series of decisions beginning with *Swift* v. *Tyson*, 16 Pet. 1, written by Justice Story and followed in dozens of later cases. Mr. Justice Holmes spoke of "an unconstitutional assumption of powers by the courts of the United States." (Ibid, p. 79.)

While the foregoing is a tenable viewpoint with respect to the school decisions, the acceptance by the Congress, the Executive, and the majority of the people and their enforcement by the lower Federal courts at least in the Federal system have the practical effect of making it the law of the land, and lawyers in any event, as officers of the court, must accept the result, though reserving the right to criticize the Court's adjudicatory processes.

Moreover, while deprecating any resort to violence, lawyers must recognize that a Supreme Court decision may be opposed "by all lawful means," as resolved by a group of Senators and Congressmen some years ago. Every person in these United States, including any Communist, has the right to seek change "through peaceful and constitutional means." *Schneiderman* v. *United States*, 320 U.S. 118, 143. That is a civil right fully protected by the Constitution.

A legal and social revolution effected by Court decision without legislative concurrence and against legislative precedent of a hundred years is necessarily a different phenomenon from a major social change effected by legislation with Court approval. Especially is this so when the Court reverses its own almost century-old position which was formerly consistent with the viewpoint of both Congress and of the States.

In appraising the public reaction, especially in the South, to those decisions it must be borne in mind that the people are accustomed to important legal changes arrived at by Congress after long open debate and full notice to the public and an opportunity to every citizen to be heard. A social revolution, on the other hand, effected by a Supreme Court decision evolved privately in chambers obviously caught many people with indescribable surprise and unbelief.

With reference to change "by all lawful means," two Supreme Court decisions were upset by constitutional amendment. (*Chisholm* v. *Georgia* and the 11th amendment; *Farmers Loan & Trust Co.*, case and the 16th amendment). Congress has reversed many a Supreme Court interpretation, although in the school cases Congress is apparently stripped of power because its several segregation statutes were held unconstitutional by the nonsequitur reasoning and fifth amendment misinterpretation described above. And there may be areas for State legislation, however narrow, in view of the Court's present position, that will withstand assault under the Constitution. The proponents of such measures are entitled to press them to final Court test.

Resistance to unpalatable law is not an isolated phenomenon of the Deep South. Leaving aside the prohibition experiment and the deep scars left by it on our social order, witness the thunderous reaction to the validity of the Dred Scott decision. Again, witness the history of the fugitive slave law sustained by the Supreme Court and designed by Congress to reduce tension in the days prior to the Civil War by facilitating the return of slaves who had escaped northward. Many Northern States resorted to interposition by enacting State "personal liberty laws," which forbade State courts to take jurisdiction of cases under the fugitive slave law.

In my lexicon there is, of course, no room for violent conduct on the part of the proponents of segregation, just as there is no room for the illegal conduct of the sit-in protestants or freedom riders, who seem to win approval in unexpected places.

My objection to the school cases, as outlined above, is based on principle—namely, that the Court had no constitutional right to decide these cases as it did, after the Court had said in 1927 unanimously (Holmes, Brandeis, and Stone concurring) that the question had been so often decided under the 14th amendment as not to leave any substantial Federal question.

A word about *Mapp* v. *Ohio*, decided 5 to 4 on June 19, 1961, overruling *Wolfe* v. *Colorado*, 338 U.S. 25 (1949) and holding that a conviction obtained in a State court on an illegal search and seizure by State officers violates the 14th amendment.

While again I am in sympathy with the end, I am opposed to this new and unwarranted extension of Federal power by further stretching the 14th amendment. I support the minority.

It has long been the rule of the English courts and of many American courts that the admissibility of evidence is not effected by the manner in which, or the source from which, it is obtained. There is logic in this view. But to paraphrase Mr. Justice Holmes, law is not primarily a creature of logic but of human experience. Our greatest scholar in the field of evidence, Dean Wigmore, a fine logician, characterizes the exclusion by a number of State courts to the "heretical influence of *Weeks* v. *United States*" and as a "contagion of sentimentality in some of the State courts, inducing them to break loose from long-settled fundamentals." (See Wigmore on Evidence (3d ed.) sec. 2184.)

However, I do not agree with Wigmore's view because of the historical background of our constitutional search and seizure provisions, and because of the restraint the exclusionary rule puts on overzealous police activity. Experience, in my view, shows the latter reason at least to be sound. (Fortunately, my own State has long excluded such evidence. *State* v. *Rousseau*, 40 Wn. (2d) 92, 241, P. 2d 447.)

But, as should be apparent by now, I am opposed to the increase of the restraints on the several States by the legislative processes of the present Supreme Court which seems to consider itself a constitutional convention with plenary powers entitling it to rewrite the Constitution in its own image, or "as a third legislative chamber," if I may use the apt phrase of Judge Learned Hand in his brilliant little book "The Bill of Rights."

The conduct of the court makes a travesty of the statement of the majority in *Ullman* v. *United States*, 359 U.S. 422, 428:

"Nothing new can be put into the Constitution except through the amendatory process. Nothing old can be taken out without the same process."

Except as above noted I concur in the report of the committee.

ABSTENTION OF UNITED STATES IN VOTE IN UNITED NATIONS ON TUNISIAN RESOLUTION

Mr. CHURCH. Mr. President, I am obliged to express my profound disappointment over the abstention of the United States in the vote taken last Friday at the United Nations on the resolution relating to the crisis in Tunisia.

By a vote of 66 to 0, the General Assembly approved the resolution, urging immediate negotiations over the Bizerte dispute, and recognizing Tunisia's right to call for a withdrawal of French troops from her soil. Although 30 countries abstained, among them the United States, not a single vote was cast against the resolution. Even France chose to absent herself, rather than debate the issue before the bar of world opinion.

The failure of the United States to cast its vote in support of the best friend we have in Africa is indefensible. If the

principle of self-determination is right for Germany, it is also right for Tunisia. We cannot have it one way in Europe, and another way in Africa, without being guilty of hypocrisy.

I regret, Mr. President, that I must criticize a decision made by a Democratic administration. Having a high regard for our President, I took the floor only last month to commend him for the promising new African policy he initiated in the opening days of his tenure. I applauded the wisdom of the vote we cast in support of the U.N. resolution on Angola, even though we were obligated to part company with Portugal, one of our NATO allies. Differing with France may be harder, but the issue presented by the resolution on Tunisia was not so removed from that on Angola as to justify our abstention. Each time we permit expediency to override the fundamental principles we proclaim to the world, our cause is weakened everywhere.

So, Mr. President, I protest our abstention. I trust it is only one faltering step back from the hopeful start we have made in the development of an independent policy toward Africa, based upon those just principles we have traditionally believed to be the inalienable rights of man.

POULTRY PRICES

Mr. TALMADGE. Mr. President, earlier this month the junior Senator from Georgia called the attention of the Senate to the dire economic circumstances in which the American poultry industry finds itself as the result of overproduction. In those remarks, I outlined my recommendation that the Secretary of Agriculture act to afford immediate relief to the industry through the purchase of 6 to 8 million laying hens for consumption in the school lunch program.

The underlying reason for the overproduction which has depressed the poultry industry is a practice known in the trade as "vertical integration"—an arrangement through which large feed manufacturers subsidize increased poultry production without regard to the relationship between supply and demand. It is the opinion of the junior Senator from Georgia, Mr. President, that Congress sooner or later is going to have to look into this practice and the effect it is having upon the agricultural economy of the Nation.

The problem was placed in perspective by Farm Editor Harold Joiner, of the Atlanta, Ga., Journal in his column appearing in the Sunday, August 27, issue of that paper. I ask unanimous consent, Mr. President, that the text of it be printed herewith in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POULTRY PRICES CONTINUE TO FALL, SOME LOOKING FOR U.S. CONTROLS

(By Harold Joiner)

There have been some serious charges made before a congressional committee recently concerning the important poultry industry of this Nation and the Southeast has looked on with watchful eyes.

For this is bread and butter to hundreds of thousands of persons in Georgia and the surrounding States. The Georgia Crop Reporting Service has just issued its annual survey of 1960 cash income from the farm.

And as could be expected, commercial broilers contributed the largest percentage of the total cash income. The 21.6 percent of the income is nearly twice the share of the next commodity.

So it stands to reason the poultrymen, the processors, and everyone else connected with the industry is concerned with the charges, brought on by the record low prices.

It stems from this business of integration of the industry, something that has concerned many agricultural leaders for some years now. Farmers in the beginning surrendered part of their initiative and say-so by allowing the processor or the feed dealer or some other representative share in the production management because they were going to handle the marketing end.

We have so often said, in this corner that marketing of Georgia farm products is one of the most vital concerns today. But, this is a place to use caution. The marketing should come through the farmers themselves.

To surrender the marketing at this time could lead to something similar to that which has plagued the chicken farmers in the State and around the Nation.

It has been generally conceded for many months now that the feed dealers who have furnished contracts to the broiler grower has been only breaking even or has been losing money on the broilers.

Now anyone knows that a businessman does not lose money on some deal—not more than once. But these same dealers have been continually placing the chickens on the farm.

So they have been making money on the feed then. This is their only chance at a profit and few people can believe they are in the business only to give the man a chance to grow chickens.

But the price of chickens continues to suffer, going down to lower records. The grower cannot survive in a squeeze that has threatened him for many months, but now threatens his dealer who is also feeling the squeeze.

Once again it is the giant in the industry who is feeling the least pinch. Maybe it is because they have guarded against such a moment by building toward it. Then maybe it is an attempt to drive the little man out, some of the poultry people have said.

Georgians are anxiously awaiting the outcome. Many people see a control of some kind in the next few months as the Government begins to police the industry during a time when trouble abounds.

It is another example of what can happen if the farmers themselves do not keep at least a sharing hand in the selling of their own "stuff."

If there is evidence of any attempt to drive the little feed dealer from the scene then every Georgian should be concerned for it could be an indication of things to come in other agricultural pursuits. Let the authorities deal with the responsible persons or clear their name once and for all.

Georgia and the Southeast have a great stake in the broiler problem and the quicker the solution the better it will be for all her citizens.

COLORADO RIVER STORAGE PROJECT TRANSMISSION SYSTEM

Mr. MOSS. Mr. President, in the month of June a letter which was prepared and sent to me by the director of the Arizona Public Service Co. was never delivered. A copy of that letter was printed in the RECORD by the junior Senator from Arizona, who understood the letter had been delivered.

Since that time I have received the letter from the Arizona Public Service Co., and I have prepared a reply to that letter. Since the incoming letter is in the RECORD, I ask unanimous consent that my reply be printed in the RECORD, and I also ask unanimous consent that an article published in the Washington Post and Times Herald of August 16, 1961, entitled "Public, Private Power Gird for a New Struggle," be printed in the RECORD.

There being no objection, the letter and article were ordered to be printed in the RECORD, as follows:

AUGUST 21, 1961.

Mr. JOHN M. JACOBS,
Chairman of the Board,
Arizona Public Service Co.,
Phoenix, Ariz.

DEAR Mr. JACOBS: I have now received and read the copy of your letter dated June 22, 1961, which was sent me under date of July 27, 1961.

In your June letter you demand that I apologize for a statement I submitted June 7 to the Public Works Subcommittee of the House Appropriations Committee in support of an all-Federal transmission system for the Colorado River storage project. While I can understand that the financial and public relations interests of your company require the submission and exploitation of the communication which you sent me, I can see no reason to apologize for stating facts that are a matter of public record.

First of all, may I say that I did not anywhere imply—or intend to imply—that there is anything "illegal" in the relations between the Arizona Public Service Co. and Ebasco Services, or that the directors of the Arizona Public Service Co. "have acted or will act illegally in collusion with Ebasco Services." If the directors of the Arizona Public Service Co. choose to read this implication into my statement—it can only be because what I said put them on the defensive.

Second, I did not argue that purchasing technical or specialized services from Ebasco Services was not in the best interest of your company. I have no doubt that you are guided by one rule—that your policies must be in the best interests of the Arizona Public Service Co.—as you see those interests.

But I do say that the record makes it abundantly clear that there are close connections between your company and Ebasco, which appear to go beyond the purely technical in scope. For example, in 1960, your company was billed by Ebasco for nearly $1 million in charges. In addition to fees and expenses assessed by Ebasco for work in connection with steamplants, the charges included bills for preparation of Federal income tax returns, rate structure and loan growth studies, sales and marketing analyses, insurance, rate case preparation, financing work, distribution facilities methods assistance, and other services.

Also, the Senate Subcommittee on Antitrust and Monopoly has found that by means of contracts made at less than arms length, Ebasco has been able on occasion to dominate the management and policies of its clients and dictate policies and decisions. I do not say there have ever been such contracts between Ebasco and your company—I only point out what is a matter of public record in other instances to illustrate why there is so much concern in this area.

However, I have no desire—nor do I have the time—to engage in a prolonged argument with the directors of the Arizona Public Service Co. over the extent to which the company is—or is not—controlled or influenced by Ebasco.

The existence of electric power monopolies in many parts of the United States over the past years has been well documented by investigations of the U.S. Congress. I am properly concerned, I believe, lest such monopolies should become active in the distribution of the electrical energy derived from the Colorado River storage project. It is my further concern lest such a monopoly distribute the power in a way which would not be in the best interests of my State of Utah.

At the very beginning of the transmission lines controversy, I committed myself to support the course which would develop the power in a manner which would preserve the largest possible amount in the upper basin fund for the development of future Utah water projects. In my opinion, the all-Federal transmission system offers the best assurance that the necessary funds will be available at the proper times to pay out these projects.

Most sincerely,

FRANK E. MOSS,
U.S. Senator.

[From the Washington Post, Aug. 16, 1961]

PUBLIC, PRIVATE POWER GIRD FOR A NEW STRUGGLE

Public and private lobbyists are getting ready for another congressional struggle that could make the Hanford atomic power battle look like a mere short circuit.

The second of the two major public power fights of 1961 involves the construction of more than 2,000 miles of transmission lines in five Western States.

The lines would move 1.3 million kilowatts of power from three large Federal dams nearing completion in Colorado, Arizona, and Utah.

The dams are a $1-billion undertaking comprising the Colorado River storage project. Its primary purpose is to prevent floods and provide water for irrigation, industrial, and municipal uses.

POWER A BYPRODUCT

The power would be a byproduct of the dams and would be transmitted in Colorado, New Mexico, Utah, Wyoming, Arizona, and parts of Nevada and California.

Both Secretary of the Interior Stewart L. Udall and his predecessor, Fred A. Seaton, have supported a proposal for construction of all the transmission lines by the Bureau of Reclamation, which is part of the Interior Department.

Five private utility companies that serve the area want to build about two-thirds of the lines themselves. Under the utilities' proposal the other third of the lines, connecting the dams, would be constructed by the Federal Government.

The all-Federal system would cost $189 million and would comprise nearly 3,000 miles of lines. Under their plan the private utilities would spend $100 million to build 2,000 miles of the lines, while the Federal Government would spend $53 million for the rest.

CONSUMER PAYS IN END

The users of electricity in the area would eventually pay for the cost of either the all-Federal or the Federal-private utility system.

There is some dispute over the figures used by both sides. The public power proponents also argue that Government-owned lines could deliver power at less cost to users than could the private utilities.

President Kennedy has asked Congress to appropriate $5.8 million to complete planning for the lines and begin building them.

The request is part of the public works appropriations, which are expected to be reported out by the House Appropriations Committee within a week. The House probably will act on the bill soon after it is approved by the committee.

APPROPRIATION DELAYED

The appropriations measure has been delayed by the illness of Committee Chairman CLARENCE CANNON, Democrat, of Missouri, and by a decision to keep it in committee until the Hanford controversy was resolved.

A $95-million authorization for the construction of an atomic powerplant at Hanford, Wash., has been the subject of bitter congressional debate and intensive maneuvering for several weeks.

Private power companies, the coal industry, and the House Republican leadership have led an apparently successful fight against the Hanford project, which has been vigorously supported by the same western leaders in Congress who are behind the plans for the construction of Federal transmission lines from the Colorado storage project.

The House has twice defeated the Hanford project, but the Senate has approved it. Although the legislation containing the proposal is still before a Senate-House conference committee, it is considered highly unlikely that Congress will authorize the plant this year.

Although most of the power generated at the Colorado storage dams would go to rural electrification cooperatives, municipally owned power companies and other nonprofit distributors of power, the private utilities want to own the lines for three important reasons:

1. There is, of course, considerable profit to be made in the transmission of power.

2. By introducing the 1.3 million kilowatts of additional power into their lines the private utilities would probably be able to use it to avoid the construction of additional generating facilities of their own for peak periods while still meeting all the needs of the cooperatives and the municipally owned companies.

3. The private utilities fear that, in the words of a recent Council of State Chambers of Commerce bulletin, the Federal transmission lines would be "a giant step toward accomplishment of a nationwide power grid."

PUBLIC POWER VIEW

Public power proponents envision the day when the West is tied together by Government-owned transmission lines. An Interior Department task force is studying a proposal to send power from the Pacific Northwest as far south as Los Angeles.

The three Colorado storage dams that would produce power are Glen Canyon (900,000 kilowatts) on the Colorado River in northern Arizona; Flaming Gorge (108,000 kilowatts) on the Green River in northern Utah, and Curecanti (160,000 kilowatts) on the Gunnison River in Colorado. A fourth dam, the central Utah project, would produce little power.

The Colorado storage project was authorized by Congress in 1956. The first power from the project is expected to be available in June 1963.

The 1.3-million-kilowatt capacity of the project is about 2½ times as large as that of the gigantic Grand Coulee Dam.

FATHER EUSEBIO FRANCISCO KINO

Mr. GOLDWATER. Mr. President, on April 10 of this year I placed in the RECORD an article by one of our Arizona writers dealing with the history of Father Eusebio Francisco Kino. As I mentioned at the time that the year 1962 will be a special one for Arizona, for Arizona shall have been a State for 50 years and at the same time shall have been a member of the Union for 100 years. In addition to this, 1962 will be celebrated as the 250th anniversary of the passing of Father Kino, one of the most illustrious of the Catholic priests, who dedicated his life to bringing religion into the West. Although 1962 will have in store many events commemorating the State of Arizona and Father Kino, I should like to have the RECORD show that proper recognition was given this man during 1961.

At the Second Annual Arizona Historical Society Convention at Tucson on March 16 through 18 the Arizona Pioneers Society displayed an exhibit of paintings depicting Father Kino's work by Arizona artist, Ted DeGrazia. Also on display was a statue of Father Kino on loan from the U.S. National Park Service, Tumacacori National Monument. On Wednesday, March 15, 1961, a pontifical Mass was celebrated in Father Kino's memory at St. Augustine Cathedral by the Most Reverend Francis J. Green, D.D., bishop of Tucson.

In conjunction with this, the Arizona Pioneers Historical Society published a booklet entitled "Kino—A Commemoration." I ask unanimous consent to have printed at this point in my remarks the article, "A Short Assessment," by Patricia P. Paylore, which was written especially for this commemorative booklet, and I also ask unanimous consent to have printed in the RECORD the remarks of Father Burrus during this Mass, and a paper he prepared and read before the historical society.

There being no objection, the article, remarks, and paper were ordered to be printed in the RECORD, as follows:

KINO—A COMMEMORATION—A SHORT ASSESSMENT

(By Patricia P. Paylore)

(His name is legendary. His work is history. He is Kino, padre on horseback, apostle to the Pimas.)

He died 250 years ago this month of March after 24 years in Pimería Alta. We honor him now throughout the Spanish southwest, remembering belatedly the heroic proportions of his frontier life, recognizing at last the historic character of his pioneer career. One has only to turn to the bibliography which follows to become aware of the extent to which new archival discoveries have stimulated research into his life and writings. Translations of documentary material hitherto available only in its original Spanish or German have broadened the general interest in this remarkable man and the geography of his activities.

Although the chronology of Kino's life is now fairly fixed, there is still conflicting evidence concerning the date of his birth. And though his writings are for the most part well placed in time, there are still uncertainties about the details of some of the printed works. While his journey to what is now Baja California in 1683 is documented with official records and Kino's own map, there are still doubts in the minds of some exacting scholars concerning places, distances, nomenclature. In short, there is opportunity yet to do original research into his life, work, travels, writings; and the observance of the 250th anniversary of his death will surely stimulate such investigations.

Many regions, perhaps all, have their heroes. Marquette and LaSalle, both contemporaries of Kino's, are honored in the areas of their activities. Salvatierra and Serra have a secure place in California. Pike and Frémont, Kearny and Carleton and Garcés and Oñate and a thousand others are figures of historical importance and significance for all time to come, and the continuing interpretations of their deeds and influence show no sign of diminishing.

But there are fewer whose imprint was achieved creatively and positively, over a long period of time, in the same place, and of whom little but good can be said, no matter how scientific or factual the literary and historical approach. All men have their shortcomings, most heroes their weaknesses. It is only with a figure like Kino that we begin to approach the dedicated and single-minded giant whose beliefs and their translation into realities have changed the course of history and the face of the land. Kino was such a figure. To live in Pimería Alta two and a half centuries later is to prosper in a civilization which rests upon foundations he laid in the wilderness. Who else but a man of such intellectual and spiritual proportions and physical stamina could have created so much from so little?

While Kino came to Mexico to begin what was to be his true lifework at a time when the Spanish Southwest was still shaken by the terrors of the Pueblo Rebellion of 1680 and the martyrdom of 21 Franciscans in New Mexico, we may be sure that due account had been taken of the causes of that revolt by the Jesuits in Mexico City. There in the Colegio Máximo de San Pedro y San Pablo, the order's headquarters, where the 36-year-old Kino, then just arrived from Europe, was housed, he could observe the Jesuits' power and influence in the affairs of government. Certainly it is likely that a worldly and realistic view of matters which might have parallel effects on their own missionary efforts would prevail. So that when Kino went north in 1687, he undoubtedly had studied this event and was determined that no deed of his should provoke a like occurrence.

He went about his work, albeit zealously, in a spirit of optimism and Christian humility that never wavered or faltered for the next 24 years. While Spanish colonization had failed repeatedly because of the character and conduct of many of the military and the colonists, Kino profited from observation and experience. In Baja California, for instance, where in 1683 he had accompanied the Atondo y Artillón expedition as superior of the missionaries and royal cosmographer, he was on more than one occasion dismayed by severe military measures taken against the Indians; for their behavior, based on a primitive code, could not and should not be judged wholly nor dealt with wholly on European concepts.

Furthermore, he had taken the precaution before leaving for his new mission to obtain Royal provision that such converts as he should make in Pimería Alta be not forced by the Spaniards "to give tribute or to serve on estates or in mines" for a period of 20 years.

His personal conduct during the ensuing quarter of a century was perhaps his greatest asset in the success of his missions, for he labored prodigiously to provide for the temporal needs of his charges at the same time that he was concerned with their spiritual welfare. His daily life, as we know from his associates, was exemplary, nay, saintly. But his belief in the importance of a base of material prosperity for his children indicates that he had noted the causes of Spanish failures elsewhere in the New World.

We know some of this from Manje, the commander of Kino's military escort on several expeditions, who wrote in his "Luz de Tierra Incógnita," concerning the events of 1695 when the Pimas revolted, "From the conspiracy and the burning only the pueblos of Dolores were exempt. This I attribute to the virtue and the continuous and fervent prayers of Father Eusebio Kino, first missionary of that revolted nation, for, since he has been their spiritual father and had wiped their tears in their times of need, affliction and trouble, defending them always, gratitude perhaps kept them from burning and destroying his mission."

Throughout his 24 years in Pimería Alta, especially from 1699 on, Kino found time to continue his interest in Baja California, and it is through his efforts during this period, when he was largely landlocked, that it was proved a peninsula—as he had been taught to believe in Europe—rather than an island —which he himself had come around to accepting after his arrival in America.

The touching story of the blue abalone shells which Kino first found in 1685 on his expedition across Baja California to the shores of the Pacific is resumed in 1699 and thereafter when identical specimens were brought to him from the vicinity of Yuma. In the fall of 1700 Kino made a journey to the juncture of the Gila and the Colorado, and beyond, to see for himself that the head of the Gulf was far to the south and that only land lay to the west, a land over which had come the blue shells.

In his serious preoccupation with the saving of souls, it is doubtful that Kino ever recognized the irony of his final work and its particular location. Since the rediscovery by Bolton early in the century of Kino's "Favores Celestiales," we have known increasingly that this history of Pimería Alta, written at the command of the father general of the Jesuit order by the principal personage in the region during the years between 1687 and 1710, would establish its author as the leading historical character of the area for recorded times. Kino emerges from this work as one who literally created Pimería Alta as a Spanish Province, and who, though six decades were to elapse before this particular dream was realized (and then by the Franciscans after his own order had been expelled from Spanish America), had inspired the occupation of Baja California. It was he who first made known the geography of Pimería Alta, who drew the earliest map extant showing the Gila and Colorado Rivers and southern Arizona on the basis of actual personal exploration, and whose letters and diaries have added to the knowledge of the region's prehistory, ethnohistory, and history.

And yet, we know that Kino wished desperately to go elsewhere than here, when he was finishing the preparation for his missionary career at the Jesuit University of Ingolstadt during the years 1665–78. He had taken San Francisco Xavier as his patron saint following the intercession of the Apostle of the Indies during a near fatal illness in 1663. He thereafter determined to enter the Society of Jesus and become a missionary to the heathen. His letters to the father general during the latter part of this period are filled with importunings, however respectful and pious, to be allowed to undertake a mission "to the Indies, or to China." His reading of the martyrdom of Spinola in the Far East, of the work of his patron San Xavier there, his knowledge of his own relative, Father Martin Martini whose name in China is immortal, all conspired to create in him a really burning desire to go east. In his "Favores Celestiales" he writes: "I have always had an especially strong leaning toward the conversions of Great China. In the beginning I asked to go to the missions there." He applied himself to the mathematical sciences at the university because of the usefulness, already of record, of Jesuit mathematicians at the Chinese court. He speaks of his pleasure in living "in the rooms of our college whose windows looked toward the east, so that I might be comforted by the mere sight of the east."

His anxiety over his final assignment, when orders finally came in 1678, persisted until his destination was settled by lot between himself and another father, Kino losing the Philippines and drawing Mexico instead. Even then he took advantage of various circumstances which prevented his immediate departure for Mexico, to make further attempts to get the assignment altered. While he never once allows himself to be put in a position of rebellion, he nevertheless reiterates his personal desire to be sent east, in the long correspondence which we now have available for study between himself and the Duchess of Aveiro y Arcos, a patroness of Jesuit missions in the Orient.

Even after the long delayed voyage to America finally deposited him on Mexican soil, he persisted in his efforts to change his destiny, trying to get permission to attach himself to an Orient-bound party of missionaries then being made up in Mexico, meanwhile hoping that the serious disposition to mal de mer by one of the chosen would allow himself to be substituted.

To no avail.

Kino was destined for Pimería Alta, and to it he came, and stayed. And for which we give thanks today.

Pimería Alta was a hostile land. Even today it is still so, with its vast waterless distances, its thorny visage, its silent air of eternity. The Papaguería, the Camino del Diablo, even the modern bombing and missile ranges are mostly empty, quiet, timeless. This is how Kino first saw it.

But there are also evidences of his sojourn here, not alone in the ruins, alas, of the many beautiful missions which he established on the Río Altar, the Río Magdalena, the Río San Miguel—churches whose names are like the music of their bells: Nuestra Señora de los Dolores, Santa Gertrudis de Saric, San José de Imuris, Nuestra Señora de los Remedios, San Cayetana de Tumacacori, and the Dove of the Desert—but evidences also of his industry as a farmer and stockman and trailblazer as well.

For Kino was a doer, and the history of his accomplishments staggers the inquiring mind. Let those today who live lazily in the land of mañana take heed of his extraordinary energy which permitted him not only feats of endurance on horseback that are not likely to be duplicated, but labors of building and preaching and organizing and counseling and traveling that would kill an ordinary man.

But he was no ordinary man. And so his work prevails.

Today we live here in Pimería Alta under the same bright sun and we sleep under the same blazing stars and we see the same mountains ringing our sights wherever we look. And we live in peace with the Pimas.

On March 15, 1961, the 250th anniversary of the death of Fray Eusebio Francisco Kino, a solemn pontifical Mass was held at St. Augustine's Cathedral in Tucson, Ariz. Ernest J. Burrus, S.J., of the Jesuit Historical Institute in Rome, eulogized Father Kino in the sermon. The Most Reverend Francis Joseph Green, bishop of Tucson, was celebrant of the Mass which brought together all of the clergy of the diocese, as well as some 500 invited guests.

Father Burrus described Father Kino as an Italian priest who had introduced Christianity—and cattle—into what is now Arizona. Padre Kino, 70 years old when he died, had spent two dozen years mapping the border country, converting and bettering the lot of its heathen populace. Father Burrus hailed the padre on horseback as "the builder of missions which became the nuclei of future towns and flourishing cities" covering the ground no white man had ever trod, "he was an accurate recorder bringing with him in his saddlebags, a guarantee from Spain that the Indians he was able to convert would not be enslaved. He relied on God as though he had no human means to employ—and he relied on human means as though God had abandoned him."

On March 17, 1961, during the Second Annual Arizona Historical Convention, sponsored by the Arizona Pioneers' Historical Society and the University of Arizona, Father

Burrus delivered a paper entitled: "Kino: the Historian's Historian," in the session:

"Eusebio Francisco Kino was born on August 15, 1645, in Segno, northern Italy. He entered the Jesuit Order in Bavaria, Germany, on November 20, 1665. Until early 1686 Kino [was] very much taken up with California enterprise from early 1687 until his death the night of March 15, 1711 in the Sonoran pueblo of Santa Maria Magdalena [his] activity was intense in Pimería Alta."

The paper delivered by Father Burrus discussed the various writings of Kino and historical interpretations derived therefrom. Father Burrus concludes that Kino was accurate because of "his careful and painstaking observation: [he] sifted and weighed in the light of evidence and reason." Kino, by virtue of "the considerable amount of historical information he has transmitted to us, gathered and composed from his own observation and writings of others, expressed in a medium that on the whole enables us to readily grasp his thought. And if Kino deserves this title by reason of the manuscripts still extant, how much more so, if additional ones come to light."

CANADIAN GOVERNMENT SEIZURE OF BRITISH COLUMBIA POWER CORPORATION

Mr. GOLDWATER. Mr. President, I am disturbed at the apparent indifference with which some of my colleagues seem to view the question of Government electric power. Some seem to think Government power offers no real danger to our free enterprise system—that there is room for both Government and electric company power operations in this country. Some show no alarm at the rapid increase in Government power during the last 25 years.

When I criticize Government power and warn our citizens against further expansion, I am often referred to as a reactionary trying to stop the wheels of progress. I am trying to stop progress all right, if one calls stopping our further progression down the primrose path of socialization of a basic industry stopping progress.

Mr. President, if any one thinks I am crying wolf, he should read what is going on just north of our border in Canada. In British Columbia the Government has just taken over the British Columbia Electric Co., Ltd. In one quick act, and without consulting either the company or its citizens, the Government socialized one of the largest utilities in that country.

Mr. President, I ask unanimous consent to insert at this point in the RECORD an article from the August 21, 1961, issue of Barron's entitled "Lust for Power: A Note on the Seizure of British Columbia Electric."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LUST FOR POWER: A NOTE ON THE SEIZURE OF BRITISH COLUMBIA ELECTRIC

In its annual report for 1960, the British Columbia Power Corp., Ltd., a huge utility combine which supplies most of the western Canadian province with transportation, heat and light, made a modest effort to describe the sweep of its achievements. In order to harness the turbulent waters of the Bridge River, 130 miles north of Vancouver, the company built two of the largest dams in Canada, at which it installed high-pressure turbines of unprecedented size. To bring their output to market, British Columbia Power (and its principal subsidiary, British Columbia Electric) thrust two high-voltage transmission lines over some of the toughest terrain in the world. As the report quietly notes: "For some towers, anchor bolts were jackhammered 9 feet into solid rock. For others, the foundation grillwork was buried 9 feet in muskeg." Thus, the company sought to carry out its corporate credo, which runs in part: "Our aim is to serve our customers well, and at the lowest rates consistent with high standards; to conduct our business with courtesy and efficiency; to be good citizens and assist in the development of the communities we serve."

Three weeks ago British Columbia Power, after more than a century of service, reaped its reward. With a unanimity and speed of which a so-called people's republic might be proud, the lawmakers of British Columbia, at the behest of the Premier, voted to expropriate British Columbia Electric. What prompted the seizure was not discontent with the company's management of its affairs—"I just hope we can run it as well," remarked one bureaucrat with incredible candor. Instead, the move was made primarily to further the grandiose economic schemes of the provincial government, which envisions a huge hydroelectric development on the Peace River. Whether its sweet dream of peace will come true remains to be seen. What is plain is that the politicos have ridden roughshod over Canadian treaty commitments, as well as over the rights of private property. They also have committed the public purse to a speculative venture, which, far from advancing the interests of the province, well may wind up costing it dear. British Columbia is rich in natural resources. However, its statesmen evidently have not been endowed with a wealth of either sound judgment or proper regard for due process of law.

Whatever their failings may be, they surely do not lack for boldness. For years they cherished the notion of a vast hydro project on the Peace, which flows through north-central British Columbia. In this grand design, however, they were encouraged neither by the British Columbia Power Corp., which took a dim view of its economics, nor by the Dominion government which preferred joint United States-Canadian development of the Columbia. Last January, Ottawa and Washington signed a treaty pledging a mutual effort toward this end. While Vancouver presumably concurred, it secretly continued to explore its own approach. A few weeks ago its experts produced a survey purporting to show that a Peace River project, under public auspices, would be competitive with Columbia power. Vancouver acted promptly. A bill to expropriate British Columbia Electric was introduced and passed in record time. Literally overnight, a century-old private concern became an agency of the Crown.

The speed of the move was matched by its highhandedness. In a previous case of the kind, an impartial tribunal, after weighing such factors as future earning prospects and replacement costs, fixed the compensation. Here, in contrast, the price of $38 per common share (and a dollar-for-dollar exchange of senior securities for provincial obligations) was decreed, solely on the basis of paid-in capital, by the government itself, with no provision for appeal. In recent weeks British Columbia Power common, depressed by recurrent rumors of seizure, has been selling below the takeover price; hence a few speculators profited. However, the terms are patently unfair to most stockholders, some of whom may have paid as high as $53 per share, as well as to owners of British Columbia Electric preferred and convertible bonds, who have been stripped of valuable conversion privileges and dividend tax credits. In the view of the Dominion's financial community, which has denounced them as "arbitrary, unfair, and inconsistent with the Canadian tradition of equity and legal recourse," such terms smack less of expropriation than of confiscation.

Bad for investors, the sorry affair may turn out no better for British Columbia. To finance its ambitious program, Vancouver must raise a lot of money; indeed, the government already has borrowed a record-breaking $75 million from a bank, and floated $100 million of so-called parity bonds (i.e., redeemable at par on demand) at an interest cost which far exceeds the going rate. These commitments, moreover, are merely a downpayment. For the seizure of British Columbia Power, which boasts total assets of $680 million, will roughly double the outstanding provincial indebtedness, while the Peace River project, cost of which has been put at $630 million, would boost the total half as much again.

Finally, despite the huge sums at stake, there apparently is serious doubt about whether the province, vis-a-vis Peace River, will get its money's worth. Official forecasts of revenues and costs, which proved so useful politically, may or may not make sense financially (at least one member of the British Columbia Energy Board has refused to subscribe to its findings). Not a single contract has been signed for Peace River power, most of which must be sold, despite an express prohibition by Ottawa against the export of electricity, to users in the United States. Hence, whether or not the project will ever pay off, no man can predict. What can be safely said is that, without the expenditure of a penny, the venture has proved costly. As one Canadian lawmaker has observed: "This action will undoubtedly affect the confidence of investors to any natural resource industry in British Columbia and have serious consequences upon the future development of the Province."

In contrast to a bargain struck between a willing buyer and seller, both parties to the seizure of British Columbia Electric are likely to lose thereby. The transaction, however, cannot be counted a total loss. For on both sides of the border it should serve as a timely reminder of the excesses to which public power, lacking the stern discipline of the marketplace, inevitably is prone. It also suggests that in North America, as on less enlightened continents, eternal vigilance still is the price of liberty.

Mr. GOLDWATER. Mr. President, I also ask unanimous consent to insert an article by Foster Associates, Inc., Calgary, Alberta, entitled "British Columbia Electric Co., Ltd., Becomes Crown Corp."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BRITISH COLUMBIA ELECTRIC CO., LTD., BECOMES CROWN CORP.

INTRODUCTION

By the simple expedient of introducing on August 1, 1961, bill 5 of the special session of the British Columbia Legislative Assembly, officially known as the Power Development Act, 1961, and upon its unanimous passage 3 days later, the Provincial government converted Canada's largest, heretofore privately owned gas, electric, and transit utility from a private enterprise to a provincially owned crown corporation. Ironically, the initial reading coincided virtually to the minute with the funeral services of the company's board chairman and chief executive officer, A. E. (Dal) Grauer, who had died the previous Friday.

There appears to be no question as to the legality and finality of the acquisition of the British Columbia Electric Co., Ltd., the principal operating subsidiary of the British Co-

lumbia Power Corp., Ltd. By section 3(b) of the act, the term of office of the prior board of directors of the electric company was terminated as of 3 p.m. August 1, 1961, the effective time (coinciding with the first reading of the bill). By August 4 the new board had been designated and was meeting. Retired University of British Columbia Prof. Gordon Shrum—also chairman of the government's British Columbia Energy Board to investigate the relative costs of Peace River versus Columbia River power development—is the new chairman of the new crown corporation.

By August 4, also, the crown corporation had paid a cheque for $110,985,045 to the parent British Columbia Power Corp., Ltd., to cover acquisition of the common shares of the British Columbia Electric Co., Ltd. This was the amount established by the government in section 7 of the act and represents the paid-in value of the common shares issued as of December 31, 1961, all of which were owned by the parent holding company. No consideration was given to the $28,878,795 earned surplus shown as of that date.

Further, by August 4, the Government had announced that it would put on sale on August 9 at $100 million issue of 5 percent parity bonds of the new crown corporation—guaranteed as to principal and interest by the provincial government—to cover the payment for the British Columbia Electric common shares. This type of financing has been used successfully by several of the Government's other crown corporations and agencies, most recently a $50 million issue by the British Columbia Toll Highways and Bridges Authority. In effect these are the equivalent of government guaranteed demand notes, for they may be cashed on demand at par by the holder. It is expected that the new issue—like its predecessors—will find a ready market.

Also, the Government's goal of prompt development of Peace River power, a contributing factor in this week's actions, has already been made clear. The new corporation has announced its intention to apply immediately for a water development license.

The takeover of the privately owned British Columbia Electric Co., beset for years with recurring public ownership threats, came as no great surprise at this time. It was widely rumored that the special session called by Premier Bennett for August 1 was for this purpose. He had intimated in March that such action might become necessary if his government could not obtain a better income tax-sharing agreement with the Ottawa Federal Government. He has cited this—and thereby tried to put the onus on Ottawa—as his reason for his action. Cynics—or realists—doubt whether this was the sole or even key reason. It was not the action of acquisition as such but the method and precipitousness which had at least momentarily, stunned and shocked even some of those who were indifferent or even favorable to the eventual takeover of the British Columbia Electric Co. by the Government.

U.S. readers, in particular, may be puzzled by the speed and manner of this conversion of a large corporate organization to a crown corporation. The Canadian form of government makes possible such action without hearings or long legislative debate, as was amply demonstrated in Victoria this week. Also the opportunities for judicial review are much more limited than in the United States, and there are not the same constitutional guarantees against deprivation of property without due process of law. To forestall hostile legal action against the new crown corporation without its consent, section 19 of the new act states that, notwithstanding any rule of the law to the contrary, an action in tort may be commenced against the reorganized company only with the written consent of the Attorney General. Intended to prevent suits by shareholders of the predecessor company, the provision also prevents anyone from bringing an accident claim against the company without the Attorney General's consent.

The takeover is essentially a personal decision of Premier Bennett rather than of his sacred party. It has been generally rumored that very few party members were advised or consulted. The Premier did not even hold a party caucus before opening the special session. It has likewise been reported in the press and on television, that several of his party members had expressed privately opposition to the move. The opposition parties had long favored the action. The final vote on the issue was unanimous for adoption of the act.

The Government appears to have made an effort to treat security reasonably well. Outstanding loans, bonds, debentures, or other securities of the company will be guaranteed as to principal and interest by the new crown corporation. In turn the Government may guarantee the principal and interest of the company. This it is expected to do, as it has done in the case of the other crown corporation, the Pacific Great Eastern Railway. Inadvertently or intentionally, the holders of the preferred shares have been treated relatively poorly. They are to receive perpetual securities identical as to principal, interest, call features, etc., of the shares which they replace. However, these bonds will not enjoy the 20-percent individual income tax credit available on dividends of Canadian corporations.

Significantly also, the Government does not propose to pay any call premium on the preferred shares, although the several issues do have such provisions varying between 3–5 percent. It has been rumored that a preferred shareholders' protective committee may be organized, but it would seem that its effectiveness can be only through persuasion and not through legal redress.

There still remain many unanswered questions, much mystery and confusion about recent events, and all the factors that led to this climax. Some tentative conclusions and surmises as to the reason for the Premier's action and—more importantly—as to possible future implications, can be made. Before offering these, it is necessary to provide a background of the economic and political climate in the province and of British Columbia Electric's specific role in this environment as it developed in recent years.

BACKGROUND

1. British Columbia experienced one of the fastest rates of growth in Canada or the United States during the postwar years and until about 2 years ago. Even so it has a population of under 2 million in an area larger than California, Oregon, and Washington combined, but much of this is mountainous.

2. The industrial complex of the province is very heavily oriented toward the lumbering, paper, and pulp industries. The latter two are prospering reasonably well, and undergoing current expansion, but other industrial growth is lagging with little prospect of prompt recovery.

3. Despite its ability to grow from a 400,000-kilowatt capacity system in 1951 to a million-kilowatt capacity system in 1960, and to meet the growing power requirements of its customers, the British Columbia Electric Co. had been under recurring public ownership threats. Aside from the strong, doctrinaire-socialistic CCF Party—the official "opposition" to the incumbent Social Credit Party of Premier Bennett—the lukewarm popular support for the British Columbia Electric, even among some business leaders, is partially attributable to the preponderance of public power elsewhere in Canada and the closer historic and ethnic ties between many British Columbians and Europe, where public power is accepted as commonplace, even in essentially private-enterprise countries.

On the other hand, public ownership of gas distribution is not commonplace in Canada. The British Columbia Electric Co., in addition to serving 341,000 electric consumers, supplied gas service to 119,000 customers. The gas service, while still small relative to electric, had nevertheless experienced the greatest growth since natural gas became available in greater Vancouver late in 1956. The company also provided urban and interurban transit in metropolitan Vancouver and Victoria, the provincial capital on Vancouver Island. The latter operation has been unprofitable and consciously subsidized by the electric operations. Government indications to date are that it will continue to operate these other services.

4. The British Columbia Electric Co. operated in the scuthwesternmost heavily populated and industrialized part of the Province, commonly known as the Lower Mainland, and centered around Metropolitan Vancouver with about 800,000 residents; and on the southern part of Vancouver Island centered about Metropolitan Victoria with about 150,000 residents. It served therefore over half of the Province's population and well over half of its industry, but only a small part of the area.

There are several other small, localized privately owned utilities. It is likely that they too will shortly be converted to crown corporations, although no definite Government statement has yet been made. Also there are several small municipally owned electric distribution systems. Areawise, the great expanse of the Province has been supplied electricity by the Government-owned British Columbia Power Commission, although its total load and customers served have been much smaller than those of the British Columbia Electric Co. Partially because of this low customer density, its rates—even without any income tax obligations—have been generally higher than those of the British Columbia Electric Co., another fact which had been used at times by public power advocates to argue for a merger of the two organizations. It appears to be the Government's immediate policy to maintain the separate identity of the two organizations.

5. The British Columbia Electric Co., Ltd., operated the electric, gas, and transit facilities. It was thus the utility operating subsidiary and largest single subsidiary of the parent holding company, British Columbia Power Corp., Ltd. This is indicated by the fact that the parent reported total net assets at the end of 1960 of $731,400,000, compared with $727,400,000 for the British Columbia Electric Co. The parent company had made other investments, the principal ones of which were Van Tor Oils & Exploration (engaged in underground gas storage explorations), Western Copper Mills, Ltd. (a new but as yet unprofitable copper mill), and Peace River Power Development Co., Ltd.

6. The Peace River Power Development Co., Ltd., has also been expropriated as part of the act which has converted the British Columbia Electric Co. to a crown corporation. All of its property—primarily in the form of studies, plans, proposals, water rights—have been vested in the reorganized British Columbia Electric Co.

The Peace River Power Development Co., Ltd., was one of the firms organized by the Swedish financier, Axel Wenner-Gren, with the enthusiastic acclaim of Premier Bennett, to develop the potential resources of the Rocky Mountain Trench of northern British Columbia. The purpose of this particular company, with principal additional financial support from English financial and engineering groups, was to exploit the tremendous power potential by damming the Peace

River in central British Columbia, some 500 miles from Vancouver. W. C. Mainwaring, retired vice president of the British Columbia Electric Co., Ltd., became president of this group several years ago.

The prospective development of the Peace River power potential—and the delivered cost of energy from it to prospective load centers versus the cost of other potential power sources, principally that of Columbia River—became another subject of controversy and an important factor in this week's events.

The British Columbia government had claimed credit that the possibility of Peace River development softened the intractable attitude of U.S. negotiators on the Columbia River negotiations with Canada and had hastened the agreement between the two Federal Governments. Interestingly in view of Mr. Bennett's present disagreement with Ottawa, his government was represented throughout the negotiations and was ostensibly in accord with the agreement reached between the two Federal Governments.

While no precise figures have been released, it has frequently been quoted that the first stage of the Peace River development would cost between $650 million and a billion dollars. Obviously large assured markets would have to be found to interest private capital in such an undertaking. Nevertheless, the promoters and developers for a long time indicated confidence and optimism that this would constitute no serious difficulty. Cynics—or realists, as the case may be—felt that the only adequate market to absorb such a large initial capacity would be south of the border. Here the Canadian Federal Government's traditional objection to power export and the questionable economics of remote Peace River power, as long as cheaper local sources were available in the United States, become additional pawns in the power chess game.

During this period, Premier Bennett gave public indication on several occasions of the need for Peace River power development, either ahead of, or simultaneous with the Columbia River development, claiming both would be necessary to meet growing future power requirements of British Columbia and the rest of the Northwest.

7. More recently the British Columbia Electric Co. completed negotiations, initiated by Mr. Mainwaring while still vice president of British Columbia Electric, for very large, low-grade coal deposits near Lillooet, British Columbia, some 200 miles from Vancouver. It was understood that an on-site steam powerplant might produce electricity reasonably competitive with more remote hydrogenerated power.

Because of the slower pace of British Columbia's industrial growth, it now appears that the British Columbia Electric's recently completed Bridge River expansion and its new Burrard steam generating plant—with at least 600,000 kilowatts of contracted capacity—will provide it with considerable spare generating capacity for at least the next 5 to 7 years.

It was the British Columbia Electric's announced policy that it would be willing to purchase or generate power from whatever source seemed most economical at the time such additional capacity was needed.

8. Seven months ago, Premier Bennett appointed the British Columbia Energy Board with then Prof. Gordon Shrum as chairman, to study and report by August 15 on the respective costs of Peace River power and Columbia River power, as developed either as public or private undertakings. In turn, consulting firms were retained to review prior cost studies or to make their own. This report was completed recently, and its published findings were used by the government as part of its justification for acquiring the British Columbia Electric Co. Many of its basic underlying assumptions have not yet been revealed. Its conclusions—however reached—are that Peace River power and Columbia River power, developed under public ownership, are comparable in delivered price, and considerably cheaper than if developed as private undertakings. The salient comparisons are:

Optimistic growth: Columbia (public project), 4.03 mills per kilowatt-hour; Peace (private project), 6.42 mills per kilowatt-hour; Peace (public project), 4.20 mills per kilowatt-hour.

Basic growth: Columbia (public project), 4.4 mills; Peace (private project), 6.59 mills; Peace (public project), 4.37 mills.

The difference in costs is attributed largely to the lower financing costs for a public undertaking, and the saving in tax payments. The report of the energy board was tabled in the legislature a few minutes after bill No. 5, instead of ahead of it, thereby eliminating possible study and debate of the report itself.

9. The energy board report did say that the board is satisfied that the Columbia River development offers great potential benefits to Canada, but only if (a) the initial development of storage dams to cost about $450 million is subsequently supplemented by power generation facilities to cost an additional $750 million; (b) in recognition of the inadequate immediate markets for such large blocks of power as represented by these two undertakings within British Columbia, the control over the disposition of downstream benefits must be vested in the Province before ratification of the treaty. "Downstream benefits" are basically the firming of capacity and consequent greater annual generation by plants on the Columbia River in the United States, resulting from the improved river-flow made possible by the projected storage dams in Canada. The treaty proposed that these be shared in kind, basically on a 50-50 basis between the two countries, with delivery made back to Canada of its share of such generation. The British Columbia government would prefer to sell the Canadian allocation to possible U.S. customers; it is rumored that it would want such cash receipts to help pay for the development of the Peace. As recently as last week, the Federal Government refused to alter the treaty provision.

The energy board has as yet made no study of the potential surplus power market in the United States, but it refers to the possibility of sales as far distant as California through the proposed Northwest-California transmission tie.

10. Another unresolved contention between the Provincial and Ottawa governments has been the proposed financing of the Columbia development. It had been agreed that the Provincially owned British Columbia Power Commission would be responsible for the development and construction of proposed dams. Ottawa had offered a loan to cover part of the costs, but the British Columbia government was insisting on a grant for part of the cost, as the Federal Government had ostensibly made for another power project in Prime Minister Diefenbaker's home Province of Saskatchewan.

CONCLUSIONS

The full significance of the government's action has yet to be determined; the full impact can only be measured as the Government unfolds and implements its policies. There is no doubt, however, that the effects go far beyond the demise of one privately owned utility with net book assets (after deduction of $102,500,000 accumulated depreciation) of $727,400,000. There can be no doubt that Premier Bennett is gambling for tremendous stakes by any standards.

Nor can it be questioned that he has, for the moment at least, scored a simultaneous tactical victory over his Provincial political opponents and over the Federal Government. He has proved himself a keen, cold realist. A lesson for other privately owned utilities, as well as for business in general, is that he was able to act so quickly and arbitrarily, only because he knew this to be a politically popular move with the electorate.

No one knows what really prompted Premier Bennett's final decision. It is doubtful whether any single fact was determinative, but it may be surmised that some or all of the following factors contributed:

1. His tax-sharing dispute with Ottawa is a partial explanation, although it is doubtful whether this was the crucial consideration. The British Columbia Electric Co. made provisions of approximately $12 million for income taxes in 1960, but actual payments were less than $4 million, because the company was taking advantage of accelerated depreciation for income tax purposes. By the end of 1960, the parent company had an accumulated deferred credit of $44½ million for such estimated deferred income taxes. While there has been no statement from the Provincial government, it is doubtful whether the new crown corporation will ever pay these taxes.

2. By this move, the political champion of private enterprise eliminated the potentially major campaign issue of his opponents in the next election. Even his political opponents approved of the action—at least publicly—by the unanimous passage of the act.

3. There had been some recent indications that the private backers of the Peace River power development were experiencing difficulty in lining up adequate assured markets to make possible financing of the project. These would undoubtedly have to be largely in the United States, and at 6½ mills per kw.-hr. at or near the border (per British Columbia Energy Board figures), this energy was very likely unattractive to potential U.S. purchasers. The Premier may have felt that he had been committed too far in public on the Peace—or preferably the Peace and Columbia simultaneously—to be able to retract. Also, he may have felt that, considering the general doldrums of the British Columbia economy, he needed a grand-scale public works development such as the Peace represents, before the next election.

One local newspaper surmise—which may not be far off the mark—is that the British Columbia Electric management was offered the choice of developing the presently uneconomic (from a private investment standpoint) Peace River power project as the price of being permitted to remain a privately owned company. When it refused, it was doomed. If this surmise is correct or could ever be substantiated, it might become a potent deterrent for further private investments in the Province, particularly by firms whose corporate policies as profit-oriented organizations might come into conflict with the government's aims or might become political liabilities to the government in power. Already there have been newspaper rumors of the possibilities of converting pipelines within the Province to crown corporations. Such rumors might be dismissed immediately, except for the history of the last few months, which led to this week's action.

The government plans to have the Peace River development undertaken by the reorganized British Columbia Electric Co., while the separate British Columbia Power Commission will continue to have responsibility for any development of the Columbia. The Provincial government can't afford to treat present investors unreasonably, lest it jeopardize the possibilities of financing either or both of these major river developments. The permanent effects of this week's actions on investor confidence in future investments in British Columbia—public and private—remain to be seen.

There can be no doubt of the demise of the British Columbia Electric Co., Ltd., as a privately owned utility. The parent company, British Columbia Power Corp., can continue

to exist, but it may request or demand under the act that the new crown company purchase all the assets of the parent company at such a price that the total compensation, including that for the common shares of the British Columbia Electric Co., will be equivalent to $38 per common share of the parent company. This price was arrived at by the government, not by any valuation of the corporate assets, but as being the market price in March before the first intimation by the Premier that the government might acquire the company. That announcement had the effect of depressing the market price by about $4. It would appear beneficial that the power corporation exercise this option for its liquidation, rather than merely to receive cash for the electric company common shares.

This is above all a sad object lesson of what can occur when a large private enterprise becomes the unwilling or unwitting pawn of ambitious and powerful contending political groups. The demise of the largest privately owned utility in Canada and in the Pacific Northwest may provide added enthusiasm for public ownership enthusiasts. This may become particularly apparent when and if the new crown corporation starts to look for urgently needed export markets for its Peace River power potential.

Producers of natural gas and petroleum products may likewise feel the impact of greater emphasis by the crown corporation on electric load development for competitive application in order to create markets for the power surplus. This is very conjectural at the moment, for availability of Peace or Columbia power is still a few years away, and the Provincial government has up to now been anxious to develop its gas and oil resources as well. Nevertheless it is a possibility which should be watched.

Ratification of the United States-Canadian Treaty on the Columbia River may also be affected. At present Premier Bennett's bargaining position with Ottawa appears to have been strengthened, but the final outcome is not yet certain. Ottawa may or may not capitulate on some or all of its points of disagreement with Victoria. On the other hand, Premier Bennett would not appear to hold all the aces, for he will need export permits for power from the Federal Government without which the Peace River power cannot be a financial success, even if it is otherwise attractively priced. Then, too, the U.S. Government, although it has already ratified the treaty, may become tired of the deadlock between Ottawa and Victoria and pursue some alternative course which does not require any Canadian cooperation.

Finally, the Premier has taken a bold action, not only in the acquisition of the British Columbia Electric Co., but even more in his determination to proceed promptly on the Peace River development. It is at the same time a big gamble, particularly for a province with less than 2 million population and no immediate prospects for requiring the output of this undertaking. Finding adequate markets—somewhere—will be the crux of success or failure. It is doubtful whether many British Columbians understand the magnitude of the gamble in which they are now participants. If it succeeds, it may do so by affecting the requirements for natural gas and fuel oil throughout the Northwest. To that extent, future developments may have a direct effect on Canadian and west coast gas and oil producers and distributors.

Mr. GOLDWATER. Mr. President, it would be well worth while for my colleagues to read these two articles and note the highhanded way in which a bureaucratic government seized a privately owned and operated utility company. One may say it could not be done here, but not long ago one would have said it could not be done in Canada.

CIVIL RIGHTS LEGISLATION

Mr. JAVITS. Mr. President, people like myself and others of our colleagues have been under some attack because we are trying to get the Senate to express itself as to whether there ought to be substantive civil rights legislation passed at this session of the Congress.

Mr. President, the reason for that is shown by a little opening of the curtain, as it were, in the administration's policy, which we have from a press release on a speech by the Honorable Carl T. Rowan, Deputy Assistant Secretary of State for Public Affairs, at the golden anniversary conclave of Omega Psi Phi fraternity, delivered in Washington, D.C., Thursday, August 15. What he says, in practical effect—and I take this pretty much as the way the administration has been acting, even if it is not an official statement of its position—is about Negroes, who he said are "so busy crying that the President should have submitted new legislation to Congress that their tears hide the really fantastic progress that is possible because of appointments and executive decrees."

Mr. President, I think those who feel as I do look on appointments and executive decrees as very important, of course. We feel that in the previous administration and in this administration great progress has been made in that regard.

But, I feel that the vertebral column of progress, the real basis upon which these very executive decrees are built, is the fact that Congress has passed legislation in this field. The legislation enacted in 1957 and in 1960 gave the administration the platform from which to move. We feel that, in view of the crisis which is now being faced in respect to the freedom riders and sit-ins—and we read in this morning's newspapers of riots in one of the cities of North Carolina in this field—again Congress must be called upon to intercede with its plea in behalf of the country, providing a basis in law, giving men both a standard to which to repair, and at the same time pledging the people, through their legislators, to support the executive department in an affirmative way. It is for that reason that I and others—and the excerpt to which I have referred I think demonstrates the point—deeply feel that we would be derelict in our duty if we did not make our contribution in terms of affirmative legislation in the civil rights situation at this session of the Congress. At least, the Senate should have an opportunity to express its views and desires upon that subject. We expect to give that opportunity to the Senate quite promptly.

BELGRADE CONFERENCE

Mrs. NEUBERGER. Mr. President, last week a distinguished visitor to the Halls of Congress was Dr. Hans Morgenthau, former Assistant Secretary of State and now professor of political science at the University of Chicago. A group met with him for dinner, and he discussed his viewpoint with respect to one of the world crises; namely, the Berlin situation.

Yesterday's issue of the New York Times magazine carried an article by Dr. Morgenthau which I think is worthy of perusal by Senators as well as many others in this country who read the CONGRESSIONAL RECORD, but who do not have an opportunity to read the fine magazine of the New York Times. The article pertained to the Belgrade Conference.

On Friday, September 1, representatives of 24 uncommitted governments will meet at Belgrade, Yugoslavia. This is as significant a meeting as has taken place this year. We are, however, in danger of ignoring it and misunderstanding it because of the failure to appreciate the role of the neutral nations in the world today.

There is pertinent history behind the meeting at Belgrade. In 1955, at Bandung, there was a meeting of Asian nations. The response of the United States to this meeting has been stated too often to bear repetition.

In December 1958, in Accra, a meeting of representatives of African nations was held. Just as the Bandung Conference was limited to Asians, so was the Accra Conference limited to Africans. Once again there was an opportunity for the development of informal political understandings and approaches to world problems.

Now, in 1961, the neutrals meet again at Belgrade. This is not a meeting merely for Africans or for Asians. It is a meeting of most of the neutral nations and is an important event.

Over the course of the last several years Russia and the Western nations and countries polarized around them have been dealing with each other in stultified terms. Suspicion and distrust have been the keystones of conversation. For every action, the reaction has been threats of war or a deeper freeze in the cold war.

But the neutral nations are not caught in this bind. Not being able to respond in terms of war, the neutral nations are perhaps better able to come up with creative ideas for the preservation of peace. This is what the Belgrade Conference can produce. If there are a series of resolutions to come from Belgrade, let them be constructive and positive rather than complaining and negative. The neutral nations can discover that the balance of moral power which is held in their hands is a source of international leverage that they can apply against a fulcrum of distrust to move a burden of peace.

In April 1961 Premier Khrushchev told Walter Lippmann that "while there are neutral countries, there are no neutral men." But the neutral countries have the responsibilities for using their perspective in a positive manner.

Mr. President, I ask unanimous consent that the article "Critical Look at the New Neutralism" by Dr. Hans Morgenthau and an editorial from the Washington Post of this morning appear at the conclusion of my remarks.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 27, 1961]

CRITICAL LOOK AT THE NEW NEUTRALISM

Time was when a permanently neutral nation was rare; Switzerland and, up to the First World War, Belgium were the prime examples. Most small nations wanted to aline themselves with one or the other of the great powers, and the great powers themselves eagerly sought such alinements. Today, on the other hand, all the great nations are meeting in conference in Geneva for the ostensible purpose of devising a neutral status for Laos. And this week a number of uncommitted nations will meet in Belgrade for the purpose of devising a common neutralist policy. One of their main concerns will be the Berlin issue, since both the United States and the Soviet Union are seeking the moral support of the neutralist nations.

Neutralism, the desire not to be alined with either side in the cold war, is a most pervasive trend in world politics. Virtually all the new nations of Africa and Asia have openly espoused it and made it their official policy. Moreover, as a popular movement, more or less articulate, the trend is strong even in the nations which belong to one or the other of the two blocs.

Nations such as England, France, West Germany, and Japan, who were masters of their own fate only yesterday, resent being wedded for better or for worse to the United Western bloc of which their former colonial committed to the alliance with the United States, large masses of their peoples wish they were not so committed.

That such tendencies are not limited to this side of the Iron Curtain was clearly revealed by the Polish revolt of 1956, which at least temporarily increased the freedom of maneuver of the Polish Government on the international scene, and by the Hungarian revolution of the same year, which produced the Nagy government's declaration of neutrality between East and West.

This worldwide trend toward neutralism has baffled the United States. On the one hand, challenged by a communism which seeks the domination of the world and is convinced that it will attain it, the United States has a vital interest in seeing as many nations as possible share its way of life and support its point of view. On the other hand, it is not lost upon the United States that many nations refuse to do either, and prefer to steer an independent course between East and West.

The United States has thus far not been able to reconcile these contradictory attitudes in a consistent foreign policy and has moved from the extreme of blanket disapproval of neutralism to the other extreme of blanket approval.

John Foster Dulles expressed the then prevailing mood when, in a speech on June 9, 1956, he defined neutrality as the pretense "that a nation can best gain safety for itself by being indifferent to the fate of others." This has increasingly become an obsolete conception and, except under very exceptional circumstances, it is an immoral and shortsighted conception.

More recently, American opinion has tended to go to the other pole of finding virtue in neutralism because it avoids at least the vice of alinement with the Soviet bloc. "We do not urge," said President Eisenhower to 15 African leaders on October 14, 1960—"indeed, we do not desire—that you should belong to one camp or the other. You cannot afford to waste your money which is needed to build the hospitals, the schools, the roads that your people need—you cannot afford to put that money into costly armaments."

The foreign policy of the United States, as it is now being fashioned by the Kennedy administration, should first of all recognize that the term "neutralism" covers four different situations which require different American responses. Neutralism may mean escapism pure and simple; it may mean political noncommitment; it may mean moral indifference. And it may mean surreptitious alinement with the Soviet bloc.

The escapist variety of neutralism is popular in the formerly great powers of Western Europe and in Japan. Large masses within these nations long for a detached position which would restore to their nations the ability to pursue an independent foreign policy and minimize their exposure to atomic destruction. This type of neutralism expresses a popular mood that is repelled by the awful risks the atomic age imposes upon nations of the second rank, and by such nations' impotence in the face of these risks.

But could those nations not escape these risks and at the same time restore their freedom of action if they were to loosen their ties with the United States? A majority of delegates to last year's conference of the British Labor Party thought so. They went on record in favor of the unilateral nuclear disarmament of Great Britain. And many outside the Labor Party share their desire to be done wtih American bases on British soil.

The second form of neutralism, political noncommitment, is the official policy of most of the new nations of Asia and Africa. As such, it is a matter of self-interest based upon three facts of the new nations' existence. First, most of these countries owe their independence to national revolutions. Second, they are unstable. Third, they need a maximum of foreign aid with a minimum of political strings.

A political commitment of the new nations to one or the other bloc would run counter to the interests derived from these facts. They feel they could not join the Western bloc of which their former colonial overlord is a member without endangering their national revolutions, and they could not join the Communist bloc without running the risk of their national revolutions being taken over by communism. In view of their weakness, most of them could not join either bloc without being reduced to satellites—that is, colonies by a different name. And by remaining uncommitted and threatening to commit themselves to the other side (or to collapse), they play upon the fears of both sides in order to gain maximum advantages.

This type of neutralism has at times tried to go beyond mere political noncommitment and create a positive political force—a neutralist "third force" pursuing a common policy. The Declaration of Bandung of April 1955, the meeting of Nasser, Nehru, and Tito of July 1956, and the recent attempt of a number of African nations to pursue a common policy in the Congo are cases in point.

Yet while some of these nations have been able to act in unison with regard to certain specific problems, all attempts to commit them to common policies on the basis of their neutralism have failed. For what unites them is but one—negative—fact: the desire not to commit themselves to either bloc. Beyond that, their foreign policies are determined by the same conflicting ambitions and interests as are those of older nations.

It is indicative of this essentially negative character of neutralism that in the General Assembly of the United Nations the neutralist nations, in spite of commanding a majority of the votes, have been unable to substitute for the policies of the two blocs a common policy of their own, but have generally split three ways: a minority voting with either bloc and the majority abstaining.

Neutralism as political noncommitment, joined to the attempt to pursue an independent foreign policy, is most typically represented by Nasser's United Arab Republic.

While leaning on the Soviet bloc without definitely committing himself to it, Nasser has been trying to establish under Egyptian leadership a three-circle empire composed of the Arab world, all Islamic nations, and the new nations of Africa. Yet, while at times the Arab League and more recently the so-called Casablanca nations—Ghana, Guinea, Mali, and Morocco—have followed Nasser's lead in their verbal declarations, Nasser has been much less successful in committing his neutralist associates to common policies under Egypt's leadership.

The third type of neutralism, moral indifference, refuses to take sides in the ideological struggle between East and West. More particularly, it refuses to pass moral judgment upon the policies of either side. It sees that struggle as a contest for power between two blocs and social systems which are both morally defective in different ways. "A plague on both your houses" is about as far as it is willing to go by way of moral commitment.

The neutralism of moral indifference has found its most eminent champion in Nehru of India. (However, it is worthy of note that Nehru's moral indifference has had a way of decreasing as the political interests of India are directly affected, as in the case of Tibet and China.) The neutralism of moral indifference is not uncommon in England and France, in Poland and Hungary.

Finally, the pseudo-neutralism marking alinement with the Soviet bloc is a byproduct of drastic changes in the world balance of power favoring that bloc. These changes are forcing the United States to retreat from certain exposed positions. The agreement to neutralize such a position of which of course Laos is the prime contemporary example, has nothing to do with genuine neutralization. It amounts to nothing more than a facade behind which Soviet influence prevails. It performs no genuine function in terms of neutralism. Its only function is to spare the sensibilities of the West in the face of a defeat.

Neutralism has been growing in recent years due to four factors which have transformed the international scene. First, many of the nations which 15 years ago had to ally themselves with the United States for the sake of survival have regained their economic strength and political stability. For them to remain within the American orbit can at least appear to be again a matter of choice rather than of necessity.

Second, in view of the emergence of the Soviet Union as a nuclear power of the first rank, alliance with the United States appears to some as no longer an asset, but a liability. While in case of a nuclear war no nation is safe from nuclear destruction, the risk is increased almost to the point of certainty for the allies of the nuclear powers. Or, to put it the other way around, there may be a slightly better chance for a nation not so allied to escape nuclear destruction.

Third, the new look of Soviet foreign policy seeks to strengthen neutralist tendencies throughout the world by proclaiming "peaceful coexistence" for all nations as an alternative to the cold war. It threatens the allies of the United States with atomic destruction and holds out the promise of disarmament, foreign trade, and foreign aid to those who keep at least a neutralist course between the two blocs.

Finally, the acceptability of this alternative is considerably enhanced by the competition between the United States and the Soviet Union for the privilege of supplying aid to the uncommitted nations. This competition offers the uncommitted nations the advantages, and exempts them from the liabilities,

of belonging to either bloc. What more can such a nation hope for than to have the best of both worlds without belonging to either?

This is obviously not a heroic attitude. But in our disparagement of neutralism we have refrained from asking: Does it make sense from the point of view of the neutralists? This is the only politically relevant question, because nations aline themselves with other nations or refuse to do so in view of their interests rather than on the basis of some abstract moral standard. And in view of their interests, the answer is bound to be yes.

A nation such as the United Arab Republic, which pursues a neutralist policy by playing the United States against the Soviet Union or vice versa, obviously is better off politically, militarily, and economically than if it were to commit itself fully to one or the other side. For thus it is able to use the support it receives from both sides rather than being used for the purposes of one side.

Similarly, a nation such as India, considering its unsolved ethnic, cultural, and economic problems, might fear for its very existence if it were to join one or the other bloc. Most of the new, weak nations of Africa, if they were to exchange their neutralist position for one of alinement, would risk being reduced to a new colonial status.

As for Japan and the nations of Western Europe, why should they not search for an escape from the liabilities of the nuclear age, since we are searching for such an escape ourselves? In truth, we are all—Americans, Englishmen, Japanese—neutralists in the escapist sense; for we all seek and hope for a way out of the awful dilemma of the nuclear age. The difference is only that we Americans, by virtue of our deeper involvement and paramount responsibility, know better than some of our friends how futile it is to try to opt out of a commitment to which there is no viable alternative.

The three genuine types of neutralism call for varied American reactions. To the escapist variety we ought to bring human sympathy and understanding. Yet we shall respond to it most effectively when we pursue policies clearly calculated to minimize, if not eliminate, the risk of atomic destruction.

To the neutralism of moral indifference, our most effective answer similarly lies in our deeds. We shall deprive this type of neutralism of its plausibility if our policies at home and abroad clearly establish a moral posture not only different from but also superior to that of the Communist world.

However, it is neutralism as political noncommitment which presents our foreign policy with its really creative opportunity. President Kennedy recognized this when, in his interview with John Fischer on December 9, 1959, he called neutralism inevitable and the great trend. He continued:

"During the immediate years ahead this is likely to be an increasing trend in Africa and probably also in Latin America. In Asia, however, there may be some movement away from a wholly uncommitted neutralism as a result of the growing awareness of the Chinese threat. The desire to be independent and free carries with it the desire not to become engaged as a satellite of the Soviet Union or too closely allied to the United States.

"We have to live with that, and if neutrality is the result of a concentration on internal problems, raising the standard of living of the people and so on, particularly in the underdeveloped countries, I would accept that. It's been part of our own history for over a hundred years. We should look with friendship upon those people who want to beat the problems that almost overwhelm them, and wish to concentrate their energies on doing that, and do not want to become associated as the tail of our kite."

However, it is not enough that we have left behind unqualified opposition to neutralism, of which the indiscriminate search for allies—the collectors' approach to alliances—was a logical consequence. Having recognized that political noncommitment is the only policy many of the new nations can afford to pursue, we must find a positive relationship to them.

A number of uncommitted nations are weak, and their weakness together with the Balkanization of vast areas of the globe, especially of Africa, has greatly increased the sources of disorder. That Balkanization runs counter to the technological requirements of the age, which call for political units larger than even the traditional nation-states of Europe.

What is required is a new order to replace the defunct order of empire. Communism offers such a "new order," adapted to the wants of neutralism, for it appears to seek only an implicit kind of alinement without formal commitment.

We have tended to counter this Communist attempt at establishing a "new order" among the uncommitted nations by offering them protection against communism. Yet while these nations need such protection, they refuse to recognize that need; for they fear that if they did they would be drawn into the cold war on the side of the West. For them the paramount issue is not communism, but colonialism. The invocation of anticommunism pure and simple, then, is self-defeating as an American policy toward the uncommitted nations.

What we need is a positive alternative to, rather than a negative polemic against, the Communist new order. It goes without saying that the new order to be promoted and supported by the United States must be unequivocally anticolonialist and meet the material aspirations and requirements of the uncommitted nations. Yet that new order must also be a political order which has room for all kinds and degrees of political noncommitment.

The uncommitted nations may well incline toward one or the other side in their moral preferences, political sympathies, economic interests, and even limited military support. The reconciliation of these different shades of neutralism with the interests of the United States, without compelling the neutralists to enter into an explicit commitment, will put the statesmanship of the Kennedy administration to its supreme test.

Even so, resentment against Western power is likely to persist among neutralist nations, and with it the tendency to play off the East against the West. To counteract this, it will avail the United States little to try to curry favor with the neutralists by trimming its policies to their preferences; neutralism feeds on this kind of weakness. Rather, we must pursue clearly defined, strongly executed, and ably presented policies to a successful conclusion, thereby demonstrating to all concerned that we know what we are about and that it does not pay to cross us. Only so will we gain the respect of the neutralists and have a chance to win their support as well.

And we might well remind the neutralist nations—at appropriate occasions, and tactfully but firmly—that their neutralism is but a function of the power of the United States.

Neutralism, like peaceful coexistence, is for the Soviet Union but a steppingstone toward communization. A nation can afford to be neutralist, not because this is what the Soviet Union wants it to be, but because the power of the Soviet Union is not sufficient to absorb it into the Soviet bloc.

Were the United States not committed to containing the Communist bloc, neutralism could not exist as a policy and would at best survive as an impotent desire and a vain hope. For neutralism in the cold war, like neutrality in a shooting war, depends upon the balance of power. It is a luxury which certain nations can afford because the power of one antagonist cancels out the power of the other.

[From the Washington Post, Aug. 28, 1961]

THE NEUTRAL SUMMIT

Mr. Nehru's blooper about Berlin may have had the effect of increasing apprehensions about the 25-nation neutral summit meeting opening Friday in Belgrade. The somewhat reluctant presence of the Indian Prime Minister had been looked upon in the West as a moderating influence against any tendency toward extremism in conference resolutions—though perhaps some of the other nonalined nations attending would not welcome it in quite this fashion.

Certainly no "plague on both houses" statement from Belgrade would be very helpful in the tense test of rights and determination at Berlin. Still, the neutral nations can hardly be expected to remain unconcerned about a situation that could plunge the world into war. What one must hope, therefore, is that there will be at least some appreciation of the human values at stake.

On questions involving colonialism, the West is altogether likely to come in for criticism, with greater or lesser applicability. It would not be at all surprising to have protests about the French role in Tunisia. There is a very great difference, however, between the policy heretofore followed by, say, Portugal in the case of Angola and that followed by Britain in the case of British Guiana. Mr. Khrushchev views every Western policy as imperialist. Will the neutrals be objective enough in their own remarks to recognize the very substantial imperialism of Mr. Khrushchev in Eastern Europe?

In point of fact the colonialist line is getting a bit thin. President Nasser of the United Arab Republic, one of the sponsors of the Belgrade meeting, has implicitly recognized this in his own recent policies. Preoccupation with the sins of others is not a very constructive substitute for attention to real internal problems. To his credit, the United Arab Republic President has been showing increased concern with practical measures to help the standard of living at home.

It also is likely that the neutral summit meeting will have something to say about disarmament and about the situation of the United Nations. The realities of disarmament make it peculiarly an affair between the Soviet Union and the United States; and a mere denunciation of nuclear weapons or testing would not be much contribution to agreement. Here again, though, an expression of concern would be understandable and perhaps helpful.

With respect to the U.N., the neutrals have a case for more adequate representation on, say, the Security Council. But the Soviet troika concept for the Secretariat would be quite as dangerous for the neutrals as for the West. Indeed, the neutrals have an especial dependence upon the executive authority and initiative of the Secretary General.

Whatever may be the expectations of the State Department from the Belgrade assembly, happily there have been no advance panics and alarms here like those before the Bandung Conference of 1955. It would be difficult to find a strong common denominator among the rather disparate nations represented at Belgrade except, perhaps, the quest for status. It would be even more difficult to arrive at a definition of neutralism or nonalinement acceptable to all the participants. These factors militate against the formation of a neutral bloc as such.

In any simplistic view of world affairs, it is more gratifying to have another country stand positively with you than to remain aloof. Still, the United States fortunately

has moved away from the for-me-or-against-me formula and the "neutralism is immoral" view of Mr. Dulles toward a better understanding of the motivations of new countries and their rather specialized way of expressing their independence. The proper criterion for judgment of the results of the Belgrade Conference will be in how neutral the neutrals really are.

ANNIVERSARY OF THE 19TH AMENDMENT

Mr. DOUGLAS. Mr. President, Saturday was the anniversary of the enactment of the 19th amendment. This amendment, which extended the right of voting to women, is one of the many markers along our path of effective democracy, standing alongside the 15th amendment and the 17th amendment. The former guaranteed the right of the people to vote regardless of "race, color, or previous conditions of servitude." The latter guaranteed the right of the people to elect Senators of their choice. Each amendment in its own way was an expression of the belief that the people can govern themselves. Universal suffrage is at once the cornerstone and keystone of a genuinely human way of living.

It is entirely appropriate today, as a tribute to those who are working and sacrificing so much for true universal suffrage, that we pay our respect to the ladies who also made sacrifices for universal suffrage.

The struggle for woman suffrage in this country was long. It took seven decades. Suffragettes were at first armed only with their ingenuity, imagination, courage, and remarkable perseverance. Few elected officials were responsive to the pleas of these voteless citizens. However, those who firmly believed in self-determination befriended them, and soon women could cast their ballots in selected States and elections. In Illinois, by legislative action, they were able to vote for President and certain State officials. Despite efforts of some to overcome this advancement by challenge in the courts, Illinois women retained their precious victory.

The basis of a lasting and responsible democracy is one where the government is responsive to the needs and wishes of its people. The achievement of woman suffrage and the history of efforts to attain it stand as an encouraging example for all those who truly want to achieve a representative form of government.

THE INDOMITABLE SPIRIT OF CAPTIVE PEOPLES

Mr. DOUGLAS. Mr. President, let us never forget that to the captive nations of Europe we owe an invaluable debt of gratitude for their courage and indomitable spirit, which has been and shall continue to be, the rallying point for freedom behind the Iron Curtain. This passion for liberation from the tyranny of communism inspired the Hungarian revolt of 1956. This hatred of dictatorship led to the Berlin revolt of June 1953. This refusal to be chained to a life of regimentation and misery guided thousands of East Germans across the boundary in the city of Berlin to the free society of the West. And now, Mr. President, the Communists have barricaded that boundary in Berlin and shoot to kill any man who dares to defy the will of the puppet government.

But we should not think that this wall will halt the desire of the East Germans for freedom. Wherever there are people under the yoke of tyranny these people have the hope for freedom.

Mr. President, I would like to offer as an example of the spirit of a captive people a speech delivered by Hon. Joseph Kajekas, the chargé d'affaires ad interim of Lithuania, before the Second Festival of Songs of Canadian and American Lithuanians in Chicago last month. I ask unanimous consent that this speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

It is a particularly great pleasure to be the honorary chairman of this Festival of Songs, and to address you today. The circumstances of our gathering are especially meaningful for me, because it was in this country that I spoke my first Lithuanian word, and learned my first Lithuanian song. And I know that the honor which you show me today in having invited me to address you in our mother tongue is honor which you show to our dear homeland.

At first glance, it might be hard to understand how it is that songs and a diplomat could go together on an occasion such as this. But I remind you that many are the roads that lead to Lithuania. There are the ways, for example, of politics, nationality, and culture. But today, the Lithuanian songs and dances stand in the forefront of our minds; this is especially so for me, as I recall that just several weeks ago, Lithuanian folk dances were performed in the U.S. Department of State, in the world's greatest diplomatic center.

At any rate, we certainly know that Lithuanian songs are much older than Lithuanian diplomacy. Thousands of years before Christ, we may think, our earliest ancestors found themselves at the ambered shores of the Baltic Sea, and surrounded their arrival with song. It was with a song that Lithuanians drew water from the Danube. And at the height of our national existence, Lithuanian soldiers often raised their native songs even at the very gates of the Kremlin. And these songs resounded as well on the fields of Zalgiris [Tannenberg] in 1410.

When, at the end of the 18th century Lithuania was covered with the darkness of czarist rule and a ban on all Lithuanian printing, there were only two ambassadorial tasks left for our homeland—and these were Lithuanian prayers and Lithuanian songs. Today, we are again in a position of adherence to work, prayer, and song as our leaders in hope for a brighter future for Lithuania.

The power of songs is remarkable. A song will outlive the most moving speech or sermon; it is the first thing which moves a child to wonder and to imitate. And it is in song that great love is always expressed, for words are not enough to bespeak the deepest things that fill a man's heart. Is it any wonder that Beethoven's immortal "Ninth Symphony" breaks into song in the final chorale movement, the "Hymn to Joy"?

It is in song that the history and the heart of a nation are revealed. Lithuanian songs encompass, throughout the many centuries, all the powers of God and man, all sadness and all joy, beauty and fear, nature and love. They have been admired by many writers, among them Lessing, Herder, Goethe and Schiller. Both Schumann and Chopin used them for themes in their own compositions. And when Lithuania as a nation embraced Christianity in the Middle Ages, the power of song was led to express a powerful faith, and the beautiful simplicity of a people's luminous quest for the numinous, the sacred. It is in this tradition that the aspirations of a nation developed, with respect for freedom and human dignity. And today, when one hears a Lithuanian congregation intone Strazdelis' hymn, "Fall On Your Knees," one never forgets the experience: it is impossible to forget the moment at which song becomes prayer. And when this prayer is fashioned from a whole history of trials and sufferings in the life of a nation, it is even more unforgettable. As Joyce Kilmer once said: "The very best songs that ever are sung are sung while the heart is bleeding."

The treasury of Lithuanian song is a vast one. I can recall having witnessed a group of London Lithuanians singing all night which journeying from Manchester to London. Several weeks ago, I know that a group of Lithuanian dancers sang almost without ceasing from Boston to Washington. And here, on the banks of Lake Michigan, any Lithuanian who hears again the language and song of Birute, may well know that, someday, his country will again be free.

It is because Lithuania is a land of song that we have set aside this festival in honor of our country. We have gathered here freely and of our own will. But in the present circumstances, we also gather in remembrance of the fact that it is a far different tune that the Kremlin sings.

For it was the tyrants of the Kremlin who, in July of 1940, falsified the will of the Lithuanian nation, just as they falsified her history and her aspirations. Every one of our meetings, and this significant occasion in particular, serves as an opportunity for us to make clear to the whole world that the will of the Kremlin is not the free will of the Lithuanian nation and its people. As the world hears our songs today, it may know that Lithuania cries out for justice, for the harmony of a free and independent national life to which she has a God-given right.

This month marks the passage of 21 years since the U.S. Department of State refused to recognize the illegal absorption of Lithuania by the Soviet Union. The remembrance of this act and its continued validity is an occasion of rejoicing and hope for all Lithuanians, both in the free world and under Soviet enslavement. This month is also the 39th anniversary of the recognition of the Baltic States de jure by the United States.

As a commemoration of these two anniversaries, let our songs rise as a sign of thanks to the American people and their Government. May they also rise as a token of gratitude to the Honorable Richard J. Daley, mayor of Chicago, for his sympathetic and impressive proclamation of Lithuanian Day here in Chicago. In these expressions of gratitude, all the participants in this festival join wholeheartedly.

Finally, we take note of the fact that, in 2 days, all Americans celebrate the 185th anniversary of their Declaration of Independence. This declaration acknowledged God-given, inalienable rights for all men; Abraham Lincoln pointed out that, as such, the declaration gave lasting hope not only to the people of America, but to all freedom-loving peoples for all time. In this hope, let us raise our voices in song, and proclaim throughout all lands our aspirations to liberty: until the day when we shall surely hold a festival of songs on the day of Lithuania's triumph, in the very city of Gediminas, in our beloved Lithuania.

PROGRESS IN SAMOA

Mrs. NEUBERGER. Mr. President, on July 26 of this year I rose in the Senate to describe for my colleagues the appalling state of affairs in American Samoa. The title in the CONGRESSIONAL RECORD for my remarks that day, "South Sea Slum," was unfortunately an all too accurate description of conditions on those islands. Today, in the Washington Post, there appears an editorial concerning American Samoa, which suggests that progress is now, if somewhat belatedly, being made to institute a comprehensive development program. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SOMETHING FOR SAMOA

It finally appears as if American Samoa will cease to be a forlorn ward of the Department of the Interior. A new Governor is on the island, and the administration is working out a development program for this tiny outpost in the South Pacific. The fact that New Zealand is due to grant independence to nearby western Samoa next year has helped to wake up the administration to the backward colonial policy heretofore practiced for the 20,000 Polynesians who live on an island about the size of the District of Columbia.

Thanks to the initiative of Senator OREN E. LONG of Hawaii, Samoa has been included in the recently enacted area redevelopment bill and would also benefit from the aid-to-education measures still before Congress. Industries are being sought for the island, and hotel and recreational facilities planned to help the Samoans to help themselves.

H. Rex Lee, the new Governor, is an experienced Interior official who will have his hands full, among other things, in preparing for a South Pacific conference to be held in Samoa next year. The conference will bring together indigenous leaders from various corners of the Pacific and it will be important that U.S. territorial policy show to good advantage. About $500,000 is due to be spent on conference facilities which can subsequently be used as classrooms and other permanent structures. A new $2.3 million jet runway will also be constructed as part of the plan.

Taken together, these steps can help the Samoans prepare themselves for a meaningful choice when the ultimate status of the island is decided. However regrettable the delay, it is good that something is being done to make up for lost time.

PROVISION FOR SUPPLEMENTAL AIR CARRIERS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

Mr. MANSFIELD. I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1969) to amend the Federal Aviation Act of 1958, as amended, to provide for a class of supplemental air carriers, and for other purposes.

The ACTING PRESIDENT pro tempore. The committee amendment, being in the nature of a substitute is open to amendment and, for the purpose of amendment, will be considered, under the precedents, as original text.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. NEUBERGER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SENATOR HAYDEN AND THE 19TH AMENDMENT TO THE CONSTITUTION

Mrs. NEUBERGER. Mr. President, earlier this month the League of Women Voters honored our wonderful colleague, the senior Senator from Arizona [Mr. HAYDEN] at a surprise party because he is the only Member of the 87th Congress who voted for passage of the amendment which gave women the right to vote.

Senator HAYDEN was a Representative from Arizona at the time. His vote helped open wide a world of new experiences for women in our country. Perhaps there have been times when Senator HAYDEN wondered if he had cast a wise vote.

I hope that we women will never disillusion him and make him sorry for that historic vote. I first heard about Senator HAYDEN when my husband became a Member of the Senate, and I remember his telling of the fact that here was a Senator who had been in Congress ever since his State had been a member of the Union.

I would ask Senator HAYDEN to be patient with us. After all, the women have only had the privilege of helping select their national officeholders for 41 years. In the life of a woman that is a short time. We hear often that phrase of "life begins at 40." Perhaps 1960 was the golden year when women joined with men to usher in the New Frontier.

I am delighted that men have helped women to become participating citizens in our Government. We have buried the idea that the wife is a legal slave. True, she cooks and washes and darns, as in olden days, but she also votes, speaks, and has a more important place as a policymaker.

Women today owe an everlasting debt to the work of dedicated persons such as Elizabeth Cady Stanton, Lucretia Mott, Susan B. Anthony, Lucy Stone, and Julia Ward Howe.

Suffrage organizations such as the National Women's Suffrage Association and the American Woman Suffrage Association pioneered bravely and absorbed many thoughtless words and deeds. So did members of the Congresional Union, which we know now as the National Woman's Party. So did the National American Woman Suffrage Association.

Today such outstanding groups as the League of Women Voters, American Association of University Women, and the Business and Professional Women work to make this a better land.

In this age we do hear a great deal about the women's vote. How big is it? Can it swing elections? How?

I tend to agree with Columnist Sylvia Porter who wrote on October 31, 1960:

> Women are individual voters with individual views, demands, and hopes. The candidates are catering to a bloc which doesn't exist.

We celebrate the 41st anniversary of the ratifying of the suffrage amendment. I am proud to be here as the junior Senator from Oregon because men and women worked to make the 19th amendment possible.

Mr. MANSFIELD. Mr. President, will the Senator from Oregon yield?

Mrs. NEUBERGER. I yield.

Mr. MANSFIELD. I wish to join in the statement of the distinguished junior Senator from Oregon relative to the honors accorded to the President pro tempore of this body, the distinguished senior Senator from Arizona [Mr. HAYDEN]. I recall the Senator from Oregon stating on that occasion that if it had not been for the activities and the foresight shown by the President pro tempore, she and her colleague, the distinguished senior Senator from Maine [Mrs. MARGARET CHASE SMITH] would not be Members of this body today.

We are indebted to Senator HAYDEN for his activities in those early days in behalf of votes for women, and in seeing to it that women, at long last, achieved the right of suffrage, a right which they should have had from time immemorial, along with men.

I say in all humility, but I must say in all candor and honesty, that the Senate is a far better body because of the presence, the activity, the integrity, the knowledge, and the contributions made by the distinguished junior Senator from Oregon [Mrs. NEUBERGER] and the equally distinguished senior Senator from Maine [Mrs. SMITH]. We are delighted that they are with us. We are grateful to Senator HAYDEN that he helped to make it possible.

Mrs. NEUBERGER. I thank the Senator from Montana.

Mr. KUCHEL. Mr. President, will the Senator from Oregon yield?

Mrs. NEUBERGER. I yield.

Mr. KUCHEL. I had the pleasure of attending the celebration in honor of the distinguished senior Senator from Arizona [Mr. HAYDEN], under the sponsorship of the League of Women Voters. I should like to have the distinguished Senator from Oregon know, as obviously she does know, that all of us in the Chamber, on her side of the aisle and on my own, unite in saluting the distinguished American who has served so long, so faithfully, so creditably, and so well in the Senate as CARL HAYDEN, of Arizona, has served.

The Senator from Oregon lists one of the great votes which the able Senator from Arizona cast as a Member of Congress long ago, a vote which brought to the women of America their right of franchise.

I certainly concur in the statement of the distinguished Senator from Montana

[Mr. MANSFIELD] that had CARL HAYDEN'S side lost in those days, the postponement of the membership in this body of two distinguished Americans, Mrs. SMITH and Mrs. NEUBERGER would have been inevitable. We acknowledge his foresight and wisdom in casting that vote—indeed, his long lifetime of honorable public service. All of us in the Senate, perhaps I may say all in the Nation, are grateful for the type of U.S. Senator we know in the person of the distinguished Senator from Arizona [Mr. HAYDEN].

Mrs. NEUBERGER. I appreciate the statement of the distinguished Senator from California.

NEGOTIATIONS WITH RUSSIA ON BERLIN

Mr. KUCHEL. Mr. President, I was deeply disturbed by reading the morning newspaper articles to the effect that the Governments of the United States and the United Kingdom were seeking to negotiate with the Soviet Union over Berlin, although, so the articles indicated, there was no agreement by the Government of France to participate. I was delighted to read on the news wire just a few minutes ago the following article from Washington:

WASHINGTON.—Secretary Rusk today discounted reports that the United States and Britain would act without France in seeking negotiations with the Russians over Berlin.

"I would treat those stories with great skepticism," Rusk said.

Dean Rusk made the comment as he left here for New York to discuss with U.N. Ambassador Adlai Stevenson a number of world tension spots ranging from Berlin to Bizerte.

There have been published reports that the United States and Britain would try to launch negotiations over Berlin with Russia, despite French resistance to a proposed meeting at this time.

While in New York, Rusk also will confer with U.N. Secretary General Dag Hammarskjold.

Rusk indicated that the meeting would touch on a number of topics. "The forthcoming General Assembly (next month) will have almost all major questions before it," he said.

Mr. President, I, for one, applaud the statement by the Secretary of State.

The American people are devoted to the cause of peace with honor in the world. The Government of the United States is always amenable to honorable invitations to negotiate international problems in the cause of a just peace. But, Mr. President, your Government and mine ought not to be bullied nor threatened nor cajoled into running toward a Communist bargaining table.

I read with dismay the recent Soviet note to the United States, in which the Soviet Union heaped imprecations upon the United States, the United Kingdom, and France, and alleged, without any warrant whatsoever, that we were violating the airlanes which we are using under an agreement in which the Soviet Union itself participated and in which it concurred. It could well be that that kind of note is the basis, in the strange way that the Soviets think and reason, of their starting to interfere with or to harass our access to Berlin through the air. I do not know. But I do know there is no greater patriot, no greater friend of the West, no more implacable foe of communism than President de Gaulle. I trust full consideration will be given to the thoughts alleged to have been uttered by him when the question of negotiation first became public knowledge during the last 2 weeks.

Mr. President, the American people applaud what President Kennedy said to the world, that this country will treat any attempt to interfere with our legal rights of access to Berlin as an act of aggression. And in those sentiments the Government of the United Kingdom and the Government of France concur.

We are always ready, I take it, to talk, on an honorable basis. We are always amenable to honorable requests to sit down and reason together, to try to find an honorable basis upon which peace might be established in this melancholy world. But, Mr. President, I repeat, let all understand that we cannot, we must not, and we will not be intimidated into negotiation. Courage and forthrightness, strength and honor by the Allies will best serve the cause of a just peace.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 1962

Mr. MANSFIELD. Mr. President, is there a joint resolution at the desk?

The ACTING PRESIDENT pro tempore. There is. Does the Senator from Montana wish to have it laid before the Senate?

Mr. MANSFIELD. Yes, Mr. President; I so request at this time.

The ACTING PRESIDENT pro tempore laid before the Senate the joint resolution (H.J. Res. 544) making continuing appropriations for the fiscal year 1962, and for other purposes, which was read twice by its title.

The ACTING PRESIDENT pro tempore. The question is on the third reading of the joint resolution.

The joint resolution was read the third time.

Mr. HAYDEN. Mr. President, I move that the joint resolution be passed.

Mr. KUCHEL. Mr. President, I understand that the joint resolution which our able majority leader and the distinguished chairman of the Appropriations Committee are asking the Senate to pass, simply provides that for the next calendar month—September—the prior appropriations will continue, so that the Government may conduct its operations in the absence of our completing our work on the new appropriation bills.

Mr. HAYDEN. The Senator from California has correctly stated the object of the joint resolution.

Mr. KUCHEL. I thank the Senator from Arizona. I have no objection to passage of the joint resolution.

The ACTING PRESIDENT pro tempore. The question is, Shall the joint resolution pass?

The joint resolution (H.J. Res. 544) was passed.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today, it stand in adjournment to meet at 9 o'clock tomorrow morning.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROVISION FOR SUPPLEMENTAL AIR CARRIERS

The Senate resumed the consideration of the bill (S. 1969) to amend the Federal Aviation Act of 1958, as amended, to provide for a class of supplemental air carriers, and for other purposes.

Mr. MONRONEY. Mr. President, it is my understanding that the bill (S. 1969) to amend the Federal Aviation Act of 1958, as amended, to provide for a class of supplemental air carriers, and for other purposes, is the business now before the Senate. Is that correct?

The ACTING PRESIDENT pro tempore. That is correct. The bill is open to amendment.

Mr. MONRONEY. I should like to explain the bill.

If my memory serves me correctly, and the ranking Republican member of the committee, the distinguished Senator from Kansas [Mr. SCHOEPPEL], I think will agree with me, the bill was ordered reported unanimously by the Aviation Subcommittee. I am sure the action of the Commerce Committee was unanimous.

Mr. President, this is a very complicated and difficult piece of legislation, to which the Aviation Subcommittee and the Senate Commerce Committee have devoted untold hours of hearings, consultation, and discussion in executive session. It seeks to provide a permanent place in the aviation industry for supplemental air carriers without adverse effect upon scheduled carriers. The bill before the Senate represents the best which the committee can do in the solution of this problem.

To give a brief summary of the bill, it would make it clear that a carrier may request and be authorized to perform limited services supplemental to those furnished by the regular air carriers, and

would authorize the Board to issue certificates of public convenience and necessity for supplemental service containing limitations on the type and extent of service authorized. This authority was requested by the Civil Aeronautics Board as a result of the decision of the U.S. Court of Appeals for the District of Columbia in United Air Lines et al. against Civil Aeronautics Board, which determined that the Board lacked authority under existing law to issue limited certificates.

The bill would—

First, grant statutory interim operating rights, in the nature of temporary "grandfather" rights, to existing holders of supplemental air carrier certificates who have performed a portion of the service authorized by their present certificates.

Second, make clear that a supplemental certificate is primarily a certificate for charter service and provide that the Board may, when the public convenience and necessity require, also authorize individually ticketed service.

Third, make clear that supplemental air carriers are not eligible for subsidy payments.

Fourth, permit the Board to issue a special operating authorization for temporary service between particular points during periods when regular service is inadequate.

Fifth, permit the Board to impose civil penalties for violations of title IV of the act relating to economic regulations.

Sixth, amend the act to provide for a statutory definition of charter service.

Seventh, make clear that a regularly certificated carrier cannot also be certificated as a supplemental carrier; and

Eighth, enable the Board to make a determination of fitness based upon considerations peculiar to the type of supplemental transportation for which authority is sought.

I refer Senators to the committee report, a copy of which is on each Senator's desk, and will not attempt to further discuss at this time the detailed provisions of the bill. I would, however, like to make this further comment.

The bill provides that carriers desiring a certificate on a supplemental carrier under the new provisions which I have discussed briefly must file a new application for a certificate. It provides for extension of the authority of presently certificated carriers until the Board has passed on the new application. Some fear has been expressed by certificated supplemental carriers that the absence of any statutory guarantee that the new application will be granted may make it difficult for them to acquire necessary financing in the interim because of the possibility that they will not be given a permanent certificate under the Board's new authority.

I wish to point out to Senators that all the supplemental air carriers, now operating on an extension of their authority given by the Congress, even before the court decision had only certificates of a limited duration. Some had 2-year certificates and some 5-year certificates.

The carriers would have been forced, even without a change in the law, to come before the Civil Aeronautics Board for a renewal or for an extension of their existing certificates. I see no way in which the carriers would be jeopardized in any right they have held, and they would be guaranteed a continuation of their authority until the Board has determined the type of certificate they shall receive.

The committee felt that it was not desirable to require the CAB to issue a new certificate to every carrier now certificated because circumstances might arise which would make this undesirable with respect to a particular carrier. For example, one certificated supplemental carrier which is otherwise eligible for a new certificate is now in bankruptcy and no one can now anticipate whether its financial problems can be solved so that the Board would be justified in granting a new certificate. Certainly, we do not wish the new certificate to be peddled around. We do not wish to have a certificate of a bankrupt company bought by another, simply because a law had been passed which would guarantee a permanent right for someone to fly as an air carrier. Other similar situations might arise.

However, the committee has worked on the assumption and with the intention that presently certificated carriers be given permanent certificates unless there are such special circumstances with reference to the particular carrier as to make it undesirable. The committee believes that this is a reasonable assumption.

The CAB has already certificated these carriers, and the proposed legislation is made necessary not by lack of action on the part of the Board, but by a court decision that the Board's action in providing for limited certificates exceeded its authority under the Federal Aviation Act.

The Board thereupon applied to Congress for the necessary authority to validate its action in certificating these carriers. The Board has been unanimous in its view that the supplemental carriers serve a public need, and has represented to the committee that the supplemental industry has had no adverse effect upon scheduled carriers. The committee therefore believes that the supplemental industry needs no protection against the Civil Aeronautics Board, and confidently expects and intends that new certificates will be issued providing all or such part of the authority requested in the application as the Board determines is in the public interest.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. MONRONEY. I shall be glad to yield the floor, if the Senator wishes to speak. The Senator from Kansas has been very active in trying to reach a solution to this very difficult problem, by providing for the small business element of aviation without damaging our fine regularly scheduled airlines. The effort that he and other Senators, as well as the able staff of the Aviation Subcommittee, have made is outstanding. They have worked longer on the proposed legislation before us than on any other piece of proposed aviation legislation in recent years.

I yield the floor.

Mr. SCHOEPPEL. Mr. President, I take this opportunity to thank the junior Senator from Oklahoma [Mr. MONRONEY] and also the staff of the entire committee.

Mr. President, I know of no other piece of proposed legislation which has received as much detailed attention this year as this particular piece of proposed legislation the Senate is considering this afternoon.

It should be said, to the credit of the Senator from Oklahoma [Mr. MONRONEY] that he kept after the problem, and his staff kept up with all the various and sundry phases of the problem. Comprehensive hearings and a series of conferences were held, as a result of which many of the discordant notes which might have developed were pretty well quieted.

Mr. President, the pending bill is a comprehensive one which will establish a permanent and constructive role in aviation for the supplemental airlines. It represents a tremendous amount of effort on the part of the Aviation Subcommittee which is so ably headed by the Senator from Oklahoma [Mr. MONRONEY].

At this time I wish to pay tribute to my colleague, the ranking minority member of the subcommittee, the Senator from New Hampshire [Mr. COTTON]. He is not able to be present today, being necessarily detained from the Senate because of official business. The Senator from New Hampshire has contributed significantly to the bill. One of the most important features of the bill was inserted at his suggestion, and I believe it materially contributed to the unanimous backing the bill won both in the subcommittee and the full committee. The Cotton amendment requires the Civil Aeronautics Board to impose limitations on the individually ticketed operations of the supplemental air carriers to assure that their flights will not significantly divert traffic from the regular airlines which form the backbone of our air transportation system.

This protection for the regular airlines is essential in my view and in the view of the Senator from New Hampshire [Mr. COTTON] for these are the air carriers which fly on the lean days as well as on the rush days. They serve the smaller cities as well as the big ones, and they can only provide that service if they have reasonable protection against operators who can pick and choose, operators who can fly the high profit coast-to-coast runs and ignore the cities in between. The need for reasonable and effective safeguards for the protection of the regularly scheduled airlines is further demonstrated by their present financial picture. The domestic trunk airlines of the Nation reported a net loss of over $13 million for the first 6 months of this year, according to a recent statement of the Air Transportation Association of America.

I ask unanimous consent that this statement be printed in the RECORD as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C.—The U.S. domestic trunk airlines reported a net loss of $13,586,000 for the first 6 months of this year, the Air Transport Association of America announced today.

The loss is the greatest for any first-half period since 1947, when, with a $16,467,000 first-half loss, the trunklines had a full-year loss of $20 million. It compares with a first-6-month loss of $5,339,000 in 1960, a year in which the carriers had a full-year profit of only $1,188,000. In 1959 the trunklines had a first-half net profit of almost $30 million.

Operating revenues were $979,005,000 during the January–June period of this year, compared with operating revenues of $937,770,000 during the comparable 1960 period. Operating expenses were $975,983,000 this year, compared with $941,719,000 during the first half of 1960.

During the month of June 1961, the trunk airlines had a net profit of $6,069,000, with operating revenues of $190,051,000 and operating expenses of $173,638,000. In June of last year their net profit was $8,292,000, with operating revenues of $171,596,000 and operating expenses of $158,155,000.

Stuart G. Tipton, ATA president and spokesman for the airline industry, called this year's first-half loss "clear evidence of the severity of the depression our Nation's airlines are experiencing." He pointed out that traffic had decreased this year, down 1.9 percent below that of the first 6 months of 1960, and called for repeal of the 10 percent World War II tax on passenger travel, which he described as "one of the major obstacles to a much needed increase in traffic."

Mr. SCHOEPPEL. Mr. President, in the light of this situation, the Cotton amendment is crucial to the bill.

Let me make one other point. This is not a bill which makes everybody happy. Neither the regular airline carriers nor the supplemental airlines are completely happy with it. I am sure that each of these groups would like a number of things changed. But I believe the bill represents an honest, fair, and forthright effort to resolve the difference on the basis of the public interest.

Again I pay special tribute to the Senator from Oklahoma, as well as to all members of the staff, who did a magnificent job in closing the gaps and presenting all the issues, giving everyone a fair opportunity to be heard and to analyze the problems, something which was invaluable to the subcommittee as well as to the full committee.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. SCHOEPPEL. I am glad to yield.

Mr. MONRONEY. I wish to express my appreciation for the kind words the Senator said about the junior Senator from Oklahoma.

The senior Senator from Kansas has been active for many years in working for the same solution, and has been most helpful and constructive.

Another member of the minority who has been equally helpful and tireless in his efforts to find an adequate and fair solution to the problem has been the distinguished junior Senator from New Hampshire [Mr. COTTON], a member of our subcommittee who unfortunately is unable to be present for consideration of the bill today. The Senator from New Hampshire would have taken a leading part in advocating its passage and explaining its provisions.

We owe a deep debt of gratitude to the distinguished junior Senator from New Hampshire for his very great contribution, and we owe a debt of gratitude to the entire staff on the minority side of the committee.

Mr. BUTLER. Mr. President, I call up my amendment and ask to have it stated.

The ACTING PRESIDENT pro tempore. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 13, line 3, after the word "that", it is proposed to insert the following: "any local service carrier or"; and on page 13, line 6, after the word "such", it is proposed to insert the following: "local service carrier or".

Mr. BUTLER. Mr. President, section 417 of S. 1969 would grant authority to the Civil Aeronautics Board to issue special operating authorizations to supplemental air carriers when the capacity of the certificated route carriers is insufficient to meet the requirements of the public or postal service. Certificated trunk and local service carriers would not be eligible for these special authorizations which under the terms of section 417 would be limited to 30 days and, in addition, the authorizations must contain limitations as to the frequency and types of equipment to be utilized. Such limitations would assure that the service utilized would alleviate insufficiencies that otherwise would exist without a significant diversion of traffic from certificated carriers. A written notice to the air carriers certificated to provide service between the points involved is required also, thereby giving such carriers the opportunity to protest the application in writing.

Prior to the issuance of a special operating authorization, the Board must first make findings that first, the service of a certificated route carrier is temporarily insufficient to meet the requirements of the public or the postal service; second, there is a temporary requirement for transportation between two points, one or both of which is not regularly served by any air carrier; and third, any supplemental air carrier can supply the additional service temporarily required in the public interest.

This section, 417, is undoubtedly meritorious and will give the Board authority to fill a gap which would otherwise exist without it.

An important omission from the section, however, is another very significant group of air carriers, the local service carrier, or feeder line, as they are sometimes called.

These lines also have the means and equipment to fill the gap in these peak traffic periods and should also be permitted to assist at such times.

My amendment would therefore simply insert at the appropriate places in section 417 the words "local service carrier". The effect of the amendment would be to include those carriers within the group to which the Board can issue "special operating authorizations" pursuant to its new authority.

I hope the Senator from Oklahoma will consider the amendment favorably and accept it, because it seems to me that it would fill an urgent need in the transportation system.

Mr. MONRONEY. Mr. President, I appreciate the fact that the distinguished Senator from Maryland conferred with me with respect to his amendment before the Senate started consideration of the bill. I wish it were possible for me to agree to accept the amendment. After such study as has been possible, in the brief period of time I have had to examine the amendment, I am very fearful that it would harm the very delicate balance that we have tried to achieve by not interfering unduly with the scheduled airlines, and still carving out an area of truly supplemental service for the supplemental carriers.

I should like to give two or three reasons. To begin with, on every piece of legislation that has been enacted to benefit the feeder lines, I have been a sponsor and floor manager of the bill. Not one single representative of a feeder carrier has appeared before the committee, written to the committee, or consulted me as chairman of the Subcommittee on Aviation.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield.

Mr. BUTLER. It was my understanding that a representative of the feeder lines had appeared before the committee, and that the subcommittee had given the problem some real study.

Mr. MONRONEY. If such a representative appeared, his appearance escaped my attention. A representative could have been present with a statement that was printed in the record. As I recall, no objection to the bill was interposed by the local service carriers. Of course, during its long consideration by the committee, the original bill was greatly changed.

I am informed by the staff that such a representative did not appear.

It seems to me that at this late date, no representative having appeared or evidenced an interest, and with a delicately balanced bill such as the one we have before us, we would be subject to criticism if we added the feeder lines as potential competitors of the trunk lines.

I think that in the new section 417 we have made an important addition for this little business sector of aviation. When people are backed up for several days or a week waiting for space on the high-density traffic runs—for example, between New York and Miami around Christmas; or between a city, such as Chicago, where the National Republican Convention might be held, and New York; or in any case in which the regular trunk service might not be adequate—the provisions of this section would take hold. The measure has for its purpose permitting such carriers to provide a suitable supplemental service.

To fill this need, the supplemental carriers are ideally suited. By joint agreement approved by the CAB they maintain a central office located in Washington. The representatives at the office know at all times where all available aircraft of member carriers are located. Therefore, under this provision of the bill, when the high density of traffic swamps the regular trunk carrier, their association can insure that aircraft needed are ready and available.

We have carved out adequate territory, and have been instrumental in trying to expand the territory of the feeder lines. Everything humanly possible has been done by the Subcommittee on Aviation to assist them. Such legislation includes the guaranteed-loan bill, in which the Senator from Maryland participated, and other measures.

I greatly fear that accepting an amendment that has not been carefully studied, and with respect to which we have not had the reaction of the regular scheduled airlines, which have always been fearful of the feeders moving into their bailiwicks, might be disastrous.

I respectfully suggest that the Senator consider withdrawing the amendment and not let it be put to a vote at this time. The bill will be pending in the House of Representatives, which has not yet reported a bill. The subject is still open there. If the substance of the amendment of the Senator from Maryland is included in the measure by the House, if testimony is developed as to its effect, and the attitude of other segments of the aviation industry is known, the conferees will be most happy to seriously consider it.

If it is voted down in the Senate, there will be a history of rejection of the amendment. I do not feel so strongly against the Senator's amendment that I would like to prevent consideration of the amendment in conference, if after serious consideration the House of Representatives should put the amendment in the bill.

Mr. BUTLER. Mr. President, I thank the Senator from Oklahoma. I join other Senators, especially those on the Committee on Commerce, who have worked with the Senator on this bill. The Senator from Oklahoma has assiduously worked at this task. It is a good bill. It is certainly not my intention to add an amendment to the bill that would hurt it.

I offer the amendment for a specific purpose. The feeder carriers are small operators in the airline business. They are small businesses. Before they could get special authorization, there would have to be a hearing before the Board, and the Board would have every opportunity to pass on their ability and their right to carry some of the traffic. Therefore, in my opinion, the addition of the local feeder lines would not add any burden or complicate the bill in any way.

The Senator has referred to the inventory of equipment. There certainly could never be any call on the so-called aircraft pool, because, before any services could be given or any authorization could be issued, there would have to be an application and a hearing before the Board.

Therefore, the fact that I propose this amendment does not seem to me to add or detract anything.

I appreciate very much the Senator's attitude. I know that he is sincere in not wanting a record vote on the amendment if it would hurt the bill. I would not like that either, because I think the amendment is worthy. I do not think it could hurt the bill. If the Senator can give me his word that this subject will be taken up and given some consideration, I am inclined to withhold the amendment at this time.

Mr. MONRONEY. The Senator from Oklahoma would be happy to consider the amendment if the House in its wisdom, based on evidence of interest in and need for such a change, should insert it in the bill.

We would be glad to consider it and discuss it in conference. However, the other Senators not having been advised of the need or having received any request with respect to it, if as a result the amendment should be voted down, it would somewhat prejudice the conferees on the part of the Senate by reason of the fact that the amendment had been defeated.

I would wish particularly to examine the effect on the subsidy to the feeder carriers, whose subsidy runs in excess of $70 million a year. The privilege of flying only two or three trips from New York to Miami, for example, may not be worth raising the many questions as to their subsidy which might be involved—for example, the problem of trying to separate depreciation and maintenance and service and overhead and pilots' salaries and all these other matters, from the standpoint of bookkeeping. I would be inclined to doubt the wisdom of such an undertaking, and as a friend of the feeder lines, I would certainly not like to expose them to responsibilities which would complicate their situation. Of course, I do not know whether it would. However, I go back to the original reason for not desiring to accommodate the Senator, and that is that we have not had any testimony before the subcommittee and no staff study to find out what might be involved.

Mr. BUTLER. It was my understanding that the presentation had been made before the subcommittee and that a study had been made and that it had been considered by the full committee. If that is not the case, I am perfectly willing to take the Senator's word for it.

Mr. MONRONEY. I should like to ask the distinguished ranking Republican member of the subcommittee about this matter, because he was present, I believe, at most of the hearings. There might have been some mention made of it and that reference may have been buried in the record. I cannot recall it, though. The staff members I have talked to cannot recall it either. We have the printed hearings available. Perhaps the Senator could find some reference in the hearings.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield.

Mr. SCHOEPPEL. I might say to the distinguished Senator from Maryland that the Senator from Kansas has no definite recollection of this matter having been presented to the subcommittee or to the full committee.

Of course, the temporary peak-period service authorized in the bill, with which the Senator's amendment deals is breaking some ground in a new field. It is a new category of air service, and is a matter which must be watched carefully by the Aviation Subcommittee as it is put into effect. In that review of the special authorization we will have adequate opportunity to consider the inclusion of local service or other air carriers in the program.

I am inclined to agree with the Senator from Oklahoma that if the matter comes before the House and is presented there, with the House and the Senate being given an opportunity to see the extent to which they have gone into this matter, it would be given full and sympathetic consideration. However, to inject it here I believe would cloud this matter to the extent that it might be detrimental to the bill.

Mr. BUTLER. I would certainly not want in any way to hurt the bill, because I know the subcommittee and the full committee have worked very long and very hard on the bill. In addition to that, I would not desire in any way to injure the feeder lines. With those two considerations in mind and because of the assurances that the committee will give further consideration to my amendment at the appropriate time, I withdraw the amendment.

Mr. MONRONEY. I thank the Senator.

Mr. McCARTHY. I should like to ask the Senator a question, if he will yield.

Mr. MONRONEY. I am glad to yield.

Mr. McCARTHY. I have a question with regard to section 401, and I pose this question to the Senator from Oklahoma. If that section is retained, could the Civil Aeronautics Board certificate a supplemental airline to provide scheduled service between New York and Los Angeles, or between any other pair of cities?

Mr. MONRONEY. Subject to such limitations as were required to protect the scheduled certificated carriers, it could. Furthermore under section 417, if number of planes available were inadequate, it might be necessary to authorize daily service for a temporary period by supplemental carriers to supplement the regular service. The word "supplemental" means that the service would be supplemental to the service of the certificated carriers, instead of being in competition with them on the franchised routes.

Mr. McCARTHY. I thank the Senator.

Mr. MONRONEY. I thank the Senator for his clarifying question.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the committee amendment, in the nature of a substitute.

The committee amendment was agreed to.

Mr. MONRONEY. On behalf of the committee I offer some perfecting amendments, which are at the desk.

The ACTING PRESIDENT pro tempore. The amendments will be stated.

The LEGISLATIVE CLERK. On page 8, line 17, strike "with any person who" and insert "by which any person".

On page 16, line 16, after "or (B)" insert "any operations in overseas or foreign air transportation, as a supplemental or large irregular air carrier, otherwise authorized by the Board, or (C)".

On page 17, line 13, after "shall issue" insert "a new interim certificate or".

On page 17, line 16, strike "or interim" and insert "and/or other operating".

On page 19, line 16, strike "the" and insert "any".

On page 20, lines 23 and 24, strike "extension of its" and insert "issuance of an interim certificate or other interim".

On page 21, lines 2 and 3, strike "extension of" and insert "interim certificate, interim".

On page 21, after line 8, add a new section to read as follows:

SEC. 9. (a) That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the heading "Title IV—Air Carrier Economic Regulation" is amended by adding at the end thereof the following:

"SEC. 417. SPECIAL OPERATING AUTHORIZATIONS.—

"(a) Authority of Board to issue.

"(b) Terms of authorization.

"(c) Procedure."

(b) That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the heading "SEC. 901. Civil Penalties." is amended to read as follows:

"(a) Safety, economic and postal offenses.

"(b) Liens."

Mr. MONRONEY. Mr. President, I ask unanimous consent to have a brief explanation of the perfecting amendments printed in the RECORD at this point.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

EXPLANATION OF PERFECTING COMMITTEE AMENDMENTS TO S. 1969

Section 1(a). The bill as reported provides that the term "charter service" "shall not include transportation services offered by an air carrier under an arrangement with any person who provides or offers to provide transportation services to individual members of the general public."

The purpose of this restrictive language is explained in the committee report as follows:

"However, it is not the intention of the committee to permit individually ticketed service to be offered to the general public under the guise of charter. The proposed statutory definition, therefore, provides that charter shall not include such individually ticketed service whether offered by an air carrier directly or by a travel agent."

It was not the committee's intention to prevent a club or organization from arranging charter through a travel agent as they are permitted to do under existing Board regulations, but the present language of the bill is susceptible to this unintended construction.

It is therefore proposed to amend the definition so as to provide " 'charter service' shall not include transportation services offered by an air carrier under an arrangement by which any person provides or offers to provide transportation services to individual members of the general public."

Section 7(a)—Amendment 1: As reported by the committee, clause 2 of section 7(a) would require that in order to be qualified for interim operating authority pending Board action on its application for a certificate a carrier must show—

"(2) that between January 1, 1960, and May 25, 1961, the applicant or his predecessor in interest lawfully performed either (A) any portion of the service authorized by the certificate or interim operating authority, or (B) any operations for the Military Establishment of the United States;"

Further analysis of this provision shows that it works a hardship on one carrier, Quaker City Airways, Inc., whose operations have been performed exclusively in oversea and foreign air transportation under an earlier exemption order of the Board, rather than in interstate air transportation under the carrier's certificate. No other supplemental carrier which meets the remaining standards of this section is in this circumstance.

Because the intention of the provision is to permit carriers which have operated to continue to operate pending a Board decision on a new certificate application, it is proposed to amend this clause to permit the Board to count as qualifying operations those such as Quaker City Airways has performed. As proposed to be amended the clause would read as follows:

"(2) that between January 1, 1960, and May 25, 1961, the applicant or his predecessor in interest lawfully performed either (A) any portion of the service authorized by the certificate or interim operating authority, or (B) any operations in overseas or foreign air transportation, as a supplemental or large irregular air carrier, otherwise authorized by the Board, or (C) any operations for the Military Establishment of the United States;"

Section 7(a)—Amendment 2: If a carrier satisfies the requirements of section 7(a), the Board is directed to issue "new interim authority", and a provision of section 8(a) terminates existing certificates and other operating authority. This would mean that for a period of time certificated supplemental carriers would lose their certificates and operate on interim authority.

Because current regulations governing procurement of air transportation from civil carriers by the Department of Defense limit those eligible to certificated air carriers, it is necessary that the interim authority of presently certificated carriers be denominated a certificate to insure their continued eligibility to participate in military contracts.

It is therefore proposed to change section 7(a) to provide that the Board "shall issue new interim certificates or interim authority to such applicant." This is intended to make clear that supplemental carriers now holding certificates should be given new interim certificates while those carriers operating under other authority shall be given new interim operating authority by Board order but not by certificate. Conforming amendments are made in section 8(b).

Section 7(a)—Amendment 3: The committee intends that a supplemental carrier receive interim authority to engage in supplemental air transportation to the same extent that it is now authorized to do so, whether by certificate, interim operating authority, or exemption. The language used in the bill as reported "to the same extent authorized in the applicant's certificates or interim authority," is subject to the construction that a certificated carrier should receive new authority equivalent to that contained in its certificate (i.e., authority to engage in interstate air transportation), but should not receive interim authority equivalent to that now held by exemption or other noncertificate authority (i.e., authority to engage in oversea and foreign transportation). To avoid this unintended interpretation it is proposed to change this language to read "to the same extent authorized in the applicant's certificate and/or other operating authority."

The ACTING PRESIDENT pro tempore. Without objection, the question is on agreeing to the amendments en bloc.

The amendments were agreed to en bloc.

Mr. ENGLE obtained the floor.

Mr. ENGLE. Mr. President, I ask unanimous consent that I may yield to the Senator from West Virginia [Mr. RANDOLPH], without my losing my right to the floor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, the colloquy between the chairman of the Aviation Subcommittee, the Senator from Oklahoma [Mr. MONRONEY], and the able Senator from Maryland [Mr. BUTLER], the eminent Senator from Kansas [Mr. SCHOEPPEL], the ranking minority member of the subcommittee, was clarifying in the degree that clarification should be had in reference to local service carriers. I am delighted that an agreement was reached, and that the amendment of the Senator from Maryland was not pressed for determination at this time.

In the State of West Virginia we are served by three of these splendid local service carriers, Allegheny, Lake Central, and Piedmont. We value these airlines for their intrastate and interstate operations. Today is not the time, when subsidy is considered in one category and not in the other, to bring the amendment into focus or even carry it to conference with the House. This is a subject unto itself.

Mr. President, I compliment the junior Senator from Oklahoma. I feel that the very patient and most painstaking work which is done on the kind of legislation we are considering now is not fully appreciated, even in the Senate.

So I commend the knowledgeable Senator from Oklahoma and also the Senator from Kansas. Those two men, with other members on the Subcommittee on Aviation have carried forward most comprehensive consideration.

On August 1, 1961, I wrote a letter to the chairman of the Committee on Commerce, the distinguished Senator from Washington [Mr. MAGNUSON]. I set forth that I believed "Senator MONRONEY has been most thorough and objective in handling the Aviation Subcommittee consideration of this subject and related problems." I could have said, and I now say, "Senator MONRONEY and Senator SCHOEPPEL."

Mr. President, I brought to the attention of the chairman of the committee, the Senator from Washington [Mr. MAGNUSON], certain points which should be weighed in connection with the pending legislation. I ask unanimous consent that this letter of August 1, written to

Senator MAGNUSON, and his reply, dated August 21, be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

AUGUST 1, 1961.

Hon. WARREN G. MAGNUSON,
Chairman, Senate Commerce Committee,
New Senate Office Building,
Washington, D.C.

DEAR WARREN: Though I am not a member of the Senate Commerce Committee, I do have a sincere interest in matters affecting the common carriers, including legislative developments which affect the airlines.

In this connection, I have noted with some concern the extremely poor earnings picture of the scheduled airlines, and the high degree of competition and excess capacity which exists, particularly among the trunk carriers. While much of our airline service throughout West Virginia is performed by local service carriers, we also have a number of trunkline operations in the State. The pressure on the airlines earnings picture causes me to consider the continued ability of some of the trunk carriers to serve the intermediate size cities, such as we have in West Virginia.

I realize, of course, that in air transportation, as in every other field, we must continue to move ahead, and the committee has had a problem in trying to find a place for the supplemental airlines. In meeting this problem, I am sure committee members had in mind the effect such legislation will have on the regular air carriers and in the needs of the public for supplemental air service. Two particular issues in the legislation now under consideration are pertinent, and I feel the committee will carefully weigh the consequences of these two points.

First, I consider the new definition of charter service which the committee proposes to add to the Federal Aviation Act. The committee has reversed the CAB's longstanding policy against the chartering of aircraft by travel agents and others who solicit transportation from members of the general public. While the concept of chartering aircraft for the movement of all-expense paid tours may open new opportunities in aviation, it is sufficiently complicated and fraught with diversionary dangers that some restrictive regulation should be lodged in the Board to control its development. Without this, I feel Congress could be opening a Pandora's box without any opportunity to place the lid on or even partially close it.

The second point I bring to your attention is the fact that the bill retains authority in the CAB to award supplemental air carrier certificates for individually ticketed route operations. Although the committee has added a standard of "no significant diversion" from the regular carriers, any new authority in this area stands to divert from the regular carriers. If additional service is needed, it would seem it could and should be provided under the regular certificate procedures or under the new procedure which the committee expects to establish under the new section 417.

Your committee will, I feel certain, weigh carefully the effect of these two provisions, both of which seem likely to weaken the scheduled carriers. Our esteemed colleague, Senator MONRONEY, has been most thorough and objective in handling the Aviation Subcommittee consideration of this subject and related problems.

Very truly,

JENNINGS RANDOLPH.

U.S. SENATE,
COMMITTEE ON COMMERCE,
August 21, 1961.

Hon. JENNINGS RANDOLPH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Many thanks for your recent letter with reference to S. 1969, a bill to authorize certificates of supplemental air carriers.

As you can well imagine, the problems involved in drafting a bill acceptable to both the supplemental carriers and the regularly certificated route carriers have been substantial. I am frank to say, however, that I think the bill which the committee reported, I might mention unanimously, meets every reasonable objection. I think you will find that this same sentiment would be expressed by every member of the committee.

The original bill proposed by the Board was substantially amended in an effort to insure that the operations of the supplemental carriers would in fact remain supplemental and not result in diversion of traffic from the certificated route carriers.

I can assure you that the points which you raise were thoroughly considered by the committee and I do not believe that they posed the threat which some spokesmen within the route carrier industry alleged. If I thought this bill would jeopardize the economic stability of the certificated route carrier industry, I would not have supported it.

I certainly appreciate your kindness in making your views available to me. In this connection I am enclosing a copy of the reported bill and the committee report. If after having read the report, you or members of your staff have any questions, I would be happy to answer them.

With kindest personal regards.

Sincerely yours,

WARREN G. MAGNUSON,
Chairman.

Mr. RANDOLPH. Mr. President, I also wish to thank the Senator from Oklahoma for his thoughtful letter of August 16, in which he acknowledged the copy of the communication I sent to the Senator from Washington [Mr. MAGNUSON]. He stated that many of the matters which I had brought to the attention of the subcommittee and the committee were discussed and evaluated in the report on S. 1969. To be sure, many of those points have been covered. Although I am not personally 100 percent satisfied with the proposed bill, I believe the purposes are well founded, and I shall support the measure.

Mr. MONRONEY. Mr. President, will the Senator from West Virginia yield?

Mr. RANDOLPH. I yield.

Mr. MONRONEY. I deeply appreciate, as I know the distinguished Senator from Kansas [Mr. SCHOEPPEL] also does, the high praise which the distinguished Senator from West Virginia has given us. It is praise indeed when it comes from a man who has had a practical working knowledge of the vast field of aviation for many years during the regrettable, although, I am happy to say, brief interval between his membership in the House and his membership in the Senate. His interest in aviation in the House has continued to be one of his prime interests in this body, and his worthwhile suggestions and willing cooperation have always been most valuable.

The bill does not satisfy me 100 percent. Neither does it completely satisfy the junior Senator from California [Mr. ENGLE], the senior Senator from Alaska [Mr. BARTLETT], or the senior Senator from Kansas [Mr. SCHOEPPEL]. However, as to all such matters which deal with business rights and franchises under very delicate circumstances, there had to be a "giving" on all sides. No one got all he wanted in the bill. Still, as I view the bill, for the first time since I began my membership in this body—and that goes back 11 years—it offers hope for peace among all the branches of our great air transportation system; hope that there will be a live and let-live policy, by which there will be an opportunity for small business to serve as supplemental carriers. "Supplemental" means to give the necessary added service at the times and places, on the routes, and at the rates which will supplement our basic scheduled carrier service.

I believe that in all respects the bill will prove to be one which goes down the middle of the road, and that experience will demonstrate that neither the subcommittee nor the full committee has favored one branch as against the others. We have tried to provide for a type of service which will grow and which will be supplemental to that provided by other carriers.

Mr. RANDOLPH. I thank the distinguished Senator from California for his courtesy in allowing me to make this comment. I am grateful also to the Senator from Oklahoma for his statement.

Mr. ENGLE. It was a pleasure for me to yield to the Senator from West Virginia; and I concur in the high compliment he has paid to the Senator from Oklahoma.

Mr. President, I call up my amendment which is at the desk and ask that it be read.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 12, line 8, it is proposed to insert immediately preceding the word "under", the following: "or the type of service provided therein,".

Mr. ENGLE. Mr. President, this is a clarifying amendment to make it plain that the certificate of a "cargo carrier" does not exclude such carriers from passenger charter service. I have discussed the amendment with the junior Senator from Oklahoma. He has agreed to accept the amendment as a clarifying amendment.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement of the purpose of the amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ENGLE

I propose an amendment to S. 1969, to provide that on page 12, line 8, immediately preceding the word "under" the following be added: "or the type of service provided therein,".

This amendment was prompted in the light of the following considerations:

Section 401e of the Federal Aviation Act of 1958 provides that "any air carrier may make charter trips or perform any other special service, without regard to the points named in the certificate, under regulations prescribed by the Board." The authority of all certificated carriers to engage in charter operations is derived from this provision. However, in construing this provision, the Court of Appeals for the District of Columbia, in 1953, ruled that it merely lifted the limitation with respect to points designated in the certificate and did not affect the type of service to be rendered. Consequently, cargo carriers would be precluded from engaging in passenger charter operations.

S. 1969 provides a statutory definition of charter. One of the primary reasons for providing a statutory definition was to discourage the Board's broad use of its exemption authority under section 416. In this connection the committee, in its report, stated on page 13:

"The committee is also strongly of the opinion that the Board's practice of routinely permitting continual large-scale charter operations by exemption is not only unwise, but illegal, because not within the 'unusual circumstances' contemplated by section 416."

I believe the committee's position in this matter is a wise and constructive one.

The cargo carriers presently carry passengers for MATS as well as passengers in transoceanic charter group by virtue of the exemption authority. Consequently in the light of the court of appeals' decision, coupled with the statutory definition of charter together with the committee's report language, there is serious question as to whether or not the cargo carriers could continue to engage in passenger charter operations. This, certainly was not the intent of the committee. In fact, it was the committee's position that the language in section 401e included all certificated air carriers and there was no intent to exclude cargo carriers. The committee, however, was not aware of the court of appeals decision, which put a different construction on this provision.

It could be argued that the cargo carriers should apply to the Board for an amendment to their certificate to permit passenger charter service. However, section 401 provides that "no term, condition, or limitation of a certificate shall restrict the right of an air carrier to add to or change schedules, equipment, accommodations, and facilities for performing the authorized transportation and service as the development of the business and the demands of the public shall require." Consequently, if passenger charter rights were given the cargo carriers in their certificates, they would be placed in the unique position of being the only class of future carriers that the Board would be without power to impose limitations as to frequency of service.

The language which I propose merely clarifies the intent of the committee to provide that the phrase "any air carrier" includes cargo carriers. It gives the Board the necessary flexibility to impose all necessary regulations as to frequency of service and otherwise in the performance of charter operations, and avoids the disadvantages inherent in giving the cargo carriers such authority in their certificates or by means of exemptions.

Mr. MONRONEY. Mr. President, the distinguished junior Senator from California and his staff have been most cooperative in helping to draft and perfect the bill. The committee has studied the amendment. In order to make doubly certain that the all-cargo carriers affected by the charter provisions of the bill do not lose that which they have always had, namely, the right to a certain amount of passenger charter, we believe the amendment will not only be of benefit to the aviation industry but will clarify the intent of Congress.

The distinguished Senator from California, as he frequently does, has come to our rescue with a needed clarification. We are happy to accept the amendment as a part of the bill.

Mr. ENGLE. I thank the Senator from Oklahoma.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from California.

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. The committee amendment is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The ACTING PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill (S. 1969) was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to amend the Federal Aviation Act of 1958, as amended, to provide for supplemental air carriers, and for other purposes."

Mr. MONRONEY. Mr. President, I observe the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, will the Senator yield, so that I may move to reconsider the vote by which the bill, S. 1969, was passed?

Mr. MANSFIELD. I yield.

Mr. MONRONEY. Mr. President, I move that the Senate reconsider the vote by which Senate bill 1969 was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CONSERVATION OF MIGRATORY WATERFOWL

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 681, H.R. 7391.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 7391) to promote the conservation of migratory waterfowl by the acquisition of wet lands and other essential waterfowl habitat, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. Will the Senator from Nebraska withhold his suggestion of the absence of a quorum so that the first committee amendment may be stated?

Mr. CURTIS. I withhold my suggestion of the absence of a quorum.

The LEGISLATIVE CLERK. On page 1, line 7, after the word "the", it is proposed to strike out "10-year period" and insert "5-year period".

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the role.

The legislative clerk proceeded to call the roll.

Mr. CURTIS. Madam President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Without objection, it is so ordered.

AMENDMENT OF SECTION 216 OF THE MERCHANT MARINE ACT OF 1936

Mr. MAGNUSON. Madam President, I ask the Chair to lay before the Senate the amendments of the House of Representatives to Senate bill 880, which amends section 216 of the Merchant Marine Act of 1936, as amended, to authorize the Secretary of Commerce to accept gifts and bequests of personal property for the U.S. Merchant Marine Academy.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 880) to amend section 216 of the Merchant Marine Act, 1936, as amended, to authorize the Secretary of Commerce to accept gifts and bequests of personal property for the U.S. Merchant Marine Academy, which were, on page 1, line 5, strike out "(e)" and insert "(g)", and on page 1, line 6, strike out "(e)" and insert "(g)".

Mr. MAGNUSON. Madam President, I move that the Senate concur in the amendments of the House. They are merely technical amendments, relettering subsections.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The amendments were agreed to.

AMENDMENT OF SECTION 607(b) OF MERCHANT MARINE ACT—BILL PLACED ON CALENDAR

Mr. MAGNUSON. Madam President, I also ask unanimous consent that the Committee on Commerce be discharged from further consideration of the bill (H.R. 6974), which amends section 607(b) of the Merchant Marine Act of 1936, and that the bill be placed on the calendar.

I make the request for the reason that there was reported from the Committee on Commerce some time ago an identical bill, S. 1185, which is order No. 176, now on the calendar. There is no need to have the House bill in committee.

The PRESIDING OFFICER. The question is on agreeing to the request of the Senator from Washington to discharge the Committee on Commerce from further consideration of H.R. 6974. Is there objection? The Chair hears none, and the committee is discharged from the further consideration of the bill, and the bill will be placed on the calendar.

AMENDMENT OF COAST AND GEODETIC SURVEY COMMISSIONED OFFICERS ACT OF 1948

Mr. MAGNUSON. Madam President, I ask the Chair to lay before the Senate the amendment of the House of Representatives to Senate bill 685, which amends the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended, and for other purposes.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 685) to amend the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended, and for other purposes, which was, on page 4, lines 18 and 19, strike out ", after June 30, 1961,".

Mr. MAGNUSON. Madam President, I move that the Senate disagree with the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to.

Mr. MAGNUSON. Madam President, for the purpose of the RECORD I desire to state that this bill was introduced at the request of the Secretary of Commerce. I understand that the House amendment, which deletes the cutoff date in the bill's retirement provision, is unacceptable to the administration. In addition, I have received a letter from the distinguished senior Senator from South Carolina [Mr. JOHNSTON], chairman of the Post Office and Civil Service Committee, urging that the House amendment be deleted. I ask unanimous consent that the letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON POST OFFICE
AND CIVIL SERVICE,
August 23, 1961.

Hon. WARREN G. MAGNUSON,
Chairman, Senate Committee on Commerce, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: It has been brought to my attention that S. 685 passed the House of Representatievs on August 21, 1961, with an amendment to section 2.

Section 2 of the bill as reported to and passed by the Senate amended section 1(r) of the Civil Service Retirement Act to constitute commissioned Survey officer service performed after June 30, 1961, as military service for all civil service retirement purposes. Such service performed before July 1, 1961, was still to be treated as civilian under the Retirement Act, as had consistently been the case in the past. The Retirement Act difference is that military service is credited without deposit, whereas civilian service is contributory and if current contributions have not been made there must be a deposit to secure full credit.

S. 685 was sent up by the administration and was introduced by you on that basis. The section 2 provision represented apparent administration adoption of a policy favoring the prospective transition of commissioned Survey officers from their hitherto civilian status to the category of military personnel. This move paralleled the legislation in the last Congress, Public Law 86-415, approved April 8, 1960, which had the general effect of placing Public Health Service commissioned officers in the category of military personnel for service performed from and after July 1, 1960—in other words, prospectively only.

Section 2 as amended in the House completely departs from the change advocated by the administration and would constitute commissioned Survey officer service as military (creditable free) for civil service retirement purposes, regardless of when in the past it may have been performed.

The House amendment not only departs from the principle sought by the administration, it proposes an action which I understand is wholly unprecedented. At no time in the 41-year existence of the civil service retirement system has there been legislation which would credit, as military, service which was considered civilian at the time it was performed.

For the reasons set forth above, it is my opinion that the Senate should not accept the House change in section 2 of S. 685.

With kind regards, I am,

Sincerely yours,

OLIN D. JOHNSTON.

APPLICATION OF FEDERAL CRIMINAL LAW TO CERTAIN EVENTS OCCURRING ON BOARD AIRCRAFT IN AIR COMMERCE

Mr. MONRONEY. Madam President, I ask the Chair to lay before the Senate the amendment of the House of Representatives to the bill (S. 2268) to amend the Federal Aviation Act to provide for the application of Federal criminal law to crimes aboard aircraft.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2268) to amend the Federal Aviation Act of 1958 to provide for the application of Federal criminal law to certain events occuring on board aircraft in air commerce which was to strike out all after the enacting clause and insert:

That section 902 of the Federal Aviation Act of 1958 (49 U.S.C. 1472) is amended by adding at the end thereof the following new subsections:

"AIRCRAFT PIRACY

"(i)(1) Whoever commits or attempts to commit aircraft piracy, as herein defined, shall be punished—

"(A) by death if the verdict of the jury shall so recommend, or, in the case of a plea of guilty, or a plea of not guilty where the defendant has waived a trial by jury, if the court in its discretion shall so order; or

"(B) by imprisonment for not less than twenty years, if the death penalty is not imposed.

"(2) As used in this subsection, the term 'aircraft piracy' means any seizure or exercise of control, by force or violence or threat of force or violence and with wrongful intent, of an aircraft in flight in air commerce.

"INTERFERENCE WITH FLIGHT CREW MEMBERS OR FLIGHT ATTENDANTS

"(j) Whoever, while aboard an aircraft in flight in air commerce, assaults, intimidates, or threatens any flight crew member or flight attendant (including any steward or stewardess) of such aircraft, so as to interfere with the performance by such member or attendant of his duties or lessen the ability of such member or attendant to perform his duties, shall be fined not more than $10,000, or imprisoned not more than twenty years, or both. Whoever in the commission of any such act uses a deadly or dangerous weapon shall be imprisoned for any term of years or for life.

"CERTAIN CRIMES ABOARD AIRCRAFT IN FLIGHT

"(k)(1) Whoever, while aboard an aircraft in flight in air commerce, commits an act which, if committed within the special maritime and territorial jurisdiction of the United States, as defined in section 7 of title 18, United States Code, would be in violation of section 113, 114, 661, 662, 1111, 1112, 1113, 2031, 2032, or 2111 of such title 18 shall be punished as provided therein.

"(2) Whoever, while aboard an aircraft in flight in air commerce, commits an act, which, if committed in the District of Columbia would be in violation of section 9 of the Act entitled 'An Act for the preservation of the public peace and the protection of property within the District of Columbia', approved July 29, 1892, as amended (D.C. Code, sec. 22-1112), shall be punished as provided therein.

"CARRYING WEAPONS ABOARD AIRCRAFT

"(l) Except for law enforcement officers of any municipal or State government, or the Federal Government, who are authorized or required to carry arms, and except for such other persons as may be so authorized under regulations issued by the Administrator, whoever, while aboard an aircraft being operated by an air carrier in air transportation, has on or about his person a concealed deadly or dangerous weapon, or whoever attempts to board such an aircraft while having on or about his person a concealed deadly or dangerous weapon, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"FALSE INFORMATION

"(m)(1) Whoever imparts or conveys or causes to be imparted or conveyed false information, knowing the information to be false, concerning an attempt or alleged attempt being made or to be made, to do any act which would be a crime prohibited by subsection (i), (j), (k), or (l) of this section, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"(2) Whoever willfully and maliciously, or with reckless disregard for the safety of human life, imparts or conveys or causes to be imparted or conveyed false information, knowing the information to be false, concerning an attempt or alleged attempt being made or to be made, to do any act which would be a crime prohibited by subsection (i), (j), (k), or (l) of this section, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"INVESTIGATION BY FEDERAL BUREAU OF INVESTIGATION

"(n) Violations of subsections (i) through (m), inclusive, of this section shall be investigated by the Federal Bureau of Investigation of the Department of Justice."

SEC. 2. Subsection (a) of section 903 of the Federal Aviation Act of 1958 (49 U.S.C. 1473 (a)) is amended to read as follows:

"VENUE

"SEC. 903. (a) The trial of any offense under this Act shall be in the district in which such offense is committed; or, if the offense is committed out of the jurisdiction of any

particular State or district, the trial shall be in the district where the offender, or any one of two or more joint offenders, is arrested or is first brought. If such offender or offenders are not so arrested or brought into any district, an indictment or information may be filed in the district of the last known residence of the offender or of any one of two or more joint offenders, or if no such residence is known the indictment or information may be filed in the District of Columbia. Whenever the offense is begun in one jurisdiction and completed in another, or committed in more than one jurisdiction, it may be dealt with, inquired of, tried, determined, and punished in any jurisdiction in which such offense was begun, continued, or completed, in the same manner as if the offense had been actually and wholly committed therein."

SEC. 3. Paragraph (4) of section 101 of the Federal Aviation Act of 1958 (49 U.S.C. 1301 (4)) is amended by striking out "operation or navigation or aircraft within" and inserting in lieu thereof the following: "operation or navigation of aircraft within".

SEC 4. Title XI of the Federal Aviation Act of 1958 is amended by adding at the end thereof the following new section:

"AUTHORITY TO REFUSE TRANSPORTATION

"SEC. 1111. Subject to reasonable rules and regulations prescribed by the Administrator, any air carrier is authorized to refuse transportation to a passenger or to refuse to transport property when, in the opinion of the air carrier, such transportation would or might be inimical to safety of flight."

SEC. 5. (a) That portion of the table of contents contained in the first section of the Federa Aviation Act of 1958 which appears under the heading "Sec. 902. Criminal penalties." is amended by adding at the end thereof the following:

"(i) Aircraft piracy.

"(j) Interference with flight crew members or flight attendants.

"(k) Certain crimes abroad aircraft in flight.

"(l) Carrying weapons aboard aircraft.

"(m) False information.

"(n) Investigations by Federal Bureau of Investigation."

(b) That portion of such table of contents which appears under the heading "TITLE XI—MISCELLANEOUS" is amended by adding at the end thereof the following:

"Sec. 1111. Authority to refuse transportation."

Mr. CURTIS. Madam President, will the Senator from Oklahoma yield for a question or two for the RECORD?

Mr. MONRONEY. I yield.

Mr. CURTIS. This is the so-called hijacking bill which the Senate debated for a period of 2 days, some time ago. Is that correct?

Mr. MONRONEY. The Senator is correct. This is the House-passed version of the bill which the Senate had previously passed by unanimous vote.

Mr. CURTIS. Are there major differences?

Mr. MONRONEY. I would like to explain the differences when I make my statement. Following my statement I shall move that the Senate accept the amendment of the House.

Madam President, this is the bill which was passed by the Senate on August 10, 1961, and which was passed by the House with amendments on August 23, 1961.

I have discussed the House amendments with the Senator from California [Mr. ENGLE] and the chairman of the committee [Mr. MAGNUSON], and it is our considered opinion that the Senate should concur in the House amendments without a conference or further amendment.

The substance and effect of the bill as passed by the Senate and as amended by the House are practically identical. We believe, however, that the bill has been substantially improved technically by the House amendments. The House amendment adds a new subsection to the Federal Aviation Act defining and specifying the punishment for aircraft piracy, rather than making the maritime statute applicable, as did the Senate bill. The House amendment also adds a needed provision with reference to the venue for trial of these offenses. Both of these changes, in our opinion, represent an improvement in the bill as passed by the Senate.

There is one problem with reference to the section prohibiting the carrying of concealed weapons aboard aircraft in that the Senate bill exempted law enforcement officers of any municipal, county, or State government from this prohibition, whereas the House bill uses the term "any municipal or State government", as did the bill as reported by the Senate committee, and makes no specific reference to county law enforcement officers. However, it is the view of the House committee, and was the view of the Senate committee, that county law enforcement officers are clearly included within the phrase "municipal or State government", so that no specific amendment to the House bill in this regard is necessary.

Madam President, it is important that the effective date of this statute not be unnecessarily postponed.

Mr. CURTIS. Madam President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CURTIS. In other words, the congressional intent is to include county law enforcement officers. Is that correct?

Mr. MONRONEY. We wish to make it clear that in the acceptance of the House amendment we intend that county officers be included. The separate reference to municipal officers is necessary, because they operate under municipal ordinances; but county officers enforce State law, and therefore are an arm of the State, whether they be employed by the county, or a parish, if the State happens to be Louisiana, or other divisions of State government.

Mr. CURTIS. The deletion of the words do not exclude county officers, but the contrary is true. Is that correct?

Mr. MONRONEY. County officers are not excluded from the exception. The only reason we are taking this matter up and urging that the House version be adopted, so we will not have to go to conference, is that we do not know when another airplane hijacking may occur. I think this is the best means for us to proceed, in order to take advantage of the work done by the Senator from California [Mr. ENGLE] in having the bill ready so we were able to move with great rapidity.

I do not find anything substantially wrong with the version of the bill before the Senate, although it changes the provision to a minor degree, and makes the maximum punishment of imprisonment for 20 years for interfering with flight crews apply to cabin attendants. The Senate bill did not so apply.

In order not to delay passage of this vital bill, which is one of the ways we intend to discourage the commission of this heinous crime, which could cause the loss of as many as 100 lives, I think we should take the bill as passed by the House.

Mr. ENGLE. Madam President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. ENGLE. I agree with the statement made by the Senator from Oklahoma. I believe we were right in the first instance in not applying to stewardesses the provision which applied to flight crew members who were actually employed in duties directly involving the safety of the aircraft. But the crime having to do with interference with stewardesses may be prosecuted, either under section 1 or the other section. We assume that, if it was a minor crime, like that of a drunk quarreling with a stewardess over whether or not he could keep his bottle, he would not be charged under the major punishment portion of the bill, but under the minor provision, which would not carry the heavy penalty.

In other respects, it seems the House has not significantly changed the bill. We put the word "county" in to be sure that county law enforcement officers required to carry arms were included under the law; but I think we should make it plain, as a part of the legislative history, that county officers acting as State officers in that respect are intended to be included, although not specifically mentioned.

Mr. MONRONEY. I agree, and I am sure the chairman of the full committee, the Senator from Washington [Mr. MAGNUSON], who exerted great effort to expedite the bill and have it ready almost immediately, would also agree. It perhaps would help in making the legislative history if he would state that county officers, in enforcing State law, are covered under the language of the bill.

Mr. MAGNUSON. The Senator is correct.

Mr. SCHOEPPEL. Madam President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to the distinguished ranking Republican member of the committee.

Mr. SCHOEPPEL. I wish to associate myself with the remarks made with reference to the proposal. Senators probably know, as they should know, that the bill originally started with the proposal of the distinguished Senator from California [Mr. ENGLE]. Our Aviation Subcommittee and full committee acted on the bill expeditiously, and certainly with the promptness and dispatch which should have governed our actions.

I regret that the ranking minority member of the subcommittee, the Sen-

ator from New Hampshire [Mr. COTTON] is not present today. He is unavoidably detained on official business in New Hampshire.

We think the proposal is an excellent one, and it is a mark of wisdom and judgment to take the House version. We are heartily in favor of it. I commend the Senator for calling it up.

Mr. MONRONEY. I thank the Senator very much for his valuable participation as well as that of the Senator from New Hampshire [Mr. COTTON] and the members of the committee on the minority side. They always cooperate for the greater safety of aviation.

Madam President, I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oklahoma.

The motion was agreed to.

Mr. MONRONEY. Madam President, I move to reconsider the action by which the Senate concurred in the House amendment.

Mr. MORSE. Madam President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

CONSERVATION OF MIGRATORY WATER FOWL

The Senate resumed the consideration of the bill (H.R. 7391) to promote the conservation of migratory waterfowl by the acquisition of wet lands and other essential waterfowl habitat, and for other purposes.

Mr. MAGNUSON. Madam President, for some years the Fish and Wildlife Service of the Department of the Interior has been engaged in a program for the acquisition of the so-called wet lands in the United States for the purpose of preserving and conserving those lands for use by wild birds and particularly waterfowl. The program was initiated some years ago and agreed upon, so far as the nature of the lands and the places in the various States are concerned. Those places include most of the States of the Union. There was agreement between the Fish and Wildlife Service and the States involved, whether with the Governor of the State or the regulatory agency, such as the State game commission in my State.

We learned that the annual appropriations, from the beginning, were insufficient for a seemingly modest program. About 4 years ago we checked with the Department of the Interior on the program and learned that if the program continued at the same slow rate it would be sometime after the year 2000 when we would acquire the minimum acreage of wet lands needed. We also learned that the duck stamps, which are purchased by many Members of the Senate, including the Senator from Washington, cost $2. The bill in this regard was originally reported by my committee on the basis that the money would be used for the acquisition of wet lands; in other words, the hunters, the Audubon Society people, the conservationists, and the wildlife people who bought stamps would pay for the acquisition of wet lands.

After we reviewed the program some 4 years ago we learned it would be something like a fantastic figure of 69 years before the minimum amount of wet lands would be acquired. Of course, in the meantime the value of lands has gone up, though not as much in the case of these particular lands as is true with regard to other lands.

We also learned that a great portion of the duck stamp money was being spent for administration.

We passed a law, with the support of all the people interested in the problem and the administration and the States involved, to increase the price of the duck stamp from $2 to $3, and also provided that all the money collected would be used directly for the acquisition of wet lands and that, when the lands were administered, the Department of the Interior should come to the Congress for a direct appropriation for the administration of the lands.

I think last year was the first year the $3 charge for the duck stamp was in effect.

The $3 charge for the duck stamp will bring in between $4½ and $6 million, to be put into the fund.

We learned further, in reviewing the program, that the acquisition of wet lands was not proceeding as fast as deemed desirable, even with the $3 charge for the duck stamp.

This year there will be a great shortage of ducks, I am told by the experts on wildfowl and waterfowl, because of the drought situation.

Many of us belong to an organization called Ducks Unlimited, for which we pay $2 or $3 a year.

The Senator from South Dakota has just handed me a duck stamp. It may not be good for this year, but perhaps it will be good for next year.

We have been trying to conserve the great natural resources for the waterfowl. We have had excellent cooperation with the Canadian Government as to the breeding grounds north of the United States. Only recently we have had better cooperation with the countries of Latin and South America, where some of the ducks go. The enforcement there has been a very difficult problem. The Mexican Government has been very considerate in regard to the problem. We never did get a treaty signed with Cuba, where the ducks are slaughtered in the winter season. I do not expect we will get a treaty now.

The program was proceeding slowly, but fairly well. The $3 duck stamp will bring in between $4½ and $6 million.

A shortage of ducks and waterfowl has a direct effect on the amount of proceeds from the sale of stamps. If duck hunting is not very good, the duck hunters do not buy many stamps. We hope to increase the sale of duck stamps by doing the job of acquiring and preserving the wet lands. That is the reason for the bill being before the Senate.

The bill is a House-passed bill. The House passed it on July 10, 1961. There was little or no opposition to the objectives of the bill.

The House passed a bill to authorize appropriations of $150 million over the next 10 years—that is, $15 million a year—and provided that at least 75 percent of the proceeds from the sale of duck stamps would be returned to the Treasury, until the amount was repaid. The House-passed bill also provided that, in the discretion of the Secretary of the Interior, at the end of 5 years, if the program was working out well, the price for the duck stamp could be raised from $3 to $4, and at the end of 10 years it could be raised to $5.

The Senate committee decided we could meet that problem about the duck stamps when we got to it, and we allowed the $3 charge for the duck stamps to remain, but we recommended authorizing appropriations of only $50 million for the next 5 years; that is, $10 million a year. This, would add to the moneys obtained from the sale of duck stamps, would bring in $50 million for the purchase of wet lands to speed up the program.

We changed the provision with regard to 75 percent of the proceeds by making it mandatory that 90 percent of the proceeds of all duck stamp sales would be returned to the Treasury.

In effect, this is a program of borrowing a little from the Treasury.

We added an amendment to the bill—we do this, anyway, but thought we would make it more safe—to provide that no lands should be purchased under the plan unless the Federal Government and the State involved had a complete agreement, either with the Governor or the State agency, such as the State game commission in my State. It is provided that they must be in complete agreement as to the nature of the lands and the acreage involved.

I should like to point out certain significant figures. The Senate committee held hearings for two sessions. The House committee held quite lengthy hearings. Originally, when the program was started, 127 million acres of wet lands were available in the United States. Now only 22½ million such acres are available which are of any significant value. We have cut the number in half, and said that 12½ million acres would be a safe minimum to acquire. The Federal Government would hold only 4½ million of those acres, and the remainder would be held by the States. In some cases there might be a coordinated program. Since July 1, 1960, all proceeds of the sale of duck stamps have been going for the acquisition of land and the enforcement of regulations, and that is the way we want the program to continue.

Most of the wildlife groups, such as the Audubon Club, Ducks Unlimited, and others which are interested in State game commissions, were in favor of an acceleration of the program by the proposed method. If we were to operate the program as we should and acquire the small minimum acreage suggested, we might increase the waterfowl population of the North American Hemisphere to the extent that the amount of money received from the sale of the $3 duck stamps might increase beyond the

amount now received, which is between $4½ million and $5 million. If that were the case, and if an increase of 15, 20, or 25 percent took place, then, of course, the amount would come in every year, and would go back to the Treasury to repay the amount expended. There would be no cost except to those who purchase the stamps.

Mr. CASE of South Dakota. Madam President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. CASE of South Dakota. First, I believe that a measure of the kind before the Senate is eminently justified. A unique plan has been devised whereby money could be made available at an earlier date than it would be if an accumulation of the fund were left to the proceeds of duck stamps.

There are two reasons for urgency. One is that some of the lands that should be acquired are going out of the market, so to speak. The second reason is that the price of the lands to be acquired is rising. For those reasons an acceleration of the program is greatly to be desired.

I should like to ask the distinguished chairman one question. It has reference to the proviso that is proposed to be added at the end of the bill.

The committee amendment reads:

Provided further, That no land shall be acquired with moneys from the bird migratory conservation fund unless the acquisition thereof has been approved by the appropriate State or State agency.

In presenting the bill the Senator from Washington referred to the Governor. Does the chairman consider the proviso to refer to approval by the Governor, or approval by the appropriate State, or does he have in mind an act of the State legislature?

Mr. MAGNUSON. I believe it is intended that the Governor or the appropriate State agency would give approval. In some States game commissions are established by State law. The members of the commission are appointed by the Governor and they have the control, responsibility, and authority on questions dealing with game laws.

In some cases there is a State game commissioner, who is merely a member of the executive branch of the State government. We wanted to provide for both types of State organization.

Mr. CASE of South Dakota. What I seek to do is to bring out the question of whether the language used would do exactly what the chairman has suggested. Would it not be better to have the proposed legislation read "has been approved by the Governor of the State or the appropriate State agency?"

The bill states "by the appropriate State."

Mr. MAGNUSON. I believe that was an error. Does the Senator have the Senate bill?

Mr. CASE of South Dakota. I have a copy of the pending bill, H.R. 7391.

Mr. MAGNUSON. In other words, the Senator from South Dakota would suggest that, on page 2, line 20, the language read:

Provided further, that no land shall be acquired with moneys from the migratory bird conservation fund unless the acquisition thereof has been approved by the Governor of the State or the appropriate State agency.

Mr. CASE of South Dakota. That is what I am suggesting. I am a little uncertain as to what is meant by the language "appropriate State or State agency."

Mr. MAGNUSON. I see what the Senator means. I think his suggestion would clarify the language. I am glad to accept the amendment.

Madam President, I ask unanimous consent that the committee amendments be considered en bloc, and that the bill as thus amended be considered as new text for the purpose of amendment.

The PRESIDING OFFICER. Is there objection to the request? The Chair hears none, and the committee amendments are considered and agreed to en bloc.

The committee amendments agreed to are as follows:

On page 1, line 7, after the word "the", to strike out "ten-year period" and insert "five-year period"; in line 8, after the word "exceed", to strike out "$150,000,000" and insert "$50,000,000"; on page 2, line 9, after the word "year", to strike out "1972" and insert "1967"; in line 11, after the word "comprising", to strike out "75 per centum" and insert "90 per centum"; in line 15, after the word "aforesaid", to strike out "ten-year period" and insert "five-year period", and in line 17, after the word "fiscal", to strike out "year." and insert "year: *Provided further,* That no land shall be acquired with moneys from the migratory bird conservation fund unless the acquisition thereof has been approved by the appropriate State or State agency.".

Mr. CASE of South Dakota. Madam President, I offer my amendment.

The PRESIDING OFFICER. The amendment of the Senator from South Dakota will be stated.

The LEGISLATIVE CLERK. On page 2, line 20, it is proposed to strike out the word "appropriate" and insert the words "Governor of the", and on the same line, following the word "or ", insert the word "appropriate".

Mr. CASE of South Dakota. Madam President, the language would then read, "been approved by the Governor of the State or appropriate State agency."

The PRESIDING OFFICER. The question is on the amendment of the Senator from South Dakota.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. CASE of South Dakota. Madam President, the Senator from Washington has referred to cooperation with Canada with respect to the area where ducks are produced. It is true that there is a drought in a portion of the great prairie country. It extends into Canada and the great natural breeding grounds there. For that reason steps in this direction are most important so that we can bring about the necessary conservation at the earliest possible date in order to conserve the natural breeding grounds of the migratory waterfowl.

Mr. MAGNUSON. I cannot conceive of any acreage of wetlands that it is intended to purchase in the next 3 or 4 years that has not already had the joint approval of all the States and everyone else involved.

Mr. HRUSKA. Madam President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. HRUSKA. As a member of the Migratory Bird Conservation Commission, I have observed such procedure to be the practice in the 4 years in which I have been a member thereof. In spite of the absence of the type of amendment contained in the committee amendment, that always is the practice of the Commission. Normally at meetings of the Commission at which land is acquired, and approval of such acquisition is had, there are present representatives of the official appropriate agency of the State in which the land is located. There has already been processed before that time the area of agreement between the Federal agencies and the State agencies which makes the approval possible. So on that score I reassure the Senator from South Dakota, as well as the Senator from Washington, that the practice is already invoked.

Mr. MAGNUSON. The matter was explained to some Members of the Senate, and some witnesses testified to it also, but it was felt that it might represent a little safeguard in case we were to run into it in one place or another.

Incidentally, I wish to return to the Senator from South Dakota his license. I would say to him that he will soon have to get a new one, because this is a 1960 license. It is a small game license, and the fee is $2. Then there is a duck stamp here, $3; also a wild turkey license in South Dakota, $2. He will have to get a new one. [Laughter.]

Mr. CASE of South Dakota. I note that the duck stamp is good until the 30th of June, 1961.

Mr. MAGNUSON. Yes, but the Senator will have to get a new stamp.

Mr. CASE of South Dakota. I will get a new one as soon as a new duck season comes around again.

Mr. MAGNUSON. A great deal of work and planning has been done to encourage the sale of more of these duck stamps. It is very significant to note that a great number of people who buy the duck stamp do not hunt ducks. They want to preserve wildlife and wet lands. The purchase of these stamps is encouraged by many organizations, notably the Wildlife Federation, Field and Stream Magazine, by hunting and bird magazines, and many other organizations.

Mr. HRUSKA. Some of those who purchase the stamps do not use them at all. For example, Members of Congress whose sport used to be to go duck and geese shooting now just hope to go duck and geese shooting

Mr. MAGNUSON. That is correct. The Senator is looking at one of those Members of Congress right now.

Madam President, this is a good bill. It is a good program. I believe that in a year or two it will be a self-revolving fund. Perhaps 5 years from now we may need authority to raise the price to $4. If so, I think we can do that, and find some justification for it. However,

I believe we should go the way we are going.

Mr. HRUSKA. Madam President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. HRUSKA. As the Senator from Nebraska understands, the jurisdiction and the processes of the Migratory Waterfowl Conservation Commission would not be in any way changed or altered by the bill. Is that correct?

Mr. MAGNUSON. That is correct. The purpose of all this is really to enact a finance bill to raise the wherewithal to do something that the Senator and his associates have recommended.

Mr. HRUSKA. It is not a finance bill, inasmuch as it is an authorization bill subject to the regular appropriation process.

Mr. MAGNUSON. That is correct.

Mr. HRUSKA. What that amounts to is that it is subject to appropriations each year, and it amounts to a prespending arrangement for the revenues derived from the sale of the duck stamps.

Mr. MAGNUSON. That is correct; this coming year it will be, but I believe the revenues will catch up.

Mr. HRUSKA. The revenues which the sale of the duck stamp will produce can be spent in each of the next 5 years, in addition to the appropriated funds under the bill. Is that correct?

Mr. MAGNUSON. Yes; but later we are taking 90 percent of the proceeds of the duck stamp sales and putting them back into the Treasury.

Mr. HRUSKA. But not until 1967.

Mr. MAGNUSON. That is correct. It does not start until 1967.

Mr. HRUSKA. So until that time the Conservation Commission will be entitled to spend not only the proceeds from the sale of the stamp but also any moneys appropriated pursuant to the authority contained in the bill.

Mr. MAGNUSON. Whatever Congress would regularly appropriate.

Mr. HRUSKA. It is for the purpose of accelerating the acquisition process of the wet lands, which are fast disappearing.

Mr. MAGNUSON. Knowing the Appropriations Committee as I do, I would think that there would not be a great deal more over and above the proceeds from the sale of the duck stamp that would be appropriated in the next 5 years.

Mr. HRUSKA. The proceeds from the sale of the duck stamp need not be appropriated.

Mr. MAGNUSON. Yes; I said over and above that.

Mr. HRUSKA. Over and above that?

Mr. MAGNUSON. Yes.

Mr. HRUSKA. Then what is the purpose of the bill? Starting with the fact that the duck stamp now produces about $5 million in revenue, how much will be available in fiscal year 1963 with this bill ripening into law?

Mr. MAGNUSON. If we authorize the Senate version of it, $10 million a year plus proceeds from the sale of duck stamps. The Department of the Interior would have authorization to come before the Appropriations Committee, in order to keep the program going, and ask for an extra $10 million for that particular year.

Mr. HRUSKA. So that it would fill it out to the $10 million.

Mr. MAGNUSON. Yes. That was the understanding.

Mr. HRUSKA. The statement of the Senator from Washington was that $55 million would be available if this law became effective.

Mr. MAGNUSON. Fifty million dollars for 5 years. That is $10 million a year.

Mr. HRUSKA. Ten million dollars a year?

Mr. MAGNUSON. Yes.

Mr. HRUSKA. That is by way of authorization?

Mr. MAGNUSON. By way of authorization, yes.

The PRESIDING OFFICER. The bill is open to further amendment.

VISIT TO UNITED STATES BY EXCHANGE BROADCASTERS

Mr. KEATING. Madam President, I call attention to the present visit in the United States of 21 radio and television broadcasters representing stations in Africa, Europe, the Far East, the Near East, south Asia, and South America. These visitors, all of whom hold important positions in the radio and television industries of their own countries, have come to America for the eighth consecutive year to study the advanced techniques of American radio and television broadcasting.

Under State Department sponsorship, the program is administered by the Television and Radio Center of Syracuse University, where the broadcasters will attend a special 4-week seminar. They will also spend considerable time in New York City to observe the operations of the major networks.

The last few weeks of their program will give each visitor an opportunity actually to observe and work in two different radio or television stations.

Madam President, the United States, and in particular New York State, has been in the vanguard of radio and television broadcasting since the origin of broadcasting. This exchange program can be of tremendous benefit to these visitors in showing them the operational techniques of American broadcasting. They will also have ample opportunity to see our economic, social, and political systems at work throughout the country, to observe the advantages of a free and responsible broadcasting industry, and to achieve a better understanding of American life.

I extend to these broadcasters a hearty welcome to the United States, and particularly to New York State, where they will be spending much of their time. I hope the trip will be beneficial and enjoyable for all.

Madam President, I ask unanimous consent to include after my remarks a copy of the Department of State press release describing the program in more detail and listing the names, nationalities, and positions of these exchange visitors.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

RADIO AND TELEVISION BROADCASTERS FROM 18 COUNTRIES TO OBSERVE U.S. BROADCASTING INDUSTRY UNDER STATE DEPARTMENT PROGRAM

A group of 21 radio and television broadcasters representing stations in Africa, Europe, the Far East, the Near East, South Asia, and South America, will arrive in Washington today to participate in a special exchange program sponsored by the Department of State. The 4-month program is designed to better acquaint the participants with the American people and the operations of the American radio and television industry.

The visitors, all of whom hold program or administrative positions with radio and television organizations in their own countries, will have the opportunity to exchange ideas with American radio and television experts and to view American broadcasting in action in many different communities throughout the Nation.

This is the eighth consecutive year that the State Department has sponsored such a program. It will be administered by the Television and Radio Center of Syracuse University. Dr. Eugene S. Foster and Mr. Richard M. Cobb of the university are now in Washington to meet with the group and assist the Department of State in launching the program. The group will spend 2 weeks in Washington for orientation at the Washington International Center. While here the broadcasters also will visit various Government agencies, and observe the operations of the Voice of America.

The group will then go to Syracuse University for a special 4-week seminar which will include comparison of American broadcasting practices with broadcasting in other parts of the world, and prepare the visitors for their assignments to American broadcasting stations later in the program.

Early in October the broadcasters will visit Boston for a week and will then spend 2 weeks in New York City, where they will observe the operations of the major networks. They will then attend the annual conference of the National Association of Educational Broadcasters in Washington.

From late October through early December each visitor will be placed in two different radio or television stations for periods of 3 weeks each. The visitors will observe the day-to-day broadcasting operations as well as the relationships of the stations to the communities they serve.

The broadcasters will assemble in Washington for a week of discussion on their experience before returning home on December 21.

The visiting broadcasters are:

AFRICA

Republic of Congo: Felix Lambert Tathy, press attaché, Congolese Ministry of Information, Brazzaville.

Nigeria (2): Emanuel Belo Fadaka, service manager, NBC, Lagos. Christian O. Scott-Emuakpor, program assistant, Nigerian Broadcasting Corp., Lagos.

Republic of Somali: Mohammed Hasci, management of Somali Radio, Mogadiscio and Hargeisa.

EUROPE

Greece: Dimitrios Constantinidis, director, drama department, Greek National Broadcasting Institute, Athens.

Italy: Adolfo Pitti, staff member, RAI–TV program, Rome.

Norway: Steinar Bjarne Brauteset, program editor, Norwegian Broadcasting System, Oslo.

Poland: Ignacy Waniewicz, chief editor, scientific and educational programs, Polish TV, Warsaw.

Sweden: Ivar Gustav Ivre, assistant director, Swedish TV, culture and lecturers department, Stockholm.

FAR EAST

Malaya: Abdul Aziz bin Abu Hassan, broadcast assistant, department of broadcasting, Penang.

Philippines: Renerio Corcino Tan, assistant station manager and production manager, DYRL, Bacolod.

Singapore (2): Ismail bin Hassan, senior Malay program producer, Radio Sarawak. Claude Doral, acting head of program section, broadcasting division, Radio Singapore.

NEAR EAST AND SOUTH ASIA

India: Nand Lal Chowla, station director, All-Indian Radio, New Delhi.

Pakistan: Sajjad Haider, regional director, Radio Pakistan, Hyderabad (Sind).

SOUTH AMERICA

Argentina: Eduardo Jorge Celasco, producing and directing programs, channel 13, Buenos Aires.

Brazil (2): Ronald Sanson Stresser, owner and general manager, Radio Colombo do Pasona Ltda., Rio de Janeiro. Jose Gerardo Barbosa Lima, program director, Ceara Radio Club, Rio de Janeiro.

Ecuador: Hugo Delgado Cepeda, announcer, Guayaquil television station, Guayaquil.

El Salvador: Victor Cincinato Barriere, general manager, Television Salvadorena, SA, San Salvador.

Mexico: Luis A. Rivas Aguilar, manager, XEFC, Mexico City.

ADDRESS DELIVERED BY HON. HARRY F. BYRD AT BERRYVILLE, VA.

Mr. BYRD of Virginia. Madam President, on Saturday, August 26, 1961, I made a speech at Berryville, Va. I ask unanimous consent that the address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

After 50 years of public service in Virginia—and I am profoundly grateful for the honor of having been allowed to serve—I shall attempt today, as best I can, to define Virginia conservatism.

Before attempting this definition, I want first to pinpoint the differences between the views of a leading liberal of today and what I regard as my constitutional duty as a Member of the U.S. Senate, representing Virginia.

Senator JOSEPH CLARK, of Pennsylvania, is recognized as such a liberal. Last November he said I should be purged as chairman of the Senate Finance Committee if I would not support the proposals of the socialistic platform written by Chester Bowles and adopted by the National Democratic Convention last summer.

He made no charges against me. He did not allege that I had abused the position of committee chairman. He professed personal friendship. But he announced he would attempt to defeat my continuation as chairman if I would not blindly support a political party platform.

In reply I stated publicly that I was unalterably opposed to nearly everything in the platform; that I intended to fight everything inimical to the best interest of this country, in or out of the platform; and then I challenged him to take his fight to the Senate floor.

I said, as a Member of the Senate, my first allegiance was to the people of Virginia, and I recognized no outside control over my vote. The Virginia delegation to the convention opposed the platform, and the Honorable Lewis McMurran, a member of the Virginia House of Delegates, denounced it from the convention floor.

In my letter to Senator CLARK, dated December 2, 1960, I said in part:

"My allegiance is to Virginia, where the people have elected me six times to the U.S. Senate. I have what is to me the supreme honor of having served in the Senate longer than any other Virginian in history. I recognize no control over my votes in the Senate from any outside influence including the national Democratic convention and a caucus of my Democratic colleagues in the Senate.

"In my votes in the Senate I will follow the basic principle of our representative democracy, that a public official owes his allegiance primarily to those who elected him. I will submit to no coercion such as you propose, in performing my duties as a Senator from Virginia.

"Am I to be purged as chairman of the Finance Committee because I refused to support measures which I believe to be dangerous to the Republic I pledged myself to serve faithfully and to the best of my ability?"

Thus, there was presented a clear issue between present-day liberalism and conservatism. It was fundamental. Senator CLARK took his fight to the floor. He got one vote—his own. The Senate of the United States upheld the fundamental concept that a U.S. Senator owes his first allegiance to the people of his State, except in extreme national emergency.

I think fundamentals are at the base of Virginia's conservatism, whatever the definition may be. Generation after generation, we have consistently followed the principles established by those immortal Virginians who laid out the province of our constitutional and representative democracy.

Virginians of today still believe in the Jeffersonian doctrine that the least governed people are the best governed. We oppose the vast and increasing concentration of power in the Federal Government at Washington, and we are alarmed by it.

We firmly adhere to the fundamental principles that this Nation is a confederation of States, and the Federal Government is confined to the powers given it by the original Constitution and amendments legally adopted by not less than three-fourths of the States.

In simple language, Virginia wants to preserve the fundamental principles under which, in the brief span of 160 years, with only 6 percent of the world's population, we became the most powerful Nation in history.

We had already known the tyranny of a remote monarch when George Washington led us in the Revolution; and more than once we have known the oppression of unrestrained central government at home.

We have recently witnessed the unconstitutional usurpation of power by the Warren Court. Its integration decision at the same time struck down previous Supreme Court decisions on the subject, and struck at the heart of the rights of States.

Virginia was the cradle of the Republic. We devised the first representative government in the New World at Jamestown. Our forefathers led the fight for liberty; they conceived the principles on which the Nation was founded; and they put them into effect.

We felt the iron hand of military rule in the terrible Reconstruction days. In the War Between the States we suffered devastation seldom equalled in all history. We endured the tortures of rising from its ashes. We asked for no outside aid; and we received nothing but the suppression of carpetbag rule.

We have experienced the cruel hazards of public debt and the long and costly burden of paying it off. We contracted a $35 million debt 126 years ago, in 1835, for public works. That was a lot of money in those days. At that time we could not foresee that war was coming, or that West Virginia would secede.

But war did come; and West Virginia did secede, and for 40 years she refused to pay her share of that debt. The interest quadrupled the principal. To the great credit of Virginia let it be said that, despite war devastation and loss of territory, she paid off and funded every dollar of that debt and the interest.

Virginia has never issued a State bond since we learned that lesson, and today we are one of three States in the Union free of State indebtedness.

The word "conservation" has great and constructive meaning however it is used; the variations of it are especially meaningful in analyzing the Virginia attitude. The word comes from "conserve" which, according to Webster, means "to keep in a safe and sound state."

This is a high and worthy purpose, whether applied to natural resources or political principles and institutions. The political definition of a "conservative"—again according to Webster—is one who "favors conservation of existing institutions and forms of government."

Conservatism, as we understand it in Virginia, means to accept responsibility for preserving and protecting our basic principles and institutions while exercising the privilege of using and developing them.

What are these basic principles? There are others, but foremost I list States rights, and the independence of the three separate but coordinate branches of government. This combination provides the check and the balance to insure against concentration of power which, by experience, we have learned to fear.

These, and others, are the principles on which we achieved our liberty and our freedom for the pursuit of happiness. They are the base of our greatness.

Virginia is known as conservative because we adhere to the fundamentals of our form of government and we will fight to protect them. In this I think we can take great pride.

No nation ever had higher purposes; a better system of government has never been devised. It is not a pure democracy; but it is a brilliant and practical approach to it. The contributions of great Virginians to its formation are unparalleled.

In Virginia we know the blessings of our form of government, and experience has taught us its dangers. We know the need for checks and balances. We know that, under the Bill of Rights, powers not specified as Federal are retained by the States and the people.

We do not forget that Jefferson warned us against usurpation of power by the Federal Supreme Court; and we recognize this usurpation in Warren Court decisions which have been chipping away at the fundamentals of our representative democracy.

Andrew Jackson, a great liberal of his day, took pride in paying off the Federal debt, and he had the Jefferson warning in mind when the Federal Supreme Court of his time rendered its decision in the Cherokee case. He said, "Now that Marshall has made his decision, let him enforce it."

Virginia resisted the Warren Court integration decision in defense of the principles on which it believes this Nation was founded. We shall always defend these principles to the extent of our strength, and regardless of how ruthlessly we are crushed.

Washington warned us against "change by usurpation," because "it is the customary weapon by which free nations are destroyed." If we have a deeply rooted mistrust of unrestrained rule by central government, there are reasons for it.

Along with the fundamentals I have mentioned, there are more. They may be summarized as self-reliance, thrift, and the opportunity for every American to start at the bottom and go to the top—if he has the energy and capacity to do so.

We believe in these fundamentals as we believe in the system of free enterprise and free competition. This is the system that makes possible the independence, liberty, and freedoms we enjoy. How else could we achieve material prosperity and cultural accomplishment? Virginia's conservatism takes these beliefs seriously, and we fight to preserve them.

There are still more reasons why Virginia is called conservative. Another is best personified by Jefferson, himself. No American has been more constructively liberal than Jefferson. He stands second to none in his eagerness for sound progress in furthering the general welfare of people and the Nation.

His liberalism is our conservatism of today. The people of Virginia learned from Jefferson. They stand with him now because his was a sound liberalism developed from the conservative base of strong Federal, State, and local governments in their respective areas, sound financing, informed electorate, etc.

These are not deterrents to progress. They are the basis for it. They contemplate growth in the Nation's size, resources, and population. They provide the freedom necessary for varied approach to worthy objectives.

The distorted connotations of the words "conservative" and "conservatism" promoted by the self-styled liberals of today are in sharp contrast to those of Webster which I have cited. As usual, Webster is right.

Virginians are not reactionaries. We do not turn back the hands of the clock. We do not necessarily defend the status quo. But neither do we assume that change is necessarily progress. We want progress, but we want sound progress.

Basically, we wish to solve our problems within the framework of fundamental principles. We have proved to ourselves that this can be done. We know their violation leads to a chain of troubles.

We reject the prevalent idea that progress is measured by the size of public debt and expenditures. Virginia is free of State debt for all intents and purposes. But the Federal Government goes deeper and deeper into debt, and we are assessed for its principal and interest.

The number of people in Virginia is about average for the 50 States. Therefore, on a per capita basis, our share of the $300 billion Federal debt is about $6 billion. This is more than $1,500 for each man, woman and child in the State. Interest on the Federal debt runs to more than $9 billion a year. This averages $45 a year in interest for every man, woman, and child in Virginia.

In Virginia we believe sound progress is built on fiscal conservatism, and we have the record to prove it. Since the end of World War II, Virginia's progress has exceeded the national average in population—both urban and rural; and in personal income—both total and per capita.

This is the case also with respect to manufacturing plants, their employment, and their payrolls. It is true also with respect to the capacity to generate electric power, and the power generated.

Since World War II, Virginia has exceeded the national average with respect to increase in the number of retail establishments and their sales; life insurance purchased; bank assets and deposits; number of telephones; automobile registrations, etc.

Thirty-five States have more land area than Virginia, but only 19 States have more surfaced highway mileage, and only 8 States exceed Virginia's 4-lane highway mileage. Ninety-six percent of Virginia's 54,000 miles of roads is surfaced.

Virginia is the only State to construct and maintain a statewide highway system without bonded indebtedness, financed on a pay-as-you-go basis from gasoline and automobile taxation.

People from the world over are attracted to Virginia. Automobile tourists in the State number 35 to 40 million a year. The motor tourist business alone in the State amounts to some $775 million annually, and Virginia ranks near the top among the States which people like to visit.

Virginia ranks 14th among the 50 States in population; it ranks 15th in personal income; it ranks 16th in total expenditure for purposes of education; and it ranks 17th in capital outlays for education.

Not only has Virginia exceeded the national average in population increase since World War II; its population increase in the past 10 years exceeds that of all but two Southern States—Florida and Texas. The increase in Virginia was 19.5 percent as compared with 12.2 percent in North Carolina.

Commerce Department figures show the increase in Virginia's personal income between 1950 and 1960 exceeded the rise in every Southern State except Florida. During the decade Virginia's personal income rose 82.7 percent as compared with an increase of 74.9 percent in North Carolina.

In State and local taxes, per $1,000 of personal income, Virginia takes less from its citizens than any other Southern State, and in the whole Nation only three States take less—Missouri, Delaware, and Alaska.

State and local taxes, per $1,000 of personal income, in Virginia average $69.69, as compared with the high of $122.84 in South Dakota, and $81.55 in our neighboring State of North Carolina.

These are some of the facts which may be cited to document the record of sound progress in Virginia during recent years. There are many more. The story they tell is another part of the answer to the question, "Why is Virginia conservative?"

Virginia's policy should always be one of sound progress. This is our nature. We look forward to programs of even more solid achievement in education, health, highways, industry, agriculture, and, in fact, in all areas of State responsibility; and I think we have every reason to expect them.

The reasons for Virginia's conservatism may be summarized in four parts: Deep background in the development of the American system; great ordeals under oppression of centralized power; unwavering adherence to principles; and belief in sound progress.

Our attitude generally has never been expressed better than Thomas Jefferson put it in an 1816 letter to Samuel Kerchival. He said: "A departure from principle in one instance becomes a precedent for a second; the second for a third; and so on until the bulk of society is reduced to misery without sensibilities, except for sin and suffering. The forehorse of this frightful situation is public debt. Taxation follows that, and in its train there is wretchedness and oppression."

In contrast with conservatism and no debt in Virginia, let us in conclusion examine the attitude and the situation in the Federal Government.

For more than 15 years the United States has been acting as the policeman for the free world, the banker for the free world, and the Santa Claus of the free world.

The Federal debt is increasing every day. The Federal deficit in the past year was $4 billion. The Federal deficit in the present fiscal year may reach $10 billion.

We continue to spend and spend, and tax and tax, and borrow and borrow, without regard for the consequences. Our dollar in the past 20 years has lost more than half of its purchasing power.

We have balanced the Federal budget only 6 times in 30 years. It is possible that the Federal budget may not be balanced for many years to come. On the basis of present proposals and current trends, the Federal Government may be spending more than $100 billion a year within 3 to 5 years.

Recent Congresses appear to have totally disregarded the fact that the most sacred duty of the legislature is to act as trustees for the soundness of the Nation's future.

Congress today, and for the past 30 years, has looked only to the present, not to the future. It has allowed Federal debt to be piled on top of Federal debt, to be paid off by generations to come.

I have the positive conviction that no Member of Congress today will live to see the Federal Government pay off any part of the debt now being created every day. It will be passed on to our children and grandchildren. This is as wrong as it is unnecessary.

Every day new programs are presented to Congress for nonmilitary expenditures. It is proposed that we spend $40 billion to go to the moon. If we go to the moon at all, we should go on a pay-as-you-go basis.

We were asked to spend $20 billion in Latin America, and give a blank check to the President for the purpose of making foreign loans in so-called less developed areas.

I offered an amendment in the Senate to provide for these expenditures, if at all, only to the extent of annual appropriations by Congress. When Congress, most closely representing the people of this country, loses the power over the purse to the executive branch, we shall have lost one of the vital instruments of check and balance in our system of government.

In all of this we are playing into the hands of Khrushchev. The Russian dictator is doing all in his power to destroy us from within. Our form of government and our free enterprise system are high on his list of prime targets.

This is the time for all of us to ask ourselves these searching questions:

How long can we continue to spend, tax, and borrow at the present rate?

Are we on a permanent deficit basis?

When will the breaking point come?

Profligate spending has gone hand in hand with concentration of power in the Federal Government. Can democracy survive if we impair our solvency?

Can we continue to move into a socialistic welfare state and preserve the freedoms that have made us great?

Should we not take warning from the fact that the purchasing power of the American dollar has declined sharply and is still going down?

We must reduce all nondefense expenditures which may be desirable, but not necessary.

It is imperative that we keep up our military strength, but this is not possible without fiscal preparedness as well.

In Virginia we understand that first things come first. The Virginia I know so well and love so much is not living in the past. We are vitally aware of the requirements of the present.

The trials Virginia has suffered, and her long experience, serve her well in reckoning with existing conditions and preparing for the future. Her progress is dependable, based on the principles she knows to be sound.

For all of these reasons, and probably more, Virginia's conservatism is a symbol throughout the Nation, and basically it follows the philosophy of Thomas Jefferson and George Washington.

CONSERVATION OF MIGRATORY WATERFOWL

The Senate resumed the consideration of the bill (H.R. 7391) to promote the conservation of migratory waterfowl by the acquisition of wetlands and other essential waterfowl habitat, and for other purposes.

Mr. HRUSKA. Madam President, first, I wish to commend the distinguished Senator from Washington [Mr. MAGNUSON] for having had considered in the Committee on Commerce, of which he is the chairman, the bill H.R. 7391 and also for his presentation of the bill before the Senate.

Madam President, I am a member of the Waterfowl Conservation Commission, on which serve not only two Members of the Senate, but also two Members of the House of Representatives and the Secretary of the Interior, the Secretary of Commerce, and the Secretary of Agriculture.

Speaking from the experience I have had as a member of the Commission, I share the firm finding of the committee and its conclusions that there is a need for the accelerated spending of additional moneys from the public Treasury for the acquisition of the wetlands for waterfowl, for their increase and, in fact, in some cases, their preservation. It is only through that method that there will be precluded the possibility of those lands being used in the meantime for other purposes or reclaimed, as it were, and made unavailable for these uses in the years which lie ahead. Once they are gone, they will never again be available for these purposes.

There is one feature of the bill for which I am particularly pleased; namely, that it is an authorization bill rather than a bill which would permit the drawing on the Treasury for the next 5 years of $50 million without further reference to Congress and its regular appropriations processes.

The bill is an authorization bill. It authorizes the expenditure of $50 million over a period of the next 5 years. As I understand, any amount which is appropriated by the Committees on Appropriations in the succeeding 5 fiscal years will be available for expenditure through the regular processes of the Migratory Waterfowl Conservation Commission, in addition to the funds which will be produced by the sale of duck stamps, to which reference has been made. I presume it will be up to the Department of the Interior and other interested agencies to appear before the Committees on Appropriations each year and present their justification for such amount over and above the amount required as the proceeds from the sale of duck stamps, but not to exceed $10 million a year, and certainly not more than $50 million in the 5 years, for the purposes which are outlined in the bill and also in the Migratory Bird Hunting Stamp Act of 1934, as amended.

Mr. KEATING. Madam President, will the Senator from Nebraska yield?

Mr. HRUSKA. I yield.

Mr. KEATING. Am I not correct in understanding that the bill provides for a backdoor spending method of raising these funds?

Mr. HRUSKA. I had not so understood. It is an authorization bill. It authorizes annual appropriations to be made in the regular course of business.

Mr. KEATING. I appreciate that explanation.

Mr. HRUSKA. I refer to section 2, beginning at the bottom of page 1, which reads:

> SEC. 2. Funds appropriated each fiscal year pursuant to this Act shall be accounted for, added to, and used for purposes of the migratory bird conservation fund established pursuant to section 4 of the Migratory Bird Hunting Stamp Act of March 16, 1934, as amended.

There is also a statement in the first section of the bill, following the enactment clause, which reads:

> There is hereby authorized to be appropriated for the five-year period beginning with fiscal year 1962 not to exceed $50 million.

Does that answer the question of the Senator from New York?

Mr. KEATING. I am not certain that it does. Section 3 provides:

> Funds appropriated pursuant to this Act shall be treated as an advance, without interest, to the migratory bird conservation fund.

Mr. HRUSKA. That is correct.

Mr. KEATING. The language continues:

> Such appropriated funds, beginning with fiscal year 1967, shall be repaid to the Treasury out of the migratory bird conservation fund.

I do not know whether the bird conservation fund has anything to do with the Byrd amendment, but that language sounds to me very much like backdoor spending.

Mr. HRUSKA. Section 3 relates to the repayment to the Treasury from the migratory bird conservation fund. To that extent it is a "bird" amendment—spelled with a small "b" and with an "i" instead of a "y."

This language has nothing to do with circumventing the regular appropriation process, which is so dear to the hearts of the advocates of the Byrd amendments.

Mr. KEATING. I am happy to have that explanation from the Senator from Nebraska. I am certain it will serve its purpose in making the legislative intent clear.

Mr. HRUSKA. I am certain that the legislative history will be well established.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HRUSKA. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXCHANGE OF LANDS AT BOARDMAN, OREG.

Mr. MORSE. Madam President, on behalf of myself and my distinguished colleague [Mrs. NEUBERGER], I introduce for appropriate reference, a bill to amend Public Law 86–500 of the 86th Congress.

Companion bills are being introduced today in the House of Representatives by members of Oregon's congressional delegation.

This measure is designed to clarify certain points raised by the Navy in connection with an exchange of lands involving a naval installation at Boardman, Oreg., authorized by the basic statute.

This matter is one which has been discussed with the Navy, the Governor of Oregon, and with Representative AL ULLMAN, of the Second Congressional District of Oregon, in whose district the lands are situated. It is my hope that the Armed Services Committee will give early and favorable consideration to this amendatory legislation.

I ask unanimous consent that a copy of a letter dated August 25, 1961, to Senator RUSSELL, signed by the Governor of Oregon, be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 25, 1961.

Re Boardman exchange legislation.

Hon. RICHARD B. RUSSELL,
Chairman, Senate Committee on Armed Services, Senate Office Building, Washington, D.C.

DEAR SENATOR RUSSELL: During last year's session of Congress, your committee approved an amendment to the military construction authorization bill, which authorized the State of Oregon to acquire the Boardman Bombing Range, Morrow County, Oreg. This authorization contemplated an exchange of State-owned lands for the Boardman site with the State to provide the Navy with a complete substitute bombing range facility. Your action in this matter was sincerely appreciated by the people of the State of Oregon. Subsequently considerable progress has been made in carrying out the exchange plan.

In pursuing the plan as originally contemplated, a serious problem has developed. The site originally selected by the Navy was found to be limited in its usefulness as a training facility. As an alternative, the Navy has submitted a proposal which is acceptable to the State of Oregon and to its prospective lessee. This proposal calls for the Navy to retain a portion of the existing bombing range and to transfer a portion of the range to the State of Oregon in exchange for lands the State will transfer to the Navy. This arrangement will actually expand the Navy's present training potential at Boardman.

The language in the existing act, section 207, Public Law 86–500, is considered by the Navy as too restrictive to permit accomplishment of its alternate or modified proposal. Amendatory language has been prepared by the Navy, which provides the Secretary of the Navy with greater flexibility in carrying out the exchange. It retains the protective features incorporated in the original act. A copy of this amendatory language is attached and is satisfactory to the State of Oregon. The approval of the amendatory language at this time is a matter of great urgency, and it is our hope it can be passed during the current session. The Navy, the State of

Oregon, and its prospective lessee are most anxious to consummate the transaction.

With your favorable consideration at this time, the transfer which you have previously approved will be greatly facilitated. This transfer will aid our national defense effort, expand our space program, and advance the economic development of the State of Oregon.

May I again express my appreciation to you for further considering this matter.

Sincerely,

MARK O. HATFIELD,
Governor.

Mr. MORSE. Madam President, let me state to the Senate that Public Law 86–500 provided for a land exchange in Oregon, involving the so-called Boardman site, which is owned by the Navy, and the so-called Wagontire site, which is owned by the State of Oregon. At that time it was felt that the exchange would involve the Boardman site and the Wagontire site, and Public Law 86–500 was drafted in order to bring about that exchange. Thereafter it developed that the Wagontire tract would not be serviceable to the Navy in carrying out the Navy program. So it is necesary to evolve another land exchange. The Navy takes the position that, in order to cover the new arrangement, it will be necessary to have Public Law 86–500 amended.

I wish to assure the Senate that there is nothing substantial in these amendments, and no change in the original public policy is involved. Yet we are faced with a time limit. All of us recognize that it will be difficult to get the Senate Armed Services Committee and the House Armed Services Committee to take the necessary committee action on this measure before adjournment, unless there is clearance by both the Senate leadership and the House leadership. Since time is of the essence—because the Boeing Co. is anxious to begin its operations on the site; but until the land exchange can be legally completed, the Boeing Co. will not proceed to invest its funds in developing these operations on land over which it does not have legal control—we urge very, very prompt action.

All we can say publicly at this time about the matter—as the present Presiding Officer of the Senate, my distinguished colleague [Mrs. NEUBERGER], who joins me in submitting this measure this afternoon, well knows—is that the exchange is of importance to the security of the country.

It would be most unfortunate if action on the exchange were delayed simply because of the necessity to add some minor amendments to the existing law, in order to put the Navy in a position in which there will be no question of its legal authorization to complete the exchange. It would be extremely unfortunate if we had to wait until January to accomplish this objective.

Therefore, Madam President, in introducing the bill today, all I can say is that the members of the Senate Armed Services Committee will be visited by the two Senators from Oregon personally, undoubtedly, in the next few days, with a plea for quick clearance on this matter, so we can get the measure to the floor of the Senate by the end of this week, I hope.

Let me say to the majority leader that I am referring to an amendment which my colleague [Mrs. NEUBERGER] and I are introducing this afternoon to Public Law 86–500, the land exchange law passed at the last session. Our amendment provides for an exchange of land in Oregon, so that the Boeing Aircraft Co. can proceed with a testing program which is of importance to the security of the country.

Mr. MANSFIELD. Madam President, will the Senator from Oregon state the calendar number of the bill?

Mr. MORSE. It does not yet have a calendar number; I introduced the bill only a moment ago, on behalf of myself and my colleague. I am explaining why time is so important in connection with the bill. It involves only a technical matter. At the last session the Senate passed Public Law 86–500, which at that time involved an exchange of land between the Navy and the State of Oregon, involving the Boardman site, owned by the Navy, and the so-called Wagontire site, owned by the State of Oregon. After the Navy sought to carry out the arrangement, it found that the Wagontire site would not meet its needs. So the Navy has worked out another arrangement with the State of Oregon; and the new arrangement calls for only minor amendments to the existing law, so there can be an exchange of Navy land and Oregon State land. The Boardman site is to be divided, and some State land is to be added to it. But the Navy legal staff says it will be necessary to add some minor amendments to Public Law 86–500.

However, the difficulty is that the Senate Armed Services Committee is not holding frequent meetings; neither is the House Armed Services Committee.

So the two Oregon Senators will do their very best to get the Senate Armed Services Committee and the House Armed Services Committee to take their word for this matter, so to speak, because we have worked out this matter with the Navy, and we are proposing only what the Navy wants—namely, to have the law amended so that the State of Oregon and the Navy and the Boeing Aircraft Co. can make the necessary arrangements, in order to permit the Boeing Co. to make the necessary installations for the vitally important testing arrangements.

Since time is of the essence, I want the majority leader to know that I shall urge on the Senate Armed Services Committee—just as our colleagues of the Oregon delegation in the House of Representatives will urge on the House Armed Services Committee—that immediate clearance be given. But, lacking that, I am prepared to offer this measure as an amendment to any measure which comes before the Senate. However, I hope that course will not be necessary.

Mr. MANSFIELD. Let me say that I shall be prepared to discuss the matter with the chairman of the Armed Services Committee, and we shall do our best.

Mr. MORSE. I thank the majority leader. There is no dispute about this matter. I know that the Senator from Georgia [Mr. RUSSELL] will, as always, give us complete cooperation, but time is running against him, too.

Because this is only a technical matter, and because the Navy and Boeing Co. need to have these amendments made almost immediately, in order to patch up Public Law 86–500 so as to give the Navy the necessary technical legal authorization, I sincerely hope we can succeed in having this matter handled almost pro forma by the Senate Armed Services Committee, by having it take the word of the two Senators from Oregon as their bond, because we are not requesting anything that is not completely in line with existing law. However, the legal technicalities require that the Navy request that these minor amendments be made to the existing law.

Today, I have introduced the amendments, in the form of a bill, on behalf of my colleague [Mrs. NEUBERGER] and myself, and I have had printed in the RECORD a letter from the Governor of Oregon to the chairman of the Senate Armed Services Committee. I shall supply all the necessary supporting data.

My plea is that very, very prompt action be taken, so that these amendments can be enacted into law before the adjournment comes.

The major reason for these amendments is that the Boeing Co. believes this action must be taken before it proceeds with its testing arrangements, which I assure my colleagues are most important in connection with certain testing operations which the Boeing Co. is doing for the Government.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2476) to amend section 207 of the Military Construction Act of 1960 in order to clarify the authority granted under such section to the Secretary of the Navy to exchange certain lands owned by the United States for lands owned by the State of Oregon, introduced by Mr. MORSE (for himself and Mrs. NEUBERGER) was received, read twice by its title, and referred to the Committee on Armed Services.

Mr. RUSSELL. I am not familiar with the details of this matter and whether or not the Defense Department has made a report on it, but I can assure the Senator I will have the staff of the committee examine into it and see if it is possible to take the matter up at our next meeting.

Mr. MORSE. I assure the Senator the Defense Department wants such amendments. That is where we got them.

FEDERAL AID TO EDUCATION

Mr. MORSE. Madam President, turning to another matter, I wish to place in the RECORD and make brief comment on an editorial from the St.

Louis Post-Dispatch of August 23, entitled "Liberty, Not Tax Aid."

This editorial from the St. Louis Post-Dispatch, in eloquent and condensed form, presents my whole case on the school issue as between public and private school legislation. I respectfully recommend to the advocates of aid to private schools—and I yield to none of them in my determination to seek to get legislation to aid private schools within the framework of the Constitution and subject to the restrictions of the first amendment of the Constitution—this St. Louis Post-Dispatch editorial. They are going to have to face up to a bombardment of such editorials and public comments, in my judgment, if the advocates of aid to private schools persist in taking the position that they will use their power in this country to prevent the passage of public school legislation unless we capitulate to the private school forces in this country and either pass private school aid legislation first or concurrently with public school aid legislation.

If the advocates of private school Federal aid want that fight, then we had better get it behind us. But it is not in the interest of the private schools and it is not in the interest of American schoolchildren to get involved in that kind of controversy. It is unnecessary, and it is particularly unnecessary when among us here in the Senate are men who have been fighting for the legitimate interests of private school education in this country.

I said the other night, when I answered Cardinal Spellman, that I was well aware of the fact it is not politic to take that stand. But that is no new position for me to be in. I need only satisfy myself that I am right, and when I am right, there is no force in this country—even the powerful private school advocates—that will deter me in my course of action.

As I said to the educational director of the archdiocese of my State, who wrote me a letter in protest of the position I had taken on this issue, in which he stated he would like to take me before groups of Catholic parents in Oregon so I could see the temper of those parents, I would welcome that opportunity. But I respectfully suggest that he familiarize himself with the temper of the Congress, because here is where I have to do my legislative work. I have not changed my position in the slightest in support of the Clark-Morse bill for aid to private schools; and I ask the Catholic leaders of the country, "What is wrong with that bill? Why do you not start giving us support for that bill, rather than take the position that we have to follow your legislative procedure or be confronted with your political opposition?"

We will take that, too, if that is the way it has to be; and, in this free society let a free people decide the result. But, as I said to the director of education for the Catholic archdiocese in my State, I want him to understand it makes not one whit of difference to me what political opposition I get in my State from his group or any other group; it will not change the stand of the Senator from Oregon on the merits of any issue. In the face of that kind of opposition, the Senator from Oregon will continue, so long as he is in the Senate, to press for a constitutional bill that provides aid to private schools within the framework and limits of the first amendment.

But again I say it is my hope that the advocates of private school legislation will cooperate with those of us who have the responsibility of seeking to take through the Senate of the United States sound and fair legislation both for public and private schools.

Madam President, I think the St. Louis Post-Dispatch put this case in an unanswerable and clear statement when it said in its editorial:

LIBERTY, NOT TAX AID

Cardinal Spellman no doubt reflects the views of many persons of his faith when he argues that it is anti-Catholic discrimination to deny public tax support for parochial schools. But the argument will not stand up. What he is saying, in effect, is that schools which teach a particular religion have the same right to tax support as schools which teach no religion. They do not.

The sponsors of public aid for parochial schools have tried to convince the country that all they are asking for is educational freedom, the civil rights of parents to determine what kind of education their children shall have, the right of parochial school pupils to equality.

Able proponents of this viewpoint have presented the issue as one of doing justice to minorities. The United States is a pluralistic society, they say, and the followers of all religious faiths are entitled to full religious liberty. They argue that if public school aid is withheld from parochial schools, then the Government will be penalizing those families which as a matter of conscience insist on a religion-oriented education for their children; and the penalty will impair that family's religious liberty.

With all due respect to the many Roman Catholics who sincerely hold such views, we believe this line of reasoning overlooks several elements of the problem.

The followers of every religious faith (and the followers of none) do indeed have a right to full religious liberty. But this does not mean they have a right to obtain financial support for indoctrination in their particular faith from the followers of other faiths, and the followers of none. It would be just as logical to say that unless the Government builds all the churches, religious liberty is being impaired.

The basic characteristic of the public school is that it is open to all children and does not impose upon any the tenets of a particular religious faith. The public school is founded on the principle that its business is nonreligious education, and that religious training can properly be provided somewhere else.

Many families, no less devout than others, accept this functional division by sending their children to public school and relying upon home or church for religious training. Others who feel this arrangement to be inadequate are at liberty to insist upon combining religious training with general education in one school. But they cannot fairly demand the right to do so at public expense.

The reason is that it is fundamentally wrong to tax one family to pay for the propagation of another family's faith. This is the underlying and profoundly wise principle upon which the constitutional doctrine of church-state separation rests. American society is indeed a pluralistic one, but to remain so it must insist that public schools remain public, which means that they shall not meddle in religious training; and that taxes derived from all the people shall be reserved to schools that serve all the people.

The Roman Catholic hierarchy's opposition to Federal aid for education unless it includes aid for parochial schools has already, we think, sharpened religious divisions. They would be sharpened still more, and would affect our political life in an unhealthy way, if tax funds became the object of a political scramble among the various creeds. The best, the socially most cohesive, and the constitutional way to deal with this matter is to tax nobody for the support of any particular creed, and to tax everybody for the support of nonreligious public schools.

Madam President, this outlines pretty clearly the point of view—and it is a widespread point of view in this country—of those who do not agree with the Catholic leaders that the legislative procedure must take up concurrently public school and private school aid legislation or even, more preferably, take it up in the same bill.

I say from the Senate Chamber again today, in my judgment, the clear duty owed by the elected representatives in the Congress is to take to the people of this country a public school aid bill and then also, in a separate bill, to take to them a private school loan bill. The loan bill should provide for an interest rate to cover the cost of the use of the money; in other words, the taxpayers should give to the private school people no concealed subsidy.

Madam President, we have proposed legislation before the Senate to accomplish that purpose. I say now, most respectfully, I think all we need for the ultimate passage of the legislation either before we adjourn this fall or early in the next session is the understanding cooperation of the advocates of the private school legislation, not the kind of attack and opposition and criticism some of us have been getting because we have simply taken the position, "We do not care from where the opposition comes; we are interested only in the merits of the issue."

As the chairman of the Subcommittee on Education, I repeat that I shall continue to stand for Federal aid to public schools in a separate bill and Federal aid to private schools in a separate bill, within the limitations of the Constitution of the United States. If the spokesman for private schools are really interested in loans for their own schools and not just in blocking improvements in the public school system, I invite them to join with me in trying to obtain enactment of both these bills. In any case, I shall not be deterred from my legislative course of action by their opposition any more than I am deterred from seeking loans for private schools by Protestant objections, which certainly are far more potent in my State of Oregon.

No Catholic child in America, in either public or private school, will profit from the obstruction of the public school bill. Second-rate public schools will mean a second-rate America, and what Catholic, Protestant, or Jewish child is going to be better off then?

CONSERVATION OF MIGRATORY WATERFOWL

The Senate resumed the consideration of the bill (H.R. 7391) to promote the conservation of migratory waterfowl by the acquisition of wet lands and other essential waterfowl habitat, and for other purposes.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DIRKSEN. Madam President, this is certainly not a difficult bill, in the sense that it is short in text and states very plainly what it proposes to undertake. As a part of my remarks I think I ought to read the text of the bill into the RECORD.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote the conservation of migratory waterfowl and to offset or prevent the serious loss of important wetlands and other waterfowl habitat essential to the preservation of such waterfowl, there is hereby authorized to be appropriated for the five-year period beginning with fiscal year 1962, not to exceed $50,000,000.

When the bill passed the House of Representatives on July 10, 1961, the text was substantially the same, except that it provided a 10-year program and encompassed not to exceed $150 million.

I gather, according to those who have a way of calculating interest on items of this kind for a long repayment period, that the charge under the House bill would probably aggregate $120 million before the program was consummated, and under the Senate bill the interest would probably aggregate some $13 million, to be reimbursed over a period of 11 years.

Madam President, there are a number of reasons why I feel that some legislative history ought to be made and why I ought to interpose an objection to the bill.

First, it uses the old technique of earmarking funds, if that is what is sought to be done, to ultimately take the money out of the duck stamp fund, even though the bill itself makes no affirmative provision on that score.

I understand the Bureau of the Budget had an objection on the ground that there was no hint of an increase in the duck stamp price to $4, and then subsequently to $5, depending upon how long it would take to defray the amount involved.

This is a technique we are slipping into gradually: of finding an easy source of revenue somewhere and then earmarking it, diverting it for specific purposes, always, of course, at the expense of the general funds flowing into the Treasury of the United States.

This is to be regarded as an advance, and it is to be noninterest bearing. It would appear to me to have a little of the flavor of back-door spending, about which we have heard so much recently.

I understand this is at variance with the program of the President of the United States. If the President has asked for this, I have not seen it in print. The President rather emphasized the fact that something ought to be done about wet lands in the Midwest and Northwest sections, on the grounds that those where important, but I do not believe the President indicated we ought to set up a fund, which could easily be increased over a period of years, under which the program would simply move all over the United States of America where there are migratory waterfowl. After a little while, States and groups and individuals would come to the Congress to ask to be included in the program, to ask to build up the funds, with increasing demands year after year, until the program became one of those amazing commitments in the fiscal structure. Then we would wonder how it got there.

This is another excess over the President's program. It is interesting with what impunity the Congress undertakes to go beyond the confines of the good fiscal policy laid out by the President.

With that blithe spirit, when the housing bill was before the Senate, we approved, if we total up all the housing provisions, $1.4 billion above the President's program. We approved the military procurement program. No one quarreled about the President's request with respect to defense and the survival of the country. But a spirit of benevolence and generosity pervades Congress. We thought we would do the President one better, so we gave him $596 million more than he requested.

When the space program was finally approved we were openhanded. Evidently there is money lying around loose everywhere. In effect we said to the President, "We will do better by you. Instead of giving you what you asked, we will give you $227 million more."

A Youth Conservation Corps is proposed. I do not know who is asking for it, but if my figures are correct, and such a Corps is established and extends over a period of time, the ultimate commitment will amount to $1,400 million.

Recently the distinguished Senator from Washington, the chairman of the committee, presented an interesting bill to pursue the science of oceanography. I know that the deep sea divers want the measure. I know that the people who like to walk around on the bottom of the ocean want it. I know it is fun to look through a test tube at marine organisims that are brought out of the briny deep. Perhaps in due course such studies will have some value. I feel that if the program were continued year after year in a modest fashion, we could consummate some of the objectives in that field. But when the Senate finished consideration of that bill—and I raised my voice against it—we had committed the Treasury, so to speak, for $603 million.

A GI bill will be coming along from the Senate Committee on Labor and Public Welfare.

What will be the ultimate commitment under that bill? There will be a fine built-in sum of $2 billion. When the measure is enacted, we shall have to pay the bill at some time, because it will create a built-in commitment in the Federal structure.

It seems to me that Members of the House and the Senate ought to take time off and read the statement prepared by the former Budget Director, Maurice H. Stans. Incidentally, he was one of the ablest men who ever graced that office. In his statement he called to account all the built-in commitments made and what they add up to. They run into the hundreds of millions, including officers' retirement, GI benefits, subsidies for the maritime program, and that sort of thing.

The cost will have to be paid by those who come after. I have often said, capriciously and sarcastically, "What fun it would be if my great-great-grandchildren could only be around to see what fun their great-great-granddaddy might be having in spending what they will be required to pay back." That is what it amounts to.

I have tried to resist a great many bills, and I resist the one now before the Senate. I would like to make provision for ducks and give the sportsmen of the country a chance.

Nothing brightens a day so much as to see a mallard with its wings outstretched, a body containing a perfect aeronautical structure, sailing out and moving down. We see him get the little feathers at the edge of his wings properly placed. He brings his feet up and makes a landing that would put any airplane and any pilot to shame. Nature has provided this ability for the mallard. The gray goose from Canada will do the same thing.

I am not a real outdoorsman, but I love nature. I love best to watch birds. No one can say that I have no interest in them. Only yesterday, when I should have been at a desk thinking up points on the steel issue for discussion sometime later this week, I sat for nearly an hour, on the bank of the stream where I live and watched a white heron. What a beautiful sight to see that long-legged fowl finally pull in his neck, extend his feet behind him, streamlining first his legs and then his feet. It was a sight to behold that revitalizes one's faith in the Almighty. Waterfowl have an amazing natural structure that we call life, and all the beauties that are in it. So no one can say that I have no interest in wildlife.

But I never get away from the fact that from day to day we are living with a structure of government that must be made to function properly.

It must be kept within fiscal bounds in the hope that not only our own generation but the taxpayers who come after—the children, the grandchildren, the great-grandchildren—will not regard what we did in this time and generation with a baleful and cynical eye and say, "What a tragic and dismal inheritance we got from our great grandpappies back in the decade of development—the 1960's."

So I want to keep the program in proper form.

We have done better than the budget request in the so-called oceanography program, the GI bill, and also the Health, Education, and Welfare program. We included $156 million more than the budget requested.

It is an amazing sequence. The agency says, "We need so much." Instead of giving the agency what it requests, we say, "We will give you more."

Representatives of the agency say, "We cannot find the talent to use the funds you propose to give us."

We say, "We will try to find the talent for you."

If we go out and raid the communities of the land for research personnel and doctors, and bring them down to the great citadel of Washington for the purpose of spending the appropriated money, then, of course, we shall hurt the professions back home.

In the Defense appropriation fund we added $750 million to the amount requested.

How openhanded can this body be? How careless can we be? How can we ignore the fiscal problems that are presently before us and ignore also the warnings of the President and the requests of the President from time to time?

I heard a portion of the steel discussion the other day. The danger of inflation was mentioned. The possibility that a price increase in the steel industry would rock the boat and fan the fevers of inflation all over again was discussed. The distinguished Senator from Tennessee [Mr. GORE] talked about the deficit in the previous fiscal year, which ended on June 30, and the deficit that we could foresee in the next fiscal year. It is wonderful. Perhaps we shall have a $6 billion, a $7 billion, or $8 billion deficit in the following fiscal year. Yet the Director of the Budget will blithely talk about a balanced budget. I would like to see it balanced as we go. I would like to see the money rather than speculate as to whether or not there will be sources that can be tapped in order to make up the deficit and keep us in a state of balance.

We have a structural unemployment problem. "Structural unemployment" is a great disarming and euphemistic term. A newspaperman asked me about it the other day. I said, "Oh, that is merely a term which means 'built-in unemployment,' and if it were so called instead of 'structural unemployment,' I think everyone could understand what was meant."

However, I like euphemistic terms. I am reminded of the lady who was having her family tree examined. Unfortunately they found one brother who had occupied the electric chair in Sing Sing. The genealogist who was doing the work did not particularly want to state that fact.

He hunted for something which would get around that fact and still tell the truth. At long last, at that part in the genealogical treatise he wrote: "There was one brother who occupied the chair of applied electricity in a large public institution." [Laughter.] That is a wonderful way to say it. I like the euphemism about structural unemployment. It is here. It is built in. Everyone wants to do something about it. It will command a little more attention than the acquisition of wet lands at a time like this, when we are dealing with money that we do not have.

Madam President, there is not a line in the whole legislative lexicon that intrigues me so much as the first line in every appropriation bill which comes to the floor of the Senate. Everyone knows what it is. It says: "There is appropriated out of funds in the Treasury not otherwise appropriated." There are no funds in the Treasury when we are in a deficit position. The necessity for this has not been shown. Who knows what the commitments on the Federal budget will be? In proportion as the fiscal affairs of the country are lightly dealt with, the impact will not be only on the duck hunters, but it will also be on every man, woman and child in the country if the inflationary fevers beset us again. It is because of that larger interest that I resist the bill.

That is all I need to say about it. I hope it will not prevail. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. DIRKSEN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Madam President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. METCALF. Madam President, I remind the Senator from Illinois that a few years ago a group of sportsmen and conservationists who were just as much interested in ducks as he is, and who wanted to have a place for ducks to land, when they spread their pin feathers and bend their feet forward, instead of having to land on concrete pavements or dry farms, so they would have wet lands on which to nest and fly from and grow up on, came to Congress, the Senator from Illinois will remember, and said, "Put a tax on us. Sell a duck stamp that every duck hunter in America must buy. Make it a dollar. We will use the money to buy the wet lands necessary, so we can preserve the ducks and the waterfowl population of America."

They asked for the tax. Congress acquiesced. We put that tax on them and we made the amount of the tax $1. We required every duck hunter to buy a duck stamp for $1. We said that the money would be used to purchase wet lands. Then they returned to Congress and they said that they wanted us to make it a $2 tax, because we were not acquiring the wet lands fast enough. Congress again acquiesced with the desires of the people who wanted this tax imposed on them.

In the last administration, in order to balance the budget, someone down at the other end of Pennsylvania Avenue got the bright idea that we did not need to use the money for the purchase of wet lands; that it would be a good idea to take the money and use it for the administration of the Fish and Wildlife Service. Accordingly, we have been using the money for that purpose, instead of using it to buy wet lands. So since the last administration we have been using it to pay salaries and expenses.

Mr. DIRKSEN. Madam President, will the Senator yield?

Mr. METCALF. I am glad to yield.

Mr. DIRKSEN. I can agree pretty well with what the distinguished Senator says. I defy him to find a line in the bill which will have any impact on the conservation programs of the Department of Agriculture under which they dry up lands. Now we will acquire wet lands. Is it not about time, before we come in with a bill like this, for some of these agencies to get their ducks in a row and reconcile these programs before we get to this kind of proposal?

Mr. METCALF. I welcome the support of the Senator from Illinois for a bill which I have introduced.

Mr. DIRKSEN. Why does not the Senator get his provision written into the bill which we are considering today before we come to a vote on it?

Mr. METCALF. I want to get one thing done at a time. The only thing we want done now is the job that we promised these people we would do when we established the duck stamp fund, and when we said we would use that money for the purchase of wet lands. The Senator from Illinois has been talking about how much interest would accrue on this interest-free money. How much interest would accrue on all the money that was diverted for administrative expenses in the last administration? How much interest would accrue on the money that was used illegally?

Mr. DIRKSEN. I have not the slightest idea.

Mr. METCALF. How much is it going to cost us to acquire the lands today that could have been acquired about 2 or 3 or 5 years ago out of this fund that was diverted? It seems to me a matter of common equity to do this for the duck hunters, which is the thing that they asked us to do and that we promised to do.

Mr. DIRKSEN. Madam President, will the Senator yield?

Mr. METCALF. I yield.

Mr. DIRKSEN. I wonder if the Senator would support a motion to recommit the bill to committee, and then to have the agricultural conservation specialists come to Congress and help us write into it all the necessary provisions, so that at long last we will have a bill in which we are not going in opposite direction, buying wet lands on the one hand, and the Department of Agriculture doing its level, vehement best to dry up lands.

Mr. METCALF. I would not support such a motion, because the Senator from Illinois will recall that such a provision was added to the bill previously, and in conference somehow or other it was dropped out of the bill. These are not soil conservation lands. These are all sorts of lands that are on the market and open for purchase.

The senior Senator from Nebraska and I were on the commission in charge of passing upon such land as will be purchased. He knows as well as I do that many of these lands have never been used in soil conservation. Sometimes we are acquiring hunting lodges

and hunting rights which are going to be used for other purposes, and some of them will be drained and used for airports or something like that.

Mr. DIRKSEN. Madam President, will the Senator yield?

Mr. METCALF. I yield.

Mr. DIRKSEN. I am going to ask the distinguished Senator, when the public works bill comes to the floor, to look at all the projects and note how many drainage and levee districts are going to get money out of the Federal Government to build levees higher, to make levees wider, to keep out river water so it will make it possible to produce rice and corn and just about everything else. For years I have fussed against it, when they first trotted out what was called the Jadwin plan, to move the water away, to get it into the river course, and to get it to the Gulf of Mexico.

We got into it, and we have been into it ever since that time. What does that amount to? With money taken from the Federal Treasury, the river bottoms are being taken away, bottoms which the Almighty meant for the waterfowl. If that is not at cross-purposes with what is provided in the bill, then I have never seen it.

Mr. METCALF. It may be at cross-purposes, but if we are to keep faith with those who have come to us and said, "Tax us so that we can acquire, out of the money we have contributed to the Federal Government, some wet lands in order to breed and perpetuate the waterfowl of America," we will have to pass such a bill as this. Those funds have been diverted for several years. They have been used for purposes other than those which were provided in the bill.

Yes, some soil conservation districts are being drained. Levees are being built. But let us buy some land for waterfowl breeding purposes. Let the Federal Government purchase such land and let it be administered under the Fish and Wildlife Service.

Instead, the money which has been contributed by duck hunters through the purchase of stamps has been used for other purposes, including administrative expenses.

In order to keep faith with the duck hunters, it is time for the Federal Government to buy land, while such land is still available, and to advance the money from the Treasury, so that the 12½ million acres of wet land can be acquired.

Mr. DIRKSEN. Madam President, will the Senator from Montana yield?

Mr. METCALF. I yield.

Mr. DIRKSEN. Let the Members of the Senate decide whether to spend $50 million to buy wet lands while the Army Engineers are building levees to take away the wet lands, and the Department of Agriculture introduces a soil conservation program to drain those lands so as to get the water more quickly into the water courses. That does not make a logical, sensible pattern.

Before this kind of bill, which authorizes the expenditure of $50 million, is passed by the Senate, we ought to come back and make certain that all these provisions are harmonized. Then the chances are that the minority leader would give his vote for the bill.

Mr. METCALF. It is necessary to have both kinds of projects. It is necessary to drain lands. It is necessary to drain them for soil conservation purposes. It is necessary to have levees to protect agricultural lands along the Missouri and Mississippi Rivers. At the same time, it is necessary to save some wet lands for breeding grounds for waterfowl.

Mr. LONG of Louisiana. Madam President, will the Senator from Montana yield?

Mr. METCALF. I yield.

Mr. LONG of Louisiana. Actually, as the Senator from Montana knows, even though he does not come from a State which has the flood control problems of States like Louisiana—for the most part, his State is a high, arid State, while Louisiana is one of the low, coastal plain States—we have the problem in the spring of getting the floodwater off the land, and in the summertime and fall the problem of finding water to put on the crops. There is nothing new about that situation in Louisiana. We know what it means to have floods and droughts in the same year. Floods usually come at one time, and droughts at another time. At one stage of the proceeding, the problem is to keep the floodwaters from destroying homes or washing them away and destroying crops. Later in the year the problem is to get enough water on the land before a drought strikes. So we have two problems, not only in one section of the State, but in many parts. In one part of the year we have too much water; in another part of the year we do not have enough. The way to handle the situation is to solve both problems.

The results of the latest studies which have been made show, to my knowledge, that all the money which has been spent on flood control in the whole Mississippi River Valley, the entire investment, would not equal the cost of 1 year's damage from the type of flood we had in 1927.

Mr. METCALF. The Senator from Louisiana is correct. He has also stated another fact. In my part of the country, where the nesting grounds of the northern birds are located, it is necessary to have some swampy wet lands. They are not a part of flood control projects at all. In the early spring, when the snow melts in the mountains, it is necessary to conserve the water, so that floods would not occur in the lower reaches of the great rivers, and as far down as Louisiana. It is not agricultural land that is to be acquired in this program. The land which will be acquired is the land which is not useful for agricultural purposes or any other purposes except as nesting and breeding grounds for the propagation of waterfowl.

It is necessary to have flood control projects. We must develop all of them that we can. Water must be impounded for irrigation purposes and to enable navigation all the way down the Missouri and Mississippi Rivers. Facilities must be provided to prevent floods in Louisiana. That is why the water in the upper reaches must be impounded in the spring. But all that has nothing to do with the problem which confronts us concerning the kind of land which is sought to be acquired by the bill.

Mr. MAGNUSON. Madam President, I ask unanimous consent to have printed at this point in the RECORD a portion of the committee report on page 2, beginning with the title "Wet Lands," and a letter from the Department of the Interior addressed to the chairman of the House committee on May 10, on the bill, which ends with the statement:

> We have been advised by the Bureau of the Budget that if this proposed legislation is revised in accordance with the enclosed draft, enactment thereof would be in accord with the program of the President.

There being no objection, the excerpts were ordered to be printed in the RECORD as follows:

WET LANDS

The Nation, to be successful in its objective of preserving sufficient habitat to sustain our migratory waterfowl must step up its wetlands acquisition program. With only present duck stamp revenues available, we cannot hope to achieve our goal of acquiring the additional lands in less than 40 years.

We need to have not less than 12½ million acres of wet lands under public control in the 48 contiguous States. These lands must be properly distributed throughout nesting, migration, and wintering areas used by ducks and geese. At this time a total of 5½ million acres is already in public ownership, 3½ million acres under control of the Fish and Wildlife Service, and 2 million acres controlled by the States. The four flyway councils have determined which areas should be given priority attention and which new projects should be acquired and whether with State or Federal funds. Under this agreement, subject to annual revision, it is planned that of the 7 million acres to be acquired, the Federal Government will acquire 4½ million acres and the States the remaining 2½ million acres.

The Fish and Wildlife Service advised your committee that of the 127 million acres of wet lands once available, over 80 percent have been either destroyed completely or their wildlife value seriously reduced by man's activities. Each year since 1949 over 1 million nonfarm dwelling units have been built in suburban areas. Many real estate developments involve the filling in of coastal marshes and estuaries. New industries are located on reclaimed land along our rivers. Marshes and swamps are being annihilated in the construction of highways and airports. Millions of acres of wet lands have been drained to provide additional agricultural land. In the northern prairie States about one-half of the important waterfowl production habitat has been destroyed through drainage.

Of those 127 million acres of wet lands in the United States, now less than 23 million acres are of significant value for migratory waterfowl.

Your committee held public hearings on H.R. 7391 and a companion Senate measure (S. 2175) introduced by Senator HUMPHREY. The legislation was vigorously supported by all witnesses; no one appeared in opposition.

This bill, according to its proponents would provide funds for wetlands purchases while that land is still available and enable the acquisition to be made during a period when the cost is estimated to be less than in later years.

The preservation of these wet lands will provide a substantial contribution to the national water conservation program. They will also preserve and create a much needed recreational potential, need for which will continue as our population increases. Then,

too, these wet lands are essential to many forms of wildlife and will provide habitat for many birds and animals.

Your committee is of the opinion that a large share of this appropriation will be used to purchase lands in areas where recreational opportunities are becoming more and more important to our citizens.

COSTS

The bill would authorize an appropriation of $50 million over a 5-year period. This sum, with the anticipated revenue of $25 million from the sale of duck stamps over the same period, would make available $75 million. After 5 years the bill would provide that 90 percent of the duck stamp funds would be returned to the Treasury until the $50 million loan is repaid and the lands would then be held for migratory waterfowl refuges debt free.

The bill would provide that funds appropriated pursuant to this act shall be treated as an advance, without interest to the migratory game fund. Your committee is of the opinion that the public benefits from this program justify placing the interest burden on the public. The entire cost of the program is to be paid by the duck hunters from their $3 duck stamp, but all of the lands purchased with this money would be owned by the United States.

THE AMENDMENTS

On line 7, page 1, strike "ten-year period" and insert "five-year period".

On line 8, page 1, strike "$150,000,000" and insert "$50,000,000".

On page 2, line 8, strike "1972" and insert "1967".

On page 2, line 10, strike "75 per centum" and insert "90 per centum".

On page 2, lines 13 and 14, strike "ten-year period" and insert "five-year period".

On page 2, at the end of line 15, change the period to a colon and add the following: "*Provided further,* That no land shall be acquired with moneys from the migratory bird conservation fund unless the acquisition thereof has been approved by the appropriate State or State agency."

AGENCY REPORTS

Reports from the Department of the Interior and the Treasury Department on similar legislation, submitted to the Honorable HERBERT C. BONNER, follow:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 10, 1961.

Hon. HERBERT C. BONNER,
Chairman, Committee on Merchant Marine and Fisheries, House of Representatives, Washington, D.C.

DEAR MR. BONNER: Your committee has requested a report on H.R. 4603, a bill to provide for the acceleration of the land acquisition program for the migratory bird refuges and waterfowl production areas, and for other purposes. This report is applicable also to the identical bills, H.R. 4624 and H.R. 6133.

We urge that this proposed legislation be revised and enacted in accordance with the attached redraft thereof. Such draft incorporates certain changes that are self-explanatory and which we feel are desirable in carrying out the object of this proposal.

This proposal will authorize a significant and highly desirable program of land acquisition for the benefit of the Nation's migratory waterfowl. We believe that it will provide a practicable means of stepping up such land acquisition activities, with the ultimate costs thereof being financed with duck stamp revenues. This is generally consistent with the policy already established by the Congress for the use of such revenues.

Such a program is desirable, we believe, due to the fact that various factors—our rapidly increasing human population, continuing urban and industrial expansion, as well as various agricultural and other land drainage programs and activities—are having a very adverse effect upon our migratory waterfowl, i.e., principally ducks and geese. Marshes and swamps have been ditched, dredged, drained, burned, filled, paved, and polluted to meet the demands of modern civilization for more agricultural lands, more industrial sites, more urban housing developments, more roads, and more airports, etc.

It is significant to note that there were originally in the 48 contiguous States some 127 million acres of wet lands; however, by 1955 this total acreage was reduced to approximately 74 million acres. Of this amount only 22.5 million are now of significant value for migratory waterfowl use. Each year this acreage shrinks considerably. Time is running out in the race to preserve our migratory waterfowl. These factors are reducing the natural habitat available to our migratory waterfowl and are creating an urgent need for well-considered countermeasures. The only solution, we believe, is an expansion in the Federal land acquisition program for the benefit of our migratory waterfowl resource. Unless appropriate action is taken soon, very serious losses to this resource will result.

Although considerable areas of wet lands and other suitable waterfowl habitat are still available in certain places, opportunities for acquisition thereof are disappearing rapidly. Pressures for other use and development of these areas are increasing. Land costs have continued to rise. In carrying forward our refuge acquisition program, we are handicapped frequently by a lack of sufficient funds with which to acquire, when they become available, many of the excellent properties that are needed for these purposes.

Notwithstanding the foregoing considerations, it should be noted that an important step has been made toward accomplishment of the goal that we are convinced is desirable in providing adequately for our migratory waterfowl population. The Migratory Bird Hunting Stamp Act, as amended by the act of August 1, 1958 (72 Stat. 486; 16 U.S.C. 718d), requires that beginning on July 1, 1960, all net revenues from duck stamp sales be used for the purchase or lease of lands for these purposes. We expect future revenues from this source to range from $5 to $6 million each year; however, because of the adverse factors previously indicated, we must emphasize that these duck stamp revenues will be grossly inadequate. They will permit only very gradual acquisition of the needed properties. Consequently, an accelerated land acquisition program is urgently needed in order that we may obtain, while they are still available, those important wet lands and other wildlife habitat areas that are essential for our migratory waterfowl.

This proposed legislation would authorize the appropriation of not to exceed $20 million a year over a 10-year period; however, it should be noted that under the terms of this bill, these funds would be paid back out of duck stamp revenues, beginning in 1972. Our proposed revision would eliminate the annual limitation which we believe is unnecessary. Appropriations made during the 10-year period, when merged with the duck stamp revenues may be expected to provide a total of some $200 million during the 10-year period. In order to carry out this program in the manner and scale that we believe it should be carried out, we estimated that $10 million could be obligated for land acquisition in fiscal year 1962; $12 million in 1963; $19 million in 1964; $23 million in 1965; $25 million in 1966–67; $23 million in 1968, and $21 million in 1969–71. We anticipate that such expenditures would be sufficient to acquire title or lease approximately 3,960,000 acres of waterfowl lands. We would expect to acquire title to approximately 2,810,000 acres and to lease or acquire easements to approximately 1,150,000 acres. This amount of acquisition and control of land for waterfowl conservation purposes would comprise 88 percent of the total of 4.5 million acres that we consider to be a desirable ultimate goal for such acquisition by the Federal Government. At the end of the 10-year period we would expect to continue land acquisition with 25 percent of the duck stamp revenues, as indicated under the terms of our suggested revision, until the remaining acreage is obtained. The remaining portion of the duck stamp revenues, 75 percent under the terms of our redraft, would be used for repayment of the funds advanced for land acquisition.

The need for Federal and State cooperation and progressive action in perpetuating the Nation's waterfowl resources has become generally recognized. Public ownership or control of 12.5 million acres of key wet lands in the 48 contiguous States is highly desirable. It is essential that these lands be properly distributed throughout the nesting, migration, and wintering areas used by ducks and geese. This Department now manages some 3.5 million acres for this purpose and the States manage some 2 million acres of suitable waterfowl land. Under the Federal-State program that we envision, the Federal Government would acquire the additional lands to which we have referred previously in the amount of 4.5 million acres, and the States would acquire the remaining additional 2.5 million acres, thereby bringing the total acreage under public management of waterfowl resource conservation up to 12.5 million acres.

So far as Federal expenditures are concerned, the income from the $3 duck stamp, which is earmarked for this land acquisition program, will repay the cost of the Federal portion of such program, as indicated by the terms of this proposed legislation. In this connection, you will note that our suggested revision contains a provision that will permit an increase in the cost of the duck stamp to $4 after the first $50 million has been advanced, unless the Secretary of the Interior, on the basis of pertinent factors, determines that such an increase is unwarranted and contrary to the public interest. A similar $1 increase in the price of the duck stamp would be made after the advancement of the second $50 million unless the Secretary finds that such an increase is not in the public interest.

We anticipate full cooperation by the States in carrying forward this program. We believe this proposal is in the public interest because it will permit Federal acquisition of these important waterfowl lands while they are still available and at less cost than would be the case if such acquisition is carried out over a long period of time.

We have been advised by the Bureau of the Budget that if this proposed legislation is revised in accordance with the enclosed draft, enactment thereof would be in accord with the program of the President.

Sincerely yours,

FRANK P. BRIGGS,
Assistant Secretary of the Interior.

Mr. MAGNUSON. Madam President, I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. Madam President, I recognize the fact that a considerable argument could be made in favor of the bill. That is true of many bills. However I also think the Senator from Illinois [Mr. DIRKSEN] made an excellent argument from the standpoint that we should wait until we have the money. We should postpone some of these projects until the Federal budget is balanced.

The Senator from Montana points out that this program was started years ago by charging duck hunters a dollar apiece

for stamps, the money to be used for the acquisition of wet lands. The fee for the stamp was subsequently raised to $2 and later to $3. As he stated, since that time some of the money received has been diverted to pay administrative costs. The bill, however, does not correct that situation.

Mr. METCALF. Madam President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. METCALF. I do not have the report before me, but the report shows that in July 1960, amendments to the act provided that none of the money could be diverted.

Mr. WILLIAMS of Delaware. That is in the report. I am speaking of the bill.

Madam President, even though this program may be meritorious if our fiscal policies are to be kept on a sound basis it will be necessary at some point to curtail some of these spending proposals until such time as there is enough money. With that in mind, I offer an amendment which I ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, line 8, it is proposed to strike out "fiscal year 1962" and insert in lieu thereof "the first fiscal year following the close of a fiscal year with a balanced budget."

Mr. WILLIAMS of Delaware. Madam President, the amendment would enable Congress to put its stamp of approval on the program, but the financing of the program would begin when money was available to pay for it. After all, Congress should do either one of two things: either the program should be postponed until such time as the money is actually available to pay for it, or the bill should be accompanied with a provision for an additional tax increase which would pay for the cost of the program. The bill as it is presently written does not do either of those things. Let those who like these spending programs vote also for the necessary taxes at the same time.

I wonder if the chairman of the committee would not be willing to recommit the bill, as the Senator from Illinois suggested, or to postpone its effective date until such time as the budget is balanced and we have sufficient money available to pay for it.

Let it not be said that the duck hunters shot a hole in our Federal budget.

Mr. MAGNUSON. Madam President, I could not accept the amendment because this is a House-passed bill. It was reported unanimously by the House committee and unanimously by the members of the Senate committee who considered it. We are not dealing with the taxpayers' money as such; we are dealing with the money which the duck stamp buyers put into the Treasury under a pledge which was made at the time the first act was passed.

I was the author of the $2 duck stamp bill several years ago. At that time the duck hunters were told that the revenue derived from the sale of duck stamps would be used to acquire wet lands.

We have learned that for the past 9 years about 50 percent of that revenue was going into the Treasury and was not being used for the acquisition of wet lands.

Two or three years ago, I introduced a bill which provided that all the money acquired from the sale of duck stamps, with the exception of a minor amount to defray the cost of printing the stamps, should be spent directly for the acquisition of wet lands. In the meantime, the program bogged down.

Now all that the people who are interested in the program are asking is that the money which they paid to the Government through the purchase of the $3 duck stamps be used for the acquisition of wet lands. At least 90 percent of it should be used for such purchase; the rest is to be used for the enforcement of some minor regulations. Ninety or ninety-five percent of the equity paid in should be used. In the meantime, in order to get the program underway, the Treasury is being asked for a certain amount as an advance.

In any case it must be approved every year by the House Appropriations Committee and the Senate Appropriations Committee; they must even approve the amount to be put into the trust fund. So this amendment is entirely different.

Mr. WILLIAMS of Delaware. I have no objection whatever to having the full $3 collected by the sale of these stamps used for the acquisition of wet lands but that is not what this bill provides. I have just as much interest in the program as does the Senator from Washington or anyone else.

Mr. MAGNUSON. I am sure of that.

Mr. WILLIAMS of Delaware. I have never missed a year buying duck stamps. I enjoy duck hunting as much as anyone else does, although I may say that if the other duck hunters have no better luck than I do, there will always be many ducks in the air.

I would agree to a further increase in the cost of the stamp if that is necessary, but it must be used in a proper manner. However, this measure does not provide for that. This is just a flat $50 million appropriation at a time when we already have an unbalanced budget.

Mr. MAGNUSON. The point is that once the program of acquiring 2½ million acres is finished, every dime received by means of the sale of duck stamps can be used to repay any amount that is owed, or anything else, or for the enforcement of regulations to improve the lands. Once the lands are acquired, the program will be through.

Mr. WILLIAMS of Delaware. The Senator from Washington has been here longer than most of us have, and he knows very well that there is no such thing as getting through with a program once a Government agency gets it started. Government agencies have more lives than the proverbial cat.

Mr. MAGNUSON. I suggest that if something is not done, we shall soon be through with the ducks, the geese, and the other waterfowl.

Mr. WILLIAMS of Delaware. Madam President, I think we should either recommit the bill or else postpone its effective date until the Government has the necessary funds.

In this case, the bill does not provide for additional revenue, and the Senator from Washington does not suggest any other means of obtaining the necessary funds than to borrow.

Mr. MAGNUSON. Madam President, I think the Senate did pretty well with the bill. The House version of the bill, which was passed unanimously by the House, called for a program which involved three times the modest amount the Senate voted for. Furthermore, some of the land is rising in value every year. Whatever the Government pays for these wet lands is a good investment, and is good for the country in many respects.

No additional appropriations will be necessary. The committee must merely reappropriate the money which goes into the Treasury as a result of the sale of the duck stamps.

Mr. WILLIAMS of Delaware. Madam President, it is true that the House unanimously passed the bill. But that was long before the Berlin crises had developed. It was before the President said that all of us have to sacrifice on our pet projects. It was before the increased arms program was put into effect; when the House acted the Secretary of the Treasury was making representations that we would have a balanced budget and perhaps would soon be able to reduce taxes.

However, today we are confronted with an unbalanced budget, as a certainty; and the only question is how much the budget will be unbalanced.

Therefore, present circumstances are far different from those which existed at the time when the House acted on this bill.

I repeat that if we do not stop spending on some of these programs, where will this end?

Does anyone think we can provide all the funds that are requested for all such programs and all the necessary funds for the military programs, and at the same time keep taxes where they are now? I am sure the Senator from Washington will not advocate higher taxes. But if we keep on spending and do not have higher taxes there will be inflation.

Mr. MAGNUSON. Madam President, the Senator from Delaware refers to this measure as if it were my personal bill. But I merely represent the committee. The committee, after due deliberation, decided that the program is in the interest of the welfare of the country.

I am sure the President did not suggest at any time that we close up shop and not do some of the things which should be done to strengthen the country. We could appropriate an infinite amount of money for the building of airplanes and the construction of tanks, and we could draft an innumerable number of men, and could do everything which one might want for the defense of the country—and of course the Senator from Delaware and I support the necessary defense measures—but all that will not be worth very much unless some of the things needed to keep America strong are also done. Certainly the defense program does not require Congress to close shop on all the other necessary programs. The President never suggested that.

Mr. WILLIAMS of Delaware. Did the President suggest this program?

Mr. MAGNUSON. Of course I have heard the President speak about the crises and about how we have to tighten our belts. But that is like ringing a dinner bell, for those who are not in favor of many of the necessary programs. It happens many times.

The letter was sent to the committee, and the Assistant Secretary of the Interior testified. I now read from the letter again:

> We have been advised by the Bureau of the Budget that if this proposed legislation is revised in accordance with the enclosed draft, enactment thereof would be in accord with the program of the President.

The enclosed draft called for some technical amendments.

There was no contrary testimony before the Senate committee, and we held hearings and invited all interested persons to attend.

The funds involved are not tax funds. In a sense the funds belong to those who purchased the duck stamps and are interested in the development of the program, which calls for the purchase of these lands.

I, too, buy duck stamps. I do not know whether the hunting in my State is as good as is the hunting on the Eastern Shore of Maryland. But I shall try the hunting there, too, someday.

All who have studied this matter—including the Migratory Bird Commission, of which the Senator from Montana and the Senator from Nebraska are members—have agreed that this should be done; and that is why the bill is now before the Senate.

Of course, we could act to stop many bills. I think there are many things we do not need to proceed with; I agree with the Senator from Delaware about that. But I think this is a good bill; and, in my opinion, if we do not start this job now, we shall be very sorry in the future.

Mr. WILLIAMS of Delaware. Madam President, the Senator from Washington has read from a letter in which it was stated that the Director of the Bureau of the Budget had no objection to the bill. Is the Senator from Washington aware of the fact that the letter is dated May 10, 1961, long before the recent Berlin crisis?

Mr. MAGNUSON. Yes. I said the letter was sent to the House committee, and I said that in testimony received no later than last week he repeated the statement he had made in the letter.

Mr. WILLIAMS of Delaware. But the letter from which the Senator quoted is dated May 10, 1961.

Mr. MAGNUSON. Of course it is. That letter was sent to the House committee. Then he testified before our committee not more than 2 weeks ago, and said that he took the same stand.

Mr. WILLIAMS of Delaware. I do not question the Senator's statement, but I have not seen any other letter. I do not doubt that he has stated the matter correctly.

Mr. MAGNUSON. I have said that after he sent that letter, he appeared—not more than 2 weeks ago—before our committee and reiterated the stand he took in the letter.

Mr. WILLIAMS of Delaware. If there is a subsequent letter, where is it?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware.

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill has been read a third time. The question now is, Shall the bill pass?

Mr. DIRKSEN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Madam President, I ask unanimous consent that further proceedings under the quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Madam President, I ask unanimous consent that I may place in the RECORD at this point the testimony of the Department of the Interior before the Senate Committee on Commerce, as presented by Assistant Secretary of Commerce, July 31, 1961.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

STATEMENT OF FRANK P. BRIGGS, ASSISTANT SECRETARY FOR FISH AND WILDLIFE, DEPARTMENT OF THE INTERIOR

Mr. BRIGGS. Mr. Chairman, I have a very, very short statement, because I realize how busy all of you are over here.

I am here this morning to support the views of our Department. I take it that you have the Department's report.

The CHAIRMAN. Yes. We will put that in the record in full.

Mr. BRIGGS. President Kennedy, in his natural resources message to the Congress early this year urged an immediate acceleration of the wetlands acquisition program.

Secretary of the Interior Udall has stressed the critical need to bring 4 or 5 million additional acres of wet lands into our national wildlife refuge system before these lands are lost by drainage or filling—or priced beyond the reach of the public purse.

In the past year, many leading conservation agencies have campaigned vigorously for a crash program to save the Nation's waterfowl habitat and we are most gratified to have their support in this field. May I add that several of them are here to add their endorsement to this bill.

It is obvious that the annual revenue our Department receives from duck-stamp sales—about $5 million—is not enough to get duck habitat restored in the short time we have to restore it.

As Secretary Udall has said: "What we save now (today) may be all we'll save. In this case, time is our enemy."

Our goal is the acquisition by the Federal Government of an additional 4½ million acres for refuge and waterfowl production purposes.

We hope to get control of about 4 million of these acres within the next 10 years. This should put us over the hump.

We estimate that this will cost $200 million and require an advance of $150 million to be merged with the $50 million expected to be available from duck-stamp revenues in the next 10 years. This proposed advance will be repaid to the Treasury from duck-stamp revenue accruing after fiscal year 1971.

We urge your favorable consideration of this proposal.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Colorado [Mr. CARROLL], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. GORE], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Oklahoma [Mr. KERR], the Senator from Ohio [Mr. LAUSCHE], the Senator from Maine [Mr. MUSKIE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Massachusetts [Mr. SMITH], the Senator from Alabama [Mr. SPARKMAN], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from New Mexico [Mr. ANDERSON] are absent because of illness.

I further announce that, if present and voting, the Senator from North Dakota [Mr. BURDICK], the Senator from Nevada [Mr. CANNON], the Senator from Colorado [Mr. CARROLL], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Ohio [Mr. LAUSCHE], the Senator from Maine [Mr. MUSKIE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Massachusetts [Mr. SMITH], the Senator from Alabama [Mr. SPARKMAN], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Tennessee [Mr. GORE] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Connecticut [Mr. BUSH], the Senator from New Hampshire [Mr. COTTON], and the Senator from New York [Mr. JAVITS] are necessarily absent.

The Senator from Kansas [Mr. SHOEPPEL] and the Senator from Maryland [Mr. BUTLER] are detained on official business.

If present and voting, the Senator from Kansas [Mr. CARLSON], the Senator from New York [Mr. JAVITS], and the Senator from Kansas [Mr. SCHOEPPEL] would vote "yea."

The result was announced—yeas 65, nays 8, as follows:

[No. 168]

YEAS—65

Aiken	Hickenlooper	Morse
Allott	Hickey	Morton
Bartlett	Hill	Moss
Beall	Holland	Mundt
Bible	Hruska	Neuberger
Boggs	Jackson	Pell
Byrd, W. Va.	Johnston	Proxmire
Capehart	Jordan	Randolph
Case, N.J.	Keating	Robertson
Case, S. Dak.	Kuchel	Russell
Church	Long, Mo.	Scott
Clark	Long, Hawaii	Smathers
Cooper	Long, La.	Smith, Maine
Curtis	Magnuson	Stennis
Dworshak	Mansfield	Symington
Ellender	McCarthy	Talmadge
Engle	McClellan	Thurmond
Ervin	McGee	Wiley
Fong	McNamara	Yarborough
Fulbright	Metcalf	Young, N. Dak.
Gruening	Miller	Young, Ohio
Hayden	Monroney	

NAYS—8

Bennett	Goldwater	Tower
Dirksen	Prouty	Williams, Del.
Douglas	Saltonstall	

NOT VOTING—27

Anderson	Chavez	Kefauver
Bridges	Cotton	Kerr
Burdick	Dodd	Lausche
Bush	Eastland	Muskie
Butler	Gore	Pastore
Byrd, Va.	Hart	Schoeppel
Cannon	Hartke	Smith, Mass.
Carlson	Humphrey	Sparkman
Carroll	Javits	Williams, N.J.

So the bill (H.R. 7391) was passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1908) to provide for a national hog cholera eradication program.

The message also announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H.R. 6453. An act for the relief of Earl Cupton; and

H.R. 5179. An act for the relief of the U.S. Display Corp.

The message further announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H.R. 1022. An act to amend the Agricultural Adjustment Act of 1938 to provide for lease and transfer of tobacco acreage allotments; and

H.R. 6244. An act for the relief of certain members of the uniformed services erroneously in receipt of family separation allowances.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Acting President pro tempore:

H.R. 3596. An act to direct the Secretary of the Interior to convey certain lands to Purvis C. Vickers, Robert I. Vickers, and Joseph M. Vickers, a copartnership doing business as Vickers Bros.;

H.R. 6765. An act to authorize acceptance of an amendment to the articles of agreement of the International Finance Corporation permitting investment in capital stock;

H.R. 8599. An act to amend various sections of the Atomic Energy Act of 1954, as amended, and the Euratom Cooperation Act of 1958, and for other purposes;

H.J. Res. 438. Joint resolution to amend the Securities Exchange Act of 1934 so as to authorize and direct the Securities and Exchange Commission to conduct a study and investigation of the adequacy, for the protection of investors, of the rules of national securities exchanges and national securities associations; and

H.J. Res. 544. Joint resolution making continuing appropriations for the fiscal year 1962, and for other purposes.

THE PRESERVATION OF CERTAIN SHORELINE AREAS OF THE UNITED STATES

Mr. BIBLE. Madam President, I move that the Senate proceed to the consideration of Calendar No. 624, S. 543.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 543) to promote the preservation, for the public use and benefit, of certain portions of the shoreline areas of the United States.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 3, line 1, after the word "Minnesota," to strike out "Debidue Island, South Carolina; Kiawah Island, South Carolina;"; in line 3, after the word "Virginia", to strike out "and" and insert "Great Salt Lake, Utah; Lake Tahoe, Nevada-California;"; in line 4, after the words "North Carolina", to insert a semicolon and "and the shores of Hawaii"; on page 5, line 3, after the word "adopted", to insert "under appropriate laws and regulations"; in line 6, after the word "to", insert "administer, operate, and"; in line 13, after the word "section", to strike out "if such conversion, use, or disposal is continued for more than one year within the twenty-five year period immediately following the acquisition of such property by such State,"; in line 17, after the word "therefor", to insert "from such", and in line 22, after the word "of," to strike out $10,000,000" and insert "$25,000,000"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of promoting the preservation, development, and accessibility to all American people of present and future generations of such quantity and quality of coastal and inland shoreline areas as will be necessary for individual enjoyment and assuring the cultural, recreational, physical, and scientific benefits that shoreline resources provide, and promoting the retention for the public of adequate and representative portions of the shoreline areas which remain relatively unspoiled along the Atlantic, Pacific, and gulf coasts and along the Great Lakes and inland river systems, and which possess particularly valuable recreational opportunities for the public, the Secretary of the Interior and the Secretary of Agriculture are authorized to take certain action in the public interest toward the establishment of national shoreline recreational areas, and the Secretary of the Interior is authorized to render assistance to the States in the establishment of State-administered shoreline recreational areas, in accordance with the following provisions of this Act.

INVESTIGATION OF CERTAIN AREAS BY SECRETARY OF THE INTERIOR

SEC. 2. (a) The Secretary of the Interior is authorized and directed to make a study and investigation to determine what further action should be taken to save and preserve, in the interest of, and for the benefit of, the public, the following-described shoreline areas of the United States: Cumberland Island, Georgia; Huron Mountains, Michigan; Channel Islands, California; Pictured Rocks and Grand Sable Dunes, Michigan; Sleeping Bear Dunes, Michigan; Fire Island, New York; Cape Flattery, Washington; Leadbetter Point, Washington; Mosquito Lagoon, Florida; Pigeon Point, Minnesota; Popham-Saint John, Maine; Parramoure Island, Virginia; Great Salt Lake, Utah; Lake Tahoe, Nevada-California; Smith Island, North Carolina; and the shores of Hawaii. As part of such investigation and study, the Secretary shall obtain the advice, with respect to each such areas, of the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, and the Governor of the State in which such area is located, and shall hold public hearings with respect to each such area to explain the proposal and provide opportunity for public expression of views relating thereto.

(b) The Secretary of the Interior shall submit to Congress, within two years after funds are made available to conduct such study and investigation, a report of the findings of such study and investigation, together with his recommendations, including recommendations for such legislation as may be needed. Such report shall contain, but shall not be limited to, specific findings with respect to—

(1) what action the United States should take in order to save and preserve, for the public use and benefit, each such area;

(2) the estimated total cost to the United States of acquiring and developing such areas;

(3) the estimated total amount of land, including submerged land, in such areas, which may be procured by donations or purchased with donated funds;

(4) the suitability of each such area for the establishment of a recreational area; and

(5) the scenic, scientific, historic, and recreation value of each such area.

(c) There are hereby authorized to be appropriated such sums, not to exceed $400,000, as may be necessary to carry out the provisions of this section.

ASSISTANCE IN ESTABLISHMENT OF STATE AREAS

SEC. 3. (a) In order to assist the States in the acquisition and preservation of suitable relatively unspoiled shoreline areas along the Atlantic, Pacific, and gulf coasts, and along the Great Lakes and inland river systems, in furtherance of the purposes of this Act, and the Act of June 23, 1936 (49 Stat. 1894; 16 U.S.C. secs. 17–k—17–n), relating to the park, parkway, and recreational area programs of the United States, the Secretary may pay, at such time as he may deem advisable in carrying out such purposes, to any State an amount equal to one-half of the purchase price of any land or water area, or interest therein, to be acquired by such State in accordance with this section. Pursuant to such regulations as the Secretary may deem advisable and in the public interest, any such payment shall be made only with respect to a State project area with respect to which such State (1) has authorized and financed a suitable land acquisition program, (2) has adopted under appropriate laws and regulations plans for

land use and development that are acceptable to the Secretary for the purposes of this Act, (3) agrees to continue to administer, operate, and use as a public recreational area. In addition, any such payment shall be made subject to the understanding and agreement by such State that the conversion, use, or disposal, for purposes contrary to the purposes of this Act, as determined by the Secretary, of any property acquired by such State with funds supplied in part by the United States pursuant to this section, shall result in a right of the United States to compensation therefor from such State in the amount of one-half of the fair market value of such property, as determined at the time of such conversion, use, or disposal.

(b) There is authorized to be appropriated, for the purpose of making payments authorized under the provisions of this section, not in excess of $25,000,000.

INVESTIGATION OF NATIONAL FOREST AREAS

SEC. 4. (a) The Secretary of Agriculture is authorized and directed to make a study and investigation of areas within the national forest system bordering upon oceans, lakes, or rivers, which are appropriate to preserve and develop in such system as shoreline recreational areas, for the benefit of the public, for their recreational, cultural, physical, and scientific values.

(b) The Secretary of Agriculture shall submit to Congress, within two years after funds are made available to conduct such study and investigation, a report of the findings of such study and investigation, together with his recommendations, including recommendations for such legislation as may be needed. Such report shall contain, but shall not be limited to, specific findings with respect to—

(1) appropriate areas, including description, acreage, adjacent water areas, cultural, recreational, scientific, and other values, and accessibility to the public; and

(2) cost of the establishment, development and administration as shoreline recreational areas, including estimated cost of acquiring any private inholdings or rights, or adjacent private lands essential to a contiguous, administrable area.

(c) There are hereby authorized to be appropriated such sums, not to exceed $400,000, as may be necessary to carry out the provisions of this section.

Mr. MANSFIELD. Madam President, we are all aware of the attempt to hijack the Continental Airlines jetliner at El Paso on August 3. We are all the more aware of it because of the action taken jointly by the House and Senate today in agreeing to the so-called hijack bill and sending it to the White House.

I invite the attention of Senators to the fact that under date of August 4, 1961, President Robert Six of the Continental Airlines, who is largely responsible for the act of courage shown by the plane crew and the prompt way in which the situation was handled, was sent a telegram by the President of the United States. I believe that previously the Vice President had also congratulated President Six of the Continental Airlines. I ask unanimous consent to have printed at this point in the RECORD the telegram sent by President John F. Kennedy to Robert Six, president, Continental Airlines, expressing the appreciation of the Federal Government, and an article published in the Denver Post, issue of Wednesday, August 9, entitled "J.F.K. Thanks Six for Role in Capture."

There being no objection, the telegram and article were ordered to be printed in the RECORD, as follows:

AUGUST 4, 1961.

MR. ROBERT SIX,
President, Continental Airlines,
Denver, Colo.:

I want to express the appreciation of the Federal Government for your cooperation and skill in helping to cope with the hijacking of the jet plane, August 3. The courage of the plane's crew and your own prompt arrival to assist in meeting the situation contributed greatly to the successful conclusion of a potentially dangerous situation.

JOHN F. KENNEDY.

[From the Denver Post, Aug. 9, 1961]

J.F.K. THANKS SIX FOR ROLE IN CAPTURE

WASHINGTON.—President Kennedy thanked Robert Six of Denver, president of Continental Airlines, Wednesday, for his "cooperation and skill" in coping with the attempted hijacking August 3 of a Continental jetliner at El Paso, Tex.

In a brief letter to Six, Kennedy said: "The courage of the plane crew and your own prompt arrival to assist in meeting the situation contributed greatly to the successful conclusion of a potentially dangerous situation."

The two hijackers, a father and son from Coolidge, Ariz., were captured on the plane as it sat on the runway at El Paso.

Mr. ALLOTT. Madam President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. ALLOTT. I commend the majority leader for bringing this subject to the attention of the Senate. I think a very unusual set of circumstances was involved when an airline, which had been running through all of its lifetime in a civilian area and not in a war area, was suddenly confronted with a situation such as the crew of Continental were confronted with when the hijacker jumped the pilot. I have previously made some remarks in the Chamber on this subject. But it seems to me that the celerity with which Mr. Six and his associates came through from a management standpoint, keeping in constant contact with the White House all the time they were on their way from Denver to where the plane landed, and also what the crew did on that occasion, merit the highest praise that we in Congress can give them. Since, of course, Continental Airlines' main office is in Colorado, I am particularly proud of the performance of the personnel.

(At this point Mr. METCALF took the chair as Presiding Officer).

Mr. MANSFIELD. Mr. President, I am well aware of the great interest shown by the distinguished Senator from Colorado [Mr. ALLOTT] in this particular matter because, as he has pointed out, the headquarters of Continental is at Denver. It is a Colorado concern. It has a distinguished record, and I know that both he and his colleague [Mr. CARROLL] are very thankful for the prompt action shown by President Robert Six and the courageous action taken by the crew at the time of the attempted skyjacking. I commend him for the interest he has consistently shown on this question.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. BIBLE. I am happy to yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, it has been my privilege to know Robert Six, the president of Continental Airlines, for more than a quarter of a century. I pay tribute to him, as other Senators have done today, but more importantly, I point out the fact that the scheduled airlines of the United States are on standby for defense purposes for this country. Its fleet of excellent aircraft, fine pilots, and well-trained personnel in all departments is certainly a bulwark to our Nation.

THE PLIGHT OF THE LEAD AND ZINC MINER

Mr. SYMINGTON. Mr. President, last Thursday the chairman of the Senate Interior and Insular Affairs Committee, the Senator from New Mexico [Mr. ANDERSON] made a thoughtful and sobering presentation of the plight of the domestic lead and zinc miners.

As the Senator from New Mexico [Mr. ANDERSON] pointed out, these miners have seen, in recent years, a steady dwindling of their income and their market due to a great increase in imports of these products and a failure on the part of the Federal Government to take note of the real need for action.

As I presented in testimony to the committee considering the Lead and Zinc Act of 1961, the time has come for the Federal Government to take action that will bring long-range improvement in this very important industry. We cannot afford a piecemeal approach, nor one that will only lead to a continuation of the decline in the share of the lead and zinc market going to our domestic producers.

The recent action of the Committee on Interior and Insular Affairs in ordering S. 1747 to be reported is an encouraging sign, for action at the national level is needed.

It is my hope that the Senate will soon have an opportunity to take favorable action on this measure and that this will be the beginning of a recognition that the Federal Government has a responsibility with regard to the lead and zinc problem.

I congratulate the able Senator from New Mexico for his excellent presentation of this problem and for his leadership in alleviating the plight of the miners who have contributed so much to our security and prosperity in past years, and who must play a vital role in the economy of our Nation.

A WORD FOR FRANCE

Mr. GRUENING. Mr. President, all of us have heard or read the cynical yarn that Americans are soft and more concerned with their comforts than with the stark realities of this Communist-threatened world.

In World War I the Kaiser and his advisers said that of us; Hitler's Nazis and Japan's fire-eaters said it and began testing the thresholds of our tolerance long before we entered World War II,

by abusing our hospitalities, our citizens, and our national dignity, until our entrance into these two wars became inevitable.

The Soviet Union, it appears, has learned nothing from history, neither do its masters in the Kremlin, know the courage of the American people.

As an example of our courageous devotion to freedom, I call attention to an American citizen and the company he has founded, Mr. A. N. Spanel and the International Latex Corp. They have carried on a worldwide campaign on behalf of free-world unity for over 20 years. In these years Mr. Spanel and his company have pleaded for an aggregate free-world strength born of genuine unity. This effort became an almost endless flow of editorial advertisements presented as a public service, in paid newspaper space. Additionally, they have, in this manner, undoubtedly done more than any person or company in American history to enhance Franco-American relations by informing the free world and the American people in particular of the importance of France to it and to the United States.

I heartily endorse this effort to strengthen and perpetuate the historic ties which since our War of Independence and during our Nation's earliest struggles have linked us with France.

Apart from these ties, it is well for us to remember that almost uniquely among the major nations on the continent of Europe, France has carried the torch of civilization and freedom in modern times. Alone among the continental powers it has never succumbed to the totalitarianisms of the right or left. It has never yielded to either fascism or communism.

The most recent of these articles appeared in the Paris edition of the New York Times, August 21, 1961, entitled "On Yielding to Pressure." It is as informative as it is provocative and merits the widest possible readership.

I ask unanimous consent that Mr. Spanel's article be printed in the body of the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ON YIELDING TO PRESSURE

(By A. N. Spanel)

The issue posed by the dispute over Bizerte is difficult and dangerous. That it has arisen in this time of nerve-racking tension and menace in Berlin is especially unfortunate. Indeed, the timing of the violence unleashed by President Habib Bourguiba in Bizerte, precisely when the Communist challenge to the West in central Europe was reaching a climax, may not have been accidental.

Nations under major threat in one place, he may have calculated, might be more amenable to yielding under lesser pressures in another place. It is a tactic all too familiar in the annals of political extortion.

But whether the eruption of the Bizerte crisis while the Berlin crisis was underway had been planned or was an unhappy coincidence, it is a misfortune that tests American commonsense. The hour is far too grave for the counsels of panic, or for grandstand plays reckless of larger consequences.

The great free-world powers, of course, must use their good offices to promote an equitable and peaceful solution of the problem in Tunisia. But the attainment of that objective would be seriously hampered, perhaps precluded, if the American Government again allows itself to be intimidated by dogmatic, know-nothing "anticolonial" slogans.

Too often in the past Washington has sided too easily with the small country against the great power, regardless of the facts and the justice of the situation, regardless of the heavy price in free-world disunity.

The temptation nowadays is to aline with the emerging nations, to bid for their applause, in defiance of larger and more pressing interests. Like Pavlov's experimental dogs, we are being conditioned to react to the ringing of Afro-Asian and Red bloc bells. It is high time that we broke the spell of that conditioning.

Both prudence and past experience demand that we do not lose sight of the facts in the Franco-Tunisian affair. The record must be kept straight. And the central fact in that record is that Mr. Bourguiba—by his ultimatum and by initiating the violence—deliberately provoked the hostilities. The noise of artificially staged anti-French demonstrations in Tunisia should not be allowed to drown out that reality.

It was alarming, therefore, to read the Washington dispatch by Lloyd Garrison in the New York Times of August 19. If his forecast of U.S. conduct in the U.N. General Assembly on Bizerte is correct, then America is about to perpetrate another policy blunder, with the Communists reaping another easy victory.

"Earlier this week," Mr. Garrison reports, "it was presumed that the United States would abstain on any resolution considered even mildly offensive to France, as it did when the Security Council voted on the issue last month."

But now, he says on the authority of "a highly qualified State Department official," that presumption has been canceled out. The American position on Bizerte has "not been decided," he attests: "The United States has not ruled out the possibility of voting a mild African-Asian bloc resolution backing Tunisia."

This advance notice of possible American submission to Afro-Asian pressures is particularly shocking in the context of events in Berlin, which make maximum unity of the major NATO nations imperative.

Can we afford to affront and outrage France, a steadfast ally in the central European situation? What are we trying to repeat—another Suez?

In 1953 Washington pressure virtually forced the British to leave the Suez area which in the end served to turn over Suez to anti-Western politicos in Egypt. Then it nudged Britain into withdrawing its garrison from the canal. Finally, in late 1956, the United States intervened in concert with Russia against France, Britain, and Israel, thereby giving Nasser a standing and stature that put the free world at a cruel disadvantage in meeting Soviet intrusions in the Middle East.

Have we learned nothing from that disastrous chapter of recent history? Are we helibent for destruction of another key Western position, this time in the vital Mediterranean, to appease Afro-Asians many of whom are openly manipulated by our common enemy?

What, after all, is our country's priority interest—to please the newly arrived "neutral" nations heavily subsidized by the United States and her allies, or to stand shoulder to shoulder with our principal allies for all that is right, and to weld an effective coalition of the great democracies against the crowding Communist threat?

These are crucial questions that must be asked insistently by the American people in the days of test in the U.N. Assembly. We dare not delude ourselves once more that we can continue to play the ambivalent role of mobilizing NATO strength and at the same time cutting it down in U.N. votes.

THE PRESERVATION OF CERTAIN SHORELINE AREAS OF THE UNITED STATES

The Senate resumed the consideration of the bill (S. 543) to promote the preservation, for the public use and benefit, of certain portions of the shoreline areas of the United States.

Mr. BIBLE. Mr. President, the pending proposed legislation is designed to promote the preservation for the public use and benefit of certain portions of the shorelines of the United States. The bill was reported from the Committee on Interior and Insular Affairs by almost a unanimous vote, and the distinguished chairman of the full committee, the Senator from New Mexico [Mr. ANDERSON], before he left last weekend to undergo surgery, asked me to present the bill to the Senate. I have just been advised that he has undergone surgery and he has withstood the operation very successfully. I am sure he will be back in his seat within the very near future.

The bill, known as the shorelines bill, is one on which the committee has spent considerable time and devoted a great deal of attention in attempting to work out many different viewpoints in this particular field. I think we are all aware that the country is in a population explosion, which is going on at an unprecedented rate. For example, the chairman of the committee made us very well aware that there is an even greater explosion in the demand for recreational facilities and for the opportunity to get out of doors.

Since World War II, park and forest visitors, the number of hunters and fishers—and particularly the number of people who seek recreation on a beach of one sort or another—has mounted far faster than population itself. At least three multipliers are at work: population growth, increasing individual incomes which make it possible for more people to afford outdoor recreational activity, and increased leisure time—longer vacations—which afford greater opportunity to get out of doors.

The growth in numbers of visitors at all types of outdoor recreation facilities since World War II has been phenomenal—and the greatest of all has been at beaches, reservoirs, and facilities which offer water sports. You will find in the report on this bill a table showing the average annual percentage increase in use of various types of facilities. Attendance at national parks has been going up 8 percent a year. It has gone up 10 percent at national forests and State parks, and 12 percent at our wildlife refuges and ranges. Topping them all, however, is a 28 percent annual average increase in use of Corps of Engineers reservoirs.

A recent Gallup study indicated that about twice as many residents of the Delaware River Basin want to go to the beaches as go to the mountains for a weekend outdoors.

There has been a tremendous growth in outboard motors in use in the Nation—from 2.8 million in 1950 to more than 6 million in 1960.

This increase in use of water-based recreational facilities has been reflected in increased demand at all levels of government for more public beaches.

In 1935, the Park Service suggested the acquisition of 12 national seashore recreation areas with 600,000 acres and more than 400 miles of ocean and gulf shore on the Atlantic and the Gulf of Mexico. It would then have cost less than $15 million total. One of the areas was partly acquired—Cape Hatteras. We are looking at another now, Padre Island. The estimated cost of acquiring about two-thirds of the island is now 12 times the estimated cost of the whole island back in 1935. A bill to acquire Padre Island is pending before the Interior Committee, and we hope to consider it tomorrow in a markup session. The other 10 areas proposed in 1935 are gone. They have become real estate developments and industrial sites and it is unthinkable to take them over now. One area, available to the Government at $26 an acre in 1935, is now being sold in lots valued at $65 per front foot.

Many examples can be given of the increase in costs. The bill is intended to move the Nation along in an orderly, economical way toward the establishment of both Federal and State shoreline recreation areas which will meet the growing demand, and will develop some of these shoreline facilities in inland States.

The bill does three things:

First, it directs the National Park Service to make detailed studies of 12 areas which might be considered for national shoreline recreational facilities. Most of these areas were spotted in the Park Service's reconnaissance survey of our shorelines. They are in the group which the Park Service considered most outstanding and worthy of Federal consideration.

In processing the Cape Cod bill, which we recently enacted, and the Point Reyes bill, which is now on the calendar and will be brought up by motion momentarily, the Committee on Interior and Insular Affairs has found that much detailed information is needed than the generalized study which the Park Service was able to do on its reconnaissance study with private funds.

The first major objective of S. 543 is to have the Park Service make the necessary detailed studies of the 12 areas enumerated in the bill. Of the 16 areas originally in the bill, 2 have been removed by direction of the committee. I believe an amendment will be offered to take out two areas in the State of Michigan, which are now being made the subject of individual park bills. Shortly I will yield to the senior Senator from Michigan for the purpose of considering the first amendment along that line.

The amount of money estimated which will be necessary to make these detailed studies is approximately $400,000.

The second major objective of the bill is to stimulate the various States to cooperate in meeting the public's demand for shoreline recreation facilities. Appropriation from time to time of a grand total of $25 million of matching funds is authorized, to assist the States in acquiring State shoreline areas. The proposal of such a matching fund program has itself done a great deal of good in activating the States to meet their share of responsibility in this field. The chairman has corresponded with the Governors of the States. A great majority of them have looked over the problem as it affects their State and responded enthusiastically to the State aid provision in the bill. Their letters will be found in the printed hearings.

Without question, this $25 million of matching funds will get us not just twice its total in State recreational facilities, but several times its total by stimulating the States to move ahead on their own. The sum is a very modest one compared to the job to be done. If it were equally divided among the States—and that is not required to be done—it would amount to $500,000 for each of the 50 States. This is not a tremendous amount in view of costs, which are running up to $3 million per mile of waterfront in more densely populated areas where the demand and the need for shoreline recreation facilities is the greatest.

The third objective of this bill is to have the National Forest Service take a look at lands the Federal Government already owns—the 186 million acres in the national forests in 44 States—and see if we cannot establish some water-based recreation areas without paying millions of dollars acquisition costs.

The Forest Service has 54 miles of shoreline on the Great Lakes, 42 miles on the Oregon and California coasts and about 11,000 miles of ocean front in Alaska. The national forests contain 1,000 reservoirs and over 12,000 lakes of more than 10 acres in size, totaling 2.7 million acres. They have 81,000 miles of rivers and streams.

The national forests now include some well-known water-based recreation areas such as Pend Oreille, Palisades, Flaming Gorge, Chelan, and Shasta in the West; Ouachita, Cumberland, Fontana, and Watauga in the Southeast, and the great Boundary Waters canoe area in Minnesota. It has fine recreation areas on Lake Tahoe, which lies across the California-Nevada border. It is my hope that they will survey their holdings in that area for possible expansion of the facilities already there and that the Park Service will look into the possibility of some development on the eastern Nevada shore, where it may be possible to acquire some lake frontage very reasonably.

The bill before us authorizes the appropriation of $400,000 for these Forest Service studies—an authorization that can save us tens of millions of dollars by assuring optimum use of lands we already own—to meet the demand for shoreline recreation facilities.

The appropriations authorized in the bill are $400,000 for Park Service studies, $400,000 for the Forest Service survey, and $25 million to be appropriated over a period of years for aid to the States.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. SYMINGTON. Mr. President, after many years of careful consideration by both Houses of the Congress, the wilderness bill is now before the Senate for action.

The members of the Committee on Interior and Insular Affairs are to be congratulated for their careful study and review of this very important measure and for the thoroughness with which they considered the views of all those who are concerned with the plan under which the wilderness system is to be established. It is my belief that the Interior Committee has reported a good bill, and I would urge favorable consideration of S. 174 by the Senate.

On July 29 an outstanding newspaper in my State editorially supported the bill as reported to the Senate. This paper, the St. Louis Post-Dispatch, has been a leader in efforts to preserve and develop the natural resources of both the State of Missouri and our Nation.

Mr. President, I ask unanimous consent that an editorial, entitled "Out of the Wilderness?" in the July 29, 1961, St. Louis Post-Dispatch, be inserted at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OUT OF THE WILDERNESS?

For 5 years the so-called wilderness bill has been pending in Congress. At last, by a solid 11–4 vote, it has been recommended for passage by the Senate Interior Committee, Chairman CLINTON ANDERSON'S enthusiasm and the support of western Senators giving it a good chance on the floor. And the 2,400 pages of Senate testimony in its favor ought to impress the House.

Under this measure, portions of national parks, national forests, and wildlife reserves would be set aside in perpetuity so that future generations might have at least a glimpse here and there of their land in its virginal state. No new agency would be set up, and Congress could review the provisions, from time to time, in the light of experience.

Perhaps few of us have a taste for the rugged pleasure of wild beauty. Nevertheless the logic of preserving at least a small portion of our natural scenery must be persuasive to all except those devotees of the bulldozer who would exploit anything. It is a minor mystery why this bill was not passed long ago. Let us hope that it will be listed among the accomplishments of this Congress.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. BIBLE. I am happy to yield to the senior Senator from Massachusetts.

Mr. SALTONSTALL. I should like to ask the Senator if the pending bill follows up on more reservations similar to the Cape Cod reservation which the committee reported earlier and which has been enacted into law. It involves the same principle, does it not?

Mr. BIBLE. It is the same principle. I would say to the Senator from Massachusetts, the coauthor of the Cape Cod National Seashore bill, that it follows exactly the same pattern. At one time the Cape Cod bill was before us for study. The studies went forward, as the Sena-

tor knows, and as a result of the studies and the fine work that went into the proposals that came before the committee, we were able to move the Cape Cod bill forward. The pending bill follows the same principle.

Mr. SALTONSTALL. The question will then arise as to the peak or top priority areas which should be the next priority areas to be considered, because they might be lost if we did not acquire them now.

Mr. BIBLE. That is true. Without doubt the costs will increase. What these studies will show, I do not know. However, we cannot move forward intelligently without the detailed studies that the bill envisions.

Mr. SALTONSTALL. And the studies are to be made within 2 years, or so, so that we can get some action.

Mr. BIBLE. The report must be made within 2 years from the enactment of the bill. The Department of Agriculture, which is in charge of the National Forest lands, will be required to report back in a period of 2 years.

Mr. SALTONSTALL. I congratulate the Senator and his committee. I know the feeling in my State in the Cape Cod area, what it means to many people. As one Member of the Senate and as one who knows the advantages of such action as is contemplated, I hope the bill will be passed.

Mr. BIBLE. I appreciate the comments of the Senator from Massachusetts and I hope the bill will be enacted. If we had not had studies made on the Cape Cod area we would never have been able to work out a bill generally as satisfactory as this one.

So the very purpose of this action is to move in the direction suggested by the Senator from Massachusetts.

Mr. DOUGLAS. Mr. President, will the Senator from Nevada yield?

Mr. BIBLE. I yield.

Mr. DOUGLAS. I am pleased that the committee has reported the shoreline bill. It is much needed. I hope the work will be speedily conducted. I congratulate the Senator from Nevada upon his work.

However, may I inquire as to the status of projects which are not included under section 2. Do I understand correctly that if they are not included, they are put at the bottom of the totem pole, so to speak?

Mr. BIBLE. No, no; far from it. I hiked over the Indiana Dunes with the distinguished Senator from Illinois. I know of his interest in the Indiana Dunes. This is a matter of special legislation which is now pending before the Committee on Interior and Insular Affairs. It so happens that it is before the subcommittee of which I am the chairman. I have said to the Senator from Illinois, as I have said to many of his constituents, and to many of the residents of Indiana who have written me about the Indiana Dunes, that I plan to hold full dress hearings on the Indiana Dunes in either January or February.

Mr. DOUGLAS. If the decision is favorable, the Indiana Dunes could move up toward the top of the list, instead of being put in the basement?

Mr. BIBLE. I do not think the Indiana Dunes are in the basement. I would rank the bills which we are looking at at the present time as something in this order:

First, the Cape Cod bill, which has become a law. Next, the bill which is now on the calendar as the Point Reyes bill, which has been studied in detail. There are some details concerning the Indiana Dunes which need to be studied.

The third bill which is coming along in the national seashore group relates to Padre Island, Tex.

Then, I should say, quite possibly, if the hearings vindicate the proposal and justify moving it, the Indiana Dunes bill would probably be the fourth in line.

I should say that the Oregon Dunes bill would be the fifth in this particular chain of national seashore proposals.

Mrs. NEUBERGER. Mr. President, will the Senator from Nevada yield?

Mr. BIBLE. I am happy to yield.

Mrs. NEUBERGER. I wish it were possible for the people of the United States to see the expression on the face of the Senator from Massachusetts, because he has his bill safely behind him.

Mr. SALTONSTALL. Mr. President, will the Senator from Nevada yield?

Mr. BIBLE. I yield.

Mr. SALTONSTALL. When the Senator from Masaschusetts looks at the lady Senator from Oregon, what can he do but smile?

I should like to ask the Senator from Nevada a question. He said he trudged along the Indiana Dunes. But did he run as fast as the picture of the Senator from Illinois which was published in the press seemed to indicate he covered the span?

Mr. BIBLE. The distinguished Senator from Illinois easily outdistanced the Senator from Nevada. I now yield again to the Senator from Illinois.

Mr. DOUGLAS. I understand the studies were being made without prejudice to the other projects. If, in the opinion of the administration and Congress, it is desirable to push the Oregon Dunes, Point Reyes, Padre Island, and the Indiana Dunes, they will not be held back because of the bill.

Mr. BIBLE. No. To the contrary, the Indiana Dunes project has moved along a little further than have the proposals for some of the other areas which are designated in the bill—some 16 in all. As a matter of fact, by way of illustration, the bill provides for a study of two fine areas in the great State of Michigan. The studies have been made by independent people. The project has moved foward even faster than we thought it would. We have made it the subject of a special bill introduced by the two Senators from Michigan. Because of that work, the Senator from Michigan will offer an amendment to remove two projects from the bill and move forward with it independently. The committee would certainly do the same thing with respect to the Indiana Dunes.

Mr. DOUGLAS. I thank the Senator from Nevada for his graciousness and cooperation, and I express the hope that this beneficence will continue to increase.

Mr. BIBLE. Mr. President, I now yield to the Senator from Michigan, because I have alluded to the problem of Michigan several times.

Mr. McNAMARA. Mr. President, I offer an amendment and ask that it be read.

The PRESIDING OFFICER. The Senator's amendment will not be in order until the committee amendments have been adopted.

Mr. McNAMARA. I withhold my amendment.

Mr. BIBLE. Mr. President, so as to accommodate the Senator from Michigan, I move that the committee amendments be adopted en bloc.

Mr. PROXMIRE. Mr. President, the committee amendment on page 5, line 22, involves an increase from $10 million to $25 million.

Mr. BIBLE. That is the amendment relating to the payments authorized to be appropriated.

Mr. PROXMIRE. The Senator's request means that if the amendments are adopted en bloc it will be impossible to cut that amount back.

Mr. BIBLE. That would not be my intention. I would ask that the bill as amended be subject to further amendment. I have no disposition to try to preclude the Senator from Wisconsin from offering amendments at any time, if he wished to do so.

Mr. PROXMIRE. The Senator from Wisconsin has no such intention, but he would like to ask some questions about which he feels certain the Senator from Nevada might be able to satisfy him.

Mr. BIBLE. Mr. President, I do not suggest, by asking that the committee amendments be adopted en bloc, that any Senator be precluded from offering an amendment to the bill.

The PRESIDING OFFICER. The Senator from Nevada may request that the bill as amended be treated as original text for the purpose of amendment.

Mr. BIBLE. That would be my second request.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BIBLE. Mr. President, I am happy to yield to the Senator from Michigan to enable him to offer his amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, lines 21 and 22, it is proposed to strike out "Pictured Rocks and Grand Sable Dunes, Michigan; Sleeping Bear Dunes, Michigan;".

Mr. McNAMARA. Mr. President, the junior Senator from Michigan and I agree in principle with S. 543, a bill to promote the preservation, for the public use and benefit, of certain portions of the shoreline areas of the United States.

We agree also with the need to study and investigate certain areas to determine what future action should be taken to save and preserve certain well-known and outstanding shoreline areas of the Atlantic, Pacific, gulf, and the Great Lakes.

However, of the several areas listed in section 2 for study and investigation, both the Pictured Rocks-Grand Sable Dunes and Sleeping Bear Dunes in

Michigan have already been investigated thoroughly by the Department of the Interior.

In 1959, the National Park Service with donated funds initiated detailed studies of both the Pictured Rocks and Sleeping Bear Dunes areas. These studies that recommended both areas for addition to the national park system have been completed and the final reports are now being processed for publication. The three reports on the Sleeping Bear area have already gone to the printer and distribution is scheduled for the middle of September. These three reports will include:

First. A summary report including a proposed plan for public use development.

Second. A comprehensive treatise of the natural history and other values of the area.

Third. A report on economic feasibility of establishing the area as a unit of the national park system.

The latter report was prepared by the Institute of Community Development and Service of the Michigan State University.

The final report on the Pictured Rocks area—which encompasses the Grand Sable Dunes—is receiving final edit prior to submission to a printer. Distribution of this comprehensive report is expected later this fall and will include chapters on natural history, proposed development of public benefit, and economic feasibility.

At our request, the National Park Service furnished advance information on the findings and recommendations of the detailed studies of both the Pictured Rocks and Sleeping Bear areas. Based on this information, we introduced on June 27 bills to establish national recreation areas at both locations. We hope, with the cooperation of the Interior Committee chairman and the chairman of the Public Lands Subcommittee, to move forward without delay to public hearings and consideration of the varying points of view on these two proposals.

Therefore, because both areas have already been studied thoroughly, have been determined to be of national significance, and legislation reflecting the current judgment of the Department of the Interior as to these areas is before the Senate, I propose that section 2 of S. 543 be amended to exclude both the Pictured Rocks-Grand Sable Dues and the Sleeping Bear areas, both in Michigan, as areas for investigation.

Mr. President, I ask the chairman if he will accept the amendment.

Mr. BIBLE. Mr. President, I have discussed the proposal with the distinguished Senator from Michigan. The amendment he offers is acceptable to the committee. Enough studies have been made by outside groups, and we have moved area studies forward in such manner, that we now have information to go forward with the necessary hearings. This we will do either this fall or early next year with respect to independent bills to create national seashore areas in those two parts of Michigan. They will be considered independently, because it has now been determined that there is no need for further study. I am happy, for that reason, to accept the Senator's amendment.

Mr. McNAMARA. I thank the distinguished Senator from Nevada for his cooperation. I assure him we will pursue the project in any manner he deems advisable to reach the ultimate objectives of his committee.

Mr. BIBLE. We hope to take a look at the Michigan area later this fall or early next year. It has great problems, just as all the seashore areas have problems. They include the problems of people who have lived in the areas for many years.

This point was raised in connection with the seashore bills. The dairy people have some vital interests which need protection and will be protected, and there are similar problems. But as a result of the hearings, I believe it will be possible to move the bills forward in a satisfactory way.

In any event, the necessary studies have been made, and there is no need to have them covered by this bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan.

The amendment was agreed to.

Mr. BIBLE. Mr. President, a number of Senators have asked that I yield to them. I promised to yield first to the Senator from Iowa, a distinguished member of the Committee on Interior and Insular Affairs. I now yield to him.

Mr. MILLER. I thank the Senator from Nevada.

Mr. President, section 3 of the bill provides the Secretary with authority to pay up to one-half of the purchasing price of any land or water area to be acquired by a State in accordance with this section. I call attention to the fact that the areas to be acquired may include inland river systems. I wish to point out that during the consideration of the bill both the distinguished occupant of the chair, the Senator from Montana [Mr. METCALF], and I made quite a point of the fact that in the surveys to be conducted under the bill and also in the acquisitions, attention should be given to our inland water systems and shoreline areas within the interior of the United States, as well as to those around the Great Lakes and on the seacoasts.

I ask unanimous consent that a portion of the report by the committee, beginning on page 5, with the heading "Inland River Shores," and continuing to near the bottom of page 6, be printed at this point in the RECORD, so as to make clear that the future planning with respect to shoreline acquisition and development will include inland river shores.

There being no objection, the excerpt from the report (No. 649) was ordered to be printed in the RECORD, as follows:

INLAND RIVER SHORES

During the committee's consideration of S. 543 amendments were proposed to include studies of the Mississippi River and its major tributaries, the upper Missouri River between Fort Peck Dam and Fort Benton, Mont., the Columbia, and other rivers.

The committee believes that a survey of shoreline recreational opportunities on major rivers and other inland lakes should be undertaken. The rising demand for such recreational facilities will ultimately require that it be done and, as in the case of seashores, the increasing speed of development of desirable sites by commercial interests will greatly increase values and Government cost of acquisition as time elapses. S. 543 includes the preservation and development of shoreline areas on inland river systems as one of the objectives of the Congress. The amendment to include studies of specified stretches of inland rivers was set aside only upon the understanding that the National Park Service will be requested to undertake a broad reconnaissance study of major inland river and lake areas, in the pattern of the seashore studies previously conducted, to identify specific areas of present or potential benefit to the general public warranting legislation authorizing more intensive studies of the desirability of Federal acquisition of a reasonable number of specific inland river sites. The committee's action in setting aside the proposed river amendments was in no way a disapproval of the proposal. On the contrary, it was done to permit a more comprehensive approach to the problem. It is not sufficient to establish recreation areas on shores at the perimeter of the 48 contiguous States. There is equivalent need for similar facilities in the inland States.

The 16 seashore areas which the National Park Service is directed to study by S. 543 do not include any of the 5 areas which Congress is currently considering for acquisition. Additional studies are not required in these five instances. The list does include areas on the Atlantic, Gulf of Mexico, the Pacific, and Great Lakes shores which were found to be outstanding and worthy of consideration for national acquisition in the 1955–59 reconnaissance studies.

Since the introduction of S. 543 the National Park Service has done more extensive study of two of the named areas in Michigan (Pictured Rocks and Sleeping Bear Dunes) and appropriations for a study of the shores of Hawaii have been proposed and are under consideration. The areas were retained in S. 543 to assure completion of the studies and reports. Because of its knowledge of the status of these reports, the committee added Great Salt Lake in Utah and Lake Tahoe in Nevada-California without increasing the $400,000 authorization of funds for the National Park Service to finance the total project. It is believed the work of studying the additional areas can be funded from the total because of the work completed on the two areas designed in the original bill.

Mr. BIBLE. I think the report makes abundantly clear that nothing in the bill would in any way run counter to the expressions by the Senator from Iowa or the expressions by the distinguished occupant of the chair, the Senator from Montana. This measure merely calls for a more comprehensive approach.

Mr. MILLER. That is correct.

Mr. ALLOTT. Mr. President——

Mr. BIBLE. I yield to the distinguished Senator from Colorado.

Mr. ALLOTT. Mr. President, I think two or three things should be taken into consideration in connection with this measure.

Like the Senator from Nevada, I am from an inland State which has no seashore. Nevertheless, I have supported the bill. But I join other Senators in believing that in dealing with this matter, we should provide for orderly procedure and development. This year we have committed ourselves to the expenditure of quite a few million dollars for the Cape Cod Seashore. The Point

Reyes Seashore bill is now on the calendar. The Committee on Interior and Insular Affairs is now acting on the Padre Island bill, and I am informed it will complete its action in the next day or two.

So, all in all, I believe that in the next few years, in connection with these three areas alone, by means of the authorizations contained in the bills, we shall have committed ourselves to the expenditure of probably close to $75 million to $100 million. I support this development; I believe it is a wise investment in the future of the country. On the other hand, we cannot help but be somewhat concerned about the amount of funds required for this work, which we believe desirable.

In particular, in connection with this bill, I believe that part of the letter from the Secretary of Agriculture, as set forth in the report, should be read into the RECORD, because it is very significant. It reads as follows:

> At this time, there is no way to appraise the extent of land devoted to commercial timber production or other resource uses that might be affected by shoreline areas to be studied by the Secretaries of Interior and Agriculture. In connection with the studies that will be directed by the bill, it is believed that the concerned Departments should, in making their recommendations to the Congress, evaluate the impact of these recommendations on other land resources. The future needs of the Nation for the products and services provided by forest lands is expected to be so great that Congress should have the benefit of such evaluation in considering the recommendations to be submitted to it by the executive departments.

So I believe this will lead us down a more orderly path toward the development of our seashores, which will be necessary if we are to make proper provision for the recreational facilities of our population. I only hope that the last sentence of the Secretary's letter will be well remembered when we come to consider the wilderness bill. The future needs of the Nation in connection with the products of our forest lands are expected to be so great that Congress should have the benefit of the evaluation which is to be provided; and I hope that will be carefully considered when we take up the wilderness bill, which interlocks with the seashore area development bills.

Mr. BIBLE. I thank the Senator from Colorado. He has been a most helpful member of our committee, and has taken a very definite interest in this important area of conservation, and has made very definite contributions.

Mr. ALLOTT. I thank the Senator from Nevada.

Mr. GRUENING. Mr. President, will the Senator from Nevada yield to me?

Mr. BIBLE. I yield.

Mr. GRUENING. Mr. President, as a cosponsor and an enthusiastic supporter of the bill to set aside national shorelines, and having followed the efforts of the Senator from Nevada in the subcommittee, of which he is chairman, I wish highly to commend him for his most effective handling of the bill. When the history of this Congress is written, I believe one of the things longest remembered about it will be its achievement of establishing these shoreline areas. This is resource development in the finest sense. It will make life richer and better for all the American people.

I hope the same efficiency which has characterized the handling of the bill by the senior Senator from Nevada will continue. Cape Cod National Seashore is established. Last week the Interior Committee reported favorably on Point Reyes in California. Padre Island, Tex., will, I am confident, be reported shortly.

As for the Indiana Dunes, to which I was happily introduced by my friend, the Senator from Illinois [Mr. DOUGLAS], I hope we get speedy action. I went there a little more than a year ago with the Senator from Utah [Mr. Moss]—and was deeply impressed by its beauty and deeply depressed by the rapidity with which it was being destroyed by the plague of pollution and other forces of annihilation. I wish to say that time is awasting and that every week that passes until we act, we are in danger of losing still more of this priceless heritage situated in an area which, perhaps beyond any other in the Nation, because of its nearness to the second greatest population concentration in the United States, needs to be preserved in the interest of this rapidly increasing citizenry. Much of this area has already been destroyed. When Senator Moss and I were there a year ago last spring, we traveled through a smog which would make the Los Angeles smog seem pale and harmless by comparison. Our eyes and nostrils were assailed by acrid fumes from steel mills. We saw the foul pollution of the once beautiful Indiana shore of Lake Michigan. We were deeply distressed to think that there was not unanimous support for a move to put an end to that, pollution and destruction, and to preserve the priceless and unique heritage that the Nation had in the Indiana Dunes. Their preservation—at least what is left of them—is called for imperatively; and I hope we shall move as rapidly as possible to save what little is left of Indiana's shoreline.

Mr. PROXMIRE. Mr. President——

Mr. BIBLE. I yield to the Senator from Wisconsin.

Mr. PROXMIRE. I have several questions concerning the sharp increase in appropriations in this bill from $10 million up to $25 million. I note that the bill was introduced on January 23, and that the bill as originally introduced appears to have provided for the authorization of an appropriation of $10 million. In the bill on page 5, in line 20, we find an indication that that was the authorization originally contemplated.

In the committee report I notice there are letters which were received from the Bureau of the Budget, the Department of Agriculture, the Department of the Interior, and the Department of Commerce. In each case, as I review the committee report, it seems that the letters were written on the basis of the original bill. As a matter of fact, the letter from the Department of Agriculture refers to the $10 million authorization.

I have several questions to ask in regard to this matter:

First, was the Bureau of the Budget and were the other Departments apprised of the increase to $25 million, and did they approve of that much of an increase?

Mr. BIBLE. I would say that the increase was made only after rather exhaustive hearings, as reflected in the written report on the hearings which is before the Senate. They indicated that $10 million would be most inadequate in order to do the job of matching the funds provided by the States. For example—and I happened to conduct the hearings—the head of the Park and Recreation Board—I believe that is his official title—of the State of California appeared before the committee and made a rather strong presentation to the effect that $10 million would be inadequate.

He pointed out, for example, that in the State of California the $10 million provided in the bill, on a matching basis, would buy only 4 miles of coastline. We found this to be pretty sound based upon the costs we have developed in our other national seashore bills to date. For example, the Cape Cod bill has a total price acquisition cost of $16 million. The Point Reyes bill, which is another seashore bill, on the opposite side of the continent, on the Pacific Ocean just north of San Francisco, has a price tag of $14 million for the acquisition of the seashore park areas there.

It was apparent to the committee that the $10 million figure was not a realistic one; that if we were to make available an amount which would do any good, the figure should be higher. This amount would allow something in the neighborhood of $500,000 per State if it were parceled out to the 50 States. It was for this reason that the committee went to the higher figure.

There is no magic in the figure. Perhaps it should be $30, $40, or $50 million. In any event, it would depend on the final action of the Appropriations Committee. It was not checked back with the Budget Bureau as to whether it would agree with that figure. The figure was arrived at by the committee. The Bureau of the Budget made one suggestion about reversion, which we incorporated. We did not solicit their additional view as to whether $25 million was a correct figure, or whether it should be $10 million or some other figure.

Mr. PROXMIRE. The Senator has already answered my second, unasked question. I see that there is a great deal of justification, as he pointed out in the hearings, for increasing this amount from $10 to $25 million.

I am somewhat discouraged with the notion that $25 million will buy such a small proportion of California coastline, as the Senator from Nevada so well pointed out. The cost of the Cape Cod project was $16 million. It seems we may be getting into another multibillion-dollar program before we are through with this kind of legislation.

At any rate, I am frankly shocked and disappointed that the Bureau of the Budget was not solicited for its opinion on the increased authorization, which is 150 percent higher than the figure on which it passed favorably. Without such an opinion this Senator would regard the approval of the Budget Bureau and the departments as meaningless.

When was this decision made by the committee? When the bill was marked up?

Mr. BIBLE. When the bill was marked up, which was on the 26th day of July. This decision was made in that area of time—the latter part of July.

Mr. PROXMIRE. Wisconsin stands to gain very greatly by this kind of legislation. We have a long and beautiful shoreline. The Governor of Wisconsin is interested in it and has expressed his enthusiastic support for the measure. He has expressed his support of this kind of State-Federal partnership approach as realistic.

There is great merit in the bill, but I have reservations. I question the cost of the measure, particularly the potential cost involved. I dread the prospect of a multibillion-dollar future involvment if the Congress adopts an acquisition-type approach. It could be fantastically expensive. Recreaction and conservation are splendid objectives. But the cost to the taxpayer could be far too great if "Uncle Sugar" gets into the acquisition business 50–50 with the temptation to buy and profiteer on available shoreline.

Mr. BIBLE. I thank the Senator for his useful observations. The question of price tag bothers us all. In the Point Reyes bill we were able to reduce the amount from $20 to $14 million. So we saved $6 million by getting the dairymen, recreationists, conservationists, and lovers of parks to live together. As a result of the decision that the dairymen can live side by side with the recreationists and conservationists, we were able to save some $6 million. I hope we can continue to do that as we go into this subject project by project.

I promised to yield first to the Senator from Florida [Mr. HOLLAND]. Then I will yield to the Senator from Utah.

Mr. HOLLAND. I congratulate the Senator and his committee for this very forward-looking measure, of which I heartily approve.

I have two or three questions to ask the Senator. I note on page 4 of the bill, in section 3, that the bill relates to assistance in the establishment of State areas. The shoreline areas referred to are along the Atlantic, Pacific, and gulf coasts, and along the Great Lakes and inland river systems.

In our own State there are several large bays, almost the size of gulfs. This is true of many other States. The bays reach well back into the land, and some of them are almost closed, having very narrow entrances into the Atlantic and the gulf. Are we to understand that where the words "Atlantic, Pacific, and gulf coasts" are used, they would be applicable to bays and indentures in the mainland of the type I have referred to?

Mr. BIBLE. That question did not specifically come before the committee, nor was it covered by the testimony of any of the witnesses who appeared before the committee. In making the legislative history, it is my thought that the bays referred to by the Senator from Florida would be included in the description of Atlantic, Pacific, and gulf coasts, and would be subject to assistance on a 50–50 matching basis.

Mr. HOLLAND. I thank the Senator from Nevada. That is my own feeling. At the same time, I think the legislative history should appear in this RECORD, showing that Congress had in mind not only the beaches of the Atlantic, Gulf, and Pacific, but also units thereof which reach well back into the mainland.

Mr. BIBLE. I think that is true. There is one further factor which nails down the definition, and that is that the Interior Department studies themselves take cognizance of and cover surveys of the bay areas referred to. So I am sure they are embraced within this language.

Mr. HOLLAND. I notice reference to inland river systems. We have in our own State—and this is the case along a large part of the South Atlantic coast—areas of salt water which are not gulfs, bays, or anything of the kind, but really are long stretches which are called rivers, but which are salt water in which there is no flowing of water except as a result of tide. I refer to the St. Lucie River, the Banana River, and the Indian River. I suspect that perhaps some of my colleagues have fished or hunted along those areas, and if not, I hope they will have an opportunity to do so.

Am I to understand, from the use of the words "inland river systems," that that wording in the bill of the committee goes so far as to reach these long inland reaches of salt water which are referred to as rivers in many parts of our coastal areas?

Mr. BIBLE. I think they would be embraced within the terminology of "inland river systems." I am informed by the staff that the Department of the Interior considers them either in the inland river systems or bay systems. So they are taken care of in both areas.

Mr. HOLLAND. We may assume safely, then, that the committee considers them as water frontage?

Mr. BIBLE. That is correct. That may be better terminology.

Mr. HOLLAND. Water frontage that may lend itself to the purpose of preserving recreational areas to be covered by this act, whether they be on either of the oceans. the gulfs, bays, or flowing rivers, or salt waters which are colloquially called rivers, or sounds. As the Senator well knows, in the case of North Carolina there are many of what are referred to as sounds.

Almost all along the South Atlantic coast are inland waters which are generally the areas through which the Inland Waterway passes, but which are connected with the ocean only at very long intervals, as a rule, through tiny inlets.

I think we may safely leave the record now with the understanding that what we are talking about is water frontages of such impressive nature that they afford real opportunities for recreation and real invitation to be saved for their recreational values for our people, whether as national institutions or as State parks or State recreational areas.

Mr. BIBLE. I concur in the Senator's statement. I am sure that is the thinking of the committee. It is certainly my thinking as chairman of the Public Lands Subcommittee, which has charge of park and seashore problems.

Mr. HOLLAND. I thank the distinguished Senator.

In my home State of Florida there are some 12,000 miles of outside coastline and from 4,000 to 7,000 miles of inside shore water lines, including all of the lake frontages. I believe there are great opportunities, particularly, for the State to work with the Federal Government. We already have a number of State recreational areas and State parks which preserve minor portions of the shore areas. We badly need to preserve more.

I thank the distinguished Senator and his distinguished committee for presenting the bill, which I think will bring to pass many things which are worth while throughout the Nation.

Mr. BIBLE. I thank the distinguished Senator.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. BIBLE. I yield to the Senator from Utah. I know of no member of our committee who has been more faithful in his duties in looking at the seashore and park problems. The Senator has visited many of them with me. He visited many of them before I visited them. He has made a real contribution in this area, and I am happy to yield to the Senator from Utah at this time.

Mr. MOSS. I thank the senior Senator from Nevada, my distinguished colleague on the committee and the chairman of the subcommittee considering seashore, park, and public land needs. Since the Senator has assumed the leadership of the subcommittee we have been moving forward at a very good rate in accomplishing some of the things which need to be done with respect to our public lands, particularly in the area of the shorelines.

Since I became a Member of the Senate and began service on the Committee on Interior and Insular Affairs I have had an opportunity to visit a number of the places to which reference has been made heretofore—Cape Cod, Padre Island, Point Reyes, the Indiana Dunes, and other points —and to study each individually. We have passed the bill with respect to Cape Cod, and it is a law.

Certainly it is time to move into the area of preserving our shorelines.

When the Congress first became concerned about shorelines in the 1930's we could have acquired vast stretches of shoreline for a relatively small amount of money. For one reason or another, that was not done. The only area which was acquired at that time was the Cape Hatteras National Seashore, which has proved to be such a great benefit to the whole Nation that it would appear, from hindsight, that we made a great error in not moving sooner.

This is particularly brought home to me in my State of Utah, because in Utah we have the Great Salt Lake, a body of water unique in the Northern Hemisphere and, in fact, in some ways unique in all the world. For some time I have been trying to find some way to preserve a part of that shoreline for its scenic and geologic wonder, to be presented to the people of Utah and to the people of the United States. We encountered the problem of an inadequate study of the shoreline. Hearings were held in Utah a year ago. The Senator from Alaska [Mr. GRUENING] attended those hearings, at which a great deal of testimony was assembled. Finally we reached the point where we needed a full-scale study and evaluation made by experts in the field.

I am pleased that the committee has accepted the Great Salt Lake shoreline as one of the areas to be subject to study under the terms of the bill. This will enable us to have a final evaluation to determine the merits of preserving that unique shoreline, which I believe should be preserved and should be available to our people.

Our population continues to grow. Our people have more time for leisure and for vacation travel. More and more people accumulate in our cities and populated areas. There is a greater need for outdoor recreation. The recreation needs continue to grow, and this is the time to face the problem.

The expense is, of course, of concern. We have discussed the amount of money involved. This is an investment in America. It is an investment in lands which will be ours, which will be owned by all the people of the United States. Certainly the time will never come when the land can be acquired at a lesser figure than that for which it can be acquired now, because the trend of land values has been upward.

I associate myself with the remarks of Senators who have commended the senior Senator from Nevada and the committee members, who have worked so diligently on the bill. I express the hope that the Senate will today pass the bill and that it will become law.

Mr. BIBLE. I thank the Senator from Utah.

Mrs. NEUBERGER. Mr. President, will the Senator yield?

Mr. BIBLE. I am very happy to yield now to the distinguished junior Senator from Oregon.

Mrs. NEUBERGER. I also think it is interesting, remarkable, and appreciated that "inland" Senators are sympathetic toward some of the shoreline bills, and especially those referring to ocean shorelines. I am also appreciative of the concern of several of my colleagues who have come to me, including the Senator from Illinois, to say, "Where are the Oregon Dunes?" As they looked at the bill, they were concerned. When I showed not a great deal of unhappiness because the Oregon Dunes were not included, I hope I allayed their fears.

The reason why, Mr. President, is that long ago it was established by a committee which went to Oregon that the Oregon Dunes were one of the most remarkable areas in the United States deserving of preservation.

I carry with me yet a wonderful letter from the Secretary of the Interior preceding the current Secretary, in which it is flatly stated that the Oregon Dunes are the most spectacular sand dunes in North America.

I am interested to comment at this time that I find near the end of the committee report a statement from the Governor of Oregon, demonstrating an interest in the passage of S. 543. I, too, am interested, and I am glad my Governor is concerned with passage of the bill, even though it does not affect his State and my State. I only wish he could have been as forthright and as determined in coming to the support of the Oregon Dunes legislation, which has been before the Senate for some time. I hope, if he is interested in preserving all shorelines, that he will be especially interested in preserving the shorelines of his own State of Oregon. I invite him at this time to come to the Congress next year and to make a plea before the committee so ably headed by the Senator from Nevada, to urge that the Congress do what the Senators from Massachusetts were successful in having done in respect to their particular scenic shoreline.

I also wish to comment on a section of the bill which refers to aid to State areas. One of the arguments used in our own State of Oregon against the establishment of a national park was to the effect that the State had already set aside the coastline for preservation. That is very true. A very narrow strip of our entire coastline was seen by a Democratic Governor of 50 years ago as necessary for preservation. I believe it was the very first conservation measure of this sort ever passed by any State.

The National Park Service has pointed out that to provide a suitable recreation area, more of the inland area adjacent to the seashore needs to be included.

Before I conclude I wish to warn Senators—and this is thereby a warning to the Secretary of the Interior and the Secretary of Agriculture—of a situation which has occurred in my State of Oregon. I think the Oregon Dunes are not now a national seashore park because of a rivalry which exists between the Park Service and the Forest Service over which one should establish some of the areas for recreation. Last year a great Justice of the Supreme Court who is interested in our area—Justice William O. Douglas—came to Oregon. I was in attendance, at a meeting of conservationists and those interested in recreation, in Bend, Oreg., where Justice Douglas spoke. He questioned whether the Congress of the United States did the right thing when it passed what is called a multiple-use bill, which gave the Forest Service some privilege of establishing recreational areas. I find in trying to work with the two great organizations—and I am fond of both Secretaries and have been very active in working with both groups—that there is a natural rivalry, and as a result, some of us are left "holding the sack."

We now have had a statement of cooperation between the Secretaries. I am hopeful that they can "bump some heads" together and see that the good of this country depends upon conservation and preservation of these areas. Therefore, I read with special interest the two sections, one of which is an admonition or advice to the Secretary of the Interior, and another to the Secretary of Agriculture, that if both Secretaries were to make a report on the Oregon Dunes and then come before the committee, we would end where we are now, without a national seashore park. I hope that prevailing upon them will bring forth a little more cooperation, and if we pass the bill, perhaps it will help to bring about that result.

Mr. BIBLE. Mr. President, I thank the Senator from Oregon. There has been an area of conflict in a number of places in the country, but we are doing our best to try to adjust differences. I hope we may be successful in working it out even in respect to the Oregon Dunes. If we schedule some hearings, we will do our best as committee members to reconcile some of the differences, because our purpose is preservation and not interdepartmental rivalry. We shall try to reconcile the differences.

Mrs. NEUBERGER. I thank the Senator.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. HOLLAND. Relative to what has been said so ably by the Senator from Oregon, undoubtedly there are places in the West where there are conflicts of jurisdiction between the Department of the Interior, with reference to its handling of the public lands, and the Department of Agriculture, in its handling of the national forests. In the eastern part of the country, where there are many national forests but practically no public lands left, we would be without the benefit of literally hundreds of recreational areas which have been developed in the national forests if the multiple-use bill had not been passed, and if authority had not been conferred, along with the responsibility also, upon the Department of Agriculture in its development of the national forests to make available recreational spots there.

While I join the Senator from Oregon in hoping that conflicts may be ironed out as a result of the bill and that we may not find departments standing in each other's way, and in the way of the realization of public benefits of great value, I think it is completely necessary for us to have the Department of Agriculture fully authorized, directed, and responsible for the development of the many recreational areas in the national forests. Having enjoyed a good many of them myself, I wish to say that in such areas as, for instance, the Ocala National Forest, and the national forests in western North Carolina, northern Georgia, and in numerous other places in the East, literally millions of people in the eastern part of the country are enjoying the benefits of the legislation to which the Senator has referred.

I thank the Senator.

Mrs. NEUBERGER. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mrs. NEUBERGER. I was interested in the comments of the Senator from Florida. I do not wish to be understood as opposed to the National Forest Service, because I have enjoyed many pleasant camping experiences in the national forests. But I am reminded of the recipe for horse and rabbit stew, which is to take equal parts—one horse and one rabbit. This is the way the U.S. Forest Service has felt. If it established one campsite, it could cut down millions of board feet of fine timber, some of which encroached on wilderness areas and primitive areas. Such a thing happened under the previous administration, and I am hopeful that the present administration, knowing of the disapproval of this system—at least in my State—will see that it will not happen again. I have assurances that it will not.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. PROXMIRE. On page 6, lines 22 to 24, there is an authorization of $400,000 for a study to be conducted by the Forest Service. My question of the Senator from Nevada is whether or not the Forest Service has provided any justification for this sum. It seems to the Senator from Wisconsin that the amount is a substantial sum, and particularly remarkable in view of the fact that only $400,000 is provided in the first section of the bill—on page 4, lines 8 to 10—for a study of the 16 areas, none of which is in the public domain. This first study, therefore, will require a great deal of title search, legal fees, and so forth. But the justification for the second $400,000 would seem to be far less since none of such study would be required by the Forest Service of lands under its control, all of which is in the public domain.

Mr. BIBLE. I am happy to respond to the Senator from Wisconsin. Beginning at page 41 of the hearings, and running to page 43, there is a very detailed justification made by Mr. Crafts who is the Assistant Chief of the Forest Service. He is an expert in this particular field, and appears before our committee many times. I think that he made a very fine justification as to the need for the amount of money stated in order to study the national forests, the seashore areas, and the lakes and reservoirs that are at the present time within the national shorelines.

If the Senator would like, I could read his statement in full. It is very explicit. I think it was a complete justification for the necessity of appropriating $400,000 for the proposed examination.

Mr. PROXMIRE. I am wondering why this study cannot be done in each area, and why the information is not so readily available that it would not require $400,000 to organize and provide it for Congress.

Mr. BIBLE. Many things are embraced in the study. There would be the economic effects on the lumber industry, the economic effects in certain areas in which there is grazing. For example, on page 44 Mr. Crafts testified that, if we were to examine the 50 areas stated in the bill that are of substantial size and develop the information requested, the plan, and reports to Congress, it would require an expenditure of about $8,000 per area. We do not think we could carry on the study for much less than that amount. I think he made an excellent justification for the expenditure of the $400,000 which was allowed by the committee.

Mr. PROXMIRE. I thank the Senator from Nevada.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DWORSHAK. Mr. President, I am sure that if the Communist dictators were to read the debate of the past hour they would logically reach the conclusion that the American people today are solely concerned about expanding recreational facilities, and have little, if any, interest in responding to the President's clarion call for building up our national defenses in the face of the Berlin crisis. I hesitate to sound a discordant note, because, as we sit here today and debate the features of this bill, of course, we recognize that it has much merit. It is a subject about which we ought to be concerned. But I think the timing is entirely wrong, as also later this week we will observe when the wilderness preservation bill is brought up for consideration.

The situation exists primarily because the 85th Congress passed legislation creating the Outdoor Recreation Resources Review Commission. The Commission is composed of 15 members, including 4 Members of the Senate and 4 Members of the House. The Commission has been functioning for more than 3 years and has had an appropriation of $2 million.

I wish the RECORD to show that I was not one of those who took an active part in proposing the creation of the Commission. However, I contend that if we ask a Commission of 15 persons to spend $2 million in 3 years to study all phases of outdoor recreation, and ask the Commission to make a detailed report next January to Congress, along with its recommendations for various recreational programs, in all fairness to the Commission Congress ought to wait until early in the next session to consider bills like the one we are now considering and the wilderness preservation bill. We know that no action will be taken on these bills by the House of Representatives during the 1st session of the 87th Congress.

So why are we expediting action on the pending bill? We shall sit around and do virtually nothing for the entire month of January during the next session. Next February we shall have little to do. However, by next January, we shall have before us the report of the Outdoor Recreation Resources Review Commission. I believe we have a moral obligation to wait until the report is submitted to Congress before we take any action on programs like the one now before us.

Congress, with the cooperation of the executive departments, has been making good progress in developing, in a somewhat cautious and deliberate manner, our recreational facilities for this and succeeding generations.

The report at page 3 states:

> In 1954, the National Park Service was again asked what were the remaining opportunities to preserve desirable stretches on the Atlantic and Gulf coasts, not only for their scenic and recreational values, but also for preservation of botanic and animal communities of significance.

I read further from the report:

> A second, similar survey of 1,700 miles of Pacific coastline was released by the National Park Service in 1959, including 241 miles of shoreline on the Channel Islands off California.
>
> The Great Lakes—Superior, Michigan, Huron, Erie, and Ontario—have 5,500 miles of shoreline.
>
> In its third major shoreline study of this "fourth shore" the National Park Service reported 66 areas of significance for acquisition for public use, rating 5, with 118 miles of shoreline, worthy of national status—Pigeon Point, the Huron Mountains, the Pictured Rocks, Sleeping Bear, and Indiana Dunes.

In addition to this activity by the Park Service, I am sure there is comparable activity by the U.S. Forest Service with respect to the public domain included within the forest boundaries. The Interior and Insular Affairs Committee, which has reported the pending bill, within recent weeks has seen successful consummation also of a bill to create the Cape Cod Seashore Area and reported the Point Reyes Seashore Park in California, north of San Francisco.

The chairman of the Public Lands Subcommittee stated a few moments ago that action probably will be taken this week by his subcommittee and by the full Interior Committee on the proposal to establish the Padre Island recreational area in Texas on the Gulf of Mexico.

I maintain that great progress has been made. While I can see considerable merit in the pending program, as represented in the proposed legislation, I believe the timing is entirely wrong. I am not one of those who in a spirit of subservience respond to every request made by our Commander in Chief. However it seems to me that in the past few months an appeal has been made to strengthen our national preparedness. There has been a calling up of young Americans in our Reserve units. Recently the Defense Department was given authority to add 10,000 civilian employees to the Defense Department, and within the past few days another 10,000 employees were authorized to be added to the rolls of that department.

Not much money is involved in the pending bill, but certainly it creates psychologically the situation that Americans do not have to be concerned about austerity, contrary to the point the President featured in his inaugural address. Apparently we are more concerned about recreation. While we play, perhaps the Russians will work. Then some day we must realize that we do not build up effective national preparedness by appealing to the people to give emphasis to recreation at a time of national crisis involving national survival.

I did not intend to belabor this point. I know that I sound a discordant note.

I am as much concerned about young Americans and about the coming generations, and providing the kind of national preparedness that will make it possible for them to live in this country and to work and to play, as are the ardent advocates of recreation, who say, "We do not have to worry about anything; just play, play, and play some more." That is being said at a time when we are facing a crisis in Latin America, Asia, Africa, Europe, and everywhere else in the world.

So the call for patriotism in this country is to emphasize day by day and week by week the necessity of providing more recreation for Americans and psychologically to discourage them from giving priority to national defense.

That is the reason, along with the need of waiting for the report of the Recreation Resources Review Commission, why I cannot support the pending bill, whereas I might do so very vigorously at a more appropriate time.

THE PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The question is on the passage of the bill.

The bill (S. 543) was passed.

Mr. BIBLE. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. MOSS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SALINE WATER CONVERSION PROGRAM

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of calendar 763, S. 2156.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2156) to expand and extend the saline water conversion program being conducted by the Secretary of the Interior.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with amendments on page 2, line 8, after the word "thereto", to insert "As used in this Act, the term 'saline water' includes sea water, brackish water, and other mineralized or chemically charged water, and the term 'United States' extends to and includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States."; on page 4, line 11, after the word "cause", to strike out "on-ite" and insert "on-site"; on page 5, after line 13, to insert:

(b) All research within the United States contracted for, sponsored, cosponsored, or authorized under authority of this Act, shall be provided for in such manner that all information, uses, products, processes, patents, and other developments resulting from such research developed by Government expenditure will (with such exceptions and limitations, if any, as the Secretary may find to be necessary in the interest of national defense) be available to the general public. This subsection shall not be construed as to deprive the owner of any background patent relating thereto of such rights as he may have thereunder.

On page 6, line 14, after the word "appropriated", to strike out "such sums" and insert "$75,000,000"; on page 7, line 6, after the word "further", to strike out "That contracts or agreements made in pursuance of this proviso shall provide that the results or information developed in connection therewith shall be available without cost to the program in the United States herein authorized" and insert "That every such contract or agreement made with any public or private agency in a foreign country shall contain provisions effective to insure that the results or information developed in connection therewith shall be available without cost to the United States for the use of the United States throughout the world and for the use of the general public within the United States.", on page 9, after line 13, to strike out:

TITLE III—FINANCIAL ASSISTANCE FOR THE CONSTRUCTION OF CONVERSION PLANTS

Declaration of policy

SEC. 301. It is the purpose of this title to stimulate, through cooperative arrangements with water supply utilities serving the public, the construction of plants for the production, from sea water or brackish water, of water that is suitable for municipal or other beneficial consumptive uses, and thereby make maximum use of the research for the development and utilization of saline waters that is authorized by the Act of July 3, 1952, and maximum use of the demonstration plan program authorized by the joint resolution of September 2, 1958.

Application for financial assistance

SEC. 302. (a) Any State, or political subdivision or agency thereof, or publicly or privately owned utility organization (any such entity being hereinafter referred to as "organization") may submit to the Secretary of the Interior, in such form as the Secretary may prescribe, an application for a loan, or an offer to sell to the United States securities of the organization, to finance the design and construction of a plant to produce, from sea water or brackish water, water that is suitable for municipal, industrial, domestic, or other beneficial consumptive use.

(b) Any application for a loan or offer to sell securities hereunder shall include a showing that the organization (1) holds or can acquire, pursuant to State law, all lands and interests in land, and rights to the use of water, which are necessary for the successful construction, operation, and maintenance of the plant, and (2) demonstrates ability and willingness to finance by other means the portion of the cost of design and construction that is not covered by the loan application or offer to sell securities.

(c) No application for a loan or offer to sell securities under this section shall be approved in an amount which exceeds 90 per centum of the estimated cost of design and construction, exclusive of land and water costs.

(d) As used in this section, the term "State" includes any of the Several States of the United States, the Commonwealth of Puerto Rico, and any of the territorial possessions of the United States.

Terms applicable to loans or purchases

SEC. 303. The Secretary of the Interior may negotiate and execute an agreement with the organization which shall set out, among other things:

(1) the maximum amount of the loan or the securities to be purchased;

(2) the time and method for making the money available to the organization;

(3) a plan for the repayment of the loan in not more than forty years in periodic installments that need not necessarily be in equal amounts, and for the payment of interest on unamortized balances, at a rate determined by the Secretary of the Treasury; or in the case of an offer to sell securities, a plan of redemption that is consistent with the foregoing requirements with respect to a loan;

(4) provisions for assuring and securing the prompt repayment of the loan and interest or for the redemption of the securities; and

(5) provisions making the liability of the United States under the agreement contingent upon the availability of appropriations for the purpose.

Use of plants for which assistance is extended

SEC. 304. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to contract with a borrower under this title for the use of the borrower's plant facilities to further the demonstration program authorized by title II of this Act, and the Act of July 3, 1952 (66 Stat. 328), and to provide in the contract for a credit on the organization's loan, or for a cancellation of its securities, as compensation to the borrower for the use made of its facilities in connection with such programs.

Authorization for appropriations

SEC. 305. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title, and any such appropriation shall remain available until expended.

On page 12, after line 21, to strike out:

TITLE IV—GRANTS AND CONTRACTS

SEC. 401. It is the purpose of this title to cooperatively assist in assuring that ample potable water is made available to cities and communities where economic growth has been retarded or where the public health and welfare is endangered by the lack of sufficient natural fresh water of a quantity and quality suitable to meet municipal water supply requirements.

SEC. 402. (a) The Secretary of the Interior is authorized to make grants for the construction of saline water conversion plants or to negotiate contracts with any State, the Commonwealth of Puerto Rico, a territorial possession, or political subdivision or agency thereof, or a publicly or privately owned utility organization (any such entity being hereinafter referred to as "organization") in order that the organization may provide adequate water suitable for municipal, industrial, domestic, or other beneficial consumptive use.

(b) Grants for saline water conversion facilities are to be made only after it has been ascertained that other sources of suitable natural water supplies are not available to the city or community making such application. In addition, grants will be made only to those cities or communities where the existing fresh water supply is inadequate and where a saline waterplant would not be geographically, technically, and economically justified, but would also serve to advance science and technology in the field of saline water conversion.

SEC. 403. Any application for a grant hereunder shall include (1) a showing that the organization is in need of supplemental

supplies of fresh water, (2) a showing that additional natural supplies of fresh water are not readily available, (3) the cost and quality of present supplies of fresh water, (4) the estimated cost of new sources of fresh water including (a) the cost of development, and (b) the cost and quality of delivered water, (5) an estimate of the amount of additional water required to meet anticipated demands, and (6) a price that the organization can afford to pay for potable water.

SEC. 404. (a) A grant to an organization pursuant to this title may cover necessary capital investment of saline water conversion facilities in an amount great enough to reduce the organization's cost of the product water to an economically competitive price, but a grant may not exceed 90 per centum of the total investment;

(b) A contract with an organization negotiated pursuant to this title may provide for a Federal payment for the cost of product water obtained from the conversion facility that is in excess of a fair and equitable price, mutually agreed upon the organization and the Secretary.

SEC. 405. Any organization that receives a grant or contract under the provisions of this title shall be required to provide operating, engineering, and economic data as may be set forth in the agreement with the Secretary of the Interior in order that this information may be used to further the development of low-cost saline water conversion processes in the national interest.

SEC. 406. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title, with such funds to remain available until expended.

And on page 15, line 5, to change the title number from "V" to "III"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—SALINE WATER RESEARCH

SECTION 1. The Act of July 3, 1952 (66 Stat. 328), as amended (42 U.S.C. 1951–1958), is further amended to read as follows:

"SECTION 1. In view of the increasing shortage of usable surface and ground water in many parts of the Nation and the importance of finding new sources of supply to meet its present and future water needs, it is the policy of the Congress to provide for the development of practicable low-cost means for the large-scale production of water of a quality suitable for municipal, industrial, agricultural, and other beneficial consumptive uses from sea and other saline waters and other mineralized or chemically charged waters, and for studies and research related thereto. As used in this Act, the term 'saline water' includes sea water, brackish water, and other mineralized or chemically charged water, and the term 'United States' extends to and includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

"SEC. 2. In order to accomplish the purposes of this Act, the Secretary of the Interior shall—

"(a) conduct, encourage, and promote fundamental scientific engineering research and basic studies to develop the best and most economical processes and methods for converting saline and brackish water into water suitable for beneficial consumptive purposes;

"(b) conduct engineering research and technical development work to determine, by laboratory and pilot plant testing, the results of the research and studies aforesaid in order to develop processes and plant designs to the point where they can de demonstrated on a large and practical scale;

"(c) study methods for the recovery and marketing of byproducts resulting from the production of water for the purpose of ascertaining the possibilities of offsetting the costs of such production by commercially valuable byproducts; and

"(d) undertake economic studies and surveys to determine present and prospective comparative costs of achieving water for beneficial consumptive purposes by the leading saline water processes employed in various geographical areas in the United States.

"SEC. 3. In carrying out his functions under section 2 of this Act, the Secretary may—

"(a) make grants to educational institutions and scientific organizations and enter into contracts with such institutions and organizations and with industrial or engineering firms;

"(b) acquire the services of chemists, physicists, engineers, and other personnel;

"(c) utilize the facilities of Federal scientific laboratories;

"(d) establish and operate necessary facilities and test sites at which to carry on the continuous research, testing, development, and programing necessary to effectuate the purposes of this title;

"(e) acquire secret processes, technical data, inventions, patent applications, patents, licenses, land and interests in land (including water rights), plants and facilities and other property or rights by purchase, license, lease, or donation;

"(f) assemble and maintain pertinent and current scientific literature, both domestic and foreign, and issue bibliographical data with respect thereto;

"(g) cause on-site inspections to be made of promising projects, domestic and foreign, and, in the case of projects located in the United States, cooperate and participate in their development in instances in which the purposes of this Act shall be served thereby;

"(h) foster and participate in national and international conferences relating to saline water conversion;

"(i) coordinate, correlate, and publish information obtained with a view to advancing the development of low-cost saline water conversion projects; and

"(j) cooperate with other Federal departments and agencies, with State and local departments, agencies, and instrumentalities, and with interested persons, firms, institutions, and organizations.

"SEC. 4. (a) Research activities undertaken by the Secretary shall be coordinated or conducted jointly with the Department of Defense to the end that developments under this Act which are primarily of a civil nature will contribute to the defense of the Nation and that developments which are primarily of a military nature will, to the greatest practicable extent compatible with military and security requirements, be available to advance the purposes of this Act and to strengthen the civil economy of the Nation. The fullest cooperation by and with the Atomic Energy Commission, the Department of Health, Education, and Welfare, the Department of State, and other concerned agencies shall also be carried out in the interest of achieving the objectives of this Act.

"(b) All research within the United States contracted for, sponsored, cosponsored, or authorized under authority of this Act, shall be provided for in such manner that all information, uses, products, processes, patents, and other developments resulting from such research developed by Government expenditure will (with such exceptions and limitations, if any, as the Secretary may find to be necessary in the interest of national defense) be available to the general public. This subsection shall not be construed as to deprive the owner of any background patent relating thereto of such rights as he may have thereunder.

"SEC. 5. (a) The Secretary may dispose of water and byproducts resulting from his operations under this Act. All moneys received from dispositions under this section shall be paid into the Treasury as miscellaneous receipts.

"(b) Nothing in this Act shall be construed to alter existing law with respect to the ownership and control of water.

"SEC. 6. The Secretary shall make reports to the President and the Congress at the beginning of each regular session of the action taken or instituted by him under the provisions of this Act. Any such report may include recommendations for further legislation.

"SEC. 7. The Secretary of the Interior may issue rules and regulations to effectuate the purposes of this Act.

"SEC. 8. There are authorized to be appropriated $75,000,000, to remain available until expended, as may be necessary (a) to carry out the provisions of this Act during the fiscal years 1962 to 1971, inclusive; (b) to finance, for not more than two years beyond the end of said period, such grants, contracts, cooperative agreements, and studies as may theretofore have been undertaken pursuant to this Act; and (c) to finance, for not more than three years beyond the end of said period, such activities as are required to correlate, coordinate, and round out the results and research undertaken pursuant to this Act: *Provided*, That funds available in any one year for research and development may, subject to the approval of the Secretary of State to assure that such activities are consistent with the foreign policy objectives of the United States, be expended in cooperation with public or private agencies in foreign countries in the development of processes useful to the program in the United States: *And provided further*, That every such contract or agreement made with any public or private agency in a foreign country shall contain provisions effective to insure that the results or information developed in connection therewith shall be available without cost to the United States for the use of the United States throughout the world and for the use of the general public within the United States."

TITLE II—DEMONSTRATION PLANTS

SEC. 210. The joint resolution of September 2, 1958 (72 Stat. 1706), is amended as follows:

(a) Subsection 1(c) is amended to read:

"(c) As used in this joint resolution, the term 'demonstration plant' means a plant of sufficient size and capacity to establish on a day-to-day operating basis the optimum attainable reliability, engineering, operating, and economic potential of the particular sea water conversion process or the brackish water treatment process, including variations and combinations thereof, selected by the Secretary of the Interior for utilization in such plant."

(b) The following new subsection 1(d) is added:

"(d) The Secretary of the Interior is authorized, pursuant to the provisions of the Act of July 3, 1952, as amended (42 U.S.C. 1951–1958), and in accordance with this joint resolution, to provide for the construction, operation, and maintenance of additional demonstration plants for the production, from sea water or brackish water, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses. Some of such demonstration plants shall be capable of producing not to exceed fifty million gallons per day, in order to demonstrate the complete operating and economic potentials of the most advanced saline water processes. Wherever possible such demonstration plants shall be established in cooperation with a State or a political subdivision thereof that participates in other saline water programs."

(c) Section 4 is amended to read:

"The authority of the Secretary of the Interior under this joint resolution to construct, operate, and maintain demonstration

plants shall terminate upon the expiration of fifteen years after the date on which this joint resolution is approved. Upon the expiration of a period deemed adequate for demonstration purposes of each plant, but not to exceed such fifteen-year period, the Secretary shall proceed as promptly as practicable to dispose of any plants so constructed by sale to the highest bidder, or as may otherwise be directed by Act of Congress. Upon such sale, there shall be returned to any State or public agency which has contributed financial assistance under section 3 of this joint resolution a proper share of the net proceeds of the sale."

(d) Section 7 is amended to read:

"There are hereby authorized to be appropriated such sums as may be necessary for the construction, operation, and maintenance of the demonstration plants and for the administration of the program authorized by this resolution."

TITLE III—ASSISTANCE TO OTHER AGENCIES OF THE FEDERAL GOVERNMENT

SEC. 501. It is the purpose of this title to provide technical and other assistance to departments, agencies, bureaus, and components of the Federal Government toward the establishment of land-based saline water conversion plants throughout the world where there are limited other sources of fresh water supply and where national defense and the interests and benefits to mankind are enhanced thereby.

SEC. 502. The Secretary of Defense (including subdivisions thereof) and the heads of other concerned agencies shall seek the cooperation and assistance of the Secretary of the Interior in the design, construction, and operation of land-based saline water conversion plants for the purpose of utilization of saline water as a strategic water supply resource in the defense of the United States.

SEC. 503. The Secretary of State, whenever he deems it appropriate in order to accomplish the objectives of any Act of Congress designed to assist in the economic development of foreign nations, shall seek the cooperation and assistance of the Secretary of the Interior in establishing saline water conversion plants in those areas of the world where natural supplies of fresh water are in limited supply.

Mr. MANSFIELD. Mr. President, the bill has been made the unfinished business. There will be no debate on the measure tonight. It is quite possible that tomorrow it will be laid aside to enable the Senate to return to the consideration of other matters.

AUTHORIZATION FOR COMMITTEE ON LABOR AND PUBLIC WELFARE TO MEET DURING SENATE SESSION ON WEDNESDAY MORNING NEXT

Mr. MANSFIELD. Mr. President, after consultation with the distinguished minority leader, I ask unanimous consent that the Committee on Labor and Public Welfare be permitted to sit during the session of the Senate on the morning of Wednesday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEE ON THE DISTRICT OF COLUMBIA TO MEET DURING SENATE SESSION TOMORROW

Mr. BIBLE. Mr. President, will the distinguished majority leader agree to a unanimous-consent request to have the Committee on the District of Columbia meet tomorrow morning for the purpose of considering the very important proposed election law, in which the distinguished junior Senator from New York [Mr. KEATING] is interested? The hearing relates to the constitutional amendment providing voting privileges for the citizens of the District of Columbia.

Mr. MANSFIELD. Mr. President, I anticipate no difficulty in according the committee the right to sit during the session of the Senate.

Mr. KUCHEL. Mr. President, because of the persuasion of the able Senator from Nevada and the able majority leader, I shall not object, but seeing my Republican leader now in the Chamber, I simply look to him and ask him whether he concurs in the request.

Mr. DIRKSEN. I fully concur.

Mr. KUCHEL. The concurrence is unanimous on this side of the aisle.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada? The Chair hears none, and it is so ordered.

Mr. BIBLE. I thank the distinguished Senators for the favorable action they have taken.

ERADICATION OF GRASSROOTS ANTI-COMMUNIST DRIVE AND GAGGING OF MILITARY SPEAKERS3 AND SEMINARS

Mr. THURMOND. Mr. President, the Internal Security Subcommittee of the Senate has performed an invaluable service by making public the testimony of Mr. Edward Hunter and the documentation of Mr. Hunter's testimony. Mr. Hunter has authoritatively described in detail both the method of operation of communism in the United States today and the circles utilized by Communists to conduct their campaign of psychological warfare.

Mr. Hunter's experience in this field is extensive, as is appreciated by all of those familiar with his published works, both in the field of Communist propaganda and psychological war. Among the published works of Mr. Hunter are "Brainwashing in Red China," "Brainwashing: From Pavlov to Powers," "The Story of Mary Liu," "The Black Book on Red China," and "The Past Present." Particularly pertinent to the testimony given by Mr. Hunter to the Internal Security Subcommittee are his books on brainwashing. In "Brainwashing: From Pavlov to Powers," Mr. Hunter in the last chapter of this book points out the vulnerability of Americans to Communist brainwashing techniques and stresses the need for anti-Communist educational efforts in our own country. Mr. President, I ask unanimous consent that the text of the last chapter of "Brainwashing: From Pavlov to Powers," entitled "Now It's Our Turn," be printed at this point in the RECORD.

There being no objection, the chapter was ordered to be printed in the RECORD, as follows:

NOW IT'S OUR TURN—WE ADOPT A CODE

When this book originally appeared, after our exchange of war prisoners at Panmunjom, under the title "Brainwashing: The Story of Men Who Defied It," it ended with the preceding chapter. The dismal exhibition put on in a Moscow court in mid-1960 by the American pilot, Francis Gary Powers, and its sinister ramifications, impels the republication of this book, retitled and with this new concluding chapter.

When "Brainwashing" was first published, I felt sure that one of its theses that would certainly go unquestioned was the underlying importance of a man's convictions in his maintenance of mental stamina. Not only has this been questioned, but some people have violently rejected it. My first experience of this kind was on the "Tex and Jinx" radio show in New York. The outstanding liberal lawyer, Morris Ernst, who had just returned from a trip to the Soviet Union, shared the program with me. Tex McCrary asked me how brainwashing could be resisted. When I mentioned a man's convictions as his strongest defense, Mr. Ernst reacted at once and loudly: "I don't believe convictions have anything to do with it," he cried into the microphone.

In a talk before an adult education class in Great Neck, N.Y., I mentioned faith as a strength-bestowing element. Two women bent toward each other over the aisle and one said, "What can he mean by 'faith'? Surely he can't be talking about religion." "I don't understand what he means by it, either," the other replied. They were middle-class mothers. What do parents with that outlook teach their children?

These were two of innumerable illustrations I came across of the softening up of American character, the primary process in brainwashing. The same people who had said that Mao Tse-tung was no Communist, only an agrarian reformer, were now insisting that brainwashing meant only its indoctrination process, with physical atrocities. This left the field open for the softening up process, the only one in which the Reds are interested at this time in the United States. We are fast submitting to it as a nation.

These reactions in America seem to indicate that the enlisted men and officers who fell into Red hands in Korea were a representative segment of our people. Their vulnerabilities were those of the population generally. The distinction was that they were caught.

This corrosion of American character was documented vividly in the searing facts collected by Maj. William E. Mayer, a neuropsychiatrist of the U.S. Army Medical Corps, who was sent abroad for a special study of the returnees. He cited the failure, unique in our history, of any captured American to escape. Yet few guards were posted at the POW camps. (In one instance there were 6 guards for 600 Americans, and this without barbed wire, searchlight, or any of the other equipment usual for a detention area.) Three thousand of more than 7,000 Americans died in captivity, whereas out of 229 captured Turks, almost all sick and wounded, all 229 survived. The difference was in morale and resistance: a reflection of the sense of values taught from the cradle up. Captured Americans discarded discipline, and made personal advantage—a dog-eat-dog policy—their sole criterion of conduct, whereas each Turk was sure of the tender care and protection of his fellows, and found refuge in his convictions. By defying death, displaying a readiness to die, the Turks lived; by fearing death, being unwilling to die, Americans perished.

Major Mayer disclosed in a lengthy interview in the U.S. News & World Report of February 24, 1956, that a third of the captured Americans collaborated to some extent with the enemy, at least to the degree of signing "peace" petitions.

The available information that could have prepared them to face the ordeal of capture was hushed up, first because of our effort to

get along with the Communists, and then because of our desire not to annoy them during negotiations.

A Washington Embassy official informed me that somewhere between the White House and the Pentagon, when orders were issued to suppress all reference to Red atrocities in Korea, someone included brainwashing in the injunction, on the correct but unfortunate premise that it, too, was an atrocity. Our Korean command officially asked that the book "Brainwashing in Red China" be put into the book kits for the troops. It never got there. The high officer in charge couldn't find out why when he returned to Washington.

Meanwhile, Red China, backstopped by Moscow, was broadcasting peace petitions and germ warfare confessions by American POW's. A movie of the confessions was distributed in Asia, Africa, and anywhere else that it could be shown secretly or by invitation. Our official reaction was to make believe all this didn't exist, thus in effect collaborating with the Communists in their propaganda maneuver. Our Government took the stand that the charges were so patently untrue that they were unworthy of refutation. This, likewise, played into enemy hands; Red propaganda made sure that our official silence looked like a form of confession. American POW's were discouraged and misled by it. Some found justification in it for acceding to Red demands. "Why didn't Washington give us a lead if it wanted us to deny those things?" they asked.

Our negative approach, utterly contrary to our traditions of "open skies" on information, was not the result of any planning, but the consequence of hesitation and infiltration. We had been maneuvered into discarding our historic adherence to principles, substituting for it a popularity race in international affairs.

Information coming to the Pentagon made it evident that the Chinese Communists were preparing a major propaganda coup. What it was was not difficult to figure out from the pro-Red broadcasts being attributed to American captives, and the pro-Red propaganda in the letters from GI's that wives and mothers were taking to the FBI; letters that caused the women to say that some strange and vicious influence was being exerted on their sons and husbands.

After the information that could have made the situation understandable had been hushed up for so long, we now issued uncertain warnings of Red trickery, but much too late for them to be intelligently digested. The taboo word "brainwashing" began to appear, but no information explaining it. Readers suddenly came upon headlines such as "U.S. Plans Rewashing of Washed Brains," and were understandably repelled. They found incomprehensible such leading paragraphs as: "Army officials said today they are ready to administer an immediate psychological antidote to any released Korean war prisoners whose minds have been poisoned by Communist propaganda. A carefully thought-out program has been set up to 'reorient' them to the American way of life, and to help them discover for themselves how the Communists have dinned lies into their ears during their months of captivity."

Tabloids appeared with enormous, black headlines reading: "Brainwashed POW's Reach United States." One news agency spoke of a "mystery plane" that was taking returnees from Little Switch to Valley Forge Hospital in Pennsylvania "for psychological treatment." Another referred to "a cloak of military secrecy" over returnees, who were called "victims of Communist brainwash propaganda" by the Air Force.

The identical organs that had suppressed the background information which would have made this comprehensible were quick with interviews saying not to believe any of it, that it was a dirty smear on our heroes. A number of sociologists lent academic standing to this campaign of refutation, after having fought a rearguard battle to hush up the word "brainwashing." Indignant editorials appeared demanding "an apology from the Pentagon," and Congressmen attacked "Army bungling." The result, of course, was the usual: a retreat to hush-hush.

Yet a miracle had taken place in the POW camps, something of which every American could have been proud. Although just as uninformed as their buddies, a fair number of men (labeled "reactionaries" by the Reds) had nonetheless preserved their own and their country's honor, and had mapped out the road to survival: they knew the face of communism and were determined to describe it. Only then would their sufferings not have been in vain. Some told me they had preserved themselves from collapse by clinging to this objective.

The red carpet was almost literally thrown out for them when they alighted back home from ship or plane. They were received by brass bands, wined and dined, and photographed—and then whisked away from reporters to scattered posts and forbidden to speak out; unlike the period of Little Switch, in the time of Big Switch we had the situation under control. Those few who had been able to slip out some pictures of the true situation were railroaded to faraway posts. Hurt, angry, and well knowing the tragic consequences of a blind, negative policy, the bulk of these highest caliber, war-tested officers left the service as soon as they could arrange it; practically all the airmen did so.

What stunned them, too, was what seemed to them to be a whitewash of the progressives, as the Reds called those who had abetted the Communist cause. The most notorious of the latter were quickly demobilized or otherwise put beyond the reach of prosecution.

Unknown to the resisters, while they were still in captivity, a scene took place in the Pentagon that could have been a turning point in our history, and may yet be so if sufficient people are alerted to it. At the time, I was a consultant on mind warfare, employed by the Air Force. The incident was a matter of public concern, unrelated to military secrets.

High-level officers from all the services occupied both sides of the traditional long and narrow green table for several days of analysis of what was occurring in the Communist-run POW camps. It became evident that this reflected character, directly involving home, school, and church. Character had deteriorated. For the first time in our history, a code of conduct was ultimately drawn up for our Armed Forces. President Eisenhower proclaimed it, along with explanatory material and the text of the report made by an Advisory Committee on Prisoners of War for the then Secretary of Defense Charles E. Wilson. Here is the code:

"1. I am an American fighting man. I serve in the forces which guard my country and our way of life. I am prepared to give my life in their defense.

"2. I will never surrender of my own free will. If in command I will never surrender my men while they still have the means to resist.

"3. If I am captured I will continue to resist by all means available. I will make every effort to escape and aid others to escape. I will accept neither parole nor special favor from the enemy.

"4. If I become a prisoner of war, I will keep faith with my fellow prisoners. I will give no information nor take part in any action which might be harmful to my comrades. If I am senior, I will take command. If not I will obey the lawful orders of those appointed over me and will back them up in every way.

"5. When questioned, should I become a prisoner of war, I am bound to give only name, rank, service number, and date of birth. I will evade answering further questions to the utmost of my ability. I will make no oral or written statements disloyal to my country and its allies or harmful to their cause.

"6. I will never forget that I am an American fighting man, responsible for my actions, and dedicated to the principles which made my country free. I will trust in my God and in the United States of America."

Some time later I met one of the officers who had been intimately involved in these proceedings. "Some of us who followed it through from the beginning waited outside Secretary Wilson's office that day while he was deciding whether to approve the advisory committee report," he told me. "We were so tense we could hardly speak. The tension had been unbearable, the pressures unbelievable. When the door opened and we were informed that he had signed the document, tears gushed from some eyes; I admit from mine."

Some years elapsed before I saw him again. In contrast to his previous exuberance, he was now downcast as we walked along a Virginia street. "I can't put my finger on it, but it was as if nothing had happened," he said. "As if it were a dream. Once the documents were signed and proclaimed, they were filed away, then that was the end of them. I never thought it possible. The program that was to restore American stamina and teach our forces to understand the wiles of communism has been sabotaged. I am terribly fearful for our future."

The commander of a small airbase told me that discipline at his training center had been destroyed because every time an effort was made to implement any provision in the new program, it was stymied in some way or other. This was the shadow world of the committee system.

When an attempt was made to simulate prison camp conditions, in order to acquaint trainees with what they would confront if captured, it was publicly exposed as harsh, and was hastily abolished.

Education concerning communism was harassed until it became vague and dealt only in generalities. One could be against sin, but not against any particular sin. The withdrawal of the Air Center Training Manual early in 1960 was an instance of how brazenly this suppression operated. The Defense Department admitted it had ordered the manual destroyed without regard to the truth or falsity of the statements made in it. The charges in the manual were undoubtedly true, it was admitted. Members of the House of Representatives, who were making an inquiry into the affair, were told that training on such matters "must not include the specific"; probably the most revealing declaration made. We teach our students that generalities should not be believed, and to insist on the specific. With generalities and the specific both excluded, the only alternative was to avoid the subject entirely, leaving the explaining to the Communists by default. The policy of being all things to all men and making popularity the objective of policy, took precedence over the teaching of mental stamina and character.

That was the situation later in 1960, when the Powers case erupted in an environment made artificially calm by the use of two Communist code words, "peaceful coexistence," mystically repeated like a spell.

THE POWERS CASE

Francis Gary Powers stood in the dock in the heavily chandeliered Hall of Columns of the House of Unions in Moscow on August 17, 18, and 19, of 1960. He had flown some of America's most needed cold war missions, on which the survival of the free world

might well hinge. He had been equipped with everything of a physical nature for which a need could be foreseen. Had he possessed the will he might have made that the date of his rebirth, and perhaps that of his country's as well. Powers needed only to have shouted his defiance to have become an ageless war hero, and an inspiration to all peoples. One need only recall the conduct of Communists and patriots who were put on trial, the Dimitroffs and the Nathan Hales of history, to realize what great use can be made of such a forum.

The Soviet Union wanted the world to see Powers as the image of the United States, and to believe that it was America on trial. We officially disregarded this brazen maneuver; what a difference there would have been had we been morally prepared to meet this challenge. We ought not be surprised that others saw in Powers the image of his country and a manifestation of its sense of values. The question in their minds was not whether he was formally delegated to represent the United States, but whether he was the typical American of 1960. We may not like the image, yet there it stared back at us, like our face in the mirror.

Powers might have stepped forth from a POW camp in North Korea back in 1953, for all the knowledge he showed of the ways and wiles of the Communists. The intervening years had been brushed away, as if we had learned nothing from that dreary experience. One new code and its accompanying documents had only lulled the American public's anxieties, not provided the internal reforms promised.

No more depressing display of a lack of motivation can be imagined than that given by Powers. He told the court he "felt very lucky" to get a job with Central Intelligence Agency—not because it provided an enviable opportunity to serve his country, and to help preserve the freedoms for which other countrymen had suffered and died—but because his pay would equal that of the chief pilot of a commercial airline. "I was pleased with the idea of flying service with a big salary," he said. Nowhere in his testimony was there any allusion to patriotism. He was not even an adventurer. He could not have better filled the role that the Kremlin gave him: that of an individual activated by the desire for money and bodily comforts.

The Communists had two psychological objectives. We should have known them; they did not differ from what they had been all along. The same method had been used in accusation meetings against missionaries and foreign educators by Red China.

The immediate goal was humiliation. The accused, as a symbol of his profession and his country, must be humiliated.

Moscow sought to thoroughly humiliate Powers, and to transfer this image of disgrace to the whole body of American society. Powers' family was expertly exploited toward the same end. Also, the Kremlin was pictured as the all-powerful father, from whom all favors flowed and to whom submission must be shown. Nothing that Powers said or did conflicted with this part of the image, nor did anything said by our State Department. Our treaty with the U.S.S.R. guarantees us the right to contact any American prisoner; Washington avoided unpleasantness by simply not bringing it up. Only in one heroic gesture did the American Government act with dignity. This was when Washington admitted the espionage character of the flight, blamed Soviet aggressive acts, and declared we would continue overflights as in the past. Unfortunately, the forced character of the announcement detracted from its effect.

The Kremlin's second psychological objective was a display of weakness on the part of the defendant, and an identification of this weakness in the world's eyes with the American Nation. In no instance did Powers demonstrate resistance. He declared he had no feeling against Soviet Russia. "I never took much notice of political things," he said, as if communism were just another political philosophy. He declared he had never even voted in his own country. In commenting on the noiseless pistol found among his supplies, he made the amazing statement: "Unfortunately nobody but myself knows I could not kill a person, even to save my own life. I could not do it." Yet he had been a lieutenant in the Air Force. For what sort of combat had he been trained?

His U–2 plane was packed with supersecret instrumentation. A cardinal rule is that such a plane must never fall into enemy hands. It was equipped with explosive devices for its destruction. Powers had a cunningly contrived poison pin with which to take his life if he felt he was being broken. The Communists made much of his failure to utilize any of this. "Smart man," Khrushchev remarked satirically in his speech to the Supreme Soviet.

Powers never specifically said his plane was struck by a rocket. This is particularly significant in view of the strange fact of his capture alive, and the capture of so much equipment intact. Was Powers a sitting duck? Had his plane been sabotaged? The Peshawar Airport in Pakistan can hardly be considered secure from agents. I remember wandering into it once when I lost my way.

The political objectives of the Kremlin were as definite as their psychological ones. The immediate purpose was to provide an alibi for torpedoing the summit conference. Powers cooperated by assuming that it broke up "as a direct result of my flight," for which he felt "sincerely sorry." The long-range political objective was to draw our allies away from us by making them mistrust our motivations and lose faith in our reliability. Powers accordingly incriminated practically every ally we had.

He spilled out names left and right, naming those with whom he had worked in his 10–10 detachment, officers he had seen there, even passing visitors such as Cardinal Spellman.

All of our friends abroad, involved in these operations, must be worrying over what is contained in the hundreds, possibly thousands, of pages of material Powers gave the enemy. Only small, selected portions were read at the trial. The existence of this great mass of unrevealed testimony was made plain by references frequently made in the indictment to four volumes of interrogation material, numbering at least hundreds of pages each.

Moscow lost no time in using the evidence Powers gave by putting direct pressure on other nations. America's allies were officially threatened with rocket attack if they continued to permit their soil to be used as bases. Jittery England was threatened in highly insulting language.

Powers was brainwashed. As with his predecessors in North Korea, the Reds did not seek to indoctrinate him, except as this might develop naturally in the softening up process. Just as did our captured men in Korea, he fell into enemy hands with the softening up already begun by his own country.

In a press conference the day the trial began, President Eisenhower answered the first question by saying that the flier's plea of guilty "doesn't show evidence that he was brainwashed." Because he had not been given a massive brain-changing, complete with physical torture and drugs, the brainwashing was not recognized. Once again Eisenhower demonstrated his lack of understanding of modern psychological warfare, especially the Communist strategy of mind attack. His off-the-cuff reply naively helped clear the air for the Communists, giving credence to their twisted language and falsifications. Nowadays it is as useful to the Reds to have brainwashing considered only as an indoctrination process, accompanied by physical torture, as it was for Mao Tse-tung, during the administration of Franklin D. Roosevelt, to be called an agrarian democrat and not a Communist.

Powers was cut off from contact with Americans for 109 days from his capture until he was brought into the courtroom. He was exposed all this time only to the Communist brand of interrogation, which is inextricably interwoven with brainwashing. Indictment in Russia is practically equivalent to being found guilty in Western jurisprudence. The role of the Soviet defense attorney is to determine how the guilty individual can be made useful again to the party and the state, and to bring out any doctrinal considerations in his favor which might have political bearing. This is what Mikhail I. Grinyov, Powers' defense attorney, did by stressing that Powers came of a workingman's family, that he violated his country's orders by "testimony he had repeatedly given of his own will to the investigator," and particularly by his cryptic reference to "the internal change he [Powers] had begun to experience since the moment he came into contact with Soviet people."

The lengthy isolation imposed on prisoners is itself a drastic softening up pressure. This showed throughout Powers' own testimony, by such telltale remarks as: "I understand a lot more now than I did before." He was "profoundly sorry" he had "taken any part" in such missions. He was "sincerely sorry." Never once did he hint that his work had anything to do with his country's protection, even when his "defense" lawyer castigated the United States as viciously as did the prosecutor. The words Powers did speak sounded strangely like the self-accusations and confessions that came from brainwashed POW's in Korea.

In letters received by Barbara, his wife, signed by him, he wrote: "Needless to say my life would be much different if I had it to live over again." He wrote her of "getting more than I can eat and plenty of sleep," that he was "smoking too much—these cigarettes here are pretty good." As time went on, he was given American novels to read, and even a Bible. He told the court: "All the time I was treated very nicely."

Communist routine is never to give a prisoner proper sleep or a balanced diet until they had what they want from him. They provide ordinary comforts as psychological or actual bribery, when they wish to keep a prisoner in a state of good will and gratitude, or after they are sure of him. They obviously concluded quite soon that Powers was giving all they required.

Nevertheless, on our side of the ledger is an incalculable psychological victory, the extent of which cannot possibly be assessed at this time. The main line of the Moscow-Peiping axis, and Khrushchev's specialized mission, has been to remove all hope of assistance from the peoples on the dark side of the Iron and Bamboo Curtains while persuading the free world that the populations in the Soviet bloc support the Communist regimes, when in actuality their hatred for it is very deepseated. This propaganda strategy has been progressing according to schedule. Khrushchev's visit to America deflated hopes everywhere within the Communist countries. Every propaganda facility the Communist hierarchy possessed was mobilized to exploit his trip. One glossy Red magazine I saw, published in many languages, was full of colored photographs of Soviet leaders in virtual bear hugs with American authorities everywhere from Washington and New York to San Francisco. On its back cover was a map of the world, the hammer and sickle superimposed over it.

Yet the U–2 flight suddenly brought home to the peoples within the Red domains that an American airplane had actually penetrated 1,250 miles inside Soviet Russia's supposedly inviolable borders. They then learned that we had been crisscrossing the U.S.S.R. for 4 years. This was all these people must have had ears for. What renewed hope it must have stimulated. No greater evidence can be found of the paucity of our psychological warfare agencies, and the failure of our leaders to understand the kind of war in which we are engaged, than their failure to take advantage of this plum.

The Communists are extraordinarily practical in their choice of which of their enemies' vulnerabilities to exploit. They drill away at these weaknesses until they bring about the collapse of their victim, whether an individual or a nation. Communist documents captured in the Korean war objectively analyzed the American soldier as opportunistic, lacking in staying power, loyalties, and discipline, and having little knowledge of his Nation's history. These points were the ones on which the brainwashers focused. In Powers' case, they concluded they had in their hands an American who thoroughly exemplified the negative traits they wished the world to regard as typically American.

The primary lesson we can learn from the Powers spectacle is that we still must close the moral gap exposed by the cold war. The Communists were correct in equating Powers with his country. This should warn us that there has been a serious deterioration since the early 1950's. Nothing in life can remain static. The change in this case has been a pronounced extension of the softening up process in our own people.

This conforms with the analysis made earlier in this book by the neuropsychiatrist, Dr. Freedom, of the creation of national neuroses by communism for purposes of subversion and conquest, under a perverted use of the clinical findings of Dr. Pavlov. Unless our people are alerted to this most evil strategy, they cannot be expected to take effective steps to immunize themselves against its spread. No less than the corruption of the whole moral fiber of our Nation is sought. Once this is achieved, the enemy will have no worry about being able to complete the remainder of the brainwashing treatment.

Instead of falling into the trap of making Powers a scapegoat, we must recognize that this concerns a common ailment. The softening up of the United States has been Khrushchev's most ambitious project. The Kremlin knows that the longer this goes undetected, the more difficult it will be to recognize and counteract.

This creeping neurosis has, like any other disease, its symptoms. Foremost among these is the loss of a sense of indignation. Ours has been fading away in every sphere of life, from our sluggish attitude regarding teenage murders on city streets, to our supine reaction to Moscow's brutal suppression of the Hungarian freedom revolt, and to genocide in Tibet. This deterioration in feelings, as was pointed out by Dr. Freedom, is a common medical phenomenon, found for instance in neurotic depressions.

We cannot bank on having the time we expect. A dangerous theory that has become increasingly accepted is one which holds that we shall have communism with us all our lifetime, and possibly during our children's lives as well. This assumes that communism does not contain within itself an aggressive dynamism that makes struggle a permanent fact of life. In Communist language, struggle has war as a subordinate factor. Whether this struggle takes a psychological, cold or hot war form is a matter of tactics and timing. The Communists have never waited on the initiative of others.

The pat proceedings of the Moscow trial of Powers, the false logic of the evidence presented, the threatening declarations and notes by the Soviet Union, the violent speeches and menacing off-the-cuff statements by Khrushchev and other Red chieftains, all point to one conclusion: the Moscow-Peiping axis has built up a spurious case for itself internationally, wording it in a manner that would seemingly justify a Pearl Harbor sputnik or rocket attack against the American mainland, or anywhere else Communist strategists feel advantageous for conquest of the world. They have already exploited the Powers case in such a way that any attack of this kind would be labelled "defense" against "American aggression."

Heaven will not help us if we are so foolhardy as to fail to be on watch and prepared every moment, particularly during any negotiations. Instead of relaxing our guard at such times, we must increase it. We must not forget the timing of the Pearl Harbor attack in Hawaii.

The Korean war gave us a second chance by showing the Communist hand in brainwashing. We failed to learn from this. The Powers case has given us a third chance. We may not have a fourth chance to implement the program we set up to restore marrow to our bones.

Mr. THURMOND. Mr. President, this chapter is indeed a prelude to Mr. Hunter's testimony before the Internal Security Subcommittee and should be considered in conjunction with the Internal Security Subcommittee hearing. The entire book is of inestimable value, and the country as a whole would benefit if every citizen would read it. As is the case with many books of such a nature, it can rarely be found on the shelves of local bookshops. It can, however, be obtained from the Bookmailer, Inc., Post Office Box 101, Murray Hill Station, New York, N.Y.

Mr. President, in his testimony before the Internal Security Subcommittee, Mr. Hunter supplies the details of how and why the anti-Communist campaign is being conducted. Perhaps the most potentially helpful lesson we can gain from Mr. Hunter's comprehensive analysis is that the Peiping-Moscow axis works more effectively in its psychological warfare through non-Communists and even naive anti-Communists than through Reds themselves. The Communists are too obvious. Without non-Communists and even anti-Communists who can be maneuvered or trapped into taking some position helpful to the Reds, they would get nowhere.

This is particularly so in the communications field—in the press. Of course, persons such as those named in the Internal Security Subcommittee document by Mr. Hunter as the authors of dispatches that appeared in the New York Times and certain other papers need by no stretch of the imagination be Communists. As Communists their usefulness to the Red mechanism would be gone.

This provides a special responsibility, however, to such newspaper correspondents and editors, and others whose work influences attitudes. Mr. Hunter brings this out in his testimony. Writers of such distinction as Cabell Phillips and Marquis Childs, therefore, and their editors, have a duty to guard themselves against being used as fronts for a Red objective. They surely must know after all these years that one of the main tactics of the Reds is to bunch together all types—from a Milquetoast, to a middle-of-the-roader, to a hysteric, and to call them all extremists and Fascists. These writers must have known this, and they, therefore, had the responsibility, as do all other writers in this cold war, to avoid being utilized in this way. Yet they did not do so. The fact remains, however, that they should and must know better, yet they allowed themselves to fall into the Red trap. This is what can destroy our country, and this is what we all have the duty of guarding against. There is a difference between being hit by a booby trap and walking deliberately into it.

Mr. President, we can win the war against communism only through the medium of an American public educated in the wiles and devices of the international Communist conspiracy. Mr. Hunter's testimony provides an unparalleled insight into the methods of the Communists. The Internal Security Subcommittee has performed an invaluable service and has made a great contribution to our efforts for survival by making this document public. The more widely distributed this testimony becomes, the greater will be the strength of the United States and the free world. I ask unanimous consent that particularly pertinent excerpts which I have extracted from the report be printed in the RECORD at the conclusion of my remarks.

(See exhibit 1.)

Mr. THURMOND. Mr. President, by and large the hearing of the Internal Security Subcommittee which was released yesterday received objective treatment by the press and the wire services, although, in my opinion, the importance of this material merits even more detailed coverage. In reviewing the coverage of this hearing in the press, I could not help be somewhat disturbed by one particular aspect of the press treatment. For all our efforts to disseminate, through the U.S. Information Agency and other publications media, the free world's point of view and the American attitude on the cold war, possibly the impression conveyed to foreign nations is contained in the reports of the diplomats of those foreign nations stationed right here in Washington. I sincerely hope that the diplomatic corps does not fallaciously assume that the Washington Post and Times-Herald, the only morning newspaper published in our Capital city, reflects either the consensus of the American press or the attitudes and sentiments of the American people. A perusal of the press treatment of the Senate Internal Security Subcommittee hearing aptly illustrates how out of tune the Washington Post is with both the majority of the press across the country and the thinking of the American people.

The Washington Post and Times-Herald published an editorial concerning the testimony of Mr. Hunter which is very distorted and misleading concerning Mr. Hunter's testimony and the documentation of his statements. The Post editorial states that Mr. Hunter substantiated his testimony of an anti-anti-

Communist drive with documents showing the protest against "Operation Abolition," which the Post alleges to be spontaneous, and by editorial denunciation of the John Birch Society and the Christian Anti-Communism Crusade. As a matter of fact, Mr. President, Mr. Hunter did no such thing. The first documentation supplied by Mr. Hunter consists of the "Statement of 81 Marxist-Leninist Parties," as officially translated by Moscow, and published in the Red theoretical organ of the United States, Political Affairs, in the January 1961 issue. This, Mr. President, is the first piece of evidence to which Mr. Hunter pointed.

Another piece of evidence, among the many supplied by Mr. Hunter, is an elaboration on the dictates of the December 5, 1960, Communist manifesto by Gus Hall, general secretary of the Communist Party, U.S.A., published in the Worker dated July 16, 1961. These documents, of course, are not mentioned in the Washington Post editorial. The Post editorial unfortunately also attempts to smear an organization called the Christian Anti-Communism Crusade, which it lumps together with other organizations and labels "neo-Fascist." This smear technique, I am thankful, is not representative of the American press; and I sincerely trust that the diplomatic corps and other representatives of foreign nations in our Capital will not be misled by such statements or judge the American press thereby.

The Christian Anti-Communism Crusade is the name of the organization created by an Australian surgeon, Dr. Frederick S. Schwarz, who turned evangelist against communism while still in college, and who for the past decade has given his full time to this motivated work. He is also a lay preacher, and he has been working closely with the Baptist Church.

He came to the United States about 10 years ago, when he was horrified to find the lack of knowledge of communism here as great as that in his native Australia. However, he felt that America's role was decisive, and he gave a number of talks, out of which he formed the Christian Anti-Communism Crusade. After a couple of years, he found community after community desirous of either obtaining background on Communist evils or wishing to learn more about how to fight them. In response to this, he set up classes on communism.

That was the start of the courses now being given by the Crusade itself, and by a number of other similarly motivated groups since set up in cities throughout America. The idea caught on. Panels of specialists on the Communist menace participated. When the 1958 directive of the National Security Council instructed that home, school, and church be brought into this preparation of our youth for the sort of mind attack dealt our young men in the prisoner-of-war camps in North Korea, these courses were at once a model. The grassroots movement came out of this environment.

The Crusade, of which Dr. Schwarz is executive director, with its address Box 890, Long Beach, Calif., has made it an inviolable rule since its start that all books and periodicals sold at its meetings avoid extremist claims and name-calling, and that its speakers do the same—focusing on issues, instead of people. Hence, no criticism of the Crusade has been possible until the recent, intensified Red anti-anti-Communist drive led to the bunching together of all sorts of groups and personalities, branding the Crusade and other anti-Communists as being "right, extremist, and Fascist."

As one result of the Crusade, branches have been set up in various parts of the United States, each of which acts as a headquarters for the creation of new schools in localities in its area and for the distribution of the texts of speeches and other literature of its anti-Communist courses.

A typical program now going on, from August 28 to September 1, 1961, is being held in the Los Angeles Sports Arena, with the faculty consisting of Herbert Philbrick, Senator Thomas J. Dodd, Representative Walter H. Judd, Dr. Edward Teller, professor of physics at the University of California, Rear Adm. Chester Ward, U.S. Navy, retired, professor of law at George Washington University, and Capt. E. Richard Barnes, former district chaplain in the New Orleans area, among others.

Mr. President, the American people are awakening to the total nature of Communist efforts. They are vigorously seeking information concerning the enemy. We must not allow that information to be withheld from them by such conspiracies as the present anti-anti-Communist campaign. Smear campaigns against such organizations as the Christian Anti-Communism Crusade must be denounced, for such organizations are performing a vital service, and should not be restricted; rather, they should be assisted. It is heartening to see that Members of this body and the other body of the Congress are assisting them in spreading the truth about communism. The personnel in our Military Establishment and the facilities of the military service have a great potential for use in this field. Present efforts to gag them are a disservice to the country and contribute immeasurably to the weakening of the free world. As I pointed out in a number of speeches, the last of which was on last Friday, the efforts to muzzle the military are bearing more and more and larger and larger fruit. It is up to the Congress to reverse the trend. A full investigation, as I have proposed in Senate Resolution 191, to be conducted by the Armed Services Committee, should be the first step in this direction.

EXHIBIT 1

EXCERPTS FROM HEARING BEFORE THE SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL SECURITY LAWS OF THE COMMITTEE ON THE JUDICIARY, U.S. SENATE, 87TH CONGRESS, 1ST SESSION, JULY 11, 1961

Senator COTTON. This hearing is being reopened as a regular executive session, to provide opportunity for Mr. Edward Hunter to elaborate on a point he touched upon only briefly during his testimony in May; namely, the new counterdrive in the United States against anti-Communist alertness and training programs.

Mr. Hunter, you have already been sworn.

Mr. SOURWINE. We are informed, and have on the record, your very extensive background in psychological warfare generally, and the war against the mind specifically. We know of the research and the books you pioneered in this field. Have you given any particular attention to the subject of this phase of our hearing, as Senator COTTON has stated it?

Mr. HUNTER. Yes, indeed. I made extensive trips throughout the United States during the past couple of years, after my return from Afghanistan, for purposes of research, writing, and lecturing. This put me in close touch with the local situation in each community as regards communism. I watched an actual grassroots movement develop. With this background, I have lately been noticing a new, highly coordinated drive go into high gear to tear this anti-Communist movement up by the roots and destroy it. Whereas the grassroots movement was a spontaneous local development in most areas, there is nothing spontaneous nor local about the drive to crush it; it is an organized psychological warfare operation that had all the markings of staff planning.

Mr. SOURWINE. We hope you will go into detail on these matters. So that we may have a general idea of where these details fit in, could you begin by summarizing the present stage in this fight?

Mr. HUNTER. A quick, Red operation is being attempted, like that of a sleight-of-hand artist, to push this administration, the press, and public into a trap that would eliminate the anti-Communist program in the United States. We should know by now that this is the way Red strategy operates, as it did in the concluding period of World War II. When communism has an opponent's attention diverted, or has him confused or reeling, the Reds push forward as fast as they can in their psychological warfare, grabbing all the advantage and booty they can. They are using this time-tried method of theirs against the Kennedy administration in its first year. They have carefully analyzed its conciliatory or goodwill traits as vulnerabilities, and are exploiting them as much as they can. Those traits, as you must know, are held in contempt in Communist teachings—their dialectical materialism—regarded as sentimentalism, a crime in Communist society. Sentimentalism is considered a bourgeois contradiction to Marxist's objectivism.

Mr. SOURWINE. Do they have any special plan or ruse by which they hope to achieve this purpose?

Mr. HUNTER. Yes; very much so. A new "psywar" line that constitutes very clever propaganda is being pushed. The argument is simply that communism is no danger here in the United States, that it's abroad where the danger lies. They want us to stop paying attention to Communist activities here in America, to drop the alertness and training programs that would enable our public and our troops to avoid Red traps, and to recognize the face of communism, so that we won't repeat the disastrous scandals of North Korean prisoner-of-war camps, and of Captain Powers of the U–2. This isn't really a new line, any more than coexistence was when it was taken out of the Red bag of tricks for use again. But it's now their major line, and the major danger to us. If the Reds can put it across—and they've already achieved some great successes with it—we will have disarmed ourselves in the realm of mind warfare—the war for the mind—right here at home. Our submersion into communism would inevitably follow, unless we are able to awaken from the trance in time.

Mr. SOURWINE. Where do we stand now in this fight?

Mr. HUNTER. When we look at it from the overall point of view, we see a race taking place. It is a race between those trying to give the American people the knowledge they require of the weapons and the tactics employed in the so-called cold war, and those seeking to deprive them of this vital information. This is the part of the Red disarmament drive that is being waged in the field of mind warfare, what might best be called mind attack, a military label for brainwashing. What we are discussing now falls into the scope of the softening-up process, one of the two processes in brainwashing, the other being indoctrination. Softening up is disarmament in the cold war. Exactly as the Red objective in weapons disarmament—as evidenced by their one-sided demands—is to deprive us of the hardware for defense and attack, while leaving themselves loopholes to avoid such deprivation, their objective in cold war disarmament is our moral softening up, depriving us of the means of spotting Red traps and Communist intrigue, and sapping our will to do anything about it, while leaving communism no such handicap to conspiracy and subversion.

A growing grassroots movement has developed in the United States against communism—one which constitutes a powerful anti-Communist movement. This evolved in spite of anti-anti-Communist maneuvers—against anticommunism—that have been going on for some years in our country, utilizing mainly Red fronts and hush-hush methods, as well as economic pressure against those who are frankly anti-Communist. This subtle, comparatively concealed anti-anti-communism has now been merged into what can best be called a Red anti-anti-Communist drive, that was openly initiated, under orders issued to the Communist forces of the world, especially to those in the United States, through the Red manifesto of December 5, 1960. The manifesto was made public at the conclusion of the strategy conference of 81 Communist parties of the world, including our treasonable own, that met in Moscow all last November. The race is what the Reds call struggle, and is for keeps. "Struggle" in the Communist lexicon can include all forms of conflict, from smiles and leaflets to hand grenades and nuclear fission, according to opportunity and need. The protagonists are the growing anti-Communist movement in the United States and the Red anti-anti-Communist drive. The Reds are seeking to put this over as a quick operation, catching us off balance, to crush the entire anti-Communist movement in our country.

Mr. SOURWINE. What do you mean by an anti-Communist movement in the United States, and by your references to a grassroots movement?

Mr. HUNTER. This can only be understood against the backdrop of the Communist position generally on matters concerning inquiry by non-Communists and anti-Communists—by anyone—into what the Reds consider their own business, their "psywar" operations to weaken, conquer, and take over other countries, especially the United States, so as to complete their conquest of the world. They have always demanded that inquiry of any kind into Red manipulation should be forbidden. They have called it undemocratic, a reactionary or Fascist activity, and illegal. All these words have their own, separate meaning in the Communist dictionary. They also insist, from the same Red point of view, that all such inquiry is unfriendly and hostile, and are using "rightist" and "extreme rightist" as smear words against anti-Communist teachings generally. The new conservative surge in the United States has been accompanied by anti-Communist efforts, mainly along educational lines, to spread information about the real nature of communism. The Reds equate this new conservatism with anticommunism, and equate this with fascism. This lumping together opponents of every description—mild or tough—branding them with some predominantly objectionable label, is an old Red tactic. It produces some of the more obvious of the patent falsehoods that come out of Red logic, called dialectical materialism, and reaches such perversions of Socratic thinking as the teaching that war is peace, black is white, and opposition to communism is illegal, whereas pro-Communist activity is perfectly legal. The former may be as timid as you like, it is called McCarthyism by the Reds; the latter may be as unprincipled as hades, it is still regarded by them as irreproachable. Here we have the actual meaning of the term "McCarthyism" in dialectical materialism, and it has nothing whatsoever to do with the manner by which communism is opposed, it is a matter of so-called principle—Red principle.

We can understand much more about Communist procedure, which otherwise seems so incomprehensible, if we keep this difference in approach in mind, as well as the strategy that communism pursues to prevent frontal attack on specific Red tactics and evils, or their disclosure, by bunching all the opposition with whatever can be found that might be branded "off balance" and "haywire," and calling the whole thing right extremist—meaning to us anti-Semitic, racist, and Fascist, irrespective to how farfetched these accusations are to the particular cases under discussion. By insisting, as they actually did in the prisoner of war camps in North Korea, that any inquiry into communism shows a hostile attitude and an unconciliatory spirit, they have consistently obtained invaluable concessions without giving up anything in return, everywhere from the questioning of a prisoner to the grilling of a diplomat. We're going through this process all over again, it seems.

Mr. SOURWINE. How do they seem to get away with it all the time?

Mr. HUNTER. By calculated, minutely planned staff work, and by the utilization in particular of the double standard.

Mr. SOURWINE. What do you mean by "the double standard"?

Mr. HUNTER. This is basic in Communist strategy. Enforcement of the double standard leaves the door open for the Communists to make headway. Otherwise, their aggressive and conspirational methods would be seen through, and once this happened they could not survive. The anti-anti-Communist drive is a vivid example of this double standard in practice. The Reds for years have had phenomenal success in suppressing criticism of communism that was in any way specific, and therefore effective. The poor Republic of China suffered tragically from this. Books extolling the Chinese Reds as agrarian reformers and Chinese "New Dealers"—not at all real Communists—were the only ones reviewed favorably in the United States, often the only ones reviewed at all, and were given bestseller treatment, with all publicity buildup that ultimately made them bestsellers. The participation of writers and political analysts in pro-Red Chinese propaganda became extremely lucrative, and they were given additional easy income from fat lecture contracts. All this was laid on for those who held the line in the right direction, from the Communist standpoint that is, toward the extreme left. Anti-Communists were excluded. They just weren't given a look-in. It happened with such consistency that it cannot be considered a coincidence. We now know that this was manipulated by the Reds themselves. They benefited politically, in psychological warfare, from what constituted a monopoly, or a squeeze play. This embraced the film and drama and took over our communications channels generally. Yet all this time it was considered perfectly proper for the Communists to lambast their foes without the least consideration for truth. Any attempt to stop them was at once branded as interference with free speech and civil rights, and cynically, as a threat to the free enterprise system.

When this monopoly of theirs was finally exposed, the Reds howled suppression. The double standard to them is not a clever maneuver that they have gotten away with all this time: they consider it their right.

We must understand this if we are not to be bewildered each time we come up against it. From the other aspect, that of Communist ideology, it is something "proper" and "right" in their terminology. The double standard is part of dialectical materialism—built into it. The Reds, as a matter of ideology, do not grant their enemies the same privileges they claim for themselves. They claim the advantages of the double standard in our society, as in their own, as a right. It hasn't anything to do with what we call a liberal approach. It isn't being liberal to recognize this travesty of thought as logical, unless we are willing to go right ahead, too, and recognize that peace is war and white is black. This, incidentally, was the mental state into which our prisoners of war were edged in the Red brainwashing camps in North Korea. What is hard to realize is that this is exactly the state of mind the Reds seek to impose in close quarters in any negotiation.

Under the double standards, Communists can be anti-United States, but we are not to be allowed to be anti-Communist. Anti-anti-communism is simply the enforcement of this piece of Red logic, that is really a piece of lack logic. But it has been perpetrated for years. The Reds at no time are willing to accept fair play, or a give-and-take situation in the press, any more than in a summit negotiation with President Roosevelt, Truman, Eisenhower or, now, Kennedy. It makes no difference whom. They are now insisting upon a return to what they claim as this right of theirs, the monopoly of our press and book facilities for pro-Communist arguments, and their exclusion to anti-Communists. They're making headway, too, in the same channels that lay low for a while.

The Red insistence on the double standard has reached its peak with the Communist claim to ample and complete—de facto exclusive—facilities with which to destroy us. They are specifically demanding complete elimination of anti-Communist programs from our schools and in the military, and from public meetings. This is the culmination of anti-anti-communism. If we are buried in accordance with the decree of that specialist in genocide, Nikita Khrushchev, it should be memoralized on our collectivized tombstone by the words: "Here Lies a Nation—Martyr to the Double Standard; Americans Could Never Learn."

There is a semantic gimmick that usually greases the mechanism for the upside-down Red thinking that is sometimes called double-think. This is anti-Communist bias. Americans are justifiably opposed to bias. Opposition expressed to communism is labeled "anti-Communist bias" by the Reds, and at once we are supposed to avoid it. The simple objective is to eliminate free inquiry into Red machinations in our midst. But we are not supposed to refer to a pro-Communist bias, for to do so is, to them, "McCarthyism." This is the double standard. We are pressed not to engage in anti-communism, but if we don't, we leave the field open to the pro-Communists by default. That is the trap.

One of the most glaring examples of the double standard is in Red racism. The Reds use the term "racial liberation wars" in the native languages of Asia and Africa, and make no bones about it being a war against the white man, specifically the Western white man. So-called liberals who fall

into the trap of equating defense of freedom with racism, following the Red line, never raise a voice against the obvious racism engaged in by Communists.[1]

Somehow, if we're going to have a double standard, I would prefer we use it to our own advantage once in a while, and without any concealment about it, either. Is there anything wrong in favoring our own side, if we do so aboveboard, and honorably? One of the main reasons we are having setbacks around the world, losing respect, is that we have become known for not helping our friends, and for letting them down, while we help our enemies, trying to make ourselves popular with them, as if this were the way any person or nation can truly become popular.

The double standard is now in operation in many sectors of our society, if we would only look. The double standard is the main tactic in the perennial drive to put Red China into the United Nations and to give it American recognition. In our communications channels—from television to our daily papers—we constantly come across remarks favorable to the Red Chinese on this issue. This is considered being objective. However, when did you last hear anyone on television, for instance, casually remark that it was inevitable that freedom be restored to the Chinese people? Such statements are called controversial and discouraged or even suppressed. They're only controversial, however, when they're anti-Communist. This is the double standard in operation. Mao Tse-tung was whitewashed by its use. The same tactic is now being employed on his behalf once more, and by mostly the same people. We seem to accept past errors as the best recommendation for trust in this through-the-looking-glass world. What seems unforgivable is to have been right all along about communism.

Mr. SOURWINE. You said something about planned staff work by the Communists, presumably in reference to their activities in our country. Will you elaborate on this, please?

Mr. HUNTER. During the war, we had a clandestine propaganda warfare section in the Office of Strategic Services. I was part of it. These were, for the most part, experimental stations, with little implementation done. Theater commanders knew nothing about this approach, and next to nothing about psychological warfare, and had no time to find out, with a war going on, and certainly no patience for it. Psychological warfare of this clandestine nature had been part and parcel of Communist attack from the start, filling a major role in their conduct of war. The British did not draw a strict line between what we called white and black—between the overt or open, and the covert or clandestine. They put it all through much the same mill. When the war ended for us, the United States disbanded this section. The war didn't end for the U.S.S.R., though. We had ample knowledge of this, but made believe it wasn't so. Only one phase of it had closed for them: that requiring new weapons to be given the main emphasis. The Soviet Union kept its psychological planning bureaus operating as always, for Moscow had an entirely different concept of war than we. The Reds simply changed targets, and began aiming their psychological warfare guns at us, now that the Nazi target had been punched full of holes. We always had been an enemy, too, in their book, to be temporarily used and then destroyed—the traditional class warfare tactic. Significantly, we now are hearing of class conflict between nations—between poor and rich countries—now that class warfare has been exposed as utterly meaningless inside any modern, free nation. Coexistence, to the Reds, is merely the shift of class warfare from the domestic to the world stage, from so-called classes of people inside a country to entire nations. Indeed, the Red manifesto of December 5, 1960, says: "The coexistence of states with different social systems is a form of class struggle between socialism and capitalism."

Throughout the manifesto, the Red hierarchy equates socialism with communism, as different phases of the same movement.

The Red hierarchy began its shift of targets even before the end of the shooting war in Europe. We replaced the old target for them to such an extent that international communism has been referring to us as Fascists and Nazis. The Reds change or retain labels irrespective of contents, wholly in accordance with the impression they seek to convey.

Unavoidably, we were pushed into seeking a defense against this psychological warfare offensive against us, that our State Department and the White House well knew about, but kept secret from the American public which had a right to know, being the most critically concerned. Defense against intensified Red assault forced Washington to set up an operational arm in the Central Intelligence Agency, which reinstated the clandestine section of OSS. Old OSS records had been cavalierly dealt with, even destroyed, especially those that could have been used as guidance, which could have helped us learn from old mistakes. CIA had to start at the beginning once more, as if we had never had this OSS experience. There was a deliberateness about this diversion and loss of documentation that goes beyond carelessness and slipshod methods.

What is relevant in this situation is that it just doesn't make sense to say that the Reds would abandon their "psywar" operations against the one country they consider their primary foe—the United States—whose free existence makes their world conquest impossible. Of course they have a psychological warfare planning section, specifically given the responsibility of operations within the United States. We are naive, to be sure, but we wouldn't be naive—we'd be criminally stupid—to insist otherwise. Yet on such life-and-death factors, we sometimes seem to be the latter.

The pattern is too plain, its details stand out too conspicuously for me not to recognize them. What is as sure as anything I have ever known in this "psywar" field is that the Moscow-Peiping-through-Havana axis maintains a clandestine warfare planning and operational section directly dealing with the United States, and has had it at work certainly since the end of World War II. The pattern is too obvious. Whether it is located on American soil, in Washington, or technically on foreign soil, in the United Nations, or in Canada, or Mexico, may be argued. I feel it utilizes the Communist Party of the United States in a subordinate position, to provide informational and implementation facilities rather than for policymaking. I doubt whether the Kremlin regards the American Communists as sufficiently "reliable"—this word has special meaning in Communist language—to be entrusted with such knowledge. The FBI presumedly has it too effectively tapped. Foreign Reds on our soil, directly under Moscow's orders, do the programing. They determine tactics dealing with day-to-day tasks. The operational headquarters might even be in Cuba. Remember, the present Soviet Ambassador to Cuba was, at the time of the Gouzenko disclosures, the Red spy chief in the Soviet Embassy in Canada whose espionage ring robbed us of our atomic secrets, under the protection of a hush-hush by the American authorities on Red spy activities. This hush-hush seems one of the few points on which the U.S. Government can be said to have a policy.

Lesser loyalties—to political party, profession, or office colleagues—were allowed then to take precedence over higher loyalties and responses. This mentality was epitomized by such attitudes as "Why stick your neck out?" "What's in it for me?" and "The customer is always right." They replaced our old maxims of morality. The Australian cynicism, "I couldn't care less," became worldwide. All this fertilized our soil for subversion and treason. We have not yet rid ourselves of those noxious and poisonous weeds. Of this, I am convinced by the pattern I have seen forming.

Mr. SOURWINE. Perhaps you could go into some detail regarding this that you call a pattern.

Mr. HUNTER. Yes. It will require an extended explanation, though.

One date should be kept in mind as a starting point for the new phase in "psywar," the new Red anti-anti-Communist drive, to differentiate it from the Red-manipulated, covert anti-anti-communism we had heretofore. The former is outright Red managed, part of disclosed policy of the Communist hierarchy, and immensely more aggressive. Something new has been added to the old, and it is direct action—demonstrations and riots, unbridled smears in the traditional Red manner, and what in practice amounts to an overt manipulation of non-Communist and even anti-Communist personalities and groups, in and out of government, for a basic Red objective, the liquidation of the growing anti-Communist grassroots movement in the United States. The popular movement to which I refer is a healthy, public reaction against the character-sapping official policy of setting standards by a fluctuating popularity poll. Actually, that's a degraded form of dialectical materialism, which also rejects eternal values as principles common to human experience down the ages.

This overt operation is a reflection of Khrushchev's frequently uttered contempt for the United States. He is basing his war against us on the premise that we have been sufficiently softened up to be unreachable by patriotism or loyalty, what I have referred to as mental survival stamina, and that we are sure to be a pushover, needing a mere concluding coup de grace perhaps, without appreciable danger of retaliation in any effective manner. This, gentlemen, is the psychological basis on which the Reds are working, and they consider themselves objective and practical.

They surely know, in Moscow, those on whom they can depend to do their dirty work here in the United States, especially in Government and communications circles in Washington and New York. Of this much we can be sure: They have a strategy for our defeat—our burial, as Khrushchev euphemistically terms it. Realization of this in government as well as by the public could be the stimulation to awaken us from our corrupting trance. That way we could exploit Red strategy against themselves, and save ourselves.

We have made believe that this Red contempt doesn't exist by hushing up on it. I stress it here because it is one of those factors that are integral portions of psychological warfare—the cold war. The extent of truth in it, whether really false, is irrelevant. "Psywar" proceeds on what minds can be induced to accept, not on what actually exists, or on accuracy based on Judeo-Christian standards. The Communist conspirators deal primarily with influences, as levers and weapons. The best expression of his attitude was provided by Khrushchev himself in his inimitable, boorish manner, when he described Americans to satellite and other foreign correspondents in Moscow as people whom: "You spit in their face and they

[1] Cf. "The Soviet Empire, Prison House of Nations and Races," a study by the Internal Security Subcommittee, available at many libraries.

call it dew." Could anything be more insulting? Instead of responding, we have ignored the insult. This quotation is obtainable in the Moscow-published material which we receive as part of our cultural exchange program with the Reds, in return for the so-called objective material we send them, in which we tell them about our blemishes. Of course, cultural exchange on this basis is satisfactory to Moscow. This one-sidedness is what they insist on as a cooperative attitude, on a take-it or leave-it basis. We are taking it.

The anchor point is this date of December 5, 1960, when the Red manifesto was adopted in Moscow. This set the new, expanded Red policy. For the first time, the world Communist network, in a basic policy and operational document, specifically referred to the anti-Communist movement in the United States, recognizing that it had reached proportions large enough to constitute a main—if not the main—danger to Communist progress in our country, outlining tactics to combat it, so as to regain the virtually unobstructed field it had once occupied in its American operations.

While the anti-anti-Communists, with fake liberals as their working media in the communications field, were telling each other, and being widely quoted in the Pavlovian manner of the conditioned reflex, about the ineffectiveness and hopelessness of the anti-Communist movement in America, the Red psychological warfare staff in our land was not allowing itself to be diverted by such balderdash. It well knew who pulled the strings in this belittlement of anti-communism, and it knew who were the ventriloquists in this softening-up and defeatist propaganda. The tightly organized, keenly observant group that runs Red "psywar" in the United States was surely observing the anti-Communist movement in a professional objective manner. This Red operational group, made up of persons with diplomatic entree in Washington and at the United Nations, with perhaps some few vassals from the Communist Party of the United States, watched the anti-Communist movement grow in grassroots manner, and fast, and saw it reach sizable proportions without benefit of publicity, in the face of discouragement from official sources in Washington and a hush-hush in the press.

The new, coordinated, aggressive Red anti-anti-Communist drive was launched by the Red manifesto. Until then, anti-anti-communism had been conducted mainly as a hush-hush operation in the manner of the "united front," enlisting the help of any person or organization, no matter whether non-Communist or even anti-Communist, so long as he aids and abets the Communist objective of strangling anticommunism at birth, wherever is showed up.

Anti-anti-communism was interpreted to mean opposition to anticommunism, on the assumption that the latter is an obstacle to negotiations with Soviet Russia, and is contrary to "peaceful coexistence." Coexistence was suddenly taken from Red ideology and publicized as if a product of American thinking, making it less unpalatable to our people. It was a cliche in Communist language and tactics, a decise for weakening and confusing, for setting up the victim—ourselves—for the kill.

Anti-Communists in political, educational, literary, clerical, and other spheres of American society were boxed in and squeezed out, quietly, one by one. This was the hush-hush strategy. However, it did not fully work, thanks to the American people themselves, and a few isolated segments in Government, who were persistently harassed and kept busy battling for their own survival. Even if they couldn't be "liquidated," their efforts could be held to a minimum.

The conference of Communist parties of the world, holding strategy meetings in Moscow over a period of 6 weeks or more last year, came forth with this manifesto that laid down the new, or rather the intensified strategy for war against the free world, principally the United States, inside the framework of what the Reds mean in Communist language by the word "struggle."

We must not let out of our minds the fact that "struggle" in dialectical materialism embraces all forms of conflict which have a common objective, whether hot or cold, including military destruction among other means of winning, considering everything and anything as a weapon if it can help weaken a foe and bring about his surrender to the Reds. This is its rendering in a society based on Pavlovianism, which creates conditioned reflexes by signals and symbols, relegating men to the status of a dog.

The manifesto ordered a frontal attack upon the anti-Communist movement, for the first time recognized as a fundamental obstacle to Red aims. This made hash of the line taken until then, that had downgraded anticommunism as futile, not worthy of mention, which ridiculed it by such artifices as saying it really helped the Reds—the "Wasn't McCarthy a Red agent himself?" sort of heavy joke. The manifesto made plain that anticommunism had to be combated by a major counteroffensive.

The role of anti-anti-communism in the United States, as it existed until then, was to employ diffusion, confusion, and hush-hush to leave the "psywar" field, by default, open to pro-Reds alone. Whether done knowingly, or as a Pavlovian reflex, it was all the same to the Reds.

Surely by nowise can this Red manifesto be honestly described other than as a strategy for the defeat of the United States and its absorption into the Communist empire. Yet organs of anti-anti-communism, such as the New York Times, in heavyweight, comatose gibberish, brushed it off as a moderate document, as merely a compromise between Soviet Russia and Red China, in what they had played up as a virtual split between them, hence not putting any new heat on the United States. This was a dangerous distortion of the facts, and yet our leading prestige papers retailed it, brushing off the document. This, too, is part of the pattern to which I'm referring. These things don't just happen in a "psywar" world. They are brought about by calculation, planned this way by "leaks" and string pulling.

Such operations require a new sort of agent, on which the Kremlin places its main trust nowadays. While we continue looking exclusively for the old-style cloak-and-dagger man, who buys or steals secrets to pass along to his headquarters, Red emphasis has been put on a rationalized, new-type agent, without neglecting the old, of course. We are still focusing on the old, as we were in World War II. Then, along with the British, we were putting the low men on our totem pole, who had slight if any useful data anyway, under rigorous and penalizing security checks. Moscow simply acquired agents who mingled with the new, intellectual elite at the top on terms of equality, were sometimes members of it themselves. They infiltrated the White House and other topmost Government offices. These were gentlemen all. Gentlemen talked frankly between themselves in comradely manner. Secrets were much easier to steal this way, and immensely more reliable. We might cringe at the idea that Red agents, bought and paid for by the enemy, had entree and became members of the White House entourage, but we can brush it out of our minds only at our own peril. As such things happened, they can happen again. Making believe they never did would make sure of it. But they would happen in the new form, while we would be looking for the old, as usual.

The new-style, pro-Red agent has his role to influence policy, stalling or frustrating it, making it fail or end up by hurting ourselves. Need any more be done to wreak the destruction of a nation, no matter how many billions it pours out in defense and foreign aid? This is an integral portion of the pattern I'm speaking about, the heart of it, the main gears in the pattern for failure that we have now devised as a built-in mechanism in our Government, with coordinated ramifications in the prestige press, in educational circles, and in whatever other professions the enemy considers worth penetrating.

If we doubt that the Reds infiltrate these honored professions, let us think for a moment of how it has been fundamental Red technique to do so in every nation which it has already subverted, or is seeking to subvert abroad, and then let us ask ourselves if it is possible this is not being done in the one nation in the world which Moscow regards as its main target. Or course, it is being done here. Suppression of inquiry into communism is one way of lulling ourselves into thinking we've solved the problem of the Red agent. We can seem to get along better with Moscow this way. We aren't accused of being "antisocial." Where basic principles and survival are at stake, we'd better be very willing to be as "antisocial" as need be, and come to realize that this whole "antisocial" gambit of a popularity race is a part of the diffusion mechanism in the cold war.

These new elite agents need not—usually must not—give evidence of pro-Red bias. They operate best when they work as anti-Communist perfectionists, insisting that we make sure that every project devised to hurt the enemy is 100 percent certain to succeed, and that it won't be approved until it is perfect. This approach is enough to strangle most good projects at birth. If this doesn't work, and a project cannot be stopped, there can be some clause inserted which makes it operationally useless to our own side, or even helpful to the enemy. I include in this our late, ill-fated and betrayed Cuban expedition. I've already referred to such instances at a previous session.

Nothing is every perfect, of course, and anything and everything can be interpreted to its own defeat. This is one of the most effective tactics in our pattern for failure. The problem of Red manipulation and espionage has become more complex, exactly as our precision instruments, but we must go on to solve it, with the realization uppermost in our minds that the fundamental law of the land is its survival as a free and viable nation, and that this law is higher than any other, inviolable—except at the price of a futile and unforgivable death. The kindest thing a rewritten history could do for any American who had helped bring about our defeat would be to not mention him, to make him an unperson.

This is the background against which I'm analyzing this Red manifesto. It inferentially recognizes that under the hush-hush of anti-anti-Communist pressures, a grassroots movement against communism had nonetheless developed in American society. I watched it grow. As yet, it is composed for the most part of local groups and, even neighborhood folk who come together out of a natural sense of there being something raw put over on our country on behalf of communism.

These local groups have even yet little or no contact with each other, and get little or no normal publicity. They range over the board in other respects, from left to right, from labor to management. Of course, as in any big, growing organization, some crackpots can be found.

In this atmosphere, some national organizations have formed, and various groups have been organized, that arrange seminars on communism, and give courses on communism

in various cities and communities. Some collaboration was achieved for it from the official American training program that came out of our degrading experience in the prisoner-of-war camps of North Korea. After all, the American people were told, by Presidential directive, to enlist home, school, and church in a drive to help restore those submerged or displaced elements in our good character, as part of the national training program of the military, on which our survival would certainly depend. Our North Korean experiences showed our youth to have been the butt of softening-up pressures subtly incorporated into our own society, weakening and corrupting his fiber. In the past, the teaching of physical survival stamina was sufficient. The home, clergy, and schools could be depended on to provide the morality. This wasn't true any more. Mental survival stamina had now to be specifically taught. We are given no alternative except surrender.

The anti-Communist sentiment of the public, generally, was still being effectively blocked by the hush-hush imposed by the anti-anti-Communists. This gave the anti-Communists the feeling of being boxed in and isolated, being all alone. It led to frustration, creating a sense of hopelessness and bitterness. Creeping defeatism was brought into our midst during this time, and soon started changing form from an enemy tactic to a social characteristic. This is propaganda climate.

Mr. SOURWINE. What do you mean exactly by propaganda climate?

Mr. HUNTER. Propaganda climate is one of the most effective techniques of the Red cold war, especially applicable to the anti-communism. I can tell a roomful of men, for instance, to put on, or take off, their coats, and they'll laugh at me. I can go outside and quietly raise or lower the thermostat, and in a few minutes, they'll begin removing or putting on their coats without me saying a word. This, in propaganda, is what I mean by creating a climate. Once achieved, what otherwise would be recognized as treason, as the Amerasia case during World War II, seems otherwise to ordinarily intelligent people, and they justify this by calling it sophistication, or applying some other high-sounding label that gives them special privileges as, say, intellectuals.

One of the many ramifications of anti-anti-communism is in our personnel selection and personnel screening. The squeezing out of personnel motivated in an anti-Communist direction, and the screening in of so-called anti-anti-Communists, has been one of the long-range activities of the Red mechanism through the years, at which it has had marked success. Much of this success comes from the creation of a propaganda climate favorable to this attitude.

Obviously, the more the anti-Communist issue becomes confused and smeared as controversial, and the more the impression spreads than those in positions of power, who must be depended upon for advancement, want anticommunism softpedaled, and anti-Communists boycotted, the greater will the Red success be in implementing this personnel policy, in and out of government.

Propaganda climate has had the effect of eliminating from consideration for jobs in the cold war practically all—there are a few, notable exceptions—who have records of accuracy and steadfastness in this field. This propaganda climate more and more broadened beyond the mere word-of-mouth stage to drastic economic pressures and cruel social pressures, which lately have included even overt discussion of the sanity of persons who are anti-Communist generally, soberly referring to this as if it were something to be taken for granted in the mental health field. This has spread out, too, into fields which have anti-Communist implications, as in our national defense. Participants in organizations for a so-called sane policy allude to the insanity of their opponents.

The double standard, it is plain to see, is of great encouragement to pro-Reds and discouragement to anti-Reds. A Hiss can be sure of a good-paying job; the person branded anti-Communist is eliminated from consideration. He is treated as if there were something criminal about anticommunism, as if it were the same, only the opposite extreme, of pro-Red espionage. This upside-down situation has developed in such a one-sided, disadvantageous manner to the anti-Communist that he must be particularly strong-willed, if not bullheaded, in order to survive, unless he has an income of his own, possibly inherited—or a pension. The new Red anti-anti-Communist drive is hitting particularly at those who have a pension for their support.

The trait of inflexible will that an anti-Communist requires for economic survival then is thrown against him as fanaticism, therefore dangerous thinking, in the so-called liberal lexicon. Certain words have come to apply especially to the anti-Communist, such as "controversial." This exploits a basic vulnerability of American business, to please the customer—"the customer is always right." Extended into politics or diplomacy, this could become the means for our destruction, for in spite of the aid program, the people we deal with abroad are not "always right." They can be willing conspirators against us, if they feel it of advantage to their own country. This is a particular advantage that the Reds are exploiting in their so-called aid program, and in their propaganda about the assumed "inevitability" of their victory. The bandwagon reflex is an unconditional one, not like our popularity race, an artificiality or conditioned reflex.

This is the propaganda climate for softening us up. To be effective, it must operate in the manner called "voluntary" in Communist language, meaning induced, enforced, operating as a conditioned reflex, unthinkingly—the Pavlovian way.

We must not know about this strategy, for it to work. So the pattern for failure, at taxpayers' expense, has the concealment of brainwashing and Pavlov as one of its tactics. Just before coming here, I was given one product of this thinking, a book called "Coercive Persuasion." Here a little group of soft-minded psychiatrists and sociologists, who all along have been seeking to hush up this subject, admittedly without first-hand knowledge, admittedly basing their findings on a selected, very small segment of persons who had been put under mind attack, came forth with the predictable conclusion that brainwashing didn't exist in the POW camps in North Korea, that Pavlov had nothing to do with it, that our men who were exploited against us in a treasonable manner in those Red camps were merely presented with better arguments.

This book should be put on the same shelf as "Strategic Surrender," a U.S. Government-financed book. It was the first time in history any nation paid to have a book written on how to surrender. The preparatory, appeasement word we hear more and more—getting us used to it nowadays on such matters as Red China—is "inevitability." That's the sleazy word brought forth by those who lack the courage to admit they are urging us to give in to blackmail. "Better Red than dead" is their slogan, and it emanates from closed minds in scholarly circles, such as Lord Bertrand Russell's.

This appeasement and surrender library, financed by our own Government, directly or indirectly, and by foundations, is growing steadily and stealthily. It constitutes the reading matter for the pattern of failure. The nuclear fission field is a prime target. Each step leads to another sophisticated argument for capitulation in one way or another. First we must sit back philosophically to accept the brunt of the first blow. Then, because we will have been so disastrously shattered, so-called massive retaliation presumably can't win for us, anyway. Retaliation—actually resistance—then would be merely a form of revenge, according to this thinking—beneath the dignity of so high-minded and socially conscious a people as the Americans. So we should forego even retaliation. These are not vaporings of my imagination; they're to be found (in more sophisticated language, I admit) in the publications of Government-financed or foundation-supported publications and programs. They're part of the pattern for failure. It works out as a pattern for self-destruction, or suicide.

The anti-Communist movement, pounded by all these pressures, might well have found it simply impossible to reach any meaningful proportions if it weren't for our experience in the Korean prisoner-of-war brainwashing camps, and the resultant program instituted during President Eisenhower's administration, with a code set up for the first time for captured Americans, and a directive for the restoration of character through concerted effort in all strata of our society.

This helped to compensate for the hush-hush in the anti-anti-Communist press, and even for the smears accompanying it. This restored enough of the balance and gave persons of anti-Communist motivation the hope and proof that they weren't alone, that they had friends. Members of our Reserve Forces, who certainly had every right to express themselves as civilians, became the connecting link, and often provided the know-how. They participated in seminars and discussions and went to lectures, by their mere presence constituting a great morale incentive. At times, as is customary in our democratic society, persons still in uniform were invited to come and give talks, providing further know-how for the public.

The grassroots movement spread. Old-fashioned character was its theme. Anti-communism was its immediate expression. The code for captured military personnel, the report to the Secretary of Defense by a special board set up to survey the subject generally, and President Eisenhower's proclamation that went along with it, gave this a perfectly legal base. Why a legal base was needed for a perfectly natural and normal approach in a free society is beyond me, but apparently, under our double standard, what is excluded is only anticommunism.

The program as officially enunciated by our Commander in Chief was to train and alert our people in the tactics used by Communists. The Reds couldn't get around this effectively, and so the grassroots movement began to flourish.

The program to train and alert our youth, hence our public, could be sabotaged, though, and so it was from the start. I told about it in a recent book, "Brainwashing: From Pavlov to Powers." This is an expanded edition of an earlier book. In a chapter that I added at the end, entitled "Now It's Our Turn," I told of the sense of great achievement that the adoption of the program for character building gave to American officers. I met one of them some time later. Here is how I describe the experience:

"In contrast to his previous exuberance, he was now downcast as we walked along a Virginia street. 'I can't put my fingers on it, but it was as if nothing had happened,' he said. 'As if it were a dream. Once the documents were signed and proclaimed, they were filed away, and that was the end of them. I never thought it possible. The program that was to restore American stamina and teach our forces to understand the wiles of communism had been sabotaged. I am terribly fearful of our future.' "

Education about communism was harassed until it became vague and meaningless. The withdrawal of the Air Center Training Manual early in 1960 is an instance of how this operated. The charges in the manual were undoubtedly true, it was admitted. Congressmen were told that the training "must not include the specific." We teach that generalities must not be trusted. With generalities and the specific both excluded, the only recourse was to drop the subject, leaving the field to the Communists by default.

The policy of being all things to all men and making popularity the objective of policy, took precedence over the teaching of mental stamina and character. Referring later in the book to the case of Captain Powers, captured by the Reds, I said:

"He might have stepped forth from a prisoner-of-war camp in North Korea back in 1953, for all the knowledge he showed of the ways and wiles of the Communists. The intervening years had been brushed away, as if we had learned nothing from this dreary experience. Our new code and its accompanying documents had only lulled the American public's anxieties, not providing the internal reforms promised."

The reception given this book, too, was hush-hush, as if to prove its point.

What has become quite evident by now is that our people are far ahead of the Government in realization of the Red danger, and desire to do something positive about it. The people's voice, however, was muffled, misinterpreted, and lied about. So-called social engineering became the order of the day. An engineering job is now being attempted on the public mind, conditioning it to the same sophistries that had proven disastrous to our foreign policy in the years since we ended the war. Then we were more powerful than any nation in history. We were coercively persuaded to forego or betray the responsibility that went with this power.

But the seed sown by many lone workers and groups in the anti-Communist vineyard had not fallen on barren soil, as they had been told, but had grown. As the Communist network now saw, it was being harvested as our grassroots, anti-Communist movement. Hence the Red manifesto's expanded anti-anti-Communist drive.

The primary target, as it is developing, is the Pentagon, specifically the program to train and alert our troops and our people to the Red techniques, and the inherent evil in communism. The Reds have seen that this program, and the directives issued to implement it, in spite of sabotage, do make the big difference. Unless this program can be destroyed, the anti-Communist movement cannot be liquidated. So the forces are joined between enforcement of the Red manifesto and the implementation of the training program that came out of the Korean war.

The experience of recently retired Lt. Col. Gunther Hartel, who knows Nazi and Communist tactics from rubbing up against them in Germany and Austria as an intelligence chief, and who later experienced Red cold war at its boiling point in Vietnam, alone could bear out much of these findings. He learned the hard way.

He recently retired from the military, and as a civilian, went into a New York City organization created by public-spirited men in private life, called American Strategy, Inc. Here, he felt, was an opportunity to share his knowledge of the totalitarian menace—he equates the Nazis with the Communists, as interchangeable—and help alert our public to the facts of life in cold war.

Remember, about this expression "cold war," the Reds put their emphasis on the word "war," understanding that "cold" is merely an adjective, indicating a temporary war tactic, while we put our stress on the adjective, "cold," lulling ourselves to the coexistence lullaby of the Reds.

The termites in the woodwork soon began to detect this new effort in which Colonel Hartel was a participant, and started boring away in accordance with the anti-anti-Communist pattern.

The smear began in the New York Post on May 25, in an editorial which for compactness and technique deserves whatever is the equivalent of a Pulitzer Prize for the expertly executed in propagandized misinformation. All the derogatory trigger words were brought in. Why? What possibly could be the real motive?

Colonel Hartel, nonetheless, is kept busy giving talks on Communist tactics throughout Greater New York. His experience is much the same as I came upon elsewhere. Suburban newspapers, and of course the public generally, are anxious to obtain all the facts they can, and to help as much as they can. Not so in the major cities, though. In New York, there was the same anti-anti-Communist press blackout, except for smear material. "Anywhere outside the big city, we get terrific publicity," he told me. In New York City, such ventures get practically nothing, or smears. From my personal experience, I can say that public feeling is misrepresented, not mirrowed, by this anti-anti-Communist maneuver.

Gradually, even in small towns, obviously prepared attacks now are beginning. They are still the exception, but nonetheless constitute an effort to duplicate, on a smaller canvas, what is the prevalent situation on the big city canvas, as I came across it in places as far apart as Atlanta and Milwaukee.

I cannot stress the importance of this Red manifesto too much in connection with these various developments, for it outlines the tactics to be used against the United States during coexistence. After referring to "concrete historical conditions"—as emphatic a label as we can find in dialectical materialism—it brings up the anti-Communist movement in the United States. This is unprecedented in a Red document. By it, Moscow recognizes the importance of this popular movement, a great tribute to those who have been working against seemingly hopeless odds. Moscow ought to know what is hurting the Communist effort.

Anticommunism is recognized in the manifesto as not confined to the rich or the privileged, which is the propaganda line the Reds take, but to be spreading through the masses. This was implied, in Red lingo, in the injunction to "wage a resolute struggle" with "greatest effort" to keep anticommunism from the "working people" and from those whom the Communists call "the masses," meaning the public in general.

The manifesto declared that anticommunism was "the principal ideological weapon" of the opponents of communism, thus recognizing it as a major peril to Red advance. Hitherto, world communism had brushed off anticommunism in the United States as a purely local phenomenon of very limited scope, not requiring any attention from the international heirarchy. The anti-anti-Communist movement in the United States was supposed to be fully able to blanket it satisfactorily.

At the time of the sensationalized McCarthy era, we had no grassroots movements, or anything comparable. World communism leaped into the "struggle" then, revolving its propaganda assault around this one man. The present anti-Communist phenomenon is of immensely greater depth, for it is now a people's movement, that derives its direction from the public. When Senator McCarthy was active, the public was not alert to communism as any special danger to the United States. We were still in the World War II stupor into which we had been put when Nazi Germany attacked Soviet Russia, forcing Moscow onto the Allied side. This is no longer the situation, for the public now wants to do something about communism, and waits to see something positive come out of official circles.

During the years of hush-hush, our channels of communication, to all practical purposes, closed their pages to anticommunism, ignored or downgraded anti-Communist books and writings, neutralized or squeezed out anti-Communist editors, authors, and speakers, and made the anti-Communist a socially undesirable person—labeled "anti-social." All the forces of propaganda were focused on his annihilation by discrediting him and his works. Nonetheless, an anti-Communist movement developed.

The Red manifesto makes plain that ideological differences are not to be allowed to stand in the way of crushing this anticommunism in America. Non-Communist and even anti-Communist elements are to be employed for Red anti-Communist ends, to be exploited as far as possible under the hackneyed "unity" program, or without any overt program at all, just so long as a popular or even a desirable end can be diverted into bringing about the Communist objective, which is the liquidation of the anti-Communist movement, with the carpet to be pulled out from under the Pentagon program, to assure a Red victory in this cold war battle.

Anti-anti-communism, since the appearance of the manifesto, has come out into the open, taking the offensive, as anyone acquainted with Red tactics should have been able to predict. Open attack has begun to supplement the former hush-hush, without replacing the suppressive aspects. All the well-known tactics employed by the Reds in their pressure campaigns are more and more being brought to bear. Such Red campaigns start with smears and character assassination and go on to vicious rumor mongering and the employment of the "big drive" technique, in which all forms of public pressures are focused on the target, from petitions and demonstrations to blackmail and corruption.

The use of united front and youth group tactics places a special and heavy responsibility on our public-spirited people, those who genuinely seek the betterment of our society, especially our youth, imbued with an idealism which must not be lost. The Moscow directive, in an insulting aloofness, as if our best motivated citizens were just another breed of Pavlovian dog to be conditioned, has started the exploitation of our youth and civic-minded citizenry in an utterly callous, overt manner, to use them to strangle the anti-Communist grassroots movement, and to put pressure on the White House and the Pentagon to interpret the anti-Communist training program into confused inaction, while awaiting its formal cancellation.

People must not allow themselves to be used this way. As in any fight, they have to determine each step they take by the degree of aid and comfort it gives the enemy, and the dangers involved. This is no easy choice in the fluid cold war arena.

The attrition of the Pentagon training and alertness program, and its abolition in practice, whether its formal abolition can be put over or not, is by a propaganda flank attack. Communism cannot be meaningfully discussed without reference to Soviet Russia, the satellites, and the Red aggression, and infiltration in places such as southeast Asia and Africa. Examples must be given, taken from life. These concern international affairs, of course, and the different personalities in those lands. Those who would hamstring or abolish the program in the Pentagon can be expected, therefore, to ignore cold war factors, and "psywar" in general, and to lay all their stress on the traditional separation of politics and nonmilitary matters from military discussion. By for-

bidding the participation of the military in seminars or forums where politics and policy are discussed, anti-Communist preparedness can be torpedoed, and the character-building aspects of the program can be eliminated. As became evident in the Pentagon while prisoners of war were still being exchanged, it is just too late to instill convictions—mental survival stamina—into our youth when they already are of military age. It has to be done before.

This attrition process is already underway in the Pentagon. Anticommunism is being interpreted in such a manner through prompt censorship of all such material, as to take the sting out of it, and leave it a sterile, philosophical concept. The Reds don't mind this. The impression has been given that to be anti-Communist is to "stick one's neck out," and selling this impression to the public is a suppression tactic in itself. People speak vaguely of "White House" or "State Department" wishes, as if this meant President Kennedy's expressed will, or Secretary Rusk's. Even if it were so, there would be highly questionable factors in an American President or a Secretary of State "passing the word along," instead of proceeding through formal channels, on matters on which the public has been led to believe a certain policy was being implemented. Rather, I have come to believe that "the White House" and "State" have gradually come to mean any one of the hundreds of staff members who work in the executive offices, and in practice any one of the extremely contrasting characters used as advisers, or for any other purpose of background or guidance, by any one of the men formally designated as aids or advisers to the President, including his official spokesman, and the multitude of State Department officials. Thus it has come about that an impression has become quite common that the White House (or State Department) wants the Communist issue soft-pedaled, is against anticommunism, thinks the Red menace is abroad, not at home, and that we ought to focus our attention on Communist intrigue in, say, Laos, and not go hunting for Reds here in America.

The proffered justification for this is a numbers game; proportionately there are few known actual Communists. So, it is argued, they must be ineffective. Yet one Fuchs can be all the Reds need in a situation of decisive strategic importance, and one opportunist—he doesn't even have to be a knowledgeable Red—would be sufficient to draw the sting from, say an anti-Communist training program on a military base, whose personnel has to come directly to grips with communism.

All sorts of signs, which in themselves would be without implication, do take on significance on this issue through their repetition in varied form. The cold war has reached its most intense stage, and the need for the backing and understanding of an informed public is unquestioned, or is supposed to be.

Some of the congressional publications contain material on the Red menace that is available nowhere else. Many of these are offered for sale by the Government Printing Office, which issues a biweekly list of new publications and occasionally a special list of publications on specific subjects, including one "relating to various aspects of communism." There is a greater need than ever for such publications now. Various States, New York and Florida among them, have provided courses in the schools which explain and expose Communist tactics.

Unfortunately, not all departments and agencies of the Government are consistently supporting anti-Communist efforts.

Surely it didn't just happen that the fine champion of liberty postage stamp series is being faded out of existence. Only the Moscow-Peiping bloc could have found anything to object to in it. The proclamation of a Captive Nations Week, when such actions take place, has its impact diminished. If we think we're pleasing all sides this way, my experience of many years abroad convinces me that we only succeed in disgusting all sides by such devices. Technically, this may be a decision of the Post Office, but so far as public impression is concerned, it is supporting evidence for the rumors about "the word being passed along," a distinctly morale-breaking device, amoral in its nature. It's the old anti-anti-Communist movement in more vigorous form. The Reds again are able to demonstrate that when the talk is over, they end up by getting what they want.

Where youths abound, as on college campuses, we can witness their exploitation in accordance with the instructions in the Red manifesto. I am always somewhat astonished, although I should be accustomed to it by now, by the frank manner in which some enemy of the United States tells exactly how he intends to attack us, and how each time he can depend on confusionists and people who refuse to believe that he really means what he says, to cover up for him. The manifesto plainly declares: "There are new opportunities now to draw the younger generation into the struggle for peace and democracy, and for the great ideals of communism," and we make believe these words mean what they do in our dictionary, instead of in the Red language, in which peace means submission by all to communism, and the regimented procedure of the Communist bloc is called democracy. In this manifesto, too, the Red tenet is repeated "that the ruling classes never relinquish power voluntarily."

How more clearly do we expect the Peiping-Moscow Axis to say that, when we're sufficiently softened up, we'll be put out of our capitalist miseries with a collectivized space punch? They won't say so more openly until after the event.

No wonder our foreign friends grow desperate over our limitless naivete, if it can any longer be correctly labeled by such a nonviolent term. Our naivete certainly had violent consequences for the freedom fighters in Hungary.

Mr. SOURWINE. How would you summarize Communist strategy in the Red anti-anti-Communist drive that you are describing?

Mr. HUNTER. In a new anti-anti-Communist drive, the Reds are exerting more intensified pressure, in a more obvious manner, employing such distinctly Red techniques as followthrough and coordination.

Coordination and followthrough, used as "psywar" tactics, can make almost anything possible of achievement. Without these two supports to reinforce and broaden the front, the best-thought schemes, and those with the mightiest potential, become duds, or fade out with such small impact that the net result is frustration, with all the disastrous effects this leads to. I have watched these tactics being successfully exploited by the enemy again and again. The Communists owe much of their consistent and stupendous victories in propaganda and in psychological warfare to their use of coordination and followthrough. We have had fairly consistent results, too—only these were failures—because we lacked coordination and followthrough. Indeed, the first evidence I've seen of it on our side seems to be the strange support for the new Red anti-anti-Communist drive.

Coordination and followthrough in "psywar" apply with the force of law, the same way as natural law, to all indiscriminately, irrespective of the right and the wrong of an issue. They're tools of the trade that can be employed as weapons on any side. The present Red anti-anti-Communist drive is a glaring example of their employment in psychological warfare, and it only recently began. Its signs are still few—visible mainly to the specialist who has the time for this kind of research. But they will be many, and broadly apparent to all, within a short time.

Coordination means the enlistment of all possible—at least all needed—persons of influence and groups of various kinds in support of or against a project. In this way, attack can be launched simultaneously from all directions, the enemy position infiltrated, and hit from flank and rear. Coordination also extends the scope of an attack to other fronts as well.

Followthrough means the creation and implementation of separate supporting and expanding activities and projects, to gain every possible advantage from an initial attack, benefiting from the impetus it gives in throwing an enemy off balance, holding the initiative as long as possible. Perhaps it derives from a different outlook. We've been raised to lift a man up if he falls down. Red technique is to begin kicking when he's stumbled and is already down.

One only has to describe these tactics for them to be recognized as part of a time-tried, Red strategy. The Communists have developed a system to both coordinate and followthrough in their "psywar" offensives, such as the present anti-anti-Communist drive. They do it by using fronts, by granting a virtual semiautonomy to local groups in the fulfillment of policy and projects, although always strictly within the framework of Communist Party line.

Without those two tactics, the Communist network could not have achieved a fraction of its gains, and probably would have been eliminated long ago. Without them, we get nowhere with our propaganda and psychological warfare. Adding funds makes no difference, except perhaps adding to the frustration. This makes it worse for our side. So it has been.

This may be understandable, but hardly forgivable. There is no valid excuse for our failure in this field. We have a system nowadays that in effect eliminates coordination and followthrough by making the procedure too cumbersome, and too vulnerable to negative attitudes, wittingly or unwittingly. I have watched this negative pattern in operation too long to doubt its existence. It has been too effective in the destruction of projects to escape everybody's notice. Efforts to get at it, though, are about as rewarding as an attempt to grab hold of a handful of water. One must be terribly naive to think all this just happened, that there's nothing deliberate about it. I attribute it to those I call termites in the woodwork, who make sure we do not achieve coordination and followthrough.

Our critical need for coordination has been recognized, and remedial steps even devised, but they have always been diverted or paralyzed and when no other means of prevention were of avail, flatly disallowed without explanation, or for whatever irrelevant excuse served the purpose. The same holds true for lack of followthrough. I have watched all this too long to consider it otherwise than as part of a pattern for failure.

The anti-Communist movement that has grown up in the traditional grassroots manners in our country is a heaven-sent opportunity to bring coordination and followthrough into our "psywar" strategy. The really thrilling and inspiring part of it is that this coordination and followthrough was achieved in the anti-Communist movement within the framework of our free democratic and republican society of private initiative. It's just a start, of course, but already effective.

Red strategy is essentially weak because it is artificial; their fronts are false fronts, their unity is a deceit—nothing like what we call our bipartisan policy. Except for our default, communism would have collapsed long ago. Only in a free society can there be

genuine coordination between all strata and classes of society, in and out of government, united in common purposes. This is what we have begun to achieve in our anti-Communist movement, in spite of timidity and even antagonism in high places, and a hush-hush in communications channels.

This is the genuine collaboration that the Red anti-anti-Communist drive is out to destroy. Fundamentally, the whole process of anticommunism in the United States is diametrically opposed to the Red manner of operation and would be fatal to it once it could become stable, and sure of its ground. This is why the Red manifesto has summoned its followers, dupes, and opportunists to destroy it by all means, before it can attain solidity. Anti-Communists in the United States now have to fight a two-front war, against attack from their rear, as well as in front.

This is a historic crossroads in our struggle. Some day we shall have to seek unity against Communist attack, if we are to survive. The Reds have made it plain; they will accept only our surrender. If we stand by now and see this genuine, people's anti-Communist movement, with its collaborators in all spheres of our life, certainly in the Pentagon, succumb before the Red call for its destruction, we shall have to rebuild it from the ashes of apathy and frustration. Then it would perforce get so much Government control that we may find it impossible to avoid a regimentation that would be dangerously similar to that which we are fighting. This is the destination of those elements in our society, who might be fooling themselves into thinking they're not helping the Communists, but who nonetheless want power centralized and controlled from the center alone, because they lack faith in the American people and in private initiative.

Once more we come to the double standard. An anti-Communist movement is supposed to be basically undesirable, but an anti-anti-Communist movement is not, whether overtly or covertly, part of Red "psywar" planning. Here, too, if we seek out any logic in this, it is that the common denominator in this attitude is always what is helpful to the Communists. Those who are ignorant of the tactics of "psywar" can guide themselves by a simple, down-to-earth principle. If a policy or project helps the enemy, it is probably against our interests and certainly should be avoided until the balance is brought over to our favor.

We should take great encouragement from the fact that the anti-Communist movement in America was a spontaneous development, in the American manner, out of needs and worries felt locally. We should keep in mind, too, that only when the anti-Communist movement began to go places, and to have success—alerting people to the evils of communism, teaching them how to spot it [2]—did the roof fall in with this Red, anti-anti-Communist drive.

Again we see how the Communists employ coordination and followthrough, with high places involved. The Red manifesto specifically opens the door to an involvement tactic called unity. By ignoring ideological differences and excessive control factors, they give people a sense of real participation and a false sense of initiative. All that is demanded by the Red network is action in accordance with the needs of the anti-anti-Communist drive, so as to pull the carpet out from under the Pentagon, for instance, in our anti-Communist training and alertness program.

[2] A study entitled "The Technique of Soviet Propaganda," published by the Senate Internal Security Subcommittee, is available at the Government Printing Office and may be consulted at some libraries.

The signs show that once again the Reds are being able to exploit high places in support of a Communist objective. The tactic is gradually to surround each central figure with fait accompli and vested interests in pronouncements made without full grasp of their significance, until he is a prisoner of the anti-anti-Communist drive, irrespective of the individual's actual dislike for communism.

This isn't difficult to put across in the narrow framework of opportunistic thinking, with the restricted loyalties that gloss it over. Anything that can be considered to have political overtones or undertones—and what doesn't—becomes fair game, irrespective of the harm done our country in the process. The pro-Reds have no serious problem exploiting this. It's made to order for them—their order. Indeed, once brought into this realm, even shipments of strategic products of our factories to the Communists, which ordinarily would be recognized at once as treasonable, receive mysterious approval and, through backstage pressure, get into Red hands without the information slipping out to the American people.

Opposition to such shipments then falls into the category of "anti-communism," and receives the smear treatment, if the hush-hush isn't sufficient. Somehow, an official who blocks such shipments may confidently expect to be penalized from some well-concealed direction. Perhaps a columnist or a self-seeking politician will come forth with a smear against him on some extraneous matter. Soon everyone will be barking in the Pavlovian manner, chasing him down the garden pathway, off on a trail that makes no sense. The poor victim doesn't know what hit him. The grim joke about it is that few in the wolfpack know why they are barking.

Where matters end up by helping a Communist objective, such as the Red anti-anti-Communist drive, all too often of late, we can detect obvious collaboration and followthrough between some Government offices and certain sections of the press.

This is part of our now built-in system, with its concealing committee complex. Under such circumstances, steps taken to control the diffusion of information to the public results in giving the edge, or the monopoly, to clandestine exploitation of it. The Reds have certainly shown themselves to be masters in that kind of play. They've had years of experience in perfecting it around the world. The obsession of the American reporter to get an exclusive makes him the world's most vulnerable for a planted news item. An exclusive is all too often, in this environment, a reward for closing one's eyes to the background of an item. This is a part of the pattern.

Don't confuse "exclusive" with "scoops," gentlemen. Exclusives have come generally to mean rewards for favors done; scoops are won by personal initiative. They're as different as seeking news from gathering news.

If you don't think there's a vast gulf of difference, read the reams of debate on the subject during discussion in the U.N. General Assembly's Social Committee over the wording of the so-called free-press provision. The Red bloc insisted on the right to gather news, which obviously would be handouts, or exclusives discreetly distributed. We wanted the right to seek—seek out—news. The last I heard, as was to be expected, we had compromised by accepting—certainly not vetoing—the Red bloc's version of a free press. This is in accordance with our popularity obsession, of course, as contrasted with our abandoned adherence to principles. Each time we think we've added to our popularity this way, we've only chiseled away a bit more of freedom, which then makes us even less popular than before.

It's also part of the double standard. When an item is printed that is pro-Communist in effect, it's called enterprising journalism—being objective—and we let it go at that. When it's anti-Communist, it's being objective and branded a breach of security, or at least a breach of confidence, and indignant voices are raised demanding the practice be rooted out and made impossible of recurrence.

We've been conditioned to this double standard, so that unless we stop and think about it, making a deliberate effort, we are inclined to let the most glaring examples go undetected. So-called liberals are demanding that the military drop its anti-Communist training and alertness program. Those who take this line say it's because the military should be held to strictly military matters, and should let other, civilian, departments deal wholly with the rest. The impression is given that this is a matter of principle, and has nothing to do with the anticommunism of it. They're such people of principle.

But aren't they the same persons who were silent when pro-Communist indoctrination courses, glossing over the most extreme Red excesses, giving the Red slant on such matters as Chinese politics, dealing frankly with the political aspects of world problems, were being given by the U.S. Army? Our wartime information and education instruction sheets were sometimes as Red as Mao Tse-tung. They were frequently slanted to the Red side. So-called liberal circles were in favor of this program. Then, too, it was called a matter of principle. Then they said that soldiers had to learn for what and whom they were fighting. When principles switch abruptly, they're not principles, they're expressions of dialectical materialism, sugar-coated to American taste, sheer opportunism or plain hypocrisy.

Everyone knows about the political commissar system of the Red army. That's been improved upon since Stalin's day—integrated, as it were. Let me quote from an article by the Red army Gen. F. Golikov, head of the Chief Political Administration—what a title—of the Soviet Army and Navy. He wrote in Krasnayazvedzda of May 27, 1959, as follows (Current Digest of the Soviet Press, p. 12, vol. XI, No. 22):

"For the successful accomplishment of the tasks of ideological and educational work in the armed forces we place great hopes in the rapidly growing ties of the chief political administration and the lower level agencies with the professional organizations of writers, artists, composers, journalists, and theater and motion picture workers.

"The military discipline of the personnel must be further strengthened with all the means of ideological work."

The way we're heading now, with the pressure tightening on our most experienced and trustworthy Pentagon officers to restrict public statements to a constantly intensified central control, particularly as concerns communism, we're edging into a situation where we will find that, in effect, we will have adopted the method described by General Golikov. We will not have ceased indoctrination, but we will have regimented it—opposite the way we intended. If anti-communism is hushed up by default, we'll find that we'll be returning by default to the World War, pro-Red tone of our military's information and education program. The hush-hush really silences only one side; that is how it has consistently worked out.

In this modern world of mind warfare, that is being waged against us, it is impossible to remain static. If we're not allowed to train and alert people against communism, they will be softened up to be victims of it. The communications field is just too vast, having expanded even faster in the transportation of messages than in the transportation of people and freight.

Let the Red anti-anti-Communist drive attain its immediate objective, and we will make sure its long-range objective will be attainable, too. This will be the mental and moral disarmament of our people, in and out of military service.

Suppression of the anti-Communist training and alertness program is to mind warfare what our one-sided disarmament would be in the weapons field. We would have no alternative to surrender, to the fulfillment of the creeping defeatism best characterized by the horrible slogan, "Better Red than dead."

Mr. SOURWINE. You say a definitive stage in this new Red program against anticommunism has now been reached?

Mr. HUNTER. The new Red, anti-anti-Communist drive has been ordered by the Soviet Communist hierarchy, speaking through and by the voice of the Communist Parties of the world, gathered in a rare conclave. This becomes fundamental law and basic strategy, obligatory on all Communists. There can be no question of its implementation. The only possible question left to Communist Party people are the most effective methods, guaranteeing the maximum impact, by which these orders can be put into effect. Let me stress again that they constitute orders to combat the anti-Communist movement headon in the United States, no longer through the comparative restraint of what might be called the pseudoliberal anti-anti-communism of the past.

Ideological differences are to be submerged. This means that we can expect the Red objective to be cloaked in every kind of disguise, made palatable to every important grouping in our society, the pro-Red aspect concealed where possible. We can expect, too, to find our idealistic youth, especially in our institutions of higher learning, callously employed as a front in this Red drive. This will present us with a very difficult problem, to prevent or expose such intrigue for these young people who of course lack the background themselves to distinguish between a Red maneuver and an expression of sincere opinion, uninstigated by ulterior, anti-American purposes. Even more difficult it will be to persuade them to separate this chaff from the grain, when the chaff has been so tastefully sugar-coated.

Mr. SOURWINE. You say this has just started, in effect, that this new anti-anti-Communist drive will intensify in the near future?

Mr. HUNTER. Although this may appear as a prediction, it isn't one at all, at least it shouldn't be to anyone who has watched and understands the ironclad pattern of Communist Party procedure that they call discipline. Certain steps must follow, as surely as night follows day, and then night comes again. We shall witness a seemingly spontaneous outpouring of articles and persuasions of every character, that will arise all along the fringes of the communications field where the Reds have influence, and from then on, in the manner by which the "McCarthyism" drive was built up, penetrating all channels of the press and all attitude-changing segments of our society, such as schools and churches. The pro- or anti-Communist leanings of the participants will have nothing to do with the case, as seen from the surface.

The Communist Party organs will set the key. Orchestration will gradually spread from one section of the orchestra to the other, until all will be playing the same music, in a rising crescendo. This is the Red technique, to make the pressure of what will appear as public opinion so relentless and so loud that everybody will begin to dance to the same tune, and those who don't want to dance will be grabbed by their friends and neighbors and brought onto the floor, as in an American barn dance. By then, nobody will be thinking about who called the tune in the first place, and those few who do will appear as queers. This would be a hopeless situation except for one thing. If it is exposed in time, the whole Red psychological warfare gambit can be defeated with comparatively little effort.

Exactly as knowledge of brainwashing was found to be vaccination against it, knowledge of the Red intent of a propaganda drive destroys its effectiveness. We will only have to witness the orchestration, as it will begin developing very shortly now, for us to recognize this Red anti-anti-Communist trap wherever it appears. This "psywar" booby trap will lie visible on the top of the road from then on. If we don't expose it this way, though, it will easily cripple or kill us—Khrushchev's expression for it is "burial."

Mr. SOURWINE. Could you gather this evidence—the written material that you say will appear as sure as night follows day?

Mr. HUNTER. Yes, I could.

Mr. SOURWINE. Mr. Chairman, may we ask that the witness do this, and bring us the material he has gathered, with analyses, by perhaps the end of the month, to be included as appendixes to this hearing?

Senator COTTON. That will be the order. Mr. Hunter, we expect you then to provide us with material found by you, appearing in the public press this year up to the end of July 1961, directly bearing upon the implementation of what you have described as a new Red anti-anti-Communist drive, with your own notes or analyses of the various items.

Mr. HUNTER. Thank you, I will do so.

(The material referred to, submitted by Mr. Hunter on August 1, appears hereafter as appendixes.)

Mr. SOURWINE. There is one thing more, perhaps. I have several papers here. I wonder if you will glance at them, tell me if you have seen them before, and in any case, give us your reaction. Here is the first one.

Mr. HUNTER. I have not seen this before. Should I read this aloud?

Mr. SOURWINE. Yes, please do so.

Mr. HUNTER. This is a Secretary of Defense document dated March 10, 1961, for the Secretaries of the Army, Navy, and Air Force reading:

"1. There is presently being established within the Office of the Secretary of Defense centralized procedures for evaluating materials designed for indoctrination of personnel of the Defense Department in the general area of international affairs and related fields. This evaluation will apply to all materials, written, pictorial, or audio, used in training programs and troop information programs, and will be in conformance with the security and policy review regulations of the Defense Department.

"2. The film 'Operation Abolition' will be retained in the film libraries on an on call basis for those requesting to view it, but will not be prescribed in the training of personnel. A memorandum of January 31, 1961, from the Office of Armed Forces Information and Education stated the on call policy for information programs and described the production of an OAFIE film covering the tactics employed by Communists seeking to manipulate youth. This film is being produced within the framework of material set forth in the House Committee on Un-American Activities print entitled "Communist Target—Youth," a report by J. Edgar Hoover, Director of the Federal Bureau of Investigation.

"3. Another film coming within the scope of paragraph 1, which recently has been brought to our attention is entitled "Communism on the Map." Determination as to the use of this film will be deferred pending its evaluation pursuant to the procedure prescribed in paragraph 1."

This is signed by Roswell L. Gilpatric, Deputy Secretary of Defense.

Mr. SOURWINE. What is your reaction?

Mr. HUNTER. Considering the date, and recalling the publicity about these films, which I have seen, it is obvious to me that, removed from the legalisms, the document can be paraphrased as saying: "Use any of these anti-Communist films at your own risk. Heaven help you if you do." I would regard this as one of the early successes of the Red anti-anti-Communist pressure drive.

Mr. SOURWINE. Here is the second document on which we want your comment.

Mr. HUNTER. This, too, is new to me. This is a similar type of document, signed "Carlisle P. Runge," on stationary of Assistant Secretary of Defense, dated April 21, 1961, and reading:

"Subject: Narrator Filmstrip 'Communism on the Map.'

"The commercial, narrated filmstrip, 'Communism on the Map' has been determined, by official review under DOD evaluation procedures, as not required for the Armed Forces training of troop information or public information programs and that it should not be purchased by the Department or used by Department of Defense personnel.

"Attention is invited to the many materials in the area of anticommunism including pamphlets and motion pictures produced by the Office of Armed Forces Information and Education, which are available for troop-information programs."

The pattern, gentlemen, is being nailed down. Hard-hitting or specific training and alertness material, if this is any indication, is on the way out. Officers know the contents of this film. They will get the anti-anti-Communist message in this order. It puts them in what, I feel, is an unfair dilemma. They can't possibly arouse fighting men to risk their lives with mamby-pamby stuff that takes the sting out of communism. Yet if they use the hard facts, they know they're probably going to have difficulties. This is the propaganda climate being created by such memorandums in the Pentagon. It couldn't be otherwise. Incidentally, to call this a commercial film is not quite true; it was produced by a college.

Mr. SOURWINE. Here are two other documents.

Mr. HUNTER. Thank you. This is dated May 16, 1961. I haven't seen this, either. [Reading:]

"From: Secretary of the Navy.

"To: All ships and stations.

"Subject: Commercial filmstrip 'Communism on the Map.'

"1. Purpose: To promulgate the findings of an official review of subject filmstrip.

"2. Background: The commercial, narrated filmstrip 'Communism on the Map' has been determined, by official review under Department of Defense evaluation procedures, as not required for Armed Forces training, internal information, or public information programs. Attention is invited to the many officially approved materials in the area of anticommunism, including pamphlets and motion pictures produced by the Office of Armed Forces Information and Education, which are available through Navy and Marine Corps information programs.

"3. Action: The filmstrip 'Communism on the Map' shall not be purchased by Navy or Marine Corps activities nor shall it be used by Department of Navy personnel.

"4. Cancellation: This notice is canceled for record purposes on October 31, 1961. Its retention beyond that date for reference purposes is authorized."

This is signed "Paul W. Fay, Under Secretary of the Navy."

I shall proceed at once to the reading of the second document, dated March 17, 1961. I have not seen this before, either. [Reading:]

"From: Chief of Navy Personnel.

"To: All ships and stations (less Marine Corps field addresses not having Navy personnel attached).

"Subject: Materials for indoctrination of personnel in the general area of international affairs and related fields.

"Enclosure: Secretary of Defense memo to the Secretaries of the Army, the Navy, and the Air Force dated March 10, 1961.

"1. Purpose: To forward enclosure (1) for information and guidance.

"2. Discussion: Enclosure (1) announces the establishment of procedures for the centralized evaluation of written, pictorial, and audio materials designed to indoctrinate personnel in the general area of international affairs and related fields. Such materials are used in the information and education program and in some parts of certain related programs.

"3. Action: Pending further guidance, official material (listed in the I. & E. catalog or other Navy Department-approved catalog, curriculum, or training publication) previously issued or approved may continue to be used as required. Nonofficial material should not be used hereafter until evaluated in accordance with enclosure (1)."

This is signed "W. R. Smedberg III, Bureau of Navy Personnel."

The second of these documents merely makes sure that if there is any other hard-hitting material against our enemy lying about, or in the files, obtained in collaboration with the public in pursuance of the Presidential directive declaring this to be a problem of the military and the public both, it will not be used.

The other document merely backstops this new line. Frankly, I am quite concerned over what material will substitute for what has been withdrawn, in effect. If the withdrawn material is too strong, what replaces it obviously will be weaker. While Moscow is firming up its anti-American stand, we are softening ours, so far as the minds of the men who would have to do the fighting and dying are concerned. Yet Korea was supposed to have taught us that disaster lies along that road.

Mr. SOURWINE. Here is still another document. Have you seen it before?

Mr. HUNTER. No.

Mr. SOURWINE. Please read it, and let me know your reaction.

Mr. HUNTER (reading):

"From: Secretary of the Navy.

"To: All ships and stations.

"Subject: Commercial filmstrip 'Communism on the Map,' May 16, 1961.

"1. Purpose: To promulgate the findings of an official review on subject filmstrip.

"2. Background: The commercial, narrated filmstrip 'Communism on the Map' has been determined, by official review under Department of Defense evaluation procedures, as not required for Armed Forces training, internal information, or public information programs. Attention is invited to the many officially approved materials in the area of anticommunism, including pamphlets and motion pictures produced by the Office of Armed Forces Information and Education, which are available through Navy and Marine Corps information programs.

"3. Action: The filmstrip 'Communism on the Map' shall not be purchased by Navy or Marine Corps activities, nor shall it be used by Department of the Navy personnel.

"4. Cancellation: This notice is canceled for record purposes on October 31, 1961. Its retention beyond that date for reference purposes is authorized."

This is signed "Paul B. Fay, Jr., Under Secretary of the Navy." It brings the anti-anti-Communist drive a very big step forward, if "forward" is the proper word to use. It's certainly to the Communist advantage in the war for the mind. A fundamental objective of the Red drive is to cut off Pentagon participation in the grassroots movement that is at long last awakening our people. The American people as a nation must learn these facts, as our Government had already officially recognized, if we are to attain mental survival stamina. This order goes far—it is a tremendous step—toward forbidding such participation. We disarm unilaterally to this extent in the sphere that is crucial in this war—mind warfare. It is shocking.

Mr. SOURWINE. Here is one more.

Mr. HUNTER. Thank you. This also is new to me. This is from Atlantic Command, Headquarters of the Commander in Chief, Norfolk 11, Va., June 14, 1961, and is signed "Horatio Rivero, Deputy Chief of Staff." I will read it:

"1. Purpose: To provide policy guidance of news and classification of material within the Department of Defense.

"2. Discussion: At a news conference in Washington, D.C., May 26, 1961, the Honorable Robert S. McNamara discussed the subject of dissemination of information to the public and classification of material within the Department of Defense. The following extracts from the Secretary's remarks are quoted:

" 'The public information policies of the Department of Defense require a deliberate accommodation of two competing values. As President Kennedy has observed, the challenge of our times imposes two requirements that seem almost contradictory in tone, but which we must reconcile and which we must fulfill. There is the need for greater public information and the need for greater official secrecy.

" 'In order to provide some further guidance for those of us, all of us, both military and civilian officials alike, who must deal with this problem, I suggested four principles to help the members of the Department to meet both these requirements. The application of these principles, although they might restrict the flow of properly classified information to some extent, would encourage more open, more responsible discussion of the pros and cons of the national defense policies and practices. The four principles are:

" '1. In a democratic society the public must be kept informed of the major issues in national defense policy, because the most important issues are likely to be the most difficult ones; the arguments on both sides must be made clear so that there can be a consensus of coincidence in the ultimate decision. We are under a special obligation to disclose mistakes and ineffective administrative operations.

" 'The public has at least as much right to bad news as to good news.

" '2. It is essential to avoid disclosures of information that can be of national assistance to our potential enemies, and therefore weaken our defense position. It is equally important to avoid overclassification; when in doubt, underclassify. In no event should overclassification be used to avoid public discussion of controversial matters.

" '3. Public statements of what appears to be Department of Defense policy must reflect that policy in effect.

" '4. In public discussion all officers of the Department should confine themselves to defense matters. Avoid discussion of foreign policy matters, a field which is reserved for the President and the Department of State. This long-established principle recognizes the danger that when Defense officials express opinions as to foreign policy, their words may be taken as the policy of the Government.'

"3. Action: Information contained in paragraph 2 above is forwarded for information and guidance.

Mr. SOURWINE. What do you say to this?

Mr. HUNTER. If the fourth point were obeyed, in the kind of conflict in which we are engaged, we would return to the condition of mind disarmament we were in when the Reds struck in Korea. It cannot be obeyed without disobeying the directives that were supposed to enforce the code for our men who may be captured by Communists, and it cannot be obeyed without making believe there is no such thing as brainwashing, that what took place in the prisoner of war camps was a bad dream, a hallucination, perhaps, that never happened. We are rewriting history, in effect. We are also betraying ourselves. In the arena of the cold war, the Red anti-anti-Communist drive, as ordered by the Red manifesto of December 5, 1960, won a stunning victory for itself on—let me see, what is the date of the document I just read—June 14, 1961. Why do we do these things? Oh, well——

Mr. SOURWINE. This completes my questioning.

Senator COTTON. We will be waiting to receive your compilation of press material. Thank you, Mr. Hunter. The hearing is adjourned.

The appendixes and the accompanying prefatory notes were provided by the witness, Edward Hunter, who had been instructed to supply such written material from the press generally, to the end of July 1961, as had a direct bearing upon what he described in his testimony as the new, Red anti-anti-Communist drive, with whatever brief analysis might be required. Mr. Hunter has pointed out these are examples, with the merely cumulative omitted, and are not intended as an indictment of any individual or publication.

APPENDIX 1

The following are relevant excerpts from the "Statement of 81 Marxist-Leninist Parties" as officially translated by Moscow and published in the Red theoretical organ in the United States, Political Affairs, in its January 1961 issue. (The full text as well as the complete Tass translation as printed in the New York Times on December 7 can be found in the appendix to the testimony of Jay Lovestone before this committee last January 26 and February 2.)

The Red manifesto is a basic strategy paper to outline Communist Party operations and, as such, makes extensive use of the Communist language of dialectical materialism, always giving this slant to its statements. In understanding Communist intent, these words and paragraphs must be translated into ordinary language, often producing the opposite words in non-Communist dictionaries.

When read this way, as the indoctrinated Communist does, Red documentation is extremely revealing of purposes and tactics otherwise successfully concealed.

For instance, a simple sentence from the manifesto, such as, "As long as imperialism exists there will be soil for wars of aggression," actually means, in Red language: "As long as dynamic non-Communist countries exist they may take the opportunity to resist Communist world expansion." In their writing, when Communists attack, it is "liberation" and not "aggression." The dialectical materialist dictionary is composed of the fundamental writings of Red leaders and theoreticians.

Here are the excerpts from the manifesto:

"U.S. imperialism * * * has become an enemy of the whole world.

"In blazing a trail of communism, the peoples of the Socialist countries are creating a prototype of a new society for all mankind.

"As long as imperialism exists there will be soil for wars of aggression.

"To fight for peace today means to maintain the greatest vigilance, indefatigably to lay bare the policy of the imperialists, to keep a watchful eye on the intrigues and maneuvers of the warmongers, arouse the righteous indignation of the peoples against those who are heading for war, organize the peace forces still better, continuously intensify mass efforts for peace, and promote cooperation with all countries which have no interest in new wars. In the countries where the imperialists have established war bases, it is necessary to step up the struggle for their abolition, which is an important factor for fortifying national independence, defending sovereignty, and preventing war. The struggle of the peoples against the militarization of their countries should be combined with the struggle against the capitalist monopolies connected with the U.S. imperialists.

"No political, religious or other differences should be an obstacle to all the forces of the working class uniting against the war danger.

"The policy of peaceful coexistence is a policy of mobilizing the masses and launching vigorous action against the enemies of peace. Peaceful coexistence of states does not imply renunciation of the class struggle as the revisionists claim. The coexistence of states with different social systems is a form of class struggle between socialism and capitalism.

"National liberation revolutions have triumphed in vast areas of the world.

"The complete collapse of colonialism is imminent.

"The colonial powers never bestow freedom on the colonial peoples and never leave of their own free will the countries they are exploiting.

"Now that more sections of the population are joining in an active class struggle, it is of the utmost importance that Communists should extend their work in trade unions and cooperatives, among the peasantry, the youth, the women, in sports organizations, and the unorganized sections of the population.

"The Communist Parties reaffirm the propositions put forward by the declaration of 1957 with regard to the forms of transition of different countries from capitalism to socialism.

"The declaration points out that the working class and its vanguard—the Marxist-Leninist Party—seek to achieve the Socialist revolution by peaceful means.

"In the event of the exploiting classes resorting to violence against people, the possibility of nonpeaceful transition to socialism should be borne in mind. Leninism teaches, and experience confirms, that the ruling classes never relinquish power voluntarily.

"In our time, when communism is not only the most advanced doctrine but an actually existing social system which has proved its superiority over capitalism, conditions are particularly favorable for expanding the influence of the Communist Parties, vigorously exposing anticommunism, a slogan under which the capitalist class wages its struggle against the proletariat, and winning the broadest sections of the working masses for Communist ideas.

"Anticommunism arose at the dawn of the working-class movement as the principal ideological weapon of the capitalist class in its struggle against the proletariat and Marxist ideology. As the class struggle grew in intensity, particularly with the formation of the world Socialist system, anticommunism became more vicious and refined. Anticommunism, which is indicative of a deep ideological crisis in, and extreme decline of bourgeois ideology, resorts to monstrous distortions of Marxist doctrine and crude slander against the Socialist social system, presents Communist policies and objectives in a false light, and carries on a witchhunt against the democratic peaceful forces and organizations.

"To effectively defend the interests of the working people, maintain peace and realize the Socialist ideals of the working class, it is indispensable to wage a resolute struggle against anticommunism—that poisoned weapon which the bourgeoisie uses to fence off the masses from socialism.

"All the Marxist-Leninist Parties are independent and have equal rights.

"The Communist and Workers' Parties unanimously declare that the Communist Party of the Soviet Union has been, and remains, the universally recognized vanguard of the world Communist movement."

APPENDIX 2

In a massive draft program announced at Moscow by the Soviet Communist Party on July 29, the Red hierarchy recognized for the second time the importance of the anti-Communist movement in the United States. The first time was in the Red manifesto of December 5, 1960.

The new document reiterates tactics to be employed against the United States in the Red struggle to conquer the world, with the United States as the primary target.

Moscow's reiterated propaganda theme is that this can be achieved peacefully, presumably by bringing about American surrender through psychological warfare strategy, thereby preserving the Soviet Union against destruction. Hence, the coexistence line serves a dual purpose: (1) lulling the Soviet population, which actually wants peace, certainly abhors the thought of a repetition of World War II horrors, and (2) stirring creeping defeatism in the West.

Meanwhile, of course, new and continued sacrifices are evidently to be required of the Communist-dominated peoples, already suffering from shortages of food and other necessities. The document seeks to take the attention of its enslaved people from such deficiencies, and to prepare them for even more acute stringencies to follow, by making a host of pie-in-the-sky promises of a paradise of plenty in the future.

Here is an excerpt from the text as sent abroad by Tass, the official Soviet Russian news agency, dealing with anticommunism in our land:

"The chief ideological and political weapon of imperialism is anticommunism. Rallied to this black banner today are all the enemies of social progress. Anticommunism is a reflection of the extreme decadence of bourgeois ideology.

"Monopoly capital engenders Fascist ideology, the ideology of extreme chauvinism and racism. Anticommunism is becoming the main instrument of reaction in its struggle against the democratic forces of Asia, Africa, and Latin America.

"The rightwing of social-democracy has completely broken with Marxism and has put forward so-called democratic socialism against scientific socialism.

"Historical experience has shown the bankruptcy of both the ideology and the policy of social-democracy.

"Anticommunism has brought social reformism to an ideological and political impasse. This is one of the main reasons for the crisis of social-democracy."

APPENDIX 3

Cabell Phillips has been the New York Times axman in the anti-anti-Communist movement, once it became too widespread and effective to be any longer kept under wraps. Overnight, the activities of the anti-Communist groups became the subject of long articles, which made quite a point of how extensive the campaign to alert Americans on communism had become.

Significantly, nary a whisper of this campaign had hitherto got into the New York Times, or any of the other anti-anti-Communist, prestige newspapers. Anticommunism only became news when the pillorying of the Birch Society gave them the opportunity to refer to all anticommunism as work of "the Birchites," and to smear it all indiscriminately as right extremist. Without exception, each of the articles purporting to summarize the anti-Communist movement followed this propaganda line.

Each time, too, with a similarity that is unmistakable, and certainly enlightening on the source of these purported news articles, there is a backhanded effort to brand the whole thing as Nazi. For instance, this nearly four-column article, of May 21, ends with an anonymous refugee from Germany quoted as saying: "Have you ever thought of the parallel between John Birch and Horst Wessel? I have, and it frightens me when I see this anti-Communist feeling getting out of hand."

If this reportage is to be believed, the right-extremist type is the only kind of anticommunism there is.

The article follows:

"ANTI-RED DISPUTE GRIPS ILLINOISANS—INTENSIVE RIGHTWING EFFORTS AROUSE CONTROVERSY

"(By Cabell Phillips)

"Evanston, Ill., May 5.—A grassroots campaign to inculcate an aggressive form of anti-Communist 'Americanism' in all walks of life is spreading through the North Shore suburbs of Chicago.

"Its intensity is disturbing the social, political, and religious equanimity of many persons in this heavily populated area.

"On one side are a number of conservative activists allied, in fact or in spirit, with the John Birch Society.

"They contend that Communist subversion in the schools, churches and many areas of public life is endangering 'fundamental Americanism,' and, indeed, the very existence of the Republic. They are pursuing an active campaign of 'education' and various forms of persuasion to alert their fellow citizens to the danger.

"Liberals on defensive

"On the other side is a loose coalition of liberals and moderates who argue that the Communist danger is being distorted and exaggerated for political ends by 'rightwingers and bigots.' Placed on the defensive in this conflict, they have confined their strategy largely to protests at public meetings and letters to newspapers and public officials.

"Mutual antagonisms are apparent in most of these well-to-do suburban communities from Evanston north to Waukegan. But they run more deeply in some than in others.

"In Glenview, for example, Americanism became a dominant but widespread issue in a recent village election contest. A Roman Catholic priest and a Methodist minister in the same community have taken to sniping at each other in public over the merits of the anti-Communist crusade.

"In Evanston, a man who ran for the House of Representatives last fall contends that he was victimized by a "smear campaign" that associated him with Communist movements. This episode will soon reach its climax in a Federal court.

"Leftwing assailed

"The motivation behind the Americanism drive was summed up the other day by a resident of Evanston who is generally sympathetic to its objectives but not a direct participant.

"'I don't believe the North Shore has a great many more actual Communists than any other similar area,' he said. 'But we do have a great many leftwing thinkers dug in around the colleges and universities who

seem to do the Communists' work for them. They have a lot of influence.

" 'But even more importantly, we have a lot of apathy and downright ignorance by the majority of the well-to-do people here. They've got good jobs, good incomes and they live in a dream world. They don't know what's going on in the world outside, or even right under their noses.

" 'I don't think there's anything more important than to educate them to the fact that that dream world is about to be snatched out from under them—and all the rest of us, too.'

"Echoed in many areas

"Similar views have been found among conservative groups in many parts of the country. They often gain their most effective expression in an aggressive anticommunism.

"The common denominator in the thinking of these groups, as observed in several weeks of travel, is that 'the American way of life' is being attacked by fifth columnists frequently operating under such socialistic guises as liberalism, the welfare state and one-worldism.

"These ideological convictions are often accompanied by an opposition to existing tax, foreign aid and civil rights policies of the Federal Government, and by a belief that the religious and moral fiber of the Nation is deteriorating because of Communist machinations.

"Two organizations that have been most active in fostering this drive at the community level are the John Birch Society, headed by Robert H. W. Welch, Jr., of Belmont, Mass., and the Christian Anti-Communism Crusade, of which Dr. Fred C. Schwarz of Long Beach, Calif., is president.

"Their tactics differ somewhat, but their aims are almost identical. The Birch Society advocates not only education, but also the adoption, on occasion, of Communist methods to combat Communist subversion. Its belligerency goes so far, for example, as to demand the impeachment of Chief Justice Earl Warren for furthering Communist aims.

"Schwarz doctrine

"The Schwarz doctrine advocates much the same sort of education about the Communist menace but stops short of urging particular acts of reprisal. Both groups have been active in the Chicago area for many years.

"Stillwell J. Connor, a Chicago industrialist, was quoted recently as having said that he had inducted more than 400 members into the Birch Society, mostly in the northern suburbs, since 1959. Another Birch member estimated the total membership in the Chicago area at 1,000.

"Dr. Schwarz has appeared on local lecture platforms frequently, but he did not turn on the full power of his Christian anticommunism crusade until late last summer. The current controversy along the North Shore dates from that time.

"On August 29, 1960, Dr. Schwarz opened a 5-day school on anticommunism at the Glenview Naval Air Station. Sessions were held three times a day in an auditorium on the base, with an attendance of several hundred at each session. The audiences consisted of base personnel, naval reservists, and civilians from surrounding communities.

"Philbrick on faculty

The faculty included several Navy officers, Dr. Schwarz, and such professionals in the field of anticommunism as Herbert Philbrick, a former agent of the Federal Bureau of Investigation; Dr. E. Merrill Root, author of 'Brainwashing in the High School'; Richard Arens, then staff director for the House Un-American Activities Committee; Prof. Anthony Bouscaren of LeMoyne College, Syracuse, N.Y., and others.

"Dr. Schwarz' program at Glenview was similar to others he has conducted in many parts of the country, one recently in St. Louis.

"It is built around a series of lectures supplemented by films, tape recordings and the sale of books and pamphlets, many written by Dr. Schwarz.

"Two films are among those shown most often. One is 'Operation Abolition,' which depicts as Communist-managed the student riots in San Francisco last year that grew out of a session there of the House Un-American Activities Committee. The other is 'Communism on the Map,' which pictures the United States as falling victim to Communist encirclement and subversion.

"The course purports to give a scholarly résumé and analysis of world communism, with particular emphasis on its impact on the United States since World War II.

"The principal theme is that the American way of life is being subtly but systematically undermined by Communist fifth columnists and their 'stooges,' who often operate under the guise of socialism.

"Evidence of their influence, the course points out, is found chiefly on the campuses of American colleges, among the Protestant clergy and in the policymaking levels of the Federal Government.

"School hailed

"The Glenview school was adjudged a great success by its sponsors and participants, and also, apparently, by many residents of this area who had no part in it.

"Jack Mabley, who at the time was a columnist for the Chicago Daily News and president of the Glenview Village Board, wrote approvingly of the venture in his column. He also sponsored a resolution of commendation by the village board that passed with only one negative vote.

"But there were a number of dissenting views. These were based chiefly on the grounds that the school fostered an atmosphere of suspicion and intolerance toward persons of moderate and liberal political convictions, and that it held up to ridicule and criticism certain established foreign policy positions of the Federal Government that the Navy was required to support.

"One of the dissenters was Mrs. Norma Morrison, a housewife who serves on the Glenview Village Board. Mrs. Morrison refused to vote in favor of the commendatory resolution.

" 'I received a number of rather nasty telephone calls about it,' she said recently, 'most of them anonymous and at night. They accused me of being a Red or pink or anti-Catholic—which, of course, I am not.'

" 'And the next meeting of the board,' she declared, 'a resolution was prepared demanding my resignation, but Jack Mabley ruled it out of order and refused to let it come up.'

"Professor's telegram

"Another dissenter was Dr. Tyler Thompson, a professor of religion at Northwestern University and a Democratic candidate for the House last fall. While the school was in progress last September, he sent this telegram to William B. Franke, then Secretary of the Navy:

" 'I wish to protest the apparent official link of the Navy to the political propaganda being disseminated at the Education for American Security [as the Schwarz school was called] at Glenview Naval Air Station. Official program and early publicity clearly indicate naval sponsorship. Please investigate.'

"The result was an official denial of direct Navy sponsorship of the school.

"In the following weeks, there turned up on drugstore counters and in the mailboxes of various North Shore homes and offices a four-page document purporting to link Dr. Thompson with Communist and Communist-front organizations. It bore no name or return address.

"The pamphlet noted Dr. Thompson's membership in or cooperation with such organizations as the Methodist Federation for Social Action, Conference for Peaceful Alternatives to the Atlantic Pact, and the National Committee to Repeal the McCarran [immigration] Act. Each of these groups, it said, had been cited for its Communist affiliation or sympathies either by the House Un-American Activities Committee or the Senate Internal Security Subcommittee.

"Cites the Worker

"It also carried the following entry:

" 'The Worker (midwest edition), official publication of the Communist Party, U.S.A., published an article on June 5, 1960, in which it indicated that Tyler Thompson is receiving wide and significant support in his campaign * * * and is generally favorable in tone.

" 'It should be noted that it is not the practice of the Worker to give favorable publicity to candidates for political office unless that paper has a particular interest in their candidacy.'

"The leaflet was turned over to the FBI for investigation as a possible violation of the Corrupt Practices Act. As a result, Miles M. Vondra, Jr., a Glenview insurance man who claims active membership in one of the many Birch Society units in the neighborhood, was indicted last January. He is scheduled to go on trial in Federal district court on May 22.

"Dr. Thompson was soundly beaten in the election. But he attributes his defeat as much to the overwhelming Republicanism of this district as to the leaflet.

"Letter to the Navy

"Long after the anticommunism school was concluded, an office for the education for American security program was maintained at the naval station. A few months ago, 30 citizens of the area signed another letter of protest to the Secretary of the Navy. Mrs. Morrison was among them. The letter became public.

"In April, Mrs. Morrison was a candidate for reelection to the Glenview Village Board. She was supported by the Caucus Party, in which several of the letter's signers were also active. She said recently that she and several other Caucus candidates had been targets of a whispering campaign in which the letter to the Secretary was cited as evidence that their Americanism was questionable.

" 'We won the election,' she said, 'but there has been a great deal of bitterness left over from it. Our town is divided in a way I've never seen it before.'

"This division has also flared among church groups.

"One of the most articulate partisans of the anti-Communist program is the Reverend John J. Dussman, pastor of the Roman Catholic Church of Our Lady of Perpetual Help in Glenview.

"Nearly every issue of his weekly parish paper, the Clarion, contains an endorsement of the Birch Society or another of the more active Americanist groups. Parishioners are frequently urged to join 'one of our anti-Red cells.'

"Rebukes Protestants

"In an issue a few weeks ago, Father Dussman criticized a local 'Protestant church gathering' for having distributed copies of the Christian Century that contained an article critical of the movie 'Operation Abolition.' The Christian Century is a nondenominational publication that generally reflects the liberal Protestant viewpoint.

"This brought a sharp rebuke a week later from the Reverend Calvin W. Robinson, pastor of a large neighboring Methodist congregation. Mr. Robinson said in the course of his sermon:

"'I am disturbed over the activities of American Pharisees today—closed-minded, self-righteous conservatives who also (as did the Biblical Pharisees) resent having their truths challenged. The John Birch Society is just such a group. It does not have the answers to our problems in international relations, and it only leads us backward into old ways that have betrayed mankind again and again.'

"A possible explanation for the intensity of the controversy here lies in the missionary zeal that both the Birch Society and the Christian Anti-Communism Crusade impart to their converts.

"Dozens of them in this area, individually and in teams, fan out nightly and over weekends, equipped with tape recordings, motion-picture projectors and suitcases of books and pamphlets to carry on their mission.

"Their audiences may be a dozen or more neighbors in a living room, a Rotary Club or American Legion meeting, a school assembly or many hundreds gathered in a public hall.

"A fairly typical meeting was held on a Sunday afternoon late in April at the lakefront estate of Mr. and Mrs. Jay Sheesley, in Glencoe.

"For 4 hours 300 specially invited guests heard lectures and watched a showing of 'Operation Abolition.' The program was presented by three young enlisted men from the Great Lakes Naval Training Center.

"The three-man Navy team is a product of Dr. Schwarz' school last summer at the Glenview Naval Air Station. Its members are Milton J. Fick, Francis R. Mills, and Robert Cocke. In the last 6 months, on their own time and without fee, they have conducted scores of such meetings, in points as far distant as Iowa and Wisconsin.

"'Please make it clear,' Mr. Fick said during a recent interview, 'that we do this independently of the Navy, and that we never appear in uniform.'

"A similar sense of dedication is displayed by Capt. Isaiah Hampton, commanding officer of the Glenview Naval Air Station. A tall, taciturn, career officer of 50, he described himself in an interview the other day as 'a Texas conservative.'

"'Lenin put it on the line 40 years ago,' he said, leaning intently across his desk—'"America will fall into our hands like overripe fruit." He meant it, and it's happening. I think it's important that every American citizen is made aware of it.'

"There is another side to this coin of fear that has become so much a part of the currency on the North Shore. It was noted by a woman schoolteacher in Winnetka the other day. Some of her family had lived in Nazi Germany. Asking that she not be quoted by name, she said:

"'Have you ever thought of the parallel between John Birch and Horst Wessel? I have, and it frightens me when I see this anti-Communist feeling getting out of hand'."

APPENDIX 4

This editorial, one of the keynote attacks marking the start of the Red anti-anti-Communist drive in the press could be used as a textbook example of what has the general title of the "poison pen tactic" in propaganda warfare.

In the style of Red "psywar," the New York Post editorial of May 25 subtly links smear symbols to the new target group, which hitherto had been given the hush-hush treatment, and against which there had been no breath of criticism. The tone of the editorial is gentle satire, along the patronizing, supercilious line that is the hallmark of certain fake sophisticated circles that have appropriated the fine old word "liberal" as a cloak for what is utterly illiberal. So, the New York State Division of Military and Naval Affairs is "hardly burdened with problems of grand strategy" and "has discovered a popular new battle terrain," which is support of meetings "ostensibly dealing with the danger of communism." The word "ostensibly" indicates that this is not its real purpose, but some other, concealed aim. Further on, by linking it to the Birch Society through a spiritual connection—whatever this means—the impression is conveyed, although not said, that this is a Fascist (Nazi) plot. Even a racist slur is gratuitously brought in by a reference to "know-nothingism." Incidentally, this is the line the Red manifesto has ordered implemented in its fight to crush the anti-Communist alertness and training program in the United States, especially in such powerful centers as the Pentagon. The editorial makes its point unmistakably with the sentence "Needless to say, the enterprise bears no serious relation to the Communist problem." The phrase, "needless to say," disarms those who would ask what basis there is for this tissue of pro-Red lies that constitutes the New York Post editorial. They are apparently lowbrows if they do happen to question the pro-Red point of view.

No textbook on clandestine tactics in psychological warfare, particularly its propaganda side, would be complete without this New York Post editorial of May 25, 1961:

"LOCAL WAR GAMES

"New York's State Division of Military and Naval Affairs, hardly overburdened with problem of grand strategy involving the deployment of armies and warships, has discovered a popular new battle terrain on which to exercise its surplus functions. It plans to play war games in the ideological arena by supporting a series of seminars ostensibly dealing with the danger of communism. Its first campaign will be an engagement in Albany designed to get funds for the charade.

"The field of anticommunism has become a game in which any number can play, regardless of their political literacy. Thus, the Militia Association of New York, a private organization of military officers, is sponsoring an 'educational' program under the auspices of a dubious outfit known as American Strategy, Inc. Financial support now comes from private sources, but the State division of military and naval affairs would remedy this logistics problem by tapping the public treasury as an official body and emerging openly as the command post.

"Any connection between American Strategy, Inc. and the Birch Society is not being advertised. But clearly the spiritual connection is unmistakable. Needless to say, the enterprise bears no serious relation to the Communist problem. But that doesn't seem to bother the players.

"We trust that when the division of military and naval affairs invites the legislature to subsidize the game, the answer will be loud, clear and negative. New York needs no new adventure in know-nothingism."

Of significance, too, was the first article on the subject published May 21 by the New York Times, a half-column-long dispatch, dated Albany. Crisply, the article led off with a proposed request for funds, not possible until next January, instead of relating what actually was the news, the start of this effort to acquaint the New York public with the truth about communism.

The article was written in a manner to provide basic material for attack, rather than to relate information even objectively. There isn't a hint that there is any valid reason for the seminars planned. The article follows:

"STATE'S MILITARY ALERTING ON REDS—DIVISION WEIGHS REQUESTING LEGISLATIVE PROGRAM

"ALBANY, May 20.—The legislature may be asked to appropriate funds for a series of seminars designed to alert New Yorkers to the danger of communism.

"The State division of military and naval affairs said today it was considering a request to the legislature to support a program now being sponsored by the Militia Association of New York.

"The association is a private organization of about 3,500 officers of the New York Army National Guard, Air National Guard, and Naval Militia. It is headed by Maj. Gen. Collin P. Williams of Syracuse, commanding general of the Army National Guard 27th Armored Division.

"The legislature does not convene for a regular session until next January. In the meantime, the militia association's anti-Communist efforts will be bolstered by a privately endowed organization known as American Strategy, Inc., with headquarters at 95 Broad Street, New York.

"Program is outlined

"At the request of Maj. Gen. Almerin C. O'Hara, chief of staff to Governor Rockefeller, a representative of American Strategy addressed a briefing session conducted by the military and naval affairs division here. The speaker was Lt. Col. Gunther E. Hartel, a retired Army officer who was formerly on the staff of G–2 (Intelligence) of the 1st Army.

"'It is proposed that the effort of American Strategy, Inc., be coordinated with the militia association to provide a statewide program of public education on the threat of communism,' Colonel Hartel said.

"American Strategy will assist the militia association by providing lecturers and material about the nature of communism. The first seminar is scheduled for the weekend of June 24 in Syracuse."

A generally cooperative, indeed enthusiastic reception meets efforts to counter Red subversive warfare, with only isolated exceptions, once one leaves certain metropolitan areas, as New York City, where anti-anti-communism has made deep penetration in the communications field. Part of the reason may be that these interior regions are usually still beyond the effective reach of the pressure groups identified with the appeasement and better Red than dead mentalities.

An example is the following editorial, referring to retired Lt. Col. Gunther Hartel of American Strategy, Inc., and was printed in the Syracuse Post-Standard of September 2, 1960, shortly before he left the service:

"Battle for minds

"As the American Bar Association declines to urge high school courses on international communism, an Army psychological warfare expert warns Watertown Kiwanians 'we are losing the battle for men's minds while preparing for a hot war.'

"Lt. Col. Gunther Hartel, Camp Drum intelligence officer, has considerable knowledge of Communist methods. He was a psychological warfare adviser in southeast Asia.

"He says, 'The Communists are agitating strife to annihilate our Nation from within. This is being promoted through apathy, racial propaganda, and encouragement to defiant ones.' By defiant he means those who rebel against the principles of educational freedom and individual equality on which the country was founded.

"Alert Americans can sense this menace. Can high school pupils be made aware of it without courses on communism to show them just what they are up against? The American Bar Association apparently believes so.

"But if adult Americans are naive enough to be sucked in by Red propaganda, as Colonel Hartel insists, youngsters certainly need a thorough grounding in the psychological methods being used. If not in high school, where and when can the Communist system be explained?

"The greatest danger, it seems to us, is apathy. The ABA could do much to help in dispelling that state by coming out flatfooted for some method of offsetting the subtle conditioning of young American minds by those by whom Colonel Hartel terms 'masters of deceit.'

"It is well to view with alarm now and then. We become too complacent and miss the significance of events going on around us. And if we are indeed losing the battle for men's minds, it is time to find out what is wrong with the defiant ones and see what can be done about them."

APPENDIX 5

The assault on the Pentagon in the stepped-up anti-anti-Communist drive began on Sunday, June 18. The previous coverage by the New York Times apparently had been preparatory skirmishes. The big guns were now wheeled into place, and began firing.

On that day, an article began on the first page, entitled "Right-Wing Officers Worrying Pentagon," and continued three more columns long on page 56, spreading across the entire top of the page. It was signed again by Cabell Phillips, who apparently was now the New York Times anti-Communist movement exposé man.

The target was now shifted from secondary positions, along the periphery, to the heart of the anti-Communist campaign. Anti-Communist activities by military officers were equated with "radically right-wing political philosophies," a more genteel way of saying pro-Fascist or pro-Nazi. This set the campaign plan, heaping together in one propaganda grab bag all who showed energy or enterprise in exposing Communist tactics and explaining the evils of communism. The article was written in unmistakable exposé style, to give the impression there was something highly suspect and dangerous that should be uprooted and done away with, in disclosure of the devious ways by which the Reds are plotting our destruction.

It referred to "the so-called 'cold war policy' evolved by the National Security Council in the summer of 1958," thus setting up this training and alertness program as a primary target of the new anti-anti-Communist campaign.

The article began: "The Pentagon is having its troubles with right-wingers in uniform." Just who in particular was meant by "the Pentagon" was significantly not disclosed. But the article went into extensive detail on "the 'cold-war' activities" of commanding officers in implementing the directive. This has "caused alarm among the new civilian team in the Pentagon," the article declared, making it apparent that "the Pentagon" referred to was not the fighting force.

APPENDIX 6

The weekly Worker, published in New York and dated Sunday, July 16 (though appearing on newsstands July 14, a couple of days earlier), included the directive (signed by Gus Hall, general secretary of the Communist Party of the United States) outlining implementation for the Red manifesto proclaimed in Moscow on December 5, 1960.

This occupied the double spread in the center of the paper. It struck out at the "ultraright," offered the Pentagon's 1958 directive as a special target, and laid down tactics to be employed concerning President Kennedy and his administration.

Arrogant and obvious as the directive appears regarding the White House and the administration generally, it cannot be brushed off, because the Reds have given sufficient evidence of their skill and facilities in entrapping non-Communists and even anti-Communists into falling into step behind them on some major pro-Communist issues. Both Republican and Democratic Parties could be forewarned of such traps by finding out this easy way about the Red plan for them. There isn't anything new about the way Communists operate, any more than there was about the Nazis. Totalitarians of such type contemptuously proclaim their tactics, in confidence that the free world, especially the United States, will be too dense to believe what it hears and reads, and unable to see through confusion deliberately fomented as a screen for the intrigue, and too flexible to adopt a firm stand, even if, at last, what is being perpetrated against them dawns upon them.

Gus Hall's directive flatly declares: "If the tactical problem is solved correctly, it will be possible to slam shut the door on the ultraright, defeat it, and force a shift in policy upon the administration itself in the direction of peace and democracy." The Red aim is described here as plainly as Communist language can make it. The words "peace and democracy" are employed in their dialectical materialist sense, "peace" indicating the state of affairs which arrives where all sides accept communism, and "democracy" the police state forms of dictatorship that prevails in the Soviet bloc.

Hall is as obvious as Khrushchev. His directive confirms that no conciliatory move, no negotiation, can possibly satisfy the Reds, except surrender to communism. They are willing to bargain on the form our capitulation to communism may take, but in no respect on whether we will give up or not. This must be accepted as, in their language, "inevitable."

The showdown can be delayed apparently, during what is called the coexistence period. This is the interval to which Hall refers in talking of a "tactical problem" to be dealt with, it being no less than the capture of the administration, as mad an objective as Khrushchev's own, which is to capture the American Nation. We would disregard either boast at our peril, and in disregard of past experience with Red wishes.

The Red tactic is as simple as it is bold. The Communists intend to use whatever crackpot minority exists at the extreme American right—and we even have a minute, pathological group in Arlington calling itself the American Nazi Party, led by a clinical case called George Lincoln Rockwell—as a weapon to destroy opposition to communism in the United States, by employing the American left in a snowballing operation which would bring our moderates into a new "united front," as sought by the Reds, to make this conspiracy succeed.

The appearance of certain other articles, immediately following this additional clarification of Red aims, is not without significance.

Here is the Worker directive:

"FOR PEOPLE'S UNITY AGAINST BIG BUSINESS AND WAR DANGER—THE ULTRARIGHT, KENNEDY, AND ROLE OF THE PROGRESSIVES

"(Our readers are invited to send in their views and comments on this important policy statement by Gus Hall. Our pages are opened for such discussion and for reports of united front discussions and activities in left and progressive circles.)

"(By Gus Hall, general secretary, Communist Parties, U.S.A.)

"The threat from the ultraright continues to mount in the United States. At the same time, the Kennedy administration pursues a cold war, interventionist, and generally antidemocratic course. We are, therefore, confronted with a unique problem of how, under these circumstances, to carry on the struggle for peace and democracy most effectively. The problem can best be posed by a series of questions.

"Is the threat from the extreme right serious, in the sense that it is approaching the position where it can exert the decisive influence in government or itself make a bid for power?

"What is the relationship between the ultraright and the Kennedy administration, and how are they different? Is it necessary to draw a line of differentiation?

"These are complex and serious problems. Much can be learned from our own history, especially the New Deal period, and also from parallel situations in other countries, as in France. But there are also new and special aspects which need serious assessment. Here I propose only to begin such an assessment.

"1. The threat from the ultraright

"In the opinion of the Communist Party, there can be no question but that the threat from the extreme right is serious. It arises from a situation which is new for the United States. This, the most powerful capitalist country, cannot have its way in a world in which the forces of socialism, national liberation, and peace are playing a decisive role. Continuing rebuffs and defeats for the cold war and interventionist policy (most recently in Cuba and Laos) confront the dominant monopoly power with a choice, essentially between two alternatives. One is to end the cold war and to seek some form of accommodation to the socialist and national revolutionary world, which would mean a turn to a policy of peaceful coexistence and peaceful competition. Such a shift of policy would meet the most urgent national needs of the country in the present period of world history.

"The other course is to seek to contain and reverse world trends by all means, including so-called limited war and the ultimate nuclear war. It is necessary to recognize that the present cold-war policies of the administration lead in this direction. However, we must also recognize that the most aggressive and extreme expression of this suicidal policy comes from the ultraright.

"War is their prescription for the crisis facing the country. Senator GOLDWATER and Richard Nixon, contending for leadership of the rightwing Republicans advocate a war course, as do their Dixiecrat-Democratic allies, like Senators EASTLAND and SMATHERS. They are ready to take any pressing world issue, whether it be Cuba or Berlin, as an occasion for starting military action. They actively and aggressively seek the brink. In fact, Nixon is now calling for resuming the Dulles brinkmanship policy.

"The Fascist Network

"In back of this political war-minded coalition, there is emerging in the country an organized movement of the Fascist type, financed by the most chauvinist and aggressive sectors of big business. This is more serious than previous developments of this kind, and holds even a greater threat than the movement led by the late Senator Joe McCarthy.

"For one thing, unlike previous Fascist currents, the present movement is taking the form of a membership organization, in conspiratorial action groups, including secret military formations. The spearhead, the John Birch Society, is such an organization, around which is gathering a network of older hate groups, Fascist sheets, and the white citizens councils and other diehard racist groups of the South.

"The Fascist network is openly in a sort of division of labor, in conjunction with legislative committees, like HUAC and the Senate Internal Security Committee, and similar bodies in the States.

"It is developing the demagogy characteristic of Fascist movements, such as repeal of the income tax, and is also beginning to put forth antimonopoly slogans to ensnare middle-class dissent.

"The Fascist network is openly contemptuous of democracy and the Bill of Rights, and

advocates the right of revolution—that is, in fact, counterrevolution. It proclaims the aim of seizing political power. With considerable influence in Government today, it is working to dominate it entirely.

"Military-Big Business Complex

"Another pronounced characteristic of this growing Fascist movement is its spreading influence among the higher military personnel. The case of General Walker was only a symptom of a much deeper affliction. Even the Pentagon had to admit recently that it was worried over the extent of Birchite and similar influences among the ranking officers of the military services.

"It is now known that a secret directive, issued by the National Security Council in 1958, instructed commanding officers here and abroad to enlighten both the Armed Forces and civilians in their areas on the cold war policy. It was followed by additional guides and materials, still classified as secret, issued by the Joint Chiefs of Staff, on the basis of which seminars and meetings were organized by the military commands, often in cooperation with local business groups. Complaints have been pouring into the Pentagon against the political activities of the military staffs, especially their wide dissemination of Birchite propaganda and of the obnoxious films 'Operation Abolition' and 'Communism on the Map.'

"The entire line of policy, coupled with CIA and similar training in subversive and putschist activities, cannot help but create our own 'French Generals,' who feel at home in Fascist circles, and are ready to lend themselves to their objectives. It is an outgrowth of 20 years of militarization, of the close cooperation between the Armed Forces and monopoly in handling a $40-billion budget annually, and of a desperation born of a bankrupt foreign policy.

"This complex of monopoly and the military, nurtured on war economy, has diverted science to military uses almost entirely, buying out the main branches of higher education and bringing within this web large sections of the student youth and intellectuals.

"When you get this combination of high-ranking military officers, the Fascist organizations in North and South, the right Republican-Dixiecrat coalition, and deep inroads into governmental bodies and in the educational system, we can surely say that the threat from the ultraright is serious indeed.

"The aim of this movement, shared by the varied elements of the ultraright and reaction, is the complete destruction of democracy, the wiping out of the main social gains won by labor and the people in the past decades, the suppression or subversion of independent people's organizations like the trade unions, peace groups, and Negro societies, and the incarnation of Jim Crowism and racism as a national creed—in a word, a garrison state that will seek to drive the country to war and self-destruction.

"2. The Kennedy administration

"The policies and actions of the big business-dominated Kennedy administration during the first 6 months played into the hands of the ultraright. In substance, the main direction of its blows has been against peace and independence, against democratic and civil rights, against labor.

"In this brief period, the administration managed to proclaim a policy of paramilitary intervention against national liberation movements, stepped up the arms race and the cold war, and launched the military adventure against Cuba.

"It sought to cool off the freedom riders, and has evaded legislative and executive action in the field of civil rights.

"It invoked the Taft-Hartley law against the maritime strikers.

"The Department of Justice declares the intention of the administration to follow through on the fateful Supreme Court anti-Communist decisions by renewed vigorous prosecution of the Communist Party.

"By proclaiming communism the real and imminent danger, President Kennedy has acceded to the central pretext under which the ultraright and Fascist trends seek their aims, and has thereby stimulated reaction.

"Not on Fascist Road

"The Kennedy administration pursues this course because it is dominated by the big monopolies and financiers whose interests it serves. This must be kept firmly in mind. Yet, while recognizing that it has taken measures which further curtail democratic rights, it would be a serious mistake to consider the Kennedy administration as embarked at present on the Fascist road.

"To make the proper differentiation between Kennedy and the ultraright is the central tactical problem faced by the entire left and all progressives. It is not simple. Kennedy is not a Roosevelt. Since his election, he has been moving in a reactionary direction. But it is not inevitable that he will continue along this path, giving ever wider openings to the ultraright.

"If the tactical problem is solved correctly, it will be possible to slam shut the door on the ultraright, defeat it, and force a shift in policy upon the administration itself in the direction of peace and democracy.

"Kennedy's Contradictory Course

"It seems to me we must always keep in mind the various necessities and commitments with which the Kennedy administration must operate, and which the ultraright wants to ignore and shove aside.

"The Kennedy administration pursues a contradictory course which flows from the instability of the U.S. imperialist position, from the new relationship of world forces (the growing strength of the socialist, anti-imperialist, and peace forces), which it recognizes but does not fully and properly assess. Its wavering course results also from pressure of the masses of people in our country, particularly from the working class, the Negro people, the peace forces which have been its main support and which elected it.

"This zig-zag, oscillating course is to be seen in a number of facts: For example, even while maintaining a cold-war policy, the administration remains committed to a position of negotiation with the Soviet Union—as on Berlin, Laos, nuclear testing and disarmament. It is no small matter that Kennedy, despite all he said against it, had to resume talks with Khrushchev at Geneva, talks which had been ruptured by the U-2 incident.

"It is also of significance that Kennedy decided not to back up the emigree invasion of Cuba with direct and open U.S. military support, as criminal and reprehensible as was his decision to go through with the military adventure, and as serious as still is the danger of U.S. imperialist intervention. It is also noteworthy that Kennedy must still seek to maintain democratic and anti-colonial pretenses in his dealings with the national liberation movements, although his objective remains to contain and reverse them. This creates certain embarrassments for him in world affairs, in view of anti-democratic measures at home.

"The Important Difference

"It is of course true that these maneuvers, pretenses, and concessions are forced upon him by the strength of the world peace forces, by the deterioration of imperialism, by the declining world prestige and position of U.S. imperialism in particular, and by the deep-rooted peace and democratic sentiment of the American people.

"But the fact remains that the Kennedy administration has not closed the door to accommodation to these world realities, as the ultraright wishes it to do, and this involves a certain recognition of the new necessities of the present-day world at home and abroad. This is an important difference, which the forces for peace and democracy must recognize and exploit in order to bring about the required change in national policy.

"Turning to the domestic scene, we must also recognize that as a consequence of the elections and of labor, Negro, and liberal support, it is difficult for Kennedy to ignore his commitments in the field of social legislation, which the ultraright would like to cancel out entirely. As inadequate as his measures are, they have to be fought for in a reactionary Congress.

"Shedding of Illusions

"It is a good thing that many of the illusions about Kennedy in the ranks of labor, the Negro people, and other popular circles are now being shed as a result of experience. I need only mention the deep cleavage, after the Cuban fiasco, among the liberals who supported Kennedy, the sharp criticism from labor following his use of Taft-Hartley, the scorn with which many Negro leaders and militants greeted the cooling off proposition with respect to implementing of the rights of Negro Americans, the vigor with which the youth movement fights the anti-democratic attack.

"Moreover, there is a growing insistence in the ranks of labor and among other people's forces upon more adequate and far-reaching measures to meet the severe problem of mounting unemployment, which has become a permanent fixture affecting the lives of millions. The paltry measures of the administration leave practically unsolved the many accumulating social problems arising from automation, the impoverishment of entire regions, the permanent eviction of millions of farmers from production, the old and new slum areas, the special suffering of the masses of Negro, Puerto Ricans and other underprivileged Americans, the crisis of the educational system, and the chaotic conditions of the metropolitan areas. Much more needs to be done to even approach the solution of problems of the aged, public health, and the youth. The rising mass movements in the country bear witness to the growing determination of the people to find positive solutions.

"It would be wishful thinking to assume that all liberal or forward-looking forces in the Kennedy camp, who must in their way participate in turning the tide, are equally aware of the double role played by Kennedy. These elements can become an effective positive force once they realize it is necessary to fight Kennedy's cold war and antidemocratic policies in order to defend democracy and to close the door to the extreme right and defeat the threat from that direction.

"AFL–CIO Cold War Resolution

"We need to be aware that when people in large numbers become disillusioned or panicky there is always the danger that they may be entrapped by the demagogy of the ultraright, especially when their leaders become the instruments or allies of monopoly. For example, the recent statement of the AFL–CIO executive council, drawn up by professional anti-Communists, supports the most aggressive warlike incitement in the so-called Berlin crisis, and even urges the resumption of nuclear testing.

"Such a position can only have the most harmful effects upon the struggles of the trade unions themselves for economic and social demands, help the employers weaken the unions, and open the door wide to the ultraright type of demagogy within labor itself. The council resolution, I am sure, does not represent the view of most trade unionists, nor even of all heads and officers of the unions in the executive council. It

is about time that labor leaders with views closer to the feelings of the membership should speak out clearly against the cold war and reactionary position which is imposed by a small group at the top.

"The Main Enemy

"To sum up on this point, it seems to me that the way to meet the unique tactical problem presented by a threat from the extreme right and by an administration moving in a reactionary direction is somewhat along these lines.

"It would be a serious mistake to underestimate the dangers to peace and democracy of the Kennedy administration. It would be no less serious a mistake to underrate the possibilities of pressuring it in another direction. It is essential to fight imperialism, war, and reactionary measures whether they come from the Kennedy government or the ultra-rights.

"However, the situation requires that the main direction of the attack should be at the warmongering and Fascist forces, who are pressuring the Kennedy administration further to the right. At the same time, every policy or action of Kennedy that plays into the hands of the right should be sharply opposed and criticized, building up the pressures upon the administration for a change of policy in the direction of peaceful coexistence and defense of democracy.

"It is necessary to work for the widest united front of all labor, Negro people, peace, and progressive forces in the country, embracing democratic elements of all political views, in a struggle against big business reaction and war danger. It is essential to organize a counteroffensive against big business attacks on the people—for improving conditions at the expense of the monopolists, for jobs, for equal rights for the Negro people, and above all for the preservation of peace and democracy. In all this, the working class, the labor movement, should be the basis.

"As I have already said, this is not simple. But it can be done. It has been done before during the Roosevelt days, particularly because of the role played by a resurgent labor movement. It can be done again. It will take great efforts, sacrifice, and fighting spirit.

"Above all, it requires a common outlook and united front activity in all fields by the left and progressives forces, Communist and non-Communist. Without the unity of such forces in the ranks of labor, among the Negro people, in the youth movement, and among the fighters for peace and democracy, the promising popular movements now arising will remain disjointed and apart, prey to the mounting attacks of reaction.

"3. Left-progressive unity

"How is such unity to be attained? First, of course, it is necessary to reach a mutually agreed-upon outlook for the immediate period ahead, agreement on tactics and on programs. This requires discussion among all forces of the left, in which past differences are subordinated to the need to find common ground to meet the onslaught of reaction. Still better, common action should develop around such issues and positions that can be immediately agreed upon, even while broader and long-range discussions proceed.

"Attitudes to Communist Party

"One of the obstacles in some parts of the left is a sharply critical or negative attitude to the Communist Party. Some of it is of older social-democratic or Trotskyite origin, but another current is of more recent vintage. This is the product in one way or another of the intensified campaign by big business against communism, of the renewed reactionary attacks, and of the recent crisis in the Communist Party.

"Undoubtedly, the party crisis contributed to a certain disorientation in the left. While I realize that this cannot be dismissed with a sweep of the hand, the fact remains that the new reactionary attack opened by the Supreme Court decisions has created a new situation both for the party and the entire left.

"For example, how can the position now be defended that the Communist Party is no longer needed in the United States? Those on the left who claimed this should think over how it is that the reactionary majority of the Supreme Court, for its own motives and reasons, came to a similar conclusion.

"Naturally, we have refused to accept this judgment, whether it comes from the High Court or elsewhere. On the contrary, we have made clear our firm determination to defend the constitutional rights of the party against every effort of the Department of Justice to force us to comply with the monstrous registration and other provisions of the anti-Communist laws.

"Is this a service or a disservice to the left and to the cause of peace and democracy? Would it not be a disastrous setback to the left and all forces of progress if those who wished to smash us or dissolve us had their way? Is not the launching of a new attack against us a signal that peace and democracy are in serious danger?

"In fact, it was the clear fighting stand of the Communist Party which made possible the first victory in the struggle against the implementation of the Court decisions—the staying of the mandate pending consideration of the petition for rehearing in the fall term of the Supreme Court.

"A very important lesson is to be learned from this. No matter what one's attitude may be toward the Communist Party, it must be recognized that the fight for its rights as a political party is a matter of defending the Bill of Rights and all democratic rights, and is the concern of all, especially of all left, democratic, and peace forces, and not of the Communists alone. This is an old lesson, but sometimes it has to be learned anew.

"Role of Communist Issue

"Therefore, I think it is clear that the left and progressive forces cannot permit themselves to be split on the Communist issue, if there is to be unity and common action. Refusal to work with Communists for defense of peace and democracy and for the people's needs is the first step, sometimes the decisive one, in splitting the people's forces. It is the wedge driven into the ranks of labor and the people by reaction, as its most potent weapon against the popular movements.

"Anti-Communist attitudes in the ranks of the left and progressive forces can only have the result of contributing to the aims of reaction by spreading the kind of ideological confusion that can render the moving forces of the people helpless and ineffective.

"Therefore, if unity is to be attained in the ranks of the left as a means of stimulating wider activity—if such unity means anything—it must be unity of Communist and non-Communist forces, with the give and take that is required to reach minimum agreement. If there is one thing everyone should have learned from the history of the past decades it is the stalwart and indispensable role of Communists in the struggle against reactionary and war forces.

"United Front Electoral Policy

"Finally, let me emphasize what I think is a central objective toward which all forces on the left are striving. If the tactic outlined in the previous section is correct, and I think it is, the need for an independent electoral policy for the left and progressive forces around which broader peace and democratic forces can be mobilized, assumes extraordinary importance.

"The left and progressives, including ourselves, have not given this the seriousness it requires, for which we have not refrained from criticizing ourselves, as can be seen from our report to the national committee in January of this year.

"The municipal elections in New York and other cities present an opportunity which should not be missed to take the initial steps toward an independent united front electoral policy, around the central issues of peace, equal rights, the people's needs, and democracy. In evolving such a policy and united front electoral tickets, we should also look ahead to the elections of 1962 and 1964, with the aim of presenting meaningful alternatives to labor, the Negro, and other people's forces in terms of their needs and interests. This is a big task, and needs the unstinting attention and energy of the left and progressive forces in all fields.

"Action Needed Now

"I am confident that the onslaught of reaction can be repulsed, and the country again set on the course of peace and democracy. The Communists, for their part, are ready to join with all other left and progressive forces to establish the perspective and unity that is required if reaction is to be defeated and peace defended.

"The Communists have no self-serving interest in urging unity of left and progressive forces. Everyone recognizes that such unity is needed to defeat reaction and end the cold war. The situation itself begs for common actions, united fronts, and broader parallel movements—all serving the cause of peace and democracy.

"It seems to me imperative that left and progressive forces should not lose a moment in beginning now to find the common meeting ground, in fraternal discussions, for the united front approach and programs leading to common action for common objectives.

"There should be a coming together of such forces in the ranks of labor, in the Negro rights movement, in the youth movement, among the advocates of peace. The effort should be made wherever possible, in the localities and cities and communities, not waiting for a nationwide development, but contributing to it, building up the movement, giving it a living base on which it can flourish.

"It is my hope that all elements and currents of the left will set such a movement into motion, that in their publications and organizations discussions of this kind should proceed. I am convinced that once this is set in motion, it will grow and spread with a speed and depth that will surprise all of us."

APPENDIX 7

A Marquis Childs column was published in the Washington Post of July 14 that was remarkable in two aspects: for its timing as well as its content. Its timing was perfectly geared to the shift into high in the anti-anti-Communist drive. It dealt with the main points in the campaign to liquidate the anti-Communist movement generally, especially by pulling the carpet out from under the Pentagon program.

Of significance for those interested in the role leaks play in "psywar" pressures, is its reference to: "A memorandum recently sent from Capitol Hill to the White House and thence to the Department of Defense." Of equal significance is its snide allusion to "an Eisenhower directive of 1958, still in force, that put the military in the business of helping to alert Americans to the need for an overall war strategy."

These points are major ones in the Gus Hall directive. The memorandum was further clarified in the New York Times and Washington Post in articles a few days later, on July 21.

This propaganda barrage is evidence of the finesse with which coordination and follow-through are employed in pursuance of Red strategy in its anti-anti-Communist drive.

APPENDIX 8

The extraordinary synchronization in the Red anti-anti-Communist drive was vividly exemplified by an article that covered the top half of the first page in the editorial section of the Sunday Washington Post on July 16.

The article, signed by Edward T. Folliard, was given a banner headline entitled: "American 'Right' Embraces a Curious Mixture." If one sought implementation of the original Red manifesto's summons, and the tactics in support of it as just published by Gus Hall, here it was. How this could come about, what specific links existed in the shadow world of Red "psywar," what exact strings were pulled far behind, are of course beyond this analyst to say, certainly beyond the ken of the Washington Post feature writer. But this much is obvious: it is impossible for this to have been without propaganda links, for there not to have been any "psywar" string pulling.

Indeed, this sort of propaganda orchestration is what the so-called scientific propaganda pressures of modern "psywar" are supposed to achieve. The players know only the conductor in front of them, and he may be totally ignorant of who selected the music, arranged the program, and why. The extraordinary orchestration in the articles that preceded and appeared in leading newspapers and magazines about the time of the Gus Hall statement is in fullest accord with the new "unity" line of the Red manifesto, which instructed the Communist Party to ignore ideological differences in building up support for the position taken by the Moscow-Peiping-through-Havana axis.

APPENDIX 9

Every so often, an old note is struck along with the new, in support of the anti-anti-Communist drive. The Washington Post located a former Soviet agent, who had been around for some years now, interviewed him, and ran him on the first page. Did he say anything new and startling? What he said or how it sounded in the interview, was the old cliche that anti-Communists are "spreading confusion" and are "more valuable" to Moscow than Red agents.

His interview took the additional line that anti-Communist activity, especially in the Pentagon, was a reflection of Birch Society views and was the "fanning of religion and racial conflict." Just to make this amazing example of modern journalistic enterprise complete, it took a vicarious slap at congressional inquiry into communism.

APPENDIX 10

The Reporter magazine, in its July 20 issue, ran a 4½-page article by its executive editor, Philip Horton, entitled "Revivalism on the Far Right." This was an all-out operation, that outsmeared anything it had attacked in the past by using the word "McCarthyism," now employed by it as a Pavlovian trigger word in propaganda, without relation to anyone dead or alive, except through sheer coincidence.

Guilt by association is said to be held in horror in Reporter circles. Certainly the tag has been freely used by them as a propaganda weapon when it has to do with the uprooting of Reds. But now, employed to uproot anti-Communists, it has been made into a tactic used more than any other in this new Red drive. Indeed, it is the most characteristic part of the anti-anti-Communist campaign. This Reporter article is a vivid example of it.

One organization it attacks this way has always leaned over backwards to avoid implication in anything that might be considered unfair to any individual, forbidding the naming of names, keeping out extremist literature of any kind. Philip Horton was able to find something devilish even in this. He analyzed it as a sort of round-robin smear, that sought to convey the impression that "there are Communists everywhere you look. * * *" When an anti-Communist deed or person is to be attacked, presumedly all is grist to the mill; one can be damned for doing something, or for not doing it.

The Christian Anti-Communist Crusade, referred to here, has been immune to attack hitherto. The article associates it with extremism, nonetheless. No matter how, any criticism of communism apparently must be roundly condemned in accordance with the Red anti-anti-Communist drive. The similarity between the propaganda pitch used, and the numerous outlets it has obtained in the press, would be impossible without there being some central source for it. A comparison of the Reporter outburst with others published about the same time shows a fantastic similarity that cannot be brushed off as accidental.

The article, too, is an example of an intriguing tactic in the manipulation of words. Words, and phrases that have favorable connotation in ordinary language are likely to be put in quotation marks, giving them a sinister slant. This tactic is being met with more and more. It is being done in Communist literature to distinguish words in their so-called bourgeois sense, as found in our dictionaries, from words that the Reds regard as correctly employed in their dialectical materialist meaning. Failure of non-Communists, and even anti-Communists, to put words, when used in a Red sense, inside quotation marks is responsible for a large amount of the enemy's success in putting across its misinformation and propaganda.

The Reporter article in its first column uses quotation marks, for instance, when referring to "schools" and "seminars," if these are anti-Communist. Other words enclosed in quotation marks are "doctors," "scientists," and "authorities." In each case, a slur is achieved on some anti-Communist. The article ends up with an attack on the projected Freedom Academy bill, that would provide a West Point for psychological warfare.

APPENDIX 11

With their usual display of ingratitude, with which the Reds embarass those who have tried to play fair with them, or collaborated, the weekly Worker, which went on sale July 21, though dated July 23, ran an article boasting that it had been the source of the press campaign in which, like a wolf-pack, attacks were being made on "the insidious alliance between military leaders—active and retired—and rightwing groups in the United States."

APPENDIX 12

On July 21, the Washington Post ran a dispatch quoting from a memorandum which it said had been prepared by the Senate Foreign Relations Committee for its chairman, Senator FULBRIGHT. The article was credited to David Burnham, a United Press International writer.

The dispatch said the memorandum had been made available to UPI the previous day, and quoted from it, including a warning that purported rightwing activities resulting from a National Security Council 1958 directive in the Pentagon might lead to excesses like that of the revolt of the French generals.

The memorandum apparently was referred to in the Marquis Childs column of July 14, also in the Washington Post, and the 1958 directive in the New York Times of June 18, where the press drive to extend the anti-anti-Communist drive to the Pentagon seems to have been launched.

APPENDIX 13

The New York Times returned to the attack on July 21, with another article by Cabell Phillips that started on the first page and continued inside for a column. This declared that "restraints" had been placed on Pentagon officers as the result of the memorandum from Senator FULBRIGHT.

APPENDIX 14

The Baltimore Sun published an article, 1½ columns long, starting on page 1, from its own correspondent, and the two Washington newspapers ran Associated Press articles on July 22, regarding statements by Senators FULBRIGHT and THURMOND concerning the role of Pentagon officers in the anti-Communist training and alertness program.

APPENDIX 15

The New York Times on July 24 ran an editorial indicating that "rightwing" Pentagon officers were casting doubt on the value of American rearmament, declaring the Communist menace was in the United States, not abroad.

This was a new tack in the anti-anti-Communist line. There has been no supporting evidence—indeed the contrary. Military officers, the same as civilian observers, stressed the universality of the Red menace, pointing out that a Communist is just as much an enemy wherever he locates, and must be spotted wherever he operates, in or out of the United States.

APPENDIX 16

The Nation magazine, in its July 26 issue, ran a three-page article from the west coast, entitled "New Right in Action." It was written in the now familiar roundup manner, categorizing the entire anti-Communist movement in the United States as extreme rightist, and purporting to expose it.

The article, as a number had done, pointed out the big impact of the anti-Communist movement. Much of the material, obviously as scare material, would only appear so to persons already conditioned into believing there is something essentially wrong in teaching people how to avoid Communist propaganda traps, and the evil and danger in communism. Otherwise, what is written in these articles, to the dismay of their authors, if they realize it, probably had the opposite effect on many readers, creating a favorable instead of an unfavorable response. Average Americans, even readers of self-styled "liberal" publications, are good citizens, as anxious as any others that their liberties be maintained and protected.

This Nation article, as the one in the Reporter of July 20 (see app. 10), boasted that orders to soft pedal or suppress the anti-Communist program had come from highest circles in Washington. The Nation said: "* * * objections were being raised in high places to this sort of political activity on the part of the military. Both President Kennedy and the Defense Department had made it plain that statements of policy coming from the military must henceforth be cleared by higher civilian authority." The Reporter article declared: "* * * it is apparent that the new civilian leadership of the Pentagon is taking steps to avoid any possible misunderstandings in the future."

The administration's position was obviously being interpreted as opposing the program that came out of the Korean war, to train

and alert our people to recognize Communist traps and to know how to preserve their mental and physical stamina under Red pressures. Just who was spreading this impression and the rumors was unrevealed.

The Nation's article was written by a husband and wife team, Alex Gottfriend, described as "a political scientist at the University of Washington," and Sue Davidson, "a member of the American Friends Service Committee and of the ACLU."

APPENDIX 17

Never, since the most virulent days of Goebbels' "hate" propaganda, has anything appeared in the United States comparable to a 47-page booklet, dated June 1961, put out by the Communist Party of the United States in connection with its drive to smother the expanding anti-Communist movement in this country.

The 35-cent booklet is entitled "The Fascist Revival," and purports to tell "the inside story of the John Birch Society." The author is Mike Newberry, another Worker specialist in unbridled smear.

The booklet is evidence of the degree to which the Communist Party considers itself immune from libel, through a complex legal barrier it has built around itself, and by exploitation of the double standard. Communists have created an atmosphere in which those victimized by its lies feel it is futile to seek recompense.

The virulent tone of the booklet, with all stops out in vituperative propaganda, indicates that the Communist Party would like to create a new, Pavolian trigger word for this period in its psychological warfare, and believes "Birchite" might be put into the language this way, replacing "McCarthyite." The impact of the latter fabricated word apparently no longer is strong enough to meet Red needs. Communist deeds have deprived it of its effectiveness in Red "psywar."

The Communists now seek to create a new scare word. This would evoke a conditioned response in a background of fear, founded on the specter of a Fascist plot inside the United States, which would attack all minorities and spread terror to everyone. This Red propaganda objective is a terror maneuver. It would be what they call the "correct" line for this time, to make the American public jittery through pressure from abroad, by manufactured crises in places such as Berlin and Laos, and by pressure at home through visions of a "Fascist revival." A jittery United States would be off-balance and vulnerable.

This is the "psywar" aim of the present Red propaganda drive, in which the Communist Party in the United States is working hand in hand with the Red network headquartered in Moscow.

Mr. DOUGLAS. Mr. President, will the Senator from South Carolina yield?

Mr. THURMOND. I am pleased to yield to the Senator from Illinois.

Mr. DOUGLAS. I hope the Senator from South Carolina does not question the patriotism of Mr. Cabell Phillips and Mr. Marquis Childs. One may differ with their views; but I hope the Senator from South Carolina does not question their patriotism or their devotion to the country.

Mr. THURMOND. Mr. President, as I stated in my address, I have not questioned the patriotism of the persons the Senator has named. But I will say that the persons he named are permitting themselves to be used to hinder the anti-Communist campaign in this country, and they are promoting—by their efforts, their words, their writings, and their acts—the campaign that is hurting the anti-Communist efforts in the United States.

Mr. DOUGLAS. I am very glad the Senator has made it clear that he does not question the patriotism of these men. I hope he will also make it clear that he does not question the patriotism of the junior Senator from Arkansas [Mr. FULBRIGHT].

Mr. THURMOND. Mr. President, I have not mentioned the name of the junior Senator from Arkansas. I certainly have not questioned the patriotism of the junior Senator from Arkansas. But I wish to say that the memorandum of the junior Senator from Arkansas is, to my way of thinking, the most shocking document I have seen since I came to the U.S. Senate. I will say further that when, in the memorandum, the junior Senator from Arkansas says there is little need to alert the American people to the dangers of the cold war against communism, that is a grave and a dangerous statement and, I think, is a disservice to the American people.

Mr. DOUGLAS. Of course the Senator from South Carolina is perfectly within his rights in doing that. However, it is very important that we not divide the Nation on this question and that we do not question the patriotism of honest and devoted men who may differ with us in regard to tactics.

Mr. THURMOND. I wish to say this further, however: When people allow themselves to be used—whether they are duped or in any other way—to promote efforts that promote communism, it is a disservice to the Nation; and when these writers and these newspapers permit themselves to be used to promote the Communist cause, they are rendering a genuine disservice to the United States.

Mr. DOUGLAS. Let me say that we respect the military record of the Senator from South Carolina, and we know he is thoroughly patriotic according to his light. I am sure these gentlemen have equal devotion to the Nation; and I am glad the Senator from South Carolina has disavowed any imputation about their basic motives, however much he may differ with them as regards their tactics.

Mr. THURMOND. It is my hope that they will discontinue allowing themselves to be used in a way that will promote the Communist cause in America that is hurting our country today.

Mr. DOUGLAS. These gentlemen are just as opposed to communism as is the Senator from South Carolina, and while their views on tactics may differ, I feel confident that their devotion to this Nation is not excelled by that of any of us. I felt I should say this, in view of the possible implication of what the Senator from South Carolina has said.

Mr. THURMOND. Mr. President, I have made no implication. I thought I made it clear in my speech that there was no questioning of motives of those whom I have mentioned. However, I want to repeat this paragraph, since the Senator from Illinois has raised the point, and state that I stand on this paragraph:

This provides a special responsibility, however, to such newspaper correspondents and editors and others whose work influences attitudes. Mr. Hunter brings this out in his testimony. Writers of such distinction as Cabell Phillips and Marquis Childs, therefore, and their editors, have a duty to guard themselves against being used as fronts for a Red objective. They surely must know after all these years that one of the main tactics of the Reds is to bunch together all types from a Milquetoast, to a middle-of-the-roader, to a hysteric, and to call them all extremists and fascists. These writers must have known this, and they, therefore, had the responsibility, as do all other writers in this cold war, to avoid being utilized in this way. Yet they didn't do so. The fact remains, however, that they should and must know better, yet they allowed themselves to fall into the Red trap. This is what can destroy our country, and this is what we all have the duty of guarding against. There is a difference between being hit by a booby-trap and walking deliberately into it.

Mr. President, I stand on that statement. I do not say that those two authors are not patriotic. I do say that they have permitted themselves to be used in this Red propaganda, which is calculated to hurt America.

I yield the floor.

CENTENNIAL OF ST. GEORGE, UTAH

Mr. MOSS. Mr. President, this week marks the centennial of the founding of St. George, Washington County, in the southern part of Utah. This part of Utah is known as Dixie, because the Mormon leaders sent a colony to settle in the southern part of Utah and directed them to plant and raise cotton, which they did. This was in 1861, with the Civil War just beginning, and it was necessary that there be a supply of cotton to the pioneers living in the new land, separated from the eastern part of the United States. So we still know that area as Dixie.

Yesterday marked the high point in the centennial celebration, with a meeting at which three very noted natives of our State participated. I desire to comment particularly on one of them.

The first of the three men who were honored and who made speeches yesterday is George Romney, who is president of American Motors, and a descendant of Miles Romney, who was architect of St. George Mormon Temple, the first temple built by the Mormons in Utah.

The second man is Glen E. Snow, secretary of the National Education Association, and descendant of Erastus Snow, one of the founders of the city, who was sent on the mission by Brigham Young. The third distinguished gentleman was the junior Senator from Nevada, HOWARD W. CANNON, who is the descendant of David H. Cannon, Mormon pioneer in southern Utah.

Senator CANNON was born in St. George, attended schools there, held public office in that city and county, and lived during all of his life, prior to the war, in Utah. After the war he went elsewhere in his profession, and has now come to the Senate of the United States

representing our neighboring State of Nevada. This is also in keeping, I think, with the early history of Utah, because Utah used to include all of Nevada, half of Colorado, part of Wyoming and Idaho, and a good part of southern California. Utah had a seacoast in those days, and an area in southern California still bears marks of the colonization of the early Mormon pioneers.

Senator CANNON delivered a speech yesterday in St. George, and I ask unanimous consent that it be printed in full in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH OF SENATOR HOWARD W. CANNON, ST. GEORGE, UTAH, CENTENNIAL, AUGUST 27, 1961

Old friends and neighbors of St. George and Utah, it is indeed a privilege and a pleasure to return to the city of my birth and join with you in this wonderful and familiar tabernacle in the joyous celebration of the St. George centennial.

Although life has led me to build my career in an adjacent State, my days of growth and education and public service here, once as a county prosecutor, have enriched my life more than words can ever express.

This country and these people will ever hold a unique place in my heart. I learned lessons of a great people in St. George and of the meaning of public service. Others before me had learned these lessons well.

One was Angus M. Cannon, the first mayor of St. George, who was elected April 7, 1862.

Another was George Q. Cannon, who was sent in 1850 to the Sandwich Islands, now known as Hawaii, our 50th State. His love of people and devotion to humanity made him one of the most successful missionaries ever to be received there; and among his accomplishments was the translation of the book of Mormon into the Hawaiian language. He served as territorial delegate for a session of the Congress in 1862, and again in 1872 went to Congress—this time for Utah—and served for 10 years.

Senator Frank J. Cannon, served as one of Utah's first two Senators from 1896 to 1899. So we Cannons, and I include my mother who is in the audience now, are involved with Utah by kin, by friendship, and by God. In fact, it might be accurately observed that there are more Cannons in St. George than there are Kennedys in Washington.

The history of St. George is as stirring as that of any other section of our great Nation. On July 29, 1776, the same month in which the Declaration of Independence was proclaimed far to the east in Philadelphia, an expedition left Santa Fe, N. Mex., which was destined to discover this region of southern Utah. This early pilgrimage was led by the Spanish friars of New Mexico and sought to establish a direct route between Sante Fe and the California missions, thus uniting the entire vast region under one ecclesiastical jurisdiction.

The success of that journey pushed exploration of our Nation further west. One of the culminations of that tortuous journey was the location of Utah's Dixie. Later, this exploration provided the first definite historic reference to the site of our future town.

Some 70 years later, in February 1846, the advance companies of the famed Mormon trek, under the leadership of the great Brigham Young, crossed the Mississippi. After a migration, which in heroism ranks second to none in history, Orson Pratt and Erastus Snow entered Salt Lake Valley on July 21, 1847; a small body arrived the next day, and 2 days later the greater part of the company reached its destination and plowing was immediately begun.

As for the founding of St. George, it has been remarked by a Utah historian that it partakes of an epic character. Success in raising cotton in more northerly regions induced the leaders of the Mormon Church to undertake large-scale colonization of extreme southern Utah with this end in view. Even then, the region, because of soil and climate and occasionally the menace of hostile savages, had a grim reputation.

Those who were "called" to the Dixie mission "to sustain Israel in the mountains," were as a rule far from happy about it. It was a call for genuine sacrifice—possibly of life itself—and few who were selected for the Dixie mission were under illusions as to what confronted them.

Nor would they fear, nor shrink from the challenge, in fulfilling the prophecy of Brigham Young.

By November 25 of 1861, more than 200 wagons were drawn up on the site of St. George. The town consisted of two long rows of wagons facing each other, with a ditch between. It is an interesting commentary on courage and inflexible determination of these pioneers, inspired with zeal for good works, that before a single house was erected, St. George became an incorporated town. Erastus Snow, one of the first two men to enter the great valley, had been chosen as the apostle to build up Dixie. Under his guidance, the colonists started directly to experiment with growing cotton and fruit and, in the 1870's, silk. Life was heartbreakingly difficult those first years, especially for the wives. Nowhere was the title "Pioneer Mother," now symbolized by the statues familiar to all who cross this continent, more nobly earned.

Gradually, things improved. The pioneers and their descendents prevailed over the soil, if not the climate.

The improvement of U.S. 91 as an arterial highway opened up truck routes to Salt Lake City and as far as the Pacific coast, thus effectively removing the Dixie region from its isolation.

The community itself has been revitalized owing to its central position between Salt Lake City and Los Angeles, together with its availability as a point of departure for nearby scenic wonders of Utah, which the country at large is just beginning to appreciate.

Equally important, among the great traditions and strength of character witnessed here was the Mormon respect for education. This was expressed in the founding in 1911 of Dixie Junior College, my own alma mater, which was given 22 years later to the State of Utah.

The history of St. George is alive with the spirit of heroism fortified by faith and courage. I cannot help but believe that this spirit which animated our pioneer forefathers and their noble wives in the founding of this State is no less exemplified by this generation. Here there is no room for depression and no obstacle will ever diminish the enthusiasm of your residents. The lesson we learn today in St. George is a lesson repeated a hundred times across this country, dating back to the beginnings of our strength as a nation.

That spirit, which caused so many families to leave their comparatively comfortable homes for an uncertain journey of 37 days to Dixie Valley, is not dead today. The will to sacrifice and share our abundance with the less fortunate of the earth that motivated our pioneers is now the highest goal of our Nation and the key to our survival.

It took 37 days for those pioneers to reach St. George, and for many years 30 days was considered fast time for the journey between Salt Lake and St. George. Yet, today, I reach this area from Washington in 4 hours by jet, and a Russian astronaut circles the globe in little more than 80 minutes.

But the courage of a people is not measured by time. Courage is in the heart. Liberty is in the heart, not in the books and the laws of a nation. My conviction is that our twin heritage of courage and love of liberty still inspires Americans as the embodiment of all of our highest ideals and aspirations.

Is it any wonder, then, that we can draw a conviction that the searing cancer of communism with its degradation of body and soul will never enter here. Is it any wonder, when we study St. George history, that we believe in the generosity of our country toward other countries of the world and our willingness to share with others and to help others fight against the ravages of hunger and disease and despotic dictators always eager to place their chains around the free human spirit.

In this great valley and in valleys throughout our land lie the strength and the hope of America; from these valleys come our unending resolution to preserve and extend dignity and freedom for ourselves and our children and for mankind.

Here we shall continue to apply a message of the prophet of old for the benefit of our posterity, "that the wilderness and the solitary place may be glad for them and that the desert may rejoice and blossom as the rose."

Thank you.

SUBCOMMITTEE MEETING DURING SENATE SESSION TOMORROW

On request of Mr. Moss, and by unanimous consent, the Subcommittee on Public Health, Education, Welfare, and Safety of the Committee on the District of Columbia was authorized to meet during the session of the Senate tomorrow.

UNEMPLOYMENT STATISTICS

Mr. MILLER. Mr. President, in the August 28 issue of the Wall Street Journal appears an excellent article entitled "The Unemployment Statistics," written by Ewan Clague. Mr. Clague points out some of the defects that exist in our unemployment statistics, and points out very well that we must have greater detail and greater knowledge of what these statistics mean before we can use them for the purposes for which they are intended; namely, to enable us to formulate sound public policy decisions.

Also in the same issue of the Wall Street Journal is a lead editorial entitled "The Purpose of Statistics," which comments in some detail on Mr. Clague's article, and points out why statistics on unemployment are rather meaningless in view of the definitions which are used in connection with unemployment figures.

I ask unanimous consent that both the editorial and the article be printed in the RECORD at this point.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

THE PURPOSE OF STATISTICS

A man either has a job or he does not. If he has a job he is employed. If he does not, he is unemployed.

If you merely want to compare the number of people who are working with the

number who are not, this presents a logical and adequate definition with a minimum of fuzzy edges.

With such a definition, you can then use standard sampling techniques which will give you a picture of the employment situation in the whole population within a reasonable margin of error. This, as you can see from the article by Commissioner Clague on this page, is the basic approach of his Bureau to measuring the Nation's unemployment rate.

But you will also notice that the Bureau of Labor Statistics does make one major modification in the simple definition of unemployment. Unless a person is looking for a job he is not counted as unemployed.

Now in a purely statistical sense this is rather illogical. A housewife who is not producing income is unemployed in the economic sense however happy she is with her estate—certainly as much so as the housewife in the same estate who wants to work. Nonetheless, the Bureau makes the distinction for a very good reason.

As Mr. Clague explains, "the measurements which have been devised were determined by the public purpose to be served"—that is, to give us some useful and relevant information about the economic state of the country. It would be statistically accurate to count happy housewives—as well as children and old people—as unemployed, but it would be patently ridiculous. Such a figure would not serve the public purpose intended; for that purpose it would misinform.

This leads directly to the questions that have been raised by many people concerning the unemployment statistics. They have nothing to do with whether Mr. Clague is a good statistician. They ask whether the statistics, however accurate, are relevant to the public purpose to be served.

The teenager at our house is unemployed; no question about it. The economy did not provide a job that met the specifications, which included acceptable hours, proximity to home, and relationship to training. As Mr. Clague argues, if a job had been found, employment would have risen by one; so if there is no job for a jobseeker, why shouldn't unemployment be increased by one?

Still, the fact is that this unit of unemployment is not of the same order as the unit of unemployment created by an unemployed steelworker who must support not only himself but a wife and family, although mathematically a unit is a unit.

The unemployed steelworker, especially when his numbers are multiplied, is an economic fact to trouble all thoughtful people. The unemployed teenager may trouble father, but to equate this unit in any statistical measure with the steelworker is ridiculous. It can actually serve the public purpose ill by misleading everybody as to the true state of our economic condition.

The same difficulty is encountered in other areas. We have, for example, more than 12 million people who are retired and draw social security. Some of them also work; some would like to work but haven't found the kind of job that meets their particular circumstances. In the same way as the teenager, they are statistical units to be counted.

Now we all think of unemployment as a bad thing, which in the case of the steelworker it is. Yet actually one of our public purposes is to create a society in which some people don't work. A depressed or backward society is one in which teenagers, housewives, and old people must work to survive. By counting as unemployed those who are impelled to work not out of need but for some other reason—and who can afford to be selective in taking a job—we not only distort our view of economic troubles but we actually obscure one of the very good things about our society.

Mr. Clague himself realizes this, for he has lately begun segregating teenager and retired unemployment. But they are still included in the total figure, so that when somebody says our unemployment rate is 7 percent, or whatever, the irrelevant is lumped with the relevant, the good with the bad.

What, then, do we really want to measure? Certainly not just the number of people who "don't have jobs," nor even those without jobs who might like to have one if the job suits them. The relevant question is how many people whose livelihood depends upon having jobs are unable to find them. This is the statistic that measures a part of our economic health in a meaningful way.

It begs the question to argue this statistic can't be found because the Bureau can't judge whether the unemployed person is needy. The Bureau doesn't have to know whether that unemployed steelworker is needy in the sense of being without money to buy groceries. His earnings are the support of himself and others and this is what makes his unemployment a meaningful fact.

But this is precisely the statistic for which you will have to burrow deep to find amid the present array of numbers. We are still presented with an unemployment index as if it meant what it plainly doesn't, because the Bureau persists in counting as the same thing things that aren't the same thing at all.

If this isn't the cause of all the misunderstanding about the present unemployment statistics it certainly abets it. And therefore, it seems to us, however accurate they are, Mr. Clague's statistics do not yet best serve the public purpose.

THE UNEMPLOYMENT STATISTICS—COMMISSIONER CLAGUE VIEWS THE METHODS OF MEASUREMENT

(By Ewan Clague)

The problem of unemployment has received more public attention in 1961 than at any time since the depression of the 1930's. The current overall rate of unemployment—about 7 percent of the total civilian labor force—has led some people to raise questions concerning these statistics.

Who is counted as unemployed? What are we trying to measure? And why are we measuring it? The general answer to these questions is that the measurements which have been devised were determined by the public purposes to be served.

The Employment Act of 1946 declared the maintenance of high employment to be the established policy of the Government. Under this act, the Federal Government was given responsibility for creating and maintaining conditions under which "there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work." If there had been no nationwide system of employment and unemployment statistics in existence at that time, it would have been necessary to create one.

As it is, the household survey, the employer reports of employment and hours of work, and the unemployment insurance records constitute the tools upon which any administration in Washington must rely in analyzing the current economic situation, in determining Government policies to deal with recessions, and in planning for the maintenance of economic growth and stability. I want to discuss the concepts we now use, the misunderstandings which exist and the adequacy of the household survey data to meet public needs.

Who are the employed? This is not as simple a concept as many people think.

Some groups are easy to classify. In July, 1961, there were about 57 million paid workers for a private employer or Government. However, there are individual business proprietors, farmers, self-employed professionals, and others who work on their own—over 9 million altogether. These are more troublesome. Our test is that their work must be for the purpose of bringing in some income; do-it-yourself projects at home do not count.

Then there are some real borderline areas in employment. One is unpaid family labor, a wife helping her husband in his grocery store, or a farm boy working in the field with his father. We count these as employed if they work 15 hours or more during the week in a family enterprise. During the summer there are usually more than 2 million such workers classified as employed. On the other hand, we exclude from the labor force the housewife who works in the home.

Still another borderline area is the worker with a job who is not at work during the week of reference—ill, on vacation, taking part in a strike, etc. Such persons are classified as employed because they have jobs; no new jobs are required for them.

There is one group of workers with jobs, who were formerly classified as employed, but who in 1957 were shifted to the unemployed. These are workers who have been laid off by their employers, but with a notification to return to work within a period of 30 days or less; also, new job seekers who have a commitment to a job beginning within 30 days. Since these workers often continued to be out of work for three or four more weeks, and since the promised jobs did not always materialize, it was decided that they more logically belong among the unemployed. When the shift was made in 1957, about 250,000 workers were transferred from the employed to the unemployed.

In each of the above groups are part-time workers. Some of these work only a few hours a day or a few days a week, but want no more work.

There are other part-timers who want more work than they have. In recent months there have been about 3 million such workers. They have jobs, so we put them on the employment side of the ledger.

Some critics argue that the time lost by these workers should be converted to unemployment on the basis of assuming one unemployed person for every 37.5 hours lost. However, there are several million workers holding two or more jobs at the same time, and other millions working substantial overtime on one job. If we compute the shortage, we must also compute the excess.

In summary, the employed work force is a varied and heterogeneous group.

Who are the unemployed? Our definition is clear enough in general terms—a person who has done no work during the survey week, but is looking for work.

Also included are persons waiting to be called back from a layoff, or to a new job; those whose search has been interrupted by temporary illness; and persons in stranded communities or occupations who have been discouraged in their search for work because of the unavailability of jobs. Note that this definition does not limit the unemployed to those who are disemployed—that is, who have been laid off from jobs.

The most clearly defined type of unemployed is the year-round, full-time worker who has held a job in the past and who is looking for one at present. This would most likely be a male worker, perhaps a head of a family, between 20 and 65 years of age; but it could include a single woman, a married woman, or a teenager.

Some people think that teenagers should be left out of the unemployed. In the month of June 1961, there were 2.5 million youngsters under age 20 who came out of school looking for work. Some were looking for permanent jobs; others were interested only

in temporary summer jobs. Altogether, about 1.6 million found jobs and the remaining 0.9 million were still looking for work by the middle of the month. The sharp June rise in the total unemployment figure for the Nation as a whole was fully explained by this group.

These teenagers, especially those who have never worked before, do raise a conceptual problem. In one European country no person is considered as unemployed unless he or she has previously held a job. However, I believe that our method is the sounder one. We count as employed those who got jobs. Why leave out those who didn't?

In my judgment these figures supply a useful picture of the labor market. We always tabulate these teenagers separately in every month of the year, so that those using the unemployment statistics as a guide can allow for this group. Also, we seasonally adjust the unemployment rates, so that this summer bulge can be discounted in economic analysis.

What should we do with elderly persons drawing pensions? There are at present almost 12½ million men and women drawing social security benefits. Under the law, such persons are permitted to earn up to $1,200 per year without loss of benefits. Many of these are counted among the 3 million men and women over age 65 who are employed, almost 900,000 of them in part-time jobs. At present our figures show that the number in this age group seeking work is about 150,000, but this amounts to less than 3 percent of the total unemployed. However, we publish the figures for this group every month, so that they can be subtracted from the total unemployment figures.

Questions are frequently raised about the method of counting women, particularly married women. Should they be counted as unemployed if they are only secondary wage earners or are looking for only part-time work?

But married women make up about one-fifth of all the unemployed persons in this country, and more than half of all employed women. Almost three-fifths of our increase in employment during the decade of the fifties was accounted for by married women. We can no longer think of them as a secondary or unimportant part of our labor supply.

According to our latest study, the vast majority of unemployed married women—over 80 percent—are looking for full-time jobs (we do not now collect these figures every month, but may do so in the future). Thus, of the approximately 900,000 married women who were unemployed in March 1961, only about 150,000 were looking for part-time jobs. Omission of this group would have little effect on the count of unemployed and probably no effect on the trend.

In summary, we know that with these broad concepts we include many different kinds of persons with many different degrees of job attachments or jobseeking aspirations. Long and loud arguments have gone on for years about this proper classification of certain borderline groups, but the general structure has proved to be useful.

We recognize also that these concepts alone do not meet every need for information about how our working force is being utilized or how well the economy is functioning in providing the right kinds of employment opportunities to the right people. But they do provide a measure of the number of people who have at least some form of employment, and a measure of the number of jobseekers who have not been able to locate what is to them a suitable job as of a given period of time.

The unemployment rate: The doubts of some people concerning our concepts and definitions arise from their serious concern about the effect on public opinion of the unemployment rate, which is the ratio of the unemployed to the labor force (employed plus unemployed).

We publish two rates for total unemployment: One, the actual for the month; two, the seasonally adjusted, which eliminates the wide seasonal variations. In July 1961 they were almost the same—7 and 6.9—but they can differ quite widely.

We in the Department of Labor have continually insisted that analysis of the unemployment problem should not be confined to the overall rates. We regularly publish separate figures and rates for men, for women, for teenagers, by age groups, by marital status, etc. It is also possible to shift some groups and to calculate rates on different combinations of employed and unemployed.

Unemployment policies: But all these classifications and reclassifications, valuable as they are, do not quite get to the heart of the controversy. A key issue has been raised by people who question whether persons who don't really need a job should be counted among the unemployed.

In statistical terms, this is not a practical suggestion. Statistical surveys cannot supply answers to the question of need. It would take a social work investigation of the family to determine that.

Even in concept this is not the way to state the issue. Need has no necessary connection with unemployment, or with employment. There are many millions of persons holding jobs in this country who don't really need them. And surely there must be hundreds of thousands of unemployed who could get along without a job. But in a free economy jobs are not allocated on a basis of need. Even in referring the unemployed to jobs, the Employment Service puts its primary emphasis on qualifications and ability.

But people who raise the question of need in connection with unemployment are thinking primarily of the social and economic policies for dealing with unemployment. An unemployed worker seeking a job constitutes a labor market fact; but what the Nation should do about it if he doesn't find a job is an entirely different matter.

While statistical surveys cannot measure such factors as individual or family need, some additional and more detailed classifications might be helpful as guides to public policy. For example, Congress has provided funds to the Bureau of Employment Security to make intensive surveys of the workers drawing temporary extended unemployment compensation. These studies will throw light upon that particular group of long-term unemployed.

The Bureau of Labor Statistics is planning some studies next winter on the characteristics of the unemployed to obtain more information "in depth" concerning the degree of attachment of various classes of workers in the labor force. In my judgment one of the limitations in our statistics is our lack of knowledge of the patterns of labor market participation by the unemployed over a period of years. How many of the unemployed are only lightly or temporarily in the labor market as compared with those who have been full-time, year-round workers for many years?

What is needed in connection with the unemployment problem is not to reject the statistics we now have but to provide for more detail and more meaningful breakdowns, so that the data would be more useful for public policy decisions.

KHRUSHCHEV'S POSITION ON GERMANY

Mr. MILLER. Mr. President, in today's edition of the Washington Evening Star newspaper appears a text of the statement by Premier Khrushchev explaining his position on Germany.

Mr. Khrushchev says that the general problem is one of peaceful settlement with Germany. But from that point on he does not talk about Germany, but rather about two Germanys, or two German states, this contrary to the United Nations Charter principle of self-determination of the peoples of a country. He tries to evade this point by saying that the existence of two German states is a fact, whether we like it or not. Thus he misses the point that the German people do not like it, and only by the unilateral action of the Soviets in signing a separate peace treaty with East Germany could such a "fact" artificially be created. Nowhere in his statement is the suggestion that the people of both East and West Germany should be given the opportunity to determine, by free elections, whether or not one or two German states shall exist. Of course he does not dare do this because he knows that the exodus of thousands of East Berliners manifests the desire for freedom which is being suppressed under the puppet East German state, so called.

The Premier seeks to draw analogy between our signing a separate peace treaty with Japan and his proposal to sign a separate peace treaty with East Germany. The difference, of course, is that there is a single Japan and not two states of Japan. In conformity with the above-cited principle of the United Nations Charter, the people of the entire country of Japan have been given their right of self-determination.

Mr. Khrushchev makes a strong point that freedom of West Berlin's communications must be guaranteed. In the first place, he says nothing about guaranteeing the freedom of East Berlin's communications, and on the basis of the present situation it appears that the only guarantee there would be is to shut off the freedom of the East Berliners. In the second place, his guarantee must be read in the light of the convenient change he has unilaterally sought to make in the guarantees with respect to Germany by the occupation forces and in his obvious contempt for the principle of the Charter of the United Nations respecting the freedom of self-determination of the people of each country. In this light, his so-called guarantee means nothing.

Finally, Mr. President, Premier Khrushchev says that the Soviets have firmly decided not to postpone any further signing of a German peace treaty, and that failure of the Western Powers to sign a treaty with both East Germany and West Germany will result in the Soviets signing a separate treaty with East Germany. This is his ultimatum: a separate peace treaty with East Germany, or a treaty signed by the Soviets and the Western Powers with both East Germany and West Germany establishing a free city status for West Berlin—not for both East and West Berlin, just for West Berlin. Mr. President, if Mr. Khrushchev is so interested in a free city of West Berlin, why is he not concerned about a free

city of East and West Berlin? And if he is concerned about free cities, why not a free Germany itself? Everyone knows the answer. He is interested only in suppressing the freedom of the people of East Berlin and East Germany; and he plans to continue to work against the self-determination of the German people in complete violation of the United Nations Charter, to which his government is a signator.

The answer is clear, Mr. President. The United States does not bargain away or negotiate away the principles of the United Nations Charter.

I ask unanimous consent that the statement by Mr. Khrushchev and an accompanying article entitled "Columnist Reports Khrushchev's Pledge" be inserted in the RECORD.

There being no objection, the statement and article were ordered to be printed in the RECORD, as follows:

[From the Evening Star, Aug. 28, 1961]

KHRUSHCHEV EXPLAINS POSITION ON GERMANY

NEW YORK, August 27.—Following is the text of Soviet Premier Khrushchev's views on the German question, as given Bell Syndicate Columnist Drew Pearson following a recent interview in the Soviet Union:

"As I understand it, what you call the Berlin crisis is different between Socialist countries and countries of the West regarding the fate of West Berlin after the conclusion of the German peace treaty. I should like first of all to stress that this question is but a part of the general problem of peaceful settlement with Germany.

"The clamor raised by certain quarters in the West which promotes whipping up of international tensions and military psychosis clearly has the aim of making it difficult to sign a German peace treaty. A start should therefore be made by taking up the major issue—that of a German peace treaty.

"This is all the more important since the proposal of the Soviet Union and a number of the countries which fought against Hitlerite Germany to conclude a peace treaty with two presently existing German States which are legal heirs of former Germany has provoked completely erroneous reaction on the part of Western Powers.

"SEES HOSTILE POSITION

"An especially hostile position in this matter is taken up by the Government of West Germany. In this it is supported by the Governments of United States, France, and Britain. According to the Adenauer government, they are rejecting reasonable proposals to sign a peace treaty with the Federal Republic of Germany and the German Democratic Republic, though such treaty in no way affects the interests of the Western Powers.

"Certainly if a united Germany existed, such a peace treaty would be signed with it. But at present no such united Germany exists. On the soil of the former Hitlerite reich, two German states with diametrically opposed economic and political systems have come into being and have taken their own roads of development.

"I do not want to delve into history on this question and give an account of why this happened, though we Soviet people do have something to say on this score. It was United States, Britain, and France who split Germany as far back as 1947 when they carried out a series of economic and political measures to transform their occupation zones first into bizonia, then into trizonia, and finally into the Federal Republic (West) Germany.

"Placed before the fact of appearance in the western part of Germany of a separate state, which, by the way, immediately started to acquire a belligerent revanchard character, the population of East Germany in their turn created another German state, German Democratic Republic, which bore a peace-loving and democratic character.

"TWO GERMAN STATES

"Thus, whether we like it or not, there actually exists in central Europe two German states, and it is from this fact that we should proceed. I can but add that the government of the (East) German Democratic Republic has repeatedly sought to persuade the government of the Federal Republic of (West) Germany to come to the conference table and devise ways leading to the reunification of the German nation. Not one of those attempts has met with success. The government of the Federal Republic (West) Germany has flatly refused to consider any proposals by the German Democratic Republic concerning the creation of a united German state.

"What prompts this position of the West German government? This can be given but one explanation: In rejecting peaceful unification of the German nation, the government of West Germany is contemplating the forcible seizure of (East) German Democratic Republic. Only a blind man can fail to see that the attempt to swallow that republic will not remain unpunished. Indeed it is not alone. It has its own true allies who will not leave it in time of trouble.

"It is also known that West Germany, too, has her allies with whom it is linked through an aggressive NATO pact. Under these conditions attack by West Germany against the German Democratic Republic would not be local conflict but would be the start of thermonuclear war without parallel in history, in which all states belonging to two opposing camps would take part.

"OPPOSES DELAY

"How then, are we to act in this situation? Are we to wait until Germany reunites—which as you see can take place only by means of terrible war—or are we to sign a treaty with two actually existing states without further delay?

"We believe there should be no further delay.

"Signing of a peace treaty which would write finis to a Second World War and legitimize orders of two German states will tie the hands of revenge seekers and discourage them from indulging in gambles. And only contrary, further delay would be interpreted by revanchard quarters of West Germany as encouragement to aggression, to unleashing war.

"It is proceeding from this that we decided to put an end to procrastinations in the question of a German peace treaty. And if the Government of the Federal Republic of (West) Germany continues to refuse to sign such a treaty, it will be signed with the (East) German Democratic Republic which has already voiced its agreement. The treaty will legitimize borders defined by the Potsdam Agreement, and the (East) German Democratic Republic will exercise full sovereignty on its territory, free from burden of vestiges of World War II.

"FATE OF WEST BERLIN

"Now with regard to the fate of West Berlin, as I already said, the question of West Berlin is part of the general question of signing a German peace treaty. Following the signing of a peace treaty with the (East) German Democratic Republic, West Berlin will receive the status of a free city and will be complete master of its destiny. Its people will live under such social and political system as they themselves want to have. We propose to include a clause in the treaty to the effect that no one shall have the right to interfere in the affairs of West Berlin or impose their order upon its people.

"It would seem that this would completely suit the Western Powers, which have repeatedly declared that the population of West Berlin must have complete freedom and independence in choice of their way of life. Nevertheless, the leaders of the Western Powers are vigorously opposing our proposals and in so doing are whipping up unparalleled clamor around the Berlin issue akin to military hysteria.

"What then are they displeased over? They are displeased over the fact that the signing of a German peace treaty and granting of free city status to West Berlin automatically puts an end to occupation status on whose basis their troops are stationed in that city.

"Contrary to plan and firm statements of the Governments of the Soviet Union and the German Democratic Republic regarding their readiness to provide West Berlin with any kind of guarantee, the statesmen of the West, notably Adenauer and Brandt, keep alleging that we want to "seize" West Berlin. It is not in vain that people say that the lie walks on short legs.

"SUGGESTS PLEDGE

"I should like to know what the Western Powers would reply to the following concrete proposal: Let the United States, Britain, France, and the Soviet Union jointly give a solemn pledge to respect and protect the freedom, independence, and rights of the free city of West Berlin.

"I believe you will agree with this. We, too, agree. Then where are grounds for inflaming passions and whipping up military psychosis around the so-called Berlin question?

"The question remains of freedom of access to West Berlin. As you know, it is around this question that adversaries of signing a German peace treaty are raising particular clamor. It is all the more important to give complete clarity to this question.

"We have said, and we repeat, that no one is encroaching on freedom of access to West Berlin. On the contrary, in proposing a conclusion of a German peace treaty we emphasize that freedom of West Berlin's communications must be guaranteed. The West Berlin Government, as any sovereign government, must have the right to maintain diplomatic, economic, and cultural ties with any country of any continent.

"CITES DIFFERENCES

"Then where do our differences lie? They lie in the following:

"We want to do away completely with the vestiges of World War II while Western countries—United States, Britain, and France—are clinging in every way possible to those vestiges, seeking thereby to assure their troops access to West Berlin on the basis of occupation rights which stem from the regime of Hitlerite Germany's surrender.

"But one thing does not conform to the other. Ask any lawyer and he will tell you that if a peace treaty is signed then a state of war is terminated. However, if a state of war is terminated, then how can an occupation regime be preserved in West Berlin? This is impossible.

"The sovereign countries of the world—and the German Democratic Republic is of their number—are guided by a universally accepted rule: If their routes of communication with other countries run through the territory of third states, then, naturally, agreement of those third states is always required in order to use those communications, no matter how they may run—on ground, in the air or across water. This holds good in regard to any country, regardless of what social system it may belong to.

"As an argument against dealing with (East) Germany, some Western personalities protest that they cannot deal with that government since the United States and other Western Powers fought against Germany. This argument is completely un-

founded. Indeed we too fought and are known to have borne the brunt of war against Germany, including that part of it which today makes up the Federal Republic of (West) Germany. Nonetheless, we maintain relations with and whenever necessary deal with the Government of the Federal Republic of (West) Germany.

"GIVES EXAMPLE

"Let me give you one example which I have already mentioned in one of my speeches. We are now operating a direct railroad service between Moscow and Paris. These trains pass through the territory of the Federal Republic of (West) Germany. Before signing an agreement with France, we naturally approached the Government of West Germany with a request that it allow transit of trains through its territory, and it was only after agreement was received and appropriate agreements signed that this train service started to operate.

"Thousands of such examples could be adduced. The same rules should also be applied in regard to access to West Berlin after a peace treaty is signed. Respect for sovereignty must be observed with regard to all countries, (East) Germany included.

"This rule represents the law of laws, and if we start to flout it there will be no stability in the world, there will be no peaceful coexistence of states, and in general there may well be no peace.

"And if certain state and political leaders say: Let the Soviet Union and other countries sign a peace treaty while leaving the Western Powers that right of access to West Berlin which stems from occupation status, they are wishing for the impossible. When a peace treaty is signed it is quite natural that rights of conquering powers which stem from surrender of conquered country come to an end.

"Two German states with which a peace treaty will be signed will from then on be completely sovereign. And regardless of whether or not other countries like the regime existing in one or the other of them, they shall have to maintain relations with them in conformity with the generally accepted standards of international law.

"RECALLS JAPANESE TREATY

"It might be opportune in this connection to recall what transpired at the time of the signing of the peace treaty with Japan. The Soviet Army routed the main nucleus of Japanese troops, the Kwantung army in Manchuria. After the surrender of Japan, the Soviet Union together with the United States and other allies, devised measures to control postwar development of Japan. Soviet representatives took the most active part in the work of the Allied council in Tokyo. When, however, the question arose of concluding peace, the United States signed a separate treaty, disregarding the Soviet Union. They unilaterally liquidated the Allied council for Japan and started to oust Soviet representatives from Tokyo. And though we had rights and commitments which stemmed from the fact of Japan's surrender, our allies disregarded them.

"Why are the United States and their allies now trying to describe as illegal our intention to sign a peace treaty with the German Democratic Republic in the event that Western Powers refuse to join us in a peace treaty with two German States? What suits the United States they declare to be legitimate, but what does not suit the United States they call illegal. Is this logical?

"Thus it is quite evident that the Western Powers are artificially whipping up a dispute around the Berlin question by injecting a spirit of war hysteria in order to aggravate international tensions still further and create a pretext to unleash war against the Soviet Union and the Socialist camp as a whole. Arguments that they are allegedly fighting to preserve freedom and independence of population of West Berlin are false through and through, since no one is menacing that freedom and independence.

"SUMS UP POSITION

"We are saying: 'Let us sign a peace treaty, let us establish free city status for West Berlin, let us provide it with all necessary guarantees.' We are, moreover, ready ourselves to participate in the exercise of those guarantees. We are also ready to agree to these guarantees being reinforced by the presence in West Berlin of token troops of the United States, Britain, France, and the Soviet Union. These should be smaller numbers, literally token troops, because no large numbers of armed forces will be necessary there in order to guarantee free city status. In that case, agreement could be reached with the Government of the German Democratic Republic regarding freedom of communication for those military contingents.

"That in effect sums up our position on the German question. That is what we are calling for.

"I should like again and again to emphasize that we are striving for elimination of vestiges of World War II. We want the atmosphere in Europe and, therefore, throughout the world to become purer so that all nations of the world should breathe fresh air, so that all countries shall live as good neighbors, so that they shall build peaceful relations with one another, so that human relations shall live without fear of war.

"It is for this reason that the Soviet Government and governments of other Socialist countries which took part in the war against Hitlerite Germany have firmly decided not to postpone any further signing of a German peace treaty. We will regret it if Western Powers should not wish to join us in signing a peace treaty. But in that event we will be compelled to sign a peace treaty with the German Democratic Republic alone.

"You ask when it would be desirable to hold negotiations. The answer is that solution of the question permits no delay. We are, therefore, ready at any moment to meet with the leaders of the Western Powers on this matter if they have a sincere desire to achieve realistic settlement of the German problem on a mutually acceptable basis.

"To this I should add that they no less than we—and perhaps even more so—should be interested in having this problem peacefully solved, and if leaders of Western Powers, notably President Kennedy, want such settlement, we have declared long ago that we are always ready to come to the round-table for peaceful negotiations."

COLUMNIST REPORTS KHRUSHCHEV'S PLEDGE

NEW YORK, August 28.—Columnist Drew Pearson said today Soviet Premier Khrushchev told him the Soviet Union would guarantee Berlin's status as a "free city" after signing a separate peace treaty with Communist East Germany.

Reporting on an interview Mr. Khrushchev granted in the Black Sea resort of Sochi, Mr. Pearson said the Soviet leader declared:

"We are also ready to agree to those guarantees being reinforced by the presence in West Berlin of token troops of the United States, Britain, and France, and the Soviet Union."

Mr. Khrushchev has made this offer before. The Soviet news agency Tass reported on June 11 Mr. Khrushchev advanced it in proposing to President Kennedy during their Vienna meeting that an immediate peace conference be convened to draw up an all-German peace treaty.

In subsequent speeches, and in his interview with Mr. Pearson, Mr. Khrushchev attached a condition the West always has rejected in the past. A free, demilitarized Berlin, he said, would have to negotiate with Communist East Germany for use of land, sea, and air lines of communication with West Germany—110 miles from Berlin.

The United States has insisted access routes to Berlin, and the West's free use of them, are guaranteed in World War II agreements that the Soviet Union signed. U.S. officials further insist the East German regime is not a legitimate government and, therefore, without legal rights to negotiate on the access routes.

"We have said, and we repeat," the Soviet leader told Mr. Pearson, "that no one is encroaching on freedom of access to West Berlin. On the contrary, in proposing a conclusion of a German peace treaty we emphasize that freedom of West Berlin's communications must be guaranteed.

"The West Berlin Government, as any sovereign government, must have the right to maintain diplomatic, economic, and cultural ties with any country of any continent."

State Department officials in Washington who had read the text said they saw nothing basically new in Mr. Khrushchev's remarks and declined comment on them. The White House also refused comment.

Mr. Khrushchev set forth his views on the German question in an English-language summary he had drawn up after talking with Mr. Pearson several hours.

THE OPINION OF MANKIND WITH RESPECT TO BERLIN

Mr. MILLER. Mr. President, there is an excellent lead editorial in the August 24 issue of the Christian Science Monitor entitled, "The Opinion of Mankind," which I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). Is there objection to the request of the Senator from Iowa? The Chair hears none, and it is so ordered.

Mr. MILLER. Mr. President, the editorial well points out that it is well to evaluate the "opinion" of countries in light of the freedom of the people in those countries and the degree of information and responsibility present.

This leads one naturally to the opinion of the so-called neutral nations, and particularly their opinion over the Berlin crisis. India has been considered a neutral nation because of the so-called neutral attitude of Mr. Nehru. The other day, Mr. Nehru manifested how unneutral he really is when he suggested that the right of access to West Berlin on the part of the West has been "diluted" by events since the end of World War II. This merely compounded his unneutral attitude of ignoring the action of the Soviets in closing the border between East and West Berlin. In today's Washington Evening Star newspaper appears an editorial entitled "Looking the Other Way" and a timely article by Crosby S. Noyes, entitled "How Neutral Would Neutrals Be?" both of which develop very clearly the so-called "neutralism" of Mr. Nehru, and I ask unanimous consent that these be printed in the RECORD.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Evening Star, Aug. 28, 1961]

LOOKING THE OTHER WAY

India's Prime Minister Nehru seems to believe that the West's occupation rights in

Berlin are legally sustainable, but that the right of access to West Berlin has been "diluted." Just what this means is less than clear, especially in view of his belated "clarification" to the effect that the West has valid access rights after all.

It is not our purpose, however, to quarrel with Mr. Nehru's comments on this point. He is entitled to his opinion, and if he doubts that the West has a right of access to Berlin there is nothing to stop him from saying so.

What does surprise us is his seeming indifference to what actually has happened in Berlin. By sealing the border, the East German puppet government, acting at the direction of its masters in Moscow, has converted East Germany into a vast concentration camp. An unknown but certainly large number of East Germans who would have fled to the West in search of freedom are now effectively sealed up behind barbed wire and brick walls. For years, Mr. Nehru has been an advocate of liberty and a harsh critic of Western "imperialism" in any form. But in a long speech to the upper house of the Indian Parliament he found no occasion to utter a single complaint against this ruthless Communist suppression of the East Germans. Not even by so much as one word did he condemn this most brutal form of imperialism. Instead, he was willing to look the other way—and to content himself with a dissertation on the West's legal right of access to Berlin.

Had the United States done such a thing, had we resorted to force to lock up a whole people, the anguished protests from the "neutrals" would have been heard around the world. And Mr. Nehru's voice, we are sure, would have been among the most censorious. But when the Russians, acting through their stooges, do it, no protesting voice is raised. Why do we spend so much time wringing our hands and worrying about what these "neutrals" may think of us or say about us?

HOW NEUTRAL WOULD NEUTRALS BE?

PARIS.—It is hard to think of anything sillier than the idea which seems to be gaining ground in some parts that the neutral nations of the world may have an important role to play in resolving the current crisis in Berlin.

This seems, in fact, to have been a major preoccupation of some Western leaders since the crisis began. The neutrals, it was said, could play a restraining role on Russia in Berlin. The legal justifications of the Western position there would impress them. Their reactions are considered important in the question of whether or not to engage Russia in early negotiations. Above all, the outcome of the neutralist conference which opens this week in Belgrade is being watched with nervous concern.

There are, of course, those who have an unshakable faith in the collective wisdom of neutral nations to solve almost every problem raised by the cold war. There are those who hold quite seriously to the proposition that the United States has no interest in the world more vital than the good opinion of uncommitted peoples. Nothing may be done which risks offending the least of them. In every case when the interests of great powers clash some are quite willing to submit the issue to mediation, if not arbitration, by neutrals in the United Nations and elsewhere.

Up to this point the great powers have been willing to go quite far in this direction. The Russians, as well as the Western powers, have been eagerly lining up neutralist support over the problem of Berlin. They have actively encouraged its inscription on the agenda of the coming Belgrade conference. And they have invited a number of prominent neutralist leaders, including Ghana's Kwame Nkumah and India's Jawaharlal Nehru to Moscow during this critical period.

REDS MORE REALISTIC

On the question of neutralist influence, however, the Russians are a good deal more realistic than some westerners. Lionization in Moscow of successions of Asian and African leaders has never had the remotest effect on the formation of Russian policy. The awarding of Lenin Peace Prizes has never entered into the calculation of basic Russian interests.

On the contrary, the Russians inflate the importance of neutral nations in the expectation that neutralist influence will work to their own advantage. They know—and most neutralist leaders know it too—that Russia is risking nothing in this process since Russia, as Premier Khrushchev freely admits, cares not two hoots what anyone may think or say about its own vital interests. On the other hand, they hope—and events encourage the hope—that Western policy in Berlin or elsewhere can be practically paralyzed by its subordination to the collective will of the uncommitted peoples of the world.

Prime Minister Nehru's recent analysis of the situation in Berlin is an illuminating case in point. His subsequent retraction and clarifications have not changed the central point of Mr. Nehru's original speech to the Indian Parliament: So far as he is concerned, the allies in Berlin haven't much of a legal leg to stand on. Whereas, he says, "the Soviet and East German authorities could very well argue that they have the right to regulate and control the movement from East Berlin to the West Berlin area."

SILENT JUSTIFICATION

The legal argument was all that interested Mr. Nehru. Whether the Communist action in Berlin was justified or not was "another matter"—a matter on which Mr. Nehru as a good neutralist would never venture an opinion. When a good neutralist condemns a political action on moral or humanitarian grounds it is almost invariably the West which is condemned. Such arguments applied to the Eastern bloc are recognized as a pure waste of breath.

When it comes to neutralist opinion on Berlin, however, there are other factors which the West can ignore only at its own peril. Few neutralist leaders feel in any way directly concerned with the cold war struggle in Western Europe. The overwhelming importance of Berlin in this struggle is for them a matter of little interest except as it may affect events in their own areas.

In the Berlin crisis these neutralist leaders see primarily the danger of a showdown between the United States and Russia which may involve them in a general war. Their obvious interest is to prevent this showdown at all cost. And the obvious way to do it is to bring about the capitulation of one or the other of the two parties.

Since as a matter of experience and logic they can expect to have little leverage on the Russian policy, the neutralist effort very predictably from now on will be to undermine and weaken the Western position in Berlin. To the extent that this effort is allowed to influence Western policy the going is sure to get rougher as time goes on. Those who look to the neutralists as arbiters in the Berlin dispute are due for the saddest of awakenings.

[Exhibit I]

THE OPINION OF MANKIND

How much should world opinion weigh in any nation's policy? This question is pressing upon statesmen as never before. Even the Kremlin has to consider it. Mr. Khrushchev has not even dared let his own people learn the truth about Hungary or Berlin. Washington hears some Americans declaring it should be careful not to affront world opinion and others declaring too much attention is paid to what other folks think.

No one should underestimate the force of opinion in this day. As never before in history popular opinion is effective in the conduct of nations. And the technical advances in communication promise to make opinion even more powerful. It must be counted even as a military factor.

Those who have faith in democracy can rejoice that opinion is so widely powerful today. But is it to be effective only where free peoples have a decent respect to the opinions of mankind, as the Declaration of Independence put it? Must it work always to the advantage of the very dictators who suppress it insofar as possible? Can free men prevent this and remain true to their own values?

Somehow they must. Every day we encounter unfair applications of what Senator FULBRIGHT has called "the double standard in diplomacy." Moscow, which has capped a succession of colonial grabs by locking the Berlin door to its East German prison, has the effrontery to attack France in the United Nations over Bizerte. And it expects by doing so to win popular approval in much of Africa and Asia which have a voice today simply because Western nations heeded desires for independence.

The same situation appears in many arms control discussions. No one can be sure today that the Soviet Union is not carrying on atomic tests. For 3 years at the risk of being militarily outdistanced Britain and the United States have abstained even from fallout-free underground tests. Is world opinion putting pressure on Moscow to agree to inspection? Not very visibly. Much more evident are the pacifist and unilateral disarmament campaigns, centering illogically on the West's most effective war deterrent—the Polaris submarines.

In dealing with such opinion Western statesmen face not merely a double standard but much irrationality and irresponsibility. Many folk who are not Communists are using freedom to help Communists destroy freedom. More attention is given to arms than to the evil purpose which might use them.

There is irrationality too in giving equal weight to all votes in the U.N. Assembly. Some represent tiny nations, others states where no good means of ascertaining opinion exists, others where no adequate information is obtainable, others where no free opinion can be expressed.

In constitutional democracies there is a basic reliance on the ultimate wisdom of the people. But this assumes freedom and a modicum of information and responsibility. Statesmen must dare to stand against hysteria and remain true to their own conscientious judgment.

So must nations. A "decent respect to the opinions of mankind" must be combined with Polonius' famous advice to Laertes: "To thine own self be true * * * thou canst not then be false to any man."

THE BERLIN CRISIS

Mr. MILLER. Mr. President, with respect to the Berlin situation, in this morning's Washington Post and Times Herald appears a discerning article by Mr. Joseph Alsop on the subject of "Liberation Versus Containment." A reading of this article should convince anyone that the policy of containment of Communist world aggression is still very sound, not only from the standpoint of

resisting further advances against freedom but also as a means of actually promoting the cause of freedom. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LIBERATION VERSUS CONTAINMENT

(By Joseph Alsop)

The idea is beginning to be spread abroad that the Western allies have suffered a heavy reverse because they have failed to prevent Nikita S. Khrushchev from shutting the gate of this disordered East German jail.

There is a large element of common or garden hypocrisy in this talk. Anyone who seeks to interfere with Khrushchev's management of his dependent jails must be ready to go to war for the purpose. No one was ready to go to war when the East Germans rose in 1953, or when the Hungarians rose in 1956—which were really good opportunities.

No one is really ready to go to war today, in order to keep open the East German jail gate. But in addition to hypocrisy, this talk about a "bad defeat" at Berlin betrays serious confusion about the real meaning of the Berlin crisis.

Nine years ago, when the balance of military power was so much more favorable to the West, it was possible for honest and prudent men to advocate a "liberation policy"—even though the advocacy of that policy in 1952 turned out to be rather less than honest, when the test came in 1953. In the context of an active liberation policy, Berlin had great importance as a "showcase," an escape route, a base for propaganda, and a center of eastward penetration.

But in the present context, after a deep, unfavorable change in the military power balance, Berlin has quite another kind of importance. The free city no longer has so much meaning as a lever of liberation, since the liberation policy was long ago publicly abandoned by those who first proposed it. But the free city is more than ever important as the decisive symbol, the final, crucial proof, of the West's readiness to hold the line against Soviet aggression.

The historical accidents which have given this role to Berlin do not enormously matter. What matters is the kind of catastrophe that will certainly ensue, if the Western Allies fail to discharge their solemn obligations to defend Berlin's freedom. Berlin's freedom is not threatened by the closing of the jail gates; but it is most obviously threatened by the Soviet and East German drive to gain control of Berlin's access routes. Right there, is the heart of the crisis.

If the access routes are not defended, and if Berlin's freedom is not maintained, the sequel will be a kind of worldwide political earthquake. Every American and Western position, all around the globe will be more or less fatally undermined. That is what Khrushchev wants to gain from the Berlin crisis, and that is why the Western leaders have decided to risk war for Berlin's freedom, although not to keep the jail gate open.

Furthermore, this exceedingly grave decision is by no means purely defensive. Evidence is constantly accumulating that Khrushchev badly needs the kind of earth-shaking success he is seeking at Berlin, in order to guarantee the stability and growth of the Soviet Empire.

Those who do not believe the evidence that the Soviet Union itself has now achieved stability, are very wishful indeed. But it is equally mistaken to ignore the evidence that there is bad trouble outside Russia, in the Soviet Empire.

The latest item takes the form of reliable reports of an agarian crisis, combined with fairly serious local uprisings, in Communist North Vietnam. Communist China is passing through a period of unimaginable internal agony; and Peiping is also challenging Moscow's role as the Communist vatican. The situation in East Germany is so precarious that closing the jail gate was an urgent necessity. The position in Poland is far from easy. And so it goes.

All of these essentially imperial problems harassing Khrushchev are deep seated and intractable. None can be easily solved, and some of these problems quite possibly cannot be solved at all, as long as Khrushchev's freedom is limited by the political equilibrium which now exists in the world. He cannot, for instance, consider a dangerous military involvement to call the Chinese to order, while the balance between East and West remains what it is today.

If the world equilibrium is upset at Berlin, of course, Khrushchev will begin to have a free hand. But if his grab for Berlin is repulsed in the end, he will be worse off than before. In short, there is even more to say in favor of the old containment policy than there was to say when it was first proposed, and then violently and quite unfairly denounced.

Mr. MILLER. Also, Mr. President, in today's Washington Post and Times Herald are two articles bearing on the Berlin situation which are significant. The first, by Mr. Roscoe Drummond, points out the alarming situation regarding our forces in West Berlin. One can only conclude from reading this article that there is not to be any deterrence of the Soviets over Berlin because of Mr. Khrushchev's fear of engaging us in a conventional war. The second article, by Mr. George E. Sokolsky, relates to export licenses to Communist-bloc nations. I pointed out the other day that there had been a greatly stepped-up number of shipments authorized to bloc nations since President Kennedy's speech on Berlin. Mr. Sokolsky makes a strong argument in favor of doing away with the secrecy that surrounds these licenses. I ask unanimous consent that both articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 28, 1961]

OUR EXPOSED POSITION—S O S TO WHITE HOUSE

(By Roscoe Drummond)

BERLIN.—Here in West Berlin at the most crucial, critical, perilous, and uncertain outpost along the whole periphery of Communist power—the crisis spot of the Western World—I have to report a grim anomaly.

I put it carefully and without exaggeration when I state that this vital, isolated U.S. garrison of only 6,500 men in Berlin is inadequately equipped with modern arms and modern armor.

This is not the frantic gripe of a general who, no matter what he has, is forever demanding more.

Nor is it the impatient plea of a military man who, suffering from what Gen. George C. Marshall used to call "localitis," feels that Washington is lightly ignoring his urgent needs.

Maj. Gen. Albert Watson 2d, the U.S. commandant in Berlin, knows that his immediate superior, Lt. Gen. Bruce C. Clarke, commander of the U.S. forces in Europe, and their backup at the Pentagon, are quite aware of the exposed position of the Berlin garrison and of the necessity that his troops have the best, the latest, the most effective weapons. But they aren't here in adequate supply.

I wish to emphasize that neither Gen. Watson nor his aides initiated a single complaint. It took prolonged questioning to bring out that better arms and better armor from the arsenal of American production would be welcomed with relief.

From everything which I could learn from every source, I am convinced that Gen. Watson even underestimates, at least in conversation, his requirements.

What is true is that with a $45 billion defense budget the Pentagon is not equipping the tiny Berlin garrison at it could.

What is true is that with a gross national product of $500 billion the United States is not allocating to its small but all-important Berlin garrison what it should.

I am not suggesting that there are not many diverse demands upon American defense production. I am not suggesting that Washington officialdom is unaware of the special character of the Berlin outpost facing 400,000 Soviet troops, in every direction.

I am suggesting that the wheels of military and civilian bureaucracy sometimes turn inordinately slowly and that if President Kennedy orders an investigation at the highest level, he will not be satisfied with the findings.

Obviously these matters would not and should not normally occupy the attention of the White House. But once the President has taken personal command of handling the Berlin crisis, which is certainly not over, he might well wish to get the facts at his own direction. If a decision is taken at the Presidential level, something would happen.

From the information one can gather at this end, something needs to happen.

When you figure that the Red army in East Germany could throw vastly superior manpower and firepower against the Allied forces of 12,500 men in this surrounded city, you will realize that West Berlin is a veritable death trap.

Only token Allied forces are here. They could be run over and completely destroyed in a day, a week, or a fortnight, depending on what the Soviets chose to do.

This fact is calmly accepted by the U.S. troops. They know they are expendable. But they know, too, that they are here for a vital military mission—to make it clear to the Soviet Union that an attack on West Berlin is an attack on the United States and to do one or two other things, to force the enemy to pause before all-out war became inevitable or to enable the United States to have time to take the next step.

This fact is also calmly recognized by the wives and families of the officers and men stationed here. They are army wives and they know that theirs is a risk which cannot be avoided.

Morale could not be higher than it is today at this U.S. garrison. The men who reinforced the garrison last week were eager to come.

These men deserve to have in their hands more of the best—not just the next best—arms and armor in tanks, artillery, ammunition, and armored personnel carriers which the Nation is producing.

[From the Washington Post, Aug. 28, 1961]

EXPORT LICENSES

(By George E. Sokolsky)

Business is business but the security of our Nation is more important. At the present time, the United States has an embargo on exports to Soviet Russia, Red China, Cuba

and other Communist countries. This embargo is in the national interest. Congress has passed the Export Control Act with a view to protecting the national interest.

The Secretary of Commerce is charged with the execution of this act and under it he issues licenses confidentially unless it is, in his judgment, in the national interest to make such information public.

There are some who believe that all data concerning these licenses, including the name of the person or firm that applies for and receives the license should be made public. The Secretary of Commerce, Luther H. Hodges, disagrees with this point of view. He holds:

"By identifying individual business firms, along with other pertinent data, vital information reflecting the trade and commercial position of each company would be revealed. This in turn could and likely would in many instances lead to disruption of the normal competitive relationships between the many business firms in the export business, and could very well result in reducing the Nation's export business at a time when it should be expanded. In addition, I feel that publication of trade information as to individual firms would particularly be of potential damage to the smaller companies in the export business which are in the process of developing their oversea markets and gaining a toehold in a highly competitive business activity."

It seems to me that this is a specious argument. The American people are entitled to know what American firms are trading with the enemy and why. There may be a sound reason for such trade but we should know about it.

The publication of such information would not only startle people generally but would shock the stockholders of such companies who would suddenly discover that the enterprise which they own is engaged in trading with the enemy.

Secretary Hodges also says:

"A point of more substance and I think of greater significance is that—from the national interest—the vital information is not what particular company has been licensed to export, but what decision has been made by the Government to authorize what commodity to be exported to what country. In terms of the public interest and what should be of public concern it is far more important to know what commodity or item the Government has approved for export to what particular country than it is to know the name of the individual business firm that has applied for and received an export license."

The issue here, it seems to me, is not what is more or less important. It is rather that everything is important. The American people are entitled to know everything that goes on in this country and whatever affects them. The Berlin situation is a demonstration of the stupidity of secrecy and of the objection to criticism and debate.

It is true that Secretary Hodges can point to his predecessor, who set up the precedents which he is following. However, it is to be noted that we are today paying a very heavy bill contracted by these same predecessors who failed to protect American interests. They were among those who made it possible for Soviet Russia to build a new industry on the gifts from the United States, amounting to $11 billion during the war period, and how much more has yet to be calculated.

The time has come to let the cat out of the bag. Let us know everything about what has been done to the economy of the United States during the past three blighted decades. The more the people know the readier they will be to stand up in support of their Government at this critical moment.

BLOCKADE OF CUBA

Mr. MILLER. Mr. President, over a year ago I called for establishment of a blockade of Cuba by the United States, in concert with the Organization of American States, under which all shipments of war materiel either into or out of Cuba would be stopped. If this had been done, I doubt that Mr. Castro would be in power today. So it is with considerable interest that one finds in the August 21 issue of the Omaha (Nebr.) World Herald a lead editorial on the "Policy of Contraband," which points out that the members of the National Strategy Committee of the American Security Council have come up with substantially the same recommendation. I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POLICY OF CONTRABAND

"Our national power," said a group of prominent Americans, "should be applied peacefully and effectively by utilizing the centuries-old principle of declaration of contraband. It is recommended that the President apply this principle by declaring the entire Western Hemisphere to be a peace zone, with all Communist war materiel, including fuel, declared to be contraband."

Contraband goods are subject to seizure. If the principle outlined above were applied and diligently enforced, Soviet Russia could not arm and supply Castro's Cuba.

Who are the prominent Americans who suggest this course? They are members of the National Strategy Committee of the American Security Council. They include Adm. Arthur W. Radford and Gen. Albert C. Wedemeyer. Another member in 1960, and an adviser until last July 1 when he became President Kennedy's military representative, was Gen. Maxwell D. Taylor.

The Council includes executives of such companies as General Electric, United States Steel, Sheaffer Pen, Quaker Oats, and Weyerhaeuser Timber. These and other responsible Americans believe that action other than handouts of foreign aid is needed to save Latin America from communism.

In support of tough hemispheric action, the strategy committee report makes a bow in the direction of the late Franklin Roosevelt, approving his swap of U.S. destroyers for British Caribbean bases and quoting his opinion that the swap was "an epochal and far-reaching act of preparation for continental defense in the face of grave danger. Preparation for defense is an inalienable prerogative of a sovereign state."

These military-citizen strategists regard their contraband plan as in a category similar to the destroyer deal.

If the strategy committee plan were applied, legitimate peaceful trade would continue, but Soviet bloc ships headed for Cuba would be stopped. If they contained contraband, they would be told to go home. If they headed for Cuba, they would be boarded, and the contraband would be dumped or brought to the United States. If the Soviets used armed escorts, "they would be risking war for the warlike purpose of forcing Iron Curtain arms and munitions into the peaceful Western Hemisphere."

A declaration of contraband would not involve blockade, or armed intervention, or invasion, says the committee, but it would be a reasonable answer to "the state of belligerency" created by Premier Khrushchev's announced aim of destroying non-Communist governments.

If the United States wants to apply a tough policy short of war which would demonstrate American determination to keep communism out of this hemisphere, the principle of contraband may fill the bill. It deserves public discussion and attention at the highest levels of government.

WAGE RATES AT MISSILE SITES

Mr. MILLER. Mr. President, in the Wall Street, Journal of August 24 appears an article on the subject of unreasonable wages at some of our missile sites undergoing construction in Kansas. The article points out the abuses which were uncovered by the Commission headed by Labor Secretary Arthur Goldberg. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MISSILE UNIT CALLS WAGES "UNREASONABLE" AT KANSAS SITES; RULING IS FIRST OF ITS KIND

WASHINGTON.—The Missile Sites Labor Commission issued its first decision branding wage rates "unreasonable" at a missile site construction project.

The "unreasonable" finding involved construction of Atlas missile-launching sites around Forbes Air Force Base at Topeka, Kans. The Commission conducted hearings at the base July 24 to examine wage agreements between Local 142 of the International Hod Carriers Union and the Topeka division of Associated General Contractors of America, a builders' organization.

Defense Secretary McNamara has been advised of the finding, the Commission said. Many Government contractors are paid on the basis of cost plus profit; the Department is empowered to disallow costs deemed unreasonable.

Complaints have been made that some contractors were agreeing with construction unions to pay exorbitant wages because, through cost-plus contracts, the wages would be paid by the Government instead of the contractor. To prevent this practice and to promote labor peace at missile and space sites, President Kennedy on May 26 created the 11-man Commission headed by Labor Secretary Goldberg.

A month ago the Commission announced a set of guidelines for wage agreements between contractors and unions at missile and space construction sites. In general, the guidelines provide that wage rates on these sites should not exceed rates for the same type of work on other projects in the area.

In its Forbes Air Force Base finding the Commission said normal wage rates for construction in counties surrounding Topeka were as much as 13 percent below rates in Topeka, but the union and the companies agreed that on Federal construction in these counties, the Topeka rate would be paid rather than the normal rate.

This agreement, the Commission found, is "discriminatory on its face" and "unreasonable." The Defense Department was advised that if any costs are disallowed, however, the action should apply to future payments rather than costs incurred before the ruling.

The Commission also examined contracts for construction at Vandenberg Air Force Base in California and found the wage rates "reasonable."

Through Labor Secretary Goldberg the Commission also announced guidelines for labor-management contracts covering industrial workers at missile-space sites. Missilemakers often bring plant workers to launching sites to help install the completed

missile. As in the Commission's st..tement on construction wages, the new policy asks that wage rates and fringe benefits for industrial workers on Government projects be consistent with wages for similar workers doing non-Government work.

PROPOSED AMENDMENT TO H.R. 2883—JUDICIARY AND JUDICIAL PROCEDURE

Mr. KEATING. Mr. President, I send to the desk an amendment which I intend to propose to H.R. 2883, and ask that it be printed and ordered to lie on the table.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table, as requested.

Mr. KEATING. Mr. President, I ask unanimous consent that the amendment may be printed in the RECORD in full at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. KEATING. Mr. President, H.R. 2883, which was recently reported by the Senate Committee on the Judiciary, provides for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment. In general, it would make a civil action against the United States the exclusive remedy in such cases and authorize removal to the Federal district court of any action commenced in a State court against the individual Government employee. In committee the bill was amended to provide that a proceeding commenced in a State court against a Government employee could not be removed to a district court of the United States without the consent of the plaintiff.

In my opinion the committee's amendment is unwise for several reasons:

First. The purpose of the bill is to make the United States wholly liable for any damages caused by its employees in the course of their duties and to protect the employee from any dual liability. This purpose would be frustrated if plaintiffs can continue to proceed against individual employees in State court proceedings.

Second. Under the committee amendment, employees would have to incur the expense of insurance to protect themselves against personal liability, which defeats another one of the stated reasons for the bill.

Third. Section 5 of the Suits in Admiralty Act—title 46, United States Code, section 745—is a direct precedent for the proposed bill. Under the provisions of this act, the plaintiff has no option—the remedy against the United States is exclusive and suits must be brought in the district courts. The committee amendment to H.R. 2883 would be inconsistent with this precedent and would establish different procedures for maritime and nonmaritime employees of the United States.

Fourth. Under the Federal Tort Claims Act, the Federal courts have original jurisdiction over all other claims against the United States. The committee amendment is also inconsistent with this scheme.

Perhaps the next point is the strongest practical argument to be made against the action taken by the committee and in favor of the amendment which I propose.

Fifth. The President last year vetoed H.R. 7577—an identical bill—because of the same amendment which the committee has recommended. Approval of the amendment may invite the same action this year. The matter has been long delayed and it is unreasonable to jeopardize the proposed legislation again this year.

My proposed amendment would avoid these objections and at the same time give full protection to the plaintiff's interests. Under my amendment, a State court suit could be removed to the Federal court only if the Attorney General certified that the Government employee was acting within the scope of his employment at the time of the incident out of which the suit arose. The bill already provides that should a district court determine that a case which has been removed is one in which a remedy is not available against the United States, the case shall be remanded to the State court. With these safeguards in the bill, it should be entirely satisfactory to the Government, its employees and potential plaintiffs.

EXHIBIT 1

On page 2, line 23, amend subsection (d) to read as follows:

"Upon a certification by the Attorney General that the defendant employee was acting within the scope of his employment at the time of the incident out of which the suit arose, any such civil action or proceeding commenced in a State court shall be removed without bond at any time before trial by the Attorney General to the district court of the United States for the district and division embracing the place wherein it is pending and the proceedings deemed a tort action brought against the United States under the provisions of this title and all references thereto. Should a United States district court determine on a hearing on a motion to remand held before a trial on the merits that the case so removed is one in which a remedy by suit within the meaning of subsection (b) of this section is not available against the United States, the case shall be remanded to the State court."

LEGAL COUNSEL FOR INDIGENT DEFENDANTS

Mr. ERVIN. Mr. President, earlier in this session I joined with several of my distinguished colleagues in the Senate in introducing legislation which would provide for legal counsel for indigent defendants. Recently, the Subcommittee on Constitutional Rights, of which I am chairman, released a committee print dealing with this subject.

It has been a source of disappointment to me that legislation providing counsel for indigent defendants has not been enacted. Yesterday the Washington Post carried an article in which was quoted excerpts from a letter written by President Kennedy to Dean Paul R. Dean, of Georgetown University, in which he commended the legal intern program of the university's law center. The author of this article, Mr. Leslie H. Whitten, focused attention on the appalling situation which exists in Federal courts in the District of Columbia alone regarding counsel for indigent defendants.

I join the President in saluting Georgetown University's legal intern program. I feel that this program has helped to point up the need for the type of legislation which S. 655, S. 854, and S. 1484, would provide; I hope that such legislation will soon be enacted by the Congress.

I ask unanimous consent that the article referred to be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KENNEDY PRAISES LEGAL INTERN PLAN AT GEORGETOWN UNIVERSITY

(By Leslie H. Whitten)

President Kennedy has praised Georgetown University's legal intern program for its "admirable dedication and competence" in defending the city's poor in criminal cases.

Ironically, the praise comes when defense of paupers, so vigorous in the spring, has fallen into summer doldrums.

The President's commendation came in a letter to Dean Paul R. Dean of the university's law center. American Bar Association President Whitney N. Seymour also lauded the interns.

"The interns can justifiably take pride in the knowledge that they have made a valuable contribution to their country and their profession in pursuing the standard of excellence in this area," President Kennedy wrote.

But until fall the indigent defendant in criminal cases can count on more troubles than just the charges against him.

The core of the present problem is in municipal court, which is going full blast this summer with hundreds of criminal cases each week. District court is largely in recess.

The situation is no better than a year ago, before the legal aid agency and the legal intern program were initiated to help penniless suspects.

Then prisoners fresh from the cellblock received counsel from among the 40 or so lawyers who frequent the court. Most of them got good service, some did not. Judges, educators, and lawyers set about to correct the abuses.

The legal intern program, set up with a $57,000 gift, began work last November with nine young lawyers who combined classroom work with court service. One of them succeeded in freeing more than 22 paupers jailed because they could not pay fines.

The interns handled 325 municipal court cases in 6 months and freed 99 of their clients. Their year ended in August. The project will pick up this year with three fewer lawyers because of a drop in donations.

Early this year, legal aid agency lawyers came to municipal court, largely on unspent funds from a $75,000 congressional grant. They handled dozens of cases each day and screened defendants to see which actually were paupers.

But all five of the agency lawyers in municipal court left June 30 when the fiscal year closed out the available funds. Since then, the three permanent agency lawyers usually at district court—have appeared in the lower court from time to time.

Agency Director Charles B. Murray said he hopes to hire two new lawyers if the

Senate follows the House in passing a $100,000 grant for the program. One of these will be assigned to municipal court to help run a new volunteer system that begins October 1. Murray hopes 50 to 150 young lawyers will be available for him to draw on for indigent and near indigent defendants.

Murray said his present plans call for one or two of the permanent staff lawyers to handle cases in juvenile court, at coroner's inquests, before the U.S. Commissioner, and at Mental Health Commission hearings.

The other attorneys will work in district court. There a well-run plan has been in operation for years whereby private lawyers practicing in the court take the cases of indigent defendants without fees.

INDIANA SAND DUNES

Mr. DOUGLAS. Mr. President, on behalf of myself and Senators GRUENING, MCCARTHY, NEUBERGER, METCALF, and HUMPHREY, I introduce for appropriate reference an amendment in the nature of a substitute to S. 1797, my bill to provide for the preservation of the Indiana Dunes which I introduced on May 3 of this year.

In discussion of the bill it has been pointed out—

First, that the Midwest is without a large national park to serve it.

Second, that there are 7 million people in the area from Milwaukee to Michigan City.

Third, that population throughout the Midwest is rapidly expanding.

Fourth, that the dunes have unique scientific and historical value in addition to their recreational values.

Secretary Udall toured the dunes on July 23 with myself, the Senator from Nevada [Mr. BIBLE] chairman of the Subcommittee on Public Lands of the Senate Committee on the Interior; Conrad Wirth, Director of the National Park Service; Mayor Richard Daley, of Chicago; Mayor George Chacharis, of Gary; Mayor Edward Dowling, of Hammond; Mayor Walter Jeorse, of East Chicago; Mayor Mary Bercik, of Whiting; Mrs. Dorothy Buell, of the Save the Dunes Council; and others who are interested in saving the dunes.

As a result of the trip Secretary Udall has said—in a recorded TV and radio program with me now being broadcast throughout Illinois—that he concluded: First, there still remains a large enough area suitable to be preserved as a national park; and, second, that the dunes themselves are extraordinary and striking in quality, comparing favorably with areas in other parts of the country now being preserved as national parks.

The dunes trip and the background of the fight to save the dunes were discussed ably by William Peeples in the Louisville, Ky., Courier-Journal for July 26, 1961.

I ask unanimous consent that it be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE DRAMA OF THE DUNES IS A CLIFFHANGER

(By William Peeples)

INDIANA DUNES STATE PARK.—Senator PAUL DOUGLAS made a quick change into his walking shorts at the superintendent's house and joined the other dignitaries before the cameras and reporters in the hot, crowded room.

Being from Chicago, the Senator has long memories of vacations in the dunes land of Indiana. Being a man of intelligence and uncommon forthrightness for a public officeholder, he spoke briefly and to the point. He will not flag, he said, in his fight to save what is left of the dunes from destruction. They are a priceless natural and recreational asset serving an area of 6 million people, he declared, and he will do all in his power to preserve them.

He meant it, too. For 3 years now he has fought the combined weight of the officialdom of Indiana and their scheme to build a deepwater harbor in the middle of the dunes primarily for the benefit of two steel companies.

Stewart Udall, the young Secretary of Interior, was more circumspect. He told the press he was simply here on a factfinding mission and had not reached any conclusions. Senator ALAN BIBLE, of Nevada, the chairman of the Senate subcommittee considering the Douglas bill to make a national park of the remaining dunes land, also was cautious.

Of course, all of the distinguished visitors swore eternal fealty to the general principle of conservation of our natural resources. Some of them just didn't want to get specific.

But those who did, did so passionately. Their instincts in each case were politically sound. Mayor Richard Daly, of Chicago, was all for saving the dunes, as were the mayors of East Chicago, Gary, Hammond, and Whiting. So was Representative RAY MADDEN, who serves the adjoining district containing Lake County.

EVERYBODY LOVES THE DUNES

Lake County would like to have the port for itself—and it can make a strong and logical case for having it—and it favors preserving the dunes for its citizens who like to use them for recreation.

To disabuse his constituents of the notion that his determination to save the dunes might have waned at one time, Congressman MADDEN assured all and sundry that he has always been a great protector of our natural resources, and the dunes in particular. This brought a cheer that was music to his ears.

CHARLES HALLECK, the straight man in Washington's Ev and CHARLIE show, was conspicuous by his absence. MADDEN was quick to point this out for the enlightenment of his auditors. HALLECK is a Republican and minority leader of the House. MADDEN is a Democrat. HALLECK said later that he didn't show—although the disputed dunes area is in his district—because he wasn't invited. It's just as well.

Good old CHARLIE would have been an alien presence. He is one of the leading dunes wreckers, and they were hard to find here. "Save Our Dunes" placards were hoisted and waved by the hundreds as the caravan left the park for the inspection tour.

The jeeps and other four-wheel-drive vehicles carefully negotiated the sandy road through the dunes and suddenly, over a rise, the blue-green expanse of Lake Michigan appeared, bordered by a magnificent stretch of sandy beach.

The jeep carrying Senator DOUGLAS got too close to the water and sank nearly to hubcap level. The Senator tried to help pry it loose. Failing, he left the job to a tow vehicle, and started walking at a fast pace down the beach. The mayors of Chicago, East Chicago, Hammond, Gary, and Whiting manfully followed.

Secretary Udall, meanwhile, finished inspecting another part of the area, and joined the rest of the party at the beach. Then, Udall, Douglas, Bible, the mayors, and other important visitors, briskly walked inland and scaled some of the more imposing sand dunes. In their wake trailed photographers, reporters, dunes savers, and tourists. A boatload of placard-waving dunes preservers approached the shore so the visitors could read the signs.

We were square on the site that would be taken for the proposed harbor development. It is a spot of rare, wild beauty. The port project would take out about a mile of beachfront from the only remaining 4 miles of dunes beach left, beside the 2½ miles in the State park to the east. It also would destroy the dunes formations inland.

Over the years industrialization has swallowed the rest of the dunes land that once stretched for 25 miles between Gary and Michigan City.

The Indiana Dunes not only boast excellent beaches, sorely needed in this part of the country; they are a natural wonderland, filled with variegated and unique combinations of plantlife and wildlife as well.

The dunes wreckers dismiss it as a wilderness. They say it is not developed. What they mean is that it remains uncluttered, for the most part, by empty beer cans.

To destroy what is left would strike anyone unfamiliar with the vagaries of Indian politics as totally senseless.

The final irony may be that DOUGLAS, an Illinois Senator, will be the instrument through which the people of Indiana will save their greatest scenic asset.

Perhaps some day the whole story of the bipartisan effort to wreck the dunes will come out in full—the land speculation, the cozy relationships between certain business interests and public officials, the real motivation of the political leadership in its single-minded determination to build a harbor near the Burns Ditch site in the heart of the dunes land.

For in Indiana, it is definitely a bipartisan scheme. Senator HARTKE, a Democrat, is just as bent on destroying the dunes as CAPEHART, his Republican colleague. Democratic Governor Matthew Welsh has a record on this issue that is just as bad as that of his Republican predecessors, Handley and Craig—except that Craig's law firm played a direct role in the land speculation.

Certain facts are devastatingly clear.

Indiana officials have never really considered any other site. They have repeatedly brushed aside assertions that Indiana could have its port to the west, around Gary and East Chicago, away from the dunes and in an area already industrialized.

They have either paid no heed to—or denied without a shred of supporting evidence—warnings that a deepwater harbor near Burns Ditch would pollute the beaches all along the dunes, including the stretch in the State park.

They have persisted single-mindedly to push ways and means to build the harbor in the dunes with public money, preferably with about half of it coming from Washington.

There is no doubt that this would be a bonanza for the steel companies, Midwest, Bethlehem, and possibly Inland. Midwest, however, seems to be the prime industrial mover behind the port project. Midwest is a subsidiary of National, and National is George Humphrey, former Secretary of the Treasury under President Eisenhower, and an important figure in the Republican Party.

Frank McKinney, of Indianapolis, former national chairman of the Democratic Party, also looms as a big man behind the scenes. He has been acting as a lieutenant for the Murchisons of Texas, who in turn now control the New York Central Railroad through the Allegheny Corp. The railroad has a track running through part of the dunes area and has a financial stake in a port development there. McKinney, by the way, is also very close to Governor Welsh, and vice versa. And so it goes. Wheels spinning within wheels.

Midwest Steel has owned its dunes acreage since 1929 and recently built a steel rolling mill on it. Bethlehem and Inland also own dunes acreage. The dunes preservers, however, feel that both of the latter are willing to work out a solution that would save the dunes, but not Midwest.

SOME DAMAGE DONE ALREADY

The Midwest mill and the Northern Indiana Power Service Co.'s generating plant have already marred some of the dunes landscape. But their presence is no excuse for abandoning the rest of the dunes. What is left is still well worth preserving, although much of it won't be if the harbor development goes through.

The people who are fighting to save the dunes are organized and purposeful. They have allies in the owners of expensive homes in the dunes area who have the wherewithal to carry on the fight.

Those who propose to wreck the dunes in the holy name of industry and jobs are being called more and more often on their distortions and outright misrepresentations.

It is not a question of whether Indiana should have a deepwater harbor but where. It is not only the people the dunes wreckers sarcastically call "bird watchers" who have a stake in saving the dunes. There are thousands upon thousands who want a decent, nearby place to vacation who also should be considered, and others who have the foresight to know that natural recreation areas and preserves are going to be a premium in this country in the years to come.

I suspect that Secretary Udall is one of these.

Mr. DOUGLAS. Other newspapers have commented on the Dunes Tour and have come out for the position of a compromise that will provide for both permanent heavy industry and a harbor in Indiana, and for preservation of the dunes. This is exactly my position. I am from an Indiana port in Lake County, not in the dunes. The dunes should be saved.

The Chicago Tribune in an editorial for July 25, 1961, summarizes this position well. I ask unanimous consent that the Tribune editorial be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE INDIANA SHORE

The long-continued story of planning for the future use of the Indiana Dunes will apparently have yet another chapter, and perhaps an ending that differing interests can all consider reasonably happy. Not long ago it looked as if industrial development had won and conservation had lost. But the steel interests have lost some of their former zeal to expand the beachhead they now occupy at Burns Ditch. And a proconservation rally at Indiana Dunes State Park last Sunday was able to show some political muscle.

On this occasion, Senator Paul Douglas was joined by Secretary of the Interior Stewart L. Udall, Representative Ray Madden, of Gary, and two members of the Senate Public Lands Subcommittee. The mayors of Gary, Hammond, East Chicago, and Whiting were hosts for the gathering, and Mayor Richard Daley, of Chicago, was a guest. It is something new for Indiana politicians to appear, beaming, at a save-the-dunes meeting.

"A compromise is probable," Secretary Udall told the crowd. Now under consideration is a plan to designate 1,000 acres of the disputed area for recreation and 3,000 acres more for conservation in a natural state. Commerce would be served by development of a large, deepwater bistate harbor behind a 15-mile causeway extending from South Chicago to Miller, east of Gary, as a supplement to the Calumet Harbor.

The long struggle between conservationists and industrialists for the dunes can probably have no better outcome than a well considered compromise. Certainly the industrial complex straddling the Illinois-Indiana border provides a more reasonable focal point for harbor development than does Burns Ditch, among still unravished dunes.

Indiana, the Midwest, and the Nation need both industry and conservation on the Indiana waterfront. We are all for a compromise that will provide permanent places on the Indiana shore for heavy industry, shipping—and the dunes.

Mr. DOUGLAS. Mr. President, the Army Corps of Engineers is finally holding another hearing on the proposed Burns Waterway Harbor, which, if carried through, would destroy the dunes. This hearing is to be held in Indianapolis on the morning of August 30. It took months of prodding to get the engineers to take such action. There has not been a hearing on this subject since November 1956. Hitherto there has been no opportunity for the Lake County, Ind., mayors to be heard. They will be heard in Indianapolis, and I hope that the Army Corps of Engineers will give proper attention to the arguments which will be presented.

In the new version of the dunes bill we have made some changes in accordance with the experience which the Department of Interior has had with other shoreline park proposals, and because of the imminent possibility of the wanton destruction of some of the best dunes land, even though the Burns Ditch Harbor is becoming much less of a possibility.

BOUNDARY CHANGES

Five boundary changes are particularly notable. In the original bill, about 8,000 acres in Porter County, Ind., of representative portions of the Indiana Dunes and other areas of scientific interest and of public recreational value were to be preserved as a national scientific landmark. Of the 8,000, about 4,000 were in four defined units bordering Lake Michigan, and another 4,000 acres were to be selected as supporting land from the area south of U.S. Highway 12 and north of U.S. Highway 20. In the new version of the bill, the boundaries of three of the units bordering the lake are changed and the area of supporting land south of Highway 12 is defined, for a net addition of about 1,000 acres to the lakeshore.

First. The western boundary of the area designated "unit 2"—east of the National Steel Co. property and west of the Northern Indiana Public Service Co. property—is moved about three-fourths of a mile west to add—including a fish-shaped area between the Chicago, South Shore & South Bend Railroad and the New York Central Railroad—about 400 acres of the best unspoiled dunes to the park. This extension takes in most of the site of the proposed Burns Ditch Harbor and puts the beach to a preferable use.

Second. In the area south of and surrounding Dune Acres and Porter Beach—designated "unit 1"—the Porter Beach area, formerly included within the proposed boundaries, is now excluded except for approximately 1,000 feet of lakefront at Johnson's Beach—adjoining the State park—and a passageway providing access to this beach approximately 600 feet wide along the western border of the State park. This change excludes from the park about 100 of the approximately 150 houses in the Porter Beach area formerly designated as "within the park."

Third. Also in unit 1, a small section to the east of Dune Acres, previously excluded from the park, is now included within the boundaries, and an area of equivalent size in the western part of Dune Acres is now excluded from the park. This exchange brings an outstanding "blowout" dune into the park. The area in the western part of Dune Acres which is excluded from the park is 200 feet south of the shoreline and involves about one-half dozen houses.

Fourth. In the area east of the State park—unit 4—the southern boundary of the unit is extended to the Chicago, South Shore & South Bend Railroad right-of-way, to bring an additional 200 acres into the lakeshore.

Fifth. The area of supporting lands, running south of the Chicago, South Shore & South Bend Railroad and from the Porter-Lake County line to a line extending south from the east end of the State park, is defined and designated as "unit 5."

RIGHTS OF PROPERTY OWNERS

The new version of the bill also substantially liberalized the alternatives available to owners of improved property in the proposed lakeshore units. Owners would have three alternatives: First, an owner may choose to retain ownership permanently, providing he abides by zoning regulations established by Porter County and approved by the Secretary of the Interior. Second, an owner may choose to sell his property to the Department of the Interior for fair market value and retain the right of use and occupancy, transferable, for 25 years. Or third, an owner may sell his property outright to the Department of the Interior.

Another new section of the bill provides for the establishment of an Indiana Dunes National Lakeshore Advisory Commission. The Commission would advise the Secretary of the Interior about lakeshore matters. The Commission would be composed of seven members, appointed for 2-year terms by the Secretary of the Interior, two from recommendations made by Porter County, two from recommendations made by Lake County, two from recommendations made by the Governor of Indiana, and one designated by the Secretary.

Other new provisions in the bill provide for law enforcement within the lakeshore, in accord with National Park Service recommendations.

In conclusion, I believe we have cause to be hopeful. I am greatly pleased by the assurances given on the floor this afternoon by the distinguished Senator from Nevada [Mr. BIBLE], who has done

such excellent work in this connection, and by the expression of interest by the Senator from Alaska.

I repeat that I am in favor of a deep water port in Indiana and for the development of heavy industry in Indiana, but this should be in the already industrialized area of Lake County. We should not permit the dunes, which are irreplaceable, to be destroyed.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. DOUGLAS. Mr. President, in accordance with the order already entered, I move that the Senate adjourn until 9 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 41 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Tuesday, August 29, 1961, at 9 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate August 28, 1961:

U.S. DISTRICT JUDGES

Albert Lee Stephens, Jr., of California, to be U.S. district judge for the southern district of California, vice Benjamin Harrison, deceased.

Raymond E. Plummer, of Alaska, to be U.S. district judge for the district of Alaska, vice a new position.

UNITED NATIONS

The following-named persons to be representatives of the United States of America to the 16th session of the General Assembly of the United Nations, to serve no longer than December 31, 1961:

Adlai E. Stevenson, of Illinois.

OMAR BURLESON, U.S. Representative from the State of Texas.

MARGUERITE STITT CHURCH, U.S. Representative from the State of Illinois.

Francis T. P. Plimpton, of New York.

Arthur H. Dean, of New York.

The following-named persons to be alternate representatives of the United States of America to the 16th session of the General Assembly of the United Nations, to serve no longer than December 31, 1961:

Charles W. Yost, of New York.

Clifton R. Wharton, of California.

Philip M. Klutznick, of Illinois.

Jonathan B. Bingham, of New York.

Mrs. Gladys A. Tillett, of North Carolina.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 28, 1961

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. WALTER.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

AUGUST 28, 1961.

I hereby designate the Honorable FRANCIS E. WALTER to act as Speaker pro tempore today.

SAM RAYBURN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalm 1: 1–2: *Blessed is the man whose delight is in the law of the Lord.*

O Thou Supreme Ruler of the Universe, inspire us with a heartfelt longing to lead mankind out of the bondage of hatred and ill will into the radiant light of that better and brighter day when all the capacities for a nobler life, with which man has been created and endowed, shall be brought to fulfillment and fruition.

Humbly and penitently we are praying that we may have a clearer vision and understanding of the utter futility and waste and insanity of war which is the brutal destruction of human life and property and we cannot give it any other reading or interpretation.

Grant that in all our labors for world peace we may make a more daring trial of the moral and spiritual values and teach us how we may courageously use and implement them in the building of a finer civilization.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, August 24, 1961, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 3596. An act to direct the Secretary of the Interior to convey certain lands to Purvis C. Vickers, Robert I. Vickers, and Joseph M. Vickers, a copartnership doing business as Vickers Bros.;

H.R. 6765 An act to authorize acceptance of an amendment to the articles of agreement of the International Finance Corporation permitting investment in capital stock; and

H.J. Res. 438. Joint resolution to amend the Securities Exchange Act of 1934 so as to authorize and direct the Securities and Exchange Commission to conduct a study and investigation of the adequacy, for the protection of investors, of the rules of national securities exchanges and national securities associations.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 258. An act to amend the District of Columbia Sales Tax Act to increase the rate of tax imposed on certain gross receipts, to amend the District of Columbia Motor Vehicle Parking Facility Act of 1942 to transfer certain parking fees and other moneys to the highway fund, and for other purposes; and

H.R. 4785. An act relating to withholding for State employee retirement, disability, and death benefit system purposes, on the compensation of certain civilian employees of the National Guard.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1124. An act to provide financial assistance to the States to improve educational opportunities for migrant agricultural employees and their children;

S. 1126. An act to provide for the registration of contractors of migrant agricultural workers, and for other purposes;

S. 1130. An act to amend title III of the Public Health Service Act to authorize grants for family clinics for domestic agricultural migratory workers, and for other purposes;

S. 1729. An act to promote the foreign commerce of the United States, and for related purposes;

S. 2000. An act to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower; and

S. 2325. An act to amend the Export-Import Bank Act of 1945.

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina, and Mr. CARLSON members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the U.S. Government," for the disposition of executive papers referred to in the report of the Archivist of the United States No. 62–5.

The message also announced that the Vice President had appointed the Senator from Utah, Mr. Moss, as an alternate delegate to the Interparliamentary Union, to be held in Brussels, September 14–22, 1961, in place of the Senator from Rhode Island, Mr. PASTORE, excused.

CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 1962

Mr. CANNON. Mr. Speaker, I call up the joint resolution (H.J. Res. 544) making continuing appropriations for the fiscal year 1962, and for other purposes, and ask unanimous consent for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

Mr. GROSS. Mr. Speaker, reserving the right to object, this is a continuing resolution to provide funds for the various agencies of the Government; is that correct?

Mr. CANNON. Yes, it is an extension of the resolution which we adopted 2 months ago covering the months of July and August. The committee, it seems, was too optimistic. We were hopeful it would require no more than 2 months to finish up the appropriations work of the Congress, but we have not disposed of all the bills, so we are suggesting not to exceed another month—to September 30 at the outside—for the same purpose. It is essentially identical to the last resolution.

Mr. GROSS. Are we entitled to be pessimistic from here on out? What is the story?

Mr. CANNON. We have two bills in conference. Two are pending in the other body. And we have three yet to report to the House.

Mr. GROSS. This resolution would not be necessary if the authorization bills had come along earlier in this session? Is that not true?

Mr. CANNON. That is true.

Mr. GROSS. Can the gentleman tell me why these authorization bills have been delayed as long as they have?

Mr. CANNON. It is a question others have also pondered, and one to which I do not have the authoritative answer.

Mr. GROSS. So this resolution is made necessary because this session of Congress has dillydallied and dawdled month after month. We have not got the authorization bills yet and we therefore have not passed the appropriation bills. Does the gentleman say that is approximately correct?

Mr. CANNON. The Committee on Appropriations has been rather meticulous about observing the rules of the House. We cannot under the rules appropriate a single dollar until it has been authorized by law. Until the authorizing legislation is finally cleared on foreign aid and atomic energy, we have to mark time on those bills. We are holding conferences on bills in conference, but we are marking time on the two bills I especially noted. We could have reported them weeks ago if the authorizing legislation had been disposed of more expeditiously.

Mr. GROSS. Apparently, Mr. Speaker, all we can do to keep this Government running is to pass this extension. Therefore, I reluctantly withdraw my reservation of objection, but in so doing I oppose with all the strength at my command this wholly unnecessary and ridiculous method of doing business.

Mr. CANNON. Mr. Speaker, in the pending resolution, these activities and functions are continued—that is the key, they are merely continued—until the applicable regular bills become law. The resolution does not appropriate beyond the provisions of the regular bills; all expenditures made under the resolution are chargeable to the regular bills.

For the information of the House and the country, I include up-to-date comparative tabulations of the regular appropriation bills and identified legislative bills carrying back-door appropriation provisions. These are up-dated versions of the tables in the RECORD of last Tuesday, August 22.

The back-door totals are tentative but shocking. They embrace 11 identified bills, in which the Executive requests are $28,670 million; the Senate totals are $26,821 million; and the House totals are $19,561 million. The principal unresolved item is the foreign aid back-door proposition.

Table of appropriation bills, 87th Cong., 1st sess., as of Aug. 28, 1961

[Does not include any back-door appropriation bills]

Title	Budget estimates to House	Amount as passed House	Budget estimates House action compared with	Budget estimates to Senate	Amount as passed Senate	Senate action compared with—		Final conference action	Increase or decrease compared to budget estimates to date
						Budget estimates	House action		
1961 SUPPLEMENTALS									
3d supplemental, 1961	$1,235,482,769	$803,506,119	−$431,976,650	$5,275,213,127	$4,637,419,970	−$637,793,157	+$3,833,913,851	$1,694,055,637	[1]−$3,581,157,490
Inter-American program	600,000,000	600,000,000		600,000,000	600,000,000			600,000,000	
4th supplemental, 1961	88,024,000	47,214,000	−40,810,000	88,024,000	47,214,000	−40,810,000		47,214,000	−40,810,000
Total, 1961 supplementals	1,923,506,769	1,450,720,119	−472,786,650	5,963,237,127	5,284,633,970	−678,603,157	+3,833,913,851	2,341,269,637	−3,621,967,490
1962 APPROPRIATIONS									
Treasury-Post Office	5,371,801,000	5,281,865,000	−89,936,000	5,371,801,000	5,327,631,000	−44,170,000	+45,766,000	5,298,765,000	−73,036,000
Interior [2]	782,387,000	753,319,000	−29,068,000	782,387,000	813,399,850	+31,012,850	+60,080,850	779,158,650	−3,228,350
Labor-HEW	4,282,148,081	4,327,457,000	+45,308,919	5,004,131,081	5,161,380,000	+157,248,919	+833,923,000		
Legislative	105,647,577	104,353,335	−1,294,242	136,082,802	135,432,065	−650,737	+31,078,730	135,432,065	−650,737
State, Justice, judiciary	795,891,202	751,300,050	−44,591,152	795,891,202					
Agriculture	6,089,244,000	5,948,466,000	−140,778,000	6,089,244,000	5,967,457,500	−121,786,500	+18,991,500	5,967,494,500	−121,749,500
Loan authorizations	(612,000,000)	(629,900,000)	(+17,900,000)	(612,000,000)	(725,500,000)	(+113,500,000)	(+95,600,000)	(725,500,000)	(+113,500,000)
Independent offices	8,625,561,000	8,404,098,000	−221,463,000	9,174,561,000	9,098,769,500	−75,791,500	+694,671,500	8,966,285,000	−208,276,000
General Government-Commerce	666,278,000	626,958,000	−39,320,000	666,278,000	650,438,200	−15,839,800	+23,480,200	641,135,800	−25,142,200
Defense	42,942,345,000	42,711,105,000	−231,240,000	46,396,945,000	46,848,292,000	+451,347,000	+4,137,187,000	46,662,556,000	+265,611,000
District of Columbia	(292,438,188)	(268,122,400)	(−24,315,788)						
Loan authorization	(24,600,000)	(29,000,000)	(+4,400,000)						
Federal payment	39,753,000	32,753,000	−7,000,000						
Military construction	1,047,568,000	883,359,000	−164,209,000	1,047,568,000	1,020,146,750	−27,421,250	+136,787,750		
Public works									
Mutual security									
Supplemental									
Total, 1962 appropriations	70,748,623,860	69,825,033,385	−923,590,475	75,464,889,085	75,022,946,865	+353,948,982	+5,981,966,530	68,450,827,015	−166,471,787
Total, all appropriations	72,672,130,629	71,275,753,504	−1,396,377,125	81,428,126,212	80,307,580,835	−324,654,175	+9,815,880,381	70,792,096,652	[1]−3,788,439,277
Total, loan authorizations	(636,600,000)	(658,900,000)	(+22,300,000)	(612,000,000)	(725,500,000)	(+113,500,000)	(+95,600,000)	(725,500,000)	(+113,500,000)

NOTE.—Indefinite appropriations are included in this table.

[1] Major reductions include 2 items submitted directly to Senate (S. Doc. 19): (1) $2,969,525,000 to restore funds of Commodity Credit Corporation. Entire estimate disallowed in conference; $1,951,915,000 resubmitted for 1962 in budget estimates for Agriculture (H. Doc. 155); (2) $490,000,000 for "Payment to the Federal extended compensation account." Reduction made by Senate. Resubmitted to Senate for 1962 in Labor-HEW bill (S. Doc. 30).

[2] Includes borrowing authority as follows: Budget estimate, $15,000,000; House reported and passed, $10,000,000; Senate reported and passed, $10,000,000.

New authority to obligate the Government carried in identified legislative bills—1st sess., 87th Cong. (public debt borrowing, contract authority, use of receipts, and authority to use existing authority)

[Please note that for some bills no amounts are shown; thus the grand totals understate the situation]

Bill and subject	Executive requests		Senate	House	Enacted	Enacted compared with executive requests—	
	Full basis	Basis comparable to enacted				Full basis	Comparable basis
1. Veterans' direct loans, multiyear (H.R. 5723; Public Law 87-84) (public debt)	[1]	[1]	$1,050,000,000	$1,050,000,000	$1,050,000,000	+$1,050,000,000	+$1,050,000,000
2. Area redevelopment, multiyear (S. 1; Public Law 87-27) (public debt)	[2] ($300,000,000)	[2] ($300,000,000)	[2] 300,000,000	[2] (300,000,000)	[2] 300,000,000	+300,000,000	+300,000,000
3. Agricultural commodities, sales for foreign currencies, for calendar year 1961 (S. 1027; Public Law 87-28) (contract authority involving subsequent reimbursement of CCC)	[4] 2,000,000,000	2,000,000,000	2,000,000,000	2,000,000,000	2,000,000,000		
4. Special milk program for fiscal year 1962 (S. 146; Public Law 87-67) (contract authority involving subsequent reimbursement of CCC)	[4] 105,000,000	[4] 105,000,000	105,000,000	105,000,000	105,000,000		

Footnotes at end of table.

New authority to obligate the Government carried in identical legislative bills—1st sess., 87th Cong. (public debt borrowing, contract authority, use of receipts, and authority to use existing authority)—Continued

[Please note that for some bills no amounts are shown; thus the grand totals understate the situation]

Bill and subject	Executive requests		Senate	House	Enacted	Enacted compared with executive requests—	
	Full basis	Basis comparable to enacted				Full basis	Comparable basis
5. Special feed grain program for 1961 (H.R. 4510; Public Law 87-5) (contract authority involving subsequent reimbursement of CCC)	[4]	[5]	[6]	[6]	[6]		
6. Housing Act of 1961, multiyear (S. 1922; Public Law 87-70) (public debt and contract authority):							
(a) FNMA, special assistance (public debt)	$750,000,000	$750,000,000	$750,000,000	[7] $1,550,000,000	[7] $1,550,000,000	+$800,000,000	+$800,000,000
(b) College housing loans (public debt)	1,350,000,000	1,000,000,000	1,350,000,000	1,200,000,000	[8] 1,200,000,000	−150,000,000	+200,000,000
(c) Public facility loans (public debt)	50,000,000	50,000,000	50,000,000	500,000,000	450,000,000	+400,000,000	+400,000,000
(1) Mass transportation loans (public debt)			100,000,000		50,000,000	+50,000,000	+50,000,000
(d) Urban renewal grants (contract authority)	[9] 2,500,000,000	[9] 2,500,000,000	[9] 2,500,000,000	[9] 2,000,000,000	[9] 2,000,000,000	−500,000,000	−500,000,000
(e) Public housing (contract authority):							
(1) Annual contributions	[10] $3,146,000,000	[10] $3,146,000,000	[10] $3,146,000,000	[10] $3,146,000,000	[10] $3,146,000,000		
(2) Demonstration grants	[11] (10,000,000)	[11] (10,000,000)	[11] (10,000,000)		[11] 5,000,000	+$5,000,000	+$5,000,000
(f) Open space land grants (contract authority)	[12] (100,000,000)	[12] (100,000,000)		[12] (100,000,000)	[13] 50,000,000	+50,000,000	+50,000,000
(g) Mass transportation demonstration grants (contract authority)	[13] (10,000,000)	[13] (10,000,000)	[13] (50,000,000)		[13] (25,000,000)	(+15,000,000)	(+15,000,000)
(h) Farm housing loans (public debt)	[14] 207,000,000	[14] 207,000,000	[14] 207,000,000	[14] 407,000,000	[14] 407,000,000	+200,000,000	+200,000,000
Total, housing bill	8,003,000,000	7,653,000,000	[15] 8,103,000,000	8,803,000,000	8,858,000,000	+855,000,000	+1,205,000,000
Loans	(2,357,000,000)	(2,007,000,000)	(2,457,000,000)	(3,657,000,000)	(3,657,000,000	(+1,300,000,000)	(+1,650,000,000)
Grants	(5,646,000,000)	(5,646,000,000)	(5,646,000,000)	(5,146,000,000)	(5,201,000,000)	(−445,000,000)	(−445,000,000)
7. Cape Cod National Seashore Park (S. 857; H.R. 5786; Public Law 87-126) (contract authority)	[16] (16,000,000)	[16] (16,000,000)	16,000,000	[16] (16,000,000)	[16] (16,000,000)		
8. Federal aid to airports, 5 years (H.R. 6580; S. 1703; H.R. 8102) (contract authority)	375,000,000			[16] (375,000,000)			
9. Mutual security loans, 5 years (H.R. 8400; S. 1983) (public debt borrowing, use of certain repayments, and contract authority):							
(a) Public debt borrowing for development loans	7,300,000,000		7,987,000,000	[22]			
(b) Use of receipts from old loans for development loans	[17] 1,487,000,000						
(c) Drawdown on Defense stocks and services for military assistance purposes (Defense can incur obligations in anticipation of reimbursement) (sec. 510)	400,000,000		200,000,000	400,000,000			
(d) Use of foreign currencies (House, sec. 611; Senate, sec. 612)	[18]		[18]	[18]			
Total, mutual security	9,187,000,000		8,187,000,000	400,000,000			
10. Highway Act of 1961 (H.R. 6713; Public Law 87-61) (diversion of general fund revenues to "trust" fund; contract authority):							
(a) Diversion of ½ of 10 percent tax on trucks, buses, and trailers [19]			1,660,000,000	1,803,000,000	1,660,000,000	+1,660,000,000	+1,660,000,000
11. Agricultural Act of 1961 (H.R. 6400; H.R. 8230; S. 1983; Public Law 87-128):							
(a) 1962 wheat program (use of CCC funds involving subsequent reimbursement of CCC)			[6]	[6]	[6]		
(b) 1962 feed grain program (contract authority and use of CCC funds involving subsequent reimbursement of CCC)			[6]	[6]	[6]		
(c) Agricultural commodities, sales for foreign currencies (contract authority involving subsequent reimbursement of CCC)	[20] 7,500,000,000	[20] 4,500,000,000	[20] 4,500,000,000	[20] 4,500,000,000	[20] 4,500,000,000	−3,000,000,000	
(d) Famine relief (contract authority involving subsequent reimbursement of CCC)	[21] 1,500,000,000	[21] 900,000,000	[21] 900,000,000	[21] 900,000,000	[21] 900,000,000	−600,000,000	
Total, Agricultural Act	9,000,000,000	5,400,000,000	5,400,000,000	5,400,000,000	5,400,000,000	−3,600,000,000	
Grand total (as to amounts listed)	28,670,000,000		26,821,000,000	19,561,000,000			

[1] Department endorsed need for some legislation, but no specific request was submitted by the administration. Bill extends over 6 years.
[2] Recommended usual-type authorization of appropriation to 3 revolving funds plus use of receipts derived from operations. House concurred.
[3] For 3 revolving funds plus use of receipts derived from operations.
[4] For calendar year 1961 only (to a total of $3.5 billion).
[5] Originally submitted as part of the general farm bill, to be financed in this manner for fiscal 1962 and thereafter through the more usual annual advance appropriation.
[6] Amounts not precisely determinable.
[7] Basis for this figure is set out on pp. 54-55, H. Rept. 447.
[8] For 4-year period; full executive request and Senate bill were for 5-year period.
[9] For 4-year period.
[10] Represents estimated maximum cost of annual contributions for 100,000 units of public housing to be paid out over period 40 to 45 years. See pp. 55-56, H. Rept. 447.
[11] Regular authorization for appropriation in Executive request and Senate bill. House bill made no provision. Bill changed at conference stage to contract authority.
[12] Regular authorization for appropriation. Senate bill made no provision. Bill changed at conference stage to contract authority.
[13] Part of, and included in, item 6(d), urban renewal grant authority.
[14] Executive request and Senate bill proposed a 5-year extension of availability of the uncommitted balance of previous authority otherwise due to expire on June 30, 1961. (Amount variously estimated at $207,000,000 to $235,000,000; actually turned out to be $227,612,000.) House bill and final version extend such balance and add $200,000,000 additional—limited, however, to a 4-year period. See pp. 57-58, H. Rept. 447.
[15] Excludes $1,200,000,000 carried in Senate bill for veterans direct loans inasmuch as the program is also accounted for in the first bill listed in tabulation.
[16] Regular authorization for appropriation.
[17] Officially estimated at $287,000,000 for 1962 and $300,000,000 for each succeeding year.
[18] Precise amounts not identified.
[19] While technically this is not "New authority to obligate the Government," it has the same effect insofar as general budget totals and results are concerned in that it is, in final effect, the same as an expenditure from the general fund. Amounts shown taken from p. 12, S. Rept. 367. "New authority to obligate the Government" carried in the law, and requested, is $11,560,000,000 for the interstate program over the period through 1972; but it is against the highway trust fund, not the general fund. Not shown here are the executive proposals (1) to increase new obligating authority for the A-B-C program; (2) to shift financing of forest and public land highways from the general fund to the trust fund; and (3) to redivert aviation gas tax revenues from the trust fund to the general fund. They are not shown because action was postponed to a later time.
[20] Enacted and Senate bills for 3 calendar years 1962-64. Full executive request was 5 years 1962-66. House was for 3 years 1962-64 with no limit, but in order to avoid gross distortion of totals and comparisons, $4,500,000,000 is arbitrarily inserted.
[21] Full executive request was for 5 calendar years 1962-66. Senate, House, and enacted are for 3 calendar years 1962-64.
[22] Usual form of appropriation authorization—$1,200,000,000 for fiscal 1962 only.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the joint resolution as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (c) of section 102 of the joint resolution of June 30, 1961 (Public Law 87-65), is hereby amended by striking out "August 31, 1961" and inserting in lieu thereof "September 30, 1961".

SEC 2. The amounts appropriated by subsection (b) of section 101 of Public Law 87-65 are herby increased as follows:

Area redevelopment programs, administrative expenses from "$400,000" to "$600,000";

Mutual security programs from "$485,000,000" to "$665,000,000"; and

Payment to the Federal extended compensation account from "$45,000,000" to "$70,000,000".

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. CANNON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and to include tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CHILDREN'S BUREAU, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I have no doubt that many persons, young and old, find enjoyment in the reading of funny books, but I did not know until last week that it was the responsibility of the Federal bureaucracy to add to the joys of comic book lovers.

After looking over the Children's Bureau funny book, "Pogo Primer for Parents, TV Division," which incidentally was announced with great fanfare by no less a Government official than the Secretary of Health, Education, and Welfare, I can only ask: What next?

Of all the hundreds of thousands of pamphlets issued through the years by the Federal Government, this by all odds must be the silliest and most useless. If there are any doubters among the Members of this body, I suggest you look it over. A copy, compliments of the Children's Bureau and the American taxpayers, was made available to each Member last Friday.

Not only does this publication involve a wanton waste of Federal funds, but the so-called primer should be insulting to all parents. What parent does not know that a child is to be loved, as this ridiculous funny book admonishes? What parent does not know that a child's TV viewing should be supervised?

And did you know that television probably is here to stay? We get this breathtaking news not once, but twice in the "Pogo Primer."

If we have high-paid personnel in the Children's Bureau with nothing more to do than dream up idiotic projects such as this, it is time for a housecleaning. And I am surprised that a Cabinet officer has so much free time on his hands that he can personally plug such trivia.

Again I ask: What next can we expect as we march to the New Frontier—with our "Pogo Primers" tucked neatly under our arms?

POGO LAND—LAND OF THE GREAT OKEFENOKEE SWAMP IN GEORGIA

Mrs. BLITCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Georgia?

There was no objection.

Mrs. BLITCH. Mr. Speaker, the gentleman from Iowa [Mr. GROSS] who has just addressed us is one of the most illustrious Members of the House. He has taught many of us much by bringing to our attention matters which might otherwise go unnoticed. At this time, I want to thank him especially for calling to our attention this so-called comic book on Pogo Land. Pogo Land happens to be in my district and in my county, in the great Okefenokee Swamp. With the kind indulgence of my colleague the gentleman from Iowa, I wish to say to him that I would be very grateful to have the 50 copies that are allotted to him, which I will be very glad to add to the 50 copies which I believe I, too, am allotted. I know many people in my district who would be very happy to get this so-called comic book on Pogo Land.

Mr. Speaker, I am grateful to Walt Kelly for having created Pogo. I invite all Members of the House and all their constituents to visit our great Okefenokee Swamp.

And, too, Mr. Speaker, I would call to the attention of the television producers that they could create nothing so entertaining and so good for the morals of both young and old as the Pogo program for television.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

SUBCOMMITTEE ON IMPACT OF IMPORTS AND EXPORTS ON AMERICAN EMPLOYMENT, COMMITTEE ON EDUCATION AND LABOR

Mr. McCORMACK. Mr. Speaker, at the request of the gentleman from Pennsylvania [Mr. DENT], I ask unanimous consent that the Subcommittee on Impact of Imports and Exports on American Employment of the House Committee on Education and Labor may be permitted to sit during the general debate today.

Mr. HALLECK. Mr. Speaker, reserving the right to object, that, apparently, has no connection at all with the so-called impacted area school legislation?

Mr. McCORMACK. The gentleman is correct. That is my understanding, that it has no relation to that at all.

Mr. HALLECK. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER pro tempore. This is District of Columbia Day. The Chair recognizes the gentleman from South Carolina [Mr. McMILLAN], chairman of the Committee on the District of Columbia.

DISTRICT OF COLUMBIA AQUARIUM

Mr. McMILLAN. Mr. Speaker, I call up the bill (H.R. 8181) to authorize the Secretary of the Interior to construct a National Fisheries Center and Aquarium in the District of Columbia, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina [Mr. McMILLAN]?

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GROSS. What is the unanimous-consent request?

The SPEAKER pro tempore. The gentleman from South Carolina called up the bill H.R. 8181, I will say to the gentleman.

Mr. GROSS. To be considered in the House as in Committee of the Whole?

The SPEAKER pro tempore. That is correct.

Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

AUTHORIZATION FOR NATIONAL FISHERIES CENTER AND AQUARIUM

SECTION 1. (a) The Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") is hereby authorized to plan, construct, operate, and maintain a National Fisheries Center and Aquarium in the District of Columbia or its vicinity for the display of fresh water and marine fishes and other aquatic resources for educational, recreational, cultural, and scientific purposes, and in so doing is exempt from the provision of the Public Buildings Act of 1959 (73 Stat. 479; 40 U.S.C. 601 et seq.).

(b) The Secretary is further authorized to purchase, lease, or otherwise acquire such lands, waters, and interests therein, as he may deem necessary to carry out the provisions of subsection (a) of this section.

(c) In addition to an aquarium, the National Fisheries Center and Aquarium shall include, but not be limited to, a fisheries

museum and a sporting goods shop specializing in fishing equipment.

(d) The Secretary is further authorized to—

(1) construct, purchase or lease, and operate and maintain vessels for specimen collecting purposes and, without regard to section 3709 of the Revised Statutes of the United States (41 U.S.C. 5), to contract for such collection of specimens and to purchase or exchange specimens and exhibit materials;

(2) prepare for free distribution or exhibit or to offer for sale at cost illustrated catalogs of specimens, brochures, and other printed matter and films, animations and photographic and other material pertaining to the National Fisheries Center and Aquarium and its objectives and to aquariums generally, all or any of which may be reproduced by any printing or other process without regard to existing regulations, the proceeds of sales to be covered into the United States Treasury;

(3) employ, as authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C., sec. 55a), but at rates not to exceed $50 per diem plus expenses, experts, consultants, or organizations thereof, as required to assist with the planning, design, construction, and operation of the National Fisheries Center and Aquarium, and to present educational lectures and materials;

(4) permit free use of auditorium and other areas for meetings and exhibits of societies and groups whose purposes are related to fish and wildlife generally; and

(5) encourage the use of the educational and scientific facilities and equipment at the National Fisheries Center and Aquarium by individuals of any nation.

DELEGATION OF RESPONSIBILITY FOR DESIGN AND OPERATION OF THE NATIONAL FISHERIES CENTER AND AQUARIUM

SEC. 2. The Secretary shall assign the responsibility for the design and direction of the National Fisheries Center and Aquarium and related activities to that branch of the Bureau of Sport Fisheries and Wildlife having as its major activity the rearing and holding of living fishes, including the operation of aquariums.

ESTABLISHMENT OF A NATIONAL FISHERIES CENTER AND AQUARIUM ADVISORY BOARD

SEC. 3. There is hereby established a nonpartisan Advisory Board to be known as the National Fisheries Center and Aquarium Advisory Board. The Advisory Board shall meet from time to time on the call of the Chairman. The functions of the Board shall be to render advice and to submit recommendations to the Secretary of the Interior upon his request, or upon its own initiative, concerning the management and operation of the National Fisheries Center and Aquarium. Five members shall constitute a quorum to transact business. The Director of the National Fisheries Center and Aquarium shall serve as Executive Secretary to the Board.

MEMBERS OF THE ADVISORY BOARD

SEC. 4. (a) The Advisory Board shall be composed of nine members. The Secretary shall designate the Chairman of the Advisory Board. The Assistant Secretary of the Interior for Fish and Wildlife shall be a member of such Board ex officio. The remaining eight members of such Board shall be appointed as follows—

(1) two Members of the Senate, appointed by the President of the Senate;

(2) two Members of the House of Representatives, appointed by the Speaker of the House of Representatives;

(3) two individuals appointed by the Secretary, one of whom shall be engaged in or closely associated with, sport fishing, and one of whom shall be engaged in, or closely associated with, commercial fishing; and

(4) two individuals appointed by the Secretary from the public at large.

(b) Each class of two members of the Advisory Board referred to in subsection (a) shall be appointed for terms of four years, except that, of each such class of two members initially appointed, one shall be appointed for a term of two years. Any person appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. Of each class of two members of such Board referred to in paragraphs (1) and (2) of subsection (a), not more than one shall be from the same political party, and not more than one shall be from the same State. Any member of such Board referred to in such paragraphs (1) and (2) who shall cease to be a Member of Congress during the term of his appointment under this section shall cease to be a member of such Board.

(c) Any vacancy in the Advisory Board shall be filled in the same manner as in the case of the original appointment.

COMPENSATION OF THE ADVISORY BOARD

SEC. 5. (a) Members of the Advisory Board, other than members appointed under paragraphs (3) and (4) of subsection (a) of section 4, shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Board. Members of the Board appointed under paragraphs (3) and (4) of subsection (a) of section 4 may each receive $50 per diem when engaged in the actual performance of duties vested in the Board, in addition to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

ANNUAL REPORT

SEC. 6. The Director of the National Fisheries Center and Aquarium shall prepare for the Advisory Board an annual report for presentation to the Secretary of the Interior and to the Congress.

APPROPRIATION

SEC. 7. There are authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

Mr. McMILLAN. Mr. Speaker, I offer several amendments.

The Clerk read as follows:

Amendments offered by Mr. McMILLAN: First page, strike out lines 5 and 6, and insert in lieu thereof the following:

"Section 1. (a) The Administrator of General Services (hereinafter referred to as the 'Administrator') is hereby".

First page, line 7, strike out "operate".

First page, line 11, insert a period after "purposes" and strike out all that follows down through and including the period at the end of line 2, page 2.

Page 2, line 3, strike out "Secretary" and insert in lieu thereof "Administrator".

Page 2, strike out line 11 and insert in lieu thereof the following:

"OPERATION OF THE NATIONAL FISHERIES CENTER AND AQUARIUM

"SEC. 2. (a) The Secretary of the Interior (hereinafter referred to as the 'Secretary') shall operate the National Fisheries Center and Aquarium.

"(b) The Secretary is further authorized to—".

Page 3, line 18, strike out "design and".

Page 3, line 21, strike out "SEC. 2." and insert in lieu thereof "SEC. 3."

Page 3, line 22, strike out, "design and direction" and insert in lieu thereof "operation".

Page 4, line 6, strike out "SEC. 3." and insert in lieu thereof "SEC. 4."

Page 6, line 7, strike out "SEC. 5." and insert in lieu thereof "SEC. 6."

Page 6, line 20, strike out "SEC. 6." and insert in lieu thereof "SEC. 7."

Page 7, line 2, strike out "SEC. 7." and insert in lieu thereof "SEC. 8."

The amendments were agreed to.

Mr. McMILLAN. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from South Carolina is recognized for 5 minutes.

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to authorize the Secretary of the Interior to plan, construct, operate, and maintain a National Fisheries Center and Aquarium in the District of Columbia or its vicinity for the display of fresh water and marine fishes and other aquatic resources for educational, recreational, cultural, and scientific purposes.

The committee is aware of the importance of the living creatures of the sea as was recognized by the President in his natural resources message to Congress on last February 23. The President emphasized the importance of oceanographic research and the need for an additional 3 billion pounds of fish and shellfish by 1980. To achieve the necessary goals, we must educate the youth of our Nation with regard to the resources of the sea. The living creatures from coastal and inland waters would be the most dramatic tools with which to create interest among the youth and encourage them to pursue aquatic research as a profession. A National Fisheries Center and Aquarium can serve a most useful purpose toward this accomplishment.

Aquariums throughout the world are unrivaled in popularity and a means of providing education for the public. The existing small aquarium in the basement of the Commerce Building is totally inadequate but even this small display is crowded to capacity by the visiting public. The new installation would receive some 3 million visitors annually, including about 3,000 bus loads of schoolchildren.

Special educational presentations would be stressed and research facilities are proposed. It is expected that the Fishery Center and Aquarium would in reality be a world center of specialized fishery research and would be the leading aquarium in the world. Visitors from foreign lands would seek out this display and some qualified foreign students would be invited to undertake specific research projects. Cooperative research would be entered into with our own universities.

It is not proposed that the aquarium merely house a display of fish. Congressman MICHAEL J. KIRWAN, in testifying before the committee, gave an excellent description of the proposed facilities.

An adequate new aquarium would include displays of the larger fresh water fishes such as the catfish, sturgeon, and paddle fish, and the sharks, rays, porpoises of our coastal waters. It might duplicate a section of seashore, and a trout stream. Tropical fishes would be popular, as would the

little known fishes of our waters. Amphibians and reptiles common to water environments are required. Representative displays of some 800 species of fish in the United States would be accompanied by vocal explanations.

In each of several darkened alcoves, 5-minute movies would show and explain the life of a farm pond, the development and hatching of fish eggs, the operation of a fisherman's trawl, and a number of other features not available elsewhere.

Such an aquarium must be located on the waterfront to permit the transfer of large fish specimens directly from boat to tank with the minimum of handling. The site selected should include a parking area for up to 200 school buses and 5,000 automobiles on peak days.

For the greatest benefit of the greatest number of our people, I can think of no installation more worthy of consideration.

Representatives of the following national organizations testified in support of the proposed legislation: The National Capital Planning Commission, Washington, D.C.; National Fisheries Institute, Inc., Washington, D.C.; Sport Fishing Institute, Washington, D.C.; the Izaak Walton League of America; National Audubon Society; American Fisheries Society; National Wildlife Federation and Wildlife Management Institute. In addition, the representative of the Commissioners of the District of Columbia advised that the Commissioners had no objection to the enactment of this legislation provided there is a satisfactory solution to any waterway or highway problems.

Mr. Speaker, I yield to the gentleman from Ohio [Mr. KIRWAN], the author of the bill.

Mr. KIRWAN. Mr. Speaker, I introduced this bill because as chairman of the committee handling appropriations for fish and wildlife I have come to realize the need for establishing an adequate National Fisheries Center and Aquarium here in the Nation's Capital. We must place greater emphasis now on oceanographic research if we are going to meet our expanded requirements for fish and shellfish in the future. To achieve our necessary goals we must educate our youth with regard to the resources of the sea and encourage them to pursue aquatic research as a profession. To continue to neglect this important field will only cost us many millions more in the future. We learned this lesson in Park Service where appropriations were limited to about $5 million a year during the war. Now we must spend over $100 million a year to correct this neglect.

We are now spending only about $50 million a year in direct appropriations on the extensive commercial and sport fishing industries with their many problems. The remainder of the appropriations come from special taxes paid by the industry and the hunters and fishermen. The industry receives less Federal subsidy than any I know of. Yet it is estimated that the hunters and fishermen will spend over $4 billion in 1960. For example, 22 million people buy fishing licenses. I asked the head of a rubber company how much equipment they buy in the way of hip boots, shoes, boats, outboard motors, fishing rods, and so forth. He informed me that they spend considerably more than any other comparable group in the United States. And we give them comparatively little in return.

The President in his recent natural resources message to Congress emphasized the importance of oceanographic research and the need for the production of an additional 3 billion pounds of fish and shellfish by 1980. So it is important that we start now and give that industry a little attention and give the Fish and Wildlife Service what they need instead of allowing it to deteriorate as we did the Park Service.

This National Fisheries Center and Aquarium will serve as a world center of specialized fishery research and will help educate our youth in oceanography and help create an interest in taking up this vital field of research as a profession. It is estimated these facilities would be visited by about 3 million annually, including 3,000 busloads of schoolchildren.

I believe this expenditure will fill an important need in the development of education and research in this very important field. This is why I introduced this bill and why I ask your support of it here today.

Mr. GROSS. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, let us start by getting one thing clear. What is this thing going to cost?

Mr. KIRWAN. Between $15 and $20 million.

Mr. GROSS. I see in the report a cost figure of $20 million, so I assume we can settle on a nice round figure of $20 million for the aquarium. If, as the gentleman from Ohio [Mr. KIRWAN] says, we are going to need a great increase of fish in this country along about 1970 or 1980, or whatever may be the date the gentleman mentioned, we had better be stocking lakes, streams, and ponds out where fish can be propagated and made available for food. A $20 million fish tank here in Washington is not going to increase the fish population.

Mr. KIRWAN. Such an aquarium would help to create interest among our youth in oceanography and encourage them to pursue aquatic research as a profession. This is not going to be just a tank, it is going to be the finest thing of its kind in the world, and we should have it. We are helping everybody all over the world, why can we not help our own?

The only aquarium we have in Washington now is in the basement of the Commerce Building. It is very inadequate for educational and research purposes. I repeat, we should do something for this country if we are going to help every other country in the world. It is most important that we place greater emphasis on oceanographic research.

Mr. GROSS. I hope the gentleman will not take all of my time. He might have a look at the basement of the Treasury Building when he talks about spending $20 million for a fish tank. Does the gentleman know how much money there is left in the Treasury? It should be of interest to him and to all of us to know what funds are available for the building of a $20 million aquarium. The Deputy Budget Director said the other day, as I remember reading the newspapers, that if Congress did not appropriate any more money this session the Federal Treasury would end this fiscal year $6 billion in the red, and we certainly are not through spending yet. The gentleman is on the Appropriations Committee. He should know as well or better than the rest of us the kind of deficit that faces us. And I understand, too, there is a deficiency bill to be brought out before this session ends. I am told it is going to be a very large deficiency appropriation bill.

Mr. KIRWAN. It is indeed.

Mr. GROSS. Within 2 months after the start of this fiscal year we are to be confronted with a huge deficiency appropriation bill, yet today we are asked to ladle out $20 million of the taxpayers' money for an aquarium.

Mr. KIRWAN. I want to spend it on an important need for America.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Does not the gentleman see why we need a fish aquarium down here? When you go to the market you get your fish canned or wrapped up in a package. With this aquarium people might be able to find out what they are buying and eating. Of course, I am not for it and I am going to vote against it.

Mr. GROSS. The gentleman can read the labels on the cans and packages, can he not?

Mr. HOFFMAN of Michigan. No, not unless they get Federal aid to education.

Mr. GROSS. In reading the report on this bill, I did not find a word from the Bureau of the Budget as to its views on the spending of $20 million for this purpose.

Mr. KIRWAN. No, there is nothing in the report from the Bureau of the Budget.

Mr. GROSS. Does the Bureau of the Budget approve this bill or disapprove it? What is the story?

Is it not common practice to get from the Budget Director his views on such spending as this?

Mr. KIRWAN. Yes. But I believe I have some knowledge and judgment on this subject after handling appropriations for the Fish and Wildlife Service for 18 years. I think we are warranted in spending money on this project which will provide education in this important field and aid an industry which will spend about $4 million in 1960.

The SPEAKER pro tempore. The time of the gentleman from Iowa has expired.

(By unanimous consent (at the request of Mr. GROSS) he was allowed to proceed for 3 additional minutes.)

Mr. GROSS. Mr. Speaker, the gentleman from New York [Mr. MULTER] apparently wants me to yield. If he can contribute anything to the cause of economy, I will be glad to hear him.

Mr. MULTER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New York.

Mr. MULTER. I am for this bill. That is incidental to the point the gentleman is making, however. This is an authorization. We are a long way from building this aquarium. I wish we could build it tomorrow. This is simply an authorization for the appropriation. What the gentleman is saying would be apropos at the time we are discussing the appropriation after this bill is passed and we come in with an estimate as to what it will cost.

Mr. GROSS. After the big foot of this authorization has been stuck through the door every Member of the House knows what will happen.

Mr. MULTER. Let us get the authorization.

Mr. GROSS. The gentleman has been around here longer than the gentleman from Iowa, and he knows that once this bill is approved the door leading to the appropriation of the money has been kicked down.

Mr. MULTER. I think we should get on the way, then decide how much to spend when the appropriation comes before the House.

Mr. GROSS. In view of the staggering debt and deficit we have in this country today, how in the name of commonsense can Congress authorize the spending of $20 million to build an aquarium in the District of Columbia or anywhere else? Is there no regard for fiscal responsibility in this country? How much longer is it proposed to take this sort of thing out of the hides of the people of this Nation?

Mr. MULTER. This is also going to help the unemployment situation.

Mr. GROSS. Where does the gentleman propose to get the money?

Mr. MULTER. This is an educational project. The gentleman from Ohio says this is a part of an educational project. It is something which the District needs and the country needs. This should be a showplace in our country.

Mr. GROSS. We are already spending Federal funds to teach people how to fish. We are now spending money to rehabilitate the New England fishing fleet.

Mr. MULTER. This is to be used to teach the people how to build hatcheries and produce more fish.

Mr. GROSS. We know how to build hatcheries. There are hatcheries, both State and Federal, in the State of Iowa, and every other State. If there is to be a shortage of fish, that is where the $20 million should be spent, not on a fish tank here in the District.

Mr. MULTER. This is a part of the project the gentleman has just mentioned.

Mr. GROSS. It is beyond my comprehension that anyone would come in here with a bill for $20 million to build an aquarium in the District of Columbia in view of the staggering expenditures for defense, the crisis that we are told confronts us, and the huge deficit that already stares us in the face.

The SPEAKER pro tempore. The time of the gentleman from Iowa has again expired.

Mr. HOFFMAN of Michigan. Mr. Speaker, I move to strike the last word.

Mr. Speaker, permit me to join my colleague from Iowa [Mr. GROSS] in opposing the enactment of this legislation. The bill, H.R. 8181, introduced by Mr. KIRWAN, and undoubtedly because it has his approval, and because he is on the Committee on Appropriations, will receive a great deal of support.

True, it is only an authorization, but experience tells us that when the appropriation bill comes along, this authorization will be cited as a promise to make an appropriation.

The bill authorizes the Secretary of the Interior to construct a National Fisheries Center and Aquarium in the District of Columbia. It establishes a Board with nine members and will naturally require the employment at the taxpayers' expense of as many as may be necessary to carry out the purpose of the bill.

The last section of the bill authorizes the appropriation, believe it or not, and I quote, "such sums as may be necessary to carry out the provisions of this Act."

Mr. Speaker, I heard something about 20 million. Was that the figure?

Mr. GROSS. Twenty million, yes.

Mr. HOFFMAN of Michigan. The people and incidentally the Members of Congress have been reminded time and time again of the great and immediate danger which today confronts us. A few days ago we were advised by the chairman of the House Committee on Foreign Affairs and by others, especially by the gentleman from Minnesota [Mr. JUDD], a member of that committee, that we must go along with additional foreign aid to the tune of $4,368,500,000, because we were today in greater danger of war than ever before. The defense appropriations already called for $46,662,556,000, military construction around $1 billion, and AEC, $2,680 million, or about $50,342,556,000. Notwithstanding this threat of war that they tell us exists, we have spent or will shortly spend $106 billion for what is termed "mutual security." We know that the President has called up several hundred thousand Reserves, who must leave their usual businesses, their families, for no one knows how long. We know that American troops in Germany have been sent to Berlin. We know that additional contracts calling for munitions of war and for national defense have been authorized. We know that the President demanded and got a billion dollars for a trip to the moon. Several hundred million for civil defense. We who are here day after day, know that millions, if not billions, are demanded and either authorized or appropriated to carry on the President's social program, and to some of us it seems not only foolish, but absurd, in fact, the height of futility to accept first the theory that we are in national danger; that our survival is threatened; that we must devote every energy; make every effort to be prepared to meet an almost immediate war and at the same time, spend millions upon millions here at home on projects, which, however desirable, are not immediately necessary.

If we need, as the President tells us we do, billions for national defense, for missiles, for munitions of war; other millions for civil defense; if hundreds of thousands are to be called from their usual and customary businesses and surroundings; if additional young men are to be drafted, is it good sense to authorize the expenditure of $20 million to build a huge fish bowl here in some building in Washington for someone to look at? I can see the wife or mother or child looking at a fish in the glass tank in an Interior building getting a lot of consolation while thinking of her husband, brother, or father who is either fighting abroad or dead because he lacked something we did not have money to buy and which would have been of help to him.

If the internationalists, the spenders, the giveaway gentlemen continue to spend either back door or through the Appropriations Committee, unless God helps us, we will lose the war—call it hot or cold.

There is a limit and the spenders know it but act as though they did not care. Their intentions may be good but we all have heard that a four-letter word describes the place that is paved with good intentions.

In my judgment, it is not only unnecessary, but unsound, and a record vote will be asked on this, as well as on other similar desirable, but at this time unnecessary, expenditures.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The question was taken.

Mr. HOFFMAN of Michigan. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to withdraw my point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair has already announced that a quorum is not present. The gentleman's request comes too late.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GROSS. The question is on engrossment and third reading; is that correct?

The SPEAKER pro tempore. That is correct.

Mr. GROSS. I thank the Chair.

Mr. ABERNETHY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ABERNETHY. This vote is not on final passage?

The SPEAKER pro tempore. This vote is not on final passage.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 223, nays 120, not voting 94, as follows:

[Roll No. 169]

YEAS—223

Abernethy	Frelinghuysen	Murray
Addabbo	Friedel	Natcher
Addonizio	Gary	Nix
Albert	Gathings	Norblad
Alexander	Gavin	O'Brien, Ill.
Ashley	Giaimo	O'Hara, Ill.
Ashmore	Grant	O'Hara, Mich.
Aspinall	Griffiths	Olsen
Ayres	Hagan, Ga.	Passman
Bailey	Hagen, Calif.	Patman
Baring	Haley	Perkins
Barrett	Halpern	Peterson
Bass, Tenn.	Hansen	Pfost
Beckworth	Harding	Philbin
Bennett, Fla.	Hardy	Pike
Bennett, Mich.	Harris	Price
Blatnik	Harsha	Pucinski
Blitch	Hays	Randall
Boggs	Hechler	Reuss
Boland	Herlong	Rhodes, Pa.
Bolling	Holifield	Riehlman
Bonner	Holland	Riley
Bray	Holtzman	Rivers, Alaska
Breeding	Huddleston	Rivers, S.C.
Brooks, Tex.	Hull	Roberts
Broomfield	Ikard, Tex.	Rodino
Broyhill	Inouye	Rogers, Colo.
Burke, Ky.	Jennings	Rogers, Fla.
Burke, Mass.	Joelson	Rogers, Tex.
Burleson	Johnson, Calif.	Rooney
Byrne, Pa.	Johnson, Md.	Roosevelt
Cannon	Johnson, Wis.	Rostenkowski
Casey	Jones, Ala.	Roush
Celler	Karsten	Rutherford
Chelf	Karth	Ryan
Chenoweth	Kastenmeier	St. Germain
Clark	Kelly	Saund
Coad	Kilgore	Saylor
Cohelan	King, Calif.	Schneebeli
Colmer	King, Utah	Schwengel
Corman	Kirwan	Scott
Curtis, Mass.	Kitchin	Selden
Daddario	Kowalski	Shipley
Daniels	Landrum	Sikes
Davis, James C.	Lane	Sisk
	Lankford	Slack
Davis, John W.	Libonati	Smith, Miss.
Davis, Tenn.	Lindsay	Spence
Dawson	Loser	Staggers
Delaney	McCormack	Stephens
Dent	McCulloch	Stratton
Denton	McDowell	Sullivan
Derwinski	McFall	Taylor
Diggs	McMillan	Thomas
Dingell	Machrowicz	Thompson, N.J.
Donohue	Mack	Thompson, Tex.
Dooley	Madden	Toll
Dorn	Magnuson	Tollefson
Dowdy	Mahon	Trimble
Downing	Mathias	Tuck
Doyle	Matthews	Udall, Morris K.
Edmondson	Meader	Ullman
Elliott	Miller, Clem	Vanik
Everett	Miller, George P.	Van Zandt
Evins		Vinson
Fallon	Mills	Walter
Fascell	Moeller	Watts
Feighan	Montoya	Whalley
Fenton	Morgan	Whitener
Finnegan	Morris	Wickersham
Fisher	Mosher	Williams
Flood	Moss	Winstead
Forrester	Moulder	Yates
Fountain	Multer	Young
Frazier	Murphy	Zablocki

NAYS—120

Abbitt	Bromwell	Gross
Adair	Brown	Gubser
Alger	Bruce	Hall
Andersen, Minn.	Cederberg	Halleck
	Chiperfield	Harrison, Wyo.
Anderson, Ill.	Church	Harvey, Ind.
Andrews	Clancy	Hiestand
Arends	Conte	Hoeven
Ashbrook	Cunningham	Hoffman, Ill.
Auchincloss	Curtin	Hoffman, Mich.
Avery	Curtis, Mo.	Horan
Baker	Dague	Hosmer
Baldwin	Derounian	Johansen
Barry	Dole	Jonas
Bates	Dominick	Jones, Mo.
Battin	Durno	Judd
Beermann	Dwyer	Kearns
Belcher	Ellsworth	Keith
Bell	Findley	King, N.Y.
Berry	Fulton	Knox
Betts	Garland	Kunkel
Bolton	Goodling	Kyl
Laird	Pillion	Siler
Langen	Poff	Smith, Calif.
Latta	Quie	Smith, Va.
Lipscomb	Ray	Springer
McDonough	Reece	Stafford
McIntire	Reifel	Taber
McVey	Rhodes, Ariz.	Teague, Calif.
Marshall	Roudebush	Thomson, Wis.
Martin, Nebr.	Rousselot	Tupper
Mason	St. George	Utt
May	Schadeberg	Van Pelt
Michel	Schenck	Wallhauser
Moorehead, Ohio	Scherer	Weis
	Schweiker	Wharton
Morse	Scranton	Widnall
Nelsen	Seely-Brown	Wilson, Calif.
Nygaard	Short	Wilson, Ind.
Ostertag	Shriver	Younger
Pelly	Sibal	

NOT VOTING—94

Alford	Granahan	Monagan
Anfuso	Gray	Moore
Bass, N.H.	Green, Oreg.	Moorhead, Pa.
Becker	Green, Pa.	Morrison
Bow	Griffin	Norrell
Boykin	Harrison, Va.	O'Brien, N.Y.
Brademas	Harvey, Mich.	O'Konski
Brewster	Healey	O'Neill
Brooks, La.	Hébert	Osmers
Buckley	Hemphill	Pilcher
Byrnes, Wis.	Henderson	Pirnie
Cahill	Ichord, Mo.	Poage
Carey	Jarman	Powell
Chamberlain	Jensen	Rabaut
Collier	Kee	Rains
Cook	Keogh	Robison
Cooley	Kilburn	Santangelo
Corbett	Kilday	Shelley
Cramer	Kluczynski	Sheppard
Devine	Kornegay	Smith, Iowa
Dulski	Lennon	Steed
Farbstein	Lesinski	Stubblefield
Fino	McSween	Teague, Tex.
Flynt	Macdonald	Thompson, La.
Fogarty	MacGregor	Thornberry
Ford	Mailliard	Weaver
Gallagher	Martin, Mass.	Westland
Garmatz	Merrow	Whitten
Gilbert	Miller, N.Y.	Willis
Glenn	Milliken	Wright
Goodell	Minshall	Zelenko

So the bill was ordered to be engrossed and read a third time, and was read the third time by title.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Bass of New Hampshire.

Mr. McSween with Mr. Robison.

Mr. Harrison of Virginia with Mr. Weaver.

Mrs. Green of Oregon with Mr. Jensen.

Mr. Brademas with Mr. Glenn.

Mrs. Norrell with Mr. Griffin.

Mr. Stubblefield with Mr. Collier.

Mr. Garmatz with Mr. Byrnes of Wisconsin.

Mr. Green of Pennsylvania with Mr. Becker.

Mr. Ichord of Missouri with Mr. Devine.

Mr. Thompson of Louisiana with Mr. Cramer.

Mr. Morrison with Mr. Pirnie.

Mr. Moorhead of Pennsylvania with Mr. Fino.

Mr. Fogarty with Mr. Corbett.

Mrs. Granahan with Mr. Ford.

Mr. Henderson with Mr. Cahill.

Mr. Kornegay with Mr. MacGregor.

Mr. Jarman with Mr. Harvey of Michigan.

Mr. Alford with Mr. Westland.

Mr. Brewster with Mr. Goodell.

Mr. Gallagher with Mr. Bow.

Mr. Hemphill with Mr. Kilburn.

Mr. Teague of Texas with Mr. Martin of Massachusetts.

Mr. Lennon with Mr. Osmers.

Mr. Macdonald with Mr. Mailliard.

Mr. Monagan with Mr. Milliken.

Mr. O'Neill with Mr. O'Konski.

Mr. Pilcher with Mr. Minshall.

Mr. Willis with Mr. Moore.

Mr. Whitten with Mr. Miller of New York.

Mr. Brooks of Louisiana with Mr. Merrow.

Mr. Gray with Mr. Chamberlain.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. WALTER). The question is on the passage of the bill.

Mr. GROSS. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 208, nays 135, not voting 96, as follows:

[Roll No. 170]

YEAS—208

Abernethy	Gary	O'Brien, Ill.
Adair	Gathings	O'Hara, Ill.
Addabbo	Gavin	O'Hara, Mich.
Addonizio	Giaimo	Olsen
Albert	Grant	Passman
Alexander	Gray	Patman
Ashley	Griffiths	Perkins
Aspinall	Gubser	Peterson
Bailey	Hagan, Ga.	Pfost
Baring	Hagen, Calif.	Philbin
Barrett	Harding	Pike
Bass, Tenn.	Hardy	Price
Beckworth	Harris	Pucinski
Bennett, Fla.	Harsha	Randall
Bennett, Mich.	Hays	Reuss
Blatnik	Hechler	Rhodes, Pa.
Blitch	Herlong	Riley
Boggs	Holifield	Rivers, Alaska
Boland	Holland	Rivers, S.C.
Bolling	Holtzman	Roberts
Bonner	Huddleston	Rodino
Boykin	Hull	Rogers, Colo.
Breeding	Ikard, Tex.	Rogers, Fla.
Brooks, Tex.	Inouye	Rogers, Tex.
Broomfield	Jennings	Rooney
Broyhill	Joelson	Roosevelt
Burke, Mass.	Johnson, Calif.	Rostenkowski
Burleson	Johnson, Md.	Roush
Byrne, Pa.	Johnson, Wis.	Rutherford
Cannon	Jones, Ala.	Ryan
Casey	Karsten	St. Germain
Celler	Karth	Saund
Chelf	Kastenmeier	Saylor
Chenoweth	Kearns	Schneebeli
Clark	Kelly	Schwengel
Coad	Kilgore	Scott
Cohelan	King, Calif.	Selden
Corbett	King, Utah	Shipley
Corman	Kirwan	Sikes
Curtis, Mass.	Kowalski	Sisk
Daddario	Landrum	Slack
Daniels	Lane	Smith, Miss.
Davis, John W.	Lankford	Spence
Davis, Tenn.	Libonati	Staggers
Dawson	Loser	Steed
Delaney	McCormack	Stephens
Dent	McCulloch	Stratton
Denton	McDowell	Sullivan
Diggs	McFall	Taylor
Dingell	McMillan	Teague, Tex.
Dominick	Machrowicz	Thomas
Donohue	Mack	Thompson, N.J.
Dooley	Madden	Thompson, Tex.
Dorn	Magnuson	Toll
Dowdy	Mahon	Tollefson
Downing	Mathias	Trimble
Doyle	Miller, Clem	Udall, Morris K.
Edmondson	Miller, George P.	Ullman
Elliott		Vanik
Everett	Mills	Vinson
Evins	Moeller	Walter
Fallon	Montoya	Watts
Fascell	Morgan	Whalley
Feighan	Morris	Whitener
Fenton	Mosher	Wickersham
Finnegan	Moss	Winstead
Fisher	Multer	Yates
Flood	Murphy	Young
Frazier	Natcher	Zablocki
Friedel	Nix	

NAYS—135

Abbitt	Belcher	Curtis, Mo.
Alger	Bell	Dague
Andersen, Minn.	Berry	Davis, James C.
	Betts	
Anderson, Ill.	Bolton	Derounian
Andrews	Bray	Derwinski
Arends	Bromwell	Dole
Ashmore	Brown	Durno
Auchincloss	Bruce	Dwyer
Avery	Cederberg	Ellsworth
Baker	Chiperfield	Findley
Baldwin	Church	Forrester
Barry	Clancy	Fountain
Bates	Conte	Frelinghuysen
Battin	Cunningham	Fulton
Beermann	Curtin	Garland

Goodling	McIntire	St. George
Gross	McVey	Schadeberg
Haley	Marshall	Schenck
Hall	Martin, Nebr.	Scherer
Halleck	Mason	Schweiker
Halpern	Matthews	Scranton
Harrison, Wyo.	May	Seely-Brown
Harvey, Ind.	Meader	Short
Hiestand	Michel	Shriver
Hoeven	Minshall	Sibal
Hoffman, Ill.	Moorehead, Ohio	Siler
Hoffman, Mich.	Morse	Smith, Calif.
Horan	Moulder	Smith, Va.
Hosmer	Murray	Springer
Johansen	Nelsen	Stafford
Jonas	Norblad	Taber
Jones, Mo.	Nygaard	Teague, Calif.
Judd	Ostertag	Thomson, Wis.
Keith	Pelly	Tuck
King, N.Y.	Pillion	Tupper
Kitchin	Poff	Utt
Knox	Quie	Van Pelt
Kunkel	Ray	Van Zandt
Kyl	Reece	Wallhauser
Laird	Reifel	Weis
Langen	Rhodes, Ariz.	Wharton
Latta	Riehlman	Widnall
Lindsay	Roudebush	Wilson, Calif.
Lipscomb	Rousselot	Wilson, Ind.
McDonough		Younger

NOT VOTING—96

Alford	Glenn	Milliken
Anfuso	Goodell	Monagan
Ashbrook	Granahan	Moore
Ayres	Green, Oreg.	Moorhead, Pa.
Bass, N.H.	Green, Pa.	Morrison
Becker	Griffin	Norrell
Bow	Hansen	O'Brien, N.Y.
Brademas	Harrison, Va.	O'Konski
Brewster	Harvey, Mich.	O'Neill
Brooks, La.	Healey	Osmers
Buckley	Hébert	Pilcher
Burke, Ky.	Hemphill	Pirnie
Byrnes, Wis.	Henderson	Poage
Cahill	Ichord, Mo.	Powell
Carey	Jarman	Rabaut
Chamberlain	Jensen	Rains
Collier	Kee	Robison
Colmer	Keogh	Santangelo
Cook	Kilburn	Shelley
Cooley	Kilday	Sheppard
Cramer	Kluczynski	Smith, Iowa
Devine	Kornegay	Stubblefield
Dulski	Lennon	Thompson, La.
Farbstein	Lesinski	Thornberry
Fino	McSween	Weaver
Flynt	Macdonald	Westland
Fogarty	MacGregor	Whitten
Ford	Mailliard	Williams
Gallagher	Martin, Mass.	Willis
Garmatz	Merrow	Wright
Gilbert	Miller, N.Y.	Zelenko

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Ayres.

Mr. McSween with Mr. Pirnie.

Mr. Harrison of Virginia with Mr. Westland.

Mrs. Green of Oregon with Mr. Ford.

Mr. Brademas with Mr. Cahill.

Mrs. Norrell with Mr. Kilburn.

Mr. Stubblefield with Mr. Griffin.

Mr. Garmatz with Mr. Glenn.

Mr. Green of Pennsylvania with Mr. Byrnes of Wisconsin.

Mr. Ichord of Missouri with Mr. Ashbrook.

Mr. Morrison with Mr. Devine.

Mr. Fogarty with Mr. Robison.

Mrs. Granahan with Mr. Miller of New York.

Mr. Henderson with Mr. Mailliard.

Mr. Kornegay with Mr. Harvey of Michigan.

Mr. Alford with Mr. Bow.

Mr. Brewster with Mr. MacGregor.

Mr. Hemphill with Mr. O'Konski.

Mr. Lennon with Mr. Weaver.

Mr. O'Neill with Mr. Osmers.

Mr. Pilcher with Mr. Milliken.

Mr. Carey with Mr. Fino.

Mr. Keogh with Mr. Martin of Massachusetts.

Mr. Anfuso with Mr. Jensen.

Mr. Healey with Mr. Merrow.

Mr. Gilbert with Mr. Moore.

Mr. Santangelo with Mr. Goodell.

Mr. Powell with Mr. Collier.

Mr. Zelenko with Mr. Bass of New Hampshire.

Mr. Farbstein with Mr. Cramer.

Mr. Dulski with Mr. Becker.

Mr. O'Brien of New York with Mr. Chamberlain.

Mr. KEARNS changed his vote from "nay" to "yea."

Mr. EVINS changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to authorize the construction of a National Fisheries Center and Aquarium in the District of Columbia and to provide for its operation."

A motion to reconsider was laid on the table.

AMENDING DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina [Mr. McMILLAN].

Mr. McMILLAN. Mr. Speaker, I call up the bill (H.R. 5968) to amend the District of Columbia Unemployment Compensation Act, as amended, and I yield to the chairman of the subcommittee, the gentleman from New York [Mr. MULTER] to handle this bill.

Mr. MULTER. Mr. Speaker, I ask unanimous consent that the bill, H.R. 5968, be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946), as amended (title 46, ch. 3, D.C. Code, 1951 edition; 68 Stat. 988), is further amended as follows:

Section 3(c)(1) is amended to read as follows:

"The Board shall maintain a separate account for each employer, and shall credit his account with all of the contributions paid by him after June 30, 1939, with respect to employment subsequent to May 31, 1939. Each year the Board shall credit to each of such accounts having a positive reserve on the computation date, the interest earned from the Federal Government in the following manner: Each year the ratio of the credit balance in each individual account to the total of all the credit balances in all employer accounts shall be computed as of such computation date, and an amount equal to the interest credited to the District's account in the unemployment trust fund in the Treasury of the United States for the four most recently completed calendar quarters shall be credited prior to the next computation date on the pro rata basis to all employers' accounts having a credit balance on the computation date. Such amount shall be prorated to the individual accounts in the same ratio that the credit balance in each individual account bears to the total of the credit balances in all such accounts. In computing the amount to be credited to the account of an employer as a result of interest earned by funds on deposit in the unemployment trust fund in the Treasury of the United States to the account of the District, any voluntary contribution made by an employer after June 30 of any year shall not be considered a part of the account balance of the employer until the next computation date occurring after such voluntary contribution was made. No provision in this section shall in any way be subject to or affected by any provisions of the Executive Budget Act, as amended. Nothing in this Act shall be construed to grant any employer or individual in his service prior claims or rights to the amounts paid by him into the fund either on his own behalf or on behalf of such individuals."

SEC. 2. Section 3(c)(8)(i) is amended to read as follows:

"If as of the computation date the total of all contributions credited to any employer's account, with respect to employment since May 31, 1939, is in excess of the total benefits paid after June 30, 1939, then chargeable or charged to his account, such excess shall be known as the employer's reserve, and his contribution rate for the ensuing calendar year or part thereof shall be—

"(A) 2.7 per centum if such reserve is less than 0.6 per centum of his average annual payroll;

"(B) 2 per centum if such reserve equals or exceeds 0.6 per centum but is less than 1.1 per centum of his average annual payroll;

"(C) 1.5 per centum if such reserve equals or exceeds 1.1 per centum but is less than 1.6 per centum of his average annual payroll;

"(D) 1 per centum if such reserve equals or exceeds 1.6 per centum but is less than 2.1 per centum of his average annual payroll;

"(E) 0.5 per centum if such reserve equals or exceeds 2.1 per centum but is less than 2.9 per centum of his average payroll;

"(F) 0.1 per centum if such reserve equals or exceeds 2.9 per centum of his average annual payroll."

SEC. 3. Section 3(c)(8) is amended by adding the following:

"(iv) Any employer, at any time, may voluntarily pay into the unemployment compensation fund an amount in excess of the contributions required to be paid under the provisions of this Act, and such amount shall be forthwith credited to his reserve account. His rate of contribution shall be computed, or recomputed, as the case may be, with such amount included in the calculation. To affect such employer's rate of contribution for any year, such amount shall be paid not later than thirty days following the mailing of notice of his rate of contribution for such year, and not later than one hundred and twenty days after the commencement of such year: *Provided,* That such amount, when paid as aforesaid, shall not be refunded or used as a credit in the payment of contributions in whole or in part."

SEC. 4. Table A in section 7(b) is amended to read as follows:

"TABLE A

"High quarter wages (column A)	Basic weekly benefit (column B)	Minimum qualifying wages (column C)
$130.00 to $184	$8	$276
$184.01 to $207	9	310
$207.01 to $230	10	345
$230.01 to $253	11	379
$253.01 to $276	12	414
$276.01 to $299	13	448
$299.01 to $322	14	483
$322.01 to $345	15	517
$345.01 to $368	16	552
$368.01 to $391	17	586
$391.01 to $414	18	621
$414.01 to $437	19	655

"TABLE A—Continued

"High quarter wages (column A)	Basic weekly benefit (column B)	Minimum qualifying wages (column C)
$437.01 to $460	$20	$690
$460.01 to $483	21	724
$483.01 to $506	22	759
$506.01 to $529	23	793
$529.01 to $552	24	828
$552.01 to $575	25	862
$575.01 to $598	26	897
$598.01 to $621	27	931
$621.01 to $644	28	966
$644.01 to $667	29	1,000
$667.01 to $690	30	1,035
$690.01 to $744	31	1,116
$744.01 to $768	32	1,152
$768.01 to $792	33	1,188
$792.01 to $816	34	1,224
$816.01 to $840	35	1,260
$840.01 to $900	36	1,350
$900.01 to $925	37	1,387
$925.01 and over	38	1,424"

Section 7, subsection (c), is amended by striking the proviso and inserting in lieu thereof the following: *"Provided*, That if an individual during his base period has not been paid such an amount, but has been paid wages in more than one calendar quarter totaling not less than the amount appearing in column (C) of such table on a line which is not more than two lines above the line on which such weekly benefit amount appears in column (B), he can qualify for benefit and his weekly benefit amount shall be the amount appearing in column (B) on the line for which the individual qualifies for benefits in column (C): *Provided further*, That wages received by an individual in the period intervening between the end of his last base period and the beginning of his last benefit year and paid by employers who were his base period employers in such last base period shall not be available for benefit purposes in a subsequent benefit year unless he has, subsequent to the commencement of such last benefit year, received remuneration for personal services, whether or not such services were performed in employment as defined in this Act, in an amount equal to at least ten times the weekly benefit amount for which he qualifies in such last benefit year.

"Benefits payable to an individual with respect to a week shall be reduced, under regulations prescribed by the Board, by any amount received with respect to such week as a retirement pension or annuity under a public or private retirement plan or system provided, or contributed to, by any base period employer. An amount received with respect to a period other than a week shall be prorated by weeks. No reduction shall be made under this paragraph for (A) any retirement pension or annuity received by reason of disability, or (B) any amount received under title II of the Social Security Act."

Section 7, subsection (f), strike the figure "$30" at the end of the first sentence and insert the figure "$38."

Subsections (a), (b), and (c) of section 10 are amended to read as follows:

"(a) An individual who has left his most recent work voluntarily without good cause, as determined by the Board under regulations prescribed by it, shall not be eligible for benefits. Such disqualification shall continue until such time as the claimant can demonstrate that he has been paid wages for work equivalent to at least eight times his weekly benefit amount, following the week in which the disqualifying act occurred.

"(b) An individual who has been discharged for misconduct occurring in the course of his most recent work proved to the satisfaction of the Board shall not be eligible for benefits. Such disqualification shall continue until such time as the claimant can demonstrate that he has been paid wages for work equivalent to at least eight times his weekly benefit amount, following the week in which the disqualifying act occurred.

"(c) If an individual otherwise eligible for benefits fails, without good cause as determined by the Board under regulations prescribed by it, either to apply for new work found by the Board to be suitable when notified by any employment office, or to acceptable work when offered to him by any employment office, his union hiring hall, or any employer direct, he shall not be eligible for benefits. Such disqualification shall continue until such time as the claimant can demonstrate that he has been paid wages for work equivalent to at least eight times his weekly benefit amount, following the week in which the disqualifying act occurred. In determining whether or not work is suitable within the meaning of this subsection the Board shall consider (1) the physical fitness and prior training, experience, and earnings of the individual, (2) the distance of the place of work from the individual's place of residence, and (3) the risk involved as to health, safety, or morals."

With the following committee amendments:

Page 3, line 17, strike out "0.6" and insert in lieu thereof "0.8".

Page 3, line 19, strike out "0.6" and insert in lieu thereof "0.8"; also strike out "1.1" and insert in lieu thereof "1.3".

Page 3, line 22, strike out "1.1" and insert in lieu thereof "1.3"; also strike out "1.6" and insert in lieu thereof "1.8".

Page 4, line 2, strike out "1.6" and insert in lieu thereof "1.8"; also strike out "2.1" and insert in lieu thereof "2.8".

Page 4, line 5, strike out "2.1" and insert in lieu thereof "2.8"; also strike out "2.9" and insert in lieu thereof "3.3".

Page 4, line 8, strike out "2.9" and insert in lieu thereof "3.3".

Page 6, line 23, after the period insert the words: "Section 7(d) of said Act approved August 28, 1935, as amended (sec. 46-307(d), D.C. Code, 1951 ed.), is amended by striking 'thirty-three and one-third' and inserting in lieu thereof 'fifty' ".

Page 8, line 2, strike out "acceptable" and insert in lieu thereof "accept any suitable".

Mr. MULTER. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 minutes.

Mr. MULTER. Mr. Speaker, this bill will amend the District of Columbia Unemployment Compensation Act. It is, in effect, a revision of that act, the first since 1954. The committee had before it four different bills seeking to amend this act. There was the bill, H.R. 4152, which was advocated by the AFL–CIO, speaking for the unions operating in the District of Columbia; there was H.R. 5968, advocated by the Board of Trade of the District of Columbia; the bill, H.R. 8715, which was sponsored by the District of Columbia Commissioners; and the bill, H.R. 5681, which dealt with only one of the many matters that are covered by the bill now before us.

The bill reported here is a compromise of all of those various measures. We are bringing before the House at this time, H.R. 5168, as amended, as the composite thinking of the committee. We concede the bill we bring to the House is not as good as some of us think it should be. It does go further than others wanted. It does work an overall improvement in the Unemployment Compensation Act of the District.

The maximum that will be allowed under this bill, if the law is so amended, will be $38 per week as unemployment insurance benefits, but in no event more than 50 percent of the amount that is earned during the base period.

There are other provisions in the bill as reported which are the same as in the three overall bills that the committee has considered. There is one other provision in the bill which will provide in the new law, as amended by the enactment of this bill, which is lifted from Public Law No. 6 of this Congress. It provides that those retiring on pensions who subsequently become entitled to insurance compensation benefits will have those benefits reduced by the amount of the pension payments. This last provision will make the District law the same as the overall Federal statute as amended by Public Law 6 of this Congress. It requires a reduction in the amount of the insurance benefits to those who subsequent to retirement from public or private enterprise then qualify for insurance benefits. The insurance benefits will be reduced by the amount of the pension payments which they have earned prior to their becoming entitled to these benefits under this law.

The bill will also permit employers to make voluntary contributions to the fund which will be credited to their own reserve account and thereby let them become entitled to a reduction in the amount that they must pay in accordance with existing law.

There is one other important provision and that is to exclude or at least try to get at what is called the double dip. There have been many objections raised to the operation of the present law in that some persons would apply for benefits immediately after leaving an employer and then go back to work only for a short enough time to qualify all over again and get what has been called the so-called double dip.

This bill will get at that problem in a manner which the Commissioners believe is satisfactory.

In some respects, I believe the bill goes too far; in other respects it does not go far enough. I will be surprised if the compromise here recommended is not changed in important respects in conference.

There have been no significant changes and specifically none with respect to benefits paid under the District of Columbia unemployment compensation law since 1954. During the last 7 years wages have risen and most States have amended their laws to reflect changed conditions. The District of Columbia unemployment trust fund has continued to grow and now exceeds $60 million, an amount sufficient to pay benefits for approximately 10 years under the terms of existing law. The committee therefore concluded that there is a need at this time to increase benefits to make them more comparable with those paid in the States and to stabilize the District of Columbia unemployment compensation trust fund by making provisions for a small reduction in taxes collected from employers. There has also been a trend throughout

the country to strengthen disqualification provisions and thus deny or reduce benefits to those voluntarily removed from the labor market.

The chief features of the bill are as follows:

The amount of taxes which will be collected from employers will be modestly reduced by increasing the amount of interest to be credited to their accounts, by reducing their reserve requirements for reduced tax rates by one-tenth of 1 percent in each bracket, and by permitting them to voluntarily pay into the unemployment compensation fund an amount in excess of the contribution required to be paid in order to qualify for reduced rates.

The maximum weekly benefits payable to a qualified claimant would be increased from $30 to $38 a week, and the maximum potential amount of benefits payable to a claimant would be increased from 33⅓ percent of earnings during his base period to 50 percent of his earnings during such period.

The $38 maximum weekly benefit is a 27 percent increase over the $30 figure adopted in 1954 and which is the current maximum benefit amount. The cost-of-living increase in the District of Columbia since 1954 is 10.6 percent.

The District law currently determines the weekly benefit amount at one twenty-third of high quarter earnings or slightly more than 50 percent of weekly wages in the high quarter. The increased benefit amounts from $31 to $35 are computed at one twenty-fourth of high quarter earnings, and those from $36 to $38 at one twenty-fifth of high quarter earnings.

The increase in total benefits payable from 33⅓ percent to 50 percent of earnings during the base period will in effect increase the duration of benefits for all who do not qualify for the maximum allowable 26 week period.

The bill will also allow only two step backs in accordance with the practice in many States. The effect of this limitation is to remove from the unemployment compensation rolls persons seasonally employed for a period of only 2 or 3 months in the year.

The bill provides that those who voluntarily quit, who are discharged for misconduct, or who refuse suitable work shall not be eligible for benefits until they have demonstrated their attachment to the labor market by returning to work and earning at least eight times their weekly benefit amount. This is intended to have the effect of reducing abuses under the unemployment compensation system which have been widely publicized in newspapers and magazines.

The bill provides that benefits will be reduced or eliminated for those who have just retired under a Federal, District of Columbia, or private pension plan. Many persons make a practice of filing for unemployment compensation benefits upon retirement and since they are generally elderly people it is difficult to find jobs for them. Under existing law they are entitled to unemployment compensation benefits if they are actively seeking employment. This bill reduces unemployment compensation weekly benefit amounts by amounts received as a retirement pension or annuity under a public or private retirement plan to which contributions were made by any base period employer except for disability pensions or amounts received under title 2 of the Social Security Act. The language corresponds with that in Public Law 87–6, the Temporary Extended Unemployment Compensation Act adopted early in this session of Congress.

Mr. BROYHILL. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. BROYHILL. Mr. Speaker, as explained by the gentleman from New York [Mr. MULTER] the committee had several unemployment compensation bills before it for consideration. The bill which was reported out is somewhat of a compromise between those bills. It is a moderate and a reasonable bill.

There are two outstanding features to the bill: The first is that it liberalizes the benefits somewhat; and, secondly, it tightens up the legislation, or, rather, prevents some existing abuses.

Insofar as benefits are concerned, the bill now before us increases unemployment compensation benefits in the District of Columbia from a maximum of $30 a week to a maximum of $38. There was a lot of discussion as to how much those benefits should be increased. Some would increase the benefits to as high as $67 a week, but it represents an increase over 1954 of 27 percent, an increase from $30 to $38. During that period of time the increase in the cost of living was 10.6 percent, so we are increasing maximum benefits in this bill by two and a half times the amount of the increased cost of living since the $30 limit was placed in the law in 1954.

So far as comparisons with the neighboring States of Maryland and Virginia are concerned, in the State of Maryland the maximum unemployment benefits are $35 a week, in Virginia $32. Incidentally, the average wage in the District of Columbia is $94 a week. So when you consider this maximum benefit of $38 plus the fact that it is not subject to withholding taxes, income taxes, social security taxes, you can see that the actual value to the recipient is 25 percent more than the $38 a week.

We also liberalize duration requirements. Under present law benefits extend for 26 weeks or to 33⅓ percent of the total base period wages. We increased that to 50 percent of the base period wages.

We also did something to help stabilize the workmen's unemployment compensation fund. The unemployment compensation fund has $62 million in it. Section 3 provides that an employer may voluntarily pay into the fund an amount in excess of the contributions required to be paid under the provisions of this act in order to qualify for a reduced compensation rate.

Section 2 also provides a reduction of one-tenth of 1 percent in the employer's reserve in each bracket determining his contribution rate annually.

So far as tightening up is concerned, as just pointed out by the gentleman from New York, we are making an effort to prevent this double dip from occurring in future. Under existing law an employee under unemployment compensation can draw 26 weeks' benefit, and then go into the following calendar year and start drawing unemployment compensation payments all over again without having worked at all. We provide in this bill that any employee or person who quits employment voluntarily or is fired for cause or refuses to accept employment shall be no longer entitled to any benefit under unemployment compensation legislation until he goes back to work and earns eight times his weekly benefit.

It also prevents anyone receiving a pension, or who has a pension or annuity from receiving unemployment compensation; or, rather, it states that any pension or annuity an employee or former employee is receiving is deducted from his unemployment compensation benefits.

That is the substance of the bill.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL. I yield to the gentleman from Iowa.

Mr. GROSS. Is there any difficulty in policing this situation as between Virginia, Maryland, and the District of Columbia?

Mr. BROYHILL. Not insofar as the States are concerned, but the testimony before the committee showed that there were a large number of abuses where an employee quit work voluntarily, or caused himself to be fired, and went down and drew unemployment compensation.

The SPEAKER pro tempore. The question is on the committee amendments.

The committee amendments were agreed to.

Mr. CURTIS of Missouri. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I take this time in order to ask certain questions of the chairman or someone on the committee.

First, does the District of Columbia Unemployment Compensation Act have a provision in its whereby people who are being retrained can remain on unemployment compensation?

Mr. MULTER. I do not have the answer to that question, but I believe there is no similar provision in the District of Columbia law.

Mr. CURTIS of Missouri. I would like to take this time to briefly call attention to the fact that 10 States—Missouri joined them, by the way, recently, to make it 11 States—do permit people to have retraining, if they have an obsolete skill, and still remain under unemployment insurance. I think that is a trend which is a very desirable one, and I am hopeful that the other 40 States will see the wisdom of it. Certainly the District of Columbia, in my judgment, should look into this and follow suit.

Mr. MULTER. I agree with the gentleman.

Mr. CURTIS of Missouri. The second question is—I am pretty sure I know the answer to this—whether or not you have made provision for a temporary extension of unemployment insurance during a recession. Incidentally, to further point it up, California does have such a provision. Early this year, when the Ways and Means Committee brought out the temporary extension of unemployment insurance I made some remarks calling attention to the fact that we have now had enough experience with this so that the States should start putting that kind of a triggered mechanism into their permanent law.

California, I already pointed out, did that as a result of their experience in 1958. I take the floor at this time to call attention to that kind of performance that I hope the committee will consider in the future.

Mr. MULTER. May I say to the gentleman that we have considered the matter in committee. My bill, H.R. 4152, called for duration benefits of 39 weeks; however, the committee took the recommendation of the Board of Trade and the District Commissioners, which recommended that we continue the 26 weeks. I might point out that the District of Columbia has an unusually good, probably the best, record so far as unemployment is concerned of any other part of the country. We have a unique condition in the District of Columbia where unemployment is much less than it is anywhere else in the country. This fund is now in excess of $60 million, which is enough to take care of benefits for 10 years if no change is made.

Mr. CURTIS of Missouri. The problem is this: The 26 weeks, or whatever it is, could be properly considered the normal period of time it takes a person who is out trying to get relocated in a new job; but it takes that same reasonably hard-working person a little longer to find a job when you have a recessionary condition. That would be true in the District of Columbia. It simply says that if a recessionary condition exists, we recognize it takes more than the normal time for people to find jobs, and it is triggered into action when and if such a condition is found to exist.

The reason I suggest that the States do this is you could have a situation in California, for example, and it not exist elsewhere. It is not always true that this recessionary condition is a national situation. It can be regional.

And, therefore, it ought to become part of a permanent mechanism. I think the District of Columbia has this good record of which I am aware. I might say, however, most States have a similar healthy condition with reference to their unemployment insurance fund. I have forgotten the figures now, but I think there is over $1 billion in the unemployment reserve funds of the States. So, their fiscal condition is good. This merely relates to a needed mechanism to handle a situation where we have a national or a regional or a State recession.

Mr. HARSHA. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I ask unanimous consent to speak out of order and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARSHA. Mr. Speaker, the recent reports by the Commerce Department of this country, to the effect that it has authorized trade with Communist countries since President Kennedy's July 25 address on the Berlin crisis are wholly unconscionable. Not only has the Commerce Department increased its trade authorizations some 800 percent in the 3 weeks following the President's address as compared to the 3 weeks preceding it, but a great deal of this trade authorization has been with the Warsaw Pact countries—the same Communist countries that advocated and encouraged the closing of the Berlin borders.

The Secretary of Commerce's answer as to why he has authorized such strategic shipments as ball bearings, synthetic rubber, machine tools, locomotives, and airplane parts to Communist countries is that he has not authorized anything that the Communists can't purchase from our allies or elsewhere. This reason, in my opinion, certainly does not justify such action.

In the first place, two wrongs do not make a right. Secondly, I question the patriotism of such businessmen who would sacrifice the security and well being of this Nation for a few dollars. And, thirdly, if this be true, then our allies need to be enlightened.

This Government's aid and trade with Communist countries is exceedingly harmful to the best interests of America as well as to the interests of the people in the captive nations.

Such aid and trade assists the Communist leaders in strengthening their oppressive regimes and in consolidating their personal dictatorships. It merely lengthens and worsens the misery and agony of the Communist-ruled people.

It makes slavery look permanent to the people forced to exist under this oppression and it destroys their hopes for liberation and their faith in the United States as the champion of freedom.

How can the United States have any prestige with these people when our Government helps and supports these Communist economies?

We have heard many impassioned pleas the last few weeks that we need foreign aid to combat communism and Castroism.

Yet the ICA now has plans to offer further foreign aid to some Communist countries.

How do we combat communism by offering aid and trade to Communist regimes? How do we combat Castroism by trading with Cuba? Yes, we are still carrying on a voluminous trade with Castro's Cuba, and how do we combat Castroism by aiding the same countries who are fostering Castroism through their trade and aid to Cuba?

If this administration is sincere in its claim to oppose Castroism and communism, then certainly it should prove it to the American people by curtailing the giving of aid to Communist countries and the issuing of export licenses on shipments to the Warsaw Pact nations.

Mr. COHELAN. Mr. Speaker, I move to strike the requisite number of words.

I would like to commend the gentleman from Missouri [Mr. CURTIS] for his constructive remarks in regard to unemployment compensation insurance and some of the provisions that are in effect in my own State of California.

Mr. Speaker, I support this bill, even though it falls far short of what is actually needed, because there is such an urgent requirement to raise the level of benefits payable under the District's unemployment compensation program. I would like to add, moreover, that I am deeply disturbed and have strong reservations in regard to some of the overly stringent and restrictive provisions of this compromise bill.

Recognizing this, Mr. Speaker, I am very hopeful that in future legislation we will be able to raise further the benefit level and to further correct many of the undesirable double penalties in the present law.

Mr. HOFFMAN of Michigan. Mr. Speaker, I move to strike out the requisite number of words.

Mr. Speaker, I ask someone what, if any, provision does this legislation carry as to the time that one seeking unemployment compensation must remain in the District or be a resident of the District?

Mr. MULTER. The matter of residence is unimportant. It is a question of how long the person is employed. A man must work for a base period and earn the minimum set up in the statute before he can qualify. He cannot qualify by quitting his job. He must not be fired for cause. He does not qualify if he quits voluntarily. He must be out of a job through no fault of his own; there is no work for him. Then he must report weekly. Then if there is any work available he must take the job. If he meets those conditions, he qualifies. It does not matter where he lives provided he has earned compensation sufficient to meet the requirements of the statute. Those earnings must be had within the District of Columbia in order to qualify under this statute.

Mr. HOFFMAN of Michigan. I thank the gentleman. If I seek unemployment benefits, how long must I have been a resident of the District of Columbia before I qualify?

Mr. MULTER. Residence in the District, as I understand it, has nothing to do with the question.

Mr. HOFFMAN of Michigan. My question is, do I have to be a resident of the District to qualify?

Mr. MULTER. You might have worked in California a sufficient time to earn your benefits. If you then go into the District you will receive those benefits but they will be charged to your employer where you last worked.

Mr. HOFFMAN of Michigan. Does the gentleman mean that if I qualify under Michigan law I can come here and I will be qualified here if employment fails?

Mr. MULTER. You qualify but your benefits will be charged against the employer in the district where you worked.

Mr. HOFFMAN of Michigan. I want to know only one thing; that is, how long must I live in the District before I qualify? That is all I want to know. I understand my record in another State is the answer.

Mr. MULTER. I am trying to say that residence has nothing to do with qualification. Your earnings qualify you and not your residence.

Mr. HOFFMAN of Michigan. That is what I wanted to know. Thank you. I yield back the balance of my time.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 544. Joint resolution making continuing appropriations for the fiscal year 1962, and for other purposes.

CONSOLIDATE POLICE AND MUNICIPAL COURTS OF DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I call up the bill (H.R. 5831) to amend section 11 of the act of April 1, 1942—56 Stat. 197, chapter 207; District of Columbia Code, 1951 edition, section 11–776—being an act to "consolidate the police court of the District of Columbia and the municipal court of the District of Columbia, to create the municipal court for the District of Columbia, to create the municipal court of appeals for the District of Columbia, and for other purposes; in order to modify the retirement benefits of the judges of the municipal court for the District of Columbia, the municipal court of appeals for the District of Columbia, and the juvenile court of the District of Columbia, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Act of April 1, 1942 (56 Stat. 197, ch. 207; D.C. Code, 1951 edition, sec. 11–776) is amended to read as follows:

"SEC. 11. (a) Any judge of the municipal court for the District of Columbia, any judge of the municipal court of appeals for the District of Columbia, as established by subchapter II and this subchapter, or any judge of the juvenile court of the District of Columbia, may hereafter retire after having served as a judge of such court for a period or periods aggregating ten years or more, whether continuously or not. Any judge who so retires shall receive annually in equal monthly installments, during the remainder of his life, a sum equal to such proportion of the salary received by such judge at the date of such retirement as the total of his aggregate years of service bears to the period of thirty years, the same to be paid in the same manner as the salary of such judge. In no event shall the sum received by any judge hereunder be in excess of the salary of such judge at the date of such retirement. In computing the years of service under this section, service in either the police court of the District of Columbia or the municipal court of the District of Columbia, or the juvenile court of the District of Columbia, as heretofore constituted, shall be included whether or not such service be continuous. The terms 'retire' and 'retirement' as used in this section shall mean and include retirement, resignation, or failure of reappointment upon the expiration of the term of office of an incumbent.

"(b) Any judge of the municipal court for the District of Columbia, any judge of the municipal court of appeals for the District of Columbia and any judge of the juvenile court of the District of Columbia may hereafter retire after having served five years or more having become permanently disabled from performing his duties.

"Such judge may retire for disability by furnishing to the Attorney General of the United States a certificate of disability signed by a duly licensed physician. A judge who retires under this subsection shall receive the same rate of retirement compensation as that provided in subsection (a) hereof.

"(c) Any judge receiving retirement salary under the provisions hereof may be called upon by the chief judge of the municipal court for the District of Columbia or the chief judge of the municipal court of appeals for the District of Columbia, to perform such judicial duties as may be requested of him in either of said courts, or in the juvenile court of the District of Columbia, but in any event no such retired judge shall be required to render such service for more than ninety days in any calendar year after such retirement. In case of illness or disability precluding the rendering of such service such judge shall be fully relieved of any such duty during such illness or disability.

"(d)(1) Any judge of any of the courts herein named, may by written election filed with the Comptroller General of the United States within six months after the date on which he takes office (or within six months after the enactment of this section) bring himself within the purview of this section.

"(2) There shall be deducted and withheld from the salary of each judge electing to bring himself within the purview of this section a sum equal to 3 per centum of such judge's salary, including salary paid after retirement under the provisions of this section. The amounts so deducted and withheld from the salary of each such judge shall, in accordance with such procedure as may be prescribed by the Comptroller General of the United States, be deposited in the Treasury of the United States to the credit of a fund to be known as the 'District of Columbia judicial survivors annuity fund' and said fund is appropriated for the payment of annuities, refunds, and allowances as provided by this section. Every judge who elects to bring himself within the purview of this section shall be deemed thereby to consent and agree to the deductions from his salary as provided in this subsection, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all judicial services rendered by such judge during the period covered by such payment, except the right to the benefits to which he or his survivors shall be entitled under the provisions of this section.

"(3) Each judge who has elected to bring himself within the purview of this section shall deposit, with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, to the credit of the judicial survivors annuity fund created by this section a sum equal to 3 per centum of his salary received for service as a judge of any of the five courts referred to in subsection (a), salary received after retirement, and of his basic salary, pay, or compensation for services as a Senator, Representative, Delegate, or Resident Commissioner in Congress and for any other civilian service within the purview of section 2253 of title 5, United States Code. Such interest shall not be required for any period during which the judge was separated from all such service and was not receiving salary under this section. Each judge may elect to make such deposits in installments during the continuance of his judicial service in such amounts and under such conditions as may be determined in each instance by the Comptroller General of the United States: Notwithstanding the failure of a judge to make such deposit, from credit under paragraph (15) of this subsection: *Provided,* That no deposit shall be required from a judge for any service rendered prior to August 1, 1920, or for any honorable service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States.

"(4) The Secretary of the Treasury shall invest from time to time, in interest-bearing securities of the United States or Federal farm loan bonds, such portions of the 'District of Columbia judicial survivors annuity fund' as in his judgment may not be immediately required for the payment of annuities, refunds, and allowances as provided in this section. The income derived from such investments shall constitute a part of said fund for the purpose of paying annuities and of carrying out the provisions of paragraphs (6), (7), (9), and (10) of this subsection.

"(5) The amount deposited by or deducted and withheld from the salary of each judge electing to bring himself within the purview of this section for credit to the 'District of Columbia judicial survivors annuity fund' created by this section covering service from and after August 1, 1920, shall be credited to an individual account of such judge.

"(6) If any judge who has elected to bring himself within the purview of this section resigns from office otherwise than under the provisions of this section, the amount credited to his individual account together with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum, thereafter, compounded on December 31 of each year, to the date of his relinquishment of office, shall be returned to him.

"(7) In case any judge who has elected to bring himself within the purview of this subsection shall die while in office (whether in regular active service or retired from such service under the provisions of this section), after having rendered at least five years of civilian service computed as prescribed in paragraph (15) of this subsection for the last five years of which the salary deductions provided for by paragraph (2) of this subsection or the deposits required by paragraph (3) of this subsection have actually been made—

"(A) If such judge is survived by a widow but not by a dependent child, there shall be paid to such widow an annuity beginning with the day of the death of the judge or following the widow's attainment of the age of fifty years, whichever is later, in an amount computed as provided in paragraph (14) of this subsection; or

"(B) if such judge is survived by a widow and a dependent child or children, there shall be paid to such widow an immediate annuity in an amount computed as provided

in paragraph (14) of this subsection and there shall also be paid to or on behalf of each such child an immediate annuity equal to one-half the amount of the annuity of such widow, but not to exceed $900 per year divided by the number of such children or $360 per year, whichever is lesser; or

"(C) if such judge leaves no surviving widow or widower but leaves a surviving dependent child or children, there shall be paid to or on behalf of each such child an immediate annuity equal to the amount of the annuity to which such widow would have been entitled under paragraph (A) of this subsection had she survived, but not to exceed $480 per year.

The annuity payable to a widow under this subsection shall be terminable upon her death or remarriage. The annuity payable to a child under this subsection shall be terminable upon (1) his attaining the age of eighteen years, (2) his marriage, or (3) his death, whichever first occurs except that if such child is incapable of self-support by reason of mental or physical disability his annuity shall be terminable only upon death, marriage, or recovery from such disability after attaining the age of eighteen years. In case of the death of a widow of a judge leaving a dependent child or children of the judge surviving her the annuity of such child or children shall be recomputed and paid as provided in subparagraph (C) of this paragraph. In any case in which the annuity of a dependent child, under this subsection, is terminated, the annuities of any remaining dependent child or children, based upon the service of the same judge, shall be recomputed and paid as though the child whose annuity was so terminated had not survived such judge.

"(8) As used in this section—

"(A) The term 'widow' means a surviving wife of an individual who either (1) shall have been married to such individual for at least two years immediately preceding his death or (2) is the mother of issue by such marriage, and who has not remarried.

"(B) The term 'dependent child' means an unmarried child, including a dependent stepchild or an adopted child, who is under the age of eighteen years or who because of physical or mental disability is incapable of self-support.

Questions of dependency and disability arising under this section shall be determined by the Comptroller General of the United States. The Comptroller General may order or direct at any time such medical or other examinations as he shall deem necessary to determine the facts relative to the nature and degree of disability of any dependent child who is an annuitant or applicant for annuity under this section, and may suspend or deny any such annuity for failure to submit to any examination.

"(9) In any case in which (a) a judge who has elected to bring himself within the purview of this section shall die while in office (whether in regular active service or retired from such service under the provisions of this section) before having rendered five years of civilian service computed as prescribed in paragraph (15) of this subsection, or after having rendered five years of such civilian service but without a survivor or survivors entitled to annuity benefits provided by paragraph (7) of this subsection, or (b) the right of all persons entitled to annuity under paragraph (7) of this subsection based on the service of such judge shall terminate before a valid claim therefor shall have been established, the total amount credited to an individual account of such judge, with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum, thereafter, compounded on December 31 of each year, to the date of the death of such judge, shall be paid, upon the establishment of a valid claim therefor, to the person or persons surviving at the date title to the payment arises, in the following order of precedence, and such payment shall be a bar to recovery by any other person:

"First, to the beneficiary or beneficiaries whom the judge may have designated by a writing received by the Comptroller General of the United States prior to his death;

"Second, if there be no such beneficiary, to the widow of such judge;

"Third, if none of the above, to the child or children of such judge and the descendants of any deceased children by representation;

"Fourth, if none of the above, to the parents of such judge or the survivor of them;

"Fifth, if none of the above, to the duly appointed executor or administrator of the estate of such judge;

"Sixth, if none of the above, to such other next of kin of such judge as may be determined by the Comptroller General of the United States to be entitled under the laws of the domicile of such judge at the time of his death.

Determination as to the widow or child of a judge for the purposes of this subsection shall be made by the Comptroller General of the United States without regard to the definition of these terms stated in subsection (8) of this section.

"(10) In any case in which the annuities of all persons entitled to annuity based upon the service of a judge shall terminate before the aggregate amount of annuity paid equals the total amount credited to the individual account of such judge, with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, to the date of the death of such judge, the difference shall be paid, upon establishment of a valid claim therefor, in the order of precedence prescribed in paragraph (9) of this subsection.

"(11) Any accrued annuity remaining unpaid upon the termination (other than death) of the annuity of any person based upon the service of a judge shall be paid to such person. Any accrued annuity remaining unpaid upon the death of any person receiving annuity based upon the service of a judge shall be paid, upon establishment of a valid claim therefor, in the following order of precedence:

"First, to the duly appointed executor or administrator of the estate of such person;

"Second, if there is no such executor or administrator payment may be made, after the expiration of thirty days from the date of the death of such person, to such individual or individuals as may appear in the judgment of the Comptroller General of the United States to be legally entitled thereto, and such payments shall be a bar to recovery by any other individual.

"(12) Where any payment under this section is to be made to a minor or to a person mentally incompetent or under other legal disability adjudged by a court of competent jurisdiction, such payment may be made to the person who is constituted guardian or other fiduciary by the law of the jurisdiction wherein the claimant resides or is otherwise legally vested with the care of the claimant or his estate. Where no guardian or other fiduciary of the person under legal disability has been appointed under the laws of the jurisdiction wherein the claimant resides, the Comptroller General of the United States shall determine the person who is otherwise legally vested with the care of the claimant or his estate.

"(13) Annuities granted under the terms of this section shall accrue monthly and shall be due and payable in monthly installments on the first business day of the month following the month or other period for which the annuity shall have accrued. None of the moneys mentioned in this section shall be assignable, either in law or in equity, or subject to execution, levy, attachment, garnishment, or other legal process.

"(14) The annuity of the widow of a judge who has elected to bring himself within the purview of this section shall be an amount equal to the sum of (1) 1½ per centum of the average annual salary received by such judge for judicial service and any other prior allowable service during the last five years of such service prior to his death, or retirement from office under this section, multiplied by the sum of his years of judicial service, his years of prior allowable service as a Senator, Representative, Delegate or Resident Commissioner in Congress, his years of prior allowable service performed as a member of the Armed Forces of the United States, and his years, not exceeding fifteen, of prior allowable service performed as an employee described in section 2259(b) (formerly section 698(g)) of title 5, United States Code and (2) three-fourths of 1 per centum of such average annual salary multiplied by his years of any other prior allowable service, but such annuity shall not exceed 37½ per centum of such average annual salary and shall be further reduced in accordance with paragraph (3) of this subsection, if applicable.

"(15) Subject to the provisions of paragraph (3) of this subsection, the years of service of a judge which are allowable as the basis for calculating the amount of the annuity of his widow shall include his years of service as a judge of one of the five courts herein named (whether in regular active service or retired from such service under this section), his years of service as a Senator, Representative, Delegate, or Resident Commissioner in Congress, his years of active service as a member of the Armed Forces of the United States not exceeding five years in the aggregeate and not including any such service for which credit is allowed for the purposes of retirement or retired pay under any other provision of law, and his years of any other civilian service within the purview of section 2253 of title 5, United States Code.

"(16) Nothing contained in this section shall be construed to prevent a widow eligible therefor from simultaneouly receiving an annuity under this section and any annuity to which she would otherwise be entitled under any other law without regard to this section, but in computing such other annuity, service used in the computation of her annuity under this section shall not be credited.

"(e) Nothing contained in this section shall be construed to prevent a judge eligible therefor from simultaneously receiving his retirement compensation under this section and any annuity to which he would otherwise be entitled under any other law without regard to this section, but in computing such annuity, service used in the computation of retirement compensation under this section shall not be credited: *Provided, however,* That nothing contained in this section shall be construed to prevent a judge from electing to waive the provisions of this section regarding retirement compensation and crediting service hereunder in computing his annuity under any annuity to which he would otherwise be entitled, under any other law without regard to this section."

With the following committee amendments:

Page 2, lines 5 and 6, strike "subchapter II and this subchapter" and insert in lieu thereof "this Act."

Page 2, line 16, insert the following immediately before the period: "*Provided,* That if any such judge shall voluntarily retire, other than for permanent disability, after ten or more years of service in the aggregate in such court or courts, his retirement salary shall not commence until he shall have reached the age of fifty-five years."

Page 3, line 3, add the following sentence:
"The term 'voluntarily retire', as used in this section, shall not be deemed to include retirement by reason of failure of reappointment to any such court or courts."

Page 3, line 14; page 15, lines 18 and 22, strike "compensation" and insert in lieu thereof "salary".

Page 4, immediately succeeding line 3, insert the following title:
"Annuities to Widows and Surviving Children of Judges."

Strike the terms "Comptroller General of the United States" and "Comptroller General" wherever they appear in the bill and insert in lieu thereof "Commissioners".

Strike "section" and insert in lieu thereof "subsection" on page 4, lines 9, 12, 21, and 23; page 5, lines 7 and 11; page 6, lines 16 and 23; page 7, lines 1 and 4; page 9, lines 11 and 23; page 10, lines 3 and 7; page 11, line 24; page 13, lines 3, 16, and 24; page 15, lines 9, 11, 13, and 15.

Page 4, line 4, insert the following immediately after the word "named": ", or any judge retired prior to the enactment of this amendment."

Page 4, line 7, after the word "office" insert, or is "reappointed to office,".

Page 4, line 21, insert the following after the period therein:
"If, at any time, the balance in such fund is not sufficient to pay current obligations arising pursuant to the provisions of this subsection, there is authorized to be appropriated to such fund, out of any moneys in the Treasury of the United States to the credit of the District of Columbia not otherwise appropriated, such funds as may be necessary to pay such current obligations. The Secretary of the Treasury shall prepare the estimates of the annual appropriation required to be made to the 'District of Columbia judicial survivors annuity fund', and shall make actuarial valuations of such fund at intervals of 5 years, or more often if deemed necessary by the Secretary of the Treasury."

Page 9, line 25, strike "he" and insert in lieu thereof "they".

Page 11, line 24, strike "subsection (8)" and insert in lieu thereof "paragraph (8) of subsection (d)".

Page 14, line 1, strike "1½" and insert in lieu thereof "1¼".

Insert the following new paragraph immediately after paragraph "16", page 15:
"(17) Wherever used in this section the term 'Commissioners' shall mean the Board of Commissioners of the District of Columbia or their designated agent."

Page 16, line 2, strike the phrase "his annuity under".

Page 16, line 4, strike the period and quotation marks after "section" and insert thereafter "; nor shall anything contained in this section or in any other law be construed to require a judge eligible therefor to elect to waive either the provisions of this section regarding retirement compensation and annuities or the provisions of any other law relating to retirement compensation or annuities prior to the date of his retirement."

Add the following section to the bill:
"SEC. 2. Nothing contained in this Act shall preclude the continued application of the provisions of the original section 11 of the Act approved April 1, 1942 (56 Stat. 197), to any judge retired pursuant to the provisions of such original section.
"SEC. 3. This Act shall be effective on and after the first day of the first month following its approval."

Mr. McMILLAN. Mr. Speaker, the purpose of H.R. 5831 is to provide a more equitable and realistic retirement law for the judges of the several municipal courts of the District of Columbia.

Present law—section 11 of the act approved April 1, 1942, 56 Stat. 197; section 11–776; D.C. Code, 1951 edition—does not permit the retirement of a judge coming under its provisions until he has served a minimum of 20 years on the bench. The committee is of the opinion that such minimum service requirement should be reduced to 10 years, because the majority of appointments to such courts are for a 10-year period.

Other than the provisions in the Civil Service Retirement Act, there is no provision in existing law providing disability retirement for such judges or for annuities for widows or children of such judges. The committee is of the opinion that such provisions should be contained in the present judge's retirement law because most current retirement laws contain such realistic and equitable provisions.

The bill corrects these present law inadequacies one, by reducing the minimum required service on the bench for retirement from 20 years to 10 years, while keeping the present law computation ratio of retirement salary, one-thirtieth of a judge's salary at the time of retirement for each year served on the bench, but not to exceed 100 percent of such salary; two, by providing that a judge, after 5 years or more of service, may retire for disability of a permanent nature and he shall receive a retirement salary computed in accordance with the above ratio; and three, by providing that survivorship benefits may be granted to any judge who elects to come within the purview of the subsection authorizing such benefits. The rate of contribution, annuities, and related provisions of such subsection are substantially the same as those contained in the current retirement act for Federal judges—title 28, United States Code, section 376.

The committee is of the opinion that these objectives should be incorporated in the present law relating to the retirement of judges in order to insure the continued availability of men and women of the highest caliber to fill the judicial positions in the several municipal courts of the District of Columbia.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTRUCTION OF RAILROAD SIDING, DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 8466) to authorize the construction of a railroad siding in the vicinity of Taylor Street NE., District of Columbia, and ask that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to sections 2 and 3, the Baltimore and Ohio Railroad Company is hereby authorized to construct in the District of Columbia a single siding which shall start at a point on such company's metropolitan branch track approximately three hundred and forty feet north of the centerline of Taylor Street Northeast and shall run from such point in a southerly direction (a) across the southwest corner of the unpaved right-of-way of the southern terminus of Porto Rico Avenue, (b) under the viaduct in Taylor Street, (c) into parcel 134/99, and (d) south along parcel 134/99 to serve parcels 134/102, 134/100, 134/103, and 134/101.

SEC. 2. The siding authorized to be constructed by the first section shall cross the southwest corner of the unpaved right-of-way of the southern terminus of Porto Rico Avenue and shall pass under the viaduct in Taylor Street in accordance with plans approved in advance of such construction by the Commissioners of the District of Columbia and subject to the terms and conditions of a permit by said Commissioners for the construction of said siding.

SEC. 3. Congress reserves the right to alter, amend, or repeal this Act.

Mr. GROSS. Mr. Speaker, I move to strike out the last word.

Is any cost to the Federal Government entailed in this bill?

Mr. McMILLAN. No, because this is only to give permission for the construction of the siding.

The purpose of this bill is to authorize the Baltimore & Ohio Railroad Co. to construct in the District of Columbia a single railroad siding to serve facilities on private property. It will be on private property, except where it crosses the southwest corner of the unpaved right-of-way of the southern terminus of Porto Rico Avenue and Taylor Street.

This legislation is necessary because the Commissioners of the District of Columbia, absent congressional authorization, do not have the authority to permit a railroad siding to cross a public street. Under the terms of the bill the siding will be constructed in accordance with plans to be approved by the Commissioners in advance of the construction and subject to the terms and conditions of a permit issued by them.

The committee is advised that the District of Columbia has no objection to the enactment of this legislation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, this concludes the District of Columbia business.

EARL GUPTON

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6453) for the relief of Earl Gupton, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 1, line 11, after "Act" insert: "in excess of 10 per centum thereof."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Reserving the right to object, Mr. Speaker, this is a bill that ordinarily would come up on the Private Calendar?

Mr. LANE. No; this is a bill that was on the Private Calendar, that passed the House and went to the Senate, and which the Senate has amended. I am asking unanimous consent that the House concur in the Senate amendment.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

U.S. DISPLAY CORPORATION

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5179) for the relief of the U.S. Display Corporation, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Line 11, after "claim" insert ": *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to, or received by, any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000".

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MEMBERS OF UNIFORMED SERVICES

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6244) for the relief of certain members of the uniformed services erroneously in receipt of family separation allowances, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 1, line 3, strike out "That the members" and insert: "That members and former members".

Amend the title so as to read: "An Act for the relief of certain members and former members of the uniformed services erroneously in receipt of family separation allowances."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ERADICATION OF HOG CHOLERA

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 435 and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7176) to provide for a national hog cholera eradication program. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN], and yield myself such time as I may require.

Mr. Speaker, House Resolution 435 makes in order the consideration of the bill H.R. 7176. This is a bill to provide for a national hog cholera eradication program. The bill calls for 1 hour of general debate and is an open rule. I would hope that the House would see fit to adopt House Resolution 435.

Mr. BROWN. Mr. Speaker, as the gentleman from California, my colleague on the Committee on Rules [Mr. SISK], has so ably explained, this resolution makes in order the consideration of H.R. 7176 under an open rule, 1 hour of general debate. The bill itself is for the purpose of providing for a national hog cholera eradication program. This measure is of great interest to a great many farmers of the Nation. It is my understanding that at the present time, the loss to our farmers and to our national economy generally, as the result of the spread of hog cholera is about $50 million a year.

Some 36 States, if I remember correctly, already have laws dealing rather effectively with the eradication of hog cholera and, especially, the prevention of shipment, or use of, live cholera serum in the treatment of hogs, which sometimes unavoidably spreads the disease rather than eradicates it.

This program, as I understand it, would come under the supervision and direction of the Department of Agriculture, and would cost approximately an estimated $4 million for the first year, with reduced amounts in the succeeding years. It is the belief of the experts that in anywhere from 4 or 5 or, perhaps, 6 years time, hog cholera could be entirely eliminated in this country.

It is my opinion this is the type of legislation this Congress should consider because, for a very small expenditure, a large saving can be made to the farmers of America and to our national economy generally. The health of the Nation's livestock and, especially, the health of the American people would be protected as the result of the enactment of this legislation. There would be a benefit spring from the enactment of this bill far beyond the cost involved. It would not be a waste of public funds, or even an expenditure of public funds, but rather, in the end, it would be an investment which would actually bring great monetary, as well as other, returns.

Mr. Speaker, I have no further requests for time and yield back the balance of my time.

Mr. SISK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the adoption of the resolution.

The resolution was agreed to.

Mr. GRANT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7176) to provide for a national hog cholera eradication program.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 7176, with Mr. ULLMAN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. GRANT. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, for a number of years I have been interested in the legislation before us today. Briefly, this bill provides that the U.S. Department of Agriculture has control over the production and distribution of virulent hog cholera virus in order to control the spread of the most costly and destructive disease to the swine industry of this Nation. For more than 40 years, the use of this type virus with serum has been common practice in an effort to control the disease. However, the use of this type virus has continued to perpetuate and disseminate the disease throughout the country. The great majority of those interested in the production of swine in this Nation now realize that modern methods of immunization have made the use of live virus obsolete. I take pride in the fact that the State of Alabama took the lead in 1951 in this legislation to prohibit the use of live virus in that State. So satisfactory are the modified virus vaccines that the use of live virus vaccines are now prohibited or strictly regulated in 38 States and Puerto Rico.

This matter was first called to my attention in 1957 by the State veterinarian of Alabama, Dr. J. G. Milligan, who was at that time president of the U.S. Livestock Sanitary Association and an acknowledged authority upon such matters. I, therefore, at his suggestion introduced legislation to outlaw the use

of live virus. So, today the legislation is before us, which is the first major step in the eventual eradication of hog cholera throughout the Nation. It comes to you with the support of the American Farm Bureau Federation, the National Council of Farmer Cooperatives, the National Farmers Union, the National Grange, the National Swine Growers Council, the National Livestock Producers Association, the American Meat Institute, the National Association of State Departments of Agriculture, Livestock Conservation, Inc., and the American Veterinary Medical Association. In addition thereto, various farmer and swine organizations throughout the Nation have endorsed its merits.

It is estimated that hog cholera costs American farmers $40 to $60 million each year. The hog growers and veterinarians throughout the Nation now realize that this costly disease is totally unnecessary. However, it cannot be eradicated as long as live virus is permitted to be used in a few of the States. The legislation is badly needed and long overdue. Hog cholera is the No. 1 killer of hogs in the United States. If we are to take advantage of international markets, it is necessary that this legislation be enacted because the movement of pork products in the foreign markets is restricted because of the hog cholera situation. Among the nations restricting imports are Australia, Austria, Belgium, Denmark, New Zealand, Sweden, and the United Kingdom.

This legislation simply provides that the Secretary will have authority to prohibit the interstate movement of live hog cholera virus and that the Department of Agriculture would be given authority to cooperate with the various States in carrying out an eradication program. Under such a program, the Federal Government could pay up to 50 percent of the indemnity in cases where a hog had to be slaughtered in order to eradicate the disease.

This is must legislation—may I repeat, long overdue—and one which will cost little in proportion to the good that it will achieve.

FURTHER BACKGROUND INFORMATION ON HOG CHOLERA

Hog cholera is a disease that attacks swine only. It is infectious, contagious, and nearly always fatal—fewer than 1 or 2 percent of the pigs that get it survive.

Hog cholera is acute. Cholera-stricken pigs are usually unmistakenly and severely ill and they usually die within 4 to 10 days after the first signs of sickness appear.

Hog cholera is found throughout the entire United States, but is most common in areas where there are many hogs. A few hogs may be naturally immune, but from a practical viewpoint all hogs in the United States that have not been immunized against hog cholera are susceptible to it—regardless of size, age, breed, color, sex, and the season of the year. Vaccines and serum, currently available for immunizing hogs against cholera, are not 100 percent effective on the average, they are between 85 percent and 95 percent effective, when they are properly administered.

Hog cholera costs the Nation's swine producers between $40 and $60 million a year because of death losses on the farm, condemnations at slaughter, and the continuing expense of vaccination. The loss figures do not include the loss of potential foreign markets for U.S. pork and pork products. Eleven countries ban or restrict imports from this country because of hog cholera. The United Kingdom, for example, imports a billion pounds of pork a year, but very little U.S. pork. The United Kingdom's pork-import-certificate requirements cannot be reasonably met in this country because of hog cholera.

Serious epidemics of hog cholera occurred in the United States in 1887, 1896, 1913–14, and 1926, which seems to indicate that the disease occurs in cycles. How the disease will manifest itself in the future cannot be predicted because first, some hog raisers vaccinate and some do not—about 60 percent do not—and second, the uneven patterns of vaccinations may have upset the disease's supposed natural cycles. The disease's causative agent may also exist in variant forms. Some indications of this occurred in 1949 and the early 1950's and caused a great deal of concern and a great many losses in the Midwest. There is no assurance that "variant" problems of equal or greater impact than those beginning in 1949 may not be encountered at any time.

A number of countries control hog cholera by eradication. Canada, for example, controls it by slaughter of infected and exposed swine, indemnity, and other stringent measures. Hog cholera outbreaks in Canada from 1910 through 1960 appeared to rise and fall with imports of U.S. pork.

The first evidence of hog cholera in the United States was in southern Ohio in 1833. Since that date, research and experience have established many facts about it. Some of the additionally pertinent are discussed below.

THE CAUSE OF HOG CHOLERA

Hog cholera is caused by a virus—a so-called filterable virus. This virus is extremely small and passes through the pores of a porcelain filter, which is capable of trapping any but the tiniest forms of germ life. The size of hog cholera virus can be roughly classified with the viruses that cause smallpox, infantile paralysis, measles, foot-and-mouth diseases, and equine encephalomyelitis.

CHARACTERISTICS OF THE VIRUS

Hog cholera virus is weak, yet tough under certain circumstances. If it is exposed to direct sunlight, it dies within an hour. Temperatures used for pasteurizing milk destroy it completely. Antiseptics and disinfectants kill it easily. But during the winter, it may stay fully virulent, and ready to kill, for weeks or months in frozen carcasses.

Hog cholera virus survives the process used to cure hams; bacon prepared from an infected pig caused cholera after 27 days; the virus may live for at least 73 days in the bone marrow of salted pork; and infected pork was capable of causing cholera after 1,598 days of refrigeration at 11° C.—14° F.

Hog cholera virus multiplies very rapidly in the body of an infected pig. And every secretion or excretion from the pig—feces, urine, vomitus or drippings from eyes, mouth, or nose—may contain the live virus so that healthy pigs coming in contact with a sick one are soon infected. A pig may have cholera for 2 or 3 days without showing signs but during that time he is shedding virus and may be infecting other pigs. If an infected pig is slaughtered before showing signs, his dressed carcass nonetheless carries the virus and remains a potential for spread until it is thoroughly cooked.

These characteristics of the virus—ability to multiply in and permeate every cell of a pig's body and ability to survive for long periods of time in uncooked pork—explain why the feeding of uncooked garbage that may contain raw pork can contribute markedly to the spread of hog cholera. The feeding of uncooked garbage to swine, especially on a commercial scale, is prohibited by law in most States. On many individual farms, however, pork trimmings from the table do find their way into "swill" destined for hogs.

DIAGNOSING HOG CHOLERA

Laboratory aids in diagnosing hog cholera include a total low white blood cell count and a histological examination of the brain. When in doubt, laboratory backup is necessary in confirming diagnosis.

Absolute proof of hog cholera can be obtained by injecting a susceptible pig and an immune pig with bacteria-free blood from the suspected pig. If the susceptible dies, and the immune lives, hog cholera is established. Tests of this type are expensive and time consuming.

After repeated observations followed at times with laboratory confirmation, a trained diagnostician will determine whether a pig or a herd has hog cholera. They become quite proficient in diagnosing the disease even in atypical cases. Canada encountered this problem in their 1960–61 epidemic and using the above procedures handled it quite effectively.

One of the most significant contributions to a hog cholera eradication program would be a rapid test for diagnosing it. The pig is the only animal known to exhibit the signs and lesions of the disease, a circumstance which rules out the use of mice, rats, guinea pigs, rabbits, or some other convenient animal for use in laboratory diagnosis.

SIGNS OF HOG CHOLERA

The first sign that a pig may have cholera is a rise in temperature to 105° F. or higher. The temperature usually remains above normal—103° to 104° F.—until death is imminent and then drops abruptly to subnormal.

Following the temperature rise, the sick pig soon loses his appetite. He is inactive, hides in his nest, or stands in a depressed, thinking attitude and may have gummed eyelids. If he attempts

to move, he sways and staggers, legs half bent, and usually collapses in any position. He may have fits or convulsions. His skin may also redden. He may have a yellowish-gray diarrhea after a day or so of sickness and the diarrhea often gets progressively worse. Cholera-sick pigs tend to pile on top of one another even in warm or hot weather. Abortion usually occurs; vomiting sometimes occurs.

SIGNS MAY NOT BE SPECIFIC

Signs and lesions of hog cholera are identical with those of African swine fever and are in many ways similar to those of swine erysipelas, septicemic salmonellosis, pasteurellosis, and streptococcosis. The presence of these or any other disease along with hog cholera may mask or pervert the signs normally induced by hog cholera.

African swine fever—ASF—has often been called hog cholera for which no vaccine is available. It is almost always 100 percent fatal. Once established in a herd, it spreads quickly by contact, the same as true hog cholera. ASF was first encountered in Africa in 1910, but was only mildly troublesome because hog raising there is relatively small and scattered. The disease, however, recently spread to Spain and Portugal. The U.S. Department of Agriculture recently proposed additional regulations on imports of pork and pork products as further safeguards against introduction into this country of Africa swine fever, potentially the most dangerous of all swine diseases.

There is a form of hog cholera that does not produce typical symptoms. Deaths occur over a period of months and post mortem findings are obscure. However, after repeated observations followed with laboratory confirmation, a trained diagnostician will recognize the condition. Canada encountered this problem in their recent epidemic and handled it quite effectively.

TREATMENTS AND PREVENTION

There is no cure for hog cholera. If a pig gets it, he will surely die unless he is one of the 5 percent or fewer that are naturally immune. Large doses of serum, injected into exposed, unvaccinated hogs in very early stages of the disease or before signs appear, may save some but not very many. Sulfa drugs and antibiotics may control secondary infections, but they have no effect on hog cholera—they merely prolong the infected pig's life. The inevitable outcome is almost always the same—death.

The serum and vaccines discussed below have one characteristic in common—they sometimes fail to stimulate immunity, even when they are administered to healthy, susceptible, disease-free pigs by experienced veterinarians. Thus, there is no cure for hog cholera nor any absolute preventive, but hog cholera immunizing agents are generally regarded as extremely effective.

ANTI-HOG-CHOLERA SERUM

Anti-hog-cholera serum is made from the blood of hogs hyperimmunized by a special process that results in a high level of antibodies for the disease. The red cells are removed from the blood and the resulting liquid further processed. After successfully passing purity, safety, and potency tests, the serum is ready for sale and use.

Anti-hog-cholera serum confers immediate immunity to hog cholera and the immunity generally lasts for 2 or 3 weeks, depending on the pig and amount of serum used. Since its effects are temporary, it is usually used to meet emergencies—to protect susceptible, pregnant sows or pigs afflicted with some disease other than cholera that are too weak to tolerate a full vaccination. But the use of serum alone as a general temporary immunity to protect them from exposure when marketed should be discouraged because serum given prior to vaccines may block the action of them and the vaccinated pig may not develop immunity.

VIRULENT VIRUS WITH ANTI-HOG-CHOLERA SERUM

This method, simultaneously injecting virulent virus and anti-hog-cholera serum, was the only way of vaccinating pigs against hog cholera for many years. Without it the huge swine industry in the United States probably could not have survived in the presence of hog cholera. The serum instantly protects the pigs against the live virus until active resistance to the virus builds up in the pig's body.

Pigs vaccinated in this way, however, shed virulent virus and may infect other pigs and the premises they occupy.

The general use of virulent virus for immunizing pigs against hog cholera is presently banned in 38 States and Puerto Rico. Thus, since the feeding of uncooked garbage to swine is also prohibited in most States, two doors through which hog cholera could spread are gradually closing. Virulent virus is used for research, serum production, and in the testing of immunizing agents to challenge pigs immunized by other methods.

Vaccination with virulent virus and serum confers immediate, long-lasting, usually lifetime, immunity to hog cholera.

KILLED (INACTIVATED) VIRUS VACCINES

These vaccines, made from live virus that has been killed—inactivated—by chemical treatment, must be used without anti-hog-cholera serum. They produce an active immunity lasting several months, but it takes about 3 weeks for immunity to become established after successful vaccination. These vaccines should never be used on pigs that have been exposed to hog cholera. A second vaccination given 4 weeks following the first injection will act as a booster similar to multiple vaccination for polio and results have shown that it produces a very satisfactory immunization.

Killed virus vaccines are entirely safe and can be used on pregnant sows and unthrifty pigs if the need to vaccinate is great. To get maximum immunity from them, the pigs must be fully susceptible. Because immune sows pass along some resistance to their suckling pigs, at least 2 weeks should elapse after such pigs are weaned before they are vaccinated with killed virus vaccines. Breeding stock should be revaccinated annually.

MODIFIED LIVE VIRUS VACCINES

These vaccines opened a new approach to active immunization of pigs. They induce immunity without the concurrent danger of spreading fully virulent virus. Virulent virus is initially used in their preparation, but the virus is modified by passing it through nonhost animals—for example, the rabbit or through animal tissue cells. During these passages, the virus ultimately loses its virulence, but retains its antigenic or immunizing properties.

Modified live virus vaccines produce immunity within 7 to 14 days and the immunity may last for as long as 3 years, although yearly vaccination of breeding stock is recommended. Using anti-hog-cholera serum with these vaccines immediately protects pigs until the vaccine induces active resistance in the pig's body. Pregnant sows should not be vaccinated with these vaccines. They should be vaccinated prior to being bred.

SUMMING UP

Few diseases are as highly contagious as hog cholera. Two cubic centimeters of the virus—about one-third teaspoonful—diluted and divided, is enough to kill 3 million susceptible pigs. The disease can be spread first, directly by contact with infected or exposed swine; second, from hogs vaccinated with virulent virus and serum; third, from conveyances and pens that have carried or confined infected pigs; fourth, from drainage from infected premises; fifth, from the carcasses of cholera-killed pigs; sixth, in some processed pork products; and seventh, indirectly in uncooked garbage that contains pork trimmings.

Few diseases can be as deadly as hog cholera. Few diseases are as widespread as hog cholera. It has appeared at one time or another in virtually every State in the United States and in many foreign countries.

The signs and lesions of the disease are identical with those of at least one other deadly swine disease and are similar to those found in still other swine diseases. We have a reliable test for hog cholera, but it is time consuming. Clinical diagnosis is relied upon by countries that have an eradication program going, such as Canada. Many researchers are working on a more rapid test. Experienced veterinarians can make a diagnosis by considering the manifested symptoms and lesions along with the herd history.

Through vaccination it is possible to control hog cholera, although vaccines and serum are not always effective against it. There is no cure, and once the manifestations of the disease are apparent, the animals invariably die.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. GRANT. I yield to the gentleman from Iowa.

Mr. KYL. I would like to ask a few questions for clarification of the gentleman from Alabama. I do not notice anywhere in the bill, sir, any appropriating

authorization for funds for the eradication studies or committees to carry out the eradication studies.

Mr. GRANT. That is quite true. May I say to my colleague, under existing law, which is used in the eradication of the hoof-and-mouth disease and brucellosis in cows, that that same legislation applies to this.

Mr. KYL. It would apply without any further legislation.

Mr. GRANT. Yes.

Mr. HOEVEN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this bill is of tremendous significance and importance to my State of Iowa, and all hog-producing areas of the country. I am happy to see that it enjoys the unanimous endorsement of the Committee on Agriculture.

We in Iowa traditionally depend on "Mr. Pig" for some 30 to 40 percent of our cash receipts from farm marketings. In pork production Iowa ranks in the undisputed first position. Of the 81.5 million hogs commercially slaughtered in the United States in 1959, some 15.1 million were slaughtered in Iowa. This was nearly three times as many as were slaughtered by our nearest competitor States, Minnesota and Illinois. Hog marketing in Iowa in 1959 accounted for some $644.7 million worth of income to Iowa farmers. The total for the United States that year was $2.8 billion. In my district hog production is of vital importance. For example, in Sioux City alone, over 3.5 million hogs were slaughtered under Federal inspection in 1959.

This bill before us today has two basic purposes. The first is to establish a joint State-Federal hog cholera eradication program. The formula for this program has already been prepared and tested. We have successfully stamped out animal tuberculosis in America and we are presently making giant strides in the elimination of brucellosis through State and Federal cooperation. Veterinary scientists now believe that veterinary medicine has reached the point where hog chlorea can be eradicated from the United States. This bill will allow a similar arrangement for the eradication of hog cholera. According to expert testimony before our committee, hog cholera is a disease of swine which costs hog farmers from $50 to $60 million per year. Present control methods are costing farmers an additional $25 million per year. The Department of Agriculture estimates that a successful eradication program could be instituted and supported at an initial cost of $4 million per year and a subsequent cost in the next few years of $10 million per year. Thus our total expenditure for hog cholera eradication may well be recovered in a single year's saving when the disease is finally stamped out.

Another point that bears on the favorable consideration of this legislation is the effect on our export markets. At present there are some 11 nations which restrict American pork exports because of the presence of hog cholera in our country. This bill will eventually open up these new markets.

The second purpose of this bill is to authorize the Secretary to prohibit or restrict the interstate movement of virulent hog cholera virus. While I realize there is some controversy over the medical merits of the use of virulent versus nonvirulent virus, I feel that the expert advice made available to the Secretary from within the Agricultural Research Service of the Department of Agriculture as well as from the 12-man advisory committee established by this bill will enable us to move ahead on a sound and scientific basis for the most effective elimination of the disease.

Finally, Mr. Chairman, let me say that this bill has widespread support within the livestock industry and among farm organizations. Here are the groups appearing before the committee in support of this bill: the American Farm Bureau Federation, the National Council of Farmer Cooperatives, the National Farmers Union, the National Grange, the National Swine Growers Council, the National Livestock Producers Association, the American Meat Institute, the National Association of State Departments of Agriculture, Livestock Conservation, Inc., and the American Veterinary Medical Association.

Mr. GRANT. Mr. Chairman, I yield 5 minutes to the gentlewoman from Georgia [Mrs. BLITCH].

Mrs. BLITCH. Mr. Chairman, I speak in favor of legislation to provide for a national hog cholera eradication program.

As Representative of one of the largest agricultural districts of the Nation, I recognize the need for legislation to safeguard the health of the swine herds of the country, and to prevent the spread of hog cholera from one State to the other which would put us in position to expand export markets for pork and pork products now restricted on account of hog cholera.

This dread disease costs our farmers an estimated $50 million annually. This is too much of a loss for the farmers to endure. We are always looking for ways to help the farmer whose income has continued to decline year after year, while the costs of what he has to buy continue to rise. Today—with the passage of the hog cholera bill—we will have found a way to give that helping hand where it is very much needed.

The House Agriculture Committee reported the bill favorably. It has the support of the farmers, the livestock industry, the veterinary medical association, and I believe with all my heart it has the support of the Members of this Congress.

It is a sad sight to see a fine farm animal—from which we could have obtained some delicious ham, bacon and sausage—develop the disease for which we hope to begin an eradication program today. The pig contacts a virus which moves into the bloodstream. The temperature of the animal rises quickly. White corpuscles are destroyed and the pig develops a weak, stilted, staggering gait. The glands of the neck hemorrhage. The pig's legs fold, his eyes close. Cholera has caused a painful death.

Hog cholera occurs in every State and in parts of every country where hogs are raised—except in those that have undertaken vigorous and continuing eradication measures. Eradication of cholera in any individual State is virtually impossible as long as cholera exists in other States unless strict trade barriers are set up.

If we are to get the restrictions lifted on pork and pork products which prevent the expansion of export markets, it is imperative that the Federal Government join with the States in a cooperative program to eliminate cholera from the hog farms of our Nation once and for all.

We have talked about such a program for years. The cost of the program is estimated at about $4 million for the first year and $10 million a year for another 4 or 5 years. This is a modest price to pay for the eradication of a disease which now costs the country as much as $50 million a year.

Today, I think Congress should make this determined step to help the farmers of our Nation. Let us not wait any longer to begin an eradication program. Let us not wait any longer to eliminate the disease that costs the swine industry $50 million a year and in turn causes the cost of pork products to be more expensive to the consumer. Let us make this move to expand export markets for pork, let us protect the public interest by enacting the national hog cholera eradication program which we now have under consideration.

Mr. HOEVEN. Mr. Chairman, I yield 7 minutes to the gentleman from Indiana [Mr. HARVEY].

Mr. HARVEY of Indiana. Mr. Chairman, I rise in support of this legislation. In fact, I introduced a bill identical with that introduced by the gentleman from Alabama [Mr. GRANT], and these bills were practically identical with the more than two that were presented in the Senate.

The Senate has passed this legislation, and I hope the House will do likewise this afternoon.

This is an area that has been in need of our attention for a long time. As an undergraduate I did a research thesis on the subject of swine diseases, and while I do not pose as an authority, it is a field in which I have some knowledge.

About 50 years ago there was devised a plan to vaccinate hogs in order to protect them against cholera. This was a great boon to the swine industry. I can well remember that on our own farm it meant the difference between a continual loss of our entire herd and the ability to produce hogs consistently for market. Through the years, of course, we have found that it has been a mixed blessing, because the method of vaccination involved the use of a so-called virus that actually was the hog cholera disease. At the same time the animal was also given a serum which contained antibodies so that the animal in question was given a very mild case of cholera and given the antibodies to protect it. This live virus had the effect, however, of

perpetuating cholera. So, it has been not only as the gentlewoman from Georgia [Mrs. BLITCH] said, found today in every State of the Union, it has been constantly recurring. The knowledge now existent in veterinary medical science is such that we believe we can control it; in fact, we can stamp it out. That is what this legislation proposes to give the Secretary of Agriculture authority to do.

Mr. Chairman, I might explain that our subcommittee held hearings on this very subject about 4 years ago. At that time we concluded that there was not enough sentiment throughout the United States to sustain the effort that we felt was necessary if it were to succeed. At this time there is every evidence that there is enough support throughout the whole country on the part of farm organizations, veterinary medical groups, and farmers themselves, to enable this kind of program to work.

Mr. Chairman, this envisions a cooperative action on the part of the livestock sanitary boards of the various States and the U.S. Department of Agriculture. I am sure, as we move along in this program, we will eventually be able to eliminate it as we have eliminated many other diseases of a similar character. I call to your mind particularly the example of foot-and-mouth disease of cattle which at one time presented a terrible threat to the cattle industry of this country, but which we have eliminated. There will come a time, as we advance in this program, when it will be necessary to follow a mopup type of operation. In other words, we find today that we can produce an attenuated serum that will enable us to vaccinate the pigs and protect them, and at the same time it will not be of a type that will continue to spread the disease. Inevitably, though, there are bound to be outbreaks for a period of time. In these instances it will be the responsibility of the Federal Government and State governments, operating jointly, to move in and destroy the herd, indemnify the owner, and thereby prevent the spread.

Mr. Chairman, I think of one instance particularly where in my opinion the entire program will be worth while, if for no other purpose in that our neighbor to the north, Canada, has already successfully eliminated hog cholera. But they have had a few recurrences due, I think, to the fact that we in the United States have fed the disease into Canada. It will do a great deal to cement the harmony between Canada and the United States. For that reason I believe this is a very desirable program. Certainly this is not going to be a quickie operation. It will take some time. I think it ought to be approved in that vein. Our pork products will also be eligible to export to several countries where we are now barred.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Indiana. I am glad to yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I should like to compliment the gentleman on the very learned dissertation he has given us which dates back to his thesis, knowing about the attenuation of the various viruses. I rise only as one of the doctor-farmer Members of this Congress from the land just north of the land of the razorback to make two points about this disease. First of all, I am strongly for this bill; in fact, I would be for all action against any disease of our food, fibers, or our people, just as we are on the road to eliminating brucellosis or Bang's disease and have eliminated the hoof-and-mouth disease and many others. But I wonder if the gentleman knows whether or not the authority carried herein, as I see it in the reports and the hearings, involves the necessary coordination with our own U.S. Public Health Service, which is most knowledgeable concerning the transmission of viruses, the mosaics, and the attenuation thereof, so far as yellow fever is concerned, hepatitis, and many other things we hear about.

It would seem to me, reading these hearings, perhaps we are putting this in the Department of Agriculture alone where maybe the left hand knoweth not what the right hand doeth; and we have not drawn on other Federal resources sufficiently to use all of the best information with the greatest saving of both pigs and hogs and the taxpayer's money. That is point No. 1, Mr. Chairman.

Secondly, I would like to inquire if the learned gentleman in the well of the House knows about the disease-free swine program that is rapidly growing throughout the United States. This is just a system where from birth to butchering the swine is raised under sterile precautions. It goes back, Mr. Chairman, to the theory of aseptic practices rather than antiseptic cure as developed by Lister and Jenner in the 18th and 19th centuries.

I predict, as more and more research and development goes on in our universities, the disease-free swine program will help take care of cholera as well as the various pneumonic diseases that affect our interstate commerce in hogs.

Again, I should like to commend the gentleman and hear his comments on these two questions.

Mr. HARVEY of Indiana. I thank the good Doctor from Missouri, and I would say, Mr. Chairman, in answer to question No. 1 that it is my opinion that it is highly important that the Public Health Service and the Bureau of Animal Industry do cooperate. While the Public Health Service did not, to my knowledge, testify during the hearings on this bill, I believe the very fact that the question has been raised here in the committee should be sufficient to indicate to both groups that their utmost cooperation certainly would be welcomed by the Congress.

Mr. Chairman, in response to the second question, permit me to say that I think this so-called disease-free swine program is a very excellent one. It is in its initial stages. As yet we have not had enough time to tell how effective it can be. But I think certainly when you realize that the swine industry today is probably paying as heavy a toll to the so-called pleural diseases as it is to the disease of hog cholera, if we can eliminate this disease and the parasites, too, the gain in this eventually will be reflected to the consumers.

I would like to say in this connection that I think the gains for consumers in this instance will be fully as great as for the actual producers themselves.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Indiana. I yield to the gentleman from Iowa.

Mr. KYL. Did the hearings demonstrate in any way that vaccination by the nonlive virus technique is the best single means of eradication of the cholera?

Mr. HARVEY of Indiana. Certainly. There has been in years past some question as to the absolute quality of some of these modified viruses that have been in use. We have had them on our farms for many years and have found them entirely satisfactory. It is quite possible that some companies who produce this virus may not have produced as good a virus as others, but today all of the authorities on the subject have assured us that the present modified viruses are effective and dependable.

Mr. KYL. Pursuing that a little further, if vaccination with this newly developed vaccine is the best preventive, and if this were to be used as the basis for the eradication program, I am wondering if anyone has done any investigation as to how we would get compliance. It is my understanding that somewhere between 30 and 50 percent of the hogs are vaccinated today. Do we propose to force every hog raiser to vaccinate at his own expense, or do we propose to pay all swine farmers 100 percent of the cost of the vaccination?

Mr. HARVEY of Indiana. In the intermediate stage I think the approach to the problem will be simply through the prohibition of the use of live virus, so the farmer will be forced either to use the modified virus or not vaccinate at all. Eventually it will be possible for the States working with the Bureau of Animal Industry to find a certain area of the State is disease free and then they will be given authority to go in with mopup activities if an outbreak of cholera recurs.

Mr. KYL. This, of course, assumes that the live viruses have been the major cause of the spread of the disease?

Mr. HARVEY of Indiana. Yes.

Mr. KYL. Not being an authority on the subject, I certainly could not argue on the point, but in my ignorance I would doubt that this was sufficient cause to place all of our efforts in that one operation.

Mr. HARVEY of Indiana. Of course we cannot be positively sure. We are sure enough that I am willing to risk it, and my whole business is involved in this industry. I am sure enough of the validity of it that I am willing to risk it. If I did not have faith enough in it I would not be willing to do so.

Mr. KYL. Certainly no one can argue with the purpose.

Mr. GRANT. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. MATTHEWS.]

Mr. MATTHEWS. Mr. Chairman, I rise in support of this legislation. I want to thank the chairman of our subcommittee, the distinguished gentleman from Alabama [Mr. GRANT] for bringing this before us. I should also like to pay tribute to the Department of Agriculture for the great programs of research it has undertaken through the years. Programs that have led to the eradication of many dread diseases, programs that with no partisanship have been made possible by the dedication of the many fine people in the Department of Agriculture. I might mention the care of the screw-worm in my part of the country. In a short period of several years through the splendid work of the Department of Agriculture we have eradicated the infestation of the screw-worm in our livestock, saving us millions of dollars annually. In 1960 hog cholera appeared on 5,768 different premises in this country. This gives us an idea of the tremendous spread of this disease. I introduced legislation similar to the bill we are now considering. I consider it an honor to participate in this effort, and sincerely hope that the committee will approve of this legislation by an overwhelming vote.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the distinguished gentleman from Virginia.

Mr. JENNINGS. Mr. Chairman, I compliment the gentleman from Florida [Mr. MATTHEWS] for introducing this legislation in this very important field. I commend him for the manner in which he has pursued the work involved in getting this legislation to the floor of the House, and for the detailed knowledge he has concerning the danger and the toll that hog cholera causes. As the gentleman well knows, this kind of program has proved very satisfactory in the eradication of brucellosis as well as many other diseases. It was pointed out in the committee hearings, the cooperation that exists between the Federal Government and the State governments in programs of this type.

Mr. Chairman, I want to associate myself with the remarks of those of our colleagues who preceded the gentleman from Florida, and as well to associate myself with the remarks made by the gentleman from Florida [Mr. MATTHEWS] and to tell him it is a real pleasure to serve on the committee with the gentleman.

Mr. MATTHEWS. Mr. Chairman, I thank my distinguished colleague, the gentleman from Virginia.

Mr. BREEDING. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from Kansas.

Mr. BREEDING. Mr. Chairman, I, too, compliment the gentleman from Florida for the remarks he has made here today in support of this bill, and I join with other Members of the House who have spoken in support of this legislation. I am certainly in favor of it. I think it is the proper way to proceed and I hope the program turns out to be a great success.

Mr. MATTHEWS. I thank the gentleman.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Mr. Chairman, I, too, commend the gentleman from Florida. As I understand it, your people in Florida grow a great many hogs and also consume a great many.

Mr. MATTHEWS. Yes, sir.

Mr. HOFFMAN of Michigan. Yes, sir; and if the Cubans come there, can they eat them too?

Mr. MATTHEWS. Well, sir, we hope that some of the Cubans—the Castro kind—do not come, but we are delighted to have the wonderful citizens of that nation who are fleeing from Castro. We are delighted to have them with us; yes, sir.

Mr. HOFFMAN of Michigan. Many of my Michigan people when they can put a little money by as a result of their honest toil to go on a trip go down to Florida, I am sure glad that they can find hogs there that they can eat.

Mr. MATTHEWS. We are delighted, sir, to have the citizens of your wonderful State come to visit us, and I hope, particularly, that you, yourself, will come to Florida, and I hope that you can come and visit me down there. I would like to take you on the Suwannee River, for example, where we have the finest fishing in the world.

Mr. HOFFMAN of Michigan. What does that have to do with hog cholera.

Mr. MATTHEWS. Well, if you catch a lot of fish, then you do not have to eat so many hogs, and you can sell them for a cash crop.

Mr. HOFFMAN of Michigan. Then, you do not need so much money?

Mr. MATTHEWS. That is true.

Mr. HOFFMAN of Michigan. Then, could we cut this bill a little bit?

Mr. MATTHEWS. Sir, you can sell the hogs to other people and eat the fish and the local economy will be helped in that way.

Mr. HOFFMAN of Michigan. I hope you will not trim our folks as you have in years gone by.

Mr. MATTHEWS. You must be mistaking Florida with another State which I will not name.

Mr. HOFFMAN of Michigan. And there are intellectual benefits from fishing as well as other benefits?

Mr. MATTHEWS. There are and I would be delighted to participate in these benefits. I thank my colleague.

Mr. Chairman, I yield back the balance of my time.

Mr. HOEVEN. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, since we are passing compliments around, I want to compliment the gentleman from Indiana [Mr. HARVEY] for the splendid contribution he has made in the preparation of this bill.

Mr. Chairman, I now yield to the gentleman from Illinois [Mr. ARENDS].

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield to me?

I am sure the gentleman from Iowa [Mr. HOEVEN] wants to compliment the gentleman from Indiana [Mr. HARVEY] a little further; does he not, on the improvement in the service of the Congressman from Indiana over the last few months.

Mr. HOEVEN. I just got through complimenting the gentleman from Indiana.

Mr. HOFFMAN of Michigan. I know, but you did not mention the improvement so far as the front porch is concerned.

Mr. ARENDS. Mr. Chairman, I, too, agree with the majority Members here today that this bill is a meritorious bill which has been introduced by our good and outstanding colleague, the gentleman from Indiana [Mr. HARVEY] and it should be passed. What I have to say is not on the question of hog cholera, but it does relate to corn which has a close relationship to hogs. Therefore, I want to speak a little about corn.

Secretary of Agriculture Orville Freeman continues to preempt for the Government the commercial corn market which rightfully belongs to farmers. Midwestern corn producers have been penalized to the tune of many millions of dollars in recent months by the action of Commodity Credit Corporation in dumping its stocks upon the market and thus pushing corn prices downward.

Despite earlier promises by Mr. Freeman that this would not be done, the Department of Agriculture itself now openly admits that it is the major supplier of corn for the open market. The Department's own Grain Market News of July 28, 1961, states flatly: "Corn prices weakened at most markets, influenced to some extent by the drop in grain sorghum prices. Demand was steady and CCC remained a major source of supplies."

What the Grain Market News does not explain is that the drop in grain sorghum prices, to which it refers, was also brought about by the fact that CCC had just announced a new program to dump grain sorghums on the market to keep prices from advancing.

This same official USDA publication, dated August 11, 1961, reports that from October 1, 1960, through August 4, 1961, CCC sales of corn for domestic use totaled 217,204,000 bushels, as compared with only 93,990,000 bushels during the same period a year earlier. Over the same period, CCC sales of corn for export totaled 75,293,000 bushels, as compared with only 31,095,000 a year earlier. Thus, CCC is selling corn at about 2½ times the rate of a year ago.

Weekly sales of CCC corn in the domestic market have been running at a rate of 6 to 8 million bushels. A substantial amount of this corn, the Government's own daily sales lists show, grades No. 1 or No. 2. Moreover, much of this corn is being sold about 25 cents per bushel below CCC's advertised selling price, as published in its own monthly sales catalog.

Included in the huge amount of corn CCC has dumped was a lot of 14 million bushels which went to an eastern distillery at a delivered price of 64 cents per bushel. But Secretary Freeman, who professes publicly his deep concern for farmers, refuses to sell corn at any such ridiculously low price to drought-stricken farmers of the Northern Great Plains States who desperately need additional feed grains to preserve their livestock herds.

There is no incentive for corn processors to relieve the Government of even a part of its carrying charge costs as long as the Government will carry the corn for them and make it freely available as they need it. Day after day in the great corn market of Chicago, CCC moves in with 200 cars, 300 cars, 400 cars of corn. This is, of course, in violation of the intent of Congress in seeking to set formulas and guidelines which would restrain CCC from such disruptive marketing practices.

Meanwhile, Secretary Freeman goes about the country making speech after speech in which he asserts that his emergency feed grain program is working wonders, that it is going to give farmers more income and save money for taxpayers. This would, indeed, be a neat trick—if it could be done—but, of course, it cannot be done.

Mr. Freeman has approved contracts under which farmers were to be paid some $680 million this year for taking a little more than 20 million corn acres out of production. But when the Department's official crop report figures came out, it was revealed that only 15,379,000 acres of corn had actually been retired. Some farmers, apparently, decided not to participate in the program at the last moment. But the strong suspicion remains that Mr. Freeman bought a large number of phantom corn acres—acres which either did not exist or which had not previously been devoted to corn production.

There is another interesting facet to this. The Secretary earlier this year boosted the soybean price-support level to $2.30 per bushel. This, he said, would induce farmers to divert a considerable acreage from corn to soybeans.

Farmers increased their soybean acreage all right—by about 3.5 million acres. But, if the Department's last crop report is correct, these acres did not come out of corn—for the reported corn acreage for 1961 does not reflect any drop which could be attributed to a shift from corn to beans. In fact, as I noted a moment ago, the reported 1961 corn acreage does not even reflect the reduction which should have come about under the emergency feed-grain program.

What seems to have happened is that while farmers perhaps shifted some acres from oats to soybeans, they switched many more acres from soil conserving crops to soybeans. And a move of this kind can only be injurious to the long-term interests of agriculture and to the principle of soil conservation.

Mr. Freeman has succeeded in creating a soybean surplus problem where none existed before. He has scarcely made a dent in the feed grain surplus, despite a vast outlay of money, and this will become more and more apparent as the September and October crop reports become available. Barring some sort of natural disaster, such as an early freeze, Mr. Freeman this fall will be facing a corn crop of perhaps 3.5 billion bushels and a soybean crop which will set an alltime record of around 700 million bushels. It will then become evident that the new administration has paid $1.50 to $1.75 per bushel for each bushel of corn which wasn't produced and a yet unknown number of millions of dollars to encourage the production of a considerable quantity of soybeans that will not be needed.

Secretary Freeman's feats of agricultural acrobatics are by no means confined to feed grains and soybeans, however. He is now out with an official Department of Agriculture press release which explains how wheat growers are going to make more money while taxpayers save millions through his newest program. It's the corn routine all over again and still pure corn, even though it relates to wheat.

This release is dated August 1961. It is titled "Fact Sheet—1962 Wheat Stabilization Program." It is anything but a "fact sheet." It says right here that the new program will among other things—

> Save the taxpayers about $258 million—$50 million during the 1962 crop year; the remainder during the period that the Government probably would have had to hold wheat added to present stocks.

Assuming that the program does result in a reduction of Government wheat stocks of 100 million bushels, instead of a projected increase of 100 million bushels under the previous program, even assuming this happens and a saving of $50 million results therefrom in the 1962 crop year, what will just one major offsetting cost do to this figure? I refer, of course, to the increase which will become necessary in the Government's export subsidy payment on every bushel of wheat which moves out of the United States.

With the level of price support on wheat increasing next year from $1.79 per bushel to $2 per bushel, the export subsidy on U.S. wheat will have to be increased by 21 cents a bushel to keep it competitive in world markets. Multiplying estimated exports of 650 million bushels by 21 cents yields a figure of $136½ million, every penny of it representing increased costs for exporting U.S. wheat.

Therefore, if one subtracts the $50 million saving claimed in the "fact sheet" from $136½ million, he gets a net increase of $86½ million in the cost of the wheat program during 1962.

Yet nowhere in Mr. Freeman's "fact sheet" is this most important point even mentioned. This raises the very serious question of whether taxpayers' money should be used by an agency of government to deceive these same taxpayers. The answer is obvious and I, for one, protest the repeated activities of the Department of Agriculture under Mr. Freeman in spreading false and misleading information at Government expense.

This alleged "fact sheet" also makes the flat claim that the new wheat program will "increase farmers' net income from wheat from 10 to 15 percent." We shall see, but it has been my observation that you do not often raise a farmer's income by putting him in a tighter production straitjacket.

It has been my experience in recent months that Mr. Freeman's actions have actually resulted in considerable loss of income to farmers of my district and of the Midwest generally. He has clamped what amounts to an embargo on sales of Soft Red Winter wheat under Public Law 480. A good export market had been developed through the years for this class of midwestern-grown wheat. Many countries eligible for Public Law 480 programs would actually prefer to receive Soft Red Winter wheat over the classes they are forced to take.

I protested to Secretary Freeman with respect to this discrimination. The reply was less than enlistening. His theory seems to be that Soft Red Winter wheat is in short supply. The fact is that midwestern farmers have just harvested a large crop of wheat of this class. It is a further fact that price differentials between the Chicago and Kansas City markets indicate that Soft Red Winter wheat is in less demand than the Hard Winter wheat, largely, I believe, because of the Public Law 480 boycott.

Meanwhile, midwestern grain men protest that they cannot merchandise Soft Red Winter wheat, that millers are not currently bidding for it, indicating again that a surplus exists and the eventual users are happy to have the Government carry their inventory until they need it.

The Chicago Daily News of August 3 commented editorially on this, and I quote: "It has been impossible to sell soft wheat out of Chicago for 4 months—the mills' inventory is being carried by the Government."

All in all, things are more than a little confused along the agricultural sector of the New Frontier. The grandiose promises made to farmers in the Democratic platform of 1960 and in the campaign speeches of its candidates have not been fulfilled. Nor will they be. And that is good both for farmers and for the country.

The current line emanating from the Department of Agriculture seems to be designed to conceal, rather than reveal, to befuddle, rather than enlighten, all, perhaps, with a view toward getting farmers so confused that they will not realize the basic farm problems are neither being solved nor even considered.

Mr. GRANT. Mr. Chairman, I yield 3 minutes to the gentleman from Iowa [Mr. COAD].

Mr. COAD. Mr. Chairman, we have had here a presentation of some facts that certainly do not relate at all to the bill before the House and which were obviously out of order.

I should like to ask the gentleman from Illinois a question. Of course I

shared with him my concern regarding the sales of Soft Red Winter wheat that have been curtailed, at least under the Public Law 480 program, and I would like to ask the gentleman from Illinois if he is not aware that the curtailment of the sales of Soft Red Winter wheat were started under Secretary of Agriculture Benson. Is that true?

Mr. ARENDS. That may have been true in part, I do not know. However if you were correct in criticizing Secretary Benson, why do you defend Secretary Freeman now?

Mr. COAD. If it was wrong then, why did not the gentleman raise his voice when it started under Mr. Benson?

Mr. ARENDS. As I understand it, we did not reduce the acreage on wheat during the previous administration, under Mr. Benson, is that right?

Mr. COAD. To the best of my knowledge, wheat acreages were changed during Mr. Benson's administration.

Mr. ARENDS. I did not get the gentleman's question.

Mr. COAD. The acreage on wheat has changed both up and down under Mr. Benson. The point brought up in this discussion has been that the curtailment of Soft Red Winter wheat under Public Law 480 was wrong then. I am asking the gentleman the question why did he not raise his voice back at the time when this program was initiated?

Mr. ARENDS. We had the same 15-acre provision for the Red Winter wheat area that we always had up to this time. Now we have been reduced 10 percent.

The farm bill just signed by the President reduces the 15-acre exemption to the lower of 13½ acres or the highest planted acreage in 1959, 1960, or 1961. It also precludes new growers from raising wheat under this exemption in 1962.

Two Republican efforts on the floor of the House, one by the gentleman from Ohio [Mr. LATTA], the other by the gentleman from Minnesota [Mr. QUIE] were defeated. These amendments would have taken care of the Soft Red Winter wheat farmers in the Midwest. In spite of this the final bill called for a 10-percent cut in Soft Red Winter wheat acreage. There had never been a cut before in this exemption.

Mr. COAD. It is probably understandable under the present farm program, which does call for a reduction in production of Soft Red Winter wheat, that perhaps we will not have a sufficient amount to make Public Law 480 sales. However, this does not explain why Mr. Benson curtailed Public Law 480 sales of Soft Red Winter wheat when we had more production than the new farm program calls for, and the gentleman from Illinois obviously is refusing to state why he was silent when Mr. Benson curtailed the sales of Soft Red Winter wheat.

Mr. ARENDS. I yield to the gentlewoman from Washington.

Mrs. MAY. I would like to say, for clarification of the RECORD, to the gentleman from Iowa, at no time under the Benson administration was the 55-million-acre allotment of wheat ever changed.

Mr. COAD. The answer has not been given to my point.

In summary, Mr. Chairman, I would like to state that it is obvious the time has come for those on the other side of the aisle to play politics with the farm program which obviously is working, because our feed grain production is being cut down. The farmers are satisfied. The farmers have voted under the wheat referendum and I think all of the points are going to be known better.

Regarding the bill before us, I believe the discussion before the House should revert to the bill now before the House. It has been obvious through the years by actual experience in raising hogs that the present vaccination program has not worked. It is time that the whole country recognize this problem. I am confident, with all of the farm organizations behind this bill, it is a matter of technological concern, it is a matter of legislative concern, it is a matter of the welfare of the entire Nation that today we pass this bill. If it is good legislation, it will benefit the Nation by millions and millions of dollars. I congratulate those who have had any part in bringing it to the floor, and I am confident it will be passed today.

Mr. GRANT. Mr. Chairman, I yield 5 minutes to the gentleman from Idaho [Mr. HARDING].

Mr. HARDING. Mr. Chairman, I am happy to join my colleagues on the House Agriculture Committee in speaking in behalf of H.R. 7176, which was introduced by our distinguished colleague from Alabama [Mr. GRANT].

Mr. Chairman, during our hearings on this bill before the Livestock and Feed Grains Subcommittee, we heard people from all segments of agriculture in America come in and testify of the need for this piece of legislation. We were told that hog cholera takes a toll of $40 million to $60 million annually from the income of American farmers. We were further told that this dreaded disease could be eradicated for a total cost of not in excess of $50 million. That represents a wise investment on behalf of American agriculture.

Mr. Chairman, it was interesting to note that there was not a single opponent to this piece of legislation to appear before this agriculture subcommittee. Furthermore, I am happy to note that there has not been a single person speak here on the floor of the House of Representatives in opposition to this bill.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. HARDING. I would be happy to yield to the gentleman from Pennsylvania.

Mr. FULTON. I am in opposition, but I have not had a chance to be heard.

Mr. HARDING. Mr. Chairman, I am sure that the gentleman will have an opportunity to speak in opposition to the bill. However, I feel that any time that we can spend a total of $46 million over a period of 5 years and save the swine producers of this country an estimated $60 million a year, we are making a wise investment. For that reason I strongly support the enactment of this legislation.

Mr. Chairman, I want to compliment the gentleman from Alabama [Mr. GRANT] and our other colleagues who have introduced similar bills and who have worked so hard for the passage of this legislation.

Mr. GRANT. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Chairman, I wish to thank the gentleman from Alabama for yielding this time to me. I appreciate the time as I have not been successful in getting even a minute, and this is my first request of the gentleman from Alabama. This is a question, of what to do under the times of crises and emergency in relation to economy, and postponing otherwise good programs to strengthen our U.S. economic system, devote more funds to U.S. defense, and keep our taxes within reason, as well as to prevent inflation.

We Republicans, through our leadership, have said we do not feel that new or continued spending programs should be adopted, if they can be postponed to assist U.S. defense. I believe that this is a correct approach and, therefore, that this spending program of $50 million should not be gone into at this time.

I recommend that it be postponed, but as a progressive Republican, you know I would have the Federal Government assist in programs to abolish hog cholera and human diseases.

Mr. Chairman, at the present time in the United States there is no incidence of hog cholera that we can give any percentage for—it is that low due to the farmers engaging in adequate vaccination programs, now in operation and performing well, which now give excellent protection to the U.S. consumers. The question is not should we move on such a program, but when.

Mr. HARDING. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Idaho.

Mr. HARDING. I would like to ask the gentleman if he knows how much the spending would amount to if authorized under this bill.

Mr. FULTON. Yes; I am well informed on this agriculture bill, and on the subject. It is $4 million the first year, and they expect $10 million for each of the succeeding 4 years, making $44 million, with the idea that it might run to $50 million. I take the $50 million as an outside figure. Am I right?

Mr. HARDING. That is correct.

Mr. FULTON. Thank you. I happen to be a city farmer, so I am not unaware of some of these figures. But it is always amusing to find some inclination to try to keep all agriculture programs the sole field and within the knowledge of only the agriculture Members of this House.

Mr. Chairman, may I ask the gentleman how many hogs there are in the country, to see how well he responds on a quick question on the subject in discussion? Please do not tell him; how many?

As there is no response, I would advise there are 56.9 million hogs in the country as of January 1, 1960. And what is the kill per year? Eighty-one million

and five hundred thousand are killed under commercial handling and about 7 million are killed on the farms. That makes 88.5 million hogs killed in a year. So that some of us do know a little bit about the farm programs although we do not claim to be experts.

Mr. Chairman, I might say to you that this is simply a Federal medical care program for hogs, and by logic everybody who votes for this program should then on the same principle vote for a Federal medical care program for humans, otherwise you will be in the surprising position of voting for a Federal medical program for hogs for profit, but not for human beings without profit.

At the present time U.S. farmers now vaccinate their hogs and pay the cost themselves, and pay for the animal doctor's costs, the veterinary's fees, or buy the vaccines and the equipment and do it themselves. The cost now is on the individual farmer just as the American Medical Association wants in respect to doctor's fees, vaccination costs, and hospital expenses. The individual pays the vaccination costs. And I might say, as everybody now vaccinates, there is almost no hog cholera in this country today.

I ask anybody on the committee to tell me if there is a large percentage of hogs that have hog cholera? And the answer is no, they do not, because the vaccination program is good, and the U.S. Department of Agriculture, as well as State departments, and local associations follow up well in training, prevention, and so forth.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I would be glad to yield, but in order to yield to the gentleman I would have to ask the Republican side to yield me time, which I have asked for before, even 1 minute. As the Republican side of the House Agriculture Committee will not do that, I cannot yield. But I do believe it would benefit the Republicans in the House to listen for 1 minute to a city or metropolitan area Congressman, and I am sorry the party in the House is so little interested in the cities and suburban areas, or the consumer's point of view.

The question then is this: Shall we, when the President, in his address to the Nation, said that we must buckle down, watch our finances, put off all unnecessary spending programs—shall we in the House now lift from the farmer individually the cost of vaccination and put it over onto the Federal Government? We must now remember that with 60 million hogs, approximately, in the country, multiplied by 3, you get the number of people, 180 million, so that for the people this would be a $150 million medical program for one disease; and there are many, many diseases, both of hogs and people. So, where do we stop? Among many good programs for desirable ends, when does the defense program of the United States in an emergency and recurring crisis become paramount?

I am against the bill at this time as I believe farmers, just as every U.S. citizen, are willing to bear their fair share and burden of postponed programs in the overall public good at this critical time. Let us get over the Berlin crisis, the Laos crisis, the Cuban crisis, the arms crisis, the missile crisis, the budget crisis, the deficit crisis, the U.S. debt limit crisis, and you have my full support for the best program and the fastest research to eliminate completely hog cholera, and every other disease of hogs and human beings, too.

But if the farmers of this country are to be an exception, and this House should give the powerful farm organizations every program, even those that could be postponed temporarily, it is idle to talk of sacrifices for our country and postponements and cuts for other groups of our citizens. Our young men are being asked to man our U.S. Armed Forces, and postpone their careers, go abroad without their families, and have their military duty extended. We all must sacrifice and bear the burdens in times of crisis in our country.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. GRANT. Mr. Chairman, I yield the gentleman one additional minute.

Mr. FULTON. May I again thank the gentleman from Alabama, for his kindness and courtesy, which I appreciate. I am against expanding U.S. spending programs at this time of crisis and decision.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman.

Mr. HALEY. Of course, the gentleman has a perfect right to express an opinion on anything; but I just wonder how many millions of the dollars of the foreign aid program, for which the gentleman has consistently voted, are expended on this kind of program.

Mr. FULTON. I am very glad to say to the gentleman that I have already voted to cut the President's foreign aid program this year by around $400 million. When I was on the Committee on Foreign Affairs until early this year, one of the largest single amendments ever adopted in our committee, and the figure sustained in the House, was my amendment several years ago to cut the U.S. foreign aid program by $1 billion, under President Eisenhower.

I have voted for cuts every year in the U.S. foreign aid program under both President Eisenhower, and President Truman, to make the programs more efficient and helpful, and economical, but never to cripple the programs.

So I always try to vote to balance the U.S. budget; and I think I have a pretty good record of budget balancing. I have voted over $6 billion below the Kennedy budget so far this year.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. GRANT. Mr. Chairman, I yield the gentleman from Pennsylvania [Mr. FULTON] one-half minute.

Mr. FULTON. Mr. Chairman, I thank the Democratic side for their courtesy, and am still sorry the Republican side has no time whatever for the views of a Republican city and metropolitan area Congressman. I think this is shortsighted party policy both now and in the future, especially when I am trying to speak for economy, and against a Federal spending program, to help balance the budget.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield.

Mr. YOUNGER. I wanted to inquire, how many hogs are killed?

Mr. FULTON. There are 81.5 million hogs commercially killed in the United States on commercial premises and 7 million on farm premises, making a total of 88½ million hogs overall in the year 1960.

Mr. YOUNGER. I thought the gentleman said something about eight-tenths of a hog being killed, and I was wondering what happened to the other two-tenths.

Mr. FULTON. It might pay the gentleman to become better acquainted with his farm. They may have that kind of hog out in the gentleman's State, but we in Pennsylvania raise whole hogs, as any schoolboy in our area knows.

Let us in the name of our U.S. security simply postpone this program at this time, and vote to balance the budget and keep down taxes.

Mr. HOEVEN. Mr. Chairman, I yield the remainder of the time on this side to the gentleman from Indiana [Mr. HARVEY].

Mr. HARVEY of Indiana. Mr. Chairman, I listened with a great deal of interest to some of the debate that took place this afternoon on an irrelevant matter, which is the amount of wheat that is being produced in the Soft Red Winter wheat section of the country. This is roughly that area comprised of Indiana, Illinois, Michigan, Ohio, Pennsylvania, and New York. In this area we have not had a surplus of this particular type of wheat. Under the provisions of law that have prevailed for several years we have had a balance on production. We have not had too little and we have not had too much. The great concern, without political prejudice whatsoever, of this area is that this mandatory reduction may run the country and our export market, either one or both, short of their requirements for this particular type of wheat.

Mr. GRANT. Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. GEORGE P. MILLER].

Mr. GEORGE P. MILLER. Mr. Chairman, I ask unanimous consent to proceed out of order, and to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GEORGE P. MILLER. Mr. Chairman, everything seems to have gotten into the hog cholera act, including Red Winter wheat. What I have to say should be of interest to all in the field of missilry and rocketry and a development that has taken place, a new breakthrough, a new milestone that was reached last Saturday.

I have before me a telegram from the manager of public relations of Aerojet-General Corp., one of the leading solid fuel propellant producers of this country, that I should like to read to my colleagues, because it should be of interest to all of us. We talk of the necessity of big boosters to catch up with Russia. This speaks for itself:

The world's largest and most powerful segmented flight-weight solid fuel rocket motor was successfully test fired today (Saturday, August 26) for the Air Force by Aerojet-General Corp. in Sacramento, Calif., breaking the solid fuel rocket total impulse record set in an aerojet firing on June 3.

The 8½-foot-diameter (100-inch) motor, test fired in a holddown position, had a thrust of approximately half a million pounds.

Composed of four segments assembled at the test stand just prior to the test, the motor was the fourth to be fired at Aerojet under the Air Force large solid rocket motor program for superspace vehicle development. Each test has established records.

Based on the building block or segmented motor concept, today's motor was composed of four segments: A single front section, two similar center chamber segments and one aft or tail segment.

One of the two center segments in today's motor saw service on June 3 when it formed the center section of a 55-ton solid rocket which produced a thrust of nearly 500,000 pounds. The segment withstood that firing so successfully that Aerojet simply refurbished the component and reloaded it with propellant—a big saving in time and money.

Today's successful firing clears the way for even larger motors to be fired in the near future.

This should give all of us a pause for thought and thanks. We are moving forward, we are closing the missile gap.

Mr. AVERY. Mr. Chairman, I am supporting H.R. 7176, but I do not feel that this problem has been given as much study by the House Committee on Agriculture as might have been desirable. As a matter of principle it seems to be consistent with the public interest to make every effort to eradicate hog cholera. Like many other proposals, however, there is some question in my mind at the propriety of transferring the cost of this program from the individual to the Federal Government.

There is also some opposition, Mr. Chairman, from the veterinary profession to this legislation. Some individuals who are recognized as experts in the field of animal disease research have stated that this approach to the program should be deferred until more information is available as to the effectiveness of an all-out drive to eradicate this dreaded disease. Mr. Chairman, under unanimous consent I include a letter from an outstanding veterinarian and distinguished member of the Legislature of the State of Iowa in opposition to this bill. I regret I was not able to obtain comments from the Kansas State Board of Agriculture on this proposal.

Hon. WILLIAM AVERY,
House of Representatives,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN AVERY: The following statement in opposition to the provisions of House bills 7176 and 7177, bills to provide for a national hog cholera eradication program, has been prepared jointly by George L. Paul, farm owner-operator, and Dr. James M. Barclay, D.V.M., a practicing veterinarian, both of Brooklyn, Iowa, a heavy hog-producing area for Iowa and the Nation. We shall appreciate it very much if you will have this statement incorporated in the hearing record of the House Subcommittee on Agriculture to which the study and recommendation of the bills were assigned.

George L. Paul worked on farms for relatives during the vacation periods between school terms until his graduation from Grinnell College, Grinnell, Iowa, in 1925, worked for a wholesale and manufacturing firm in Chicago, and in March 1935 began farming 2 miles south of Brooklyn, Iowa, where he has continued this practice for the past 26 years. He has served as township and county committeeman for the agricultural adjustment programs of the 1930's and 1940's until his election to the Iowa General Assembly in 1947 where he has served continuously since. He has been active in agricultural legislation in the assembly and currently is chairman of one of the agricultural committees of the house of representatives.

Dr. James M. Barclay was born and raised on a farm near Wakefield, Kans., and in 1950 was graduated from Kansas State University with the degree of doctor of veterinary medicine. Since that time he has practiced continuously in a wide area surrounding the town of Brooklyn, Iowa.

Hog cholera was first recognized as a separate disease entity in 1833 and no one knows how long before that it was in existence. It existed from 1833 until 1908, to all intents and purposes unchecked, at which time the first simultaneous treatment consisting of an injection of serum and live virus at separate points was used. As readily destroyed as live virus is (drying easily destroys it and for this reason infected premises usually become free of the infection within a few days after infected animals have been removed) without a natural reservoir of some type in which to live, it could not have existed those first 75 years from 1833 until 1908. Since that time various groups have promoted the idea that vaccination alone has perpetuated the disease. The fact that the disease existed for at least 75 years before effective immunization in the form of the simultaneous treatment was perfected indicates beyond any reasonable doubt that the assumption is without any scientific basis in fact.

To further substantiate the thesis that natural reservoirs of infection to perpetuate the disease exist, Dr. R. E. Shope, M.D., an eminent scientist in the field of virus infections now associated with the Rockefeller Institute, has proved by research that virulent hog cholera virus remained viable when contained in swine lungworm eggs which had been ingested by the swine eating the common earthworm. It is possible for this reservoir of infection to exist indefinitely because in winter the earthworm descends below the frostline and in warm weather ascends to points near the ground surface. For hog cholera virus to maintain its potency it must have a moist medium, so when dry conditions exist in the subsoil, the worms move to moist ground.

Chapter 143, laws of the 58th General Assembly of Iowa, which met in regular session in 1959, outlawed the use of live virus for the treatment of hog cholera in Iowa. One pertinent exception is quoted as follows:

"(e) For use in case of outbreaks of hog cholera, which require the use of virulent blood or virus, when such outbreaks exist as determined by the supervisor of the Iowa veterinary medicine diagnostic laboratory, department of veterinary medicine, Iowa State University, the department of agriculture shall forthwith approve the sale of virulent blood or virus to those persons entitled to use said virulent blood or virus including those persons who are holders of valid unrevoked written permits to administer the same."

Since this law has been in effect, beginning July 4, 1959, sporadic outbreaks of cholera have occurred at several points in the State in both vaccinated and unvaccinated herds and were diagnosed as such at the university diagnostic laboratory. At this point, according to the above quoted statute, live virus should have been made available to qualified users, but because of the intimidation of State officials by the Federal regulatory authorities in the State, in many instances the use of live virus was denied even though a positive diagnosis had been made, thus deliberately defeating, disregarding and flouting the intent and purpose of the Iowa law. This resulted in unnecessary and indefensible losses to many Iowa swine producers. One would naturally be led to inquire, "Who is running the State of Iowa, its legally constituted authorities, or the Federal bureaucracy assigned to work and cooperate with these authorities?"

Because of the fact that many of these outbreaks have occurred in vaccine vaccinated herds (and these records are available at the diagnostic laboratory at Iowa State University) it clearly demonstrates that the use of these vaccines, or no vaccination at all pursuant to the authority vested in the Secretary of Agriculture under the provisions of section 1 of S. 1908, is a poor base on which to build a national program to control hog cholera. The word "control" is used advisedly because the word "eradication" used in the names or titles of certain committees and regulatory bodies is a misnomer. If it were not so, why do we still vaccinate for smallpox? The analogy is clear. The only method of control is vaccination, revaccination, and continued vaccination for each succeeding generation for a virus-caused disease, the natural reservoirs of infection of which are not all known.

In line 5, page 1, of the bill it is estimated that the disease costs swine producers in the United States about $50 million annually. In view of the fact that something less than 30 percent of the 92 million pigs produced annually in the United States are vaccinated by any of the known methods for cholera, the $50 million would appear to be a drop in the bucket compared to the cost to all taxpayers of a slaughter-indemnity payment program, possible under the authority vested in the Secretary, that would be shared by both Federal and State governments. Hog cholera often assumes epidemic proportions and if all vaccination were to be outlawed pandemics are sure to occur, especially if remedial measures were forthcoming as slowly from Washington as they now are from the functionaries of the State of Iowa. The cost of subsidizing such a program could well run into astronomical figures and in addition the swine industry would be seriously jeopardized because control materials would be unavailable in sufficient quantity to combat the epidemics.

The absolute failure of a similar "eradication" program in Florida in the past year is a matter of record and points up the folly of basing a national program on the same false assumptions and premises. What would happen if some States failed to appropriate matching funds or the increasingly urban-controlled Congress took a look at the ever-mounting appropriation needs and resoundingly said, "No!"?

There is no doubt that powerful forces consisting of men of integrity with good intentions are backing this proposed program, but it is apparent that their approach is idealistic and theoretical, and far divorced from reality. Most practicing veterinarians would feel that their last line of defense against the disease had been breached if they were denied use of all control measures except serum which is certain to be in short

supply, great demand, and which must be administered at 3-week intervals to maintain a passive immunity. There will be a lot of irate farmers looking for someone's scalp if they have to wrestle 60- to 200-pound hogs every 3 weeks for a serum injection. Most veterinarians on the firing line have no confidence in this "faith healing" approach to the problem despite the pressure exerted by the Federal regulatory officials. These men know that legislative bodies can outlaw the disease but that doesn't control it. You can sweep the dust under the rug but that doesn't get rid of it.

It has been assumed by protagonists of the bill that greatly expanded export markets for pork will result from prohibiting the use of live virus, or, from prohibiting or restricting the use of vaccines to control cholera. It is a well known fact that at present a very infinitesimal percentage of our total pork production finds its way into the export trade, not particularly because we have permitted the use of live virus and vaccines to control cholera, but because our domestic prices are considerably above world price levels. The proposed eradication program would not change this economic fact of life in the least. The only way in which we could step up the export of pork products would be to adopt an export-subsidy program along the lines set forth in Public Law 480 in which dairy products under the support program are sold abroad in exchange for foreign currencies at prices considerably below our domestic levels. Heaven forbid that we ever embark on a support program for pork products.

In summary, for the reasons expressed above, we believe this proposed legislation is premature and that the situation needs considerably more study, thought, and research. Until such time as better vaccines are developed and more widespread use of them is practiced, it does not represent sound reasoning to dump indiscriminately all the controls that have proved effective in the past. The case for the so-called "eradication" program has definitely not been proved and we strongly urge the Senate Subcommittee on Agriculture not to recommend passage of S. 1908 or any bill similar to it.

Respectfully submitted.

JAMES M. BARCLAY, D.V.M.
GEORGE L. PAUL.

The CHAIRMAN. All time for general debate has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to safeguard the health of the swine herds of the Nation, to prevent the spread of hog cholera, to decrease substantially the estimated $50,000,000 annual loss from hog cholera, to expand export markets for pork and pork products now restricted on account of hog cholera, and to otherwise protect the public interest, the Secretary of Agriculture is hereby directed (1) to initiate a national hog cholera eradication program in cooperation with the several States under the provisions of section II of the Act of May 29, 1884, as amended (21 U.S.C. 114a), and related legislation, and (2) to prohibit or restrict, pursuant to the authority vested in him under the provisions of section 2 of the Act of February 2, 1903, as amended (21 U.S.C. 111), the interstate movement of virulent hog cholera virus or other hog cholera virus to the extent he determines necessary in order to effectuate such eradication program.

SEC. 2. (a) The Secretary of Agriculture is authorized and directed to establish an advisory committee composed of (1) eleven members selected from representatives of the swine and related industries, State and local government agencies, professional and scientific groups, and the general public, and (2) one member selected from the officers and employees of the Department of Agriculture who shall serve as chairman of the committee. The committee shall meet at the call of the Secretary.

(b) It shall be the function of the committee to advise the Secretary with respect to the initiation of the national hog cholera eradication program referred to in the first section of this Act, and with respect to the development of plans and procedures for carrying out such program.

(c) Committee members other than the chairman shall not be deemed to be employees of the United States and shall not be entitled to compensation, but the Secretary is authorized to pay their travel and subsistence expenses (or per diem in lieu thereof), in connection with their attendance at meetings of the committee.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. WALTER] having resumed the chair, Mr. ULLMAN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7176) to provide for a national hog cholera eradication program, pursuant to House Resolution 435, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed, and read a third time, and was read a third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FULTON. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Obviously, a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 337, nays 3, not voting 97, as follows:

[Roll No. 171]

YEAS—337

Abbitt	Belcher	Cederberg
Abernethy	Bell	Chelf
Adair	Bennett, Fla.	Chenoweth
Addabbo	Berry	Chiperfield
Addonizio	Betts	Church
Albert	Blatnik	Clancy
Alexander	Blitch	Clark
Andersen, Minn.	Boggs	Coad
	Boland	Cohelan
Anderson, Ill.	Bolling	Colmer
Andrews	Bolton	Conte
Arends	Bonner	Corbett
Ashbrook	Boykin	Corman
Ashley	Bray	Cunningham
Ashmore	Breeding	Curtin
Aspinall	Bromwell	Curtis, Mass.
Auchincloss	Brooks, Tex.	Curtis, Mo.
Avery	Brown	Daddario
Bailey	Broyhill	Dague
Baker	Bruce	Daniels
Baldwin	Burke, Ky.	Davis, James C.
Baring	Burke, Mass.	
Barry	Burleson	Davis, John W.
Bass, Tenn.	Byrne, Pa.	Davis, Tenn.
Bates	Byrnes, Wis.	Dawson
Battin	Cannon	Delaney
Beckworth	Carey	Dent
Beermann	Casey	Denton
Derounian	King, Utah	Riehlman
Derwinski	Kirwan	Riley
Dingell	Kitchin	Rivers, Alaska
Dole	Knox	Rivers, S.C.
Dominick	Kowalski	Roberts
Donohue	Kunkel	Rodino
Dooley	Kyl	Rogers, Colo.
Dorn	Laird	Rogers, Fla.
Dowdy	Landrum	Rogers, Tex.
Downing	Lane	Rooney
Doyle	Langen	Roosevelt
Durno	Lankford	Rostenkowski
Dwyer	Latta	Roudebush
Edmondson	Libonati	Roush
Elliott	Lindsay	Rousselot
Ellsworth	Lipscomb	Rutherford
Everett	Loser	Ryan
Fallon	McCormack	St. George
Fascell	McCulloch	St. Germain
Feighan	McDonough	Saund
Fenton	McDowell	Saylor
Findley	McFall	Schadeberg
Finnegan	McIntire	Schenck
Fisher	McMillan	Scherer
Flood	McVey	Schneebeli
Forrester	MacGregor	Schweiker
Fountain	Machrowicz	Schwengel
Frazier	Mack	Scott
Frelinghuysen	Madden	Scranton
Friedel	Magnuson	Seely-Brown
Garland	Mahon	Selden
Gary	Marshall	Shipley
Gathings	Martin, Nebr.	Short
Gavin	Mason	Shriver
Giaimo	Mathias	Sibal
Goodling	Matthews	Sikes
Grant	May	Siler
Gray	Michel	Sisk
Griffiths	Miller, Clem	Slack
Gross	Miller, George P.	Smith, Calif.
Gubser		Smith, Miss.
Hagan, Ga.	Mills	Smith, Va.
Hagen, Calif.	Minshall	Spence
Haley	Moeller	Springer
Hall	Montoya	Stafford
Halleck	Moorehead, Ohio	Staggers
Halpern		Steed
Harding	Morgan	Stephens
Hardy	Morris	Stratton
Harris	Morse	Sullivan
Harrison, Wyo.	Mosher	Taber
Harsha	Moss	Taylor
Harvey, Ind.	Moulder	Teague, Calif.
Hays	Multer	Thomas
Hechler	Murphy	Thompson, Tex.
Herlong	Murray	Thomson, Wis.
Hiestand	Natcher	Toll
Hoeven	Nelsen	Tollefson
Hoffman, Ill.	Nix	Trimble
Holifield	Norblad	Tuck
Holland	Nygaard	Tupper
Holtzman	O'Brien, Ill.	Udall, Morris K.
Horan	O'Hara, Ill.	Ullman
Hosmer	O'Hara, Mich.	Utt
Huddleston	Olsen	Vanik
Hull	Ostertag	Van Pelt
Ikard, Tex.	Passman	Van Zandt
Inouye	Patman	Wallhauser
Jennings	Perkins	Walter
Joelson	Peterson	Watts
Johansen	Pfost	Weaver
Johnson, Calif.	Philbin	Weis
Johnson, Md.	Pike	Whalley
Johnson, Wis.	Pillion	Wharton
Jonas	Pirnie	Whitener
Jones, Mo.	Poff	Wickersham
Judd	Powell	Widnall
Karsten	Price	Willis
Karth	Pucinski	Wilson, Calif.
Kastenmeier	Quie	Wilson, Ind.
Kearns	Randall	Winstead
Keith	Reece	Yates
Kelly	Reifel	Young
Kilgore	Reuss	Younger
King, Calif.	Rhodes, Ariz.	Zablocki
King, N.Y.	Rhodes, Pa.	

NAYS—3

Fulton	Pelly	Ray

NOT VOTING—97

Alford	Celler	Gallagher
Alger	Chamberlain	Garmatz
Anfuso	Collier	Gilbert
Ayres	Cook	Glenn
Barrett	Cooley	Goodell
Bass, N.H.	Cramer	Granahan
Becker	Devine	Green, Oreg.
Bennett, Mich.	Diggs	Green, Pa.
Bow	Dulski	Griffin
Brademas	Evins	Hansen
Brewster	Farbstein	Harrison, Va.
Brooks, La.	Fino	Harvey, Mich.
Broomfield	Flynt	Healey
Buckley	Fogarty	Hébert
Cahill	Ford	Hemphill

Henderson	Martin, Mass.	Rains
Hoffman, Mich.	Meader	Robison
Ichord, Mo.	Merrow	Santangelo
Jarman	Miller, N.Y.	Shelley
Jensen	Milliken	Sheppard
Jones, Ala.	Monagan	Smith, Iowa
Kee	Moore	Stubblefield
Keogh	Moorhead, Pa.	Teague, Tex.
Kilburn	Morrison	Thompson, La.
Kilday	Norrell	Thompson, N.J.
Kluczynski	O'Brien, N.Y.	Thornberry
Kornegay	O'Konski	Vinson
Lennon	O'Neill	Westland
Lesinski	Osmers	Whitten
McSween	Pilcher	Williams
Macdonald	Poage	Wright
Mailliard	Rabaut	Zelenko

So the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. Hébert with Mr. Alger.
Mr. Williams with Mr. Goodell.
Mr. McSween with Mr. Robison.
Mr. Harrison of Virginia with Mr. O'Konski.
Mrs. Green of Oregon with Mr. Merrow.
Mr. Brademas with Mr. Devine.
Mrs. Norrell with Mr. Milliken.
Mr. Stubblefield with Mr. Ford.
Mr. Garmatz with Mr. Meader.
Mr. Green of Pennsylvania with Mr. Collier.
Mr. Ichord of Missouri with Mr. Mailliard.
Mr. Morrison with Mr. Becker.
Mr. Fogarty with Mr. Hoffman of Michigan.
Mr. Henderson with Mr. Ayers.
Mr. Kornegay with Mr. Moore.
Mr. Lennon with Mr. Osmers.
Mr. Hemphill with Mr. Westland.
Mr. O'Neill with Mr. Bass of New Hampshire.
Mrs. Granahan with Mr. Kilburn.
Mr. Brewster with Mr. Broomfield.
Mr. Keogh with Mr. Fino.
Mr. Anfuso with Mr. Cahill.
Mr. Gilbert with Mr. Bow.
Mr. Healey with Mr. Glenn.
Mr. Santangelo with Mr. Martin of Massachusetts.
Mr. Zelenko with Mr. Jensen.
Mr. Celler with Mr. Griffin.
Mr. O'Brien of New York with Mr. Harvey of Michigan.
Mr. Dulski with Mr. Miller of New York.
Mr. Farbstein with Mr. Chamberlain.
Mr. Buckley with Mr. Cramer.

Mr. CLANCY changed his vote from "nay" to "yea".

Mr. SCHERER changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. GRANT. Mr. Speaker, I ask unanimous consent for the immediate consideration of an identical Senate bill, S. 1908, to provide for a national hog cholera eradication program.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read the Senate bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to safeguard the health of the swine herds of the Nation, to prevent the spread of hog cholera, to decrease substantially the estimated $50,000,000 annual loss from hog cholera, to expand export markets for pork and pork products now restricted on account of hog cholera, and to otherwise protect the public interest, the Secretary of Agriculture is hereby directed (1) to initiate a national hog cholera eradication program in cooperation with the several States under the provisions of section 11 of the Act of May 29, 1884, as amended (21 U.S.C. 114a), and related legislation, and (2) to prohibit or restrict, pursuant to the authority vested in him under the provisions of section 2 of the Act of February 2, 1903, as amended (21 U.S.C. 111), the interstate movement of virulent hog cholera virus or other hog cholera virus to the extent he determines necessary in order to effectuate such eradication program.

SEC. 2. (a) The Secretary of Agriculture is authorized and directed to establish an advisory committee composed of (1) eleven members selected from representatives of the swine and related industries, State and local government agencies, professional and scientific groups, and the general public, and (2) one member selected from the officers and employees of the Department of Agriculture who shall serve as chairman of the Committee. The Committee shall meet at the call of the Secretary.

(b) It shall be the function of the Committee to advise the Secretary with respect to the initiation of the national hog cholera eradication program referred to in the first section of this Act, and with respect to the development of plans and procedures for carrying out such program.

(c) Committee members other than the chairman shall not be deemed to be employees of the United States and shall not be entitled to compensation, but the Secretary is authorized to pay their travel and subsistence expenses (or per diem in lieu thereof) in connection with their attendance at meetings of the Committee.

Passed the Senate August 21, 1961.

Attest:

———— ————,
Secretary.

The bill was ordered to be read a third time, was read the third time and passed.

A motion to reconsider and a similar House bill, H.R. 7176, were laid on the table.

LEASE AND TRANSFER OF TOBACCO ACREAGE ALLOTMENTS

Mr. ABBITT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 1022) to amend the Agricultural Adjustment Act of 1938 to provide for lease and transfer of tobacco acreage allotments, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

(1) Page 1, line 7, after "allotment", insert: "(other than a burley tobacco acreage allotment)

(2) Page 2, line 2, after "met.", insert: "In the case of Maryland (type 32) tobacco, no farm shall be eligible for lease of allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted during each of the years 1960 and 1961.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was not objection.

Mr. TAYLOR. Mr. Speaker, when H.R. 1022 passed the House, it applied to both Flue-cured tobacco and burley tobacco. I thought that this was sound legislation and I supported it.

The other body has seen fit to amend the bill so as to remove its application to burley. I cannot see why the privilege of leasing and transferring an allotment should apply to one type of tobacco and not apply to another, and I see no reason or justice in the Senate amendment.

I represent many burley producers in western North Carolina who favor including burley in this legislation.

For the reasons set out above, I would like to see the House vote against concurring in the Senate amendment. In the event the bill is passed with the Senate amendment included so as to eliminate its application to burley, I think that the House Agriculture Committee should give quick and careful consideration to additional and similar legislation applicable to burley tobacco.

MILLS OF ARKANSAS, POWERFUL VOICE IN CONGRESS

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a newspaper article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. TRIMBLE. Mr. Speaker, one of the most able and devoted Members of this House is our colleague, the gentleman from Arkansas, the Honorable WILBUR D. MILLS. He has been my friend during my years in the Congress and even before that. I was happy to read in the Kansas City Times of Tuesday, August 22, 1961, an article on his career. Because it accords with the opinion of our delegation and the people of Arkansas, I include that article as part of my remarks.

(The matter referred to follows:)

MILLS OF ARKANSAS, POWERFUL VOICE IN CONGRESS

(By John R. Cauley)

WASHINGTON.—Someone once asked Speaker SAM RAYBURN if Representative WILBUR D. MILLS, of Arkansas, had a future in Congress.

"When you're chairman of the House Ways and Means Committee, you've arrived," snapped the doughty speaker.

Ever since WILBUR MILLS first came to Congress at the tender age of 29, it was never so much a question of whether he would "arrive," as the Speaker said, but when. Three years ago, at 48, MILLS became the youngest man ever to head the Ways and Means Committee.

Although MILLS, a Democrat, is not widely known outside of Washington and his native Arkansas, his influence as chairman has a direct impact on every citizen who pays taxes or receives social security benefits. For

it is in the Ways and Means Committee that all tax, social security, and tariff legislation originates. When a bill emerges from the committee, the chairman's imprint is deep upon it.

HE HAS THE ANSWERS

When the legislation reaches the floor for debate, it is the chairman who explains the complexities inherent in any tax bill to Members who have only a smattering knowledge of what it is all about. It is he, too, who resolves doubts, presents judgments, and persuades wavering colleagues to go along.

In power and influence in the House, WILBUR MILLS ranks only behind the Speaker and the majority leader.

MILLS has had a remarkable and unswerving sense of direction all his life. When he was only 10, he decided that he wanted to become a lawyer and then go to Congress. Upon his election to the House in 1938, he set his sights on a seat on the Ways and Means Committee. After he got on the committee, he became fascinated by the subject of taxes.

"Members of Congress are fair but stern judges of each other," MILLS says. "A conscientious Congressman knows he can't make an adequate personal study of all the complicated bills he is required to vote on.

"So when something comes up that's outside his field he tries to find somebody he can rely upon to give him straight facts and intelligent judgments.

"After you've been around here for a while, you're tabbed either as knowing your subject or not knowing it. I've tried to know my subject."

By reasons of his first-rate fiscal mind, personable manner, and diligence, MILLS is highly popular with House Members from both sides of the aisle. Representative TOM CURTIS, a Missouri Republican who serves on the committee with MILLS, says:

"I have a very high opinion of WILBUR MILLS. Sometimes we have different views, but he is a very fair and knowledgeable chairman."

ACKNOWLEDGED TAX EXPERT

A Washington tax expert says that "MILLS understands tax legislation better than any other person I know. He reads every bill and report as thoroughly as his staff. He can hold his own in a technical discussion with any attorney or with any of the experts from the Treasury."

In highly complex areas such as taxation of life insurance companies and partnerships, MILLS is one of the few Members of the House who knows enough about it to discuss it on the floor.

Besides the asset of wide technical knowledge of tax, social security, and tariff matters, MILLS has the advantage of being a consummate politician. His skill in this area can frequently produce an acceptable compromise in committee or in conference when opposing sides have refused to budge.

There was the time in 1946 when a Senate-House conference committee appeared hopelessly deadlocked on a public assistance measure. The Senate conferees included such titans as Taft of Ohio, Vandenberg of Michigan, George of Georgia, Connally of Texas and Barkley of Kentucky.

"GREATS" TOOK HIS PLAN

After long and heated discussion MILLS, then a fledgling House conferee, offered a compromise. The Senators accepted. MILLS is still awed by that experience.

"I hadn't been in Congress long enough to be dry behind the ears," he commented.

He still remembers, too, his first attempt to get on the Ways and Means Committee. Members of committees are named in party caucuses, and MILLS and another Member ran against the leadership ticket. Both were defeated. The next year he tried again and was elected.

"Then I had sense enough to talk to the Speaker and a majority leader," he explained with a grin. "I didn't have an opponent after that."

A CONSERVATION OUTLOOK

The chairman says that "people think of me as a conservative and I guess I am."

His general philosophy on taxes embodies a moderate approach.

"In the first place I believe that the function of taxation is to raise revenues," he says. "That may sound obvious; but I say it to make clear that I don't go along with economists who think of taxation as an instrument for stimulating, breaking, or otherwise manipulating the economy.

"There is, too, the need for maintaining a broad tax base, and the imposition of taxes which the taxpayer is aware of at the time he pays them. A broad case is essential because only by spreading the tax load as widely and fairly as possible can we obtain the necessary revenue without seriously undermining incentives."

For the last several weeks MILLS' committee has been holding hearings on President Kennedy's tax program. If a bill does emerge, it will be in greatly diluted form. Even then it is unlikely that the measure would ever clear the Senate Finance Committee.

CONGENIAL, NEATLY DRESSED

MILLS, 52, is a genial, stocky, 180-pound man who dresses neatly in conservative suits. He has few hobbies outside his work, which takes about 12 hours of the day.

He was born in Kensett, Ark. The town, according to legend, got its name when natives told Missouri Pacific surveyors, trying to decide where to build a railroad station, "You ken set it hyar or you ken set it thar."

His father was a farmer who also ran the general store and the bank in Kensett. After being graduated from Hendrix College at Conway, Ark., MILLS went to Harvard Law School.

"When I arrived home from Harvard in 1933," he relates, "my father met me at the train and handed me the keys to the bank. The cashier had quit, so I had a job right away."

In 1934 he was elected county judge and in 1938 made the first of many successful races for Congress.

MILLS and his wife have lived for 21 years in the same rented apartment in Washington. They rarely are attracted by the Washington social whirl. Nor has the chairman ever been led astray, as some Congressmen have, by the feeling that he is so important nationally that he does not have to do favors for his constituents.

Each year when Congress adjourns, Representative and Mrs. Mills head home for Kensett. Then the chairman goes out to talk to and shake hands with as many constituents as he can in the 13-county Second District which includes such towns as Morning Sun, Evening Shade, and Oil Trough. The Millses have two daughters.

At the moment a political situation potentially hazardous for MILLS is shaping up in Arkansas. The State is losing two seats in the House, and a legislative redistricting law was thwarted by a referendum.

Unless there is a special election which would validate the original redistricting plan of the legislature, MILLS will have to run at large next year. A statewide race would not only be precarious but expensive to the candidates.

Considering its size, Arkansas has sent many able men to Congress, including Senators FULBRIGHT and MCCLELLAN and Representative OREN HARRIS. It would be difficult to believe that the voters of Arkansas are not aware of the great prestige which comes to their State by having in Congress such an able and dedicated public servant as WILBUR MILLS.

GENERAL LEAVE TO EXTEND REMARKS

Mr. GRANT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill H.R. 7176, just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

DISARMAMENT AGENCY BILL

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include two resolutions.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, one of the few remaining items of "must" legislation facing the closing days of the first session of the 87th Congress, so I have been advised, is H.R. 7936, the bill to create a U.S. Disarmament Agency for World Peace and Security. This legislation has been strongly endorsed by President Kennedy and also by our top political and military leaders. I am strongly supporting the bill as a firm indication that, though this country must and will strengthen our arms to the full extent necessary to stand firm against Communist threats in Berlin, Cuba, and elsewhere, we also are prepared at any time to sit down and work out effective, responsible, constructive and truly enforceable arrangements to ease the burden of armament in this nuclear age.

Under leave to extend my remarks, I am happy to include in the RECORD two resolutions from important organizations in my district, strongly supporting this legislation; the Mohawk Association of Scientists and Engineers, and the Schenectady chapter of United World Federalists, Inc. The resolutions follow:

MOHAWK ASSOCIATION OF SCIENTISTS AND ENGINEERS,
July 21, 1961.

Hon. SAMUEL S. STRATTON,
House Office Building,
Washington, D.C.

DEAR SIR: The executive committee of the Mohawk Association of Scientists and Engineers adopted, on July 18, a resolution urging early passage by the Congress of H.R. 7936, to establish a U.S. Disarmament Agency for World Peace and Security. The text of the resolution is as follows:

"We believe that the threat of a nuclear holocaust requires the United States to strive persistently for international agreements on comprehensive disarmament with effective controls. To make sound policy decisions before and during disarmament negotiations, our officials need a strong foundation of research and studies on the technical, economic, military, and political problems of disarmament. We have observed that research in these areas has been woefully inadequate, and that our negotiators have thus been badly handicapped.

"We, therefore, strongly endorse the pending bills to establish a U.S. Disarmament Agency for World Peace and Security. We urge Congress to approve these bills promptly, and to appropriate adequate funds to permit the new Agency to mount a major

effort. In the peril that confronts the world today, the need for disarmament studies is most urgent."

Very truly yours,

W. M. SCHWARZ,
President, Mohawk Association of Scientists and Engineers.

SCHENECTADY CHAPTER OF UNITED WORLD FEDERALISTS, INC.

Whereas mankind faces unprecedented peril from the threat of nuclear war; and

Whereas the present arms race cannot be halted without first undertaking thorough studies of the technical, economic, and political problems of disarmament: Be it therefore

Resolved, That we support prompt establishment of the U.S. Disarmament Agency for World Peace and Security, as called for by President Kennedy in his June 29, 1961, message to Congress, and

We strongly urge Congress to approve the pending bills (S. 2180 and H.R. 7936) establishing this Agency, and to provide it with adequate funds before the present session of Congress adjourns.

WATERSHED PROTECTION AND FLOOD PREVENTION

The SPEAKER pro tempore laid before the House the following communication, which was read, and, together with the accompanying papers, referred to the Committee on Appropriations:

AUGUST 25, 1961.

Hon. SAM RAYBURN,
The Speaker, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Public Works has approved the work plans transmitted to you which were referred to this committee. The work plans involved are:

Colorado, Big Sandy Creek (supplement), Executive communication No. 1128, committee approval August 24, 1961.

Georgia, South River, Executive communication No. 1128, committee approval August 24, 1961.

Indiana, Middle Fork of Anderson River, Executive communication No. 1128, committee approval August 24, 1961.

North Dakota, Middle-South Branch, Forest River, Executive communication No. 1128, committee approval August 24, 1961.

Oklahoma, Sallisaw Creek, Executive communication No. 1226, committee approval August 24, 1961.

Oregon, Beaver Creek, Executive communication No. 1226, committee approval August 24, 1961.

Wisconsin, Twin Parks, Executive communication No. 1128, committee approval August 24, 1961.

Sincerely yours,

CHARLES A. BUCKLEY,
Member of Congress,
Chairman, Committee on Public Works.

FORTY-FIRST ANNIVERSARY OF RATIFICATION OF 19TH AMENDMENT TO THE CONSTITUTION

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, August 26, 1920, is the most important date in our history for American women.

For on that day and month and year the Secretary of State proclaimed the 19th amendment to the Constitution, having been adopted by three-fourths of the States, and guaranteeing that "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex" to be in effect.

The right to vote is the precious right of choice, in selecting those who shall speak and act for the people in our representative form of government.

It is the power to elect and the power to recall, and a constant reminder to those who hold public office that the people's will is sovereign.

In winning equality with men in the exercise of this power, women opened up new horizons of opportunity for themselves, thus spreading and strengthening the foundations of democracy in a republic.

Out of the privacy of their homes they came to prove their worth in business, the professions, and in government.

The Constitution had declared their political equality, but unyielding barriers of fossilized custom littered the road ahead.

Prejudice, which is a combination of irrationality and fear, warned that a woman could not care for husband, home, and family, if she sought work or a career on the outside. Prejudice failed to note the economic revolution that was in progress, developing labor-saving appliances that eliminated household toil, and emancipating women for greater expression and personal fulfillment in the life of the community and the Nation.

The effect of this emancipation is illustrated by the fact that during the week of July 10–16, 1960, 22,672,000 females over the age of 14 were employed in the civilian labor force. Percentagewise, women outnumbered men among clerical and kindred workers, and as service workers. They comprised more than half the number of men employed as sales workers, and as professional, technical, and kindred workers. Because of ability and understanding, they excel as teachers, but we need more women in the sciences, in the professions of law, medicine, and engineering, and in government.

In commemorating the 41st anniversary of the ratification of the 19th amendment of the Constitution, we not only honor the day when women won the right to vote, but the expanding equality of social and economic opportunity that began for them on that historic day. It was the women themselves who carried the fight to victory for equal suffrage, and it is no random coincidence that our greatest development as a nation began at that same time.

In the 41 years since the 19th amendment liberated them from a subordinate position in our society, many American women have realized their full potential for their own fufillment, and for the enrichment of our way of life.

ALLIANCE FOR PROGRESS

Mr. YOUNGER. Mr. Chairman, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. YOUNGER. Mr. Speaker, on August 18, during the debate in the House on the authorization for the Act for International Development, I endeavored to get from the chairman of the Foreign Affairs Committee, the distinguished gentleman from Pennsylvania, Dr. MORGAN, his reaction to the alliance for progress, signed in Uruguay on the 17th of August by Secretary Dillon for the United States. Did we or did we not make a commitment for a contribution to the alliance?

The House was assured by both Dr. MORGAN and the gentleman from Ohio [Mr. HAYS] that no commitment was made. This assurance was given despite the quotation from the text of the declaration to the peoples of America on the alliance for progress, as given out by the Department of State on August 16, 1961, which states as follows:

The United States, for its part, pledges its efforts to supply financial and technical cooperation in order to achieve the aims of the alliance for progress. To this end, the United States will provide a major part of the minimum of $20 billion, principally in public funds, which Latin America will require over the next 10 years from all external sources in order to supplement its own efforts.

The United States will provide from public funds, as an immediate contribution to the economic and social progress of Latin America, more than $1 billion during the 12 months which began on March 13, 1961, when the alliance for progress was announced.

Certainly if this is not a financial commitment on the part of the United States of a major part of $20 billion over the next 10 years and of $1 billion this year, then the declaration is a tremendous hoax and shell game on the Latin American States assembled in Uruguay.

Another strong aspect of this transaction is that the charter of Punta del Este, signed on the 17th of August, nowhere mentions the $20 billion but does mention the $1 billion as follows, chapter III, 2:

The United States will provide assistance under the alliance, including assistance for the financing of short-term measures totaling more than $1 billion in the year ending March 1962.

Now to further complicate this situation as to just what are our commitments, the Treasury issued a statement on August 22 by Douglas Dillon, Secretary of Treasury and signer of the charter for the alliance for progress for the United States, in which he is quoted as follows:

It is imperative, therefore, that we of the United States demonstrate our support for the charter of Punta del Este—that we fulfill our irrevocable commitment to the alliance for progress.

So there seems to be no question in Secretary Dillon's mind but what we have a very definite commitment even though that financial commitment has never been approved by the Congress.

None of the releases mention the total amount of funds from external and internal sources which are required over the next 10 years to pay for the programs enumerated in the charter. However, by some calculations it seems the total sum envisioned is $100 billion. Secretary Dillon's release of August 22 says, and I quote:

> At least 80 percent of the funds required must be raised in Latin America.

This leaves 20 percent to be furnished from external sources, which is the $20 billion mentioned in the declaration to the peoples of America.

So between the releases from the State Department, the Secretary of Treasury, and the charter of Punta del Este, it seems certain that the delegates left the special meeting of the Inter-American Economic and Social Council at the ministerial level with the conviction that it would take $100 billion to provide for the economic and social reforms set forth in the charter and that $20 billion would come from external sources during the next 10 years, of which a major part will be furnished by the United States, and $80 billion will have to come from the Latin American countries.

In view of our other world commitments, both military and economic, it does seem as if the administration would be pressuring for a tax increase just as hard as they are pressuring for the appropriations and that Congress ought to be consulted before these tremendous sums are pledged.

WOMEN'S SUFFRAGE

The SPEAKER pro tempore. Under previous order of the House, the gentlewoman from Washington [Mrs. MAY] is recognized for 60 minutes.

Mrs. MAY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks, and include extraneous matter, and further that all Members desiring to do so may extend their remarks in the RECORD following my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. MAY. I have requested this special order time today for the purpose of allowing the Members of this House to join in the observance of the 41st anniversary of the ratification of the 19th amendment to the U.S. Constitution.

On August 18, 1920, the Legislature of Tennessee having ratified the women's suffrage amendment, on August 26 the Secretary of State proclaimed that, being thus ratified by three-fourths of the States, the 19th amendment was thenceforth part of the Constitution of the United States. I am sure that at least my sister Members of this august body are familiar with the language of that amendment. Lest, however, the sterner sex here represented have forgotten it—or, worse yet, are inclined to forget it—I make bold to repeat it.

> 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.
>
> 2. Congress shall have power to enforce this article by appropriate legislation.

In those momentous words, Mr. Speaker, there came into being a new order of things—novus ordo seclorum, a new order of the ages—as we find inscribed on the reverse of the Great Seal of the United States.

In the course of these brief remarks I have no thought of tracing the long struggle for suffrage for women. It may be said to have begun immediately after the close of the Civil War when an equal rights association was formed to promote the suffrage equality of both white women and Negroes. By 1869, however, it had become apparent that the women's suffrage movement would have to stand on its own feet, with an organization of its own. In that year delegations from 19 States met in New York City to form a National Woman Suffrage Association. The redoubtable Elizabeth Cady Stanton, "head and front of the rebellion," was made president and that noble woman, Susan B. Anthony, chairman of the executive committee. The object was to secure a Federal amendment granting woman suffrage; others preferred to secure woman suffrage by amendments to the several State constitutions, and to that end was organized the American Woman Suffrage Association, with Henry Ward Beecher as president and Lucy Stone chairman of the executive committee. By 1890 the two groups had become merged in the National American Woman Suffrage Association, with Mrs. Stanton and Miss Anthony in charge. The new organization dedicated itself both to Federal and State approach.

In the 30 years that followed before the cause was consummated in the 19th amendment, a truly remarkable galaxy of women were united under the suffrage banner—that most outstanding group of American women which had ever alined themselves to a single cause. Among them may be mentioned, in addition to Mrs. Stanton and Miss Anthony, such illustrious names in the history of American womanhood as Harriet Hosmer, Maria Mitchell, Harriet Beecher Stowe, Mary A. Livermore, Julia Ward Howe, Lucy Stone, Clara Barton, Frances E. Willard, Mary Wright Sewall, Jane Addams, Dr. Anna Howard Shaw, and Mrs. Carrie Chapman Catt. The first woman physician, Elizabeth Blackwell, qualified in 1848; the first woman minister, Antoinette L. Brown, was ordained in 1853.

The leaders of the movement soon became convinced that their cause stood little chance of approval by Congress until the experiment had been tried out in some of the States. So efforts were directed along regional lines. The first territorial legislature of Wyoming had given suffrage to women in 1869—the West is always broadminded and ready for anything; Utah did the same the following year. Wyoming entered the Union in 1890 with woman suffrage firmly fixed in its constitution. In 1893 the male voters of Colorado gallantly conceded suffrage to women; not to be outdone, Utah in 1895 adopted a State constitution guaranteeing equal suffrage by the overwhelming vote of 10 to 1. The following year Idaho added an equal suffrage amendment to its constitution.

And so, year after year, the fight went on, slowly but doggedly, with no quarter given to the conservative male.

It took, however, World War I to clinch final victory. The magnificent cooperation of women in that struggle convinced all but the most obdurate male that while we were fighting to make the world safe for democracy we might as well make the fact and the name agree in our own country. President Wilson, who early in his public career had been indifferent, if not hostile, to the movement, handsomely conceded that the showing made by the women of America entitled them to every political suffrage which their fathers, brothers, husbands, sons, and the male population in general had the right to exercise, and on September 30, 1918, addressed the Senate in the following words which I quote in part:

> I regard the concurrence of the Senate in the constitutional amendment proposing the extension of the suffrage to women as vitally essential to the successful prosecution of the great war of humanity in which we are engaged.
>
> This war could not have been fought, either by the other nations engaged or by America, if it had not been for the services of the women * * * We shall not only be distrusted but shall deserve to be distrusted if we do not enfranchise them with the fullest possible enfranchisement, as it is now certain that the other great free nations will enfranchise them.

And to Mrs. Carrie Chapman Catt:

> I agree without reservation that the full and sincere democratic reconstruction of the world for which we are striving, and which we determined to bring about at any cost, will not have been completely or adequately attained until women are admitted to the suffrage. The services of women during this supreme crisis of the world's history have been of the most signal usefulness and distinction. The war could not have been fought without them, or its sacrifices endured. It is high time that some part of our debt of gratitude to them should be acknowledged and paid, and the only acknowledgment they ask is their admission to the suffrage.

At this point I should like to briefly outline the record of my own political party in respect to the enactment of women's suffrage.

Since 1872, when the fifth Republican National Convention went on record with the first national declaration favoring additional rights for women, the Republican Party has been in the lead seeking those rights.

The Republican Party deserves principal credit for the national enfranchisement of women. It pioneered for women's right to vote and consistently supported it throughout the long campaign for acceptance. The GOP was the first major party to advocate equal

rights for women and the principle of equal pay for equal work regardless of sex.

The women's suffrage movement in the United States began to take shape in 1948 when the first woman's rights convention was held at Seneca Falls, N.Y. Two years later there was a nationwide meeting in Worcester, Mass.

In 1870, the Massachusetts Republican State Convention seated two suffragetts, Lucy Stone and Mary A. Livermore, as delegates.

The Republican Party, at its 1872 convention, approved admission of women to wider fields of usefulness and added that the honest demand of any class of citizens for additional rights should be treated with respectful consideration.

The 1876 Republican Party platform approved the substantial advances women were making in gaining equal personal and property rights through action by Republican State legislatures. It approved appointment of women as superintendents of education, as charity officials, and other public trust. It reaffirmed its stand that the demands of women for additional rights should be considered and the resolutions committee heard Mrs. Sarah Jane Spencer on "Woman's Suffrage."

The brave man who first introduced a proposal in the United States Senate to give women the vote was a Republican—Senator A. A. Sargent of California. That was in 1878. The measure lost in the Senate four times—three times while the body was under Democratic control.

Wyoming was the first State to grant women voting rights. As a Territory in 1869 and again in 1889, upon admission to the Union, the State constitution called for equal suffrage for women. And from Wyoming came two women, Mrs. Therese A. Jenkins and Mrs. Cora G. Carleton, to attend as alternates the next Republican National Convention, held in Minneapolis in 1892. This was the first time women were seated at a Republican National Convention.

Also for the first time that convention was addressed by a woman—Mrs. J. Ellen Foster of Iowa, chairman of the Woman's Republican Association of the United States. She urged men to seek the cooperation of Republican women sympathizers in their communities.

A strong believer in organization, Mrs. Foster said her association had prepared work plans for each delegate and alternate. "We are here to help you," she asserted, "and we have come to stay."

The convention unanimously approved utilizing the Woman's Republican Association in coming campaigns. Thus emerged the Republican women volunteers.

The first formal rights for women plank was contained in the 1896 National Convention platform. At the 1916 National Convention, meeting June 7–10, Republicans became the first major party to favor Federal women's suffrage.

From 1913 to 1919, the Democratic Party in control of House and Senate five times defeated proposals to give women the vote under the Constitution.

In May 1919, the newly elected Republican Congress met in special session. Its first act was passage of the equal suffrage amendment introduced by Republican Representative James R. Mann of Illinois, by a vote of 304 to 88. Only 16 Republicans opposed, principal opposition coming from southern Democrats. The Senate approved the measure 56 to 25.

At the State level, 26 of the 36 States which ratified the amendment had Republican legislatures. Of the nine States which took definite action against ratification, eight were Democratic. Twelve States, all Republican, had given women full suffrage in State elections before the Federal amendment was ratified. At its 1940 national convention, the Republican Party proposed a constitutional amendment providing for equal rights for men and women. In 1948 the platform favored equal pay for equal work regardless of sex. The Republican conventions of 1952, 1956, and 1960 reaffirmed these stands.

We think, we women of America, that during the course of the last 41 years since first we came into our own, that we have done not so badly in public life, considering that the gentlemen have had the start on us for some millions of years—50, at least. And if we have our little blind spots and foibles, we still retain a certain amour propre. We recall that it has been said that while being a woman is a terribly difficult task, since it consists principally in dealing with men, it has also been averred that woman, once made equal to man, becomes his superior. Do I hear any objections?

I certainly think that on this day we would be remiss if we did not pay special tribute to the National Woman's Party. The National Woman's Party is a nonpartisan organization of women whose program is to secure for women complete equality with men under the law and in all human relationships. This is its only objective, and, as an organization, it takes no action on any other issue.

I should like to point out to the Members of this House this equal rights amendment has been introduced by many Members over the years. We certainly urge the Committee on the Judiciary to take action on this legislation this session.

The National Woman's Party was founded in 1913 as a temporary body to secure an amendment to the Constitution which would enfranchise women. This was accomplished with the adoption of the 19th amendment in 1920.

To secure removal of all remaining discriminations against women, the National Woman's Party was reorganized as a permanent body in 1921. The first equal rights amendment to the Constitution was drafted and introduced into Congress in 1923—an equal rights amendment has been introduced in each succeeding Congress since that time and with ever-increasing support. Both political parties have included planks in their national platforms advocating this equal rights amendment—Republicans since 1940 and Democrats since 1944.

The National Woman's Party has also drafted and had introduced in many State legislatures equal rights measures which have been enacted into law. It also took a major part in the movement for equal nationality rights for women, which culminated in the passage by Congress of the equal nationality law of May 1934 and in the ratification the same day by the U.S. Senate of an Equal Nationality Treaty for the Western Hemisphere. This established for women an equality with men in all matters pertaining to nationality, including the right of the mother to transmit her U.S. nationality to her child born abroad of a foreign father. This party also took a leading part in the campaign which resulted in the elimination of all discriminations against women in the Fair Labor Standards Act while that measure was pending in Congress. This party advocates labor laws be based upon the nature of the work and not upon the sex of the worker, and these laws be free from discrimination based on sex; that all other laws be free from discrimination based on sex; that is, laws on jury service, on guardianship of children, on right to one's earnings, on right to manage one's own property, on right to conduct a business, on inheritance rights, on right to make a contract, on right to choose a legal domicile, and on right to hold public office; that all Executive orders be free from discrimination based on sex; that existing Executive orders that forbid discrimination in employment because of race, color, religion, or national origin, but do not forbid discrimination because of sex, be changed so as to give protection also to the woman worker who is suffering from discrimination based on sex.

At this point I would also like to pay tribute to the National Federation of Business and Professional Women's Clubs, Inc., who since 1937 have supported the adoption of an equal rights amendment to the Constitution as the most effective means of assuring equal rights to women and adjusting legal inequalities which exist in the United States on the basis of sex. I should also like to point out that both Democrats and Republicans have adopted as part of the party platform this equal rights amendment in their 1960 platform. A statement on the equal legal rights amendment by the National Federation of Business and Professional Women's Clubs, Inc., reads:

> The U.S. Constitution's provisions are framed mainly in the language of the English common law. Under that common law women had few actual citizen rights; they could not keep or spend their own money, have personal property, sue in the courts, make contracts, or have guardianship of their own children.
>
> The 14th and 15th amendments give equal protection and political rights to all persons (citizens) regardless of race. Yet the effect of court decisions has been to except women in certain of their applications.
>
> In 1920, the 19th amendment gave women the right to vote but did not assure them legal equality. Today, in some States women legally are little better off than they were

in 1848, when serious, organized consideration was directed toward gaining woman suffrage. In the absence of a Federal constitutional amendment, what a State legislature may grant this year it can revoke another year.

Since 1937, the National Federation of Business and Professional Women's Clubs, Inc., has supported the adoption of an equal rights amendment to the United States Constitution as the most effective means of assuring equal legal rights to women and of adjusting legal inequalities which exist in the United States on the basis of sex. Accredited delegates from the clubs and State federations again reaffirmed support of the equal legal rights amendment at the National Biennial Convention held in Philadelphia, Pa., in July 1960.

The amendment will—

Preserve States rights: States may still legislate under their police power on health, welfare, civil matters—the only proviso is that laws shall apply to citizens without regard to sex

Establish in law the term "men" as generic, to include women.

Encourage maximum use of womanpower through removal of petty restrictions.

Dignify family and recognize the partnership of marriage as it exists.

Fulfill platform pledges of both political parties.

The amendment will not—

Prevent enactment of protective legislation for classes of citizens (i.e., mothers, widows, children). Veterans' legislation is an example of legislation for a class. Legislation for farmers is another example.

It will not require more extensive testing by the courts than any other new law.

It should not affect social customs—it applies to legal matters only.

At this writing, the following U.S. Representatives of the 1st session of the 87th Congress have introduced House joint resolutions proposing an amendment to the Constitution of the United States relative to equal legal rights for women: Representatives FALLON, GRIFFITHS, ST. GEORGE, MCDONOUGH, BOW, MULTER, WEIS, LOSER, TRIMBLE, BAILEY, VAN ZANDT, LIPSCOMB, MAY, LANKFORD, SILER, THOMPSON, FRIEDEL, CUNNINGHAM, MATHIAS, BARRETT, CEDERBERG, CLARK, RHODES, and GARMATZ.

The amendment reads:

"SECTION 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex. Congress and the several States shall have power, within their respective jurisdictions, to enforce this article by appropriate legislation.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States.

"SEC. 3. This amendment shall take effect 1 year after the date of ratification."

What is taken away by these words? Absolutely nothing, of course. With the adoption of this amendment, our Constitution will actually spell out elimination of discrimination because of sex as well as that because of race, creed, or color.

Both the Democratic and Republican National Conventions adopted the support of equal legal rights legislation as part of the party platforms in 1960. The respective planks are as follows:

Democratic: Equality for women. We support legislation which will guarantee to women equality of rights under the law, including equal pay for equal work.

Republican: Congress should submit a constitutional amendment providing equal rights for women.

The United Nations Charter, to which the United States is signatory, states in its preamble as one of its purposes "to reaffirm faith in the equal rights of men and women." By subscribing to the charter, each nation has endorsed this principle. Internationally, so far as equal rights are concerned, we lag behind countries which the United States itself has encouraged to grant equality to women. Egypt, Burma, Greece, Japan, Western Germany, and Pakistan have all given constitutional equality to women. The prestige of the United States is assailed by Russia on the ground that it does not grant its women equal legal rights. With equal legal rights written into the Constitution, the United States would no longer be endorsing this principle in theory but violating it in practice.

Mr. Speaker, there are many, many fine groups and organizations in the United States today who have been active in the cause of developing informed citizen responsibility among American women. Certainly one of the most outstanding of these groups is the League of Women Voters of the United States, and I would point out that the league is the direct descendant of the National American Woman Suffrage Association—

Once women had the vote, many doors of opportunity were opened to them. Some ran for Congress or political office at State and local levels. Some embarked on careers in the political parties. With their new status of full citizenship, some moved ahead more rapidly in their chosen fields—social work, consumer interests, civil service—to name only a few.

But most women simply put their newly won citizenship to work in their own hometowns. And in many communities they found an organization already there ready to help them: the League of Women Voters.

The League of Women Voters is the direct descendant of the National American Woman Suffrage Association. Suffrage leaders had built a large and powerful organization in the struggle to win the vote, and as victory came into sight the leaders began to plan around all the things that could be done with the vote once they had it.

In 1919, the call to the 50th convention said: "The National American Woman Suffrage Association invites the women of the 15 full suffrage States to attend this anniversary convention, and there to join their forces into a League of Women Voters, one of whose objects shall be to speed the suffrage campaign." The convention amended the association's constitution as follows: "In order to further the second purpose of the National American Woman Suffrage Association—i.e., to increase the effectiveness of women's votes in further better government—women from the enfranchised States shall form a League of Women Voters within the National American Woman Suffrage Association."

That convention was in March 1919. I remind you that the 19th amendment was not passed by both Houses of Congress until May 1919 in the House, in June 1919 in the Senate. Within 1 hour after the Senate vote, the suffrage association launched its drive for ratification.

In February 1920 the suffrage association held its last convention, and gave way to the successor organization. Mind you, ratification of the 19th amendment was still 6 months away. That day came in August 1920, and today we mark the anniversary of it.

The suffrage organization was always a jump ahead. And so is its successor, the League of Women Voters. Some of the legislative aims of the league in 1920 were achieved in a surprisingly short time, some took longer, some are yet to be attained. But the greatest challenge, the league quickly realized, was the goal of greater citizen participation in Government. Several of the hallmarks for which the league is known were started in its first year—demonstration classes to teach voters the proper procedure in marking a ballot and in registering and voting; citizenship schools for the study of local, State, and National government; surveys of local government; candidate questionnaires and candidates meetings. Some of these are included in what the League of Women Voters calls voters service.

The other contribution for which the league is known is its work on governmental issues. This is a study-and-action method, and the combination makes the League of Women Voters an outstanding group. It is, as was the suffrage organization, tightly knit, efficient, politically wise, and its power is great. Great as is its influence as a group in public affairs, the league still regards its end purpose as the development of the individual citizen toward greater participation in public affairs. The league's goal is not only more voters, it is more and better-informed voters. The league is not a study group secluded in an ivory tower. Its members practice what they preach: study first, then put your knowledge to work; learn by doing.

The woman suffragists were a hardy lot. Their descendants are, too. The esprit de corps carried over from the parent organization. Indeed the membership of the league still includes many of those who fought for the right to vote; many of them are in their eighties, but they're still at it—working today toward better schools in their local communities, constitutional revision in their States, a sound and liberal foreign policy for the Nation—just as they worked for the vote which gave them a voice in these and other public matters.

The transfer from generation to generation is sometimes a matter of fact as well as spirit. Many a present-day league member licked stamps and envelopes for her mother or grandmother in their days of the fight for the vote itself. The woman who was national president of the league from 1944 to 1950 is the great-granddaughter of Lucretia Mott, who with Elizabeth Cady Stanton started it all back in 1840. When because they were women they were discriminated against at an antislavery convention in London that year, they came home to plan and to lead in 1848 the first woman's rights convention. Mrs. Stanton became president of the suffrage organization in 1890, when two groups organized in 1869 merged to form the National American Woman Suffrage Association. Carrie Chapman Catt, who led the suffrage cause to victory in 1920, first appeared on the national scene at that 1890 convention. Susan B. Anthony, who was president from 1892 to 1900, picked Mrs. Catt as her successor. Maud Wood Park, who lobbied the suffrage amendment through the Congress in the final 2 critical years, became the first national president of the league. Mrs. Catt was honorary president of the league until her death in 1947.

Speaking of carrying over, I read the other day in a history of the league that at its first convention, in 1920, it stated the following: "It is not expected that the entire program or even the major part of it will be achieved in 1 year's work. Voters should enlist for a 5-year service. At the end of that time account should be taken of achievements won and the importance of the unfinished program. A new determination can then be made concerning the advisability of a continuance of the league."

The League of Women Voters is not one to leave loose ends; but somehow that piece of "old business" seems never to have been

brought up again. "Achievements" have been won, but "the importance of the unfinished program" seems to have outweighed that "new determination" about continuing the league. The league will always have an unfinished program, for its members always see ahead to something else that needs doing, to new or inactive voters who need to be enlisted to help do it. Their work will never be really finished and I am glad they are here to stay. We need them.

Mr. Speaker, I ask unanimous consent that the remarks of my colleague JULIA BUTLER HANSEN, of Washington, be inserted at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. HANSEN. Mr. Speaker, significant as this event which we are commemorating today was, the adoption of the 19th amendment stands only one milestone among many along the road toward full rights and recognition for the women of this Nation.

As early as 1848, in Seneca Falls, N.Y., Elizabeth Cady Stanton and Lucretia Mott spearheaded the first women's rights convention. The convention came forth with the proposition:

> We hold these truths to be self-evident, that all men and women are created equal * * * It is the duty of the women of this country to secure to themselves their sacred right to the elective franchise.

Perhaps it is not generally known that women voted in America long before the 19th amendment was adopted in 1920. From 1691 up to 1780 women voted in Massachusetts under the old Province Charter. In New Jersey women voted until 1807 when a new law excluded them from the polls.

During the eighties my own grandmother voted in Washington Territory, for one session of the territorial legislature provided suffrage. This lasted only a short time. When Washington was admitted to the Union in 1889, those Washington women lost their vote and I can remember to this day, when I was a child, hearing my grandmother's expressions of disgust at losing her right to vote. It may be interesting also to Members of Congress who are far from the ballot methods of those early years to explain that there was no such thing as a secret ballot in the territory. Within the polling places—and they were an odd variety—voters conferred, ballots in hand, and my grandmother often used to laugh about her influence at the polls because of her ability to read.

In 1910 women in the State of Washington again gained full suffrage, for our State was one of 13 which granted the voting franchise to women before 1920. Ironically, the history of women in public office and women in my own family who held public office began before the State of Washington granted women the right to vote. My mother was elected county superintendent of schools in the period before she could cast her vote on her own behalf. At a political party convention which she could not attend, she was nominated, her name was placed on the ballot, and she could not vote for herself.

She has often said that it was a frustrating feeling, and I suspect her unfailing interest in suffrage for women began then.

In 1920 the 19th amendment was ratified, the women's vote was 29,500,000. Since then, that figure has approximately doubled until there are now more than 40 million more women voters than men voters. Today, as we pause in commemorative review of the long years and salute the women who led the fight and struggle for suffrage for our women, we should also remember that having achieved the equal right to vote, we cannot abdicate our equal responsibilities in government. In each election—city, school, county, State, and National—we should each one remember the day when our part of government was nonexistent, and acknowledging the largeness of the issues not only here but throughout the free world, consider it not only a privilege but an obligation to cast our vote.

I know of no National, State, or local issue which does not affect the life of all citizens, including women and their families. Many years ago at a public meeting, a young woman rose and asked why she should participate in politics.

My reply is as valid today as it was then. As long as the milk your child will drink, as long as the streets upon which your child will walk, the schools your child will attend, and the Nation in which you and your family will live are built from the votes of people, you cannot afford not to be interested enough to go to the polls on election day.

I remember not too many years ago that a citizen came into my office and gave me a long list of governmental wrongs. When I asked if the citizen had voted at the last election, the reply was: "I have never voted." This is not the answer that will bring strength to a democracy.

Our social welfare, national defense, civil liberties, economic security, education, the highways across our land, and every other area of governmental determination at all levels are of concern to women as well as to men.

The women of the past—from those who walked across the Nation beside the covered wagons to those who paraded on the streets on behalf of women suffrage and received shouts of derision and other tokens of insults—gave us a priceless gift.

We salute their courage today and pledge our efforts, our strength, and our courage to continue to build America's greatness.

Mrs. CHURCH. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I thank the gentlewoman for yielding. I would like to say, first of all, that if the granting of suffrage to women had done no more than to bring her to the Congress of the United States, it would be justified. There are very few who can equal her in capacity, or graciousness. I would like to join the gentlewoman also in paying tribute to the countless thousands of women who, by their work, made this vote for their sisters possible. My tribute goes, too, to that large and courageous group of women throughout the years since that day, who have put so many good men as well as good women in office. Since we serve here not as women but as fellow Congressmen, in the generic use of the term, I wonder if the gentlewoman would permit me to pay tribute also to these brethren here who put up with us so patiently; and who again, by reason of woman's proven experience and capacity, accept us for what we are, as equals; at least, if they do not, I would be the last to admit it, as would the gentlewoman from Washington. And I would add that perhaps the only regret that we still have today is that we have not yet in this House reached equality of numbers as well as of acceptance. Again I pay due honor to all the organizations of consecrated women who know that there is no substitute for good citizenship and all that it entails.

Mrs. MAY. I thank the gentlewoman from Illinois and certainly agree with her remarks and would say one more thing. In commemorating this anniversary we women would certainly be remiss if we did not call attention to the fact that it was the men's votes after all that put through the 19th amendment to our Constitution.

Mr. Speaker, I now yield to my colleague the gentlewoman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Speaker, I am glad first of all to pay tribute to the gentlewoman from Washington for the very able history she has given the House of the woman suffrage movement and final victory. I cannot add to it in any way, but I think all of us here have gained some knowledge and should govern ourselves a little bit differently after hearing of the tremendous fight that was made by Susan B. Anthony, one of the first of the pioneers who fought her way through yet nevertheless did not live to see woman suffrage an accomplished fact. She was born in 1820. She was one of the first also to favor the equal rights amendment which we have not yet had written into the Constitution. Thus we still have a few things to do.

I also agree with the gentlewoman from Illinois [Mrs. CHURCH] that it is unfortunate, nay, deplorable, that we have not gotten more women in the Congress of the United States. I certainly do not blame the gentlemen of the Congress for this fact. The only reason there are not more women in Congress is because, quite frankly, women do not like politics. If they did, we would have a great many more.

I think it is up to us to preach the gospel of what women can do, and the fact that they are efficient, the fact that they are ambitious, the fact that they are hardworking. I have never found that men have been difficult to persuade, but I must admit I cannot quite say the same thing for ladies.

Mrs. MAY. Mr. Speaker, I yield to the gentlewoman from Idaho [Mrs. PFOST].

Mrs. PFOST. I thank my colleague for yielding. I wish to join with my other colleagues in commending the

gentlewoman from Washington for her very able presentation this afternoon. I am particularly proud to speak in commemoration of the anniversary of American women winning the right to vote.

It was during another period in our history, when the West represented the new frontier of a growing young Nation, that the seeds were planted which eventually led to that historic day, August 26, 1920, when the suffrage fight was won.

The early West had the familiar names—Calamity Jane, Lola Montez, Molly Brown, and many others—but it also had these heroic pioneer women who made homes under impossible conditions, raised families, and who died as they lived, quietly and unaware of the dramatic part they were playing in the shaping of the West and of the dignity of womanhood.

It was Louisa Ann Swain, of Laramie, Wyo., who on September 6, 1870, took off her apron and became the first woman in the world to cast a vote in a public election. And there was the dignified Esther Morris who became a justice of the peace in South Pass City, Wyo., and thus became the first woman to hold public office. It was through her tireless efforts that the Wyoming Legislature voted through the first suffrage law.

The women who led those early fights in Wyoming as well as other Western States were the products of the frontier. The hard, rugged life in a hostile environment instilled in them a new sense of freedom and independence. It was through their pioneering efforts that the 19th amendment became a reality years later.

Suffrage today for women exists over most of the world. The recently published report of the United Nations Commission on the Status of Women shows that 21 countries, most of them newly independent, have granted women the right to vote and hold office. When Paraguay gave women voting privileges on June 5 of this year, it meant that every nation in the Western Hemisphere has now enfranchised women. And it also brought to 92 the total number of countries where women may vote and are eligible for election on an equal basis with men. At present, the U.N. report says, only 10 countries, mostly Moslem countries of the Middle East, deny women suffrage.

In the years to come, with ever more women taking an active role on the local, national, and world scene, I think we can say that this, too, will change.

Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas [Mr. TRIMBLE] may extend his remarks immediately following mine.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Idaho?

There was no objection.

Mrs. PFOST. Mr. Speaker, I would like to say to my colleague from the State of Washington that I am proud to be a member of the Business and Professional Women's Club. I have retained membership constantly in the local club of my home town in Nampa, Idaho, since 1935. And for years, the theme of our national organization was to advance qualified women in policymaking posts. Does not the gentlewoman agree with me that we should exercise our energies toward advancing more women in policymaking posts and positions of responsibility?

Mrs. MAY. I am glad my colleague from Idaho has mentioned this, for it is a very important point to make in connection with this commemoration.

Mr. Speaker, I have already referred to the fact that both the Democrat and Republican Party platforms have carried the equal rights for women amendment—I should further point out that both of our political parties give complete support on a bipartisan basis to women everywhere in encouraging them be become responsible, informed, and active participants in Government. In particular, both parties have urged that more qualified women be appointed to high-level positions in Government. Mrs. Clare B. Williams, assistant chairman of the Republican National Committee, has joined with Mrs. Margaret Price, head of the women's bureau, Democratic National Committee, in urging President Kennedy to make more appointments of women in his administration. We, in the Republican Party are very proud of our administration's record in this respect. During the Eisenhower administration, over 400 women were appointed to high-level positions in diplomatic posts, Government agencies and commissions. Clare Boothe Luce was the first woman appointed as Ambassador to a major foreign nation and Bertha Adkins was the first woman appointed Under Secretary of the Department of Health, Education, and Welfare. I am sure that my colleague on the Democratic side of the House will today make mention of a recent appointment of which women everywhere are very proud—Mrs. Esther Peterson who is our new Assistant Secretary of Labor. At the same time, I think we women might also, with a delicate sense of needling, remind President Kennedy that of the 300 high-level appointments that he has made in almost 8 months in office, only 20 have gone to women, but we will do this in a positive and optimistic way because we are hopeful and sure that he will better this record.

Obviously, I would make mention of the fact that there are 73 Federal judgeship appointments under new legislation to be made by the President and I should call his attention to the fact that there are many women in the United States who are highly qualified and eminently eligible.

Mr. TRIMBLE. Mr. Speaker, it is with great pleasure that I join my colleagues in tribute to those who fought so nobly for the right of the women of this country to vote and hold public office. It was indeed a great victory for them and has been a great victory for all of us, and our country as a whole.

The country is a better country by reason of the right of women to take part in the political activities from the precinct to the top of the political structure.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from Illinois.

Mr. O'HARA of Illinois. Mr. Speaker, I appreciate the remarks of the gracious and brilliant lady from Washington, and I would not like this occasion to pass without mentioning some great women of Illinois.

For 20 years Illinois had gone without a Democratic administration. In 1912 we got a Democratic administration and in 1913 Illinois passed the partial suffrage law. So in Illinois women were voting long before they were voting in other States under a Democratic administration. But I would not give any credit to the Democrats more than to the Republicans.

I want to mention the names of these women. There was Grace Trout, there was Harriet Taylor Treadwell, there was Catherine Waugh McCulloch, whose son was for a long time administrative assistant to Senator DOUGLAS. There was also Mrs. Medill McCormick, a Republican, and there was also Jane Addams.

So in Illinois the Democrats and the Republicans joined together, and we gave to the women of Illinois the right to vote long before women in the other States had that right.

There is one more I would like to mention. That is Mrs. Pankhurst. I shall never forget that night when she came to Chicago to a great gathering in Orchestra Hall. We were then in the midst of the fight for women. And this magnetic, dynamic woman delivered one of the greatest orations I have ever heard.

I do not think we should forget on this occasion such names as Grace Trout, Harriet Taylor Treadwell, Catherine Waugh McCulloch, Mrs. Medill McCormick, Mrs. Pankhurst, and Jane Addams.

I thank the gentlewoman from Washington for yielding to me.

Mrs. MAY. I thank the gentleman from Illinois for his remarks.

Mrs. WEIS. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentlewoman from New York.

Mrs. WEIS. Many of my colleagues have paid tribute to the gentlewoman from Washington but I have one distinction shared by no other Member of the House as she and I have lived together during our years in Washington. Therefore, I know her to be not only an able legislator but a good friend and a merry companion.

Mr. Speaker, I am proud to join with my colleagues in commemorating this 41st anniversary of the ratification of the 19th amendment, which gave to women the right to vote in Federal elections.

As we commemorate this historic day in the history of woman's battle for equal rights—a battle which, incidentally, is still going on today—I want to pay a special tribute to Susan B. Anthony, one of the greatest of the gallant women associated with the suffrage movement

during the 19th century. Susan B. Anthony lived the greater part of her life in my own home city of Rochester, N.Y., and her memory continues to burn brightly in the heart of virtually every woman in our community. As we pause momentarily today to recall that day in August of 1920 when women were first granted the right to vote in Federal elections, we might well call to mind, too, a day many decades earlier when Susan B. Anthony was actually jailed for attempting to cast her ballot in an election in Rochester. But for her courageous efforts, and those of the small band of farsighted and heroic women who shared her cause, we might have nothing to commemorate today.

The women of New York State have long been dedicated to the cause of equal rights, and their efforts have, over the years, met with considerable success. New York was one of those States which had granted women the right to vote in State and local elections even before ratification of the 19th amendment and I am proud, too, of the fact that the New York Legislature was one of the very first to ratify the suffrage amendment.

As you may recall, Mr. Speaker, the amendment was passed by the House on May 21, 1919, and by the Senate on June 4, 1919. On June 16, just 12 days after Senate passage, the amendment was officially ratified by the State of New York.

Today, women are active and effective at every level of government in New York State. Three of us, Mrs. KELLY, Mrs. ST. GEORGE, and myself, are privileged to serve in the House, and there are a great number of women who hold both elective and appointive positions throughout the State.

On the national scene, too, women have made great strides since the suffrage amendment became law, and I am confident that women will continue in the future to assume even greater responsibilities in every facet of our national life. Women have already become the backbone of political organizations at the grassroots level, and in recent elections more women than men have been registered to vote. Women are today playing a most important role in the field of education and they are assuming increasingly significant positions in commerce and industry. In the legal profession, women are making considerable headway, with a number of important judgeships now being held by women, and in the medical profession, the selection by the President of a woman as his personal physician has spotlighted the strides that women are making here.

In summary, the list of women's achievements is long and varied and we can be proud of the advances that have been made in these 41 years since the ratification of the 19th amendment.

At the same time, there is still much to be done if women are to fulfill the role that should be ours in this dynamic period of history, and the task will not be easy. Women's battles have never been easy, but the record of the past is heartening and I am confident that, as they have not failed in the past, the women of today and tomorrow will not fail to make the most of the wonderful opportunities which are theirs.

Mrs. MAY. I thank my distinguished colleague and roommate from Rochester, N.Y.

Mrs. DWYER. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentlewoman from New Jersey.

Mrs. DWYER. Mr. Speaker, I thank the gentlewoman for yielding. I want to comment and pay tribute to the very distinguished gentlewoman from Washington for her outstanding statement this afternoon in behalf of all women. I want to thank the gentlewoman for giving us the opportunity to point up the 41 years of woman suffrage in this country which we are celebrating today. Also I would like to point out the outstanding women who made it possible.

I think it is safe to say, Mr. Speaker, that the hopes of those who supported women's suffrage 41 and more years ago have quite generally been fulfilled, and the fears of those who opposed this once "radical" change in the Constitution have been found groundless.

Women have neither "taken over" Government and politics from their men, nor have they inundated these fields in a wave of irrationality and emotionalism. After 41 years of exercising their full rights as American citizens in all the States, women have proven to the satisfaction of all that they are fully capable of accepting the rights and responsibilities that come with active participation in the political life of the Nation. In this respect, women are not fundamentally different from men. Neither better nor worse, superior or inferior, neither more nor less talented or informed or idealistic, women have demonstrated conclusively that they are the equals of men as citizens of our great country.

Nevertheless, the passage and the ratification of the 19th amendment has had far-reaching consequences. It marked, in the first place, a major step forward in the perfection of American democracy by prohibiting discrimination on account of sex. It acknowledged, in effect, in the field of citizenship what had become increasingly evident in many other areas of American life, the fact that American women were prepared to take their place alongside men as sound, creative, and imaginative individuals making great contributions to business, labor, the professions, and cultural occupations as well as to government and politics.

In a very special sense, however, I believe women have had a particularly favorable impact on politics. With the increased participation of women in politics has come a noticeable broadening of the base of politics. Political campaigns and political decisionmaking have been brought out from behind the closed doors of clubs and smoke-filled rooms into the broad light of day. To a greater extent than ever before, candidates have been selected and elections won on the healthy basis of public discussion of issues and candidates, even on the local level. By virtue of their role as the grassroots campaigners of both major parties, women have helped to popularize the political coffee meeting, the public forum, the telephone and letterwriting campaign. Through these and other techniques, candidates and officeholders have been encouraged to leave their headquarters and meet the people. They have been forced to deal with issues, answer questions, and face their opponents publicly. The public—and politics—have both been the beneficiaries.

Women have come a long way in politics and government during these past 41 years. For the first time in a national election, it is estimated that in 1960 approximately as many women voted as did men. Likewise, the percentage of eligible women who cast their ballot came closer than ever before to the percentage of eligible men who voted. Indeed, women today hold the balance of power in politics.

While the number of women holding public office today has lagged somewhat behind women's general participation in politics, here, too, the record is increasingly impressive. At a recent count, 7 women were secretaries of State, 34 women were State senators, and 294 women were State representatives. During the 8 years of the previous administration, over 400 qualified women were appointed to top-level posts in Federal agencies, commissions, and the diplomatic corps. This is an alltime record. Here in the Congress, too, another alltime record has been set with 17 women Representatives and 2 women Senators.

This record, Mr. Speaker, indicates to me that many of the former obstacles to women's participation in American political life are gradually disappearing. Most Americans today, I believe, are willing to consider the qualifications of all candidates for public office and to make their choices accordingly.

I am sure that women, for their part, ask only that they be considered, so far as politics is concerned, as good citizens with the same rights and responsibilities as all other citizens. And as candidates for public office, women ask only that their qualifications for office be judged on the same basis as all other candidates.

The vision that inspired Susan B. Anthony and her fellow suffragettes, the vision that brought into being the 19th amendment to the U.S. Constitution, has today become reality. It is especially appropriate, Mr. Speaker, that at a time when our Nation as never before relies on its women for so much of our national greatness that we here in the Congress of the United States pay tribute to their memory and their accomplishment.

Mrs. REECE. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to my distinguished colleague from Tennessee, [Mrs. REECE].

Mrs. REECE. Mr. Speaker, I want to rise to associate myself with the remarks of the gentlewoman from the State of Washington, and the other speakers who have preceded me.

Mr. Speaker, 41 years ago, August 24, 1920, a special session of the Tennessee

Legislature ratified the 19th, or woman's suffrage amendment. Thus, Tennessee became the 36th and all-important State to ratify the woman's suffrage amendment—all important because this made the 19th amendment a part of the Constitution and the law of the land.

I feel highly honored to be a member of the present delegation from the great Volunteer State that made this contribution to the progress of our country and to women in particular.

Mr. KEARNS. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from Pennsylvania [Mr. KEARNS].

Mr. KEARNS. Mr. Speaker, I would like to say this on this great anniversary of women's suffrage. The women started from zero politically—but I want to say that on both sides of the aisle, as a Member of the Congress, I have had cordial and pleasant associations with the women who have served so faithfully in their devotion to their political party and they have added important legislation to the statute books to advance the United States of America.

I think the women who have served in the Congress have done a wonderful job.

Mrs. MAY. On behalf of the women Members of the House, I thank the gentleman from Pennsylvania.

Mr. SCHADEBERG. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from Wisconsin.

Mr. SCHADEBERG. Mr. Speaker, before coming to the floor of the House today I walked through the lower rotunda of the Capitol and paused for just a moment before the memorial erected there to those great women who worked and pioneered for 72 years to make possible the 19th amendment. It took courage, perseverance, stick-to-itiveness, and a sincere belief in the cause to which they had dedicated themselves—to carry on their tireless battle for so many years.

It was Elizabeth Stanton who penned these words across a sheet of paper as she and other women composed a declaration of sentiment, "We hold these truths to be self-evident that all men and women are created equal."

It does seem strange, yet not so strange considering the character of those who went west, that it was the Territory of Wyoming with only 1,049 pioneer women who in 1869 became the first to win the franchise. From then on it was an uphill fight every step of the way and it took another 51 years before the final and last State—Tennessee—finally ratified the amendment and sent it on to Washington on August 26, 1920. The State Department immediately sent it on to the Justice Department for certification.

As a pastor of churches for the past 25 years I testify with authority that whenever a significant task in the church needed doing, the women of the church could be counted on to do their part. They were never found wanting. They were in the forefront of every major project for progress.

Everyone of us in this body must run for office—for reelection. We all know and appreciate the great power and importance of women and the women's vote—we know that some of the most effective efforts made in a campaign are made by the women—pointing up that same sincerity of purpose—that same belief in a cause—that same perseverance and that same stick-to-it-iveness that won for them the franchise 41 years ago. My hat is off to the women as we spend this hour today commemorating the anniversary of their victory and the ratification of the 19th amendment.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Speaker, I, too, would like to join my colleagues in congratulating the gentlewoman from Washington on her very fine presentation and on a very timely reminder of the anniversary of the ratification of the 19th amendment.

I would like to say that I agree with the gentlewoman from New York that it is unfortunate, even deplorable, that we do not have more women in the Halls of Congress and, indeed, in political life. Having run against one such in one of my campaigns I know the shape of things to come, although I was lucky enough to win.

But I recognize that they are capable and represent a very formidable accomplishment in this area. I pay tribute to them. I think they do much to leaven inequalities where they exist. I think we should pay tribute to the achievements of all women both before and after ratification of this amendment.

As the gentlewoman spoke she referred to President Wilson and the fact that he was indifferent and even hostile at one time to this effort to secure suffrage. Unfortunately, I do not have enough years to have participated or to have been aware myself of the efforts that were made during World War I, but it so happens that it reminds me that my own grandmother was a very active suffragette. She engaged in some picketing of the White House during World War I and ended up in jail. Of course, such things could not occur today. I recognize that there are other ways of accomplishing objectives. But it did remind me that there was real effort involved with perhaps a lack of foresight in the antagonism of some men.

We have grown accustomed to and, indeed, longed for women sharing in our political efforts. I would like to remind the gentlewoman what I am sure she knows already that many of us mere men are also active supporters of the equal rights for women amendment. And in many other ways we all hope that they will continue to contribute as much to our political life as they do to our domestic.

Mr. Speaker, I thank the gentlewoman from Washington and congratulate her.

Mrs. MAY. Mr. Speaker, I thank the gentleman.

Mr. STRATTON. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from New York.

Mr. STRATTON. Mr. Speaker, I should like to commend the gentlewoman from Washington for her leadership in taking this time to pay tribute to the revolution in American democracy and politics that was accomplished by the 19th amendment. It so happens that I am a graduate of the University of Rochester where Susan B. Anthony, as has been mentioned earlier, gained her education and perhaps some of her zeal and devotion to this cause which led to the great career that she had in paving the way for this great amendment.

Of course, I feel as many of my colleagues do who have expressed their appreciation of the great addition that has been made to this House by the women Members, so ably being represented today by the gentlewoman from Washington. They make up in quality what they may lack in quantity. And as the gentlewoman has said, it will only be a few years, I am sure, before the quality is matched by the quantity. I might also add that in my judgment it will only be a few years before we can look to a woman President and a woman Vice President. I am sure that that is something we can all look foward to with great anticipation.

May I say, Mr. Speaker, I think that there are two things which this amendment has done in particular that all of us who have run for office are aware of. One of them, as has been said before, has been the energy and enthusiasm that women have brought to political life. I am sure that anyone who has run for office knows that if you have one or two or three eager and enthusiastic women on your side, often it is something that is much more valuable than a large paper organization. And I think since the 19th amendment has come into effect there has been much less of what has been referred to as machine politics. Women are able to accomplish miracles that machines sometimes cannot accomplish. And they make their decisions not on the basis of cliches but on the basis of the issues as they see them. I think in these two fields there has been a genuine revolution in American politics for which we can all be grateful.

Mr. Speaker, I am happy to join in paying tribute to the accomplishments that have come about as a result of this amendment.

Mrs. MAY. I thank the gentleman.

Mr. PIRNIE. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from New York.

Mr. PIRNIE. I am very happy to join with others in this body in expressing pleasure at the commemoration of this anniversary, which is so well arranged under her direction.

I have served with the gentlewoman from Washington in my committee work and know full well the dedication she has brought to her service in this body. Having worked with her, I can say that she has reflected great credit on her sex in the performance of her duties.

I think all of us will do well to observe this anniversary and think of its significance. I am somewhat astonished

to think that there existed this significant opposition to women's suffrage when it was first introduced, but today with increased cultural and economic opportunities for women we find that they have been brought into effect in what was formerly the exclusive domain of men. It would be very difficult to cite a significant field of endeavor where women have not demonstrated their ability to perform effectively.

I would say the most striking illustration is in the field of government, because at the local, State, and Federal level we are aware of women who have dedicated themselves to public service, sometimes at great sacrifice to themselves and their families. This House and the other body of Congress are clearly stronger and more responsible because of the presence of the distinguished ladies serving with us. Their performance has earned for them the confidence and respect of all. They and others in positions of responsibility certainly have vindicated the desires and aspirations of those who pioneered this movement in the 19th century.

It is not for me to laud these achievements, rather, it is incumbent upon those who represent the people to secure for all women of the Nation equal rights under the law. Discrimination on account of sex still remains despite the progress made in the last four decades. Congress should act boldly to assure all people equal rights.

Mr. HECHLER. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from West Virginia.

Mr. HECHLER. Mr. Speaker, I am glad that the Congresswoman from Washington asked for this time to commemorate the passage of the constitutional amendment according to women the right to vote.

Reference has been made to the fact that there are not as many women Members of Congress as the proportion of women in the population of the country. Frankly, Mr. Speaker, I hope that we do not require proportional representation of women in Congress, for if we did it would mean that some day women would be limited from serving in Congress in case the electorate decided to send here 75 percent, 80 percent, or more women. So let us let the chips fall where they may and be thankful now that our able Congresswomen make up in charm and intelligence what they lack in numbers.

My good friend from New York [Mr. PIRNIE] alluded to the opposition to the 19th amendment when it was first proposed. Ten years ago, at the personal request of President Truman, I made a study of "scare words"—predictions of doom and gloom which had been made whenever any new idea had been proposed. Every step of progress which has been made in this Nation's history has been taken in the face of dire predictions by those who resent change. Every piece of liberal legislation has been confronted by the calamity-howlers who screamed that socialism or the end of the world was surely around the corner. So it was with woman suffrage too. They even predicted that this would mean an end to sex, but women are voting and the world is still going around. I salute those courageous women who stuck to their principles and refused to be ridiculed or intimidated by the enemies of progress.

I would also like to take this occasion to pay tribute to the first woman elected to Congress in West Virginia, Mrs. ELIZABETH KEE. I know my colleagues join me in wishing for her a quick recovery and an early return from her recent illness. By her service on the Committees of Veterans' Affairs and Government Operations she has contributed much to the development of sound and constructive legislation.

Mr. Speaker, it may seem unusual for a bachelor to be making a speech about what woman suffrage has accomplished for this country. Somehow the idea has been circulated that just because a man is a bachelor, he may not fully appreciate the talents and accomplishments of women. I would like the record to indicate my vigorous contention that nothing could be further from the truth. Gertrude Atherton once wrote:

> No matter how hard a man may labor, some woman is always in the background of his mind.

I would like to testify to the truthfulness of this statement. Furthermore, I serve notice that when it was stated in my official biography in the Congressional Directory—"Not yet married"—this was no idle promise.

Others have alluded to the tremendous contribution which women have made to their campaigns. This is truly amazing. The social side of politics, which is so important in and out of season, would, of course, collapse without women. When it comes to telephoning, doorbell ringing, organizing coffee hours, carrying on neighborhood projects, and getting out the vote, women have it all over men. In 1960, the wives of State candidates in West Virginia organized a caravan which drove from town to town, to join with local women and stir up interest in the campaign. The results were sensationally good.

But above all, women, since they have earned the right to vote, have helped raise the moral tone of government and politics. I firmly believe they have helped to reduce corruption, machine rule, and the seamy side of politics. Perhaps most important, women have brought forcibly to the forefront the inescapable fact that the survival of mankind itself is based on the restless search for world peace.

Mrs. MAY. I thank my colleague.

Mr. HORAN. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to my colleague from the State of Washington.

Mr. HORAN. Mr. Speaker, I take this occasion to speak as the dean of the delegation in the House of Representatives from the State of Washington. We are not only proud of Mrs. MAY, we are also proud of JULIA BUTLER HANSEN. Both of our lady colleagues have shown by their character and ability that they have much to offer in the deliberations of this great representative body.

As a youth, I used to hear many fathers and husbands refer to their wife as "the woman." You do not hear that any more. It seems that the matter of raising the generation which is to follow has become a partnership—which is as it should be. I am happy that women are taking an active part in framing the rules of this great game of life both in our domestic affairs as well as in our international affairs. I can see the worth of the work that they are doing. I know they have great concern in trying to solve the problems that we face today and to prepare ourselves for whatever the future may bring. As partners in the game of life and as fellow Members in this representative body, they add a spice and a wisdom that all of us appreciate.

Mrs. MAY. I thank my colleague.

Mr. WIDNALL. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Mr. Speaker, I feel that our colleague, the gentlewoman from Washington, should receive the compliments of the House of Representatives and of the Nation for bringing to our attention the very important significance of this day. Our colleague from the State of Washington who now occupies the well of the House and our other able women Members of the House have by their records of character and ability not only brought to the attention of the Nation how important it is to have women in government, but have provided the examples to encourage more and more women to participate in the affairs of government. In my own area, a woman whom I will always remember, Edna B. Conklin, who became the greatest Republican leader in the State of New Jersey, and I would say the greatest either of men or women, by her example and leadership not only in matters of participation in government, but by participation in community efforts and in many charitable fields, attained a position of great eminence. That was because she was willing to sacrifice of her time and to provide the sinews of work to get things going and to mold character and integrity in young people and to build better government. Of course, what I can say about her, possibly, cannot be said of every woman. But she not only was interested in getting women into government—she was not only interested in getting women into political organizations, but she encouraged young people, both male and female, to participate in government. My own small beginning in politics came about through this lady interesting me in politics and getting me to go out and work. She was a fine leader and a typical example of the type of person that makes for better government in this country.

I want to congratulate again our colleague, the gentlewoman from Washington [Mrs. MAY] for doing a fine job.

Mrs. MAY. Mr. Speaker, I thank my colleague.

Mr. REIFEL. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from South Dakota.

Mr. REIFEL. Mr. Speaker, I am glad to have this opportunity to congratulate our distinguished and able colleague, the gentlewoman from Washington [Mrs. MAY], for bringing this important occasion to our attention. I recall from the time of my earliest youth that old saying, as all of you have, "The hand that rocks the cradle rules the world." I, too, should like to see more of the distaff side of our households represented here in Washington. On this occasion we would be remiss in our expressions of gratitude for women in politics if wives were not included in our words of appreciation. Were it not for the wonderful help that wives are to their husbands many of us would not be here in this great representative body of the Congress.

More of those whose hands rock the cradle and rule the world find it a little more difficult to gain entrance to this body because the many capable women who would aspire to such high office do not have wives behind them. They are thus going to be handicapped in their struggle to find their way into the Halls of Congress, but find it they will—single-handedly if necessary. And what a reassuring and stabilizing influence they are once they arrive.

The women in South Dakota, Republican and Democrat, have given great leadership to politics in its highest sense. In my party, were it not for the dedication of the Republican women and their devotion to the finest principles of good government, coupled with their willingness, at great sacrifice, to work tirelessly toward the furthering of these principles I would not now have the honor of representing the First District of South Dakota in this most distinguished deliberative body of the free world. I know the fine women of the other party are likewise so dedicated. To all of them and for their efforts the citizens of my State owe a deep debt of gratitude. I thank the very capable gentlelady from Washington for extending, to me, this privilege to add my inadequate words of appreciation to all those who have made possible the effective participation of the women of America in the art and science of politics. They added to its dignity and increased its true meaning.

Mrs. MAY. There are two things I would like to say to the gentleman from South Dakota. First, he has said that successful men must always give credit to the women behind them—their wives. I would say that it is equally true, therefore, that we women in Congress must pay the same great tribute to the men who stand behind us and encourage our endeavors. In this respect, I would like to take this opportunity to make public acknowledgment of my love for and gratitude to my own husband, Jim. Were it not for his patience and understanding and his belief in me, I would never have had the great privilege of standing before you, my colleagues, in the well of the House today on this commemorative occasion. Second, may I just make this remark in connection with the statement the gentleman made, referring to the old saying—"The hand that rocks the cradle rules the world." Would God that this were true, because if it were, today we would have world peace. And, perhaps the most significant thing any of us could have in mind today as we talk about the contributions that women have made and the potential contributions they have to make, we can only hope that this will mean that more of us will be working side by side with men everywhere, in every area of this world, toward the one thing that really matters most of all, and that is world peace.

Mr. SCRANTON. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from Pennsylvania.

Mr. SCRANTON. I thank the gentlewoman and I wish to commend her, as have so many people this afternoon, for taking the occasion she has today in commemorating the 41st anniversary of the ratification of the 19th amendment. I am sure that this is an hour that should be dedicated to all the women of America, of course, but there are special groups that we ought to remember on this particular occasion. First and foremost, perhaps, is the group that represents your sex in this particular body, whom we greatly admire—all of the fine women who are here in the Congress of the United States, and the many more who are to come. Secondly, there are those who have dedicated so much of their time and their lives to achieving this amendment, some of whom suffered even imprisonment for such, including a number of Pennsylvanians. And I am happy to note that one of those who worked so diligently for this cause was my own mother, who was particularly active in this field and dedicated a good part of her life to achieving this original amendment. Also, it seems to me that on this occasion we should remember that at the present time there is a new effort being made for the adoption of an amendment which will give equal rights under the law to women. I am proud to be one of the Members, of which there are a number in this body, who has introduced such a resolution in the Congress of the United States. We may remember that this was first introduced by the then Senator Charles Curtis, who became Vice President later on under the Republican banner, and also by Congressman Anthony of Kansas, who was a nephew of the famous Susan B. Anthony and therefore an appropriate instigator of this particular resolution. Last but by no means least, I would like to bring to the attention of the House that we have currently a number of wonderful people who are attempting to have this resolution adopted in the House of Representatives, including the gentlewoman from Washington herself and the present leader of this group, the gentlewoman from New York [Mrs. ST. GEORGE]. And, I would hope that the House, in remembering this occasion of 41 years ago, will also remember that we have on the books today a resolution which is of equal importance and of even more immediate importance, perhaps, than the one that was adopted some years ago.

Although we defer in some instances to States like the one the gentlewoman represents for having progressive-minded thinkers, nevertheless we in the State of Pennsylvania pride ourselves that we were the seventh State to ratify this particular 19th amendment, and in this session of the Pennsylvania Legislature action has been taken almost unanimously, calling upon the Congress of the United States to pass a new resolution which would mean another amendment in support of the women of America.

I thank the gentlewoman from Washington for yielding.

Mr. PELLY. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield.

Mr. PELLY. I think it is pretty obvious that one of the reasons more men than women hold public office is because women have the even higher responsibility for bearing and rearing children and looking after the family. Nevertheless, it seems to me women are performing a tremendous service in the interest of the country by following politics; and I know, as one who has a district far away from Washington, that the women truly are performing a very fine service in that respect in expressing their views on legislative matters and on the issues of the day.

I would not want this occasion of the commemoration of the ratification of the 19th amendment to pass without saying how proud we of the Washington delegation are of our two fine gentlewomen our State has sent to the House of Representatives. We think they are about the best justification for the 19th amendment that we know.

Mrs. MAY. I thank my colleagues from Washington.

Mr. HAGAN of Georgia. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from Georgia.

Mr. HAGAN of Georgia. I would like to add just a word of personal appreciation to the gentlewoman from Washington and join with her and our other colleagues in honoring these great ladies who have labored so hard and long to make woman suffrage possible in this country. Through my reading of history I am impressed with the great good these women have done, because I thoroughly believe that the politics of this country have been bettered considerably by woman suffrage and the part our ladies have played in both Government and politics; and I want to tell the gentlewoman how deeply grateful I am to the ladies of the First District of Georgia who meant so much in my first election to the Congress from the State of Georgia.

Mrs. MAY. I think perhaps all of us, whether we are Congresswomen or Congressmen owe a tremendous debt to the women of our districts in this respect.

Mr. CHENOWETH. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from Colorado.

Mr. CHENOWETH. I also want to commend the gentlewoman from Washington for her splendid statement and for reminding us of this 41st anniversary of the 19th amendment. I recall that Colorado was the first State to give women the right to vote. Did the gentlewoman mention that?

Mrs. MAY. I believe I mentioned it in my earlier statement.

Mr. CHENOWETH. Then I am correct in my recollection.

Mrs. MAY. Yes.

Mr. CHENOWETH. Our people in Colorado are very proud of the part women have played in the development of our great State. I would like to remind the gentlewoman from Washington that the only memorial the State of Colorado has in Statuary Hall is a statue of a most distinguished woman doctor, Florence R. Sabin. This statue in honor of Dr. Sabin, was placed in the Capitol largely as a result of the efforts of the Colorado Chapter of the American Association of University Women.

Over the years the women of Colorado have played a most important and vital part in the development of Colorado. We owe a debt of gratitude that can never be repaid to the pioneer women who settled in Colorado and other Western States. Without their sacrifices and willingness to endure hardships, the West would never have been conquered. They made it possible for us to enjoy our present benefits and blessings. I pay tribute to these great women and am proud that Colorado was the first State to give them equal suffrage. I thank the gentlewoman from Washington and congratulate her on her most interesting statement.

Mrs. MAY. There is just a little difference of opinion in the interpretation of whether Colorado acted as a territorial legislature or as a State. Some of these States granted woman suffrage before they became States.

For the record, however, Colorado certainly is to be commended in that the record shows that in 1893 the male voters of Colorado apparently ceded suffrage to women, the first State so to do.

Mr. THOMSON of Wisconsin. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from Wisconsin.

Mr. THOMSON of Wisconsin. Mr. Speaker, I want to join in commending the gentlewoman from Washington for calling the attention of the Members of the House and the American public to the great contribution that has been made by women in all phases of our existence. I am convinced it is women who provide the industry and the idealism that carries the banner forward in every great cause.

In my home community there was such a woman, who was working from the time she was a young lady in aiding Susan B. Anthony. I refer to Ada James, who embarked on the cause of woman suffrage and carried forward with such great determination that Wisconsin was the first State in the Union to ratify the 19th amendment. As a matter of fact, there were seven legislatures in session at the time that had the opportunity to pass upon this question. A race developed to see which would be the first State to ratify. Illinois ratified almost simultaneously with the State of Wisconsin. But Ada James developed such momentum in the State of Wisconsin that she induced her father, the late D. G. James, State senator in the State of Wisconsin, to carry the word from Madison, Wis., to Washington. The ink was still wet on the bill when he made the train for Washington and beat the special delivery from the State of Illinois. Thus Wisconsin became the first State to ratify.

I again want to commend the gentlewoman for calling to the attention of the American public this great contribution, and I congratulate her for the great service she is rendering in this body.

Mrs. MAY. I thank the gentleman.

Mr. ROUSSELOT. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Speaker, I rise to extend my thanks to the gentlewoman from Washington for making it possible for us to commemorate the adoption of the 19th amendment.

There are several qualities that I think stand out very clearly in the type of service that we see performed by the women of our society, and especially those holding public office. I can think of five qualities that I wish to enumerate because they are the kind of characteristics that we need more fully expressed in public service.

First. The women I have had the opportunity of associating with in civic life have always shown a tremendous sense of dedication far and beyond even their own capacity, physically to carry on the job.

Second. They show a willingness to stand firmly for principle, even though it is politically expedient to go in another direction. I thing this is an admirable quality that many of us would like to have in our own makeup but are not always willing to allow to come forward. We definitely see this sterling characteristic expressed by women in public life, even though the odds for success may be slight.

Third. I think women bring a dignity and poise to public office that we do not always see in some of our other public officials.

Fourth. They bring a vigor and enthusiasm that is refreshing to see in our public life. They are willing to exert the enthusiasm that is needed sometimes to put over a project that people say "You are not being practical, the task is impossible."

I have found in connection with my own election, when the predictions were that it could not be done, that the women in the campaign came forward and said, "It can be done."

Finally, and most important, I think the women of our country bring a sense of spiritual values to our public affairs that is desperately needed.

I am proud to associate myself with the remarks of the gentlewoman from Washington. I thank her for giving us this opportunity to express our warm appreciation for the job that the women of this country are doing.

Mrs. MAY. I thank the gentleman from California [Mr. ROUSSELOT] and would like to comment that probably in paying this fine tribute to the women of America on the five different counts he probably has at the same time set up for us five goals that we should always strive to achieve.

Mr. BARRY. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from New York.

Mr. BARRY. Mr. Speaker, I would like to add my commendation to the very great presentation which the gentlewoman has made this afternoon, and to pay recognition at the same time to the great strides that have been made by women at great sacrifice over the years. I hope that the equal rights amendment will be adopted.

Mr. Speaker, lastly, I must say that in most endeavors when there may be doubt as to their success, it is when women join them that they become a success. That, in my opinion, is the greatest tribute I can pay to womanhood—the value of their endeavor in any public matter of importance affecting the Nation.

Mrs. MAY. I thank the gentleman from New York.

Mr. SIKES. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Speaker, 41 years ago the Secretary of State proclaimed in effect the 19th amendment to the Constitution of the United States declaring "the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex." "Congress shall have power to enforce this article by appropriate legislation."

I think it is safe to say the movement for woman suffrage as such never began; it always existed. Every race has claimed superiority over others, every nation has boasted its superiority over others, and centuries before Blackstone, men set up the rule that "husband and wife are one and that one is me." More, each upholder of supremacy based its claim upon divine authority. Thousands of years ago women in their own way rebelled against the denial of rights, privileges, and freedoms to half the human race by the other half.

Before Christ, Cato, the elder, made an immortal speech to women who had come to plead for liberty. This speech is so similar to some contemporary ones that I am tempted to include it here for comparison.

Through the centuries the protests of women now and then burst forth in group actions which became noticeable movements for recognition of the rights of women. The most momentous of these took place in the Middle Ages, and was drawing to a close when Isabella financed the discovery of America.

There were women professors in the faculties of universities of Italy, France, and Spain. There were medical schools where women studied and women doctors practiced in all of these countries. Modern science is scornful of European science at this date, but at least it is reported that women doctors lost no more patients than did men. Women lawyers appeared also. Schools for girls became common in connection with convents built and supported by women, many of whom were led by mother superiors of rare abilities.

Alas, while all was going well, the faculty of the University of Bologna issued a decree in 1377 beginning with:

Whereas woman is the foundation of sin, the weapon of the Devil, the cause of man's banishment from paradise, the university shall be closed to them.

In a short time every university in the world had shut women out and from that time, 1377 to 1833, 456 years later, when the new College of Oberlin admitted women, not a university in the wide, wide world was open to women students. Even Oberlin was not particularly liberal, for when Lucy Stone graduated there in 1847 it was explained to her that a professor would read her essay, as it was unseemly for a young woman to appear on the platform and read before men. With a chip on her shoulders from the Middle Ages, this young girl quietly replied, "Very well, sir, I will not write it."

The movement for emancipation of women spread from Italy to southern France and Spain and then to northern France and England.

After the American and French Revolution, which generated so much discussion upon the rights of man, and, incidentally, the rights of woman, the last lap of the woman's suffrage movement we know best began. This movement properly may be said to have actually begun in 1792 with Mary Wollstonecraft's "Vindication of the Rights of Woman." It was a highly moral and well-reasoned book, which all would pronounce conservative today. It was printed many times in America and England and translated into many foreign languages. Though this woman died at the age of 36, her book became the primer of the woman suffrage movement the world around. Henry Walpole, noted writer, pronounced Mary Wollstonecraft a "she-hyena." That title followed the movement and few women who supported the movement escaped the appellation. Its last use took place in 1894 and was applied by a Kansas newspaper to Anna Howard Shaw, the greatest orator the woman suffrage movement ever produced. It served the purpose of vilification for 102 years.

By 1825, so far as we know, not a single college or high school in this Nation was open to girls. In most churches men sat on one side and women on the other in order that men "might not be contaminated by the sinful presence of Eve's daughters." By law, no married woman could collect or use her wages or control her property. Yet things were happening.

Eight American women, duly elected as delegates, were refused admission to the first World's Anti-Slavery Convention in London and condemned to the gallery to sit behind a curtain. These disappointed women returned to the United States and organized the first Woman's Convention which met in Seneca Falls, N.Y., in June, 1848. They presented a declaration of 18 grievances which was adopted with a resolution to demand a repeal. This declaration became, in principle, the platform of the modern movement the world around. By the 1870's and eighties many States had granted property rights for women and the right to collect her own wages. By 1920, when Tennessee ratified the amendment, women had acquired the right to vote. For 150 years women had given of their best to secure for themselves education, opportunity, liberty, and the vote.

Mr. Speaker, too long have we been concerned with the problem of the rights of the individual. It is proper that we should hold these rights dear. They are infinitely precious and we must do everything to retain them. That means that we must be preoccupied not only with rights but with obligations, and today as never before it is necessary for us to meet these obligations.

This may well call for sacrifice. It may in some instances call for hardship, but above all it calls for a united people, an informed people, making its decisions in the orderly way prescribed by our form of government without rancor and discord. In no other way can we meet the challenge for survival that confronts the American people as a nation today.

Mr. BARRY. Mr. Speaker, the House has set aside time today to mark the 41st anniversary of the ratification of the 19th amendment to the Constitution—women's suffrage. It is certainly fitting that we who are so concerned today with assuring full civil rights to every citizen remember that until a scant 41 years ago the right of the vote was denied to over half our population. For over three-quarters of U.S. history most of our people had no legal right to participate in the choice of the government. A country in which the majority of its citizens have no voice in their Government, have indeed no vote at all, would hardly be regarded as a true democracy today.

Discrimination or disenfranchisement because of a person's sex is as undemocratic and prejudiced as such discrimination on the grounds of color or religion. For this reason I have introduced a proposal for amendment to the Constitution relative to equal rights for men and women (H.J. Res. 540). Nearly 100 of our colleagues in the House have introduced similar amendments. It states:

Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

The ratification of this amendment, as of the 19th amendment, would be a great stride toward that genuine democracy which is the American ideal.

Representative of the finest in women's organizations is the American Association of University Women. This splendid group has worked tirelessly to advance the educational levels of the more numerous half of our population. Education is the foundation of democracy. Therefore, I would like to give the Congress the benefit of a statement by the American Association of University Women on this anniversary of such a significant event to all women:

The American Association of University Women recognizes with pride and humility the 41st anniversary of the enactment of the 19th amendment, bestowing upon women citizens of the United States the privilege of the franchise.

We recognize that if our people are not educated to understand, or fail to accept their responsibilities as preservers of democracy, we are not likely to survive as a free nation.

In the years since its enactment, women, for the most part, have accepted the responsibilities of the 19th amendment with the greatest seriousness and have exercised wide and wise discretion as constituent members of the Government. And in this present period of great social and political unrest, we would like to point, not without pride, to the vital role educated women are playing, individually and through organizations such as our own, in the development of informed opinion on both national and international issues.

At the same time, in this era of both promise and danger to the democratic world we wish to point to the need for rededication to acceptance of these citizenship responsibilities on the part of all women.

On this anniversary we urge the participation of those women who up to this time have taken little or no interest in the processes of government.

A SIGNIFICANT ANNIVERSARY

Mr. ROUSH. Mr. Speaker, last Saturday was the anniversary of a most significant event in American political history—the 41st anniversary of the ratification of the 19th amendment providing equal political rights for women.

Today, women make up more than one-half of the eligible electorate. From activities in the precincts to activities on the national level, women have become an integral part of the political scene in this country. In their devotion to the duties of citizenship, they have honored the trust which was given them on August 26, 1920.

Given the right to vote, women proceeded to become participants in our Government. Women have held nearly every elective office in the Nation, excepting the Presidency and the Vice Presidency. They have held, with honor, appointed positions of varied responsibilities, including Cabinet posts.

Our Nation has benefited greatly from the political activity of our women. They have given a conscience to our political endeavors. They have brought to the political arena a sense of devotion, a spirit of enthusiasm and a quality of vigor which have further enhanced the democratic process of our Government.

On the occasion of the anniversary of their receipt of the gift of suffrage, I salute the women voters of America and I pay tribute to them for the contribution they have made to the Nation in these past 41 years.

Mrs. GRANAHAN. Mr. Speaker, the event we commemorate today, the 41st

anniversary of the ratification of the 19th amendment—may seem a bit remote now, because every American woman born in this century has possessed the constitutional right to vote from the moment of reaching voting age. Nevertheless, there are many American women still among us today who participated actively and untiringly in the long struggle for equal voting rights for women, and who saw their efforts culminate in the 19th amendment. I join today in expressing my thanks and my appreciation for what they accomplished.

It is hard for us to imagine what it must have been like prior to 1920 for an intelligent, well-educated, well-informed, politically aware and socially conscious women in the United States on election day. Despite her obvious qualifications, she could not take part in the determination of the political issues. But any man, no matter how poorly qualified by education or background or interest, could cast a vote and thus influence the decision.

I said it is hard for us to imagine how that woman must have felt. And yet, we know that in repeated instances brought to light by investigations into voting practices right here and now, many educated, interested, qualified citizens still find themselves unable to vote, not because of sex but because of race. And that, too, is prohibited by the Constitution. Therefore, until all such instances are eliminated from the United States, none of us—no matter what our personal stake in the 19th amendment—can consider the right of voting as having been made completely secure.

Mr. SCHENCK. Mr. Speaker, I take a great deal of pleasure in joining my distinguished colleague, the Honorable CATHERINE MAY of the great State of Washington, in this recognition of the 41st anniversary of the ratification of the amendment to our Constitution which gave the women the right to vote.

Mr. Speaker, within the relatively short time since that day the women of our Nation have become a potent force in our political life. They have taken their responsibilities seriously at all levels of government from the very smallest unit to positions of highest responsibility. Here in Congress the presence of a number of most capable and efficient representatives of the fair sex attests to the high regard in which these ladies are held by their constituents throughout the country. I know from personal experience just how effective women are in determining the results of our elections and I am sure that all of the Members of this House recognize their growing strength at the voting place. Today they are in the majority and it is indicated that by 1980 there will be almost 5½ million more potential women voters than men.

It has been particulaly noticeable how women work to learn all about issues and candidates. Many husbands now depend on their wives to keep them better informed on the affairs of government at all levels and the candidates for public office, a circumstance that would not have prevailed just a few years ago. Thus women throughout our Nation are continuing to do all they can to make our United States always a better place in which to live and raise families.

Mr. LANGEN. Mr. Speaker, the franchise of full participation in the affairs of our great country came after a great struggle by the women of America. Since that time, the women of America have worked tirelessly in the even greater struggle to preserve our Nation and its freedoms. They have battled courageously, with conviction, and with no small success. I salute them.

Women in Minnesota were some of the first and most active to carry their suffrage from the voting stage to the spotlight of government office. The population of our North Star State responded by electing four of them to the legislature immediately after passage of the 19th amendment to the Constitution. One was Mrs. Mabeth Hurd Paige, whose long and illustrious life of public service and civic responsibility ended in death just 9 days ago. The others were Mrs. Sue Dickey Hough, Mrs. Hannah J. Kempfer, and Myrtle Cain.

To these early leaders in public life and the multitude of their sex who have followed, I say thank you and Godspeed.

Mr. NYGAARD. Mr. Speaker, 41 years ago, the fair ladies of our land won the franchise, thereby attaining equality with men in the right to elect government officials.

In these past 41 years they have taken their place alongside the men in government, seeking and securing election to office in local, State, and Federal government. The women of our land have served with honor, dignity, and great distinction in all fields of government, demonstrating great ability in the performance of their duties. I am sure the future holds even greater things in store for them, not only in government but in the fields of science and industry as well.

We as citizens of this great land are grateful to our ladies for the fine services they have rendered—and for remaining ladies.

It is an honor to present a resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

Mr. ROGERS of Florida. Mr. Speaker, Saturday, August 26, marked the anniversary of the ratification of the women's suffrage amendment to our Constitution giving full rights and privileges to all women in the United States.

The immediate result of the amendment was granting women the right to vote and become full partners in our Government. We have seen this participation increase from 1920 to today, when over half of all votes cast are by women. But the vote was not the only result of the amendment.

We have seen the acceptance of women in every walk of life, in every business enterprise and even to high public office. There are today 2 women in the U.S. Senate and 17 women serving in the U.S. House of Representatives.

The importance of women in the American labor force is indicated by their proportion of workers in various occupational groups. Women constitute more than two-thirds of all the clerical force in the country, and a large percentage of professional and sales workers, operatives, managers, officials and proprietors. The largest single occupation for professional women, about 45 percent of their total number, is teaching, with 1,291,000 women.

Women have come a long way in this country since their first Women's Rights Convention, in the summer of 1848, and are adding new milestones to their record, and the development of our Nation, each succeeding year.

We look forward in the years ahead for women to take an increasingly active role in all walks of life, political, and professional. At the same time women will continue their first and foremost role as the homemakers and mothers of our future generations. In both capacities they are providing for the future of our country as they have always done in the past and for which we must be forever grateful.

Mr. VAN ZANDT. Mr. Speaker, it is a pleasure to pay tribute to the women of the United States on the occasion of the 41st anniversary of the enactment of woman suffrage.

The status of women in our society has fluctuated strikingly during world history. By the 1850's nearly all the personal rights of women had been whittled away and politically they were regarded as second-class citizens.

Some individual women protested, but all too often they were ridiculed as freaks and ignored. It was not until well into the second half of the 19th century that concerted action was taken on behalf of women by both men and women of standing and character. After immense initial difficulties real progress was made. Specific reforms came gradually and some old rights were gradually restored both in the territories and in the States in the latter part of the 19th century.

The beginning of the 20th century found one essential right that had still to be conceded—the right of women to choose, alongside of men, the persons who should represent them in the Congress, in the office of President and Vice President of the United States, and all the other elected officials of our land.

The thought of the early struggles for women suffrage in the Commonwealth of Pennsylvania brings with it the recollection of Lucretia Mott, of Philadelphia. She was one of the four women who called the first Woman's Rights Convention at Seneca Falls, N.Y., July 19 and 20, 1848, and was among the ablest advocates of woman suffrage.

The Pennsylvania Woman Suffrage Association was organized on December 22, 1869, with Mary Grew as president. Annual meetings were held regularly and large quantities of suffrage literature was distributed.

As early as 1885 a concerted effort was made to urge the legislature to submit an amendment to the voters by striking out the word "male" from the suffrage clause of the State constitution.

In 1884 a graduate of the law department of the University of Pennsylvania, Mrs. Carrie Burnham Kilgore, made the fight for the admission of women to the

bar and was herself finally admitted to practice in the courts of Philadelphia. At the turn of the century it has been recorded there were about 150 women physicians in Philadelphia alone.

Educational institutions in Pennsylvania were gradually opened to women and early in this century Susan B. Anthony wrote:

> Of the 40 colleges and universities in the State, just one-half are coeducational. In the University of Pennsylvania (State) women are admitted on equal terms with men to the postgraduate department; as candidates for the master of arts degree.

Bryn Mawr, nonsectarian college, was opened in 1885 to women and it stands at the top with the best women's colleges of the world, and also ranks with the best colleges for men.

Until Pennsylvania ratified the 19th amendment—and the seventh State to do so—women possessed no form of suffrage, although the State constitution of 1873 made women eligible for all school offices.

Pennsylvania has always been rich in women's clubs of the highest caliber, and civic departments within these clubs have indicated the interest of women in public affairs.

The 87th Congress should be very proud that within its ranks 19 women now serve their States as Senators and Representatives on the national legislative scene. These ladies are serving with distinction and courage and we pay them tribute today as we pay tribute to the entire cause of woman suffrage.

It took many years to win for American women the right to vote and the accompanying privilege which gives them participation in politics and government. Today we honor a cause which began with a handful of women who dared to speak up for justice and freedom.

In conclusion, on the 41st anniversary of the ratification of the 19th amendment we are reminded of the words of wisdom expressed by Theodore Roosevelt when he said:

> It is the right of woman to have the ballot; it is the duty of man to give it; and we all need women's help as we try to solve the many and terrible problems set before us. In the solution of these problems, we should use the full and not the cramped strength of every man and woman in the entire commonwealth.

Mr. MARTIN of Massachusetts. Mr. Speaker, 2 days ago, August 26, was a significant date in the history of our country. That day marked the 41st anniversary of the ratification of the 19th amendment to the Constitution, the amendment which emancipated women from the status of second-class citizens in America by giving them the right to vote.

The wisdom of that decision has been demonstrated throughout the years since the adoption of the amendment. Ours is a better country for a reform which, considered over the span of our history as a Nation, is of such recent origin. The contributions which women have made to government on the national scene, in the States and local communities, are indeed outstanding and invaluable. Intelligent, dedicated, and resourceful women have contributed immensely to the progress of this great land in government as well as in every other field of human affairs.

Young women of this generation, who take their franchise as a matter of course, perhaps little realize the struggle which preceded the adoption of the women's suffrage amendment to the Constitution.

How many who now exercise the right to vote as an inherent right realize the fight made by such pioneers as Susan B. Anthony to raise the voting status of women to equality with men?

Should they review the history of this struggle, they would think it strange indeed that a woman like Susan Anthony would be arrested and fined $100 for exercising what she insisted was her constitutional right to vote in an American election in 1873.

For 20 years this dedicated woman had been fighting for the voting rights of her sex through petitions to State legislatures and to Congress. Her plea fell on deaf ears. It was only when she dramatized her mission by submitting to arrest for voting in Rochester, N.Y., that the issue was joined and, awakening to the realities of a modern age, the country began to appreciate the justice of her cause.

Had it not been for the successful crusade led by Susan Anthony and other dedicated women during the latter part of the last century, culminating in the ratification of the 19th amendment 41 years ago, women would still be regarded as inferior citizens and America would not be the great nation it is today.

Those of us who face elections every 2 years know the value of women's interest in public affairs and that when they espouse a cause, their dedication is unwavering and complete.

We have only to observe their great contributions to the labors of this House to realize how wise was the decision of the people of America in adopting the amendment which enabled the womanhood of our country to participate as full partners in our government affairs.

Mr. RIVERS of Alaska. Mr. Speaker, I am proud to join in recognizing and observing the 41st anniversary of the ratification of the 19th amendment to the Constitution, which extended to the women of America the right to vote in Federal elections. I am proud because the Congress and the several States were able to overcome a deep-seated prejudice and take the steps which were necessary to establish women's suffrage. In doing so they not only proved the vigor of our democracy, but made a great step forward in expanding and improving that democracy. At this point I cannot help but note that the first act of Alaska's first Territorial legislature in 1913 was to extend the franchise to the women of Alaska in Territorial and local elections.

Another significant event in 1913 was the formation of the National Woman's Party to carry on the long struggle for equal rights which was commenced by Lucretia Mott, Elizabeth Cady, and Susan B. Anthony who called and attended the first convention for equal rights for women in 1848.

From the vantage point of having seen the greatly enhanced contributions which the women of America have made to our society since they attained the franchise in 1920, including the contributions of the lovely ladies who are Members of this Congress, it is hard to understand why it took their predecessors 72 years to achieve that goal. Thus it is equally hard to understand why another 41 years has elapsed without this Congress having adopted the proposed equal rights amendment as embodied in House Joint Resolution 21, introduced by our distinguished colleague, KATHARINE ST. GEORGE, cosponsored in the form of like resolutions introduced by several other Members. The only reason I can see for such delay is the fact that the opponents of this resolution couch their position in terms of solicitude, expressing the fear that equal rights might result in the ladies losing a few existing legal safeguards designed to protect the weaker sex. I am sure that only such a chivalrous attitude could have stemmed the march toward equal rights over such a long period of time. From where I stand, the fact that the people have elected women to Congress, and that women have attained so many elevated positions throughout the Union in public affairs as well as in private business, proves that they are able to hold their own in regard to the few added responsibilities which would come their way with equal rights, and that with added delay the injustice involved will become increasingly apparent. Therefore, all of us should add momentum to our efforts to attain passage of House Joint Resolution 21 and thereby hoist the American flag appreciably higher on the horizon of democracy.

Mr. FLOOD. Mr. Speaker, in the next few minutes, it is my privilege and honor to pay tribute to women. The 41st anniversary of woman suffrage in the United States—occurring on August 26—gives the Congress the opportunity to speak in behalf of the enfranchisement of women and all that it has meant to mankind. Neither should we forget the years of struggle this victory involved.

As early as 1647 women were asking for representation in our Colonies. Women were needed to help conquer the wilderness and to build a new civilization. An unusually large number of women leaders developed. There was Anne Hutchinson, a Puritan religious leader in the 1600's. Catherine Littlefield Green encouraged Eli Whitney with his cotton gin. Anne Royall was a pioneer journalist in the early 1800's, although she was not interested in women's rights. In our Colonies some women were taxpayers and "free-born citizens." Also they were able in many instances to vote under colonial laws. The Revolutionary War inspired liberal thought on women's rights, but the Continental Congress left decisions on suffrage to the States.

It was only natural that new conditions in the 1830's caused women to agitate for the right to vote. The factory

system created a labor force that included women. Men who fought for temperance reforms, education, religious liberalism, and the abolition of slavery needed the help of women, and in return helped them to be heard on public issues.

Brave and tireless workers for the cause of woman suffrage labored through the 19th century and into the 20th. Several States in the 1890's granted suffrage to women and others became more friendly to the cause.

World War I required full cooperation from women and gave them their chance. In 1917 a woman suffrage amendment was submitted to the House of Representatives and by 1919 it had passed both Houses of Congress, and was soon ratified by the necessary 36 States. The Commonwealth of Pennsylvania was the seventh State to ratify, and in less than 3 weeks. On August 26, 1920, amendment 19 to the Constitution became law.

Through the years many changes for the better have been made in the laws of our land, and particularly relating to women. Suffrage for women has become an accomplished fact. But this did not come about without confusion and turbulence and hard work. The franchise struggle in behalf of women demands our deep respect and our grateful appreciation to those who worked ceaselessly over many, many years. We cannot measure the sacrifices made by the pioneers of women suffrage with the same yardstick which measure women's success today. But we should pause in deep respect for their efforts and be grateful that today men and women together are attempting to solve the problems of the world. We can be proud that men and women together are laboring for freedom in the Congress of the United States.

Mr. DOWDY. Mr. Speaker, August 26 is a date of special significance to America.

It marks a major day of achievement in the building of America.

It recalls and reminds us the voice of America is indeed the echo of "We, the people."

Enshrined here in our Nation's Capitol, is a marble statue, whose message in stone reads:

> This monument is an immortal record of the mightiest thing in the evolution of mankind.

Visitors, and newcomers to America, marvel, and are awed by this singular accomplishment and its remarkable results on our society.

On this date, we salute the most dynamic potential in the socioeconomic structure of our land.

On August 26, 1920, the 19th amendment to the U.S. Constitution was ratified, proclaiming for the ladies of the land the right to vote.

In the intervening 41 years, countless contributions to the humanities may be attributed to the farseeing, solid thinkers who brought about this epochal advancement in the political philosophy of America. Indeed, life and government in our society have been enhanced since the day man's greatest joy became man's strongest ally.

No facet of our Nation's structure has failed to benefit from contributions by the ladies of America, nor has any mural of our culture remained uncolored by their constructive influence. Chroniclers of modern history will fill pages and books enumerating the accomplishments of our womenfolk in every walk of life; in science, the arts, and humanities, while retaining for themselves the charm, dignity, and graciousness of their less versatile predecessors. They are, truly, remarkable in their accomplishments, often considered unorthodox by male standards, but invariably effective and efficient in their application.

The halls of State, municipal, and National Government have long been graced by the presence of distinguished lady legislators. We are privileged to count in the House of Representatives 16 feminine counterparts whose capable, efficient, and selfless services continue to be exemplary of the American lady, U.S. Senators MARGARET CHASE SMITH, of Maine, and MAURINE NEUBERGER, of Oregon, epitomize the abilities of ladies in Government, in the other House.

In our State capitol at Austin, Tex., our own State Senator Mrs. Neville Colson, from my district, has no peer as a district spokesman.

Public offices, numbering thousands, at every level of government are capably and commendably directed by representatives of the so-called weaker sex. Actually, this is not at all surprising, since the ladies certainly and definitely hold first place in voter participation at the polls, in both local and national elections.

Mr. Speaker, it is a privilege and an honor to join with the distinguished Congresswoman, Mrs. CATHERINE MAY, of the State of Washington and our other feminine colleagues, in today paying tribute to the ladies of America who make our land and our lives meaningful and complete, and rejoice with them in commemorating August 26, 1920, and this year, their 41st observance of the anniversary of becoming the most talked-about and the most envied womenfolk in the world.

Mr. KEOGH. Mr. Speaker, on November 7 last, millions of American women, alongside their fathers, husbands, brothers, and sons, went to the polls throughout the United States to express their preference for candidates for National, State, and local offices. In that notable demonstration of American democracy in action there were several million more ballots cast by women than by all the voters in the 1920 election before their right to vote was officially recognized by the 19th amendment to the Constitution.

Today it seems inconceivable to us that the exercise of this right was ever denied to the women of the United States. Yet there are many of us here today who well remember the courage required of those brave crusaders who sought to popularize their cause in the days preceding the First World War. They were everywhere subjected to cruel ridicule and scorn by those who, for a variety of reasons, wished to maintain the status quo—even when they themselves failed in their own day to go to the polls and vote since only 25 percent of those eligible voted then.

The women of the United States fought a long—sometimes disheartening—but ultimately victorious battle for their right. When, on the 19th of May 1919, the 66th Congress finally agreed to the joint resolution proposing the amendment to the Constitution their victory was in sight. It took a little more than 15 months from that date until the Secretary of State, by proclamation, declared the 19th amendment to have been ratified by the legislatures of 36 States, the minimum number required to make it part of the Constitution.

We are celebrating today the 41st anniversary of the ratification of the 19th amendment and we must pay tribute on this occasion to the great leaders of nearly two generations ago who fought so valiantly. I am happy to say that those brave women found many allies among the men of America who finally were successful in carrying the joint resolution through both Houses of the Congress and into the State legislatures.

Mrs. NORRELL. Mr. Speaker, the privilege granted us today to speak in commemoration of the ratification of the 19th amendment will undoubtedly herald an unusual amount of oratory on the part of 17 Members of the House. We beg the indulgence of our gentlemen colleagues. And we anticipate that there may be those among you who will champion our pioneering years of service in the National Government.

Forty-one years ago the United States passed a milestone in history that was the first step toward another milestone passed in May 1961. Those few months ago a record was established, when the largest number of women ever to serve in the House and Senate became Members of the Congress.

Neither this record nor the achievements of women in the many fields of Government service, in the professions, in business, and in the cultural arts was attained without strenuous effort on the part of a vast number of women over many generations.

Woman's place in public life has evolved slowly. Legislation giving women the right to vote was the result of a lengthy and extensive crusade in which thousands of persons endeavored to convince the public that the franchise should not be restricted to men.

Each State had its woman suffrage movement, and as the individual States enfranchised women, their delegations in the Congress lent support to the Federal suffrage amendment. Arkansas played a significant role.

When Arkansas ratified the Federal suffrage amendment in 1919, few of her citizens realized that the votes-for-women issue in their State had been raised first during the troubled years following the Civil War, and that a demand for woman suffrage had been made in the Constitutional Convention of 1868.

In January 1868, a group of men assembled in Little Rock to write a new State constitution. On the 29th day of the convention, one of the delegates, Miles Ledford Langley of Clark County,

surprised his colleagues by proposing the enfranchisement of women. He moved that "all citizens, 21 years of age, who can read and write the English language, shall be eligible to the elective franchise and entitled to equal political rights and privileges."

The following day, Langley delivered a spirited oration in behalf of his motion. He maintained that men and women were created equal, and that women did not "differ from men in any particular that disqualified her from exercising the same political and legal rights." He thought that society had treated women "with great injustice" by compelling her to submit to laws which she had no voice in making and to pay taxes while being denied the right of representation. He said that he considered his wife as well qualified as himself to vote, and insisted that woman was "in every way worthy of the confidence which he wished to place in her."

Those must have been encouraging words to the ladies of the past century.

Among the pioneers for suffrage whose names we readily remember are those of Susan B. Anthony, Lucretia Mott, Elizabeth Cady Stanton, and Lucy Stone. But there were many unsung heroines who gave their time, their talents, and their energies to the movement that resulted in the constitutional amendment granting women the right to vote.

Catherine Campbell Cuningham, of Little Rock, Ark., was one of those unsung heroines. She established a weekly paper, the Woman's Chronicle, and was editor of this media for suffrage agitation. The motto of the Chronicle was purposeful and discerning:

> For the cause that lacks assistance,
> For the wrong that needs resistance,
> For the future in the distance
> And the good that we can do.

Copies of the Woman's Chronicle were placed on the desk of each State legislator of Arkansas during the sessions of the late 1880's and early nineties. The editors of the Chronicle asked for the ballot on the grounds that women made up half the adult population, and that they would improve conditions for the home because they were the moral element of society. And a tribute is due them for their political sagacity, for it is apparent from historical records of the paper that the ladies believed their cause surmounted party barriers. In the language of today, they were realists. They maintained that after they won the right to vote there would be ample time to seek affiliation with party politics. Meanwhile, they welcomed as friend any man who would act as advocate of their cause, whether he was a Democrat, Republican, Alliance, or Prohibitionist.

Catherine Cuningham's work was to be rewarded, although she died in 1908, some years prior to the adoption of the 19th amendment.

Millions of voices down the ages tell us that every group that has wanted political recognition has had to fight for it. Thus it was that women won their struggle for suffrage. Since then the years have recorded a steadfast dedication to our responsibilities as full partners with men in shaping our Nation's destiny.

The motto of the Woman's Chronicle of long ago could well express our continuing aspirations: "For the future in the distance and the good that we can do."

Mr. CONTE. Mr. Speaker, it is indeed a privilege to associate myself in this way with the 41st anniversary of women's suffrage and to honor the woman of Massachusetts who made this anniversary a page in history.

The women of America owe a special debt of gratitude to Susan B. Anthony—a great pioneer and a true patriot. The men of America, too, hold her memory in high regard and together we pay tribute on this day to the anniversary of a woman whose life was devoted to the emancipation of her sex and the establishment of a truly democratic society.

Susan B. Anthony was born of a liberal minded family and received as good an education as possible in the early 1820's. Teaching being the only vocation open to girls of her social background, she became an educator. Through the environment of her profession and the opportunity she had of seeing society outside the bosom of her family, she became aware and indignant about the impoverished civic and social status of women. In the early days as a teacher, her activities to bring about educational reform occupied a large portion of her life outside the classroom. But it would be impossible to sketch even briefly the checkered career of Susan Anthony and her efforts to increase the status of women in our society.

In 1869, her influence and activities secured the passage by the New York Legislature of the act giving married women the guardianship of their children, the possession of their earnings and a greater degree of equality under the law. With a fervent belief in the contribution women could make to our social, economic, and political life, Susan B. Anthony lectured throughout the Nation and became known as a dynamic leader and crusader for women's rights. To the cause of equal suffrage throughout America she unselfishly dedicated her abilities. Her diligent work in every aspect of social reform brought a new found liberty and a greater dignity to those of her sex. In her mature years, Susan B. Anthony welcomed the four Western States that granted the vote to women, but she always believed that women's enfranchisement should be written into the Constitution of the United States. Her unceasing efforts bore fruit and the 19th amendment, which we commemorate today, was proclaimed law—100 years after the birth of the pioneer of women's suffrage.

We of western Massachusetts where, in the town of Adams, Susan B. Anthony was born, are indeed proud of this suffrigist. But we do not cherish her memory for ourselves alone—she belongs with the history makers of this great republic. Her memory and face have remained throughout the decades as an inspiration to millions and her influence reaches into far corners of the world bringing hope to those seeking a greater participation in shaping the future of their respective nations, while still living under the laws of inequality.

Today we revere Susan B. Anthony as a woman of foresight—a woman who gave us equal partners with which to share the burdens of leadership in the modern world.

Mrs. GRIFFITHS. Mr. Speaker, 41 years ago on August 26, 1920, the 19th amendment became a part of our Constitution. For the women who worked diligently and tirelessly to achieve this goal it meant victory. For the generations of women to follow, it meant new responsibilities.

They have met the challenge.

Women have attained positions in all types of occupations, have intelligently expressed their opinions on foreign and domestic matters, and have taken an active part in politics.

In the 1960 election women played a significant role in the campaign activity of both parties. More women took part in "teas" and "coffees," rang doorbells, manned the polls, and got out the vote than in any previous election.

They have held public office at local, State and Federal levels, rendering outstanding service.

Susan B. Anthony had great faith in the American woman and throughout the years, the American woman has justified this faith and, I am sure, will continue to do so.

Mr. FALLON. Mr. Speaker, the 26th day of August marks an important and opportune date for the Congress to pay special tribute to women. This date is the 41st anniversary of the enactment of the 19th amendment which gave the right to vote to the women of our Nation.

Perhaps few women of today, in their full enjoyment of the blessings of enfranchisement, are able to realize, or understand, the efforts made in their behalf in the seventies and eighties of the 19th century. Many volumes have been written about the oratory, the integrity, and the fidelity of the women who championed the cause of suffrage. We should not forget these labors and it is, indeed, appropriate, that the Congress pay tribute to the entire cause of woman suffrage in our Nation.

The philosophies of our previous centuries crushed woman and stultified her. In many insidious ways she was discouraged from mental action. She was denied equal education, except for the most rudimentary, because it was not thought necessary for her to have one. It was not until the 19th century it was even conceded that she had a right to an education—a right that was fought for strenuously and denied as strenuously as the ballot. Strangely enough, the arguments used against granting woman the ballot were the very same ones used formerly against her having an education.

In the course of the 20th century, society advanced from simple community life of primitive times, and went through

various stages. It grew complex. There were many grades of superiors and many grades of inferiors, and woman was at a low depth prior to World War I.

My comments are not intended to infer, however, that the cause of woman's rights was not upheld by the energies and talents of numerous pioneers in the cause. There were Susan B. Anthony, Carrie Chapman Catt, Lucy Stone, Julia Ward Howe, Elizabeth Cady Stanton and Anna Dickinson, to name a few. These women—in many instances—actually were threatened with bodily harm. They were subject to one of the most devastating expressions in a form of cruelty which does not belong in a democracy—ridicule. Plump but stylish Elizabeth Cady Stanton had to learn to smile at caricatures of herself as a slattern. Quaker-born Susan B. Anthony had to learn not to wince at a widely circulated piece of doggerel describing her as a half-clad, tipsy wanton, smoking a big black cigar.

One of the most difficult things the suffrage pioneers had to combat was a widespread impression among women that no "nice" woman would go to the polls and vote—that it was not "womanly" to fight for their rights.

May I humbly say that if but one State in the Union should be mentioned on this occasion it should be Maryland, which was named for a woman, whose capital was named for a woman, and where in 1647 Mistress Margaret Brent, the first woman suffragist in America, demanded "place and voyce" in the assembly as the executor and representative of her kinsman, Lord Baltimore. Her petition was denied but she must have had some gallant supporters, as the archives record the question of her admission was hotly debated for hours. After the signal defeat of Mistress Brent, there seems to have been little demand for the ballot on the part of Maryland women for about 225 years.

In 1870 and 1871 Miss Susan B. Anthony, Mrs. Lucy Stone, and Mrs. Julia Ward Howe lectured in Baltimore and there was some agitation of the subject.

It is an interesting note of history to recall an article in the Baltimore Sun of May 14, 1900. This article was based on the fact the legislature of 1900 took a remarkably progressive step and authorized the city of Annapolis to submit to the voters the question of issuing bonds to the amount of $121,000. This was done to pay off the floating indebtedness and provide a fund for permanent improvements. It contained a paragraph entitling women to vote. The article in the Sun reads as follows:

> Women voted in Annapolis today under the law permitting property owners to say if $121,000 bonds shall be issued for street and other improvements. The novelty of their presence did not disturb the serenity of the polling room or unnerve the ladies who were exercising their right to vote for the first time. They were calm, direct, and as unruffled as though it were the usual order of things. Those who voted are of the highest social standing. They received the utmost courtesy at the polls and voted without any embarrassment whatever.

This was indeed a good beginning and is, I believe, a fitting tribute to the women of Maryland and the entire Nation on this occasion.

I am reminded of the lines of the poet Yeats in paying appropriate tribute to the 41st anniversary of woman suffrage:

> They shall be remembered forever,
> They shall be alive forever,
> They shall be speaking forever,
> The people shall hear them forever.

In conclusion, I would like to bring to the attention of the House the proclamation of Gov. J. Millard Tawes, of the State of Maryland, honoring Jessie Marjorie Cook, a Marylander, born July 13, 1899, and who passed away on December 29, 1960. The Governor's proclamation memorial to this lady reads as follows:

> Behind each great accomplishment in the history of the world was a daring soul—a persistent personality who rose above the apathy of the timid, the ridicule of those of limited vision, and the injustice meted out by those to whom progress was a crime.
>
> Of such courage was Marjorie Cook, who endured derision and withstood humiliation in the long fight to establish American women as first-class American citizens.
>
> The greatest and most enduring monument to her memory will not be of marble, nor of bronze—it is written in the U.S. Constitution as the 19th amendment and in the joint resolution in support of an equal rights for women amendment to the Federal Constitution passed unanimously by both houses of the Maryland Legislature.
>
> Now, therefore, I, J. Millard Tawes, Governor of the State of Maryland, in honor and in recognition of her great crusade for woman's equality under the law, do hereby proclaim this well-deserving tribute to the memory of Jessie Marjorie Cook.
>
> Given under my hand and the great seal of the State of Maryland, at the city of Annapolis, this 3d day of May in the year of our Lord, 1961.
>
> J. MILLARD TAWES.

Mr. PUCINSKI. Mr. Speaker, I rise to join in today's commemoration of the 19th amendment to our Constitution. When the full history of America is written, I believe scholars throughout the world will agree that one of the wisest amendments adopted by this Nation to our Constitution was the 19th amendment. Here, in this excellent amendment, we Americans served notice on the entire world that we respect the dignity of women and acknowledge their right to equality in an organized society. It has always been my conviction that the 19th amendment has helped distinguish us as a Nation from most other social orders throughout the world because it gave our womanhood full status of equality at the polling place. The depth of their responsibility and the height of their wisdom has found living expression at the polling place through the adoption of this amendment. We Americans are indeed that much the richer as a Nation because our action in adopting the 19th amendment brought with it a rebirth of hope and inspiration among women throughout the world.

There will always be the wits and the cynics who would argue that it was a better world before women carved out for themselves this magnificent status of equality. I do not agree. It is fitting that we pay tribute to the adoption of this amendment today because we can all point with pride to the fact that the right to participate in the dynamics of democracy, granted our women under this amendment, has made them better mothers, better wives, better companions and above all, better citizens. Their profound contribution to the development of America can never be adequately appraised.

There is an old Polish saying that "the strength of a nation lies in the ideals of her women." I believe we Americans gave full meaning to this adage when we properly approved the 19th amendment. It is the driving spirit and zeal of our womenhood that gives our country its strength and courage. It is their depth of understanding that has given us stability when the temptation was to falter. It is their courage, when faced with adversity, that has helped bring us through depressions, wars, civil strife, and epidemics.

Yes, Mr. Speaker, I will leave their shortcomings to the cynics. For me, I believe it was a great day when America gave full meaning to the spirit of justice by adopting the 19th amendment and recognized our nation's women as equal in the very heartbeat of democracy—the exercise of self-determination.

Mr. HALPERN. Mr. Speaker, it is always a privilege to speak on behalf of woman suffrage, and I am happy to say a few words on the occasion of the 41st anniversary of the effective date of the 19th amendment.

When we review the history of woman suffrage, we do so with a feeling of intense admiration for the courage and devotion shown by those men and women who made heavy sacrifices for that cause. They gave up their freedom and incurred social ostracism but each did his or her utmost to bring to women the right to vote. There are many whose names are not recorded in heavy print on the pages of American history and we pay respect to all. They, too, were faithful in their tasks and their lives are woven into the fabric of human civilization.

During the years of struggle for the vote for women many wise words were both written and spoken. Jane Addams, one of the heroines in American history and champions of justice for all humanity, many years ago wrote the following astute observation:

> Many women today are failing to discharge their duties to their own households properly simply because they do not perceive that as society grows more complicated it is necessary that women shall extend her sense of responsibility to many things outside of her own home if she would continue to preserve the home in its entirety.

In other words, Jane Addams was telling us that the privilege of full citizenship—the right to vote—gives an added dimension to the place of women in our society.

New York State may be justly described as the great battleground for the rights of women. It was not only the home State of Elizabeth Cady Stanton and Susan B. Anthony, but also a pioneer in initiating a reform of the old English common law, so barbarous in

its treatment of women. The first woman's rights convention in the world was called at Seneca Falls in 1848.

At the beginning of the present century in New York the legal and educational rights of women were very generally conceded, but their political rights were still largely denied. Except during the War Between the States there had not been a year since 1851 when one or more conventions did not meet to demand women's rights; committees of women visited the State legislature with regularity to secure the necessary action. New York was the fifth State to ratify the 19th amendment and has been a leader in utilizing its woman power in peace and in war.

Since the enactment of the 19th amendment, the status of women in America has undergone a significant change affecting all phases of their social, economic, and legal activities. Recently they have held offices in the presidential cabinet and in the 1960 election, they cast nearly one-half the votes.

In a book written several years prior to the passage of the 19th amendment, there appears the following paragraph, which although penned in 1911, is entirely applicable to today's world. I quote as follows:

> Looking into the coming years, a thousand questions press to the lips, a thousand forebodings clutch at the heart. What will be the outcome of it all? Yet in spite of apprehensions, the feeling grows ever stronger that not only for her own sake, but for the sake of civilization itself, woman must press on to play her part in politics. If she be true to her race, to her country, to her generation, she dare not shirk the issue, for questions are arising so difficult, so complex, so grave, so far reaching, and so vital to society, that only the combined thought of the whole people, male and female, will be able to settle them satisfactorily.

It is our duty on this occasion to impress upon all—to remind the older generation and teach the younger generation—that the rights of women were won to benefit all of us. These rights should not be esteemed lightly, for the "price of liberty is eternal vigilance" and will continue to be in the future.

Mrs. SULLIVAN. Mr. Speaker, I join my colleagues today in tribute to the farsighted and dedicated Americans of both sexes who made it possible 41 years ago for American women to assume their full rights as citizens by having the right to vote. The emancipation of women in this country into full partnership with men in the political, economic and social life of the United States really began with that amendment.

But there are still obstacles to women, as a group, in this country. One of the most glaring instances of discrimination based on sex is in the wage policies of industry. Women may often do the same or even more skilled work than that performed in the same plant by male workers, but receive smaller paychecks. This is probably based on some outmoded idea that women work for "pin money."

Actually, a very high percentage of women employed in industry are the sole support of families, or are working because their husbands are employed in very low paying positions. Not all women must work and not all women want to work, but those who must and those who want to work should be paid on the basis of the work they perform and not on an unfavorable differential based on the fact that they are women.

In this connection, Mr. Speaker, I call attention today—appropriately, I believe, on this occasion of the commemoration of the 41st anniversary of the 19th amendment—to H.R. 571 which I introduced on January 3, the proposed "Women's Equal Pay for Equal Work Act."

It is a bill, as its title declares, "To prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in operations affecting commerce, and to provide procedure for the collection of wages lost by employees by reason of any such discrimination."

TEXT OF H.R. 571

Mr. Speaker, I submit herewith, as part of my remarks, the further text of my bill, H.R. 571, as follows:

DECLARATION OF PURPOSE

SEC. 2. The Congress hereby finds that the existence in industries engaged in commerce or in operations affecting commerce of wage differentials based on sex—

(1) depresses wages and living standards of employees necessary for their health and efficiency;

(2) prevents the maximum utilization of the available labor resources;

(3) tends to cause labor disputes, thereby burdening, affecting, and obstructing commerce;

(4) burdens commerce and the free flow of goods in commerce; and

(5) constitutes an unfair method of competition.

DEFINITIONS

SEC. 3. When used in this Act—

(a) "Person" means an individual, partnership, association, corporation, business trust, legal representatives, or any organized group of persons.

(b) "Commerce" means trade, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof.

(c) "Affecting commerce" means in commerce, or burdening or obstructing commerce or the free flow of commerce, or having led to or tending to lead to a labor dispute burdening or obstructing commerce or the free flow of commerce.

(d) "Employer" includes any person acting directly or indirectly in the interest of an employer in relation to an employee but shall not include the United States or any State or political subdivision of a State, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization.

(e) "Employee" includes any individual employed by an employer.

(f) "Wages" means all remuneration for services performed by an employee for an employer, including board, lodging, or other facilities customarily furnished by an employer to his employees.

PROHIBITION OF WAGE RATE DIFFERENTIAL BASED ON SEX

SEC. 4. No employer engaged in commerce or in operations affecting commerce shall discriminate between employees on the basis of sex by paying to any employee wages lower than those which he pays to employees of the opposite sex for work of comparable character on jobs the performance of which requires comparable skills, except where such payment is made pursuant to a seniority or merit increase system which does not discriminate on the basis of sex.

ADMINISTRATION

SEC. 5. (a) The Secretary of Labor—

(1) shall prescribe such regulations as he deems necessary and appropriate for the administration of this Act, including regulations to provide standards for determining work of a comparable character on jobs the performance of which require comparable skills;

(2) may investigate and gather data regarding the wages, hours, and other conditions and practices of employment in any industry subject to this Act, and may enter and inspect such places and such records (and make such transcriptions thereof), question such employees, and investigate such facts, conditions, practices, and matters as he may deem necessary or appropriate to determine whether any person has violated any provision of this Act, or which may aid in the enforcement of the provisions of this Act;

(3) may enter and serve upon any employer found by the Secretary, after notice and hearing in conformity with sections 5, 6, 7, and 8 of the Administrative Procedure Act, to be engaged in or to have engaged in any violation of section 4 of this Act an order requiring such employer (A) to cease and desist from such violation, and (B) to pay to each employee who has been adversely affected a sum equal to the aggregate amount or value of the wages of which such employee has been deprived by reason of such violation plus an additional equal amount as liquidated damages; and

(4) may enter and serve upon any employer found by the Secretary, after such notice and hearing, to have discharged or otherwise discriminated against any employee on account of any action taken by such employee to invoke, enforce, or assist in any manner in the enforcement of the provisions of section 4 of this Act, an order requiring such employer to reinstate such employee, or to remove such discrimination, and to pay to such employee a sum equal to the aggregate amount or value of the wages of which such employee has been deprived by reason of such discharge or other discrimination plus an additional equal amount as liquidated damages.

(b) For the purpose of any investigation conducted under paragraph (2) of section 5(a) of this Act, the provisions of sections 9 and 10 of the Federal Trade Commission Act (relating to the attendance of witnesses and the production of books, papers, and documents) (15 U.S.C. 49, 50), shall be applicable to the jurisdiction, powers, and duties of the Secretary of Labor.

(c) Any order entered by the Secretary of Labor pursuant to paragraph (3) or paragraph (4) of section 5(a) of this Act shall be subject to judicial review, and shall be enforced judicially, in the same manner and with the same effect as provided by section 5 of the Federal Trade Commission Act (15 U.S.C. 45) with respect to orders issued thereunder by the Federal Trade Commission, except that in any proceeding before any court for the review of any order issued under paragraph (3) or paragraph (4) of section 5(a) of this Act the findings of the Secretary as to the facts shall be conclusive if supported by substantial evidence.

WAGE RESTITUTION

SEC. 6. (a) The Secretary of Labor is authorized to supervise the payment of any amounts for which any employer has been finally determined to be liable under any order for payment under clause (A) of paragraph (3) or paragraph (4) of section 5(a) of this Act. Any sum so recovered by the Secretary on behalf of any employee under this subsection shall be held in a special

deposit account and shall be paid, on order of the Secretary, directly to the employee. Any such sum not paid to an employee because of inability to do so within a period of three years shall be covered into the Treasury as miscellaneous receipts.

(b) No wage restitution shall be made with respect to any violation of this Act for any period which preceded by more than four years the date of commencement by the Secretary of Labor of the proceeding in which such restitution is ordered.

INJUNCTIONS

SEC. 7. The district courts, together with the District Court for the Territory of Alaska, the United States District Court for the District of the Canal Zone, and the District Court of the Virgin Islands, shall have jurisdiction upon application made by the Secretary of Labor, for cause shown, to restrain any violation of section 4 of this Act. No court shall have jurisdiction, in any action brought by the Secretary of Labor to restrain any such violation, to order the payment to any employee of any wages of which such employee may be deprived by reason of such violation.

GOVERNMENT CONTRACTS

SEC. 8. (a) In any contract made and entered into by any executive department, independent establishment, or other agency or instrumentality of the United States, or by the District of Columbia, or by any corporation all of the stock of which is beneficially owned by the United States (all of which are referred to hereinafter as agencels of the United States), for the manufacture or furnishing of any materials, supplies, articles, or equipment, or the rendition of any service, there shall be included stipulations under which the contractor (1) is required to compensate all persons employed by him in the manufacture or furnishing of such materials, supplies, articles, or equipment, or in the rendition of such service, in conformity with the requirements of section 4 of this Act and (2) shall be subject to all other provisions of this Act with respect to the compensation of such persons.

(b) Unless the Secretary of Labor shall by order otherwise determine and permit, no contract shall be awarded by the United States or any agency thereof to any person finally determined to have violated any of the provisions of this Act or of any stipulation entered into in compliance with subsection (a) of this section, or to any firm, corporation, partnership, or association in which such person has a controlling interest, until three years have elapsed after the date of final determination that such violation has occurred. The Comptroller General is authorized and directed to distribute to all agencies of the United States a list containing the names of such persons.

POSTING

SEC. 9. Every employer subject to this Act shall keep a copy of this Act posted in a conspicuous place in or about the premises where any employee is employed. Employers shall be furnished copies of this Act by the United States Department of Labor on request without charge.

APPROPRIATION

SEC. 10. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

EFFECTIVE DATE

SEC. 11. This Act shall take effect one hundred and twenty days after the date of its enactment.

Mr. MULTER. Mr. Speaker, 41 years ago last Saturday, August 26, 1920, Bainbridge Colby, Secretary of State, declared in a proclamation that the 19th amendment to the Constitution had been ratified by 36 of the then 48 States. America has not been the same since.

Although that amendment makes no mention of the fair sex its intent was clear to all. Men settled back to observe what results would proceed from the constitutional recognization of what women knew all along. Sometimes, Mr. Speaker, in the course of these 41 years, some of us have wondered if perhaps those few States who had the courage to reject this amendment were wiser than those who accepted it.

Today, I am happy to say, opinion is unanimous—or almost unanimous—in proclaiming that the fruits of emancipation have been plentiful—although agreement on the taste of the fruit has not been quite so unanimous.

Men used to command the earth. The captains of industry, finance, politics, government, and the home were all men in a man's world. Today the female gender of the species homo sapiens has infiltrated all of these fields and more. Whether we like it or not we must tip our hats to the noteworthy successes of our now equal partners.

It has often been said that man made a mistake in granting equality to woman. It appears to me, however, that the basic premise here is wrong. What makes us think that man gave equality to woman? Everytime I walk through the Capitol, Mr. Speaker, I observe in the murky depths of the crypt a giant sculptured work of three formidable-looking individuals. Closer inspection reveals likenesses of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony.

These are the women who fought for the recognition of woman's equality and who made it possible. I daresay that if it had not been for these ladies, men would still rule the earth. All of us here, however, would certainly be poorer in our company if that were still the case. I refer, of course, to our distinguished colleagues IRIS BLITCH, FRANCES BOLTON, MARGUERITE CHURCH, FLORENCE DWYER, KATHRYN GRANAHAN, EDITH GREEN, MARTHA GRIFFITHS, JULIA HANSEN, ELIZABETH KEE, EDNA KELLY, CATHERINE MAY, CATHERINE NORRELL, GRACIE PFOST, LOUISE REECE, KATHARINE ST. GEORGE, LEONOR SULLIVAN, and JESSICA WEIS.

These distinguished legislators are reason enough to celebrate the 41st anniversary of women's suffrage.

They may acknowledge that man recognizes woman's equality. But I note a scintilla of condescension as they do it. They know that they were always our equal. We men merely were slow in learning it.

Mr. TUPPER. Mr. Speaker, I would like to submit for the RECORD a few observations in connection with the commemoration of the 41st anniversary of the ratification of the 19th amendment to the Constitution, providing women the right to vote.

It has been a long time, even for those who remember it well, since the suffragettes paraded before the White House in the dead of winter with their placards and refused President Wilson's invitation to come inside to get warm for fear accepting it would admit frailty and consequently jeopardize their crusade.

Women at the polls greatly altered the world of politics. In the last 41 years, certainly women as voters, as political workers, and as elective officeholders, have had a profound influence on our national legislation, especially in the fields of education, child labor, social welfare, and social justice. There can be no question of their interest in the affairs of our Nation and the world. Men are no longer condescending in their attitude toward women voters and women politicians. We have developed a hearty respect for the majority of them and are grateful for their contributions to our public life.

Perhaps the caliber of women active in politics has been the greatest single factor in our maturing attitude. No longer are we confronted with suffragettes in severe mannish dresses and stern impassioned faces. We have the happy privilege of working with women who are true to their feminine heritage even in the midst of the most heated political debate. No better example of the fine caliber of women currently on the national political scene can be found than the senior Senator from my State of Maine, a former Member of this House, the Senator from Maine, MARGARET CHASE SMITH. It may seem inappropriate for a freshman Member of Congress, such as myself, to call to your attention a woman who has compiled an enviable record in her 20 years in the House and Senate and has built a national reputation for capable and knowledgeable performance. However, it is certainly appropriate that any male Member of Congress marvel at the ability of Senator SMITH and the other women Members of Congress who engage in this demanding and often shrewdly calculating business of politics, and yet retain those attributes we admire in the female sex.

The accomplishments of the many women in public life and the responsible and informed attitude toward voting by women in general, is indeed, and in itself, a fitting tribute to those who had the foresight 41 years ago to ratify the 19th amendment.

WOMEN'S SUFFRAGE AMENDMENT

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHNEEBELI], may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. SCHNEEBELI. Mr. Speaker, last Saturday marked the 41st anniversary of the amendment of our Constitution which gave to the women of America the right to vote. Today, with the great influence exerted by women upon the political scene and the functioning of Government, it seems strange indeed that less than half a century ago women had no franchise. Eloquent testimony to the American woman's contributions to effective good government can be seen in the careers of the numerous women

who have served as distinguished judges, executive and administrative officers, and—most definitely—our outstanding women colleagues.

Mr. Speaker, I am proud of the Republican Party's dominant and decisive role in establishing the right of women to vote; a role ultimately responsible in sending such distinguished women legislators to this House. You will recall that it was our party that first included a Federal women's suffrage plank in a convention platform, and followed this up with passage of the equal suffrage amendment by a Republican Congress after the Democrats, controlling both the Congress and the White House, failed on five occasions. Of course, it is obvious that neither party has a monopoly on achievements for women nor an exclusive claim on outstanding women. My great source of pride, however, is in the fact that my party has made great contributions to a cause which itself has contributed significantly to the growing greatness of our country—women's suffrage.

STRENGTHENING THE TRANSPORTATION INDUSTRY IN NATIONAL DEFENSE

The SPEAKER pro tempore. Under previous order of the House the gentleman from Pennsylvania [Mr. VAN ZANDT] is recognized for 30 minutes.

Mr. VAN ZANDT. Mr. Speaker, it is an accepted fact that in time of national emergency the transportation system of the Nation is faced with a herculean task in maintaining the equipment necessary in meeting the constantly pressing demands for greatly expanded services.

Failure by this Congress to come to grips with the transportation problem would constitute gross dereliction of duty and abdication of responsibility, to the detriment of our vital transportation industry and of the great American public, whose interests we are sworn to uphold. This I firmly believe, and emphasize, today.

According to the recent report titled "National Transportation Policy," rereleased by a special study group for the Senate Commerce Committee, all of the domestic common carriers of passengers have found the number of empty seat-miles increasing since 1946. The rate of increase has been most pronounced in railroad service causing the passenger deficit to climb from less than $200 million in 1946 to over $700 million in 1957.

More current figures reflecting the decrease in passenger traffic volume reveal that the rate of return for the railroad industry for the 12-month period ending May 31, 1961, was only 1.45 percent—the lowest since the depression period of the 1930's.

With regard to the Nation's airlines the Senate study group found that—

> While the available seat-miles for domestic trunk and local airlines from 1946 to 1959 increased from 7,490 million to 45,793 million, or almost six times, the revenue passenger-miles increased from 5,910 million to only 29,151 million or a little over five times. The result has been an increase of empty seat-miles from 1,580,000 to 16,642,000 or by an increase of 15,062,000 empty-seat miles.

Current figures reveal that during the first 6 months of 1961 the trunk airlines lost $20 million and sustained a 2-percent drop in passenger traffic volume.

In addition to the findings by the special study group for the Senate Commerce Committee the national trade associations for all three of the major public carriers—air, bus, and rail—report they are operating below their capacity for handling passenger traffic. Both the buslines and railroads are operating well below 50 percent of capacity while the current load factor of the airlines of 59.5 percent is at the lowest level in 10 years.

In addition to the decrease experienced by the air, bus, and railroad industries, many common carrier trucklines are also facing difficulty.

Despite recommendations made following the series of studies by congressional committees and in reports filed the past several years following studies made by various States through State legislative committees no positive action has been taken to solve the ills of the transportation industry.

Meanwhile a negative attitude has been taken by the Kennedy administration in dealing with the problems of the national transportation system.

The President opposed repeal of the 10-percent World War II tax on passenger transportation. In addition he postponed until 1962 plans formulated by appropriate Federal agencies to aid the transportation industry.

Commenting on the prospect of a year's delay of transportation remedies, Richard Wagner, president of the Chamber of Commerce of the United States, said:

> I doubt if we can afford to wait this long. This industry, in the last 5 years, has been studied to death, both by the administration and Congress. What is needed is action, not more study.

The Kennedy administration announced that plans to provide legislative remedies for the ills of our transportation system were to be revealed in a message to Congress.

President Kennedy, however, canceled the message, indicating he was uncertain as to what action should be taken. This is plainly evident by his assertion more study was needed.

Speaking of studies and surveys regarding the Nation's transportation system, you will recall, Mr. Speaker, that in the fall of 1959, the Kilday subcommittee, on which I was privileged to serve as ranking minority member of the House Committee on Armed Services, conducted an investigation into the adequacy of transportation to support the national defense effort in event of mobilization.

Concerning railroads, the subcommittee drew this highly significant conclusion:

> No plans for transport dependence can fail to take into account the railroad industry. The other forms of transport, important as they are to the total need, are auxiliary and supplemental to the railroads.

In addition to this investigation, transportation and the Nation's transportation policy have been the subject of six other major studies and reports since World War II. Without exception, these studies have stressed the fundamental importance of railroads—healthy railroads—to the Nation's economy and defense. It is worth recalling here what they found.

From the progress report of the Senate Committee on Interstate and Foreign Commerce, October 1951:

> Railroads are the backbone of the American transportation system. This will continue to be the case so long as the railroads serve as the primary means for the movement of heavy materials and commodities in bulk.
>
> In time of war the railroads perform an indispensable service * * *.

From the report of the Presidential Advisory Committee on Transport Policy and Organization, April 1955:

> The railroads may be expected to have greatest flexibility in accommodating an expanded domestic traffic with a minimum increase in equipment. Any policy which strengthens the railroad base will tend to increase the built-in flexibility of our transportation plant.

From the report of the Senate Committee on Interstate and Foreign Commerce, April 1958:

> The railroads were, and are, a vital part of this Nation's security.

From the report of the Interstate Commerce Commission on "The Passenger Train Deficit," May 1959:

> Economic railroad passenger service is, and for the foreseeable future will be, an integral part of our national transportation system and essential for the Nation's well-being and defense.

From a report of the U.S. Department of Commerce, March 1960:

> The Government should support the common carrier system upon which the economy must rely, and which is so vital for national security.

From the report of the Special Study Group on Transportation Policies in the United States prepared for the Senate Committee on Interstate and Foreign Commerce, January 1961:

> Railroads are our most pervasive form of mass transportation and, over the years, our most experienced * * *.
>
> Bringing the railroads to a satisfactory state of readiness could be, because of their experience * * * and because of the latent capacity of the rails, the most immediately remunerative.

But despite the acknowledged essentiality of railroads, Mr. Speaker, and despite the same authorities having warned with equal unanimity that outmoded transportation policies and laws are forcing this vital industry to the brink of disaster, I call the attention of my colleagues to a remarkable fact: This Congress, although not lacking for concrete proposals and although confronted with grave international crises that could multiply the reliance we place on railroads almost overnight, has failed to act.

Ironically, we have managed to find hundreds of millions of tax dollars for the development of railroads in friendly and not so friendly countries abroad. For the future it appears that we may be

called upon not only to continue our multi-billion-dollar program of aid to countries in Europe, Asia, and Africa, but also to underwrite a Latin American program costing the astronomical sum of $20 billion. But for railroads at home—for the one form of transportation that is basic to all others and to the Nation's economy and security—the one form that asks only equal treatment and equal opportunity to compete—for that form of transportation, this Congress has done nothing.

May I also remind my colleagues, Mr. Speaker, of the pledges to right the wrong now being done our railroads which both parties solemnly wrote into their platforms in 1960. In the Democratic platform, a plank pledging the "coordination and modernization" of all forms of transportation reads in part as follows:

> The Nation's railroads are in particular need of freedom from burdensome regulation to enable them to compete effectively with other forms of transportation. We also support Federal assistance in meeting certain capital needs particularly for urban mass transportation.

The Republican platform pledged "continued improvement of our vital transportation network." It also made recommendations for "broadly based tax reform to foster jobmaking and growth-making investment for modernization and expansion including realistic incentive depreciation schedules."

In the face of these pledges, Mr. Speaker, and with the assurance of bilateral support for a positive program to aid this vital industry, I submit that both the railroads and the public are entitled to ask why nothing has been done.

The period of mobilization envisioned by our Armed Services Subcommittee in 1959 is no longer in the realm of speculation; it is upon us. The time for mobilizing or improving the readiness of the one form of transportation that everyone agrees is absolutely vital to the Nation's defense and the waging of war is rapidly running out, if indeed it has not already passed. The mobilization and preparation of our railroads to handle the greatly added burdens that would certainly be theirs must rate equally high priority with the other mobilization measures now underway. For unprepared railroads in time of war could be this Nation's Achilles' heel—the one vulnerable point in our otherwise indestructible armor that could prove our undoing.

Yet instead of getting better, the already critical situation of many of our railroads grows steadily worse. And instead of the forthright leadership necessary to restore them to health, we are offered only more procrastination and foot-dragging delay.

Despite the seven major studies of transportation made since World War II, the President's solution is to call for still another study and report—this one to be made by the Secretary of Commerce. The Secretary is directed to submit his findings and recommendations by November 1, which of course would be too late for any constructive action at this session and quite possibly too late—in terms of the Nation's security and the threat confronting us in Europe.

In his directive to the Secretary of Commerce, President Kennedy observed that—

> The current difficulties facing all segments of the transportation industry will require increased leadership and additional actions on the part of the Federal Government.

I could not agree more. But the time for exercising this leadership is now—not at the next session of Congress, or later, when the opportunity may have been lost for all time.

I recognize, of course, that the probability of enacting at this session the comprehensive program for the transportation industry that is called for is remote. But there is still time for the enactment of measures widely regarded as necessary to keep the transportation industry and especially the railroads afloat until the more comprehensive program can be prepared. These emergency measures were recently described in identical letters addressed to you, as Speaker, and to the Presiding Officer of the Senate by Daniel P. Loomis, president of the Association of American Railroads. They include, as I am sure you know, more realistic policies for the depreciation of railroad plant and equipment and repeal of the 10-percent Federal excise tax on the fares of for-hire carriers. Bills to implement both of these proposals are now before appropriate committees of the Congress.

It is significant, Mr. Speaker, that both liberalization of depreciation allowances and repeal of the travel tax are called for in four of the major reports on transportation made since World War II. In the other reports they were not subjects for consideration; hence no recommendations were made either pro or con. May I also remind you that depreciation matters have received favorable consideration by both parties in their platforms as well as by party leaders, including President Kennedy.

Enactment of liberalized depreciation allowances, in particular, is the fastest and surest means I know of facilitating railroad modernization and improvement. Compared with other more comprehensive action which must be taken at least in the next session, the proposals for liberalization of depreciation allowances and repeal of the travel tax are extremely modest. I strongly urge favorable action on at least these minimum proposals before this session of Congress adjourns.

NATIONAL HISTORIC PARK—PHILADELPHIA, PA.

The SPEAKER pro tempore. Under previous order of the House the gentleman from Iowa [Mr. SCHWENGEL] is recognized for 60 minutes.

Mr. SCHWENGEL. Mr. Speaker, I should like to add my word, first of all, to the splendid statements that have been made by the gentlewoman from Washington [Mrs. MAY], and others, on this very significant day in our history. I was reminded as the gentlewoman was addressing the House of those remarks made by Shelley one time when he observed that women are smarter than men, not because they are more brilliant, though sometimes they are, but because they are more understanding.

Mr. Speaker, I should like to say that the gentlewoman who presented the remarks originally, and who led the discussion and yielded to the distinguished Members of the House, is not only smarter but more brilliant than most of the Members of the House. I am grateful that she took the time in her inimitable and eloquent way to call attention to this very significant day.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I will be very glad to yield to the distinguished gentleman, my colleague from the great State of Michigan.

Mr. HOFFMAN of Michigan. I am inspired by the remarks of the gentleman, which, as I understand them, indicate that woman has always been man's superior. Now, is it possible that one day when I inadvertently stated that Adam came from Eve's rib, that I might have subconsciously had that thought in mind?

Mr. SCHWENGEL. It probably is true; yes. Probably this may have been the result of some experience that all of us have on occasion who feel that we belong to the stronger sex, yet actually we may belong to the weaker sex.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield further?

Mr. SCHWENGEL. Yes, I would be glad to yield further to the gentleman.

Mr. HOFFMAN of Michigan. I still believe the Lord did everything right, and in order, but perhaps the race might have been a little better if Adam had been constructed out of Eve's rib instead of the other way around. What does the gentleman really think about that—not in poetry, but in prose?

Mr. SCHWENGEL. The gentleman has presented a proposition about which I have not thought before.

Mr. HOFFMAN of Michigan. I had not either until I made the mistake.

Mr. SCHWENGEL. If the gentleman will permit, I would like to be allowed some time in which to do some research and counsel with people on this question who may understand this better than I do.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield further?

Mr. SCHWENGEL. Yes, I will be very glad to.

Mr. HOFFMAN of Michigan. Perhaps we can take that up in our offices with our respective staffs, because I know the people who work with me have been highly entertained by the gentleman's recitals of different verses, not only in the office, but at breakfast in the cafeteria.

Mr. SCHWENGEL. I thank the gentleman. I should hate to put it to a vote in any of our offices because I am afraid we would be outvoted. We recognize the talent of the ladies in our

offices, because in most instances the majority of our offices are manned by people whom we refer to as the gentler sex.

Mr. HOFFMAN of Michigan. And our superiors in ability.

Mr. SCHWENGEL. In many ways this is true.

Mr. HOFFMAN of Michigan. I would not say even in many ways.

Mr. SCHWENGEL. I would not want to say this is true in the gentleman's office. I have a great deal of respect for the gentleman. I think he has in many ways made great contributions to our country in the Halls of Congress. I have on occasions followed him and he has on occasions followed me. I wish he would divorce himself a little more often from the other part of his party and join me more often with Lincoln. Then we would make better progress.

Mr. HOFFMAN of Michigan. For the other member of that party that would be all right, but I do not believe I am sufficiently proportioned in—what shall we call it?—honesty, to vote as Lincoln would have voted.

Mr. SCHWENGEL. I doubt that. I think the gentleman tries to vote Lincoln; at least I hope so. I should want him to.

Mr. Speaker, further I should like to say in connection with my earlier references to the distinguished lady from Washington that it is my conviction that since women have come into politics the moral tone of politics has risen considerably. I have the feeling that politics is considered much more wholesome; and I think in many ways we have recognized our social obligations more adequately since they have come into the political arena and have had the opportunity to exert the influence for good which was given them.

My talk today, Mr. Speaker, deals with the instrument that gave them and us the right to fight for these freedoms and these rights and the opportunity to have a voice in government.

The talk that I shall present today deals with the National Historic Park in Philadelphia, Pa.

Mr. Speaker, when the delegation to the First Continental Congress left their homes the first of October 1774, they agreed to meet again at Philadelphia on May 10, 1775, if the Colonies and Britain were still having trouble. In mid-April the British military governor of Massachusetts heard that the Colonies had collected a supply of muskets and gunpowder at Concord. On the evening of April 18, he heard that a detachment of regulars were to march out from Boston and seize the supplies. That was the night, Mr. Speaker, when Paul Revere, anxiously watching the belfry of the Old North Church, saw a single light and leaped on his horse to warn his countrymen in that area that the British were marching.

The next day, at Lexington and Concord, men and boys who had considered themselves loyal Englishmen died for what they believed to be their rights—and exacted a toll from His Majesty's redcoats far heavier than they themselves paid.

So the members of the Continental Congress met again—at Philadelphia, as they had planned, and on the 10th of May 1775. Many had served in the first Congress, but there were new faces, too—John Hancock, the wealthiest merchant in Massachusetts, who would preside in place of Peyton Randolph, soon to die; Thomas Jefferson, only 32, but already marked as a man of learning and literary skill; and above all the venerable and respected Dr. Franklin and other patriots were finally convinced that the last hope of peaceful settlement had vanished. In the ears of the Delegates rang the words of Patrick Henry, uttered when the news of Lexington reached Virginia. He said, and I quote:

> Gentlemen may cry "peace, peace" but there is no peace. The war is actually begun. The next gale that sweeps from the north will bring to our ears the clash of resounding arms. Our brethren are already in the field. Why stand we here idle?

These words seem ominous—they haunt us—they seem to page us today.

And, as these early patriots pondered this stirring challenge and reflected on other clear evidences of the truth this implied, the Delegates could see, in their minds, Ethan Allen and his Green Mountain Boys crashing through the defenses of Fort Ticonderoga and accepting the surrender of that outpost in the name of the Congress of which they were Members. A few weeks later George Washington rode off from Philadelphia to take command of the Continental Army that had besieged the British in Boston. It was ominous that he should be met on the way by couriers with news of Bunker Hill—a defeat which American heroism, and the heavy losses inflicted on the finest troops of Europe, made almost as sweet as victory.

The Members of the Second Continental Congress met, in the main, as loyal Englishmen. But when King George, in the late summer of 1775, issued a proclamation calling the colonists rebels and warning all persons not to give them aid and comfort, public opinion began to change. On January 1, 1776, Washington, who had declared 6 months earlier that he would make every effort to restore peace and harmony with the mother country, raised the Continental flag in front of his headquarters at Cambridge; and a few weeks later he openly advocated independence. At the same time Thomas Paine's pamphlet, "Common Sense," swept through edition after edition and converted thousands to the necessity of separation.

By May 1776, a majority of the Delegates to the Congress had come to favor independence. All that was needed was an impulse, and that was provided when a convention sitting in Virginia instructed her Delegates to move a resolution declaring the Colonies to be free and independent States. On June 7, Richard Henry Lee, chairman of the Virginia delegation to the Congress, made the motion. John Adams, in one of the proudest moments of his life, offered a quick second. Debate began, but 3 days later the question was postponed until July 1.

At the same time a committee consisting of Jefferson, Adams, Franklin, Roger Sherman, and Robert R. Livingston was appointed to draft a "declaration" in support of the resolution. Jefferson steeped in the writings of John Locke, the English philosopher and political theorist, set himself to the task, working in the second-floor bedroom and parlor which he had rented for the duration of the Congress. After incorporating several suggestions offered by Adams and Franklin, he had the declaration in which he hoped would be its final form by the end of June.

On July 1, when the great debate was to take place, Congress listened first to the reading of a gloomy report from General Washington on the state of the Continental Army. Next came a more cheerful communication reporting that the Maryland convention had voted unanimously for independence. After that had been heard, Congress resolved itself into a Committee of the Whole to consider the resolution that Richard Henry Lee had offered 3 weeks earlier. This was a most meaningful, fearful, and dramatic time in American history. For a few minutes silence prevailed, for no one could escape the feeling that one of the most momentous decisions in the history of the world would soon be made. John Dickinson broke the spell by taking the floor to summarize, deferentially but with all the eloquence at his command, the arguments against independence. John Adams replied in a ringing speech, and the session ended.

The next day, July 2, Congress passed the Lee resolution: "These United Colonies are, and of right ought to be, free and independent States." Then the declaration was taken up, argued over, and amended while Jefferson squirmed with the pain that all authors experience when outsiders tamper with the brain children. By the late afternoon of July 4, the delegates were satisfied, and the Unanimous Declaration of the Thirteen United States of America, known to us as the Declaration of Independence, was adopted to justify to a curious and skeptical world the founding of a new nation.

Contrary to widespread belief, Mr. Speaker, no one signed the Declaration on July 4. Two weeks passed before the Congress ordered it to be engrossed, and it was not until August 2 that the delegates who were present on that day signed their names. Others added their signatures from time to time for the next several months.

The Declaration, however, was published and circulated immediately after July 4. Throughout the Colonies—now to be called States—it was received with acclamation. As militia officers read it to their companies, as heads of councils or assemblies proclaimed it to eager crowds, drums rattled, fifes shrilled, bells rang, and cannon boomed—always 13 times—while rowdy patriots tore down tavern signs like the "Lion and Crown," burned King George in effigy, and drank endless toasts in celebration. The years of hardship, bloodshed, and dissension were yet to come.

Mr. Speaker, this very briefly is a prelude to the subject I want to discourse

on today, namely: the importance of restoring and preserving the Independence Hall area, the place where all this happened, and to tell you about the work that has been done, what is being done, the plans for the future and pay tribute to those most responsible for its development.

Mr. Speaker, I know of nothing that we could do that would be more important for the preservation and the promotion of our system and way of life than the recalling and the promotion of the understanding of our history. I believe, Mr. Speaker, that the more we understand about our history and the more we understand about the struggles which made our Nation and the great men who lead it and the principles which supported and encouraged its people in time of trial and tribulation, the deeper will be our feeling for our country.

Someone has suggested that the memorials of America are the real temples to which each generation should in its own interest pay tribute and in doing so catch something of the fire that burned in the hearts of those torchbearers of freedom.

History, I think, is to the community what memory is to man. Like memory, history may be obscure, dimly perceived, and our knowledge of it may be a chaos of faulty impressions.

But, as man cannot think or act without memory, so a society is lost without a knowledge of its social roots, its traditions—in short, without its history. This restoration can serve us well by helping us and posterity to understand the significance of our history, to feel the passion that burned in the hearts of those torchbearers of freedom and to strengthen us in the faith we ought to have in freedom and that right makes might.

And from history we learn that there is a right and a wrong way to do what is right. Indeed, we learn that doing the right thing in the wrong way or at the wrong time may impede the right more than doing wrong.

Mr. Speaker, very fortunately for us and our country, the Park Service, the people of Philadelphia, the people of Pennsylvania, and students who have a special interest in the early development of our country have brought forth a plan to restore the Independence area in Philadelphia.

Several weeks ago Mrs. Schwengel and I, with some very dear friends, the Honorable and Mrs. Victor Birely, had the pleasure of spending the weekend in the city that has a tradition of brotherly love—Philadelphia. While I had been there before and have visited the sight and was thrilled with some of the things I found there this time I was more thrilled than ever because I saw evidence of a plan to restore this area for ourselves and for posterity. This time I visited again Independence Hall and toured the surrounding neighborhood—an area for many blocks in downtown Philadelphia, sometimes referred to and I quote: "America's most historical square mile."

Five or six of these blocks, if we were to measure them, represent the Independence National Historical Park. With the aid of my genial host and guide, Supt. M. O. Anderson, of whom I intend to speak in more detail at the close of my remarks, about this wonderful public servant and about the director, Conrad L. Wirth, who I believe, needs to be better known to all of us and to all America, I toured this area on foot. Mr. Anderson not only showed me around the park and through some of the buildings, but he also gave me a marvelous account of how this historical park came into being, what had been done to develop it to date, what still lies ahead, and what all this means to us as Americans. I was thrilled by it all. I was thrilled to be walking over streets and paths once trod by almost all the great figures of American history: George Washington, Benjamin Franklin, Thomas Jefferson, John Adams, Patrick Henry, John Dickinson, Richard Henry Lee, James Madison, John Marshall, Alexander Hamilton, yes, and even Abraham Lincoln, who came to Independence Hall in 1861 on his way to his inauguration, and lay in state in the historic assembly room of Independence Hall 4 years and 7 months later on his way home in a coffin.

It was exciting, also, to see what has been done at last to rescue the hallowed buildings from neglect and blight and to see what is being planned to reclaim other sites once associated directly with Benjamin Franklin, Thomas Jefferson, and Members of the First and Second Continental Congresses.

I should like to share with you today some of the experiences and impressions I gathered and some of the facts I have learned and brought back with me from Philadelphia. I think you will be interested, and more so because it is you, this Congress of the United States, which is making possible many wonderful things now taking place around Independence Hall; and, let us hope, you will help make possible even more changes in the future to complete the task.

In the heart of old Philadelphia, more than anywhere else in the United States, is the greatest concentration of physical reminders of the story of independence and the establishment of the United States as a free nation. You are of course familiar with the three venerable buildings on Independence Square: Independence Hall, Congress Hall, and Old City Hall—sometimes called the Supreme Court Building—and next door, in Carpenters' Court, Carpenters' Hall.

But I found other reminders of our national beginnings that formerly I had known little or nothing about, among them the First Bank of the United States on South Third Street; the Bishop White House, home of the first chaplain to Congress; the Dilworth-Todd-Moylan House on Walnut Street, home of Dolly Todd Madison, wife of the President; the Shippen-Wistar House at the corner of Fourth and Locust Streets, which had seen such illustrious guests as Richard Henry Lee and George Washington; and of course the several old churches still surviving in this area.

It is hard to imagine today with the newness of the park about you that only a few years ago, how rundown this area had become. Urban blight, that nemesis of large cities, unfortunately transformed this once attractive neighborhood into a jungle of firetrap buildings, parking lots, and rundown commercial establishments.

The move to reclaim the neighborhood of Independence Hall was launched in 1942 with the formation of the Independence Hall Association by an impressive group of civic leaders headed by the distinguished jurist, Judge Edwin O. Lewis. The movement has been gathering vigor ever since. The original purpose was simply to give Independence Hall and other buildings adjoining it fire protection and a dignified setting by the removal of a few firetrap buildings.

Some of you may remember that in 1946, following their urgings, Congress created the Philadelphia National Shrines Park Commission to study the problem in its broadest application. That Commission made a very excellent study and reported it to this Congress in the following year. Following, in June 1948, the 80th Congress enacted and the President signed Public Law 795, entitled: "An act to provide for the establishment of the Independence National Historical Park and for other purposes."

The park area was designated to include Independence Square and its buildings—under a cooperative agreement with the city of Philadelphia, which retains title to the square and the Independence Hall group—the three blocks to the east between Chestnut and Walnut Streets, and certain properties both adjacent to and detached from the main area totaling altogether about six city blocks, including a small area around Christ Church, the site of Benjamin Franklin's House and the Deshler-Morris House in Germantown—received later as a donation to the Government.

Among the buildings specified in the law for preservation were the First and Second Banks of the United States, Carpenters' Hall—under a cooperative agreement with the Carpenters' Co., its owners—the Bishop White House, the Dilworth-Todd-Moylan House and the Merchants' Exchange. Subsequent legislation has added to the park certain other properties including historic Mikveh Israel Cemetery and small areas adjacent to several 18th century churches in the vicinity, namely: Gloria Dei—Old Swedes—St. George's Methodist, and St. Joseph's Roman Catholic.

In thus determining what should go into the park, I should add here, we have, it seems to me, given all too little consideration to one very important site. This is the site of the Jacob Graff House, just two blocks from Independence Hall. Here Thomas Jefferson wrote the immortal Declaration of Independence. This area was recommended in the Shrine Commission's report, but the 80th Congress did not include it in the original act. How can we afford not to acquire this small site? Fortunately, legislation has been introduced by Senators CLARK and SCOTT of the Commonwealth of Pennsylvania and I am today introducing a comparable bill on this side

for the purpose of acquiring this property and adding it to Independence National Historical Park. The site ought to be developed in such a way as to recall to the countless visitors who would be attracted to it what Jefferson wrote while living in the house that once stood there.

The Independence National Historical Park along with the Independence Mall to the north together form one of the largest historical projects in the United States, representing a joint Federal, State, and municipal expenditure, ultimately, of perhaps $30 million.

These two projects involved the demolition over the past 10 years of all nonhistoric buildings in an aggregate area of about eight city blocks and the redevelopment of the resulting space through reconstruction of historic buildings, features, or landscaping. In the federally controlled area the National Park Service will restore major historic buildings and features to their appearance of the period 1774–1800. It has already reconstructed New Hall in Carpenter' Court—once the office of the Secretary of War, Henry Knox—which will be administered by the National Park Service in cooperation with the Marine Corps as a museum commemorating the early history of the U.S. Marines. And there is a very good possibility that the other two buildings which once stood in Carpenters' Court, the Pemberton and Fawcitt Houses, I am told, will also be reconstructed and developed as museums to tell the story of the Army and Navy in the Revolution. Historic Library Hall almost next door is already in use as the home of the American Philosophical Society and its priceless collections of books and manuscripts. City Tavern, over on Second Street, will also be reconstructed sometime in 1962. I shall say more about this building a little later.

Independence Mall, being developed by the Commonwealth of Pennsylvania, extends three blocks north from Independence Hall. The last block of this mall, I understand, will be landscaped in the near future.

The development of Independence National Historical Park is well along. The taking of title to the land began in 1951. A total of 133 separate real estate transactions had to be negotiated by the Federal Government at a cost of more than $7 million before demolition and construction could begin. More than 100 buildings, the largest one a twin 10-story structure, had to be removed. This program is now practically completed.

Comprising the principal area are Independence Square and the three blocks east of Independence Square. In the principal area lies Carpenters' Hall, scene of the meeting of the First Continental Congress in 1774. In this area stood, also, America's most famous hostel, the City Tavern, where in 1775 Paul Revere arrived with the electrifying news that the British had closed Boston Harbor, and where delegates to the First Continental Congress first gathered. Nearby stands the First Bank of the United States, built in 1795 to house the Federal Bank conceived by Alexander Hamilton, Washington's Secretary of the Treasury.

The courtyard which marks the site of Benjamin Franklin's home, where the sage died in 1790, is even now under extensive archeological investigation with interesting evidence of Franklin's home already exposed. Franklin's house and garden, where in 1787 he often entertained delegates to the Federal Constitutional Convention—sometimes under the mulberry tree—and helped turn the tide in favor of a successful conclusion of the Convention, might be reconstructed if sufficient evidence is found. The continuing research in this area will help determine what the ultimate plans should be. Of all the Founding Fathers, Franklin is the only one whose home no longer exists to remind us of him. The homes of Washington, Jefferson, and Adams still stand elsewhere in the country inviting many thousands of visitors annually.

The most important buildings by far constitute the Independence Square group. The assembly room of Independence Hall is truly the birthplace of our Nation and the immortal Declaration of Independence which was adopted in this room has as much meaning to us today as it did in 1776. No pains are being spared with these buildings in recreating the authentic scene of great events. The assembly room has been partially restored and very largely refurnished by the National Park Service in 1955, thanks to the generous contribution of funds by the General Federation of Women's Clubs. This marked the first major step in the restoration and refurnishing of the entire building, and the total project is expected to take several years. But this room now, after more than 160 years, appears again very much as it once did in historic times.

Congress Hall, where the First Congress, third session, under the Constitution first convened on December 6, 1791, and the Sixth Congress, first session, adjourned on May 14, 1800, is even now undergoing major rehabilitation and restoration. This work will be completed before the year is out and the task of refurnishing historically the House and Senate Chambers will begin. The House Chamber on the first floor will be refurnished sometime in 1962. Some of the original chairs are already on hand, the rest are now being reproduced under contract according to exacting specifications. There will be 106 such chairs because the House then had 106 Members. An attempt will be made to acquire what is believed to be the original Speaker's chair, now in the possession of another institution. The original ingrain carpeting will be reproduced faithfully, and I am told that so far Mr. Anderson knows of only one manufacturing firm in this country equipped to produce this old-fashioned type of carpeting. Even the mace will be reproduced, on the basis of contemporary description. Finally, I am told, the Park Service plans to open Congress Hall and the refurnished House of Representatives Chamber formally sometime next year. It occurs to me that this Congress of the United States ought to have a significant role in the dedication of that room and building and at the proper time I should like to propose that the sitting Members of Congress cooperate to the fullest with the plans that will be forthcoming by Conrad Wirth, Mr. Anderson, the committee at Philadelphia, Pa., and others so that proper attention can be given to the significant things that happened there before the Capital was moved from there to Washington.

I think it would be appropriate that when the rehabilitation and partial restoration of Congress Hall is completed and the House of Representatives Chamber on the first floor historically refurnished, sometime next year, to cooperate with Director Wirth and Secretary Udall who are planning to have a formal opening and dedication.

They hope that the House of Representatives will logically and symbolically be the principal participant in this event. Director Wirth suggests the appropriateness of the House convening for a brief symbolic session in this, its historic home. The session could be devoted to historical statements, perhaps related to the events engaging the attention of the House 175 years ago.

There might be a little problem of seating all of us, for the well of the restored House Chamber will have only 106 chairs, which was the membership of the House in the 1790's. Perhaps additional chairs could be put up throughout the historic first floor Chamber to take care of all of us.

Research is the lifeblood of a preservation and restoration program. To carry out the authentic restoration of buildings, to develop the park's landscape pattern so that natural and manmade features are combined in harmony with the historic scene, and to provide authentic interpretation to millions of visitors each year—all these require thousands of facts, large and small, and these can be obtained only through skilled and intelligent research. Such facts must be sought from many sources—below ground by the archeologist; in the fabric of surviving buildings by the architectural investigator; above all, by the historian searching through thousands of dusty manuscripts and records in archives throughout the United States, and even abroad. Park historians to date have examined over 4 million manuscripts and other primary records, resulting in more than 80,000 research cards—data which are the building blocks of the park project.

Architectural investigation involves study and analysis of structural details in the historic buildings, preparation of measured drawings, and related research in the specialized field of early American architecture.

In addition to the problem of restoration, the architect must examine the fabric of the building and insure its structural soundness. The size of this problem can be appreciated if it is remembered that almost a million and a half people walk through Independence Hall each year. The inevitable damage and attrition which accompanies such

visitor impact upon a building, can be readily imagined, contributing heavily to the "wearing out" of an historic building.

Archeological excavations to locate building foundations and other features, and to locate and identify artifacts, have been carried out since 1953. Exploratory "digs" have been made on the site of Franklin's house in Franklin Court, at Carpenters' Hall, and in Independence Square. In Franklin Court, building foundations uncovered are believed to be those of Benjamin Franklin's house. Also found were pottery fragments and household goods which probably once graced the home of Franklin. In Independence Square the original serpentine walks have been found which were a principal feature of the square more than 150 years ago. One of the objectives of the archeological research program in Independence Square is to locate the foundations, or other evidence relating to the observatory from which on July 8, 1776, the Declaration of Independence was first read pubicly in Philadelphia. Not the least of the archeologists' discoveries to date was the foundation of the old lobby outside Congress Hall, which connected the well of the House with the office of Representatives in the west wing of Independence Hall.

In determining what was and was not to be preserved or reconstructed at Independence, the National Park Service and the advisory Commission for the park have been guided principally by the consideration that this park is designed to preserve buildings and sites and/or commemorate events and individuals connected with the birth and early development of the Nation during the years 1774–1800, during most of which span Philadelphia served as the Capital of the young Republic.

This approach complies with the intent of Congress and is spelled out in the development outline of the park's master plan:

> The general theme of development is the restoration, reconstruction, construction, and preservation of those structures and landscape features necessary and appropriate for the interpretation of the story of independence and the establishment and early development of the United States under the Constitution in the period from 1774 to 1800. No other features shall be in conflict with this basic theme.

Consistent with this theme of development, at least a dozen structures dating from the late 18th and early 19th century, in addition to those designated by the enabling act of 1948, Public Law 795, are being or will be rehabilitated or restored and retained.

To separate somewhat the modern business life of the city outside the park area from the park itself, brick walls and wrought iron fences of colonial period design have been constructed along park boundaries. This enclosure provides a measure of protection to the park, but their main purpose is to enable the visitor to gain a more intimate feeling of being on historic ground, as he strolls through the park along the tour routes of reconstructed old streets or pedestrian brick walks which have been carefully superimposed upon the historic scene.

For the same reason sites of some of the important old homes, inns, meetinghouses, and stores are being marked with low brick walls and planted in evergreen ground cover. Interpretive markers will soon be erected at those sites to explain them.

Interpretation—the process of enabling the visitor to gain real unerstanding—has long been recognized as an essential function of the NPS. The NPS, in a sense, is an educational institution one of whose objectives is to tell in each of the areas entrusted to its care a coherent, meaningful story of national significance.

Real understanding cannot rest upon guesswork or on the careless handling of fact.

At Independence National Historical Park a lot of thought is being devoted to how best to interpret the place and its history to those who visit it. People go there today afoot, by bus, by taxicab, and by private automobile. The human stream flows toward the site chiefly from the west and north, and reaches it first at Independence Square. It is known that as today, many people in the future will continue to go immediately on arrival into Independence Hall and the buildings directly associated with it; perhaps many of them will limit themselves to this part of the park. It is believed, however, that a goodly proportion of them will wish to see all that there is to see and to learn as much as possible during the time they are here.

Every effort will be made to enable all visitors, however they come and whatever course they follow, to have a lasting and deeply satisfying experience here.

But the story begins at the eastern end of the park, at Second Street, and it is there that the Park Service hopes to persuade many—even most—visitors to start their tours of it. Plans contemplate a visitor center somewhere at the Second Street end of the park. A bill introduced in Congress recently provides for the addition to the park of the block lying just to the east of Second Street, to Front Street or almost to the river. The Interior Department is in favor of this bill, and if it passes, will undertake the development of this area for visitor parking and will erect with relation to it, fronting Second Street, near the reconstructed City Tavern where the Independence story begins, the park's visitor center.

The importance of an adequate visitor center cannot be overestimated. Many of you, I am sure, have been to Williamsburg and have seen the magnificent visitor center there. The facilities and exhibits, which are designed to inform, to put the visitor in the right mood, to refreshen his memory and bring back the history he has largely forgotten, are simply magnificent. And the film, "Williamsburg—The Story of a Patriot," is especially a thrilling story to see and hear.

The Park Service plans a comparable visitor center, I am happy to say. It will be, and it should be, second to none so that the visitor who has been to colonial Williamsburg where he has been taken back into the past to see and hear Virginia work out its destiny and instruct its delegates in Philadelphia in the spring of 1776—the "Prelude to Independence"—will not find in Philadelphia the epic climax to the story—the Declaration of Independence and the birth pangs of a new nation—less adequately presented."

The location of this visitor center away from Independence Hall will make possible a logical movement, from the standpoint of chronology, from City Tavern to Carpenters' Hall and finally to Independence Hall, the climax of the story. By this means the full impact of Independence Hall will be reserved for the proper moment.

None of the buildings proposed for reconstruction is more vital to the park story than City Tavern. It was at City Tavern that the citizens of Philadelphia first heard the alarming news, brought by Paul Revere, of the closing of the port of Boston. It was there that, on the night after receipt of this news, leading citizens of the city met in mass meeting, organized a committee of correspondence, and drafted a letter of sympathy to the people of Boston. The yeast was beginning to ferment.

It was at City Tavern that the delegates to the First Continental Congress came together for what appears to have been a "get together" session. It was at a gathering of delegates there that they discussed whether to meet at the State House or Carpenters' Hall. It was the first focal point for the activities which led inevitably to the Declaration of Independence, as well as for the social activities of the leaders and their wives.

Visitors who start their tour at the visitor center will go first to the City Tavern, then proceed over pleasant tree-lined paths to Carpenters' Hall and thence to Independence Hall.

Many and varied facilities will be provided in this historical park eventually to visitors to aid them in their enjoyment and understanding. And this is no small task when one considers that 1,500,000 visitors came to Independence Hall last year—and this number will double by 1966. These visitors come from every State and territory of the Union and from virtually every country in the world. They represent a cross section of our country: every age level, every calling in life, every economic status. Schoolchildren make up 300,000 to 400,000, about 150,000 of whom come as groups during the school year.

Interpretive aids and devices will have to be provided with all these groups equally in mind. And take the very considerable number of foreign visitors: over 50,000 last year. They are most influential people back home, far out of proportion to their numbers. Last month, June, in successive weeks the Prime Ministers of Israel and Italy and the first native African prince of the Roman Catholic Church, Laurian Cardinal Rugambwa of Tanganyika, visited Independence Hall. A few weeks earlier

Valerian Zorin, Soviet Deputy Foreign Minister, dropped in unexpectedly one night.

Most of these foreign visitors speak little or no English, yet they must be assisted too, and reached with the story of how our Nation was founded. I am happy to say that important steps are even now being taken to reach these foreign visitors. At the Liberty Bell in Independence Hall, for instance, one can now hear over a loudspeaker a taped recording of an inspirational story of the Liberty Bell, this symbol of our freedom, in five foreign languages—French, German, Italian, Spanish, and yes, Russian. You will be interested to know in this connection that the Soviet Deputy Foreign Minister just mentioned, who arrived late, was admitted by the guard to the area of the Liberty Bell and heard the story of the Liberty Bell in Russian. He was surprised and seemed politely impressed; and, after the approximately 3-minute narration was over, he requested: "Play it again." In addition to this taped recording, free leaflets outlining the story of the entire park are now available not only in English—a copy of which lies before you—but also in French, German, Spanish, and Russian.

In addition to audiovisual presentations in the visitor center and elsewhere in the park and in addition to literature covering major aspects of the park story—including select items in foreign languages and in English in a style suitable for young children—plans envisage the widest possible use of other interpretive aids, including explanatory signs and markers, wayside exhibits, self-guiding facilities, conducted tours, and extension services—in view of the unique appeal of the independence story, requests for information and research assistance through correspondence, telephone calls, and personal appearance, run into the thousands each year. Nor must I forget another very important aid, indeed a major feature in itself—the portrait gallery of Revolutionary heroes which will be exhibited in the imposing Second Bank of the United States Building, one-half block from Independence Square. This gallery consists altogether of some 300 portraits of which about 135 represent priceless paintings done from life by Charles Willson Peale and other artists, acquired by the city of Philadelphia a century ago and turned over to the NPS for care and exhibition. An Englishman visiting Peale's Museum in Philadelphia in 1794 wrote:

> But what particularly struck me at this place was the portraits * * * of all the leading men concerned in the late revolution * * * which, after a century, hence, will be very valuable in the eyes of posterity.

The paintings he saw now form the nucleus of the present collection. They are priceless today—worth at least $1 million, if we could buy them—and unique among American collections of art, for they are the largest historical collection in the country.

The interpretive program of the NPS, at Independence National Historical Park, to sum up, will be designed to aid all types of visitors to better understand and enjoy what they will see—more than a score of restored or reconstructed and refurnished buildings in an authentic setting, representing an epic span of 26 years of the American story, from 1774 to 1800. The central theme of this story is the achievement of political independence; this central theme is in three parts: The Declaration of Independence, the framing of the Constitution of the United States, and the Federal Republic during its critical first 10 years. Supporting this central theme are four other themes: the military, economic, cultural, and religious, each represented by buildings and sites.

Ladies and gentlemen, I am almost finished. Let me just add this thought: The importance of the events in our national history which have come to pass in Philadelphia in the relatively small area we now call Independence National Historical Park, in the years from 1774 to 1800, needs no emphasis. It is pretty evident to all of us. But should we go to all this trouble and expense to recapture the physical setting of those epic events, in three dimensions, in brick and mortar? My answer to you is a resounding yes. We should do all this and more to better understand the most critical period of our history; to derive more of inspiration, patriotic pride, and courage from our visit; and to show the tens of thousands of foreign visitors how this Nation began. In preserving our treasured landmarks, we are simply expressing one of the deepest-felt urges of every civilization. A nation that forgets its past, that no longer seeks to preserve its ideals, spiritual values, and historic experiences—all the things which make it unique and by which it lives—is headed for extinction. History tells us of many once flourishing societies and civilizations which have withered and died.

The great historical park unfolding in Philadelphia should, and I am confident will, become a living expression of great ideals and principles. The millions of Americans visiting there in the future should gain from their visit a clearer understanding of our national beginnings; of the courage and faith and high intelligence of those who performed such heroic labors there. Abraham Lincoln visiting Independence Hall on Washington's birthday in 1861, was inspired to say:

> I have pondered over the dangers which were incurred by the men who assembled here and adopted the Declaration of Independence and I have pondered over the toils that were endured by the officers and soldiers of the Army who achieved that independence. I have often inquired of myself, what great principle or idea it was that kept this confederacy so long together. It was not the mere matter of the separation of the colonies from the motherland; but something in that Declaration giving liberty, not alone to the people of this country, but I hope to the world of all future time. It was that which gave promise that in due time the weights should be lifted from the shoulders of all men, and that all should have an equal chance.

Future Americans, we trust, on a visit to Independence Hall and the Independence National Historical Park will feel, even if they will not be able to articulate it as nobly as Lincoln, an evocation of the spirit of rededication to the great principles upon which this country was founded and by which it lives and must continue to live.

Mr. Speaker, I had mentioned earlier that I wanted to talk more about the contributions made by Conrad L. Wirth and his very able assistant and superintendent of Independence Hall National Historic Park.

I begin by reminding you that Director Conrad L. Wirth's leadership has been directly responsible for several major decisions relating to the theme of the park's development; notably, the decision to landscape around park features so that visitors are led through history from the City Tavern locale where the fascinating story of the birth of our country's freedom all began to Independence Hall and the climax of the story. Companion to this decision was locating the proposed visitor center near City Tavern. And, of course, the idea of an adequate visitor center, second to none, was also Director Wirth's. Nor did he hesitate in recognizing quite early the supreme importance of reconstructing the City Tavern, without which it would be extremely difficult to tell both the beginning and the unfolding of the momentous story of independence. Director Wirth through the years has been a constant visitor to Philadelphia consulting people on the spot and members of the Independence Advisory Commission, and has thus acquired intimate knowledge of every phase of the program there to make vital and far-reaching decisions affecting the park.

It is indeed fortunate that Conrad Wirth is the Director of the department of Government which directs, supervises, and preserves the buildings and care of our national shrines. He has been Director of the National Park Service since December 9, 1951, and has parks in his blood. His father, the late Theodore Wirth, was superintendent of Hartford, Conn., parks when his illustrious son was born in 1899; Conrad grew up in Minneapolis, Minn., where his father was superintendent of parks for 26 years. He graduated with honors from St. John's Military Academy, Delafield, Wis., in 1919. After graduating in landscape architecture from Massachusetts Agricultural College—now the University of Massachusetts—in 1923, Conrad began his Government service with the National Capital Park and Planning Commission—now the National Capital Planning Commission—in 1928. Before that time, he was in private landscape and town planning business in California and Louisiana. In 1931, Director Horace M. Albright recognizing his talents requested his transfer to the National Park Service in the position of Assistant Director in charge of the land planning.

One of his early National Park Service assignments was that of supervising the work of the Civilian Conservation Corps in State, county, and metropolitan parks throughout the Nation; in 1935 he was given direction of all emergency activities in the National Park System as well. In 1936, he was made Interior Department representative on the Civilian

Conservation Corps Advisory Board. From 1931 to 1945, while given these added duties, he was in charge of the Service's land planning work. Thereafter, for a year, he was detailed as a policy adviser with the U.S. Allied Council in Vienna, Austria. He became Associate Director in April 1951, and Director in December 1951.

Mr. Wirth has been honored in many ways for his leadership, sense, dedication, and his accomplishment in the field of parks and recreation. In 1946 he received the coveted Pugsley Gold Medal for long and valuable service in behalf of the national parks; received honorary fellowship in American Institute of Park Executives, October 1954; he is a life member of the board of directors of the National Conference on State Parks; a life member of the board of trustees of the National Geographic Society; a fellow of the American Society of Landscape Architects; a director of the American Institute of Park Executives; a director on the board of the American Shore and Beach Preservation Association; and a member of the American Planning and Civic Association, and other organizations.

He received an honorary degree of doctor of landscape architecture from his alma mater, the University of Massachusetts, June 7, 1953. On December 14, 1954, Queen Julianna of the Netherlands awarded him a citation honoring him with the rank of commander in the Order of Orange-Nassau. On June 20, 1955, he received an honorary degree of doctor of civil law from New England College. On March 12, 1956, he received the Distinguished Service Award of the Department of the Interior, in recognition of outstanding service in promoting and administering the national park system. On October 1, 1957, received the 1957 Conservation Award of the American Forestry Association, in recognition of outstanding service in the conservation of American resources of soil, water, and forests. On June 1, 1958, received honorary degree of doctor of humanities from the North Carolina State College of Engineering of the University of North Carolina. On January 21, 1959, was awarded the Horace Marden Albright Scenic Preservation Medal for 1958, for accomplishments in the field of conservation. In January 1959, was awarded the George Robert White Medal of Honor by the Massachusetts Horticultural Society, for his inspiring leadership in the great task of helping to preserve the magnificent heritage of natural beauty and historic significance of the national park system throughout the United States. On March 2, 1959, was 1 of 10 recipients of the National Civil Service League's Career Service Award for 1959. On September 22, 1959, received the American Automobile Association Achievement Award for 1959, which reads:

> By the dedication of his talents and energies to the preservation and development of our National Park Service, and his efficient administration of Mission 66 he has contributed immeasurably to the welfare and enjoyment of millions of our citizens.

On April 11, 1961, received the Rockefeller Public Service Award for 1960–61 for "achievement and long and distinguished career service in conservation and resources." On April 13, 1961, was awarded by the State University College of Forestry at Syracuse University, the College of Forestry 50th Anniversary Distinguished Service Medal for dedicated leadership in national park administration.

Keenly interested in the provision of adequate recreational facilities for everybody, Mr. Wirth initiated the movement which resulted in 1936 in the passage by Congress of the Park, Parkway, and Recreational Area Study Act; and he directed the State-by-State studies which were undertaken under the authority of that act.

Ably assisting him in all this throughout the many years was Mr. M. O. Anderson, Superintendent of Independence NHP. With 20 years of Government service back of him, Mr. Anderson was selected for the important job of heading up the new park project in Philadelphia after its development was initiated in 1949. He was thus present at the very inception of the park and has had an intimate part in the entire program, participating in every phase of the project from the appraisal and acquisition of properties through master planning, and now in actual development and administration of the park. A most vital part of his job has always been and continues to be an involved program of public relations. In a project such as this, involving so many people in Philadelphia, in Pennsylvania, and in fact throughout the Nation, all more or less interested in what is going on and in having a say as to how things ought to be done, it is very easy to step on toes, to hurt sensibilities, to make enemies. Yet Mr. Anderson has succeeded over a period of 12 years in walking this tightrope—doing his job of planning, coordinating, and consulting and making friends for the project and the Park Service as well.

There are others, outside the Federal Government, who deserve special praise and the gratitude of all of us for their special roles in making this great park possible. First of all, there is the venerated and distinguished judge, now retired, of Philadelphia's common pleas court, Edwin O. Lewis, who, back in 1942, served as the catalyst in bringing together the civic leaders of Philadelphia to form the Independence Hall Association. This association, of which he is still president, spearheaded the drive which resulted in the appointment in 1946 of the Philadelphia National Shrines Park Commission with himself as Chairman.

I should mention here the names of those who served on that Commission: George McAneny, Hon. Robert N. McGarvey, Hon. Hugh Martin Morris, Senator Francis J. Myers, deceased, Dr. Carl Van Doren, deceased, and Albert M. Greenfield, Vice Chairman. It was this Commission which submitted a comprehensive plan, following careful study, to the Congress of the United States for the establishment of the Independence NHP.

Senator HUGH SCOTT, of Pennsylvania, has been in the forefront of efforts to preserve and improve Independence Hall and the Independence Hall Historical Park which surrounds it.

Throughout his years in the House of Representatives and in the Senate he has supported measures to preserve those hallowed grounds for history and for the enjoyment of the American people. This year he has cosponsored, with Senator CLARK, a measure that would authorize the Interior Department to buy the site of the Jacob Graff House for inclusion in the park. In that house, Tom Jefferson wrote the original draft of the Declaration of Independence.

And on the basis of its story, the 80th Congress passed Public Law 795 (H.R. 5053), providing for the establishment of the park.

The man who, next to Judge Lewis, deserves the lion's share of the credit for the concept of a major historical redevelopment and conservation program in old Philadelphia is a venerable gentleman now in his 91st year, Dr. William E. Lingelbach, the distinguished emeritus professor of history and dean of the college of the University of Pennsylvania, formerly vice president of the American Philosophical Society and also its librarian emeritus. Judge Lewis referred to him as "the wise and never-discouraged adviser and reinvigorator of the organized effort to create the mall and the national historical park."

Lastly, in giving credit to those whose efforts and support lay behind the success of the Independence NHP project, we must not forget two important groups: First, the last three mayors of Philadelphia, Bernard Samuels, deceased, the Honorable Senator Joseph S. Clark of Pennsylvania, and the present mayor, Richardson Dilworth. These men provided the keystone for the project by the transfer of administrative custody of Independence Square and the Independence Hall group of buildings to the Federal Government and by continuing down to the present lending wholehearted support to the entire project. Second, the Commission of distinguished citizens of Philadelphia appointed by the Secretary of the Interior to advise him on planning and developing Independence NHP. Judge Lewis is Chairman of the Commission and serving with him are: Edward Hopkinson, Jr., Harry A. Batten, Thomas J. Buckley, R. Sturgis Ingersoll, Esq., Arthur C. Kaufmann, Frederick R. Mann, Sydney E. Martin, Isaac W. Roberts, Howard D. Rosengarten, and the Honorable Michael J. Bradley, formerly a member of the House. Others who once served on this Commission are: Albert M. Greenfield, John O. Hallahan, deceased, vice president of historic Carpenters' Co., the late Senator Francis J. Myers, and last but not least, Senator Clark. The Commission, I should add, is very actively following the development of the park and offering invaluable guidance and advice to the National Park Service in the development of the park.

Mr. Speaker, it is my hope that these brief remarks on the general objective of

the restoration, the work that has been done, the work that is going on now and the work that needs to be considered a worthwhile contribution to the marvelous historic record of America that needs to be told, retold, and told again.

And, I hope, too, Mr. Speaker, that every Member of Congress will make it his business to personally visit this historic site and there gather firsthand knowledge of what has been done, is being done and needs to be done, and in the process learn anew and be thrilled by some of our most meaningful history and to assist in every way possible those who seek to restore and preserve for posterity what I believe is the most significant historic site for freemen anywhere in the world.

COAL INDUSTRY BITES HAND THAT FEEDS IT

Mrs. MAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. MAY. Mr. Speaker, it is most difficult to understand the opposition of eastern private power and coal-mining interests to the addition of electrical generating facilities to the new production reactor at Hanford, Wash. I cannot believe that the opposition of these groups is based on the merits of this sound project.

In this regard, I ask unanimous consent that an editorial entitled, "West Virginia Speaks," be reprinted at this point in the RECORD. This editorial appeared in the Tri-City Herald of Pasco, Wash., on August 21, as follows:

WEST VIRGINIA SPEAKS

When we speak of those who are fighting to prevent conversion of the new Hanford reactor we must be careful to emphasize they do not include either private-power or coal-mining interests—from the Northwest.

But knowing this does not help us understand the opposition of the coal-mining industry in the East.

Atomic energy has been one of coal's best customers—in the East more so than in the Northwest, where Hanford buys more than 300,000 tons a year.

Three nuclear installations—Portsmouth, Ohio, Paducah, Ky., and Oak Ridge, Tenn.—consume more than 200 million tons annually.

If this is not enough to convince a fair-minded person of atomic energy's importance to the coal miners and the people who own and operate the mines, it also may be pointed out that the atom is helping to find new uses for coal, and to expand the old ones.

It is helping develop ways for gasification of coal and for irradiation of coal to increase its combustibility and heat potential. The Atomic Energy Commission recently listed 110 potential applications of atomic energy to the coal industry.

Why then is the coal industry biting the hand that feeds it?

Many persons from the "coal belt" are at a loss to explain this opposition. One of them is Representative KEN HECHLER. He's a Democrat and he comes from Huntington, W. Va., in the heart of the coal country.

During the House debate on whether a steamplant should be built for the reactor, he spoke for conversion, saying he knew his support could bring political retaliation at home. He recited some of the statistics we have used here and said:

"Now, these are considerations," he said, "which lead me to believe coal and atomic energy are not enemies."

The steamplant, he said, would "help bolster, and not undermine private enterprise * * * [which] represents progress.

"I do not feel that in any field—the current world situation being what it is—America can afford to stand in the way of progress."

Those who defeated the conversion are almost certain of another opportunity to rectify their mistaken opposition to this project. They cannot afford, in HECHLER's words, "to look inward, to be isolationist, to think only of our own, to fight a rearguard action against progress."

The steamplant, as he said, will "strengthen the Nation, and will help our national defense. * * *" It must be built.

CONGRESSMAN FORD CLARIFIES FOREIGN AID CONTROVERSY

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, in the August 17 issue of the New York Times there appears a letter from the gentleman from Michigan [Mr. FORD] setting forth with clarity and understanding the main points of controversy in the present discussion of the administration's foreign aid proposal. The gentleman has a distinguished record as a supporter of the foreign aid concept and an enviable reputation for his work on the Appropriations Committee's Subcommittee on Foreign Operations. His thoughts on this matter bear careful consideration and I am inserting his letter in the RECORD for the attention of everyone interested in this important matter:

FUNDS FOR FOREIGN AID—ISSUE TAKEN WITH TANNENWALD ON BORROWING AUTHORITY PROVISO

To the EDITOR OF THE NEW YORK TIMES:

It is appalling that a high official of the administration such as Theodore Tannenwald, Special Assistant to the Secretary of State, would make some of the statements he does in his August 9 letter to you denouncing Arthur Krock's August 4 column as "omitting a number of pertinent facts and not stating accurately other facts," about the 5-year back-door borrowing provision in the administration's foreign-aid bill.

Mr. Tannenwald is in some respects guilty of what he deplores. He even put himself in direct opposition to testimony of his superiors. And he hangs on legalisms and indulges in technicalities.

Mr. Tannenwald correctly notes that, as now written, the legislation requires the President annually to submit a budget to Congress under the Corporation Control Act showing how the funds are to be used, etc. Then he says:

"The President will not be able to obligate or spend these funds until Congress has enacted an authorization in an appropriation bill for the use of the funds."

SECRETARY DILLON'S TESTIMONY

Many Members of Congress regard this as opposite to what Treasury Secretary Dillon told the Senate Committee on Foreign Relations in the following exchange:

"Senator WILLIAMS. As I understand it, and I think we ought to get this clear, you come back each year and report to Congress, but you do not need any additional action on the part of the Congress to get the money if we approve this bill as it is written; is that correct?"

"Secretary DILLON. That is correct."

I fail to see how both Secretary Dillon and Mr. Tannenwald can be right.

Mr. Tannenwald indulges the obvious when he asserts that Congress would have full legal power to limit the use of these funds. Of course it would. It is a rare occasion when the Congress is without raw legal power—note the word "legal"—to change its mind and amend a law in practically any way it deems appropriate. But hanging on legalisms here substantially begs the question—certainly where delicate and far-reaching arrangements with sovereign foreign nations are involved.

His superior, Secretary Rusk, told the House Committee on Appropriations that "as a matter of the law and the Constitution, it [Congress] would have the same control. However, I would be less than candid if I did not say that the exercise of that control by the Congress on an annual basis would be a more serious step in terms of our commitments and relations with other governments than would be true under the present arrangement."

LIMITING EXPENDITURES

This question of control by Congress is so crucial to the understanding and consideration of the proposition that I again quote from Secretary Dillon. He was asked what would be the situation if Congress decided to cut a part of the $8.8 billion but in the meantime under long-range programing, commitments had been made with foreign countries. Could Congress then limit expenditures below what had been committed? Dillon said:

"I would like to be perfectly clear on that, Senator. Congress does have the authority to limit it, and could limit it, but it would have the effect of the United States not living up to its commitments. So I believe there would be very strong pressure on Congress not to have the United States default on a commitment which it had legally made."

In the fact of that statement, Mr. Tannenwald says Mr. Krock was "incorrect" when he suggested that if Congress were to limit or terminate the previously granted borrowing authority the United States would be in default in its foreign-aid commitments. Then hanging on technicalities, he concludes that "there could be no question of a default." Secretaries Rusk and Dillon say otherwise.

Mr. Tannenwald insists it is not true, as Mr. Krock states, that:

"Since technically the Executive could commit in 1 fiscal year the entire $8.8 billion Congress had given it for 5 years, there conceivably could be no money left for Congress to recapture."

Once again, let's see what Secretary Dillon says: "Mr. Passman: In effect, the executive branch could, if it should so determine, commit the entire $8.8 billion during fiscal year 1962 on a conditional basis?" "Secretary Dillon: They could commit $1,187 million firmly, and they could commit the rest of it conditionally." "Mr. Passman: It could be committed, nevertheless?" "Secretary Dillon: Conditionally, it could be."

In conclusion, this long-term financing proposition, and some others similar to it

and now rather commonly known as back-door financing, raises questions vital to the orderly processes of representative government. The Congress, as the elected representatives of the people, has but one certain way effectively to control the Government. That is the power of the purse.

So when such a proposition as the pending $8.8 billion, 5-year borrowing authority is submitted, above all things, we must know it full dimensions and characteristics before we finally vote. Do what we will—but know what we are doing.

GERALD R. FORD, Jr.,
Representative, Fifth District, Michigan.

WASHINGTON, *August 10, 1961.*

SPECIAL HOUSE COMMITTEE ON CAPTIVE NATIONS

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, one of the basic weaknesses of the Soviet Union slave empire is the discontent of the people of the so-called satellite nations and the discontent of non-Russian peoples within the Soviet Union proper.

This opposition, if properly sustained, and if, through our efforts the continued attention of the world is focused upon it, could result in placing the Soviet Union in a position of complete defense in the propaganda phase of the cold war.

The Soviet charges against U.S. colonialism and U.S. aggression relative to Guantanamo Bay are a perfect example of the smokescreen leveled by them to take the eyes of the world off their own imperialism and colonialism as practiced in Eastern Europe.

With these thoughts in mind, I have repeatedly urged that the Rules Committee approve for discussion on the floor one of the resolutions dealing with the creation of a special House Committee on Captive Nations. These various resolutions introduced by many Members of both political parties, must be acted upon by the Rules Committee in the very near future, or for all practical purposes, they will have been killed.

Mr. Speaker, I ask leave to place in the RECORD a copy of the letter I have written to each member of the Rules Committee, urging that body to permit the House to work its will on the subject to create a special House Committee on Captive Nations.

DEAR COLLEAGUE: I don't wish to wear out my welcome and take up your tremendously busy schedule with an issue with which you are thoroughly familiar but feel it imperative that one of the captive nations resolutions be cleared by the Rules Committee for discussion by the entire House. I would like to call some additional items to your attention that show the urgency and bipartisanship of this special House committee.

On April 23, a State Department press release, discussing the letter from Khrushchev to President Kennedy on Cuba stated:

"The people of the United States believe that the right of self-determination is fundamental and should apply throughout the world. We reject the right of any narrow political grouping or any country to allegate to itself the power to determine the real will of the people."

May I also call your attention to this statement from President Kennedy's state of the Union message:

"We must never forget our hopes for the ultimate freedom and well being of the Eastern European peoples."

And last, but not least, I call your attention to the following quotation from President Kennedy's Captive Nations Week proclamation:

"Whereas it is in keeping with our national tradition that the American people manifest its interest in the freedom of other nations:

"I invite the people of the United States of America to observe this week with appropriate ceremonies and activities, and I urge them to recommit themselves to the support of the just aspirations of all peoples for national independence and freedom."

Along with the gentleman from Pennsylvania [Mr. FLOOD] and numerous other Members on both sides of the aisle, I have urged that the creation and operation of this special House committee would be of extreme value to the State Department and to our United Nations representatives in dealing with Red propaganda concerning Western imperialism, pointing out the true facts that imperialism and colonialism as practiced by the Soviet Union in Eastern Europe far exceed any abuses which could be charged to Western nations.

It is my understanding that the State Department has not taken a position in support of the creation of a Captive Nations Committee. If this be the case, I believe it is acting in contradiction to the above-quoted items, and it would be most consistent for the House to create this special committee and work effectively with the State Department in exposing Soviet manipulations of the previously free peoples of Eastern Europe.

Sincerely yours,

EDWARD J. DERWINSKI,
Member of Congress.

Mr. Speaker, this is a vital issue, and I am enclosing for the RECORD additional material which very effectively points out the area of Soviet weakness in Eastern Europe. The additional matter I refer to is an editorial in the August 26 issue of the Chicago Daily Tribune entitled "The Veiled Offer."

THE VEILED OFFER

Arthur Veysey, our London correspondent, reports that the British Government is promoting a conference of foreign ministers for late September in the belief that agreements governing West Berlin and the status of divided Germany, can be reached with the Soviet Union. Meanwhile, Khrushchev continues to apply the heat, his latest move being a veiled threat to cut off Western access by air to West Berlin on the theory that the allies are abusing the air routes by ferrying in spies and troublemakers.

In these circumstances, what kind of agreement is possible with the Russians? Some persons may think they see the essential clue in overtones of appeasement in British official circles. But perhaps a more direct clue has been provided by President Kennedy and Secretary of State Rusk.

While the President and Rusk have said what they will not give up in Berlin, they have told Khrushchev by indirection that they are willing to give up a great deal elsewhere. Too little attention has been directed to this veiled offer of a quid pro quo.

Mr. Kennedy's overture, made in his speech July 25, began with the statement that "we are willing to consider any arrangement or treaty in Germany consistent with the maintenance of peace and freedom, and with the legitimate security interests of all nations."

Directly after this statement came an offer that covers a good deal of ground.

"We recognize," said Mr. Kennedy, "the Soviet Union's historical concerns about their security in central and eastern Europe, after a series of ravaging invasions—and we believe arrangements can be worked out which will help to meet those concerns, and make it possible for both security and freedom to exist in this troubled area."

Mr. Rusk, speaking 2 days after Mr. Kennedy, expressed belief that there could be a "peaceful adjustment." He said the President had indicated "some broad possibilities that might open up" for negotiations.

While the Secretary's remarks are to some degree ambiguous, Mr. Kennedy's are less so. Russia has expressed its "historical concerns" about the security of its borders by pulling more than half a dozen countries of eastern and central Europe into the Communist orbit and installing over them puppet governments responsive to every command from Moscow.

It has taken territory from Poland, one of these captive nations, and had Poland compensate itself by taking German territory on its western frontier. And the Russians themselves have converted what was supposed to be a temporary military occupation of Eastern Germany into permanent possession by erecting a fictitious state in that territory, with which Khrushchev now proposes to conclude an equally fictitious treaty of peace.

All of these actions express what Mr. Kennedy calls Soviet "historical concerns" over the safety of its own frontiers. If Mr. Kennedy is willing to acknowledge that these concerns are historical, and to that extent acknowledges their validity, what "arrangements" can he work out to allay these concerns except by confirming Russia's title to all the territory it holds as a consequence of military occupation in World War II?

It is to be noticed that, while the State Department's long note to the Soviet Union of July 18 spoke of the right of self-determination of all the German people, and of the necessity of reunification of the whole of Germany, Mr. Kennedy did not once refer to unification in his speech.

What he seems to be offering Khrushchev is a settlement on the basis of the status quo, just so long as Berlin is left as it is. Although this will take care of "historical" Soviet concerns about Russian security, it will constitute no grant of freedom in eastern and central Europe, whatever Mr. Kennedy may choose to say about freedom.

As for the historical concern, Russian mobilization in 1914 had quite as much bearing on the outbreak of war as German iniquity, while the repetition of this conflict in 1941 resulted from a falling out between Hitler and Stalin because their territorial ambitions could not be mutually accommodated. It is admitting too much to concede that the Soviet Union has valid fears about the safety of its frontiers, for it need have none if it were willing to respect the frontiers of others.

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. HECHLER. Mr. Speaker, on behalf of the gentleman from Illinois [Mr. DAWSON] I ask unanimous consent that the Committee on Government Operations may have until midnight tonight to file a report on the bill H.R. 8429.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

INDUSTRIALIST SUPPORTS H.R. 4222—THE HEALTH INSURANCE BENEFITS ACT

Mr. HECHLER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. KING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. KING of California. Mr. Speaker, public support for the President's program to provide health care for the aged through social security has been building up at a dramatic rate over the last several months. Gallup poll figures show that 67 percent of the population favors the health benefits program contained in my bill, H.R. 4222. An increasing number of newspapers and responsible magazines have endorsed the program during last year, a major insurance company has declared itself in support, and a former Secretary of Health, Education, and Welfare under the Eisenhower administration has urged its enactment. Recently, H.R. 4222 has received the enthusiastic public backing of a substantial number of physicians. To this growing list of persons and organizations of stature and integrity who believe that the preservation of dignity in old age is a worthwhile goal, who are not paralyzed by shibboleths and scare words, and who know that effective Federal action is needed to finance the health needs of the aged, there has now been added another strong voice.

H.R. 4222 has been vigorously endorsed by one of America's greatest, most successful, and most imaginative industrialists, the president of Kaiser Industries Corp., Edgar F. Kaiser. Mr. Kaiser had hoped to appear before the Ways and Means Committee at its recent hearings on health care for the aged, but was unable to do so because of illness. He has just sent me the statement that he had hoped to present in person. This careful statement presents an excellent analysis of the reasons why one of the country's outstanding businessmen, who is also the head of a voluntary prepaid health plan serving more than 800,000 persons, believes that, in his words, "voluntary cost spreading organizations cannot, alone, meet the health care needs of retired persons adequately and realistically," and why "the simple and proven social security system, coupled with provision of services through private and voluntary organizations, constitutes the most practical and desirable solution yet proposed to this major national problem."

Mr. Speaker, under unanimous consent I insert the text of Mr. Kaiser's statement in the CONGRESSIONAL RECORD:

STATEMENT BY EDGAR F. KAISER, PRESIDENT OF KAISER INDUSTRIES CORP. AND PRESIDENT OF KAISER FOUNDATION HEALTH PLAN

INTRODUCTION

I appreciate the opportunity which this committee has afforded me to present the following statement in support of H.R. 4222, the King-Anderson bill, and I am sorry that an illness made it impossible for me to appear before you in person. The viewpoint on which this statement is based is the result of our combined experience in industry and in the prepaid health care field.

A management viewpoint: Kaiser Industries Corp., together with its affiliated companies, carries on a variety of industrial engineering and construction operations in the United States and throughout the free world. As management, we are concerned that too many Americans, individually, cannot afford the costs of being sick. We know that this problem is especially serious for retired people. As management we are also concerned with production costs and are keenly aware of the impact of additional payroll taxes on production costs. Because my principal work is in management, it is fundamental to me that the justification for increased payroll taxes must be real, substantial and pressing.

A health care viewpoint: Kaiser Foundation health plan is the largest community-based group-practice prepayment health care plan in the United States. It now serves well over 800,000 persons in the Pacific Coast States and Hawaii. As president of this health plan, I am vitally concerned with problems of health care and the distribution of health care costs.

The essence of the bill: In essence the King-Anderson bill provides for collection of funds on a very broad economic base, and disbursement of these funds to purchase needed services from private institutions.

Reluctant as I am to see increased payroll taxes, my combined experience in industry and with our health plan has led me to conclude that the payroll cost increases required under this bill are warranted and necessary to provide a fair and adequate base for financing institutional health care services for our retired population.

Preference for private enterprise solutions: Before outlining the considerations leading to this conclusion, I want this committee to know that I appear as a proponent of voluntary solutions, within the framework of private enterprise, to the problems which confront our Nation. Indeed, it is because of my belief in private enterprise, rather than a socialized economy that I am submitting this statement in support of H.R. 4222.

King-Anderson bill is not socialized medicine: We firmly believe that the Kaiser Foundation health plan is the antithesis of socialized medicine. In fact, we feel that health plans such as ours are the best single answer to socialized or Government-administered medicine. Similarly, I do not believe that the King-Anderson bill in any way fosters socialized medicine.

In many fields, Federal, State, and local governments must perform cost-distributing functions which cannot be handled effectively through private institutions. Thus, our Nation's need for a highway system has been met through governmental collection of tax revenues to pay for the construction of highways.

Similarly, if a major national problem, such as financing health care services for retired persons, is not being effectively handled through nongovernmental means, then the Government has an obligation to assist.

King-Anderson bill will foster nongovernmental health care: The logical outgrowth of social security financing, as contrasted with appropriations from general revenues and administration through social welfare agencies, will be to keep a greater and increasing proportion of retired persons in the main stream of medical and hospital care, with services provided in private and voluntary hospitals. This will reduce reliance on county hospitals and other governmental institutions.

Thus, far from having socialistic implications, the King-Anderson bill will actually tend to strengthen the role of nongovernmental institutions. The expansion since World War II of voluntary prepaid health coverage by health insurance companies and service-type health plans is the private enterprise alternative to a nationwide governmental health insurance program. In similar fashion, governmental distribution of the cost of key health care services for retired persons, with services actually being provided through private and voluntary means, constitutes not socialized medicine but rather an effective alternative to satisfy this need through private enterprise.

Is governmental cost distribution essential?

The answer to this question is undoubtedly and emphatically, "Yes." But, in part, the question conceals the problem. Governmental action to finance health services for aged persons is not only necessary; it is a fundamental fact of our present medical economy.

The extent of government participation in providing health care to our citizens is indicated by the fact that in 1960, 25 percent of total expenditures for medical and hospital services were made by governmental agencies. In California, the State of my residence, two governmental programs alone will, by the end of this year, provide health care coverage paid for by tax revenues to nearly 60 percent of the population aged 65 and over. The first program—for the indigent aged—covers 256,000 persons, or about 18 percent of the population over 65 years of age. The second program—for the medically indigent aged—under the Kerr-Mills implementation bill enacted by the California Legislature in 1961, is estimated to cover 535,000 persons, or about 40 percent of our population over 65.

Thus, the appropriate question is not whether government action to distribute health care costs for the aged is necessary but rather what form should such government action take?

Yet, I wish to return a moment to the question of whether nongovernmental cost-spreading organizations can meet the health care needs of aged persons. The function of spreading health care costs is being performed by insurance companies, Blue Cross and Blue Shield plans, and direct-service group-practice prepayment plans such as the Kaiser Foundation health plan. However, the number of people who share in assuming the costs of medical care depends upon voluntary enrollment of subscribers in a competitive market. Thus, the customers, and not the health insurance and service plans, determine the base for spreading health care costs.

Most consumer groups purchasing prepaid health care coverage cannot afford, or do not choose, to include retired persons and thereby materially increase their costs. Thus, prepayment plans themselves generally are powerless to solve this problem, and will remain so in the foreseeable future. My conviction stems from the experience of our own health plan which is dedicated to the goal of providing health care service to meet public needs on a self-sustaining basis at rates which the bulk of the population can afford.

Greater health care need and lesser ability to pay: It is inescapable that persons in the retired group require institutional care (1) more frequently, (2) for longer periods of time, and (3) have greater need for expensive ancillary services, than the average of the general population.

In our retired population this markedly greater need for hospital and other institutional care is combined with a seriously reduced ability to pay. Many of our retired persons lived through their most productive

years before World War II at much lower price and income levels. Thus, their retirement incomes and capital savings are not commensurate with today's living costs.

Disproportionate rise in health care costs: In the health care field, the problem of retired persons is further compounded because inflation in health care costs has far outpaced general inflation. As an example, from 1946, shortly after our health plan was first opened to the general public, through March of this year, the Consumer Price Index maintained by the Bureau of Labor Statistics rose 65 percent; the total medical care component of the price index rose 82 percent; hospital room rates rose 203.8 percent; and hospital insurance premiums rose 294 percent. During this same period, total revenues required to provide health plan coverage under our program have risen 148 percent.

Financial planners for our health plan anticipate a continuing increase in costs, especially for hospital services, or at least 5 percent per year, compounded.

Factors in the rising cost trend: The rapid rise in the cost of health care services is much more than just price inflation. It is composed of many things. Major factors are scientific and technological developments which greatly increase the effectiveness of medical care but which, regrettably, also increase the expense.

While our Nation can take great pride in the scientific progress which has so increased the effectiveness of medical care, we certainly cannot be satisfied with a medical care economy in which a large proportion of our retired people cannot pay for modern medical care and are (1) deterred from seeking medical help when it could do them the most good, (2) forced to rely on charity or old-age public assistance, and (3) forced to dissipate the savings which are the basis of continued self-sufficiency in order to qualify for public assistance.

These people, whose efforts during their productive years provided the base on which our present economy is built, are caught in circumstances which they did not create and cannot control.

Twenty years of war and cold war, and governmental expenditures for these purposes, have contributed heavily to the erosion of retirement incomes and savings. Other inflationary factors have taken their toll, and in the health care field, cost inflation, compounded by what might be called technological inflation, has completed the sad picture.

It is argued, however, that this picture, though unfortunate, is temporary and will be rectified as more retired persons have basic social security retirement incomes augmented by increasingly widespread retirement income insurance, corporate retirement plans and increasing savings and investments. Assuming reasonable stability in the cost of living, these factors have substance, and the real purchasing power of retirement incomes should gradually improve.

However, nothing in history or in prospect provides any basis for assuming reasonable stability in health care costs. All indications are to the contrary, and unless we develop a truly effective means for distributing the health care costs of the aged over a broad economic base, the increasing costs of serious illness among aged persons, unpredictable in time and magnitude, and not effectively insured, will continue to cast a gloomy shadow over the brilliant developments of our advancing medical care science and technology.

Cost distribution through voluntary prepayment plans will not do the job: Beyond doubt there is an important need to be met—a job of considerable magnitude to be done. Because we prefer voluntary nongovernmental solutions, we would be pleased and gratified if existing nongovernmental means for spreading health care costs—prepayment health insurance or service plans—could meet the requirements of the aged.

I am satisfied that the voluntary plans, including our own, cannot do this, and the best evidence is that they have not been able to do it. Despite many years during which financing of health care services for the aged has been a leading public issue, adequate voluntary health care coverage for this group has not been developed; moreover there is no evidence or basis for expecting that it is about to be developed.

Nongovernmental prepayment plans produce fragmentation of the insurance base: Fragmentation of the base for spreading health care costs is the heart of the problem, yet this fragmentation appears to be inherent in any attempt to spread health care costs through the mechanism of competing voluntary prepayment plans. A health and welfare fund or employer with predominantly younger employees or beneficiaries can obtain health insurance coverage on much more favorable terms than can a group with higher age composition.

The persons responsible for purchasing health coverage for employed groups naturally and properly seek the minimum price for given benefits or the maximum benefits obtainable with the available funds. Thus, segments of the population insurable on favorable terms are broken out from the total population, and the higher utilization of health care services by the remainder produces higher health insurance rates and consequent opportunities for further fragmentation as more groups are able to do better on their own.

The uninsurable remainder: The residue of this fragmentation process are those who do not belong to any group which can obtain health insurance coverage at reasonable rates; predominantly the residue consists of those retired because of age. With markedly less disposable income than the actively employed, markedly greater health care requirements, and no means for spreading their health-care costs over a cross-section of all ages of the population, their health-care needs are not insurable in any meaningful sense through existing voluntary prepayment programs—i.e., adequate prepaid benefits are not available from voluntary plans at premium rates which this segment of the population can realistically be expected to pay.

Voluntary plans cannot reverse the fragmentation process: The basic problem is the spreading of costs over a sufficiently broad base. Can't voluntary plans achieve this? Decidedly not. Voluntary plans deal with their own customers and potential customers—at most, a small segment of the population for any one insurance company or service plan, and a segment of the population which is further subdivided into groups of many different sizes, with diffrent motives, different objectives and different resources. One employer cannot afford to maintain broad health coverage for his retired employees unless competing employers do likewise. The trustees of a health and welfare fund cannot broaden benefits for retired beneficiaries without curtailing benefits for active employees whose labor supports the fund.

When consideration is given to the high and increasing expense of adequate prepaid health care coverage, how can a comparatively young group enjoying broad benefits at favorable rates be expected to surrender this advantage if other similar groups do not do likewise? Reason and experience combine to preclude the expectation that the fragmentation process, which has left the bulk of our retired population with no effective and realistic means for obtaining adequate insurance against health care costs, will be reversed through the process of voluntary negotiation and competitive bargaining in the prepaid health care market.

The health plan's experience: Even our own Kaiser Foundation health plan, which has been keenly aware of this unmet need and is devoted to the objective of meeting public needs in the health care field, has only a partial solution for this problem. Among voluntary prepayment plans our health plan is quite liberal in its policies on aged and retired persons; however, we have always had to maintain restrictions on initial enrollment of persons beyond the age of 60.

(Once accepted for enrollment, either on a group or an individual basis, health plan members are entitled to continue under health plan coverage regardless of age.)

The health plan also encourages groups to maintain their older and retired members as part of the active group, and in groups which are willing to do this, the aged receive the same health care coverage as the younger employees. This is in accordance with the health plan's general policy of advocating a broad base for the spreading of health care costs and resisting practices prevalent in the prepaid health care field which fragment the covered population into small segments—tendencies which finally produce uninsurable segments—a major uninsurable segment being the aged who are no longer employed.

However, comprehensive health care coverage is expensive at best, and the costs of more frequent and more extensive health care for the aged cannot be avoided. Roughly speaking, our health plan would need to triple its rates to cover, on a self-sustaining basis, a group consisting entirely of persons beyond retirement age. With rare exceptions, groups subscribing to health plan coverage are unable or unwilling to assume continuing responsibility for distributing the cost of covering their retired members. Furthermore, the high degree of mobility, among various groups and occupations, of our employed population, prevents group assumption of responsibility from being a general solution.

SOCIAL SECURITY FINANCING IS SOUNDER THAN APPROPRIATIONS FROM GENERAL REVENUES

Clearly the choice faced by this committee and this Congress is not between Government participation or no Government participation, or between tax-based financing and private, voluntary financing arrangements. Government is already deeply involved in financing medical care for aged persons, and there is no reason to doubt that the degree of governmental involvement will increase. In this context the real question is: Will our Nation work toward a reasonably simple, uniform, and financially responsible governmental cost-spreading means which can gradually come to cover basic health services for the bulk of our retired population, or, on the other hand, will we continue to place primary reliance on the patchwork quilt of Federal, State, and local assistance programs based on varying concepts of indigency?

Not a "States rights" or partisan problem: Although I respect and support the right and responsibility of State and local governments to deal in their own fashions with State and local problems, I am satisfied that the problem of fairly distributing aged health care costs is a national problem on which Federal action is appropriate. Incidentally, local autonomy arguments are hardly persuasive in view of Federal influence through fund-matching programs under present indigent health care financing, and in view of the fact that our State Governors, at the 52d annual Governors' con-

ference in 1960, voted more than 2 to 1 in favor of a social security financing approach.

I am also impressed that this is not a partisan issue, because support for social security financing has come from leading Republicans and Democrats alike.

My preference for the social security financing approach is based on two key reasons—one economic and one social.

Responsible financing: Substantial amounts of tax funds are being and will continue to be used for aged medical care. A specific payroll tax spreading this cost over practically all employers and practically the entire working force of our Nation is a simple, sound, and fiscally responsible financing method. Periodic appropriations from general revenues at all governmental levels—with revenues derived mainly from property, sales, and income taxes, and appropriation requests competing directly with fiscal demands for all other governmental purposes—involve a chaotic and irresponsible financing approach whose deficiencies will become increasingly glaring as our Nation's retired population increases and as health care costs continue to rise.

Recognizing that a long transition must occur before social security financing can reduce, to minor proportions, the current aged health care programs financed from general revenues, I urge this committee to approve the King-Anderson bill which I believe represents a sound course for the future.

Dignity through recognition of right: This committee has heard the social argument many times in many forms, and I will not belabor it. Its premises are the dignity of our senior citizens, and their entitlement to share, as a matter of right and not as an act of charity, in the progress of our Nation's economy and technology which has risen from the base which they established during their productive years. The evident conclusion is broad-based financing, with eligibility for services entirely separated from concepts of indigency.

SOCIAL SECURITY FINANCING IS A BASE, NOT A SOLUTION

Both opponents and supporters of the King-Anderson bill are well aware that the benefits provided under this measure—primarily institutional care supplemented by limited out-patient services—do not meet the full need. Indeed there is no pretense that the King-Anderson bill provides a complete solution to the problem of financing health care services for our retired citizens. However, enactment of this program, by covering the core of expensive institutional services, will provide a foundation on which adequate health care coverage through voluntary financing means can be developed—an opportunity for sound and constructive cooperation between the Government and private organizations.

Let me again draw an analogy with the retirement income feature of the basic social security program. For most retired families in most parts of the country, social security benefits, in themselves, provide only a minimum level of retirement income which could hardly be regarded as adequate at today's living costs. However, the retirement incomes provided under social security are the base upon which increasingly widespread retirement plans in business and in industry are built. The common pattern is the development of retirement plans which are "integrated" with social security to supplement the basic minimum social security benefit and provide an adequate level of retirement income through the combination of social security and voluntary supplementation.

Similarly, if expensive institutional health care costs are covered to a large degree through enactment of the King-Anderson program, it then will become feasible for voluntary health insurance and service carriers to arrange supplemental coverage on a voluntary basis to cover the gaps and inadequacies in the basic program. It will also become feasible for group purchasers of health care coverage, such as health and welfare funds, to develop arrangements under which retired beneficiaries of such funds may continue to benefit from broader prepaid coverages which are now generally available only to members of the active groups.

Suggested amendment to King-Anderson bill: Recognizing that the benefits provided under H.R. 4222 are far from complete, and that in many respects this bill will make its most valuable contribution by providing the core on which much more adequate prepaid health benefits can be provided, we wish to suggest that this committee consider an amendment along the lines attached to this statement.

An amendment of this nature will be of great value to social security beneficiaries who may have health care coverage under plans such as the Kaiser Foundation health plan which do not pay claims in money but which arrange for direct hospital and medical care services. The significant point here is that most voluntary prepayment plans operate by paying claims in money, with payments being based on bills from the actual providers of service at the usual fees for the services rendered—e.g., so many dollars for a certain X-ray or laboratory procedure, etc. Plans of this type can adjust benefit schedules readily to supplement the benefit schedules of the King-Anderson program.

There are, however, a considerable number of health care plans, such as the Kaiser Foundation health plan, often described as "comprehensive plans," "group practice prepayment plans" or "direct service plans," which function on a per capita or other nonfee basis and do not pay claims in money. The suggested amendment will make it possible for plans of this type to supplement the benefits of the King-Anderson bill in an effective manner, and it will permit social security beneficiaries who have chosen to enroll in such plans to have their social security health care benefits effectively applied toward meeting the costs of expensive services, with comprehensive coverage tending to minimize institutional care.

CONCLUSION

Morally the United States cannot, and I am convinced politically will not, ignore the increasing medical problem of our retired citizens. From my position in industrial management it is obvious that the economic costs of medical care for the aged will be borne somewhere in the economy. Increasingly through taxation, partially through charity and partially through aid from younger employed family members and consequent diversion of purchasing power from our workers and their families, health care costs beyond the means of our senior citizens will be met; the ultimate impact of these costs will be on the productive portions of the economy—primarily industry, business and the employed or self-employed.

From my experience in the management of a comprehensive prepaid health care program, and with the problems of spreading health care costs, I am satisfied that voluntary cost-spreading organizations cannot, alone, meet the health care needs of retired persons adequately and realistically.

I am convinced that governmental aid in cost distribution, through the simple and proven social security system, coupled with provision of services through private and voluntary organizations, constitutes the most practical and desirable solution yet proposed to this major national problem. Thus, I urge this committee's support of H.R. 4222, the King-Anderson bill.

A CASE FOR SMALL BUSINESS

Mr. HECHLER. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. STEED] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STEED. Mr. Speaker, as one who has long been vitally interested in the welfare of the small business community, I have been greatly concerned as to the questions which have been raised, during the last few months, and the allegations which have been made that subsidies are being paid to small business firms by reason of the small business set-aside provisions of the Small Business Act. These allegations have particularly been made with regard to construction contracts.

As most of you know, the set-aside program, which is conducted by the Small Business Administration, is basically no different now than it was in the days of the Small Defense Plants Corporation. It provides, in substance, that only small firms shall be allowed to bid upon selected contracts where there is enough potential competition among small business firms to result in a contract at a price deemed fair and reasonable by the military buying office.

There are good reasons for these provisions. Those of us who have been concerned with the participation of small business in Government contracts have been saddened to see the ratios of small business participation drop steadily. The reason given is that our weaponry is both more complicated and less of it is being purchased on a quantity basis. We have, therefore, looked to the set-aside program to insure that small firms obtain contracts for which they are qualified; such as in the construction field.

Last year—I think in about November—the set-aside program was extended to the field of military and civil construction. The net result has been that some contracts which previously had been open to all sizes of construction firms were set aside for small firms—those having gross sales of less than $5 million for 3 preceding years.

This exclusion has been resented. Although clearly ineligible, large firms have on occasion sent in bids which they knew the contracting officer could not accept. Where such bids were lower than the lowest small business bid, the large firms have insisted that subsidies were being paid to small firms. In my judgment, the clear purpose of these attacks is to cause construction to be removed from the area of Government procurement in which set-aside for small business can be made—even though this is one field of work in which small business capability is very high.

Although I have reviewed carefully the presentations which have been made to congressional committees, and have read countless letters alleging payment of subsidies under the small business set-aside provisions, I have not seen a single bit of evidence that this is so.

It is perfectly true that whenever bidding is restricted, it is possible that someone who is excluded might have bid less. But it is an established principle of law that an offer which cannot be accepted is not a valid offer and may not be so regarded.

Congress provided for the set-aside program many years ago—and has continued to so provide on numerous occasions since. The temporary legislation of the Small Business Administration was extended, time after time, and more recently, the SBA was established as a permanent agency. In 1958, the act was specifically amended to include construction. It seems evident, therefore, that Congress has conclusively dispelled any doubts that it intended to be restrictive where such action became necessary in order for small business to receive its fair share of Government contracts, and that construction was specifically felt to be within that category.

This point was ably stated by my distinguished colleague from Pennsylvania in recent hearings before the subcommittee of the House Committee on Appropriations. Mr. FLOOD said:

> Why was this law passed? What reason gave birth to it? Why do you have a small business set-aside? The reasons are obvious. Some advantage had to be given to a small business, as Congress defined it, as distinguished from big business. Should it be done? I do not know. Was it done? Yes. Once that decision had been made and once Congress made this philosophical distinction, it follows Q.E.D. that there will be a differential and there must be a differential and a different structure, and you will have a different price outlook and all those things. So, like the night follows day, the result probably inevitably will be that there will be an additional cost, and instead of having Chrysler make a rifle, XYZ company will make it on the set-aside.

I agree completely with this statement. Congress, in providing for the set-aside program, recognized that special provisions were necessary to help small firms participate equitably in Government procurement. Surely, the Congress endorsed the concept that the purchase price would be something other than that arrived at through unrestricted competition. Surely, too, the Congress clearly anticipated that sometimes this execution might result in the payment of a few dollars more to a small firm than the same article or service could be bought from a large firm. Furthermore, Congress presumably meant to assure, by this program, that the "XYZ company" would be available in 5 years to make another rifle, instead of having been put out of business. And here is the real answer to any argument about price differentials. By assuring competition and by avoiding monopolistic tendencies, prices in the long run will unquestionably be lower. Thus, what is alleged to be a subsidy is actually a means of effecting substantial savings to the Government and hence to the taxpayers.

BOARDMAN EXCHANGE LEGISLATION

Mr. HECHLER. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. ULLMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ULLMAN. Mr. Speaker, last year the Congress enacted legislation authorizing an exchange of lands between the United States and the State of Oregon designed to provide the Navy with training facilities which would replace those currently in use at the Boardman Bombing Range in Morrow County, Oreg., and to transfer this area along the Columbia River to the State of Oregon for development of its greater economic potential as a space age industrial park. While the Navy Department approved of this legislation and of the proposed exchange, it subsequently has developed that the alternative site did not meet fully the Navy's training needs. As an alternative the Navy Department and the State of Oregon have agreed upon a new proposal which will serve to meet the Navy's needs and also make available to the State a site adequate for the space age industrial park contemplated by the bill we passed last year.

The Navy Department feels that the new proposal requires modification of the exchange authorization and, in consultation with the Navy and the State of Oregon, the necessary amendatory language has been prepared. I have today introduced a bill containing this language. It should be stressed that the changes proposed are satisfactory to both the Navy Department and the State of Oregon, and I ask leave to include the text of a letter from our Governor expressing the State's approval. As is pointed out, the Navy, the State, and the State's prospective lessee are all anxious to see this transaction consummated and I hope that early and favorable consideration can be given to the clarifying amendments which I am proposing.

Similar legislation is sponsored in the other body by Senators MORSE and NEUBERGER and in this body by my colleague from Oregon [Mr. NORBLAD].

> OFFICE OF THE GOVERNOR,
> *Salem, August 25, 1961.*
>
> Hon. CARL VINSON,
> *Chairman, House Armed Services Committee,*
> *House Office Building,*
> *Washington, D.C.*
>
> DEAR CONGRESSMAN VINSON: During last year's session of Congress, your committee approved an amendment to the military construction authorization bill, which authorized the State of Oregon to acquire the Boardman Bombing Range, Morrow County, Oreg. This authorization contemplated an exchange of State-owned lands for the Boardman site with the State to provide the Navy with a complete substitute bombing range facility. Your action in this matter was sincerely appreciated by the people of the State of Oregon. Subsequently considerable progress has been made in carrying out the exchange plan.
>
> In pursuing the plan as originally contemplated, a serious problem has developed. The site originally selected by the Navy was found to be limited in its usefulness as a training facility. As an alternative, the Navy has submitted a proposal which is acceptable to the State of Oregon and to its prospective lessee. This proposal calls for the Navy to retain a portion of the existing bombing range and to transfer a portion of the range to the State of Oregon in exchange for lands the State will transfer to the Navy. This arrangement will actually expand the Navy's present training potential at Boardman.
>
> The language in the existing act, section 207, Public Law 86-500, is considered by the Navy as too restrictive to permit accomplishment of its alternate or modified proposal. Amendatory language has been prepared by the Navy which provides the Secretary of the Navy with greater flexibility in carrying out the exchange. It retains the protective features incorporated in the original act. A copy of this amendatory language is attached and is satisfactory to the State of Oregon. The approval of the amendatory language at this time is a matter of great urgency, and it is our hope it can be passed during the current session. The Navy, the State of Oregon, and its prospective lessee are most anxious to consummate the transaction.
>
> With your favorable consideration at this time, the transfer which you have previously approved will be greatly facilitated. This transfer will aid our national defense effort, expand our space program, and advance the economic development of the State of Oregon.
>
> May I again express my appreciation to you for further considering this matter.
>
> Sincerely,
>
> MARK O. HATFIELD,
> *Governor.*

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. NORRELL (at the request of Mr. MCCORMACK), for August 28 through August 31, on account of official business.

Mr. STUBBLEFIELD (at the request of Mr. NATCHER), for Monday, August 28, 1961, on account of official business.

Mr. SHELLEY (at the request of Mr. JOHNSON of California), on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. BRAY (at the request of Mrs. MAY), for 30 minutes, on September 7.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to advise and extend remarks, was granted to:

Mr. HECHLER.

Mr. VINSON in two instances, in one to include an address by Mr. KILDAY, and in the other to include correspondence with the Department of Defense.

Mr. MINSHALL and to include extraneous remarks.

(The following Members (at the request of Mrs. MAY) and to include extraneous matter:)

Mr. FINO in two instances.

Mr. VAN ZANDT.

Mr. ALGER in two instances.

Mr. MATHIAS.

Mr. BRAY.

(The following Members (at the request of Mr. HECHLER) and to include extraneous matter:)

Mr. PETERSON.

Mr. O'HARA of Illinois.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1124. An act to provide financial assistance to the States to improve educational opportunities for migrant agricultural employees and their children; to the Committee on Education and Labor.

S. 1130. An act to amend title II of the Public Health Service Act to authorize grants for family clinics for domestic agricultural migratory workers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 1729. An act to promote the foreign commerce of the United States, and for related purposes; to the Committee on Banking and Currency.

S. 2000. An act to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower; to the Committee on Foreign Affairs.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3596. An act to direct the Secretary of the Interior to convey certain lands to Purvis C. Vickers, Robert I. Vickers, and Joseph M. Vickers, a copartnership doing business as Vickers Brothers.

H.R. 6765. An act to authorize acceptance of an amendment to the articles of agreement of the International Finance Corporation permitting investment in capital stock.

H.R. 8599. An act to amend various sections of the Atomic Energy Act of 1954, as amended, and the Euratom Cooperation Act of 1958, and for other purposes.

H.J. Res. 438. Joint resolution to amend the Securities Exchange Act of 1934 so as to authorize and direct the Securities and Exchange Commission to conduct a study and investigation of the adequacy, for the protection of investors, of the rules of national securities exchanges and national securities associations.

H.J. Res. 544. Joint resolution making continuing appropriations for the fiscal year 1962, and for other purposes.

ADJOURNMENT

Mr. HECHLER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 57 minutes p.m.) the House adjourned until tomorrow, Tuesday, August 29, 1961, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1259. A letter from the Secretary of Labor, transmitting a draft of a proposed bill entitled "A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination"; to the Committee on Education and Labor.

1260. A letter from the Administrator, General Services Administration, transmitting the report of the Archivist of the United States on records proposed for disposal under the law; to the Committee on House Administration.

1261. A letter from the Administrator, General Services Administration, transmitting a report on tort claims paid by the General Services Administration during fiscal year 1961, pursuant to title 28, section 2673, of the United States Code; to the Committee on the Judiciary.

1262. A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, transmitting the quarterly report of Federal contributions for the quarter ending June 30, 1961, pursuant to the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

1263. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report designed to provide the Committee on Science and Astronautics of the House of Representatives with the information outlined in section 4 of the act of June 1, 1960 (74 Stat. 151, 152), pursuant to rule XL of the House of Representatives; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of August 23, 1961, the following bills were reported on August 25, 1961:

Mr. McMILLAN: Committee on the District of Columbia. H.R. 5968. A bill to amend the District of Columbia Unemployment Compensation Act, as amended; with amendment (Rept. No. 1038). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 6747. A bill to amend the Juvenile Court Act of the District of Columbia; without amendment (Rept. No. 1041). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of August 24, 1961, the following bills were reported on August 25, 1961:

Mr. SPENCE: Committee on Banking and Currency. H.R. 8762. A bil to amend the Small Business Act to increase the amount available for regular business loans thereunder; without amendment (Rept. No. 1039). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on Banking and Currency. H.R. 8870. A bill to amend the Small Business Investment Act of 1958, and for other purposes; without amendment (Rept. No. 1040). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of August 24, 1961, the following bill was reported on August 26, 1961:

Mr. ZABLOCKI: Committee on Foreign Affairs. H.R. 8617. A bill to authorize the payment of the balance of awards for war damage compensation made by the Philippine War Damage Commission under the terms of the Philippine Rehabilitation Act of April 30, 1946, and to authorize the appropriation of $73 million for that purpose; without amendment (Rept. No. 1042). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted August 28, 1961*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JONES of Alabama: Committee on Public Works. S. 931. An act to repeal that part of the act of March 2, 1889, as amended, which requires that grantors furnish, free of all expenses to the Government, all requisite abstracts, official certifications, and evidences of title; without amendment (Rept. No. 1043). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Alabama: Committee on Public Works. H.R. 8355. A bill to authorize executive agencies to grant easements in, over, or upon real property of the United States under the control of such agencies, and for other purposes; with amendment (Rept. No. 1044). Referred to the Committee of the Whole House on the State of the Union.

Mr. RUTHERFORD: Committee on Interior and Insular Affairs. House Joint Resolution 459. Joint resolution to provide for the preservation and protection of certain lands in Prince Georges and Charles Counties, Md., and for other purposes; with amendment (Rept. No. 1045). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. S. 1501. An act to authorize the Secretary of the Interior to contract for the sale, operation, maintenance, repair, or relocation of Government-owned electric and telephone lines and other utility facilities used for the administration of the Bureau of Indian Affairs; without amendment (Rept. No. 1046). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. S. 1807. An act to authorize the disposition of land no longer needed for the Chilocco Indian Industrial School at Chilocco, Okla.; with amendment (Rept. No. 1047). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. S. 2016. An act to give to the Walker River Paiute Tribe the reserve minerals underlying its reservation; without amendment (Rept. No. 1048). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. S. 2216. An act to authorize the transfer of three units of the Fort Belknap Indian irrigation project to the landowners within the project; without amendment (Rept. No. 1049). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLATNIK: Committee on Public Works. H.R. 8320. A bill to amend the Freeport Harbor project, Texas; without amendment (Rept. No. 1050). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLATNIK: Committee on Public Works. H.R. 7854. A bill to modify the project for the Duluth-Superior Harbor, Minn. and Wis., to provide for the abandonment of the 21st Avenue west channel, and for other purposes; without amendment (Rept. No. 1051). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLATNIK: Committee on Public Works. H.R. 157. A bill to change the name of the Playa del Rey Inlet and Harbor, Venice, Calif., to the "Marina del Rey Small Craft Harbor, Los Angeles, Calif."; with amendment (Rept. No. 1052). Referred to the House Calendar.

Mr. DAWSON: Committee on Government Operations. H.R. 8429. A bill to establish a Department of Urban Affairs and Housing and for other purposes; with amendment (Rept. No. 1053). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT of Florida:

H.R. 8912. A bill to establish a Foreign Specialist Corps to provide skilled personnel for oversea programs of the U.S. Government; to the Committee on Foreign Affairs.

By Mr. BROYHILL:

H.R. 8913. A bill to encourage and aid the development of reconstructive medicine and surgery and the development of medico-surgical research by authorizing the licensing of tissue banks in the District of Columbia, by facilitating ante mortem and post mortem donations of human tissue for tissue bank purposes, and for other purposes; to the Committee on the District of Columbia.

By Mr. BREEDING:

H.R. 8914. A bill to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended; to the Committee on Agriculture.

By Mr. BURKE of Massachusetts:

H.R. 8915. A bill to amend the Railroad Retirement Act of 1937 to provide reduced annuities to male employees who have attained age 62, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McCORMACK:

H.R. 8916. A bill to authorize grants for planning and carrying out a project of construction for the expansion and improvement of the facilities of George Washington University Hospital in the District of Columbia; to the Committee on Interstate and Foreign Commerce.

By Mrs. NORRELL:

H.R. 8917. A bill to prohibit the shipment in interstate or foreign commerce of articles imported into the United States from Cuba, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PRICE:

H.R. 8918. A bill to establish a U.S. Disarmament Agency for World Peace and Security; to the Committee on Foreign Affairs.

By Mr. SAUND:

H.R. 8919. A bill to amend the Sugar Act of 1948, as amended; to the Committee on Agriculture.

By Mr. SCHWENGEL:

H.R. 8920. A bill to authorize the Secretary of the Interior to acquire the Graff House site for inclusion in Independence National Historical Park, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 8921. A bill to provide for the annual audit of bridge commissions and authorities created by act of Congress, for the filling of vacancies in the membership thereof, and for other purposes; to the Committee on Public Works.

By Mr. SPENCE:

H.R. 8922. A bill to amend the Small Business Act to increase by $20 million the amount available for regular business loans thereunder; to the Committee on Banking and Currency.

By Mr. ULLMAN:

H.R. 8923. A bill to amend section 207 of the Military Construction Act of 1960 in order to clarify the authority granted under such section to the Secretary of the Navy to exchange certain lands owned by the United States for lands owned by the State of Oregon; to the Committee on Armed Services.

By Mr. NORBLAD:

H.R. 8924. A bill to amend section 207 of the Military Construction Act of 1960 in order to clarify the authority granted under such section to the Secretary of the Navy to exchange certain lands owned by the United States for lands owned by the State of Oregon; to the Committee on Armed Services.

By Mrs. BLITCH:

H.R. 8925. A bill to amend the Fair Labor Standards Act of 1938 to authorize the Secretary of Labor to exempt certain industries from its application; to the Committee on Education and Labor.

By Mr. BONNER:

H.R. 8926. A bill to amend the Fair Labor Standards Act of 1938 to authorize the Secretary of Labor to exempt certain industries from its application; to the Committee on Education and Labor.

By Mr. DOWNING:

H.R. 8927. A bill to amend the Fair Labor Standards Act of 1938 to authorize the Secretary of Labor to exempt certain industries from its application; to the Committee on Education and Labor.

By Mr. MATTHEWS:

H.R. 8928. A bill to amend the Fair Labor Standards Act of 1938 to authorize the Secretary of Labor to exempt certain industries from its application; to the Committee on Education and Labor.

By Mr. SIKES:

H.R. 8929. A bill to amend the Fair Labor Standards Act of 1938 to authorize the Secretary of Labor to exempt certain industries from its application; to the Committee on Education and Labor.

By Mrs. BLITCH:

H.R. 8930. A bill to amend the Fair Labor Standards Act of 1938 to continue in effect the exemption for shellfish processing as contained in such act prior to the Fair Labor Standards Amendments of 1961; to the Committee on Education and Labor.

By Mr. BONNER:

H.R. 8931. A bill to amend the Fair Labor Standards Act of 1938 to continue in effect the exemptions for shellfish processing as contained in such act prior to the Fair Labor Standards Amendments of 1961; to the Committee on Education and Labor.

By Mr. DOWNING:

H.R. 8932. A bill to amend the Fair Labor Standards Act of 1938 to continue in effect the exemptions for shellfish processing as contained in such act prior to the Fair Labor Standards Amendments of 1961; to the Committee on Education and Labor.

By Mr. MATTHEWS:

H.R. 8933. A bill to amend the Fair Labor Standards Act of 1938 to continue in effect the exemptions for shellfish processing as contained in such act prior to the Fair Labor Standards Amendments of 1961; to the Committee on Education and Labor.

By Mr. SIKES:

H.R. 8934. A bill to amend the Fair Labor Standards Act of 1938 to continue in effect the exemptions for shellfish processing as contained in such act prior to the Fair Labor Standards Amendments of 1961; to the Committee on Education and Labor.

By Mr. HERLONG:

H.R. 8935. A bill to create the Freedom Commission and the Freedom Academy; to research and develop an integrated, operational science to win the nonmilitary part of the global struggle between freedom and communism; and to train Government personnel, private citizens, and foreign students in this science; to the Commerce on Un-American Activities.

By Mr. JUDD:

H.R. 8936. A bill to create the Freedom Commission and the Freedom Academy; to research and develop an integrated, operational science to win the nonmilitary part of the global struggle between freedom and communism; and to train Government personnel, private citizens, and foreign students in this science; to the Committee on Un-American Activities.

By Mr. ROGERS of Florida:

H.R. 8937. A bill to create the Freedom Commission and the Freedom Academy; to research and develop an integrated, operational science to win the nonmilitary part of the global struggle between freedom and communism; and to train Government personnel, private citizens, and foreign students in this science; to the Committee on Un-American Activities.

By Mr. BASS of Tennessee:

H.R. 8938. A bill to provide a more definitive tariff classification description for lightweight bicycles; to the Committee on Ways and Means.

By Mr. JOHNSON of Wisconsin:

H.R. 8939. A bill to amend section 203(j) of the Federal Property and Administrative Services Act of 1949 so as to provide that certain surplus property of the United States shall be offered for sale to the States; to the Committee on Government Operations.

By Mr. LIBONATI:

H.R. 8940. A bill to amend the provisions of title 28 of the United States Code relating to the disqualification of judges of U.S. district courts for personal bias or prejudice; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 8941. A bill to authorize acceptance of the gift made to the United States by the will of Esther Cattell Schmitt; to the Committee on the Judiciary.

By Mr. THOMPSON of Louisiana:

H.R. 8942. A bill to require the expenditure of 75 percent of the funds expended for the conversion, alteration, and repair of naval vessels to be expended with private ship repair yards; to the Committee on Armed Services.

By Mr. QUIE:

H.R. 8943. A bill to establish a U.S. Disarmament Agency for World Peace and Security; to the Committee on Foreign Affairs.

By Mr. CORMAN:

H.J. Res. 545. Joint resolution extending recognition to the International Exposition for Southern California in the year 1966 and authorizing the President to issue a proclamation calling upon the several States of the Union and foreign countries to take part in the exposition; to the Committee on Foreign Affairs.

By Mr. HOSMER:

H.J. Res. 546. Joint resolution extending recognition to the International Exposition for Southern California in the year 1966 and authorizing the President to issue a proclamation calling upon the several States of the Union and foreign countries to take part in the exposition; to the Committee on Foreign Affairs.

By Mr. NYGAARD:

H.J. Res. 547. Joint resolution proposing an amendment to the Constitution of the United

States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H. Res. 438. Resolution relating to payments from the contingent fund of the House of Representatives for official office expenses of Members of Congress incurred outside the District of Columbia; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. SHELLEY:

H.R. 8944. A bill for the relief of Ernest L. Crosley; to the Committee on the Judiciary.

By Mr. BROYHILL:

H.R. 8945. A bill for the relief of Mrs. Custys H. Hightower; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 8946. A bill for the relief of Mary R. Galotta; to the Committee on the Judiciary.

H.R. 8947. A bill for the relief of Harry A. Sebert; to the Committee on the Judiciary.

By Mr. LANKFORD:

H.R. 8948. A bill for the relief of Soterios Bairaktaris and his wife, Efthemia Bairaktaris; to the Committee on the Judiciary.

By Mr. ROUDEBUSH:

H.R. 8949. A bill for the relief of Dr. Hector S. Quiambao, his wife Evangelina Quiambao, and their children, Victor Filamer Quiambao and Gilmar Quiambao; to the Committee on the Judiciary.

By Mr. BELL:

H.J. Res. 548. Joint resolution to authorize the President of the United States to confer a medal on Danny Kaye; to the Committee on Banking and Currency.

By Mr. CORMAN:

H.J. Res. 549. Joint resolution to authorize the President of the United States to confer a medal on Danny Kaye; to the Committee on Banking and Currency.

By Mr. KEOGH:

H.J. Res. 550. Joint resolution authorizing the awarding of a gold medal to Danny Kaye; to the Committee on Banking and Currency.

By Mr. MULTER:

H.J. Res. 551. Joint resolution authorizing the awarding of a gold medal to Danny Kaye; to the Committee on Banking and Currency.

EXTENSIONS OF REMARKS

Teachers for the Deaf

EXTENSION OF REMARKS
OF

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, August 28, 1961

Mr. MATHIAS. Mr. Speaker, on August 22 and 23 the House Subcommittee on Special Education held hearings to consider legislation on aid to the handicapped. Among the bills considered was H.R. 7376, a bill to establish a special training program for teachers of the deaf. This important legislation would make available to deaf children specially trained teachers, and in addition would provide individuals suffering from speech and hearing impairments with specially trained speech pathologists and audiologists to help them overcome their handicap and live a richer, fuller life. I have always been deeply concerned with the problems of the deaf, and H.R. 7376 would make available to children who are handicapped by deafness the specially trained teachers of the deaf needed to help them overcome their handicaps.

I have a very personal interest in this bill. The Maryland State School for the Deaf is located in my hometown of Frederick, Md. All of my life I have known members of the faculty and the students of the school. My father has been a member of the board of visitors for nearly 40 years. I have been familiar, therefore, with the problems of education of the deaf and with the potential for human progress that such training promises mankind. Many students of the Maryland School for the Deaf have remained in Frederick after graduation, and through the years they have been constructive citizens of the community.

I believe that H.R. 7376 is but a modest beginning to meet our country's increased demand to provide for the proper training of deaf children.

It is impossible to estimate the exact number of persons who require specially trained teachers in order to learn the art of simple communication. There are presently, however, over 26,500 students enrolled in classes for deaf persons, all of whom became deaf before they acquired language. A qualified teacher can enable these children to obtain various skills of communication due to the inherent ability of all children to learn. The amount of success obtained in teaching speech skills to these children is primarily dependent on the professional ability and training of the child's teacher. In 1954, the U.S. Office of Education reported that teachers of the deaf ranked first in "difficulty of securing" and there is no indication that this need has lessened.

A recent survey report by the Council of Education of the Deaf revealed the following:

School year	Teachers needed	Teachers in training graduated in the previous year	Shortage	Number of training centers	Number of training centers reporting no students
1958–59	[1] 516	138	378	25	0
1959–60	[1] 511	127	384	25	4
1960–61	[1] 549	177	372	25	4
1961–62	[2] 653	199	[2] 454	30	5

[1] Responses from 233 of the 380 schools and classes for the deaf in the United States.
[2] Responses from 269 of the 400 schools and classes for the deaf in the United States.

The following additional information was furnished also:

First. Although there are 199 teachers-in-training in all 30 of the training centers this year, those responding to the questionnaire indicated that they have been able to secure 290 trained teachers for next year. This would indicate that 91 trained teachers who have not been teaching this school year have been brought back to active status. Even at that there remains a shortage of 363 teachers for the school year beginning September 1961.

Second. Two hundred and eight schools and classes indicate that they expect to expand their programs during the next 5 years to accommodate more children; 46 indicated that they do not expect to expand and 15 were uncertain.

Third. Of the 208 schools and classes who indicated that they do expect to expand their program, they report that they will need 606½ additional teachers over and above their present teaching staff to take care of the expansion.

The Office of Vocational Rehabilitation has estimated that 27,300 competent professional teachers are needed; 20,000 of these are needed to train children. To train our schoolchildren alone we need to provide 1,500 speech pathologists and audiologists each year for 10 years, and presently we are training less than 400 per year. These numbers include teachers of the deaf only and do not include personnel needed for research nor personnel needed to train the teacher.

This serious shortage of qualified teachers is due in part to a lack of adequate State programs. It seems at this time that a program of Federal assistance is vitally needed in order to provide deaf children with the opportunity to overcome their handicap.

H.R. 7376 provides for an annual payment of $1.5 million for 2 years and such other sums as may be required for an additional 8 years for educational costs and scholarships for teachers of the deaf in nonprofit institutions of higher learning.

The bill also establishes a 10-year program for educational costs and scholarships for speech pathologists and audiologists at institutions of higher education that provide the comprehensive training needed to train teachers for deaf children.

The bill is supported by the National Council on the Education of the Deaf. The council is made up of three organizations directly concerned with education of the deaf: The Convention of American Instructors of the Deaf, the Conference on Executives of American Schools for the Deaf, and the Alexander Graham Bell Association for the Deaf, Inc.

In the neighborhood of the National Capital we have reason to be constantly aware of the great work being done in the education of the deaf. As I have said, the Maryland School for the Deaf is in nearby Frederick, Md. Gallaudet College is located in the District of Columbia. Both are adding many useful new citizens to our communities each year. In my long personal acquaintance with the Maryland School for the Deaf and with its superintendent, Mr. Lloyd

A. Ambrosen, I have been consistently impressed with the fine record of accomplishment at this school. Such records of public service could be multiplied and improved throughout the country by passage of H.R. 7376 and I sincerely hope that the House will have an opportunity to approve this vital legislation.

Flags of Convenience in National Defense

EXTENSION OF REMARKS
OF
HON. CARL VINSON
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 28, 1961

Mr. VINSON. Mr. Speaker, the current maritime strike has as one of its principal issues the question of flags of convenience. I am advised that ships totaling approximately 10 million deadweight tons have been constructed by private American capital and are now under foreign registry in Panama, Liberia, and Honduras. Such ships are referred to as flags of convenience.

From a standpoint of national defense, these ships can be recovered for our national needs in the event of a national emergency. However, we are facing a situation under which the owners of these tankers and bulk-cargo carriers may sell or make an outright transfer of these ships to foreign countries. In that event, the right of recovery of these ships in a national emergency would cease to exist.

Since we do not have, under American registry, sufficient tonnage of this type of ship to meet the requirements of national defense in times of national emergency, it is both important and urgent that we adopt a national policy which will protect the national interest.

This situation has led to an exchange of correspondence between the Deputy Secretary of Defense, Hon. Roswell Gilpatric, and me. In view of the importance of this matter to the national interest, I feel it both proper and necessary to bring this correspondence to the public attention. The Deputy Secretary has agreed to the necessity and propriety of this course of action.

The exchange of correspondence was as follows:

THE SECRETARY OF DEFENSE,
Washington, August 24, 1961.

DEAR MR. CHAIRMAN: I would like to put before you the interest of the Department of Defense in the flags-of-convenience question, one of the issues in the dispute that led to the maritime strike of last spring.

The Taft-Hartley injunction against the continuance of the maritime strike will expire September 20, and if the dispute is not resolved by that time, the strike is likely to be resumed by the west coast unions. If this should happen and the strike should continue, we are advised that some owners of flags-of-convenience vessels may sell the ships to foreign uncontrolled registries.

Because of the effect which such a transfer of tonnage out of U.S. control would have on defense needs in the event of a national emergency, we asked the Secretary of the Navy to review its requirements for flags-of-convenience vessels in the event of war. The Navy has done so and has confirmed its previous position that it is imperative that "U.S. effective control of flags-of-convenience shipping be retained." That position has been adopted as the Defense Department's position in the matter, and the Secretary of State and the Secretary of Labor have been so informed. A complete statement of that position is as follows:

"1. The primary interest of the Department of Defense in flags-of-convenience shipping relates to the impact of our national defense posture and this interest is to insure the availability under U.S. control of as much of this shipping as may be needed in the event of national emergency. The amount of active U.S.-flag shipping now available is inadequate for almost any situation of war or emergency and must be augmented by shipping which can be brought under our direct control as required in the event of an emergency.

"2. It is considered imperative that U.S. effective control of flags-of-convenience shipping be retained. Further, it is considered that such flags-of-convenience shipping as is covered by agreements or contracts with owners can be brought under our operational control as was done in World War II.

"3. This dependence on effective control of flags-of-convenience shipping for emergency use is an expedient. It would be much more desirable to have adequate U.S.-flag tonnage available. However, this ideal situation does not exist, and until enough U.S.-flag tonnage is available, we will need to rely on flags-of-convenience ships.

"4. Until such time as our national emergency needs can be completely met by modern American-flag shipping, the Department of Defense has no recourse but to support the flags-of-convenience concept. The possible loss of the shipping capability represented by American-owned shipping of Panlibhon registry to uncontrolled registries is of great concern to the Department of Defense."

In view of Defense interest in having available sufficient merchant tonnage for military shipping tonnage in emergency situations we would like to see established a national policy based on the above position, and the Secretary of Labor has informed me that he agrees with this view. Therefore, without taking sides in the current labor-management controversy in the maritime industry, the Defense Department intends to do all it can to have its position adopted as national policy.

Believing that you will share our concern in a matter of this importance to U.S. national security, I would appreciate an expression of your own views in this matter.

Sincerely,

ROSWELL L. GILPATRIC,
Deputy Secretary of Defense.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, D.C., August 25, 1961.

Hon. ROSWELL GILPATRIC,
Deputy Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: Thank you for your letter of August 24 wherein you outline the interest of the Department of Defense in the flags-of-convenience question, and the possible adverse impact which this question could have upon our national defense capabilities in the event of an emergency.

Inasmuch as the Taft-Hartley injunction will expire on September 20, and none of us can predict developments beyond that date, it is quite obvious that this matter is of the highest importance in defense considerations. By this same token, I deem the prompt adoption of a firm national policy on this matter to be of equal importance.

As you point out, such action is required in the national interest. I want you to know that I fully agree with the national policy position which you propose and urge you to pursue its adoption at the highest levels of government as promptly as possible.

This matter transcends the interests of any individual or group and it is my judgment that our exchange of correspondence on the subject should be made a matter of public record. Accordingly, I propose to insert this correspondence in the CONGRESSIONAL RECORD and would appreciate your expression as to that proposed course of action.

Sincerely,

CARL VINSON,
Chairman.

Hurrah for Huntington

EXTENSION OF REMARKS
OF
HON. KEN HECHLER
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 28, 1961

Mr. HECHELR. Mr. Speaker, I am bursting with pride for my hometown of Huntington, W. Va. I call attention to the fact that a most significant event took place on Saturday night in Carnegie Hall, New York City. In the contest to choose "Miss U.S.A.," the winner was Miss Joann Odum of the fair city of Huntington, W. Va.

Miss Odum, a striking 19-year-old brunette, is a graduate of Huntington East High School and attended Marshall University. She is a stately 5 feet 7 inches tall, and weighs 125 pounds. By winning the title of "Miss U.S.A.," Miss Odum will qualify for the competition for "Miss World" which will take place in London, England, in November.

I am particularly proud to announce this great honor to my colleagues for a number of reasons. In 1957, I was one of the judges of the "Miss Armed Forces" contest in Huntington, at which time we chose Miss Joann Odum as the winner even though she was then only a high school student. Miss Odum has poise, charm, and intelligence in addition to her striking beauty.

In addition to her other attributes, Miss Odum has a keen interest in democracy and freedom. On her own volition several years ago, she performed volunteer work in my congressional office. I would like to say to my colleagues that certainly this volunteer work contributed nothing to her winning the "Miss U.S.A." title, but I am happy to note that it did not seem to handicap Miss Odum in being chosen the winner.

I know from time to time various Members have urged that severe limitations be placed on information included in the CONGRESSIONAL RECORD. Mr. Speaker, because I have such a high regard for my friend and colleague from Missouri, the Honorable PAUL C. JONES, who has frequently cautioned us against unnecessary information in the RECORD, I personally consulted with the gentleman from Missouri, Congressman JONES, immediately prior to making these remarks. I am pleased to report that Congressman JONES wholeheartedly endorses my desire to publicize this outstanding

feat performed by Miss Odum. He agrees that it is not every day that a "Miss U.S.A." is chosen from one's own hometown.

Mr. Speaker, I have frequently called attention to the fact in a series of speeches that West Virginia is being shortchanged in defense appropriations and contracts. I am proud that the selection of Miss Odum proves once again, Mr. Speaker, that West Virginia will never be shortchanged in beauty.

Summary of Poll Results

EXTENSION OF REMARKS
OF
HON. WILLIAM G. BRAY
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 28, 1961

Mr. BRAY. Mr. Speaker, in recent weeks I have conducted an opinion poll among the voters of the Seventh District of Indiana. The tabulation, which I now submit, will be of interest and significance to my colleagues.

Indiana voters overwhelmingly favor a strong, determined stand against communism, whether in Berlin, Red China, Cuba, or elsewhere.

The tabulation shows that 96 percent said we should resist Communist attempts to force us out of West Berlin. Most of these replies were received before the recent border closing. Only 2 percent disapprove of such a stand and 2 percent expressed no opinion. In response to a similar question last year, 95 percent replied that we should not abandon West Berlin.

Eighty-seven percent of the replies affirm our continued opposition to United Nations membership for Communist China. Ten percent say we should not oppose Peiping's admission and 3 percent did not respond. Last year, 85 percent said the United States should not recognize Red China.

On a multiple-choice question concerning Cuba, 87 percent expressed disapproval of the tractor-prisoner exchange, which was abandoned by its proponents after the questionnaire was distributed. Seventy-nine percent favor an economic embargo against Cuba and 48 percent would favor sending U.S. troops to displace the Castro government if necessary. Thirty-six percent are opposed to sending troops and 16 percent declined to give a "yes" or "no" answer.

With regard to our foreign aid program, two-thirds of those who replied want to see it sharply reduced or ended. Forty-six percent favor cutting it sharply and 20 percent want it completely ended. Twenty-one percent favor a continuation of the program at recent levels and 6 percent believe it should be increased. The remaining 7 percent did not indicate an answer.

Seventh District voters reiterated their previous misgivings concerning Federal aid to education. Seventy percent of the replies expressed opposition to Federal aid to be used for teachers' salaries in the schools and 56 percent opposed Federal assistance for school construction. Only 23 percent expressed approval of federally supported teachers' salaries and 40 percent backed construction aid. The balance of the replies failed to indicate their opinions.

Only 30 percent favor a program of medical care for persons over age 65 tied into the social security system. Sixty-seven percent opposed this suggestion, and 3 percent were undecided. In response to a similar question last year 36 percent were in favor and 57 percent were opposed.

There is widespread interest in tariff legislation to protect domestic industries from the competition of products made in countries with low labor standards. Seventy-four percent supported such legislation; 21 percent were opposed and 5 percent expressed no opinion. A similar response was received on this question last year.

The House Committee on Un-American Activities, the subject of some criticism in recent months, received a strong vote of confidence in the replies received. Eighty-nine percent believed it should continue its investigations, 7 percent are opposed, and 4 percent did not reply.

The response to this year's questionnaire is much higher than it has been to any I have distributed in previous years. There is evidence of a growing interest among the people about the international questions which have become so threatening in recent months. Many voters amplified their replies with letters expressing their concern over the increasing aggressiveness of Khrushchev and the Communist world.

I know that many Members of the House send questionnaires to their constituents. I believe they have found, as I have, that these polls give some significant guide to voter sentiment. Beyond that I have found that they tend to encourage discussion and thinking among the citizenry about the vital questions of today. I am deeply gratified by the attention my constituents have given these questions.

The results of the poll follow:

Final summary of opinion poll conducted by Congressman William G. Bray, 7th District, Indiana

Do you favor—	Percent		
	Yes	No	No opinion
1. In our relations with Cuba:			
(a) Agreeing to the tractor-prisoner exchange?	3	87	10
(b) Economic embargo on all goods?	79	10	11
(c) Sending troops to displace Castro and the Communists?	48	36	16
2. Continuing U.S. opposition to the admission of Red China in the U.N.?	87	10	3
3. Foreign aid appropriations:			
(a) Continued at present levels?	21		
(b) Cut sharply?	46		7
(c) Expanded?	6		
(d) Ended?	20		
4. Stronger laws to protect domestic industries from competition of products imported from countries with cheap labor standards?	74	21	5
5. Increase in social security taxes to provide a compulsory Government program for medical care of persons over 65?	30	67	3
6. Continuing to resist Communist attempts to force us to withdraw from West Berlin?	96	2	2
7. Federal tax money being used to aid States in—			
(a) School construction?	40	56	4
(b) Teachers' salaries?	23	69	8
8. Permitting the Un-American Activities Committee to continue its investigations?	89	7	4

Will the Callup of Reserve Units Deprive Us of Needed Skills?

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, August 28, 1961

Mr. ALGER. Mr. Speaker, there are none who would oppose calling up the men needed to maintain our military strength, if, indeed, the present crisis in Berlin demands building up our manpower. It is a tribute to the patriotism of our young Americans that they have accepted the President's call for sacrifice on their part with as little complaint as has been exhibited to date. Americans have never failed the call to duty and this generation will be no different. There is a grave question, however, in my mind as to whether or not the hurry-up call may be hurting our buildup in other ways.

From a news story in the Washington Sunday Star I quote the following excerpt. The story deals with the calling up of Naval Air Patrol Squadron 661, Anacostia Naval Air Station. I call your attention in particular to the following quote from the article:

> Officials say the squadron is typical of the activated units. If it is, the communities in which the newly activated men live are losing some of their best citizens.
>
> Squadron 661 has more degrees than men.
>
> In civilian life its members are highly trained aviation engineers, chemists, civil engineers, test pilots, lawyers, aviation design experts, missile technicians, college instructors, electronic toolers, and other highly skilled professional men.

Mr. Speaker, do we have such a surplus of highly skilled people in the very fields in which we are trying to maintain a lead over the Communist nations that we can now afford to pull these men out of civilian life? Unless we are now prepared to immediately challenge the Communist aggression, it seems to me we would be wiser to keep from depleting our manpower in technical fields where these skilled men would be serving a far more useful purpose.

Hon. Paul J. Kilday, Speech Before VFW Convention, Miami, Fla., August 24, 1961

EXTENSION OF REMARKS
OF
HON. CARL VINSON
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 28, 1961

Mr. VINSON. Mr. Speaker, a brilliant and thought-stimulating address was delivered by the very distinguished gentleman from Texas, the Honorable PAUL J. KILDAY, before the convention of the Veterans of Foreign Wars in Miami, Fla., on August 24, 1961.

In the very near future, the Honorable PAUL J. KILDAY will leave the Congress of the United States to assume his judicial role as a judge of the Court of Military Appeals. The loss to the Congress is inestimable, but the gain to the Court of Military Appeals is beyond measure.

The advice contained in the address of the Honorable PAUL J. KILDAY is eminently sound. I commend his remarks to all who concern themselves about the future of our national security:

ADDRESS OF PAUL J. KILDAY BEFORE VETERANS OF FOREIGN WARS, AUGUST 24, 1961

National Commander Connell, distinguished guests, ladies, and gentleman.

For me to be here with you on this occasion is in itself a most rewarding experience, but to be here as the recipient of an award from the Veterans of Foreign Wars is an honor beyond anything that I might have hoped could befall me. I am sincerely humble and grateful.

But it would be less than candid of me if I did not say that this award is undoubtedly the result of fortuitous circumstances over which I had nc control.

It is due to the fac' that when I first came to the Congress of the United States, I was assigned to the Military Affairs Committee, and the additional fact that the Congress utilizes the much criticized seniority system, which always seems to become more plausible and reasonable as a Member's seniority increases.

In those troublesome times when I first came to Congress, which seem halcyon today by comparison, San Antonio, Tex., was a relatively quiet part of the great Southwest, dedicated primarily to the Army Air Corps, Fort Sam Houston, and an Army hospital.

But, I am sure it was the proximity of those military installations and not any particular talent displayed by me, that determined my being assigned to the Military Affairs Committee.

I say this because my service in the Congress thereafter, from 1939 to date, while not exclusively dedicated to the uniformed services and particularly to the men and women who compose our armed services, at least has accounted for more than a major share of the attention I have given to legislative matters. Thus, you honor me today far beyond anything that I deserve for circumstances beyond my control and for my having merely performed my congressional duties in a way that I hoped would reflect some credit upon my district, and at least keep me from being held in disdain by my constituents. Regardless of the reason, I sincerely appreciate the honor.

Thus, it is with great and, I hope, understandable pride that I accept this award from the Veterans of Foreign Wars.

Your organization has continuously adhered to traditions in which you can all take personal pride. You have never vacillated.

Throughout your history you have stood fast for a sound and adequate national defense and a consistent, strong, and stable force. Among other things you have an unchanging record of support for civilian control of the armed services and the maintenance of the great and time-tested Joint Chiefs of Staff concept.

It is my firm conviction that these principles of military organization constitute the proper military posture for our country.

Thus, I can say, with great sincerity, that your support has been and, I am convinced, will continue to be, a source of substantial strength to our national security and to the men and women who constitute our Armed Forces.

I am now in the position of completing my congressional career in order to begin a judicial career. It is, I suppose, somewhat paradoxical that one part of my public service must end in order that another may begin.

This also puts me in a painful dilemma for I leave a life which I have enjoyed more each year. Among other things, it has been a life in which I have had daily association with the finest men and women America produces—the men and women who serve or have served in our Armed Forces.

Now, I shall enter a new life, that of the jurist who will be exposed for the most part, I presume, to those who have run afoul of military law. These will, I suppose, consist of the misfits, or at least the misguided and the unfortunates who constitute such a very small minority of our armed services.

But in this Nation of ours, the great and the small, the important and the unimportant, the general and the private, the corporal and the colonel, the wrongdoer and the do-gooder, the misfit and the suited, the wise and the foolish, all are equal in the eyes of the law.

And, in order to insure that this philosophy of our way of life is carried into military justice, the Congress of the United States saw fit to write into law the Uniform Code of Military Justice.

I must confess that when I participated in the writing of the law, I never envisioned that I might be called upon at some future date to participate in construing various provisions of that code.

Nevertheless, now I am about to embark on a new career dedicated to the proposal that justice does not cease for any American when he enters the armed services.

I enter a career dedicated to the proposition that, while a military organization must of necessity function differently than ordinary civilian pursuits, nevertheless, certain fundamental concepts of justice are preserved and must prevail in America, even in a military organization.

But I shall not further bore you with my rambling observations on the career in which I am about to embark. Instead, I would like to briefly pass on to you my observations about the structure of the military organization with which I have been dealing for the past 21 years.

When I was elected to the Congress of the United States in 1938, we had an Army of 185,488. This, of course, included the Air Corps. We had a Navy of 119,088, and a Marine Corps of 18,356.

One year later, in 1939, the Army had only increased to 189,000; the Navy to 125,000, and the Marine Corps to 19,000.

In addition, I have seen the strength of our Armed Forces fluctuate from an Army of 8,267,000 in June 1945, to an Army of 554,000, in June of 1948.

I have seen our Navy go from 3,380,000, in 1945, to 381,000, in 1950. I have seen our Marine Corps go from 475,000, in 1944, to 74,279, in 1950.

The distinguished chairman of the Committee on Armed Services, the Honorable CARL VINSON, on the floor of the House on Monday, July 31, stated, in commenting on the history of the peaks and valleys of our military strength, that "they looked like a profile of the Rocky Mountains."

I, too, have watched this roller-coaster defense planning go on for more than 20 years.

And I shall always feel that the greatest disservice we car render the American people is to lull them into complacency when we decrease the size of our Armed Forces. For 20 years, this type of action has inevitably resulted in crash programs to hastily mobilize or recapture the ground we have lost as the result of these unwise and overly optimistic reductions. Traditionally, we have maintained fewer forces than those that were actually required for our national security on a long-term basis.

Now, we have started again on a strength increase to build up the Army, the Navy, and the Air Force, and, by previous planning, the Marine Corps. It is not a substantial increase compared with some of those that have occurred in the past, but it could well become most significant.

It is an increase which will add muscle and sinew to a body that already is composed of great strength.

For, notwithstanding our shortcomings, I do not share the unwarranted belief of a few that we are weak, or not strong enough to defend ourselves. I am convinced that we do possess tremendous military might.

We do possess a military might with the unquestioned capability of wreaking vast destruction. But it still lacks the capacity to apply small tourniquets in those cases where the bleeding is steady, but not spurting.

The President's latest recommendations for adding to the strength of our Armed Forces will give us an increased strength in versatility which has been, I am afraid, somewhat neglected over the past few years.

The men that will be provided will give the Army 14 full-strength combat divisions.

The new program will increase the Navy's amphibious-lift capabilities and improve its antisubmarine warfare capability. It will put the Air Force in a far stronger position than it might otherwise have been in, had the original planned strengths continued unchanged.

But military strength by itself does not win or prevent wars.

Military strength is only as good as the man behind the weapon, and the man behind the weapon is entitled to the best that can be obtained.

This means that we must have not only highly trained men, but also modern equipment.

Simply having bodies in uniform, armed with World War II equipment, will not help solve the problems that face us now and in the future.

Today's soldier, sailor, airman, or marine must be more than the toter of a musket.

He must have the attributes of a minuteman and the courage of a member of Pickett's Brigade. He must also have a versatility superior to that of the enemy he is fighting.

He must know the guerrilla tactics of the rice paddies and the jungle; he must know how to overcome the effects of cold weather on his weapons.

He must understand the effects of nuclear blasts, the urgency of dispersal, the indispensability of mobility, and the power of concentrated fire.

In short, it is not enough that the serviceman of today be a jack-of-all-trades, he must be a master of his profession.

And while I do not suggest to you that we maintain an armed strength beyond our economic power, I do contend that we must

agree upon a force structure that contains the capability of fighting both a nuclear and nonnuclear war, and that also contains the equipment to bring the right amount of force upon a given area at the right time.

This means airlift, sealift, Strac forces, Marine Corps readiness, SAC alerts, early warning systems, Polaris submarines, hunter-killer type submarines, antisubmarine warfare weapons, fighter bombers, interceptors, M–14 rifles, modern tanks, modern machineguns, improvements in bacteriological warfare, the ability to engage in a chemical war, and the courage of our convictions that these will all be produced in quantity, and quality, now and for the foreseeable future, until such time as mankind, by ironclad voluntary agreement, can decide for itself whether the fate of the world will be that of peace or extinction.

Our ability to exert this influence, this pressure, and this power, no matter where it may be required, means a force structure of sufficient size and sufficient capability to do a variety of jobs in various parts of the world at different times.

It is my opinion that the strength to which we are now building will improve this capability substantially, if it is attained and sustained.

But let us not again succumb to the otherwise inevitable consequence that this temporary solution will later permit a reduction in force.

So far as I am concerned, a reduction in force following this buildup would be the most dangerous single step we could take toward weakening our position in world affairs.

And let us not lull ourselves into a false sense of security that we can depend upon our mothballed ships to provide us with a constant sealift. We are soon going to have to pay the price of a modern sealift, for we can no longer depend upon those seagoing inanimate veterans of World War II to meet the present requirements of modern seapower.

And just as we must improve our sealift with modern ships, so must we continue to improve our airlift.

Just as we are producing new rifles for our Army, so must we produce new and improved tanks, new and improved personnel carriers, and a multitude of other modern equipment equal to the occasion of the present and the future. We must wean ourselves away from dependence upon the weapons of yesteryear to do the job of the future.

These are problems that lie ahead for our armed services and for the greatest legislative body in the history of mankind, the Congress of the United States.

I am leaving these matters to take on the more restricted problem of military justice, but I console myself with the thought that we, in America, can still devote ourselves to the welfare of the individual.

It is the attention we Americans pay to the individual that makes us so different from those who adhere to the concepts of communism.

It is this dedication to a concern for the individual that not only sets us apart from communism, but will, in the long run, result in victory for the free world—so long as we are willing to make the same sacrifice in time and wealth that we have willingly made in the past to preserve our freedom.

Sacrifice, of course, means different things to different people. But some degree or type of sacrifice is required by all of us if we are to win this long and constant struggle.

For some, it means a sacrifice of time, for others, a sacrifice of opportunity. For others a sacrifice of money, and for others, perhaps even the supreme sacrifice. But I am thoroughly convinced that the only way we will be able to match a dedicated opponent is to equal or surpass his dedication.

And, if I may be permitted, let me close by passing on to you an excerpt from a speech made by John Curran in 1790:

"It is the common fate of the indolent to see their rights become a prey to the active. The condition upon which God hath given liberty to man is eternal vigilance; which condition if he break, servitude is at once the consequences of his crime and the punishment of his guilt."

If we will not make those sacrifices of time, opportunity, money, and blood to preserve that freedom which we now possess, then servitude most assuredly will be the inevitable consequence. But I have a great and abiding faith in the courage, the character, and the intelligence of the American people. I know that they will continue to meet this challenge and that men and women, such as those who are here today, will keep our freedom for generations yet unborn.

Washington Report

EXTENSION OF REMARKS
OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 28, 1961

Mr. ALGER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following newsletter of August 26, 1961:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas, August 26, 1961)

SUICIDE, NOT DEFEAT—PRIMER OF SELF-DESTRUCTION

If destruction be our lot we must ourselves be its author and finisher. As a nation of freemen we must live through all time or die by suicide.—ABRAHAM LINCOLN.

We shall force the United States to spend itself to destruction—LENIN.

Whether you like it or not, history is on our side. We will bury you. Your grandchildren will live under communism.—KHRUSHCHEV.

Let's look at some specific ingredients of a primer of self-destruction. Simultaneously, we can trace the U.S. embrace of socialism-communism (retreat from freedom and free enterprise) in each, inasmuch as we have partially or completely accepted the Socialist-Communist doctrine and are moving further in that direction. We say we believe in freedom, but we are taking contrary action, which will undoubtedly lead us into the slavery of a Socialist-Communist state.

1. Fiscal irresponsibility (spending ourselves into bankruptcy). The Socialist-Communist theory of Government manipulation of money, artificial interest rates, deficit spending, back-door financing of foreign aid, and other programs, including income tax, almost as though modeled on Communist principles. Example of irresponsibility will show up in probable conference report on foreign aid bill which, if adopted, will mean the total of back-door spending put through in this session of Congress alone will have totaled more than $28 billion. This means, in effect, that Congress will have voted away control over one-third of the entire Federal budget. Chairman CLARENCE CANNON, of the House Appropriations Committee, said (CONGESSIONAL RECORD, Aug. 16): "Ever since this session began, we have been spending in the red at the rate of $1 million every hour, day and night." Antidote for this type of suicide: Fiscal responsibility: a balanced budget, flexible interest rates, tax reform.

2. Private business forced out by Government competition. Through subsidizing businesses and outright control by the Federal Government we force private business to compete with tax-free federalized institutions. The solution: Get the Government out of business—eliminate subsidies. Free enterprise does not need Government incentives and aid.

3. The steady and relentless increase of public power projects including nuclear power. A basic Socialist-Communist concept for complete control of the people by state owned and operated sources of power. In support of freedom we should encourage full and rapid development of private power.

4. Labor monopoly (encouraged by Government) has developed dictatorial labor leaders who make unrealistic demands which continually push up the wage-price spiral and inhibit the operation of a free market and thus contribute to a Socialist-Communist doctrine. To strengthen our economy and to keep American labor free, labor organizations must be subject to antitrust laws.

5. The gradual imposition of state owned and controlled housing for all the people through federally sponsored and dictated slum clearance and housing programs. Individual rights and private home ownership can be guaranteed only by keeping the responsibility for slum clearance at the local level and the development of housing through private enterprise and individual initiative.

6. A first step in any Socialist-Communist takeover, rob the farmers of freedom to produce. We are accomplishing it through ever-increasing subsidies which create artificial surpluses making more and more Federal control of what the farmer plants and what he sells necessary. To free the farmer we should eliminate subsidies, cut back surpluses and allow agriculture to operate in a free market.

7. Government sponsored and supported industry and Federal distribution of food in an effort to eliminate depressed areas simply worsens the situation, incites the need for further Federal controls, insures the dependency of the people on the Government and the end result is a Socialist-Communist state. Private enterprise is the only solution to the problem of unemployment. Sensible tax laws which make risk capital available, freeing industry and business from bureaucratic control will give the free enterprise system full opportunity to function. It is under this system we developed the highest living standard in the world for the most people.

8. The Socialist-Communist planners have always started their campaign for a takeover by seizing the minds of the youth. Federal aid to education (and youth conservation corps) must invariably be followed by Federal control and bureaucratic dictation of what is taught, and by whom. A free society can be guaranteed only so long as our schools remain free. This can be maintained only so long as the control of education remains in the hands of the people at the local level who have the most direct interest in the education of their children.

9. A basic Socialist-Communist precept is state directed and financed medical care. Bills now before Congress would open the door for the complete socialization of medicine and ruin the high standard of medical care (the best in the world) now enjoyed by the American people. Only a determined effort to keep the Government from getting its foot in the door by tying medical care for the aged to social security and other proposals being offered, will keep the freedom of our medical men to give our people the best possible medical care.

10. Federal attempts to provide cradle-to-grave security by so-called Government insurance rather than actuarially sound

pensions and annuities weakens our future financial strength as well as the character and moral fiber of the people making them ripe victims for Socialist-Communist planners. The answer for freemen is voluntary pension plans which are actuarially sound and do not depend upon the support of future generations or political handouts.

11. Our defense against the military aspirations of the Communists has been weakened by a self-imposed nuclear test ban. Self-interest demands that we resume nuclear testing immediately in order to maintain our lead in nuclear weapons over the Soviet Union which refuses to negotiate in honesty and has a history of never honoring treaties or agreements.

12. Giving impetus to the program to spend us into bankruptcy is a foreign aid program which gives away the money of American taxpayers to Communist countries, so-called neutrals, and others who have shown a preference for the policies of the Soviet Union and socialism and an enmity of the United States. The least we can do to keep from contributing to our own destruction is to deny any foreign aid to any country which is devoted to our destruction, Russia, Poland, and other Communist satellites; Socialists and neutrals (like India) which line up with the Communists on every issue; and others who play the United States off against Russia in their own self-interest (Brazil). The ridiculous extent to which we go is stated by Senator DODD, Democrat, of Connecticut (CONGRESSIONAL RECORD, Aug. 22): "Dr. Cheddi Jagan and his Communist-dominated People's Progressive Party have apparently won a cloudy victory at the polls in British Guiana. * * * Jagan was receiving all-out support of Radio Moscow, Radio Peiping, and the Castro radio. But British Broadcasting Corp. and the Voice of America did absolutely nothing to help the opposition and nothing to expose to the people of British Guiana the Communist nature of the Jagan movement. * * * Worse than this, in the weeks preceding the election we gave our assent to a $2 million loan by the World Bank to the previous Jagan regime, and Jagan was able to use this loan to bolster his political reputation. I consider this nothing short of a scandal. I believe Congress is entitled to know how it came about that Jagan got this loan at so critical a juncture." As some see it, South America takeover by communism has begun with our aid.

13. An indecisive and weak foreign policy causes us loss of prestige in the world, weakens the support of our allies, and ripens us for a Communist takeover. There can be no substitute for a strong foreign policy in which we reaffirm the Monroe Doctrine; take immediate steps to free Cuba from the Communists, which will take the pressure off the Berlin situation by showing Khrushchev we are able to take decisive action; protect American citizens and property anywhere in the world where they are threatened; support any free people which shows its determination to resist Communist aggression and subversion.

The choice now rests with the American people. Are we to remain free or continue to sow the seeds of our own destruction? Only understanding and a strong protest from the people to every Member of Congress will reverse the trend and save our free way of life.

THE COMMUNIST PLAN FOR OUR DEFEAT

"War to hilt between communism and capitalism is inevitable. Today, of course, we are not strong enough to attack. Our time will come in 20 or 30 years. To win we shall need the element of surprise. The bourgeois will have to be put to sleep. So we shall begin by launching the most spectacular peace movement on record. There will be electrifying overturns and unheard-of concessions. The capitalistic countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down, we shall smash them with our clenched fists" (quote from talk given by Dimitri Z. Manuilsky at the Lenin School of Political Warfare in Moscow in 1930).

St. George Centennial

EXTENSION OF REMARKS
OF
HON. M. BLAINE PETERSON
OF UTAH
IN THE HOUSE OF REPRESENTATIVES

Monday, August 28, 1961

Mr. PETERSON. Mr. Speaker, the city of St. George, Utah, is celebrating its centennial this week under the able guidance of General Chairman Attorney Lang Foremaster and Cochairmen Vernon Worthen and Mrs. John J. Phoenix. These respected civic leaders, with the combined assistance of many, have devoted untold energies toward organizing a program of religious observance and social activities that will warm the hearts of the residents, former residents, and visitors who have come to St. George for this occasion.

Unfortunately the press of legislative business in our homestretch adjournment schedule prevents me from accepting the thoughtful invitation of Mayor William A. Barlocker but I would like to participate in the festivities by word of commendation and proper observance today for the descendants of these brave pioneers who answered Brigham Young's call to the Dixie Cotton Mission 100 years ago. Many of the missionaries chosen for the new colonization had just established their homes in the Great Salt Lake Valley. It was difficult for them to leave their cultivated lands and meager comforts for the uncertainty of conquering southern Utah.

Two apostles of the Church of Jesus Christ of Latter-day Saints, Orson Pratt and Erastus Snow, were chosen to head the mission of 300 families, many of them Swiss emigrants, in search of a climate favorable to raising cash crops and also to develop a chain of cities south of the "rim of the basin" to California. It was here that Erastus Snow enhanced his reputation of being second only to President Young as a colonizer and a leader of men. The Saints had confidence in his wisdom and judgment and later confirmed their trust by electing him their first State senator representing Washington, Beaver, Iron, and Kane Counties.

Orson Pratt, student, scholar, and outstanding leader of the Mormon Church, became the first postmaster of St. George which, incidentally, was established on March 1, 1862, less than 4 months after the arrival of the pioneers.

Titanic as these men were in the history of Utah and forceful as their leadership and contributions proved to the establishment of St. George, I believe equal credit rightfully belongs to the Mormon women who also tilled the alkalined soil, fought the grasshopper infestation, endured the heat and sand, withstood the dangers of Indian attack, and faced the hardships of frontier life with faith and courage.

The desperate circumstances of the young wife in the frontier days is illustrated in a story of a young woman who told her husband that if he could find just one flower fit to wear on a lady's dress, she would try to be satisfied. In the spring, the story goes, he presented her with a beautiful bouquet of orchid-colored sego lilies which more than answered her challenge. The sego lily is now abundant and beautiful in St. George and is regarded especially by Utahans who have adopted it as the official State flower.

Despite their unceasing labors and ingenuity, the pioneer women of St. George could offer only bran for the first Christmas dinner. The only flour they had was what they brought with them and their normal diet ranged from molasses made from beets to wild spinach, pig weed, or perhaps yucca soup.

The most perplexing difficulty that challenged and defied the frontiersmen of St. George was the problem common to all settlers in Utah—water, or the lack of water.

I doubt, however, that the early settlers of St. George would agree with me that there was any lack of water that first year when they were deluged for 40 days and nights with rain that succeeded in wiping out the unembellished colonization they had established. But it was this disaster that focused the combined intelligence of the Saints toward a solution and it is significant to note that the fundamental precept of western water law—water rights established by beneficial use—stems from our early Mormon pioneers.

In the early days of colonization of Utah, Brigham Young said, "No man has a right to waste one drop of water that another man can turn into bread."

Thus, the principle was laid down that water belongs to the people and no man can gain title to more than he can use in a beneficial manner.

I am indebted to one of southern Utah's pioneer stalwarts, the late William R. Palmer, for an account of early water troubles in Utah and the gradual evolution of a law for their administration. Mr. Palmer was a bishop and stake president in Cedar City and an author and historian as well.

Writing in the reclamation era in Utah's centennial year of 1947, Bishop Palmer recalled that a William Edwards had a full-day water right in a Paragonah field. He subsequently acquired a piece of dry land a mile away and attempted to transfer his water right to the new field.

A neighbor protested that he followed Edwards in use of the water and it would cost him an hour of his water simply to turn the flow back into a dry ditch and also that the dry ditch would soak up a lot of water.

The dispute finally reached that great arbitrator of early Mormon history, the bishop's court, which found that Edwards could not take the water from the

field in which it was allocated without injury and loss to all water users in the same canal. Edwards appealed to the high council court which affirmed the bishop's court decision. Years later the dispute was taken to the civil county court which again affirmed the decision of the pioneer bishop's court.

Thus, the early bishops of the church can be said to have laid down many of the precepts on which our present water laws are based.

One hundred years of progress is being commemorated in St. George this week and, along with many other credits, rapid advances toward the solution of the water problem are to be noted—from the original St. George Rio Virgin Canal to the present-day Dixie project.

The Bureau of Reclamation has now completed plans for the multipurpose Dixie project which would provide supplemental irrigation water to 9,445 acres of presently developed land and provide a full water supply for 11,615 acres of new land.

The city of St. George would be provided with 5,000 acre-feet of water annually for domestic purposes from the Virgin City Reservoir. Construction of the three powerplants as a part of the project plan would produce about 44,500,000 kilowatt-hours of firm electric energy and about 1,900,000 kilowatt-hours of secondary energy for sale annually. In addition, minor flood control benefits would result as would fish and wildlife and recreation benefits.

The regional director's proposed report on this potential project is now being reviewed on an informal basis by the States of Utah, Arizona, and Nevada; field offices of Federal agencies, and other affected local interests. Following consideration of comments resulting from these reviews, the regional director will submit his final report to the Commissioner of Reclamation here in Washington for further processing as required by law and interagency agreement.

I have an abiding concern and sensitive interest in the water problems of the Dixie Mission and look forward to the privilege of guiding the authorizing legislation for the Dixie project through the House of Representatives next year. This would be a satisfying contribution to the memory of those valiant and dedicated Mormon pioneers who by the sweat of their brow established the community of St. George and left a noble heritage of unmistakable fame.

National Lottery of the Dominican Republic

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 28, 1961

Mr. FINO. Mr. Speaker, I would like to tell the Members of this House about the national lottery of the Dominican Republic. This small nation derives great benefit from its recognition of the fact that people like to gamble.

In 1960, the gross receipts of the Dominican national lottery came to $32 million. The Government's income, some $7 million, was not earmarked for any specific purposes but was rather applied to the general fund of the treasury.

There are only 3 million people in the Dominican Republic, which means that the average personal expenditure on the national lottery was about $10. Per capita income in the Dominican Republic is approximately $300. If Americans spent a similar share of their income on a national lottery, the gross receipts of such a lottery would be well in excess of $10 billion a year. When will we wake up to this financial wisdom?

Minshall Again Brings Traveling Office to District

EXTENSION OF REMARKS

OF

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, August 28, 1961

Mr. MINSHALL. Mr. Speaker, for the past 7 years, it has been my privilege and honor to represent the people of the 23d Congressional District of Ohio in the Congress of the United States. As a Representative of this outstanding district, I have considered it my duty not only to be well informed of the opinions of the people through personal contact and use of opinion polls, but also to be of the greatest possible service to persons having problems dealing with Federal agencies and departments. To help accomplish this, I maintain on a year-round basis a congressional office in room 525 of the Federal Building in downtown Cleveland where I can meet with people personally during trips back to the district when my official duties permit. While I am in Washington, a competent staff is in charge of the Cleveland office.

A further service to the people of the 23d District is my "Washington Report" which, in newsletter form, periodically presents a concise accounting of events and opinions on Capitol Hill.

During my service in the Congress, I have considered it of primary importance to be present at the Capitol whenever Congress is in session in order to participate in committee work and to vote on important legislation. This year with Congress in nearly continuous session, I have not been able with intervening committee work to return to Cleveland as much as I should have liked. Therefore, in accordance with the practice I initiated 7 years ago, I am bringing a traveling office to the various communities in the 23d District. This method of meeting with the public has been tremendously popular and it gives me a wonderful opportunity to discuss and learn at first hand the opinions and individual needs of the people.

With the understanding that Congress will not be in session during the early part of December, I will again this year from December 4 through December 8 follow the same procedure and have a series of conference meetings so that every resident of this suburban district can conveniently meet with me. These are not group meetings but office conferences for the individuals which will enable them to discuss their views and problems personally. No appointments are necessary and I urge individuals to meet with me on the date and at the place most convenient. Every resident of the 23d District is cordially invited to talk over problems of national concern, to discuss personal problems they might have with the Federal Government, or just to chat and get better acquainted. The knowledge thus obtained will better enable me to represent the residents of the 23d District in the Congress of the United States.

I am most appreciative of the fine cooperation of the many officials who have made these meeting places available as an aid in rendering this public service.

Following is the schedule for these office conferences:

Community	Location	Date	Time (p.m.)
Bay Village, Westlake	Bay Village City Hall, 350 Dover Center Rd.	Monday, Dec. 4	2 to 4:30.
Lakewood	Lakewood City Hall, 12650 Detroit Ave.	do	6:30 to 9.
Fairview Park, Rocky River, Parkview, Brookpark, River Edge, Linndale.	Fairview Park City Hall, 20785 Lorain Ave.	Tuesday, Dec. 5	2 to 4:30.
North Olmsted, Olmsted Township, Olmsted Falls, Westview.	North Olmsted City Hall, Dover Rd.	do	6:30 to 9.
Brecksville, Independence, Seven Hills, Brooklyn Heights, Cuyahoga Heights, Valley View.	Brecksville Town Hall, 49 Public Square.	Wednesday, Dec. 6	2 to 4:30.
Berea, Middleburgh Heights, Strongsville, North Royalton, Parma Heights, Broadview Heights.	Berea City Hall, 47 East Bridge St.	do	6:30 to 9.
Warrensville Heights, Warrensville Township, Woodmere, Orange, North Randall.	Warrensville Heights City Hall, 4000 Warrensville Center Rd.	Thursday, Dec. 7	2 to 4:30.
Shaker Heights, Beachwood, University Heights, Pepper Pike, Hunting Valley.	Shaker Heights City Hall, 3400 Lee Rd.	do	6:30 to 9.
Bedford, Bedford Heights, Maple Heights, Walton Hills, Oakwood, Glenwillow.	Bedford City Hall, 30 South Park	Friday, Dec. 8	2 to 4:30.
Chagrin Falls, Moreland Hills, Bentleyville, Solon.	Chagrin Falls Village Hall, 21 West Washington St.	do	6:30 to 9.

What It Means To Be a Republican

EXTENSION OF REMARKS
OF
HON. KARL E. MUNDT
OF SOUTH DAKOTA
IN THE SENATE OF THE UNITED STATES

Monday, August 28, 1961

Mr. MUNDT. Mr. President, last Saturday, my colleague in the Senate, FRANCIS CASE; Congressmen E. Y. BERRY and BEN REIFEL, of our State, and I were privileged to attend and address the South Dakota Young Republican Convention in Brookings, S. Dak. South Dakota is the home State of the national chairman of the Young Republican League and young republicanism plays a vital part in the political affairs of our great State which responds in practice to its proud motto, "Under God the people rule."

Under leave of the Senate, therefore, I ask leave to have printed in the CONGRESSIONAL RECORD an address prepared for delivery to this convention by the newest Member of our congressional delegation, the very able Representative, BEN REIFEL, of Aberdeen, S. Dak.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF HON. BEN REIFEL, REPUBLICAN, OF SOUTH DAKOTA, AT SOUTH DAKOTA YOUNG REPUBLICAN CONVENTION, DELEGATION LUNCHEON, 12 NOON, SATURDAY, AUGUST 26, 1961, BROOKINGS COUNTRY CLUB

Mr. Chairman, distinguished guests, ladies, and gentlemen, just about a year ago I appeared briefly before you at Sioux Falls as a green candidate making his first venture into the arena of politics.

Now I am back before you, still green, not too much of a politician but a little bit wiser, I hope, a good deal more fearful for the future of our country and a great deal more thankful for Republicans—especially Young Republicans.

Out of that meeting a year ago came a new army of enthusiastic young workers for the Republican cause. And I want to say right now that, without your help, KARL, E.Y., and I might not be in Washington representing you, and Archie Gubbrud might not have had the opportunity to bring good government back to the South Dakota statehouse. We all are indebted to you.

I remember the way Young Republicans, including high school youngsters, came into my campaign headquarters in Aberdeen and offered to put up posters or run errands or do anything they could. I remember the way Young Republicans led the welcome for Nixon at the plowing contest and paraded in the rain for Archie at Sioux Falls. I remember how they worked in our tents at the fairs, swelled the crowds at rallies, and hauled people to the polls on election day.

The same thing was happening all over the country, and others tell me it is growing and picking up steam yet today. Young people's rejection of the principle of the welfare state, the cradle-to-the-grave philosophy, the idea that Uncle Sam can spend your money for you better than you can—this has been one of the few encouraging signs I have seen since going to Washington last January.

And I think KARL and FRANCIS and E.Y.—as well as that walking example of the national resurgence of conservatism who will address you tomorrow, Senator JOHN TOWER, of Texas—will back me up when I say that the only thing you young people have in common with the national administration and its policies is that there's a young man in the White House, too. And judging by the reception he is receiving around the country and even in his own party, he may not be there in 1965.

Some of the lofty ideals I took to Washington have become a bit shaken by what I found there in the past 8 months. And some of the high-sounding statements we heard last fall and in the early days of the administration have a hollow ring when compared with actual deeds.

The American people were asked to make sacrifices in the name of their country. It appears that those sacrifices will fall most heavily on you young people in the form of higher taxes and less earning power in the future in order to finance foreign and domestic giveaway programs today. It appears that many of our young people will be called upon to take up arms, some of you for a second or third time, to face up to a Berlin crisis that might have been avoided had firm words been backed up by firm action in Laos and Cuba.

"Ask not what your country can do for you" we were told. Uncle Sam will do it anyway, if all the welfare programs go through. He'll pay your wages when you're unemployed, pay you extra if you have children, pay your medical and hospital bills when you're sick, give you surplus food when you're hungry, build you a house for hardly anything down and 35 years to pay, educate your children without Government controls, and pay you a pension when you're old.

The only thing you have to worry about is getting buried when you die. And Khrushchev has said he'll take care of that.

Our form of government was planned so there would be separation of powers between the executive, legislative, and judicial branches. Yet this administration offered us a farm bill that—before the Democrats themselves changed it—would make Congress nothing more than a rubberstamp for programs devised by the Secretary of Agriculture and handpicked advisory committees.

Our Constitution says: "No money shall be drawn from the Treasury but in consequence of appropriations made by law." Who is to make the appropriations? The Congress.

Yet this administration offered us a foreign aid bill that would give State Department bureaucrats a free hand for 5 years to dip into the Federal Treasury in support of the development loan projects they created overseas. Only once in 5 years would Congress be able to take a look at the program and say: "What are you doing with all that money? Where is it going and what results are we getting?"

Again, Democrats in Congress themselves had to rise up against their own President and, in the House at least, we succeeded in knocking out such authority.

On October 3, 1960, Candidate Kennedy said it is important to have a balanced budget. In 6 months in office the Democrats added more than 67,000 new employees to the Federal payroll. Due to massive Federal spending last year's Federal budget went from a prospective surplus to $3.9 billion in the red. For the current fiscal year the administration officially predicts a deficit of over $5 billion. But it looks more like $7 billion. Currently we are spending $1 million an hour more than we are taking in.

We were told gently in the President's television address on the Berlin crisis that, due to increased defense needs, we might have to cut down on some domestic programs. Congress agreed and we voted him every penny he wanted to step up our defenses.

But to this day not one single request for new or expanded domestic programs has been withdrawn; in fact, the pace of the lobbying has been stepped up. And of the extra $10 billion he wants above Eisenhower's 1962 estimates, 44 percent is for nonmilitary programs.

These are the type of things that disturb me about the current administration in Washington. What a contrast to the kind of taxpayer-first, down-to-earth, fiscally responsible government we have here in South Dakota under a well-grounded Republican Governor and a Republican-controlled legislature.

That's why it's such a pleasure to attend a gathering like this today and have the realization that these things have not gone unnoticed by the youth of our State or country.

Oftentimes we hear it said that the youth of today is going physically soft. The President has even proposed a national program to get them to exercise.

But I'm not half so worried about that as I am that we as a people are going morally soft—that we have forgotten what it is to do for ourselves those things that we can best do for ourselves, that we don't have the gumption to stand up and oppose creeping socialism and the welfare state, that we're content to let ourselves be pushed around by little tyrants 90 miles off our shore and by a bigger tyrant whose sole aim is world domination for his atheistic, freedom-suppressing cause.

I don't think the people of South Dakota and particularly the youth of South Dakota subscribe to that kind of softness. Maybe we're old fashioned and provincial and out of step to believe in an honest day's pay for an honest day's work, a State government that pays as it goes, and freedom with justice and dignity for all, even if we have to fight for it. I don't think so and I know you don't. We have fought for those principles before and we are willing to do so again if necessary.

That's why the Republican Party is growing each day in strength and vigor.

These are the things Republicans stand for and believe in.

With your help and the help of thousands like you we can make these things endure.

Columbia Camp of United Spanish War Veterans

EXTENSION OF REMARKS
OF
HON. BARRATT O'HARA
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Monday, August 28, 1961

Mr. O'HARA of Illinois. Mr. Speaker, in September the surviving veterans of

the war with Spain will meet at Little Rock in Arkansas for the National Encampment of the United Spanish War Veterans. Columbia Camp in Chicago will be represented as always it has been since the commencement of the organization many, many years ago.

At one time Columbia Camp had a membership of many hundreds, including Col. James Hamilton Lewis, then U.S. Senator from the State of Illinois and one of the most brilliant, eloquent, and colorful statesmen in the history of the other body.

I now look over the role of the past commanders of Columbia Camp. Of the 49 who served as camp commanders, only 9 are left. The present commander, Charles Ziesenhenne, and Sam Black, the camp adjutant, have recently sent a letter to the members of the camp. I quote from this letter:

Do you know that the average age of the members of Columbia Camp is 83 years and 10 months? Our oldest member is Charles Graham, who was born February 7, 1868. Our youngest member is BARRATT O'HARA who was born April 28, 1882. These figures were taken from the descriptive book which you signed when you became a member.

It is a rare distinction to be numbered among the youngsters in Columbia Camp and among the oldsters in the Congress.

The So-Called Compromise on the Hanford Electric Powerplant Issue—A Challenge to the House of Representatives

EXTENSION OF REMARKS

OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 28, 1961

Mr. ZAN ZANDT. Mr. Speaker, on Monday, August 28, I mailed the following letter and statement to each Member of the House of Representatives regarding the so-called compromise proposed by the proponents of the Hanford electric powerplant issue.

The letter and statement are self-explanatory and reveal that the so-called compromise suggested by the supporters of the Hanford electric powerplant would be nothing less than complete capitulation by the House of Representatives which has already rejected the project on three different occasions.

The so-called compromise suggested by the proponents of the Hanford electric powerplant is nothing more than the authorization of the project in a piecemeal manner. Therefore, this offer to compromise, if accepted, would amount to a complete surrender by the House to the will of the Senate.

The letter and statement follow:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 28, 1961.

DEAR COLLEAGUE: There have been increasing reports that a so-called compromise will be offered in the AEC authorization conference for the addition of one unit of 400,000 kilowatts of electric-generating capacity at Hanford at a cost of $58 million. This proposal would, in effect, ask the House to consider a proposal which has been studied for approximately 1 week when the House has already expressed its opposition on three separate occasions to a proposal which had over 2 years of concentrated study.

To understand more fully why such a concession would, in effect, be a complete capitulation on the part of the House, I have attached an explanation of the shortcomings of this proposal.

Based on this analysis, I assure you that my position, which is in accordance with the instructions given to me as a member of the conference by the vote in the House of Representatives, will remain unchanged. I look upon any attempt to the Senate to restore the Hanford project in full or in part as a challenge of the sovereignty of the House. I feel confident that if it is necessary to come back to the House for further instructions the vote against Hanford will be even larger than before.

Any further delay in completing action on the AEC authorization bill will hold up legislation important to the national welfare and to individual constituencies. If such delay continues, the Senate will have to take full responsibility.

Sincerely yours,

JAMES E. VAN ZANDT.

NO REASONABLE COMPROMISE ON HANFORD—JUST COMPLETE CAPITULATION

A careful examination of the proposal to construct 400,000 rather than 800,000 kilowatts of generating capacity at Hanford clearly reveals that the proposal is not reasonable and in no way negates the basic premises made in the separate statement attached to the Joint Committee report on the AEC authorization bill and the position previously taken by the House of Representatives on three separate votes.

The following points indicate the weaknesses of such an offer of compromise:

1. The most significant point is that authorizing the 400,000-kilowatt facility at a cost of about $58 million would be granting the Hanford proposal on the installment plan. If authorization is granted to construct a facility to utilize half the steam, regardless of cost to the Nation's taxpayers, it would be almost impossible to prevent the Government from going the next step next year in authorizing the addition of another 400,000-kilowatt facility.

2. The construction of a 400,000-kilowatt facility would still have the effect of putting the AEC in the power business on a very large scale, even though this power supposedly would be used exclusively at the Hanford station.

3. The economic feasibility studies of adding 800,000 kilowatts of power to Hanford reveal the proposal to be rather questionable, to say the least, based on the most optimistic assumptions which could be made. Since the estimated cost of installing one generating unit to Hanford is approximately $10.5 million more than half the cost of the two units, an economic study of this proposal would reveal it to be very unfeasible.

4. The construction of such a unit would have the effect of releasing 400,000 kilowatts of firm power—previously supplied to Hanford—into the Bonneville system. This quantity of power would add to the present surplus and could be used by BPA to justify further the proposed Bonneville-California intertie as the first leg of an all-Federal giant power grid.

5. The construction of such a facility would not make Hanford self-sufficient in terms of power because BPA would still be required to tie into the installation to supply standby power to meet the needs of Hanford during those periods when the reactor would be shut down for any reason.

6. Every one of the 10 compelling reasons listed in the separate statement as to why the 800,000-kilowatt facility should not be constructed at Hanford would continue to be applicable. It would only be a question of the degree of applicability.

On three different occasions the House of Representatives has opposed the Hanford power project. What have been spoken of as compromises are nothing more than the authorization of the Hanford project in a piecemeal manner. This, therefore, would not be compromise but complete surrender to the will of the Senate.

Irish Hospitals' Trust Sweepstakes

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 28, 1961

Mr. FINO. Mr. Speaker, I would like to tell the Members of this House about the Irish hospitals' trust sweepstakes. This public enterprise, although not in a strict sense a national lottery, probably has more repercussions in the United States than any other foreign gambling operation. The Irish sweepstakes not only benefits the Irish hospitals, but it sheds a little light on American gambling proclivities as well.

In 1960, the gross receipts of the Irish sweepstakes totaled better than $47 million. The profits accruing to the Irish hospitals exceeded $11 million in that year.

It is all well and good that the Irish hospitals benefit from the natural urge to gamble, but why is it necessary that they benefit from the failure of the American Government to realize that Americans like to gamble? Do we have such a favorable balance of payments that we can afford to encourage the flight of gambling dollars to foreign shores? Or is this a price that the hypocrites are more than willing to pay in order to be able to continue to impose their will on the majority?

SENATE

TUESDAY, AUGUST 29, 1961

The Senate met at 9 o'clock a.m., and was called to order by Hon. LEE METCALF, a Senator from the State of Montana.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, in the midst of the tasks committed to our hands for this day, we pray—
For strength to leave unsaid the bitter word,
The power to say the kind one and forgive
All that is said or done by thoughtless men,
The courage to go on, and try again,
When hopes have failed—The patience, Lord, to wait
And the wisdom to see clearly and to cling
To simple truths, though fame and glory dim,
The faith to make a dream a living thing,
A gentleness of soul, a spirit meek,
A nobler life—These are the things we seek.

So that, in our private dealing, and in the ministry of public affairs, we fail not man nor Thee. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., August 29, 1961.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. LEE METCALF, a Senator from the State of Montana, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. METCALF thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. BIBLE, and by unanimous consent, the reading of the Journal of the proceedings of Monday, August 28, 1961, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 1653) to amend title 18, United States Code, to prohibit travel or transportation in commerce in aid of racketeering enterprises, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CELLER, Mr. RODINO, Mr. ROGERS of Colorado, Mr. MCCULLOCH, and Mr. MILLER of New York were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 8181. An act to authorize the construction of a National Fisheries Center and Aquarium in the District of Columbia and to provide for its operation; and

H.R. 8466. An act to authorize the construction of a railroad siding in the vicinity of Taylor Street NE., District of Columbia.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 880. An act to amend section 216 of the Merchant Marine Act, 1936, as amended, to authorize the Secretary of Commerce to accept gifts and bequests of personal property for the U.S. Merchant Marine Academy;

S. 1908. An act to provide for a national hog cholera eradication program;

S. 2268. An act to amend the Federal Aviation Act of 1958 to provide for the application of Federal criminal law to certain events occurring on board aircraft in air commerce;

H.R. 1022. An act to amend the Agricultural Adjustment Act of 1938 to provide for lease and transfer of tobacco acreage allotments;

H.R. 5179. An act for the relief of the U.S. Display Corp.;

H.R. 6244. An act for the relief of certain members and former members of the uniformed services erroneously in receipt of family separation allowances; and

H.R. 6453. An act for the relief of Earl Gupton.

HOUSE BILL REFERRED

The bill (H.R. 8181) to authorize the construction of a National Fisheries Center and Aquarium in the District of Columbia and to provide for its operation was read twice by its title and referred to the Committee on Public Works.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. BIBLE, and by unanimous consent, the Foreign Relations Committee was authorized to meet during the session of the Senate today.

On request of Mr. DIRKSEN, and by unanimous consent, the Judiciary Committee was authorized to meet during the session of the Senate today to consider certain noncontroversial nominations, private immigration bills, and private claims bills.

On request of Mr. MANSFIELD, and by unanimous consent, the Constitutional Rights Subcommittee of the Judiciary Committee and the Committee on Government Operations were authorized to meet during the session of the Senate today.

COMMITTEE MEETING DURING SESSION OF THE SENATE TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the special subcommittee of the Committee on the Judiciary considering S. 1447 be authorized to sit during the session of the Senate tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. BIBLE. Mr. President, under the rule, there will be the usual morning hour for the transaction of routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. DIRKSEN, from the Committee on the Judiciary:

James J. Moos, of Illinois, to be U.S. marshal for the southern district of Illinois; and

James B. Parsons, of Illinois, to be U.S. district judge for the northern district of Illinois.

By Mr. EASTLAND, from the Committee on the Judiciary:

William F. Smith, of New Jersey, to be U.S. circuit judge for the third circuit;

Michael H. Sheridan, of Pennsylvania, to be U.S. district judge for the middle district of Pennsylvania;

Luther L. Bohanon, of Oklahoma, to be U.S. district judge for the northern, eastern, and western districts of Oklahoma;

Bernard T. Moynahan, Jr., of Kentucky, to be U.S. attorney for the eastern district of Kentucky;

William E. Scent, of Kentucky, to be U.S. attorney for the western district of Kentucky;

Archie Craft, of Kentucky, to be U.S. marshal for the eastern district of Kentucky;

Joseph V. Conley, of Rhode Island, to be U.S. marshal for the district of Rhode Island; and

James E. Luckie, of Georgia, to be U.S. marshal for the southern district of Georgia.

By Mr. LONG of Missouri, from the Committee on the Judiciary:

Floyd R. Gibson, of Missouri, to be U.S. district judge for the western district of Missouri.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

THE COAST GUARD

The Chief Clerk proceeded to read sundry nominations in the Coast Guard.

Mr. BIBLE. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. BIBLE. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. BIBLE. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON IMPROVEMENT OF FACILITIES AT PACIFIC MISSILE RANGE

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the proposed improvement of facilities at the Pacific Missile Range; to the Committee on Aeronautical and Space Sciences.

DISCHARGE OF MINORS WHO ENLIST IN THE NAVAL SERVICE OR COAST GUARD WITHOUT CONSENT OF PARENTS

A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to provide for the discharge of minors who enlist in the naval service or the Coast Guard without consent of parents or guardian (with an accompanying paper); to the Committee on Armed Services.

AMENDMENT OF TITLE 10, UNITED STATES CODE, RELATING TO CREDITING OF CERTAIN SERVICE

A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the crediting of certain service for the purpose of voluntary retirement (with an accompanying paper); to the Committee on Armed Services.

PROPOSED DONATION OF CERTAIN SURPLUS EQUIPMENT TO CITY OF BREMERTON, WASH.

A letter from the Assistant Secretary of the Navy (Installations and Logistics), reporting, pursuant to law, on the proposed donation of certain surplus obsolete pontoons to the city of Bremerton, Wash.; to the Committee on Armed Services.

REPORT ON REVIEW OF CERTAIN ACTIVITIES OF GOVERNMENT OF THE VIRGIN ISLANDS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of certain activities of the government of the Virgin Islands of the United States, fiscal year 1960 (with an accompanying report); to the Committee on Government Operations.

SATISFACTION OF CERTAIN CLAIMS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the satisfaction of claims arising out of scrip, lieu selection, and similar rights (with accompanying papers); to the Committee on Interior and Insular Affairs.

AMENDMENT OF TRADING WITH THE ENEMY ACT

A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Trading With the Enemy Act, as amended (with an accompanying paper); to the Committee on the Judiciary.

AMENDMENT OF ADMINISTRATIVE EXPENSES ACT OF 1946, RELATING TO TRAVEL EXPENSES OF CERTAIN OFFICERS AND EMPLOYEES

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend section 7 of the Administrative Expenses Act of 1946, as amended, relating to travel expenses of civilian officers and employees assigned to duty posts outside the continental United States (with an accompanying paper); to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with amendments:

S. 476. A bill to establish the Point Reyes National Seashore in the State of California, and for other purposes (Rept. No. 807).

By Mr. METCALF, from the Committee on Interior and Insular Affairs, without amendment:

S. 2132. A bill to approve the revised June 1957 reclassification of land of the Fort Shaw division of the Sun River project, Montana, and to authorize the modification of the repayment contract with Fort Shaw Irrigation District (Rept. No. 808).

By Mr. BIBLE (for Mr. ANDERSON), from the Committee on Interior and Insular Affairs, with an amendment:

S. 2422. A bill to establish the White House as a national monument (Rept. No. 809).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 235. A bill for the relief of Evagelos Mablekos (Rept. No. 810);

S. 2070. A bill for the relief of Kabalan Farris (Rept. No. 811);

H.R. 1337. An act for the relief of Amelia Andreoli D'Attorre (Rept. No. 812);

H.R. 2111. An act for the relief of Benjamin Schoenfeld (Rept. No. 813);

H.R. 5054. An act for the relief of Wolfgang Stresemann (Rept. No. 814);

H.R. 5180. An act for the relief of Dr. Ferenc Domjan and others (Rept. No. 815);

H.R. 5321. An act for the relief of American President Lines, Ltd., Nitto Shosen Co., Ltd., and Koninklijke Java-China-Paketvaart Lijnen N.V. (Royal Interocean Lines) (Rept. No. 816);

H.R. 5647. An act for the relief of David C. Thomas, Robert W. Barber, Milton A. Chace, and Richard F. Turner (Rept. No. 817); and

H.R. 7707. An act for the relief of Andrew Telesfor Kostanecki (Rept. No. 818).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 1537. A bill for the relief of Mrs. Renee Deri (Rept. No. 819).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments.

S. 1846. A bill for the relief of Pedro A. Generao and Teodora Flores Generao (Rept. No. 820).

By Mr. ERVIN, from the Committee on the Judiciary, without amendment:

H.R. 4639. An act for the relief of Rear Adm. Carl H. Cotter (Rept. No. 821).

By Mr. MORSE, from the Committee on the District of Columbia, without amendment:

S. 1762. A bill to regulate the practice of physical therapy in the District of Columbia (Rept. No. 823).

By Mr. MORSE, from the Committee on the District of Columbia, with amendments:

S. 2321. A bill to encourage and aid the development of reconstructive medicine and surgery and the development of medico-surgical research by authorizing the licensing of tissue banks in the District of Columbia, by facilitating antemortem and postmortem donations of human tissue for tissue bank purposes, and for other purposes (Rept. No. 824).

By Mr. HARTKE, from the Committee on the District of Columbia, without amendment:

H.R. 7265. An act to amend the code of law for the District of Columbia so as to provide a new basis for determining certain marital property rights, and for other purposes (Rept. No. 822).

By Mr. MAGNUSON, from the Committee on Commerce, without amendment:

S. 2236. A bill to authorize the Secretary of Commerce to employ aliens in a scientific or technical capacity (Rept. No. 825);

H.R. 206. An act to facilitate administration of the fishery loan fund established by section 4 of the Fish and Wildlife Act of 1956, and for other purposes (Rept. No. 826);

H.R. 2429. An act to prohibit destruction of, or injury to, certain property moving in interstate or foreign commerce, and for other purposes (Rept. No. 827);

H.R. 3159. An act to permit certain foreign-flag vessels to land their catches of fish in the Virgin Islands in certain circumstances, and for other purposes (Rept. No. 828);

H.R. 3296. An act to authorize the Secretary of the Interior to nominate citizens of the Trust Territory of the Pacific Islands to be cadets at the U.S. Merchant Marine Academy (Rept. No. 829); and

H.R. 3788. An act to provide for the transfer of the U.S. vessel *Alaska* to the State of California for the use and benefit of the department of fish and game of such State (Rept. No. 830).

By Mr. MANSFIELD, from the Committee on Rules and Administration, without amendment:

S. Con. Res. 39. Concurrent resolution to print three thousand copies of a compilation of the hearings, reports, and committee prints of the Subcommittee on National Policy Machinery (Rept. No. 832).

REPORT ENTITLED "THE INSURANCE INDUSTRY"—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 831)

Mr. KEFAUVER. Mr. President, from the Committee on the Judiciary I file a report entitled "The Insurance Industry," pursuant to Senate Resolution 52, 87th Congress, together with the individual views of the Senator from Illinois Mr. [DIRKSEN] and the Senator

from Nebraska [Mr. HRUSKA], the individual views of the Senator from Wisconsin [Mr. WILEY] and the individual views of the Senator from North Carolina [Mr. ERVIN].

I ask unanimous consent that the report together with the individual views be printed.

The ACTING PRESIDENT pro tempore. Without objection, the report will be received and printed, as requested by the Senator from Tennessee.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BIBLE (by request):

S. 2479. A bill to provide for the satisfaction of claims arising out of scrip, lieu selection, and similar rights; to the Committee on Interior and Insular Affairs.

By Mr. METCALF:

S. 2480. A bill to provide for the distribution of motor-vehicle tires, and for other purposes; to the Committee on Commerce.

By Mr. KERR (for himself and Mr. BRIDGES) (by request):

S. 2481. A bill to amend the National Aeronautics and Space Administration Authorization Act for the fiscal year 1962; to the Committee on Aeronautical and Space Sciences.

By Mr. SCOTT:

S. 2482. A bill for the relief of Ronald Whiting; to the Committee on the Judiciary.

By Mr. DODD:

S. 2483. A bill to amend the act of September 2, 1957, relating to the settlement of certain inequitable losses in pay suffered by commissioned officers under emergency economy legislation; to the Committee on Finance.

(See the remarks of Mr. DODD when he introduced the above bill, which appear under a separate heading.)

SETTLEMENT OF CERTAIN INEQUITABLE LOSSES IN PAY

Mr. DODD. Mr. President, I introduce, for appropriate reference, a bill to amend the act of September 2, 1957, relating to the settlement of certain inequitable losses in pay suffered by commissioned officers under emergency economy legislation.

Under the act of September 2, 1957, Public Law 85–255, commissioned officers of the uniformed services finally received, after 25 years or more, the increased pay to which they were entitled when advanced in rank during the period 1932–34.

Notwithstanding the pay was earned over 25 years ago, the Treasury Department required the Comptroller General to deduct 18 percent withholding tax in the case of every living officer. In a Treasury Department ruling published as Revised Rule 58–443, the Internal Revenue Service admitted that the money paid under Public Law 255 "qualifies as back pay" as remuneration received by a Federal employee.

The bill which I introduce today would simply make effective as a practical matter the Treasury Department ruling. For example, in the case of Rear Adm. R. E. Bakenhus, he was admittedly due back pay in the total sum of $3,450.60. When he applied for payment under Public Law 255, all he actually received was $2,850.45. The Comptroller General deducted $590.01 as withholding tax. If he had been paid in 1932–34, he would have been liable for little or no income tax whatever.

Had this situation been realized and foreseeable, of course, Congress would have prevented it when Public Law 255 was enacted by including language similar to this bill.

There should be no objection to this correctional bill. It would not apply to widows of officers as the Comptroller General did not deduct a withholding tax in their cases when payments were finally made under Public Law 255.

It is estimated that since 2,381 officers were compensated under Public Law 255, and that at least 20 percent are now deceased, this bill would allow the remaining living officers, about 1,900 in number, to receive the tax withheld from them. This bill would at last end the injustice which arose more than 25 years ago.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2483) to amend the act of September 2, 1957, relating to the settlement of certain inequitable losses in pay suffered by commissioned officers under emergency economy legislation, introduced by Mr. DODD, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF TITLE V OF AGRICULTURAL ACT OF 1949—AMENDMENTS

Mr. KEATING. Mr. President, I submit amendments, intended to be proposed by me to the bill (H.R. 2010) to amend title V of the Agricultural Act of 1949, as amended, and for other purposes. I ask unanimous consent that the amendments be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The amendments will be received, printed, and lie on the table; and, without objection, the amendments will be printed in the RECORD.

The amendments are as follows:

On page 2, line 7, after the term "working conditions," add the words "and other terms and conditions of employment."

On page 2, line 8, after the term "foreign workers," add the following:

"For the purposes of this section the term 'other terms and conditions of employment comparable to those offered foreign workers' includes only:

"workmen's compensation or insurance against occupational hazards reasonably comparable to those afforded Mexican workers.

"guarantee of the opportunity to work during at least three-quarters of the workdays in the agreed term of employment.

"provision of basic subsistence when the opportunity to work is not available for extended periods.

"provision of transportation (for the worker only) from place of recruitment and return, or provision of reimbursement for such cost in the ratio that the number of weeks worked bears to the total agreed term of employment and not to exceed a maximum of $3 per week of employment."

AUTHORIZATION OF APPROPRIATIONS FOR ATOMIC ENERGY COMMISSION—CHANGE OF CONFEREE

Mr. PASTORE. Mr. President, I ask unanimous consent that in the list of Senate conferees appointed to serve as to H.R. 7576, the Atomic Energy authorization bill, the Senator from Tennessee [Mr. GORE] be substituted for the Senator from New Mexico [Mr. ANDERSON].

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

BILL PLACED ON CALENDAR

Mr. BIBLE. Mr. President, I ask unanimous consent that the bill (H.R. 8466) to authorize the construction of a railroad siding in the vicinity of Taylor Street NE., District of Columbia, be placed on the calendar. A similar bill has been ordered reported by the Committee on the District of Columbia, and the report will be filed within the next few days.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 8466) to authorize the construction of a railroad siding in the vicinity of Taylor Street NE., District of Columbia, was read twice by its title, and placed on the calendar.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. CARROLL:

Address delivered recently by Secretary of Labor Arthur J. Goldberg before the National Convention of Hadassah, at Denver, Colo.

By Mr. BEALL:

Address entitled "The Need for American Salesmanship in a Dynamic World," delivered by Hon. CHARLES MCC. MATHIAS, JR., a Representative in Congress from the Sixth District of Maryland, before the Elks State convention, at Hagerstown, Md., on August 26, 1961.

By Mr. WILEY:

Suggestions by him relating to expansion of research by the dairy industry.

By Mr. METCALF:

Article entitled "Let's Stop the Ladies From Joining the Ladies," written by Senator MAURINE B. NEUBERGER and published in the September 1961 issue of McCall's magazine.

UAW-AMERICAN MOTORS PROFIT-SHARING CONTRACT MAKES LABOR-MANAGEMENT HISTORY

Mr. PROXMIRE. Mr. President, the long-term profit-sharing contract agreed to in principle by the United Auto Workers and the American Motors Corp. is a landmark in labor-management history. As a means of giving workers a stake in their companies, profit sharing has a long and noble history. A number of outstanding Wisconsin firms, in-

cluding the Milwaukee Journal Co. and the Nunn-Bush Co., to name just two in my own State, have had profit-sharing programs for many years. They have operated with conspicuous success, to the mutual satisfaction of both labor and management.

In the light of Wisconsin's happy experiences with such plans in the past, it is most fitting that this agreement in the automobile industry should include the American Motors Corp., whose main plants are located in Kenosha and Milwaukee. The men and women who work in these factories will benefit in years to come from the growth and revenues of their company. Their pride of achievement in jobs well done will earn specific rewards, as quality workmanship and other results of good labor practices bring higher profits to the firm.

The tentative agreement, which has been achieved after careful, constructive negotiations and without the threat of strike, reflects great credit on the imaginative leaders of the two organizations, Mr. Walter Reuther, of the United Auto Workers, and Mr. George Romney, of American Motors. The great stature of both men in their fields is shown to be fully justified by this precedent-making agreement.

In an editorial commenting favorably on the new contract, the New York Times yesterday stated that the agreement "brings profit sharing into greater prominence as a possible mode of worker compensation than it has been for many years."

The editorial also recalls that profit sharing traditionally was urged more by management than by labor. Thus, the fact that in this case the union took the initiative in urging such a program makes this agreement all the more significant.

I ask unanimous consent that the editorial from the New York Times, an article from the New York Times of August 27, and the text of the UAW-American Motors statement, be printed at this point in the RECORD.

There being no objection, the editorial, the article, and the statement were ordered to be printed in the RECORD, as follows:

PROFIT SHARING IN DETROIT

Walter P. Reuther's imaginative leadership of the United Automobile Workers appears to have achieved a significant breakthrough for his profit-sharing ideas. The tentative agreement on this issue between the union and the American Motors Corp. brings profit sharing into greater prominence as a possible mode of worker compensation than it has been for many years. Most immediately, of course, this agreement creates pressure on the Big Three automobile companies to alter their opposition and agree to some similar scheme for their own workers. And if General Motors, Ford, and Chrysler do accept profit-sharing proposals in their new contracts, major precedents will have been set that could affect many other union-management negotiations.

There has been a curious reversal of roles on the issue of profit sharing in this latest chapter of its history. Traditionally, it was employers who urged profit-sharing schemes upon their workers. The unions viewed such ideas with suspicion, sometimes regarding them even as ingenious antiunion devices. When the idea of profit sharing was born a century or so ago, it was advanced by the Christian Socialists in England and France, who saw in it a counter to the Marxists' advocacy of class struggle and proletarian dictatorship.

Thus profit sharing by workers who have won it from major corporations in a union contract will be a rather new industrial phenomenon if Mr. Reuther wins his current battle. But there is abundant past experience with profit-sharing schemes, many of which have been tried and found wanting. On the other hand, the Eastman Kodak Co.'s wage dividend plan has been kept voluntarily in existence since 1912, and recently distributed a record $48 million to the company's employees, an average of more than $1,000 a worker. Obviously profit-sharing plans are much more attractive in a period when there are profits than when there are none. Proponents of these plans argue usually that their very existence gives workers an interest in helping to assure profits which goes far beyond the stimulus provided by conventional wages. The Nation may soon have a chance to see in practice whether this argument holds in the auto industry.

AMERICAN MOTORS AND UAW AGREE TO SHARE PROFITS—ACCORD REACHED IN PRINCIPLE ON PROVISIONS FOR A NEW 3-YEAR CONTRACT—OTHER CLAUSES LIBERAL—COMPANY BOWS ON AN ANNUAL IMPROVEMENT INCREASE AND COST-OF-LIVING RISE

(By Damon Stetson)

DETROIT, August 26.—The American Motors Corp. and the United Automobile Workers reached agreement in principle today on a profit-sharing plan new in the automobile industry.

The accord on provisions to be included in a new 3-year contract was announced jointly by Edward L. Cushman, American Motors vice president, and Walter P. Reuther, union president.

The agreement also provides for continuation of annual improvement-factor wage increases, expected to average close to 7 cents an hour a year, and continuation of the present cost-of-living formula.

The company had originally sought to eliminate these features from the new contract.

Even without the profit-sharing features, the tentative agreement provides for substantially greater improvements that were contained in economic offers made earlier this week by the General Motors Corp., the Ford Motor Co., and the Chrysler Corp.

PROFITS SHOW DECLINE

Mr. Reuther is expected to turn to these companies now in an effort to obtain higher benefits than they have so far proposed.

All three, however, have indicated an aversion to any profit-sharing approach. Their contracts, covering a total of about 490,000 workers, expire next Thursday.

The American Motors contract, covering 23,000 workers, expires September 6.

Under terms of the American Motors profit-sharing plan, which the company prefers to call progress sharing, 10 percent of the profits before taxes, after deduction of 10 percent of the stockholders' equity, will be made available for workers in either cash or benefits.

In the company's last fiscal year this would have amounted to about $360 per worker, but the company's profits this year are running considerably behind those of the 1960 fiscal year.

Besides the 10 percent that goes into a progress-sharing fund, an additional 5 percent would be made available to employees in American Motors stock that has already been authorized.

Here is the way the new plan would work on the basis of the company's profits during its last fiscal year, which ended September 30, 1960.

In that year the company earned $105 million in profits before taxes. From this, 10 percent of stockholders' equity, or $22 million, is deducted, leaving $83 million.

The amount available in cash or benefits for the progress-sharing fund is 10 percent of this sum, or $8,300,000. In addition, 5 percent, or $4,150,000, would then be made available to employees in the form of stock.

In the current fiscal year the earnings of American Motors have been at a lower rate. For the 9 months ended June 30, the company earned $45,301,762 before taxes.

The agreement would also increase the weekly guarantee of supplementary unemployment benefits, combined with unemployment compensation, to 62 percent of gross pay plus $1.50 for each dependent up to four dependents. The weekly maximum of the supplementary benefit would be $40 per week.

These supplementary benefits in the past have, in combination with unemployment compensation, given a laid-off worker the equivalent of 65 percent of take-home rather than 62 percent of gross pay, as in the new pact.

The agreement would also provide a 65-percent benefit for short workweeks that are scheduled as such for production purposes by the company. Duration of benefits would be increased to a possible maximum of 52 weeks. Supplementary unemployment only would be paid after the expiration of unemployment compensation payments.

Special short workweek benefit, better than the Big Three offered, was also included in the new agreement. Under this arrangement workers would get benefits equivalent to one-half the base hourly rate of pay for each hour by which the amount of work or pay available to the worker fall short of 40 hours.

Thus, if a worker was employed for only 32 hours in a given week, he would receive his regular pay plus half pay for 8 hours. Workers in the auto industry average $2.84 an hour, according to the U.S. Bureau of Labor Statistics.

Other provisions of the contract include:

A "clear, unchangeable management rights clause."

Liberalization of pensions, so that an employee retiring after January 1, 1962, would receive retirement benefits computed on the basis of $2.80 multiplied by his credited years of service.

Improved benefits for early retirement and permanent disability.

Option for employees to convert their pension rights to enable a surviving husband or wife to receive benefits on an actuarially reduced basis.

INCREASE IN INSURANCE

A better hospital-medical insurance program in which the portion of costs now borne by employees would be financed out of the new progress-sharing fund instead of being deducted from the workers' weekly earnings. This was a feature that Mr. Reuther had stressed particularly in advance of negotiations. The plan also includes payment of one-half the cost of hospital-medical coverage for present and future retirees.

Increase from $5,000 to $9,000 in the life insurance maximum, and in weekly benefit for accidents from $45.50 to $100.

Moving allowances for workers who are transferred from a plant in one city to a facility in another.

Transfer of $3 million in surplus from the joint insurance fund to the newly created progress-sharing fund.

Mr. Reuther and Mr. Cushman said that they were at the halfway mark in reaching

total agreement, pointing out that technicians were working on the precise language of the final contract.

They emphasized that final approval was contingent on securing agreement with respect to local plant working conditions. The national economic agreement is also subject to ratification of members of union locals dealing with American Motors.

The portions of the pact relating to the stock aspects of the progress-sharing plan must be approved by the company's board of directors and stockholders.

[From the New York Times, Aug. 27, 1961]

UNION-AMERICAN MOTORS STATEMENT

DETROIT, August 26.—Negotiators for American Motors Corp. and the United Automobile Workers reached agreement in principle today on a national economic agreement highlighted by a pioneering "progress-sharing plan" subject to reaching mutually agreed on contract changes in plant working practices and procedures.

Walter P. Reuther, UAW president, and Edward L. Cushman, American Motors vice president, said the key elements are:

1. A historic progress-sharing plan that makes available in cash or benefits 10 percent of profits before taxes, after deduction of 10 percent of the stockholders' equity, plus an additional 5 percent to be made available to employees in American Motors stock already authorized. Voting rights for such stock are to be permanently vested in trustees selected by the company's board of directors.

2. Continuation of the annual improvement factor wage increase of 6 cents or 2½ percent of base wages for each year of a 3-year contract.

3. Continuation of the present cost-of-living wage formula with 12 cents of the 17-cent float factored into basic wage rates.

4. Transfer of $3 million surplus from the joint insurance fund to the newly created progress-sharing fund.

5. A clear, unchangeable management rights clause.

6. Continuation of present employee benefit programs from a company fixed-cost standpoint, with the following liberalized benefits financed from the progress-sharing fund:

PENSIONS

(a) for employees retiring after January 1, 1962, liberalized retirement benefits will be computed on the basis of $2.80 multiplied by credited years.

(b) benefits for early retirement and permanent disability have been improved.

(c) employees will have the option of converting their pension rights to enable a surviving husband or wife to receive benefits on an actuarially reduced basis.

SUPPLEMENTARY UNEMPLOYMENT BENEFITS

The weekly rate is raised to 62 percent of gross pay plus $1.50 per dependent up to four dependents with a maximum of $40 per week. A 65-percent benefit will be paid for short workweeks which are scheduled as such for production purposes by the company. Duration is increased to a possible maximum of 52 weeks. Supplementary unemployment benefit payments only will be made after expiration of unemployment compensation payments.

SHORT WORKWEEK BENEFITS

Short workweek benefits of one-half the base hourly rate for each hour by which the amount of work or pay available to the worker falls short of 40 hours, if there is no employee responsibility for his short workweek.

INSURANCE

An improved hospital-medical insurance program under which the portion of cost now borne by employees will be financed out of the new progress-sharing fund instead of being deducted from the workers' weekly earnings. The plan will also include payment of one-half the cost of hospital-medical coverage for present and future retirees.

The life insurance maximum will be increased from $5,000 to $9,000, and the maximum sickness and accident weekly benefit increased from $45.50 to $100, with reduction in the employee's contribution.

Jury duty benefits are improved.

Moving allowances have been agreed upon.

A joint statement of policy against discrimination on the basis of race, creed, color, or national origin, will be included in the agreement.

Other improvements, details of which will be announced later.

Mr. Reuther and Mr. Cushman said: "We are at the halfway mark in reaching total agreement. The national economic agreement is being reduced to final language by our technicians. Its approval, of course, is contingent upon securing an agreement with respect to the local plant working agreement. We are pledged to cooperate and work diligently to arrive at constructive answers to the problems."

The national economic agreement, once concluded, is subject to ratification of members of UAW locals dealing with American Motors, and those portions dealing with the stock aspects of the progress-sharing plan are subject to approval by the American Motors board of directors and stockholders.

Mr. PROXMIRE. Mr. President, I also ask unanimous consent to have printed in the RECORD a more equivocal but at least a hopeful editorial on the same subject, from the Washington Post.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

A NEW AUTOMOBILE WAGE

A few years ago, American Motors pioneered in the introduction of a small car. Now, in cooperation with Mr. Reuther, Mr. Romney has pioneered a new wage agreement. Its principal features are a continued 2½ percent annual improvement factor, a continuation of the escalator clause for cost-of-living increases, part-payment for part-time unemployment, and a share in profits. If this settlement should turn out as effective in setting a pattern for wages as the small car was for automobiles, the results for American industry could be far-reaching.

What consequences are likely to flow from this type of contract, in terms of the Nation's major goals of growth, price stability, and employment? If profit sharing should lead to a reduction in the profits retained by business for new plant and equipment, the growth of output would be adversely affected. But one-third of the proceeds of profit sharing are to go into a fund for purchase of new stock in the company, to be held in the worker's name. This part, at least, will serve for investment. Under the American Motors contract, moreover, the management is to have a freer hand in revising work rules in order to raise productivity. Some compensatory benefits for economic growth should thus ensue.

The effects of the contract upon prices are obscure, but one cannot reject an uneasy feeling that it may be inflationary. A 2½ percent annual improvement factor is broadly in line with national productivity gains and would not be inflationary. The same cannot be said of the cost-of-living clause. During the 1950's, cost-of-living clauses contributed materially to more rapid price increases.

The short workweek benefit involves no extra cost to American Motors; it is to be paid out of the bulk of the proceeds of profit sharing, as are some other fringes. Sharing of profits, the negotiators claim, is noninflationary, because it comes out of total profits after costs; it will not affect the price the company must charge for its cars.

But it is worth noting that, on the company's 1960 profits of about $105 million before taxes, profit sharing would have amounted to some $12 million. This would have been approximately $500 per worker, close to 25 cents an hour and about 8 percent of present wage rates. Not every year may yield such a bonanza, but the inducement for other unions to reach for similar gains either through profit sharing or in straight wage rates cannot be discounted. This might lead to price increases in other industries.

Moreover, the union's interest in lower automobile prices, which Mr. Reuther in the past has championed valiantly, conceivably may not be sustained once it has an interest in profits. In addition, there is the possible effect upon a company's tax bill if it compensates its workers out of profits, which are nondeductible, instead of in higher wages, which are. Against these potentially inflationary factors, however, may be held the greater interest of labor in promoting efficiency for the sake of higher profits, management's freer hand on work rules, and the possibility that labor will push less aggressively for higher wages if it has a stake in profits.

The consequences for employment must be judged mainly on the basis of what this type of contract does to growth and to prices. Faster growth will, over the years, help employment and reduce unemployment, even though in some cases more labor may be displaced by faster automation. If car prices remain stable or decline, employment in the automobile industry will also benefit. Further increases would discourage some buyers and aid foreign competitors. But looking beyond the dollars and cents clauses of the agreement, it is gratifying to see a new route opening up for wider distribution of the fruits of industry.

MENOMINEE INDIANS SUFFER FROM STALLED CONFERENCE

Mr. PROXMIRE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial, from the Milwaukee Journal of August 27, which sets forth the plight of the Menominee Indians resulting from the conflict between the House and the Senate on the Menominee termination agreement.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MENOMINEE RELIEF STALLED

Unless congressional agreement is reached soon, the Menominee Indians of Wisconsin may get no more Federal assistance to help them along the hard road to independence. As Representative LAIRD (Republican, Marshfield) says, the "lack of sympathy and understanding" being shown in Washington is difficult to comprehend.

LAIRD is author of a bill, passed by the House in May, to provide $1.7 million in health, education, and welfare grants to the Menominees over 6 years. It would also grant $438,000 to complete sanitation facilities and authorize loans up to $2.5 million to modernize the sawmill and lumbering operations upon which the Menominees depend for their livelihood.

The Senate in June threw out the health, education, and welfare grants, and pared the loans to $1.5 million. Now the legislation is stuck in a Senate-House conference committee that has been unable to reach a compromise.

The Menominees need the help that the original Laird bill would provide. Federal supervision officially ended April 30 and the Menominee reservation became Menominee County, Wisconsin's 72d. The transition, although earnestly planned for by the Indians

and State representatives, would have been difficult at any time. The slump in building and the lumber business is making the changeover all the harder.

REMODELING OF HOME OF CHAIRMAN OF JOINT CHIEFS OF STAFF TO COST SHOCKING $150,000

Mr. PROXMIRE. Mr. President, I ask unanimous consent to have printed in the RECORD an article from the Washington Daily News of August 26. The article is entitled "Lemnitzer Home To Cost $150,000." I may say this is a shocking cost; it is simply for the remodeling of a home for the Lemnitzer family. Although I have great respect and admiration for the head of the Joint Chiefs of Staff, I think this is a very, very serious extravagance, and certainly is unwarranted—$150,000 to remodel one home. This is enough money to build three beautiful new homes from the ground up. This is insupportable extravagance. Therefore, I think it proper to call this matter to the attention of the Senate and the country.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, Aug. 26, 1961]

FIRST ESTIMATE WAS $105,000—LEMNITZER HOME TO COST $150,000

(By L. K. Bridwell)

U.S. taxpayers probably will wind up paying closer to $150,000—instead of the $105,000 being talked about—for a new home, complete with 10 bathrooms and lavatories, for the Nation's No. 1 military leader.

Congress now has slapped a $20,000 limit on such projects, but this remodeling project got underway before the limit was imposed.

The future home for the Chairman of the Joint Chiefs of Staff—now Gen. Lyman Lemnitzer—is near completion on the quiet, tree-shaded hilltop of nearby Fort Myer. It is being put together from a double house which provided quarters for lesser military figures—two and three-star generals.

PROBLEM

Whether wasteful or not, the spacious new quarters will settle a problem which long has perplexed Washington's rank, protocol, and social-minded military leaders.

Defense Department officials responsible for the job stoutly defend the remodeling. They say its cost will be $105,459. But that doesn't include preparing plans, construction supervision, certain outside construction, carpeting, furnishing, and other items. The total cost more likely will be about $150,000.

Studies going back to 1957, ordered by former President Eisenhower and former Defense Secretary Charles Wilson, led to the decision for an official residence for the JCS Chairman.

The main floor has been designed almost entirely to meet the entertainment needs of the JCS Chairman. The new dining room, 28 by 36 feet, will easily seat 50 people.

The entire first and second floors will be carpeted, in part to cover the patched floors. Where stairwells were removed and walls changed, the holes were covered with plywood, rather than with matching hardwood flooring.

The house will have a new heating and air-conditioning system as well as new plumbing, wiring, and fixtures. Except for areas in the basement and on the third floor, all walls will be newly plastered.

The Lemnitzers are scheduled to move in next January.

SECOND FLOOR

The second floor actually will be General Lemnitzer's private living quarters. Plans call for a sunroom here, probably serving as General Lemnitzer's living room. The general also will have a private office on the second floor. The master bedroom has two baths. Also on the same floor are another one and a half more baths.

The third floor will have three bedrooms, two baths, and three storage rooms.

A check of plans and specifications shows that quality material is being used but plush, expensive appointments are few.

SETTLEMENT OF THE METROPOLITAN OPERA DISPUTE

Mr. JAVITS. Mr. President, all the world hails the settlement of the labor dispute which threatened to deny us a season of the Metropolitan Opera Co. Of course, all who are much interested in the Metropolitan Opera are deeply gratified that the Secretary of Labor interceded successfully, and that his arbitration has been accepted. Whenever an American performs well, whatever may be his political party, it is a matter of gratification to all Americans; and that is the situation with respect to Secretary Goldberg's part in this case.

But, Mr. President, this development in connection with the Metropolitan Opera Co. teaches a number of things. In the first place, it shows how far behind the rest of the world we lag with the performing arts and the visual arts. We are the only nation in the world which has no such program.

This situation is emphasized by the fact that the officials of the Metropolitan Opera Co. tell me that after Secretary Goldberg's accomplishment, they will have to raise the additional funds required, and that it may be that the opera will have a deficit of in excess of $1 million for the coming season, whereas normally its deficits have amounted to between $500,000 and $700,000. This money will have to come from somewhere. In this case it probably will have to come again from generous and warmhearted New Yorkers, whatever may be their personal wealth. New Yorkers are traditionally generous in contributing to cultural activities.

But this is an impossible situation, and, indeed, it almost brought us the national calamity of a closed Metropolitan Opera.

Mr. President, in our country we do much about tying the world together, and about various forms of construction and development, and certainly we do enormous things about the military security of our own country. But when it comes to speaking with a loud voice in terms of the United States, through the U.S. Information Agency and other media, and, especially, when it comes to the cultural activities of our country, which are so important to the position of the United States in the world—and today all of us well understand that—we move as if we were the size of a pigmy.

The recent Metropolitan Opera Co. dispute, in which it was necessary to make use of the unique procedure of arbitration by the Secretary of Labor, the President's own representative, who successfully arbitrated the dispute, certainly teaches us that we are very much behind the times, and that in our country there is a real cultural lag.

In his letter to the parties to the Metropolitan Opera dispute, the President said that the Metropolitan Opera is "a truly international institution," and he also said that failure of the Metropolitan Opera to open its season would constitute an international incident.

The Russians have already gotten on the bandwagon; I have transcripts of Russian broadcasts which sardonically quote one of the country's musicians as saying, "If your child shows musical talents, break his hand"—as if that represented the situation in the United States.

Mr. President, it is intolerable for this situation to confront a great nation like ours, which has taste and quality and creativeness.

The necessity now is for Government action. I shall stimulate such action in every way I can; I shall do all within my power to have our committees take action in this field.

The dollar cost will not be great. For instance, in New York City the Arts Foundation, of which I am a member, regularly is able to raise many thousands of dollars in the form of contributions to the performing arts. On the national level, $3 million of the President's fund was spent for international artistic activities; but such programs tend to be inefficient and lacking the drive which is supplied by moving through an established Government agency.

For instance, Mr. President, the Smithsonian Institution's Board of Trustees is one of the most distinguished organizations in the world, and it maintains a cultural agency. It is obvious that official Government action along that line must now be taken. Indeed, this dispute and its resolution and the danger we ran teach us that we must do this.

I hope that we will cease to be derelict in this very critical area, and get to acting.

Mr. KEATING. Mr. President, I am delighted that arrangements have been made for the Metropolitan Opera of New York to settle its differences with its orchestral employees. The 1961–62 season will be held. This is not just a New York matter. It involves our entire country, for the Met performs in many American cities; and, indeed, it involves the whole world, for the international prestige and stature of the Met is unparalleled.

The dispute will be settled by arbitration by the Secretary of Labor. This is a new departure. It has never been done before.

During the 1960 campaign, the new administration promised labor legislation reforms with the end in mind of developing an arsenal of Presidential powers to deal with key national labor-management breakdowns. I have always favored this overall objective. Although the administration's efforts to accomplish this purpose by legislation are stalled on dead center, the Secretary's action in this case does constitute a new weapon in the settlement of labor

controversies. In a sense, we have a case of back-door legislating. But, call it what you like, Mr. President, the end result is highly favorable. The Met will sing out again in 1961.

I take this opportunity to express my personal gratitude that this settlement has been reached. It is a fine victory for the arts, a field in which the excellence of American performers is becoming more pronounced every day.

TRIBUTE TO JUDGE LEARNED HAND

Mr. KEATING. Mr. President, this Nation and the entire civilized world suffered a keen loss 2 weeks ago in the death of one of the most distinguished jurists in our entire history, Judge Learned Hand.

Nowhere has this loss been felt more keenly than in the north country—the triangle of beautiful forests and fertile valleys that lies between Lake Champlain and Lake Ontario in upstate New York—which nurtured the firm roots that produced the great legal family of Hand.

I ask unanimous consent that an editorial tribute to Judge Hand from the August 24 issue of the Warrensburg News appear at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A PIECE OF THE NORTH COUNTRY DIED

A piece of the North Country died last Friday in New York's St. Luke's Hospital when the strong heart of Judge Learned Hand faltered and stopped.

The wealth of the Adirondacks is not, and never has been in the great trees of our forests nor in the rich loam of our valleys. It is in our people, whose character copies the granite qualities of our rocks and whose talents match the fruitful creativeness of our meadows and mountains.

John Hand came to America from Kent, England, and settled in Vermont. His son, Augustus, with his wife Elizabeth, moved to Elizabethtown in Essex County in 1830. He served as surrogate, as postmaster and in 1838 was elected to Congress. He had two sons, Richard Lockridge and Samuel, born in Elizabethtown.

Richard, who practiced law in Elizabethtown, had a son who was christened Augustus N.

Samuel moved to Albany. His son was named Learned.

The two grandsons of August Cincannatus became Judge Hand, A., and Judge Hand, L., of the U.S. Court of Appeals, Second Circuit. Both were regarded as among the greatest American jurists and both admittedly deserved appointment of the U.S. Supreme Court.

Augustus retired in 1953 and died in 1954, at the age of 85.

Learned Hand retired in 1951 but continued to carry out special assignments.

In 1960, President Eisenhower appointed Judge Hand to the President's Commission on National Goals, an appropriate appointment because Judge Hand embodied ideals which ought to shape our country's destiny.

In the tributes which have been written and spoken about Judge Hand, this is apparent. In honoring him we, as a nation, pay homage to the best that we are to the best that we hope to become.

If Judge Hand were to sum up the quality he most wanted to see in America, he would probably use the word "tolerance." For that was the theme of one of his most quoted essays: "The Spirit of Liberty":

"The spirit of liberty is the spirit which is not too sure that it is right.

"The spirit of liberty is the spirit which seeks to understand the minds of other men and women. The spirit of liberty is the spirit which weighs their interests alongside its own without bias.

"The spirit of liberty remembers that not even a sparrow falls to earth unheeded.

"The spirit of liberty is the spirit of Him who, nearly 2,000 years ago, taught mankind a lesson that it has never learned, but has never quite forgotten: that there may be a kingdom where the least shall be heard and considered side by side with the greatest."

REPORT ON DISTRIBUTION OF OBSCENE LITERATURE

Mr. KEATING. Mr. President, one of the most vicious rackets now operating in this country is the traffic in obscene literature. This noxious trade is particularly dangerous because it is directed at the minds of the very young.

It is no overstatement to say that obscene literature is a threat against the moral fiber of the next generation of Americans. There can be no doubt that, unless action is taken quickly, this vast and lucrative business will become a major department in the empire of organized crime.

The Senate, through passage of S. 162, which would set up a Commission To Study Obscene and Noxious Material, has shown that it is aware of its responsibilities in this matter. Unfortunately, the other body has not yet acted on this important legislation.

A lengthy article in the current issue of St. Jude, a publication of the Claretian Fathers, documents with unprecedented thoroughness the full extent of this threat. I recommend that all Members of Congress read this article, written by Bob Brizzolara, in its entirety. It gives a very full picture of the trade that is menacing the children of this country.

Because of its length, I will not ask that the entire article be printed in the CONGRESSIONAL RECORD. The theme of the article is so illuminating, however, that I ask unanimous consent that at this point in the RECORD appear several extended excerpts from "Smut, the Children's Plague," by Bob Brizzolara, a St. Jude reporter.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

SMUT: THE CHILDREN'S PLAGUE

(By Bob Brizzolara)

There is a black plague sweeping the Nation more devastating than the one that ravaged Europe in the Middle Ages. Its principal victims are children and adolescents, although, like its ancient predecessor, it destroys adults as well. Clergymen, educators, sociologists, city, State, and Federal law-enforcement agencies are hard pressed to curb it—and often disagree as to method.

The children's plague is pornography. Its name, however, is legion: obscenity, sexual depravity, sadism—the entire spectrum of carnality usually in printed or photographic form, or both. It is sold by the ton primarily to elementary and high school boys and girls. Approximately 1 million children are being solicited by mail order pornographers each year, according to the U.S. Post Office Department, which last year received 70,000 separate complaints from parents. The commercial filth by mail is estimated to be a half-billion-dollar-a-year racket and growing more lucrative by the day, thanks to hobbling court decisions, light prison sentences and fines, and public apathy.

Side by side with the mail-order smut peddlers are the incredibly prolific publishers of obscene paperback books and magazines considered to gross at least a billion dollars annually.

Those concerned declare that no act of subversion planned by the Communist conspiracy could be more effective in shredding the Nation's moral fabric than the lethal effects of pornography. While it is not impossible that some of the material now sold is Kremlin inspired, ironically the Reds need not work too hard at this. They are well aided by thousands of amoral, dollar-crazed Americans, many of them militant in defense of their constitutional rights to pander to man's baser passions and their consequent fallout: perversion and depravity.

Sex crimes have skyrocketed in virtually every American community, particularly in urban areas. In Chicago crimes against children in 1959 were second only to forcible rape cases. Jack Mabley, crusading Chicago newspaperman, estimates there are at least 14,000 known sex criminals loose in Chicago who, in a year's time, escaped detection, were freed, or given probation with short jail sentences of less than 1 year. By 1962 it is expected that we will arrest 1 million children for major crimes. Already 50 percent of major crimes are committed by minors.

J. Edgar Hoover, Chief of the Federal Bureau of Investigation, attributes the Nation's rising sex crimes directly to commercial pornography:

"We know that in an overwhelmingly large number of cases, sex crime is associated with pornography. We know that sex criminals read it, are clearly influenced by it. I believe pornography is a major cause of sex violence."

His view is supported by virtually every reputable authority. Dr. Nicholas G. Frignato, chief neuropsychiatrist and medical director of Philadelphia's municipal court, could well serve as a spokesman with this indictment:

"Pornography is an instrument of delinquency. It is an insidious threat to moral, mental, and physical health. It debases the true meaning and function of sex; it leads to excessive eroticism, morbid preoccupation with sex, and it incites to immoral and antisocial behavior."

* * * * *

If your son or daughter has ever ordered a pen knife, doll, camera, flower seeds—anything—by mail or had their name and address listed in a school directory or yearbook, chances are increasing that they may be solicited to purchase pornography by explicit offers as those above, and worse. The Kefauver committee reports uncounted instances of obscene circulars sent to children as young as 10 or 12. The mail order sin merchants hunger for better and newer mailing lists, particularly those of school children and teenagers who, once "hooked" in the manner of dope addicts, form a faithful and steady market for future purchases. In one grade school in Los Angeles 600 pieces of pornographic material were confiscated from schoolchildren in a 2-month period. It is also naive to assume that Catholic schoolchildren, both boys and girls, are immune from the children's plague. Nuns, brothers, and priests are discovering pornography not only in classrooms but in church and in sacristies on the persons of altar boys.

Its effect in a classroom is electric. One nun in a midwestern suburb said: "We can always tell when this stuff is making the rounds. You can sense it in the room. When this happens we question each pupil individually until we uncover the rotten truth."

James Jackson Kilpatrick, author of "The Smut Peddlers" (Doubleday, $4.50), has written one of the best documented exposés of smut rackets to date. Editor of the Richmond News Leader, Newspaperman Kilpatrick spent 6 months investigating both mail order and newsstand obscenity. Using three pen names he dredged up a nauseating dung heap of erotica by mail.

New York and Los Angeles, says Kilpatrick, are the major sources of pornography for two reasons: the availability of models and photographic facilities and tolerant Federal judges loath to impose heavy sentences. The Los Angeles syndicates operate behind a "buxom front of girls' clubs," he says, "The pitch is always the same. Alice, Jane, Ilene, and Shirley are four starlets who 'tried real hard but didn't make the movies'." The girls, of course, are subterfuges for the pornography pros, mostly men. They offer sets of 12 photos for $3; sets of 12 slides of the girls "as you like them," $5.95; the whole works—48 photos and 48 slides, $30. Stag movies are available—starring the girls, of course—from $6 to $20, "and every purchaser gets a friendly handwritten letter from the gal of his choice."

The advertising copy of most mail order rot plainly is intended to produce one return first of all: names. Names and addresses. "The racket will take the willing sucker for just as much as the sucker can be taken," writes Kilpatrick. "Preying upon adolescents, curious girls, sex-hungry old men, the pornography factories will fill any order that promises a ready profit." The filth merchants aim the bulk of their garbage at the so-called normal male animal. However, should he tire of photos and movies he can readily obtain novelties, playing cards, peephole viewers, jigsaw puzzles, erotic recordings, suggestive statuettes, and lewd chinaware. (He may even obtain "girl getting" advice: "Go to church. You don't have to be religious. Just go.")

These objets d'art are the "refinements" of the smut racket sold by mail and mobile salesmen near schools and gathering places. The stockpiles are fabulous. In one of the biggest raids in the history of New York City, postal officers confiscated 14 tons of obscene material from a single source. It was valued at $878,000 and required more than a month for a team of three inspectors, four clerks, and two laborers to inventory.

* * * * *

What is the answer?

What can apprehensive parents do to wipe out this aspect of the children's plague?

"Vigorous prosecution" say inspectors Dunne and Kelley.

"Tougher laws," say jurists, youth leaders, and educators.

Meanwhile, ex-Postmaster General Arthur E. Summerfield outlines three steps if vermin begin to infest your mailbox:

1. Save all the materials received, including envelopes and all enclosures.

2. Report the matter to your local postmaster and turn the material over to him.

3. Stand ready to sign a formal complaint and testify if necessary.

Unless this insidious racket is smashed by direct public and official action, Summerfield envisions this dark future:

"The obscenity business, with its vast revenue, will be taken over by organized crime to a far greater extent. It will become a gigantic organized racket, with millions more of our children its principal victims. The undermining of the moral fiber of the Nation's children will spread; with the poisoning of increasing millions of minds. Sex crimes will be spreading blight on our society and will become far more prevalent than they are today. And overall, we could expect an ultimate breakdown of order and decency in this country."

This applies as well to all forms of commercial smut, including the hard-core, point-of-purchase material, pornographic paperback novels, and "girlie" and nudist magazines which, unhappily constitutes yet another chapter in the sordid American saga of the children's plague.

* * * * *

In the realm of periodicals there arises a precious point of constitutionality which guarantees freedom of the press. And it is here that the battle rages between those who would seek the protection of the Constitution for their own nefarious ends and those who hold with Cardinal Spellman that "perhaps the most widespread and popular form of perversion is the perversion of 'freedom.' When hypocrites apply this sacred term to contemptible schemes in order to prey upon the weaknesses of unformed character under the banner of 'freedom of speech' or 'freedom of the press' they are not only victimizing our children but endangering our Nation's treasured heritage."

Various courts at different times have handed down decisions on obscenity which have later been reversed or revised by virtue of new interpretations, "new mores." Today, a particular book may be legally obscene under one State's law and not another; obscene in one State and not obscene under a Federal postal prosecution in another. Recently, many State and municipal obscenity laws have, when contested, been found unconstitutional or defective. Penalties also vary and for the most part are light.

Recently, the Supreme Court of the United States held that the protection of the constitutional guarantees of freedom of expression does not extend to obscenity. It also defined obscenity as:

"Whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to the prurient interest."

The law, jealous of restricting any freedom, is strictly construed. By this definition a book may be judged to violate the contemporary community standards of, say, Sioux City, Iowa, but not a presumably more sophisticated community, for example, New York.

The Catholic Bishops of the United States, in their meeting in 1957, defended the principle of minimal restraint but noted that "between the legally punishable and the morally good there exists a wide gap. If we are content to accept as morally inoffensive all that is legally punishable we have lowered greatly our moral standards. It must be recognized that civil legislation by itself does not constitute an adequate standard of morality."

It was to bridge this gap between the legally acceptable and the community moral standard that the Catholic bishops in 1938 organized the National Office for Decent Literature, 33 East Congress Parkway, Chicago, Ill., and headed it with Msgr. Thomas J. Fitzgerald. He, incidentally, added his own postscript to the bishops' statement when he said:

"God help future generations if the legal standard becomes the community standard."

The purpose of NODL, as defined by the bishops, is to set in motion moral forces against lascivious literature threatening moral, social, and national life. In no sense is the office exclusively a Catholic movement. Primarily it is a service organization coordinating activities and supplying information for and to all interested groups. It is recognized even by its opponents as the largest and most active organization in the field of private action against obscenity.

NODL lists as objectionable reading for youths those publications which, among other things, glorify crime, exploit horror, cruelty or violence, portray sex facts offensively or feature indecent, lewd, or suggestive photographs or illustrations. Thanks to its code and efforts, the former comic books of ill repute have, for the most part, cleaned up their contents by self-policing of the Comic Magazine Association of America. NODL has also established good working relations with the major publishers and periodical distributors, many of whom willingly cooperate with the national office's work.

NODL's evaluation system is virtually unique. A committee of five mothers of grammer school or teenage children receives a specified number of books and periodicals to review regularly. Each member of the committee reads each book in the light of the NODL code and evaluates it as (1) unobjectionable, (2) borderline, or (3) objectionable. If all five reviewers find the book unobjectionable it is added to the acceptable list. If four of the five mothers consider the book unsuitable it is listed as objectionable. If they vote it borderline the NODL takes no further action. On the same general basis, magazines and comic books are also reviewed. NODL listings are available on request.

Other organizations very much in the front lines are the Christian Brothers Boys Association, headed by Brother H. Basil, F.S.C., of De La Salle High School, Chicago; Citizens for Decent Literature, Inc., 3901 Carew Tower, Cincinnati, Ohio; Churchmen's Commission for Decent Publications, 1405 G Street NW., Washington, D.C.; and Americans for Moral Decency, 173 West Madison, Chicago, Ill. Jewish Rabbinical Council and other Protestant groups such as the Board for Christian Social Action of the American Lutheran Church, to name a few, are waging the fight with vigor.

How effective are these organizations? Evidence is considerable. NODL suggests carefully blueprinted methods for local citizens groups to work effectively through organized local action. CFM, Holy Name, and other church organizations, as well as many nonsectarian and interdenominational groups, follow the steps outlined by NODL. These include visits by members to local retailers suggesting removal of books, and magazines considered objectionable. Retailers, who in the main cooperate, are often dismayed to learn the nature of the periodicals left in volume too large for them to evaluate personally after each delivery.

It frequently happens that the local druggist or grocer will welcome the regular visits by NODL-inspired members who volunteer to check the books and magazines. When a retailer refuses to cooperate NODL advises polite withdrawal. "Little is ever gained by argument, but silence can often be most effective." Some dealers will wail the cliche plaint, "Why pick on me? I have to take the junk in order to get the good stuff." Answer: Block-buying or job-lot policy is now illegal in most States because of the enactment of tie-in sale laws. If a dealer insists that this is still the case the NODL-motivated groups approach the distributor and ask, in effect, "How come?"

In Cincinnati some highly effective work was accomplished through the organization of a citywide women's division under the auspices of the Citizens for Decent Literature. A remarkable army of 9,000 volunteer workers was assembled in 1 day by doorbell ringing. Seventy thousand women were enlisted to support Citizens for Decent Literature objectives.

"Operation Newsstand" in Coral Gables, Fla., was perhaps the most dramatic example of an aroused citizenry in action against printed smut. A Decent Literature Council representing 46 community organizations succeeded not only in driving pornography from Coral Gables newsstands and bookracks but also was instrumental in persuading the Florida General Assembly to adopt strong new antiobscenity laws. The American Legion Auxiliary, State Federation of Women's Clubs, and the Florida Association of Juvenile Judges all united with

with Citizens for Decent Literature in the drive.

The Christian Brothers Boys Association, through its speakers' bureau, has spotlighted the problem and contributed to its solution, particularly in suburban Chicago. In Granite City and Springfield, Ill., other groups—and individuals on their own—waged effective warfare by the simple expedient of reading aloud extensively at meetings some of the typically lurid and lewd book passages readily obtainable anywhere in town.

The inevitable cry of "censorship" and "freedom of the press" always arises. In some instances overzealousness may have justified the complaint but the organized combatants are learning the law so that they can fight ultimately on the only effective level—the law and the courts. Monsignor Fitzgerald of NODL acknowledges a certain period of trial and error, if not naivete in NODL's original approach to its work. Today he hopes for the enactment of stronger statutes that will provide at least minimal restraint on publishers and other offenders. "In that way," he says, "perhaps the publishers will set their sights just a little higher than the minimum in order to play it safe."

The antidote to the children's plague rests, as it must, upon the citizen, individually and collectively. It does not suffice to rail at the courts and the law and let it go at that. "Government," says Monsignor Francis J. Lally, editor of the Boston Pilot, "cannot be unmindful of public morality, to be sure * * * but government concerns itself about the acts of its citizens, not their ideas." Therefore, he continues, it is not the province of the individual citizen to attack the courts or lawmakers "as if to say that they should judge and legislate in terms of the minutest implications of the moral law." He calls for "a strong and intelligent public opinion (which) must be directed at those who produce and distribute questionable material so that the climate of the society has itself an effect on the standards of morality in art. This is where much of our present problem lies."

To influence morality of art of which the Monsignor speaks, NODL, CDL, AMD, CBBA, and others espouse positive programs by urging parents to foster good reading and reading habits in the home and out; support drives for newer and better libraries and book fairs; compliment publishers, wholesalers, and retailers who stock good literature—the positive possibilities are endless. Brother Basil lays great stress on the value of even one voice raised in protest. "Each of us speaking out in our own behalf can work wonders. I've seen it happen many times. Let your voice be heard."

Until this dual program is effected to combat immorality and foster morality, the children's plague will continue in its spiritual slaughter of the innocents. Perhaps no one better epitomized the scope and dreadful ramification of this new diabolism than a school nurse in Cleveland, Ohio, who wrote:

"I work in elementary and junior high school and watch much of the delinquency in the making, the erotic absorption of sexual subjects, the blocks to learning (that) are appalling. What do I tell an 11-year-old boy who hands over a group of pornographic photos and who has even been paddled for picking up girls' dresses? What do I say to a mother when I ask her to take her seventh-grader into a clinic because she was named as a VD contact? What do I say to a teacher who is crying because a group of seventh grade girls leave a dirty, filthy bit of hand-drawn obscenity with remarks about her on her desk? I was shown four big stacks of textbooks too filled with hand-drawn obscenities to be further usable."

She concludes solemnly—and ominously: "I can see the day when our children will rightfully curse us for our present apathy."

U.S. POLICIES IN THE MIDDLE EAST

Mr. SCOTT. Mr. President, every so often agencies of our Government seem to overlook the fact that Israel is the only real democracy in the Middle East. The most recent actions in that category are detailed in two articles which appeared in the Jewish Exponent, a newspaper published in Philadelphia. I ask unanimous consent that the articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

CAPITAL SPOTLIGHT

(By Milton Friedman)

WASHINGTON.—Despite a covert State Department bid for Arab favor by "leaking" views that Israel should use its funds to finance Arab refugee repatriation rather than rocket research, Israel's multistage rocket achievement made a cosmic hit with the National Aeronautics and Space Administration and the U.S. Defense Department.

U.S. military forces, influenced by Gen. S. L. A. Marshall and others, have long had an affinity for Israel. West Point and the Naval Academy, in assessments of world armies, laud Israel tactical achievements. Since several Arab states are armed with Soviet weapons and some U.S. officers recall the Egyptians' failure to defend their own territory against Rommel's Nazi legions, the American military establishment lacks affection for the Arabs. Israel's Sinai victory is even studied by U.S. armored forces.

Fort Benning and other U.S. military posts have warmly received Israel Army guests. Yet when Israel attempts to purchase arms of types unavailable from France and Britain the Israelis often await export licenses that never seem to obtain final approval. The licenses remain "under study" as years pass and administrations change.

But military sources are quick to point out the fact that all arms export licenses must obtain final approval from the State Department. Even if equipment is gathering dust in huge arsenals, the military men cannot release it without State Department export licenses.

When Israel's rocket made the headlines, officials of both NASA and the Pentagon indicated both surprise and pleasure at Israel's technological progress.

Why did a different response come from the State Department? The Department is currently obsessed with portents of the coming summit conference of neutral nations in Yugoslavia. President Nasser of the United Arab Republic, along with Yugoslavia's Tito and Cuba's Castro, will chart a course for over a score of nations. Many are Moslem states.

The Department envisages a "fluid policy" for the Middle East to lure the United Arab Republic and other Arab nations from the Communist bloc. Mindful of the many new nations that have emerged in Africa, some Islamic, the Department is preparing for the September session of the United Nations General Assembly.

It has been facetiously suggested here that Israel split itself into three separate republics to enhance its bloc voting power at the U.N. A Negev Republic, Galilee Republic, and Yarkon Republic would have three votes instead of Israel's sole ballot.

The likelihood that President Kennedy will meet with Nasser in the United States this autumn is great. However, administration sources insist that such developments, including even revival of demands by the United States for Israeli compensation and repatriation of the Arab refugees, do not bespeak an anti-Israel policy.

Walworth Barbour, newly designated American Ambassador in Tel Aviv, said on arrival that American policy had not changed since America recognized Israel in 1948. This assertion puzzled observers who have witnessed change after change.

A position is taken that Israeli concessions on the "festering sore" of the Arab refugees is urgent. Nothing is said about Arab concessions on the boycott and blockade. The Arabs, of course, have no intention of permitting any actual solution of the refugee issue short of the total destruction of Israel.

UNITED STATES-ARAB RELATIONS

The American Jewish Committee could not have been more forthright when, in effect, it warned Secretary of State Dean Rusk that in catering to the leadership of the Arab League at the expense of the fundamental rights of the American citizen, he is jeopardizing the prestige and the good name of this country.

His action is in total disregard and in actual defiance of the policy set forth on a number of occasions by the President himself.

The memorandum submitted to the Secretary of State, entitled "Invasion of American Rights on the Part of the Arab League Nations," is both an indictment and a call to respect of the fundamental principles of equality of American citizenship. It forcefully reminds the State Department that "the dignity of the United States, its status as a champion of universal rights, demands that this invasion be promptly repelled."

As indicated in these columns on previous occasions, the disparity between the two major arms of our Government, namely the utterances of the President and the action of his personally chosen Secretary of State, have become increasingly pronounced and increasingly distressing. There is real danger lurking in this type of double bookkeeping. In exposing this intolerable situation and its involvement in the manner it did, the American Jewish Committee has rendered a distinct service to the entire community.

THE CALENDAR

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

Under the unanimous-consent agreement, at the conclusion of morning business, the Senate will proceed to the consideration of bills on the calendar to which there is no objection, beginning with Order No. 741.

Mr. BIBLE. Mr. President, before beginning the call of the calendar, starting with Calendar No. 741, which is H.R. 6309, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BIBLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BIBLE. Mr. President, I ask that under the order of last Friday the Senate proceed to the consideration of measures on the calendar to which there is no objection, commencing with Calendar No. 741.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and the clerk will state the first measure on the calendar.

BILLS PASSED OVER

The bill (H.R. 6309) to amend title VI of the Merchant Marine Act, 1936, as amended, in order to increase certain limitations in payments on account of operating-differential subsidy under such title, was announced as first in order.

Mr. HART. I ask that the bill go over, Mr. President, as not properly calendar business.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H.R. 6732), to amend the Merchant Marine Act, 1936, as amended, to encourage the construction and maintenance of American-flag vessels built in American shipyards, was announced as next in order.

Mr. HART. Mr. President, I ask that the bill go over, by request.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H.R. 468) to amend section 1073 of title 18, United States Code, the Fugitive Felon Act, was announced as next in order.

Mr. HART. Over, Mr. President, by request.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

PROTECTION OF CONSUMERS FROM FRAUDULENT MISREPRESENTATION OF ARTICLES OF MERCHANDISE

The Senate proceeded to consider the bill (S. 1186) to facilitate the protection of consumers of articles of merchandise composed in whole or in part of gold or silver from fraudulent misrepresentation concerning the quality thereof, and for other purposes, which had been reported from the Committee on Commerce, with amendments, on page 1, line 7, after "1906", to strike out "(34 Stat. 261; 15 U.S.C. 297)" and insert "(34 Stat. 260, 15 U.S.C. 294 et seq.)"; on page 2, at the beginning of line 21, to strike out "such person, firm, corporation, or association shall before depositing such article in the United States mails or causing such article to be distributed within the United States or any of its possessions"— and, in lieu thereof, to insert "such person, firm, corporation, or association, before depositing any such article manufactured or manufactured and imported six months after the effective date of this Act in the United States mails, or causing such article to be so deposited, for transmission thereby, or delivering such article or causing such article to be delivered to any common carrier for transportation from one State, territory, or possession of the United States, or the District of Columbia, to any other State, territory, or possession of the United States, or to said District, in interstate commerce, or transporting such article or causing such article to be transported from one State, territory, or possession of the United States, or from the District of Columbia, to any other State, territory, or possession of the United States, or to said District, in interstate commerce, shall—" and on page 4, line 11, to strike out "(b)" and insert "SEC. 2."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 4 of the Act entitled "An Act forbidding the importation, exportation, or carriage in interstate commerce of falsely stamped articles of merchandise made of gold or silver or their alloys, and for other purposes", approved June 13, 1906 (34 Stat. 260; 15 U.S.C. 294 et seq.), is amended by—

(1) inserting therein, immediately after the section number "SEC. 4.", the subsection designation "(a)"; and

(2) adding at the end thereof the following new subsection:

"(b) Whenever any person, firm, corporation, or association—

"(1) applies or causes to be applied to any article of merchandise intended for sale or customarily sold as a complete product to consumers within the United States or any of its possessions, by stamping, branding, engraving, or otherwise, any quality mark or stamp indicating or purporting to indicate that such article is made in whole or in part of gold or silver or of any alloy of either such metal; or

"(2) imports into the United States or any of its possessions any such article of merchandise bearing any such quality mark or stamp which indicates or purports to indicate that such article is made in whole or in part of gold or silver or of an alloy of either such metal,

such person, firm, corporation, or association, before depositing any such article manufactured or manufactured and imported six months after the effective date of this Act in the United States mails, or causing such article to be so deposited, for transmission thereby, or delivering such article or causing such article to be delivered to any common carrier for transportation from one State, territory, or possession of the United States, or the District of Columbia, to any other State, territory, or possession of the United States, or to said District, in interstate commerce, or transporting such article or causing such article to be transported from one State, territory, or possession of the United States, or from the District of Columbia, to any other State, territory, or possession of the United States, or to said District, in interstate commerce, shall—

"(A) apply or cause to be applied to that article a trademark of such person, firm, corporation, or association duly registered or applied for within thirty days after an article bearing the trademark is placed in commerce or imported under the laws of the United States or the name of such person, firm, corporation, or association; and

"(B) if such article of merchandise is composed of two or more parts which are complete in themselves but which are not identical in quality, and any one of such parts bears such a quality mark or stamp, apply or cause to be applied to each other part of that article of merchandise a quality mark or stamp of like pattern and size disclosing the quality of that other part.

Each identifying trademark or name applied to any article of merchandise in compliance with clause (A) of this section shall be applied to that article by the same means as that used in applying the quality mark or stamp appearing thereon, in type or lettering at least as large as that used in such quality mark or stamp, and in a position as close as possible to that quality mark or stamp."

SEC. 2. The amendments made by this Act shall take effect on the first day of the third month beginning after the date of enactment of this Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

CONVEYANCE OF CERTAIN REAL PROPERTY TO THE STATE OF HAWAII

The bill (H.R. 1794) to provide for the conveyance of certain real property of the United States situated in Hawaii to the State of Hawaii, was considered, ordered to a third reading, was read the third time, and passed.

DISPOSITION OF CERTAIN WATERFOWL FEATHERS AND DOWN

The bill (H.R. 7447) to amend the Strategic and Critical Materials Stock Piling Act to provide for the immediate disposition of certain waterfowl feathers and down, was announced as next in order.

Mr. WILLIAMS of Delaware. Mr. President, may we have an explanation of the bill?

Mr. HART. Mr. President, it is my understanding there is an uncertainty with respect to the category into which waterfowl feathers and down fall. As I understand, if these are in fact critical materials which have become obsolete for a particular purpose, the 6-month period of notice is not required; but if they are, items no longer of interest to the Government, the 6-month limitation as to a waiting period is required.

If there is no objection, I suggest that we have printed in the RECORD at this point the committee explanation of the report.

There being no objection, the excerpt from the report (No. 769) was ordered to be printed in the RECORD, as follows:

This bill would waive the statutory requirement for a 6-month waiting period before the Administrator of General Services is authorized to dispose of not more than 2 million pounds of waterfowl feathers and down from the national stockpile.

EXPLANATION

On April 6, 1961, the Administrator of General Services caused to be published in the Federal Register a notice of a proposed disposition of approximately 2 million pounds of waterfowl feathers and down now held in the national stockpile. The text of the publication of this announcement in the Federal Register follows:

"WATERFOWL FEATHERS AND DOWN HELD IN THE NATIONAL STOCKPILE PROPOSED DISPOSITION

"Pursuant to the provisions of section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)), notice is hereby given of a proposed disposition of approximately 2 million pounds (clean basis) of waterfowl feathers and down now held in the national stockpile.

"The Office of Civil and Defense Mobilization has made a revised determination, pursuant to section 2(a) of the Strategic and Critical Materials Stock Piling Act, that there is no longer any need for stockpiling these 2 million pounds of feathers and down. The revised determination was based upon the finding of the Office of Civil and Defense Mobilization that said 2 million pounds of feathers and down are obsolescent for use in time of war.

"General Services Administration proposes to transfer to Federal agencies such quantities of feathers and down as may be required by such agencies. In order to provide for further disposal, General Services Administration may sell feathers and down on a competitive basis, or otherwise dispose of them in the best interest of the Government. The quantity offered for initial sale

will range between 60,000 and 500,000 pounds (clean basis). At periodic intervals of not less than 45 days following the initial offering, further sales will be made. Each offering, following the first, will be of a quantity to be determined after an evaluation of the results of the earlier sales, taking into consideration the amounts purchased for export from the United States and the market conditions then existing. The said 2 million pounds of feathers and down will become available for transfer or sale beginning 6 months after the date of publication of this notice in the Federal Register.

"This plan and the dates of disposition have been fixed with due regard to the protection of producers, processors, and consumers against avoidable disruption of their usual markets as well as the protection of the United States against avoidable loss on disposal.

"JOHN L. MOORE,
"Administrator.

"Dated March 30, 1961."

NEED FOR CONGRESSIONAL ACTION

Under section 2(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98a(a)) the Director of the Office of Civil and Defense Mobilization is charged with the responsibility of determining the strategic and critical materials to be stockpiled. Section 3(e) of the act empowers the Director of the Office of Civil and Defense Mobilization to authorize the Administrator of General Services to dispose of any materials in the stockpile that are no longer needed. Such disposals may not be made until 6 months after the publication in the Federal Register and transmission of a notice of the proposed disposal to the Congress and to the Armed Services Committee of each House. If determination to dispose of certain materials is for other than obsolescence of the material for use in time of war, express approval of the Congress is required before the disposal can be accomplished. If the proposed disposal is based on a determination that the material is obsolescent for use in time of war, express approval of the Congress is not required. For the purposes of these requirements the law provides that a determination is by reason of obsolescence if such determination is on account of (1) deterioration, (2) development or discovery of a new or better material or materials, or (3) no further usefulness for use in time of war.

Since the proposed disposal is by reason of obsolescence, the disposal action could be started on October 6, 1961, without any legislative action. Because of current market conditions, the indication is that the return to the Government from the sale of the waterfowl feathers and down should be advantageous.

The supply of waterfowl feathers and down on the world market today is decreased. China was formerly the world's largest exporter of feathers and down. The largest free world supplier today is Formosa. The shortage in the world market has caused domestic sources to be interested in acquiring additional quantities of feathers and down at an early date.

REASON FOR REVISED DETERMINATION

The planning basis for stockpiling has been reduced from a 5- to a 3-year potential emergency. In addition, a new process that could be used in an emergency permits the treatment of chicken feathers for satisfactory combining with waterfowl feathers. Hence the requirements for stockpiling waterfowl feathers and down have been reduced.

Congressional approval of the disposal itself is not required because of the determination that the feathers and down do not meet the specifications for which originally acquired. Despite the failure of the feathers and down to meet specifications, they can be cleaned and processed for satisfactory immediate use.

COST

Enactment of this bill will not result in any additional Federal expenditures. The average cost of the feathers and down in the stockpile as computed by the General Services Administration is $4.14 per pound.

DEPARTMENTAL RECOMMENDATION

Printed below and hereby made a part of this report is a letter from the Administrator of General Services dated June 28, 1961, indicating that the General Services Administration favors the elimination of the 6-month waiting period now required by law. The amendment suggested in this letter was adopted in the other body and is retained in the bill reported to the Senate.

Mr. KEATING. Is the Senator able to inform us what is the military significance of waterfowl feathers and down?

Mr. WILLIAMS of Delaware. The point which comes to my mind is that at one time the agency said it did not need legislation but had adequate authority. Then later the agency representatives came before the committee and recommended passage of the bill. If the agency has authority why recommend enactment of the bill? Are they merely trying to shift the responsibility for a bad transaction to the Congress?

Another question is, When did the Government buy these feathers? I have never heard of feathers becoming obsolete.

Mr. KEATING. These are waterfowl feathers. They may be different from ordinary feathers.

Mr. WILLIAMS of Delaware. Perhaps.

Mr. KEATING. There are feathers and feathers, I understand.

Mr. WILLIAMS of Delaware. The point is that if the feathers and down were stockpiled as strategic materials how do they suddenly become nonstrategic? When did the Government buy these materials? How much did the Government pay for them? If the Government is going to sell them what will they get? Will the Government sell them as surplus only to buy them back?

If the Senator in charge of the bill can answer those questions, perhaps we can proceed.

Mr. KEATING. I understand a new process for treating chicken feathers has been found, so as to combine chicken feathers with waterfowl feathers. The requirements for stockpiling waterfowl feathers and down have thereby been reduced.

Mr. WILLIAMS of Delaware. How much does the Government have on hand? How much is the Government to sell? What did the Government pay for them?

Mr. KEATING. The quantity offered for initial sale will range between 60,000 and 500,000 pounds on what is called in the report the "clean basis." I am not familiar with that term. The Senator from Delaware has had more chicken and fowl—f-o-w-l—experience than the Senator from New York. Perhaps the Senator can tell us what a clean basis is.

Mr. WILLIAMS of Delaware. I am not in charge of the bill. I note, however, that the proposal relates to the sale of 2 million pounds of feathers as surplus. I come back to my original question. How many do we have on hand? How long have we had them? What did we pay for them? Are we going to buy them back again? I should like to have that information.

Mr. HART. Mr. President, I wonder if the Senator from Delaware would object to having the bill put at the foot of the calendar, if he feels there is some real concern about this. Perhaps a member of the Committee on Armed Services may come to the Chamber before we reach that point.

Mr. WILLIAMS of Delaware. Can the Senator answer my questions? Perhaps I shall have no objection to the bill.

Mr. HART. I know neither the quantity nor the weight nor the quality of the sleeping bags or whatever else is involved, nor the date of purchase, nor future intentions with respect thereto. I am satisfied, since the committee reported the bill unanimously, that my conscience would not bother me in having the bill passed on a call of the calendar.

Mr. WILLIAMS of Delaware. But I wish to make sure that this material is not something the Government will buy back tomorrow at 10 times what the Government sells it for. I should like to know whether it really is surplus. I would not want the Government to sell it as surplus only to buy this material back soon.

Mr. HART. I think the Senator speaks for every Member of this body when he says he would not want the Government to sell the material and then repurchase it. Presumably every member of the Committee on Armed Services is assured it would not.

Mr. KEATING. Perhaps I can clear up the difficulty which may be bothering the Senator from Delaware.

The disposal action could be started on October 6 of this year without any legislative action. It is felt that, because of the current market conditions, if the Government can sell the waterfowl feathers and down now it would be advantageous to the Government to do so. In order to dispose of these materials now, it is necessary to have legislation passed. The time element enters into the problem.

I am not familiar with the market on waterfowl feathers and down. I do not know whether this is an advantageous time to sell. Apparently the Committee on Armed Services felt this was a good time to sell, and in order to do so, it is necessary to provide legislative authority.

Mr. WILLIAMS of Delaware. Perhaps there would be no objection to the bill if somebody could answer these questions. I am sure somebody must know what the Government will get for the material and what the Government paid. Otherwise it would not have been possible to arrive at an intelligent decision that it would be advantageous to sell the material.

I suggest that the bill go to the foot of the calendar until some Senator can answer the questions.

The ACTING PRESIDENT pro tempore. Without objection, Calendar No. 752, H.R. 7447, will go to the foot of the calendar.

BILL PASSED OVER

The bill (H.R. 44) to authorize the appropriation of $150,000 for use toward the construction of a U.S. Pacific War Memorial, was announced as next in order.

Mr. KEATING. Over, Mr. President, by request.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

NATIONAL HISTORIC SITE AT FORT DAVIS, TEX.

The Senate proceeded to consider the bill (H.R. 566) authorizing the establishment of a national historic site at Fort Davis, Jeff Davis County, Tex., which had been reported from the Committee on Interior and Insular Affairs, with an amendment on page 1, at the beginning of line 6, to insert "not to exceed four hundred and sixty acres in all,".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. YARBOROUGH subsequently said: Mr. President, I am very happy that today the Senate has passed H.R. 566, establishing Fort Davis, Tex., as a national historic site. I wish to give special thanks to the distinguished senior Senator from Nevada, the chairman of the Public Lands Subcommittee of the Interior Committee, who has been so generous of his time and ability in holding hearings and taking action on this bill and also on my bill, S. 862, a companion to H.R. 566. Of course, Representative J. T. RUTHERFORD's keen interest in and dedication to this legislation also have been primary factors in securing this action.

Fort Davis, Tex., is the site of structures and ruins which comprise the best remaining example in the Southwest of a typical post-Civil War frontier fort. It is fitting that the National Parks Advisory Board and the Congress have now recognized the significance of this site for preservation as another one that recalls to us our heritage of the frontier and the conquest of the continent. The Fort Davis Historical Society should be congratulated for its work over the years in keeping interest alive in this most important site.

The history of the site is well stated in the committee report as follows:

The original Fort Davis was constructed in 1854 as part of a system of defense of the southwestern frontier and of overland routes against the Apaches, Comanches, and other tribes of Indians. It was located in a canyon at a site surrounded on three sides by rock walls 300 feet high. Its site and the adjacent land had been found by Lt. William F. Smith in March of 1849 during his survey of a route from San Antonio to El Paso. This site especially appealed to him because of the beauty, purity, and adequacy of a stream, the Limpia, which flowed through it and the accessibility of the wood and grass which a frontier camp needed. Lieutenant Whiting named the site Painted Comanche Camp.

Fort Davis' first great importance, after it was established, was the protection it offered to travelers following the southwestern route to California and intermediate points against the still hostile bands of Indians. In addition, it served to fulfill in some degree a treaty obligation with Mexico to protect that nation against Indian incursions from our territory. And, on what now appears to be a lighter side of its existence but which was then a matter of dead earnest, it was the focus for an experiment by the Army in the use of camels as a part of our Military Establishment.

Fort Davis was but lightly garrisoned when the Civil War broke out and had to be abandoned to the Confederacy. When peace returned, it was in a ruinous state and it was rebuilt on the open ground out of the canyon a few years later. Rebuilding began in 1867 and was half completed by 1869. The plan was that the new buildings should be built of stone, but adobe was substituted for a number of them in the interest of economy. During the post-Civil War period, Fort Davis continued to play its roles of protecting against Indians and of serving travelers on roads leading to California and Mexico. It was an important center of operations against Victorio and the Warm Spring Apaches in 1879–80. It was deactivated in 1891.

Mr. President, this post is located on a site about a mile high, in the Davis Mountains, and is near the McDonald Observatory, which is operated jointly by the University of Chicago and the University of Texas. It was my privilege to live for 3½ years at El Paso, Tex., and 34 years ago I visited for the first time the ruins of Fort Davis. A number of the buildings are still standing and are in an excellent state of preservation, due to the small amount of rainfall in that area.

Fort Davis was the site of the camel experiments during the time when Jefferson Davis was Secretary of War, and the fort was an important center of operations in the campaign against the Apaches in 1879–80.

Mr. President, in further amplification of Fort Davis' significance as a frontier outpost, I ask unanimous consent that there may be printed at this point in the RECORD an interesting paper prepared by Mr. Barry Scobee, the historian of the Big Bend.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PERTINENT FACTS ABOUT THE BACKGROUND AND HISTORICAL SIGNIFICANCE OF THE FRONTIER ARMY POST OF FORT DAVIS, TEX.

The wide historical significance of the fort can be said to have started with the appearance of the first white man on the exact site of the future post, Spaniards in 1583. For more than two centuries afterward the vast land lay empty and silent, then the great tide of western migration set in.

Following the discovery of gold in California in 1848 wagon trains began to roll into the Southwest, headed for the gold diggings. Many perished under Indian attacks and for lack of water. This impelled the Federal Government to order a survey to locate a feasible, watered route in southwest Texas. Such a route was found in 1849 through the Apache Mountains, to be renamed the Davis Mountains, directly across the land where the fort later was built.

Soon the Great Military Road was laid out from San Antonio to El Paso, a distance of 600 miles. Travel built up swiftly, merchant freighters, emigrants, and goldseekers. Typical of these was a land surveyor, John James, of San Antonio, who in the summer of 1854 passed through with wagons, a herd of beef on the hoof, and 50 teamsters, herders, scouts, and riflemen, bound for San Diego, Calif. He paused long enough to survey out a section, a square mile, 640 acres, of choice land.

In the same summer of 1854 Jefferson Davis, then Secretary of War of the United States, later President of the Southern Confederacy, ordered the establishment of an Army post at a suitable point for the protection of settlers and travelers. The Davis Mountains site was selected because of "the salubrious climate and pure water." Six companies of the 8th Infantry were assigned to establish the post. As they approached the mountains they were greeted by Apache arrows, and sniping continued for 3 days, until the soldiers reached the chosen site. There, they began the construction of a six-company post in a short, high-walled canyon, on the James survey.

Within the next 2 years 60 structures were put up, including a stone guardhouse, a stone powderhouse, and six stone barracks with mud for mortar. For dwellings, pine and cottonwood logs were sawed by hand and the slabs set endwise into the ground and roofed with course grass. This flimsy post was occupied until the outbreak of the War Between the States.

Likewise in 1854, the Post Office Department set up a jackass mail line over the Great Road, from San Antonio to El Paso. The contractor was to put through one mail a week by muleback, but because of Indians, floods, and heat and cold, he was lucky to get through once a month. Other contracts were let. In 1859 the famed Butterfield Overland Mail from the East to San Francisco shifted its route to go by Fort Davis, and continued so until the Civil War stopped it.

Born at Fort Davis was the idea that led to the creation of the U.S. Signal Corps. With the start of the fort, there arrived a young New York doctor, Albert J. Myer, as post surgeon. Keenly observant, he saw Indians signaling by waving their arms, or buffalo hides, or by smoke. He asked himself why the soldiers could not communicate in like manner. He devised a method which a military board approved in 1858. In 1860 the Congress named him a major with orders to organize a signal corps. It functioned effectively for the northern armies in the Civil War and grew into the present corps. Fort Myer, Va., is named for him.

From the earliest days there was commercial freighting out of the Mexican town of Chihuahua through Fort Davis to the East. The route was called the Chihuahua Trail and Fort Davis was called the Crossroads Town.

The post participated in the great camel experiment. In the later 1850's the Secretary of War, Jeff Davis, imported two shiploads of camels from the Mediterranean countries to try out as pack animals in the desert Southwest. Fort Davis was the western terminal for two of the tryouts, the first in 1859.

In 1861, with Texas seceding from the Union, Texas authorities demanded of General Twiggs, commanding U.S. troops along the Great Road, that he turn over all forts and supplies and get his soldiers out of the Lone Star State. Only one company of the 8th was at Fort Davis at the time. On April 13, 1861, under Twiggs' orders, that company gave over the fort without a fight, as sullen doughboys marched stiffly past a

handful of Texas volunteer cavalry grinning down from their saddles. (On last April 13, Fort Davis schoolchildren and townspeople assembled on the old fort grounds to observe the centennial of that occasion by displaying the Stars and Stripes and the Stars and Bars on a single staff as a symbol of the amity and unity of the North and South today.)

The Confederates stayed at Fort Davis until the seized supplies were exhausted, then moved on to El Paso and New Mexico. A year later they were back briefly, on their return to San Antonio. These facts point up that both North and South occupied Fort Davis.

In the war years the flimsy post was gradually demolished by Indians burning wooden parts for firewood, by passing freighters, by bobtail Yankee soldiers still hanging around, and by "heelflies," as men hiding out from service with the Confederates were called contemptuously by their neighbors.

When U.S. troops returned in 1867, they found virtually nothing of the original post. All that is visible today are traces of the original mud-and-stone barracks foundations. The reoccupying Federals were in command of a noted soldier, Col. Wesley Merritt, who had command at Manila in the Spanish-American War. Merritt started from taw to build a new post. Construction dragged because of irregularity of funds.

In early 1879 the Army carried its military telegraph line from the eastward into Fort Davis, and on to El Paso, thus connecting the remote frontier with the Nation.

Through all the years, warfare with the Mescalero Apaches was continuous. The mountains were their precious homeland and they fought to keep the white man out.

They attacked stagecoaches, wagon trains, beef herds, any white man's intrusion. Soldiers from Fort Davis protected surveying and building crews of the Southern Pacific and Texas & Pacific Railways. The Army's method of defense and offense was a system of small subposts at waterholes and springs, as lookouts. These were near and far, some nearly 100 miles from the hub, Fort Davis.

The system paid off, for it was the eyes and watchdogs of Colonel Grierson in command of the Department of the Pecos. By late 1879 the isolated outposts and camps were reporting, by courier and new telegraph, an increasing Indian harassment. Grierson, from Abe Lincoln's own Illinois country, in a swift campaign through August 1880, eliminated Apache Chief Victorio and his warriors, ending Indian warfare in the area forever.

In 1882 Grierson took personal command at Fort Davis and, acquiring funds, built so pleasingly and solidly that the post, in the coolness of a mile above sea level, became the choice soldiering place in all the Southwest. Today its dilapidated structures still stand as the best preserved frontier post in all the West. Altogether, 13 regiments, 4 of cavalry and 9 of infantry, served at Fort Davis.

With Indians gone, and soldiers no longer needed, the fort was inactivated in 1891. The estate of Surveyor John James still owned the land. The Jameses proceeded to rent quarters on Officers Line to ranch families who, following the American tradition that all children must have schooling, occupied the buildings during the school months. They jokingly called themselves squatters. A proud social distinction of their descendants today is that "My folks once were squatters on the post."

From the first years on down Fort Davis was an oasis in the wilderness, a point of renown on the Great Road, where weary travelers could rest and refresh themselves, and relax and laugh and dance and sing, receive precious mail, renew supplies, have their animals reshod, wagonwheels mended, their sick doctored by the post surgeons, their spirits soothed by the post chaplains, and their courage lifted for pushing on farther and farther into the glowing West.

Long ago Fort Davis became known as the moth of all the surrounding settlements, because its soldiers had conquered a wilderness and opened a new land.

Today people feel that the old fort, because it symbolizes the courage, sacrifices, persistence, and the idealism of brave men and women on a wild frontier, should be perpetuated as a shrine to American history.

SALE OF RESERVE PHOSPHATE INTERESTS LOCATED IN FLORIDA

The bill (H.R. 2898) to authorize the Secretary of the Interior to sell reserve phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof, was considered, ordered to a third reading, was read the third time, and passed.

SALE OF RESERVE PHOSPHATE INTERESTS LOCATED IN FLORIDA

The bill (H.R. 3526) to authorize the Secretary of the Interior to sell reserve phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof, was considered, ordered to a third reading, was read the third time, and passed.

SALE OF RESERVE PHOSPHATE INTERESTS IN HIGHLANDS COUNTY, FLA.

The bill (H.R. 6102) to authorize the Secretary of the Interior to sell reserve phosphate interests of the United States in lands located in Highlands County in the State of Florida to the record owners of the surface thereof, was announced as next in order.

Mr. WILLIAMS of Delaware. Mr. President, may we have the assurance of some Senator that the land has been appraised and it has been found there are no phosphate deposits?

Mr. HOLLAND. Mr. President, I did not hear the question of the distinguished Senator from Delaware.

Mr. WILLIAMS of Delaware. For the record, I wonder if we could have the fact established that the land has been examined and that no deposits have been found.

Mr. BIBLE. Mr. President, if the Senator from Delaware will yield to me, as chairman of the Subcommittee on Public Lands, I heard the testimony in regard to the three bills. There are three bills involving lands in Florida on which there was thought to be some phosphate-bearing rocks. We had a very thorough hearing. The Department of the Interior did affirmatively indicate that the lands are now classified as not prospectively valuable for phosphate.

This was the determination made not only by the Department of the Interior, but also by the committee. The committee went into it very thoroughly. In fact, we held two different hearings on the bill. We are satisfied such a determination has been made.

Mr. WILLIAMS of Delaware. I thank the Senator. I have no objection.

Mr. HOLLAND. Mr. President, may I say for the record that we have considered three of the many cases in our State in which phosphate reserves have no meaning, either because the tracts are so small and have been developed for suburban developments that it would never be practical to develop anything that is underneath the surface, or because the tracts do not lie in areas of the State where phosphate is found. I attended the hearings also, and I am certain not only that the Senator from Nevada has accurately stated the matter, but also that the Department of the Interior has gone to very great lengths to make sure that the Government will receive full value.

The bill was considered, ordered to be engrossed for a third reading, read the third time, and passed.

RECREATION FACILITIES AT ELEPHANT BUTTE AND CABALLO RESERVOIR AREAS, NEW MEXICO

The Senate proceeded to consider the bill (S. 46) to provide for the establishment and administration of basic public recreation facilities at the Elephant Butte and Caballo Reservoir areas, New Mexico, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, after line 3, to insert a new section, as follows:

SEC. 2. The construction of recreation facilities at or near Elephant Butte and Caballo Reservoirs, as herein authorized, shall not provide in any manner whatsoever a basis for the allocation of water for recreation use or for the allocation of reservoir capacity for recreation use; and the priority for irrigation use of water stored in Elephant Butte and Caballo Reservoirs and the priority of use for irrigation purposes of the capacities of such reservoirs shall not be affected in any manner by the provision for recreation facilities as authorized herein.

In line 14, to change the section number from "2" to "3"; in line 16, after the word "Act", to insert "and may enter into an agreement with the State of New Mexico, or a political subdivision thereof, for the administration, operation, and maintenance of the facilities herein authorized, and in line 20, to change the section number from "3" to "4"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to investigate, plan, construct, operate, and maintain basic recreation facilities at Elephant Butte and Caballo Reservoirs, Rio Grande Federal reclamation project, New Mexico (including access roads and facilities for the safety, health, and protection of the visiting public), and to provide for the public use and enjoyment of such recreation facilities and the water areas of such reservoirs in such manner as is consistent with the primary purpose of such project. The cost of such recreation facilities shall be nonreimbursable and nonreturnable.

SEC. 2. The construction of recreation facilities at or near Elephant Butte and Ca-

ballo Reservoirs, as herein authorized, shall not provide in any manner whatsoever a basis for the allocation of water for recreation use or for the allocation of reservoir capacity for recreation use; and the priority for irrigation use of water stored in Elephant Butte and Caballo Reservoirs and the priority of use for irrigation purposes of the capacities of such reservoirs shall not be affected in any manner by the provision for recreation facilities as authorized herein.

SEC. 3. The Secretary of the Interior may issue such rules and regulations as are necessary to carry out the provisions of this Act and may enter into an agreement with the State of New Mexico, or a political subdivision thereof, for the administration, operation, and maintenance of the facilities herein authorized.

SEC. 4. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

BILL PASSED OVER

The bill (S. 2135) to authorize the Securities and Exchange Commission to delegate certain functions was announced as next in order.

Mr. HART. Mr. President, I ask that the bill go over as not calendar business.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

DISCLAIM OF INTEREST IN CERTAIN LANDS IN NEVADA

The Senate proceeded to consider the bill (S. 2272) to disclaim interest in certain rights in certain lands in the State of Nevada, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, to strike out all after the enacting clause and insert:

That the United States hereby disclaims any interest in lands which it may have, prior to the date of approval of this Act, acquired by virtue of chapter 103 Stat., Nevada 1887, or by any revisions and reenactment thereof.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

AMENDMENT TO FEDERAL HOME LOAN BANK ACT AND TITLE IV OF NATIONAL HOUSING ACT

The bill (H.R. 7108) to amend the Federal Home Loan Bank Act and title IV of the National Housing Act, and for other purposes, was considered, ordered to a third reading, was read the third time, and passed.

ELECTION AND APPOINTMENT OF DIRECTORS OF FEDERAL HOME LOAN BANKS

The bill (H.R. 8277) to amend the Federal Home Loan Bank Act, to simplify and improve the election and appointment of directors of the Federal home loan banks was considered, ordered to a third reading, was read the third time, and passed.

BILL PASSED OVER

The bill (S. 2156) to expand and extend the saline water conversion program being conducted by the Secretary of the Interior was announced as next in order.

Mr. HART. Mr. President, the bill should go over as not being calendar business.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

PIPELINES AND OTHER WORK FOR AVONDALE, DALTON GARDENS, AND HAYDEN LAKE IRRIGATION DISTRICTS IN THE STATE OF IDAHO

The bill (S. 923) to authorize the Secretary of the Interior to replace lateral pipelines, line discharge pipelines, and to do other work he determines to be required for the Avondale, Dalton Gardens, and Hayden Lake Irrigation Districts in the State of Idaho, was announced as next in order.

Mr. WILLIAMS of Delaware. Mr. President, may we have an explanation of the bill?

Mr. HART. Mr. President, the bill would authorize the Secretary of the Interior to replace lateral pipelines and to do other works that he determines are required in the replacement or improvement of the facilities which have been constructed at these several irrigation districts in Idaho. Apparently, the pipelines require replacement or servicing because of accelerated interior and exterior corrosion, and a resulting deterioration. In some cases, the penetration of the pipe is extensive. It is estimated that 50 percent or more of the surface area of the lighter gage pipe will be penetrated before 1963. Unless action is taken, the situation will become progressively worse.

Mr. WILLIAMS of Delaware. When was the original pipe laid?

Mr. HART. The irrigation works, including storage tanks and distribution facilities, were constructed in 1954, 1955, and 1957.

Mr. WILLIAMS of Delaware. Is it not a fact that the proposed replacement is necessary largely because of bad workmanship at the time of the original construction, as well as the use of inferior pipe?

Mr. HART. I would assume that pipe normally would not deteriorate at such a rate as this pipe has.

Mr. WILLIAMS of Delaware. Originally the construction cost $1,010,662. It was laid only 4 years ago. It is now proposed to spend $1,486,000 to replace the pipe on the basis that inferior material was used. If the pipe has gone bad, it must be replaced. But has any claim been filed against those who did the job on an inferior basis, or will there be claims filed? Will the work be done over again in the same haphazard manner as it was done originally?

Mr. HART. On the presumption of innocence, I assume that those who were responsible would do their best to get appropriate and suitable pipe. I note in the report of the committee that the construction work has started. The several districts will be required to enter into a contract whereby they will continue to pay for 40 years from the date of the completion of the work.

Mr. WILLIAMS of Delaware. That is the point. I notice that the amount is to be paid back over a period of 40 years, but if the pipe lasts only 5 years and it is proposed to pay back the cost in 40 years, I wonder how the operation will work.

Mr. LAUSCHE. Mr. President, I ask that the bill go over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

FUNDS ARISING FROM JUDGMENT IN FAVOR OF POTAWATOMI NATION OF INDIANS

The bill (H.R. 5964) to authorize the use of funds arising from a judgment in favor of the Potawatomi Nation of Indians, and for other purposes was considered, ordered to a third reading, was read the third time, and passed.

LAND ACQUISITION BY CONFEDERATED TRIBE OF WARM SPRINGS RESERVATION OF OREGON

The bill (H.R. 5235) to authorize the Confederated Tribe of the Warm Springs Reservation of Oregon to acquire land within the boundaries of their reservation was considered, ordered to a third reading, was read the third time, and passed.

APPOINTMENT OF U.S. NATIONALS TO MERCHANT MARINE ACADEMY

The bill (H.R. 29) to amend section 216(b) of the Merchant Marine Act, 1936, as amended, to permit the appointment of U.S. nationals to the Merchant Marine Academy was considered, ordered to a third reading, was read the third time, and passed.

TO IMPROVE PROMOTION OPPORTUNITY OF AIR FORCE MAJORS

The Senate proceeded to consider the bill (H.R. 7809) to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel, which had been reported from the Committee on Armed Services, with an amendment, to strike out all after the enacting clause and insert:

That, during the period beginning on the date of enactment of this Act and ending at the close of June 30, 1963, any authorized strength prescribed for the grade of lieutenant colonel by or under section 8202 of title 10, United States Code, may be exceeded by not more than four thousand.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ELIGIBILITY OF INDIAN TRIBES FOR FEDERAL LOANS TO FINANCE PUBLIC WORKS OR FACILITIES

The bill (S. 2454) to amend the Housing Amendments of 1955 to make Indian tribes eligible for Federal loans to finance public works or facilities, and for other purposes was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201 of the Housing Amendments of 1955 is amended by—

(a) striking out in the first paragraph "subdivisions" and inserting in lieu thereof "subdivisions, and Indian tribes";

(b) striking out in the second paragraph "States," and inserting in lieu thereof "States, and Indian tribes,"; and

(c) striking out in the third paragraph "of States," and inserting in lieu thereof "of States, and Indian tribes,".

SEC. 2. Section 202 of such Act is amended by—

(a) striking out in clause (1) of subsection (a) "same State)," and inserting in lieu thereof "same State), and Indian tribes";

(b) inserting ", or an Indian tribe" before the period at the end of the second sentence in subsection (c).

SEC. 3. Section 207 of such Act is amended by striking out in the first sentence "instrumentalities" and inserting in lieu thereof "instrumentalities, and Indian tribes".

DISPOSITION OF CERTAIN WATERFOWL FEATHERS AND DOWN

The bill (H.R. 7447) to amend the Strategic and Critical Materials Stock Piling Act to provide for the immediate disposition of certain waterfowl feathers and down was announced as next in order.

Mr. HART. Mr. President, the bill (H.R. 7447) was put at the foot of the calendar, and as to that bill I should like to make a comment. The staff advises that the membership of the Armed Services Committee is unavoidably detained. I suggest that there be printed at this point in the RECORD excerpts from the report of the committee, which are not lengthy, in order that those in addition to the Senator from Delaware, who may have a concern, may understand the motivation of the committee in unanimously recommending favorable action on the bill.

Mr. WILLIAMS of Delaware. Mr. President, I have no objection to having printed in the RECORD excerpts from the report.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

This bill would waive the statutory requirement for a 6-month waiting period before the Administrator of General Services is authorized to dispose of not more than 2 million pounds of waterfowl feathers and down from the national stockpile.

EXPLANATION

On April 6, 1961, the Administrator of General Services caused to be published in the Federal Register a notice of a proposed disposition of approximately 2 million pounds of waterfowl feathers and down now held in the national stockpile. The text of the publication of this announcement in the Federal Register follows:

"WATERFOWL FEATHERS AND DOWN HELD IN THE NATIONAL STOCKPILE PROPOSED DISPOSITION

"Pursuant to the provisions of section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)), notice is hereby given of a proposed disposition of approximately 2 million pounds (clean basis) of waterfowl feathers and down now held in the national stockpile.

"The Office of Civil and Defense Mobilization has made a revised determination, pursuant to section 2(a) of the Strategic and Critical Materials Stock Piling Act, that there is no longer any need for stockpiling these 2 million pounds of feather and down. The revised determination was based upon the finding of the Office of Civil and Defense Mobilization that said 2 million pounds of feathers and down are obsolescent for use in time of war.

"General Services Administration proposes to transfer to Federal agencies such quantities of feathers and down as may be required by such agencies. In order to provide for further disposal, General Services Administration may sell feathers and down on a competitive basis, or otherwise dispose of them in the best interest of the Government. The quantity offered for initial sale will range between 60,000 and 500,000 pounds (clean basis). At periodic intervals of not less than 45 days following the initial offering, further sales will be made. Each offering, following the first, will be of a quantity to be determined after an evaluation of the results of the earlier sales, taking into consideration the amounts purchased for export from the United States and the market conditions then existing. The said 2 million pounds of feathers and down will become available for transfer or sale beginning 6 months after the date of publication of this notice in the Federal Register.

"This plan and the dates of disposition have been fixed with due regard to the protection of producers, processors, and consumers against avoidable disruption of their usual markets as well as the protection of the United States against avoidable loss on disposal.

"JOHN L. MOORE,
"*Administrator.*

"Dated March 30, 1961."

NEED FOR CONGRESSIONAL ACTION

Under section 2(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98a(a)) the Director of the Office of Civil and Defense Mobilization is charged with the responsibility of determining the strategic and critical materials to be stockpiled. Section 3(e) of the act empowers the Director of the Office of Civil and Defense Mobilization to authorize the Administrator of General Services to dispose of any materials in the stockpile that are no longer needed. Such disposals may not be made until 6 months after the publication in the Federal Register and transmission of a notice of the proposed disposal to the Congress and to the Armed Services Committee of each House. If determination to dispose of certain materials is for other than obsolescence of the material for use in time of war, express approval of the Congress is required before the disposal can be accomplished. If the proposed disposal is based on a determination that the material is obsolescent for use in time of war, express approval of the Congress is not required. For the purposes of these requirements the law provides that a determination is by reason of obsolescence if such determination is on account of (1) deterioration, (2) development or discovery of a new or better material or materials, or (3) no further usefulness for use in time of war.

Since the proposed disposal is by reason of obsolescence, the disposal action could be started on October 6, 1961, without any legislative action. Because of current market conditions, the indication is that the return to the Government from the sale of the waterfowl feathers and down should be advantageous.

The supply of waterfowl feathers and down on the world market today is decreased. China was formerly the world's largest exporter of feathers and down. The largest free world supplier today is Formosa. The shortage in the world market has caused domestic sources to be interested in acquiring additional quantities of feathers and down at an early date.

REASON FOR REVISED DETERMINATION

The planning basis for stockpiling has been reduced from a 5- to a 3-year potential emergency. In addition, a new process that could be used in an emergency permits the treatment of chicken feathers for satisfactory combining with waterfowl feathers. Hence the requirements for stockpiling waterfowl feathers and down have been reduced.

Congressional approval of the disposal itself is not required because of the determination that the feathers and down do not meet the specifications for which originally acquired. Despite the failure of the feathers and down to meet specifications, they can be cleaned and processed for satisfactory immediate use.

COST

Enactment of this bill will not result in any additional Federal expenditures. The average cost of the feathers and down in the stockpile as computed by the General Services Administration is $4.14 per pound.

DEPARTMENTAL RECOMMENDATION

Printed below and hereby made a part of this report is a letter from the Administrator of General Services dated June 28, 1961, indicating that the General Services Administration favors the elimination of the 6-month waiting period now required by law. The amendment suggested in this letter was adopted in the other body and is retained in the bill reported to the Senate.

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., June 28, 1961.

Hon. CARL VINSON,
Chairman, Committee on Armed Services,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Your letter of June 13, 1961, requested the views of the General Services Administration on H.R. 7447, 87th Congress, a bill to amend the Strategic and Critical Materials Stock Piling Act to provide for the immediate disposition of certain waterfowl feathers.

The principal purpose of H.R. 7447 is to avoid, as to the 2 million pounds of waterfowl feathers and down referred to in the notice of disposal published in the Federal Register of April 6, 1961, the 6-month waiting period that section 3(e) of the Strategic and Critical Materials Stock Piling Act requires for a disposal thereunder.

General Services Administration favors the elimination of the 6-month waiting period now required by the statute. However, H.R. 7447 could be interpreted to mean that General Services Administration would be required to dispose of the entire 2 million pounds of waterfowl feathers and down immediately rather than to dispose of them in a manner designed to avoid market disruption in accordance with the disposal plan which was published in the Federal Register on April 6, 1961, and forwarded to the chairmen of the Armed Services Committees of the Senate and the House of Representatives. The GSA plan of disposition provides first for the transfer to other Federal agencies of such quantities of feathers and down as may be required by such agencies. Additional disposals, ranging between 60,000 pounds and 500,000 pounds, would then be made on a competitive basis at periodic intervals, taking into consideration market conditions then existing.

The GSA plan of disposition was fixed with due regard for the protection of producers, processors, and consumers against avoidable disruption of their usual markets as well as the protection of the United States against avoidable loss on disposal. Accordingly, it is proposed that H.R. 7447 be amended by inserting the words "and down" in the title of the bill and by striking out all after the enacting clause and substituting therefor the following language:

"That the Administrator of General Services is hereby authorized and directed to dispose of approximately 2 million pounds of waterfowl feathers and down, determined by the Director of the Office of Civil and Defense Mobilization to be obsolescent for use in time of war, in accordance with the notice of proposed disposition published in the Federal Register of April 6, 1961, volume 26, No. 65, page 2881. Notwithstanding the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)), such disposition may be commenced immediately."

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee from the standpoint of the administration's program.

Sincerely yours,

BERNARD L. BOUTIN,
Acting Administrator.

Mr. WILLIAMS of Delaware. Mr. President, I have read the report, and it still does not answer the question I have asked. If the Senator is unable to answer the questions, I would like to have the bill passed over until such time as someone can answer.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

Mr. HART. Mr. President, under the order, the calendar will terminate at Calendar No. 769.

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1962

Mr. HART. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 707, H.R. 7371.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 7371) making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1962, and for other purposes.

The motion was agreed to, and the Senate proceeded to consider the bill.

The ACTING PRESIDENT pro tempore. The pending question is the motion of the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN] to suspend paragraph 4 of rule XVI to offer a certain amendment.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. TALMADGE. Mr. President, 4 years ago when the question of creating the Commission on Civil Rights was before the Senate, the junior Senator from Georgia—speaking as a freshman Member of this body—made the following prediction:

> While provision is made in section 104(c) for the demise of this Commission after 2 years, we all know that, as a practical matter, commissions never die or fade away.
>
> I predict that, if created, 2 years hence the sponsors of this Commission will be back asking Congress not only to continue it but to grant to it even broader powers, greatly increased appropriations, and a much larger staff.

Mr. President, in the pending proposal, we see that prediction come true to the second degree.

The Commission came back for an extension of life in 1959. It is back for a second extension in 1961.

I further predict, Mr. President, that if this 1st session of the 87th Congress grants the present request it will be back ad infinitum for as many times as those who derive either livelihood or political profit from it think then can continue to draw water from the same well.

It is fortunate for the American people and their inalienable rights under the Constitution, Mr. President, that Congress—while continuing this useless agency—has not seen fit to grant to it any of the broad powers which its members and sponsors have demanded.

To date it has been only a paper-shifting agency of waste and harassment.

But one shudders to contemplate what it would have been had it been given the powers its members requested in their 1959 report or had conferred upon it the authority of enforcing its notions of antidiscrimination as proposed by one of its apologists.

It would be well to review here, Mr. President, the powers the Commission has asked for itself.

It has proposed that it be authorized to register voters.

It has recommended that it be allowed to draft and attempt to implement plans for school integration.

It has advocated that it be permitted to draw up plans for the integration of all public housing in the Nation.

And one of its partisans in Congress has proposed that it be converted into a regulatory agency with police powers and authority to enforce its decisions through the power of contempt.

In its own literature the Commission defines the role it envisions for itself as that of "bringing true equality to every American."

Mr. President, it is a certainty that action by this Congress to give the Commission a new lease on life will be followed by renewed efforts to vest it with all those and other dictatorial powers.

As the junior Senator from Georgia observed in 1957: "the possibilities under it for evil results are endless."

I submit, Mr. President, that if the American people could be made aware of the seeds of tyranny which are sown in this Commission they would rise up in righteous indignation and demand as one that this Congress not only not extend its life, but, rather, abolish it forthwith.

Even if the Commission is allowed to expire on November 9 of this year as required by the present law, Mr. President, it will have cost the American taxpayers $2,947,000 by the time it closes its doors.

It is only fair that they be told how this considerable sum has been spent.

It has paid for high-salaried jobs for 84 persons who might otherwise be unemployed.

It has paid for the alleged investigation of a mere handful of complaints.

It has paid for a foot-high stack of published hearings and reports so dull that few other than the proofreaders have read them.

It has paid for a list of controversial recommendations which Congress could have gotten for nothing from the NAACP and the pages of Reconstruction history.

It has paid for preparation and then suppression of a study showing phenomenal advances by American Negroes.

Mr. President, we hear, from time to time, complaints, particularly by the news media of our country, of interference with their right to know the facts with respect to what goes on in Government agencies and bureaus. I subscribe wholeheartedly to freedom of the press and the right of American citizens to have all the information relating to the affairs of their Government in all areas except where the national security is involved.

However, we have not heard one word from news media outside the South about the suppression of this report by the Civil Rights Commission. We hear complaints about other suppressions, but not one protest has been made by the radio and television commentators and the syndicated columnists of our country about this particular suppression by the Civil Rights Commission. Those who profess interest in the freedom of the press should be consistent and speak out about this deplorable suppression of information.

The Commission has paid for investigators to make security checks of Federal officials, ministers, and other prominent persons.

It has paid the expenses of Commission members and personnel to speak before partisan groups throughout the country.

It has paid for a series of hearings which have been self-serving forums in the North and West and harassing inquisitions in the South. One of the latter resulted in litigation which culminated in a Supreme Court ruling that the Commission can disregard the constitutional rights of the people it questions.

For more than 3 years it paid a $22,500 annual salary to an executive director who illegally destroyed Commission records, violated civil service regulations, and attempted to defy a Senate subcommittee which was forced to conclude that he had "neither the executive ability nor the competence" for his job.

Mr. President, I submit that there is no more convincing argument against extending the life of the Commission on Civil Rights than the Commission's own record of performance.

Since its inception the Commission has been hard pressed to find enough evidence of deprivation of anyone's civil rights anywhere to keep its 84 employees and 6 Commissioners busy. Although the sponsors of the Commission insisted in 1957 that it was urgently needed to investigate what they called wholesale violations of civil rights in the South, the most complaints it could turn up through last May 31—even by advertising for them—were 1,867. Of these 165 were from cranks and 238 were so general as to fall in no category.

This fact 2 years ago prompted Congressman JOHN J. ROONEY, of New York, chairman of the House Appropriations Subcommittee, to comment at a hearing on the Commission's appropriation request that "it does not look as though the Commission has had very much to do."

That statement, Mr. President, was made by Congressman JOHN J. ROONEY, a Congressman who represents not a Southern State but a district of the great State of New York.

Mr. President, a little simple arithmetic shows that the Commission has received complaints at a rate of less than two a day. Broken down in terms of its appropriation, Congress has voted the Commission more than $1,400 for each complaint it has received. I am sure, Mr. President, that any of our law enforcement agencies would be overjoyed to receive an appropriation of one-tenth that amount for each case it is called upon to investigate and process.

Why, Mr. President, many weeks I receive more mail in 6 days than the Commission on Civil Rights has received in 4 years, and I would point out to the Senate, in all modesty, that with the help of a staff less than one-seventh the size of that of the Commission, I am able, with very few exceptions, to reply to each letter I receive on the same day I receive it.

Mr. President, the only course of action indicated by the experience of the Commission on Civil Rights is for the Senate to permit it to die the natural death contemplated for it by the law creating it. It has proved itself to be surplus property unneeded by either the Federal Government or the American people.

President Kennedy in his recent message for the American people pointed out that increased expenditures for national defense must be accompanied by a reduction in nonessential expenditures. Surely, Mr. President, the lack of accomplishment of the Commission on Civil Rights would indicate to Senators that it is an excellent place to start in upholding the President's hand in seeking to achieve national security with fiscal responsibility.

It is inconceivable to me, Mr. President, that, when the national budget has been balanced only 6 times during the last 30 years, Congress should seriously consider continuing the life of an agency which is wasting money and dividing the people of our Nation. This is a time when we should be united to meet the threat of Communist aggression, not wasting our national substance on useless endeavors which serve only to divide the American people and make them weaker, not stronger, in the face of Communist threats.

Mr. ELLENDER. Mr. President, will the Senator from Georgia yield?

Mr. TALMADGE. I am delighted to yield to the able Senator from Louisiana.

Mr. ELLENDER. The Senator has been discussing the wasteful spending of this unnecessary Civil Rights Commission at this time when we should be trying to reduce unnecessary expenditures. I might point out to Senators that the chairman of the Civil Aeronautics Board gets a salary of $20,500 a year. The chairman of the Civil Service Commission receives an annual salary of $20,500. The Governor of the Farm Credit Administration, who is directed with managing the activities of quite a large number of employees, receives a salary of $21,000 annually.

But the staff director of the Commission on Civil Rights receives a salary of $22,500 a year. This is the same salary that Senators receive. But this is not all; I wish to point out to Senators that this Commission also has several assistant staff directors, each of whom receives an annual salary in excess of $15,000. What is more the Commission also employs a flock of attorneys—I think there are 25 of them—each of whom receives anywhere from $15,000 to $20,000 a year.

If the Civil Rights Commission continues to spend at the present rate, it will expend in excess of $1 million this year. And what will we get for this great expenditure? We will receive only more of the same kind of claptrap about which the Senator from Georgia has been speaking.

Mr. President, this is unconscionable. In effect we are being asked to subsidize, at greatly inflated salary scales, those who seek only to kindle the coals of racial unrest. This Civil Rights Commission is nothing but a meddling, troublemaking body, more interested in stirring up trouble than in solving the problems of racial agitation.

Indeed, this Civil Rights Commission is more of an agitator than it is a problem-solving body. I submit that the problem of the Southern States will never be solved by the activities of this meddling Civil Rights Commission. Instead these problems are being compounded. These are local problems to be solved by local people.

I further submit that it would by far be in the better interests of this country if we terminated the activities of this Commission at the earliest possible date and save this unnecessary expenditure of $1 million.

Surely in this time of national crisis, when we have so many better uses for our dollars, we should try to conserve wasteful spending, rather than encouraging it, by paying inflated salaries to those whose only purpose is to stir up more trouble.

Mr. TALMADGE. I commend the Senator from Louisiana for bringing that information to the attention of the Senate. As he knows, the dedicated public servants who draw lesser salaries are dealing in areas of responsibility—not the political arena, as is the Civil Rights Commission. Because the Commission is a political agency, Congress, much against my will and much against the will of the able senior Senator from Louisiana, has seen fit to permit it to pay much larger salaries than are paid to officials charged with greater responsibility.

Mr. ELLENDER. I am certain the Senator from Georgia realizes that neither of us voted to pay the Director of the Civil Rights Commission a salary of $22,500.

Mr. TALMADGE. I am sure the Senator from Louisiana is as proud of that vote as is the junior Senator from Georgia.

Mr. ELLENDER. As the record will show, the Civil Rights Commission was supposed to complete its work in 2 years.

Mr. TALMADGE. That is right.

Mr. ELLENDER. The primary purpose of the Commission was to learn what the trouble was throughout the South. But instead of pursuing this direction by holding hearings in the South and getting information at the grassroots, the Commission staff read a book publicized, I believe, by some persons from New York. I might say that at the moment I do not remember the name of the book but this is what happened. As a consequence, the first report of the Commission was not based on evidence which the Commission itself had obtained throughout the country. Instead, in large part, it was based on articles which appeared in many daily newspapers, including, as I remember, the Washington Post and Times Herald, to name only one. It also took its ideas from various periodicals, including Harper's. As I recall, one of the articles upon which the Commission based its findings was written some 30 years ago and related to conditions in the South at that time. That was the kind of evidence on which the Commission formed the basis of its first report. This showed me very clearly that this body was not interested in doing a thorough, impartial job, but was more interested in stirring up trouble.

Mr. TALMADGE. The Senator from Louisiana is correct. Before the Senator entered the Chamber, I had stated that Congress could have obtained the same recommendations for nothing from the National Association for the Advancement of Colored People and the pages of Reconstruction history.

It is most revealing, Mr. President, to study an analysis of the sources of the few complaints received by the Commission on Civil Rights.

Statistical tables supplied at my request by the Commission show that, as of last May 31, of the 621 voting complaints received by the Commission from its inception through that date only 3 came from Georgia and none of those was sworn. By comparison there were 54 complaints from California and 4 from New York State.

We were told in 1957 that the Civil Rights Commission would give its major attention to voting rights. The propaganda attendant to its creation led many honorable persons to believe that mem-

bers of the Negro race were being prevented at gunpoint from exercising their right to vote in many Southern States. I reiterate that, after advertising for complaints for almost 4 years, the Commission has received 3 complaints from my State of Georgia and 54 complaints from California. In other words, if conditions are bad in Georgia, judging by the reports and complaints which the Commission has received, they are almost 20 times as bad in the great State of California.

In the area of rights other than voting, the Commission reported to me that of the 1,246 complaints received only 40 came from Georgia and 6 of those were either from cranks or too general to be categorized. That figure, the Agency disclosed, compared with 118 complaints from New York, 93 from California, 58 from Ohio, 56 from Illinois, 47 from Pennsylvania, 46 from Missouri, and 42 each from Michigan and the District of Columbia.

On the basis of those figures, Mr. President, it is only fair to conclude that if any problem with relation to civil rights exists in the State of Georgia, the situation is almost three times as bad in the State of New York, more than twice as bad in the State of California, and to lesser degrees worse in the States of Ohio, Illinois, Pennsylvania, Missouri, and Michigan, and the District of Columbia.

Mr. President, the junior Senator from Georgia would be most interested in illumination which Senators from those States might be able to give as to how they can reconcile the situations which exist in their home States with the punitive legislation which they advocate to punish States in the South where conditions are far better.

I submit, Mr. President, that all fair-minded Senators would have to admit that the statistics of the Commission on Civil Rights prove two points—first, that the civil rights issue is more political than real; and, second, that no section of the country has a monopoly on what problems and difficulties do exist.

Mr. President, Georgians are proud of the fact that this official record proves that the overwhelming majority of the citizens of our State are satisfied with our present concept of human relations and the manner in which it is being translated into practical benefit for all.

Georgians are proud of the fact that our State, which is pursuing, without ostentation, programs of uplift for all our citizens, has been found far less wanting in the provision and protection of real civil rights than many of the States outside the South which make a fetish of promising bigger and better synthetic rights, while failing to produce fulfillment of the meaningful ones.

Mr. President, it is unfortunate that many members of both great political parties in the country try to outdo each other in these civil rights proposals which are purely political in nature. It has become quite obvious that the closer we approach an election year, the more civil rights proposals are made and the more drastic they are. Mr. President, such proposals are offered merely to attract blocs of voters on election day; and, without such motivation, I doubt there would be such a vast number of these so-called civil rights proposals brought before the Congress.

Georgians are proud of the fact that there have been no news stories about rapes, riots, and suicides in our public schools, and that our judges do not have to decry from their benches attitudes and conditions which are—to quote the words of Judge Samuel S. Leibowitz, of New York City—"causing a so-called civilized city to rapidly turn into a jungle."

Mr. President, no judge on the bench in Georgia has ever had to characterize such conditions as existing anywhere in the State of Georgia.

Mr. President, as the junior Senator from Georgia stated, in speaking before this Senate on the same subject in 1959:

> We in Georgia yield to no one in the sincerity or intensity of our adherence to the principles of justice, decency, and fairplay for all.
>
> We have no apologies to make to anyone for what we profess or practice.
>
> To be sure we have our problems and our shortcomings, but we are trying to do something about them.
>
> We make no pretense at being perfect.
>
> Neither do we presume to sit in judgment on the imperfections of others.

Mr. President, in Georgia all children are receiving equal educational opportunities in a modernized public school system. Our Governor only recently reported that the State of Georgia is paying 72 cents out of every dollar spent on education in our State—and that amounts to 53 cents out of every dollar which Georgia taxpayers pay into the State treasury.

In Georgia all qualified citizens, including more than 185,000 Negro citizens, are freely exercising the right to vote. At the present time Negro candidates are seeking election to major offices in two of our metropolitan areas.

In Georgia economic opportunities for all citizens are being dramatically improved as the result of our advancing industrial economy.

We are proud of the progress which all of our citizens are making working together, and we are looking forward to achieving a future of better lives and greater prosperity for all Georgians.

Georgians ask nothing more of the remainder of the Nation, Mr. President, than to be left alone to work out our own destiny among ourselves, in accordance with the wishes of all the people of Georgia, and following the normal course of human relations.

We do not feel that we should be held up to public scorn and ridicule and made the targets of vicious, punitive, and unfounded attacks simply because some people in some States may take issue with our ideas about human relations—ideas which I may say are enthusiastically shared by at least 95 percent of all our citizens.

That Georgia is succeeding in accordance with those ideas in giving the real and meaningful civil rights to all our citizens is attested to by no less a personage than Dr. John A. Hannah, Chairman of the Commission on Civil Rights.

In that connection, Mr. President, I wish to read to the Senate again a colloquy between Dr. Hannah and the late Honorable Prince Preston, former Representative in Congress from the First District of Georgia, which transpired in hearings before the House Subcommittee on Departments of State and Justice, the judiciary and related agencies appropriations on April 30, 1959:

> Mr. PRESTON. Dr. Hannah, what conclusions did you reach in Atlanta about housing?
>
> Mr. HANNAH. Well, sir, we concluded there was a story in Atlanta that could well be told to the country. Of course, there is some pretty poor Negro housing in Atlanta, as there is poor housing for Negroes and white folks in other sections of the country, but the Atlanta story is a very interesting story and the progress that has been made in providing an opportunity for Negroes to acquire middle-class, and high-class, housing—while it is true they are segregated in areas—they have some very fine communities. This has been a cooperative effort worked out voluntarily by the Negroes and the white people and the city leaders and the mayor, and so on.
>
> Frankly, I was surprised and pleased at what we found in the housing area in Atlanta, not because you happen to be a native of Georgia, but there is a better opportunity provided for middle-class and high-class housing for at least some of these Negroes in Atlanta than in many cities in my part of the country.

There, Mr. President, we have the words of the Chairman of the Civil Rights Commission in reporting that he found housing conditions in the State of Georgia much better than he did in cities in his part of the country.

I quote further:

> Mr. PRESTON. Have you found generally in the State of Georgia that the Negro population has no problem about registering and voting?
>
> Mr. HANNAH. Well, from personal investigation, certainly in Atlanta and in many other areas that were brought into our discussions there, that is true.
>
> I think there were some indications that perhaps there were some of the isolated rural areas where that might not be true, but I have no firsthand knowledge of that. It is my general impression the voting situation in Georgia is pretty good and getting much better.

That was Dr. Hannah testifying about the voting situation in the State of Georgia. Even though the Commission has been in life now for almost 4 years and has advertised for complaints, the most they could turn up in Georgia were three. And how many did they get from California? Fifty-four, Mr. President.

I quote further:

> Mr. PRESTON. In my own district there are one or two counties who have more Negro registered voters than white.
>
> Mr. HANNAH. The Congressman recognizes that there are many counties in the South with large populations of Negroes where there is not even one registered.

Representative Preston passed away last year, but I happen to know well the district he had the honor to represent—the First Congressional District of Georgia. It is a district in which there are several counties in which as many Negroes as whites are registered to vote. Liberty County, of which Hinesville is

the county seat, until recently had more Negroes than whites registered and voting. Another county, McIntosh, has approximately the same number of Negroes as white people registered and voting. The same thing is true of Long County.

And those, Mr. President, are rural counties. Their principal source of livelihood comes from forest resources.

I have named specific counties in Georgia where Negroes are registered in as great numbers as white people. Yet we are told that the Civil Rights Commission must be renewed to investigate this "deplorable" situation. The only thing deplorable about it, Mr. President, is the scheming of cunning politicians with eyes on the ballot box who want to be able to go back into their particular States and congressional districts and say, "Look how we went down there and manhandled the South. For that we want you to give us 99.99 percent of your votes in the next election."

Unfortunately, that particular situation has prevailed in too many instances for the good of this country. I hope the time is not too far distant when our Nation will cease to be divided by politicians who are looking after their own selfish interests instead of trying to promote the unity of our country at a time of international crisis.

Until recently no one man ever had it within his power to destroy civilization itself. Now people do not know from one minute to the next when some holocaust will be unleashed that could virtually wipe out mankind.

We in this Senate do not even know whether there will be a Senate to convene if we have another global war. In such event, the next governmental gathering in this country might well be some tribal gathering rather than a meeting of the Senate of the United States. At the very hour when we should be discussing this problem, we find ourselves again engaged in a political exercise about more commissions, more civil rights, more excursions into the South, and more division among the people. And for what purpose? Only for that of winning the next election for a certain group of officeholders in certain areas of our country.

I quote further from Mr. Preston's colloquy with Mr. Hannah:

Mr. PRESTON. You would not find that to be true in Georgia.

Mr. HANNAH. That is correct.

Mr. PRESTON. Georgia is one of the most progressive States in the Union and one of the most liberal States in the Union.

Mr. HANNAH. I believe that is right.

There, Mr. President, is the impression gained by one of our Nation's most respected educators about the status of human relations in my State of Georgia. I am sure there is no Member of this Senate who would presume to dispute the conclusion of so capable and disinterested an observer of the Georgia scene.

Mr. President, a shocking revelation of the attitude of arrogance and contempt for constituted authority and constitutional rights, which has pervaded the Commission on Civil Rights, is found in Senate Report No. 439 of this 1st session of the 87th Congress. It is the report of the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations, written and released over the objections of apologists for the Commission after thorough, closed-door hearings into charges of misuse of position and power by former Commission Staff Director Gordon Tiffany.

Mr. President, the conclusions of the subcommittee speak for themselves. I read from them as follows:

1. Gordon Tiffany, as staff director of the Civil Rights Commission, by design or through ineptness, demonstrated a thorough lack of cooperation with this subcommittee's inquiry as evidenced by the following:

(a) Although he received a detailed telegram from the chairman of the subcommittee on March 8, 1960, formally advising him of the preliminary inquiry, he persistently questioned the authority of this subcommittee without having any of his doubts resolved by the Attorney General, the subcommittee staff, or the subcommittee itself. Such persistence on his part continued up through the executive session of June 3, 1960.

(b) He concurred with the actions of one of his subordinates in advising certain Civil Rights Commission staff members that if they did not wish to cooperate and furnish signed statements to the subcommittee staff, no action would be taken against them. This resulted in the refusal of several Commission staff members to execute signed statements, although they had in fact indicated their willingness to do so. This advice was tantamount to a warning to subordinates not to cooperate.

There, Mr. President, we have the report of one of the Senate's most able and honored committees that the staff director defied its members and encouraged his subordinates to do likewise. Yet we are seriously discussing in the Senate today the extension of the life of such a commission.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. TALMADGE. I am delighted to yield to my able friend from Florida.

Mr. HOLLAND. First I compliment the distinguished Senator for his able statement. I wished to intervene at this time because the Senator is talking about one of the aspects of the work of the Civil Rights Commission or its staff, which, to me, has seemed most objectionable; that is, the unwillingness to be impartial, the unwillingness to be fair, the unwillingness to be just.

I ask the distinguished Senator if he does not think that same attitude of unwillingness to be fair is noted in the recent elevation of the present dean of Howard University to be a member of the Civil Rights Commission, although it was well known he was the legal counsel for the NAACP in many pending cases.

Mr. TALMADGE. I certainly agree with the able Senator. My recollection of the facts of the case is that Spottswood W. Robinson III, a lawyer for the National Association for the Advancement of Colored People, could not recall all the instances in which he had represented that group. Yet he was appointed to what is supposed to be an impartial, factfinding Commission.

I thought it roughly analogous to letting the plaintiff in a lawsuit sit as judge on his own case.

Mr. HOLLAND. Mr. President, will the Senator yield for a further comment?

Mr. TALMADGE. I am delighted to yield to my friend.

Mr. HOLLAND. I note that the day after the confirmation of the nomination of Dean Robinson, the New York Times, which certainly has shown considerable interest in this particular Commission, had much to say about Dean Robinson and the confirmation of his nomination. I quote from an article of July 28, published in the New York Times on this subject, as follows:

The southern Senators who opposed his nomination made an issue of his legal work for the National Association for the Advancement of Colored People.

Mr. Robinson has indeed been involved in work for the association, though his specialty in private practice was the law of real property. He argued three times before the Supreme Court on one of the historic school integration cases decided in 1954. He was legal representative in Virginia for the NAACP legal defense and educational fund for a number of years, and subsequently was its southeastern regional counsel until last fall.

I ask Senators to particularly note the following paragraph, as I continue the quote:

He was involved in so many civil rights cases at one time or another that it was a bit of a task making sure that he had severed all connections when President Kennedy nominated him to the Commission in April.

I wonder if the Senator thinks anything approaching objectivity or impartiality is indicated in the fact that Dean Robinson has now become a member of the Civil Rights Commission.

Mr. TALMADGE. Not the slightest. The reason he was appointed, of course, is that he was counsel for the National Association for the Advancement of Colored People. This demonstrates again the validity of the charge many of us made on the floor of the Senate, that it is a purely political body and there are purely political motives behind the proposal to extend its life.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. TALMADGE. I am delighted to yield to my able friend.

Mr. HOLLAND. The distinguished Senator will remember that when the first members of the Commission were appointed the then President requested some of the Southern Senators to make recommendations as to some of the members of the Commission, under the feeling that the South should have appropriate but distinguished representation. The Senator will remember that among those who were recommended were two former Governors of great Southern States, who were appointed to the Commission: Governor Battle of Virginia and Governor Carlton of Florida.

The Senator now notes that to succeed one of those distinguished Governors, who served with such ability and impartiality on the Commission, Dean Robinson has now been appointed, off

the counsel's bench of the NAACP. I wonder if the distinguished Senator thinks that action tends to create greater confidence in the South, or anywhere in the Nation, in the Civil Rights Commission.

Mr. TALMADGE. It certainly does not. In my own judgment, that is like making a tomcat custodian of a canary bird.

Mr. HOLLAND. Mr. President, I think, of course, the Senator is very sound in that regard. Would the Senator have felt that the Southern Senators were on sound ground if they had recommended for appointment to the Commission a member of the Ku Klux Klan?

Mr. TALMADGE. I would not. We were told this was to be an objective, nonpartisan, unbiased Commission. I can almost hear the voices which would have been raised in the Senate Chamber if a member of the Ku Klux Klan had been appointed to the Commission. However, such an appointment would not have been any more biased than that of Dean Robinson.

Mr. HOLLAND. Does the distinguished Senator think the Southern Senators would have been on sound or acceptable ground if they had recommended to be a member of that Commission an attorney for a white citizens' counsel or an attorney for any of the States or school districts who had fought on the other side of this case in the courts of the land?

Mr. TALMADGE. It would not have been in keeping with the supposedly objective nature of the Commission had we recommended individuals of that type, yet we have seen this point completely ignored on the other side of the picture.

Mr. HOLLAND. Mr. President, I appreciate the courtesy of the Senator in yielding. In closing, it seems to me that by this particular appointment—so far from being objective, so far from being acceptable, in great parts of our Nation—the Senate is now confronted with a much more serious problem in connection with the request to it to continue the life of the Civil Rights Commission, than was the case even in 1959, because it is so very evident that the Commission is now being bent to one point of view, and that persons who have been affirmatively acting for that point of view in the courts of the land are being placed in controlling positions in the Commission. Does the Senator agree with that?

Mr. TALMADGE. I concur fully with the Senator's viewpoint. I would point out to the able Senator that as many complaints have been received from States outside the South as from those within it. Many complaints have been heard from the States of Senators who are most diligent in their efforts to extend the life of the Commission, and to pass even more vicious antisouthern force legislation.

Mr. HOLLAND. Mr. President, I again thank the Senator for yielding, and I commend the Senator for the able job he is doing.

Mr. TALMADGE. I thank the able Senator. I am grateful to him for his contribution to the discussion.

Mr. President, I return now to a discussion of the former Director of the Civil Rights Commission, Mr. Gordon Tiffany, and the Senate report on his activity:

(c) He refused to permit certain individuals within the Commission on Civil Rights to be interviewed at the time requested.

(d) He refused to permit the review of certain financial records after a partial review had been made by a subcommittee staff member. Although it was Tiffany's position that the records were merely estimates, it was outside of his competence to determine the relevancy of the review.

We have further information from a Senate committee of the contempt for a Senate committee displayed by this man. It is incredible that the Senate should even be considering the extension of a Commission which has been used by individuals who have so little respect for the Senate as a body.

I continue reading:

(e) He refused to make available to the subcommittee the names of 26 prominent Federal, State, and local officials and clergymen whose names had been checked by the Commission in connection with their appearance as witnesses before the Commission on Civil Rights. His initial testimony before the subcommittee was totally misleading in that he maintained that Federal officials and clergy had not been given any security name check.

2. Mr. Tiffany, in destroying the verbatim transcripts of the executive meetings of the Commission on Civil Rights, admittedly, without seeking approval from anyone in authority, was in contravention of the provisions of title 44, United States Code, section 368.

3. Tiffany was derelict in his duties in failing to comply with civil service regulations. His complete reliance on a GSA employee, who was familiar with civil service regulations, without personally having any contact with the Civil Service Commission itself, is an example of poor administration.

4. The subcommittee can only conclude that Gordon Tiffany had neither the executive ability nor the competence to be entrusted with the important duties of being Staff Director of one of the most sensitive agencies in the Federal Government.

Mr. President, those are grave charges—charges made all the more serious by the fact that the man accused was responsible for directing investigations involving basic, fundamental constitutional rights of the American people. They are all the more shocking in the light of the fact that Gordon Tiffany was allowed to resign rather than being called to the bar of justice to answer legally for his actions.

Mr. President, it is appalling to contemplate what havoc such a man in such a position could have wreaked upon our freedom had Congress granted the Commission the powers it demanded in the report written by this same Gordon Tiffany in 1959.

And, Mr. President, Congress cannot ignore the fact that not the first safeguard has since been enacted to assure that Mr. Tiffany's indoctrinated successors and proteges at the Commission do not attempt to duplicate or improve upon his contemptuous performance.

While apologists for the Commission and Mr. Tiffany have attempted to talk away his arrogant actions and above-the-law attitude as moot in the light of his departure, they stand, Mr. President, as stark proof of the tyranny inherent in this Commission.

They further prove, Mr. President, the validity of the warnings which the junior Senator from Georgia and his like-minded colleagues uttered in 1957–58 in their vain attempts to alert the Senate to the dangers involved in establishing a part-time Commission with day-to-day functions entrusted to the little-supervised hands of motivated underling hirelings.

Let me recall my words upon the occasion of the debate on the confirmation of Mr. Tiffany in 1958. I stated:

The position of Staff Director is a crucial one, and how its duties are carried out will determine whether the Commission becomes an instrument of tyranny and oppression or whether it is conducted as its more thoughtful adherents desire it to be.

It is a fundamental truth that the shape and direction of part-time Commissioners are often determined in large part by their full-time staff personnel, who prepare the agendas, establish the procedures, ask the questions, and ultimately prepare the reports which, generally, are accepted by the change of only a word or two or the striking or addition of a few sentences or words.

I would point out to this Senate, Mr. President, that the eventuality of which I warned in 1958 came to pass in the reports of the Commission.

How else can one reconcile the conciliatory words of Chairman Hannah, who stated before the 1959 report was released that he had come to the conclusion that "there is no right answer to all sides" and the arrogant and radical recommendations for force legislation, executive dictatorship, and unlimited Commission power set forth in that report?

I submit, Mr. President, that the names signed to the Commission report might have been Hannah, Hesburgh, Johnson, Storey, Carlton, and Battle, but the work was that of Gordon MacLean Tiffany, a man who, when hearings were being held on his nomination, stated he felt it was proper for the Federal Government to send armed troops into a sovereign State to force a new social order on its people.

Today, Mr. President, the Senate has a second chance to rectify its error in creating such a potential Frankenstein's monster as the Commission on Civil Rights. If it fails to take advantage of the opportunity to put an end to the threat of this sword of Damocles, who can foretell upon whose necks the successors of Mr. Tiffany may seek to let it fall.

Perhaps by stretching the point some justification for the Commission could be rationalized had it demonstrated any interest in ascertaining the truth about the state of human relations in this country. That such has not been—nor is likely ever to be the case—is demonstrated by the suppression by the Commission of a report detailing the substantial political, economic, and social progress which has been made by the American Negro.

Washington Correspondent Roulhac Hamilton gave the details in his exclusive story published last June 1 by the News and Courier of Charleston, S.C. It represented a feat of reporting which—had it been on any other subject—likely would have merited him a nomination for a Pulitzer prize.

Mr. Hamilton's story reads as follows:

Objections of a lone Negro member have caused the Civil Rights Commission to suppress an official report showing substantial Negro progress toward full citizenship, in the South and elsewhere, before enactment of the civil rights laws of 1957 and 1960, it was learned Wednesday.

The report was prepared at the direction of the full Commission. After the Commission's staff had compiled heavily documented evidence of Negro advances without help of the recent laws, the Commission voted to suppress the report.

The News and Courier's special correspondent in Washington learned Wednesday that the suppression resulted from the objections of George M. Johnson, the Commission's only Negro member at the time. Johnson, a Howard University law professor and a legal aid of the National Association for the Advancement of Colored People, was serving on the Commission as an interim appointee of President Eisenhower.

While Johnson was the junior member of the Commission, his objections to publication of the report prevailed. The five white members of the Commission knuckled under to the NAACP spokesman's belief that it would be unwise to publish a report showing significant Negro gains, particularly in the South, prior to the 1957 rights law.

The Commission staff, the News and Courier's correspondent learned, spent more than 2 months compiling the 25-year record.

By August 1 of last year, the report, "Civil Rights, 1960: A Progress Report," was ready to show, in some 75 pages where advancement had been made in the Federal Government, State governments and city governments, by the Negro. Much documentation was provided.

The report dealt primarily with the South. It found that throughout the Nation "one of the most notable marks of progress has been the ever-increasing participation of Negroes and members of other minority groups in the processes of government."

But it said, in some detail, that one of the most significant facts in the progress of the Negro in the exercise of his political rights, was the increasing number of Negroes elected to public offices at various levels in the South.

Sources within the Commission staff said this portion of the report may have been the reason for the objections of Commissioner Johnson—and presumably of NAACP—to publication of the report. The section appeared to provide solid evidence that political rights are not denied southern Negroes when they choose to exercise them.

Needless to say, Mr. President, this story did not appear in any paper outside the South nor, to the best of my knowledge, was it carried—or, for that matter, even checked upon—by either of the Nation's two wire services.

It is deplorable when—after so much talk about the public's right to know and so many speeches on freedom of the press—we find an authentic case, as here, of a Commission of the U.S. Government suppressing a report on which it had worked for 2 months and not one word of protest being heard about it. Here is a clear illustration of suppression of news and we did not hear one word about it from either of the great wire services, any of our national television networks, or any of the great newspapers that boast about printing all the news that is fit to print.

In this connection it is pertinent to note, Mr. President, that Commissioner Johnson has been replaced on the Commission by an even more radical representative of the National Association for the Advancement of Colored People. In the light of the Johnson performance, Mr. President, what can the American people expect from a militant agitator like Spottswood W. Robinson III, who has been involved in so many NAACP litigations that he admittedly could not remember them all when it became necessary for him to sever his official connections with that organization in order to take the oath as a Commissioner?

It also should be pointed out, Mr. President, that the amount of time the individual Commissioners spend on the job for compensation at the rate of $50 a day is left to their own discretion. Testimony before the House Appropriations Subcommittee this year brought to light the fact that Commissioner Johnson during fiscal 1960 worked 99 days compared to the total of 110 days for the other five Commissioners combined.

I ask, Mr. President, in the recent words of the distinguished senior Senator from Mississippi [Mr. EASTLAND]:

If he does have a special point of view that he wants to advance, and certainly Johnson did, what chance do Commissioners with a contrary view have in withstanding and offsetting such industry and dedication to duty?

It is hardly likely, Mr. President, that a Commission dominated by men like former Commissioner Johnson and former Staff Director Tiffany can make any contribution toward the advancement of the welfare of the American people or the preservation of their blood-won constitutional rights.

I wonder what motive so dominated Commissioner Johnson? What zeal motivated him to work more days than the other five Commissioners combined? Was he that much interested in his job or did he have a bill of goods to sell for the National Association for the Advancement of Colored People, which he had represented for so long?

That the operation of the Commission would be violative of the constitutional rights of the American people was emphatically pointed out to the Senate during the debate on the Civil Rights Act of 1957 which created it. The junior Senator from Georgia specifically declared:

No provision is made for any period of advance notice of Commission hearings.

No provision is made for any public announcement of Commission meetings or hearings.

No provision is made for notification of persons against whom charges are to be made.

No provision is made for persons adversely affected by testimony taken by the Commission to be present when they are accused or later to confront and cross-examine their accusers.

No provision is made for accused persons to offer rebuttal or in any wise to set the Commission records straight.

Mr. President, I submit that the seeds of tyranny are sown in this measure.

Those fears have since been borne out by the ruling of the Supreme Court in the case of *Hannah* v. *Larche* (363 U.S. 420) overturning two lower court decisions that the Commission was violating the Constitution of the United States by refusing persons summoned to answer charges before it the right to know the identity of and to cross-examine their accusers.

In so holding, the Supreme Court put itself on record as denying to white southerners the same right it earlier had accorded accused Government security risks in the case of *Greene* v. *McElroy* (360 U.S. 474).

In this particular case, the junior Senator from Georgia finds himself in the anomalous position of concurring in the dissent by Justices Douglas and Black, the former in writing it having stated:

Important as these [registration to vote] civil rights are, it will not do to sacrifice other civil rights in order to obtain them.

Here we find this very Commission, whose life Members of the Senate want to extend, denying to white southerners the right to cross-examine their accusers. Yet the Supreme Court of the United States has held that that same right is a right specifically granted by our Constitution to accused Communist traitors.

What manner of thinking has been developed in this country in recent years when our courts can hold that Communist traitors have rights superior to those of honorable, God-fearing southern white people. That is the sort of philosophy that was behind the establishment of this Commission and is behind the proposal to extend its life as well as the great maze of bills and amendments which have been proposed to further suppress the rights of white people in the southern region of our country.

The issue was placed in perspective by the Savannah Evening Press which declared editorially:

The enormity of the blow that the majority of the Supreme Court has struck to rights that run back for centuries as far as the Magna Carta can be realized by recognizing the fact that the Court has given to a roaming, politically inspired Commission powers that parallel those of the revolting and unlamented Gestapo. By reason that defies, in our opinion, logic and facts the Court has said that the Commission is "purely investigative" and not subject to the safeguards set up by the fifth amendment "due process" clause. Officials and other individuals who are and who will be in increasing numbers harassed by the Commission will find themselves beset by enemies operating under the cover of secretiveness. We can foresee no other result from the Court's decision.

Surely the Congress must have it within its power to correct the damage wrought by the Court's action in this case. And as surely as it must have, just as surely it must do it. If it does not, precious American rights will be trampled—and do not let anyone be so foolish as to think that this will be in the South alone. Judicial tyranny, once loose in the land, knows no geographic bounds.

Mr. President, I believe it would be a fair and accurate summation of the at-

titude of the vast majority of Georgians to state that they feel it is an unconscionable act of hypocrisy for representatives of States and metropolitan areas which are unable to cope with their own worsening problems of human relations to attempt to force their discredited concepts of sociology upon other States and areas where those problems are virtually nonexistent and the people of all races live together in harmony and mutual respect.

It is incomprehensible to the people of Georgia why Congress must waste its time and the money of the American taxpayers seeking to enact contrived and unworkable solutions to problems which are not significant factors in our State when our country is confronted with so many real and pressing problems which demand thoughtful and effective solutions from Congress.

Georgians feel that Congress could do far more to justify its existence and to earn the confidence and respect of the Nation by doing something concrete to make the United States so secure militarily and economically that any nation daring to attack us invites not retaliation, but annihilation.

Provide a realistic and meaningful national farm program which will guarantee the farmers of America their proportionate share of the national income.

Protect the jobs of American industrial workers from destruction as the result of indiscriminate imports of foreign-made goods manufactured at slave-wage levels.

Curb ever-increasing inflation, reverse the ever-mounting cost of living, and restore the value and purchasing power of the American dollar.

Balance the Federal budget, hold Federal spending within the bounds of Federal income, and begin a systematic program of reduction of the national debt.

Stimulate scientific and medical research to find and perfect as soon as humanly possible cures for and preventives of the dread killers and cripplers of mankind, like cancer and heart disease.

Put an end to Government programs and policies which attempt to do for people in other countries what the United States either is unable or unwilling to do for our own citizens here at home and which seek to make the world over in our own image.

Confine the Federal Government to programs and activities in those areas delegated to it by the Constitution and leave the management of all other affairs to local people on the local level.

Put an end to further encroachments from whatever quarter upon the inalienable right of each citizen to be left alone to run his own affairs and to enjoy the fruits of his own labor.

Mr. President, in so acting, Congress could do more to promote the real civil rights of the American people than it ever could hope to achieve by creating a thousand commissions or passing a million force bills.

Mr. President, the American people have a right to ask of Congress why it is concerning itself with legislation of the nature of the pending proposal when so much of legitimate concern to all citizens has been left undone.

Mr. President, in conclusion, I reiterate my previously stated conviction that the kindest thing Congress could do with the Commission on Civil Rights would be to allow it to be interred in history at the time contemplated by the act which created it. To allow it to expire as scheduled not only would relieve the Federal Treasury of a not inconsiderable burden but more important would rid our country of a divisive influence at a time when our greatest national need is for unity among all Americans of all races, all faiths, and all places of residence.

Mr. President, I suggest the absence of a quorum.

Mr. MANSFIELD. Mr. President, will the Senator from Georgia yield?

The ACTING PRESIDENT pro tempore. Does the Senator from Georgia withhold his suggestion of the absence of a quorum?

Mr. TALMADGE. I am delighted to withhold my suggestion of the absence of a quorum.

SALINE WATER CONVERSION PROGRAM

Mr. MANSFIELD. Mr. President, I move that the unfinished business be laid before the Senate.

The ACTING PRESIDENT pro tempore. The Senate is still in the morning hour. The Senator's request must be made by unanimous consent.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 2156) to expand and extend the saline water conversion program being conducted by the Secretary of the Interior.

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1962

Mr. MANSFIELD. Mr. President, I move that the unfinished business be laid aside temporarily and that the Senate resume the consideration of Calendar No. 707, H.R. 7371, the bill making appropriations for the Departments of State and Justice, the judiciary, and related agencies.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 7371) making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1962, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate resumed the consideration of the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. MANSFIELD. Mr. President, I thank the Senator from Georgia. Would he mind renewing his request?

Mr. TALMADGE. I was delighted to yield to the Senator from Montana.

Mr. HOLLAND. Mr. President, will the Senator from Georgia yield?

Mr. TALMADGE. I yield.

Mr. HOLLAND. I listened with much interest and sympathy to the list of objectives which the distinguished Senator mentioned as being worthy of our attention in this time of confusion and crisis. I do not remember hearing the Senator mention the bringing about of better law-enforcement conditions in the District of Columbia for the protection of citizens from all over the country, including citizens who come from the Senator's State and my own, and who have recently been assaulted within this city, with very little showing of improvement of law-enforcement conditions. Does not the Senator from Georgia believe that that is one of the subject matters to which attention might well be given?

Mr. TALMADGE. Indeed, I do. While the junior Senator from Georgia did not mention that fact specifically in his address to the Senate, he has on any number of occasions stated that the greatest law-enforcement problem confronting the country today exists right here in the District of Columbia, the Capital City of the Nation.

As the Senator from Florida knows, almost every morning we read in the newspapers about rapes and other crimes of violence. Recently two ladies were attacked inside the embassy of a foreign nation here in the Nation's Capital.

We are spending billions of dollars throughout the world in trying to improve our relations with foreign nations. It is my opinion that we could do even more in that regard if we would protect people who come to our Capital in a status of diplomatic immunity from being assaulted or having violence committed upon their persons.

Mr. HOLLAND. Mr. President, will the Senator from Georgia yield further to me?

Mr. TALMADGE. I am delighted to yield to my friend.

Mr. HOLLAND. I have been very glad to hear the Senator from Georgia comment as he has on this important matter. I remember that it has not been long since a former citizen of my own State, the widow of a Cabinet member of great distinction, was assaulted by a Negro criminal in the same block where I make my Washington home; but I have not heard of any apprehension of that criminal.

I remember that only in the last week the lovely wife of the distinguished Ambassador from Costa Rica, and her equally lovely sister, from Stone Mountain, Ga., one of the picturesque and wonderful places in which to live in the State of Georgia, were assaulted by a Negro criminal within the residence of the Costa Rican Embassy. Aside from the international aspects of that assault,

I am also deeply concerned about the fact that citizens of our several States cannot come in safety to their Nation's Capital, and that, for the greatest part, the criminals who seem to roam abroad without apprehension in this Capital of our Nation are Negro criminals, and apparently, in many instances they are not apprehended by the police forces of the Nation's Capital. I hope that situation will be among those looked into by the Civil Rights Commission. It certainly is important and most definitely bears upon civil rights.

Mr. TALMADGE. The junior Senator from Georgia feels that freedom from assault and the right to be alive are two of the greatest civil rights.

Mr. HOLLAND. That certainly is true. But we see those rights almost daily violated in this Capital of our Nation; and I am wondering why the Civil Rights Commission has not, so far as I know, given any attention to that problem.

Mr. TALMADGE. It seems to me that the situation certainly cries out for attention. The crime rate in the Nation's Capital is a national disgrace; yet I note that no Federal marshals or paratroopers have been ordered into the District of Columbia. It is shameful that women in the District of Columbia have to remain behind locked doors in the daytime, to keep their persons from being physically assaulted.

I would point out to the able senior Senator from Florida that I think the Supreme Court of the United States is in very great measure responsible for this situation. It is largely the result of actions such as the decisions in the Mallory and similar cases in which the Court completely deviated from all previous decisions on constitutional rights and methods.

Mr. HOLLAND. Mr. President, I appreciate the courtesy of the Senator from Georgia in yielding to me. I thought the RECORD might well show that right in the shadow of the Capitol Building there exists a matter which substantially affects the most important civil rights of our own families, and of all residents of the District of Columbia, and of the millions of people who come to visit the Nation's Capital; yet that matter is given no attention by the Civil Rights Commission, and is given insufficient attention by the local law-enforcement agencies.

Mr. TALMADGE. Mr. President, I commend the Senator from Florida for calling attention to the matter. It needs more attention than any other law-enforcement problem in the United States at the present time.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. THURMOND rose.

Mr. MANSFIELD. Mr. President, if the Senator from South Carolina [Mr. THURMOND] would not mind, I wish to make a statement, but I would like to have certain Members of the Senate present.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Tennessee.

STEEL PRICES

Mr. GORE. Mr. President, the New York Times printed an editorial on August 24 entitled "Price Fixing in Congress." I replied with a letter to the editor, which was duly printed in the New York Times, and I ask unanimous consent that the editorial and my letter to the editor in reply thereto be printed in the RECORD.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CLARK. I hope the Senator will modify his request so as to have his letter and the editorial printed in the body of the RECORD. In my judgment, both the editorial and the Senator's very able reply deserve the widest possible dissemination, which is not always possible by having something printed in the Appendix of the RECORD.

I congratulate the Senator for the very able letter he wrote in reply to the editorial in the New York Times, which, in my judgment, was somewhat off base. I believe the Senator's reply should be generally available. I urge all my colleagues, and those to whom the RECORD comes as a matter of course, to read the editorial and the reply thereto. I hope the Senator will put them in the body of the RECORD.

Mr. GORE. I am grateful for the generosity of the able Senator from Pennsylvania, and I modify my request, at his suggestion, and ask unanimous consent that they appear at this point in the RECORD.

There being no objection, the editorial and letter were ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 24, 1961]

PRICE FIXING IN CONGRESS

Fundamental issues are raised by the campaign against a steel price increase that has been started by Senator GORE and some of his senatorial colleagues. These Senators are determined to prevent the steel industry from raising its prices after October 1 although the industry is committed to giving its unionized workers a significant wage increase then.

The scheduled wage increase results from a steel labor settlement imposed by the Eisenhower administration, acting through Vice President Nixon. Nevertheless, Senator GORE is threatening the steel industry with a deliberate Government campaign to break its large units up into small rival companies, or with imposition of public utility type Government price fixing if it raises prices.

If the price of steel is to be determined by speeches and threats on the Senate floor, then a precedent has been set whose final consequence could be a great change in our economic system. The private enterprise system operates on the assumption that prices should be set in the marketplace, and reflect the force of competition among buyers and sellers. The Senate floor is not the marketplace.

However, it must be recognized that the sentiments Senator GORE and his supporters are voicing can ultimately be traced back in part at least to a conviction or suspicion that price setting in too much of American industry today reflects little or no real competition. While that sort of thinking has been around for many years, it received a strong acceleration from the shocking disclosures several months ago resulting from the Government's case against the electrical equipment industry. The collusion in price setting and division of markets there revealed was not only a betrayal of the elementary ethics the community expects of businessmen, but was a damaging blow to respect for the private enterprise system.

Yet despite the electrical equipment case and other examples of formal or informal collusion in setting prices, competition is probably a much more real force in the American economy than Senator GORE believes.

In the case of steel, for example, there is not only the elementary competition of different producers and sellers, but also the competition to steel from other metals and plastics, and the significant competition given domestic steel by imports of foreign steel. The steel company executives, wondering whether to raise prices to compensate for the next wage increase, have, we suspect, a much more complex problem before them than Senator GORE suggests.

[From the New York Times Aug. 27, 1961]

GORE DEFENDS STEEL DEBATE—SENATOR OPPOSES PRICE INCREASE AS SPUR TO INFLATION

To the EDITOR OF THE NEW YORK TIMES:

Perhaps you will be willing for me to express some views on the Times editorial of Aug. 24 regarding recent Senate speeches by me and others on the subject of the threatened price increase of steel.

Steel being so basic to our industrial economy, the raising or lowering of steel prices in itself not only triggers percentage price markups that compound and pyramid all the way to the retail outlets, but it creates a psychological climate which carries over into the price-making process in many other industries.

The influence of steel on all other prices has been demonstrated many, many times. One of the most recent studies was conducted by the Joint Economic Committee in 1959 under the staff direction of Dr. Otto Eckstein, associate professor of economics at Harvard University. This study proved beyond reasonable doubt that administered prices played the key role in the inflation of recent years.

Forty percent of the rise in the wholesale price index during the period 1947 to 1959, competent studies have shown, was due to the fact that steel prices were pushed up faster and further than the average of all other commodity prices.

EFFECT ON WAGE STRUCTURE

Too, the wage of steelworkers is a bellwether in the wage structure throughout our economy. Should wages in the steel industry bound above reasonable and comparable levels, then a determined drive of others to catch up would ensue.

Now all of this has an important bearing on our whole domestic economic structure. But this is not all. It has played and will play an important part in our foreign trade and in our balance of payments difficulties.

From 1953 to 1958, United States iron and steel export prices rose 20 percent more than the export prices of our foreign competitors. During the same period, our share of world exports of steel fell from 18 to 12 percent.

Many people may wonder why they now find in hardware stores so many imported metal items. Perhaps one reason for this is that the export price of Belgian steel decreased 3 percent during the period 1953 to 1959, while the export price of U.S.-made steel was increasing 36 percent.

The public interest is involved, then, in the threatened increase in steel prices. Such an increase in steel prices, and the consequent unusually favorable profit position of the steel industry, would almost automatically call for an increase in steel wages next July. This increase in wages would, in turn, be used as justification for another round of price increases.

Since this is so obvious, the subject matter which I and my colleagues debated for several hours appeared to me to be appropriate for discussion on the floor of the U.S. Senate.

Moreover, I thought the quality of the discussion was commendable. Where is there a more appropriate place for the discussion of a problem which so vitally affects the public interest, the cost of living for all Americans?

Your editorial states, "The private enterprise system operates on the assumption that prices should be set in the marketplace and reflect the force of competition among buyers and sellers. The Senate floor is not the marketplace."

LACK OF COMPETITION

It is agreed that the Senate floor is not "the marketplace" for steel, but from whence comes the assumption that steel prices are fixed in "the marketplace"? The record is replete with evidence to the contrary. Indeed, there is a remarkable lack of price competition in the steel industry.

As is so well known, all the steel companies have practically identical prices. Price rises have traditionally been put into effect by all the companies almost simultaneously. In 1958, for instance, there was a good deal of sparring back and forth as to which company would be the "price leader" in boosting the price of steel.

The sparring over, Armco increased prices on July 29. By July 31 United States Steel and all the other steel companies had announced similar price increases.

Now it is true that this price increase was not fixed on "the Senate floor." It is equally true that it was not "set in the marketplace."

All of these facts and a myriad of others were involved in the Senate debate. Perhaps I will be pardoned, since I was a participant, but I thought that it was a worthy debate and in the public interest. Many others have also expressed their view that this was a meaningful debate and that the public interest was well served.

You refer to my suggestions of possible courses of action by the Government to protect the public interest as "threats" to the steel industry. Although I did not intend to make threats, I do respectfully suggest that unless big industry and big labor, particularly in monopoly-controlled but basic industries, are able to exercise self-restraint, then action by the Government, regulatory or otherwise, within the framework of the free enterprise system will be necessary in order to safeguard the public interest.

ALBERT GORE.

Mr. DIRKSEN. Mr. President, I presume the Senator is referring to an editorial in the New York Times commenting on the steel discussion. Is that correct?

Mr. GORE. Yes.

Mr. DIRKSEN. I suggest to the majority leader that sometime this week, preferably Thursday, I hope the calendar will be so circumstanced that we can take a few hours to reopen our discussion and make some comments on the discussion that was held on August 22.

Mr. MANSFIELD. Mr. President, I am quite sure the Senator from Tennessee would be most happy to have such a discussion. I hope the distinguished minority leader will not hold us to Thursday, but the first opportunity toward the end of this week or the first part of next week.

Mr. DIRKSEN. That is quite fair.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HICKEY in the chair). Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATION FOR CONSTRUCTION OF U.S. PACIFIC WAR MEMORIAL

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 753, H.R. 44. It is my understanding that both Senators from Hawaii [Mr. FONG and Mr. LONG] are very much interested in the bill. The bill has been cleared. There are no objections, and the bill is ready for consideration.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 44) to authorize the appropriation of $150,000 for use toward the construction of a U.S. Pacific War Memorial.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 770), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

This bill would authorize the appropriation of $150,000 toward the construction of a U.S. Pacific War Memorial at Pearl Harbor. The bill also provides that the memorial shall be maintained in honor and in commemoration of the members of the Armed Forces of the United States who gave their lives to their country during the attack on Pearl Harbor on December 7, 1941.

LEGISLATIVE HISTORY

Public Law 344, of the 85th Congress, authorized the Secretary of the Navy (1) to accept contributions for the construction of a memorial and museum to be located on the hulk of the U.S.S. *Arizona* in Pearl Harbor, Hawaii; (2) to furnish material to the Pacific War Memorial Commission for use in national promotion of a public subscription campaign to raise funds for a U.S.S. *Arizona* Memorial; (3) to authorize Navy activities to assist in conceiving a design and in determining the construction cost for the memorial; (4) undertake construction of the memorial and museum when sufficient funds had been subscribed for completion of the structure; and (5) to provide for maintenance of the memorial and museum when completed.

The hulk of the U.S.S. *Arizona* lies in Pearl Harbor, Hawaii, where the vessel was sunk during the Japanese attack of December 7, 1941. The remains of 1,102 American servicemen are in the *Arizona*. The proposed memorial and museum were authorized as an appropriate tribute to the personnel who died during the attack on Pearl Harbor.

DEVELOPMENTS SUBSEQUENT TO ORIGINAL AUTHORIZATION

The Pacific War Memorial Commission, an instrumentality created by the then Territory of Hawaii, embarked on a fundraising campaign that has resulted in contributions of more than $320,000. In addition, the State of Hawaii has appropriated an additional $50,000 toward the memorial. With the funds contributed to date, the Navy has completed the first phase of the construction. This involved the placement of extensive foundations on pilings whose depth are the equivalent in height of an 18-story building and the completion of a structural platform to form a bridge across the second hull. The second phase involves the construction of the actual chapel and memorial shrine itself and a ceremonial deck. The design for this superstructure has been completed and approved. The additional funds needed for completion are slightly less than $150,000.

The 20th anniversary of the attack on Pearl Harbor is December 7, 1961. It would be desirable if the memorial could be completed by that date. The additional construction will require about 4 months after award of the contract, but the indication is that if the funds are made available promptly, construction could be sufficiently advanced so that an appropriate dedication ceremony could be held on December 7, 1961.

The additional construction to be undertaken will be administered for the Navy Bureau of Yards and Docks by the public works officer of the 14th Naval District.

HISTORY OF THE BILL

A companion bill, S. 180, was introduced in the Senate by the senior Senator from Hawaii, Mr. Fong. H.R. 44 was amended in the other body (1) to reduce the amount authorized to be appropriated from $200,000 to $150,000; (2) to broaden the language of the original authorization to insure that the memorial will be a national shrine to all personnel of our Armed Forces who died during the attack on Pearl Harbor; and (3) to amend the title to refer to the memorial as the "United States Pacific War Memorial."

COST

Enactment of this measure would require an expenditure of not more than $150,000 of Federal funds.

THE PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (H.R. 44) was ordered to be engrossed for a third reading and was read the third time.

Mr. MANSFIELD. Mr. President, I believe the Senators from Hawaii [Mr. LONG and Mr. FONG] wish recognition on the subject.

Mr. LONG of Hawaii. Mr. President, a great deal of thought has gone into the proposed legislation to authorize a

Federal appropriation for completion of the Arizona memorial at Pearl Harbor. H.R. 44, by Congressman TEAGUE of Texas, was amended by the House to specify that the "U.S. Ship *Arizona* Memorial" shall be dedicated not only to the 1,100 men who lie entombed in the U.S.S. *Arizona*, but also to the entire 3,600 men who lost their lives at Pearl Harbor on December 7, 1941. This is a most considerate amendment.

The memorial, estimated to cost about $500,000, was originally planned and authorized as a privately financed endeavor. Its supporters, including the Pacific War Memorial Commission, headed by Mr. H. Tucker Gratz, have done a magnificent job of raising private funds to pay for the major part of this project.

The men who died on that infamous day nearly 20 years ago came from all parts of the United States. Their names and homes are listed in the hearings. It is my understanding that 49 States are represented by those entombed in the battleship *Arizona*.

It is obvious that the *Arizona* memorial is truly a national monument, worthy of national support. I understand that the Committee on Armed Services unanimously recommended passage of the bill. I therefore sincerely urge that it be acted upon favorably as we approach the 20th anniversary of the attack upon Pearl Harbor.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 44) was passed.

Mr. FONG subsequently said: Mr. President, the Senate earlier today passed H.R. 44, authorizing the appropriation of $150,000 for use toward the construction of a U.S. Pacific War Memorial. As sponsor of a companion bill, I would like to express my appreciation to Chairman RUSSELL and members of the Senate Armed Services Committee for their quick and sympathetic attention to this measure.

Early passage of this bill clearly shows that all Members of this body are desirous of providing a fitting memorial to those who gave their lives during the attack on Pearl Harbor on December 7, 1941. This would be a particularly fitting memorial to the 1,102 crewmembers who are still entombed in the sunken hulk of the U.S.S. *Arizona*.

A substantial portion of the work has already been completed with funds collected from private sources and an appropriation by the Hawaii Legislature.

The $150,000, when appropriated, will be used to complete this memorial. It is the hope of everyone concerned that the U.S. Pacific War Memorial be completed by December 7, 1961, the 20th anniversary of the attack on Pearl Harbor.

I hope the Congress will make the appropriation at an early date so that there will be no delay in the construction.

I believe it is fitting at this time to pay tribute to Mr. H. Tucker Gratz and Mr. Joe James Custer, both of the Pacific War Memorial Commission, who worked so hard and long in the efforts to bring this project to completion. Also, a special thank you to the AMVETS, headed by National Commander Russell, Mr. P. E. Howard, and Mr. Norman Carroll.

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1962

The Senate resumed the consideration of the bill (H.R. 7371) making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1962, and for other purposes.

Mr. MANSFIELD. Mr. President, for the second time the Senate has before it H.R. 7371, making appropriations for the Departments of State, Justice, the judiciary, and related agencies. When this measure first came before the Senate I offered a motion, on behalf of the minority leader and myself to suspend the rules in order that the Senate might consider a legislative amendment to the bill. The amendment would have extended the life of the Civil Rights Commission for 2 years beyond its final reporting date of September 9, 1961.

Shortly after the minority leader and I offered this motion, some 21 other motions and amendments were proposed to the bill. Many of these were controversial in the extreme. It was quite apparent that there would be prolonged consideration of these amendments, and that the passage of several highly important bills then pending on the calendar would be placed in jeopardy, if the Senate continued to debate the amendments. I therefore moved that the Senate proceed to consider instead the military construction appropriation bill. In the days that followed, the Senate, working expeditiously but prudently, has disposed of a number of the "must" items on its calendar.

It is essential, of course, that funds be provided for the operation of the departments affected by H.R. 7371, and in my view it is also essential that the Civil Rights Commission be continued in operation. In order that this issue may be resolved the motion has once again been made to proceed to consider the State-Justice appropriation bill.

There is a great distinction to be made between the amendment offered by the minority leader and myself and most of the other amendments proposed during the earlier consideration of this bill. The amendment we have offered is not substantive in nature; it does not revise or extend the duties and powers of the Commission; it does not provide new laws in the field of civil rights. Its sole purpose is to extend the life of the Commission for a period of 2 years.

Most of the other amendments do make significant changes in the law. They have but one thing in common: they are highly controversial. Almost any one of them could provide the basis for a prolonged debate. They run the gamut from civil rights to the admissibility of confessions to the applicability of the antitrust laws to labor unions—highly charged subject matter, to say the very least.

Because the prolonged consideration of these amendments would make it impossible for the Senate to dispose of other matters remaining before it and to adjourn at a reasonable date, I shall at an appropriate hour move to table them.

There is another class of amendments proposed to the pending bill, for which an additional comment is required. Amendments have been or will be proposed to extend the life of the Commission indefinitely, or, failing that, for a period of 4 years. I have a great deal of sympathy with these amendments. In fact, I believe in them, as I believe they do make for more orderly procedure. Nevertheless, in my discussions with various interested Senators about the matter, I have come to a conclusion which I believe is inescapable in the circumstances. A substantial number of Senators are firmly opposed to any extension of the Commission. It is likely that the Senate can pass a 2-year extension. It is unlikely that the Senate can pass a 4-year extension, or an indefinite one. If the Senate should determine to debate a longer extension, that debate, in my opinion, will be of extraordinary length; and the probability is that the end product will be an extension of 2 years.

Consequently, Mr. President, I shall also move to table those amendments which would extend the life of the Commission for a period of more than 2 years.

Mr. President, I conceive my responsibility at this hour to be threefold:

First, to move the consideration of a necessary supply bill for the departments and agencies affected by H.R. 7371.

Second, to urge upon the Senate that a vital agency of the Government, charged with making investigations in the field of civil rights and with offering recommendations for new laws in this field, be continued in existence.

Third, to clear the path toward the attainment of these objectives, and toward the passage of other legislation the Senate must consider before it adjourns sine die.

If, in the discharge of my responsibilities, I find that I must move to close off debate on proposals I favor as an individual Senator, I accept that as an obligation of the leadership.

To conclude, Mr. President, I may say that I do not consider my judgment of the present situation infallible. Nevertheless it is a judgment formed after extensive discussions with many Members, and is predicated on some knowledge of the practices of the Senate. If a majority of Members support this judgment we can, I believe, succeed in passing the pending bill and in granting the Civil Rights Commission an extension of life.

Accordingly, I serve notice that I shall at the proper time move to table any and all amendments to the amendment proposed by myself and the minority leader.

At approximately the hour of 1 o'clock I shall see if it is possible to arrive at a unanimous-consent agreement so that at 2 o'clock or thereabouts the Senate will be able to vote on the motion made by the distinguished minority leader

and myself relative to the suspension of the rule to consider the extension of the life of the Civil Rights Commission for 2 years.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. The Senator from Montana, with his customary precision and grace, has stated his position. Whether one agrees or disagrees, precision is always desirable. So I very much appreciate—and I think the country will appreciate—what the Senator has done to lead all of us to understand how we may proceed.

I should like to ask the Senator two questions. First, I have an amendment to the appropriation bill having nothing to do with the subjects to which the Senator referred. The amendment relates to the USIA, and involves a very important question for our country. I hope we may find a way not to "throw out the baby with the bath," and to fix a time when we might consider amendments which would have come up in the normal course had not the particular procedure with respect to the extension of the Civil Rights Commission been adopted.

Mr. MANSFIELD. I agree with what the Senator has said. I hope that the amendment which the distinguished minority leader and I will offer later in the day, and all amendments thereto, will be disposed of first, and that then the Senator's amendment which, as I understand, would raise the amount of money to be appropriated for the USIA, may be taken up. His proposal is a highly meritorious one.

Mr. JAVITS. I thank the majority leader. There is only one further question. Under the limitations which the Senator has laid down, considering the nature of the suspension move, the time of the Senate, and the disposition of the majority leader, does the Senator feel that those of us who wish to move other extensions of the Civil Rights Commission, should have some reasonable time in which to state the whys and wherefores of our proposal?

Mr. MANSFIELD. Yes; I believe that procedure would be almost mandatory in the Senate. Any motion that I may make to table a proposal will be made with the thought in mind that interested Members of the Senate shall have a reasonable time to state their views and to make their position known.

Mr. JAVITS. I thank the Senator.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CLARK. Following what the Senator from New York has stated, there are two other amendments in which I am very much interested; and other Senators are interested in them also. These amendments have nothing to do directly with the extension of the life of the Civil Rights Commission. One arises from the fact that the appropriation for the ordinary operating expenses of the new Disarmament Agency, which we hope will shortly be created, or if not, the expenses for the present Disarmament Agency staff in the White House, are omitted from the bill. The amount of the proposal is $502,000.

I assume that the amendment would come up under the same procedure as the amendment of the Senator from New York [Mr. JAVITS] respecting USIA.

Mr. MANSFIELD. This is the first knowledge I have of the particular proposal to which the Senator has referred. I assume, however, that it would be in the same position and subject to the same consideration as the proposal of the Senator from New York [Mr. JAVITS].

Mr. CLARK. I thank the majority leader. Mr. McCloy has been in touch with me. The subject is vitally important. The Agency should get this extra money.

My second point is that if some extension of the Civil Rights Commission should be voted, it would be necessary, in the pending bill, to provide additional appropriations for the operating expenses of the Commission, so that the Commission would not go out of business in November. I assume the same rule would apply to such an amendment, and that we would have an opportunity to present our case without a premature motion to lay on the table being made.

Mr. MANSFIELD. I believe the figure that has been mentioned is $880,000 if the Civil Rights Commission is extended for 2 years.

Mr. CLARK. Yes. It is always an ungracious task to disagree with one's majority leader. This is particularly true when, as the Senator from New York has said, the majority leader has laid down with great precision the path he feels he is impelled to follow as our majority leader, although with respect to the extension of the life of the Civil Rights Commission he, as an individual Senator, might wish to do otherwise.

I am reluctantly compelled to differ with the majority leader. In my judgment it is of great importance that the Civil Rights Commission be made a permanent agency, or if that should fail, its life should be extended for at least 6 years; and if that effort should fail, that it should be extended for at least 4 years.

Later in the debate I shall state the reasons for my strong view that Congress should make the Civil Rights Commission a permanent agency, instead of providing a truncated extension of 2 years' life at the time, which has been the practice heretofore. I will not detain the Senate now by making an elaborate argument. I will, however, read to the Senate the following statement from the Democratic National Platform of 1960:

> The new Democratic administration will broaden the scope and strengthen the powers of the Civil Rights Commission and make it permanent. Its functions will be to provide assistance to communities, industries, or individuals in the implementation of constitutional rights in education, housing, employment, transportation, and the administration of justice.

That is a succinct summary of why it is important to extend the life of the Commission.

My first amendment, which I hope to have an opportunity to call up immediately after the vote on the motion to suspend the rule, would fulfill this pledge by making the Civil Rights Commission a permanent Federal agency with strengthened factfinding powers and a new directive to act as a "national clearinghouse for civil rights information."

The amendment would affect six changes in the present law relating to the Commission in the Civil Rights Act of 1957, as amended:

First. The Commission would be made permanent by eliminating the September 9, 1961, termination date in existing law. Thereafter, the Commission would be required to file reports of its activities annually, or more frequently, at its own discretion or at the direction of the President.

Second. One member would be added to the Commission, making a total of seven members, and staggered 3-year terms would be provided.

Third. The maximum compensation of Commissioners and appointed consultants, not to exceed 12 in number at any time, would be increased from $50 to $75 per diem.

Fourth. The Commission would be authorized in its discretion to reimburse State advisory committees for travel expenses, stenographic services, and subsistence incurred in the performance of Commission-approved functions.

Fifth. Commission officers and employees specifically designated by the Civil Rights Commission would be authorized, in addition to the Commissioners themselves, to administer oaths and take statements of witnesses.

Sixth. The Civil Rights Commission would be directed "to serve as a national clearinghouse for civil rights information, and to provide advice and technical assistance to communities, industries, or individuals, upon requests from such parties in respect to due process of law and equal protection of the laws, including but not limited to the fields of voting, education, housing, employment, the use of public facilities, transportation, and the administration of justice."

This amendment seeks to provide the broadening and strengthening which my party has promised it would provide in making permanent the Civil Rights Commission.

A permanent Civil Rights Commission is favored by the President of the United States. I shall read in its entirety a letter which I received under date of August 26, sent by Lawrence O'Brien, special assistant to the President, directed to me. It reaffirms what President Kennedy said in his letter of August 7, 1961, to the Honorable EMANUEL CELLER, chairman of the Committee on the Judiciary of the House of Representatives, when the same question was before the House.

Mr. O'Brien's letter reads as follows:

> THE WHITE HOUSE,
> *Washington, D.C., August 26, 1961.*
>
> Hon. JOSEPH S. CLARK,
> *U.S. Senate,*
> *Washington, D.C.*
>
> DEAR SENATOR CLARK: The President supports extension of the Civil Rights Commission and hopes this legislation will pass before Congress adjourns.
>
> It would be better to extend the Commission indefinitely, or at least for a longer

period of time than the 2 years specified in the State-Justice appropriation bill amendment. The Civil Rights Commission should not, in any event, be permitted to expire.

I am sorry that this could not be done this week, but I am hopeful that there will be an appropriate occasion for reviving this proposal before Congress adjourns.

Sincerely yours,

LAWRENCE F. O'BRIEN,
Special Assistant to the President.

Mr. President, the amendment which I propose to offer later to the amendment supported by the majority leader and the minority leader would carry into effect the pledge of the Democratic platform, the pledge of the candidates and the proposed legislation which Representative CELLER and I, at the request of the President, prepared and introduced, and also the wishes of the President of the United States, as I have referred to it in the letter sent to me by Mr. O'Brien and in the letter from the President of the United States to Representative CELLER.

I conclude on this note: It is difficult for me to believe that any group of Senators, no matter how devoted they may be to the cause of maintaining the status quo with respect to the relationship between the races, would feel it so important to their cause that they would prevent the Senate for an indefinite period of time, under our rules, from considering and voting upon the amendment which I propose to offer.

I can well understand the strong feelings of certain Members of this body in opposition to having major proposed civil rights legislation dealing with part III, with school segregation, with integrated housing, and the like, brought to the floor of the Senate as amendments to an appropriation bill in the closing days of this session of Congress. While I do not agree with them, I can sympathize with their attitude. But I say there can be no justification for refusing to permit the Senate to work its will with respect to whether the Civil Rights Commission is to be continued indefinitely, with expanded powers; is to be extended indefinitely without expanded powers; is to be extended for 6 years; or is to be extended for 4 years. There can be no legitimate excuse for a filibuster on that question. I cannot believe that Senators, sincere as they are, would resort to this violation of democratic procedure, so as to hold the Senate in indefinite session, in order to prevent a Commission which has rendered such forthright and able service to the people of the Nation from continuing its life for an indefinite period or, at the very least, for a substantial number of years.

Mr. JAVITS. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am glad to yield.

Mr. JAVITS. The Senator from Pennsylvania will have my support. I feel certain he knows that. I do not wish in any way to anticipate what other Senators may do, but I think the Senator from Pennsylvania has every right to expect the bipartisan support which has always been evidenced for constructive methods in civil rights measures.

Mr. CLARK. The able senior Senator from New York and his colleague, the distinguished junior Senator from New York [Mr. KEATING], have been forthright in their support of this proposal. I know that many other Senators on the other side of the aisle—I see my colleague from Pennsylvania [Mr. SCOTT] and I suspect he is one of them—wish to see the Civil Rights Commission extended indefinitely. I hope that when the motion to table this amendment is made, we will have very strong bipartisan support to enable the Senate to vote on the merits of the extension of the life of the Civil Rights Commission.

I thank the Senator from New York from the bottom of my heart for his strong support.

Mr. JAVITS. I should like to comment on the Senator's last statement concerning the motion to table. Let us all understand that the majority leader, whom we love and respect, is a Senator. He is the majority leader, but he has not always won. It would be a strange anomaly if we had a majority leader who always won.

Mr. CLARK. I observe in the Chamber the distinguished Senator from Alaska [Mr. GRUENING], who beat the machine only last week.

Mr. JAVITS. I hope we will make it clear in such debate as we may have before the motion to table is made—and I am sure we will have a reasonable debate—that the vote on the motion to table will be a vote on the merits of the proposal. Let no Senator misunderstand that, because I think that is precisely what will come across to the country. If we wish to, we can consider the permanent extension of the Civil Rights Commission on its merits. It is up to us. What the majority has said is influential; it is important; but it is not determining. I hope we can make that clear.

Mr. CLARK. I thank the Senator from New York.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. GRUENING. I thank the Senator from Pennsylvania for his very generous reference to my so-called victory over the machine. It was not my thought to have such a victory, but merely to improve the administration of the foreign aid program. Perhaps in this case I shall support the machine.

Mr. CLARK. I hope the Senator will not, because I know what a devotee of civil rights he has always been.

Mr. DIRKSEN. Mr. President, the majority leader has very clearly and accurately stated the case. The Civil Rights Commission was created in 1957. It was extended for 2 years in 1959. Our hope is that, since it would otherwise expire on September 9, it may be extended for another 2 years. I think such an extension would find favor with the House.

On August 18, the House Committee on the Judiciary reported a bill containing some additional amendments. Included was an amendment which recommended that the Commission be extended for 2 years. That looks like the proper course to pursue. That is the reason why the majority leader and I have jointly sponsored the proposal to amend the appropriation bill, under a suspension of the rules, in order to extend the life of the Commission, because the Commission is serving a useful purpose.

Its investigatory functions and fact-finding functions have been the basis for legislation, namely, the act of 1960. The facts which it has ascertained from time to time have been the basis for action by the Attorney General. The Commission has examined into the whole field of group violence and a great many other particulars which properly engross the attention of the Commission. Therefore, the term of the Commission ought to be extended.

I know a difference of opinion exists. Some would like to have the Commission extended for 4 years; some would like to have it extended permanently. At least, the Commission can be kept alive by extending it to September 1963, thus extricating it from any partisan or political difficulties which may arise in the intervening period.

Mr. President, this seems to me to be the prudent course to pursue. I hope, therefore, that the proposal of the majority leader, in which I concur, will meet with the favor of the Senate; that the Senate will approve the suspension of the rules and will then, in turn, approve the incorporation of this legislative proposal into the appropriation bill.

This is an important proposal. The time is getting short. We could pick out a bill and offer the civil rights amendment as a legislative rider in view of the liberal rule of germaneness in the Senate. But who shall say whether such a bill will find favor on the part of both Houses and will reach the President's desk?

The bill which is before the Senate is an appropriation bill. It must be passed. It is "must" legislation, because it provides funds for three departments of Government which cannot function unless action is consummated on the bill. So, when an amendment is attached in this fashion, we can be reasonably certain, first, that it will not have to go back to the House, in the first instance, but will go directly to conference; second, if it is engrafted into the appropriation bill, it will get to the President's desk and will be approved, and the life of the Commission will be preserved.

Mr. SCOTT. Mr. President, we are, as so often happens, caught between the upper and nether millstones, and the seeds of enlightenment, which we seek to plant, are sometimes ground to dust between them.

We are told at the beginning of the session, which is the upper millstone, that more important legislation needs to be passed, and therefore legislation pertaining to the question of civil rights should be deferred until later in the session. Then later in the session, the lower millstone comes into effect and the grinding process starts, and we are then told our time is so brief that we must not devote too much of that precious commodity which at other times seems to be in such ample and generous supply, but that time is pressing, Members wish to go home, adjournment fever sets in, and then we are expected to limit what we have to say, to accept

the little bits of good will which may be dropped from time to time by a beneficent leadership, gather up such flowers as we may, and are supposed to be content with the perfume emanating therefrom.

This is not legislation. This is merely my contribution to the kind of oratory which flows most of the time when we ought to be getting some work done.

So, to get down to business, it is, of course, essential for the Commission's life to be extended 2 years. It would be far more desirable to have it made a permanent Commission.

I would like to say what is obvious to Members of this body, and I think to the press at large. Amendments supported by the two Senators from New York, my senior colleague from Pennsylvania, and many other Senators, which would add provisions that would implement the civil rights proposal, are important amendments, amendments promised by the platforms of both political parties, amendments which would enlarge and dignify the rights of human beings. But, Mr. President, we know that proceedings here are cut and dried; that the planning, groundwork, and footwork have all been done. Whenever a measure of this kind is permitted to be introduced, we know the general staff work has been done. We know this administration does not intend to have civil rights legislation acted upon. It feels the executive department can handle all these matters. It does not believe in its platform. It does not believe that civil rights legislation should be adopted. Therefore, let not any of us be deceived by the subsequent oratory which will be heard in this Chamber. The measure has been foreclosed. The defeat of these civil rights amendments has been foreordered. Their fate is foredoomed. Nothing is going to happen except the extension of the Civil Rights Commission. But the ritual dance must be performed. The process of going through the motions must be endured. The public must be advised that some are for and some are against these amendments.

And then, after we have gone along for a suitable time, which I gather the majority leader thinks will be about an hour, suitable motions will be made, and the attempts for the corpse to rise and walk will be frustrated; the body will be buried; the casket will be locked; appropriate funeral ceremonies will be maintained; a suitable funeral and funeral statements will be entered of record; and the Senate will then resume its traditional and customary ways. It will proceed with legislation and appropriation. It will have the usual nongermane and irrelevant discussions. We will waste the time which we said was so essential to be conserved. We will throw time away on matters of less portent.

So, rather than wait for the funeral, I would like to make my eulogy before the body is buried, before the services are entirely complete.

I favor these amendments. I favor the legislation. I know that it is not planned to allow them to become law. I know that the tombstone has been engraved and that the words fittingly prepared for the civil rights amendments are, as they so often before have read: "Requiescat in pace."

Mr. President, I yield the floor.

Mr. DIRKSEN. Mr. President, will the Senator from South Carolina permit me to yield to the Senator from New York?

Mr. THURMOND. Yes.

Mr. JAVITS. Mr. President, I have a factual question to ask my leader, because it is important. I have carefully examined the Republican Party's 1960 national platform. Though I find we point with pride to the fact that during a Republican administration the Civil Rights Commission was created, and once extended, I do not find a declaration in our platform as to the time the extension encompasses, although I think it is clearly implied from everything we have said in our platform.

So I ask the minority leader whether he could feel justified in stating that he considers the party policy on this side of the aisle, at least in the Senate, as he is our minority leader, to be implicit in the 1960 Republican Party national platform that we continue to go forward with an extension of the Commission, without flagging its time, because it is not set forth.

Mr. DIRKSEN. I concur in the opinion expressed by the Senator from New York. It is implicit in the record we have made, and while it is not recited in so many words in the 1960 platform, one needs only gather the facts in the whole record to indicate, and I think it becomes expressed rather than implied, that we favor the extension of the Commission, on the ground that it is a useful instrument in a highly delicate and controversial field that should be kept alive to carry on the excellent work which it has so far done.

Mr. JAVITS. I am very grateful to the Senator for that statement. I think he has made one of the most significant contributions to getting the Commission extended that has been made on this floor in the last 10 days.

Mr. DIRKSEN. I thank the Senator.

NEW LIGHT AND POWER FOR HISTORIC SITKA

Mr. GRUENING. Mr. President, among the greatest of America's natural resources is the power that can be generated by the current of our mighty rivers or by the waters falling from our high lakes. The need for such development is increasingly imperative not merely for the welfare of our own people, but in view of our growing commitments for defense and foreign aid. Our Nation needs the economic growth which the utilization of hitherto unused power resources brings.

The real impetus to a national understanding of these great potentials and to their effective utilization was furnished by the administration of Franklin Delano Roosevelt. With the effective and devoted support of Senator George W. Norris, of Nebraska—one of the all-time greats among U.S. Senators, the 100th anniversary of whose birth was celebrated earlier this year—the TVA was created. The project of a power dam at Muscle Shoals on the Tennessee River, which was the initial installation of what was to become a great project of river development, had been vetoed by President Hoover. It is interesting to recall the vehemence of President Hoover's veto message. He said, in part:

> For the Federal Government deliberately to go out to build and expand such an occasion to the major purpose of a power and manufacturing business is to break down the initiative and enterprise of the American people; it is destructive of an equality of opportunity amongst our people; it is a negation of the ideals upon which our civilization has been based.

However, despite Mr. Hoover, in a quarter of a century the TVA has transformed a deeply depressed area into one humming with vigorous life. Nor would the people of Tennessee and the adjacent areas benefited by the great economic revival that TVA wrought, agree with the philosophy expressed by President Hoover. They are very happy with what TVA has done for them. It is one of the exhibits to which our country points with pride when foreign dignitaries visit the United States.

TVA was the precursor of other similar power dam projects in the West, culminating in the greatest of all—Grand Coulee.

In Alaska today remains the greatest undeveloped hydro potential on the North American continent. Less than one-fourth of 1 percent of it has been developed. Only one Federal project, which converts the water from Lake Eklutna into electric current to supply the city of Anchorage and the adjacent Chugach and Matanuska REA cooperatives, exists in the 49th State. This project was initiated in and by the administration of President Truman.

There were few such hydro projects during the fifties, largely because of the Eisenhower administration's policy of "no new starts." The administration of President Kennedy takes a different view. It has endorsed the Rampart Canyon project on the Yukon and made available funds for the engineering, economic, and other studies of this mammoth project. When completed, it will have an installed capacity of 4,700,000 kilowatts, or 2½ times that of Grand Coulee, and will generate power at the low cost of 2 mills a kilowatt-hour. A decade hence, this will be the lowest cost power under the flag, and will make possible the attraction to Alaska of electrometallurgical and electrochemical industries, and much else. It will enable Alaska to enjoy a diversified economy which, with the dimunition in mining owing to the low fixed price of gold and the depletion of the salmon fisheries under Federal mismanagement, is sorely needed. These were Alaska's two great economic props.

Until Rampart comes into being, which if all goes well, will take about 10 years, there is need for smaller power projects which will take care of Alaskan power requirements until the great abundance of low-cost power which the Rampart Canyon Dam will generate will become available.

There are various ways in which this interim power can be supplied. It can

be furnished by thermal plants using either Alaska's abundant coal or natural gas. Hitherto, some of Alaska's thermal plants have been forced to import diesel oil. Another method would be by smaller Federal power projects, of which several have had their engineering studies completed. The Snettisham project of the Bureau of Reclamation, in southeastern Alaska, harnessing the waters of Long and Crater Lakes, furnishing power to the communities of Juneau and Douglas, and possibly supplying a newsprint and pulp mill, is one such project. The Lake Bradley project of the Corps of Engineers, on the Kenai Peninsula, is another.

One such project, in combination with an important industry, namely pulp manufacturing, has just been completed at Sitka. It furnishes a happy combination of private financing, Federal cooperation, and civic enterprise. My able colleague, Senator E. L. BARTLETT, played an important part in bringing about this happy ending for the Sitka Blue Lake and Medvetcha River Dam, dedicated earlier this month, and furnishes the historic city of Sitka, once the capital of Russian America, and until 1906 Alaska's territorial capital, with adequate electric energy.

Sitka, incidentally, has many unique attractions for the tourist. The town fronts on a vast island-studded bay, across which the extinct volcano, Mount Edgecumbe, beckons invitingly. The town itself nestles in an amphitheater of rugged peaks which rise sharply to rocky summits above their heavily forested slopes. The red-roofed Pioneers Home on the waterfront, which harbors the local fishing fleet, greets the arriving visitor, while further back the onion-shaped cupola and two-barred cross on the steeple of St. Michael's Cathedral lifts its graceful spire above the surrounding buildings. Here, too, at Sitka National Monument, is a fine and unique collection of totem poles.

I ask unanimous consent that the account of the sucecssful venture in civic enterprise, the Sitka Blue Lake hydroelectric story, issued by the board of control of the Sitka Public Utilities, be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SITKA BLUE LAKE HYDROELECTRIC STORY

Over 50 years ago men with great foresight saw the power potential of Blue Lake and the Medvetcha River and with little or no construction equipment bravely attempted to construct a tunnel and small dam at the upper end of the river near Blue Lake. The problems then no doubt were unsurmountable and the work had to be abandoned.

A few years later in 1912 and 1913 a small powerplant was constructed having a small rock crib dam and a flume leading to the powerhouse which had a single 230-kilowatt generator. Later a second generator was added. This original powerhouse and dam was built by the Sitka Wharf & Power Co. and was located only a few hundred feet up the Medvetcha River from the site of the present powerhouse. Some of the concrete foundations and portions of this old flume are still visible.

In 1941 the city of Sitka purchased the electric and water systems from the Sitka Wharf & Power Co. and on April 8, 1941, the board of control of the Sitka Public Utilities met in its first session.

Improvement and development of the hydroelectric facilities at Blue Lake have been a continuing concern of the board. Three weeks after the first meeting of the board, a reference in the minutes of the board indicates the hiring of the firm of Burns & McDonnell to make plans for hydrodevelopment. The estimated cost of the new dam, powerhouse, turbines, transmission line, etc., was $224,449, and the minutes go on to read "by waiting a couple of years before going ahead with our plant, materials and labor might be cheaper and the installment of water wheels, dams, etc., might be quite a savings to the utilities."

In January of 1942 the council was asked to make application for Federal aid in constructing a hydroplant, this being the first of many applications and schemes for the financing of a hydroproject using the water from Blue Lake.

Floods in Medvetcha River were a constant source of trouble—those of 1913, 1926, 1936, and 1942 washing out sections of the dam and flume. This last flood practically washed out the entire system including considerable damage to the powerhouse and there was some question as to whether the system could be rehabilitated. But in January 1943, the board decided to proceed with rehabilitation at the earliest possible time. This was done and the plant continued to operate until 1947 when another flood destroyed it beyond repair.

Prior to World War II the U.S. Navy made extensive developments for the Navy base on Japonski Island (now Mount Edgecumbe), including the installation of a diesel electric system and later the construction of a steamplant for the generation of electricity. A submarine cable was installed across Sitka Channel in 1942 to supplement the uncertain hydroelectric power at Sitka. From 1942 until 1961 Sitka continued to use the power generated on Japonski Island. During these years as the city's population grew this power from the island had to be augmented by the installation of diesel electric units by the city.

All through these years the feasibility of the Blue Lake project was constantly pursued with the Rural Electrification Administration, the Federal Works Administration, the Reconstruction Finance Corporation, and the Navy, all being considered as possible agencies through which funds could be obtained.

In May 1944, the first reference in the minutes of the board is found of the possible joint use of the Blue Lake water for a pulp industry and hydro facilities, and this possibility was hoped for from that time.

Advance planning funds on a total estimated project cost of $518,698 were made available in 1945 by the Federal Government and a survey of the Blue Lake area by Roy Johnson completed in 1947. This was followed by the preliminary report of Harza Engineering Co. in 1948 and the preliminary report of Carey & Kramer in 1950.

During 1952 and 1953 the Juneau office of the Bureau of Reclamation made extensive rock core drillings at the dam site which proved very valuable in determining the engineering feasibility of the present dam. Such drillings are essential to the proper design of a dam and since the cost was borne by the Bureau of Reclamation the city saved a considerable amount of money.

In 1955 the city again retained the engineering firm of Carey & Kramer to prepare a second report on this project in view of the imminent possibility of Alaska Lumber & Pulp Co. constructing a pulp mill in the Sitka area. This engineering report was completed in July of 1956 and established the present plan of development. The board of control of Sitka Public Utilities also engaged the services of experts in other fields; they were Norman Banfield from the firm of Faulkner, Banfield, Boochever & Doogan to handle the legal aspects; William B. Vadman of Wm. P. Harper & Son & Co. as financial advisers; Richard Thorgrimson from the firm of Preston, Thorgrimson, Horowitz, Starin & Ellis as the legal bond counsel, with Mr. Warren Christianson, city attorney, representing the city's legal interest. With this group of experts the official family of Sitka started the slow but steady progress toward the successful conclusion of this project.

At a special election in June of 1956, the people of Sitka voted in favor of issuing $5 million in revenue bonds by the overwhelming vote of 241 to 6. The people later voted to increase this amount to $6 million.

The city soon realized that it is one thing to authorize $6 million in bonds and an entirely different matter for a city, which then had a population of only a little over 2,000, to try to find a buyer for these bonds. At that time there was no bond house in the country that would even consider the purchase of these bonds.

This was a discouraging period but the city proceeded with its application for a Federal Power Commission permit which was finally issued as a preliminary permit in 1957 and as final permit No. 2230 in 1958.

In 1957 it was officially announced that the Alaska Lumber & Pulp Co. would definitely build a pulpmill at Sawmill Creek where the Medvetcha River flows into tidewater. The city was further advised that the pulpmill desired water from behind the proposed Blue Lake Dam, since during winter there was not sufficient flow to satisfy the demands of the pulpmill. The sale of this water meant that there would be additional revenue for the city, but there was still no one to buy the bonds to start the hydroelectric project.

In the meantime Carey & Kramer, consulting engineers for the project, had been proceeding with the design and the preparation of final plans and specifications. The attorneys, financial advisers, and engineers were having regular meetings with Alaska Lumber & Pulp Co. in an endeavor to find a solution to the problem.

Since the city could not sell $6 million in bonds, possibly a solution could be found whereby a low dam and the upper tunnel could be constructed with the low dam so designed that it could later be increased in height. This low dam could then at least provide the water necessary for the pulpmill.

Finally, after almost 1 year of negotiations the well-known water agreement was signed in September 1957 by the city and A.L. & P. This agreement was later amended in February 1958 and again in 1959. The signing of this agreement was the first real tangible hope that construction could begin. It was in this agreement that the Alaska Lumber & Pulp Co. agreed to purchase $2,200,000 worth of Sitka bonds to enable the city to start this project. The pulpmill further agreed that these bonds would in effect be second mortgage bonds so as not to impair the possible sale of the remaining bonds. A.L. & P. also agreed to construct the mile-long lower tunnel and furnish the city a permanent easement for its use. Alaska Lumber & Pulp Co., therefore, made it possible for the initial construction to proceed.

Construction of the low dam and upper tunnel was started in April 1958 under contract to Sitka Pulp Mill Builders which was a joint venture of Guy F. Atkinson and Howard S. Wright & Co. This low dam raised the water of Blue Lake 35 feet. It was necessary, however, to excavate 70 feet down below the old river bed in order to reach solid rock for the foundation of the dam, since millions of years ago, the riverbed was much deeper in the Medvetcha Canyon than

it is today. Concurrent with this contract A.L. & P. was completing the long lower tunnel so that water would be available for the opening of the mill. This first stage of construction was completed in August 1959 at an approximate total cost of $2,200,000.

Sitka now had the base for the high dam and the tunnel system to convey the water from Blue Lake almost to the powerhouse site but there still was no real hope in sight for the sale of the balance of the bonds necessary for the construction of the high dam, powerhouse, and transmission line.

A crisis again faced the city since no interest could be found among the bond buyers to purchase the remaining $3,800,000 of revenue bonds. It seemed that prospective buyers had a deep-rooted fear of construction estimates in Alaska and the inability of an Alaskan city to meet its commitments. Sitting in their offices in the cities in the lower 48 they seemed to prefer to do business with cities they knew, rather than with the unknown cities which they imagined to be the bleak, rugged, slightly unconventional country somewhere north of the Arctic Circle.

It was about this time that the city decided to approach the Federal Government through the regional office of the Housing and Home Finance Agency in San Francisco on the chance that they might be able to help. It had previously been the policy of the Community Facilities Administration of the Housing and Home Finance Agency not to loan funds or guarantee the purchase of bonds of such revenue-producing projects. However, a change in policy occurred just about the time Sitka submitted their preliminary application. A formal application was then prepared and submitted to the Housing and Home Finance Agency. Mr. Paul Emmert, Regional Director of the CFA in San Francisco, could make no promises but felt that Sitka might have a chance to obtain its financing providing certain conditions could be met. Among these conditions were (a) an agreement with the Mount Edgecumbe U.S. Public Health facilities to purchase all of their power from Sitka; (b) certain modifications to the water agreement with A.L. & P. After a number of meetings the city was able to work out the modifications to the A.L. & P. contract, but difficulties arose in the otbaining of a power purchase agreement with Mount Edgecumbe. The U.S. Public Health Service could not make a contract for the purchase of power from a nonexistent source. On the other hand it was necessary for the city to prove that the revenue from the sale of this power was available in order to show sufficient support for the bonds. Senator E. L. "BOB" BARTLETT then arranged a conference in his office between the U.S. Public Health Service, the Housing and Home Finance Agency, and the city's representative. At this meeting it was mutually agreed that a letter of intent to purchase power from Sitka would be sufficient. This appeared to be the last hurdle except for the big question. Would the HHFA approve the loan?

On Monday, June 22, 1959, Mayor Earl Shennett received a call from Senator BARTLETT in Washington, D.C., that the loan had been approved and that afternoon Mr. Paul Emmert arrived in Sitka from San Francisco with the official proposal which was approved by the city council and board of control. The Sitka Blue Lake hydroelectric project was the second highest loan ever made by this Agency under that program.

In effect this agreement meant that the Housing and Home Finance Agency would agree to purchase the bonds at 5-percent interest when the project was completed. The interim financing during the construction period was furnished by a combine of four banks sponsored by Manufacturers Trust of New York. The other three banks were the Bank of America in San Francisco, National Bank of Commerce in Seattle, and the Miners and Merchants Bank in Ketchikan.

By September of 1959 bids were awarded for the construction of all major items and the city had a comfortable margin for the various contingencies that always occur on construction of this type where so many unknowns are involved. The construction contracts were awarded to Morrison-Knudsen Co. on the basis of their low bids which were as follows:

Powerhouse	$444,580
Steel penstock	143,300
Power transmission line	196,000
High dam	1,306,000

The city received separate bids for the equipment in the powerhouse and the award was made to Mitsui & Co., Ltd., of Seattle to furnish equipment manufactured by Tokyo Shibaura Electric Co., Ltd., of Tokyo, Japan. Their low bid was $268,814.

During the 20-month construction period various additions were made to the project such as the inclusion of automatic control equipment, changes to the powerhouse, miscellaneous work by Sitka Public Utilities, hoist house, and various other improvements. The final cost breakdown is approximately as follows:

Powerhouse and penstock	$681,000
Transmission line and transformer stations	224,000
High dam	1,404,000
C. & D. street powerline	13,000
Hoist house	21,000
Purchased equipment	344,000
Diversion and tunnel lining	169,000
Miscellaneous improvements such as connection to pulp mill, new diesels, underwater cable crossings, clearing Blue Lake area etc	135,000
Sitka share of cost of the road to dam	250,000
Interest during construction	165,000
Miscellaneous administrative costs for engineering, legal, financial, repayment of advance planning loan, inspection charges, Housing and Home Finance Agency audit costs, and other miscellaneous costs	349,000

In July of 1961 the city was able to sell the $3,800,000 in revenue bonds to Foster & Marshall, a private bond house, at an interest rate lower than that originally guaranteed by Housing and Home Finance Agency. This sale was, of course, consummated after the project was practically completed, all costs had been determined, and it was known that the city had sufficient funds to complete the project. The Housing and Home Finance Agency had a considerable amount of faith in this project from the beginning and the private sale of these bonds proved they were correct. It is hoped that this project may help instill a better feeling of confidence involving work in Alaska among financial houses and business in general which in turn would help other Alaska cities on their projects.

The city now has a very modern hydroelectric system which will provide at least 6,000 kilowatts based on a minimum water year. The system is so designed that a third 3,000-kilowatt turbine generator could be added with very little additional cost. The system is completely automatic and can be controlled from a remote control room in the city hall.

The concrete arch dam utilizes a ski jump type of spillway which is located at the top center of the dam. During flood seasons the water crests the dam and flows down this center spillway and gains sufficient velocity to hurl itself over 100 feet beyond the toe of the dam. It will indeed be a beautiful sight to see this manmade waterfall from the observation platform above the dam.

Fourteen years have now gone by since the city fathers started the first steps toward this hydroelectric project and it is at last completed to become another civic improvement to the Sitka community.

SITKA BLUE LAKE HYDROELECTRIC PROJECT STATISTICAL DATA

Blue Lake: Drainage area, 37 square miles; original area of lake, 500 acres; area of lake at maximum elevation, 1,225 acres; original elevation of lake (above sea level), 205 feet; maximum elevation with dam (above sea level), 345 feet.

Dam: Height of dam above original ground, 155 feet; depth below ground to solid rock base, 70 feet; length of dam at top, 256 feet; top thickness of concrete, 8 feet; thick section, 30 feet; type of spillway, overshot; cubic yards of concrete, 24,000; cubic yards of rock excavation, 12,000; total construction cost, $2,148,000.

Upper tunnel (also used for river diversion): Length of tunnel, 1,534 feet; size (horseshoe type), 10 feet diameter; total construction cost (including intake, etc.), $1,318,000.

Lower long tunnel: Length, 5,013 feet; size (horseshoe type), 8 feet and 10 feet. Note: This tunnel was constructed and paid for by A.L. & P. Co.

Powerhouse: Size, 100 feet by 45 feet; present capacity, 6,000 kilowatts; future capacity increase allowance, 3,000 kilowatts; controls, fully automatic; total construction cost, $681,000.

Equipment for powerhouse: Type: Two horizontal turbines and generators, 3,000 kilowatts each (complete with all controls and switchgear); make: Tokyo Shibaura Electric Co., Ltd., Tokyo, Japan; total cost, $293,000.

Transmission line and transformer stations: Number of transformer stations, two; length of transmission line, 5.2 miles; total construction cost (including purchased transformers), $275,000.

Total project cost including legal, administrative, engineering, interest during construction and miscellaneous costs, $6 million.

Project designed by Carey & Kramer, consulting engineers, 1917 First Avenue, Seattle, Wash.

Project constructed by: first stage (low dam and tunnels), Guy F. Atkinson and Howard S. Wright & Co.; second stage (high dam, powerhouse, and transmission line), Morrison-Knudsen Co.

The following is a list of those that served as mayor, members of the city council, and members of the board of control of Sitka Public Utilities since 1949 when preliminary work actually began on the Sitka Blue Lake hydroelectric project:

BOARD OF CONTROL, SITKA PUBLIC UTILITIES

Neill Andersen, 1941.
H. C. Bradshaw, 1957–61.[1]
J. J. Conway, 1947–51.
William Cook, 1942–48.
Richard I. Eliason, 1958–63.
P. S. Ganty, 1941–42.
Ernest Handy, 1959–62.
P. A. Haugen, 1949–58.
Ralph Johnson, 1949.
Theodore Kettleson, 1942–46.
Don R. McGraw, 1952–59.[1]
Dan Moller, 1941.
Carl Peterson, 1952–56.
William Sarvela, 1956–58.
Harold Schaefer, 1942–55.[1]
M. C. Stair, 1960–64.
L. E. Thielke, 1952–65.[1]
Thomas Tilson, 1941–49.[1]
Walter Trent, 1955.
W. L. Yaw, 1941–54.[1]

MAYORS

W. C. Charteris, 1948.
J. J. Conway, 1941.

---

[1] Have served as chairman.

D. R. Doyle, 1949–52.
E. M. Goddard, 1943–45.
Harry Hagen,1947.
William Hanlon, 1942.
M. S. Mitrovitch, 1953–54, 1958.
Charles Peterson, 1946.
Myrth Sarvela, 1957.
J. Earl Shennett, 1956, 1959–62.
John Van Horn, 1955.

COUNCIL

Neill Andersen, 1954–58.
William Beach, 1941–45.
George Beacom, 1961–63.
James Brightman, 1945–46.
Harvey Brown, 1948–49.
Everitt Calhoun, 1956–57.
Frank T. Calvin, 1956–57.
W. C. Charteris, 1941–42, 1946–47.
Russell Clithero, 1949–51.
Richard Cushing, 1959–61.
Robert DeArmond, 1951–53.
George Eliason, 1953–56.
Ben H. Forbes, 1947–49.
J. H. Gilpatrick, 1947–51.
Winn Goddard, 1948–49.
Harry Hagen, 1941–43.
James Harrigan, 1959–60.
P. A. Haugen, 1944–45.
G. P. Helland, 1961.
H. J. Hodgins, 1950–51.
John Hollywood, 1942.
A. B. Holt, 1941.
Andrew Hope, 1948–54.
Jack Huff, 1960.
Phillip Johnson, 1943–44.
Charles Kidd, 1951–53.
W. W. Knight, 1956–59.
John Loidhammer, 1942.
Pete Meland, 1952.
Cecil McClain, 1950, 1955–58.
Wallace McDonald, 1944–45.
Don E. McGraw, 1961.
J. E. McGraw, 1943–44.
Peter Nielsen, 1950–51.
Ken Nordby, 1946–47.
L. T. Peterson, 1960–61.
Robert Petro, 1958–63.
C. R. Rands, 1943–46.
Hopewell Rands, 1957–58.
Edwin Reed, 1951–53.
Claude O. Rhoades, 1947.
William Sarvela, 1946–47.
J. Earl Shennett, 1951–55, 1958.
Adolf Thomsen, 1959–61.
O. W. Tupper, 1941.
Stanley Westover, 1959–60.
Lawrence Widmark, 1955–56.
Robert Wyman, 1954–55.
John Van Horn, 1954.

PROPOSED EXTENSION OF CIVIL RIGHTS COMMISSION

Mr. THURMOND. Mr. President, it is becoming more and more obvious that every 2 years we are to be confronted with devious attempts to extend the life of the Civil Rights Commission by legislation on an appropriation bill. Continued extension of this Commission, and especially by such an irregular procedure, constitutes a tarnish on the record of the Senate as an institution. It would be an understatement to say that the legislative business now under consideration does no credit to the U.S. Senate or to the people who elect the Members of this body.

It occurs to me that the continuation of the Civil Rights Commission has become more symbol than substance. The reports of the Civil Rights Commission which have been released contain little to encourage anyone, regardless of his persuasion or position in the field of so-called civil rights or race relations. The recommendations of the Commission were absurd, as a number of the Members of this body pointed out at some length year before last. Indeed, the majority of this body rejected the recommendations of the Commission during the rather lengthy consideration of so-called civil rights legislation in 1959.

Although the Commission was created ostensibly for the purpose of dealing exclusively in the field of voting rights, it has, as anticipated, delved into the field of housing, education, and employment. The Commission has contributed nothing to improve race relations, but has done much to deteriorate them. Mr. President, the Civil Rights Commission is an ill-conceived, sloppily constituted, and arbitrarily administered disgrace to our governmental structure. It would be an act of wisdom for the Congress to permit to die that which never should have been spawned and which grows more hideous with each day's age.

Mr. President, there is no place in our society for an organization such as the Civil Rights Commission. In the first place, it is a symbol of a basic controversy, and as such, is not judged on its merits when its revival is under consideration. Were a commission in any other area of activity except that of race relations to come before the Congress with a record of activity such as has the Civil Rights Commission, it would stand no chance of continued life or continued Federal appropriations.

In no other area of activity would an instrument of the National Government be permitted to flout the basic and fundamental rights of citizens by outrageous denials of due process of law. Not even the committee of Congress could deny due process of law and go unscathed, as has the Civil Rights Commission.

On October 7, 1959, a Federal court composed of three Federal district judges in Shreveport, La., ruled by a 2-to-1 decision that the Commission, acting according to its rules, had attempted to conduct its investigations in a way which violated two sections—4 and 6—of the Administrative Procedure Act. The Commission had undertaken to investigate the sworn statements of 67 Negroes in Louisiana that they had been denied the right to vote. In pursuance of its investigation, the Commission had subpenaed 17 voting registrars. The attorney general of Louisiana asked that the Federal court prohibit the investigation because it would violate the statutory rights of the registrars. The court upheld the contention of the State attorney general, and ruled that the method of investigation was illegal because the Commission failed to inform the registrars of what they were accused, and refused to permit them to be confronted by, and to cross-examine, those who had complained to the Commission. Federal District Judge Dawkins, giving the deciding opinion, made the following statement:

> Third, entirely aside from the statutory questions just discussed, the courts of the United States, and their Anglo-Saxon predecessors, always have seen to it that, in hearings or trials of all kinds, persons accused of violating laws must be adequately advised of the charges against them, confronted by their accusers, and permitted to search for the truth through thorough cross-examination.

The text of Judge Dawkins' ruling is given in the CONGRESSIONAL RECORD, volume 106, part 3, pages 2729–2732.

Following the decision of the Federal district court, the Civil Rights Commission appealed directly to the U.S. Supreme Court. The latter Court heard the case—*Hannah* v. *Larche*, 363 U.S. 420—on January 18 and 19, 1960; on June 20, 1960, the Court reversed the ruling of the lower court.

Justice Douglas rendered a dissenting opinion, with which Justice Black concurred. Justice Douglas pointed out that, although the Civil Rights Commission is primarily a factfinding agency only, and although it does not indict, it does seek to disclose activities which are criminal. He concluded, therefore, that voting registrars called before the Commission should be granted the rights of those who are accused of crimes. Justice Douglas noted that—

> Under the Commission's rules the accused is deprived of the right of notice of the charges against him and the opportunity of cross-examination.

The Commission may, he said, "deny him—the accused—the opportunity even to observe the testimony of his accusers."

Justice Douglas stated that only the grand jury, under the fifth amendment of the U.S. Constitution, has the authority to make accusations without granting the ordinary rights to the accused. But he pointed out that the grand jury is not a continuing agency of government, and that it is composed of neighbors of the accused, and that it is intended to safeguard the accused against arbitrary action by a public prosecutor:

> They are the only accusatory body in the Federal Government that is recognized by the Constitution. I would allow no other engine of government, either executive or legislative, to take their place—at least when the right of confrontation and cross-examination are denied the accused as is done in these cases.

Justice Douglas supported the complaint of the registrars:

> Respondents ask no more than the right to know the charges, to be confronted with the accuser, and to cross-examine him. Absent these rights * * * injury is too plain and obvious here.

As I stated, Mr. President, the Civil Rights Commission, because it deals in the field of race relations, which unfortunately has degenerated into a cloud of pressure politics, is removed from the realm of objective evaluation, either by the Congress, the Court, or the Executive.

Indeed, the Department of Defense, even when acting on a question involving the security of the United States, was restrained by the Court from utilizing procedures in its industrial security program which by comparison to the procedures of the Civil Rights Commission were the very essence of due process. For an illustration of the immune status of the Civil Rights Commission, one has but to compare the judicial discussion of the Commission's

procedures in *Hannah* v. *Larche*, 363 U.S. 420 (1960), with the judicial discussion of the procedures set up for the Department of Defense industrial security program in the case of *Green* v. *McElroy*, 360 U.S. 474 (1958).

Mr. President, from its inauguration, the Civil Rights Commission has been completely lacking in objectivity. The reports of the Civil Rights Commission are defective: first, because they depend too much on facts which were not obtained by firsthand observation, but which were selected from secondary sources; and, second, because the facts which they cited were used in an attempt to verify prior conceptions of the situation in Southern States. Thus, Mr. John S. Battle said of the first report—1959—of the Commission, at the time of his resignation from the Commission, that it was "not an impartial factual statement, such as I believe to have been the intent of the Congress, but rather, in large part, an argument in advocacy of preconceived ideas in the field of race relations"—quoted by the New York Times, October 13, 1959, page 1.

Mr. PAUL BROWN, Representative from Georgia, speaking in the House on September 11, 1959, said of the same report:

> The findings contained in this report are based largely upon opinions, hearsay, professional polls, author's [sic] views, and quoted statements. There can be no doubt that America has much more to fear from those who employ this type of procedure than from the alleged actions complained of in the report.

I continue to quote:

> The findings of this Commission are not supported by either facts or the wording in its own report. At best, the report represents little more than a determined effort to assemble material in support of preconceived ideas on an integrated social order.

The Senator from Louisiana [Mr. ELLENDER], speaking in the Senate on February 17, 1960, said:

> Little, if any, of the Commission's so-called evidence would be admitted by any self-respecting court in the land. * * * As a matter of fact, Mr. President, the full and complete Commission report is replete with similar examples, examples of the Commission making a flat statement of fact, with the statement supported only by a quotation from some other printed work.
>
> None of their conclusions, Mr. President, I will say, were reached because of hearings held all over the country, but they were based on citations from Harpers Weekly and other periodicals. * * *
>
> We are entitled to original source material, just as much as a court is entitled to original source material. * * *
>
> I fear, Mr. President, that since the Commission fell into the easy habit of citing secondary sources as the origin of outright statements of fact in that section of the report covering the history of suffrage in the Nation, then it may well have fallen into the same sloppy habits in other sections of its report, too.
>
> * * * * *
>
> In addition to containing flat statements of fact with little or no objective, firsthand information recited to support such statements, in addition to using isolated instances in order to ridicule State officials in the performance of their official duties, the Commission's report positively exudes an atmosphere of bias. * * *
>
> However, I would think that if the Commission had made a study, its conclusions would have been reached on studies made by itself, and not on reports or books written years ago by people about whom we do not know, whether they were biased or prejudiced.

Gov. John Patterson, of Alabama, stated before the Rules and Administration Committee of the U.S. Senate on February 2, 1960:

> I take issue with the report filed before Congress by the Civil Rights Commission. The information in that report is biased and prejudiced and is not based upon proper investigation. A large portion of the report of the Civil Rights Commission is in the form of editorials by the Commission's staff writers.

Mr. President, nothing good can come of a Commission which exhibits a complete disinterest in the truth, and which operates to the sole end of fabricating support for preconceived prejudices.

The exclusive immunity which this Commission has enjoyed not only allows it to deprive citizens of due process of law and to operate in utter disdain of any pretense at objectivity, but this immunity also shields gross impropriety and inefficiency in its internal administration and lack of cooperation with the Congress and its committees that would not be permitted by any other agency of Government.

The following is a summary of points made in an interim report of the Permanent Subcommittee on Investigations of the Committee on Government Operations of the U.S. Senate—87th Congress, 1st session, Senate Report No. 439—entitled "Incompetence of Staff Director, Commission on Civil Rights."

The subcommittee initiated investigation of the Commission on the basis of "allegations of inefficiency and/or mismanagement by the Commission staff," page 1. The allegations involved first, "illegal or improper destruction of transcripts of executive sessions of the Commission," page 1; second, "failure to conform to civil service requirements," page 1; third, "inadequate financial records," page 1; fourth, improper expenditure of the Commission's funds, page 7; fifth, the calling for security checks by the FBI of public officers and clergymen who were to be witnesses before the Commission, page 1.

Until November 1958, minutes of the executive meetings of the Commission were prepared from verbatim transcripts of the meetings. Since the minutes alone were the official records of the meetings, the transcripts, without approval of the Administrator of GSA, violated 44 U.S.C. 368, pages 8 and 10.

The personnel administration of the Commission violated civil service rules because no performance rating plan had been formulated for the approval of the Civil Service Commission, and no efficiency ratings of staff members had been issued, page 8, because descriptions and classifications of positions were not reformulated in correspondence with changes in organization, page 9, because promotions had been made without Civil Service approval and without any plan conforming to the Federal merit promotion program, page 9, and because consultants engaged by the Commission were not referred to the Civil Service Commission for approval page 9.

The Subcommittee on Investigations did not report any determination of "inadequate financial records" or improper expenditure of the Commission's funds.

The subcommittee found that the Commission had executed a security check of "26 prominent Federal, State, and local officials and clergymen," page 10.

In addition to the above findings, the subcommittee condemned the "thorough lack of cooperation" with the subcommittee's investigation on the part of Mr. Gordon M. Tiffany, who was then Staff Director of the Commission. This lack of cooperation was evidenced by the following:

First. Mr. Tiffany continued to "question the authority" of the subcommittee and failed to consult either the Attorney General, the subcommittee, or its staff regarding this authority, page 9.

Second. He encouraged Commission staff members to refuse to make signed statements to the subcommittee, page 9.

Third. He refused to permit certain individuals within the Commission on Civil Rights to be interviewed at the time requested, page 10.

Fourth. He prevented inspection of certain financial records by members of the subcommittee staff. "Although it was Tiffany's position that the records were merely estimates, it was outside of his competence to determine the relevancy of the review," page 10.

Fifth. He withheld from the subcommittee the names of the 26 public officers and clergymen who had been subjected to a security check. Moreover, prior to this, he testified incorrectly before the subcommittee that Federal officials and clergymen were not checked in this way.

It is distressing, Mr. President, that such conduct is tolerated by the Congress of the United States.

Now is the time to create the exception which proves the rule that there is nothing so permanent as a temporary agency of the National Government. Nothing good can come of the Civil Rights Commission. Much harm has been done by the Commission, and its potential for disservice in the future, if its life is extended, is beyond estimate. It should, under no circumstances, have its life extended.

About 2 years ago when the renewal of the life of the Civil Rights Commission came before the Senate, I made some remarks which I feel are pertinent and appropriate and proper at this time.

Mr. President, I am convinced beyond any shadow of a doubt that the Senate is making no contribution to the welfare of the country by even considering an extension of the Civil Rights Commission. The consideration of such an extension would have been even more unfortunate had it been undertaken without having available to us the report of the Civil Rights Commission.

In reading the report of this Commission, Senators should keep in mind that this is the report of a commission

which was promoted as a group which would deal exclusively with voting rights. I do not believe that any of us were deceived in 1957, and I know that I was not so deceived. The Commission has, of course, presumed to enter into a discussion of race relations in the fields of education and housing, as well as voting. Obviously, the information on which the Commissioners base their discussion could not be dignified by calling it a study.

I shall review briefly what I can only describe as the illogical ramblings and babblings of unsound thinking; and from time to time, I shall also note with pleasure that there are those among the Commissioners who indicate by their individual opinions and statements contained in the report that they, unlike the staff and the other Commissioners, have not completely lost touch with reality.

In the field of voting the Commission made a total of five so-called findings and recommendations. I shall merely note at this point that Commissioner Battle's dissent on all five findings and recommendations indicates that the Commission was not without a rational thinker among its group, had it chosen to follow the leadership of good judgment and clear thinking.

The first finding of the Commission in the field of voting is believable to me. Obviously, the Commissioners who joined in the remaining findings and recommendations in the voting area did not believe it themselves, however, for if they had, they could have drawn no conclusions whatsoever—much less any recommendations.

I quote the first two sentences of the first finding of the Commission:

> The Commission finds that there is a general deficiency of information pertinent to the phenomenon of nonvoting. There is a general lack of reliable information on voting according to race, color, or national origin, and there is no single repository of the fragmentary information available.

It is obvious that if one believes that this finding of the Commission is correct, it would be senseless to attach any credibility to any additional part of the Commission's report on voting.

The Commission recommends that the Bureau of the Census undertake a nationwide compilation of registration and voting statistics to include a count of individuals by race, color, and national origin who are registered and the frequence of their voting in the past 10 years.

Mr. President, I heartily endorse this recommendation. I do not believe that anyone could conceive of a more practical and a more suitable replacement for the Civil Rights Commission than the census suggested by the Commission itself. It should be quite apparent that until the information which the Commission finds to be practically nonexistent can be compiled, no sensible study nor logical conclusion can be accomplished.

Mr. President, had the Commission stopped at this point in its report, it would have accomplished more good than I have ever conceived that it could do. I say this with full awareness that the Commission's conclusion, arrived at after 2 years of existence, could have been reached by any logical man after a few casual inquiries. Unfortunately, the Commission did not stop at this point; and in the remainder of the report, those of the Commission who advance specific proposals confirm beyond a doubt that this Commission has contributed and is contributing more to racial unrest, tension and bad relations than any other force or factor which has been conceived by Congress in modern times.

Now, Mr. President, let us look at other so-called findings and recommendations of the Commission, concerning which the Commission has admitted there is practically no information available on which to base any finding or recommendation. Some of the Commissioners—and this report is so muddled it is difficult to tell how many—made a finding that there is a lack of uniformity of laws with respect to the preservation of voting records. Mr. President, this is indeed a profound revelation. It is profound in spite of the fact that it is what our forefathers and the drafters of the Constitution intended in the first place, and what is basically inherent in our whole system of government, in the second place. The very fact that we do not yet have a totalitarian government should have been enough in itself to indicate that the States still had the right to have differences in their laws on a subject which is exclusively within the sovereign power and authority of each of the several States.

It is in the recommendation, Mr. President, that either the utter irresponsibility or abysmal ignorance of those Commissioners who joined in this recommendation stands out. These Commissioners recommended that the Federal Government enact legislation requiring the maintenance of all voting records for a period of 5 years and that such voting records be open to public inspection. Such a statute would obviously be unconstitutional, but the remainder of this report proves unquestionably that such a consideration plays no part in the judgment of the avid integrationist members of the Commission.

The third item listed as a "recommendation" under the discussion of voting is, to say the least, a confusing compilation of words lacking not only a complete thought, but any thought at all. The discussion called background, when combined with the so-called findings, conveys a rather hazy impression that the Commission is lamenting the fact that some private citizens do not choose to serve on registration boards.

This discussion mentions the fact that in some instances, some members of the boards resigned their post, and State officials responsible for filling the vacancies have delayed in doing so. The Commission concludes that such conduct, presumably by the resignees and the State officials, is "arbitrary, capricious, and without legal cause or justification." To remedy the situation, if indeed the Commission has any particular situation in mind, the Commission recommends that an additional section be added to part IV of the so-called Civil Rights Act of 1957 to prohibit any person from being a nonfeasor "under color of State law, arbitrarily, without legal justification or cause," if any such nonfeasance results in somebody being unable to register. Consideration of the lack of constitutional authority for the Federal Government to interfere in State matters is again belied by this so-called recommendation.

The next discussion of the Commission included under the topic of voting has nothing whatsoever to do with voting—and this, incidentally, is in line with the organization of the rest of this report and the thinking which spawned it. At this point the report goes into the matter of witnesses who decline to testify before this insidious body. As in so many instances, the so-called recommendations have, not surprisingly, attempted to justify expanded authority for the Commission. In this particular instance, those of the Commission—however many they were—who joined in this recommendation, would have the Commission authorized to apply directly to the appropriate U.S. district court for orders enforcing subpenas where the subpenaed person declined to testify.

After this diversion into matters more extraneous even than the other parts of the report, the Commission returned to a discussion of persons declining to serve on registration boards. At this point, there is an additional so-called recommendation which surpasses by a considerable extent in complete disregard of the Constitution and our federated republican form of government anything that has come previously in the report. This proposal is for the appointment of a Federal registrar who would determine what persons under the terms of State law were eligible to vote and would dictate the registration lists to the State boards of registration. Such a proposal would not only be unconstitutional, but would, in fact, establish a Federal dictatorship—if indeed, it could be enforced. One would think that the authors of such a proposal were existing mentally in reconstruction days and writing regulations for the conduct of civil affairs by the occupying Union troops. It might come as a surprise to the authors of this proposal and others of a similar mind, but the fact is that the South is no longer a conquered province. Further, the South has never been, nor will it ever be, conquered by the enactment of such proposals.

Next, the report, apparently for the first time, acknowledges the existence of the U.S. Constitution and, even more surprisingly, the acknowledgment is by the three most avid integrationist Commissioners. Their acknowledgment, however, is only in passing and for the sole purpose of zeroing in on the target they forthwith propose to destroy. Their proposal for destruction embodies a constitutional amendment which would transfer all substantial control and authority over the eligibility of voters from the States, where it now resides, to the Federal Government, where it can only reside in tyranny.

I would note at this point that three of the Commissioners opposed the proposal of such a constitutional amendment, and it is to their everlasting credit that they recognize the inherent danger of such a proposal.

Before passing from this particular proposal, it is worthy to note, in connection with the rationale which prompted the proposal, how the three avid integrationists justified the elimination of any literacy tests from voting eligibility requirements.

First, the Commission noted that the march of education has almost eliminated illiteracy. This they followed with the following unbelievably unrealistic rationale:

> In a nation dedicated to the full development of every citizen's human potential, there is no excuse for whatever illiteracy that may remain. Ratification of the proposed amendment would, we believe, provide an additional incentive for its total elimination. Meanwhile, abundant information about political candidates and issues is available to all by way of television and radio.

Such shallowness of mental process could only stem from the deepest of bias.

Mr. President, before turning to the next portion of what someone in a fit of delusion has mistitled a "report," I would remind the Senate that the first so-called finding under the voting section recognizes that there is an almost complete absence of information on this particular subject. Nothing could better prove the truth of this first so-called finding than the remainder of the section on voting.

In the portion of the report which purports to deal with the field of so-called civil rights and education, the Commission does not find, but certainly indicates by its language, that there is also a dearth of knowledge—in the minds of those who wrote this report, at least—on this particular feature. The initial so-called finding on education by some Commissioners—again, there is no way of telling how many—is to the effect that there is no "guidance" for those communities or school officials who might desire to integrate their schools. This is followed by what is titled a "recommendation" that the Civil Rights Commission be authorized to collect and make available various schemes for integrating the races in the public schools, in addition to authorizing the Civil Rights Commission to establish an "advisory and conciliation service" for school integration.

Mr. President, in my State at least, I can assure the Senate that there is no desire—much less demand—for the advice or conciliation efforts, nor for the integration schemes, of this or any other Federal Commission. I doubt seriously whether any such desire exists anywhere. This is just another of those self-serving, self-perpetuating, empire-building justifications.

The only other proposal which is titled a "recommendation" in the field of education is to the effect that the Office of Education and the Bureau of Census conduct a school census to show the number and race of students in public schools. This proposal is included as an answer to the surprising finding that in agencies of the Federal Government and in most State agencies, the records are not kept separate on the basis of race so that there is no way in which to tell how many of the students are of what color. The agitators in the race relations field have long demanded, and apparently finally achieved, the abolition of a most practical and realistic device—the indication of a person's race on his record. Rather than acknowledge that the abolition of this practice was a mistake in the first place, the race agitators would now have the records duplicated with the accent on race by a Federal agency. Quite frankly, Mr. President, such mental gymnastics repulse me.

Once again, Mr. President, the three avid integrationists on the Commission take off on their own proposals on education at this point in the report. In effect they would have all financial assistance of the Federal Government tied to integration practices in—and I quote—"both publicly and privately supported" institutions of higher education. Even if the 14th amendment did apply in such a way that public segregated schools could not be maintained and this is emphatically not the case—even the errant and constitutionally unconscious occupants of the Supreme Court admit that the 14th amendment applies only to State action; and indeed in the discussion of their own proposal, these three Commissioners parrot the words "only State action" but apparently without the slightest understanding of the meaning of this phrase.

The remaining three members of the Commission wrote their best dissent on this point, stating that they could not "endorse a program of economic coercion" and that this proposal which dealt with institutions of higher education was completely without the jurisdiction of the Commission under the terms of the act by which it was created. The dissent also reveals that the staff studies of the Commission were limited exclusively in the field of education to elementary and secondary public schools, not private at any level, nor institutions of higher education, whether public or private. This is but another indication, if indeed any additional indication is necessary, that the entirety of the report is a matter of conjecture rather than any intelligent studious approach.

On the subject of housing, I gather that although there are a number of proposals which are entitled "recommendations" contained in this section of the report, none of them has the support of a majority of the Commission, and, therefore, could hardly be considered recomdations. The proposals themselves are confusingly worded, ineptly expressed, and hazy in content.

One of the so-called findings which should be of particular interest to the Congress is the fact that the Federal Government plays a major role in housing. I am happy to note that by virtue of this body's action recently, the Federal Government will play a slightly less major role in housing this year than was earlier supposed.

The proposals themselves are easily summarized. They would have the President issue Executive orders to enforce integration of the races in housing in which the Federal Government had any part or participation. In addition, the proposals would have the Federal Government go much further into the fields of public housing and urban renewal.

These proposals are no surprise to me. I have long realized that the race agitators propose to use housing as a tool to mix the races. The three members of the Commission who dissented summed up the proposals quite aptly as suggesting "fixed programs of mixing the races anywhere and everywhere regardless of the wishes of either race." In their proposals the avid integrationists on the Commission spell out the methods by which housing can be used to integrate the races. These are interesting to note because their use is more often by surreptitious means, and here we have them spelled out in the open. For instance, they would adopt a policy of "scatteration" in public housing by sprinkling public housing units throughout residential areas and installing in them persons of a race different from those living in the community. In this connection it is interesting to note that these Commissioners are as much concerned with the problem of getting white people to live in all-Negro units as they are with getting some Negroes to live in all-white units. They recognize, it seems, that the members of neither race ordinarily desire to force themselves on the other.

Mr. President, the policy of "scatteration" is nothing new to the Congress of the United States. I distinctly recall that such a policy was incorporated in the omnibus housing bill reported by the Banking and Currency Committee of the Senate in 1958 but was deleted by an amendment I offered on the floor.

Mr. President, this report should be read by every Member of this body before he votes on the question of continuing the existence of this Commission. A knowledge of what recommendations were made generally or, indeed, whether there were recommendations at all is not sufficient. There is much revealing language in this report for all its confusion and obscurity. I would like to give two illustrations.

As I mentioned when I was reviewing the section of the report which purported to deal with voting, the report took a diversion to lament the fact that some citizens were disinclined to serve on State registration boards. In this discussion the report attributes to such persons as one reason for their refusal to serve the "fear of being 'hounded' by the U.S. Civil Rights Commission." What further proof could be needed that the Commission itself is a principal instrument of racial strife and voting difficulties?

Even more revealing with regard to the attitude of some of the more avid integrationists on the Commission itself is a statement by Commissioner Hesburgh. I do not believe I have ever

heard the Marxist philosophy more succinctly stated than in the words of Commissioner Hesburgh in his comments near the end of the report, where he said:

> Again, the use of public money for the benefit of all, equal opportunity, is a cardinal principle.

The question before this body is whether to continue an ill-conceived instrument of racial strife, wielded under the influence of philosophies alien to all that true and patriotic Americans hold dear.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THURMOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, I am about to propound a unanimous-consent request. I had thought it might be possible to come to a vote on the motion to suspend the rules, advocated by the distinguished minority leader and me, some time this afternoon. However, after consulting with Senators on both sides of the question and on both sides of the aisle, I have come to the conclusion that that would be inadvisable. Therefore, I ask unanimous consent that the Senate vote at 3 o'clock tomorrow afternoon on the motion made by the distinguished minority leader and me.

Mr. RUSSELL. Mr. President, reserving the right to object—and I do not object—may I ask the distinguished majority leader what time he expects to have the Senate convene in the morning?

Mr. MANSFIELD. At 9 o'clock. The request has already been granted.

Mr. JAVITS. Mr. President, reserving the right to object—and I shall not object—I wish to reiterate, within this frame of reference, the understanding with the majority leader that when the Senate reaches other proposals to suspend the rules, which may also be considered highly controversial, and in view of the expressed intention of the majority leader to move to table, a reasonable accommodation will be granted. I know what his answer will be, but I wish it to be contained in this frame of reference, so that Senators may understand, that when motions to suspend the rules are made or when amendments are offered, which the majority leader expects to table, a reasonable opportunity to debate other amendments, in very much the same way as the very reasonable opportunity is being given to Senators who feel strongly about this motion, will also be granted.

Mr. MANSFIELD. Mr. President, of course I agree with what the distinguished Senator from New York has just said, as I had agreed earlier, as he stated. I hope, however, that those who are either in favor of or opposed to the proposal which will be pending if and when the suspension of the rules is allowed tomorrow, would make their views known prior to 3 o'clock. I would not like to see one side or the other, so to speak, take advantage of all the time, because I think all sides should be heard.

We are prepared to stay in session to a late hour this evening, if Members of the Senate desire to speak. If they do not, we will adjourn at a reasonable hour, and I hope that a good portion of the speeches indicating the feelings of Senators will be made prior to the 3 o'clock time now being requested.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. I gather there will be no votes of any kind today; that the rest of the day will be filled with speeches; that there will be no controversial intervening business; and that the first vote will actually come at 3 o'clock tomorrow.

Mr. MANSFIELD. I wish my distinguished colleague had not stated that so openly, frankly, and publicly. I express the hope that, though his assumption is correct, there will be no exodus from the Senate this afternoon on that basis.

Mr. DIRKSEN. If the distinguished majority leader will yield further, I know the amount of work that exists in a Senator's office. I am forever struggling for a little time in order to cope with the mail and callers. I say that notwithstanding the fact that I have become interested in the efforts that have been made on the Senate floor. They are of great value. But one must perforce allot a portion of his time in a 24-hour day to keep abreast on all fronts. Hence I rather openly and candidly stated the problem that confronts every Senator.

Mr. RUSSELL. Mr. President, reserving the right to object, and I shall not object, I merely wish to observe that those of us who oppose the motion do not have sole control of the time either this afternoon or tomorrow. Any Senator, without regard to his feelings on any angle or facet of this problem, or any one of the innumerable motions that have been called up to amend the rules, has a right to rise and seek the floor and obtain the floor in his own right and address the Senate. The impression seems to have arisen in some Senators' minds that we have a corner on the time between now and 3 o'clock tomorrow. Such a situation is not possible in the U.S. Senate.

Mr. MANSFIELD. I am glad the Senator has emphasized the point that any Senator can seek the floor and be recognized.

Mr. RUSSELL. If a Senator does not endeavor to take the floor, it is unfair to place on the shoulders of Senators who are opposing this matter the responsibility of using all the time. I am sure they would be glad to do so, but, under the rules of the Senate, if any Senator desires to speak he has a right to seek the floor and do so.

Mr. JAVITS. Mr. President, would the Senator consider including in his request for a morning hour under the 3-minute rule the provision that any Member who wishes to say anything with reference to this general subject would have the right to do it, without question about the length of the speeches?

Mr. MANSFIELD. I think that is a reasonable request. I hope we will have a morning hour. I hope it will not be too long; but I would include that in the request.

The PRESIDING OFFICER. Is there objection to the request of the majority leader?

Mr. MANSFIELD. The morning hour would be under the usual 3-minute rule.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The unanimous-consent agreements, as subsequently reduced to writing, are as follows:

UNANIMOUS-CONSENT AGREEMENTS

Ordered, That the Senate proceed to vote at 3 o'clock p.m. tomorrow (August 30) on the so-called Mansfield-Dirksen motion to suspend paragraph 4 of rule XVI for the purpose of proposing to H.R. 7371, the State and Justice, Judiciary, and Related Agencies Appropriation Act, 1962, a certain amendment.

Ordered further, That there be on tomorrow a morning business period under the 3-minute limitation, during which Senators desiring to do so may discuss the Mansfield-Dirksen motion to suspend the rule.

SENATE SHOULD FIGHT FOR LANGUAGE TRAINING FUNDS

Mr. PROXMIRE. Mr. President, a very important appropriation for the conduct of our foreign relations is to be found under title I of the pending bill, which appropriates $134,750,000 for salaries and expenses. The House has allowed only $132 million of the President's request for $136,367,000 to carry out the purposes of title I. I am confident that the Senate will accept its committee's recommendation under title I, because this section of the bill includes funds to be made available to the Foreign Service Institute for language training.

Students of our foreign relations who have visited our embassies abroad have often been shocked to discover that very few of our representatives abroad can speak the language of the country to which they are accredited. This is a serious weakness, in light of what may only be called a Communist language offensive. In today's world words may be as important as bombs in the international struggle; yet in this important respect we are doing pathetically little. Despite the millions expended by the United States in various types of foreign aid and technical assistance, it is well known that Americans are too often viewed with suspicion and dislike in

many regions of the world that have every reason to be friendly toward us. And I am convinced that a significant portion of this anti-American sentiment can be attributed to our neglect of languages, which many citizens of foreign countries regard as extremely discourteous. More effectively and destructively than tightly sealed borders, the language barrier prevents Americans from communicating either on the diplomatic or person-to-person level with other peoples of the world.

The late Secretary of State, John Foster Dulles, had this to say of our language weakness:

> The United States carries new responsibilities in many quarters of the globe, and we are at a serious disadvantage because of the difficulty of finding persons who can deal with the foreign language problem. Interpreters are no substitute.

Where our mission personnel do not speak the native language, interpreters must be hired. An object lesson in the pitfalls of this expedient has become a legend in the Foreign Service. When our first mission was sent to a newly created state in southeast Asia, native translators were hired. Out of a sense of loyalty to their employers, they translated everything to sound pleasantly pro-American. But as soon as the State Department was able to train and send out language officers who could read the local papers and attend the sessions of the country's legislature, it was found that anti-Americanism was sweeping the country.

Only 3 of 13 Foreign Service officers in Cambodia have a limited working knowledge of the Cambodian language. None of the officers in Laos has any competence in that language.

The Communists are letting no grass grow under their feet. They have already set up a special institute for African studies, associated with their academy of sciences. They have undertaken an ambitious program of publishing texts and dictionaries in some 80 Eastern languages, including Tibetan, Chinese, Cambodian, Mongolian, Hebrew, Korean, Baluchi, Pushtu, and Arabic. A few years ago, when the Soviet mission arrived in the new state of Libya, it had 14 Arabic-speaking officers. Our mission had one such man, who was shortly thereafter reassigned to a post in the non-Moslem world.

Jacob Orenstein, a language specialist on the staff of the Department of Agriculture's graduate school in Washington, D.C., wrote in the Saturday Review in November of last year:

> There is probably no government that pays so much attention as the Soviet Union to the thorough grounding of its foreign representatives in the languages and backgrounds of other lands. Its diplomatic personnel are expected to master the language of the country of their specialization, as well as one or two secondary tongues of the area.

Too often our own diplomats have been reluctant to learn a language because they fear they will have to spend an extra year or two in an unpleasant post. Congress has acted to correct that unhappy notion. In September of 1960, Congress acted to amend the Foreign Service Act of 1946. Public Law 86–723 requires that the Secretary of State shall designate every Foreign Service officer position in a foreign country whose incumbent should have a useful knowledge of a language or dialect common to that country. By January 1, 1964, each position so designated shall be filled only by an incumbent having such knowledge. We are certainly taking our time by setting the date as January 1, 1964, but Congress has recognized the need. Public Law 86–723 requires that State Department personnel start acquiring language proficiency now.

It is encouraging to note that 283 employees of USIA, ICA, and the Department of State show up before office hours to study languages at the Foreign Service Institute. One hundred and seventy-seven students are presently enrolled in 6-month courses in the study of so-called hard languages. They deserve our support. Whenever there is an opportunity for Congress to give the foreign language program of the State Department an added boost, that opportunity must not be missed. Accordingly, I want to stress the very minor addition in funds for language training requested by the Foreign Service Institute for fiscal year 1962. The Institute has requested $156,091, which is part of the $2.75 million restored to title I of this appropriation bill by the Senate committee. These funds would be used to train 22 additional officers in so-called hard languages or non-Romance languages. The amount of instruction would be 10.6 man-years of instruction. There would also be 6.3 man-years of instruction in so-called world languages, chiefly in French, to be spoken by our representatives to newly independent African nations. The 22 students of hard languages will be studying the following languages:

Language studied:	*Number of students*
African languages: (Twi, Hausa, Ibo, Yoruba, Swahili)	6
Hebrew	2
Amharic	2
Bengali	3
Vietnamese	2
Indonesian/Malay	2
Thai/Lao	2
Cambodian	2
Korean	1

I ask unanimous consent that an article describing the Foreign Service Institute's language program which appeared in the Christian Science Monitor on June 27, 1961, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PROXMIRE. The need for increased language training is clear. It is not based upon the negative proposition that the Communists are doing it too. The need for language training arises from the fact that the American people must maintain in their diplomacy the easy friendliness and understanding which have made them the eighth wonder of the world. Problems will not disappear simply because we can discuss them in one language instead of another. But if we are to have true allies, we must meet them halfway. If we are to have true understanding among peoples, we must do our part. Let this appropriation mark the beginning of a new determination on the part of the Department of State, the Congress, and the American people to sweep away the language curtain that has blocked our efforts in the field of foreign relations.

EXHIBIT 1

[From the Christian Science Monitor, June 27, 1961]

URGENCY IN AIR: FOREIGN SERVICE ACCENTS LANGUAGES

(By Ruth A. Burnet)

ARLINGTON, VA.—Urgency is in the air at the Foreign Service Institute's School of Languages here, across the Potomac River from Washington.

While Western society has placed great stress on machine tools in manning an industrial world, it often has failed to recognize the role of language as a tool in making a world of understanding and peace.

In the view of Howard E. Sollenberger, since 1956 dean of the FSI's language school, the practical learning of languages by representatives sent abroad by the State Department and other agencies is a vital tool.

INTANGIBLES CITED

"Our people find the going made easier for them when they speak the language of the country," Mr. Sollenberger pointed out. "But something more important soon emerges. They discover that their willingness to learn the language is bringing them a greatly enhanced acceptance and warmth of appreciation.

"It is such intangibles as these that can often turn communication into friendly understanding and then satisfactory solution of large or small problems."

Born in Indiana but reared by missionary parents in China, Mr. Sollenberger became aware early of the tangible and intangible advantages to him of using the native tongue. He took this conviction of practicality with him into the school of languages, where he has served since 1947.

He sees it as one of the cornerstones of the school's present policy. He warns though, that this ability to communicate easily, however important, is not to be considered the cure-all in events abroad.

The Foreign Service Institute, with its school of languages and other branches, was established in 1947 as a result of the Foreign Service Act passed in 1946 by the Congress. After a somewhat cautious exploratory start, the school of languages has been progressively implemented and stepped up.

The number of Foreign Service officers and others studying the most widely used or so-called world languages was negligible in 1955, for example. The 1958 total, however, had climbed to a yearly enrollment averaging more than 400 for the full-time periods of 12 or more weeks. The annual totals remain high, with participants from the International Cooperation Administration and the U.S. Information Agency. Wives have been included on a space-available basis.

INTEREST AWAKENED

In addition to the original State Department School of Languages, three branch schools were also set up temporarily in 1958 at Bonn, Nice, and Mexico City. Other branch schools are in operation with a 1960 full-time enrollment of advanced students as follows: Tai-Chung, Formosa 19; Tokyo 14; and Beirut, Lebanon 29.

Further evidence of the awakened interest of oversea personnel and their families in language study is the fact that 6,000 were enrolled as of 1960 in the extension programs available on a part-time basis at 190 posts

abroad. By January 1961, tests had been given to 2,540 out of 3,679 Foreign Service officers with 60 percent proving proficient in at least one language at the minimum professional level. Beginning with 1963, candidates for the Foreign Service entrance examinations must meet the firm requirement of speaking and reading proficiency in at least one of the widely used languages.

However, in one area, the languages of southeast Asia, the training program has been somewhat reduced, for lack of Foreign Service volunteers.

At a moment when southeast Asia has assumed increased importance in U.S. foreign policy, and when the shortage of diplomats with proficiency in southeast Asian languages has been criticized, only four officers in South Asian languages will be trained during the coming year. Ten are currently studying these languages.

Officials still hope the program can be expanded, and a special appeal for volunteers in this field of language study is planned. But at the moment the demand is for one officer studying Burmese next year, one Indonesian, and two in the Thai language.

NO SALARY INCENTIVE

State Department sources say that only 3 of 13 Foreign Service officers in Cambodia have a limited working knowledge of the Cambodian language, and none of the officers in Laos has any competence in that language. While French is used extensively in southeast Asia, it is used mostly in educated and well-to-do quarters.

There is currently no salary incentive for learning difficult languages, as is the case in Britain, Canada, West Germany, and the Soviet Union. Some officers are apprehensive that if they learn these languages, they will be assigned for long periods to the so-called hardship posts of southeast Asia.

Fifty languages, from Afrikaans to Visayan, were available in 1960 to students at the school of languages and its operations abroad. Soon to be added are the African languages of Akan, Ibo, Hansa, Swahili, and Yoruba. The State Department would like to institute an incentive program which will pay up to $1,050 annual increment to Foreign Service officers who master one of the difficult so-called esoteric languages and serve in the country using it. While serving elsewhere, the officers who volunteer for the study would be paid one-half of the annual bonus for maintaining their proficiency at a high level.

Currently 585 officers meet or exceed the proficiency standard in at least one of the essential difficult languages.

PRACTICAL SUCCESS

Specific methods used today in the school of languages date back to World War II when verbal proficiency became an acute necessity. The new approach, developed initially from past research in cultural anthropology, was formulated by a small group of U.S. linguistic scientists from leading universities.

Aided by their background of association with the American Council of Learned Societies, these scholars devised the audio-lingual or guided-imitation system dealing orally with the basic structural pattern of languages: words, intonation, stress, and juncture. It was a long-overdue reminder that language primarily is spoken and that most languages of the world today are normally not written at all.

A major development was the publication by linguistic scientist Dr. Henry Lee Smith and others of a series of textbooks focused exclusively on the rapid mastery of spoken language.

Today the Foreign Service Institute's School of Languages is an acknowledged success. It is practical. It works. In dramatic contrast to the artificially fabricated traditional systems, its students first learn the tongue instead of the academic or literary language.

In the classrooms and special laboratories of the school's quarters in Arlington, a team consisting of native instructor and scientific linguist can bring a selected group of four to six students to a proficiency level in an average period of 16 weeks, with 24 weeks sometimes offered.

MIMICS AND IMITATES

Ideally the student from the first day hears no language from the instructor except the one he is learning, and this at normal conversational speed. Abnormally slow, deliberate, or syllabified speech is not allowed. The words are moreover used in the context of practical everyday phrases and sentences, never alone.

The successful student sets a resolute course for himself. He mimics and imitates; he accepts in good spirit endless correction and repetition; he further sharpens his awareness of the subtleties of the new tongue by work with the supplemental laboratory tapes. Soon he begins at home to review the text units, following the printed interpretation of the sounds required.

The end result is incalculable. But at least, the student has acquired a new language.

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1962

The Senate resumed the consideration of the bill (H.R. 7371) making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1962, and for other purposes.

Mr. FULBRIGHT. Mr. President, we are witnessing another example of how far proponents of civil rights legislation are willing to go in twisting the rules of the Senate beyond recognition. Ever since I have been a Member of this body—which is quite a long time, now—there has been at least one politically inspired assault on the traditions of the Senate each session solely for the purpose of catering to the demands of influential minority groups. I suppose I should be conditioned to this type of procedure, but I confess that I am not. Each time we go through this political farce I wonder what Thomas Jefferson would say about the blatant disrespect and disregard now shown by many Members for the established traditions of the Senate. Jefferson's passion for adherence to traditional rules of parliamentary practice is well known. The very first statement in Jefferson's manual stresses the importance of obedience to the rules. I quote a most pertinent section for the information of the Senate:

> And whether these [rules] be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the Members. It is very material that order, decency, and regularity be preserved in a dignified public body.

I suggest that it would be appropriate for those promoting this move to suspend the rules to take heed of Jefferson's sound admonition.

I understand our friends of the press refer to August as the silly month, because there is traditionally a lull in the national tempo and in order to fill their newspaper space, a rash of ridiculous stories appear in print. This month promises to be no exception to the general rule in view of the proposals offered by the civil rights proponents as proper subjects for consideration under suspension of the rules. However, I seriously doubt that these warmed-over rejects from previous Senate sessions will receive the cold shoulder treatment from the press they so richly deserve. There will undoubtedly be the usual caricaturization of those of us who believe in adhering to traditional procedures of this body as obstructionists and filibusterers. I have long since given up hope of getting fair treatment for the southern viewpoint in the northern press.

I strongly object to the procedure now being attempted in this body. There is no valid reason why the established traditions of the Senate should be violated in this manner. My colleague from Arkansas last week ably stated the cogent reasons why the Senate should not pursue this course. I hope that Senators will carefully consider the forceful arguments presented by the distinguished senior Senator from Arkansas. As a member of the Appropriations Committee for many years and as chairman of the subcommittee which handled the pending bill, he speaks from a position of authority.

I fully realize that legislation in an appropriation bill has been approved by the Senate from time to time. However, this has happened only under extraordinary circumstances. By no stretch of the imagination can the proposals urged upon this body be considered necessary to meet an emergency or an extraordinary situation. If we acquiesce in this instance, we will be severly undercutting the authority and prerogatives of our legislative committees. Appropriation bills are not proper vehicles for substantive legislation. We may as well give the Appropriations Committee full power to recommend general legislation to the Senate if the Senate insists on following this procedure.

Every Member of the Senate, I am sure, has some particular piece of legislation which he would like to have enacted. There are many bills I would like to get through the Congress this session. If the Senate proceeds to suspend the rules in this instance, I see no reason why those of us interested in other measures should not try to attach them to this or the next appropriation bill that comes along. Several Senators

have already served notice that they will attempt this procedure with the pending bill. If we suspend the rules to consider the so-called civil rights amendment, in all fairness we should consider the amendments proposed by our colleagues.

With reference to the proposed extension of life of the Civil Rights Commission, it was pointed out last week that the Appropriations Committee held extensive hearings on this appropriation bill without receiving one word of testimony on this question. The testimony and exhibits filled 1,215 pages of printed hearings. Quite properly, the members of the Appropriations Committee realized that this issue was one which fell within the jurisdiction of the Judiciary Committee. The Judiciary Committee has the responsibility for considering legislation in this field and it should certainly not have its jurisdiction invaded in this manner.

This relatively simple appearing amendment to extend the life of the Civil Rights Commission has spawned a plethora of so-called civil rights measures—all of which are unnecessary and an affront to the people of the South. The Senator from Pennsylvania [Mr. CLARK], for example, wants to make the Civil Rights Commission permanent and greatly broaden its area of operations. Under his proposal the Commission would be directed "to serve as a national clearinghouse for civil rights information, and to provide advice and technical assistance to communities, industries, or individuals, upon request from such parties in respect to due process of law and equal protection of the laws, including but not limited to the fields of voting, education, housing, employment, the use of public facilities, transportation, and the administration of justice."

If Senators from the South think the Commission is a troublemaking body now, imagine what will happen when it becomes a "national legal aid bureau." I cannot imagine a step better calculated to create animosity and ill feeling between the races than to have a Federal agency with the avowed purpose of stirring up legal controversies in the civil rights field. It may be that some members of the legal profession would welcome the adoption of this amendment. It would undoubtedly provide an endless source of litigation and do much to increase the income of members of the profession. But at the same time we would have created a "big brother" approach to human affairs that would undoubtedly heap great quantities of fuel on the coals of racial tension.

Mr. President, my position on the question of continuing the Civil Rights Commission is well known. I opposed the creation of the Commission 4 years ago and I opposed the extension of its life 2 years ago. The Commission has created tension and strife in a delicate area of human affairs where education and understanding hold the only hope for improvement. The need for national unity has never been greater. We face formidable and dangerous adversaries in every quarter of the globe. At this critical juncture in the Nation's history, every effort should be made to promote unity among our people in order that we can face the enemy with a united front. The activities of this Commission promote discord and dissension rather than unity.

I hope that the Senate will refuse to suspend the rules and allow the Commission to die a well deserved natural death.

Now let us consider some of the other measures which have sprung from this Pandora's box. The senior Senator from New York [Mr. JAVITS] has resurrected the long deceased and infamous part 3 of the 1957 civil rights bill. I had hoped that the revelations made during our "educational campaign" in the Senate in 1957 had laid this creature to rest for good. The language has been dressed up, but it is still basically the same old Reconstruction-type proposal which the Senate rejected 4 years ago. It was an iniquitous, and offensive anti-South proposal then, and it still is today.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Does the Senator know of any more discriminatory piece of proposed legislation than the so-called title III proposal, which seeks to confer rights upon some at the expense of others, which seeks to authorize a Federal agent to discriminate in terms of who will and who will not receive the blessings of his favor?

Mr. FULBRIGHT. The Senator is quite correct. I do not know of any precedent comparable to that in giving arbitrary power to a public official to intervene in all kinds of activities of the citizens of this country.

Mr. LONG of Louisiana. The Senator knows that an abbreviated statement of the various civil rights which individuals are opposed to possess in this country would, in itself, fill a thousand-page volume.

Mr. FULBRIGHT. Of course, this, for a particular purpose, infringes upon all the civil rights of everybody else, which have been established through many centuries of the development of our system of law.

Mr. LONG of Louisiana. The so-called proposal would authorize the Attorney General to sue anyone on behalf of anyone else, alleging that civil rights had been infringed. Is that correct?

Mr. FULBRIGHT. Yes. And of course the proposal would give him discretion in choosing the one in whose behalf the proposed power would be exercised. I believe the Senator from Louisiana is quite correct. The confusion that has arisen from concentrating upon the so-called civil rights of a few has led the proponents to ignore the civil rights of everyone else. After all, the proponents are particularly concerned with a minority group, but there are 160 million or 170 million people who also have civil rights that would be ignored and infringed upon by giving this kind of arbitrary power to a public official.

Mr. LONG of Louisiana. Is the Senator from Arkansas able to inform the Senate whether the proposed title III contains the same features as the old title III in that it would not even require the consent of the person whose rights were alleged to have been prejudiced in order to file a lawsuit in his behalf?

Mr. FULBRIGHT. It is my understanding that the proposal contains the same provision.

Mr. LONG of Louisiana. Can the Senator think of anything more ridiculous than filing a lawsuit in behalf of someone who does not wish to sue?

Mr. FULBRIGHT. I cannot. I think the measure would be a source of endless controversy and stir up ill feeling. We have made great progress in settling disputes, and do so except for occasional outbreaks, most of which are inspired by activities such as the Senator has described.

The sponsor of this amendment said on the floor last week:

> I view with great sadness the fact that the vestiges of a great war, in which so many Americans have lost their lives, still persist in a part of our Nation after 100 years. I think this is tragic.

I agree that vestiges of the war remain and this and the Senator's other proposals are good examples of the way the South is still being looked upon as a conquered territory. If the Senator's part 3 amendment were adopted he would have greater reason for his sadness. This proposal is a deliberate slap in the face of the South and the reaction from its enactment could be disastrous for the entire Nation.

Another amendment proposed under this unusual procedure is the perennial move to abolish the poll tax. We covered the poll tax question and every other conceivable voting qualification during the debate on the civil rights legislation last year. The record is replete with proof that the poll tax is not a deterrence to voting. And yet civil rights proponents insist on going through the ritual each Congress of trying to invade the rights of the few States, including my own, which have set up payment of this small tax as a qualification for voting.

It is one of the qualifications for voting. It is not the only one.

There is no doubt in my mind that a bill to abolish the poll tax is unconstitutional in view of the plain language in section 2 of article IV and the 17th amendment to the Constitution. In spite of this, the Senate is forced to go through the motions of considering such a bill from time to time. I hope that the Senate will not suspend the rules for consideration of such a worthless measure.

Under another measure in this package of anti-South amendments the Federal Government would be placed in the position of offering a bribe to those school districts which integrate their schools at a rate of speed satisfactory to the Federal Government. This to me is a shoddy role for our Government to play. It smacks of Federal intervention in the worst form—holding out a carrot to financially pressed schools if they will toe the line drawn by the Federal Government.

This is a proposition which the Senate in its consideration of Federal aid to education bills over the years has always very sensibly denied and rejected whenever it was proposed. So when we have considered education bills themselves, this kind of proposal has been rejected, which, of course, was a very wise action.

There is a degree beyond which the Government should not go in flaunting its financial resources in front of the States and this proposal far oversteps this degree of propriety. There have been many problems, and there will be many more, in the South's adjustments to meet the demands of the unfortunate 1954 Supreme Court decision. These problems can be, and are being, worked out by the local people concerned in whose hands rests the ultimate responsibility for the future of our educational system.

Mr. President, the rules of the Senate are not made to be twisted and distorted to accommodate every whim and circumstance. The established procedures of this body have withstood the test of time. They have played no small part in establishing this body's preeminence in legislative bodies of democratic governments throughout the world. They were not made to be turned on and off like a water faucet. Any attempt to legislate outside our normal procedures must be viewed with great suspicion. Every violation of Jefferson's admonition that "regularity be preserved in a dignified public body" establishes a precedent which may come back some day soon to haunt those who take this approach. In a body that lives and breathes on precedent this is a dangerous course to follow.

I plead with Senators not to press the proposed measures, which have been thoroughly debated in the past, and to suspend the rule in order to consider them.

OFFENSIVE STRIKING CAPACITY OF OUR STRATEGIC BOMBARDMENT FORCE

Mr. SYMINGTON obtained the floor.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. GOLDWATER. Mr. President, I am concerned about the alarmist views which are purported to be based on positive evidence contained in the article by a Mr. Larry Booda which was entered in the CONGRESSIONAL RECORD of August 15, 1961, by the distinguished Senator from Wisconsin [Mr. PROXMIRE].

The detailed information contained in this article, if accurate, should certainly be under the highest possible security classification. Statements of this nature, particularly during this time of heightened international tension, can seriously undermine the morale of the American people and our allies, who repose great trust and expectation in our primary deterrent, the offensive strike capability of our strategic bombardment force.

In my judgment, an article of this nature constitutes a great disservice to the Nation since it presents a negative point of view and no real alternative for improving our deterrent posture. Incidentally, I am informed that the author is not necessarily a recognized authority in the field of Soviet air defense or U.S. strategic bombardment.

The categorical statement contained in the article, that the Soviet Union has been engaged in a massive air defense effort which includes new longer range radars, infrared detection, ground to air missiles able to reach to 100,000 feet, and air to air missiles, supports the argument that the Soviets are aware of our strategic bombardment capability. They are deathly afraid of our manned bomber force, since we all realize these defenses, if in fact they are to be constructed, are certainly not designed for use against ballistic missiles.

Mr. President, at this point I comment that during the 4 years when the U–2 flew at altitudes of 60,000 feet to 70,000 feet over Soviet Russia, the Soviets certainly knew that the plane was above them, because they tracked it by radar. Yet when this event took place, a comparatively few years ago, they were unable to shoot down the U–2. It does not sound reasonable to me that in the space of a few years the Soviets have been able to perfect ground-to-air weapons that could accomplish a feat they could not accomplish a few years ago.

The attrition factor of 75 to 90 percent attributed to these defenses has not been substantiated in any official authoritative study available to the military. On the contrary, the corporate judgment based on expert opinion from recognized authorities in this field as well as intelligence estimates and actual war games indicates an excellent capability to penetrate Russian defenses known or predicted. Obviously, the all important new and changing tactics and strategy are the answer to more effective defenses. To postulate a Russian defense imputing a capability to cause attrition as set forth in Mr. Booda's article, implies World War II tactics on the part of the bomber forces. New tactics then, and a more realistic appraisal of Soviet defense now and in the future, account for the lower attrition rates forecast in official Department of Defense studies.

I do not intend to discuss tactics at this time due to the security classification, since I do not wish to divulge information which might comfort or assist the enemy. In my opinion, however, the U.S. Air Force must continue to develop manned systems which employ a wide variety of the latest technological advances to be used in the performance of strike and reconnaissance missions over enemy territory. This highly specialized capability will always be necessary in the pursuit of national objectives.

The term "manned bomber," in some circles, seems to have become a dirty word. It implies nothing more than a higher, faster flying B–24 or B–29 in the minds of some uninformed partisan groups and pseudo experts. Apparently, the B–70 has been placed in this classification.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. SYMINGTON. Speaking of experts, does not the able Senator from Arizona, who is making a fine contribution this afternoon to a discussion of this problem, believe that in the past those who felt they were experts due to knowledge in various scientific and other fields were found to be pretty theoretical as against what actual combat showed as the result of tactical operations that took place subsequent to the theoretical projections?

Mr. GOLDWATER. The Senator is absolutely correct. Science has always had a place in warfare. But it seems to me that of late the scientist and the slide-rule expert are rapidly replacing knowledgeable men in the military fields.

Let us hope that, if war ever comes, their theories will be found to be more practical than they were in World War II.

There is certainly a place for the scientist. However, anyone who takes an IBM computer to get answers to tactics, without consideration of the human factor, is playing on dangerous ground. While I have great admiration for the Secretary of Defense, and I know him to be a very knowledgeable man and a devoted man, I believe he is relying too much on the advice of people who have not had experience with tactics or with strategy or with the problems of manned aircraft, or even the problems of missiles as they have developed from day to day. The only suggestion I might make to him and his Defense Department is that he rely more on the military man who has had experience.

Mr. SYMINGTON. I thank the able Senator. When he has concluded his statement I shall make a few remarks as to the degree of error in previous estimates, such as were made by theorists during World War II and other wars. I know that the Senator, with his combat experience, will agree that the basic problem when it comes to analyzing losses has to do primarily with tactics in the operations as they develop.

Mr. GOLDWATER. The Senator is absolutely correct. I understand that the Subcommittee on Preparedness, of which the Senator is a member, has been holding hearings during the past month or so. I wish it were possible for the Senator to relate some of the testimony that he heard.

Mr. SYMINGTON. The Senator from Arizona has done much in recent weeks and months to acquaint the Members of the Senate with valuable information through these Senate briefings. They have been most constructive. He is now bringing to the attention of the Members of the Senate and the people a pertinent point, namely, that the Preparedness Subcommittee, headed by the able junior Senator from Mississippi, has gone into this subject thoroughly. We cannot give out details, because of classification. However, based on these excellent hearings which have been going on for many months, I know the Senator will agree that if these hearings

could be published they would end forever the current criticism of manned bombers, specifically and especially the B–52.

Mr. GOLDWATER. I indeed wish the material could be downgraded in classification to such a point that at least Members of the Senate could know about it, and, I would hope, members of the public also. Although the Senator from Mississippi is not here, we owe him a great debt for the wonderful job he is doing. I had the privilege of appearing before the subcommittee one day. The questions put to me by the committee counsel and also by members of the committee showed great preparedness and interest in the subject. It was refreshing to know that the members of the subcommittee had gone to such length in their preparation.

Mr. SYMINGTON. I thank the Senator from Arizona. He did appear before the committee. Unfortunately I was out of town that day, but read the record. He made a contribution along the lines of the present discussion. Unfortunately, when any weapons system is attacked, as the one just referred to has been recently, in reply, it is natural to get into comparisons. Therefore I doubt whether much of these hearings can be publicized. But I am glad the Senator has brought up the matter of these hearings at this time.

Mr. GOLDWATER. I thank the Senator. It is clear that these answers could override the growing influence of the scientists in the military picture. In fact, I said that it is becoming ever clearer, every day, that scientists and slide-rule artists, fortified by the breakthroughs of this nuclear age, are becoming increasingly influential in the military picture, not only in the choice of weaponry, but also in military tactics, the latter a subject in which they have had no experience.

Let us hope that if war ever comes, their theories will be found to be more practical than they were in World War II.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. The experience in World War II seemed to indicate that with the type of artillery and the proximity fuses which had been developed by the Navy, plus the air defenses which were set up and the destroyer screens far out in advance of the task force, it would be absolutely impossible for a plane to get through. The inferior planes which the Japanese were flying supported that theory. As the Senator knows, plane after plane, with courageous pilots flying one-way missions, came in time and again to destroy American aircraft carriers. If one of those planes had been carrying a hydrogen bomb, that one plane could have blown up a whole task force.

Mr. GOLDWATER. We could apply the same situation to the men on the ground. We could set up a theoretical defense that could not be penetrated. However, there is always one fellow who does not hear of that decision. He happens to be dumb enough to get through. That is how wars are won. I remember the great furor that was raised when General LeMay decided that we would not use evasive tactics against German antiaircraft fire. The experts said that it would be suicide to do so, and that our losses in bombers would be tremendous. The losses did jump a little bit at first, but we began hitting targets. That is what we were trying to do all along. Over the long run we probably lost fewer bombers by using the tactics that General LeMay had laid out than if we had used the evasive tactics used earlier in the war, which were the tactics that had caused us to miss many of our important targets. We got the job done.

Those decisions are made in the field, as the Senator from Missouri knows. We call them tactics. No kind of scientific forecasting can tell us what the enemy will do, because what the enemy does decides what our tactics are going to be.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. GOLDWATER. I yield further.

Mr. LONG of Louisiana. A great deal depends on how we develop tactics. I understand that it was estimated that in amphibious warfare, 50 percent of the landing craft in the first wave would be lost. Our experience was that the loss was about 1 percent of the landing craft we sent in on the first wave.

In the Normandy invasion, my impression was—although I was not there—it was planned to put demolition men ashore so that they could countermine the German beach defenses and blast them out. In that way they would remove the beach defenses and obstacles that had been placed there by the Germans to destroy our landing craft. On the rising tide the amphibious craft were supposed to be able to go over these obstructions after they had been cleared out.

Mr. SYMINGTON. At this point I interrupt to say that what the distinguished Senator from Louisiana is saying is of real interest, because he was in many landings. He is speaking from his experience in the Navy, with a great record in combat. His remarks are pertinent.

Mr. GOLDWATER. It is wonderful to have the Navy join in any discussion with the Air Force, because it proves that there is no such thing as animosity among the services.

Mr. LONG of Louisiana. I was not in the Normandy invasion, although I did participate in others. It is my understanding that most of the demolition group sent in on the Normandy beach was wiped out. Therefore, the Navy was left with the problem of going in against so-called impregnable beach defenses. A successful landing was made in spite of these defenses, somewhat proving that men of determination can do things that machines cannot quite achieve.

Mr. GOLDWATER. I hope that the scientist will continue his work in his proper place, and that the military man will continue his work in his proper place. They can both profit and benefit from each other's knowledge.

A statement in this article to the effect that subsystem designs for the B–70 are now 5 years old and that a complete redesign program would have to be instituted, is very misleading. The truth is that technological advances are being made in the vast Department of Defense research program and upon determination that operational B–70's are to be added to the Air Force arsenal, the most modern subsystem designs capable of being produced by U.S. industry and science will be incorporated in this weapon system.

The effect of technological progress on a weapon system can best be exemplified by comparison of the first B–52 of 10 years ago with the newest B–52H model with its vastly improved strike and defensive capability. If similar criticism had been allowed to prevail in the early 1950's it would have resulted in our having to rely in the 1960's on outmoded aircraft such as the old prop-driven bombers.

My remarks are not intended to discredit other elements of our military strength such as new ballistic missiles, tanks, foot soldiers, the Marine Corps, or the U.S. Navy. Each has its role in the flexible military capability which our Nation needs. I am, however, attempting to indicate that it would be dangerous for this country and our allies to place credence in an article written in such a negative vein. Tactics have and always will be devised to combat new types of defenses. Weapon systems must be of such variety that military planners are not required to adhere to one set of tactics for which an enemy can build one foolproof defense system.

Finally, all of our forces must be strong, flexible and immediately responsive to the will of national authority.

No element of our military structure possesses these characteristics to such a high degree as our strategic bombardment forces.

I thank the distinguished Senator from Missouri for his courtesy.

Mr. SYMINGTON. I congratulate the distinguished Senator from Arizona for his constructive talk in reply to the article in question.

I am glad the distinguished Senator from Louisiana [Mr. LONG] made the remarks he did with respect to naval warfare, the actual as against the estimated. It is true he was not at the landings in Normandy, but he was part of the landings in Sicily, Anzio, and southern France; and therefore, from the standpoint of actual experience, he knows of what he speaks.

Mr. President, a recent article by Mr. Larry Booda, in the magazine Aviation Week and Space Technology, heavily attacks strategic manned bombers. Some of the statements in this article are wrong in implication, and others are wrong in fact, to such a point that if the article had not recently been placed in the RECORD, we would not bother to answer it. Because it is in the RECORD, however, and because it is an inaccurate attack on what is acknowledged to be the core of our current defense strategy, it should be answered.

The article makes reference to various unidentified U.S. foreign technology analysts; and also various other unnamed advisers, scientists, and analysts.

The position taken by these anonymous experts, as stated in the article, does not agree with the information received from qualified technical and military witnesses who have testified this year before the Senate.

But the chief danger to national security as contained in the article is the false opinion and position attributed to Secretary McNamara.

The article says:

> Positive evidence that Russian advances in antiaircraft technology would make bomber penetration of key Soviet targets ineffective is the principal reason for the stubborn attitude of Defense Secretary Robert S. McNamara and his advisers favoring the phasing out of manned bombers.

Secretary McNamara has never stated that the manned bomber should be phased out.

Appearing before the Subcommittee on Department of Defense Appropriations on April 18, 1961, Secretary McNamara testified:

> Yet there are still some uncertainties with respect to the operational characteristics of our force. We also recognize that there will continue to be important advantages inherent in a mixed missile and bomber force.

Appearing again before the same subcommittee over 3 months later on July 26, the Secretary reiterated his position when he said:

> I personally believe we must be prepared to include the bomber in our strategic forces at least to the end of the decade and planes that will permit that are available. So I think it is clear that we are not proposing to abandon the bomber and we have plans to continue bombers in use through the decade.

The record is clear, therefore, that the Secretary has not taken the position claimed by the article.

There are differences of opinion as to the right mix of bombers and missiles for the strategic air inventory; but insofar as I know, there is no disagreement that manned bombers are a vital part of our inventory, and will continue to remain the core of that inventory, for many years to come.

The article later states:

> A mass raid of B–47's and B–52's in the near future would result in attrition of 75 to 90 percent.

There are no known studies which support any such conclusions; in fact, recent authoritative studies by the Department of Defense, plus other non-Air Force sources, deny the statement.

The probability that an air defense interceptor—either manned-aircraft interceptor or ground-to-air missile—will shoot down a bomber on a single pass, under combat conditions, is relatively small.

The steps involved in shooting down the bomber are sequential. This means there is a chain of events which must occur without a break if any defensive system is to be effective against a penetrating bomber force.

The major steps in the defensive action of a manned interceptor force are ground detection, identification, tracking, commitment of the force, initial positioning, airborne detection, airborne identification, airborne tracking, intercept approach, weapons release, and destruction.

Tracking can occur only if detection has occurred. The interceptor can arrive at its initial positioning point only if the ground control system has located and tracked the bomber.

Likewise, the turn-in, detection, track, attack, and kill by the interceptor are all sequential and dependent; and the probability of any of these events occurring is less than one.

History has shown that, inevitably, attrition studies overestimate the capability of defensive systems against the manned bomber. For example, studies by German experts prior to World War II came up with theoretical results that the German antiaircraft artillery had a 1-in-4 kill probability per round; but actual effectiveness was only one twelve-hundredth of this estimate.

The total World War II attrition to bombers by fighters, including ground-based antiaircraft systems, was only 1.8 percent.

The Aberdeen Proving Ground made calculations of the effectiveness of German fighters against our B–17's and B–24's. After the war, considerable German fighter combat film was obtained; and a careful analysis of this film caused our scientists to reduce their theoretical results by a factor of two-thirds.

During World War II, various experts told Gen. Curtis LeMay that it would be suicide to attack Tokyo at 5,000 feet. The general studied the matter, decided the experts were wrong, and one of the most destructive raids was accomplished at that altitude, with no more losses than had occurred in the less effective previous operations from much higher altitudes.

Why? The answer would seem to be that a trained military strategist can judge certain situations better than they can be judged by those indulging theoretically in mathematics.

In addition, there are many things already being done which will deny the enemy the successful accomplishment of his defensive mission in the latter steps of the defensive action.

Confusing, reducing, and limiting information and capability gives a tremendous payoff to a bomber, particularly one traveling 30 miles a minute.

Following are some of the devices available to deny, confuse, reduce, or limit the defense systems: Intercontinental ballistic missiles, air-to-surface missiles, speed/altitude of the bomber, infrared flares, decoys, electronic countermeasures, and active bomber defense.

As we know, the appropriate use of the above countermeasures is called tactics.

Let us recall that in World War II we had available only the last two, but did rather well. Furthermore, Hitler had only an area as large as Texas to defend, while Russia has a perimeter of 19,000 miles.

We should remember also that the offense can practice in detail, over and over again, exactly what will be done; whereas the defense can only guess as to the enemy's tactics, then set up exercises accordingly.

Historically, the first attack is the most successful, because it confuses the defenses more than subsequent attacks.

But the next war, if nuclear, will not be a sustained, mass action comparable to World War II; and therefore the defense will not benefit from its learning curve.

Some people are prone to assume that if the enemy possesses a defense which can operate in the same environment as the offense, the offense cannot live. But history does not bear them out.

The fact that a professional football team knows that its opponents have players who can tackle is not sufficient reason to prohibit a halfback from running against them.

The professional teams still recruit offensive backs, and they still score touchdowns.

Many consider the surface-to-air missile a new dimension. It is indeed a new threat, and such missiles will shoot down some bombers, just as the fighters will. But it is only another way to provide defense, and an alert, modern, well-coordinated total offensive threat still provides a threat with which the ground environment cannot cope completely.

Mr. LONG of Louisiana. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I yield.

Mr. LONG of Louisiana. The Senator has not yet referred, though he may later do so, to the ability of the offense to concentrate on the point where the attack is to be delivered, particularly at the moment of attack. This always affords a tremendous advantage to the offense, because the defense is compelled to defend a very wide area and therefore is diffused in nature. The defense does not have the opportunity to concentrate on the attack, not knowing where it will fall, whereas the offense can concentrate at a particular point. That is one important factor which some persons tend to overlook.

Mr. SYMINGTON. The Senator from Louisiana is entirely correct. The actual combat actions of World War II—for that matter, of any war—confirm the statement the Senator from Louisiana has just made.

I make no assertion that bomber attrition rates in a nuclear war would be as low as World War II. In trying to predict such rates, however, one of the most important contributing factors is frequently overlooked; namely, the factor of tactics. As the Senator from Arizona [Mr. GOLDWATER] brought out in his able discussion of this subject a few minutes ago, experience has proved, time and again, that a commander and his tactics, more than any other single factor, determine losses in an offensive action.

Moreover, attrition applies not only to the offensive forces, but also the forces on the defensive.

Throughout World War II, bombers generally disregarded the defense because they were not considered worth attacking. In any modern war, however, the enemy's aerial defense system would become a priority target, and of necessity would be attacked with one of the most effective countermeasures; namely, nuclear bombs.

Advance attack by ICBM's and air-to-surface ballistic missiles, as well as each successively dropped bomb from a bomber, would take out the defenses in a wide area. The result would permit additional deep penetration by successive bombers.

The centralized netted ground environment, with its vast communications required to cope with manned bombers, is especially vulnerable to such attack.

Further, there is a large degradation in defense environment resulting, first, from the always unpredictable fog of combat operations, and second, the destruction of ground defensive equipments. Neither of these can be measured with much accuracy in peacetime.

Regardless of all the theoretical estimates from scientists and others—and many such estimates are floating around—history has shown consistently that bombers do better than prior estimates had indicated.

The article in question discusses infrared detection and tracking, conceding all advantages to the defensive interceptor.

Against a mach 3 intruder, such as the B–70, unless the defense interceptor has a substantial speed advantage, the interceptor must attack from the forward portion of the forward hemisphere on a lead collision course. This restricts the interceptor to, at most, a single pass at the bomber, and requires the most precise timing.

If defensive interceptors and their infrared-seeking missiles have a substantial speed advantage, so as to enable them to attack from any aspect angle, then they must operate in a heat environment higher than that of a fast bomber. Consequently, the missile must see its hot target through its own hotter nose.

We present also the fact that counter-infrared devices aboard manned bombers are entirely feasible.

This extraordinary article continues:

> There is a finite limit to the radar jamming capabilities of bombers and the numbers of radar decoys, such as the Quail, and infrared decoys they can carry.

As the survivors of such cities as Hamburg and Dresden, and Berlin and Tokyo, would testify, however, there is also a finite limit to the number of targets any given defense can engage simultaneously.

That was the reason why so many of us in this body opposed the development of certain short-range ground-to-air missiles.

There is also a finite limit to the numbers of defensive weapons which can be committed intelligently to the battle; in other words, through the application of proper tactics, a defense system can be saturated by the offense.

The article continues:

> Random pulse-frequency diversity radar, which the Russians are assessed as having or will soon have, is almost jamproof and decoy-proof, requiring a large mass of equipment to overcome.

This is not necessarily correct. One has the right to ask:

First. Will this warning system materialize in the enemy's camp?

Second. If it does, will it survive ICBM attack?

Third. If it does, will it survive attack by existing air-to-surface missiles such as Hound Dog, that can be applied directly against defenses?

The article continues:

> The U.S. bombers themselves have tended to create an aura of doubt as to just how well they could perform their missions.

That is a serious statement for anybody to make in an article in a magazine. These bombers are the core of America's strategic deterrence.

I would ask the question, Where is the doubt outside of the mind of the author of this slanted article?

The combat capability of the B–52, already great, is being enhanced by the Hound Dog missile, now entering operational inventory. The B–52 carries two of these missiles in addition to its programed bomb load.

In addition, the Skybolt airborne ballistic missile, with a 1,000-mile range, is coming along rapidly. When the latter comes into inventory, the B–52 will carry four ballistic missiles in addition to its normal bomb load.

The article continues:

> B–47's, which carry no penetration aids such as Quail or Hound Dog, are sliding fast down the obsolescence curve.

We have heard that subject discussed on this floor many times.

It is no secret that the military would prefer the more modern B–52; and there are many of us who believe this country could afford them.

But the B–47, penetrating at low level, poses a difficult problem, and the enemy will have a relatively limited low-level defense capability during the lifetime of the B–47.

The article continues:

> Training missions are limited because the Air Force dares not allow too many nuclear delivery maneuvers to be performed due to weakening of the wing spars, whose fatigue life is limited.

Possible opponents of the United States would be glad to read that statement. I, in turn, am glad to say it is not correct.

The B–47's are operating without any such restrictions, as shown by the testimony last July 26 by both Secretary McNamara and General LeMay before the Senate. The colloquy which took place between the able and distinguished senior Senator from New Hampshire and these two was as follows:

> Senator BRIDGES. On retaining the B–47 bomber, which I am very happy you are doing, we have had a couple of different ideas given us in the past. Some people have been saying they have been deactivated because they reached the end of their usefulness and the fatigue of the metal and so forth is too great. Others say that it is because you don't need them any more. Which, in your judgment, is it?
>
> Secretary MCNAMARA. In my judgment, and I think I speak with some authority on this because I recommended the deactivation of two of these units myself, the action was taken because we felt we would not need them. General LeMay is here and he can speak to the question of fatigue and whether or not that is a factor. I think it has not been the major factor certainly.
>
> General LEMAY. We have no fatigue factor in the B–47 airplanes, Senator. They are not worn out and they can be used and used effectively.
>
> Senator BRIDGES. That is a satisfactory answer. That is one of the stories which has been circulated and many articles written in that connection.

All this is public testimony, available to any author and the public.

Secretary McNamara also told the Senate on July 26 that the Air Force should—

> retain in the force, for the time being certain B–47 wings and their associated tankers which we had planned to phase out during the current fiscal year.

Surely no objective person would believe that the Department of Defense would recommend to the Congress the retaining of aircraft even though they were ineffective weapon systems.

A few further comments about this unfortunate article. The article says:

> Working on a crash program as a result, the Aeronautical Systems Division is conducting exhaustive tests to determine what wing fixes are needed to overcome the extra stresses. Meanwhile, lighter loads must be carried.

This is not correct. The wing fixes are known, and are being incorporated in the models affected. Until modifications are incorporated, lighter loads are being carried on daily training missions. Combat loads remain unchanged.

The same article attacks the next step in manned aircraft, when it says:

> The B–70 was simply overtaken by events. Subsystem designs for the B–70 as a complete weapon are now 5 years old.

I was sorry to see the author of this article attacked not only the bombers of the present Strategic Air Force of the United States, but went out of his way to attack the future bomber we hope for—the B–70.

The B–70 program has had six major changes over the past 3½ years; but the system kept pace with technology, and has changed substantially each time a profitable improvement presented itself.

As one example, the wing camber differs from that originally conceived, giving much better lift-drag ratio.

In addition, as new enemy threats have been postured, the defensive system concept has changed radically, the concept of operations also changing to take maximum advantage of later discovered characteristics inherent to manned systems; and also to complement effectively other offensive weapon systems.

It is not correct that the B–70 has been overtaken by events. Rather, its development has been stalled for years, and it is clear the chief reason for that stalling was the fact necessary funds were not made available.

The great capabilities of the Soviets in manned aircraft were again demonstrated and substantiated by the recent exhibits at the Tushino airshow.

In summary, this article is based on many unsupported and inaccurate statements, supported by vague references to unidentified authorities and negative conjecture.

Running through this latest effort to degrade manned aircraft is the alarming idea that, because a possible enemy may have the capability to build a defensive system, we should not build offensive systems.

This approach could be used to discredit any weapon system. It is an approach that could be dangerous to national security; and therefore it is important to place in the RECORD the truth about manned aircraft, the fact they will be with us for a great many years to come.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I congratulate the Senator from Missouri on an extremely learned statement, which I believe completely answers the article which the Senator undertook to refute.

I think the Senator's statement points out some of the obvious things that people who have done a lot of thinking about military problems know. They know that a good weapon can be used for a long period of time. The hand grenade, which was GI issue in World War I, is a weapon that can still be used for many purposes. The bayonet, which was used even before the rifle, is still useful in certain circumstances. I think we are making the same old officer's .45 that was made previously. Undoubtedly, in the event of another war, that same .45 pistol will account for a lot of enemy dead.

Mr. SYMINGTON. I think the statements of the able Senator from Louisiana are most pertinent to what we are talking about.

Mr. LONG of Louisiana. I am reminded of a statement made by an artillery officer in World War II. He had a short-range howitzer, and the Germans had long-range 88's, which were very fine weapons. But he would ease up close to them, and lob the shells over a hill or mountain. Due to the high trajectory, he had a more effective weapon in that position than the Germans did. He made the statement many times, which I will never forget, that it makes no difference how good the gun is; the only thing that counts is how it is used.

Mr. GOLDWATER. Mr. President, if the Senator will yield, the statement with which the Senator from Louisiana concluded his remarks is a good preface for the statement I am to make, which is that no matter how good a rifle is, the man using it has to know how to shoot it. The same with the ICBM's, the intermediate range missiles, and the ballistic missiles. There are many things in those black boxes that can go wrong, and in the manned bombers there are men with human brains. Despite our vast technological advances and the progress we have made, I doubt that God intended that the human brain would be replaced.

I cannot help thinking, in answer to the article to which the Senator from Missouri was replying, that there must be some effort among some people in this country to do away with manned aircraft. There seems to be a concerted effort going on some place to discredit man and an airplane working together.

We were enticed by the Russians into a missile race, to the point that we disregarded our aircraft. Today I fear that some of the scientists and slide rule experts are beginning to get through to people in responsible places the belief that we actually do not need more manned aircraft. I am sure the Senator from Missouri does not believe that to be true. I think from the Senator's remarks one must conclude he has great faith in manned aircraft and thinks we should be going forward faster with them.

Mr. SYMINGTON. Mr. President, the able Senator has put his finger on one of the basic aspects of the problem.

In 1956 Mr. Khrushchev and Mr. Bulganin invited the Chief of Staff of the Air Force to visit Russia. At that show the Russians displayed nine new models of aircraft. The story was later spread around the United States, for reasons I have never been able to figure out, that these aircraft were only prototypes, and would not be built in production quantities; the Soviet Communists were simply putting on a show. The truth is that seven of those nine prototypes shown in 1956, we later learned were placed in production, and were and are being used by the Soviets themselves as well as some of their allies.

As the Senator well remembers, in 1957, a year after the Tushino show, this Government decided it had overemphasized the production of aircraft by the Soviets. For once, our intelligence apparently overestimated what the Russians were doing in weaponry, instead of underestimating.

A short time thereafter, we came to the conclusion that the Russians were not producing anything like the number of missiles previously estimated to have been in production in Russia. I remember once asking as the Russians became increasingly intransigent—perhaps the word "belligerent" would be more fair. If they are not producing aircraft, and not producing missiles, what do you think they are producing—dandelions?

Now there has been another airshow at Tushino last month. At that show there were four aircraft flown of which we had no previous knowledge whatever. One of those, without doubt, is the most modern bomber in the world today, and it was flown in production quantities. I say "production quantities," because 10 airplanes produced with engine lathes, and so forth, as prototypes would cost us somewhere between $400 and $500 million; whereas the same aircraft made off production tools would cost less than $40 million.

We now know Mr. Khrushchev has fooled us with all his talk against aircraft program, just as he has fooled us on other matters.

We now also know that the Russians have in production the world's most modern bomber.

When one tries to correlate this with the thinking of people who say manned aircraft—specifically, the B–52 and the B–70—are not advisable, it becomes a serious matter indeed from the standpoint of security. Would not the able Senator agree with the thinking behind those observations?

Mr. GOLDWATER. The Senator is very correct, and has been correct in the argument he has made for many, many years.

I was briefed this morning on the 24th Russian Air Army, which is in East Germany. I cannot divulge the figures, but I was astounded by the number of air units the Russians have in East Germany. One listening to our scientific advisers would be led to believe the Russians have no manned aircraft, that all the Russians have are missiles. I think probably the Russians have a very strong "mix" of both.

What has constantly concerned me has been the ability of this group, whoever they may be, to discredit the manned aircraft concept to the point that we now have, as the Senator knows, only one new bomber, which is the B–70, and that is not close to being off the line yet. We have abandoned the F–108. In effect, we have the F–106 as an interceptor, but we have finished production on that. The only other fighter we have is the F–105, which is a tactical support fighter. We do not have that aircraft in extremely large quantities.

I am concerned about the problem, because I think World War II proved conclusively that one can expect only so much from the ground-to-air attack. The artillery during World War II was not sufficient. The missiles during world war III and world war IV—presuming a loss in world war III—will not do the entire job. Men will have to go in. As is true with respect to the Navy, a man will have to do the job on the ground. There will be no "gimmicks" to win the future wars. Some man will have to do it. Some man must step onto the enemy land, put our flag down, and say, "This is our land. We won the war."

Some man will have to fly an interceptor to effectively stop any bombing attempts of a mass nature upon this country. We cannot rely upon missiles. Even the best of the missiles have not proved to be too reliable in this field, and this is no secret.

I do not think the Russians are 12 feet tall, either. They are not any more intelligent than we are. I do not think they can make better things than we can make them. I think we can make better things than they can make. We have not been able to prove the ground-to-air missiles to the point that the airmen are willing to say, "Leave it to the missiles; we will take up rifles again and start walking."

This is the thing we have to keep constantly driving home to the Department of Defense. The Department must listen

to the people on the staff who have had practical military experience. It is necessary to equate the scientific knowledge with the knowledge of tactics of the military people and, from the two, to produce a good and reasonable answer, rather than simply to depend upon one side, because one might say it is an enticing side.

The argument has great romance. The idea that a black box can do something our brains cannot do is an idea easy to buy. We have not reached that point yet.

I hope the Senator from Missouri will continue, as he has done so ably today, to debunk the stories which are appearing—of all places, in an aviation magazine—which tend to discredit our Strategic Air Forces, our Tactical Air Force, and our air forces in general, whether they be air forces of the Navy, of the Air Force, or of the Army.

Mr. SYMINGTON. Mr. President, those are intelligent observations. I know the Senator will agree with me that President Kennedy never made a wiser observation than when he said there must be some middle ground between humiliation and all-out nuclear attack.

The point many people miss with respect to the importance of manned aircraft is that they embrace positive control, as the Senator himself so well knows. A missile—whether it be an ICBM, an IRBM, or the missile from a Polaris submarine—is capable only of an all-out, genocidal response. That is the type and character of conflict everybody prays we shall never have. The manned bomber, whether it be the B–52 or the right B–70, is capable of responding to any type of conflict. This is why I think it particularly important to consider what Henry Kissinger calls the strategy of ambiguity, comes into the picture.

If our enemies just nibble at us to the point we continually say, "It is very serious, but we do not wish to have a nuclear war," then we would not respond to any future aggression unless we utilized those forces we had built for a nuclear war, because we would not have the forces for conventional response.

In Kahn's book, he listed five ways a nuclear war might start. The first of the five listed was "by accident." Therefore the positive control which the Senator has so ably spoken of, which is part of the actual operational plans of the Air Force, is mighty important so that no holocaust will start as the result of an error. That leaves the argument all in favor of manned aircraft.

For some reason which I do not understand there is steady criticism of manned aircraft.

Our country is the country which started flight, during my lifetime, and pretty close to the lifetime of my friend from Arizona. The Americans are the first people who ever flew. Yet if we drop the B–70, which possibility is already being talked about, then we would have no future combat aircraft of long range in research and development. That seems to me incredible.

If we do not wish to have the B–70, and do not believe in the B–52, and do not want more B–58's, and are dropping the B–47, where do we stand from the viewpoint of future response to aggression?

Mr. GOLDWATER. The Senator is quite correct.

There is one other area we might explore very briefly in this discussion. The Senator mentioned the idea of either a cold war or a hot war.

Mr. SYMINGTON. I meant to say a general war or a conventional war.

Mr. GOLDWATER. There are many types of warfare which can take place, between the extremes of cold and hot.

Mr. SYMINGTON. Yes.

Mr. GOLDWATER. If we tie ourselves to weapons that cannot be used in the in-between actions, we are inviting only one type of action, and that is all-out, full nuclear war.

In this connection, I think we are very foolish, and we have been very foolish not to resume nuclear testing, because nuclear testing would provide us with many of the tactical weapons we shall need for the future, weapons which will become tactical, conventional type for use in instances such as we are mentioning.

I think of one very good example which has cropped up lately. What would be wrong with a tactical decision to use a very low-yield bomb on the mountain passes between Russia and Iran, should a war or the possibility of a war develop as between those countries? It would do nothing but disturb a mass of mountain rock and close the passes. It probably would not kill a human soul, but that type of action could prevent war.

We do not as yet have the necessary tactical weapons. If we deny ourselves aircraft to carry such weapons, and if we deny ourselves the ability to develop nuclear testing, I think we will invite the only kind of war that we would be equipped to fight and that the Russians would be equipped to fight, which would be an all-out nuclear war. When we get down to it, that is all we would have left—the "big boy." If we should get into trouble, we would have to use those weapons. I should like to have a whole family of "little boys" that could run out and do this or that or the other job, if we must do it. If we ever get into a general war, if that is the only course other than appeasement and surrender, it is my feeling that if we are not equipped with small nuclear weapons of a variety of size and aircraft to carry them, and if we deny ourselves such weapons, we shall be asking for the only inevitable result, which is a full war.

Mr. SYMINGTON. The Senator is thought provoking in his comments. When we first made our voluntary unilateral "no more testing" decision in 1956, the record will show that the decision was made with the premise that any violation could be detected. In 1957 that decision was modified; it was determined violations above 5 kilotons could be detected. In 1958 the decision was further modified; it was felt any violations above 20 kilotons could be detected. That is the size of the Hiroshima bomb. The inverse, of course, is true, namely, that anything in the way of an explosion below 20 kilotons could not be detected.

In 1959 the figure was raised. We could not detect anything below 100 kilotons. In 1960 it was raised to 500 kilotons. Based on one answer that Mr. McCloy gave to 20 questions I asked him in the Committee on Foreign Relations as to how inspection of nuclear testing would be handled, it would seem that we now agree anything under a megaton cannot be detected.

Therefore, I ask the Senator from Arizona, in all sincerity, the following question: Unless we believe in the honor, justice, and integrity of the Soviet Communists, why would they be willing to change to a nuclear-test cessation agreement? As things now stand, there is no chance of their being caught. One of the great authorities in this field said the other day that we could test without their knowing it in an open society. Why should we believe we could catch them if they were testing in a closed society?

It is now an ideal position in which Mr. Khrushchev finds himself. I believe the testimony of a well-known expert on this subject, Dr. Brzezinski, of Columbia University, is pertinent to this point, because he said that the speech Khrushchev made in January of 1960 was more important than the one he made in January of 1961. Brzezinski said:

> I make that statement after spending much of my life attempting to analyze the Russian mind. When they want to establish credibility through bluff, these Russians repeat it over and over again. But when they have something, they simply state it, and that is all you hear about it, until you see it.

In January 1960, Mr. Khrushchev said he had a fantastic new weapon. That weapon might well result from their continuing testing.

Why should the Russians make any deal under the present circumstances which are ideal for them, giving them a unilateral advantage that can only increase day by day and week by week? I am not discussing the effect on world opinion of our resuming testing. That is another question. But I am discussing the tactical situation, the incredible advantage we have voluntarily given them, as the Senator has ably pointed out, by allowing them to continue to test over a period of years, if they decide to do so. At the same time we are not testing. As the Senator knows, proper inspection of testing is the very core of the production of any product.

Mr. GOLDWATER. The Senator is correct. For Khrushchev to make an agreement on nuclear testing now would be somewhat like the crooked dealer in a poker game agreeing to throw away the fifth ace when he had not been caught. I think the most dangerous thing that is emerging from this period of Russian testing is that while we have stood honorably by our commitments, the Russians have been able to develop weapons—not necessarily in the large yield class, but in the small yield tactical type weapon—in which we are extremely weak, so far as I know.

I hope the administration will call for an immediate resumption of the tests. Frankly, I do not care what the rest of the world thinks about us. I think we must think about our own offensive and defensive ability before worrying about what this or that country thinks about us. We should resume testing. Countries that we did not think would be able to test are doing so. How long will it be before Red China starts to test? Egypt and Israel, we understand—countries we never thought would be capable of doing so—are making efforts in the direction of testing nuclear weapons.

I think in behalf of our own interest and preservation we must resume nuclear testing, and if the rest of the world does not like it, we might feel sorry about it, but I think we must think of ourselves and our allies first in the world today when we are pitted against a dishonorable and lying leader who does not know the meaning of keeping his word. I am very hopeful that President Kennedy in his wisdom will see fit to give the orders to go ahead with testing, and as a result, allow us to participate in the development of tactical-type weapons.

In closing, I thank the Senator from Missouri for his contribution today. I hope that he keeps his able self at this problem so we can stay on top of the efforts to discredit the Strategic Air Force, and the Air Force and airpower in general.

Mr. SYMINGTON. I thank my friend from Arizona. For many years he and I together have been working to increase the effectiveness of the Strategic Air Force, because we believe it is the one force in the world any would-be aggressors fear more than any other. To the best of my knowledge, that situation will be true for many years to come.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. LONG of Louisiana. Again I congratulate the Senator on the statement he has made. I would like to point out that the Senator has repeatedly warned us of errors that could be made in our national defense. I regret to say that many of these errors have come to pass, notwithstanding his strenuous warnings on the floor of the Senate. The Senator from Missouri has been a particularly able expert in military affairs. He has been able to think 5, 6, and 8 years ahead to what the problems will be at those times. He is able to make present-day decisions reaching as much as 10 years into the future.

Would not the opportunity of putting a major, powerful bombing fleet into the air—particularly one that has long-range missile capability—give this Nation more or less the opportunity to "wait until you see the whites of their eyes before you start shooting"?

I am concerned about this kind of situation. At present we are talking about putting communication satellites into outer space with the idea that there will be approximately 140 of them circulating at random around the world, even in an experimental stage. In the dispersal of objects in outer space, we may not know whether objects are communication satellites or missiles meant for our destruction.

Mr. SYMINGTON. The Senator is right.

Mr. LONG of Louisiana. An open society such as ours is subject to sabotage. The enemy undoubtedly knows where many of the silos which house our missiles are located. Those would be prime targets which an enemy would seek to knock out. But if such a move were made as to cause us to believe that it was the beginning of a major attack upon the United States, the proposed large bomber force would be put in the air immediately. That force could always then be brought back home.

Mr. SYMINGTON. May I also state what I know the Senator already understands: namely, that some of the Air Force is now on alert; and as the result of recent activities, President Kennedy increased that number of airplanes. This follows the thinking of the able Senator from Louisiana.

Mr. LONG of Louisiana. Of course, this Senator was not the one to think of the plan. However, it makes good sense, and it has been proposed by those in charge at the Strategic Air Command, that in times of great danger, such as the present situation, which might bring war tomorrow, large numbers of bombers are kept aloft at all times. At a time when we think of the great fear which strikes a whole area when one of the nuclear bombers comes to earth in this country in an emergency landing, I cannot help but reflect how a potential adversary must think when he knows that we have hundreds of such craft in the air. The Senator, who is a former Secretary of the Air Force, well knows that the easiest place to destroy the enemy's weapons is on the ground before he ever gets started. That was what occurred at Pearl Harbor, and in some of our attacks upon enemy air forces and bases. But the ability to have planes in the air with nuclear weapons and missiles which can be fired at long range from the aircraft themselves gives this Nation a strong potential. So does the Polaris submarine, which is something that the enemy cannot be certain of knocking out. It is something he must be prepared to contend with in the event he should attack this country. There is no way he can avoid dealing with it.

Mr. SYMINGTON. As usual, the Senator from Louisiana has made a valuable contribution to the discussion. There is nothing less vulnerable, if this country is attacked, than a manned and armed aircraft in the air.

What all of us are desperately searching for is the road to peace. Some try to help us forget that fact by saying that because we want to be strong there is some warmongering in our thinking. Nothing could be further from the truth. It is my conviction, after watching the Communist Party's growth since it took over its first country in 1917, that when the Communists sit down to negotiate they respect power more than anything else. I believe, therefore, we should follow the Churchillian principle of "arm to parley."

In the manned bomber we have, to the best of my knowledge, the ability to respond against attack in some way besides responding with hydrogen retaliation. That might result in catastrophe for the world.

I believe the best way in which we can expend our treasure is to arm on such a basis that we can respond, to the degree necessary, to any attack by a possible aggressor.

If that is true, it shows how important it is for us to develop the ability for graduated response, conventional response as well as nuclear response. That is the reason I thought this subject of positive control and manned bombers should be presented to the Senate today.

Mr. LONG of Louisiana. I thank the Senator.

Mr. SYMINGTON. I yield the floor.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED DISARMAMENT AGENCY FOR WORLD PEACE AND SECURITY

Mr. HUMPHREY. Mr. President, the bill (S. 2180) to establish a U.S. Disarmament Agency for World Peace and Security has won wide and enthusiastic support from leading citizens and organizations throughout the country. This legislation has also been endorsed editorially by most of the Nation's leading newspapers.

One of the finest editorials on the Disarmament Agency bill was published in the Minneapolis Star of August 25, 1961. The editorial notes that "the danger of an accidental beginning to a new world war increases day by day" and concludes:

> The United States can take the lead in showing its responsible concern for peace and disarmament by making the Disarmament Agency a permanent arm of Government. Congress ought to do so before winding up its current session.

Mr. President, I concur in the views expressed by the editorial. It would be a great mistake if Congress were to fail to act on this important proposal with President Kennedy. We must demonstrate to the world our continuous concern over the threat which the arms race poses to peace. We must also prepare ourselves in every conceivable way for fruitful and effective negotiations in the field of disarmament.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the editorial entitled "One Road to Peace" published in the Minneapolis Star of August 25, 1961.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ONE ROAD TO PEACE

With the Soviet Union stepping up its pressures against the United States and the West, some people have questioned the wisdom of President Kennedy's proposal to set up a permanent U.S. Disarmament Agency for World Peace and Security.

They argue that the proposal appears to be a defensive move at the very time that the United States is under new Soviet pressure and propaganda attacks in West Berlin and in other crisis areas.

It is true that prospects for peace and disarmament are not very bright in times of tension, but the United States must be ready for peace as well as war. President Kennedy in his May 25 message to Congress said, for example:

"Our arms do not prepare for war. They are efforts to discourage and resist the adventures of others that could end in war. That is why it is consistent with these efforts that we continue to press for properly safeguarded measures."

Under the current proposal—offered in the Senate by Senator HUBERT HUMPHREY and several colleagues and in the House by a group of Congressmen including Minnesota Representatives WALTER JUDD, JOHN BLATNIK, and JOSEPH KARTH—the new U.S. Disarmament Agency would be concerned not only with ways and means of controlling and limiting armaments. It would be part of an overall peace program, and its director would sit in on National Security Council meetings reaching decisions on disarmament and related issues.

Arthur Dean, one of America's current disarmament negotiators, recently pointed out that since 1945 at least 19 different people have had the responsibility at one time or another for America's disarmament negotiations. The result has been a lack of consistency, a lack of continuity, a lack of expert advice, a lack of research, and a general lack of information that hurt the United States when negotiations were undertaken.

The new Agency would be a concrete expression of the American Government's continuing efforts to examine every possible route to peace. It also would be a permanent agency with its own appropriation, its own employees, and its own specialists, scientists, and technical personnel to deal with the technical, political, economic, and legal problems involved. These people would have a dedication and responsibility to a permanent agency that those who have been "on loan" from other Government agencies to the temporary disarmament office never have had.

Former President Eisenhower, in supporting the proposal, said in a letter to President Kennedy:

"While any progress toward real disarmament can be achieved only where the opposing sides genuinely pursue the ideal of peace, yet it is futile to speculate as to whether progress toward peace or disarmament should take priority in such effort. It is clear that they must progress in step-by-step coordination, as otherwise nothing will be accomplished."

With the arms race continuing, with the Communists keeping their pressure on the non-Communist world, with weapons becoming increasingly destructive and complex, the danger of an accidental beginning to a new world war increases day by day. The United States can take the lead in showing its responsible concern for peace and disarmament by making the Disarmament Agency a permanent arm of Government. Congress ought to do so before winding up its current session.

ADDRESS BY PRESIDENT KENNEDY TO PEACE CORPS VOLUNTEERS

Mr. HUMPHREY. Mr. President, today the first group of Peace Corps volunteers leaves for an oversea mission. These fine Americans carry with them the best wishes of their fellow citizens.

We hope they will demonstrate to peoply in other lands that our country is genuinely concerned about their welfare, their progress, and their freedom. And we are confident that these carefully selected volunteers will justify our high expectations.

In fact, the success of this first mission or the first group of volunteers to Ghana may very well determine the course which the Peace Corps will follow. This first group may well determine the success or the failure of the Peace Corps. I am confident that it will be a great success.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of President Kennedy's remarks yesterday to the Peace Corps volunteers who are departing for Ghana and Tanganyika, as printed in the New York Times, and also an article entitled "Kennedy Praises 74 in Peace Corps," written by Tom Wicker, and also published in the New York Times of August 29, 1961.

There being no objection, the article and address were ordered to be printed in the RECORD, as follows:

KENNEDY'S TALK ON CORPS

I want to express my great pleasure at welcoming all of you who are the first members of the Peace Corps to be graduated from these schools and also the first members of the Peace Corps to go overseas.

Those of you who are going to Ghana to teach, I am sure that you realize how important and valuable is the work in which you are engaged. One of the great problems that the people of Africa face is the comparatively few experienced, educated leaders that they have for positions of responsibility during these first days of their independence.

And to indicate the intimate relationship between teaching and leadership, the President of Ghana, President Nkrumah, studied here in the United States, at Lincoln College in Pennsylvania. The prime minister-to-be of Tanganyika, Mr. Myerere, studied at St. Andrews in Scotland, and both of them, of course, are among the most vigorous leaders of the new Africa.

I feel a particular satisfaction because this is the most immediate response—the Peace Corps—that I think the country has seen to the whole spirit which I tried to suggest in my inaugural about the contribution which we could make to our country.

The fact that you have been willing to volunteer, that you have gone through very detailed, demanding tests, that you are willing to go to Ghana and Tanganyika, and other countries as time goes on—Americans who are without great compensation, all of you with special skills, which could mean that if you stayed home you could pursue your own private interests with a good deal of assurance of success, and the fact that you are willing to do this for our country in the larger sense, as the name suggests, for the cause of peace and understanding, I think should make all Americans proud and make them all appreciative.

There are, of course, a good many hundreds of millions of people scattered throughout the world and you will come in contact with only a few, but the great impression of what kind of country we have and what kind of people we are will depend on their judgment in these countries of you.

You will be the personification of a special group of young Americans, and if you can impress them with your commitment to freedom, to the advancement of the interests of people everywhere, to your pride in your country and in its best traditions and what it stands for, the influence may be far reaching and will go far beyond the immediate day-to-day tasks that you may do in the months that are ahead.

So I hope you realize—I know you do—that the future of the Peace Corps really rests with you. If you do well, then the Peace Corps will be developed and more and more Americans will go abroad and will find a greater and greater response to this idea of serving our country.

I am glad that those who are going to Tanganyika, who are going to take part in surveying—and it is desperately needed, it is the kind of skill which I think can bring great benefit to the people that are involved.

Tanganyika is gifted with unusual leadership, and I am particularly glad that you are going there to help open the back land.

So that you are very welcome here, and we are all proud of you. And I must say, we put a good deal of hope in the work that you do.

Thank you.

KENNEDY PRAISES 74 IN PEACE CORPS—COMMENDS FIRST VOLUNTEERS SLATED FOR OVERSEA DUTY

(By Tom Wicker)

WASHINGTON, August 28.—President Kennedy praised today the first groups of Peace Corps volunteers to be assigned overseas.

Theirs, the President said, is the "most immediate response that I think the country has seen to the whole spirit which I tried to suggest in my inaugural about the contribution which we could make to our country."

That was a reference to Mr. Kennedy's plea last January 20: "Ask not what your country will do for you—ask what you can do for your country."

Seventy-four Peace Corps volunteers assigned to Ghana and Tanganyika heard Mr. Kennedy speak today in the White House rose garden and later shook his hand in his office.

Thirty men and twenty women will teach English or history in Ghana's secondary schools. Twenty-four men will work with Tanganyikans in building and developing a farm-to-market roads system.

COMMITMENT TO FREEDOM

Beyond these immediate tasks, Mr. Kennedy told the corpsmen, "if you can impress them with your commitment to freedom, to the advancement of the interests of people everywhere, to your pride in your country and its best traditions and what it stands for, the influence may be far reaching."

Robert Klein, of 585 Hawthorne Street, West Hempstead, Long Island, made it clear, however, that he and his fellow corpsmen had not been trained as political missionaries or assigned to preach particular doctrines.

"If we had been, I wouldn't be going," said Mr. Klein, a member of the Ghana group. He formerly taught in the New York City public school system.

He said that David Apter, a political science professor who headed the four-man faculty for the Ghana group's 2 months of training at the University of California, had stressed that each volunteer was going abroad as an "individual with his own ideas."

Mr. Klein said the Ghana group contained all shades of political opinion.

Mr. Kennedy told the Ghana group their work would be "important and valuable" because one of the new African nations' greatest problems was a lack of "experienced, educated leaders * * * during these first days of their independence."

The engineers, surveyors and geologists assigned to the Tanganyika roads project were told that they were particularly needed to help "open the back land."

Mr. Kennedy was introduced by his brother-in-law, R. Sargent Shriver, Jr., the Director of the Peace Corps.

Earlier today, the corpsmen received a final briefing at the State Department.

The Ghana group will fly to Accra tomorrow. They will receive 2 final weeks of training at University College in Legon.

The Tanganyika contingent, which has been in training at Texas Western College in El Paso, will fly on Thursday from New York to Puerto Rico for 26 additional days of training at the Peace Corps center there.

Mr. HUMPHREY. Mr. President, as one Senator, I express my appreciation to the President of the United States for taking time out of his very heavy schedule and the many burdens of the great office he holds to speak to the young men and women who will represent our country in the Peace Corps. I am sure it was a source of inspiration to them. It has also been a great source of encouragement to me as, I feel certain, it has been to the Presiding Officer, the distinguished junior Senator from Massachusetts [Mr. SMITH], who were sponsors of the bill to establish the Peace Corps.

CONSERVATION OF MIGRATORY WATERFOWL

Mr. HUMPHREY. Mr. President, yesterday when the Senate acted on H.R. 7391, the bill to authorize a program for the purchase of necessary wet lands as a waterfowl habitat, I was necessarily absent from the city. I was in Minneapolis, Minn., on the occasion of the induction into office of the Honorable Earl R. Larson as U.S. district judge.

I desire to take this opportunity, as the sponsor of a companion measure, S. 2175, to say how pleased I am that this important measure has been acted upon.

The passage of this bill is a critical factor in the preservation of our duck population. Originally there were some 127 million acres of wet lands in the 48 contiguous States. By 1955 the demands of modern civilization for more agricultural lands, more industrial sites, more roads, and more housing developments had reduced the total area to 74 million acres.

This year Frank Briggs, Assistant Secretary of the Interior, estimates that only 22.5 million acres—less than a third of the 1955 areas—is of significant value for migratory waterfowl use. This progressive shrinkage will accelerate during the coming decade unless the Congress takes drastic measures to halt it.

House bill H.R. 7391, which is a companion bill to S. 2175, of which I am the sponsor, authorizes the appropriation of $50 million over the next 5 years to speed up purchase of lands for migratory waterfowl refuges. Although the Government has acquired a certain amount of land already with revenues from the duck stamp fees contributed by the duck hunters themselves, the program has been too limited. It would take years at the present rate to reach the anticipated goal of 4.5 million acres.

Meanwhile, waterfowl hunting grows poorer, and fewer hunters take to the fields. As a result, duck stamp sales are declining. In 1960 the sales are two-thirds of the 1955 total. As revenues diminish, so do the possibilities for Federal acquisition of lands and the preservation of our waterfowl population.

The funds as provided in this bill shall be repaid to the Treasury—beginning in 1967. The revenue from the sale of migratory bird stamps will continue to be used for the purchase of wet lands until fiscal year 1967. In 1967, 90 percent of the stamp revenues will be returned to the Treasury each year until the total amount is paid. By creating the wet lands, we shall also be creating the means to repay the funds advanced to the migratory bird conservation fund.

The National Wildlife Federation in its 25th annual convention this year placed the acquisition of waterfowl nesting areas by the Federal Government first on its list of objectives of major importance to conservation.

Mr. President, the bill deserves our support. I am hopeful, now that the Senate has acted upon it, that it will become a public law this year.

PUBLIC SOCIAL WELFARE

Mr. HUMPHREY. Mr. President, I feel certain that everyone has heard of the so-called Newburgh, N.Y., controversy relating to public welfare.

As the din and clamor surrounding the proposed changes in the administration of public welfare in Newburgh, N.Y., continue, an examination of the more basic questions that Newburgh raises seems worth while. Four months ago, Newburgh, a small-sized and rather typical American city, was little known. Now it has emerged as the confused and often perplexing symbol around which differing concepts of what is decent and humane are debated and fought over. Newburgh has become—in a sense like Berlin—a symbolic testing ground of the measure of responsibility that man is willing to take for his fellow man.

What is taking place in Newburgh needs little further review here. It is well known, and is presently being considered by the courts.

What Americans must now explore and ponder are the questions of precisely what the obligations are of a society which is ostensibly affluent, toward individuals whose own effort and means have failed to provide them with what we generally consider a minimum decent standard of life, and of just how our society can best fulfill such obligations as we may have.

The American Public Welfare Association defines public welfare as follows:

Public welfare is that area of governmental service which protects individuals and families against potential or actual social disaster, including economic want, and helps them find the means to regain economic and social self-sufficiency. It stands as a social bulwark behind the individual or family in meeting needs which the community recognizes as basic but for which individual, family or voluntary effort have proved inadequate. It does this by assuring a minimum level of living, below which none need fall; extending social protection to those, like children or handicapped adults, requiring special care because of their helplessness; and offering guidance and specialized service to those with problems which the community recognizes to be at once serious and beyond their immediate power of personal solution.

Now let me suggest that there are many who mistakenly believe, on the basis of the wild and inaccurate claims and distorted headlines which abound, that the Newburgh reforms are simply a way to improve the administration of public welfare to save the taxpayers some money. But the strongest support for Newburgh's welfare crackdown comes from those who are attacking the very foundation on which our concepts of public welfare and mutual responsibility are based. The city manager of Newburgh has said:

Social workers feel society has a responsibility to the people. We feel the people have a responsibility to society.

He is proposing to deal with this discrepancy by attempting to "reorient their thinking" through an announced policy of what he calls "thought control," and by getting away from hiring "degree-holding caseworkers," according to a United Press-International dispatch of August 3. One of the newest additions to the city welfare department under this new policy is a former Orange County deputy sheriff who was previously a military police officer.

Does this sound like enlightened reform? Is this the road a civilized society should be taking to deal with the problems that industrialization and urbanization leave in their wake?

The substitution of police methods for welfare methods, and police personnel for trained welfare workers will solve nothing, but will only causes greater ills. Limiting relief payments to 3 months a year for any one family is not likely to be the key to building character. Increased crime rates would be a more probable result. Instead of cutting down on our welfare activities and substituting retribution, we need to do more to harness American ingenuity to find constructive means of alleviating and eliminating poverty and dependency.

The Newburgh philosophy of punishment for poverty seems to assume that poverty is a matter of personal guilt. And yet, surely it must be clear that in our complicated industrial society, no man's destiny is entirely in his own hands.

Is it the fault of the unemployed West Virginia miner that gas and fuel oil have become the major source of American energy, reducing mine employment in that State frcm more than 116,000 workers just 13 years ago to less than 43,000 today?

Are we to condemn the 55-year-old machinist who had not found steady

work in over 3 years after his factory was automated and half its employees laid off?

Is the electrician whose plant closed down to be declared personally inadequate if he cannot find work in a town where thousands of others are in the same spot as he?

And what about the migrant farmworker, all too often exploited, engaged in backbreaking labor, excluded from the benefits of almost all social legislation, uneducated and unskilled, earning the lowest wage in America and employed less than half of the days of the year; just what do we gain by denying to him and to his children who work beside him—what do we gain by denying them a few dollars in relief payments?

There are many cures for poverty. Punishment is not one of them.

Neither is anything accomplished by cutting off assistance to a woman who has borne a second child out of wedlock. And there is no way to reconcile this attempt to visit upon a child the sins of the parent with democracy's special obligation to provide to children equality of opportunity for healthy growth and development. As the Washington Post has pointed out, if the relief program contributes in any way to the illegitimacy problem, it is through its inadequacies. When in Washington, D.C., relief grants fell 22 percent short of basic shelter and food needs, it is reported that mothers sometimes did enter into illicit relationships—but in return for the bag of groceries which they needed today, not for the paltry payments that might be forthcoming if an infant were born 9 months hence.

Surely there are more effective ways to meet this problem than to threaten the termination of payments that in most cases mean the difference between nourishment and hunger for small children. The District of Columbia Public Welfare Department recently launched a program to train unmarried mothers and help them to find employment. Of the first group of 32 women in the project, 27 of those who were on relief less than 6 months earlier are self-supporting today.

So the answer appears to be, at least in part, to provide some continuing care together with programs for retraining. When I served as mayor of my city of Minneapolis, a training and rehabilitation division was established in the department of public welfare. In very short order—in a few weeks—we were able to take most of the cases which were what we called chronic relief cases and provide gainful employment, at least part time, for many members of the families. I think it is in this kind of effort that a constructive approach is made.

This kind of enlightened approach is not only morally more appealing. It is sound economically. These women and their children are no longer a tax burden. And we can hope that as a result of the humane treatment and compassionate understanding that they have received, they are less of a burden to themselves.

Social workers and welfare officials throughout the country know—the evidence is clear—that hardly anyone with other alternatives available to him chooses to live as a public charge. How else could you explain that when, last month, the city of New York announced 50 job openings for cleaning women at pay which ranged to a maximum of $53 a week, the line for those 50 jobs began to form 3 days before the announced day of filing, and the applicants for those 50 jobs numbered 1,742 on the first day.

I think that is a living reply to those who say that people who are on relief do not want to work. Here was an instance where 50 jobs were announced in a very low-paid occupation, in hard work, with a maximum pay of $53 a week, which surely is not a living wage. For the 50 jobs, on the first day there were 1,742 applicants. Will those who are critics explain that away?

No, the vast majority of Americans, in Newburgh as elsewhere, would prefer to work rather than be on relief. For those not in a position to provide for themselves, punishment and harassment are no solutions. Neither a monthly muster of welfare recipients, including the blind, the lame, and the halt, at police stations, nor mug shots, nor denial of relief after moral transgression, will help to bring those who have slipped to the bottom of the heap out of their morass. Instead, we must find and correct the defects in our social organization that have contributed to the misery of many, and we must provide to individuals the services that will enable them to become self-sufficient wherever that is possible.

If we as a Nation are sincere in our belief in the sanctity and dignity of each individual human being, and if—as is most assuredly the case—we have the means whereby we can make certain that all can be free of the bondage of needless fear and deprivation, then surely nothing less will do. Let us remember that never has it been more true than it is in the complex industrial society in which we live today, that no man is an island unto himself. Let us not lose sight of our democratic conviction that the individual is the source of community strength. And let us not forget that the citizen and the State have mutual obligations: "The citizen to make his highest contribution to his own and the community welfare; the State to assist him in that effort and sustain him in time of need"—from American Public Welfare Association, "Essentials of Public Welfare."

In conclusion, Mr. President, I ask unanimous consent that there appear at this point in the RECORD an article by James O'Gara entitled "Welfare a la Newburgh," which appeared in Commonweal magazine of August 25; a statement of the American Public Welfare Association Board in regard to the Newburgh public welfare proposals; an editorial from the Washington Post of August 16 entitled "Penalizing Misery", and an article from the Washington Post of August 6 by Eve Edstrom titled "Newburgh Is a Mirror Reflecting on Us All."

There being no objection, the articles and statement were ordered to be printed in the RECORD, as follows:

[From Commonweal, Aug. 25, 1961]

WELFARE A LA NEWBURGH

(By James O'Gara)

For years Newburgh, N.Y., was associated in my mind with the spirit of Christian charity, simply because there used to be a Catholic Worker farm nearby. Now that the town is receiving national fame—or notoriety—for its "get tough" welfare policy, I find it hard to think of it as a prime symbol of civic know-nothingism. But that is about all Newburgh's celebrated crackdown on "loafers" and "relief chislers" amounts to, I think.

Newburgh does have its problems. What American city these days does not? But in recent weeks city officials have consistently tried to create the impression that welfare is Newburgh's major problem and that this would largely disappear (a) if southern Negroes did not come North for the purpose of going on relief, and (b) if able-bodied welfare recipients were ferreted out and put to work. And in the process constant references to "an influx from the South," a "relief class," "disease, crime, and illegitimacy" have to my mind blatantly encouraged anti-Negro bias.

Pressed by reporters for facts which would justify Newburgh's crusade, the city manager has resorted to some fast and fancy statistics. Unfortunately for his case, his figures either do not support his arguments or are shortly thereafter exposed as inaccurate and misleading. Indeed, it now turns out that even the statistics for the impartial report which began Newburgh's crackdown were supplied by the city manager and in fact that the report itself was written by him.

To me one of the most distressing things about the Newburgh situation has been the way city officials have harped on the question of immorality and illegitimacy among those on the relief rolls. Desertion remains the poor man's divorce, white or black, and there are on every city's welfare rolls deserted mothers and children born out of legal wedlock. I presume Newburgh is no exception, but I see no excuse for the statements its officials have made.

In these cases, the children's welfare should be paramount. If the mother's day-to-day conduct imperils the moral well-being of her children, it is now and has always been possible for city officials in Newburgh to have the children placed in foster homes. But to suggest that this should be standard practice in what usually amount to common-law marriages strikes me as cruel and bad public policy, and the truth is that there are not in Newburgh or most cities foster homes available for all the children, legitimate and otherwise, who already need care.

Family disorganization and economic hardship tend to come together, and the problem of illegitimacy is a delicate and complex one. No one has an illegitimate child in order to collect $17.50 a month from the city of Newburgh, and surely no one believes that intimidation or starvation will solve the problem.

Despite a barrage of contradictory and misleading statements, certain facts have by now become clear about the Newburgh situation. For one thing, city officials have been completely unable to show that there has been any great influx of southern Negroes onto the relief rolls, and in fact white people constitute the majority of those receiving welfare assistance. For another, most of those who receive public assistance are either

children or those who are either too old or too sick to care for themselves. And finally, despite Mr. Mitchell, there is absolutely no evidence to support the claim that the welfare lists are crowded with able-bodied men who ought to be put to work.

This last notion continues to be one of the great middle-class myths. Any welfare program is bound to have some abuses, and I don't doubt that Newburgh will manage to find some if it keeps trying. But so far its much-vaunted search of the relief rolls has turned up one able-bodied man—a one-eyed apprentice steelworker who was laid off some months ago, was later a patient in a mental hospital, then lost out on a job because he had to care for his five children while his wife was hospitalized with pneumonia. Furthermore, to drive the point home, the man is white and was born and raised in Newburgh. City Manager Mitchell will have to do better than that, I think.

The Newburgh commissioner of public welfare resigned his post in protest weeks ago. The job was then removed from civil service status to make its future occupants directly responsible to Mr. Mitchell, and the post was filled by a former football coach whose chief qualification seems to be that he agrees with his new boss and has absolutely no training in social work. Now Newburgh is searching for caseworkers who reject what Mr. Mitchell calls the prevailing welfare philosophy and who will successfully implement his "get tough" program, which includes the power to limit assistance to 3 months of the year and to bar migrants. Some crusade.

No one wants chiselers or loafers on the relief rolls. But what Newburgh is doing is not a crackdown on chiselers; it is psychological warfare waged against those who are least able to defend themselves.

[From the Washington Post, Aug. 16, 1961]

PENALIZING MISERY

The essential meanness animating the Newburgh, N.Y., welfare program is now thoroughly disclosed. City Manager Joseph Mitchell has announced that as a means of policing relief cases all persons receiving aid will henceforth be photographed.

Has Mr. Mitchell thought of tattooing or branding, we wonder. These are at once more permanent and more reliable methods of identification; and they have the virtue at the same time of making the receipt of relief seem even more humiliating and unattractive. A black "U"—standing for "Unfortunate"—could be blazoned on the forehead of men unable to find employment, while a scarlet A would, of course, be the appropriate emblem for any woman bearing an illegitimate child.

For all Mr. Mitchell's fuming, he seems to have been unable to produce any qualified victims. As Eve Edstrom astringently reported in this newspaper recently, the city manager's assertions that Newburgh's relief rolls included many able-bodied shirkers, many "undesirable newcomers," and many fraudulent claimants have been unsupported by specific cases.

Newburgh, like so many other cities today, has its share of unemployed, of helpless and hopeless indigents. They cannot be wafted away by threats to punish them for their misery. They are human beings; and thus their fellow humans can never ignore their claim to common humanity.

[From the Washington Post, Aug. 6, 1961]

NEWBURGH IS A MIRROR REFLECTING ON US ALL

(By Eve Edstrom)

The time was ripe for Newburgh, N.Y., to happen.

In towns and cities throughout the Nation, costs of municipal services have been going up, up, and up. But most aggravating to the American taxpayer has been the mounting cost of public relief.

In the three decades since this Nation adopted its public welfare programs, the rank and file taxpayer never has accepted the notion that anyone need live on the dole.

And so when Newburgh announced its crackdown on welfare chiselers, reaction was enormous. Newburgh was seized upon as an example of how to cut back mounting relief costs and teach a lesson to ne'er-do-wells.

In newspapers, in town halls, in forums across the Nation, the Newburgh story became the focus of a debate that grew more emotional, more politically charged, as each day passed. As if by a Pavlov dog reaction, conservatives grabbed the issue as ammunition for their particular outlook on the world; liberals, with the same conditioned reflex, sensed the need to rally in opposition.

An examination was begun of the facts behind the words. And with that closer look came a singular discovery: in the 3 weeks since its welfare crusade began, Newburgh has been unable to find one able-bodied male to put to work.

That fact, and others like it, began to give a different complexion to the Newburgh case.

FACT SHEET

Any discussion of Newburgh must take into consideration both the claims of Newburgh City Manager Joseph Mitchell and the facts as developed by New York State officials. These are:

Claim: Newburgh welfare rolls include many able-bodied recipients who should work for their relief checks. Mitchell estimated that these men could be drawn from at least 60 families.

Fact: One man, a white, unemployed steelworker who is a native of Newburgh, was considered able to work. But he was excused when he reported for duty because his wife was in the hospital and there was no one to care for their five children. This able-bodied man, incidentally, has one eye.

The absence of any appreciable number of able-bodied males on relief since Mitchell's crackdown began squares with the facts as they existed prior to the enactment of the controversial welfare code. For example, in July 1960, only one man was employed under Newburgh's work relief program. Despite national publicity crediting Mitchell with seeking to put "relief chiselers" to work, Newburgh had had a work relief program for some time.

Claim: Newburgh's relief rolls are loaded with undesirable newcomers—migrants from the South—who came to this Hudson River Valley city to get on relief.

Fact: In all of 1960, exactly $205 was paid by Newburgh to newcomers on home relief, the category of local aid for jobless families. Furthermore, New York State reimbursed Newburgh in full for that expenditure.

During that year, no payments were made to newcomers on aid to dependent children rolls, the category of aid for families whose fathers are dead, have deserted them, or are incapacitated. For all categories of aid, including payments to the aged, Newburgh paid only $1,395 to newcomers in the last 2 years.

Claim: With 5 percent of Newburgh's 31,000 residents on relief, the city is suffering from an unusually heavy welfare burden.

Fact: The percentage of Newburgh's population on relief in 1960 was 2.9 percent, the lowest percentage of five comparable cities and a percentage which was below the statewide average. Although 41 of the State's 65 welfare districts qualified for special welfare aid because home relief payments were made to more than 1 percent of the population last year, Newburgh was not among them.

Claim: It was necessary to muster welfare recipients at police stations because of the existence of possible fraud.

Fact: Although practically every adult who could walk was put through this procedure, not a single case of fraud was uncovered.

THE SYMBOL

Despite these facts, Mitchell's charges and his program for Newburgh emerged as a symbol of welfare reform.

Senator BARRY GOLDWATER, Republican, of Arizona, declared that every city should adopt the Newburgh program aimed at putting chiselers to work and denying aid to unwed mothers. GOLDWATER—voicing the views of many—said that he doesn't want his tax money spent for children born out of wedlock and he is tired of professional chiselers walking up and down the streets who don't work.

In similar vein, the Richmond Times-Dispatch, in applauding that Virginia city's efforts to adopt some features of the Newburgh plan, editorialized against the shiftless, slothful parasites who make careers of milking the public.

This reaction was typical of that voiced throughout the Nation. In counties and cities in every section of the country, the public was told that those on relief live the life of Riley and this must stop. Short shrift was given to the arguments of social welfare leaders who insisted that Newburgh was far from a symbol of welfare reform but rather that its crusade was a hoax against the helpless.

But Charles Collingwood, in a New York CBS broadcast on the Newburgh affair, warned that before advocates "pick a symbol, make sure that it really symbolizes what you mean it to."

"The way to do that is to investigate your symbol pretty thoroughly in the beginning," Collingwood said.

Ostensibly, the Newburgh case had its beginning in the concern of citizens over alleged increases in welfare rolls which, according to Mitchell, would necessitate tax increases if public relief was not cut back.

A sort of white paper on Newburgh's welfare problems was drawn up by, it was believed, an impartial citizens committee. It was only late last month that Newburgh's press revealed that City Manager Mitchell served as secretary to the citizen's group and wrote its report.

On the basis of that report, Newburgh's four Republican city council members—over the strong objections of Democratic Mayor William Ryan—adopted a stringent 13-point welfare code, to be effective July 15.

The most controversial provisions of the code would cut off families from relief after 3 months of aid in any given year; deny relief to mothers of illegitimate children if additional children are born out of wedlock after the family has qualified for relief; require able-bodied males to work 40 hours weekly for their relief checks, and limit aid for newcomers to 1 or 2 weeks.

Such requirements are in conflict with New York State welfare laws. Consequently, New York State could lose its entire welfare allotment from the Federal Government because Federal rules require a State welfare program to be uniform for all political divisions. A child in Newburgh, in other words, must be treated the same as a child in Albany.

Therefore, the first step in testing the legality of the Newburgh code was taken Friday when New York State sought an injunction to block enforcement of the code.

However, Newburgh has been unable to take any appreciable action under its welfare regulations because, to date, it appears that the code is based on assumptions of conditions that don't exist.

One of these assumptions, as stated by New York State Welfare Board Chairman Myles

Amend, was that "95 percent of those on relief are lazy bums and maybe 5 percent are decent people. I think they have their percentages reversed."

Amend's statement appears correct in light of the fact that Newburgh's screening of welfare cases has yet to produce a lazy bum to put to work.

The sum total of Newburgh's crackdown is this:

Two mothers of illegitimate children were urged to become self-supporting. They were warned that if they bore any more childern out of wedlock, their home environment would be studied to determine if the children should continue to live at home.

One family receiving $60.27 a month in cash relief was told payment would be made by voucher until there was an explanation for the spending of an insurance check received last fall.

On the basis of the above it would appear that Rabbi Norman Kahan of Newburgh's Temple Beth Jacob is correct when he states the Newburgh relief crackdown is a "great deal to do about nothing."

But Rabbi Kahan, who is president of the city's ministerial association, does credit the Newburgh plan with an unpublicized product: Fear.

"People were afraid they would be socially and economically ostracized if they spoke out against the program," he said. "Initial reaction was definitely reminiscent of McCarthy days and, to some extent, it is still going on.

"For example, a teacher in one of our public school classrooms asked how many children belonged to Rabbi Kahan's congregation. After the children raised their hands, the teacher said: 'Your Rabbi is wrong. He is condoning the behavior of immoral women and, as a man of the cloth, he should favor morality.' "

Such statements stem from the widespread belief that relief grants are "bonuses for illegitimacy," that they encourage illicit sex behavior.

"It is not moral to finance bastardy," said Newburgh City Manager Mitchell in justifying his program.

But figures available at the Department of Health, Education, and Welfare show that it is not the relief rolls that are spawning this Nation's illegitimate children.

Eighty-seven percent of this country's illegitimate children are supported by parents, relatives, or by sources other than public relief. Only 13 percent are beneficiaries of the Federal-State relief grant programs in operation in the 50 States.

And if the relief program contributes in any way to the illegitimacy problem, it is through the inadequacies—and not the adequacies—of relief payments.

In Washington, for example, when relief grants fell 22 percent short of basic shelter and food needs, the "grocery bag baby" became a common phrase.

This phrase developed because mothers sometimes entered into illicit relationships in return for a bag of groceries. These mothers were motivated by the thought of food today, not payments for babies 9 months hence.

Even so, the majority of families on relief in Washington and the majority of families on relief in Newburgh—80 to 90 percent by City Manager Mitchell's own estimates—do not have illegitimate children.

It is politically unwise to suggest that the blind, disabled or aged be denied relief, because such people appeal to our basic desire to be humane. Similarly, it is unwise to suggest that relief be denied to hungry, innocent children.

But denial in the latter instance becomes palatable to the public when justified on the grounds that either the children's father is a "lazy bum" or that the mother is an "immoral woman." It is then that the desire to be humane is overshadowed by the American belief that anyone worth his salt should earn his keep.

This is the basic conflict in the administration of public welfare programs today—and it is this conflict that the Newburgh case has publicized.

But the motivations behind City Manager Mitchell's actions in the Newburgh case are more difficult to assess.

He has issued numerous conflicting statements. For example, he said that unless the welfare code was adopted, Newburgh's citizens faced a tax increase. But after the code was enacted, he still maintained that tax increases were necessary.

Similarly, Mitchell issued a statement reflecting a sizable drop in relief cases in June, but then the figures were retracted and only a nominal drop was shown.

To this reporter, Mitchell said that tax increases probably would not be needed because both the welfare code and publicity concerning it caused appreciable reductions in welfare cases. In 1960, he said, dependent children's cases rose from 90 in January to 116 in June, while in 1961 they decreased from 160 in January to 119 in June.

Mayor Ryan points out that welfare comparisons normally are made on a month-by-month basis. In the above instance, both the January and June figures for 1961 are higher than for previous years.

Initially, Mitchell also announced that his 13-point code represented only the beginning of measures to curb welfare costs. But a few days later, he said that Newburgh would proceed slowly under the code.

However, Mitchell has remained consistent in stating that he always has been a Republican and "a conservative in my thinking."

And caught up in the Newburgh controversy with Mitchell are the two men who may well be rivals for the 1964 Republican Party presidential nomination.

Senator GOLDWATER, unchallenged leader of the Republican Party's rightwing, first entered the Newburgh picture by writing a letter to Mitchell expressing admiration for him and his program. Subsequently, when Mitchell visited in Washington July 18, he had a much-publicized meeting with GOLDWATER.

This caused many newspapers to criticize GOLDWATER for interfering in a local situation involving New York Gov. Nelson A. Rockefeller, who is the unchallenged leader of the Republican Party's liberal wing. GOLDWATER, in a letter to Rockefeller, declared he had no intention of "taking political shots at you."

Mitchell, however, has continued to embarrass the Rockefeller administration.

What Mitchell, a native of Chevy Chase, Md., hopes to gain from his many statements—other than continuing national publicity—is anybody's guess.

But the furor he has caused not only will be felt in many communities for a long time but in the Nation's Capital as well. The basic issue in the Newburgh case is not whether it is a hoax but whether it is not time to reexamine this Nation's welfare policies.

Even the friends of public welfare programs observe that they perpetuate dependency, that measures enacted 30 years ago are no answer to conditions as they exist today. And neither are the hit-and-miss solutions being tried in some communities.

That is why the Kennedy administration is reviewing the Nation's relief program.

STATEMENT OF THE AMERICAN PUBLIC WELFARE ASSOCIATION BOARD RE THE NEWBURGH PUBLIC WELFARE PROPOSALS, AUGUST 11, 1961

Abrupt termination or refusal of assistance to persons who do not have any source of income, as proposed in Newburgh, N.Y., can only lead to severe health problems, crime, and other social evils which will greatly increase total costs to the community. Public efforts to deal humanely, practically, and economically with human need are being damaged beyond measure by a flood of misinformation and inaccurate comments on this situation.

The American Public Welfare Association has always sought and advocated improvements in the administration of public welfare programs. Sound improvements, however, cannot be accomplished by arbitrary and punitive regulations such as those proposed by the city of Newburgh.

Chiseling is not a major problem in public welfare. Approximately 90 percent of all public assistance cases in the United States involve the aged, the disabled, the blind, the sick, and children under 18 years of age and those who take care of them. Although there are some individuals on the public assistance rolls who are able bodied, most of these are poorly educated, poorly trained, and suffer from other handicaps.

To help these people become self-supporting and self-sufficient requires adequate staff which is able to give skilled services to enable these recipients to become employable, and services to help them find employment.

The board reaffirms several specific legislative objectives established as policy of the association, which apply to the Newburgh proposals. One is "the circumstances of a child's birth or the suitability of the family environment should not be factors in determining eligibility for assistance, but should be dealt with through appropriate social services and judicial processes." Denying the necessities of life to mothers who have a second illegitimate child, as proposed under the Newburgh plan, will compound the problem. As the association's objectives state: "Democracy has a special obligation to assure to all the Nation's children full and equitable opportunity for family life, healthy growth, and maximum utilization of their potentialities." In some instances foster care is necessary. Indiscriminate removal of illegitimate children from their mothers, however, and placement of them in an institution or a foster home may not be in the best interests of the child and would greatly increase the cost to the community for their care.

Work-for-relief opportunities at prevailing wages, and not competitive with private industry, should be available to able-bodied recipients for whom jobs cannot be found within a reasonable time. This does not mean the operation of public works programs by welfare departments, but rather the assignment of workers to projects not otherwise provided for by municipal or State funds. There will be no advantage to the community in curtailing employment for other residents by work-for-relief projects.

The fact that segments of today's economy in both industry and agriculture cannot function without a mobile population must be recognized. Since population movement is essential to the economy, assistance when necessary cannot logically be denied on the basis of residence requirements. The association's position in its legislative objectives is that public welfare services should be available to people "without regard to residence, settlement, citizenship requirements, or circumstances of birth."

POLITICAL SITUATION IN BRAZIL

Mr. JAVITS. Mr. President, I have in mind saying a word, if I may, and I especially wish to say it in the presence of the majority whip, the Senator from Minnesota [Mr. HUMPHREY], about the grave constitutional crisis which the people of Brazil face at this moment.

From the latest news, we think it is clear that there is considerable concern in the Congress of Brazil with respect to presidential succession. There is some danger with respect to what action may be taken internally by the military authorities of Brazil. The Vice President of Brazil is poised in Paris. He actually has not returned to Brazil. The acting President is the President of the Chamber of Deputies.

Mr. President, we have entertained Brazilian parliamentarians here in this Chamber. In fact, I have entertained them personally. They are men and women like ourselves, with a very real sense and awareness of the problems of parliaments and the processes of orderly government.

I am sure we know that Brazil, like its counterpart in Africa, Nigeria, represents not only the largest population in a country on its continent, as does Nigeria on its continent, but also they are the bastions of America fighting for freedom on both sides of the Atlantic. Brazil has about half the population of South America, and is, by all odds, the great hope so far as we are concerned. I think at the very least we should do two things. We would not dream of doing anything at such a delicate and tense time which would make complications for ourselves or our Government, but certainly a parliamentarian, or a group of parliamentarians like this, could express our sympathy, our understanding, our solidarity with the parilamentarians of another country that is having a serious crisis involving their authority and position as a parliamentarian body, representing a great people like the Brazilian people. And I wish to do that.

Second, I think it would be appropriate, too, turning ourselves toward the United States, to hope that either today, or tomorrow, or the next day, but not too long from today, something might come, through the majority leader or the majority whip, or the Secretary of State, or the President, which would indicate that the United States is abreast of this situation.

Here are two situations which have occurred in recent months, one in Cuba and now in Brazil, in which there could easily be a feeling that we were caught flatfooted, that we were unheeding, that we were not aware of the possibility that Janio Quadros could resign, just as we did not envision—at least there was a difference of opinion on the question—that Castro could turn Communist-oriented with the tremendous problems that are involved.

Before I made these remarks, which are essentially for the purpose of addressing a message of sympathy, a message of affection, a message of solidarity to our colleagues in the Brazilian Parliament, I got a copy of Senate Joint Resolution 77, which the majority leader has talked about many times. This resolution happens to be sponsored by the Senator from Minnesota [Mr. McCARTHY], but it has the same general idea of there being some oversight by the Congress of the basic intelligence activities of the United States so far as our external policy is concerned. It is this kind of incident, where we do not know whether or not our Government is abreast of the situation, and fully prepared, for whatever eventuality may take place, to take its proper part in helping a sister republic like Brazil in a very grave crisis. There should be a word of reassurance to the people of that country.

I hope I have made clear that I am not criticizing the President or this administration. Perhaps this is not the moment to do it. I would understand why this would not be the moment. But at least here in the Senate, where we have a tremendous opportunity to bespeak the voice of the people, I do bespeak two things: One, our sympathy, solidarity, and support for the parliamentarians who are in a very difficult situation in Brazil; and, second, the question, in our own country, Were we ready for this? Did we know what was occurring? Were we prepared? Did we have a position or are we developing one which will be constructive and appropriate to such a situation?

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HUMPHREY. Mr. President, I wish to associate myself wholeheartedly with the remarks of the Senator from New York in reference to expressing our sympathy for, as well as our good wishes for, the members of the Brazilian Congress as they search for an appropriate constitutional answer to the difficult situation which faces their great country upon the resignation of Mr. Quadros from the office of the Presidency.

This is a very serious situation for the people of Brazil, for the people of the Western Hemisphere, and for the programs and policies we have been looking forward to pursuing in what we call the alliance for progress. It is indeed a very serious situation for the whole free world.

I know, as the Senator from New York so well stated, that the heart of the American people goes out to the people of Brazil as they seek a responsible and effective way of coping with this constitutional crisis.

The nation of Brazil is of course fundamental and basic to any development in the Western Hemisphere. It is one of the great nations of the world, not merely of the Western Hemisphere. It is a nation of great promise.

I think the record ought to be quite clear that the relationships between the former President of Brazil, Mr. Quadros, and the President of the United States, or the relationships between the Quadros administration and our administration, were healthy, normal, constructive, and progressive. We had already negotiated with the Quadros government substantial loans for the purpose of refinancing current obligations of the Brazilian Government. We were in the process of negotiating additional loans to aid the economic program of President Quadros. We had already extended a substantial grant of food under Public Law 480. There were further negotiations relating to food and the availability of supplies.

Why Mr. Quadros resigned is yet unknown. I agree with the Senator from New York that these are things which ought to be looked into, since so much is at stake.

I am one of those who supported Senate Joint Resolution 77, submitted in this Congress by my esteemed and distinguished colleague [Mr. McCARTHY], and for a long period of time forwarded in the Congress by the majority leader [Mr. MANSFIELD]. I believe it is important that the Congress, or the representatives of the Congress of the United States, be informed on these intelligence problems.

Questions naturally come up. Did we know this might happen? Did we have any indication at all that there was the danger or the possibility of the President of the Republic of Brazil resigning?

I can say, from the limited information I have been able to obtain from the administration officials as a result of testimony this morning before the Committee on Foreign Relations, and as the result of other conversations with administration officials, I gather we had no knowledge whatsoever of this possibility. We had some information that possibly the Minister of Finance might resign. That rumor was so rampant it was necessary for the Minister of Finance of the Brazilian Government to make a public statement to the effect that he was not going to resign. He is one of the carryover Cabinet officers of the new Government.

The present Government of Brazil is under the Acting Presidency of the Speaker of the House of Representatives. What the future will offer can only be determined and should only be determined—I repeat, should only be determined—by the elected representatives of the Brazilian people. I think it is imperative that we be exceedingly careful to not in any way lend any credence to any false charge, or to any charge, that we have interfered in any way, in any manner, or in any form.

I invite to the attention of the Senate and to the attention of my friend from New York the fact that, 72 hours after the resignation of Mr. Quadros, Fidel Castro accused the United States of having conspired to bring about the resignation.

Mr. President, if the Senator from Minnesota had had his way on this, he would have suggested early, upon the resignation of Mr. Quadros, that we might well focus the spotlight of public attention on Cuba and on Mr. Castro, who has said repeatedly that Castro's revolution is for export, and who has made it quite clear that one of the countries to which he hoped to export his revolution and his kind of totalitarianism is Brazil. It was in Brazil that a Cuban diplomat was asked to leave the country.

It is interesting to note that Fidel Castro's propaganda machine points the finger at the United States, even though our relationships with the Brazilian Government were good and healthy and normal. Fidel Castro, after having pointed the finger at the United States, constantly reminds the world that his

revolution is for export and that he intends to export it to Latin American countries.

We in the United States will preserve and maintain a position of "hands off." This is something to be handled by Brazilians, by the elected representatives of Brazil. They will decide it in their own way under their constitution, and will determine how their Government will be established, sustained, and maintained.

The spirit of the good neighbor, the spirit of the alliance for progress, will motivate every action on the part of this Government.

I am happy the Senator from New York has opened up this subject for discussion, because I think our silence on these problems at times may be interpreted by the enemies of this country as a kind of interference or at least a kind of support for certain activities, when such is not the case.

Our position today is the position of a friend, of a neighbor, who is a good neighbor of an ally who seeks in every country in the world and particularly in Brazil a duly constituted, elected, constitutional government. Let us hope that will be the end result of the deliberations of the Brazilian Congress.

Mr. JAVITS. Mr. President, I am very grateful to my colleague for his statement. I consider it admirably constructive. I know the Senator well enough to know, when I started this discussion—and expected he would join in it—that would be precisely his attitude. I noted the Senator from Minnesota made a comment, which appeared on the ticker, that we were watching the situation. Hence I knew the Senator would be interested in some response to my view.

I wish now to join with the Senator from the other side of the aisle in expressing the expectation, the hope, and the fervent desire that whatever is done in Brazil may be done to sustain constitutional, legal, and parliamentary processes freely expressing the will of the Brazilian people as their will is manifested in our modern society—in the best way, through their own electoral processes which have produced their representatives in their congress.

I hope very much that these words of support, which we ought to hear for the constitutional and parliamentary process, may give heart to those who may feel themselves beleaguered at this particular moment.

As the Senator from Minnesota so properly says, more than that we cannot say, more than that we cannot do; this is Brazil's problem. Certainly we can express ourselves as devoted friends of constitutional and parliamentary government where it exists in so active and vital a form as it does in our sister country of Brazil.

I thank my colleague for his remarks.

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1962

The Senate resumed the consideration of the bill (H.R. 7371) making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1962, and for other purposes.

Mr. LONG of Louisiana. Mr. President, the activities of the U.S. Commission on Civil Rights, since it came into being, do not justify its continuance as an agency of our Government.

The Civil Rights Commission was originally intended to be a temporary body. It was established in 1957, and was slated to go out of existence 60 days after the filing of its report. However, the 86th Congress, in 1959, attached a rider to a mutual security appropriations bill. This passed in the last 24 hours of the first session of that Congress, and had the effect of granting the Commission an extension. The contemplation at that time was that the work of the Commission would be completed by November 8, 1961.

And now, Mr. President, we are faced with the question of another extension. I am opposed to this.

This agency has done a great deal of harm in the South, and can do irreparable harm. The majority of the people in the South, including the State from which I hail, are strongly for the principle of segregation. Nevertheless they believe that all citizens of voting age should have the right to vote, and should exercise it. Twenty years ago, there were very few registered Negro voters in Louisiana. This fact is explained, somewhat, by a glance at the history of the South following the Civil War. As a result of the Reconstruction period, when former Confederates and Confederate sympathizers were denied the right to vote, and when the electorate was composed of newly freed slaves and carpetbaggers—the newly freed slaves being exploited by the carpetbaggers—southern people became very apprehensive with regard to the franchise. The fantastic corruption and misgovernment that resulted during that era confirmed their fear. The Southern States, as a result, used various devices to assure that the excesses of the Reconstruction period would not reappear.

This history of the South following the War Between the States demonstrates why comparisons between the number of registered Negro voters in the South and in the North are not meaningful. Conditions in the two regions of our country have not been, and are not yet, comparable.

But a glance at the progress which is being made in the South is meaningful. Twenty years ago, there were very few—virtually no—registered Negro voters in the State of Louisiana. By 1948, 3 percent of the registered voters in that State were Negroes. By 1952, this figure had increased to 10 percent of the electorate, and in 1959, almost 15 percent of the registered voters of Louisiana were Negroes. Negroes constitute approximately 30 percent of the population of Louisiana. Thus, it can be seen that rapid progress is being made in insuring that all Louisiana citizens of voting age who are otherwise qualified will be entitled to vote.

Furthermore, we in Louisiana are very proud of the tremendous strides that our Negro citizens have made over the years in other areas. Progress has been made in bringing equal and improved educational opportunities to the colored children of that State. This kind of rapid progress, desired and fostered by the progressive, sensible, and intelligent citizens of Louisiana, is only another example of the tremendous progress which is being made in the South toward resolution of the difficult problems of racial relations which followed out of the Civil War.

It is in the face of this kind of progress, Mr. President, that the activities of bodies like the Commission on Civil Rights can have such harmful and even devastating effect. The white people of the South are willing and anxious to bear the heavy end of the burden of educating, housing, and providing for the welfare of the colored population. But agencies like the Civil Rights Commission will inevitably produce enough resentment in the hearts of the people of the South that it will be very difficult to persuade them to continue to bear these expenses.

We had the Civil Rights Commission come to Louisiana and, in 1959, render a report, with a chapter entitled "Louisiana Roadblock," as though someone were trying to prevent the achievement of rights of Negro voters. In that instance, the Commission ran afoul of the election laws of the State of Louisiana. The Commission issued subpenas to all the registrars of voters within 250 miles of the city of Shreveport, ordering them to bring their books to that city so the Commission could look them over and decide what questions they wanted to ask.

The difficulty was that the laws of the State would not permit a registrar to take his books away from his office, unless he had a court order to do so, under penalty of fine of $500 and jail up to 6 months. The Commission, of course, had no power to issue any such subpena. It was not a court. Congress had given it no such power. All the Commission would have needed to do was to ask the local Federal court for the necessary court order, to compel that the registration books be brought in, yet, Mr. President, it failed to do so.

I might point out the reason for the law which prohibits a registrar from removing the registration books from his office without a court order. We know that in some earlier periods a registrar who belonged to one political faction might keep the books in his home or in the trunk of his automobile, so that a person who wanted to register might be denied that opportunity, with the registrar sometimes saying, "I'm sorry, but I did not bring the books with me. Come back tomorrow."

We even had one situation in a parish in Louisiana where one poor fellow—and this has nothing to do with the racial issue; this was a white man who sought the right to register—had to pursue the registrar for a year. The registrar kept the books in the trunk of his car. It was a year before the person caught up with the registrar, because he always managed to be somewhere

else. Therefore, the law was changed to make it a requirement that the registrar had to keep the registration books in his office.

Instead of criticizing the refusal of the registrars, the Commission should point out that the registrars could not comply with their order, without being in violation of a court order.

This activity on the part of former politically motivated registrars, is just the type of thing which the Commission should have been criticizing. Instead, it was the other way around.

Another flagrantly biased thing about the Commission's 1959 report in Louisiana was the statement made in that report that there were actually fewer colored people registered in 1959 than in 1956. This statement was made, Mr. President, without making it clear that every 4 years a person's registration expires, with the result that he must reregister. This means that a highwater mark occurs in vote registration every 4th year. The Commission in its report also made much of the fact that a State senator had said his group was going to challenge the qualifications of a great number of Negro voters, with the objective of reducing the number of Negro voters from 130,000 to 13,000. Actually, instead, the number of registered Negroes increased by some 27,000 between the time the Commission made its report and the time the subsequent civil rights bill was debated on the floor of the Senate. Thus, at the time, there was before the Senate the report, to which Senators made reference in their speeches, indicating that there was going to be in Louisiana an enormous drive to take colored people off the rolls and that 90 percent of them would be off by the end of the year. Instead, just the opposite happened. There was no such drive and where such efforts were made, they fell on deaf ears for the most part. Instead of the number of colored registrants being reduced, the State had a great increase of colored registrants during the same year when the so-called purge was supposed to be taking place.

Mr. President, the Commission's 1959 report contained some of the most ridiculous and unsound recommendations that ever have been made by an official Government agency.

It was obvious that the recommendations were not the result of factual analysis, but simply a rehash of preconceived ideas in race relations. The Commission evidenced by this report that it did not understand that it is not possible to force one person to like another or to compel one man to respect another. Affection and respect result from a person's actions, not from laws. If a man is prejudiced against another, tolerance, understanding, and sympathy are best achieved by means of education and persuasion—not by efforts to legislate tolerance and good will. In other words, every citizen has a right to dislike another, if he wants to, so long as it is done in a peaceful manner.

At one time, Mr. President, some people from the South were not without the faint hope that the Civil Rights Commission might come up with some moderate, fundamental thinking to contribute to better race relations. A white man does not desire to deny a colored man good housing or a good education. The great majority of white persons in the South would certainly like to bring about these objectives for the Negro. The Negro—certainly a majority of Negroes, freedom riders to the contrary notwithstanding—prefer to be among their own kind, just as the whites feel more comfortable among members of their own race. Neither has any basic desire to deny the other person that privilege. The reconciliation of these predilections with the exigencies of a fluid society presents deep-seated problems, Mr. President, problems which go to the very nature of mankind.

The tack which the Commission indicated in its 1959 report that it would take in solving these delicate problems might be compared to the attempt to remove a brain tumor with an ax and a crosscut saw. A glance at some of the recommendations made in that report will demonstrate the applicability of this comparison.

One recommendation was that all Federal aid for schools, both public and private, be cut off unless racial integration were achieved in those schools. A measure similar in effect, I am told, is again being considered. Mr. President, such a suggestion is in itself enough to show that the Commission's program has no good features, offers nothing constructive, and would do a great amount of harm. Such a recommendation was no more than the suggestion of irresponsible extremists. It failed to consider or to point out what the results of such a course of action would have been.

Surely even the most wild-eyed integrationist must realize that the States of the Deep South would gladly forgo any Federal aid for anything before they would accept racial integration. In fact, the probabilities are that a great majority of the people of the South would prefer to let their children grow up in ignorance rather than accept compulsory racial integration. The proposal in this respect would have helped no one, and injured everybody.

In the field of housing, the Commission recommended that there should be no Federal housing program unless steps were taken to insure racial integration in the field of housing every step of the way. Mr. President, I have always been a supporter of housing bills in this body. But certainly, if such a recommendation as this were put into practical effect, the determined opposition of the South, together with the votes of those who oppose various Federal housing programs, would spell the defeat of Federal aid to housing.

Mr. President, these recommendations simply do not achieve the degree of depth or originality needed to make any progress in the field of better human relations. In this connection, it is pertinent to note here the words of Commissioner Battle, of Virginia, who was the only Commissioner who had the confidence of the Southern people, in his dissent to the 1959 report:

> I must strongly disagree with the nature and tenor of the report. In my judgment, it is not an impartial, factual statement, such as I believe to have been the intent of Congress, but rather, in large part, an argument in advocacy of preconceived ideas in the field of race relations.

I am dwelling at some length upon this 1959 report, Mr. President, because I believe the recommendations contained therein, together with the conduct of the Commission in carrying on its investigations pursuant to making up the report, are indicative of the track which this body has taken and will continue to take.

The Commission was originally envisaged as a bipartisan factfinding commission. The contemplation was that all regions of the country, and that all reasonable points of view on the racial question, would have representation. Governor Battle's words clearly indicate that this was not true of the Commission in 1959. A glance at the present roster of the Commission would indicate that it is not true today:

Chairman, Dr. John A. Hannah, Michigan State University; Dean Robert G. Storey, Southwestern Legal Foundation, Dallas; Rev. Theodore M. Hesburgh, Notre Dame University; Robert S. Rankin, Duke University, Durham, N.C.; Dean Edwin N. Griswold, Harvard University; Dean Spottswood W. Robinson III, Howard University.

With all due regard for the integrity and honesty of these men, they are wedded to ideals and opinions which are alien to the vast majority of people in the South. The continued imposition upon the people of the South of such alien tastes and opinions can only push the situation closer to disaster.

The point is that the activities of the Civil Rights Commission and other divisive forces will, if allowed to continue, inevitably nullify the orderly progress that has been made in the South in the field of better racial relations and conditions, in the same manner that reconstruction nullified the progress made between the end of the Civil War and the advent of the Reconstruction period. Periodically the South is confronted with action which seems to have as its purpose making a whipping boy out of one section of the country. It is difficult to see how anyone could feel that the activities of the Commission on Civil Rights could help anyone in the South, be he colored or white. The aim of all the action and recommendations which have been taken by the Civil Rights Commission seems to be the advancement of the process of forcible integration of the races, notwithstanding the great and vehement resistance and the overwhelming protest of the people of the South.

Mr. President, the vast majority of white people in the South are sincerely desirous of helping the Negro to improve his housing, his education, his welfare. These people are willing and eager to bear the heavy end of this burden. But agencies such as the Commission on Civil

Rights, if permitted to continue, will inevitably produce enough resentment in the hearts of the people of the South that it will be very difficult to persuade them to continue to bear these expenses.

The people of the South are patriotic Americans. They want to obey the laws and support the Nation, but they demand that their right of self-government be respected. The continuation of such bodies as the Commission on Civil Rights will only create further ill will and hatred among the people of this Nation, and drive a wedge of distrust, suspicion, and ill feeling between the white and colored races of the Southland.

Let us not deceive ourselves. We cannot change attitudes by law. If the civil-rights advocates do not like the attitudes of the Southern people, they should attempt to change these attitudes by persuasion and education. An attempt to impose laws which are foreign and alien to our concepts of right will only give ammunition and impetus to extremists within our midsts. The responsible, white southern majority has made great progress in this field. The question is simply, Do we want to nullify this progress?

In summary, it is very clear that the so-called Commission on Civil Rights—certainly so far as concerns the people of the South, where the program is supposed to operate and be effective—has lost any claim to impartiality or fairness, or to being anything other than a politically motivated group which seeks to impose unacceptable answers contrary to the spirit and the prevailing view of the people of the South, the people who are victimized by this group. There is little to be gained—in fact, there is nothing to be gained—by a continuation of the Commission. It is very clear now that it would be much better, if a political objective is to be sought, for the Attorney General of the United States to proceed as he believes his duty requires, and as he perhaps thinks good politics would indicate, with the exercise of the powers—and they are vast powers—available to him under civil rights legislation, and under various other laws which convey power to him. Such laws enable him, on behalf of anyone or any group whose rights he feels have been denied, to proceed to take such action as he deems necessary and advisable.

The idea of saying that the Commission does not share the same objective as the Attorney General, that it is impartial, or that the point of view of moderate southerners is fully recognized and considered by the Commission, is completely ridiculous. No one in the South would for a moment entertain the belief that there might be something to it.

Therefore I say that insofar as the Commission had some prospect or possibility of coming forth with desirable and moderate answers, and a reasonable approach that might have had some possibility of prevailing, the Commission has utterly failed. It has not produced a single suggestion that people of good will in the South could agree upon. There are groups of people in the South, not only white and colored, but people of all races, who have worked for many years toward the same objectives toward which the Commission claims to be directing its activities. I know no one who feels that the Commission has any useful purpose to serve. I make that statement believing that the moderates, radicals, and conservatives in the South feel that the Commission is doing them no service, but that it is merely stirring up antagonism, ill will, and resentment, and, since it has nothing more to contribute, it should be permitted to go out of existence, as was contemplated at the time the Commission was originally authorized.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. STENNIS. The Senator from Louisiana has made the very practical observation and suggestion that instead of continuing the Commission and its work, with its so-called impartiality and conflict, we should call upon the Attorney General of the United States to exercise the power that he sees fit to use. As the Senator has said, he can exercise the power that he might consider politically wise to use. That course is open under our system of law.

I think the Senator has offered a strong and practical solution.

I remember that in his original argument when the Commission was authorized, the Senator from Louisiana pointed out the probable results of its establishment, and his statement is exactly the pattern that we find developing now in the light of the 4 years of its life.

Mr. LONG of Louisiana. As the Senator well knows, when we look back to statements that were made at the time the law went into effect and what was said at that time, what was predicted has proved to be what has happened.

Mr. STENNIS. The Senator from Louisiana made that argument at the time the original bill was considered.

Mr. LONG of Louisiana. About all the measure has done has been to unify and serve as a rallying point for those who are opposed to progress for the colored man. About all the Commission has done has been to go into the South and stir up the people, to create hatred and anger. I pointed out the probable result. If the Commission had not enjoyed the authorization of Federal law, with the military and marshals to support it, the chances are that the Commission would have been invited to leave these States, as being unwanted.

The Commission lost all confidence of well-meaning people. I say to the Senator that no man can serve on that Commission and have any hope of running successfully for public office in the South. The people of the South have no confidence whatever in that group as a so-called impartial group of moderate people who theoretically are trying to find answers to a very difficult and admittedly complex problem.

Mr. STENNIS. Mr. President, will the Senator yield further?

Mr. LONG of Louisiana. I yield.

Mr. STENNIS. I have just one more observation to make, along a somewhat similar line. The Senator used the expression "rallying point" a moment ago. I concur in that statement. What I say is not so much a reflection on the individuals who serve on the Commission. The Commission is used as a rallying point to stir up people and to encourage people along certain lines. One result is shown in the so-called freedom-rider situation. That is one of the best illustrations the Senator from Mississippi can cite. This is a situation of people actually assembling and announcing in advance that they intend to enter a State to violate the law, first having their pictures taken and published in the newspapers, and giving advance notice, and being heralded as they went along. It is a matter like this which has encouraged the activities of these people.

Mr. LONG of Louisiana. The Senator is absolutely right. I had not intended to put in the RECORD what I am about to say, because I do not care to embarrass anyone. However, the inadvisability of continuing the Civil Rights Commission can be illustrated by what I am about to relate at this point.

Prior to a recent gubernatorial election in Louisiana, the Commission had scheduled hearings in the State. A number of the more moderate people, who can be said to have moderate views on racial issues—many of whom had actually set up foundations to try to help colored education, and had been doing it with their own money—saw very clearly that if the Civil Rights Commission came into the State on the eve of that gubernatorial election, it would accomplish only one thing, namely, to increase the probability of the candidate who took the position of being most extreme against the colored man being elected.

Certain responsible staff people connected with the Commission itself used their best efforts to see to it that the Commission would not come into the State, well recognizing that to come into the State at that time would help contribute to the election of the candidate who happened to be most extreme and violent against any sort of integration of the races or anything that would benefit the colored minority. This is what certain responsible persons on the Commission's staff were doing. They were doing all they could to keep the Commission out of Louisiana.

The Commission did stay out of the State, but it decided to send into the State questionnaires for the local people to answer. The people were confused by these questionnaires, and many of them thought it would be best not to answer them. The Commission then decided they would have to go into the State. When they went there, what happened was that they rallied the whole northern half of Louisiana behind the local officials, the people there believing that the officials were being badgered and persecuted and denied their civil rights.

I might say that Justice Douglas' dissent in the Louisiana case of Hannah against Larche, points out very clearly that what was involved in Louisiana was

that the Commission denied responsible, elected officials various civil rights under the pretext of guaranteeing civil rights to others.

The registrars were denied the right to confront their accusers and were denied the right to confront the people who were testifying against them, with the Commission issuing reports which showed them as being Simon Legrees and unfair people, when the evidence did not support such an accusation. These responsible elected officials were given no right to confront or to cross-examine their accusers, or to offer testimony in their own defense. In effect, almost every civil right that a person has, particularly a person accused of crime, was denied these people. That is just about what Justice Douglas spelled out in his dissent when the case reached the Supreme Court. I regret to say that the Chief Justice and a majority of the Court undertook to distinguish this case from many other cases which had upheld the rights of people accused of disloyalty to the United States or similar charges to have the same protections which were denied these responsible elected officials.

Mr. STENNIS. The Senator from Louisiana has given a very practical illustration of how this drives candidates to extreme positions and does all harm and no good, and disrupts relations that are good—not perfect—and disrupts conditions that are good—not perfect, because none is perfect. It illustrates very clearly what the so-called innocent Commission or an innocent law of this kind can do. I am glad he brought out this point.

Mr. LONG of Louisiana. I thank the Senator.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, the pending motion to suspend the rule for the purpose of engrafting legislation on an appropriation bill has serious implications for the Senate, the Senate rules, and the customs of the Senate regarding sound legislation on any subject. It is more important and far-reaching than the proposal which will come before the Senate, if the rule is suspended, with respect to the so-called Civil Rights Commission.

Together with other Senators, I believe that the Senate is a great institution; that its rules are highly important and necessary; and that not only the letter but also the spirit of the rules should be rigidly followed.

The suspension of the rule for the purpose of attaching legislation to an appropriation bill requires a two-thirds vote. Simply that fact—the necessity for a two-thirds vote—shows the seriousness of the proposal. It should be most sparingly used. As a matter of fact, let us ever keep before our minds that such practices are to be followed only in cases of emergency, afterthought or oversight, or newly arisen facts or related matters. Under the most vivid imagination and stretching of the facts, the extension of the Civil Rights Commission could not be classified as that type of legislation.

Bills for this purpose have been pending before the other body. The subject has been discussed before Senate committees. I am not certain that such a bill is now pending before a Senate committee. If such a bill is pending, evidently, it is not considered urgent or demanding. No recent hearings on the subject have been held by the Senate itself to review the activities of the Commission in the past.

It has been well known exactly when this legislation would expire. The act which gave the Commission life also specified when the Commission would terminate. So there is no surprise, no kind of emergency, no element of oversight, or anything of that kind.

The appropriation bill which provides the money to run the Commission for the rest of its legal life is before the Senate, and that is the only relation, the only connection, or the only continuity of any kind with the subject matter. The bill provides funds for hundreds of other items concerning which no legislation is offered. So it is necessary to look elsewhere for the real reason why the proposal to extend the Civil Rights Commission is before us in connection with this bill.

Mr. President, we know that this is a political question. We know that such measures are sponsored by both parties. They have not even dignified this subject with a Senate hearing for review. The activities of the Commission in the past are a reason for such a review. But the leadership proposes at a time which we hoped would be near the end of the session to seek to attach the amendment to an appropriation bill. Regardless of the subject matter, we should be slow to set aside the regular, the ordinary, and the tested rules of procedure—rules which time has shown are necessary for sound legislation—simply to attach another political football.

Last week when a similar motion was made, it opened up a Pandora's box. The old civil rights bills contained many proposals which were identical, word for word, and were debated thoroughly 2, 4, or 6 years ago, and even before.

Mr. President, the bill provides a total sum of $746,374,990 to operate the Departments of State and Justice, the Judiciary, and related agencies of the Federal Government for the fiscal year 1962. The bill on its merits has been fully explained. Parts of it in issue have been debated. Apparently all those provisions of the bill are satisfactory to the Senate.

The bill provides the necessary funds to maintain the State Department, including the diplomatic service and our embassies throughout the world, to provide for international conferences, international educational exchange activities, and other important work in our relations with countries all over the world. In addition, it provides the money to operate the Department of Justice, with all its divisions, the Federal Bureau of Investigation and its important work in solving crime, apprehending criminals, cooperating with State law enforcement officials, and investigating the activities of Communists. In addition, the bill includes the funds for the operation of the judicial system, including the Supreme Court, for the coming year, and for the support and maintenance of the activities of the U.S. Information Agency.

Mr. ELLENDER. Mr. President, will the Senator from Mississippi yield?

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). Does the Senator from Mississippi yield to the Senator from Louisiana?

Mr. STENNIS. I am glad to yield to the Senator from Louisiana, who is a member of the subcommittee, and put in many, many, many hours at the hearings and in hard work both days and evenings in writing in the provisions of the bill.

Mr. ELLENDER. I simply wish to remind my good friend, the Senator from Mississippi, that this bill also includes an appropriaiton item of $708,000 to take care of 70 employees of the Civil Rights Commission, including lawyers who are prosecutors of violators of the civil rights of individuals in our country. That item is also included in the bill.

Mr. STENNIS. Yes; it is.

Mr. ELLENDER. It is in addition to the $302,000 the Senator from Mississippi has already mentioned, which is included for the purpose of enabling the Commission to complete its work up to November 8, when it expires.

Mr. STENNIS. That is a good point. I am glad the Senator from Louisiana brought it up—70 positions, including lawyers, and their salaries, expenses, and costs of operation. The bill includes those funds, to enable all those employees to prosecute, in the name of the Federal Goverment, cases involving the civil rights of all people. I thank the Senator from Louisiana for pointing that out.

Last of all, Mr. President, the bill includes the funds for the operation of the Commission on Civil Rights until November 9, 1961, the date on which it ceases to exist under present law.

Mr. President, I repeat that the way to extend that law is to pass a bill here on the floor, in the regular way, providing for continuing the life of the Commission, if that is the will of the Senate. But that method is not adopted in this case. In this instance, an attempt is made to attach such a provision as a rider to the appropriation bill.

The Senator from Arkansas [Mr. MCCLELLAN] is chairman of the subcommittee on the Senate Appropriations Committee which conducted hearings and reported this bill to the full committee for its consideration and action. I want to commend the Senator from Arkansas for his exhaustive study of these agencies and the excellent hearings over which he presided. The hearings were very thorough indeed, and the Senator from Arkansas deserves the

commendation of the Senate for his full and fair handling of this appropriation bill.

As I have said, this appropriation bill includes an appropriation of funds for the Civil Rights Commission, and that item was not contested, even though we did not approve and do not approve its activities and work, and although we did not think and do not think it has carried out the spirit of the law. But regardless of that, we did not contest this appropriation item included in the appropriation bill, and we were willing to permit the Commission to continue to operate full tilt during its life.

Mr. President, it was my honor also to serve as a member of the subcommittee which conducted the hearings on this appropriation bill, H.R. 7371. I attended all of the hearings that I possibly could. I am very glad indeed to state that the bill reported by the subcommittee received unanimous approval both by the subcommittee and by the full committee; and I am very glad also to see the bill receive such approval at the hands of the Senate. The subcommittee conducted 15 days of hearings, during which time it heard the testimony and the evidence presented by officials of the various agencies for which appropriations are sought. That testimony covers more than 1,200 printed pages, as taken by the committee official reporters, from the various witnesses who appeared and testified. After the testimony was concluded, the subcommittee considered the testimony for several days prior to marking up the bill; and I believe it fair to say that the most thorough consideration was given to the bill, both by the subcommittee and by the full committee.

I think that the appropriation bill should be approved in the form presented to the Senate, with the amendments recommended by the Senate Appropriations Committee.

I think it is fair to say that most thorough consideration was given to the bill, both in the subcommittee and in the full committee.

But we now find, Mr. President, that it is sought to suspend the rule and to attach to this appropriation bill a legislative rider extending the life of the Civil Rights Commission for another 2 years.

I am opposed to the extension of the life of the Civil Rights Commission for 2 years or for any other time. I am opposed to it whether the legislation is offered as an amendment to this bill, or whether it is offered as a separate bill. I think the Commission is unnecessary, unwise, and has contributed nothing to the solution of the problems it was created to study. On the other hand, I think the Commission has created many additional problems, as was brought out by the Senator from Louisiana.

I want to make it unmistakably clear that I am totally opposed to this legislation not only because it is sought to use an appropriation bill as the legislative vehicle for extending the life of the Commission, but I oppose the proposal on its merits, regardless of the method adopted in seeking its passage.

At all events, Mr. President, it is extremely unwise and a bad precedent indeed for the Senate to adopt the practice of enacting substantive legislation as an amendment to a pending appropriation bill.

This procedure is in direct conflict with the rules of the Senate, as set forth in rule 16. I realize, Mr. President, that this procedure has been adopted before. But the time-honored rules of the Senate were not adopted to be so lightly ignored. This procedure should not be adopted by a two-thirds vote, or indeed even if only a majority vote were required.

Mr. President, there are excellent reasons for the rules of the Senate, and especially rule 16. As I mentioned a moment ago, the Subcommittee on State and Justice, Judiciary, and Related Agencies conducted hearings over a period of 15 days covering more than 1,200 pages of testimony. It heard many witnesses regarding the needs of the State Department, Justice Department, and the Federal courts. It obtained all the facts available regarding the money needs of these agencies, even including the money required by the Civil Rights Commission to operate until November of this year. The record of the hearing testimony includes specific proof regarding our worldwide information agency, now under the direction of its new Director, Mr. Edward R. Murrow. On all these important matters, many of which are controversial and involved, the Appropriations Committee, first the subcommittee and then the full committee, representing both parties, considered the bill, and finally reported it to the Senate by unanimous vote.

But, Mr. President, during all those days of deliberation and consideration and painstaking study, I think the subcommittee did not hear one witness or one word of testimony to support continuation of the life of the Civil Rights Commission beyond November. On that point the record is silent.

While the subcommittee attempted to get all the facts, and, I think, did an excellent job with reference to the subjects before it, it made no effort to develop a record regarding proposals to extend the life of the Civil Rights Commission. Mr. President, the Appropriations Committee has no jurisdiction over such a subject matter; and no testimony regarding it was taken by the subcommittee, and no recommendations regarding it are now before the Senate, nor does the Senate now have before it any analysis of the operation of the Commission, any analysis of the operation of that law, or any analysis of the law itself.

The subject matter of this proposal, Mr. President, is under the jurisdiction of the Senate Judiciary Committee. That committee has before it now several bills, introduced by different Senators, proposing the extension of the Civil Rights Commission; and we find that similar bills have also been introduced in the House of Representatives.

Under our committee system, each committee has certain jurisdiction, definitely prescribed, and in that field the committee considers legislative proposals, hears witnesses and testimony, and carefully considers the evidence before it and makes an appropriate recommendation to the Senate.

For the Senate now to act in the manner proposed and to approve a legislative rider to an appropriation bill would be a definite and unjustified encroachment on the jurisdiction of the Senate Judiciary Committee. This is a situation which all committees should deplore, and I urge in the strongest possible way that the Senate defeat this move and preserve the orderly procedures prescribed by the Senate rules.

I strongly feel too, Mr. President, that Senators who are members of the subcommittee which recommended this appropriation and, indeed, Senators who are members of the full Appropriations Committee will resent the action of the Senate in overriding to this extent the work and recommendations of the committee. There are 27 members of the Senate Appropriations Committee. All of them, I think, have a right to resent the use of this procedure to undermine to a serious degree the work of the committee.

I think the Senate as a whole should protest this procedure by defeating this move to suspend the rule, for the purpose of attaching this legislative rider to this bill.

It is true, Mr. President, that 2 years ago the same procedure was adopted in extending the life of the Civil Rights Commission. In that year the mutual security appropriation bill was selected as the vehicle for this purpose. I opposed that move as bad policy and bad precedent, and I am deeply disappointed that the Senate at that time did not slam the door on such efforts and forever put to rest this violation of the Senate rules and procedures. These rules have been tried, tested, and proved time and time again to be the best congressional procedure. I feel, along with many other Senators, that a gradual erosion process is now in progress, seeking to destroy the Senate as an institution. Adoption of the procedure sought here today would be a further step in that direction.

Mr. President, other attempts of this sort have been made at this session. A motion was made to suspend the rule in order to submit an amendment calling for renewal of the so-called impacted areas school program, so as to make appropriations for that purpose.

That has been voted on twice, as I recall—perhaps more by this time—and the proponents were unable to get enough votes to suspend the rules, even for as important a matter as schools and for a direct obligation, where it has been a policy, for more than 20 years without interruption, for the Federal Government to make some contribution to the local schools in impacted areas.

I am not passing on the right of any Senator to vote as he did on that subject, but I point out that it is rare for the Senate to vote to suspend its rules to put legislation on an appropriation bill, and correctly so. The perfect illustration is not some years ago, but some

days ago—twice, at least, within the last 2 or 3 weeks. The Senate has declined to suspend its rules for a laudable and outstanding program, and that matter is still unsettled and unresolved.

If the session goes on to the point where it would create a real emergency, it could bring a subject matter like that, as well as any other subject, into a different category. But it is only after a matter becomes a real emergency, or there is an unusual situation, that such a procedure should be considered, in my humble opinion.

While the Judiciary Committee has not yet reported a bill extending the life of the Civil Rights Commission, I am advised that the House of Representatives, within the past week, has reported a bill, H.R. 6496, which proposes to make the Commission on Civil Rights a permanent agency of the executive branch of the Government.

I mention this again as a concrete example to show that, after all, there is no real emergency before the Senate regarding the enactment of such legislation.

I can see no objection to proponents of the bill waiting until the House of Representatives has had an opportunity to act upon such legislation, and, if it saw fit to adopt it, then to let it come before the Senate in an orderly manner.

We know, as a practical matter, that if the rule should be suspended for the purpose of offering this amendment—and I certainly hope the rule will not be suspended—the legislation will receive scant consideration on this floor, and, if added to the bill, it will go to the House. They already enacted the bill itself, and it will receive scant consideration there.

Mr. President, before any legislative body should be called upon to consider far-reaching, substantive legislation, it is entitled to have the benefit of committee hearings and reports, so a wise decision can be made on the merits of the proposal. Each Senator must make his own independent study and form his own judgment; and, in order to make such a correct decision, he needs to have available the testimony of the witnesses and the recommendations of the committee having jurisdiction over the subject matter.

This orderly legislative process is entirely absent in this case, and I strongly feel the Senate should not consider an important bill when the committee reports and hearings are not available. In fact, there are no committee reports, hearings, or testimony, with which to make the usual careful review and survey of how the money has been spent, how much has been accomplished, and whether or not it is wise to have a continuation of the program by reenactment of another law.

It is pertinent to observe here that I feel a measure having to do with civil rights, which is so charged with political energies, and overtures, is the only subject matter that could be pitched in here on the floor of the Senate and allowed to bounce around and be put on a major appropriation bill, without any hearings, without any report, without any analysis, without any accounting whatsoever by the Commission. Every other agency has to come before Congress. The State Department has to. The Secretary of State had to come in person. I heard him testify. He had to explain every single major item, and most of the small items. Mr. Murrow had to come before Congress. The committee put a microscope, more or less, on every item in the bill that went into the program. Even the Supreme Court had to send over here its representatives, to explain the appropriations, which are not large, for running the Supreme Court and the other Federal courts in the entire country. There are many phases of our ambassadorial and ministerial relations all around the world, the accounting of costs of our embassies and chanceries, those in the Foreign Service, and related matters, which had to be gone over line by line, item by item, and almost dollar by dollar. The witnesses had to explain in every detail, and particularly what they did with the money last year, and why there was any change in it for this year.

With the world on fire, the Berlin crisis, trouble in Cuba, South America, and almost everywhere else, nevertheless we had time and were careful enough to use this examining process and subject it to a fine tooth comb. The Attorney General had to appear before us.

But as to the Civil Rights Commission, we are going to take it lock, stock, and barrel, and not only give it money, but add new life, new authorization, and extend its tenure as a legal body. No accounting. No responsibility. I tell you, Mr. President, it does not make any sense. It could not and it would not happen with reference to any other subject matter—if it does happen as to this measure, and I hope it will not.

Mr. President, the Civil Rights Commission was created in 1957. It was a so-called independent, bipartisan agency in the executive branch of the Government. In 1959 there was a plea that it would need time to get its work done. It had not had time. It had not had a chance to really survey the situation. So the Congress enacted legislation extending the life of the Commission for an additional 2 years.

Under the legislation now in effect, the Civil Rights Commission is required to submit the final report of its activities to the President and Congress by September 9, 1961, 60 days after submission of the report, the Commission ceases to exist, in the absence of legislation extending its life.

So here we are, without hearings, reports, or an analysis, even before the 60 days within which it must make its final report. It is not a hearing before the committee, but a formal report. We are waiving that requirement just a few days before September 9, and we are going to renew the Commission.

The bill now before the Senate is an appropriation bill, providing funds with which to operate the State, Justice, judiciary, and related agencies of the Government for the current fiscal year. It includes the sum of $302,000 to cover the expenses of the Commission on Civil Rights until November 9, 1961, the date on which it ceases to exist under the present law.

In 1957 when the civil rights bill was before the Senate, one of the main features was the proposal that a commission be created within the executive branch of the Government for the purpose of investigating and studying problems connected with certain aspects of alleged deprivation of constitutional rights.

It was claimed that it was necessary to make this study of the problem in connection with voting rights, and Congress specifically directed the Commission to investigate sworn complaints of a denial of the right to vote by reason of color, race, religion, or national origin. Additionally, the Commission was given the duty to study and to collect information concerning the denial of equal protection of the laws and to appraise the laws and policies of the Federal Government concerning equal protection, and to report its findings and recommendations to the President and the Congress. It was established as an independent factfinding agency for a term of 2 years.

After the Commission made its first report in September 1959, it extended its investigations into the fields of public education and housing. Congress extended the life of the Commission for 2 more years, until November 1961.

Mr. President, I do not think that any sponsor of the creation of this Commission could really feel that any action taken by the Commission itself would result in the protection of any civil rights or the improvement of relations between the races. There were political motives, pure and simple, involved in the creation of this agency, in an effort to play politics in an area of the Nation other than the Southern States.

I say that, Mr. President, because all the responsible people whom I know who are really in touch with the problems which arise out of the facts, who themselves really have tried to do something constructive with reference to relations between the races, will testify almost in one voice that coercion, the passing of laws and the intimidating of people through legal procedures and the use of force, will not build good public or private race relations. That is known all over the world, and particularly in the area of the country to which the proposal is directed. There is great unanimity of opinion in the Southern States, because the facts of life bear it out. I do not know of a single exception. I do not know of any person in either race, who is familiar with the subject, who has lived with it and who has tried to do something about it, who honestly believes or says that legal coercion or legal force is the way to meet the problem and to do constructive good. All say to the contrary.

At the time the Civil Rights Commission was created, I felt that no good could be accomplished by such a factfinding agency and that both the white people and the colored people were tired of being studied and being subjected to a microscopic examination in the guise of protecting someone's civil rights.

Mr. President, the Civil Rights Commission has been a going concern for almost 4 years. It has created a staff of employees, attorneys, and consultants sufficient in number to make an exhaustive study of every problem in the civil rights field since Reconstruction. Several members of the Commission have been truly outstanding, although a few have been biased and prejudiced against one section of the country. The Civil Rights Commission has held numerous hearings and has issued two reports, one in 1959 and another early in 1961.

Both reports are rather voluminous, but I have made an effort to study them to see what contribution has been made.

Mr. President, in my study of these reports I was unable to find a single material fact brought to light by the Civil Rights Commission which was not already available to the Congress and its duly authorized committees.

I think the best appraisal of the work of the Civil Rights Commission, and the reports which have been issued was made by one of the members of the Commission, former Gov. John S. Battle, of Virginia, when, upon issuance of the first report in 1959, he said:

> I have stated my objections to certain specific recommendations contained in the report.
>
> In addition thereto, and without in any way impugning the motives of any member of the Commission, for each of whom I have the highest regard, I must strongly disagree with the nature and tenor of the report. In my judgment it is not an impartial factual statement, such as I believe to have been the intent of the Congress, but rather, in large part, an argument in advocacy of preconceived ideas in the field of race relations.

Mr. President, during his tenure as Governor of the great State of Virginia, Governor Battle was well known throughout the Nation for the very fine administration he headed, for his fair and impartial approach to problems, for his very fine legal mind, and for his comprehensive grasp of all public questions. He was an outstanding man among men who were all outstanding.

He served on the Commission. This is what he said. He issued a solemn report. I think it is one of the most significant statements we could have to use as a guideline, particularly since it comes from this man who lived with the problem and who knew of the practical side and the practical approach.

If the Commission is unable to present an unbiased and unprejudiced account of the facts of the areas within its jurisdiction, then why should the life of the Commission be extended?

Mr. President, I am very much opposed to all of the recommendations made by the Commission, both in the 1959 report and in the report dated January 13, 1961. I think these recommendations have no real basis in fact or in law. I think many of them are clearly unconstitutional. However, should the Congress desire to give consideration to the proposals made by the Commission, it has enough recommendations and enough alleged facts to keep the Congress and its committees busy for several years in considering the recommendations already made, sweeping in their nature. I fail to see how it will be helpful to the Congress to continue the life of the Commission to bring in further reports.

The Civil Rights Commission was created as a temporary agency. Its announced purpose was to investigate facts surrounding the alleged denial of voting rights of individuals and to collect information concerning the denial of equal protection of the laws under the Constitution. It was pictured to the Congress as a temporary, detached, objective group—a study group—with powers to collect facts, to consider them, and to make recommendations to the President and to Congress for remedial action through legislation or otherwise.

It is clear that this agency has been neither temporary nor objective. Originally created for 2 years, its life was extended for another 2 years. Now it is proposed to extend it for an additional 2 years. I have understood that other amendments propose to make the Commission permanent. Through press reports and reports that I have heard circulated around the Senate Chamber, I understand additional amendments are being prepared to be offered, either now or later, as legislative riders to the pending appropriation bill, if the Senate suspends the rule to consider the amendment extending the Civil Rights Commission. We know that last week additional amendments were, in fact, proposed. That is, the amendments were printed and were lying on the desk waiting to be called up when the bill was considered. The amendments included one that would abolish the poll tax by statute. Another amendment would write into the law the notorious and often-rejected title III, which was first proposed in 1957 by the then Attorney General Herbert Brownell. Another amendment would endorse the Supreme Court decision of May 17, 1954, and bribe with Federal funds the integration of the public schools. Another amendment would extend Public Laws 815 and 874, dealing with Federal assistance to schools in impacted areas. Other amendments, too numerous to mention now, would be offered.

I have dealt at length with these subjects before, but the bill to provide aid for schools in impacted areas might have been attached to the appropriation bill last week when a vote was taken on that subject.

I should like to say a few words with reference to the so-called title III amendment, which has been rejected by the Senate on at least two separate occasions and is thoroughly disreputable. I think the Senate should not consider this proposal at all but if it is seriously proposed, I expect to speak at length in opposition to this proposal seeking to make the Attorney General the private attorney for every citizen who thinks he has a grievance against some public official.

The measure is unthinkable to me, but it shows the field that we would get into. It is unthinkable to me that it would be offered seriously, much less debated as an amendment to an appropriation bill. It has been before this body on its merits and has been debated several times. It has come to a vote many times, and every time the Senate has voted on the proposal, it has been voted down by a decisive majority.

Still the proponents offer substantially the same proposal, asking the Senate to adopt it, even by voting to suspend the rule and add the measure to an appropriation bill.

The time has come when the Senate must take a firm stand, follow its rules, and serve notice that hereafter no legislative rider to an appropriation bill will be considered, unless there is a real emergency, and unless the time element makes such action necessary and is demanding.

I therefore urge the Senate to defeat this move to suspend the rule for this reason and many others which I will cover if this question is to be debated by the Senate during the coming week.

Congress created the Civil Rights Commission as a temporary agency with a limited life of 2 years. That life was extended to 4 years. No compelling reason has been shown for continuing this agency, which was unworthy of creation at all, and the Senate should let it die a natural death.

I should like to make a brief statement with reference to some of the recommendations that were made by the 1959 report and by the 1961 report. I have not attempted to cover all points. Many of them have been discussed by various other Senators pro and con on the floor of the Senate in years past. The latest report of the Commission, issued early this year, is an elaborate discussion of our State institutions of higher learning and alleged discrimination with respect to admission of students to such institutions. This is another illustration of a Government agency reaching out and assuming jurisdiction and acquiring new prerogatives by its own efforts, and looking into things which are beyond the original plan and purpose for which the Commission was created.

Without going into detail regarding the so-called findings of the Commission pertaining to other States, I point out to the Senate that the references in this report to my State of Mississippi contain only basic facts, written in a slanted and biased manner calculated to mislead anyone who reads the report, with many grave and major omissions of the true facts which would present an entirely different picture of higher education in Mississippi.

We are proud of the progress Mississippi has made in the field of higher education, as well as in our public elementary and high schools. We have a sound program under which members of both races receive a very fine education, financed by both State and local sources.

Certainly, the real facts present no justification for the recommendations of the Commission in the field of higher education. I am amazed that the Commission, based upon its report, lacks even a basic understanding of the problems of Government or the rights of those who support the Government with their tax dollars.

The first recommendation reads as follows:

> Therefore, the Commission recommends that the Federal Government, either by Executive or, if necessary, by congressional action, take such measures as may be required to assure that funds under the various programs of Federal assistance to higher education are disbursed only to such publicly controlled institutions of higher education as do not discriminate on grounds of race, color, religion, or national origin.
>
> The Commission agrees that in any such Federal action taken it should be stipulated that no Federal agency or official shall be given power to direct, supervise, or control the administration, curriculums, or personnel of an institution operated and maintained by a State or a political subdivision thereof.

That illustrates the meddling and the reaching for power beyond the spirit and the letter of the act that created the Commission. Going into the subject of higher education and Federal appropriations relative to higher education, going back for almost 100 years—98 years, to be specific—the Federal Government has had land-grant colleges, which were provided for under the Morrill Act, and appropriations were made from year to year, by successive Congresses through bills signed by successive Presidents.

The Commission, without any change in the law, without any change in policy, without the matter having been presented to Congress, recommends that the Federal Government, either by Executive order or congressional action, take such measures as may be necessary, and so forth.

The purpose of reenacting the law to continue the Commission in power, without any hearing, without examination, without any accounting, without any explanation of any kind, but just to bounce it around the floor of the Senate, as I said a moment ago, and to take it lock, stock, and barrel, is difficult for anyone to swallow.

Certainly, there is no power in the executive branch of the Government to withhold funds appropriated by the Congress for the support or assistance of our institutions of higher learning, as suggested in this recommendation. Further, I am convinced that the Congress would not under any circumstances grant such authority, even if it could be said that such action is constitutional. I think that such a statute would be in direct conflict with the Constitution.

In that connection, the President would have just as much power to provide money that has been appropriated and give it to one religious group or withhold it from one religious group or make any other selection that he might wish to make.

In this day and time, we have had entirely too much legislation by Executive order; we have had too many legislative acts adopted in the face of the strong and clear provisions of our Constitution. The time has come when we must return the Federal Government to a constitutional foundation.

I commend those members of the Civil Rights Commission who objected to this recommendation, in proper recognition that it would be a punitive measure not in support of proper constitutional objectives.

In objecting to this recommendation, I quote the dissenting statement of Commissioner Doyle E. Carlton, former Governor of the State of Florida:

> As to recommendation 1, it is my opinion that this objective will not be attained by any action which has the effect of withholding public funds from institutions that do not conform to a Federal pattern. The withholding of such funds is to me unsound from a political, governmental, and moral standpoint. I cannot approve the withholding of money, coming as it does to the Federal Government from the taxpayers of the several States, as a club to forge any fixed pattern set forth by a Federal agency. Such action would impede rather than advance public higher education. It would also create resentment and ill will to the injury of both races. Progress can be made on the basis of good will without such arbitrary action.

I use that as an illustration of what I said a while ago that every responsible person whom I know, who has lived in the South and has tried to do something constructively along the lines of these relations, without any exception has testified that it cannot be done on the basis of enforcement of law, or the use of force in any way. Progress can only be made on the basis of good will without such arbitrary action. That is true in Africa. It is true in the Near East. It is true everywhere. The recommendation is in keeping with the current thinking of those who want to make over the Federal Government without regard to constitutional safeguards and provisions. It seeks to change our form of government by Executive order, and to control all Federal moneys.

Mr. President, I have used these illustrations as to one of the Commission's recommendations. At such time as I have other recommendations that I wish to bring before the Senate and discuss them, I shall do so.

At this time I yield the floor, emphasizing again that to suspend the rules on the appropriation bill for the purpose of adding any legislation is an extraordinary course to follow, and should not be done except for the most demanding and most urgent reasons in the nature of an emergency. That is particularly true with reference to legislation that is proposed here to be added to the pending bill. It is controversial in nature, relating to a Commission which has not made any accounting of its appropriated funds, which has not given a report to Congress as to how it has used its money or how it proposes to use its power, without the usual legislative protections and processes that guide us in such matters. This being an unrelated appropriation bill, pertaining to the State Department and major parts of the Justice Department and the Judiciary, the bill should be passed without any controversial matters being appended to it, particularly of this kind.

I hope that the Senate in its wisdom will reject the idea of suspending the rules on the pending bill for this purpose, or any purpose, and reject the idea of continuing the Commission for another 2 years, when whatever purpose it had has long been served. It has already made more recommendations than can properly be studied within a generation.

Mr. CLARK. Mr. President, all day long we have been listening to speeches by our Southern friends attacking the Civil Rights Commission, its legal powers, its activities, its actions, and its reports.

We have even had one speech, by our good friend, the junior Senator from Georgia [Mr. TALMADGE], devoted in large part to attacking the activities of an official who is not even with the Commission any longer, Mr. Gordon Tiffany, its former staff director.

It is time, I believe, that those of us who support the Commission and hope that it will be made a permanent body should rise in its defense.

Before I do so, I should like to point out that the report about Mr. Tiffany, issued by the Committee on Government Operations and made by its Permanent Subcommittee on Investigations, was not a unanimous report. A statement was filed by Senators HUMPHREY and GRUENING, in which they disassociated themselves from the conclusions of the report.

The senior Senator from New York [Mr. JAVITS] also filed strong dissenting views, in the course of which quoted a resolution adopted unanimously by the Civil Rights Commission on December 15, 1960, tendering its "heartfelt gratitude" to Mr. Tiffany, and noting that Mr. Tiffany had served the Commission with "devotion, intelligence, and distinction."

Mr. President, I ask unanimous consent that the text of this resolution be printed in full at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

> Whereas Gordon M. Tiffany in 1958 generously accepted the onerous and difficult task of being the first staff director of the U.S. Commission on Civil Rights; and
>
> Whereas Gordon M. Tiffany quickly undertook the demanding project of organizing and staffing the Commission in the early days of its life; and
>
> Whereas Gordon M. Tiffany guided the Commission as its chief executive officer through its first years to the end that the Commission was able to present to the President and the Congress a significant report on its nationwide activities at the end of its first period of statutory life; and
>
> Whereas Gordon M. Tiffany has continued since that time to serve the Commission with devotion, intelligence, and distinction; and
>
> Whereas Gordon M. Tiffany is now planning to dedicate his talents to another important field of endeavor: Now, therefore, be it
>
> *Resolved*, That the U.S. Commission on Civil Rights does hereby tender its heartfelt gratitude to Gordon M. Tiffany and takes this opportunity to wish him continued success and happiness in all that he does.

Mr. CLARK. Mr. President, whether Mr. Tiffany did or did not properly perform his duties as staff director of the Civil Rights Commission is not the question before the Senate today. The ques-

tion which we are called upon to resolve, assuming the leadership on both sides of the aisle has mustered two-thirds of the Members present and voting to suspend our rules, is whether the life of this useful Commission shall be extended; and, if so, for how long.

It is pertinent, I believe, in attempting to answer that question, to discuss what the Civil Rights Commission was authorized to do by law and what it has done.

The Commission was originally created by the Civil Rights Act of 1957 as a bipartisan agency to study civil rights problems. Its original 2-year term was extended on September 14, 1959, for another 2 years. The Commission issued its first report on September 8, 1959. Its second report is shortly due.

The Commission is directed by law to advise the President and the Congress on conditions it may find that deprive American citizens of equal treatment under the law because of their color, race, religion, or national origin.

Let me make it abundantly clear that the Commission has no power—I repeat: no power—to enforce the laws or to correct individual wrongs. Its task is merely to collect, to study, and to appraise information related to civil rights throughout the country and to make recommendations to the President and Congress for corrective action. In short, the Civil Rights Commission has many of the attributes of a central intelligence agency in this field of civil rights. It collects, evaluates, and disseminates information useful to the President and Congress in dealing with the basic American concept that all citizens, regardless of race, creed, or color, are entitled to the equal protection of the laws, as set forth in the Constitution of the United States.

The Supreme Court of the United States last year, in the case of *Hannah* v. *Larche*, 363 United States 420, referred to the Commission's functions as follows:

> Its function is purely investigative and factfinding. It does not hold trials or determine anyone's civil or criminal liability. It does not issue orders. Nor does it indict, punish, or impose any legal sanctions. It does not make determinations depriving anyone of his life, liberty, or property. In short, the Commission does not and cannot take any affirmative action which will affect an individual's legal rights. The only purpose of its existence is to find facts which may subsequently be used as the basis for legislative or Executive action.

The Civil Rights Act of 1957, as extended, directed the Commission, first, to investigate formal allegations that citizens are being deprived of their right to vote and to have that vote counted by reason of their race, color, religion, or national origin; second, to study and collect information concerning legal developments which constitute a denial of the equal protection of the laws; third, to appraise the laws and policies of the Federal Government with respect to equal protection of the laws; fourth, to prepare and submit reports to the President and Congress, including a final comprehensive report of its activities, findings, and recommendations by September 9, 1961.

In its 1959 report, the Commission made 14 specific recommendations for Executive or legislative action.

On January 13, 1961, an interim report on problems of segregation in higher education contained three additional recommendations.

The Commission has had a wide range of assistance in its functions. It has received cooperation from numerous State, local, and private organizations. It has created State advisory committees in each of the 50 States. At present, about 350 citizens are serving without compensation on such advisory committees.

As I have noted, the first statutory duty of the Commission is in the field of voting. It has undertaken full field investigations of formal allegations of discrimination at the polls in Louisiana and elsewhere.

Its second statutory duty is to study and collect information relating to denial of the equal protection of the laws. This has resulted in extensive investigations, all of which are discussed in the reports filed by the Commission.

In discharging its third statutory duty—that of appraising the laws and policies of the Federal Government respecting the equal protection of the laws—the Commission has evaluated laws and policies relating to discrimination in public education and in housing, as well as at the polls. It has also studied Government-connected employment, the administration of justice, and the civil rights problems of Indians.

Conferences have been held all over the country—at Gatlinburg, Tenn.; Williamsburg, Va.; Los Angeles and San Francisco, Calif.; Detroit, Mich.; New York City; and elsewhere.

I believe it important to note the caliber of the members of the Commission. Three of the present members were appointed by President Eisenhower; and happily for the country, in my opinion, they have elected to remain in office.

John A. Hannah, the Chairman, is the president of Michigan State University. My colleagues will recall the wide activities of President Hannah in the field of education. The Commission is fortunate to have him as its Chairman.

The Vice Chairman is a personal friend of mine, with whom I served in the Army Air Force during World War II. He is a very distinguished southern lawyer, a successful practicing lawyer in Dallas, Tex., active in the American Bar Association and formerly its president; and presently head of the Southwestern Legal Foundation. Formerly he was dean of Southern Methodist University Law School. He was a splendid soldier, assigned to administrative duties, during World War II. I refer to Robert G. Storey.

All Senators are familiar with the splendid record in the field of education of Rev. Theodore M. Hesburgh, president of Notre Dame University and a member of the Commission.

The other three members of the original Commission were a former Governor of Florida, Doyle E. Carlton; George M. Johnson, professor of law at Howard University Law School, and formerly dean of that law school; and John S. Battle, formerly Governor of Virginia. They have been succeeded by Spottswood Robinson, of the Howard University Law School, who presently is the only Negro member of the Commission; Robert S. Rankin, chairman of the Department of Political Science of Duke University; Erwin Griswold, dean of Harvard University Law School. All of these nominations were, of course, confirmed by the Senate.

Mr. President, no one can consider these names without concluding that this Commission has been, and is, composed of outstanding Americans of integrity and ability who represent a wide range of philosophy and political thinking. The South has been well represented by former Governors Battle and Carlton and by Professors Storey and Rankin. Surely no one can say that any section of the country has been ignored in making the appointments of these fine, patriotic, honest Americans to membership on the Civil Rights Commission. They are performing a public duty in the face of great difficulties. The Senate has every reason to be proud that the nomination of each was confirmed by this body. None of them has let us down.

I do not intend to dwell longer on the merits of the Commission, Mr. President. I am confident that a majority of the Members of the Senate think the Commission has done splendid work, and will vote to continue its existence. The question really is, How long should we extend the life of the Commission?

Goodness knows, Mr. President, I shall be long dead—and I suspect that the youngest of my colleagues will have been long dead—before civil rights questions cease to plague the American people, the Congress, and the President. This is a sore in our body politic which will not soon heal. It will require constant examination to be sure that its infection does not spread. Calm and objective minds will be required, acting in an administrative capacity and giving their advice to the Congress, in order that the festering wound of racial discrimination may be healed. But the healing will not come soon. We had best face up to that sad fact, and give to the Congress and to the President a permanent agency composed, as is this Commission, of dedicated men of integrity and ability, in order to provide a constant flow of sound information and wise advice.

Mr. President, there are three main reasons why, in my judgment, the life of the Commission should be extended. First, as an investigating and factfinding agency, the Commission is performing a highly useful function which is not duplicated by any other Federal department or agency.

In the field of voting rights, for example, hearings held by the Commission in Montgomery, Ala., in 1958 brought to light flagrant denials of the right to register and to vote, as guaranteed by the Constitution of the United States. On the basis of those findings and other

Commission investigations, recommendations were made for the enactment of legislation to protect the right to vote. Those recommendations received the support of five of the six members of the Commission. Some of them, including Dean Storey, were from the South. Although Congress did not entirely follow the recommendations of the Commission, nevertheless, Mr. President, Congress utilized those recommendations as the basis for the Civil Rights Act of 1960.

I think there can be no doubt that the findings of the Commission provided much of the impetus which resulted in the passage of that legislation.

In 1961, hearings on violation of voting rights were held in New Orleans. It is important that this right of investigation of voting rights should be continued, and indeed amplified.

Similarly, in the field of education, the Commission has made a thorough study of the progress of desegregation in public schools and of the problems involved in the transition from a segregated to a nonsegregated school system.

This activity of the Commission, I point out, has been a national activity, because it is a national problem, not a regional problem.

Hearings have been held in New York, Detroit, Chicago, and California. The Commission found that the type of discrimination recently disclosed in New Rochelle, N.Y., prevails in many cities in the North, small as well as large.

I know in my own Commonwealth of Pennsylvania the civil rights of Negro citizens are being violated every day in the week; and I invite the Commission on Civil Rights to come into my State to establish that fact and make recommendations as to what we can do to terminate that discrimination.

There is no holier-than-thou attitude on the part of northern Senators who support the extension of the life of the Commission. We know we too are guilty. Discrimination by reason of race or color is not a regional shame; it is a national shame, and this fine agency can help the consciences of all of us in expunging it and wiping it away.

The Federal Government's role in assuring equal job opportunity has also been the subject of study. The Commission has made intensive studies in Baltimore, Detroit, and Atlanta, and other studies in New York, Chicago, St. Louis, Fort Worth-Dallas, and Los Angeles. These studies have been of substantial value to the Commission on Discrimination in Government Contracts, the Chairman of which is the able Vice President of the United States, LYNDON B. JOHNSON, who, under appointment by the President, is making real progress toward eliminating, once and for all, discrimination in employment on Federal Government contracts.

I commend the Vice President and his colleagues on that Commission. I am confident they will be the first to admit that the research and findings of the Civil Rights Commission have been of substantial benefit to them in the splendid work they are presently doing.

In 1959, the Commission undertook a study of the administration of justice and the effectiveness of existing Federal laws protecting against private intergroup violence, police brutality, and racial exclusion from juries. We can look forward to receiving the Commission's report in this area early next month.

In all of these areas the objective studies of the Commission provide the basis for remedial action by the Congress or by the executive branch.

The second reason why extension of the life of the Commission is, in my judgment, important is that the value of the Commission's work lies not only in the sanctions which may result from its reports and recommendations; it lies in the activities of the Commission in bringing facts to light. There is perhaps no other area where misinformation and misunderstanding so quickly breed fear and hatred.

With all due deference, I dissent from the views of my southern colleagues who have spoken today. I believe the Commission's work has helped to reduce tensions and to promote calm and reasonable solutions, rather than to exacerbate them.

Advisory committees have been created by the Commission in every State in the Union to keep the Commission constantly advised of local civil rights developments and opinions. These committees, as voluntary agencies of the Commission, contribute to the lessening of tensions and the finding of reasonable solutions to difficult problems.

As an example of what can be done in this area, I call attention to the conferences the Commission has held in Williamsburg, Va.; Gatlinburg, Tenn.; and elsewhere. At those conferences the Commission brought together educators from all parts of the Nation, in a calm atmosphere, where they could exchange information, experience, and advice regarding desegregation of the public schools.

The Commission's reports have served a great educative purpose. They have brought to the attention of the public the progress which has been made and the gap which still exists between our promises and our performance.

It would be a tragic thing to permit the life of this useful agency now to expire, or to continue it on a piecemeal basis for a few, too short years, as presently proposed by the pending amendment.

The third reason that the Commission should be made a permanent agency is that only in this way can we provide a sound and effective basis for its continued operation, while leaving it subject to proper scrutiny by the Congress.

If we make the Commission a permanent agency, the Congress will lose no control it presently has. The Commission will still be subject to the yearly review of its operations when it comes to Congress seeking appropriations, and, of course, at any time it saw fit, the Congress could terminate the Commission's operations.

To make this Commission a permanent agency will take it out of the arena of partisan politics. At present, Republicans and Democrats who represent States in which the extension of the life of the Commission is popular are vying with each other to support the Commission. Other Democrats and an occasional Republican are vying with each other to make political capital by voting to put the Commission out of existence. This is too serious a matter to be dealt with on so partisan a basis. If ever there was an occasion for nonpartisan action, it is in connection with the extending of the life of this Commission.

Every administrator—and we have many former administrators in this body—and every legislator who has dealt with administrative bodies must know how difficult it is to make an administrative agency efficient if it must return from time to time to the legislative body which created it for a further lease on life. How can the agency recruit, train, and retain personnel when a death sentence confronts the agency at the end of each 2 years? How can the agency plan long-range studies? How can the agency establish priorities, when it does not know whether it will continue beyond its recurring deadlines?

Finally, I say to my economy-minded friends, think how wasteful it is to phase out staff operations, as one must, when an agency is scheduled by law to go out of business, and then to "beef up" the staff again when the agency is given a new lease on life? Thereupon it is necessary to regroup, to secure new staff. Many of the best people are lost. In effect, it is almost, though not quite, a starting all over again.

A 2-year lease on life actually means an effective extension of between 12 months and 18 months. The rest of the time is spent in organizing, reorganizing, preparing to liquidate, and liquidating.

Let us consider what the Commission has been forced to do in the present period. The sword of Damocles is presently hanging over its head, scheduled to fall November 8, 1961. Unlike Damocles, the Commission knows when the sword will fall.

About a year ago a schedule had to be set up for liquidation. On May 1 of this year the Division of Complaints, Investigations, and Surveys was abolished. Any complaints received after that time could not be investigated, so there was no point in having a division for that purpose. Since May 1 complaints have merely been filed with the Commission, unless they could be appropriately referred to some other agency of the Government.

On August 1, eight positions were scheduled to be abolished; on September 1, eight more positions; and on October 1, five positions. This means that 30 percent of the total of 71 members of the staff either had to be removed from the payroll or given notice before the Congress could finish considering whether to again extend the life of the Commission.

As a matter of fact, the schedule was not precisely adhered to. As one might

expect, in such an atmosphere of uncertainty, staff members began leaving long before the schedule required them to leave. As could also be expected, those who left included some of the most highly qualified members of the staff, the kind of competent men and women whom the Government can never afford to lose.

At the present moment the staff has been reduced to 61 members, and 13 of the remaining 61 have been given their reduction-in-force notices.

I submit, Mr. President, this is no way to run a railroad or to run an important agency of the Government. If the job is worth doing—and I think it is—it is worth doing well. Let us give the Commission a charter which will enable it to do its work well. Let us not enact another 2-year death sentence which will put the Commission into another administrative straitjacket and require it to start to liquidate within a year of the time when it is given its new lease on life.

Mr. President, these are not my views alone. On August 22 the Washington Post and Times Herald published an editorial entitled "Leash on Life" advocating, in the words of the President of the United States—I quote both from the editorial and from the words of the President:

> The constructive potential of this agency cannot be fully realized, if its ability to move in long-range fashion is hampered by the uncertainties of its continued existence.

Mr. President, I ask unanimous consent that the editorial to which I have referred may be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LEASH ON LIFE

The Senate is expected to give thought today, under a suspension of the rules, to extending the life of the Civil Rights Commission. The Commission is scheduled to submit its final report on September 9 and, unless reprieved, to terminate all operations 60 days thereafter. Its work has by no means been completed.

Unconstitutional discrimination against Negroes and denial of their rights is still widespread in some of the Southern States. The hearings conducted by the Commission in New Orleans last May made this abundantly plain. There is urgent need for the Commission to carry on its effective watchdog role.

The Commission cannot carry on with maximum effectiveness, however, under a mere 2-year extension. It cannot hire the personnel it needs because it cannot assure employees any sort of tenure. It cannot make plans or do the preliminary work for long-range projects because it is obligated to start working on its final report and winding up its affairs almost as soon as it begins operations. And, finally, it is deprived of the authority it ought to have by the common knowledge that it is soon to go out of existence.

Writing to Chairman CELLER of the House Judiciary Committee earlier this month, President Kennedy urged an indefinite extension of the Commission, suggesting alternatively that if permanent extension is not now feasible, a 4-, 5- or 6-year extension would be highly desirable. "The constructive potential of this agency cannot be fully realized," the President said, "if its ability to move in long-range fashion is hampered by the uncertainties of its continued existence."

The validity of this can hardly be questioned and the truth is that long-term extension of the agency is opposed only by those who do not want it to exist at all. We hope this valuable watchdog will be let off the leash.

Mr. CLARK. Mr. President, last May the Department of Justice, over the signature of Byron R. White, Deputy Attorney General, wrote to the Senator from Mississippi [Mr. EASTLAND], chairman of the Committee on the Judiciary of the Senate, a letter in which it was stated, on behalf of the Department, that the Department of Justice recommended the enactment of bills, then pending in the Committee on the Judiciary, which would indefinitely extend the Civil Rights Commission. I ask unanimous consent that a copy of the letter may be printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Is there objection to the request of the Senator from Pennsylvania?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 29, 1961.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, D.C.

DEAR SENATOR: This is in response to your request for the views of the Department of Justice concerning the identical bills, S. 483 and S. 1257, "to indefinitely extend the Civil Rights Commission."

The Civil Rights Commission was created by the Civil Rights Act of 1957. At that time Congress provided that the Commission should expire 60 days after submitting its final report and recommendations to the President and to the Congress not later than September 9, 1959. The 86th Congress, in its act of September 28, 1959, extended the life of the Commission for 2 additional years. It is therefore due to expire not later than this coming November.

Apart from the Commission there is no Federal executive agency charged with a continuing responsibility for gathering information calculated to assist in the guaranteeing of the protection of constitutional rights. Its field of operation is exceptionally important and extensive, and certainly deserving of continuance on a permanent basis.

Accordingly, the Department of Justice recommends the enactment of this legislation.

The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

BYRON R. WHITE,
Deputy Attorney General.

Mr. CLARK. On August 7, 1961, the President of the United States wrote a letter to the Honorable EMANUEL CELLER, chairman of the Committee on the Judiciary of the House of Representatives, in which he stated:

> The Justice Department, on behalf of the administration, has previously gone on record in favor of an indefinite extension of the Commission, and this is our position now.

I ask unanimous consent that the letter of the President of the United States to which I have referred may be printed in full in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 7, 1961.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I want to express my appreciation for your leadership in the matter of extending the life of the Civil Rights Commission.

As you know, by existing law the Commission is required to submit its final report on September 9, 1961, and to terminate all operations 60 days thereafter. I am pleased that you are bringing the issue of its extension to the attention of the full House Judiciary Committee.

The Justice Department, on behalf of the administration, has previously gone on record in favor of an indefinite extension of the Commission, and this is our position now. However, if in your judgment a permanent extension is not now feasible, a 4-, 5-, or 6-year extension would be highly desirable. The constructive potential of this agency cannot be fully realized if its ability to move in long-range fashion is hampered by the uncertainties of its continued existence.

Thank you again for your help in this as in other matters.

Cordially,

JOHN F. KENNEDY.

Mr. CLARK. Earlier today I inserted in the RECORD a letter written to me on behalf of the President of the United States signed by Lawrence O'Brien, one of his executive assistants, reiterating that the President's position had not changed and that the President now, as he did then, advocates making the Commission permanent.

Mr. President, I close with this: If I am successful in obtaining recognition when the Mansfield-Dirksen amendment is called up for consideration tomorrow—perhaps I should say if it is called up for consideration tomorrow—I shall propose the first of a series of amendments. My first amendment is identified as "8–21–61—C." I ask unanimous consent that the text of that amendment may be printed in the RECORD in full at this point in my remarks, together with a summary of the provisions, to which I referred in my remarks this morning.

There being no objection, the amendment and summary were ordered to be printed in the RECORD, as follows:

Strike out all of the language which appears after the word *"Provided,"* and insert in lieu thereof the following:

"That the Civil Rights Act of 1957, as amended, is amended in the following respects:

"(a) Section 101(b) of the Civil Rights Act of 1957 (42 U.S.C. 1975(b)) is amended to read as follows:

"'(b)(1) The Commission shall be composed of seven members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than four of the members shall at any one time be of the same political party. The term of office of members appointed after the date of the enactment of this Act shall be three years except that (A) the term of office of two of the members, first so appointed (as designated by the President at the time of their nomination) shall be one year and the term of office of two of the members first so appointed (as designated by the President at the time of their nomination) shall be two years, and (B) any

member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall serve only for the remainder of such term.

"'(2) The term of office of the members of the Commission first appointed after the date of the enactment of this Act shall commence on the day of the appointment of the last of such members, and the term of office of any member subsequently appointed (other than a member appointed to fill a vacancy) shall commence on the day following the day on which the term of his predecessor expired.

"'(3) The term of office of the members of the Commission holding office on the date of the enactment of this Act shall expire at the time of appointment of the last of the members first appointed after such date.'

"(b) Section 103(a) of the Civil Rights Act of 1957 (42 U.S.C. 1975b(2)) is amended by striking out '$50 per day' and inserting in lieu thereof '$75 per day.'

"(c) Subsection (a) of section 104 of the Civil Rights Act of 1957 (42 U.S.C. 1975c) is amended by adding at the end thereof the following:

"'(4) to serve as a national clearinghouse for civil rights information, and to provide advice and technical assistance to communities, industries, or individuals, upon request from such parties in respect to equal protection of the laws, including but not limited to the fields of voting, education, housing, employment, the use of public facilities, transportation, and the administration of justice.

"'The Commission may, for such periods as it deems necessary, concentrate the performance of its duties to those specified in either paragraph (1), (2), (3), or (4) and may further concentrate the performance of its duties under any of such paragraphs to one or more aspects of the duties imposed therein.'

"(d) Subsections (b) and (c) of section 104 of the Civil Rights Act of 1957, as amended, are stricken, and the following subsection shall be inserted in lieu thereof:

"'(b) The Commission shall, not later than January 31 of each year, submit a report to the President and the Congress setting forth its activities and findings during the preceding year and its recommendations with respect thereto. The Commission may submit such other reports to the President and to the Congress at such times as the Commission and the President deem advisable.'

"(e) (1) Section 105(a) of the Civil Rights Act of 1957 (42 U.S.C. 1975d(a)) is amended by striking out in the last sentence thereof '$50 per diem' and inserting in lieu thereof '$75 per diem'.

"(2) Section 105(d) of such Act (42 U.S.C. 1975d(d)) is amended by striking out 'and members of advisory committees constituted pursuant to subsection (c) of this section', and inserting in lieu thereof the following: 'members of advisory committees constituted pursuant to subsection (c) of this section, and consultants appointed under authority of section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55a), specifically designated in writing by the Commission (but not exceeding twelve such consultants at any time)'.

"(f) Section 105(c) of the Civil Rights Act of 1957 (42 U.S.C. 1975a(c)) is amended by adding at the end thereof the following new sentence: 'The Commission is authorized to reimburse, out of moneys appropriated under the authority of section 106, any advisory committee constituted by it pursuant to this subsection for expenses of travel, stenographic services, and subsistence incurred by the members thereof in the performance of functions approved by the Commission, and for costs of using the mails incurred by any such advisory committee in the performance of any such functions.'

"(g) Section 105(h) of the Civil Rights Act of 1957, as added by section 401 of the Civil Rights Act of 1960 (42 U.S.C. 1975d(h)), is amended by inserting after 'each member of the Commission' the following: ', and any officer or employee of the Commission designated by it,'.

"(h) The foregoing amendments to the Civil Rights Act of 1957, other than the amendment in section (d) which shall go into effect on the date of enactment of this Act, shall become effective on the day of the appointment by the President of the last of the members of the Commission on Civil Rights first appointed after the date of the enactment of this Act."

SUMMARY OF CLARK AMENDMENT TO H.R. 7371 RELATING TO THE CIVIL RIGHTS COMMISSION

1. The Commission would be made permanent by eliminating the September 9, 1961, termination date in existing law. Thereafter the Commission would be required to file reports of its activities annually or more frequently at its own discretion or the discretion of the President (sec. (d)).

2. One member would be added to the Commission (making a total of seven members) and staggered 3-year terms would be provided (sec. (a)).

3. The maximum compensation of Commissioners and appointed consultants, not to exceed 12 in number at any time, would be increased from $50 to $75 per diem (secs. (b) and (e)).

4. The Commission would be authorized in its discretion to reimburse State advisory committees for travel expenses, stenographic services, and subsistence incurred in the performance of Commission-approved functions (sec. (f)).

5. Commission officers and employees specifically designated by the Civil Rights Commission would be authorized, in addition to the Commissioners themselves, to administer oaths and take statements of witnesses (sec. (g)).

6. The Civil Rights Commission would be directed "to serve as a national clearinghouse for civil rights information, and to provide advice and technical assistance to communities, industries, or individuals, upon request from such parties in respect to equal protection of the laws, including but not limited to the fields of voting, education, housing, employment, the use of public facilities, transportation, and the administration of justice" (sec. (c)).

Mr. CLARK. If the amendment is presented, no doubt it will be attacked by some of my colleagues on the ground that it is not germane to the Mansfield-Dirksen amendment. Under the rules of the Senate, I am informed by our able Parliamentarian, the question of germaneness will be decided immediately, without debate and without a ruling by the Chair. I think it worthwhile, therefore, to take 1 minute to explain why it seems to me abundantly clear that the amendment is germane.

The Mansfield-Dirksen amendment proposes to extend the life of the Commission by 2 years. My amendment deals with the Civil Rights Commission. It proposes to make its life permanent, and it proposes certain extensions of its authority, which are spelled out in the summary of the amendment which has been ordered printed in the RECORD. If Senators are seriously concerned with the question of germaneness, I ask them to read the Mansfield-Dirksen amendment, to read the proposed Clark amendment, and to use their commonsense. I do not think it will be necessary then to make any further argument to the effect that this amendment is clearly germane. However, in the course of a relatively short service in this body—not yet 5 years—I have come to accept the sour with the sweet, victory with defeat, compromise usual. It may well be that despite the cogency of my arguments, the majority of the Senate will conclude either that the amendment is not germane, or that the easiest way to get rid of it is to vote that it is not germane. In that event, of course, the amendment will fall. I hope it will not. If it is rejected—and again if I am able to obtain the floor—I shall propose an amendment which I think no Senator could possibly conclude was not germane, and that is to change the Mansfield-Dirksen amendment by simply making the extension of time permanent instead of for only 2 years.

Again one must be prepared for every eventuality. In what I hope is an unlikely event and even this modest amendment may be tabled, we will then come back with an amendment for an extension for 6 years. If that amendment should fail, we will then propose an extension of 4 years.

My last word is this: I implore those conscientious Senators who read this RECORD to remember that we cannot sweep the civil rights problem under the rug by shutting our eyes and voting blindly for a series of motions to table, hoping that the problem will go away. I do not have the slightest doubt that if Senators were to exercise their own unimpeded judgment at a time other than at the end of August, an overwhelming majority of Senators would vote to make the Commission permanent.

I urge Senators to vote to oppose the motion to table any of the amendments, and to vote that the first of my amendments is germane. Let them not fear that able Senators will then engage in a filibuster which will make it impossible for the Senate to conduct the public business which must be conducted before this body adjourns. I hold too high a regard for my good friends from south of the Mason-Dixon line to believe that they would conscientiously and deliberately, for day after day and week after week, prevent the Senate from working its will, when a majority of its Members desires to terminate debate and vote, by keeping an indefinite filibuster going for so small a matter in the large spectrum of civil rights legislation as the question of whether the Civil Rights Commission should have its life extended permanently, for 6 years, for 4 years, or for only 2 years. I believe Senators who oppose the amendments are too deeply concerned with the welfare of the country to do a thing like that. I believe they will let the Senate vote on this question.

I suggest, Mr. President, if I should happen to be wrong, a motion for cloture is always available. After all, we will not get to this question unless 67 Senators vote to suspend the rules tomorrow afternoon, so that the Dirksen-Mansfield amendment can be brought before the Senate for consideration.

I ask each of the 67 or more Senators who will vote tomorrow to suspend the rules, to be prepared to vote for cloture if unlimited debate should develop, in the event a motion to table any one of the proposed amendments which I expect to bring to the floor tomorrow should fail.

Mr. President, I yield the floor.

Mr. SPARKMAN. Mr. President, we are considering here today the question of whether or not the Senate should suspend the rule in order to take up a legislative amendment to an appropriation bill. The fact that the particular amendment proposed in this instance has to do with extending the life of the Commission on Civil Rights, and the fact that we are faced with the introduction of a number of other amendments dealing with so-called civil rights matters, constitute a very unfortunate circumstance in my opinion. I regret very much the necessity of once again focusing the attention of Senators and of the people of this great Republic upon the inherent evils lurking within the high sounding phraseology which has been characteristic of this type of legislation. We have been called upon to perform this task a number of times in recent years. Many of us had hoped that reason had finally become the dominant force in our thinking on these matters. Apparently this is not the case. I shall attempt to be as brief as the magnitude of the issues involved will permit.

I have always tried to refrain from using the expression "I told you so." It is not exactly pleasing to the ear of one's associates. However, the temptation—indeed, the provocation—to resort to its use in this instance is almost more than I can withstand.

Those of us who opposed the legislation establishing this Civil Rights Commission did so primarily because of grave misgivings as to the usefulness of such a commission. It was our feeling then—and remains so today—that such a commission was, at best, an unnecessary adjunct to an already one-sided arsenal aimed at the southern region of this country. We felt then, as we do today, that the Commission would serve no purpose save to agitate and inflame the ever-worsening relations between the races.

I am sorely tempted to say "We told you so" when it comes to evaluating the inept, though dangerously radical, performance of the Civil Rights Commission. We would be no less than derelict in the performance of our duties as representatives of the taxpayers of this country should we fail to analyze and evaluate carefully the performance of this fledgling arm of the executive branch of the Government. It is essential that we keep matters within their proper perspective in this as well as in all other matters, and that we not let political considerations prevent our taking adequate time in this debate to determine whether the performance of this Commission really warrants a continuation of its existence. I am convinced that it does not. Let us look at the record of its activities.

I am impelled at this time to make reference to a recent report of the Investigations Subcommittee of the Committee on Government Operations. I am frank to say that, in spite of my misgivings about the agency in the beginning, I was surprised and shocked by the revelations contained in this report. The specific charges which were under investigation by the subcommittee, as reported in Senate Report No. 439, were these: First, that transcripts of the proceedings of the Commission in executive sessions had been illegally or improperly destroyed; second, that the staff of the Commission had failed to conform to civil service requirements; third, that the Commission had caused security checks to be made with the FBI to determine reliability of Federal, State, and local officers and members of the clergy, contemplated as witnesses before the Commission.

This report confirms that the staff of the Commission did, in fact, improperly or illegally destroy transcripts of the executive sessions of the Commission and that it did, in fact, cause security checks to be made on persons to be called as witnesses. To my mind, this is a most serious matter. These findings tend to confirm suspicion that the activities of the Commission have consisted primarily of a witch hunt. Tactics such as these are not customarily used by an agency whose purposes are legitimate. However, we do not have to rely upon the implications of improper motives which are apparent in the activities of the Commission staff. The report made by the Commission in 1959 contains ample evidence to prove that this Commission is not an impartial factfinding agency. The report is replete with poorly concealed expressions of anti-Southern bias. Let me give you a few examples. In discussing the qualifications and duties of boards of registrars in my State of Alabama, the Commission had this to say in its report:

> Members of boards of registrars are "constituted and declared to be judicial officers, to judicially determine if applicants to register have the qualifications" required. Boards of registrars are also authorized to make rules and regulations to expedite the registration process, and such rules and regulations have the force and effect of law.
>
> But Alabama law prescribes no educational qualifications for registrars. To be eligible, it is only necessary that one be a resident and an elector of the county, be "reputable," and not hold an elective public office. There is no continuing supervision of the boards by the State, and each board applies the law according to its own interpretation and judgment without reference to the practices of other boards.

I do not now argue over the statements of fact contained in this portion of the report. It is not what is said that reveals the feeling of contempt in which the author apparently holds my State; it is the way he says it, and the fact that, after all, what purpose did this portion of the report serve save that of attempting to cast reflection upon the good people of my State who serve upon our boards of registrars. The author states: "But Alabama law prescribes no educational qualifications for registrars," as if to say that this is contrary to the usual requirements in other States and with other officeholders. If it were called upon to evaluate the performance of my distinguished colleagues here in the Senate, I wonder if the Commission would find it necessary to make reference to the fact that the Constitution of the United States prescribes no educational qualifications for the office of U.S. Senator.

The report says that it is "only necessary that a registrar be 'reputable,'" as if being of good reputation is not a significant qualification for public office. I am not surprised, however, Mr. President, by the low regard in which the Commission apparently holds "reputation" as a qualification for positions of responsibility. In view of the Commission's recommendation that all of the States be required to allow felons the privilege of voting, and in view of its other recommendations, I am finding it increasingly difficult to become surprised by anything the Commission does.

As was pointed out in this Chamber last week by my good friend and colleague, the distinguished Senator from North Carolina [Senator ERVIN], the irresponsibility of this Commission is nowhere more tragically revealed than in its recommendation that the Constitution be amended so as to grant felons, incompetents and illiterates the absolute constitutional right to vote. As is so often the case with those who approach problems with closed minds, the Commission has proposed solutions which are not only ridiculous but impractical and dangerously radical. I do not believe that there are many taxpayers in this country who would favor the continued subsidization of a movement designed to secure the right of suffrage for traitors, murderers, and incompetents.

Mr. President, an attack upon the State of Alabama is an attack upon me, and a reflection cast upon my State is a reflection cast upon me. And I am frank to admit that I resent the manner in which this Commission has attempted to castigate my State; just as you, Mr. President, would resent such action directed against your State; and I am sure that each of our colleagues would feel the same way. But I am not alone in my conviction that this is no impartial factfinding agency. The distinguished former member of the Commission, the Honorable John S. Battle, also a former Governor of the State of Virginia, had this to say regarding the 1959 report of the Commission:

> I must strongly disagree with the nature and tenor of the report. In my judgment it is not an impartial factual statement, such as I believe to have been the intent of Congress, but rather, in large part, an argument in advocacy of preconceived ideas in the field of race relations.

I congratulate Governor Battle on his unwillingness to allow the prejudice and bias reflected in this report to go unnoticed.

I am concerned, Mr. President, for the welfare of our Nation, when men who are reputed to be leading educators, find themselves disposed to malign an entire

section of the country. It is difficult for me to understand how such men can harbor prejudice toward the Southern part of our country. It is inconceivable that they would give expression to such feelings in the way in which they do in this report. There is no room in America at this crucial time, Mr. President, for dividing influences such as that which the Civil Rights Commission produces.

To extend the life of this Commission will be more than just a useless expenditure of public funds. It will continue the existence of the most harmful and disruptive influence in our country today.

I should like to go back and discuss further the shocking revelations contained in Senate Report No. 439.

This report relates a most defiant attitude displayed by the staff of the Commission toward the Investigations Subcommittee. Not only did the staff question the authority of the subcommittee to investigate its activities but refused, in several instances, to cooperate with the investigation. After listening with a great deal of patience during the last few years to reckless charges of a failure on the part of southern officials to cooperate with the Commission, I find it difficult to refrain from calling to the attention of the Senate the attitude displayed by the Commission's staff toward your committee.

I should like to discuss some of the conclusions reached by the Investigations Subcommittee in its report. The subcommittee concluded that the staff director of the Civil Rights Commission demonstrated a thorough lack of cooperation with the subcommittee's inquiry in the following particulars:

He persistently questioned the authority of your subcommittee in the face of a communication directed to him by the chairman of the subcommittee formally advising him of the inquiry. Now, let us pause here for a moment for what I hope will be some useful reflection on this matter. We could seriously have expected the activities of the Commission to consist of an impartial factfinding endeavor, in accordance with the intent of Congress, when these activities were directed by one who does not even recognize the authority of the Congress to inquire into the manner in which its intention is being carried out. How in the world can we expect an agency created by Congress to be responsive to legislative intent when the agency doesn't recognize the authority of Congress to review its activities? But let us move on to some of the other ways in which the staff of the Commission revealed its contempt for Congress.

The report of the subcommittee shows that members of the staff of the Commission were advised that, if they did not wish to cooperate with the subcommittee and furnish the subcommittee with signed statements, no action would be taken against them. According to the report, this resulted in several staff members of the Commission refusing to execute signed statements. The report concludes:

This advice was tantamount to a warning to subordinates not to cooperate.

It was further revealed in this report that the Commission's staff director refused to permit the review of certain financial records of the Commission, and that he refused to make available to the subcommittee the names of some 26 prominent Federal, State, and local officials and clergymen, whose names had been checked by the Commission in connection with their appearance as witnesses before the Commission. In fact, in his initial testimony before the subcommittee, it is reported that he endeavored to mislead the subcommittee by maintaining that Federal officials and clergymen had not been given any security name check. We find in these actions of the Commission staff an apparent contempt for a subcommittee of the Senate. It would be difficult to find a more compelling reason to justify a discontinuance of the Commission's activities.

It is unfortunate, I believe, that debate upon the issue now before us is, in large part, a repetition of the debate upon this same issue 2 years ago. This is necessary because the record of the performance of the Commission was largely established more than 2 years ago. It is almost as if the Commission, being aware of the vulnerability of its position as exposed by that record, had deliberately refrained from providing further evidence of the harmful influence of its endeavor.

In the area of voting rights, its recommendations for Federal control of voter qualifications are not only unconstitutional but would certainly open the door to ultimate absolute control by the Federal Government of all elective processes throughout the land. This would be true in the States of Illinois, New York, New Jersey, and Pennsylvania as well as in my State of Alabama.

As has been referred to many times, the Commission has advocated that a law be enacted whereby when nine people in a political subdivision of a State feel that they have not been registered to vote soon enough, without specifying when or under what circumstances the application shall be made, the President of the United States shall have the authority to appoint a so-called temporary registrar to register persons to vote in Federal elections and to continue in that office so long as the President shall desire. The radically dangerous features of this proposal, and the irresponsibility of its promotion, are not diminished by whatever slight resemblance it might bear to the Federal referee provision of the so-called Civil Rights Act of 1960, which was passed over my objection and that of a number of our distinguished colleagues.

The proposal made by the Commission is in direct conflict with the Constitution of the United States. That the States have long been held to have broad power to determine the conditions under which the right of suffrage may be exercised should be well known to the members of the Commission. It certainly is well known to this Senate—*Lassiter* v. *North Hampton County Board of Elections* (360 U.S. 45; *Pope* v. *Williams* (193 621, 633); *Mason* v. *Missouri* (179, U.S. 38, 335).

Article I, section 2, of the Federal Constitution, in its provision for the election of the House of Representatives, and the 17th amendment in its provision for the election of Senators, provide that officials shall be chosen "by the people." Each provision goes on to state that "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

Moreover, the right to vote "refers to the right to vote as established by the laws and constitution of the State"—*McPherson* v. *Blacker* (146 U.S. 1, 39).

The members of this Commission would be well advised to read the case of *Pope* v. *Williams* (193 U.S. 621, 632), wherein the court stated:

> The privilege to vote in any State is not given by the Federal Constitution, or by any of its amendments. It is not a privilege springing from citizenship of the United States. It may not be refused on account of race, color, or previous condition of servitude, but it does not follow from mere citizenship of the United States. In other words, the privilege to vote in a State is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as to it may seem proper, provided, of course, no discrimination is made between individuals in violation of the Federal Constitution.

Notwithstanding the clear wording and intent of the Federal Constitution, as uniformly interpreted by the courts, this Commission would have the Congress turn over to the Federal Government the process of registering voters in the various States for Federal elections. It seeks to undermine the entire fabric of our system of government and asks this Congress to violate deliberately the Constitution.

It is no mere happenstance that the conduct of elections has been left to the States rather than vested in the Federal Government. The importance of this doctrine has been stressed by the Supreme Court in innumerable cases. It is well expressed in *Guinn* v. *United States* (238 U.S. 347). There the Supreme Court characterized the power of the State governments over suffrage as one "which has belonged to those governments from the beginning and without the possession of which power the whole fabric upon which the division of State and National authority under the Constitution and the organization of both governments rest would be without support and both the authority of the Nation and the State would fall to the ground."

These are strong words, and were not lightly spoken. The power of the States over suffrage, which must include the power to register voters, is undoubtedly, as the Supreme Court stated it was, basic to the foundations of our Government.

The majority of these Commissioners ask us to destroy our system of Government and, in effect, to turn the matter of voter registration over to the President of the United States. No one could have imagined that even this Commission would have made such a proposal. To call it devastating, is to use understatement. For this proposal would allow nine temporarily frustrated applicants for registration to undermine the

plenary power which the Constitution has accorded the States over all elections, State and Federal.

These Commissioners tell us the Founding Fathers were wrong; that the Supreme Court has been wrong throughout our history in holding that the plenary powers of State governments over the suffrage was essential to the continued existence of both State and National authority under the Constitution; and that this Congress should overturn it all and allow complete Presidential control over the election machinery of the various States in Federal elections at the behest of nine frustrated applicants.

The key to this unconstitutional and revolutionary proposal, and perhaps to other proposals as well, is found in the statement of Commissioner Johnson:

> The public interest is not best served if private citizens and organizations are left to vindicate constitutional rights of national significance through litigation in the Federal courts. The development of public law should not be left primarily to private litigation (Commission report, p. 190).

This astounding statement is at war with the entire constitutional development of a nation which has been a model for freedom throughout the world. As I have said before, I do not know what this Commissioner means by "constitutional rights of national sifinificance." For me, all constitutional rights are of national significance and transcendent importance. I cannot—and I am sure the Members of this Senate cannot—pick and choose among the various rights safeguarded by our Constitution, and say that some are important and others are not, and that some are of national significance and others are not.

Moreover, the entire body of our constitutional law has, as a matter of constitutional requirement, developed through the medium of private litigation in the courts. This is how our public law—insofar as it is constitutional law—has emerged. And this must be so because article III, section 2, of the Constitution of the United States confers jurisdiction upon the Supreme Court and the lower Federal courts where there is a real and substantial case or controversy between parties to a lawsuit—*Aetna Life Insurance Company* v. *Haworth* (300 U.S. 227); *Muskrat* v. *United States* (219 U.S. 346); and many other cases.

This is hornbook law, known to lawyers and laymen alike. It is the very essence of the great common law heritage which has come to us from England. And it has served throughout our history as a Pole Star which has guided the Supreme Court of the United States in the myriad of cases in which it has decided "constitutional rights of national significance."

It is difficult to believe that this Commission seriously asks this Congress deliberately to violate the Constitution of the United States because the constitutional requirements for orderly adjudication of disputes in the courts, the Commission says, is inadequate. I believe that the constitutional rights of our citizens are best safeguarded under our Constitution as it has emerged throughout its long existence. And I say that a Commission which seeks to overturn the fundamental basis of our Government should not be continued.

Let us end forthwith this abortive attempt to subvert our Constitution.

Mr. President, another recommendation made by three of the six Commissioners, could be equally as disastrous, and provides yet another basis upon which the extinction of the Commission is impelled.

I refer to the proposal which advocates a constitutional amendment fixing the qualifications for voting in Federal elections, and thereby taking from the States a power which has existed since the founding of this Nation. The proposed amendment is as follows:

> SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State or by any person for any cause except inability to meet State age or length-of-residence requirements uniformly applied to all persons within the State, or legal confinement at the time of registration or election. This right to vote shall include the right to register or otherwise qualify to vote and to have one's vote counted.
>
> SEC. 2. The Congress shall have the power to enforce this article by appropriate legislation.

In our constitutional democracy, the ultimate repository of power is in the people. This power is exercised at the ballot boxes. It is there that the people decide whether their governments—State and Federal—have so conducted themselves as to be worthy of continuance in office.

Equally important, our Government is founded upon a system of checks and balances. Inherent in this system is the principle that State governments and the National Government—in a Federal system—shall balance one another, and check excessive exercises of power.

It is precisely because of the awesome enormity of the ultimate power at the ballot box that our Founding Fathers, even in Federal elections, conferred upon the States the power and authority to impose qualifications upon voters. Of course, these powers are subject to restrictions imposed by other provisions in the Federal Constitution.

Analysts of our Federal system have recognized that this diffusion of power over the qualifications for voters in Federal elections was a keystone in the great constitutional democracy which we have built. It is part of the genius of the Federal system.

The Supreme Court, too, has recognized this basic principle of our constitutional democracy. In *Guinn* v. *United States* (238 U.S. 347, 362), the Court said:

> The 15th amendment does not take away from the State governments in a general sense the power over suffrage which has belonged to those governments from the beginning and without the possession of which power the whole fabric upon which the division of State and national authority under the Constitution and the organization of both governments rest would be without support and both the authority of the Nation and the State would fall to the ground.

Moreover, the Supreme Court there said:

> Thus the authority over suffrage which the States possess and the limitation which the amendment imposes are coordinate and one may not destroy the other without bringing about the destruction of both.

This proposed amendment would produce the awesome result which the Supreme Court foresaw in the Guinn case. Apparently, the proponents of this proposal would risk the destruction of both the authority of the Nation and the States. And they propose to do so in the name of preserving civil rights.

And what is the stated reason for this invitation to disaster? It is the objection of these Commissioners to literacy tests imposed in order to determine whether prospective voters are qualified to vote.

According to my information, 19 States now impose such tests. Five—Arizona, California, Delaware, Maine, and Massachusetts—require that a voter be required to read a section of the State or Federal Constitution and write his own name. Five—Alabama, New Hampshire, North Carolina, Oklahoma, and South Carolina—require that an elector be able to read and write a section of the State or Federal Constitution. Two States—New York and Oregon—require that the voter be able to read and write English. Wyoming and Connecticut require that a voter read a constitutional provision in English, and Virginia requires that the voting application be written in the applicant's hand before the registrar and without aid, suggestion, or memorandum. Washington requires that a voter be able to read and speak the English language. Georgia insists that a voter be able to read intelligibly and write legibly a section of the State or Federal Constitution. Louisiana and Mississippi have similar requirements.

These States, representing numerically more than a third of the Union and a cross section of the entire Nation, have seen fit to require this minimum in literacy and understanding as a prerequisite for exercising the precious privilege of voting. Have they trampled upon the civil rights of their citizens in so doing?

The Supreme Court of the United States as recently as June 8, 1959, thinks not. In *Lassiter* v. *North Hampton County Board of Elections* (360 U.S. 45), the Court upheld the literacy tests imposed by the State of North Carolina. It commented that the States have wide scope for exercise of their jurisdiction to determine who may vote, in State and Federal elections.

It commented—360 U.S. 52:

> [I]n our society where newspapers, periodicals, books, and other printed matter canvass and debate campaign issues, a State might conclude that only those who are literate should exercise the franchise.

In the earlier Guinn case (238 U.S. 347, 366), the Court dismissed summarily the contention against the propriety of literacy tests. It said:

> No time need be spent on the question of the validity of the literacy test considered alone since as we have seen, its establishment was but the exercise by the State

of a lawful power vested in it not subject to our supervision, and indeed, its validity is admitted.

Moreover, the present Supreme Court in the Lassiter case rejected the notion, put forward by the proposals in the report of this Civil Rights Commission, that literacy tests and similar qualifications for voting, undermined the civil rights of our citizens. The Court said of such tests:

> That seems to us to be one fair way of determining whether a person is literate, not a calculated scheme to lay springes for the citizen. Certainly we cannot condemn it on its face as a device unrelated to the desire of North Carolina to raise the standards for people of all races who cast the ballot.

The proposal of this Commission regarding a constitutional amendment to strip the States of their powers to set voter qualifications in Federal elections demeans the high purpose of the States which have attempted to elevate the intelligence and understanding of their electorates. It has refused to recognize "while the right of suffrage is established and guaranteed by the Constitution it is subject to the imposition of State standards which are not discriminatory and which do not contravene any restriction that Congress, acting pursuant to its constitutional powers has imposed"—*Lassiter* v. *North Hampton Board of Elections* (360 U.S. 45, 51).

These Commissioners have rejected the long-established fabric of our constitutional union. Compare this revolutionary proposal with the traditional philosophy of our system of voting as expounded in *Pope* v. *Williams* (193 U.S. 621, 632):

> The privilege to vote in any State is not given by the Federal Constitution, or by any of its amendments. It is not a privilege springing from citizenship of the United States. It may not be refused on account of race, color, or previous condition of servitude, but it does not follow from mere citizenship of the United States. In other words, the privilege to vote in a State is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as to it may seem proper, provided, of course, no discrimination is made between individuals in violation of the Federal Constitution.

Such patent disregard for the basic concepts of our Government is more than reason enough for the termination forthwith of the existence of this Commission. This proposal disregards the very foundation of a Federal system of government. It impugns the motives of 19 States who have prescribed what the Supreme Court has characterized as fair methods of raising the standards of all people who cast the ballot.

Moreover, the proposal exhibits a complete inability to comprehend the function of a constitution itself as the organic law of our Nation. The brevity of our Constitution, and its vigor and strength, have been universally praised. It is not really so important what these Commissioners feel about literacy tests. What is of overriding importance is their willingness to seek to amend the Constitution because they do not approve of this method of determining who shall vote. I would remind these Commissioners, in the waning hours of their existence, that our great Chief Justice John Marshall once said:

"It is a constitution we are expounding"—*McCulloch* v. *Maryland*, 4 Wheat., 316.

Mr. President, in my opinion, and in the opinion of many of my distinguished colleagues, the recommendation of the Commission in the field of voting rights strikes at the heart of this great Republic. To extend the life of this agency is to expand its activities and its influences. God help us if the result is to lend credence to this type of recommendation.

And what about the field of education? The recommendation of the Commission in this area is no less irresponsible. The Commission recommends that the Federal Government, by Executive order, take action to assure that all funds provided under the various programs of Federal assistance to higher education are disbursed only to those institutions which adopt enrollment practices dictated by the Federal Government. In other words, they would give to an agency of the Federal Government the power to determine whether or not such an institution conforms to their notion of what is or is not discrimination in enrollment, and such agency would have the power to penalize these institutions by withholding much-needed funds. In its report, the Commission followed this irresponsible recommendation with a statement in opposition to Federal control of the administration, curriculums, or personnel of these institutions of higher learning. It is difficult for me to imagine a more onerous form of Federal control than that which would result from the power to dictate who might enroll in an institution of higher learning and who might not enroll in such an institution. The recommendations made by the Commission in this instance would penalize institutions, both white and Negro, and would doubtless result in catastrophe for our system of higher education in America. This is aptly pointed out in Commissioner Rankin's statement in the report. He stated:

> This recommendation if put into effect in an immediate and drastic fashion would be interpreted by many citizens as a punitive measure. I am interested in the promotion of sound compliance with the Constitution, not the imposition of penalties.

Mr. President, we have seen Federal aid to education defeated in Congress year in and year out solely because of the injection of so-called civil rights into the matter. The wisdom of divorcing such controversial and emotional issues from consideration of matters of grave importance to the Nation's well-being was confirmed by the Senate earlier this year. During the debate on the School Assistance Act this year, quite a number of my distinguished colleagues, included among whom was the senior Senator from New York, recognized the folly of mixing the so-called civil rights issues with programs of Federal aid to education. The fact that the Civil Rights Commission would recommend a course of action which the combined judgment of this body, settled upon after painful years of frustration and defeat, has determined to be unwise, is just another example of the inability of the Commission to deal effectively with these problems. Are we now to extend the life of a vindictive, wasteful agency whose purpose it is to revive the error of such a course of action?

Mr. President, not only can I see no useful purpose to be served by this Commission, but I see an ever-worsening relationship between the races if its continued existence is allowed. In the interest of racial progress, I urge that we remove this thorn of irresponsible agitation from the side of those who are sincerely interested in the welfare of all peoples.

Mr. President, my attention has been called to a news story which appeared in the May 31, 1961, issue of the Birmingham Post-Herald which indicates yet another basis upon which we should decline to continue the existence of the Civil Rights Commission. According to this account, the Commission spent a considerable amount of time and effort compiling a report on the progress which had been made in the field of racial relations, both before and after the erroneous 1954 decision of the Supreme Court in the school segregation cases. One of the members of the Commission was said to favor publication of such a report in order to answer the oft-leveled criticism that the Commission had been too much concerned with what had not been done in this field. The report is said to have shown the progress which had been made before civil rights agitation became a major fact of American life and would provide a basis upon which a comparison might be drawn between the relative progress made before and after the 1954 decision. The report was written and rewritten and was ready for publication on about August 1, 1960, but, according to this news item, one of the members of the Commission objected to its publication, and it has never been published.

Mr. President, here again we see further evidence of the fact that this agency is not an impartial factfinding body. I happen to know that tremendous progress had been made in the field of racial relations long before civil rights agitation became a major fact of American life. I think it is indeed regrettable that a report such as that described in this news article has not been published. If prepared objectively and without partiality and bias, I am confident that the Members of the Senate would gain a new appreciation of the real tragedy which resulted from the erroneous 1954 decision of the Supreme Court and subsequent events of a like nature.

In my opinion the Commission would do well to substitute this unpublished report for what I understand will be subject matter of its forthcoming report. According to a news item which came to my attention recently, the report which the Commission will file in the near future is expected to go into matters which are far beyond the scope of

the authority granted to the Commission. If this news report is correct, then it should be readily apparent to any reasonable mind that the Commission is about to embark—if it has not already—upon a program which will involve prying into the private affairs of persons engaged in every phase of our society. It is reported that the Commission has investigated—and I quote from the article which appeared in the August 22 issue of the Washington Evening Star—"race discrimination by unions and the 'unwritten rules' that segregate northern cities' neighborhoods and schools."

It is also stated that the Commission's recommendations will deal with job discrimination in and out of Government.

Let us pause for a moment to remind ourselves of the authority granted the Commission in the so-called Civil Rights Act of 1957. According to the act, the Commission was directed by Congress to do the following things:

1. Investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based;

2. Study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

3. Appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

The Commission has acknowledged in its 1959 report that such was its authority. Indeed, they went to quite some lengths to assure us that this was the extent of their authority. Such being the case, wherein do they find authority to pry into the affairs of labor organizations? Wherein do they find authority to address themselves to the unwritten rules which influence the life of our communities? Wherein do they find authority to make recommendations concerning the business practices of employers outside the Government?

I am frank to say that, here again, I find myself sorely tempted to say "We told you so"; for those of us who opposed the adoption of the legislation creating this Commission warned our colleagues from other sections of the country time and time again of the danger that such an agency—though created as an instrument to malign and penalize the South—would one day expand its activities in such a way as to pry into and interfere with the rights of all the States of the Union and to harass private individuals and businesses throughout the land. That this Commission would presume to exercise powers so far in excess of its authority, is conclusive proof that America is not safe so long as it remains within the framework of our Government.

CONCLUSION

In my opinion, we are now presented with an opportunity to accomplish something truly constructive. By refusing to suspend the rules and thereby rejecting the effort being made to extend the life of the Civil Rights Commission, we can discontinue a wasteful expenditure of public funds and remove from the American scene some degree of the agitation affecting relations between the races. The Civil Rights Commission is but a merchant of discord in a market where harmony is in rather short supply. Following the law of supply and demand, desire for harmony in the market of racial relations should be exceedingly high. Let us express this desire in our votes upon the issue that is before us. Let us retire this merchant of discord from the marketplace.

Mr. JOHNSTON. Mr. President, I have been in the past, and I am today, solidly opposed to the suspension of rules in the U.S. Senate.

The proposal to extend the life of the Commission has been before my subcommittee of the Committee on the Judiciary. It was to be considered by the full committee at the very time that this question is being discussed on the floor of the Senate. In other words, it is taking out of the hands of the Judiciary Committee its proper functions in the Senate.

We have appropriate committees in the Senate to give due and adequate consideration to any and all proposals coming to this body prior to their consideration on the floor of the Senate. The committee procedure in the Senate is a great protection for the people against rash action by the Senate. In addition to the committee procedure in the Senate, we have our other rules which establish a time-proven traffic control system over proposed legislation and other business of the Senate.

The U.S. Senate should never suspend these rules. It is a bad practice and sets a bad example to the rest of our Nation. When we suspend the rules in the Senate we are acting like children who demand exceptions to every rule to satisfy their fancy of the moment. We do not suspend our traffic rules, and we do not suspend the rules of life. When the U.S. Senate suspends its rules for the purpose of shotgun legislating, we create discord and establish a condition for prevalent confusion.

There is no secret to the purpose behind the suspension of rules. Proponents of suspending the rules desire to force legislation upon the Senate in this instance to extend the life of the Civil Rights Commission without proper hearings and without the benefit of information which is vitally needed by the Senate in acting on such an important matter.

That information is available in our committee. We have discussed this matter. In my opinion the full committee is about to act on the matter, after the subcommittee has acted. I think it is wrong.

When the Civil Rights Commission was first created, advocates did not declare that they were seeking to establish a permanent, new arm of the Federal Government. I opposed the Commission's creation, and I opposed its subsequent continuation, and I stand here today opposing suspension of the rules because I do not think the Civil Rights Commission should be continued in existence.

It is a sad truth that the Civil Rights Commission has fomented trouble and strife and butted its nose into business outside the realm for which Congress established it. The fact of the matter is, the Civil Rights Commission in its studies and probes into the lives of Americans has publicized all that is controversial. When it uncovered progress and harmony among the people in some of the fields in which the Commission delved, such information was suppressed and, in some instances, destroyed.

The former staff director of the Civil Rights Commission, Mr. Gordon Tiffany, has already been criticized in a Senate Government Operations Committee investigation for poor administration of the Civil Rights Commission and for destroying records which were the property of the U.S. Government and the people of the United States.

Since this matter has been mentioned, I wish to tell the Senate that they did not come before our subcommittee. It so happens that the Senator from Kansas [Mr. CARLSON] and I are the ones, according to law, who must grant permission to destroy papers of various departments of the Government. They did not get permission from us to destroy those papers.

In fact, the former staff director of the Civil Rights Commission admitted he had destroyed certain records. I shall discuss further in my address some of the details regarding destruction or disappearance of records in the Civil Rights Commission.

For the moment, I shall digress back to 1959 when we were considering this very issue of whether or not to extend the life of the Civil Rights Commission. At that time I pointed out certain discrepancies existing in the report which was then filed by the Commission. I believe it is apropos for me to review at this time some of the remarks I made in 1959 in order to lay the groundwork for additional statements I shall make today. At that time I said:

In considering the issue of whether or not to extend the life of the Commission on Civil Rights, I cannot help but wonder if the proponents of such a move have pondered the fact that the Commission has made its study, printed its hearings, reached its conclusions, made its recommendations, and, therefore, has no more business to conduct.

If the Senators will read the report made at that time, they will note the recommendations made for the future of the Commission.

I continue to quote from my statement in 1959:

There is no recommendation under the sun that this or any future Commission, to my knowledge, could possibly make that has not already been made, except perhaps to abolish State boundaries, State governments, and State elections. I seriously doubt if the most arch federalists of our Nation's history could come up with any group of proposals that would ever be more far-reaching, more unconstitutional in nature, and more prejudiced than those found in the final report of the existing—for not too long, I hope—Civil Rights Commission.

Therefore, I cannot understand why Congress, or even the Commission itself, would want to prolong the life of the Commission. It would only be a waste of money, time, and energy to duplicate the same prejudiced, unconstitutional, and unreasonable preconceived ideas on how to run the country which have already been expressed by the present Commission.

The Civil Rights Commission, by its own admission, and as we can find in the statutes under which it was created, was expressly set up to do the following:

1. Investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based;

2. Study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

3. Appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

The Commission was further instructed to submit to the President and the Congress a report of its activities, of its findings, and to make recommendations not later than September 9 of this year.

In my opinion the Commission on Civil Rights has not confined its duties to the limits provided by the statute under which it was created. The most obvious, glaring violation of its authority was the making of so-called proposals which supplemented its so-called recommendations.

Members of the Senate are not so foolish as to accept anything a minority of the Commission had to say to be a "proposal" by the entire Commission, even though some of the liberal press may be inclined to do so. The staff which prepared this report has confused the facts and confused the recommendations and so-called proposals until the average person, at first glance, would think everything appearing in the report was a unanimous agreement by the Commission, or at least by a majority of the Commission.

This report, as I charged earlier, is a hodgepodge of conclusions derived from preconceived ideas based primarily on imagination and very little on fact. There are separate statements, supplementary statements, proposals, recommendations, general statements, and minority statements. When we in the Congress dissent with the opinion of a majority of a committee or subcommittee, we submit what we call a minority report containing minority views. There is always a separate and distinct difference between the two, and on many occasions the minority and majority reports appear under separate covers to avoid confusion. The full report of the Commission contains 683 pages. In addition, to confuse things, it has issued an "abridgment" of the report which contains 201 pages. To further confuse the issue, the Commission published what is called "excerpts" containing approximately 38 or 40 pages from the full report.

I charge that the report, the abridgment of the report, and even the excerpts from the report were prepared so as to confuse anyone reading them and to lead them to believe that every conclusion or recommendation contained in them was something of a unanimous nature, or something which carried the opinion of the Commission as a whole.

Mr. President, for example, on page 534 of the full report we find a section entitled "Findings and Recommendations—Housing: The Problem."

For two pages we are greeted with broad, general, trite phrases regarding hand-me-down clothing, leftovers of others' food, secondhand housing, etc., and then are greeted by a statement entitled "Findings." These findings are followed by another section entitled "Recommendation No. 1." Then we find some more findings after which we run into recommendations 2 and 3. Then we have more findings and recommendation No. 4, and more findings, and recommendation No. 5; and more findings, and recommendation No. 6.

At the end of recommendation No. 6, the reader of this document would have concluded that these were unanimous findings and recommendations of the whole Commission, or, at the very least, a majority of the Commission. However, if one reads on further, one finds what is entitled "Supplement Statement on Housing," by Vice Chairman Storey and Commissioners Battle and Carlton.

There are only six members of the Commission; therefore, the first six findings and recommendations obviously could not be the recommendations and findings of all six members of the Commission, but only of three, and, therefore, these six so-called recommendations are as much a minority or supplement statement on housing as is the statement by Vice Chairman Storey and Commissioners Battle and Carlton.

In other words, Mr. President, the Commission was divided. But in view of the present membership of the Commission, there will no longer be a divided Commission. It was made very plain that the present Commission will not be unbiased. Instead, this time all the Commissioners will be biased; all of them will believe that something wrong has been done, and will go to look for wrongdoing. Of course, when one decides in advance that something wrong has been done, and then goes to find out about it, he will find wrongdoing, just as one who decides in advance that something good has been done will, upon investigation, find that some good things have been done.

I read further from my remarks on the occasion referred to:

Then we find another supplement statement on housing by Commissioners Hesburgh and Johnson. Nowhere in the report is it stated that the first six recommendations and findings are those of the majority of the Commission, the full Commission, or only the three Commissioners who did not submit supplement statements. It could be that even some of those who did not submit supplement statements did not conclude and find what was in the first six recommendations and conclusions. They could be the recommendations and conclusions of the staff members who wrote the report, for all I know.

So it goes in nearly every section of the three documents I have mentioned. In fact, the pages of the excerpts from the report of the Commission on Civil Rights do not correspond with the full report of the Commission on Civil Rights, and, therefore, double the effort necessary to sift out fact from fancy, truth from opinion, and reality from conjecture.

My general observation of these reports is that they are all a part of a systematic effort to mount confusion upon confusion.

Those remarks were made 2 years ago on a similar occasion. Nothing has occurred in the meantime to cause me to change my mind. On the contrary, many things have happened to strengthen my belief that the Commission is ill conceived and ill founded, and does nothing but harm those it seeks to serve.

As I pointed out earlier, the staff director of the Civil Rights Commission who prepared the report, and who subsequently resigned under pressure, was himself accused by an investigatory subcommittee of destroying records contrary to law.

I should like to refer to the report which was filed by the Committee on Government Operations, headed by the Senator from Arkansas [Mr. McCLELLAN]. It was submitted on June 21 of this year. I ask unanimous consent to have printed at this point in the RECORD an excerpt from that report, beginning on page 8 and ending on page 9.

There being no objection, the excerpt from the report (No. 439) was ordered to be printed in the RECORD, as follows:

IV. DESTRUCTION OF COMMISSION RECORDS

In November of 1958, the Commission on Civil Rights, according to Mr. Tiffany, decided that it would be in their best interest to have minutes of the executive meetings of said Commission taken by a reporting firm. Prior to that time this was not done. Minutes were prepared from the transcripts, which minutes were formally adopted by the Commission.

Mr. Tiffany testified that the original verbatim transcripts were then destroyed because the minutes were retained as the only officially recognized record of the proceedings. Mr. Tiffany testified that the transcripts of the minutes were not regarded as "records" but as "working papers." Tiffany assumed responsibility for the destruction of the transcripts, claiming that he had probably been influenced in his handling of this matter because of his background in the law. He pointed out, for example, that "in the town meetings back home the record is the minutes kept by the town clerk, and you do not go behind the record." At the same time, he admitted under questioning that verbatim transcripts are not maintained in any of his town meetings.

Mr. Tiffany admitted that he had not sought any legal advice from anyone concerning the propriety of the destruction of the transcripts. He admitted that he was not aware of the necessity of obtaining clearance pursuant to the provision of title 44, United States Code, section 368, from the Administrator of the GSA before disposing of records in the custody of the Commission which were not needed in the transaction of their current business.

V. FAILURE TO CONFORM TO CIVIL SERVICE REQUIREMENTS

Because of various allegations received, the subcommittee asked the Civil Service Commission to make a study to ascertain if the Commission on Civil Rights was acting properly under civil service requirements. The Civil Service Commission submitted a report to the subcommittee, copies of which were sent to the Commission on Civil Rights, which listed corrective action required to be taken by the Commission on Civil Rights. Civil Service found that no performance rating plan had ever been submitted to that agency, resulting in the Commission on Civil Rights being prohibited from issuing any efficiency reports of any of its employees. Mr. Tiffany testified that from the inception of the Commission on Civil Rights until the date of the report by the Civil Service Commission, no efficiency reports had been issued by the Commission. The Civil Service Commission also ascertained that positions originally established to carry out the work of the Commission on Civil Rights were generally adequately described and appropriately classified, but it was apparent that subsequent changes in the organization and in assignments were not reflected in position

descriptions. It found that despite a requirement in existence since January 1, 1959, requiring executive agencies to make promotions in accordance with a plan meeting the objectives of the Federal merit promotion program, no such plan existed and promotions had been made without Civil Service approval. It also found that appointments of experts as consultants were not being submitted to the Civil Service Commission for approval prior to hiring.

Mr. Tiffany admitted he had never been in contact with the Civil Service Commission. He testified he had relied on an individual, who was an employee of GSA and who was thoroughly familiar with civil service procedures, to handle the requirements for the Commission. He said the Commission on Civil Rights had undertaken to comply with the corrective measures submitted by the Civil Service Commission.

Mr. JOHNSTON. Since that investigation was conducted, this staff director has resigned. Although he is no longer in a position to create unrest and bring about great discredit to various groups and races in diverse sections of our country, the fact still remains that this official tended to blast the recommendations and reports of the Civil Rights Commission.

It would stand to reason, even to the arch supporters of extending the life of the Civil Rights Commission, that before we enact legislation to do this, we should have proper hearings and investigation into the Civil Rights Commission's activities both prior to and after the resignation of Mr. Tiffany.

Furthermore, we should consider what work the Commission has left undone and what its findings have been in the past. I know that in my State it was found that no one was refused an opportunity to register to vote if he desired to register to vote. I think that is absolutely true in South Carolina. At no time did I receive any complaint from any person in my State; neither have I heard that the attorney general or the secretary of state of our State was told by anyone that he was refused the right to register to vote. That being so, why is such a commission needed?

If the Congress is going to insist upon continuing the life of this Commission, which has been repugnant and obnoxious to many of the people of our country, then the Congress should study the act under which it has been created in the first place. The Congress needs to make appropriate changes in the law to not only confine the Civil Rights Commission to its so-called appropriate field, but to prevent the Commission from repeating what happened when Mr. Tiffany was staff director.

What actually happened was that the rabid supporters of integration and meddling in the racial affairs of the people of the various States, railroaded through the Congress a Civil Rights Commission, paying little regard to the rules under which the Commission would operate. It was like giving a blank check to unproven and untried people to delve into a vast area which reaches down into the very basics of the life of everyone in this country.

The need for complete hearings and a broad investigation into the past activities of the Civil Rights Commission is an absolute necessity. If the Congress renews the life of the Civil Rights Commission without such an investigation, then it will be derelict in its duty and will be giving license to these people for further abuses.

I have always felt—and I have always made known my feelings on the floor of the Senate—that one of the last things this country needs is a Civil Rights Commission which stirs up isolated instances of racial discrimination which in themselves only cause additional such instances.

If I thought that a Civil Rights Commission could actually bring harmony between the races, I certainly would support such a body; but it has been my experience and the experience of the majority of my constituents that such a body serves only to create strife. We in the South and in my native State of South Carolina have had much experience in the field of human relations. We take a back seat to no one when it comes to developing harmonious relationships between separate races living in peace.

From the very beginning of this idea of a Federal commission to try to create harmony between people of our various States, I have opposed with true sincerity the idea that such a commission would ever be a success. All we have created in this Commission, and all we have accomplished with the expenditure of large amounts of money and the talents of many competent people has been publication of facts already known to those of us who have worked for years to solve inadequacies in our human relations. In addition, there are many facts regarding progress and harmony among our people that have been suppressed or ignored.

Mr. President, I opposed the creation of the Civil Rights Commission from its very inception. I opposed its extension in 1959. I have seen nothing since that time to cause me to think this body can make a contribution in the field of racial relations. On the contrary, I have seen many people made bitter by piecemeal revelations, distorted facts and figures, and sly insinuations such as I pointed out in my 1959 address.

In addition, there came to my attention as recently as June 1, 1961, a newspaper report which caused me to have sincere misgivings about the true objectives of the members of the Commission themselves.

Mr. President, on June 8, 1961, I inserted in the CONGRESSIONAL RECORD, at pages 9919 and 9920, and called to the attention of the Senate, a newspaper article appearing in the News & Courier of Charleston, S.C., on June 1, 1961, by Special Correspondent Roulhac Hamilton.

This article, under a Washington byline, charged that objections of a lone Negro member caused the Civil Rights Commission to suppress an official report showing substantial Negro progress toward full citizenship in the South and elsewhere before enactment of the civil rights laws of 1957 and 1960. The article stated that the report was published at the direction of the full Commission, and that after the Commission staff had compiled heavily documented evidence of Negro advances without help of the recent laws, the Commission voted to suppress the report.

The article further stated that the suppression of this report resulted from the objections of George M. Johnson, the Commission's only Negro member at the time the report was pending. Of course, Commissioner Johnson, at the time the article to which I refer was published, was no longer a member of the Commission. However, I want it plainly understood that Commissioner Johnson was an active member of the Commission when the report which was allegedly suppressed was being considered.

The article identified George M. Johnson as a Howard University law professor and a legal aid to the National Association for the Advancement of Colored People, serving on the Commission as an interim appointee of President Eisenhower. The article charged that the five white members of the Commission knuckled under to the NAACP spokesman's belief that it would be unwise to publish a report showing significant Negro gains, particularly in the South, prior to the 1957 rights law.

In conclusion, the article stated that by August 1 of last year, that is, 1960, the report "Civil Rights, 1960, a Progress Report," was ready to show in some 75 pages where advancement had been made in the Federal Government, State governments, and city governments by the Negro, and much of the documentation was provided.

The report allegedly dealt primarily with the South, but found that through the Nation one of the most notable marks of progress has been the ever-increasing participation of Negroes and members of other minority groups in the processes of government. The article stated that the report showed in some detail that one of the most significant facts in the progress of the Negro in exercise of his political rights was the increasing number of Negroes elected to public office at various levels in the South.

The article identified its authority merely as "sources within the Commission's staff," and further stated that this favorable report of the South's progress may have been the reason for the objections of Commissioner Johnson, and presumably the NAACP, to publication of the report. The section appeared to provide solid evidence that political rights are not denied southern Negroes when they choose to exercise them.

While to this date the Commission has never come forward with this report, neither has the Commission denied the existence of such a proposed report. Attempts by members of my staff to ferret out from the Commission the true facts in this matter have been to no avail.

Before Congress even considers extending the life of this Commission, we should get these facts and we should bring to the surface the good things and the harmony and the progress of our people which have been suppressed by this Commission. If a bureaucrat in this Commission finds out that there is more harmony, peace, and progress among the

people than was suspected to be in existence when the Commission was created, then, in order to continue their jobs and their positions of authority, it would be a natural course to suppress such facts, bringing to the public eye only the controversies and bad points, thereby painting the picture of need for continuation of the Commission and the jobs of the bureaucrats making these reports. It is not the natural vent of man to recommend the abolition of his own job, and such is the case we have before us now. Only thorough hearings and an investigation can bring the truth up front where it belongs.

Mr. President, those who would suspend the rules, thereby suspending the committee procedures of the Senate, would do so perhaps sincerely to expedite the legislation to perpetuate the Civil Rights Commission, but, unwittingly, they are furthering the cause of prejudice, hatred, and unrest.

A commission of any type set up as a factfinding body should certainly divulge such heartening progress in the racial relations of any section of our country so that we may have adequate knowledge on which to make even more progress.

As we move down this thorny road, however, to deliberately suppress such information merely because it is favorable to a section of the country, or because it is not politically popular to give credit for knowing how to solve racial problems, is to frustrate the very purposes for which the Commission was created.

I repeat that I opposed the creation of the Civil Rights Commission. I was appalled by the distortions and slanted view taken in its first report. I could not, for the life of me, understand why an evenly divided Commission would allow a staff director to write a report in such a manner as to make it appear that all the answers to our problems in the racial field were in the hands of half the members of the Commission, while the other half, taking an opposite viewpoint, were erroneously considered to be a minority.

I was not surprised, but I was concerned by this action. Subsequently I was not surprised by the resignation of the staff director, after an investigation into the way in which he conducted the Commission, and the subsequent revelation that the Commission had been destroying records which it should have kept, while clamoring for laws enforcing State agencies, registrars, boards of registrations, and so forth, to keep records under penalty of Federal indictment if they did not. They seemed to favor a one-sided law.

Mr. President, I think these are reasons enough—that is, the wonderful progress made by the South and the betterment of the lives of all her citizens; the sorry performance and inadequacies of the Civil Rights Commission to deal with any of the problems it is supposed to solve; the slanted report put out by employees of the Commission; the large expenditures of public funds which could be better spent in thousands of other ways; the suppression of information which is not only valuable for the use of our people in this country, but also would go far to counteract adverse publicity and isolated instances of discrimination received from the oversea press.

Mr. President, these are my reasons, as well as because I know from a lifetime spent in politics that in South Carolina a qualified voter wishing to register, regardless of his race or his creed, is encouraged to register. This is not merely my personal belief, but is borne out by the fact that the former Republican Attorney General, after a comprehensive investigation in several counties in South Carolina where voter discrimination was allegedly practiced, was unable to obtain any proof of such discrimination.

I served as Governor of South Carolina for two terms. No individual ever came to my office to complain of not being allowed to register or to vote.

I believe, as I have always believed, that in the field of human relations we should leave it to the people themselves to solve their differences, and should never try to interfere by legislative decree and certainly not by Federal legislative decree. Because I believe such is the proper course for us to pursue in this difficult field, I plead with my colleagues to vote with me against extending the life of the Civil Rights Commission.

I further plead with my colleagues, if they do not find it possible to go that step with me and vote against the extension of the life of the Civil Rights Commission, to at least agree to limit the extension to 2 years. I believe if Senators will watch the actions of the Commission during the 2 years, the next time a request for extension of its life comes before the Senate they will vote as I shall vote, not to extend the life of the Commission.

I do not favor extending the life of the Commission, because I do not think it would serve a good purpose. I should prefer not to have the life of the Commission extended at all. I make the prediction to Senators that if the Congress agrees to extend the life of the Commission 2 years, it will be harder to pass such a provision the next time than this time, especially if Senators study the record of the Commission, to see what little good, if any, is done with all of the money spent, as well as the friction the Commission stirs up in the United States.

In closing I would like to include in my remarks a quotation from the late Senator James A. Reed of Missouri, who served from 1911 to 1929, when he was speaking in opposition to a move to impose cloture on the Senate. One of the contentions of the advocates of cloture was that it was necessary in order to speed up public business. In reply, Senator Reed said:

> What we need to do is to stop passing laws. We have enough laws now to govern the world for the next 10,000 years.

That remark was made in the 1920's. If the late Senator Reed were alive today, instead of saying "10,000 years," he might say "20,000 years."

I continue to read his remarks:

> Every crank who has a foolish notion that he would like to impose upon everybody else hastens to some legislative body and demands that it be graven upon the statutes. Every fanatic who wants to control his neighbor's conduct is here or at some other legislative body demanding that a law be passed to regulate that neighbor's conduct.

I think that statement by the late Senator Reed fits in well today, when the Congress is asked to legislate an extension of the life of the Civil Rights Commission, the effect of which would be to attempt to force some States to do what others wish them to do. It is an attempt to harness the states, so to speak, with laws of the Federal Government which would compel them to toe the mark.

I am against a further continuance of the life of the Commission, and I wish to have everybody know it, because I think it would serve no good purpose, but would bring about a great deal of friction throughout the Nation.

AUTHORIZATION FOR COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO MEET DURING SESSION OF THE SENATE TOMORROW

Mr. CLARK. Mr. President, I have checked with the leadership on both the majority and minority sides and have been advised that if the Senator from South Carolina were willing to ask unanimous consent that the Committee on Post Office and Civil Service meeting which is already scheduled for tomorrow may take place, the consent would be granted. I hope that the esteemed chairman of the committee will make the request.

Mr. JOHNSTON. Mr. President, I intended to make that request at the close of my remarks on the Civil Rights Commission. I wish it to be known also by Senators who are not in the Chamber at the moment that the meeting will take place at 10:30 o'clock instead of at 10 o'clock, due to the fact that the Senate will convene at 9 o'clock. That will give us time to come to the Chamber and get the lay of the ground before the committee meeting begins.

Mr. President, I ask unanimous consent that the Committee on Post Office and Civil Service may be permitted to meet tomorrow while the Senate is in session.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Is there objection?

Mr. HRUSKA. Mr. President, reserving the right to object, is the Senator from Nebraska correctly informed that there will be a limitation upon the business to be transacted; that the business will be limited to the confirmation of the nominations of postmasters and to the proposal to increase postal rates, which the President requests so frequently?

Mr. JOHNSTON. My understanding is that we have a substantial agenda. I do not know whether the subject of postal rates will come up, but between 150 and 160 nominations of postmasters are ready to be reported.

Mr. CLARK. As I understand, the committee also has for consideration some proposed legislation.

Mr. JOHNSTON. Proposed legislation relating to supergrades and several other very important items.

Mr. CLARK. Also the committee must determine whether to ask for a conference with the House on a bill to which the House has not agreed.

Mr. JOHNSTON. That is correct. There are a number of items which the committee must consider.

Mr. HRUSKA. There are other items on the agenda besides the nominations of postmasters and the proposal to increase postal rates.

Mr. JOHNSTON. There is a question whether the subject of the postal rate increase will be discussed. I do not think the committee will have time to take up any postal bill tomorrow.

There is a further reason why we shall probably not consider a postal bill tomorrow. We have not had any hearings at all yet, so probably it will first be necessary to have hearings.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina?

Mr. HRUSKA. I have no objection.

The PRESIDING OFFICER. Without objection, the request is granted.

Mr. HRUSKA. I wished to make the observation because the President has been requesting a favorable report on a bill to increase postal rates. However, the committee is not ready to report such a bill.

Mr. JOHNSTON. For the Senator's information, I believe a postal rate increase bill is a revenue bill. That is my position, and has been for the past 10 years. When the Republicans were in charge of the committee, they took that position; when the Democrats were in charge of the committee, they also took that position. The House has a bill and has been trying to get it out of its committee for the last 6 weeks. The committee met today but postponed until a week from Thursday the question whether to take up the bill.

Mr. HRUSKA. Is it the opinion of the Senator from South Carolina that the House should act first?

Mr. JOHNSTON. The House should act first. That is a revenue measure. But as soon as the House acts, the Senate will begin to consider the measure.

Mr. CLARK. I concur in the view of the chairman that the House should act first; but the Senator from Oklahoma [Mr. MONRONEY] and some other members of the committee believe that we should prepare to act, if the House takes action, by holdings hearings on the Senate side. I do not know whether we will prevail or not.

Mr. JOHNSTON. That will be decided later.

A FRESH LOOK AT THE 49TH STATE

Mr. GRUENING. Mr. President, a fair appraisal of Alaska, two and a half years after statehood, is found in the September 4 issue of U.S. News & World Report. It is written by K. M. Chrysler, of that magazine's staff. It presents a far more accurate picture than the article on Alaska which appeared some weeks ago in the Wall Street Journal, whose errors were exposed and corrected both by Gov. William A. Egan and by my senatorial colleague [Mr. BARTLETT].

The essence of Mr. Chrysler's well-balanced presentation, with its weighing of assets and liabilities, of realities, and hopes, is that Alaskans have cheerfully accepted the arduous challenges posed by statehood and are bravely facing its problems.

Quite rightly, the author points out:

They take pride in the encouraging start they have made.

And they are happy not merely in a growing sense of accomplishment, but because they live in a region of unmatched natural beauty and bounty, of unequaled spaciousness and corresponding freedom, and of unlimited opportunity for men and women imbued with the pioneer spirit.

What are the ingredients of that pioneer spirit? It is compounded of courage, adaptability, inventiveness, perseverance, good nature, and good neighborliness. This spirit, so well exhibited by most Alaskans, is destined to make "the last frontier" increasingly a part of "the New Frontier" so inspiringly visioned by President Kennedy for all America.

I ask unanimous consent that the article from U.S. News & World Report entitled "A Fresh Look at the 49th State and How It's Making Out," be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A FRESH LOOK AT THE 49TH STATE AND HOW IT'S MAKING OUT

(Statehood hasn't been a magic cure-all for everything in the vast, rugged, potentially rich region that is Alaska. Enthusiastic Alaskans are the first to admit it. But most of them wouldn't trade places with anybody on the "outside." You see why in this dispatch from the new State by K. M. Chrysler of the international staff of U.S. News & World Report.)

JUNEAU.—In Alaska today, 2½ years after it became the 49th State, the first blush of statehood is fading. Boom talk has quieted down. There are more people than there are jobs.

Alaskans' faith in their future remains unshaken, but there is a growing realization that it will take years of hard work and a lot of money from the outside to tame the raw wilderness.

This is the conclusion you reach after a 4-week, 4,000-mile journey back and forth across the new State.

From the fjord country of Ketchikan in the panhandle to Barrow on the icegirt arctic slope, Alaskans are struggling to overcome the handicaps common to a frontier: tiny population, inadequate transportation, high costs, limited industry and a shortage of capital. Statehood has worked no magic; Alaska is as rich in problems as it is in promise.

The economy is weak and unemployment is high. The State still is uneasily dependent upon Federal spending on defense for prosperity. Fishing, the old mainstay, seems to be chronically depressed, despite recent improvement.

Timber products face stiff competition at home and abroad. The oil and gas industry is in its infancy. Tourism has just begun to grow.

"Alaska is beset by problems as awesome as its geography," remarked Gov. William A. Egan—not glumly, but with seeming confidence that they can and will be solved.

Some problems are the new headaches of self-government. Others are old familiar ailments: harsh climate, rugged terrain, remoteness. There are no easy answers to any of them, but pessimism over present difficulties is offset by optimism about the future.

YOU CAN DO ANYTHING

"Alaska is the greatest place in the world," claims Jim Kirby, a construction camp contractor. "You can do anything you're big enough to do here. It's the only country I know where a man $9,000 in debt can go into business and pay Uncle Sam $4,400 in income taxes the same year."

Such enthusiasm is common. A lukewarm citizen of Alaska is a rarity.

The living is not easy in the 49th State, but newcomers continue to pour in by car, truck, plane, and boat. Population has gone up 75 percent in the past 10 years, a rate of growth exceeded only by Florida and Nevada.

Even so—and including 66,000 servicemen and their families—there are still only 226,000 men, women, and children in the whole State. That's not quite as many as live in Wichita, Kans.

Anchorage, the largest city, has a population of 44,237, as recorded by the 1960 census. The second largest community, Fairbanks, has 13,311. Over all, there are only 2 people for every 5 square miles in Alaska.

Each month, an average of 2,500 inquiries pour in from would-be settlers. Each is warned to beware of false hopes, and advised to have a job nailed down, or at least to make a personal inspection trip before pulling up stakes at home.

Unskilled and semiskilled labor is not needed. Most trade unions are filled to capacity. The demand is for engineers, technicians, nurses, social workers, stenographers and people with the money and talent to start businesses of their own.

"If you hit Alaska cold, without job prospects, you'd better have at least $500 in cash and return fare for each and every one in the family," recommends a Labor Department official. "It takes plenty to stay alive."

HIGH PRICES? YES

Nearly everything in Alaska costs more than it does in the 48 older States. Depending on where you settle, living costs are 19 to 48 percent higher than they are in Seattle.

For example, fresh water sells for 2½ cents a gallon in Nome. A grease job for an auto runs $3.50 in Palmer. Eggs are often $1.19 a dozen in Fairbanks, cucumbers 49 cents each in Juneau.

"You never really get used to the prices," said a mother of eight. "The first month you're here you just look at things. The second month you pick them up. By the third month you're past caring and start buying—but you never get used to those price tags."

"It cost us $800 just to buy clothes for ourselves and our two daughters when we moved up here from Arizona," said a serviceman's wife.

Housing costs often are double and triple those "outside." A modest two-bedroom bungalow in a new Juneau subdivision sells for $23,875. An Anchorage contractor estimates $80,000 to duplicate a house priced at $30,000 in California. The owner of an average size home in Fairbanks finds his costs for heat, electricity, water, and telephone come to $102 a month.

HIGH WAGES? YES

Wages are higher in Alaska, too. The average weekly paychecks in one recent month were $240 in construction, $186 in mining, $142 in lumbering. But even with

per capita incomes 23 percent above the national average, most Alaskans freely admit that their standard of living takes a beating in some ways.

What, then, is the big attraction? What lures the newcomers? Talk with them and you get many answers.

Life up here contrasts sharply with what most of them left behind. It's more casual, informal and carefree. The local costume called the "Alaskan tuxedo" is a windbreaker and slacks.

Alaska is a dreamland for outdoorsmen, with superb hunting, fishing, and boating often just a few minutes away.

On the other hand, the climate can be extreme, with temperatures ranging from 76 degrees below zero to 100 degrees above. Another disadvantage: Distances between communities are great and travel can be very difficult.

"The airplane is the only way you can get any place in this country," says Dick Downing, the commissioner of public works, in explaining that Alaska has more airstrips than any other State. Many people own their own planes and treat them as "outsiders" treat a private automobile.

The isolation is particularly unpleasant for women, but trips "outside" are infrequent because of the expense.

"It would cost us a small fortune to fly south on a visit—$700 one way—and it isn't worth it," said a waitress in Petersburg. "And you couldn't pay me to move back south," she added.

A barber in Juneau agreed. "I like it here. I'll never go back. Why, last week I got home from work early, walked four blocks to the channel and caught six beautiful trout in an hour."

"This country has been good to me," said Jim Pinkerton, a Ketchikan fish buyer. "I drive a Cadillac, live in a $50,000 home. Between us, my wife and I make $25,000 a year—and we work from 7 a.m. until midnight every day, 7 days a week. You want to know the secret? Keep busy."

Treasure hunt. Plenty of living room, challenges posed by an underdeveloped country, opportunities to participate in that development—to most Alaskans these factors more than compensate for drawbacks and hardships.

They are convinced the raw materials of vast wealth lie in their giant State that sprawls over 586,400 square miles and across four time zones, from Canada in the east to within 55 miles of the Russian mainland.

It is the biggest State in the Union. Two Texases or almost four Californias would fit neatly inside its borders. Alaska is far bigger than the three Scandinavian countries which share the same northern latitudes, yet it has less than one-seventieth of the people.

Locked in its towering mountains, deep valleys and bleak tundra is a fabulous treasure of natural resources, the bulk of them untouched.

"We know the wealth is there. Our biggest problem is finding out exactly where it is," said Phil Holdsworth, the commissioner of natural resources.

The hunt is now on. Under terms of statehood, Alaska can claim title to more than 105 million acres of Federal real estate—the largest land grant ever made to a State.

Picking the choicest portions is a delicate job. The foundations of Alaska's future are involved in those crucial decisions. One official estimates that, within 5 years, sales and leases of timber, oil, gas, and land alone, will provide 35 percent of all State revenues. So far, the scramble for this natural wealth has barely begun.

BUILDING BLOCKS

The timber industry, concentrated in the southeast, can utilize only half the potential annual cut, despite the addition of two new multimillion-dollar pulp mills in 1954 and 1960. Larger, but more scattered, stands of timber in the interior are virtually untouched.

Although fortunes in gold have been taken out since the turn of the century, most of Alaska's mineral wealth still awaits discovery and exploitation.

Today, the stage is being set for a comeback in fishing. New conservation measures have been taken to strengthen salmon runs, now only a third of their former size, and new products such as the Alaska king crab are boosting incomes.

Another potential is tourism. Alaska's scenery and recreational opportunities are tremendous. Accommodations and facilities are in short supply. But once this problem is licked, the tourist business is expected to boom.

The hottest economic prospects these days, however, are in oil and natural gas. At least $200 million have been spent on exploration and development since 1957.

Although Alaska does not yet qualify as a first-class oil region, pipelines feed out of both the oil and gas fields now in production on the Kenai Peninsula, southwest of Anchorage, and there are plans to build an oil refinery.

GROWING PAINS

While the pace of expansion is slowly quickening, statehood has not triggered any spectacular outburst of activity.

The Federal Government still is the biggest employer in the State. Federal spending, an average of $400 million annually in recent years, still accounts for 40 percent of all income in Alaska. Removal of this economic prop at this stage would mean catastrophe.

The 49th State undoubtedly could become more self-sufficient faster and could speed up resource development if it were not for the braking effect of high costs. For example, one oilman estimates that his industry's costs here are twice the costs in California.

There are a number of reasons why costs are high, all linked in a circle of cause and effect. Practically everything Alaska needs must be shipped in from distant points. Since the State produces so little, many freight carriers return empty. Result: crippling transportation charges, often complicated by discriminatory freight rates.

These charges, and the rising wage rates they help create, make it more difficult to develop or do business in Alaska. Experts say the merry-go-round of high costs won't stop until better transportation and cheap power are provided to attract investment capital.

BREAKTHROUGH?

Today, there are hints and hopes that help may be on the way.

Proposals are before Congress to develop hydroelectric power in Alaska, where less than one-fourth of 1 percent of a 19-million-kilowatt potential has been harnessed.

One Federal plan involves building the biggest dam in the world across the Yukon River 100 miles northeast of Fairbanks. It would cost more than a billion dollars and generate up to 5 million kilowatts of power at less than 3 mills per kilowatt-hour—at 5 percent of present electricity prices in the Fairbanks area.

Federal help may prove a boon to transportation, too. Alaska has only 470 miles of railroad and 4,250 miles of road. A 5-year program is now underway to expand the highway system, with the Federal Government supplying 95 cents of every dollar spent on new mileage. A State-financed $18 million ferry system, to begin operations next year, will tie in isolated panhandle communities.

In addition, Congress is pondering a $328 million plan for a new rail and road system to link Alaska more closely with the "outside" States.

Bankers in Fairbanks and Anchorage report that the probability of cheaper power and better transportation already is arousing interest in Alaska from out-of-State investors. Lack of long-term investment capital in the past has been one of the things holding back the State.

REVIEW AND FORECAST

As Alaskans review the past 2½ years, they take pride in the encouraging start made to justify their new status.

With statehood have come new responsibilities, new challenges, new opportunities—and new problems.

There is no doubt here about the riches in this North American frontier, and no lack of faith among Alaskans in their ability to develop a mighty State. But sourdoughs and newcomers alike agree: The wilderness is not going to be pushed back without a struggle.

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

Upon request of Mr. MANSFIELD, and by unanimous consent, the Committee on Government Operations was authorized to meet during the session of the Senate tomorrow, August 30, 1961.

THE CHALLENGE OF COMMUNIST STRATEGY

Mr. DODD. Mr. President, I ask unanimous consent to have printed in the RECORD a paper entitled "The Challenge of Communist Strategy," which was delivered before the Georgia Seminar on American Strategy by Dr. Stefan T. Possony, one of this country's outstanding experts on communism and cold war. Dr. Possony is a professor at Georgetown University and a coauthor of the two major studies produced by the Foreign Policy Research Institute, "Protracted Conflict" and "A Forward Strategy for America."

Mr. President, I believe that the Georgia Seminar on American Strategy, the National Military Industrial Strategy Conference, and most of the conferences organized, with the participation of the National War College, on a national or statewide basis, have made major contributions to our understanding of international communism and to the development of our thinking on all phases of our national security. The papers presented at the major conferences and seminars have been on a very high level, as anyone who takes the trouble to read them will discover.

Dr. Possony's statement on "The Challenge of Communist Strategy" is, I believe, characteristic of the very high quality of the thinking that has been developed under the auspices of these conferences.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE CHALLENGE OF COMMUNIST STRATEGY

(By Dr. Stefan T. Possony, Georgetown University and Foreign Policy Research Institute)

My subject today is "The System of Communist Strategy." The question: Is this strategy an enigma? It has always been claimed that it is a mystery and an enigma and a riddle. But only a few months ago, more than 80 Communist Parties assembled in Moscow and issued a long manifesto, in

which it was clearly spelled out that the objective of communism, as it has been for the last 125 years or more, is and remains the conquest of the world. Their object is to communize the entire globe. It also says in that manifesto, and there's nothing new about it, since it had been stated numerous times before and repeated only a few weeks ago by Mr. Khrushchev himself: the chief enemy of communism is the United States. One way or the other the United States must be eliminated before communism can take over the world. Once defeated or eliminated, Mr. Khrushchev promises, the United States will be buried.

Is there a time schedule involved? I don't know, but several weeks ago the editor of the Worker talked about a possible rejuvenation of the Communist movement inside the United States. In a meeting on the East Side of New York, he made a little speech in which he claimed that by 1976, only 15 years from now, the United States would be Communist. This then is their timetable—it is an ambitious one, 15 years to take the world. This may not be realistic, but it bespeaks of the great confidence which the Communists have in their ultimate success.

What are their techniques? They use any method that works and discard any method that does not work. Where are they using these methods? Anywhere or wherever the United States can be beaten and defeated, or the Allies of the United States can be beaten and defeated, and where a friend or supporter of ours can be taken out of our system and placed into theirs. They are trying in the Congo, in Cuba, in the United States itself, in space, and under the surface of the ocean, it doesn't matter—wherever man has settled or can penetrate, there is a battlefield between the free world and communism.

With one exception—and that is inside the Soviet bloc—there is no battlefield there. There is none because the free world has been conditioned to accept the notion that the battle must be fought only within the free world. The Soviet bloc must be considered to be the "zone of peace."

When you get into a discussion on the subject, the man with whom you talk, almost invariably emphasizes one particular Communist method. Most people believe that the Soviets have a master technique or method of conflict. This is not true—they use all methods. Let's look at some of them.

Economic warfare: For quite a while people have said that this is important, but it is not the master technique. Technological warfare or the technological race—the attempt to achieve a breakthrough in the technological field so as to outarm us in the quality of our weapons. Very important. That is one of many techniques but it is not the master scheme.

Here in the United States, among those who like to resist communism, there is a debate whether communism is an internal or external threat. There are many people who think communism is a purely military threat and a military operation. There are others who do not really look at communism in that particular way, but see communism as an internal threat through espionage and infiltration. A lot of this is also true. But both types of threat are interrelated.

Violent or nonviolent? Allegedly Communists are either violent or they want to use parliamentary means, in order to seize power. It is natural that they should prefer the parliamentary or nonviolent means, if those are or can be successful. But logically, for a little effort you can get only a little result. If you want more, you must make a greater effort and take a greater risk. Parliamentary and other nonviolent means have been used by Communists since the inception of the movement. But the Communists also know that at the crucial point of the conflict, nonviolent means are inadequate and insufficient. At that point they proceed to the advocation of violence in varying forms, in any form that can be successful. Now, under this concept, nonviolence (that is, propaganda, infiltration, political warfare, economic warfare, and so on) is but a prelude to violence, either in military or paramilitary form, or in the form of "nonviolent violence," such as blackmail or cease-fire-truce stratagems.

Violent revolution is one technique of seizing power. If Communists are successful with this technique, why shouldn't they apply it? If they can achieve victory in this fashion, they won't have to resort to war and thus they might eschew major risk.

Otherwise they will resort to war. There has never been any question about their attitude on war, though they like to camouflage this a little. Mao Tse-tung said, in so many words, that if you want to be politically successful, you have to fight a war. Political power grows out of the barrel of the gun, he says. Anyone who doesn't understand the role of war, doesn't understand anything about politics, he adds.

Mao is outspoken about it, but the Russian Communists are a little more cautious. They think about various ways to minimize the risk of war and its impact on their own society, but fundamentally there is very little doubt in their mind that in order to eliminate the United States—bury it—they have first to kill it. They can't kill anyone with nice words or nonviolent means. Hence war is the essence of conflict.

War may only be a short interlude or it may be a long drawn-out war—that is a detail and not a matter of doctrine. In order to conquer the world, they have to fight. In order to own or hold the world, they also have to fight—that is the upshot of the problem which we should understand, I think.

At this time of history, in the Congo or Laos, it would be foolish to use—or unnecessary to use—nuclear weapons. On the other hand, if the conflict between the United States and the Soviet Union, or between the Soviet Union and Europe, developed into war, you can imagine that nuclear weapons would have to be used. This is not a matter of whether you like it or don't like it. It's a fact of life and we must live with it. Communists look at problems in this fashion. It is there—there is nothing you can do about it, consequently adjust yourself to reality. Any time you hear Communists arguing about such obvious subjects and denying self-evident facts, you should know they are engaging in propaganda, so don't believe them.

Another argument is whether the Communists are interested in advancing through the underdeveloped areas or whether they are interested in fighting the United States directly. These strategies are related to each other. Communists go into the underdeveloped areas whenever they have a chance, and if they are successful, their success has reverberations all over the world. If success is offered on a silver platter, why shouldn't they take it? But the Communists don't have any doubts about the limitations of this strategy. They know that by conquering Rangoon or Tananarivo, or the Congo or Cuba, the United States will not be destroyed—they have no illusions on that. Obviously, advances anywhere would enhance their military position, whenever they get a base, they get a new capability for diversion, though they also pay a price for overextension. But if they want to knock out American power, they have to knock it out on American bases and in the United States.

We could go on with these techniques; but the point is they use all of them whenever opportune and expedient. The really significant point is that these techniques are interrelated. For instance, when the Communists came up with their first atomic weapon and their first space satellite, you heard it often said that quite obviously the Soviets got those things by espionage. Another group said why no, they have no espionage, but they have such great genius and such strong technological development that they can do it all by themselves. Both of these answers are entirely primitive and distorted. They use espionage, of course, and also, they have a perfectly good academic and a powerful technological setup, naturally. Quite simply, they put the two capabilities together, and they obtain a very strong combined capability. There is nothing really mysterious about this, and I cannot understand why people look for a mystery here.

If they can get hold of American secrets—well, sure, they get hold of them; once they have them, they must be able to use them in a competent way. If the structure wasn't competent, they couldn't use the secrets they stole. So technology and espionage go together.

What about the matter of disarmament? Some people came back from the Pugwash and Geneva Conferences and said, "The Communists are serious about disarmament." Sure they are. The question is: What do they want to get from disarmament? That is the crucial point. In looking for disarmament, are they looking for peace, or are they looking for power? Are they using disarmament as a means to further democracy or as a means to facilitate the coming of communism? Are they pursuing "disarmament policy" to help or hurt the United States?

This little point, this little difference in the point of view, hasn't figured in American public discussion; namely, that disarmament cannot be equated naively with peace. The Communists want to obtain military superiority through a disarmament strategy. They want to become stronger and to make the United States weaker—disarm us and arm themselves, as Lenin enjoined them to do. That is precisely what Khrushchev is after. In fact, they tell us so frankly, only our people don't read the fine print.

Lasting peace: Now, what is lasting peace? Obviously it is not what it is cracked up to be. In their lingo, lasting peace is Communist world rule. When an American negotiator meets a Communist negotiator, and they talk about lasting peace, the same words don't mean the same thing.

Why is it sensible for a Communist at the present moment to seek "honestly" and "sincerely" disarmament, not for peace but for military superiority? The logic of nuclear war is very simple. It is an essence that today one or two airplanes can drop more explosive power than was brought down on Germany in World War II during 4½ years. So you don't really need—other things being equal—very large forces. If the other nation is very strong, of course, a very strong force is needed to knock them out. But if the other nation is disarmed or nearly so, beforehand, a war can be fought very successfully on a low level of military strength.

That is a great change from previous history. In previous history—Germany and Japan, for instance, had to build up a force of 100 or 120 divisions; otherwise, they couldn't make their aggression stick. Today that is not the case. You have such enormous firepower and once you can use it effectively, it allows you to go forth and hit the other force even before they know they were hit—or destroyed.

Now about fallout: The amount of fallout that would spread over the world, obviously, is a function of how many bombs and megatons were released. If war can be fought on a low level of violence, with few bombs and megatons, then the fallout problem is minimized and the aggressor, or if you like, the Soviet planner, would find it easier to attack.

By the same token, if the United States wants to deter Soviet attack—all it has to do is to maintain a substantial force, because in that case it becomes too risky for the Soviets to fight a war: attack could be suicide as well as murder. But in its eagerness to save money and to get peace through disarmament, essentially the United States is setting itself up for the kill.

Another argument: Once the Soviet force has reached military superiority—we hope they won't but this is what the boys are running for—would they then strike and fight a war? Mr. Khrushchev says today: We don't want war; it's bad for socialism, which it undoubtedly would be. If Soviet superiority is such that they cannot assume a large probability of success, they probably won't strike. So no conflict would come at a point of marginal superiority. But they also hope to achieve surprise over the United States. If they are confident that in addition to quantitative-qualitative superiority they can achieve a very substantial measure of surprise, the temptation to strike would become very great.

Another factor, the moral balance: Is the free world imbalanced morally, or is it strong morally? If it is imbalanced, maybe the Soviets don't have to strike. Maybe they can force surrender by psychological warfare and other methods. But if the free world is not demoralized and does not give in to blackmail and I am sure the United States is made of sterner stuff—they have to knock us out or get off the seat.

However, suppose they have set up the United States for the kill, and suppose the Soviets believe we are willing to give in; in that case would an attack not be unnecessary? On the contrary, they must strike at us even then.

That is the reason why there is something fundamentally wrong with the argument that we should surrender in order to survive the nuclear age. The Soviets don't know that their enemy the United States can surrender. Objectively speaking, hundreds of millions of people cannot be surrendered and they cannot be taken over. A capitulating government would be disobeyed. At a minimum, guerrilla war would occur as a matter of spontaneity. Also, at the point of surrender, they must destroy our weapons in a hurry and prevent them from falling into hostile hands, including nuclear arms. To take over, the Soviets have to kill and exterminate all centers of resistance.

Considering the numbers that must be killed and considering that resistance forces inevitably would be well armed, nuclear bombs are more efficient, more effective and less risky than murder squads and guerrilla chasers. Nuclear weapons offer the only means of crushing the opposition instantly and resistance must be crushed if communism is to survive the moment of its apparently greatest glory.

Meaning what? Meaning: even if there is surrender, nuclear weapons will be used inevitably and unavoidably. The option of saving lives through surrender has been denied to us.

Actually, the Communist program is that of liquidation of the upper and middle "classes." Liquidation means many things to many people. Some people think it is a "sociological" term—I don't.

It is very clear then that if the Kremlin is confronted by the requirement of ruling mankind, and if most people are not Communists and most won't take their orders from Moscow but would resist—why not simplify the conquest and control the problem by the efficient use of nuclear weapons? If the Communists want to go through with their program of world conquest—and I am convinced they do—they cannot possibly forgo the use of nuclear weapons. They know it, even if some Americans believe the Kremlin actually wants to get rid of their best arms.

On our part, we cannot escape our fate by a trick solution. The atom is a fact of life. We must live with it and adjust to it lest we die from it—in shame or defeat.

Nuclear weapons can be used very efficiently and effectively. You want to make sure that you hit your enemy, but that you don't get hit. This is the basic principle which the Soviets understand even if we don't. They hope they can achieve this extraordinary goal by qualitative and quantitative arms superiority on their part and demoralization on our part. Disarmament propaganda and clandestine armaments are the chief methods of preparing for the showdown—on uneven terms.

Conclusion No. 1: The Communists have a firm and an all-encompassing strategy. They wage conflict along an entire spectrum of techniques and they are constantly learning new techniques. The management of the world conflict is the central core of the Soviet or Communist power structure. They have central direction—sometimes they get into a little argument with a theater commander—but, fundamentally, central direction is giving real cutting strength to their strategy. At home, in all spheres of life, they are organized for this unceasing struggle. They are not interested in increasing standards of living, except to the point of keeping people alive and not too dissatisfied. Fundamentally, theirs is a militant or combat society which is organized in order to produce military power, power in its totality, and broad superiority of power. The entire organization is linked to this one overriding objective. Organizations abroad, outside the Soviet bloc, some openly Communist, and some not so openly Communist, are used to further the objectives of the Communist states and, notably, to reduce the power of all hostile states.

The conflict is managed through organization and conflict is used as a method of organizing. The Communists actively think conflict, not necessarily only the most violent types of conflict, but conflict at all levels, precisely in order to test out the material and moral strength of their opponents and to weaken it, to improve their own strength, and to improve their own organization and skill.

As military men know, a militant organization which isn't battle-tested isn't good as yet; it requires the tempering of fire to produce good combat proficiency. The Communists are well aware of that and consequently are engaged, all the time, in tests of strength, as Stalin called it. They engage in conflict operations to improve efficiency, effectiveness, moral stamina.

The purpose of all this permanent organizing and struggling is twofold: to maximize their capability and to minimize the capability of the free world. To arm and strengthen themselves and to disarm and weaken us—that is, the free world and especially the United States—militarily, spiritually, and morally. All these things go together.

Such a strategy is dependent upon the unwitting cooperation of the opponent. Deception is the method to obtain such cooperation. In order to play the role of the bear together with the role of the fox, in order to carry out deception on a strategic level, they have invented a new technique, which is called semantic warfare.

This method is not unfamiliar to the lawyers among you—you put a better complexion on the case. Physicians say a patient is "resting comfortably" when pain is tearing him to bits. We invent words like "halitosis" not to hurt other people's feelings. This technique is quite familiar to the politician—there is a beautician's job to be performed in all professions.

The very deliberate and widespread practice by the Communists of using semantic deception systematically, and planning it with malice aforethought—that is the novelty. Nothing is haphazard over there. Sometimes something unforseen happens, sure, so they make a new plan. But fundamentally, the long-range operation is well thought out and continuously worked upon, like a pianist having his daily 8-hour practice. They have trained themselves to be virtuosos of deception.

The invention of semantic warfare goes back to Lenin. At one time, Marx said that the Communists distain to conceal their objectives. It is now the other way around: They very much want to conceal, perhaps not their objectives, but their techniques and practices.

A clear-cut decision to employ semantic deception was made in 1935, openly. This particular decision on semantic warfare was made by the Seventh Congress of the Communist International. If you look for the decision, you can find it, black on white. I really don't understand why people are saying Communist strategy is an enigma.

Here are examples of Communist semantics. The Communist Party came to be called the "people," sometimes the progressive elements of the people sounds better, doesn't it? Dictatorship, which is a bad term among all free world peoples, was verbally transfigured into "democracy"—who would catch the trick? If they want to make sure not to be mistaken for Jeffersonians, they call it people's democracy or popular democracy. Revolution? Call it reform—reform in singular and not in plural. Reform in plural—that is what the Revolutionary Socialists want. The reform sounds much better than the revolution, and it is more acceptable to more people. Lasting peace, full equality, classless society, these terms all mean consummated communism. Never were so many bad thoughts made so acceptable to so many people by so many lies.

Cold war: The Communist semanticists call it "struggle for peace." Peaceful coexistence also sounds fine but it's just communese for cold war. Limited wars? Those should not be, never; they are dangerous and lead to nuclear war. They escalate up—you start with a machinegun, you go on to the mortar, then up and up—to little and even large bombs, to superbombs, until the whole world is aflame, all as a result of a little limited war. Something that is small, really is big. Maybe the essence of limit is that it has not limit?

Communists absolutely oppose limited wars but they entirely favor, and even love, national liberation movements. National liberation movements can shoot to their heart's desire, with any weapon that is handy, but they don't escalate up by any means. Why not? Because the Communists promise to deter the American imperialists with peace-loving rockets and nuclear weapons. Thus, a national liberation movement is a limited war instigated by our serving the purpose of the Communists. And it will happen, the Communists promise, just as they promise that limited wars—which would be liberation movements fighting for our cause—will not happen. A Communist limited war won't be war because the Communists call it something else.

We have an argument about just and unjust wars. In the United States, we are agreed that we never should go to war for an unjust cause. We decided, among other things, that justice or injustice of a war is determined by who starts a war. The Communist criterion about the justice of war is, who makes it? They do not hesitate to put it crudely: Any war fought by the Soviet Union is just; any war fought against the Soviet Union is unjust. They say any

war fought by a capitalist country is unjust; any war fought by Communist states is just. Any war fought for the furthering of Communist ideas or for revolutionary against nonrevolutionary ideas is just—any war fought for the security of free world societies, notably the United States, is unjust. It's that simple.

So any conflict they or their allies would be engaged in is just; they would describe themselves as upholding the true and just cause, but assert that we are upholding the wrong and unjust cause.

The trouble is that as a society we don't seem to find answers to this mendacious moral threat. We don't know, as a nation, that it exists, in the first place, and then we don't always understand that this skulduggery results not from the conviction or logic, but is largely a properly developed and implemented propaganda plan to use telling arguments rather than argue the truth.

The Communist line on just and unjust war is not apologetic, it is offensive. It is derived—by specious reasoning it is true, but nevertheless quite directly—from the basic Communist claim that they know how to predict history, that history is on their side, and that inevitably they are going to win. As long as they are allowed to sell this point, they will remain in the ideological driver's seat.

We don't find it necessary to go on the offensive in this semantic warfare, we just think the truth speaks for itself. The difficulty is that the truth is very often hidden and delicate like a lily-of-the-valley under the snow. If truth could speak for itself, we would not have a long history of philosophical effort, along with elaborate science and methodology. All this has no other purpose but to find the rules of deciphering the truth and proving the evidence, and in ceaseless effort, make the truth ever truer. For us in the West, truth is a problem for the highbrows and longhairs, or it is utterly self-evident. For the Communists, truth is a task of conditioning the masses. Let us face it; this is an area where the Soviet war potiential is as yet far greater than ours. We have yet to acknowledge that this particular contest is taking place.

Conclusion No. 2 is that the Communists are waging the conflict 24 hours a day, every day, for the past 50 or 100 years, for the next 50 or 100 years, worldwide, from the North to the South Pole, including inside the United States. They are running, and continuously enlarge, an operation of deception about the purposes and methods of communism, and even about the very existence of the conflict itself—whether in fact we are engaged in a mortal conflict with communism—and they succeed in fooling many on this very point. This deception is an integral part of Communist conflict management; we seem unable to accept that deception is a reality. The Communists truly are the greatest inventors of our time: They invented the tarn-cap, the hat which makes them invisible. But did they realize the wish dream of all wily warriors since Neanderthal times? Or did we just lose our vision?

Trust in people: This is the key part of the American tradition, a very wonderful tradition, one I hope from which we never will depart. But when we buy a house or an insurance policy, we read the fine print; this is also American tradition. We recognize the need for caution but when dealing on the international scene we tend to forget even elementary prudence.

Is this hard to understand? It would be easy to understand if we really felt like a virgin longing for illegitimate motherhood who for reasons of moral alibi insists on being raped. But this is not our case. We don't want to have anything to do with the fellow. We hate communism, it's a strictly visceral reaction.

But our actions belie our emotions. I have been puzzled by this self-contradictory attitude. It is true that people just don't do their homework about communism. Our logic isn't good enough. Our arguments aren't convincing. There is no doubt we could do better. But is this really the point? I finally concluded that the logic of this analysis of communism is self-evident, even platitudinous. Everyone who has seen a western movie or a wrestling match understands deception and trickery, fouls and mickey finns, playing possum and ambushes, feints and one-two knockouts. Every single one of our 4-foot cowboys at home understands the logic of combat, including the basic rule of judo which is this: Use the opponent's weight against himself.

There is no deficiency in our logic if as a nation we don't understand the rules of this life-to-death contest. Our inability to comprehend has purely psychological reasons. We are psychologically handicapped, not logically. Irrespective of the state of our logic, psychologically we are not in the best of health; in fact, we are sick. The free world is suffering from what I would call a collective anxiety neurosis.

Where did this come from? This disease wasn't incubated by the atom—its etiology reaches far back. But the atom suddenly made the neurosis acute.

Now, please, don't misunderstand what I am saying—I don't mean to say that the atomic weapon isn't a potent weapon. I don't assert that nuclear weapons are just large firecrackers. Of course, they are the most lethal weapons of history. I merely recognize that these weapons exist.

The elementary fact of life is that what exists has significance and cannot be undone. Technology cannot be uninvented. Just like the birds and bees cannot be made over into the stork, and just like Macy's Santa Claus can't travel on a reindeer through the chimney, so the atom cannot be conjured away by magic and be transformed into a legendary weapon popular in Valhalla only. The atom is going to stay with us on this earth, like debt, taxes, disease, and death, or if you wish like luck, progress, whiskey, women, and Katzenjammer.

It is very typical of anxiety neurosis that patients suffering from it are trying to deny reality. It is also typical that anxiety patients suffer from paralysis of will and are becoming increasingly suggestible, in direction of ever greater anxiety.

The basic indicator of mental integrity and psychological health is the ability to face reality and to attack, not to fight, unpleasant problems.

Again the point is, if you cannot get rid of nuclear weapons, which you obviously can't, why don't we save mankind by giving up or in? Here you have another symptom of the neurosis, the escapist solution and unbridled obsession with escapist hopes. If there is the enormous danger of nuclear war, would it not be reasonable and normal to ask for more rather than less protection?

I don't think anyone can really concern himself with saving mankind, all of it. I rather leave this question in the hands of God. The real question that should concern us is this: Who should be saved? We or they? Those who are for liberty or those who are for tyranny? Americans or Communists? Kto kovo—who kills whom? That's the way Stalin posed the question and he thereby defined the rules of the game for the Communists as well as for us.

Yes, we can get rid of our arms. Yes, we can volunteer for the yoke. But who would be saved? Who would be killed?

One thing is certain—practically everyone in this room would go to northern Canada or Siberia to chop wood, as long as they lived, and that wouldn't be very long. One thing that is certain too, is this: The so-called ruling classes, and the middle classes, and those who have savings and stocks, life insurance and real estate, those who have education and those who insist on free speech, the States Righters and the centralists, the liberals, and the conservatives, the proponents of democratic world government, and even the fellow travelers and the advocates of disarmament, they all, except a few thousand authentic Communists who presently grace this country, they all would risk destitution, disruption of family, forced labor, imprisonment, torture, and death.

Would all of them be killed? Of course not, some one has to keep the sewers clean. The casualty tool of communism in the Soviet Union has been in the millions. This has been estimated for years—casualties caused by forced labor, artificial famine, terror, and liquidation. Now, the Soviets themselves have come out with statistics and lo and behold, 40 to 50 million Soviet citizens are missing, and only half of these losses, or less, can be accounted for by the last war.

If this is the human price of communism in their own country, with their own people, and with a large Communist Party and millions of sympathizers, you would be very optimistic if you estimate that one-quarter of the American population would fall by the wayside; 45 million Americans now, 50 million Americans soon, 4 million Canadians and over 100 million Europeans—this hecatomb would be larger than even the most devastating nuclear war.

Would the survivors be able to live with their conscience or are we in this struggle as a solitary nation, each of us standing up for the other?

The land of Communist promise cannot be reached by a Marxist Moses asking God to make dry land by dividing the waters of the Red Sea. The Communists can make their landfall only by riding the waves of a "deep sea of blood." The Nazi technique of extermination camps is insufficient for their purposes. As I suggested before, the Communists need atomic weapons to impose communism, not merely to defeat our forces.

But suppose communism has been installed. What then? Geography is going to be the same, national character is going to be the same. Anti-Communist attitudes will be there, very strongly. The Communists are not known to be particularly sympathetic to each other—they fight like hell all the time. Conflict is their way of life—the very—and only—meaning of their existence. If you believe they can make communism work as a utopian system, perhaps you can assume that there will be peace after 100 years of head chopping. But if you believe that communism will remain impractical and in reality is nothing but a power system, then you must assume that conflict will continue, precisely because the Communists will try to make communism work and must destroy those whom they suspect and expect to be their enemies.

Ladies and gentlemen, what then is the challenge? Turning over the world to communism does not prevent war. Nuclear war, the next Armaggedon is going to come as assuredly as the sun is rising, if and when (1) people talk of surrender, (2) foolish governments may try to surrender, (3) the Communists want to take over, lock, stock, and barrel after surrender, and (4) if and when the Communists would attempt to be running the world. War or extermination would occur in every phase of the surrender process, and then again under communism, when every state would be fully Communist ruled.

Every major Communist state is going to have nuclear weapons, there won't be mutual inspection between Communists—they take each other's word, you know. Then the ideological party sects will quarrel about

"tactics" and nuclear weapons will be used to insure the glory of one communist interpretation over another.

History won't stand still. If the globe is dominated by an aggressive militant ideology, struggles between the various orthodoxies are inevitable. In the nuclear age, arguments will be decided with and by nuclear weapons. Since these will be pure ideological as well as power struggles, and since rebellious peoples have to remain subjugated, those wars will be very bloody indeed. And communism that won't work, in the end will be smashed by history—that transfer will be bloody, too.

The real task we are facing is to eliminate the main root of the war danger, and that is Communist aggressiveness. Only if we preserve democracy, evolution, and freedom as politically powerful and functioning systems, and keep them stronger than communism, will we be able to manage—and ultimately subdue—the threat of nuclear war. Survival of free government is a better insurance for physical survival than surrender.

The proposals for unilateral disarmament, with their complete ignoring of reality, really are symptoms of insanity. If the sense of reality is impaired, any psychiatrist will tell you, false decisions follow. Those whom the gods want to destroy, they blind first. Inasmuch as the Communists are trying to blind us they have assumed the role of contemporary gods—a dreadful thought. To evacuate, to pull back, to hold back, to be unprovocative, to be accommodating, to take no action, to wait hopefully for the lucky "turn"—take any psychiatric handbook and look under "anxiety neurosis"; those are the symptoms.

Flight from reality has characterized the free world since Hitler's coming to power in 1933. Those who suffer from anxiety neurosis suddenly may try to break out and run wild, and that can happen to us, too. If the patient cannot live with inaction much longer, what does he do? Does he apply himself effectively and logically to the problem? No. He suddenly may lose his temper and attack at the very moment when he should have been cautious. Temper tantrums won't cure the ill. Remember the years of defeat between 1939 and 1943.

Nor will phony expedients be a cure. If someone is sick, moving to a new house won't help. Still, you find a lot of escapism in free-world foreign policies. Not that those policies are wrong by themselves. But always ask yourself this simple question: Does this policy or program hurt Moscow or doesn't it?

Now, there are a lot of things which we have to do and which have nothing to do with our conflict with the Communists. There are many things we should do for their own sake, even if they don't hurt Moscow. We do have purposes beyond this struggle.

However, in strategy which is a concerted action to enhance U.S. security and national interest as well as the security and the interest of the free world, we must take actions which hurt Moscow. If we don't take such actions, Moscow will hurt us and the power balance will move against us.

It is perfectly legitimate to say, Let us help Guatemala or South Africa, or east Africa, or this place or the other place—problems arise and we can help. I am not objecting to that for 1 minute. In fact, this is part of our heritage of humaneness and humanitarianism and it is often useful for economic and sociological reasons, too. Yet we never should do things which, though useful on nonstrategic grounds, are objectively beneficial to the Kremlin. If we avoid this particular trap, there are many good points that can be made in favor of foreign assistance, including that it may render the Communist job more difficult.

But the point is this: is it strategy or is it something else? If it is humane or economic action, fine. If it is supposed to be strategy, I believe that actually it is an escapist solution. You don't do what you should be doing.

Say, there is a program to build a power station somewhere in Africa. This does not help you in the fight against Moscow, except indirectly, perhaps. Directly and in the immediate struggle it doesn't help at all, if only because it takes years to build the plant.

Consequently, when you are building a power station, you haven't done anything yet against communism. You may be a happy Samaritan, but you haven't faced the Communists. You are not climbing into the ring to fight. You are just serving refreshments to the spectators—popcorn on credit.

When the question of priorities comes in, are you first to build a power station and then worry about what you do to Moscow, or worry first about Moscow, and then, if you have something left over, perhaps, build the power station? Are you going to sacrifice military strength now to get a more favorable sociopolitical climate in the jungles 40 years hence? And further, are we going to give costly help to those who like us least or to those who are our most loyal friends?

Realism and idealism are not contradictory. We can have all the idealism we want. The United States is an idealistic country. This is part of our national character and we should live up to this proud tradition. But in being idealistic and being imbued with the idea that we should help the underdog, let us not forget the essential point: That we, also, and above all, must hit the dog that is causing trouble to the underdog.

The anxiety neurosis is being stimulated by the Communists on a 24-hour-a-day basis—by propaganda, by nuclear hysteria, by blowing hot and cold—this conditioning process continues year in and year out. Yet mental capacity is the foundation of material strength. It is the effective mind that ties together a country as an industrial-technological, and as a moral entity. It is mental competence that is under attack—our emotional cohesiveness, our intellectual acuity and the courage of our thinking.

Many of our troubles are self-inflicted. Hence, if we are to confront communism successfully, we also must face up to our own problems.

There are six prerequisites to winning this conflict:

1. Awareness of what the opponent has been doing, is doing, and will be doing tomorrow.

2. Understanding of our own reactions, including the reasons for our paralysis of will and sometimes our foolhardiness.

3. We must know why we don't want to lose. Many people don't know that. We also must know why we want to win; even fewer people know that.

4. In conflict, material power is not the decisive element; willpower is the decisive element. No conflict ever can be won with the ease of a boy's sleighride downhill. It is the fate of man, like Sisyphos, to roll heavy rocks up the hill, again and again and again. Victory goes to the longer breadth and this means, to the deeper conviction. On that basis, we must make every effort to strengthen our will, steel our endurance, enhance our readiness to make the necessary sacrifices, and to live with trouble and danger for a long time.

5. You win because you overcome hindrances, difficulties, fatigue, despair, defeat, in spite of everything you press forward. Dimitrov, late boss of the Communist International, talked about prerequisites of success, to wit, "Bolshevik stamina, revolutionary strength of character, and the willpower to carry it through." The last bomb and the last man can win the conflict and often do. The Communists are trained in this spirit. If we are more flaccid and if failure is tolerated, because we want to be tolerant even in mortal struggle, the conflict is going to be lost by default.

6. We must eschew all escapist solutions and have the will to look both the reality and the enemy in the eye, at close range. If any of the key ingredients of will and skill is lacking, or if these ingredients are going to be superior in the Soviet Union, we are going to be in real trouble. We may lose—let's have no illusions about our invincibility. But if to the enormous material resources we possess, we add the intellectual strength and the moral depth of which we are capable—the hatred of free man against tyranny, and the courage to survive of those who acknowledge the rights and duties of humanity and therefore are willing to die for the supreme law of ethics—then we shall win.

It is late in the battle but our reserves still are intact. The time has come to throw them into the fray. This is my third and last conclusion. Thank you very much.

FOUR POWER OCCUPATION OF BERLIN

Mr. DODD. Mr. President, during my visit to Europe I came across a very informative article in the London Sunday Times for August 13, 1961, on the agreement which established the Four Power occupation of Berlin. It is entitled "Berlin Absurdity?" and was written by Mr. Goronwy Rees, a distinguished British journalist, author, and educator. During World War II Mr. Rees served as an officer with the Royal Welsh Fusiliers and immediately after the war served on the staff of Lord Strang, the political adviser to the British commander in chief in Germany.

Mr. Rees' article has two particular merits, I think. First, it reminds us that the proposal for a Four Power occupation of Berlin was not a wild concoction. On the contrary, it was the product of considerable thought by the European Advisory Commission, the inter-Allied body set up by the Foreign Ministers of the United States, the United Kingdom, and the U.S.S.R. to plan for the postwar treatment of Germany, and met the realities faced by the Allied Powers in Germany.

Second, as Mr. Rees puts it, the authors of the Four Power occupation plan "labored better than they knew." He reminds us that the zonal occupation of Berlin has permitted over 2 million persons to exercise their natural rights to life, liberty, and the pursuit of happiness in West Berlin, and that, by providing an escape route from East Germany, it has enabled 4 million inhabitants of East Germany to secure these same rights. He also reminds us that—

> The survival of the Berlin settlement has given to the inhabitants of Berlin a further privilege which confers on them a unique status and a peculiar dignity in the circumstances of today. For each day and every day they exercise an effective choice between the values of Western civilization and those which are represented, in their most degraded form, by the German Democratic Republic.

I cannot conclude these remarks with more fitting words than Mr. Rees has

used to conclude his article. And so I shall quote him:

A settlement which, in the face of all probability, has for 15 years conferred these benefits on over 6 million men and women behind the Iron Curtain is not one which can be lightly dismissed as an absurdity or an anomaly; or if it is, one might be inclined to think that this is the kind of absurdity of which we could do with a great deal more. If the status of Berlin is now to be modified by negotiation, the object of Western diplomacy must in fact be to preserve the absurdity of its position and to persuade Mr. Khrushchev that this one element in the situation is not negotiable, whatever else may be.

Mr. President, at this time I ask unanimous consent that the full text of Mr. Rees' article, "Berlin Absurdity?" be printed in full in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the London Times, Aug. 13, 1961]

BERLIN ABSURDITY?

(By Goronwy Rees)

Today it has become a commonplace to describe the status of Berlin as a kind of historical anachronism, which no rational person could reasonably wish to justify. Mr. Khrushchev's word for it is "an anomaly," and in using it he shows a good deal more self-restraint than some others. Mr. Emery Reves, for instance, writing recently in the Sunday Times, says that "the arrangement made over Berlin is about the worst that can be imagined from the point of view of the Western Allied Powers. How it happened is still a mystery." According to Lord Boothby, the Western Allies "agreed to a zonal system in Germany, the authors of which, although apparently unknown, should be certified as insane, if they are still alive."

It is part of the case against the absurdity of the Berlin settlement that somehow its origins are shrouded in mystery, the work of faceless and nameless individuals who can no longer be identified. In fact, nothing could be less mysterious. The origin of the proposal to make Berlin an enclave under Three Power (later Four Power) control within the Soviet zone of occupation is to be found in the Ministerial Committee set up by Mr. Churchill in 1943 to consider postwar problems. It was presided over by Mr. Attlee, and had Sir James Grigg and the late Mr. Ernest Bevin among its most active members; and it had the assistance of an official Post-Hostilities Planning Committee, which prepared detailed plans for its consideration. Among these was the plan for the Three Power occupation of Germany, including the Three Power occupation of Berlin.

The Committee's plan was submitted to, and accepted by, the State Department, and approved by the Foreign Ministers in Moscow in 1943. At that meeting, the Foreign Ministers also proposed the establishment of an inter-Allied body, the European Advisory Commission, whose task was to draw up plans for the postwar treatment of Germany and her allies. It held its first session in December 1943, and consisted of Mr. Winant, the U.S. Ambassador in London, Mr. Gusev, the Soviet Ambassador, and Sir William (now Lord) Strang, of the British Foreign Office. Whatever one may think of these gentlemen it would seem capricious to describe them as either unknown or certifiably insane.

Between May and September 1944, the Commission discussed the postwar occupation of Germany, and its members were able to agree, and to send to their governments for approval, a plan which was substantially based on the proposals put forward by Mr. Attlee's Committee. The protocols drawn up by the European Advisory Commission were signed on September 12. The approval of the British Government was given on December 15. American approval was delayed until February 1, 1945; Soviet approval followed on February 6. Thus at the Yalta Conference in February 1945, it was only necessary for the Allied statesmen to confirm an agreement which was already in fact in force.

Thus, though inter-Allied relationships were changing significantly under the pressure of events, the Commission's proposals were accepted without serious modification, except that now they had to provide for a French zone of occupation and a French sector in Berlin. In principle and in structure they remained the same; and indeed what is most remarkable about the Allied plan for the occupation of Germany and Berlin is that it remained substantially unchanged from the time when it originated in Mr. Attlee's Committee to the moment when it was finally put into effect by general order of the commanders in chief in Germany.

During that period the attitudes and policies of the Allied Powers to the postwar treatment of Germany, and to each other, had undergone many changes. Throughout all these shifts and changes the European Advisory Commission's proposals, as if they had a charmed life which protected them against all the vicissitudes of politics, maintained themselves as providing the only plan on which the Allies could agree. The reason is that the EAC proposals met, as no other plan could, the conditions of the problem which faced the Allies. First, it allocated them zones of occupation which were roughly equal in size and population. Secondly, it prevented the capital of Germany from becoming an exclusively Soviet interest. Thirdly, the Soviet Union was willing to agree to it and to implement it. It has been suggested that at Yalta the Allies, pressed by the urgent problems of completing the defeat of Germany, and the further problems of defeating Japan, accepted the Commission's proposals without due consideration, and thus offered Stalin the opportunity, which he eagerly seized, of exploiting them to his advantage. The truth is rather than the proposals, and the alternatives to them, had been so exhaustively considered (ad nauseam, as Lord Strang has said) that it seemed there was no other plan which would offer a basis for the continued collaboration of the Allied Powers.

Yet, so far as Berlin was concerned, the plan had what seems today to be an obvious and fatal weakness, in that it made no provision for freedom of access between Berlin and the Western zones of occupation, and today indeed this weakness may even seem to have sown the seeds of a future world war. It has been suggested that this again was the result of an inexcusable oversight on the part of the Commission or of the statesmen who approved its plan at Yalta.

In fact, Mr. Winant had raised the question with the State Department in 1944 and had been instructed not to press for guaranteed rights of access; and when the time came to apply the plan it was again decided that it would be a mistake for the Allies to ask for guarantees, on the ground, first, that this would imply a restriction on the general freedom of communications between the zones of occupation and Berlin, which was assumed in the plan, and secondly, that if the Russians intended to interfere with communications they would do so whether they had given guarantees or not. And in the event this proved to be true; the Russians did guarantee communications and they did interfere with them.

It quickly became apparent that the assumptions on which the EAC plan was based were false, in particular the overriding assumption that Four Power collaboration would continue in peace as it had in war. What is remarkable is that the one feature of the settlement which has been most exposed to criticism, that is, the establishment of Berlin as an enclave under Four Power control 100 miles within the Soviet zone of occupation, is precisely the feature which has endured the longest. Fifteen years after the settlement, it is in Berlin, and only in Berlin, that the Four Powers preserve and exercise the rights which they acquired by the defeat of Germany, and it is these rights which Mr. Khrushchev now wishes to abrogate.

The survival, like some vestigial remains of a prehistoric era, of the postwar arrangements in Berlin has had one paradoxical effect which no one could have foreseen at the time, least of all the authors of the Berlin settlement; in this respect at least, they labored better than they knew. For their survival has preserved an island of freedom behind the Iron Curtain in which over 2 million men and women continue to exercise their natural rights to life, liberty, and the pursuit of happiness; and it has also given to 4 million refugees from the German Democratic Republic the opportunity of recovering the same rights in West Germany.

Moreover, the survival of the Berlin settlement has given to the inhabitants of Berlin a further privilege which confers on them a unique status and a peculiar dignity in the circumstances of today. For each day and every day they exercise an effective choice between the values of Western civilization and those which are represented, in their most degraded form, by the German Democratic Republic.

A settlement which, in the face of all probability, has for 15 years conferred these benefits on over 6 million men and women behind the Iron Curtain is not one which can be lightly dismissed as an absurdity or an anomaly; or if it is, one might be inclined to think that this is the kind of absurdity of which we could do with a great deal more. If the status of Berlin is now to be modified by negotiation, the object of Western diplomacy must in fact be to preserve the absurdity of its position and to persuade Mr. Khrushchev that this one element in the situation is not negotiable, whatever else may be.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 29, 1961, he presented to the President of the United States the following enrolled bills:

S. 880. An act to amend section 216 of the Merchant Marine Act, 1936, as amended, to authorize the Secretary of Commerce to accept gifts and bequests of personal property for the U.S. Merchant Marine Academy;

S. 1908. An act to provide for a national hog cholera eradication program; and

S. 2268. An act to amend the Federal Aviation Act of 1958 to provide for the application of Federal criminal law to certain events occurring on board aircraft in air commerce.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. TOWER. Mr. President, if there is no further business to come before the Senate at this time, I move, pursuant to the order previously entered, that the Senate adjourn until 9 a.m. tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 29 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Wednesday August 30, 1961, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate August 29, 1961:

COLLECTOR OF CUSTOMS

D. Patrick Ahern, of California, to be collector of customs for customs collection district No. 27, with headquarters at Los Angeles, Calif.

U.S. ATTORNEY

H. Moody Brickett, of Montana, to be U.S. attorney for the district of Montana for the term of 4 years, vice Krest Cyr.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 29, 1961:

IN THE COAST GUARD

The following-named persons to be commanders in the U.S. Coast Guard:

David H. Douglas
David Oliver

The following-named person to be lieutenant commander in the U.S. Coast Guard:

Paul S. Hofmeister

The following-named persons to be lieutenants in the U.S. Coast Guard:

William E. West, Jr.
Eugene G. Verrett
Carlton D. Leonard

The following-named persons to be lieutenants (junior grade) in the U.S. Coast Guard:

James G. Glasgow	Leonard W. Garrett
Robert A. Kuehnl	Thomas S. Mills
Robert P. Knauff	William P. Hewel
Joseph M. McKenna	Alan B. Smith

The following-named persons to be chief warrant officers, W–4, in the U.S. Coast Guard:

Ernest E. Fuller	Philip S. Lincoln
Lawrence O. Hamilton	Charles A. McQuaid
Talmadge H. Sivils	Lee W. Bothell
Ludwig K. Rubinsky	

The following-named person to be chief warrant officer, W–3, in the U.S. Coast Guard:

Raymond R. Thiele

The following-named persons to be chief warrant officers, W–2, in the U.S. Coast Guard:

Johnnie P. Gilbert	William C. Bart
John E. Dunn	John E. Tucker

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 29, 1961

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

From the Book of Romans (15: 13): *Now the God of hope fill you with all joy and peace in believing.*

O Thou gracious Benefactor, grant that our beloved country, which we prize so highly and for which we are profoundly grateful, may be used by Thee in mediating to men everywhere the blessings of freedom and peace.

May we never be tempted, as beneficiaries and stewards of Thy goodness, to become stoically indifferent to the needs of others, but inspire us with a heartfelt sympathy and concern for humanity and honestly seek to legislate for the welfare of mankind everywhere.

We earnestly beseech Thee that above the harsh and discordant notes of fear and frustration, of selfishness and suspicion, of cruelty and hatred, the nations of the earth may hear and heed Thy still small voice calling them to friendship and fraternity.

Hear us in the name of our blessed Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 29. An act to amend section 216(b) of the Merchant Marine Act, 1936, as amended, to permit the appointment of U.S. nationals to the Merchant Marine Academy;

H.R. 1794. An act to provide for the conveyance of certain real property of the United States situated in Hawaii to the State of Hawaii;

H.R. 2898. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof;

H.R. 3526. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof;

H.R. 5235. An act to authorize the Confederated Tribes of the Warm Springs Reservation of Oregon to acquire land within the boundaries of their reservation;

H.R. 5964. An act to authorize the use of funds arising from a judgment in favor of the Potawatomi Nation of Indians, and for other purposes;

H.R. 6102. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in Highlands County in the State of Florida to the record owners of the surface thereof;

H.R. 7108. An act to amend the Federal Home Loan Bank Act and title IV of the National Housing Act, and for other purposes; and

H.R. 8277. An act to amend the Federal Home Loan Bank Act to simplify and improve the election and appointment of directors of the Federal home loan banks.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 7391. An act to promote the conservation of migratory waterfowl by the acquisition of wet lands and other essential waterfowl habitat, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 543. An act to promote the preservation, for the public use and benefit, of certain portions of the shoreline areas of the United States; and

S. 1969. An act to amend the Federal Aviation Act of 1958, as amended, to provide for supplemental air carriers, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 880. An act to amend section 216 of the Merchant Marine Act, 1936, as amended, to authorize the Secretary of Commerce to accept gifts and bequests of personal property for the U.S. Merchant Marine Academy; and

S. 2268. An act to amend the Federal Aviation Act of 1958 to provide for the application of Federal criminal law to certain events occurring on board aircraft in air commerce.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 685) entitled "An act to amend the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended, and for other purposes."

SUGGESTION OF CONTRACT AUTHORITY IN THE FOREIGN AID BILL

Mr. CANNON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, the newspapers this morning are full of reported compromises on the back-door foreign aid proposition whereby contract authority would be substituted for the back-door borrowing gimmick. May I say in this connection that the Committee on Appropriations, after long experience and disappointing results with contract authority, officially and formally renounced it 11 years ago. It is one of the most irresponsible, the most misleading, the most expensive, and one of the most wasteful methods of supplying money that can be employed; and may I say that as far as I am personally concerned, and I think I speak for a great majority of the membership of the Appropriations Committee, we will continue our established policy of eschewing and disallowing all contract authority.

A special subcommittee, headed by the distinguished gentleman from Texas [Mr. MAHON] issued a report filed with the House on March 21, 1957—Report No. 216, 85th Congress—based on careful study of the matter. The conclusion:

Contract authority is a workable device but not the most economical. It is an old and familiar friend to the Committee on Appropriations and the Congress. It was used extensively for many years. It has been found wanting. It was generally abandoned in appropriation bills back in 1951, although its use is growing in substantive legislative bills. Far from contributing to economy and retrenchment, it tends to the opposite effect. It ties the hands of the President and the Congress in making up and considering future appropriation budgets by introducing undesirable rigidities into the budget picture. It is a snare and a delusion. Its "appeal" is one of its principal defects. It is often viewed as merely an authorization, with the con-

sequent tendency to pass over it more lightly, to fail to give it the same thorough examination as a direct appropriation. Psychologically, the situation can be likened to a charge account at the store—relatively easy to open because it is not necessary to have the cash in hand. Moreover, subsequent appropriation requests to pay the bills incurred under prior contract authority are frequently viewed as being beyond reach—the attitude that "we have no choice but to pay the bill." That has been the practical effect of using it in many instances.

Mr. Speaker, the traditional annual appropriations process followed since the beginning of the Republic depends for its effectiveness and its vitality on the choices it affords the House to respond to the necessities of changing situations. It affords complete flexibility. But contract authority destroys the flexibility, no matter how urgent the changes called for. It removes all discretion from future budgets and future Congresses. As the special Mahon committee has accurately said:

No funds whatsoever can be withdrawn from the Treasury save in consequence of valid authority granted by the Congress to first create an obligation in behalf of the Government. That is the beginning point in the budgetary process—the point of control—and it is the key to the situation. The most consistently accurate barometer to future spending levels is the dimensions of authority accorded by the Congress to enter into obligations on behalf of the Government. Denial of authority to obligate precludes a subsequent expenditure. Curtail the input of new appropriations (and other forms of obligating authority) and spending will come down. Grant authority to obligate and the expenditure inevitably will follow in due time.

Contract authority in the foreign aid authorization bill would render the subsequent annual appropriations bill to pick up the tab a ministerial, perfunctory, meaningless routine. The executive branch stated the situation succinctly some years ago in an official release on the budget:

Because obligational authority foreruns expenditures, it is necessary to exercise control over the amount of new authority voted for Government agencies in order to keep expenditures within receipts. If in any year the Government obligates itself to pay more money than it is receiving, it is courting future deficits.

FOREIGN AID CONTRACT AUTHORIZATION

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, there have been rumors circulating that it would be put up to the conferees on the foreign aid authorization bill that they allow contract authorization for several years.

That would be just as bad and just as irresponsible as the back-door public debt borrowing operation. We would never know where we were, we would never know where the Treasury was, and at the end of the year no one could tell whether we had really balanced the budget or not. We would be in such a mess that we ought to get to the point where the U.S. Treasury is somewhere near right side up.

I hope that the conferees on that bill will not try to put through any such thing as that. To my mind it would be exceedingly and seriously dangerous.

ADVANCE CONTRACT AUTHORITY IS BACK-DOOR SPENDING

Mr. PELLY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, in this morning's Post, under the caption "Deadlock on Aid Bill Continues," there is an article indicating possible compromise over the method of financing the foreign aid program. It refers to talk that long-range contract authority might be substituted for Treasury borrowing.

Mr. Speaker, my purpose in addressing the House this morning is to express a strong and unequivocal opinion that any financing of the foreign aid program by advance contract authority would constitute the most objectionable abdication of congressional responsibility any conferees could report back to the House. It would make appropriations to pay the contracts mandatory, because any contract once made would have to be honored and the Congress in future years would in effect have no budgetary control, as called for by the Constitution.

As a practical matter contract authority would preclude the Congress from exercising discretion as to the dimensions of Federal spending. The normal scrutiny and annual review associated with the appropriations process would be a mere formality. Advance contract authority is one of the devices known as "back-door spending," all forms of which should be opposed.

COMMITTEE ON EDUCATION AND LABOR

Mr. McCORMACK. Mr. Speaker, at the request of the gentleman from Pennsylvania [Mr. DENT], I ask unanimous consent that the Subcommittee on the Impact of Imports and Exports on American Employment of the Committee on Education and Labor may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

BANK HOLDING COMPANIES

Mr. MULTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, I have introduced today H.R. 8950, a bill to amend the Bank Holding Company Act of 1956.

The first amendment would prohibit bank holding company subsidiaries from operating outside the Federal Reserve district containing the State of incorporation of the parent and require divestment of such holdings within 3 years.

The second amendment would redefine a bank holding company in terms of a company that owns or controls 25 percent or more of the stock of one or more banks instead of the present definition in terms of two or more banks. This, I believe, conforms with the recommendation made by the Federal Reserve Board in its 1958 report to the Congress and carries out the intent of that recommendation.

Several other amendments will have to be made to the Bank Holding Company Act of 1956 before the difficulties in administering it have been overcome. The amendments contained in this bill, however, are a step in the right direction.

LUMP-SUM PAYMENTS FOR CERTAIN RESERVE PERSONNEL

Mr. MADDEN Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 437 and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8773) to amend section 265 of the Armed Forces Reserve Act of 1952, as amended (50 U.S.C. 1016), relating to lump-sum readjustment payments for members of the Reserve components who are involuntarily released from active duty, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 172]

Baring	Chamberlain	Cook
Blitch	Chelf	Cooley
Boykin	Chiperfield	Cramer
Brooks, La.	Coad	Dawson
Buckley	Collier	Diggs

Flynt	Kilburn	Powell
Fogarty	King, Utah	Rabaut
Ford	McSween	Rains
Gallagher	Mailliard	St. George
Goodell	Merrow	St. Germain
Gray	Miller, N.Y.	Santangelo
Green, Oreg.	Milliken	Shelley
Harvey, Mich.	Norrell	Sheppard
Healey	O'Brien, N.Y.	Thornberry
Jones, Ala.	O'Konski	Westland
Kearns	Pilcher	Wright
Keogh	Poage	

The SPEAKER pro tempore (Mr. WALTER). On this rollcall, 382 Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

PROHIBITING TRAVEL OR TRANSPORTATION IN COMMERCE IN AID OF RACKETEERING ENTERPRISES

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1653) to amend title 18, United States Code, to prohibit travel or transportation in commerce in aid of racketeering enterprises, with House amendment thereto, insist on the House amendment and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. WALTER). Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on the part of the House: Messrs. CELLER, RODINO, ROGERS of Colorado, MCCULLOCH, and MILLER of New York.

There was no objection.

LUMP-SUM PAYMENTS FOR CERTAIN RESERVE PERSONNEL

Mr. MADDEN. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, House Resolution 437 provides for the consideration of H.R. 8773, a bill to amend section 265 of the Armed Forces Reserve Act of 1952, as amended (50 U.S.C. 1016), relating to lump-sum readjustment payments for members of the Reserve components who are involuntarily released from active duty, and for other purposes. The resolution provides for an open rule with 1 hour of general debate.

The purpose of H.R. 8773 is to provide equity between Regular and Reserve officers on active duty in respect to the amount of readjustment or severance pay available upon their involuntary release to inactive duty prior to the time they become eligible for immediate retirement benefits. The establishment of parity for Reserve officers with their Regular contemporaries should overcome to an appreciable degree the present reluctance of Reserve officers to remain on active duty beyond their period of obligated service.

Reserve officers constitute about 60 percent of the officer strength of the Armed Forces. The chief requirement for Reserve officers occurs in junior officer grades. Progressively limited requirements for officers in the more senior grades force the release of many Reserve officers from active duty before they qualify for the immediate receipt of retired pay. The Armed Forces have a requirement, however, for junior officers who are willing to remain on active duty for relatively short careers of not more than 10 to 12 years.

The Department of Defense indicates that the Armed Forces have had difficulty in persuading young Reserve officers to remain on active duty after their obligated tours have expired, causing a deficit in the number of young Reserve officers willing to remain on active duty. In addition, the Department desires to have a large number of applications to permit greater selectivity in choosing the officers to be continued on active duty.

Mr. Speaker, I urge the adoption of House Resolution 437.

Mr. Speaker, I yield 30 minutes of my time to the gentleman from California [Mr. SMITH].

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, I agree completely with the statement of the gentleman from Indiana [Mr. MADDEN].

House Resolution 437 provides for the consideration of H.R. 8773, with 1-hour open debate.

This bill was reported by the Committee on Armed Services unanimously. It corrects, to a certain extent at least, certain inequities which presently exist between Regular and Reserve officers on active duty in respect to the amount of readjustment or severance pay that may be due them.

It will cost about $8 million a year, or a little over.

I know of no objection to the rule and I know of no objection to the bill.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. RIVERS of South Carolina. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8773) to amend section 265 of the Armed Forces Reserve Act of 1952, as amended (50 U.S.C. 1016), relating to lump-sum readjustment payments for members of the Reserve components who are involuntarily released from active duty, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from South Carolina, Mr. RIVERS.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8773, with Mr. ASPINALL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 8773, a bill which will authorize an increase in the amount of lump-sum readjustment payments made to Reserve personnel who are involuntarily released to inactive duty prior to their attaining eligibility for military retirement benefits.

THE PROBLEM

Reserve officers constitute more than half of the officer strength of the Armed Forces. The chief requirement for Reserve officers occurs in junior officer grades. Progressively limited requirements for officers in the more senior grades force the release of many Reserve officers from active duty before they qualify for the immediate receipt of retired pay. The Armed Forces have a requirement, however, for junior officers who are willing to remain on active duty for relatively short careers of not more than 10 to 12 years. This legislation is, therefore, designed to provide an incentive for these officers to continue to remain on active duty for these relatively short careers.

PURPOSE OF THE BILL

The purpose of the bill is to provide equity between Regular and Reserve officers on active duty in respect to the amount of readjustment pay or severance pay available upon their involuntary release to inactive duty prior to the time they become eligible for immediate retirement benefits. The establishment of parity for Reserve officers with their Regular contemporaries should overcome to an appreciable degree the present reluctance of Reserve officers to remain on active duty beyond their period of obligated service.

The present rate of retention of Reserve officers who complete their obligated period of service is 33 percent, whereas there exists an absolutely minimum requirement that at least 45 percent of these officers volunteer for continued active duty. For example, only 9,000 of the 27,000 Reserve officers who completed their obligated service in 1960 requested that they be continued on active duty. Since the armed services required more than 12,000 of these experienced officers to fill existing billets, there occurred a Department of Defense deficit of more than 3,000 officers during 1960.

It is the hope of the Committee on Armed Services and the military departments that this deficiency can be corrected by the enactment of H.R. 8773, which will provide increased incentives to Reserve officer personnel to remain on extended active duty.

EXPLANATION OF THE BILL

The bill contains the following principal provisions:

First. It would amend existing law which provides one-half month's basic pay for each year of active duty for Reserve members involuntarily released after 5 years of active service by increasing the readjustment payment to 2 months basic pay.

This would give Reserve officers involuntarily released a rate of accrual of readjustment pay similar to the severance pay received by involuntarily released Regular officers. This provision would also increase by the same rate the readjustment pay presently authorized for enlisted members of the Reserve components who are involuntarily released prior to the completion of an

enlistment or who, upon completion thereof, are not permitted to continue on active duty. Notwithstanding the fact that only a few enlisted reservists have received readjustment pay under the existing law, and no increase is anticipated, this change will require that enlisted personnel continue to be treated in the same manner as Reserve officers with respect to separation payments.

Second. It will fix maximum readjustment payments at 2 years' basic pay.

Under existing law, the maximum lump-sum severance payment for Regular officers is 2 years' basic pay. This limitation would therefore also apply with respect to the maximum readjustment payment authorized Reserve officers under this bill.

Third. It will provide that those Reserve officers involuntarily released from active duty under conditions similar to those applying to Regular officers released under the "show cause" or "select out" provisions of existing law, will receive readjustment pay similar to the lump-sum severance pay authorized Regular officers.

Severance pay for Regular officers in the Armed Forces varies among the services as to the rate for each year of active duty, and as to the maximum amount payable. In the Army and Air Force, a Regular officer released under the "show cause" provisions receives 1 month's basic pay for each year of active duty, with a maximum of 1 year's basic pay. In the Navy and Marine Corps in time of war or national emergency, a Regular officer "selected out" receives 2 months' basic pay for each year of active duty, with a maximum of 1 year's basic pay; in peacetime, the rate is 2 months with a maximum of 2 years.

Recommendations to eliminate these legally established differences have been recognized in the report of the Department of Defense Ad Hoc Committee To Study and Revise the Officer Personnel Act of 1947—Bolte Committee. The Department advised the committee that it plans to transmit for the consideration of the Congress in its next session a legislative proposal implementing the Bolte Committee recommendations. In the interim, the provisions of this bill would insure the same amount of severance or readjustment pay for Regular and Reserve officers in the same military service who are being released from active duty as the result of statutorily constituted boards.

Fourth. It would eliminate the present statutory provision that requires an irrevocable choice between readjustment pay and veterans' disability compensation, and would substitute a provision to permit the payment of readjustment pay with subsequent eligibility for veterans' disability compensation, subject to a deferral of such eligibility for a period of months equal to the number of months of basic pay received by the separatee as readjustment pay.

Existing readjustment pay was authorized to assist Reserve members in making the transition from military to civilian life. Veterans' compensation is based upon a service-connected disability. Experience has shown that the best interest of the Government and the Reserve members would be served by authorizing readjustment pay at the time of release from active duty, and subsequently permitting the receipt of veterans' compensation.

Under the provisions of this bill, a separatee eligible for veterans' disability compensation at the time of involuntary release from active duty would not lose his entitlement to veterans' disability compensation by virtue of his acceptance of readjustment pay. He would, however, simply defer his entitlement to disability compensation payments until passage of a period of months equal to the number of months of basic pay he had received as readjustment pay. This change will, among other things, prevent situations occurring under existing law whereby a separatee who may not be aware of the existence of a compensable service-connected disability is forever precluded from submitting a claim for veterans' disability by virtue of his acceptance of readjustment pay.

Fifth. It would change existing law which requires a choice between readjustment pay and breach-of-contract pay, to authorize both readjustment pay and breach-of-contract pay when applicable.

Readjustment pay in the amount proposed in this bill is compensation for a delay in beginning, or interruption of, a civilian career. Breach-of-contract pay is compensation for the Government's breaking a contract. In view of the different purposes, it is believed that readjustment pay and breach-of-contract pay should be additive, rather than alternative forms of compensation for those who qualify for both. However, the instances in which a Reserve officer would be entitled to both payments is rather remote since most of the military departments appear reluctant to make any significant use of this contract authority.

Sixth. It would eliminate a present requirement in the law that a Reserve officer having an active duty agreement who has been twice passed over for promotion must nevertheless be accorded a board hearing before he can be released to inactive duty.

The records of all officers, both Regular and Reserve, twice passed over for promotion, have been considered by two separate boards. The Regular officer who has twice failed of promotion does not have recourse to a board hearing. Hence, from the standpoint of equity as between officers in the two components, and the fact that a board hearing could not result in the promotion of a twice-deferred officer, it is believed that the law should be amended to eliminate the requirement that Reserve officers who have been twice-deferred be accorded a board hearing.

FISCAL DATA

Enactment of this bill would require increased appropriations for the Department of Defense of approximately $8 million per year.

SUMMARY OF THE BILL

This bill was unanimously reported by the Committee on Armed Services. I consider it a good bill and this feeling is shared by representatives of the Department of Defense, the Reserve organizations, and the Veterans groups who also endorse its provisions. I, therefore, urge the Members of the House to unanimously approve passage of H.R. 8773.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Chairman, I would like the RECORD to show that this is a good example of the kind of work the House has been doing for the Reserve components for a number of years. It is a good example of the kind of work which the gentleman from South Carolina [Mr. RIVERS] has been doing for the Reserve components for a number of years. Bills have been passed in the House repeatedly which would add very materially to the status of the reservists and quite frequently those bills have gone to the other body and died, or have been pretty substantially emasculated. I do feel that the House can be proud of the work that has been done in its efforts to improve the status of the members of the Reserve components and in particular, Mr. Chairman, I am proud of the work done by the gentleman from South Carolina [Mr. RIVERS] and his subcommittee in this field.

Mr. RIVERS of South Carolina. Mr. Chairman, may I state to the distinguished gentleman from Florida were it not for the gentleman's help I do not know whether we would have this bill up here today. It was because of the gentleman's untiring efforts that we were able to get a bill from the Defense Department. It was difficult to get this bill out of the Defense Department.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I am delighted to yield.

Mr. HOFFMAN of Michigan. I merely wanted to inquire whether, as a Member of the House who is drawing full compensation, and sitting here in the front row, I was entitled to hear what the gentleman is saying.

Mr. RIVERS of South Carolina. I do not care where the gentleman is sitting, he is entitled to hear what I can contribute to this debate.

Mr. HOFFMAN of Michigan. Mr. Chairman, it is a part of my education listening to the gentleman; but because of the disorder I cannot hear very well. Am I entitled, under the—shall I call it the civil rights bill, or whatever it is—am I entitled to hear the gentleman?

Mr. RIVERS of South Carolina. The gentleman should not be denied that luxury.

Mr. HOFFMAN of Michigan. How can I get that right? Do I appeal to the Chairman or must he have help?

Mr. RIVERS of South Carolina. I think he ought to have it, because I think the gentleman is entitled to it.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I am delighted to yield to the gentleman from Iowa.

Mr. GROSS. Did I hear the gentleman say that this extends the obligated service to 5 years for these reservists?

Mr. RIVERS of South Carolina. No, it does not extend their service. They have to serve a minimum of 5 years to become entitled to this.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. RIVERS of South Carolina. I yield further.

Mr. GROSS. What was all the shooting about when I tried to get an extension to 5 years for the cadets at the service academies?

Mr. RIVERS of South Carolina. We did pretty well with that; we agreed with the gentleman 50 percent, and I think that is pretty well.

Mr. GROSS. By the way, where is that bill, if the gentleman knows? Is that still in conference?

Mr. RIVERS of South Carolina. It is over in the other body.

Mr. GROSS. It has not been to conference yet?

Mr. RIVERS of South Carolina. Not yet. We shall keep the gentleman very well advised on that; I promise him that.

Mr. GROSS. I thank the gentleman.

Mr. Chairman, will the gentleman yield further?

Mr. RIVERS of South Carolina. I yield to the gentleman from Iowa.

Mr. GROSS. This is not directly related to the bill, but may I ask the gentleman this question: We have been hearing a lot about a crisis over in Berlin, yet I notice that every day dependents of military personnel are being moved over to Berlin. Is there a crisis over there? What is the story? If there is a crisis there, why are we continuing to send dependents over to Berlin? Does the gentleman have any answer to that?

Mr. RIVERS of South Carolina. No, I do not. I do not mean to be facetious in that answer, I just do not know what is going on in the State Department.

Mr. GROSS. The gentleman is putting his finger entirely on the question.

Mr. DADDARIO. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Connecticut.

Mr. DADDARIO. I should like to pose this question to the gentleman from South Carolina: If an officer was called to duty during the Korean emergency and served 2 years, then kept his duty status in a National Guard unit, was called back to serve in the present emergency for 3 years, and then sent back to civilian life, would he or would he not participate in this readjustment plan as included in this bill?

Mr. RIVERS of South Carolina. If he is on active duty, that would count, but he has to have an aggregate of 5 years.

Mr. DADDARIO. Is it an aggregate of 5 years or is it continuous for 5 years?

Mr. RIVERS of South Carolina. It has to be continuous.

Mr. DADDARIO. Has not the committee taken into consideration the sacrifice that such a person makes? Should he not also participate in such a program if he has served in the Korean emergency and again participates? When he retires at the end of the 5-year period of time under such a program he should receive similar benefits. I can see your point in the 5 years of active service, but I do think that, taking into consideration the sacrifices many officers make, that they should be included within the provisions of this bill when they have served 5 years of active duty and that duty need not be continuous.

Mr. RIVERS of South Carolina. There could not be a break in there of more than 30 days. What we are trying to do is take officers who have been on active duty for long periods of time and have to go through that impact of readjustments. I will tell you how we help them. The Department of Defense wanted to take that back from them in later years and we said, "No, we want to help these boys to get reestablished."

Mr. DADDARIO. I understand that, and I think the purpose of this bill is excellent. But, I do think it should be taken into consideration because we all are concerned with the great sacrifices that a person makes by retaining his active duty status in a National Guard outfit and being called back to the service time and time again. The problem of readjustment to that person is greater and often more complicated than with officers who leave and then rejoin the service for other reasons.

Mr. RIVERS of South Carolina. I would point out to my colleague that that may require another study on another subject.

Now, there are two ways that he can go. He has two other avenues. He can go under title III or title II. But this bill takes care of the people who have to go through this readjustment and who have to face the impact of returning to civilian life before qualifying for retirement. That is a terrific impact when a man who has been on active duty for 12 or 14 or 15 years to be just cut off. That is the kind of situation that we are trying to help.

Mr. DADDARIO. Mr. Chairman, I must say that the explanation of our colleague, the gentleman from South Carolina is a sound one, but I do wish to call attention to the fact that there are other areas which should be explored in the future.

Mr. RIVERS of South Carolina. Yes, they should be.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, as I understand it, under the present law when an officer reaches 18 years, he cannot be involuntarily separated; is that correct?

Mr. RIVERS of South Carolina. That is correct.

Mr. FASCELL. What you are saying is that the purpose of this legislation is to take care of the cases that many of us have had, and all too often, which are highly discriminatory——

Mr. RIVERS of South Carolina. There are thousands and thousands of such cases.

Mr. FASCELL. Where a Reserve officer, putting in right up to 18 years, is being booted out——

Mr. RIVERS of South Carolina. That is exactly right.

Mr. FASCELL. And he is being treated unfairly with respect to his compensation.

Mr. RIVERS of South Carolina. That is correct.

Mr. FASCELL. As I understand it, in those cases where there is involuntary separation prior to 18 years, the Reserve officer will be treated financially exactly the same as a Regular officer under the same circumstances.

Mr. RIVERS of South Carolina. You have stated it precisely. You understand the bill correctly.

Mr. FASCELL. Mr. Chairman, if the gentleman will yield further, I would like to commend the gentleman and his subcommittee and the entire committee for bringing this bill out. In my experience in the Congress, this practice which this bill corrects has been one of the most discriminatory provisions affecting those in the military service and in the Reserve components.

Mr. RIVERS of South Carolina. Let me say to the gentleman this. Do you know that the only way that we got this bill before our committee was that I personally appealed to the Secretary of Defense? It just was not coming out.

Mr. FASCELL. I compliment the gentleman.

Mr. RIVERS of South Carolina. This bill does not go far enough, in my opinion. I have been here long enough to recognize the facts of life. This may not fill the entire bill, but it fills a need—it fills a need for the moment. They ought to have a little better treatment than this, but you cannot get everything you want in this life or in legislation. But this bill is good as far as it goes, and we could not do any better.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. A moment ago the gentleman estimated the annual cost at around $8 million. Is it not true by the retention of these Reserve officers, the cost of training is eliminated?

Mr. RIVERS of South Carolina. Positively.

Mr. VAN ZANDT. Therefore, taking into consideration the fact that it is impossible to estimate the savings, I think we have to accept the fact that the $8 million could be cut considerably when you take into consideration the savings from the training standpoint.

Mr. RIVERS of South Carolina. The gentleman has hit on a very vital point. That is true. If we require these people who have been indiscriminately separated, that is the Reserve officers, if we require the services to go at this more carefully and more sagaciously, we could save money by making a better screening. The gentleman knows much more

about this than I do. He is right. It would require them to take another look-see. They might save the entire $8 million, if they would be careful. That is one of the important points and it is a good point. I thank my colleague for calling it to our attention.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from West Virginia.

Mr. BAILEY. I would ask the distinguished gentleman from South Carolina if this applies to Reserve officers in all of these defense components?

Mr. RIVERS of South Carolina. It applies to all of the Reserve officers and in all branches of the service.

Mr. BAILEY. And one other question—is there any provision in the law making it retroactive?

Mr. RIVERS of South Carolina. It is not retroactive.

Mr. BAILEY. I thank my colleague.

Mr. BECKER. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I am delighted to yield to the gentleman from New York, one of the distinguished Members of the Congress and a highly respected member of my committee who has contributed so much to the writing of this bill.

Mr. BECKER. I thank my chairman for his kindness. I want to say this. Rather than take any time on the floor, I simply want to say the gentleman has done an excellent job in explaining this legislation. This matter has had long study and there has long been a need for a modification of this law. That is what we have tried to do by this bill, to bring some justice and to afford relief where it is needed. It is also merited by the service of the Reserve officers and contributes to the work of the armed services. I commend the gentleman. It has been a real pleasure to work with you, and I am sure the Members will support his legislation.

Mr. RIVERS of South Carolina. I thank the gentleman.

Mr. MATTHEWS. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Florida.

Mr. MATTHEWS. I would like also to thank the distinguished gentleman from South Carolina and his subcommittee for bringing this legislation to us. I think we all realize the great contribution that our Reserve components make to the defense of this country. You are giving them a case of simple justice in this bill, and I want to congratulate and thank the gentleman.

Mr. RIVERS of South Carolina. That is very concisely stated, and I thank the gentleman very much.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Illinois.

Mr. PUCINSKI. If I understand this legislation correctly, if an officer comes up to, say, 18 years and then for some reason or other is released from service, he will get his base pay for another 2 years even though he is not in the service and he is not doing anything?

Mr. RIVERS of South Carolina. That is right.

Mr. PUCINSKI. Then we are, in fact, giving him 2 additional years' salary; is that correct?

Mr. RIVERS of South Carolina. That is correct, but to begin with, he will have to pay income tax on that.

Mr. PUCINSKI. Well, I am just wondering, is this a new precedent?

Mr. RIVERS of South Carolina. We do it for the Regulars, but we have not done it for the Reserves.

Mr. PUCINSKI. And now we are extending it to the Reserves?

Mr. RIVERS of South Carolina. We are just helping out the people who have been carrying the coals to the front. The boys who have been doing the work have not been considered, and we think they ought to be considered, officers and enlisted men. This bill does not go far enough, in my opinion. I would like to see the services required to give them a contract. When you are on duty 17½ years, that is a long time. If you are a line officer, it is not easy to adjust yourself in civilian life. That is true with Reserves and Regulars.

Mr. PUCINSKI. I think this will considerably strengthen the Reserve system.

Mr. RIVERS of South Carolina. Understand, the man does not have to accept it. He can go by way of title II and stay on as an enlisted man and then retire. He does not have to take this. Or, he can go on to 60 and retire under title III with 20 years of satisfactory Federal service.

Mr. PUCINSKI. The thing that disturbs me—and I can see the merits of the gentleman's position—is this, and I wonder if the gentleman wishes to comment on this. Will this, in effect, encourage certain officers to leave the service prior to their 20-year expiration date and take a job in private industry or some place else and on top of that get these 2 years of retirement salary from the Government, even though they are not working for the Government?

Mr. RIVERS of South Carolina. The bill starts off for those officers who are involuntarily released; involuntarily released. You cannot have your cake and eat it, too.

Mr. PUCINSKI. Now, the second question I have in mind is this: What assurance do we have that the people who decide who is involuntarily separated will not use this to remove from the service a larger number of men?

Mr. RIVERS of South Carolina. Well, history has not proved that.

Mr. PUCINSKI. That is true, but that is what is bothering me.

Mr. RIVERS of South Carolina. I think this would be a deterrent, because, remember, they have to face the Bureau of the Budget, and the Bureau of the Budget is not going to abuse this.

Mr. PUCINSKI. I am delighted the committee is trying to correct an inequity, but I can see some inherent problem in its solution.

Mr. RIVERS of South Carolina. I hope it will pass.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I am delighted to yield to the former marine from California.

Mr. ROOSEVELT. I thank the gentleman, and I join him as a distinguished former marine. May I ask whether this would apply regardless of any compensation in private business that the individual may be receiving?

Mr. RIVERS of South Carolina. Yes.

Mr. ROOSEVELT. Is there not a present law which prevents a reservist who is, we will say, involuntarily released from active duty, from taking a job in the Government?

Mr. RIVERS of South Carolina. That law relates to retired personnel, and not to persons involuntarily separated before qualifying for retirement benefits.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield.

Mr. VAN ZANDT. I might say at this point that the gentleman from California may be speaking of what people used to do when they retired from service, but the Dual Compensation Act covers that situation.

Mr. RIVERS of South Carolina. And they must have completed their 20 years of active duty.

Mr. ROOSEVELT. So under the dual-compensation law if they have retired they are prohibited from taking any outside employment?

Mr. RIVERS of South Carolina. No.

Mr. ROOSEVELT. Or is it just with the Government?

Mr. RIVERS of South Carolina. With the Government or a contractor for the Government.

Mr. VAN ZANDT. They will continue to receive a maximum annual income of $10,000 from the salary of a Government job and the retired pay, combined.

Mr. RIVERS of South Carolina. The dual compensation law, of course, applies only to Government service.

Mr. PIKE. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman who has worked so hard on this matter and done so much to perfect the bill.

Mr. PIKE. I would like to say I do not think you can emphasize too strongly the fact that this is involuntary separation from the service of Reserve personnel; nor can you emphasize too strongly the fact that in any reduction in force it is not the Regulars but the Reserves who are released; it is the Reserves who, after having been called in, perhaps involuntarily, determine to stay in for a while, then without their consent they are kicked out of the service in any reduction in force.

I am thoroughly aware as a member of the gentleman's subcommittee how hard we worked and pushed to get out this piece of thoroughly desirable legislation. I want to congratulate the gentleman from South Carolina and simply state that I am wholly in favor of it.

Another reason why I am in favor of it is because this includes many of my generation.

Mr. RIVERS of South Carolina. Let me thank the gentleman for the work the gentleman did on my subcommittee. Without it, in my opinion, it would not have taken into consideration a whole generation of Reserve officers who served in the emergency, men and women alike, who went in the Reserve, served a number of years, and then were involuntarily released from service.

Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The gentleman from South Carolina has consumed 27 minutes.

Mr. VAN ZANDT. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. BRAY].

Mr. BRAY. Mr. Chairman, the report on this bill gives two reasons why it should be enacted. One is that it encourages the Reserve officers to stay on duty. The second reason is because it equalizes the rights of Reserve officers to those of Regular officers in that heretofore when the Reserve officer has been relieved he drew only one-half a month's pay for each year that he has served, whereas a Regular offcer drew 2 months' pay for each year of service. This bill equalizes what the Reserve officers will get with what the Regular officers get, which is fine.

In my opinion there is another reason even more important why this bill should be enacted, and that is that the military departments have been very lax in the matter of handling personnel problems. Here, for instance, a young officer comes into the service. They put him in the Reserves and then turn him out when they no longer need so many men in the Reserves; in other words, he gets "riffed" when there is a reduction in force and he is relieved from active duty. Often he has spent so much time in the Reserves that it is very difficult for him to find another job and to adjust himself to civilian life.

This legislation should give warning to the Secretary of the three services that the 5 years is up now, do we want this officer to remain? If we want him to remain, it is going to cost us a substantial sum unless we keep him on for the full 20 years, allow him to fill out all of his 20 years and draw his retirement pay.

The services should then, before the 5 years is up, think: "Do we need this lieutenant? We will keep him. If we make an error in this we are going to have to pay him."

As was brought out by the distinguished chairman of the subcommittee, the gentleman from South Carolina [Mr. RIVERS], we passed in this body a far better bill 2 years ago or a year ago. But the other body never acted on it. The services will have to figure out where they have a need for this officer or that officer. After all, however, we were faced with the facts of life, and the other body, for reasons which I can only surmise, never approved the previous bill.

Now, we find ourselves in the position that this is the best bill we can report at this time. I trust that this will allow the Reserve officer a chance, when he is relieved, through no fault of his own, to make proper adjustment. I hope it will cause the Department to start giving this matter a good, intelligent look, to determine whether they are going to need this officer for the full 20 years. I am sorry to say that they have paid very little attention to the matter, as mentioned in the report and brought out by the gentleman from South Carolina [Mr. RIVERS]. Most of these officers they need for 10 or 12 years. If they are going to need them for beyond 5 years, I want to encourage them to give a good look at this. Nothing can be more demoralizing than an officer believing he is going to be kept in the service, then relieved at the end of 10 or 12 years, when he is in a far more difficult position to adjust himself than he would be at the end of 5 years.

What this bill does is, if they keep a man beyond 5 years they are going to have to pay him 2 months for each year they keep him beyond this, limited to a total of 2 years.

Again, let me say this is not the best bill we could have brought, out, but after what happened to the bill last year, and on account of failure of action, I hope the other body does pass this bill at the present time.

Mr. VAN ZANDT. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise in support of H.R. 8773.

I wish to take this opportunity to commend my colleague, the gentleman from South Carolina, on the great effort he has made to eliminate inequities confronting our Reserve personnel presently on active duty.

The gentleman from South Carolina, as chairman of the subcommittee responsible for Reserve matters, has devoted himself with such enthusiasm and energy to the problem of Reserve legislation that he has served as an inspiration to those of us who have been fortunate enough to serve with him on that subcommittee.

As you have been told, this legislation would provide Reserve personnel involuntarily released from active duty with the same "readjustment" payments that are presently paid to their Regular contemporaries similarly released from active duty.

The original effort to provide Reserve personnel with some modicum of compensation when they were abruptly released from active duty was embodied in H.R. 9952 of the 84th Congress. This legislation amended the Armed Forces Reserve Act of 1952 and provided the existing lump-sum readjustment payment presently available to Reserve personnel involuntarily released from active duty.

This legislation was enacted as Public Law 676 of the 84th Congress and authorizes a readjustment payment of one-half of 1 month's pay for each year of active service. To qualify for this pay, a reservist must have completed at least 5 years of active duty and he must not be eligible for the immediate receipt of retired pay.

At the time of the enactment of this legislation, it was acknowledged that the amount of readjustment payment provided might very well have been inadequate particularly when compared to the payment provided regular personnel. However, it was then considered an initial step in correcting a then existing unfortunate inequity.

Immediately upon enactment of this legislation, the Committee on Armed Services requested that the Department of Defense analyze the effects of the legislation and make such recommendations for improvement as appeared necessary.

Unfortunately, these recommendations were not forthcoming in any practical manner until the 86th Congress. At that time, the Committee on Armed Services received a departmental recommendation embodying recommendations of the Cordiner Committee. This Committee suggested a substantial increase in the amount of readjustment pay awarded Reserve personnel involuntarily released from active duty.

This legislative proposal was subsequently passed by the House as H.R. 5132. We, on the Committee on Armed Services, were very proud of this legislation since in our judgment, it provided for the first time a genuine degree of career security for Reserve personnel on active duty. This body concurred in that opinion and the legislation passed the House on March 20, 1959.

Unfortunately, the other body failed to take action on this legislation until the last few days of the second session of the 86th Congress. The action taken by the other body fell far short of the House action and since there remained no time to resolve the differences in conference, the legislation was permitted to die.

The present proposal is in a form which I believe will be enthusiastically supported by the Members of this House and also by the Members of the other body, and, therefore, I feel confident of its enactment.

I would also like to address myself to a specific feature in this legislation which relates to a reservist who subsequent to release from active duty developed a physically disability.

Under the provisions of the Armed Forces Reserve Act of 1952, as implemented by the Veterans' Administration, a reservist is entitled to either readjustment pay in the amount of one-half month for each year of active duty, or to physical disability compensation under the Veterans' Administration, but not both. If he accepted readjustment pay upon release from active duty, and subsequently was found to have a disability clearly determined to be service connected, he is not permitted to draw compensation from the Veterans' Administration.

As an illustration, a reservist on active duty suffered a broken leg while operating a bulldozer. He is hospitalized, restored to active duty, apparently completely well, and is later released to

inactive duty. Since he, at the time of his release, has no physical disability, he takes his readjustment pay. Sometime later, he is disabled due to arthritis which is medically established to have been caused by his broken leg incurred on active duty. He applies to the VA for compensation, but it is denied because he has accepted readjustment pay.

Now, this bill helps all Reserve veterans who have been confronted with a situation like this between 1956, when the readjustment pay authorization contained in the Armed Forces Reserve Act became law, and the enactment of H.R. 8773. After the lapse of the number of months for which they received readjustment pay, they will begin to draw VA compensation.

This bill will also be of tremendous benefit to reservists who are released from active duty after enactment of the bill and who have a known disability at the time they are released, or who later develop a disability traceable to their active duty. If the disability is known upon release, the Reserve veteran accepts the readjustment pay authorized by the bill, and the breach-of-contract pay, if he qualifies for it. If he receives 12 months' readjustment pay for 6 years' active duty, he starts drawing VA compensation 12 months after his release. Breach-of-contract pay does not affect the withholding period for the purposes of receipt of VA compensation.

If the disability shows up after he has accepted, for example 24 months' readjustment pay for 12 years' active duty, he would start drawing VA compensation 24 months from the time his disability is certified by the VA.

To summarize, this bill is of tremendous assistance to our Reserve veterans. It authorizes readjustment pay for the purpose intended—tiding over the transition from military to civilian life, compensating them in some measure for delay in beginning, or interruption of, a civilian career, and in cases of service-connected disabilities giving them VA compensation after a period of time which cannot exceed 24 months.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Have we any assurances that the other body will accept this bill?

Mr. VAN ZANDT. We have not. We hope that the other body will accept the bill.

The CHAIRMAN. There being no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 265 of the Armed Forces Reserve Act of 1952, as amended (50 U.S.C. 1016), is amended as follows:

(1) Subsection (a) is amended to read as follows:

"(a) A member of a reserve component who is involuntarily released from active duty after the date of enactment of this amended subsection and after having completed immediately prior to such release at least five years of continuous active duty, except for breaks in service of not more than thirty days, as either an officer, warrant officer, or enlisted person, is entitled to a lump-sum readjustment payment computed on the basis of two months' basic pay in the grade in which he is serving at the time of release from active duty for each year of active service ending at the close of the eighteenth year. However, the readjustment payment of a member of the Army or the Air Force who is released from active duty because his performance of duty has fallen below standards prescribed by the appropriate Secretary, because of moral or professional dereliction, or because his retention is not clearly consistent with the interests of national security, shall be computed on the basis of one month's pay. For the purposes of computing the amount of the readjustment payment, a part of a year that is six months or more is counted as a whole year and a part of a year that is less than six months is disregarded, and any prior period for which readjustment pay has been received under any other provision of law shall be excluded. No person covered by this subsection may be paid a total of more than two years' basic pay in the grade in which he is serving at the time of release. No person covered by the second sentence of this subsection may be paid a total of more than one year's basic pay in the grade in which he is serving at the time of release. An officer of the Navy or the Marine Corps who is released from active duty because a board of officers convened under section 5787 of title 10, United States Code, considers that his record indicates his unsatisfactory performance of duty in his present grade and that he would not satisfactorily perform the duties of a higher grade may not be paid a total of more than one year's basic pay in the grade in which he is serving at the time of release. There shall be deducted from any lump-sum readjustment payment under this subsection any mustering-out pay received under the Mustering-Out Payment Act of 1944, the Veterans' Readjustment Assistance Act of 1952, or chapter 43 of title 38, United States Code."

(2) Subsection (b)(3) is amended to read as follows:

"(3) A person who is discharged or dismissed in executing the sentence of a court-martial or dropped from the rolls under section 1163(b) of title 10, United States Code."

(3) The second sentence of subsection (b)(5) is amended to read as follows: "However, such a person is entitled—

"(A) to receive readjustment pay under this section even though he is also entitled to be paid under section 680 of title 10, United States Code; and

"(B) with respect to severance pay to which he is entitled under any provision of law other than section 680 of that title, to elect either to receive that severance pay or to receive readjustment pay under this section, but not both."

(4) Subsection (b)(6) is amended to read as follows:

"(6) Except as provided in this clause, a person who upon release from active duty is eligible for disability compensation under laws administered by the Veterans' Administration. However, such a person may receive readjustment pay under this section in addition to disability compensation, provided that eligibility for such monthly disability compensation payments will not begin until after the passage of the number of months subsequent to his release that are equal to the number of months of basic pay which he had received as readjustment pay under this section. Receipt of readjustment pay shall not deprive a person of any part of any disability compensation to which he may become entitled, on the basis of subsequent service, under laws administered by the Veterans' Administration."

(5) Subsection (c) is amended to read as follows:

"(c) A member of a reserve component who has received a readjustment payment under this section after the date of enactment of this amended subsection and who qualifies for retired pay under any provision of title 10 or title 14, United States Code, that authorizes his retirement upon completion of 20 years of active service, may receive that pay subject to the immediate deduction from that pay of the amount of the readjustment payment, without interest."

(6) Subsection (e) is repealed.

SEC. 2. Section 680(a)(2) of title 10, United States Code, is amended by striking out the word "or" before the designation "(C)" and inserting before the period at the end the words ", or (D) released because he has been considered at least twice and has not been recommended for promotion to the next higher grade or because he is considered as having failed of selection for promotion to the next higher grade and has not been recommended for promotion to that grade, under conditions that would require the release or separation of a Reserve officer who is not serving under such agreement."

SEC. 3. Notwithstanding an election under section 265(b)(6) of the Armed Forces Reserve Act of 1952 (50 U.S.C. 1016(b)(6)), before the date of enactment of this Act, to receive a readjustment payment under that section, any person who made such an election may be awarded disability compensation to which he is otherwise entitled, subject to deduction as provided in that section, as amended by this Act. However, such an award may not become effective for any period before the date of enactment of this Act.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to ask the chairman of the subcommittee, the gentleman from South Carolina [Mr. RIVERS], what is the average length of time that the average Reserve officer serves?

Mr. RIVERS of South Carolina. Well, about 60-odd percent of those on active duty now are Reserve officers. I am advised that we have 92,000 on active duty now, and out of that number 62 percent would be over one-half of the 92,000.

Mr. HOFFMAN of Michigan. I do not get the answer. My question was a simple one.

Mr. RIVERS of South Carolina. I do not know. I would say——

Mr. HOFFMAN of Michigan. All right. That is all I wanted to know, if you do not know.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. Yes, I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. I think about 12 to 13 years.

Mr. HOFFMAN of Michigan. Thank you. That is all I wanted to know about that.

Is it correct to say—I will just ask my questions over on this side, because the gentleman from Pennsylvania seems to know about this, and there is no discrimination intended—is it correct to say that under this bill when a Reserve

officer is found to be incompetent or incapable, or is that the wrong word, "incompetent"? Let us put it this way: unable to perform his duty. Then he is removed from the ranks of the Reserve officers?

Mr. VAN ZANDT. The answer to your question is that he gets nothing.

Mr. HOFFMAN of Michigan. I did not ask you whether he got anything or not. When a man is unable to perform his duty, then they push him out; is that right?

Mr. VAN ZANDT. Not exactly.

Mr. HOFFMAN of Michigan. Tell us exactly.

Mr. VAN ZANDT. I think the gentleman from Michigan has to separate these various groups of officers. First, you have the incompetent individual, and by reason of his being incompetent he is relieved from the service.

Mr. HOFFMAN of Michigan. Involuntarily?

Mr. VAN ZANDT. Involuntarily.

Mr. HOFFMAN of Michigan. That is all I want on that. Then, you give him what in some other circumstances might be called severance pay?

Mr. VAN ZANDT. He gets nothing.

Mr. HOFFMAN of Michigan. What?

Mr. VAN ZANDT. He gets nothing.

Mr. HOFFMAN of Michigan. I thought under this bill——

Mr. VAN ZANDT. Under this bill we are talking about qualified officers who are involuntarily relieved or separated from service.

The group the gentleman from Michigan is talking about——

Mr. HOFFMAN of Michigan. They are involuntarily relieved. Why? Because they cannot do their work any more?

Mr. VAN ZANDT. That is not correct.

Mr. HOFFMAN of Michigan. All right. Tell us.

Mr. VAN ZANDT. Under existing law, the Army, Navy, Air Force, and Marine Corps must have a certain number of officers, and the number of junior officers they call is based upon the next highest rank for commission, and it goes on up to the general and to the admiral. So, the Congress sets the number of officers in the armed services. Each year a selection board sits for the purpose of selecting from qualified officers the number who shall be promoted.

Mr. HOFFMAN of Michigan. What about those who are discharged? Those are the ones I am thinking about, not those who are promoted.

Mr. VAN ZANDT. Those who are not selected are then involuntarily separated from the service.

Mr. HOFFMAN of Michigan. They are out of a job.

Mr. VAN ZANDT. Yes.

Mr. HOFFMAN of Michigan. And being out of a job, this bill provides some compensation for them; is that right?

Mr. VAN ZANDT. That is correct.

Mr. HOFFMAN of Michigan. In a way that follows the severance pay policy for civilian employees.

Mr. VAN ZANDT. It follows the policy established by this Congress in the treatment of the Regulars. In other words, what we are doing here is giving the Reserves the same treatment we give the Regulars.

Mr. HOFFMAN of Michigan. And that is the only reason?

Mr. VAN ZANDT. Not exactly; for services rendered in the armed services of this country.

Mr. HOFFMAN of Michigan. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Iowa.

Mr. GROSS. I should like to ask this question of the gentleman from Pennsylvania. A figure of $8 million has been given as the cost of this bill. In view of the recent callup of Reserves, would the figure of $8 million take care of the recent callup?

Mr. VAN ZANDT. What happens in the future will control the expenditures as far as this bill is concerned.

Mr. GROSS. Is it true that the figure of $8 million which is established as the additional cost of this bill does not include the callup of the Reserves just made?

Mr. HOFFMAN of Michigan. Mr. Chairman, I have just one more question before my time expires. This bill does require some additional money, does it not?

Mr. VAN ZANDT. It does.

Mr. HOFFMAN of Michigan. Then we should be careful how we vote for such bills as the aquarium bill that we approved yesterday and which called for $20 million. We should save some money to pay these Reserves, should we not?

Mr. VAN ZANDT. I voted against the bill yesterday.

Mr. HOFFMAN of Michigan. The gentleman agrees that we should save some money to help these people out.

Mr. VAN ZANDT. I agree with the gentleman.

The CHAIRMAN. If there are no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. McCORMACK] having assumed the chair, Mr. ASPINALL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8773) to amend section 265 of the Armed Forces Reserve Act of 1952, as amended (50 U.S.C. 1016), relating to lump-sum readjustment payments for members of the Reserve components who are involuntarily released from active duty, and for other purposes, pursuant to House Resolution 437, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule the previous question is ordered.

The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the "ayes" appeared to have it.

Mr. FULTON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 394, nays 0, not voting 43, as follows:

[Roll No. 173]

YEAS—394

Abbitt	Daddario	Hoeven
Abernethy	Dague	Hoffman, Ill.
Adair	Daniels	Hoffman, Mich.
Addabbo	Davis, James C.	Holifield
Addonizio	Davis, John W.	Holland
Albert	Davis, Tenn.	Holtzman
Alexander	Delaney	Horan
Alford	Dent	Hosmer
Alger	Denton	Huddleston
Andersen, Minn.	Derounian	Hull
Anderson, Ill.	Derwinski	Ichord, Mo.
Andrews	Devine	Ikard, Tex.
Anfuso	Diggs	Inouye
Arends	Dingell	Jarman
Ashbrook	Dole	Jennings
Ashley	Dominick	Jensen
Ashmore	Donohue	Joelson
Aspinall	Dooley	Johansen
Auchincloss	Dorn	Johnson, Calif.
Avery	Dowdy	Johnson, Md.
Bailey	Downing	Johnson, Wis.
Baker	Doyle	Jonas
Baldwin	Dulski	Jones, Ala.
Barrett	Durno	Jones, Mo.
Barry	Dwyer	Judd
Bass, N.H.	Edmondson	Karsten
Bass, Tenn.	Elliott	Karth
Bates	Ellsworth	Kastenmeier
Battin	Everett	Kearns
Becker	Evins	Kee
Beckworth	Fallon	Keith
Beermann	Farbstein	Kelly
Belcher	Fascell	Kilday
Bell	Feighan	Kilgore
Bennett, Fla.	Fenton	King, Calif.
Bennett, Mich.	Findley	King, N.Y.
Berry	Finnegan	King, Utah
Betts	Fino	Kirwan
Blatnik	Fisher	Kitchin
Boggs	Flood	Kluczynski
Boland	Ford	Knox
Bolling	Forrester	Kornegay
Bolton	Fountain	Kowalski
Bonner	Frazier	Kunkel
Bow	Frelinghuysen	Kyl
Brademas	Friedel	Laird
Bray	Fulton	Landrum
Breeding	Garland	Lane
Brewster	Garmatz	Langen
Bromwell	Gary	Lankford
Brooks, Tex.	Gathings	Latta
Broomfield	Gavin	Lennon
Brown	Giaimo	Lesinski
Broyhill	Glenn	Libonati
Bruce	Goodell	Lindsay
Burke, Ky.	Goodling	Lipscomb
Burke, Mass.	Granahan	Loser
Burleson	Grant	McCormack
Byrne, Pa.	Green, Pa.	McCulloch
Byrnes, Wis.	Griffin	McDonough
Cahill	Griffiths	McDowell
Cannon	Gross	McFall
Carey	Gubser	McIntire
Casey	Hagan, Ga.	McMillan
Cederberg	Hagen, Calif.	McVey
Celler	Haley	Macdonald
Chamberlain	Hall	MacGregor
Chelf	Halleck	Machrowicz
Chenoweth	Halpern	Mack
Chiperfield	Hansen	Madden
Church	Harding	Magnuson
Clancy	Hardy	Mahon
Clark	Harris	Marshall
Coad	Harrison, Va.	Martin, Mass.
Cohelan	Harrison, Wyo.	Martin, Nebr.
Collier	Harsha	Mason
Colmer	Harvey, Ind.	Mathias
Conte	Harvey, Mich.	Matthews
Corbett	Hays	May
Corman	Hechler	Meader
Cunningham	Hemphill	Michel
Curtin	Henderson	Miller, Clem
Curtis, Mass.	Herlong	Miller, George P.
Curtis, Mo.	Hiestand	Miller, N.Y.

Mills	Reifel	Springer
Minshall	Reuss	Stafford
Moeller	Rhodes, Ariz.	Staggers
Monagan	Rhodes, Pa.	Stephens
Montoya	Riehlman	Stratton
Moore	Riley	Stubblefield
Moorehead, Ohio	Rivers, Alaska	Sullivan
Morgan	Rivers, S.C.	Taber
Morris	Roberts	Taylor
Morrison	Robison	Teague, Calif.
Morse	Rodino	Teague, Tex.
Mosher	Rogers, Colo.	Thomas
Moss	Rogers, Fla.	Thompson, La.
Moulder	Rogers, Tex.	Thompson, N.J.
Multer	Rooney	Thompson, Tex.
Murphy	Roosevelt	Thomson, Wis.
Murray	Rostenkowski	Toll
Natcher	Roudebush	Tollefson
Nelsen	Roush	Trimble
Nix	Rousselot	Tuck
Norblad	Rutherford	Tupper
Nygaard	Ryan	Udall, Morris K.
O'Brien, Ill.	St. Germain	Ullman
O'Hara, Ill.	Saund	Vanik
O'Hara, Mich.	Saylor	Van Pelt
Olsen	Schadeberg	Van Zandt
O'Neill	Schenck	Vinson
Osmers	Scherer	Wallhauser
Ostertag	Schneebeli	Walter
Passman	Schweiker	Watts
Patman	Schwengel	Weaver
Pelly	Scott	Weis
Perkins	Scranton	Whalley
Peterson	Seely-Brown	Wharton
Pfost	Selden	Whitener
Philbin	Shipley	Whitten
Pike	Short	Wickersham
Pillion	Shriver	Williams
Pirnie	Sibal	Willis
Poff	Sikes	Wilson, Calif.
Powell	Siler	Wilson, Ind.
Price	Sisk	Winstead
Pucinski	Slack	Yates
Quie	Smith, Calif.	Young
Randall	Smith, Iowa	Younger
Ray	Smith, Miss.	Zablocki
Reece	Smith, Va.	Zelenko
	Spence	

NOT VOTING—43

Ayres	Gray	Pilcher
Baring	Green, Oreg.	Poage
Blitch	Healey	Rabaut
Boykin	Hébert	Rains
Brooks, La.	Keogh	St. George
Buckley	Kilburn	Santangelo
Cook	McSween	Shelley
Cooley	Mailliard	Sheppard
Cramer	Merrow	Steed
Dawson	Milliken	Thornberry
Flynt	Moorhead, Pa.	Utt
Fogarty	Norrell	Westland
Gallagher	O'Brien, N.Y.	Widnall
Gilbert	O'Konski	Wright

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Kilburn.
Mrs. Blitch with Mrs. St. George.
Mr. Pilcher with Mr. Ayres.
Mr. Fogarty with Mr. Widnall.
Mr. Gray with Mr. Utt.
Mr. Rabaut with Mr. Mailliard.
Mr. Shelley with Mr. Cramer.
Mr. Sheppard with Mr. Merrow.
Mr. Gallagher with Mr. Westland.
Mr. Keogh with Mr. O'Konski.
Mr. Santangelo with Mr. Milliken.

The result of the vote was announced as above recorded.

The doors were opened.

GENERAL LEAVE TO EXTEND REMARKS

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

SALARIES OF U.S. ATTORNEYS AND OTHERS

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 428 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6242) to amend section 508 of title 28, United States Code, relating to attorneys' salaries. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

That after the passage of H.R. 6242, the Committee on the Judiciary shall be discharged from the further consideration of the bill S. 1488; that it shall then be in order in the House to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 6242 as passed.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Kansas [Mr. AVERY] and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 428 provides for the consideration of H.R. 6242, a bill to amend section 508 of title 28, United States Code, relating to attorneys' salaries. The resolution provides for an open rule with 2 hours of general debate, making it in order to substitute S. 1488, a similar bill.

The purpose of H.R. 6242 is to allow the Attorney General of the United States to fix, without regard to the Classification Act of 1949, the salaries of US. attorneys, assistant U.S. attorneys, special assistants, and other attorneys employed in the Department of Justice.

Representatives of the Department of Justice have stressed the fact that the rigidity of the Classification Act has made it extremely difficult to conduct the law office of the U.S. Government in as efficient a manner as a private law office is conducted. This rigidity has imposed upon the Department very difficult problems in the hiring of capable personnel and of rewarding such personnel for efficient work so as to retain the services, particularly of experienced trial lawyers. In addition, the Hoover Commission reported:

> Because of the nature of their work—Justice Department attorneys—and the fact that nonattorneys cannot evaluate elements of it which they do not understand, it is difficult to apply general personnel description standards to attorney positions.

Mr. Speaker, I urge the adoption of House Resolution 428.

Mr. AVERY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the provisions of House Resolution 428 have been clearly explained by my distinguished colleague from New York [Mr. DELANEY]. I am not urging you not to adopt the resolution to make in order the debate on H.R. 6242, but I am urging, Mr. Speaker, the Members of the House to defeat this bill in its present form when it does come up for final passage.

Mr. Speaker, I assure the Members of the House that it is with no particular pleasure that I take the well of the House this afternoon in opposition to the ranking minority member on the Judiciary Committee, the distinguished gentleman from Ohio [Mr. MCCULLOCH]. Nor, I presume, is it particularly pleasant for Members on the majority side who are in opposition to this bill to oppose the chairman of the Judiciary Committee, the genial gentleman from New York [Mr. CELLER], nor their own Attorney General, who I understand is in support of this bill. But nevertheless I certainly do not feel that this bill should be approved by the House this afternoon.

Mr. Speaker, I think most Members are aware of the fact that I am not a lawyer. I find that it is a considerable disadvantage on some occasions in the deliberations of this body not to be trained in the skills of the legal profession. However, in this particular instance this afternoon I think maybe I can approach this problem with more objectivity, if you please, as a nonlawyer, than I could if I were a lawyer.

In the first place, it is highly discriminatory. It discriminates against all other lawyers working for the Government other than the select few, approximately 10 percent, who would be affected by this bill working for the Department of Justice. For the information of the House, there are over 8,000 lawyers employed as civilians working for the Federal Government. In addition to this, there are 2,694 lawyers considered military lawyers, or members of the Armed Forces. The 8,000 civilian lawyers breaks down in the following categories:

Justice	1,709
Defense	4,000
Veterans	645
NLRB	525
Treasury	648
FTC	320
ICC	240
Agriculture	191
Interior	175
Labor	180
FCC	120
HHFA	102
SEC	200

By passing this bill, the House would be stating in effect that as it is difficult to retain qualified lawyers in the Department of Justice at the prevailing civil service compensation, those same wage scales are entirely adequate for the other 7,150 Government lawyers. There was no persuasive evidence presented to the Rules Committee as to why the lawyers employed by the Department of Justice should have preferential treatment.

Such reasons were given that trial lawyers are entitled to extra compensation, that Department of Justice lawyers find themselves opposed by some of the most highly paid lawyers in private industry, and that a disproportionate percentage of experienced lawyers were leaving the Department of Justice each year and entering into private practice, and that it was a recommendation of the Hoover Commission.

These same arguments, in my opinion, would apply to virtually every other agency or department in the Federal Government. Does any Member of the House really believe that the attorney appearing before one of the regulatory agencies, for instance, would not be as highly paid or even perhaps the same lawyers that might appear in the role as opposing counsel to a trial lawyer of the Department of Justice?

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to the gentleman from Wisconsin.

Mr. LAIRD. In the HEW-Labor appropriation bill which is presently in conference between the other body and the House, the other body added a provision to give the Surgeon General of the United States the authority to raise the salaries paid to doctors from the present $19,000 limit to $25,000. Under House rules it will be necessary for us to bring this particular amendment back to disagreement, because it is subject to a point of order under the House rules. This is not proper in an appropriation bill.

Mr. Speaker, my question is this: Did the Rules Committee give any consideration to considering all of these salary matters in one package rather than on a piecemeal basis for each department? We have the Department of Health, Education, and Welfare wanting to go to $25,000 on doctors' salaries. It seems to me that this is probably a matter that should be considered by the House Post Office and Civil Service Committee so that the Congress knows where we are going in this area.

Mr. AVERY. I would reply to the gentleman from Wisconsin that he is entirely right, and I was going to reach that point later in my remarks. But, since he has brought it up at this time, I would reply by saying that there is an administration bill pending before the Post Office and Civil Service Committee. This is the paradox we have here. There is an administration bill. It was introduced by the chairman of that committee, the distinguished gentleman from Tennessee [Mr. MURRAY]. It provides for 961 supergrades, as I understand it, to be distributed as the need shows among the agencies in the Government.

Yet the proponent could not wait until tomorrow for the Post Office and Civil Service Subcommittee to have an executive session on that bill. This bill must be passed today. I agree with the gentleman from Wisconsin that this is highly discriminatory and the lawyers working in the employ of the Department of Justice stationed here in Washington should be treated the same as all other lawyers.

Mr. LAIRD. I can add, if the gentleman will yield, this problem of the doctors at the National Institutes of Health is a very important problem. We presently are faced with the possibility of losing one top administrator in charge of one of the very important Institutes. There are several other top doctors that we are going to lose in the important field of medical research. It seems to me it is only fair and just to consider this whole problem together. I hope bringing this up separately on a piecemeal approach does not mean that the Congress is not going to give consideration to the administration's request which is presently before us.

Mr. AVERY. I can only say if the House had followed the gentleman from Kansas' admonition they would vote this bill down today. Then they could treat the matter in a single package as proposed by the gentleman from Tennessee [Mr. MURRAY] and the gentleman from Wisconsin.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield.

Mr. ROGERS of Colorado. I am sure the gentleman is aware that section 508 of title 28 of the United States Code now provides that the Attorney General shall fix the annual salaries of U.S. attorneys, assistant U.S. attorneys, and attorneys appointed to assist U.S. attorneys under section 503. Section 508 also provides that the salaries of U.S. attorneys shall be not less than $12,000 or more than $20,000.

At the same time there are a substantial number of attorneys now in the Department of Justice who are limited under the Classification Act to the salaries presently paid. The point, I am sure the gentleman recognizes, is that the Attorney General has authority in one area to do something but is limited in authority as it relates to lawyers other than U.S. attorneys and their assistants. Knowing that to be a fact, would the gentleman say that the Attorney General of the United States should not have the uniform right to proceed with the correction of what amounts to an inequity in this case?

Mr. AVERY. I would reply to the gentleman from Colorado by saying that is the best argument why this bill should be defeated. He knows that all lawyers in the Department of Justice were treated alike until 1949, that the Attorney General had the authority to fix, without regard to any statutory requirements, the salaries of lawyers in the Department of Justice. The Classification Act of 1949 placed all attorneys employed by the Department of Justice under the civil service wage scale. In 1955 Congress, in its wisdom, gave the Attorney General the authority to fix without regard to law the salaries of all the U.S. district attorneys and their assistants. I think there is a distinction between that provision and the one we are considering here this afternoon. There is a tremendous differential in the cost of living between the lawyers living in Washington, for instance, and the lawyers living in Denver, Colo., and Topeka, Kans.

So it comes with no persuasion to me for the Committee on the Judiciary to submit that we should extend this pattern that has been authorized by Congress for the U.S. district attorneys who live in 50 different States, and place the attorneys associated with the Department of Justice here in Washington in that same pay arrangement. There is no common position between the two groups of lawyers.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield.

Mr. ROGERS of Colorado. I am fearful the gentleman failed to see the point that I tried to make.

Mr. AVERY. I may not be persuaded, but I fully understand the gentleman's effort.

Mr. ROGERS of Colorado. Does the gentleman understand that the Attorney General today could set the salaries of persons who are assigned to a U.S. attorney? He could do that and circumvent the very thing the gentleman is talking about. This is to make it uniform, so that he could exercise his judgment not only here in the District of Columbia but throughout the other 50 States. That is the objective of this legislation.

Mr. AVERY. Mr. Speaker, I am fully aware of the point that the gentleman from Colorado so eloquently presents, but I do not consider it sufficiently persuasive.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to the gentleman from Iowa.

Mr. GROSS. District attorneys and assistant district attorneys over the country are political appointees. Those dealt with in this bill are Classification Act attorneys.

Mr. AVERY. Mr. Speaker, I think I should comment to this extent, that the U.S. district attorneys and their assistants are political appointees, but it is my understanding that there are staff members who are career employees.

Mr. Speaker, if I may continue with my statement, I should like to recite for the House that there are several reasons submitted by the Committee on the Judiciary, from whom you will hear after a while, I am sure, why this legislation should be approved. No. 1 is why the lawyers in the Department of Justice should have preferential treatment. The proponents of the bill will say that they are largely trial lawyers and it is accepted within the profession that trial lawyers should be treated differently from those we might call office lawyers.

There is also the argument that I think was mentioned by the gentleman from New York that the Department of Justice is having difficulty retaining the type of lawyer, the qualified lawyers they feel are needed to effectively discharge the responsibility of the Department. They argue that after some experience they find attractive employment in private industry and they leave the Department.

I think the most interesting argument submitted by the delightful gentleman from New York, the chairman of the

committee [Mr. CELLER] is that this was included in one of the Hoover Commission recommendations. I had assumed that the recommendations of the Hoover Commission were available to the Judiciary Committee now for some 10 years. Suddenly the committee decided to reach down into those recommendations and lift out this particular one as justification in support of this bill.

Mr. Speaker, I shall conclude by saying that all of those suggestions and justifications for this bill are very valid, but they would apply to almost every one of the 8,000 lawyers working for the U.S. Government and not alone to the lawyers in the Department of Justice.

I would say further that this bill is opposed by the Federal Bar Association. As the Members of the House are aware, the Federal Bar Association is made up of lawyers in the employment of the Federal Government.

It is further opposed by at least individual members of the Committee on Post Office and Civil Service. There was no suggestion in the hearings nor in the committee report as to what the official position of the chairman of the committee was or if he had taken a position.

Mr. Speaker, I would state further that I understand there is some opposition to this bill in the Committee on the Judiciary itself. So, on balance, I would say that the bill should be defeated, and I would urge the Committee on Post Office and Civil Service to take, shall we say, "deliberate speed" in considering the bill now before them which would authorize a sufficient number of supergrades to meet the need that we recognize exists in the Department of Justice. But I submit that need also exists in all departments of the Federal Government.

There is the further question of the legislative jurisdiction of this bill. As has been stated, it is being brought to the floor under this resolution by the Judiciary Committee. In reviewing the jurisdiction of the Committee on the Judiciary in the House rules, there is no mention either in the rule or in the annotation immediately following the rule of any jurisdiction or legislative history, whereas the authority to fix any salaries is under the Judiciary Committee. By the same token it clearly states in section 711 that the authority to fix all compensation is clearly vested in the Post Office and Civil Service Committee. No explanation is contained in the committee report nor was any explanation submitted to the Committee on Rules as to why the Judiciary Committee should be taken on this bill.

By passing this bill, in my opinion, Mr. Speaker, the House would be placing a stamp of approval on the ultimate collapse of the entire civil service system. It may not be a perfect system, and we all recognize that there are inequities within it and Congress takes action each year to resolve these inequities as they are brought to the attention of Congress through appropriate channels. The approach in this bill, however, would certainly discourage the career lawyer who happens to be employed by any Federal agency other than the Department of Justice. We would be saying, in effect, since you do not work for the Department of Justice, it is entirely reasonable that you should continue under present civil service wage scales, but your neighbor who happens to be working for the Department of Justice, possibly even having a shorter period of time, is now to have preferential treatment and can receive under this bill as high as $20,000.

Members of the House may possibly be interested in Federal employment statistics. The most recent figures on Federal civilian employment as given by the Joint Committee on Reduction of Nonessential Federal Expenditures reveals that the civilian employment for May was 2,386,282. The payroll for these employees was over $1 billion for 1 month. This is approaching an alltime high for total civilian employment. In June of 1952 it was 2,600,000. In June of 1959 it was 2,482,000.

There have been announcements by the Executive that additional personnel will be employed by the Federal Government as a result of the recent defense buildup. The employees included in this announcement added to those in May will bring the total number of civilian employees at nearly an alltime high in the history of the Federal Government.

Mr. Speaker, this bill should not pass and such relief for attorneys' salaries as can be supported by the Department of Justice and other Departments in the Federal Government should be provided by legislation from the Post Office and Civil Service Committee.

Mr. DELANEY. Mr. Speaker, will the gentleman yield for a question?

Mr. AVERY. I should be honored to yield to my distinguished colleague.

Mr. DELANEY. I believe the gentleman said that the bar association was opposed to the bill. I have a communication from the Federal bar and they say, "We view this policy as being in the public interest in obtaining and retaining competent attorneys in the Federal Government."

Mr. AVERY. Mr. Speaker, I shall put a letter in the RECORD, let me say to my colleague that in its present form states something that is different.

CALL OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. One hundred and sixty Members are present, not a quorum.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 174]

Auchincloss	Buckley	Curtis, Mass.
Ayres	Burke, Ky.	Davis, Tenn.
Baring	Cannon	Dawson
Barry	Carey	Diggs
Blitch	Cook	Dingell
Boykin	Cooley	Flynt
Brooks, La.	Cramer	Fogarty
Gallagher	Mailliard	Santangelo
Gilbert	Merrow	Scranton
Gray	Milliken	Shelley
Green, Oreg.	Moorhead, Pa.	Sheppard
Healey	Norrell	Slack
Hébert	O'Konski	Teague, Tex.
Holifield	Pilcher	Thompson, La.
Keogh	Poage	Thompson, N.J.
Kilburn	Rabaut	Thornberry
Kirwan	Rains	Udall, Morris K.
McSween	St. George	Westland
McVey	St. Germain	Wright

The SPEAKER pro tempore. On this rollcall, 380 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Mr. AVERY. Mr. Speaker, just before the advent of the quorum call the gentleman from New York [Mr. DELANEY] read to the House for the RECORD, I believe, a telegram from the Federal Bar Association which he suggested could be interpreted as being in support of this bill today. I shall not reread the telegram. In my opinion it does not in any way imply support of the bill. It merely observes that they approve of the principle set out in this bill for Government attorneys' salaries, and further recommends that this same principle should apply to all agencies of the Federal Government.

Mr. Speaker, I ask unanimous consent to include in the RECORD at the conclusion of my remarks a letter from the Federal Bar Association that states their position in full.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. AVERY. Mr. Speaker, this letter further observes that if not extended to all Federal agencies and departments, the association would oppose the bill. In conclusion, Mr. Speaker, I merely want to say that the hearing record on this bill was extremely brief. There was only one witness, and that was the Deputy Attorney General, the Honorable Byron White. There was no other witness who appeared in person. The hearing record contains a letter suggested to be from the Attorney General, but it is not signed. Therefore, I could not say that it carries the full weight of the Attorney General's approval.

Mr. Speaker, unless more convincing arguments can be found during the debate on the floor of the House this afternoon, I would suggest to the Members of the House that this bill be defeated when it comes up for final passage.

Mr. CELLER. Mr. Speaker, will the gentleman yield briefly?

Mr. AVERY. Very briefly. I have my time pretty well committed.

Mr. CELLER. I want to state to the gentleman from Kansas that as chairman of the Judiciary Committee, I sent the bill to the Civil Service Commission, asking for a report from that Commission. They replied that they would examine the bill and shortly give me a report. I have yet to hear from the Civil Service Commission. They never reported further.

Mr. AVERY. Would the gentleman from New York agree that their lack of

response could be interpreted as a negative position on this bill?

Mr. CELLER. Not the slightest. It could be interpreted as being in favor of the bill as well as against it.

Mr. AVERY. I find myself in disagreement with the chairman of the Judiciary Committee on that point.

(The letter referred to follows:)

THE FEDERAL BAR ASSOCIATION,
Washington, D.C., July 7, 1961.

Hon. THOMAS G. MEEKER,
President, the Federal Bar Association, Philadelphia, Pa.

DEAR TOM: Further reference is made to S. 1488, 87th Congress, a bill to amend section 508 of title 28, United States Code, relating to attorneys' salaries, and to its companion measures, H.R. 6242, 87th Congress. As appears subsequently, time is very short and truly of the essence here.

In essence, these somewhat unpublicized bills provide authority for the Attorney General, without regard to the Classification Act of 1949, as amended, to fix the compensation of U.S. attorneys, assistant U.S. attorneys, special assistants, and other attorneys employed in the Department of Justice within the following limitations:

U.S. attorneys, not less than $12,000 or more than $20,000 per annum; and

Assistant U.S. attorneys, special assistants, and other attorneys employed in the Department of Justice—not more than $19,000 per annum.

Section 508 of title 28, United States Code, now provides that the Attorney General shall fix the annual salaries of U.S. attorneys, assistant U.S. attorneys, and attorneys appointed to assist U.S. attorneys. The section provides that salaries of U.S. attorneys shall not be less than $12,000 or more than $20,000 and the salaries of assistant U.S. attorneys appointed under section 503 shall be not more than $15,000. Thus a principal result of passage of these measures would be to extend the Attorney General's present authority over the compensation of field personnel (approximately 722 lawyers) to those employed in Justice at the seat of Government (approximately 865 lawyers).

The principal justification given in support of these measures is (i) increased and more flexible compensation is necessary to obtain and retain competent attorneys in the Department of Justice, and (ii) to eliminate the present discrimination in the compensation of the various categories of legal personnel in the Department of Justice.

The achievement of these objectives with respect to Federal Government attorneys is urgently and emphatically necessary if the public interest is to be properly served. However, it is submitted that these considerations apply with at least equal force to several thousand other attorneys of the Federal Government not in the Department of Justice. Unless these measures are revised so as to achieve the same ends for all Government attorneys, the relatively low and inflexible compensation and the discrimination now endured by non-Justice Government lawyers will be further accentuated. Further, unless such revisions are accomplished, it will be even more difficult than at present for other Government agencies to obtain and retain competent attorneys to handle the very difficult legal problems which confront, and must be solved by, such agencies in the discharge of their responsibilities involving billions of dollars and having a most significant impact on our citizens and our Nation's welfare and security, including in a number of cases the avoidance of costly, frustrating, and time-consuming litigation.

It is difficult to conceive of matters of greater interest to a large percentage of the membership of the Federal Bar Association than these measures. For this reason it is believed mandatory that the Federal Bar Association should go on record as effectively as possible as to its position with regard to these bills. It should be noted that S. 1488 was favorably reported by the Senate Committee on the Judiciary on June 27, 1961 (S. Rept. No. 476). Further, the writer was informed by Congressman TOLL's office today that H.R. 6242 had been favorably recommended by the House subcommittee, and is scheduled for action by the House Committee on the Judiciary on Tuesday, July 11, 1961.

In conclusion, the Committee on the Status of the Civilian Government Lawyer of the Federal Bar Association respectfully recommends:

1. That legislation, by amendment of S. 1488 and H.R. 6242 or otherwise, to achieve results similar thereto for all Federal Government attorneys under the control of their respective agency legal heads, in lieu of the present provisions of the aforesaid bills, be strongly supported by the Federal Bar Association; or

2. If the first recommendation is not adopted, that the Federal Bar Association oppose S. 1488 and H.R. 6242 and all similar measures; and

3. That action be taken as soon as possible in view of the present legislative posture of these measures.

I am enclosing a copy of H.R. 6242, S. 1488, Senate Report 476, and a copy of the transcript of the hearing before Subcommittee No. 5 of the House Committee on the Judiciary on H.R. 6242, etc., held on June 16, 1961. I understand no hearings were held by the Senate committee.

Sincerely yours,

M. REYNOLDS SANDS,
Chairman, Committee on the Status of the Civilian Government Lawyer.

Mr. AVERY. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. MCCULLOCH].

Mr. MCCULLOCH. Mr. Speaker, this or similar legislation was requested by Attorney General Brownell, by Attorney General Rogers and by Deputy Attorney General Walsh. It is my firm judgment that the Committee on the Judiciary has concurrent jurisdiction of this legislation, along with the Committee on Post Office and Civil Service.

Mr. Speaker, as the ranking minority member of the Committee on the Judiciary I took the unusual caution before this bill came on for hearing in the Committee on the Judiciary to call the chairman of the Committee on Post Office and Civil Service and ask him if he had objection to the Committee on the Judiciary hearing the bill, or if he claimed exclusive jurisdiction. He advised me he did not claim jurisdiction, that it met his approval that the Committee on the Judiciary proceed with this bill.

I should like to answer one question of my distinguished colleague from Kansas [Mr. AVERY] when he asked why a letter from the Attorney General was not signed. The letter was signed. It seems to me that the GPO failed to have printed in over the line where the words "Attorney General," are used, the name of Robert Kennedy. There are two copies of the letter available at the desk for the Members and one letter in one place shows the signature of the Attorney General.

Mr. Speaker, I rise in support of this rule. I think the legislation deserves debate and final consideration by Members of the House.

Mr. AVERY. Mr. Speaker, I yield 8 minutes to the gentleman from Georgia [Mr. JAMES C. DAVIS].

Mr. JAMES C. DAVIS. Mr. Speaker, I have no quarrel at all with the distinguished gentleman from New York, the chairman of the Committee on the Judiciary. I have no quarrel at all with the Committee on the Judiciary for holding hearings on this bill and reporting it out. I am very vigorously opposed to the legislation and in the short time I have during the consideration of the rule—and by the way, I want to say that I am not opposing the rule; I am perfectly willing for the bill to come up and be heard—but while this rule is being debated I want to give some facts which very definitely bear on this legislation. Under the rules of the House the Committee on Post Office and Civil Service has jurisdiction of the subject matter of this legislation. It is rule XI, section 14, paragraph (f). This is the way it reads. The committee shall have jurisdiction of the:

(f) Status of officers and employees of the United States, including their compensation, classification, and retirement.

The same provision is in the Reorganization Act of 1946. I do not see anything in the Reorganization Act which would place jurisdiction of this legislation in the Judiciary Committee except this one paragraph, subdivision 5, in the language which sets up the authority of the Committee on the Judiciary. This is the way it reads:

Revision and codification of the Statutes of the United States.

If that gives the Judiciary Committee authority to pass on the salaries and various other provisions of the Classification Act, it would also give the committee authority to pass laws with reference to anything else which is in the code of the United States and in the codification of the statutes of the United States. That is all I see in the authority of the Committee on the Judiciary which would authorize this bill to be referred to that committee. As I say, I got no further with them, because it was referred to them, and of course the thing they had to do was handle it.

I notice in the bill a provision which would authorize the Attorney General to set the salaries of U.S. attorneys, and this is an amendment on page 2 of the bill:

U.S. attorneys, not less than $12,000 or more than $20,000.

Then in the original bill follows the paragraph which would give authority to fix the salaries of assistant U.S. attorneys, special assistants, and other attorneys employed in the Department of Justice, not more than $19,000.

I want to call attention particularly to this fact, that the Attorney General already has under existing law authority to fix the salaries of U.S. district attorneys at not less than $12,000 or more than $20,000, which is the exact language in this bill. It is superfluous. It is not needed. This bill does not need to pass in order for the Attorney General

of the United States to fix the salaries of U.S. district attorneys at not less than $12,000 or more than $20,000. It is not necesary to give the authority in this bill to fix the salaries of the assistant U.S. attorneys in the offices of the U.S. district attorneys in the 50 States. He already has authority to do that under existing law, and it is found in title 28, section 508 of the existing Federal statutes.

There are some 800 to 850 classified employees who are serving now as attorneys in the Justice Department. The report of the committee on this bill gives the salaries on page 3 of these various Classification Act attorneys. Our staff members in the Post Office and Civil Service Committee have averaged up the salaries of these 800 employees, and they state that the average salary would be $9,900. If this bill is passed, it would give the Attorney General authority to fix the pay of these employees, and if he fixed it along the lines of the assistant U.S. attorneys there would be a tremendous increase in the cost of the salaries of these people.

The gentleman from New York, who handled the bill for the Rules Committee from the majority side, referred to the rigidity which exists in conducting the affairs of the Department under existing laws. The same rigidity, if it exists in the Justice Department, exists with reference to attorneys in every other department of the Government. They have many attorneys in the Internal Revenue Service and in other divisions of the Treasury Department. They have many attorneys in the Veterans' Administration.

They have many hearing attorneys in the various departments of Government. They have many attorneys in the Interstate Commerce Commission and in all of the various agencies of Government as the gentleman from Kansas pointed out to us a few moments ago. He has investigated it and has found that the number of attorneys employed by the Federal Government amount to some 8,000.

Now where is the fairness in taking these attorneys, these 800 attorneys, which amounts to approximately 10 percent of the total number that are employed by the Federal Government, and saying, "We will place you in a special category and in a favored position." The Reorganization Act, I think, was founded on commonsense. If this bill passes, all the attorneys in the various departments of the Government would immediately say, and I think with justification, "I am being discriminated against," because this is discriminatory legislation which would place this small group of attorneys in a very favored position.

The argument has been advanced that the Attorney General, by reason of his close associations with these attorneys in his Department, knows their ability and qualifications and knows better than the Civil Service Commission and knows better than the Congress what their earning ability is and what they should be paid. I think that is not a good argument in favor of this legislation. The same thing could be said of the doctors in the Department of Health, Education, and Welfare. The same thing could be said of teachers in the Department of Education and the same thing could be said of employees in the Veterans' Administration. There is not a department in the Government of the United States which could not make the same claim that the head of the department is better qualified than anyone else to fix the salaries of the employees because he knows more about their capability and their qualifications.

I want to call the attention of my colleagues to this. I am the chairman of the Subcommittee on Manpower Utilization which is a subcommittee of the House Committee on Post Office and Civil Service. That is the committee which, under orderly procedure, has jurisdiction fixing the supergrade positions in the various Federal agencies. We have been holding hearings on this very question. We have held 8 days of public hearings. We have invited all of the agencies of Government to come before us and make known their needs. Tomorrow at 10 o'clock that subcommittee is holding an executive session to write up the bill, which is an administration bill introduced by the chairman of the committee, Hon. TOM MURRAY, in which bill they are asking for some 900 more supergrades and top positions. This supergrade category was established in 1949. It was established with a personnel of 400. In the period since 1949, it has increased to 2,096 supergrade positions, and in addition to that, there are 998 more scientific and top positions in the Government. They are now asking for enough to make the grand total go up to 3,434 positions.

Mr. Speaker, if this bill passes, it is going to destroy the jurisdiction of the Manpower Utilization Subcommittee. It is going to break a hole in the dam and simply leave the whole thing to run wild, so that we cannot control it and there will be absolutely no use for the subcommittee or for the full committee to undertake to hold the line on these various supergrades and other top positions to the agencies as they make their showing to justify their needs.

Mr. MEADER. Mr. Speaker, will the gentleman yield for a question?

Mr. JAMES C. DAVIS. I yield to the gentleman from Michigan.

Mr. MEADER. Referring to the supergrade positions to which the gentleman referred, how many, if any, were to go to the Department of Justice?

Mr. JAMES C. DAVIS. The Department of Justice has not even appeared before us. Let me point this out to you, that the Department of Justice now has 158 supergrades and can come before that subcommittee and get all which they can justify without any dillydallying whatsoever. Now, we will be glad to hear them. They have not asked to come before us, but we will be glad to have them come, and we will do them justice when they do come.

Now, you gentlemen of the Committee on Appropriations have to provide for the pay for these supergrades and these other top positions. Join with us and let us keep it on an orderly basis. Let us keep it according to the Reorganization Act. Let us keep it according to the House rules which fix the jurisdiction of these various committees. We will be glad to perform our duty, and we hope you will support us.

As I said before, I have no quarrel with the distinguished gentleman from New York [Mr. CELLER] or the Judiciary Committee, but this bill should be defeated.

Mr. DELANEY. Mr. Speaker, I yield 5 minutes to the gentleman from Louisiana [Mr. MORRISON].

Mr. MORRISON. Mr. Speaker and Members of the House, I rise in support of the rule. I, too, am a member of the House Committee on Post Office and Civil Service. My distinguished colleague, the gentleman from Georgia [Mr. JAMES C. DAVIS], who just spoke to you, is also a member.

Since the matter of jurisdiction has been brought into this debate on the rule, I would like to point out that I, too, besides the gentleman from Georgia, Congressman DAVIS, am chairman of the House Subcommittee on Post Office and Civil Service. My committee could have taken jurisdiction of this matter if it had been referred to our full committee or to my subcommittee. I am chairman of the Subcommittee on Civil Service of the House Committee on Post Office and Civil Service. In view of the argument that our committee would have had jurisdiction had it been referred to us, the fact is that this bill was referred to the Committee on the Judiciary and our committee knew about it, our subcommittee knew about it, our full committee knew about it, and the chairman of the Manpower Utilization Committee, the gentleman from Georgia [Mr. JAMES C. DAVIS] knew about it.

Mr. JAMES C. DAVIS. Mr. Speaker, if the gentleman will yield for a correction, I would like to state that I did not know about it until the bill was before the Committee on Rules, when I promptly appeared before it in opposition to the bill.

Mr. MORRISON. The gentleman then probably was not at our full committee meetings, when we discussed on several occasions that the matter was being taken up by the Committee on the Judiciary, and if there had been any question of jurisdiction, it should have been raised at that time, at the time that the Committee on the Judiciary was taking up this bill, when it was referred to them, and during the hearings. But, our full committee did not make any objection. My subcommittee did not voice any objection, and there was no objection made by any member of our committee in any official way that I know of.

Now, the Committee on the Judiciary has taken jurisdiction of this matter; they properly have jurisdiction of it, and it comes by far too late now to object to their jurisdiction. They have completed the hearings and they have gone into it thoroughly. They say that approximately 1,000 employees of the Justice Department are affected, whereas the bills before the Manpower Utilization Subcommittee there are less than 50 supergrades that would be considered,

and there are 950 employees of the Justice Department that this bill covers that would not necessarily be considered. So, I say that the Attorney General of the United States has clearly made a good case. He has said that to properly run his office he needs to make these salary adjustments. He has said that it is impossible and often very difficult to get the necessary qualified attorneys at the present salary rate. He has gone before the Committee on the Judiciary, explained the situation, and has made an excellent case.

Every interested person had an opportunity to be heard, and there were no objections against this bill raised by any witness.

Nobody was refused any opportunity to be heard on this legislation, and it would be impossible to consider this legislation before adjournment if it were not taken up and considered by the Judiciary Committee. As I am very proud to be a member of the House Committee on the Post Office and Civil Service because I believe it is one of the great committees of the House, I nevertheless have great respect for the Committee on the Judiciary and for the chairman of that committee. The members have always looked into affairs before the committee with diligence and have held adequate hearings as a result of which they have reported out very sound legislation.

I see no reason why at this late day they should bring up any question of jurisdiction and say that this matter, as far as the Justice Department and the Attorney General are concerned, can be solved by voting down this rule or voting against this bill and turning it over to the House Committee on the Post Office and Civil Service. I urge that the rule be adopted.

Mr. AVERY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, in reply to the gentleman from Louisiana [Mr. MORRISON], who has just addressed the House, even though this bill does apply to approximately 800 people, if he will carefully read the committee report he will find that the Deputy Attorney General, Mr. White, submitted to the committee a memorandum stating that only about 10 percent or 80 attorneys in the Department of Justice would actually be affected by the legislation during this fiscal year. This would not be a great difference from the number of available positions estimated by the gentleman from Georgia.

I would further call the attention of the House in the matter of jurisdiction to the resolution, S. 1488. It is most peculiar. It was not laid on the Speaker's table but was referred directly to the Judiciary Committee, so a peculiar provision is in the resolution before us today that the committee shall be discharged from further consideration of the bill S. 1488 and that it be in order to substitute the language of the bill H.R. 6242.

The SPEAKER pro tempore. The time of the gentleman from Kansas has expired.

Mr. AVERY. Mr. Speaker, I yield back the balance of my time.

Mr. DELANEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDMENT OF SMALL BUSINESS ACT

Mr. SPENCE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8922) to amend the Small Business Act to increase by $20 million the amount available for regular business loans thereunder.

The Clerk read the title of the bill.

Mr. SPENCE. Mr. Speaker, H.R. 8922 would increase the amount of business loans the Small Business Administration may have outstanding by $20 million. On August 25 I filed a report on behalf of the Banking and Currency Committee, on H.R. 8762, which was approved unanimously by the committee, and which would increase this authority by $150 million, the amount estimated to be necessary to carry the program through next June 30. In the meantime, it has become apparent that action on H.R. 8762 cannot be completed in time to avoid a situation where the Small Business Administration will have to suspend approval of business loan applications. I am therefore asking the House to approve this interim $20 million increase in order to give the Congress time to work out long-range legislation.

I am advised by the Small Business Administrator that by this Friday the administration's unused business loan authorization will be down to $2.9 million. This authorization has been used up, so far in August, at the rate of a little over $1 million per working day. So at that rate, the $20 million increase will keep this program going for about a month. That should give us time to act on H.R. 8762 or similar legislation granting the authority needed to continue the program on into next year.

Mr. McDONOUGH. Mr. Speaker, reserving the right to object, and I do this merely to agree with the chairman of the Committee on Banking and Currency concerning this necessary resolution to continue the lending authority of the Small Business Administration. It was an agency that was established under the Republican administration in 1953, and functioned very effectively. There is no partisan politics involved in the matter before us.

It is urgent that this resolution be passed for the reason that if this additional $20 million is not now authorized for business loans—at specified rates of interest and on definite terms—there are no grants involved—the agency will practically have to cease operation until a bill that is now pending in committee is brought to the House floor for action, which provides for a year's extension of the authorization.

Mr. Speaker, I have no objection to the bill. I just wanted to explain my position.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky [Mr. SPENCE]?

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4(c) of the Small Business Act is amended—

(1) by striking out "$1,000,000,000" each place it appears and inserting in lieu thereof "$1,020,000,000"; and

(2) by striking out "$575,000,000" and inserting in lieu thereof "$595,000,000".

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

COMMUNIST CHINA

Mr. McCORMACK. Mr. Speaker, the Committee on Foreign Affairs has unanimously reported Senate Concurrent Resolution 34, the substance of which is that the United States shall continue to oppose the seating of the Chinese Communist regime in the United Nations, and also it is the sense of the Congress that the American people support the President in not according diplomatic recognition to the Chinese Communist regime.

It is a matter of importance to bring this up, and I ask unanimous consent that Senate Concurrent Resolution 34 may be considered in the House.

Mr. GROSS. Mr. Speaker, at this time?

Mr. McCORMACK. Then I desire to make an announcement as to when it will be brought up.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I desire to announce that this resolution will be called up on Thursday next, and I may also state for the information of the Members that there will be a rollcall on the Senate concurrent resolution.

SALARIES OF U.S. ATTORNEYS AND OTHERS

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6242) to amend section 508 of title 28, United States Code, relating to attorneys' salaries.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. CELLER].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 6242, with Mr. ASPINALL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. CELLER] will be recognized for 1 hour, and the

gentleman from Ohio [Mr. McCULLOCH] will be recognized for 1 hour.

Mr. CELLER. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, in a year in which this House has been asked repeatedly to give its attention to problems of the governments of other lands, I bring to you today a bill which is concerned with an important problem of our own Government. In a year in which the issues before this House have been complex, I bring before you today a bill which is quite simple, in essence. That issue is no more, it is no less, than whether the legal arm of the U.S. Government is going to be able to represent, in proper and efficient fashion, the interests of the Nation.

The legal arm of the Government is, of course, the Department of Justice. It represents the United States in all cases in Federal courts in which the United States or any department or agency of the United States is involved. Whenever the United States sues or is sued, the Department of Justice provides the legal service for the Government. It is normally the big case or the close case or the case involving major policy considerations which actually goes to court. Right now the Department is defending suits involving claims against the United States or tax refund suits amounting to what? One billion, three hundred million dollars.

The Tax Division of the Department of Justice, for example, is defending refund suits brought by taxpayers involving over $489 million. It is suing to collect $111 million in various cases against taxpayers.

Mr. Chairman, the Civil Division of the Department of Justice is defending suits in which $807 million is claimed against the Government. The same division is pressing claims on behalf of the United States against others in suits in which $180 million is at stake.

Mr. Chairman, the Lands Division has the responsibility for defending claims before the Indian Claims Commission in excess of $1 billion. Are we going to be picayune and worry about a few paltry dollars to be given to efficient lawyers of exceptional talent who meet the highest paid lawyers in the land on the other side of the legal counsel table? It is penny wise and pound foolish, it strikes me, to quibble over a simple bill like this whereby we relieve the Attorney General of the rigidities of the Classification Act which preclude the Attorney General, on home ground in the Department of Justice in Washington, from properly compensating lawyers of exceptional talent. He is unable to give the proper inducement and encouragement to these lawyers to remain in the Department to protect the Government against these vast claims, and to further the interest of the Government in prosecuting these claims.

Mr. Chairman, I submit to the Members of the House that we cannot be petty under these circumstances. We have jurisdiction beyond peradventure of a doubt in the Judiciary Committee. The bill was referred to the Judiciary Committee. Our distinguished Parliamentarian knows his business. He said we have authority and we acted with dispatch. I do not object to the Committee on Post Office and Civil Service taking into consideration all attorneys everywhere. That is the proper thing to do. But how long are we going to wait? We are told it is coming tomorrow. When tomorrow comes, we are told it is coming the tomorrow after that.

Mr. Chairman, I remember the line in Don Quixote. Cervantes has Don Quixote say "By the street of bye and bye you finally reach the house of never."

Mr. Chairman, how long are we going to wait until these lawyers in the departments get justice so they can adequately and efficiently represent the Government? We have a bill before us at least for the Department——

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I can say to the gentleman from Iowa that I can give him an answer, but I cannot give him understanding.

Mr. GROSS. I do not think the gentleman could.

Mr. CELLER. I say to the gentleman from Iowa and other Members of the House that it is high time that we took time by the forelock, as it were, and gave relief at least to the Department of Justice. Not only does the Department of Justice act as the Government's lawyer in claims against and on behalf of the United States but, more important still, the Department is the chief law-enforcement agency of the Government.

As such it is responsible for investigating alleged violations of law and prosecuting wrongdoers. This includes criminal cases, internal security cases, and antitrust matters, both civil and criminal.

To perform these fundamental responsibilities the Department employs for the entire United States about 1,700 lawyers. Of these over 700 are in the Office of the U.S. Attorneys. The Justice Department lawyers, with the exception of those in the Office of U.S. Attorneys—that is, those in the field—are paid in accordance with the Classification Act. This provides a rigid scale of pay under which the lawyers start at $5,355 and go to $15,030 a year, excluding supergrades, and only a minuscule number of these in the supergrades get between $15,030 and $18,500.

The Department has only a total of 42 supergrade positions. The U.S. attorney is paid not less than $12,000 nor more than $20,000. We do not touch that provision. Assistant U.S. attorneys now may receive not more than $15,000.

What does this mean in terms of the ability of the Department to recruit and to hold and retain lawyers of the quality which you and I would demand to represent us in matters as important as those I have just disclosed to you? It means serious problems. Day in and day out our Government lawyers successfully oppose attorneys who earn anywhere from 10 to a dozen or 20 times as much as our Government attorneys do for the same work.

In a competitive society such as ours why should the Department of Justice lawyers stay on? For what purpose? What is the inducement? The answer is, Their loyal sense of public service. But a man ought not to be harshly penalized because he is public spirited. Unfortunately, the Government cannot expect to compete in terms of compensation with private practice, but the Government can sufficiently ease the burden for the able, public-spirited lawyer so that he no longer must leave the Department to meet the educational and other financial demands of his family.

This leads us to the consideration of another aspect of the pay structure for lawyers. Under the present system pay raises normally depend simply upon survival. The Department of Justice is of the view, and I share that view, that the efficiency of the Department, as well as its morale, would be greatly benefited if merit could be recognized and rewarded. One of the most effective ways to do this is through the old-fashioned pay raise, something which is impossible under present conditions as far as the attorneys are concerned at home base in the Department of Justice.

What do we propose to do about it? This bill which is before us this afternoon would give the Department authority it needs to meet these problems. This additional authority is not great nor is it authority which is new to the Department of Justice. It merely involves the extension to Department of Justice lawyers generally of the existing practice in respect to U.S. attorneys and their assistants throughout the length and breadth of the country.

Under section 508, title 28, United States Code, the Attorney General has the authority now to fix the salaries of lawyers in the offices of the U.S. attorneys at an amount not to exceed $15,000 a year. This bill would place assistant U.S. attorneys and all other lawyers in the Department of Justice under the same section insofar as their pay is concerned. It would also increase the maximum from $15,000 to $19,000. I believe this is a reasonable solution to the Department's personnel problems. First, it will provide the flexibility in the salary range necessary to continue recruiting first-rate people. Second, it will stimulate efficiency by permitting merited pay increases. Third, it will make it possible for more public-spirited, experienced lawyers to resist the blandishments of private practice.

There are those who have voiced their opposition to this bill, like the distinguished gentleman from Kansas and the distinguished gentleman from Georgia, on the ground that it applies only to lawyers in the Department of Justice. I ask those of you who have taken this position, is it reasonable to deny to lawyers in the Department of Justice that which you accept as correct in principle simply because the bill is not of universal application? May I suggest that the effective way to bring about similar treatment for lawyers in other departments and agencies is to pass this bill and then seek additional legislation.

I fully share the view that the Department does not have a monopoly on legal talent in the Government of the United

States, and I shall support any legislation which would provide similar treatment for lawyers in other departments and agencies.

The Senate has already approved this bill. I ask the House to do likewise. The bill is the result of recommendations, as has been stated by the distinguished gentleman from Ohio [Mr. McCULLOCH], by this administration and by the previous administration. It thus has bipartisan support.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Ohio.

Mr. SCHERER. Mr. Chairman, just a few minutes ago while the distinguished chairman of the Committee on the Judiciary was explaining this bill the gentleman from Iowa asked him to yield. I was appalled at the statement of the gentleman from New York when he told the gentleman from Iowa that he could give him the answer but not understanding.

Let me say that during the years I have been in the House I know of no Member of the House who is more informed on the day-to-day legislation that comes before this House than the gentleman from Iowa. Just yesterday morning he talked to me about a bill that came out of our committee, and he had more understanding about that bill than most members of our committee.

Mr. GROSS. I thank the gentleman very much for his kind comment. I, too, was more than surprised to hear the response of the gentleman from New York [Mr. CELLER] when he said, "I can give the gentleman an answer but I cannot give him understanding." I doubt that he could give me either one. Since he has made a personal reference to me, and arrogated all virtues to himself, I would like to suggest him as a charter member of the 5–H Club, "Hell, how he hates himself."

Mr. Chairman, H.R. 6242 is bad legislation. I point out that when the casual hearing was held on this bill before the Judiciary Committee on June 16, 1961, neither the Chairman of the Civil Service Commission, Mr. John Macy, nor any other member or representative of the Commission was called to testify.

Four days later, on June 20, this year, Mr. Macy, appearing before the Manpower Utilization Subcommittee, which is considering requests for additional supergrade jobs in Government, made the following comment in reply to my questioning:

Mr. GROSS. What part did you, Mr. Macy, or the Civil Service Commission, play in preparing this bill that went to the Judiciary Committee which will give, if approved, the Attorney General the right to fix the salaries of 800 Classification Act employees in the Department of Justice?

Mr. MACY. The Commission had no part in this.

It is incredible, Mr. Chairman, that not a single representative of the Civil Service Commission, an agency of Government most vitally interested in the ramifications of this bill, was summoned to present testimony as to the violence this will do to pay schedules in the civil service system. The Deputy Attorney General, Mr. Byron R. White, in his appearance before the Committee on the Judiciary, apparently made three points as his reasons for the passage of the bill, H.R. 6242.

The first reason was that since the Attorney General fixes the salaries of attorneys in the field, he should be given the same authority with respect to the 800 or more attorneys in the Department of Justice in Washington, D.C. It is scarcely necessary for me to point out that attorneys in the field are generally regarded as political appointees.

We have today in the Federal Government some 7,000 attorneys of whom only 1,100 are in the Justice Department. If the Attorney General is to be handed the untrammeled authority to pay more than 800 attorneys in his Department up to $19,000 a year, what will the answer be to the other departments and agencies of our Government when they demand equal authority to treat with 6,000 to 7,000 other attorneys that are employed by the Federal Government?

The second point made by the Deputy Attorney General was to the effect that the civil service rules and regulations are much too rigid. That contention, if nothing else, should have prompted the Committee on the Judiciary, before it ended its hearings, to call in the Chairman of the Civil Service Commission for his views. Or is the Judiciary Committee satisfied to be the tail of the kite that the Attorney General wants to fly so high in the matter of delegated authority with reference to salaries in his Department?

Mr. Chairman, only recently we celebrated the 75th anniversary of the civil service. Through all these years, there have been many Attorneys General and many Deputy Attorneys General. Somehow they were able to operate the Department of Justice on the basis of the career civil service system.

It is possible, of course, that the present Attorney General and the Deputy Attorney General, with all of their 7 months of experience in their jobs, consider themselves better able to operate the career civil service system than the Civil Service Commission itself.

The Deputy Attorney General says his Department now has supergrades, but that these are used for supervisory positions. The Civil Service Commission has repeatedly advised our committee that it is the job content and the responsibility of the job that determines the grade classification and not the number of people being supervised.

I have no doubt if the Justice Department has attorneys whose jobs warrant the pay of supergrades that a reasonable number will be made available.

The third reason given by Mr. White for this proposed legislation is that the Department of Justice is losing its employees and is unable to recruit them. Mr. Chairman, we hear that story from almost every witness who appears before our committee, year in, year out. I am completely and thoroughly convinced that the turnover in the Department of Justice, which, incidentally is less than it is in other departments, in no way warrants the kind of open-door legislation that H.R. 6242 provides.

I cannot support legislation which would give to the Attorney General the authority to pay any one or all of more than 800 employees up to $19,000 a year.

This proposed legislation, Mr. Chairman, is unnecessary. The Attorney General can come to our committee, as do the other agencies and departments of Government, and make his case for a reasonable number of supergrades, and as the chairman of our subcommittee says, he will get a reasonable number, if he shows a need for them.

Mr. Chairman, I yield back the balance of my time.

Mr. WILLIS. Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana [Mr. MORRISON].

Mr. MORRISON. Mr. Chairman, and members of the committee, I have a copy of a letter here under the letterhead of the Committee on the Judiciary of the House of Representatives, Washington, D.C. It is dated April 15, 1961.

The letter is as follows:

APRIL 15, 1961.

In re H.R. 6242, to amend section 508 of title 28, United States Code, relating to attorneys' salaries.

Hon. JOHN W. MACY,
Chairman, U.S. Civil Service Commission, Washington, D.C.

DEAR SIR: Enclosed herewith are copies of the captioned bill pending before this committee.

I shall appreciate your furnishing the committee with an expression of your views on the proposed legislation.

Sincerely yours,
EMANUEL CELLER, *Chairman.*

Now, on April 17, 2 days later, the chairman of the House Committee on the Judiciary received this letter from the U.S. Civil Service Commission:

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary, House of Representatives.

DEAR MR. CHAIRMAN: Receipt is acknowledged of your letter requesting the Civil Service Commission's views with respect to H.R. 6242.

We will be glad to comply with your request for a statement of our views on this proposed legislation.

Our report, which must first be submitted to the Bureau of the Budget for determination of the question whether this proposed legislation is in accord with the financial and administrative program of the President, will be prepared and forwarded to you as quickly as possible.

For the Commission:

Sincerely yours,
MARY V. WENZEL,
Executive Assistant to the Commissioners.

So, the Civil Service Commission Chairman was notified. He had ample time to make any remarks that he wanted to or send in any report that he wanted to concerning this legislation, and up to the present time, I understand, he has not chosen to so do. But, he had notification and ample opportunity and ample time in which to do it.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL. Mr. Chairman, if some of the remarks seem to be overly repetitious of some statements that have been made before, I hope it will serve to emphasize the importance, if not the seriousness, of the problem that will be imposed upon us if this legislation passes.

Mr. Chairman, I rise in opposition to H.R. 6242. I am opposed to this legislation because I believe it will undermine the career civil service structure of the Federal Government. It is my honor and pleasure to have as many, if not more, Federal employees as my constituents as any other Member of this body. That fact, Mr. Chairman, is one of the reasons why I asked, when I came to Congress in 1952, to be placed on the Committee on Post Office and Civil Service. Furthermore, I am vitally interested in protecting the career civil service and in my opinion the bill before us today will not serve to strengthen but to weaken the civil service system.

One outstanding reason for my belief that this bill will weaken the civil service for all career employees is this—that one occupational group of Federal employees in one agency, namely the Department of Justice, are to be given a form of preferential treatment. This bill will allow a department head; namely, the Attorney General, to pay any salary that he so desires up to $19,000 to any attorney that he wishes to employ. Let me direct your attention to another feature of this bill—a man can be hired as an attorney but he can work at any job which the head of the department will direct him so to do.

As I said a moment ago, this bill gives preferential treatment to some 850 attorneys in the Justice Department; however, there are some 2,000 other attorneys in other departments and agencies in the Federal Government. Are we in turn to give these career employees the same salary consideration? If the Congress lets the bars down on this group then what about comptrollers in the departments and agencies? The question continues for any number of operations found in our Government.

This in summary, Mr. Chairman, means that this bill serves as an opening wedge to erode the fundamental features of the career civil service and at the same time take from Congress its control over the salaries and standards of its employees.

The enactment of H.R. 6242 to cover a minority of employees in an occupational category and in a single department would set a highly undesirable precedent in Federal pay legislation, particularly at a time when the many divergent pay systems of the Government are being viewed rather critically.

The difficulties in recruiting and retaining a highly qualified Federal work force is by no means a problem affecting only attorneys in the Department of Justice; it applies to many other very important areas of the Government's activities.

Mr. Chairman, this is bad legislation and I am very much opposed to it.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Chairman, I rise in opposition to this bill, and I speak as a member of the Manpower Utilization Subcommittee. I should like first of all, in view of the references that have been made to the Civil Service Commission and to Chairman Macy, to say that my good friend and colleague on the Post Office Committee, the gentleman from Louisiana [Mr. MORRISON], seems to place Chairman Macy under some very unpleasant alternatives. I happen to regard Chairman Macy very highly, but it seems to me that the propositions stated, place Mr. Macy in an unenviable light. I cite the testimony of Mr. Macy in answer to a question by the gentleman from Iowa [Mr. GROSS] in our subcommittee whether he had any part in drafting this legislation, and Mr. Macy answered that he had none. The gentleman from Iowa asked Mr. Macy whether he appeared as a witness before the Judiciary Committee with respect to this legislation, and he indicated not, and then further in response to questions as to his judgment with respect to this bill, Mr. Macy said "I have no comment on that," and very emphatically indicated that he did not want to discuss it.

The statements made by the gentleman from Louisiana seem to indicate either that Mr. Macy was derelict in his duty or that he did not want to subscribe to the principles of the legislation, and was very reluctant to take a position in favor of a bill desired by the Attorney General of the United States.

One of the things in which I agree with the distinguished chairman of the Judiciary Committee is his statement that this is indeed a simple bill. It is simple in what it will do, it is simple in the fact that it will clearly cause a large breach in the dike that the Congress and the Post Office and Civil Service Committee and the Manpower Utilization Subcommittee have sought to raise against unlimited and uncontrolled increase in the number of supergrades. There has, of course, been this effort made under both administrations, by the executive branch, who have advocated precisely that. The very point that the distinguished chairman of the Judiciary Committee has already stated in this debate that when they come in with a similar proposal to take off the brakes and remove the checks with respect to attorneys in other departments he will favor that and will support it. But the question is, why should we not then do the same for the medical men, why not do the same for the scientists, the engineers, the educators? Why not do the same for professional administrators, lest we be accused of discriminating? Why draw the line?

The issue which is proposed is not only a procedural issue with respect to the responsibilities and prerogatives of the Committee on the Post Office and its subcommittee, but the issue that is at stake here is whether we are going to capitulate to this removal of restraints on supergrades, thereby doing by indirection what we have refused to do openly and directly.

In this connection I call attention to one final consideration. When Chairman Macy was before the subcommittee I asked him:

> Does this bill—

Referring to the bill now before this committee—

> provide for or maintain any limit on the number of these attorneys that may be hired?

And implicit in that question was also "may be promoted."

Mr. Macy's answer:

> No, sir.

My next question was: "It is carte blanche."

> Mr. MACY. It is without limitation.

I agree with the gentleman from New York that this is a very simple bill—it is simple in the damage that it proposes to do to the existing system of restraints.

Mr. WILLIS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I rise in favor of this legislation. Two points are raised or inferred in connection with this bill.

The first has to do with the jurisdiction of the House Committee on the Judiciary; and the second, of course, involves the merits of the proposal. We have heard inferences and statements that the House Judiciary Committee has no jurisdiction over this legislation and that properly it should have been considered by the House Committee on Post Office and Civil Service.

The House Committee on the Judiciary has jurisdiction over the judicial and legal branches of our Government. This is not the first time our committee has acted on bills having to do with salary raises.

I remember just a couple of years ago my own Subcommittee on Patents and Copyrights brought out a bill to raise the salaries of examiners and later to raise the salaries of members of the Board of Patent Appeals. The same argument was made on the floor, but the House resolved it and the salary-raise bills were enacted by this body. Moreover, the bill before us was referred to the House Committee on the Judiciary by the Parliamentarian of this House. I would not call Lew Deschler a high employee of this House; I would call him a member of this body because he has been with us so long under both Republican and Democratic administrations. He has made that ruling, and that is the end of it so far as I am concerned.

I do not think there is much merit in connection with the reference to lack of jurisdiction.

So far as I am concerned, with reference to statements made here that this sets a bad precedent in that only some employees of the Government are being taken care of, I see that these statements are being made by members of the committee that has primary jurisdiction in the general field of Government employment. I say let them come forward with appropriate salary raises affecting appropriate people, whether they are doctors, educators, or anybody else who deserves a raise.

This category of employees—lawyers—happens to come under the jurisdiction

of our committee. We think they are entitled to the benefits of this bill.

In passing, let me say this bill was adopted by the other body. What committee handled it? The Senate Committee on the Judiciary handled it, just like the House Committee on the Judiciary in this body is handling it.

So let us get down to the merits of the bill and not draw any kind of inferences about a jurisdictional fight. If there are merits in the statements that other employees ought to be considered, let the committee having jurisdiction come forward with proposals, and we will act on them on their merits.

I was glad to hear the gentleman from Ohio, the ranking Republican member of the committee, say that he supports this bill. I was glad to hear him say that because it is correct that identical and similar proposals were advanced by Attorney General Brownell, by Attorney General Rogers, and by Deputy Attorney General Walsh.

Mr. Chairman, I do not want to engage in personalities. But I would say that the inference of gagging here seems to me to be so out of place. Who is gagging whom? I am not seeking to gag or impose my ideas on anybody in this House. I do not think it is proper to infer that the present Attorney General is gagging someone connected with the Civil Service Commission, because the position now taken by the present Attorney General was the one taken by his two former predecessors. I supported them at that time, and I support Mr. Kennedy at this time.

Mr. Chairman, the Department of Justice has the responsibility to administer evenhanded justice in this grand country of ours. We know that the high-class lawyers we are talking about are importuned every day to leave their positions because of higher pay.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. Yes; I gladly yield for a question.

Mr. AVERY. The distinguished gentleman from Louisiana, I believe, made the observation that the previous Attorneys General had also supported comparable legislation?

Mr. WILLIS. Yes.

Mr. AVERY. The Rules Committee was advised that a bill to that effect had never been introduced in the Congress. So, actually, this question has never been before the Judiciary Committee before, has it?

Would the gentleman agree with that statement?

Mr. WILLIS. I do know, because it was said by the gentleman from Ohio [Mr. McCULLOCH] that Attorney General Brownell, Attorney General Rogers, and Mr. Walsh, the Deputy Attorney General, asked for or wanted legislation of this type.

Mr. Chairman, insofar as I am concerned, and I speak only for myself and not for Mr. CELLER or anybody else, I was in favor of their position at the time. Because the legislation did not come on the floor of the House at that time does not have any influence on my position. I have taken the position for a long time that these lawyers are entitled to this salary raise. As I said earlier, they are asked every day to depart from their present posts and go to private industry at even higher and higher salaries.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I gladly yield to the gentleman from Indiana.

Mr. HALLECK. I might add to what the gentleman has just said that the Department of Justice in the former administration communicated with me with respect to legislation of this sort. As I listened to them, I felt that as far as I was concerned it was necessary, and as far as I am concerned I feel that way now. I felt that way about it at the time, and I do not find myself in any different position at this time. I expect to support the bill.

Mr. WILLIS. I thank the gentleman for his kind observation.

Mr. Chairman, good lawyers are hard to come by. We are now talking about lawyers in the Department of Justice charged with important responsibilities and other problems affecting our Government. Mr. Chairman, almost any lawyer can win a perfect case. Almost any doctor can treat a minor illness. But the test of a good lawyer is to win a tough case. The test of a good doctor is to treat and cure someone desperately ill.

I would feel safer to have all cases tried by good lawyers. I take the position that this bill, as a matter of fact, is a challenge to the present administration. It is charged with the administration of justice. So far as I am concerned I want to give it the tools to do the job properly. I do not want the Attorney General of the United States under a Democratic regime or a Republican regime to come here later and have any excuse for not fighting cases properly.

Mr. Chairman, as I said earlier, any lawyer can win a perfect case. That is not the kind of lawyers we need. As a matter of fact, if the people in ordinary day-to-day life would only sit down together, they could probably solve 80 percent of their petty quarrels and boundary suits, as well as family disputes. Also, if we human beings would suffer minor aches and pains we would not have to consult doctors in most cases. But I am talking about 20 percent of the cases and the 20 percent of the cases in which you need a real lawyer to face real lawyers in private practice.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I am delighted to yield.

Mr. BONNER. Mr. Chairman, will the gentleman be kind enough to designate the type of lawyer or the group of lawyers this bill would affect?

Mr. WILLIS. The bill on its face applies to all lawyers in the Department of Justice, necessarily so. However, the evidence is, and the written statement of the Deputy Attorney General that is in the record is, that it will involve—I do not know what the percentage is of the total, and I wonder if my chairman could supply the exact figure.

Mr. BONNER. Are these the district attorneys?

Mr. WILLIS. This affects U.S. attorneys, district attorneys, assistant district attorneys, assistant attorneys general, and other lawyers in the Department of Justice.

Mr. CELLER. Although all Justice Department lawyers are eligible, the Deputy Attorney General informs us that only about 100 in the Department, including present supergrades, would receive compensation in excess of grade 15 at the end of the next 5 years. In the lower pay scales the compensation of only a relatively small number of attorneys will be affected.

Mr. WILLIS. That is what I say. We are talking about topnotch lawyers. This involves a salary raise of something like $4,000 a year for some of those now in the upper grades. We are not talking about hiring lawyers for $19,000. We are talking about permitting an increase of up to $4,000 a year for, according to my chairman, for some topnotch lawyers in our Government and for exceptional lawyers now in lower grades.

Mr. McCULLOCH. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Chairman, some amazing things have happened in the last year. One was the trip into space. Another the journey of the man who went around the world just a few days ago and came back safely. But to me the most amazing thing of all has been the discovery by our colleagues on the other side of the aisle of how much good there was in the Eisenhower administration.

Mr. GROSS. Mr. Chairman, I make the point of order that the Committee is not in order.

The CHAIRMAN. The point of order is sustained. The Committee will please be in order. The gentleman from Michigan, Mr. HOFFMAN.

Mr. HOFFMAN of Michigan. I was wondering a little while ago when no one seemed to be addressing the Chair if we had a Chairman. I went up, looked, and he was there. So I was waiting just now for the Chairman to recognize me. Of late House and Committee Members seem to have forgotten we have rules. I do recall that years ago it was customary for Members, whether we were in the House or in Committee, to address the presiding officer. The practice was a courtesy, contributed to good order and we avoided talking back and forth. But I guess we will just go back to the old, old way of a town meeting when everybody talks at once.

What I was trying to say is this. I was describing my amazement or calling attention to our friends on the other side who have recently discovered that Ike was all right in many respects. That is, when they want to cite him as authority for something they wanted. I was a little slow in picking that up. I did not discover that he was a Republican until toward the end, and I did not know how good he was until now when practically every bill on which there is a controversy comes up they say, "Eisenhower supported this plan. Eisenhower said this."

Ike said it, so it is all right. That is their present attitude. Too bad they did not realize it and support him before election.

The gentleman from New York, the chairman of the committee, was squawking here a few moments ago, if I may so describe his eloquence, that they were waiting, for this kind of legislation. Mr. Chairman, may I have the attention of the very distinguished and all-knowing gentleman from New York [Mr. CELLER]?

The gentleman called attention to the fact that we have waited a long, long time, for a bill of this nature and then someone said that Rogers, Attorney General, and Attorney General Brownell—they each asked for this. If I understood you correctly, you are complaining about the delay. You were sitting on the bill. Why holler about that?

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. Yes, for a question.

Mr. CELLER. Why did you not offer a bill?

Mr. HOFFMAN of Michigan. Me offer a bill? You had several bills by better men than I ever was right before your committee. You, as chairman, stuck them in the pigeonhole. You did the same thing about the bill for additional judges. Were they not before the Committee on the Judiciary? I ask my colleague from Michigan, was there not a bill over there calling for new judges? What did they do? The gentleman from New York, who is a very astute politician, who asserts he knows everything about politics as well as everything else that comes before the House, and that I concede, he muzzled the committee and kept both bills covered up. Why? There was nothing political about it, oh, no, he just wanted better judges, of Democratic belief, that was all. And he wanted to and did wait for a Democrat President and Attorney General to make the appointments.

Who did they select, now? Some good judges to be sure, the gentleman from Texas [Mr. KILDAY], and the gentleman from Michigan [Mr. MACHROWICZ], both capable, and with their appointment no one finds fault. I made a mistake. It is not the only one. I have this to confess, too. When the President, according to the press, was looking around for an Attorney General, from the well here I made a suggestion, due to my youth and lack of experience, that inasmuch as he could trust his own brother Bobbie and as Bobbie was very energetic and as he had been able to pick up the necessary votes from the labor bosses and get his brother counted into office here, I suggested that with his energy and ability properly supervised he would make a good Attorney General, and assumed, of course, and everyone must assume as do I, that he was and would continue to be just as honest and patriotic as I thought I was. As each of us thinks he is. I thought, and I was mistaken about that, I thought he would pick up the record which was made before the committee of which he was counsel, and see where Reuther for 16 years had violated the laws of the land, and possibly when he got through with Hoffa, if he ever did, he would give Reuther a dose of that same medicine, but I have been disappointed. He has not done it. I expect he will do it; at least I hope he will. He is a fine young man. In some ways he lacks experience, but in some fields he has plenty of experience and has demonstrated his ability—that is especially true in the political arena—getting votes.

Here is a statement in a Wisconsin paper that shows the dangers we are sometimes in when we delegate power. It might be all right to give these powers to Bobbie Kennedy, but he cannot execute them. He assigns some jobs to others and there he not only slips but slides. He is honest, sincere, and patriotic, just as anyone of us, even as the gentleman from California sitting before me, and whose political theories I cannot accept. Just the same, he is honest but, what did the Attorney General do? He turns over this job of picking men to hold the patronage jobs in Wisconsin to this man Corbin. And who is Corbin? The Milwaukee Journal of August 24 tells the story. Here is just one little paragraph:

> Working, some 15 years ago for Communist causes in Wisconsin, and working with such Communists as Fred Bassett Blair, Emil Costello, Edmund Bobrowicz and Harold Christoffel (who served a perjury term in Federal prison for swearing under oath that he was not a Communist) and others.

It just happens that I know something about Harold Christoffel who served a perjury term in Federal prison for swearing under oath that he was not a Communist.

I remember Christoffel, because I recall that on the Committee on Education and Labor—it was 7 years from the time we had Christoffel in the committee and asked him whether he was a Communist, and he lied about it, it took 7 years and two trips to the U.S. Supreme Court to get that gentleman in jail.

Now, what was said of this man Corbin, with a record not quite as bad as Christoffel? Bobbie has selected him to pick the folks to put in political jobs in Wisconsin. Bobbie is making a mistake. I thought some of those who are his good friends would suggest to Bobbie that as long as he delegates this power to someone he give it to someone that has not been working for the Communists, because it is my understanding that we are fighting communism. We have been appropriating billions of dollars on the theory we are going to resist communism—but Bobbie is taking a Socialist, one who has worked with Communists over the years and letting him hand out political jobs. Read what our colleague, the gentleman from Wisconsin [Mr. LAIRD], put in the RECORD earlier today.

Our colleague sent the following wire to Attorney General Robert F. Kennedy today:

> In the Thursday, August 24, 1961, front page of the Milwaukee Journal, there appeared a story under the heading, "Many Are Wondering What of Corbin's Past—Democrats Aid for Patronage Worked Here With Reds." In the story you are reported to have been the "political sponsor and patron" of Paul Corbin. I direct your attention to this article and respectfully ask your immediate reply and clarification.
>
> Sincerely,
>
> MELVIN R. LAIRD,
> *Member of Congress.*

If we are to permit the Attorney General, no matter how patriotic, no matter how desirous he may be of doing the right thing—to let a man like Corbin hand out political plums—well, a terrific mistake was made, due to his inexperience, his youth, and to his association with Walter Reuther, working with Gus Scholle and some of those politicians in Michigan who took over our State and who received some of their education, as did Walter Reuther for a year or two in Russia; some of that education they got abroad seems to have stuck with Walter.

In the CONGRESSIONAL RECORD, volume 87, No. 10, A142–A144, you will find a statement by a former Member, Judge Cox, which carries the letter from Vic and Walt, telling Detroit to "carry on the fight for a Soviet America." I am sure Robert Kennedy, Attorney General of the United States, is not in sympathy with that at all. His brother, the President, is asking for billions, calling up the Reserves, drafting young men to fight, if necessary, Soviet Russia and communism on every front. The Attorney General is a fine young man and he will learn. But politicians are just sneaking up on his blind side and once more it points out to us the danger of delegating power like this to anyone. This bill should be defeated. That will take temptation out of Bobbie's way.

Mr. Chairman, I yield back the balance of my time.

Mr. CELLER. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, I rise not only in support of this bill, but also to address a question to the chairman of the Committee on the Judiciary. I would like to inquire of the chairman if the attorneys in responsible positions such as those responsible for antitrust prosecutions by the Department of Justice and those responsible for the trial of the multimillion-dollar Indian claims cases would be among those attorneys who would be eligible for increases in compensation, if they are qualified under this bill?

Mr. CELLER. They would be eligible.

Mr. EDMONDSON. Mr. Chairman, I think this definitely outlines two of the many fields in which we need to get the most competent qualified people that the Government can get. These attorneys are dealing with cases involving tremendous liabilities in antitrust cases and are dealing in terms of tremendous potential Government liability in the Indian claims cases. I certainly think a case can be made for making these attorneys eligible for increases in compensation, and for giving the Attorney General the authority needed to reward outstanding ability or service, and to attract and retain highly skilled attorneys.

Mr. Chairman, I wholeheartedly support the bill.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, I rise in opposition to this legislation. Some of the reasons for my opposition are stated in my very brief statement of views set forth on page 9 of the committee report.

Mr. LANKFORD. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Maryland.

Mr. LANKFORD. Mr. Chairman, I commend to the members of the committee that they read the minority views of the gentleman from North Carolina. I might say, I concur wholeheartedly in those views. I think this is a most discriminatory piece of legislation, and I am against it.

Mr. WHITENER. I thank the gentleman.

Mr. Chairman, let me at the outset say that I have no quarrel with those who may differ with me on this legislation, but I respectfully submit that their position is not a sound one, for several reasons.

First, as the gentleman from Maryland just indicated, it is discriminatory in that it applies only to lawyers in the Department of Justice.

Secondly, it would destroy the system of classification of Federal employees, and would, as has well been said by the gentleman from Georgia [Mr. JAMES C. DAVIS] and others, be only the beginning of a snowballing of this proposition of getting folks out from under classification regulations.

I think we should look at the bill, as it was submitted to the Judiciary Committee, and look at the arguments that are made by our distinguished chairman of the Committee on the Judiciary as well as the letters from the Department of Justice. They are singing the plaintive tune about trial attorneys being underpaid. They say this bill is designed to get competent attorneys to represent the Government in the courthouses of the Nation in the trial of cases. But, my friends, the bill itself is absolutely contrary to the limitation which we hear mentioned in debate and in the letters eminating from the Department of Justice.

You will note on line 8, page 1 of the bill, after listing certain attorneys, this language appears: "and other attorneys employed in the Department of Justice."

It is not limited to trial attorneys. It is not limited to lawyers with any particular qualifications. It applies "to other attorneys" in the Department of Justice.

Now what does this bill do? The bill says the Attorney General shall fix the compensation of U.S. attorneys and others. The only limitation in the bill as far as the floor on salaries is concerned is the one which the committee, in a committee amendment, put back into the legislation saying that U.S. attorneys shall be paid not less than $12,000.

The bill as it came to the committee from the Department of Justice did not even indicate a willingness on the part of the Department of Justice to have that floor put on salaries to be paid by the Attorney General. Now, I am not arguing about the present incumbent in the office of Attorney General. I say this, that in writing legislation, saying "This is what they tell us they are going to do" is not a good way to legislate. We should look at what the legislation says. If I can interpret simple English language, this bill means that on any Monday, Tuesday, or Wednesday or any other day the Attorney General can call in any attorney other than a U.S. attorney and say, "You have been paid $10,000 in the past, but from here on out you are going to be paid $4,000." He can say, "You have been paid $4,000 in the past, but after this you are going to be paid $19,000." And, it would not be of any avail for an aggrieved attorney employee to raise any complaint. The Attorney General would have life and death control over him. I am not saying our present Attorney General would do it, but some Attorney General in the future might.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. McCULLOCH. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. CELLER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. WHITENER. Now, that is exactly what the bill does when you read it. It is a simple bill. It merely says that every attorney in the Department of Justice, with the exception of U.S. district attorneys—and that by reason of what the committee did—would be subject to the whims of whoever may be Attorney General in the future as to their salaries. There is no appeal from it. There is no defense whatever against any action which the Attorney General may take.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I merely wanted to ask the gentleman if he thought this represented a power for the Attorney General with reference to salaries of the attorneys in the Department of Justice that does not exist in connection with the power of a Member of Congress over salaries of his office personnel, who are responsible to the Congress.

Mr. WHITENER. Well, I must say in all kindness to my friend from Oklahoma that I see no analogy whatever between attorneys in the Justice Department and employees within our own offices. I will say this to the gentleman, that I know of no Member of Congress who has 800 employees in his office, and therefore whatever may be the whims and the tendencies toward discrimination on the part of one individual Member of Congress, it would not have the far-reaching effects which this would have.

Mr. MEADER. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Michigan.

Mr. MEADER. I would like to clear up a point if I may. The analogy to congressional staffs is completely out of order because they have no civil service status. Our employees are completely under the control of the Congressmen, but these lawyers in the Department of Justice, unlike U.S. district attorneys, have civil service protection.

Mr. WHITENER. That is exactly what I intended to say in my reply when I said to the gentleman that I see no analogy.

Another proposition that we have heard is that by reason of some rigidity in the Classification Act, the Government is not adequately represented in the trial of litigation. Well, I have noted with great interest that the one lone witness who appeared before a subcommittee at a hearing attended by only three members of the subcommittee on pages 13 and 14 of the transcript, indicates that under the law the Government can now employ special attorneys. He says that the only limit is that if one of them should stay on the payroll for more than a year, that his salary would have to be limited by $15,000.

But he said in effect that that would not apply if his services were for only a few days. So, apparently, there is not the great rigidity that we hear about.

I happen to be one of those who believes in adequate compensation for attorneys, and I certainly am not here to contest attorneys in the Department of Justice, or in any other department in the Government, being paid commensurate with their abilities and their worth to the Government. But, when we do what this bill proposes we first destroy the system of classification which operates in every department of our Government; and, secondly, we are doing no favor to those attorneys now in the Department of Justice or other departments, now or in the future, who may because of some personality conflicts or otherwise find themselves at odds with some future Attorney General.

Mr. LANKFORD. Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. LANKFORD. Mr. Chairman, H.R. 6242 authorizes the Attorney General to fix the compensation of attorneys of the Department of Justice at not more than $20,000 per annum for U.S. attorneys and at not more than $19,000 per annum for all other attorneys in the Department of Justice. It will be noted that this measure is limited to attorneys in the Department of Justice and provides for a single salary administration plan for such attorneys in lieu of the several plans in effect now, as well as providing for a more realistic and adequate pay system for such attorneys.

The Department of Justice in its report urging enactment of this legislation stated that such authority is essential to obtain and retain the caliber of personnel necessary for the adequate protection of the interests of the United States. The Judiciary Committees of both the

House and the Senate are in agreement with this conclusion.

However, this measure does not cover the many Government lawyers not in the Department of Justice. I am advised that there are presently about 8,000 lawyers employed by the Federal Government, of whom about 1,700 are employed by the Department of Justice and about 6,300 are employed by other departments and agencies of the Government. That is, about four of every five lawyers employed by the Government are not in the Department of Justice. Of these 6,300 lawyers not employed by the Department of Justice, I understand that about 1,300 are employed by the Department of Defense, 1,100 by the regulatory agencies, 650 by the Department of the Treasury, 650 by the Veterans' Administration, 525 by the National Labor Relations Board, 190 by the Department of Agriculture and 180 by the Department of Labor. Other departments and agencies employ somewhat lesser numbers of attorneys.

I submit that obtaining and retaining competent attorneys by the various Government departments and agencies is urgently and emphatically necessary if the public interest is to be properly served. The Deputy Attorney General, [illegible] testifying on June 16, 1961, before Subcommittee No. 5 of the Committee on the Judiciary, recognized that the problem of obtaining and retaining competent attorneys was not limited to the Department of Justice but also confronted the other departments and agencies of the Government. He also recognized that current studies directed toward improvements with respect to the employment of lawyers by the Government probably would not yield satisfactory results for some time, and urged the enactment of this measure as soon as possible to take care of the urgent problems presently facing the Department of Justice. Among other things, he pointed out the importance and complexity of the legal matters handled by the Department of Justice and the very great ability and skill possessed by the attorneys representing private parties in such matters—in short, the very great competence of the private attorneys with whom the attorneys in Justice must cross legal swords.

I submit that these considerations apply with at least equal force to other departments and agencies of the Government. Unless appropriate legislation is enacted so as to achieve the same objective for all Government departments and agencies, the present difficulties endured by such agencies, including the adverse effects flowing from the general preference of attorneys to work for the Department of Justice if they are seeking Government employment, will be accentuated. The attorneys of these other departments and agencies are faced with extremely complex and difficult legal problems, involving at times, hundreds of millions of dollars, the security of our Nation, the liberties and rights of our citizens, including the regulation of their activities in some fields, and otherwise with far-reaching significant impact upon our national welfare. Government counsel in such agencies are regularly confronted by leading members of the bar both in and out of court. Unless legislation is enacted to cover these other departments and agencies, it will be even more difficult than at present for such other departments and agencies to obtain and retain competent attorneys to handle the very difficult legal problems which confront, and must by solved by, such agencies in the discharge of their responsibilities involving billions of dollars and having a most significant impact on our citizens and our Nation's welfare and security, including, in a number of cases, the avoidance of costly, frustrating, and time-consuming litigation.

It is because of the above and because of the highly discriminatory nature of the bill, previously mentioned, that I cannot, in fairness to the thousands of other dedicated, competent lawyers in the Government service, support this legislation.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Chairman, I am opposed to this bill for a reason I have not yet heard expressed on the floor this afternoon. Without a doubt it will create a morale problem in some of the most technical fields of Federal employment, that are most vital to the national security.

My interest in civil service matters is extraordinary. I am a former member of the Post Office and Civil Service Committee. I served on that committee for 4 years and as a member of the Manpower Utilization Subcommittee. In my district I am fortunate to have Ames Laboratory, one of the three laboratories of the NASA, which today is doing some very specialized technical work on space exploration and also on our missile and aircraft development. I know many of the technical people at Ames Laboratory personally, and I could name men who have been working under the Classification Act for $15,000 to $18,000 per year who, because they were dedicated to the job they were doing, have turned down as much as $40,000 a year from private industry.

I have written to every major Federal laboratory employing scientific and technical personnel in the United States and have received replies indicating that in all these laboratories we have difficulty in retaining Federal scientific personnel who are sorely needed simply because of competition from private industry which pays higher salaries.

We all admit that the need to retain scientific people is a problem the solution of which is vital to our national security. I have introduced legislation which would place scientific personnel in a separate classification so their unique abilities and our unique needs would be recognized.

Mr. Chairman, nothing has been done about that, although I am assured something is going to be done. But I ask you, if you were a man in one of these important laboratories accepting $15,000 to $18,000 a year when private industry had offered you $40,000, how would you feel if the Congress of the United States would say they were going to place the attorneys in the Department of Justice in a special category, but you scientists can wait?

Mr. Chairman, it is not right to attack this major problem in a piecemeal way. Are we going to let the attorneys in the Internal Revenue Service come in through the Ways and Means Committee and ask for a pay raise? Are the attorneys from the Department of Commerce going to appeal to the Interstate and Foreign Commerce Committee?

Is this to be recognized as an overall national problem that should be attacked in the right way by the Committee on Post Office and Civil Service?

On behalf of many thousands of wonderful employees who have unique capabilities, and who desire higher pay, I ask you to approach this problem with a rifle. Go to its heart. Do not use a scattergun as this bill seeks to do.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Mr. Chairman, I would like to pay my compliments to the gentleman, not only for his past service on the Committee on Post Office and Civil Service, but for the very strong and compelling point he has made with regard to morale. May I say, and I hope it does not detract from the remarks the gentleman has made, that I have suffered a morale problem this afternoon myself. I find the distinguished gentleman from Georgia opposing his leadership by opposing this bill. I have joined the gentleman who has been fighting valiantly as a member of the Manpower Utilization Subcommittee in his opposition. Now I find my own leadership supporting the position of the opposition. I confess to a problem of morale, also some confusion, but not so much confusion that I do not know how I am going to vote.

Mr. CELLER. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, the question has been asked as to how many lawyers would be affected in the Department of Justice. I have a communication from the Department of Justice, Office of the Deputy Attorney General, dated July 10, 1961, which is as follows:

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY
ATTORNEY GENERAL,
Washington, D.C., July 10, 1961.

Hon. EMANUEL CELLER,
Chairman, Judiciary Committee,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CELLER: Pursuant to the request made at the hearing before Subcommittee No. 5 on H.R. 6242 for the Department to submit a statement of its plans and intentions with respect to salary determinations if the bill passes, I wrote you on June 23 and outlined the Department's immediate and long-range plans for operation under the bill. In that letter, I said that any pay plan adopted by the Department would be subject to modification from time to time as experience dictates and that our plans at this time must of necessity be flexible.

Some members of the committee have asked for more detail with respect to our proposed

salary plan, inasmuch as they have some apprehension that other Members of the Congress feel there might be some abuse of the Attorney General's discretion in fixing salaries under the limits imposed by the bill.

I can assure you that the Attorney General intends to be conservative and careful as to the compensation paid attorneys at the seat of the Government, just as he has been with the U.S. attorneys and their assistants, concerning whom he already has a wide discretion in fixing compensation.

More specifically, a first step would be gradually to end the present compression at the top of the Classification Act, that is, those attorneys in grade 15 now receiving anywhere from $14,800 to $15,800 who would be receiving additional compensation except for the limitations of the Classification Act.

This jam could be broken by inaugurating, on a selective basis, raises of $500 to $1,000 a year depending on the experience, ability, and character of the work of the individual. The same would apply to the 29 attorneys now in the $15,800 to $16,500 bracket and the 9 receiving from $16,500 and $17,500.

As indicated in my previous letter, only a small percentage of the Department lawyers would be affected by the proposed amendment. We would expect that no more than 100 (including present supergrades) of the Department's 1,014 attorneys (exclusive of those in U.S. attorneys' offices) would be receiving compensation in excess of grade 15 salaries at the end of the next 5 years.

As for those attorneys now covered by lower Classification Act pay scales, as I stated in my June 23 letter, the compensation of only a relatively small number of attorneys would be affected and in these instances based upon exceptional performance. I think I made it clear in my letter how we would handle their compensation.

The following table may be helpful in explaining what we have in mind by comparing the present situation with the anticipated situation under the proposed amendment 5 years hence, assuming a small increase in total personnel.

Salary range	Present number of attorneys, SOG	Prospective number of attorneys, SOG
$5,000 to $10,600	413	400
$10,600 to $14,800	504	500
$14,800 to $15,800	55	75
$15,800 to $16,500	29	60
$16,500 to $17,500	9	25
$17,500 to $18,500	4	10
$19,000	None	5
Total	1,014	1,075

We believe these changes can be made gradually with a minimum, if any, increase in appropriations for personal services because of savings resulting from more flexibility in fixing the pay of our attorneys than the Classification Act now affords. Even a slight increase in cost will be more than justified in protecting the Government's investment in exceptionally talented attorneys. Moreover, the task of recruiting an extremely competent attorney in a special case or matter will be greatly alleviated.

I hope the information submitted herein will be helpful to your committee.

Sincerely,

BYRON R. WHITE,
Deputy Attorney General.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Chairman, I rise in support of the legislation, and I am pleased in so doing to stand behind and to lend support to the distinguished ranking minority member of the Judiciary Committee, the gentleman from Ohio [Mr. McCULLOCH], and the minority leader, the distinguished gentleman from Indiana [Mr. HALLECK].

Mr. Chairman, let us face it. This, or comparable legislation, was requested by two prior Attorneys General under the Eisenhower administration—Attorney General Brownell and Attorney General Rogers. If it was good then, it is good now.

Based upon my own examination of this problem, both as a member of the Committee on the Judiciary and as a former member of the Department of Justice, for what it is worth my opinion is that this is sound and necessary legislation.

Mr. Chairman, to answer the question raised by the distinguished gentleman from North Carolina [Mr. WHITENER], this bill does provide for flexibility, and for a clear reason. In the field, flexibility is a necessity. It is impossible for professional men to live in places like New York, Chicago, San Francisco, and Detroit, under the same pay scale that they might live in some rural part of the country. So, flexibility has long been a desirable and necessary thing to have in the law, but we have not as yet had it. Sure, there have been things going on that I do not like. The gentleman from Michigan [Mr. HOFFMAN] pointed out that this legislation lay in a pigeonhole while Attorney General Brownell and Attorney General Rogers asked for it, and a Democratically controlled Congress refused to do anything about it. That is true. If we want to play politics, I suppose we can stand up here—we on the minority side—and oppose the bill on those grounds, and at that level it would be reasonable opposition. But in the long run this would not solve anything. In the long run it is not the way the House of Representatives should conduct itself.

It is a fact, also, as the gentleman pointed out, that omnibus judgeship legislation lay molding in the congressional pigeonholes while the majority side refused to do anything about it, because they found it more important to play politics. This would be another reason, I suppose, why we could stand here and kill this bill, if we wanted to deal on the same level.

I will tell you about some other concerns that I have. I am troubled over the number of times that "special assistants" are mentioned in the committee report. I hope that the present administration in the Department of Justice does not make it a habit of trying to conduct the business of the Department of Justice by the use of special assistants; that is to say, attorneys hired for special reasons from the outside to conduct special prosecutions. This, as the Members of the House know perfectly well, was one of the reasons that under the Truman administration the Department of Justice sank to the lowest ebb that it has ever been in the history of this country. I want to serve notice right now, that I shall be one of those watching this very closely to see the number of special assistants employed by this administration for special purposes.

Mr. Chairman, there are other things we can point to that we do not like. I do not know why it is that the Attorney General has not seen fit to submit to us comprehensive civil rights legislation. In the campaign President Kennedy promised it over and over again. The Attorney General has not seen fit to deliver on another promise during the campaign, which was to give us immigration reform. Where are the successful crime-busting prosecutions we were told about? There has been lots of talk but few results in the field of labor racketeering and other organized crime. Our confidence in the Department of Justice is not buoyed by the spectacle of an Attorney General who finds it difficult to find time to run the Department because he is too busy playing Secretary of State, or the Director of the CIA, or what have you. None of these things lend confidence in the ability of this administration to attend to the all-important business of the proper administration of justice.

Nevertheless, this is not sound reasoning for not supporting legislation which two administrations have found important and necessary, which the ranking minority member of the Committee on the Judiciary, the gentleman from Ohio [Mr. McCULLOCH], and the minority leader of the House of Representatives, the gentleman from Indiana [Mr. HALLECK], along with the majority of the committee, agree is necessary to the proper administration of justice.

Mr. McCULLOCH. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Chairman, I take this time to direct a question to the chairman of the Committee on the Judiciary [Mr. CELLER].

What is the turnover rate for lawyers in the Department of Justice?

Mr. CELLER. I can give the gentleman an example. This is from the hearings:

Mr. WHITE. I was going to say something about the new lawyers.

The beginning salaries for lawyers in the Department are good and the Department has little trouble in recruiting amply qualified graduates from our law schools. The honors program provides the Department with a very bright, energetic group of young but relatively inexperienced lawyers. However, the great bulk of these new hands leave the Department in 2 or 3 years. For example, in the category of men with less than 5 years' experience with the Department, 73 resigned in fiscal 1959, 74 in 1960, and 48 during the first 11 months of this fiscal year.

Mr. JONAS. I have read that in the hearings, but that is not the answer to the question that I posed. I simply would like to know what the turnover rate is, what percentage it is with respect to lawyers in the Department of Justice.

Mr. CELLER. In our report we find the following:

In fiscal year 1959, the Department lost 36 lawyers who had been with the Department more than 5 years. In 1960, it lost 46 lawyers in this category, and in the first 11 months of the current fiscal year it has lost 46 lawyers who had been with the Department more than 5 years, 23 of whom had been with the Department more than 15 years.

Mr. JONAS. I read that, but that still does not answer the question. What is the percentage of turnover among the lawyers in the Department of Justice?

Mr. CELLER. These figures certainly give an idea of the turnover in recent years.

Mr. McCULLOCH. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, the record shows that the number of lawyers leaving the Department of Justice who would be affected by this legislation, selecting the year 1959 as the base year, would be somewhere between 10 and 11 percent; 109 lawyers left the Department in 1959, who would be affected by this legislation; and I think there were approximately 1,004 employed in that period.

Mr. Chairman, I yield the gentleman from North Carolina 1 minute.

Mr. JONAS. Mr. Chairman, the information given by the distinguished ranking minority member of the committee is that the turnover rate in the Department of Justice for lawyers is approximately 10 or 11 percent.

In contrast with this figure, I would point out that the turnover rate governmentwide for civil service employees is 15 percent. I have not heard anybody mention that in the debate so far today, but it seems to me that it has a direct bearing upon this question of whether the Department of Justice is able to retain its lawyers.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. JAMES C. DAVIS].

Mr. TABER. Mr. Chairman, will the gentleman yield for a question?

Mr. JAMES C. DAVIS. I am glad to yield to the distinguished gentleman from New York.

Mr. TABER. What would be the difference between this bill and a bill that would provide that the salaries of the Members of the House of Representatives be controlled by the Attorney General?

Mr. JAMES C. DAVIS. The gentleman has provided a very apt illustration, if there were any means of getting that enacted into law. As pointed out so ably and clearly by the gentleman from North Carolina [Mr. WHITENER], this would put the attorneys in the Justice Department strictly at the mercy of the Attorney General, and it would be a matter of life and death with them so far as salaries are concerned.

You Members of the House of Representatives realize, I am sure, the importance of maintaining control over the number and compensation of Federal employees. Each month the Joint Committee on the Reduction of Nonessential Expenditures gets out a report giving in detail the latest figures on the number of employees and the amount of the Government payroll. I hold in my hand the latest report, Senate Print No. 209, for the months of May and June of this year, issued by the Byrd committee. This report shows that our Federal payroll has already reached the point where in May it amounted to $1,202,582,000. The Federal payroll now amounts to something like $14 billion a year. It has been only 21 years ago, in 1939, when the amount of money to operate the entire Federal Government was just a little more than $9 billion. Today, in May of this year, the Federal payroll was going at the rate of approximately $14 billion a year just for salaries to Federal employees. In June the number of Federal employees was 2,419,681, an increase of 33,393 over the month of May.

This is not an insignificant matter that we are dealing with here in this legislation today. It is running into real money, and it is something that ought to be handled in an orderly fashion so that the Congress, whose duty it is to look after the taxpayers' interests, can keep this matter in hand and under control. We cannot do it with every committee in this House coming here with bills to add supergrades and to increase the salaries of those already on the payroll.

As I pointed out to you a while ago, there are now pending in this House 43 bills going through other committees than the Committee on Post Office and Civil Service calling for additional employees in the supergrade category. The Manpower Utilization Subcommittee has been holding hearings on an administration bill calling for some 900 additional supergrade employees. Where is it going to end? Are you going to open the gates wide and say to every committee, as this bill would say to the Committee on the Judiciary, "Come in, we will pass your bill here in the House, and just let everything run wild without any control and any limit"? That is what it amounts to.

In my judgment, Mr. Chairman, this measure is not a routine matter. To me this proposal contains a very important meaning because of its intended and deliberate effect on the Employees' Classification Act.

This is legislation which demands serious consideration since its purpose is to put aside and bypass the grades and pay scales and permit the Attorney General, according to his own whim and choice, to set salaries and to rearrange salaries of some 880 attorneys stationed here in the Washington headquarters of the Department of Justice.

House bill H.R. 6242, is, in fact, an attack violating both the spirit and purpose of the Classification Act. If it is successful in passing here today, then it will ring the bell giving notice to all Government departments and agencies to make similar requests of the Congress to set pay schedules up to $19,000 a year for their attorneys and specialists, and it will be a suggestion, Mr. Chairman, to get this approval not from the committee which has proper jurisdiction; namely, the Committee on Post Office and Civil Service, but from any other committee and, as in this case, the Committee on the Judiciary.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. JAMES C. DAVIS. I am glad to yield to my colleague.

Mr. JONAS. I would like to ask the gentleman from Georgia if it is true and, if so, to confirm my statement, that the turnover of civil service employees governmentwide ranges up to about 15 percent?

Mr. JAMES C. DAVIS. In my opinion, and from my recollection, I would say the gentleman's estimate is too modest. In my opinion, it is nearer 20 percent than it is to 15 percent.

Mr. MEADER. Mr. Chairman, will the gentleman yield for a question?

Mr. JAMES C. DAVIS. I am glad to yield to my colleague.

Mr. MEADER. Do I understand correctly that the lawyers in the Department of Justice affected by this legislation have all of the benefits and the protection of the civil service laws, but that this bill will still let them have that protection and benefits, but that they will be free from the restrictions of the classification system?

Mr. JAMES C. DAVIS. That is so far as salaries are concerned. They will retain to some extent their status under the Classification Act but the Attorney General will have the right to fix their salaries, as the gentleman from North Carolina pointed out, from $4,000 on up to $19,000 a year. The Attorney General already has the right to fix the salaries of the U.S. district attorneys and the U.S. assistant district attorneys, but they do not come under the Classification Act. They are political appointees and they go out as an administration changes. It is understandable why the Attorney General would have the right to fix their salaries within the limits already in the law. And by the way, they are under the same limitations that are included in this bill—a minimum of $12,000 and a maximum of $20,000. I do not know what the come-on is, and why they put that back in the bill because it is already in the law. Now you can stop here, as I did, and get the code and you will see that it is in title 28, section 508, where the Attorney General already has the right at this time to fix these salaries as provided on page 2 of this bill in the amendment.

Mr. Chairman, I do not believe that there can be order in the control of top management jobs unless the various committees follow the Reorganization Act of 1946, Public Law 601 of the 79th Congress. That law under rule 11(e) of the Committee on Post Office and Civil Service indicates that this committee, that is the Committee on Post Office and Civil Service, has jurisdiction over—and I quote:

> The Federal civil service generally and (2) the status of officers and employees of the United States including the compensation, classification, and retirement.

The Classification Act of 1949, Public Law 429, 84th Congress, under Title V: Authority and Procedure, states:

> Section 501. (a) Notwithstanding section 502, the Commission shall have authority, which may be exercised at any time in its discretion, to—
>
> (1) ascertain currently the facts as to the duties, responsibilities, and qualification requirements of any position;
>
> (2) place in an appropriate class and grade any newly created position or any position coming initially under this Act;
>
> (3) decide whether any position is in its appropriate class and grade.

This law goes on to state that no position shall be placed in grades GS–16 and GS–17 of the general schedule except by action of the Civil Service Commission.

Despite these two laws the bill before us today was not referred to the Committee on Post Office and Civil Service and the Civil Service Commission members did not appear in public hearings before the Judiciary Committee on this proposed legislation.

Second, there is no need for this proposed legislation. In testimony before a subcommittee of the Judiciary Committee to consider this bill, I note the reference of the Deputy Attorney General was to a need for more supergrades in the Justice Department. The Manpower Utilization Subcommittee of which I have the honor to be chairman and my colleague, the gentleman from Iowa, Mr. GROSS, is the ranking minority member, each year considers the requests of the departments and agencies for positions that pay in excess of the GS–15 pay scale. In fact, we have seen the number of supergrades increased from 400 in 1949, when we authorized the first, to more than 3,400 today.

Currently we have under consideration an administration-sponsored bill, H.R. 73, that would provide some 800 additional top jobs to the executive branch. We have thus far devoted 8 days to these public hearings and heard from numerous department and agency heads, including the Chairman of the Civil Service Commission. The Justice Department has not made any request to be heard. If the Attorney General needs more supergrades to provide the flexibility claimed to be needed by the Department, all he has to do is follow a well-established and legal procedure of appearing before us and justifying his needs.

The third reason I oppose this bill is that it will give preferential treatment to a particular group of Government employees. I admit there are trial lawyers in the Justice Department who represent the U.S. Government on opposite sides of the finest and most able attorneys in America. Likewise, we have attorneys in the Treasury and Defense Departments with similar responsibilities. We have also Government procurement specialists closing contracts for the Federal Government representing tens of millions of dollars and Government auditors saving our Government hundreds of thousands of dollars, working with the finest accountants and tax authorities in private business. These people are career employees working under the pay scale of the Classification Act. I see no more reason to single out the lawyers in the Justice Department than the auditors in the General Accounting Office or the lawyers in the Treasury Department.

My fourth reason for objecting to this bill is that by its passage Congress simply opens the door for a flood of similar requests from departments and agencies throughout the Federal Government.

Once you give to department and agency heads authority, as found in H.R. 6242, to set their own pay scales you have lost not only the orderly pay schedules of the Classification Act but also Congress has forfeited to a great extent its control of the pay of the Federal employees.

Mr. Chairman, in conclusion I want to reemphasize the need for an orderly handling of grades and salaries in the Federal Government. The most recent employment data indicates a continuing expansion of employment in the departments and agencies. We have today 2,419,681 civilian employees on the Federal payroll. This is an increase of 33,400 over May 1961, and represents a monthly payroll in excess of $1.2 billion. In fact, the payroll for May was $139 million more than in the month of April 1961.

With this increase in employment and payroll costs there has been an outbreak of bills throughout the Congress for more top jobs. There are now 43 bills requesting more high-paying jobs in the various committees of the House other than the Post Office and Civil Service Committee.

Today one of the most significant cost items in our Federal Government is payroll—salaries. Is Congress willing to give up its control over wages and salaries of Federal employees, which this bill proposes to do for a segment of the employees?

To preserve the civil service system, to prevent unlimited inflation in the pay system of our Federal employees, and to maintain an orderly method of congressional control of the salaries and wages of the Federal employees the bill before us, H.R. 6242, must be defeated here today.

Now, we have an orderly procedure laid down in the Classification Act of 1949 under which salaries can be controlled. We should follow that, and I urge the committee to defeat this bill.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. MATHIAS].

Mr. MATHIAS. Mr. Chairman, it has been very ably pointed out here this afternoon that there is a distinct difference between the position of the U.S. attorneys in the field and the lawyers in the Justice Department. That difference is, of course, that the U.S. attorneys in the districts throughout the country are patronage positions. In the Justice Department the vast majority of the lawyers are career men, men who intend to spend a number of years of their lives in the Justice Department.

Now, if this bill passes—and I am opposed to it—but if it passes, it will create a dichotomy between Government lawyers here in Washington. It has been said that there are about 8,000 lawyers employed by the Federal Government in Washington and 1,014 in the Department of Justice. We will be opening up to those 1,014 lawyers opportunities not available to the other 6,000 and more lawyers employed by the Government. And, it is an interesting thing that even among the 1,014 who will be favored with opportunities not available to other Government lawyers, opinion is not unanimous in favor of this bill.

I have a letter from a lawyer in the Department of Justice who opposes the bill and gives among his reasons the fact that:

> Raises and decreases could well be so uneven and arbitrary as to cause widespread resentment and badly impair morale. More career attorneys would leave than ever before.
>
> Rather than redounding to the benefit of senior career lawyers, under this bill pressure, patronage, and favoritism would inevitably be activated to determine who gets the $16,000 to $19,000 jobs, and this would be true of the current higher civil service grades.
>
> And, if the present Attorney General says that this would not be so under him, can he guarantee to us what the next Attorney General will do? Would not one's salary be subject to change every time there was a new Attorney General or new head of a division? Some will prefer two cheaper attorneys to one dearer, more experienced one. Others will not—and so it will go.

This is a letter from an attorney presently in the Department of Justice.

I think we have to consider the effect partments of the Government. It is of this bill on the staffs of the other desaid, in justification of this bill, that because attorneys in trial practice, in the private practice of law, command higher fees, that we must do this for Government lawyers who are in active trial practice for the Government. Throughout the private practice of law today there is a widespread and a growing business habit of having house counsel and paying house counsel a very handsome fee for their service in keeping out of court and out of the hands of trial attorneys. I think the attorneys in other departments of the Government are in a comparable position to house counsel in private practice.

Relief is needed; I think nobody denies that some relief is needed, not only in the Department of Justice, but also in the Department of Health, Education, and Welfare, not only among lawyers but also among various technical and professional personnel of the Government.

I think we should reject this bill and that with the assistance, advice, and counsel of the Civil Service Commission, and of the House Committee on Post Office and Civil Service, a broad comprehensive bill proposing relief throughout the Government should be considered. I think the pending bill is a piecemeal approach; I think it is going to work injustice on lawyers in the Government service and in the Department of Justice, and I think it may put upon those in the Department of Justice whom the bill purports to help a yoke of patronage and favoritism at the hands of the Attorney General or his successors, which will not benefit their position, their status, or their ability to render the Government a good job. The whole Department of Justice will be reduced to playing the game of big brothers and little brothers.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. WILLIS. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. MORRISON].

Mr. MORRISON. Mr. Chairman, I rise in support of this legislation. As I understand, when this legislation was before the Committee on the Judiciary there was not a witness who appeared in opposition to the bill. There was no opposition before the committee. The

Attorney General appeared, other witnesses appeared, and the Attorney General made it very clear that he needed this legislation in order properly to run the Department of Justice because these lawyers who were so necessary to his Department were leaving, and competent lawyers were impossible to secure at the present wage scale being paid by the Department of Justice.

Members have risen on this floor and said this would open the floodgates. Well, it will not open any floodgates at all, because out of the thousand lawyers who would be eligible under this legislation here in Washington in the Department of Justice, the Attorney General has stated that only a hundred would probably have their salaries increased, and that would be over a period of 5 years. But by making this adjustment and by being able to raise their salaries he would be able properly to conduct the affairs of his Department as he thinks his Department should be conducted.

I want to quote from a letter from the Deputy Attorney General, but I want also to make it clear that as a member of the House Post Office and Civil Service Committee who has heard salary increase legislation over the years, I see nothing disturbing about this bill, that it would upset any salaries that are being paid in the various departments to the various attorneys. This is something that will affect only the Justice Department and I think will not in any way set any precedent for any other department. At the same time it will greatly improve the Justice Department in their very important personnel problems which now exist.

I want to quote to you from a letter which comes from the Office of the Deputy Attorney General, Mr. Byron R. White. It is dated July 10, 1961, and is addressed to the Honorable EMANUEL CELLER, chairman of the Judiciary Committee, House of Representatives, Washington, D.C.:

> Some members of the committee have asked for more detail with respect to our proposed salary plan, inasmuch as they have some apprehension that other Members of the Congress feel there might be some abuse of the Attorney General's discretion in fixing salaries under the limits imposed by the bill.
>
> I can assure you that the Attorney General intends to be conservative and careful as to the compensation paid attorneys at the seat of the Government, just as he has been with the U.S. attorneys and their assistants, concerning whom he already has a wide discretion in fixing compensation.
>
> More specifically, a first step would be gradually to end the present compression at the top of the Classification Act, that is, those attorneys in grade 15 now receiving anywhere from $14,800 to $15,800 who would be receiving additional compensation except for the limitations of the Classification Act.

Further quoting from the Deputy Attorney General, Byron White:

> This jam could be broken by inaugurating, on a selective basis, raises of $500 to $1,000 a year depending on the experience, ability, and character of the work of the individual.

Mr. HOLTZMAN. Mr. Chairman, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman from New York.

Mr. HOLTZMAN. I am very happy to commend the gentleman for the forthright and courageous stand he has taken, and the honest stand he has taken, with respect to jurisdiction. I want to urge the Members of the House to join in this legislation because this is a highly sensitive Department, and the Attorney General needs it.

Mr. MORRISON. I thank the gentleman for his contribution.

Quoting further from this letter from the Deputy Attorney General:

> This jam could be broken by inaugurating, on a selective basis, raises of $500 to $1,000 a year depending on the experience, ability, and character of the work of the individual. The same would apply to the 29 attorneys now in the $15,800 to $16,500 bracket and the 9 receiving from $16,500 to $17,500.
>
> As indicated in my previous letter, only a small percentage of the Department lawyers would be affected by the proposed amendment. We would expect that no more than 100 (including present supergrades) of the Department's 1,014 attorneys (exclusive of those in U.S. attorneys' offices) would be receiving compensation in excess of grade 15 salaries at the end of the next 5 years.
>
> As for those attorneys now covered by lower Classification Act pay scales, as I stated in my June 23 letter, the compensation of only a relatively small number of attorneys would be affected and in these instances based upon exceptional performance. I think I made it clear in my letter how we would handle their compensation.

A lot has been said as to what this bill will do in reference to conflicting interests and the salaries of attorneys in other departments. This is a very simple, a very reasonable, a very excellent chance and opportunity to give the Attorney General the law and the power that he needs to adjust salaries of some 100 or more attorneys now working for him and who will come into the Department so that he can properly do the job that he has stated he wants to do properly. Certainly when he has asked the Congress for this, when he has appeared before the committee, when he has explained it in detail and stated he needs this to properly run his Department, Congress should certainly have enough confidence in him to give him what he wants when it is at a very low cost as far as the overall budget is concerned. It is bound to tremendously aid the Department and thereby aid the American people and will thus enable him to do the excellent job he has promised he will do if given the opportunity by passage of this bill.

Mr. McCULLOCH. Mr. Chairman, I yield myself so much time as I may consume.

Mr. Chairman, I am pleased indeed to rise in support of this legislation. I felt that it was good legislation when I first discussed it with a representative of the Justice Department during the time that Mr. McGranery was Attorney General. I felt it was good legislation when I discussed it with Mr. Brownell, and again with Mr. Rogers, and finally with Judge Walsh, who gave up a position on the Federal bench to come to the Justice Department in Washington. I feel it is good legislation now, and I would not be true to myself or to my party as the ranking member of that committee if I did not say so. I expect to vote for this bill regardless of how the vote comes.

Mr. Chairman, there were many fears expressed today as to what the Attorney General of the United States might do if this legislation became law. I want my friends on this side of the aisle, particularly, to listen to what I am going to say. Until 1949 the Attorneys General of the United States had the very power that is authorized in this bill. The Attorneys General of the United States had the right to fix the salaries and to assign the duties, not only in the Department of Justice in Washington, but they had it out in the field as well. So the fears expressed by my able colleagues from here and from there in this particular case are not well taken.

Mr. Chairman, I would like to comment concerning the penetrating question which my good friend, the gentleman from North Carolina [Mr. JONAS], asked. He asked about the people leaving the Department of Justice. I would be the first to admit that the attrition there is not nearly so great as it is in some other departments of Government. But here is a thing of monumental importance: The attrition is of the cream of the crop. I have no intention, Mr. Chairman, to downgrade an attorney at law wherever he may be. But there are attorneys at law, and there are lawyers. We have trial lawyers in the Department of Justice who are participating in such cases as those against General Electric, Westinghouse, General Motors, and others, and who are now receiving only $15,000 a year.

Mr. Chairman, I listened in the Supreme Court to a certain lawyer who was at one time a candidate for President of the party to my right. What do you suppose his salary was for that one case alone? Yet, we will expect needed lawyers of that caliber at a maximum salary of $15,000 a year.

Mr. TOLL. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I am glad to yield to my colleague from Pennsylvania.

Mr. TOLL. Will the gentleman indicate whether there is any special consideration that should be afforded to litigation lawyers or trial lawyers in the Department?

Mr. McCULLOCH. I am very glad to have that question asked. I meant to point that out. There are lawyers, and there are attorneys at law. Good trial lawyers are difficult to come by. It is comparatively easy to find attorneys at law to write contracts or do the thousand and one things that may be done at the desk, but to find an able trial lawyer who may go into court where millions of dollars are involved in a single case is something else.

During the early years of Attorney General Brownell we had the honors program initiated in the Department of Justice; and from the law colleges in every State in the Union we brought to Washington the honor graduates at a salary which was for a young man most alluring. But with the straitjacket in which the Attorney General found himself, both Attorney General Brownell and Attorney General Rogers and now

Attorney General Kennedy, these bright young men after 2 or 3 years of experience, knowing that even if they made a career of this service and were trial lawyers of the highest caliber they would never receive more than $15,000 a year, leave the service. So I say to my good friend, the gentleman from North Carolina [Mr. JONAS] that the attrition is of the cream of the crop.

Mr. TOLL. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Pennsylvania.

Mr. TOLL. Will the gentleman state whether he agrees with this statement made by Deputy Attorney General White:

> It has long been the practice in the legal profession to distinguish between lawyers who litigate and those who do not. If any group of lawyers with the Government should be amply qualified, those in the Department of Justice should warrant particular treatment. In all other departments and agencies, lawyers and the practice of law are ancillary to the principal function of the department or agency. Only in the Department of Justice are lawyers and the practice of law the very essence of the operation.

Mr. McCULLOCH. I agree with that comment, and I thank the gentleman for the contribution. As evidence of the statement that I made with regard to what the law was prior to 1949 I read to you from page 12 of the hearings. Mr. Andretta, the Assistant Attorney General in charge of administrative affairs, was asked a question by Mr. Foley, our chief counsel. This is the question:

> Did the Department oppose or favor bringing them under the Classification Act?

That is of 1949.

> Do you remember, Mr. Andretta?
>
> Mr. ANDRETTA. We did not think it applied, so we did not do anything about the bill when it was being considered; and much to our concern when the 1949 act passed and applied to all officers, we got an interpretation that it applied to the Department lawyers. Then we had no choice but to put them under it.

I repeat, there were no fears and there was no improper action that caused fear up to that time. We are asking that the Attorney General have the same authority after this bill becomes law with respect to fixing salaries as the Attorneys General of the United States had all during the years until 1949. There is no real long-term danger in this bill. We have the Committee on Appropriations that every year must review the money that is provided to pay these salaries. And as my good and careful friend, the gentleman from New York [Mr. LINDSAY] has said, we are going to be watching with an eagle eye the promotions and the demotions, if any, that occur if this bill be enacted into law.

Mr. Chairman, I call upon my friends on both sides of the aisle to join with us in a positive, constructive step in this needed legislation.

Mr. MEADER. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to my colleague on the committee.

Mr. MEADER. I am not sure whether I understood the gentleman correctly when he referred to the Classification Act of 1949; that if we passed this bill we will put the Attorney General in the same position as the Attorneys General were before?

Mr. McCULLOCH. Substantially in the same position which gave the Attorney General the right to write the job specifications and fix the salaries in accordance therewith.

Mr. MEADER. But before the Classification Act of 1949 applied to the Department of Justice they were political positions; but now the positions have civil service protection, and after the passage of this bill they will retain civil service protection.

Mr. McCULLOCH. I have this reply to make to my good and careful friend from Michigan. That was not the intent of the Classification Act of 1949 when it was passed by the House and by the other body. The Department of Justice did not know what was happening, and many Members of Congress apparently did not realize the effect of the legislation. They did not even oppose it. And the Department of Justice finally had a ruling which left them in this straitjacket and which has resulted in every Attorney General since that time, both Democratic and Republican, calling for legislation to remedy the situation.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to my colleague from Colorado.

Mr. ROGERS of Colorado. The gentleman emphasized that the passage of this bill would not destroy the civil service status that anyone now has in the Department of Justice. Even Judge DAVIS, when he took the floor, admitted it did not destroy that in any manner whatsoever. The only thing it does do is with reference to the question of salaries which are now under the Classification Act. It gives the Attorney General authority to move them up or down.

The Attorney General has assured the committee that it is not going to apply this authority to anyone except those individuals they need at this time.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Ohio.

Mr. BOW. The gentleman referred to the Committee on Appropriations having a chance to review. Being a member of that Subcommittee on Appropriations, I was interested in the gentleman's statement. Can the gentleman give us some idea how much will be involved in this for the Appropriations Committee?

Mr. McCULLOCH. I would have no exact figure on the cost. We were assured it would be nominal. It would also be my opinion that it would not be large in view of the appropriations for the Department in question and it would be infinitesimal in connection with the appropriations that have been made and are going to be made for purposes which will not serve the country nearly as well as this bill would serve the country.

Mr. BOW. The gentleman said we would have a chance to review the figures.

Mr. McCULLOCH. Yes.

Mr. BOW. Let us assume this bill becomes law and the Attorney General increases the salaries. He will then come to the Appropriations Committee for the payment of those salaries, and that would not give us the opportunity of review that we have now under the present law.

Mr. McCULLOCH. In my opinion, it would give the Appropriations Committee the final authority, the final ability to review the total amount of the appropriation for such salaries. The Attorney General, if he became a person who was not interested in the good of the country, could be bound in a straitjacket of the succeeeding total appropriations made by the committee.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from North Carolina.

Mr. JONAS. The gentleman from Ohio commented on the question I propounded to the chairman of the committee about attrition and the rate of loss throughout Government. I was interested in the statement that lawyers in the Department who have salaries in the $15,000 range cannot compete with high-powered lawyers hired by big corporations.

Mr. McCULLOCH. If the gentleman will permit a correction, I did not say they could not compete with them, or at least I certainly did not mean to imply that they could not compete with them mentally. Department lawyers have done a very good job, at very low salaries.

Mr. CELLER. Mr. Chairman, I yield the balance of my time to the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Chairman, I rise in support of H.R. 6242, as I feel it is profoundly persuasive. The Attorney General of the United States is the chief legal officer. He is designated by statute to represent the U.S. Government in the Federal courts and in all courts where the Government may be a litigant, with the result that of the cases now pending in Federal courts approximately 35 percent affect the U.S. Government.

This legislation has as its objective rewarding with good salaries those who have performed well. First of all, let us understand that this does not destroy the tenure rights which anybody has in the Department of Justice. This was outlined by Deputy Attorney General White when he appeared before our committee. He stated:

> What we seek by this proposed legislation is to reward a good trial attorney from time to time, not because his duties or responsibilities have changed, and not with reference to a classification system based upon language that at best awkwardly describes the duties of an attorney, but simply because he has demonstrated increased proficiency in his work.

So you see by that statement that the objective here is to get into that territory where under the Classification Act we are limited to a salary of approxi-

mately $15,000 a year. The objective the Attorney General has is that in the range from $15,000 up to $19,000 he may select a point at which he can get and retain trial attorneys who are entitled to receive just compensation for the proper representation of the Government.

Let me reemphasize the importance of this legislation. Let me point out again that all litigation is under the jurisdiction of the Attorney General and he and he alone is the one who has the authority to appear and represent the U.S. Government. Provision for those who are Justice Department trial lawyers is the objective of this legislation and this is a matter of substantial importance to the Government.

Mr. HOLTZMAN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from New York.

Mr. HOLTZMAN. Mr. Chairman, I should like to clear up the question raised by the gentleman from Ohio [Mr. Bow].

As the Attorney General testified, and this is to be found on page 9 of the hearings, this bill will increase the appropriation in the future. The Department of Justice has indicated that it will have to live within its budget for a year or two. The Attorney General pointed out that as a result of being able to pay their lawyers more, the Department would have to request more money in years to come, but that the increase would not be substantial. This is an important bill and I urge my colleagues to support it.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 508 of title 28, United States Code, is amended to read as follows:

"The Attorney General shall fix, without regard to the Classification Act of 1949, as amended, the compensation of United States attorneys, assistant United States attorneys, special assistants and other attorneys employed in the Department of Justice within the following limitations:

"United States attorneys, not more than $20,000; and

"Assistant United States attorneys, special assistants and others attorneys employed in the Department of Justice, not more than $19,000."

With the following committee amendment:

On page 1, strike the language on lines 10 and 11 and insert in lieu thereof the following:

"United States attorneys—not less than $12,000 or more than $20,000; and."

Mr. WILSON of Indiana. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. WILSON of Indiana moves that the Committee do now rise and report the bill back to the House with instructions that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Indiana is recognized for 5 minutes in support of his motion.

Mr. WILSON of Indiana. Mr. Chairman, I ask for a vote on my motion.

The CHAIRMAN. The question is on the motion to strike the enacting clause.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. WILSON of Indiana. Mr. Chairman, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and fifty-nine Members are present, a quorum.

So the motion was rejected.

Mr. BOW. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as I have stated previously, as a member of the Subcommittee on Appropriations that handles the appropriations on this bill, I should like to ask some questions either of the ranking minority member or the chairman of the committee—of either the gentleman from Ohio [Mr. McCULLOCH] or the gentleman from Colorado [Mr. ROGERS], whoever may want to answer the questions.

Some suggestion has been made here on the question of the cost of this bill, that the Attorney General has stated that he will live within his appropriation. I wonder if that could be clarified.

Mr. ROGERS of Colorado. On page 12 of the hearings, a question was asked by our ranking minority member, the gentleman from Ohio [Mr. McCULLOCH] of Deputy Attorney General White. The record of the hearing is as follows:

Mr. McCULLOCH. The Appropriations Committees of the respective branches of Congress will ultimately have control of this matter if the legislation is abused.

Mr. White answered as follows:

Mr. WHITE. For instance, this year we expect we are going to have to stay within our budget and next year we will have to stay within our budget. Everything we do we will have to justify to the Appropriations Committee and we think we can get an awful lot of good out of this amendment without costing the Department of Justice another dollar.

Mr. BOW. The point I was trying to determine was how much it was going to cost. And, if you say they are now going to live within the present budget this year and if they intend to raise salaries, then the question comes to my mind that perhaps the committee has given them too much money if they have enough to pay increased salaries. Of course, the budget is not yet through for this year.

Mr. ROGERS of Colorado. Mr. Chairman, if the gentleman will yield further, the objective of this legislation, which we attempted to point out from time to time, is to take care of those expert trial lawyers, so to speak, who under the classification system can only get up to what is known as grade 15.

Mr. BOW. I understand that perfectly, but there is still a question in my mind, if they say they can live within the budget as it is now and intend to raise salaries, then I think we have appropriated too much money.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from North Carolina.

Mr. JONAS. As a matter of fact, they are not living within the budget. They have already come in before the deficiency subcommittee for more money and they will get more money in this year's deficiency bill.

Mr. BOW. And the present bill has not yet gone through conference. They have come in for a deficiency which is now before the committee.

Now, let me raise one other question and I will be glad to yield. It is said that the langauge as it applies to district attorneys is found in section 508 and that it carries these salaries and that the Attorney General has this authority outside of the District. It is interesting to note the turnover and the attrition is greater outside than it is here in Washington, where you do not have the authority. Now, if the purpose of this is to try to keep them, you are doing a better job on the outside, because it is 15 percent here in the District of Columbia where you have the classification under civil service. It is 15 here and where it is not you have about 25. Of course, this year it might be 100 percent. But, that is not what I am talking about. I am talking about the area of time where you do not have political change, where you have the same political party in power. Over the last years it has been 25 percent outside and now it is going to be 100 percent.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Ohio.

Mr. McCULLOCH. I think one of the answers to the question of the gentleman is—and that is with reference to the statement that was made by one of the objectors to the proposed legislation—that appointments in the field are political appointments. They are accepted only for a short time, and there is no inducement for career service and there is no intention for it ever to become one, but a person becomes a U.S. attorney or assistant U.S. attorney for the public relations it will give him.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. McCULLOCH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would be glad to read this paragraph on page 8 of the report in answer to the question raised by my distinguished colleague, the gentleman from Ohio [Mr. Bow], a member of the Committee on Appropriations. If there is a deficiency in the Department now, I regret it; I regret any deficiency in any Department in normal times. If there be deficiencies other than in the Defense Department, they deserve the attention that they should get.

I quote Mr. White from the committee report:

We believe that the changes can be made gradually without calling for any increase in appropriation.

That is my reply to the question of my colleague, the gentleman from Ohio [Mr. Bow].

Mr. FASCELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of this legislation without amendment. It is clear to me, and has been for a long time, that relief has been needed in the areas of lawyers in Government. I am not sure I would support the idea of leaving them under the Classification Act at all; in fact, I have long felt that putting lawyers in Government under the Classification Act is not the answer to either Government or House lawyers.

There is no argument that relief is needed. That is apparent in this case; whether or not it takes additional money is immaterial; you pay for what you get, not what you want. I believe in getting an incentive program in the Department of Justice, giving the lawyers—giving the management the flexibility which is desirable as has been pointed out by the Hoover Commission and every other impartial group that has studied the problem. This will make for efficiency, this will make for economy, this will make for good management, this will make for flexibility, this will make for attorneys who are trying to do an able job.

I rise to support the legislation as is.

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, if I may have the attention of the gentleman from Louisiana [Mr. WILLIS] I can find nowhere in this bill any standards. Is there anything in this bill providing standards for or qualifications for these attorneys who would be paid $19,000 a year?

Mr. WILLIS. I do not know that I follow the gentleman.

Mr. GROSS. The gentleman spoke of talented attorneys and we have first heard the gentleman from Florida talking about expert attorneys. This bill does not specify any category of attorney. It deals with attorneys, period; does it not?

Mr. WILLIS. The gentleman is correct. The bill talks in terms of authority vested in the Attorney General to raise salaries of lawyers in the Department. There is no standard in this bill any more than there is any standard in the bill that came from the Senate. The evidence before us was in the shape of written testimony and a letter from the Deputy Attorney General outlining the plan under which they will proceed, which is in accordance with the statement I made on the floor.

Mr. GROSS. That letter is nothing but a personal statement. It is not binding in law. Another Attorney General could ignore it. If you wanted to limit this to the so-called experts, that would be one thing, but certainly you do not limit it to experts, you do not limit it to trial lawyers, or even experienced lawyers. A young lawyer could walk into the Department of Justice tomorrow, under the terms of this bill, with his law degree still warm in his pocket, and get $19,000 a year. Is that not true?

Mr. WILLIS. If the gentleman wants to be extreme about it, that is possible.

Mr. GROSS. Extreme. That would be the law.

Mr. WILLIS. The gentleman depends upon testimony before his committee with regard to the classification of employees and so on. How is that record made up? It is made up by testimony. That is the way we make our record in the Judiciary Committee.

I happen to believe that the Deputy Attorney General did not misrepresent to this House the plan under which he said he would operate.

Mr. GROSS. The Attorney General could put every civil rights attorney in the Justice Department on the payroll at $19,000 a year as soon as this bill is passed.

Mr. WILLIS. Absolutely not. That is not the plan which was presented to the committee and upon which we proceeded. I certainly would not support a bill which would do that.

Mr. GROSS. Under this bill you support and want the House to pass this afternoon, he certainly could do just that. That is the truth, and the gentleman knows it.

Mr. WILLIS. I hope the gentleman is not going to put words in my mouth or ideas in my mind. Is the gentleman making a representation? Is he representing to the House that that is the intent of this bill? If he is, I will say he is in direct contradiction of the record.

Mr. GROSS. What I am saying to the gentleman from Louisiana is simply this, that a lawyer with 1 day of experience, with his law degree in his pocket, just fresh out of college, can walk into the Department of Justice and get $19,000 a year if he is a Classification Act attorney, and I challenge the gentleman to dispute that statement.

Mr. WILLIS. That is not in accordance with the testimony.

Mr. GROSS. There is absolutely nothing in the bill that prohibits it, and I, for one, refuse to rely on a simple statement of intention in a letter when dealing with a matter of such serious ramifications.

If the Committee on the Judiciary wants to handle salary bills, I for one, as a member of the Committee on Post Office and Civil Service, will gladly vote to hand you the pay bill that will be introduced next year covering all Government employees. Just say you want it and you have my vote. It is a headache I wish you had. However, it is apparent you want to deal with this problem on a pick and choose, piecemeal basis.

Mr. WILLIS. The gentleman uses the word "you" in the generic sense, as a committee I presume. As far as the committee is concerned, we have enough to do. The Judiciary Committee does have jurisdiction over this particular category of employees; namely lawyers in the Department of Justice. If the gentleman as a member of the committee having to do with the other employees will come out with a bill, I assure him I will give it consideration.

Mr. JAMES C. DAVIS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the proponents of this legislation have been talking about it as though it only gives benefits and advantages to the attorneys in the Justice Department.

I want to call your attention to something which is not a benefit and is not an advantage that will accrue to these attorneys if this bill passes. You will note the language of the bill reads this way:

> The Attorney General shall fix, without regard to the Classification Act of 1949, as amended, the compensation—

And so forth.

Mr. Chairman, these attorneys under the Classification Act have these benefits and advantages under existing law: They have automatic step increases 1 year apart up through grade 17. They have six of these automatic step increases amounting to $105 per year in grade 1 up to $165 a year in grade 9. There are six of these annual step increases all the way up to grade 10. In grade 17 the step increase amounts to $260, and they get four of those step increases as they accrue. In grade 17 one of these attorneys can go through the benefits of the Classification Act up to $17,590 in that grade.

After 10 years' service the attorney gets one longevity increase which amounts to the same as one of these step increases. After 13 years he gets a second longevity increase, and after 16 years he gets the third longevity increase. Every one of these longevity increases is equal to a one-step increase to which I have referred.

Mr. Chairman, if this bill passes, under the language of the bill—and I have just talked to the civil service expert who is the counsel for the House Post Office and Civil Service Committee—all of this will be wiped out; all of these benefits and all of these advantages such as these step increases, the longevity increases. They will all be wiped out. The Civil Service Commission will be deprived of the authority which it now has to fix the requirements for meeting the qualifications of the job in which they serve.

Mr. Chairman, this is not a one-sided proposition of just giving advantages to the lawyers. It is going to create chaos in the operation of the classification department in the Justice Department, and is going to deprive them of some very valuable rights which they now have.

Mr. JOHANSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not intend to take the full 5 minutes. The fact of the matter is—and I can appreciate the applause from certain quarters—that fiscal irresponsibility in the area of Federal personnel is becoming rampant in this Government.

Mr. Chairman, we are faced already with public notice that we are going to have a demand for pay increases for all postal employees next year, presumably to be tied in with an increase for all classified employees.

Mr. Chairman, we are having proposed here today a very definite breach in the wall so far as congressional control over supergrades and higher salary categories are concerned.

We have already been told that the building space in Washington is not ade-

quate to house the additional personnel in Government.

Mr. Chairman, we are not dealing with an isolated proposal or an isolated problem. Those of us on the Post Office and Civil Service Committee on both sides of the aisle who feel some sense of concern about this development wish to register by our opposition and by our presentation of views here today that deep concern and anxiety.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. WALTER] having resumed the chair, Mr. ASPINALL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6242) to amend section 508 of title 28, United States Code, relating to attorneys' salaries, pursuant to House Resolution 428, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the "noes" had it.

Mr. GROSS. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 172, nays 223, not voting 42, as follows:

[Roll No. 175]

YEAS—172

Addabbo	Clancy	Halpern
Addonizio	Clark	Hansen
Albert	Cohelan	Harding
Anfuso	Conte	Harrison, Va.
Ashley	Corman	Hays
Aspinall	Daddario	Hébert
Bailey	Daniels	Hechler
Baring	Davis, Tenn.	Holifield
Barrett	Delaney	Holtzman
Bass, Tenn.	Denton	Hull
Battin	Diggs	Ichord, Mo.
Bennett, Fla.	Dingell	Ikard, Tex.
Blatnik	Dominick	Inouye
Boggs	Donohue	Jarman
Boland	Doyle	Joelson
Bolling	Edmondson	Johnson, Calif.
Bolton	Elliott	Johnson, Md.
Bonner	Farbstein	Johnson, Wis.
Boykin	Fascell	Jones, Ala.
Brademas	Feighan	Karsten
Breeding	Finnegan	Karth
Brooks, Tex.	Flood	Kastenmeier
Burke, Ky.	Friedel	Kearns
Burke, Mass.	Giaimo	Kee
Burleson	Granahan	Kelly
Byrne, Pa.	Gray	Kilday
Cahill	Green, Oreg.	Kilgore
Carey	Green, Pa.	King, Calif.
Casey	Griffiths	King, Utah
Celler	Hagen, Calif.	Kirwan
Chenoweth	Halleck	Kluczynski
Lane	O'Brien, N.Y.	Saund
Lindsay	O'Hara, Ill.	Shipley
Loser	O'Hara, Mich.	Sisk
McCormack	Olsen	Smith, Iowa
McCulloch	O'Neill	Smith, Miss.
McDowell	Patman	Spence
McFall	Perkins	Staggers
Macdonald	Peterson	Steed
MacGregor	Philbin	Stratton
Machrowicz	Powell	Stubblefield
Mack	Price	Sullivan
Magnuson	Pucinski	Thomas
Mahon	Randall	Thompson, La.
Miller, George P.	Reuss	Thompson, N.J.
Minshall	Rhodes, Ariz.	Thompson, Tex.
Monagan	Rhodes, Pa.	Toll
Montoya	Rivers, Alaska	Udall, Morris K.
Morgan	Rodino	Vanik
Morris	Rogers, Colo.	Walter
Morrison	Rogers, Fla.	Watts
Mosher	Rogers, Tex.	Wickersham
Moss	Roosevelt	Willis
Multer	Rostenkowski	Yates
Murphy	Roush	Young
Nix	Rutherford	Zablocki
O'Brien, Ill.	Ryan	Zelenko
	St. Germain	

NAYS—223

Abbitt	Frazier	Moulder
Abernethy	Frelinghuysen	Murray
Adair	Fulton	Natcher
Alexander	Garland	Nelsen
Alford	Garmatz	Norblad
Alger	Gary	Osmers
Andersen, Minn.	Gathings	Ostertag
	Gavin	Passman
Anderson, Ill.	Glenn	Pelly
Andrews	Goodell	Pfost
Arends	Goodling	Pike
Ashbrook	Grant	Pillion
Ashmore	Griffin	Pirnie
Auchincloss	Gross	Poff
Avery	Gubser	Quie
Ayres	Hagan, Ga.	Ray
Baker	Haley	Reece
Baldwin	Hall	Reifel
Barry	Hardy	Riehlman
Bass, N.H.	Harris	Riley
Bates	Harrison, Wyo.	Rivers, S.C.
Becker	Harsha	Roberts
Beckworth	Harvey, Ind.	Robison
Beermann	Harvey, Mich.	Rooney
Belcher	Hemphill	Roudebush
Bell	Henderson	Saylor
Bennett, Mich.	Herlong	Schadeberg
Berry	Hiestand	Schenck
Betts	Hoeven	Scherer
Bow	Hoffman, Ill.	Schneebeli
Bray	Hoffman, Mich.	Schweiker
Brewster	Horan	Schwengel
Bromwell	Hosmer	Scott
Broomfield	Huddleston	Scranton
Brown	Jennings	Seely-Brown
Broyhill	Jensen	Selden
Bruce	Johansen	Short
Byrnes, Wis.	Jonas	Shriver
Cannon	Jones, Mo.	Sibal
Cederberg	Judd	Sikes
Chamberlain	Keith	Siler
Chelf	King, N.Y.	Slack
Chiperfield	Kitchin	Smith, Calif.
Church	Knox	Smith, Va.
Collier	Kornegay	Springer
Colmer	Kowalski	Stafford
Corbett	Kunkel	Stephens
Cunningham	Kyl	Taber
Curtin	Laird	Taylor
Curtis, Mass.	Landrum	Teague, Calif.
Curtis, Mo.	Langen	Teague, Tex.
Dague	Lankford	Thomson, Wis.
Davis, James C.	Latta	Tollefson
	Lennon	Trimble
Davis, John W.	Lesinski	Tuck
Derounian	Libonati	Tupper
Derwinski	Lipscomb	Ullman
Devine	McDonough	Utt
Dole	McIntire	Van Pelt
Dooley	McVey	Van Zandt
Dorn	Marshall	Vinson
Dowdy	Martin, Mass.	Wallhauser
Downing	Martin, Nebr.	Weaver
Dulski	Mathias	Weis
Durno	Matthews	Whalley
Dwyer	May	Wharton
Everett	Meader	Whitener
Evins	Michel	Whitten
Fallon	Miller, Clem	Widnall
Fenton	Miller, N.Y.	Williams
Findley	Mills	Wilson, Calif.
Fino	Moeller	Wilson, Ind.
Fisher	Moore	Winstead
Ford	Moorehead, Ohio	Younger
Forrester	Morse	
Fountain		

NOT VOTING—42

Blitch	Healey	O'Konski
Brooks, La.	Holland	Pilcher
Buckley	Keogh	Poage
Coad	Kilburn	Rabaut
Cook	McMillan	Rains
Cooley	McSween	Rousselot
Cramer	Madden	St. George
Dawson	Mailliard	Santangelo
Dent	Mason	Shelley
Ellsworth	Merrow	Sheppard
Flynt	Milliken	Thornberry
Fogarty	Moorhead, Pa.	Westland
Gallagher	Norrell	Wright
Gilbert	Nygaard	

So the bill was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Madden for, with Mrs. Norrell against.
Mr. Keogh for, with Mrs. Blitch against.
Mr. Cramer for, with Mr. Pilcher against.
Mr. Buckley for, with Mr. Kilburn against.
Mr. Santangelo for, with Mr. Rousselot against.
Mr. Shelley for, with Mr. Ellsworth against.
Mr. Gilbert for, with Mrs. St. George against.
Mr. Healey for, with Mr. Mason against.
Mr. Fogarty for, with Mr. McMillan against.
Mr. Sheppard for, with Mr. Nygaard against.
Mr. Gallagher for, with Mr. Milliken against.

Until further notice:

Mr. Dent with Mr. Mailliard.
Mr. Holland with Mr. Merrow.
Mr. Moorhead of Pennsylvania with Mr. O'Konski.
Mr. McSween with Mr. Westland.

Mr. MAHON changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

MINORITY VIEWS

Mr. BROMWELL. Mr. Speaker, I ask unanimous consent to file minority views in the committee report on S. 1990.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

DISCRIMINATION IN APPRENTICESHIP TRAINING PROGRAMS

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and to include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, hearings held last week by the Special Subcommittee on Labor of the House Education and Labor Committee revealed some stark testimony on discrimination in apprenticeship training programs. Among them, however, was one appalling admission that discrimination was not limited to, nor restricted by, membership in a minority group. But, rather, the more positive admission that entry to these programs was based on the priority of the family tree. The kinsfolk theory of opportunity in employment is more fully elaborated on in the editorial from the Washington Post of August 26,

1961. As chairman of the subcommittee that is considering H.R. 8219, which would withdraw Federal support and approval from apprenticeship programs which deny individuals an equal opportunity to participate, I wish to insert the editorial at this point for the consideration of my colleagues:

SONS OF PLUMBERS

When a witness testified the other day before a House Labor Subcommittee that Plumbers Local No. 5 here has 825 members and 100 apprentices but no Negroes in either category, Cecil E. Rhodes, the local's business manager, denied that the local discriminates in any way against Negroes. It is simply a matter, he said, of giving priority in choosing apprentices to sons of plumbers.

This puts an entirely different face on the situation, of course. We suppose that Negroes who would like to be plumbers never thought of it in quite this way before. They are not kept from becoming plumbers because they are colored; that has nothing to do with the case. They are kept from becoming plumbers only because their fathers were colored. This operates, to be sure, to some disadvantage for their sons who may want to become plumbers and will be unable to for the same reason. But then it has been ordained in the Scriptures, as everyone knows, that the iniquity of the fathers shall be visited upon the children unto the third and fourth generations.

What is true of the plumbers in Washington is equally true of the electricians and of most of the other old-line craft unions. With the exception of the carpenters' union, Francis A. Gregory, assistant school superintendent in charge of adult and vocational training, told the subcommittee, the schools have yet to place a Negro apprentice with the unions. Apart from the appalling injustice of this discrimination, it is manifestly true, as Mr. Gregory put it, that "the community cannot afford the extravagant waste of manpower."

The situation is made even more shocking by the fact that the District Apprenticeship Council has apparently been helping the unions to perpetuate it by coding all applications with "N" or "W" to indicate race. Labor Secretary Goldberg, condemning the practice, promised an immediate investigation and "remedial action." We have no doubt it will be promptly forthcoming.

UNFAIR TRADE PRACTICE COMPLAINTS

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I wish to hail a reform in the administration of unfair trade practice complaints. To expedite action on complaints of unfair trade practices, small businessmen can now file their complaint applications through the field offices of the Small Business Administration located in 59 cities throughout the country, under an agreement announced jointly today by SBA Administrator John E. Horne and Federal Trade Commission Chairman Paul Rand Dixon. This reform had been urged by me as a member of the House Select Committee on Small Business in a conference with Mr. Dixon and members of his staff early in the session.

The agreement is designed to make it more convenient for the small businessman to file his complaint and will speed the handling of applications. SBA field offices will forward the complaints directly to the FTC headquarters in Washington, D.C., for appropriate action.

Today's announcement came as a result of a recommendation made by the recently established White House Committee on Small Business, chaired by SBA Administrator John E. Horne. The Committee was established by President Kennedy in May to review small business problems; to make recommendations for improvement; and to suggest new policies and programs of Government assistance to small businesses.

As a service to small businesses, all SBA field offices will receive complaint applications regarding suspected violations of the Clayton Act, unfair trade practices and other matters coming within the jurisdiction of the FTC. With the limited number of FTC field offices this service should make it easier for the small businessman to file his complaint.

The FTC's 10 field offices will continue to process and investigate suspected antitrust and other violations of the law. However, SBA's 59 field offices are now in a position to help speed up the referral of matters warranting attention.

The 59 field offices of the SBA are located in the following cities:

Birmingham, Ala.; Anchorage, Alaska; Phoenix, Ariz.; Little Rock, Ark.; Los Angeles and San Francisco, Calif.; Denver, Colo.; Hartford, Conn.; Jacksonville and Miami, Fla.; Atlanta, Ga.; Honolulu, Hawaii; Boise, Idaho; Chicago, Ill.; Indianapolis, Ind.; Des Moines, Iowa; Wichita, Kans.; Louisville, Ky.; New Orleans, La.; Augusta, Maine; Baltimore, Md.; Boston, Mass.; Detroit, Mich.; Minneapolis, Minn.; Jackson, Miss.; Kansas City and St. Louis, Mo.; Helena, Mont.; Omaha, Nebr.; Concord, N.H.; Albuquerque, N. Mex.; New York and Syracuse, N.Y.; Charlotte, N.C.; Fargo, N. Dak.; Cleveland, Ohio; Oklahoma City and Tulsa, Okla.; Portland, Oreg.; Philadelphia and Pittsburgh, Pa.; Santurce, P.R.; Providence, R.I.; Columbia, S.C.; Sioux Falls, S. Dak; Knoxville and Nashville, Tenn.; Dallas, Houston, Lubbock, and San Antonio, Tex.; Salt Lake City, Utah; Montpelier, Vt.; Richmond, Va.; Washington, D.C.; Seattle, Wash.; Charleston and Clarksburg, W. Va.; and Madison, Wis.

The SBA has recently issued a small marketers aid titled "Trade Regulations and Small Business" which is available upon request from all SBA offices. The leaflet was prepared by staff members of the SBA, FTC, Departments of Justice and Commerce, and discusses laws regulating the competitive practices of businesses.

Principal Federal and State trade regulation laws are outlined in the leaflet which also discusses some illegal practices under Federal laws, including price fixing, false and deceptive advertising, price discrimination, and payment of brokerage to buyers.

The FTC has made available to all SBA field offices a publication, "Rules of Practice, Procedures, and Organization" which describes the Commission's areas of responsibility.

WELL MET: THE MUSICIANS' UNION, THE OPERA ASSOCIATION AND SECRETARY GOLDBERG

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, I do not want to let the day pass without commending President Kennedy, Secretary of Labor Arthur Goldberg, Local 802 President Alfred J. Manuti and the Metropolitan Opera Association on the proposed solution to the problem which threatened to result in the cancellation of the 1961–62 season of the Metropolitan Opera. The settlement, including the acceptance of binding arbitration by Secretary Goldberg, was announced in Washington late yesterday.

I had written previously to Secretary Goldberg telling him of my deep concern over the situation and urging him to do everything possible to bring the parties together. Last Friday, August 25, I sent the Secretary a telegram in which I informed him that I believed the orchestra would abide by any decision he made in the matter, and I urged him personally to attempt to arbitrate the difference.

Mr. Speaker, I include the text of my wire of August 25 to Secretary Goldberg:

I understand representatives of Metropolitan Opera Association and local 802 have been requested to meet with you Monday. Continuation of Met is of vital interest at home and abroad.

Urge you personally attempt to arbitrate differences. I am sure orchestra will abide by your decision.

WILLIAM FITTS RYAN,
Member of Congress.

I also include the text of a letter which President Kennedy sent to both sides and the statement of Secretary of Labor Goldberg on the settlement:

PRESIDENT KENNEDY'S LETTER

AUGUST 28, 1961.

GENTLEMEN: I am extremely pleased that a settlement has been reached in the dispute between the Metropolitan Opera Association and the orchestra, thus assuring a 1961–62 opera season.

You are to be highly commended for your statesmanship in submitting the issues you have been unable to resolve between yourselves to voluntary and binding arbitration by Secretary of Labor Arthur J. Goldberg, who will serve at your and my request.

By reaching agreement, the parties to this dispute have insured that a great cultural resource of the United States will be continued for this season as it has since 1892. The Metropolitan Opera, as a standard of excellence and as a measure of creative vigor in the performing arts for over half a century, has become through its travels about the United States and Canada and through its recordings and broadcasts, a truly international institution, without losing its unique identity with the cultural life of New York City.

The Metropolitan Opera is important to the Nation. I am glad we have all found a way for it to continue.

Sincerely,

JOHN F. KENNEDY.

SECRETARY OF LABOR GOLDBERG'S STATEMENT

I am glad to announce that the Metropolitan Opera Association and Local 802 of the American Federation of Musicians, representing the Met's orchestra, have agreed upon a settlement of their pending dispute.

The settlement provides for final and binding voluntary arbitration of all of the disputed issues.

At the request of the President and both parties, I have consented to act as the arbitrator. The President is concerned that the Metropolitan Opera season should take place this year, as it has each successive year since 1892. The Met is a nonprofit organization and a great cultural resource of the American Nation. My acting as arbitrator of the merits of this particular dispute is unique and will not establish a precedent of general economic application.

I want to express my appreciation to the parties to the dispute and to Mr. Jacob Mandelbaum, Commissioner of the Federal Mediation and Conciliation Service, and Mr. Harold Felix [city labor commissioner], representing Mayor Wagner, for their cooperation in bringing this settlement about.

This arbitration settlement provides the basis and will permit all the necessary arrangements for the Met's season to go forward.

POLITICAL ADVISER TO ATTORNEY GENERAL KENNEDY WORKED WITH REDS

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, to revise and extend my remarks, and include certain newspaper articles.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, I was stunned last week to read in the Milwaukee Journal under date of Thursday, August 24, 1961, a story covering the activities of Paul Corbin, a special assistant to the chairman of the Democratic National Committee handling patronage matters in the New Frontier. It seems to me that the Attorney General should inform the Congress as to the type of background check, if any, conducted by him or the Kennedy organization prior to his appointment. The seriousness of the matter is emphasized by the Journal's Washington bureau reporter who stated, regarding Corbin:

He talks to persons looking for jobs on the New Frontier and also recruits likely prospects. He advises on these matters with leaders of the Kennedy administration but principally with Attorney General Robert F. Kennedy, his political sponsor and patron.

Does this mean that Mr. Corbin recommends judges for appointment to the Federal judiciary? It is incumbent upon the Attorney General to clarify this situation immediately.

I have sent the following wire to Attorney General Robert F. Kennedy today:

In the Thursday, August 24, 1961, front page of the Milwaukee Journal, there appeared a story under the heading, "Many Are Wondering What of Corbin's Past—Democrats' Aid for Patronage Worked Here With Reds." In the story you are reported to have been the "political sponsor and patron" of Paul Corbin. I direct your attention to this article and respectfully ask your immediate reply and clarification.

Sincerely,

MELVIN R. LAIRD,
Member of Congress.

Mr. Speaker, the Milwaukee Journal news article under date of August 24, 1961, follows:

MANY ARE WONDERING WHAT OF CORBIN'S PAST?—JANESVILLE MAN, NOW DEMOCRATS' AID FOR PATRONAGE WORKED HERE WITH REDS

Paul Corbin's political power—apparently derived from Attorney General Robert F. Kennedy—in the National Democratic Committee has caused growing wonder, especially in Wisconsin, in view of his political history, which includes working hard with Wisconsin Communists some 15 years ago.

Corbin, 47, was a public relations man in Janesville, Wis., when he made an impact on Senator John F. Kennedy's Wisconsin presidential primary campaign in April, 1960.

He reached a personal apex August 13 when he was formally appointed special assistant to John M. Bailey, national Democratic chairman. He handles patronage in the national committee headquarters in Washington, D.C.

As the Journal's Washington bureau reported:

"He talks to persons looking for jobs on the New Frontier and also recruits likely prospects. He advises on these matters with leaders of the Kennedy administration, but principally with Attorney General Robert F. Kennedy, his political sponsor and patron."

According to a Washington source, Bailey has been asked ever since the appointment, by persons from "all over the country," how Corbin got the job and about his past.

Corbin is an aggressive, successful, and widely experienced political technician. He has worked in politics of several shades, including that of the late Senator Joseph McCarthy, since becoming a naturalized American in San Diego in 1943 after immigrating to the United States from Canada, where he was born Paul Kobrinsky.

WORKED WITH REDS

His political, union, and other experiences were mostly in Wisconsin until he caught Robert Kennedy's eye. They include:

1. Working, some 15 years ago, for Communist causes in Wisconsin and working with such Communists as Fred Bassett Blair, Emil Costello, Edmund Bobrowicz, and Harold Christoffel (who served a perjury term in Federal prison for swearing under oath that he was not a Communist) and others.

2. Soliciting, according to the man involved, a membership and funds for the Communist party. Corbin denied the man's allegation.

3. Embracing Senator McCarthy on the stage of the American Legion State convention in Green Bay in August 1950.

4. Being State commandant of the Wisconsin Marine Corps league when Senator McCarthy addressed the league's annual convention at Oshkosh in June 1951. He claimed a close personal friendship with the famed "Communist hunter."

ACTIVE IN UNION WORK

5. Being active in various unions in Illinois and Wisconsin for many years, going back at least to 1939, when he was an organizer in Illinois for the International Longshoremen's and Warehousemen's Union. Onetime publicity director for the Rockford CIO industrial union council at Rockford, Ill. Field representative for the CIO United Public Workers' Union in Wisconsin, Iowa, and Nebraska.

6. Business manager of the old Wisconsin CIO News in 1946, when that weekly newspaper's staff direction was largely Communist.

7. Home secretary of former Representative Gerald T. Flynn, Democrat, Racine, in Rock and Green Counties, a part-time $125-a-month job Corbin said he lost in a misunderstanding. (Flynn said he forced Corbin's resignation upon learning of his past involvements.)

RAISING FUNDS IN PRIMARY

8. Raising money for Democrats in the Wisconsin presidential primary, which started John Kennedy on the trail to the presidency; moving with the Kennedy's into the fierce primary in West Virginia and then into the New York State campaign.

Shortly after Robert Kennedy became Attorney General, Corbin assumed an informal position in Democratic Party National Headquarters in Washington. He met frequently, as he still does, with Robert Kennedy in private conferences. His field was patronage. This is the position, wielded with force since February, that was formalized August 13 and is now causing so much conversation in interested circles.

MISUNDERSTANDING BLAMED

Corbin said that after 4 months he resigned from Flynn's congressional staff as home secretary because of a misunderstanding over a dinner in Janesville on April 10, 1959. The dinner, addressed by the then Senator John F. Kennedy, was billed as a testimonal for Flynn. Tickets for the dinner were oversold, causing many complaints in Janesville.

Flynn denied Corbin's version.

"I gave him the alternative of either resigning or being fired after I learned about his past involvements," said Flynn.

An investigator, Neil Wetterman, was in Milwaukee last week investigating Corbin's past. He was sent here from Washington by the House Committee on Un-American Activities.

POLICE INTERVIEWED

It was learned that Wetterman had interviewed Milwaukee police detectives, former employees of the Allis-Chalmers Manufacturing Co. plant in West Allis, an official of the firm, and former Representative Flynn.

When Corbin became its business manager, to handle its advertising and circulation, the Wisconsin CIO News announced in its February 8, 1946, issue that Corbin had been active in the labor movement in Illinois from 1939 to 1942 as an organizer for the International Longshoremen's and Warehousemen's Union.

The CIO News also said that earlier Corbin had been on the staff of the United Furniture Workers' and was publicity director for the Rockford CIO industry union council.

NAMED BUSINESS AGENT

Corbin according to the CIO News of June 28, 1946, was appointed field representative for the CIO United Public Workers' Union in Wisconsin, Iowa and Nebraska.

In December 1946, Corbin became Milwaukee business agent for the public workers' union, replacing Albion Hauke. Corbin at the time said Hauke had applied 4 months earlier for the job of organizer for the union in the Hawaiian Islands.

In susbequent years the United Public Workers lost 4 of its locals to the Government Workers' Union, set up as a rival to it within the CIO. The GWU had taken over the city's garbage workers and truck drivers, an amalgamated local of city and county employees and the Federal employees at the veterans' hospital here.

REDS OUSTED EARLY

Organized labor in Wisconsin was among the first in the Nation to break the stranglehold of the Communists on its organizations.

Records in the superior court of San Diego, Calif., disclose that Corbin was naturalized there on November 5, 1943, and changed his name to Corbin.

His naturalization application stated that he was born August 2, 1914, in Winnipeg, Manitoba, and entered this country November 27, 1936, at Noyes, Minn.

He stated that he was married then to Seena Powel Kobrinsky and was the father of one child. He gave his home address as 4034 West End Avenue, Chicago.

Corbin is married for the second time. His present wife's name is Gertrude.

LINKED TO WALLACE MEETING

Corbin was a member of the CIO Committee for the meeting of Henry A. Wallace at the auditorium December 20, 1947, while serving as business agent for the public workers' union. The Milwaukee County CIO Council, acting on instructions from the national CIO, announced November 21, 1947, that it would not support or endorse the Milwaukee appearance of former Vice President Wallace, who became a presidential candidate in 1948 on the Progressive ticket.

Corbin became an advertising solicitor in the late 1950's for the Democratic Party's State convention book, having gained experience previously as an advertising solicitor for unions, the Wisconsin CIO News, and a couple of veterans' magazines.

INTRODUCED BY LUCEY

Corbin catapulted to political fortunes after he was introduced to the Kennedy forces by Patrick Lucey, State Democratic chairman, who had previously called on Corbin's skill to raise finances for the State Democratic unit.

Besides pitching every effort in behalf of Senator Kennedy in the Wisconsin presidential primary, particularly in the Seventh Congressional District, Corbin aided the Kennedy forces in the West Virginia primary.

Working closely with Robert Kennedy, Corbin aided in winning 11 of the 12 most Protestant West Virginia counties for John Kennedy. He worked with citizens' committees and Republicans as well as local Democratic leaders. After the Democratic National Convention in Los Angeles, Corbin was sent by Robert Kennedy to Syracuse as John Kennedy's campaign manager of upper New York State.

Corbin worked hard in New York, according to reports, and established a reputation, as he already had in Wisconsin, of being rough in his operations. He established the impression that he would dispense patronage, creating considerable dissatisfaction among the traditional Democratic leaders of New York who had guarded that assignment through the years.

After the Democrats won the Presidency, Corbin reportedly was slated for a Government position of trust. However, he wound up as special assistant to the national Democratic chairman in the party's headquarters in Washington. It was this position which was formalized in August.

Mr. Speaker, appearing in the same newspaper is this article:

PAUL CORBIN, TELLING OF CAREER, DENIES EVER SOLICITING FOR COMMUNIST PARTY

Paul Corbin denied Thursday in Washington that he had ever asked anyone to join the Communist Party.

"Let the man who said that come up and face me," said Corbin. "I don't believe he ever said that."

Neither Attorney General Robert F. Kennedy nor John M. Bailey, the national Democratic chairman, could be reached for comment Thursday.

Corbin quoted Kennedy as telling him that there had been many inquiries about him from all over the country and that Kennedy advised him, "Keep fighting."

Corbin talked readily about his past when he was interviewed by Laurence C. Eklund of the Journal's Washington bureau. Eklund asked questions based on investigations in Wisconsin by Edward S. Kerstein, Journal reporter.

TELLS OF MARINE SERVICE

Corbin said he served in the Marine Corps for 3 years after having enlisted in Milwaukee. He was sent to San Diego, Calif., for training and later was in combat in the Pacific area and saw action at Saipan and Okinawa, he said. Corbin was a field cook in the Marine Corps, but while in action was a sergeant in charge of a platoon, he said.

After returning from service on New Year's Eve in 1945 Corbin recalled, he went back to Janesville, where he was living with his mother-in-law, to seek employment.

He said the late Pierpont Wood, who had been Republican national committeeman for Wisconsin, advised him to talk to Voyta Wrabetz, then chairman of the State industrial commission in Madison, about a job.

GET YOU NOWHERE

Corbin said he presented a letter from Wood, but that Wrabetz advised him it "will get you nowhere because last week Wood called Governor Goodland a senile old man." Corbin related that since he was in the advertising business, he drifted over to Milwaukee, where he got a job soliciting advertising for the old Wisconsin CIO News on a 50-percent-commission basis.

Corbin said he became dissatisfied with this job because, after paying his own expenses, he found himself "working for peanuts," so he sought other employment after a few months. He said he then went to work for Meyer Adelman of the CIO Steelworkers' Union on a per diem basis, making a survey of unorganized plants.

KNEW EDITOR, HE SAYS

Later, he said, he worked for the city workers' union in Milwaukee.

Corbin said that when he worked for the CIO News he knew its editor, Al Hirsch, who sat next to him in the labor paper's office.

Corbin said he occasionally saw Harold Christoffel, then president of local 248 of the Allis-Chalmers workers' union, but that he did not consider him a close friend or associate. He said that when Christoffel came into the old Cawker Building, where most of the CIO offices were, Christoffel "would sometimes say hello and sometimes not."

COMPLAINTS RECALLED

On occasion, said Corbin, when he would be in a restaurant, Christoffel would come in and sit at the same table. Corbin said Christoffel once complained about his selling ads in West Allis, contending that this confused local 248 with the CIO News.

Corbin gave his explanation of his relationship with Senator McCarthy. He said that when he was State commandant of the Marine Corps League in 1951, he considered it to be his job "to keep the name of the Marine Corps alive." Pursuant to achieving that objective, said Corbin, it was customary to invite every Congressman from the State to the league's annual convention.

SELECTION RIGHT CITED

As the retiring commandant, he said, he had the right to select the speaker for the Oshkosh convention in 1951.

Corbin recalled that McCarthy was the only Wisconsin Congressman who accepted the league's invitation, so he was named as the principal speaker. Corbin acknowledged that there were protests from the Madison and Milwaukee detachments, which did not want McCarthy.

"I said that once he [McCarthy] accepted, we were his hosts," Corbin recalled. "We did not necessarily agree with his politics. I was not a McCarthyite; I was a Democrat. I was being a good host and was not going to insult him. No one else accepted our invitation.

NAME ON "FRONT PAGES"

"McCarthy got the name of the Marine Corps League on the front pages of newspapers."

Corbin said some of the delegates walked out on McCarthy in Oshkosh and that some of the delegates wanted to adopt a resolution critical of McCarthy even before he spoke.

Corbin said he did not consider that to be very courteous, so he tabled the resolution. He stated that the press asked for a picture of him and McCarthy and that as the State commandant he naturally obliged by posing.

Corbin insisted that whatever association he had with McCarthy was strictly in connection with his official position in the Marine Corps League and had nothing whatever to do with McCarthy's political philosophy, with which he said he had disagreed.

LABOR OBJECTION TOLD

He recalled that "the labor boys" didn't like it when he brought the late Republican Representative Smith of Racine to Janesville as a Marine Corps League speaker in 1951. He insisted that this did not make him a Republican. He said Smith, whose "isolationist" record had been objected to, had talked no politics.

Corbin said he must have done a good job as State commandant because he later was appointed national chief of staff of the Marine Corps League.

Mr. Speaker, another article from the Milwaukee Journal, under date of August 26, 1961, follows:

THE CASE OF PAUL CORBIN

The background of Paul Corbin, disclosed by the Milwaukee Journal Thursday, creates astonishment that the Kennedy administration should have clasped him to its bosom.

The record of Corbin reveals a complete opportunism, a gross lack of discriminating instinct and judgment. He is simply not a choosy man. Over the years, he has cooperated with many forces, including the Communists.

Presidential campaign managers, to be sure, find it necessary to waive some of their own choosiness, too. To Robert Kennedy in that role last year, Corbin's political organization talents were useful and available, and he used them. That was their own business.

But Corbin's present role is public business. Though technically, as a key aid at Democratic national headquarters, he is not in the Government itself, he is nevertheless involved in patronage, and is close to the Attorney General, who formally wields the patronage power of the administration.

It is a proper concern to wonder what tests of integrity and prudence measure the people now entering Government service on the say-so of a man whose own discernment and discretion, on the record, are of such dubious quality as Corbin's.

Mr. Speaker, in the Janesville Daily Gazette, there appeared the article entitled "The Paul Corbin Story," dated August 25, 1961, which I wish to insert at this point:

THE PAUL CORBIN STORY

Janesville has more than a nominal interest in the national publicity concerning Paul Corbin, until recently a local resident with a variety of political affiliations. Much of the information being disclosed current-

ly is new to local residents who have been acquainted with Corbin for years. While perhaps not qualifying as a man of mystery here, there has always been a lack of detail about his activities among his associates, and the usual indifference on the part of everybody else.

The hue and cry now being raised has revealed little except that Corbin has devoted his talents to a good many different causes, and some of them have had objectives as far apart as the poles. His experiences apparently have ranged through various labor organizations, some of them with a distinctly pink tinge, all the way to the late Senator McCarthy, this generation's chief Communist baiter. He has had connections with the organization of Marine veterans, is a propagandist of no mean ability, and had a brief career on the staff of Democratic Representative GERALD FLYNN, defeated for reelection last November.

Corbin found his forte in the Kennedy Democratic campaign of 1960, however, and there has been nothing secret about his close personal link with now Attorney General Robert Kennedy and more recently with the national Democratic organization. In many areas oldtime Democrats have learned that Corbin was "the man to see" when it came to matters of patronage, etc. His power doubtless stemmed from the effective work performed in behalf of the Kennedy organization not only in Wisconsin but in other key States which virtually assured the President's nomination against Democratic rivals.

While not denying that he once knew individuals since shown to have Communist connections, Corbin has denied anything more than mere acquaintance with them, or that he ever embraced their ideas. While his career obviously has been out of the ordinary, his response to exposures of his background must necessarily be taken at face value. The allegations, having been made, now demand full exploration, however, as much in justice to Corbin as to the public.

Whatever a man may do in a private capacity, so long as it is lawful, is his own business, and apparently a good deal of Corbin's life history falls in that classification. There is now evidence, however, that his influence may be felt in the naming of officials of Government appointed to rule over all of us. If this is established, then it becomes proper that the manner of man exercising such powers becomes a public matter.

We sincerely hope that Corbin will not suffer persecution on the basis of incomplete information. An authoritative report should be compiled, not only to protect the public and his political sponsors, but also to set at rest the inevitable rumors and suspicions now aroused.

REDUCING NONESSENTIAL FEDERAL PERSONNEL

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks, and include copy of a bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Speaker, on August 9, 1961, I was joined by my colleagues, Congressmen TABER and HALEY, in introducing identical bills, H.R. 8605, H.R. 8606, H.R. 8607, for the purpose of reducing nonessential Federal personnel by the attrition method of not filling more than one out of every four Federal job vacancies until a 10-percent reduction has been achieved. Certain defense and other essential agencies are excluded.

It is high time to do some effective belt tightening, if we are to maintain some semblance of fiscal responsibility. We were told by the President that we should provide for only essential and justified expenditures. Our bill is a painless method of achieving a considerable measure of economy by reducing nonessential Federal Government personnel.

I have received numerous favorable comments from my colleagues, pledging their support of the bill and a number have now introduced companion bills.

Federal employees now number over 2,500,000. The exemptions provided in the bill would exclude about 975,000, leaving a balance of over 1,500,000 of filled positions that would be affected.

Mr. Speaker, before this session comes to a close, Congress will have appropriated taxpayers' dollars for more than 70,000 additional civilian Federal employees, at an annual cost of over $400 million. This makes the annual grand total for the civilian Federal employment payrolls, space rental, and office equipment in excess of $15 billion for 2,500,000 employees.

The annual rate of turnover in Federal jobs amounted to a little over 20 percent in 1960, and the average rate of pay is in excess of $5,700 per Federal employee. Based on these statistics, it is estimated that the equivalent of an average of nearly 100,000 nonessential positions would be unfilled by the application of our bill in fiscal year 1962. A resulting savings in excess of $500 million would be achieved by prompt enactment of our bill.

Numerous editorials, coming from all sections of the country, have endorsed the proposal to reduce Federal spending by eliminating nonessential Federal jobs by this method. Not one editorial has come to my attention that was critical of our proposal for saving an estimated half billion dollars.

Mr. Speaker, I wish to insert at this point in the RECORD a copy of our bill:

Be is enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to help maintain the financial solvency of the Federal Government and to restrict the number of personnel in all Federal executive agencies and independent agencies except certain defense or other essential agencies or divisions thereof as hereinafter specified, no affected agency shall use any part of any appropriation or authorization presently available or hereafter made available for use in fiscal year 1962 to pay the compensation of any incumbent appointed to any civil office or position which may become vacant during the fiscal year beginning July 1, 1961: *Provided,* That this inhibition shall not apply—

(a) to not exceed 25 per centum of all vacancies;

(b) to positions filled from within the department;

(c) to officers or positions required by law to be filled by appointment of the President by and with the advice and consent of the Senate;

(d) to seasonal and casual workers;

(e) to any employee of: (1) the Defense Department except those engaged in civil works or other nondefense activities; (2) the Internal Revenue Service, the Coast Guard, the Bureau of Narcotics, and the Secret Service of the Treasury Department; (3) the Federal Bureau of Investigation of the Justice Department; (4) the Atomic Energy Commission engaged in defense activities; (5) the National Security Council;

(f) to positions the personnel of which are directly engaged in law enforcement: *Provided further,* That with the exception of the agencies and functions listed in (b) through (f) above, not more than 90 per centum of the amounts shown in the fiscal year 1962 budget estimates of each agency for personnel services shall be available for such purpose: *Provided further,* That when for each department or agency the total number of personnel subject to this Act has been reduced to 90 per centum of the total provided for in the budget estimates for such department or agency for fiscal year 1962, this Act may cease to apply: *Provided further,* That the dollar savings resulting from this Act shall not be used for any other purposes but shall be covered into the general fund of the Treasury at the end of fiscal year 1962.

SEC. 2. This Act may be cited as the "Federal Nonessential Personnel Reduction Act of 1962".

MARINE CORPS COLOR GUARD

Mr. UTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. UTT. Mr. Speaker, this morning I received a letter from the Southern California School of Anti-Communism, which reads as follows:

SOUTHERN CALIFORNIA SCHOOL
OF ANTI-COMMUNISM,
Pasadena, Calif., August 27, 1961.

Hon. JAMES B. UTT,
House Office Building,
Washington, D.C.

MY DEAR SIR: No doubt you will be interested in the enclosed photostatic copies of two telegrams sent yesterday. They are largely self-explanatory.

The original request for the Marine Corps Color Guard was made at the suggestion of the Americanism Committee of the Los Angeles County American Legion. The Marine Corps colonel who was first contacted about the matter was very cordial and assured us that there would be no difficulty and asked that a formal letter of application be sent to him.

This was done.

Yesterday, we were informed that an order had come from Washington that no color guard could be provided.

Apparently, any such patriotic rally is considered "controversial" and all who take part are thought to be "suspect" in the eyes of the top brass.

Yours for a free America.

C. ELLIS CARVER, M. D.

President JOHN F. KENNEDY,
The White House,
Washington, D.C.:

Patriotic youth rally to be held in Los Angeles sports arena Wednesday, August 30. Stars such as Pat Boone, Ronald Reagan, Dale Evans, Roy Rogers participating. Marion Miller giving challenge to American youth. One thousand voice church choir. Orchestra. Herbert Philbrick and Dr. Fred Schwarz speaking. Nothing controversial. Simply a great American patriotic rally for youth. Requested Marine Color Guard to present colors from the Long Beach Naval

Base Marine Corps. Request refused from Office of Naval Information, Washington, D.C. We demand that this order be rescinded at once in order that the Marine Color Guard can present the colors of the United States of America at this youth rally.

LEE CHILDS,
Chairman of Youth Night Committee.

D. F. SMITH, Jr.,
Rear Admiral, U.S. Navy,
Chief of Information,
Washington, D.C.:

Patriotic youth rally to be held in Los Angeles sports arena Wednesday, August 30. Stars such as Pat Boone, Ronald Reagan, Dale Evans, Roy Rogers participating. Marion Miller giving challenge to American youth. One thousand voice church choir. Orchestra. Herbert Philbrick and Dr. Fred Schwarz speaking. Nothing controversial. Simply a great American patriotic rally for youth. We requested a color guard to present colors from the Long Beach Naval Base Marine Corps. Now informed you have refused services of Marine Color Guard at this rally. We demand that this order be rescinded at once in order that the Marine Color Guard can present the colors of the United States of America at this patriotic youth rally.

LEE CHILDS,
Chairman of Youth Night Committee.

Mr. Speaker, upon receipt of this letter, I immediately addressed a letter to the President of the United States protesting the iron curtain that has fallen over the Pentagon, which reads as follows:

President JOHN F. KENNEDY,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I am in receipt of correspondence from the Southern California School of Anti-Communism relating to the fact that this school had requested a Marine Corps Color Guard to present the colors at the opening of this patriotic rally. It appears that this request was granted verbally and then withdrawn in writing upon an order from Washington that no color guard could be provided. This is one of the most appalling things that has happened and indicates that the Pentagon, under the direction of its Commander in Chief, is helping the Kremlin implement its memo of December 5, 1960, which is a complete blueprint to destroy every anti-Communist organization in the world.

This action falls completely within the framework of the anti-anti-Communist program of the Kremlin. Is it the purpose of this administration to join hands with the international Communist conspiracy to destroy this country without a fight? It appears to be part of the program for surrender. I intend to take this matter to the floor of the House today to alarm my colleagues as to the unprecedented lengths to which this administration is going, to soften this country up for coexistence and then surrender. I sincerely trust that you will immediately and forthwith reverse this un-American censorship that has fallen over our military establishments.

Respectfully yours,

JAMES B. UTT,
Member of Congress.

FEDERAL FOOD SCANDAL

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the news report in the August 24 issue of the Wall Street Journal by Donald A. Moffitt, datelined Corsicana, Tex., is a strong indication that the Federal program of free food to the needy is getting out of hand. Indeed it has the earmarks of a national scandal.

Last Friday I requested the General Accounting Office to make inquiry into the situation. Although the brakes are being applied in Corsicana, it is evident that the giveaway program is running wild in other areas. Spending under this program has more than quadrupled since the new administration took office, and the relief rolls are twice as long.

Increasingly the Government has been purchasing supplies in the open market to make the menu more attractive, rather than limiting the program to food from huge Government-owned surplus stocks.

In Georgia, the number getting free food jumped from 40,031 in January to 154,429 in June. A year ago, 90,000 got food in Louisiana, compared with 200,000 today. In North Carolina, 1,055 got free food in January. In June the list had swollen to 147,269.

The Wall Street Journal reports customers picking up free food in air-conditioned Cadillacs. Others hire a cab to haul the food home.

The free food program has a good objective—helping those who deserve help, but the list of those getting free food has doubled in a period of economic upturn. This fact alone suggests that the program has lost its objective and is now running wild in the political wilderness.

I invite my colleagues to read the news report, reprinted below, together with the related editorial, "The Man With the Hoe":

[From the Wall Street Journal,
Aug. 24, 1961]

THE MAN WITH THE HOE

"This is one year people ain't going to get the grass hoed out of their cotton, because we ain't going to do it."

Speaking from his rocking chair is a citizen of Corsicana, Tex., and his words ought to go down as one of the more memorable remarks of the year. And in his observation, reported in a page 1 story this morning, we think the gentleman from Texas is showing one of the chief attributes of intelligence, adjusting sensibly to one's environment. He ain't going to hoe because there ain't no need to.

Without stirring from his chair, save once a month on a Tuesday morning, he can stock his larder with flour, corn meal, rice and butter, and even feed his family with fancier fare, including peanut butter, oatmeal, beans, eggs, and meat. He hasn't struck oil; he's just found a gusher in the Federal surplus food disposal program.

So no longer is the man with the hoe bent with burdens; they have been transferred to others who must pay the taxes to provide him with his pork and beans. And for the life of us, we can't avoid a certain admiration for him and the others like him.

There are a good many others like him, as our reporter found out. Since the administration in Washington broadened the menu of the Federal food program the number of people taking advantage of it has skyrocketed. Last June, when the country was suffering from a recession, there were some 3.3 million people on the public food rolls. At the end of June this year the number had almost doubled, to 6.2 million people.

Since Washington broadened the free-food program the number of recipients in Illinois has jumped from 63,000 to 90,000 betwixt January and June; from 70,000 to 118,000 in Indiana; in North Carolina from 1,000 to 147,000. And all this during a period in which, as Washington reminds us, we are climbing out of the recession.

No doubt there are, among these millions, many who are in true need. But nowadays need is something it is not nice to inquire about; it might embarrass men with pride. So men with no pride, but with sense enough to know a good thing when they see it, can have a field day without ever tilling the fields.

In New York City, for example, people load up with free food and use their money to carry it home in a taxi. In Corsicana, Tex., they cause traffic jams driving to the food office in their automobiles. So, not surprisingly, the local grocer finds his sales of staple foods off 10 percent since the Government started offering pork-and-beans to all comers. But the same customers boom his sales of cigarettes, soft drinks, cake mixes, and candy—which is not surprising either.

Nor it is surprising that the cost of all this has also skyrocketed. In the first 6 months of this year the Federal Government quadrupled the cost of the program over the like period in 1960; at $139 million for the whole fiscal year the total is the highest in the 25 years of the program, which reaches back into the years of the great depression. And in Washington, officials say they "see no reason to believe" the cost will go anyway but up.

For all a man has to do, in most communities, is to say he "needs" food and the Government will give it to him. There is no need for anyone to be amazed at men—from Corsicana, Tex., to Newburgh, N.Y.—who see no need to work when they can eat without working. Lazy people are not fools.

So before you start berating the man who threw away the hoe, ask yourself a question. Who is the more intelligent? The man, like yourself, who works hard, pays taxes and lets the politicians pass around the bounty? Or the man with emptiness in his face who sits back and enjoys the bounty in his rocking chair?

[From the Wall Street Journal, Aug. 24, 1961]

FREE FEDERAL FOOD—LOCAL OFFICIALS SAY EXPANSION OF PROGRAM BOOSTS DEMAND, ABUSES—FARMERS REPORT FIELD HANDS QUIT; "NEEDY" RECIPIENTS TOP RECESSION LEVELS—KENNEDY MULE, GOOBER GREASE

(By Donald A. Moffitt)

CORSICANA, TEX.—Once a month, on a Tuesday morning, the normally quiet streets of this small cotton-country town begin to fill with slow-moving traffic. By 9 a.m. the streets downtown are choked with honking cars, parking spaces are scarce, and sidewalks are crowded with hurrying pedestrians.

The scene calls to mind a typical "Dollar Day" sale in a rural community, but these folks aren't scrambling for retail bargains. Instead the attraction is something no Corsicana merchant can afford to offer—free food.

Ever since local Navarro County officials decided to jump on Uncle Sam's expanded relief food distribution bandwagon 4 months ago, "Groceries Day" has become a major event in Corsicana. At last count, 3,367 Navarro County residents—about 10 percent of the population—were collecting free vittles, including such provisions as "Mr. Kennedy's mule" (canned pork and gravy) and "goober grease" (peanut butter).

A FANCIER MENU

The rapid spurt in the number of persons receiving free Federal food has been by no means limited to Navarro County. Since the Kennedy administration last March ex-

panded the giveaway program by adding fancier fare such as chopped meats, beans, eggs, oatmeal, powdered milk and peanut butter to the basic list of flour, cornmeal, rice, lard, and butter, the food dole has been steadily expanding in size throughout the Nation. A good part of this monthly menu of relief food comes from Uncle Sam's own huge surplus stockpiles, but increasingly the Government has been purchasing supplies in the open market to make the offerings more attractive.

By mid-1961, some 6.2 million Americans, officially classed as needy, were receiving free Federal commodities. This compares with 4.1 million on the rolls in the recession month of January and is almost double the 3.3 million who were on the free list in June 1960. These figures do not include the 1.5 million persons in hospitals, asylums and other welfare institutions who also receive free Federal foodstuffs, nor the 15.5 million schoolchildren who pick up free Federal lunches.

Because each person on the free food list is getting larger handouts under the Kennedy administration, the cost of providing the food is rising much more sharply than the number of recipients. In the first half of this year, the Federal Government spent $110.2 million on the program, almost quadruple the $29.2 million figure for the first half of 1960. The big jump brought total spending for the fiscal year ended June 30 to $139 million, the largest total in the program's 25-year history. This is exclusive of the local food distribution and storage costs, which must be met by the individual communities with some State aid.

And the spending splurge shows no signs of abating despite the general improvement in the Nation's economy since the first of the year. Officials of the Agriculture Department say they "see no reason to believe" that free food distribution in the current fiscal year will drop from the record levels of fiscal 1961.

LOCAL IRRITATION GROWS

But here and there around the country there are signs of local resistance to the rapid rise in the number of food claimants. Grocers complain of the difficulties of competing with Uncle Sam's free handouts. Farmers charge able-bodied free food recipients are now turning down jobs as field hands. And city and county government officials are irked at the warehousing costs and added manpower needed to run their growing supermarket operation.

"This beef-and-gravy deal has been nothing but a headache since it started," growls one Navarro County official.

Here is Corsicana, in fact, the brakes are being applied hard. A few days ago the county commissioners ruled that a person will no longer be able to obtain free food unless he can provide a physician's certificate saying he is unable to work.

"We're not trying to be another Newburgh, we're just trying to solve a local problem," says Kenneth A. Douglas, young county judge and chairman of the commissioners' court—the county's chief administrative agency. (Newburgh, N.Y., attracted wide attention recently by putting tight restrictions on its welfare program in an effort to curb costs; a State court last week held most of these restrictions were illegal.) Mr. Douglas says the county is attempting to reduce future food distributions to about 1,000 persons a month, less than a third of this month's total of eligibles. So far, at least, Federal officials have not protested.

The Corsicana crackdown comes largely in response to complaints from farmers that since the food distributions began, help in the cotton fields has become hard to find. "My rows are almost deserted on the days of the handout," grumbles D. H. (Blackie) Allen, a local farmer. "I had 24 hands in the fields the day before the last handout," he recalls. "On 'Groceries Day,' the number dropped to three, and for the next 3 days the most I could get at any one time was nine."

GRASS IN THE COTTON FIELDS

"This is one year people ain't going to get the grass hoed out of their cotton, because we ain't going to do it," L. G. Avery, a farm laborer, bluntly informs a visitor who found him whiling away his day in a rocking chair on the porch of his house.

Henry Slate, a Corsicana grocer, says sales of staple foods in his store have fallen between 10 percent and 15 percent since the county joined the Federal program 4 months ago. But, he says, business has increased sharply in cigarettes, soft drinks, cake mixes and candy now that many of his customers don't have to spend their money for basic groceries. And on days when free food is being distributed, the store does a booming business in selling burlap "croaker sacks" and cardboard boxes to welfare beneficiaries so they can haul their food quotas home.

Despite the occasional cutbacks, in most areas the food lists are growing larger. In Illinois, for example, the number of recipients increased from 63,037 in January to 89,282 in June; in Indiana, from 70,871, to 118,156; and in New York, from 61,768 to 231,061. The most spectacular increase has been in North Carolina. Only 58 citizens of that State got Federal free food in June 1960, when the program began there; by January this year, the number had risen only to 1,055. In June, the count was 147,269.

Though local conditions vary, the administration's expanded food package is the principal reason for the overall increase in the number of free food recipients, most welfare administrators agree. Local governments, which hesitated to pay for warehousing and distribution of such staples as flour, rice and lard, are willing to put up some of their own money now that meats and other tastier items are available to local voters.

"The more desirable the food, the more people are likely to try to get it," says Alan Kemper, director of the Georgia Department of Public Welfare.

GEORGIA FREE LIST GROWS

Only 40,031 Georgians got free Federal food in January. By June, the number had risen to 154,429. The number of counties taking part in the food distributions rose from 18 to 52.

"Heretofore, many laborers have been buying their groceries on credit," says H. D. Hatchett, director of food distribution for the State, "but since they saw the publicity about the improved food, they decided to get in on the program."

Other reasons besides the new food items play a part in the increases, of course. In Oregon, for example, legislation this year provided for State financing of 70 percent of the counties' costs of distributing the Federal commodities; that's the main reason the number of food recipients in the State rose from zero in January to 7,435 in June.

By fall, around 20 of Oregon's 36 counties are expected to offer the commodities, compared to only 5 now, Andrew A. Juras, director of the State welfare department, says. Frank M. Craft, Florida's welfare director, says the flood of Cuban refugees into the State had just as much effect as the addition of tastier fare in the State's decision to join the free food program. Nearly 10,000 Florida residents got free food in June.

CRACKDOWN IN MISSISSIPPI

One of the minority of States that has registered a drop in the number of welfare recipients during the new program is Mississippi. The big reason, an official reports, is that State workers carefully interview all applicants and then check to verify their applications. Moreover, each application is reviewed once every month or 6 weeks, this official says.

Only a few places, however, check applications as carefully as Mississippi. Most complain of lack of funds to do the job, and depend on catching a few violators through occasional checkups to scare would-be offenders from the welfare rolls.

Fulton County, Ga., where Atlanta is located, recently hired a team of retired city detectives to ferret out ineligibles among the 15,000 families on its welfare list. The detectives took a random sample of 650, of whom 29, or about 4½ percent, were found ineligible. Some 500 were found to be eligible, since 10 percent of the food recipients Carlyle Fraser, chairman of the county commission, figures that many more obviously didn't consider themselves fully eligible, since 10 percent of the food recipients voluntarily stopped drawing commodities after the checkup began.

Jefferson County, Tex., encountered a similar experience. Youthful, curly-haired James M. Farris, an assistant district attorney, began to wonder this spring why the foodline across the street from the Jefferson County Courthouse kept getting longer and longer.

"About a month ago," Mr. Farris relates, "I saw some folks pile four big boxes of food into an air-conditioned, 1958 Cadillac, and boy, that really burned me up."

WAR ON CHEATERS

Mr. Farris told the county judge of the incident, and the judge, who also had suspicions about many of the welfare recipients, ordered steps taken to bar the undeserving. Applicants were required to swear to the truth of their applications—thus making cheaters subject to prosecution for a felony offense, false swearing. Welfare investigators made a few spot checks of commodity recipients, turning up these cases:

A 43-year-old former beer truck loader who got 873 pounds of free commodities this year. Owner of two automobiles, he was collecting a $28 weekly unemployment compensation check while his wife was earning up to $50 a week working in a cafeteria.

A fully employed gravedigger who obtained Government food for 10 months by claiming he was out of work.

A man who picked up rations for four persons each month, presumably himself, his wife, and their two children. An investigator found only the man and his girl friend at home; the wife and two children lived in another State.

A bachelor who got commodities for his nonexistent wife and three nonexistent children.

The number on Jefferson County's welfare rolls dropped sharply from 8,800 in May to 5,500 in July, and officials credit the decrease to the publicity given to catching violators.

In Louisiana, where the State welfare department handles the chore of "certifying" applicants for welfare aid, the department ran out of funds to pay staff members to handle the task after the food giveaway program was expanded. Though $125,000 was budgeted for this purpose in fiscal 1961, the department had to beg $35,000 more from the State's treasury to carry through until July 1. A like total, $160,000, is reserved for certification in fiscal 1962, "but that won't be enough," says a welfare official.

"We feel like we're sitting on a keg of dynamite," says another Louisiana welfare man. "We don't have any control over this program."

One Louisiana official notes that some 200,000 people are getting Federal free food in the State now, compared to only 90,000 a year ago. The commodities are rolling into the State at a three-carloads-a-day clip, and officials reckon even more parishes (counties) would take part in the distribution if there were any more warehouse space.

RESIDUAL OIL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mr. KEITH] is recognized for 60 minutes.

Mr. KEITH. Mr. Speaker, there has been considerable discussion recently in this Chamber and in committee hearings on the subject of residual oil, a fuel used by large industries and utilities, particularly along the east coast.

Residual oil is a byproduct of the refining process. Our domestic oil industry has produced less and less of this fuel as it has perfected the refining process—the ultimate goal of our industries would be to reach such an efficient point that no residual oil at all would be produced nationally.

When the President on March 10, 1959, declared a program of petroleum import regulation, residual oil was among the many secondary products and byproducts listed for regulation. Upon initiation of the program two criteria were set forth for the inclusion of these petroleum items on the national security list—insurance of a stable, healthy industry and the prevention of severe industrial dislocations. As you can see, residual oil, a byproduct of the refining process, does not meet either of these standards. It contributes little to insuring a stable, healthy industry, and certainly could not influence industrial dislocation. The domestic oil industry has never been able, nor has it wanted, to satisfy the demand in our country.

How then was residual oil included among these items? It has been suggested, and I believe there is factual evidence to the effect, that it was added by the executive department as an afterthought. The Office of Civil and Defense Mobilization is currently conducting an investigation as to whether residual oil does—as a matter of fact—belong on the list of regulated petroleum items.

Aware that the oil industry, the utilities, and large industries of the east coast and the general public serviced by these companies were suffering from an oppressive increase in fuel cost, on February 20 of this year I requested OCDM to conduct this investigation. Since that time several other petitions have been filed.

I hope my remarks today will reassure those who favor quotas that much good, and little, if any, hardship, will result from the hoped-for removal of residual oil import quotas.

Only a small percent—1½ percent—of our Nation's coal production is in competition each year with residual oil. The arbitrary and artificial increases in the cost of residual oil, as a result of these quotas, costs the consumers millions of dollars each year. If the quotas were lifted, the American consumer could purchase all the coal displaced by oil, throw it way, and still save between $7 and $36 million a year. If the restrictions do not serve our Nation's security, then it is unthinkable that our consumers continue to bear the burden of this added cost—more than $85,000 a day.

It is claimed that in time of crisis, the Nation will have to depend upon domestic supplies of fuel to meet emergency needs, just as it always has—that our ability to survive should not be determined by an outside power—that we could become, in effect, a captive nation.

The fact is that substantial quantities of fuels were imported into the United States during World War II. Furthermore, in the context of modern warfare, national security is dependent upon the security of the free world. A United States shut off from foreign supplies implies defeat. While Russian submarines are superior and exist in larger quantities compared with those possessed by Germany prior to the last war, our defenses against submarines have at least kept pace. Furthermore, it is inconceivable that the potential vulnerability of our sealanes would be any greater than the vulnerability of our domestic fixed target transportation network. A total modern war, should it be fought over an extended period of time, would require a flexible transportation system throughout the free world. Water transportation is a part of this flexibility. In both World Wars I and II, the United States was invulnerable to direct attack. This is no longer the case. It is for this reason that residual oil import controls damage the cohesiveness of the free world and should be lifted. For this reason alone, import controls, rather than providing national security, are in fact a threat to our Nation's security.

Further important threats to national security from residual oil import restrictions can be found. Import quotas always result in higher prices. In fact, this is the very purpose of any restrictive foreign trade program. Numerous studies have shown that in this sense the import program has been effective, but this very price increase adds further to the inflation that is plaguing our economy. It is, in itself, a threat to national security. Our defense dollar shrinks; our foreign trade balance will be smaller and therefore will buy less foreign economic as well as military aid—so urgently required for the defense of the free world.

We must not forget that we have left the 19th century. Modern wars are not fought by isolated opponents.

This would be to ignore the success of our great alliances and our role as a world power. We are no longer a nation separated from the world by great bodies of water. But rather, the greatness of this country is firmly based upon our international commitments and obligations with all the benefits and obligations that grow from them. Any unnecessarily restrictive acts in our international trade policies can only detract from the strength of our own position for which we have consistently worked over the past decades.

In view of the vast natural fuel resources of all types available in this country, it is ridiculous to think that because we import residual oil from Venezuela we could become a "captive nation." Moreover, this country's economic strength does not only depend on fuel resources but upon the degree of efficiency and flexibility of its entire economic system. Our strength depends upon the strength of the free world. This is the true meaning of national security. If we are afraid of Soviet submarines cutting our supply lines, the answer should not be to retreat to our own shores, but rather to make sure that these supply lines will remain open.

Another argument of opponents is that we face the danger that the entire east coast coal market will be lost completely to foreign residual oil. The fact is that there are today only limited areas and limited industries in which residual oil, not to speak of imported residual oil, is competitive with bituminous coal. Only some large electric utilities with duplicate burning facilities are within this competitive market. According to the best available information, an absolute maximum of six million tons of coal is involved. Based upon past research by the Bureau of Mines, the relation between residual oil consumption and price is very small. From this past research, one can estimate that a drop of say 22½ percent in residual oil prices would result in a coal displacement of 2.1 million tons. This drop would provide a saving to the Nation's economy. The fact that coal consumption in the electric energy industry has grown rapidly even within the so-called competitive area, testifies to the vigor of the particular coal market. There is no indication that coal is losing out to residual oil.

It has been said that coal production would not expand to meet emergency needs of the Nation.

It is extremely unlikely in the first place, that coal production would be required to expand significantly in any future emergency—certainly not in a total nuclear war in which no time would be available to build up the United States industrial capacity; certainly not in a brush-fire war where ample Venezuelan residual oils would remain available to us, and certainly not in a period of cold war. But even if we were pushed back to our own shores without any attack on our inland installations—an utterly ridiculous assumption—our coal industry, our oil industry, and our gas industry could expand significantly if, as the coal industry wants us to believe, World War II is an example. From 1939 to 1940, coal alone expanded by almost 17 percent, from 1940 to 1941, it expanded almost 12 percent, and from 1941 to 1942, it expanded by more than 13 percent. I believe that with today's increased productivity and less than full capacity operation, such increases would again be feasible, and would be adequate to supply any additional demands.

It has been implied or alleged that in 4 major labor markets in Virgina, there are 17,750 unemployed miners because of the influx of residual oil. Unemployment of coal miners is not due to imports of residual oil but rather to vast improvement in production and to market losses in home heating to the other fuels, particularly gas. As a matter of fact, in the only market in which there has been any significant competition between residual oil and bituminous coal—that is the electric utility market—coal consumption has consistently in-

creased over the last decade. It appears that what some of the coal companies want, therefore, is further acceleration of this expansion by Government action—at the expense of the entire residual oil-burning industry along the east coast.

It appears that the quota program has weakened, not strengthened, our national security due to the resultant higher defense costs and to its adverse effects on international relations as well as through its damage to the national economy. Removal of controls under peacetime conditions would benefit our cold war effort as well as stimulate economic efficiency and flexibility by restoring healthy competition. Under all rationally conceived war or emergency conditions, foreign sources of residual oil can be maintained and the supply, if need be, can be expanded if we make sure that in time of peace, we maintain friendly trade relations.

Furthermore, the development of fuel sources throughout the free world in peace gives us a dispersal and flexibility of supply in time of war.

Mr. Speaker, I am fully aware of the adverse effect of unrestrained and indiscriminate import policies upon our economy. I have witnessed repeated injury to New England industries such as shoes, textiles, nails, and binder twine. But I sincerely believe that unreasonable restrictions on the importation of residual oil have unduly increased production costs. Thus further hampering some New England industries from sharing in the benefits of sound economic growth. In the interest of such growth and particularly national security I urge immediate removal of import quotas on residual fuel oil.

Therefore, I hope that my colleagues in the Congress will convey to the Office of Civil and Defense Mobilization their support for the removal of these quotas.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. KEITH. I yield to my colleague from Massachusetts.

Mr. BURKE of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a table.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BURKE of Massachusetts. Mr. Speaker, first, I would like to compliment the gentleman from Massachusetts for bringing this matter to the floor of the House today.

Mr. Speaker, I rise to protest the continuance of the unfair discrimination being perpetuated against millions of consumers of residual fuel oil by the Federal Government. It is high time import restrictions on residual fuel oil be abolished and that we return to the path of a free economy.

Prices for residual fuel oil have risen successively each winter in New England and the added cost to the householder and the manufacturer of goods must be reckoned in the millions of dollars.

Mr. Speaker, I have with me at this time a table which reflects the results of public bidding in 15 Greater Boston public agencies which reflects the results of the restrictions on the importation of residual oil. I insert the table at this point in my remarks:

TABLE I.—*Results of public bidding—15 Greater Boston public agencies*

Agency	Quantity in barrels	Time of bid	Amount per barrel under posted tank car		Difference, 1960 versus 1961, per barrel	Posted tank car increase, 1959 and 1960, per barrel	Total increase since import restrictions, per barrel
			1960	1961			
Town of Brookline	20,000	Apr. 15	−$0.33	−$0.09	$0.24	$0.25	$0.49
Commonwealth of Massachusetts:							
Danvers State Hospital	42,000	Apr. 26	−.291	−.21	.081	.25	.331
Boston State Hospital	71,400	do	−.40	−.2704	.1296	.25	.3796
Medfield State Hospital	50,000	do	−.24	−.05	.19	.25	.44
Metropolitan State Hospital	43,000	do	−.37	−.151	.219	.25	.469
Chestnut Hill pumping station, Brookline	33,000	do	−.41	−.2704	.1396	.25	.3896
Soldiers Home, Chelsea	11,000	do	−.41	−.2704	.1396	.25	.3896
Fernald School, Waverly	45,000	do	−.489	−.266	.223	.25	.473
State Teachers College, Boston	4,000	do	−.491	−.25	.241	.25	.491
City of Boston:							
Boston City Hospital	100,000	Mar. 14	−.485	−.15	.335	.25	.585
Deer Island	30,000	do	−.451	−.20	.251	.25	.501
Sanitarium Mattapan	20,000	do	−.485	−.15	.335	.25	.585
Long Island Hospital	40,000	do	−.4531	−.16	.2931	.25	.5431
County of Middlesex (House of Correction, East Cambridge)	30,000	Mar. 22	−.492	−.19	.302	.25	.552
Middlesex Sanatorium, Waltham	30,000	Mar. —	−.492	−.12	.372	.25	.622
Weighted average increase							.484

Mr. Speaker, in my part of the country imported residual oil is the only cheap suitable fuel available. Under mandatory import controls we are being made literally to pay through the nose. As a result of this control policy, we are subjected to periods of stringent supply during the coldest weather in the winter months which works to produce undue hardship and misery for many. Domestic sources of fuel oil do not have the capability to meet the sudden increases in demand occurring when subnormal temperatures take over in the East.

The domestic oil industry during the critical heating season, reportedly, restricts refinery runs since the demand for the more profitable high quality refinery products drops off during winter months. This lessens the availability of supply of domestic residual fuel oil. This oil is considered an undesired product by most domestic refiners. In consequence, the amount of residual fuel oil produced per barrel of crude oil consumed by refineries has been drastically reduced in recent years.

Each time the import quotas are adjusted, new importers come into the picture. This decreases the quotas for those already so favored by the Government. These circumstances are upsetting to purchasers and distributors alike who may be unable to secure the amounts of oil they need from their accustomed suppliers. It necessitates shifting purchasing habits which are both time consuming and wasteful. On critical occasions such disturbances can imperil both the health and safety of consumers.

In New England when we need it most, residual fuel oil is least available. This need not be the case again. Oversea suppliers, particularly Venezuela who supplies 95 percent of east coast residual oil imports is anxious to sell more of her residual fuel oil in this country since the qualities of the crude oil produced there are such that in refinery processing large amounts of residual oil are produced. The market supply lines for Venezuelan residual oil are well established and readily can be expanded with both profit to Venezuela and to millions of American consumers.

On March 10, 1959, President Eisenhower issued a proclamation restricting imports of crude oil. Its basis: a finding by OCDM that crude oil was being imported into the country in such quantities as to threaten to impair national security by discouraging domestic oil production, exploration, and development. The 1959 Eisenhower proclamation also restricted the importing of residual oil.

In 1946, crude oil run through American refineries yielded 25 percent residual fuel. This yield dropped to approximately 11 percent by 1960. The trend continues downward and, since residual fuel oil to the refiner is like sawdust to the carpenter, the ultimate goal is to produce as little as possible. Through technological advances, some refineries using high grade American crude separate it into its more usable components and produce no residual oil at all.

Since less, not more, residual oil is the American producer's goal, restrictions on residual oil imports understandably have provided no incentive whatsoever for the exploring and producing of crude oil in this country.

Although the restrictions of residual oil imports, for fuel use, have not spurred

exploration, they have indeed been responsible for some astonishing developments.

Costs per barrel to the user have increased alarmingly all along the eastern seaboard.

Higher fuel costs and higher utility charges resulting from this increased cost added $21 million to the heating and electricity bills in the New England area alone last year.

American manufacturing concerns are losing out to their competition as a result of increased fuel costs. One Maine paper manufacturer pays 30 percent more for fuel—a major cost of making paper—than his Canadian competitor across the border.

American ships, drawing from the same dockside spigot, pay as much as 63 cents per barrel more for their fuel than do foreign vessels who receive bonded oil—not subject to import restrictions.

The Government has forced restraint of trade. With the Government prohibiting the conduct of business in free enterprise normalcy, users have been married to present suppliers. Users do not dare shop around, and regulations make it all but impossible for new suppliers to get into the business.

As expected in a controlled economy, quota restrictions have resulted in black marketing, tie-in sales, and complete freezeout of the small operator.

Ownership of right-to-buy coupons has become as much to be desired as ownership of the residual oil their possession permits. Some middlemen make as much as 30 cents a barrel, simply because they own the coupons—and without touching a drop of oil.

Since the New England States consume at least half of the Nation's total consumption of residual fuel oil and most of the region's consumers of such oil do not have the large storage facilities or the burning equipment to use coal, these import restrictions are particularly onerous and discriminatory.

In periods of peak consumption, the policy of import control acts to give near monopoly control to a segment of American industry over a consumer supply item of prime essentiality. This is un-American in its implications and the controls should be abolished immediately.

One of the most immediate results of restricting supply and reducing competition has been to provide an upward thrust to prices. This is a consequence we can ill afford in New England in these inflationary times.

Import control is forcing us to consume domestic oil at higher cost through substitution by decree for consumption of lower cost foreign residual oil. It just does not make sense to me.

I believe it highly appropriate in concluding my remarks against this imposition to quote from Adam Smith, who said in 1776 in his great treatise "The Wealth of Nations":

> It is the maxim of every prudent master of a family, never to attempt to make at home what it will cost him more to make than to buy. What is prudence in the conduct of every private family can scarce be folly in that of a great kingdom.

Mr. CURTIS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. KEITH. I am glad to yield to my colleague from Massachusetts [Mr. CURTIS].

Mr. CURTIS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and to include a table.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CURTIS of Massachusetts. Mr. Speaker, I rise in opposition to the imposition of quotas on residual oil which have so severely affected the economy of New England.

The Office of Civil and Defense Mobilization is now considering efforts of the New England States to remove these quotas and I strongly urge favorable action.

To illustrate the hardship suffered by our area I point to one specific instance. The Boston City Hospital recently bid for 100,000 barrels of residual oil. The price increase resulting from the imposition of quotas was 58 cents a barrel, resulting in increased costs to the hospital on this one item of $58,000. Similar increased costs to other New England users occurred in thousands and thousands of cases. Sales last year amounted to 71 million barrels at an average increased cost of 33 cents per barrel for a loss to New England of $23 million.

At this point, Mr. Speaker, I insert as part of my remarks a table which will support these figures, and also the figures which were put into the RECORD by my distinguished friend from Massachusetts [Mr. BURKE], who spoke immediately before me.

(The table referred to follows:)

TABLE I.—*Results of public bidding—15 Greater Boston public agencies*

Agency	Quantity in barrels	Time of bid	Amount per barrel under posted tank car		Difference, 1960 versus 1961, per barrel	Posted tank car increase, 1959 and 1960, per barrel	Total increase since import restrictions, per barrel
			1960	1961			
Town of Brookline	20,000	Apr. 15	−$0.33	−$0.09	$0.24	$0.25	$0.49
Commonwealth of Massachusetts:							
Danvers State Hospital	42,000	Apr. 26	−.291	−.21	.081	.25	.331
Boston State Hospital	71,400	...do...	−.40	−.2704	.1296	.25	.3796
Medfield State Hospital	50,000	...do...	−.24	−.05	.19	.25	.44
Metropolitan State Hospital	43,000	...do...	−.37	−.151	.219	.25	.469
Chestnut Hill pumping station, Brookline	33,000	...do...	−.41	−.2704	.1396	.25	.3896
Soldiers Home, Chelsea	11,000	...do...	−.41	−.2704	.1396	.25	.3896
Fernald School, Waverly	45,000	...do...	−.489	−.266	.223	.25	.473
State Teachers College, Boston	4,000	...do...	−.491	−.25	.241	.25	.491
City of Boston:							
Boston City Hospital	100,000	Mar. 14	−.485	−.15	.335	.25	.585
Deer Island	30,000	...do...	−.451	−.20	.251	.25	.501
Sanitarium, Mattapan	20,000	...do...	−.485	−.15	.335	.25	.585
Long Island Hospital	40,000	...do...	−.4531	−.16	.2931	.25	.5431
County of Middlesex (House of Correction (East Cambridge))	30,000	Mar. 22	−.492	−.19	.302	.25	.552
Middlesex Sanatorium, Waltham	30,000	Mar. —	−.492	−.12	.372	.25	.622
Weighted average increase							.484

Mr. CURTIS of Massachusetts. Mr. Speaker, the quotas on residual oil are one phase of the Government policy restricting the imports of fuel oil in order to preserve a healthy domestic petroleum industry. This reason, however, has little application to residual oil, only negligible amounts of which are produced by our domestic industry. But residual fuel oil competes with soft coal, and it is well known that the pressure for reduced imports for residual oil comes from the soft coal industry.

New England States, being at the end of the line, suffer from high domestic transportation costs. Residual oil imported by sea from Venezuela is cheap and advantageous for New England, except when artificially high prices are forced upon us by the long arm of Government when it imposes quota restrictions on these imports. Residual oil is well suited for electric power and industrial use, and for hotels and apartment houses. Most of the imported residual oil is used in our east coast region.

There is only one fair price for residual oil in New England—the price at which it can be shipped in here in a free and competitive market without import restraints.

Mr. Speaker, I should also like to include in these remarks several editorials from Boston papers on this subject, which I shall list:

An editorial from the Boston Herald of July 31, 1960, entitled "Coal Tax for New England."

An editorial from the same paper of August 10, 1959, entitled "New England Oil Mystery."

An editorial from the same paper of August 29, 1960, entitled "They Plead for Half Our Rights."

An editorial from the same paper of November 23, 1960, entitled "Again They Cut Our Oil."

Lastly, an editorial from the same paper of August 9, 1961, entitled "Coal Industry Logic, if Any."

Mr. Speaker, I ask unanimous consent that those editorials be inserted at this point in my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

(The editorials referred to follow:)

[From the Boston Sunday Herald, July 31, 1960]

COAL TAX FOR NEW ENGLAND

New England has been handed a kind of tax bill for the assistance of the soft coal industry. This "tax" is now at the rate of over $20 million a year. It is collected through a contrived increase in the price of residual oil. Its purpose is to force New England utilities, industries, and office and apartment buildings to shift from residual oil to soft coal.

The Government is a party to this outrage. The import quotas on petroleum products, ostensibly set to maintain a healthy petroleum industry in the United States, have been extended to residual oil, which matters little or nothing to the domestic oil producers, but a great deal to the coal producers.

New England relies heavily on residual oil imports, chiefly from Venezuela. Recently the Government sharply cut the import allowance and at the same time reduced the quota period from 6 months to 3 months. This latter means that dealers cannot stock up on oil for winter consumption during the slack period for tankers, and must pay higher charter rates in the fall.

Of course the price of residual oil shot up. The military installations here, which are now paying $2.32 a barrel for residual, must pay $2.6968 beginning October 1, under a new contract with the Military Petroleum Supply Agency. This is a measure of the price increase, around 16 percent.

This will bring an increase in electric rates by those utilities which, like Edison, are permitted to increase rates to meet higher fuel costs. It will tend to raise rents for apartment houses and office buildings. Industries will have to pay more. And we may expect soft coal prices to go up, as they always do when residual prices rise.

Senator SALTONSTALL and representatives of Massachusetts oil dealers and industries, recently met with officials of the Interior Department and the Office of Civil and Defense Mobilization to urge an increase in the quota. They got only a promise that the fairness of the price would be studied.

Actually there is only one fair price for residual oil in New England—the price that it can be shipped in here for in a free and competitive market without import restraints. This is not the price today.

Why is coal able to impose this "tax" on New England?

Because coal industries flooded Government officials with their demands, and the oil industry and the consumers did not protest. A writer in the trade magazine Petroleum Week quotes one official:

"I was against this proposal (to reduce the quota), and hoped we would be flooded with protests, so that we could show good reasons for dropping it.

"But what happened? We received 400 comments, of which only 7 were from the oil industry.

"All the rest came from coal and its organized supporters: labor unions, banks in the coal areas, coal-carrying railroads, coal equipment manufacturers, and so forth, all strongly backing the proposal.

"So we had no alternative but to go ahead with the proposal."

In Government, it appears, the nonsqueaking wheel does not get the (residual) grease.

This interference in the operation of a free economy is something we usually think of as more a Democratic policy than Republican. And sure enough, the Democratic platform contains a recommendation for a national fuels policy, which would be a way to force coal on New England by permanently restricting residual oil. The Republican platform is somewhat less specific on this, but still sanctions economic intervention.

New England is already "taxed" $118 million a year because of import restrictions on crude oil. Here is another $20 million "tax," even more indefensible.

How long must we pay to help support the domestic oil industry and the coal industry?

[From the Boston Herald Aug. 10, 1959]

NEW ENGLAND OIL MYSTERY

The Government's restrictions on residual oil imports is becoming more and more mystifying.

Residual oil is a heavy petroleum product left after other products are removed. It is well suited for electric power and industrial use and for hotels and apartment houses. New England especially welcomes it, because it comes cheaply from Venezuela. Yet we are now denied full access to it because of Government import restrictions placed on it in the name of defense.

Our national security makes it necessary, President Eisenhower said, "that we reserve, to the greatest extent possible, a vigorous healthy petroleum industry in the United States."

But the petroleum industry can be very healthy without the market for residual oil. Its production is falling off rapidly as more of the crude oil is turned into more valuable products. New England could have its residual oil imports without loss of security. In case of war residual oil could be brought from Venezuela by tanker more quickly than from domestic gulf sources.

But here's the curious feature of the thing. The other day we got a letter, which we published, from the National Coal Policy Conference saying that "The Office of Civil and Defense Mobilization and the President felt, after a thorough inquiry, that imports of petroleum, including residual oil, were threatening national security by weakening the domestic coal and petroleum industries."

Note here the reference to the domestic coal industry.

The inquiry into other petroleum imports was no doubt thorough, but the restrictions on residual oil were very hastily drawn, without consultation with anyone in the marketing end of the residual business. And there was no study whatever of coal in connection with the restrictions, and, indeed, no mention of coal anywhere in the stated objectives of the mandatory import program.

What we would like to know is how the coal people are so sure that the residual curbs were invoked to save the coal industry. Is it possible that the coal interests worked behind the scenes on this matter to put over a coup on their rival for the New England fuel market, residual oil? And then, when success crowned their efforts, assumed that coal must have been included in the national security findings?

What concerns New England is whether we are being cut off from our full supply of residual oil through some casual response to a plea from the coal industry, so casual, in fact, that no mention was made of coal in the proclamation of the President.

The residual oil restrictions ought to be lifted at once, and a full study made of the security issue, taking into account the importance of this oil in the New England economy.

We can be patriotic, but only when it makes some sense.

[From the Boston Herald, Aug. 29, 1960]

THEY PLEAD FOR HALF OUR RIGHTS

Hat in hand, with solemn deference, as if asking for a gracious favor from the sovereign, the New England delegation in Congress has gone to the White House to ask that we may please have a little more residual oil to fuel our plants and buildings.

There is abundant and cheap oil practically waiting offshore to ease the high fuel costs of this end-of-the-line and apparently expatriated part of the United States. Yet the administration is rationing us by import quotas, not to protect the oil industry and its place in the national security, but so that West Virginia and Pennsylvania and the rest of the soft coal mining areas can steal away some of our economic well-being.

The Department of the Interior recently restricted residual imports for the last quarter of the year to 415,000 barrels a day. The coal interests had asked a cut to 400,000 barrels; the New England council asked 560,000 barrels.

Now the New England congressional delegation of both parties has asked that the limit be upped to 480,000 barrels, or a split of the difference between the coal people and the council.

What softness is this?

Why should we beg for 480,000 barrels or 560,000 barrels or any number of barrels? By what equity are we rationed to this or that number of barrels? Who has the right to dictate to us how we spend our fuel dollars?

Shall we next be told that we must buy all our cars in Detroit and all our wine in California?

The united force and power of New England—the council, the chambers of commerce, the Governors, the Senators and Representatives of both parties in Congress, the legislatures and the massed protest of the people—ought to be directed in one mighty voice to demand—not the gracious modification of the quota, but the outright removal of the quota altogether and the restoration of the free market that is our due.

[From the Boston Herald, Nov. 23, 1960]

AGAIN THEY CUT OUR OIL

The spoon feeding of residual (heavy) oil, particularly to New England, continues.

The Interior Department has decided that 530,000 barrels a day may be brought into this country in the January–March quarter next year. This is more than in the present quarter, but 130,000 barrels below last January–March imports, when there was a voluntary limitation. Since March quota restrictions have been compulsory.

The Department explains that the higher level of imports in the first quarter of this year was due mainly to irregular importing practices of a few larger importers, which later led to a cut in import levels. It bases its new quota on 1957 imports, as modified by declining domestic production of residual, current and prospective inventory levels, and the high level of bonded stocks which could be drawn upon on short notice.

In a word, the Government has carefully measured our spoonfuls of oil to conform to what they say we are expected to consume.

WHAT NONSENSE IS THIS?

The oil New England consumes is not a precise and inelastic amount. If the price is low compared to other competing fuels, we shall consume more. If the price is high, less.

The Interior Department's elaborate calculations are supposed to result in just the right amount of oil to satisfy our needs.

That is an illusion. What the Department is actually doing is setting a price by an artificial limitation on competition in fuels.

At the price it forces by its quota, the amount of oil it allows may well be enough, and anyhow it stands ready to allow emergency withdrawals from bonded supplies.

No one can say how much lower the price would be if imports were free again, or how much oil would be consumed at that price. We can only know that the price would be lower and consumption greater, for it is precisely to prevent that that the coal interests have supported the import restrictions.

Already the Department has become so snarled in the problem of parceling out the import quotas among the oil companies that it has had to postpone a plan for a new allocation scheduled for January 1, and go to studying some 100 proposals for changes.

The attempt to substitute planning for a freely competitive operation generally meets with impossible difficulties.

It would be so simple to drop the restrictions altogether, and let supply and demand take over again.

[From the Boston Herald, Aug. 9, 1961]

COAL INDUSTRY LOGIC, IF ANY

This is the unkindest cut of all: The coal industry gets New England's supply of cheap residual oil cut down so as to promote coal sales here, and then expresses surprise that we make a fuss about it.

Seems we ought to like to have our imports of this cheap fuel restricted.

President Dunn, of the National Coal Association, thinks we should be grateful that the coal industry is protecting us from the insecurity of relying on shipments from Venezuela.

In his letter to us, printed in an adjoining column, he asks what became of the $318.7 million we say the import quotas on this oil have cost New England. The answer is the coal industry got some. The coal carriers got some. Holders of import quotas got some. And the rest went into that cavernous maw that always opens when a shortage puts an end to competiltve pricing.

Mr. Dunn says the President (Eisenhower) ordered import quotas on residual to protect the national security. But Mr. Eisenhower spoke only of the security of a healthy petroleum industry. Residual imports do not affect the domestic oil producers, for whom residual is a negligible product. If war cut off residual to New England, it would also cut off exports of coal, which would then be available here as an emergency fuel.

As if to say who's hurt? Mr. Dunn says residual imports to the east coast increased from 172.2 million barrels in 1957 to 212.7 million in 1960. His arithmetic baffles us. In 1960 the total of allocations issued under the import restrictions was 154,559,292 barrels. Licensed imports as of April 1 this year were 461,000 barrels a day or the rate of 168,265,000 barrels a year. What is Mr. Dunn counting as barrels of oil available to east coast consumers?

Mr. Dunn's reference to Soviet oil is equally baffling. The Soviet wants to sell crude oil, not residual, and that's another matter.

The energy Mr. Dunn and his organization uses to force a fuel shortage here could so much better be used in constructive ways to aid the coal industry.

Mr. KEITH. Mr. Speaker, I yield to my distinguished colleague from Massachusetts [Mr. LANE].

Mr. LANE. Mr. Speaker, the restrictions placed on the import of residual fuel oil by Presidential proclamation on March 10, 1959, do double damage: they result in a cost hardship for east coast industry and consumers; and they fail in forcing users to convert to coal as a means of solving unemployment in coal-mining areas. Because it was an ill-disguised form of economic blackmail from the start, it could not succeed.

It is better for all concerned to face up to the realities and terminate these frustrating restrictions before they do further damage. The reasons advanced by the Office of Civil and Defense Mobilization in support of its request for import restrictions have collapsed under examination.

These contrived reasons were the smokescreen for measures designed to improve the competitive position of the coal industry. But the problems of this industry cannot be solved by turning back the clock, and by compelling users of other energy fuels to convert to coal at a prohibitive cost and inconvenience.

The plight of the coal industry, and the displacement of its employees, is due largely to technological change—such as the changeover by the railroads from coal-burning steam locomotives to diesel-electric locomotives—and the automation of the coal-mining industry itself.

Due to mechanization, the output per man-day of 6.77 tons in 1950, has increased to 13.25 tons per man-day in 1960. Apart from other factors, the doubling of production by each miner, is the major reason why a quarter of a million men have left the industry. As there has been little increase in the use of residual oil during that same period, it is plain to see that unrestricted imports of residual are not responsible for unemployment among miners.

The demand which coal has lost since 1947 would have been lost in any case. This loss has no connection with residual imports. The coal industry is efficient, but the high transportation costs of moving its products from mine to market is its worst enemy.

For many areas along the east coast, the transportation costs for coal exceed by a considerable amount the cost of coal at the mine. For instance, one large user in New England buys coal at the mine for under $5 a ton. Rail and shipping costs come to $5.57 a ton for delivery to Boston. Then it must be unloaded from the collier, stocked out into a coalfield and then reloaded onto a conveyor belt, put through a crusher, loaded into silos by belt, and then put through mechanical pulverizers. Total transportation costs are so high that the consumer bears this extra burden.

Contrast this with the current price of $1.16 a ton for delivering residual oil from Cardon, Venezuela, to Boston, and you can understand why much of the east coast can never go back to coal. We sympathize with the predicament of the coal mining areas, but the arbitrary and unfair restrictions on imports of residual, will not help them—or us.

Those who speak for this industry would be on the right track if they concentrated their efforts on research to open up new and economic uses for coal; in supplying the power generating plants of electric utilities within low-cost shipping distances of the coal mines; and in the retraining of displaced coal miners in different occupational skills.

One of the most harmful consequences of import restrictions on residual fuel oil is that they have restrained competition among suppliers. This has upped the costs for consumers and taxpayers. Residual oil, a byproduct of the refining process, is not a profitable factor in domestic production. In fact, some domestic refineries produce no residual at all.

Residual is the principal fuel of most east coast industries. Apartment houses, hospitals, and public buildings depend upon it. Industrial power units and building heating units have been built around this fuel. To force them back to coal would be extravagant and wasteful.

In Boston and New York, manufacturers are paying 30 to 33 cents more a barrel for residual than their foreign competitors pay outside of the United States. The artificial policy of restricting imports of residual threatens their ability to compete, which is harmful to our national interest in a changing world.

By the test of experience, the policy of restricting residual fuel oil imports has proved to be unsound in concept and destructive in practice, to the detriment of our domestic economy and our foreign trade relations. Instead of victimizing east coast industries and consumers by an indirect and unsuccessful effort to help the coal industry, at their expense and inconvenience, the security of the Nation would be served by terminating the current restrictions on the import of residual fuel oil at once.

Mr. KEITH. I thank the gentleman very much for his worthwhile contribution.

Mr. BOLAND. Mr. Speaker, will my colleague from Massachusetts, Congressman KEITH, yield?

Mr. KEITH. I shall be happy to yield.

Mr. BOLAND. Mr. Speaker, I want to join in the sentiments expressed by my colleagues from New England on the adverse economic impact that residual fuel oil import quotas has had in this area.

BACKGROUND CONSIDERATIONS

Residual fuel oil is a black, gummy substance left over at the end of the oil refining process. It is the least valuable of the petroleum products. Our domestic oil is comparatively high grade, and it is not as well suited to the production of residual fuel oil as is the low-gravity, low-cost crude oil found abundantly in Venezuela and in the Netherlands Antilles in the Caribbean.

Refining processes in the United States are highly developed, and, particularly in the Eastern States, it is not economically attractive for our refiners to produce residual oil when they can produce more valuable products.

The trend toward residual fuel oil production has been declining in the United States. Apparently our producers do not consider residual fuel oil an economically advantageous item under competitive conditions. The yield of residual per barrel of oil in the United States has declined drastically, from 23.8 percent per barrel in 1948 to 16.4 percent in 1954 and down to 9.9 percent in July 1961.

Domestic production of residual fuel oil has declined from 416,757,000 barrels in 1954 to 332,147,000 barrels in 1960, a

drop of 84,610,000 barrels, or over 20 percent in just 6 years.

Demand for residual fuel oil has increased from 522,317,000 barrels in 1954 to 560,330,000 barrels in 1960, an increase of 38,013,000 barrels or only 7.3 percent. Imports increased during the same period by 105,021,000 barrels, or a little more than the drop in domestic production of residual fuel oil. This drop in domestic production was mainly voluntary.

Some coal producers claim that imported residual fuel oil is taking away the markets for coal. However, the loss of coal markets has been mainly to fuels other than residual oil. Coal's salvation lies in better coal technology and improved marketing. Its loss is not due to residual fuel oil.

New England States consume at least half of the total supply of residual fuel oil and most of that region's consumers of such oil do not have the large storage facilities or the burning equipment to use coal. Those consumers are converted, mainly, to use residual fuel oil on a permanent basis. Generally, the only establishments with dual facilities for either coal or oil are the electric utilities, and even they use coal now for most of their needs.

In its publication "United States Oil Imports," page 53, the Petroleum Industry Research Foundation, Inc., estimated in 1958 that if all electric utilities on the east coast which had dual firing facilities and were burning residual fuel oil would convert completely to coal it would give the coal industry only about 3 million tons of additional coal sales per year compared to total coal sales of over 385 million tons in 1959.

There are strong reasons why the United States should end Government controls over imports of residual fuel oil.

First. Restriction of imports of residual fuel oil constitute a health and safety hazard to our citizens in the heavily populated east coast. Every prolonged cold spell of record since import restrictions were imposed has resulted in shortages of supply when elasticity in residual fuel oil supplies is most necessary. This happened last year, the year before and again this year. The greatest stringency occurs when consumer needs are greater than the authorized import quotas and the less dependable American sources of supply must be drawn upon. When the eastern part of the country experiences a cold spell it often coincides with a similar condition in the gulf and midlands or Middle West areas. This additional aggravation further constricts the supply-demand-price stranglehold on consumers.

Second. Import control plays havoc with the distribution system. When the import quotas are adjusted new importers are admitted. This decreases the quotas for the importers already assigned quotas. This is upsetting to purchasers who find it impossible to secure the amounts of oil they need from their accustomed sources of supply on critical occasions. It necessitates considerable shifting in purchasing habits which is time consuming and wasteful.

Third. Artificial restrictions on residual fuel oil imports help maintain unnecessarily high prices for such fuel according to the New England council and other students of this problem. The excessively high prices which the Northeastern States pay on over 71 million barrels of oil per year are indefensible. Such policies are economically unsound, they put the New England States at a disadvantage competitively, rob the consumers, increase the cost of manufacturing, and help to cause and intensify distressed, labor-surplus area problems.

Fourth. Historically the domestic oil industry normally restricts refinery runs in the winter as the market for the more profitable refinery items lessens. This acts to further reduce the availability of supply of domestically produced residual oil. Although the domestic industry, even with mandatory import controls, supplies only one-third of the east coast—including New England demand—the demand for residuals is so highly seasonal that the availability of supply from domestic suppliers in quantity when needed is of significant concern. Import controls, consequently, put millions of consumers in jeopardy.

Fifth. Oversea suppliers, particularly Venezuela, are anxious to sell residual fuel oil and exports from that relatively nearby country can be quickly increased to meet any emergency created by weather extremes. This elasticity of supply in times of weather extremes is denied consumers by the workings of the import quota system.

Sixth. Increased residual fuel oil imports from Venezuela and the Netherlands Antilles into Eastern States have been the result and not the cause of declining domestic production of residual fuel oil. Venezuela, a principal source of American oil imports, also is a highly sensitive area in the United States-Latin American relations. The refining processes of Venezuela are such that large amounts of residual oil are produced. It supplies 95 percent of east coast residual oil imports. The market is well established and can be expanded with better effort with both profit to Venezuela and millions of American consumers. Removal of controls would be a friendly gesture appreciated by Venezuela and all Latin America.

Seventh. Continued import control over a low price, low grade refinery product acts to jeopardize the free access of American citizens to oil concessions abroad, invites retaliation in turn against many American products for export; and unduly and without sufficient reason penalizes the American consumer with higher prices for heating oil in parts of the country where it is the only suitable cheap fuel available.

Mr. Speaker, of these reasons I urge that the quota system on residual fuel oil imports be ended.

I wish to have printed with my remarks an excellent editorial printed in the Boston Herald on August 9, 1961, in answer to a letter to the editor from Stephen F. Dunn, president of the National Coal Association, printed that same day by the Boston Herald. I also wish to have Mr. Dunn's letter printed at this point:

COAL INDUSTRY LOGIC, IF ANY

This is the unkindest cut of all. The coal industry gets New England's supply of cheap residual oil cut down so as to promote coal sales here, and then expresses surprise that we make a fuss about it.

Seems we ought to like to have our imports of this cheap fuel restricted.

President Dunn of the National Coal Association thinks we should be grateful that the coal industry is protecting us from the insecurity of relying on shipments from Venezuela.

In his letter to us, printed in an adjoining column, he asks what became of the $318.7 million we say the import quotas on this oil have cost New England. The answer is the coal industry got some. The coal carriers got some. Holders of import quotas got some. And the rest went into that cavernous maw that always opens when a shortage puts an end to competitive pricing.

Mr. Dunn says the President (Eisenhower) ordered import quotas on residual to protect the national security. But Mr. Eisenhower spoke only of the security of a healthy petroleum industry. Residual imports do not affect the domestic oil producers, for whom residual is a negligible product. If war cut off residual to New England, it would also cut off exports of coal, which would then be available here as an emergency fuel.

As if to say who's hurt? Mr. Dunn says residual imports to the east coast increased from 172.2 million barrels in 1957 to 212.7 million in 1960. His arithmetic baffles us. In 1960 the total of allocations issued under the import restrictions was 154,559,292 barrels. Licensed imports as of April 1 this year were 461,000 barrels a day or the rate of 168,265,000 barrels a year. What is Mr. Dunn counting as barrels of oil available to east coast consumers?

Mr. Dunn's reference to Soviet oil is equally baffling. The Soviet wants to sell crude oil, not residual, and that's another matter.

The energy Mr. Dunn and his organization uses to force a fuel shortage here could so much better be used in constructive ways to aid the coal industry.

COAL WOULD SAVE NEW ENGLAND FROM HERSELF

To the EDITOR OF THE HERALD:

Perhaps the Herald can help locate the $318.7 million which your July 30 editorial says New England and other east coast areas contributed to the bituminous coal industry last year by reason of restrictions on the importation of residual fuel oil.

Nobody in the coal industry seems to have seen the money. Perhaps this is because we understand neither your logic nor your arithmetic. The editorial says restrictions on residual oil imports have resulted in the sale of an additional 1.5 million tons of coal, with a value at the mines of $5 a ton. If we accept that premise (we have to start somewhere, though the average value of coal f.o.b. mines in 1960 was only $4.73) we find $7.5 million.

But what happened to the other $311.2 million?

Maybe the $311 million went to the oil importers. You say import restrictions have increased the price of residual oil by 33 cents a barrel over the world price, and that the scarcity "has wiped out competition and invited profiteering."

Who are the profiteers? Not the coal industry. I suggest you direct your abuse to the quota-holding importers whom you cite without censure as being able to "enjoy a 30-cent premium without having to handle a single barrel of oil."

Restrictions on residual oil imports were ordered by the President to protect the national security, not the coal industry. Even under controls, shipments of foreign residual

oil into the east coast rose from the 1957 level of 172.2 million barrels, the original basis of the restrictions, to 212.7 million barrels in 1960. The fuel shortages of World War II in New England proved the danger of heavy reliance on tanker-borne oil supplies.

If the Herald advocates unrestricted imports of the cheapest available fuel without regard for national security, I can put you on the trail of a bargain. Press reports indicate that a New York firm has been offering oil from Soviet Russia at substantially below the market price. Of course, the Russians might pinch off the supply once our hospitals and factories grew dependent on it, and once other sources of energy had withered away—but meanwhile look at the money you'd save.

If the folly of this course is apparent, so also is the folly of unrestricted imports of residual oil from the Caribbean along a sea route subject to Soviet submarine blockade.

STEPHEN F. DUNN.

Mr. McINTIRE. Mr. Speaker, will the gentleman yield?

Mr. KEITH. I yield to the gentleman from Maine.

Mr. McINTIRE. Mr. Speaker, I heartily concur in the remarks of my colleague from Massachusetts, HASTINGS KEITH, for the contention that restrictive quotas on residual oil imports do not force prices of this fuel upward does not hold up in the face of the facts.

It is often said that there is strength in numbers, and if any truth can be assigned to this maxim, then a substantial number of letters which I have in my possession supply strong proof that residual oil quotas influence fuel prices upward.

I hold here in my hands communications from individuals representing over 50 different kinds of industrial, service, utility, and community functions in New England, each one of these letters setting forth data that shows how price increases in residual oil have come about since the institution of the import quota system.

Here is what the assistant manager of a paper manufacturing company in Cumberland Mills, Maine, says:

We are currently consuming between 75,000 and 100,000 barrels of residual oil annually on which the price has increased 25 cents per barrel since April 1, 1959. This increase means an increase in cost to my company of $18,750 to $25,000 on an annual basis.

The president of a machine tools corporation located at Bridgeport, Conn., advises:

We build highly special machine tools, many of which go into the defense programs of our country. For the last 8 months, approximately 80 percent of our output has gone into the production of secret defense weapons. For heating only, we use from 28,000 to 30,000 gallons of residual fuel oil per year. In 1960, our price was 11.5 cents per gallon, and in 1961 it increased to 12.2 cents per gallon.

We hear from a hydroelectric company in Bangor, Maine:

We are engaged in the generation and distribution of electricity, serving customers in Penobscot, Hancock, Washington, and Piscataquis Counties. We serve Dow Air Force Base in Bangor, the Cutler radio station, Charleston radar station, and several other defense installations located in our service area. Generation required 175,189 barrels in 1959 and 233,884 barrels in 1960, an increase of 33.5 percent, and it is expected that 1961 will show a further increase based on a 37-percent increase for the first 5 months compared with the same period a year ago. The increase in oil cost has resulted in increased operating expense in the amount of $7,951.20 in 1959 to $30,102.10 in 1960. Based on estimated use in 1961, the increased cost can amount to $77,180 with corresponding increases each year.

We are told by the president of a woolen cloth manufacturing company at Enfield, N.H.:

We are currently using 49,000 barrels of residual fuel oil per year, and the price increase per barrel since April 1, 1959, is 15 cents. This cost our firm an additional $7,357 annually during the past 2 years. We are unable to burn any other fuel.

Word from the assistant vice president of a sugar refinery at Charlestown, Mass., informs us:

We, as users of approximately 11 million gallons of residual fuel oil annually and the largest sugar refinery in New England, wish to be recorded as opposed to limitations on imports of residual fuel oil. This position is only partially motivated by our additional annual costs of approximately $65,000 resulting from increased prices of residual fuel oil since imposition of quotas on April 1, 1959, but also for the following: Historically in all national emergencies, sugar has been among the first products to be classified as essential and vital, and to hamper our operations by forcing us to retrogress and use coal as a fuel is not in the best interests of the national economy.

The president of a public service company of Manchester, N.H., says:

Currently the amount of residual oil used on an annual basis is approximately 1 million barrels. The net increase in price of residual oil between April 1, 1959, and the present time has been 16 cents per barrel. The annual increase in cost because of the increase in price is currently running at the rate of about $160,000 per year.

This reference is made by the president of a woodpulp manufacturing business in Massachusetts:

On an annual basis we consume 14,071,947 gallons. Total price increase per gallon since April 1, 1959, is $0.005424 per gallon.

And lastly, a pulp-molding establishment from Waterville, Maine, tells us:

Because of the extent to which our products are used, not only in the transportation of food items such as apples, eggs, etc., to market, but for institutional and in-plant feeding and feeding of troops in transit, we have been given prior claim on raw materials during two wars in order that our manufacturing operations might not be interrupted. Our current consumption of residual oil is at the rate of 85,000 barrels annually. The price of this oil was increased by 17 cents per barrel this past April 1. This increase represents an annual additional cost of $15,000.

I say to my colleague from Massachusetts that I will read no further, for each of these communications tells the same story for different enterprises relying heavily on residual oil for a fuel—the sad tale of price increases. And I call to my colleague's attention the fact that many of these industries are either directly or indirectly involved in production exercises related to our national defense and national well-being.

Elemental economics dictate that when there is a curtailment of the supply of a commodity, with demand remaining constant, there is a resultant increase in commodity price. Quotas on residual oil imports curtail supply—it naturally follows that the existing demand for this fuel will force the fuel price upward.

Mr. KEITH. Mr. Speaker, reference has been made to the plight of the coal industry, and I think it might be wise for me to end my remarks on a positive note that the coal industry's future looks bright. It is estimated that 900 million tons of coal will be consumed in 1975, in contrast to 414 million tons in 1957. This would assure future growth of the coal industry. Even if coal lost limited competitive markets in the East, the demand outlook would assure future growth of the coal industry. The coal industry will be able to meet this demand as a result of increased productivity in coal mining operations, and, equally important, by new methods of transportation such as coal pipelines.

Much of this progress in the coal industry can be traced directly to vigorous competition by other fuels. Unfortunately, the industry's fast pace forward in mechanization has brought about unemployment. Today fewer miners produce more coal.

Mr. MARTIN of Massachusetts. Mr. Speaker, a group of New England organizations which are devoted to protecting and promoting the economy and prosperity of New England have petitioned the Office of Civil and Defense Mobilization to eliminate the present restrictions on imports of residual oils. I believe their arguments are sound and just, and I have strongly urged the OCDM to grant this petition.

The jurisdiction of the Office of Civil and Defense Mobilization in this matter is embodied in the question of our national security. We contend and we believe we have established a convincing case that continuance of import restrictions on residual oil is contrary to the interests of our national security.

The restrictions discriminate against the economy of vitally important industrial areas of the Nation, especially New England which has no natural source of fuel. Any governmental edict or action which artificially raises the cost of essential fuel sources to one section of the Nation, as it does to New England in this instance, places the section which I represent at a competitive disadvantage with other sections. This is neither a sound nor an equitable function of Government.

The only possible reasons for continuing the restrictions would be for the benefits which are supposed to accrue to the domestic petroleum industry and to the coal industry. We believe we have conclusively shown in our petition that there are no such benefits. Residual oil imports do not adversely affect the domestic petroleum industry and the restrictions which have been in effect have certainly not relieved the longstanding

distress of the coal industry. They will not do so if they are continued.

The price of oil in the United States is now 33 cents a barrel higher than the world price due to the restriction program. Applied to the 1960 east coast demand of 318.7 million barrels, this increase represents a penalty cost of $106.2 million paid by users of residual oil.

American refiners, in the main, do not find it economically advantageous to produce residual fuel oil. Because it is such a small revenue producer, they are continually trying to reduce the amount of their production and new refining techniques are succeeding in this direction. The domestic supply is diminishing and residual oil must be imported to fill the gap between domestic production and demand.

Because of high shipping costs, the price of coal as a competitive fuel in New England is virtually prohibitive. The supply line of coal destined for New England usually calls for shipment by rail to Hampton Roads, Va., reloading to barges, stockpiling at destination, and ground transport for local delivery. Consequently the shipping costs of coal per ton are actually greater than the price per ton at the mine.

Venezuela is the principal source of our foreign supply of residual oil. Hence, the restrictions also discriminate against our South American neighbor, and this at a time when we are being asked to spend billions of dollars to boost the economies and to cultivate the good will of Latin America.

There is no logical reason to continue the restrictions. There are sound and justifiable reasons for discontinuing them. It should be done.

Mr. MORSE. Mr. Speaker, the coal people contend that the coal industry is essential to national security and that it has been extensively injured by imports of residual oil. The supply of residual oil, they say, would be curtailed in the event of a national emergency. This argument has little relevance to the country's national security requirements in the foreseeable future. Two implications of the import restriction program stand out above all others:

First. The program, if successful, can be effective only in preparing national defense for a conflict of the World War II type; that is, one involving several years of fighting where industrial production during the war is basic to victory.

Second. The program is designed to provide national defense not now but in the far distant future.

Actually, Mr. Speaker, higher costs of residual oil have impaired the defense effort. Higher costs of residual lead to higher production costs. These inflated costs already have had their effect on national security by obstructing, in many cases, the economic development necessary for winning the cold war.

Expansion of trade is itself an economic weapon of the cold war. Professor Thorp says, in the American Economic Review:

> The Soviet bloc will not be able to apply economic pressure if the West maintains active trading opportunities and healthy markets.

When prices rise, it becomes extremely difficult to maintain existing markets, let alone to expand our trade.

The National Coal Association holds the position that residual oil imports affect the coal industry's capability to provide the needed demand, in case of emergency, along the east coast and furthermore affect adversely rail transportation facilities necessary to ship such coal.

This assertion is based on two assumptions: First, that during an emergency, large quantities of coal would be required along the east coast to replace residual oil imports no longer available. Once the real nature of national security is analyzed, this argument lacks logical foundation. It was further suggested by the National Coal Association that due to interrupted tanker shipments, coal will have to replace imported residual oil as a fuel. The fact is that even in a nonnuclear war, the United States would be vulnerable to bomber attacks. With coal transported through a limited number of bottlenecks—Hampton Roads and a few rail centers—coal transportation is at least as vulnerable to interruption as oil transportation.

A further underlying assumption which needs clarification is that the coal industry is a threatened industry—threatened in particular by imports of residual oil. To begin with, it must be emphasized that in a discussion of fuel competition, total sales, not merely imports, of residual oil have relevance, because imports of residual have replaced to a large extent former domestic production, which has been diminishing due to increased refinery efficiency. I am astonished that the coal industry considers residual oil sales a real threat. According to the NCA's own data, the coal industry's future looks bright. It is estimated that 900 million tons of coal will be consumed in 1975, in contrast to 414 million tons in 1957.

Such increased consumption will be made possible by increased productivity in coal-mining operations, but equally important, by new methods of transportation. Much of the coal industry's progress can be traced directly to vigorous competition by other fuels. However, the industry's fast pace in automation has brought about unemployment.

It is true that the unemployment of a coal miner affects national security, since unemployed workers are not contributing to the full development of the Nation's potential. However, establishment of residual oil import controls is neither an effective nor a proper way of dealing with this problem. Programs have been initiated to alleviate unemployment directly. In many instances, training will be available for jobs in new industries that are vital to the American economy. Reemployment in obsolete mines would detract from the efficient utilization of the Nation's manpower. The flexibility of our economic system is a vital ingredient of our national health and security.

Mr. CAREY. Mr. Speaker, I desire to commend the distinguished gentleman from Massachusetts for taking this time today to bring to the attention of the Members the matter of import quotas on residual fuel oil. This is a subject of such vital concern to the eastern seaboard and most especially to the residents of a metropolis, such as the city of New York. We are wholly dependent on this type product for the heating of public housing, hospitals, buildings, and multiunit private apartments. In addition, utility companies which generate the electricity used in these same institutions and facilities, as well as in private homes, implement this product in their power systems. It is not a question of turning to another source of energy by the flick of a switch or the wheeling of a valve on a pipeline. We simply lack storage facility in the Greater New York area for those huge coalfields and cellar bins which once were a part of our landscape and our homes. Today we depend on deeply installed tank storage for the accumulation of the product needed to provide us with heat and light especially during the severe winter months. It is an undisputed fact that we, in New York City, have on hand during the critical cold season less than a 24-hour supply of the fuel oil needed. This makes it of the utmost importance that we have available the resources of the oil industry, be it from Venezuela or from the United States, to protect the health, comfort, and security of our population. I know of no other case where a commodity, such as oil, is penalized to give headway to an alleged competing commodity in a market in which it has historically had no share.

For the information of my colleagues I detail here the brief of an organization which has been struggling with this problem for the past several years. I strongly endorse its views and I urge that the cognizant agencies adhere to the spirit of free enterprise and have a due regard for the needs of our consumer population and lift these needless regulations prior to the heating season immediately ahead.

A REQUEST FOR ELIMINATION OF RESTRICTIONS ON THE IMPORT OF RESIDUAL OIL FILED WITH OFFICE OF CIVIL AND DEFENSE MOBILIZATION, WASHINGTON, D.C.

(By Independent Fuel Oil Marketers of America, Inc.)

INTRODUCTION

This brief is being filed by the Independent Fuel Oil Marketers of America, Inc.

This organization is a nonprofit, nonpartisan group of the major fuel oil marketers, distributors, and jobbers handling the largest volume of the fuel oil used by industry, utilities, and private consumers on the seaboard and coastal States of the United States. It is interested in making every effort, on behalf of its members, to obtain a more equitable treatment in acquiring an adequate supply of residual fuel oil for each of its members for the benefit of their customers.

Residual oil import restrictions adversely affect our national security and should be eliminated

Under the provisions of the national security clause amendment to the Reciprocal Trade Agreements Act of 1958 (19 U.S. 1352a) the Director of the Office of Civil and Defense Mobilization advised the President, in substance, that the importation of crude oil, unfinished oils, or finished oil products

and derivatives thereof, are such that the national security is impaired.

The advice by the Director was preceded by an investigation as provided in section 1352a. In accordance with the statute, the then President did not disagree that imports of residual fuels were being imported in quantities which threatened the national security. The President was not required to cause a separate investigation to be made following his receipt of the advice of the Director. The Presidential proclamation of March 10, 1959 (Proclamation No. 3279, Mar. 10, 1959, as amended; Proclamation No. 3290, Apr. 30, 1959; Proclamation No. 3328, Dec. 10, 1959; Proclamation No. 3389, Dec. 24, 1960; and Proclamation No. 3389, Jan. 17, 1961), provides in part:

Section 2(a)(2): "In District I the imports of residual fuel oil to be used as fuel shall not exceed the level of imports of that product into that district during the calendar year 1957."

The quota fixed by Secretary of the Interior Stewart L. Udall, for the year beginning April 1, 1961, has been set at 461,427 barrels per day. The purpose of the allocation was specifically announced to "prevent disturbance of the fuels balance on the east coast" (oil import regulation No. 1, revision 2, amendment 6).

The basis of the argument at this hearing is that neither the Director nor the President had all the factual details to fully investigate the problem and instead lumped, without sufficient foundation, the residual fuel oil problem with that of the domestic oil industry as a whole. There was great concern for the domestic oil industry for the reason that cheaper foreign crude oils were invading the U.S. markets. The necessity to protect the U.S. oil industry and the need to encourage the promotion, exploration, development, and drilling of domestic crude oil products was the governing factor in the establishment of import controls. Parenthetically, even with the controls, domestic crude oil production has decreased by 10 percent during this current year.

It is also our position that the former Director and the former President acted in a discriminatory manner to promote the interest of the coal industry without regard to and at the expense of the consumer and the residual fuel oil industry. The points which will be made herein are as follows:

1. The domestic oil producers and refiners do not, for economic reasons, supply or produce sufficient residual fuel oil. Because of the low price of residual fuel oil, the domestic refiners, by discovery or adaptation and technological advances, have successfully reduced the quantity of residual oil per barrel of crude oil.

2. The coal industry seeks to obtain a captive market along the narrow belt of the east coast where residual fuel oil now finds its primary market. Conversions, where they have occurred during recent years, have been primarily to natural gas and not to residual fuel oil or coal, and present indications are that future conversions will likewise be to natural gas, regardless of import restrictions on residual fuel oil or the production of coal.

3. The argument of the coal industry that, in the event of a national emergency, enemy action would prevent the imports of residual fuel oil applies equally to the coal industry in that, as a corollary, coal could not be exported. This argument, however, is specious for the reason that it wrongly assumes that the production of coal cannot be expanded and it ignores the fact that the next war will be of an entirely different character than the preceding two World Wars. In any event, coal which then could not be exported could be used to replace residual fuel oil which cannot be imported.

4. U.S. industry should not be required to pay artificially high prices for fuel to maintain marginal producers of the coal industry. In effect, the import restrictions on residual fuel oil causes U.S. industry and consumers alike to subsidize the coal industry via the maintenance of a partial coal monopoly.

5. Continued restrictions upon the importation of residual fuel oil which is not competitive with the domestic oil industry are seriously affecting our relations with friendly foreign governments, such as Venezuela.

6. U.S. industries which depend upon exports of manufactured goods are injured in the effort to compete for foreign markets. The additional production expenses caused by the increase in residual fuel oil places another undue burden upon such exporters.

7. Public utilities which are users of residual fuel oil operate under regulations of the various public service commissions which enable them to increase the charge to consumers for electricity based upon increases in fuel costs. Some public utilities operate under automatic escalator clauses which allow them to increase charges as soon as the cost of the energy fuels rise. These increased costs are always passed on to the consumer.

Misapplication of the national security clause amendment to the Reciprocal Trade Agreements Act of 1958

In 1958, after hearings by the Senate and House, legislation was enacted to authorize the Director of the Office of Civil and Defense Mobilization to restrict the imports of articles and derivatives thereof where such imports by weakening the internal economy may impair national security.

Section 1352a (c), title 19, reads in part:

"In the administration of this section, the Director and the President shall further recognize the close relation of the economic welfare of the Nation to our national security, and shall take into consideration the impact of foreign competition on the economic welfare of individual domestic industries; and any substantial unemployment, decrease in revenues of Government, loss of skills or investment, or other serious effects resulting from the displacement of any domestic products by excessive imports shall be considered, without excluding other factors, in determining whether such weakening of our internal economy may impair the national security."

The enactment and application of section 1352a was made necessary by the failure of voluntary controls with respect to the import of crude oil. The Cabinet Committee on Energy Supply and Resources Policy, in its 1955 report, had suggested that the importation of crude oil be limited to the 1954 ratio between domestic and imported oil. The voluntary controls were not successful.

After the enactment of the national security clause contained in section 1352a, the Director in his report to the President, recommended that the controls be made mandatory. Neither the Cabinet Committee report nor the report of the Director of OCDM of March 1959, were based upon a specific investigation of the effect of the importation of residual fuel oil. The Government instead has lumped the residual fuel oil matter with the problems of domestic crude oil producers. However, domestic producers and refiners of crude oil have not sought separate and specific limitations upon the import of residual fuel oil. The reason for this lies in the fact that domestic production of residual fuel oil is comparatively low and there is no harmful competition between domestic and foreign residual fuel oil.

Because of the lighter quantity of domestic crude oil and because it is more profitable for domestic producers to extract the greatest amount of profitable products from domestic crude oil, the residual oil per barrel of crude oil has been decreasing at a fast rate. For example, in the year 1930, the "bottom of the barrel" residual yield per barrel of crude oil was 31.5 percent. By 1950 this yield was 20.2 percent. The yield in 1960 was approximately 11.1 percent. It can be anticipated that further technological advances will be made by the domestic oil industry increasing the yield of profitable products and further decreasing the quantity of residual fuel oil.

It is, and has been, apparent that the economy of the oil industry is such that technology will further reduce the residual fuel per barrel of crude oil to a smaller percentage. The newer refineries, and particular reference is made to the Delaware plant of the Tidewater Oil Co., have finally reduced the yield of residual fuel per barrel from approximately 6 percent to zero percent.

The price of crude oil has historically been from 80 to 100 percent above the price of the "bottom of the barrel" residual fuel oil. It is not, therefore, an unwarranted conclusion to state that the domestic producers and refiners are not concerned with the production of residual fuel oil per se. It is clear that the lumping of imported residual fuel oil with the crude oil problem is completely unwarranted.

Although the alleged blight of the coal industry may have engendered the restriction upon the import of residual fuel oil, the lack of a complete investigation of the residual fuel oil problem, and the subsequent issuance of the Presidential proclamation restricting imports of residual fuel oil, has reacted to the benefit of the natural gas industry and, to a lesser extent, to the coal industry.

It is evident from the statistics which are available that the greatest gains in the last decade have been made by the natural gas industry. The Bureau of Mines Mineral Market report "Sales of Fuel Oil and Kerosene" shows that the annual average increase on the east coast in the consumption of residual fuel oil since the year 1950 has been approximately 1.5 percent, including the year 1959.

As of 1959, residual fuel oil supplied 14 percent of the U.S. industrial fuel market as opposed to 11 percent of such market in 1946. In 1946, bituminous coal supplied 61 percent but in 1959, that figure had been reduced to 31 percent. On the other hand, natural gas increased its share from 20 percent in 1946 to a percentage of 50 percent in 1959. These figures are on the basis of British thermal units and the source is the U.S. Bureau of Mines.

Where then is the loss to coal? It is obvious that natural gas increased its share of the industrial market by 30 percent and that coal lost 30 percent of its former share. The residual fuel oil industry showed an increase of 4 percent principally from new markets, based on consumer preferences.

With this background the legislative history of the national security clause becomes important. The clause as originally enacted by the House took into account the factors involved in limiting imports such as welfare of domestic industries, unemployment, loss of skills or investments, or other serious effects resulting from the displacement of any domestic products. The Senate bill provided that these factors should be substantial in nature. Thus the conference report statement of the managers on the part of the House, volume 2, United States Code, Congressional and Administrative News, 85th Congress, 2d session, 1958, at page 3646 reads:

"The House recedes with an amendment which inserts 'substantial' before the phrase 'unemployment, decrease in revenues of Government, loss of skills or investment, or other serious effects resulting from the displacement of any domestic products by excessive imports.'"

The fact that the coal industry itself admits the loss in production of 200 million tons of coal because of the dieselization of railroads and other technological improvements not related to the use of residual fuel oil clearly demonstrates that this industry is attempting to regain its losses at the expense of the consumer of residual fuel oil. The 200 million tons loss of production by the coal industry due to dieselization and technological improvements between 1947 and 1960 exceeds by over fivefold the total allowable imports permitted by oil import regulation of the Secretary of the Interior dated March 9, 1961. This is calculated on the basis of 4.2 barrels of residual fuel oil in British thermal units per ton of coal with imports of 461,427 barrels of residual fuel oil per day.

It was surely not the intent of the Congress to prop the domestic coal industry by restricting imports solely on the basis that such industry is losing its domestic markets with products not competitive with the restricted imported products.

This should also be contrasted with the coal industry's rosy picture of itself whenever import restrictions are not the subject of discussion. Figures prepared by Resources for the Future, Inc., an independent research group (and not refuted by the coal industry), show that it is anticipated by the year 1975 the coal industry will produce and sell approximately 750 million tons per year. This is an 82-percent increase over the year 1960.

When the facts are abundantly clear that the bituminous coal industry has not suffered its reversals at the hand of residual fuel oil, it becomes increasingly difficult to sustain the restriction of imports of residual fuel oil. It is impossible to consider that the Congress and the President would accede to any demand that domestic industries refrain from technological improvements or the use of more modern fuels in order to sustain the coal industry. If this were so, it would have been a valid argument 50 years ago to sustain the wood industry against the inroads of coal. It is unfair, capricious, and discriminatory to single out the residual fuel oil industry as the culprit where coal has not lost its markets to the residual fuel oil industry but to domestic competitive fuels.

While there may be truth to the point of the coal industry that the industry should remain healthy to supply fuel during a period or periods of national emergency, it is equally true that the shipping industry must be kept healthy for the same reason. We should recognize the fact that during periods of national emergency, it may be necessary to supply oil and its derivatives to many parts of the world, and that it is equally necessary to maintain an active tanker fleet, regardless of potential losses due to enemy action. Tankers are costly and the establishment, maintenance, and development of shipping and shipyards and all trained, skilled shipyard workers for the production of these tankers are highly important elements which should be considered in relation to national security.

The attempts to secure a captive market for coal, the cause and effect

The coal industry seeks to obtain a captive market on the east coast which, in substance, means a monopoly to those consumers who cannot freely elect to choose between residual fuel oil and coal. The argument that it is essential to protect the coal industry in order to have readily available expansion capacity to meet potential national defense requirements, is basically unsound and economically indefensible.

The coal industry often makes use of the economic plight of the mining States and communities and refers often to unemployment statistics, technological advances, and conversions from coal to engender sympathetic treatment for itself at the expense of others.

The several factors involved may be evidenced with the arguments presently circulated by the coal industry. The industry presents statistics showing, in substance, that during the postwar period its production has declined from a high of over 600 million tons to approximately 412 million in the year 1959. This is a decrease of approximately 200 million tons. It should be remembered in connection with these figures that the 600 million tons were produced at the end of World War II when the domestic and foreign demand was tremendous. In another peak year, that of 1918, approximately 580 million tons of coal was produced and this figure also includes huge amounts exported due to dislocations in European production and distribution.

The coal industry did not lose this production of 200 million to residual fuel oil. The so-called injury is specious when applied to residual fuel oil for the reason that the total imports during the basis year is the equivalent of slightly more than 38 million tons of coal, of which only a minute percentage would be displaced by coal if the consumer so preferred. If we discount coals' losses as a result of the dieselization of railroads and automatic home-heating systems, it is clear that coal has more than held its own.

The coal industry presents statistics tending to show that the decrease in production of coal directly affects the ability of the railroads to deliver the same to markets. The argument here is that increased production of coal would be profitable to the railroads which would then maintain and replace its coal cars, thereby consistently keeping a greater number of them available. However, these arguments overlook the fact that the railroads, during the last decade, have themselves cut back the use of coal as a fuel by more than 100 million tons. This dieselization of the railroads does not involve the use of residual fuel oil. In addition, automatic home-heating systems and increased efficiency in coal-fired electrical generation have further cut the use of coal in the last decade by another 100 million tons.[1] This does not account for the great quantity of coal saved by the steel industry because of technological improvements.

It is thus readily to be observed that the supposed injury to the coal industry has not been caused by the use of residual fuel oil but rather by technical changes and consumer preferences.

The coal industry speaks of unemployment in the mining areas as a detriment and a danger to the national security and, at the same time, it fosters mechanization in its mining operations which, in turn, engenders even greater unemployment. It is a well-known fact that automation in industry is causing serious employment problems. The coal industry, which is a leading exponent of automation, should not attribute all the misfortunes of unemployment on such competition as is offered by residual fuel oil.

Because in a few areas coal cannot economically compete with residual fuel oil, the coal industry seeks to do by indirection what it cannot do directly. The loss of 100 million tons of coal to the dieselization of railroads and the additional loss of 100 million tons of coal caused by conversion to automatic home-heating systems and increased efficiency in coal-fired electrical generation, while not caused by the use of residual fuel oil, is by inference ascribed to such imports because imports can be made the scapegoat for the technological ills of the coal industry. It would make equally as much sense for the coal industry to urge laws which would prevent railroads from using diesel fuels or the homeowner from converting to natural gas or the lighter home-heating fuels, or the railroads to seek restriction of travel by airplane.

The import of residual fuel oil is not a problem related to the ills of the coal industry. The reduction of coal production, capacity, and distribution facilities are directly attributable to the decline in demand for coal by historic users of same because of consumer preference.

We have referred to the tremendous increase in the use and supply of natural gas. These figures show that natural gas has by far outstripped coal and residual fuel oil in its use as an energy fuel during the past decade. For the industrial heating market alone the use of coal has decreased by 30 percent. Natural gas has increased on this market by a total of 30 percent. When we consider that residual fuel oil during the same period has accounted for a 4-percent increase, it is difficult to blame the residual fuel oil industry for the failure of the coal industry to keep pace when the reason for the decline is due to consumer preference.

Impact on foreign trade

The seriousness of the restrictions upon the import of residual fuel oil may be exemplified by the problems affecting foreign relations with our Central and South American neighbors. The President has sent our Ambassador to the United Nations to South America to meet with the representatives of the South American nations. The first stop of Mr. Stevenson's itinerary was Venezuela. Venezuela is one of the first nations with whom we have established reciprocal trade agreements.

The importance to Venezuela of its oil markets abroad cannot be overemphasized. Political unrest and tension in that country has increased markedly since the successful Cuban revolution. The President and the Congress have expressed a policy and have enacted legislation to assist the South American nations by means of loans and grants-in-aid. It would appear most inimical to that policy to continue to restrict imports of residual fuel oil from Venezuela.

It should be pointed out here that the quality of Venezuelan oil as opposed to domestic crude oil differs greatly, the Venezuelan product being much heavier. The present yield from crude oil of residual oil in the Venezuelan product is approximately 40 percent The market for such Venezuelan residual oil is and can be principally in the United States. Ninety percent of the export of the Venezuelan residual fuel oil is exported to the United States. The economy of the other South American countries is not sufficiently developed to take large amounts of residual fuel oil. Additionally, it should be noted that various oil-producing countries in the world, and particularly those in the Middle and Near East and north Africa, have economic ties with the European nations which make such Near East producers favorite customers in the European market.

To cut off and restrict Venezuela from its U.S. markets for the benefit of an obsolescent coal monopoly is not in the best interests of the United States and, in fact, may cause embarrassment to our interests.

We quote verbatim a news item furnished by the United Press, Caracas, Venezuela, June 7, 1961, published in the Oil Daily:

"The Venezuelan Government has asked Adlai Stevenson for $350 million short-term credits and for an end to 'abuses and injustices' of American restrictions on oil imports. Stevenson was understood to have relayed both requests immediately to Washington."

On the one hand, we are proclaiming hemispheric solidarity and on the other,

[1] Memorandum of National Coal Association, filed with Director, OCDM, p. 9.

with the import restriction, we are defeating the very purpose of this proclaimed solidarity movement. It would be far more of a national security problem if by our import restrictions we have encouraged other and more dangerous Castro-type governments in South America. Since the Venezuelan Government has lost its export market of residual oil to Cuba, we should assist their economy in every way possible and, especially, we should provide this assistance where it will not place an undue burden in cost on the American taxpayer and consumer.

The increased cost of residual fuel oil caused by the import restrictions seriously affect the ability of U.S. manufacturers to compete in foreign markets. Concededly, high domestic wages and other cost items are principal factors involved in the ability of American manufacturers to compete abroad. The cost of energy fuels is an equally important factor. The burden of subsidizing the coal industry should not be assumed by either domestic consumers or at the expense of our foreign markets.

History and technology of the coal industry

The history of the coal industry will show that neither management nor labor was concerned about its alleged problems or with competitors when coal was the dominant fuel used in this country, nor was there any concern by the coal industry about coal supplies and the necessity of quota importations to act as incentives for future protection.

If the coal industry objects to residual fuel oil imports, it is, in fact, admitting that it does not want a competitive market with the residual fuel oil industry which is a relatively minute part of the oil industry. It is further assertion by the coal industry that it desires an indirect consumer subsidy and a captive market.

It is, of course, impossible to accurately forecast the cost of a monopoly operation to the public. Especially is this difficult where technological developments are not encouraged because of the existence of monopoly power. A cursory study of the depressing effects of monopoly upon initiative and progress will establish that an unnatural monopoly fosters high costs by a stifling of competition.

Admittedly the captive market or monopoly herein complained involves only the eastern seaboard of the United States. The coal industry, while presently insulated from the relatively insignificant competitive threat of residual fuel oil is not protected against the natural gas industry except for the disparity in price. The coal industry has long delayed development and improvement of the power station of "coal by wire" system of delivering energy fuel to industry and other markets.

It is simpler to establish that in fact, the price of residual fuel oil has increased since the import restrictions were imposed. This increase in price can be simply ascribed to the economic law of supply and demand. The change in the cost per barrel figures during the first quarter of 1961 compared to a similar period of 1959 which was prior to the imposition of residual fuel oil restrictions is as follows:

	Resale	Electric utilities	Other users
1961	$2.18	$2.29	$2.49
1959	2.07	2.13	2.28

The consumer cost of a captive market by the coal industry

Assuming that the lifting of import quotas would produce greater sales of residual fuel oil nonetheless the Government should not continue to attempt to protect the coal industry by import limitations for the following reasons:

(a) The protection of the coal industry at the expense of residual fuel oil results in higher costs to the public.

(b) A barrier affecting the progress of our national security might develop by discouraging technological developments in the fuel industry, and particularly in the coal industry. If in the past import restrictions had provided protection to any segment of the fuel industry so as to encourage monopoly and discourage competition, our industry would not have had the benefit of the technological developments as exist in the present use of energy fuel.

Except for the growth of specific industries or utilities which are now users of residual fuel oil it does not appear that there will be any marked changeover or conversion by users from coal to residual fuel oils. Every available study indicates that natural gas will be the product involved in any substantial conversion from coal. This has been the patterns for the last decade and this trend to natural gas preceded the establishment of the restrictions of the imports of residual fuel oil.

It is, of course, most important to note that any increase in the cost of energy fuels must be passed on to the consumer. If the cost of residual fuel oil or coal, or natural gas increases, the public utilities must, of necessity, increase the charges for electrical power. In many instances, the public utilities operate under automatic escalator clauses whereby rate increases take effect automatically upon the increase in the price of energy fuels. Other utilities need only make application for rate increases which, for the most part, are granted pro forma.

Import restrictions on residual fuel oil to protect the domestic coal industry are contrary to law

A legislative review of the Trade Agreements Extension Act of 1955 and the Trade Agreements Extension Act of 1958 confirms the fact that international trade is an important measure in strengthening our common defense against Communist aggression. Such trade provides the most effective way to improve our relations with our allies on a long-range basis. Since 1931 the coal industry has been attempting to have Congress establish a steep tariff increase or a tight quota on crude or refined oil products. In House Report No. 50, the Committee on Ways and Means in discussing H.R. 1, Trade Agreements Extension Act of 1955, on page 2082, 84th Congress, 1st session, volume 2, United States Code, Congressional and Administrative News, Legislative History Regulations, stated:

"Your committee has given careful consideration to the fact that some domestic industries stated that they have serious problems relating to their continued survival. Many of these industries appeared before the committee and attributed their troubles to inadequate tariff protection. However, careful examination of the facts has demonstrated that, in many cases, their ills appear to be attributable to causes other than tariff policy such as technological progress and changes in consumer preferences."

The coal industry to date still attempts without regard to other fuel industries to establish its output or profitability as the sole standard of judgment for the Nation's security.

The primary purpose of the trade agreements was to protect a domestic industry against a similar foreign competitor. It was not intended that the executive or administrative departments circumvent this legislation by applying import quota restrictions on residual fuel oil to the benefit of domestic coal. This discrimination not only creates a monopoly of the protected domestic industry but also creates ill feeling from a foreign country whose imports are being restricted contrary to the purposes of the Trade Agreements Acts. Certainly we should not consider that our national security is contingent solely on the coal industry.

It is easy to comprehend how retarded our progress would have been if we applied a policy of restriction and containment to such phases of our history as transportation. It is also easy to predict that our industrial progress in the future will be curtailed if we restrict the activities of one fuel industry at the expense of another.

CONCLUSION

The evidence overwhelmingly establishes that the elimination of residual fuel oil import restrictions will not affect our national defense. On the contrary, the continuation of fuel oil import restrictions will have an opposite effect since the friendship of our allies will be alienated through the weakening of their economy.

Our national defense now or in the foreseeable future is not endangered by the status of our domestic fuel industries. A contradiction of this assertion either reflects (a) improper management, (b) lack of initiative, or (c) an attempt by subterfuge (advocating the necessity of residual fuel oil restrictions) to monopolize the fuel industry. The problem of the coal industry is simply "consumer preference" and Congress never intended that a domestic industry be subsidized at the expense of the American taxpayer by surreptitiously applying import quota restrictions on one industry which is unrelated and dissimilar to another. Because of current restrictions the residual oil industry and some of its related supply industries such as shipbuilding and transportation have suffered domestic unemployment and loss of investments.

The residual fuel oil import quota restrictions are patently discriminating and should be removed.

Mr. KEITH. So, Mr. Speaker, I close my remarks with the thought that we can all join together in once again ridding our economy of the unnecessary burden imposed by these import quotas. And, I feel certain that not only will New England prosper as the result of our action, but so, too, will our country be strengthened in its role in the battle which we are in with the Communist forces throughout the world.

FEDERAL AID TO EDUCATION

The SPEAKER pro tempore. Under the previous order of the House the gentleman from New Jersey [Mr. FRELINGHUYSEN] is recognized for 30 minutes.

Mr. FRELINGHUYSEN. Mr. Speaker, because of the time of day I regret I am unable to postpone my discussion. Nor do I have any prepared text which I can hand in as a substitute for what I would like to discuss this evening. I say that because it appears that we have an immediate problem. Apparently the Calendar Wednesday technique is going to be used tomorrow so as to bring up for consideration before this body H.R. 8890. Since that is the case, and because I think it is important that we have a few facts available before the bill is brought up, I should like to make these comments as a member for 9 years now of the House Education and Labor Committee.

As most of the Members know, two bills were reported out of our committee this morning, H.R. 8900, which provides for a 5-year program of Federal aid in the building of college academic facilities, and a much more controversial proposal, H.R. 8890, which was passed out by a vote of 16 to 12.

This bill, which was introduced by the gentleman from New Jersey [Mr. THOMPSON] on August 24, provides, among other things, for a 1-year extension of Public Laws 815 and 874. The additional cost of this program for the fiscal year 1962 is estimated at something over $200 million.

A new provision never before considered by our committee, and not adequately considered this morning, would also authorize expending $325 million for the fiscal year 1962, to provide assistance to school districts for the construction of minimum school facilities needed to reduce the impact of serious overcrowding, double shifts, or unhealthful or hazardous conditions in school classrooms.

In title 2 of this bill, H.R. 8890, there is a provision to extend for 1 year one title of the National Defense Education Act. This would provide some $90 million as loans to students in institutions of higher education. I will say at this point that there is virtually no argument about the advisability of continuing a program of this kind at about this level of expenditure.

I do feel, however, that there should have been discussion regarding the advisability of extending this entire NDEA program. There are a great many other programs which those who have been most concerned in any direct administration of the provisions of this act feel will be in jeopardy, they are concerned that the continuity of these programs will be lost if something is not done at this session of this Congress.

Now, I would like to get back to the core of the controversy, the proposal to revolutionize the impacted school districts program by providing for Federal aid for the impact of overcrowding. This concept of providing assistance to the so-called needy school districts has never been discussed in our committee before, although admittedly there have been a number of different alternatives, including a bill which was reported out of our committee earlier this session.

In my opinion there was a very regrettable, indeed inexcusable, abuse of the legislative process, in the way in which this proposal was submitted to our committee for consideration. As I have already indicated, it was only introduced last Thursday, August 24. It was not available to members of the committee, and I assume not yet available to the full membership of the House, until this morning.

Our committee met at 10 o'clock this morning. At 10:15 a move to have the bill read was denied by a formal rollcall vote—17 voting against even reading the bill. Then, by another formal 17-to-13 vote, it was decided in committee to limit all discussion on this bill to a total of 70 minutes. Between 45 and 50 minutes of that time were spent discussing a major alternative method of allocating the funds in place of the provision included in the bill itself.

The gentleman from New Jersey [Mr. THOMPSON] who offered the amendment, spent that length of time explaining and discussing, and, indeed, defending quite a different formula for allocation to those that we considered before. Because of the adoption of this new formula the school population of the States will not be taken into account at all, neither the population in the public schools nor in the nonpublic schools. Instead, the total population of the State is to be determinative in the allocation of funds.

So far as I know, and I admit I am not speaking from any great knowledge, the result will be to help the States that need it least and deprive the States that presumably are in greatest need of funds which they would get under the allocation originally provided in the bill.

Mr. BRUCE. Mr. Speaker, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Indiana.

Mr. BRUCE. I think it might be well to point out that this lengthy discussion of 50 minutes out of the 70 minutes allocated was in dealing with an amendment offered by the author of the bill to the bill that was new to all of us. So not only were we not allowed or given permission to have the bill read in committee so that we could get into it or the ramifications of it, but 50 of the 70 minutes were tied up in trying to get at the meaning of an amendment offered by the original author of this bill that was thrown at us, changing the bill before it got off the ground.

Mr. FREYLINGHUYSEN. I thank the gentleman. That certainly is the case. Even though I have had some experience with these formulas of distributing funds prior to this time, I still could not get clear in my mind as to what the effect of the proposed amendment which was adopted in the committee would be. Nor do I yet know what the language in the bill itself would have been had we approved that particular language.

Mr. BRUCE. I certainly will confess that while it is my first year in the Congress and the first, of course, as a member of the Committee on Education and Labor—the gentleman has had 9 years' experience—I had the feeling, frankly, of playing a little game of Russian roulette. You take the pistol, put one shell in a chamber, put it up to your head, pull the trigger, and hope that the one that goes off does not kill you. I strongly object to a game of Russian roulette with legislative procedures. I was outraged. I was sitting there, waiting for the train whistle to blow, while the railroad was running full speed ahead.

Mr. FRELINGHUYSEN. That is very apropos.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. How many pages does the bill contain?

Mr. FRELINGHUYSEN. The bill itself consists of 14 pages. The particularly objectionable feature was not the length of the bill but the fact that we had before us a new proposal, a hybrid between various proposals previously offered. This, however, has some quite different features, one of which would very definitely transform an existing program, in effect for a decade which has proved to be of reasonable value to many school districts.

Mr. CURTIS of Missouri. Will the committee have a written report?

Mr. FRELINGHUYSEN. I am glad the gentleman brought that point up. It turned out, after the committee had been steamrollered and had approved this bill, that the committee report had been already written. I must confess I have not seen it. I was not given that opportunity, but apparently it was immediately available in anticipation of the action which we actually did take.

The minority members of the committee, all of whom I might say voted in opposition to this bill, were given an opportunity to prepare their own minority views. However, it was impossible for us to avail ourselves of this opportunity, indeed. That opportunity elapsed 1 hour after the committee adjourned. In other words, at 1 o'clock today the deadline passed for submission of our views.

Mr. Speaker, I might say that we did not submit any minority views because, I hope I am making evident, we are not yet quite sure what is in the bill. We cannot yet evaluate what its effect will be. But there was no question of the fact that there was insufficient opportunity, not only to consider the bill, but to prepare minority views.

Mr. CURTIS of Missouri. Will the gentleman yield further?

Mr. FRELINGHUYSEN. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. I would have to check the rules of the House, but I have an idea that that was probably contrary to the rules of the House. It certainly is contrary to the spirit of proper legislation. I must say that the gentleman is revealing something which to me is quite shocking.

Mr. FRELINGHUYSEN. I will fully agree with the gentleman. I was quite shocked that we should be given no opportunity to consider the significance of what was being pushed through. We had no opportunity, as I say, even to debate or discuss amendments which actually were offered but were voted upon.

As an example, I proposed or attempted to propose that Public Law 815 should be continued for 2 years rather than 1 year, as is provided for in H.R. 8890. We had at that time no opportunity to discuss this suggestion one way or the other. In my opinion that is of considerable importance in the continuity of the program, and would have been a reasonable and perhaps important improvement. But it is typical of the way in which the committee handled its responsibility, or I should say mishandled its responsibility.

Mrs. MAY. Mr. Speaker, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentlewoman from Washington.

Mrs. MAY. I had not intended to enter into this colloquy since I am not a member of the committee on which the gentleman from New Jersey serves. However, I have been sitting here listening to his description of this procedure with reference to bills pertaining to a tremendously important subject, education in this country, in which every Member of Congress is interested.

I was so horrified by the actual tale of the procedure that the gentleman has recounted I felt I would like to ask this question: The gentleman has said that the bill was referred to the committee last week, or introduced into the committee last Friday. Am I correct in that?

Mr. FRELINGHUYSEN. Thursday afternoon.

Mrs. MAY. And no member of the committee saw a copy of the bill until this morning? Am I correct?

Mr. FRELINGHUYSEN. I could hardly say that. I would say there were selected Members of the majority side who had been responsible for this brain child. However, there seems to have been a certain amount of ignorance on the part of some of the Members of the majority. One went so far as to call it a monstrosity during the discussion this morning. But generally speaking, there must have been some who knew what was in it.

Of course, there was also some discussion in the newspapers as to the so-called package compromise program which was being developed. This was reportedly being assembled in order to meet certain commitments as a result of shelving the three previous bills approved by our committee, and which were sent to the Rules Committee.

Mrs. MAY. I would like to direct this last question on that point to the gentleman from New Jersey: Has the gentleman had any reaction from our educational organizations throughout the country to this latest procedure that has gone on? What do they think, or have they had a chance to even know what is in these bills that affect our schools?

Mr. FRELINGHUYSEN. I am grateful for the gentlewoman bringing that up.

Mr. Speaker, I ask unanimous consent to include a letter, dated August 28, 1961, addressed to the chairman of our committee, the Honorable ADAM CLAYTON POWELL, from the National Education Association's Legislative Commission, which states in no uncertain terms that they are thoroughly opposed to the enactment of H.R. 8890.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The letter referred to follows:

NATIONAL EDUCATION ASSOCIATION,
Washington, D.C., August 28, 1961.

Hon. ADAM C. POWELL,
Chairman, Committee on Education and Labor, House of Representatives, Old House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: The Legislative Commission of the National Education Association has analyzed carefully the administration's new program for elementary and secondary education, as expressed in H.R. 8890. We understand, from newspaper reports, that you will call up this bill for House consideration under Calendar Wednesday procedure before Congress adjourns.

The NEA recognizes that H.R. 8890 has been introduced as a compromise proposal. We know that honorable compromise is a vital part of the legislative process; and, many times in this session and others, we have demonstrated our willingness to support compromises which would lead to sound objectives. We cannot and will not support any compromise which conflicts with sound educational policy.

On August 21, we heard with appreciation Secretary Ribicoff's explanation of this "new compromise," which he described as the only possible legislation that could get through the House Rules Committee and be enacted this session. We studied the proposal carefully and found certain aspects of it to be in serious conflict with sound educational policy. We suggested to Secretary Ribicoff that the program be modified, in at least four respects, to bring it in line with America's educational traditions and present needs.

Now we read in the newspapers that no attempt will be made to clear the "new compromise" through the House Rules Committee, after all. H.R. 8890 will move to the floor via Calendar Wednesday procedure. So, we ask: Why rush through a peremptory compromise measure designed to overcome the stalemate in the House Rules Committee, if the Rules Committee is not involved?

Before you and your important committee substitute a woefully inadequate H.R. 8890 for the outstanding elementary and secondary education program you have agreed upon (H.R. 7300), please consider these facts:

1. For many years, parents and teachers have petitioned the Federal Government for financial assistance for the public school system, because the increasing needs for classrooms and teachers are beyond the means of local and State tax resources. If America's boys and girls are to have the educational opportunities they must have in these critical years of history, the need for a new source of financial support becomes more pressing every year. It cannot be expected to diminish.

2. A clear majority of the American people have cast their votes for Federal assistance to the public school system—in national elections and in public opinion polls. (Please note the results of a few opinion surveys which are attached.)

3. A clear majority of the 86th Congress cast their votes for meaningful Federal assistance to the public school system. The U.S. Senate passed S. 8, 51 to 34. The U.S. House passed H.R. 10128, 206 to 189. Only a handful of obstructionists on the House Rules Committee prevented the enactment of school legislation by blocking a conference of the two Houses.

4. President Kennedy has termed meaningful Federal assistance to the public school system a legislative "must" for this Congress and has recommended an excellent program.

5. The U.S. Senate has already passed S. 1021—an outstanding elementary and secondary education bill, by a vote of 49 to 34.

6. The House Committee on Education and Labor has reported and recommended passage of an outstanding elementary and secondary education bill—H.R. 7300—but the House Rules Committee has thus far denied the House a chance to consider this measure.

7. Now, it is reported, the House leadership has decided to utilize Calendar Wednesday procedure to gain House consideration of an elementary and secondary education bill.

The NEA submits that, if this procedure is to be used, the people's Representatives in the House deserve the opportunity to consider meaningful legislation—which, in our opinion, H.R. 8890 in its present form is not, for the following reasons:

1. This "new compromise" proposal is a woefully inadequate "token effort" which, in at least one aspect, would diminish State and local authority in the field of education.

2. H.R. 8890 ignores the fundamental problem confronting America's public school system today—the critical need for more and better trained teachers.

3. The only new principle established in H.R. 8890 is a parsimonious construction program for school districts which sign a pauper's oath.

No assistance is provided, even for construction, for school districts generally. The only school districts which can qualify for construction aid under H.R. 8890, as presently written, are those which can prove to the U.S. Commissioner of Education (not just the State school officials) that they have more than 40 pupils attending school daily in "hazardous" classrooms.

These desperate districts—and only these—might receive some Federal funds for construction purposes only; and, if they do, it will be for only 40 percent of the pupils who are subjected daily to such hazardous conditions. The remaining 60 percent are either to be ignored, or classrooms would presumably be built for them out of whatever funds could be foraged from budgets for teachers' salaries or general operating expenses.

4. H.R. 8890 violates a fundamental American tradition in elementary and secondary education—the right of the States to determine how educational funds shall be utilized (lines 19–24, p. 6, and lines 1–2, p. 7).

5. As presently written, the title language in H.R. 8890 precludes substantive amendments by Members of the House of Representatives for broader purpose assistance to elementary and secondary schools.

For these reasons, the NEA suggests that the long-range interests of education would be served better in this session of Congress if you and your great committee would reaffirm your recommendation of President Kennedy's original program for elementary and secondary education, offer it to the House on a forthcoming Calendar Wednesday, and let the House work its will. Accordingly, the association recommends:

1. Instead of utilizing Calendar Wednesday procedure to move H.R. 8890 to the floor, this procedure should be employed to bring to the floor sound educational legislation—S. 1021, now on the Speaker's desk, or H.R. 7300, already recommended by your committee.

2. If this is not possible, then hearings should be held on H.R. 8890, and it should be amended to provide more funds for more school districts for broader purposes than just school construction.

3. If neither of these two suggestions is possible then we recommend, for this session of Congress, that any existing law which has expired should be extended for 1 year, and further action on new legislation await the second session of the 87th Congress.

We believe the House deserves a chance to vote on meaningful school legislation, not just as peremptory compromise measure. We believe that, on a vote for the record, there is a majority in the House for better educational opportunities for America's boys and girls. And, at the very worst, a record vote on meaningful legislation—or even a motion to consider meaningful legislation—would at least identify for the electorate the obstacles and the obstructionists to be overcome.

No one knows better than you and your important committee that the effort for sound public school legislation in the Congress has been a long, arduous, and continuing struggle for many years. Much progress has been made. Let us not retreat

to a woefully inadequate compromise until we have seen the results of a record vote of the House of Representatives on a meaningful bill. The parents of America's schoolchildren could ask no more, and they deserve no less from their 87th Congress.

Thank you for any consideration you give these suggestions and recommendations.

Sincerely,

JAMES L. MCCASKILL.

Mr. FRELINGHUYSEN. Mr. Speaker, I also would like to submit for the RECORD a statement which appeared in the newspapers recently, signed by a number of distinguished scientists. These included Detlev W. Bronk, James B. Conant, Lee A. DuBridge, Frederick L. Hovde, James R. Killian, George B. Kistiakowsky, W. A. Noyes, Thomas Park, and J. A. Stratton. All these gentlemen indicate their concern that Congress may fail to act on a general extension of the NDEA program, which subject, as I have already stated, was not even discussed in our consideration of this particular bill this morning, and which it seems to me was again a very egregious failure on our part.

Mr. Speaker, I ask unanimous consent to insert the statement at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

(The statement referred to follows:)

A STATEMENT TO THE AMERICAN PEOPLE AND TO THE U.S. CONGRESS URGING IMMEDIATE EXTENSION OF THE NATIONAL DEFENSE EDUCATION ACT

We, the undersigned, are disturbed by the serious damage which will be done to the vital program of the National Defense Education Act if the Congress fails to extend that act before adjournment of the 1961 session. If action is delayed until 1962, State legislatures which must appropriate matching funds, school and university officials who must now plan for the 1962–63 academic year, and students whose educational plans are in part dependent on NDEA programs will be unable to plan with confidence. Unless the act is extended now, the school year of 1961–62 will inevitably be one of confusion, uncertainty, and partial loss of the gains already made.

The National Defense Education Act, enacted by Congress in 1958, provided major help toward the improvement of science and mathematics instruction in the Nation's schools and colleges. Specifically it has:

1. Enabled thousands of high schools to secure laboratory equipment, library books, and teaching facilities in science and mathematics that they would not otherwise have obtained.

2. Enabled many States to engage the services of science and mathematics supervisors or scientific consultants to help classroom teachers improve their teaching of science and mathematics. These supervisors and consultants have been particularly helpful in introducing new and improved texts and teaching materials in science and mathematics.

3. Offered financial help to high school graduates who have the desire and ability, but not the money, to go to college. Among these students, preference has been given to those who want to specialize in science, mathematics, engineering, or foreign languages.

4. Helped universities—widely scattered over the United States—to develop new or improved programs for graduate students.

5. Aided graduate students who want to become college teachers, and who will be needed for the much larger college enrollment that must be expected in the next few years.

6. Provided similar improvements in the teaching of foreign languages.

These results of the National Defense Education Act have benefited students who wish to become scientists, mathematicians, or engineers. They have benefited students who plan on careers in other fields but to whom a knowledge of science is an essential part of education for intelligent participation in the affairs of a scientific and technically oriented world. In benefiting these two groups the National Defense Education Act has started to make an important contribution toward strengthening the Nation that both groups will serve.

The job is well started, but far from complete. The National Defense Education Act has been in effect for only 3 years. The first year was largely one of tooling up. The second and third were years of growth and improvement. There is good momentum now. However, failure to extend the National Defense Education Act this year will bring many of the gains to a halt. Extending the act this year will enable the Nation to continue to build upon the improvements that have already been started. These improvements in science education are too vital to the welfare of the Nation to allow the act to be weakened.

Detlev W. Bronk, James B. Conant, Lee A. DuBridge, Frederick L. Hovde, James R. Killian, George B. Kistiakowsky, W. A. Noyes, Thomas Park, J. A. Stratton.

Mrs. MAY. I read the letter to which the gentleman refers. I am sure this committee would not be in agreement with what the gentleman has described as in this bill.

Mr. Speaker, I thank the gentleman.

Mr. FRELINGHUYSEN. The National Education Association has come out in definite opposition to this particular bill. The scientists to whom I referred are very much disturbed at the prospect of extending maybe one or two provisions. They feel that a broad extension of the National Defense Education Act is essential if we are to provide ourselves with a continuity of programing, and so forth, that has been built up in the 3 years that this act has been in operation.

Mrs. MAY. And as the gentleman says, the bill up for consideration now certainly does not do this in any way.

Mr. FRELINGHUYSEN. It certainly does not.

Mr. BRUCE. Mr. Speaker, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield again to the gentleman.

Mr. BRUCE. Mr. Speaker, did I understand the gentleman to say that the letter from the National Education Association expressed opposition to H.R. 8890?

Mr. FRELINGHUYSEN. Very definitely. It was very flatfooted in its opposition.

Mr. BRUCE. Then this would seem to indicate that some people or someone in the National Education Association had available to them the contents of H.R. 8890 which members of the committee did not have.

Mr. FRELINGHUYSEN. It is quite obvious from my reading of the newspapers that the Secretary of the Department of Health, Education, and Welfare has been propagandizing in a number of places, including his friends in the National Education Association, for support of this compromise program, even though it had not been developed in legislative form. It may be that they were not aware until recently of the exact language that was to be included in the bill, although they knew generally what the bill would contain.

Mr. BRUCE. I thank the gentleman.

Mr. FRELINGHUYSEN. Mr. Speaker, I should like to mention two other points. As part of my effort to get a broader consideration of the problem presented by our discussion of H.R. 8890 I suggested as a substitute that the committee consider a bill that was introduced 10 days previously by the gentleman from New Jersey [Mr. THOMPSON], H.R. 8690. On August 14, Mr. THOMPSON introduced this bill which is to be entitled "The School Construction Assistance Act of 1961."

I, myself, have not examined this bill closely. I might say, however, that an effort was made to bring this bill up the day after it was introduced in our committee. That was rejected because we had no printed copies of the bill before us. Apparently it died aborning.

This bill, however, does provide at least for a 3-year program of some construction not tied into the impacted school program. It seems to me such approach certainly would merit consideration, together with the 1-year program which H.R. 8890 envisages. My substitute was turned down, I think, again by an overwhelming partisan vote. Such an attitude indicates to my mind that there was an unfortunate, indeed inexplicable, lack of interest in discussing the various possibilities that were before us. Indeed, there was little recognition of the significance of the particular bill that was up for consideration.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I do not want to get into this colloquy because it has been my impression that it is a rule of the House that we do not discuss our proceedings in a committee in executive session. But I wonder if the gentleman would be good enough to tell me, aside from anything that might have happened in the committee meeting today, whether or not there had been any formal consideration of the bill to which the gentleman referred a moment ago, the one introduced 10 days ago—what was the number of it?

Mr. FRELINGHUYSEN. H.R. 8690. As the gentleman well knows, that bill was not discussed in committee.

Mr. PUCINSKI. I thank the gentleman very much.

Mr. FRELINGHUYSEN. My suggestion was that if we are going to move in this area, I fail to understand why a bill presented as urgent business one week should have been abandoned the following week. I still fail to understand it. I think it is at least an alternative program which deserved consideration. And, Mr. Speaker, let me say I am not sure how much can be said regarding

what is said or done in executive committee. The chairman of the committee himself this morning gave certain details regarding what transpired. And if a Democrat, for instance, calls a bill a monstrosity, he is not necessarily not talking for the record.

Mr. Speaker, we are faced with a serious problem. Tomorrow we are probably going to be discussing the provisions of a bill about which too many of us know too little. It is my hope that the effort to consider this bill will be defeated. If we fail in that, I hope the bill itself will be defeated. I am not sure whether that can be achieved. But it might be a very appropriate course of action in that connection. I should like to read—and I have no idea how accurate this account is—a statement which came over the news ticker this afternoon with reference to the Speaker of the House, Mr. RAYBURN:

At a press conference today Speaker SAM RAYBURN reportedly told newsmen there is "a lot of" opposition in the House to Federal aid to public school construction." He said the entire bill could be killed on a technicality when it is brought up under the Calendar Wednesday technique, but that would leave time next week to bring in an even more restricted bill.

Mr. Speaker, I have no idea whether this was a correct account of the newspaper conference this morning. It certainly raises the possibility in my own mind that the technicality to which this refers is to vote down the motion to consider the bill. We could then get on with the job of developing legislation in the areas of extending the impacted school districts program and also the extension of the National Defense Education Act.

In this respect, I understand on the best authority that if this attempt to consider this bill H.R. 8890 is defeated tomorrow that these bills will be brought up for consideration under suspension of the rules. Such a course, or indeed reliance on the Rules Committee, seems to me a far more appropriate way for us to operate.

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GRIFFIN], may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, I rise to commend the gentleman from New Jersey [Mr. FRELINGHUYSEN] for his forthright statement and report on the situation which confronts the House so far as legislation in the field of education is concerned.

As the Members of this body are well aware, the gentleman from New Jersey is a dedicated friend of education, as I have tried to be. He and I worked diligently to bring about enactment of the National Defense Education Act, and we are among those in the House who believe in, and advocate the extension of, that legislation.

However, I concur in, and can attest to, the accuracy of the remarks of the gentleman from New Jersey concerning the action taken this morning in the House Committee on Education and Labor.

Legislation which would have a far-reaching effect upon the whole system of education in America deserves more consideration and better treatment than that accorded in the committee this morning.

Taking the circumstances into consideration, it should not be surprising if some should wonder whether the principal objectives of this maneuver may be a bit more political than legislative.

HARRY ROGERS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 5 minutes.

Mr. RYAN. Mr. Speaker, one of New York's leading community figures for many years was Harry Rogers, publisher of the West Side News, a newspaper which proclaimed its motto in its masthead—"Dedicated to Civic, Commercial Betterment of Our Community." I have the sad duty to announce to the House of Representatives that Harry Rogers is dead at the age of 63.

Those who knew him do not need me to tell them why his passing is a great loss to New York, especially to the West Side of Manhattan, where he was often called "Mr. West Side."

Those who did not know him missed the acquaintance of a dynamic personality, a man who devoted 40 years of his life to a wide variety of civic, fraternal, religious, and welfare causes. He was a vigorous and effective advocate of the needs and aspirations of the citizens of the West Side community. His contributions to the rejuvenation of the West Side now taking place are legendary.

His widow, Mrs. Frances Rogers, has announced that she will continue publication of the newspaper, which for 10 years was the vocation and avocation of Harry Rogers.

Mr. Speaker, I want to call to the attention of my colleagues the following eulogy of the late Harry Rogers by the editor of the West Side News, Dorsey Short, which was printed on the editorial page of the paper last Thursday, August 24:

DEPARTING LEAVE BEHIND US—FOOTPRINTS

(By Dorsey Short, editor)

Harry Rogers is dead but the indomitable will that carried him forward left an indelible imprint on all who knew him. His spirit that endued him with tireless energy to work unselfishly, to give of himself unstintingly and with buoyant energy to make the West Side the best side, lives after him.

His chair will be empty at the many meetings and conferences he attended—his voice will no longer ring through the corridors of city hall in eloquent pleading for some West Side improvement—he will no longer be a familiar figure at his desk in the West Side News office where friends, strangers, men and women from all walks of life found a sympathetic listener, a word of encouragement, a helping hand.

But monuments to his memory in the form of civic improvements are everywhere on the West Side. The imprint of his welcoming smile, his friendly handshake, his words of encouragement, his willingness to help his fellow man whenever and wherever he could—these are intangibles that cannot be erased and will keep his memory fresh in the minds of all who knew him.

Among the monuments to his memory are the concrete abutments at the curbs of the center malls at intersections along Broadway. They were erected after a long campaign by Harry Rogers through the West Side News to protect persons sitting on park benches on the malls and end the slaughter of innocent persons by cars mounting the malls. At least 13 deaths were recorded during the campaign before the protecting abutments were erected. How many lives were saved by these concrete protecting walls will never be known.

Oriana Atkinson thought this improvement important enough to record the story of Harry Rogers' campaign for it in her book on New York.

The sidewalk on the west side of the kiosk and the fences along the curbs on the island where the kiosk stands at 72d Street and Broadway are reminders that for the 10 years he published the West Side News, Harry Rogers carried on a tireless campaign for removal of the kiosk and remodeling of the subway station to provide sidewalk entrances.

Three years ago the borough president's office laid the sidewalk connecting both ends of the kiosk and erected the fences to prevent people from dashing into the street in their mad rush for the only entrance to the 72d Street subway station.

Many deaths were recorded before these safeguards were erected and many have been prevented since. The transit authority promised removal of the kiosk after Harry Rogers made an impassioned plea before the board of estimate to end the slaughter of innocents at the subway station but to date has not kept its promise because the cost of this project which has gone from $250,000 to $10 million during the 10-year campaign is too high.

Harry Rogers valued human lives. His own was given in the service of his fellow man, but the West Side News will carry forward the campaign he started until others have learned to value human lives enough to do something about protecting them.

The list would be endless—the long campaign for a West Side high school only recently successfully concluded—the long fight against neighborhood deterioration—for removal of slums and construction of decent housing—for approval of the Lincoln Square rehabilitation—for more schools, parks, playgrounds, better lighting, more police protection, for equal rights for all in housing, employment, and education, regardless of race, creed, or color; for recreation centers for youth, programs for senior citizens, aid to the needy and infirm, etc., etc., etc.

Harry Rogers died in harness. Almost to the day of his death he directed his business from his hospital bed. His courage, his fortitude, his outstanding personality and dedication to his community and the causes he believed to be just and right inspired all who came in contact with him.

We agree with Rabbi Edward E. Klein of the Stephen Wise Free Synagogue who said no eulogy could do justice to Harry Rogers. His life was his eulogy and he has left imprints on all who knew him that can never be erased.

The most fitting summary we can find is Brutus' speech in Shakespeare's play "Julius Caesar":

"His life was simple and the elements so mixed in him that nature might stand up and say to all the world:

"This was a man."

KHRUSHCHEV AND THE 1960 ELECTIONS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 10 minutes.

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an article by Drew Pearson which appeared in the Washington Post today, Tuesday, August 29, 1961.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, the subject of my brief remarks here is Khrushchev and the 1960 elections. The following article by Drew Pearson appeared in the Washington Post this morning:

KHRUSHCHEV REMINISCES OF CAMP DAVID VISIT

(By Drew Pearson)

GAGRI, GEORGIA, U.S.S.R.—Nikita Khrushchev, relaxing under a Georgian sun on the shores of the placid Black Sea, reminisced sympathetically about former President Eisenhower and I was surprised that he also had some kind words for John Foster Dulles.

The subject of Mr. Eisenhower came up after the Premier had discussed in considerable detail his determination to sign a peace treaty with East Germany, his proposal to guarantee West Germany's independence by a token force of Allied troops, and his concern over President Kennedy's Berlin position, which he said could lead to war.

"Eisenhower said to me at Camp David that there was one great thing which he and I might be able to do—bring peace to the world," Khrushchev reminisced. "I felt that he really meant this. I believed him and I still believe him.

"We were sitting across from each other at Camp David and he said 'my friend.' Then he asked the interpreter for a translation of 'my friend' which in Russian is 'moi drug.' After that he called me 'moi drug' and I called him 'my friend.'

"But I am afraid Eisenhower was not always his own master. He had those around him who were constantly trying to pull him in their direction. Before our summit meeting in Paris, his Under Secretary of State, Douglas Dillon, made a speech undermining the Paris meeting. Then Herter (then Secretary of State) made a speech, which also hurt the conference. So it looked as if they were getting ready to torpedo the Paris conference.

"I still believe, however, that Eisenhower did not specifically authorize the U–2 flight at that very time. He had authorized the general pattern of flights, but I'm sure he would not have authorized that one."

IKE SUGGESTED APOLOGY

Discussing that famous Sunday in Paris when Prime Minister (Harold) Macmillan of England and President (Charles) de Gaulle of France went back and forth between Eisenhower in the American Embassy and Khrushchev in the Russian Embassy, Khrushchev said:

"At our one meeting, when I asked for a statement of regret from Eisenhower he leaned over and we heard him whisper to Herter, 'I don't see why we couldn't do something like that.' But Herter said no.

"That was what ended the Camp David spirit and one of the great chances for better understanding between our two nations," said Khrushchev with a note of sadness.

"Averell Harriman said you were preparing a great reception for Eisenhower," I said.

"The greatest ever given to anyone," Khrushchev confirmed. "We will give a similar one to Kennedy if we can just get this Berlin problem solved. I told Kennedy that in Vienna."

I asked Khrushchev what had become of the hopes for a new start toward peace which looked promising after Kennedy's inauguration with the release of the RB–47 fliers.

"We released those fliers with the definite hope for better relations and with the hope of helping Kennedy," he replied. "In the final stages of the American election, the State Department had asked us to release the fliers, but I could see that the effect would be to help Nixon and that he would tell the voters that he could best improve American-Russian relations.

"We did not want to hurt Kennedy, so we said 'No.'

"Naturally we didn't say we were for him publicly. Averell Harriman had warned us not to. He said, 'If you chide Nixon, chide Kennedy a little, too. It will help.'"

DULLES SHUNNED WAR

"What happened at Vienna to change things between you and the man you elected?" I asked.

"I'm not sure," Khrushchev replied. "I liked Kennedy. He talked frankly. He has a sense of humor. But when I told him we had to sign a peace treaty with Berlin he took a position worse than either Eisenhower or Dulles.

"I came to have admiration for Dulles before he died. He could disagree with you, but you knew exactly where he stood. And he did not want war. He would go up to the edge of war, or as he called it, 'Brinkmanship,' but he stopped before war.

"At one time we had some trouble with Dulles over Syria," Khrushchev explained. "We received intelligence that Turkey and Iraq were going to attack Syria, so we published the exact number of every division of the Turkish Army involved and warned Dulles that if the attack was made, we would intervene.

"The attack stopped dead in its tracks. That's what I liked about Dulles. He knew the facts of life and he did not want war. We hope Mr. Kennedy will take a leaf from the Dulles book."

Khrushchev talked of many other things affecting the United States and the peace of the world, during our peaceful afternoon on the edge of the Black Sea and more details will follow in tomorrow's column.

I do not quote Drew Pearson as an accurate authority. However, his column is read throughout this country. This is such a serious interference, if true, with one of the Democratic leaders discussing the matter of the 1960 elections with Mr. Khrushchev, that it certainly requires a prompt denial or explanation on the part of Mr. Averell Harriman, who presently holds a high position in this administration, as to the truth or the accuracy of this article. If Mr. Harriman says that this is not true, then I suggest that the Congress call before its appropriate committees both Mr. Pearson and Mr. Harriman and let us get to the bottom of this, because certainly all of us in America do not want to have leaders of either party going to the Soviet Union to have them participate and try to influence American elections.

TIME MAGAZINE DISTORTS THE TRUTH

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, in the September 1, 1961, edition of Time magazine profile on President Kennedy's aid, Larry O'Brien, the article states and I quote:

During the aid to education debate, Chicago's Representative ROMAN PUCINSKI threatened to kill the public school measure by tacking onto it a parochial amendment. O'Brien appealed to Chicago's boss, Mayor Daley who immediately telephoned PUCINSKI, "Who sent you there, me or the bishop?" He growled, "And who is going to keep you there, me or the bishop?" PUCINSKI has since remembered who sent him there.

Mr. Speaker, in my entire career as a newspaperman before I came to the Congress, I have never seen a more violent distortion of the truth than this statement about an alleged conversation between Mayor Daley and myself as published in Time magazine. This article is taken out of whole cloth and is a clumsy attempt to discredit both Mayor Daley and myself. I do not know what were the motives of whoever supplied Time magazine with this complete fabrication or, indeed, Mr. Speaker, I do not know the motives of the author if he, himself, just made the statement up to embellish his article, but I can assure you no representative of Time magazine has ever attempted to check with me the veracity of this disgraceful violation of truth. I deny vehemently, categorically and unequivocally as I know how any such conversation between Mayor Daley and myself ever took place by telephone or otherwise. It would appear to me in the interest of integrity I would hope that Time magazine would disclose and expose its source for this fabrication to the full glare of public condemnation.

Mr. Speaker, I yield back the balance of my time.

"HOW SHOULD WE ALLOCATE OUR RESOURCES?" AN ADDRESS BEFORE THE SENIOR CLASS OF DARTMOUTH COLLEGE

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, during the last academic year, I had the opportunity to address the senior class of Dartmouth College, Hanover, N.H., as part of that college's great issues course. Dartmouth's great issues course opens to the students, finishing their undergraduate studies, some of the

issues of major importance to present-day America—issues involving art, music, values, and religion as well as economics and politics. These issues are presented to the class by people active in the Government, private life, or teaching; the alternatives in a situation are given by the advocates of the opposing stands.

I was asked to speak on the general subject of the relation between the private and governmental sectors in our society and the relation between the various levels of government within the governmental sector. These relationships were tied up within the concept, and title of the address, "How Should We Allocate Our Resources?" I should like to insert this address at this point in the RECORD:

HOW SHOULD WE ALLOCATE OUR RESOURCES?

(By Congressman THOMAS B. CURTIS, before the great issues course at Dartmouth College, Hanover, N.H., Monday, October 10, 1960)

The first title assigned to me for this lecture was, "Are We Spending Enough?" The title is now, "How Should We Allocate Our Resources?"

The intriguing thing to me about both titles is the interpretation of the pronoun "we." Just who is "we"? Is we, our society composed of a private sector and a governmental sector trifurcated into Federal, State, and local governments? Or does "we" mean our society operating only through the Federal Government?

This is a pertinent question to pose because the concern about are we spending enough, how should we allocate our resources, what is our national purpose, has been interjected into public debate quite recently by an interesting and stimulating group of political philosophers. I refer to them as the modern-day Federalists. One of their members, Senator CLARK, of Pennsylvania, has been kind enough to accept that term as fairly descriptive. Most of the group still cling to the nondescriptive and, indeed, deceptive term "liberal" to describe their political philosophy. Prof. Kenneth Galbraith of Harvard, one of this group, sparked some of this national debate by his well-written and stimulating book, "Our Affluent Society." Prof. Arthur Schlesinger, also of Harvard, who will address this senior class on November 21 and 22 on a title no longer, "Are We Spending Too Little?" but "Consumer Sovereignty or National Power," which is a more subtle way of begging the same question, is another one of the group.

Essentially this group of political philosophers, composed of some straightforward politicians who have been elected to the House of Representatives and the U.S. Senate, college and university professors, newspaper columnists, political cartoonists, television and radio commentators, news reporters, editorial writers, labor leaders, and others from all walks of life can be identified as the Americans for Democratic Action. Many people in political life today and many observers of the political scene have dismissed this group as merely "eggheads." They may be "eggheads" and they are proud to assume this title, and I would be also if I were they, but they cannot be dismissed as inconsequential. Nor can their arguments be easily disposed of. Twice in the past two elections they have been able to nominate and run their own candidate for President of the United States on the strongest of the two national parties, the Democratic Party ticket. In 1960, though they were unsuccessful in obtaining the nomination of the man they wanted, they seem to have surrounded the successful candidate for the nomination as his duly appointed official advisers. Furthermore, they were successful in writing the platform for the Democratic Party at Los Angeles.

The power of this group of political philosophers is best understood when we realize that the Committee on Political Education of the AFL–CIO, formerly entitled and more descriptively titled, the PAC or Political Action Committee, is in reality the strong political right arm of the ADA. Walter Reuther, the chairman of COPE, is a member of the executive board of the ADA.

This is not mere speculation. Consider the innovation of the voting guides now issued by a variety of organizations for political action from all segments in our society reflecting a wide range of political philosophies. The latest voting guide I have seen is by the ACA, Americans for Constitutional Action. It is worth reading the ACA's exposition of how they determined the votes they thought were the key votes in the past Congress to express their political philosophy. This interesting new technique of voting guides was initiated by the ADA and the COPE (then the PAC) 10 years ago. It is a technique developed to pinpoint the supporters and opponents of a political philosophy in the House and the Senate by extracting from the recorded votes cast each session of the Congress, the votes on what are determined to be the key issues by the group putting out the voters' guide.

The House and the Senate each average about 100 recorded votes each session. Actually, it has been somewhat less than a hundred for the past 10 years in the House but, for the sake of discussion, 100 is an easy figure to deal with. The ADA and COPE voting guides use about 10 votes each session as the key votes on which to grade the Congressmen.

A great deal can be learned about the philosophy of any group putting out a voting guide over a period of time by checking over which 10 issues out of a hundred votes recorded the group selected as key issues. The ADA and COPE's voting guide follow an identical pattern and, indeed, to a large degree are duplicates. Furthermore, COPE, though professedly a labor union committee, does not concentrate on issues which are peculiarly important to the problem of labor management. The COPE's concern with issues is as broad as the ADA's, and that breadth equals that of any national political party. In fact, it contains a breadth that both political parties could emulate.

I have here the voting guides put out by the ADA, beginning with the voting records in the 1950 congressional session of the 81st Congress. I believe a study of the editing process of the ADA in selecting the 10 votes of the 100 cast each session reveals that this group of political philosophers are for anything strengthening the executive branch of the Federal Government at the expense of the legislative branch of the Federal Government, at the expense of the State or local governments, and at the expense of the private sector of our economy and, conversely, they are against anything that weakens the executive branch of the Federal Government by increasing the power of the Federal legislative branch, the State, and local governments, and the private enterprise system.

This philosophy seems to be their own basic guideline, and civil rights, social problems, defense effort, or emergencies are of concern only to the extent that any of these, properly handled, can reach for the objective of a stronger Federal Government with the added strength vested in the executive branch of the Federal Government.

It was necessary to take the time to express this thesis because the national debate upon which we are presently embarked on the subjects, "Are We Spending Enough, How Should We Allocate Our Resources, Consumer Sovereignty or National Power," plus a few other subtle ways of stating the issue by begging the question, has been the result of the promotion of this newly emerging Federalist political party.

It is a debate that can be very beneficial to our Nation, and I am happy to engage in it. But it cannot be successfully conducted in the manner it is presently being presented. The basic issues in the debate must be honestly presented and argued. They cannot be begged. What are the issues? The first issue, hidden in the semantics of the titles I have referred to, is do we have a national purpose? I believe we do, although it is quite inarticulate. In other words, we have no one in our society, no group in our society who can articulate with sureness what our national purpose may be.

The Federalists seize upon the inarticulate nature of any society's purpose to create the impression that inarticulateness is synonymous with nonexistence. If they wish to argue that there is no national purpose because it has not been articulated and agreed upon, then we have a fair area for debate and we must pause at that point to resolve that issue before we take the next step. And even as we debate this point I believe a fair point to be considered is whether a national purpose is such a thing that we would wish to express through our political government. I must point out that a discussion of whether our society or any society has a national, or any, purpose requires the marshaling of the greatest amount of knowledge and wisdom we possess and certainly must relate to the organized religions in the society. I also think that it is entirely possible that we can come away from such a discussion with both the conviction and the persuasion that we just don't know enough or have enough wisdom upon which to make a rational decision.

Indeed, having thought about this matter deeply and having discussed it often with other people, I have concluded that our national purpose must remain, what indeed my analysis of what it has been shows it still to be. Our purpose is to move forward into the realm of the unknown with the greatest sustainable rate of speed. This purpose is succinctly set forth in the Fourth Gospel as an admonition: "You will understand the truth, and the truth will set you free."

I believe upon this base rests our search for justice and better human welfare because a society, to move forward rapidly and at a rate which is sustainable, must engender and tap the maximum amount of knowledge and wisdom within the society. The maximum amount of knowledge and wisdom a society possesses depends upon the maximum number of people within the society developing their personal knowledge and wisdom to the maximum. Then the maximum of knowledge and wisdom tapped depends upon setting up the best procedures for gathering together the knowledge and wisdom and the best tapping procedures.

Pursuit of happiness of the maximum number in a society is thought by some to be a national purpose. I would observe that this does not conflict to any large degree with the purpose I have outlined, though it certainly stems from a basically different philosophic concept. I have no quarrel with those who would disagree with what I have regarded as the fundamental base, if they select pursuit of happiness or something similar as their guidelines for a society's goal.

We are getting closer to the meat of the debate. I have always regarded political government of and by as many people within a society as reasonable with plenty of room for fair discussion of what is within the realms of reason, such as what is the entrance age to be, 21 or 18, as preferable to government by aristocracy. Certainly it is preferable to an aristocracy based upon inheritance, but I believe it is also preferable

to one based upon brains. In theory, perhaps, an aristocracy is best by the very derivative definition of the word. The question upon which this theory founders is how is a society to determine what is the aristos—the best? Is a given aristos in a position to select those who should make up its number as death takes its toll? Has any small group of men, however knowledgeable and wise, by human standards, enough knowledge or wisdom to make this selection? What are brains? Brains merely indicate capacity to obtain knowledge and wisdom. To get the desired resultant of brains, knowledge, and wisdom, the factor of application must be interjected. Also, the wonderful factor of chance which determines so much the experiences we may or may not have upon which to exercise our brains. Surely no one believes that any society has yet reached a point where any group can know these things sufficiently to make an intelligent decision of who is wise even if we could tell who is knowledgeable.

The point I am leading up to is this. When we reach a place in the physical sciences where we recognize we, as a society, are ignorant, we utilize the scientific method developed during the Renaissance to move ahead. I refer to the laboratory method based upon trial and error. I believe the replacement of governments of and by the people in the stead of the monarchies and the oligarchies that existed since time immemorial was a change similar to the replacement of the laboratory methods in our physical sciences in the stead of the system of scholasticism identified with the Middle Ages—the reference to human authorities for decision. In other words, in political science we established a laboratory method for selecting our political governors in lieu of selection by birth or by a choice of the few. The tragedy is that we have not continued to develop the laboratory system with the care that our physical scientists developed their laboratory system with improved scientific techniques.

Some time ago we got off the track when, in this Nation, we began to think of democracy primarily in terms of government for the people, and less in terms of government of and by the people. Dictators and oligarchies at any given time, I am certain history shows, can do a better and more efficient job for the people, if we look upon the term "the people" as limited to the particular generation that presently holds the trusteeship of the franchise. Or, at least, dictatorships or oligarchies can better persuade the enfranchised group of the fleeting generation then on the stage that they can do more for them than pursuing the laboratory system which contains so many errors and so many futile trials.

A representative system of government is a set of procedures which enable the laboratory system of government by the people to operate with some efficiency. A great deal needs to be done to perfect the laboratory itself and its techniques. Let me illustrate by a generalization I have made many times about the Congress of the United States. I have said that it, in essence, is no more than a set of procedures which enables our society to gather together what knowledge and wisdom exists in our society, to apply it to the problems that face our society. I have been a constant critic of congressional procedures which have not improved with improved knowledge of doing things and the failure to follow the basically good procedures that we inherited and that are still valuable. Yet, these points I have been making over the past 10 years on procedure fall on deaf ears, both among my colleagues in the Congress, the media which report to the people what goes on in the Congress, the people themselves, and, what is worst of all, the aristocracy of brains or eggheads, if you please, who have been gifted with the abilities to understand these things if they would apply themselves to the job of trying to understand them.

Here is a basic difference between the Federalists of today and myself. Their programs are such that they would abandon, not strengthen, the congressional procedure for gathering knowledge and wisdom, and the congressional procedure of open debate on the floor of the House and Senate, hammering out the differences of opinion that arise in evaluating evidence that has been adduced. They would supplant it with executive study groups and with propaganda techniques designed to sell the people on the truth of the decisions these groups make behind closed doors. From the Federalists stem much of the denigration of Congressmen and of the institution of the Congress we read and hear through the media. From this attack comes the undermining of the public attitude toward our form of representative government and a willingness on the part of many of our people to abandon this noble experiment.

I am moving closer to the theme of this discussion. I have referred to government of and by the people as a laboratory technique for testing political ideas—testing individual politicians, in essence, is testing political ideas, shoddy as some of the ideas are. Moving public debate from issues to personalities is one of the most effective ways of downgrading the political process of elections by the people.

I now want to discuss the private enterprise system which forms the base in our society for meeting economic problems and developing new economic ideas.

In essence, I believe the private enterprise system is a system of the scientific method of laboratory trial and error to test out economic ideas. It replaced the scholastic systems in the science of economics which once dominated all societies and still dominate most. Economic decisions in these societies were being made by oligarchies rigidly selected and very limited in number. Many of these economic oligarchies were tied to the political governments which, in turn, were narrow oligarchies. In many instances the two oligarchies, political and economic, were composed of the same people. We have seen in modern times the interesting developments where the economic oligarchy has taken over the political government to establish what we refer to as a totalitarian state, and political oligarchies have taken over economic operations, usually oligarchies, to establish a totalitarian state. The product is the same. One we have called Fascist or Nazi; the other we have referred to as Communist.

Part of the freedom of the economic laboratory system stems from its separation from the political government. On the other hand, there are those who seem to argue that if the political government is government of and by the people, then economic decisions can be tested in the laboratory set up to test political ideas. I used the term "seem" to argue, because I don't believe those who argue for democratic socialism, which this described, have really thought through what they are advocating.

I submit that the political government has a vast area of its own to deal with and that a laboratory set up to test ideas in the field of political science is not well suited to test ideas in the field of economic science. Nonetheless, I believe political government has a very definite concern about what is being done in the field of economics, indeed in all fields of human endeavor. If the population does not have economic well-being or is not moving ahead in other areas of human welfare, the movement toward the goal of maximum knowledge and wisdom is considerably hampered.

Basically, however, I believe the political government best serves the purpose of economic advancement by preserving the laboratory system for testing economic ideas.

I have one other syllogism to advance, and then I can start getting down to specifics. I recognize that the scientific method of testing ideas by trial and error in the laboratory requires intelligent observation, of both the factors surrounding the experiment and the results of the experiment. The best scientists in the physical science fields where laboratory control is so much easier than in the social sciences still do plenty of arguing about the experiments themselves and what indeed were the results, but in the process of these disputes, which sometimes reach emotional peaks, I have never heard anyone suggest abandoning the laboratory method as the best way for achieving results over the long haul. Many times a new physical scientific theory has been laughed into the wastebasket by the "experts" only to have it pulled out, sometimes many years later, to be retested and then found to be right.

Yet I find people constantly talking in a way which would eliminate the laboratory system in the fields of political science, inadequately as it has been developed, because it is either slow or they feel they know the answers to progress in political science without testing them out. The same is true, if not more true, of attempts to eliminate the laboratory system in the field of economics.

I am now prepared to discuss the question, "How Should We Allocate Our Resources?" We should rely primarily on the laboratory systems to allocate our resources. We should never undertake to allocate our resources through a system which destroys or deters improvement of the laboratory system we have set up to test political ideas or the laboratory system we have set up to test economic ideas.

The title of Dr. Schlesinger's paper, "Consumer Sovereignty or National Power," suggests that the free marketplace as a tester of economic ideas is in conflict with national power. I fundamentally disagree. The free marketplace does reach its decisions based upon the collective judgment of the consumers of the society. It must be observed that consumer judgment taps pretty well the knowledge and wisdom existing within the entire people of the society. Where the process bogs down is in the area of limitations of freedom in the marketplace. This freedom is reflected in the extent that competition exists between materials, products, services, and economic ideas.

I suggest there is plenty of room for argument for people who believe in the free marketplace theory of economics over how the marketplace can be made a better laboratory. The Federalists are constantly attacking various aspects of the marketplace on the grounds that it is not free and, therefore, does not tap as effectively as it might the knowledge and wisdom of our people. However, let these Federalists come out into the open—are these attacks made on the basis that the free market theory is unsound and the system should be abandoned, or are they making these attacks constructively so that the free marketplace may be perfected?

I have many times made the point that there are two cornerstones to preserving a free marketplace.

1. Strong and adequately enforced antitrust laws.

2. Strong but democratically run labor unions.

Here is an area where much public debate can center. Yet, strangely enough, the Federalists have consistently opposed legislation designed both to improve competition and to strengthen the democratic precepts in labor organizations.

Taking the free marketplace theory, as I have defined it, I think it becomes obvious that national power, far from being in conflict with a reliance on the free marketplace,

is dependent upon the existence and perfection of the free marketplace for its strength.

It is certainly true that a society is faced with a serious problem when its very existence is subject to an attack, militarily or subversive, from the outside. Any society seeking to preserve its own system must be able to defend itself from outside attack. Providing for the national defense is a power granted in our society to the Federal political Government. This is a wise decision. The military defense of any society, however, is based ultimately upon its economic strength. This proves to be true throughout history, and it is even more true today. The issue then comes back to the point I have sought to establish. Over the long haul the greatest economic strength comes from maintaining the laboratory system for testing economic ideas.

Do the Federalists challenge this basic thesis? If they do, we must go back to debate this matter out. If they do not, however, then they agree that any decision of the political government to allocate more resources to the military defense of our country must be done with a regard for not damaging the basic economic structure of our society.

This does not mean that for temporary periods of emergency the political government may not step in to alter the allocations. Our society is set up on a basis so that the procedure can be followed. Both the political and economic laboratory systems provide this kind of flexibility. Indeed, in all of our wars, particularly World War II, the political government has stepped in to allocate resources. At the same time, however, these decisions made by the political government were wisely made in consultation with those in the economic field. By this process we make the goals for national defense as consistent as possible with preserving the private enterprise system throughout the war emergency. Indeed, in many respects, we have found that moving toward both goals can reinforce movement toward each one. There is no reason that the political government may not or should not be a "consumer" in the marketplace to contribute its knowledge and judgment of resource allocation to the laboratory process going on. It is only when the political government becomes such a large purchaser that it dictates the market decision, a question of the existence of the free marketplace comes into being. However, a similar question arises whenever any organized segment of our society dominates some aspect of the marketplace process. These questions cause constant concern to those who are seeking to preserve the free market laboratory and underlie much of the study and discussion that goes on in the field of antitrust legislation. I think it is interesting to note how both the fields of political science and economics are represented in the Antitrust Division of the Department of Justice—there are top lawyers and top economists in this Division.

In discussing in this general language national military defense in our laboratory society, I have been touching upon some of the most interesting subjects debated in the Congress the past 10 years. Let me mention a few: The draft law, the Military Unification Act, the Small Business Act, the renegotiations law, the McCormack-Curtis amendment to the Military Unification Act, the Atomic Energy Act, the Outer Space Agency Act, the issue over patents developed with Federal funds, the issue of the military in business, the question of negotiated contract versus advertised bidding in military contracting, the establishment of the GSA, the Federal tax law relating to depreciation schedules for capital goods, the Federal tax laws relating to expenditures for research and development.

Defense and other alleged emergencies have been used by the Federalist spokesmen as a vehicle to move the Federal Government further into the field of economics. However, even when the emergency argument falls by the wayside, it is strange to hear these advocates continuing to argue that the Federal Government, nonetheless, should operate in the new area. I can only believe that the Federalist position is really that better decisions can be made through politically controlled personnel systems rather than through personnel systems operating outside the Government. I believe just the reverse.

A specific reason I believe that in matters relating to economics we do a better job in the private sector of our society than we do in the governmental sector rests in basic differences in the personnel systems. Under the private enterprise system, economic wisdom brings economic rewards and economic mistakes bring economic pain. Therefore, business is stimulated to make correct decisions, to avoid mistakes and to correct them when they occur. A business which overbuys suffers just as a business which underbuys suffers. If the economic errors of a business are too glaring or too cumulative, the business dies and disappears from the economic scene and its place is taken by a business which has had a better economic batting average. In the political bureaucracy, however, there are not these automatic checks on the commission and rectification of economic errors nor, indeed, are there the economic rewards for exercising economic wisdom. The system of governmental employment is a very inadequate system of built-in conditioned reflexes to simulate pleasure for good decisions and to simulate pain for mistakes. There is very little synthetic substitute to encourage the admission of mistakes and the correction of them. Indeed, there is actually an encouragement to hide and bury mistakes. The only check or conditioned reflex to warn a government bureau against buying too much is the Federal budgetary process. This is, at best, a cumbersome and most inadequate system. Further, the personnel system of the political government has built in it a very definite handicap which by its very nature keeps it less efficient than the better personnel systems in the private sector. This built-in handicap is a necessary feature that, through it may be made less a handicap, can never be really eliminated. I refer to the provisions which keep our civil service from becoming a political spoils system. In protecting against persons being hired, promoted, and fired on the basis of political considerations, we have established rather rigid rules which make it quite difficult to fire incompetent people, difficult not to advance incompetent people, and equally difficult to advance rapidly unusually competent people.

One of the great things about competition in the private marketplace is that it can be, and frequently is, a competition between two different theories of personnel organization. In the process of this competition, new and better ideas for personnel organization are developed and adopted by others. There is no such competition existing in the governmental bureaucracy, and attempts to create it artificially have met with very limited success. Competition between the Army, Navy, and Air Force is not the kind of competition except in a few select spots which will produce these elements of healthy growth.

For the foregoing reasons, I believe we best allocate our resources in the long run through the operation of the free marketplace, through the competition that exists between men and groups of men with different ideas of how to do things economically.

I believe that the tremendous advancements made by our society in its history can be traced back to our building up and utilizing the free marketplace as the best method for testing economic ideas, just as I believe our political advancement came from the same source. I reiterate, however, that it is my belief we have become stagnant politically, particularly at the Federal level, and that we have been going backward instead of forward in this area for several decades.

I would like at this point to incorporate into this discussion a paper which I gave last Tuesday before the Governmental Research Association. The title of this address is, "Should Local Governments Look to Washington for Help?" I believe you will see in this paper the same theme I have been trying to develop here. It presents the debate from a different angle with reference to some specific issues of the day. It relates to our laboratory system to test political ideas. It raises the question of what has happened to Justice Brandeis' thesis to which I subscribe so basically, that the 48 States are 48 laboratories (now 50) to test political ideas? What do the Federalists of today have to say about the Brandeis theory, in view of their attempt to downgrade State and local governments and to concentrate more power in the executive branch of the Federal Government?

SHOULD STATE AND LOCAL GOVERNMENTS LOOK TO WASHINGTON FOR HELP?

(By Hon. THOMAS B. CURTIS (Republican, South St. Louis, St. Louis County), Missouri Second District, at the Annual Conference of the Governmental Research Association, Tiara Room, Park Plaza Hotel, October 4, 1960)

I always enjoy having a title for a speech picked for me, particularly when the title contains good negative and affirmative pregnants. In the process of picking out the overtones hidden in the semantics one sometimes can develop a much clearer presentation of the real issues involved. The title I have "Should State and Local Governments Look to Washington for Help?" is a beauty. It contains just about all the overtones a speaker could ask for.

First, I believe almost everyone believes that State and local governments should look to themselves before looking anywhere else for help. So one of the issues hidden in the title is whether the State and local governments have done everything they can for themselves and therefore are appropriately in a position to look to Washington for help.

Second, I think almost everyone believes that there are many areas which by their nature may be essentially State or essentially local and yet require coordination or direct action on the part of each other and on the part of the Federal Government. There is considerable room for discussion and debate concerning the balance between Federal, State, and local governmental action, and, may I add, action by private enterprise, in these areas. The essential point to drive home, however, is that it is not a question of black and white. I know of no one who wants to abolish the Federal Government on the theory that it has no place to play in the complex of our society. On the other hand, if there are people who would abolish State governments they are certainly in the minority and would not admit it openly and therefore we may assume for the sake of debate there are none. Certainly there are none who would abolish local governments. Therefore, lest I be caught in a semantic trap by the title of this address if I were to answer its question by saying "no," which is my inclination, I have to make it quite clear that I believe there are many areas where the Federal Government must and should act and if it failed to act State and local governments would be hard pressed to meet the obligations I believe they have. Insistence on the part of local and State governments that the Federal Government meet its obligations would not fit under the term "look to Washington for help." In these instances,

they would look to Washington for fulfillment of its obligations.

What I am trying to say is that a large part of the discussion before us should relate to the pros and cons of where Federal, State, and local jurisdictional boundary lines should be drawn from the standpoint of present efficient handling of our social problems with regard to future abilities to meet these social problems. If one of the three layers of government is not meeting its responsibilities based upon whatever is agreed as the best division of responsibilities I suggest that the question should then direct itself to the layer of government which is derelict to see what if anything can be done to redeem it.

I have set forth the ground rules for a discussion, now let me see if by applying these ground rules to specific issues I can make what I have been trying to get across clear.

Before doing this I want to get the whole situation of local, State, and Federal Government into better perspective. There has been so much loose talk about public squalor vis-a-vis private opulence, particularly by politicians with economic background that a good look at a few statistics is necessary. I am indebted to the excellent paper of one of your panelists, Dr. Roger A. Freeman, entitled "Tax Burden in the 1960's and the Means of Financing It" for getting this matter into better perspective. Dr. Freeman quotes an article in Harper's for July 1960 by Peter F. Drucker as follows: "This tremendous expanison of the local governments has gone more than halfway toward restoring the pre-New Deal balance between the national and local governments in the domestic field. It has made the local governments at least potentially the really dynamic, expansionist, innovating organs in American social policy." I believe the statistics support this statement. As Dr. Freeman points out the National Government share of all public revenues shrank from 79 percent in 1944 to 64 percent in 1959. Two other points from Dr. Freeman's paper "During peacetime State and local government, with all their much-vaunted disabilities, managed to expand their revenues at a more rapid pace than the National Government." "Two-thirds of the State legislatures raised taxes in 1955 and again in 1959. Counties, school districts, and other local governments have been pushing up their taxes, gradually and consistently year after year."

I must try to dispose of another misconception before moving to the meat of my discussion. The economic statistics completely belie the allegation of public squalor. Whatever indicator one would wish to take miles of highways, per capita, miles of sewer lines per capita, per capita number of homes serviced by sewage disposal plants, or miles of streams no longer contaminated, airport facilities per capita, parks per capita or usage per park, hospital beds per capita, medical facilities of all sorts per capita, classrooms per school population, teachers per pupil capita, the record of recent years in all areas of the public realm shows a magnificent growth rate. Furthermore, the quality increase in all of these areas of public domain is equally remarkable. There has also been a very healthy productivity increase of the worker in these areas which assure us in the long run of lower costs.

I find that each time I seek to set the record straight by responding to the critics of our affluent society they issue a barrage of non sequitur by alleging that I and those who hold my views by citing these figures showing progress are "complacent" and that we don't want more progress in these areas. This is completely false, of course. We certainly do not believe the United States is heaven on earth, although I will say it is the only society I know which has emerged from an economy of scarcity to an economy of plenty. As a result we do have some entirely new problems and new bases upon which the solution to these problems must be found.

I believe the best way to get increased growth or progress in the field of community facilities and education is to examine those communities which have progressed to see how they have met their problems and then examine those areas which have not progressed as well and see why they have failed to meet their problems. I recall at the time of the 1958–59 recession I was asked to be the Republican spokesman to address the "jobless" who had ridden, not marched, to Washington. I followed Senator JOHNSON, the majority leader of the Senate, who spoke in behalf of the Democratic Party. Senator JOHNSON said he was going to introduce a resolution immediately to create a joint committee which would go into the depressed areas of our country to see what was wrong. I rejoined that I thought a joint committee to look into the nondepressed areas to see what was right might be a more fruitful exercise in assisting the areas where things were wrong.

I might add neither Senator JOHNSON's resolution nor my suggestion were implemented because the recession had already ended; it was April 1959. Regrettably, as usual, the Congress with the pressure off addressed itself to other things. I still think the time to repair a roof is when the sun is shining and I regret that the subcommittee which has jurisdiction of unemployment insurance, of which I am a member, did not dig into the problems of present-day unemployment. I am certain we will find the best solution to depressed areas problems in improving the Federal, State unemployment insurance system rather than the direct approach which is contained in most proposals for Federal aid to depressed areas.

I want to call attention to an editorial appearing in last night's Post-Dispatch entitled "Encouraging Pollution Control":

"Missouri should give serious consideration to a proposal that it adopt an Illinois statute permitting mandamus proceedings to compel local governmental units to issue revenue bonds for sewage treatment and disposal.

"The proposal comes from the general counsel of the metropolitan sewer district, Charles B. Kaiser. Illinois has won national and even international recognition for its accomplishments in abating water pollution. It led the Nation last year in the amount of sewage treatment work under construction. Its antipollution laws have been adopted as a model by Japan. What are the legislative forces behind these brilliant results?

"The most telling force, Mr. Kaiser believes, allows the State water pollution board to apply to the attorney general for action. That official must then file suit in State court to compel municipalities or other local governments to issue the necessary revenue bonds. Illinois has used this power 25 times in the past 10 years. Its model statutes also provide that a governing body can issue revenue bonds without an election unless 15 percent of the voters raise an objection. If objection is raised, a simple majority vote decides.

"Some such force as the Illinois mandamus idea is probably going to be required to get things going in Missouri's worst problem spots. The job is estimated to cost more than $9 million in St. Joseph, $70 million in Kansas City, $60 million to $80 million or more in St. Louis. St. Joseph voters have twice rejected a bond issue and the U.S. Department of Justice has been asked to bring the first suit under the Federal Water Pollution Control Act against it. Kansas City is defying an order by the State water pollution board to issue no more sewer extension permits until it makes a start on a sewage program. St. Louis is so far best off of the three cities, though a year behind schedule.

"The Governor of Missouri will have a great deal to do with the way in which this large and growing problem is met. What do John M. Dalton, the Democratic candidate for Governor, and Edward Farmer, the Republican candidate, think of Mr. Kaiser's suggestions?"

I don't know what Mr. Dalton or Mr. Farmer have to say but I know what I have to say, as a Federal legislator, I say, "Hurrah, let's get to it."

The Federal Government has an interest in the subject of controlling water pollution even though it is essentially a local and State problem. The Federal Government's concern arises from its jurisdiction over navigable streams. The Federal Government is taking an active part in abatement of water pollution both from the standpoint of meeting its responsibilities as they relate to this basic jurisdiction, but also from the standpoint of serving as a gatherer and dissemination of information of what is being done in the area of water pollution abatement by the States and local communities and by the private persons and businesses.

However, the recent bills before the Congress on Federal aid to assist the States and local communities in combating water pollution would have the Federal Government directly help to finance sewage disposal plants and other facilities which many of us believe are more efficiently financed by the local governments.

Just what happens to the citizens of the State of Illinois who have moved forward to assume their responsibilities if the Federal Government steps in and provides moneys taken from Illinois citizens as well as other citizens to meet the problems of Missouri? Is that the way to encourage States and communities in the future to face up to the problems they are best suited to meet? I hardly think so.

The issue should be determined, not by whether Federal funds can help the laggards, but by whether the Federal Government is better suited to handle the problems than the State or local government.

Incidentally, I have a bill I introduced to help in the water pollution problem which I believe would help more than 10 times the amount of money proposed be spent directly by the Federal Government in this area. My bill simply provides that business may amortize more rapidly for Federal income tax purposes the cost of building sewage treatment plants to properly care for industrial and other wastes which pollute the streams. There is no question that there is a great cost involved in building these disposal plants and more businesses could and would build them if they had a more adequate way of financing them. My bill would provide a practical answer.

The point I am making, however, relates not to the merits of my proposal or the Illinois program as set forth in the Post-Dispatch editorial, but rather to the question of whether our society meets social needs and problems and how do we most efficiently meet these needs.

May I now discuss the issue of Federal aid to education, whether it be school construction or teachers' salaries or what, to get across a few points? Most Americans are of the opinion that education advances more surely and steadily in both quantity and quality by maintaining control of educational matters at the local level. Even those who have been advocating massive Federal expenditures to education give lipservice to this doctrine. The arguments for Federal aid to education have been placed on the basis of the alleged inability of the communities to cope with the social needs for more and better education.

In 1956 I voted for Federal aid for school construction, rather reluctantly, I might add. Let me tell you why I did. I felt we had an emergency situation which had been

produced by four rather unexpected and unusual developments: (1) During World War II we had built practically no new schools, so we hadn't even kept pace with the normal population increase through births. (2) We had a phenomenal baby crop during World War II. The birth rate has remained high to the near present, although quite recently it seems to be tapering off. (3) We experienced the rapid suburbanization which has been going on all over the country since World War II. Children moved out of interiors of cities and from rural areas into the suburbs so many school classrooms in existence were abandoned or not fully used. (4) We experienced a severe inflation which devalued the dollar.

The impact of heavy inflation on the real estate tax system was extremely damaging to education. The real estate tax system, of course, is the basic tax system for raising revenues for schools and local communities. The dollar expenditures in the budgets of the school districts rose with inflation; therefore, it became necessary to increase real estate tax revenues to make up for this increase. Real estate taxation is based upon a system of real estate assessment which in almost all communities is a continuing process without any built-in provisions for reevalution to reflect any fluctuation of the value of the dollar. Residences and buildings erected before 1946 had been appraised in terms of the pre-1946 value of the dollar. Residences and buildings erected after 1946 were appraised in terms of the inflated dollar. Any increase in the rate of real estate taxes, therefore, bore more heavily on the newer properties which already were being taxed inequitably because of the different dollar value with which they originally were appraised. Furthermore, the newer residences, by and large, were owned by the younger families who already were bearing the heavy cost of raising children and the heavy initial cost of starting a household. Increasing tax rates was a very difficult burden on the "little people," whom all politicians love.

There was only one real fair answer to the situation and this was a difficult job both mechanically and politically. The answer was to reevaluate all the real estate on the assessment books in terms of the new dollar. Many communities faced up to this difficult task and are now over the hump as far as this problem is concerned. Many communities have still failed to face up to the task and they are still experiencing difficulties.

I felt the Federal Government through its fiscal policies was largely responsible for some of the difficulty the local communities and school boards were experiencing right after the war. I felt that the danger to local control of our schools by the Federal Government assisting in meeting the emergency situation by providing funds for school construction until the communities could make the necessary adjustments was minimal if it were, by definition, temporarily tied to the emergency. Education to me is always an emergency. Kids are kids such a short time and temporizing with the problems of their education leaves us with untrained adults or possible juvenile delinquents which is real waste.

I was shocked to find some of the most stalwart supporters of Federal aid to education who claim they are not interested in getting the Federal Government into education on a permanent basis resisting the two amendments offered by those who went along with the emergency theory to be certain that it was temporary and did relate to an emergency. These amendments were: (1) To base the allocation of Federal money upon need rather than upon per capita student population. (2) To require matching funds on the part of the State and local governments. I can only conclude from the actions of these federalists that they sought to use the emergency as a device to get the Federal Government further into the field of education on a permanent basis. Why won't they argue their case openly? There is plenty of fair argument although I disagree with it that can be advanced in behalf of the Federal Government moving further into the field of education permanently. Let's start debating the issue.

Let me pose another problem that has created difficulties for some communities in meeting their educational and other problems. Many of our new residential suburbs have become what have been called bedroom communities. These communities failed to zone their municipality to permit industry, business, and sometimes even commerce and professions to enter. The result is that the entire tax base is the real estate tax on family residences. It requires a very wealthy community to finance education and community facilities on such a narrow tax base. Many communities have zoned themselves with a great deal more intelligence. Let me illustrate by a local community in St. Louis County almost nonexistent 10 years ago, now having a population of over 10,000, almost all in the medium income bracket—the village of Crestwood. Crestwood zoned itself with great understanding and care. A passing visit to the community would make one think it was just another bedroom community, so well have they zoned their industrial and commercial areas. Yet Crestwood derives 75 percent of its revenue from the tax on its industries and commercial enterprises. Crestwood has little or no bonded indebtedness and yet it has met its obligations for education and community facilities in a commendable fashion. Its residential tax rate is relatively low.

The pressures on the Congress to assist local communities and school districts largely come from those communities and districts which have failed to reset up their real estate tax systems to correct for the damage of the World War II inflation, which have failed to zone or rezone with care and intelligence, which have failed to consolidate with other districts or communities when they are in their very nature too small a base upon which to operate community facilities.

I pose this question. Just what effect does Federal aid to these grasshopper communities have on the ants—those who have faced up to their problems and responsibilities? Under the Federal tax system the ants who have already paid for their own facilities will have to assist in paying for the grasshoppers who have not paid and yet still have it in their power to pay.

I appreciate the argument of the Federalists who state that there are certain communities that do not have the ability to pay even if these corrections were made. For years I have been challenging that statement as it referred to alleged poor States, particularly States in the South. I have examined into the tax base and the industry of these States and I don't believe a case can be made for any one of them. They all have it within their abilities to meet their problems if they desire to do so. However, a real case can be made for equalization within a State, and I believe all States have equalization laws. The need for equalization laws, particularly for education at the State level, is rarely disputed anymore. Yet, here is where a great deal of improvement is needed to meet the problems of certain communities and certain areas within a State in our dynamic economy. There is a basic inability of certain areas to meet the costs of modern education and up-to-date sewage facilities, among other things. The Ozark areas of Missouri is an example. But Missouri with the metropolitan complexes of Kansas City and St. Louis is certainly in a position to handle the job.

Due to the racial problem we have many other areas where proper zoning has been thwarted. The communities where the problems exist are experiencing real difficulty in providing the facilities needed to meet the desired high standards. However, this is not really a cost problem. It is a difficult social problem and though some people may regard it as too difficult to handle, it still must be handled. Certainly, to pass it off as a cost problem, as we have done in many of our Federal housing problems, tends to aggravate rather than to relieve the problem.

The federalists argue that the States cannot meet these problems because of a built-in error in their political structure. They point to the unequal representation of urban areas vis-a-vis rural areas in the State legislatures. There certainly is this unequal representation, but an analysis of the development of America or any industrial society would reveal why this is so at any given point of time, and will continue to be so, unless our society stabilizes. America started out 90 percent rural. Today it is only 20 percent rural. Political institutions reflect what was, not what is, and we are always catching up with what is. I don't find it alarming to find representation on the basis of what was 20 years ago if I can be fairly certain that it will be modified although I, too, may become impatient with its slowness. Our entire history shows that we do modify our political structure to reflect the switch in populations. I regard this argument, to a large extent, as an excuse on the part of the federalists as to why States should not deal with the problems right at hand. Furthermore, reapportionment within the State so that representation catches up with population changes and shifts is fully within the power of the people, including the federalists who are people of the State to implement. States are constantly facing up to this problem and meeting it. I know of no States except our very newest which have not had reapportionment laws in their histories.

Let me revert to the problem of education to make another point. A great deal of the problems of the increased costs in education regrettably reflect the basic human resistance to change on the part of those who are in control of the institution which needs to grow. The NEA which has become a great lobby group for Federal aid to teachers salaries has to a large degree been responsible for the inability of communities to increase teachers salaries as much as we all would like to see.

First, the State components that go to make up the NEA have a stronghold, a stranglehold in some States, like Missouri, on the teaching profession at the primary and secondary school levels. College graduates cannot become teachers by passing examinations or meeting other reasonable standards; they can only become teachers if they go to State-run teachers colleges. The graduates of some of our finest private schools find it difficult, if not impossible, to become primary or secondary teachers in Missouri's public schools. This downgrades quality and productivity in the teaching profession itself. The Teacher's Union has been resisting for years the innovation of teachers' aids. By utilizing persons with lesser skills for the routine-type work connected with teaching, we could increase teacher productivity greatly and increase salaries within the present budgets for the competent teachers in the process.

The innovation of educational TV, which many top educators have hailed as being as great a revolution in teaching as the innovation of movable type was in the beginning of the 14th century, has also been resisted. I have heard professors, as well as secondary and primary teachers, present their objections to educational TV this way: "Does anyone believe that TV and visual aid can replace the lecture and the book?" This is

a false presentation. The printed book did not replace the lecture, but it certainly provided such an amazing supplement that it is difficult for us today to realize that the first academy had no books and was all lecture. So it is with educational TV. It will not replace books, or lectures, but it certainly will nobly supplement them. Through educational TV all our students all over the country can hear the best lectures of our brilliant teachers, not just a limited few—even after the teachers have died.

Just imagine the increased productivity in the teaching profession from the development of this new and amazing teaching mechanism and skill. I dwell on increased productivity because through increased productivity we can increase not only our quality of education but also the salaries of our teachers without the need to increase the budget.

There is another area of basic reform and progress which would permit us to upgrade education, both to increase its quality, extend it quantitatively, and lessen its cost. Presently we use our school plants and overhead only 9 months out of 12 months each year. The reason for this obvious uneconomic situation has its origin in another more basic social need which existed in the past, though it no longer exists today. We needed our children in agricultural enterprise 3 summer months each year.

Today we are no longer an agricultural society and there is no longer any reason for operating our schools in such an inefficient manner. I hasten to state that I am not talking about extending the school year for teacher and pupil from 9 months to 12. Perhaps for good educational reasons we may wish to keep the 3 months' leisure for the individual pupil and teacher. However, Dartmouth College has gone away from the traditional two 4½-month semesters to the three 3-month trimesters in order to lay the groundwork for four 3-month quarters each year. So our primary and secondary schools can easily do the same. We might have to air-condition our school buildings in order to utilize the summer months, but we would have more than enough immediate savings, let alone future savings, from this kind of efficiency to take care of these costs. Right off the bat we would have an easing of need for new classrooms. We would also have additional funds with which to pay teachers and increase their salaries.

By delving deeply into one of the areas where there are great pressures today for State and local governments to look to Washington for help, I have tried to point up my main thesis. Do they need help from Washington? Is the real help they need right at hand in analyzing and facing up to the problems that confront them? Have other communities faced the same problems and met them? I believe we must answer these questions first before there should be any looking to Washington for help.

On the other hand, there may be areas where the Federal Government should be doing a job. Let's look into this briefly. I believe the Federal Government has a big job to do in education which, by the way, it is doing to some degree. A failure of the Federal Government to do its job may indeed put the communities in a position not to ask for help, but rather, to raise cain because the Federal Government is not meeting its responsibilities. I think the Federal Government must be a gatherer of information and a disseminator of information about what is going on in education. In other words, if a local school board is thinking about an educational innovation and wonders whether it has been tried any place before and, if so, with what success or with what failure, the Federal Government should be able to supply the answer. I believe the Federal Government has a big job today, which it has hardly touched, of developing nomenclature for the skills that exist and are needed in our society and relating those skills to whatever training or educational processes there may be for creating and improving these skills. This is a continuing process and it is more difficult the more rapidly our society is advancing technologically. New skills come in, old skills become obsolete and of no social value. It is in this area that we should grapple with what is referred to as distressed areas. These areas are almost invariably areas where frictional or technological unemployment has hit a basic industry of the area. The greatest area of frictional unemployment today is our rural areas where the amazing technological advancement in agriculture has occurred so rapidly that millions of people who used to be able to depend upon their agricultural skills for a livelihood find that these skills have become obsolete and unneeded. One man and 1 acre can provide the food and fiber that five men and 5 acres formerly could provide. This continuing social problem would be handled admirably by tying it to our excellent Federal-State unemployment insurance system. We must relate frictional unemployment to retraining, rehabilitation and education and treat it as an essential economic cost of doing business.

Whenever I try to tackle this subject I feel frustrated. I have spent most of my time defining what I believe are the real issues and exposing those which I believe to be false issues. In this process I end up finding I have had little time to debate that which I would love to debate—at which level of government do we best handle these various social problems we have placed in the public sector of our economy? This kind of debate can only come about when we have eliminated the stagnation which today exists in public discussion. This stagnation arises when one school of thought alleges that only that school is interested in meeting the social problems of the day and those who are in disagreement with the proposed solutions are thereby uninterested in the problems or are so blind or calloused that they are unaware of the problems. I would also call for a cessation of the kind of discussion which emanates from the other extreme group which dubs any suggestion of the Federal Government doing this or that as "socialism." I must confess that my sympathies are much more with those who utter the cry "socialism," because this term at least has a dictionary definition which we can refer to for intelligent debate and accurate rebuttal. And, indeed, a further expansion of the Federal Government can rightly be called "socialistic," however, not with the nasty overtone that the user of the word frequently seeks to impart.

May we start discussing the questions of the part the Federal Government is playing, should play, or might play in various areas of the public domain from the standpoint of efficiency in getting the job done with proper regard for retaining the necessary posture to meet the continuing aspects which most social problems present. May the day soon come when we can begin this type of adult discussion. Too long have we been in the never-never land of TV westerns, the good guys against the bad guys.

So much for that. And now, if I may come back to the main theme. I believe the best way to evaluate how we should allocate our resources is to examine into how we have allocated our resources through the process of the laboratory systems for political and economic decisions in the past.

Without being complacent it can be said as a matter of fact that we have broken all records for any society in history in economic areas, judged by any economic indicator we possess. We have been the first society in history to have to concern itself with an economy based upon economic laws that relate to plenty, rather than to scarcity. We have an economy measured in gross national product in 1960 which is over $500 billion. This progress has not tapered off in the past 8 years. It has continued apace. In 1952, when the Federalists lost control of the executive branch of the Government, the gross national product was $347 billion. An unfortunate debating technique used by the Federalists to bolster their arguments has been the misue of statistics and semantics. In the area of semantics, the Federalists have introduced into national debate without accurate definition the question of economic growth. They have sought to relate the question of economic growth to the Eisenhower administration, which sought to solve social and economic problems with more reliance on the private sector of the economy and with less reliance on the Government sector.

Economic growth is usually measured by the gross national product economic indicator. An analysis of this indicator measuring goods and services produced annually reveals that as a measuring stick of growth it has serious limitations. It measures activity but it does not measure economic capacity, and it overemphasizes physical growth at the expense of growth in knowledge in better organization and in improved human skills. Furthermore, this measure of growth, because of other limitations, is of little value applied to short range periods.

Our overall economic growth in the United States over a period of the last 100 years has been about 3 percent a year. Taking the period 1953–60, which is a political period rather than an economic period, we find that the growth rate measured by gross national product has averaged more than 3 percent a year. Taking the period 1945–52, which is also a political period, when Harry Truman was President, the growth rate measured by gross national product figures unadjusted for changes in dollar value was practically nil—$340.1 billion in 1945 to $347 billion in 1952. These figures I have quoted are not only not economic figures, being related to political events rather than economic events; they are also rigged figures in that they do not accurately reflect adjustment for the change in the purchasing power of the dollar. But they are illustrative of the improper kind of economic statistics the Federalists have been using to try to demonstrate the opposite economic picture, that there has been inadequate growth during the recent period of the Eisenhower administration and that during the Truman administration there was a period of good economic growth.

I believe any fair economist will say that there is not much that can be proved either way by this kind of operation. I do believe, however, we can say with assurance that our economy has flourished handsomely over the years of our Nation's existence and that there is no indication of its tapering off.

The Federalists have resorted to another form of trickery in relating our economic growth without first having a meaningful discussion of how we measure economic growth to an alleged massive economic growth in Soviet Russia. This ploy is used partly to scare us into having the Federal Government act to meet various alleged emergencies; it also forms the base for some rather preposterous suggestions that we should set a national goal of a certain annual growth percentage, such as 5 percent. Furthermore, using Russia as a bogeyman has a very dangerous overtone. The overtone is that Russia, which has used the central political government to allocate resources, has done a better job than we have under the private enterprise system and under democratic government.

I recognized this thesis as it began to be unfolded a few years back by persons whom

I have learned to recognize as spokesmen for the Federalist Party. With this in mind, I stimulated the Joint Economic Committee of the Congress to hold extensive hearings into the subject of Russia's economy vis-a-vis that of the United States. The study papers and hearings on them were completed about 18 months ago. I believe this study stands as the best study made on this subject to date. In spite of my insistence that the committee issue a report on the basis of this material, no report has been made. Was no report made because the assembled material demolishes as unfounded the arguments the Federalists had been advancing about the prowess of the Russian system and its achievements?

The studies showed, in my judgment, if anything, that what progress Russia has been making, and they have been making commendable progress, stems to a large degree from its partial freeing the economic endeavor of its society from political domination, its abandonment of the Marxists' economic theories and its adoption of many of the techniques peculiar to and rather basic in the private enterprise system, to wit: the introduction of incentives through pay differentials and rewarding abilities and application in other economic ways.

The studies reveal that, far from communism about to bury the private enterprise system, the private enterprise system is burying communism.

The economic growth figures of Russia, even if they were reasonably accurate, and the studies indicate they are not, are not greater, even disregarding the smaller base from which they start, than the growth figures in Western Germany, France, Britain, the Benelux and Japan. This fact leads me to the theory that we have witnessed a peculiarity and limitation of the GNP indicator. When an industrial country which has suffered severe war damage to its industrial plants rebuilds, the GNP indicator registers this economic activity in a pronounced fashion. Great sums of moneys spent as we have been doing in recent years in research and development, and in education and training, from which come future growth show up very poorly in the GNP indicator of the years these moneys were spent.

One final point about economic growth, and I shall have time only to mention it, not develop it. Economic growth has attendant economic costs. The more rapid the growth, the more frictional unemployment increases. Rapid economic growth creates social problems by making human skills obsolete, and cost problems by making plant and equipment obsolete. Economic growth depends upon prior capital expenditures in research and development and in education. It requires new capital to build the new plants and pay for the new equipment. It requires new capital to train people in the new skills now in economic demand. Today in America it requires on the average about $20,000 of capital investment to establish one new job.

The economists generally refer to three goals for a good economic system—maximum employment, price stability, and economic growth. The three goals depend upon each other and yet in many respects they impinge upon each other. However, we have learned that to move toward all three goals we cannot sacrifice one for the others. Those who have interjected the subject of economic growth into national debate have done so unfairly by ignoring the two other economic goals upon which future economic growth rests and by failing to point up the grave limitations we have in a series of economic statistics to measure growth.

I believe that in the economic laboratory system which I have been describing there is a time and a place for a group of knowledgeable and wise persons to step in from time to time to say: "Here it looks as though we have proven a truth about a new way to do something. Let's start applying that truth generally." I can see where political leaders, from time to time, can properly and effectively follow that process, and be the wise persons. But I would observe that the economic laboratory system is such that any group of persons in whatever line of endeavor at any time can try to put an economic truth learned into general operation. The political government on many occasions seems to be the better place to exercise that kind of judgment. Furthermore, in certain respects, the Federal Government is set up to do just this kind of job. But a central government can do this job effectively only through a political system which in itself is maintained as a laboratory system.

I would be happy if public debate were directed to these areas where it is claimed that we might presently have enough wisdom in our society to call a halt to a testing process and put a new idea into general effect. I have many ideas of areas in our social system where I think the political government at the Federal level might be doing that.

Before we can engage in this kind of debate we must be certain that we are talking with a common purpose. We must resolve the present debate of whether we wish to keep the laboratory systems. Once there has been a reassertion of faith and understanding in both the democratic process in political science and the free enterprise process in economics, then we can enter these debates.

Our society has been composed of a private sector and a governmental sector trifurcated into Federal, State, and local governments. The Federal political government is only one of the tools or mechanisms our society possesses for allocating our resources.

The Federal political government is not "we"; it never has been "we." "We" must always remain comprehensive, our full society, we, the people.

BILLS ON EDUCATION

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. MARTIN], may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. MARTIN of Nebraska. Mr. Speaker, I think the House should be informed of the steamroller tactics used in the Education and Labor Committee this morning in reporting out two education bills.

One, H.R. 8890, provides for assistance for school construction for public schools, plus extension of the National Defense Education Act for 1 year. The other bill, H.R. 8900, provides for assistance and construction of buildings for colleges and universities. The formula adopted for the public school bill is based on total population of the State, rather than on school population. This is contrary to the formula heretofore used.

I wish to report to the House that the gag rule was placed upon the committee. The bill was considered as read and open to amendments. These bills had only been placed before us this morning, and we were not allowed to even study the provisions of the two measures. Further, a motion was made that all debate was to cease within 1 hour and 15 minutes in order that the bills might be reported out by the committee. I understand that it was necessary to get these two bills out before 12 o'clock so that one of them could be brought up before the House tomorrow on Calendar Wednesday.

Due to the extreme importance and the content of these bills, I hope that the House will reject both of these pieces of legislation because of the manner in which they have been presented to us.

THE VETERANS HOSPITAL RADIO AND TELEVISION GUILD

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. LINDSAY], may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. LINDSAY. Mr. Speaker, on two past occasions Members of the House of Representatives have had the humanitarian and constructive activities of the Veterans Hospital Radio Guild brought to their attention. For the benefit of my colleagues I would like to review again the activities of the Veterans Hospital Radio and Television Guild, as it is now called, or the "bedside network," as it is more familiarly known.

This group, composed of more than 400 professionals from every branch of show business, literally transforms the bedsides of thousands of hospitalized veterans into the studios of a radio and television network for several hours each week throughout the year—not for the purpose of exhibiting their own talents and thereby providing incidental entertainment and amusement for the patients, but rather to bring out the talents of the patients, themselves, thereby instilling them with confidence in their own abilities—and with that confidence, a greater desire and interest in getting well.

The Veterans Hospital Radio and Television Guild is a nonprofit organization. It provides directors, engineers, sound effects technicians, actors and actresses, and musicians, all of whom participate on a voluntary basis, sending them on regularly scheduled, year-round, weekly visits to Veterans' Administration hospitals located in, or near several of our major cities, including, New York, Boston, and Pittsburgh. These individuals provide the direction and technical assistance to enable patients in these hospitals to produce their own television and radio programs, which are tape recorded and subsequently broadcast over the hospitals' closed network facilities for the entertainment of tens of thousands of other patients.

In addition to providing the voluntary personnel to make these regular visits to the hospitals, the therapeutic value of which, I may say, has been attested to by outstanding authorities on rehabilitation including the present and several of the past directors of the VA's Psychiatric and Neurological Service, the Veterans Hospital Radio and Television Guild supplies such necessary equipment as tape recorders, sound effects, sound

effects records, recorded theme and background music, and song albums. Also, the Veterans Hospital Radio and Television Guild supplies script-kit service to more than 100 other VA hospitals throughout the country for the use of the recreation departments of those hospitals in providing similar activities for patients in locations where the guild does not have volunteer affiliates.

This year of 1961 begins the 14th successive year during which the Veterans Hospital Radio and Television Guild has carried on this service for the benefit of Veterans' Administration hospital patients. During that time, its service has expanded steadily from 26 trips in 1948 with 571 patients served to 4,187 trips in 1960 bringing the benefits of Veterans Hospital Radio and Television Guild activities to 180,837 hospitalized veterans. And all of this has been accomplished on a minimum budget of less than $1,000 per month and with the aid of only two salaried employees.

Veterans Hospital Radio and Television Guild has been fortunate in the fact that many other veteran-minded organizations have provided help in very practical forms. Because they have recognized the great value of Veterans Hospital Radio and Television Guild activities, the American Red Cross regularly provides transportation to carry Veterans Hospital Radio and Television Guild teams on their hospital visits. The Advertising Men's Post No. 209 of the American Legion; the American Society of Composers, Authors, and Publishers; Broadcast Music, Inc.; and the Radio and Television Executives Society have made major contributions, both financially and in terms of services. In addition, Veterans Hospital Radio and Television Guild has received financial support from many foundations and business firms, especially those affiliated with the broadcasting industry such as the networks, themselves; the unions which operate in the field; individual radio and television stations, and many advertising agencies. Indeed, a substantial number of CBS, NBC, and ABC executives serve as volunteers, as members of the Veterans Hospital Radio and Television Guild board of directors and on its advisory board. Also represented on our board of directors and our advisory board are executives of Actors' Equity, American Federation of Radio and Television Artists; Screen Actors Guild; National Association of Radio and Television Broadcasters; as well as members of the organizations previously mentioned.

It is a fact however, that although the Veterans Hospital Radio and Television Guild is a national organization, providing services freely to patients in Veterans' Administration hospitals throughout the country, that most of this organization's public support comes from the area in, and near to New York City. It is also a fact that there is a great demand for Veterans Hospital Radio and Television Guild services in many more Veterans' Administration hospitals than it is presently possible for the organization to serve in terms of its present resources, and that many of the hospitals presently served would like to have Veterans Hospital Radio and Television Guild services expanded to the benefit of more patients.

To make possible the collection of resources through which the Veterans Hospital Radio and Television Guild will be able to increase and expand its activities for the benefit of more and more veterans who have become patients in Veterans' Administration hospitals because of disabilities resulting from their service in the Armed Forces, the organization plans to carry on an annual fundraising campaign, during which period it plans actively to seek contributions from the public—individuals as well as organizations.

The Congress can manifest its support of all organizations interested in alleviating the plight of patients in our Veterans' Administration hospitals by enactment of my bill, House Joint Resolution 468, designating a 7-day period beginning November 5 and ending November 11 as Hospitalized Veterans Week. The President would be authorized and requested to issue a proclamation calling upon individuals and organiaztions to improve the welfare of such veterans, to devote their efforts during such week to the promotion of the interest and support of all the people of the United States for activities designed to improve the welfare of such hospitalized veterans.

It is my sincere hope that all Members of Congress will support the passage of House Joint Resolution 468, declaring the week of November 5 through November 11, annually, to be Hospitalized Veterans Week. Certainly, there is nothing we can do that will cost us so little, yet give so much to those who have paid the price of maintaining our freedom and institutions with their physical and mental health.

THE METROPOLITAN OPERA

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. LINDSAY] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. LINDSAY. Mr. Speaker, all of us should be gratified and relieved that the Metropolitan Opera of New York can go forward and schedule its 1961–62 season. It is appalling that the possibility existed that the Metropolitan Opera would close this fall and winter because of the inability of management and the Musicians Union to agree on terms. If this season had not been programed, I firmly believe that it would have been the end of Grand Opera in New York, and the Nation would have suffered irreparably. New York is the art center of the country. My own congressional district has within it not only the Metropolitan Opera, but also City Center, Carnegie Hall, the Broadway theaters, the annual concert series sponsored by the Washington Square Association, and other landmarks that have so long contributed to the greatness of New York.

But we stand in danger of losing much of this, largely thanks to the neglect and lack of concern of the New York City government. I have sponsored formal legislation to establish a Federal Arts Council. The bill has been reported out of committee and I trust the leadership will schedule it without further delay. I have pressed for legislation, which I have introduced, to abolish the 10-percent Federal admission tax on theater tickets for live dramatic arts. New York City should abolish the local tax. These measures are designed to help create conditions under which art can flourish in this country.

Last week, as the deadlock over the Metropolitan Opera wore on, I sent the following telegram to the Secretary of Labor, the Governor of New York, the mayor of the city of New York, the president of Local 802, American Federation of Musicians, and the president of the Metropolitan Opera Association:

> It is of foremost importance to the country that the 1961–62 Metropolitan Opera season be saved. The Metropolitan is located in the congressional district that I represent and I am deeply concerned over the refusal of the parties involved in the dispute to come to terms. The loss of the coming season may well spell the doom of opera in New York City. The rest of the country is incredulous that this should be allowed to happen. Representatives from all other countries around the world who are interested in and have admired American culture are shocked beyond belief. New Yorkers are being asked to contribute funds for a new opera house in Lincoln Square which is an important step forward but the present deadlock in the Metropolitan certainly will severely prejudice this effort.
>
> The Metropolitan closing highlights the need for long-range Government action toward the creation of conditions under which the arts can flourish in this country. I have long pressed for Federal legislation toward this end. Meanwhile, however, the executive branches of local, State, and Federal governments have a mutual interest and obligation to intervene effectively and immediately in the present crisis.
>
> I should like to offer my time and the services of my office toward the resolution of this problem. I recommend the calling of a meeting at the earliest possible moment in Washington to be attended by representatives of the New York State and city governments, the Federal Government, representatives of the Metropolitan and local 802, and myself as the representative of the district in which the Metropolitan is located. The closing of the 1961–62 Metropolitan Opera season will cause irreparable damage to the future of music in America and to our role in the world as an advanced and cultured people.

In answer to my telegram the Secretary of Labor notifed me by letter that he would keep me advised.

Subsequently, I learned that a meeting was scheduled in the Secretary's Office, with all interested parties, for Monday, August 28.

The Secretary held the meeting yesterday and I am deeply gratified that a good result, at least temporarily, was achieved. I regret, however, that the Secretary did not respond, even to the extent of returning a phone call, to my telephone request to be present at the meeting as the representative of the district in which the Metropolitan is located. However, this is simply a matter

of courtesy and statesmanship which, although distasteful when lacking, has nothing to do with the merits of the matter or the important objective that we all have foremost in mind, which is the ultimate settlement of this problem.

The Metropolitan Opera must not only continue, but must grow and flourish. It is the continuing responsibility of all three branches of government to see to it that it does.

STOCKPILING SUGAR FOR EMERGENCY

Mrs. MAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. MAY. Mr. Speaker, today in Colorado the U.S. Department of Agriculture is holding a hearing preparatory to the imposition of acreage restrictions on domestic sugarbeet growers in 1962.

Following is the letter which I sent to Secretary Freeman on August 18, giving him my views of this action:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 18, 1961.

The Honorable ORVILLE L. FREEMAN,
Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: It was with profound regret that I have noted that the Department of Agriculture has found it necessary to seriously consider reimposition of sugarbeet acreage restrictions for the 1962 crop. I not only speak as an individual Member of Congress, but as a member of the House Committee on Agriculture. You will recall that House report of March 14 of this year, accompanying H.R. 5463, to extend and amend the Sugar Act, states, "It is the committee's hope that the Secretary will not find it necessary to reimpose sugarbeet acreage controls during the life of the interim extension of the act reported herein."

It is my view that with the international situation as it is today, it would be wise for the United States to produce all the sugar that our Nation is capable of producing, rather than actually reducing domestic sugar production. By loss of Cuba to communism, the United States has also lost about 30 percent of its former sugar supply from this source. Other international developments, such as the alarming situation in Berlin, leave little doubt of the possibility that we soon may not be able to count on many of our present foreign sugar sources as suppliers of our domestic sugar requirements. I am sure that you had these facts in mind when you recently announced that the administration would favor expansion of sugarbeet acreage for domestic producers next year.

I am certain you must agree with me that the Sugar Act, as it is presently written, has largely resulted in the paradoxical dilemma that we find ourselves in today. The Sugar Act must, of vital necessity, be rewritten and extended over a sufficient number of years to insure that American consumers receive an adequate supply of sugar at stable prices.

Although American sugar producers have not been allowed to participate in the reallocation of the former Cuban quota, the United States today finds itself in a position of facing an oversupply of sugar. The reasons for this seem to stem from the fact that last December the Agriculture Department estimated domestic sugar consumption requirements for 1961 at 10 million tons, 9,950,000 tons of which has been allotted. It is now generally estimated that sugar consumption this year will not exceed 9,550,000 tons. In other words, U.S. sugar consumption will probably be about 400,000 tons less than has already been allocated.

Of immediate concern, therefore, is determination of steps to be taken which most equitably and effectively will correct the present situation.

I suggest, Mr. Secretary, that the Department of Agriculture immediately notify the foreign countries to whom the Cuban windfall has been allocated that until further notice only 90 percent of their allocations may be imported into the United States. This approach, which has been recommended to you by the U.S. Beet Sugar Association, seems to be the most practical and equitable way to proceed under the provisions of the Sugar Act as it is presently written.

This suggestion is made in lieu of what might be considered the easiest solution under more ordinary conditions. This is to merely reduce the Government's estimate of consumption requirements, which would reduce all suppliers to the U.S. market by an equal percentage. An overall quota cut at this time, however, would result in the domestic sugarbeet growers having to absorb 55 percent of the cut. Because the beet industry has received none of the Cuban windfall, it would be completely unfair to put 55 percent of the burden on our American sugarbeet farmers. Cuban windfall countries should bear the burden of the presently needed quota adjustment.

Secondly, I believe it is absolutely imperative that the executive branch of our Federal Government announce a firm policy which answers the often asked question of whether the interests of American producers come first or whether precedence is to be given to the foreign recipients of the Cuban windfall. The executive branch of the Federal Government surely is aware of the willingness and ability of American farmers to fill a part of the Cuban windfall. Certainly the executive branch is aware of the fact that many potential builders of new sugarbeet processing factories have asked only for legislative assurance that they may proceed with the expectation that they will be able to contract for crops to process. The value of this assurance to the Nation's agricultural economy is obvious.

Mr. COOLEY, chairman of the House Agriculture Committee, has stated that he will proceed with the processing of new sugar legislation following announcement by the executive branch of its sugar policy. Determination of such policy should be made and announced without further delay because circumstances demand immediate attention to this problem. New sugar processing factories cannot be built overnight, although our foreign and offshore supplies could be cut off without warning at any time.

Our Government owes at least this much, not only to the American farmer, but to all of our citizens as well.

Sincerely yours,

CATHERINE MAY.

Mr. Speaker, instead of attempting to limit domestic production of sugar, a vital and necessary food, we should be striving mightily to increase production. We are in the midst of a worldwide emergency. No one knows what the situation will be tomorrow, or even an hour from now. These are explosive times. We should be prepared for any emergency, not only on the far-flung military fronts of the world, but also on the home front; not only by stockpiling weapons of destruction, but also by stockpiling foods for survival.

We have started to do that through developing procedures for stockpiling wheat—moving it to possible centers of distribution.

We should also stockpile sugar. Sugar is our most palatable high-energy food. It makes other foods edible. All that wheat, for example. Our bread, our breakfast cereal, virtually any food you can mention, is made palatable by the addition of sugar.

It would be a relatively simple matter to establish stockpiles of sugar, in scattered parts of the Nation. It could be packaged in 1-pound and 2-pound moistureproof packages, with present packaging machinery. The packages could be labeled something like, "Property of the U.S. Government—Not for Sale," and stored indefinitely. With a few simple precautions, sugar can be stored for many years if necessary—without spoiling. Sugar is not classed as a perishable commodity. It lends itself ideally to such storage.

Such a program would assure our citizens of ample quantities of this high energy food, placed in strategic places, for distribution by the Government only in case of dire national emergency. With the proper regulatory safeguards, providing that distribution would take place only in case of such emergency, sugar thus stored would not be "hanging over the market" because it would never enter the market. Thus it would not have any adverse price effect.

How much sugar should we store? Let us do a little figuring.

Our present annual rate of consumption is about 100 pounds per person. About 65 percent of this now is used in prepared foods—such as bakery bread, cake mixes, soft drinks, and so on. The balance, about 35 pounds per year, per person, is used in the home as sugar. In case of an atomic attack, we could expect our basic commercial food distribution system to be inoperative for at least 2 weeks—perhaps much longer. Thus, we should provide in our stockpile enough sugar to meet the full sugar needs of our people for at least 2 weeks—perhaps longer. Because of its importance as a high-energy food, a full supply will be extremely necessary. That will mean about 2 pounds per week per person. Our present population is in the neighborhood of 180 million persons. For each week's stockpile, then, we would need 360 million pounds. To put it another way: For each 1,000 persons we would require 1 ton of sugar per week. A 1-week supply for the entire population would require 180,000 tons of sugar, and a 2-week supply would require 360,000 tons of sugar.

This year, under our present sugar law, we shall have available for the U.S. market nearly 9,950,000 tons—nearly 10 million tons—of sugar. Our actual consumption will be only about 9,550,000 tons. The extra 400,000 tons or so may destroy the sugar market near the year end, when much of it will be coming in from foreign nations.

Thus, it would seem that this year would be the ideal time to stockpile sugar, a vital and necessary food, for national emergency, and at the same time relieve the domestic sugar market from a depressing situation which our present sugar law is presenting.

DISPERSED INDUSTRY

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. McINTIRE] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. McINTIRE. Mr. Speaker, in these days of grave national concern over our future, we have sought to disperse at least some of our industrial production so that should a portion of our industrial might be destroyed in one part of the Nation, other portions in other parts of the country may be spared and would be able to continue production.

We should have the same concern about dispersal of our production of vital food products—for in dire national emergency, the first problem of the surviving population will be to obtain the food it needs to sustain life, and our first rebuilding problem will be the rebuilding of the facilities to provide food for our people.

It seems the height of folly, then, that we should, at this serious juncture in our Nation's history, promulgate regulations which would limit and even reduce production of a vital and necessary food by an industry which is already widely dispersed—and, in effect, encourage processing of an identical food by processing plants that are in an exceedingly vulnerable position in the event of enemy attack.

The beet sugar industry is a dispersed industry. Sugarbeets are produced in 22 States—from Michigan and Ohio on the east, through the fertile Great Plains and the high plateaus of the Rocky Mountain States, on to the great Pacific Northwest and the State of California. Beet sugar processing plants—there are more than three score of them—are located in 15 States, spread over wide areas, again from Ohio and Michigan to cities in Wisconsin, Minnesota, Iowa, Nebraska, South Dakota, Colorado, Wyoming, Montana, Idaho, Utah, Washington, Oregon, and California.

The dispersal of beet sugar factories is shown by the tabulation of the number of factories in each of the States I have named, and the daily sugarbeet slicing capacity of those factories, which I insert in the RECORD at this point:

State	Number of factories	Daily capacity (tons of beets)
California	10	30,350
Colorado	13	26,750
Idaho	5	15,900
Minnesota	4	12,150
Nebraska	5	9,500
Montana	4	9,350
Utah	5	8,750
Michigan	5	8,100
Washington	2	7,450
Wyoming	3	5,900
Oregon	1	4,500
Ohio	3	3,950
Iowa	1	1,900
South Dakota	1	1,800
Wisconsin	1	1,100

Nearly all of the factories are in small towns outside the anticipated fallout range of centers of population. For example, in Colorado, beet sugar processing plants are located in Rocky Ford, Brighton, Eaton, Fort Collins, Fort Morgan, Greeley, Longmont, Loveland, Ovid, Sterling, Windsor, Johnstown, Delta, and Sugar City. Other States available, see green pages of "Beet Sugar Handbook."

In contrast to the wide dispersal of the domestic beet sugar industry, the cane sugar refining industry, which refines virtually all the foreign sugar which under the present law supplies such a huge part of our market, is concentrated principally in the large seaports of our Atlantic and gulf coasts. Only one cane sugar refinery is on the west coast, and even it is near the great Mare Island Navy Yard, a prime target in case of enemy attack.

Now there are many areas outside the present sugarbeet producing areas that want to begin large-scale production of sugarbeets and the erection of sugarbeet factories. There are people seriously interested in erecting additional factories in States that now have none—including Texas, New Mexico, Oklahoma, Kansas, Missouri, and Maine. We should enact legislation that would encourage such further dispersal of this vital food industry. We should amend the present law, if its effects are not only to prevent such expansion but even to further restrict the present industry.

SUBCOMMITTEE NO. 3 OF THE COMMITTEE ON BANKING AND CURRENCY

Mr. RYAN. Mr. Speaker, I ask unanimous consent that Subcommittee No. 3 of the Committee on Banking and Currency may be permitted to sit tomorrow during general debate.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

SUBCOMMITTEE ON ACCOUNTS, COMMITTEE ON HOUSE ADMINISTRATION

Mr. RYAN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Accounts of the Committee on House Administration may be permitted to sit during general debate on Thursday next.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

POWER WITHOUT WISDOM—CHAOS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 10 minutes.

Mr. STAGGERS. Mr. Speaker, "Phoebus, with thy darts avenge our tears." Thus invoked the Greek leader as his army was unsuccessfully assaulting the strong bulwarks of Troy. Phoebus was the god of light, the god of understanding and wisdom. For years the Greeks had employed every resource of human power to overthrow the citadel, and all in vain. The city still stood, as invulnerable as it was at the beginning. Now was the time to summon a new resource to come to the aid of the suffering Greeks and bring an end to their frustrations and grief. They appealed to wisdom. Your recollection of the ancient legend reminds you that the result was the construction of the Trojan horse and the final downfall of the city. It was a triumph of mind over matter, of ingenuity and wisdom over naked force.

The affairs of the world today are in such disorder that we may well repeat the invocation preserved for us by Homer. The 20th century dawned with the brightest prospects for the advancement of human welfare the world has ever seen. Agencies were being created and supported to promote international understanding and the settlement of disputes without bloodshed. Scientific discoveries and inventions were multiplying the instruments needed to meet human temporal wants. Good will and tolerance and sympathy seemed to be replacing the old sentiments of enmity and greed, not only in the minds of individuals but also in the collective councils and decisions of government. For instances of the latter, we could point to the action of Western nations in the Chinese Boxer uprising, to the settlement of the Boer War, to American action in Cuba and the Philippines after the Spanish War. In the United States especially signs of the growing humane disposition were as evident as they were gratifying.

To a boy born about 1900 in the United States, the coming generation must have seemed a period of unbelievable hope and serenity. Suddenly a pistol shot at Sarajevo broke the spell. Since that explosion violence has succeeded violence in an ever-increasing tempo, and all the vices that man seemed about to conquer have been let loose again to rage over the face of the earth.

It is not necessary to list either our domestic problems or our foreign problems to show that the use of force to gain our ends is becoming accepted in ever-widening areas of life. And our difficulties are increasing rather than decreasing. A commentator recently stated that the difficulties of this national administration are infinitely greater than those of the last administration, and that those of the next President, whoever he may be, will be still greater. The weapon which we instinctively grasp to fight difficulties is power. A request from the President for more money to create more military power met with overwhelming public support and a near-unanimous vote of the Congress. Almost any other proposal encounters delays, objections, reservations, and general dissidence.

Sir Francis Bacon reminds us that God created the heavens and the earth in an instant. The act of creation was an act of power. The product of creation was chaos—"without form and void," says the Book. The job of straightening up the mess belonged in a different category. It took God 6 long days of hard work to put order, system, and regulation into the universe which He had created in a moment. We are justified in saying it was hard work, because at

its conclusion God rested, the only recorded instance of such a procedure on the part of Deity. Each separate step of the process of organizing the universe called for deliberation over needs, actions toward specific ends, and judgments of final results which were not accepted until the product could be pronounced "good." This was an exercise of wisdom, which demands far more time and effort than an exercise of power. But it succeeds where power fails. So far as observation and revelation go, God has not needed to alter the original arrangements. It is reported that on a few occasions He was displeased with certain outcomes. But His displeasure did not go to the extent of making fundamental changes in the operation of natural forces.

There is no necessity to disparage the importance of military power in our national life. We need it, unquestionably, to save us from the imminent danger of being overflooded by the primeval chaos represented by a malignant enemy. For communism is indeed a return to original chaos, as is evident from a consideration of any area in which it has operated. No part of its techniques is concerned with constructive action along lines which the wisdom of the ages has demonstrated to be effective. It uses science to increase power, and it uses power to destroy. It would destroy us if there were not sufficient power in opposition to ward off the challenge. But we need wisdom to build up where communism would tear down, and sufficient wisdom for that desired end has not yet been uncovered. Many procedures have been proposed and a number of them have been tried. The pragmatic test of success shows all of them to be insufficient. A higher and greater wisdom must be sought and applied. Where is that wisdom to be found?

The story is told of a philosopher, who, while he gazed upward to the stars, fell into the water. Had he looked down, he might have discovered the stars in the water; but looking up to heaven, he could not see the stars in the water; for mean and small things often discover greater ones, better than the great can discover the small. The magnetic virtue of iron was not discovered first in bars, but in needles.

Is it possible that in this country we fix our gaze too constantly on great ideals and fail to observe the little and mean and toilsome steps by which those ideals can be attained? We speak of the "good life," and fail to note that a good life is the sum of an infinite number of small and common things, ranging from the basic needs for food and shelter to the more sophisticated procedures involving health, enlargement of the mind, and development of ethical concepts. Every single one of the little things is brought into existence only by continuous thought and effort. As we pay attention to the little things and achieve them one by one, they eventually add up to the good life. There is no evidence anywhere in human experience that they can be imposed by official fiat. If we should say to the natives of the newly established state of Congo, "Be thou a recipient of the good life," it would be silly.

Somebody must take all the toilsome and painful little steps which result in the production and distribution of food and clothing, the application of sanitary measures, the instruction of youth, the organization of a stable government, and the establishment of moral and social standards of conduct, and only the Congolese can take these steps for themselves. Is it the part of wisdom to say that if there is anything we can do to induce them to take those steps, we are morally bound to do it; otherwise they must pull themselves out of their morass of apathy and ignorance by their own efforts?

Another great ideal of modern thought is justice. Both ancient and modern philosophers and jurists have debated the meaning of the word. They can still come to no agreement as to what justice really consists of. From a practical standpoint, justice can consist only in conformity to established law. Yet we have a feeling that it should go beyond that, that there is a higher justice dictated by conscience and by proper regard for the interests of others. We ardently desire and sometimes grope for this higher justice in our relations in political life, in economic life, and in social life. In any event we know that it lies somewhere beyond the practice of a multitude of little acts in which the self is disregarded and the other man is placed in the position of first importance. It requires self-discipline to an advanced degree, and this virtue is hard to acquire. It is even more difficult to acquire by those who have become accustomed through centuries of use to behave otherwise.

Yet we know that injustice in the world is at the root of most of the problems with which men are faced. The attainment of universal justice can be reached only by a growing tendency of men to accept the little acts of self-discipline whose sum constitutes final justice.

In our domestic affairs, the chief characteristic of the modern age seems to be irresolution. We talk about many programs and projects which are intended to bring order, system, and justice into our relations one with another, and we seem to take it for granted that talking resolves the problem. For instance, depressed conditions in many parts of the country have been discussed for years. But effective action is still in the future. At the end of the World War there were wonderful dreams of the bright new world which would be brought to us by science as soon as hostilities ceased and men could turn their attention to peaceful pursuits. It is not necessary to say that such a beneficent world is still a dream. We always live in the future, where everything is better.

It might be said to us, as it was reported to have been said by an Egyptian priest to the Greek lawgiver, Solon: "You Grecians are ever children, having no knowledge of antiquity or antiquity of knowledge." We are prone to disregard the teachings of history. Our traditions made a virtue of hard work, tolerance of the rights of others, respect for the individual, and noninterference in the affairs of our neighbors. But traditions are valueless if they are not constantly taught and practiced.

The images of men's knowledge remain in books, exempt from the injuries of time, and capable of perpetual renovation. Nor are these properly called images; because they generate still, and sow their seeds in the minds of others, so as to cause infinite actions and opinions in succeeding ages. Not, however, if the books lie unused on the shelves, and the wisdom which they contain is given no opportunity to germinate in the minds of the present generation. A writer has stated:

> All those who, by serving and indulging their passions immensely raise the value of enjoyment, should know that whatever they covet or pursue, whether riches, pleasure, glory, learning, or anything else, they only pursue those things that have been forsaken and cast off with contempt by great numbers in all ages, after possession and experience.

Our hot pursuit of the values enumerated by this writer has given rise to numerous factions, all striving to achieve ends antagonistic to the interests of others. Each faction talks and opposes; agreement for the common good is difficult to arrive at. Walter Lippmann speaks of the public philosophy, which is an attempt to reconcile desire with the attainable, and the common good with individual good.

The question is whether it is better to be satisfied with things as they are, or to be very busy in trying to make changes which are impossible. The Sophists said that the happiness of Socrates was the happiness of a stick or stone; Socrates, on the other hand, said that the happiness of the Sophists was the happiness of one who is always itching and always scratching. Substitute the names of some of our political leaders today for the Sophists and Socrates, and we have the bone of most current contentions. The result is that little or nothing gets done. Whatever is proposed raises a doubt in somebody's mind that it will not work. Doubt, once registered, is like a sponge which perpetually sucks and draws to itself what Bacon calls the increase of knowledge. The true use of discussion is to render doubtful things certain, and not certain things doubtful, that is, to increase knowledge.

When we consider all the discussion that is going on about our domestic or our foreign problems, we can conclude that it leads more to further confusion than to certainty. Whether the subject is a labor dispute, high tariffs versus low tariffs, the cause of inflation, the efficiency of our schools, foreign economic aid, our capability to fight a war, or whatever else, the result is the same. We talk and delay decision.

Fortune presses so close upon human affairs that some resolution is necessary; for not to resolve is to resolve, so that irresolution frequently entangles us in necessities more than resolving. The unresolved man executes nothing, that he may not abridge his freedom and power of acting. The Western World

has stated time and again its determination to resist with arms any change in the status of Berlin, for example. But no one, or scarcely anyone, believes that to be a firm resolution.

We always leave a loophole through which we can escape if drastic action looms up inevitable. That is not the way we fought the Revolutionary War or the Civil War. That is not the way Jefferson acquired the Louisiana Territory. That is not the way we resolved the tariff question or hard money against paper money after the Civil War. Nor is it the way John Lewis handled the affairs of the Coal Miners' Union. In other days a political party label stood for something definite, and political matters were settled one way or the other, for good or evil. If for good, the settlement represented a forward step, from which new advances could be made. If for evil, the action taken clearly indicated an approach from another direction. Today, the fractionating of political alinements precludes any decision whatsoever on many vital matters. So we are denied the experience of testing proposals and separating the valid from the invalid. The end is continued frustration and discontent, with new difficulties piling on old difficulties.

In defense of indecision it is often urged that public opinion has not yet crystallized. An old saying is that there are always two reasons for everything: a good reason, and the real reason. In this case, the real reason lies in the willingness of presumed leaders to be real leaders. Shall those who assume the responsibilities of leadership in business, in education, in ethics, or in the intricate organizations which guide the corporate interests of modern civil societies, merely follow the mob? Or shall they dare to be wrong, and accept the consequences of action whose end can never be certain? Wisdom teaches that what must dignify and exalt knowledge is the intimate conjunction of contemplation and action. Men ought to know that in the theater of human life it is only for God and the angels to be spectators.

In this age when the desires of men have been so stimulated that their wants are unbounded, it is the beginning of wisdom to realize that power cannot accomplish everything. Even God's power produced only chaos, as was said at the beginning. Science and technology and concerted human action can indeed accomplish what would have been considered miracles just a few years ago. They have opened up the possibility of banishing poverty, disease, ignorance, and oppression throughout the world. But that possibility is only a possibility, and does not become a reality by a simple decree. The job of putting order and system into the machinery and setting it to work for the good of man is a long, hard, and painful job. We need to know that many of the things we so ardently desire cannot be had immediately if at all. Men are so headstrong and notional, as not only to promise themselves things impossible, but also hope to obtain the most difficult ends without labor or exertion. As God labored to put the universe in order, so must modern man labor to set to rights the complex world which his genius has created.

PREVENTING OVEREXPANSION OF THE NATION'S CAPITAL

Mr. RYAN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REUSS. Mr. Speaker, last month—CONGRESSIONAL RECORD, July 17, 1961, pages 12734–12738; CONGRESSIONAL RECORD, July 19, 1961, pages 12934–12935—I introduced H.R. 8248, a bill to provide an orderly program of relocating the excessive concentration of Government facilities in the Washington of the future.

If Government agency is allowed to pile on Government agency in a planless way in the next 40 years, the Washington metropolitan area will balloon in size to 5 million, 2½ times its present population.

A 5-million population for the Nation's Capital would produce such problems of water supply, sanitation, traffic, and maintaining green space as to threaten the Capital as we know it.

But fortunately, we are not helpless. True, the Federal Government now has no national policy on what portions of the Federal Government should be conducted in Washington, and what should be conducted in other parts of the country. H.R. 8248 seeks to set forth criteria to govern where the work of Government should be carried on—criteria which include the availability of new developments in communications technology, the possibility of having small liaison offices in Washington with a greater part of the personnel elsewhere, the increase in effectiveness which an agency may achieve by being closer to the area of its direct concern, the availability to other locations of adequate office space, housing and community facilities, and the needs of other cities or areas for additional employment opportunities.

The reaction to the proposal contained in H.R. 8248 was not unexpected. The daily newspapers of a great metropolitan area are likely to be interested in seeing the area grow bigger and bigger. Consequently, the first reaction of those two great and civic-minded daily newspapers, the Washington Post and the Washington Star, was skeptical. But I am hopeful that both papers will in the end endorse the need for orderly planning, with adequate criteria, for that part of the Federal Establishment which should be located in Washington. The editorials, and my replies, follow:

[From the Washington Post, July 23, 1961]

REUSS ON DECENTRALIZATION

Representative HENRY S. REUSS has shown a commendable interest in the future of Washington as a Capital City. In the light of the forecasts that Washington will have a population of 5 million 40 years hence, its traffic, water, sewage, pollution, and planning problems are indeed staggering. We agree with Mr. REUSS' conclusion that "if nothing is done, the Washington of the future can become just another formless, sprawling monstrosity, overcrowded, congested, and denuded of green and open spaces."

When Mr. REUSS turns from the problem to the remedy, however, he plunges abruptly into a realm of unreality. Washington can avoid its potential nightmare, he says, by limiting its growth to 3 million by the year 2000. He would accomplish this by relocating in about 100 other cities "those non-policy-making clusters of governmental activity which can as well, or better, be carried on in the hinterland."

What are these non-policy-making activities? Mr. REUSS mentions the Fish and Wildlife Service, the Soil Conservation Service and some of the other 40 agencies that were moved out of Washington so as to make room for war-connected agencies during World War II. It is notable, however, that these agencies rushed back to Washington as soon as the emergency was over because the departments had found material disadvantage in having them absent.

No doubt Congress could, as Mr. REUSS suggests, shift a larger percentage of the Government's personnel to the field by authorizing regional offices to make some of the lesser decisions that now clutter bureaucratic channels in Washington. But this would be a minor factor in the overall growth of the city. The central fact is, in our opinion, that Washington grows because it is the nerve center of a rapidly growing country. Since it must continue to serve this purpose, there is no way of restricting its growth without at the same time stifling the development of the country as a whole.

Mr. REUSS seems to have turned reasoning upside down in his statement that Washington is in the fortunate position of being able to limit its growth, whereas New York, Chicago, Houston, and Los Angeles are not. No doubt every city finds limitation of its growth to be very difficult, even if it may be convinced that it is desirable, but there are a vast number of businesses and industries in every commercial city that could as well be located elsewhere. The same is not true of a capital city devoted largely to Government. To serve its purpose, it must accommodate the headquarters of the Government and all the agencies that must work in close affiliation with it, in addition to numerous groups that deal with Government.

The constructive course is not to build up the myth of artificial restrictions on growth, but systematically to plan for the inevitable. The Washington area can serve the Nation as a central headquarters for generations to come if planned growth is substituted for miscellaneous sprawl. Wise planning and orderly development should not be postponed, however, until chaos forces unnatural decentralization at the cost of efficiency.

[From the Washington Post, July 31, 1961]

REUSS ON DECENTRALIZATION

Your editorial of July 23 agrees with my position that a 5 million Washington metropolitan population 40 years from now will present staggering problems of traffic, water, waste disposal, and planning, but you throw in the sponge by saying, "there is no way of restricting its growth without at the same time stifling the development of the country as a whole" and that we must, therefore, "plan for the inevitable."

This is an astonishing conclusion. Washington, like Brasilia and Canberra, is a planned capitol. It can be as big, or as small, as the Government wants. If Washington's population in the year 2000 can be

held to around 4 million, wise planning can save our heritage of efficient Government, natural beauty, and good living. A 5 million population will greatly diminish our ability to reach these goals.

Washington differs markedly from all other cities of the United States whose growth depends on the growth of industry and commerce. Private business decides where industry and commerce will be expanded, not the Government.

But in Washington, almost one-third of total employees—297,000 out of 904,000—work for the Federal Government. Most of the remaining two-thirds provide the services of local government, construction, transportation and communication, trade, and other services.

By keeping away from Washington Federal employees who are not in policy-making positions, and who could do their work more efficiently elsewhere, we can keep Washington from becoming unmanageable in size.

During World War II, 40 Federal agencies (ranging from the Rural Electrification Administration to the Patent Office to the National Park Service) with 42,000 employees, were located in 23 different cities throughout the country. According to the Public Buildings Administration, this decentralization resulted in governmental service that was more efficient and economical than in Washington.

H.R. 8248, which I recently introduced, would have the executive branch set up criteria to govern where future Federal employment can best be located, and require that we act in accordance with those criteria. Crowding endless non-policy-making installations into Washington is not inevitable, unless we choose to make it so by our failure to act.

HENRY S. REUSS.

[From the Sunday Star, July 23, 1961]

ON REGULATING GROWTH

Representative REUSS, of Wisconsin, is absolutely right when he says that a firm and specific policy must be developed to deal with the future growth of the Washington area in order to avoid a "formless, sprawling monstrosity" of 5 million people. We think he is wrong, however, when he proposes that the best way to accomplish this is to decentralize the Federal Government.

For there is one preeminent rule which should govern always in the location of every Federal agency: Whether the location of that agency in Washington is in the best interests of the Government. If the location of a certain agency elsewhere is more advantageous, then it should be moved (or in the event of a new agency, established) elsewhere. But this is a decision which must be based on the merits of each individual case, and is not susceptible to any such broad dispersal formula as Mr. REUSS suggests. Washington was established for a sole function—to provide a central seat of Government. Perhaps there are exceptions, but the major reason 239,000 Federal employees are working in Washington today is that their presence here is more conducive to the orderly administration of the Nation's business than if they were scattered around the country.

Nor can it be argued that the mushroom growth of this area during the period since World War II is the result of any appreciable increase in Federal employment. Indeed, during the last 10 years Federal employment in the Washington area has remained constant, while the population of the region has mounted by half a million. As for the future, the National Capital Planning Commission estimates that during the next 40 years the current 2 million population of the area would double solely through natural causes (an increase of births over deaths), even if there were no increase in Federal employment. In point of fact, employment of all kinds is expected to expand, so that a total population of 5 million is anticipated by the year 2000. During this period, however, the ratio of Federal workers here to total area population is expected to continue a downward spiral.

We believe, therefore, that the answer to all the complex problems of the future lies not in attempts to circumscribe growth, but in efforts to channel that growth in such a manner that it will be manageable, and to develop through intergovernmental agreements new forms of machinery to deal with transportation, water supply, housing, and all the other facilities of a thriving metropolis. The so-called year 2000 plan developed by the Planning Commission is one step in this direction—an approach which is both more challenging and more realistic than to dismember the Nation's Capital.

[From the Sunday Star, July 30, 1961]

REGULATING GROWTH

In your editorial of July 23, "On Regulating Growth," you give the impression that I have a readymade "broad dispersal formula" which will scatter Federal agencies to other parts of the country without regard to the best interests of the Government. The facts are that I have no dispersal formula, and I certainly would place the interests of the Government above other considerations in determining the location of a Federal agency. What I do propose is that a responsible officer of the Government establish criteria for location and that the functions of all agencies now in Washington or those newly created be reviewed in the light of these criteria.

You assume that the Federal agencies now in the Washington area are here on the whole because they must be here. The fact is that historical accident, or the decisions of agency administrators who preferred to be in Washington, are responsible for the presence here of many agencies. These administrators have not in peacetime been required to give serious consideration to alternative locations, and without Government-wide standards to guide them or any outside review, it is not surprising that they should choose to concentrate in the Washington area.

It is true, as you say, that area population as a whole has risen in the past decade while the Federal employee population has remained relatively stable. It would be quite wrong, however, to conclude that the size of the Government has little to do with the future growth of the area. The fact is that Washington has been, and may still be, undersupplied with services in relation to the numbers engaged in the basic occupations, among which the Government bulks large. We have been catching up with this shortage. When shortages have been met, total population is much more likely to vary in closer correspondence with the changes in Federal employee population.

HENRY S. REUSS.

(EDITOR'S NOTE.—Actually, the Star found Mr. REUSS' remarks on dispersal very interesting; one difficulty, however, was that he omitted reference to the manner in which the relocation he favors might be carried out. We see nothing wrong with the proposal made in this letter that criteria for location in Washington be established, and that the various agencies here be reviewed in the light of such criteria.)

Mr. Speaker, throughout the country, much interest has been shown in the proposal for some decentralization of Washington activities. Typical of the generally favorable response are the following, from the distinguished urbanist, Lewis Mumford, and the well-known architectural historian, Charles C. Wall:

AUGUST 10, 1961.

DEAR MR. REUSS: Thank you for your letter of July 31, with your two admirable speeches on the plight of urban Washington. Your proposal to decentralize those departments of Government that would function as well—or better—in other parts of the country is a basic step in the preservation and renewal of Washington. Not merely would it benefit Washington, but, properly planned, with unified Federal precincts in other cities, it would assist in their integration, too; and would make our whole Federal organization more efficient. There are many more further steps that must be taken in Washington and there is much recent damage—such as that done by shooting expressways into the center—that must be undone. But your proposal is central to all the others: all the more necessary because no local authority could take the necessary measures.

With all good wishes.

Faithfully yours,

LEWIS MUMFORD.

THE MOUNT VERNON LADIES' ASSOCIATION OF THE UNION,
Mount Vernon, Va., August 11, 1961.

The Honorable HENRY S. REUSS,
U.S. House of Representatives,
Washington, D.C.

MY DEAR MR. REUSS: Thank you for the copy of your presentation in the House, "Saving the Nation's Capital," from the CONGRESSIONAL RECORD. As a member of the Northern Virginia Regional Park Authority, I am encouraged that there is progressive thinking in a responsible body about an overall plain in which our open-space program would have a logical place. It is late, but not too late, for such a plan—and the guidance which would give it effect.

As director of Mount Vernon, I am deeply dedicated to an open-space concept which I think also has a place in the National Capital community which you envision. Legislation now before the Congress would make this concept a reality. I hope that you have learned about this situation through our vice regent for Wisconsin, Mrs. John Cunningham Lobb, of Milwaukee, or our mutual friend, Dr. Ira Gabrielson, and that it has your support.

Sincerely yours,

CHARLES C. WALL,
Resident Director.

BOMB SHELTER LEGISLATION

Mr. RYAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ZELENKO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ZELENKO. Mr. Speaker, I have today introduced a bill that will make it mandatory for approved bomb shelters to be constructed in every building in which either Federal funds or loans, in whole or in part, are used for its construction.

This would apply not only to every Federal building to be constructed but

also to the construction of all housing projects supported, in whole or in part, by Federal funds.

In addition, the bill would provide for the obtaining and granting of FHA loans to present private homeowners for the building of bomb shelters by private homeowners. The building plans in that case would have to be approved by the Office of Civil and Defense Mobilization. By approved bomb shelter I mean a personnel shelter the design and construction of which have been approved by the Director of the Office of Civil and Defense Mobilization, under regulations prescribed by him, as affording adequate shelter for the number of people who will occupy the building.

This bill will afford the most efficient, economical, and vitally needed protection to our civilian population.

It is the Government's responsibility to take the lead in this extremely important area. I hope it will encourage the various States to include such bomb shelters in the construction of all State buildings and buildings constructed with State funds.

This type of legislation will not require outlays of great sums of money. It will simply require alteration of the architectural plans covering the foundation of all new Federal buildings, which will afford the mass protection so urgently needed. It will enable the private homeowner to provide safety for his family. It will enable this Nation to promote its civilian defense without withdrawing large sums of moneys from other needed defense spending.

I urge early and favorable consideration by Congress of this urgently needed legislation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SHELLEY (at the request of Mr. GEORGE P. MILLER), on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BAILEY, on Tuesday next, September 5, 1961, for 30 minutes.

Mr. BRAY (at the request of Mrs. MAY), on September 13, for 30 minutes.

Mr. FRELINGHUYSEN (at the request of Mrs. MAY), for 30 minutes, today.

Mr. RYAN, for 5 minutes, today, to revise and extend his remarks and to include extraneous matter.

Mr. STAGGERS (at the request of Mr. RYAN), for 10 minutes today, and to revise and extend his remarks.

Mr. CURTIS of Missouri, for 10 minutes, today.

Mr. ROGERS, of Texas, for 1 hour, on August 31.

Mr. HALPERN (at the request of Mrs. MAY), for 15 minutes, on August 30.

Mr. FLOOD (at the request of Mr. RYAN), for 30 minutes, tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

(The following Members (at the request of Mrs. MAY) and to include extraneous matter:)

Mr. RHODES of Arizona.

Mr. FINO.

Mr. HIESTAND.

Mr. VAN ZANDT.

(The following Members (at the request of Mr. RYAN) and to include extraneous matter:)

Mr. ASHMORE.

Mr. BOYKIN.

Mr. PETERSON.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under rule, referred as follows:

S. 543. An act to promote the preservation, for the public use and benefit, of certain portions of the shoreline areas of the United States; to the Committee on Interior and Insular Affairs.

S. 1969. An act to amend the Federal Aviation Act of 1958, as amended, to provide for supplemental air carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1022. An act to amend the Agricultural Adjustment Act of 1938 to provide for lease and transfer of tobacco acreage allotments;

H.R. 5179. An act for the relief of the U.S. Display Corp.;

H.R. 6244. An act for the relief of certain members and former members of the uniformed services erroneously in receipt of family separation allowances; and

H.R. 6453. An act for the relief of Earl Gupton.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 880. An act to amend section 216 of the Merchant Marine Act, 1936, as amended, to authorize the Secretary of Commerce to accept gifts and bequests of personal property for the U.S. Merchant Marine Academy;

S. 1908. An act to provide for a national hog cholera eradication program; and

S. 2268. An act to amend the Federal Aviation Act of 1958 to provide for the application of Federal criminal law to certain events occurring on board aircraft in air commerce.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H.R. 1022. An act to amend the Agricultural Adjustment Act of 1938 to provide for lease and transfer of tobacco acreage allotments;

H.R. 3596. An act to direct the Secretary of the Interior to convey certain lands to Purvis C. Vickers, Robert I. Vickers, and Joseph M. Vickers, a copartnership doing business as Vickers Bros.;

H.R. 5179. An act for the relief of the U.S. Display Corp.;

H.R. 6244. An act for the relief of certain members and former members of the uniformed services erroneously in receipt of family separation allowances;

H.R. 6453. An act for the relief of Earl Gupton;

H.R. 6765. An act to authorize acceptance of an amendment to the articles of agreement of the International Finance Corporation permitting investment in capital stock;

H.R. 8599. An act to amend various sections of the Atomic Energy Act of 1954, as amended, and the Euratom Cooperation Act of 1958, and for other purposes;

H.J. Res. 438. Joint resolution to amend the Securities Exchange Act of 1934 so as to authorize and direct the Securities and Exchange Commission to conduct a study and investigation of the adequacy, for the protection of investors, of the rules of national securities exchanges and national securities associations; and

H.J. Res. 544. Joint resolution making continuing appropriations for the fiscal year 1962, and for other purposes.

ADJOURNMENT

Mr. RYAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 56 minutes p.m.) the House adjourned until tomorrow, Wednesday, August 30, 1961, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. S. 203. An act to declare that the United States holds in trust for the pueblos of Santa Ana, Zia, Jemez, San Felipe, Santo Domingo, Cochiti, Isleta, and San Ildefonso certain public domain lands; without amendment (Rept. No. 1054). Referred to Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. S. 1540. An act to amend the law establishing the Indian revolving loan fund; with amendment (Rept. No. 1055). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. S. 2224. An act to grant minerals, including oil, gas, and other natural deposits, on certain lands in the Northern Cheyenne Indian Reservation, Mont., to certain Indians, and for other purposes; without amendment (Rept. No. 1056). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. S. 2241. An act to donate to the Jicarilla Apache Tribe of the Jicarilla Reservation, N.M., approximately 391.43 acres

of federally owned land; with amendment (Rept. No. 1057). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 6630. A bill to amend the act of May 25, 1920, relating to conveyances of certain parts of rights-of-way by railroad companies; with amendment (Rept. No. 1060). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLATNIK: Committee on Public Works. H.R. 7888. A bill to amend the Flood Control Act of 1958 to extend the time within which land in certain reservoir projects in Texas may be reconveyed to the former owners thereof; without amendment (Rept. No. 1061). Referred to the Committee of the Whole House on the State of the Union.

Mr. RUTHERFORD: Committee on Interior and Insular Affairs. H.R. 7997. A bill to establish the White House as a national monument; with amendment (Rept. No. 1062). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 8890. A bill to amend Public Law 815 and Public Law 874, 81st Congress, so as to extend their expired provisions for an additional year and to authorize payments under Public Law 815 for school construction in school districts with severe classroom shortages, to extend for 1 year the student loan program of title II of the National Defense Education Act of 1958, and for other purposes; with amendment (Rept. No. 1063). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 8900. A bill to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities, and to authorize financial assistance for undergraduate study in such institutions, and for other purposes; without amendment (Rept. No. 1064). Referred to the Committee of the Whole House on the State of the Union.

Mr. ICHORD of Missouri: Committee on Post Office and Civil Service. H.R. 7890. A bill to authorize the Postmaster General to dispose of certain land, and for other purposes; with amendment (Rept. No. 1065). Referred to the Committee of the Whole House on the State of the Union.

Mr. POFF: Committee on the Judiciary. H.R. 8291. A bill to amend the act of July 14, 1960, enabling the United States to participate in the resettlement of certain refugees, and for other purposes; with amendment (Rept. No. 1066). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 8597. A bill to amend the Railroad Retirement Act of 1937 to provide reduced annuities to male employees who have attained age 62, and for other purposes; with amendment (Rept. No. 1067). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Alabama: Committee on Public Works. S. 541. An act to amend the act of June 1, 1948 (62 Stat. 281), to empower the Administrator of General Services to appoint nonuniformed special policemen; without amendment (Rept. No. 1075). Referred to the Committee of the Whole House on the State of the Union.

Mr. FALLON: Committee on Public Works. H.R. 8558. A bill to amend section 303(a) of title 23, United States Code, relating to the organization of the Bureau of Public Roads, and for other purposes; without amendment (Rept. No. 1076). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RUTHERFORD: Committee on Interior and Insular Affairs. Senate Concurrent Resolution 14. Concurrent resolution saluting "Uncle Sam" Wilson, of Troy, N.Y., as the progenitor of America's national symbol of "Uncle Sam"; with amendment (Rept. No. 1058). Referred to the House Calendar.

Mr. EDMONDSON: Committee on Interior and Insular Affairs. S. 888. An act to authorize the Secretary of the Interior to lease certain lands in the State of Utah to Joseph A. Workman; without amendment (Rept. No. 1059). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 1352. A bill for the relief of Giuseppe Aniello; without amendment (Rept. No. 1068). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. H.R. 3007. A bill for the relief of Alberto Luciano (Rocchi) Rosasco; with amendment (Rept. No. 1069). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 4211. A bill for the relief of Alessandro Bottero; without amendment (Rept. No. 1070). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H.R. 4280. A bill for the relief of Dimitri Elias Sartan; without amendment (Rept. No. 1071). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H.R. 7873. A bill for the relief of Mrs. Maria Gonzalez Fernandez Long; without amendment (Rept. No. 1072). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 415. An act for the relief of Margaret Jean Dauel; without amendment (Rept. No. 1073). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 3401. A bill for the relief of Salvatore Cairo; without amendment (Rept. No. 1074). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. House Joint Resolution 542. Joint Resolution relating to the admission of certain adopted children; without amendment (Rept. No. 1077). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MULTER:

H.R. 8950. A bill to amend the Bank Holding Company Act of 1956; to the Committee on Banking and Currency.

H.R. 8951. A bill to amend the Housing Act of 1949 to provide that the full cost of opening, widening, and improving streets along the boundary of an urban renewal project shall be includible as a part of the local grant-in-aid for such project; to the Committee on Banking and Currency.

By Mr. BURKE of Massachusetts:

H.R. 8952. A bill to amend the Internal Revenue Code of 1954 with respect to the conditions under which the special constructive sale price rule is to apply for purposes of certain manufacturers' excise taxes; to the Committee on Ways and Means.

By Mr. BETTS:

H.R. 8953. A bill to amend the Internal Revenue Code of 1954 with respect to the conditions under which the special constructive sale price rule is to apply for purposes of certain manufacturers' excise taxes; to the Committee on Ways and Means.

By Mr. GRIFFIN:

H.R. 8954. A bill to create the Freedom Commission and the Freedom Academy; to research and develop an integrated, operational science to win the nonmilitary part of the global struggle between freedom and communism; and to train Government personnel, private citizens, and foreign students in this science; to the Committee on Un-American Activities.

By Mr. MONTOYA:

H.R. 8955. A bill to amend the Dependents Assistance Act of 1950 to provide for payment of quarters allowance to enlisted men of Reserve components on active duty for training; to the Committee on Armed Services.

By Mr. GUBSER:

H.R. 8956. A bill to amend section 1331 of title 10, United States Code, to provide for the payment of retired pay at age 60 to individuals discharged or transferred to the Retired Reserve after completion of 20 years of service for promotion purposes; to the Committee on Armed Services.

H.R. 8957. A bill to amend title II of the Social Security Act to provide that a woman may be eligible for widow's insurance benefits regardless of her age if her husband was eligible for old-age or disability insurance benefits at the time of his death; to the Committee on Ways and Means.

By Mr. JARMAN:

H.R. 8958. A bill to remove the present $5,000 limitation which prevents the Secretary of the Air Force from settling certain claims arising out of the crash of a U.S. Air Force aircraft at Midwest City, Okla.; to the Committee on the Judiciary.

By Mr. PERKINS:

H.R. 8959. A bill to amend the provisions of law relating to longevity step increases for postal employees; to the Committee on Post Office and Civil Service.

By Mr. ZELENKO:

H.R. 8960. A bill to provide that bomb shelters shall be constructed for buildings hereafter erected with Federal funds, and for other purposes; to the Committee on Public Works.

By Mr. KING of California:

H.R. 8961. A bill to amend the Internal Revenue Code of 1954 to authorize use of certain volatile fruit-flavor concentrates in the cellar treatment of wine; to the Committee on Ways and Means.

By Mr. O'HARA of Michigan:

H.R. 8962. A bill to revise the formula for apportioning cash assistance funds among the States under the National School Lunch Act and for other purposes; to the Committee on Education and Labor.

By Mr. RANDALL:

H.R. 8963. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for expenses incurred in the construction of civil defense shelters of approved type and design; to the Committee on Ways and Means.

By Mr. WALTER:

H.R. 8964. A bill to prohibit wiretapping by persons other than duly authorized law-enforcement officers engaged in the investigation or prevention of specified categories of criminal offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. McDOWELL:

H.J. Res. 552. Joint resolution to provide for the protection of residential and busi-

ness realty which is not substandard and which is held by homeowners and small businessmen in urban renewal project areas in the District of Columbia, to encourage and assist private owners of commercial and residential realty to undertake the renovation and modernization of such realty thereby reducing the necessity for huge expenditures for publicly supported urban renewal programs, and for other purposes; to the Committee on the District of Columbia.

By Mr. JOHNSON of California:

H.J. Res. 553. Joint resolution to authorize the President to proclaim December 3, 1961, as Phoebe Apperson Hearst Day; to the Committee on the Judiciary.

By Mr. HARRIS:

H. Res. 439. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 420; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII private bills and resolutions were introduced and severally referred as follows:

By Mr. BELL:

H.R. 8965. A bill for the relief of Michel Leon Partayan (also known as Bartayan); to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 8966. A bill for the relief of Czeslaw Brach; to the Committee on the Judiciary.

By Mr. BROYHILL:

H.R. 8967. A bill for the relief of Mrs. Bessie E. Burleigh; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 8968. A bill for the relief of Venancio Sing Olague; to the Committee on the Judiciary.

By Mr. INOUYE:

H.R. 8969. A bill for the relief of Masayoshi Onaka; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.R. 8970. A bill to authorize suits against the United States to quiet title of certain real property in Modoc County, Calif.; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 8971. A bill for the relief of Marjorie and Norman Knight; to the Committee on the Judiciary.

By Mr. OSTERTAG:

H.R. 8972. A bill for the relief of Filomena Coccia; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Expanding Dairy Research

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Tuesday, August 29, 1961

Mr. WILEY. Mr. President, recently, I introduced a bill (S. 2414) to establish a dairy research laboratory. The purpose would be to find new ways to utilize dairy products for commercial and industrial applications.

In this year of discovery, it is particularly important—both in the interests of the industry and the country—that we apply new techniques of research in dairying as in other fields.

The effort, of course, requires not just the Federal program, but rather full cooperation of the industry itself.

Recently, I was privileged to make some suggestions for expanding research by the dairy industry. I ask unanimous consent to have these suggestions printed in the RECORD.

There being no objection, the suggestions were ordered to be printed in the RECORD, as follows:

WILEY CHALLENGES DAIRY FARMERS TO FIGHT FOR THEIR INDUSTRY

Wisconsin's senior Senator, ALEXANDER WILEY—long a supporter of the dairy industry—today challenged dairymen to find more industrial uses for dairy byproducts if their industry is to enjoy the fruits of progress in the future. He said:

"It's high time enterprising and forward-thinking dairymen took a good look at where they've been and where they are going—and do something about it. It seems evident that great strides must be made in finding new industrial and commercial uses for dairy products. Frankly, I'm tired that so little progress has been made in this field. Can it be that our dairy farmers are satisfied with less than a fair return for their investments and labors?

"It's no secret that dairy foods are the best buy and the best eating in the Nation. Fine. But why do the dairy people stop here? Why must they deny Americans possible industrial uses of dairy byproducts?

"It takes only one Ben Franklin, one Alexander Graham Bell, one Albert Einstein, or one Tom Edison to change the course of history. Of course, there have been some breakthroughs in the dairy field: the scientific discovery of an industrial process for the production of lactic acid from whey; textile fiber from the casein of skim milk; and, recently, there has been announced the discovery of a 90-percent effective cigarette filter made of cheese and charcoal.

"We must look to the future; we must not stand pat; we must double and then redouble our efforts of exploring, experimenting, and researching in ways and means of finding better industrial utilization of dairy products. I have faith that it will be the Wisconsin dairymen who will take the initiative and provide the necessary leadership in this vital research and development," Senator WILEY concluded.

Address by Secretary of Labor Goldberg Before National Convention of Hadassah

EXTENSION OF REMARKS
OF
HON. JOHN A. CARROLL
OF COLORADO
IN THE SENATE OF THE UNITED STATES
Tuesday, August 29, 1961

Mr. CARROLL. Mr. President, recently Secretary of Labor Arthur Goldberg spoke in Denver before the 47th National Convention of Hadassah, to a capacity audience of 2,600 persons.

Denver was delighted to meet Secretary Goldberg, and to hear him speak. His well-earned reputation as a creative, dynamic public servant had preceded him there, and he added luster to that reputation.

From civic leaders, from management representatives, and from leaders of organized labor alike, the reactions I have received on Mr. Goldberg's appearance in Denver have been unanimously favorable.

He spoke of a number of things, but primarily he spoke of President Kennedy's foreign aid program and foreign policies in this difficult era.

Secretary Goldberg was interrupted more than once by applause. The response was particularly enthusiastic when he said:

We shall neither blow up nor give up.

It is our view that those who see us outclassed abroad and subverted at home have but little understanding of our country or our people.

Mr. President, I ask unanimous consent that Secretary Goldberg's address delivered in Denver on August 20 be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SECRETARY OF LABOR ARTHUR J. GOLDBERG BEFORE THE NATIONAL CONVENTION OF HADASSAH, DENVER, COLO., AUGUST 20, 1961

I am delighted to visit with you today, and to have the honor to bring you a message from the President of the United States:

"Greetings to the delegates and guests of the 47th National Convention of Hadassah.

"You meet at a time when political and economic systems all over the world are being severely tested. The poor, the exploited, and the burdened have all made freedom their cause. This makes democracy our opportunity.

"The common language among all those who speak for freedom is that of compassion, which knows no country, no race, and no creed. It resides in the human spirit. It is the most easily understood but the most difficult to attain.

"Hadassah has a history of such compassion, especially in Palestine and in the new democratic State of Israel. For almost 50 years it has eased the pains of the distraught, sheltered the homeless, and guided the weak. This is the only true posture for a free society, and for the citizens of that society. Your efforts in behalf of assistance for underdeveloped nations, for medical aid, for elimination of illiteracy, and for vocational education in emerging societies have helped show the way to freedom. In these critical days you play a large part in our battle for men's minds.

"I congratulate you upon both your goals and your achievements. Best wishes for a successful convention.

"Sincerely,

"JOHN F. KENNEDY,
"President of the United States."

The President speaks for all of us when he says that we must be known by our actions. And certainly the actions of Hadassah—the great new Hadassah Medical Center at the Hebrew University in Israel, your making

available medical teaching and education to Asians and Africans—speak a common language of mercy and service that should characterize all American enterprises in newly developing countries.

This is the policy of unselfish, practical help and assistance enunciated by the President that motivates our entire foreign aid proposals.

It is the policy enunciated by the President, when, as a candidate for that office, he spoke of our friendship for that great sister democracy, the Republic of Israel, and of our relations with all of the countries of the Middle East. He said at that time: "The Middle East needs water, not war—tractors, not tanks—bread, not bombs."

Peace was, is, and always will be our primary objective in the Middle East and throughout the world.

The triumph of the human spirit, not of arms, is the desired goal of American policy. The peace of understanding brings with it new hope for all—the peaceful hearth in place of the empty room, the new power of harnessed rivers in place of the arid wastes of the desert, the care of the young and the old in place of their abandonment, a promise of abundance in place of ancient poverty.

We believe these things are possible for the world—and for the Middle East. The United States has always been prepared to support its commitment to peace and understanding with technical and economic assistance—to give of the wealth of our own people in order to rescue the hopes of others.

A powerful defense is a guarantee that the peace will be kept by offering to any aggressor the certainty of his own destruction. We have and are building such a defense. Yet deterring aggression is only the beginning if freedom is to survive and ultimately triumph in the world.

Behind our defensive system, the work of freedom must go on. It is the work that you of Hadassah have been doing for almost 50 years: building, not destroying; developing, not exploiting; aiding, not ignoring.

You have shown what a Peace Corps can do. The President's alliance-for-progress program, for example, seeks to bring to this whole hemisphere a program for building, developing, and aiding—and bring to an end the destruction, exploitation, and ignorance that result from social and economic injustice.

Elsewhere in the world, as in Berlin, where freedom finds itself engaged, where the distance between freedom and tyranny may become a matter of miles, or of yards, we find people making their choice with their feet. I do not believe this to be merely a choice between political systems that might compete in offering material advantages. It is a vote, not for power but for dignity. As I read what is happening in Germany, people are voting, not for a better breadbasket in the West but for the human and individual dignity that a life of freedom affords.

And we must remember that for the heart of Europe—for Turkey, Greece, Iran, and elsewhere—the choice between national freedom and Communist enslavement would not be possible today if the United States had not, for the past 16 years, shown the depth of its commitment to freedom throughout the world in programs like the Marshall plan, the Truman plan, point 4, and the rest. And today, Allianzo Para Progresso takes its proper place with these massive commitments to the cause of humanity and justice.

You of Hadassah have given continuing support to these programs. Only recently, you have strongly endorsed the President's foreign aid program, the proposals to ban nuclear testing with firm guarantees of adequate international inspection and control, the food-for-peace and National Peace Corps programs, not to mention your firm commitment to the administration's position on vital domestic questions such as civil rights.

I welcome this opportunity on behalf of the administration to thank Hadassah and the members of this outstanding organization, composed of members of both political parties, for this true demonstration of nonpartisanship in the national interest. Throughout the entire existence of Hadassah, its members, by actions as well as words, have shown the truest Americanism by affirming and not denying your origins, to the benefit of our own country as well as to the benefit of the ancestral home of the Jewish people.

It was recognition of this unity, rather than duality of national purpose, that places Henrietta Szold among the ranks of our great American women, along with such women as Jane Addams, Mary Bethune, Lillian Wald, Mrs. Franklin D. Roosevelt, and the others whose life work was characterized by a humanitarianism which, by its very terms, knows no national boundaries.

As these women knew, whether given by government, or by private organizations such as Hadassah, humanitarianism is truly democracy at work.

And for both government and private organizations, it is a good rule that no qualifications should exist as to how a nation attains to freedom, as long as it strives to do so. We believe that nations should chart their own courses, fly their own flags, build their own social and economic systems—as long as they enjoy true freedom for their people and respect the inherent rights that we in the United States consider the foundation of every political society.

Both Israel and the United States, for example, share a common belief in political democracy, individual liberty, and government by laws, not men.

One of the difficulties we have had in the past in making our aid programs as effective as they might be is the fact that we have been bound to short-term, and often expedient, commitments. It has too often been a program of reaction to other pressures rather than a program of our own long-term commitment to freedom. Foreign aid, in its best sense, is a charter for freedom.

The President has asked the Congress to give him more flexibility in this regard, so that we might be the movers and initiators of needed economic reforms in the world, and help bring other nations to freedom.

He has asked, specifically, for authorization to loan $8.8 billion from the Development Loan Fund over the next 5 years, $1.2 billion for the next fiscal year and $1.9 billion each year thereafter.

The Senate has voted for this 5-year authorization. The House adopted an amendment denying the 5-year authorization.

The real issue in the foreign aid bill is not a technical one of long term versus annual appropriations. The real issue is the substantive one as to whether we have reached that point of maturity in which we will positively assert our position of leadership in the free world, or whether we reluctantly accept this as a burden thrust upon us. This is the genuine issue in this debate. A leader must lead or he will be relegated to the rear rank. I have that degree of confidence in our people that I believe they support strong leadership by our country of the free world.

There are some who say we cannot afford to meet the requirements of leadership in world affairs and at the same time invest resources in social progress and development at home. This is fainthearted counsel. Surely, this is not the style of the American people. But more importantly, it overlooks the basic fact that world leadership and domestic progress are not alternative choices. They are inseparable. George Kennan and others have for long pointed out in the most persuasive ways that the bedrock of American foreign policy must be social and economic progress at home, a healthy and prosperous people sharing in the good things of life.

I know that you share with me the view that if there were ever a measure before Congress necessary to the future of the free world, it is the foreign aid bill. We can no longer exist as an island of affluence and contentment in a world seething with want and change. We can no longer walk the proud path of indifference, turning our faces away from those who already resent us too much because of the past.

I fully realize that this aid program is expensive, that $8.8 billion is a lot of money.

I also realize that the chances for peace in freedom are very much diminished in a world of chronic have-nots—and very much improved in a world of independent and capable economies and just political systems.

No one would suggest that we can buy friendship. No one assumes we can purchase peace. Nor is that the intention. The intention is to create a world environment in which peace can flourish.

I hope that in conference and by final action, the Congress will give substantial approval to the foreign aid bill, preserving in amount and in principle what the President has rightfully proposed.

The administration of President Kennedy is pledged to a related set of concepts which should command the approval of every American, and every believer in liberty. They are:

First, as the most powerful nation in the world, immovably rooted in the principles of justice, we are charged with the responsibility to lead the free world. We cannot abrogate this responsibility in this great human cause.

Second, our whole history makes it impossible for us to be self-centered in our devotion to the cause of peace in freedom.

Third, in terms of the world alliance we lead, the encouragement that refusal to aid would give to those intent upon conquest, is not to be offered.

Fourth, we welcome all allies devoted to peace in freedom. In this regard, we respect the right of every nation to seek freedom and equality, order and independence in its own way, flying its own flag, charting its own course.

We support the revolution of peace and hope sweeping nations throughout the world, and we offer that support, as the President stated, "regardless of which political or economic route they choose to freedom."

Fifth, our alliance is one of voluntary commitment to peace in freedom. It is not cemented with force, not held together with the bonds of political domination and fear. We do not force nations to be our allies. And we resist efforts on the part of others to compel, coerce, or subvert them to be their allies.

Finally, in this open posture of support for all nations seeking freedom, our sympathies are manifestly with those seeking to end injustice, tyranny, and exploitation, anywhere in the world.

I would be less than frank if I did not say our devotion to these principles, which we readily accept, is often questioned by others.

We are, as we think we are, a forward-looking country. But it would be a mistake to suppose that this is the way the rest of the world regards us. To the peoples of

struggling, emerging nations of the earth, in many of which the blood of revolutionaries is hardly yet dried on the streets of their capital city, the American Revolution must seem a long way off. In their eyes the burden of proof is upon us to demonstrate that indeed we are part of the new order rather than the old. It is no secret that some conclude the proof is lacking.

This is not an easy thing for Americans to understand. Many have reacted with alarm or with despair. On the one hand we have a group of isolationists who assert that it is wrong to do the things we are attempting abroad. On the other hand, there are those who have concluded that however proper our efforts might be, they will not succeed. Interestingly, these groups start from opposite premises, but come to almost identical conclusions. The isolationist state of mind and the advocates of unilateral disarmament come to the surprisingly similar point of agreement that we should no longer maintain our leadership of the free world.

Let me say to you that the administration of John F. Kennedy does not propose to be bound by either of these alternatives.

We shall neither blow up nor give up.

It is our view that those who see us outclassed abroad and subverted at home have but little understanding of our country or our people.

What we are trying to say to the American people, and to the Congress is, that we can shape our future. That we can generate the forces that direct the course of world events. If we have grown old as a nation, it is because we have stayed young as a people. For on to two centuries this Republic has shaped its own destinies, and we do not now propose to submit to the formulas of Karl Marx, or Herbert Spengler, or, if you will, of the second law of thermodynamics which declare that we cannot go on. Despite our doubts, the fact is that since the end of World War II freedom, both for people and for nations, has been on the upswing throughout the world. New and independent nations like Israel have been created.

These events have not followed any predetermined course of history. They were an achievement of human effort. This is the effort to which we summon the American people.

This is not an administration that would make the best the enemy of the good. During his campaign the President did not propose to scrap everything that has been done and start anew. We have done well, but we can do better.

It is surely not hard to understand that the rest of the world is watching to see whether we will do so. Even those who resent our achievements of the past do not question them. The question is what we will now go on to achieve.

We face many problems in the world—but they are also opportunities.

Will we take the opportunities offered to us?

Will we mount a true and lasting offensive against want and against injustice, both at home and abroad?

Will we prepare a place for people everywhere, not only here, where freedom can dwell?

Will we be true to the truth of our own Revolution? It is one, in the words of Isaiah, that seeks to "bind up the brokenhearted, to proclaim liberty to the captives, and the opening of the prisons to them that are bound."

And this same voice of prophecy describes the end we seek:

"They shall beat their swords into plowshares, and their spears into pruning hooks; nation shall not lift sword against nation, neither shall they learn war any more."

Another New Frontier for Women

EXTENSION OF REMARKS
OF
HON. LEE METCALF
OF MONTANA
IN THE SENATE OF THE UNITED STATES
Tuesday, August 29, 1961

Mr. METCALF. Mr. President, we have just given recognition in Congress to the 41st anniversary of adoption of the 19th amendment to the Constitution by which women of the United States gained right to the ballot box. That action brought an end to a form of political discrimination. But the mores of a people are slow to change, and certain other forms of discrimination continue to act against equality for women.

The distinguished junior Senator from Oregon [Mrs. NEUBERGER] has discussed this problem in an article which appears in the September 1961 issue of McCall's magazine. Senator NEUBERGER writes of the tendency in social relationships to put women into a kind of "second-class intellect" category. She has noted that this situation is undergoing change in the right direction, led by women in this administration of intelligence and high accomplishment. I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the article by Senator MAURINE B. NEUBERGER, of Oregon, entitled "Let's Stop the Ladies From Joining the Ladies."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LET'S STOP THE LADIES FROM JOINING THE LADIES

(By Senator MAURINE B. NEUBERGER, of Oregon)

Things have changed in Washington. It is no longer safe or fashionable for men to assume that their female dinner companions are interested only in so-called women's talk. For on the distaff side in Washington today there are many personalities in their own right—professors, like Mrs. Walt Whitman Rostow, first woman professor on the faculty of the Massachusetts Institute of Technology, an authority on diplomatic history and international relations; lawyers, like Antonia Chayes, wife of the State Department Legal Adviser; artists, like Mrs. Arthur Schlesinger, Jr., wife of the Presidential assistant, and Mrs. Arthur Goldberg, wife of the Secretary of Labor; accomplished public speakers and authorities on domestic politics, like Treasurer of the United States, Elizabeth Rudel Smith, and Mrs. Robert F. Kennedy, wife of the Attorney General; specialists in labor relations, like Mrs. Oliver Peterson, and in Asian affairs, like Mrs. Chester Bowles; author and former war correspondent, Eve Curie Labouisse, wife of the Director of the International Cooperation Administration and daughter of the famous Pierre and Marie Curie, who were the discoverers of radium; and an airplane pilot, Mrs. Philip Hart, who helped her husband campaign successfully for election as U.S. Senator from Michigan. And this is but a sampling.

It ought to be no surprise that this generation of women, aware of the realities and challenges of the times, should plunge so directly into the hurly-burly of politics, the vehicle available to them for tidying up and improving an imperfect society. They declined to let others do their politicking for them while they sat decorously and complacently at home. In the last campaign, as in previous ones, they rang doorbells, stuffed envelopes, made telephone calls and public appearances from dawn till late at night, led by the Kennedy women themselves, including the matriarch of the Kennedy clan, Mrs. Joseph P. Kennedy.

Marian Schlesinger, whose collection of children's portraits has been hung in galleries here and abroad, was a key figure in the campaign in the Boston area after she had demonstrated in her family that she has a political mind of her own. Her husband, historian of the Andrew Jackson and Franklin D. Roosevelt eras and an ardent supporter of Adlai Stevenson in 1952 and 1956, capitulated to the Kennedy camp long before his wife did. "I ended up working for Kennedy and being dedicated to his campaign," she says, "but I took a lot more convincing than Arthur did. I think that Stevenson has done a magnificent job as Ambassador to the United Nations. He would have made a wonderful Secretary of State. And I still think Stevenson would have made a wonderful President." This last statement, incidentally, shows that Marian Schlesinger has courage beyond her convictions, for in a Kennedy-dominated Washington it is not fashionable to dwell on the Presidential qualities of Adlai Stevenson.

Mrs. Schlesinger illustrates an important point about the women in Washington. A mother of four, she has intense interests far beyond the customary chitchat of "What do you think of the artichoke hairdo, or culottes, or muu-muus?" and "Have you found a house yet?" These topics are not ruled out, of course, for even beautiful, intelligent women have a deep interest in talking about children and current styles and housing problems. But they are apt to become edgy, frustrated, and even occasionally cross if the gentlemen at their sides insist on small talk while there is a passionate argument at the other end of the table about whether Stevenson would have handled the Cuban crisis better or whether the meeting between Kennedy and Khrushchev had any virtue.

If, as a result of this article, I could give hosts and hostesses everywhere a gentle shove toward the art of "general conversation," I know I would save many professional women, including myself, from many agonizing moments of boredom. Specifically, I would urge hosts and hostesses to encourage everyone at a dinner party—especially a small gathering—to exchange views on one central subject of central interest, particularly when an interesting guest of honor is involved. I recall an experience of my own in this connection. It was at a dinner for Prof. Denis W. Brogan, of Cambridge University, a scholar-historian who is an authority on France and the United States. Professor Brogan that day had attended a luncheon at the White House and now, at one end of the table, was holding forth on his impressions. He was being monopolized by the host and a few male guests. I strained to listen, but somebody was murmuring into my ear something about something utterly inconsequential. As I had been particularly happy to accept this dinner invitation and had looked forward to meeting and talking with Mr. Brogan, this was too much for me. I tapped my glass and, taking advantage of the surprised silence, suggested to my host that all of us be permitted the benefit of Mr. Brogan's views, even at the price of the host's acting as a kind of master of ceremonies. We could put questions to him and then not merely those sitting at his right or left would hear his answers. The nervous host agreed, and it was a delightfully interesting evening.

On another occasion, the eminent historian, Arnold Toynbee, was the guest of honor. A Cabinet officer called to say he would be late for dinner, and while we waited, I had the fortunate chance to have a good conversation with Professor Toynbee. After dinner, true to the barbaric custom, the ladies were dispersed—or, I should say, segregated—and the men enjoyed the usual monopoly of the guest.

As the Brogan episode demonstrated, the old social habits already are under siege, not alone because of my own temerity in that case but because so many women are just as interested in the wide world about them as I am. They do not wish, thank you, to be patted on the head and sent off upstairs to tend to their subintellectual knitting. Lest I be thought alone in this grievance, listen to what Mrs. Orville Freeman, wife of the Secretary of Agriculture, has to say about it. Jane Freeman has done graduate work in public administration and has committed herself as a citizen to such wide-ranging activities as work in behalf of neighborhood development, public education, family welfare, the Minnesota Historical Society, the Minneapolis Symphony Orchestra, and the United Nations, to name but a few. "Why should we be separated and entertained in different rooms after dinner?" she asks. "I don't like it, and the worst aspect is when the women are taken upstairs to the hostess' bedroom for coffee. Why should we miss the most exciting talk, the after-dinner conversation where one gathers in a group to discuss things? After all, my husband and I were invited as a couple."

On the subject of women who drop all intellectual activity when they get married, Mrs. Freeman is equally emphatic. "I could climb up on a soapbox when I think of them," she says, her dark-brown eyes flashing. "It's a crime. I am disappointed in so many of my college friends who were really bright, dean's list, who bury themselves and become stale. They don't contribute anything. It is essential, particularly in an American community, a democracy that allows for the participation of everyone, for mothers to create the kind of community they want their children to grow up in. The men have less time than they used to, so women have to contribute more to the community. Women have the desire and energy to participate, and they should. They become more interesting persons to their husbands and their children, as well."

The existence of intellectual and interested women is not altogether new under the Washington sun. Try talking to Alice Roosevelt Longworth, the tart-tongued daughter of President Theodore Roosevelt and a devoted Republican, about her favorite recipe for old-fashioned pin-money pickles. This politically aware grande dame of the bon—and wicked—mot once demonstrated her interest in pickles, but it took the form of a devastating description of Calvin Coolidge as looking "as if he had been weaned on a pickle." Circulation of that remark may not have been responsible for Mr. Coolidge's reputation for taciturnity, but it certainly helped.

But Mrs. Longworth's fame as a connoisseur of politics and a practitioner of the fine art of conversational devastation has grown and thrived because she has been an exception to the rule of devoted but retiring wives who in the past two administrations have taken their cue from Mamie Eisenhower and Bess Truman.

Someone has laughingly said that I, as a U.S. Senator, was faced on each social occasion with the delicate choice of whether to join the men after dinner as they smoked their cigars and talked in the study or go off with the ladies. I don't see why any woman should be confronted with the choice. Let the ladies go powder their noses and make over their faces. But please do not banish them until just before the guest of honor is about to take his leave (11 o'clock is the usual witching hour in Washington).

This is not a one-sided plea. I do not ask for a unilateral gratuity from the men, for the Capital's women today have as much as their men to contribute to general conversation—sometimes more. Is there not some masculine horizon that could be broadened by a talk with Dorothy Goldberg, the Secretary of Labor's wife, who has had at least five one-woman showings of her paintings and whose interest in human affairs is as informed and perceptive as most men's? "Art happens to measure and mark the generations on earth at a certain time in history," Mrs. Goldberg says. "The New Frontier is not trying to corner art as its own. It cannot be cornered. But what is being recognized is that that which makes an artist is the essence of democracy, the play of all influences upon each other, a greater awareness of living and of life."

Besides her painting, Mrs. Goldberg is vitally concerned with what women do to make use of the middle productive years, that period after their children have been launched. "We have to work on the meaningfulness and significance of life in this 40-to-65 period," she says, "and not approach them like a horse with blinders. Otherwise, we will reach 65 afraid and apathetic. Perhaps 'adult education' have become dirty words, but what is wrong with study when we are shopping around for new interests? Something has to be done to train mothers to understand the nature of creativity, to give purpose to their more leisurely years. And I hope to light fires on this subject wherever I can."

Ethel Kennedy, the Attorney General's wife, may have seven children, but she managed to campaign for her brother-in-law, the President, with a buoyant zest matched by few male politicians. Her stories about a woman's role in the great game of politics would make a fascinating primer for future aspirants to public office. As Ethel Kennedy says: "Never send a boy on a man's job; send a woman."

Who would not want to share views and match wits with Elspeth Rostow, who wears her Phi Beta Kappa attainments with a demure grace, yet can talk colorfully about the whole range of diplomatic history in the 20th century—as both a scholar and a participant? She was graduated from Barnard College at 19, and during the war worked for the Office of Strategic Services, writing situation reports for men about to risk their lives behind enemy lines. In the postwar period, she worked for the London Economist in Geneva, while her husband Walt Whitman Rostow, served with the Economic Commission for Europe. Later, she taught at Cambridge University, in England, and then became the first woman professor at MIT. She has three children and a curiosity to match all three. When, after a few months in Washington, her 7-year-old daughter, Ann, said, "Mommy, when are we going back to America?" Mrs. Rostow cherished the remark not only as an expression of a child's yearning for her Cambridge playmates but as a wise commentary on the provincial nature of our Federal City, which is no more like America than Paris is like France.

By way of interesting companions, let me cite Esther Peterson, whose horizons are as broad as the map. A schoolteacher by vocation, she has lived and worked abroad with her husband—a Foreign Service officer specializing in labor affairs—in Sweden, Belgium, and France. She was one of the founders of the first international school for working women, near Paris, and one of its first faculty members. The mother of four normal, happy children, she nonetheless has scant sympathy for those who argue that a woman's place is exclusively in the home. She is fond of pointing out that those who believe unemployment can be solved by banishing women from the work force to the kitchen are thinking in terms of a world that no longer exists. She simply recognizes the fact that 97 percent of all clerical and stenographic jobs are held by women, and that women keep most of our schools, shops, and hospitals going.

Mrs. Antonia Chayes, wife of the State Department's legal adviser, has combined a bright career as a working lawyer with raising a family of three. A Phi Beta Kappa at Radcliffe, she earned her law degree at George Washington University and practiced in Washington. She also has worked as executive assistant to Dean Erwin Griswold, of the Harvard Law School, and was the first faculty adviser to women law students at Harvard. She is as beautiful as she is brilliant, an authority on interstate law as well as a gay homemaker.

It would be a mutual waste of time for male guests at Washington social gatherings to chatter condescendingly to Mrs. Ermalee Udall, wife of the Secretary of the Interior, Stewart Udall, when they could discover a fascinating lot about the American Indians of the Southwest and the vigorous lore of the Colorado River, about which she is an authority; to Mrs. Phyllis Dillon, wife of the Secretary of the Treasury, when they could get an education about France, art, and the esoteric world of china collecting, as well as share her knowledge of the great statesmen of this earth whom she has entertained as a hostess to international society. Virginia Rusk, a history major at Mills College, in California, when she took a course in foreign relations from a soft-spoken Georgian instructor who later became her husband and still later Secretary of State, could discuss with scholarly insight the affairs of a complex world; if one insisted, Mrs. Rusk could, with equal expertness, talk about how she designed her own inaugural ball gown and makes many of her own clothes.

These women do not wear their attainments on their lapels, so to speak, like corsages or battle ribbons. They could, I suppose, escape the women's talk with which men often afflict them, if they were brazenly to blurt out, "Look, I'm as interested in small talk as the next woman; but here we have many gifted men and women present, experts and specialists in foreign affairs, science, history, and I would like to share in the conversation with them." But modesty forbids it, and the shock of such a declaration of open rebellion would, I am afraid, intimidate the menfolk into sullen silence. It will take time for adjustments to be made; but they will inevitably be made, as Washington learns that the women in its midst are personalities in their own right who do not relish being consigned to an intellectual purdah, even though veils may be passé.

Mrs. Henry Labouisse, wife of the Director of the International Cooperation Administration, is a classic example of the frustrations encountered by a woman of talent and accomplishments in the male-dominated life of the Capital. Mrs. Labouisse is the author of several books, has traveled the world as a correspondent, and once served as a special assistant to Lord Ismay, Secretary General of the North Atlantic Treaty Organization. "What do I say to people who insist upon the polite small talk?" Eve Curie Labouisse said recently, in discussing the archaic social habits of Washington. "I would not dream of saying I am the former Eve Curie, simply to win their attention or enlarge the conversation. Sometimes it comes out as a natural outgrowth of the conversation; but never would I intrude the fact apropos of nothing except the yearning to be a part of general conversation."

Mrs. Labouisse's experience reminds me of the story of a newspaperwoman friend of mine. As a correspondent who writes under her maiden name—Marguerite Higgins—she is, of course, internationally known. She was attending a quite special dinner with her husband and was seated next to a high official in an earlier administration who had not met her before, and the two engaged in such a spirited conversation about world events that the official was moved to remark on his dinner companion's vast knowledge of the leaders and countries they had discussed. "Why shouldn't she," interposed the hostess, who then proceeded to identify Marguerite. The official was almost speechless with shock. He thought he had been tricked or somehow cheated. "Wouldn't it have been presumptuous of me to have told him my professional name?" Miss Higgins said, quite properly.

My late husband was a U.S. Senator; I knew something of the segregation of the sexes then. As a Senator now myself, I am still perplexed and bemused by the attitude of my male colleagues, although I must say that in general it poses fewer handicaps than I had supposed it might. Not long ago I had occasion to speak to the Republican minority leader, Senator EVERETT DIRKSEN, on the Senate floor. He was seated at his desk, his lap filled with papers over which he was poring. As I approached, he started to stand up, and it was most awkward and inconvenient. "Please, Senator, don't stand up," I said. "I'm just another Senator."

Senator JACOB JAVITS, of New York, was sitting next to Mr. DIRKSEN and overheard me. "Just another Senator," he repeated, scoffing. "I think a Senator is a pretty important thing to be," he said in a half-amused manner. "I do, too," I defended myself. The point is that Senator DIRKSEN's almost involuntary action of moving to stand up when I appeared at his desk meant, to me, that he has not yet accepted me as a member of the club. My being a woman still gets mixed up in it. After all, I am there on business, not as a woman but as a U.S. Senator from the sovereign State of Oregon, and I would hope to be treated no differently from a Senator from Illinois or New York.

It was with some misgiving that I appeared before the Senate Rules Committee recently, in behalf of a bill I was sponsoring. I feared all kinds of deferences being shown me because of my sex. After I had made my preliminary statement and the questions began, I was pleasantly surprised, almost delighted, that they came at me hard and fast, no holds barred. Senator CURTIS, of Nebraska, was pointed and firm, and frankly, I did not have answers to some of the questions he asked. It was refreshing and stimulating to me, and I was glad about it. They seemed to have accepted me as just another Senator. Now, when they start walking into the elevators ahead of me and allowing me to go through doors by myself, I will know I have arrived.

Of course a woman enjoys the flattering attention of men who open doors for them, light their cigarettes, help them with their coats—and I believe the men feel good about it. too. On a social level, these gentlemanly habits are quite proper and acceptable even to the most professional-minded woman, and I would be the last person in the world to want them changed. But when I am at work as a Senator, I want to be accorded the same treatment as my male colleagues, no more and no less.

With the influx to Washington of so many attractive women versed in the arts, the sciences, and domestic and international affairs, women of accomplishments with identities and personalities unmistakably their own, I know the salons of our town are being enriched by their presence. If Pat Nixon and Lady Bird Johnson, wives of the former and the present Vice Presidents, could walk among the peoples of Africa and Asia and impress them as something more than ornaments of their husbands; if Nancy Williams, wife of the Assistant Secretary of State for African Affairs, could visit hospitals, schools, nurseries, and mud huts in the remotest African villages and win the sympathy and confidence of the people there—then I know that they, and others like them, could enhance the life and the mind of official Washington.

These women have revived my hopes for a reversal of anti-intellectualism in this country. Brains are coming into fashion, and I find it a heartening sign of a new renaissance.

Everybody Sell

EXTENSION OF REMARKS
OF
HON. EDGAR W. HIESTAND
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 29, 1961

Mr. HIESTAND. Mr. Speaker, what we need in this country is some good old-fashioned selling, still the best cornerstone for a sound, growing economy.

Senator GOLDWATER, of Arizona, pegged it right in the August 13, 1961, edition of This Week magazine, herewith submitted for the Appendix of the RECORD:

(EDITOR'S NOTE.—This Week's "Everybody Sell" program in our June 18 issue really shook things up. Newspaper stories, discussion in Congress, and mail like we've never seen before. Secretary of Commerce Luther H. Hodges, author of the article, "How To Start Things Booming Again," reported a flood of letters. Thousands of reprint requests came in for Wilferd A. Peterson's lively set of guideposts, "Everybody Sell.")

The letters came from every part of the country and from just about every kind of American—corporation presidents, Congressmen, editors, small businessmen, men shoppers, women shoppers—people on both sides of the sales counter.

One letter in particular we thought we'd better pass along. Any smart salesperson who sees Senator BARRY GOLDWATER, of Arizona, coming in ought to know about this.

"Dear Mr. Nichols: The article in your excellent magazine by Luther Hodges is timely and good, but I might say that it is merely saying 'Amen' to precisely the same remarks that I have been making for the past 10 years.

"I have a little test that I make when I visit strange cities. It goes like this. I walk into a store and approach a department like, say, the cosmetic department, and ask for a package of razor blades. I lay out a $5 bill and I will buy anything up to that amount that the salesperson suggests. Believe it or not, in trying this in countless cities over these 10 years I have had only two salespeople get the entire $5.

"Another sad commentary on selling is that in 20 years I have had only two automobile salesmen approach me, even though I have commented on this to several automobile dealers' conventions. American business has just forgotten the importance of selling and, I am sure, feels that all that is needed is an acceptable advertising campaign and fancy pictures. Nothing can top an American salesman who wants to sell.

"Sincerely,

"BARRY GOLDWATER."

The Bomarc

EXTENSION OF REMARKS
OF
HON. M. BLAINE PETERSON
OF UTAH
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 29, 1961

Mr. PETERSON. Mr. Speaker, for several years the specter of ICBM warfare has dominated national thinking. Russian successes in hurtling thousands of pounds of payload into space have forced our Nation into adjusting its military capabilities to meet the implied threat of this Russian strength.

With the benefit of hindsight it is possible to see some areas in which our reactions to these threats were not as sagacious as they might have been. With military requirements as complex as they are today and the necessity for quick reaction, it is obvious that not every decision to fund—or take funds from another military weapon program—is infallible to some degree. When the passage of time shows that one of these decisions has missed the mark quite substantially it would seem that if the time and opportunity to correct the situation exists it should be taken as quickly as possible.

The decision alluded to is the one which all but canceled the effectiveness of our area defense missile force last year. To capsule objectively and briefly the history of the decision:

Almost 10 years ago the Air Force formulated the idea of area defense. In effect it substitutes in some cases unmanned ground-to-air missiles for fighter airplanes in defending a generalized area against attack by air-breathing weapons—bombers, or missiles released by bombers. This type of defense can be contrasted with point defense in which a specific localized area is defended by antiaircraft weapon types. The two weapon types—area and point—supplement each other. To be a bit more candid, everyone who talks with knowledge on the subject agrees they supplement each other. The only time they don't appear to is when there is a keen competition for funds and the priority for truly defense-oriented weaponry is low. Such a competition existed 1 year ago and it obscured and muddied objective considerations rather badly. There are facets of rivalries such as the Nike-Bomarc controversy which are good. There was a controversy. There is none today.

Next, as the Air Force program for developing its area defense missile system progressed and improved, the Bomarc B was brought into the picture. It was designed to do everything the earlier Bomarc A could do and more. On the strength of its paper abilities, a detailed plan was developed for its deployment. The plan would have located bases of these missiles strategically up the west coast, across the northern tier of States, and down the east coast. The program was endorsed by the Congress and funded.

Then, several things happened almost simultaneously. First, the threat of Soviet airpower diminished rapidly in the minds of most Americans in almost direct proportion to the rising concern over the Soviet ICBM threat. The other significant thing was that the Bomarc B flight test program ran into the sort of troubles that have plagued so many other development programs. The test problems were neither basic to the weapon nor were they serious. But they came up at a time when the threat that the missile was supposed to defend against appeared to be diminishing and they continued all during the time that the Congress was considering defense money bills which were being scrutinized closely.

The long and the short of the result was that the Bomarc B manufacturing and deployment program, which had been evolved slowly and competently over a considerable time, was scrapped—not abandoned, but scrapped. Work on Bomarc defense bases in the Great Lakes area and in the Northeast was left in the program. That which was eliminated was the production of missiles and the continuation of missile bases on the west coast and along the Canadian border west of the Mississippi. In other words, the decision which was made amounted to keeping the front door barred and installing locks on some side windows. But the back door and the rest of the windows were left open.

Looking back on the decision today, it looks a bit hazy. One might reason in retrospect that if there no longer appeared to be a real threat the decision to cut back Bomarc defenses was quite realistic. But, why did we permit work to be continued on the bases which were retained in the program? Why fix half of the leaks in the bucket? Either fix it up right or throw it away. The answer, of course, is that the solution was a compromise. We knew that if the Russians really planned to attack us they would not depend entirely on ICBM's. If bombers were becoming obsolete they would still use all they had of them, and that for quite a while. Even if the Russians produced no new versions, bombers would be the mainstay of any aerial assault on the United States. It boiled down to the realization that we already had a considerable amount of money committed to Bomarc and that we should save as much of it as appeared to make sense.

It appears now that this reasoning was not so very bad; however, we ought now to reapply it to the situation which applies today. Several things have happened in the interim.

The first of these concerns the weapon system itself. The earlier test troubles turned out to be nothing more than the teething problems the Air Force said they were. Dozens of the new missiles have been fired successfully, and the flight test record has been very impressive. The missile has demonstrated, or is demonstrating, every requirement set for it, including both performance and reliability requirements. It has proved it can do the job that it was designed to do. This applies to the Bomarc B bases also. The first of these was delivered to the Air Force on schedule at Sault Ste. Marie on June 1, and the base is operational. The same is true for the second base at Duluth, which became operational early this August.

The other major factor which has changed since the Bomarc B program was scrapped is that current evidence shows that, far from deteriorating, the Soviet bomber threat is more impressive than it ever was. The evidence is the Russian manned aircraft which were displayed so prominently in the recent airshow at Tushino. Let there be no doubt about the significance of these airplanes. As we well know, the development of new aircraft is a very major and expensive undertaking. It also involves the employment of a very significant number of highly trained scientists and engineers. The fact that the Russians have these airplanes beyond any doubt demonstrates they consider the developmental effort to be worth the cost and worth the drain it must have put on other programs which undoubtedly rate high in the Russian system of priorities of their warfare capability.

The point is that if this type of offense is this important to the Russians, it must follow, and be equally important, for us to gear a defense to the challenge. As far as cost is concerned, our task would seem the more economical. We already have the proved weapon system, and the developmental costs already have been written off. It now simply is a question of barring the rest of the doors and windows that we so far have risked leaving open.

There is a very definite time limit for us if we are to accommodate this job efficiently. This hinges on the fact that reasonable costs are only achieved in the procurement of weapon systems when the production runs can be maintained on an orderly basis. There was no money in the 1962 defense budget for the procurement of additional Bomarc defense. As we all know, the requirements for this budget were drawn up some time ago—after the Bomarc was proved, but before the Russians flexed their bomber muscles so prominently. The result is that the Bomarc production lines, the engine production lines, and the production of weapon system parts that support the main production line from suppliers across the country, are very close to being dried up.

Presently, the Air Force is looking at means of stretching out the program so we will be able to order more Bomarcs without an out-and-out production interruption. This approach is probably the only practical one they have. The prospect of slowing up production to better meet a Russian threat which is present today, however, is incongruous.

There is one other allied subject we should get into focus with further Bomarc funding—this is the subject of anti-ICBM defense. Bomarc missiles will not be effective against ICBM's. They were not designed for this job and they cannot be stretched into a weapon system that will be effective against these ballistic missiles. The two subjects must be looked at separately. The only common ground which they share is that both programs are important and both compete for the limited number of defense dollars which can be made available.

We face a significant threat through the air from both ballistic and nonballistic weapons. Our ability to defend against ballistic missiles is still very questionable, and much attention and probably substantial funding must be applied to it. With respect to the airborne aircraft and missile threat, we know it can be met by the family of weapons we have today, and, that by closing the back door now, we can make this defense effective.

BOMARC ENGINE PRODUCTION AND TESTING

The Air Force established the Bomarc engine production center in Ogden, Utah, in my congressional district, 5 years ago. Earlier, ramjet engines for the Bomarc were produced at other Marquardt facilities in Van Nuys, Calif. A comprehensive survey had revealed that Ogden and the surrounding area met a combination of unusual prerequisites. These included an inland location which could supply a suitable labor market, a location which would be within commuting distance of Marquardt's headquarters in southern California, and a location for a test facility in a remote area, but still near enough to plant and population to make efficient operation practical.

During the 5 years that the missile engine plant has been in operation, all the factors required for its success have been met. With the vocational facilities provided by Weber College, in Ogden, Marquardt easily met its requirements for a skilled manufacturing organization, and 85 percent of it was drawn from local talent. When the facility was doubled in 1958, production schedules were met during construction, a tribute to both personnel and plant design. This personnel-facility combination was also instrumental in delivering the first ramjet engine 30 days after the original facility was finished, and since that time all delivery schedules have been met.

The Air Force Marquardt test facility, which was dedicated in October 1959, is unique by virtue of its location and design. Situated on a 184-acre section of shoreline of the Great Salt Lake, it nestles in a natural amphitheater which confines test noises and exhaust gases and yet is only 15 miles from the production plant.

Maximum use of the facility was considered in its design, and it readily lends itself to advanced testing programs. Significant in this respect are the aerodynamic cold-flow tests being conducted on rocket nozzles for the Minuteman program. These tests, which supply information for design improvements on the rocket nozzles, are being conducted for Thiokol and Hercules.

The large-capacity air-storage system capable of supplying a supersonic stream of air and a massive, enclosed cell provide an ideal facility to perform tests on rocket configurations. If required, a heat exchanger permits a heated air supply for simulated flight conditions, such as that provided for the Bomarc's ramjet engines.

With an appreciation for the local advantages which first drew Marquardt to the intermountain area, other related industry has since moved to the valley, creating an industrial complex whose services complement and support each other.

This complex, which is now involved in many major defense programs, is a group of industries, with Thiokol to the north, and Sperry and Hercules to the south. Centered around the Ogden Air Materiel Command at Hill Air Force Base, which has logistic support for many major weapon systems, these industries mutually complement each other's services, and support each other's systems.

Most significant in this respect is the Thiokol-Marquardt team, which, working with Boeing, soon to be another neighbor, has developed the Bomarc missile to a key part of our Nation's defense. Boost for the supersonic Bomarc is supplied by Thiokol propellant, which carries it to altitude, after which Marquardt ramjet engines propel the missile to intercept.

Marquardt completed its scheduled production of the ramjet engine for the Bomarc A missile in 1960. As this program phased out, production began immediately on the new RJ43–11 engine, which has already powered the new Bomarc B missile in successful test flights. This advanced ramjet engine and its predecessor, the RJ43–3, are the only two ramjets in the Nation to have passed the military qualification test.

In mid-1960, final flight testing of the RJ43–11 was completed when the engine met all flight requirements as it propelled the Lockheed X–7 test vehicle on a complex flight. The X–7 has acted as a flying test bed for air-breathing engines. After flight, a parachute recovery system lowers missile and engine to earth, where complete evaluation can be made.

During a 13-year testing program, the X–7 has flown and reflown ramjet engines and components, simulating Bomarc flight parameters to test and prove the Marquardt propulsion system's reliability before qualifying it for Bomarc service. This test program has not only provided production information invaluable to Ogden manufacturing, but in the process has established an impressive record for air-breathing engines. Powered by a single ramjet engine, the X–7 reached speeds in excess of mach 4—more than 3,000 miles per hour—and it established a world's altitude record for air-breathing missiles by exceeding 100,000 feet.

More significant than these speed and altitude records is the contribution which the ramjet development and testing programs have made to advance the state of missile and engine art. Much invaluable aerodynamic, thermodynamic, special fuels, and materials information has been accumulated as a result of this program.

Though very similar in exterior appearance, the RJ43–11 engine has improved performance which has increased the speed and extended the range of the Bomarc B interceptor missile. Each engine is checked and calibrated to meet the new flight performance requirements. In the huge test cell at the Little Mountain facility, engines undergo a simulated flight and are then rechecked for performance characteristics.

Utilizing the knowledge of this test program and research activity throughout Marquardt's history, Ogden developed a precision manufacturing plant and related testing facilities. Advance techniques in metal fabrication have been developed to a production line basis, and similarly machine-tooling equipment, predominantly tape controlled, has allowed the production of precision parts with reduced costs. During the ramjet engine manufacturing program of the RJ43–3 and continuing with the present production of the RJ43–11, unusual metal-fabrication skills and equipment have been amassed. The spin forge machine, which cold-flows metal into various shapes much as a potter does with clay on his wheel, and explosive forming, which blows metal into the shape of a die into which the metal is placed, are two examples of techniques that are being used by Marquardt's manufacturing engineers.

As production techniques kept pace with ramjet engine improvement programs, significant accomplishments in ramjet production were noted. Creating the RJ43–11 engine, now being produced on an assembly line technique at Ogden, required only 3½ years' work rather than the 7 years which were required to bring the RJ43–3 from conception through the successful completion of the qualification tests.

The Bomarc ramjets did much to develop ramjet technology. Out of the program for example, came the successful demonstration of boron hydride fuel in both ground tests and flight. The program also revealed the feasibility of the Marquardt hyperjet, a combination rocket and ramjet which is now receiving serious study as the propulsion system for boosting large payloads into space.

Because this Utah facility was founded exclusively to produce ramjet engines, the Marquardt technicians and engineers have adapted their skills and experience to form a unique team for the efficient and economical production of this unusual propulsion system. Their efforts have provided the quality product which has established an exceptional record of reliability.

I strongly urge that a serious review of this phase of our defense posture be made by our military leaders without delay.

The National Lottery of Brazil

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 1961

Mr. FINO. Mr. Speaker, I would like to tell the members of this House about the national lottery of Brazil and also about the State lotteries of Brazil, for Brazil is not content with just one lottery.

In 1960, the Brazilian national lottery brought in gross receipts of close to $20 million. The net income to the Government, which was treated as ordinary revenue, amounted to about $7 million.

Fourteen Brazilian States operate lotteries, and these lotteries profit the Federal Government as well as the State governments, for the Federal Government taxes the State operations on behalf of the social security program.

Brazil has many Government lotteries, and Brazil profits accordingly. The United States would be immensely better off if it had the wisdom to establish even just one lottery.

Need for American Salesmanship in a Dynamic World

EXTENSION OF REMARKS

OF

HON. J. GLENN BEALL

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Tuesday, August 29, 1961

Mr. BEALL. Mr. President, at the Elks State convention at Hagerstown Md., on the evening of August 26, 1961, Hon. CHARLES "MAC" MATHIAS, Representative in Congress of Maryland's Sixth District, delivered an address on "The Need for American Salesmanship in a Dynamic World."

The convention marked the end of a term of office of a fellow Marylander, Mr. Robert Bowlus, as Tri-State Association president, the Tri-State Association covering the States of Maryland and Delaware, and the District of Columbia. Mr. Bowlus, presently serving as secretary of Frederick Lodge No. 684, is past exalted ruler of that lodge, and was honored with the presidency of the tri-state group as a result of his valuable contribution to the organization and to the community. In speaking of the Elks, I feel constrained to mention the excellent service of Mr. Bowlus.

Representative MATHIAS, in his excellent address before the State convention, stressed the importance of effectual personal diplomacy as an essential weapon in the cold war. The remarks of Mr. MATHIAS revealed the problems which we as a nation must face if we are to sell the American way of life to the world. As the speech is most timely, I ask unanimous consent to have the text of the address printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SPEECH BEFORE THE ELKS STATE CONVENTION, HAGERSTOWN, MD., ELKS CLUB, AUGUST 26, 1961—THE NEED FOR AMERICAN SALESMANSHIP IN A DYNAMIC WORLD

The world of today is one of tension as the Berlin crisis deepens by the hour. The President has alerted the Nation to a grave emergency. Congress has approved Presidential authority to call some 250,000 reservists to active duty. Our entire Nation is preparing for any deterioration of the

Berlin situation that may materialize in the future weeks. And activities in Laos, Cuba, and other world areas emphasize the inherent dangers of contemporary international politics. All of us hope and pray that the present world crisis will be solved by a just and peaceful solution. This is the spirit that will propel our activities in the weeks and months ahead.

But next year and indeed for many years to come we must face the reality that world crisis will be ever present. The Communist leaders have promised a relentless quest for eventual total dominance over all nations. We must, therefore, realize normalcy in today's world means permanent crisis with its consequent heavy obligations on the free world. To meet the challenges this continuing crisis demands we must fashion and mold a flexible foreign policy that is aggressive in spirit but peaceful and humanitarian in tone.

Two facets are now of prime importance in any future foreign policy program. We must strive for a rejuvenated and dynamic personal diplomacy. And this in turn must be complemented by our spokesmen and diplomats having a keen, intellectual awareness of our democratic system and its great ability to improve and assist the peoples of the world.

The power politics of the mid-20th century has cast personal diplomacy into a new area of prime importance. Premier Khrushchev has mastered the art of the smile, the wave of the hand, and the high pressure word of mouth—always emphasizing the inevitability of eventual Communist victory. While Khrushchev often seems unable to temper his Communist braggadacio with wisdom and statesmanship, think of the great good that can be achieved by the Western spokesman who not only displays a positive, electric personality but adds to it a sense of wisdom, an intellectual appraisal of his democratic heritage, and a sincerity of expression.

The good will that can be engendered by an effective personal diplomacy was recently evidenced by Gen. Douglas MacArthur's return journey to the Philippines. There, we saw an outpouring of affection and friendship from millions upon millions of people. No matter what your political philosophy, no matter what your feelings for the man, this journey of personal diplomacy has had great significance for each of us in a time of international crisis.

If we are going to engage in successful personal diplomacy, it should now be strikingly apparent that we must send Americans to other lands who understand the concepts and values of the peoples of those lands. And we must also send Americans who have labored in those distant areas, and whose labors have justly earned the respect and admiration of the people there.

Whether we like it or not, we are engaging in personal diplomacy every day at the conference table, at multilateral negotiations, and in diplomatic visits abroad. We are in a continuing contest with a personable Russian leader as well as with other gregarious, extroverted personalities from the Communist world. Thus, when our leaders represent this Nation at international conferences they must realize that they are no longer dealing merely with a finance minister or an agricultural chairman. Rather our delegates are dealing with the peoples of those lands, for in a very real sense they are molding the future lives of such individuals. Consequently, our spokesmen must make their case heard and understood by the people concerned. Empty syllables or rhetorical disguise must disappear from our diplomacy. And in their place must emerge an awareness of the misfortunes of others, a sincere and active effort to dispel starvation and poverty, and a fervor to make our democratic way of life understood and accepted by the new nations and also by the old nations struggling for a better existence.

What we need today are salesmen who can sit down with the shopkeeper and sell him an order of goods; salesmen who can champion the cause of democracy and convey its message and benefits to people everywhere.

Indeed, all of us must have a strong faith in our own political and economic system. We have seen it improve and mold our Nation into a mighty arsenal of democratic ideals. We can now utilize this same system to fortify the world against disease, against poverty, against atheism, against totalitarianism. We can and we must if our own way of life is to survive.

In today's world the dominant ideology has once again become nationalism—this is the pulsating force that propels Western nation and Communist nation alike. But most of all it is the ideological source of life to the uncommitted nations; the newly emerging nations; and the young peoples of the world who are molding their lands and their lives into the international components of the future.

Nationalism is once again the spark that has enflamed a world. The relentless search for a national self-determination is witnessed in one new nation after another across the continent of Africa. We see the quest for growth, strength, and social purpose spreading through Latin America. The struggle for national cohesiveness is reenacted time and time again in the world of today.

While nationalism of the 19th century was primarily directed at "political freedom," nationalism of the 20th century has become a search for freedom from hunger, and freedom from economic exploitation. The ideal of the men and women in the young emerging nations of the world is not a love of democracy or a hatred of communism as such—rather their ideal is the positive realization of social justice, and of political and economic advancement. These are the goals man seeks today. And if the United States and the other Western nations are to have influence with the emerging nations—and most importantly with the peoples of those nations—we must equate democracy with these national aspirations.

But we must all realize that when the young nations achieve a national entity and a national spirit, the shelves in the store are still bare. The job of the salesman then becomes all-important—for his job is to fill those shelves with a set of political principles that will fortify the new nations and strengthen the freedom and independence of the Western World.

We must, therefore, consolidate our ideals and engage in statesmanship and diplomacy to an increased degree of effectiveness. Western democracy has a right to consider itself in harmony and in union with the aspirations of people everywhere, for it is in harmony with those who seek a better tomorrow. Democracy has a claim on the young nations of the world and can further their aspirations principally because its very foundation—its credo—is based on a simple belief in the dignity of the individual—a belief in the dignity of his mind, his body, and his soul.

These very concepts must be utilized to illuminate the vacuous content of Communist ideology as applied to the homeless, the starving, and the oppressed. How vivid the emptiness of communism becomes when we look at events of the past few weeks.

Is it self-determination of people when Communist police must string barbed wire and erect concrete walls to prevent vast numbers of East Germans from leaving their Communist paradise?

Is it economic progress when potato and meat lines are reappearing across Eastern Europe and a severe cholera epidemic has followed an appalling food shortage in Communist China?

Is it social justice when a highly respected Russian scientist defects to the West because as he said, "If I stayed in the U.S.S.R., I would not be able to give to mankind all that I could if I were in a free, democratic country."

If we seek victory in the cold war, we of necessity seek victory of ideology. Our accouterments of battle become the word of truth, and the deeds of good will. Our ambassadors and representatives must be prepared to effectively refute the boasts of communism and they must make their words heard and understood by the people of the world—not only by their governments.

Furthermore, our deeds must give evidence to our words. Our foreign aid is one such material example. But we must also evidence a singleness of purpose, a comradeship of spirit. The economic and social betterment of the individual must be our motivating force. With fervor of belief in our democratic heritage we must actively seek the positive realization of social justice and of political, economic, and social democracy for peoples everywhere. We must reawaken our international concern for the future and rekindle our dedication to posterity. This is our task of today. And, with courage and patience, this will provide our victory and our peace of tomorrow.

Address by Hon. W. J. Bryan Dorn, of South Carolina, Before the American Legion State Convention, Greenville, S.C.

EXTENSION OF REMARKS
OF

HON. ROBERT T. ASHMORE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 1961

Mr. ASHMORE. Mr. Speaker, I should like to insert in the CONGRESSIONAL RECORD a great speech made by my colleague, the Honorable W. J. BRYAN DORN, before the American Legion State convention recently held in Greenville, S.C. Representative DORN gave a stirring and thought-provoking speech on conditions existing throughout the world and the crises facing us. I commend it to the attention of every Member of Congress. The speech follows:

Congressman WILLIAM JENNINGS BRYAN DORN. Mr. Commander, Mr. Adjutant, Congressman Ashmore, Governor Maybank, distinguished guests, members of the auxiliary, and my fellow Legionnaires, BOB, I appreciate your very gracious and very kind introduction. I am always happy and honored to be presented to any audience in the Fourth District, by my distinguished, able, conscientious colleague, BOB ASHMORE, your own Congressman. BOB believes in oldtime, oldfashioned Americanism. He believes that Americanism conquered the early American frontier; it developed undeveloped America; it is a principle that is the same yesterday, today, and forever. Therefore, it will conquer, if given the opportunity, the New Frontier, and space. I congratulate BOB ASHMORE on his stand in Washington for those principles and ideals of government and Americanism that have made this Nation the greatest nation on the face of the earth. I

am glad to be in the home town of Lieutenant Governor Maybank, who has presided so ably, with honor and distinction, over the Senate of South Carolina, which I still think is the most dignified, able senate body in the world.

I wish also to pay tribute to your great commander. It has been my privilege to know him and meet with him over this State this past year, and also his able adjutant. You know, I saw firsthand the fine work that Nelson Keesee did at Boys State. It was my privilege to be there, and I wish every South Carolinian could see the enthusiasm, the patriotic spirit of Americanism, as exemplified by Girls State and Boys State, particularly under the leadership of our adjutant.

Ladies and gentlemen, we come to you this morning straight from Washington. I bring you greetings from the committee chairman, under whom I serve, the Honorable OLIN TEAGUE. He asked that I please give you his very best wishes. Some years ago he spoke to the State convention of the American Legion of South Carolina. He still remembers it with pleasure. He is doing an outstanding job as chairman of our committee. He is one of the few whom I would follow almost blindfolded. Mr. TEAGUE has the welfare of this country at heart, the welfare of the veteran along with it; and also, he is cognizant of the economy of the United States. So I do bring you greetings from him.

As to our veterans' program today, I think one of the most important parts of it, as Mr. McHugh here could probably tell you, is the long-range hospital program that we have. We intend, over the next 9 years, to modernize, and to maintain our hospitals, and to look after the needs of the veterans of the United States. That program is moving satisfactorily, and I think all connected with it are doing an excellent job. This year we passed a bill to increase compensation for those men who haven't had a raise since 1957. During the time of inflation, increased cost of living, we thought it was timely, thus we passed a bill this year; and I sincerely hope it will be passed in the other body and be signed by the President. I believe that the men who were wounded in the service of our country, and those who gave their lives in the service of our country, their widows and orphans—these people—should receive first consideration. And, if any of you have any comments about the pension bill we passed last year, which went into effect last July, the chairman of my committee asks that you please report to him any suggestions you might have about how that law is working at the grassroots level. So much for veterans legislation.

We gather here today during a great crisis, not only in the history of this country, but in the history of the world. The crisis we are in today is a Russian Communist-created crisis. It is not a crisis of our own choosing. The United States and the free world would prefer to be free, and would prefer the peaceful pursuits of happiness. This crisis—may I repeat—is a Communist Russian-created crisis, just as every crisis since 1945 has been a Communist-created crisis, to further their ambitions—as they have so often publicly stated—to conquer and infiltrate the entire world with atheistic communism. This is the great challenge before each and every one of us today. Very frankly, I think the world situation has moved, until today we are in a great climax, a crucial climax in the history of civilization. And the next 6 months possibly will determine whether we will remain free, whether the world will remain free, whether or not we will continue to move forward down the corridor of history as free people, or whether we will be plunged backward into the dark recesses of slavery, in which the individual, as grains of sand on the seashore, will be shoveled by the totalitarian masters of a slave state to further their own ends.

Yes, we are in that crisis today, this very moment. Summit conferences. Let me recall for you some unfortunate history. I remember reading, as a very young man, about a conference at Munich, Germany, a conference insisted upon by Adolf Hitler and Benito Mussolini—a conference, a Nazi-Fascist-created crisis. So, Chamberlain went to Munich. Along with him were his Foreign Affairs Minister, Lord Halifax, Daladier from France, and his Foreign Minister, Bonnat. They formally and officially signed a document. And you remember the pathetic picture of Neville Chamberlain getting off the airplane in London, England, holding up this paper on which were the signatures of Adolf Hitler, Mussolini, Von Ribbentrop, and all of those men; and he said, "Peace in our time." Chamberlain actually sincerely believed and thought that he had accomplished peace in our generation. In a very few months, in that same year, the German armies were goosestepping into Czechoslovakia; and the next year, strengthened and confident by their success at Munich, they goosestepped into free Poland, and launched the German war machine into World War II.

And I would like to point out to you the conference at Yalta and the conference at Potsdam. Most of the world's trouble today, in a military way and as to the power of the atheist enemy is a result of those conferences. They received more at those conferences at Yalta, and Potsdam, and Teheran than they have ever conquered in war. So, I would like to warn my fellow countrymen against the fallacy of sitting down and working out agreements that are not worth the paper they are written on—[applause] working out agreements with bloody gangsters, whose fingers literally drip with the innocent blood of millions. What would you think of the mayor of some of our fine cities, if he would sit down with the bank robber, and draw up an agreement not to rob the bank again, yet let him keep his money. That's exactly what we're doing when we sit down with Khrushchev.

At every single conference we've gone to with these gangsters, the free world has lost something; and America has lost something. We not only lose territory, but we give the enemy confidence, and we lose our prestige around the world. In the last conference at Vienna, not having learned by the experience at Camp David, not having learned from the so-called Paris Conference which was a fiasco, we again decided on another conference. This time we lost Laos; and if we meet with Khrushchev anywhere in Europe or anywhere in the world, including Washington, we are going to lose something else before we start. He uses these conferences not only to build up his prestige and his confidence, and to inflate his ego, but also he uses these conferences to cover up some move in Cuba, some move in the Congo, some move in southeast Asia, or some move regarding Berlin.

So I would say to my fellow countrymen, don't go. Don't sit down with a man we cannot trust. Don't sit down with a man who has never kept any promise, who has never honored any sacred treaty. We cannot depend upon such conferences to preserve the freedoms of the peoples of the free world.

We must rely upon something traditional, something that has always saved and protected the people who have had enough of it—and that, ladies and gentlemen, is cold steel. The strength and power of this country is the only thing that's going to preserve our freedom. And if the Congress of the United States had listened to the American Legion from 1919 until 1939, we would not have had World War II; and we wouldn't have had communism in Europe today—certainly not central Europe—and in China, and throughout the world.

There's no easy road to peace. Peace cannot be bought with conferences. It cannot be bought with agreements—certainly not agreements with the enemy. But peace can be preserved with the most powerful army—highly skilled, mobilized, ready for instant action—a navy that's in complete command of the seven seas of the world, and an air force that is supreme in the air.

And now, in this day of astronautics, we must control space. If we had only spent a portion of the money, not all of it, but just a portion of the money thrown down the drain all over the world, a blank check trying to make the world worship the dollar sign, if we had only saved a portion of that and put it into conquest of space, America would not be worried about Berlin today.

Ladies and gentlemen, Berlin is a crisis. Something is going to break in the next 6 months. Before the end of this year I say this country must stand firm. If we surrender Berlin, if we back up on Berlin, some day it will be Alaska, because Russia still claims Alaska. They say that it was given to America by czarist Russia; so they don't recognize that. Someday, sometime, somewhere we are going to have to face these masters of the Kremlin, and tell them in no uncertain terms that this is the line beyond which they cannot go, beyond which we will fight with everything we have—and then I think we will make a contribution, once we do that, to the peace of the world. But as long as they believe that through blackmail, through crises they create themselves, they can always get something, someday they know that they will win the entire world.

Yes, we are in a crisis. We're in one over Berlin. We're in one in Cuba, in Africa, in Latin America, in southeast Asia, even in the United States, and throughout the entire length and breadth of the whole world.

But on Berlin, let me say that Russia knows how to get peace. She helped draw up the agreement about Berlin; as stupid at it was, she nevertheless signed it. She is pledged to support the present status quo of Berlin. But she cares nothing about treaties. She cares nothing about her signature, so we should let her know in no uncertain terms now that we are not going to permit central Europe to be overrun by the Communist aggressors from the east. [Applause.] And the sooner we take this stand the better. What would you think of a person who stole your cow and your calf—your neighbor—and then he asked you to have a conference about it; and then to settle the whole issue he would give you back the calf? That's exactly what we propose to do with any future conference on Berlin. I wouldn't talk with anybody, my neighbor or anyone else, until he brought back both the cow and the calf, because with that policy they'll soon demand Alaska, and then Florida, and we won't have anything left. Russia knows that. She doesn't want war. She's getting what she wants without war, with blackmail, with fear hysteria in the United States. The sooner our people stand up and say as Chamberlain and Daladier should have done at Munich, that if you violate this sacred treaty we are going to fight you on the beaches, in the air, as Churchill said, and everywhere because we believe in freedom, then we won't have a war. The surest road to war is appeasement, is compromise, always giving up a little bit to buy a little more time.

And I want to tell you, many of us in Washington are concerned. Late Thursday night when I left the floor of the House to come to South Carolina, the last speech I heard on that floor was by SELDEN of Alabama, chairman of the Subcommittee on Inter-American Affairs, a good Democrat,

who has always been a Democrat. Yet he has disagreed with Eisenhower. He has disagreed with a lot of the leaders of this country. And the last thing I heard him say was that our foreign policy is still floundering, without a rudder, in a time when we need decision; and we need it now. Tomorrow may be too late. So I would say to my colleagues in Washington, and to this administration, that next year will be too late. We cannot afford another fiasco in Cuba. Regarding Berlin, we cannot afford another fiasco in southeast Asia concerning Vietnam. We cannot afford another Congo. We have precious little time left. So we must stand firm now, or we might lose the freedom of our children and our grandchildren.

I never thought I would live to see the day in this great country of ours when I would see a bearded Caribbean beatnik, a tinhorned gangster, that the South Carolina National Guard would lick in 1 week, if given the opportunity. [Applause.] I never thought I would live to see the day when he could sit back on the island of Cuba, in all of his crookedness and corruption and bombast, and buffalo the powerful, the great, the historic, the patriotic United States of America, the arsenal of democracy, the heart and core of the free world. But, ladies and gentlemen, this is exactly what he has done and is doing today; and we cringe in fear; we're even trading with him. I heard these men on the floor of the House Thursday say if we had only invoked the Trading With the Enemy Act we could stop him cold. But we won't even do that. They are bringing in millions of dollars worth of oranges from Cuba, molasses, sugar, cigars coming in through Canada into the United States. We are still building him up with our money. Let's invoke Trading With the Enemy Act. Let's blockade Cuba. If we can't stand firm on Cuba, what is going to happen when they meet over Berlin? Maybe they'll give away West Germany, and France, and England to buy a few more moments of time.

This is the most critical crisis you and your country have ever been in. I heard one of the greatest generals in the world tell me that last year, over a year ago. He said, "You don't have much time left."

The most ridiculous, shameful aspect of this entire Cuban fiasco has been the attempt on the part of citizens of the United States, in violation of the Logan Act, in violation of Trade With the Enemy Act, in violation of the Export Act, probably the Battle Act, and others, to go over and meet with this bloody gangster in Cuba and give him equipment from the United States of America, with which to build airfields, missile bases, and attack Miami, Fla., in a few months. Jet planes coming in this month and next month, with trained pilots from Czechoslovakia. Yet we have people in the United States foolish enough to think they can deal with a modern-day Maw Ferguson, John Dillinger, and Pretty Boy Floyd. You know, I couldn't believe it when I heard about it; and the thing I really couldn't believe was that the Government of the United States was behind this circumvention of these laws put on the books to keep Americans from dealing with gangsters, blackmailers, those who demand ransom. This episode has cost the United States all over the world more prestige. This single event has lost us more respect than any other one incident that I know of since the Constitution of the United States was adopted.

You are not going to buy off Castro. We are not going to be able to buy off Khrushchev any more than we bought off Hitler, or any more than the people bought off Genghis Khan. You know they tried to buy off people back in the days of Rome. The Romans didn't mind that. The Roman legions just moved in anyway, after taking the money.

Oh, ladies and gentlemen, I am pleading today for America, for honesty, for decency, for principle, for patriotism, for a revival of those things that created this Nation, and made this Nation. Are we to sit back through hysteria and fear and see our freedoms liquidated, and our country destroyed? May I say again, if we can't stop Castro, how are we going to stop Khrushchev? And then 10 years from now, or 5 years from now, Mao Tung of China, with 700 million people behind him, 300 million of whom he would like to lose in a war? Mao Tung says that with war it will still leave him with 400 million people, 2 to 1 over the United States. They are overcrowded so he would like to lose 300 million people in a war. If we are going to let Castro buffalo the United States, then we better run up the hammer and sickle today and get it over with.

But, ladies, and gentlemen, let me tell you something—I feel more confident. Why? Because I spoke in Michigan the other night. The minute I left the Disabled Americans Convention in Grand Rapids they unanimously adopted a resolution in Michigan endorsing every word I said about summit conferences, about being strong, about tractor deals with the enemies of our country. And did you know that throughout the United States of America people are talking the same way everywhere? They are tired of this tin-horned gangster. They are tired of this Caribbean beatnik, and his henchmen and his backers throughout the world, buffaloing the United States, making us cringe in fear.

My fellow countrymen, let's stay strong, and, if necessary, invade Cuba with the Armed Forces of the United States, not wait until they bomb Miami, or New Orleans, or Atlanta, or the atomic bomb plant at Aiken. Let's rearm Germany and Japan. The greatest pool of skilled labor outside of the United States today can be found in West Germany and in Japan. You know they don't mind fighting and I say that we ought to offer every encouragement to them to rearm, and stem the course, the onward march of Communist atheism. One time, if necessary, I want to see an ally on our side like the Germans, who took more punishment during World War II than all the rest of our allies combined. You know it and I know it. They lost more people in Hamburg and Cologne, and one other city than Great Britain did throughout the entire war, and I have a high regard for Great Britain. But if we mean business, let's go into business. Let's use the means at hand to stop communism, and stop it now.

Now remember what those people said when we went through Germany. They said, "It will be Russia next time." You boys remember it. They knew it. They said, "These people are uncivilized. They are atheists." Just like generations and centuries in the history of the world, they roved from Eurasia into Europe and northern Africa. We must stop them.

Let's declare a national emergency, if necessary, today; put this country on a wartime footing. Draft capital and labor and everything, if necessary. If freedom is worth dying for, it is worth spending some money for today before it's too late. Yes, declare a national emergency. Blockade Cuba. Stand firm on Berlin. Build up our armed strength as quickly as possible. Mobilize, if necessary, now. Russia has been mobilized concerning Berlin, for 10 years. No more conferences with men who are not going to keep their promises. People ask me everywhere what can we do as organizations, or what can we do as citizens? One of the most classic examples I know of is the American Legion and its auxiliary, teaching Americanism, putting something in the minds and hearts of the youth of America, in the place of communism, filling their hearts and minds with Americanism so there is no room for communism—Boys State, Girls State, the oratorical contest, junior American Legion baseball. From this organization comes 60 percent of the ballplayers in the National League. And in every community in this country, honoring the flag. Oh, I wish that on next Tuesday, the Fourth of July, every community in the United States, every home in America, particularly where there are young children, will fly the Stars and Stripes of the United States, and fly it proudly. This one thing I can promise you, that in my home with my five children, the U.S. flag, larger than this, was flying on my front porch on Flag Day, and it will be proudly so on next Tuesday.

People ask me, "What can we do?" Oh, ladies and gentlemen, we could stop communism cold. We could stop it in America. Back up our Un-American Activities Committee. Show the film "Operation Abolition," whether the "pinks" and the Socialists want us to or not. There are a lot of things we can do. Rededicate our lives and our homes. Tell our children the story of America, just like the American Legion told it to Boys' State, just like they are telling it all over the world. Many of our people go overseas and they can't tell foreigners about the story of America. They don't know much about it, the Constitution, the Bill of Rights, the Declaration of Independence, the right to vote, the right to go to church, the right to assemble, the right to speak. It's a story we need to tell all over the world—the story of Americanism. And let me say this, finally, that we are not going to save America by adopting socialism as we have been adopting it the last 25 years. Here's what Khrushchev said—don't quote me, I'm not the man that said it—Khrushchev said it. In May of this year Khrushchev turned to the delegation of the United Arab Republic and he said that you have communism. Socialism is communism. He said that socialism is the "A" in the alphabet of communism. Don't fight communism when you have socialism, he said; it puts you in an awkward position. Yes, socialism is communism incomplete, and we are adopting it in America today.

Socialism is old. It was tried in the days of Babylon, Greece, in the ancient civilizations of the past. And I have been shocked since I returned from Washington and came back to the grassroots of this country to find people on the dole system today in America, just like they were in Rome, the thing that destroyed Rome, people going up in fine automobiles and getting groceries. And if you ask them what about cutting the grass or helping us work around the house, and "we'll pay you good," they laugh in your face, and then turn around and ask you "Why do you work so hard?" "We are on unemployment compensation and enjoying free food on the side. Why should we work?" Eating out the guts of the United States of America, destroying us from within. Let's move forward with Americanism. Americanism is new. Americanism is modern. Socialism is old. It has been tried and found wanting. Let's turn the wheels of progress forward with Americanism, the free enterprise system, the profit system, the system that made this Nation the wonder of the modern world. Please don't let us turn the clock back to socialism, State control totalitarianism, Federal aid to education. Oh, I wish you could have read the report Judge Smith showed me this week, concocted by the U.S. Education Agency, a blueprint for controlling the minds of the youth of America, for brainwashing our young people down the primrose path of socialism, at the end of which is the black bottomless pit of Red, atheistic communism.

Local control—do we have confidence in ourselves? Do we think we can handle this? We have done it, and we handled it in such a way for 150 years that the whole world,

including communism, turned to us; and we even gave the Russians $11 billion. We've helped the whole world with our free enterprise system, yet we are adopting socialism, the thing that destroyed them, made them weak, made them ignorant, made them illiterate; and we want to adopt it in America—totalitarianism, control of education, control of business, control of the hearts and minds of our people. Washington calling the tune and playing the music, and the American people dancing, down that road to complete destruction as of Babylon.

Ladies and gentlemen, this is my plea to you. May we say with Ben Hill of Georgia when he said, "He who saves his country, saves all things, and all things saved will bless him; but he who lets his country die, lets all things die, and all things dying curse him."

And I want to say to some of those in America today who think when Russia takes over, if they do, that they will be saved. They'll save their hide while pointing out me and saying "DORN was the warmonger. Go get him." That won't work. It didn't work in Korea. Those soldiers who told on the others—oh, the Communists came back for more, because they knew they were weak, and submitted them to more blackmail. It won't work. They'll get everybody in America because of their education and background. Those who are capable of raising a revolution in the future will be liquidated. So let's stand up and save our country now, in this year of 1961, because 1962 may be too late.

I wish every Congressman in America could visit the Legion, could visit the auxiliary, see your display of the flag, your oath. They would be encouraged to stand firm in Washington.

And I do hope our beloved President, whom I love personally, will launch out before it's too late, with alacrity and decision. Already he has rescinded the remark he made about the Legion in 1947 or 1948, but I do hope and pray that he'll move forward, and exert the leadership that is necessary now, before it's too late. [Applause.]

Statement by Hon. Frank Chelf in Support of H.R. 3725, To Provide That the House of Representatives Shall Be Composed of 469 Members

EXTENSION OF REMARKS

OF

HON. FRANK W. BOYKIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 1961

Mr. BOYKIN. Mr. Speaker, under unanimous consent to address the House and to revise and extend my remarks, I include therein a speech made by Congressman FRANK CHELF, of Kentucky, before our great Judiciary Committee. There were about 200 of our Congressmen that attended this great hearing and we had some wonderful men from the Congress who made great statements, but the man that put the icing on the cake was this great Kentuckian that you and I love and respect so well.

So many of our Members who have been here for over a quarter of a century have told me they have never heard a greater speech and facts presented to the Judiciary Committee as well as our own FRANK CHELF did at this great gathering.

Mr. Speaker, I called your distinguished and hard-working helper and assistant, the Honorable John Holton, and I am sending him a copy of FRANK CHELF's speech because I want you to know the facts that he gave us, as not one of us attending this meeting had ever heard them before. I imagine, however, you do know the facts that Congressman CHELF gave us, but I want you to please review them again, because we have decided to come and see you, the man that has been Speaker longer than any man living or dead, that this great United States has ever honored by making him our Speaker twice as long as any Speaker before, even the great Speaker, Henry Clay.

Mr. Speaker, I know you will be delighted for all of your friends and admirers in the House and the Senate to read this speech, because these great men whom you lead day in and day out, year in and year out, represent every human being in this Nation, and so many people in practically every country in the world. Even our great Speaker, SAM RAYBURN, would be amazed at the people that read the CONGRESSIONAL RECORD. As I travel over this great land, men, women, boys, and girls tell me of the great things that they read in the CONGRESSIONAL RECORD.

I am going to have many copies made of this great speech and send it to our schools, our colleges, to our newspapers, and all over this country, and I believe every man, woman, and child that reads the Chelf speech carefully will agree that we should make a change in the House. We have had 13 different changes since we have had the Congress of the United States. The first was made by President George Washington and on down the line.

I wish you could have also heard that great Congressman from Chicago, Congressman ROLAND V. LIBONATI, who has represented Illinois, the great city of Chicago, and this Nation so well and so long. He and the entire delegation of Illinois, who are the fourth largest in the Nation, are for this change 1,000 percent. The gentleman from Illinois, Congressman THOMAS O'BRIEN, whom we all love so well, will help this great delegation lead the fight for the change.

I wish you could have heard the great lawyer and statesman from Louisiana, EDWIN WILLIS, who asked some very pertinent questions which were all answered to his satisfaction and the satisfaction of everyone attending this great meeting and hearing by Congressman CHELF.

Please note what the other nations, like England, France, Japan, and I could mention many more, allow the men that represent them, and it is about one-half of what we in the Congress have to represent. Mr. Speaker, I understood from Congressman LIBONATI that if the census takers had found 700 more people, that they would not have lost a Congressman. Mr. Speaker, if so many of our people had not been out fishing in our great rivers and Mobile Bay, and the Gulf of Mexico, Alabama would not have lost a Congressman.

I wish you could have heard the great speech that your friend and my friend, Congressman OREN HARRIS of Arkansas, made. It is all in the hearings of the Judiciary Committee, and when they come out I hope I can get them to put it in the CONGRESSIONAL RECORD, because I want everybody in the Congress and in the Nation to have all of the facts that came out of this gathering and hearing last week.

Mr. Speaker, Alphonse Lucas has been my assistant and helper for 44 years. In all of that time we have worked every Saturday and every Sunday, whether we were in the Capital or back home in our beloved Alabama. He told me this Sunday, after we had been working from early morning until about 3 in the afternoon, that he had decided to retire, as there was no way for him to answer all of the mail and keep up with all of the additional work that has been put on us. What would we do if we had to run at large? One of the Congressmen told me it would cost $300,000 for him to run at large in his State, and that he would have to run three times every time one of our great Senators had to run one time.

How I had hoped we were going to try to change the time a Congressman should serve to 4 years instead of 2. Of course, I know you agree with me that when a team comes in with the President of the United States, they certainly should stay with him from the time he comes in until the time he goes out. Of course, there are not many of us who can afford to run for the Congress if we have to run in our State at large. This redistricting covers 16 States, about a third of the Nation, and affects many of the greatest men that have ever served under you as Speaker or under any other Speaker. But, they just can't afford to run at large. Think how it would mix them up and think about the tremendous amount of extra help we would have to have.

Mr. Speaker, I understand 160 Members of this great Congress have signed the discharge petition and I understand several more will sign it this week. I believe if we have to run at large that we will lose here in the Congress of the United States some of the best and greatest statesmen that have ever served in the Congress. Think of the wonderful training of the many men who have given practically all of their life to work for their district, their State, and the Nation who would not return. I know you know of this and much more, so we want to talk to you after you have read Congressman FRANK CHELF's speech and try with all of our heart, mind, soul, and body, to get a go-ahead signal. If I remember correctly, that great statesman from Oklahoma, the man that you selected as Democratic whip, Congressman CARL ALBERT, has been working on this and introduced a bill to enlarge the Congress over 10 long years ago, and I feel sure that our Democratic leader, that one and only Congressman JOHN MCCORMACK would go along with us. Also, another great leader, MICHAEL KIRWAN. I have not talked to Congressman CLARENCE CANNON, chairman of the great Appropriations Committee, who like your good self, has been here and done such a good job for such a long

time. I feel sure Congressman CANNON will go along with us, and I believe practically the entire Congress will too. It seems that if they only had the nod from our great and good Speaker, Speaker SAM RAYBURN, of Texas, then they could go ahead. Mr. Speaker, give us the nod. Let us keep these great men here that have worked with you for practically a lifetime. Several chairmen of committees have signed this petition, some not affected by it and some who are, but all I ask is that you and the rest of us read the great speech and statements and facts that were given to us by that great Kentuckian, Congressman FRANK CHELF.

STATEMENT BY HON. FRANK CHELF, DEMOCRAT, OF KENTUCKY, AUGUST 24, 1961

Mr. Chairman and members of Subcommittee No. 3, I appear before you this morning on behalf of the entire Kentucky delegation: Hon. BRENT SPENCE, Hon. JOHN C. WATTS, Hon. WILLIAM H. NATCHER, Hon. FRANK A. STUBBLEFIELD, Hon. FRANK W. BURKE, Hon. CARL D. PERKINS, HON. EUGENE SILER, and myself, in support of H.R. 3725 to provide that the House of Representatives shall be composed of 469 Members.

There is ample precedent and a historical basis for this legislation. Beginning in 1789, there were 65 Members of the House and as the population increased, the House of Representatives was likewise increased to serve their needs. On April 14, 1792, the number of 65 Members was raised to 106. In 1802, the House was increased to 141, in 1811 to 181, in 1822 to 213, in 1832 to 240, in 1850 to 233, in 1862 to 241, in 1872 to 283, in 1882 to 325, in 1891 to 356, in 1901 to 386, and then in 1911, 50 years ago, the number was upped to 435, where it has remained until the admission of Hawaii and Alaska, which brought it to its present 437. These figures taken from the Congressional Library present a revealing record of the growth of the country and the House of Representatives. From 91,972,000 in 1911, we have grown to 182,000,000 in 1960—double our size. Incidentally, the average congressional district has grown from 200,000 in 1910 to 412,000 in 1960.

The House has not only this precedent but we have a precedent of recent significance. The increase in the Rules Committee membership from 12 to 15, is an addition of 20 percent. I seek to increase the House by 34, which is only approximately 7.2 percent, notwithstanding the fact that the population of the United States has more than doubled. My bill would help 14 of the 16 losing States to maintain their representation. Only two States would not be helped—Iowa and West Virginia. According to the statisticians in the Census Bureau and the so-called equal proportions formula, it would take a House increase to 480 to restore Iowa's loss and an increase to 528 Members to solve West Virginia's loss.

I had hoped that my bill would aid all 16 States losing Members but "the chart" of the Census Bureau prevents it.

Notwithstanding the fact, gentlemen, that no legislation introduced will help little West Virginia, all but one of their delegation in the House have signed the so-called Chelf petition. For this sympathetic understanding of our problem, we, who stem from the remaining 15 States involved, are deeply grateful and shall remain everlastingly thankful to these loyal friends and gentle neighbors.

In addition to helping those 14 States that lose seats, my bill would enable those States that have greatly gained in population to acquire seats in addition to those already allocated to them by the 1960 census. Fortunately for them, my legislation would help to reduce their heavy workload per Member. The States that would be entitled to "bonus seats," which are over and above those already allocated, are Texas, two; Oregon, one; Ohio, one; New Mexico, one; New Jersey, one; Michigan, one; Louisiana, one; New York, one; Colorado, one; Connecticut, one; Florida, one; Illinois, one; Indiana, one; and California, three "bonus seats" in addition to the regular eight Members already allocated to it.

H.R. 3725 would not only give "bonus seats" to those already gaining but it would also give additional representation to several States that ordinarily would not be affected, up or down, by the 1960 census. In addition to this, my legislation would materially assist 14 of the 16 States that lose seats. As an example, it would help 28 States and harm none.

As it has been stated, prior to 1911, it was the custom to automatically raise the number of the House every 10 years. Inasmuch as no increase has been voted since 1911, we, therefore, have an additional 91 million people in the United States that literally have no representation because if it took 435 Members to adequately represent 91 million, I contend that the additional 91 million in the United States are entitled to at least the 34 seats that I seek. Incidentally, the States of New Mexico, Arizona, Hawaii, and Alaska have been admitted to the Union since 1911 and, therefore, these four States have drawn from the established allotment of 435 congressional seats.

Opponents of this and similar bills say that it will make the House unwieldy. They argue that we are selfish in our motives because they contend that our legislation seeks to keep politicians in their jobs and that the cost to the taxpayers would be terrific. These objections are erroneous. For instance, I have been a Member of the House for 16½ years and in all that time, I have never yet heard all 435 Members answer any one rollcall. Deaths, illnesses, important committee meetings, and vacancies prevent 100 percent attendance. An accurate and systematic check of the yea and nay votes over the past 16 years shows an average attendance of less than 370 Members per rollcall. This means that an average of 65 Members never vote, no matter how important any business may be. On this basis, if we increase the House to 469, an average attendance would be approximately 400. What is so "unwieldy" about this number?

If the House is too large and too unwieldy as our opponents claim it to be, why is it that we 435 Members of the House are always through with our work (difficult as it may be) at the end of any given session and often have to wait on the other body to finish their work? A few years ago, under the Eisenhower administration, we created 40 new Federal judgeships. Several weeks ago, at this session, we created an additional 73 judgeships—why? Obviously, this action was necessary in the interest of better government because it afforded better service to the people of the Nation. Due to the very rapid growth of the country, our courts had become clogged with litigation and the only way to relieve the dockets was to create more judges. Why not take action to relieve the Representatives of the people so that they may be in a better position to more adequately serve their constituents?

Insofar as the argument of selfishness is concerned, let me say that this legislation is, to the contrary, most unselfish because it really prevents a Member from growing too powerful and too important by the reduction of the size of a given State's delegation. In other words, I am a more powerful Member of Congress if I am one of four than if I am one of a delegation of eight.

The argument of terrific cost falls flat on its face for the very simple reason that the 34 newly created seats, including Members' salaries, office staffs, allowances, and everything would cost the 182 million people in the United States today an average of three-fourths of 1 cent per person, per year. This is less than the cost of the former penny post card.

With our population explosion, if we keep adding tens of thousands of constituents to an individual Member of Congress, the time will come when he will be so overwhelmed and frustrated by duties in the office that he will have little time in which to legislate and practically no time in which to visit and mingle with his people. Through no fault of his own, a Member would become unavailable and inaccessible, which is just the reverse of what the Founding Fathers envisioned when they drafted the Constitution. As an example, it was never intended that the House of Representatives be separated from the people. I am told that the only occasion on which George Washington, President of the Constitutional Convention, entered into the discussion of the Convention was when he urged that the House be made accessible to more people rather than less. James Madison reported in his Journal of the Federal Convention that when it was proposed that the constitutional requirement of 1 Representative for every 40,000 persons be amended to 1 Congressman for every 30,000 persons, George Washington spoke out on the proposed amendment, urged its adoption and asserted that it would give him much satisfaction to see the smaller ration of representation be adopted in order to further secure the rights and the interests of the people. As momentous and weighty as all the other provisions of the Constitution are, and were, when they were being considered in convention, only on this item did Washington express his direct concern. We must acknowledge the significance of this fact.

George Washington, in my opinion, has made the strongest possible argument for the enactment of H.R. 3725. It was the primary object, intent, and purpose of George Washington and the drafters of the Constitution to keep the Members of the House of Representatives close to the people. It has been possible in the past for a Member to see his people and have his people see him. Let us not attempt to change this "modus operandi" because if we do, good, sound, responsible, democratic government will become a legend rather than a living, active, moving force. In common parlance, a bricklayer can lay so many bricks in a day, a dentist can fill so many cavities, and a father can support only so many children. Likewise, a Member of the House can serve just so many constituents and no more.

Gentlemen, remember, the size of a Member's constituency has grown from the 30,000 recommended by Washington in 1789 to 412,000 in 1960. Increasing the size of our staff is not the answer. The loyal and faithful members of our staff are truly, in every sense of the word, "Assistant Members of Congress"—bless them—but there are so many things that demand the personal attention of the House Member. When people come to one's office, they want to see the Congressman—not an aid. When the committees are in session, the presence of the Member is required—not his secretary.

When the House meets, we have to answer the rollcall and vote and, with only 24 hours in each day, we find it increasingly more difficult to be at all places, at all times.

The argument has been advanced that this legislation is not necessary because today we have faster means of travel, radio, TV, telephones, and telegraph, and that all of this makes it easier for a Member to serve his people. With the aid of these facilities, we have been able to increase the average constituency from the 30,000 in 1789 to 412,000 in 1960. However, with all of these modern facilities and the invention and use of others since 1911, we still cannot cope with the situation. Frankly, it is getting out of hand. There is no substitute for a face-to-

face meeting and a handshake with one's constituents.

As I previously stated, the Rules Committee membership has been increased recently by 20 percent. The seats in the Senate have grown from 92 to 100 in 50 years. This is an increase of 8 percent. Therefore, what is wrong with the House moving up only 7.2 percent on the basis of the requested 34 seats?

Gentlemen of the committee, I implore you to give the 91 million people who have come upon the scene in America since 1911 at least 34 seats, which would make the total 469. I repeat: If 435 Members were needed to adequately represent 91 million in 1911, don't you think 182 million, or double that number, are entitled to some consideration and representation?

Remember—these are electoral college seats that are being lost by these 16 sovereign States.

I urge you to vote for H.R. 3725.

Dedication of the Crawford County Memorial U.S. Army Reserve Center at Meadville, Pa., August 26, 1961

EXTENSION OF REMARKS

OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 1961

Mr. VAN ZANDT. Mr. Speaker, it was my privilege to attend the dedication of the Crawford County Memorial U.S. Army Reserve Center, Meadville, Pa., on Saturday, August 26, 1961, and to deliver the dedicatory address.

The memorial center was dedicated in memory of the members of the U.S. Army from Crawford County who made the supreme sacrifice. During the program, Mrs. John J. Healy, a Gold Star Mother, whose son, Joseph Healy, was captured at Corregidor and died in a Japanese prisoner-of-war camp, unveiled a memorial plaque honoring her heroic son and others from Crawford County for their patriotism and valor.

As master of ceremonies, Mr. Frank Hilton, past commander in chief of the Veterans of Foreign Wars of the United States conducted the interesting program during which time I delivered the following address:

PROGRAM

Musical selections, the Thunderbirds, drum and bugle corps, Mr. Edward Rudler, director.

Raising of national flag, honor guard, members of Battery A, 5th Howitzer Battalion, 43d Artillery, 502d District Headquarters (labor supervision), 4th Mobile Sales Section.

Invocation, Chaplain (Capt.) William E. Brown, pastor, St. Paul's Evangelical and Reformed Church.

Welcoming remarks and introduction of guests, Mr. Frank Hilton, master of ceremonies.

Presentation of center, Col. Robert H. Douglas, commander, XXI U.S. Army Corps.

Acceptance of center, Hon. George X. Simonetta, mayor, city of Meadville.

Hon. Herbert E. Mook, president judge, Crawford County.

Musical selection, the Thunderbirds, drum and bugle corps.

Remarks, civilian guests, military guests.

Unveiling of memorial plaque, Mrs. John Joseph Healy, 425 North Main Street, Meadville, Pa.

Introduction of dedicatory speaker, Hon. CARROLL D. KEARNS, Representative, 24th Congressional District.

Dedicatory address, Hon. JAMES E. VAN ZANDT, Representative, 20th Congressional District.

Closing remarks, Mr. Frank Hilton, master of ceremonies.

Benediction, Rev. Father J. J. Cannon, pastor, St. Brigid's Roman Catholic Church.

ADDRESS BY HON. JAMES E. VAN ZANDT, MEMBER OF CONGRESS, 20TH DISTRICT OF PENNSYLVANIA, AT THE DEDICATION OF THE CRAWFORD COUNTY MEMORIAL U.S. ARMY RESERVE CENTER AT MEADVILLE, PA., SATURDAY, AUGUST 26, 1961

It is an honor to be invited to deliver the address incident to the dedication of the Crawford County Memorial—U.S. Army Reserve Center—in memory of the members of the U.S. Army from Crawford County who made the supreme sacrifice.

This occasion has added significance by the appearance on this program of Mrs. John Joseph Healy, a Gold Star Mother, whose son, Joseph Healy, was captured at Corregidor and died in a Japanese prisoner-of-war camp.

He was the first serviceman from this area to be reported missing in action in World War II.

Today we have witnessed Mrs. John Joseph Healy—with courageous heart and loving hands—unveil the memorial plaque honoring her heroic son for his patriotism and valor in making the supreme sacrifice in defense of our Nation.

The dedication of this U.S. Army Reserve center provides me with the opportunity to reflect on why we build such training centers; on why we spend our hard-earned money for military things like guns, missiles, ships, and Reserve centers.

I would like to share my thinking with you on this vital matter—especially today when we face such a mortal test of our courage and strength over West Berlin.

We arm as a nation because our independence and our freedom have been challenged by the growth of international communism.

Indeed the independence and liberty of the whole free world have been threatened by this revolutionary force.

In this century it falls to the United States to act as the leader of freedom-loving people everywhere in the great task of meeting the Communist challenge and ultimately of establishing a world order among nations which is based on common consent and international law.

Our job is to work toward the development of an international community which is committed to the resolution of conflict by nonviolent means.

We have no illusions, however, on the difficulty we face in achieving this noble goal.

We are far from it.

Our experience since World War II has shown us that nations are all too willing to use force to gain their objectives.

They are unwilling to negotiate their differences.

Consequently freemen have had to arm to protect their liberties and the independence of their nations.

Contrary to our own wishes we have been forced to devote vast amounts of our economic wealth and the lives of our loved ones to the buildup of our military strength.

The President has asked us recently to make even greater sacrifices in this direction.

More—not less—military power is needed to meet the Communist challenge to free-world security and independence.

The Communist military threat has never been greater to our political and moral objectives.

It is instructive to examine this threat and to see where free-world interests are in danger across the world.

Militarily, we face three distinct dangers from the Communist bloc.

We must face and must eventually overcome the threat of general war and the possibility of nuclear attack.

Second, we must effectively counter conventional military threats of a less than total nature.

Third, we must learn effectively to deal with the work of saboteurs and subversive elements in many politically vulnerable nations across the world.

We must therefore have various kinds of military capabilities to meet these wide spectrums of Communist military threats.

Most important of all we must have a large ready general war force.

We cannot afford simply to have this force potentially ready as we did before World War II.

Soviet possession of large and growing stocks of atomic and hydrogen bombs makes it imperative for us to have our strategic striking forces ready to go on a moment's notice.

We no longer can count on a period of years or weeks in which to mobilize our economic and industrial power for military purposes.

Soviet ICBM's now are only 30 minutes flying time from our major cities and the principal capitals of the free world.

Soviet bombers—while slower and more vulnerable than missiles—also offer a formidable threat to our national safety.

Premier Khrushchev has also announced the Soviet development of rocket-firing submarines.

Although we have no publicly available evidence to disprove his boast, we must avoid discounting it as mere propaganda.

Soviet experts agree that even if Russia does not now possess a missile-launching submarine similar to our Polaris, it has the scientific and technical know-how to produce such a weapon system in the next few years.

Soviet achievements in space permit us very little margin for complacency about its general war capability.

The Soviet Union's possession of strategic striking forces places an enormous political tool within its power.

Its initial effect is to blunt the political significance of our long-range nuclear attack forces.

We are no longer able to threaten Russia with nuclear destruction if it or its satellites should commit an act of open military aggression against some part of the free world without being threatened in turn with nuclear devastation at the hands of Soviet missiles and bombers.

Thus Khrushchev or his military leaders have threatened to send rockets against England and France during the Suez crisis in 1956; against the United States if it should intervene militarily in Cuba; and against our military bases in foreign countries.

Although we are not afraid of such ultimatums it is important to recognize, nevertheless, that we must proceed more cautiously and prudently in using—or in threatening to use—our atomic might to support our foreign policy goals.

For the present the Communist and Western blocs live in a state which many have correctly termed a "balance of terror."

Both sides now possess nuclear knockout punches which are mutually destructive.

These are the military facts of life which we must understand and on which we must build a successful foreign policy.

Another significant consequence of Soviet nuclear strength is the effect it has tended to have on our allies and on uncommitted nations across the world.

Khrushchev on more than one occasion has threatened—with nuclear blackmail—nations which chose to cooperate with the United States against Communist military encroachments.

NATO countries have been warned that they will be subject to Communist nuclear attack in case of war.

Nations outside the North Atlantic Community have also been put on notice that they will be bombed if they permit U.S. military bases within their borders.

The vulnerability of these nations to Soviet threats—both in and out of NATO—coupled with the emergence and growth of Soviet capacity to strike the United States and its bases with nuclear weapons—has tended to undermine Allied confidence in America's willingness to employ massive retaliation in response to Soviet attacks against them.

Some have voiced the fear that we may not come to their aid in order to avoid atomic attack on our bases or on our shores.

Certainly these fears are groundless.

Nonetheless—the United States has taken a number of steps to allay the legitimate fears of our allies and to keep the Soviet nuclear threat in check.

The United States has placed paramount importance on continued maintenance of the existing balance of terror—while searching for military and technological breakthroughs which will tip that balance decisively in our favor.

The preservation—at the very least—of the existing nuclear weapons equation between the Communist and Western worlds is critically important if we are to avoid being blackmailed or, even worse, of being destroyed before we have had a chance to fight back.

Strengthening our general war capability reflects our determination to use nuclear weapons in behalf of free-world interests.

It provides a convincing argument to the Soviet Union that it will risk tremendous damage if it attacks the United States or its allies.

We are spending billions of dollars to strengthen our strategic fighting force.

Both the Eisenhower and the Kennedy administrations have actively pursued this goal.

Last March President Kennedy asked Congress to agree to a number of changes in our defense program in order to expand—and to make more invulnerable—our long-range nuclear forces.

The Polaris program was to be accelerated from 29 submarines by 1967 to the same number of submarines 3 years earlier.

Moreover additional funds were asked for practice firing missiles and for the development of longer range and presumably more effective Polaris missiles.

Funds were also requested for the Air Force intercontinental missiles—the Titan and the Minuteman.

In addition, changes were made to advance our detection systems against ICBM attack.

More money was to be pumped into the Midas and Samos satellite programs.

Both will be tied to our early warning system to signal possible bomber and ballistic missile assaults or even to record suspicious troop movements and concentrations which might be a prelude to an attack.

The House of Representatives has not only agreed to these changes but has gone further and recommended funds for the continued production of B–52's which were scheduled for termination at the end of fiscal 1962.

To underscore further our determination to help our allies and defend our rights, the President has also taken a number of steps to increase our conventional forces to meet attacks of less than total proportions; to give, as he has recently said, a military capability which provides use with "a wider choice than humiliation or all-out nuclear action."

To achieve this objective the President has decided to increase draft calls for the Army and to expand operating personel for the Navy and Air Force.

In addition the President has asked Congress for additional authority to call up Army and Air Force reservists to active duty.

This new call to arms follows on the President's fiscal 1962 request for a strengthening of our nonnuclear fighting forces.

This Army Reserve center which we are now dedicating is part and parcel of this conventional force buildup.

Larger conventional military forces help lay to rest the fear that we will use nuclear weapons on the slightest military provocation from the Communist bloc.

More importantly such a force makes it possible to counter a wider variety of Communist military actions.

We are able to meet force with equal force—while holding our atomic arsenal in reserve to backstop any military action we might be forced to take.

With a greater variety of military capabilities—we are in a better position to support the full range of our political objectives and commitments.

These run not only to the maintenance of our national independence but also to lesser—albeit important—goals of unhindered free world commercial activity and the protection of our citizens abroad.

For less important political purposes or against smaller military assaults than nuclear bombing—less military power will more adequately stop the Communists.

A policeman does not shoot every thief or hooligan he sees.

He first uses words to restrain the lawbreaker.

If this course fails, He may take the man into custody.

Failure in this attempt may provoke him into using his billy stick and handcuffs.

If the outlaw still resists and attempts a physical attack, the policeman may be forced to threaten or to use his gun against his assailant.

Similarly the United States must always use words when they will be effective.

Failure at the level of diplomacy may necessitate military action of a gradually expanding nature.

At all times the military punishment we use must be proportionate to the crime committed against our legitimate interests and security.

Only in this way will we use military force wisely and justly in pursuit of our political and moral objectives.

Let us see how this reasoning applies to Europe.

Stronger conventional forces in the NATO army make it possible for supreme commander of NATO's military establishment—General Norstad—to strengthen NATO's defense shield.

More troops as well as better trained and equipped troops will give General Norstad the military forces he needs to discharge three important functions:

(1) To protect all NATO territory against a major aggression by holding a Communist attack until our retaliatory power can be called into operation—(2) to deter limited border incidents or military probing actions by making it clear to the enemy that—to quote General Norstad—"He would have to use substantial force to breach the [NATO] shield—an act he knows would bring down upon him the full weight of * * * our heavy strategic power"; and (3) to permit greater choice in the kind of military force we will use against a Communist aggression.

We need not submit Europe or ourselves to a nuclear holocaust if we are prepared to use other more controllable and politically more feasible forms of our military power.

While we do not for a slightest instance give up our nuclear power—we do afford ourselves more room for military and political maneuvering which is in our best interests.

But Europe is not the only place where conventional forces will improve our military and political position.

Ready mobile troops will possibly have a more salutary effect in Asia and the Middle East.

Through successful conventional military action we stopped the Reds in Korea and demonstrated the West's will to fight.

Now we face military challenges in South Vietnam where jungle warfare is not easily fought with atomic weapons and mass armies.

We need different kinds of military power to win against Communist aggression in this area.

Conventional forces—part of which are trained to fight in guerrilla warfare—are more appropriate military means to achieve our political ends.

The landing of our Marines in Lebanon in 1958 is another pertinent example of the usefulness and pressing need for such forces.

Our quick dispatch of our Marines protected the Lebanese Government against subversion and possible military takeover by Communist forces.

President Kennedy's call for more Army and Marine Corps troops is principally designed to deal with future military crises in South Vietnam and in places like Lebanon throughout the world.

All-Federal Transmission System for the Colorado River Basin

EXTENSION OF REMARKS

OF

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 1961

Mr. RHODES of Arizona. Mr. Speaker, under leave to extend my remarks, I wish to include a letter dated August 29, 1961, from Mr. I. W. Patterson, manager of the Empire Electric Association, Inc., of Cortez, Colo.:

Hon. JOHN J. RHODES,
House of Representatives,
Washington, D.C.

DEAR SIR: Enclosed is a copy of the August 15 issue of the Electrical West Industry Newsletter. We would like to call your attention especially to the article on the front page.

It appears that the people of Canada are developing their own rivers, and not allowing the power companies to interfere. It is a deplorable situation when five profit-hungry utilities attempt to dictate to the U.S. Government on the development of a great river basin. The privately financed utilities would do better to develop their own lines and leave this river development to the people who were authorized to build it.

We urgently request your vote for the all-Federal transmission system for the Colorado River Basin.

Very truly yours,

EMPIRE ELECTRIC ASSOCIATION, INC.,
I. W. PATTERSON, *Manager.*

Mr. Speaker, after reading the letter from Mr. Patterson, I also turned to the

enclosure and read the article referred to. The article reads as follows:

Government seizure of British Columbia Electric and Peace River Power Development companies was approved without a dissenting vote by the British Columbia Legislative Assembly in special session August 3. Nationalization, made retroactive to August 1, reportedly came as a surprise to utility management.

Although rumors of expropriation had been voiced during political bickering between Ottawa and the Provincial government over Columbia River development, apparently British Columbia Premier Bennett's threat of a takeover was generally thought to be a bluff.

Ironically, while Bennett was proclaiming BCE, a crown corporation, funeral service was being held in Vancouver for Dal Grauer, chief executive of the utility and its parent, British Columbia Power Corp. Dr. Grauer, who died July 28 of leukemia, masterminded BCE's $650 million postwar expansion.

The takeover was effected by enactment of bill 5 or the Power Development Act of 1961. Although existing legislation would have allowed the seizure, Bennett considered the extraordinary implications warranted a special act.

The new bill empowered the Government to convert BCE into a crown corporation through (1) purchase of BCE common shares, held by the parent corporation, for $110,985,045; (2) issuance of $100 million in special Government bonds to replace BCE shares; (3) assumption of BCE debts estimated at about $399 million.

The Government promised it would, if necessary, take over other assets of the parent corporation, including B.C. Engineering and Western Development & Power. B.C. Power Corp., may demand that BCE buy it out at $38 a share, which would require an additional $67,014,955.

Peace River Development Co., will receive the amount spent on engineering studies and surveys, estimated at between $5 and $7 million.

Under provisions of the act, all directors in the private company were dismissed. A new six-man board is headed by Dr. Gordon Shrum, former dean of graduate studies at UBC and the Premier's hydro troubleshooter since 1958. President Harry Purdy was asked to continue in office and has disassociated himself with B.C. Power Corp.

In San Francisco, August 9, for the opening of British Columbia House, Premier Bennett declared the Province friendly to private enterprise and said that the Federal tax on private utilities resulted in high-cost power. (For some months he had been pressing Ottawa for abolishment of the special Federal tax on privately owned power corporations or for a larger share for British Columbia. Last March British Columbia got $260.000 as its share of taxes, estimated at $1,700,000.)

British Columbia cities have had no assurance as yet of what, if any, "in lieu" taxes they can expect. Vancouver alone received some $1,800,000 annually from BCE.

Bennett said that the Peace River project would be started immediately. A Columbia start is farther away because the treaty must be ratified by Ottawa and financing arrangements have still to be made. The Premier has indicated, however, that he expects the Federal Government to allow export of power to the United States and while in San Francisco he spoke of possible sale in California.

Although the British Columbia Energy Board in its report made no firm recommendation that the Peace and Columbia be developed simultaneously, it said such a procedure was feasible, if export were allowed. The energy board said further that both are sound from an engineering viewpoint and cost would be almost identical if they were Government developed. Its estimate: Columbia, 4.4 mills; Peace (private), 6.59 mills; Peace (public), 4.37 mills.

As presently planned BCE and British Columbia Power Commission will be kept separate, with the former developing the Peace and the latter the Columbia. Bennett said, however, that if Ottawa permanently blocked the Columbia development the two would be merged.

Mr. Speaker, it will be seen immediately that Mr. Patterson is applauding not only river development by the Government of British Columbia, but the expropriation of the property of the British Columbia Electric Co. and the Peace River Power Development Co. Apparently, expropriation is to be accomplished at the will of the Legislature of British Columbia, and at a price to be determined by them alone.

Mr. Patterson is applauding the very thing which many people have feared might be the end result of the predominance of public power in the United States. The transmission lines which Mr. Patterson wants the Government to build would make possible the connection of the Mississippi River Basin Federal powerlines with Hoover-Parker-Davis and the Central Valley project of California. It would then require only a linkup with the Northwest Power Pool for a complete Federal grid to be established which would encompass the entire western part of the United States. Once this is accomplished, I can imagine the next step which could be advocated by Mr. Patterson and others who think like he does. In fact, I do not have to even imagine what would be suggested, because Mr. Patterson has just provided us with a blueprint.

SENATE

WEDNESDAY, AUGUST 30, 1961

The Senate met at 9 o'clock a.m., and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, author of liberty, we come with a fervent prayer that there may be found in those who are here called to serve the Republic, the spiritual values which alone can bring order out of chaos and peace out of strife. May the shield of our own national integrity be lifted in a time when the world's hopes depend on character.

When the ruling passion of this land of the free to share, to build, and to lift is misunderstood and maligned and made to appear evil by those who imagine a vain thing, still keep our hearts free from malice, our good will extended to all men who cherish brotherhood, and our shining goal for a fairer world beckoning ahead undimmed.

In the dear Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, August 29, 1961, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 5831. An act to amend section 11 of the act of April 1, 1942 (56 Stat. 197, ch. 207; D.C. Code, 1951 edition, sec. 11–776), being an act to "consolidate the police court of the District of Columbia and the municipal court of the District of Columbia, to create the municipal court for the District of Columbia, to create the municipal court of appeals for the District of Columbia, and for other purposes"; in order to modify the retirement benefits of the judges of the municipal court for the District of Columbia, the municipal court of appeals for the District of Columbia, and the juvenile court of the District of Columbia, and for other purposes;

H.R. 5968. An act to amend the District of Columbia Unemployment Compensation Act, as amended; and

H.R. 8922. An act to amend the Small Business Act to increase by $20 million the amount available for regular business loans thereunder.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 29. An act to amend section 216(b) of the Merchant Marine Act, 1936, as amended, to permit the appointment of U.S. nationals to the Merchant Marine Academy;

H.R. 1794. An act to provide for the conveyance of certain real property of the United States situated in Hawaii to the State of Hawaii;

H.R. 2898. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof;

H.R. 3526. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof;

H.R. 5235. An act to authorize the Confederated Tribes of the Warm Springs Reservation of Oregon to acquire land within the boundaries of their reservation;

H.R. 5964. An act to authorize the use of funds arising from a judgment in favor of the Potawatomi Nation of Indians, and for other purposes;

H.R. 6102. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in Highlands County in the State of Florida to the record owners of the surface thereof;

H.R. 7108. An act to amend the Federal Home Loan Bank Act and title IV of the

National Housing Act, and for other purposes; and

H.R. 8277. An act to amend the Federal Home Loan Bank Act to simplify and improve the election and appointment of directors of the Federal home loan banks.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were each read twice by their titles and referred, or placed on the calendar, as indicated:

H.R. 5831. An act to amend section 11 of the act of April 1, 1942 (56 Stat. 197, ch. 207; D.C. Code, 1951 edition, sec. 11–776), being an act to "consolidate the police court of the District of Columbia and the municipal court of the District of Columbia, to create the municipal court for the District of Columbia, to create the municipal court of appeals for the District of Columbia, and for other purposes"; in order to modify the retirement benefits of the judges of the municipal court for the District of Columbia, the municipal court of appeals for the District of Columbia, and the juvenile court of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 5968. An act to amend the District of Columbia Unemployment Compensation Act, as amended; placed on the calendar.

COMMITTEE MEETINGS DURING SENATE SESSION

On request by Mr. MANSFIELD, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate today.

Mr. HRUSKA. Mr. President, I ask unanimous consent that the Constitutional Rights Subcommittee and the Constitutional Amendments Subcommittee of the Committee on the Judiciary be authorized to meet during the session of the Senate today. These requests are made by the Senator from North Carolina [Mr. ERVIN] and the Senator from Tennessee [Mr. KEFAUVER], and have the approval of both sides of the aisle.

The VICE PRESIDENT. Without objection, it is so ordered.

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Interior and Insular Affairs was authorized to meet during the session of the Senate today.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour for the transaction of routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Lincoln Gordon, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary to Brazil; and

Charles F. Darlington, of New York, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Gabon.

By Mr. EASTLAND, from the Committee on the Judiciary:

John T. Curtin, of New York, to be U.S. attorney for the western district of New York; and

Victor L. Wogan, Jr., of Louisiana, to be U.S. marshal for the eastern district of Louisana.

By Mr. JOHNSTON, from the Committee on Post Office and Civil Service:

One hundred and fifty-one postmaster nominations.

By Mr. BYRD of Virginia, from the Committee on Finance:

Louis A. Mezzano, of Michigan, to be collector of customs for customs collection district No. 38, with headquarters at Detroit, Mich.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the executive calendar will be stated.

U.S. CIRCUIT JUDGE

The Chief Clerk read the nomination of William F. Smith, of New Jersey, to be U.S. circuit judge for the third circuit.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

U.S. DISTRICT JUDGES

The Chief Clerk proceeded to read sundry nominations of U.S. district judges.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. DIRKSEN. Mr. President, Judge Parsons adds to not a long line but, at least, an illustrious line of Negro judges which began with the appointment of William H. Hastie by President Franklin D. Roosevelt to be judge of the U.S. District Court for the Virgin Islands in 1937. Judge Hastie served in that post until 1939, when he resigned to become dean of the Howard University Law School. Subsequently he became Governor of the Virgin Islands and then was appointed to the Third Federal Circuit Court of Appeals, where he is at present serving.

Judge Hastie was succeeded on the bench in the Virgin Islands by Herman E. Moore, of Chicago. Judge Moore resigned in 1957. It was my pleasure to know Judge Hastie and Judge Moore quite well.

In 1958, President Eisenhower appointed Walter A. Gordon as Judge Moore's successor on the bench in the Virgin Islands, and Judge Gordon occupies that judicial position at present.

Also serving at present on Federal courts are Judge Ervin C. Mollison and Judge Scovel Richardson, both of whom were appointed to the U.S. Customs Court in New York.

When James Benton Parsons takes the oath of office, he will be the first Negro to have become a U.S. district judge within the continental limits of the United States. His appointment differs a little from some of the other appointments, in that it is for a life term.

Judge Parsons has had a distinguished career. He became a doctor of jurisprudence as a result of his work in the study of law at the University of Chicago. Singularly, he was the head of the Music Department of Lincoln University, Jefferson City, Mo., and then became supervisor of music in the city schools of Greensboro, N.C. He was also a bandmaster in the Navy for 3 years. Judge Parsons has been in the private practice of law. I am glad to say that when I nominated Robert Tieken to be U.S. district attorney in Chicago, he placed on his staff James Benton Parsons, who served there in a distinguished way for a period of several years, and then was elevated to the superior bench in Chicago.

I have talked with the judges in Chicago who know Judge Parsons quite well. Every one of them holds him in the highest regard. They think he is one of the ablest judges who ever sat on any of the State courts of Illinois and believe that he will fully carry on that great tradition when he serves as a U.S. district judge.

I wish Judge Parsons well. I know he will succeed in a great way which will reflect credit on the appointing power and upon all those who had anything to do with the advancement of his career and his ultimate assignment to the Federal bench.

Mr. LONG of Missouri. Mr. President, President Kennedy has made an outstanding selection in his nomination of Floyd R. Gibson to be district judge for the western district of Missouri.

Mr. Gibson has an unsurpassed record of public service and is one of the finest lawyers in the State of Missouri. He has practiced law in Missouri for 28 years and is a member of one of the oldest and most highly respected law firms in Kansas City. His legal experience encompasses nearly the entire spectrum of the law. His practice has included office and trial work. He also has had extensive experience as legal representative for local governmental units.

In 1940 he was elected to the Missouri House of Representatives, serving three terms. In 1946, he was elected to the Missouri Senate, where he continues to serve. He was twice elected majority floor leader of the senate and twice elected president pro tempore.

In 1960 he was awarded the St. Louis Globe-Democrat award as the most valuable member of the State legislature. He has been active in the American, Missouri, and local bar associations.

His character and integrity are above question and his industry is well documented by the great contributions he has made in so many areas.

His judicial temperament was attested to by many letters which I received from Missouri lawyers of both political parties.

Mr. President, Floyd Gibson and I have been warm friends for many years. When I served in the Missouri Senate I had the opportunity to work closely with him on many matters. I have the greatest confidence in Floyd Gibson and I know he will serve the Nation well.

I commend the President for this outstanding appointment.

U.S. ATTORNEYS

The Chief Clerk proceeded to read sundry nominations of U.S. attorneys.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. MARSHALS

The Chief Clerk proceeded to read sundry nominations of U.S. marshals.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

The VICE PRESIDENT. Morning business is in order. Is there morning business?

Mr. MANSFIELD. Mr. President, is there any morning business?

The VICE PRESIDENT. The Parliamentarian informs the Chair that, under the order agreed to on yesterday, Senators were to be given an opportunity, during the morning business period, to address the Senate, under the 3-minute limitation, on the Mansfield-Dirksen motion to suspend the rule. If Senators desire recognition, the Chair is prepared to recognize them.

Mr. MANSFIELD. Mr. President, that is perfectly all right; but let me call attention to the fact that, if morning business is concluded, any Senator who subsequently obtains the floor can speak on morning business or any other business until 3 o'clock.

The VICE PRESIDENT. Does the Senator from Montana make that in the form of a request?

Mr. MANSFIELD. No, Mr. President; I do not make such a request. I merely state what I believe is a fact.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF TITLE 10, UNITED STATES CODE, RELATING TO RETIREMENT DATE OF DEFERRED OFFICERS

A letter from the Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 10, United States Code, to clarify retirement date of deferred officers (with an accompanying paper); to the Committee on Armed Services.

AMENDMENT OF PUBLIC LAW 86-155

A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to amend section 9 of the act of August 11, 1959, Public Law 86-155 (73 Stat. 337) (with an accompanying paper); to the Committee on Armed Services.

REPORT ON ACTIVITIES UNDER FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

A letter from the Secretary of State, transmitting, pursuant to law, a report of that Department on its activities under the Federal Property and Administrative Services Act of 1949, for the calendar year 1960 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the 23d National Convention of the Greek-American Progressive Association, Pittsburgh, Pa., favoring the enactment of a foreign-aid bill at this session of the Congress; to the Committee on Appropriations.

A resolution adopted by the 23d National Convention of the Greek-American Progressive Association, Pittsburgh, Pa., relating to the allocation of free time by radio-television networks to the Eastern Orthodox Churches; to the Committee on Commerce.

Two resolutions adopted by the 23d National Convention of the Greek-American Progressive Association, Pittsburgh, Pa., favoring the enactment of legislation to recognize the Eastern Orthodoxy as a major faith, and appointment to high Government service of members of the Eastern Greek Orthodox faith by the President of the United States; to the Committee on the Judiciary.

Two resolutions adopted by the 23d National Convention of the Greek-American Progressive Association, Pittsburgh, Pa., relating to committees to combat juvenile delinquency, and favoring the teaching of the Greek language in this country; to the Committee on Labor and Public Welfare.

A resolution adopted at the supreme convention of the Greek-American Progressive Association, Pittsburgh, Pa., expressing thanks to the President and Mrs. Kennedy; ordered to lie on the table.

A resolution adopted at the supreme convention of the Order Sons of Italy, in Washington, D.C., relating to Columbus Day; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BURDICK, from the Committee on Interior and Insular Affairs, with amendments:

S. 230. A bill to make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior (Rept. No. 833).

By Mr. BURDICK, from the Committee on Labor and Public Welfare, with amendments:

S. 2395. A bill to amend the Railroad Retirement Act of 1937 to provide reduced annuities to male employees who have attained age 62, and for other purposes (Rept. No. 837).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

H.R. 1627. An act for the relief of the Princess Anne County School Board, Virginia (Rept. No. 834);

H.R. 5656. An act to provide for reasonable notice of applications to the U.S. courts of appeals for interlocutory relief against the orders of certain administrative agencies (Rept. No. 835); and

H.R. 6691. An act to amend title 18, United States Code, sections 871 and 3056, to provide penalties for threats against the successors to the Presidency, to authorize their protection by the Secret Service, and for other purposes (Rept. No. 836).

By Mr. SMATHERS, from the Committee on Commerce, without amendment:

H.R. 8033. An act to amend section 17 of the Interstate Commerce Act so as to authorize the delegation of certain duties to employee boards (Rept. No. 839).

By Mr. BEALL, from the Committee on the District of Columbia, without amendment:

H.R. 7482. An act to amend the Life Insurance Act of the District of Columbia approved June 19, 1934, as amended (Rept. No. 840).

By Mr. HARTKE, from the Committee on the District of Columbia, without amendment:

S. 486. A bill to provide for the appointment of two additional judges for the juvenile court of the District of Columbia (Rept. No. 841).

By Mr. HARTKE, from the Committee on the District of Columbia, with an amendment:

H.R. 4670. An act to amend the law relating to indecent publications in the District of Columbia (Rept. No. 843).

By Mr. HARTKE, from the Committee on the District of Columbia, with amendments:

S. 778. A bill to amend the act entitled "An act to authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes," approved August 11, 1950 (Rept. No. 842).

By Mr. MORSE, from the Committee on the District of Columbia, without amendment:

S. 914. A bill to provide for more effective administration of public assistance in the District of Columbia; to make certain relatives responsible for support of needy persons, and for other purposes (Rept. No. 844).

APPLICATION OF BULK COMMODITY EXEMPTION WHEN OTHER COMMODITIES ARE TRANSPORTED IN SAME VESSEL—REPORT OF A COMMITTEE

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, I report an original bill to permit the application of the bulk commodity exemption when other commodities are concurrently transported in the same

vessel, and I submit a report (No. 838) thereon.

The VICE PRESIDENT. The report will be received and printed, and the bill will be placed on the calendar.

The bill (S. 2491) to permit the application of the bulk commodity exemption when other commodities are concurrently transported in the same vessel, reported by Mr. MAGNUSON, from the Committee on Commerce, was read twice by its title, and placed on the calendar.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GRUENING (for himself and Mr. BARTLETT):

S. 2484. A bill to provide for establishing and operating a foreign trade zone, a Hall of States, and an international reception center at the Anchorage International Airport, Anchorage, Alaska, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. GRUENING when he introduced the above bill, which appear under a separate heading.)

By Mrs. NEUBERGER:

S. 2485. A bill for the relief of Antonio Zorich, Amabile Miotto Zorich, and Fiorella Zorich; and

S. 2486. A bill for the relief of Kim Carey (Timothy Mark Alt); to the Committee on the Judiciary.

By Mr. BEALL (by request):

S. 2487. A bill to amend the District of Columbia Credit Unions Act; to the Committee on the District of Columbia.

By Mr. HAYDEN:

S. 2488. A bill to increase the number of apprentices authorized to be employees of the Government Printing Office, and for other purposes; to the Committee on Rules and Administration.

By Mr. GORE:

S. 2489. A bill relating to the time of regaining tax-exempt status by pension, etc., trusts which have made loans constituting prohibited transactions; to the Committee on Finance.

By Mr. SMATHERS:

S. 2490. A bill for the relief of Paul P. Howley, Jr., airman first class, U.S. Air Force; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 2491. A bill to permit the application of the bulk commodity exemption when other commodities are concurrently transported in the same vessel; placed on the calendar.

(See reference to above bill when reported by Mr. MAGNUSON, from the Committee on Commerce, which appears under the heading "Reports of committees.")

By Mr. LAUSCHE:

S. 2492. A bill to prohibit the export of any agricultural commodity subsidized by the Federal Government to any Communist nation; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. LAUSCHE when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Hawaii:

S.J. Res. 129. Joint resolution authorizing the Secretary of the Air Force to admit a citizen of the Kingdom of Thailand to the U.S. Air Force Academy; to the Committee on Armed Services.

CONCURRENT RESOLUTION

JOINT COMMITTEE TO INVESTIGATE THE GENERAL WALKER INCIDENT

Mr. TOWER submitted the following concurrent resolution (S. Con. Res. 42), which was referred to the Committee on Armed Services:

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a joint committee which shall conduct a full and complete investigation and study of the facts and circumstances surrounding the removal of Major General Edwin A. Walker as Commanding General of the Twenty-fourth Infantry Division, and his reassignment to other duties. The members of the joint committee shall report to their respective Houses as promptly as possible the results of their investigation and study, together with such recommendations as the joint committee may deem advisable.

SEC. 2. (a) The membership of the joint committee shall consist of five members of the Senate appointed by the President of the Senate, and five Members of the House of Representatives appointed by the Speaker of the House of Representatives. In such instance not more than three Members shall be of the same political party. Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original appointments. The joint committee shall select a chairman and a vice chairman from among its members, and shall determine the number of members necessary to constitute a quorum for the transaction of business.

(b) The joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places, within or outside the United States, to require, by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. Subpenas may be issued under the signature of the chairman of the joint committee or any member of the joint committee designated by him, and may be served by any person designated by such chairman or member.

(c) The joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable, but the compensation so fixed shall not exceed the compensation prescribed under the Classification Act of 1949 for comparable duties. The joint committee is authorized to utilize the services, information, facilities, and personnel of the departments and establishments of the Government.

(d) Expenses of the joint committee shall be paid from the contingent fund of the Senate, on vouchers signed by the chairman thereof and approved by the Committee on Rules and Administration of the Senate.

A FOREIGN TRADE ZONE, A HALL OF STATES, AND AN INTERNATIONAL RECEPTION AND INFORMATION CENTER FOR ANCHORAGE, ALASKA, AIR CROSSWAYS OF THE NORTHERN HEMISPHERE

Mr. GRUENING. Mr. President, on behalf of myself and my colleague, the Senator from Alaska [Mr. BARTLETT], I introduce, for appropriate reference, a bill to provide for establishing and operating a foreign trade zone, a Hall of States, and an international reception and information center at the Anchorage International Airport, Anchorage, Alaska.

It was my privilege recently, in connection with a trip made to Scandinavia for the Senate Committee on Public Works, during an informal Senate recess, to spend on the way home a brief period at the airport at Shannon, Ireland, and I had an opportunity to inspect the free port operated so successfully there. I soon realized that Shannon has its counterpart in one location—and one location only—in the United States; namely, at Anchorage, Alaska.

At the Anchorage International Airport foreign visitors, in ever-increasing numbers, are obtaining a brief respite in their journeys across the pole while their planes are being refueled. The planes then take off for another foreign country, so that the Anchorage International Airport is the only glimpse they have of the United States of America. In addition to our American airlines passing through Anchorage are such foreign carriers—Orient or Europe bound—as SAS, the Scandinavian Airway System, Air France, Japan Airlines, and KLM, the Netherlands line. Others may be expected.

Latest figures show that foreign visitors to the Anchorage International Airport in between 2 foreign countries now number close to 150,000 annually.

It seemed to me that at the Anchorage International Airport the United States is not taking full advantage of this great influx of visitors. We, too, could have our "Shannon," where not only could duty free goods of other nations be sold. but where we could have an opportunity to sell goods manufactured and produced in the 50 States of the Union, giving these foreign visitors a glimpse of and an opportunity to buy or order some of the many and varied products produced under the American system of free enterprise.

There could be exhibited and sold at such a free port textiles made from the fine cotton grown in our Southern States; salmon and king crab from Alaska, as well as Alaska's native arts and crafts, the painting of Alaskan artists; turquoise and silver jewelry from the southwestern part of the United States; monkey pod bowls, shell bracelets and necklaces and macadamia nuts from Hawaii; from California and Florida, citrus fruits and jellies; from New York, Steuben glassware and Syracuse china; from Connecticut, Lionel trains, silver from the various silver manufacturers in that State; from Wisconsin, choice cheese products and luggage; leather goods from Delaware; maple sirup and maple sugar candy from Vermont; tobacco products and spirits from Kentucky; from Virginia, the finest in milk glassware; from West Virginia, the State's famous Fostoria glassware; canned meat products from Iowa and Texas; glassware and toys from West Virginia; apparel from Missouri; the finest mechanical toys from

such States as Illinois, Pennsylvania, Ohio, and St. Louis, Mo.; dolls from Massachusetts; and shrimp products and pecans from the Gulf States.

I shall not continue to enumerate the infinite variety of superlative products grown or manufactured in the United States which might be sold at the foreign trade zone at the International Airport at Anchorage. Those I have enumerated are only a few of those which come readily to mind. Many States would be able to exhibit and sell at such a foreign trade zone many different types of products for which those States have become famous. Sales at the foreign trade zone might well be just the thing to initiate a lively foreign commerce in the products of many States.

But the trade zone can be used for more than the sale of products from the various States. It would be used also as a showplace of and for the United States, showing the natural scenic wonders and splendors as well as the manmade achievements in the various States and serving as a vibrant invitation to these thousands and thousands of visitors to our country to come back and spend some time here. Against the backdrop of some of Alaska's mighty mountains, foreign visitors at the Anchorage International Airport could be shown, by slides and pictures, the charm of New England, the manmade glories of our great cities, New York, Washington, San Francisco, New Orleans, and Charleston, S.C., to name only a few, the natural wonders of Yellowstone, of Niagara, of the Grand Canyon, and of the scores and scores of scenic beauties, of hunting and fishing spots that should lure the foreign visitor to return from a longer stay in the United States.

It is for this reason that I am proposing that there be established at the foreign trade zone at the Anchorage International Airport a Hall of States where each State, individually, will be given an opportunity to exhibit those characteristics which make each State of the United States so unique.

With respect to these many foreign visitors we are also missing a golden opportunity to show them by word and picture democracy's ideals and to win them over to the side of freedom. In the great world struggle for the minds of man in which we are now engaged it is certainly a wasted opportunity not to welcome to our shores these thousands of foreign visitors and seek, in the brief space of time available, to give them something of the flavor of the United States and of the democratic principles under which we live.

The idea of establishing an international reception and information center at the International Airport at Anchorage, Alaska, was first put forward some time ago by the mayor of Anchorage, the Honorable George Byer, who has since devoted much time and effort in pressing forward to make his idea into a reality.

In the bill I propose, therefore, I have made provision for the establishment and operation at the Anchorage International Airport by the U.S. Information Agency of an international reception and information center so that visitors to our shores may be properly greeted and their questions about the United States answered.

I realize it is late in the session and there is little chance for action on this bill before adjournment. I do hope, through the introduction of this bill, to stimulate thinking and discussion on this proposal and to receive suggestions for the improvement and refinement of this idea.

I ask unanimous consent that there be printed at the conclusion of my remarks a copy of my bill, a copy of Resolution No. 1220 adopted by the Anchorage Chamber of Commerce, a letter dated August 9, 1961, from myself to the Secretary of Commerce, the Honorable Luther Hodges, and his reply to me dated August 17, 1961, and a resolution reported favorably by the Resolutions Committee of the American Municipal Association, now holding its 38th congress in Seattle, Wash.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, resolutions, and letters will be printed in the RECORD.

The bill (S. 2484) to provide for establishing and operating a foreign trade zone, a Hall of States, and an international reception center at the Anchorage International Airport, Anchorage, Alaska, and for other purposes, introduced by Mr. GRUENING (for himself and Mr. BARTLETT), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be established, operated, and maintained at the Anchorage International Airport, Anchorage, Alaska:

(a) a foreign-trade zone in accordance with the Act entitled "An Act to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes", approved June 18, 1934, as amended; and,

(b) a Hall of States where each State shall be provided with suitable space in which to have an exhibit in which it may display therein information concerning its traditions and may sell the commodities and merchandise it produces and manufactures.

SEC. 2. The United States Information Agency (hereinafter referred to as the "Agency"), acting in cooperation with State and local officials of the State of Alaska, and agencies of the Federal Government concerned with the foreign policy and international objectives of the United States, is authorized to establish an international reception and information center at said Anchorage International Airport, to provide for its staffing and operation, and to take such other action in connection therewith, in accordance with the provisions of this Act and other provisions of law, as may be necessary to create for foreign visitors a climate for better understanding the United States and its ideals and at the same time provide a facility for the operation of a foreign trade zone and a Hall of States.

SEC. 3. (a) In carrying out the provisions of this Act the Agency is authorized to prepare plans and specifications for the construction, at or adjacent to the Anchorage International Airport, of a suitable building with requisite equipment, approaches, architectural landscape treatment of the grounds, and connections with public utilities. The preparation of such drawings and specifications and all work incidental thereto shall be under the supervision of the Administrator of the General Services Administration in accordance with the provisions of the Public Buildings Act of May 25, 1926, as amended.

(b) The Agency shall operate an international reception and information center in such building when completed.

SEC. 4. The Agency is authorized to accept from the State of Alaska a lease or conveyance of such land as may be necessary for establishing the international reception and information center and additional facilities herein provided for and, as total compensation to the State of Alaska for such lease or conveyance, shall provide to the State of Alaska or to the city of Anchorage sufficient space in said center so that the said State or city may:

(a) Provide for the establishment, operation, and maintenance of the foreign-trade zone authorized by section 1 of this Act;

(b) Arrange for a Hall of the States authorized by section 1 of this Act;

(c) Establish and operate, directly or through lease arrangements, lounges and concessions for the comfort of foreign visitors.

SEC. 5. Foreign or domestic commodities or merchandise sold in the Hall of States or the foreign-trade zone, hereby authorized, shall be sold subject to the provisions of the Act of June 18, 1934, as amended, hereinabove referred to.

SEC. 6. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The resolutions and letters presented by Mr. GRUENING are as follows:

RESOLUTION 1220

Resolution requesting the Governor of Alaska to arrange for a reception center at the Anchorage International Airport for international travelers

Whereas the International Airport at Anchorage, Alaska, is a unique air world transit stop between two foreign continents on the polar route—Europe—the Far East; and

Whereas the airport will host some 12,000 international travelers during the month of July 1961, and service as many as 60 international flights a week; and

Whereas Anchorage International Airport is among the top five American cities for international travel and is host to world leaders, ambassadors, diplomats, and travelers the world around: Now, therefore, be it

Resolved, That the Honorable Governor of the State of Alaska, William A. Egan, make the necessary requests to the Federal Government to construct, at the State-owned airport in Anchorage, an international reception center, to include the picture story of America, its ideals, its philosophies, its heritage, and its people-to-people endeavors. Let it further be known that for Anchorage and Alaska it is a distinct honor and privilege to portray to thousands of foreign travelers the story of America, its 50 States, during their brief rest; and to many, it is their only opportunity and occasion to set foot on American soil.

Publication of this resolution shall be made by posting a copy hereof on the city hall bulletin board for a period of 10 days following its passage and approval.

Attest:

GEORGE H. BYER,
Mayor.

B. W. BOEKE,
City Clerk.

AUGUST 9, 1961.

Hon. LUTHER H. HODGES,
Secretary of Commerce,
Washington, D.C.

DEAR MR. SECRETARY: Anchorage, Alaska, has been steadily developing a large flow of international passengers who stop over briefly at the airport while their planes are being refueled and then continue on to another country. They fly between the Orient and over the Pole to Europe. Serving this traffic now are: Air France, SAS, and Japan Air Lines. Latest figures given me indicate that upward of 12,000 such passengers arrive in Anchorage monthly.

It is therefore highly regrettable that, at a time when the United States is seeking actively to cultivate international good will, these thousands of visitors should be permitted to leave our shores with only the impression of the United States which they can glean from their brief stay at the airport. Unless they should return to the United States at some later time, for many this will remain their only impression of our country.

Moreover, their being permitted to stop off would be a great help to the tourist travel which this administration is trying to promote. Why not give that effort this easily achievable assistance?

Would it not be possible to amend the charters of the carriers carrying these international passengers so as to permit brief stopovers in Anchorage, conditioned on these passengers continuing on the same carriers which brought them to Anchorage?

I have written Alan S. Boyd, Chairman of the Civil Aeronautics Board, but in view of the great emphasis which this administration has put on tourist business, I hope you will lend your active support to this. Obviously, 12,000 passengers monthly would leave quite a bit of money in the United States, if they were allowed to stay for a day or two, or a week.

I would appreciate your giving this special attention and establishing contact with the CAB to see whether this cannot be done without delay.

Cordially yours,

ERNEST GRUENING.

THE SECRETARY OF COMMERCE,
Washington, D.C., August 17, 1961.

The Honorable ERNEST GRUENING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GRUENING: I am very sympathetic with the contents of your letter of August 9 regarding the encouragement of visitor stopovers in Anchorage. Certainly other travel-minded countries are doing this, and Shannon is a good example.

I assure you of my active interest in this matter. Not only that, but the mayor of Anchorage on a recent visit to Washington asked us about assistance in a U.S. travel display at the Anchorage airport.

I am asking the Director of the U.S. Travel Service, Mr. Volt Gilmore, to go into these matters on my behalf. We are most conscious of the tourist-generating possibilities of Alaska and share your wish to develop them fully.

Sincerely yours,

LUTHER H. HODGES.

SEATTLE, WASH., *August 29, 1961.*

Hon. ERNEST GRUENING,
U.S. Senate, Washington, D.C.:

Whereas the International Airport at Anchorage, Alaska, is a unique geographical air-world stop between foreign countries on the polar route; Europe-Far East; and

Whereas the airport was host to an estimated 15,000 international travelers during the month of July 1961, and service as many as 60 international flights a week; and

Whereas Anchorage International Airport is among the top five American cities for international travel, and is host to world leaders, ambassadors, diplomats, businessmen, students, and travelers and the world around: Now, therefore, be it

Resolved, that the American Municipal Association further requests that the administration, through the U.S. Congress, act in this session of Congress, to appropriate the necessary funds for an international reception center so that the majority of the thousands of foreign travelers who have no occasion or opportunity to set foot on American soil other than at Anchorage, can make a direct contact with the culture of our Nation and see "America through Anchorage."

PROHIBITION OF EXPORTATION OF ANY AGRICULTURAL COMMODITY TO COMMUNIST NATIONS

Mr. LAUSCHE. Mr. President, I introduce, for appropriate reference, a bill to prohibit the export of any agricultural commodity subsidized by the Federal Government to any Communist nation.

Mr. President, on Thursday, June 22, 1961, the Department of Commerce issued a bulletin declaring there would be a change of policy, in that export licenses would be issued to American exporting firms, authorizing them to sell subsidized surplus foods to Communist Russia and to the satellite countries.

While I have been informed that no such licenses have been issued by the Department, nevertheless, the potential remains and it is wrong. To me it seems wrong to sell subsidized foods to Communist nations at the expense of the American people. It is unsound and wrong to use the money of the American taxpayers in connection with the sale of surplus foods to Communist countries, at prices below the cost of purchasing the food and putting it in Government bins.

Meanwhile, Mr. President, the Congress passed the Agricultural Act of 1961, and it was signed into law on August 8. In the declaration of policy of that act, Congress clearly expressed its opposition to the sale of surplus subsidized foods to such countries. Subsection (c) of section 2, reads as follows:

Expand foreign trade in agricultural commodities with friendly nations, as defined in section 107 of Public Law 480, 83d Congress, as amended (7 U.S.C. 1707), and in no manner either subsidize the export, sell, or make available any subsidized agricultural commodity to any nations other than such friendly nations and thus make full use of our agricultural abundance.

The definition of "friendly nation" as set forth in title 7 United States Code, section 1707, is as follows:

§ 1707. Definition of "friendly nation."

As used in this chapter and sections 1427 and 1431 of this title, "friendly nation" means any country other than (1) the U.S.S.R., or (2) any nation or area dominated or controlled by the foreign government or foreign organization controlling the world Communist movement. (July 10, 1954, ch. 469, title 1, section 107, 68 Stat. 457).

Mr. President, while the above language as contained in the Agricultural Act of 1961 clearly expresses the wishes of Congress that no exports will be made to the Soviet or Communist countries, the language does not have the full force and effect of law. The bill that I have just introduced would clearly dispel any doubt in the minds of officials of the Department of Commerce or other agencies as to the true intent of the Congress and that it actually meant to prohibit the export of any agricultural commodity subsidized by the Federal Government to any Communist nation.

Mr. President, it seems to me that if the Congress declared that intent, in its declaration of policy in the Agricultural Act of 1961, it should now follow through and dispel any misunderstanding and plug any and all loopholes and give this declaration of policy the full force and effect of law.

Mr. President, my bill does not change existing provisions or apply with respect to the authority of the President to furnish emergency assistance to friendly but needy populations, without regard to the friendliness of their government, under section 201 of the Agricultural Trade Development and Assistance Act of 1954, as amended—title 7, United States Code, section 1721.

Mr. President, I urge early and favorable action by the Congress on this bill.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2492) to prohibit the export of any agricultural commodity subsidized by the Federal Government to any Communist nation, introduced by Mr. LAUSCHE, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

EXTENSION OF TIME FOR MAKING GRANTS UNDER FEDERAL AIRPORT ACT—AMENDMENTS

Mr. PROXMIRE submitted amendments, intended to be proposed by him, to the bill (S. 1703) to amend the Federal Airport Act so as to extend the time for making grants under the provisions of such act, and for other purposes; which were ordered to lie on the table and to be printed.

APPLICATION OF CERTAIN TERMS TO CLAYS AND SHALE FOR TAXABLE YEARS BEGINNING BEFORE DECEMBER 14, 1959—AMENDMENT

Mr. WILEY. Mr. President, I submit an amendment, intended to be proposed by me to the bill (H.R. 7057) relating to the application of the terms "gross income from mining" and "ordinary treatment processes normally applied by mine owners or operators in order to obtain the commercially marketable mineral product or products" to certain clays and shale for taxable years beginning before December 14, 1959.

Currently the bill itself is pending before the Senate Finance Committee. As I understand it this is expected to be considered in the very near future. I am respectfully urging that the committee favorably consider this amendment during its deliberations on the bill.

The VICE PRESIDENT. The amendment will be received, printed, and appropriately referred.

The amendment was referred to the Committee on Finance.

CONVEYANCE OF CERTAIN LANDS TO GEORGIA-CAROLINA COUNCIL, INC., BOY SCOUTS OF AMERICA—ADDITIONAL COSPONSOR OF BILL

Mr. RUSSELL. Mr. President, when S. 1563, which appears on the calendar as Order No. 734, was introduced, through inadvertence the name of my distinguished colleague [Mr. TALMADGE] was omitted as one of the cosponsors of the bill. The bill relates only to a local situation within the State of Georgia, and I ask unanimous consent that both the bill and the calendar may be corrected so as to show the name of my colleague [Mr. TALMADGE] as one of the cosponsors of the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

NOTICE OF HEARING ON DELAWARE RIVER BASIN COMPACT

Mr. JACKSON. Mr. President, for the information of Senators, I would like to announce that the Senate Interior and Insular Affairs Committee will hold a hearing next Tuesday, September 5, at 2 p.m., in the committee hearing room, on House Joint Resolution 225, to grant the consent of Congress to the Delaware River Basin compact and to enter into such compact on behalf of the United States, and for related purposes.

Any Senator whose State is affected by this joint resolution or who is otherwise interested will be welcome to present a statement at the hearing.

NOTICE OF HEARINGS ON NOMINATIONS OF RAYMOND E. PLUMMER TO BE U.S. DISTRICT JUDGE, DISTRICT OF ALASKA, AND ALBERT LEE STEPHENS, JR., TO BE U.S. DISTRICT JUDGE, SOUTHERN DISTRICT OF CALIFORNIA

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Wednesday, September 6, 1961, at 10:30 a.m., in room 2300, New Senate Office Building, on the following nominations:

Raymond E. Plummer, of Alaska, to be U.S. district judge, district of Alaska, a new position.

Albert Lee Stephens, Jr., of California, to be U.S. district judge, southern district of California, vice Benjamin Harrison, deceased.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

H. Moody Brickett, of Montana, to be U.S. attorney, district of Montana, term of 4 years, vice Krest Cyr.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Wednesday, September 6, 1961, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

THE AREA REDEVELOPMENT ADMINISTRATION'S LABELING OF "DEPRESSED AREAS"

Mr. TOWER. Mr. President, the East Texas Chamber of Commerce, representing 41 east Texas counties which have been labeled "depressed areas" by the Area Redevelopment Administration, has gone on record in opposition to that odious designation.

The crux of my argument, when I discussed this matter in the Senate on July 31, was that the pronouncement of "depressed areas" was made without the knowledge or consent of local governments and civic leaders.

The resolution passed by the East Texas Chamber of Commerce backs up my position in that it specifically requests that the depressed area stigma be removed. I sincerely hope that the Area Redevelopment Administration will heed their plea and act favorably and promptly on it, for it is a very serious and damaging thing.

For example, on August 16, a Tyler, Tex., merchant wrote to me and with enclosures documented the misfortune that has befallen him as a result of the "depressed areas" label. He wrote:

> I am writing you regarding the distressed area stigma that has been placed upon Tyler and east Texas. Although this erroneous information was offensive to me, I never dreamed that it would have an adverse effect upon me personally—but it has.
>
> I am enclosing a Thermo-Fax copy of a letter that I received from a credit source.
>
> As a matter of explanation, I would like to say I have done business with these people for many years. I have paid them a lot of money. I do not owe them over $100 at present, and I have never beaten them or anyone else out of a dime.

And then, Mr. President, this Texas merchant encloses a letter from a supplier which reads in part:

> Washington reports Smith County as a distress area. I am sure you can understand why we have not placed our approval on all your orders.

Mr. President, it is a sad state of affairs when a businessman has his credit undermined by an unsolicited, unwanted, and ill-advised bureaucratic pronouncement from Washington.

The small businessman has enough problems without having his own Federal Government, which he supports with a backbreaking tax load, interfering in this way and thus damaging him. The American businessman is equipped to fight honest competition and the vagaries of the market place, but he is not equipped to shadow box with press releases from Washington.

Apparently in reaction to criticism which resulted from its July 20 press release, the Area Redevelopment Administration now seeks to absolve itself from responsibility in the matter.

First, an unnamed spokesman representing the Area Redevelopment Administration told the press that they hadn't really said anybody was "depressed" but merely that they were "redevelopment areas."

And now the Administrator of Area Redevelopment Administration, in a letter printed in the Washington Post on August 26, repeats this argument and, going one step further, blames the press for using the noxious terms "distressed" or "depressed" areas.

Mr. President, such a debate is petty and meaningless. The fact is, the areas listed and published by the Area Redevelopment Administration are known as depressed areas. Nothing said here or downtown will change that. And it is also a fact that these areas were so named without the advice and consent, if you please, of local governments and civic leaders. It is a fact that many of these areas, by their own standards and in their own judgment, are not depressed or distressed. It is a fact that the designation "depressed area" is harmful to a community because it damages the business climate.

Mr. President, in my opinion the Federal Government has no business in the first place, going into the area redevelopment business. I think this program is going to prove to be discriminatory and detrimental to industrial development. But since the law is on the books and there is little chance that it will be repealed immediately, the least its administrators can do is to refrain from undermining local business by injudicious pronouncements.

I ask unanimous consent to place a resolution of the East Texas Chamber of Commerce in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

> In view of the fact that the Secretary of Commerce arbitrarily designated 41 counties in the region served by the East Texas Chamber of Commerce as distressed areas, and in view of the fact that such designation was neither sought nor desired by such counties; and
>
> Keeping in mind that the State of Texas leads the Nation in the number of new industrial plants and plant expansions and in the creation of new job opportunities not only during the calendar year 1960, but for the first 6 months of the current year; and
>
> In view of the fact that out of a total of 378 new industrial plants established in the State of Texas during 1960, 235 of them were located in east Texas, even though the East Texas Chamber of Commerce region comprises only 20 percent of the geographical area of the State; as against 143 new industrial plants located in the other 80 percent of the State; and
>
> Taking note of the fact that out of a total of 487 industrial plant expansions, during the same period, 299 were located in east Texas as against 188 for the rest of the State: Therefore be it
>
> *Resolved by the 215 business and civic leaders assembled at the East Texas Chamber*

of Commerce Industrial Conference at Tyler, Tex., on this 23d day of August 1961, That opposition be voiced to the odious designation of many of our counties as depressed areas eligible for Federal assistance, an assistance which they did not seek; and be it further

Resolved, That the Members of Congress from Texas, the senior and junior Senators from Texas, and the Secretary of Commerce of the United States be so informed; and be it further

Resolved, That demands be made upon the Secretary of Commerce to remove this stigma from this region which has, for so long a time, led the way in industrial development and expansion in this section of the United States, because of the many attractions, both in natural resources and availability of markets which it affords the industrialist seeking a location for the manufacture and distribution of his products.

RESIDUAL OIL QUOTAS DISCRIMINATE AGAINST THE U.S. SHIPPERS

Mr. KEATING. Mr. President, it is widely agreed that import restrictions on residual fuel oil have resulted in discrimination against American vessels. I have just learned that drawing from the same dockside spigot, American ships pay as much as 63 cents per barrel more for their fuel than do foreign vessels, whose bonded oil is not subject to import restrictions. This makes it just that much harder for American shipping to compete in world markets. American shipping is already heavily subsidized by the Federal Government. The fuel oil differential simply adds to the huge burden which American merchant marine support programs place on the American taxpayer.

On the basis of these facts, it is apparent the hardships caused by the quota program are even more far reaching than we have feared. However, I doubt it will be much consolation to citizens along the eastern seaboard to learn they are not the only ones suffering because of the multimillion-dollar hardship which this program has placed upon them.

New York and eastern seaboard consumers already pay a premium for residual fuel oil because of the 2-year quota program. The supply of domestic residual fuel oil is limited, which means that a limitation on oversea oil shipments results in American consumer prices being way out of line.

Mr. President, I was interested to read a recent editorial in the Oil & Gas Journal which was sent to me by a New York City resident and consumer, who objects to these quotas. The editorial makes an interesting argument and suggests a possible solution for what is referred to as the "political rhubarb" that has arisen over the imposition of quotas on residual fuel oil. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Oil & Gas Journal, Feb. 27, 1961]

RESID CONTROLS: IS THE GAME WORTH THE CANDLE?

Perhaps it would be smart politics for the domestic oil industry to interpose no opposition to current proposals to remove quota controls from imports of residual fuel oil.

At first blush this suggestion may be alarming to those who look on any oil imports as injurious, or who fear that a weakening of controls on resid would be used by the international companies or others as an entering wedge to gut the rest of the imports-control plan.

But study would demonstrate that the overall economic loss to the domestic producing and refining industry would be quite small, while the political gains could be very substantial.

Resid import controls are the subject of a lot of political rhubarb—have been since they were imposed and will be as long as they continue. Domestic oil is an innocent bystander caught in the crossfire between coal producers and New England consumers.

Consumers' spokesmen don't distinguish between industrial fuel oil and other petroleum products. Their squawks against resid controls tend to become attacks on the whole control system.

So if the domestic industry would favor ending Government interference in the resid business it would have much firmer ground to support the much more important—and much more defensible—limitations on imports of crude and of other refined products.

Foreign resid has impact only on the North Atlantic seaboard. Its low price has some, but not a huge, effect on the total product realization of the relatively few gulf and east coast refineries competing with foreign resid. And this reflects back on the market for only an extremly small volume of low-gravity gulf coast crude.

Resid sells for less than the price of U.S. crude oil used to make it, and a price attractive to U.S. refiners would price resid out of the market. Therefore most refiners consider resid an unwanted byproduct and make as little as their equipment permits, regardless of the import volume.

Two years of resid controls have not had appreciable effects on demand, prices, import volume, or domestic output of resid. The only tangible results are an unsolvable administrative headache and an eternal squabble among importers, dealers, consumers, and coal men.

There should be safeguards if controls are lifted. Resid should be imported only for boiler fuel and not for reprocessing as crude. Resid imports should be excluded from the demand base in calculating crude imports, and deducted, at least in part, from crude-import quotas.

In short, resid imports are a very special situation, with little bearing on the rest of the oil business. If the domestic industry would keep aloof from that hassle it might gain support for the rest—the really vital parts—of the import-controls system.

MORE SUPPORT FOR A WHITE HOUSE CONSUMER COUNSEL

Mr. KEATING. Mr. President, on July 27, I introduced a bill to establish a Consumer Counsel in the White House. I believe this bill is extremely important. Since its introduction, a number of groups and individuals have been in touch with me indicating their support. I am happy to call attention today to an excellent editorial on the need for Consumer Counsel legislation which appeared in the Amsterdam Recorder on August 15, 1961. I ask unanimous consent that this editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Amsterdam Recorder, Aug. 15, 1961]

CASE FOR THE CONSUMER

With Washington overrun with lobbyists, promoting practically everything else, it has always seemed paradoxical that the most important group of all has no dependable lobby safeguarding its interests. This force is the American consumer—multiplied millions of times—which keeps our Nation solvent.

When problems of management and labor and inflation are taken up, the consumer is denied the compelling voice to which he has every right. Theoretically, we suppose, Congress is designed to serve as a lobby for the consumer—but in many cases it does not work out that way.

In an attempt to correct a longstanding need, Senator KENNETH B. KEATING has introduced a bill to establish an Office of Consumer Counsel. Representatives of the counsel would appear at any proceeding, hearing, or investigation of any agency of the executive branch, in the interest of the consuming public. It would work with the Department of State in studying and developing relationships with consumer organizations of other nations.

We feel what Senator KEATING has in mind would fill a need which has been pathetically obvious many times in the recent past. Certainly, the consumer, usually caught in the squeezes created by special interests in Washington, is entitled to a voice speaking strongly in his behalf.

ANNIVERSARY OF BRIG. GEN. DAVID SARNOFF

Mr. KEATING. Mr. President, I should like to call the attention of the Senate to a very important anniversary in the history of American communications.

Just 55 years ago, a young immigrant boy in New York City put on the one good suit that he owned and set out to make a career as a journalist. He decided to apply first at the office of the old New York Herald, then located on Herald Square.

Pushing his way through a pair of imposing doors on the square, he applied for the job of messenger. He evidently made a good impression on the official to whom he spoke, for he was hired on the spot at a salary of $5 a week. It was not until later that he learned he had walked by mistake into the office of the Commercial Cable Co.

Thus began the career of Brig. Gen. David Sarnoff, whose name has since become indelibly linked with the growth of the communications industry in the United States.

At the lunch hour today it will be my pleasure to play host, along with Senator AIKEN, Senator MAGNUSON, Senator JAVITS, and Senator PASTORE, at a luncheon in honor of General Sarnoff, and commemorating this important anniversary in the history of communications.

The communications industry has, of course, made great progress since that day in 1906. It has moved from the telegraph key to the earth satellite. General Sarnoff has played an important role in connection with these changes.

As early as 1912, he dramatically brought radio to the forefront of public consciousness when he received the first news of the sinking of the ill-fated *Titanic*. Four years later, he outlined a bold and imaginative proposal for what he called a radio music box and what the world knows today as radio broadcasting. In 1923, he foresaw the vast potentialities of television, and in 1939 he launched television as a new service to the public. Today, he is one of the foremost leaders in space communications, and his company—the Radio Corp. of America—has contributed importantly to America's lead in this vital aspect of the race into space.

As active in citizenship as in communications, General Sarnoff has served the Government in an advisory capacity under three Presidents. His unstinting devotion to our Nation epitomizes our finest traditions and provides on outstanding example to all Americans.

I know that I speak for thousands of Americans—and thousands more the world over who have benefited from his extraordinary scientific achievements—when I express the hope that General Sarnoff may continue for many years to give leadership to the communications industry of which he is so great a part, and to the land of his adoption, which he has served with distinction in war and in peace.

CANYON LANDS NATIONAL PARK, UTAH

Mr. MOSS. Mr. President, the Committee on Interior and Insular Affairs has pending before it a bill to create the Canyon Lands National Park, in the spectacular Red Rock country of southeastern Utah.

The Saturday Evening Post in its current issue, the issue of September 2, 1961, contains an excellent article entitled "Tourists' New Frontier," written by Richard Thruelsen. The article is complete with pictures in color. I regret that the colored pictures cannot be reproduced in the RECORD. However, I shall ask that the article itself be printed in the RECORD.

The article describes the spectacular country which the bill seeks to have created as a national park. There is also a description of the State park system which is being created by my State of Utah.

The author of the article refers to Mr. Harold Fabian, a close friend of mine and a leader in this field, who describes this spectacular area.

Since Secretary Udall has assumed the leadership of the Department of the Interior, rapid progress has been made in surveying and setting aside some of the beautiful scenic areas of our country. One of the areas which has attracted the greatest attention is the Canyon Lands area, which Secretary Udall visited this summer, and about which much has been written.

Mr. President, I ask unanimous consent that the article may be printed in the RECORD, so that the Senate will be aware of the kind of country about which we shall be talking when the bill comes before us.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TOURISTS' NEW FRONTIER

(By Richard Thruelsen)

The idea that the face of this country is completely explored and subdued is now so widely accepted that to most of us the words "New Frontier" suggest either frosty planets in space or campaign oratory. Harold Peggram Fabian, a 76-year-old retired Salt Lake City lawyer with a warm heart and a mind that operates well below room temperature, would like America to know that the phrase is neither a metaphor nor a political label, but a vast sun-scorched reality. As chairman of the Utah State Park and Recreation Commission, Fabian wants to find ways and means to introduce the traveling, recreation-minded public to a solid block of wilderness large enough to swallow nearly half a dozen of our smaller States. This empty land, he insists, is not only our newest but also our last frontier.

Although the land area involved—almost 30,000 square miles, comprising more than half of southern Utah—is perhaps the most striking feature of Fabian's new frontier, the character of the country and the circumstances of its present bondage and its possible future development have placed Utah and Fabian's project on the national stage. Here the pattern of our Nation's recreational development over the next several decades may be established.

Southeastern Utah is the most inaccessible part of the United States. A rectangle of mountain, mesa, and canyon country measuring roughly 160 by 180 miles on a side, this wilderness empire—with a matching section to the immediate south, across the Arizona State line—is the last large piece of American real estate to remain off limits to the tourist and the vacationer. No roads or highways cross this vast area; railroads skirt its emptiness; its deep-walled rivers can be death traps; even the air routes arch across it at frozen, respectful altitudes. This is the expanse of terrestrial space that Fabian wants to turn into a haven for tourists and vacationers.

If an empty land was all that southern Utah had to offer, Fabian's enterprise would probably be fated before it was begun. Happily, this vast sweep of country is one of the scenic treasures of the continent. Here on a high, bowl-shaped plateau forming a part of the drainage basins of the Colorado, the San Juan and the Green Rivers are exposed, the rarely visible secrets of the earth in the making. The crust of the land—crumpled, scoured, folded, and split by natural forces—has arranged itself into a spectacular jumble of mile-high mesas and canyons that look like ax slashes in the red-to-purple earth, isolated mountain complexes that seem to touch the sky, towering buttes and, on a smaller scale, some of the strangest geologic formations to be found on the globe. Part of a seabed for millions of years, later raised and lowered by distortions of the planet's crust, and still later strewn with volcanic lava and debris, this corner of Utah is a multimillion-year-old model of the planet's evolution.

The strange shapes and patterns of this lonely world are embellished with the soft, rich colors resulting from the oxides of iron and magnesium in the sedimentary limestone and sandstone which cover much of the area. This color, the immensity, the implacability and the Wizard of Oz quality of the land have earned for it all sorts of extravagant labels—"Land of Standing Rocks," "Land of the Sleeping Rainbow," "Land of the Painted Cliffs," and "the Color Country" among others—all of them reasonably appropriate. Fabian, with a grin, calls it "God-awful country," and that is appropriate too.

Utah's earnest but belated drive to move in on its wide-open spaces—it was the last State to establish a park and recreation program, in 1957—is the product of pure frustration. As a State with 75 percent of its territory owned by the Federal Government, Utah has always been, in a manner of speaking, a guest in its own house. The result was a general state of immobility in developing land for public use; what the Federal Government wouldn't do, the State couldn't do.

As a consequence Utah had to content itself with two of the smaller national parks—both Zion and Bryce Canyon in the southwestern corner of the State are "look-see" parks, their chief attraction being geologic phenomena—a few national monuments and two tiny historic sites. None of these natural exhibitions offered the public any recreational facilities. Nor is the State an area of natural playgrounds; for although Utah has plenty of open space for the adventurous—timbered mountains, high desert, and spectacular canyon country—most of this wilderness is either presently inaccessible or too roughhewn for the average vacationing family or the out-of-State tourist.

The fact that the park-poor State was rich in undeveloped park and recreation possibilities was but one of the abrasive facets of the problem which confronted Fabian's newly established park and recreation commission when it opened for business 4 years ago. State leaders also had to recognize that they had been outmaneuvered in the competitive business of attracting the tourist dollar. As a member of the north-south axis of mountain and desert States which make up our western tourist industry, Utah had for years been watching the travelers go by on their way to neighboring provinces where recreational areas are developed and more accessible. In 1957 Utah's income from tourists was $97 million, while adjacent Colorado reported a tourist take of $275 million; New Mexico to the south earned $200 million from tourists; Wyoming to the north, $160 million. Among all the States Utah ranked 40th in its income from tourist business. And, as the commission pointed out, the tourist dollar was "brandnew money" that took nothing from the State but happy memories and acres of exposed photographic film.

On the domestic level the new commission also faced an exigent problem. Although Utah is our 11th largest State in area, some 75 percent of its present population of approximately 900,000 is concentrated in a corridor 100 miles long and 10 miles wide between the Wasatch foothills and the Great Salt Lake Basin. This unusual urban concentration, accentuated recently by the burgeoning space-age industrial complex in the Salt Lake City area, results in a lot of leisure-time pressure—the natives want to be off and doing in the mountains and forests that rim the horizon. And just across a desert and a mountain or two—a long day's drive to the southwest—live several million peripatetic southern Californians who consider the Mountain States their appointed playground.

Utah is a conservative State that guards its small treasure skillfully. Utah's dollar is hard earned from its irrigated farms, its dry ranches, its forests, and its mines, or intemperately earned—in the view of some—from the enclave of new missile-age industries in the Wasatch strip. In any event, Utah has never believed in wasting money on frills such as parks and disposal plants—the State capital still dumps its sewage into the Great Salt Lake—and large-scale public planning. This admirable practice of not spending the people's money on superfluities complicated the problem of finding

a man and a plan to develop the State's natural recreational resources. You can't be people-minded without a big budget these days. Another discouraging factor was that most of the appropriate land was controlled by various Federal Government bureaus that had little interest in Utah's problems and an overriding interest in holding on to what they had. Indeed, in one case it literally took an act of Congress to get Utah a worthwhile bite of its own land.

By an extraordinary concatenation of circumstances Utah's Gov. George Clyde had just the man for the awful job. His name was Harold Fabian; by trade he was a lawyer, by avocation a conservationist, and by nature a mover and shaker.

The trouble with many dedicated conservationists is that they are do-gooders, and do-gooders are hard people to get along with. Although Fabian would probably be accounted dedicated by most knowledgeable members of the conservationist fraternity, only the misty eyed among them would anoint him as an ever-loving servant of the people. Fabian's attitude can be generally summed up as a conviction that the people ought to have parks, that he, Fabian, will do his best to get the parks and that once the parks are there the public can take them or leave them. And, if you misuse the parks, Harold Fabian will spit in your eye.

This tough-minded credo, which concentrates on the job to be done rather than its humanitarian aspects, is the product of both training and experience. A native of Salt Lake City, son of a non-Mormon family who had emigrated from the East, Fabian grew up in the State capital during the last 15 years of the 19th century. When the mountains to the east and the salt flats to the west still pressed in upon Temple Square at the heart of the city founded by Brigham Young less than 50 years before, young Harold went east to finish school, graduating from Yale in 1907 and from Harvard Law School 3 years later. Back in Salt Lake City, Fabian joined with a friend of his First World War Army days to form a law partnership of Fabian & Clendenin. Although both of the original partners retired from active legal work some years ago, the firm is still a going concern. Forty years of successful general and corporate law practice has provided Fabian with keen eyes for both large and small print and a tolerant understanding of the virtues and venalities of humankind.

Always the outdoor type, Fabian's first experience with the park and recreation business from the producer's point of view came in 1926, when an old friend named Horace Albright, then superintendent of Yellowstone Park and later Director of our National Park Service, asked Fabian if he'd like to help assemble land for a park. A wealthy easterner, at that time unidentified, wanted to purchase enough privately held land in Wyoming's beautiful Jackson Hole Valley, at the base of the towering Tetons, to form a recreational area and add it to the national park system. Fabian, who knew and loved this area lying just to the south of Yellowstone Park, agreed to devote what time he could to overseeing the acquisition phase of the program. It turned out to be a 23-year-long job, for it was not until 1949 that the easterner, John D. Rockefeller, Jr., was able to give the Nation the land which now forms a large part of the Grand Teton National Park.

Wrapping up Jackson Hole as a gift to the Nation proved to be the most complicated, dramatic, and controversial philanthropic project of our times. Fabian emerged from the struggle an acknowledged expert in the arts and stratagems of acquiring both Federal and private land for public use—a process during which the differing philosophies of public and private ownership often meet head on in sharp and bitter conflict. Patience and persuasion are usually the deciding factors in such negotiations, and an extraordinarily high order of objectivity is demanded if the conservationist is to maintain his perspective.

As a longtime trustee of Jackson Hole Preserve, a Rockefeller nonprofit conservation and recreation activity, and a member of our National Parks Advisory Board, Fabian has had ample exposure to this occupational hazard as well as most of the other pressures and complications that afflict those who work for the public weal.

When Governor Clyde plucked Fabian out of what might be called "active retirement" in 1957 and made him chairman—unpaid—of the new, 12-man State Park and Recreation Commission, Utah got a public servant who could shepherd a park project all the way from the wilderness to Washington, D.C., and back to the public without once losing his footing.

The first accomplishment of Fabian's commission was a homefront project that could be classed as, if not impossible, at least very improbable. Using the two small, privately developed ski areas, Alta and Brighton, on the Wasatch ridge above Salt Lake City as a stimulant, the commission set about establishing its Wasatch Mountain State Park, a 17,000-acre year-round State park and recreation area adjacent to the populous Wasatch strip. This will be integrated with the adjoining national forest recreation area in its planning and development. Persuasion and maneuvering on every level enticed $1,500,000 in cash and installment contracts from the State legislature. With the public-spirited help of some of the local mining interests and a mammoth assist from the ranching community of Heber Valley, which contributed its mountain-valley pasturage at fair prices fixed by State appraisers, the commission was able to purchase a sizable portion of the required land and obtain options on the rest. Development of the area, including access roads, camping spots, and the provision of sanitation facilities—a tricky business, for the rocky ridge is the watershed for the Wasatch strip below—is now underway, and Fabian feels free to turn a part of his arts and energy to the task of annotating the awesome blank space which dominates the map of southern Utah.

The human history of Utah's Colorado River Basin shows evidence of an odd sort of regression—there were probably more people in the area 3,000 years ago than there are today. The Anasazi—the Old Ones—Indians, whose roots in the Southwest can be traced back 25,000 years to the Sandia and Folsom cultures and whose modern descendants are the Pueblo Indians, were forced out of the Utah canyons about A.D. 1276 by a protracted drought. The ruins of their cliff dwellings can still be seen scattered throughout the canyons of the area.

White men have always treated the southern Utah canyon country with respect. In 1776 two Spanish explorer-priests made a tremendous circle around southeastern Utah from their base in Santa Fe, N. Mex. During the 1830's Spanish traders from the New Mexico settlements looped the famous Old Spanish Trail aimed at California through the northern tier of the area—avoiding the uncrossable river canyons—and in the 1850's and again in the 1870's the Mormons sent their well-disciplined colonizing expeditions probing into the forbidding wasteland. With the exception of a few isolated settlements, however, the country remained unconquered, the wilderness domain of a few wandering bands of Utes, a sanctuary for groups of rustlers and outlaws between operational forays—the heart of the area is still known as the "robber's roost country"—and the home of a few hardcase cattle outfits that supplied meat to the silver mines of western Colorado. Today this desiccated land—hot in summer, cold in winter, comfortable throughout spring and fall—is given over to the trails and the occasional workings of uranium prospectors and oil-company seismographical crews. This leaves plenty of space to be made available for the visitors Fabian hopes to attract.

Fabian would like to see a half dozen State or National parks established along the converging courses of the Colorado, Green, and San Juan Rivers. Each park would offer the visitor a typical sample of the area's scenic wonders and, ideally, provisions for camping on the spot and overnight accommodations in the vicinity. A brief look at five of these prospective park areas will suggest the fare and the fate in store for the traveler in Fabian's hinterland.

Goblin Valley: In the northern tier of the wilderness country and some 20 miles to the south of a projected extension of Interstate Highway 70, which is to carve an east-west passage across the mesa country, this 15,000-acre valley proves that nature can be whimsical. Erosion by wind and water has carved the buff-colored sandstone—once the bed of a vast inland sea that covered this part of the continent—into giant figures identifiable as rabbits, chessmen, turtles, and you-name-its, all set in a countryside that resembles a moonscape. For the imaginative who don't mind walking, this colossal children's toyshop is an experience well worth the present 30-mile drive—some of it over a dirt road—from the nearest main highway. Fabian hopes to improve the access road, provide water and campsites and vastly multiply the 1,000 or so visitors who now find their way to Goblin each year.

Dead Horse Point: What the Grand Canyon is to Arizona, Dead Horse Point is to Utah. From the rim of a triangle of high mesa formed by the confluence of the Colorado and the Green Rivers, the tourist looks down upon the serpentine wanderings of the Colorado half a mile below. This is a paradise for the vista-and-vertigo school of color photography, and the rankest amateur can capture scenes which will brighten his home projection screen during many a long winter's evening. Twenty-two miles of passable dirt road now connect the Dead Horse Point area with the lively little town of Moab and its neighboring Arches National Monument, where the tourist can wonder at the fantastic shapes resulting from thousands of years of erosion on slabs of colored sandstone. The Utah State Park and Recreation Commission has now acquired some 4,500 acres of land at strategic places along the mesa rim and is working out a novel arrangement with the director of the bureau of land management for a partnership operation of the 200,000 acres of the entire Dead Horse Point Mesa. Fabian expects it to become one of the Nation's great scenic attractions.

The Needles: This "out back" country of 300 to 400 square miles is so rugged and inaccessible that the possible park boundaries are still unsurveyed. Although the Needles area can be seen from the mesa on which Dead Horse Point is situated—as a matter of fact, part of it lies just across the Colorado Canyon a mile or so away to the east—it takes many hours of hard driving, special equipment, and guides to get from one spot to another.

The State park commission's official report on Utah's park areas gives a conservative description of the Needles country: "This area is rich in spectacular mesas, arches, buttes, deep canyons, monoliths, and rows of spires up to 300 feet in height, myriads of castellated formations, and Indian ruins and writings; a geologist's paradise with fantastically eroded wilderness area of colored rocks." There is also a working ranch at the end of the road that approaches the Needles; its cowboys range the canyons on the edge of the area and have a winter bivouac in a cave large enough to shelter

their horse string. The Needles used to be a hangout for rustlers on the run, and Hollywood now uses its awesome backdrops for scenic shots in its westerns.

The Needles is presently reached from the little town of Monticello, where the adventurous traveler can hire the services of a local couple who work their jeeps through canyons and up rock walls on trails that were obviously laid out by mountain goats. Fabian believes that improved access roads and trails and provision for water-storage points, guide signs, and rescue facilities will encourage amateur explorers to prowl where perhaps no man has ever prowled before.

The Land of Standing Men: Sometimes called the Land of Standing Rocks, this section is a counterpart of the Needles area on the west side of the Colorado, being separated from it by the 40-mile gorge of Cataract Canyon, where rock-strewn rapids offer the most dangerous challenge of the entire Colorado to the men who "run" the river.

Fabian would like the National Park Service to take over the Needles area, the Land of Standing Men and Cataract Canyon as part of its Lake Powell National Recreation Area.

Escalante Gorge and Hole-in-the-Rock: 90 air-miles downriver from the Needles area—perhaps double that by the Colorado's twisting course—and deep in the inaccessible heart of the mesa country, a tributary called the Escalante leaves its own spectacular canyon to join the main river. The gorge and the watershed of the Escalante, which rises in the mountains 50 miles to the north, are rimmed by two tremendous escarpments that literally wall the river basin from the outside world. Here, once the access problems are solved, lie hundreds of square miles of exploring for the vacationer who can take care of himself in the wilderness. Towering natural arches and bridges, ancient cliff dwellings, scenic canyons, fossil deposits, blind canyons, and a petrified forest dot the course of Escalante on its way to join the Colorado. A few miles south of the confluence lies Hole-in-the-Rock, where in 1879 a Mormon missionary party of 250 men, women and children, after negotiating the length of the Escalante Valley, made an "impossible" crossing of the Colorado River Canyon.

As this brief look at five of Fabian's several dozen southern Utah park projects suggests, opening up the country to modern travel is the biggest single problem. Although the country is arid and the rivers are largely impassable, Fabian expects that a great deal of future travel in the area will be—oddly enough—by boat. The answer lies 40 miles downstream from Hole-in-the-Rock where, just south of the Arizona border, Glen Canyon Dam is slowly rising to plug the Colorado Canyon. A Bureau of Reclamation project designed primarily for power generation, the dam will form a reservoir with 1,500 miles of shoreline. When it is completed in 1962, the dam will impound a vast lake that will fill part of the main canyon of the Colorado and many of its contributory canyons and extend upriver some 186 miles. The reservoir will be known as Powell Lake, after the geologist, John Wesley Powell, who in 1869 was the first to successfully navigate the turbulent Green and Colorado Rivers.

Powell Lake will form an inland waterway into the heart of the high-mesa country and will provide perfect cruising waters for the trailer-boat tourist. Although few of these waterborne sightseers will get far from the water's edge, recreational use of the giant lake will undoubtedly stimulate a lot of curiosity about what lies on top of the canyon walls. Fabian is counting on this awakened interest and the natural tourist overflow from Zion and Bryce Canyon, which lie on the western fringe of the undiscovered area, to provide a steady flow of visitors to the projected parks in that part of Utah.

Solution of the access problem is but one of the difficulties facing Harold Fabian and his Utah park commissioners in their attempt to develop the recreational prospects of the State and to attract tourist dollars to their wide-open land. The first order of business is to have the land in question set aside for park and recreational uses. This is the rock upon which the park and recreational plans of many of the Western States have foundered.

In most cases this first big step involves convincing the Federal Bureau of Land Management—BLM—which owns 50 percent of Utah or the National Forest Service, which controls about 16 percent of the State, to part with a piece of the empire or, alternatively, develop it for public recreational use. The course of sweet reason in either case is generally beset by legal and contrived obstacles. The BLM, a Department of the Interior Bureau, originally established as a self-liquidating agency, has in the natural course of events become a self-perpetuating one. With no recreational interests of its own, the BLM can usually frustrate any State requests for park lands by appealing to the powerful grazing and mining interests which profit from various use permits granted them by the Bureau. When it does sell land to States, the price is set by the Bureau's own appraisers.

Until 1959 the BLM was authorized by law to sell a State 640 acres of the public domain a year for park purposes. In 1959 the Utah legislative contingent in Washington, with the encouragement of Fabian, successfully sponsored a bill which expands this limit to 6,400 acres a year, with conveyances of 12,800 acres a year in 1960, 1961, and 1962. The questions of whether these allotments are cumulative and whether the State or the BLM decides on the development of conveyed land are now being threshed out in Washington.

The vast tracts of Utah land held by the National Forest Service, a Department of Agriculture bureau, present a different set of problems. Although it is primarily interested in conservation, watershed protection, and the proper commercial exploitation—in the form of timbering, mining, and grazing—of the forests under its control, the Forest Service is more recreation-minded than the other Federal land bureaus. Fabian's main objective in the Forest Service lands is thus to encourage and expedite the Service's development of recreational facilities on lands under its control and the building of access roads to the selected areas to be improved. He also hopes to integrate State and Forest Service planning and operations wherever possible.

The National Park Service, a third force in the developing park and recreation picture, presents a separate challenge to State and local recreational interests. While it encourages tourism, including sightseeing, fishing, and some camping, the Park Service adheres to a traditional conservationist policy in administering the more than 24 million acres of Federal lands under its control. The fundamentalist version of this philosophy frowns on any disturbance of the face or the processes of nature—an attitude that precludes both the removal of a fallen tree and the building of a ski lift. As a member of the National Park Service Advisory Board, Fabian feels that the Park Service must in the future give more attention to recreation development as well as to its conservation activities.

"The Park Service people are experts in the park and recreation field," Fabian said. "And they have dollars to spend, where we State people have pennies. They help us with State projects in the planning stage, and they actually operate some recreational facilities for the Bureau of Reclamation in areas such as Lake Mead, but the times ahead demand more than that. Not only the National Park Service but also the Bureau of Land Management and the National Forest Service must be encouraged to develop the recreational potential of their respective great public-land domains for general recreational use—as national facilities—and to assist the States in supplementing the national recreation effort in every possible way."

Fabian believes the National Park Service will have to develop some areas where the land involved is also put to commercial uses such as mining and grazing, irrigation and oil developments. "This sort of a compromise with the strict conservationist philosophy will be most important as population pressures grow," he said. "As an example, we would like to have the Park Service develop our Needles area and the Land of Standing Men Park, but there may be oil, gas, or mineral deposits in that country, and such resources must serve the people of that State."

This demand that the Federal Government, through its park and land agencies, participate actively in the development of multiple-use recreational areas is naturally most often heard in the poorer States. New York voters last fall authorized a $75 million bond issue for the development of 25,000 acres of additional State park and recreational land; New Jersey is working on a similar, although less ambitious, plan. California puts a sizable proportion of its offshore oil revenues in park and recreational developments. Even these comparatively affluent areas would welcome Federal help, however, for they are hardest hit by dwindling land resources and inflated land values.

Harold Fabian feels that the tides of official sentiment and Federal action are at last turning toward the development of a national program which will combine conservation, productive use of the land, and the establishment of more wilderness parks and recreational areas. Interior Secretary Udall's recent suggestion that 15 million acres of public land across the country be converted to park and recreational use, and his proposed "golden circle" of national parks in the Colorado River country, are signs of the changing current of Federal thinking. Utah officials favor these plans, but insist that multiple use of the land involved must be retained in order to protect the State's present economy and insure its future development.

If these new currents and Fabian's ambitious dreams portend the course of coming events, the fabulous wilderness of southern Utah may be the proving ground for our next experiment in national expansion. Water, people, and ideas have changed the face of many a land; the traveler and the tourist always leave the seeds of settlement behind them. The lonely mesas and the dry canyons which finally defeated the Anasazi and which have rebuffed man's ambitions for seven centuries can well be our new frontier. Southern Utah has one thing in its favor—it's a good deal closer than the moon.

THE WILDERNESS BILL

Mr. PROXMIRE. Mr. President, I recently received a letter from the Independent Petroleum Association of America opposing the wilderness bill. Anyone who is familiar with the legislative history of this bill knows what progress has been made in meeting various points of view. I can find no possible basis for opposition by the IPAA other than the remote possibility that oil and gas will be found under the land of present primitive areas and wildlife refuges outside

of Alaska. Within Alaska, of course, a special land-use commission will be established to consider such possibilities. The primitive areas and wildlife refuges involved comprise less than 10 million acres out of a national land surface of over 2 billion acres.

IPAA's opposition is obviously a matter of economic self-interest, with no legitimate basis of economy injury. I am far from convinced by their argument. In fact, I feel that the IPAA letter which many Senators received is further evidence of the pressing and urgent need for this legislation. I ask unanimous consent that the letter from IPAA and my answer be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA,
Washington, D.C., August 28, 1961.

The Honorable WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: We understand that S. 174, establishing a wilderness system, will be considered on the Senate floor at an early date.

Our association has given consideration to this proposal as well as many similar proposals over the past several years. As a result of such studies and consideration, the membership of the association has concluded that passage of this proposal would adversely affect the development of petroleum reserves underlying the public domain and thus would not be in the best interest of the national economy or defense. This legislation would be in conflict with a long-standing congressional policy that has encouraged multiple-use development of the public domain which over the years we have wholeheartedly endorsed.

It is our belief that the public domain can and should be used for recreational and wildlife purposes without barring oil and gas operations. Experience has demonstrated that such operations can be carried on in harmony with recreational and wildlife purposes.

Accordingly, it is urged that you give consideration to our position regarding this legislation.

Respectfully yours,
L. DAN JONES, *Counsel.*

AUGUST 30, 1961.

Mr. L. DAN JONES,
Counsel, Independent Petroleum Association of America, Washington, D.C.

DEAR MR. JONES: You are right to suggest that the concept of multiple use is fundamental to the wise management of the Nation's resources. But do you really find in this concept grounds for opposing the wilderness bill?

First of all, the retention of land as wilderness accords with the multiple-use concept as I understand it. As Bernard Frank pointed out in the hearings on S. 1176, wilderness has great value as a water resource. Rainfall is very high in the subalpine forest of the West, their preservation as wilderness prevents wasteful runoff. As the representative of the Oregon Academy of Sciences pointed out in the hearings on S. 4028, wilderness preserves will serve a multiplicity of scientific purposes. The recreational value of these lands has been proved by the advocacy of countless outdoor recreation groups who have testified in favor of wilderness legislation. Sigurd Olson and other perceptive students of our national life have pointed out what may only be called the ethical and psychological value of wilderness—even for those who may never see it—like the humble resident of the plains of India who draws comfort from his knowledge that lowland rivers have flowed from the roof of the world in the faroff Himalayas. Water conservation, scientific use, recreational use, and deep human value, in my opinion, constitute a very broad range of multiple uses.

But even if we were to think of wilderness as a single use, as opposed to the commercial use of the vast majority of our national forest lands, that would be single use on a very small percentage of our national land area. In the rest of the public domain commercial use would still be possible. Such allocation of land uses is fully in line with the multiple-use philosophy.

This bill will protect from further encroachment national park lands set aside by the Congress where multiple use as the IPAA seems to understand it is already forbidden. It will set aside wild and wilderness areas where such multiple use is also prevented. It will further protect areas in wildlife refuges where no one has any business drilling for oil and gas. The most promising wildlife refuge lands for petroleum exploration are in Alaska, where they will come under the jurisdiction of the land-use commission established by the bill. The IPAA's concern about oil and gas development on lands to be included in the wilderness system must thus refer only to the 7-million-odd acres of so-called primitive areas, and to the wildlife refuges outside of Alaska, which amount to another 2.6 million acres.

Clearly your organization opposes the wilderness bill because of the possibility of future profit from oil and gas exploration on 10 million acres of wilderness, one-half of 1 percent of our Nation's land area of over 2 billion acres. Had any commercial group seeking to develop these areas made a case in terms of economic need, the committee would certainly have given them consideration. But such a case is nowhere made in the hearings on all the versions of the wilderness bill. Instead of finding evidence of economic harm to be suffered by would-be developers, I have found evidence of accommodation on the part of those who have been working on this bill. Objection after objection was considered. Objection after objection was met. I frankly state that I am impatient with opposition which has no foundation in fact. The IPAA protests that the Nation's economic and defense needs will be harmed if the wilderness bill passes. No one has proved this, and in the absence of any such showing I will favor this proposal because of the need to preserve those aspects of wilderness on our land which have so greatly contributed to our national life and spirit.

I am saddened to discover that the IPAA is reluctant to countenance the public benefits which would flow in such abundance from this proposal. It is greatly to be regretted that such a powerful trade association still favors the use of wildlife refuges for oil and gas operations. It is a notorious fact that oil and gas companies own vast reserves which they will not commit to sale because it suits them to keep supply at a minimum.

IPAA opposes this bill on principle—a principle which will not bear examination because it is the same greedy reluctance to forswear one iota of private profit in the name of public good which heavily blots our Nation's conservation history. There is as little need for development of proposed wilderness lands as there would be to melt down our military monuments to stockpile the bronze or to mine coal from the hallowed ground of Shiloh or Gettysburg. I must state, with some reluctance, that I found the IPAA's determination to conduct oil and gas operations no argument in favor of multiple use, but further sad evidence of the need to set the wilderness aside for the American people while it is still possible to do so.

Sincerely,
WILLIAM PROXMIRE,
U.S. Senator.

THE INTERNATIONAL RESCUE COMMITTEE AND THE CUBAN REFUGEES

Mr. PELL. Mr. President, because of my previous experience in working with refugees I have closely followed the historic exodus of more than 100,000 Cubans who have sought refuge in this country from the tyranny of Castro. This is the first time in recent American history that our Nation has been the country of immediate, first asylum for such a large number of refugees from tyranny. We all recall the generous response of the American people to the victims of the Hungarian revolution who managed to escape with their lives, yet it is important to remember that at that time, America opened its doors to just 25,000 refugees from Hungary. Now we are faced with the challenge of assisting four times that number.

Mr. President, the people of Florida have done an outstanding job of offering hospitality and assistance to the Cuban refugees but resettling these brave people is not the task of any one State, but it is rather a national responsibility. President Kennedy has recognized this by allocating Federal funds through the Department of Health, Education, and Welfare. In addition, several national voluntary agencies have given unstintingly of their funds and assigned trained personnel.

However, the problems of the Cuban refugees are by no means solved. The stream of escapees from Cuba continues. Given our concentration on Berlin and other problems, we cannot afford to lose sight of our responsibility toward refugees from communism only 90 miles away from our shore.

Mr. President, I ask unanimous consent that an editorial from the New York Times and a news story from the New York Post regarding the work of the International Rescue Committee with Cuban refugees be printed in the RECORD as a reminder to all of us of the need for continued assistance to Cuban refugees through the Federal Government and through the generous support of the American public of the work of our national voluntary agencies.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 12, 1961]

REFUGEES FROM CASTRO

The plight of the Cuban refugees is a challenge to the American people. The rising flow into this country of those escaping from Castro's tyranny is swamping both private and public facilities for giving them the aid they need.

More than 100,000 have already come and some 2,000 are arriving every week—some by plane, with U.S. entry papers in their pockets, the less fortunate clandestinely in small boats and with no papers at all. Those who get here need money right away for food, lodging, medical care, and often clothing.

Even the prosperous can bring little money with them. They also need assistance in coping with the immigration authorities, finding jobs and paying for the tickets to go where the jobs exist, and in breaking the language barrier.

Private organizations, such as the International Rescue Committee, the Federal Government, and local public agencies have done notable work in meeting these needs, but funds are far from adequate. The $5 million allotted for Federal aid is nearly gone. More will be needed. The International Rescue Committee must have $1 million to handle the casework ahead this year.

An amendment to the immigration law should now be made. The Department of Justice uses its discretionary powers to stay temporarily the deportation of Cuban refugees who have no entry papers or have overstayed their visitors visas. But this does not give the privilege of permanent residency, or of seeking U.S. citizenship, or freedom to leave and return to this country—severe handicaps in getting jobs. The elimination of these restrictions as to Cubans would be a blessing to the refugees and to harried immigration authorities.

[From the New York Post, Aug. 14, 1961]

THEY FLED CUBA—NOW SEEK AID HERE

On the night of July 21, a small fishing schooner put in at an obscure key near the southern tip of Cuba.

Aboard were the skipper, four crewmen, a group of veterinarians and a bartender, all of them veterans of the unsuccessful counter-revolution against Cuban Premier Castro.

At the key the schooner picked up some 30-odd fishermen, farmers, and very humble people, fleeing the Castro regime. Then the boat, with 49 free souls aboard, continued the exodus to the United States.

Like many of his shipmates, the bartender, whom the International Rescue Committee identifies only as "Senor Valdes" (the Cuban equivalent of "Mr. Jones"), had left behind his wife and children.

A POLICE STATE

Through a translator at the offices of the IRC, 251 Park Avenue South, the other day, Senor Valdes told why, in an unexpected burst of eloquence.

"I'm not a man of letters," he said, "but you have to see it, to suffer there, to know. It is a police state. They live under terror. Under any dictator it is difficult. But these people press on your brain. There are informers on every block. The textbooks for the children are not the old textbooks. They teach only communism. The radio, the television, everything tries to press your brain. All powers taken by a single man. That could not be good."

Senor Valdes completed his exodus on July 24, when the schooner landed at Miami. The IRC, which tries to provide jobs, housing, and temporary sustenance for refugees from any part of the globe, gave him $75 in Miami, out of which he bought a train ticket to New York. He has walked the whole city since then, struggling with the few broken words of English he knows to impart his message:

"I want work. I'm a proud person. I want to help myself."

SOUGHT CLOTHING

On Friday, Senor Valdes had finally come to the International Rescue Committee office here to ask for some clothing. A brother-in-law, meanwhile, has put him up in a furnished room on the West Side. His rent is paid for a few weeks in advance.

Between 50 and 100 Cuban refugees pour into the International Rescue Committee office every day of the week, all of them with similar stories. They have fled Castro for one reason or another, leaving families behind. They need work or money, or help in bringing their relatives here.

What concerns them most for the moment is the language barrier and the consequent difficulty of finding work. This is as true for the laborers and peasants among them as it is for the doctors, lawyers, and, in one case, a former justice of Cuba's Supreme Court.

Dr. Jose Portuando, who was the first Cuban Supreme Court Justice to hand down an opinion unfavorable to the Castro regime, feels he was lucky in one respect. He escaped with his entire family—his wife and five children—bringing them here in October of 1960. He is living now with his wife and two of the children in a West Side hotel. One of the children, a girl of 4, is suffering from leukemia. The other three children are in a Catholic children's home in Illinois.

He has been earning an average of under $30 a week from some tutoring and translation jobs that the International Rescue Committee finds for him. Because he is not a citizen, he is not permitted to practice law here. But his command of English is good and he hopes to find work with a university eventually, doing research in international law.

"Whatever we were once, we are all only refugees now," he said Friday.

Meanwhile he has continued an active role in the propaganda war against Castro, along with 5 other justices of the 12-man court who escaped shortly after he did.

Senor Fernandez set out from Cuba in a 12-foot rowboat, with three other men, at about the same time Senor Valdes was boarding the schooner. He had fought with Castro in the Sierra Maestra mountains from the early days of the revolution, in 1958. He broke with the Premier in 1960. "Because I am a Catholic believer and an anti-Communist." Senor Fernandez was hidden by friends for a year before he made his escape, leaving his wife and brother behind.

WILL TAKE ANY WORK

He and his companions were picked up by a Peruvian cargo ship, headed for Savannah, Ga. He arrived in New York from Savannah last Wednesday, and on Friday he was being interviewed by an International Rescue Committee social worker.

"I'm an experienced garageman," he told the social worker. "I owned my own garage. But I will do anything—factory work, anything."

Another man, a lawyer in Cuba for 20 years, told an interviewer: "I lost my home, my money, my real estate business. My whole family is still in Cuba. I am no Communist. I like freedom. I am democrat. I think Castro is no good man. I never like Batista, but other men in Cuba is good person. It's not necessary Castro or Batista."

He has been attending night school here 4 hours a week, studying English, and it is coming along. The International Rescue Committee is trying to find him any sort of work.

The organization has a special Cuban refugee emergency appeal underway this month. Four times as many Cuban as Hungarian refugees have appealed to the committee for help, but contributors in the past have provided four times more funds for Hungarian aid. The public is being asked to send contributions to the International Rescue Committee, Pleasantville, N.Y.

ACTIVE DUTY FOR NATIONAL GUARDSMEN AND RESERVISTS

Mr. BENNETT. Mr. President, with the Armed Forces now in the process of calling 76,500 reservists and National Guardsmen to active duty, we are reminded once more of the great inequities which arise out of war or the threat of war. It is obviously unfair that these men should be asked to sacrifice so much when most of us are asked to sacrifice so little.

This, of course, is inevitable in a situation of this kind. But to redress the imbalance to some degree, I think all of us should resolve to make whatever sacrifices we can to maintain our Nation's strength in this hour of crisis.

What does this mean? It means simply that we should be willing to forgo the tempting new programs of handouts being offered as part of the New Frontier. If National Guardsmen and reservists are willing to give up their jobs, their normal family life, and much of their income in order to help strengthen our Nation in this hour of peril, should we not be willing to give up some of the programs which are going to weaken our economy through inflation and deficit spending?

An editorial in the Salt Lake City Deseret News of August 26 pointed out quite effectively the incongruity of the present situation. Because this editorial expresses so aptly the feelings of myself and many other Members of Congress at this time, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A CALL FOR SACRIFICE

Americans have not infrequently been accused of being too soft, too luxury-loving to make any national self-sacrifices, too concerned with their own safety to worry about the safety of their allies.

All these accusations start to sound a little hollow in light of yesterday's callup to active duty of 76,500 National Guardsmen and reservists, including several hundred Utahans.

These men will be dislocated from their homes, their families, and their jobs in what will probably be the biggest real self-sacrifice Americans as a whole have made since the Korean war.

No doubt this sacrifice will be personally distasteful to many of those directly involved. But for the most part these civilian-soldiers can be expected to make it without undue complaining. After all, this is what a guardsman or a reservist has to expect at some time or other. It's the usual story: a dirty job has to be done, someone has to do it, and they are chosen for the job.

But the sacrifice is not that of the guardsmen and reservists alone. Great sacrifice also will have to be made by their families and loved ones. It will be made by those who will have to live on service salaries, which in the great majority of cases will be much lower than their previous incomes. It will be made by children who may be deprived of a father's presence for some time, by wives and mothers who may have to take jobs to help support their families.

This is not the first time our civilian-soldiers have been called to active duty, though we always keep hoping it will be the last time. Shortly before the outbreak of World War II, many guardsmen and reservists were called up for what was to have been a short tour of training duty, but then the war broke out and they were in for the duration. One hopes history is not repeating itself now.

One also hopes fervently that this sacrifice will not be in vain, that it will help calm an international crisis in Berlin that has grown to alarming proportions.

Whether or not it will may depend on the reaction other Americans make to this crisis.

While civilian-soldiers are being torn from their homes, is it too much to ask that the Government give some real leadership in the other sacrifices a nation should be expected to make? It seems tragically incongruous to mobilize men with one hand but to go ahead with expensive, inflationary, and nonessential Government spending programs with the other.

To the guardsmen and reservists who are answering their country's call to duty, our heartfelt best wishes and our prayers go with you wherever that duty may take you.

RELATIONSHIP OF THE UNITED STATES WITH THE REPUBLIC OF CHINA AND COMMUNIST CHINA—CONCURRENT RESOLUTION

Mr. DODD. Mr. President, on July 28, 1961, the Senate passed Senate Concurrent Resolution 34, reaffirming the opposition of the Senate and of Congress to the admission of Red China to the United Nations. The resolution as passed contained two clauses which I had suggested in my substitute draft.

On rereading the debate which took place on the resolution, I realized for the first time that the resolution in its final, amended form does not appear anywhere in the RECORD.

I therefore ask for unanimous consent to insert into the RECORD at the conclusion of my remarks the text of Senate Concurrent Resolution 34 as passed by the Senate on July 28.

Mr. President, I am convinced that this resolution represents not merely the sense of the Senate but the opinion of the overwhelming majority of the American people. This is an issue on which Republicans and Democrats, liberals and conservatives, are solidly united. This fact is dramatically attested to by the composition of the Committee of One Million Against the Admission of Red China to the United Nations, an organization which has been in the forefront of the fight in this country and of which I am proud to be a member.

Among the prominent Americans who have been associated with the Committee of One Million are names as diverse as the late Ambassador Warren Austin and Ambassador Joseph C. Grew; Gov. Charles Edison, and the late General George C. Marshall; Senator Paul Douglas, and Senator Styles Bridges.

Mr. President, despite the noises made by some minority groupings on this issue of principle and morality, the evidence is unmistakable that the American people, whatever their political beliefs, are united.

There being no objection, the concurrent resolution was ordered to be printed in the RECORD, as follows:

SENATE CONCURRENT RESOLUTION 34

Whereas the Government of the United States enjoys close and friendly relations with the Government of the Republic of China, including treaty obligations which this Government honors; and

Whereas the Republic of China has faithfully discharged its obligations under the Charter of the United Nations; and

Whereas the Chinese Communist government has flagrantly violated basic human rights, has imposed on the Chinese people one of the most brutal regimes known to history, and is without authority to speak for the Chinese people other than the authority that derives from usurpation and tyranny; and

Whereas the Chinese Communist regime by its aggression in Korea, its repression in Tibet, its threats against its neighbors, its failure to release American prisoners as promised, its export of narcotics to non-Communist countries, in collaboration with criminal elements in these countries, on a scale that makes it the major source of the international illicit narcotics traffic, and its hostility toward the United States and the United Nations has demonstrated that it is not qualified for representation in the United Nations: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the United States shall continue to meet its commitments to the people and Government of the Republic of China and shall continue to support that Government as the representative of China in the United Nations; and be it further

Resolved, That the United States shall continue to oppose the seating of the Chinese Communist regime in the United Nations so long as that regime persists in defying the principles of the United Nations Charter; and be it further

Resolved, That it is the sense of the Congress that the American people support the President in not according diplomatic recognition to the Chinese Communist regime.

PROJECTS APPROVED BY THE COMMITTEE ON PUBLIC WORKS

Mr. KERR. Mr. President, in order that the Members of the Senate and other interested parties may be advised of various projects approved by the Committee on Public Works, I submit for inclusion in the CONGRESSIONAL RECORD, information on this matter.

The first is a list of seven small watershed projects approved under the provisions of Public Law 566, 83d Congress, as amended.

Projects approved by the Committee on Public Works on Aug. 15, 1961, under the Watershed Protection and Flood Prevention Act, Public Law 566, 83d Cong., as amended

Project:	*Estimated Federal cost*
Big Sandy Creek, Colo. (supplemental)	$871,374
South River, Ga.	853,703
Middle Fork of Anderson River, Ind.	1,004,480
Middle-South Branch Forest River, N. Dak.	1,148,508
Sallisaw Creek, Okla.	4,552,584
Beaver Creek, Oreg.	832,400
Twin Parks Creek, Wis.	778,325
Total	10,041,374

In addition, on August 15, 1961, the committee approved the alteration of Federal buildings at 26 locations throughout the country, to provide additional court facilities for new Federal judges recently authorized by Congress. Approval of these alterations was based on a prospectus submitted to the committee by the Administrator of General Services on August 9, 1961, in compliance with Public Law 248, 86th Congress. The estimated cost of these alterations is $11,970,000.

A project for alteration of the post office and courthouse at Detroit, Mich., was approved by the committee on July 13, 1961, at an estimated cost of $4,628,000, in accordance with a prospectus submitted to the committee on June 7, 1961.

The VICE PRESIDENT. Is there further morning business?

If not, morning business is closed.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1962

The VICE PRESIDENT. Does the Senator desire to have the unfinished business laid before the Senate?

Mr. MANSFIELD. Yes; I move that the unfinished business be made the pending business before the Senate.

The VICE PRESIDENT. The bill will be stated by title.

The CHIEF CLERK. A bill (H.R. 7371) making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1962, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

The VICE PRESIDENT. The question is on the Mansfield-Dirksen motion to suspend the rule.

Mr. JORDAN. Mr. President, I sincerely feel the Senate needs to examine in detail, and with a great deal of care, the proposal before it.

I think this is true because of the nature of the work and the purpose of the mission of the Civil Rights Commission.

The State of North Carolina has for some years had an advisory committee on civil rights. We in North Carolina operate on the principle that when we have problems we can sit down at a table and work them out together.

We have made every effort to do this in matters affecting relations between the races, and I am proud to say that we have made a great deal of progress.

The North Carolina Advisory Committee on Civil Rights was established as a factfinding body to bring to the attention of the people of the State data pertinent to the educational, economic, and social influences which play upon race relations.

Today, Mr. President, I want to read excerpts from the latest report made by the North Carolina Advisory Committee on Civil Rights. It was issued on April 9, 1961, and it is the third in a series of reports on the question of equal protection of the law in education.

The facts dealt with in the report are most revealing. They deal realistically with a problem we have had for many

years, and a problem we have dedicated the resources of our State to solve.

Even though North Carolina is a long way from the top in terms of literacy and education, we have made remarkable progress under the most difficult of circumstances. Since the turn of the century, North Carolina has been education conscious. At the time we started our program of universal education under Governor Aycock, we were far behind many other States and regions.

We still have a long way to go but we are not standing still. We are doing what we can as fast as we can. In fact, only this year, the North Carolina General Assembly, under the leadership of Governor Sanford, embarked upon a far-reaching program not only to step up the pace of our educational programs but also to develop and promote quality education to meet the needs of the times.

With these preliminary remarks, Mr. President, I should like to read from the report of the North Carolina Advisory Committee on Civil Rights.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. JORDAN. I yield to the distinguished Senator from Florida.

Mr. HOLLAND. I recall that during the term of the fine service rendered by the late Senator Hoey as a Member of this body, on one occasion he advised the Senate of the appointment by the then Governor of North Carolina of a very outstanding colored citizen to be a member of the State board which controls the institutions of higher learning.

Mr. JORDAN. That is correct.

Mr. HOLLAND. Does that situation still obtain in the great State so ably represented by the Senator?

Mr. JORDAN. It certainly does. I think every governor since the service of the late Senator Hoey has added additional fine colored citizens not only to boards of education, but also to other boards which affect the lives of all the people of North Carolina.

Mr. HOLLAND. The board to which I have reference is the State board which controls the institutions of higher learning which, as I understand the situation in the great State of North Carolina, include, in addition to the well-known schools such as the University of North Carolina and North Carolina State, various institutions attended by colored citizens who are ambitious to obtain education. It is that board upon which there has been biracial representation for many years, is it not?

Mr. JORDAN. That is correct.

There are also a number of very fine colored citizens who serve on boards of trustees of the colleges. There is the North Carolina Agricultural and Technical College at Greensboro, a very large college attended by colored people. There is another in Raleigh. I think we have more colleges attended by colored people in North Carolina than there are in any other State in the Union. They are doing wonderful work. The colored people are actively a part of those institutions.

Mr. HOLLAND. I remember that only a few years ago there was a championship football game played between one of the institutions mentioned by the Senator from North Carolina and a similar institution in the State of Florida, the Florida Agricultural & Mechanical University, at Tallahassee, which is a very fine institution devoted to the education of Negro youth. I do not remember which team won the championship contest, but I know that we in Florida were proud of our team, as I am sure the Senator was proud of the team from his State. We were proud that these two great States furnished the two competing championship teams on that occasion.

I compliment the Senator for the fine progress made by his State in the field of biracial supervision of education.

Mr. JORDAN. I thank the Senator. I appreciate his remarks.

North Carolina many years ago established a compulsory school system for all our citizens of North Carolina. The system was not established only for the white or only for the colored, or for any particular race, but for all our citizens.

When the State took over the school system of North Carolina many years ago, a system supported by the sales tax in our State, the State took over the obligation to pay the salaries of all the teachers in North Carolina.

The colored teachers of North Carolina draw exactly the same salaries as the white teachers, in every class. Under the system, the longer one teaches, the higher one's certificate goes and the more money one gets. It is a fact that the colored teachers stay with the schools much longer than do the white teachers, and on the average the colored teachers make more money than the white teachers in North Carolina. This is gratifying, and shows they like the profession and are making an excellent record.

Mr. President, I read from the report of the North Carolina Advisory Committee on Civil Rights:

> In the previous reports of this committee on equal protection of the law in education, attention has been directed to the schools. Part I dealt with investment and current expenditures per pupil, teachers' salaries, dropouts and absences, libraries, lunches, and the current extent of segregation and desegregation. Part II showed a comparison between North Carolina and other Southern States in the percentage of students enrolled in schools accredited by the Southern Association of Colleges and Secondary Schools.
>
> This report will deal with the location and extent of illiteracy in North Carolina, both of whites and nonwhites. It will compare illiteracy in North Carolina to illiteracy in other States in the country.
>
> Inasmuch as education in North Carolina has for more than 60 years been almost entirely a public responsibility, this examination of the available data on the extent and location of illiteracy in the State will provide at least one guidepost as to how well that public responsibility has been discharged. Whereas our first two reports dealt with the schools, this one might be said to deal with the products of the schools, but that would not be accurate because the prevalence of illiteracy would not be the product of such schools as were provided but rather the result of the lack of educational or other environmental opportunities.
>
> The cause-and-effect relationship between low income, poor housing, and low current expenditure for schools appears obvious. But this may need further study and documentation.
>
> Furthermore, it would be of value to the people of the State to know where the uneducated citizens in North Carolina are located; that is to say, in what areas or counties their proportion is the highest. This is a concern of all of the people of our State since it has to do with the full development of our human resources. This has been and still is conceived by most of our citizens to be a responsibility of the State to be discharged through the public school system; but there are other environmental factors which determine whether a citizen's full potential will be developed or not. These have to do with the conditions of the home in which the children grow up, the employment opportunities of the parents, and the expectations which the community holds for all of its children. In this connection, it would be revealing to compare a map of the State showing county by county and race by race: (a) Percentage of substandard dwelling houses, (b) per capita income, (c) investment in school property, (d) percentage of pupils attending schools accredited by the southern association, (e) percentages of eligible citizens who are registered to vote, and (f) the number of grades of school completed.
>
> It is probable that all of these maps of North Carolina would be somewhat similar in appearance, that is, that these factors would tend to coincide or be very similarly located. However, we have not been able to complete such a comparative study; furthermore, the 1960 census data should be incorporated into such a study. We are unanimous in the opinion that such a study should be made and that the results should be widely published and understood by all of the citizens of the State.

Mr. HILL. Mr. President, will the Senator yield?

Mr. JORDAN. I yield to my distinguished colleague from the great State of Alabama.

Mr. HILL. I ask my distinguished friend from North Carolina whether this study to which he refers is under preparation.

Mr. JORDAN. The study is under preparation. It is a continuing study being made by the committee set up several years ago with respect to public relations. This has been going on for a number of years.

Mr. HILL. The study ought to be informative and interesting, not only to the people of North Carolina, but would also be most interesting and informative to people everywhere. Does not the Senator from North Carolina agree?

Mr. JORDAN. I think it would be. It is a study which goes into all factors that pertain to people, including education, background, environment, housing, and other influences that affect people. We are dealing with people.

Mr. HILL. As the Senator knows, his great State of North Carolina is one of the most advanced States in the entire United States in support of its public schools, public education, and its very fine private schools.

Mr. JORDAN. While some other States do not so admit, we admit what the Senator has stated.

Mr. HILL. Does not the Senator also admit that he represents a State which has two of the finest universities to be

found anywhere, in the University of North Carolina, at Chapel Hill, and Duke University, at Durham, N.C.?

Mr. JORDAN. The Senator is correct. In addition, we have Davidson College, which is a fine Presbyterian college, at Davidson, N.C. It has been in existence for over 100 years, and it is doing magnificent work.

Then there is Wake Forest College, which was recently moved from Wake Forest, N.C., to Winston-Salem, at which place the Reynolds family and the Reynolds Foundation have put many millions of dollars into the school and are making a very fine university out of it. Wake Forest is also an old institution.

Mr. HILL. Wake Forest has been in North Carolina a long time; has it not?

Mr. JORDAN. It has been there for over 100 years.

Mr. HILL. It has always enjoyed the reputation of being a fine institution.

Mr. JORDAN. It is one of the best. As the Senator knows, it is a Baptist school. In Elon, there is Elon College, which has about 1,400 students. It is doing fine work there. Incidentally, 3 or 4 years ago a night school was started at that school, and its schedule was so arranged that citizens living in that area could drive to school after they had finished work and obtain a college education. That school is doing fine work also.

Mr. HILL. The Senator knows that the State of North Carolina has two fine medical schools.

Mr. JORDAN. Two of the best.

Mr. HILL. The Senate Committee on Appropriations, which handles the appropriation for the NIH and other health programs, looks to those two great schools for much helpful information. Witnesses come from those schools to testify at our hearings, and they are always very helpful.

Mr. JORDAN. In that connection, a very fine law, the Hill-Burton Act, of which the Senator was the author, has been of great help at those universities. A number of fine buildings and other facilities used in connection with those universities were built on a 50–50 basis, 50 percent of the funds coming from the so-called Hill-Burton money, and 50 percent of the money coming from other sources. The program contributed greatly to the growth of those two fine institutions.

Mr. HILL. No State in the Union has taken more advantage of the hospital construction program to which the Senator has referred than has the State of North Carolina. They have really taken full advantage of every opportunity offered under the act. As the Senator has said, the people of North Carolina were required to raise at least half of the funds under the program to which he referred. Is that not correct?

Mr. JORDAN. The Senator is correct.

Mr. HILL. The State of North Carolina has gone forward and has taken full advantage in every way of the provisions of that act. They have built up their medical schools and hospitals for people throughout the State. As the Senator well knows, a young doctor graduating from a school of medicine now, after he has finished with a long course, including 4 years of academic study, 4 years of medicine, and perhaps 3 years of internship and house residency, does not want to practice unless he feels he has the tools he must have to do his best work. In order to have those tools is it not a fact that States must also provide hospitals?

Mr. JORDAN. Yes. The medical student must have a hospital in which to work.

Mr. HILL. The State of North Carolina has gone forward in building hospitals under the provisions of the act, thereby assuring good doctors for the medical care and attention of the people of the State of North Carolina.

Mr. JORDAN. It was my honor and privilege to be a member of the original medical care commission which was set up immediately after the Hill-Burton bill was passed, to implement the provisions of the law. I was appointed a member of the commission by the then Governor Cherry, and I remained on the commission for a number of years. I was able to see personally the fine job and the fine attitude of the people of North Carolina in making money available in their own communities to match the funds made available under the Hill-Burton program.

The Senator will remember that at the beginning only one-third of the money was provided under the Hill-Burton Act. Then the State added a percentage and the local community had to raise the remainder of the necessary funds.

Later, Federal appropriations became a little more generous, and contributions under the Hill-Burton Act went up to 50 percent. Today there is hardly a city in North Carolina that can support a hospital and does not have one. They are being built all the time and are enlarging the ones they have. North Carolina has made great strides in their hospitalization program, largely due to the aid which came from the Hull-Burton program, for which the Senator from Alabama was largely responsible, and for which I always like to take notice and give to the Senator full credit.

Mr. HILL. I thank the Senator. Not only has North Carolina taken full advantage of the program to construct hospitals for its people, but also North Carolina has a fine State public health service which, together with many fine county, city, and other local public health services, has done a great deal to safeguard the health and safety of North Carolinians against communicable and contagious diseases.

Mr. JORDAN. I appreciate that remark. I am reminded that about 3 or 4 years ago the city of Greensboro, in Guilford County, celebrated their 50th anniversary by setting up a public health center in Guilford County. It was one of the first public health centers set up under the then functioning city governments or county governments in the United States. Fifty years ago there was not a great deal of public service that was sponsored locally by communities. We are proud of that development in North Carolina, and proud that we are one of the leaders in that development.

Mr. HILL. Is it not a fact that because of the fine work that the State has done in the field of public health, the people of North Carolina are no longer subject to malaria, typhoid, smallpox, and the many awful diseases prevalent 50 years ago?

Mr. JORDAN. To the best of my knowledge, I have not heard of a case of smallpox in North Carolina since I was a boy, which was considerably over 50 years ago.

Mr. HILL. The distinguished Senator from Florida suggested the wonderful work that is being done through the North Carolina State Public Health Service in the elimination of the dread disease called pellagra.

Mr. JORDAN. I think it has been almost eliminated. As the Senator pointed out a while ago, malaria used to be a serious problem in eastern North Carolina particularly, where the area was swampy and mosquitoes were prevalent. Not only has our public health service been able almost completely to stamp out that disease, but we have eradicated the mosquitoes through scientific research and the help of the Federal Government, State agencies, and local people.

Mr. HILL. In eliminating mosquitoes, the danger of yellow fever is also eliminated. Is that correct?

Mr. JORDAN. That is correct. As far as I know, we have not had a case of yellow fever in years and years and years. I thank the able and distinguished Senator for his remarks.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JORDAN. I yield to my distinguished friend from Florida.

Mr. HOLLAND. I think that while the Senator is placing in the RECORD the true facts with reference to the development of objectives in the State of North Carolina, it would be appropriate to remind Senators that the University of North Carolina shares with the University of Georgia the proud honor of being the oldest State university in the Nation.

People in some parts of the Nation look upon the South as somewhat backward and nonprogressive in the field of education. The Senator, of course, knows that those two State universities are the two oldest in the Nation. I can never recall which is first and which is second, but they are first and second. I think the RECORD should affirmatively show that it is a fact of which I know the Senator from North Carolina is proud. I have never found a North Carolinian that was not proud of the great record made by the University of North Carolina, and the same can be said about the great University of Georgia. All Georgians are proud of their State university. I think, even with proper modesty, which we of the South try to maintain, we may proudly place in the RECORD the fact that these two schools are the oldest of the State universities throughout the length and breadth of our Nation.

Mr. HILL. The Senator from Florida has truly and well spoken of the great University of North Carolina as well as of the great University of Georgia. I wonder whether I might mention also the fact that the great State of Florida has in very recent years established two of the finest medical schools in the Nation, the medical school at the University of Miami, at Miami, and the medical school at the State University, at Gainesville, Fla. It is remarkable that these two medical schools should in such a short period of time reach such a stage of prominence in the teaching of medicine.

Mr. JORDAN. I thank the Senator.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JORDAN. I yield.

Mr. HOLLAND. I thank, first, the dean of all medical legislators in Congress, the distinguished senior Senator from Alabama, for his kind words. It is true that we have two new medical schools in Florida, one at the University of Florida at Gainesville, and the other, the older one of the two, at the University of Miami, in Miami. In connection with their establishment and their functioning I wish to join the Senator from North Carolina in expressing our great appreciation in Florida to the able Senator from Alabama for the work he has done in this field and for the help we have had under the very generous provisions of the Hill-Burton Act. The farsighted and foresighted activities of the Senator from Alabama have had a distinct place in making possible the recent development of the two medical schools of which the Senator from Alabama has spoken so generously.

Mr. JORDAN. I thank the Senator.

Mr. HILL. I thank the Senator from Florida for his very kind and generous words. I am deeply appreciative of them.

Mr. JORDAN. I, too, appreciate the Senator's kind remarks.

Mr. HILL. As we speak of the University of North Carolina as being one of our finest institutions, I cannot forget Duke University, which is also one of the finest institutions in the country.

Mr. JORDAN. I certainly cannot forget it. I could hardly forget it, because I have a brother who is vice president of that fine institution, and I am a member of the board of trustees.

Mr. HILL. The Senator must indeed be proud of that university.

Mr. JORDAN. I certainly am. I would point out, too, that the Bowman-Gray School of Medicine, a part of Wake Forest University, at Winston-Salem, has an outstanding record in medicine also, partly because of the help the Hill-Burton Act has extended to it.

Mr. HILL. They have made great progress indeed.

Mr. JORDAN. They have made great progress. It had one of the first cobalt machines in the country. The Baptists, being great money raisers, have come forward with a good deal of money. It seems to me remarkable that the immense fortunes amassed by the two great tobacco empires, Duke and Reynolds, have gone in large part to the support of education and medicine, and for the building of churches. What these people have made they have in large part put back again for the benefit of the finest causes I can think of.

Mr. HILL. One of the most brilliant witnesses who appeared before our Subcommittee on Appropriations, for Health, Education, and Welfare appropriations, when we were considering appropriations for medical research, was Dr. Philip Handler, of Duke University, who occupies the Duke chair at the medical school there. He made a most brilliant presentation, and I wish to express my appreciation for his presentation before our subcommittee.

Mr. JORDAN. Mr. President, this information would provide our people with a better understanding as to the difference between white and nonwhite and between urban and rural people in our State as to their opportunities, income, and educational development, and the extent to which the provision previously made for public schools in the State has not been uniform in its application or the results achieved. When these disparities are better known and understood, policies which have contributed to these disparities in the educational and income opportunities for our people will be less justified, and we can more intelligently set about eliminating the deficiencies in our State system of education.

SOURCES OF DATA ON ILLITERACY

For the purpose of this report, the committee has relied upon the following data:

First, rejection, for military service, 1940–44, 1958, 1959, and 1960; second U.S. census reports; third, a special survey made by the commissioner of motor vehicles of North Carolina; and, fourth, data from certain TV stations in North Carolina engaged in a program of teaching people to read and write.

Mr. President, in this connection I may say that North Carolina was one of the first States I know about to establish a television program to teach people to read and write. In North Carolina—as in any State—there are few persons who cannot read and write. By means of the television program, instruction in reading and writing is offered to all who are interested. The program has proved to be a very helpful one, and is being used. I believe it is generally recognized that in any State there are a certain number of illiterate people—persons who, for some reason or other, never learned to read and write. Perhaps they did not have an adequate opportunity to learn. Now that opportunity is being made available to them by means of television instruction.

MILITARY REJECTIONS, 1940–44

A vast amount of significant data about the mental and physical characteristics of the American population is contained in the record of registration and rejection of the male population, particularly the young men, during the period 1940 through 1944. This information has since been studied in great detail by a special research project established in 1950 by General Eisenhower while he was president of Columbia University. This research project entitled "Conservation of Human Resources," was established within the Graduate School of Business of Columbia University and has been sponsored by a large number of American business corporations. The Department of Defense made available to this project the records of our country's military manpower experience during World War II. One of the first reports was entitled "The Uneducated," published by Columbia University Press in 1953.

By special arrangement with the publisher and the director of this research project, the relevant information relating to North Carolina and the Southeast is included in this report.

More than 22 million persons in the age group 18 through 37 were registered in the whole country, and of these, 5.2 million were rejected for military service and classified 4–F. The four major causes for rejection, and the distribution of those rejected for these causes are shown in a table, which I ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Selective service registrants, 18 to 37, classified IV–F, August 1945

Reason for rejection	Total	White	Negro
Mental deficiency	716,000	391,000	325,000
Mental disease	970,000	855,000	115,000
Physical defects	3,475,000	2,933,000	542,000
Administrative (moral, etc.)	87,000	71,000	16,000
Total	5,248,000	4,250,000	998,000

Mr. JORDAN. Mr. President, this report will concern itself only with the first category: Those rejected for mental deficiency. For this purpose a mentally deficient person was one who was so educationally deprived as to be considered unsuitable for military service.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table which shows the total number of men rejected on this basis, by region and by race.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Without objection, it is so ordered.

The table is as follows:

Rejections for mental deficiency by region and race

Region	Total	White	Negro
New England	20,765	19,803	962
Middle Atlantic	71,416	49,708	21,708
Southeast	435,639	167,599	268,040
Southwest	89,881	70,661	19,220
Central	70,460	57,274	13,186
Northwest	13,089	12,530	559
Far West	15,150	13,725	1,425
Total, United States	716,400	391,300	325,100

Mr. JORDAN. Mr. President, more revealing than the absolute number of persons rejected are the rates per thousand examined, as shown by another table, which I ask unanimous consent to have printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Rejection rates per thousand registrants, by region and race

Region	Total	White	Negro
Total, United States	40	25	152
New England	17	16	65
Middle Atlantic	15	11	67
Southeast	97	82	202
Southwest	60	54	107
Central	14	12	61
Northwest	14	13	40
Far West	10	9	50

Mr. JORDAN. Mr. President, several striking facts are revealed by this table. First, the rate of rejection in the Southeast is almost 10 times as large as that in the Far West. All of the regions of the country except two have a total rejection rate between 10 and 17 per 1,000 examined; the Southeast and the Southwest have rates of 97 and 60, respectively. Although the range is less for the white population, it is still striking. The Far West has a rejection of 9 while the Southeast and the Southwest each have a rate of more than 50. The Negro rate is so much larger in every region that it might appear to be a different population; the overall Negro rate is just over six times the white rate. However, there is evidence within the Negro distribution to suggest that the population is basically parallel.

One finds, for instance, that the rate of rejection for Negroes in the Northwest and the Far West is actually below the white rate in the Southeast and the Southwest. Even in the other three regions—New England, Middle Atlantic, and Central, the Negro rate is only slightly above the white rate in the South. The sixfold difference in total rates between Negroes and whites results from the exceptionally high rejection rate for Negroes in the Southeast and the lower but still high rate in the Southwest. The most extreme regional and racial differences are between the rejection rate for whites in the Far West of 9 per 1,000, or less than 1 percent, and the rate of 202 per 1,000, or more than 20 percent, for Negroes in the Southeast. Unless there were evidence that there are gross differences in mental capacity among various racial and ethnic groups, here is an overwhelming demonstration that the results of the screening examination reflected primarily differences in the educational and environmental opportunities in different regions.—Ginzberg and Bray, "The Uneducated," Columbia University Press, 1953, page 44.

The following detailed maps present the rate of rejection for mental deficiency for white registrants in each of the more than 3,000 counties throughout the United States and, in the second map, the Negro rejection rates by counties. Latin Americans and Indians were for the purpose of these maps counted among the white population.

An analysis of the number of white registrants rejected for mental deficiency and the rate per thousand is shown by States and the comparative position of North Carolina is shown in a table which I ask unanimous consent to have printed at this point in the RECORD.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

	Number	Rate per thousand
Florida	4,800	21
Mississippi	4,700	28
Georgia	12,700	41
South Carolina	8,300	43
Alabama	13,900	47
Louisiana	14,100	55
Arkansas	14,300	59
Virginia	20,100	59
North Carolina	26,700	62
Tennessee	23,400	64
Kentucky	24,600	64

Mr. JORDAN. Madam President, a similar breakdown of the nonwhite registrants by States shows the following comparative position of North Carolina:

	Number	Rate per thousand
Kentucky	2,500	73
Tennessee	9,800	120
Florida	16,400	148
Virginia	20,300	178
Mississippi	33,400	205
Georgia	30,500	206
North Carolina	36,100	209
Arkansas	15,900	212
Alabama	31,500	214
Louisiana	37,500	247
South Carolina	34,100	277

The foregoing rejection rates for mental deficiency were, in general, the result of the quantity and quality of education available in the 1920's and early 1930's. It is obvious that the Southeast produced the largest number of rejections. In the Southeast in 1930, among children between the ages of 10 and 14, 6 white children and 13 Negro children out of every 100 children in this age group were no longer in school. This was the highest such rate for the whole country and it showed up in the high rate of rejections for military service in the 1940's.

BUREAU OF CENSUS RECORDS OF ILLITERACY

First. Early definition of "illiteracy."

Prior to the census of 1940, the Bureau of the Census sought information about the number of illiterates in the population by defining the term as "persons unable to read and write in any language." This gave rise to many problems, however. It was easy to identify a person who was completely unable to read or write; however, it was much more difficult to distinguish those who had only a limited ability to read and write. For example, those who could recognize words like "danger," "exist," or "men," or "women," could not necessarily be said to know how to read. Likewise, the ability to write one's own name and address and perhaps a few other phrases is not necessarily the same as being able to write.

Therefore, in the census of 1940, the question about literacy was replaced by a question relating to the number of years of schooling that the individual had completed.

Nevertheless, the early census records do give a perspective on the current problem of illiteracy.

In 1870, the U.S. census showed 5.7 million persons to be illiterate. This was 20 percent of the total population. Comparable data for 1950 shows 3.6 million illiterates, or 3.2 percent.

In the 1870 census, native-born Americans accounted for 4.9 out of the 5.7 million illiterates. The rate of illiteracy among the foreign born was less than that among the native born.

Approximately 50 percent of all the illiterates in the country were Negro—2.8 million—and the rate of illiteracy among the Negroes in 1870 was 80 percent.

This is not surprising since in North Carolina, as in most of the other States in the South prior to that time, no provision was made for education of even free persons of color, and it was forbidden to teach slaves to read and write or to give or sell them books or pamphlets. Laws of North Carolina 1830–31, chapter VI, page 11; see also North Carolina Revised Statutes 1837, chapter 111.

The rate of illiteracy among northern whites—native and foreign born combined—was 8 percent in 1870; the rate of illiteracy among the southern whites was approximately 24 percent, or three times as great. Thus, the high incidence of illiteracy in the South was not confined to the Negro population, but was shared by a substantial proportion of the white population as well.

"ILLITERACY" IN NORTH CAROLINA HISTORY

In North Carolina, this widespread illiteracy among whites, as well as among Negroes, has a long but not always uniform history directly related to the attitude of the people of the State toward education. The following excerpts are from Lefler and Newsome, "North Carolina—The History of a Southern State":

During the first third of the 19th century North Carolina was so undeveloped, backward, and indifferent to its conditions that it was often called "the second Nazareth," the "Ireland of America," and the "Rip Van Winkle" State.

Intelligent citizens and visitors were shocked at the colossal ignorance and intellectual degradation of the people of North Carolina. In 1840 one-third of the adult whites were illiterate. If the Negroes and whites under 20 years of age are included, more than half of the population was illiterate. But the great mass of children grew up in ignorance, with no opportunity to acquire any education. The university, with less than 100 students, like the private academies and other schools, served only the small class with sufficient wealth and interest to pay for its own children's education. In 1826 Governor Burton reported that many well-informed observers believed it more difficult to obtain a primary education in North Carolina than it had been 50 years before.

Poverty, sparse population, sectionalism, rurality, and the large number of Negro slaves were in part responsible for educational backwardness, but more important were the attitudes and beliefs of the people. The prevailing philosophy was that education was a private, not a public, matter and was therefore the responsibility of individ-

uals, not the State. The leaders, the masses, and the general assembly were notoriously indifferent, and there was general contentment with ignorance and mediocrity. The dominant aristocracy of wealth regarded education as a privilege for the favored few who could afford it; education was for gentlemen and the professions only. Its extension to the common people would be costly and even dangerous. Joseph Caldwell, president of the university, referring to the educational inertia of North Carolina, said: "Our habits of legislation have been long established. * * * To provide for the education of the people has unhappily never entered as a consistent part of these habits." He said that people were "sometimes seen glorying in ignorance as their privilege and boast" and that there was a tendency for "ignorance to perpetuate itself. * * *"

The greatest social and educational achievement in antebellum North Carolina was the adoption in 1839 of a State-wide publicly supported system of free common schools for all white children. Each year after 1840, for the first time in the history of the State, a large portion of the white children went to school to learn such basic things as reading, writing, and arithmetic. The school system was a disappointment in the 1840's, but, as first State superintendent of common schools from 1853 to 1965 Calvin H. Wiley revolutionized the system and made it a credit to North Carolina. * * * There was much popular indifference to public education, but Wiley allayed opposition, improved the system, and inspired public confidence. His statement that "North Carolina has the start of all her southern sisters in educational matters" was no exaggeration, and the reduction in the percentage of illiterate voters from 30 percent in 1840 to 23 percent in 1860 was one indication of the State's progress in education. But many of the people were still indifferent; most school buildings were poor and inadequately furnished; the teachers were mostly men unfit for the work; salaries of teachers averaged about $25 per month; the school term was less than 4 months; textbooks and equipment were scarce and inadequate; the curriculum included only reading, writing, arithmetic, grammar, and geography; and the pupils of all ages studied and recited aloud in the same room. Practically all of the schools were one-teacher schools. Since the chief support of the system was the proceeds of the literary fund, in the nature of an endowment fund, most of which had been granted by the Federal Government, the average North Carolinian before 1860 was not habituated to the payment of taxes for public education. * * *

Despite the fact that North Carolina had about 3,500 public and private schools, illiteracy was widespread. In the South only Virginia, with a much larger population, had more illiterates. In 1860 there were nearly 70,000 white illiterates over 20 years of age in a total white population of 629,942. Virtually all Negroes, who comprised 27 percent of the total population, and many whites under 20 years of age were also illiterate. Still the illiteracy rate had shown a marked decrease since 1849.

During their brief tenure of power from 1865 to 1868, the Conservatives abolished the office of State superintendent of common schools, refused to make State appropriations for schools, and threw the responsibility for public education upon localities. Towns and counties were empowered to levy taxes for schools, but this failed to solve the problem, since few of the local governments took favorable action. The lack of State aid and the prevalence of poverty, educational apathy and indifference, and popular aversion to taxation forestalled any appreciable achievement in public education.

The State government under radical Republican control from 1868 to 1870 manifested a striking interest in public education. Devoting an entire article to education, the constitution of 1868 provided for an elective superintendent of public instruction and required the general assembly at its first session to provide, by taxation and otherwise, a general and uniform system of free public schools for all children between the ages of 6 and 21. * * * But the effective school system envisioned by the authors of the 1869 law was only partially established. * * * Meager records indicate that in 1870 there were 1,398 schools operating in 74 counties at a cost of $43,000 and with an enrollment of 49,999, nearly half of whom were Negroes, though in separate schools from the whites. The total enrollment was only one-fifth to one-seventh of the children of school age. * * *

Illiteracy actually increased in the 1870's. In 1880 in a total population of 1,399,750, there were 463,975 persons over 10 years of age, more than two-fifths of whom were whites, who could not write. In the 1880's there was some reduction of illiteracy, chiefly among the negroes. Prior to 1900 the State failed dismally to live up to the educational provisions of the constitution and the law. In that year its public school system was actually and relatively worse than it had been in 1860. It was perhaps the poorest in the United States. Yet only 19.5 percent of the whites and 47.6 percent of the Negroes were illiterate—a marked decrease since 1880. * * *

The standard explanations for educational backwardness were two: the Negro with the danger of mixed schools, and poverty resulting from the war. In reality there was no danger of mixed schools either from local demand or outside compulsion. Poverty was a valid explanation for only a portion of the backwardness and relative decline. Economic recovery from the war was achieved long before 1900; the State repudiated most of its debt; the valuations of taxable property were increasing; and the tax rate was decreasing. The per capita school tax in North Carolina in 1890 was 44 cents a year in comparison with the national average of $2.11. * * * The real explanations for the State's loss of educational rank, even in the South, were a colossal general indifference to public education and a sterile, reactionary political leadership (Lefler and Newsome, "North Carolina—The History of a Southern State," pp. 304, 381–382, 499, 500, 503).

At the turn of the century Charles B. Aycock was elected Governor on a campaign to wage a statewide "war upon illiteracy"—Connor and Poe, "The Life and Speeches of Charles Brantley Aycock," Garden City, 1912, page 117.

Negro children along with white children were beneficiaries of this fight for public schools. When a movement to restrict the Negro's opportunity for schooling by limiting Negro schools to Negro taxes started as he went into office, Governor Aycock told members of the general assembly that "he would regard enactment of such legislation as a violation of his pledge to the people and of the plighted faith of his party, and if it were enacted he would resign his office and retire to private life—in the same place, pages 133–134. See also the following cases where the North Carolina Supreme Court held void local laws directing taxes raised from whites to be used for white children exclusively and taxes from the colored race to be used for such race exclusively: *Markham* v. *Manning* (96 N.C. 132), *Puitt* v. *Comrs.* (94 N.C. 709), *Riggsbee* v. *Durham* (94 N.C. 800).

When a similar movement gathered strength toward the end of his term of office he threw his weight against it in a formal message to the general assembly which struck it down so decisively that it never again became a serious issue:

It appears that both parties represented in your honorable body are pledged to at least a 4-month school in every school district in the State and this, of course, includes the Negro districts. * * * It must be manifest that such a provision as this [segregating taxes] is an injustice to the Negro and injurious to us. No reason can be given for dividing the school fund according to the proportion paid by each race which would not equally apply to a division of the taxes paid by each race on every other subject. * * *

The amendment proposed is unjust, unwise, and would wrong both races. * * * This would be a leadership that would bring us no honor and much shame. * * * Let us be done with this question, for while we discuss it the white children of the State are growing up in ignorance (ibid., pp. 134–136).

Governor Aycock's fight for Negro schooling is illustrated in the following utterances while he was in office:

I would not have the white people forget their duty to the Negro. * * * We must not only educate ourselves but see to it that the Negro has an opportunity for education. * * * Universal education means educating white and black alike. * * * If I had the power and the wealth to put a public schoolhouse in every district in North Carolina, I would enter into a guarantee that no child, white or black, in 10 years from now should reach the age of 12 without being able to read and write. * * * As a white man I am afraid of but one thing for my race and is that we shall become afraid to give the Negro a fair chance. * * * The white man in the South can never attain to his fullest growth until he does absolute justice to the Negro race.

The Aycock party also sponsored the amendment to the State constitution to deny voter registration to persons unable to read and write any section of the constitution. This disfranchised a very large part of the Negro voters. There were so many white illiterates that the amendment may have been defeated if the sponsors had not added a so-called "grandfather clause" that no person who was entitled to vote on or before January 1, 1867, or his lineal descendants, should be denied registration by reason of his inability to read and write, provided he registered before December 1, 1908. Since no Negroes could qualify under the "grandfather clause," this literacy test disqualified illiterate Negroes but not illiterate whites. This "grandfather clause" was omitted from GS 163–28 as amended by the 1957 general assembly.

Aycock "pledged his administration to the development of public schools for whites and Negroes, so that after the registration of 1908 no white man need be disfranchised because of illiteracy"—Lefler and Newsome, "North Carolina: The History of a Southern State," page 524.

This problem of white illiteracy was very real throughout the South.

Of the 231 counties in the United States in which 20 percent or more of the whites of voting age were illiterate, 204 were in the South. * * * The proportion of native-white illiterates in the South was approximately 12 percent, as compared with 1.6 percent in the North Atlantic States and 4.6 percent in the United States. North Carolina led with 19.5 percent, Louisiana followed with 17.3, then Alabama with 14.8, and Tennessee with 14.2 (Woodward, "Origins of the New South," pp. 331–332, and 400).

FUNCTIONAL ILLITERACY

In the 1940 census the Bureau adopted a new test of literacy; instead of asking each person if he could read and write, he was asked how many grades in school he had completed. If a person had not completed the fourth grade, he was deemed to be functionally illiterate, that is, his education is so limited that he must be considered uneducated.

In 1890, in the Southeast, 3 out of every 10 white children were out of school before reaching the age of 10. More than half of the Negro children were out of school before they reached 10.

When the southeast region is broken down into States, the figures for 1890 show that in Louisiana, nearly half of the white children were out of school by age 10. South Carolina, Alabama, North Carolina, and Georgia had more than a third of the white children out of school by age 10. Florida, Mississippi, and Kentucky showed the best record of school attendance for white children for the whole region.

As for Negro children, Louisiana was again the low State with more than two-thirds of the children out of school by age 10, and again Alabama, Georgia, South Carolina, and North Carolina had a good bit more than half of the Negro children out of school by age 10 .

By 1940, Mississippi had become the low State in Negro children in school, whereas North Carolina had become the high State for the region, with 928 out of 1,000 in the age group in school. The average for the Southeast as indicated in the table was 887 per thousand.

In 1960–61 North Carolina has an estimated 1,120,000 pupils in public schools. This is 87.6 percent of the estimated population 5 to 17 years of age on July 1, 1960.

QUANTITY AND QUALITY

Thus far in this report we have considered only the quantity of education received by our citizens, both white and nonwhite. There is some evidence that Negroes not only complete fewer years of schooling than whites, but also that the education they do receive is for the most part inferior in quality. This may also be so as to the quality of rural schools, whether the students are white or nonwhite. If on further investigation this should turn out to be the case, then it is not entirely adequate for our purpose to accept as final evidence of attainment of a minimum standard of education, the report to the census taker that the person has completed the fourth grade, if what the child got in the fourth grade was not up to an adequate standard for the fourth grade.

The psychologists who work in the Armed Forces induction stations in the southeastern region occasionally discover a graduate of a Negro high school who is unable to pass the mental examination, even though a passing score represents approximately fifth grade achievement. While the failure of a Negro high school graduate is unusual, there is a considerable number of failures among Negroes who have completed as much as 9 or 10 years of school * * *.

On the average white men screened for military service have completed about 12 years of school, compared to about 8 years for Negroes. Nearly three-fourths of the white men achieve scores on the Armed Forces Qualification Test which place them in group III, or above, which means that they have an average or above average capacity to absorb military training. Among the Negroes, only a little over one-fourth are in the highest three groups. The difference in test scores is very much greater than we might expect from the difference in years of schooling alone. It is so great that it would seem to be explicable only in terms of the poorer quality as well as the smaller quantity of schooling received by Negroes (Ginzberg, "The Negro Potential," Columbia University Press, 1956, pp. 53–55).

SPECIAL TEST OF NORTH CAROLINA DEPARTMENT OF MOTOR VEHICLES

The North Carolina Department of Motor Vehicles, during the period January 4–8, 1959, took a special sampling of all applicants for driver's licenses who were unable to take a written test because of inability to read and write. Out of approximately 10,000 examined that week, 2,054, or 20 percent, stated that they were unable to read sufficiently to take the written test.

The figures were released by W. C. Poe, chief examiner of the motor vehicles department's drivers examiner bureau.

The tally was kept at the request of agencies sponsoring an adult televised reading program now underway throughout central and eastern North Carolina.

Poe said when an applicant is unable to take a written license test, he is given an oral one.

He said his men usually can spot nonreaders.

They will come in and ask for a test and just sit around—

He said:

Finally, one of our men will ask, "Can I help you?" and the applicant will ask for the oral test.

The department of motor vehicles, in releasing this report, pointed out that many North Carolina drivers failed to heed directional signals because they cannot read.

NORTH CAROLINA TELEVISION TRAINING IN BASIC READING AND WRITING

Last year a number of television stations in North Carolina cooperated in producing a series of telecasts designed to teach illiterate adults how to read and write. The sponsors of these programs began with the assumption that there were the following "functional illiterates" in North Carolina and neighboring Southern States. The functional illiterate is one who has less than five grades of schooling, which is the same standard used by the Armed Forces as indicated above.

Experience shows that while many of these adults may once have been able to read and write, many of them have, through lack of use, lost these abilities. The table is as follows:

	North Carolina	South Carolina	Alabama	Tennessee (eastern third)
Adults 25 and over	2,000,000	1,000,000	1,550,000	585,000
Functional illiterates	425,000	275,000	353,000	107,000
Percent functional illiterates	21	27.5	23	18
No school	75,000	53,000	70,000	16,000
Percent no school	3.75	5.3	4.5	2.7

The total population of the 3⅓-State area is 5,135,000—adults, 25 and over. There are 1,160,000 functional illiterates, or 22.5 percent of the adult population; 214,000 of these people, or 3.2 percent, never went to school at all.

It will be noted that the North Carolina figure of 21 percent of functional illiterates is substantially the same as that reported by the commissioner of motor vehicles in the independent study of applicants for driver's licenses who professed an inability to read and write.

The "no school" classification above means just what it says. This is the number of persons in these States who never had any formal education. North Carolina has had a compulsory school attendance law since 1913, but the State superintendent of public instruction has recommended to the 1961 general assembly that enforcement officers, now optional, should be required by law throughout the State. This is a serious problem affecting not only initial enrollment but daily attendance through age 15.

Detailed charts were made from the 1950 census indicating the number of illiterates, male and female, in each county covered by the various cooperating TV stations. Some of these stations have made available to us the comments of some of the viewers who took part in these reading and writing programs. For example:

A taxi driver:

I had only five grades of school, now faded out; I want to get into that library down the street and read lots of good stuff there; my teenage son is helping me with the lessons. Thanks for helping the grownups of Greensboro learn how to read and write.

An Alamance County resident:

The most wonderful thing on television. It takes longer for farmers to learn because they don't have the time to study.

A Rockingham County resident:

Would like it better in the winter as I am a farmer. I want to learn all I can—I work on the second shift.

When the program ran at 7 a.m. in the morning, many viewers sent word that the time conflicted with their going to

work on the first shift and urged that the station move it up to an even earlier hour in the morning:

Hope you can continue. The State of North Carolina needs something like this.

The worst thing is the whites do not seem to take the interest in these courses that the colored people [who] are so anxious to learn to read and write. I have spoken to several white people in regard to learning to read and write. Most of these people works in the mills * * * and are leaving for work when the program is on TV. If one member of the family would copy the lessons, they could go over these lessons at night with the members that have no education. Several people in town have offered to teach classes at night. I understand the colored people organized a class after Christmas. There is a 1,900-acre farm near my home and half of the renter "whites" have no education, or hardly any to speak of.

The reading program is splendid. Have watched the lessons several times. They explain everything so anyone could understand. I think the people sponsoring these courses should explain how necessary it is to learn to read for self-protection in time of war, or any other disaster, not to say anything about the pleasure they would find in keeping up with what is happening in the world today, and being able to read their Bible.

Principal of elementary school in a river valley:

I can easily believe that 2 out of 10 of our adults are either absolutely or functionally illiterate; sometimes I think the 6 hours we have the children is about canceled out by the other 18 hours at home. Down here there has been a drainout with too many adults not caring about their own education or that of their children.

People hide their illiteracy; the biggest problem is to bring them out from their embarrassment or apathy or defensiveness.

EQUAL PROTECTION OF THE LAW

It is obvious that the above data do not exhaust the inquiry as to the quantity, quality, and representative character of the education of the people of North Carolina. They are merely gross signs of the existence and extent of the issue.

Edward Kidder Graham's earlier summary of our situation is still true today:

If North Carolina needs and wants greatly to extend and deepen its educational activities, there is no issue of poverty involved. North Carolina is sufficiently prosperous. It is spending money for what it wants. * * * North Carolina has just as much money to spend for education as it wants to spend for education. But even if it were not prosperous, poverty is not an excuse from but a reason for education. What John Owen said in 1830 is as tragically true today as then: "It is a policy that has kept the State in ignorance and the poor in poverty."

Let us have done forever with this fatally inverted logic. What we spend is a question of our preference in terms of our wise or unwise choice, and the inevitable index to our desires. A Christian may as well say that the church is too poor to be honest as for a citizen of North Carolina to say that the State is too poor to educate, and to the limit of its desire.

There is no other issue in North Carolina public policy today but this fundamental issue of education. The permanent names in North Carolina statesmanship are those of men who put not words alone but their lives behind the great steps in our educational progress. This is plainly because the fundamentals of democracy have all of their vital roots in education. Equality of opportunity is there, and there alone. To talk of equality of opportunity in circumstances that now exist in our Southern States is political cant.

Our own situation is well known. If we were not callous to it by repetition, if we truly saw it, and keenly sensed the fact that in the full and free education of our people lies the whole secret of progress for which our State exists, we would courageously declare now and make effective a policy that would startle the Nation, and make this section what by right it ought to be, the center of the next great forward movement in American progress (E. K. Graham, "Education and Citizenship," G. P. Putnam's Sons, New York, 1919, p. 179).

Madam President, the report was prepared by the North Carolina Advisory Committee. I should like to read the names of the people who comprise that committee, for they are a very fine group of citizens. McNeill Smith, the chairman, lives in Greensboro, N.C.

A. T. Spaulding, the vice chairman, is connected with the North Carolina Mutual Life Insurance Co., at Durham. He is a very distinguished colored gentleman and head of what I believe to be the largest colored life insurance company in the world.

Margaret R. Vogt, secretary, lives at Wilson, N.C., and her husband was former postmaster of that city.

Paul R. Ervin, assistant secretary, at Charlotte, is a very fine attorney.

Hector MacLean, who lives at Lumberton, N.C., is the head of a fine bank in that area.

Conrad O. Pearson of Durham, N.C., is a fine citizen of that town.

William L. Thorp is a banker connected with the Peoples Bank & Trust Co. of Rocky Mount, N.C.

Curtis S. Todd, of Winston-Salem, is another banker.

Millard Barbee, who is an official in one of the labor unions in North Carolina.

Marion A. Wright, of Linville Falls, N.C.

Those citizens, who were appointed by the Governor several years ago, made an effort to find out, as I said at the very beginning, the causes of the poor showing of certain sections of our population. If we know what the problem is, we can find out how to cure it. In the last few years, of course, North Carolina, like many other States, has made great strides in public education. This year North Carolina raised the sales tax again and covered more of its products to build additional schoolhouses.

I might add that no place in North Carolina is without a schoolhouse, but, like other States, its population is expanding so rapidly that it is a little hard to keep up with the necessary building. Teacher pay has been raised.

I point out further that the advisory committee on civil rights was appointed with the idea of going into all the facets of our problem in order to find out what we can do about bringing better relations between the different groups in North Carolina. They are doing an excellent job. The report is one of the reports that was issued by that group. It has many statistics in it. If one goes far enough back in the report, North Carolina may look like a rather backward State, but most of the statistics relate to the period right after the Civil War. However, around 1900 and thereafter, we started to improve.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLAND. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTSON. Madam President, on August 18 the senior Senator from New York [Mr. JAVITS] submitted an amendment to H.R. 7371, which I ask to have printed in the RECORD at this point.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

That part III of the Civil Rights Act of 1957 (71 Stat. 637) is amended by adding at the end thereof the following new section:

"SEC. 123. (a) Whenever the Attorney General receives a signed complaint that any person is being deprived of, or is about to be deprived of, the equal protection of the laws, and whenever the Attorney General certifies that, in his judgment, commencement of litigation by such person (1) may create the danger of injury to the person, family, or property of the complainant or of any other person with standing to bring such litigation, or of any counsel retained for purposes of such litigation, or (2) may create the danger of economic sanctions against the complainant or any other person named in (1), the Attorney General is authorized to institute for or in the name of the United States a civil action or other proper proceeding for relief, including an application for a permanent or temporary injunction, restraining order, or other order.

"(b) Whenever an action has been commenced in any court of the United States seeking relief from the deprivation of the equal protection of the laws, the Attorney General in the name of the United States may intervene in the action with all the rights of a party thereto if he certifies that, in his judgment, the maintenance of the action may result in any of the injuries or economic sanctions set forth in subsection (a).

"(c) Nothing in this section shall be construed to deny, impair, or otherwise affect any right or authority of the Attorney General under existing law to institute or intervene in any action or proceeding.

"(d) In any proceeding under this section the United States shall be liable for costs the same as a private person. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

Mr. ROBERTSON. Madam President, the purpose of that amendment is to amend the Civil Rights Act of 1957 by adding a section to authorize the Attorney General of the United States to institute legal proceedings upon the receipt of a signed allegation of actual or imminent deprival of the equal protection of the laws.

This authority would include the power to initiate litigation in school segregation and other civil rights cases. I

wish to point out that when I say "other" I mean it includes the right in any district court, anywhere in the whole United States. It does not merely cover what some people think is an attack upon segregated schools in the South.

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. HOLLAND. As I understand, the amendment of the distinguished Senator from New York is in effect a revival of the so-called part 3 program of the old civil rights debates of 1957 and 1959.

Mr. ROBERTSON. Absolutely. It has been turned down twice by the Senate, first, because we did not think that the constitutional rights of the citizens should be limited in this manner; second, because the amendment would enlarge the jurisdiction in contempt cases by which the courts now impose criminal penalties, without a jury trial, which we think is unconstitutional, and this amendment would enlarge that unconstitutional invasion of private rights.

Yet, when the Congress has already gone well beyond the statutory period for adjournment, July 31, and when it is well known that many Members of the Congress in anticipation of adjournment not later than Labor Day have made speaking and other engagements, the effort is being renewed to cram down the throats of those who still believe in the preservation of constitutional limitations of Federal power a legislative proposal which will provoke bitter and prolonged debate, and which, if enacted into law, will create disunity at a time when national unity rates the highest priority.

We are drifting toward a war which, if it happens, could destroy civilization as we have known it. Khrushchev recently boasted that in the event of nuclear war, his atomic bombs would destroy every living person in Western Europe and by the same token bombs delivered by NATO forces would have the same general effect on Khrushchev's side of the Iron Curtain in Eastern Europe.

A recent article in the U.S. News & World Report estimated that in the event of an atomic war at least 80 percent of the people in the United States and Russia would be killed or permanently incapacitated. The so-called West Berlin crisis is but one phase of the current encircling maneuver of the Soviet Union. We not only hope, but we expect to prevent a shooting war over that issue although neither we nor any of our allies can give a firm guarantee as to that possibility. But peaceful settlement of the issue over the right of West Germany to free ingress to and egress from West Berlin by no means ends the cold war in which we have been engaged for some years.

Settlement of the Berlin crisis will not end the cold war. For years we will have to maintain a tremendous and costly Military Establishment. For years we will have to give economic as well as military aid to allies willing to join with us in opposing the spread of communism. To successfully carry the financial burden incident to the cold war and to implement national and international policies essential to winning that war will require a united nation. In such circumstances why will those who piously claim to be dedicated to the welfare of the masses seek to divide our country.

In his Farewell Address to the people of the United States, George Washington expressed the devout hope that our "union and brotherly affection may be perpetual," that our "free constitution may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue."

Because of his solicitude for the welfare of his fellow countrymen and our then infant Nation and his "apprehension of danger, natural to that solicitude," the Father of our Country felt compelled to offer for "solemn contemplation" and to recommend for "frequent review," fundamental principles which were "the result of much reflection, of no inconsiderable observation," and which appeared to him to be "all important to the permanency of [our] felicity as a people." His sage counsel was tendered as "the disinterested warnings of a parting friend, who [could] possibly have no personal motive to bias his counsel."

George Washington exhorted the people of the United States to "indignantly frown upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts."

In contemplating the causes which may disturb our Union, it occurred to him as a matter of serious concern, that "any ground should have been furnished for characterizing [political] parties by geographical discriminations—northern and southern—Atlantic and western; whence designing men may endeavor to incite a belief that there is a real difference of local interests and views. One of the expedients of [a political] party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heartburnings which spring from these misrepresentations: they tend to render alien to each other those who ought to be bound together by fraternal affection."

In his omniscience, the first President of the United States clearly foresaw the possibility of the straining, if not the severing, of the bonds of national unity which he esteemed so dear. The War Between the States and its tragic aftermath, the Reconstruction era, are mute testimony to the validity of his concern in this regard.

The current enervating sectional tensions and discord, similar to those which the Father of our Country deplored in his Farewell Address, stem in a large measure from attempts to broaden the effect of the May 17, 1954, decision of the Supreme Court of the United States in the four school segregation cases commonly referred to as Brown against Board of Education in which four school segregation cases were consolidated.

The Javits amendment is an effort to further implement that decision. One of those four cases was the Prince Edward County case of Davis against County School Board. Madam President, that case is still pending. The parties have changed, but the issue is not changed. The NAACP has attempted to force Prince Edward County to operate a public school system. This the county board refuses to do. The Attorney General, notwithstanding the fact that the courts twice had turned down his petition to intervene, attempted to intervene, and the district judge properly decided he had no right to intervene. On the issue of compelling Prince Edward County to operate a public school system, the district judge ruled that that question would first have to be passed upon by the Supreme Court of Virginia.

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. HOLLAND. If the amendment proposed by the Senator from New York were adopted and became law, would one of its specific effects not be to allow the Attorney General of the United States, at his sole discretion, to intervene in any case pending between any parties which he assumed covered an important civil rights question?

Mr. ROBERTSON. Absolutely. It provides counsel for everyone who seeks to stir up trouble, and the defendant must employ his own counsel. The defendant must pay his own costs. But if the Attorney General intervenes and loses, then the taxpayers call upon Uncle Sam to pay the costs of the proceeding.

Madam President, the Prince Edward County case, which is one of the four cases in the Brown against Board of Education suit, is still pending. The district judge has ruled that he will not pass at this time upon compelling the operation of a public school system in Prince Edward County; but he did rule that since a public school system was not being operated in Prince Edward County, he would not permit tuition grants to be paid to the private school system operated on a segregated basis, either by the State or by the county board of supervisors.

I go back to the style of the original Prince Edward County case. It is *Davis v. County School Board* (103 F. Supp. 337, E.D. Va., 1952). In that case a three-judge district court was convened to hear the colored plaintiffs' motion for injunctive relief from the enforcement of the Virginia statutes and constitutional provisions requiring segregation in the public schools of Prince Edward County, Va. During the course of the trial, eminent authorities in the fields of education, anthropology, psychology, and psychiatry testified at great lengths on the question of whether the segregation complained of abridged the plaintiffs' educational opportunities—103 F. Supp. 338–9, E.D. Va., 1952. In evaluating the testimony and the credibility of the various witnesses, the trial court made a specific finding that separation of white and colored children in Virginia's public schools did not result in hurt or harm to either race—103 F. Supp. 340, E.D. Va., 1952. On the basis of this finding of fact—that is, that the so-

called psychologists, anthropologists, and psychiatrists had not proved their case—the court stated its conclusion that the nullification of the cited sections of the statutes and constitution of Virginia was not warranted—103 F. Supp. 339, E.D. Va., 1952.

Mind you, Madam President, that was a definite finding of fact after eminent authorities in the fields of education, anthropology, psychology, and psychiatry had been cross-examined. A three-judge Federal court found them wanting. The court said they could not sustain the theory which subsequently became the basis for this amendment of our Constitution, in the Brown against Board of Education case, known as the frustration of segregated schools.

Mr. HOLLAND. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. HOLLAND. I hope the Senator from Virginia will regard this as an appropriate place for the record to show that one of the members of the so-called Civil Rights Commission, whose nomination was approved by the Senate the other day, is shown by the record to have been attorney of record for the complainants, the NAACP group, in the case to which the Senator is referring, the Prince Edward County case and the other cases which were joined with it. He is shown by the record to have participated in three oral arguments before the Supreme Court of the United States in the effort to sustain his views in that case. So we now have the unusual spectacle of one of the members of the Civil Rights Commission—who are supposed to sit impartially upon the whole disturbing subject matter—having been one of the active solicitors of record in the cases in question, and one who himself argued those cases three times before the Supreme Court of the United States.

Mr. ROBERTSON. I am very happy the distinguished Senator from Florida reminds the Senate that in this case, which I shall continue to discuss, one of the attorneys for the NAACP, who later appeared as counsel in the Supreme Court, when it ignored all law and precedent, to rely upon the discredited psychological testimony, is the man who, as the Senator from Florida says, is to pass fair and impartial judgment upon those whose civil rights are being denied; and therefore, he will make an official complaint; and then, under this amendment, if it is written into the law, the Attorney General will move in, and the taxpayers will underwrite the whole procedure against alleged discrimination.

Madam President, it surprises me why some of the hearts of our so-called liberals, which bleed so profusely over the alleged mistreatment of a minority which enjoys the highest standard of living—a race which is not a minority, but a majority in any country outside the United States—which has been more fairly treated than any minority in the history of the world—why those liberals have never once raised a protest against the treatment now being given in almost all of the African countries against the white minority, a white minority which is denied even the most fundamental rights mentioned in our Declaration of Independence: Life, yet white women are raped and murdered; liberty, but they are put in jail when they are not guilty; pursuit of happiness, but they cannot even hold property.

Madam President, the white man is being run out of Africa. It is only in the area at the southern tip of Africa, which is still under British rule, that the white man is allowed to live at all. According to a recent report from a man who lived there, the days of the white man are numbered. Yet we are accused of mistreating a minority. Therefore, if necessary, this session must be prolonged into October—perhaps until Thanksgiving—because, make no mistake, we shall stay here as long as necessary to discuss the punitive civil rights legislation.

Mr. HOLLAND. Madam President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. HOLLAND. I desire to call attention to what occurred the day after confirmation of the nomination of Dean Robinson, whose nomination was opposed by several Senators, including the Senator from Virginia and the Senator from Florida——

Mr. ROBERTSON. That is correct.

Mr. HOLLAND. And that opposition was on the sole ground of Dean Robinson's professional appearance on many occasions for the NAACP, in connection with many of these cases. The day after confirmation of his nomination, the New York Times published an article about him; and the Times certainly cannot be charged with taking the southern point of view in connection with these matters. The article published in the New York Times reads in part as follows:

> The southern Senators who opposed his nomination made an issue of his legal work for the National Association for the Advancement of Colored People.
>
> Mr. Robinson has indeed been involved in work for the association, though his specialty in private practice was the law of real property. He argued three times before the Supreme Court on one of the historic school integration cases decided in 1954. He was legal representative in Virginia for the NAACP legal defense and educational fund for a number of years, and subsequently was its southeastern regional counsel until last fall.
>
> He was involved in so many civil rights cases at one time or another that it was a bit of a task making sure that he had severed all connections when President Kennedy nominated him to the Commission in April.

I wonder whether the Senator from Virginia thinks that any reasonable claim could be made at this time to the effect that Dean Robinson could be objective and impartial and could satisfy any criterion as possessing the necessary qualifications to sit in a quasi-judicial position in passing judgment upon this important matter, when he had appeared professionally on behalf of the plaintiffs in so many cases of this sort that he could not be sure whether he had severed his relationship with all of them before he changed from the position of advocate to the position of judge or referee who would recommend legislation to the Congress and to the Nation.

Mr. ROBERTSON. Madam President, when that question is asked, the answer "No" echos from Maine to Florida. That situation shows to what absurdity we are forced, once we enter into the field of political expediency, which is what this matter of civil rights is; and that is the type of man appointed to be a judge, although he could not possibly be impartial, for his entire professional life has been devoted to taking the position of advocate in connection with these matters.

I shall show that he appeared before the Supreme Court and that later the Supreme Court calmly ignored every fact which had been proven in that case, when it handed down its decision.

Having been denied their relief in the lower court, the Prince Edward County colored plaintiffs then made a direct appeal to the Supreme Court of the United States. The Supreme Court accepted this case for review along with two other three-judge district court cases arising in South Carolina and Kansas and one other case on grant of certiorari from the Supreme Court of Delaware—*Briggs* v. *Elliott* (98 F. Supp. 529, E.D. S.C. 1951); *Brown* v. *Board of Education* (98 F. Supp. 797, D. Kans. 1951); *Belton* v. *Gebhart* (87 A. 2d 862, Del. Ch. 1952). They were reviewed under the style of *Brown* v. *Board of Education* (347 U.S. 483 (1954)). Upon a review of these cases the Supreme Court concluded that separate educational facilities were inherently unequal and held that because of the effects of the segregation complained of, all the colored plaintiffs were denied the equal protection of the laws guaranteed by the 14th amendment—*Brown* v. *Board of Education* (347 U.S. 483, 495 (1954)).

The Supreme Court cited as the authority for its conclusions regarding the effects of segregation on statutory or other law; only seven psychological and sociological treatises—Id. at 494, n. 11. Since none of these treatises had been either mentioned in the briefs of either, the plaintiffs or the defendants, or actually offered into evidence by either side during the course of the Virginia trial, they attained their evidentiary significance on appeal through the process of judicial notice. The third treatise cited by the Supreme Court had been discussed during the course of the Davis trial—that was the Prince Edward County case—by one of its coauthors, Dr. Isidor Chein, who had appeared as an expert witness on behalf of the NAACP—record, volume 6, page 204 and the following, *Davis* v. *County School Board* (103 F. Supp. 337, E.D. Va. 1952).

Each of the seven treatises cited by the Court purported to show the injurious effects of segregation on minority groups. Two of the authors, Clark and Chein, had appeared in person to testify before the Virginia court in the Davis case—Id. at 246; 202.

Kenneth B. Clark had offered his services and skill to the NAACP as an

expert in the Davis case. He was at that time employed as an assistant professor of psychology at the College of the City of New York. Previously he had been "on the staff of the Carnegie Corp. study of the Negro in America, which was directed by Gunnar Myrdal."

Senators will remember that name—a Socialist from Sweden, who wrote a book which was quoted by the Supreme Court; and in the book he said, among other things, that the Constitution of the United States is outmoded and should be thrown into the ashcan. That was one of the "distinguished authorities," among others, upon whom the Supreme Court relied in reaching its decision in the case of Brown against Board of Education; and Kenneth B. Clark was one of his coworkers in that "Study of the Negro in America." He had also been a research associate and a consultant for the American Jewish Congress. He had taught at the Hampton Institute, a colored school, in Hampton, Va., for a period of 6 months, and testified that he had spent a total of 6 months and 1 or 2 weeks in Virginia in his whole life outside of the 6 months he had taught at Hampton Institute—Idem at 246, 269. But, Madam President, he is the "expert."

Mr. Clark stated that he had interviewed 14 of the 119 plaintiffs out of a total enrollment of some 463 students in the colored high school. The executive secretary of the Virginia chapter of the NAACP had arranged for them to be available for the interviews. The interviews were held in the library of the office of the plaintiffs' lawyers. The 14 high school students, 10 girls and 4 boys, were interviewed one by one over a period of 4 hours on the morning of the first day of the trial. Each interview lasted for an interval of 15 to 20 minutes—Idem at 273–279.

Mr. Clark stated that he had asked each of the 14 children the following questions:

1. Just tell me about your school.
2. What about the white school?
3. Why is it that? i.e., why is the white school better?
4. What can be done about it?—Idem at 254–258.

Mr. Clark testified that the youngsters tended to answer the last question, "What should be done about it?" "in terms of a flat statement which might not have any psychological meaning at all—a concrete statement—'we just need a new school' "—Idem at 258.

Dr. Isidor Chein also appeared as an expert witness for the NAACP. He was at the time employed as the director of research of the Commission on Community Interrelations of the American Jewish Congress and as a member of the part-time faculty of the School of Social Work of Columbia University. Dr. Chein stated that with the exception of a visit to Arlington Cemetery he had never been in Virginia until the day he appeared to testify for the NAACP. He did state that he had spent 6 months in Miami in the U.S. Army. The record does not disclose that he had interviewed any of the Negro plaintiffs—Idem at 202, and the following.

Dr. Chein was the coauthor of the only one of the seven treatises cited by the Supreme Court in the Brown cases which had been a subject of discussion in the Davis trial. This work was entitled "The Psychological Effects of Enforced Segregation." It was the report of the results of a poll which had been conducted by Dr. Chein and a Max Deutscher in 1948. They had polled 849 social scientists on the subject of the effects of enforced segregation and received replies from 517—61 percent.

I am quoting the authority for the Supreme Court's changing our Constitution and outlawing segregated schools in the South. Here is one of the authorities the Supreme Court cited, and this is the basis of his expert testimony.

Dr. Chein testified that 32 of the 517 responding were located in the South, but was unable to recall whether any of these 32 respondents were residents of Virginia—Idem at 204, 222–230.

He received replies from 517 social scientists—whatever that may mean besides having a Ph. D. and a Phi Beta Kappa key with a chain at one end and no watch at the other. He said 32 were from the South, but he did not say how they testified, and none of them were from Virginia.

We were talking about frustration in Virginia. Had Virginia children been frustrated? Dr. Chein said, on the basis of this poll, that Virginia children had been frustrated. The court said, "We do not follow you at all. We do not agree with you. You have not proved your case."

I shall show how the Supreme Court disregarded the testimony taken in this case. That was the case in which the Civil Rights Commissioner argued. It is proposed that we confirm his appointment, after we suspend the rule, for 2 more years. Some want to confirm it for life. We are not for any part of that. I do not know whether we can stop it or not.

Notwithstanding the testimony of Clark and Chein in conjunction with other evidence presented on behalf of the colored plaintiffs, the Virginia district court had expressly declared that on the fact of whether segregation in public schools abridged the educational opportunities of the colored plaintiffs, it could "not say that the plaintiffs' evidence had overbalanced the defendants."—*Davis* v. *County School Board, supra,* 339. The record of the trial does not disclose my substantial scientific data concerning the psychological condition of the Virginia plaintiffs. Nor does it disclose any distinction between what aspects of the Virginia plaintiffs' alleged psychological injury were attributable to the segregation they experienced pursuant to community customs and traditions and what aspects of their alleged injury were actually attributable to the segregation complained of—the segregation of the races in the public schools of Prince Edward County pursuant to the official policies of the Commonwealth of Virginia.

The action of the Virginia district court in refusing to give superior credence to the colored plaintiffs' evidence which included the personal testimony of two of the authors of the authorities relied upon by the Supreme Court raised a very clear and strong presumption that all the authorities relied upon by the Supreme Court were subject to substantial dispute. Such a presumption is further validated by the absence of any concrete indication in the Supreme Court's opinion in the Brown case that the Virginia district court below had not given due deference to the testimony of any of the witnesses appearing on behalf of the colored plaintiffs.

The issue that the Supreme Court undertook to resolve in the Brown case was:

> Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other "tangible" factors may be equal, deprive the children of the minority group of equal educational opportunities? (*Brown* v. *Board of Education, supra,* 493).

Hence, not only were the texts of the seven psychological and sociological treatises purporting to show the injurious effects of segregation themselves of evidentiary significance and proper subjects of real and genuine dispute, but their contents were also inextricably involved in the very issue raised before the Supreme Court in the Brown cases.

Judicial notice by the Supreme Court of appropriate matters not included in the record of a trial on review is not necessarily improper—see *New York Indians* v. *United States* (170 U.S. 1, 32, 1897). But notice cannot be properly taken of matters of evidentiary significance which are actually in dispute and are not just collaterally involved—see *Ohio Bell Tel. Co.* v. *Pub. Util. Comm'n. of Ohio* (301 U.S. 292, 301–2, 1936). The Court had accepted the seven treatises as creditable evidence without the Virginia defendants being allowed any opportunity to test their accuracy and relevancy. The Court did this notwithstanding its own criticism of similar conduct when it declared that—

> It certainly is illogical, if not actually unfair, to permit witnesses to give expert opinion based on book knowledge and then deprive the party challenging such evidence of all opportunity to interrogate them about divergent opinions expressed in other reputable books (*Reilly* v. *Pinkus,* 338 U.S. 269, 275, 1949).

Judicial notice, even when taken, does not mean that the opponent is precluded from disputing so-called facts by evidence if he believes them disputable—*Ohio Bell Telephone Co.* v. *Public Util. Comm'n. of Ohio, supra,* at 301–302. Noticed facts should not be conclusive or anything more than evidence. An appellate court cannot constitutionally substitute them for the finding of fact of the lower trial court—*United States* v. *Aluminum Co.* (148 F. 2d 416, 446, 2d Cir. 1945). Such findings of fact should be so clear that an appellate court would have no doubt as to the factual basis of the trial court's decision—*Kelley* v. *Everglades Dist.* (319 U.S. 415, 422, 1943). The opinion of the trial court in Davis against County School Board, supra, left no doubt whatsoever as to what was the basis of its conclusion that the colored plaintiffs were without harm or injury from the segregation complained

of. The three-judge district court declared that the facts proved in the case should speak their conclusion.

Not only did the Supreme Court completely ignore its decision in Plessy against Ferguson, and all other previous decisions on that point, but it ignored all previous decisions on procedure, which precluded it from disregarding the facts adduced in the lower court, where the judge had seen the witnesses and heard and evaluated the testimony. The Supreme Court should not have ignored the Davis decision unless it could say that it was completely erroneous.

I quote from Davis against County School Board to show how terrible the Brown decision proved to be:

> The facts proved in our case, almost without division and perhaps peculiarly here, so potently demonstrate why nullification of the cited sections of the statutes and constitution of Virginia is not warranted, that they should speak our conclusion (*Davis* v. *County School Board, supra,* at 339).

Think of that—the facts testified to by the so-called experts were so inadequate that the contrary would be the conclusion of the trial court. Virginia laws should not have been struck down on such flimsy evidence as that. The lower court's statement, as I said, was completely ignored by the Supreme Court.

In a case where extensive cumulative evidence is offered, the effect of which depends largely on the credibility of witnesses, it is incumbent upon a Federal appellate court to adhere to rule 52(a) of the Federal Rules of Civil Procedure—*United States* v. *Ore. Med. Soc.* (343 U.S. 326, 332, 1952).

This rule provides that—

> In all actions tried upon the facts without a jury or with an advisory jury, the court shall find the facts specially and state separately its conclusions of law thereon and direct the entry of the appropriate judgment * * *. Findings of fact shall not be set aside unless clearly erroneous and due regard shall be given to the opportunity of the trial court to judge of the credibility of the witnesses (*Fed. R. Civ. Pro.* 52(a)).

This is the rule under which the Supreme Court was operating when it shut its eyes to the facts which were so clear in the Prince Edward County case. The lower court opinion, written by one of the greatest district judges in the United States and now an honored member of the Fourth Circuit Court of Appeals, was based on evidence which was quite clear.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. HOLLAND. I think the Senator is making a great contribution. I am not sure I completely understand the implications of his remarks.

Do I correctly understand the Senator to be suggesting that the Supreme Court uniformly, in all cases except civil rights cases, has made the holding that the findings of the lower court on questions of fact are entitled to great weight and should not be upset except on the clearest showing of very great error?

Mr. ROBERTSON. The Senator is correct.

Mr. HOLLAND. In civil rights cases, if I correctly understand the Senator's remarks, the Court has held otherwise; that it may, based upon the philosophical treatises of Mr. Gunnar Myrdal and others, ignore the findings of the lower court on questions of fact.

Mr. ROBERTSON. At only one time. Nineteen hundred and fifty-four is the only time. Then the Court overrode Plessy against Ferguson and all the other Federal court decisions stating that separate but equal facilities were within the meaning of the 14th amendment. The Court overruled rule 52(a), which stated that an appellate court, unless it finds the facts to be clearly erroneous as certified by the lower court, is bound by the finding of the lower court. The lower court judge has the best opportunity to test the credibility of the witnesses, and the rule states that this must be duly considered.

Only in the Brown case was such action taken. Therefore the Senator from Virginia says "That case should be overruled." It was not a just ruling. It was a violent action of the Supreme Court to amend the Constitution by judicial fiat.

Mr. HOLLAND. Mr. President, if I correctly understand the remarks of the distinguished Senator, not only has the Constitution been amended to mean something it says not even by implication, by the 1954 school cases, but also all of the previous rules of procedure laid down by that distinguished Court for its own governance have been equally violated and thrown out the window.

Mr. ROBERTSON. That is correct. The proposed amendment seeks to carry out the clear purpose of the Supreme Court in Brown against Board of Education, decided in May of 1954, when it set out to invade the legislative field and to compel, willy-nilly, all States and all political subdivisions thereof to operate desegregated public schools.

It said, "We will turn down anything that frustrates this purpose." So Judge Oren Lewis, in the Farmville case, said that when Farmville closed the public schools, opened a private school, and received a county tuition grant, this frustrated the purpose of the Supreme Court to compel everybody to operate desegregated public schools.

The purpose of the amendment is to implement and to carry forward that illegal program to permit the Attorney General, backed by all of the resources of a great nation, to go into any court and to harass anybody he wishes.

Mr. President, I shall continue with my remarks about what the Court said concerning rule 52(a). Until its surprising decision in the Brown cases, the Supreme Court had consistently adhered to the clear mandate of that rule.

Mr. President, I have endeavored to show that the Supreme Court of the United States deliberately ignored the consistent position it had previously taken with respect to procedure. I wish now to quote from the case of the *Graver Manufacturing Company,* 336 U.S. 271, 275, 1948.

The Court said:

> Rule 52(a) of the Federal Rules of Civil Procedure provides in part: "Findings of fact shall not be set aside unless clearly erroneous, and due regard shall be given to the opportunity of the trial court to judge of the credibility of the witnesses." To no type of case is this last clause more appropriately applicable than to the one before us, when the evidence is largely the testimony of experts as to which a trial court may be enlightened by scientific demonstrations. This trial occupied some 3 weeks, during which, as the record shows, the trial judge visited laboratories with counsel and experts to observe actual demonstrations of welding as taught by the patent and of the welding accused of infringing it, and of various stages of the prior act. He viewed motion pictures of various welding operations and tests and heard many experts and other witnesses. He wrote a careful and succinct opinion and made findings covering all the factual issues.
>
> The rule requires that an appellate court make allowance for the advantages possessed by the trial court in appraising the significance of conflicting testimony and reverse only erroneous findings.

In 1950 the Supreme Court had set forth its appellate obligations under the rule as follows:

> Although appellant has indiscriminately challenged the district court's judgment and decree in over 200 separate assignments of error, the real grounds relied on for reversal are only a few in number. In the first place, appellant contends that most of the district court's material findings of fact are without evidential support, that they "ignore or fail properly to evaluate" evidence supporting appellant's position, and that it was error for the court to refuse to make additional findings. For the most part, this shotgun approach is actually only a dispute as to the proper inferences to be drawn from the evidence in the record; in effect it is an invitation for us to try the case de novo. This Court must decline such an invitation just as it does when the Government makes the same request. *United States* v. *Yellow Cab Co.* (338 U.S. 338). In the present case the trial judge after a patient hearing carefully analyzed the evidence in an opinion prepared with obvious care. Appellant's lengthy brief has failed to establish that there was error in making any crucial, or even important, ultimate or subsidiary finding. Since we cannot say the findings are "clearly erroneous," we accept them. Fed. Rules Civ. Proc., 52(a) (*Timken Co.* v. *United States,* 341 U.S. 593, 596, 1950).

The findings were clear. The Supreme Court never even mentioned them, and ignored rule 52(a) completely.

In 1951 the Supreme Court interpreted the limitation of the rule upon its appellate powers as follows:

> The Government asks us to overrule each of these findings as contrary to the evidence, and to find that the business of providing prepaid medical care is interstate commerce. We are asked to review the facts and reverse and remand the case "for entry of a decree granting appropriate relief." We have heretofore declined to give such scope to our review (*United States* v. *Yellow Cab Co., supra*).
>
> While Congress has provided direct appeal to this Court, it also has provided that where an action is tried by a court without a jury "Findings of fact shall not be set aside unless clearly erroneous, and due regard shall be given to the opportunity of the trial court to judge of the credibility of the witnesses" (rule 52(a), Fed. Rules Civ. Proc.).
>
> There is no case more appropriate for adherence to this rule than one in which the complaining party creates a vast record of cumulative evidence as to long-past transactions, motives, and purposes, the effect of which depends largely on credibility of witnesses (*United States* v. *Ore. Med. Soc.,* 343 U.S. 326, 331, 1951).

But in its opinion in Brown against Board of Education, supra, the Supreme Court made no reference whatsoever to the finding of fact of no harm or injury to the Virginia colored plaintiffs which was the basis of the trial court's opinion in the Davis case. According to the Supreme Court, the Virginia three-judge Federal district court had "denied relief to the plaintiffs on the so-called separate but equal doctrine announced by this Court in Plessy against Ferguson." The Supreme Court stated that—

In each of the cases other than the Delaware case, a three-judge Federal district court had denied relief to the plaintiffs on the so-called "separate but equal" doctrine announced by this Court in *Plessy* v. *Ferguson*, 163 U.S. 537 (1896) (*Brown* v. *Board of Education, supra,* at 488).

And in footnote 1 of its opinion, the Supreme Court had noted that—

The Virginia [district] court found the Negro school inferior in physical plant, curricula, and transportation, and ordered the defendants forthwith to provide substantially equal curricula and transportation and to "proceed with all reasonable diligence and dispatch to remove" the inequality in physical plant. But, as in the South Carolina case, the court sustained the validity of the contested provisions and denied the plaintiffs admission to the white schools during the equalization program. 103 F. Supp. 337. (Id. at 487, n. 1.)

In the course of its opinion in the Brown cases, the Supreme Court proceeded to specifically reject any language in Plessy against Ferguson, supra, which might be contrary to its own psychological and sociological finding based on its modern authorities—Idem at 494–495. But no language in Plessy against Ferguson, supra, had in anywise been relied upon by the trial court as a basis of its finding in the Davis case. The judges of the trial court even went so far as to specifically reject previous decisions on this issue, including Plessy against Ferguson, supra, as substantiation for their finding that the colored plaintiffs were not injured by the segregation complained of and declared that the facts proved in the case should speak their conclusions as follows:

The Court cannot say that the plaintiffs' evidence overbalanced the defendants'. But on the same presentation by the plaintiff as just recited, Federal courts have rejected the proposition, in respect to elementary and junior high schools, that the required separation of the races is in law offensive to the national statutes and constitution. (*Briggs* v. *Elliott*, 98 F. Supp. 529 (D.C.S.C. 1951) and *Carr* v. *Corning*, 182 F. 2d 14 (D.C. Cir. 1950), citing *Plessy* v. *Ferguson*, 163 U.S. 537 (1896), *Gonglum* v. *Rice*, 275 U.S. 78 (1927), and *Cumming* v. *County Board of Education*, 175 U.S. 528 (1899). They have refused to decree that segregation be abolished incontinently. We accept these decisions as apt and able precedent. Indeed we might ground our conclusion on their opinions alone. But the facts proved in our case, almost without division and perhaps peculiar here, so potently demonstrate why nullification of the cited sections of the statutes and constitution of Virginia is not warranted, that they should speak our conclusion (*Davis* v. *County School Board*, supra, at 339).

Hence, any error that the Supreme Court may have found in Plessy against Ferguson, supra, could not be logically construed to constitute error in the finding of the Virginia district court of "no harm or injury to either race" in the Davis case since the Virginia court had not rested its ruling on the Plessy decision.

In the absence of clear error, the Supreme Court of the United States cannot lawfully give the facts proved in a lower trial court another construction, resolve the issue differently or find a more sinister cast to actions which the trial court had deemed harmless—see *United States* v. *Ass'n. of Real Estate Boards* (339 U.S. 485, 495–6, 1950). The Supreme Court has said:

It is not enough that we might give the facts another construction, resolve the ambiguities differently, and find a more sinister cast to actions which the district court apparently deemed innocent—(see *United States* v. *Yellow Cab Co.* (338 U.S. 338, 342)); *United States* v. *Gypsum Co.* (333 U.S. 364, 394–395). We are not given those choices, because our mandate is not to set aside findings of fact "unless clearly erroneous." (Ibid.)

The trial court in the Davis case had merely made a choice between two permissible views of the weight of the evidence. Such a choice was not "clearly erroneous"—see *United States* v. *Yellow Cab Co.*, 338 U.S. 338, 342, 1949.

But the Supreme Court of the United States proceeded to set aside the decision of the Virginia trial court in the Davis case on the basis of seven psychological and sociological treatises which had not been incorporated into the record of that case. Furthermore, the contents of these treatises did not include any studies or examinations of the Virginia plaintiffs either as a group or as individuals. Founding a verdict on the strength of evidential facts not spread upon the record of a case is a denial of the fundamentals of a fair trial. (*Ohio Bell Tel. Co.* v. *Pub. Util. Comm'n. of Ohio, supra,* at 300.) Though a court may possess jurisdiction of a cause, of the subject matter, and of the parties, it is still limited in its modes of procedure. (*Windor* v. *McVeigh*, 93 U.S. 274, 282, 1878; accord, *Hagar* v. *Reclamation Dist. No. 108*, 111 U.S. 701, 708, 1884; *In re Francis*, 136 Fed. 912, 913, E.D. Pa., 1950.) "Due process" in the constitutional sense requires adherence to the established rules of procedure. (*Frank* v. *Mangum*, 237 U.S. 309, 326, 1916; accord, *United States* v. *Billings*, 190 Fed. 359, 363, 2d Cir. 1911; *Barton* v. *Platter*, 53 Fed. 901, 904, 8th Cir. 1893; *Beasley* v. *United States*, 81 F. Supp. 518, 527, E.D. S.C. 1948.)

The Supreme Court's taking judicial notice of seven psychological and sociological treatises in derogation of the ruling in Plessy against Ferguson, supra, could not and did not give rise to clear error on the part of the Virginia trial court in Davis against Board of Education, supra, which arose over 50 years later under an entirely different fact situation. Since the evidence presented by the Virginia Negro plaintiffs was insufficient to sustain a decision in their favor, the Supreme Court of the United States had to fabricate evidence for them. The Court proceeded to render a decision on the basis of materials which contained absolutely no data pertaining to the individual Negro plaintiffs. In other words, the evidence upon which the Supreme Court of the United States had based its decision did not include any proof of real and actual psychological injury to the Virginia Negro plaintiffs.

When the Supreme Court of the United States took judicial notice of the seven psychological and sociological treatises, substituted them for the finding of fact of the Virginia three-judge district trial court and set aside their ruling in Davis against County School Board, supra, it acted in complete disregard for the established rules of judicial procedure, a flagrant denial of the due process of law to the Virginia defendants.

THE BROWN DECISION

The Supreme Court held in the Brown case, as I previously indicated, that the Negro plaintiffs were deprived of the equal protection of the laws guaranteed by the 14th amendment "by reason of the segregation complained of." The segregation complained of was State-enforced segregation, that is, the denial of "admission to schools attended by white children under laws requiring or permitting segregation according to race."

The Court resolved what it considered to be the question presented as follows:

We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other tangible factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does. * * *

Whatever may have been the extent of psychological knowledge at the time of *Plessy* v. *Ferguson*, this finding is amply supported by modern authority. Any language in *Plessy* v. *Ferguson* contrary to this finding is rejected.

We conclude that in the field of public education the doctrine of "separate but equal" has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the 14th amendment. * * * (*Brown* v. *Board of Education* (347 U.S. 483, 493–5; 1954)).

Subsequent to its May 17, 1954, ruling in the Brown case, the Supreme Court remanded three of the individual cases to their respective three-judge district courts "to take such proceedings and to enter such orders and decrees consistent with this opinion as are necessary and proper to admit to public schools on a racially nondiscriminatory basis with all deliberate speed the parties to these cases."

INTERPRETATION OF BROWN DECISION

Upon remand of the Brown case to the U.S. district court in Kansas, the three-judge court handed down a per curiam opinion in which it was noted that—

It was stressed at the hearings that such schools as Buchannan are all-colored schools and that in them there is no intermingling of colored and white children. Desegregation does not mean that there must be intermingling of the races in all school districts. It means only that they may not be prevented from intermingling or going to school together because of race or color. If

it is a fact, as we understand it is, with respect to Buchannan School that the district is inhabited entirely by colored students, no violation of any constitutional right results because they are compelled to attend the school in the district in which they live." (*Brown* v. *Board of Education* 139 F. Supp. 468, 470; D. Kans. 1955).

Upon remand of the Briggs case to the three-judge district court in South Carolina, the court delivered a per curiam opinion in which it was declared:

Whatever may have been the views of this court as to law when the case was originally before us, it is duty now to accept the law as declared by the Supreme Court.

Having said this, it is important that we point out exactly what the Supreme Court has decided and what it has not decided in this case. It has not decided that the Federal courts are to take over or regulate the public schools of the States. It has not decided that the States must mix persons of different races in the schools or must require them to attend schools or must deprive them of the right of choosing the schools they attend. What it has decided, and all that it has decided, is that a State may not deny to any person on account of race the right to attend any school that it maintains. This, under the decision of the Supreme Court, the State may not do directly or indirectly; but if the schools which it maintains are open to children of all races, no violation of the Constitution is involved even though the children of different races voluntarily attend different schools, as they attend different churches. Nothing in the Constitution or in the decision of the Supreme Court takes away from the people the freedom to choose the schools they attend. The Constitution, in other words, does not require integration. It merely forbids discrimination. It does not forbid such segregation as occurs as the result of voluntary action. It merely forbids the use of governmental power to enforce segregation. The 14th amendment is a limitation upon the exercise of power by the State or State agencies, not a limitation upon the freedom of individuals. (*Briggs* v. *Elliott*, 132 F. Supp. 776, 777; E.D.S.C. 1955.)

Judge Bryan of the Federal District Court for the Eastern District of Virginia, now a member of the Fourth Circuit Court of Appeals, interpreted the Brown decisions as follows:

It must be remembered that the decisions of the Supreme Court of the United States in *Brown* v. *Board of Education*, 1954 and 1955, 347 U.S. 483 and 349 U.S. 294, do not compel the mixing of the different races in the public schools. No general reshuffling of the pupils in any school system has been commanded. The order of that Court is simply that no child shall be denied admission to a school on the basis of race or color. Indeed, just so a child is not, through any form of compulsion or pressure, required to stay in a certain school, or denied transfer to another school, because of his race or color, the school heads may allow the pupil, whether white or Negro, to go to the same school as he would have attended in the absence of the ruling of the Supreme Court. Consequently, compliance with that ruling may well not necessitate such extensive changes in the school system as some anticipate. (*Thompson* v. *County School Board of Arlington County*, 144 F. Supp. 239, 240, E.D. Va. 1956.)

Judge Hoffman of the Federal District Court for the Eastern District of Virginia has stated:

The Supreme Court did not order mass integration. I have not read anything in its decisions that indicates that there shall be mass integration. It merely stated that the school children could not be discriminated against solely by reason of race or color in matters affecting assignment of children in public schools. (*Adkins* v. *School Board of the City of Norfolk*, 2 Race Rel. L. Rep. 334, E.D. Va. 1957.)

It was pointed out in a North Carolina case that—

It has further been repeatedly stated that the Brown cases do not require integration, but only hold that States can no longer deny anyone the right to attend a school of his choice on account of race or color. *Briggs* v. *Elliott*, D.C.E.D.S.C. 1959, 132 F. Supp. 776; *Thompson* v. *County School Board of Arlington County*, D.C.E.D. Va. 1956, 144 F. Supp. 239; *School Board of City of Newport News, Va.* v. *Atkins*, 4 Cir., 1957, 246 F. Supp. 957, affirmed 4 Cir., 1959, 264 F. 2d 780; *McKissick* v. *Durham City Board of Education*, D.C.M.D.N.C. 1959, 176 F. Supp. 3.

These firmly established legal principles have been extensively discussed in the cases cited, and a further discussion here is unnecessary. * * * (*McCoy* v. *Greensboro City Board of Education*, 179 F. Supp. 745, 749–750; M.D. N.C. 1960).

The applicable general principles of law inherent in the Brown decisions were set forth in an Arkansas case as follows:

There can be no question that under the Brown decisions compulsory segregation of the races in the public schools is unconstitutional. The defendants so concede. It is also conceded by the defendants that implementation of the principles laid down in Brown cannot be made to yield to public disagreement with the idea of desegregation or be defeated by resort to unlawful violence. *Cooper* v. *Aaron*, 358 U.S. 1, 78 S. Ct. 1401, 3 L. Ed. 2d 5.

But, Brown, while outlawing compulsory public school segregation, does not require affirmative race mixing in the schools. (*Dove* v. *Parham*, 181 F. Supp. 504, 513; E.D. Ark. 1960.)

The Circuit Court of Appeals for the Fifth Circuit interpreted the Brown decisions as forbidding "any State action requiring segregation of children in the public schools solely on account of race; the Constitution does not, however, require actual integration of the races." The Court then proceeded to cite as "well said" the opinion of the Federal district court in the Briggs case, supra, as to the meaning of the original Brown decision. (*Avery* v. *Wichita Falls Independent School District*, 24 F. 2d 230, 233; 5th Cir. 1957.)

The fifth circuit subsequently restated its interpretation of the Brown decision as follows:

The equal protection and the due process clauses of the 14th amendment do not affirmatively command integration, but they do forbid any State action requiring segregation on account of their race or color of children in the public schools. (*Avery* v. *Wichita Falls Independent School District*, 241 F. 2d 230, 233 (5th Cir. 1957).) Pupils may, of course, be separated according to their degree of advancement or retardation, their ability to learn, on account of their health, or for any other legitimate reason, but each child is entitled to be treated as an individual without regard to his race or color.

So long as they are excluded from any public school of their choice solely because of their race or color the plaintiffs are being denied their constitutional rights. (*Borders* v. *Rippy*, 247 F. 2d 268, 271; 5th Cir. 1957.)

We have emphasized the words "or permitting segregation of the races" in the district court's order because that expression might indicate a serious misconception of the applicable law and of the mandate of this court. Our mandate (footnote 1, supra) has been carefully limited so as to direct the entry of a judgment restraining and enjoining the defendants "from requiring segregation of the races in any school under their supervision." Likewise in our opinion, we had pointed out that it is only racially discriminatory segregation in the public schools which is forbidden by the Constitution. That point was emphasized in the Arlington, Va., case in which Chief Judge Parker of the fourth circuit quoted with approval the apt language of District Judge Bryan (in the Thompson case, supra). (*Rippy* v. *Borders*, 240 F. 2d 690, 692; 5th Cir. 1957.)

The principle announced in several of our decisions (is) that the 14th amendment does not speak in positive terms to command integration, but negatively, to prohibit governmentally enforced segregation. (*Holland* v. *Board of Public Instruction*, 258 F. 2d 730, 731–2; 5th Cir. 1958.)

According to the Circuit Court of Appeals for the Sixth Circuit, "If the child is free to attend an integrated school, and his parents voluntarily choose a school where only one race attends, he is not being deprived of his constitutional rights. It is the denial of the right to attend a nonsegregated school that violates the child's constitutional rights." (*Kelly* v. *Board of Education*, 2 Race Rel. L. Rep. 584, 600; 6th Cir. 1959.)

AUTHORITY UNNECESSARY

I conclude by saying that the Javits amendment 8–18–61—M is intended to broaden the impact of the original Brown decision and to accelerate its application willy-nilly to the public schools of the South in apparent disregard of the constitutional boundaries of that decision. It would grant to the Attorney General an authority that is neither necessary nor desirable.

It would place at the disposal of professional racial agitators a weapon with which they could harass and intimidate individuals and State and local officials who were not in accord with the pressure groups' interpretation of the Brown decision.

The proposal should be defeated by the Senate as it has done on two previous occasions.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUSINESS LOANS UNDER SMALL BUSINESS ACT

Mr. MANSFIELD. Mr. President, I ask the Presiding Officer to lay before the Senate a bill just received from the House of Representatives.

The PRESIDING OFFICER (Mr. PELL in the chair) laid before the Senate the bill (H.R. 8922) to amend the Small

Business Act to increase by $20 million the amount available for regular business loans thereunder, which was read twice by its title.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 8922.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. ROBERTSON. Mr. President, this bill, H.R. 8922, would increase by $20 million the amount that the Small Business Administration may commit for loans under their regular business loan program.

I am informed by the Small Business Administrator that by Friday, September 1, the SBA's unused business loan authorization will be down to $2.9 million. At the beginning of August, SBA had a balance of $27,483,516 available for its business loan program. Thus, this authorization is being used up at a rate of roughly $1 million per day.

The $20 million increase provided by this bill would enable the SBA to continue its business loan program without interruption for about a month. This should give Congress time to act on S. 836, which contains an increased authorization sufficient to permit SBA to operate its loan programs until March of next year.

This emergency increase is therefore very important to the continued operation of the Small Business Administration, and I recommend that the Senate adopt H.R. 8922 as quickly as possible.

Much credit should be given to our distinguishd colleague and member of the committee, the Senator from Wisconsin [Mr. PROXMIRE]. I yield to the Senator, for I know he wishes to make a statement.

Mr. PROXMIRE. Mr. President, I thank the distinguished chairman of the committee very much. I wish briefly to review the background of this request for an additional $25 million of authorization because it relates to a policy which I think Congress should seriously consider.

In a letter of March 14, 1961, from the Administrator of the Small Business Administration to the distinguished chairman of the committee, the Senator from Virginia [Mr. ROBERTSON], the Administrator said, in part:

> According to our projection of probable business loan activities, the existing authorization of $575 million appears adequate to meet the needs of the program through the 1962 fiscal year.

In other words SBA wrote on March 14 of this year that they would need no more money until July of 1962.

Then on April 6, 1961, only 3 short weeks later, the Administrator found that because of great expansion in the loan program of the Small Business Administration it was necessary to revise the assumptions sharply. In the first letter the Administrator said no additional funds would be needed, but this is what he had to say 3 weeks later:

> Based on the assumptions—
>
> Which indicate an expansion of loans—
>
> an increase of about $150 million would be required to assure adequate authority through June 30, 1962.

The Senate Committee on Banking and Currency has met and has reported the bill, S. 836, which is calendar No. 783, to increase the authorization of the Small Business Administration for the coming year, not by the $150 million requested, but by some $56.5 million. In addition, the bill provides a pooling arrangement, so that the Small Business Administration will be in a position to tap funds for business loans which have been segregated in other funds.

After the committee acted and reported the bill, over the weekend, I use this language very advisedly; I have thought it over, but I do not know how I can put it differently—the Small Business Administration figuratively put a pistol to congressional heads with the statement that if it does not get $20 million immediately, it will have to close up shop on Friday.

The House acted yesterday. The measure is now before the Senate for action.

The Small Business Administration has set a new record in loaning out Government money at a 50 percent faster clip in the first 6 months of this year than it did last year.

With this enormous expansion of loans it has become perhaps the most rapidly expanding agency in Washington.

SBA's proportionate increase far outpaces that for national defense, foreign aid, agriculture, or any welfare service. Furthermore, SBA was vastly increasing its small business loans during a period when the banking system has been following a credit policy of making loans more readily and easily available to small business than usual, according to recent testimony to the Joint Economic Committee by Federal Reserve Board Chairman Martin.

This request for an immediate $20 million comes when the administration has suggested that Congress go slow on domestic spending. The Berlin crisis has already forced the Congress to step up defense expenditures enormously. A big deficit is expected for the present fiscal year.

But the dizzying pace of the SBA, far from slackening its record expansion of the first 6 months of the year, shot up in the past month of July by a fantastic 200 percent over July of 1960.

I ask unanimous consent that a table I have designated as "table I" be printed at this point in the RECORD to illustrate the point that I have made.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE I.—*Small Business Administration—Business loan applications received and approved—Selected periods by months*

[Dollar amounts in thousands]

Month	January through June 1960				January through June 1961			
	Applications received, number	Loans approved			Applications received, number	Loans approved		
		Number	Total amount	SBA share		Number	Total amount	SBA share
January	518	250	$11,866	$10,378	726	350	$15,648	$13,513
February	630	308	13,867	11,772	718	302	15,603	13,459
March	850	316	15,434	13,422	1,332	483	21,659	18,860
April	671	369	16,636	14,014	1,066	501	26,968	22,894
May	752	309	15,376	13,134	1,209	511	26,037	22,519
June [1]	908	519	25,708	21,985	1,305	921	48,255	40,875
Total for period	4,329	2,091	98,887	84,705	6,356	3,068	154,170	132,120
July	745	233	11,365	9,602	1,220	588	33,680	28,786

[1] The accounting records in June of each year are held open to include all "pipeline" transactions in order that the June 30 financial statements would reflect all operations for the year. Consequently, the monthly figures shown appear out of proportion to previous months.

Source: Office of the Budget, Aug. 28, 1961.

Mr. PROXMIRE. Mr. President, in July of 1960, the SBA made loans of about $11 million, of which the SBA's share was roughly $9.5 million. This month the SBA made loans of $33.5 million, of which the SBA's share was $28.5 million and, of course, as I said, an immense increase of about 200 percent over July of 1960.

Statistics furnished by the SBA itself indicate that the new policy of 4 percent loans to firms in areas of substantial unemployment has not been a significant factor in the sharp rise in business loans.

I ask unanimous consent that a table designated "table II" be printed at this point in the RECORD to illustrate that point.

There being no objection, the table was ordered to be printed in the RECORD.

TABLE II.—*Small Business Administration—Business loan applications received—Selected areas,[1] July 1960–April 1961 versus May–July 1961*

Area	July 1960–April 1961	Percentage of total	May–July 1961	Percentage of total
Alabama	109	1.3	61	1.6
Michigan	202	2.4	116	3.1
Pennsylvania	394	4.7	216	5.8
West Virginia	77	.9	35	.9
Subtotal	782	9.3	428	11.4
All other States	7,584	90.7	3,306	88.6
Total	8,366	100.0	3,734	100.0

[1] For measuring possible effect on business loan applications of the policy of making 4-percent loans in areas of substantial unemployment, this table compares activity in certain States prior to and after the new policy was made effective in April 1961.

Source: Office of the Budget, Aug. 28, 1961.

Mr. PROXMIRE. Mr. President, the supreme irony of this rapid expansion of SBA is that the small business community which is serviced by the agency is overwhelmingly opposed both to increased Government involvement in the economy and to an expansion of Government spending or loans.

It may be that Congress has no choice under the circumstances except to authorize the additional funds in order to keep the SBA in business.

For that reason, of course, I approve the very necessary resolution which the chairman of our committee has offered.

But this whole situation underlines the importance of Congress taking a new, long, hard look at the loan responsibilities it has imposed on the SBA. Unless the SBA's lending programs are decisively limited, the administration will be forced down a far longer road of Government involvement in the economy than will serve the national interest or indeed than the small business community itself desires.

The sudden rapid increase in loans should in no sense be regarded as reflecting discredit on Administrator John Horne or the SBA. The SBA has taken seriously the congressional directive to expand loans, and has done a tremendous servicing job. It has followed previously stated congressional intent avidly, in making many loans of hundreds of thousands of dollars to businesses that are far from small.

I shall refer to a few of those examples quickly, because I know the time is limited. In a press release of the Small Business Administration issued August 29, the following loans are shown:

Opelika Welding, Machine & Supply, Inc., of Opelika, Ala., a loan for $300,000. They are specialty metal fabricators.

Transarizona Resources, Inc., of Casa Grande, Ariz., for a cooper project, $400,000.

Mission Sheet Metal Co., Inc., of Fresno, Calif., a manufacturing sheet metal concern, $300,000.

Tava Lanes, Riverside, Calif., a bowling alley, $350,000.

Killen Grain Co., Harrington, Del., a business for storage of grain, hay, straw, and so forth, $220,000.

Feralloy Corp., Chicago, Ill., a steel processing company, $250,000.

Park Terrace Motel, Council Bluffs, Iowa, a motel, $350,000.

Louis Rich Foods, Inc., West Liberty, Iowa, processors of frozen ready-to-cook poultry, $240,000.

Jefferson Medical Arts Building, Inc., South Bend, Ind., a medical center, $250,000.

Trover Clinic, Inc., Madisonville, Ky., a medical clinic, $350,000.

Charles A. O'Neill, Jr., New Orleans, La., crude petroleum producer, $300,000.

Cargocaire Engineering Corp., Amesbury, Mass., manufacturers of commercial and dehumidifying equipment, $225,000.

Lake Pearl Park, Inc., Wrentham, Mass., an amusement park, $300,000.

Twin City Lanes, Inc., Moorehead, Minn., bowling lanes, $190,000.

Lake Shore Electric Corp., Bedford, Ohio, manufacturer of electrical controls, $200,000.

Hugo Milling Co., Hugo, Okla., alfalfa dehydrating mills, $388,000.

Port Orford Plywood Corp., Port Orford, Oreg., a plywood veneer plant, $350,000.

Littell Steel Co., fabricator of structural steel shapes, $300,000.

Peter Pan Ice Cream Co., Inc., Woonsocket, R.I., whole ice cream distribution, $350,000.

Craver Industries, Inc., Mount Holly, S.C., manufacture and sale of aluminum roll-forming equipment, $250,000.

Builders' Supply of Murfreesboro, Inc., Murfreesboro, Tenn., wholesale building supplies, roofing, custom-built homes, $300,000.

Rudy's Farm Co., Nashville, Tenn., meatpacking plant, $250,000.

Gulf Coast Machine & Supply Co., Beaumont, Tex., manufacturer of oil and gas well supplies and heavy forgings, $434,000.

Schepp's Dairy, Inc., Dallas, Tex., a dairy farm, $250,000.

Southern Foods Co., McAllen, Tex., a food cannery, $250,000.

J. B. Belcher & Son, Inc., Bluefield, W. Va., manufacturer of wholesale lumber, $350,000.

I could go on and read additional loans, but obviously the list is long and I shall not do so.

In conclusion, I point out that a communication I have just received from the Small Business Administration indicates that while only roughly 10 percent of all loans were over $100,000, they involved nearly half—46.4 percent—of the dollar volume of the SBA loans.

What I emphasize is that the SBA is making very large loans, some to businesses which in my judgment would not be classified as small. Therefore, I think it is up to Congress to make it clear that those loans should go only to truly small businesses that cannot secure loans elsewhere. I intend to introduce and fight for legislation to achieve that objective in the very near future.

I thank the distinguished chairman of our committee for yielding to me to speak on this very important measure. I think on this occasion it is most important that I make the point that we should look much more carefully into the future than we have in the past at this rapidly expanding dispersal of taxpayer money.

The PRESIDING OFFICER. The bill is open to amendment. If there be no further amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 8922) was read the third time and passed.

ANNA LEKOS AND ANASTASIA STASSINOPOULOS

Mr. EASTLAND. Mr. President, I ask that the Presiding Officer lay before the Senate the messages from the House of Representatives amending S. 304 and S. 713.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 304) for the relief of Anna Lekos, which was, to strike out all after the enacting clause and insert:

That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Anna Lekos. From and after the date of the enactment of this Act, the said Anna Lekos shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

And the amendment of the House of Representatives to the bill (S. 713) for the relief of Anastasia Stassinopoulos, which was, to strike out all after the enacting clause and insert:

That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Anastasia Stassinopoulos. From and after the date of the enactment of this Act, the said Anastasia Stassinopoulos shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

Mr. EASTLAND. Mr. President, on May 3, 1961, and March 29, 1961, the Senate passed S. 304 and S. 713, which granted the status of permanent residence in the United States to the beneficiaries.

On June 20 and July 10, 1961, the House of Representatives passed S. 304 and S. 713, each with an amendment to provide for the cancellation of deportation proceedings. The amendment to each bill will permit the beneficiaries to remain in the United States, but they will be unable to proceed to U.S. citizenship.

While the Senate language is preferred, the amendments are acceptable, and I move that the Senate concur in the House amendments to S. 304 and S. 713, respectively.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi.

The motion was agreed to.

AIDEH KOBLER

Mr. EASTLAND. Mr. President, I ask that the Presiding Officer lay before the Senate the message from the House of Representatives amending S. 722.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 722) for the relief of Aideh Kobler, which was, in line 6, after "Kobler" insert "and she shall be considered to be accompanying her spouse within the meaning of section 202(a) (2) of the said Act if she files an application for a visa within 6 months from the date of the enactment of this Act".

Mr. EASTLAND. Mr. President, on June 12, 1961, the Senate passed S. 722 to enable the beneficiary, a native and citizen of China, to qualify for a visa under the quota for Austria, the country of her hubsand's citizenship, and where she has lived since 1952.

On August 8, 1961, S. 722 was passed by the House of Representatives with

a technical amendment which the Department of State advised was necessary to accomplish the intent of the bill.

I move that the Senate concur in the House amendment to S. 722.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi.

The motion was agreed to.

MARIA ROSARIO BARRENA-VILLACHICA, MARIA DOLORES VILLAR SALINAS, ANGELA CASANOVA CABELLO, CARMEN GUENAGA ANCHUSTEGUI, AND FLORA CASALS PONS

Mr. EASTLAND. Mr. President, I ask that the Presiding Officer lay before the Senate the message from the House of Representatives amending S. 85.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 85) for the relief of Maria Rosario Barrena-Villachica, Maria Dolores Villar Salinas, Angela Casanova Cabello, Carmen Guenaga Anchustegui, and Flora Casals Pons, which were on page 1, line 4, strike out "Maria Rosario Barrena-Villachica," and to amend the title so as to read "An Act for the relief of Maria Dolores Villar Salinas, Angela Casanova Cabello, Carmen Guenaga Anchustegui, and Flora Casals Pons."

Mr. EASTLAND. Mr. President, on June 12, 1961, the Senate passed S. 85, to grant the status of permanent residence in the United States to four Catholic nuns.

On August 8, 1961, the House of Representatives passed S. 85, with amendments to delete the name of one beneficiary in whose case legislation is not necessary, inasmuch as information was received that she had returned to Spain.

I move that the Senate concur in the House amendments to S. 85.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi.

The motion was agreed to.

GIUSEPPA ALONZI

Mr. EASTLAND. Mr. President, I ask that the Presiding Officer lay before the Senate the message from the House of Representatives amending S. 570.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 570) for the relief of Giuseppa Alonzi, which was, on line 7, after "1953" insert ", and the visa petition approved in behalf of Giuseppa Alonzi shall be deemed to have been approved prior to January 1, 1959".

Mr. EASTLAND. Mr. President, on May 16, 1961, the Senate passed S. 570, to provide that the beneficiary be deemed to have been registered as a quota immigrant prior to December 31, 1953, in order that she might qualify under the provisions of section 4 of Public Law 86-363.

On August 8, 1961, the House of Representatives passed S. 570, with a technical amendment necessary to accomplish the purpose of the bill.

I move that the Senate concur in the House amendment to S. 570.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi.

The motion was agreed to.

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1962

The Senate resumed the consideration of the bill (H.R. 7371) making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1962, and for other purposes.

Mr. EASTLAND. Mr. President, the Berlin crisis, the recent second successful achievement of Russia in orbiting a man in space, the overall worsening of our international position, and the need to call up Reserves to strengthen our military position are all signs of the times and indications that the United States should cease to foment internal strife and discord, and should concentrate on the major problem of winning the cold war, and winning it quickly. The Civil Rights Commission has been both an irritant and an insult to the Southern States since its inception, and it should pass out of existence when its life expires under the terms of present law. I am equally opposed to the extension of term, either by the suspension of the rule, so as to legislate new life for the Commission as a rider on this appropriation bill or by original legislation.

Before the Civil Rights Act of 1957 was enacted, we warned that the idea of a Civil Rights Commission was both unwise and unsound. It has said nothing, done nothing, reported nothing, and recommended nothing during the 4 years of its life to change or alter this original prediction. The so-called findings and recommendations of the Civil Rights Commissioners have been more diffused and at greater variance than have been the opinions of the presently constituted U.S. Supreme Court.

This result is inevitable when Congress attempts to legislate in a field where the basic constitutional authority over the subject matter is reserved by the Constitution to the sovereign States.

President Eisenhower originally asked for a bipartisan Civil Rights Commission, of which not more than three membersp would at any one time be of the same political party. As vigorous as was my opposition toward the creation of the Commission, it is to the credit of the President that he did everything in his power to appoint a Commission on which all the areas holding different and divergent views in regard to civil rights issues were represented. Three of the original Commissioners came from Southern States—former Gov. John S. Battle, of Virginia, former Gov. Doyle E. Carlton, of Florida, and Prof. Robert G. Storey, of Texas. The other three were the Chairman, Dr. John A. Hannah, of Michigan, the Reverend Theodore M. Hesburgh, of Indiana, and J. Ernest Wilkins, of Illinois, who, upon his death, was succeeded by George M. Johnson of the Howard University Law School.

The statutory report made by the Commission to the President and Congress in 1959 reflected the wide divergence of views which has previously been adverted to here on this floor. Chairman Hannah and Commissioners Hesburgh and Johnson proposed the fantastic constitutional amendment to establish universal suffrage. Let me read this proposed amendment:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State or by any person for any cause except inability to meet State age or length of residence requirements uniformly applied to all persons within the State, or legal confinement at the time of registration or election. This right to vote shall include the right to register or otherwise qualify to vote, and to have one's vote counted.

Mr. President, in all the history of our Government there has never been such a recommendation as this. The sovereign States would be completely destroyed as political entities, and anyone above age 18 who was not confined in a penitentiary or an insane asylum would have an absolute right to exercise suffrage. I am not going to discuss at length this proposed amendment. It is significant to note that Chairman Hannah and Reverend Hesburgh are still on the Commission, and that Spottswood W. Robinson III, the dean of the Howard University Law School, has now taken the place of George M. Johnson, the resigned professor from Howard University Law School. To the universal suffrage amendment, Vice Chairman Storey and Commissioners Carlton and Battle registered vigorous dissents.

Chairman Hannah and Commissioners Hesburgh and Johnson were again united in the findings and recommendations of the Commission in the field of public education. Had recommendations 1(a) and 1(b) been adopted, the Civil Rights Commission would then and there have been made one of the most permanent agencies ever known in the history of our Federal Government. It wanted to take over from the Supreme Court the job of integrating public schools throughout the United States. Let me read what Vice Chairman Storey and Commissioners Battle and Carlton had to say about this part of the report:

> Although the portion of the report dealing with public education contains much interesting material, the text preceding the finding and recommendations is to a large extent argumentative and colored by the authors' views of the sociological and philosophical aspects of the school integration problem.

And so forth.

Unlike the U.S. Supreme Court and three of the Commissioners, the dissenters were not yet willing to adopt Gunnar Myrdal as the sociological authority upon which the Constitution of the United States should be bottomed.

The original report of the Civil Rights Commission contains findings and recommendations in the field of integrated housing, and housing generally, for that matter. Again, it is interesting to note the statement of Vice Chairman Storey

and Commissioners Battle and Carlton in regard to this field. They said:

> We yield to no one in our good will and anxiety for equal justice to all races, in the field of housing as elsewhere. A good home should be the goal of everyone regardless of color, and the Government should aid in providing housing in keeping with the means and ambitions of the people. Government aid is important where public improvements have displaced people and where slums become a liability to the community. This does not mean, however, that the Government owes everyone a house regardless of his ambition, industry, or will to provide for himself. When generosity takes away self-reliance or the determination of one to improve his own lot, it ceases to be a blessing. We should help, but not pamper.

And so forth.

This is a brief review of the absolute impossibility for any six men, regardless of how wise they may be, when drawn from a cross section of our society, to agree on fundamental questions involving the nature and function of government, the mores and folkways of organized society, and the veritable philosophy of life itself. Our forefathers, when they created and ordained the U.S. Constitution, could never have dreamed that the function of the Federal Government, with its limited delegated powers, could ever be expanded to the point where it would embrace the entire spectrum of man in his relation to man—in the home, the school, at the marketplace, and in every conceivable area of human contact. Yet, in effect, the recommendations of three of the original six members of the Civil Rights Commission are this broad and comprehensive in attempting to delineate entirely new concepts of responsibility on the part of the Federal Government and to destroy completely any vestige of sovereign responsibility on the part of the States.

Mr. President, the average citizen knows little and cares less about what was in the 1959 report of the Civil Rights Commission. There are many individuals in the South who happened to come in personal contact with the Commission in one manner or another. In these areas, the Commission was eminently successful in fomenting litigation against itself and in irritating, aggravating, and exasperating responsible citizens who were carrying out their duties as required by the law of their States. If this Commission is permitted to continue for 2 years, or indefinitely, I warn citizens in other areas outside the South—look out, sooner or later they are going to get around to you—and they will accomplish no more in New York, California, and Illinois than has been accomplished in Mississippi, Alabama, and Louisiana.

The life of the Commission was extended for 2 years in 1959. Governor Battle resigned, and Prof. Robert S. Rankin, of North Carolina, was appointed to take his place as a southern representative. Professor Rankin reflects the views, philosophy, and sentiments of the southern people to about the same degree as they are reflected by Chairman John A. Hannah. Many believe that was a fatal mistake for President Eisenhower to appoint Mr. Rankin to the Commission on the theory that he was achieving the same degree of balance that he attempted to achieve when he named the original Commissioners.

Dr. Rankin was a member of the Commission when it transmitted to the President of the United States and the Congress on January 13, 1961, a report on "Equal Protection of the Laws in Public Higher Education." If either the President, the Congress, or the people have paid any attention to what is contained in this report, it has not been evident. It has received the treatment it deserves—that of being absolutely ignored—and this is as it should be. I am reluctant even now to mention or discuss the findings and recommendations that are contained therein. However, in view of the fact that a proposed extension of the life of this Commission is now before us, and I want to discuss the attitudes and predictions of the individual members of the Commission, I find it necessary to make passing reference to the findings and recommendations.

Recommendation No. 1 in this report states:

> The Commission recommends that the Federal Government, either by executive or, if necessary, by congressional action, take such measures as may be required to assure that funds under the various programs of Federal assistance to higher education are disbursed only to such publicly controlled institutions of higher education as do not discriminate on grounds of race, color, religion, or national origin.

One does not know by what theory these Commissioners arrived at the conclusion that the President of the United States or any of its agencies and departments have any right to withhold funds appropriated by Congress from the beneficiaries to whom the legislation required that the money go. Neither does anyone know any constitutional theory that gives either this Commission, the President, or the Congress the power, duty, or right to so grossly discriminate against one institution of higher education as against another. Federal funds have always been equally distributed in Southern States as between our Negro and white institutions of higher education, and it will be so done in the future. What this Commission is saying here, in effect, is that the Federal Government should take over the direction, supervision, and control of the institutions of higher education in the several States. That would be the result of the implementation of such a recommendation, regardless of any pious disclaimers about not giving Federal control to the Government. Why should the taxpayers' money be expended for a Commission to engage in such exercises of futility as is contained in this recommendation? Commissioner Rankin, in a concurring statement, expressed the view that this recommendation, if put into effect in an immediate and drastic fashion, would be interpreted by many citizens as a punitive measure rather than one in support of proper constitutional objectives. However, he concurred in the recommendation in principle, but stated he "could not support certain procedures that would, in my mind, be unwise means of implementation." I do not care what geographic area a man comes from—when he supports such an illegal and unconstitutional a proposal as this, he cannot speak for any State in the southern area.

Vice Chairman Storey has evidently been affected by the virus after his long service on the Commission. He also writes a concurring statement to this iniquitous recommendation. While denying that the withholding of funds can be achieved by executive or administrative action, he is of the opinion and apparently favors Congress enacting legislation that would withhold funds to certain institutions of higher education with the conditions set forth under which such funds should be withheld. He ignores the fundamental constitutional proposition that there is no power in Congress to withhold funds on this discriminatory basis. Commissioner Carlton was the only Commissioner who filed a dissenting statement to this recommendation.

Recommendation No. 2 in the second report is:

> That Congress consider the advisability of authorizing the use of three-judge courts under section 2284 of the United States Judicial Code (U.S.C. 28) to cases presenting a substantial factual issue as to whether persons are being denied equal protection of the laws with respect to public education.

Here the Commission wants to take away from the local U.S. district judges the basic jurisdiction that is inherent in those courts. Three-judge courts are presently constituted only when a specific constitutional issue is involved. This recommendation would give any litigant claiming denial of equal protection of the laws with respect to public education the right to have a three-judge court. It proposes in the narrow field of public education alone to completely disrupt the presently constituted system for the Federal judiciary and give to a preferred class of individuals a right and privilege that is enjoyed by no others throughout the entire United States. It is impossible to conceive that intelligent and unbiased men, after thoughtful deliberation and consideration, could make so fantastic and revolutionary a recommendation to this Congress. Vice Chairman Storey in his mild dissent says:

> This recommendation affects jurisdiction of the Federal courts which should not be disturbed. Delays in litigation are often due to causes other than jurisdiction. Investing a factfinding function in the three-judge Federal court for all public education cases it is, in effect, recommending the transferral of the duties of the U.S. district courts to other Federal courts.

Commissioner Carlton also dissents, but even now we find on the Commission a new balance of 4 to 2.

Commissioners Hannah, Hesburgh, and Johnson have an additional proposal in this report which is no more or no less than urging Congress to adopt the previously deleted title III of the prcposed Civil Rights Act of 1957, which would give to the Attorney General general authority to institute civil actions to enforce constitutional rights of individual persons. Commissioner Rankin

dissents in part to this proposal. Apparently even he is opposed to the idea of vesting such unlimited power in the Attorney General of the United States to enforce in the name of the United States the rights of individuals whenever and wherever he might decide such action was appropriate.

The 1960 report of the Civil Rights Commission is contained in a volume of 355 pages and the recommendations that I have discussed are all that it could think of to present to Congress and the President.

It now appears, Mr. President, that there have been too many differences of opinion among the members of the Civil Rights Commission and that it is now necessary to constitute a Commission where four or more members will all agree on something. With the confirmation of Erwin N. Griswold, of Massachusetts, and Spottswood W. Robinson III as Civil Rights Commissioners, it is evident that this purpose has been achieved. No longer need we worry about lack of unanimity. Now we have a Commission that is going to get together. If the South has a viewpoint and it certainly does, there is no one left to express it. Governor Battle is gone, Governor Carlton is gone, Vice Chairman Storey has been infected, and Commissioner Rankin votes, by and large, with Chairman Hannah. In fact, this man Rankin is nothing but a stooge. If the amendment shall be agreed to the number of the Commission should be decreased to get rid of a stooge like this man Rankin.

However, it is difficult for the imagination to conceive of recommendations that can be made 2 years from this date that can more effectively violate the established principles of constitutional government as they exist in this country than those which have previously been made.

We no longer need so much sound without substance. The Commission should be permitted to die.

George M. Johnson, who resigned as a member of the Civil Rights Commission to become connected with some school in Nigeria, was a former dean of the Howard University Law School and a member of the National Legal Committee of the National Association for the Advancement of Colored People. His record at the time he appeared before the Senate for confirmation in this job did not indicate that he had spent a great deal of time in performing services for the NAACP. There can be no doubt, however, insofar as his position on the findings and recommendations of the Commission were concerned, that he went all the way out as a representative of this organization. The testimony of Chairman Hannah before the House Appropriations Subcommittee this year reveals some very significant facts and circumstances concerning his activity as a Commission member.

Chairman Hannah's statistics indicate that George M. Johnson was by far the most active member of the six on the Commission. During the fiscal year of 1960, Commissioner Battle worked a total of 8 days, and drew $400. Father Hesburgh spent 19 days on Commission affairs, and drew $950. Governor Carlton's total days were 21, and his remuneration was $1,050. Vice Chairman Storey worked for 37 days, and drew $1,850. Chairman Hannah devoted 25 days of his time to the Commission, and drew $1,250. In the very nature of the organization of this Commission, the Chairman and Vice Chairman should be the ones who spent the greatest length of time with the staff and in attendance on the other duties requiring the attention of all or part of the Commission itself. However, we find that George M. Johnson filed vouchers for a total of 99 days working time as a Commissioner, and drew a total of $4,950. This means that one Commissioner drew just $550 less than the other five Commissioners combined. He was also running ahead in the per diem sweepstakes for the portion of the fiscal year 1961 reported by the Chairman. If this matter were not so deadly serious, it could be passed off with the observation that maybe Johnson needed the money. However, in view of the punitive, unconstitutional, and far-reaching recommendations that were made by the Commission, the disproportion in worktime between Johnson and his five fellow Commissioners must be considered as most serious in nature, and it is safe to assume that this is one of the primary reasons why the findings and recommendations that have been made are as they are.

Now we have a replacement for George M. Johnson who is even more reprehensible as an unbiased member of a nonpartisan Commission. Next to Thurgood Marshall, the chief counsel for the NAACP legal defense and educational fund, Spottswood W. Robinson III, the present dean of the law school at Howard University, on the record, seems to have been the leading legal eagle for this organization. As counsel for the NAACP, he represented litigants before the Supreme Court of the United States in the following cases:

Briggs v. *Elliott* and *Davis* v. *County School Board of Prince Edward County*—decided with *Brown* v. *Board of Education* (347 U.S. 483 (1954), 349 U.S. 294 (1955)), holding unconstitutional State statutes requiring racial segregation in public elementary and secondary schools.

McGhee v. *Sipes*—decided with *Shelley* v. *Kraemer* (334 U.S. 1 (1948)), holding unconstitutional State judicial enforcement of racial property restrictions;

Hurd v. *Hodge* (334 U.S. 24 (1948)), holding invalid Federal judicial enforcement of racial property restrictions;

Morgan v. *Virginia* (328 U.S. 373 (1946)), holding unconstitutional a State statute requiring racial segregation in interstate transportation;

Chance v. *Lambeth* (186 F. 2d 879, 4th Cir. 1951, certiorari denied 341 U.S. 941 (1951)), holding invalid carrier-enforced racial segregation in interstate transportation; and

Department of Conservation and Development v. *Tate* (231 F. 2d 615, 4th Cir. 1956, certiorari denied 352 U.S. 838 (1956)), holding invalid a threatened denial on racial grounds of the use of the facilities of a State park.

There is a fundamental difference between the character of this type of representation and that which normally exists between an attorney and client. The average individual who has occasion to go into court hires a lawyer to represent him, and it is the duty of the lawyer to do everything in his power to forward the interests of the client. Many States in the South contend that the NAACP legal defense and educational fund is either guilty of barratry or skirts the edges of it when it volunteers the services of its counsel to individuals who have either instituted or desire to institute actions in civil rights cases. The attorneys hired by the NAACP are, in truth and in fact, not representing the complainants, but are representing the point of view that the NAACP desires to press upon the court. No man who worked in such a capacity in so many cases could divorce himself from the convictions and predilictions of the organization and point of view which he so long expounded. On the record, Spottswood W. Robinson III will be a far more able and effective advocate for his own cause as a member of the Civil Rights Commission than was George M. Johnson. This situation is a travesty on every sense of justice and fair play. We can get rid of Spottswood W. Robinson III by getting rid of the Commission, and that is what should be done.

President Eisenhower created the Commission with an honest balance of 3 to 3. The present balance is, at the best, 5½ to ½. As I have previously indicated, Dean Storey now wavers betwixt and between. The Civil Rights Act of 1957 provided for the creation of a Civil Rights Division in the Department of Justice in charge of a Presidentially appointed Assistant Attorney General. Attorney General Brownell testified that the civil rights section then existing in the Department of Justice was part of the Criminal Division and, since the civil rights field was extraordinarily complex, he wanted a separate division to deal with the civil rights problems. This Division was brought into being at the same time that the Civil Rights Commission was created. The primary purpose of the Civil Rights Commission was delineated by statute as being to—

1. Investigate in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based.

The same act that created the Civil Rights Commission provided, in part IV, that the Attorney General could institute suits for the United States, or in the name of the United States, to secure and protect voting rights of citizens without distinction as to race, color, or previous condition of servitude. Thus, while Congress created a commission to investigate, it also enacted a statute giving to the executive department of Government the right to proceed in courts in the same area the Commission was to investigate. The activities of the Civil Rights Commis-

sion are entirely divorced and apart from those of the Department of Justice. The Department of Justice has been just as zealous as the Civil Rights Commission to carry out the text of the Civil Rights Act of 1957 and the amendments thereto made in 1960.

If those who are so concerned with the problem wanted something to investigate in which there is some meat, they would quit picking on the South for political purposes and investigate in the District of Columbia. We have a very fine and able police force in the District of Columbia, but because of all the agitation for racial integration that goes on in the District, it has the highest crime rate in this country. If the Commission were really sincere and honestly wanted to accomplish something, it would get at the causes of crime in the District. Practically in every day's newspaper one reads of another white woman who has been raped in the District of Columbia. We must look twice to see who did it, because an attempt is made to hide that information from the public.

One need not ask the Senator from Mississippi. Here is testimony taken at the hearing before Subcommittee No. 3 of the Committee on the District of Columbia, House of Representatives, in May of this year. What did the chief of police of the District say about the situation in the District? He said:

> As chief of police in the District of Columbia, I want to say to your committee that I am deeply concerned with the serious proportion of crime in the District of Columbia, which for the past 4 consecutive years has shown a steady increase. While serious offenses are still somewhat below the peak of January 1953, for the last fiscal year, the total of 19,929 serious offenses in this city was an increase of 13.8 percent over the previous year and an increase of 29.1 percent from the low point of the fiscal year 1957. The number of serious crimes in the District of Columbia is continuing to rise, as recognized in our most recent figures compiled for April 1961.

This is the chief of police testifying before a congressional committee:

> During that month, a total of 1,783 part I offenses were reported for an increase of 155 offenses, or 9.5 percent over the total for April 1960.
>
> The number of offenses for April 1961, brought the total number of offenses for the preceding 12 months to 21,915 for an increase of 3.6 percent from the trend for the calendar year 1960. All of the offenses against property showed increases for the month of April, while two classifications against the person, rape and aggravated assault, showed decreases for this month. However, the series of recent brutal cases in this category would outweigh that slight decrease for the past month.

We talk about a great convention city. It is unsafe for people of this country to come to the city of Washington because of the tremendous criminal record. If the Commission desired to accomplish something, they would investigate the cause of wholesale rape and wholesale murder and brutal crimes which, the chief of police says, are caused in the District. Everyone knows that we are now having a reign of terror in the District and have had a reign of terror for several years. It is unsafe, as the distinguished Senator from Florida [Mr. HOLLAND] said yesterday, as quoted in the newspapers, for visitors from other parts of the country to come to their Capital City because of the great number of brutal crimes of muggings and rape and robbery and murder which occur, here. Yet we are going off on a political witch hunt after the South through the Civil Rights Commission, when it sits right here in Washington and it could perform a very valuable service.

The rise in the crime rate in the District of Columbia has coincided with the enactment of the Civil Rights Act of 1957 and the establishment of the Civil Rights Commission. According to the testimony of Police Chief Robert Murray before the House of Representatives Committee for the District of Columbia, it was in July of 1957 that serious offenses began to rise in the District, and the trend has continued since that time. According to the statistics, during the period of July 1957 through May 1961, serious offenses have increased 38.8 percent.

Currently, the FBI Uniform Crime Reports credit to Washington, D.C., for the year 1960, 81 cases of murder and nonnegligent manslaughter; 24 cases of manslaughter by negligence; 111 cases of forcible rape; 1,072 cases of robbery; 2,966 instances of aggravated assault, and 4,587 cases of burglary—breaking or entering.

In the calendar year 1960 reports from the District of Columbia indicated that the increase in the number of robberies and rapes was far above the national average, and the increase for other major categories kept pace with the national figure.

Are we safe on the streets of this town? While the Civil Rights Commission has sent its humbugs into my State, a woman is safe on most streets of the average city in that State 24 hours a day. Is that true in the District of Columbia? Is it safe to hold a convention in the District of Columbia?

Forcible rapes increased from 87 reported in 1959 to the 111 reported in 1960, an increase of 27 percent.

Robberies jumped from 693 in 1959 to 1,072 in 1960, an increase of about 55 percent.

We have a very able and conscientious and fine police force in the District of Columbia, but because of all this racial agitation that we have here there is a reign of terror here which is destroying the community.

Murder increased 6 percent, from 74 in 1959, to 81 in 1960.

Burglaries increased 18 percent, from 4,189, to 4,587.

If this overall increase of 38.8 percent for each 4-year period remains constant, Washington will undoubtedly soon become the most lawless area on the face of the earth.

This is where the real problem is. It is not slipping down into the South and stirring up trouble in order to get a few racial votes, but to handle the situation here at home.

For these reasons the motion should be defeated.

In the fiscal year 1959 the appropriation to sustain the Civil Rights Division of the Department of Justice amounted to $487,850. It was then composed of 29 lawyers and 39 nonlegal persons. The appropriation to sustain this Division for the fiscal year 1961 amounted to $689,000, and this year the Attorney General asked for a $19,000 increase, to bring the total up to $708,000. There presently are 35 lawyers and 33 clerical personnel—a total of 68—attached to the Division. The peak employment of the Civil Rights Commission was a total of 73 positions for the fiscal year 1961. The Civil Rights Commission has its Laws, Plans, and Research Division, which would appear to do the bulk of its work. Apparently, one of the greatest projects in the Civil Rights Division of the Department of Justice is the Factual Research Unit, which, according to testimony, "has assembled, circulated, indexed, and made readily available to Division personnel and others in the Department, more than 33,000 articles and reports. This represents an increase of some 10,000 items over last year. These items, together with summaries of at least 40 FBI reports daily, are indexed for ready use on some 35,000 individual cards. Since keen public interest in civil rights matters will continue to result in extensive newspaper and other printed coverage, the activities of this unit will continue to expand."

Another section of the Civil Rights Division of the Department of Justice is known as the Appeals and Research Section. This gets more legal. Here is a part of the duties of this section:

> Continued attention was given to private suits involving racial discrimination in schools, public accommodations, transportation, governmental facilities, trial procedure, and other areas. The file of such cases now numbers close to 600. Status reports were furnished periodically and consideration given to possible amicus curiae participation in such litigation. State legislative developments in the field of civil rights were followed and an index prepared of measures introduced and enacted which are designed to perpetuate racial segregation.
>
> Some 40 other research projects were conducted by the section. Subjects include an evaluation of legal points involved in trespass convictions, a survey of State and Federal legislation and judicial decisions affecting discrimination in housing, possible solutions to the problem of military jurisdiction over civilian personnel overseas, and the legal implications of discrimination under Government contracts and Government grants.

Then, of course, the Civil Rights Division actually handles the litigation and amicus curiae activities that are now going on throughout the Southern States and elsewhere.

What possible need could there be for a Civil Rights Commission when we have this Civil Rights Division in the Department of Justice that performs every function, insofar as investigation and research are concerned, that is performed by the Civil Rights Commission, and then has the statutory power to proceed? You will note, Mr. President, that this research is not confined to voting rights, but the whole spectrum of what the Department chooses to designate as "civil rights areas."

More and more the Civil Rights Commission takes on the inquisitorial role of

a super grand jury. Other than in so-called voting rights matters, its investigations are completely above and outside of any known statutory law of the United States. As to voting rights the Department of Justice has divested the Commission of any even remote usefulness in this area. The other nebulous areas in which it now operates are outside the pale of both the statutes and the Constitution. I do not believe it was ever the intention of Congress to have this Commission come forward with recommendations that would alter or change the Constitution itself. Some Commissioners have made such suggestions and if its life is extended it is safe to say that more will be made in the future.

What this country needs today is unity and not dissension. When our security is menaced from the outside, it is folly to further enact legislation that in its very nature creates resentment, strife, and discord within that large, loyal, and patriotic portion of our population against whom it is deliberately directed.

The Senate should here and now reject any suspension of the rules and permit this Commission to pass out of existence as now provided by statute.

Mr. President, there is simply no justification for the extension of the Civil Rights Commission. It has accomplished, in nearly 4 years, nothing except to stir up trouble. At the present time the Civil Rights Commission is being run by a staff director named Berl I. Bernhard, who is being paid $22,500 per year, which is probably at least twice as much as he ever made before he went to work for the Commission, and two or three times what he is worth.

Mr. Bernhard was confirmed to this post rather recently. The Senate should know that this nomination did not have to face the opposition which would have been raised if members of the Committee on the Judiciary had understood that he was being confirmed for 2 years or longer. When this nomination was acted upon, it was our understanding that the Commission—and, therefore, Bernhard's $22,500 job—would go out of existence on September 9 of this year.

Mr. Bernhard is a young man with a good legal education, and he has had some influential sponsors. He will be 33 years old on September 7 of this year. He was born in New York City. He went to the Englewood School for Boys, Englewood, N.J., from which he graduated in 1947. He went to Dartmouth College, where he got a B.A. degree in 1951, and Yale University Law School, which gave him an LL.B. degree in 1954. He was admitted to the bar of the District of Columbia in 1954, just about 8 years ago. He was admitted to practice before the Supreme Court of the United States 3 years ago, in 1958.

For the first 2 years after he got out of law school, Mr. Bernhard was employed as law clerk to Judge Luther W. Youngdahl, of the U.S. District Court for the District of Columbia. So far as is known, he performed his duties in that post to the satisfaction of Judge Youngdahl.

After he left Judge Youngdahl, Mr. Bernhard got a job with a law firm in Washington, D.C., which became the firm of Turney, Major, Marcum & Sherby, and which is now the firm of Turney & Turney, 2001 Massachusetts Avenue, Washington, D.C. He went on leave of absence from this law firm in November 1958, at which time he was appointed a staff attorney for the Civil Rights Commission.

It appears, therefore, that Mr. Bernhard was technically engaged in the practice of law for about 2 years. I do not believe he ever tried a lawsuit. If Mr. Bernhard was attorney of record in a single litigation during the 2 years he was ostensibly in practice, that fact has not come to light. Perhaps he was. But it is certain that his trial practice was not extensive, and it may be that he had no trial experience whatsoever between the time he left law school and the time he went to work for the Civil Rights Commission.

Mr. Bernhard's experience as an investigator is also extremely meager. Practically all the experience he has had in this field was gained with the Civil Rights Commission. Despite this fact, he was made acting deputy staff director for the Civil Rights Commission in September 1959, some 10 months after he went to work for the Commission. The Commission later dropped the "acting" and made Mr. Bernhard deputy staff director.

Mr. Bernhard was responsible for conducting or supervising several investigations for the Civil Rights Commission, but none of his findings ever resulted in criminal prosecution or other court action.

Mr. Bernhard submitted his resignation early this year, after the Washington Post of December 4, 1960, had carried a news story respecting an alleged charge by Mr. Bernhard, at a public meeting, that the Federal Bureau of Investigation had failed to make effective investigation of civil rights cases in the South. Whether or not Mr. Bernhard's resignation was ever formally accepted by the Civil Rights Commission is a matter of speculation. It is known, however, that the resignation was subsequently rescinded, and that Mr. Bernhard never actually went off the payroll.

According to the Washington Post story, referred to above, Mr. Bernhard's derogatory remarks about the FBI were made at the fifth conference of the District of Columbia Political Science Association, at Catholic University, on December 3, 1960.

According to the Post, Mr. Bernhard followed up his charges against the FBI by declaring:

The time has come when there must be some separate investigating force.

The text of this whole news story from the Washington Post of December 4, 1960, is as follows:

The deputy director of the Federal Civil Rights Commission said yesterday that the FBI has failed to make effective investigation of civil rights cases in the South:

"The time has come when there must be some separate investigating force," Berl Bernhard told a roundtable group at the fifth District of Columbia Political Science Association conference at Catholic University.

Bernhard said he did not doubt the sincerity or ability of the G-men. Talking with the press afterward, he said the problem was that southern Negroes involved in civil rights cases are afraid to speak openly to FBI agents because they are stationed in the South and therefore seem like "local men."

"When you send people from the local area—such as FBI field agents—to see people who have been denied local rights, you are not going to have results," Bernhard said in his talks.

"I have been involved in many local investigations," said Bernhard, "and I have almost always been able to get more than the FBI reports indicate."

Bernhard has worked for the Civil Rights Commission in Alabama, Louisiana, and other parts of the South.

Bernhard said he felt sure the Kennedy administration would do more than the Eisenhower administration for the rights of southern Negroes by making "a real effort to employ the Executive powers of the Presidency."

"The Eisenhower administration," said Bernard, "took the stand that, under the law, the lead would have to come from Congress."

Bernhard said he hoped that Mr. Kennedy, whom he pictured as a man with a "moral conviction" that segregation is wrong, "would refuse to have his staff involved in the use of segregated facilities of any sort."

"Mr. Kennedy could do it," said Bernhard "by having his men stay at airbases or other Federal property rather than at segregated hotels when they're down South."

"That way," he said, "the President could indicate he has moral conviction in the matter."

Bernhard also predicted that Mr. Kennedy would move toward breaking up the seniority system that gives key congressional committee posts to conservative southern lawmakers, and, he said, impedes civil rights legislation.

"I don't think there will be any across-the-board changes at first," said Bernhard. "I think at first there will be a couple of rifle shots at symbolic targets."

Bernhard predicted there will be no important civil rights legislation passed by the next Congress because of the strength of the southern bloc.

Mr. Bernhard has never categorically denied that Washington Post news story, though he has contended that he was "quoted out of context."

Mr. Bernhard wrote a letter to the Washington Post under date of December 7, 1960, dealing with this matter. The text of Mr. Bernhard's letter is as follows:

This letter relates to your news report "FBI Lag in Rights Probe Charged," December 4. Although I am satisfied that a newspaper such as yours had no intention of doing so, the article conveyed several erroneous impressions.

The idea of a lag by the FBI, whatever your copyreader meant by that was never discussed; no charge was made against anyone.

The story as reported contains material quoted out of context as well as some simple errors of fact. Of singular importance, the story failed to reflect accurately the nature of the meeting.

This was an academic discussion sponsored by the District of Columbia Political Science Association, as your story did indicate. The topic assigned to me was "Civil Rights and Desegregation: Status and Prospects."

I was asked to present theoretical ideas for the purpose of stimulating academic and exploratory discussion. I spoke as an individual and not on behalf of the Commission on Civil Rights.

The informal roundtable discussion lasted for nearly 2 hours. A small portion of that time was devoted to the areas featured in your story.

Comment on the seniority system and so-called predictions of things to come in Congress, as quoted or referred to in the article, make it appear that these were gratuitous offerings rather than responses to questions growing out of a much broader analysis of the role of Congress.

The quotation, referring to FBI investigations, does injustice both to the FBI, a fine law-enforcement organization, and to me. If there was reference to FBI reports, this was clear error, for I have never seen such reports.

Subsequent to a broad discussion of housing, public education, and Federal employment, the principal subjects of the panel, I observed, among other things, that the FBI investigates specific complaints, not general patterns of race relations.

In the context, I suggested consideration of the need for an independent group of civil rights investigations in the unique civil rights field. This would allow the FBI to concentrate on more typical criminal responsibilities.

That letter was signed—in spite of the fact that Mr. Bernhard said he had spoken in his individual capacity and not on behalf of the Commission on Civil Rights—"Berl I. Bernhard, Deputy Staff Director, Commission on Civil Rights, Washington."

Senators will note that in his letter Mr. Bernhard did not disavow anything the Post had reported. He took issue with the use of the word "lag" by a headline writer. He said there was no "charge" against anyone. But, Mr. President, if Mr. Bernhard did in fact say, as the Washington Post reported, and as Mr. Bernard himself has not denied, that the FBI had failed to make effective investigations of civil rights cases in the South, it is of no substantial importance whether he is willing to call that a charge or whether he wants to call it an allegation, or wants to call it something else. Certainly that is a statement derogatory of the Federal Bureau of Investigation, and a statement which is not founded in fact.

In his letter to the Post, Mr. Bernhard did not bother to deny that he had said, as the Post had reported, that the Eisenhower administration took the stand that, under the law, "the lead would have to come from Congress."

Taken in context, this was a clear indication that Mr. Bernhard disagreed with this viewpoint. I think he does disagree with it. He certainly takes a dim view of the responsibilities of the Congress, and favors greater concentration of power in the executive branch. Whether or not Mr. Bernhard's prediction that President Kennedy would move toward breaking up the seniority system in Congress was mere wishful thinking, it seems clearly indicated that Mr. Bernhard himself would like to see the seniority system abandoned. It seems clear that Mr. Bernhard would like to see southern Senators, and southern Members of the other body—whom he calls "conservative" as though that were a dirty word—removed from positions of importance on important committees.

Mr. Bernhard has not attempted to disavow the Washington Post's report that he called for a separate investigating force, separate from the FBI to investigate civil rights cases. He has, in fact, admitted the substance of this report, explaining that he took this position for two reasons: because the FBI responds to specific complaints and does not make general investigations of the totality of race relations problems, and because he thinks Negroes in southern communities are afraid to talk freely to FBI agents.

Of course, Mr. President, these alleged reasons are just poppycock. The Federal Bureau of Investigation is competent to conduct any investigation that may be called for, and to do a better job of it than Mr. Bernhard could ever dream of doing, or than any new and separate investigative agency could possibly do. Furthermore, Mr. President, the implication that FBI agents in local communities are siding against Negroes and siding with the communities in an effort to deprive Negroes of their rights is wholly without foundation. In fact, this charge is wrong for two reasons. First, the FBI has a solid record of objectivity and impartiality in all of its investigations, in civil rights cases as well as in all other matters; and secondly, local communities in the South are not engaged, as Mr. Bernhard would have us believe, in conspiracies to deprive Negroes of their rights.

Mr. Bernhard himself has done what he could on occasion to stir up distrust of the FBI, and distrust of local law enforcement agencies, in the minds of southern Negroes, by telling them that they should report their alleged grievances only to the Civil Rights Commission and the U.S. district attorney.

But although we know that Mr. Bernhard's reasons for asking for a new investigative force, apart from the FBI, are unsound reasons, this does not change the fact that he wants civil rights investigations conducted by some agency other than the Federal Bureau of Investigation. Mr. Bernhard wants the Civil Rights Commission investigators to have the power to subpena witnesses and administer oaths. He thinks that is the way to get the truth out of a witness. He is not satisfied with getting a statement and then asking the witness if he is willing to swear to it, and taking him before a notary public to make an affidavit that what he has stated is true. Mr. Bernhard does not trust notaries in the South any more than he trusts the officials of southern cities, or any more than he trusts southern Senators and southern Representatives in the other body of the Congress.

Mr. Bernhard's feelings about this matter of taking testimony have led him to participate in the commission of frauds on a number of southern citizens. Mr. Bernhard himself, and others under his direction and supervision, have gone down into the South and pretended to have this power to call witnesses and administer oaths, this power to compel sworn testimony, a power which they do not have. But they have pretended they had it, Mr. Bernhard and these Civil Rights Commission investigators under his supervision and control. They have demanded that witnesses hold up their hands and be sworn, and they have gone through the rigamarole of administering oaths, knowing that they had no power to do so, and they have actually threatened witnesses with perjury charges in connection with testimony given under such circumstances.

I think it is unconscionable that this should have been done, and I do not think that the man who did it, and condoned the doing of it by investigators under his supervision, has any business holding down a $22,500 job in the executive branch of the Government of the United States. But there he is, and if we extend the Civil Rights Commission for another 2 years, there he will stay for that long at least. I say "at least" because we can be absolutely sure that if this extension is granted, there will be a drive for another one before this one expires. There are those who will not be satisfied until the Civil Rights Commission is made permanent, until it is given its own investigatory force separate from the FBI, until it is given the power to issue subpenas and to compel testimony, until it is made a kind of superpolice force and superlegislative agency and superjudicial body that can go down into the South and override the law enforcement agencies of the States and the municipalities there, and make rules that will have the force and effect of law, and enforce those rules, and generally swing the big stick of Federal power to take away from the people of the South the right to conduct their own affairs in their own way.

If we extend the Civil Rights Commission now, this is what we are heading for.

This man Bernhard has taken the attitude, Mr. President—and I tell you, this is not just typical of the attitude of the Civil Rights Commission, it is the attitude of the Civil Rights Commission—that it is not necessary to get both sides of the case in evaluating a civil rights complaint.

It is Mr. Bernhard's view that if he does not believe a witness, he will check the story of that witness from other sources; but if he does believe a witness, it is not necessary to check his story anywhere, or to try to get the other side of the picture. And Mr. Bernhard chooses most of the time to believe, just as the Civil Rights Commission chooses most of the time to believe, whatever allegations are made against the people and the rightful law enforcement agencies of the South.

When Mr. Bernhard sends his investigators into a Southern State, into a southern city, he does not feel obligated to get in touch with local authorities. He does not feel obligated to make any contact with them at all. He does not feel obligated to tell them that he is coming down, or that his investigators are coming down.

I have not raised the issue with respect to these matters before now because the law said the Civil Rights Commission would go out of business on

September 9 of this year, and I did not think it would serve any good purpose to belabor a dying agency, or to raise questions about the qualifications or the philosophy of a man who would be out of his job in such a short time. But when it became clear that the Senate was going to give consideration to extending the life of this agency for another 2 years, and thus extending Mr. Bernhard's control and influence for another 2 years, I came very speedily to the conclusion that the Senate had a right to know about these things, and should take them into consideration in connection with its deliberations.

If the life of the Civil Rights Commission is going to be extended for another 2 years, the very least that Congress should demand is that there be a housecleaning down there; that Mr. Bernhard and people who think like him be eliminated from positions of power and influence with the Commission; and that we be given some assurance that the Commission will operate honestly, and in accordance with law, and will deal fairly with both sides in each case, and will conduct itself and its business with the dignity and decorum befitting an agency of the Government of the United States.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 169]

Bible	Ellender	Mansfield
Burdick	Ervin	McNamara
Cannon	Goldwater	Metcalf
Carroll	Gore	Monroney
Church	Gruening	Morton
Cooper	Hart	Moss
Curtis	Hartke	Pell
Dodd	Hill	Schoeppel
Dworshak	Jordan	Scott
Eastland	Long, Hawaii	Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Texas [Mr. YARBOROUGH], is absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ] and the Senator from New Mexico [Mr. ANDERSON], are absent because of illness.

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] is absent because of death in his family.

The Senator from Iowa [Mr. HICKENLOOPER] is absent on official business.

The PRESIDING OFFICER (Mr. METCALF in the chair). A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. AIKEN, Mr. ALLOTT, Mr. BARTLETT, Mr. BEALL, Mr. BENNETT, Mr. BOGGS, Mr. BUTLER, Mr. BYRD of Virginia, Mr. BYRD of West Virginia, Mr. CAPEHART, Mr. CASE of New Jersey, Mr. CASE of South Dakota, Mr. CLARK, Mr. COTTON, Mr. DIRKSEN, Mr. DOUGLAS, Mr. ENGLE, Mr. FONG, Mr. FULBRIGHT, Mr. HAYDEN, Mr. HICKEY, Mr. HOLLAND, Mr. HRUSKA, Mr. HUMPHREY, Mr. JACKSON, Mr. JAVITS, Mr. JOHNSTON, Mr. KEATING, Mr. KEFAUVER, Mr. KERR, Mr. KUCHEL, Mr. LAUSCHE, Mr. LONG of Missouri, Mr. LONG of Louisiana, Mr. MAGNUSON, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MCGEE, Mr. MILLER, Mr. MORSE, Mr. MUNDT, Mr. MUSKIE, Mrs. NEUBERGER, Mr. PASTORE, Mr. PROUTY, Mr. PROXMIRE, Mr. RANDOLPH, Mr. ROBERTSON, Mr. RUSSELL, Mr. SALTONSTALL, Mr. SMATHERS, Mr. SMITH of Massachusetts, Mrs. SMITH of Maine, Mr. SPARKMAN, Mr. STENNIS, Mr. SYMINGTON, Mr. TALMADGE, Mr. THURMOND, Mr. TOWER, Mr. WILEY, Mr. WILLIAMS of New Jersey, Mr. WILLIAMS of Delaware, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

TRIBUTES TO BRIG. GEN. DAVID SARNOFF

Mr. JAVITS. Mr. President, I have just come from a luncheon for Gen. David Sarnoff, the chairman of the board of the Radio Corp. of America, tendered to him by five of us in the Senate as sponsors, Senators AIKEN, MAGNUSON, PASTORE, KEATING, and myself.

I have known David Sarnoff for 35 years. He is one of our most distinguished New Yorkers. We did not have a chance at the luncheon, because of the limitation of time, to express ourselves with respect to the purpose of the luncheon, which was to honor his 55th year in the communications industry.

A large group of Senators were present, including the minority leader and the minority whip, as well as the Vice President of the United States.

It is a pleasure to honor David Sarnoff. As he said himself in a very touching speech to us about his own life, "This could happen only in America." He said he thought there was more opportunity today than on the day he arrived in steerage as an immigrant boy of 9 in the port of New York, in 1901.

I believe that all of us want to felicitate David Sarnoff, a great American.

The name of David Sarnoff is so intertwined with the history and development of electronic communications, that I believe that the editors of our dictionaries before long will feel obliged to add the word "sarnoff" to the English language. It will mean "a leader, an expert, an adventurer in the world of communications." And I predict that the ambition of many young men will be to grow up and become a "sarnoff."

It is because his name is so synonymous with communications that it is a privilege to honor today the foremost "sarnoff" in the world, Gen. David Sarnoff, on his 55th year in the field of electronic communications.

We in New York have special pride in the career of David Sarnoff, because he began his career there as a $5 a week messenger boy at the Commercial Cable Co. at the age of 15. Later he served as a wireless operator at wireless stations at Seagate, and atop the Wanamaker Department Store in New York and in his spare time, took a special evening course in electrical engineering at Pratt Institute in Brooklyn.

Many of us have read how the wireless was brought to the attention of the world on the night of April 14, 1912, when the SS *Titanic* struck an iceberg and sank. Sarnoff was on duty atop the Wanamaker store when he received the *Titanic*'s distress signal. President Taft ordered every other wireless station along the east coast silenced to prevent interference while Sarnoff stayed on duty for 72 hours.

The rest of David Sarnoff's life is history. In 1915, his proposals for a radio music box led directly to the development of radio and radio broadcasting. In 1921, he became general manager of RCA and paved the way for the development of television. At the age of 39, he became president of RCA in 1930. During World War II, he was a leader in military communications. And today, he is the moving force in the field of space communications.

As chairman of the board of RCA, General Sarnoff heads a corporation with 25 manufacturing plants in the United States and 14 plants overseas. Its sales top $1 billion annually. The David Sarnoff Research Center at Princeton, N.J., is today the leading communications laboratory in the world.

Mr. MAGNUSON. Mr. President, I was a cohost today, with the distinguished Senator from Vermont and the Senator from New York and other Senators, at a very fine luncheon given in honor of Gen. David Sarnoff. I wish to add to the remarks of the distinguished Senator from New York [Mr. JAVITS] in paying tribute to his service to the country, his service to his family, and his service to the spirit in which America was built.

He has been a great man in the communications field. He has lived to see, from its very beginnings, probably more strides in this particular phase of our activity than any other advance that has been made in the electronic and scientific world.

We all wish him good health, and hope that he can continue his fine service to the United States.

Mr. KUCHEL. Mr. President, I felt highly honored to be invited with other colleagues of mine in the Senate to the luncheon given for Gen. David Sarnoff.

All through our country's history fellow citizens born abroad of humble background have come to this Nation and by an unquenchable spirit have gone on in their lives to become leaders in the United States.

David Sarnoff is one such distinguished American. I believe it can be said that all the hardships and travail which he overcame and which led him onward to the genius of leadership in the field of all kinds of communications are eloquent testimony to the grandeur of the free system of self-government under which the people of our Nation live, and under which, we pray, they will continue.

I am glad to join with the distinguished senior Senator from Vermont [Mr. AIKEN], who was chairman at the luncheon today, the distinguished senior Senator from New York [Mr. JAVITS], the distinguished junior Senator from New York [Mr. KEATING], and the distinguished senior Senator from Washington [Mr. MAGNUSON] in saluting a distinguished American for all the wonders he has been able to perform, and to join with them, too, in wishing General Sarnoff many more years of health, success, and activity as an outstanding citizen of our great land.

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1962

The Senate resumed the consideration of the bill (H.R. 7371) making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1962, and for other purposes.

Mr. ELLENDER. Mr. President, I ask the indulgence of the Senate to outline my reasons for again opposing this extension of the Commission on Civil Rights for an additional 2 years. Let me point out at the outset that I do not approve of the method by which the life of the Commission is sought to be extended. It strikes me that this is a matter that a regular standing committee of the Senate should have acted upon. The committee should have had the opportunity to study the facts as to whether or not an extension of the life of the Commission was warranted. Certainly there was ample time in which to do so, but somehow the proponents of the extension desired to follow the same method this year that was followed 2 years ago, when the Commission was extended for 2 years.

When the Commission on Civil Rights was created 4 years ago, it was understood that it would complete its work within 2 years. But, as is the case with the creation of all agencies, commissions, and committees, there is no end to them after they are created. It is possible that perhaps the Commission on Civil Rights could have done an impartial job from its inception if it only had taken the trouble to go into the field to investigate the problem which it was authorized to investigate. However, instead of following the usual procedure, the Commission based too many of its works on studies made years ago and as well on newspaper articles that appeared in areas far removed from the problem the committee was to study. Very little investigating was done to warrant the conclusions reached by the Commission.

The RECORD will show that I opposed the creation of this agency; I fought it with logic and prediction, and I lost. I opposed the extension of this Commission in 1959. I fought it with logic and facts, but I lost. The truth is, Mr. President, that those of us who were in opposition to the creation and the extension of this Commission were, and still are, correct. The various reports and recommendations of the Commission over the preceding 4 years reinforce the wisdom of our position.

Senators will recall that the Civil Rights Commission was designed to fulfill three purposes. These were:

First, to investigate the deprivation of the right of citizens of the United States to vote by reason of their color, race, and similar factors; second, to study and collect information relating to the legal developments which constitute a denial of equal protection of the law under the Constitution, and third, to appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

In 1959, the Civil Rights Commission submitted its first report to the Congress. Frankly, I had looked forward to that report. I was of the opinion that if the Commission endeavored to look into the areas it was charged with evaluating in a fair, impartial, and realistic manner, it would find that many of the cries raised by the National Association for the Advancement of Colored People and other similar pressure groups were without merit. I might as well have hoped for 90° weather in Washington, D.C., in January. The 1959 report filed by the Commission is anything but unbiased; it is anything but factual; it is anything but fair. It is based upon evidence which would be excluded from any self-respecting court in the United States, State or Federal. It is loaded with weighted data, slanted statistics, and biased conclusions. Its recommendations, particularly in the field of voting rights, would be ridiculous if they had been promulgated by any other group than one created by the Congress and vested with the authority of the U.S. Government.

As a matter of fact, I cannot believe that the members of the Commission had their minds on their business when they drafted some of its recommendations. If they did, then a second commission—a "keeper" commission—should be created in order to prevent the Civil Rights Commission from making itself fair game for a lunacy hearing.

Because I do not wish to impose upon the Senate's valuable time, I shall merely advert to remarks I made on the floor of the Senate on September 14, 1959, which will be found on pages 19557 through 19565, volume 105, of the CONGRESSIONAL RECORD of the 86th Congress, 1st session, in which I documented my observations.

CIVIL RIGHTS COMMISSION REPORT

In January of this year the report of the U.S. Commission on Civil Rights was sent to the Congress. Although it is a lengthy document of some 355 pages, I felt it to be my duty to study it carefully. Frankly, the implications and innuendoes contained therein cause me deep concern.

I shall read a portion of the report. This is the No. 1 recommendation of that body, which any Senator can verify by referring to the bottom of page 267 of the report.

I read from the report:

> Therefore, the Commission recommends that the Federal Government, either by Executive, or if necessary, by congressional action, take such measures as may be required to assure that funds under the various programs of Federal assistance to higher education are disbursed only to such publicly controlled institutions of higher education as do not discriminate on grounds of race, color, religion, or national origin.

There, Mr. President, is the specter of increased Federal control presented in no uncertain terms.

Mr. President, it is not necessary for me to go into the details; but on many occasions Congress has refused to take such drastic steps. On the other hand, I am sure the Congress felt that the matter should be and could be handled by the individual States themselves.

This, of course, Mr. President, is only 1 report of the 13 which have emanated from this agency.

Senators will remember that on page xi of the Commission's report of 1959, are outlined some of the qualifications of those who, at that time, held responsible staff positions on the Commission. There can be found the statement that "George M. Johnson resigned as dean of the Howard University Law School to join the staff as director of planning and research." This statement, Mr. President, long ago "let the cat out of the bag." It is the first obvious indication as to why the Commission's reports could be nothing but biased, slanted, and anti-South.

Johnson, it will be noted, was dean of the Howard University Law School. As the Senators will remember, the chief legal counsel for the NAACP, Thurgood Marshall, has boasted on more than one occasion that both the faculty and the student body of Howard University Law School assist the NAACP in performing its research and in other tasks relative to preparing cases for presentation before various Federal and State tribunals. The Senators will remember that earlier in this session, to be specific on July 27, 1961, the clever hand of Howard University Law School was again discerned.

At that time, the issue was the nomination of one Spottswood W. Robinson III, who is now dean of the Howard University Law School, and was, over my protest, confirmed as a member of the Civil Rights Commission.

Life magazine of June 13, 1955, published an article entitled "Chief Counsel for Equality." I quote from Life magazine:

> Marshall had only a small staff and limited funds, but every time a crucial case came up, he had—and still has—the enormous benefit of Howard University's dry runs. These are arduous, all-day rehearsals at the law school, where Marshall and his assistants try their arguments on a simulated Supreme Court made up of professors. Nine of them sit at a long table, and each one tries to act as much as possible like a specific Supreme Court Justice—

Which should not be very hard—

> sticking the lawyers with tough questions that might crop up in the Court itself.
>
> Law students form the audience and are encouraged to ask rough questions too. The value of such sessions has been proven repeatedly. During one dry run in preparation for a Supreme Court hearing on discrimination in housing, a student asked a question no one present could answer. At the end of

the session a group of lawyers and professors met to seek the solution. Hour after hour they argued over it; finally at 5 a.m., they decided on the answer. Only a few minutes after the Supreme Court opened its hearings Justice Felix Frankfurter asked the very question posed by the students. The answer agreed on at Howard did the trick.

Of course, Mr. President, all of that was prepared at Howard University, and of course the correct answer to Justice Frankfurter's question was prepared and submitted.

In other words, Mr. President, the influence of Howard University Law School and the director of the part-time law clerks of the NAACP continue in positions of authority on the Commission whereby they can slant their findings, reports, and recommendations accordingly.

The point I want the Senators to understand is that the Commission and its staff has not been constituted in such a way as to be able to conduct an objective investigation to consider fairly and objectively any conditions which it might look into or to assist in rendering an unbiased report to the Congress. On the contrary, the entire mechanism, from the Commission's membership down through the Commission's staff has been deliberately set up in order to present to the Nation a slanted viewpoint of some of the most serious internal conflicts confronting the people of our Nation. By law, Mr. President, this Commission is supposed to be a factfinding body. In practice, it has deliberately set out to find material which would bolster its own previously conceived notions of what it should find, what it should recommend, and what it should advocate.

Mr. President, another aspect of this matter addresses itself solely to economic reasons.

These reasons alone justify defeat of this attempt to further extend the life of, or even make permanent the existence of, the Commission on Civil Rights.

Last month, President Kennedy asked for advice as to ways and means to trim expenses so that we might strengthen our Armed Forces while keeping our deficit spending to a minimum. In my humble judgment, allowing this Commission to expire this year with the final submission of its report is a good way to start.

As a matter of fact, in its efforts to try and dig into affairs and matters which involve purely States rights, the Commission has spent almost $2½ million in the past 3 years. For 4 months in fiscal 1962 it has requested a total of $302,000. In fiscal 1959 the expenditures of this Commission totaled $777,000. There were 65 permanent employees at various times during the year.

Twenty consultants—experts and specialists in various fields—were employed intermittently during the year; there were never more than eight employed at one time, and they were paid on a daily basis. The average personnel for the year was 62.

In fiscal 1960 the expenditures of this Commission totaled $780,000. There were 67 actual employees—with 17 consultants, of which a maximum of 7 were employed at any one time. The average personnel for the year was 71.4.

In fiscal 1961 the expenditures of this Commission totaled $888,000. There were 73 permanent employees—with 24 consultants, of which a maximum of 16 were employed at any one time. The average personnel for the year was 74.6.

As I previously said, for the remainder of its existence in fiscal 1962, and before this attempt to extend the life of the Commission, it was estimated that it would spend $302,000.

The justification for that short period is for 73 permanent employees with an average of 25 consultants with a maximum of 12 to be employed at any one time.

I point out, at that rate of expenditure, the expenses of this Commission will again increase. I am sure the amount requested next year for its continued operation will probably be in the neighborhood of $1 million, or perhaps more, if the Senate makes the mistake of extending the life of the Commission.

I am informed by the personnel department of the Commission that in 1959 the Commission had approximately 22 staff lawyers; in 1960 there were 25 full-time and 2 part-time lawyers; in 1961, 25 full-time and 2 part-time lawyers; and for 4 months in 1962, plans are for approximately 20 lawyers.

Since the creation of this Commission there has been established in the Department of Justice a complete section dealing with all phases of civil rights. This section is headed by an Assistant Attorney General who is assisted by 37 lawyers.

On page 799 of the fiscal 1962 budget there is a breakdown of the work of this Civil Rights Division within the Department of Justice, and I quote from that portion of the budget:

8. Civil rights matters: Cases and matters involving the civil rights of persons within the jurisdiction of the United States are covered by this activity.

Caseload	Actual		Estimated	
	1959	1960	1960	1961
Pending beginning of year	409	401	834	900
Received	2,089	2,188	2,500	3,000
Terminated	2,097	1,755	2,434	3,000
Pending end of year	401	834	900	900

I am informed by the Budget Division of the Department of Justice that the budget allocation of the Civil Rights Division for fiscal 1962 totals $708,000, and a total of 70 positions, with that Division seeking an additional $90,000, and an additional 8 positions.

In other words, here we are confronted with a situation in which the Civil Rights Commission, with a total complement of 70-some-odd positions, is doing work which is in some respects almost identical with the work being done by the Civil Rights Division of the Department of Justice. It was my feeling that after the Commission's work was completed, 2 years after its creation, its work was to be carried on by the Civil Rights Division of the Department of Justice. It seems, however, as I pointed out before, once these commissions are created, there is no end to them; and this one is no different from the many we have dealt with in the past.

Mr. ERVIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Does the Senator from Louisiana yield to the Senator from North Carolina?

Mr. ELLENDER. I yield.

Mr. ERVIN. I will ask the Senator from Louisiana if there are not in existence both Senate and House committees which have full authority to conduct investigations into this field and which are equipped with staffs well qualified to conduct such investigations?

Mr. ELLENDER. There is no doubt about that, Senator. As I pointed out, the work of this Commission could easily be done by committees of the Senate. As a matter of fact, when the Commission was created, it was pointed out that the work sought to be done by the special Commission could be done by committees of the Senate.

It is my belief that the original reason for creation of the Commission with a 2-year life, was simply to let the Commission go out and find out for itself what the true situation was. I believe it would have been a good thing if the Commission had gone out and tried to do a job in keeping with what Congress intended it to do. But, as I have said, it did not do that at all. It went out and simply stirred up issues that had long since died, and created more trouble than it was thought possible in that period of time.

Mr. ERVIN. I will ask the Senator if, in addition to the congressional committees having authority to conduct the necessary investigation in this field, it is not more sensible for the body which has the legislative power to conduct such investigations itself, rather than attempt to receive secondhand information from another group like this Commission?

Mr. ELLENDER. Of course, the Senator is correct. The evidence gathered by the Commission certainly could not form the basis on which, let us say, the Judiciary Committee could act.

One would, in a measure, have to start over again, to get the proper subcommittee of the Committee on the Judiciary, let us say, handling the problem, to summon witnesses in order to justify any bill before the committee with respect to civil rights.

Mr. ERVIN. The Senator has pointed out in a most lucid manner that there is overlapping duplication in many respects of the work of the Commission and the work of the Civil Rights Division of the Department of Justice. I ask the Senator if it is not also true that there are Federal and State courts open in all areas of the Nation, ready, willing, and capable of granting relief to any man who is deprived of any civil right whatsoever?

Mr. ELLENDER. The Senator is entirely correct.

Mr. ERVIN. There really is about as much use for the Civil Rights Commission as there is for a fifth wheel on an automobile.

Mr. ELLENDER. Or for a wart on the Senator's nose.

Mr. ERVIN. Yes.

Mr. ELLENDER. There is just about that much need for it.

Mr. President, I wish to refer now to the portion of the Department of Justice budget allocated to the Civil Rights Division. I hope Senators will listen, for it shows how the workload has increased to some extent and how Congress has been asked to provide more funds for more employees in order for this work to be carried on by the Department of Justice.

As I pointed out a while ago, the Justice Department has 37 lawyers and a total of 70 employees today, in that Division of that Department, and in the bill now under consideration there is an item for fiscal year 1962 of $708,000 to take care of the expenses of those 70 positions.

In 1957 the appropriation for the Civil Rights Division of the Department of Justice was $79,811. There were 14 positions.

In 1958 the appropriation was $184,526 for 38 positions.

In 1959 the appropriations were $483,446. Part of this total for 1959 was allocated for repair and alteration of offices, but also there were 59 positions.

In 1960 the appropriations were $468,000 for 59 positions.

In 1961 the appropriations were $689,000 for 68 positions.

This fiscal year, as I have stated, the appropriations were $708,000 for 70 positions.

That Division of the Justice Department is separate and apart from all others. It attempts to handle nothing other than civil rights cases. Of course, the Division uses the facilities of all the U.S. attorneys throughout the country to help to prosecute any violation of the civil rights of any American.

As I said, on top of all that, there is the Civil Rights Commission, whose apparent only purpose is to keep on stirring things up.

I think we could easily save a million dollars which could be used to help carry on the huge defense effort in which we are now engaged, if we allowed the life of this Commission to expire.

As I have previously pointed out, the Commission on Civil Rights over the past 3 years, plus fiscal 1962, has spent or will spend in excess of $2½ million.

From the above information furnished me by the Budget Division of the Department of Justice it can be seen that since 1957 through fiscal 1962 the special Division of the Department of Justice dealing with civil rights has spent or will spend a total of $2,612,783.

Frankly, Mr. President, I see no reason why the work of the Justice Department should be duplicated by the activities of this Commission.

Since I am on the subject of the activities of this Commission, I think it might be well to refer back to a review of the exact provisions contained in section 104 of Public Law 85–315 creating this body.

It will be apparent, Mr. President, why I again reiterate the purposes for which the Commission was created.

Section 104(a) states:

The Commission shall—

(1) Investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based;

(2) Study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

(3) Appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

As Senators realize, the Commission under subsection (1) of part (a) must have allegations in writing under oath before they can investigate matters concerned with voting.

Subsection (2) imposes the duty of studying and collecting legal developments constituting a denial of equal protection, and subsection (3) calls upon the Commission to appraise the laws and policies of the Federal Government.

Mr. President, I have before me a 5-page survey containing 18 detailed questions which was prepared by the Louisiana State Advisory Committee, which was created by the Commission on Civil Rights pursuant to section 105(a)(c) of Public Law 85–315.

As Senators know, each State had created within it an advisory committee.

The survey was sent to all employers in the State of Louisiana who have had or do have Government contracts. Earlier this year I received an inquiry from one of my constituents asking by what authority this survey was promulgated. In response to that inquiry I attempted to find out from the Commission on Civil Rights by what authority this advisory committee and the Civil Rights Commission conducted this survey.

Mr. President, I have before me a copy of the exchange of correspondence. For completeness of the record I shall include it in the RECORD.

First, I wish to bring to the attention of the Senate the questionnaire which was sent to every businessman in Louisiana. I presume the same policy was followed in other States. I became curious as to why this was being done and under what authority the advisory committee or the Commission itself was acting.

This particular form I have in my hand was sent to a constituent of mine. It is headed "Survey of Minority Employment Practices in Private Firms With Government Contracts."

The information requested includes the name of the firm, the address, the type of product or service, the location of the plant, the type of product manufactured, and whether or not the Federal Government was involved in any manner.

The questionnaire further required the employer to designate the sex and color of all his employees. On page 2 there was a long list of the types of jobs that the manufacturer had to offer, including unskilled labor, service; semiskilled, production; semiskilled, other or nonproduction—truckdrivers, and so forth.

The questionnaire contained five pages. Every employer in my State—and I am sure the same method was followed in other States of the Union—was asked to fill it out. Much time is required to answer all the questions that are included. I became a little curious and tried to pin down the advisory group in order to find out what authority in law the Commission had to send out the questionnaire.

I ask unanimous consent to have the questionnaire printed at this point in the RECORD.

There being no objection, the questionnaire was ordered to be printed in the RECORD, as follows:

CCR/La.

Bureau of the Budget
No. 115–6008
Approval Expires 9/9/61

Kindly return this questionnaire to Senator J. D. De Blieux, Chairman of the Louisiana State Advisory Committee, care of Commission on Civil Rights, 726 Jackson Place NW., Washington 25, D.C.

SURVEY OF MINORITY EMPLOYMENT PRACTICES

IN

PRIVATE FIRMS WITH GOVERNMENT CONTRACTS

1. Name of your firm: _____
2. Address: _____
3. Type of product or service: _____

4. Location of Plants Operating on Government Contracts in Louisiana during 1960: _____ Type Product or Service for each Plant: _____

5. With what federal government agency or agencies has your firm had contracts during the past year? _____

If you have no objection to doing so, please indicate the approximate value at present (or during nearest pay period to present) of federal contracts held by you during the last year in Louisiana. _____

6. Present number of employees by race and sex:

	White	Negro	Total
Men			
Women			
Total			

ALL QUESTIONS RELATE ONLY TO PLANTS LOCATED IN LOUISIANA AND OPERATING DURING 1960 IN PART OR IN WHOLE ON FEDERAL GOVERNMENT CONTRACTS

7. a) Please check (X) the main occupational categories in which your total labor orces, respectively, are engaged at present.

Type of Job	Total	Negro
1. Unskilled labor		
2. Service (e.g., janitors, guards, cafeteria helpers, etc.)		
3. Semi-skilled, production		
4. Semi-skilled, other or non-production (truck drivers, etc.		
5. Skilled		
6. Clerical and stenographic		
7. Sales		
8. Managerial and supervisory		
9. Technicians, technical assistants, etc.		
10. Professional (jobs requiring equivalent of four years of college)		

b) If you employ Negroes in positions above the unskilled and service levels, please list the types of jobs held by Negroes, state approximately when you first employed Negroes in such positions, and check whether male or female.

Jobs	Approximate date	Negro	
		Male	Female

c) If Negroes are not employed above the semi-skilled level in your establishment, what are some of the reasons why they are not employed?

EMPLOYMENT PRACTICES

8. a) How have the Negroes presently in your employ been referred to you? (Please check mark (✓) before each of your sources and rank the first three in order of importance by inserting "1" by the most important source, "2" by the next most important, etc.

Check	Rank	Source of referral
		Louisiana Employment Service
		Your company employment office
		Friends and relatives of present employees
		Private employment agencies or placement bureaus
		Educational or training institutions, e.g., public high schools, vocational and business schools
		Social welfare, civic and other agencies
		Others (list them) ----

b) Does the method of referral or recruitment by which Negroes come into your employment differ from that by which white workers do?
Yes ---------- No ---------- If so, how? ----

---

c) Do you have a definite minimum educational requirement for initial employment in the lowest job classification? Yes ---------- No ---------- If so, what is the minimum educational requirement? ----

---

---

9. Do you have any employee training program? Yes ---------- No ----------
If you do, please check types of training programs and whether or not Negroes participate.

Training program	Check if training provided	Check if Negroes participate
On-the-job		
Supervisory		
Apprenticeship		
Other types (list them)		

10. a) Do you recruit graduates directly from the following types of schools—Negro and/or white?

	Negro		White	
	Yes	No	Yes	No
Public High Schools				
Area Trade Schools				
Colleges and Universities				

b) If Negroes are not recruited in any of the above types of schools, indicate reason ----

---

11. a) During the last year have any of your Negro employees been upgraded or promoted from one job classification to a higher one? Yes( ) No( ). If so, approximately how many? ----------
b) If so, what main occupational categories or levels have they reached by such upgrading? Please check (X) opposite the appropriate categories:

Service	( )	Clerical and Stenographic	( )
Skilled	( )	Semi-skilled (Production)	( )
Professional	( )	Semi-skilled (Other Types)	( )
Supervisory	( )	Technicians:	( )
Unskilled	( )	(Technical Assistant, etc.)	

Other categories (list them) ----

---

c) If there has been little or no upgrading among Negro employees, please state reasons. ----

---

12. a) How do your Negro employees compare with others at comparable occupational levels as to the following?

Item No.		Same	Better	Worse	Don't Know
1	Job Efficiency				
2	Absenteeism				
3	Quitting the Job				
4	Tardiness				
5	Deportment on the Job				
6	Responsibility				

(Please place check mark in the appropriate space above (X)):
b) Are any of the answers to 12(a) based upon analysis of personnel records? Yes ( ) No ( ). If so, circle item numbers—1 2 3 4 5 6
13. To the best of your knowledge, has your firm experienced any difficulty in utilizing Negroes? Yes ( ) No ( ). In using them above the semi-skilled level? Yes ( ) No ( ). If you have had difficulty, comment on its sources and nature.

---

14. Indicate any suggestions you may have for solving any of the problems or difficulties mentioned (in Question 13), or for improving—in general—the relations between white and Negro employees in your plant.

---

15. Has any Federal agency responsible for enforcing the nondiscrimination clause talked to you about your problems of utilizing Negroes in your plant?----
16. Has your firm encountered difficulties in seeking to comply with the nondiscriminatory provision contained in your government contract?
Yes ----------; No ---------- Please explain. ----

---

17. Do you have a union-management contract with a union (or unions)?
Yes ----------; No ----------
If "Yes", please give the name and affiliation of the union or unions with which your Louisiana establishments have contracts.

---

18. If you have a union contract, what effect has the union had on Negro employment or utilization of Negro employees in your plant?
No effect ( ) Adverse effect ( ) Positive effect ( )
Please give details: ----

We would appreciate it if you would list below the name and title of the person who completed this questionnaire so that if there are urther questions concerning the interpretation of the responses we may contact him.

CCR/1-11-61

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter addressed to me dated April 19, 1961, from one of my constitutents. I ask that the name be stricken. The letter asked that I look into the subject in order to find out what authority the Commission had to send out the questionnaire.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 19, 1961.

The Honorable ALLEN J. ELLENDER,
U.S. Senate, Washington, D.C.

DEAR SIR: We have received a mimeographed letter of inquiry from Louisiana Advisory Committee, U.S. Commission on Civil Rights, signed J. D. DeBlieux, chairman, attaching a questionnaire called survey of minority employment practices in private firms with Government contracts. No authority is cited for Mr. DeBlieux's request.

You, no doubt, are familiar with this inquiry and we would appreciate it if you would advise as to whether you think that we should complete this questionnaire.

Very truly yours,

———— ————.

Mr. ELLENDER. Mr. President, I ask also to have printed in the RECORD at this point a letter from me to Mr. John A. Hannah, Chairman of the Commission on Civil Rights, Washington, D.C., under date of April 26, 1961.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 26, 1961.

Mr. JOHN A. HANNAH,
Chairman, Commission on Civil Rights, Washington, D.C.

DEAR MR. HANNAH: I have received the following letter from * * *:

"We have received a mimeographed letter of inquiry from Louisiana Advisory Committee, U.S. Commission on Civil Rights, signed J. D. DeBlieux, chairman, attaching a questionnaire called survey of minority employment practices in private firms with Government contracts. No authority is cited for Mr. DeBlieux' request.

"You, no doubt, are familiar with this inquiry and we would appreciate it if you would advise as to whether you think that we should complete this questionnaire."

I would very much appreciate your furnishing me with the authority for the survey referred to in Mr. ———— letter.

With kindest regards and best wishes, I am,

Sincerely yours,

ALLEN J. ELLENDER,
U.S. Senator.

Mr. ELLENDER. The letter which I received from the Commission beat around the bush. No particular authority could be cited. The Commission said, in part:

In the absence of Dr. John Hannah, Chairman of the Commission on Civil Rights, I am taking the liberty of responding to your letter of April 26.

The Louisiana Advisory Committee is one of 50 State advisory committees created by the Commission in accordance with section 105(c) of the Civil Rights Act of 1957. The function of the State advisory committees is to conduct studies and to inform the Commission of the status of civil rights in areas which fall within the Commission's jurisdiction. The Commission's jurisdiction is defined in section 104(a) of the act as follows:

The letter then repeated the purposes for which the Commission was created. In that language the Commission first alleged that it had the right to furnish the questionnaires.

I ask unanimous consent that the entire letter be printed at this point in the RECORD, eliminating the name of the party.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMMISSION ON CIVIL RIGHTS,
Washington, D.C., May 1, 1961.

Hon. ALLEN J. ELLENDER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ELLENDER: In the absence of Dr. John Hannah, Chairman of the Commission on Civil Rights, I am taking the liberty of responding to your letter of April 26.

The Louisiana advisory committee is one of 50 State advisory committees created by the Commission in accordance with section 105(c) of the Civil Rights Act of 1957. The function of the State advisory committees is to conduct studies and to inform the Commission of the status of civil rights in areas which fall within the Commission's jurisdiction. The Commission's jurisdiction is defined in section 104(a) of the act, as follows:

"The Commission shall—

"(1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based;

"(2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

"(3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution."

A number of State advisory committees have chosen to conduct studies of employment practices of Federal contractors. For this purpose there has been devised a questionnaire (copy attached), the use of which has been approved by the Bureau of the Budget in accordance with the Federal Reporting Act of 1942. The Bureau of the Budget and the Commission have insisted that State advisory committees distribute the questionnaire in such a manner as to avoid seending it to employers who do not have or have not recently held Federal contracts. For that reason, one important source of names of Federal contractors which has been used by State advisory committees is a publication of the Department of Commerce which lists Federal contracts which have been let. This publication is called Synopsis of U.S. Government Proposed Procurement, Sales and Contract Awards. The synopsis indicates that * * * was the recipient of a Federal contract in 1960 in the amount of $82,614, thus making the firm an appropriate recipient of the Federal Contractor Employment Practices Questionnaire.

I hope that the foregoing information suffices to enable you to respond to the letter which you have received from * * *. If you so desire, I shall be happy to write * * * also outlining the information which I have presented to you in this letter.

Sincerely yours,

BERL I. BERNHARD,
Staff Director-Designate.

Mr. ELLENDER. On May 8, I wrote another letter to Mr. Bernhard in answer to the one that I have asked to have printed in the RECORD. In part, the letter reads, as follows:

This is in answer to your letter of May 1, 1961, in which you reply to my inquiry of April 26, concerning a letter from one of my constituents.

Thank you for your citation of the jurisdiction of the Commission on Civil Rights. I have reviewed 42 U.S.C. 1975, et seq., and two questions come to my mind:

I

As I read it, 42 U.S.C. 1975c (sec. 104(a) of the act) deals with the duties and reports of the Commission itself and makes no mention of the Advisory Committee. Is it the position of your group that the duties specifically delegated to the Commission under this section are also delegated to the Advisory Committee, which is created under 42 U.S.C. 1975d(c)? My own understanding of the appropriate sections leaves me with the impression that no duties have been delegated to the Advisory Committees other than those specifically outlined in the section of the statute creating the Committee.

II

Assuming, without admitting, that the Advisory Committee is empowered to act under 42 U.S.C. 1975c(a), I would appreciate your outlining to me the activities of my constituent whereby the three subsections of subsection (a) of 1975c confer jurisdiction upon your committee.

As I read the subsections, under subsection 1, the Commission shall investigate allegations in writing, etc. Do you have any allegations in writing concerning my constituent?

That statement, of course, referred primarily to voting rights—

Under subsection 2, you are to study and collect information concerning legal developments. Please advise me what legal developments are involved which include my constituent.

Under subsection 3, you are to appraise the laws and policies of the Federal Government. Please advise me by what stretch of the imagination my constituent is a part of the Federal Government.

I shall look forward to hearing from you at your earliest convenience so that I may keep my constituent informed.

With kindest regards and best wishes, I am,

Sincerely yours,

ALLEN J. ELLENDER,
U.S. Senator.

Mr. President, I ask unanimous consent that the letter, eliminating the names of my constituents, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 8, 1961.

Mr. BERL I. BERNHARD,
Staff Director-Designate, Civil Rights Commission, Washington, D.C.

DEAR MR. BERNHARD: This is in answer to your letter of May 1, 1961, in which you reply to my inquiry of April 26, concerning a letter from one of my constituents.

Thank you for your citation of the jurisdiction of the Commission on Civil Rights. I have reviewed 42 U.S.C. 1975, et seq., and two questions come to my mind:

I

As I read it, 42 U.S.C. 1975c (sec. 104(a) of the act) deals with the duties and reports of the Commission itself and makes no

mention of the advisory committee. Is it the position of your group that the duties specifically delegated to the Commission under this section are also delegated to the advisory committee, which is created under 42 U.S.C. 1975d(c)? My own understanding of the appropriate sections leaves me with the impression that no duties have been delegated to the advisory committees other than those specifically outlined in the section of the statute creating the committee.

II

Assuming, without admitting, that the advisory committee is empowered to act under 42 U.S.C. 1975c(a), I would appreciate your outlining to me the activities of my constituent whereby the three subsections of subsection (a) of 1975c confer jurisdiction upon your committee.

As I read the subsections, under subsection 1, the Commission shall investigate allegations in writing, etc. Do you have any allegations in writing concerning my constituent?

Under subsection 2, you are to study and collect information concerning legal developments. Please advise me what legal developments are involved which include my constituent.

Under subsection 3, you are to appraise the laws and policies of the Federal Government. Please advise me by what stretch of the imagination my constituent is a part of the Federal Government.

I shall look forward to hearing from you at your earliest convenience so that I may keep my constituent informed.

With kindest regards and best wishes, I am,

Sincerely yours,

ALLEN J. ELLENDER,
U. S. Senator.

Mr. ELLENDER. I shall not read all of these letters, but after an exchange of letters beginning in March and continuing for almost 6 months, the Commission finally cited laws other than the act creating the Commission to justify its action. The letters will show that they were not too certain that they had any authority to conduct those investigations.

I ask unanimous consent that all the letters be printed at this point in the RECORD, omitting the names of my constituents.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

COMMISSION ON CIVIL RIGHTS,
Washington, D.C., May 12, 1961.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The delay in replying to your letter of May 8, 1961, is due to the fact that, while correctly addressed, it was erroneously delivered to the U.S. Civil Service Commission.

I shall attempt to answer the questions which you raised concerning the State advisory committee Federal contractor questionnaire in the order in which you presented them:

I

Section 105(c) of the Civil Rights Act of 1957 authorizes the Commission to "constitute such advisory committees within States * * * as it deems fit." As I reported to you in my letter of May 1, the Commission has created 50 State advisory committees. It has also established bylaws for the committees to guide them in their work upon behalf of the Commission. A copy is attached for your convenience. You will note that bylaw No. 8 provides that "The jurisdiction of the State advisory committees with regard to subjects of inquiry or study is coterminous with the jurisdiction of the Commission, under section 104(a) of the Civil Rights Act of 1957."

II

While the Civil Rights Act, section 104(a) (1) provides that the Commission shall "investigate allegations in writing * * * that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin," subsections (2) and (3) of section 104(a) delegate to the Commission a responsibility to conduct studies and appraisals which do not necessarily depend upon the receipt of allegations in writing.

Subsection (2) requires that the Commission "study and collect information concerning legal developments constituting a denial of equal protection of the laws. * * *" To the knowledge of the Commission, your constituent has no relationship with the State of Louisiana which would permit the application to him of the equal protection clause of the 14th amendment. The State advisory committee Federal contractor questionnaire was not sent to him as a part of any study under the authority of this subsection.

The questionnaire was sent to your constituent as a part of the Commission's effort, with the help of its duly constituted State advisory committees, to appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution, as provided for in subsection (3) of section 104(a). While it is true that the ——— is not a part of the Federal Government, the firm has held Federal contracts, and there is, as you know, a very definite Government policy governing the employment practices of holders of such contracts. President Kennedy, on March 6, 1961, issued Executive Order No. 10925, part III of which provides that every Government contract must contain an antidiscrimination clause. This Executive order, of course, superseded Executive Order No. 10479, issued by President Eisenhower in 1953, creating the President's Committee on Government Contracts, which was authorized to investigate complaints alleging violations of the nondiscrimination clause in Government contracts.

The history and effectiveness of Federal legislation and Executive orders having the purpose of creating equality of opportunity in private employment by Government contractors, and in Government employment, will constitute an important chapter in the employment section of the report which the Commission will submit to the President and Congress in September 1961.

Sincerely,

BERL I. BERNHARD,
Staff Director-Designate.

———

JUNE 2, 1961.

Mr. BERL I. BERNHARD,
Staff Director-Designate,
Civil Rights Commission,
Washington, D.C.

DEAR MR. BERNHARD: Thank you for your letter of May 12, which is one of a series precipitated by my letter of April 26, dealing with the problem posed by ———, who received from the State advisory committee a questionnaire.

I appreciate the detailed reply to my letter of May 8, but there still remain several questions which have not been answered to my satisfaction.

I

Please furnish me the authority, statutory, or otherwise, by which section 8 of the bylaws of the State advisory committee state that jurisdiction of the State advisory committee is "coterminous" with the jurisdiction of the Commission on Civil Rights under section 104(a) of Public Law 85-315.

II

Is it the opinion of the Commission that the word "coterminous" means "conterminous; having the same bounds or limits"? If not, please give me your definition of "coterminous."

III

Since you admit that the questionnaire is grounded on subsection (3) of section 104(a), I would like to know if you have made any attempt to get copies of Government contracts held by ———.

IV

What duties, powers, or jurisdiction does Executive Order No. 10925 confer upon your agency, specifically?

V

Please furnish me with a copy of any delegation of authority, if any, which you have received pursuant to section 308 of Executive Order No. 10925.

VI

In your letter dated May 1, 1961, you stated that a copy of the questionnaire was attached to that letter. Possibly through inadvertence, someone in your office failed to enclose this attachment. I would appreciate receiving a copy of this questionnaire with your reply.

I shall look forward to hearing from you at your earliest convenience so that I may keep my constituent fully informed of your views in the matter.

With kindest regards and best wishes, I am,

Sincerely yours,

ALLEN J. ELLENDER,
U.S. Senator.

———

JUNE 6, 1961.

Hon. ALLEN J. ELLENDER,
Senate Office Building,
Washington, D.C.

DEAR SENATOR ELLENDER: There seems to be some misunderstanding regarding our inquiry requesting information as to the authority of the Louisiana Advisory Committee to the U.S. Commission on Civil Rights.

It seems that we spend half of our time in preparing Federal and State reports or in keeping records and assembling information that will enable us to prepare the various reports, tax returns, and so forth, that are required. For this reason, when we receive a new report to be filed we like to know by what authority the information is being requested.

The letter received by us was headed as stated in paragraph 1, and signed "Louisiana Advisory Committee, J. D. DeBlieux, chairman," but no authority was given for the committee's inquiry and we did not wish to be burdened with additional reports until we were assured of the committee's authority. We carry only 35 to 40 Louisiana employees and have no personnel department with records that would enable us to answer accurately many of the questions asked; however, in order to avoid causing you any further inconvenience we are going to prepare the report as best we can from information available and mail it within the next few days.

Yours very truly,

——— ———.

———

COMMISSION ON CIVIL RIGHTS,
Washington, D.C., June 7, 1961.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The following is an attempt to answer, point by point, the additional questions raised by your letter of June 2, 1961, on behalf of ———.

I

As noted in my letter to you dated May 12, 1961, section 105(c) of the Civil Rights Act

of 1957 authorized the Commission to "constitute such advisory committees within States * * * as it deems fit." The Commission, being authorized to constitute such advisory committees, officially adopted the present bylaws, as amended, at its 30th meeting on April 18, 1960. As the parent organization, the Commission assumed that the authority to constitute committees would, of necessity, include the authority to promulgate bylaws defining, among other things, the jurisdictional boundaries within which the committees would operate. Section 8 of the bylaws reflects the Commission's recognition that it cannot delegate to the State advisory committees jurisdiction which is broader than its own.

II

It is my opinion, based on Black's Law Dictionary, that the words "coterminous" and "conterminous" have the same meaning.

III

The Commission has not made any attempt to get copies of Government contracts held by the ———. The purpose of the questionnaire is not to procure copies of Government contracts with private industries, but to gather information from contractors who now have or recently have had Government contracts. The information gleaned from the questionnaires assists us in evaluating the effectiveness of Federal legislation and Executive orders designed to assure equality of opportunity in private employment by Government contractors.

IV AND V

No duty, power, or jurisdiction is conferred upon the Commission on Civil Rights by Executive Order No. 10925, nor has this Commission received any delegation of authority pursuant to section 308 of that Executive order. However, as previously stated, it is an affirmative duty of this Commission under section 104(a)(3) of Public Law 85–315 to "appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution" which would include a study and review of any Executive orders concerned.

VI

Enclosed is a copy of the questionnaire which you should have received in my letter of May 1. Please accept my apologies for failing to enclose it in the earlier letter.

I hope the information contained herein will be of assistance to you.

With every respect.

Sincerely,

BERL I. BERNHARD,
Staff Director-Designate.

Mr. ELLENDER. The point I would like to make, Mr. President, is that after several exchanges of letters with the staff director, Mr. Berl I. Bernhard, the Commission was unable to cite me any authority for its making this survey other than to state that they felt by imposing this detailed questionnaire upon private firms they could "appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution."

In short, by letter dated May 12, 1961, the staff director of the Commission admitted that the purported authority for the survey was grounded on section 104(a)(3) of Public Law 85–315.

As I have pointed out previously this section deals only with an appraisal of the laws and policies of the Federal Government. It has nothing to do with private employers.

In this same letter, the staff director admitted that my constituent was not part of the Federal Government but then alluded vaguely to Executive Order No. 10925 in the hope of beclouding the issue by this unfounded allegation of authority.

In my letter of June 2, 1961, I requested to be informed of what duties, powers, or jurisdiction were conferred upon the Commission by this order.

Finally, in the Commission's letter of June 7, 1961, I was told that no such duty, powers, or authority were conferred by Executive Order No. 10925.

For the life of me, I cannot understand how a private firm constitutes part of the Federal Government, the laws and policies of which it is the duty of the Commission to appraise.

I might add that this particular employer finally knuckled under to the demands of this group of inquisitors and attempted to answer the questionnaire rather than cause any further inconvenience.

As the result of my exchange of correspondence with the Commission, I am convinced that this is a classic example of self-perpetuating Government bureaucrats attempting to arrogate unto themselves, rights, powers, and duties which cannot be found in any sensible interpretation of the statute creating the agency and authorizing its duties.

As I have previously pointed out on other occasions, but I wish to say again, that I fear that this Commission, like many other commissions and agencies, once created, will continue to exist unjustified by logic, but only rationalized into continuing existence by supercharged emotions. I sincerely feel that allowing this Commission to die its statutory death will go a long way towards alleviating the explosive situations which have been, in part, created by its preconceived reports.

I sincerely believe that allowing this Commission to terminate in a legal and orderly manner can contribute to a substantial savings in Government spending and hold down the deficit spending foisted upon us by the recent demands of the explosive world situation.

Finally, I submit, Mr. President, that the activities of this Commission illustrate its voracious appetite to perpetuate itself and to arrogate unto itself duties not intended by the Congres.

Mr. JAVITS. Mr. President, I ask unanimous consent that my remarks may follow those of the distinguished Senator from Louisiana, as I shall speak to the fundamental subject of the debate.

For very understandable reasons, with which we are all acquainted, most of the time during the debate has been taken by Senators opposed to the vote which will be taken in the next 10 or 15 minutes on the question of opening the appropriation bill to a legislative rider which will extend the life of the Civil Rights Commission for at least 2 years—and Senators like myself hope the extension will be for a longer time than that.

I have not addressed myself to this specific subject before, and I do so now, in the midst of the almost unanimous opposition we have heard, and for very understandable reasons, in terms of the disposition of time for the last day or two, only because I think we who strongly favor the motion which will now be put should also say a word about it.

Without going over familiar ground, it seems to me that one absolutely decisive reason for extending the life of the Federal Civil Rights Commission is the time in which we now live. The news as it comes out of many areas with respect to the relations between the races is not merely a social problem, as the distinguished Senators from the South are so often wont to say; it is a very serious problem of public order, of freedom riders, of sit-ins, of riots, whether they take place in New York, in resisting arrest in a situation which involved a Ghanian diplomat, or take place in Montgomery, Ala., in an almost concerted effort by a group of citizens to keep other citizens from exercising their legal right to travel in interstate commerce. All those activities in a free society must have some outlet, some place to be ventilated, some means of expression, without charging anyone with crime, without seeking an injunction, or without having any other legal proceeding. The Federal Civil Rights Commission is the place of outlet where all these things can be articulated, argued, discussed, considered, refined, and a report on them made to Congress and the President.

It seems to me, under those conditions, that Congress would be seriously derelict in its duty if we took this mechanism—which is so ideally situated to precisely, at the very least, this contribution to public order—and dismantle it.

For many other reasons relating to the vindication of the Constitution and laws dealing with the chronic, difficult problem of race relations, which hurts so much in the world, and which we have discussed time and again, and in the interest of public order, I hope the Senate will vote to open the appropriation bill, which seems to be the chosen instrument of the leadership. We must accept it as such to get the job done which must be done—the very minimum extension of the Civil Rights Commission, must be extended—although Senators like myself hope it will be extended permanently. Senators like myself hope we will provide for more than a 2-year extension, once we get into the question. But this is the very elementary action which the Senate should take.

Mr. ELLENDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. MANSFIELD. Mr. President, on behalf of the distinguished minority leader and myself, I ask Senators to remain, please, after the vote has been taken on the motion to suspend the rule. Some questions will be asked concerning the schedule for the rest of the week and the rest of the month. The minority leader and I, together, will try to give the Senate a tentative idea as to what

may be before us before we reach the adjournment stage. I simply wished Senators to know ahead of time what is proposed, and I ask them to remain and listen to us, because I think all of them have a personal interest.

The PRESIDING OFFICER (Mr. METCALF in the chair). The hour of 3 o'clock having arrived, the question now is on agreeing to the motion of the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN] to suspend the rule.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the yeas and nays be ordered on this question.

The PRESIDING OFFICER. Without objection, the yeas and nays are ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Texas [Mr. YARBOROUGH] is absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ] and the Senator from New Mexico [Mr. ANDERSON] are absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from New Mexico [Mr. CHAVEZ], and the Senator from Texas [Mr. YARBOROUGH] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] is absent because of death in his family.

The Senator from Iowa [Mr. HICKENLOOPER] is absent on official business.

If present and voting, the Senator from Connecticut [Mr. BUSH] would vote "yea."

The yeas and nays resulted—yeas 72, nays 21, as follows:

[No. 170]

YEAS—72

Aiken	Engle	Metcalf
Allott	Fong	Miller
Bartlett	Goldwater	Monroney
Beall	Gore	Morse
Bennett	Gruening	Morton
Bible	Hart	Moss
Boggs	Hartke	Mundt
Burdick	Hickey	Muskie
Butler	Hruska	Neuberger
Byrd, W. Va.	Humphrey	Pastore
Cannon	Jackson	Pell
Capehart	Javits	Prouty
Carroll	Keating	Proxmire
Case, N.J.	Kefauver	Randolph
Case, S. Dak.	Kerr	Saltonstall
Church	Kuchel	Schoeppel
Clark	Lausche	Scott
Cooper	Long, Mo.	Smith, Mass.
Cotton	Long, Hawaii	Smith, Maine
Curtis	Magnuson	Symington
Dirksen	Mansfield	Wiley
Dodd	McCarthy	Williams, N.J.
Douglas	McGee	Williams, Del.
Dworshak	McNamara	Young, Ohio

NAYS—21

Byrd, Va.	Holland	Smathers
Eastland	Johnston	Sparkman
Ellender	Jordan	Stennis
Ervin	Long, La.	Talmadge
Fulbright	McClellan	Thurmond
Hayden	Robertson	Tower
Hill	Russell	Young, N. Dak.

NOT VOTING—7

Anderson	Carlson	Yarborough
Bridges	Chavez	
Bush	Hickenlooper	

The PRESIDING OFFICER (Mr. METCALF in the chair). On this vote, the yeas are 72; the nays are 21. Two-thirds of the Senators present having voted in the affirmative, the motion is agreed to.

Mr. MANSFIELD. Mr. President, I call up amendment 8–18–61—B, on behalf of the distinguished minority leader [Mr. DIRKSEN] and myself.

The PRESIDING OFFICER. The amendment offered by the Senator from Montana, for himself and the Senator from Illinois, will be stated.

The LEGISLATIVE CLERK. It is proposed on page 36, line 16, before the period, to insert a colon and the following:

Provided, That section 104(b) of the Civil Rights Act of 1957 is amended by striking out "four years from the date of the enactment of this Act" and inserting in lieu thereof "September 9, 1963".

ORDER FOR ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, before I proceed to reply, I ask unanimous consent that when the Senate concludes its business today, it adjourn to meet at 9 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Illinois.

Mr. DIRKSEN. I would like to ask the majority leader what the schedule will be for the rest of the week and the weekend, and, insofar as can be determined, what measures will come up in the week to follow.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished minority leader, I can only give a tentative answer at this time. I hope it will be possible, even if we have to stay in session late, to complete consideration of the State, Justice, and judiciary bill tonight. If we cannot, I do not intend to ask the Senate to stay in session. But I would expect, or hope, that we could complete action on the bill by 2 o'clock tomorrow.

Following the State, Justice, and judiciary appropriation bill, which is now pending, we will resume debate on the saline water bill, and following that, Calendar No. 629, S. 1703, and Calendar No. 630, H.R. 8102, the amendment of the Federal Airport Act.

It is hoped that during the morning of tomorrow the foreign aid conference report will be brought to the floor of the Senate for consideration and disposal. That will take care of most items for Thursday, if we are lucky.

On Friday it is contemplated that we will bring up at least one of the eight merchant marine bills, and, if we can break the logjam on that, perhaps the other merchant marine bills will follow.

Also, in keeping with the promise made, we will take up the migratory labor bill, in which the Senator from New Jersey [Mr. WILLIAMS] is interested, and which was postponed for a week last Friday.

On Friday, we would also like to have a call of the calendar and the consideration of various tax bills which are on the calendar.

If possible, we would like also to consider the amendments to the Welfare and Pension Fund Disclosure Act of 1959, the bill reported out of the Committee on Labor and Public Welfare today or yesterday.

If we can complete that much of the program by Friday, even very late Friday night, there will be no session on Saturday, and there will be no Labor Day meeting.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. The majority leader mentioned tax bills. I presume he is referring to two or three tax bills presently on the calendar.

Mr. MANSFIELD. Yes.

Mr. DIRKSEN. And not to those which are still pending.

Mr. MANSFIELD. No. There are certain bills which have been on the calendar for some time, in which the Senator from Tennessee [Mr. GORE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Louisiana [Mr. LONG], the Senator from Oklahoma [Mr. KERR], the Senator from Virginia [Mr. BYRD], and other Senators are interested.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MUNDT. I wonder if the distinguished majority leader might not consider including the federally impacted school areas bill somewhere in the consideration of bills, in view of the fact that the House has defeated, by a rollcall vote today, the package school bill which we were reading about in the newspapers.

Mr. MANSFIELD. As I said before, the distinguished senior Senator from South Dakota is a bulldog on this, but I think this time we can meet him half way.

Mr. KERR. Mr. President, will the Senator yield?

Mr. DIRKSEN. Mr. President, I wonder if Senators can withhold their questions until the majority leader reaches the end of the list.

Mr. KERR. I had in mind a clarifying question with reference to the tax bills. I presume the Senator includes bills from the Finance Committee, such as Order No. 706, H.R. 4317, which, in reality, is a bill that has some tax amendments on it, but which amends the Internal Revenue Code with reference to the provision for payment of annuities to widows and certain dependents of the judges of the tax courts of the United States.

Mr. MANSFIELD. Order No. 706, H.R. 4317, and Order No. 557, H.R. 2244, are two bills on the calendar which will be brought up.

Mr. KERR. The Senator refers to bills from the Finance Committee which have tax measures as part of them.

Mr. MANSFIELD. Yes.

Mr. MUNDT. Mr. President, if the Senator will yield, he was halfway through answering my question. He said he would meet me halfway.

Mr. MANSFIELD. I said I think we will meet the Senator from South Dakota halfway when we get around to the rest of the schedule.

Again, I want to state, as I have said on previous occasions, that this is not a holding out of a carrot or carrots. It is up to the Members of this body as to what it wants done, but what I have suggested is a possibility, a hope at best, and it will take the cooperation of every Senator to accomplish the results along the lines I have enunciated. If we do, it will be a near miracle. If we can take care of what I have announced by late Friday, it is the intention to go over from Friday, at the conclusion of business on that evening, to Tuesday, which will give us a layoff over Labor Day.

Then on Tuesday, the wilderness bill will be brought up, and on Wednesday the bill creating a Department of Urban Affairs.

On Thursday, because of the fact that the general education bill was defeated in the House this afternoon, it is anticipated that we will bring up—and I call the close attention of the Senator from South Dakota to this—the bill having to do with aid to impacted areas, and we will do it in the regular manner; the bill having to do with the National Defense Education Act; and other education bills which may fit into this particular category on that particular day.

On Friday, September 8——

Mr. GOLDWATER. Mr. President, will the Senator yield at that point?

Mr. MANSFIELD. I yield.

Mr. GOLDWATER. Did I correctly understand the majority leader to say other education bills will come up on Thursday?

Mr. MANSFIELD. I just held out the hope for that possibility. I do not know what will be brought up, but I am fairly certain that the federally impacted areas bill and the national defense education bill will be brought up.

I was positive in mentioning only those two.

Mr. GOLDWATER. I might suggest that the Senator could end his calendar at that point, because the Senate could not possibly consider anything else on Friday, and I suppose the following Monday, Tuesday, Wednesday, and so forth, of the next week. I wish to serve notice that there are a large number of amendments to the education bills.

Mr. MANSFIELD. The Senator is consistent.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. ELLENDER. Do I correctly understand the Mexican labor bill will be taken up Friday?

Mr. MANSFIELD. Friday a week.

Mr. ELLENDER. I thought it was to be this Friday.

Mr. MANSFIELD. Friday a week, September 8. There are reasons for that.

I wished to ask the Senator from Nevada if he would like to have the election bill, which came from his committee after a good deal of endeavor, considered on that date, if possible.

Mr. BIBLE. If the distinguished majority leader will yield, I would say I certainly do hope the Senate can consider that bill.

I beg the Senator's pardon. There are two election bills. I thought the Senator was speaking about the District of Columbia election bill.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CANNON. I am very hopeful that the bill can be scheduled for consideration on that day.

Mr. MANSFIELD. We shall do our best.

I repeat, this is all tentative and has not been cleared completely with the policy committee on this side, but it will be cleared tomorrow. We shall do our best in that respect to have both the election bills, sponsored by both Senators from Nevada, considered.

To recapitulate: On Friday, September 8, the Senate will consider the Mexican labor bill and the two election bills in which the two Senators from Nevada are interested.

On Saturday, September 9, it is anticipated the so-called change in rule XXII of the Senate rules will be brought before the Senate for consideration and debate.

I should point out that I have not made any mention of the four appropriation bills which must be passed before the Congress adjourns: the foreign aid appropriation bill, the District of Columbia appropriation bill, the public works appropriation bill, and the supplemental appropriation bill.

I have discussed this in some detail with the distinguished minority leader and it is our belief that if we can complete work on the outline which has been presented we shall be doing a great deal in the time allocated for the consideration of these proposals.

Mr. RUSSELL. Mr. President, I congratulate the Senator for making the understatement of the year.

Mr. MANSFIELD. Who knows? Things do happen. Once in a while the Senate shows a spurt. With adjournment in the offing perhaps Senators will smell greener pastures—and oversea trips. [Laughter.]

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. ELLENDER. I ask the distinguished majority leader, When does he expect we shall adjourn sine die? That is a very important question. I should like to have an answer.

Mr. MANSFIELD. With all the factors in mind, and with the full and complete cooperation of the Senate, which takes in the Republicans, the Democrats, the northerners, the southerners, the easterners, and the westerners——

Mr. ELLENDER. The entire Senate.

Mr. MANSFIELD. The entire Senate. We might be able to finish by the 14th or 15th of September, but my guess would be we will finish closer to the 1st of October.

Mr. BURDICK. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. BURDICK. Will the Senate consider the railroad retirement bill?

Mr. MANSFIELD. If we can, we will.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Has the Senator from Montana concluded?

Mr. MANSFIELD. No, I have not finished.

The PRESIDING OFFICER. Does the Senator from Montana yield?

Mr. DIRKSEN. Mr. President, I ask the distinguished majority leader again whether he contemplates having the Senate meet early most days next week and also whether there is any reasonable assurance now, if the Senate is diligent and attentive to its duties, that there will not be a Saturday or Monday session?

Mr. MANSFIELD. If all the bills I have programed to be considered today, tomorrow, and Friday are considered and action completed, there will be no Saturday session, there will be no Labor Day session, and perhaps some of us can enjoy a little recreation for a change.

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a question?

Mr. MANSFIELD. I yield.

Mr. CASE of South Dakota. The Senator referred to four appropriation bills.

Mr. MANSFIELD. Yes.

Mr. CASE of South Dakota. Is it reasonable to assume that if those are sandwiched in or inserted in between some of the other proposals, the program will be extended or delayed that much longer?

Mr. MANSFIELD. Again, that is up to the Senate. The rules of procedure will be followed insofar as possible, so that the necessary 3 days after reporting will elapse, unless we can obtain unanimous consent to consider the appropriation bills. We shall try to sandwich them in if we can. I hope consideration of those bills will not delay adjournment.

Mr. CASE of South Dakota. I thank the Senator.

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1962

The Senate resumed the consideration of the bill (H.R. 7371) making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1962, and for other purposes.

Mr. MANSFIELD obtained the floor.

Mr. KEATING. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. MANSFIELD. I yield.

Mr. CLARK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield?

Mr. MANSFIELD. I yielded for a parliamentary inquiry.

Mr. KEATING. Mr. President, is the amendment of the distinguished Senator from Montana now open to amendment?

Mr. MANSFIELD. Mr. President, I wish to be heard on the amendment offered by the distinguished Senator from Illinois and myself.

The PRESIDING OFFICER. In response to the parliamentary inquiry propounded by the Senator from New York, the amendment of the Senator from Montana is open to any amendment which is germane.

Mr. CLARK. Mr. President——

Mr. MANSFIELD. Mr. President——

The PRESIDING OFFICER. The Senator from Montana has the floor.

Mr. MANSFIELD. Mr. President, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. CLARK. Mr. President, I call up my amendment 8–21–61—C. Since I shall explain it fully, I ask unanimous consent that the reading of the amendment may be dispensed with.

The PRESIDING OFFICER. The amendment will be stated by title.

The LEGISLATIVE CLERK. The Senator from Pennsylvania [Mr. CLARK] proposes an amendment identified as "8–21–61—C."

Mr. DIRKSEN. Mr. President——

Mr. CLARK. Mr. President——

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

Mr. CLARK. Mr. President——

Mr. RUSSELL. Mr. President, reserving the right to object——

Mr. CLARK. Mr. President——

The PRESIDING OFFICER. Will the Senator from Pennsylvania suspend so that the Chair can obtain order, so that the Chair can hear Senators?

Mr. RUSSELL. Mr. President——

Mr. CLARK. Mr. President, I believe I have the floor.

The PRESIDING OFFICER. Just a minute.

Mr. RUSSELL. Mr. President, I object to dispensing with the reading of the amendment.

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

Mr. RUSSELL. Mr. President, I have a right to object to dispensing with the reading of an amendment. I wished to reserve the right to object.

Mr. CLARK. Mr. President, I say to my good friend from Georgia that of course I should like to cooperate with him in every reasonable way. If the Senator wishes to have the amendment read, I have not the slightest objection. I am only anxious to retain my right to the floor.

Mr. RUSSELL. I assure the Senator I have no intention of trying to take him off the floor. I was somewhat interested in the nature of the Senator's amendment.

Mr. CLARK. In view of the statement made by the Senator from Georgia, I am quite content to have the amendment read in full.

The PRESIDING OFFICER. Objection is heard. The clerk will read the amendment.

The legislative clerk proceeded to read the amendment.

Mr. CLARK. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

Mr. CASE of South Dakota. Mr. President, reserving the right to object—and I may not object—I wish to understand clearly the question before the Senate. Is the proposed amendment an amendment to the Mansfield-Dirksen amendment?

Mr. CLARK. The Senator is correct.

Mr. CASE of South Dakota. I withdraw the reservation.

The PRESIDING OFFICER. The amendment is a substitute.

Without objection, the further reading of the amendment will be dispensed with.

The amendment is as follows:

Strike out all of the language which appears after the word *"Provided,"* and insert in lieu thereof the following:

That the Civil Rights Act of 1957, as amended, is amended in the following respects:

(a) Section 101(b) of the Civil Rights Act of 1957 (42 U.S.C. 1975(b)) is amended to read as follows:

"(b)(1) The Commission shall be composed of seven members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than four of the members shall at any one time be of the same political party. The term of office of members appointed after the date of the enactment of this Act shall be three years except that (A) the term of office of two of the members, first so appointed (as designated by the President at the time of their nomination) shall be one year and the term of office of two of the members first so appointed (as designated by the President at the time of their nomination) shall be two years, and (B) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall serve only for the remainder of such term.

"(2) The term of office of the members of the Commission first appointed after the date of the enactment of this Act shall commence on the day of the appointment of the last of such members, and the term of office of any member subsequently appointed (other than a member appointed to fill a vacancy) shall commence on the day following the day on which the term of his predecessor expired.

"(3) The term of office of the members of the Commission holding office on the date of the enactment of this Act shall expire at the time of appointment of the last of the members first appointed after such date."

(b) Section 103(a) of the Civil Rights Act of 1957 (42 U.S.C. 1975b(2)) is amended by striking out "$50 per day" and inserting in lieu thereof "$75 per day."

(c) Subsection (a) of section 104 of the Civil Rights Act of 1957 (42 U.S.C. 1975c) is amended by adding at the end thereof the following:

"(4) to serve as a national clearinghouse for civil rights information, and to provide advice and technical assistance to communities, industries, or individuals, upon request from such parties in respect to equal protection of the laws, including but not limited to the fields of voting, education, housing, employment, the use of public facilities, transportation, and the administration of justice.

"The Commission may, for such periods as it deems necessary, concentrate the performance of its duties to those specified in either paragraph (1), (2), (3), or (4) and may further concentrate the performance of its duties under any of such paragraphs to one or more aspects of the duties imposed therein."

(d) Subsections (b) and (c) of section 104 of the Civil Rights Act of 1957, as amended, are stricken, and the following subsection shall be inserted in lieu thereof:

"(b) The Commission shall, not later than January 31 of each year, submit a report to the President and the Congress setting forth its activities and findings during the preceding year and its recommendations with respect thereto. The Commission may submit such other reports to the President and to the Congress at such times as the Commission and the President deem advisable."

(e)(1) Section 105(a) of the Civil Rights Act of 1957 (42 U.S.C. 1975d(a)) is amended by striking out in the last sentence thereof "$50 per diem" and inserting in lieu thereof "$75 per diem".

(2) Section 105(d) of such Act (42 U.S.C. 1975(d)) is amended by striking out "and members of advisory committees constituted pursuant to subsection (c) of this section", and inserting in lieu thereof the following: "members of advisory committees constituted pursuant to subsection (c) of this section, and consultants appointed under authority of section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55a), specifically designated in writing by the Commission (but not exceeding twelve such consultants at any time)".

(f) Section 105(c) of the Civil Rights Act of 1957 (42 U.S.C. 1975a(c)) is amended by adding at the end thereof the following new sentence: "The Commission is authorized to reimburse, out of moneys appropriated under the authority of section 106, any advisory committee constituted by it pursuant to this subsection for expenses of travel, stenographic services, and subsistence incurred by the members thereof in the performance of functions approved by the Commission, and for costs of using the mails incurred by any such advisory committee in the performance of any such functions."

(g) Section 105(h) of the Civil Rights Act of 1957, as added by section 401 of the Civil Rights Act of 1960 (42 U.S.C. 1975d(h)), is amended by inserting after "each member of the Commission" the following: ", and any officer or employee of the Commission designated by it,".

(h) The foregoing amendments to the Civil Rights Act of 1957, other than the amendment in section (d) which shall go into effect on the date of enactment of this Act, shall become effective on the day of the appointment by the President of the last of the members of the Commission on Civil Rights first appointed after the date of the enactment of this Act.

Mr. CLARK. Mr. President, the reason that I have asked that the reading of the amendment be dispensed with is that, because of necessity, it is phrased in technical language. I believe it would be simpler to bring its terms to the attention of Senators by pointing out that there is at present on the desks of Senators a paper entitled "Summary of Clark Amendment Relating to the Civil Rights Commission," which I shall read again. I read it into the RECORD yesterday.

The amendment is intended to carry out the platform which the Democratic Party adopted in Los Angeles in 1960.

The amendment was drafted jointly by Representative EMANUEL CELLER, of New York, and myself at the request of the President of the United States about a year ago.

The amendment would do six things. The six things are set out on the paper which is on the desk of every Senator:

First, the Commission would be made permanent by eliminating the September 9, 1961, termination date in existing law. Thereafter the Commission would be required to file reports of its activities annually or more frequently at its own discretion or the discretion of the President—section (d).

Second, one member would be added to the Commission—making a total of seven members—and staggered 3-year terms would be provided—section (a).

Third, the maximum compensation of Commissioners and appointed consultants, not to exceed 12 in number at any time, would be increased from $50 to $75 per diem—sections (b) and (e).

Fourth, the Commission would be authorized in its discretion to reimburse State advisory committees for travel expenses, stenographic services, and subsistence incurred in the performance of Commission-approved functions—section (f).

At present there are 50 such State advisory commissions, which are not entitled to reimbursement for any expenses. Increasing the per diem from $50 to $75 a day would be in conformity with what has been done in the case of many other consultants under many other laws.

Fifth. Commission officers and employees specifically designated by the Civil Rights Commission would be authorized, in addition to the Commissioners themselves, to administer oaths and take statements of witnesses—section (g).

Sixth. The Civil Rights Commission would be directed to serve as a national clearinghouse for civil rights information, and to provide advice and technical assistance to communities, industries, or individuals, upon request from such parties in respect to equal protection of the laws, including but not limited to the fields of voting, education, housing, employment, the use of public facilities, transportation, and the administration of justice—section (c).

In my opinion, the amendment would put the Civil Rights Commission where it should have been when it was first created. It would make the Commission permanent. It would give it powers which are necessary for the fulfillment of its functions. The amendment is in accordance with the commitments made in the Democratic platform in 1960. The amendment would make the Commission permanent, and in that regard it would carry into effect the desires of the President of the United States.

Yesterday I had printed in the RECORD a letter to me from Lawrence F. O'Brien, special assistant to the President, under date of August 26. I read a part of the letter again:

> The President supports extension of the Civil Rights Commission and hopes this legislation will pass before Congress adjourns.

I call particular attention to the following:

> It would be better to extend the Commission indefinitely, or at least for a longer period of time than the 2 years specified in the State-Justice appropriation bill amendment. The Civil Rights Commission should not, in any event, be permitted to expire.

The letter merely follows up letters which are also in the RECORD of yesterday at pages 17363 and 17364, one from Byron R. White, Deputy Attorney General, directed to the Senator from Mississippi [Mr. EASTLAND] under date of May 29, 1961, saying substantially the same thing, and one from the President of the United States himself to Representative EMANUEL CELLER under date of August 7, 1961, in which he states his hope that the Commission will be given an indefinite extension.

He added, however, that in his judgment if a permanent extension is not now feasible, a 4-, 5-, or 6-year extension would be highly desirable. The amendment therefore carries out the desires of the President of the United States.

In the RECORD yesterday and in my brief statement today I have made as clear as I can why it is desirable that this very useful public agency should be permitted to continue its work with expanded powers, unhampered by the present necessity of looking forward every 2 years to a closing up of its work. This year, as I stated more fully yesterday, the agency has been forced to dismiss a number of members of its staff. It is now in the process of shrinking itself out of existence. It does not have an appropriation to continue beyond November 8 of this year. If one of these amendments, or, indeed, if even the Mansfield-Dirksen amendment is adopted, it will be necessary to provide an additional appropriation in the bill in order to enable the agency to continue.

I know that the question of germaneness may be raised with respect to the amendment. I submit to Senators that the amendment is clearly germane because it applies to the Civil Rights Commission, its term of life, and its functions. The pending Mansfield-Dirksen amendment also applies to the Civil Rights Commission and to the period of its extension. I submit to Senators that there is no serious question of germaneness, but I submit a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. Is it not true that if the question of germaneness should be raised with respect to the amendment, the question of germaneness would be decided immediately by the Senate without debate and without a ruling from the Chair?

The PRESIDING OFFICER. The Senator is correct.

Mr. CLARK. I shall ask for the yeas and nays at the appropriate moment. If some Senator wishes to raise the question of germaneness, I shall ask for the yeas and nays on that question.

I yield the floor.

Mr. MANSFIELD obtained the floor.

Mr. JAVITS. Mr. President——

Mr. MANSFIELD. Mr. President, I yield to the Senator from New York.

Mr. JAVITS. Mr. President, this subject has been discussed time and again. We know that the Senator from Montana will move to table the amendment. He has already promised us that he would. I think those of us who are for a permanent extension of the Civil Rights Commission should have our views heard, just as those who are against the proposed amendment have had their views heard for a considerable number of days. From everything we can see it seems very clear that if we wish to have a medium through which the people of the United States who feel aggrieved in this field, and whom we do not wish to have take out their frustrations, anxieties, and protests in nonlegal or extralegal ways can have an effective outlet with a voice of authority, the Civil Rights Commission is the most effective method we have yet been able to design, other than means for redressing wrongs, which perhaps I and other Senators will seek to deal with in the course of the debate. So the extension of the Federal Civil Rights Commission must be apportioned to the problem which we face. Senators from areas which are intimately, directly, and strongly affected have made clear that the problem which we face will last far beyond September 9, 1963. In addition, whatever means we have should be polished, furbished, and made completely adequate to the occasion.

It is for that reason that the amendment of the Senator from Pennsylvania is entirely appropriate. It fits the needs. It revises and modernizes the machinery which fills that need. I hope very much that the Senate will vote down the motion to table and proceed to adopt this effective and complete action with respect to the Federal Civil Rights Commission.

Mr. KEATING. Mr. President, I support the amendment of the Senator from Pennsylvania. Under the present law, the Commission on Civil Rights is required to submit to the President and to the Congress a final and comprehensive report of its activities, findings, and recommendations not later than September 9, 1961. Sixty days after submission of this report, November 8, 1961, the Commission would cease to exist.

The majority leader's amendment would extend the life of the Commission for a 2-year period by requiring that the Commission's final report need not be submitted until September 9, 1963.

I have at the desk a substitute amendment which would extend the Commission indefinitely by omitting any termination date, but would retain the requirement that the Commission submit a comprehensive report on September 9, 1961.

My amendment is identical to the text of S. 483 which I introduced on January 17, 1961. S. 483 was cosponsored by Senators JAVITS, ALLOTT, BUSH, CASE of New Jersey, COOPER, DOUGLAS, FONG, HART, HUMPHREY, KUCHEL, MOSS, SCOTT, and SMITH of Maine.

It is also identical to the text of S. 1257 which was introduced on March 8, 1961 by Senator HUMPHREY. S. 1257 was cosponsored by Senators ALLOTT, BURDICK, DOUGLAS, GRUENING, JAVITS, LONG of Hawaii, LONG of Missouri, MCCARTHY, MORSE, NEUBERGER, PASTORE, YOUNG of Ohio, KUCHEL, and myself. In all, the two bills were cosponsored by 23 Senators.

This is a substantial number of cosponsors for any legislation and I hope it signifies overwhelming sentiment for an indefinite extension of the Commission.

It would be surprising if such sentiment did not exist. There is virtually unanimous agreement that the Commission has done an outstanding job during its brief period of existence. Its work was endorsed in both the Democratic and Republican platforms. This endorsement was frequently exemplified in the strong support given to the Commission's activities by the previous administration. It is reflected in the explicit promise in the platform of this administration that the Commission would be made a permanent agency.

The performance of this Congress in the field of civil rights has been very disappointing. The contrast between campaign promises and congressional inaction is incredible. The pattern was set early when the leadership defeated efforts for an early change in the filibuster rule. Now we are forced to consider a Civil Rights Commission extension bill under the worst possible conditions.

We are still operating under the old filibuster rule. I know the majority leader intends to keep his promise to give the Senate an opportunity to consider a change in rule XXII before the expiration of this session of the Congress. But would it not have been far better to work on the rules change first so that hopefully civil rights legislation would have been considered under whatever new rule was adopted?

We are nearing the end of a long session. This is the time when impatience sets in. Understandably, there is concern among some members as to whether any matters will delay the adjournment date. There is much less disposition to argue out controversial proposals. Adjournment fever changes the mood of the Congress. The end of the session is the worst possible time to give attention to something which our opponents have made an extremely time-consuming subject. Not only do we have to operate under the old filibuster rule, but we give the rule its most menacing impact by allowing it to be invoked when dilatory tactics are a most effective deterrent to action.

These factors indicate that the course being pursued has been designed to make it almost impossible to obtain any fair consideration of meaningful civil rights legislation during this session of Congress. We have only meager hopes of being able to defeat this strategy. But I do not know why any effort is being made to preclude the Senate from expressing its will on this subject in a reasonable manner. I do know that the American people will find it hard to understand why a subject which had high priority during the campaign has been given less than no priority in the first postcampaign session of Congress.

The very least we should do in this session of Congress is make an effective change in the life of the Commission. A 2-year extension we would have to agree is better than none at all. In my opinion it would be calamitous to allow the Commission to die this year when there is still so much work to be done. But a 2-year extension will not solve the serious administrative problems confronting the Commission. It will not permit long-range planning of investigation and reports. It will not allow recruitment for a reasonable period of the best available talent. It will not relieve the periodic harassment and uncertainty to which the Commission has been subject since its creation. Such a limited extension certainly will not reflect the strong endorsement given the past work of the Commission by both party platforms and candidates.

One of the things it will do is force another preelection year hassle over this identical issue in 1963. I would hope that we would do whatever we could to remove this bipartisan agency from the arena of politics. Instead we are proposing to put it on center stage when the curtain goes up on the next presidential campaign.

An indefinite extension of the Commission would not necessarily make the Commission a permanent agency. Indeed, no extension would preclude the Congress anytime it thought appropriate from terminating the Commission. If the Commission ceased to serve a useful purpose, a majority of Congress could put it out of existence at any time.

All that an indefinite extension would do is to spare the Commission the periodic ordeal to which it is now subjected by its opponents. This is an ordeal it must now face even though it enjoys the full confidence and support of a clear majority of the Congress and the American people. This is an ordeal which it faces, not because of any doubt by a majority that its work must go forward, but because there are some that oppose the very notion of a Commission exploring the civil rights problems of America.

The Commission would still make periodic reports to the Congress and would be subject to whatever oversight any appropriate committees of the Congress wished to exercise. In fact, under the language of the amendment I have at the desk, the Commission would be expressly required to submit a comprehensive report on September 9 of this year. Under the amendment proposed by the majority leader no report would be expressly required until September 1963. In this respect, therefore, an indefinite extension of the Commission would provide us more immediate information concerning its recent work than would another 2-year extension.

The Clark amendment would make some change in the organization and jurisdiction of the Commission on Civil Rights. The Commission would be enlarged to seven members from the present six, and would be given specific terms of office. The per diem rate would be increased from $50 per day to $75. The Commission also would have to submit annual reports not later than January 31 of each year, which may mean that they either will not have to submit a report on September 9 of this year, as is now required and contemplated, or that they will have to submit two reports within 5 months. In addition, the Clark amendment would extend to Commission staff members the authority of the Commissioners to administer oaths or take statements of witnesses under affirmation and would authorize funds for the Commission's advisory committees. Jurisdictionally, the amendment would authorize the Commission, in addition to its other functions, to serve as a national clearinghouse for civil rights information, and to provide advice and technical assistance to committees, industries, or individuals, upon request from such parties in respect to equal protection of the laws. I favor these changes and will certainly vote for the amendment.

This is a difficult time for freedom throughout the world. Our own Nation is the leader of the forces of freedom. We deserve this leadership because of our proud heritage as well as our strength. But that heritage must be maintained and passed on to future generations enriched and ennobled. That strength must be a moral strength as well as a military strength. We owe it first of all to ourselves as Americans to pursue every measure which will bring the ideals of our system closer to reality. But we also are called upon as the leader of the free world to present an untainted image of America as a land which meets its responsibilities at home.

The Civil Rights Commission can point the way toward unparalleled progress in the fight for freedom and equal justice. Americans need not be as ashamed of the blots on our country if we make evident to all that we are doing whatever we can to wipe out those blots. We have an opportunity here today to give such reassurance of our Nation's righteous spirit and proud intentions. We have an opportunity to adopt the practical steps needed to give life to that spirit and reality to those intentions.

This is not a time for reluctant gestures. Do not throw scraps to a beggar. Make it clear that we warmly embrace this Commission, that we believe in its work, that we want to help it achieve its objectives, that its cause is our cause. A vote for this amendment will do just that. It will show those very things not only to the American people but to freedom-loving people throughout the world.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. CLARK. I thank the Senator from New York for his support of my position in this regard. The Senator from New York and his colleague [Mr. JAVITS] have been in the forefront of the effort to make the Civil Rights Commission permanent. I welcome not only their support but also the support of all of my colleagues in the Senate on the other side of the aisle. The amendment should not be considered a Demo-

cratic amendment or a Clark amendment. It is an amendment which has bipartisan support. I am happy that the two Senators from New York have taken a leading part in bringing it to the point where we can have a vote on it.

Mr. KEATING. I appreciate the kind remarks of the Senator. Civil rights should not be considered a partisan matter any more than our foreign relations should be a partisan matter. There may be a difference of opinion on details, but the continued exercise by all of our citizens of their basic human and constitutional rights should not be the subject of partisan division.

Mr. DOUGLAS. Mr. President, I rise to support the amendment of the Senator from Pennsylvania, which would make permanent the Civil Rights Commission and which would give it, among other powers, responsibility for serving as a clearinghouse for civil rights information, and the authority to give technical assistance to communities, industries, or individuals in making good the protections of the 14th amendment in the fields of voting, education, housing, employment, use of public facilities, transportation, and the administration of justice.

As the Senator from New York [Mr. KEATING] has just said, and as the Senator from Pennsylvania [Mr. CLARK] previously stated, the Mansfield-Dirksen amendment would merely extend the life of the Commission for 2 years, just as the Hayden amendment previously extended the life of the Commission for 2 years. Because of these short-term, temporary extensions, the Commission has been forced to lead a hand-to-mouth existence, and would be compelled to do the same again if the Mansfield-Dirksen amendment were adopted.

As a boy, I remember seeing a production of "Uncle Tom's Cabin," in which the runaway slave, Eliza, crossed the ice of the Ohio River pursued by bloodhounds, jumping from one ice cake to another, and leading a very dangerous existence. To extend its existence for merely 2 years puts the Civil Rights Commission each time in the position of Eliza, jumping from one 2-year ice floe to another. I will not say the Commission is pursued by bloodhounds, but it is pursued by the opponents of the Civil Rights Commission, and there is always the possibility that the Civil Rights Commission may fall in between the cakes of ice and be drowned in the process of crossing the icy river.

I think the Commission should be made permanent. It has made a good record. Merely to extend it for 2 years is a very grudging approval.

I believe the Senator from Pennsylvania [Mr. CLARK] has put his finger on two other items which are of crucial importance; namely the need to extend to certain staff members specifically designated by the Commission power to administer oaths and to take statements of witnesses under oath. This power has been questioned in certain investigations of the Commission, in Louisiana and elsewhere, I believe. Any Commission of Congress which is really to probe deeply into problems such as these should be able to delegate this power to require witnesses to testify under oath.

Mr. CLARK. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. CLARK. The important point, I believe, in connection with the administering of oaths, is that it is very difficult indeed for the Commissioners to travel all over the country to get the work done. There are plenty of precedents in Federal statutes to support permitting employees of the Commission to administer oaths.

Mr. DOUGLAS. In other words, they would have the same powers as examiners of the quasi-judicial and regulatory bodies now have.

Mr. CLARK. The Senator is correct.

Mr. DOUGLAS. Finally, I support the proposal in this amendment which, as discussed under paragraph 6 in the memorandum of the Senator from Pennsylvania, would authorize the Civil Rights Commission to give valuable service by furnishing information, advice, and technical assistance in a whole series of areas where, at present, assistance is not given.

I favor the amendment because I believe it is right. I am grateful to see that it has the support of the two distinguished Senators from New York [Mr. JAVITS and Mr. KEATING]. I also support the amendment because it carries out the platform of my party, as it was adopted in Los Angeles last summer. I know the platform is not binding on Senators on the opposite side of the aisle; therefore, we deeply welcome their support, since it is a freewill offering on their part.

Mr. JAVITS. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. JAVITS. First, I pay tribute to a most redoubtable fighter in this Chamber for the rights of minorities—PAUL DOUGLAS—who deserves it extremely well, for his many years of service. I am more than privileged to acknowledge it. I know that the distinguished Senator from Pennsylvania [Mr. CLARK], who has offered the amendment, has been a great tower of strength in this field and has been most effective, as is demonstrated by his work today. I am certain that he would join me in paying that kind of tribute to his own colleague, without any derogation of his own advocacy of this critically important amendment.

On the question of the standing of the parties in respect to their platforms, the Senator from Illinois and other Senators will find in the RECORD of yesterday a colloquy between the minority leader and me, in which the minority leader made it clear that although the Republican Party did not spell out in its 1960 platform, precisely as it was spelled out in the Democratic platform, a pledge for the extension of the Civil Rights Commission, it was so implicit in our pride in the fact that the Commission was established in a Republican administration, in the achievements of the Commission, and in everything we undertook in the platform, that he was able to say that he considers it be the settled policy of our party, as well, that the life of the Commission should be extended.

Mr. DOUGLAS. I thank the Senator from New York. First, let me say how much I appreciate his personal words. Although I well know that I do not deserve them, I am grateful for them. I was trying to be very careful to say that I do not regard the members of the opposite party as being bound by the declaration of my party; and that if they voluntarily adhere to it, that is an individual matter and, I think, a special mark of distinction.

In the case of my own party, we campaigned on what has become the Clark amendment. I should like to read the passage in the Democratic platform of 1960 concerning this subject:

> The new Democratic administration will broaden the scope and strengthen the powers of the present Commission and make it permanent.
>
> Its functions will be to provide assistance to communities, industries, or individuals in the implementation of constitutional rights in education, housing, employment, transportation, and the administration of justice.

That is the basis of the Clark amendment. I campaigned on that pledge. I accompanied our candidate for President throughout my State and spoke with him on numerous occasions. Certainly it was the general understanding that our party and its candidate were pledged to the platform of Los Angeles. Therefore, I regard that language as a solemn pledge, except for those individuals who specifically repudiated the platform. I do not take the position that everyone who runs on a party ticket is absolutely bound to follow each plank in that platform. I do believe, however, that if a candidate does not agree to a particular plank in the platform, he should state that fact, so the voters may know where he stands. If he does not repudiate parts of the platform, I think he may properly be regarded as implicitly accepting it and, therefore, he is in honor bound to support each plank. In those cases where he allows the voters to believe that he will support the platform, he is, of course, bound in honor, unless new circumstances of a grave and unexpected nature arise, to support the pledge which he has made.

I think it is clear from the letter which the Senator from Pennsylvania has read that the President of the United States is standing behind the pledge which he made during the campaign.

He is asking not only for extension of the life of the Civil Rights Commission, but also that the Commission be made a permanent body. I assume that he also supports the proposed broadening of its functions, although that does not seem to be explicitly stated in Mr. O'Brien's letter. Therefore, we on this side of the aisle face the issue of whether we shall be true to the platform of our party, upon which our candidates for election to national office campaigned, for which many of us explicitly stated our support, and for which others impliedly gave their support. I simply state that the only group which is free from the obligation to support this pledge are those

who in their campaigns made it clear that they did not agree with this plank of the platform.

Mr. President, I know there is a tendency to downgrade political platforms—to say they are merely intended to catch votes, and that after a party wins, it is not under any moral obligation to try to carry out the platform pledges it has made. That is of course a highly cynical attitude. If it is carried out, it will still further weaken the faith which the voters have in the sincerity of parties and politicians and will undermine the whole basis of popular and democratic government. Therefore, while I wish to thank our friends on the other side of the aisle who may support us in connection with this matter, I wish to make a special appeal to the Democrats on this side of the aisle who fought either openly or tacitly beneath the banner of an extension of the Civil Rights Commission and the broadening of its powers.

Mr. CARROLL. Mr. President, as a member of the Constitutional Rights Subcommittee of the Judiciary Committee, I thought I should rise at this time to make a few observations.

Speaking for myself, let me say to the distinguished senior Senator from Illinois [Mr. DOUGLAS] that I, too, recognize the obligation we owe to the Democratic Party's platform, and I agree wholly with what the able Senator from Illinois has said. I would point out that if it were not for the parliamentary techniques of the congressional committees, it would be much easier to carry out our party platforms.

The actions of the Constitutional Rights Subcommittee on the question of the extension of the Civil Rights Commission is a good example of this. I am a member of this subcommittee—and I see the able Senator from New York [Mr. KEATING] in the Chamber at this time, and he is also a member of this important subcommittee. In order to get a proposal to extend the life of this Commission reported from our subcommittee to the full committee it was necessary to vote for only a 2-year extension. Even so, we were unable to bring even the 2-year proviso to the floor of the Senate from the full Judiciary Committee.

Therefore, the able majority leader had to move, under a suspension of the rule, to bring it to the floor of the Senate. This was necessary in order to make it possible for the Senate even to so much as consider the 2-year extension. It is regrettable that it is not possible at this time to live up to our full civil rights pledges as made in our party's platform. But had it not been for the action of the majority leader and the cooperation of Senators on the other side of the aisle, the issue would not now be here at all.

As a member of the Judiciary Committee, I support the Clark amendment. I think the time has come for the Senate to act on this issue. If the time to act on it has not come today, certainly it will come later on; and some of us are blazing the trail for the future. Certainly, Mr. President, as surely as I stand today on the floor of the Senate, the Commission will be made permanent and will be given power and authority to do the things we want it to do and the things it should be able to do.

Mr. President, in speaking about this matter, I do not know whether we shall succeed today in adopting the Clark amendment to make permanent the Civil Rights Commission. I commend the Senator from Pennsylvania for his leadership. Failing the adoption of his amendment, certainly we must not fail to extend the life of the Civil Rights Commission for another 2 years. We know the valuable, useful work of this Commission. It has now become an important part of American society.

In Colorado the local advisory committee, which functions under the Commission and reports to the Commission, is doing excellent work. The people of Colorado give thought and attention to the findings of this committee. I am sure the same is true in many of the other States of the Union.

So I say to my good friend—and I am his friend—the able senior Senator from Illinois [Mr. DOUGLAS], and also to the able senior Senator from Pennsylvania [Mr. CLARK] and to Senators on the other side of the aisle who are fighting for a permanent extension of the life of this Commission—that if we do not prevail today, we will prevail some time. But whatever we do today, we cannot do less than the President has asked; namely, extend the life of the Civil Rights Commission for 2 years. Actually, of course I feel we should today make the Civil Rights Commission a permanent body.

Mr. CLARK. Because the President said it should be permanent.

Mr. CARROLL. Yes, I am reminded by the Senator from Pennsylvania that the President said it should be permanent.

Of course, Mr. President, perfection seldom is achieved in a legislative body. But failing the perfection of making the Commission a permanent body, we should extend the life of the Civil Rights Commission for 2 years. Let us be realistic and practical about this matter.

If at this late date we cannot succeed in having the Commission made a permanent body, we shall then have to go through this process again in 2 years. However, each 2 years the supporters of the Commission become stronger and stronger, and so do the functions of the Civil Rights Commission and so will its authority and so, too, will the effectiveness of the Commission continue to strengthen.

Some of us have been in this fight and have watched it for a quarter of a century. We have watched the progress that has been made, not only by means of legislation, but also by means of the work of various groups—including the Civil Rights Commission. The Commission is educating the people. As the Commission members themselves become educated, they give the Members of Congress information which serves to educate the Congress, too.

Mr. President, I close by commending the able Senator from Pennsylvania [Mr. CLARK] for his valiant effort. I do not mean to be pessimistic; even if we are not in the majority today, we shall continue the fight and continue to blaze the trail. Certainly, we should do what the able Senator from Pennsylvania has recommended today by means of his amendment. I hope we achieve that. But if we do not, at least we shall have done all within our power.

Mr. KEATING. Mr. President, will the Senator from Colorado yield?

The PRESIDING OFFICER (Mr. HICKEY in the chair). Does the Senator from Colorado yield to the Senator from New York?

Mr. CARROLL. I am glad to yield.

Mr. KEATING. Mr. President, I am happy that the Senator from Colorado has called attention to what occurred in the Judiciary Committee. As he has stated, the Constitutional Rights Subcommittee reported to the full committee the bill which I had the honor to introduce, along with a number of other Senators as cosponsors. That bill would extend for an indefinite period the life of the Civil Rights Commission. An amendment to extend its life for 2 years was submitted and the bill was placed on the agenda of the full committee.

At the last meeting of the full committee I sought recognition in order to bring up the bill. However, the committee was sitting under special authority which limited the subjects for its consideration at that time to private immigration bills, private claims bills, certain nominations, and noncontroversial legislation. The chairman of the committee ruled that I was out of order when I attempted to have the committee take up my bill—an experience which I and other Senators have had before.

The proper and regular way in which the matter should come before us is by committee report. It is regrettable to me that we are considering this matter on an apropriation bill with all of the special obstacles this raises.

I share the view of the Senator from Colorado, who has been in the forefront of this effort, that we will, sooner or later, have to come to grips with this issue. We cannot keep on with the hand-to-mouth operation of this agency. If it is worth anything at all, if it should be extended at all, it should be extended for a time sufficient to allow it to do its work in an efficient and comprehensive manner.

Mr. CARROLL. I thank the Senator from New York for his contribution. Of course, what he has said is absolutely correct. This piecemeal approach will make it more difficult in the future to get the type of men we want on the Commission. I am not ascribing any evil motives to any person or group of persons, but I just say that, as we in the Judiciary Committee know, it was touch and go for weeks, as to whether we could retain some of the outstanding members on the present Commission unless we moved more speedily with the appointments.

That is why I say that the Clark amendment is sound. It is sound in theory and in practice. I am sure it is what the country wants.

In closing I would emphasize that it is extremely difficult, when we go back to the people at home, to make them understand the deficiencies of our legislative procedures and to explain why it is not always possible to achieve all of the promises we have made in political platforms. It is too bad our friends at home cannot be seated with some of us on our committee, so they can see—to use a familiar expression—"what makes the mare go" in legislative circles.

So I close by commending the leadership, our own majority leader, for bringing the matter up. Failing to get what we want, I hope we can at least get an extension of the life of the Commission for another 2 years.

Mr. CASE of New Jersey. Mr. President, I rise in support of the Clark amendment to the Mansfield-Dirksen amendment. It seems to me the issue is very clear. Either one believes in the Civil Rights Commission, or he does not. If he does, he wants it to be effective; and if he wants it to be effective, the Commission must operate without a 2-year limit on its life.

The reason why those of us who support the amendment feel this way is that we believe in a Civil Rights Commission, and in one that can do its job.

It seems to me very clear that the purpose of those who oppose an extension, or who would make it for merely 2 years, is to emasculate the Commission, and make it more difficult for it to do its work. I am not ascribing evil motives to those who hold that view or who vote in that fashion. This is simply their purpose, and we may as well know it.

On the question of whether we should be satisfied with less than the Clark amendment, I do not think we should. I do not think we should accept anything less with any measure of philosophic calm. It seems to me than one reason why more is not done in this field is that we are inclined to say certain things cannot be done. Mr. President, they will never be done if we do not try.

The rules of the Senate, and, to some degree, the rules of the House, keep us in a straitjacket. It is up to those of us who believe in this fight compassionately to make a nuisance of ourselves and disturb the even tenor of the ways of the working of this institution.

It seems to me not only is it the right thing to do, but it is the duty of those who believe as we do, to insist that this discomfort be aroused until such time as we accomplish the amelioration of the evils which the Commission is designed, not to solve, but at least to uncover.

I hope the amendment of the Senator from Pennsylvania will be adopted, and I hope other amendments, which are pending, and of some of which I am a cosponsor with certain of my colleagues, will be adopted also; and that at this time, which may perhaps be the last time in this session when we will have a chance to strike any kind of blow for civil rights legislation, the chance will not be wasted.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CASE of New Jersey. I yield.

Mr. JAVITS. I am so pleased the Senator from New Jersey has spoken about the fact that sometimes some of us may appear to others of our colleagues to be a little difficult about this situation, and about the procedure, and other such matters. I see no feeling of embarrassment by those in this body who feel very much differently from what we do about a strict utilization of the rules and about taking the time of the Senate when something is done, or is about to be done, in which they do not believe.

I think, on the whole, within the limitations of our own principles, we do our best to be accommodating and gracious and try to work things out in order to facilitate the business of the Senate.

The Senator from New Jersey, who has a great reputation in this field, and who is a very distinguished and outstanding lawyer, I am sure knows with me that these matters are inclined to get a little lost and fogged over in the presentation and the punctilios of the ways in which we address each other in this Chamber.

Does not the Senator agree with me that we are talking here about two major, critical, basic, aspects of our national security and national life? It is almost impossible to coin a word to define how basic they are. First, what all the colored peoples of the less-developed areas think of us, and our performance in whether we practice what we preach all over the world, at such a tremendous expense and with such a sacrifice. And, second, how can we open our morning papers, every morning now, and see the public and private disorder which this problem is creating in terms not only of a very active issue, but of riots in the streets of our country, without reacting to it as strongly as we do?

Mr. CASE of New Jersey. I appreciate what the Senator from New York has said. He is completely right. Sometimes those of us who feel as strongly as do those who have spoken here, and others, become disheartened because from time to time we bare our souls to some degree and then, on the next morning, we read that as a result of partisan efforts by those who wanted to make some political trouble for some of their colleagues, the fight was lost. That is not the issue at all. Some day it will be clear that what we are talking about here is correct. There is a seething undercurrent of frustration among the colored peoples of the world against the prejudice and discrimination they have suffered from for centuries, and it is making itself felt in this country of ours, and all countries of the world where people of color exist.

It is the most important moral problem of our time at home, and I think in the world. I think it might be a little bit helpful if, once in a while, perhaps more often than has been done, such a note were struck here in the Senate and in the House, and also in the communications media of the country.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CASE of New Jersey. I am happy to yield.

Mr. DOUGLAS. I commend the Senator from New Jersey for what he has said, and hope he will forgive me if I call to the attention of the Senate a similar reply which William Lloyd Garrison made in the 1830's. Garrison took up the cause of abolition early in the 1830's, and was probably more instrumental than anyone else in arousing opposition to slavery.

He was denounced at the time, and he was accused of being a zealot and of being unduly involved emotionally in the question of slavery. One of the Boston Brahmins reproached him, saying:

> You seem to be on fire about this matter.

Garrison's reply was very appropriate. He said:

> I have need to be on fire, because there are mountains of ice all around me.

The opposition to civil rights for Negroes is not as intense now as was the opposition to emancipation prior to the Civil War, but I think we must face the fact that the results of the Civil War and the adoption of the 14th and 15th amendments have only partially carried out the principles of those two amendments. Although nearly a century has passed we have not yet carried out the Federal guarantee of equal protection of the laws which is embodied in the 14th amendment, or the right of all males—and now females—over the age of 21 to vote, regardless of race or color or previous condition of servitude.

Like the Senator from New Jersey, I am conscious of the fact that many of our colleagues feel that we, like William Lloyd Garrison, are disturbers of the peace, because in this pleasant club from time to time we raise these issues. But if the Congress and the public disregard the issues the result will be not only a continuing moral blot upon the Nation, but also the loss of support of Asia, of Africa, and possibly of Latin America. It will be a very severe blow to the possibility of democracy even continuing, let alone flourishing, in the world.

While I know that those who take a different point of view from us on this issue would give their lives in defense of this Nation, and certainly cannot be charged with being unpatriotic according to their lights, nevertheless, the greater the delay in carrying out the principles of the 14th and 15th amendments the greater are the handicaps which our Nation will suffer.

Although we speak to a relatively empty Chamber, I think we are expressing the conscience of the vast proportion of Americans.

I thank the Senator from New Jersey, as I have thanked the two Senators from New York, for the noble service all of them and others, as well, have rendered in this cause.

Mr. CASE of New Jersey. I thank my colleague from Illinois. From days long before I became a Member of the Senate the Senator from Illinois was known to me as a stalwart leader in matters of human decency. One of the great experiences of being a Member of the Senate is to be his colleague in this and other matters involving the decencies of western civilization and human rights on great moral questions. I count it a privilege to be an associate of his in this body and upon this particular measure.

Mr. DOUGLAS. I thank the Senator very much. Let me say, however, that I do not deserve his praise. But I am

proud to be a fellow worker in the same cause.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. CASE of New Jersey. I am happy to yield.

Mr. KEATING. I commend the distinguished Senator from New Jersey, and likewise the Senator from Illinois, for the deep sincerity and conviction with which they have spoken to us on this great moral issue.

Mr. President, this issue of civil rights is vastly more important in developing America's strength and leadership in the world than any foreign aid bill. The example we set at home has more significant impact on those whose friendship and freedom we seek than any sums we pour out in the name of foreign policy. This question goes to the heart of our foreign policy.

It is extremely important that the nations which now occupy positions of growing importance, and which represent such a large percentage of the human race, come to realize that we are respecters of all people, no matter what their color, religion, or origin, no matter from where they come, or how much they have, or where they live.

It is on that theme—which is uniquely American—that we should appeal to all free people and to all those who yearn for freedom and equal justice.

I do not in any way impugn the patriotism of the opponents of these measures. I have served in the Armed Forces with those who strongly differ with my own personal views on civil rights and I know that they are sincere and brave men. But, it seems to me that those who oppose the extension and the strengthening of these basic human rights have misjudged our mission in the world today and do not understand that America, to maintain its strength and standing, must live up to its heritage as a Nation of liberty and justice.

The remarks of the Senator from New Jersey [Mr. CASE] have cast this issue in its global context. I commend him for his statement and join him in the sentiments he has eloquently expressed.

Mr. CASE of New Jersey. I am most grateful to the Senator.

Mr. MANSFIELD. Mr. President, I move to lay on the table the amendment offered by the Senator from Pennsylvania; and, on the motion, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana to lay on the table the amendment offered by the Senator from Pennsylvania [Mr. CLARK] to the so-called Mansfield-Dirksen amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Texas [Mr. YARBOROUGH] is absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ], and the Senator from New Mexico [Mr. ANDERSON] are absent because of illness.

I further announce that, if present and voting, the Senator from Texas [Mr. YARBOROUGH], the Senator from New Mexico [Mr. CHAVEZ], and the Senator from New Mexico [Mr. ANDERSON] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] is absent because of death in his family.

The Senator from Iowa [Mr. HICKENLOOPER] is absent on official business.

The Senator from Utah [Mr. BENNETT] is necessarily absent.

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Connecticut [Mr. BUSH]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Connecticut would vote "nay."

The result was announced—yeas 56, nays 36, as follows:

[No. 171]

YEAS—56

Aiken	Gore	Morton
Allott	Gruening	Moss
Bible	Hayden	Mundt
Boggs	Hickey	Prouty
Butler	Hill	Robertson
Byrd, Va.	Holland	Russell
Byrd, W. Va.	Hruska	Saltonstall
Cannon	Johnston	Schoeppel
Case, S. Dak.	Jordan	Smathers
Cooper	Kefauver	Smith, Maine
Cotton	Kerr	Sparkman
Curtis	Long, Hawaii	Stennis
Dirksen	Long, La.	Talmadge
Dworshak	Mansfield	Thurmond
Eastland	McClellan	Tower
Ellender	McGee	Wiley
Ervin	Metcalf	Williams, Del.
Fulbright	Miller	Young, N. Dak.
Goldwater	Monroney	

NAYS—36

Bartlett	Hart	Morse
Beall	Hartke	Muskie
Burdick	Humphrey	Neuberger
Capehart	Jackson	Pastore
Carroll	Javits	Pell
Case, N.J.	Keating	Proxmire
Church	Kuchel	Randolph
Clark	Lausche	Scott
Dodd	Long, Mo.	Smith, Mass.
Douglas	Magnuson	Symington
Engle	McCarthy	Williams, N.J.
Fong	McNamara	Young, Ohio

NOT VOTING—8

Anderson	Bush	Hickenlooper
Bennett	Carlson	Yarborough
Bridges	Chavez	

So the motion to lay on the table the amendment of Mr. CLARK was agreed to.

Mr. CLARK. Mr. President, I call up my amendment identified as "8–21–61—D."

The PRESIDING OFFICER. The Clerk will state the amendment.

The LEGISLATIVE CLERK. On page 1, line 5, it is proposed to strike out "September 9, 1963," and insert in lieu thereof "September 9, 1965."

Mr. CLARK. This amendment is submitted in behalf of the Senator from New York [Mr. KEATING] and myself. It is a very simple amendment. I hope the Senate will be able to vote on it in a few minutes. It extends the life of the Civil Rights Commission for 4 years, instead of 2 years. Every argument that has been made on behalf of a permanent extension of the Commission applies to a 4-year extension. Every argument which indicates that a 2-year extension is inadequate—and a case has been made out fully in that regard—is also an argument in support of a 4-year extension.

I see no point in continuing the discussion of this particular amendment. I ask the intention of the majority leader. As far as I am concerned, I am not interested in any further discussion of the amendment. Perhaps other Senators may wish to discuss it. I yield the floor.

Mr. KEATING. Mr. President, I likewise shall be brief in my statement. There is one serious shortcoming with regard to a 2-year extension, which I wish to emphasize. A 2-year extension would bring this issue up again just prior to the presidential election year 1964. This would be most unfortunate. It would tend to enmesh what should be a nonpartisan effort with political considerations. It would add to the usual problems which the Commission faces the unpredictable problems emanating from preelection politics.

It is often charged that civil rights legislation is already too much enmeshed in political considerations. We can help refute this charge by extending the Commission beyond the 1964 elections. On the other hand, we will build a powerful base for the charge of partisanship if we make this issue ripe for controversy again in the next preelection year.

I join the distinguished Senator from Pennsylvania in urging that we try to keep this Commission as much as possible out of politics, and that we therefore adopt the amendment for a 4-year extension, as opposed to a 2-year extension.

Mr. MANSFIELD. Mr. President, I move to table the amendment of the Senator from Pennsylvania and the Senator from New York.

Mr. CLARK. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana [Mr. MANSFIELD] to lay on the table the amendment of the Senator from Pennsylvania [Mr. CLARK] and the Senator from New York [Mr. KEATING].

The yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Connecticut [Mr. DODD] and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ] and the Senator from New Mexico [Mr. ANDERSON], are absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Texas [Mr. YARBOROUGH] would each vote "yea."

On this vote, the Senator from New Mexico [Mr. ANDERSON] is paired with the Senator from Connecticut [Mr. DODD]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Connecticut would vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] is absent because of death in his family.

The Senator from Iowa [Mr. HICKENLOOPER] is absent on official business.

The Senator from Utah [Mr. BENNETT] is necessarily absent.

The Senator from Arizona [Mr. GOLDWATER] is detained on official business.

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Connecticut [Mr. BUSH]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Connecticut would vote "nay."

The result was announced—yeas 48, nays 42, as follows:

[No. 172]

YEAS—48

Aiken	Gore	Miller
Allott	Gruening	Monroney
Bible	Hayden	Mundt
Boggs	Hickey	Robertson
Butler	Hill	Russell
Byrd, Va.	Holland	Saltonstall
Byrd, W. Va.	Hruska	Schoeppel
Cannon	Johnston	Smathers
Cotton	Jordan	Sparkman
Curtis	Kefauver	Stennis
Dirksen	Kerr	Talmadge
Dworshak	Long, La.	Thurmond
Eastland	Mansfield	Tower
Ellender	McClellan	Wiley
Ervin	McGee	Williams, Del.
Fulbright	Metcalf	Young, N. Dak.

NAYS—42

Bartlett	Hartke	Moss
Beall	Humphrey	Muskie
Burdick	Jackson	Neuberger
Capehart	Javits	Pastore
Carroll	Keating	Pell
Case, N.J.	Kuchel	Prouty
Case, S. Dak.	Lausche	Proxmire
Church	Long, Mo.	Randolph
Clark	Long, Hawaii	Scott
Cooper	Magnuson	Smith, Mass.
Douglas	McCarthy	Smith, Maine
Engle	McNamara	Symington
Fong	Morse	Williams, N.J.
Hart	Morton	Young, Ohio

NOT VOTING—10

Anderson	Carlson	Hickenlooper
Bennett	Chavez	Yarborough
Bridges	Dodd	
Bush	Goldwater	

So Mr. MANSFIELD'S motion to lay on the table Mr. CLARK'S amendment to the Mansfield-Dirksen amendment was agreed to.

Mr. JAVITS. Mr. President, I shall address myself to my amendment to the amendment of the Senator from Montana and the Senator from Illinois; and as I shall develop the subject, I think Senators will understand why I shall present my amendment at the end, rather than at the beginning, of my remarks. I shall describe the amendment, so that the pertinency of what I am about to say will be evident to all.

At an appropriate point while I have the floor, I shall offer my amendment to the amendment of the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN]. My amendment would give to the Attorney General the power to institute civil rights actions in representative cases and to intervene in civil rights actions in representative cases.

Mr. President, I know it will be argued—if there is any time at all for argument—that this is the much-passed-upon part III, which at one time passed the House of Representatives, but which has been constantly dropped in this body only because under the rules of this body we cannot deal with the matter on its merits—and, in my opinion, for no other reason. But I predict that we will come to act on it. We must do so. It is the only course consistent with our traditions and with public order and the rule of law; and the rule of law is just as important at home as it is abroad.

Mr. President, what is the reason for bringing up this matter now? I think the reason is very clear. It is grounded both in the conditions existing in this Chamber and in the conditions existing in the country and in the world, and in the attitude of the administration. Apparently, the administration has come to a policy decision—and, I may say, a policy decision which is very clearly distinguishable, because it is so very different, from the policy espoused by the President when he was a candidate—that it will seek from the Congress at this session only legislation which constitutes the barest minimum; namely, a 2-year extension of the life of the Civil Rights Commission, and that it will not seek to have the Congress pass substantive legislation, but, rather, will take action in regard to civil rights only through the courts and through the Attorney General, insofar as it is enabled to act under existing law.

This is a very limited approach, considering our situation, and is quite inadequate to our situation both at home and abroad. It is only an effort by the administration to completely beg the question—indeed, to do a little appeasing on its own—because it feels that is the way it can get the rest of its program through the Congress.

I do not say this bitterly at all. I think the question is one of choice; and the administration has made its choice as to whether it will include among its list of "must" legislation, legislation in regard to civil rights, or whether it will exclude it.

Feeling as strongly as I do, and in view of the strong feeling of other Members of the Senate, as evidenced by the character of the sponsorship of my amendment, that the temper of the Congress must be tested on this question, notwithstanding the failure and, I think, the real dereliction of duty by the administration in this regard, we have brought up this matter at this time, to be voted on by the Senate, for this is, as it were, civil rights season; and whatever may be said about bringing up other bills—for instance, other Senators might desire to bring up agricultural bills or Mexican labor bills, and so forth—all of them have the disadvantage of introducing other matters into this struggle.

But now the door has been opened quite affirmatively by the two-thirds vote of the Senate. I point out that the same vote would be required to effect cloture. In other words, if the two-thirds of the membership of the Senate who today voted to suspend the rule are equally serious about doing something fundamental in regard to civil rights, they need not be deterred by the threat of a filibuster, they need not fear that their attempt will be ground to a stop and will be halted by a filibuster, because the same two-thirds of the membership of the Senate can close debate, and then we can go home from this session—after giving, at the very most, each Senator 1 hour for debate—and putting off adjournment for not more than a week later, if cloture is effected by precisely the same vote.

Mr. President, some may ask why I have brought up the so-called part III, which deals with the powers of the Attorney General, instead of bringing up some other proposal. The reason is that if we wish to test the temper of the Senate in order to determine whether it really wishes to do something about what needs to be done, we must do so sincerely and we must test the temper of the Senate, not on issues which lay on with a powder puff, but on issues which deal in some cases with almost a state of anarchy in the country. Almost every day when we open the newspapers, we read about incidents—whether in Montgomery or in Monroe or somewhere else—or situations almost approaching anarchy or situations involving mass trials. We ask why these things are taking place. Of course, all of us know—as the Senator from New Jersey so very eloquently pointed out a while ago—that they are taking place because there is a deep ferment which will not be downed by whatever we do today or any other day until we deal with it affirmatively and honestly. There is a deep ferment that no citizen, whatever may be his color, will accept anything but first-class status, in comparison with the status of any other citizen. So the question is whether we have the will either to help these citizens under the rule of law, or whether we shall deny them that help, and therefore, invite them—which is what we would do—to take the law into their own hands.

Therefore, Mr. President, if we are to test the temper of a body as important as this one on this particular issue, in my opinion we have to test it on the highest level, with the most substantive and most important measure we can possibly bring up; and that is the very measure I am bringing up today.

Mr. President, this is very clearly good law, I should like to point out to begin with, because it calls for procedure of a type which Congress itself has adopted before when it wished to provide real relief. This is precisely what was provided by the Civil Rights Act of 1957 and by the Civil Rights Act of 1960, except that in those instances it was applied solely and strictly to the right to vote.

The Congress itself has certified that efforts to deal with violations of civil rights are inadequate if they must depend upon a criminal statute, because many Senators remember very well the debate which occurred in 1957 and in

1960 in regard to criminal statutes, already on the statute books, with relation to violations of civil rights; and all of us felt—and quite properly so, I believe—that that was not the proper way to deal with such matters, because it was too stringent.

Thus, we had to provide some other remedy; and thus it was that we provided the injunctive relief remedy—one which I applaud; and this remedy has been found by experience to be the best instrument—not too blunt, not too sharp.

Mr. CASE of South Dakota. Mr. President, will the Senator from New York yield?

The PRESIDING OFFICER (Mr. PELL in the chair). Does the Senator from New York yield to the Senator from South Dakota?

Mr. JAVITS. I yield.

Mr. CASE of South Dakota. It is my recollection that those of us who felt that the injunctive relief remedy should apply only to the voting field were persuaded, and felt very deeply, that the right to vote is fundamental in a Government such as ours, and that through the right to vote, if we preserve and protect the voting right of the people in the States, they have in their hands the power to seek redress and protection in other fields.

Mr. JAVITS. Mr. President, I think the Senator from South Dakota knows how much I respect him and how much I respect his views. I think that in his observation he has posed what was, and still is, the fundamental issue. It is this: Have we the time—that is really what the Senator is talking about—to wait until there occurs the slow accretion—it is relatively slow, although it is growing—of the voting power which will bring about these observances of the Constitution, for which I know the Senator from South Dakota, although he may not agree with me as to the remedy, hopes as much as I do.

I should like to point out that we really have three branches of opinion. This Chamber is very representative upon this whole issue; certainly I think there is no other group of 100 men in all the world that is better informed on this issue, because we have dealt with it so frequently. First, there is the southern group, and I say they are enlightened Senators. I have never been caustic or critical of them. I have never doubted their sincerity. I think all Senators from the Southern States know that has been my position. They believe the course to follow is that of education and economics and the gradual progress which the events which transpire in the world will bring about, rather than to enact a new law.

Then there is the group—and apparently, so far, it constitutes the majority of the Members of the Senate—of those who say we should make sure that all have the right to vote, and that the right to vote, plus time and economics and all the other factors, will give these citizens the things to which they are entitled under the Constitution.

There is a third group, which points out that the way of the world, the activities of the world, what is actually happening under our eyes—whether bombing, or riots, or denial of money to schools which seek to desegregate, or the closing of schools, as occurred in Prince Edward County—is such that we cannot wait that long. That is what we say. We cannot wait that long because of our position in the world. We cannot wait that long because of disorder, and in some cases anarchy, at home. So we say we must provide this remedy in order to give an outlet to the despair engendered among people who need relief, that the relief will not come in time.

The Supreme Court has made it very clear that this is a perfectly lawful delegation of authority to the Attorney General. In the Raines case—title 362, United States Code, section 17—decided by the Supreme Court in 1960 after we had passed the civil rights bill in 1957, the Supreme Court said of the power given to the Attorney General in voting rights cases:

> It is urged that it is beyond the power of Congress to authorize the United States to bring this action in support of private constitutional rights. But there is the highest public interest in the due observance of all the constitutional guarantees, including those that bear the most directly on private rights, and we think it perfectly competent for Congress to authorize the United States to be the guardian of that public interest in a suit for injunctive relief.

During the debate in 1957 we introduced into the RECORD—and the RECORD is very complete on that score—50 other statutes, a tremendous range of statutes, in almost every conceivable kind of human activity in this country, in which similar powers are granted Government agencies to sue for rights which inhere in the individual.

We are also very well acquainted, and the courts have based their decisions on this point—indeed, the Supreme Court has considered it implicit in all its decisions—with the need and responsibility of Congress to implement the guarantees of the 14th and 15th amendments. In the Raines case the Court sustained the authority of the Congress to give the Attorney General in respect of rights under the 15th amendment the very power for which I now plead, just as my amendment would give that authority for the Attorney General in respect of rights under the 14th amendment.

It has been argued that this is an unnecessary delegation of power to the Attorney General, and that the Attorney General can do these things anyway. Indeed, some of our colleagues who are minded to study the law very carefully may be interested in a law review article which we uncovered upon this very subject, in the George Washington Law Review of March 1961, in which the writer adheres to that point of view.

But, Mr. President, without arguing the point that even if the Attorney General has the power, he is not exercising it, or that we have not given him the range of means to implement or exercise the power, I think it should be pointed out that his path, even if he chose to exercise that power, has not been untroubled, and has been so troubled as to need statutory authority, if he is to enforce rights under the 14th amendment. The Attorney General has made no attempt to initiate a single school desegregation suit or to intervene in a private desegregation suit, and no matter how we might try to gild the lily, the fact is that desegregation of the public school systems is the key test as to whether or not we are getting anywhere in the civil rights field.

Either the Attorney General has been called in by a court, exercising its own discretion to call upon the Attorney General to act in the name of the United States, in such cases as Faubus (254 F. 2d 797), Bush (188 F. Supp. 916; 190 F. Supp. 861) and Kelly (2 Race Relations Reports 976–983)—and three important cases in which the Attorney General acted and in the last of which the court permitted the Government to participate only as amicus curiae after a bombing in Nashville—or the Attorney General, as in the *Kasper* case (245 F. 2d 92; 265 F. 2d 683) entered an injunction suit only after there was a contempt charge based upon interference with the order of the court already obtained in the private suit.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HOLLAND. Has not the Senator forgotten the recent effort of the Attorney General to intervene in the Prince Edward School case?

Mr. JAVITS. I am coming to that. I thank the Senator. I have the opinion of the court before me.

The fact is that there is grave doubt concerning the authority of the Attorney General in this field in the absence of new law, whatever may be the decision of the Attorney General or however the courts may rule, as is shown in the case of Allen against County School Board of Prince Edward County, the famous Prince Edward School case, in which the court denied the right of the Attorney General to intervene, on the ground that his application was not timely made. The court indicated it had grave doubt whether the Attorney General had a right to intervene, on the ground that the right of the United States which he sought to protect would have to be a right which he would be specifically empowered to protect, and that he does not have such authority under his general power, to represent the United States in all cases in which it is a party.

The tears over the sad situation in Prince Edward that have been shed should be shed by everybody in the United States, as was so well reflected by a New York Times editorial entitled "The Children of Virginia," in which the question is asked whether a child is more or less entitled to education in terms of the pigmentation of his skin.

I ask unanimous consent that the editorial be made a part of my remarks and printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 28, 1961]

THE CHILDREN OF VIRGINIA

For more than 2 years there have been no public schools in Prince Edward County,

Va. During this period white children have been attending private schools set up under the Prince Edward School Foundation with the aid of county and State tuition grants.

Negro children have not been so fortunate. "Two-thirds of them," in the words of an opinion rendered by Federal Judge Oren R. Lewis of Richmond, "have not received any schooling or training of any kind since the closing of the public schools." The Negro children who did manage to attend training centers maintained by a Negro organization called the Prince Edward County Christian Association received no tuition grants and had inadequate schooling.

There has never been any secret as to the reason for the closure of public schools in Prince Edward County. It was openly done in order to evade the integration decision of the U.S. Supreme Court rendered in May 1954. As Judge Lewis said, "The end result of every action taken—by the Board of Supervisors of Prince Edward County—was designed to preserve separation of the races in the schools of Prince Edward County." Judge Lewis has therefore entered two orders restraining the county and State officials from distributing tuition grants or allowing tax credits in lieu thereof to the private schools "so long as the public schools of Prince Edward County remain closed."

Some points in law remain to be determined. One of these is whether the Virginia General Assembly meant what it said when it declared "that it is the policy of this Commonwealth to encourage the education of all the children of Virginia." Who are all the children? Is a child less or more worthy of education in proportion to the pigmentation of its skin? We think we know what one eminent Virginian, Thomas Jefferson, would have said if he had been asked these questions.

Mr. JAVITS. Mr. President, why is relief necessary in representative cases? There are a number of reasons. First, the pace of school desegregation has really slowed to the pace of a snail. Latest statistical summaries by a national education report show that in the eighth year after the Supreme Court desegregation decision only 6.9 percent—less than 7 percent—of all the Negro pupils in Southern States in biracial districts are in an integrated situation. These figures include the District of Columbia, West Virginia, Delaware, and other States where desegregation was almost completed within 2 years after the Court's decision.

Since 1956, progress has been painfully slow. At present, more than 7 years after the Supreme Court's decision in the Brown case, in four States—Alabama, Georgia, Mississippi, and South Carolina—no Negro pupils are attending schools with white children. Louisiana has one Negro child in a white school.

In five other States—Arkansas, Florida, North Carolina, Tennessee, and Virginia—less than 1 percent of the Negro children are attending schools with white children.

Thus, in 10 Southern States, either there has been no school desegregation at all or only minuscule progress has been made.

It will be said that any parent may start a suit. I went into this question in great detail on a previous occasion, and the RECORD is replete with facts and information. A large sum of money is necessary in order to start a suit, and the parents of Negro children, on the whole, certainly cannot afford excessive expenses incident to legal fees, and so forth. The general cost of taking a case into the lower courts is $1,000 per pupil. When the case reaches the higher courts, the cost may be anywhere from $20,000 to more than $200,000.

If this were not enough of a barrier to the starting of such a case, there are strict antibarratry statutes—and the Southern States have passed such statutes in late years—which even jeopardize the license of a lawyer to practice when he may wish to represent a client in such suits or help by paying printing costs, or when a very real effort is made by organizations like NAACP, and others, to help a litigant.

These antibarratry statutes have been passed in Arkansas, Georgia, Mississippi, South Carolina, Tennessee, and Virginia.

We observe a confluence of circumstances—of cost, of the difficulties of the suit itself, and of antibarratry laws. There is one further factor, which is that when a citizen starts a suit of this kind in a State where it is most needed, he faces the assembled armory of the whole State, its treasury, its public officials, and its attorney general. In other words, he is not litigating against a school board, against a private party, or a municipal officer, but against a whole armory of effective and well-financed legal talent. He is also extremely lucky—and we have seen many instances of this already—if he is not subjected to economic and social sanctions in the community because he has had the temerity to raise his head above the crowd and to try to do something about the fundamental constitutional rights to which he and every other American is entitled.

Mr. President, none of these things is new. What is new, and what I wish to impress upon my colleagues, in giving them the opportunity which I shall give them—I hope with dignity and with sincerity—to express their view, on some kind of a vote, which we shall have upon the question, is the change in posture. There are many questions on which we can vote, but we shall have a vote. That vote will test how we feel about the issue, no matter how the parliamentary technicalities may require the question to be put.

The question now is no longer in the same posture in which it stood in 1957, and not even as it stood in 1960, because we see that there must be some reason why this head of steam, which represents the seething issue about which I speak today, causes the kettle to boil, and sometimes to boil over; why people are arrested, hurt, and put on trial; why there is an exacerbation of the tempers of entire communities; and, indeed, why this issue affects entire communities in a very deep way.

Such is obviously the case because, somehow or other, we have not designed the law to give an outlet for very deep feelings of opposition and frustration.

This seething is very dangerous for our country. Aside from the economic and social loss involved, it makes us look very bad in the world.

These facts, which establish in summary and by way of conclusion what I have to say, have now been thoroughly certified for all to see, wherever one looks, anywhere in the world.

For those reasons I point out that the situation is not what it was before, but that time and events, and the sharp and strong heat of events, have confirmed the necessity for precisely this remedy, which is a remedy we gave as to the voting right. It is a remedy which, in my view, must be extended generally to all the civil rights, because if it is not, we shall only invite more disorder, more anarchy, more loss of face and prestige and authority of the United States in the world upon this very crucial issue, which affects so directly and dynamically more than 1 billion people in the world whose skins are yellow, black, or brown.

Mr. President, I now wish to deal with two other subjects, and then I shall be through.

One is the pledge taken by our political parties in the 1960 campaign, upon which, it seems to me, the administration has already turned its back. Because my party did not win, it does not have an opportunity to do as it did in 1957 and 1960.

I have voted with this administration on many matters of foreign and domestic policy. I have never hesitated to support the administration when it was right. I think I have every right—perhaps more right than most—to speak when I think the administration is dead wrong; and I think it has been dead wrong in downgrading, as I think it has, the fundamental issue of civil rights, thereby doing a grave disservice to this country and to this country's position in the world.

The Democratic Party platform, upon which the President was elected, says in so many words, in the civil rights plank:

> For this and for the protection of all other constitutional rights of Americans, the Attorney General should be empowered and directed to file civil injunction suits in Federal courts to prevent the denial of any civil right on grounds of race, creed, or color.

In terms of the position on my side of the aisle, I read from the Republican Party platform, which is almost equally strong in its language:

> We will propose legislation to authorize the Attorney General to bring actions for school desegregation in the name of the United States in appropriate cases, as when economic coercion or threat of physical harm is used to deter persons from going to court to establish their rights.

Both political parties have espoused this doctrine. We have a right to feel that the President was elected in part upon this particular pledge in the platform of his party, and certainly a big play was made for the votes of minority groups in the 1960 campaign; yet all too soon this problem is shoved into the background and the administration turns its back upon coming to the Congress, where this question must be dealt with in terms of legislation, with a request for anything except a 2-year extension of the Federal Civil Rights Commission, the very minimum which can be effected.

I am very proud to say that not all Democrats feel that way. I am very

proud to say that there is effective support for the position which I am explaining today, which I have the honor to explain in a strictly representative capacity on this side of the aisle, for joined with me in the amendment which, when I am through, I shall offer, are my colleague from New York [Mr. KEATING], my colleague from New Jersey [Mr. CASE], my colleague from Pennsylvania [Mr. SCOTT]; and, from the other side of the aisle, my colleague from Illinois [Mr. DOUGLAS], my colleague from Pennsylvania [Mr. CLARK] who so manfully made his try a little while ago, and my colleague from Michigan [Mr. HART].

I am very proud, and I count it a very great privilege, to be permitted to bespeak the views of these colleagues of mine, all of whom have done their part in this civil rights struggle, and to have them join in what I consider to be the key to the civil rights fight in the United States, the substantive measure which is essentially designed to do what needs to be done in this field.

There is no substitute for it. There is no other way to get the job done, because this is the rule of law upon which we so deeply pride ourselves.

I close upon this note: As always happens in respect to great issues of this character, we speak of swinging pendulums, we speak of statesmanship, and we speak of legislating when legislation can be judiciously and objectively carried through. We speak of legislation which is tailored with a scalpel, and not a cutlass, to fit the particular need for which we are trying to legislate. We speak of legislation which is in the tradition of our Nation, of our Constitution, of our Bill of Rights, and of our Declaration of Independence.

It seems to me that those of our colleagues from the South who are so vigorously opposed to part III should keep in mind one other fact. I name this part specifically, for I know of no particular measure which so decidedly raises the hackles of those who are interested in this race relations field as does part III. I should like to address myself directly to that question because it is a very pertinent issue.

I think my colleagues from the South ought to ask themselves why this is so. After all, the courts have been very good to them. The courts have not treated them badly. The Supreme Court even sustained the pupil placement law. The pupil placement law can defer the desegration of public schools, not for years, but for decades. This is one of the greatest victories that the opponents of school desegregation could possibly have scored, with a technique only remotely consistent with the Supreme Court decision of 1954.

Time and time again, in many other cases and on many other occasions, the courts have sent cases back for new orders, new implemention, and new hearings. The courts have taken many years to work out legal remedies.

Yet, the very legal remedy involved seems to arouse the most opposition. There may come a time when not only the Senator from Illinois [Mr. DOUGLAS], the Senator from New York [Mr. KEATING], the Senator from New Jersey [Mr. CASE], the Senator from Pennsylvania [Mr. CLARK], the Senator from Michigan [Mr. HART], and I, and some other Members of this body, will consider this situation to be intolerable and will consider that we must do something about it effectively and substantively.

We may reach the time when the great majority leader in this Chamber will be compelled by events to feel that way. When that time comes, the present action will be a pale imitation of the measure that will be passed in the Senate with a whoop and a "whoosh," as we passed the motion to suspend the rules on the 2-year extension of civil rights.

There is now presented an opportunity to let off steam, to do things in an orderly and legal way, to answer the frustrations, deep aspirations, and deep desires of people without extralegal means, without disorder, without anarchy, without breaches of public order, and without injustices, but by processes of law which can channel the passions of men very effectively, as our whole history and experience has shown.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CASE of New Jersey. This is not a time to throw bouquets, and what I have to say is not a bouquet. I merely wish to say a well-deserved word of appreciation for the constant, effective, and strong effort on the part of the Senator from New York in the field in which he has always been a valiant fighter. I associate myself with everything he has said, particularly in respect to the efficacy of the remedy which he proposes.

The reason the opposition to the remedy suggested by the Senator from New York is so very great and was so very determined is precisely that it would be more efficacious than anything else that has been suggested in the civil rights field since I have been a Member of Congress. In its discrimination, it would be as sharp as the scalpel. It would cut to the very quick of the problems that exist not only in one area, but all over the country. The difficulties perhaps are more severe in some areas than in others. But the proposed amendment would effectively meet the need, and it would do it without the kind of harm which, as the Senator from New York has said, a blundering cutlass kind of approach would do.

For the reasons I have pointed out, opposition to part III is great, persistent, and determined. The amendment would be effective. I regard it as the most important amendment that has been offered to the pending measure, or that could be offered to any civil rights measure. I support fully the Senator from New York and other Senators who have joined in sponsoring the amendment. I hope very much that the Senate will agree to it.

Mr. JAVITS. I thank the distinguished Senator from New Jersey.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Illinois.

Mr. DOUGLAS. I, too, am proud to be associated with the Senator from New York and the other sponsors of the amendment. Like the Senator from New Jersey, I wish to pay a special tribute to the Senator from New York, who is one of the two or three great legal scholars in this body, and whose legal acumen is only exceeded by his sincere devotion to the basic principles of what I regard as true Americanism.

I think the Senator from New York is completely correct in saying that what has become popularly known as part 3 cuts to the very heart of the question as to whether or not we will make the protections of the 14th and 15th amendments meaningful.

The Senator's amendment, in fact, is much better than the original part 3. The original part 3, proposed in 1957, was very ambiguous in its wording. For a space of some weeks many did not quite realize what it meant. The amendment of the Senator from New York makes the meaning perfectly clear and it is, I am convinced, basically correct.

What we have in this situation is a group of many millions of Negroes—perhaps 10 million—in the Southern States and approximately a million and a half to two million Mexican Americans in the Southwest who are at the bottom of the economic, social, and political totem pole. I believe it is only fair to say that there are also minorities who are badly disadvantaged in the North and in the West as well. We in the North are not without sin in this matter ourselves.

In its 1954 decision in the Topeka case, the Supreme Court made a great step forward when it said unanimously that segregation on the basis of race is inherently a denial of the equal protection of the laws and hence violates the 14th amendment. I believe that this was a correct interpretation of the concluding clause of the 1st section of the 14th amendment. But the Court left the assertion of these rights to private individuals. Aggrieved private individuals have to bear the burden, financial and otherwise, of instituting suits to establish the fact that there is discrimination on the basis of race or color, and that this is a denial of the equal protection of the laws.

In other words, the most disadvantaged section of society has to bear the expense of prolonged legal suits, carrying cases first to the district court, to the circuit court and then to the Supreme Court, and frequently the additional expense of further cases involving the interpretation of local rulings or practices. The costs of such suits are so great that very few of the aggrieved parties can meet them. The expenses commonly amount to many thousands of dollars. Therefore on this ground alone the rights cannot be adequately defended.

Furthermore, since most of the aggrieved parties are dependent economically, they are always subject to the dangers of an economic boycott in which, if they are employees, they can be fired; or, if they are tenant farmers, they can have their leases discontinued;

or, if they are professional men, they can be subject to a community boycott. These, too, operate as a great deterrent to action.

Moreover, as we brought out in the debate in 1957 and again in 1959, a large number of the Southern States have enacted so-called antibarratry laws, which attempt to make it a penal offense for those not directly connected with a case to intervene either by offering legal counsel or financial aid. Outside assistance is thus shut off.

Finally, though we may not like to speak about such subjects in the Senate, there is in many sections the always present threat of the use of physical force against persons who assert their legal rights.

Therefore, it is not enough merely to permit individuals to sue. I think the Federal Government should furnish not only the tribunal of justice but the sword of justice as well. Such authority would permit the Attorney General to assist individuals who, because of lack of resources or dependent economic position or threats of physical force, are not fully competent to defend themselves. If the Attorney General can do this for individuals, he certainly should be permitted to prosecute suits or equity proceedings to restrain groups and individuals from interfering with these rights, and he should be given the powers to make effective the recommendations of the Civil Rights Commission.

This does not mean that the Attorney General's office would be judge, jury, and litigant.

The courts would still be there to determine whether or not the motions of the Attorney General were justified. However, the amendment would give to disadvantaged people legal assistance which they now lack and in the absence of which the 14th amendment and the decisions of the Supreme Court become relatively ineffective.

I wish to commend the Senator from New York for the leadership he has shown in this matter, and to say that it is a special pleasure to fight in the ranks behind him.

Mr. JAVITS. I am grateful to the Senator from Illinois.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. ALLOTT. I have listened to the Senator from Illinois. Many of my feelings are in line with what he has said. However, I was not sure about the context of his reference to the Southwestern States. I believe I should try to make the RECORD clear, so far as I am able to do so, by observing that I know of no area in the Southwest—and I speak not only for my own State, but also for Wyoming and Utah, I believe—in which there is any discrimination whatever with respect to the ballot. I wish to correct the RECORD to that extent. I know of no discriminations in my State with respect to schools, and I am not aware of any in any of the other Southwestern States. I believe the RECORD ought to be clear as to that fact. Perhaps the Senator from Illinois has in mind some specific instances.

Mr. DOUGLAS. Perhaps I used a rather broad term. I have never thought of Utah or the northern section of Colorado as being in the Southwest. I thought of the Southwest in terms of Texas, New Mexico, and Arizona. I am not intimately acquainted with those localities although I have spent some time in Arizona and have visited Texas many times. I thought I detected some discrimination in the schools in Arizona so far as Mexican-Americans were concerned. I have been informed that the position of the Mexican-Americans—or "Latinos" perhaps is a better term—in Texas is one in which they suffer disadvantages, perhaps even greater disadvantages than do the Negroes.

Mr. ALLOTT. I do not wish to include Texas in my statement, because I am not sure of the situation there. I have never heard of a person being deprived of the right to vote in New Mexico, Arizona, California, Colorado, or Utah. Some of the schools in certain outlying areas, where the prevailing population may be of Spanish-American origin, may not be "up to snuff" compared with what we would like to have, but I do not believe the problem is segregation in the schools. That situation does not prevail in the schools.

Mr. DOUGLAS. I have not been in Arizona since 1953. My information may be very much out of date. However, I believe it is true that there is less disadvantage with respect to matters of voting than with respect to matters of schooling. If it turns out that the Latin Americans are given the full and equal protection of the laws, I shall be the happiest man in the world and I shall be glad to revise my statement.

Mr. ALLOTT. I am not asking the Senator to revise it at all. I merely wished to point this out because I think it casts what is essentially an unfair implication. There are areas in my State where the Spanish-American population is very large. In some of those areas our schools are not of the best, but it is not because of the segregation problem; it is the problem of remoteness, the problem of money, and that sort of thing.

Mr. DOUGLAS. The Negro population of Chicago, for example, while it does not suffer from legal segregation, does have inferior schools. It is also true that we have residential groupings, and that the allocation of schools on geographical lines results in some schools being exclusively Negro and others being exclusively white.

I will not say that the cause is segregation, but residential grouping certainly does result in segregated schools, even though it is not explicitly stated.

So I do not want my friend from Colorado to think that we in the Midwest or the East are appropriating all the virtues to ourselves when we say that this was characteristic of the South and, I had thought in some degree, although to a much lesser degree, the Southwest. We should consider Latin-Americans as well as Negroes. I suppose one should not cite works of fiction in a discussion of this kind, but I believe that Edna Ferber's "Giant" is a not inaccurate description of some of the difficulties that Mexican-Americans suffer in Texas.

Mr. ALLOTT. My remarks do not refer to Texas.

Mr. DOUGLAS. Texans, I believe, have been quite anxious to establish the fact that they are in the Southwest and not merely in the South.

Mr. ALLOTT. I was trying to establish what I believe is the true situation in the Southwestern States. I appreciate the fact that the Senator from New York has yielded to me.

Mr. JAVITS. I am grateful to the Senators. I now yield to my colleague from New York.

Mr. KEATING. Mr. President, I commend my distinguished colleague for the vigorous fight he is waging for the amendment and for the principle which it represents. I am very proud to be a cosponsor with him of the amendment.

I have a longtime interest in this problem of part III, having gone through this fight in 1957 in the other body.

Mr. JAVITS. My colleague was one of the successful architects with our other colleague from New York, Representative CELLER.

Mr. KEATING. We succeeded in getting the original part III through the other body. My success on this issue there was somewhat more satisfactory than I have encountered in this body.

Mr. DOUGLAS. Would the Senator say that he was successful in getting it through the other body because nobody there knew what it meant?

Mr. KEATING. I do not agree to that at all. I will stand by the original part III and will debate it anywhere. The present amendment is a refinement and undoubtedly an improvement and it has my full support as well.

In simple terms, this amendment would authorize the Attorney General to institute civil actions to prevent the deprivation of a citizen's constitutional rights where the citizen is too poor or for other reasons is unable to protect his own rights.

Under our Constitution, counsel must be appointed to look after the rights even of criminals. I have never understood the logic of people who accept the right of alleged thieves and murderers to have counsel appointed by the Government, but vigorously rebel at the thought of giving an innocent American whose constitutional rights are in jeopardy the aid of a Government lawyer.

There has been widespread misunderstanding of the scope of this amendment. It would not in any way enlarge the substantive rights of our citizens.

It would serve a vital purpose, but that purpose would be to supplement the present criminal provisions applicable to civil rights cases by more appropriate and expeditious civil remedies.

I believed, when I first introduced similar proposed legislation as a Member of the other body, that is was moderate, that it would be effective, and that it was essential to the proper discharge of the Federal Government's responsibility to protect the rights vouchsafed to the people by the Constitution. My opinion has not changed in any way.

The enactment of this amendment would have the greatest impact, as the distinguished Senator has pointed out, on litigation affecting school desegregation. I recognize that much progress has been made in this field as a result of the work of dedicated private organizations and the enlightened attitudes of elements of our citizenry in all sections of the country, and also as a result of legislation which Congress has enacted in the past and of decisions by our courts. But the proportions of the present school situation are still alarming. The figures stated by the distinguished Senators show that in the 7-year period since the Brown decision progress has been more deliberate than speedy.

The Federal Government must not shirk its responsibility in this area. If we have learned anything in the more than 7 years since the Brown decision, it is that the rights of our school-age children are best protected by recourse to specific legal action against those who would deny them. The Federal Government must play its part in this process. It must see to it that the decisions of the Supreme Court of the United States, which are the law of the land, are obeyed. The enactment of an amendment such as this would make that possible. I sincerely hope the amendment will be approved.

It seems to me that the amendment is entirely germane to the amendment to extend the life of the Civil Rights Commission. The Commission would make findings as to the rights of our citizens relating, for example, to school desegregation and in many other areas in which discrimination is alleged. Such findings cannot be made effective unless they are tied in with the right of the Attorney General to bring such actions as may be necessary. So this amendment is complementary to and a necessary adjunct of the amendment which we have under consideration for the extension of the life of the Commission.

Mr. JAVITS. I am grateful to my colleague from New York, who, with his customary distinction and clarity, has made a very effective point with respect to the amendment and the procedure. I should like to underline what he has said about his outstanding struggle in the other body for a similar approach.

Whatever may have been its terms, however the language may now have been refined, I hazard the guess that were it not for the rules of debate in this body, this provision would be the law of the land today. So compelling was his advocacy, and so clearly and so well was the case presented in the other body that, as I remember, the proposal was adopted by a decisive vote.

Mr. KEATING. It was adopted by a substantial margin.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, as a cosponsor of the amendment, I commend the Senators from New York for offering it. I wish it could be approved by a majority of the Senate. However, neither the Senators from New York nor I, nor, I think, any of the other cosponsors, are under any illusion as to the mood of the Senate this afternoon. The Senate wants to quit and go home. The Senate is not interested in civil rights this summer. The majority leader and the minority leader probably correctly reflect the sentiment of the Senate, which is that we do not want to be bothered with any more serious problems concerning the United States of America than are absolutely necessary to consider. It is almost Labor Day. Let us go home. So I have no illusion about what will happen to this amendment.

I say this in, perhaps, lighter vein, and certainly in the most friendly sense in the world: It is pretty hard to beat the machine. We had a little luck in beating the machine in Philadelphia some years ago, but I have not beaten many machines since. I think it will be a long while before I again beat any machine.

But I say to the Senator from New York not to despair. I do not have a shadow of a doubt in my own mind that the present membership of the Senate, if they were let alone, if the question were to come up at a time when they were not in a hurry to get home and join their wives and families, would today approve the part 3 by a very large majority.

The Senator from New York will recall that he and I came to the Senate at the same time, in the early days of 1957. One of the first of the many battles which we have since fought side by side, despite the fact that we sit on opposite sides of the aisle, was the effort to put part III into the civil rights bill. I shall not go into the somewhat painful political background of that measure in 1957, but on a very close vote we failed to have it adopted. As has been well stated, the distinguished Senator from New York was a leader in the fight to get part 3 in with the rest of the civil rights bill.

Too few people appreciate that the election of 1958 was a revolution in the Senate, a revolution which entirely changed its composition. Control of the Senate has been taken away from the conservative Republican-Southern Democrat coalition, which controlled it during the first 2 years the Senator from New York and I were here. That coalition no longer controls the Senate. It does not control the Senate on civil rights either, despite the vote which was taken today. I am confident we can say to the country, with assurance that we are right, that the next time civil rights legislation comes to the floor of the Senate, at a time when the Senate is in a mood to legislate seriously, civil rights legislation will pass, and no filibuster will stop it. No delaying tactics will succeed. Part 3 will be the law of the land by the time the presidential campaign of 1964 gets underway.

If my prediction turns out to be correct—and I think it will—no small part of the credit should go to the group of Senators who are gathered around the Senator from New York today. I exclude myself, but I include the Senator from Illinois [Mr. DOUGLAS], the Senator from New Jersey [Mr. CASE], the Senator from New York [Mr. KEATING], and a half dozen other Senators who came to the Senate in 1958 but were not in on the 1957 debate, and several Senators, including the junior Senator from Rhode Island [Mr. PELL], who came to the Senate in 1960.

This amendment is the wave of the future. Let no one think differently. The reasons why this amendment is important to the people of the United States have been so well stated in this debate by the Senators from New York, the Senator from New Jersey, and the Senator from Illinois that I shall not attempt to paint the lily further.

I say to the distinguished senior Senator from New York, Be of good cheer. The future is ours. The rights of every American citizen will be protected within the foreseeable future by the addition of the part 3 amendment giving to the Attorney General of the United States powers which he should have been given in 1957, and which equity and justice cannot longer prevent him from obtaining.

I thank the Senator from New York for yielding.

Mr. JAVITS. Mr. President, I am very grateful to the Senator from Pennsylvania for his very eloquent words. He may not have been in the Chamber when I said that I, too, am confident that this will be the law, because it is the only way in which the seething cauldron may be calmed down; and I have said that in the absence of this law, we may be faced again with the sheer impact of the experiences we have been encountering in the country, which may continue as we proceed.

I say to the Senator from Pennsylvania that I accept his feeling that in the Chamber there are those who think as he does with respect to this very effective remedy; and I add as a corollary the support of the administration now in power. I point out that that is what happened in 1957 and in 1960—inadequate as those bills were; and it must happen again if in the future we are to have really substantive civil rights action.

Mr. CLARK. I agree with the Senator from New York; and I believe that if the Eisenhower administration had really been behind civil rights legislation in 1957, it would have happened then, too. I agree with the Senator from New York that such action probably cannot be taken now without the support of the Kennedy administration.

Mr. JAVITS. Mr. President, on the question of the power of the Attorney General, I now wish to read from page 668 of the Congressional Quarterly for April 21, 1961, which deals with a press conference which was held by Attorney General Kennedy:

At his first press conference, held April 7, Attorney General Kennedy rejected the proposal of some civil rights groups that the Government make a more direct attack on segregated schools. There had been suggestions from outside and within the administration that there was legal authority for the Government itself to file suits seeking court orders for school desegregation (only private persons now bring such suits), that Congress authorization was not needed.

Kennedy said, "I don't believe that we do have that power."

Furthermore, the Senator from Pennsylvania, who has spoken so eloquently and so pointedly, was himself one of the team designated by the President to bring in proposed civil rights legislation, which we thought the administration would support as its legislative package; and that legislation was brought in, and it included, almost in the same terms, the part 3 amendment which is before us today. But, as I have said, the administration now has turned its back on the proposition of seeking to have any legislation on civil rights enacted at this time, or certainly at this session.

Mr. President, in referring to the point of procedure which very properly was brought up by my colleague [Mr. KEATING], I conclude by stating that when this amendment is acted on, we shall know on what issue it will turn—whether on the issue of germaneness, which must be decided by the Senate without debate, or on the basis of a motion to lay on the table. But I believe that the record should be completed with a brief analysis of why I consider this amendment germane.

The Commission on Civil Rights, whose life would be extended by means of the Mansfield-Dirksen amendment, was created by the Civil Rights Act of 1957, and the same act contained a part 3 which gave to the Attorney General of the United States certain authority in regard to voting rights. The amendment which I have brought up now is to that part 3, contained in the same 1957 act which created the Commission.

In addition, I point out that that act, in describing the authority of the Commission, provided in subsection (e) of section 105:

> All Federal agencies shall cooperate fully with the Commission, to the end that it may effectively carry out its functions and duties.

Here we are trying to give the Attorney General specific authorization about how he shall cooperate with the Commission, to the end that it may effectively carry out its functions and duties.

Finally, on the issue of germaneness, I point out that in the Civil Rights Act of 1957 we included—in the same act in which we dealt with refining and developing the authority of the Attorney General to sue in voting rights cases—authority for him to proceed in the same way in which, by means of this amendment, we would extend his authority to proceed in other cases. This amendment, just like title IV of the 1960 Civil Rights Act, would be an amendment of the powers and authority of the Civil Rights Commission itself. Therefore it seems to me that we have clearly designed a pattern of legislation which directly makes this amendment germane to a measure extending the life of the Commission, because it implements its own powers and implements the direction to the other Federal agencies to cooperate with it.

Finally, the amendment relates to the powers of the Commission itself, which under clause 2 of section 104(a) is directed to study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution.

Therefore, I respectfully submit that we take this matter only one step further, with complete relevance to clause 2 of section 104(a), by implementing the utilization of the information which is collected by the Commission.

It will be noted that my amendment provides, in carrying out this intention, that—

> Part 3 of the Civil Rights Act of 1959 is amended by adding at the end thereof the following new sections:
> "SEC. 123(a) Whenever the Attorney General receives a report from the Civil Rights Commission or a signed complaint"—

And so forth.

The same design is carried in the part of the amendment which gives the Attorney General authority to deal with those who under color of law deprive persons or groups of any right guaranteed by the 14th amendment because such persons or groups oppose the denial of equal protection of the laws to others.

So we have done our utmost to relate this amendment directly to the establishment of the Civil Rights Commission. Since I believe we have done that successfully, I believe we have a right to contend that the amendment is germane to a statute which extends the life of the Commission, which under legislative construction incorporates all the authority of the Commission, as if it were set forth in the text. It is on that ground that I conclude that the amendment is germane.

Mr. SCOTT. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. SCOTT. I thank the Senator from New York for yielding. I am a cosponsor of this amendment, as I am of several others in the same general category. I support the amendment, and hope it will be adopted.

To keep the record straight, I point out that the only two civil rights measures which have been passed by the Congress were proposed, introduced, and supported by the Eisenhower administration.

I agree with what has been said—namely, that if the present administration would lend its unstinted and all-out support to these measures, civil rights legislation could again be enacted.

This is not a partisan question or one which ought to be left to either administration, nor should either administration be criticized if they equally put their shoulders to the wheel in the attempt to secure the passage of such legislation. I hope that is what will occur.

I am glad the administration supports the proposed extension of the life of the Civil Rights Commission; but I do not believe that what is sought to be done by means of all these amendments can be done by Executive order, and I do not believe anyone else seriously holds that opinion, because in that case such Executive orders would long since have been issued.

Instead, this matter requires the enactment of legislation; and it should be enacted in order to accept the moral principle of the equal dignity and equal rights of all human beings.

I thank the distinguished Senator from New York for so ably presenting the case.

Mr. JAVITS. I am very grateful to the Senator from Pennsylvania, who has been a real stalwart in this struggle—as have so many other Senators—for his eloquent words.

Mr. CASE of New Jersey. Mr. President, I wonder if the Senator from New York will permit me to make an insertion in the RECORD on this general subject.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may yield for that purpose, without losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASE of New Jersey. Mr. President, I ask unanimous consent that a statement I have prepared on this general subject, and on the several amendments offered or to be offered this afternoon, be inserted in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CLIFFORD P. CASE

All year the Congress has avoided facing up to one of the most urgent problems confronting the country. That is the problem of prejudice and discrimination—the fact that in a nation which prides itself upon the doctrine of equality under the law, some people are not equal at all. These people, simply because of a darker skin, are denied the same rights which others enjoy—rights which are guaranteed by the Constitution, regardless of race or color. This inequality, specifically the second-class treatment accorded to our Negro citizens as a group, is an unseemly stain on the generally proud record of this great country—the freest and most democratic Nation in the world.

In this Civil War centennial year, it is particularly fitting that the Senate do its part in the struggle to assure the constitutional rights of all our citizens. For there is some danger that with the many celebrations of the battles of the war, we will lose sight of the reasons for which the war was fought. We must not forget that, certainly from the northern point of view, the issue was basically one of human freedom and the dignity of the individual. Today, 100 years later, we are still struggling to achieve the realization of that objective for all.

It heartens me to see the bipartisanship shown by the majority and minority leaders in the attempt to extend the life of the Civil Rights Commission. This is only a small part, however, of what needs to be done on a bipartisan basis. For, Mr. President, and I cannot emphasize this too much, civil rights is not and should never be a partisan issue.

Surely the time has come for us to make a big effort to reverse the tide of inequality. Prejudice seriously imperils the moral fiber of our Nation. In addition, it blackens the image we present to the world. It would certainly be easier for other nations to appreciate and accept our democratic way of life if this blot were not there.

There is much we can now do to abolish inequality. First of all, there is extension of the life of the Commission on Civil Rights. This Commisson in its short lifetime has been highly useful in pointing

out and documenting cases in which minority groups have been denied their constitutional rights. It would be both wrong and wasteful if this Commission died. It has a tremendous job to do.

Second, we should act to put Congress on record in affirmation of the Supreme Court's decision in the school segregation cases. Seven years ago the Supreme Court ordered desegregation of our schools. Yet today we still find determined resistance to the Court order, resistance often ostensibly based on the ground that the Court has exceeded its powers. It is time that the Congress, which itself governs by the rule of law, acts to uphold the Supreme Court's power to interpret the Constitution, a power which it has exercised for almost 160 years.

More than that, Congress should act to help the States to bring our school systems into conformity with the Supreme Court's decree. By providing a relatively small amount of Federal money and some technical assistance, the job will get done just so much more quickly. The Negro children who are now getting a second-rate education can move into integrated and superior schools that much more quickly. Our children are our most important asset and they all ought to have an equal opportunity for an education.

We should also act to provide more direct protections to those whose rights are abridged and who too often find themselves virtually helpless to vindicate their rights. I refer to the proposal to give the Attorney General authority to initiate suits in behalf of citizens who are denied their constitutional rights. The Civil Rights Commission has uncovered case after case of Negroes who were being deprived of such rights. Yet they are unable to sue or to seek injunctions, either because of the heavy expense of litigation or because of the threat of economic and physical retaliation. Many times both factors combine to inhibit any action by the aggrieved party. The courts have held that the Attorney General can't start a suit to protect the civil rights of individuals, or can't enter a suit as a complaining party, until after there has been a decision that such rights have been violated, and then only in order to assist the court in enforcing its judgment. But the chief problem people have is to prove that their rights have been violated in the first place. And here, the Federal Government is presently unable to help.

Finally, I hope we will act at last to abolish the poll tax, wherever it exists. The poll tax is an archaic institution. And it is also an effective weapon to keep Negroes from voting. In the five Southern States without a poll tax, 27.3 percent of the eligible Negro voters are registered, as contrasted with only 21.3 percent in the five States with a poll tax.

All of us are concerned with the threat of communism, yet there is no greater weapon against communism than a strong democracy. And our democracy can remain strong only when all citizens have an equal right, in fact as well as in theory, to vote. Abolishing the poll tax will not in itself do the job, but it is a long overdue step in the right direction.

Mr. MILLER. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. MILLER. Let me say to the Senator from New York that I am in sympathy with the objectives of this proposed legislation. However, in reading over the amendment which he intends to propose, I am concerned about some of the wording in the amendment, as to whether or not it might be a little too broad. As I understand the next procedural step, it will be for the Senator from New York to offer the amendment. Then a tabling motion will be made.

Mr. JAVITS. That is correct.

Mr. MILLER. Thus, it would be impossible even to offer an amendment to the Senator's amendment.

Mr. JAVITS. It will not be impossible, for the reason that if the tabling motion should fail, it would be possible to perfect my amendment in any way the Senator chose to perfect it before it came to a vote. So the tabling motion would cut off the opportunity for discussion only if it were successful; but if it were unsuccessful, there would be an opportunity to discuss the amendment.

Mr. MILLER. I am well aware of that fact, but I fear that a tabling motion might prevail unless the Senator's amendment were modified a little.

Let me point out one of the concerns I have over the amendment. As I understand the situation, in reading section 123(a), beginning on line 4 of the first page of the amendment, if anyone comes into the Attorney General with a signed complaint, regardless of what is contained in the complaint, regardless of the grounds, regardless of the reasonableness, the Attorney General may take action.

I am wondering if the complaint, first of all, should not be sworn to, instead of merely signed; and I am wondering, further, if the Attorney General should not be required to make a determination that a probable violation of the law is involved.

Mr. JAVITS. I may say to the Senator that we are dealing, not with a mandate, but with an authority. This proposal would give the Attorney General great flexibility, and he could pursue almost any kind of procedure he chose in order to satisfy himself that it was truly a representative case. For example, if a person submitted a signed complaint, the Attorney General could conduct an investigation and bring people into his office and talk with them. Indeed, Attorneys General have done that time and time again in respect of antitrust and other cases. The Attorney General might conceivably believe it was a case in which an indictment might lie, in which case he could even convene a grand jury in one of the Federal district courts and cause witnesses to come before the grand jury to testify under oath.

The thrust of the proposed legislation is to give the Attorney General the authority, and he would certainly be in a position to supervise its exercise, in order to allow him to select representative cases.

The question of the Senator from Iowa, which is a quite pertinent one, of course, gives me an opportunity to make one further point. One of the great problems in the school desegregation situation is that, according to the Supreme Court decision, it is necessary to start suits in every district in which desegregation is sought. There are something like 2,300 biracial districts where school desegregation suits may or may not lie.

In view of the particular complexities of this litigation—and history has shown much of the complexity which is involved—it seems to me we should welcome a technique by which a great many cases could be resolved by a representative case. Whereas a school district may now have to face only one, two, three, or four Negro families with children in schools, who have limited financial resources, and who under antibarratry statutes are prevented from getting help in the suits, under this provision a school district would know it would be facing the Attorney General. The attorney representing the State would know he was going to face the Attorney General. I think this fact itself would be so salutary that we would cut through a great mass of indifference and neglect which has beclouded the whole school desegregation issue, when school districts, at long last, would know they were to be brought face to face with the kind of majesty and dignity which this kind of case should have.

Mr. MILLER. What the Senator from New York has said does not seem to me for one moment to lessen the desirability of putting in this amendment a probable violation provision. In other words, if a case is to be a representative case, certainly a probable violation must have occurred. I grant that we propose to give the Attorney General considerable authority and scope, but we are not telling him that his action should be on a "probable violation" basis.

I hesitate to give any member of the administration such sweeping authority. I think probable cause is a reasonable basis on which to grant such authority.

If I may continue to another part of the amendment, along the same line, and going on to page 2, we note the language:

> Whenever the Attorney General certifies that, in his judgment, commencement of litigation by such person (1) may create the danger of injury to the person, or danger of economic sanctions—

It seems to me the word "may" opens up the legislation to too much authority. It seems to me the word "may" should be changed to read "will probably."

I am sure the Senator from New York knows that there are many types of lawsuits in which litigants become quite heated and there are hard feelings. Almost any lawsuit today may result in personal injuries or economic sanctions, but only a few of them will probably do so.

It seems to me that by putting in the amendment the words "will probably create the danger of injury to the person, family, or property," or "will probably create the danger of economic sanctions," and, in line 17, "will probably result in any of the injuries of economic sanctions set forth in subsection (a)," we would put the procedure on a reasonable basis and strengthen the Senator's amendment by doing so.

I fear the language of the amendment is so broad that it could open up the authority of the Attorney General to the point where it could be almost oppressive under certain circumstances.

Mr. JAVITS. The draft which the Senator has read, which is the printed copy on the Senator's desk, is somewhat

different from the draft which will be presented in respect of the subject to which the Senator has referred, and I think we have satisfied that particular point. I will read it slowly:

A person or group of persons shall be deemed unable to seek effective legal protection for the right to the equal protection of the laws within the meaning of subsection (a) not only when such person or group of persons is financially unable to bear the expenses of the litigation, but also when there is reason to believe that the institution of such litigation would jeopardize the employment or other economic activity of, or might result in physical harm or economic damage to, such person or group of persons or their families.

It seems to me that we have made an effort to deal with the factual finding on the part of the Attorney General in the financial field and also with respect to the coercive aspects we have described.

Whether or not the motion to table, or whatever other motion is made, succeeds, it goes to the fundamental idea which is involved. If it did not, I am sure the Senator from Iowa would have no problems with me. In addition to myself, there are six other sponsors. I do not think, if we had an opportunity to work out details of language essential to call for the support of men of good will like the Senator from Iowa, we would have great problems in making more precise those matters which I think we have already indicated it is our intention to carry through in the amendment.

I am grateful to the Senator from Iowa for his suggestions. I know they are motivated by his feeling that if the amendment is perfected now, it may have a better chance to survive a motion to table; but I really feel, based on our experience, that the motion to table, or whatever motion is made, which tests whether we shall have any opportunity to go into the detailed characteristics of the amendment, will not be dependent upon detailed language to which the Senator from Iowa has so graciously and astutely referred.

Mr. MILLER. In the event the motion to table should not prevail would the Senator then give serious consideration to an amendment to the amendment which would tighten up the language even of the redrawn amendment along the lines I have been discussing? I must say that the way the redrafted amendment reads, as it has been typed and presented to me, it would not meet the problem. For example, it refers to a circumstance in which "there is reason to believe that the institution of such litigation would jeopardize" employment. I suggest to the Senator from New York that there may be a little reason, there may be a big reason, or there may be many reasons. The real test is whether such litigation probably will jeopardize the employment or other economic activity, or whether it probably will result in fiscal harm or economic damage.

If we should fail to put that language into the law, it would open up a power which could almost be unbridled in the hands of the Department of Justice.

I repeat my question: Would the Senator give serious consideration to language along the lines of that which I have discussed?

Mr. JAVITS. I certainly would. I would not only do that, but I would also undertake to expose the Senator from Iowa to the wisdom of the cosponsors of the amendment, so that we might together give the serious consideration to the suggestion that it deserves.

I am satisfied that the amendment is workable. It has been studied for a long time. I certainly would not claim perfection for any handiwork of the human mind, and I do not claim it for the amendment.

I am grateful for the Senator's suggestion. I assure the Senator that we shall give it the most profound and careful consideration and shall rely not only on me, but upon all the other Senators who sponsor the amendment, a number of whom are gifted lawyers.

Mr. MILLER. I do not believe I could conscientiously support the amendment without language such as I have indicated. I appreciate the Senator's reaction to the proposal.

Mr. JAVITS. I say to my colleague from Iowa that I greatly value his support, and would consider it an honor if we could obtain it. Certainly I would do my utmost to try to obtain it.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to my colleague from Kentucky.

Mr. COOPER. The statement made by our friend from Iowa causes me to make a suggestion.

I believe we know that it is very doubtful whether there will be any vote on the amendment other than a procedural vote. We may expect a vote on a motion to lay on the table the amendment, or a vote testing the germaneness of the amendment, and such a motion is likely to prevail. From past experience, I expect that all we shall have in the way of a vote is one on a procedural question.

I remember that in the 1957 debate and again in the 1959 debate, title III amendments were tested procedurally rather than upon their merits.

If the vote were to be upon the exact language of this amendment, or of any other civil rights amendment, I could not say at the moment that I would vote for the exact language. Undoubtedly, modifications might be adopted by the Senate.

But, as a matter of principle, I shall vote against any motion to lay the amendment on the table, because I doubt that there will be any opportunity to discuss the merits of the amendment and its language.

The Senator from New York [Mr. JAVITS] has laid before the Senate, before the administration, and before the country a basic question; it is, Do we need legislation to assure and enforce civil rights? This, I believe, is the basic question the Senator lays before the Congress.

Thus far the administration has taken the position—evidently, that it does—no additional legislation is required to enforce or to preserve such rights. Nothing has been done in the Congress so far to give any indication of its belief that additional legislation is needed.

I have always hoped, particularly with respect to the Brown decision dealing with the desegregating of our schools that the influence of information, of education, and of leadership, both at the national level and at the State level, would have effect in securing local consent to the decision. But 7 years have passed, and these forces have not been able to meet the issue.

What we face is a question of a violation of the law, of resistance to law which, if long pursued, will negate our system of government and our system of law, while it denies the constitutional rights of Negroes—and seriously cripples our world position.

I say this with sympathetic understanding of the problems of the South. I live in a southern State. My State is not faced with the problems faced by the States of the Deep South, and I understand their problems are more difficult than in my State.

But beyond personal considerations, the questions of whether law is observed and rights assured are at stake. The Senator from New York has laid before us a basic issue and principle. If he succeeds in passing the procedural test, then the merits of the language of the amendment can be considered. I shall cast my vote in his support. For I believe additional legislative measures are needed to give light, meaning, and strength to the rights of our people which are constitutional.

Mr. JAVITS. I am very grateful to my colleague from Kentucky. I know of no Member of this body whose support I would rather have. There are other Senators whose support I would wish to have equally, but there are no others whose support I would rather have than the support of the gentleman from Kentucky, a man of high character, legal skill, dedication, and great conscience in this and every other field.

I conclude upon this note, Mr. President, after which I shall send the amendment to the desk: I think the discussion has at least brought up to date the much-discussed and much-considered and much-maligned approach of an outlet in the law for what is a seething national and international problem which is bound to cause much mischief in this country. Someday, I repeat, the approach I propose today, which is a time-tested remedy inherent in the existing civil rights laws of 1957 and of 1960 and which is essential to the enforcement of these rights guaranteed by the Constitution, may be considered to be a pallid remedy compared to the far more drastic remedy events will force upon us.

Mr. President, we live in a different world. We live in a modern world, a new world, manifested in this body, as my colleague from Pennsylvania has said, and manifested in our country. Whether by reason of a process of intellectual osmosis or some force which comes from the heavens above, mankind—all mankind, everywhere—no longer will live in subjection, no longer will live under oppression, but will stand up to rebel against it. If we give people a legal outlet, they will take it. If we give them no legal outlet, they will adopt some

other solution. That is something which may be completely inimical to the security and destiny of our own country.

Mr. President, for myself and the other Senators I have mentioned, I offer the amendment which I send to the desk and ask to have stated. I express the deep hope that the Senate may allow us to consider this question on its merits, instead of killing it off at so critical a time in the life of our Nation and in the life of the entire world.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk proceeded to read the amendment.

Mr. JAVITS. Mr. President, I ask unanimous consent that the further reading of the amendment may be dispensed with.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and, without objection, the further reading of the amendment will be dispensed with, and the amendment will be printed in the RECORD.

The amendment is as follows:

On page 36, after line 16, of the Mansfield-Dirksen amendment, insert the following:

"Provided further, That part III of the Civil Rights Act of 1957 is amended by adding at the end thereof the following new sections:

" 'SEC. 123. (a) Whenever the Attorney General receives a report from the Civil Rights Commission or a signed complaint that any person or group of persons is being deprived of, or is being threatened with the loss of, the right to the equal protection of the laws by reason of race, color, religion, or national origin and whenever the Attorney General certifies that, in his judgment, such person or group of persons is unable for any reason to seek effective legal protection for the right to the equal protection of the laws, the Attorney General is authorized to institute for or in the name of the United States a civil action or other proceeding for preventive relief, including an application for an injunction or other order, against any individual or individuals who, under color of any statute, ordinance, regulation, custom, or usage, of any State or territory or subdivision or instrumentality thereof, deprives or threatens to deprive such person or group of persons of the right to equal protection of the laws by reason of race, color, religion, or national origin and against any individual or individuals acting in concern with them.

" '(b) A person or group of persons shall be deemed unable to seek effective legal protection for the right to the equal protection of the laws within the meaning of subsection (a) not only when such person or group of persons is financially unable to bear the expenses of the litigation, but also when there is reason to believe that the institution of such litigation would jeopardize the employment or other economic activity of, or might result in physical harm or economic damage to, such person or group of persons or their families.

" 'SEC. 124. The Attorney General is authorized to institute for or in the name of the United States a civil action or other proceeding for preventive relief, including an application for injunction or other order, (1) against any person or persons preventing or hindering, or threatening to prevent or hinder, or conspiring to prevent or hinder, any Federal, State, or local official from according any person or group of persons the right to the equal protection of the laws without regard to race, color, religion, or national origin, or (2) against any person or persons preventing or hindering, or threatening to prevent or hinder, or conspiring to prevent or hinder, the execution of any court order protecting the right to the equal protection of the laws without regard to race, color, religion, or national origin.

" 'SEC. 125. The Attorney General is authorized, upon receipt of a report from the Civil Rights Commission or a signed complaint, to institute for, or in the name of, the United States, a civil action or other proceeding for preventive relief, including an application for injunction or other order, against any individual or individuals who, under color of any statute, ordinance, regulation, custom, or usage of any State or territory or subdivision or instrumentality thereof, deprives or threatens to deprive any person or group of persons or association of persons of any right guaranteed by the 14th amendment of the Constitution, because such person or group of persons or association of persons has opposed or opposes the denial of the equal protection of the laws to others because of race, color, religion, or national origin, the Attorney General is authorized to intervene in such action with all the rights of a party thereto and to seek compliance with any lawful order issued by such district court.' "

Mr. MANSFIELD. Mr. President, I move to lay on the table the amendment offered by the Senator from New York.

Mr. JAVITS. Mr. President, on that motion I demand the yeas and nays.

The yeas and nays were ordered.

Mr. CARROLL. Mr. President, will the Senator from Montana withhold his motion until I make a brief statement?

Mr. MANSFIELD. Mr. President, I was prepared to go ahead, but if the Senator does not mind spending an additional 2½ hours debating the amendment, we can do so. The amendment has been discussed at length.

Mr. CARROLL. I make the request of the majority leader as a courtesy to me.

Mr. MANSFIELD. Mr. President, if I may, by unanimous consent, I should like to withhold my motion for 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the yeas and nays may stand as if it had been granted at the time the motion of the Senator from Montana is considered made.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CARROLL. Mr. President, we have been over this subject many times. I am thoroughly in accord with the statements made by Senators who are in favor of the amendment of the able Senator from New York. There is no need to elaborate. We know that the amendment is an exercise in futility. Nevertheless, I wish to place myself on record as in favor of the amendment of the able Senator from New York and those who support his amendment.

The PRESIDING OFFICER. The question is on the amendment of the Senator from New York. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Connecticut [Mr. DODD] and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON] and the Senator from New Mexico [Mr. CHAVEZ] are absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Texas [Mr. YARBOROUGH] would each vote "yea."

On this vote, the Senator from New Mexico [Mr. ANDERSON] is paired with the Senator from Connecticut [Mr. DODD]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Connecticut would vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] is absent because of death in his family.

The Senator from Iowa [Mr. HICKENLOOPER] is absent on official business.

The Senator from Utah [Mr. BENNETT] and the Senator from Maryland [Mr. BUTLER] are necessarily absent.

The Senator from South Dakota [Mr. CASE] is detained on official business.

If present and voting, the Senator from Maryland [Mr. BUTLER] would vote "yea."

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Connecticut [Mr. BUSH]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Connecticut would vote "nay."

The result was announced—yeas 47, nays 42, as follows:

[No. 173]

YEAS—47

Aiken	Hayden	Mundt
Bible	Hickey	Prouty
Byrd, Va.	Hill	Robertson
Byrd, W. Va.	Holland	Russell
Cannon	Hruska	Saltonstall
Church	Johnston	Schoeppel
Cotton	Jordan	Smathers
Curtis	Kefauver	Sparkman
Dworshak	Kerr	Stennis
Eastland	Long, La.	Talmadge
Ellender	Mansfield	Thurmond
Ervin	McClellan	Tower
Fulbright	McGee	Wiley
Goldwater	Metcalf	Williams, Del.
Gore	Monroney	Young, N. Dak.
Gruening	Moss	

NAYS—42

Allott	Hart	Morse
Bartlett	Hartke	Morton
Beall	Humphrey	Muskie
Boggs	Jackson	Neuberger
Burdick	Javits	Pastore
Capehart	Keating	Pell
Carroll	Kuchel	Proxmire
Case, N.J.	Lausche	Randolph
Clark	Long, Mo.	Scott
Cooper	Long, Hawaii	Smith, Mass.
Dirksen	Magnuson	Smith, Maine
Douglas	McCarthy	Symington
Engle	McNamara	Williams, N.J.
Fong	Miller	Young, Ohio

NOT VOTING—11

Anderson	Butler	Dodd
Bennett	Carlson	Hickenlooper
Bridges	Case, S. Dak.	Yarborough
Bush	Chavez	

So the motion to lay on the table Mr. JAVITS' amendment to the Mansfield-Dirksen amendment was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 1, Public Law 689, 84th Congress, the Speaker had appointed Mr. HAYS, of Ohio, Mr. DAVIS of Tennessee, Mr. THORNBERRY, of Texas, Mr. SMITH of Mississippi, and Mr. ANFUSO, of New York, as members of the U.S. group of the North Atlantic Treaty Parliamentary Conference, on the part of the House.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 44. An act to authorize the appropriation of $150,000 for use toward the construction of a U.S. Pacific War Memorial; and

H.R. 8922. An act to amend the Small Business Act to increase by $20 million the amount available for regular business loans thereunder.

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1962

The Senate resumed the consideration of the bill (H.R. 7371) making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1962, and for other purposes.

TECHNICAL ASSISTANCE AMENDMENT

Mr. KEATING. Mr. President, at the conclusion of my remarks I shall send to the desk an amendment to the amendment offered by the Senator from Montana [Mr. MANSFIELD].

The amendment which I wish to offer is in express terms within the platforms of both political parties. The Republican platform pledged:

Our continuing support of the President's proposal, to extend Federal aid and technical assistance to schools which in good faith attempted to desegregate.

The Democratic platform pledged:

To facilitate compliance, technical and financial assistance should be given to school districts facing special problems of transition.

This amendment contains the language of S. 484 which was introduced on January 17, 1961. A virtually identical bill was introduced on February 5, 1959, by the distinguished minority leader as part of President Eisenhower's civil rights program. It was the subject of extensive hearings last session. Its adoption now would constitute a most important step in implementing the Supreme Court's desegregation decision.

The first section of the amendment gives congressional recognition to the obligation of the States to comply with the Supreme Court's desegregation decision. It also acknowledges the serious financial and educational problems which compliance with this obligation may raise in school systems which were previously segregated. It then expresses the intent of Congress to assist State and local agencies by sharing certain of the additional expenditures occasioned by desegregation programs and by providing information and technical assistance in connection therewith.

The second section of the amendment authorizes grants to the States attempting to desegregate their schools in a manner consistent with pertinent Federal court decisions. The grants could be used to help meet two types of costs:

First, costs incurred by local educational agencies in the provision of certain kinds of special professional services the need for which is occasioned by the desegregation of their public elementary or secondary schools. These services include supervisory or administrative services, pupil placement, school social worker, or visiting teacher services, and other special, nonteaching, professional services.

Second, the grants could be used to help meet costs incurred by State agencies, administering the State plan for carrying out the purposes of this bill, in developing and carrying out State policies and programs for public school desegregation, including their costs in providing technical assistance to the local educational agencies in connection with their desegregation programs.

The third section of the amendment outlines the method of allotting funds to the States and the criteria for approving State plans. Funds would be allotted among the States by the Commissioner of Education in the proportion the number of students attending segregated public schools in the State during the school year 1953–54, bore to all students attending segregated schools in all of the States that year.

The number of such students attending segregated public schools during the school year 1953–54 would be estimated on the basis of the best available data on average daily attendance of the local educational agencies during that school year.

Payments from a State's allotment could be made to cover half the costs incurred by the local educational agencies and by the State agency administering the State plan. Payments would be made in advance on the basis of estimates, with necessary adjustments being made in later payments to take account of overpayments or underpayments.

Provision is also made for payments directly to local educational agencies upon application in States which do not submit plans. This is the only significant change in the bill offered in the 86th Congress by the distinguished minority leader. Under that bill, payments could be made to local agencies only with the consent of the State or if the State indicated that it assumed no responsibility with respect to the desegregation of its schools.

Approved plans under the amendment would have to designate the State educational agency or another agency to administer or supervise the administration of the State plan. If an agency other than the State educational agency is designated, the plans must provide for effective coordination between the two.

An approvable State plan would also set forth methods and criteria for approval of local educational agency applications for Federal funds and describe the State agency activities to be carried on with the aid of Federal funds. Finally, a State plan to be approved for purposes of the amendment would have to provide for necessary budgeting, accounting, and other fiscal methods and procedures and for submission of necessary reports to the Commissioner of Education.

Notice and opportunity for a hearing to the State agency administering the State plan would be required before the Commissioner could withhold funds for substantial noncompliance with the required provisions of the State plan.

The fourth section of the amendment contains definitions of "public school," "segregated public school," "State educational agency," and "local educational agency."

The final section of the amendment authorizes the Commissioner of Education to collect and disseminate useful information on the progress of public school desegregation and to provide, upon request, technical assistance to State or local officials in developing their public school desegregation plans and programs. He would also be authorized, upon request by State or local officials, to initiate or participate in conferences dealing with the educational aspects of problems arising in connection with compliance with applicable court decisions or decrees.

From this outline of the provisions of the amendment, it should be evident that it will operate to make assistance available to State and local agencies without any impairment of local responsibility for education. It is premised on the willingness of the local school agency to voluntarily adopt a plan for desegregation and a request on the part of the local agency for the type of Federal assistance authorized. The amendment would not involve the Department of Health, Education, and Welfare in enforcement proceedings. Nor would it increase the powers of the Department of Justice in such cases. While I personally favor giving the Department of Justice the power to initiate school desegregation suits, I want to emphasize that this amendment does not change the present law in this respect.

The assistance which would be made available by this amendment is greatly needed. The Brown case does not hold or suggest that public education is no longer the primary responsibility of the States. It holds only that a State's denial of admission to public schools because of the color of the applicant's skin is inherently discriminatory and a denial of the equal protection of the laws guaranteed to all Americans by the 14th amendment. In subsequent decisions, the Supreme Court has carefully pointed out that the Federal district courts are

to take full account of local factors in enforcing the necessary adjustments to a desegregated school system.

Experience has shown that in making the transition to a desegregated school system, local school districts may experience financial and education burdens of a temporary nature and may need the assistance of educational experts and other professionals. Significant problems of organization, transportation, curriculum planning, and school community relationships may arise. These may vary from community to community in nature, intensity, and expense. It is simply an exercise in good sense to make available the assistance of the Federal department charged with national responsibilities in the field of education to help the local school district overcome these problems.

Progress made in implementing the Supreme Court's decision these past 7 years has been disappointing. But this should not becloud the fact that in many communities there are courageous and decent citizens—teachers, school board members, principals, and superintendents—struggling to comply with constitutional requirements and to preserve the public school system. This dedicated work often is being done in an atmosphere of hostility and open or latent violence. It is being done without a thorough knowledge of the experiences, successes, and failures of others similarly engaged in other communities and other States. It is being done, in most cases, without the specialized professional assistance required to accomplish desegregation with a minimum of injury to the educational process and to the children affected.

I have seen a great many alligator tears shed over the impact of the desegregation decision on public education. Here is an opportunity for all those truly concerned with this problem to make certain that every community is assisted in complying with the law of the land in a manner which will best protect the interests of all the children involved.

This amendment is moderate, it is necessary, and it is constructive. It should appeal to every Member concerned with the impact on education of schools in transition. It recognizes the problems of desegregation, but affords a basis for solving—not exaggerating them. It would benefit all the children affected. It would benefit all the communities affected. It would help assure that our great educational system will not flounder in any region, even temporarily, while necessary adjustments to the requirements of the Constitution are being accomplished.

This amendment should have been adopted years ago. Let us not delay its approval any longer.

For myself and on behalf of the Senator from New York [Mr. JAVITS], the Senator from New Jersey [Mr. CASE], and the Senator from Pennsylvania [Mr. SCOTT], I now offer the amendment which I sent to the desk. I have no objection to waiving the reading of it, if that be agreeable. I ask unanimous consent that the reading of the amendment be waived but that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, the reading of the amendment will be waived; and without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

(a) The Congress recognizes that (1) prior to May 17, 1954, the Constitution of the United States had been interpreted as permitting public schools to be segregated on racial grounds provided such schools afforded equal educational opportunities; (2) on May 17, 1954, the Supreme Court of the United States ruled that under the fourteenth amendment to the Constitution segregated education is inherently unequal; (3) the Constitution as interpreted by the Supreme Court of the United States is the supreme law of the land; (4) State and local governments and agencies which had relied upon the "separate but equal" doctrine are now obligated to take steps toward the elimination of segregation in their public schools; and (5) many of these governments and agencies are faced with serious financial and educational problems in making the necessary adjustments in their existing school systems.

(b) It is therefore the intent of Congress and the purpose of this Act to assist State and local governments and agencies in carrying out their constitutional obligations by sharing certain of the additional expenditures directly occasioned by desegregation programs and by providing information and technical assistance in connection therewith.

SEC. 2. (a) For the purpose of assisting State and local educational agencies which, on May 17, 1954, maintained segregated public schools to effectuate desegregation in such schools in a manner consistent with pertinent Federal court decisions, there are hereby authorized to be appropriated for each fiscal year such sums as the Congress may determine.

(b) Appropriations under this subsection shall be available for grants to help finance—

(1) costs incurred by local educational agencies in the provision of supervisory or administrative services, pupil placement, school social worker, or visiting teacher services, and other special, nonteaching, professional services, the need for which is occasioned by the desegregation of their public schools, and

(2) costs incurred by State agencies in developing and carrying out State policies and programs for desegregation in public schools, including technical assistance to local educational agencies in connection therewith.

SEC. 3. (a) The Commissioner of Education (hereinafter called the "Commissioner") shall for each fiscal year allot to each State, from the sums appropriated pursuant to section 2 for such year, an amount which bears the same ratio to such sums (or to such larger sum as may be specified in the Act making the appropriation) as the member of students who attended segregated public schools in such State during the school year 1953–54 bears to the number of students who attended such schools during such year in all the States. The number of students who attended segregated public schools in each State during the school year 1953–54 shall be estimated by the Commissioner on the basis of the best available data on the average daily attendance of local educational agencies during such school year.

(b) From a State's allotment under subsection (a) for a fiscal year the Commissioner shall, except as otherwise provided in subsection (e), pay to such State an amount equal to one-half of the expenditures of local educational agencies in carrying out the purposes specified in section 2(b)(1) under applications approved by the State agency pursuant to the State plan approved under subsection (c), and one-half of the expenditures of such State agency in carrying out the purposes specified in section 2(b)(2) under such plan, including its expenditures in administering the State plan. Payments under this subsection and subsection (e) shall be made from time to time by the Commissioner on the basis of estimates of amounts to be expended in a quarter or other period or periods determined by him, with necessary adjustments on account of any overpayment or underpayment for any prior period or periods.

(c) A State plan shall be approved by the Commissioner for purposes of this Act if such plan—

(1) designates the State educational agency to administer or supervise the administration of the plan, or designates another single agency of the State for such purpose and in such case provides methods for effective coordination between such agency and the State educational agency;

(2) sets forth the methods and criteria for approving applications of local educational agencies for funds under this title, and describes the activities to be carried on by the State agency with the aid of funds under this title;

(3) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for the proper and efficient administration of the State plan;

(4) provides that the State agency will make such reports to the Commissioner, in such form and containing such information, as are reasonably necessary to enable the Commissioner to assure expenditure of grants under this title solely for the purposes for which made and otherwise to perform his functions under this title.

(d) Whenever the Commissioner after reasonable notice and opportunity for hearing to the State agency administering or supervising administration of the State plan approved under subsection (c), finds that—

(1) the State plan has been so changed that it no longer complies with any of the requirements of subsection (c), or

(2) in the administration of the plan there is a failure to comply substantially with any such requirement,

the Commissioner shall notify such State agency that no further payments will be made to the State under this Act (or, in his discretion, that further payments to the State will be limited to parts of or programs under the plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, the Commissioner shall make no further payments to such State under this Act (or shall limit payments to parts of or programs under the State plan not affected by such failure).

(e) If the Commissioner determines, with respect to any State for which an allotment has been made under subsection (a) for any fiscal year, that such State will not for such year submit and have approved a State plan under subsection (c), the Commissioner shall, notwithstanding the provisions of subsection (b), pay to local educational agencies, with applications approved by him under this subsection, one-half of the expenditures of such agencies during such year in carrying out the purposes of section (2)(b)(1), but such payments may not exceed, in the aggregate, the State's allotment for such year. The Commissioner shall by regulation prescribe criteria and procedures, for approval and withdrawal of approval of applications under this Act, which will, in his judgment, best effectuate the purposes of this Act.

SEC. 4. For purposes of this Act—

(1) The term "public school" means a public school which provides elementary or secondary education, as determined under State law, but does not include a school of any agency of the United States.

(2) The term "segregated public school" means a public school to which students on May 17, 1954, could not, under the constitution or laws of the State in which such schools are located or under ordinances or rulings of the appropriate local educational agency pursuant to such constitution or laws, be admitted without regard to race or color.

(3) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

(4) The term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of free public education in a city, county, township, school district, or political subdivision in a State; and includes any State agency which directly operates and maintains public schools.

SEC. 5. (a) The Commissioner shall collect and disseminate such information on the progress of desegregation in the public schools in the several States as may be useful to educational and other public officials, agencies, and organizations in effecting desegregation in such schools.

(b) The Commissioner shall, upon request, provide information and technical assistance to State or local officials, which will aid them in developing plans and programs for effecting desegregation in public schools, and, upon request of such officials, shall initiate or participate in conferences dealing with the educational aspects of problems arising in connection with efforts to comply with applicable court desegregation decisions or decrees.

(c) The Commissioner may delegate to any officer or employee of the Office of Education any of his powers and duties under this Act, except the promulgation of regulations.

(d) No appropriations may be made pursuant to subsection (2) for any fiscal year ending after June 30, 1964. Prior to the close of January 1963, the Secretary of Health, Education, and Welfare shall submit to the Congress a full report of the administration of this Act, together with his recommendations as to whether it should be extended and as to any modification of its provisions he deems appropriate.

(e) There are hereby authorized to be appropriated such sums as may be necessary to administer the provisions of this Act.

Mr. KEATING. The amendment, as I have indicated, is expressly in so many words approved in the platforms of both political parties. Both parties are committed to it. If our political platforms are to mean anything we must approve this proposal. This is a modest step, involving a small amount of money, to help those school districts which are sincerely trying to bring about compliance with the Supreme Court decision. I hope very much that the amendment will be adopted.

Mr. JAVITS. Mr. President, I should like to express my support of my colleague's amendment, and to point out—and I know my colleague is anxious to curtail the time for debate—that the Republican administration under President Eisenhower had two basic civil rights measures which it always favored. Whatever may be argued about whether it said X on one day and Y on another, there is no question about its attitude with respect to the amendment for technical aid to school districts.

I think it is fair to say that the middle-of-the-road, conservative, reasonable—whatever description one wishes to give it—Eisenhower's sense of fairness dictated that this is the least we ought to do. I hope very much that this small measure of justice may find its way into the proposal to extend the Federal Civil Rights Commission. I compliment my colleague from New York upon offering the amendment.

Mr. KEATING. I thank my colleague from New York. I recognize that this is a modest step, but I sincerely hope it will prove to be one little step we take in the right direction.

Mr. MANSFIELD. Mr. President, I move to lay the amendment of the Senator from New York on the table.

Mr. KEATING. Mr. President, on that motion I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana to lay on the table the motion of the Senator from New York [Mr. KEATING]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Connecticut [Mr. DODD] and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON] and the Senator from New Mexico [Mr. CHAVEZ] are absent because of illness.

On this vote, the Senator from New Mexico [Mr. ANDERSON] is paired with the Senator from Connecticut [Mr. DODD].

If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Connecticut would vote "nay."

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Texas [Mr. YARBOROUGH] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] is absent because of death in his family.

The Senator from Iowa [Mr. HICKENLOOPER] is absent on official business.

The Senator from Utah [Mr. BENNETT] and the Senator from Maryland [Mr. BUTLER] are necessarily absent.

If present and voting, the Senator from Maryland [Mr. BUTLER] would vote "yea."

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Connecticut [Mr. BUSH]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Connecticut would vote "nay."

The result was announced—yeas 50, nays 40, as follows:

[No. 174]

YEAS—50

Allott	Gruening	Moss
Bible	Hayden	Mundt
Boggs	Hickey	Neuberger
Byrd, Va.	Hill	Robertson
Byrd, W. Va.	Holland	Russell
Cannon	Hruska	Saltonstall
Case, S. Dak.	Johnston	Schoeppel
Church	Jordan	Smathers
Cotton	Kefauver	Sparkman
Curtis	Kerr	Stennis
Dworshak	Long, La.	Talmadge
Eastland	Mansfield	Thurmond
Ellender	McClellan	Tower
Ervin	McGee	Wiley
Fulbright	Metcalf	Williams, Del.
Goldwater	Miller	Young, N. Dak.
Gore	Monroney	

NAYS—40

Aiken	Hartke	Muskie
Bartlett	Humphrey	Pastore
Beall	Jackson	Pell
Burdick	Javits	Prouty
Capehart	Keating	Proxmire
Carroll	Kuchel	Randolph
Case, N.J.	Lausche	Scott
Clark	Long, Mo.	Smith, Mass.
Cooper	Long, Hawaii	Smith, Maine
Dirksen	Magnuson	Symington
Douglas	McCarthy	Williams, N.J.
Engle	McNamara	Young, Ohio
Fong	Morse	
Hart	Morton	

NOT VOTING—10

Anderson	Butler	Hickenlooper
Bennett	Carlson	Yarborough
Bridges	Chavez	
Bush	Dodd	

So Mr. MANSFIELD's motion to lay on the table Mr. KEATING's amendment to the Mansfield-Dirksen amendment was agreed to.

Mr. SALTONSTALL. Mr. President, I am joining with those of my colleagues who seek to extend the life of the Civil Rights Commission for a period of 2 years.

I am willing to vote to give this Commission permanent status, because of the important and continuing nature of its responsibilities, but the only practical solution to the present impasse we have reached at this session seems to be to adopt the 2-year measure.

I do hope that during this new 2-year period careful study can be given to a permanent role for the Commission. And I trust that the Commission can exercise constructive leadership in bringing about those social changes which appear inevitable in the North as well as the South.

In these troubled days, the escutcheon of American leadership must be unblemished, as we brandish it before the world. We cannot injure our moral position before the diverse peoples of the earth by any evidence that we do not really believe in or practice the high principles of equality and brotherhood that our forefathers laid down for us.

The Commission can play a valuable role in hearing complaints, in guaranteeing constitutional rights, and in recommending helpful and understanding courses of action. Therefore, I want to see to it that its work is continued for 2 more years and in that period I hope constructive suggestions can be made so that its work will be more effective in

preventing discrimination, in giving to every citizen his constitutional rights to which we all want to subscribe.

Mr. HUMPHREY. Mr. President, in view of the vitally important work that is being done by the Civil Rights Commission I am most pleased that the Senate is taking action today to extend the Commission's life. I am, of course, disappointed that Senator CLARK's amendment to give the Commission permanent status was not adopted.

I want to take this opportunity to pay a richly deserved tribute to the members of the Civil Rights Commission and to its dedicated and hardworking staff. The members of the Commission and the staff as well have performed a sorely needed function of helping to focus public attention on the problems we face in the area of civil rights. And it should be noted that the Commission has acted prudently and in good faith. It has not attempted to malign any individuals, any communities, or any sections of our great country. It has attempted to act in an objective manner and has bent over backward in fact to avoid any actions which would incite racial animosities and bitterness. The Commission has acted in a mature and positive fashion and deserves to be complimented on the fine job it has been doing and will, I am sure, continue to do.

For several years, Mr. President, I have introduced legislation to establish such a Commission. The day that we passed the bill to set up the Commission was therefore of special importance to me. I was confident that the Civil Rights Commission would perform an important function and that it would act in a responsible fashion. The record shows this to be the case.

As a result of the Commission's careful studies, hearings, and reports we have a much clearer picture of the problems we face in this area. Problems, I might add, which are not confined to only one area of the United States. The Commission has shown that prejudice and discrimination exist in one form or another in all sections of the Nation.

It is my hope, Mr. President, that discriminatory practices, in education, housing, employment, travel, public accommodations—wherever they occur—will in my lifetime be a thing of the past. We are making progress and this progress is being stepped up day by day. It needs to be accelerated. I am hopeful, Mr. President, that the Senate of the United States will demonstrate by its actions, such as the passage of this measure here today to extend the life of the Commission, that it is not only moving in the right direction for the promotion of civil rights for all Americans, but that it will be in the forefront of this effort.

Mr. MANSFIELD. Mr. President, if there are no further amendments to be submitted to the amendment proposed by the Senator from Illinois [Mr. DIRKSEN] and myself, I hope the Senate will vote immediately on our amendment. I think the matter has been threshed out quite thoroughly.

On the question of agreeing to our amendment, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Montana [Mr. MANSFIELD], on behalf of himself and the Senator from Illinois [Mr. DIRKSEN]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Texas [Mr. YARBOROUGH], the Senator from Connecticut [Mr. DODD], and the Senator from Arizona, [Mr. HAYDEN], are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ], and the Senator from New Mexico [Mr. ANDERSON] are absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from New Mexico [Mr. ANDERSON], the Senator from Connecticut [Mr. DODD], and the Senator from Texas [Mr. YARBOROUGH], and the Senator from Arizona [Mr. HAYDEN] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] is absent because of death in his family.

The Senator from Iowa [Mr. HICKENLOOPER] is absent on official business.

The Senator from Utah [Mr. BENNETT] and the Senator from Maryland [Mr. BUTLER] are necessarily absent.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Connecticut [Mr. BUSH], and the Senator from Maryland [Mr. BUTLER] would each vote "yea."

The result was announced—yeas 70, nays 19, as follows:

[No. 175]

YEAS—70

Aiken	Gore	Morse
Allott	Gruening	Morton
Bartlett	Hart	Moss
Beall	Hartke	Mundt
Bible	Hickey	Muskie
Boggs	Hruska	Neuberger
Burdick	Humphrey	Pastore
Byrd, W. Va.	Jackson	Pell
Cannon	Javits	Prouty
Capehart	Keating	Proxmire
Carroll	Kefauver	Randolph
Case, N.J.	Kerr	Saltonstall
Case, S. Dak.	Kuchel	Schoeppel
Church	Lausche	Scott
Clark	Long, Mo.	Smith, Mass.
Cooper	Long, Hawaii	Smith, Maine
Cotton	Magnuson	Symington
Curtis	Mansfield	Tower
Dirksen	McCarthy	Wiley
Douglas	McGee	Williams, N.J.
Dworshak	McNamara	Williams, Del.
Engle	Metcalf	Young, Ohio
Fong	Miller	
Goldwater	Monroney	

NAYS—19

Byrd, Va.	Johnston	Sparkman
Eastland	Jordan	Stennis
Ellender	Long, La.	Talmadge
Ervin	McClellan	Thurmond
Fulbright	Robertson	Young, N. Dak.
Hill	Russell	
Holland	Smathers	

NOT VOTING—11

Anderson	Butler	Hayden
Bennett	Carlson	Hickenlooper
Bridges	Chavez	Yarborough
Bush	Dodd	

So the amendment was agreed to.

Mr. CLARK. Mr. President, I call up my amendment identified as "8-21-61—B" and ask to have it stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Pennsylvania will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 36, line 16, to strike out "$302,000" and insert in lieu thereof "888,000".

Mr. CLARK. Mr. President, this amendment merely proposes to put back into the bill money to enable the Civil Rights Commission to operate next year. Now that the life of the Commission has been extended for 2 years, I hope the Senator from Arkansas will accept the amendment and take it to conference.

ANNOUNCEMENT BY THE SOVIET UNION ON RESUMPTION OF NUCLEAR TESTS

Mr. SCOTT. Mr. President, the Soviet Government has just announced the resumption of experimental nuclear tests. This brings into sharp focus the proposal of the Senator from Connecticut [Mr. DODD] which was circulated yesterday and will be offered tomorrow, and which is cosponsored by me and perhaps other Members of the Senate, and the great importance of wise, prompt, and alert action on the part of the President of the United States.

I have no doubt that he will take such action. For a long time I have felt that we should resume nuclear tests. Those of us who saw Mr. McCloy on television heard him say Khrushchev had told him that he did not resume nuclear tests despite the urging of his own scientists, because, he said, "If you will wait for the Americans, they will resume tests first, and then you can test all you want."

This is typical evidence of planned deceit on the part of the Soviet dictator, a planned attempt, it seems to me, to lull our representatives—and I do not say that they were deceived, by any means—into believing that we were serving the Soviet cause by pressing this issue.

The contrary is true. Khrushchev has dropped this decision into the pit of controversy. He has squarely put it up to the American people as to what we will do.

I am sure the President will do the right thing. I hope he will do it early. I hope we will resume nuclear tests. But I hope we will make it clear that our methods of testing will be not to heighten tension, if we can avoid it, but for the purpose of our security and to defend our cause.

Mr. HUMPHREY. Mr. President, I had been informed earlier today, as I am sure other Members of the Senate were, that the Tass news agency released a report to the effect that the Soviet Union was engaging in certain types of nuclear tests for experimental purposes.

It appears to me that the President of the United States has been pursuing exactly the right policy. Some of us have said that, if nuclear tests were to be resumed on the part of this country, it should be done only in the vital interests of national security. We have also said that in view of our position at

the bargaining and negotiating table in presenting a draft of a treaty, we had won an important psychological victory in terms of world opinion, because we presented a complete draft of a treaty in good faith, which has been rejected by the Soviet Union—much to their discredit, in the eyes of people all over the world.

Now the Soviet Union has given its indication that it will resume testing. This, of course, permits the United States, under the terms of a self-imposed moratorium of some years past, to resume these tests whenever we deem it necessary, and that it be done on the decision of the President of the United States and his advisers in terms of the vital interests of this country.

But I want to make it clear that we were not bludgeoned into renewed testing prior to the Soviet's decision. We have won a "propaganda" if that is the proper word—and moral victory. The Soviet Union has violated the moratorium. The Soviet Union has again gone back on its word.

I commend this Government for its restraint. I commend the President of the United States for his steady nerve. I commend the President of the United States and Mr. Arthur Dean, Mr. McCloy, and others for their perseverance in attempting to seek a way out of the nuclear arms race.

It is now obvious that the Soviet Union has cast all this aside. It has engaged in the reckless pursuit of nuclear weapons rearmament. The United States, according to our scientists, is ready—and I have no doubt that we are prepared, if the order is given—for effective resumption of tests for experimental purposes, for whatever experimentation that will be.

I repeat, it is not the United States which has suffered; it is the Soviet Union. This fact will be revealed again and again in the debates in the United Nations and throughout the chancelleries of the world.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. SCOTT. I wish to make it clear that I made no statement until the report in the press had confirmed what was said by the Soviet Union.

Mr. HUMPHREY. I merely wish to have the facts clear. The press statement did not say the Russians had resumed testing. The press statement said the Russians would resume testing.

Mr. SCOTT. That it had been decided they would resume experimental testing.

Mr. HUMPHREY. The point I make is that the restraint we have practiced resulted in a major moral victory for this country. The Soviet Union again has broken faith, again has broken its agreement, again has broken its word. The world knows it. I commend the President for his moral victory in this hour.

Mr. SALTONSTALL. Mr. President, I commend the Senator from Pennsylvania and the Senator from Minnesota for what they have said about nuclear testing and what the Russians are doing. As a member of the Committee on Armed Services and the Committee on Appropriations, which committees have discussed the problem over many years, I know our action has been one of restraint. Now we shall be free to take advantage of nuclear testing, which I believe we should do for the strength and security of our country.

Mr. DIRKSEN. Mr. President, I shall take only a half minute.

When I heard my distinguished friend from Minnesota speak about the psychological victory involved, I felt a little like the Indian father who took his son to the picture show, where they saw a picture dealing with the Battle of the Little Big Horn. It was one of many he had seen. When the father and son came from the movie the son turned to his father and said, "Pop, why don't we win once in a while?"

I wish we could win something besides psychological victories now and then. I say that because for months, as a part of the minority leadership, I have been constantly urging that we resume nuclear testing so that this country will be ready. I am not interested in Pyrrhic victories. I am interested in the stuff it takes for a real victory when the clinches really come.

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1962

The Senate resumed the consideration of the bill (H.R. 7371) making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1962, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. CLARK].

The amendment was agreed to.

Mr. MUNDT. Mr. President, I have two amendments at the desk. I call up my amendment dealing with the provision on page 36, line 16, and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 36, line 16, before the period, it is proposed to insert the following proviso: *"Provided further,* That the compensation of any employee paid from funds provided under this head shall not exceed $20,500 per annum."

Mr. MUNDT. Mr. President, I say first, so that the leadership of the Senate may be advised, that I shall not call up my amendment which deals with impacted areas, and with respect to which I have given advance notice of a motion to suspend the rule. The majority leader has told us he has definitely scheduled that measure for consideration next week. His promise is adequate and convincing. It is good enough for me.

Mr. President, the amendment I have offered is very simple. I hope the chairman of the committee and the Senate will agree to it.

We have established through the years certain standards of pay for employees of the Federal Government. In this category usually the rates do not exceed $20,500.

When the original Civil Rights Commission Act was passed it was considered that this would be a purely temporary body. To attract the right kind of personnel for temporary service, understandably the Senate was a little more generous in providing salaries not in excess of $22,500.

I think we should keep the salary scales in balance. I point out that my amendment would bring the standard pay into complete conformity with the pay received by members of the Civil Aeronautics Board, the Civil Service Commission, the Federal Home Loan Bank Board, the Federal Communications Commission, the Federal Trade Commission, the Federal Power Commission, the Federal Mediation and Conciliation Service, and so on.

If we are to break through the top limits on salaries for Federal employees, we should do it under general legislation and make it applicable to all agencies.

I think for the time being, under the present circumstances, $20,500 is perfectly adequate. I hope the chairman of the committee will agree to the amendment.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. McCLELLAN. As I understand the amendment, it proposes to limit the amount of salary to be paid, to bring the top limit down to the level paid in comparable agencies.

Mr. MUNDT. That is precisely correct. We should not have one stand out like a peak in the prairie from all the rest. Unless there is opposition to the amendment, I suggest that the Senate vote.

Mr. McCLELLAN. Mr. President, I shall be glad to take the amendment to conference. So far as I know it is in line with what is proper.

Mr. MUNDT. Yes. I think this is something which was overlooked in the committee, because at that time the committee did not know whether there would be an extension of the life of the Commission.

Mr. McCLELLAN. I have nothing further to say.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. MUNDT].

The amendment was agreed to.

Mr. JAVITS. Mr. President, I call up my amendment 8–22–61—A, and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 36, line 12, it is proposed to strike out "$1,500,000", and insert in lieu thereof "$3,550,000."

Mr. JAVITS. Mr. President, I shall offer two amendments to the bill, both relating to the U.S. Information Agency.

I feel very keenly about these amendments. The amendment which I have offered, which has been stated, would

restore the budget figure for the amount to be provided the informational media guarantee fund, the fund under which we guarantee book publishers and periodical publishers the return of their money for investing in books and other publications which are distributed abroad as a part of the U.S. Information Agency's program.

The other amendment which I shall offer would restore about $4.3 million to the general appropriation for the U.S. Information Agency, to enable it to proceed with its program effectively in the lesser developed areas of Asia, Africa, and Latin America.

Mr. President, this is very serious business. Other issues have arisen with respect to the bill. The Senate has disposed of them. We are now considering the regular provisions. I think it is fair to say that whatever may be said as to the refined details, in terms of appropriations—and I am sure we shall hear about them from the distinguished Senator who heads the subcommittee—one of the greatest lacks in our Government, one of the things which may defeat us in the terrible cold war struggle in which we are engaging, is the fact that we seem to have myopia on the question of information and propaganda.

In the course of my remarks this evening, I shall develop the subject to considerable extent, because I think we have an information lag, a propaganda lag, which can be far more damaging to us than our space lag.

There is much argument about whether we are really behind, in military and security terms, in space. I think there can be no argument about the fact that the Russians are far ahead of us in terms of propaganda. Indeed, not only do the Russians have us skinned, but many other nations have us skinned, whom we would be surprised to hear about.

By way of preliminary, I invite attention to the fact that Cyrus Sulzberger in an article written for the New York Times, published August 7, 1961, said that we are not second best, but fourth best, in terms of the job we are doing in information abroad. He says that in terms of numbers of languages, numbers of hours broadcast, and strength of emissions we lag far behind Russia, behind Communist China, and even behind the United Arab Republic.

The amendment which I have proposed seeks to restore the Informational Media Guarantee Fund appropriation, so that, as the department has said, it can undertake the issuance of guarantees in the next fiscal year at approximately the 1960 and 1961 level of $8 million. I ask Senators to keep in mind the $8 million figure, because it is important to the discussion of this entire subject.

The other body, notwithstanding its love of economy, gave the informational media guarantee fund $2.5 million. Our committee has brought it to us with a further cut of $1 million. It was $1 million less than the budget estimate of $3,550,000. Nonetheless, we further reduced the amount by $1 million. The proposed appropriation is now down to $1,500,000. Of that $1,500,000, $500,000 will be used to pay interest on obligations to the Treasury, so that the whole informational media guarantee fund is in this bill, for all effective purposes of appropriation, in the amount of $1 million.

Mr. President, $1 million will buy $2.5 million of guaranteed issuance of books and publications.

The committee said on page 9 of the report:

> Testimony before the committee indicated that this media program was operating on a demand rather than a need basis. In a letter dated April 26, 1961, to the House committee, the Director said that he was not satisfied that the program, as presently authorized and operating, was achieving its objectives in the most effective manner and that he was ordering a review of the program. At the time of the hearings, July 11, 1961, the Director said that no review findings have, as yet been made. Pending completion of the Director's review, the $1,500,000 together with the funds available through sales of foreign currency, etc., should permit the Agency to operate an adequate program in fiscal 1962.

In order to give Senators notice, because of the lateness of the hour, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, I thank the Senate. I shall not detain Senators very long. I appreciate very much the seriousness which the granting of the request represents and the willingness of the Senate to consider the amendment.

Why is the informational media guarantee fund so important? Its importance is illustrated in the words of the Director of the Agency, Ed Murrow. At page 640 of the record he said:

> It is likewise true that we published last year in translations about 3½ million books. The Russians, on the other hand, moved in a single year from 30 to 40 million books in translation in non-Communist bloc languages.

Uncle Sam is a big man with big muscles who spends $47 billion for military security and for military equipment. But when it comes to Uncle Sam's voice, it is a tiny, pipsqueak voice because we do not finance what Uncle Sam needs in order to make himself heard in the world in a manner commensurate with his strength.

Our dug-in opponents do not make the same mistake. I invite the attention of Senators to an article which was published recently in the Saturday Evening Post. The authors of the article were none other than Burdick and Letterer, the authors of "The Ugly American." This is what they said about the very question of the informational media guarantee:

> The Communists also realize that intense "literacy drives" among the emerging nations creates a new market for books, magazines, and newspapers. Today the Russians and Chinese are the biggest publishers of books in the world. Between them they produce more than 2 billion books a year, which surpasses the entire output of all other nations. A large fraction of these volumes are published in foreign languages, ranging from obscure African languages, like Fang-Bulu and Kabyle, to Japanese and German. Children's books which successfully convert Cinderella and Little Red Riding Hood into Communist heroes are put out in fine editions, beautifully illustrated. Millions of magazines are distributed throughout the world, each of them aimed at a specific audience: the peasant, the trade-union member, the city worker, the disgruntled intellectual.
>
> Today the world's bestselling author is Joseph Stalin. His books are followed by the Bible.

I beg Senators who are deeply concerned about communism to listen to this statement. Today the world's best selling author is Joseph Stalin. His books are followed—not preceded—by the Bible.

If we needed any further argument to give the USIA at least the minuscule amount of money which it is getting for this informational media guarantee fund, that statement would seem to me to be absolutely conclusive. I have received letters from the great publishing houses of our land, showing absolute despondency over the fact that we should be so shortsighted as to do what is proposed here. In a moment I shall read a general statement on this issue relating to both of my amendments, but in the meantime I should like to highlight the very serious situation which we face in the informational media guarantee fund program, especially in view of the great competition we are up against, and in which we are far behind in terms of any ability to meet it.

I have talked with the chairman of the subcommittee on this question, and I have also tried to ascertain why the cut was made. I was told by Mr. Murrow that the cut was made because the Agency is reviewing its operation in respect to the informational media guarantee. The statement appears in the committee report. But reviewing operations should not be a basis for reducing the appropriation of an agency so much as to materially impair as critically essential a role as this one plays.

We did that once before. The first year of my service in the Senate, I engaged in a debate about the USIA with the very distinguished majority leader, who subsequently became the Vice President of the United States. It was a year in which we cut the USIA appropriation from $115 million to about $90 million. We cut the USIA to ribbons. I was a brandnew Senator at that time. Nonetheless, this action appalled me. I argued the question at considerable length with the then majority leader.

He insisted that the way to reconstruct the Agency and make it effective would be to cut it down to the bone. I think he cut deeply into the bone. The argument was that it would then build itself up.

I beg Senators to examine the debate which took place at that time, in which precisely that statement was made.

What happened? The USIA has not recovered to this day. The USIA is still suffering from losses of personnel, position, broadcasting, and stations. We have only ourselves to blame for having practically destroyed this Agency in 1957.

George Allen testified to that point. He has been building and rebuilding the Agency, until now it is receiving appropriations of about $130 million. Ed Murrow is traveling the same very hard road back.

I hope that we do not make the same mistake now by not providing the minuscule amount of money that is involved, and thus mute the voice of a giant, until it becomes a tiny squeak. That is what we would be doing.

It is no great shakes in terms of money if we adopt both my amendments to give the USIA in round figures something like $130 million. I am asking for restoration of $6½ million—the Russian Communists and Chinese Communists spend $2 billion. That is not according to my testimony, but according to the testimony of authoritative experts.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. It seems inconceivable to me that in this particular instance, when we are dealing with great and overwhelming questions, we should not give the Agency at least what it asks. If Senators will look at page 552 of the hearings, they will find that the Agency was very modest about requesting restorations after the House had made its cuts, and that it asked, for example, for a restoration of only parts of the sums which had been cut. However, it did ask for a restoration of the whole amount, which the House had cut, with respect to the informational media guarantee fund. That is understandable when we note the disadvantage we suffer in this international field, and when we see what is done with the money.

I would appreciate it if Senators who are interested would turn to page 635 of the hearings, at which point the Agency describes what will happen to the program if they do not get a restoration of the funds. I read from the hearings:

If the reduction made by the House—

The Senate committee cut it in half again in terms of effective money available for the program—

If the reduction made by the House is not restored, it is estimated that the program level would have to be cut back to approximately $5,800,000, a reduction of $2,300,000 from the $8,100,000 level proposed. This reduction in program would be necessary because of the loss in receipts from operations which would result from a lower program level. It is estimated that in 1962 $1 in appropriation will finance $2.50 in program coverage.

That is my reason for saying that what has been allowed by the Senate committee will only allow the Agency to maintain a $2½ million program against the more than $8 million program which it contemplated.

To say that it is reviewing its operations—and it is completely dissatisfied with them; I checked with the Agency itself, or I would not have undertaken to offer the amendment—is not the answer. We would not help it to review its operations by dismembering this particular operation.

The operations should be reviewed, in terms of our doing a very much bigger job in this field than we are doing, in order to compete with the Russians and the Chinese Communists. However, it should not be almost completely dismembered. That is what we would be doing. We should learn a lesson from what we did in 1957, when we cut this Agency so completely that many years were required to build it back, at a time when its efforts were critically needed.

I shall conclude in a moment, to give an opportunity to the chairman of the subcommittee, to state his views on my amendment. We often hear on the floor of the Senate complaints about the inadequacy of the position of the United States and what we should do about it. In this instance we have an opportunity to do something. What do we do? We cut the "enormous" sum of $2½ million down to $1½ million.

I am sure that any citizen of our country, any taxpayer, no matter how careful he is about his taxes, would say, "I do not think this is the way to save money."

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MORSE. I commend the senior Senator from New York for offering what I think is an excellent amendment, which should be adopted by the Senate. I speak as a member of the Foreign Relations Committee. I have traveled in many parts of the world. I never go to any locality overseas where there is a U.S. information office without making an inspection of the office.

Considering the limitations under which our U.S. Information Agency has been working abroad, it has done a remarkable and almost miraculous job time and time again in keeping alive the torch of American understanding. It is certainly entitled to far more support than we have given it in the past.

It would be tragic to cut the budget by any such amount as is proposed in the bill. We should be giving it more support. I do not care whether we call it U.S. information or what we call it. We should be giving more support to telling the American story abroad.

We have an opportunity to invest a relatively small sum of money which will return to us great dividends in terms of improved understanding abroad. We are in a death struggle between freedom and totalitarianism abroad. I cannot understand how we can be so shortsighted as not to give additional financial support to the best medium we have for telling the American story abroad.

This is one place where we can spread information about the American way of life and its superiority over the Communist way of life.

I should like to say a word about what is being done by the Communists in Latin America, because time and again members of the Subcommittee on Latin American Affairs have been briefed about the information which Red China is spreading all over Latin America, to say nothing about Red Russia, and the information service personnel which Red China, and Red Russia, as well, are sending to Latin America.

This is no time to be cutting the funds for the U.S. Information Service abroad. If there is need for procedural improvement, if there is need for improvement in techniques, that is another question. But we are dealing now with the question of how much money should be made available to this administration for an effective U.S. Information Service abroad. We ought to be adding to the appropriation, not cutting it.

Mr. COOPER. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. COOPER. I know it is rather difficult for a Senator who is not a member of the Committee on Appropriations or the Committee on Foreign Relations to attempt to impose his judgment concerning these questions upon Members of the Senate who deal with them day after day in the work of the committees. I would not raise my voice on this occasion, except that I think I have had some experience in watching the operations of the information program in other countries.

The amendment of the Senator from New York relates to one issue; namely, the maintenance of the book program. In the time I spent as a representative of the United States in India, and in visiting other countries, I found no program which excited the interest of the people of those countries as did our library service and our book program. The young people of those countries hunger for reading matter—for books, for periodicals, and for other information about the United States. They crowd the libraries. There is hardly standing room in those libraries. Everyone is seeking to read about the United States and to know something about it.

I saw also in operation in India and in other countries the programs of the Soviet Union. They do not provide libraries, but they sponsor cheap-book programs, and the Communist agencies and Communist Party members in those countries see to it that the books are circulated. The Communists flood those countries with cheap books.

In my opinion, one of the greatest instruments of our information program is truth. The truth comes through making our best literature available to the people of those countries. They form their own judgment about our country when they see and are able to read our great literature, our history, our fiction, and our great artistic works.

I remember in 1957, when Senator JOHNSON, now Vice President JOHNSON, served as chairman of the subcommittee dealing with this program. That subcommittee slashed the funds for the purpose to which the amendment of the Senator from New York [Mr. JAVITS] is directed.

A vigorous debate took place on the floor of the Senate. Some of us favored the amendment, in 1957, to restore the funds. We were defeated. After that, Senator JOHNSON came to me and spoke about the program and what had been said on the floor of the Senate. I told him then of my experience in seeing the operation of this program in another country. The next year he came back and, of his own volition, restored some

UNIVERSITY OF MICHIGAN LIBRARIES

of the funds, because he had been told and was convinced that the program was worthwhile.

Again this year we see a slash in the funds for the program, a program which I am convinced is one of the most fruitful parts of our information program. We think that people are not convinced by what is conventionally known as propaganda in the form of slanted news or slanted information. But when we try to give them the best of our literature, the best of our newspapers—the really factual news—our committees seek to cut the funds. I think that is a great mistake. I sincerely hope the amendment of the Senator from New York will be accepted.

Mr. JAVITS. Mr. President, I am grateful to the distinguished Senator from Kentucky, who speaks from his extensive personal experience as our former Ambassador to India, and to the distinguished Senator from Oregon [Mr. MORSE], who speaks also from wide experience as the chairman of the Subcommittee on Latin American Affairs of the Committee on Foreign Relations. I feel much sustained in my position by this caliber of support.

Mr. McCLELLAN. Mr. President, the bill as reported and the amounts involved—in particular, the amount under discussion, which the amendment would increase—were carefully considered by the Committee on Appropriations. The subcommittee handling the bill held some 15 days of hearings. I believe 6 days of that time were spent on the USIA. We considered the proposal item by item. I do not know of any appropriation bill which received more meticulous attention than did this one.

The House finally reported and passed a bill providing $110 million for this Agency. This was an increase of about $5 million over last year's appropriation. After carefully considering the item, the Senate committee added another $1-million-plus to that amount.

So we have a bill which increases the amount for this agency by $6-million-plus beyond what the Agency received last year. The only place where the Senate committee reduced the amount of the House items was in this item. In other areas we restored or increased the House items by a total of $5,118,000-plus. So I think we have dealt rather generously.

I know that more money can be spent. However, there is a new administrator of the program, a man in whom I have much confidence. He intends to try to get value received for the money. He says he is not satisfied with this particular program, and that he would like to have the opportunity to make a survey of it. The committee will grant him the opportunity. We know that if an emergency arises, Congress will be in session again in January. It can make arrangements then to provide more money, if that becomes necessary.

Mr. MANSFIELD. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I yield.

Mr. MANSFIELD. Is it not true, also, that so far as the particular fund in question is concerned, in effect the Director of the program, Mr. Murrow, has received assurances from the subcommittee which conducted the hearings that he may come back later if additional funds are needed, and that his request will be considered in a supplemental appropriation bill?

Mr. McCLELLAN. He certainly has been assured of that. We are trying to establish with the new Director of the Agency the kind of relationship which will enable us to work together in trying to iron out the problems, in trying to evaluate them, with everyone cooperating, so as to get value received for our money.

Mr. SALTONSTALL. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I yield.

Mr. SALTONSTALL. As one who has always been interested in the program and who has discussed it many times in the Committee on Appropriations, what influenced me this year was the fact that on page 1124 of the hearings before the Senate subcommittee the Senator from Arkansas [Mr. McCLELLAN] read from a letter which Mr. Murrow, the new Director, wrote to Representative ROONEY, in which Mr. Murrow said:

> However, I am not satisfied that the informational media guarantee program, as presently authorized and operating, is achieving this objective in the most effective manner. I have ordered a thorough review of the program to determine whether or not it can be more usefully controlled to assist in achieving the objectives of our oversea information effort.

On page 1125 of the hearings, Mr. Murrow stated that he had not completed that investigation. As the majority leader has said, we wish to give Mr. Murrow every opportunity to come forward, if he is convinced that the program is not satisfactory.

I also call attention to the fact that on page 1127 of the hearings the representative of the Agency said that instead of 19 countries where the program had formerly been operating, the number has been reduced to 10. In other words, nine countries have been eliminated from the program because these economic conditions in these nine countries made it possible for the countries to make available foreign exchange for American book imports outside of the IMG program. Mr. Beers stated:

> We have terminated the program in France, Austria, Germany, Italy, the Netherlands, Norway, and Spain. In Latin America, we have closed out in Chile. In the Far East we have closed out in Taiwan.

Those are the nine countries where the Agency has closed out a program which had formerly been operated.

As I stated today to the Senator from New York [Mr. JAVITS], I have been in favor of the program. However, in view of the situation this year, when the new Director is conducting an investigation, the view of the subcommittee was a sympathetic but realistic one, with the idea that following completion of the investigation to be conducted by Mr. Murrow, we could very well again increase the program.

Mr. McCLELLAN. I thank the distinguished Senator from Massachusetts. As he pointed out, six of nine countries in which it is planned to operate the program in 1962 are already so-called excess currency countries; and we are trying to meet that situation.

Mr. Murrow indicated that he is not satisfied with the program, and wishes to study and reevaluate it. I can say without question that through the program there has been distributed material which is highly detrimental to our country and is not advantageous to it and does not project the image of America which we wish to have projected abroad. So the program does need study.

I am confident—and I am sure I speak for all other members of the Appropriations Committee who have watched this program—that when material which really serves America is sent out under this program, adequate funds will be provided for it. That is all we are trying to do. Later, additional funds can be provided, if that is found to be necessary or desirable. But thus far we have been rather generous with the program all along.

I may be mistaken, but I have confidence in the new Director. I believe he is sincerely and conscientiously trying to get value received for the funds Congress makes available to him for expenditure. I believe we are correct in this case. If an increased amount is found to be needed, we shall be able to provide it later; and I am confident that Mr. Murrow will then come forward, in connection with a supplemental bill or a deficiency bill in the next Congress, and will request additional funds, if he finds they are needed. If he does so, I shall look on such a request impartially and solely from the point of view of what is best for our country.

Mr. ELLENDER. Mr. President, will the Senator from Arkansas yield?

The PRESIDING OFFICER (Mr. BURDICK in the chair). Does the Senator from Arkansas yield to the Senator from Louisiana?

Mr. McCLELLAN. I yield.

Mr. ELLENDER. Is the question at issue whether we shall continue to subsidize American publishers?

Mr. McCLELLAN. That is a part of it.

Mr. ELLENDER. That issue is now before us; and it does not in any manner affect the library program we now have under the USIA, does it?

Mr. McCLELLAN. No, it does not affect that program.

Mr. ELLENDER. In short, it does not affect it in any way whatever.

I wish to say to the Senator from Kentucky [Mr. COOPER], who spoke so eloquently about the program in India, that I saw many of the libraries in that area, and I favor them very much. We have there many books and publications. But the pending amendment does not affect that program at all.

In connection with the program, the distinguished Senator from New York is trying to have a reinstatement made, by increasing the amount. This Agency will have in excess of $6 million with which to carry on the program. As has been stated, Mr. Murrow is not satisfied with the program as it has been oper-

ated in the past, and he has promised us to make a study of it. I feel confident that after he makes the study, if he finds that he needs additional funds, he will make such representations to us.

Mr. President, the informational media guarantee program is a program whereby the Government subsidizes American publishers and exporters of books, periodicals, motion pictures, and so forth, who sell their materials in the commercial markets of certain soft currency countries. This is done by the Government's paying the exporters hard dollars for the materials which they ship overseas, and taking in lieu thereof the soft currencies derived from the sale of the materials.

Admittedly, the Agency has tended to permit the demand for such materials in particular countries to determine the size of the program, rather than imposing a ceiling on the basis of the possible need for such a program. For the fiscal year 1962, the Agency has planned for a program obligating it to purchase $8.1 million in these soft foreign currencies. However, of this amount, $6.1 million would be used for guarantee contracts aggregating more than $500,000 in each of six countries; and in five of these countries, the impairment to the program's fund in the past has ranged from 47 to 100 percent of the amount paid for the foreign currencies. In past operations, the program has lost $10 million in Israel alone.

Furthermore, as the testimony before the Appropriations Committee indicates, a substantial percentage of the materials sold abroad under this subsidized program consists of news magazines, newspapers, and other informational media put out without any previous determination that it is consistent with the national interests of the United States. It is one thing to have a free press; but it is an entirely different thing for the Government to be subsidizing—and thereby actually promoting—the sale of news magazines and whatnot which may contain articles inimical to the interests of this country or which otherwise do more harm than good.

In a letter to the House Appropriations Committee, dated April 26, 1961, the Agency Director, Mr. Murrow, said that he was not satisfied that this program, as presently authorized and operating, was achieving its objective in the most effective manner, and that he was ordering a review of the program. As of the present time, no review findings have been made.

In my opinion, this program has served its usefulness, and should be discontinued. However, the committee has not discontinued it, but has provided funds which, together with funds already available to the program, will permit a program level of operation of about $6 million in guarantees. With more judicious planning of the program and more selectivity, this should be entirely adequate, pending a thorough reevaluation of the entire program.

Mr. JAVITS. Mr. President——

Mr. McCLELLAN. Does the Senator from New York wish me to yield to him?

Mr. JAVITS. I wish merely to conclude my presentation.

Mr. McCLELLAN. Then, Mr. President, I yield the floor temporarily.

Mr. JAVITS. Mr. President, I certainly appreciate the assurances given by the Senator from Arkansas with respect to what could be done by means of supplemental or deficiency bills, and so forth.

Regardless of the outcome of the vote on this amendment, I hope very much that that action will not be considered as having been taken in light of those assurances, and will not in any way prejudice the case of the Agency.

I would be less than honest to myself and less than true to my principles if I did not point out that this situation is merely symptomatic of the way in which we handle the U.S. Information Agency. We take the position that it is proper for us to reduce its program, and then see what the effect may be; and that if later it is found that the reduction was a mistake, we can then increase the program and can then provide more money to the Agency. But we must consider the question of whether that is the proper procedure to follow in connection with this important activity in an area which is critically important to the United States. In other words, is that the proper course, or will it only add to the problem which now exists? In that connection, I refer to the 1957 example, to which the Senator from Kentucky [Mr. COOPER] referred.

I point out that when the Agency is handled in his way—reduced in size, and later increased in size, if that is found necessary, in an effort to recoup—great harm is done. For example, this Agency had an opportunity to spend $3 million for a Liberia radio outlet, which would have been indispensable and would have been of the greatest possible value to the program. But the USIA missed the boat in that connection because the necessary $3 million was denied it. When the Agency came before the committee, it said:

> Forget about that; the fact that we missed the boat means that we are out of the Liberia venture and we have lost the opportunity to make an offensive strike in the cold war.

Such most unfortunate and harmful results follow the kind of policy we have constantly followed in dealing with this Agency; and on page 557 of the committee hearings that story is set forth.

So the question is, How are we to compete by means of propaganda activities in the cold war, in view of the very great competition with which we are faced, if we are to proceed in that way—so different from the way in which we have proceeded in connection with the State Department activities and military preparations and even economic preparations? This is really the forgotten third branch of our effort; and if it fails, it may bring about the complete undoing of the others.

So I hope very much the Senate will show its determination in this connection, by doing this tiny thing, in order to back this Agency to the hilt and demonstrate its determination to change past tactics with respect to our activities in this entire propaganda field.

Mr. COTTON. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. COTTON. Mr. President, I so frequently find myself in disagreement with the Senator from New York—much as I respect his ability—that it is a privilege to me to associate myself with the position he takes in connection with the amendment he has offered. What the Senator has just said about coming back year after year and cutting back this particular activity, or reorganizing it, is true. Both in the other body and in my service in the last administration here, this is one project in which the Senator from New Hampshire has consistently voted against his own party, and against his friends on the Appropriations Committee, in whom he has had great confidence, because it has seemed to the Senator from New Hampshire, as it appears to the Senator from New York, that it is penny wise and pound foolish to spend many billions of dollars in preparing for the next war and then to pinch the money to a few million dollars in trying to sell to the world our cause in order to protect ourselves against the next war.

Mr. JAVITS. I am very grateful to the Senator from New Hampshire. He knows how valuable this activity is.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HUMPHREY. I commend the Senator from New York for his active leadership in the matter of the U.S. Information Agency and its activities. The informational media guarantee program is a good program, and it needs to be strengthened.

As a result of my discussions with members of the Appropriations Committee and representatives of the USIA, I am convinced that there is a feeling that the needs of this Agency will be properly cared for. I believe the Senator's presentation this evening has verified this reaction on my part, and has been of great help in assuring that requests of the Agency, as it reorganizes and redirects its efforts, will be properly received, recognized, and acted upon.

Frankly, I regret that the Senator intends to ask for a yea-and-nay vote on this proposal, because I do not think the vote of the Senate will fully express the feelings and reactions of Senators in light of the discussion that has taken place. I am confident that, were Senators of the opinion that additional moneys would not be made available under proper presentation before the committee, the amendment would receive majority support. Statements have been made by senior members of the Appropriations Committee to the effect that requests of the USIA, and particularly of Mr. Murrow, who is highly regarded, will be honored, and that there will be improvement.

I say to the Senator, in whom I have much confidence and faith, that I think he would do his cause more justice in the presentation he has made by merely

UNIVERSITY OF MICHIGAN LIBRARIES

bringing this question to a head through either a withdrawing of his request for a yea-and-nay vote or having a voice vote. I hope the Senator will give some consideration to that suggestion.

Mr. JAVITS. I respect the Senator from Minnesota very highly. I have no question in my mind whatever, notwithstanding the fact that he is the majority whip, of the bona fide nature of his suggestion. Sometimes all of us must face the solid realization of what we are doing in order to obtain a result. For too long we have treated this Agency, as the Senator from New Hampshire [Mr. COTTON] has borne out, on the theory that it could be shoved aside, cut down, and be reviewed. Let us see how many Senators want to invest $2 million in the Agency, and give it the benefit of the doubt, in order to "beef it up," not next month, or 2 months later, or next session. Let us do it tonight. I think we would do better if we looked in the mirror and saw whether we would vote for or against, than merely to rely on the presentation and say, "The Appropriations Committee will think it over. They have said nice things." Sometimes we must come to grips with an issue. I think the Senator from Minnesota, whom I admire, and who sees as I see on this question, knows the real emergency involved. I know the Senator will agree that, while these may be the wrong tactics, the emergency demands action.

Mr. HUMPHREY. I think the USIA needs strengthening. It is my intention, before the end of this session, to concentrate some attention on the subject by a presentation in the Senate. I think the Agency needs strengthening in Latin America and Africa, to a great extent. It certainly needs great improvement in Latin America, in view of the Sino-Russian attack in a propaganda way. It needs strengthening in southeast Asia and central Asia.

My point is that I do not want a vote that may take place here—even though I feel the Senator has made a very good case—to be indicative of the ultimate attitude of the Senate, because there is always the tendency, as every Senator knows, for us to support the work of the Appropriations Committee when a good deal of effort has gone into a bill.

The Senator from Arkansas, in good faith, has said he is of the mind to look upon the requests of the Agency in a friendly and receptive way.

In a sense, we have actually improved the House amounts in these items, and we are doing better in fiscal 1962 than we did in fiscal 1961.

I do not want my remarks to be interpreted as being opposed to the proposal, because I am not. I think the USIA needs to be strengthened. I think it needs more funds. I think it has a good director. Mr. Murrow and his associates are strengthening the Agency. It has been kicked around by Congress over the years. I concur in the Senator's statement in that respect. The Agency should be strengthened. My only concern is that it should not be done in this way.

However, I suppose the only way is to let the amendment go to a vote and let the chips fall where they may.

Mr. JAVITS. The Senator from Minnesota is very kind. He is devoted to the same aspirations that I am in the field of foreign policy. However, I really think that if the Senator now stood in the position in which I am standing, and had seen how over the years we have piddled away by action in this field, he would feel the same way I do.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. AIKEN. I intend to vote for the amendment of the Senator from New York. I do not know what kind of a job Ed Murrow will do with the additional funds. I think he will do a good job. I know he will try. I know in past years we have made serious errors of commission and omission. I have been in the Library and have seen the dearth of material which other countries have been literally begging for and waiting their turn to get hold of.

The amendment of the Senator from New York provides for $2,050,000. I believe that is the correct amount. It seems to me, in view of the Russian announcement of its intention to resume nuclear testing, the Soviet Union has taken a very strong step toward war. We have, up to this point, been defeated in informational and propaganda efforts. They have run rings around us in telling false stories and putting out propaganda against us. It seems to me if we ever needed a means by which to tell our story to the world, now is the time. If the Agency needs the $2 million, even if we run the risk of having some of that money wasted, I think, in all good conscience, we ought to make it available, and not wait until next winter, or until after nuclear testing has been resumed, or until a time when perhaps both Russia and the United States will have gone beyond testing. If $2 million will help us tell our story to the world, and help keep us out of war, I think it is little enough to do.

Mr. JAVITS. I thank the Senator. There is no man who speaks with more dignity and substance on the floor than does the Senator from Vermont [Mr. AIKEN], and I am very grateful for his support and very honored to have him make this contribution.

SOVIET RESUMPTION OF NUCLEAR TESTING

Mr. GORE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to my colleague from Tennessee.

Mr. GORE. I asked the distinguished senior Senator from New York to yield for a moment, in order to express my own deep regret that the Soviet Union has announced resumption of nuclear weapons tests. This demonstrates that the Nuclear Weapons Test Conference in Geneva has been regarded by the Soviet Union throughout its history as an exercise in propaganda. The U.S. Ambassador is at Geneva now in good faith, with the actual text of a treaty on the table which is reasonable, tolerant, and sincerely offered.

The Soviet Union has now shown her cynicism not only by announcing resumption of nuclear tests, but also in connection with the announcement, by indicating she has a cynical regard for the humanity of the world, because testing will be done in the atmosphere of the world, thus contaminating the air all mankind must breathe.

It seems to me this is a part of the Soviet drive to frighten U.S. allies from our side. One by one, Khrushchev has warned Germany, France, England, Italy, and other nations that in case of a conflagration, in case of hostilities, he would make dust of their countries and their peoples. He has not succeeded in this campaign of "scare and bluster."

I do not believe this further chapter will succeed, but I wished to take this moment, in sadness, to express my own deep regret at this antisocial move, this unpeaceful move, this war-threatening move of the Soviet Union.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I listened with great interest to the remarks of the able junior Senator from Tennessee on the subject of nuclear testing. I have been convinced, for years, that the Soviet Union was testing.

The distinguished senior Senator from Wisconsin has made several speeches before the Senate, in which he placed in the RECORD the fact that the Soviet Union has made some 50 agreements with us and that the record showed they had broken 50 out of 50.

Inasmuch as we started this test cessation agreement in 1956, with the premise we could discover any violation, I believe the words of the able Senator from Wisconsin should be given deep consideration.

In 1957, the experts modified their previous position, and stated we could not detect any nuclear explosion under 5 kilotons. In 1958, these experts agreed we could not detect any explosion under 20 kilotons. That is the size of the Hiroshima bomb. In 1959 the experts changed again, and agreed we could not detect any explosion under 100 kilotons. Then, in 1960, the experts agreed we might not be able to detect any explosion under 500 kilotons.

If Senators will read the answers to the 20 questions I asked Mr. McCloy, placed in the record of the Foreign Relations Committee, they will agree, based on these answers, that if one includes decoupling plus a large cavity like a salt mine, we might not be able to detect any explosion under a megaton.

I say again tonight, as I have said for a long time, that we have been entrusting the security of the United States to the integrity, the honesty, and the sincerity of the leaders of the Soviet Union as we have proceeded with our strange unilateral cessation decision.

Now I ask this question of my colleagues tonight. Why, at any time in recent months or years, should the Soviets have wished to change the situation? Their position, from their standpoint, has been perfect. They could test and be sure we would not find it out.

The former Chairman of the Atomic Energy Commission has told me, "We could test in an open society without the Russians knowing it; therefore, why cannot the Russians test in a closed society without our knowing of it?"

I would hope, as a result of this sad new evidence of clever Soviet duplicity, that in the future we become more realistic in our programs and policies than we have in the past.

What a laugh the men of the Kremlin must be having tonight. Now they announce they will resume testing, and obtain thereby the psychological advantage of added fear, especially in the uncommitted countries. The truth of the matter is they have been testing all the time, secure in their deceit, unless in this case alone they did what they said they would do.

As a result, they may have obtained scientific breakthroughs which jeopardize the security of this country. Therefore, let us be more realistic in the future as we face the increasing aggression of those who place realism as the basic pillar of policy.

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1962

The Senate resumed the consideration of the bill (H.R. 7371) making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1962, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York [Mr. JAVITS].

Mr. JAVITS. Mr. President, I conclude by stating that we have an opportunity in respect to this amendment, for a very small sum of money, to show whether we really intend to travel the road back with the U.S. Information Agency in the terms of the size of our voice. Though it may seem irrelevant to have introduced into the debate the comments on nuclear testing made by the distinguished Senator from Tennessee and the distinguished Senator from Missouri, important as it is as a substantive issue, I think it is very relevant. That is precisely what we are talking about.

Knowing all of these things—the lack of confidence, the lack of good faith, and the dangers—to whom are we able to say them, and how effectively can we say them?

As the Senate takes the bit in its teeth tonight, for $2 million it can show that so far as this Agency is concerned it is on the way back from the policy of review. We can give this Agency what it needs now, instead of providing it when it is long past the time to be used effectively. We can do something very constructive, to show that we really understand the meaning of the Russian renewal of nuclear testing about which we have heard tonight.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CARROLL. Let us redefine the issue simply. What did the House do to the President's request?

Mr. JAVITS. The House cut the budget estimate of the President by approximately $1 million. The Senate committee cut it by another $1 million. That brought the figure down from $3,500,000 to $1.5 million.

Mr. CARROLL. What does the Senator propose by his amendment?

Mr. JAVITS. My amendment would restore the budget estimate.

Mr. CARROLL. The amendment would restore the President's request.

Mr. JAVITS. That is correct.

Mr. CARROLL. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from California [Mr. ENGLE], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON] and the Senator from New Mexico [Mr. CHAVEZ] are absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Arizona [Mr. HAYDEN], the Senator from Texas [Mr. YARBOROUGH], the Senator from Ohio [Mr. YOUNG], and the Senator from California [Mr. ENGLE] would each vote "nay."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Connecticut [Mr. DODD]. If present and voting, the Senator from Virginia would vote "nay," and the Senator from Connecticut would vote "yea."

On this vote, the Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Alaska [Mr. GRUENING]. If present and voting, the Senator from Mississippi would vote "nay," and the Senator from Alaska would vote "yea."

On this vote, the Senator from Oklahoma [Mr. KERR] is paired with the Senator from Tennessee [Mr. KEFAUVER]. If present and voting, the Senator from Oklahoma would vote "nay," and the Senator from Tennessee would vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] is absent because of death in his family.

The Senator from Iowa [Mr. HICKENLOOPER] is absent on official business.

The Senator from Utah [Mr. BENNETT] and the Senator from Maryland [Mr. BUTLER] are necessarily absent.

The Senator from Arizona [Mr. GOLDWATER] is detained on official business.

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Connecticut [Mr. BUSH]. If present and voting, the Senator from Utah would vote "nay," and the Senator from Connecticut would vote "yea."

The result was announced—yeas 31, nays 50, as follows:

[No. 176]

YEAS—31

Aiken	Hart	Moss
Beall	Humphrey	Neuberger
Boggs	Javits	Pell
Carroll	Keating	Prouty
Case, N.J.	Kuchel	Randolph
Church	Long, Hawaii	Scott
Clark	Magnuson	Smith, Mass.
Cooper	McNamara	Wiley
Cotton	Metcalf	Williams, N.J.
Douglas	Morse	
Fong	Morton	

NAYS—50

Allott	Hill	Pastore
Bartlett	Holland	Proxmire
Bible	Hruska	Robertson
Burdick	Jackson	Russell
Byrd, W. Va.	Johnston	Saltonstall
Cannon	Jordan	Schoeppel
Capehart	Lausche	Smathers
Case, S. Dak.	Long, Mo.	Smith, Maine
Curtis	Long, La.	Sparkman
Dirksen	Mansfield	Stennis
Dworshak	McCarthy	Symington
Ellender	McClellan	Talmadge
Ervin	McGee	Thurmond
Fulbright	Miller	Tower
Gore	Monroney	Williams, Del.
Hartke	Mundt	Young, N. Dak.
Hickey	Muskie	

NOT VOTING—19

Anderson	Chavez	Hickenlooper
Bennett	Dodd	Kefauver
Bridges	Eastland	Kerr
Bush	Engle	Yarborough
Butler	Goldwater	Young, Ohio
Byrd, Va.	Gruening	
Carlson	Hayden	

So Mr. JAVITS' amendment was rejected.

Mr. JAVITS. Mr. President, I call up my amendment identified as "8–22–61—B," and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 32, lines 15 and 16, it is proposed to strike out "$111,700,000" and insert in lieu thereof "$116,077,289".

Mr. JAVITS. I shall not detain the Senate for more than 10 minutes. I believe the Senate has manifested its views, and I am merely carrying out the principle that I had set out to carry out by presenting the amendment and arguing for it. The result is very clearly indicated by the last yea-and-nay vote, and I shall not trouble the Senate in that way again.

What I am seeking to do is to restore to the budget amount the category of

UNIVERSITY OF MICHIGAN LIBRARIES

salaries and expenses which relate to the basic program of the USIA for the ensuing fiscal year.

The allowance in the House was $110 million. The amendment requested by the Agency by way of restoration was $8,050,000. About $4 million was restored, part of that being in foreign currency funds. I am seeking to restore that amount.

Under the circumstances, judging from what we have seen in the world, including the resumption of nuclear testing, and in the course of our debates on foreign aid, I believe it to be most unwise for the Appropriations Committee to refuse the requests of the Information Agency for restoration of more than $8 million to its appropriation after the other body had cut $12.6 million from the budget requests.

The Senate committee granted operating funds of $3.5 million above what the House had granted, but this was less than half of the $8 million the Agency had requested the Senate to restore.

I have already dealt with the information media guarantee program, in connection with which I believe the Senate has made a great mistake, in letting the matter leave here without having restored the $2 million.

The Agency did not appeal the $4½ million of the reductions made by the House. This is due primarily to the fact that the initial request of the President proposed $3 million to speed construction of a new radio facility in Africa. However, the passage of time had largely wiped out the possibility of substantially accelerating this project, so that now, in spite of the importance of getting our message across to the new nations in Africa by radio, it is too late to expedite our efforts. This itself is a sad commentary on how we have dealt with the voice of the United States to the world.

Uncle Sam is a big man with a big stick but with a small voice, it is very sad to relate. I understand now that the Agency has pending requests for some $2,400,000 to step up very sharply its broadcasting to Latin America and to the embattled countries in southeast Asia, as well as a request for $3.6 million for a new radio facility to be constructed in the Middle East. However, these requests have not yet been acted on. I mention them in the hope that by reason of the credible showing we have made on the past vote, considering the strength which the Appropriations Committee brings to the floor, we will get from the Appropriations Committee sympathetic consideration of these additional requests which have not been acted on.

Let us turn for a moment directly to my pending amendment, the specific purpose of which is a request for additional operating funds, the need for which was spelled out in the hearings so ably conducted by the senior Senator from Arkansas.

Only about 40 percent of these needs can be met on the basis of the action taken by the committee. In my opinion, these needs are essential to our security, and the U.S. Information Agency should be given the full $8 million requested to be restored by the Senate.

Specifically, in Africa, $2,800,000 was requested to open seven new posts, including a program in the new country of Mauritania; to expand our English teaching program; to set up regional exhibit and publications programs adapted to the cultural levels of cultures in that continent; and to improve the facilities and capabilities of existing programs.

In Latin America, the Agency asked for $2,354,000 primarily to expand regional book translations facilities which would give us a reasonable opportunity of competing with the Communists in a field in which they have been preeminent; to establish six additional binational centers and establish community centers in six countries and student centers in eight countries; to establish three additional branch posts designed to improve our communications with the population in the interior of these countries.

For the Near East and south Asia, the Agency's request of $780,000 in additional funds is for additional motion pictures in such countries as Afghanistan, Pakistan, and India; for aiding binational centers in four countries of the area; for English teaching; and for support costs of special publications and binational center assistance projects in the area which are being funded from excess foreign currencies.

In the mushrooming television media, the Agency requests $500,000 in additional funds, largely for a series of anti-Communist and English-teaching programs, designed primarily for countries in Latin America.

The balance of the funds—$1,616,000—are requested for such worthwhile activities as film coverage of visiting dignitaries; improved area and language training for its staff; and administrative costs related to specific programs already outlined.

In southeast Asia, the Agency will have to expand its programs in Thailand, Cambodia, and Vietnam, even though its original budget, which was prepared before the current crises in that area arose, did not propose specific increases in the Far East. The recommendations of the Appropriations Committee that the Agency achieve savings by reviewing the effectiveness of its activities and by curtailing activities in friendly allied countries are good ones, and I do not disagree. However, I am convinced that any such savings will be required in full in other areas of the world—including the Far East—if we are to achieve the strengthening of our vital information efforts.

We have already debated in great detail the information media guarantee program. I regret very much the action taken on that program. I repeat that I believe it represents a great mistake.

There is one additional fact that I wish to put in the RECORD with respect to the book-publishing program.

In 1960 the Sino-Soviet bloc produced 55 million books in the free world languages, an increase of more than 30 percent over their 1959 level.

Then there is also the steady and heavy flow of periodicals from the presses of Moscow and Peiping, especially to Latin America and Africa. The American producers of informational materials must have assistance if they are not to surrender the markets to the Communists in those countries where there are foreign exchange difficulties.

We are told that the Russians are spending $2 billion a year for their propaganda. They give away radio sets in areas where they will do them the most good, to people who are too poor to buy them.

General Sarnoff, whom we honored today with a luncheon, has suggested such a course for years. He thought we ought to be spending $3 billion for propaganda. That comes closer to what is needed.

I again hazard the guess that the day will not be long deferred when again, as we are in space, we will be appropriating hundreds of millions of dollars to catch up, when $100 million or $150 million would enable us to utilize our voice, big and strong and decisive and to the full, if we are to act decisively in the cold war.

I close as follows, Mr. President, and I shall not detain the Senate any longer.

Berlin happens to be the point of major Communist pressure today. In the recent past, Communist efforts have been felt most sharply in Laos and South Vietnam, by means of their foothold in Cuba, throughout Latin America, and in many of the newly emerging nations of Africa.

That is precisely where the USIA will have to cut its program, because we are not giving it the money it needs.

In response to the rising pace of Communist aggressiveness, Congress has speedily backed the President's request for stepped-up efforts in our military and economic capabilities.

Premier Khrushchev's efforts to tell one story to the Russian people and another to the rest of the world reveals a Communist weakness which we should exploit through a crash USIA program now and in the months to come.

Mr. President, I cannot see the sense of stepping up our efforts in the military and economic fields without taking an equally big step forward in the field of propaganda. Yet this is precisely where we insist on operating on a minuscule basis. We have been cutting, cutting, and cutting, in the hope that somehow, if the Agency comes back and asks us for more, we will be able to repair the damage. This a very fast-moving world. I am afraid the damage we will do will cost us very dearly and will be irreparable, and that we will be panting to catch up by spending tens and tens of millions of dollars, when we could be doing what needs to be done today with a very small increase in appropriations.

Mr. President, I ask unanimous consent to have printed at this point in the

RECORD an article entitled "Fourth Place Isn't Good Enough," written by C. L. Sulzberger, and published in the New York Times of Monday, August 7, 1961. Incidentally, Mr. President, fourth place is our place in the information activities of the world. The United States is behind the United Arab Republic.

I also ask unanimous consent to have printed at this point in the RECORD an article entitled "Big Push in Soviet Propaganda," written by Eugene Burdick and William J. Lederer, the authors of "The Ugly American," and published in the Saturday Evening Post of August 26, 1961.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 7, 1961]

FOREIGN AFFAIRS—FOURTH PLACE ISN'T GOOD ENOUGH

(By C. L. Sulzberger)

KYRENIA, CYPRUS, August 6.—The United States is now involved in negotiations with four separate nations aiming to strengthen our cold war propaganda hand in the strategically important Middle East.

We now lag woefully in this vast Afro-Asian area which our diplomacy courts. In numbers of languages, numbers of hours broadcast and strength of emissions we come far behind Russia, Communist China, and the United Arab Republic. Since last October we have even ceased Persian programs to Iran for the simple reason that our signal was too weak.

Hitherto our efforts to disseminate the U.S. viewpoint in this region have depended largely on a relay station in Tangier, Morocco, and on a radio ship called the *Courier* anchored off the Greek island of Rhodes. Tangier is far away for the task. Our lease agreement with the Moroccan Government expires in December 1963, and relations are cooling. Therefore it is not considered worth building a more powerful installation. Transmission from the *Courier* has also been inadequate.

As a result the State Department, acting on behalf of its U.S. Information Agency, is engaged in talks with Italy, Greece, and Cyprus in an effort to rectify the situation. From Rome we hope to obtain rights to broadcast from Sardinia. From Turkey we hope to obtain similar rights in Adana and, perhaps, at another station further to the north and beamed at the Soviet Caucasus and central Asia. However, no agreement on this can be expected until after the October Turkish elections.

We have already arranged with Greece to transfer equipment from the *Courier* to Rhodes itself and we are seeking rights to construct another installation, possibly at Salonika. And from Cyprus we hope to gain permission to rent land for a new transmitter here at Kyrenia, near our present monitoring station.

This is part of a major effort to expand Voice of America facilities which have had no substantial increase in power since 1953. In December 1962 a new transmitting complex will begin functioning in Liberia, giving us for the first time a competitive position in sub-Saharan Africa vis-a-vis Russia, China and the UAR.

Simultaneously, the world's largest single transmitter will start in Greenville, N.C., beamed primarily at Latin America. We hope by 1963 to install a station in England to replace Tangier and supplement our present European and future Middle Eastern schedules. Surveys for a Far Eastern broadcasting center have been made in Australia, the Christmas Islands and the Philippines. This imaginative scheme is going to require both time and money. Our present weakness in the Middle Eastern propaganda contest will continue for at least a year. And, even if we can arrange additional transmitter sites, USIA will have to obtain large supplemental sums to finance them.

Yet we must spend more to do better in the continuing propaganda competition. Only recently the Shah of Iran complained to me about the absence of a VOA Persian program which left his country naked to unanswered Communist blasts.

USIA's present budget plans for a mobile radio unit that can be flown to troubled regions. But more and more powerful permanent installations are needed. This will cost money, but our adversaries are already spending huge sums. Moscow allots more each year to jam the VOA than the entire annual USIA budget which, incidentally, amounts to less than the price of one combat-loaded Polaris submarine.

Americans often admit that the most important ultimate contest is the contest for men's minds. However, much as we pride ourselves on advertising techniques, we are apparently unwilling to spend enough to advertise the United States and we embarrassedly eschew the word "propaganda."

This is a self-defeating attitude. One may hope our diplomats will succeed in their efforts to secure locations for new radio stations. And, when this has been done, one may also hope our Congress will have the wisdom to allot sufficient funds to operate them. Fourth place in cold war propaganda is not good enough for the free world's first nation.

[From the Saturday Evening Post, Aug. 19, 1961]

BIG PUSH IN SOVIET PROPAGANDA—TO PRESENT A BROTHERLY AND BENEFICENT IMAGE, RUSSIA BACKS A GLOBAL ORGANIZATION WITH TREMENDOUS POWER AND BIG MONEY—A REPORT BY THE AUTHORS OF "THE UGLY AMERICAN"

(By Eugene Burdick and William J. Lederer)

In Manila a young Filipino writer opens an envelope, finds a check for 750 pesos—the largest sum he has ever received for an article. Twenty-eight hundred miles to the southwest, at the airport in Ceylon, an anxious mother and her paralyzed son are carefully placed in a plane and before the plane had made altitude a doctor is examining the boy. Five thousand miles to the northwest, in a sunny Russian schoolroom, sixty 8-year-old children expectantly face the door, waiting for a distinguished dark-skinned visitor. When he enters, they sing a song of welcome in Hindi, his native language.

Three rather touching scenes—but they all bear the mark "Made in Moscow." These three episodes are typical of thousands that occur around the world as a part of a comprehensive Communist propaganda program. Only recently have Western scholars been able to put together the fragments of this massive Soviet propaganda apparatus and make educated estimates of its range.

Americans, used to the bluster of Khrushchev and the blatancy of May Day parades in Red Square, will be surprised at the delicacy with which this devastating, yet invisible, structure operates.

In the opinion of many experts this propaganda machine is more dangerous than nuclear-armed ICBM's. The Soviet effort costs $2 billion a year directly and probably twice that much indirectly. By contrast the United States spends about one-twentieth as much in money and one one-hundredth as much in effort and intellectual skill.

The Soviet effort is not merely massive. To a startling degree it can pinpoint small targets. Take the three examples mentioned. The Filipino writer had received his check from the Foreign Language Publishing House in Moscow. Although he is a professed Philippine nationalist, he is now receiving over half of his income from Soviet royalties. The anxious Ceylonese mother with the paralyzed son was flown to Moscow, where her son was given treatment at a polio institute and returned home much improved. The mother, in addition to being an influential journalist, is related to the secretary of a powerful Ceylonese politician. The class of Hindi-singing children were Russian students at a public school in Moscow and their guest was a prominent Hindi-speaking Indian intellectual. When he returned to India, he praised the Soviet Union's brotherly interest in India and its culture.

The painstaking details of the Soviet effort are stunning. Grassroots indoctrination begins in the Soviet schools. All Soviet pupils start serious study of a foreign language in the third grade. By the time they have finished high school they have had at least 6 years' training in a foreign language. They do not confine their language training to English, French, Spanish, and German, but also have thousands of students studying the so-called "exotic languages" of Africa and Asia. In Singhalese and Bengali, the Russians have a small army of fluent linguists. Our Department of State's Foreign Service does not have a single qualified person—although these languages are spoken by almost 100 million people living in important, sensitive areas.

Language is not the whole of propaganda, as we shall see, but it is the vital first step. John Foster Dulles put it this way: "Interpreters are no substitute. It is not possible to understand what is in the minds of other people without understanding their language, and without understanding their language, it is impossible to be sure that they understand what is on our minds."

Soviet language training is so sweeping that Moscow can, if the occasion calls for it, produce tomorrow a skilled plumber who speaks Hindi and is also familiar with the great figures of Hindi literature. As long ago as 1957 Chester Bowles, former Ambassador to India, said that he had never met a Russian in that country who was not working hard at Hindi, or already reasonably fluent in the language. American officials who are fluent in Hindi could comfortably meet in the living room of an average American home.

What are the results? When Moscow contracted to build the Bhilai steel mill for India, a great many of the Russians, from steel muddlers to top engineers, could speak to Indians in their own language. The Indians were so pleased that they did not object when Russian workers taught Russian and Marxist doctrine to Indian workers during the lunch hour.

In Swahili, Nepali, Telugu, Annamese, Amharic—languages spoken by 86 million people—the pattern is the same. The Soviets have platoons of people trained in all these languages. Most Russians will not see duty overseas, but if the need arises, the Soviet propaganda apparatus can call upon an immense reservoir of language competence. By contrast, consider that this year only four of our Foreign Service officers are studying southeast Asian languages.

But the real cutting edge of the Soviet propaganda apparatus is the full-time, highly trained expert who skillfully directs his army of assistants. When he goes to work, overseas or in Moscow, he will have survived one of the world's most rigorous indoctrination and screening programs. He is a professional who has been schooled more extensively than a physician. Take, as a composite example, the case of a fellow we'll call Serge Rasonilkov.

Serge was graduated at the top of his class from a high school in Minsk. He was assigned to one of the numerous institutes that exist throughout Russia for specialized training in language and area studies. For the first year the average workday was 16 to 18 hours. Serge was 1 of 25 students making up a class in Twi, a little-known language which is spoken by 2 million people in the northern part of Africa's Gold Coast region. Language made up one-half of the institute's program, and it was taught by an African Communist, specially recruited. The other half of the curriculum consisted of an intensive course in the anthropology, religion, politics, and geography of Africa.

At the end of the first year the 25 students were told where each ranked in the class. The bottom five students were dropped from the institute.

For 36 more months the work continued. When the class finally was graduated, it consisted only of five superior professionals. The Russians' estimates of their need for experts in Twi were five per year. Two of the students had been discharged from the institute for "marriage without official permission." The rest were casualties of the competitive system. In addition to scholastic brilliance, other criteria were taken into consideration in grading students—physical stamina, ability to make decisions, and boldness.

Serge was one of those who survived. Serge had acquired not only the ability to speak Twi fluently but also knowledge of the Twi folk myths. In addition he knew the names of contemporary political leaders in the areas where Twi was spoken, their backgrounds, their weaknesses.

A few months before being graduated from the institute Serge and the four other surviving students were each assigned a secret topic on which to write a master's thesis. Unbeknownst to any of the five the topics were identical: "A Marxist-Leninist Strategy for Twi-Speaking Cultures: The Next 10 Years." Near the end of the term each student was presented with a copy of the other four theses and asked to defend his own publicly in the light of what the others stated. To Western educators such a technique would be not only unethical but extremely cruel. In the Soviet view it produces a potential diplomat-propagandist who is suspicious, toughminded, and highly flexible in his application of Communist ideology.

The institute decided that Serge was their most outstanding graduate. The four other graduates were at once ordered to Twi-speaking areas of Africa where they took jobs in the Russian Embassy or consulates as chauffeurs, kitchen helpers, and messengers. They were given these jobs to permit extensive contact with the natives. Later they would move into propaganda jobs.

Serge remained in Moscow and was sent to the diplomatic school for an additional 2 years. The U.S.S.R. Diplomatic School is top secret. No American, to our knowledge, has ever visited there. A few foreign Communists have briefly attended the school and after defecting from the party have described what takes place in that highly guarded institution.

The first task of the school is to instill in every student an identical notion of the grand sweep of Soviet strategy and "tactical flexibility." The aim of that strategy is to assure the world domination of socialism. "Tactical flexibility" means that in each country, at some time in history, the ever-changing problems will be different and must be handled differently. In some countries it will be possible to move quickly—to give history a push. In others it will be necessary to go more slowly, to mask Soviet intentions, to work in feigned sympathy with unsatisfactory local movements.

Serge also was taught such practical skills as the art of "spontaneous demonstration." The antiriot procedures of police all over the world were carefully studied so that they could be circumvented. Serge personally will never participate in such a demonstration. But he will give the triggering order to the local Communist leaders. The Communists, for example, carefully controlled the pitch and tempo of the Zengakuren student demonstration against the Japanese visit of President Eisenhower. The Communists in Tokyo, vastly outnumbered in the Zengakuren organization by moderates and conservatives, maneuvered the others during the last 3 days before the President's scheduled visit. The result of this tactic was a stunning historical cataclysm. The sovereign head of the world's most powerful Nation was prevented from visiting another head of state. To this day most of the members of the Zengakuren, who howled in the streets during those days, are not anti-American and are not quite sure how they were manipulated. For Serge, such a performance is a routine technique.

A former Communist once told us, we thought jokingly, that one of the things taught at the diplomatic school was "the moment for producing the proletarian corpse." By this the ex-Communist meant the technique of mysteriously killing or wounding a well-known native leader—especially one in revolt against white officials. The result of the murder usually is a violent flareup of native rage against those in authority. To succeed in such a political maneuver requires great skill. One of the problems of the propagandist is to calculate accurately when the moment for the murder has arrived—and how to have the corpse "discovered" most effectively.

In recent years we are not so certain that our ex-Communist friend was joking. With an eerie consistency, political deaths around the world inflame insurrections and benefit the Communists. From Laos to Vietnam to the Congo there is a thin, red, bloody strand that is almost surely not accidental.

Upon completion of his studies at the diplomatic school, Serge was ordered to a Soviet embassy in Africa, where he at once had a consultation with the Russian political boss. In most Soviet embassies the ambassador is not the "No. 1 man" but is only a figurehead. He is the one charged with the energy-consuming task of showing up at social functions. If the ambassador absorbs a staggering number of vodka toasts and a huge amount of caviar at such functions, he can spend the next day recovering. The important political work is done by others who have time to think and study. Usually the real leader of the embassy will occupy what is officially the third or fourth position.

Serge was given almost a completely free hand. The camouflaged "No. 1" said he would issue specific orders only when a change in tactics or strategy came down from Moscow.

At first Serge concentrated on influencing strategically placed persons. Serge also saw that Twi poets, writers, and intellectuals had their work translated and reviewed by Tass and in Pravda, or in one of the many specialized journals within Russia. The reviews invariably glowed with praise. Serge made certain that the local intellectual received a Twi translation of the review—as well as substantial royalties.

In the second phase Serge generated an impression of great Soviet admiration for the folk culture of the host country. The Soviet press published editorials insisting that selected native intellectuals be invited to Russia as state guests. Such visits were lavishly prepared and widely reported.

In Russia the surprised Africans found themselves surrounded by people who were not only friendly but apparently genuinely well informed and deeply interested in the culture of their own country. Writers who had barely been making a living suddenly began to receive handsome checks from Moscow for work that was translated into Russian. Musicians and artists received the same heady attention.

We once asked a group of Asian intellectuals, all of whom had received royalty payments from Moscow, if they knew that no American or British writer was able to receive royalties for works published in Russia. There was an embarrassing silence. We asked, half jokingly, how many of them would be willing to return their royalty checks to Moscow as a gesture of solidarity with their American literary colleagues.

One of the Asians, more candid than the others, stated, "It is impossible. I am now dependent for approximately 50 percent of my income on Soviet royalties. I could not afford to do as you ask, and I am ashamed of that fact." Most of the writers professed to be unaffected politically by their Soviet incomes.

But a young Indonesian writer told us, "It is difficult to avoid unconscious seduction. The first few articles I wrote for the Communists were fair and objective, and they printed them precisely as I wrote them. Each time they paid me more than I had received before. After a few months, however, they began to suggest slight editorial changes: Would I object to the placing of the word 'imperialistic' before 'American'; would it not be accurate to describe Eisenhower, a former general, as a militarist? If I balked they quietly went along, but they kept the pressure on—partly by raising the payments. One day I finished an article and on rereading realized that it was straight Communist doctrine. I tore it up and have not written for the Communists since."

He is a rare exception. But let us return to Serge.

Serge's next step was an intensive program of "cultural exchange." Here Serge took Japan as an example. In 1957 a distinguished Russian pianist, Gilels, made a Japanese tour. This was quickly followed by a tour of the singer Alla Glenkova. In 1958 the Russians invited the Japanese puppet theater Avidzi to Russia, where it received widely enthusiastic reviews. The Russians also made it known, pointedly, that this was the first trip that the puppeteers had made outside of Japan's borders. Scholars, scientists, and famous Russian artists too numerous to mention all visited Japan. In return, numerous groups of Japanese were invited to visit Russia.

Japan is a fully developed society, and Japanese are likely to recognize propaganda techniques when they see them. Even so, the Russians have made a serious propaganda penetration and are constantly working hard to enlarge it.

In the primitive and emerging nations the Soviet effort is proportionately much higher. Communist entertainers and artists and journalists flood to countries like Liberia, the Sudan, Ethiopia, Iran, Lebanon, and all the Arab countries.

In Burma, Russian circuses and Chinese entertainers went to tiny upcountry hamlets where the people had never before seen a foreigner. In some cases the Russian circus staff was larger than the village population.

Serge followed the established propaganda pattern closely. Once key people are cultivated and a mask of "friendliness" exhibited to the masses, the propaganda dagger is aimed at other victims. The next target group is students. They are invited to fairs, youth festivals, cultural meetings, and universities—all in Russia. Preparations are

carefully made. For example, student delegations arriving in Russia from France and Great Britain and the United States, who have some knowledge of Communist techniques and are therefore likely to be suspicious, are housed in drab, ordinary dormitories. But the delegations from Africa, the Arab countries, and southeast Asia are housed and fed in plush luxury—candlelighted tables, a menu meticulously put together with careful attention to religious requirements and native food tastes, and cheerful waiters.

Perhaps the high point in the propagandizing of students took place in 1960 when Khrushchev, while visiting in Indonesia, announced that the Soviet Union had established a University of Friendship of the Peoples. This university is designed to train engineers, physicians, teachers, and technical experts from all over the world. If successful it might make it possible for communism to capture the intellectual elite of most of the countries of Asia, Africa, and Latin America. Fortunately the first few classes did not go well. But the Russians are experimenting; the curriculum of the Friendship University has just been changed.

The countless festivals and youth congresses in the Soviet Union are carefully and generously subsidized. Students from the poor nations pay little or nothing. But the Soviet aid is always carefully presented as a fellowship or as a reward for winning a contest or some such face-saving device.

Once an atmosphere of friendliness is established with the intellectual elite and the organization of students in underdeveloped countries is underway, the next step is a careful wooing of the leaders. With a shrewd eye for protocol, the Russians first send a high-ranking diplomat to call on leaders such as Sukarno, Haile Selassie, Nehru, or the Shah of Iran. The foreign head of government is then invited to the Soviet Union. There is no limit to costs.

Take the visit of Nasser, the ruler of Egypt, to Russia. He was flown in a luxuriously equipped Soviet jetliner, the TU–104. When he arrived in Moscow, he was greeted by orderly files of people cheering as he drove down the street. Scrubbed schoolchildren threw flowers at him wherever he went. At small, intimate parties Nasser was shown examples of Egyptian and Arabic works translated into Russian, some of them consisting of his own speeches, which had been cataloged as masterpieces. He met Soviet Moslems who had made the pilgrimage to Mecca. While traveling in Russia he was shown factories making the most sophisticated military equipment, parts for guided missiles, and earthmoving equipment. The implication was clear: The Soviet Union was not only powerful in war but able to supply the kind of equipment needed to build the Aswan Dam; and she could supply seed and farm machinery for the lands to be irrigated by that dam.

At a splendid state dinner Khrushchev assured Nasser of the support of the whole socialist world in his struggle for independence. Nasser was also informed that the Soviets had just established a Society for Friendship and Cultural Relations With the Countries of the Arab East.

The usual concluding flourish to such a trip is making a gift of the jetplane in which the foreign leader has traveled. Haile Selassie, the Shah of Iran, and Sukarno have received such gifts. U Nu of Burma flies in a plane presented by the Russians.

The Russians pay special attention to local customs. They know, for example, that Indonesians prefer lengthy movies. The longer the show, the more the Indonesians like it. It is no accident that President Sukarno exhibited the 3-hour motion picture of his trip to Russia in preference to the 30-minute movie documentation of his visit to America made by our U.S. Information Agency.

The foreign leader, thus manipulated, sometimes leaves the Soviet Union with the impression not only that the Russians are deeply interested in his country, but that Russia is the "coming" economic and military power. No one lectured him on the "inevitability of world communism." He has met the real leaders of Russia and may have the impression that he can "do business with the Russians" without compromising his position.

The results are alarming. Today in Egypt there are thousands of Soviet technicians, military advisers, and engineers. Instruction in the Russian language has begun in secondary schools of the United Arab Republic. Three hundred of her best students are being sent annually to Russia to study.

Now Russia is ready for the last stage of propaganda—the socialization of the masses. This means a penetrating and widespread propagandization of the citizens of a foreign country. The blueprint of action is clear. In most of the emerging countries where Serge—and a thousand others like him—serves, the public communication system is either primitive or nonexistent. One of Serge's first steps in socializing the masses will be to see that small radios are distributed to the outlying villages by the native Communist Party. These radios have one peculiarity: They receive only one station—Radio Moscow or Radio Peiping. Powerful broadcasting stations in Russia and China fill the air with programs in Amoy, Tonkinese, Tibetan, Pashto, Bengali, Berber, and hundreds of other languages. In deserts, deltas, and farm areas the entire population of tiny hamlets will squat around the radio in the evening hours. As the young people crank the hand generator, the village listens to Bing Crosby, the Red army chorus, classical music, folk music of their own land, and a carefully edited version of world news. American press reports are rewritten to make us look as bad and unhappy as possible.

The Communists also realize that intense literacy drives among the emerging nations creates a new market for books, magazines, and newspapers. Today the Russians and Chinese are the biggest publishers of books in the world. Between them they produce more than 2 billion books a year, which surpasses the entire output of all other nations. A large fraction of these volumes are published in foreign languages, ranging from obscure African languages, like Fang-Bulu and Kabyle, to Japanese and German. Children's books which successfully convert "Cinderella" and "Little Red Riding Hood" into Communist heroes are put out in fine editions, beautifully illustrated. Millions of magazines are distributed throughout the world, each of them aimed at a specific audience: the peasant, the trade-union member, the city worker, the disgruntled intellectual.

Today the world's bestselling author is Joseph Stalin. His books are followed by the Bible, but the next three most widely read authors are Communists. A bookseller in Cairo or Djakarta or Bangkok or Singapore finds it financially attractive to stock Communist literature. First, he pays for the books in the local currency, directly to the Russian or Chinese Embassy. Secondly, their cost is low and the profit is high.

The accumulated local currency resulting from local payments is used by officials like Serge to establish native newspapers and journals. Normally there will be an overt Communist newspaper, which concentrates on lengthy analyses of Marxist theory. It is usually turgid and has a small circulation. But Communist money also flows to the covert newspapers. They carry neutral titles such as "The Star" or "The Chronicle" and are jammed with popular features attracting a mass circulation. With no visible Communist connections, these papers carry on bitter compaigns against white colonialism and the presence of American troops overseas.

Hand in hand with books and newspapers, the Communists have been engaged since 1955 in a stepped-up production of motion pictures. Among other advantages, use of this medium assures that illiterates are not overlooked. In 5 years the number of Communist propaganda films has quadrupled.

Serge is familiar with all these techniques. He has the personnel and assets to use instantly whatever method he judges most effective. Serge can order any Russian in the area to take on a propaganda project, and each receives a specific assignment in addition to his normal job. Whatever money or equipment is needed Serge can get quickly from Moscow. Films, money, printing presses, newsprint, books, a grand ballet—these will be flown in at his request. The Russian Government is organized for this kind of operation.

The propaganda agency in the U.S.S.R. has a status equal to that of the Foreign Service or Department of Defense.

There is only one thing Serge may not do: He may not fail. If he makes one major mistake, he is ruined. He will be recalled and placed in a minor post for life. The same applies to everyone involved in Russian strategy and tactics.

Compared with the Communist effort the American venture into propaganda is anemic. Not only is the USIA budget severely limited, but so is its statutory function. It can only project the American image abroad. It is paradoxical that America, where the communications arts are most highly developed and where the technical skills are so far advanced, should be such a slow starter.

Our USIA people are, on the whole, as intelligent and perceptive as their Russian counterparts. But they are paralyzed by inadequate funds, too frequent shifts in posts, and sketchy training in the language and customs of the area they serve.

The Communists are not infallible. They have made great mistakes. Their ruthless suppression of the Hungarians, the inhumanity of the collective farms in China, and other events have nullified many of their propaganda drives. Then, too, the Soviet Friendship University is by all accounts a dismal place that offends many students. Yet few Asians or Africans are aware of these facts. All in all, the Russians make more mistakes than Americans do. But the Communists have the funds, trained personnel, and organization to take advantage of—or create—American fumbles. We are slow to act.

There is nothing at this moment to prevent Americans from creating the intellectual and technical weapons required to win the great battle for exposing the minds of men to the truth. The Communists already have a formidable machine at work telling lies. Americans can overcome it. All that is lacking at the moment is an awareness of the danger and a determination to do something about it.

Mr. JAVITS. Mr. President, on my amendment, I ask for a division.

Mr. McCLELLAN. Mr. President, in addition to what I said awhile ago with reference to the preceding amendment, on which the Senate has already voted, I again remind the Senate in connection with the item of salaries and expenses, which the Senator from New York proposes to increase, that last year the appropriation was $105 million-plus. The Bureau of the Budget this year requested $118 million. The House increased the

amount over last year by $4.8 million. That is an increase over what was spent last year, as allowed by the House.

The subcommittee of the Senate Committee on Appropriations heard testimony on this question and made an increase of $1,700,000 over the amount allowed by the House, making a total of $6,500,000, that we provided here, over and above what was spent in this field last year. That is an increase of 6 percent over and above last year's cost.

The Senate Committee on Appropriations unanimously approved this increase which we have recommended over the House figure. In our judgment, the evidence presented by the officials supported the need for the funds.

I think we were generous. I do not feel that we have actually withheld or denied funds which could be expeditiously used. I believe that a full restoration of the request made by the U.S. Information Service is not warranted.

Mr. SALTONSTALL. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I yield.

Mr. SALTONSTALL. I remind the Senator, because I know he has it in his mind, that Mr. Murrow voluntarily withdrew a request for $250,000 for European service because he felt it was not necessary.

Mr. McCLELLAN. The amount was $250,000. I understand that Mr. Murrow feels we have dealt fairly with him.

Mr. SALTONSTALL. Then I call attention to an amount of $9,300,000 in the special foreign currency program, an increase of $1,800,000 over the House allowance.

Mr. McCLELLAN. We increased that amount how much?

Mr. SALTONSTALL. It is an increase of $800,000 over the budget request for 1962, and $6,300,000 above the appropriation for 1961.

Mr. McCLELLAN. That is in addition to the money appropriations to which I have referred.

Mr. SALTONSTALL. That is correct. That is $9,300,000 in excess of the special foreign currency program for last year.

Mr. McCLELLAN. That is correct.

Mr. SALTONSTALL. So these two items—the reduction by USIA of $250,000 in Europe and the special foreign currency supplement of $1,800,000, which the Senate committee provided—must be taken into consideration along with the Senate committee increase of $1,700,000 over the House allowance for the regular dollar appropriation when additional increases for salaries and expenses are in question.

Mr. McCLELLAN. That is correct. I should like to mention some of the areas and activities for which the increased funds are available in the House bill, and for which the Senate has made additions.

For salaries and expenses, Africa, oversea missions, an increase of $1.3 million; Latin America, oversea missions, an increase of $1.1 million; broadcasting service, a $1 million increase over 1961, to provide $19 million in 1962; motion picture service, an increase of over $500,000; press and publication service, an increase of $1.1 million; and television service, an increase of about $400,000 over 1961.

So unless it is desired simply to spend money, I think the committee has been very considerate of this agency and has provided adequate funds. Bear in mind, another supplemental bill is now in progress in the House. It will provide another $2.4 million. It will soon reach the Senate. If this agency requires additional funds, and can show the need for them, the money, I assume, will be provided. In this instance, I think the Senate has been generous. I hope the amendment will be rejected.

Mr. JAVITS. Mr. President, I thank the Senators who supported me in connection with the amendment on which there was a yea and nay vote. I am grateful for the size of the vote we received. I am especially grateful to Senators on this side of the aisle, who sometimes find that I submit proposals which they cannot support quite as well as they supported this particular amendment. I sincerely hope the discussion plus the votes will have the desired effect. I think our country certainly needs it.

Mr. President, on my amendment, I ask for a division.

Mr. DWORSHAK. Mr. President, I deeply regret that some Senators on this side of the aisle saw fit to repudiate the position taken by the Committee on Appropriations. This side of the aisle has a representation on that committee. I think Senators who work diligently on that committee probably know more than some nonmembers of the committee concerning what the Bureau of the Budget requests and what the witnesses testify to during weeks of appearances before that committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York [Mr. JAVITS]. A division has been requested.

On a division, the amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HUMPHREY. Mr. President, before the third reading takes place, I should like to ask the chairman of the committee a question.

One of the items in the bill which was of particular importance to me was the amount of money in the State Department budget for fiscal 1962 for labor attaché positions. A number of those positions were eliminated as a result of House action. For example, the United States will not have labor representation in its Embassies in Korea, Vietnam, Indonesia, Malaya, Congo, South Africa, Libya, Costa Rica, Ecuador, Finland, and Turkey. Many of those areas are where the battle against communism is to be fought. Many are areas in which the labor movement is in its infancy, where there is a definite effort by the Communists to penetrate. I wonder what, if anything, the subcommittee recommended. I have some idea about it, but I should like to have the chairman give us some indication.

Mr. McCLELLAN. The subcommittee allowed $2,750,000. There was only one item earmarked; therefore, the discretion is in the agency as to what it will use for those purposes.

Mr. HUMPHREY. So there is some discretion in the department. I wished to have that made clear.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter I received from the Department of Labor, on the basis of which I made inquiry of the Senator from Arkansas.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, July 21, 1961.

The Honorable HUBERT H. HUMPHREY,
U.S. Senate, Washington, D.C.

DEAR SENATOR HUMPHREY: In answer to your inquiry, the following new labor attaché positions were requested but eliminated as a result of House action on the State Department's budget for fiscal year 1962:

Seoul, Korea: Labor attaché.
Saigon, Vietnam: Labor attaché.
Djakarta, Indonesia: Assistant labor attaché.
Kuala Lumpur, Malaya: Labor attaché.
Leopoldville, Congo: Labor attaché.
Pretoria, South Africa: Labor attaché.
Tripoli, Libya: Labor attaché.
San Jose, Costa Rica: Labor attaché.
Quito, Ecuador: Labor attaché.
Helsinki, Finland: Labor attaché.
Ankara, Turkey: Labor attaché.

Needless to say, we feel that all of these new positions are badly needed. We hope that Senate action will result in restoring them.

The labor problem in Korea is critical, and we feel that an appropriately qualified labor attaché could have a real and favorable impact. He could help assure that the U.S. military avoids mistakes in the labor-management area in its relationships with the large number of indigenous employees of the U.S. Government. There is a serious unemployment problem in Korea, and a labor attaché with good background in the manpower field might do much to guide U.S. aid programs in ways that would alleviate this problem. The political situation in Korea is in a state of flux, and labor considerations will heavily influence the direction in which Korea goes. It behooves us to have a competent labor attaché on the scene.

In Saigon there are several significant unions which play an important political, as well as economic, role. There is no ICA labor program, and the U.S. Embassy there has recommended that the labor and manpower aid projects be guided by a competent specialist in the Embassy. We feel that an appropriately qualified labor attaché could provide this guidance and could stimulate a stronger labor emphasis in the aid programs and do much to assure that the proceeds of these programs contribute toward raising the living standards of workers.

There is a labor attaché in Djakarta but, because of the size of the country and the importance of the labor factor there, we feel that he needs a full-time assistant. Over a wide area in Indonesia there are operations of American firms, American plantations, petroleum enterprises, etc., where guidance concerning labor-management relations is needed. If the labor attaché had an assistant, he would be able to spend considerably more time away from the Embassy contacting unions, employers, and Government officials.

In Malaya there exists a labor movement which, from the Western standpoint, is the

most promising and encouraging in the Far East. It is important that we encourage contacts between the democratic labor movement of Malaya and the labor movements of other Asian countries. Among other things, an appropriately qualified labor attaché in Kuala Lumpur could facilitate such contact.

Because of the explosive and fluid situation in the Congo, we think it imperative to assign a labor attaché to Leopoldville as soon as possible. He could do much to create a new image of America in the Congo. He could take the initiative to assure that aid programs in which the United States is interested will contribute as directly as possible toward improving desperate conditions of the workers, and he could play an important role vis-a-vis the development of non-Communist labor organizations.

In Pretoria we need a labor attaché who would be able to give reliable reports on prevailing labor conditions. This is increasingly important because many of the previous channels of communication between free labor and South Africa are no longer functioning.

We do not have a labor attaché in either Libya or Tunisia. If the new position requested in Tripoli is funded, it is intended that this labor attaché will cover both Libya and Tunisia. In both of these countries there are significant labor organizations, and there is considerable pressure being exerted by the Soviet and neutralist powers. Worker organizations are a major target for anti-Western propaganda. A labor attaché should be on the scene to do what is possible in influencing developments along lines favorable to the West.

In Costa Rica, as is true of virtually all parts of Latin America, the labor organizations and labor factors are directly involved in the struggle between totalitarianism and democracy. We need a labor attaché in San José.

For similar reasons, a labor attaché is badly needed in Ecuador. Maurice Bernbaum, the new American Ambassador to Ecuador, has strongly recommended that a labor attaché with background in the American labor movement be assigned to his staff in Quito.

In Finland the struggle for control of the well-developed labor organizations has a vital bearing on U.S. foreign policy interests. A labor attaché is needed to interpret labor developments and to influence them to the extent possible.

In Turkey, there is a large labor program under the auspices of the ICA. We feel that a labor attaché is needed in the Embassy to give policy direction and to provide reports on labor and manpower developments.

If you wish further information concerning the need for these additional labor attaché positions, I hope you will telephone me. Your interest in this matter is deeply appreciated.

Sincerely yours,

GEORGE L-P WEAVER,
Assistant Secretary, International Affairs.

Mr. HUMPHREY. Mr. President, I feel that these positions are vitally important.

Mr. McCLELLAN. The subcommittee granted an increase which would enable the Department to do more than they would have been able to do with the amount provided by the House.

Mr. HUMPHREY. By far. I recognize that.

The other item is in reference to requests made by the Department of State relating to certain contracts in the plan for disarmament studies. I shall not offer an additional amendment, because, as the Senator knows, and as has been indicated, there is the possibility of supplemental bill items.

Mr. McCLELLAN. I believe we provide $1,004,000 by means of the House version of the bill. Last year the agency had $804,000; so the $1,004,000 is a $200,000 increase over the amount provided last year—a larger percentage increase than that of the overall bill.

Mr. HUMPHREY. Do I correctly understand that if this is found to be inadequate, the Senator from Arkansas and his subcommittee will entertain a request from the administration, if it can be justified, for funds for further work?

Mr. McCLELLAN. I am sure that will be the case; and I understand there is before the House at this time a bill covering that subject. It will reach us before the end of the session.

Mr. HUMPHREY. I understand so, and I appreciate the statement the Senator from Arkansas has made.

Mr. President, I ask unanimous consent to have a statement on this subject printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

The administration revised budget request asked for $136,367,000 for "Salaries and expenses" of personnel in the Department of State; the House allowed $132 million and the Senate Appropriations Committee has recommended $134,750,000 (p. 3, line 16 of H.R. 7371).

Included in the original budget request is the sum of $719,876 for 14 new positions and $600,000 for contractual studies in disarmament work at the Department. The House allowed only $200,000 which would not permit the hiring of any new personnel. State asked for the restoration of $502,573 (making a total of $702,573)—hearings, page 144. This total provides $600,000 for studies and 13 new positions. Neither the Senate committee bill nor the committee report (S. Rept. 731) indicates how much, if any, of the amount requested restored for disarmament work has been recommended restored. At the bottom of page 3 of the report, however, the $136,367,000 recommended for "Salaries and expenses" is discussed and the report states that this sum "will allow the full budget estimate for security activities and the balance is for such items as increased language training, consular activities, and the appointment of additional commercial activities, and the appointment of additional commercial attachés needed in connection with the trade promotion program."

While this list does not purport to be exclusive, the omission of any reference to increased personnel in disarmament may not permit the disarmament needs to be given preferential treatment. The Budget Office at the State Department says that there will not be enough left to provide for the 13 new positions and studies requested by disarmament if the Department follows the order of priority listed in the report. The priority items will use up all but $400,000 of the sum restored by the Senate committee action and against this there will be demands of $1.4 million. Clearly, disarmament and other items not on the committee's priority list will be cut to some degree.

My recommendation: It will be necessary to have approximately $500,000 to make sure that the full funds requested for stepped-up disarmament work will be available. This can be done in the next supplemental appropriation.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 7371) was read the third time and passed.

Mr. McCLELLAN. Mr. President, I move that the Senate insist upon its amendments and request a conference with the House of Representatives, thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. McCLELLAN, Mr. ELLENDER, Mr. HAYDEN, Mr. MAGNUSON, Mr. FULBRIGHT, Mr. BRIDGES, Mr. SALTONSTALL, Mr. MUNDT, and Mrs. SMITH of Maine conferees on the part of the Senate.

AUTHORIZATION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO MEET DURING SESSION OF THE SENATE TOMORROW

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Government Operations was authorized to meet during the session of the Senate tomorrow.

SALINE WATER CONVERSION PROGRAM

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of Calendar No. 763, Senate bill 2156, and that the bill be laid before the Senate and be made the pending business.

The motion was agreed to; and the Senate resumed the consideration of the bill (S. 2156) to expand and extend the saline water conversion program being conducted by the Secretary of the Interior.

ARTICLE IN COLUMBIA ON ENCOURAGEMENT OF INVENTIONS

Mr. HUMPHREY. Mr. President, for a number of years, I have been deeply concerned with this problem: How can the United States stimulate the flow of inventions, so as to strengthen national security and provide for rapid growth of our economy and ever higher standards of living for our people?

Part of the answer is through assurance of maximum encouragement for the relatively small number of individuals who have the gift of innovation, the spark of genius, the talent to develop new concepts, processes, systems, instruments, machines.

I was pleased, therefore, that the distinguished magazine Columbia, published each month by the Knights of Columbus, has a leading article in its September 1961 issue, written by Mr. James C. G. Conniff, realistically entitled "Why Do We Discourage Our Inventors?"

I had been glad to discuss this problem with Mr. Conniff and to make available information which had been developed by the Subcommittee on Reorganization

and International Organizations, of which I am privileged to be chairman, in the Committee of Government Operations.

On the basis of his careful review with others and myself, Mr. Conniff developed a thoughtful analysis of many of the patent, military, East-West, and other implications of the problem.

I may say that elsewhere in this issue of Columbia is the usual fine array of constructive articles on civic and spiritual affairs, of deep interest to the devoted readership.

I ask unanimous consent that the text of Mr. Conniff's article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY DO WE DISCOURAGE OUR INVENTORS?

(By James C. G. Conniff)

One of these fine mornings you will pick up your newspaper and read that the President of the United States has summoned John Jones, until then an obscure midwestern inventor, to the White House. There, with TV camera dollies chewing up the lawn, our beaming Chief Executive will present Mr. Jones with a check for $25,000, tax free. It will be "in token of your country's gratitude for distinguished service"—not in the realm of courage, this time, but of genius.

The fruit of Mr. Jones' genius may in itself be unimpressive. An odd-looking fluted crystal the size of a rice grain, perhaps, which he grew down cellar in an air-conditioned milk bottle. Or a very fine wire one-quarter inch long with a special squiggle in it, visible only under a microscope—which was where he painstakingly fashioned it. Or a sliver of metal with strange new properties. It may be only a mathematical formula.

But it will be worth every nickel of the award. In his praise for Jones our President will make that clear, using just the right fog index to avoid tipping off an enemy as to why. Those of a mind to speculate may guess at breakthroughs in no-time-lag space communications, or instantaneous data processing, or split-second information retrieval from man's stupendous warehouse of technical knowledge.

Others may suspect unlocking the secret of light as a power source. Or discovery of a tough, lightweight, flexproof aircraft-spaceship alloy that will also shield against radiation as effectively as a yard of lead. Or the key to neutralizing gravity by manipulation of subatomic particles.

Whatever it is, one thing is sure: this loner has come up with a seemingly simple device or process which may revolutionize technology and will unquestionably aid in guaranteeing the security of his country.

Unfortunately, one other thing is just as sure: we have at this writing, and for too long have had, no way of telling when that fine morning will be.

The reason isn't that obscure, gifted inventors are lacking. It isn't that work by the only instrument in the universe which can conceive and develop a breakthrough idea—the mind of an individual human being—is not going forward in the areas indicated and a hundred other areas every bit as crucial. It isn't even that scientific discoveries of that caliber are hardly the kind of things you can assign to a specific slot on the calendar. Not by a frozen bootful.

Apt symbol. For the real reason is that with the frozen boot of bureaucratic inertia and public apathy, not to mention executive preoccupation, we are kicking our inventors in the teeth. We boast a national tradition of inventors like Benjamin Franklin, Eli Whitney, Robert Fulton, and Thomas Alva Edison. We take pride in such fellow citizen-inventors as De Forest, Ericsson, Goodyear, Kettering, Westinghouse, Langmuir, Bell, Zworykin, McCormick, and the Wright brothers. We get sick of hearing the Russians claim they invented everything in sight, up to and including inventing. Yet in our own era we are actually strangling the inheritors of this vaunted Yankee inventiveness by winding their necks with redtape and hauling on it.

Item: The U.S. Patent Office is our 171-year-old protective haven for inventors and clearinghouse of scientific knowledge. It was set up in 1790 by George Washington and still charges the same modest fees it did then. Its staff of 1,000 highly trained examiners receives an average 300 patent applications each work day—or 80,000 to 100,000 a year—and grants maybe half. This year, on September 12, it will issue U.S. Patent No. 3,000,000 (subject confidential until actually clears). No one will cheer much because today it takes over 3 years to search and approve a single patent. While waiting, inventors may negotiate with interested manufacturers on a patent-applied-for basis, but not being granted a patent in the end is only part of the risk here. Meantime there are living and other costs, such as the $75–$125 preliminary search fee of a reputable patent attorney. This, incidentally, is the only safe and sane way to seek a patent. For 45 cents the Department of Commerce will send you an alphabetical-by-States list of our licensed patent attorneys.

Item: In the fiscal year ending next June 30 this Nation will spend more than $12 billion on research and development (R. & D. for short). That means either discovering new knowledge and devices, or applying what is already known to new uses. Of that whopping wedge of cash, better than 60 percent will be in the form of tax money laid out by the Federal Government. Incredibly in this hour of crisis, when we are going to need inspired technical know-how in spades, not a dime of that huge sum has been earmarked for the private inventor as "incentive money"—that is, legitimate and immediate financial reward the prospect of which, to paraphrase Abraham Lincoln, sets creative brain wheels spinning the way nothing else does. And certainly none of the remaining 40 percent of our R. & D. dollars which private industry will spend in its vast laboratories will go to help the lip-served "loner" help himself or his country. It will go to "research teams." The team concept in private industry is perilously close to calcifying the investigative echelons of our scientific community. It produces, but it also elbows aside the more truly American tradition of individual genius. It effectively segregates the "loner"—to whom we owe so much—from those who take refuge in the faceless anonymity of the team.

Item: Four-fifths of the Federal Government's current R. & D. budget is directed primarily toward national security needs. Of the total tax-supported R. & D. outlay, just under 70 percent is poured into contracts with private industry. Some 10 percent pays for grants and contracts with universities and other nonprofit groups. The rest is for salaries and equipment of Government scientists in Federal laboratories and other facilities. Yet despite the urgency of national security needs which is underscored by assignment thereto of all but a fifth of Government R. & D. money, the Nation's great reservoir of private inventive potential remains untapped in Bureau of the Budget circles by so much as an old Indian-head penny slipped in edgewise.

Item: A lot of this lethargy that could conceivably cost us our national shirt seems attributable to certain enclaves in our unwieldy Federal Government which are bogged down by a hard core of imperturbable devotees of the status quo—time-serving types that the Navy used to characterize privately as having "silver in their hair, gold in their teeth, and lead in their keel." Their inertia is so overwhelming that before he took off to reconnoiter the need for a Western build-up around Berlin this past July, Senator HUBERT H. HUMPHREY, of Minnesota, got up on the floor of the Senate and charged the Pentagon with major responsibility for failing to assist and encourage by more generously enlisting its cooperation, the National Inventors Council set up during World War II to advise the military but since then financially starved to a skeleton of its former self. HUMPHREY said the result was "a tragic waste of U.S. inventive talent." To a large extent, he insisted, our Army, Navy and Air Force R. & D. people will have to answer for that waste.

Taken together, these and related items were a good clue that it might pay to visit Washington for a firsthand rundown on this serious situation from key figures like HUBERT HUMPHREY, and also to get the other side of the story, if any.

From the deputy majority leader in his office at the Capitol I learned that, as a member of Senator JOHN MCCLELLAN'S Committee on Government Operations and as chairman of his own Subcommittee on Reorganization and International Organizations, Senator HUMPHREY had exercised his responsibility for studies of coordination among Government agencies by giving more than a year to some digging that really seems to have turned up paydirt.

What he did was to explore in depth the relationship between the distinguished volunteer scientists of our National Inventors Council, which operates through the Office of Technical Services at the Department of Commerce, and what he calls "its principal clients"—the Army, Navy, and Air Force.

The Democratic whip had earlier shared with Congress the conclusion to which his probe had forced him, and he now brought ensuing developments up to date for me. In spite of its brilliant contributions in World War II, Senator HUMPHREY said, he found that a lot of people in the Pentagon "have tended to regard the Council as a mere buffer against what are considered nuisances who submit ideas to the military.

"The military's attitude is unfortunate," said Humphrey. "It may be getting too big for its britches. Unless inventions come down from mighty corporations, the military gives very little time to an invention, or to the inventor himself."

In scoring the Armed Forces R. & D. brass for not letting the National Inventors Council do its job of stimulating the flow of inventive ideas useful to defense, Senator HUMPHREY admitted that "only a small proportion—perhaps 1 or 2 percent—of the 1,000 ideas a month submitted by independent inventors tend to be usable. But," he emphasized, "in this 1 or 2 percent may be an invaluable idea, such as the portable minesweeper which was originally conceived to locate buried treasure, but which helped save thousands of Allied lives in World War II."

The gentleman from Minnesota then cited some impressive documentation to prove that in teeing off on the Pentagon he wasn't just talking through his senatorial sandsprinkler. Two years earlier the National Inventors Council had called in a top-drawer independent research firm—the Arthur D. Little Co. of Cambridge, Mass.—to make a study of problems the Armed Forces were having in their relationships with the Council. The fact that the Department of Defense ponied up the substantial fee for

this study may be construed as a sign that the Pentagon isn't really against the Council but would itself like to get some workable answers to the situation.

Instead of answers even slightly favorable to its position, the Pentagon got from the Little study a clobbering with its own bazooka (noteworthy here as the highly successful antitank weapon of World War II which was invented by an individual in the ordnance field who to this day has not received a penny of reward from his grateful Government and, of course, no royalties either). The detailed Little report on NIC-Pentagon buddyhood, titled "The Military's Use of Resources of Technical Innovation," showed that precious little use was being made of NIC know-how, in spite of the fact that (1) even the military agreed on the urgency of major innovations in everything having to do with weapons systems, (2) there was no question about the need for prompt reduction of leadtime in meeting these requirements, and (3) an immediate stepup was called for in exploratory development work that could foster rapid achievement of these goals.

The Little report said further that (1) there were plenty of the kind of individual inventors needed to make the contributions called for, (2) they were not dreamers, oddballs, or would-be inventors but proved, actual doers with impressive records of accomplishment, and (3) they were definitely being given the short end of the stick by the military when it came to encouragement and assistance.

These private inventors, said the Little report, are producers with "an extraordinarily high percentage of important, radical commercial developments in recent times" to their credit. In spite of roadblocks by the status quo artists, the report said, they were also "responsible for a number of significant military innovations." Furthermore, in the sober opinion of the Little organization, they were able to "perform quickly in comparison to the research teams of large corporations."

On the other hand, the Little researchers pointed out that while the military's needs are real and pressing, and while a pool of thousands of inventive, technically trained Americans exists to help meet those needs, the Pentagon has no easy job tapping that pool. The inventors are "widely dispersed, little known, hard to get, and frequently show little initiative in approaching the military." The inventor's common lack of equipment to carry theory into even test production, the military's chronic lack of specifically earmarked cash to reward him promptly, and the human reluctance to risk financing anything but big-name research in fields where the failure percentages run high, were other factors which the report noted as hindrances to the military. So were the "weapons systems" approach, which to an extent the demands of modern warfare have forced the Pentagon to adopt, and the complexity of recent technology.

On the basis of these revelations, Senator HUMPHREY took out after Pentagon brass with a questionnaire designed to cut through redtape, get some constructive responses, and institute remedial action. After awaiting over a month for a reply, he sarcastically offered on the floor of the Senate to give the Post Office Department another 3 weeks to ferry a letter across the Potomac for him from the Pentagon. Defense got the message and through the chairman of its Appropriations Subcommittee, Senator DENNIS CHAVEZ, of New Mexico, sent a 14-page reply. I have it here on my desk. As the honest rationalization of responsible men it's an interesting document, but it doesn't really say much beyond admitting that the Little report was right and that what remedies the Armed Forces have attempted to date have not been overly fruitful.

The Air Force, for example, invited certain selected industrial firms, including Arthur D. Little, to locate and recruit private inventors for a—you guessed it—"team" assault on its R. & D. problems. The gesture, an apparent bypass of what NIC is already set up to do, got nowhere. Little didn't even reply.

On the credit side, the Chavez reply tells of an Inventions Liaison Office set up at Air Force Headquarters to channel any inventor's proposal to the right technical people for fastest possible evaluation. It seems also that the relatively recent Air Force Systems Command has branches all over the country to help sift usable ideas and put inventors in touch with the proper personnel. Through the Chavez reply the Air Force says the Little report is in error about USAF use of available screening facilities as buffers against the nuisance of ideas from private inventors.

The same reply spells out the role of an Inventions Evaluation Branch at the Office of Naval Research to provide navywide, centralized evaluation, and to make sure that no worthwhile idea—and especially no private inventor—gets lost in the shuffle. The Army, the Chavez reply assured Senator HUMPHREY, has similar evaluation structures for handling new ideas and their sponsors, and has even assigned a man to NIC to help speed up the whole process of stimulating those ideas.

That stirring up of new ideas seems to be the crux of the whole problem. All the idea-filtration channels the brass can think up, in the opinion of HUBERT HUMPHREY and other alarmed civilians, won't mean much if no ideas worth filtering come out of the spigot. Since NIC was fielded with nothing else in mind but stimulating the flow of usable ideas to the military, a twofold question naturally arises: (1) Is there really anything much there to stimulate that couldn't be handled better by a crash program in the big industrial labs?—and (2) How much of what does get stimulated is worth the time and money it takes to evaluate it and, if it's worthless, to placate its inventor?

The Little report scientists are positive there is plenty there to be stimulated—"significant resources of technical innovation not now used by the military" was the phrase they chose to hammer home this truth. In fact unless the military gets a move on to use NIC more in tapping these resources instead of continuing to relegate the Council to its present cash-starved role (total annual budget: $95,000) of buffer or public relations dodge, the Little report concluded, NIC may as well shut up shop.

That would leave all defense R. & D. recruitment efforts in the hands of the military, a situation (1) not in keeping with our constitutional mandate of civilian control and (2) unlikely to improve utilization of private inventive talent at all if we are to judge by the Little report statement that its investigators could find "no instance of a product or process in current use in the military which has passed through the military screening offices in recent years."

Death of NIC would probably dam with a vengeance the flow of ideas from the "million amateur scientists" that Dr. Vannevar Bush, wartime Director of the Office of Scientific Research and Development and chief administrator of the atomic bomb project, recently estimated we have in this country. He pointed out as just one example of their usefulness the reliable network of 3,000 or so amateur meteorologists which the Weather Bureau depends on. He cited some 200 science clubs with national membership and said that in Philadelphia alone, 700 out of 8,000 local members of The American Philosophical Society had made discoveries of a caliber to win them professional recognition.

To learn more about just how important the private inventor is in our highly organized industrial economy, I talked at length with U.S. Patent Commissioner David L. Ladd—and had my eyes opened. Some 50 percent of all patents, he said, are still issued to the "loner" (who 98 percent of the time is a male).

A list of some of these "loner" discoveries hits you between the eyes. Maybe you already know that a newspaperman thought up parking meters and an undertaker was the father of our telephone dialing system. But the breakthroughs of the private inventor include much bigger triumphs: air conditioning, automatic transmission, Bakelite, ballpoint pens, catalytic cracking of petroleum, Cellophane, chrome plating, Cinerama, cottonpicker, cyclotron, gas refrigerator, electron microscope, gyrocompass, insulin, Kodachrome, magnetic tape recording, penicillin, Polaroid camera, power steering, quick freezing of foods, radio, safety razor, self-winding wristwatch, synthetic light polarizer, zip fastener, and so on.

Anybody counting on Government "incentive money" for devoting his genius to thinking up new weapons is even further out in left field. The laws authorizing such awards are on the books, and outfits like the National Aeronautics and Space Administration are exploring ways and means to implement those laws, but the hard fact is that nobody has yet appropriated the money. Russia, although just as raddled as any free-enterprise economy with such human impediments to a fair shake for inventors as managerial jealousy and shortchanging on use royalties, is well out in front of the West in seeing to it that inventors are by and large rewarded immediately with sizable chunks of the old ruble plus followup royalties on use throughout the Soviet Union, while their discoveries are exploited without delay.

The thing that amazed people I talked with behind the scenes in Washington was this success of a slave economy in stimulating the scientific mind, which was hitherto supposedly able to function only in "the atmosphere of freedom." The Reds do it, our experts speculated, by encapsulating their top scientists with economic rewards and perquisites. Still, that does not entirely explain the surging spontaneity of inventiveness behind the Iron Curtain which our intelligence knows is a fact.

To get comparable inventive mileage out of our economy the National Inventors Council needs to be deskeletonized by an infusion of cash. Right now NIC consists of 12 people, 7 of them professionals and the rest clerks. In order to do a real job on closing the gap between the military's defense idea-needs and the source of those ideas—inventors who, from experience or hearsay of ill treatment by the military, wouldn't touch our Defense Establishment with a long pole—NIC figures it needs a million dollars at once and could then level off at about $2 million a year. This mere drop in our fabulous and necessary defense budget would enable NIC to go to the Patent Office, to engineering societies and such, for lists of their most able inventive talent. From the best of these men NIC would pick a panel of maybe 100, tell them what the military was doing and why it wanted some better way of doing it, and turn them loose.

Say 10 out of the 100 come up with seemingly workable ideas. NIC gives them the cash to build working units, and of the 10 models perhaps only 3 look promising. These the NIC would then hand over to the military for trial and development. Individuals on the panel would probably bring their inventive talent to bear on no more than half

a dozen really serious problems a year, but the payoff would undoubtedly be something to see.

With the modest expansion NIC requires it could also do a better, quicker job screening the 1,000 letters a month it now gets from would-be inventors whose hearts are in the right place but who are just not professional enough to be truly helpful.

"The so-called harebrained idea," he said, "is the very type which may ordinarily be rejected by anyone with a vested interest in the status quo or anyone who does not want to stick his neck out in making a possible 'blooper'."

What this home-of-the-brave-and-the-bold needs, he said, is some mechanism even more gung-ho than NIC with power to take risks in exploring precedent-shaking ideas. "This is the very type of organization which will probably have a high proportion of failure," the Senator admitted. "But a single useful idea may save millions of dollars—and most important, uncounted lives."

THE TASK FACING THE ALLIANCE FOR PROGRESS

Mr. HUMPHREY. Mr. President, recently it was my privilege to read an outstanding address by the Assistant Secretary of Commerce for International Affairs, Mr. Rowland Burnstan.

I believe this significant speech merits the attention of all people who are seriously concerned about the success of our alliance for progress with the people of Latin America, and I ask unanimous consent that Mr. Burnstan's remarks be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE TASK FACING THE "ALLIANCE FOR PROGRESS"

(Address by Howland Burnstan, Assistant Secretary of Commerce for International Affairs, at Management Program for International Operations (Latin America), sponsored by Graduate School of Business of Columbia University, at Crotonville, N.Y., Aug. 23, 1961)

"Population explosion" and "revolution of rising expectations" are two phrases frequently used to characterize the current situation in Latin America. From the viewpoint of an American political analyst these characteristics mean political and economic instability and the imminence of fundamental changes in the social order. Instability and change afford an opportunity for penetration by an ideology, essentially feudal in human values, which in misleading packaging is sold as communism.

The American exporter and investor with confidence in the eventual victory in Latin America of freedom and the 20th century free enterprise system, however, translates these phrases into "rapid growth of potential consumers" and "force for the expansion of effective demand." Combined, these factors could lead to a growth in the economy of Latin America and, consequently, a demand for American products and investment capital which would bring to reality for both Latin American and North American businessmen the "El Dorado" dreams of the Spanish conquistadors. Whether Latin America will realize its great potential or surrender to the chimera of Communist propaganda depends in large measure on U.S. policy and its implementation in the decade ahead.

The policy of the U.S. Government, which was given in basic outline by President Kennedy in his alliance-for-progress address on March 13, 1961, is to mobilize the resources of this country for a massive effort during the next 10 years to assist the peoples of Latin America to achieve their great potential goal.

The key words in the policy formulation are "assist" and "cooperative" since massive assistance by the United States without equally massive cooperative effort in Latin America is futile for long-term progress. This country can help to prime the pump of progress, but the peoples and leaders in Latin America must man the pump and diffuse its lifegiving waters to quench the mounting thirst in Latin America for homes, works, land, health, and schools.

Details of the program for attaining the objectives of the alliance for progress will be developed formally in a cooperative effort with the governments of the Latin American countries beginning with the Punta del Este, Uruguay, Conference. It is not the intention of this talk to predict the specific action measures which will be taken as the program matures. However, it may be useful to consider some of the major problems which must be solved, some of the principal measures which have been taken or are currently being implemented to solve them, and the relationship of the alliance for progress to American foreign trade and investment.

The population explosion in Latin America is one of the fundamental aspects of the development problem, and an understanding of what it is and what it means is essential for sound development planning. Latin America has the highest rate of population growth in the world. In 1925, the total population of Latin America was approximately 94 million as compared with 116 million in the United States. During the first half of 1961 the estimated population in Latin America passed the 200 million level while in this country it reached about 184 million. By 1980, the population of Latin America is expected to be 332 million and that of the United States about 260 million.

These statistics reveal that in the relatively brief span of 25 years the population growth of Latin America has overtaken a lead of almost 25 percent held by the United States and in the next two decades is expected to increase its lead at the rate of 1 percent a year or a total of about 20 percent.

A population growth of these proportions can be either a bane or a blessing. It means a greatly expanded work force and broadening of the consumer market. Human beings are the greatest asset of a nation or area if as a work force they can be utilized effectively and the benefits of their product distributed to achieve a relatively well-balanced improvement in the standard of living of the population as a whole. If the enlarged work force is not effectively employed and the product of a limited work force is inequitably distributed, then population growth aggravates unemployment, lowers the standard of living of the population as a whole, and leads to political and economic instability.

Analysis of data for recent years shows that efforts in Latin America both by the local governments and under the assistance programs of the United States have not achieved the minimum results required.

One of the fundamental indicators used to measure economic progress is the gross national product or the aggregate of the goods and services produced in a fixed period of time by a country or an area. During the post-World War II years, the annual rate of growth of the gross national product for Latin America has been about 4.5 percent compared with about 3.5 percent in the United States. Since the population is growing at an annual rate of about 2.5 percent, the per capita growth of output for the area as a unit has been about 2 percent.

Three factors, at least, must be kept in mind when considering this 2-percent growth. It represents an average figure for all of Latin America. In some countries, the rate of growth of the gross national product has been below the rate of growth of the population. Secondly, the rate of growth has not been smooth and continuous but has fluctuated through the years particularly under the impact of external market factors. Since 1958 the gross national product for Latin America in per capita terms has been almost stationary and in some countries has declined. This has meant in certain chronically depressed areas a lowering of living standards below the virtual subsistence level previously prevailing. A third factor is the distribution of the benefits from the growth of production among the people. Adequate measurement data on the distribution of the gross product are not available, but it is evident that there is much room for improvement in the spreading of these benefits.

An American businessman hearing these facts on the low rate of growth of per capita output in Latin America might conclude that Latin America is not using its increased manpower efficiently and that improved management is the solution to its problems. This would be correct since most Latin American countries could improve production efficiency. However, the slow growth rate of the Latin American economies when measured in value terms is attributable more to the decline in prices of the commodities produced, mostly for export, than to a decline or stagnation in production on a quantity basis.

In 1959, for example, the gross national product of Latin America at 1950 prices rose 2.8 percent compared with the previous year, and 1959 was a poor year for Latin America. However, due to the decline in prices in 1959 for the products of the area as compared with the prices prevailing in 1958, actual receipts in 1959 were only 2.1 percent higher than in the previous year. Since population grew about 2.5 percent, there was a decline in per capita income of close to one-half of 1 percent.

The price weakness of the major products of Latin America is one of the most serious problems which must be solved if the area is to obtain a growth pattern adequate to meet the needs of its population expansion. In countries or areas such as Latin America where the export coefficient of the gross national product is substantial and where exports are confined to an extremely narrow range of products, price fluctuations can have a disproportionate effect on the growth curve.

The narrow range of commodities in Latin America's export trade may be readily appreciated through looking at a few statistics. Over 90 percent of total exports consists of agricultural products and industrial raw materials, and in 1959 two commodities, petroleum and coffee, accounted for 45.5 percent of the total. In all but four countries, no more than three commodities were responsible for over 75 percent of total exports. Petroleum accounted for about 27 percent of all Latin American exports and was almost exclusively the product of Venezuela. Coffee, another important exchange-earner for 13 Latin American countries, was the major export commodity for 7 of the 20 republics.

Let us look at the price history of Latin America's exports in the past decade. In 1960, 11 of the 14 commodities which are significant in Latin American export trade were quoted at prices considerably below the 1950 level, and prices for the remaining three were only slightly above the 1950 figures and showed signs of deteriorating as the year progressed. Export returns to Latin America in 1960 actually would have been considerably lower than in 1950 but the volume of production and export sales was expanded significantly, resulting in a value increase of

22 percent in spite of lower unit prices. From these figures it can be seen rather clearly that the principal reason for the failure of Latin America to attain an adequate growth rate from the export sector was due to falling prices rather than to volume of production.

The deterioration of the external sector of the Latin American economy stands out sharply when contrasted with the situation in the industrialized areas of the world on which Latin America is substantially dependent for its manufactured products. The unit value of exports of the United States and Canada, combined, from 1950 to 1959, increased 23 percent. Western Europe's increased 17 percent and the world average increased 11 percent. The unit value of Latin American exports during this 10-year period decreased 10 percent.

The impact of the deterioration in the terms of trade of Latin America directly affects the balance of payments of the countries of the area and both directly and indirectly exerts pressure on the fiscal policies of governments. In turn these lead to internal inflationary pressures which tend to retard economic growth.

One of the significant implications of the inverse import-export price situation over the past decade is the deterrent effect on purchases of producers goods and externally produced raw material requirements for the rise in industrial production. This has been a major influence in retarding industrial growth. Imported capital goods have become relatively high priced and receipts from exports have been reduced by falling prices. Consequently domestic financing of industrial development was restricted.

In order to provide the goods and services required by the expanding population in the face of a deterioration in the terms of trade, Latin American governments have been forced at times to run a deficit in their international current accounts. Sometimes these deficits were covered by long-term capital imports in the form of foreign investments or loans. If not covered by this method the alternative has been to reduce gold and foreign exchange reserves or defer payments on commercial indebtedness.

None of these techniques can be employed on a long-term basis. Either there must be an improvement in the terms of trade or governments will be forced to undertake austerity programs, reducing imports to levels consistent with their foreign exchange earnings and their balance-of-payments position. This course leads toward stagnation with a decline in production, increased unemployment, wage pressures, and social instability.

Confronted with this situation it can be readily appreciated why Latin American economists and politicians have placed such great stress on the desirability of international agreements designed to stabilize prices of primary commodities and to maintain a consistent price relationship between primary export commodities and industrial import products.

U.S. Ambassador to the United Nations, Adlai Stevenson, following his visit to the 10 South American countries early this year also emphasized the necessity for a solution to the problem of commodity price stabilization as an essential part of any program designed to ward off Communism in South America.

Latin American economists recognize the difficulties in devising a program to achieve price stabilization of primary commodities and of maintaining these prices at levels which are considered adequate. The history of international commodity agreements indicates that they can be relatively effective in diminishing price fluctuations, but that they are considerably less effective in holding prices at artificial levels above those which would prevail in world markets in the absence of such agreements.

The difficulty in formulating international commodity agreements which will effectively support prices is that the complete world supply must be effectively controlled. This means the devising of a mechanism acceptable to all supplying countries and the apportionment of the market among suppliers who, in turn, will take the necessary steps to limit their production to their assigned quotas. Also careful consideration must be given to the possible appearance of substitute products which may emerge as a result of the market price stimulation.

Restrictive control is difficult to achieve since in most instances, and particularly in agriculture, there is a considerable lag between investment and production. For example, in coffee, which is the commodity of greatest significance to the largest number of Latin American countries, the first commercial yield is obtained from 5 to 7 years after planting. Secondly, a characteristic of primary commodities is their demand inelasticity which results in substantial price variations as a result of relatively minor disequilibrium in the supply-demand balance. Still a third problem is the fact that an excess of supply usually is caused in part by the need to sell increased quantities to offset lower prices and in part by the need to give employment to an expanded work force. Curtailment of production under a commodity agreement containing essential provisions for bringing production into balance with demand requires national adjustments involving a possible short-term decline in receipts and the relocation of displaced workers.

The difficulty in obtaining commodity price stabilization agreements which contain an effective mechanism for restricting supply is further increased by the need to incorporate flexibility to meet natural and institutional developments. For example, the emerging nations in Africa which are primary commodities producers are reluctant to enter agreements freezing their share of the world market for a particular product on the basis of the current participation or that of some past period. Similarly, nations may see in the emergence of economic superentities such as the European Economic Community opportunities for affiliated territories to expand their share of the community's requirements for primary products. They would be reluctant to enter an agreement that did not recognize this growth potential.

I have given a great deal of attention in this talk to the question of primary commodity prices. However, I feel it is one of the key problems responsible for the current situation in Latin America. A good many of the other problems stem directly or indirectly from this lack of foreign exchange resulting from reduced export earnings. The plea for financial assistance through grants and loans from United States or international agencies is made necessary by this inability of export earnings to finance fundamental capital outlays essential for economic growth.

The excessive dependence of Latin America on exports of a limited range of primary commodities and the oversupply position of most of these products in world markets with the resultant price weakness immediately suggests the necessity for substantial modifications in the defective economic structure of the area. Economic diversification to broaden the range of export earners and to reduce the dependence of the area on exchange consuming imports is an obvious necessity.

These essential measures have been recognized by most of the economic planners of Latin America. However, financial limitations and social expediency have repeatedly frustrated commendable long-range objectives; sudden price fluctuations for export commodities have eliminated the financial foundations of development programs and forced resort to short-term policies inconsistent with the objectives of structural reform.

Some countries of Latin America have taken the road of rapid inflation as a spur to economic expansion. Government spending and easy credit can create temporary boom conditions as employment increases, prices rise and purchases expand in anticipation of a cheapened money and still higher prices. However, inflation leads to uncertainty, reductions in savings, and the conversion of money into physical assets such as land. Prosperity induced by inflation frequently leads to cyclical depressions which offset the growth in production achieved under inflation.

The Federal Reserve Bank of New York recently studied the relationship of inflation and economic growth in a number of underdeveloped countries and concluded that those countries with little or no price inflation achieved a significantly higher growth rate than those countries where inflation was 20 percent or higher. Statistics of the Latin American countries covering the past 10 years confirm that growth rates operate in inverse relationship to the rates of inflation.

One problem facing the Latin American area which is receiving considerable attention at the present time is the retarding effect on industrial development of limited national markets. While Latin America taken as a unit has a population in excess of 200 million, Brazil, the largest national entity in the area, has a population of about 66 million, and Mexico is in second place with about 35 million. The low per capita income in Latin American countries and the artificial barriers to intra-Latin American trade susbstantially limit volume production. Some industrial activities in accordance with the economies of scale can operate economically and competitively only under mass-production conditions. The Latin American countries because of their reduced domestic markets have been precluded from some such activities.

The inspiration of the European Economic Community, and particularly its Common Market provisions, led to a move in Latin America to create a common market. This move was spearheaded by the United Nations Economic Commission for Latin America which had carefully studied the problems of development in Latin America and recognized the necessity for establishing larger marketing areas for many types of industry than were available in the individual countries.

The attaining of a common market for all of Latin America proved to be a more formidable task than in the case of Europe. The great variations in levels of development, in wage scales, and the limited range of complementary export products plus the variance in policies affecting the values of curriences frustrated the original efforts to find a mutually satisfactory basis for a common market. The intensive effort to reach accord on the organization of a common market in Latin America was not fruitless, however, since it led to the formation of the Latin American Free Trade Association, generally referred to as "LAFTA."

Seven of the Latin American countries, Argentina, Brazil, Chile, Mexico, Paraguay, Peru, and Uruguay, signed a treaty at Montevideo, Uruguay, on February 18, 1960, for the establishment of LAFTA and all of the signatories with the exception of Paraguay ratified the treaty on May 2, 1961, bringing the association legally into operation. Paraguay ratified the treaty in June. Colombia has indicated its intention to join LAFTA in the near future and Ecuador appears to be favorably inclined. The seven countries

now participating in LAFTA will create a marketing area with a present population of about 144 million people, or about 72 percent of the 200 million total.

The treaty establishing LAFTA creates the machinery for the reciprocal and progressive reduction over a 12-year period of tariffs applicable among the participating countries to substantially all of the intra-area trade. It provides for simplification and standardization of procedure and formalities affecting this trade, and for the establishment of a standard tariff nomenclature. It does not contemplate in its present form the establishment of a common external tariff to apply to imports from nontreaty countries.

The contracting parties of LAFTA met in July to begin the first stages of the negotiations for the reductions in tariff rates. Commodity-by-commodity negotiations beginning this month will undoubtedly continue over an extended period of time.

Since 1951 the five Central American countries have taken a number of steps looking toward closer coordination of their economies. One of the more significant steps in this process was the signature in June 1958 of a "Treaty of Free Trade and Central American Economic Integration." There has been a series of related agreements signed among three or four of the Central American countries during 1958 and 1960 and the culminating agreement called "The General Treaty of Central American Economic Integration," which provides for a common market within 5 years, became effective for Guatemala, El Salvador, and Nicaragua on June 2, 1961. Honduras is expected to join very soon. The outlook for Costa Rica is more uncertain.

While LAFTA in its present form is limited to the elimination of barriers to the exchange of goods produced in the countries participating, the Central American program provides a fundamental integration of the economies of that area. Both arrangements, however, are forward moves toward broadening the domestic market for Latin American producers, permitting entrepreneurs to benefit from the economies of scale, and creating new export items competitive in world markets.

The elimination of poverty through economic growth is fundamental to the solution of Latin America's problems, but the handmaidens of poverty—malnutrition, disease, and illiteracy—must also be attacked and defeated. These social ills which thrive on poverty are effective deterrents to an acceleration of economic growth. Central to the attack on these social problems is the fight against illiteracy.

About 70 million people or 35 percent of the population of Latin America can neither read nor write, and over 50 percent of the population over 15 years of age has had less than 4 years of formal education. About 20 million children of normal school age have never attended any school. Of course, these are statistics for the area and there are substantial differences between countries. Argentina has the lowest illiteracy rate with 8 percent, while Haiti has the highest, including 89 percent of its population.

Modern-day economic growth with its dependency on rapid technological change requires a large corps of workers trained through the university level. However, in Latin America, only about 2 percent of the total school enrollment is at universities as compared with about 7½ percent in this country where the base is considerably broader. At universities in Latin America, where a great deal of emphasis is given to political activities, there is less emphasis on technical training and the sciences than would be desirable for stimulating the type of economic growth which is needed.

The deficiency of the educational development of Latin America not only impedes self-help but it reduces the ability of the Latin American countries to draw on the sources of international assistance which have been established to meet the urgent needs of the area. As one high official in Latin America has stated: "Those who need financial and technical assistance the most are precisely those who are less able to prepare projects in accordance with all of the formal requirements." Education and, at the moment, foreign technical assistance are essential ingredients for the solution of the economic problems of Latin America.

There are many other economic facets of the crisis in Latin America which require attention, and particularly those related to the reform of defective economic and social structures. Land reform, government revenue and expenditure system including tax reform, housing programs, transportation, and power facilities are a few of the problem areas for which there must be sound long-term planning and the prompt initiation of implementation. Most, if not all, of the structural reforms, however, are dependent upon massive technical assistance and financial underwriting on a sustained and flexible basis to enable the governments to avoid the economic disequilibrium inherent in an accelerated transition from the old to the new economic and social molds.

My talk up to this point has been concerned primarily with the problems which must be solved through inter-American cooperation if Latin America is to break the shackles of poverty and share equitably in the common progress of the Western Hemisphere. It is logical at this stage to take a look at what we have been doing for Latin America, why past efforts have not achieved greater results, and in what way the alliance for progress differs from earlier programs.

In the postwar period from 1945 through 1960, total U.S. Government nonmilitary assistance to Latin America has amounted to a little over $4 billion. However, deducting repayments and attrition, net nonmilitary grants and credits to Latin America totaled about $2½ billion, of which about one-third was in the form of grants and two-thirds, loans. This does not include indirect assistance received by Latin America in part from funds supplied by the United States as a result of our participation in international assistance and lending institutions. For example, the International Bank for Reconstruction and Development in the postwar years has loaned slightly over a billion dollars to the countries of Latin America.

In view of the magnitude of this assistance, one may well inquire why it has failed to meet the needs of the Latin American countries. In order to obtain a proper perspective of the relationship of assistance, and particularly U.S. assistance, to the trend of economic developments in Latin America it is believed useful to examine the picture for a single year.

The year 1958 may be considered appropriate for such an examination since it represents the year in which U.S. Government assistance to the area reached its highest level. In that year net nonmilitary grants and loans were $504 million, consisting of $113 million in grants and $391 million in loans.

In the year 1958, the prices on the international market for many of Latin America's export products declined sharply and the impact was felt mainly by the countries exporting coffee, sugar, and nonferrous metals. There was an increased tonnage of exports in the leading products of Latin America with the exception of petroleum but the returns on exports for 1958 declined 7 percent as compared with the previous year. The result of the reduced returns from exports and a delayed contraction of imports was a deficit in the combined goods and services accounts of the area amounting to $1,288 million.

The inflow of private investment capital and the aid and assistance of U.S. and international financial institutions partially compensated for the deficit. However, Latin America as a whole was obliged to call on its reserves to meet in excess of $700 million of the deficit. In 1959 there was a continued decline in world prices for Latin American export products and despite another sharp increase in the tonnage of Latin American exports as compared with 1958 many Latin American countries were forced to drastically curtail imports to prevent an insupportable drain on their reserves.

The impact of the decline of commodity prices as it relates to the level of U.S. assistance given to Latin America in 1958 can be seen from a consideration of the trade patterns of two basic Latin American products: coffee and sugar.

In 1958, total Latin American exports of coffee amounted to 1,551,000 tons or almost the identical quantity sold in 1957. However, receipts from the coffee exports in 1958 were $1.5 billion compared with $1.74 billion in 1957 or a loss in revenues directly attributable to the decline in prices of this one product of close to $250 million or about 50 percent of our net direct assistance to Latin America in that year.

Sugar exports by Latin America in 1958 totaled 7.5 million tons or a little more than half a million tons more than in the year 1957. The value received from sugar exports in 1958 was $704.9 million compared with $838 million in 1957. Thus, despite an increase in volume of half a million tons, receipts were down $133.1 million. On a unit value basis for 1957, the drop in sugar prices in 1958 meant a loss in revenue in 1958 of $193 million.

The price declines for these two products add up to a loss in income for Latin America in 1958 of close to $450 million compared with total U.S. economic aid to the area of $504 million. It should be remembered, also, that most of the assistance included under the $504 million total was earmarked for special development programs and projects and was not a cash transfer available for offsetting the balance of payments deficit.

Inasmuch as a decline of 10 cents a pound in world prices for coffee means an annual income loss to Latin America of about $400 million, and the price decline between 1957 and 1959 was over 13 cents per pound, it is understandable that one top-ranking Latin American economist has stated: "A small rise in export prices would give many countries more capital than that which would accrue from any of the credit and grant programs which have so far been devised."

The effect of the price declines during 1958 and 1959 was devastating to many of the carefully nurtured development programs of the area. The forced cutback of imports to moderate the drain of reserves could be applied only sparingly to essential consumer items and the major burden had to be allocated to capital goods and raw materials on which the growth programing was dependent. Since most Latin American governments under existing defective fiscal structures are highly dependent on import and export customs duties and charges for budgetary support, the decline in the value of international trade required a substantial downward revision in government spending if inflationary measures were to be avoided. Development programs bore the brunt of these revisions.

It may be said that my selection of the year 1958 to illustrate the inability of the U.S. assistance program to meet the needs of Latin America is not representative of the life of the program since World War II. It is true that 1958 and 1959 were exceptionally bad years for Latin America, but the inability of U.S. and international assistance programs to prevent the economic stagnation which occurred in these years points up one of the major criticisms by Latin America of past programs, namely,

their short-term financial foundation and the resulting inflexibility which greatly limits effectiveness in responding to the ebb and flow of economic conditions. In 1958, U.S. net economic assistance to Latin America reached its peak of $504 million but in the following year, when the full force of the price declines had their greatest repercussions on the Latin American economy, U.S. net economic grant and loan aid declined to $331 million.

The description of some of the major deficiencies in our past assistance program from the viewpoint of Latin America points to some of the changes which have been incorporated in the future assistance program as described in broad policy terms in the President's Alliance for Progress address. Most significant from the viewpoint of Latin America is the recognition by the U.S. Government of the urgent and nondeferrable need for massive assistance to eliminate on a cooperative basis the widespread hunger, disease, and ignorance which has been chronic among the masses of Latin America. Of almost equal importance is the decision to approach this task without preconceived dogmas and principles which prevent a full exploration of the possible remedies.

The significance to Latin Americans of the decision to face the problems of the area with a completely open mind as to possible solutions may be appreciated from a brief review of three aspects of our past policy on economic assistance.

The technique to be used to eliminate or reduce price fluctuations for primary commodities has for many years been a key point of difference between Latin America and the United States. The Latin Americans have contended that international commodity price stabilization agreements were essential to a solution of this problem. The United States contended that such agreements were not the answer and refused to participate in negotiations or discussions leading to the formulation of such agreements. During recent years, U.S. policy in this respect was modified to permit our participation in such discussions although there was a continued negative approach concerning the effectiveness of such agreements except in very official instances. The policy today under the Alliance for Progress is that we recognize the difficulties of price stabilization by means of international commodity agreements, but at the same time we are keenly aware of the need to find some solution to the problem. Therefore, we will take a positive approach in exploring all avenues, including price stabilization agreements, to find a satisfactory answer.

A second point of contention involves U.S. policy related to the establishment of a separate international lending institution designed to meet the special needs of Latin America and through which much of the assistance given to Latin America would be channeled. The U.S. Government opposed this proposal for many years on the ground that existing institutions such as the International Bank for Reconstruction and Development and American institutions, such as the Export-Import Bank, could meet the needs of Latin America as well as other areas of the world.

Latin Americans contended this was not true for a number of reasons. One was that such institutions were geared to meet the needs of the reconstruction of Europe under the Marshall plan and the technical requirements for filing a request for funds to the satisfaction of the lending institutions were often beyond the competence of the underdeveloped countries. They stressed the need for a lending institution capable of providing technical guidance in formulating sound projects which would meet banking criteria. In addition such an institution should have facilities for lending to finance social overhead or non-self-liquidating projects.

The U.S. Government gradually moved toward a recognition of the Latin American position and this movement culminated in the establishment of the Inter-American Development Bank. In September of 1960 by the Act of Bogotá the United States and the Latin American area agreed to a broad program for social improvement in rural living and land use, housing facilities, education, and public health as well as other measures designed to improve living conditions in Latin America. The United States announced at Bogotá its decision to establish a special fund for social development to be administered principally through the Inter-American Development Bank. Five hundred million dollars was appropriated by Congress to implement this decision.

The Alliance for Progress contemplates the allocation of additional funds as may be required to accomplish its goal, but it contains two additional policy decisions relating to such funds which have been warmly received in Latin America. The first relates to long-range financial backing for the assistance program. This will eliminate the inflexibility of earlier assistance programing and permit an adjustment of levels of aid in accordance with the variations of economic conditions. Secondly, assistance will be consistent with the level of self-help.

Most Latin American leaders of today recognize the necessity for internal reforms if a viable economy is to be attained. However, there are many forces, deeply entrenched, which will energetically resist change. The condition of U.S. assistance on the level of self-help will strengthen the hands of such leaders in achieving essential reforms.

A third innovation in U.S. policy under the Alliance for Progress is the abandonment of the embargo on assistance loans to Government owned and operated industries, and more particularly oil industries. For many years, this Government insisted that private capital was available for such activities and, therefore, the limited public funds should be directed into other projects. The revision in U.S. policy is a recognition of the political realities in Latin America and of the necessity for a coordinated effort in both the public and private sectors to achieve a well-rounded economic growth.

The final section of this talk will be devoted to the significance of economic developments in Latin America and of the Alliance for Progress to American trade and investments.

The United States is by far the major supplier of Latin America's import requirements normally accounting for about 50 percent of the total. Western European countries, combined, receive about half as much business as this country. Our exports to Latin America during recent years represent about 25 percent of our total merchandise exports. Because of these facts, economic developments in the Latin American republics affecting their ability to buy abroad have a specially significant relationship to the health of American foreign trade and in turn to the economy of this Nation.

What was the effect on U.S. exports of the fall in world prices for Latin American export commodities and the resulting economic stagnation during the past few years? In 1957 before the full force of the price declines was reflected in Latin America's ability to buy abroad, the United States shipped merchandise to the 20 Latin American republics with a value of $4.7 billion or 24 percent of our total nonmilitary exports. In 1958, the total dropped to $4.2 billion, in 1959 to $3.6 billion and in 1960, although there was a slight decline, the rounded total is equal to 1959 at about $3.6 billion. Thus, over the 3-year period 1958–60 our loss in exports when compared with the 1957 level was $2.7 billion.

What was the effect on the earnings of American investments in Latin America of the economic regression from 1957 to 1959? In 1957, U.S. direct investments in Latin America were valued at about $7.4 billion and net earnings amounted to $1.1 billion. By 1959 our total investments in Latin America had climbed to $8.2 billion, but earnings had dropped to $774 million, and in 1960 total investments were $8.5 billion, and earnings $800 million. Thus annual earnings over the 3 years declined over $300 million despite over a billion-dollar increase in the value of investments. Based on the earning rate of investments for the year 1957, American investors in Latin America suffered a loss in earnings for the years 1958, 1959, and 1960 of over $1.3 billion.

There were, of course, many other factors which played a part in the decline of trade and investment earnings, but the deterioration of the Latin American economy was primarily responsible. The result was a loss to American exporters and investors of trade and investment income combined of $4 billion over the 3-year period. Our net economic assistance to Latin America in the 3-year period 1958–60 was less than $1.2 billion and was largely in the form of loans.

From these statistics it also becomes apparent that the susceptibility of Latin American countries to Communist penetration resulting from the rebellion against poverty with the possibility that other Latin American countries may elect to take the road followed by Cuba has very great significance for American foreign trade and industry and American investors in addition to the military and political implications.

Some data have been included in this talk on the extent of our export trade and investments in Latin America, but nothing has been said up to this point of our dependence on Latin America for products essential to American industry. In 1960, the Department of Commerce issued a publication on the "Contribution of Imports of U.S. Raw Material Supplies" which contains some interesting data relating to our purchases in Latin America during the years 1955–59 compared with total U.S. supplies of such materials. I have no intention nor the time to make a detailed analysis of this dependency on Latin American products, but I believe a few selected illustrations will carry the point.

In the very important field of minerals, the United States depends on imports for 100 percent of its supplies of natural quartz crystals and 92 percent of these imports comes from Brazil. About 60 percent of our supplies of fluorspar is imported and 53 percent of this comes from Mexico. About 40 percent of our crude barites ore is imported and Peru and Mexico account for 46 percent. Between 85 and 90 percent of our manganese ore is imported, and Brazil and Mexico supply 35 percent of the total. Ninety to ninety-five percent of our beryllium comes from abroad, and Brazil and Argentina account for 68 percent of the total. Eighty-six to ninety-nine percent of our tantalum ore requirements originates outside of the United States, and Brazil's share is 47 percent. About 60 percent of lead supplies is imported, and Mexico and Peru account for 38 percent. Over 50 percent of bismuth is of foreign origin and Peru and Mexico are responsible for 86 percent. While less important as a share in total supplies, imports of petroleum and iron ore loom high in total value and the major share of our imports is contributed by Latin America.

I will not attempt a rundown in the foodstuffs, industrial vegetable oils, and other nonmineral categories, but our dependence on Latin America for many of the products which add to our joy of living such as coffee, cocoa, and bananas is well known.

The significance to U.S. trade and foreign investment of Latin America under the

UNIVERSITY OF MICHIGAN

depressed conditions of the past few years has been described, but it is interesting to speculate on the prospects for American trade and investment if the Alliance for Progress succeeds in achieving an acceptable share for Latin America in the economic growth of this hemisphere.

Based on the high point in our exports to Latin America of $4.7 billion in 1957 when the total population of the area was 185 million, our exports per capita were $25 per year. For comparison purposes our per capita exports to our Canadian friends to the north amounted to $229 based on a population of 17 million. Total exports to Canada in 1957 were $3.9 billion. However, 71 percent of total Canadian imports came from the United States.

If the per capita capacity to import of Latin Americans had been equal to that of the Canadians in 1957, and taking into consideration the smaller share of our participation in Latin American foreign purchases as compared with Canada, our total exports to Latin America in 1957, instead of $4.7 billion, could have read about $30 billion, or one and a half times the value of U.S. exports to the entire world in our record export year. Of course it is not reasonable to expect this sort of economic miracle within the next few years in Latin America. However, it does give some dimension to the trade advantages to be derived from a prosperous Latin America.

A similar exercise could be performed on the potential for American investment and earnings in Latin America, given a higher standard of living in that area, and the conclusions would be equally impressive. There is no question that our efforts under the Alliance for Progress could have great economic benefits for this country in addition to the humanitarian and political aspects.

In conclusion, I would like to stress the point that we are at a crossroad in our relations with Latin America. The people of Latin America will no longer tolerate the continuance of poverty, disease, and ignorance, and lack of human dignity. They prefer to take the road of inter-American solidarity and liberty based on the principles of their western Christian heritage. However, they refuse to continue on a road which preaches the theory of political freedom but in practice means individual economic bondage.

The leaders in Latin America today, with the exception of those in Cuba, recognize the essential cynicism of communism and the ephemeral character of its promises for material progress. They appreciate the role they are playing in the struggle to keep Latin America as a part of the free world and enthusiastically welcome the Alliance for Progress as a great injection of strength for them in this ideological tug of war. They must produce results or give way to new leaders, many of whom will not be equally dedicated to our way of life. The Alliance for Progress must move forward swiftly and effectively with courage and determination.

TELEVISION BOOSTER SERVICE FOR MEEKER, COLO.

Mr. CARROLL. Mr. President, Senators well know the high importance of assuring adequate television service to the families of America. The role played by VHF–TV translators in bringing such service to the rural communities of our country is one which deserves—and in the past has received—the support of the Senate.

In the last session of the Congress, I was happy to work closely with other western Senators in our efforts to obtain permissive legislation to insure the continued operation of these TV boosters. I know of the excellent leadership given in this cause by Senator PASTORE and his Communications Subcommittee of the Commerce Committee.

This legislation was approved and signed into law. The Federal Communications Commission is proceeding to issue licenses to these TV translators. It is my information that, by and large, the licensing is going smoothly.

A case has been brought to my attention, however, which may be of interest to other Senators. The Federal Communications Commission has limited the power level of TV booster operations at 1 watt. This limitation has the effect, in some areas, of forcing a booster with higher wattage off the air.

Western Senators, I am sure, appreciate the fact that in many cases the TV signal, picked up from a metropolitan station must be rebroadcast over many miles and over rough terrain.

As an example of this, let me point out the case of Meeker, Colo. Meeker, a town of 1,655 people, serves as county seat for the 5,150 people of Rio Blanco County. This county, with an area of 3,263 square miles, is as large as Delaware and Rhode Island put together.

Unlike Delaware and Rhode Island, Rio Blanco has no TV station of its own. The citizens of Meeker must rely upon a booster rebroadcasting a signal from Salt Lake City over 250 miles away. The booster has a 3-watt power output.

The Federal Communications Commission has said that Meeker should replace this 3-watt transmitter with several smaller 1-watt transmitters, operating as signal relayers.

I have now been informed by Mr. F. H. Lischke, secretary of the Meeker Area TV Association, that such a project would involve literally thousands of dollars; money which the townspeople do not have.

Such transmitters would have to be placed on rugged inaccessible peaks. The cost of the transmitting equipment would be high. Even higher would be the cost of running a power line to service these transmitters—some of these lines would cost from $1,000 to $1,500 per mile and would run from 5 to 10 miles to each transmitter.

It is my understanding that if this 3-watt booster—which has never interfered with any other radio signals—is forced to shut down, this will mean an end to TV reception to the citizens of Meeker. This would seem to me to be contrary to the public interests of the citizens of Meeker and contrary to the intentions of the Congress as expressed in the permissive legislation of last year.

Mr. President, so that Senators from other States with extensive booster operations will be informed about this situation, I ask unanimous consent that a petition and two letters from Mr. Lischke be included in the RECORD at this point.

There being no objection, the petition and letters were ordered to be printed in the RECORD, as follows:

MEEKER, COLO.,
August 22, 1961.

Hon. JOHN A. CARROLL,
U.S. Senate,
Washington, D.C.

DEAR MR. CARROLL: Receipt is acknowledged of your kind letter of August 11, enclosing copy of letter from the Federal Communications Commission, reference No. 8600, all referring to our petition and request for additional power on our Blue Mountain VHF translator station located at latitude 40°22'02'' N. and longitude 109°7'49'' W., covering a distance of 70 miles from that point to Meeker due to which great distance it is necessary to have at least 3 watts of power as requested in the testimony of Mr. Joe LeBeau of Vernal, Utah, in the hearings before the Communications Subcommittee held in Salt Lake City on February 21 and 22, 1961.

Our reason for making this request is due to the fact that it is quite impossible from a financial standpoint to install additional translators on the high peaks between Blue Mountain and Meeker due to the absence of available power lines, which it would be necessary to build to such advantageous points at a unit cost of $1,000 to $1,500 per mile for distances ranging from 5 to 10 miles to such point as would be in line of sight for projecting the respective signals eventually to our community, and that kind of money, in addition to our actual necessary expenses in maintenance and modification of equipment coming up to comply with the Commission's requirements, is not available in our small community to make their suggestion possible.

As stated to members of the Commission at one Salt Lake hearing, our counties in Colorado with only a population of 6,000 people are larger than some of the New England States where mother broadcasting stations exist every 100 miles or so, while our situation involves Salt Lake City at a distance of 245 miles airline and Denver more than 200 cannot be reached due to high terrain surrounding the entire borderline of Rio Blanco County, which is 130 miles in length and more than 40 miles in width.

We merely point out these conditions for the attention of the Commission and ask their further consideration in the granting of our request above stated.

In behalf of all the members of the Meeker Area Television Association and the community at large, I desire to extend to you our sincere thanks and appreciation for your efforts in representing us in our appeal to the Commission for an equitable decision.

Yours very sincerely,
F. H. LISCHKE,
Secretary.

MEEKER, COLO., *July 13, 1961.*

Hon. JOHN A. CARROLL,
U.S. Senator,
Washington, D.C.

DEAR SENATOR CARROLL: Thank you very much for the copy of "Booster Hearings Before the Communications Subcommittee of the Committee on Interstate and Foreign Commerce, U.S. Senate, 87th Congress, 1st Session on the Development of TV Boosters" held in Salt Lake City, Utah, on February 21 and 22, 1961, more particularly for the information contained in the statement of Ray E. Nash, county attorney, Vernal, Utah, accompanied by Harold McKee, county commissioner, and Joe LeBeau, engineer, Uintah County, Utah, to all of whom the people in the county of Rio Blanco are greatly indebted for their part in obtaining for us television reception from Salt Lake City through their cooperation in helping project the signal into this area without which we would be unable to have television due to high terrain barriers and lack of power facilities at strategic points from which it would be necessary to obtain signals elsewhere.

We go on record as concurring with their contention that greater power than 1 watt is required in projecting a suitable picture the necessary distance of 70 miles from Blue Mountain booster station to Meeker as well as other points outlined in the testimony

given at the above hearing and to support our contention and experience on the quality of picture produced at that distance. I enclose petition signed by more than a score of interested viewers obtained over a period of 2 months which may be used for what it is worth to you for your further consideration.

We appreciate very much the efforts of the committee in behalf of the Western States in bringing about better television to the remote communities through the TV translator system.

Yours sincerely,

F. H. LISCHKE,
Secretary, Meeker Area TV Association.

PETITION TO FEDERAL COMMUNICATIONS COMMISSION AND ALL MEMBERS OF THE U.S. CONGRESS, WASHINGTON, D.C.

In order to establish more complete service of television in shadow areas, we, the undersigned, hereby request the Federal Communications Commission to take a flexible approach to power levels of VHF translators, so as to allow translator output power to be determined by any coverage requirements, at any level between one-tenth watt and 10 watts:

Francis V. Kennedy, C. J. Wilson, Robert E. Schuelleo, Marie Rawlinson, Patricia A. Schuelleo, Bonnie Wilson, L. H. Lischke, Ray Ruckman, C. B. Ralston, Larry Burm, Ruby Hart, Bill Crawford, Jack Russell, W. T. Hollenbaugh, E. Wilson Lesdol, Thomas F. Murray, Arnold A. Weiss, W. E. Taylor, Douglas C. Willman, Katherine LaGrange, Dean Parr, DeLos Parr, Malvin Crawford, L. G. Winegar, Jewell Johnson, John Silas Johnson.

SOVIET RESUMPTION OF NUCLEAR TESTING

Mr. HUMPHREY. Mr. President, earlier this evening the Senator from Tennessee [Mr. GORE] sought my attention as he directed his remarks to the announcement from the Soviet Union relating to its resumption of nuclear tests. I did not wish to respond at that point, because the Senate was in the process of completing its work on the appropriation bill for the Departments of State and Justice and for the judiciary and related agencies.

At this time, Mr. President, I wish, first, to commend the Senator from Tennessee [Mr. GORE] for his statement. If any Member of the Senate is informed on these matters, it is he. He is very experienced. He attended the negotiations at Geneva, as one of the advisers of the U.S. Senate.

I wish to add that I find myself in full agreement with the statement he made, and I desire to associate myself with it clearly and without qualification.

I also wish to say that I hope President Kennedy will immediately request the return of Arthur Dean, our chief negotiator, from Geneva, as a demonstration of our, I might say, disgust about the manner in which the Soviet Union has treated this vital issue which relates to the welfare of humanity.

I also hope the President will direct our Ambassador to the United Nations, Mr. Stevenson, to lay before the United Nations the efforts of this country over 3 years to arrive at some form of agreement, with reasonable and effective controls, to suspend further nuclear tests.

Mr. President, this Nation has walked the extra mile; it has done all that could be expected of any great power, and it has done it and has proceeded in the name of decency, freedom, peace, and compassion to attempt to arrive at an agreement. In fact, only recently Mr. Dean returned to Geneva with new concessions, in hopes of being able to arrive at some kind of workable agreement with the Soviet Union.

So I hope President Kennedy, either himself, in a personal appearance before the United Nations General Assembly, or by direction to our Ambassador to it, Mr. Stevenson, will lay before the nations of the world the draft treaties we presented at Geneva in the most recent negotiations, and their full history, and how we have sought to preserve the peace and to protect mankind, and how we have sought to slow down the arms race and prevent the spread and proliferation of nuclear weapons throughout the world. I feel that if this is done, our case will stand the test of careful scrutiny and we shall be all the better because of it.

I wish to add that I am confident our Nation is prepared, through its scientists and its great facilities in the field of atomic energy, to undertake quickly whatever experimentation and testing may be required.

Let no one be in doubt. The Soviet Union is attempting to accelerate the war of nerves, as the Senator from Tennessee [Mr. GORE] stated tonight.

The main objective is, and has been for years, to separate us from our allies and to intimidate. Its act is the act of a bully. But the United States is not frightened; and I am confident that our country and our allies, standing alongside of us and assured of our purpose, will not be frightened. These acts by Mr. Khrushchev only fortify and strengthen us. Sometimes in the arrogance and the false pride of the Soviet leaders we find new strength, new determination, and new cooperation on the part of the allies in the free world.

THE ANTI-ANTI-COMMUNIST CAMPAIGN AND MAJ. GEN. EDWIN WALKER

Mr. THURMOND. Mr. President, on several occasions lately there have been discussions on the Senate floor with reference to the anti-anti-Communist campaign which is focused on our Military Establishment with a view toward discrediting and rendering ineffective our military personnel and particularly our military leaders. Early in the campaign, a smear campaign was commenced against Maj. Gen. Edwin Walker, former Commander of the 24th Division in Europe, by a slander sheet called the Overseas Weekly. The smear campaign against General Walker reached such a height that General Walker was relieved of his command and, although the specific charges made by the Overseas Weekly were found to be untrue according to the Department of Army, General Walker was officially admonished and his command was not restored. For some time, General Walker has been awaiting assignment. It is clear from the circumstances and public statements by high-placed civilians within the Defense Establishment, that General Walker's case was conducted in such a manner as to constitute an example of what would happen to any officer who candidly taught his troops the facts about the total nature of the insidious cancer of communism.

In the past few months it has become increasingly obvious that this smear campaign has resulted in the sidetracking of the career of a brilliant officer and fine commander. Our own country is allowing this man to be crucified for his patriotism and devotion to the best interest of his country and the troops he commanded.

There has been much guessing as to General Walker's next assignment. Only a few short months ago, he was spoken of favorably as a future corps commander. It is now apparent that General Walker not only will not be a corps commander, but he will not command. He has been pigeonholed. His new assignment is Assistant Deputy for Operations in U.S. Army Headquarters in Heidelberg, Germany. The Deputy for Operations, General Walker's immediate supervisor, is also a major general, an officer with a splendid record who is perfectly competent to carry out the functions of his post without another major general as his assistant. General Walker's job could not be a more obvious pigeonhole.

I recall that almost every year the Army has expressed to the Armed Services Committee its need for more general officers. The assignment, therefore, of a general officer who is recognized for his command abilities to such a job as that to which General Walker has been assigned could not be more conspicuous. General Walker is to be a continuing example of what can happen to an officer's career who takes his patriotism, his oath of office to defend his country against all enemies, foreign and domestic, and his command too seriously. This case is a disgrace to our country.

Mr. President, I ask unanimous consent that articles concerning the Walker matter from the Chicago Sunday Tribune of August 20, the Charleston, S.C., News and Courier of August 9, and the New York Journal-American of August 15, as well as translations of articles from the Soviet newspaper, Red Star, of July 18 and July 22, be printed in the RECORD at the conclusion of my remarks:

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Chicago Sunday Tribune, Aug. 20, 1961]

GENERAL WALKER URGES: INSTILL VALOR IN U.S. SOLDIERS—ASSERTS TRAINING IS ANSWER TO MENTAL WAR

(By Chesly Manly)

CLEVELAND, August 19.—Veterans of the 1st Special Service Force today gave Maj. Gen. Edwin A. Walker, their World War II commander, a moving demonstration of trust and affection after he expressed confidence that American and Canadian soldiers, if properly prepared, can withstand the enemy's new dimension of warfare—brainwashing and mental warfare.

Not once in General Walker's 20-minute speech did he identify the enemy or mention

communism, for that would have violated the Kennedy administration's ban on anti-Communist talks by military leaders.

General Walker's address to the men he commanded in Italy, when they spearheaded a drive that cracked the German line, was his first public appearance since he was relieved of command of the 24th Division in Germany last April, and subsequently admonished for using excessively strong language in attacking communism.

RECALLS OLD VALOR

Tears filled the eyes of the much decorated Texas general, and his voice was affected by emotion as he recalled the valor and the spirit that distinguished American soldiers of the 1st Special Service Force.

He said he has tried to instill that same spirit in all men under his command since World War II. "And it is a spirit," he said, "that can make soldiers of men and men of soldiers, inspired by God, country, and comradeship."

Senator FRANK J. LAUSCHE, Democrat, of Ohio, who was in Cleveland for another event, read about General Walker's presence in a newspaper and immediately called on him at the Pick-Carter Hotel. Invited to speak to the veterans, he said he was greatly inspired by their respect for General Walker, whom he praised and welcomed and implicitly defended against the charge of excessive zeal in fighting communism.

JOINS FIGHT AGAINST GAG

Senator BARRY GOLDWATER, Republican, of Arizona, and Senator STROM THURMOND, Democrat, of South Carolina, have repeatedly denounced the gagging of our military leaders by the White House and civilian officials of the Pentagon, but Senator LAUSCHE had not previously spoken out on the controversy.

"If our military leaders, in speaking to their men, make a mistake, I want the mistake to be too much and not too little about the virtues of our country and the evils of communism," LAUSCHE said. "I want our military men to speak up because they know the nature of the enemy and are better prepared than anyone else to discuss the evils of communism. We have had too much soft speaking on communism by pinks and near Communists."

WORDS WORTH HEARING

About 150 veterans were present for their annual reunion. After General Walker had spoken and applause had subsided, one of the leaders commented:

"It's too bad his speech was not heard by 30,000 people. They would have marched on the Pentagon."

The 1st Special Service Force consisted of 3,200 men chosen for hazardous commando operations from among 7,000 volunteers, after preliminary training. General Walker said he sought to instill the same spirit in the 2d Division artillery in Korea, which fired 22,000 rounds a day for 14 days, an unheard-of feat; in the 7th Infantry Regiment, also in Korea, and the 21st Battle Group (Gimlets) of the 24th Division in Germany, which last Friday won the highest marksmanship award of the North Atlantic Treaty Organization.

NO TURNCOATS THEN

Each man in the special service force, he said, was "experienced and alert and, knowing the enemy, psychologically prepared. There was certainly no fear—can you imagine it—that as a prisoner of war a man would betray his trust—Canadian or American."

The implication was unmistakable—but he could not say in so many words—that the anti-Communist orientation program which got him in trouble in Germany was intended to give the same psychological preparation to men of the 24th Division.

The Overseas Weekly, a scandal sheet circulated to the troops in Germany, attacked General Walker's orientation program, charging that he was using material supplied by the John Birch Society.

The same publication charged that General Walker had said Eleanor Roosevelt, Harry S. Truman, and Dean Acheson were "definitely pink" and that Edward R. Murrow, Walter Cronkite, and Eric Sevareid, radio-television commentators, were pro-Communist.

GIVEN SECONDARY JOB

General Walker was summarily relieved of command and assigned to a subordinate post at Army headquarters in Heidelberg, instead of a previously scheduled assignment to command the 8th Corps in Texas.

After an investigation by Gen. Bruce C. Clark, commander in chief of the American Army in Europe, General Walker was formally admonished by Secretary of the Army Elvis J. Stahr, Jr.

Replying to a letter from Senator GOLDWATER, who demanded an explanation, Stahr said:

"No substantial evidence was revealed that General Walker had referred to former President Harry S. Truman, Dean Acheson, and Eleanor Roosevelt as 'definitely pink,' as alleged by Overseas Weekly, but it was established that he had staged or inferred that these prominent persons are leftist influenced or affiliated."

PRESS, TV INFLUENCED

"It was also established that General Walker had mentioned Edward R. Murrow, Walter Cronkite, and Eric Sevareid as being leftist or Communist-influenced commentators, and that he had stated that 60 percent of the American press and the radio-television industry were Communist influenced, not Communist controlled.

"The investigation also revealed that General Walker's strong anti-Communist feeling frequently led his talks to become heated and intense, with the use of excessively strong language. He had previously been cautioned on at least three occasions to refrain from language of this nature."

The Army also reported that Walker's program had nothing to do with the John Birch Society.

REDS RUSH INTO BREACH

General Walker, a 1931 graduate of the U.S. Military Academy, obtained a 2-week leave from his post in Germany to attend the reunion here and visit his mother, who met him in New York. She lives with another son, George Pinckney Walker, Jr., on a ranch at Center Point, Tex. The 51-year-old general is not married.

After the sacking of General Walker, sustained attacks on anti-Communist activity by military leaders emanated from four principal sources: Gus Hall, boss of the American Communist Party; Marquis Childs, syndicated newspaper columnist; the New York Times, and Senator WILLIAM FULBRIGHT, chairman of the Senate Foreign Relations Committee.

SEE DANGER ON THE RIGHT

In the July 16 issue of the Worker, official organ of the Communist Party, Hall said: "In the opinion of the Communist Party there can be no question that the threat from the extreme right is serious. A pronounced characteristic of the movement," said Hall, is "its spreading influence among the higher military personnel."

The New York Times has published a series of reports on anti-Communist seminars and orientation programs at military establishments, charging that they are "preoccupied with radically rightwing political philosophies." These programs were conducted pursuant to an official cold war strategy policy, adopted by the National Security Council 3 years ago.

RADICALISM A VIRUS

In a memorandum addressed to the President and referred by him to Defense Secretary Robert S. McNamara, Senator FULBRIGHT charged that in at least 11 instances "programs closely identified with military personnel made use of extremely radical rightwing speakers and/or materials, with the probable result of condemning foreign and domestic policies of the administration in the public mind."

It would be extremely dangerous, FULBRIGHT said, "if the military is infected with the virus of rightwing radicalism." "In the long run," he added, "it is quite possible that the principal problem of leadership will be, if it is not already, to restrain the desire of the people to hit the Communists with everything we've got, particularly if there are more Cubas and Laoses."

A new directive governing speeches and statements by military personnel was issued by the Pentagon on July 10. Roswell Gilpatric, Deputy Secretary of Defense, explained at a press conference that it would require military spokesmen to confine themselves to defense matters and not talk about communism.

"We are not suggesting by this move that we are going to be soft on communism or that we don't want the military to have their own views on the subject of what our national defense policy should be," Gilpatric said. "But there are other organs and agencies of the Government that speak for these other areas."

[From the Charleston (S.C.) News and Courier, Aug. 9, 1961]

WALKER STILL HOLDS RESPECT OF MEN IN 24TH DIVISION

AUGSBURG, GERMANY.—Maj. Gen. Edwin A. Walker is still a soldier's soldier to many of his former troops despite his suspension from command of the 24th Infantry Division for mixing his political beliefs with Army policy.

Lt. Col. William D. Taylor, division enlistment officer, said the 24th is still getting heavy reenlistments.

According to official division figures, during the 1960 fiscal year 2,590 troops were eligible to reenlist, and 849 did, to make a percentage of 32.8 for the highest in the 7th Army.

Taylor compared this figure with 26.8 for the 3d Armored Division, 13.2 for the 34th Infantry Division, 11.8 for the 8th Infantry Division, and 7.5 percent for the 4th Armored Division.

Taylor said Walker's suspension "went in one ear and out the other" as far as the average enlisted man was concerned. He added that a "man doesn't reenlist in an outfit that has poor morale."

Maj. Gen. Charles Bonesteel III, who left the Pentagon to replace Walker, said "the morale is fine and all indications are that reenlistments will increase."

A survey among officers and enlisted men of the division bears out Bonesteel.

"There is no feeling of any carryover because of the Walker incident," the tall, lean general said.

Some officers and enlisted men of the division, including those who were for and against the general's alleged personal remarks, said they and many others felt the 51-year-old Texan had been drummed out of his command before given a chance to prove his case.

From some of the highest ranking officers to the lowest grades, it was noted that Walker was relieved of his command and assigned to Heidelberg headquarters before the investigation into his special projects began.

Walker of Center Point, Tex., was relieved of his command in April after a private American paper in Europe—the Overseas

Weekly—carried a story alleging that Walker had exposed his men to propaganda based on the philosophy of the John Birch Society. A 1931 graduate of West Point, Walker was admonished and suspended from command on June 12. Walker issued only one statement which came before he was relieved in which he compared the newspaper to communism. Since then he has refused to comment.

One of Walker's biggest boosters in the division is 1st Sgt. Richard T. Flynn of Passaic, N.J., who was the senior enlisted man on the general's special projects staff.

"We all need to boost our moral values and that's what Walker was trying to do," Flynn said. "He didn't push Birch stuff on his troops. He put the information on the barrelhead and let them choose."

"We tried to interest the troops in the flag, in patriotism, in parades, even in bugle calls. These things belong to the Army. We wanted obedience based on understanding." Flynn said.

Flynn said he was responsible for ordering copies of "American Opinion" which contained the life of Birch, written by Robert W. Welch, founder of the John Birch Society.

"That was the only so-called Birch material we put out in the dayrooms," he said. "I tried to get the book but was told it was out of print. So I got 'American Opinion' because the story was there," he said.

The book by Welch also contains much of the author's thinking on how to protect the world from communism.

"Birch was the first casualty of the cold war. Everybody should know about him," Flynn said.

Interviews with men in the division who were about to reenlist or go back to civilian life brought out that few had concerned themselves with the Walker case or that it did not affect their leaving or staying.

Sp4c. Percy Craig of Piedmont, Ala., said he was staying in because the Army offered more security. Sgt. John Forbes, of Coral Gables, Fla., said he wanted to stay in the Army and in the division "so I can go to school and get paid."

Both men said they like the division but were not particularly swayed by Walker one way or the other.

Sp4c. McNeal Scow, of Waynesville, N.C., said he was looking for security and decided to remain in the Army. Scow said he believed with many of his friends that Walker was mishandled in being relieved before an investigation got under way.

Pvt. Arthur Jackson, of Pawtucket, R.I., said he was "fed up with the Army" and wanted to get out.

"The Army stifles the initiative and it's an alien way of life," he said. Jackson said he had no gripes against Walker.

Sp4c. George Smith, of Broomville, Colo., said "Walker had many good ideas but they were not followed through." Smith is returning to civilian life and college soon.

One officer, who cannot be named, worked with some of the officers and enlisted men who ran Walker's special projects section.

He said he opposed Walker's program as treading dangerously near off-limits policy. He said when it was over Walker called him and gave him credit "for sticking to my guns."

"You've got to admire a man like that," he said.

[From the New York Journal-American, Aug. 15, 1961]

REDS MAKE HAY OUT OF REBUKE TO GENERAL WALKER—PROPAGANDA MILL ROLLING OVERTIME

The rebuke administered Maj. Gen. Edwin A. Walker for his lecturing of American troops in Germany on the Communist menace has provided the Soviet Union with a large quantity of grist for its propaganda mill.

This was disclosed through a survey of Iron Curtain publications and broadcasts which linked General Walker to the ultrarightwing John Birch Society, described by the Reds as a semisecret Fascist organization.

Lt. Col. O. Aleksandrovsky, writing in the July 18 editions of the Soviet Army newspaper, Red Star, seized upon the Walker incident to cry:

"No matter what happens, this scandalous story of the business of General Walker and the Birch Society clearly shows that the Pentagon is teeming with generals and admirals who openly profess fascism and are attempting to drag the country down the road to unleasing the third world war."

What General Walker did, in effect, was to accuse some prominent citizens, segments of the American press and TV industry, and certain news commentators of serving the cause of communism by their actions and attitudes.

PROPAGANDA TARGET

For this he received an official admonishment, was relieved of his divisional command, and transferred to Army headquarters at Heidelberg, Germany.

Until his transfer, General Walker had commanded the 24th Infantry Division in West Germany. It evidently is one of the most respected of American fighting forces, for Colonel Aleksandrovsky notes:

"Exactly why was it that the 24th Division became a target for Fascist propaganda? Because this was a rather well-trained and heavily armed unit of the U.S. Army. It had often participated in aggressive adventures of the United States, for instance in Korea.

"Members of its military personnel are more active than in other units and are being educated along the lines of robber traditions. Moreover, the fuehrers of the [Birch] society believe the unit to be susceptible to Fascist propaganda."

CAUTIONS UNHEEDED

The admonishment of General Walker followed an Army investigation which found he had failed to heed cautions of superiors against "controversial activities which were contrary to longstanding customs of the military service and beyond the prerogatives of a senior military commander."

The probe itself grew out of a charge in the Overseas Weekly, a newspaper published in Europe, that General Walker in a speech had termed definitely pink such figures as former President Truman, former Secretary of State Dean Acheson, and Mrs. Eleanor Roosevelt.

Connected with at least one article on General Walker, according to the general himself, was John Dornberg, author of the book, "Schizophrenic Germany."

COMMUNISTS HELPED

General Walker has pointed out that the West German press charged that the book has helped the Communists. One publication termed Mr. Dornberg "schizophrenic," and another stated that the material used was "considered to be of questionable intent."

And Visier, a German Army magazine published in Cologne, declared:

"Everybody in the Bundesrepublik can see that hatred, if not the hand of Moscow, has guided his hand in writing * * * Mr. Dornberg took it upon himself * * * to defame the Federal Republic of Germany in a full book of lies."

Last May, General Walker filed a suit charging libel and slander against Siegfried W. Nanjocks, a German reporter of the Overseas Weekly, who also was connected with at least one of the Walker articles.

In his suit the general charges that Nanjocks, in the presence of American soldiers, called him a sick man.

The general's complaint has been accepted by the German prosecutor in Augsburg as a criminal action against the German State, to be prosecuted by the State. The charge was served under two German penal codes, each carrying 1, 2, or 3 years' imprisonment.

Friends of the general pointed out that the State often accepts trials on the basis of its interest in and concern for the public.

GROWING INFLUENCE

That the Soviet Union is playing the rebuke of General Walker for all its worth is evidenced in a follow-up dispatch to Colonel Aleksandrovsky's remarks, which also were broadcast to Soviet troops on July 20.

On July 22, Moscow's domestic service related, apparently through its Washington correspondent, that the Senate Foreign Relations Committee had prepared a document expressing alarm at the "growing influence of the military on national policy."

The dispatch further noted that the committee members' report held that the activities of the American officer class were evil and drew an analogy to the revolt of the French generals in Algeria.

"The authors of the document note that this revolt was an example of what might come of similar activity by the military," the Moscow dispatch stated.

DEFENDED BY THURMOND

Coming to the defense of General Walker was Senator STROM THURMOND, Democrat, of South Carolina, who on July 26 took the floor of the Senate to state:

"Possibly the beginnings of the attack [on General Walker] other than in Pravda itself, was with a slander sheet called the Overseas Weekly, which apparently has as its primary purpose the general discrediting of U.S. servicemen and their leadership in Europe, particularly those of the 24th Infantry Division.

"As a particular target, the Overseas Weekly undertook a campaign against the anti-Communist indoctrination course of the 24th Division and its commander at that time, General Walker.

"It is significant that although the Overseas Weekly has been charged with being subversive by many persons, the only investigation has been directed at General Walker and not the vicious slander sheet which dances to the tune of leftwing causes and gives its most prominent display to 'girlie cheesecake' pictures and sensational GI crimes in its publication area, so near the Iron Curtain."

[Extracted from the Soviet newspaper, Red Star, July 18, 1961]

ULTRA IN THE PENTAGON

Recently, by decision of the Secretary of the Army of the United States of America, the commander of the 24th Infantry Division, located in Germany, Major General Walker, was relieved of his duties. Simultaneously, under the chairmanship of the commander of the V Corps, Lieutenant General Brown, a commission was appointed to investigate the connection between Walker and the semisecret Fascist organization known as the John Birch Society.

This society is named for an American military spy who was executed in China for underground work against the "Peoples' Army of Liberation" (translator's quote). Fascist propaganda has canonized Birch as a sacrifice of the "Third World War."

The political program of the organization is contained in a "Blue Book," edited by R. Welch. In substance, the contents of this book are no different from those of Hitler's bible, "My War" [sic] (translator's note: probably "Mein Kampf"), and amount to

the following: unleash war against the U.S.S.R.; reestablish the lost position of colonialism; raise Fascist terror and racism to the rank of government policy.

Infuriated with the foreign policy failures of the United States, the founders of the society have even called such figures as Eisenhower and Eleanor Roosevelt "Red." They demand that the U.N., which they characterize as a "nest of saboteurs and spies," be "sunk in the Atlantic Ocean," and with all their powers they fan the flames of anti-Soviet hysteria and military [war] psychosis.

"The adherents of Birch," writes the magazine Nation, "are capable of causing panic and creating an atmosphere of suspicion. They can attach the label of 'Communist' to any man, and their semisecret meetings lay the groundwork for fear and hatred."

The fact that the meetings of the society are semisecret and all of its activities carry a conspiratorial character has its own meaning. It was recently revealed that behind the curtain of the Birch Society hides an organization of the powerful bosses of American business and well-known political and military figures. Among them are the "ringleaders" (translator's quote) of the National Association of Manufacturers, which is all powerful in the United States, Congressmen, generals, and admirals, publishers of newspapers, and journalists. The ballot for leadership of the organization even included the name of the ex-Vice President of the United States of America, Nixon.

This mob of American "ultra" [sic] is supported by several official Government organs, such as the Senate Internal Security Subcommittee, headed by Senator EASTLAND. This subcommittee, in order to hide the true character of the organization from the masses of the population, has invariably answered the alarmed questions of Americans thusly: "We are happy to inform you that, according to our information, this is a patriotic organization." The society has its own candidate for the presidency of the United States—the inveterate anti-Soviet and reactionary Senator GOLDWATER—considerable monetary reserves, drawn from the tills of monopolies and banks, and its own publishing house.

The reactionary military clique of the Pentagon has occupied the most important (translators note: possibly a most important) position in the activities of the society. The following retired personnel have already been exposed as members of the society and its leaders: the former Deputy Chief of Staff of the Army, General Wiedemeyer (Vedemeyer); the commander of an air army, Lieutenant General Stone (Stoun); a military attaché to the U.S.S.R., Lieutenant General O'Daniel (O'Daniel); Lt. Gen. del Wallen (del' Vallen) of the Marine Corps; Rear Admiral Cope (Koup); Major General Willowghby (Uillobi); and Colonel Banker (Banker); and also many other generals and officers. (Translator's note; ranks and positions here are translated verbatim. Due to my unfamiliarity with some of the names, a direct transliteration of each of them as it appears in the Russian text is in parentheses following my guess as to the proper English spelling). There is information that the Chief of Naval Operations, Admiral Burke, and other highly placed individuals now on active duty in the Armed Forces or in American military intelligence have direct contact with the society.

One American newspaper writes that the workers of the Pentagon have "gathered around [themselves?] so many Fascist publications and groups that they are able to form their own general staff with no difficulty." It would appear that the fact that so many generals and admirals are listed as retired not only does not create difficulties, but, on the contrary, makes the Fascist activity of the "ultra" easier when applied directly to the Armed Forces. The American press states that retired [officers] "maintain direct contact with their colleagues still in uniform, often appearing as the mouthpiece of those whom the Government has ordered to remain silent."

According to the foreign press, the primary mission of the military leaders of the Birch Society is to implant Fascist ideology, anti-Communist, and propaganda on the inevitability of atomic war among the personnel of the Armed Forces of the United States of America. General Walker was one of the direct executors of this program. He issued Circular 350–20, in which it was ordered that Nazi propaganda be distributed in the 24th Division, utilizing reactionary literature received from the Birch Society. Hoping to turn the division into a band of headhunters and bandits, in October of last year he organized in it a "service of special troops" [sic] which occupied itself with spreading the Nazi ravings of Welch among the troops. The division was literally flooded with the publications of the society. Issues of the division newspaper were full of openly Fascist articles. It can be said directly that Walker had experienced teachers in the carrying out of similar propaganda in the person of the leaders of the society. Included in that number, for example, is General Wiedemeyer, a graduate of a German military academy and former chief of staff of the troops of Chiang Kai-shek.

Why was the 24th Division, specifically, chosen as the objective of this Fascist propaganda? Because it was one of the best prepared units of the American Army, armed to the teeth. It had participated more than once in the aggressive adventures of the imperialists of the United States of America, including Korea. More actively than in other units, its personnel are educated in the traditions of banditry and, in the opinion of the "fuehrers" (sic) of the society, were more prepared to receive the Fascist propaganda.

In summarizing all that is known about the influence of the Birch Society on the Armed Forces, the American press reaches some uncomfortable conclusions. In part, it states that, under the cover of this society, the more reactionary circles in the United States of America have dreamed and are dreaming of the preparation of a military-fascist revolution. "A group of military people," write Brown and D. Ril (translator's note: Brown is obviously intended; the first initials and other last name are transliterations from the Russian) in their book, "can, of course, take the political power over the American Armed Forces as soon as signs of weakness on the part of the United States of America with respect to other countries begin to appear."

The American society is deeply disturbed by this information of such widespread activity by Fascist organizations in the country. It is especially disturbed by the fact that officials are not taking active steps toward the liquidation of this filth and are actually conniving with the conspirators. It is becoming obvious that the action taken by the Secretary of the Army with respect to General Walker is intended only to disorient public action and give the appearance of decisive government action toward the conspirators. There is no other way to explain the statement of the newspaper New York Times that, as a result of the completed investigation, Walker "got off with a talking-to" (translator's quote).

No matter what happens, this scandalous story of the business of General Walker and the Birch Society clearly shows that the Pentagon is teaming with generals and admirals who openly profess fascism and who are attempting to drag the country down the road to unleashing the third world war.

[From Red Star, July 18, 1961, page 4]

SOVIET "RED STAR" CITES GENERAL WALKER AND PREVIOUS COMMAND, 24TH INFANTRY DIVISION

Moscow paper reports Secretary of the Army relief of General Walker and commission to investigate his connections with semisecret Fascist organization known as the John Birch Society. It further states political programs of the society to raise Fascist terror and racism to the rank of Government policy continuing with a comment from the publication Nation (United States)—capable of causing panic. According to Red Star, Birch was an American military spy who was executed in China for underground work against the Peoples Army of Liberation.

Walker, through the issuance of Circular No. 350–20, is reported as ordering Nazi propaganda distributed in the 24th Division, flooding it with publications and the division newspaper with openly Fascist articles.

"Why was the 24th Division, specifically, chosen as the objective of the Fascist propaganda? Because it was one of the best prepared units of the American Army, armed to the teeth. It had participated more than once in the aggressive adventures of the imperialists of the USA, including Korea. More actively than in other units, its personnel are educated in the traditions of banditry and, in the opinion of the 'fuehrers' of the society, were more prepared to receive the Fascist propaganda."

General Walker's position today was reflected in his extension of his files and information, personally acquired through civil legal assistance in the United States on certain Overseas Weekly staff members and their connections to German publishers. The book "Schizophrenic Germany," written by Mr. Dornberg, received criticism in the German press. The book had been advertised in the United States by Macmillan Publishers which included an ad in the New York Times that was reprinted in Visieor, a German Army magazine published in Cologne, July 15. At least one article in the German press referred to the author as a schizophrenic and another as helping the Communists. The author's charges, citations against at least three German publications for untrue or discrediting publicity, are getting little sympathy from the Germans. The general has said that he is informed that certain material in the book is recognized by the Germans and that its original source is identified and was considered to be of questionable intent. He also said the trial of Mr. Nanjocks, the reporter on the Overseas Weekly, was due in early September. As previously purported, the general's complaint was accepted by the German prosecutor in Augsburg as a criminal action against the German State, to be prosecuted by the State. The charge was served August 8 under the German Penal Code 185 and 186, each carrying 1, 2, or 3 years' imprisonment.

The German court's State trials are often accepted on the basis of the public's interest and concern. The Overseas Weekly moved its reporter from the Augsburg area, that of the 24th Infantry Division, after he was barred in December 1960 to the Frankfurt main office. He, with the editor, Dornberg, and a reporter—Jones, shared credit at least in one article of their April 16 issue attacking the division problue program. The publicity of the book "Schizophrenic Germany" and the Augsburg case seem to have some conflicting interest with respect to publicity.

Mr. TOWER. Mr. President, I thank the distinguished Senator from South Carolina for his very important, significant, and appropriate remarks. I wish to note that the Overseas Weekly to which he referred, which contained the

charges against General Walker and which were the basis for his relief from command, is the sort of newspaper which ought not to be circulated among American troops. It is full of sexy pictures, crime stories, and liquor ads. It is typical of newspapers which are circulated among our troops in West Germany under the auspices of Stars and Stripes.

It is very important that the Senate have available to it the program which provided the basis for the charges against General Walker; namely, the citizenship-in-service program, sometimes referred to as the problue program, of the 24th Infantry Division. I therefore ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks, along with five editorials on the subject.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CITIZENSHIP-IN-SERVICE PROGRAM OF THE 24TH INFANTRY DIVISION

TRAINING DIRECTIVE NO. 3, APRIL 18, 1960

Morale and welfare

1. Purpose: The purpose of this program is to inculcate moral and legal responsibility, to teach fundamental principles of citizenship and patriotism, and to motivate members of this command so as to reduce sociological stress in the service and generate a desire for the awards of self-discipline and public service.

2. General:

(a) Implementation of this program will be progressive. Personnel who may be initially considered most eligible include: Newly arrived division personnel, commissioned and noncommissioned officer personnel, and other selected personnel.

(b) The instruction will be repetitive and will comprise a 6-hour curriculum, in 2-hour increments, scheduled three times a week, for personnel stationed in Augsburg and Munich areas.

(c) The program is conceived as a capsulated, dramatized presentation of body, mind, and spirit objectives, adjunctive to existing character guidance, troop information, and commander's programs.

3. Objectives:

(a) Stimulation of citizen-soldiers who may readily respond to, or materially influence, sociological and military factors in service, is the prime objective of the program. Specific aims include:

(1) For newly arrived division personnel—

(A) Command interest in the welfare of men, officers, and soldiering.

(B) Illustrate the individual and group responsibilities of Americans overseas.

(C) Emphasize national and international factors effecting the American military posture in Europe.

(D) Explain the importance of moral fortitude and the direct relation of spiritual fiber to theocratic doctrine.

(E) Review military jurisprudence and its application to the military overseas.

(F) Note the vital relation between the Army mission and the physical readiness of the individual to respond to emergencies.

(G) Describe the social factors which stalk the individual, compromise military preparedness, and weaken the national structure by wasting manpower and money; i.e., drugs, alcohol, venereal disease, and accidents.

(2) For other selected personnel—

(A) Reflect command necessity for harmony and teamwork within the command.

(B) Show the military and civilian advantages gained by moderation, maturity, and deliberate action.

(C) Present the enduring physical and social effects of incontinence, moral bankruptcy, and irresponsibility.

(D) Stress the spiritual strength available to all who seek guidance.

(E) Expose the mental, physical, and moral drives which can serve to enhance or degrade life, depending on the control exercised by the individual.

(F) Summarize the pitfalls, military and civilian, which await the ill-guided soldier.

(G) Exhibit the physical ravages of alcohol, drugs, disease, and the physical damage caused by accidents.

(3) For commissioned and noncommissioned officer personnel—

(A) Create a common frame of reference which will provide direction in influencing members of the command.

4. Responsibilities:

(a) Development, planning, implementation, and supervision of the program will be executed by a curriculum committee, headed by the deputy brigade commander, and will include: ACofS G.1, ACofS G.3, chaplain, staff judge advocate, surgeon, inspector general, information officer, provost marshal.

(b) Scheduling, funding of expenses incident to procurement of training aids, and normal staff implementation procedures, is a responsibility of the ACofS, G.3.

5. Procedures: (a) Curriculum committee will organize and train one instructor team, and will provide lesson plans and training aids required, for implementation of the program on a rotation plan; i.e., succeeding kaserne theaters in Augsburg and Munich areas, on a schedule to be announced.

6. Curriculum. (See annex A.)

For the commander:

JAMES H. SKELDON,
Colonel, GS,
Chief of Staff.

Official:

MELVIN L. PECHACEK,
Major, AGC,
Assistant Adjutant General.

FIRST DAY

1. First 2-hour block.

Introduction: Guest speaker establish purpose and objectives; instructor establish content and sequence.

Subject No. 1, "Citizenship in Service": Freedom and responsibility, citizenship, the Constitution, heritage of America, and bulwarks of freedom.

Subject No. 2, "Getting Along in Germany": Germany and Western defense, problems and policies, Status of Forces Agreement.

Break.

Subject No. 3, "The Soldier's Code": Code of conduct, brainwashing, Communist propaganda, Communist interrogation.

Subject No. 4, "Communism": Democracy versus communism, international communism, Communist tactics, communism in action.

Total instruction time first 2-hour block, 100 minutes.

SECOND DAY

2. Second 2-hour block.

Subject No. 5, "Personal Morality": Reputation and honesty, origins of freedom.

Subject No. 6, "Patriotism": Patriotism, our moral defense, heritage of America.

Break.

Subject No. 7, "Psychological Aspects of Military Service": Personal adjustment to service, adjustment to military life, the soldier's mission and responsibilities.

Subject No. 8, "Social Aspects of Misbehavior": Incidents of discharge, Hiss Act, German jurisdiction.

Subject No. 9, "Military Aspects of Misbehavior and the Uniform Code of Military Justice": Rights and obligations of foreign forces in Germany, Uniform Code of Military Justice.

Total instruction time second 2-hour block, 100 minutes.

THIRD DAY

3. Third 2-hour block.

Subject No. 10, "Care and Maintenance of the Human Machine". Effects of venereal disease, effects of drugs and alcohol, effects of accidents, the division health record, structure of the body.

Break.

Subject No. 11, "End of Course Test": All previous instruction references.

Concluding address: Guest speaker.

Total instruction time third 2-hour block, 100 minutes.

HEADQUARTERS,
24TH INFANTRY DIVISION,
APO 112, U.S. Forces, April 21, 1960.

Subject: "Citizenship in Service Program."

To: (See distribution).

1. Reference: "Citizenship in Service Program" instruction schedule, attached as enclosure 1 (11-week schedule, April 25–July 29, 1960).

2. This is a corrected copy of letter AETGPA 265/54, this headquarters, subject as above, April 18, 1960, and will be substituted therefor.

3. Commanders will assure that the same personnel attending the first 2-hour block of instruction on Monday will continue to attend the succeeding 2-hour blocks of instruction on Wednesday and Friday.

4. Priority of personnel space allotment will be:

(a) New arrivals.

(b) Selected personnel.

(c) Company grade officers and noncommissioned officers in command positions.

For the commander:

EDWARD AVIN,
Chief Warrant Officer,
Assistant Adjutant General.

Lesson plan, first 2-hour block of instruction:

Subject and duration:

(A) Senior commander (script attached). Establish purpose and objectives—5 minutes.

(B) Senior instructor (script attached). Note content and sequence—5 minutes.

(C) "Citizenship in Service," and "Getting Along in Germany" (script attached)—40 minutes.

(D) "Communism" and "The Soldier's Code" (script attached)—50 minutes.

Place: Theater.

References:

(A) Training directive No. 3, "Citizenship in Service."

(B) Instruction schedule, "Citizenship in Service."

(C) "The Constitution of the United States," Norton committee; "Militant Liberty," Secretary of Defense, 1955; Time magazine, January 11, 1960; "The Bulwarks of Freedom," Bishop R. A. Brown, 1959; U.S. Economic Almanac, 1956; Statistical Abstracts of the United States, Germany, and Western defense, USAREUR Information Bulletin 14–6; "Problems and Policies," USAREUR Fact Sheet No. 36; agreements on status of forces, Germany, Bonn Convention, May 1956.

(D) "Communism's Invisible Weapon," national education program; "Communist Party; U.S.A.," Facts Forum; "Christianity Today," Carl Henry; "U.S. Soldiers in Communist Prisoners of War Camps," Korea, Maj. William E. Mayer; "Communist Interrogation, Indoctrination, and Exploitation of Prisoners of War," DA Pamphlet No. 30–101; "Democracy versus Communism," pamphlet, House Committee on Un-American Activities; "Black Book on Red China," Edward Hunter; "The U.S. Fighting Man's Code," DOD Pamphlet 1–16; staff consultation with Dr. Schwarz, House Committee on Un-American Activities; consultation with Mr. Edward Hunter, House Committee on Un-American Activities.

Instruction schedule: "Citizenship in service program." Period covered: Apr. 25–July 29 (11 instruction weeks)

AUGSBURG AREA

Week	Time	Subjects	Location	Units concerned	Allotment
Apr. 25–29:					
Monday (25)	1430–1630	"Introduction to 6-Hour Course," "Citizenship in Service and Germany," "Communism and the Soldier's Code."	Garrett Theater, Reese Kaserne (capacity, 751).	19th Infantry	500
				724th Ordnance	100
				Total	600
Wednesday (27)	1430–1630	"Patriotism and Personal Morality," "Adjustment to Military Service."	Same	Same	
Friday (29)	1430–1630	"Care and Maintenance of the Human Machine," end-of-course test and conclusion.	Same	Same	
May 2–6:					
Monday (2)	1430–1630	1st 2-hour block as in Monday above	Flak Theater, Flak Kaserne (capacity, 300).	24th Signal Battalion	100
				24th Administration Company	100
				24th Headquarters and Headquarters Company.	100
				Total	300
Wednesday (4)	1430–1630	2d 2-hour block as in Wednesday above	Same	Same	
Friday (6)	1430–1630	3d 2-hour block as in Friday above	Same	Same	
May 9–13:					
Monday (9)	1430–1630	1st 2-hour block as in Monday above	Infantry Theater, Infantry Kaserne (capacity, 289).	24th Medical Battalion	100
				24th Aviation Company	150
				Total	250
Wednesday (11)	1430–1630	2d 2-hour block as in Wednesday above	Same	Same	
Friday (13)	1430–1630	3d 2-hour block as in Friday above	Same	Same	
May 16–20:					
Monday (16)	1430–1630	1st 2-hour block as in Monday above	Gablingen Theater, Gablingen Kaserne (capacity, 438).	2d Infantry	400
				Total	400
Wednesday (18)	1430–1630	2d 2-hour block as in Wednesday above	Same	Same	
Friday (20)	1430–1630	3d 2-hour block as in Friday above	Same	Same	
July 11–15:					
Monday (11)	1430–1630	1st 2-hour block as in Monday above	Sheridan Theater, Sheridan Kaserne (capacity, 657).	9th Cavalry	200
				13th Artillery	200
				7th Artillery	200
				Transportation companies	[1] 15
				Total	660
Wednesday (13)	1430–1630	2d 2-hour block as in Wednesday above	Same	Same	
Friday (15)	1430–1630	3d 2-hour block as in Friday above	Same	Same	
July 25–29:					
Monday (25)	1430–1630	1st 2-hour block as in Monday above	Sheridan Theater, Sheridan Kaserne (capacity, 657).	34th Infantry	600
				Transportation trucking companies (4)	[1] 15
				Total	660
Wednesday (27)	1430–1630	2d 2-hour block as in Wednesday above	Same	Same	
Friday (29)	1430–1630	3d 2-hour block as in Friday above	Same	Same	
Maximum Augsburg total for period.					2,870

MUNICH AREA

Week	Time	Subjects	Location	Units concerned	Allotment
May 30–June 3:					
Monday (30)	1430–1630	"Introduction to 6-Hour Course," "Citizenship in Service and Germany," "Communism and the Soldier's Code."	Warner Theater, Warner Kaserne (capacity, 940).	21st Infantry	600
				Total	600
Wednesday (1)	1430–1630	"Patriotism and Personal Morality," "Adjustment to Military Service."	Same	Same	
Friday (3)	1430–1630	"Care and Maintenance of the Human Machine," end-of-course test and conclusion.	Same	Same	
June 6–10:					
Monday (6)	1430–1630	1st 2-hour block as in Monday above	Henry Theater, Henry Kaserne (capacity, 490).	46th ARB	150
				34th Armored	150
				3d Engineer	100
				Total	400
Wednesday (8)	1430–1630	2d 2-hour block as in Wednesday above	Same	Same	
Friday (10)	1430–1630	3d 2-hour block as in Friday above	Same	Same	
June 13–17:					
Monday (13)	1430–1630	1st 2-hour block as in Monday above	Warner Theater, Warner Kaserne (capacity, 940).	28th Infantry	600
				Total	600
Wednesday (15)	1430–1630	2d 2-hour block as in Wednesday above	Same	Same	
Friday (17)	1430–1630	3d 2-hour block as in Friday above	Same	Same	
June 20–24 [2]					
June 27–July 1:					
Monday (27)	1430–1630	1st 2-hour block as in Monday above	Warner Theater, Warner Kaserne (capacity, 940).	31st Transportation Battalion	100
				34th Artillery	200
				92d Artillery	200
				11th Artillery	200
				Total	700
Wednesday (29)	1430–1630	2d 2-hour block as in Wednesday above	Same	Same	
Friday (1)	1430–1630	3d 2-hour block as in Friday above	Same	Same	

Footnotes at end of table.

Instruction schedule: "Citizenship in service program." Period covered: Apr. 25–July 29 (11 instruction weeks)—Continued

MUNICH AREA—Continued

Week	Time	Subjects	Location	Units concerned	Allotment
July 4–8 [2]					
July 18–22:					
Monday (18)	1430–1630	1st 2-hour block as in Monday above	Warner Theater, Warner Kaserne (capacity, 940).	31st Transportation	100
				34th Artillery	200
				92d Artillery	200
				11th Artillery	200
				Total	700
Wednesday (20)	1430–1630	2d 2-hour block as in Wednesday above	Same	Same	
Friday (22)	1430–1630	3d 2-hour block as in Friday above	Same	Same	
Maximum Munich total for period.					3,000
Maximum total Munich-Augsburg area for period.					5,810

[1] Each.

[2] Skip week.

Type of instruction: (A) Address, (B) address, (C) lecture, skits, visual illustrations; (D) lecture, skits, audio visual illustrations.

Instructional aids: (A) Podium, podium light, instructor spotlight, follow spotlight, public address system, national and unit colors, record—martial music.

(B) Podium, podium light, instructor spotlight, follow spotlight, public address system, record, "The Army Goes Rolling Along," chart, curriculum "Citizenship in Service."

(C) Podium, podium light, instructor spotlight, follow spotlight, public address system. Charts: (1) Polar projection, North America-U.S.S.R., 5 by 10 frame; (2) food and housing, 5 by 6 frame; (3) work versus food, 5 by 6 frame; (4) male life expectancy, 5 by 6 frame; (5) citizenship in service, 2 by 5 frame; (6) Declaration of Independence, 5 by 6 frame; (7) freedoms and responsibilities, two 5 by 13 frames; (8) Soviet territorial expansion, 5 by 7 frame.

(D) Podium, podium light, instructor spotlight, follow spotlight, public address system with two microphones (1 podium, 1 backstage). Costumes: (1) Chinese Communist officer uniforms (two); (2) U.S. prisoners of war (Korea) (one). Stage property: (1) U.S.S.R. rifle (one); (2) blank pistol (one); (3) field table (one); (4) field chairs (two); (5) national and unit colors; (6) charts, U.S. Declaration of Independence.

Personnel: (A) Senior commander, back-stage manager, 2 spotlight operators; (B) senior instructor, back-stage managers, 2 spotlight operators, 1 stage assistant; (C) instructor, back-stage manager, 2 spotlight operators, 1 on-stage assistant instructor; (D) instructor, back-stage manager, 2 spotlight operators, 1 assistant instructor. Actors: (1) Communist interrogator; (2) U.S. prisoners of war (Korea); (3) Communist prisoners of war camp commander. Voices (on back-stage microphone): (1) Mr. Hoover; (2) Mr. Webster; (3) Dr. Schwarz; (4) Mr. Hunter; (5) Karl Marx; (6) Adolf Hitler; (7) Commentator on summit talks.

Script: Address by senior commander (5 minutes); comments by senior instructor (5 minutes).

Note: Martial music played over public address system as troops enter theater and out at curtain time.

Stage setting: Podium, light, microphone, right stage, front. National and unit colors center stage in stands. Charts and aids for first instruction period in wings ready to place on stage at conclusion of introduction. Curtain closed.

Action: Music out. Troops called to attention. Curtain opens. Traveling spot on colors. Commander enters, center stage, walks to podium, commands: "Be seated," instructor light on speaker.

COMMANDER. You and I, as members of the U.S. military forces in Europe, sometimes become so involved in our Army jobs that we lose sight of the Army mission. We, in fact, forget the primary purpose of our being in uniform. We lose touch with the origins of our social and cultural heritage. And we fail to associate our individual interests with the high aims of our Republic.

Therefore, it is pertinent that we pause in our daily pursuits from time to time and thoughtfully examine our position as soldiers in relation to the ideals of Western civilization to which we are heir.

Action: Curtain closes. Travel spot off. Charts and aids for first instruction period in place.

COMMANDER. Gen. Edwin A. Walker, commanding general of the 24th Infantry Division, has directed a reappraisal of body, mind, and spirit by all members of his command so that we may more clearly preceive the pattern of our personal lives; and understand the direction of our Nation in world affairs.

In representing General Walker here today I feel a great responsibility in conveying his purpose and design to you, so that every man and officer seated in this audience will grasp the gravity and importance of the course of instruction which lies ahead.

The succeeding presentation will be a study of personal and public subject matter. The range of interests embrace standards of conduct, mental and moral principles, political concepts, and medical science.

But, more important than the separate subjects is the broad intent of the program.

It is hoped that the instruction will help officers and men of this command to think for themselves and by so doing, assist each one of us to gain a richer personal life and increase our value to the Nation as members of the Army team.

Therefore, the course is named, "Citizenship in Service." It's aim is to inculcate moral and legal responsibility in service, and to teach the fundamental principles of citizenship and patriotism.

It is hoped that the course will motivate members of this command so as to reduce sociological stresses in the service, and generate a desire for the awards of self-dicipline and public service.

Let us remember that the armed services are the crucible of our culture. And that the product of a crucible is either slag or steel.

General Walker demands that the 24th Infantry Division be a steel "shield of freedom."

We can achieve the spirit of steel in our mental, our moral, and our physical attitudes only by determined effort—by a will to learn and seek truth.

I commend your full participation in the succeeding "Citizenship in Service" program.

Your gain will be the Army gain, also.

Action: Troops called to attention. Commander exits. Troops reseated. Senior instructor walks to podium immediately following address by commander.

SENIOR INSTRUCTOR. I will outline the course of instruction which comprises the "Citizenship in Service" program, so that you may know the subject matter, and the duration of the classes in the week ahead.

First, the instruction, or curriculum, will be covered in a 6-hour block of study. This 6-hour block is divided into three instruction periods, each of which is 2 hours long.

A 2-hour session will be conducted once a day for 3 days, on Monday, Wednesday, and Friday, so that the entire course will be completed in 1 week.

These instructional periods are being rotated throughout the command so that, eventually, all personnel in the 24th Infantry Division will receive this orientation in, "Citizenship in Service."

Action: Assistant enters from wings, left, carrying tripod displaying chart: Curriculum (a) "Citizenship in Service," (b) "Getting Along in Germany," (c) "Communism," (d) "The Soldier's Code," (e) "Personal Morality," (f) "Patrotism," (g) "Psychological Aspects of Military Service," (h) "Social Aspects of Misbehavior," (i) "Military Aspects of Misbehavior & UCMJ," (j) "Care and Maintenance of the Human Machine," (k) "End-of-Course Test" (5 by 6 frame). Chart is placed to left of podium. Travel spot on.

INSTRUCTOR. "Citizenship in Service" will cover 10 major subjects; namely, "Citizenship in Service," "Getting Along in Germany," "Communism," "The Soldier's Code," "Patriotism," "Personal Morality," "Psychological Aspects of Military Service," "Social Aspects of Misbehavior," "Care and Maintenance of the Human Machine."

Subjects one through four will be presented today. Subjects five through nine will be covered in the second 2-hour period on Wednesday. And subject 10, and the end-of-course test, will be given during the

last 2 hours of the course on Friday. All instruction periods begin at 1430 hours.

The end-of-course test, incidentally, will comprise a series of true or false questions to be answered in about 15 minutes. These test sheets will be turned in to Colonel Hert, Deputy Brigade Commander, chairman of the curriculum committee. Results of the test will be forwarded to senior unit commanders concerned.

"Citizenship in Service" will be terminated by a 30-minute critique.

The remainder of this hour will be concerned with the first two subjects, "Citizenship in Service," and "Getting Along in Germany." There will then be a 10-minute break, followed by the presentation of subjects three and four.

Your first instructor is ———.

Action: Music, "Army Goes Rolling Along," in and up. Travel spot off. Assistant removes chart. Music out as senior instructor exits immediately followed by first instructor.

Script: "Citizenship in Service" and "Getting Along in Germany."

	Minutes
Copy: 2,500	24
Charts:	
1–1 at 8 minutes each	10
6 at 1 minute each	6
Total	40

Stage setting: Immediately following introduction by senior instructor, curtain opens, instructor enters. On-stage assistant and charts center stage. Instructor spot on.

INSTRUCTOR. The American dream, the goal of abundance and freedom for all citizens, is challenged by a new peril as Americans enter the decade of the sixties. Violent and tumultuous world affairs mark this new age. For the first time since the victorious conclusion of the American Revolution, American security is seriously challenged by an alien, hostile force.

Our foe is not a remote and distant enemy. Today, right now, our enemy treads arrogantly on the very threshold of the American home, yours and mine.

This new aggression has shocked and confused the American citizen. Our character and personality is unwilling to admit that our home is subject to invasion, that democracy is under attack, and that our way of life is in jeopardy. Yet, our very national existence, the future of America as a world nation, depends on an understanding that an era has ended and that continued optimistic fatalism could spell the collapse of our Republic.

If democracy should be destroyed with it would vanish, also, our great national abundance, and the American concept of individual freedom.

This is the reason why you and I must clearly understand the stakes in international affairs. We must take a hard look at the future of America in the light of developing foreign threats to our security. We must see clearly the personal and national advantages of American free enterprise, American liberty, and American justice. We must be convinced that the attack on our system of government is a direct attack on each and every one of us.

We are in a war. It is a total war. The prize for the loser of this war is national oblivion.

Now, let's be honest about our interest in world affairs. Let's admit that we are, in fact, political illiterates when it comes to understanding, really understanding the implications of diplomatic maneuver, or political coercion, and of "fabricated" incidents. These matters occur every day. You and I read about them in our papers, hear about them on radio, and know that they are discussed as international politics. But, what do they mean to you and me?

Very simply, these actions are the strategy and tactics employed by a powerful enemy determined to destroy us. These are the tools used by the dictators to dismay, divide, and, eventually, destroy America. Despite this evidence we are reluctant to admit that a foreign ideology, and the danger of an alien dictatorship can affect us personally.

This "optimistic fatalism" has its origins in the protective geographic character of the American Nation. Americans have developed an attitude of aloofness from world affairs because, for 180 years, we enjoyed a free security.

As the American historian C. Vann Woodward remarked, "U.S. geographical good fortune shaped the American character." [1]

Two oceans and a polar ice cap were nature's gift enabling the United States to maintain national security inexpensively (pause).

Action: Assistant exposes chart No. 1. Polar projection of North America, Russian Asia, Atlantic and Pacific Oceans. Traveling spot on. Assistant points to natural obstacles protecting America (5 by 10).

INSTRUCTOR. This boon permitted Americans to exempt their youth from the long training in military discipline that was routine in other nations. It insulated us from the reality of totalitarian ambition.

For nearly 200 years Americans, protected against aggression by the natural barriers of oceans and land masses, developed a society of freemen and free institutions. A broad frontier, free land, and inexhaustible natural resources permitted the development and growth of the American Standard of living, and incidentally, of our system of Government.

This isolated, complacent, cheerfully optimistic position ended with abrupt finality with the launching of the Russian sputnik on October 2, 1957 (pause).

Action: Assistant fixes following slap-on illustrations to chart No. 1. (a) Aerial arrow, originating in Russian Siberia, crossing polar region and striking Chicago area with nuclear explosion. (b) Aerial arrow, originating in Atlantic, crossing east coast and striking Pittsburgh area with nuclear explosion. (c) Aerial arrow, originating in Pacific, and striking San Francisco area with nuclear explosion.

INSTRUCTOR. Free security is gone forever. Now we must create the militant discipline which, alone, can save our Nation. Now we must fight for our freedom, for our homes, and for our lives. No longer can we conduct "business as usual" behind the moat of oceans and breastwork of land masses to the north and south. Americans are now exposed to attack on all fronts, and from all quarters. We have arrived suddenly and unexpectedly, at a critical moment in world history. Americans, in 1960, face the painful necessity of ridding their national character of complacency. We must steel ourselves for a long, expensive, and risky battle for survival. If we cannot meet this challenge, we face the inevitable decline of national sovereignty, the destruction of democracy, and the loss of freedom.

The defeat of the dictators, and their design for world conquest, demands an alert and determined American public.

Why? Because the destiny of the Nation and the will of the individual are indivisible. The spiritual strength of our Republic lies in its people, you and me.

This fact is the legal foundation of our national power.

The preamble to the American Constitution is very clear on this point. The Constitution says, "We, the people." The Constitution does not speak of, "We, the Government," or "We, the Federal States." No. The supreme document of American democracy states, "We, the people." Therefore, if you and I are to enjoy the heritage of American freedom, and if we desire to transmit this heritage to our children, then, "we, the people" must strengthen our national character, and steel the national will, so as to preserve this institution of freemen.

Now, we've talked of character, and freedom and democracy in America. But what do these concepts mean to you and me? What do we mean by the "American heritage"? Is this a good social order? Are we convinced that it is worth fighting and perhaps dying for? Is this something about "pie in the sky"? Or, is freedom something worth preserving for ourselves and for future generations?

Let's bring these ideals, these words about freedom and democracy, and the American heritage—let's bring these thoughts down to the level of ham and eggs, of take-home pay, and down to the level of family security.

Here are some thoughts for our consideration.

Action: Assistant exposes chart No. 2: (5 by 6) "Food and Housing." (a) Left half of chart: bar graph of 2.8 billion world population equals 1 billion adequate diet and 1.8 billion inadequate diet. Caricature of hungry face, empty bowl. (b) Right half: rectangular rooms equal 80 percent U.S.S.R. in one-fourth room per person; or one Russian family per room; 80 percent United States of America in 1.5 rooms per person, or six rooms per family. Travel spot on.

INSTRUCTOR. As 1960 began, the world population stood at 2,800 million people.

Now, the fact is that two-thirds of the world's people, or about 1,800 million men, women, and children, don't get enough to eat. India, for example, imports 3 to 4 million tons of grain annually. Even with these food imports the average Indian lives a short life on a substandard diet, a starvation diet.[2]

But, in America, due to natural resources and the intelligent development and use of agriculture, our problem is not hunger, but overabundance. Our granaries, our farms, and our food stores burst with the production of a generous land. In fact, we have taken 22 million acres of farmland out of production so as to reduce the American food supply.[3]

Or, consider another basic human need—shelter. We must remember that the vast majority of the world's people live in primitive, vermin-infested homes which are little better than huts. Few of these homes have such refinements as running water, sewage disposal, or other comforts which you and I take for granted. Most of the people of the world live in an environment little changed by the industrial revolution—the social change that replaced animal and human muscle with the strength of machinery. This is the technology which has given Americans a "nylon" civilization—and which is the envy of people everywhere in the world.

In most countries even privacy is beyond price. Russia is a good example of this point. Although the U.S.S.R. is thought to be one of the more highly developed nations of the world, her citizens have little share in this economic development, or in living space. It is estimated that 80 percent of the Russian population live in no more than one-fourth of a room per person. Or about one room for each Russian family.

This is crowded living (pause).

In America the same percentage of the population have 1½ rooms per person, or about six rooms per average American family.[4]

Action: Assistant exposes chart No. 3 (5 by 6)—Work versus food. (a) Bread (1

[1] Time magazine, Jan. 11, 1960.

[2] Time magazine, Jan. 11, 1960.

[3] Time magazine, Jan. 11, 1960.

[4] Economic Almanac, 1956.

kilogram): United States, 12 minutes; Italy, 44 minutes; Japan, 350 minutes; U.S.S.R., 17 minutes. (b) Beef (1 kilogram): United States, 34 minutes; Italy, 329 minutes; Japan, 350 minutes; U.S.S.R., 200 minutes. (c) Butter (1 kilogram): United States, 49 minutes; Italy, 403 minutes; Japan, 327 minutes; U.S.S.R., 425 minutes. (d) Sugar (1 kilogram): United States, 7 minutes; Italy, 83 minutes; Japan, 27 minutes; U.S.S.R., 144 minutes. Traveling spot on.

INSTRUCTOR. And, here is another standard of comparison take-home pay, expressed in average income.

The average per capita income in Russia, and this means yearly salary divided by the number of people in the household, the average per capita income for each Russian is $308 per year, when rubles are expressed in dollars at the international exchange rate.

The U.S. average per capita annual income is $1,733, or more than five and a half times that in the U.S.S.R.[5]

But this revealing comparison tells only part of the economic story. Even the wide difference in income, shown by these two figures, does not accurately reflect the differences in the individual standard of living. A better index is the labor index—how much time, in labor, does a worker pay for the necessities and comforts of life.

Let's take just four common food items as typical indicators of the national economies, and match the work price, in minutes of working time, required to buy these items in four different countries.

Here we have listed bread, beef, butter, and sugar, all common food items—with the work price in minutes each of these things cost in the United States, in Italy, in Japan, and in Russia.

An American, as we see, works 12 minutes to earn 1 kilogram of bread (about 2 pounds), a Russian, 17 minutes. An American, again, pays 34 minutes in work for 1 kilogram of beef; a Russian, 200 minutes. An American pays 49 minutes for 1 kilogram of butter; a Russian, 425 minutes. And, lastly, an American pays 7 minutes for 1 kilogram of sugar; a Russian, 144—and he may have to pay even more now in order to subsidize Cuban sugar which his Government has agreed to purchase from Castro.

Recent figures show, in fact, that the Russian has to work longer today to buy the same items than he did 32 years ago (Newsweek magazine).

The wage prices for these same commodities in Italy and Japan are also shown for illustration. In these two countries the differences are even more astonishing.

In the common coin of human labor, which is the only real exchange any of us have, it is apparent that the American democratic process, and American free enterprise, offer material awards far exceeding those provided by any other society in the world. A free economy creates more real wealth for all to share, than any other economic system devised by man.

Think about this.

And, freemen, in the American democratic climate, live longer to enjoy these benefits (pause).

Action: Assistant exposes chart No. 4 (5 by 6)—"Male Life Expectancy:[6] United States, 67.3 years; U.S.S.R., 61 years; Mexico, 37.9 years; India, 32.5 years.

Follow spot on.

INSTRUCTOR. American longevity, due to better medical facilities, higher level of hygiene, balanced diet, better housing, and safer working conditions, is about the highest in the world. In fact, by way of comparison, the average American can look forward to twice the years on earth than can his counterpart in India.

American male life expectancy is 67.3 years; in India it is 32.5 years.

This is quite a difference. And, remember, we're talking about the length of your life.

These brief comparisons show the results of incentive and energy of a free people. The better things of life, and the measure of our stature as a nation, are everywhere about us in educational opportunities, limitless economic horizons, and increasing time for the pursuit of happiness.

It is a self-evident fact that Americans, endowed with an enduring and practical government, have achieved a greater prosperity than any other people in the world.

These advantages, these material blessings, are not "pie in the sky."

This is reality.

These are real ham and eggs for breakfast. They are decent homes for our families. And they are health and long life for ourselves and our children.

But, this—after all, is only a small part of the dream.

Of greater significance than our progress from material poverty, at the time of the American Revolution, to our present full, and promising life, is the richness of our cultural and spiritual heritage. For it is from the strength of our national morals that all other benefits accrue. It is to the concept of, "The Rights of Man," and the respect for legal process, that Americans owe the advantages of this fruitful land.

Embodied in our Constitution and Bill of Rights are spiritual freedoms never before achieved by the human race. And it is upon these spiritual precepts that our moral courage and convictions are, and must be, anchored.

You and I agree, I am sure, that individual dignity, and equality in justice for all, are cherished "rights": that religious freedom, freedom of speech and assembly, and security of person and property are characteristic of our society.

These foundations are the bedrock of America's strength. These are the articles by which our forefathers established "justice and domestic tranquillity in the land." Under these articles, Americans have thrived for 173 years.

Are these concepts worth transmitting to future generations of Americans? Are freedom and liberty worth preserving?

The alternative to freedom is subservience, regimentation, and peonage. The requirement for survival is citizenship. To us this means citizenship in service—for the real strength of America lies in the collective strength of our will to remain free.

Action: Assistant flashes sign, "Citizenship in Service."

INSTRUCTOR. What is "citizenship in service"? What can you and I do to strengthen America? First, let's keep in mind that citizenship in service means a basic understanding of the principles of a free society. We must understand, and be able to explain, the philosophy of liberty and freedom. The challenge of our foe, the dictatorship of world communism, must be met through the dynamic action of informed citizens.

By political doubletalk Communists attempt to make plausible the aims of communism; its inevitable triumph as the wave of the future; and the wisdom of joining the winning team.

This is part of their design for our destruction.

It is important to remember that Communists are well educated in the development of our democracy. We citizens in uniform must be equally motivated, enthusiastic, and educated so that we may be capable of defending, and explaining, our democratic principles. Menaced as we are by communistic tactics of aggression, we must seek revival of our strength in the spiritual foundations which are the bedrock of our Republic.

American democracy, and in fact, any democracy, is the outgrowth of the religious conviction of the sacredness of every human life. On the religious side its highest embodiment is the Bible; on the American political side, the Constitution.

As has been said so well, "The U.S. Constitution is the civil bible of Americans."

We must learn more about it (pause).

Action: Assistant exposes chart No. 4: (5 by 7)—"Mockup of U.S. Constitution." Travel spot on.

INSTRUCTOR. If you read closely the full text of the Constitution you will discover that each clause and word in it was carefully designed to protect you—your life, your liberty, and your property. The Constitution is a coat of mail which man himself fashioned for his own protection, and which he has changed from time to time so that this protection might be more complete. Each American, including you and me, is protected against the abuse of power by his representatives in Congress. We may dismiss these public servants at election time, or by impeachment. And we can appeal to the courts. We can dismiss our President by impeachment or by ballot. And, we can remove our judges for lack of good behavior.

Our Government, therefore, is not our master, as the kings and the dictators have always been, but our servant.

Now, it's perfectly obvious that the principles of our Constitution were not formulated in a day. This document is the result of hundreds of years of trial and error in the management of human affairs.

Even as our forefathers declared their independence in 1776, some Americans had lived under written charter from the English Crown for 169 years. During that long period many of the English Colonies were practically self-governed. In fact, many of the principles now in our Constitution were adaptations of what the colonists had worked out in experience while they were subjects of the English Government. We can trace many other provisions of our Constitution to ancient principles of English law which, in turn, had evolved from Roman law. We can see, then, that the principles which serve American freedom today have served the cause of freedom for generations, yes, for many hundreds of years.

We know that these principles of liberty and freedom, human dignity and human rights, did not appear in our Constitution by chance. The formulation of this document required the courage and conviction of intelligent, dedicated men—men who possessed the vision to avoid the pitfalls of partisan politics and personal ambition.

America had such men in 1786, the year the U.S. Constitution was written.

The Constitutional Convention, which laid the foundation for our Constitution, included men of extraordinary ability. Of the 55 members of this group, 31 were experienced in law. The Convention of 1786, which had been called to remodel the Articles of Confederation, under which we governed ourselves after the Declaration of Independence, cast these inadequate articles aside and drafted an entirely new instrument of government. This document, our Constitution, created the most successful government freemen have ever known.[7]

The U.S. Constitution is a code of liberty and law under God, and the common denominator of its philosophy is the sensitive, conscientious actions of the individual.

This is the hard fact of democracy.

No democratic practice or process can work without the presence of one essential element: the sensitive individual conscience.

Man, or at least enough men, must be responsive to their rights, their obligations, and their responsibilities in a democracy to

[5] Economic Almanac, 1956.
[6] Statistical Abstracts of United States.
[7] "The Constitution of the United States," Thomas J. Norton, 1956.

make it work. Without this essential element, democracy will not work. It becomes a ruthless struggle for power. Without this essential element, capitalism will not work. It becomes economic imperialism, the exploitation of one group by another.

Without this essential element, free enterprise will not work. It is reduced to groups of businessmen outsharping one another in the shady practice of animal survival.

Without the sensitive individual conscience, even the dignity of man is a myth, for without a conscience man is not dignified. He is reduced to the level of an animal, as the theory of Communist dialectical materialism attempts to prove—and as the death camps of another dictator, Adolf Hitler, so clearly shows.

So, we've got to start with the individual.

The very fact that men believe that they can govern themselves assumes that there is an acceptable standard of conduct to which each of us, can, and must conform, in our relations with one another. If we do not conduct ourselves in this conscientious manner, it is inevitable that we will be forced to conform to a standard imposed by others.[8]

Today, you and I must be the conscientious man. You and I must dedicate ourselves to the causes which support liberty (stop).

Action: Instructor exits. Podium light off. Assistant exposes chart No. 6 (10 by 15) "Freedom and Responsibilities."

FREEDOM

1. Religion, speech, press and assembly.
2. Choose leaders by secret ballot—petition for grievances.
3. Movement at home and abroad.
4. Educational, social, political, economic opportunity—equal protection under law.
5. Own property and contract in personal affairs.
6. Choose own occupation, bargain with employers and employees.
7. Compete in production—bargain for goods and services in free market.
8. From arbitrary government regulation and control.
9. From arbitrary search, seizure, detention of person or property—speedy public trial by impartial jury.
10. From torture, cruel, unusual, or degrading punishment—treatment.

RESPONSIBILITIES

1. Tolerance of the beliefs of others.
2. Vote conscientiously—maintain active interest in civil government.
3. Respect rights and customs of others.
4. Assure equal opportunities—further individual and national well-being.
5. Employ and conserve resources—conduct personal affairs legitimately.
6. Contribute useful production—resolve differences justly and fairly.
7. Fair—ethical business practices.
8. Guard against granting arbitrary powers to government.
9. Assist, uphold, and insure justice, law, and order.
10. Maintain vigilance against illegal, unfair, or injurious practices.

Traveling spot on chart and assistant.

Instructor spot on.

ASSISTANT. The Honorable Charles E. Wilson, then Secretary of Defense, published in 1955 a booklet called "Militant Liberty." In it he said: "Liberty is like a coin. One side offers rights and privileges to the individual. The other side requires the acceptance of corresponding responsibilities."

First, let us consider the freedoms guaranteed by our Constitution.

Now, these freedoms are basic to a free people. People almost anywhere in the world believe that they should have these ten freedoms. However, these freedoms did not originate in America, although they are included in our Bill of Rights. These freedoms have been inherent in people for centuries. As a matter of fact, in the Golden Age of Greece some of these freedoms were believed and practiced. The whole Judeo-Christian heritage has indicated that these freedoms are God-given and born in the spirit of man.

We know that some of these freedoms were stated in the Magna Carta of the British, that they appeared in the liberty, equality, fraternity concept of the French, and that more and more people all over the world are becoming aware of them, and demand them for their own. These beliefs are a part of people everywhere. They may not be in practice but they are believed. These freedoms are not easily achieved or lightly retained. For every freedom there is a corresponding responsibility. If the individual desires freedom, No. 1, he must accept the corresponding responsibility No. 1.

If any group of people refuse any single responsibility, they run the risk of losing all of the freedoms.

Of course, it's comparatively easy to legislate these freedoms—to make a law stating that these freedoms are available to all. But, and this is the difficulty, it is impossible to legislate individual responsibility. Personal responsibility which supports these freedoms, for you and me, is "Citizenship in Service."

Liberty, then consists of two parts: The freedoms and the responsibilities.

Let's note briefly the freedoms in our Bill of Rights and compare them with the unspoken, but implied, responsibilities.

The first one says something about freedom of religion, speech, press, and assembly. Now, if we cherish these freedoms for ourselves, then we must fight for the tolerance of the beliefs of others.

The next freedom states that Americans have the freedom to choose their leaders by personal secret ballot—and the right to petition for grievances. Well, isn't it obvious that, if we want these for ourselves, that we must defend the right to vote conscientiously—and to maintain active interest in civil government? The third one gives us the freedom to move freely at home and abroad. Of course, this freedom demands that we respect the rights and the customs of others in the areas in which we travel.

Next, if we believe in freedom for education, social, political, and economic opportunity for ourselves—with equal protection under law, then we are equally bound to assure equal opportunity, and further individual opportunity for all, and to further national well-being.

The fifth point guarantees our freedom to own property and to contract in personal affairs—very vital to our incentive system, of course. Well, aren't we then responsible to conserve resources and to conduct our personal affairs for legitimate and productive purposes?

And, what about our freedom to pick our own occupation? And the right to bargain with employers and employees? Doesn't this freedom imply that we are equally responsible to contribute useful production and to resolve our differences, both in labor and in management, on a fair and just basis? Closely allied to this is our freedom to compete in production and to bargain for goods and services in a free market. These freedoms underlie our entire private business practice. It is pretty obvious, therefore, that to protect this freedom we are obligated to accept responsibility for fair and ethical business practices.

The next area covered in the Bill of Rights is Government control. If we demand freedom from arbitrary Government regulation and control, then we must guard against the granting of arbitrary powers to Government; and we do this by the power of our vote, and by knowing the issues we vote upon. Freedom number nine says that Americans shall be free from arbitrary search, seizure, or detention of person or property, which means, of course that Americans need fear no midnight knock on the door by a Gestapo police force. But, we will retain this security of home and person only by accepting the responsibility to assist, uphold and insure justice, law and order for all other Americans. And, finally, if we believe in freedom from torture, cruel, unusual, or degrading punishment or treatment for ourselves, then we must be responsible to maintain vigilance against illegal, unfair, or injurious practices against others (stop).

Action: Traveling spot off. Instructor returns to podium. Instructor spot on.

INSTRUCTOR. Make no mistake. The intent of the Communist conspiracy is to deprive you and me, and all other free people in the world, of these freedoms. It is the avowed aim of communism to destroy human rights and to reduce all men to the servants of the State—the Communist State.

A new privileged class, a new royalty, has arisen from the ashes of Czarist Russia. These privileged few are the card-carrying Communist Party members. It is this small, organized, ruthless, power-seeking group, comprising less than 20 million fanatics in the world, who threaten all freemen with a return to world slavery—to the dark ages of serf and master.

We can judge the success of these evil men by taking a look at Soviet territorial expansion since 1939 (pause).

Action: Assistant exposes chart No. 7—"Soviet Territorial Expansion Since 1939." Follow spot on.

INSTRUCTOR. The important thing about this chart is its illustration that less than 20 million Communists have enslaved more than 822 million people. This represents nearly 29 percent of the world population.

This is a huge conquest for a government that professes to oppose colonialism and imperialism.

It is also important to note that the territorial conquests of communism halted with the formation of the North Atlantic Treaty Organization—otherwise known as NATO (pause).

Action: Assistant fixes spot on sign to East Europe—"Halt. NATO."

INSTRUCTOR: The 15 member nations of NATO, of which we are 1, have said to the Communist aggressors, "This far and no farther—or we will fight." And the Communists have halted in their imperialistic seizure of weak nations and have backed away.

Strength, in other words, is the only thing that the Communists will respect.

Now, it is fairly obvious that America alone, with a population of 180 million, could not long resist the Communist-directed effort of 822 million people working to destroy us. Our freedoms could not long endure if, without allies, we were to face the industrial production, and superior manpower, of these Communist-driven people.

But, the free people of the world can and have, successfully halted the march of the power-hungry, totalitarian conspiracy by joining forces in disciplined ranks for freedom.

This is why the American in uniform fills a vital and significant role in Europe. You and I with the other freemen of NATO, have stopped Communist aggression in Europe. This fact materially effects the security of our families and homes in America.

And, let's get one thing straight. These agreements between allies, these written formalities, are put on paper, certainly. But—their ultimate authority and effect rest with the people, on the individuals, of the countries involved.

Put another way—our NATO pact is based on the honor, good will, and cooperation of

[8] "Militant Liberty," Secretary of Defense, Nov. 2, 1955.

the Americans and Europeans who make up the charter. This is why the American soldier must be an ambassador in uniform.

First, we must be enthusiastic and convincing in stating our principles of freedom.

And, second, we must respect our host country so that this shield of freedom will remain firm and strong.

You see, the American soldier in Germany is the American Government in the eyes of the German public. Our attitude, yours and mine, and our action as representatives of America, must reflect a conscientious responsibility and an understanding of Americanism.

Equally important, we must maintain the good will and the good name of America overseas. You and I must be active citizens in service.

In conclusion I want to leave this thought with you. Nineteen hundred and fifty-nine marked the closing of an epoch—the end of free security for Americans.

The challenge to freedom in the 1960's must and will be met, by American citizens in uniform who replace optimistic fatalism with a fighting will to preserve our great heritage—yours and mine.

Script: "Communism and the Soldier's Code." Flynn copy, 4,200 words, 32 minutes. Mayer speech, 18 minutes. Total, 50 minutes.

Action: House lights and instructor spot on senior instructor as he introduces the period. Instructor leaves stage all lights out. Curtain opens one-third to expose table and two chairs, with prisoner of war and interrogator seated. Follow spot red. Interrogator speaking in rough voice.

INTERROGATOR. Stupid American. All you can say is Burton, David, Ra, blah, blah, born November 12, 1932. Don't you know that it pays to tell us all that you know? Not from the viewpoint that you will be giving us military information. We already have all this. Where you were trained in the States, how long you have been over here. We know your unit.

Action: Interrogator pauses, rises in front of prisoner of war who continues to stare ahead. Interrogator makes angry gestures and says:

INTERROGATOR. Pig. Can't you understand that we have liberated you? You are freer here than you have ever been in your whole life. We want to be your friends. We want to help you along the wonderful road to true freedom (pause).

If you won't answer friendly questions perhaps you'll answer to my fist.

Action: Prisoner of war continues to stare ahead, remaining silent. Interrogator strikes prisoner of war. Well dressed senior officer enters from stage right observing action in shocked silence, then speaks.

SENIOR OFFICER. Fool. What are you doing?

Action: Interrogator comes to attention, facing senior officer. Senior officer walks in front of him, slapping him in face. Interrogator looks astonished.

SENIOR OFFICER. Imbecile. What are you trying to do to this prisoner? Intimidate him? Hurt him? Don't you know this type of treatment is against the Geneva Convention?

Get out. I will deal with your stupidity later. Now I must try and console this man for the miserable way in which you have treated him.

Action: At this the first interrogator leaves room. Senior officer looks at prisoner who now has a look of confusion about him.

SENIOR OFFICER. I am truly sorry that you had to be subjected to that horrible man's tactics.

Action: Senior officer pulls pack of cigarettes from pocket, offering one to the prisoner.

SENIOR OFFICER. Here, have a cigarette. It will settle your nerves and help you forget that pig's actions. You and I are intelligent men, not animals, therefore we can talk and act like human beings (pause). Go ahead, take one.

Prisoner reaches for cigarette, finally takes one and looks at senior officer who takes out lighter and lights the cigarette. Prisoner takes drag and relaxes slightly. Senior officer takes seat behind desk.

SENIOR OFFICER. I have just taken over this camp and my observations of the conditions and treatment of you men is horrible. I want to change all of that. And, I need your help. You, as an intelligent man, can tell me some of the things that are wrong, and what I can do to make your life more decent and human.

Action: Prisoner shows signs of reacting to new treatment and then blurts out: "We are all sick from the starvation diet. There is no medical treatment for our sick and wounded. Your guards treat us like dogs."

Action: Prisoner realizes what he has done and sits down with head between hands expecting punitive action or sudden outburst. Instead he is shocked as the officer says: "Can this be true? If it is I will see that it is changed immediately. How can we hope to win you to the true freedom if we treat prisoners like that."

Action: At this the prisoner looks at the officer with hope in his eyes. Officer changes his voice and speaks in conversational voice.

OFFICER. You know, I have been in your country. I like the people I met there very much. As a matter of fact I was educated in Chicago. What part of the States do you come from?

PRISONER OF WAR (haltingly). I'm from the Middle West.

Action: Curtain closes immediately and lights go out. Instructor comes to podium right stage and instructor light comes on.

INSTRUCTOR. You have just witnessed a scene very familiar to many Americans who fought in the Korean War.

The technique used here, called "threat and rescue" by psychologists, places the prisoner at the mercy of a bully, the bad guy. Then, when the staged violence reaches the point of physical attack, a second Communist actor, the good guy, rescues the prisoner.

Having established himself as the prisoner's protector the second Communist initiates a friendly conversation. This, of course, leads to revealing matters of military intelligence.

The technique used here is clever. Yes, but even more, it is diabolical. Before we can come to understand this technique, we must first understand the type of a mind that developed such a technique and why.

It took a conspiratorial mind, not a creative mind, to devise such a devilish technique.

Let's get one thing straight in the beginning. We are in a war. It is a total war. It it is a war for the minds and the souls of men. It is a psychological war that sometimes breaks out into a shooting war like Korea and Vietnam, but it is still war.

When you have an enemy he must be bad. He cannot be a little bad, and a little good. I repeat, the enemy must be all bad. In war there is only black or white. No shades of gray can be tolerated.

With whom are we at war? We are at war with the Communists. Communism is our natural enemy. Let's first look at the reasons why we are at war with communism in the words of a great, able, and loyal American, J. Edgar Hoover, the Director of our Federal Bureau of Investigation. Many years ago, Mr. Hoover gave us his warning gained through his knowledge of the inner workings of the Communist conspiracy that we were in a life or death struggle with the forces of evil represented by communism. Let us ask Mr. Hoover. Mr. Hoover, can you tell us your definition of communism?

Action: Voice over public address system offstage: "Communism is not a political ideology but an international conspiracy designed to undermine all other legally constituted governments."

INSTRUCTOR. This is a marvelous piece of deduction. It strips the cloak of respectability from those who say communism is a political idea and should be treated as such. It shows communism for what it is—a conspiracy to take over the minds, bodies and governments of all mankind. It puts the conspiracy of communism right where it belongs, in the field of crime. It thereby makes communism, Communists, and all those other misguided fellow travelers criminals of the highest order, not only because they commit crimes against each other but because they commit the most cowardly crime of all: "Treason", upon all freedom-loving peoples of the world.

We have started with this fact. Now let's go on and explore the strategy and tactics of this conspiracy. In order for us to fully understand the problem facing us, it might be wise to have Mr. Webster, of dictionary fame, give us his definition of the terms "strategy" and "tactics." Mr. Webster, sir, what is the definition of strategy?

Action: Public address system backstage on: "Strategy is the science and art of military command employed with the objective of meeting the enemy under conditions advantageous to one's own force."

INSTRUCTOR. And now "tactics," please, Mr. Webster.

Action: Backstage public address system: "Tactics is the art of arranging and maneuvering troops or ships in action or in the presence of the enemy, or any skillful or clever device for gaining one's ends."

INSTRUCTOR. The Communist strategy is aimed at our minds. It is not concerned with the movement or employment of our troops. It is designed to condition our minds and mold our individual and national character so they can lead us down the road to communism without firing a shot.

The strategy of conspiracy is further aided by the Communist tactics of skillfully using devices of infiltration, subversion, and indoctrination as weapons to gain their objective of eventually taking over the entire world, and if allowed, the universe. These Communist tactics are aimed like bullets at the heart of our free society, our constitutional government. They are aimed at changing our minds and destroying the principles upon which we live.

Let us take a look at how they can do this and how they disguise this strategy.

The very first thing these conspirators did was to steal and interpret Hegel's philosophy of dialectical materialism. It is a fancy title and hides the real forces of the conspiracy.

In good old English, this is nothing more than the using of code words that have a separate and distinct meaning to the commies. These words are not new. They have been used by civilization for a long time. It is the new meaning that is important in understanding their tactics and overall strategy. The question now is: How do they use these code words against us to lead us to our own destruction?

It is very simple.

For instance, here is the word "peace." It means a great deal to us. What does it mean to Communist leaders as witnessed by their own words and actions? Let's bring in another expert to tell us about this. Dr. Fredrick Schwarz, an expert on the Communist mind, was consulted by the Committee on Un-American Activities. Dr. Schwarz, please tell us what you told this committee.

Action: Instant spot off. Curtain opens one-third. Voice over offstage public address system: "Any act, however brutal, and no matter how many people are killed, that advances the Communist conquest, is a peaceful act (pause) if they take a gun, they take a peaceful gun (pause), containing a peaceful bullet (pause) and kill you peacefully (pause) and put you in a peaceful grave."

Communist guard and prisoner enter stage from left, red spot on the action. Prisoner kneels, and shot is fired at "Kill you," prisoner falls over "dead". Spot off, and instructor spot returns on.

INSTRUCTOR. This is what the Communist conspirators mean by dialectical materialism. Can anyone in his right mind believe or condone such actions or not believe that it could happen to us and to our country? If they do, they better start acting like the ostrichs that they are. Because the arch criminals of the Kremlin have been using these tactics successfully against us for more than 20 years.

This little skit and the story presented by Dr. Schwarz are the peaceful methods of the Communists when they control a country and want it to remain "peaceful." This is how they work in a conquered country. How do they capture a country, say like ours? The Communist leaders cannot afford to use bullets in taking over a country. It's not the cost of the bullets that stops them, this is not the way the Communist mind works. The arch conspirators are afraid of the damage that bullets cause to both man and machinery.

In the psychological battle for the control of a nation the Commies use bullets shaped like words and ideas. Another code word of the Commies today is war. It has a definite meaning to us, but to the criminals of the Kremlin it means something else again. Today's Communist leaders have realized that for them the methods of warfare have changed. The form of war has changed in accordance with their long-range plans for controlling the earth. Another expert, who has written three books on brainwashing, the psychological warfare weapon of the Communists, is Edward Hunter. Mr. Hunter also stated to the same committee as Dr. Schwarz, the following concept that is behind the meaning of the word "war" to the Communist masters. Mr. Hunter, if you please.

Action: Voice over public address system offstage: "The Communists have discovered that a man killed by a bullet is useless. He can produce no coal. They have discovered that a demolished city is useless. Its mills can produce no cloth. The objective of Communist warfare is to capture intact the minds of the people and their possessions, so that they can be put to use. This is the modern conception of slavery that puts all others in the kindergarten age."

INSTRUCTOR. When we think of war, we visualize death, carnage, ruin and all the other brutal aspects of physical violence. Not so the Commies. They see and use war as a psychological technique. In the field of psychological warfare there has come a new concept, the brainchild of the evil Communists. It is psychopolitical warfare. One of this concept's best weapons is psychological dislocation, which is simply the breaking down of the enemy's will to resist. In order to break down our will they have infiltrated and penetrated the leadership circle of all spheres of influence by softening up and creating a defeatist state of mind. Included in this is the penetration of our educational system, to first control the so-called objectiveness of our teachers and through them, the minds of their pupils.

What is Communist "objectiveness"? This is the readiness to believe Communist propaganda and promises. Their first target, in this area, was to liquidate our attitudes on what we recognized as right from wrong and what we used to accept as absolute moral standards. Through this use of educational objectiveness the conspirators have sown doubt and confusion. This has allowed them to substitute the so-called sophistication of dialectical materialism for the unsophisticated attitude of believing in the standards of morality. This method of operation has been successful to the extent that it is unsophisticated and even corny to be a patriot or even to believe in God.

If you believe in the rights of man granted in our Constitution, and that they are inalienable in the eyes of both man and his God, then you belong to the stone age, so say the Communists. If we do not believe in the rights of man we are ripe and ready for the Communists because here is what the father of communism (if you can call him that) Karl Marx, said about our individuality and our belief in God.

Action: Voice over offstage mike: "The democratic concept of man is false, because it is Christian. The democratic concept holds that each man has a value as a sovereign being. This is the illusion, dream and postulate of Christianity."

INSTRUCTOR. Here yet, is another voice shouting down the concepts of man and his beliefs in a Christian-Judean doctrine, where man guided by God is supreme. This is Adolf Hitler.

Action. Voice over offstage mike: "To the Christian doctrine of the infinite significance of the individual human soul, I oppose with icy clarity the saving doctrine of the nothingness and insignificance of the individual human being."

INSTRUCTOR. These two architects of evil, Hitler and Stalin's predecessor, are very clear in their denunciation of the Christian rights of man. Today's Communist leaders believe the very same things.

History is very clear and concise in letting the facts talk for themselves when it comes to the motivations of such men who follow in the footsteps of Hitler, Marx, Lenin and Stalin. Once the Commies have us bending backwards, in being objective, they slip in the next step in their propaganda technique. Using their twisted logic again, they say, isn't it true that everything changes? Then, if this is true, what used to be right can now be wrong, and what once was wrong can now be right. The Communist minds steeped in conspiracy, and duped by their own weapons of dialectical materialism, have to believe this as a natural outcome of this diabolitical logic.

To clear-thinking people, who have access to historic truths, clear time-tested moral precepts of right will always be right and wrong will always be wrong will always stand. It has been like this since the beginning of time and it will remain that way when time runs out.

One of the clearest thoughts in history that logically refutes the entire concept of dialectical materialism is the quotation by Aristotle, "If the means are evil, the ends are evil."

Of course, the Commies had to twist this one around to justify their existence and say that "the ends justify the means." This statement alone is proof that the Communist mind is designed and aimed at destroying history and creating a new history that glorifies and justifies their conspiracy.

Another key tactic of this conspiratorial strategy is the use of propaganda techniques whereby they can subvert the ideologies of American character and principle.

They have exploited the principles of our Constitution (freedom of speech, press, expression, etc.) by exposing our best sides as weaknesses of our national character. Here is a for instance:

A few years ago all the personnel departments of industry looked for the qualities of leadership as a key to employment, especially with the idea in mind for advancement, through creativeness, within the organization. But not so today. Most organizations in this day and age have taken the cue from sociology in changing the key from individuality to conformity. We no longer ask if a man is a go-getter, but whether or not he gets along in order to live "the good" life. So it was made easy for the Chinese when these Americans became prisoners for they had already been conditioned to the psychology of getting along. These Americans only reacted in the way they had been taught. Never mind anyone else, just try to get along. They had completely forgotton that they were prisoners of their enemies. They had been so conditioned that the only thing they could do, with and under very little pressure, was to conform, even if it meant further indoctrination or education in the form of communism government.

So, it was evident that the young soldier who broadcast for the Communists was just getting along.

The latest code word that has been given the free world by the master conspirators is the term "coexistence." Through infiltration, penetration, subversion and indoctrination they have succeeded in making us think and talk "coexistence" as if it were the end itself, while in the other parts of the world, like India, the Commies frankly explained that this coexistence is merely intended to give us an easy way to choose our road to communism.

Another little gimmick that the Commies use in their plan to destroy our will to resist is by causing doubt, confusion, and apathy in the making of treaties and agreements. It is very easy to sit down at the conference table with the Communists and negotiate anything that you wish, so long as it does not require actual concessions by the Communist world, but requires only such concessions by ourselves.

Let's let the record speak for itself. Here is the record of summit talks with Russia.

Action: Offstage voice over public address system: "Twenty-four major agreements were reached. Twenty-three out of the 24 have been violated by the Communists. During the same time our Secretaries of State have conducted six conferences with the Soviet Foreign Ministers. At these conferences 16 major agreements were made. Of this number, Russia violated 14."

INSTRUCTOR. Yet we are willing to once again sit down with these people and make agreements that we know they will break in the hopes that the arch criminals of the Kremlin will change into good men. This is like having "Typhoid Mary" as your baby sitter and hoping the children won't catch typhoid fever, or having "Mack the Knife" turn in his switchblade.

Everything that we have discussed here today falls within the area of brainwashing or, in military terminology, mind attack, because phases of the Communist strategy are aimed at the minds of men.

Once again we shall call in an expert to tell us about this subject. This expert was the man who first introduced the term brainwashing into the English vocabulary. This man is Edward Hunter, who spoke to us earlier. Let us ask Mr. Hunter this question and get his answer.

Mr. Hunter, what exactly is the term brainwashing?

Action: Voice of offstage public address system: "A more exact term in the military lexicon would be mind attack. We are accustomed to such terms as infantry attack, air attack, and naval attack. Mind attack simply recognizes a new dimension to the kinds of war used against armies on the field or against peaceful populations.

"Brainwashing consists of two processes, a softening up and an indoctrination process. Each of these is formed out of a set of different elements: These elements are:

UNIVERSITY OF MICHIGAN LIBRARIES

hunger, fatigue, tenseness, threats, violence, and in more intense cases where the Reds have specialists available on their panels; drugs and hypnotism. No one of these elements alone can be considered brainwashing, any more than an apple can be called an apple pie. Other ingredients have to be added, and a cooking process gone through. So it is brainwashing, with indoctrination or atrocities, or any other single ingredient."

INSTRUCTOR. We have seen how these various ingredients of dialectical materialism mixed with summit talks, plus the constant threat of war, plus coexistence, have been carefully put together by the conspirators of communism to prepare the dish for our eating, when it is not really good for our existence, but food for our destruction.

We have reacted to this mental stimuli of the Communists as the dogs in Professor Pavlov's experiments reacted to the stimuli of lights and electricity. The entire concept of brainwashing is based upon the experiments of Professor Pavlov. Instead of lights and food, which are physical, the Commies have substituted words, ideas, hopes, and desires which are mental, as stimuli to make us react to their strategy and tactics. It is our minds that the monsters of the Communist conspiracy are after. If they have our minds they can make our bodies do their work for them. This is the real idea behind world communism.

I believe that before we can understand this subtle war for our minds we will have to look at the proving grounds for this concept. These proving grounds were the prisoner-of-war camps in North Korea, from 1950 to who knows when, for there are still 500 Americans behind the Iron and Bamboo Curtains who are still being involuntarily brainwashed.

Another expert is needed here to clarify this subject for us. I will call on Major Mayer, who was the Army psychiatrist on the Korean prisoner study project. Major Mayer has interviewed and examined the completed records of more than 1,000 American soldiers released from PW camps in North Korea. After careful study of both the men and their records, let us ask him what he had learned.

Major Mayer, sir, can you tell us what you found out that can help us fight this evil conspiracy, both as civilians and soldiers.

These are the words of Major Mayer.

Action: Instructor spot off. Instructor retires, assistant instructor enters and stands before podium. Instructor spot on.

ASSISTANT INSTRUCTOR. A group of men was called together by the President, and they drew up a thing called the Code of Conduct. A very remarkable document.

It consists of 247 common, familiar English words set into a series of half a dozen articles, each of which contains principles which are so obvious that everybody knows them, and it seems a little ridiculous that there seems to be a need to put them down into some kind of a code.

But be not deceived.

The principles in the Declaration of Independence, and I mean no irreverent comparison, are also very obvious and truthful ones.

And these principles in the Code of Conduct, which we have always before assumed successfully and correctly assumed, that Americans knew and used as a basis for behavior, were demonstrated point by point in Korea—and this is the reason for the Code of Conduct—to be deficient, to be inadequately understood or acted upon—to the very serious detriment of our own people.

Now, when the President announced this Code, and it's a rare military document that is announced by the Commander in Chief, you know—when he announced this Code, he said, "This is not a plan for how to be a good prisoner, you know. We are not teaching people to be prisoners of war. This is not our mission.", he said. "It is a code of standards of behavior for any fighting man, fighting any kind of a battle."

And then he went on to say:

"Furthermore, it is a Code of Conduct for every American. It sets standards we must live by, or we are not going to live."

So, let's examine these points in the code which reflect the specific failures in Korea.

The first one says, "I will never surrender." What do we mean? Give up? Yes. But not in the simple military sense. We don't just teach men that it's against the law to surrender your troops—that's perfectly obvious.

No, we saw another kind of surrender in Korea. We saw a kind of psychological surrender that was fatal. There was a disease there that killed hundreds of troops, which the medical service had no name for, so the prisoners named it. They called it "Give-up-itis." This doesn't sound like much. But it was a disease of the passive, the dependent, the rather inadequate, the kid who was awfully insecure. The fellow who couldn't tolerate this being isolated from other soldiers, or the rest of his unit. The kid who cried himself to sleep at night, who talked about his mother a lot. Who brooded. Who threw down the dirty old food, because, even though it would keep you alive, it was dirty, and he didn't like it.

Then he would crawl into a corner by himself and pull a blanket over his head, and in 48 hours he was dead. Dead. Not starved to death, no physical disease present, just dead.

Hundreds of Americans died in this fashion. They were not psychotic, they were not insane. They knew what they were doing. They made the most profound of all human surrenders. And any physician has seen this. Among patients we see it sometimes among abandoned infants. We have never before seen it among 18- to 22-year-old adult males. Not on any scale like this. Never surrender.

Well, aren't we trying to teach perseverance? Aren't we trying to teach fighting against odds and obstacles? And is the Army or the Navy really the place to teach this? Isn't this an old-fashioned American characteristic?

It's in the Code of Conduct because not enough people practiced it.

And the next point in the code says, "If I am captured, I will continue to resist." It doesn't mean that we want people to knock out the teeth of the nearest guard—because you can get a hole in the head if you do that.

We want them to resist this way. We want them to be active, contriving methods of resistance, however small, all the time. From the standpoint of their mental health alone this is absolutely essential. But, also, here is a picture of two men, in a conspiracy against the enemy, two men who come back closer buddies.

This is what they were lacking. This is what we are trying to teach. It takes two or more. You can't be an individual here. And it's the same with escape. We tell them you must try to escape, and you must help others to escape.

Why? Because when escape came up for discussion in POW camps—we are very democratic in the military now, so everything gets discussed and voted upon, including surrender sometimes—and when escape came up for discussion, people said, "Oh, don't mess around with that, they'll take it out on the rest of us."

And yet, escape is the primary mission of a soldier who is captured, any kind of a soldier, any branch of soldiering. And we found that this didn't succeed because men couldn't get together for the purpose of organizing escape committees. They couldn't trust one another well enough, don't you see?

There was quite a lot of informing, and it compromised the plans. There wasn't the internal organization you must have to escape.

In fact, of some 4,000 Americans who survived 3 years of captivity in 12 separate camps, guarded by as few as 1 armed guard per 100 prisoners, never, not once in the course of the entire Korean war, did a single American successfully, permanently, escape from any established POW camp.

Some evaded near the time of capture, some were recovered from initial collecting points. But, never did a man succeed in an engineered or planned escape—and stay away.

That's never before happened in our history.

We found camps—camps holding as many as 500 or 600 Americans—guarded by as few as 6 armed guards.

This was astonishing.

No machinegun towers, no guard dogs, no electric fences or searchlights. And yet, nobody got out.

And where were the other 594 Chinese who should have been guarding these Americans? At least 594? Why, they were down on the 38th parallel shooting Americans. It's a much more efficient way to run a war.

In contrast to this on Koje-Do and Chede-Do where we had a great number of Chinese, I admit, but still, where we had them on islands, from which there was no place to swim really, surrounded by magnificent barbed wire complexes and all kinds of devices for controlling people, we committed an airborne regimental combat command, now that's 5,000 armed to the teeth, automatic weapons, crack infantrymen, and then another regiment, and then another—just to control the Chinese, whom we had already defeated.

And where should those 15,000 or 18,000 troops have been? Why, they should have been down on the 38th parallel shooting those 594 Chinese.

Now you multiply that nasty little business in Korea, which everybody knows was just a police action—you multiply that by a 100 or 150 division general war and you've got yourself quite a problem.

So we tell them—try to escape. But, we tell them, you have got to do it with other people. Individualism doesn't mean that, as an individual MGM production type hero you get out all by yourself. Escape is a military operation. You're a soldier.

The next point in the Code of Conduct gets completely away from military things. It doesn't even pretend to be military. It's spoken in the language of the military, however. It says, "If I am captured by the enemy, I will accept no favors and I will not give him my parole," which means of course, "my promise to be a good boy, if he makes me a trusty." But, you know this is a principle you have tried to teach your children. It's a principle in every basic religion on earth. It's a very simple moral, but also a very practical principle.

Put into other terms, it reduces itself to—you cannot compromise with evil. You can't make a deal with your enemy, you just can't do it, any deal he makes with you, when he is in the driver's seat is going to be for his benefit—and not for yours. And if you have principle, or a value system, you cannot compromise with what you believe to be wrong.

But enough people thought they could make a deal, so that this principle now has to be in the Code of Conduct.

Now they give all kinds of excuses. I know a colonel who said to me, "I ingratiated myself with the enemy, and did what they wanted, because I felt that by doing so, I could get on their good side and exercise a beneficial influence in behalf of the other prisoners."

Well, I have no way of knowing. Psychiatrists have no special access to the ultimate truth. I don't know whether this is just an excuse, or whether he now believes it. Or whether that was why he undertook to collaborate with the enemy.

But I do know that it didn't work. It didn't work for anybody. And it never has.

And you know American history. If you go back and read about Benedict Arnold, it's one of the best examples of just how it never works.

He died in disgrace in England among the very people he helped.

This is the inevitable end of the guy who wants to make a deal.

Well, the next point in the Code of Conduct is equally an ethical one. It says you'll keep faith with fellow Americans. You won't do anything or say anything to hurt them. And why? Why do we say this? Everybody knows you can't hurt other Americans. You get court-martialed for it, or arrested.

Well, there were incidents, a number of them in Korea, in which somebody would kill somebody else, another prisoner.

There was a case in New York last year, tried and convicted of murder, a man who had thrown two other men out of a hut. Now, the facts were that the hut was in the mountains of North Korea. They were prisoners. The two men had diarrhea, a severe dysentery. And they were smelling up the hut. So the fellow threw them out. Now the fact is that it was 30° below zero outside the hut, so the two men died almost immediately.

Well, we didn't put this point in the Code of Conduct to try and correct the behavior of that inhuman character who threw the two sick men out of a hut. We know no words are going to change him at all. Any large enough group of people contains some characters like that.

What we're worried about is, the 40 other American soldiers who were in the hut at the time.

Because when we asked them about the incident we would say, "Soldier, did you see that man throw those two sick men out of your hut?" "Oh, yes, sir," they would say.

"Well, what were you doing at the time?"

"Well, I was huddling together there with the rest of the guys, trying to keep warm. It was the only way you could keep warm."

"Oh, then you knew it would destroy these men to throw them out?" "Well sure." "Well, what were you doing about it?" "I wasn't doing anything except trying to keep warm." "Well, why didn't you do something about it soldier?" "Because," the answer would come, "it wasn't any of my business."

Keep faith with your fellow Americans. That's why it is in the code.

This sort of thing happened more than one time.

Another point in the code of conduct says something about what we are doing with leadership. And it's the most blistering comment upon the quality of leadership among us. And I mean leadership at the foreman level, at the squad leader level, at the gun crew level, at the supermarket level. Because now the code of conduct finds it necessary to say to Americans, "Soldier, if you are captured by the enemy, and if you're the senior man, take command. And if you're not the senior man, support and back up the man who is." "Because," we tell them, "your life depends upon it."

And it literally does. In combat or captivity, under any kinds of stress.

And yet, authority seems to be in disrepute and leadership is undertaken on the basis of popularity contests now, and whereas you might run a unit all right in a State-side camp—by being popular, by getting people to do what you want because you treat them right, if they treat you right, we find it doesn't work when that same nice guy, that everybody calls by his first name, tells the rest of his men that they are going to charge up a hill and take a machinegun nest. Because all the other fellows in his unit look at him and figure "Well, he's an awfully nice guy, but this is strictly his problem."

He is not a leader.

And this happened in Korea.

We saw kids die—literally become ill and die—because specifically they abandoned the principles of leadership or did not follow adequate leadership. Or did not give leadership their support. Not in some blind ultra-militaristic fashion, but intelligent support.

Some kids did assert their individuality sometimes. Like the kid who was drinking rice paddy water. Do you know what they fertilize rice paddies with? Well, he was drinking the water. And the senior person came up to him and I don't remember if it was a colonel or a sergeant, but some equally high rank, and said to him, "Soldier, don't drink that water. You have been told that ever since you left the States. It has got human waste in it. You'll catch disease. It'll make you sick, and you'll die."

The soldier, who had been told this possibly a hundred times, and who could smell the water for himself, simply finished drinking the water, and looked up at the sergeant or colonel, or whatever he was, and said:

"Buster, you just run along. You are nothing but a damn prisoner like me. You can't tell me what to do."

And, gentlemen, this is a terrible mistake. As that kid found out.

So something has to be done about leadership, in the shops, in school, in the Boy Scouts—that's where it starts.

Then we have the point about name, rank, and service number. Let's have a word about that.

In Korea it was demonstrated, as it has been in every war in our history, that for the overwhelming majority of prisoners, the best defense the soldier has is to behave like a soldier, and give only his name, rank, and service number. It is the man who talks that is singled out for interminable abuse. The man who talked the least got along the best.

Now, if they're going to single out an individual and torture him, we don't expect him to stand up to name, rank, and service number. That's ridiculous. But in this initial sorting, in the initial picking out of who you are going to use, every intelligence agency on earth picks out the man who is anxious. And they pick him out because his anxiety shows. Because he talks. So this is what we are trying to teach.

And finally we say to the soldier, "Don't do anything or say anything to hurt the United States of America." Why? We know that people don't go around and spout off against the United States of America. But how about the kid who wrote the big lie about Pittsburgh? And how about the kids who recorded tape recordings so that their mothers could hear their voices and know they were still all right, when the price for this was belittling something about the Korean war, and the slaughter of innocent civilians, something about the Chinese Peoples Volunteers, and how well they were being treated?

That's quite a price to let your mommy hear your voice.

It was a price fully used by the Communists. Those things have been reproduced all over the world.

So we have to say it in the code of conduct.

Now these are our problems. We are trying to overcome them within the service, using the code of conduct as a point of departure in other kinds of training. But we need a tremendous amount of help. And we need the help a long time before a man gets into the military service.

Action: Instructor spot off. Assistant instructor retires. Instructor returns, instructor light on.

INSTRUCTOR. We have seen and heard about this ever-present conspiracy and evil weapon from men who know it exists, and how it is being used against us. They have given us much food for thought. They have told us in their different ways and varied fields, that we must first believe in a superior being, then in ourselves, and in our history and heritage.

We must constantly be on the alert for these devises used by our enemies that are pitfalls that will lead us down the road to our own destruction, which will make us slaves to the Communists who will then govern our world.

We have a lot to think about, and to be on the lookout for and to act upon. There are many areas that need rebuilding, but lest we forget, our first realization must be it will take all of us to defeat this enemy who is at our front as well as our back doors.

Any psychological attack can be defeated by spotting it, isolating it, and then by crushing it in public indignation.

I believe like all true Americans, lovers of liberty, that in this mental war we have far less to fear from the fallout, and much more to fear from the danger of the ever-present sellout.

We must never lose our will to resist, whether this resistance be physical or mental. We must diligently keep the watch over our inherited freedoms, that were so dearly paid for by our forefathers.

In conclusion let me leave you with this thought. A great American, Daniel Webster, said, "Eternal vigilence is the price of liberty." Your liberty demands your vigilence.

Action: Instructor light off. Instructor retires. House lights one senior instructor enters. Instructor light on. Dismisses class.

Lesson plan: Second 2-hour block of instruction.

Subject and duration:

(A) "Patriotism" and "Personal Morality" (script attached), 50 minutes.

(B) "Adjustment to Military Service" (script attached), 50 minutes.

Place: Theater.

References:

(A) "The Heritage of America," Heath & Co.; "Our Flag," DD pamphlet No. 5–6; "The Bulwarks of Freedom," Bishop RA Brown.

(B) "Lecture Outlines for Enlisted Men on Personal Adjustment Problems," WD Tech Bul, TB Med 21; "Lecture Outlines for Officers on Personnel Adjustment Problems," WD Dept Tech Bul TB Med 12; "The Living Body," Best & Taylor; "Adjustment to Military Life," Basic Tng Talk No. 1; Chart, "Incidents of Discharge, Army," Fort Belvoir; Hiss Act, 68th Stat. CONGRESSIONAL RECORD, September 1, 1959; Status of Forces in Germany, Bonn Convention; Convention of Rights & Obligations, Germany; Discussion of German Jurisdiction, SJA 24th Div.; Uniform Code of Military Justice, Col. F. B. Wiener; Manual for Courts Martial, United States, 1951.

Type of instruction:

(A) Lecture, skits, visual and audio illustrations.

(B) Lecture, skits, visual illustrations.

Instructional aids:

(A) Podium, podium light, instructor spotlight, follow spotlight, public address system, 2 mikes, national and unit colors, chart, U.S. Declaration. Costumes: (1) British Army uniform (one); (2) Period dress, U.S. Revolution (three); (3) U.S. Revolution Army uniform (one).

(B) Podium, podium light, instructor spotlight, follow spotlight, public address system.

Charts:

1. Combat-ready soldier & reverse side (soldier injured by "incidents"), 5 by 12.
2. Odds Against the Individual, 5 by 6.
3. Mockup of human brain, 6 by 8 (board mounted).
4. Cartoon, frogman, 5 by 6.
5. Motivation, 5 by 6.
6. Factors of Stress in the Army, 5 by 6.
7. Signs of Maladjustment, 5 by 6.
8. Information, 5 by 6.

UNIVERSITY OF MICHIGAN LIBRARIES

9. Incidents of Discharge, 5 by 10.
10. Graduate Amateur Psychologist, 5 by 2.
11. Cartoon, Fraulein and baby.
12. Don't be a Chump, 5 by 2.
13. Power of Reason, 5 by 6.

Stage property:
1. Blank pistol.
2. Hospital technician gowns (2).
3. "Graduate" cap and gown.
4. Guardhouse prisoner uniform.
5. "MP" guard uniform, armband.
6. Simulated shotgun.

Personnel:

(A) Instructor, backstage manager, two spotlight operators.

Actors: (1) George Washington, (2) Patrick Henry, (3) John Adams, (4) Chevalier de Pontgibaud, (5) David Ramsey.

(B) Instructor, onstage assistant, medical Technician assistant instructor, backstage manager, two spotlight operators.

Actors: (1) Psychology graduate, (2) Hell-raising soldier and two medical technicians, (3) Guardhouse prisoner and guard.

Script: "Patriotism and Personal Morality": Copy, 4,500 words, 36 minutes. Two skits, 7 minutes each, 14 minutes. Total time, 50 minutes.

Stage setting: Podium, light, microphone, right stage, front. Subject title, front of podium: "Patriotism and Personal Morality." Easel, reproduction of U.S. Constitution. U.S. colors, division colors, center stage.

Action: Curtain opens, travel spot on colors. Instructor enters, salutes colors, exposes subject title. Instructor spot on.

INSTRUCTOR. During this period we shall discuss national unity. We will examine the cause for love of country and the origins of American faith in freedom. In brief—we will talk about patriotism and personal morality.

But, we are not going to talk about the "fife and drum," or of a flag inscribed, "Don't Tread on Me," or even about the Alamo. These historical footnotes are a part of the American heritage, it is true. However, let us instead determine if patriotism and personal morality have anyting in common and if these appeals have more substance than a Fourth of July speech or a reenlistment talk.

A patriot, it is said, is one who loves and supports his government or country.

Now, when we speak of love we are talking about an attitude of mind. Love can only be a condition of a moral being. Love, in the masculine sense, is an expression of intelligence, of conscientious morality, and of social responsibility. Patriotism, therefore, transcends personal gain, or glory, or ambition. Patriotism is a term for the highest order of the mind.

Patriotism is a quality of emotion, too. For a patriot is motivated by conviction, by faith in a cause. And, because patriotism comprises both emotional and mental aspects, we employ symbols to stimulate or to express patriotism.

In America we think of patriotic symbols such as the flag or the Constitution. These symbols are, of course, material aspects of our love of country. But symbols detached from their spiritual and historical context have little significance.

Let us recall, instead the origins of American patriotism and view our heritage through the men who created the symbols that we cherish today.

Our principles of faith and conviction are not casual standards. American patriotism is a living force generated by men of high moral character; patriots who committed their lives, their fortunes, and their sacred honor that you and I might perpetuate a legacy of freedom. These patriots were men who had a sense of duty beyond self. And, the paramount symbol of this legacy is the U.S. Constitution.

It should be remembered that the Constitution was not formulated in a few days. After the Declaration of Independence the 13 States framed constitutions of their own from which many important provisions were borrowed by the Constitutional Convention and made a part of our fundamental law.[1]

So it was in this background of historical precedent that, 173 years ago, 55 dedicated men met in Philadelphia and contrived a statement of principle which became the bedrock of our Republic.

These patriots chose to declare and establish an institution of free men in the New World. The resulting document, the Constitution of the United States, adopted July 2, 1788, prescribed the American system of supreme law in a 52-word preamble and 7 articles.

The spirit of the Constitution is illustrated by the wording of the preamble: (stop).

Action: Backstage voice enunciates preamble over public address system: "We the people of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquillity, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."

INSTRUCTOR. A further definition of rights and freedoms was adopted in 1790 through the addition of the first 10 amendments.

But, the adoption of the Constitution did not mark the origin of America's heritage, or the beginning of American patriotism. Rather, the Constitution was an assertion of accomplished fact. Americans had won the War of Independence some 7 years before the Constitution was adopted.

The opening of the North American Continent, the planting of new colonies in the New World, and the struggle of European countries for control over this new territory had long preceded the document of perfect union. Upon the emergence of the English as the supreme power in what is now the eastern portion of North America, colonists of European stock could look back on a history of human endeavor that was 169 years old.

All of these factors shaped the American temper and political philosophy and ultimately, the Constitution.

What, then, were the events that precipitated a revolution against the English crown? And what kind of men were the idealists, the people of towering will, who created a new nation in the wilderness?

First, we must remember, the history of the nation was created by her citizens. And much of the color, drama, and adventure of this history was recorded by actual participants and observers. Thousands of vivid narratives have been written by the soldiers, the statesmen, the merchants, and the educators who were the builders of our Nation.

Perhaps we can begin to grasp the stature of these pioneers, Presidents, and politicians by listening to their hopes, and despairs, the joys and sorrows they experienced. Perhaps their words will convey an indication of the moral character which shaped a nation (pause).

Our search for the origins of American faith in freedom must begin prior to the Declaration of Independence. We must note the early cause for love of country.

George Washington must be our first choice in the procession of American giants. Not the George Washington who forced a British surrender at Yorktown in 1781. No, our Washington is a young English-commissioned major who, in the winter of 1753–54, was destined to mark the beginning of the Seven Years' War in America; the war which decided that an English and not a French civilization would dominate the continent. And what does Major Washington say of this event? Here are his words (stop).

Action: Instructor spot and travel spot off. Figure in period British military dress moves to center stage. Blue travel spot on. Delivers Washington's lines, "I was commissioned and appointed by the Honorable Robert Dinwiddie, Esquire, Governor of Virginia, to visit and deliver a letter to the commandant of the French forces on the Ohio River. We arrived at Venago on the fourth of December where we found the the French colors hoisted at a house from which they had driven Mr. John Frazier, an English subject. I immediately repaired to it to know where the commander resided. There were three officers there, one of whom informed me that he had the command of the Ohio but that there was a general officer at the near fort where he advised me to apply for an answer.

They told me that it was their absolute design to take possession of the Ohio, and by God, they would do it. On the evening of the 14th I was inquiring of the commander by what authority he had made prisoners of several of our English subjects. He told me that the country belonged to them; that no Englishman had a right to trade upon these waters; and that he had orders to make every person prisoner who attempted it on the Ohio, or the waters of it."[2]

INSTRUCTOR. Leaving Fort Le Boeuf the young major of Virginia militia brought back valuable information about the French intentions and strength.

A little later Washington, promoted to lieutenant colonel, was enlisting and drilling men for service against these French trespassers. One of the greatest American careers had fully opened (pause).

Washington served in the British forces throughout the war with France. Tempered, hardened, and experienced in military art, he retired as a colonel.

As the war years receded relations between the continentals and George the Third rapidly worsened culminating with the destruction of the King's taxed tea in Boston Harbor on December 17, 1773.

The punitive acts of British Parliament against the Province of Massachusetts following the Boston Tea Party resulted in the adoption of a plan for a General Congress of the Colonies which met in Philadelphia in September 1774.

And in Virginia, Patrick Henry uttered the classic phrase, "Give me liberty or give me death" (stop).

Action: Instructor spot, travel spot off.

Figure in period costume enters center. Blue spot on. Speaks Patrick Henry's lines:

"If we wish to be free; if we mean to preserve inviolate these inestimable privileges for which we have been so long contending; if we mean not basely to abandon the noble struggle in which we have been so long engaged, and which we have pledged ourselves never to abandon until the glorious subject of our contest shall be obtained—we must fight. I repeat it, sir, we must fight. An appeal to arms, and to the God of hosts, in all that is left to us * * *. It is vain, sir, to extenuate the matter. The gentlemen may cry, "Peace, peace." But there is no peace. The war has actually begun. The next gale that sweeps from the north will bring to our ears the clash of resounding arms. Our brethren are already in the field. Why stand we here idle? What is it that the gentlemen wish? What would they have? Is life so dear or peace so sweet as to be purchased at the price of chains and slavery? Forbid it, Almighty God. I know not what course others may take, but as for me, give me liberty or give me death."[3] Blackout.

Figure retires. Instructor spot on. Travel spot on.

---

[1] The Constitution of the United States, Thomas J. Norton.

[2] The Heritage of America, Commager & Nevins, p. 113.

[3] William Wirt, "Life of Patrick Henry."

UNIVERSITY OF MICHIGAN LIBRARIES

INSTRUCTOR. Even as Patrick Henry spoke in Virginia a few militiamen at Cambridge, soldiers destined to become the core of the Continental Army, were facing British fire with steel bayonets.

And so the die was cast for liberty and Washington became its executor (pause).

Just 22 years after his fateful meeting with the French commander, George Washington was nominated to command the fledgling army of independence then fighting in New England territory.

In the words of John Adams, member of the Continental Congress who made the nomination, this is how Colonel Washington became the "Father of His Country", in June, 1775. This is John Adams speaking (stop).

Action: Instructor spot, travel spot off, figure in period costume enters center stage. Blue spot on. Speaks lines: "Full of anxieties concerning the confusion, and apprehending daily that we should hear very distressing news from Boston, I walked with Mr. Samuel Adams in the State House yard for a little exercise and fresh air, before the hour of Congress, and there represented to him the various dangers that surrounded us. "I am determined this morning," I said, "to make a direct motion that Congress should adopt the Army before Boston, and appoint Colonel Washington commander of it." Accordingly, when Congress had assembled, I rose in my place and in as short a speech as the subject would permit, represented the state of the Colonies, the uncertainty in the minds of the people, their great expectation and anxiety, the distress of the Army, the danger of its dissolution, the difficulty of collecting another, and the probability that the British Army would take advantage of our delays, march out of Boston, and spread desolation as far as they could go. I concluded with a motion that Congress would adopt the Army at Cambridge and appoint a general. I had no hesitation to declare that I had but one gentleman in mind for that important command, and that was a gentleman from Virginia who was among us and very well known to all of us, a gentleman whose skill and experience as an officer, whose independent fortune and great talents, and excellent universal character, would command the approbation of all America, and unite the cordial exertions of all the Colonies better than any other person in the Union, Mr. Washington."[4]

Action: Blackout. Figure retires. Instructor and travel spot on.

INSTRUCTOR. The appointment of Washington as Commander in Chief of the Continental Army, and the succeeding declaration of the 13 States for independence on July 4, 1776, was but the prelude to a 5-year struggle of freedom.

Five years of bitter war lay ahead. Five years of privation, suffering, and death. And 5 years of defeat, too, before the hope was to become a reality.

What do you suppose these American patriots looked like? Were these soldiers supermen to fight so long and so fiercely for an ideal?

We have a vivid description of Washington's army written by one of them, a French volunteer named Chevalier de Pontgibaud. Pontgibaud joined Washington's fragmentary army at Valley Forge in November 1777. This was his impression (stop).

Action: Instructor and travel spot off. Figure wearing "Continental uniform" costume enters center stage. Blue spot on. Speaks lines with French accent:

"Soon I came in sight of the camp. My imagination had pictured an army with uniforms, the glitter of arms and standards, in short, military pomp of all sorts. Instead of the imposing spectacle I expected, I saw, grouped together or standing alone, a few militiamen, poorly clad, and for the most part without shoes, many of them badly armed.

"In passing through the camp I also noticed soldiers wearing cotton nightcaps under their hats, and some having for cloaks or greatcoats coarse woolen blankets, exactly like those provided for the patients in our French hospitals.

"I learned afterwards that these men were the officers and generals."[5]

Action: Blackout. Figure exits. Instructor and travel spot on.

INSTRUCTOR. That this band of ragged men should perservere and win is the incredible triumph of spirit over adversity—the success of courage in the cause of freedom.

And win they did (pause).

There is a deep-seeded instinct in all of us which revolts against slavery of every sort and searches for liberty. In many instances this dream has remained a dream. It has been viewed as unattainable, a utopia at the end of the rainbow, because those who dreamed it did not possess the necessary qualifications to transform their dream into reality. In a few instances it has been made a fact, but thereafter liberty has been tarnished by misuse and lost again because the people did not persevere. Yet, whenever people have coupled their dream of freedom with belief, and sacrifice, and honor, democracy has been born and brought to ripe maturity.

Such an enterprise has, of course, required a special people. Not just any people, you understand, but a peculiar people who were willing to risk everything in order to create and maintain their vision of freedom.

In our case it took Cavaliers who could sacrifice their private fortunes in England for the privilege of independence in a strange land. It took individual heroes who would boldly ask, "Is life so dear, or peace so sweet, as to be purchased at the price of chains and liberty?"[6]

By this instinct for liberty, and the will to make the dream a reality, the continental patriots carried the war and achieved victory (pause).

When Cornwallis, in the summer of 1781, placed his army at the end of the Virginia Peninsula, Washington saw the opportunity. By rapid movements the French and American land forces were united before Yorktown, while the French Navy closed the Chesapeake.

The capitulation of Cornwallis meant the downfall of the British Ministry and the end of the war.

Following the defeat of the British American pride and patriotism in the first flush of secure independence rose to a high pitch.

David Ramsay, a South Carolina physician, who had performed patriotic service in the Revolution and had been exiled during the period of British conquest, had this to say about the war. (Stop.)

Action: Instructor spot and travel spot off. Figure in period costume enters, center stage. Blue spot on.

"The American Revolution, on the one hand, brought forth great vices; but on the other hand, it called forth many virtues, and gave occasion for the display of abilities which, but for that event, would have been lost to the world. When the war began, the Americans were a mass of husbandmen, merchants, mechanics, and fishermen, but the necessities of the country gave a spring to the active powers of the inhabitants, and set them thinking, speaking, and acting in a line far beyond that to which they had been accustomed.

This displayed itself in a variety of ways. It was found that the talents for great stations did not differ in kind, but only in degree, from those which were necessary for the proper discharge of the ordinary business of civil society. The great bulk of those who were the active instruments of carrying on the revolution were self-made, industrious men. These, who by their own exertions had established, or laid a foundation for establishing, personal independence, were most generally trusted, and most successfully employed in establishing that of their country. In these times of action, classical education was found of less service than good natural parts, guided by commonsense and sound judgment.[7]

Action: Blackout. Figure retires. Instructor spot and travel spot on.

INSTRUCTOR. And here we have arrived at the crux of our subject. Liberty and freedom are achieved and maintained by individuals of personal independence guided by commonsense and sound judgment. The patriots of historical America, then, were men of moral sensibilities who employed these virtues for their country.

Yes. It took a special class of men; men who transformed themselves from a mass of farmers, merchants, mechanics, and fishermen into a disciplined army of patriots. It took a special class of men to establish as a fact what less sturdy people would hold only as a dream.

It still does.

David Ramsay, speaking in 1789, pointed up the force of patriotism in words that are just as meaningful today. A patriot is a man of social conscience who springs to the service of his country in time of need. A patriot is a man motivated by the ideals of freedom and liberty. A patriot is a man of ardor who experiences a vast expansion of the mind in service to his fellow citizens.

Our forefathers, in short, were men of personal morality who carved a great nation out of the wilderness by the strength of their personal will. They dedicated their lives, their fortunes, and their sacred honor, to transform their dream into reality.

Not all of them, of course. There were some who, with selfishness and indifference, thwarted the others at every turn. But there were enough men of good faith, enough men of personal morality, to build firmly, and to protect the infant Nation against attacks from without and within.

These virtues are no less vital today.

This is why we remind ourselves that the security and defense of our inherited liberties depend on our willingness to believe in them now, to sacrifice for them today, and to protect them with our own sacred honor.

Subtract a modern belief, a modern sacrifice, a modern virtue and the Constitution becomes a useless scrap of yellow paper. Subtract them and the American dream becomes a nightmare.

True patriotism is a condition of the soul, and heart and mind.

The bulwarks of freedom are internal.

Freedom is not the right to do what we want, it is the power to do what we ought. Freedom is not personal license, it is social responsibility.

Causes are built on belief; on belief in something higher than ourselves and beyond ourselves; in belief which is boldly proclaimed and realistically lived.

The American cause of freedom is based upon a belief in the sovereignty of God and the preciousness of the individual soul.

And next to belief comes sacrifice. What are we willing to give today for the preservation of our freedom? We cannot buy it, you know. There is no shop which has it on sale.

[4] Heritage of America, Commager & Nevins, p. 144.

[5] "Heritage of America," Commager & Nevins, p. 169.

[6] The Bulwarks of Freedom, Bishop R. A. Brown, 1959.

[7] Heritage of America, Commager & Nevins, p. 186.

We cannot bargain for it at any trade mart in the world, or receive it as a gift, or attain it by indolent security.

Freedom can only be won. Sometimes with anguish, often with blood, always with sacrifice. Nor is it ever won eternally. The warfare is continuous and each generation comes to the front to fight for it as though the battle had just been joined.

Freedom costs something.

The spirit of Washington assures us that we cannot escape such sacrifice.

Now, finally, there is honor. Do we really understand its place in the American dream? Do we really recognize that the preservation of our freedom is dependent upon the stout morality of each generation? The very success of our democracy is founded upon the integrity of those of us who enjoy it. Remove morality and you remove freedom, for freedom is subject to morality as a seed is dependent upon the soil in which it is planted.

Honor is a shield to character, a spur to courage, and a whip to justice.

That is why we must be concerned with whatever weakens our national morality. That is why we must defend our liberties on the battleground of integrity.

Never forget that nations die when moral laxity becomes the seed of death in their national character.

Just so, our national liberty rests upon our national honor. And our national honor will rest upon the honor of our individual citizens.

True patriotism is inborn. And true freedom depends upon belief, and sacrifice, and honor as its bulwarks.[8]

Our first President cautioned Americans to live by these principles. On the eve of his departure from public office President Washington addressed his fellow citizens in a farewell letter published in September 1796. In it he explained the course he had taken as President, set forth some political precepts which he believed the country should follow, and insisted upon the duty of patriotism. "Be united," he said, "Be American."

Action: Backstage voice enunciates lines over public address system: "The unity of government which constitutes you one people is also now dear to you. It is justly so, for it is a main pillar in the edifice of your real independence, the support of your tranquillity at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth, as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest or to enfeeble the sacred ties which now link the various parts.

"It is substantially true that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric? Promote, then, as an object of primary importance, institutions for general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened." [9]

Action: Travel spot off. Curtain closes.

INSTRUCTOR. At the beginning of this presentation it was stated that we would examine the origins of American faith in freedom and the cause for patriotism. We asked whether patriotism and personal morality have anything in common.

In the succeeding period we traced the formative stages of our heritage, and more important, examined the character of the individual men, the collective spirit which made this heritage possible.

We have found that the freedoms and liberties which we enjoy today were founded by men not unlike ourselves. But, we have learned that these men were patriotically motivated. The patriots of yesterday were men of social conscience. They were men whose sense of belief, sacrifice, and honor transcended personal ambition, personal gain, or personal glory. The founders of our Republic were men of vision; they were patriots of personal morality.

You, too, must be motivated by these same virtues, for you are the seed of tomorrow.

Freedom in America, with liberty for all, will stand or crumble by your acts and attitudes.

Action: Instructor spot off. Instructor retires. House lights on.

Script: "Adjustment to Military Service." Copy, 4,000 words, 35 minutes. Six skits, action, 1 minute each, 6 minutes. Eight charts, action 1 minute each, 8 minutes. Training aid, action, 1 minute. Total instruction time, 50 minutes.

Stage setting: Mounted "Soldier" and "Incidents of Discharge" illustrations on 12-foot easel, and mounted charts on 8-foot easel, center stage, left and right, rear. On-stage assistant with pointer standing by. Lighted podium with microphone right of center stage forward. All training aids masked. Curtain closed. Instructor spot and follow spot standing by.

Action: Curtain opens, stage dark. Instructor enters from right wings, walks to podium, being picked up by instructor spot (flesh).

INSTRUCTOR. During this period we are going to talk about the Army, and this division too.

Now, this should come as no surprise.

But, most important we are going to talk about you. We will talk about you and the Army, and the effect the Army and this division, may have on you.

The title of this talk is "Adjustment to Military Service" and during this period we are going to discuss three things: first, the psychological aspects of the Army; second, social aspects of mishavior; and third, military aspects of misbehavior (pause).

Action: Follow spot on. On-stage assistant exposes soldier chart, 12 foot figure of combat-ready infantryman.

INSTRUCTOR. Here we have a figure of a sharp, combat-ready soldier representing 14,000 men of the 24th Infantry Division.

Splendid chap. Well groomed, in full possession of his faculties, and firm of purpose.

This representative figure might be you at the beginning of any 12-month period (pause).

Action: On-stage assistant exposes illustration #2, same figure reversed now wrecked by sickness and injury. Tags indicate damage: 970 NP cases, 234 serious incidents, 1,908 courts-martial, 360 board actions, 287 AWOL's, 17 deaths, 55,000 sick calls.

INSTRUCTOR. And here, again representing you, is this same 24th Infantry Division figure twelve months later. Now wrecked by 970 NP cases. Reputation blackened by 234 Serious Incidents. Limbs broken by 1,908 Courts-Martial. Crippled by 360 Board Actions. Damaged by 287 AWOL's. Heart-sick through 17 deaths, and combat-health injured by 55,000 sick calls.

These figures you see on the tags are actual cases involving men of the 24th Infantry Division during the year 1959, a twelve month period.

Yes. But these things happen to other people you say. Don't be too sure. Here are the odds of these things happening to you. (pause)

Action: Traveling spot to chart #3: Odds against the individual: Neuropsychiatric Odds: 1 to 14, Serious Incident Odds: 1 to 60, Courts-Martial Odds: 1 to 7, Board Action Odds: 1 to 39, AWOL Odds: 1 to 50, Death Odds: 1 to 875, Sick Call Odds: 4 to 1.

INSTRUCTOR. If we extend these same rates into 1960 these could be your chances of becoming involved in an unpleasant, painful, or perhaps fatal experience.

Your chances of becoming a psychiatric case are about one to fourteen.

Of being a party to a Serious Incident, one in which both you and the government are compromised, about one in sixty-one.

That you will be a defendant in some kind of a courts-martial is higher: one to ten.

That you will end your military career through separation from the service by 208 or 209 board action: one to thirty-nine.

Your odds of going AWOL are about one to seventy-two.

And of being killed during the next twelve months, probably in an automobile accident, are a remote, but possible, one to eight hundred seventy-five.

Your chances of going on sick-call however, are so high that it is almost certain you will see your unit medical officer at least once during the next twelve months. The odds: four to one.

Action: Follow spot off.

INSTRUCTOR. In a most personal way, these figures are not statistics at all. Each incident represents a man in uniform who has suffered some kind of harm or damage while in this command.

One of the listed incidents could represent you in 1960, unless we can modify the causes for these incidents.

Now, in nearly every case of AWOL, courts-martial, board action, serious incident, psychoneurosis, Yes! and even sick call, some mental aberation, some fault in the individual mental process, brought that person to grief and sometimes, to a forced and painful readjustment.

Since we can correlate many of our statistics to mental attitudes perhaps we should know more about the center of mental process, the human brain, for the brain is the controlling organ of the mind and body (pause).

Action: Medical technician and assistant, in whites, enter from wings, left, rolling eight-foot mock-up of the human brain. Two views, top and side: cerebrum, midbrain, pons, medulla oblongata, cerebellum. Indicated: frontal lobe, fissue of Rolando, parietal lobe, occipital lobe, temporal lobe. Follow spot on brain (flesh).

INSTRUCTOR. This is a mock-up of the human brain, the center of intellect. Specialist ———, assisted by Specialist ———, will explain the various parts of the brain,

[8] "The Bulwarks of Freedom," Bishop R.A. Brown, 1959.

[9] Heritage of America, Commager & Nevins, p. 211.

and describe a few of the functions of these parts. Specialist ———, if you please (stop).

Action: Remove model of soldier and instructor light and podium light off. Instructor retires.

TECHNICIAN. The outstanding fact about our knowledge of the human brain is that we know quite a bit about it.

We know, for example, that the processes of the brain can be compared to an electrical system. In fact, the impulses of the central nervous system, whether these impluses be conscious or unconscious, or physical or mental, are the result of tiny but measurable electric charges. Since mental activity generates electric energy, it is certain that, like an electric generator and wiring system, the better the system the better the results.

Action: Assistant technician points out and indicates areas of the brain with pointer as discourse continues.

MEDICAL TECHNICIAN. The brain is that part of the nervous system enclosed by the skull. It consists of the cerebrum, the midbrain, pons, medulla oblongata, and the cerebellum.

It is believed that the medulla oblongata, the cerebellum, pons, midbrain and the cerebrum represent progressive evolution of the central nervous system over millions of years.

The first four areas of the brain are more rudimentary in structure and are organs of crude consciousness and centers of primitive emotions. In successively higher levels of animals development these centers exert less and less direct influence on the animal. In mammals, which include dogs, apes, and man, these rudimentary organs are far exceeded in prominence by the cerebrum, although they still retain important functions.

In the brain of man the cerebrum has achieved its highest development which we perceive as intellect and the power of reason.

The cerebrum, with which we are most concerned, is divided incompletely into two halves so that in appearance it might be compared to a walnut. The most highly developed function of the nervous system, memory, intelligence, moral sense, and the centers for sight, hearing, smell, taste, and general body sensations, are seated in the cerebral hemispheres.

For convenience of description each half of the cerebrum is divided into four parts called lobes. The frontal lobe is situated in front of the deep cleft called the fissure of Rolando. The parietal lobe lies behind the fissure of Rolando. The occipital lobe forms the posterior section of the cerebrum. The temporal lobe forms the lower portion of the right and left sides of the brain.

A complicated layer of brain cells, called cortex, covers both cerebral hemispheres. This layer of cells is about one fourth of an inch thick in the human brain and is the seat of intelligence and higher mental functions. In lower animals this specialized layer of cells is rudimentary, microscopically thin, or entirely absent.

A band of cortex in front of the fissure of Rolando controls the voluntary movements of the body. Therefore this area is called the motor area. The muscles of one side of the body are controlled by the motor area of the opposite side of the brain. This area has been mapped out during brain operations so that many of the points in the motor area have been identified with certain muscles of the body.

Situated in front of the motor area is the so-called premotor area. This part of the brain exerts influence over the motor area, combining localized movement into more complicated acts; for example, coordinating thought and speech.

The parietal lobe, behind the fissure of Rolando, is sensory in function. There sensations of touch, warmth, and coolness, and of muscular movements, are preceived and interpreted. Like the motor area, this part of the brain has been mapped out point by point by electrical stimulation through openings in the brain skull. The patients were conscious and able to describe the sensations aroused.

The temporal lobe is the region for the perception of sound. This acoustic area on each side of the brain receives impulses from both ears so that the destruction of one side will not destroy hearing in either ear, although it might impair hearing in both ears.

The occipital lobe is the area for vision. This part of the brain receives impulses from the two retinas of the eyes and interpret these visual impressions, integrating the signals with other sensations.

The function of the remaining, and greater part of the frontal cortex is not well known. It was once thought that the frontal lobe was the seat of intelligence. It is now believed that no special region or center for intelligence exists. Intelligence, it is now believed, depends upon the cortex as a whole. That is, upon the degree of the various sensory areas and the richness of the association paths through which these areas are interconnected (stop).

Action: Medical technician and assistant wheel training aid off stage. Instructor returns to podium. Follow spot off and instructor spot on. Podium light on.

INSTRUCTOR. The brain is a most remarkable instrument. In man the cerebral cortex is highly developed, enabling you and me to control, regulate, and channelize the basic instincts of animal origin. In lower animal forms this refinement is rudimentary or lacking entirely so that the animal is controlled by the lower centers of emotion and crude consciousness.

You and I can sublimate these basic drives and instincts, and an animal cannot.

All living things have a brain, or a brain-like organ. The frog brain, for example, has all the parts that are associated with the human brain, although it is somewhat dissimilar in form. But if a frog brain were to be increased to human size and somehow fitted into a human skull that unfortunate man would be an utter moron, an intellectual and social idiot.

Action: On-stage assistant exposes frog-man chart. Follow spot on chart.

INSTRUCTOR. Now, you and I are not human-like frogs. Quite the contrary. We possess a superb instrument of perception and reason.

But, with some of us—at some time—some function or influence disrupts or misdirects this power of reason and we are confronted with a self-destructive situation of our own making—a court-martial for instance.

What are these factors which cloud our power of reason?

To answer this question we should know something about human behavior, emotional reactions, and attitudes (pause).

To understand human behavior we must assume that there exists two parts of the human personality. One, a conscious mind which controls voluntary activity of brain and body, and two, an unconscious or subconscious mind, of powerful impulses and drives, and which is difficult to control. The conscious mind may be compared to the cerebrum, or most highly developed portion of the brain. And the unconscious mind may be identified with the more rudimentary parts of the brain, as was shown in our illustration of the human brain (stop).

Action: Instructor spot off. Follow spot on medical technician at stage left.

TECHNICIAN. You and I link these two parts, conscious and unconscious, many times each day. The process of linking these two minds is called a technique of the personality. For example, we rationalize excessive drinking, or justify our failures by other mental gymnastics. We explain our loves and our hates through rationalization.

We also transfer emotion from one person to another by a technique called displacement. A soldier, for example, may unknowingly identify his officer with his father and act accordingly.

Another way the brain links these two minds is by conversion. We convert strong emotional feelings into physical symptoms, such as going on sick call with a severe belly ache just prior to a field exercise.

We also project our own defects or impulses to others as in accusing a fellow soldier of cowardice or blaming others for our own mistakes.

Another unconscious method used to link the two minds is identification. We unknowingly copy the mannerisms of another by process of self-identification, as in mentally comparing ourselves with the hero of a movie, or in borrowing strength from a leader in battle (stop).

Action: Follow spot off. Instructor spot on right stage.

INSTRUCTOR. There are the mental mechanisms by which the individual personality connects the two minds. These techniques are used quite unknowingly and without conscious effort on the part of the individual.

In the well adjusted individual his conscious personality keeps his unconscious personality under control.

This control is guided by certain human controls or needs called motivation (pause).

Action: On-stage assistant exposes Chart No. 5, Motivation: (1) Security, (2) Gratification, (3) Conviction, (4) Recognization, (5) Confidence—in skill and equipment, (6) Physical Conditioning. Follow spot on chart.

INSTRUCTOR. These needs, or motivation precepts, are major factors in determining human behavior.

An individual must feel secure to be well adjusted. He must feel secure in his job, in his relation with associates, and in the sources of his affections. When these are threatened by such things as trouble at home, ridicule by "buddies," or by uncertainty in a new assignment, the individual begins to develop symptoms of maladjustment.

To be mentally well, to be a whole man, a soldier must find gratification in his job and in his environment. Without such satisfaction he does his work poorly and is bored with his associates and with his environment.

The individual must be convinced of the purpose and importance of his job. He must believe that what he is doing has significance and that his mission is worthwhile.

Every man needs recognition by coworkers and by superiors. He requires evidence that his worth and contribution to the common effort is understood and appreciated.

Confidence in skill and equipment are major stabilizing factors in personal adjustment. The soldier must be confident in his capacity to do his work. In the Army this confidence is arrived at by training so that the man feels "superior" in the use of weapons and instruments.

And Physical Conditioning. In some cases physical condition is secondary to the mental state, but, in the Army, physical conditioning is of essential importance for good mental health. Every man must observe the rules of personal hygiene. This includes conditioning, rest, food, and clothing. Poor physical condition seriously affects the mental state (pause).

Having identified Personality Structure, Mental Mechanisms, and Motivation, let us now relate these factors to conditions of stress peculiar to the Army.

Action: On-stage assistant exposes Chart No. 6: "Factors of Stress in the Army": (1) Situation on Joining. (2) Job Assignment.

UNIVERSITY OF MICHIGAN LIBRARIES

(3) Rank and Promotion. (4) Discipline. (5) Ideology. (6) Fear. (7) Group Influence. Follow spot to chart.

INSTRUCTOR. There are certain known areas which present serious disrupting influences on individual motivation in service. These points might be called "Factors of Stress in the Army."

First, on joining the Army, a man loses his most important emotional anchors, his home and family, his friends, his job. He is given little choice in his disposition. This strange, uncomfortable, new environment requires adjustment on the part of the individual.

Job assignment is the commonest cause of dissatisfaction, and consequently, of maladjustment in the Army. The individual, and his superior, must be aware of this factor and take positive action to achieve a compatible job assignment. Such job assignment must be made with a realistic understanding of the Army and unit mission.

Rank and promotion indicate training and special qualifications. As such they are important in recognition for experience and ability. Inequalities are bound to occur in the Army but knowledge of promotion criteria, availability of promotions and an understanding of what is required to achieve promotional status, will help to set a stable, mental pattern.

Military discipline, the Army way of working together, may be onerous to some, but the necessity of discipline and how discipline creates a combat team, is a basic requirement.

Inculcation of discipline leads to success in battle and is a driving force which enables the individual soldier to assume uncomfortable, and sometimes, dangerous responsibilities. The morale stiffener of discipline provides this response.

Most persons entering the service will be confronted with a conflict in ideology. All of our previous teaching at home, at school, and in church, conditioned us to respect life. Now, suddenly, we must learn to kill. In fact, we ourselves may be killed.

Justification for these new concepts are best arrived at by identifying our love for home, respect for our leaders, and concern for our buddies, with our military mission. The emotional stimulus for fighting rests also in an understanding of why we fight.

Fear, a normal response during periods of danger, is not a sign of cowardice. It is an automatic mechanism of the mind acting to protect the body. Controlled fear is useful, for we all would soon be dead without a sense of fear. But, we must develop an internal force that is stronger than our fear; pride in our unit, patriotism, loyalty to friends, and conviction in our mission, contribute to our successful fight against fear. Action dispells fear, as does the realization that we must face ourselves, our family, and our country if we succumb to fear.

The final factor of stress in service that we shall consider is the group influence. Since we train as a team, and in relatively large numbers working together, it may happen, that under stress, the group may respond like sheep. Mass hysteria in combat, or blind following of bad examples in our daily lives, are typical examples of the effects of group influence.

On the other hand, group influence can be beneficial by directing the individual toward more effective results. This, of course, depends on intelligence and guidance (pause).

Are there any signs, which we can observe in the individual, and in the unit, that show when motivation is not in adjustment with the stresses of military service? You bet there are (pause).

Action: An examination of this chart No. 7, "Signs of Maladjustment":

(1) Early signs: (a) Lack of interest, (b) response through fear, (c) poor inspection records, (d) attitudes; (2) late signs, (a) AWOL rate, (b) sick report, (c) company punishment, (d) guardhouse cases.

INSTRUCTOR. An examination of this chart shows a remarkable relation to the list of 24th Infantry "incidents" that we saw at the beginning of this talk, doesn't it?

There is no use in belaboring this point for it is quite obvious that, matching the indicators noted on this chart with the statistical figures shown by the injured soldier seen earlier in our discussion, we have a problem.

And it is for this very reason that we are studying cases of human behavior today (pause).

Action: Follow spot off. Soldier chart removed.

INSTRUCTOR. As we noted in our study of the brain, man can channel basic instincts into constructive and socially desirable actions. Therefore antisocial behavior, as illustrated in rates of incidents, is the voluntary relinquishing this control.

The maladjusted individual is one who has permitted his intelligence to be superseded by emotion and has placed himself at the mercy of his animal instinct and the less developed centers of the mind.

Now, what should we do to avoid falling into the classification of maladjusted?

Frankly, there is no single "cure-all" for stresses in the service any more than there is a "cure-all" for personal problems in civilian life. Life itself is a series of continuing problems, and our ability to meet these problems, and surmount them, is the mark of maturity.

However, there are some guides which we may consider as particularly important during our service in the Army, and in this Division. (stop)

Action: Follow spot on Med Tech, stage left. Inst spot off.

TECHNICIAN. In a nutshell—Morale. Morale may be positive or negative. High morale is a composite attitude comprising determination, fight, confidence, ideological conviction, and beliefs. High morale is marked by individual and unit resistance to threats, to conquering of handicaps, and by surmounting obstacles. How well the individual and his unit achieve these objectives will depend on how well informed are the members of the unit and the degree of individual job proficiency.

Confidence, achieved through training, in the use of weapons and equipment. Confidence in taking care of ones self, and confidence in success are prerequisites to sound morale. Equally important is sound confidence in the Army and in leadership.

Each man on the team must have satisfaction in his job and mission and must know that the unit is backing him, and that his contribution to the unit is known and appreciated.

Therefore, some guides to maintaining good morale, in the individual and in the unit, are understanding of unit mission and the job of the individual. The soldier must keep himself informed. He must fight rumors and avoid "time killing." Activity, both physical and mental, is an excellent antidote for sagging morale. Be active in recreation and physical, intellectual, cultural, and spiritual pursuits. And, when the mental stress of personal problems are beyond the capacity or means of the individual, these problems should be taken to persons in authority who can help resolve them. Seek guidance, morally and spiritually, and air complaints with superiors. Remember that your problems are not unique in human experience. And because they are not, the Army has anticipated them and has provided agencies through which the individual can seek guidance. These agencies include the Chaplain, Medical Officer, Special Service Officer, Classification Officer, Red Cross, and Legal Assistance Officer.

The military chain of command, from squad leader to commanding general, share the responsibility of creating and maintaining sound morale, and, therefore, have a vested interest in resolving problems which are detrimental to morale. (stop)

Action: Follow spot off. Instructor spot on podium.

INSTRUCTOR. Now, in the last several minutes we have established two general precepts.

First we have identified the brain as the central control of all mental and physical activity. We have seen, to some degree, how the brain functions and that man possesses the most highly developed central nervous system of all the creatures on earth. We can agree that you and I have intelligence and the power of reason and, so, can materially influence our own destinies by conscious acts. We are, in fact, masters of our fate.

Secondly, we have explored human behavior and individual personality. We know there are basic drives which motivate the individual personality. And we know that there are factors of stress in service which influence these basic drives.

Having now become amateur psychologists we are now ready to apply this knowledge to our military careers and our personal lives (stop).

Action: Soldier in cap and gown runs down aisle to instructor, yelling and waving his hands. Follow spot picks up action and follows to stage where diploma (Graduate Amateur Psychologist) is presented. Graduate walks off, follow spot off.

INSTRUCTOR. Knowing that we have the power of reason, we can now understand that adjustment to military life is closely associated with morale.

And morale, to a great degree, is based on information (pause).

Action: Follow spot picks up chart No. 8 entitled "Information, Information, Information, Information, Information."

INSTRUCTOR. Do you suppose that we might combine this power of reason, and knowledge of human behavior, with information so as to improve morale? Can we change the mental hazards of military service so that such problems as NP cases, courts-martial, board actions, AWOL's, serious incidents, and deaths will be eliminated from this Division?

Can you and I erase the sorry specter of the sick and injured 24th Infantry Division figure we saw at the beginning of this talk?

No. Of course not.

We know that the pattern of human behavior will produce future personal catastrophe, and that many soldiers in this Division will, within the next 12 months, become statistics in one or more areas of morale disintegration.

However, you and I can prevent our personal involvement in a dead-end career. We can control our own destiny in the service. And, by so doing, we will have reduced the over-all Division statistical rates for 1960.

This is certainly a desired aim, isn't it?

Well, let's try it. Let's see if information and mature judgment can have a bearing on our present and future service. Let's try information as a guide to success (pause).

There are, of course, many obvious results of poor personal decision in the Army (stop).

Action: Follow spot to stage left. Pick up action of wild soldier, running across stage shooting gun. Two "medics" capture soldier and hustle him off stage. Put on helmet.

INSTRUCTOR. This is one end to maladjustment in military service.

But, there are other effects, perhaps more far reaching and lasting than a stretch in the guardhouse.

These might be called the social aspects of misbehavior.

We know that some soldiers believe that escape from responsibility in service can be achieved through premeditated acts designed to secure an "undesirable" discharge by 208 or 209 board action.

Others are misled into certain acts prejudicial to the service in the belief that an "undesirable" discharge is a quick and relatively painless solution to a temporary inconvenience in military service.

Let's look at some of these incidents of discharge and then judge whether this is a wise course of action (pause).

Action: Follow spot on chart. Onstage assistant exposes chart No. 9: Incidents of Discharge:

Benefit	Undesirable	Bad conduct	Dishonorable
ARMY			
Death gratuity	Yes (?)	No	No.
Muster-out pay	No	No	No.
Accrued leave pay	No	No	No.
Transfer of household	No	No	No.
Burial in national cemetery.	No	No	No.
VETERANS' ADMINISTRATION			
Dependents compensation	Yes (?)	No	No.
Pension	Yes (?)	No	No.
Vocational rehabilitation.	Yes (?)	No	No.
Educational training	Yes (?)	No	No.
Loans	Yes (?)	No	No.
Unemployment compensation.	Yes (?)	No	No.
Special housing	Yes (?)	No	No.
Hospitalization	Yes (?)	No	No.
Outpatient care	Yes (?)	No	No.
Death compensation	Yes (?)	No	No.
Burial expenses	Yes (?)	No	No.
Burial flag	Yes (?)	No	No.
Farm loans	Yes (?)	Yes (?)	No.
Housing preference	Yes (?)	Yes (?)	No.
Homestead	No	No	No.
Civil service	No	No	No.
Reemployment benefits	No	No	No.
Unemployment compensation.	Yes (?)	No	No.
Naturalization	No	No	No.
Social security	Yes (?)	No	No.

INSTRUCTOR. There are more than 40 benefits accruing to the individual by a successful completion of military service. These are direct advantages gained by service in uniform.

We have listed 25 representative categories of these benefits on this chart to show some of the positive advantages of reentering civilian life with an unblemished Army record.

These listed benefits include only Army, Veterans' Administration, and Federal agency benefits directed by public law.

Numerous State benefits and other, less well-defined benefits, such as social prestige and self-satisfaction, are not considered here.

As you see, most of these benefits are lost or compromised by an undesirable, bad conduct, or dishonorable discharge. Most of these benefits are real, out of the pocket considerations, or have a material bearing on future civilian success, and apply whether a man has 2 or 20 years' service when he is discharged.

A person discharged as "undesirable" may retain some of these benefits but, as indicated by the question mark, this eligibility is dependent upon a review of the facts surrounding the discharge.

It does not take much "power of reason" to see that such a provision effectively limits the individual in many critical areas of health, business, and housing opportunities.

A further material loss to the military lawbreaker is embodied in the 68th statute of the Congressional Record.

This amendment to the United States Code is known as the Hiss Act. It directs that U.S. military personnel who have been convicted of a felony shall forfeit all retirement benefits.

An example of the effect of the Hiss Act is the soldier who is court-martialed for an illegal dependent travel claim. That soldier, if convicted, will have surrendered all rights to retirement pay (pause).

It is pertinent that we understand German Law, as well as Military law, for here in Germany we are subject to both. On 5 May, 1955, the Occupation of Western Germany was terminated. On this date the Federal Republic of Germany regained its full sovereignty and the Bonn Convention entered into full force. Among the provisions of the Convention is the following: (pause)

Action: Instr spot off. Follow spot to stage left. Asst enters, reads proclamation.

ASSISTANT. The members of the Forces shall observe German Law, and the authorities of the Forces shall undertake and be responsible for the enforcement of German Law against them, except as otherwise provided in the present or in another applicable convention or agreement.

Action: Follow spot off. Inst light on podium.

INSTRUCTOR. This document is known as the "Agreement on the Statutes of Forces in Germany."

Subject to the provisions of the agreement German courts and authorities jurisdiction over members of the United States Army in noncriminal proceedings.

Although we are not subject to the jurisdiction of German criminal courts, members of the U.S. Forces may be sued in German civil courts by fellow members of the U.S. Forces, by German Nationals, and by citizens of other countries.

Futher, service of process is effected by and through military channels.

The type of cases so handled include paternity cases, automobile accidents, and alleged breech of contract (pause).

Action: Follow spot to stage left. Pick up 4 x 4 walk across cartoon, fraulein carrying "baby" chasing soldier, cross to stage right.

INSTRUCTOR. Soldier may be sued in German courts in paternity cases and the process, including judgment, will be served on them through their commander. Action may be taken by German authorities to enforce paternity judgments in the same manner as they would enforce judgment in other types of cases.

In the same manner, U.S. soldiers are liable for damage incurred in automobile accidents and may be brought to German courts for suits arising out of such accidents.

The large majority of suits brought by German firms and individuals against members of the U.S. forces are result of an alleged failure to honor contracts. These oral or written contracts usually involve financing obligations, installment purchases, automobile rentals, apartment leases, and other credit arrangements. Because of the ease by which German Nationals can begin suit in these matters members of the U.S. forces who default on contracts are frequently sued immediately upon such default, even where the amount is small (pause).

These are some of the considerations affecting our social activities.

There is also the military aspect of misbehavior. Military aspects of misbehavior are prescribed under the Military Code of Justice.

The procedures, authority, responsibilities, and actions taken under the code are spelled out in some 140 articles. The articles govern the legal aspects of Army service and comprise the basic law for soldiers.

The subject is too voluminous to discuss here. Sufficient to state that fact is preferred over fiction when making decisions involving our personal careers.

The facts are available in the U.S. Manual for Courts-Martial (stop).

Action: Instructor spot off. Follow spot on prisoner carrying placard—"Don't Be a Chump." Guard with shotgun follows. Cross to stage right.

INSTRUCTOR. During the last 50 minutes we have discussed and learned three things (pause).

Action: Follow spot on chart "Power of Reason, Master of Fate, Successful Career."

INSTRUCTOR. We know that each of us has a God-given intelligence by which we can make considered decisions. We know that many factors influence our decisionmaking faculties.

By understanding these factors we can better control them.

We also know that our future in service is not a matter of blind chance. We, alone, are the master of our fate. What we make of our lives in the 24th Infantry Division, and in Europe, depends on our sound judgment and our mental attitudes.

And, third, we know that a successful career in service and in civilian life can be ours by recognizing certain rules of behavior, and by avoiding paths which lead to dead ends (pause).

Action: Assistant returns 12-foot figure of injured soldier. Spot on figure to end.

INSTRUCTOR. Whether you and I become dead-end statistics like this figure or develop a fuller, richer life through our experience in service will be pretty much up to us individually.

Action: Curtain closes, instructor and follow spots off. Instructor retires. House lights on.

Lesson plan:
Third 2-hour block of instruction.
Subject and duration:
(A) "Care and Maintenance of the Human Machine" (script attached), 50 minutes.
(B) End-of-course test (form attached), 25 minutes.
(C) Concluding address (script attached), 25 minutes.
Place: Theater.
References:
(A) "Textbook of Healthful Living," Howard S. Diehl; "The Living Body," Best and Taylor; "Morbidity Reports," 24th Inf. Div., 1959, Surg.; "Traffic Accident Reports," 24th Inf. Div., 1959 P.M.
(B) Preceding instruction.
(C) Preceding references and instruction.
Type of instruction:
(A) Lecture, skits, visual illustrations.
(B) Audience participation.
(C) Lecture, visual illustrations.
Instructional aids:
(A) Podium, podium light, instructor spotlight, follow spotlight, public address system (2 mikes).
Charts:
1. Care and Maintenance and subtitles, 5 by 6.
2. Division Medical Cases, 1959, 5 by 6.
3. For sale, 98 cents, 1 by 2.
4. Disease Causing Agents, 5 by 6.
5. Cartoon, fleeing bacteria and cell, 5 by 6.
6. Aids to Control Disease, 5 by 6.
7. Causes of Disease in Soldiers, 5 by 6.
8. Control of Respiratory Disease, 5 by 6.
9. Control of Digestive Tract Infections, 5 by 6.
10. Death Rates v. Alcohol, 5 by 6.
11. Division Surgical Cases, 1959, 5 by 6.
Illustrations: 1. Human, male figure, three layers of plywood—(a) body; (b) organs; (c) skeletal system in color; 10 feet high.
Lesson plan: third 2-hour block.
Stage property:
1. Hospital laboratory gowns (2).
2. Three-foot hypodermic syringe.
3. MP uniform.
4. Record—automobile crash sound effect.

UNIVERSITY OF MICHIGAN LIBRARIES

5. Wheeled surgical litter.
6. Auto crash casualty—dummy.
7. Tombstone.
8. Moulage—gunshot wound, face.
9. Simulated shotgun.
10. Blank pistol.

Costumes:

1. Toy soldier: Shako, red coat, striped pants.
2. Hospital gown (1).
3. Hospital laboratory gown (1).
4. Stovepipe hat and cloak.

(B) True and false test forms. PA system, podium light.

(C) Podium, podium light, instructor spotlight, follow spotlight, public address system, unit and national colors.

Charts:

1. U.S. Declaration of Independence.
2. Freedom & Responsibilities.
3. Soviet Expansion Since 1939.
4. Injured soldier—incidents.
5. Anatomical manikin.

Costumes:

1. Russian officer uniform.
2. Revolutionary War period dress—(2).
3. Hospital laboratory gown (1).

Stage property:

1. Blank pistol.
2. Record—"Army Goes Rolling Along."

Personnel: (A) Instructor, onstage assistant, medical technicians, backstage manager, two spotlight operators.

Actors:

1. Toy soldier.
2. Hospital patient.
3. Inebriated soldier and MP.
4. "Digger O'Dell."
5. Gunshot soldier and "friend."

(B) Instructor, four assistant instructors.

(C) Instructor, backstage manager, 2 assistant instructors, 2 spotlight operators.

Script: "Care and Maintenance of the Human Machine." Copy, 4,500 words, 43 minutes. Six skits, 1 minute each, 6 minutes. One manikin action, 1 minute. Total time, 50 minutes.

Stage setting: Assistant and charts center stage.

Action: Curtain opens. Instructor to podium. Instructor spot on.

INSTRUCTOR. During this period we are going to discuss health—specifically, your health.

And the reason we are going to discuss your health is that illness destroys the effectiveness of the Armed Forces, undermines morale and places an enormous burden on medical facilities.

Now, you may ask, does health and national welfare have anything to do with me? It certainly does. Each one of us is sworn to protect America's interests overseas. To do this you and I must be prepared at all times for possible physical action in a combat-type situation.

At the present time each one of you is presumed to be healthy. The purpose of the instruction to follow is to help keep you that way—so we have called this period, "Care and Maintenance of the Human Machine" (stop).

Action: As instructor says, "Care and maintenance," onstage assistant exposes subject title. Follow spot on action. Skit actor wearing "toy soldier" uniform marches stiffly on stage from wings as offstage manager provides "mechanical" sound effects with ratchet noisemaker. "Toy soldier" faces toward audience, salutes with jerky movement, marches back to wings.

INSTRUCTOR. Now, soldiers aren't machines. Nor can the human body be accurately compared to a machine. However, this thought is a convenient one for illustration. Now, what about our Army health record? (pause).

Action: As instructor says "What about—", onstage assistant exposes subtitle "The Army Health Record." Follow spot on.

INSTRUCTOR. Among our own Armed Forces reports show a remarkably low incidence of illness during the Second War World and the war in Korea. For the first time in history no serious epidemics of disease occurred in military training camps.

The result of improved health programs is less illness among our military forces than ever before. In the care of combat casualties, too, the Army record is very good. Only 4.5 percent of the wounded men who received medical care died during the Second World War as compared to 8 percent during the First World War. During the war in Korea this mortality was further reduced to 2.3 percent.

As you see, the health record of the Army is excellent and getting better all the time.

But let's just look at the 24th Division health record for 1959 (pause).

Action: As instructor says, "—health record for 1959," onstage assistant exposes subtitle. "The Division Health Record" and bar graph chart No. 2: "Total Medical Cases, 1959, 24th Infantry Division: 34,811." Follow spot on.

INSTRUCTOR. This chart reveals that during 1959 there were 34,811 medical cases recorded in this division. This figure represents members of this command who were sick and required care by division medical personnel. Statistically this means that, based on an average division population of about 14,000 people there were two and a half times as many medical cases as there were men in the division.

This is astonishing.

It also means that your chance of becoming a medical statistic during the coming year are pretty good—unless we can do something to change the causes (pause).

While it is true that today's soldier is unlikely to fall before the killer diseases of years past, this fact does not imply that you and I will remain free of all disease.

You may wonder, at this point "What type of casualty am I likely to become in this game of medical roulette?" Maybe we can identify the factors of highest probability (pause).

Action: When instructor says "factors of highest probability," onstage assistant unmasks seven medical case categories shown by bar graph (chart No. 2) "Total Division Cases." Follow spot on.

Upper respiratory	6,494
Eye, ear, nose, throat	4,827
Skin infections	3,507
Venereal disease	1,440
Diarrhea and digestive tract infections	1,440
Neuropsychiatric	970
Other medical cases	16,133

INSTRUCTOR. Here are the types of disease which struck down division men last year. Take a look at them; would you care to select your disease now?

As you can see, the medical cases which caused the greatest loss in manpower and money in the division in 1959 were respiratory infections; diseases of the eye, ear, nose, and throat; intestinal diseases; diseases of the skin; venereal disease; and neuropsychiatric or mental diseases.

Of the six diseases listed here, upper respiratory disease accounted for the greatest number of cases. Over 6,000 acute respiratory cases required medical care.

Next most common classification was eye, ear, nose, and throat diseases: nearly 5,000 cases treated. Skin conditions, over 3,500 cases, were third most serious cause for time lost.

Then came venereal disease, over 1,400 cases; diarrhea and digestive tract infections, over 1,400 cases; and neuropsychiatric diseases, about 1,000 cases.

It's important to note that 85 other diseases, or types of diseases, too numerous to list on this chart, accounted for about 16,000 additional medical cases in the division during the period.

Put another way, the 6 diseases listed on the bar graph accounted for over 19,000 cases, or 56 percent of all medical cases in the division last year, while 85 other types totaled only 16,000, or 44 percent.

Can you see anything else on this chart? It's certainly significant that six types of diseases accounted for over half of the medical cases in the 24th Infantry Division. But what else is revealed by this list?

It is this—most of the diseases listed under these six categories, with possible exception of neuropsychiatric diseases, could have been avoided by more intelligent living on the part of personnel in the division.

A closer attention to the "Care and Maintenance of the Human Machine," might have effectively reduced these somewhat gloomy statistics.

That's something to think about, isn't it?

The Army has made great progress in eliminating or controlling the diseases which formerly scourged military forces. Yet we are confronted with these morbidity figures which indicate that the health of this command is not too good, or at least, not as good as we would like it to be.

Now, let's add this up and see what it means to us personally—to you and me.

Since health is a personal matter perhaps there is a course of action that you and I can take to reduce the risk of contracting these diseases.

Of first interest should be a better knowledge of our bodies—and how they function.

Let's examine homo sapiens, that's the scientific name for man, remembering that we're talking about you, and you, and you (pointing to members of the audience). (Pause.)

Action: As instructor says, "—you and you", medical technician, dressed in laboratory whites, enters from left wings, rolling caster-mounted, 10-foot plywood manikin. Halts midway to center stage, fixes lapel microphone to jacket and faces audience. Follow spot on manikin and technician. Onstage assistant exposes subtitle: "Structure of the Body."

INSTRUCTOR. This is "Joe"—bigger than life and twice as ugly. Joe, assisted by Specialist ———— is going to illustrate some of the vital functions of the human body.

Now, Joe is made of wood and paint. But even so, he is several times more costly than the body you are wearing today.

In fact, the chemicals comprising your body can be purchased in any good pharmaceutical house for about 98 cents.

Action: Medical technician slaps sign, "For Sale—98 cents" on manikin.

INSTRUCTOR. However, each of you probably values his body at a higher figure. And because you do—and because the Army does, too, let's learn more about protecting this valuable mechanism.

Specialist ———, if you please (stop).

Action: Instructor retires. Instructor spot and podium light off.

MEDICAL TECHNICIAN. The body is basically composed of cells which are sometimes called "body building blocks." These cells are the basic structural units for many types of body parts. The cells themselves are composed of protoplasm, a soft, jellylike substance which has been called the basic of life. There are four different types of cells: epithelial or covering cells; connective cells; muscle cells; and nerve cells. When large numbers of the same type of cells join together they form tissues. Therefore there are four different types of tissues which bear the same names as the four types of cells which form them. For example, the skin is epithelial or covering tissue and serves to protect the underlying structure of the body.

Action: As medical technician says, "underlying structure of the body," onstage

assistant walks to manikin, removes top plywood sheet exposing second plywood body outline with major body organs shown. Technician points as presentation continues.

MEDICAL TECHNICIAN. Next in the line of the body building processes we find organs. Organs are composed of tissues working together for a specific purpose. For example, the stomach is an organ comprising muscle tissue, epithelial tissue, and nervous tissue. These tissues all work together to aid in the digestion of food. Next are body systems. Body systems are a number of organs bound together to carry out a process necessary to the body. For example, the digestive system, which includes the stomach, the small and large intestine, the liver, the gall bladder, and the pancreas, among others, all work together so that nutrient material can be broken down, modified, and distributed throughout the body.

Other systems of the body carry out equally vital roles. The circulatory system, comprising the heart, veins, and arteries, carries blood to all parts of the body and delivers food and oxygen to the individual cells. Without food and oxygen the cells would die.

The heart is perhaps the major organ of the circulatory system. The heart is a pump which begins its action the moment you are born and does not cease until death. No machine built by man will run so long without a breakdown. In the circulatory system, in addition to the heart, are three different types of blood vessels to carry the blood. Upon absorbing oxygen in its travels through the lungs, the blood is next pumped by the heart into the arteries which distribute the blood to all organs, extremities, and tissues of the body. Next, very small division of the circulatory system, called capillaries, bring the life fluid to the individual cells and tissues. As the blood follows this course through the body it also absorbs the liquid wastes from the cells. When the blood passes through the kidneys, this waste is filtered from the blood and eliminated from the body as urine.

When the blood passes through the small intestines, it picks up the digested food material, which the intestine has absorbed, and distributes this food throughout the body.

Another system about which we are concerned is the nervous system. The nervous system enables us to be aware of our environment and to react to it. This section is accomplished through the five senses, commanded by the brain and the spinal cord. The brain interprets what is going on around us and decides how we will react to a given situation. Two types of nerves, the sensory nerves and the motor nerves, act in this system. The sensory nerves carry impulses to the brain and spinal cord; the motor nerves carry impulses from the brain to activate the muscles of the body.

Action: Onstage assistant removes second manikin layer exposing body outlines and skeletal system.

MEDICAL TECHNICIAN. This is the framework of the body—the skeletal system. Two hundred and six bones comprise the skeletal system. They support the body, protect the soft parts, give the muscles leverage so that the body can move, and provide form for the body. Without bones the body would be a shapeless mass.

Certain of these bones protect vital parts of the body. The cranium protects the brain from damage and the vertebral column similarly protects the spinal cord. In the chest area the heart and lungs are afforded protection by the sternum and 12 pairs of ribs.

Body movement is accomplished by muscle tissue acting on the long bones such as the humerus, the radius, the ulna, the femur, the tibia, and the fibula.

Bones also contribute to the body in other ways. For example, red cells, which carry oxygen in the blood, are manufactured in the bone marrow.

This skeletal system is very rugged but bones will break and splinter (pause) if carelessness or accident places too great a weight or pressure on the system (stop).

Action: As medical technician says, "Break and splinter," offstage manager breaks basswood splint into microphone, screams. Onstage assistant moves manikin offstage. Medical technician retires. Onstage assistant returns to charts. Instructor returns to podium. Follow spot off, instructor spot, and podium light on.

INSTRUCTOR. This, then, is the splendid, rugged, sensitive mechanism which you and I inhabit and which must be protected against damage, by disease or injury, if we are to enjoy our life to the fullest and discharge our duties in service. It would seem to be little short of insanity to permit this body to take in chemical poisons and disease agents, or to invite damage through careless acts. Yet, you and I permit these things to happen to our bodies daily. Fortunately, there are a number of defensive measures which the body can take against these dangers.

These defense mechanisms in our bodies work silently and we are normally not aware of their actions. But in order that these nature safeguards shall serve their purposes most effectively all body processes must be maintained at prime efficiency. When the general health is undermined a way is opened for invasion by disease.[1]

Since the body does work actively against disease, why is it that our morbidity records reflect such a high incidence of sickness in men of the 24th Infantry Division?

Before we explore the "why" let's identify the "what." What causes disease in man (pause).

Action: As instructor says, "What causes disease in man," onstage assistant exposes chart No. 3: "Disease-Causing Agents: Bacteria Fungi Protozoa Viruses." Follow spot on.

INSTRUCTOR. Man is constantly liable to attack by many lower forms of life such as bacteria, fungi, protozoa, and viruses. The body itself, as we have pointed out, is capable of putting up a defense against most of the disease-causing agents.

These defenses of the body against various disease-producing organisms depend upon the activity of the living cells which act in various ways to protect the body against disease. Some body cells protect the body by eating or ingesting bacteria (stop).

Action: As instructor says, "—ingesting bacteria," a cartoon drawing of a fleeing bacteria and pursuing cell on a 5 by 5 placard, is walked across stage. Medical technician enters. Instructor spot off. Instructor stand by, follow spot on action, then switch to technician.

MEDICAL TECHNICIAN. Other cells of the body produce and liberate chemical substances which neutralize or destroy disease agents. These substances are called antibodies and are made to order by the body cells. Each antibody protects against only one disease. Thus the antibody which provides immunity against smallpox has no effect on any other disease agent. Medical science has found many aids which control or cure infections in man. Some of these aids are natural, others are synthetic. For example, immunity to a disease may be conferred artificially, as is done in the Army. The soldier can be injected or inoculated with bacteria which have been killed by heat or chemical means. Such preparations of dead bacteria are called vaccines[2] (pause).

Action: As instructor says, "—dead bacteria are called vaccines" onstage assistant exposes chart No. 4, "Aids to Control or Cure Disease: Vaccines, Toxoids, Chemicals, Antibiotics." Follow spot on.

MEDICAL TECHNICIAN. Also, the toxin, or poison or a disease may be rendered nontoxic by chemical treatment. Immunizing agents prepared in this way are called toxoids.

Another treatment of disease is by the administration of a chemical compound, such as sulfa drug. This kind of treatment is called chemotherapy.

A new medical weapon are the antibiotics. These substances are obtained from other living organisms, especially fungi, molds, and bacteria[3] (stop).

Action: Spot off. Med tech exits. Instructor spot on.

INSTRUCTOR. The natural protective measures of the body, assisted by the administration of vaccines, toxoids, chemicals, and antibiotics, have given us excellent defense against most of the killer-diseases. Why, then did we have 35,000 medical cases in the division last year?

The "why" of these 35,000 medical cases may be revealed by noting three contributing factors (pause).

Action: As instructor says, "Why these 35,000 medical cases," onstage assistant exposes chart No. 5: "Some Causes of Disease in Soldiers." (a) No immunity to all diseases. (b) Social environment. (c) Ignorance of health safeguards. Follow spot on.

INSTRUCTOR. First, medical science does not confer immunity to every type of disease (pause).

Second, the military organization does not control the social environment to which the soldier is exposed, what he does, where he goes, and who he associates with on his off-duty time (pause).

And, third, the soldier does not observe all the safeguards to health which are available to him (pause).

Now, social environment and health safeguards are two matters that the individual can control. Attention to these two points will reduce the importance of the first reason. Therefore, by living more intelligently you and I can avoid becoming a medical statistic this year.

A primary requirement in the defense against disease is, of course, a healthy body. Proper diet, sufficient rest, adequate exercise, and moderation in all things, will help the body achieve a normal balance of the body processes.

Now let's check 5 of these 6 types of medical cases which caused the highest number of illnesses namely; URI, EENT, Digestive tract, infections, skin infections, and V.D., and see what we can do to avoid these diseases.

Acute upper respiratory infections are now partly controlled by vaccines. "Flu shots," which are required annually for all military personnel, provide good protection. There is, however, as yet no good immunization against the common cold. Colds themselves are never fatal. Their great danger lies in the complications which may arise from them, such as pneumonia, ear, and sinus infections.

Colds are caused by a filterable virus and may be minimized by the practice of simple hygienic measures. Such measures include thorough washing of the hands before meals and after contact with objects likely to contain infection material; by keeping the hands away from the nose and mouth; by avoiding direct contact or exposure to persons with colds.[4]

All respiratory infections are transmitted from one person to another by circulating air and by direct or indirect contact. Thus

---

[1] "The Living Body," Best & Taylor.

[2] "The Living Body," Best & Taylor, pp. 233–234.

[3] "The Living Body," Best & Taylor, pp. 240–242.

[4] Textbook of Healthful Living, Howard S. Diehl, p. 309.

we can see that the danger of infection can be reduced by controlling ventilation, by personal hygiene, and by proper care in food handling.

Action: As instructor says, "all respiratory infections," onstage assistant exposes chart No. 6: "Control of Respiratory Diseases." (a) Controlled ventilation. (b) Personal hygiene. (c) Care in food handling. Travel spot on.

INSTRUCTOR. Eye, ear, nose, and throat infections, like upper respiratory infections, can also in large measure be prevented by cleanliness and good personal hygiene.

Mild infections of the eye, called conjunctivitis, and which may accompany colds, usually clear up with simple treatment. The more severe infections require prompt medical attention. All infections of the eye can be spread by means of hands, towels, and other physical means.[5]

Digestive tract infections, in many instances can be traced to the social environment. The possibility of contaminated water and food is always present in European communities. Meat and meat products may contain the germs which will cause disease. Flies, dogs, cats, mice, rats and human carriers may serve as sources of such contamination (pause).

Action: As instructor says, "Digestive tract infection," onstage assistant exposes chart No. 7: Control of digestive tract infections: a. Avoid indigenous food, b. observe personal hygiene. Travel spot on.

INSTRUCTOR. As a rule food infections occur only when enormous quantities of the germs are consumed. Thorough cooking and boiling destroys these germs. Consequently, the foods most likely to cause trouble are those in which the germs have had a chance to multiply and which have not been thoroughly cooked just before serving. Hashes, meat salads, custards and dairy products which have been handled or prepared some hours before use are the foods most frequently involved. The more serious infections contracted through food and drink include typhoid fever, dysentery, streptococcic infections and various parasitic diseases such as tapeworm.

The European practices of using night soil, or untreated human feces as a fertilizer, multiplies the possibility of intestinal tract infections when eating indigenous or locally produced products. This is particularly true of uncooked vegetables, as in salads.

There are no uniform milk pasteurization laws in Germany or in most other European countries. Likewise there are no standard water purification regulations in Germany, or again in most other European countries. You may ask, if all this is true why aren't all Germans and other Europeans sick much of the time. The answer is that our bodies become adapted to those things we are used to and Europeans, brought up from childhood with these foods, are relatively immune to the diseases they may carry. We, however, coming from a country where strict pure food laws are used, we are not used to the germs in these foods and are very liable to become ill.

All milk, water and uncooked, or only partly cooked, vegetables and meats on the economy should be avoided insofar as possible. This of course includes dishes made with milk or cream including ice cream, pastry fillings, whipped cream, etc. (Pause.)

The most important points in maintaining the health of the skin are those same factors which are important for maintaining the health of the rest of the body. Adequate rest, exercise, proper diet, and cleanliness.

And now a word about venereal diseases.

The tragedy of the venereal disease victim is that venereal disease is preventable. Yet, many soldiers contract the diseases associated with sex. Modern medicine provides the means to eradicate these diseases from human society. Military medicine also provides the means to cure venereal disease if the illness is noted promptly, and treatment initiated early (stop).

Action: As instructor says, "—treatment initiated early," soldier patient, in hospital gown, holding gown up to reveal bare rear, runs from left wings across stage, yelling, "No! No!" followed by a medic in white laboratory gown, holding 3-foot hypodermic syringe, saying, "Now, this won't hurt a bit!" Follow spot on action.

INSTRUCTOR. As we can see, treatment for venereal disease may not always be pleasant, but, it is a cure.

Prevention of venereal disease is a more desirable course than cure. And prevention of venereal disease may be enhanced by a knowledge of its causes.

Syphilis and gonorrhea are the two principal diseases included under the term venereal disease.

Syphilis is caused by a living organism called the treponima pallidum, or the spirochete of syphilis. Infection is usually acquired through sexual intercourse or, congenitally, from one's parents. At certain stages it is transmissible through kissing or by contact with objects recently contaminated with discharges from an infected person.

The first stage of syphilis, called a "chancre," is a local sore, relatively painless, at the point of infection. This sore usually appears 12 to 40 days after exposure. The disappearance of the chancre, which occurs in a short time with or without treatment is frequently mistaken by the patient for the end of the disease. Unless adequate treatment has been given, however, the disappearance of this sore signifies only that the disease has now progressed to its second, and more serious stage.

Though there is no vaccine which will confer immunity to syphilis this is one of the diseases over which we could have complete control. We know its cause and how it is transmitted. We have a simple test to aid in its diagnosis. We have an effective cure. And, we have the means to prevent its spread. Yet this disease will continue to be a major cause of illness and disability until you and I make intelligent application of the control measures which science has made available to us.

Gonorrhea is another venereal disease caused by a specific germ. Like syphilis, gonorrhea is usually contracted through sexual intercourse with a person who has the disease, although it, too, may be transmitted by towels or toilet articles used by the infected person.

The gonorrhea germ, called the gonococcus, sets up an infection of the mucous membrane of the genital tract. This causes a yellowish discharge from the genital organs of both the male and the female. After several weeks the discharge tends to stop even without treatment but, as with syphilis, this does not mean that the disease is cured, but rather that the disease has burrowed deeper into the body and bacteria continue to live in the deeper parts of the reproductive tract. In the male an abscess may develop later in the prostate gland and the germs may be discharged during sexual intercourse, even though no symptoms have been present for weeks, or months or even years. This disease never "cures itself." It must be properly and adequately treated. Gonorrhea responds well to treatment with certain antibiotics. But such treatment must be administered under competent medical supervision. Self-treatment or the ministrations of the quack and faker who promises quick and cheap cures lead almost invariably to serious complications.[6]

Venereal infections can lead to sterility, insanity, and deformity in the offspring of the infected parents.

There is no question but that sex will be with us for a long time. However, there is no need to expose your body to the scars of venereal disease. You and I can live a little more intelligently and protect ourselves, our families, and any children we expect to have in the future, from the ravages and the curse of venereal infection.

Now, let's speak about other agents that affect the body. Many of us abuse our bodies by knowingly subjecting it to harmful substances. Two of these harmful substances are alcohol and drugs (stop).

Action: As instructor says, "alcohol and drugs," onstage assistant exposes subtitle "Effect of Alcohol and Drugs." Soldier "MP" enters stage from left wings drags "happy warrior," waving bottle and singing "Auld Lang Syne" in cracked voice, across stage and into opposite wings. Follow spot on action.

INSTRUCTOR. Alcohol is a poison to living tissue. In concentrated solutions it will destroy plant, bacterial, and animal life. Even small amounts of alcohol produce definite and measurable effects upon the body. The chief of these is the depression upon the nervous system. Larger quantities of alcohol paralyzes one nerve center after another and eventually lead to unconsciousness and even death.

The latter stages are identical with those seen in ether anesthesia; this can well be understood if one realizes that ether is a very volatile and active derivative of alcohol. Nervous control and motor coordination are definitely reduced by alcohol. Grim evidence of this is the large number of automobile accidents which occur to drivers who have been drinking.[7]

In fact, of some 1,100 privately owned vehicle accidents occurring in the division last year 10 percent or 114 involved alcohol.[8]

Action: Med Tech enters, onstage assistant exposes actuary chart No. 8: "Death Rates Versus Alcohol." Moderate drinkers, 18 percent higher; intemperate drinkers, 50 percent higher; steady drinkers, 86 percent higher. Travel spot on chart then Med Tech (both).

MEDICAL TECHNICIAN. Alcohol also has a material bearing on the length of life. The combined experience of 43 American life insurance companies over a period of 25 years shows that the death rate among "very moderate" drinkers is 18 percent higher than the rate among insured lives generally. Fifty percent higher among those who had a history of past intemperance. And 86 percent higher among steady but so-called "moderate drinkers." [9]

There is frequently a relationship between alcoholism and drug addiction. The first step is the use of barbiturates to alleviate the "hangover" from alcohol. The next step is an increase in dosage and dependence upon the barbiturates. Addiction may stop here or it may be transferred to stronger narcotics, such as veronal, opium, or morphine.

Literally narcotics are drugs which produce sleep. All of them are habit forming. All of them attack the nervous system of the body producing hallucinations with side effects on the digestive system. Mental deterioration, emaciation, and general rapid

[5] Textbook of Healthful Living, Howard S. Diehl, p. 309.

[6] Textbook of Healthful Living, Howard S. Diehl, pp. 415–419.

[7] Textbook of Healthful Living, Howard S. Diehl, pp. 199–200.

[8] Accident Reports, Provost Marshal, 24th Inf. Div., 1959.

[9] Textbook of Healthful Living, Howard S. Diehl.

decline of the processes results. The victim of drug addiction soon loses interest in all activity ouside his drug-induced dream world. His body becomes incapable of normal functioning, including the male sex drive; assimilation of food; and ability to sleep. All on.

INSTRUCTOR. Once addiction is established the victim is no longer his own master. If the supply of drugs is interrupted, the addict becomes virtually insane and will sink to crime to satisfy his craving.

Every dope addict is a potential criminal.[10]

Disease, alcohol, and drugs account for much misery in the service. However, these are not the only hazards which affects members of the 24th Infantry Division. Another serious cause of broken bodies is accidents (pause).

Action: As instructor says, "Another serious cause," onstage assistant exposes subtitle: "Effect of Accidents," and chart No. 9, division surgical cases 1959; total surgical cases 1959, 8,033; surgical cases due to injuries, 4,548; motor vehicle accidents, 1,285; injuries due to automobile accidents, 561; deaths due to automobile accidents, 14; total deaths, all causes, 17.[11] [12] Travel spot on.

Instructor. Here are some interesting figures secured from the office of the division surgeon. During 1959 a total of 8,003 surgical cases were recorded in the 24th Infantry Division. Of this total, 4,548 men of the division were injured in accidents. While, of course, most of these injuries were not serious, all too many of them were major injuries, and the vast majority of them could have been prevented by following simple rules of safety.

If this rate continues into 1960 your chances of becoming a surgical case are about one in two; and of being hurt in an accident about one in three.

These are not very good odds.

The profession of soldiering has many occupational hazards. These dangers are compounded by carelessness, horseplay, and criminal negligence.

An example of this is the number of motor vehicle accidents reported by the division provost marshal last year: 1,285 vehicular accidents resulting in 561 injuries, and 14 deaths.[13]

Action: As instructor says, "—and 14 deaths," offstage manager plays soundtrack automobile crash. Dummy fitted with rubber moulage wounds, dripping blood, swathed in bandages, is trundled on stage on wheeled surgical litter by medical corpsman dressed in whites. "Digger O'Dell" character, clasping tombstone, head bowed, follows. Follow spot on action.

INSTRUCTOR: It is significant to note that during investigation of these 1,410 vehicle accidents, private and military, it was revealed that in 119 cases, liquor was a contributing factor (pause).

Horseplay and criminal negligence added to this alarming picture of agony, disfigurement, and death (stop).

Action: As instructor says, "—disfigurement and death," offstage manager fires "shot," screams. Soldier "victim" staggers onstage, wearing face wound moulage dripping blood. Faces audience, exposes wound, staggers off. Second soldier, pistol hanging at side, follows, faces audience, intones, "I didn't know it was loaded," walks off. Follow spot on action. Then off.

Curtain closes.

---

[10] Textbook of Healthful Living, Howard S. Diehl, pp. 209, 213.

[11] Morbidity Report, 1959, Surgeon, 24th Inf. Div.

[12] Accident Report, 1959, Provost Marshal, 24th Inf. Div.

[13] Accident Report, 1959, Provost Marshal, 24th Inf. Div.

INSTRUCTOR. During the last hour we have attempted to show you how you can live longer and live a happier life in service by avoiding the major medical and surgical hazards incident to the military profession.

We have seen the tremendous strides made in military medicine.

We have examined the human body and so gained a better understanding of its care. We have noted the diseases most common in the 24th Infantry Division, and have discussed means by which we can protect ourselves from these diseases. We have noted the effects on the body of drugs and alcohol so that the dangers associated with these agents should be clear to all.

And we know the terrible price accidents have exacted from our people.

Application of this knowledge toward achieving a happier and a better life is now up to each of us individually, to you and me.

Action: Instructor exits. House lights on.

Script: Concluding address, 25 minutes.

Stage setting: Curtain closed. Podium and light, right stage. National and unit colors, standards center stage. Three empty tripods on stage. Two 15-inch charts, "Freedom," "Responsibilities," stand at each end of stage.

Action: Curtain opens two-thirds. Traveling spot on colors. Instructor enters. Instructor spot on.

SPEAKER. Did you know that nearly 28 million living Americans have served in the U.S. Military Forces since World War II? (Pause.)

And, do you know that each year an additional 300,000 veterans return to civilian life after service in uniform? (Pause.)

Now, when we consider the large number of Americans currently in our Army, Navy, and Air Force, we can see that nearly 17 percent of the total U.S. population are, or have been, members of the military service.

Think of it. Seventeen percent of all Americans—and this figure actually represents about 30 percent of American voters—have had their attitudes and ideas influenced and, perhaps, even molded, by their military experience.

The critical point here, of course, is that these associations, this discipline in the ideas of honor, duty, country, or the rejection of these concepts, will continue to affect our attitudes for the rest of our lives.

Let's put the record straight right at the beginning.

You and I, as part of this military-oriented group, have an important voice in the social and political structure of the United States of America.

Whether that voice contributes to a constructive, growing American culture, or whether we become a negative or destructive influence in American affairs, will depend on our maturity and good judgment. If we do elect to become positive members of this Republic—and this fact applies in service, too—we can be a part of America's promising future and ultimately exert a great effect on the course of world history.

This is a pretty big responsibility, you may say. Well, of course it is, and that's why we're talking about these things today.

But why this sudden interest in the citizenship status of the American GI? Well—this is a fair question. And to answer it we must recall recent American history.

We all know that not too long ago the demand for intelligent and informed soldier-citizens was considered, if it was considered at all, with little urgency. And these responsibilities were often given secondary importance by the veteran.

We know, for example, that during the period prior to World War II the numerical strength, and therefore, the political importance of the soldier and the former soldier, was relatively minor in comparison to total national population—and in relation to so-called political blocs, such as farmer, labor, and government worker blocs.

This is not true today.

Two wars, World War II and Korea, and the large peacetime military forces which followed, has produced an important soldier-citizen body within the American electorate.

Today the soldier, and the veteran, hold greater political prestige than at any time in American history—except for the years immediately after the Civil War.

Our modern soldier-citizens are vital, vigorous, and vocal. And we claim increasing interest in local, regional, and national affairs.

This, then, is why there is a sudden interest in the American GI. And, this is why you and I must continue to develop civic maturity, moral responsibility, and political competency while in service—so that these values may serve our Nation, and ourselves, during the critical years ahead. And, if you don't think that we are in for a hard fight during the next few years, just remember the Communist boast, "We will bury you," said Mr. K.

So, if we are to analyze and act on today's pressing issues—if we are going to avoid the "grave" being prepared for us by the dictators of this world, then we've got to know our goal, and point our efforts toward this goal.

We must know the origins of our moral and political heritage, and identify ourselves with these principles. We must recognize the enemy forces, internal and external, which would destroy this legacy, and understand how we can apply our total strength to defend and preserve these rights so dearly won.

And we've got to do it now.

It's perfectly obvious that training soldiers for responsible citizenship is no less important than training citizens in the art of combat. Each of these qualities is vital for the survival of our Republic. And, because training is a primary function of the Army—in peace and war—our leaders are alert to the training requirement in civic training, in fact, as a part of all Army training. Military training itself is an important civic duty.

Information talks, character guidance lectures, commander's hours—and special programs like this "Citizenship in Service Program"—all are designed to broaden the civic interest and moral precepts of the man in uniform. And to inform him of his rights and obligations in our free society. This type of instruction is intended to provide a continuing background of information so that we may better discharge our military duties by understanding our mission, our country, and ourselves.

These are very realistic and purposeful aims. They are based on the sound principle that the American soldier fights well when convinced that his cause is right. And poorly when his motivation is weak or ill defined.

We know that unit, clan and individual morale are very important to success in battle—any kind of battle. And, we also know that morale is built on belief and conviction.

In other words, we must know why we fight. Why? Because, given the situation in the world today, we are not entitled to concentrate our energies on our private affairs confident that our national interests are secure. Tranquil devotion to individual liberty, to our own narrow self-interests, will not assure our victory over the challenge of Russian aggression. We cannot afford to devote our energies to transient values, or "go fishing," expecting someone else to keep store for us in our absence.

This attitude, this goal of private interest, is an unworthy one for a people who have a major role in human affairs.

It is our future that is at stake. Our decisions and actions in 1960 will shape the national destiny, and so, our personal lives, for years to come—and, perhaps, for generations of Americans yet unborn.

These are high stakes indeed. And each one of us is personally involved in the outcome—win or lose.

The destiny of America is what you and I make it.

Therefore, without presuming to "educate"—for you are all educated men, but with the hope of exciting further and growing interest in these responsibilities, we have touched on a number of subjects which bear on this problem of morale and mission in the 24th Infantry Division.

During the preceding five hours of "Citizenship in Service," we have been exposed to many ideas, and perhaps, to some new thoughts. In this presentation was contained much abbreviated material, ranging from American origins to communism and medicine; from national affairs to the personal factors or individual health.

You may recall that at the very beginning of this instruction, a better word might be "orientation"—at the beginning, we listened to a review of comparative world economics.

This record should not be a matter of self-satisfaction to Americans. On the contrary, our good fortune must become an incentive to protect this rich, full life from the angers which threaten it, both internal and external.

Our strongest defense against internal attack, it was pointed out, is our active support of Constitutional rights and privileges.

Action: Traveling spot to wings and follow action as mock-up of U.S. Declaration of Independence is marched on stage and placed on tripod.

SPEAKER. We citizens in uniform, must be capable of defending and explaining our democratic principles. And we must seek a revival of our strength in the foundations which are the bed-rock of our republic. Among these principles, and the common denominator of our code of liberty and law under God, is the conscientious individual. You and I must be sensitive to our rights and obligations, and to our responsibilities, to make freedom work.

We then considered the ten freedoms guaranteed by our Bill of Rights and noted that for every freedom, there is a corresponding responsibility.

Action: Traveling spot to wings and follow action on charts "freedoms"—"responsibilities"—as curtain opens all the way.

SPEAKER. Of course, any people in the world can legislate these freedoms. But, it is impossible to legislate the responsibilities. This we must demand of ourselves.

During this same period we learned more about the external threat to our peace and security—the imperialistic aims of Communist Russia—and we saw how 20 million card-carrying Red fanatics have enslaved over 800 million people.

Action: Traveling spot on wings and follow action as chart "Soviet expansion since 1939" is marched on stage and placed in tripod.

SPEAKER. This is the obvious reason, why we must cultivate friendship and cooperation among our fellow NATO allies, and the civilian populations of these NATO countries.

We then examined, some of the techniques and tactics of the Communists—not to direct hate against the Russian people, certainly, for they are paying the terrible price of Communism as slaves of the Red dictators—but rather to expose the Communist conspiracy for what it is; a plan to take over the entire world.

Action: Traveling spot to wings and follow action as character in Soviet officer uniform walks to center stage, faces audience, fires blank pistol, spits out: "We will bury you!", walks off.

SPEAKER. It should be perfectly clear that we are in a war. It is a total war. It is a war for the minds and the souls of men. It is a psychological war that sometimes breaks out into a shooting war—but it is still war.

In understanding this psychological war we must keep in mind the brainwashing techniques used by the Communists on American prisoners in Korea—and how you and I can fight this kind of attack, in peace and war, by believing in our God, in our country, and in ourselves.

Later in this 5-hour study, we tried to gain a better perspective of America, and what it means to be an American, by recalling the causes for liberty in America, by hearing again the words of the men who breathed life into the infant nation.

Action: Traveling spot on wings and follow action as character in period costume walks to center stage, faces audience, enunciates: "During the American Revolution it was learned that the talent for great responsibility did not differ from that which was necessary for the proper discharge of ordinary business in civil society." Retires.

SPEAKER. Yes. We know that the American cause of Freedom is internal, that it is based on Belief, Sacrifice, and Honor. We cannot bargain for Freedom, or receive it as a gift, or attain it by indolent security. Freedom can only be won. Sometimes with anguish, often with blood, always with sacrifice.

And Freedom is never won eternally. The warfare is continuous and each generation must fight for it as though the battle had just been joined.

Freedom costs something.

The spirit of Washington assures us that you and I cannot escape such sacrifice.

Action: Traveling spot on wings. Follow action as figure in period dress walks to center stage, faces audience, and says: "Be united. Be American." Walks off.

SPEAKER. But—the grave issues facing our nation and the very serious civic responsibilities you and I share, are not the only problems facing us today. Many of our difficulties, and much of the anguish and frustrations which divide our efforts, complicate our lives, and dilute the strength of Americans are much closer to our daily activities.

We know now, or we should know, that right here at home in the Twenty-fourth Infantry Division, which is, of course, our military home, that there are deep seeded signs of moral laxity and character erosion.

We have learned that, during 1959, this division recorded three thousand seven hundred fifty-nine cases of maladjustment. And, maladjustment you know, is the end result of moral laxity.

In other words, over one fourth of the men in this command were involved in serious incidents, were absent without leave, were separated from the service as "undesirable," became psychoneurotic, or were court-martialed for crimes and violation of Army regulations while in the service of their country.

Action: Traveling spot on wings and follow action as 12-foot figure "injured soldier tagged with incidents" is marched on stage by white jacketed medical technicians, and placed in tripod.

SPEAKER. In addition, this division had over fifty-five thousand men on sick call—that's four times the strength of the entire command—during the same twelve month period.

All of these examples are vital indicators of individual morale, unit morale, and combat efficiency. And every commander examines these rates in his own unit with serious concern. For the success of his mission, and the lives of the men under his care, depend on the morals, and the efficiency, of every member in his unit.

They literally do.

So, we've got to do something about our morals in the service—and in the Twenty-fourth Infantry Division.

One approach to this problem of morals, as was shown in a preceding lecture, is a better knowledge of the processes of intelligence, the needs and goals of the individual—his motivation, and the factors of stress to which we are all exposed in the Army. Most of all we must recognize that each of us has a God-given intelligence, that we possess the most highly developed intellect of all creatures on earth, and that because of this boon, we can control our instincts, and guide our drives into socially acceptable, constructive channels.

We are, in fact, masters of our fate in service.

Our actions and our attitudes are important to our career, in and out of the Army, and vital to the survival of American democracy.

Morality is a weapon!

And finally, we must be concerned with our personal health. And why? Why is the health of soldiers a point of concern to us?

Because, again in 1959, it was found that we had nearly thirty-five thousand medical cases, and over eight thousand surgical cases, listed for this command.

This is astonishing!

It also raises some doubt about our ability to execute our NATO mission should the balloon go up.

Now, a reduction in these alarming morbidity figures requires some knowledge of the human body, and how it functions. Therefore, during the final period of instruction, we were exposed to a short course in anatomy.

Action: Traveling spot on wings and follow action as 10 foot anatomical manikin (organs) is rolled on stage by white jacketed medical technician.

SPEAKER. And, during this course, we learned something about the causes of diseases and infections in man and how you and I can avoid these diseases.

We also learned something about the effects of venereal diseases, and drugs, and alcohol, on the human system, and how and why these ravaging social problems can and must be controlled.

In short, we learned how we can live a happier and longer life by avoiding the major medical and surgical hazards incident to military service.

Action: Music, "Army Goes Rolling Along," up softly to background. Curtain closes. Follow spot off.

SPEAKER. Now, these are the things that we are concerned about. And they are all interrelated, for we cannot have a strong, moral nation unless we have strong, moral citizens.

This is perfectly obvious.

The American soldier therefore, has a dynamic, a vital, and a significant role in the defense of American liberty—as a warrior—and as a voting, responsible citizen.

We must not fail in our fundamental duty of citizenship in service.

You must correct moral laxity in yourselves.

You must nurture a belief in America.

And you must understand your political importance and act intelligently to further the cause of liberty.

For you are the seed of tomorrow.

Action: Music "Army Goes Rolling Along" up to bridge. Instructor spot off. House lights on. Speaker retires.

[From the Indianapolis (Ind.) News, May 19, 1961]

WALKER SMEAR CONDUCTED BY LURID WEEKLY

(By Fulton Lewis, Jr.)

Maj. Gen. Edwin A. Walker is a genuine war hero, decorated many times for his battleline experience at Anzio, Cassino, and Heartbreak Hill.

As commander of the 24th Infantry Division in Germany, he has proved a superb administrator. All sources report that the performance of his troops is excellent, their morale high, their reenlistment percentage the highest of any division in Europe.

And yet today Ted Walker stands removed from his post, thanks to an article in a sensationalist European publication called the Overseas Weekly.

The American press has given the story passing notice, picked up the Overseas Weekly charge that Walker indoctrinated his troops with the teachings of the controversial John Birch Society.

What the press did not report is that the Overseas Weekly is no ordinary publication, but a lurid rag that specializes in stories of sex and crime. Notorious for its treatment of the news, the publication has won the nickname the "Oversexed Weekly."

Typical headlines will illustrate the type of story the Overseas Weekly specializes in: "Seven GI's Attacked Girl, 15"; "Wife Slaying Not Murder"; "Bamberg Citizens Groaning About New GI Incidents"; Private Off Hook on Rape Rap."

Once removed by Army brass from service newsstands for being almost lewd and pornographic, the Overseas Weekly has changed little.

The paper's charge that General Walker was a front for the John Birch Society resulted in his immediate suspension, however. To his defense sprang at least one unexpected individual.

Congressman DALE ALFORD of Little Rock, Ark., was a bitter critic of the "armed invasion" of his city by U.S. troops enforcing school integration 4 years ago. Those paratroopers were under Walker's command. In a speech on the House floor, however, ALFORD attacked Walker's suspension as entirely unjustified.

To date there has been no outside corroboration of the charges found in the Overseas Weekly. These charges centered on General Walker's "problue" educational program, designed to teach the American soldier the values of U.S. citizenship and the evils inherent in the Communist threat.

Critics charge that the general called his program "problue" to link it with the so-called Blue Book of the John Birch Society. The allegation is patently ridiculous. The name was selected as a positive alternative to the negative concept of "anti-Red."

Recognized, responsible books on communism were recommended reading. Lectures to troops on American history and problems were scheduled. Carrying out the program was an Army major who had never even heard of the John Birch Society, much less the charges made in the Overseas Weekly.

[From the San Antonio (Tex.) Light, May 16, 1961]

WAS THE GENERAL GUILTY OF LOYALTY?

(By George E. Sokolsky)

Having read of Gen. Edwin A. Walker's troubles, I thought it might be well to have a look at the Overseas Weekly which was responsible for the fracas. The newspaper accused the general, in effect, of brainwashing American troops with American doctrines.

I got two copies of this newspaper which says that it is "a touch of home * * * away from home." So, it is full of pictures of bosomy girls. On page 3, I came upon the General Walker story. The newspaper asserts that the general is to be investigated because the Overseas Weekly accused him of exposing American troops "to the philosophy of the controversial John Birch Society." The weekly itself reports that General Walker had referred to it as immoral, unscrupulous, corrupt, and destructive.

Men may differ as to policies and ideas, but no law forbids anyone from joining the John Birch Society or from advocating its policies. This organization does not propose to overthrow the American Government by force and violence. The issue of the Overseas Weekly at which I am looking gives the impression that membership in this society is a crime of sorts.

THE EDITORIAL VIEWPOINT

In an editorial, the editor of the Overseas Weekly says:

"The issue is not whether or not the John Birch Society is dangerous, controversial or even ridiculous. That is a decision for the proper authorities—the Congress, the Attorney General and the public—to make.

"The issue is whether or not the philosophy of any political group should be disseminated by a military commander."

The principle set forth by this newspaper is embodied in this sentence:

"We don't pretend to know how to operate militarily and we have never thought we had a right to dictate the thought of others. No man has a right to do harm to another human being."

This is utter nonsense. This country is engaged in war with the Soviet universal state. This country is doctrinally opposed to communism. Every Communist is an enemy of the United States. It is the function of every official of the United States to dig out those who advocate communism and to drive them out of the Armed Forces. The assumption therefore that a man has a right to any opinion is nonsense. A man may not advocate treason. He may not advocate the overthrow of our Government by force and violence or by any other means.

TONE OF THE NEWSPAPER

The theory that the editors of the Overseas Weekly may say what they please, but not the general responsible for the physical, mental, and moral being of the troops, is nonsense.

The tone of the paper may best be described by two pictures on page 28 of a German girl hardly clothed. The caption reads:

"Angelika Gesemann, Miss Hesse of 1960, is an aspiring 21-year-old actress whose favorite pastimes are traveling and meeting wealthy men. Sound coldblooded? Well * * *" Is this news from home?

In another issue on page 1 is a photograph, captioned: "She's lovely, young, and single." In this issue, General Walker's crimes seem to be that he is pro-American. This is a quotation:

"General Walker said that communism has infiltrated every institution in the United States in an open attempt to overthrow our way of life. Problue is designed to acquaint every man in the command with the Communist threat and the vital role each man must play in its defeat * * * the Communists and fellow travelers * * * are all around us working for our destruction."

AN INVESTIGATION NEEDED

The Overseas Weekly states its purpose in this instance:

"But it is the responsibility of this newspaper to bring to public attention any Government official in uniform who uses his power and authority, or Government means of communication to influence or dictate the beliefs of subordinates.

"It is furthermore our responsibility to point out officials who propagate beliefs in direct opposition to those upheld by the duly elected leaders.

"These points, we believe, are important in considering the situation at the 24th Infantry Division."

Who has set this newspaper up as an agency to monitor the thinking and the expression of thought of officers in the American Army? Surely this episode calls for an investigation by a congressional committee to discover what really happened in the Walker incident. Was the general committing an offense or was he persecuted for loyalty?

[From the San Antonio (Tex.) News, June 14, 1961]

WHAT'S TRUTH ABOUT WALKER BESMIRCHERS?

(By Holmes Alexander)

WASHINGTON.—It was on June 6, the 17th anniversary of D-day, that the Kennedy administration made a smart aleck, uncalled-for, but perhaps indicative, crack about Maj. Gen. Edwin (Ted) Walker, who was banished to the New Frontier doghouse for something often called extreme nationalism.

In a Pentagon press conference on that proud date, Deputy Defense Secretary Roswell L. Gilpatric was asked if General Walker might be transferred to a post in Texas.

Gilpatric: "Considering recent events in Texas, maybe he would be very welcome."

Afterward, the Deputy Secretary confirmed the obvious by saying he referred to the recent Texas Senate election won by a Republican, JOHN TOWER of Wichita Falls. Not only is TOWER a Republican, but a self-styled conservative Republican, hence a rightwinger, hence guilty by association of some connection with the John Birch Society (JBS)—ergo, General Walker, a believer in the pro-Americanism of JBS, would be welcome in the torrid and benighted State of Texas, Walker's birthplace in 1909.

(The Army this week rebuked General Walker for labeling as Pinks or Communists former President Truman, other leading Democrats, and segments of the U.S. press and radio-TV industries. However, the Army said the 24th Infantry Division's troop information program put into effect by Walker "was not attributable to any program of the John Birch Society." The general's assignment to command the VIII Corps at Austin was canceled.)

FAIR GAME IN WASHINGTON

A politician who trips over his tongue is fair game in Washington, but I bet there was more to Gilpatric's crack than that. If the American people get a full report on the Central Intelligence Agency, a lot of unexpected things, including the truth about the enemies who besmirched Walker, will jump out of the box.

There is this anecdote which will serve as a signpost to Walker's "extreme nationalism." A staff officer was commenting on a map which showed Communist countries in red, neutralist countries in white, America and her allies in blue. The officer said the map showed why the free world should be anti-Red.

Walker responded: "That's defensive thinking. We're problue."

During his entire career, Walker has been the affirmative type. After West Point graduation in 1931, he played polo as long as the Field Artillery supplied the mounts. At the outbreak of World War II, he volunteered for extrahazardous duty and trained with a Canadian group for "special" action in ski, mountain, amphibious, and airborne fighting. As a regimental commander in this special force, he served in the Aleutians, and later in Italy, France, Germany, and Norway. One of his big days was when his American-Canadian force broke the Nazis' position at Majo Hump, preceding the famous battle of Cassino. Here in Italy, later in the invasion of southern France, Walker

succeeded by outthinking the enemy, hitting the foe where the defenses or beaches were thought unsuitable for Allied attack.

TWENTY MONTHS IN KOREA

He spent 20 months in the Korean conflict as regimental commander, deputy chief of prisoner of war affairs, senior adviser to the crack Republic of Korea 1st Corps. One of his toughest assignments was being commander of the 101st Airborne Division in 1957 at Little Rock.

In 1959, when Walker took over command in Germany of the 24th Infantry Division, he electrified it with moral, patriotic, individualistic leadership. I visited this division in 1959, and covered Exercise Wintershield last February when the entire NATO ground force held war games under Gen. Bruce Clark, who wrote the report on Walker for President Kennedy.

Walker's speeches to his soldiers often described the 24th as "Man to man, man to leader, man to God." Chapel attendance increased eightfold since he took over the division, and this God-and-country officer distributes hand cards listing 10 basic freedoms and 10 basic responsibilities, with this summation: "Freedom plus responsibilities equals liberty."

[From Human Events, June 2, 1961]

WHO WILL GO TO BAT FOR GENERAL WALKER?

(By Paul Harvey)

It used to be that Communists were the daring ones.

A Communist had to be so dedicated that he would risk the slings and arrows of outrageous fortune to espouse his convictions in public.

Any Communist who ventured away from Bughouse Square to proclaim his Red "ism" in any respectable forum was castigated, socially ostracized, disemployed or perhaps stoned.

We have changed.

Time has stood still; we have changed.

The Communist has learned to use our own Constitution as a bulletproof vest.

Today the Reds and Pinks are out in the open proclaiming their godless religion and waving a Red flag or a mongrel one from the rooftops, and with such effectiveness and in such high places, that American patriots are now on the defensive.

Today the loyal American is being defamed, demoted, discharged, destroyed if he militantly defends the American "ism" against all its enemies, foreign and domestic.

Maj. Gen. "Ted" Walker is such a man. West Point 1931, much decorated since, he was CO of our 24th Infantry in Germany when President Kennedy yanked that command out from under him last April.

Why?

Because General Walker had been criticized by a slimemongering, girlie-stripping scandal sheet called the Overseas Weekly. (GI's call it the "Oversexed Weekly.")

One glance at this smutty, semiliterate, left-wing tabloid would rot your socks. Yet on the word of this publication, once banned by our Army as unfit for American servicemen, General Walker was embarrassed, suspended, and may be disgraced.

His "sin"? General Walker, an informed authority on the Communist conspiracy, had brought to the attention of his troops the publications most competent to alert them to the weapons and tactics of our enemy.

Any American who gets his teeth in Khrushchev's trousers gets hurt. That Overseas Weekly rag launched a tirade of abuse, alleging General Walker was "brainwashing" the men of his command, consorting with "superpatriots," and recommending publications of the John Birch Society.

The sky fell down.

President Kennedy removed General Walker from command "pending investigation."

Removal from command is a shattering experience for a general officer, from which all the pieces can never be reassembled.

General Eisenhower refused thus to humiliate George Patton in front of his men, even after Patton slapped a hospitalized soldier.

When we remember that Pinko generals, during the McCarthy era, were promoted, the torrent of criticism aimed at General Walker suggests some frightening conclusions.

I have a file full of documentation on General Walker and I find nothing in that file to indicate any but the most patriotic motives and objectives.

I urge a prompt congressional probe of the incident in question and I urge Americans to prod their Congressmen to the end that this investigation will be full and fair.

And watch where the self-appointed champions of civil rights show up at this showdown. Will they stand up for the rights of a man whose only possible crime is too much anxiety for the security of his country?

It will be interesting to see who will go to bat for Ted Walker.

[From the New York Journal-American, Aug. 15, 1961]

BEING A PATRIOT IS HIS ONLY CRIME

(By George E. Sokolsky)

Contrived phrases often give false weights to ideas. I recently came across the phrase, right-wing fundamentalism in "Commentary." No matter how much one analyzes the phrase, it means nothing. It is just three words thrown together.

In the controversy between Senators FULBRIGHT and THURMOND over the case of General Walker, the argument runs that the general is guilty of having taught right-wing patriotism. Was it intended that he should advocate left-wing doctrines? Or was he not to give his troops any ideological treatment?

I have before me a copy of the problue program which is the matter in controversy. The objectives of the program are clearly stated. On the subject of communism, the program provides:

"(1) To orient military personnel, dependents and friends in the scope of world communism by studying the philosophies, objectives, and imperialistic expansion of communism.

"(2) To educate military personnel and their dependents in the paramilitary technique of Communist infiltration, subversion, and propaganda in influencing legal governments, seizing power, then ruling through brutality and fear.

"(3) To instruct military personnel and their dependents in the recognition of overt and covert Communist methodology in the Communist attempt to subvert military morals, esprit, prestige, and leadership."

If we are at war with communism, as both President Kennedy and Nikita Khrushchev have made clear enough, what is objectionable in telling our troops what communism is and how it works?

Now let us have a look at what the program has to say about American citizenship:

"(1) Origins of American culture: To appraise military personnel and their dependents of their personal stake in American political philosophy and American concept of individual rights and freedoms, the free enterprise system and the necessity for individual belief, sacrifice, and honor.

"(2) The American military moral heritage: To motivate military personnel and their dependents in adherence to American moral values and the precepts of individual dignity, the preciousness of every human soul, and the obligation of the conscientious citizen to his God, to his country, to himself and to others.

"(3) Politics, United States: To inform military personnel and their dependents of the power of the American citizen as a unique political force, to study the structure of local, State and National political organizations, to review methods of assessing issues and candidates, to examine the techniques of Socialist-Communist action, and recognize how the American citizen can exert his power in the fight for freedom.

"(4) Morale and mission: To indoctrinate military personnel in those aspects of body, mind, and spirit, which have a material bearing on morale and mission in the 24th Infantry Division: To examine physiological and psychological factors which effect [sic] individual, unit, and division efficiency, i.e., morbidity, serious incidents, courts-martial, and board action rates; to create a military environment which will produce tough, aggressive, disciplined and spiritually motivated fighters for freedom."

For this, a general of the Army is relieved of his position? As a matter of fact, this is precisely what every American should be taught in the public schools. Actually, when I went to school, there were courses in civics which were similar to these.

Then the program deals with NATO:

"(1) Agreement of forces: To give military personnel and their dependents a working knowledge of the purpose and objectives of NATO, to review reciprocal legal obligations and areas of responsibility, to identify NATO as a disciplined force for freedom and to note the accomplishment of NATO members in halting Communist aggression."

I cannot give the entire program in this space allotted to me, but I have not found a word or phrase in this problue program to which anyone can object but an enemy of the United States. So what is the fuss about?

Secretary of Defense McNamara has got himself involved in a situation which he really does not understand. It is suggested that the objection to this program came from Senator FULBRIGHT, who does grasp the essence of communism. He knows what Marxism is and he is not a Marxist. If he is responsible for the Defense Secretary's attitude, the public is entitled to an explanation. A general of the Army is, in effect, cashiered for being a patriot. Secretary McNamara is too competent a man to be involved in this sort of thing. Only a congressional public hearing of General Walker and the problue program will quiet the outrage which too many citizens feel.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL BILLS INTRODUCED

The following additional bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as indicated:

By Mr. ELLENDER (for himself and Mr. STENNIS) (by request):

S. 2493. A bill to facilitate the administrative operations of the Department of Agriculture; to the Committee on Agriculture and Forestry.

By Mr. MCNAMARA (for himself and Mr. MORSE):

S. 2494. A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. MCNAMARA when he introduced the above bill, which appear under a separate heading.)

ELIMINATION OF DISCRIMINATION IN WAGE RATES BASED ON SEX

Mr. MCNAMARA. Mr. President, on behalf of myself and the Senator from Oregon [Mr. MORSE], I introduce a bill to eliminate discrimination—based on sex—in wage rates where men and women are performing comparable work for the same employer.

Such discrimination has long been recognized as detrimental to both the American economy and the social life of the country.

It goes without saying that an employer who engages in such practices enjoys an unfair advantage over his competitors who do not discriminate.

It is also obvious that lower wage rates for women lower both the purchasing power and living standards of the American worker.

Secretary of Labor Arthur Goldberg has provided us with an explanatory statement of the bill and a section-by-section analysis.

I ask unanimous consent, that following my remarks, there be printed in the RECORD, the bill itself, Secretary Goldberg's letter to Vice President JOHNSON, the explanatory statement, and the section-by-section analysis.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, letter, explanatory statement, and section-by-section analysis will be printed in the RECORD.

The bill (S. 2494) to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination, introduced by Mr. MCNAMARA (for himself and Mr. MORSE), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Equal Pay Act of 1961."

DECLARATION OF PURPOSE

SEC. 2. (a) The Congress hereby finds that the existence in industries engaged in commerce or in the production of goods for commerce of wage differentials based on sex—

(1) depresses wages and living standards for employees necessary for their health and efficiency;

(2) prevents the maximum utilization of the available labor resources;

(3) tends to cause labor disputes, thereby burdening, affecting, and obstructing commerce;

(4) burdens commerce and the free flow of goods in commerce; and

(5) constitutes an unfair method of competition.

(b) It is hereby declared to be the policy of this Act, through exercise by Congress of its power to regulate commerce among the several States and with foreign nations, to correct the conditions above referred to in such industries.

DEFINITIONS

SEC. 3. When used in this Act—

(a) "Person" means an individual, partnership, association, corporation, business trust, legal representative, or any organized group of persons.

(b) "Commerce" means trade, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof.

(c) "Goods" means goods (including ships and marine equipment), wares, products, commodities, merchandise, or articles or subjects of commerce of any character, or any part or ingredient thereof, but does not include goods after their delivery into the actual physical possession of the ultimate consumer thereof other than a producer, manufacturer, or processor thereof.

(d) "Produced" means produced, manufactured, mined, handled, or in any other manner worked on in any State; and for the purposes of this Act an employer shall be deemed to have been engaged in the production of goods if such employee was employed in producing, manufacturing, mining, handling, transporting, or in any other manner working on such goods, or in any closely related process or occupation directly essential to the production thereof, in any State.

(e) "Employ" includes to suffer or permit to work.

(f) "Employer" includes any person acting directly or indirectly in the interest of an employer in relation to an employee but shall not include the United States or any State or political subdivision of a State, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization.

(g) "Employee" includes any individual employed by an employer.

(h) "Wage" paid to any employee includes the reasonable cost, as determined by the Secretary, to the employer of furnishing such employee with board, lodging, or other facilities, if such board, lodging, or other facilities are customarily furnished by such employer to his employees: *Provided,* That the Secretary is authorized to determine the fair value of such board, lodging, or other facilities for defined classes of employees and in defined areas, based on average cost to the employer or to groups of employers similarly situated, or average value to groups of employees, or other appropriate measures of fair value. Such evaluations, where applicable and pertinent, shall be used in lieu of actual measure of cost in determining the wage paid to any employee.

PROHIBITION OF WAGE RATE DIFFERENTIAL BASED ON SEX

SEC. 4. No employer having employees engaged in commerce or in the production of goods for commerce shall discriminate, in any place of employment in which his employees are so engaged, between employees on the basis of sex by paying wages to any employee at a rate less than the rate at which he pays wages to any employee of the opposite sex for work of comparable character on jobs the performance of which requires comparable skills, except where such payment is made pursuant to a seniority or merit increase system which does not discriminate on the basis of sex.

ADMINISTRATION AND ENFORCEMENT

SEC. 5. (a) The Secretary of Labor—

(1) shall prescribe such regulations and rules as he deems necessary and appropriate for the administration of this Act, including regulations to provide standards for determining work of a comparable character on jobs the performance of which requires comparable skills;

(2) may investigate and gather data regarding the wages, hours, and other conditions and practices of employment in any industry subject to this Act, and may enter and inspect such places and such records (and make such transcriptions thereof), question such employees, and investigate such facts, conditions, practices, and matters as he may deem necessary or appropriate to determine whether any person has violated any provision of this Act, or which may aid in the enforcement of the provisions of this Act;

(3) if a violation is found to exist, the Secretary may, before taking further action hereunder, by informal methods of conference, conciliation, and persuasion, endeavor to eliminate discriminatory wage practices and to secure restitution of wages which an employee would have received had the employee been paid at the rate paid the opposite sex as required by this Act;

(4) may enter and serve upon any employer found by the Secretary, after notice and hearing in conformity with sections 5, 6, 7, and 8 of the Administrative Procedure Act, to be engaged in or to have engaged in any violation of section 4 of this Act, an order requiring such employer (A) to cease and desist from such violation, and (B) to pay to each employee who has been adversely affected a sum equal to the amount of the wages due such employee at the rate paid to an employee of the opposite sex, plus an additional equal amount as liquidated damages; and

(5) may enter and serve upon any employer found by the Secretary, after notice and hearing as provided in paragraph (4) hereof, to have discharged or otherwise discriminated against any employee on account of any action taken by such employee to invoke, enforce, or assist in any manner in the enforcement of the provisions of section 4 of this Act, an order requiring such employer to reinstate such employee, or to remove such discrimination, and to pay to such employee a sum equal to the amount of the wages of which such employee has been deprived by reason of such discharge or other discrimination plus an additional equal amount as liquidated damages.

(b) For the purposes of any investigation conducted under paragraph (2) of section 5(a) of this Act, the provisions of section 307 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Power Act of June 10, 1920 (16 U.S.C. 825f), shall be applicable to the jurisdiction, powers, and duties of the Secretary of Labor or any officers designated by him.

(c) The Secretary shall have power to petition any United States District Court, within the jurisdiction of which the violation of this Act occurred or such person resides or transacts business, for the enforcement of any order issued under this section and for appropriate temporary relief or restraining order, and shall file in the court the record in the proceedings. Upon filing of such petition, the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction of the proceeding, and shall have power to grant such temporary relief and restraining order as it deems just and proper, and to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Secretary. No objection that has not been urged before the Secretary or hearing officer, shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the Secretary with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Secretary or hearing officer, the court may order such additional evidence

to be taken before the Secretary or his hearing officer and to be made a part of the record. The Secretary may modify his findings as to the facts, or make new findings, by reason of additional evidence so taken and filed, and he shall file such modified or new findings, which findings with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive, and shall file his recommendations, if any, for the modification or setting aside of his original order. Upon the filing of the record with it, the jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate United States court of appeals.

(d) Any person aggrieved by a final order of the Secretary issued under paragraphs (4) and (5) of subsection (a) of this section may obtain a review of such order in any United States district court within the jurisdiction of which the action in question was alleged to have been engaged in or such person resides or transacts business by filing in such court a written petition praying that the order of the Secretary be modified or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Secretary, and thereupon the aggrieved party shall file in the court the record in the proceeding, certified by the Secretary. Upon the filing of such petition, the court shall proceed in the same manner as in the case of an application by the Secretary under subsection (c) of this section, and shall have the same jurisdiction to grant to the Secretary such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Secretary; the findings of the Secretary with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall in like manner be conclusive.

(e) When granting appropriate temporary relief or a restraining order, or making and entering a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part an order of the Secretary, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the Act entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes", approved March 23, 1932 (47 Stat. 70, 29 U.S.C. 101–115).

SUPERVISION OF WAGE PAYMENTS

SEC. 6. (a) The Secretary of Labor is authorized to supervise the payments of any amounts owing to any employee which have been withheld in violation of this Act. Any sum owed an employee and paid to the Secretary under this Act shall be held in a special deposit account and shall be paid, on order of the Secretary, directly to the employee. Any such sum not paid to an employee because of inability to do so within a period of three years shall be covered into the Treasury as miscellaneous receipts.

(b) No wage restitution shall be made with respect to any violation of this Act for any period which preceded by more than four years the date of commencement by the Secretary of Labor of the first administrative or judicial proceeding relating thereto.

GOVERNMENT CONTRACTS

SEC. 7. (a) Except as hereinafter provided in this subsection, in any contract made and entered into by any executive department, independent establishment, or other agency or instrumentality of the United States, or by the District of Columbia, or by any corporation all of the stock of which is beneficially owned by the United States (all of which are referred to hereinafter as agencies of the United States), for the manufacture or furnishing of any materials, supplies, articles or equipment, in any amount exceeding $10,000, there shall be included stipulations under which the contractor (1) is required to compensate all persons employed by him in the manufacture or furnishing of such materials, supplies, articles or equipment, in conformity with the requirements of this Act, and (2) shall be subject to all other provisions of this Act. The Secretary of Labor may when he deems that special circumstances in the national interest so require, exempt a contracting agency from the requirement of including the provisions of this subsection in any specific contract.

(b) No contract shall be awarded by the United States or any agency thereof to any person finally determined to have violated any of the provisions of this Act or of any stipulation entered into in compliance with subsection (a) of this section, or to any firm, corporation, partnership, or association in which such person has a controlling interest, until or unless the contractor has satisfied the Secretary of Labor that he is complying with his obligation hereunder and that he has in good faith established and will carry out wage policies and practices to assure future compliance. The Comptroller General is authorized and directed to distribute to all agencies of the United States a list containing the names of persons ineligible for contract awards under this section. The Secretary of Labor shall cause the names of persons whom he determines to have made a satisfactory showing of present and future compliance with this Act to be removed from this list.

POSTING

SEC. 8. Every employer subject to this Act shall keep a copy of this Act posted in a conspicuous place in or about the premises where any employee is employed. Employers shall be furnished copies of this Act by the United States Department of Labor on request without charge.

APPROPRIATION

SEC. 9. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

EFFECTIVE DATE

SEC. 10. This Act shall take effect one hundred and twenty days after the date of its enactment.

The letter, explanatory statement, and section-by-section analysis presented by Mr. MCNAMARA are as follows:

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, D.C., August 24, 1961.

HON. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: I am transmitting an administration proposal "to prohibit discrimination on account of sex in the payment of wages by employers having employees engaged in commerce or in the production of goods for commerce, and to provide for the restitution of wages lost by employees by reason of any such discrimination, and for other purposes." I am also enclosing a summary statement explaining the need for the legislation and the purpose and effect of the bill.

The existing practice of some employers in paying discriminatory wage rates with respect to the same or comparable work has an undesirable effect on many aspects of the life of our Nation. The attached draft is intended to work toward the elimination of these effects in interstate commerce channels. Among other compelling reasons for its enactment is the necessity to utilize fully the skills of women in our labor force. The number of women workers is expected to increase to more than 30 million within the next 10 years.

The proposal is in the nature of new legislation and would not amend any existing law.

Yours sincerely,
ARTHUR J. GOLDBERG,
Secretary of Labor.

STATEMENT IN EXPLANATION OF A BILL TO PROVIDE EQUAL PAY WITHOUT DISCRIMINATION ON ACCOUNT OF SEX IN ENTERPRISES ENGAGED IN INTERSTATE COMMERCE

This proposal has as its purpose the elimination of discrimination in wage rates based on sex where men and women are performing comparable work for the same employer. Employers who are engaged in commerce or the production of goods for commerce would be subject to its coverage. These employers would be prohibited from paying a lower wage in any place of employment where employees are engaged in commerce or the production of goods for commerce to any employee than he pays to any employee of the opposite sex for work of comparable character requiring comparable skill. Government contractors would also be made subject to the act. This proposal is on the legislative program of the Department of Labor.

The Secretary of Labor would administer and enforce the act. The similarity of the coverage to the Fair Labor Standards Act, which is also administered by him, is recommended to facilitate inspection and simplify questions of coverage.

Express provision is made for the Secretary when he considers the course desirable to eliminate discriminatory practices he finds in violation of the act through conference and persuasion and to secure voluntary wage restitution. It is contemplated that educational and compliance programs will be emphasized to secure maximum employer cooperation.

When compliance is not forthcoming, the Secretary is authorized to hold administrative hearings with respect to alleged violations and, when warranted, to issue cease and desist orders and orders for the restitution of wages withheld in violation of the act, plus an equal amount as liquidated damages. The Secretary is also authorized to issue orders requiring reinstatement of, and wage restitution to, any employee discharged for assisting in the enforcement of the act. If necessary, the Secretary may seek a court order restraining violation of the act.

In addition, an employer would be subject to the sanction of ineligibility for Government contracts after a final determination of violation of the act. This sanction would not be applied and would be immediately discontinued if and when the Secretary of Labor determines that the employer has come into compliance and will in good faith continue in compliance in the future.

It is of great importance that Congress act to eliminate discriminatory pay practices from the channels of interstate commerce.

The present practice of paying lower wage rates to workers of one sex for the same or comparable work as that performed by the other sex has an undesirable effect on many aspects of the life of our Nation. Such practice tends to affect adversely the general purchasing power and the living standard of workers. Unfair competitive advantages are enjoyed by employers who follow this practice. Further, the resulting low wage levels often prevent the maximum utilization of worker skills to the detriment of morale and, in turn, of production.

The contributions employed women are currently making to our economy are vital to the production of essential goods and services. The demand for these goods and services will grow materially in the next decade when the national population is expected to increase by 28 million persons. Six million more women workers will be required by 1970 to meet growing consumer

needs. This means that within 10 years there will be at least 30 million women in the labor force.

To facilitate the effective use of these workers and to encourage the highest development of their skills, widespread application of the equal pay principle should be promoted by Congress. This principle is of vital importance in times of economic recession when the employment of women at lower wage rate than men on comparable jobs may be used to undercut the wage rate of men or cause their displacement.

In addition, discriminatory wage practices are bad for reasons other than their tangible economic disadvantages. They are opposed to the fundamental American principle of justice. The knowledge of their existence reflects on the prestige of the United States in affairs around the world.

Federal equal pay legislation is thus eminently justified in the interstate commerce area it will affect directly and will also undoubtedly have a wide indirect effect and pave the way for extension of equal pay practices to other areas of employment.

EQUAL PAY PROPOSAL—SECTION-BY-SECTION ANALYSIS

Section 1. Title of act: Establishes short title of "Equal Pay Act of 1961."

Section 2. Findings and declaration of policy: Enumerates undesirable conditions in industries engaged in commerce or in the production of goods for commerce resulting from payment of wage differentials based on sex and declares policy of act to correct these conditions through the commerce power.

Section 3. Definitions: Defines terms used in the act, for the most part, as the same terms are defined in the Fair Labor Standards Act.

Section 4. Prohibition of wage rate differential based on sex:

Prohibits employers having employees engaged in commerce or in the production of goods for commerce from discriminating, on the basis of sex, in payment of wages in any place of employment in which their employees are so engaged by paying to any employee wages lower than those which he pays to any employee of the opposite sex for work of comparable character on jobs the performance of which requires comparable skill.

The language descriptive of proposed coverage and the supporting definitions in section 3 are phrased to make available precedents established under the Fair Labor Standards Act in determining coverage under the proposed legislation. Nondiscriminatory seniority or merit increase systems are excepted.

Section 5. Administration and enforcement:

(a) Authorizes the Secretary of Labor (1) to issue rules and regulations, including regulations to provide standards for determining work of a comparable character on jobs which require comparable skills; (2) to make investigation regarding compliance with the act; (3) to use informal methods of conference, conciliation and persuasion to eliminate discriminatory wage practices and to secure restitution of wages which an employee would have received in compliance with the act; (4) to hold hearings in conformity with the Administrative Procedure Act to determine whether violations have occurred. Upon a finding of violation, authorizes the Secretary to issue an order directing an employer to cease and desist from such violation and to pay to each employee adversely affected thereby the amount of the wages due, plus an additional amount as liquidated damages; (5) after a hearing, under the same procedure as provided in paragraph (4), to issue an order with respect to any employee discriminated against by reason of assisting in the enforcement of this act; to reinstate; to remove any other discrimination; and to pay any wages of which the employee has been deprived, including an additional amount as liquidated damages.

(b) Vests the Secretary of Labor with subpena power as provided under the Federal Power Act of June 10, 1920.

(c) Provides the Secretary may apply to the appropriate U.S. district court for enforcement of his orders. Also provides express authority for him to seek restraining orders.

The findings of the Secretary on questions of fact if supported by substantial evidence on the record considered as a whole will be conclusive.

(d) Authorizes persons aggrieved by final orders of the Secretary to obtain a review of such order in the appropriate U.S. district court.

(e) Provides the Norris-LaGuardia Anti-Injunction Act will not apply to proceedings under this act.

Section 6. Supervision of wage payments:

(a) Authorizes Secretary to supervise payment of wages, withheld in violation of the act, and to hold such sums in a special deposit account and to order payment therefrom directly to the employee. After 3 years, unpaid sums from the account must be covered into the Treasury as miscellaneous receipts.

(b) Limits wage restitution to periods of 4 years preceding the date the Secretary commences his first administrative or judicial proceeding.

Section 7. Government contracts:

(a) Provides that all Government supply contracts in an amount exceeding $10,000 shall contain a stipulation requiring the contractor to compensate persons employed by him on the contract in conformity with the requirements of the act and shall be subject to all of its other provisions. Authorizes the Secretary of Labor when he deems that special circumstances in the national interest require to exempt any contracting agency from the requirement of including this stipulation in a specific contract.

(b) Provides that no contract shall be awarded by any U.S. Government agency to persons determined to have violated the act or contract stipulations entered into under subsection (a) unless the Secretary determines the contractor has come into full compliance. The Comptroller General is directed to distribute a list of contractors ineligible under this section and immediately to remove from the list the name of any contractor the Secretary has determined to have come into compliance.

Section 8. Posting: Requires employers subject to act to post a copy of it on premises where any employee covered by the act is employed.

Section 9. Appropriation: Authorizes necessary appropriations to carry out the act.

Section 10. Effective date: Provides that act will take effect 120 days after passage.

Mr. MORSE. Mr. President, will the Senator from Michigan yield?

Mr. McNAMARA. I am happy to yield.

Mr. MORSE. I wish to commend the Senator from Michigan for the introduction of the bill. It is an honor and a privilege to join him in sponsoring the bill. I wish to say that it seeks to establish, as a general policy, what the Government established during World War II as Government policy with respect to all plants which fell under the jurisdiction of the War Labor Board, because in World War II the War Labor Board handed down a decision—which was followed throughout the war—which provided equal pay for equal work for women in all the plants which fell under the jurisdiction of the Board.

I think the time is long overdue when we should apply that fair and equitable principle to the American economy as a whole, and we should see to it that American women are protected from the gross discrimination that is practiced upon them by some employers who seek to hire them to do the same work that men do, but for less pay.

Mr. McNAMARA. I thank the Senator from Oregon, who is a cosponsor of the bill.

EXTENSION OF SALINE WATER CONVERSION PROGRAM—AMENDMENTS

Mr. CASE of South Dakota submitted amendments, intended to be proposed by him, to the bill (S. 2156) to expand and extend the saline water conversion program being conducted by the Secretary of the Interior, which were ordered to lie on the table and to be printed.

ADJOURNMENT TO 9 A.M.

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9 o'clock tomorrow morning.

The motion was agreed to; and (at 9 o'clock and 10 minutes p.m.), under the order previously entered, the Senate adjourned until tomorrow, Thursday, August 31, 1961, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate August 30, 1961:

DEPARTMENT OF DEFENSE

Steuart L. Pittman, of the District of Columbia, to be Assistant Secretary of Defense.

U.S. ATTORNEYS

John C. Williams, of South Carolina, to be U.S. attorney for the western district of South Carolina for the term of 4 years, vice Joseph E. Hines.

Terrell L. Glenn, of South Carolina, to be U.S. attorney for the eastern district of South Carolina for the term of 4 years, vice N. Welch Morrisette, Jr.

U.S. DISTRICT JUDGE

James Robert Martin, Jr., of South Carolina, to be U.S. district judge for the eastern and western districts of South Carolina, vice a new position.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 30, 1961:

U.S. CIRCUIT JUDGE

William F. Smith, of New Jersey, to be U.S. circuit judge for the third circuit.

U.S. DISTRICT JUDGES

Luther L. Bohanon, of Oklahoma, to be U.S. district judge for the northern, eastern, and western districts of Oklahoma.

Michael H. Sheridan, of Pennsylvania, to be U.S. district judge for the middle district of Pennsylvania.

James B. Parsons, of Illinois, to be U.S. district judge for the northern district of Illinois.

Floyd R. Gibson, of Missouri, to be U.S. district judge for the western district of Missouri.

U.S. ATTORNEYS

William E. Scent, of Kentucky, to be U.S. attorney for the western district of Kentucky for the term of 4 years.

Bernard T. Moynahan, Jr., of Kentucky, to be U.S. attorney for the eastern district of Kentucky for the term of 4 years.

U.S. MARSHALS

Archie Craft, of Kentucky, to be U.S. marshal for the eastern district of Kentucky.

Joseph V. Conley, of Rhode Island, to be U.S. marshal for the district of Rhode Island for the term of 4 years.

James E. Luckie, of Georgia, to be U.S. marshal for the southern district of Georgia for the term of 4 years.

James J. Moos, of Illinois, to be U.S. marshal for the southern district of Illinois for the term of 4 years.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 30, 1961

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

From the Book of Samuel (I Samuel 12: 22): *The Lord will not forsake His people.*

Almighty God, in these times that try men's souls, we earnestly beseech Thee that humanity may be touched and transformed by the regenerating power of Thy holy spirit and be purged from every selfish ambition and propensity.

Help us to confront all of the difficulties and deformities, the calamities and crises of these perilous days, with a faith that bears the hallmarks of confidence and courage.

May we continue to pray and labor for the dawning of that blessed day when nations shall not submit their disputes and disagreements to the dreadful arbitrament of war but to the high court of reason and righteousness.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 44. An act to authorize the appropriation of $150,000 for use toward the construction of a U.S. Pacific War Memorial.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 566. An act authorizing the establishment of a national historic site at Fort Davis, Jeff Davis County, Tex.; and

H.R. 7809. An act to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 46. An act to provide for the establishment and administration of basic public recreation facilities at the Elephant Butte and Caballo Reservoir areas, New Mexico, and for other purposes;

S. 1186. An act to facilitate the protection of consumers of articles of merchandise composed in whole or in part of gold or silver from fraudulent misrepresentation concerning the quality thereof, and for other purposes;

S. 2272. An act to disclaim interest in certain rights in certain lands in the State of Nevada; and

S. 2454. An act to amend the Housing Amendments of 1955 to make Indian tribes eligible for Federal loans to finance public works or facilities, and for other purposes.

The message also announced that the Senator from Tennessee [Mr. GORE] had been appointed a conferee on the bill (H.R. 7576) entitled, "An act to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes," in place of the Senator from New Mexico [Mr. ANDERSON], excused.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 176]

Blatnik	Kilgore	Pilcher
Brooks, La.	McSween	Rabaut
Celler	Madden	Rains
Dawson	Mailliard	Santangelo
Fogarty	Milliken	Shelley
Gallagher	Norrell	Spence
Gray	Nygaard	Staggers
Hall	O'Brien, N.Y.	Westland
Kilburn	O'Konski	Wright

The SPEAKER. On this rollcall, 409 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CALENDAR WEDNESDAY BUSINESS

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

The Clerk began the call of the committees.

Mr. McMILLAN (when the Committee on the District of Columbia was called). Mr. Speaker, the Committee on the District of Columbia passes.

EMERGENCY EDUCATIONAL AID ACT OF 1961

Mr. POWELL (when the Committee on Education and Labor was called). Mr. Speaker, I call up the bill (H.R. 8890) to amend Public Law 815 and Public Law 874, 81st Congress, so as to extend their expired provisions for an additional year and to authorize payments under Public Law 815 for school construction in school districts with severe classroom shortages, to extend for 1 year the student loan program of title II of the National Defense Education Act of 1958, and for other purposes.

The Clerk read the title of the bill.

Mr. HÉBERT. Mr. Speaker, I raise the question of consideration of the bill, and on that I demand the yeas and nays.

Mr. HALLECK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALLECK. Since this is a little unusual procedure, I would like to inquire if a vote "no" on this question is a vote against the consideration of the measure that has just been called up under the calendar.

The SPEAKER. That is correct.

Mr. THOMPSON of New Jersey. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. THOMPSON of New Jersey. Pursuing the inquiry raised by the gentleman from Indiana: in the event the noes prevail, that will mean, will it not, that the proposal for aid to education will not be considered?

The SPEAKER. That is correct.

The question is, Will the House consider the bill?

The yeas and nays were ordered.

The question was taken; and there were—yeas 170, nays 242, not voting 25, as follows:

[Roll No. 177]

YEAS—170

Addabbo	Friedel	Miller, Clem
Addonizio	Gallagher	Miller,
Albert	Garmatz	George P.
Andrews	Giaimo	Monagan
Anfuso	Gilbert	Montoya
Ashley	Granahan	Moorhead, Pa.
Bailey	Grant	Morgan
Baldwin	Green, Oreg.	Morris
Baring	Green, Pa.	Moss
Barrett	Griffiths	Multer
Bass, Tenn.	Hagan, Ga.	Murphy
Blatnik	Hagen, Calif.	Natcher
Boland	Halpern	Nix
Bolling	Hansen	O'Brien, Ill.
Bonner	Harding	O'Hara, Ill.
Brademas	Hays	O'Hara, Mich.
Breeding	Healey	Olsen
Brewster	Hechler	Perkins
Broomfield	Holifield	Peterson
Buckley	Holland	Pfost
Burke, Ky.	Holtzman	Philbin
Burke, Mass.	Ichord, Mo.	Pike
Byrne, Pa.	Inouye	Powell
Carey	Jennings	Price
Celler	Joelson	Pucinski
Chelf	Johnson, Calif.	Randall
Clark	Johnson, Wis.	Reuss
Coad	Jones, Ala.	Rhodes, Pa.
Cohelan	Karsten	Roberts
Cook	Karth	Rodino
Corman	Kastenmeier	Rogers, Colo.
Curtin	Kee	Rooney
Daddario	Kelly	Roosevelt
Daniels	Keogh	Rostenkowski
Davis, John W.	Kilday	Roush
Delaney	King, Calif.	Ryan
Dent	King, Utah	St. Germain
Denton	Kirwan	Saund
Diggs	Kluczynski	Shelley
Dingell	Kowalski	Sheppard
Donohue	Landrum	Shipley
Doyle	Lane	Sisk
Dulski	Lankford	Slack
Edmondson	Lesinski	Smith, Iowa
Elliott	Libonati	Spence
Everett	McCormack	Staggers
Evins	McDowell	Steed
Farbstein	McFall	Stephens
Finnegan	Macdonald	Stratton
Fino	Machrowicz	Stubblefield
Flood	Mack	Sullivan
Fogarty	Merrow	Taylor

Thomas	Udall, Morris K.	Watts
Thompson, N.J.	Ullman	Wickersham
Thornberry	Vanik	Yates
Toll	Vinson	Young
Trimble	Walter	Zelenko

NAYS—242

Abbitt	Fisher	Moore
Abernethy	Flynt	Moorehead,
Adair	Ford	Ohio
Alexander	Forrester	Morrison
Alford	Fountain	Morse
Alger	Frazier	Mosher
Andersen,	Frelinghuysen	Moulder
Minn.	Fulton	Murray
Anderson, Ill.	Garland	Nelsen
Arends	Gary	Norblad
Ashbrook	Gathings	Osmers
Ashmore	Gavin	Ostertag
Aspinall	Glenn	Passman
Auchincloss	Goodell	Patman
Avery	Goodling	Pelly
Ayres	Griffin	Pillion
Baker	Gross	Pirnie
Barry	Gubser	Poage
Bass, N.H.	Haley	Poff
Bates	Halleck	Quie
Battin	Hardy	Ray
Becker	Harris	Reece
Beckworth	Harrison, Va.	Reifel
Beermann	Harrison, Wyo.	Rhodes, Ariz.
Belcher	Harsha	Riehlman
Bell	Harvey, Ind.	Riley
Bennett, Fla.	Harvey, Mich.	Rivers, S.C.
Bennett, Mich.	Hébert	Robison
Berry	Hemphill	Rogers, Fla.
Betts	Henderson	Rogers, Tex.
Blitch	Herlong	Roudebush
Boggs	Hiestand	Rousselot
Bolton	Hoeven	Rutherford
Bow	Hoffman, Ill.	St. George
Boykin	Hoffman, Mich.	Saylor
Bray	Horan	Schadeberg
Bromwell	Hosmer	Schenck
Brooks, Tex.	Huddleston	Scherer
Brown	Hull	Schneebeli
Broyhill	Ikard, Tex.	Schweiker
Bruce	Jarman	Schwengel
Burleson	Jensen	Scott
Byrnes, Wis.	Johansen	Scranton
Cahill	Johnson, Md.	Seely-Brown
Cannon	Jonas	Selden
Casey	Jones, Mo.	Short
Cederberg	Judd	Shriver
Chamberlain	Kearns	Sibal
Chenoweth	Keith	Sikes
Chiperfield	King, N.Y.	Siler
Church	Kitchin	Smith, Calif.
Clancy	Knox	Smith, Miss.
Collier	Kornegay	Smith, Va.
Colmer	Kunkel	Springer
Conte	Kyl	Stafford
Cooley	Laird	Taber
Corbett	Langen	Teague, Calif.
Cramer	Latta	Teague, Tex.
Cunningham	Lennon	Thompson, La.
Curtis, Mass.	Lindsay	Thompson, Tex.
Curtis, Mo.	Lipscomb	Thomson, Wis.
Dague	Loser	Tollefson
Davis,	McCulloch	Tuck
James C.	McDonough	Utt
Davis, Tenn.	McIntire	Van Pelt
Derounian	McMillan	Van Zandt
Derwinski	McVey	Wallhauser
Devine	MacGregor	Weaver
Dole	Magnuson	Weis
Dominick	Mahon	Whalley
Dooley	Marshall	Wharton
Dorn	Martin, Mass.	Whitener
Dowdy	Martin, Nebr.	Whitten
Downing	Mason	Widnall
Durno	Mathias	Williams
Dwyer	Matthews	Willis
Ellsworth	May	Wilson, Calif.
Fallon	Meader	Wilson, Ind.
Fascell	Michel	Winstead
Feighan	Miller, N.Y.	Younger
Fenton	Mills	Zablocki
Findley	Minshall	

NOT VOTING—25

Brooks, La.	Mailliard	Pilcher
Dawson	Milliken	Rabaut
Gray	Moeller	Rains
Hall	Norrell	Rivers, Alaska
Kilburn	Nygaard	Santangelo
Kilgore	O'Brien, N.Y.	Tupper
McSween	O'Konski	Westland
Madden	O'Neill	Wright

So the House refused to consider the bill H.R. 8890.

The Clerk announced the following pairs:

On this vote:

Mr. Madden for, with Mr. McSween against.

Mr. Santangelo for, with Mr. Brooks of Louisiana against.

Mr. Rabaut for, with Mrs. Norrell against.

Mr. Rains for, with Mr. Pilcher against.

Mr. O'Neill for, with Mr. Kilburn against.

Mr. Rivers of Alaska for, with Mr. Hall against.

Mr. Tupper for, with Mr. Nygaard against.

Mr. O'Konski for, with Mr. Westland against.

Mr. Dawson for, with Mr. Kilgore against.

Until further notice:

Mr. Gray with Mr. Milliken.

Mr. Moeller with Mr. Mailliard.

The result of the vote was announced as above recorded.

DISPENSING WITH FURTHER PROCEEDINGS UNDER THE CALL OF CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that further proceedings under the call of committees on Calendar Wednesday be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

COMMITTEE ON FOREIGN AFFAIRS

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report on the bill S. 1983.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

THE HONORABLE EUGENE J. KEOGH

The SPEAKER. The Chair recognizes the gentleman from Louisiana [Mr. Boggs].

Mr. BOGGS. Mr. Speaker, today is indeed a notable occasion. It is my privilege to inform the Members of the House that one of our most beloved and admired colleagues, my good and able friend, the gentleman from New York, today is observing not only his silver anniversary as a Member of the House of Representatives, but this also happens to be his birthday.

I know that every Member of this body joins me in extending to you, Eugene, very best wishes for many, many more happy birthdays and, moreover, we all hope that we will still be Members when you have occasion to celebrate your golden aniversary as a Member of the House.

Now I know that the gentleman from New York would not want me to say what I am now going to say because of his innate modesty about such things. However, we cannot let this occasion pass without paying him a tribute.

Each of us in some way, as we serve here, leaves his mark upon the pages of history. There are a few who, however, because of their personal magnetism, their high professional skill, and their qualities of leadership, leave an imprint which far surpasses the average. These individuals, as we all recognize, are the real shapers of history. These men are the true statesmen. Such a man is our dear friend, the gentleman from New York, Eugene Keogh. I know whereof I speak because I have been associated with him from day to day over a period of years through work of the Committee on Ways and Means in handling tax, tariff, and social security legislation. He is one of the most accomplished lawyers I know. His knowledge of the tax laws is vast and detailed. His knowledge of legislative procedure is unsurpassed. He has a host of friends in this House, and I am confident I speak for each and every one of them when I say, "happy birthday."

Mr. Speaker, as I said before, we hope to be in a position to help Gene celebrate many, many more such happy occasions.

Mr. IKARD of Texas. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield.

Mr. IKARD of Texas. I welcome this opportunity to join my colleague from Louisiana in wishing all the best to the distinguished gentleman from New York. His outstanding service here, his good humor, his keen intellect, his pleasant way, his charming personality, are things we all admire. We have enjoyed our association with him greatly, and wish him many more years of distinguished public service, long life, and good health.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Oklahoma, the distinguished majority whip.

Mr. ALBERT. I am happy to be able to join in this tribute to a great American and a most distinguished and outstanding Member of this House. Eugene Keogh is of course a very popular and lovable colleague. More than that he is an extremely valuable Member of this House. He has unusual talents and skills which are required of a great legislator. He is a fine parliamentarian, an outstanding debater, a keen analyst, and above all a gentlemen in every sense of the term. I wish him every happy return of the day and many of them.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from North Carolina.

Mr. COOLEY. Mr. Speaker, I join with our colleague from Louisiana in a tribute to my beloved friend, Eugene J. Keogh, of New York. I have enjoyed Gene Keogh's friendship for 25 long years. I have always held him in high esteem. He is a devoted friend, a statesman in the true sense of that word, and a dedicated public servant. Except for our beloved Speaker and our majority leader, I am certain that Gene Keogh is the most popular and beloved Member of the House of Representatives. He is always kind and courteous, but he has his own

convictions and he has the manly courage of his honest convictions. His life here has been a blessing and a benediction to the people of the great congressional district which he has so well and so ably represented for a quarter of a century. He is a tried, true, and trusted Member of Congress, and I take great pleasure in extending to him and to his lovely and charming wife, Virginia, cordial good wishes for their health and happiness in the years ahead.

If every Member of this House were as friendly and gentle, as kind and forthright as GENE KEOGH is, this would be a very pleasant place in which to live and to labor. May the Lord of mercy bless him, and may he have many more birthdays.

Mr. DOOLEY. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from New York.

Mr. DOOLEY. As one who knew our good friend from New York long before he came here, I am happy to join in the 25th anniversary of his coming to this distinguished body, and wish him well on his birthday and in the years to come.

Mr. DEROUNIAN. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from New York.

Mr. DEROUNIAN. I wish to congratulate the gentleman from New York [Mr. KEOGH] on the completion of 25 years of service to our country. And on his birthday, I wish for him many more years of service here and continued good health and happiness.

Mr. KUNKEL. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Pennsylvania.

Mr. KUNKEL. Mr. Speaker, I want to extend my congratulations to the gentleman from New York [Mr. KEOGH]. I have had the pleasure of serving on one regular committee, revision of the laws, and one special committee of the House, the Select Committee on Foreign Aid, known as the Herter committee, with him. He is a most valuable Member of the House. He is a good friend. I have come to know his capabilities well and wish him many more years of service in Congress and happiness in his life.

Mr. O'BRIEN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Illinois.

Mr. O'BRIEN of Illinois. Mr. Speaker, I congratulate our colleague, the gentleman from New York [Mr. KEOGH] on his birthday. GENE KEOGH has proved himself to be a most outstanding Member of the House of Representatives. He is a good Democrat and a great American. I wish him many more years of service in the House of Representatives and a happy and fruitful life for him and his loved ones.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the distinguished chairman of the Committee on the Judiciary.

Mr. CELLER. Mr. Speaker, as a fellow Brooklynite and dean of the New York Democratic delegation, I join with you, and with all the Members who have already spoken and who will speak, in these felicitous remarks concerning our distinguished colleague, GENE KEOGH. He is a worthy gentleman and a truly dedicated public servant. He is as mentally alert as he is sartorially perfect. We wish him and his dear ones good health and happiness. I am sure I speak for not only all the members of the New York delegation, but for all who have come to know GENE and honor and respect him.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from New York.

Mr. BECKER. Mr. Speaker, I would like to add my words of congratulations to GENE KEOGH. While the gentleman from New York [Mr. CELLER] has said he is a great Democrat and I agree with that, I want to say also that he is a very fine man and a wonderful colleague in the House of Representatives, and I hope he serves 25 years more.

Mr. KLUCZYNSKI. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Illinois.

Mr. KLUCZYNSKI. Mr. Speaker, it is with great pleasure that I join my colleagues in extending my warm personal regards to one of the greatest men who has served in this august body, the gentleman from New York, GENE KEOGH. I have had the extreme pleasure of serving with GENE for over 11 years. Few men in public life have been as greatly beloved as GENE. I have found him at all times to be helpful and willing to aid his fellow man. His word is his bond. I congratulate him on this 25th anniversary of service as a Member in the House of Representatives and also his birthday.

May the good Lord grant him, many more years of service to his country and his fellow man and bless him with good health and happiness in the years ahead.

Mr. RIEHLMAN. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from New York.

Mr. RIEHLMAN. Mr. Speaker, I join my colleagues in extending congratulations to GENE KEOGH on his 25 years of service in this august body and also on the anniversary of his birthday. I have known GENE ever since I came to the Congress. I know of no man who is more dedicated to the service of his country and to good government. He has been one of my very close friends, and I cherish his friendship. I join all my colleagues in wishing him many more years of health and happiness in the service of his country.

Mr. HERLONG. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Florida.

Mr. HERLONG. Mr. Speaker, I want to get in on this birthday party, too. I subscribe to all the wonderful things that have been said about our distinguished, able and beloved colleague, GENE KEOGH. This spontaneous demonstration today testifies to the high place he holds in all our hearts. I congratulate him on this double anniversary and wish him many more years of health, happiness, and continued effective service in the Congress.

Mr. GAVIN. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. Mr. Speaker, I join my colleagues in extending sincere congratulations to my very good and able friend, the gentleman from New York, GENE KEOGH, on his birthday, and on this 25th anniversary as a Member of the Congress. For his work in the Congress, he has won for himself the hearty commendations of the membership of the House on both sides of the aisle. My wish for him is good health, happiness and all the good things in life through the years that lie ahead.

Mr. GEORGE P. MILLER. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from California.

Mr. GEORGE P. MILLER. Mr. Speaker, I join with my colleagues in paying my respects to the gentleman from New York, GENE KEOGH. GENE KEOGH is one of the ablest men who has ever sat in the House of Representatives. I think that those of us who know and admire him can best describe him as a Congressman's Congressman.

Mr. OSTERTAG. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from New York.

Mr. OSTERTAG. Mr. Speaker, I, too, desire to join with my colleagues in tribute to a great American and a great and valued Member of the House of Representatives. I am one of the Members of this House who has been privileged to serve with the gentleman from New York, GENE KEOGH, in the Legislature of the State of New York.

So our association and our friendship goes back many years to the time when we served the New York State government and later here in the Congress. GENE KEOGH is a great American and he has rendered outstanding public service over the years. He commands the respect and admiration of all who know him and I am sure that the people of his congressional district and the State of New York appreciate the great contribution he has made to the cause of good government, both in New York State and our National Government. I am glad and proud to have GENE KEOGH as a friend and happy to extend my best wishes to him on the anniversary of his birthday and his 25 years of service as a Member of the House of Representatives.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Speaker, I want to congratulate the gentleman from Louisiana for giving us the opportunity for this wonderful birthday party.

I can only say that even though I am from very far away now from New York, I know the man we honor is one of whom it can be truly said that he is the perfect gentleman—GENE KEOGH. I welcome the opportunity to wish him many more happy birthdays and to thank him for his many courtesies.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Speaker, I, too, would like to join in this tribute to GENE KEOGH. He has been a warm personal friend of mine since I have been in the House. GENE KEOGH is an outstanding Congressman, a loyal friend, a devoted husband and father, and a great American. Although we come from different States and different political parties, our forefathers came from the same country. So, from one Irishman to another, happy birthday and happy anniversary, GENE KEOGH.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. KORNEGAY].

Mr. KORNEGAY. Mr. Speaker, I would like to join my colleagues in extending to the gentleman from New York [Mr. KEOGH] congratulations and best wishes on this occasion, and not to contradict my colleague from Illinois but by way of amplification, I would like to say that as a new Member of the House, Mr. KEOGH has always graciously given me his time and has extended many courtesies to me. He has offered me many helpful suggestions along the way during my service as a new Member, and I am gratefully appreciative to him for his fine spirit of friendship. He is truly a great American and highly deserving of the fine tributes paid to him on this occasion.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from New York [Mr. KING].

Mr. KING of New York. Mr. Speaker, I would like to join my colleagues and add my congratulations and best wishes and God's blessings to GENE KEOGH. He is a fine gentleman, a good Congressman, and I hope he will be with us many more years. We both come from the same State, and although I am on the other side of the aisle, I respect and admire him very, very much, and I hope he will be with us for many years to come.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Speaker, we from Brooklyn and New York knew long before GENE KEOGH arrived here he was a scholar, a gentleman, and a good American. We know that it has not taken 25 years for the Congress to learn that, too. During all of his years of service he has been recognized as a scholar, a gentleman, and a great American. And, we from his hometown, thank the gentleman from Louisiana for having taken this time to congratulate the gentleman upon his service anniversary and upon his birthday. We wish to EUGENE KEOGH the best of everything in the days ahead.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. Mr. Speaker, I would like to join in paying well-deserved tribute to my good friend and colleague, the gentleman from New York [Mr. KEOGH] on his birthday and on this anniversary of 25 years of service in this House and to express to him my deep appreciation for the help and assistance that he has given me since becoming a Member of this House. I am sure that other Members have experienced the same thing I did, when first coming here, to have the encouragement and support and guidance which the gentleman from New York has given to new Members. GENE KEOGH is one of the men who had most to do with the election of the present Kennedy administration. I know of no Member of the House who is contributing more today to making that administration a success. It has been a great privilege to be able to serve with him and now to wish him well on this happy occasion.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from South Carolina [Mr. MCMILLAN].

Mr. MCMILLAN. Mr. Speaker, I join my colleagues in congratulating the gentleman from New York [Mr. KEOGH]. I have had the pleasure and the privilege of serving with him for approximately 24 years. I do not know of any man in this House who holds a higher respect by the other Members of the House than Mr. KEOGH. He is one of the finest gentlemen I ever met on the floor of the House or off the floor of the House.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I just want to join in saying a fine word for the gentleman from New York, Mr. GENE KEOGH. He has been my friend as I have been his friend, and I hope we will have many more years of pleasant association together.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Michigan [Mr. MACHROWICZ].

Mr. MACHROWICZ. Mr. Speaker, I wish to subscribe to all of the wonderful things said by the gentleman from Louisiana and the other Members who spoke about our colleague, GENE KEOGH, today. This is a tribute that is richly deserved and earned by GENE KEOGH for his many years of loyal and faithful service. He has been a friend and an inspiration to me, and I join my colleagues in paying tribute to him today.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Tennessee [Mr. BASS].

Mr. BASS of Tennessee. Mr. Speaker, I am very happy to pay tribute to one of the great leaders of the Congress, GENE KEOGH of New York. I am honored to be able to call him my friend. There is no doubt he is a gentleman, a scholar, and beloved by all of his colleagues. He could well be called the ambassador of the House of Representatives. This is a great occasion, and I wish him many more years of happiness, good health, and constructive service.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Virginia [Mr. GARY].

Mr. GARY. Mr. Speaker, I want to join my colleagues in extending birthday greetings to the gentleman from New York, GENE KEOGH. He is an able legislator and a grand fellow. I am proud to be numbered as one of his friends. I want to say that my only regret is that this adds another year to his life, and I hope that time will slow down so that he will be with us for many more years to come.

Mr. BOGGS. Mr. Speaker, I yield to my colleague, the gentleman from New York [Mr. PIKE].

Mr. PIKE. Mr. Speaker, I would like to thank the gentleman from Louisiana for letting me add a word of deserved tribute to my colleague from New York. Unlike the other gentleman from New York [Mr. DOOLEY], I did not know Mr. KEOGH when he did not have any shoes; unfortunately, quite the contrary, he knew me when I did not have any shoes, and when I came down here this year, a "shoeless clamdigger from the east end of Long Island," it was GENE KEOGH who found me an office to interview secretaries and sort of steered me through from the beginning. I have found that he has proven available right up to this date, and I appreciate very much the opportunity to pay tribute publicly to him for his services, not only to me but also to all of the new Congressmen. I congratulate him on this day and say, "Happy anniversary."

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. BONNER], distinguished chairman of the Committee on Merchant Marine and Fisheries.

Mr. BONNER. Mr. Speaker, I want to join with the gentleman from Louisiana and my colleagues in paying tribute to a fine Christian gentleman, the gentleman from New York, GENE KEOGH, a great legislator, an able, fine public servant. It gives me great pleasure to join the gentleman and his friends in recognizing this outstanding day in the life of GENE KEOGH.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. CHELF].

Mr. CHELF. Mr. Speaker, I appreciate the gentleman's yielding to me. As I returned to the Chamber a few minutes ago from answering an urgent long-distance call I heard so very many nice things being said about the gentleman from New York, GENE KEOGH, that it gave me a sudden shock. I thought for a brief moment that he might have had a heart attack—God forbid. But I am most happy to congratulate him on his birthday and join in the many nice things that have been said about his outstanding service in this great body during the last 25 years. Today marks that anniversary.

I want to publicly thank him also for the many nice things he has done for me during the 17 years it has been my privilege to know and to serve with him.

I have enjoyed the association very much. GENE is a scholar, a gentleman, and an outstanding legislator. He is kind, gentle, and most considerate. The U.S. House of Representatives is a better place in which to serve because of his membership.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. WATTS].

Mr. WATTS. Mr. Speaker, I would like to join with my colleagues in extending best wishes to GENE KEOGH on this his birthday, and join in a humble way to pay a justly deserved tribute to the fine record he has made in Congress. He has always been kind and helpful to everyone. He has been firm in his positions. He has made a great legislator. He has been a wonderful help to me during the time I have been here, especially since I have served with him on the Ways and Means Committee.

He deserves all the tributes that have been paid to him. I wish him many many more birthdays and many years of fine service.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from New York [Mr. ZELENKO].

Mr. ZELENKO. Mr. Speaker, I wish on behalf of the New York County Democratic delegation to inform the House that we can praise him no more nor no less, than did all those of his colleagues, who have already spoken so highly of our dear brother, GENE KEOGH. We wish him many, many years of happy personal life and fruitful legislative life.

On a personal note I join those who came to this great body after GENE KEOGH, and to acknowledge the great debt I owe him for his steadfast helpfulness to me.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from New York [Mr. CAREY].

Mr. CAREY. Mr. Speaker, I wish to join our colleagues who have spoken in commendation and tribute to the distinguished gentleman from New York. I have known Mr. KEOGH not all of these 25 years, as a Member but all during that period I have had the privilege of watching and benefiting from the great work he has performed for our Borough of Brooklyn. I take this time on behalf of the community to express admiration for this most urbane, ubiquitous, and great proponent of our country on this notable day.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Speaker, I take this time to congratulate the gentleman from Louisiana for giving us an opportunity to congratulate our friend from New York. So many times the Members of the House are not given this opportunity until a colleague has passed to his reward, and the individual is never given the opportunity of knowing just what his colleagues think of him. I know this tribute that is being paid today to GENE KEOGH is well deserved, and I join with his host of friends here in the House in congratulating him, and wish for him many more years of continued happiness and success.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Oregon [Mr. ULLMAN].

Mr. ULLMAN. Mr. Speaker, it is a pleasure to join in congratulating my very good friend, GENE KEOGH, on this anniversary.

One of the pleasures of serving as a member of the Committee on Ways and Means is to serve with this distinguished gentleman. Not only is he a true friend and a wonderful gentleman, but he is also a very able, skillful lawyer and Member. I have learned a great deal from him. I join with others here in the House in offering him my congratulations on this fine day.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from New York [Mr. PIRNIE].

Mr. PIRNIE. Mr. Speaker, I too, wish to join with other Members of the House today in this well-deserved tribute that is being paid to GENE KEOGH. It has been my pleasure to have observed his very outstanding work as a Member of this body. His gracious manner and outstanding ability have won our admiration and respect. We are proud of his long record of fine service to his country. I extend my heartiest congratulations and good wishes upon this important anniversary.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. WICKERSHAM].

Mr. WICKERSHAM. Mr. Speaker, I wish to congratulate the gentleman from New York [Mr. KEOGH]. He is an able legislator, he is an outstanding presiding officer, he is a very worthy member of the Committee on Ways and Means. It is a real pleasure to congratulate him on this day. If he is old in service, he is quite young in age.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I should like to join in the tributes that have been paid to our friend, my neighbor, the gentleman from New York, GENE KEOGH. He is in the truest sense a gentleman and a scholar. I felicitate and salute him and join with the other Members of the House in paying this well-deserved tribute to him.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Speaker, I wish to join the gentleman from Louisiana [Mr. BOGGS], and all of my colleagues who are paying tribute today to our very capable colleague, the gentleman from New York, GENE KEOGH.

I have served with GENE KEOGH for 12 years. In that time I have found him to be a most perceptive and knowledgeable Member, not only on legislative issues but on other important matters as well. His delightful wit augments his capable activities and endears him to everyone who knows him. It is a pleasure and a privilege to work with him. I join with the gentleman from Louisiana [Mr. BOGGS] in paying this well-deserved tribute to him.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. AUCHINCLOSS].

Mr. AUCHINCLOSS. Mr. Speaker, I did not realize that the gentleman from New York, EUGENE KEOGH, was such an elderly gentleman and so I am very pleased to congratulate him on his birthday and wish him many more happy returns of the day. He is also to be warmly congratulated on his 25 years of service here in the House. His many contributions to the welfare of our country are thoroughly recognized not only by his constituents but by the host of friends that he has made during his term of service.

He has always given me sound advice and what is more I appreciate so much the patience which he always displayed toward me when I sought information from him. I think one of the greatest characteristics that is his is his affable manner and his willingness to be helpful to those about him. That is one real reason why he is held in such great affection and such real profound respect.

May his days be numerous and his service be extended for a long time so that the citizens of our land may continue to enjoy his devoted and patriotic service.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, GENE KEOGH is a man of deep religious faith, a great American, and, as a great legislator, a perfectionist, my No. 1 legislative diplomat, a gentleman whose warm heart and love of his fellow man is evidenced not only by his deeds but by his actions.

I extend to my close and valued friend, GENE KEOGH, my congratulations on this dual anniversary in his life, and my very best wishes and hope for every happiness and success in the years that lie ahead for him.

Mr. BOLAND. Mr. Speaker, I am extremely pleased to take this opportunity to commend and congratulate a most distinguished and able Member of this House.

This year marks the 25th year that GENE KEOGH, of New York, has rendered faithful, competent, and dedicated service in this Chamber.

I would like also to express to GENE KEOGH my best wishes on today, his birthday.

He was first elected to the House of Representatives at the age of 29 after serving in the New York State Assembly. He has been elected and reelected 13 consecutive times. He is now a ranking Democratic member of the Committee on Ways and Means.

Mr. Speaker, I consider it a profound privilege and a distinct honor to count this esteemed and respected Member of the House, as one of my friends.

Mr. DONOHUE. Mr. Speaker, it is a particular personal privilege and pleasure to join with my fellow Members here today in this spontaneous tribute to our distinguished colleague from the great State of New York, GENE KEOGH, on the occasion of his birthday and on the

anniversary of 25 years of diligent and devoted service as a Member of this body.

His cooperating friendship and courtesy has won for him the esteem and affection of all of us who have come to know him.

Firm of purpose, steadfast in principle, steeped in the intimate knowledge of legislation, unyielding in rooted conviction, and of gracious personality, GENE has reached a height of respect and authority in this Chamber that few men have achieved.

It is my sincere hope that the good Lord will continue to bless him with good health so that he may successfully serve his district, his State, and the Nation in the U.S. House of Representatives for many, many years to come.

Mr. SMITH of Mississippi. Mr. Speaker, I want to join in the many tributes being made today on this happy anniversary for GENE KEOGH. He contributes a great deal to the House of Representatives, not the least of which is the genuine pleasure all of us have in serving with him.

Mr. PHILBIN. Mr. Speaker, I am thankful to the distinguished gentleman from Louisiana [Mr. BOGGS] for giving the House this opportunity to join today in this well-merited tribute of respect, admiration, and affection to our cherished and esteemed friend, the gentleman from New York, Congressman EUGENE KEOGH.

On this day, which is at once his natal day and the 25th anniversary of his service in the House, it affords me real pleasure and privilege to compliment, commend, and congratulate this dear and distinguished friend of ours and his family upon his many years of outstanding service in the Congress, and wholeheartedly wish for them many happy returns of the day, many more years of effective, constructive service, and every measure of continued good health, success, and good fortune that the good Lord may bestow upon them.

Of warm and gracious personal gifts, well trained and adapted for public life, a penetrating legal mind, astute judge of men and affairs, skillful in the more subtle arts of law, politics, and diplomacy, magnanimous of heart, generous and loyal of spirit, Congressman KEOGH enjoys high rank indeed in national public life and in the hearts and minds of his colleagues, his many friends, and the people. May he enjoy many more happy years of distinguished and able service and happiness.

Mr. ROONEY. Mr. Speaker, I take great personal pleasure in availing myself of this opportunity to join with the distinguished gentleman from Louisiana [Mr. BOGGS] and my distinguished colleagues in extending felicitations today to my good and longtime friend and colleague, the Honorable EUGENE J. KEOGH, of New York, upon the occasion of his birthday and his 25th year of service in the House of Representatives.

I have been a steady admirer of GENE KEOGH ever since he was a young man representing a district in Brooklyn in the legislative halls in Albany as a member of the New York State Assembly. He is undoubtedly one of the most capable and industrious members of the New York delegation here in the House where his service on the great Committee on Ways and Means has been most effective. GENE is my dear and close friend and I sincerely wish him many, many more years of happiness and good health with his lovely wife Virginia and their two fine children.

Mr. O'NEILL. Mr. Speaker, it is a real and delightful privilege for me today to join in the salute to our beloved colleague, EUGENE J. KEOGH, both on his birthday and on the celebration of his 25th year in the Congress of the United States.

I am very happy and proud of my association with GENE. He is a most capable person and his thoughtful consideration has been an inspiration through the years to newcomers in the U.S. House of Representatives. His years of public service are a credit both to his native State of New York and to his country. He is more than deserving of any tribute which can be accorded to him by his fellow Members of Congress for we are fortunate to have him among us.

At this time I want to extend to GENE and to his lovely family my warm and sincere best wishes and the hope that the future has in store for them all that is good.

Mr. THOMAS. Mr. Speaker, permit me to join our colleagues in commending Congressman EUGENE KEOGH, of New York, on his birthday.

It has been my privilege and pleasure to know and work with Congressman KEOGH through the last 25 years. He and I came to Congress the same day. All through this period we have been warm friends. By any yardstick of measurement Congressman KEOGH is one of the big, effective, and outstanding Members of Congress. His efforts for his district are always solid and effective; his advice on national matters is sought by many of us. I congratulate the people of his great district on their wisdom and good judgment in electing him continuously to represent them.

May Congressman KEOGH have many many more happy birthdays.

Mr. ANFUSO. Mr. Speaker, I am very happy to join with my colleagues on both sides of the aisle in extending congratulations to a very able and very popular Member of this body, the gentleman from New York, EUGENE J. KEOGH. GENE KEOGH, as he is known to all of us, has reached an important milestone in his life and in his service to the Nation: a quarter century of devoted service as a Member of the House of Representatives. This anniversary also coincides with his birthday.

GENE KEOGH is a dear friend of mine of long standing. His district in Brooklyn borders on my district. I have collaborated with him ever since I first came to Congress in 1950. If I am any kind of a legislator, it has been due to his wise counsel and his guidance over these years. I have found him to be courteous in every respect, a keen analyst of the American political scene, and a capable parliamentarian. We, in Brooklyn, are very proud of his record and his achievements in Congress over the past 25 years.

I want to wish for him many more years of continued service to the people of his district and to the Nation as a whole. I want to wish him also continued good health and happiness in life, together with his charming and lovely wife, Virginia, and his children. May the future be as rewarding to him as the past.

Mr. MILLS. Mr. Speaker, I join my colleagues in extending birthday greetings to my esteemed friend and distinguished colleague, the gentleman from New York, EUGENE KEOGH, and in commemorating his 25th anniversary as a Member of the House of Representatives.

This body is fortunate in having as one of its senior members a man of the stature of GENE KEOGH. He is a bulwark of strength in the Ways and Means Committee. His knowledge of the laws within our jurisdiction is deep, detailed, and precise. I know of no individual who has a more brilliant mind or who is a stronger advocate than GENE KEOGH. He has sponsored, successfully, during his period of service in this body, a great number of legislative measures in the public interest. His district is indeed fortunate in having such representation in the Congress. The Committee on Ways and Means is fortunate to have him as one of its senior members. We in the House are fortunate in having the benefit of his brilliant mind, his professional skill and his powerful advocacy.

I join with all his friends in extending to GENE KEOGH many happy returns of the day, and I join in the wish previously expressed that we will have the opportunity of commemorating many subsequent such occasions.

Mr. HARRISON of Virginia. Mr. Speaker, on the 3d day of January 1937, the gentleman from New York, Mr. EUGENE J. KEOGH, first presented himself in the well of this House—young, handsome, smart, and debonair. At the expiration of 25 years, he remains today young, handsome, smart, and debonair.

However, there are attributes which he has acquired in these 25 years. Today, he has more service for his age than any other man in the Congress, but beyond this, he has acquired the esteem, the devotion, the admiration, and the affection of all his colleagues. It would be accurate to say that no Member of this body has more good will and less ill will from his colleagues than he.

There is reason for this. The reason lies in his brilliant analytical mind, his keen perception, his absolute fairness, his love of his fellow man and his complete integrity, all of which he combines with modesty and utter lack of pretension.

It makes me happy to join with his other beloved colleagues in felicitating him on the commemoration of his long service, and the anniversary of his birthday.

Mr. DULSKI. Mr. Speaker, I am happy to join in this tribute to the Honorable EUGENE KEOGH in celebration of his 25 years as a Member of the House of Representatives—and also his birthday. He is a distinguished legislator and a fine lawyer.

As a new Member of the House, I came here in the 86th Congress, and I was advised by his many friends throughout the great State of New York to see him. The scholar that he is, he advised me wisely on many occasions on the procedures in the House. Mr. KEOGH is quiet in his ways, but impressive and convincing in his deliberations. His actions and fine record should be an inspiration to all new Members coming into the House of Representatives.

My life has been enriched and my work has been more interesting because of my acquaintance with Mr. KEOGH. May God in His divine wisdom grant him many happy years with his family and friends, and may he continue to enjoy many fruitful years in his legislative work.

Congratulations and best wishes on this momentous occasion.

Mr. FINO. Mr. Speaker, I, too, would like to join the many friends of our distinguished colleague, EUGENE KEOGH, in expressing best wishes on this joyful occasion.

Today, marks not only the celebration of Mr. KEOGH's birthday but the observance of his silver anniversary as a Member of the House of Representatives.

While I knew GENE before coming to Congress in 1953, I did get to know him better during my service in this House.

The gentleman from New York, in my opinion, is a great legislator and a fine public servant who has dedicated a quarter of a century to this great body. His outstanding services to the people of his district in Brooklyn as well as his services to the Nation as a whole have distinguished him as a great American.

We, who have had the honor and privilege to serve with him, admire and respect him as a friend and colleague.

Mr. Speaker, on this happy event, I wish to extend to Congressman KEOGH and his family my best wishes for their continued health and happiness for many, many years to come.

Mr. ZABLOCKI. Mr. Speaker, there is little I can add to the many nice things said today on the floor about our distinguished colleague from New York [Mr. KEOGH]. I would like to associate myself with those sentiments, however, to congratulate GENE on his birthday and the silver anniversary of his service in the House, and to wish him many more years of outstanding public service.

I believe that the people of the Ninth District of New York, and our Nation as a whole, are fortunate to have a legislator of his caliber serving in the House of Representatives during this critical period of our history. His understanding of the issues confronting our Nation, his skill as a legislator, and his devotion to the public cause, place him in the front ranks of our great legislators, both past and present.

I have known GENE for many years, and I cherish his friendship and value his counsel. I know that he is admired and respected by Members on both sides of the aisle. I wish him well and I sincerely hope that he will continue to serve in Congress for many years to come.

Mr. ST. GERMAIN. Mr. Speaker, it is a privilege for me to rise in tribute to my colleague from New York on the occasion of his birthday and the silver anniversary of his service in the Congress. As a freshman Member of this august assembly, I have been encouraged by and profited from the words and actions of GENE KEOGH. His dedicated service to our country as a Member of this body has brought dignity and honor to the Congress as well as to himself.

As the best dressed man in the Congress GENE KEOGH brings a propriety and decorum to this Chamber which few can match. His diligent efforts in behalf of his constituents and his Nation are reflected in his work on various committees of the House. His reputation as an effective and able Member of the Congress has preceded this tribute we offer today.

I join my colleagues in paying due respects to a gentleman who has done much to serve his Nation and one whom I know will continue to serve with honor and distinction.

Mr. FARBSTEIN. Mr. Speaker, I am happy to join with his many friends and colleagues in extending to my fellow New Yorker, EUGENE J. KEOGH, my good wishes on the occasion of his birthday and his 25th anniversary as a Member of the House of Representatives.

I had the pleasure of serving with GENE KEOGH in the New York State Legislature from which we were graduated to membership in the House of Representatives. As an alumnus of that body and as a Member of the House I had occasion to observe him; and I do not hesitate to say that I consider him one of our most competent legislators and, I might say, skillful diplomats.

Many have been the encomiums uttered on this occasion and there is little I can say in addition. I wish only to add a personal prayer that he will continue his devoted and valuable service to our country for many years to come.

Mr. ADDONIZIO. Mr. Speaker, I am happy to join in saluting our beloved colleague, the Honorable EUGENE KEOGH, upon this notable occasion. As he observes his birthday and his silver anniversary as a Member of the House of Representatives, GENE should take pride and satisfaction in the brilliant record he has carved for himself through the years. His constituents and his fellow countrymen everywhere are indebted to him for his dedicated legislative service. His fine qualities of mind and heart have won GENE the admiration and affection of all his colleagues who rejoice with him on this significant milestone in his life. I extend to GENE my warm felicitations and my very best wishes for many, many more years of success and happiness.

Mr. HOLTZMAN. Mr. Speaker, I do certainly not want to miss the opportunity to join with so many of my colleagues today in paying tribute to my good friend, the gentleman from New York, EUGENE J. KEOGH, who is observing the anniversary of his 25 years of service in the House of Representatives, and who is also celebrating his birthday.

Having been so closely associated with the gentleman from New York—we are in the same delegation—I have had ample occasion to observe his dedication to duty and his outstanding record as a public servant over the years. He enjoys the respect and admiration of all those with whom he serves, and rightly so.

Many times I have benefited by his wise counsel and advice, and so I take double pleasure in extending my best wishes for his birthday, and my congratulations on his silver anniversary in Congress.

Mr. LIBONATI. Mr. Speaker, the Borough of Brooklyn and the city of New York has given many distinguished citizens to the Nation. We are especially proud and happy to greet our distinguished colleague, the Honorable EUGENE KEOGH on this memorable day—the celebration of his birthday and his 25th year of service in the Congress of the United States. He is a very versatile leader and a loyal friend. His accomplishments are admired and respected. He has always given advice to new Members and is ever ready to serve their interests. To praise GENE KEOGH is not only a privilege on our part, but an open and honest acknowledgment of the great accomplishments that have been his in his great career in the House of Representatives. We greet him with true friendship on this momentous day and leave him in the warm embrace of his loving wife, Virginia, and his dear children, Susan and E. Preston. May God bless and keep him with us in the Congress for many years to come.

Mr. BOW. Mr. Speaker, I am delighted to join with my colleagues in paying tribute to my good friend, EUGENE KEOGH. GENE has been my next-door neighbor in the New House Office Building for several years. I know of no better way to judge a person than to live beside him, and I could want for no better neighbor. That our staffs also have had a pleasant association is, I believe, a reflection of the friendship GENE and I have enjoyed over the years. He is an able legislator and has been helpful to me on many occasions when I have consulted with him about legislative matters that I have had before his committee. I extend to him warm good wishes for continued good health and happiness.

Mr. RODINO. Mr. Speaker, as we draw to the end of a busy session, there will continue to be issues on which our votes will be split or perhaps not cast. On the subject under discussion, however, there will be no dissenters nor abstainers. For on both sides of the aisle there is nothing but a single resolve: That today be as happy and memorable as any other single day in his good and distinguished life for our beloved and respected colleague: GENE KEOGH.

There is much I could say but let me say only that this is a man amongst us whose friendship I cherish, whose wisdom I respect, whose courage I salute, whose manner I admire.

Happy birthday, GENE. May God bless you and your family and keep you well to serve as you have served.

Mr. ADDABBO. Mr. Speaker, it gives me pleasure to join in the tribute to a great Congressman, EUGENE J. KEOGH, on his birthday and his 25th anniversary of dedicated service to his country.

GENE KEOGH has an enviable record and has been and is an inspiration to me, a new Member of the House. It is my privilege to represent a district which many years ago was also represented by my distinguished colleague. To this day fine words of praise are echoed by many of my constituents for the great services rendered by him.

To you, GENE, go my very best wishes for continued good health, happiness, and many more years of service to your district, State, and Nation.

Mr. GILBERT. Mr. Speaker, I am most happy to join with our many colleagues who have spoken in praise of our distinguished colleague, GENE KEOGH. I extend to him my best wishes on the joyful occasion of his birthday and my hearty congratulations upon the observance of his silver anniversary as a Member of the House of Representatives.

Congressman KEOGH has achieved an enviable record of service in the House of Representatives. The people of the Ninth District of New York are fortunate in having such an able and conscientious Representative in Congress; our Nation has benefited by his ability and dedicated service. I have enjoyed my friendship and many years of association with him.

I wish for him and his family many more years of continued happiness, good health, and all the best things which this life can afford.

Mr. RYAN. Mr. Speaker, I want to join my colleagues in recognizing EUGENE J. KEOGH's 25 years of distinguished service in the House of Representatives and in saluting him on this double anniversary, for I understand today is his birthday.

One of the most pleasant experiences I have had since my election to Congress is knowing the gentleman from New York. I have found him to be a sound legislator, a wise counselor, and an engaging personality. I am happy to extend my best wishes and congratulations to him upon this occasion.

Mr. HALPERN. Mr. Speaker, I am delighted to join in the significant tribute being paid to our able and distinguished colleague, the gentleman from New York, EUGENE KEOGH, on the occasion of his birthday and the commemoration of the silver anniversary of his service in this House.

I have known GENE KEOGH through virtually all his years as a Member of Congress. Before the congressional reapportionment of 1944, the boundaries of his district included part of Queens County, and for 4 years he was the Congressman of a good portion of the area I was honored to represent in the New York State Senate.

This afforded firsthand opportunity to work with GENE and to get to know him.

From the first, I was attracted by his personal charm, humor, and understanding. I was impressed by his skill, perceptiveness and his unique talent to get to the core of a situation and come up with the right answer. Time has only buttressed this impression; it has enhanced my feelings about GENE even more. To have come to Congress myself, to serve as his colleague, to observe him in action, is a privilege I shall always cherish.

The annals of Congress will bear lasting testament to GENE KEOGH's exceptional talents and great achievements. He has contributed invaluably to the history of our Nation; he has helped immeasurably in making this land a better place for every man, woman, and child.

What greater tribute can be paid to a human than to have his works translated into the well-being of others? This is the significant testament to GENE that will always remain, no matter how much, in all his genuine humility he may scoff at our plaudits.

Mr. Speaker, what I say here comes right from my heart. And, I know in so expressing myself, I reflect the esteem, the respect, the admiration, and affection for GENE of all our colleagues. I am proud to be among them.

Congratulations, GENE. May you and your dear ones be blessed with joy and good health in the many fruitful years ahead.

Mr. DADDARIO. Mr. Speaker, I wish to add my voice to those congratulating the gentleman from New York [Mr. KEOGH] on attaining his 25th year in the House. His youthful and cheerful appearance belies the birthday he also celebrates this date and bears little trace of the legislative battles he has waged and won.

From the start of my own service in the House, I have found occasion many times to seek the counsel and friendly advice of the gentleman and he has always been considerate and helpful. His store of knowledge with respect to tax law is abundant, and he has an outstanding ability in the field of legislative procedure.

I believe the spontaneous outpouring of tributes which has marked this day is testimony to how highly regarded GENE KEOGH is in the U.S. House of Representatives. I know we all wish him and his lovely wife the best of fortune in the years ahead.

Mr. TOLL. Mr. Speaker, one of the Members who quietly and without fanfare goes about his business and contributes materially to the progress of legislation is the gentleman from New York, the Honorable EUGENE J. KEOGH. Whenever he is called on to preside as Chairman of the Committee of the Whole, or whenever he takes the floor to present an argument, he does so with dignity and persuasiveness. His influence as a senior Member is widespread, and his leadership in the Ways and Means Committee is well known. He is one of the best loved Members of Congress.

It is a privilege to join with other Members of Congress in paying tribute to Congressman KEOGH, in recognition of his outstanding qualities as a leader of the world's greatest legislative body.

Mr. MORRISON. Mr. Speaker, I wish to join with my colleagues in expressing my great admiration for the Honorable EUGENE J. KEOGH, of New York, who is celebrating his 25th year as one of the most able and outstanding Members of Congress.

I have had the pleasure of serving with GENE KEOGH since 1943. I have come to know his great ability and his many fine attributes. Truly, he is a distinguished statesman who represents the great State of New York with eminence in this body.

In describing GENE KEOGH, the Congressional Directory merely states: "EUGENE J. KEOGH, Democrat, Brooklyn, N.Y.; elected consecutively since 1936." This, indeed, is the kind of humble statement which could be expected from GENE KEOGH. It would take many pages in the Congressional Directory to describe his many accomplishments. In order for me to outline adequately his activities it would take more time than I am allotted. Not only is GENE KEOGH an outstanding and able Congressman but he is a stanch friend and a devoted family man as well as a great humanitarian. For me, it has been a happy privilege to serve with GENE KEOGH, and it is with great pleasure that I extend to him my heartiest congratulations and wish him well on this occasion.

Mr. Speaker, I join with all of my colleagues in wishing our able friend from New York many more years of faithful service in the Nation's interest. In the perilous times that lie ahead, we need the talents of GENE KEOGH, and I am sure that his district and his Nation will not find him lacking. To me he is one of our greatest and most distinguished Americans.

GENERAL LEAVE TO EXTEND REMARKS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the life and character of GENE KEOGH.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

MEMBERS OF THE U.S. GROUP OF THE NORTH ATLANTIC TREATY PARLIAMENTARY CONFERENCE

The SPEAKER. Pursuant to the provisions of section 1, Public Law 689, 84th Congress, the Chair appoints as members of the U.S. group of the North Atlantic Treaty Parliamentary Conference the following members on the part of the House: Mr. HAYS, of Ohio, chairman; Mr. DAVIS, of Tennessee; Mr. THORNBERRY, of Texas; Mr. SMITH, of Mississippi; Mr. ANFUSO, of New York.

JUVENILE DELINQUENCY CONTROL ACT

Mr. ELLIOTT. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 436 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee

of the Whole House on the State of the Union for the consideration of the bill (H.R. 8028) to provide Federal assistance for projects which will evaluate and demonstrate techniques and practices leading to a solution of the Nation's problems relating to the prevention and control of juvenile delinquency and youth offenses and to provide training of personnel for work in these fields, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ELLIOTT. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH], pending which I yield myself such time as I may consume.

Mr. Speaker, I want to take this opportunity to congratulate the gentleman from Indiana [Mr. BRADEMAS], author of the bill, and the gentlewoman from Oregon [Mrs. GREEN], chairman of the subcommittee, and their congressional associates on both sides of the aisle for bringing in this significant bill to do something about the nationwide problem of juvenile delinquency.

Mr. Speaker, this resolution to consider H.R. 8028 provides for 2 hours of general debate which shall be confined to the bill. Thereafter, the bill shall be read for amendment under the 5-minute rule.

The theory of this bill is that the various State and private social agencies concerned with the mounting problems of juvenile delinquency are desperately in need of help. Many individual approaches have been found and tried in an effort to combat these problems but they have been largely inadequate and completely uncoordinated. It is the Federal Government's responsibility to aid local agencies in their search for new and better solutions and to supply the coordination and communication of ideas that is vitally needed.

The bill provides for a 3-year program of Federal assistance for demonstration projects, the training of personnel, and supplying technical aid and information, at an annual cost of $10 million. Approximately one-half of the money would be spent for demonstration projects to develop new methods of combating juvenile delinquency and youth offenses. The other half would be spent in training personnel to deal with this great problem and to provide coordinated technical assistance, and information to public and private agencies.

The technical assistance services contemplated by the bill would include provisions for short-term training and instruction in technical matters, the undertaking of studies, and the collection, evaluation, publication, and dissemination of information on these and other studies relating to the prevention and control of juvenile delinquency.

With respect to the grants contemplated for demonstration projects and personnel training, the Secretary of Health, Education, and Welfare is authorized to require matching contributions by State, local, or nonprofit agencies.

Mr. Speaker, my interest in this subject, which has been of long standing, culminated in 1959 when I had the privilege, as chairman of the Subcommittee on Special Education, of presiding over hearings on juvenile delinquency prevention and control. Similar hearings were held in 1957. While I am no longer a member of the House Committee on Education and Labor, my concern over this vital national problem has in no way diminished.

Through the years there has been an enormous amount of talk about juvenile delinquency. Volumes of testimony have been taken—but there has been precious little action. Since 1950, while most of this talk was going on, juvenile delinquency more than doubled. In every newspaper in the country we have read of shockingly serious crimes being committed almost daily by persons under the age of 18. It has been estimated that if the present rate goes unchecked, we may have 2 million juveniles arrested annually by 1967. In 1960 alone, according to statistics of the Children's Bureau, both delinquency cases—exclusive of traffic offenses—and youth arrests showed a 6-percent increase over 1959, while the increase in the child population was only 2 percent.

I do not by any means suggest that full responsibility for checking this meteoric rise in the incidence of juvenile crime should be placed on the Federal Government—and a glance at the modest allocation of funds for this program—$10 million annually for 3 years—will show that the committee does not suggest this either. The control of juvenile delinquency is clearly a matter primarily for States and local communities, and, I might add, the parents. However, with the mobility of population, the expansion of suburban areas, and modern transportation, juvenile delinquency can no longer be thought of as being confined within the boundaries of neighborhoods, local communities, or even States. I understand, for instance, that the State of California periodically operates a special train to return delinquent boys and girls to their home States across the Nation.

Although it is obvious that the problem of delinquency must ultimately be solved by the home, the locality, and the State, I am convinced that the Federal Government, too, has a responsibility in helping them to combat juvenile crime. Social agencies throughout the country have tried varied approaches to deal with certain aspects of the problem—some by standard techniques and some by bold new efforts.

Whatever the effect of these new approaches, and it has been varied, the total effect has been inadequate. I suspect that much of the cause can be laid to overburdened and understaffed agencies which are far too overwhelmed by the press of the situation now at hand to be able to look objectively at what they are doing. Then too, there is the problem that techniques which are effective in some areas may not work in others. There is also the problem of communication—successful techniques are not always made known to other communities.

Let me say, Mr. Speaker, that it has long been my position that we have talked too much and have had too little action looking toward the control of crimes committed by our young people. The time has come for us to provide the resources to pursue some experimentation on the techniques and practices of controlling delinquency. We need to do, in fact, what this bill contemplates doing: Encourage and aid the States, communities, and nonprofit organizations to conduct demonstration and evaluation projects with a view toward developing new techniques and practices; lend support to providing traineeships so as to get more and better trained personnel into the fields of control and prevention of delinquency; and provide for some sorely needed centralized coordination by the Department of Health, Education, and Welfare, where the Secretary of that Department can be a source of information, studies, and technical assistance to all of the public and private agencies concerned with this vital problem.

The Federal Bureau of Investigation has estimated that juvenile delinquency costs the Nation's economy $4 billion a year. In addition, it has been estimated that another $115 million worth of property is stolen each year by juveniles. By way of contrast, this bill will cost only $10 million for each of 3 years.

One authority has testified that in 1959, each youth who embarked on a delinquent career will cost society about $85,000 during his lifetime. Based on this figure, only 353 delinquent youths will cost society more than the entire cost of this bill. That is 353 youths as compared to the 440,000 juveniles who appeared in court last year excluding traffic offenses. This is a ratio of approximately 1 to 1,000. In other words, this bill is proposing the expenditure of $1 worth of prevention for every $1,000 being spent on the cure. I should point out that these figures are based only on court cases—which cases represent only a fraction of the delinquency problem. It has been estimated that police deal each year with about 2 million youths who are in trouble. It certainly makes good economic sense, therefore, to spend this small amount in an attempt to find and test some practical steps for reducing these appalling costs.

Mr. Speaker, the tide of juvenile delinquency must be turned. I am convinced that we can do no less than to take this first important step toward developing experimental knowledge about what can realistically be done to prevent and control it.

This bill to seek ways to curb juvenile delinquency should be passed. This rule should be adopted.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may utilize.

Mr. Speaker, as the gentleman from Alabama [Mr. ELLIOTT] has so ably explained, this resolution provides for 2 hours of general debate. It is an open rule for the discussion of H.R. 8028, the Juvenile Delinquency and Youth Offenses Control Act of 1961. In an effort to save time I will not repeat the statements made by the gentleman from Alabama [Mr. ELLIOTT] because he has summarized the problems and the facts concerning the serious juvenile delinquency problem in the United States of America.

I do not think there is any doubt but that every Member of this body is eager and willing to do anything that he or she can in an effort to try to stop, cut down, or eliminate this delinquency problem. This bill will provide $30 million, $10 million for each of 3 years, ostensibly for that purpose. However, there are a few questions that I should like to offer for your consideration in connection with juvenile delinquency because I am not satisfied in my own mind that $30 million or $100 million or whatever amount of millions of dollars we authorize here today will do a great deal of good until such time as we figure out in which direction we are going to go, what programs we can offer, and who is going to work in the various communities, the States, and other levels, in a direction to cut down, stop, or eliminate juvenile delinquency.

Some very able Members testified before the Rules Committee on this measure. It was my conclusion from hearing their testimony that very few if any programs have actually been set forth or arrived at at this time as to what this new law will do or as to who will work under it and what their purposes or programs are. True, it may be that we do not know enough about this problem and maybe we should proceed in this way to try to ascertain more information in the next 3 years and at that time lay out more programs and definite roads down which we are going to travel. By the same token, many communities, local organizations, police officers, sheriffs, Brownies, Cubs, and parent-teacher organizations have been engaged in this work, and all throughout the United States there has been a vast amount of study and work on this juvenile delinquency problem. I wonder if it might be a good idea before we start on this if some of the experts might get together and map out a course of action. True, there was a White House conference. What happened there I have not had an opportunity to hear or read.

A few other thoughts have come to my mind. I am wondering if juvenile delinquency is just a subject that has to do only with juvenile delinquency or whether or not maybe we have a little parental delinquency. Maybe we might amend the bill to include a study of parental delinquency.

When I grew up, my father had a good strap in his house. I was sometimes upset at him. But I do think it served a good purpose. I never had any ideas about stealing or robbing or committing any crime. But I find from reports that have been current that schoolteachers cannot do anything with their students so far as punishment is concerned. If they use a ruler on somebody's hands, then they are taken before the police court. In the home, in my opinion, there are parents that do not take the time and effort to determine where their children are as they are growing up in their teen age. The problem may be parental delinquency as well as juvenile delinquency.

What about the old saying: "Spare the rod and spoil the child"? It would seem to me we have been doing a good deal of that. I would recommend to the people who are going to be in this group that they study some of these things.

Another thing that has caused me concern is that a tentative conclusion seems to have been reached that juvenile delinquency is caused by lack of education.

That is one of the reasons I cannot help but feel from certain comments that maybe some believe lack of education is the result of lack of classrooms. I want to make this statement today to see what may happen a year or two or three from now as to whether or not this $30 million, a considerable sum of which may be used for the purpose of coming in here with a conclusion later that we need Federal aid to education in order to provide additional classrooms so as to eliminate juvenile delinquency.

I know of no objection to the rule. I have no requests for additional time and yield back the balance of my time.

Mr. ELLIOTT. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. POWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8028) to provide Federal assistance for projects which will evaluate and demonstrate techniques and practices leading to a solution of the Nation's problems relating to the prevention and control of juvenile delinquency and youth offenses and to provide training of personnel for work in these fields, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 8028, with Mr. WALTER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. POWELL] will be recognized for 1 hour and the gentleman from Minnesota [Mr. QUIE] will be recognized for 1 hour.

The Chair recognizes the gentleman from New York.

Mr. POWELL. Mr. Chairman, I rise to support the bill, H.R. 8028, the Juvenile Delinquency Control Act. I want to express my thanks to the gentlewoman from Oregon [Mrs. GREEN], chairman of the subcommittee that dealt with this problem, and her colleagues on both sides who have exhaustively gone into this problem of juvenile delinquency.

Mr. Chairman, I rise to support H.R. 8028, the Juvenile Delinquency Control Act. I am positive there is no one in the United States today who would dispute that juvenile delinquency is perhaps the most tragic evidence of social disorder we can imagine. It is evidence that we have not given our children the stable, sensible, and meaningful society we like to think we have. For the past 15 years we have been following a pace of change accelerated every day by the advance of science and technology. We have found little room in our busy lives for cushioning the impact of change on our young. We have abandoned them to hopelessness, cynicism, and desperation, and each year we reap larger and larger harvests of mental illness, delinquency, and crime.

In 1960 alone, some 440,000 children between the ages of 10 and 17 were referred to the courts for delinquency. Experts estimate that, if present delinquency rates continue, between 3 and 4 million children will be brought before the courts for delinquency in the next 10 years. Alarmed by the mounting statistics, some of us adults grow only more vehement in crying for punishment of youthful offenders.

My colleagues and I of the Committee on Education and Labor wish to take another approach. Instead of meeting the misbehavior of the young with evermore severe penalties, we would ask the Congress to help our country face the situation with understanding, sympathy, and constructive measures.

I would particularly like to call to your attention the section of the bill dealing with demonstration projects. Many project suggestions have been made in the hearings before the Special Subcommittee on Education, and I am especially interested in the preventive potential of such projects. It is time, indeed, we stopped applying a bandage here and there according to what part of the body politic breaks out next. It is time, instead, to take the medicine of determination that is all we really need to improve the mental and moral health of our children.

The bill, H.R. 8028, proposes authorizations in the amount of $10 million a year for 3 years—a total cost of $30 million. The New York City Youth Board tells us that, in New York City alone—my own home grounds—the cost of actual delinquency this year is $74 million, over seven times the annual appropriation for which the bill asks. To confine one juvenile delinquent or one youth offender in a Federal institution costs an average of $2,500 a year—and there are more than 5,000 youngsters presently under confinement. Another 43,000 are in public or private training schools across the Nation. And to these costs you must add the expenses of the police, the courts, probation officers, and welfare workers who deal with these youths and with other delinquents not sentenced to an institution.

We do not pretend that H.R. 8028 represents anything beyond the merest beginning of an attack on the problem. If we could, however, mount even this minimum attack we can only gain. We shall at least make a start at overcoming our present social paralysis.

This is not to say that no one, nowhere, has done anything. I am quick to acknowledge the valiant efforts of the New York City Youth Board. I salute the efforts of Dr. Carl Hansen, District of Columbia Superintendent of Schools, who has given the Nation's Capital many germinal ideas and programs. The Bar-None Ranch in Minnesota; the Spring Mountain Youth Camp in Nevada; Boys' Town in Nebraska; settlement and community house youth programs across the Nation—I could name many more. But I ask you to take, with me, the view that the legislation we ask the Congress to consider favorably today does not present one more panacea through a specific program but, hopefully, will be the catalytic agent which finally brings together all the forces and facilities and people to exercise their experience and talents in a more universal way.

Juvenile delinquency of course has its ramifications in inadequate housing, inadequate job opportunities, lack of education, and discrimination in many areas. So does any social evil impinge one upon the other. The bill before you takes no wishful look at what better housing in a better neighborhood could do, or what an adequate educational system might accomplish. The bill has framed a proposal within the reference of where we are today, not where we might be—if.

Finally, I speak as a representative of the largest city in this Nation. New York is plagued with its own delinquency problems. So is every other city, town, or rural community. Juvenile delinquency has been increasing all over. Every honorable Member here has a problem. He has a problem because he is one of the adults who have let our young people down by our indifference or selfishness, and because we have given no special consideration to the agonies of childhood or the bewilderment of adolescence in the face of our changing society. Like the young hoodlum of "West Side Story," every juvenile delinquent stands in accusation against his elders because life is the way he found it, in a world he never made.

Mr. Chairman, I suggest that when we go further into this matter, we do so with our hearts; that not only our minds be attuned to this and that we view it with not only the assent of our minds but the consent of our hearts.

Mr. ANDERSEN of Minnesota. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 178]

Alger	Dingell	Hansen
Brooks, La.	Ellsworth	Hardy
Dawson	Hall	Hébert
Digga	Halpern	Hull
Karth	Madden	Rabaut
Kearns	Mailliard	Rains
Kilburn	Milliken	Santangelo
Kilgore	Moulder	Smith, Miss.
King, Utah	Norrell	Staggers
Kluczynski	Nygaard	Steed
Lankford	O'Brien, N.Y.	Westland
McSween	O'Konski	Wright
McVey	Pilcher	

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having assumed the chair, Mr. WALTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 8028, and finding itself without a quorum, he had directed the roll to be called, when 397 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. QUIE. I yield myself 5 minutes.

Mr. Chairman, I rise in support of the bill H.R. 8028. This bill was heard before the Special Subcommittee on Education of the House Committee on Education and Labor. We heard many witnesses before our subcommittee. We took one field trip to New York to see some of the work by the youth board, visited areas of the city where delinquency problems were the greatest, and talked at some length with youth, many of whom were members of gangs.

Even though I believe that there is a feeling of uncertainty on the part of the members of the committee that this bill is going to solve juvenile delinquency at least we hope it will bring about a better understanding of the problem, and a better understanding of what has been done in attempts to correct it, and perhaps the study and research projects will show what can be done to help solve the problem of juvenile delinquency.

At the rate juvenile delinquency has been increasing in the past few years, it was felt by those of us on the committee that something should be done on the part of the Federal Government to stimulate the State and local governments to provide better programs for the control of juvenile delinquency.

In going into the causes of juvenile delinquency of course you find many causes for it. I imagine you could point your finger to adults, to the parents, as being the biggest reason why children go wrong. But the fact remains that juvenile delinquents do not necessarily come from specific areas of economic poverty. They also come from families in more well-to-do areas. They come from the rural areas as well as the urban areas. There is still a considerable lack of understanding of what causes this problem.

I was heartened that the Secretary of Health, Education, and Welfare, Mr. Ribicoff, agreed with the feeling I have had for a long time, that the laws in many of the States prevent juveniles from working.

He mentioned that every job he had as a youth, other than peddling newspapers, is illegal for children to engage in at the present time.

There is a pride that a person develops in having a job for which he is paid and in which he can see something accomplished. Work has a way of developing a young person. We know of children who were left without parents and were required to work but who developed into fine adults and never were any problem as juvenile delinquents. Evidently idleness is a great cause of delinquency.

I have felt strongly that certainly the District of Columbia is officially the responsibility of the Federal Government, so if a research project is to be engaged in it was felt by our committee that special consideration should be given to having a major project here in the District of Columbia. Any type of juvenile delinquency you could find any place else in the country you could find here. If we are going to find any type of correction, it ought to be done in the District of Columbia. I felt it should have been limited.

This bill enables the Secretary to assist projects which evaluate and demonstrate techniques and practices leading to the solution of this problem, and to stimulate a traineeship program. We felt we did not know enough about it to indulge in fellowships as the original bill provided, that is, the training of professional workers, but we could have traineeships. An example could be where police in one city might be doing an outstanding job and thus enable that police department to expand their program to train workers in other parts of the country.

This is the type of program in which we feel the Federal Government would not be taking over State or local responsibility, but would be a means and an incentive and help to them to expand their work and develop their work on this problem so that in some way solutions could be found for the control and prevention of this problem which is really a tremendous one in any urban society, greater than any other that has developed in this country.

The CHAIRMAN. The time of the gentleman has expired.

Mrs. GREEN of Oregon. Mr. Chairman, I yield myself such time as I may need.

Mr. Chairman, this legislation, as the gentleman from Alabama [Mr. ELLIOTT] pointed out earlier in the afternoon, is designed to help meet a problem that has grown to national dimensions. I certainly want to pay my respects to Congressman ELLIOTT for the tremendous job that he has done over the last 7 years. His work has been outstanding. He is one of the Members of the Congress who has been aware of the national implications of this problem. He has been very much aware of the increase in juvenile delinquency across the Nation. It has been under his leadership as chairman of the subcommittee that this legislation was first seriously considered by the House Education and Labor Committee.

Mr. Chairman, there is no State and no section of the country—in fact, there is no city or community that is immune to this problem. No one can assume that juvenile delinquents or potential juvenile delinquents will come from everyone else's community, but not from his

own. For the 12th consecutive year, the Director of the Federal Bureau of Investigation, and the Attorney General of the United States, have told us that juvenile delinquency is increasing. The FBI report which the Attorney General recently released contains these rather alarming figures:

There was 1 reported arrest for every 26 young persons between the ages of 10 and 17 during the year 1960.

The arrests of juveniles last year were more than double the 1950 total although the population of young people between the ages of 10 and 17 increased by less than half. Last year there were 9 percent more juvenile arrests than there were in 1959 in both rural and urban areas.

Sometimes I think we are inclined to believe that juvenile delinquency is a problem only in the larger cities. This simply is not true. Juvenile delinquency is on the increase in rural areas as well.

The report of the FBI went on to say that youths, while comprising 14 percent of all police arrests, were involved in 62 percent of the auto theft arrests, 51 percent of burglaries, 49 percent of larcenies, 28 percent of robberies, 20 percent of forcible rapes, 12 percent of aggravated assaults, and 8 percent of arrests for murder.

Mr. Chairman, in Montgomery County, which adjoins the District of Columbia, Judge Noyes has reported that nearly 55 percent of all arrests for major crimes in 1960 were cases of crimes committed by juveniles. This represents an increase in juvenile delinquency of 36 percent over the year 1959 in that one county.

Mr. Chairman, we often hear it said that it is only a very small percentage of the young men and women who get into trouble and who come to the attention of the juvenile courts and the police authorities. We often hear the figure of 2 percent used in reference to the number of young men and women who get into trouble and we hear that 97 percent or 98 percent of young people never get into trouble.

For those people who discount the seriousness and the urgency of this problem, may I refer to one study of delinquency in an American city which examined nearly 2,000 boys, the entire ninth grade class of boys in the public schools in a given school year. The study followed these boys for 4 consecutive years. By the end of that time 41 percent of the boys had been in some kind of trouble leading to an official record, 28 percent enough so to be cause for serious parental and community concern, and 7½ percent of the boys had records so serious as to affect their future careers.

In another one of the studies in a major city, it has been shown that nearly 15 percent of all children were destined to come to court on delinquency charges before reaching their 18th birthday. For boys alone, the citywide figure was 22 percent. In still another city, the highest delinquency area was found to be in or near the central business district. The study showed that between 75 percent and 90 percent of the boys in this area registered in the court dockets during the period in which the study was made. Such figures make it clear that the figure of 2 or 3 percent yearly does not mean that the delinquency problem is confined to a very small number. Over the entire span, a young life, such figures add up to much more than this—15, 20, 25 percent, and in some groups even very much higher.

The gentleman from California [Mr. COHELAN] expressed his concern over this problem to our subcommittee. He said that the League of California Cities had reported that the rate of juvenile delinquency in California has risen from 145,000 cases in 1957 to 161,000 in 1959, an 11 percent gain in 2 years. This study shows that the rate of juvenile delinquency among boys in California of the age between 10 and 17 is 35 percent.

Mr. GROSS. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Iowa.

Mr. GROSS. The gentlewoman mentioned the District of Columbia and the high rate of crime, or was it juvenile delinquency in the District of Columbia?

Mrs. GREEN of Oregon. The comment that I made was that in Montgomery County, which adjoins the District of Columbia and which is supposed to be one of the better counties, there was an increase in juvenile delinquency of 36 percent in 1960 over 1959.

Mr. GROSS. What is the primary cause of juvenile delinquency in the District of Columbia?

Mrs. GREEN of Oregon. I do not think there is anyone who really has the answer to that question, I might say to my friend from Iowa. I think that many people have their own views. As members of the subcommittee, we heard one witness say that he was convinced that violence shown on TV and radio was the cause of the increase in juvenile delinquency. We had another witness who was sure that if father took Johnny to the woodshed more often, juvenile delinquency would decrease by 50 percent. The question of broken homes also was brought up. The fact is, we do not know the cause of the increase, and that is one of the purposes of this study, to try to find the cause, if we can, and then do something about it.

Mr. GROSS. Are we not spending a great deal of money now on studies of juvenile delinquency?

Mrs. GREEN of Oregon. No. A very, very small amount has been spent on it; a very inadequate amount. The FBI further reported that the cost of crime in the United States in a given year is $20 billion. Juveniles account for about 14 percent of that cost. So, I can say that the cost of juvenile crimes—although we do not have an absolute figure—is about $2.8 billion. The amount that we have spent on the prevention and control of juvenile delinquency is infinitesimal.

Mr. GROSS. I thank the gentlewoman.

Mrs. GREEN of Oregon. I might add one other point that I think lends great urgency to this problem of juvenile delinquency, and that is the question of employment. During the next year about 26 million young people will enter the labor market, and of those 26 million, 7½ million will not have high school diplomas; 2½ million will not have completed the eighth grade. A recent study of several slum areas in the United States shows that 60 to 70 percent of the male youths between 16 and 21 are out of school and out of work.

The gentleman from Minnesota a few minutes ago referred to the trip this subcommittee took to New York City. On street corner after street corner we visited late at night with teenagers and with street gangs. We asked what they were doing. Time after time after time the answer came back: "We are not in school; we have no job; we do not have the skills to get a job; and we simply have nothing to do and no place to go." James P. Conant has referred to this situation as social dynamite that is ready to explode at any moment.

The subcommittee has held extensive hearings on this whole question. We finally are reporting to the full House a bill which has two major provisions: First of all, it provides Federal funds for demonstration projects; and, second, it provides for the training of personnel dealing with juveniles. Witness after witness who appeared before our committee said that there simply were not adequately trained personnel in any one of the fields primarily responsible for dealing with juvenile delinquents or the potential delinquent.

No member of this committee is suggesting that we think we can legislate morality. We do not, and we do not for one minute suggest that the Federal Government can take on its shoulders the responsibility for the 2 million young people who come to the attention of the courts or police officers every year. The Federal Government simply cannot do the job of the communities, the private agencies, the schools, and the far more important job that must be done by the church and by the parents.

The gentleman from California [Mr. SMITH], in discussing the rule, referred to the work that is being done by the Boy Scouts, the Cub Scouts, the Bluebirds, the YMCA, the YWCA, and so on. All this is true. They are doing a tremendous job with a great many of our young people, but I would suggest that they probably are working to a very large extent with children who will not get in trouble anyway. We need trained personnel to deal with the delinquents who never come in contact with the Bluebirds, the Cub Scouts, the Boy Scouts, and so forth. He also suggested that there might be a question of parental delinquency, and I think that this is true; but I suggest that this is something that we cannot do too much about except to try to make sure that the potential juvenile delinquent of today does not become the parental delinquent of tomorrow.

Mr. REIFEL. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield.

Mr. REIFEL. Does the bill contain any specific provision with relation to studies being conducted on Indian reservations? There are problems of this nature on the reservations, too.

Mrs. GREEN of Oregon. I think the gentleman has brought up a very pertinent question, and certainly one that might be brought to the attention of the Department that will administer this act. The bill itself does not provide for a special project in any particular area except to state that special consideration should be given to a project in the District of Columbia. The other locations would be left to the Secretary and to the Advisory Committee.

Mr. REIFEL. Would there be any possibility under this legislation of an investigation or study being made of this question on Indian reservations?

Mrs. GREEN of Oregon. There is nothing in the bill that would prevent it. It would be entirely within the discretion of the Secretary and the Advisory Committee.

I might also say that the purpose of this bill really is to have the Federal Government offer leadership and to coordinate present individual efforts; but it can never, and I would emphasize this again, it can never supplant the multitude of independent efforts which must go into any successful attack on juvenile delinquency.

Mr. Chairman, we talk a great deal about the dignity of man. To me, and to you, and to every Member of this House, this has a great deal of meaning, and I'm sure it will have meaning to your children and to my children. But how can it have any meaning to the person who has never known it as a child. What does the "worth of an individual" mean to a child born into a family who does not want him—uneducated because the family sees no value in education; unskilled because he has dropped out of school. What can the "dignity of man" ever mean to this young person who is unwanted, uneducated, and unemployed? Thousands and thousands of these young people today are standing on the street corner with nothing to do, and no place to go.

Children who are in trouble never have an organized voice in the legislative halls at the State level or in the National Congress.

It seems to me that by our action today we can say we are concerned about these unwanted, uneducated, unemployed young people which Conant described as "social dynamite, ready to explode at any time."

Mr. JOELSON. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from New Jersey.

Mr. JOELSON. In the gentlewoman's statement she talks about unemployment, lack of skills, poor education, slums, and so forth. Investigations and studies are well, but would it not be better for us to take the necessary steps to provide employment opportunities, and to provide education? It seems to me the gentlewoman has well covered the field as to cause, but what are we going to do about the cure?

Mrs. GREEN of Oregon. I certainly am in agreement with my colleague from New Jersey that this is not a problem to be approached in only one particular way. We must do more to provide education for the young people so that they will have skills. There is legislation that will be before the Congress on job training or retraining. All I can say is that the problem of delinquency is so great now, it affects so many millions of young people, that we simply cannot delay any longer. We must take affirmative action.

Mr. DOOLEY. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from New York.

Mr. DOOLEY. I would like to compliment the gentlewoman from Oregon for her very fine contribution, her very enlightening statement on this important subject, and I wish to associate myself with her remarks.

Mrs. GREEN of Oregon. I thank the gentleman.

Mr. QUIE. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. KYL].

Mr. KYL. Mr. Chairman, I suppose every parent considers himself an authority on delinquency. I have often heard it said that the old maid gives the best advice on rearing children.

As a parent, as a teacher, as a court-appointed probation officer, possibly even under current terminology a former delinquent, it is inevitable I have reached some conclusions. I would like to share a few of these observations with the Members of the House.

Mr. Chairman, it is important that we try to look ahead and see what this legislation can possibly do and what it cannot do.

We have to begin with the realization that delinquency is simply one symptom of an overall problem which we have in this country, a problem which goes to the corruption and moral fiber of our society and all its facets.

We have a lot of information on delinquency. In my office at the present time I have 47 different studies which the Federal Government has made on delinquency. There is a bibliography from the Library of Congress with 480 major contributions on this subject.

If there is one basic conclusion one reaches by studying these various publications and the various studies, it is that each individual delinquent is indeed an individual with different biological, psychological, and social factors, and that delinquency can never be solved by considering this in an overall program which considers totals rather than individuals.

For this reason I have one reservation regarding this type of program, and a hope that the program can be directed properly so that we can go ahead to these individual considerations.

Mr. Chairman, we have arrived at the point in the United States where we feel if we see a problem we can throw money at it and solve it, and once we contributed the money we have made our contribution. This is not a problem which is ever going to be solved by any amount of money. It is a problem that is going to have to be solved by getting thousands and thousands and, perhaps, millions of dedicated citizens in towns and big cities in the country contributing their time and effort, with individual talents, to ultimately get this problem at least to proportions where we can live with it. No one can deny that one of the basic considerations involved here is the breakup of families. In this House over the years we have done some things which have contributed to this breakup such as the outlawing of child labor, minimum wage laws, the removal of the responsibilities of members of the family to other members of the family, and various things like this which we have done which actually have contributed to the breakup of family life.

Mr. Chairman, there are some people who view this as primarily an economic problem. They say insecurity is the cause. I think Sweden offers an outstanding example to refute this "all in one basket" economic philosophy. Sweden today is a democratic nation, yet it is a welfare state. It pays for childbirth, the Government pays for funerals, and every step in between. There is a complete security through a welfare program. Yet, in the face of this seeming economic paradise, Sweden today has a delinquency rate which is higher even than that of the United States. Some people say this is because boredom replaces insecurity as a cause for delinquency. Others more deeply philosophical say that in Sweden they have substituted care for people for religion, and materialistic ideas rather than an idealistic or spiritual attitude.

Mr. Chairman, I think, as did the gentlewoman from Oregon [Mrs. GREEN] and the gentleman from Minnesota who preceded me in the well today, we might well look to the District of Columbia for a good, concise picture of what we face in this proposition. The gentleman from Iowa has spent considerable time visiting the courts, riding with the Juvenile Bureau of the Police Department, and so on, in his spare time. I think this is the first undeniable conclusion that can be drawn: What we lack more than anything else in the District of Columbia is a sense of social responsibility which, in turn, may be based on a complete ignorance of what is right according to law, and what is right according to moral concepts.

Mr. Chairman, this problem of delinquency in the District is not going to be solved in this generation or possibly in the next, because we are dealing here with a social responsibility which must be brought to the people by education. We are not going to have the time to educate these people in this very brief period.

Mr. Chairman, one other thing which we must have here is education of these youngsters. We say we have to educate all of these youngsters so they fit into society. I want to caution the Members of the House about this. The American education system has been dedicated to taking each youngster as high as we can take him in his development. In the last few years in emphasizing education

for the very bright and talented youngster, we, even in this House, have been casting doubts on this so-called soft educational system, which is education for all American youth, and have been emphasizing the education of scientists, mathematicians, specialists, and so on, at the expense of these people.

Every youngster has potential to be an asset or a liability to society. While developing the specially talented youngster we cannot neglect the general education for all American youth.

Mr. QUIE. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Chairman, I shall be very brief on this bill. I rise in support of it but I want to make several points clear. I think these points are vital to the adoption of a brandnew program, a brandnew responsibility by the Federal Government. When Secretary Ribicoff testified before our subcommittee he made the point that we have too many laws that do too much coddling of children. He went on to cite his own personal biography: working on a milk truck at 12 years of age; in a garage at 14; a store delivery boy at 16. He concluded by saying, "I think it is better for a boy to take a job as a delivery boy for a drugstore than to be hanging around on a drugstore corner." Of course, I agree with that.

Mr. Robert Kennedy, the Attorney General, appeared before our subcommittee, and he made the point that he considered the primary responsibility of solving juvenile delinquency rested with the local communities.

Mr. Chairman, I should like to ask the chairman of our subcommittee, Mrs. GREEN, if she agrees with me that the purpose of this legislation is not to get a foot in the door, to start this year with something small and then next year and the year after blow this up so that the Federal Government will take over a permanent responsibility in this field.

Mrs. GREEN of Oregon. Mr. Chairman, I am very glad to again say that I think this is legislation that will allow the Federal Government to take the leadership in coordinating efforts that are being made by various local, State, and Government agencies. I would never suggest, and I agree with the gentleman wholeheartedly, that the Federal Government could or should take the responsibility for the 2 million young people who come to the attention of the courts or the police officers each year. That is not the intention of the legislation. We will supplement—not supplant—what is being done by private agencies and the States.

Mr. GOODELL. Mr. Chairman, I thank the chairman of our subcommittee. I would stress that in New York City alone they are now spending $5 million a year on their juvenile delinquency program, half of what we are proposing to appropriate here. The cost of replacing the National Training School here, which is run by the Bureau of Prisons, I believe will be approximately $6 million. This is a very moderate program, and I think it is justified in terms of research, in terms of coordination, of what is being done at the local level, provided we recognize—and agree—that this is not the first step for the Federal Government to move in and try to implement various programs to solve this problem. We were told that in New York City alone they have 1,000 gangs operating. The youth workers have contacted about 139 out of those 1,000 gangs. Many of these are fighting gangs, so-called. The youth workers are doing, I think, an effective job. We were impressed when we went up and visited there and walked around the streets of New York City and saw what the city of New York is doing by putting these workers into the field. The Youth Board workers stay right there on the streets from 4 or 5 o'clock in the afternoon until after midnight, working with these boys, getting their confidence, and beginning to solve some of these problems and converting them from fighting gangs into gangs that have some sort of constructive purpose. I certainly would not want anything we might do here today to raise the implication that the Federal Government is now going to move in and start taking over this responsibility from these local agencies that are beginning to do a very effective job in many areas.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I am glad to yield to the gentlewoman.

Mrs. GREEN of Oregon. We were told of another city that was spending $5 million. Mayor Wagner, when he testified before the committee in the other body said that the city of New York was spending $74 million on juvenile delinquency—$74 million in the budget this year

Mr. GOODELL. I thank the lady for making that correction, because actually you cannot very easily pin down a budget that is spent just for juvenile delinquency. Many types of expenditures not directly concerned with juvenile delinquency nonetheless have a substantial impact upon it.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from New York.

Mr. LINDSAY. The gentleman has touched upon an extremely important point. In New York City there is no more pressing problem we have than the problem of juvenile delinquency. You cannot point the finger of blame in any single direction. The point we made, however, is that this requires a concerted attack at all three governmental levels—city, State, and Federal. This is true, of course, not only in the State of New York but in other States across the country. The gentleman is making a good point. I congratulate him, and I congratulate the distinguished author of the bill, the gentleman from Indiana, and the gentlewoman from Oregon. This is extremely vital legislation, and it has my complete and enthusiastic support.

Mr. GOODELL. I thank the gentleman and know well his deep concern about this problem.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Illinois.

Mr. COLLIER. There is one thing in this legislation that is conspicuous by its absence, and that is any reference here to recreation programs, which I believe are about as instrumental in curbing juvenile delinquency, particularly in the metropolitan areas, as anything I can think of. Almost anywhere where there is a sound, well-supervised program of softball leagues, football leagues, and so on, you will find a deterrent to delinquency. I wonder if this was discussed during the time the legislation was considered by the committee?

Mr. GOODELL. Yes, but I do not think we want our emphasis to be on recreation.

Mr. COLLIER. I would want the emphasis to be on juvenile delinquency.

Mr. GOODELL. Yes, I mean the emphasis cannot be entirely on recreational facilities to meet juvenile delinquency problems. We recognize this is one way of doing it, and under these demonstration projects I am sure we will approve some recreational facilities, and some of them may place primary emphasis on recreation in solving this problem.

Mr. COLLIER. There may be youngsters in school who, as the gentleman and I know, become engaged in offenses, but the answer is to keep them occupied during those times they are not required to be in school. I am not referring to the facilities as much as I am to the supervision.

Mr. GOODELL. I thank the gentleman.

I should like to conclude by emphasizing that the Attorney General when he testified before our subcommittee maintained that the Federal role in this should be coordination and leadership. He even expressed the hope that the States and districts will, after 5 years or so, assume jurisdiction and take over the projects that are started under this bill. I think juvenile delinquency is 99.44 percent a local problem. If we give any false implications here that the Federal Government is moving in to solve this problem itself, I think this legislation could do more harm than good.

Mrs. GREEN of Oregon. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. BRADEMAS].

Mr. BRADEMAS. Mr. Chairman, in rising in support of H.R. 8028 I want to emphasize my agreement with the proposition advanced by my friend from New York [Mr. GOODELL] that the prevention and control of juvenile delinquency is primarily the responsibility of the States and the local communities, the church, the school, public and private agencies at the local level and, of course, the family.

I want to emphasize particularly that it is this approach to the problem of delinquency on which this bill is based. The fact that H.R. 8028 was adopted unanimously by our subcommittee and given almost unanimous support by the full committee indicates that this is a wise approach.

I want to give every credit to my colleagues on both sides of the aisle for their suggestions, to the gentleman from

Minnesota [Mr. QUIE], the gentleman from New York [Mr. GOODELL], the gentleman from Ohio [Mr. ASHBROOK], on the minority side, and to the chairman of the subcommittee, the gentlewoman from Oregon [Mrs. GREEN], the gentleman from Connecticut [Mr. GIAIMO], and the gentleman from Iowa [Mr. SMITH], on the majority side.

Mr. Chairman, permit me to cite what seem to me to be at least two reasons for the substantial bipartisan support given to this legislation.

The first reason is the need for the legislation. The facts with respect to the alarming increase in juvenile delinquency in the United States are clear and cannot be denied. The Department of Justice figures show that since 1950, arrests of persons under the age of 18 have more than doubled while the population in the age group from 10 to 17 increased by less than half. Between 1959 and 1960, arrests of juveniles in the United States increased by 9 percent. We usually think of cities as being primarily the breeding ground of juvenile delinquents, and it is, of course, a fact that the most vicious activities of street gangs and youth offenders do occur in our large cities. But, as has already been pointed out by the gentlewoman from Oregon, the evidence is clear that there is an increasing number of youth arrests and youth crime, in rural areas and in small towns in the United States.

Mr. Chairman, I am not going to recite still more statistics because many statistics have already been provided by other members of the committee, and Members who have spoken on this bill, statistics which make dramatically clear that juvenile delinquency is an increasingly serious problem in American life.

The second reason that I think members of our subcommittee feel so strongly the need for this legislation is the experience we had a few weekends ago in going into some of the high crime areas of New York City, especially in Harlem and Brooklyn. On the night that we went into Brooklyn, just a few blocks from where we talked to the members of street gangs, a 17-year-old boy was slain by two other young men because he refused to give them a dime.

I was just reading this week a report of the Subcommittee on Juvenile Delinquency of the Senate Committee on the Judiciary and I was shocked to read that last summer a youth was murdered every 54 hours on the sidewalks of New York City.

I would like, Mr. Chairman, to emphasize one particular aspect of the bill about which we have already had a considerable amount of discussion. But because my name is on the bill, because I am the author of the bill, I feel it is of particular importance for me to emphasize that it is not the purpose of this legislation to bring the Federal Government into the field of control of juvenile delinquency and to push the States and local communities out. The policy of the Federal Government as enunciated in section 2(b) of the bill is "to assist in the prevention and control of juvenile delinquency and youth offenses, and to encourage the coordination of efforts" among the various agencies, public and private, that deal with this problem.

Attorney General Kennedy, Secretary of Health, Education, and Welfare Ribicoff, and Labor Secretary Goldberg have all emphasized that this is a seed-money approach to the problem and that this is in no way an effort on the part of the Federal Government to move into the area and preempt it. It is quite obvious, as has already been said, that it is simply impossible for a bill that provides $10 million a year for 3 years to solve the problem of juvenile delinquency in the United States.

I want to point to just two aspects of the bill very briefly about which I think there ought to be a little more specific information.

One of the purposes of the bill is to help finance at the local level a number of demonstration projects which can provide evidence on the prevention and control of juvenile delinquency, which evidence can be made available to cities, small towns, and rural areas throughout the United States.

Let me just list for you two or three of the kinds of demonstration projects that could well be undertaken with this kind of legislation. Perhaps there should be projects which will reach young people who are tempted to drop out of school, because the figures show that 95 percent of all 17-year-old delinquents are not now in school. There ought, perhaps, to be more work in the area of street gang programs of the sort which the gentleman from New York has described to you.

In my own congressional district, in the State of Indiana, the United Fund of Elkhart County reports a pilot youth project which involves a trained caseworker who works with a child's family, church, school, and other groups with which a young person makes contact at the very first signs of antisocial behavior in the child.

The school city of South Bend in my hometown in Indiana, has underway a project which follows some 349 first grade children through to their 17th birthday in an attempt to find out in advance those children who might need special attention in deterring them from delinquent behavior later on.

Our subcommittee heard testimony from persons who described pilot projects in some of the very large cities in the United States. In the city of Chicago the detached worker project, sponsored by the YMCA, has shown that gang members can indeed be kept from violence and that delinquents with a record can be induced to refrain from further violations of the law.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from New York.

Mr. GOODELL. Will the gentleman agree with me than in granting this money to the Secretary of Health, Education, and Welfare it is not our intention that he seek ways for the Federal Government to establish Federal projects to meet the problem of juvenile delinquency? We expect, in establishing these demonstration projects that the Federal Government is to experiment and then hand it over to local authorities to implement and do with that knowledge gained whatever they can do.

Mr. BRADEMAS. I would completely agree with my friend from New York and make the point that the demonstration projects under this legislation can be carried out only if a local community seeks assistance. The Federal Government is not going to go into the local community and push some money upon them.

Mr. GOODELL. We do not want the Secretary of Health, Education, and Welfare to interpret this that he should go out and try to find ways to set up Federal camps and Federal projects of one nature or another to seek to alleviate this problem except to the extent that in the administration of the local and State authorities they might want to move in that direction.

Mr. BRADEMAS. I again express my agreement with the gentleman. As he knows, we have had so much testimony on the necessity of this legislation that I am sure there will not be any need on the part of the Federal Government to go out seeking projects in which to invest.

Mr. RYAN. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from New York.

Mr. RYAN. Mr. Chairman, I, too, would like to commend the gentleman and the gentlewoman from Oregon [Mrs. GREEN] for their understanding and recognition of this problem. I think the subcommittee is to be commended for having gone into the city of New York and other areas and studied the matter at firsthand. It is one of our most urgent problems, and I strongly support this approach.

Mr. Chairman, H.R. 8028, the so-called Juvenile Delinquency and Youth Offenses Control Act of 1961, is a sound bill; it is in line with legislation requested by President Kennedy in his letter to the Speaker on May 11; and it is recognition that a truly national effort, involving the energy and intelligence of government at all levels, local, State, and Federal, is the appropriate response to youth delinquency and the conditions which cause it.

The bill authorizes the spending of $10 million a year for fiscal 1962, 1963, and 1964. About half of this would support demonstration projects, designed to establish a flow of information and a sharing of successful experience between communities which are controlling and those which are attempting to control youth delinquency. The other half of the appropriations would go into the training of personnel needed by communities in their delinquency prevention programs and for technical assistance to local programs from the Department of Health, Education, and Welfare.

Many of our communities and States have done significant work in seeking out the causes of delinquency and in designing programs to deal with it. Nowhere is this more true than in the State of New York. As one example, the State

Employment Service and the New York high schools have cooperated in an extremely worthwhile program to provide job counseling for youngsters coming out of school and into the labor market. This experience is a useful lesson to other communities. But by the same token, there are probably few communities in which the delinquency problems are greater than in New York, in terms of lives affected, in terms of human despair, and in terms of money costs. The cost of delinquency in New York City alone has been estimated to be $74 million a year.

Under the provisions in this bill for assistance to demonstration projects, a number of projects can be undertaken which promise to make a substantial contribution to the lessening of delinquency. These projects include work-study projects bridging the gap from high school to job, urban service projects for youth, programs to explore new sources of part-time employment for needy youth who are potential school dropouts, and programs to reach youngsters who have dropped out of school to provide them with job counseling and training.

Under the personnel training provisions of this bill, there can be an intensive effort to recruit and train the professional workers which are the key to useful community programs—probation officers, police, social workers, institutional house parents, and others who will be dealing day-to-day with young people in trouble.

The Senate has already passed S. 279 along the same lines as H.R. 8028. I hope that the House will proceed to pass this bill, in line with the President's request, and in response to a continuing and urgent national need.

Mr. BRADEMAS. I thank the gentleman from New York very much for his gracious remarks.

Mr. Chairman, I should like here to list a number of the private agencies in the United States which have sent telegrams to me strongly urging the passage of this legislation.

It is clear that these voluntary agencies do not feel this proposal represents a threat on the part of the Federal Government to take over control of the problem of juvenile delinquency. Here is a list of some of the agencies who have sent me telegrams or letters in support of H.R. 8028:

The General Board of Christian Social Concerns of the Methodist Church.

The National Federation of Settlements and Neighborhood Centers.

The Young Women's Christian Association.

The Salvation Army.

The National Council of the Churches of Christ.

The Boys' Club of America.

The National Urban League.

The Council on Social Work Education.

The Child Welfare League of America.

The Department of Christian Social Relations of the Protestant Episcopal Church.

Mr. Chairman, I hope very much that this legislation, which has been very carefully considered and which has strong bipartisan support, will be overwhelmingly approved by the House.

Mr. GOODELL. Mr. Chairman, if the gentleman will yield further, I do not think we should leave the impression that this is only going to help New York City. We have given that example because our committee happened to visit New York City. This type of problem occurs in all metropolitan areas, and one of the advantages of this legislation would be to help them coordinate different approaches. Perhaps a program of this kind could be of help to the people of San Francisco and other areas.

Mr. BRADEMAS. I would add that we might even consider a project for the State of Iowa.

Mr. QUIE. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, my problem with this legislation is that there is no bill of particulars. This seems to be a $30 million blank check. I would like to have help from some members of the committee who support this legislation; I would like to know what you propose to do. There is unquestionably a juvenile delinquency problem, but how do you propose to get at it? Is this just a study? And if so, how is it to be conducted? I seemed to hear a lot of argeement here between the gentleman from Indiana a moment ago and the gentleman from New York, that the Federal Government is not going to push this program upon any community in the country. If that is true, why is there a need for $30 million?

Mr. BRADEMAS. If we were able to go forth, I will say to the gentleman from Iowa with a specific and detailed listing of all of the projects which will be supported were this bill to become law, then I think we would look hypocritical indeed, having just said earlier during the debate on both sides that we feel very strongly that it is up to the local communities to come to the Secretary of Health, Education, and Welfare and ask for the support of their plan—it is obviously impossible for us to anticipate in advance precisely what projects would be undertaken.

Mr. GROSS. I will say to the gentleman from Indiana that evidently one of the worst areas in the United States is in the city of New York. What do you plan to do in New York with this $30 million or any part of it?

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mrs. GREEN of Oregon. I do not think this bill should be considered as a blank check by any stretch of the imagination. It proposes two things: Demonstration projects and the training of personnel. The gentleman from Indiana has outlined some of the projects that might be considered. I will add one, if I may. If I were to administer this—and this bill does not specify how it is to be done—but if I were to administer I would certainly like to have a study made of what might be considered to be highly restrictive labor laws in some States coupled with compulsory school attendance. We have in the age bracket, 14 to 16, children out of school, but because of the labor laws they simply cannot find employment. I think we might make a study to see if restrictive labor laws have any relationship with the juvenile delinquency increase.

May I suggest another, if the gentleman will yield, and that is the emphasis I would place on the training of personnel. The head of the National Council on Crime and Delinquency appeared before our committee. He said that personnel training, in our opinion, should have first priority.

Then testimony was given before the committee, for example, that over half of the counties in the United States dealing with delinquents have the barest kind of probation services. The testimony also showed that only 1 out of 10——

Mr. GROSS. Just a minute. I hope the gentlewoman will not take all my time.

Mrs. GREEN of Oregon. I do not want to do that.

Mr. GROSS. The gentlewoman spoke of a study of labor laws as they affect juveniles. Will this study of labor laws extend to the point of ascertaining why we are importing products from foreign countries, products made with child labor in Japan, Hong Kong, and elsewhere in many foreign countries that have taken the jobs of young people in this country?

Is it intended to go into a study of tariffs, the lack of tariffs to protect American producers?

I wonder if the gentlewoman would not acknowledge that that is one of the problems, the importing of products made by child labor in foreign countries, made in sweatshops in foreign countries, the effect of which is to turn many of our young people out of jobs?

And how about the effects of the minimum wage law? I do not advocate repeal of the minimum wage law but if there is to be a study of labor laws it should be included.

Mrs. GREEN of Oregon. I am not sure whether the gentleman is asking a rhetorical question, but I was only suggesting that we might have a study to see if State labor laws affecting children are restrictive to the point that they do have an effect on their behavior.

Mr. GROSS. This study is going to fall short of the mark if we do not go into the question of tariffs and imports.

Mrs. BLITCH. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, briefly.

Mrs. BLITCH. I just wanted to emphasize the fact that a very important factor in delinquency is the inability of children between the ages of 14 and 16 to get employment. Is it not true that the committee could make a study of that without the passage of such legislation?

Mr. GROSS. I am sure it could.

Mrs. BLITCH. Indeed, is it not the responsibility of the committee to go into that subject?

Mr. GROSS. That is right. I do not think there is anything hypocritical, as

stated, about trying to find out why the projects to be undertaken with $30 million are not spelled out in this bill. In the report you speak of the creation of an urban service corps, yet it is not even mentioned in the bill.

What did the hearings develop on this urban service corps? I say again this is a $30 million blank check. In your report you say the $30 million is "seed money." How much further are you going to go with this? Can you give us any idea?

Mrs. GREEN of Oregon. The money certainly is not sufficient; that is, the $10 million a year for 3 years is not sufficient to have a complete study of tariffs, imports, and exports, and all of the other things made, but I do say you can do wonderful things with a little money if you do them right, and if the expenditures are controlled, and I am convinced they will be. I would suggest through administration or pilot projects that might be made, some good will come of this. The urban service corps would be one of them.

Mr. GROSS. The gentlewoman speaks of trainee programs. How do you propose to provide for trainee programs for juvenile delinquents? Are they to be trained in high schools? Where and how is it proposed to train these people?

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Connecticut.

Mr. GIAIMO. We are trying to coordinate some of the areas of the country. For example, in New York we are agreed this has worked very well.

Mr. GROSS. Where is this?

Mr. GIAIMO. In New York City. Perhaps somebody might decide it would be well to send some of my people there, from New Haven, to look into this.

Mr. GROSS. If it is working so well in New York City, why is it necessary to spend $30 million?

Mr. GIAIMO. Because it may not be working in Connecticut or elsewhere.

Mr. QUIE. Mr. Chairman, I yield 5 minutes to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Chairman, I do not think I need say I am deeply interested in youth. But this bill is for Federal assistance for projects which will evaluate and demonstrate techniques and practices leading to a solution of the Nation's problems relating to the prevention and control of juvenile delinquency and youth offenses, and to provide training of personnel for work in these fields, and for other purposes.

I would like to suggest that youth is the thing that matters. Just having a lot of training projects, showing people coldblooded ways of getting into factories or getting into boys' clubs, having them play baseball, and doing all those things is not the heart of the matter. The heart of the matter is the hunger of the young people for something they feel worthwhile doing. They want to know where they can find these things. Legs Diamond, born in the worst part of the worst street, probably in this country, told a friend of mine when he was in jail that from the time he was a little boy if he wanted anything he had to steal it, and he never had anything to do that he wanted to do, and he never had the education he wanted.

I know grandmothers of my age perhaps do not count as much as grandmothers of 16 or more, but I am so certain what we need is heartful groups.

When I was young a volunteer got no money, but gave his heart to whatever he was doing. Now everyone is paid. Just to have paid groups trained to do so and so and so and so is not going to cure juvenile delinquency.

Mr. Chairman, if you have, as I know can be had, key people in different cities—young people, preferably—who can just collect their own kind and get them into the channels that they want to be in they could be constructive in them. Also is it not important that we stop some of these channels of youth training for juvenile delinquency in the motion pictures and now on TV. I happen to have made a study of the motion pictures across the country with a group of people 30 years ago. We found that many of the motion picture producers seemingly had an ugly purpose in such productions which have indeed lowered morals everywhere.

People go to motion pictures today that 30 years ago they would not have considered tolerating. Everybody goes. Does that help the juvenile? Does that help the young person who really wants a constructive life, who really wants to live deeply, truly, earnestly, and honestly? I believe there is much to be done to prevent the causes, but this is just a training program to teach paid people what to do about young people.

Mr. HOEVEN. Mr. Chairman, will the gentlewoman yield?

Mrs. BOLTON. Yes, I yield to the gentleman from Iowa.

Mr. HOEVEN. I am wondering what we propose to do about parental delinquency.

Mrs. BOLTON. That is one of the problems.

Mr. HOEVEN. We place so much emphasis on juvenile delinquency these days and say practically nothing about parental delinquency which, in my judgment, is the cause of a lot of juvenile delinquency in this country. In this connection, let me read what Mr. Edgar Hoover, Director of the FBI, had to say about this matter in testimony he gave at the hearings before the Subcommittee on Appropriations for the Department of State and the Justice Department recently:

> Mr. HOOVER. I think we must recognize the need for realistic handling and at the same time try to bring about a moral and spiritual revival as to what is right and what is wrong. That goes back to the family. Too often the term "juvenile delinquency" ought to be called "adult delinquency," because it is the mother and father who are not giving the proper attention to their children. If the family fails, then you have to rely on the churches and the schools, but they cannot take the place of the wholesome family. We know of instance after instance of mothers and fathers who have castigated police officers who brought home, at 2, 3, or 4 o'clock in the morning, a teenage son or daughter, because the officers had interfered with the child's liberty and interfered with the sleep of the mother and father.

Mrs. BOLTON. I thank the gentleman. I think most people agree that our families have fallen apart. Our churches do not seem to be holding the people. All right, what is being given instead? What are we furnishing the world? I, frankly, say to the ladies, though there are few of us here, I think mothers cannot feel anything but responsible. If you send a man out in the morning to his work happy, he is going to do a wonderful day's work. If he goes out on edge, thinking "Oh, gosh, why did you have to say that to me?", that is not going to help. This is doubly true with children.

Mr. Chairman, I do agree so heartily that families are not living as we would like to see them live, and as their children wish they could live. A lad I know finally ended up in jail. When he was asked "What are you doing here, son?", he said "You know my family; it is all alcohol in my house, and I just could not take it any longer, ma'am." Mr. Chairman, what are we doing about the all-alcohol homes? What are we doing about putting good influences in our homes?

I do not mean to speak against this bill. Maybe we need something like this bill, but to me it is not fundamental. It is not going within miles of the heart of the matter. It is not touching the chords to which children and young people respond. These are rooted in the heart.

Mr. GOODELL. Mr. Chairman, will the gentlewoman yield?

Mrs. BOLTON. Yes, I yield to the gentleman from New York.

Mr. GOODELL. I want to compliment and commend the gentlewoman on her statement. I believe the gentlewoman would agree, and I think all of us would agree, that what the gentlewoman is discussing here is being covered very eloquently. To give you an example, New York City sought an approach to providing parental substitutes, so-called, for children who were more or less abandoned, and who lived on the streets, and perhaps had never known their fathers. If they did know them, their fathers were at home only to abuse them. These youthful workers in New York City went into those areas and they established themselves a block. We were there when the temperature was 93 or 95 degrees, and they were going around with their suit coats on as a status symbol. They joined these groups and talked with them, and they were, in fact, a "father symbol." Many of these young people looked up to them with inspiration.

Mrs. BOLTON. That is very good to hear.

Mr. Chairman, I do not speak against this bill. I speak for the young people who cannot be here to speak for themselves.

Mrs. GREEN of Oregon. Mr. Chairman, I yield 4 minutes to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Chairman, I think it is obvious from what all the speakers have said here today that nobody has the full answer to the juvenile

delinquency problem. This in and of itself is the best endorsement we can have for this bill. The bill does not pretend that the Federal Government can solve the juvenile delinquency problem. But we should also recognize that local governments and State governments cannot solve it, either. All we are attempting to do is to get a little research, a little information, some pilot projects and perhaps some demonstration projects, and some short-term training programs. I think these objectives are worthy.

Juvenile delinquency is a national problem which demands the attention of this Congress. For 11 consecutive years there has been a steady increase in the number of young people under 18 who have come into conflict with the law. Recent figures make it apparent that the 1960 statistics will continue this rise to a new record high of 814,000 cases referred to courts. Even if traffic offenses are set aside, the figure remaining includes over a half million young offenders.

This growth does more than reflect our growing child population. While the child population has increased by half during the last dozen years, the volume of delinquency cases has more than doubled. The rate of increase most recently in 1960 was at 6 percent. I am appalled to think that one out of every five of our young boys is likely to be brought into court before the age of 18. We are faced with an almost overwhelming trend. Not only will our child population continue to increase, but we can apparently expect that a larger proportion of this group will get into trouble. This outcome seems even more certain, when we take into consideration the statistics on school dropouts and youth unemployment expected in the next decade, as so ably expounded by my colleagues on the subcommittee.

Too often, in the face of such overwhelming evidence of troubled youth, we draw false comfort from the belief that the statistics apply to someone else's community but not our own.

Another State characterized by a small sparsely spread population tells of 115 delinquents in 1951 and about double that in 1957.

A northern State in the Middle West similarly reports a doubling of its delinquency rate between 1948 and 1958, while its child population only increased by half. These results underlie the national figures I have already cited for you.

Furthermore, not only States but local governmental units tell the same story. In a county containing a large city in one of the Western States, court cases involving juvenile delinquents have increased steadily from less than 4,000 in 1953 to almost 10,000 in 1959. A Northeastern city in the late 1940's had 600 cases. In 1957 this same city had 1,000 cases.

This is the picture. We can say without fear of contradiction that this is not just a local urban problem. The increasing rates are not isolated occurrences. Let us recognize that none of our communities are immune to the contagion of juvenile delinquency. This is a national problem worthy of national concern and national leadership.

Let me assure you that this is just not so. Let us not assume that this is only a problem for the big cities.

Consider the latest report from the Federal Bureau of Investigation. The 1960 Uniform Crime Reports tell of youth arrests—under 18—in rural areas increasing at the same rate as in urban areas. Of course, the number of arrests in cities are still more than three times those in rural areas. Nevertheless, the arrest experience in rural areas is, on the whole, becoming more like that of cities in the type of offenses committed, in trends, and in age distribution.

Arrests in rural areas increased 8 percent in 1960, just about the same amount as in the cities. And we are truly talking of rural areas because these figures are based on settlements below 2,500 in population. Rural youth composed 15 percent of rural police arrests last year, and their offenses followed the city pattern. Fifty-two percent of all auto theft in rural areas were accounted for by this young group. They participated in 41 percent of all rural burglaries, and were involved in one-third of the larcenies. In the more violent crime of robbery they were responsible for 13 percent of all such rural crimes.

It seems that wherever we look just by chance about the country, we see juvenile delinquency growing steadily. A Southern State reports the doubling of their juvenile court cases since 1948.

Of course, it would be nice if we could have a simple answer to this problem. In these complicated times we see a rise in the popularity of the kind of organization that offers simple answers to complex problems, even though they will not work. When things are complicated people want a simple answer. There is not any simple answer to this problem.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield.

Mr. COLLIER. The gentleman is not under the impression that there have not been hundreds of studies, meetings, and research efforts on this problem; I remember when I was in high school they were studying juvenile delinquency and were coming up with surveys and reports.

Mr. SMITH of Iowa. There has been no proper coordination of the study and the research that they are doing at the present itme.

Mr. COLLIER. How many more studies does the gentleman think would be necessary before somehow, somewhere, we arrive at some conclusion from which to attack the problem?

Mr. SMITH of Iowa. I should think that at the conclusion of the 3-year period, we would have a pretty good idea how to aproach the problem. It will not be solved.

Mr. COLLIER. No; I said, to attack the problem.

Mr. SMITH of Iowa. We will have a pretty good idea of how to attack the problem or to reduce the complexity of the problem.

Mr. Chairman, I am one of those who thinks that violence on TV has a great deal to do with this condition. I have found juvenile delinquents who never saw a TV show but once or twice in their lives, so that is not the only cause that is involved. I know from my experience prior to coming to Congress, in the county attorney's office, that alcohol has a lot to do with these problems. But that is not the only cause either. Let us not be fooled by this idea that the easy way to solve juvenile delinquency is to change the labor laws. That has been advanced as a simple solution; but that is not the case. Also I want to warn those who are so strongly for State rights that when they jump on that wagon, they are advocating the Federal Government preventing the States from the labor laws they have on child labor. It is not the Federal labor laws we are talking about. The Federal child labor laws only affect hazardous occupations. It is the State labor laws that go beyond that and into occupations that are not necessarily hazardous. So if you believe in State rights, do not jump on changing child labor laws as the easy answer to this problem.

Actually, the suporters of the bill are not pretending that this bill solves juvenile delinquency. All we are trying to do here is to acquire some information, provide some research, and have some short-term training projects that can be of help to these local communities.

Mr. Chairman, I will give you an example in further answer to the gentleman from Iowa [Mr. GROSS], concerning short-term projects. Many of the communities in Iowa, I know, have police departments which have certain officers who are delegated to the responsibility of juvenile delinquency. If a juvenile gets into trouble these officers are called to the scene and they take over from there, instead of the regular police officers.

Under this bill there could be 2-week schools. These local juvenile officers could go to school for a couple of weeks and get some ideas of what they are doing in other cities and learn the results of the pilot projects. No city can do this on its own. They could not afford to do it. Perhaps a few, but they would have to put it on a regional basis, so local people could on their salaries, and without any salary from the Federal Government, go to these short-term training schools. I think it would be an advantage.

I was one of those who went to New York to make a study of conditions there. I want to dispel the idea that New York is the only problem city in the United States. That certainly is not true. I show you two headlines 1 week apart in the Des Moines Register and Tribune, a newspaper with about 500,000 circulation, in Des Moines, Iowa. This is in comparatively rural America. One of them says, "Disperse Mob of 500 Youths." The other week, "Loop Gangsters Cause Concern."

This is not a problem limited to New York; this problem goes to the entire United States of America. We do not want just one pilot project in Washington, D.C., we need these pilot projects in other areas of the United States too.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from New York.

Mr. GOODELL. Would not the gentleman agree that the reason we put such emphasis on New York City is that that city is actively pursuing programs to try to reduce this problem? We wanted to see the effect of those programs to see if they might work in other parts of the country.

Mr. SMITH of Iowa. I think on a permanent basis this could be relayed to other parts of the country.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman says these municipalities cannot afford to undertake studies and carry on these programs. Where in the world will the Federal Government get the money if not from the people in the local communities?

Mr. SMITH of Iowa. Of course the Federal Government gets its money from all over the United States. The point is if there are 10 cities engaged in this sort of work they can go to one of these training courses and get all of the information at the same time. We have voluntary associations, but the only way they could accomplish this unless we get this Federal program started would be if the 10 could go together, although they may be in different States, and set up their training program. They need coordination. It is very difficult, almost impossible, for some of these voluntary association programs to be coordinated at the local level. This needs to be coordinated, I think, at the national level so that the information can be available.

Mr. QUIE. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Chairman, this bill is here today because—and for that we should thank the good Lord—many good people desire to make the world better. That is a wonderfully fine objective. We may assume every Member of the House supports the effort to lessen crime. Sometimes, however, we just differ as to the efficiency of a method.

The bill is a little late in coming here. This bill should have been here when the Members of the House, apparently God-fearing, intelligent men and women, were children. Congress should have had a bill of this kind then, because obviously, under the reasoning we have now, our parents made a terrific mistake in our upbringing. Look at the results. How much better in every respect each of us might have been if the Government—instead of the loving mother, the stern father—had guided us. Think of what might have been if the Federal Government had trained and guided each of us, told us what to eat, what to do, what to think, what to wear, how to breathe, and all those things a girl or boy learns.

Just think of what we might have become. Had I not had to make my own baseball, whittle my own bat out of a 4 by 4 or smaller piece of timber, cut my own fishing pole, smoothed a piece of hickory for a casting rod or bow, I might have been on the way to the moon right now on a paved highway. Who knows?

Do not misunderstand. I have no criticism of the people who want this legislation. I know they are trying to follow the Ten Commandments and the Golden Rule. If we all could or would follow them, we would not need much of the legislation we have. Nor would we have had the trouble which we now try to prevent.

Have read three or four books about the gangs in the different cities—New York and Chicago—why they exist, and methods being used to change the situation. I even know something about the situation here in the District.

Living over here just across from the Supreme Court for the past 20 years, often my good wife would stroll over to the Library and back of an evening for books to read. She used to do that often. Then one day a woman coming out of the Library about 5 o'clock, before it was even dusk, was assaulted and almost beaten to death.

Though I am not real timid, when I go around on the streets here on the Hill, I stay away from the bushes and shrubs, walk on the outside of the walk.

Not long ago, there were seven felonies in 6 days. When the streets of Washington are not safe for the unarmed citizen, why worry about the people of the Congo?

What is the remedy? Training? Oh, no. I have been accused, as has the gentleman from Iowa, of voting against many appropriations when, we were advised, we should not have done so.

Now I do not know what action, if any, the House committees have taken to lessen the danger, but here and now I will tell you that, when the Committee on the District of Columbia or any other committee wants to bring up a bill for any reasonable sum to increase the police force—double it, if you wish—and put the men on the beat with a stick in their hand and a gun at the side, I will vote for the appropriation.

When the judges get around to the problem and discover that under one of their rulings we are all crazy and should not be convicted, but should be sent out to St. Elizabeths and then released a little later on to come back, as a number of the inmates have done, to beat up or kill someone else—I say, when they get around to the situation and handle that the way they should, send the professional criminals to jail and keep them there, we will all be better off. I will vote whatever sums are necessary to give the people of the District adequate protection.

I would go along for some new judges, if we need them, and for some more money for the judges, although I have heard from some members of the Committee on Appropriations that some of the Federal judges, when they want a vacation, just take it.

Then what is the issue here today? The issue is whether or not the Federal Government is better able to bring up the children than are the father and mother, the members of the family.

I put it to you now—to the Members individually, as individuals—do you think some Federal official, even someone who has been appointed on merit and not as a political appointee because that, of course, will drop out after a while we hope, but someone who is qualified is in charge of the situation and who maybe has had a child or two, do you think such an individual in charge here in the Federal Government or in a State government knows more about how your children should be brought up? Or would get a better result?

How many of the Members here on the floor, the women Members, the mothers, and the men, the fathers, how many of you are willing to turn over the bringing up or the upbringing of your children to some Federal official?

Why not take this problem home with you and think about it a little bit? We all wish to do what is best. After all, under our system, have we not gotten along pretty well? I think so.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Iowa.

Mr. GROSS. Can the gentleman from Michigan shed any light on this short-term or traineeship provision in the bill?

Mr. HOFFMAN of Michigan. No, I do not know exactly what it is proposed to do, or what the one in charge will do. But I do know this, that because the Congress has enacted legislation in favor of—or, perhaps, I should say, legislation that some labor organizations wanted, when I happened to own a newspaper, I could not even hire my grandson to work in the plant because he was not 18 years of age. So what was he supposed to do? Sit around twiddling his thumbs or go out and steal the neighbor's watermelons? The boys and girls were out of jobs—they were not permitted to work—though it is said, "The Devil finds work for idle hands to do." Somewhere there was something said in the report about unemployment—or lack of employment?

Mr. GROSS. That is right.

Mr. HOFFMAN of Michigan. We passed law after law which made it impossible to give some of these young folks employment, and now, of course, we are paying the piper, coming along with laws and regulations—trying to some extent to correct that evil which we ourselves created, as we so often do. Does that answer the gentleman? Is that what you were getting at?

Mr. GROSS. Yes, I think that is the answer.

Mr. HOFFMAN of Michigan. Most of our trouble grows out of our own doing. We do one thing this week and then the next week, we have to fix it up—try to lessen the harm we have caused.

That has been the course here for many years—interference by the Federal Government in personal and local affairs, then a bill and an appropriation to make good, but only in part, the loss.

There was a time—every time I get to thinking about this subject, I feel so sorry for my poor old grandfather and grandmother who did not know everything—they were not told anything by the Federal or State Government as to

what they should do, how they should live, but they just went along in their own way.

The poor old man, a farmer and stonemason—of course because of his industry and thrift, he did leave me something, for which I am thankful; he did think about that—but they did not have any of the advantages we had; the Government did not tell them how to regulate their daily lives. They worked; they read the Scriptures; said a prayer each morning and each night; attended to their own business; helped the neighbors when help was needed; lived in peace; saw to it that the children—and in mother's family there were 13—traveled the straight and narrow road. All that without Government direction or advice.

As I sit here day after day, I note that almost everything we do is to shirk our individual responsibilities and chuck them over onto Uncle Sam—a confession of ignorance and incompetency on our part that we do not know enough to run our own lives, but must ask someone in Washington whom we pay to tell us how to live.

And I end up here; here I am at the end of a rather long life with a big future retirement, which I have paid for, coming when I am out. When the wife said to me, as she did the other day when we were talking over the phone, "You old fool, why don't you come home?", I replied, "That is the answer."

One day she said, "We have plenty; we can get along all right on this retirement." I said, "Since when have you been to the market?" Get it? That is the trouble. I am afraid my retirement—ample as it was when it was earned, when it was bought and paid for—I am afraid it will not be able to buy even potatoes and a little cornmeal to make mush so that we—the old man and the old lady—can live, because the cost of living has gone up, and apparently will continue to go up.

Remember when we raised the Federal employees 7¼ or 7½ percent and this lady, a Federal employee here in Washington, wrote a letter to the Post; it was on the front page. She wrote: "Don't do it again. My landlord found out about it and he raised my rent $7 a month." That is what happens.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Iowa.

Mr. KYL. The gentleman has spoken about the size of the police force, and I was just going to point out to the gentleman that on Saturday night, the busiest night of the week for juvenile officers in the District of Columbia, a city of 750,000 people, there are two juvenile officers who are supposed to patrol the entire District of Columbia, write out all the reports, charges and so on, and deliver the youngsters to the receiving home, and there is nobody at the office to help them with their paperwork.

Mr. HOFFMAN of Michigan. We are shirking our duty, are we not?

Mr. KYL. Yes.

Mr. HOFFMAN of Michigan. We are responsible for it. Yes, that is what I thought. Most of our trouble grows out of our own actions or our failure to act.

As was said before, we realize the situation—I think everybody here does—which prevails in the cities, and something must be done to correct it. My idea is that temporarily, at least, we put on enough police officers and get enough judges who will enforce the law so that the boys can be controlled and we will not have these gangs beating up and killing each other and destroying property.

But, I cannot see how as parents, as most of us are, we are going to help by turning control of our families, our children, over to some Federal official and let him direct what the boys and girls should do. Much of the trouble grows out of crowding, nothing to do. But the recreation, the work, must be furnished and directed by local authorities after the parents have done all they can.

As a closing thought, Mr. Chairman, it might be well for us individually—for the Members of the House—not the ladies, just the men—to set an example as to how the young folks should act.

It is possible the parents as well as the girls and boys need instruction, or, at least that they do a little thinking on their own—then try by example as well as by precept—old home remedies. And, I might add, a little enforcement of present laws. Pass this bill—then sit back, and watch the agency grow.

Mrs. GREEN of Oregon. Mr. Chairman, I yield 5 minutes to the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, of course, the gentleman from Michigan is a very hard man to follow, and I often think that he would not be in as good shape physically, as he is, if it were not for the Federal Government, because the Federal Government is spending tremendous amounts of money for research in medicine. And, our life expectancy is going up every year, and I think the gentleman from Michigan at his age is a good example.

The gentleman from Michigan [Mr. HOFFMAN] left the impression that this is a city problem. The gentleman from Michigan is not right when he says it is a city problem. It has been going on for a good long time; I venture to say it was going on when he was born about 80 some years ago, or whenever it was. But, it was going on in the small towns in Michigan as it is going on in the small towns today. Maybe it should not happen, but it does happen in small towns.

Our Committee on Appropriations has been holding hearings on juvenile delinquency since 1959, and every witness that has appeared before us has said that many studies have been made by different groups all over the country. But, a national study has never been attempted, and that is what this legislation is trying to do, to correlate all these studies and try to come up with concrete recommendations to help the cities and States prevent juvenile delinquency.

If we do not want to adopt this kind of legislation and spend $10 million a year for 3 years, or $30 million altogether, we will spend 10 times that amount of money trying to get local taxpayers in the District of Columbia and other cities to provide enough juvenile courts in the country to take care of the situation. It seems to me the best thing to do is to try to eliminate the source of the trouble, to prevent things like this happening rather than to pay for it in an unreasonable number of dollars as the years go on and we do nothing about it.

We have been told that juvenile delinquency is costing us $4 billion a year. If you do not want to vote for this legislation but wish to continue to spend $4 billion or more in local, State, and Federal taxes in this particular area, that is not economy as far as I am concerned; you are not voting for economy but against it.

This kind of legislation deals with that group between the ages of 14 and 17 where most of this delinquency takes place, according to the Bureau of Statistics; and I think it is a pretty fair figure that this age group in the next 9 years between now and 1970 is going to increase by 40 percent. So the population group within which most of this trouble takes place is going to increase in the next 9 years by about 40 percent unless we do something at several levels: at educational levels, at work levels, at religious levels, at almost every level of our society; unless we touch them all we are not going to do much about this particular problem.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. GOODELL. One part of the gentleman's statement bothers me. I believe he said that one of the purposes of this bill was that of coordinating all the studies that have been made on juvenile delinquency. I hope the gentleman does not anticipate, and I do not anticipate, that we are going to come up with a Federal program, and try to solve the problem that way.

Mr. FOGARTY. If I said we were going to come up with a Federal training program and a Federal administration program, I should not have. The plan is that the States will come up with their own training programs because local communities best understand their own problems. The result of these studies will be that the Federal Government will be in a position to help them when they seek help.

Mr. GOODELL. That was the understanding I had in our subcommittee and our committee, that the purpose of this legislation was to set up a study to coordinate all these efforts that have already been made including a few demonstration projects, but we do not expect that the Federal Government is going to take over the program.

Mr. FOGARTY. If I said that I was not right. I agree with the gentleman. We know that many studies have been made by many schools and institutions, organizations, associations, and individuals.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. COLLIER. Has any survey or study been made to determine how many qualified trained teachers or people are available in this field who are unable to get assignment or employment?

Mr. FOGARTY. I am talking about professional people.

Mr. COLLIER. And I am talking about professional people.

Mr. FOGARTY. In the testimony before our committee emphasis was placed on the lack of sufficient trained personnel in this field. The dean of the Wisconsin School of Social Sciences came before our committee and said that this is not a city problem, it is a rural problem in the State of Wisconsin, that it is costing the State of Wisconsin millions and millions of dollars because they cannot get the trained personnel they need.

He said, "In my school I have only 120 people who are graduate students and the law school has 500." He said, "We receive 10 times more applications for people with this sort of a degree than we can supply all over the country." We have that kind of need which exists in the professional field in this country at the present time.

Mr. COLLIER. I am glad to know that, because I would not want to continue to train, as we have done through Federal control, more and more engineers to find more and more engineers unable to get employment.

Mr. FOGARTY. I do not know the program you mentioned. We are spending a lot of money training personnel, training teachers, training people in almost every field of government. I do not know yet of any opposition to any of these programs that I am talking about at this time. Do you?

Mr. COLLIER. I am not in opposition. I just wanted to make sure a survey had been made to determine what is already available that is not being used. That is just a logical question, I would think.

Mr. FOGARTY. The answer is, Every witness who has appeared before our committee has told us they need 10 to 20 times as much personnel as we have now to start such a program. Until we do something about it we will have to continue to pay $4 or $5 billion a year.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Does the gentleman concede much of the trouble grows out of the fact we have crowded so many people in small areas with nothing to do, and I refer to the young folks?

Mr. FOGARTY. I think that has a bearing, but in your State, sir, you have this problem. It exists in the smaller towns.

Mr. HOFFMAN of Michigan. We do not have much of it.

Mr. FOGARTY. You have a lot of it, the gentleman would be surprised.

Mr. HOFFMAN of Michigan. I know what is going on in my district.

Mr. FOGARTY. It is costing millions of dollars to house these kids in school, and we are doing nothing about it. The figures were given to us for Wisconsin. This doctor said: "You would not believe it could happen in Wisconsin, but it does." He told us about the schools that had been built in recent years, and they do not have the personnel to take care of the kids in trouble.

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Ohio.

Mr. ASHBROOK. Knowing the gentleman's important position on the Committee on Appropriations, I was very much impressed with his stand and his honesty in stating what he contemplates will come out of this program. I want to pinpoint one proposition. Does the gentleman anticipate the seed money we are spending here will bring about a Federal grant-in-aid program or a Federal aid program of some type to the States?

Mr. FOGARTY. I would say it would be a grant program, as we have other programs. These grants will not be made until passed upon by a nonpartisan advisory committee, as anticipated by the President.

Does that answer the question?

Mr. ASHBROOK. Yes, that answers the question.

Mr. FOGARTY. During the years in which I have been associated with health, welfare, and educational legislation, I have been in a position to observe the alarming inroads made by juvenile crime against our best efforts to provide for a stronger and more productive society. I would like to urge every Member of this body to give careful consideration to this legislation.

It is designed to attack a problem that confronts each of us on his home ground. Few if any communities can claim immunity from the costly ravages of juvenile delinquency—measured not alone in destruction of property, but in the distortion of lives. Our concern with this problem is here and immediately. But that is not all. It is growing, and it must be dealt with. There is little doubt but that, if new and effective ways are not found—and used—to deal with juvenile crime, the social costs to our country in the immediate years ahead will reach staggering proportions. Today the cost to the Nation's economy from this source is estimated at about $4 billion a year. This in itself is justification for an accelerated national effort.

Assistance along these lines is long overdue. It has been my conviction for several years that we have had too much talk and not enough action. It is not enough merely to be against juvenile delinquency—it is our responsibility to develop a major national blueprint for the control of this raging epidemic.

In 1959, the House Committee on Appropriations paid special attention to the problem of juvenile delinquency. In our report on the appropriation request for the Department of Health, Education, and Welfare, we said:

> Juvenile delinquency is a problem of great magnitude in terms of parental distress, economic burden, and loss in future potentially useful citizens. The problem is one about which parents, teachers, the courts, civic groups, and other organizations have all expressed concern. But there seems to be no coordinated effort to do anything about it, and no one group accepts responsibility for giving leadership in efforts to prevent or ameliorate the problem.

We asked the Children's Bureau and the National Institute of Mental Health to prepare a report on what could and should be done in the field of juvenile delinquency. Following receipt of this report, the Subcommittee on the Departments of Labor and Health, Education, and Welfare appropriations held a special hearing because the committee wanted to know what the roadblocks are which prevent the dissemination of knowledge we have had on juvenile delinquency, and what is needed to do a better job to control the problem.

From the analysis of the report and the information gained from the hearing, the committee found four major fields in which greater Federal effort should be made:

First. Research;

Second. Field studies, pilot programs, and demonstration projects designed to help children who have become delinquent;

Third. More and better trained manpower in both professional and supporting fields; and

Fourth. Improved direction, organization, and coordination of activities to combat juvenile delinquency at State and community levels.

I believe that H.R. 8028 will stimulate action in all four of these areas. I am especially glad to see the emphasis given to a coordination of efforts at all levels—Federal, State, and local—for the prevention and control of juvenile delinquency. The Attorney General and the Secretaries of Labor and Health, Education, and Welfare, through the President's Committee on Juvenile Delinquency and Youth Crime appointed only last May, have already made progress in developing a program of coordinated Federal leadership in this field.

But further efforts toward coordination are needed in the States and local communities. Juvenile delinquency is a complex problem. Multiple factors contribute to it. Its prevention and control involves many disciplines, such as those related to religion, social work, law, education, mental health, recreation, and others. By the same token, community programs for dealing with this problem should bring together, in a coordinated way, the efforts and activities of a wide variety of agencies and organizations, and of civic groups as well as professional organizations.

But existing services which could contribute to the prevention, control and treatment of juvenile delinquency are poorly coordinated so that an integrated attack on the problem is not possible. This results inevitably in great wastage of the manpower which is available. With existing shortages of manpower, we should be making the best possible use of the manpower we now have.

H.R. 8028 would enable a concerted effort on providing short-term training courses to improve the quality of services now available and would, thereby,

complement the increased training programs for social workers and other professional personnel contemplated under other existing legislation. We have irrefutable information from many city and State surveys that thousands of delinquent youth are not treated today because the personnel and facilities for this treatment are lacking. Moreover, thousands of individuals now engaged in programs for the prevention or control of juvenile delinquency have had no special training whatever to equip them to provide the skilled services needed in these programs.

The relation between inadequate schooling, difficulty in securing employment, and delinquency is an important one. On the one hand, the peak ages for delinquency come at the years when the young person is faced with transition between school and work. On the other hand, the rate of unemployment among youth has been consistently very high—at the present time, twice the national average.

We must not only see that jobs are available to young people, but also that better counseling and guidance programs are available to them. Under H.R. 8028, it will be possible to encourage local communities to take a broad approach toward developing the total ranges of services and programs needed by adolescent youth, while focusing on the problems of delinquent youth. It is especially important that these include the programs and activities related to the employment of youth.

Juvenile delinquency has risen for 11 consecutive years. Here are some of the facts:

The national delinquency rate doubled between 1948 and 1958.

In 1959, more than 750,000 children came before the juvenile courts.

Between 1.5 and 2 million youngsters were dealt with last year by the police for misbehavior.

According to FBI reports, half of all arrests for burglary and larceny involve persons under 18 years of age.

Evidence suggests that juvenile crime may be more than double the size indicated by official statistics.

When we look to the future, the picture is even more threatening.

Our youth population in the delinquent age group of 14 to 17 will increase by over 40 percent in the next decade. Even if the delinquency rate leveled off, consider what this forebodes in statistics of juvenile crime.

Compounding the problem, many more people will be living in or near big cities.

At present, the big city delinquency and adult crime rates are at least three to four times the rural and town rates. It seems likely, therefore, that as the Nation becomes more urban, crime rates will continue to rise. The American people are deeply aroused by this problem.

With prompt passage of H.R. 8028 we can begin immediately not only to improve present programs for the prevention and control of juvenile delinquency and youth offenses but to gear these programs for the foreseeable future when the problems will be of even greater magnitude. The time for action is now.

Mr. QUIE. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Chairman, I am opposed to this bill because it does not attack the cause of delinquency. We Americans have a tendency to seek ways and means of avoiding the effects of our mistakes, instead of learning from them and simply not repeating those mistakes.

We overeat and instead of pushing ourselves away from the table we run for the Metrecal. We ruin our eyes looking at faulty TV, and instead of spending less time at the TV set, we go to the optometrist and get glasses. We ruin our teeth by eating too much candy, but instead of not eating so much candy we go to the dentist. We drive around the block and refuse to exercise. Then, in order to keep fit we go to Vic Tanny's gym.

We seek to avoid the effects of our mistakes, instead of preventing what caused the trouble in the first place.

Mr. Chairman, I do not speak as an expert on child psychology. As I recall, I had something like three units of it in college, and about six units of sociology. I also spent 4 years in guidance and counseling as a high school teacher, and spent 1 year in charge of a recreation program for teenage children. I have raised a 20-year-old daughter who has never been in trouble, and I do not expect ever will be. That is my experience. It is not great, I admit.

But I do say this: In that little experience I have always found that it is the idle child that gets into trouble. The one who works, the one who understands and respects the dignity of a day's work, is not the child who gets into trouble.

Mr. Chairman, it strikes me that here is one of the causes of juvenile delinquency that we seek to avoid facing, because in this very Congress we pass law after law after law which denies to a child the dignity and the right to engage in a day's work.

As a case in point, I want to read this letter into the RECORD. It is from eight young people in my own hometown, and is dated August 22, 1961. The letter reads as follows:

L. & S. Co.,
Gilroy, Calif., August 22, 1961.

Hon. CHARLES S. GUBSER,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN GUBSER: We, the employees of Foster's Freeze in Gilroy, Calif., are faced with the possibility of losing our jobs because the Culinary Workers and Bartenders Unions are trying to take over this establishment.

All of us, with the exception of one, are students and we depend on this job to help our families meet high school and college expenses. We have all voted to stay nonunion, but it seems our freedom of choice is not respected by union officials.

Recently, Secretary of Labor Goldberg made a speech requesting employers to hire the youth of the Nation to cut down the delinquency rate. Our employer has done this for the past 11 years; now the union has stepped in and said he must discontinue his practice of hiring students.

We feel that when freedom of choice and free labor are jeopardized it is important enough to be brought up before the Congress of the United States of America.

We hope that this matter will be brought to your attention.

Yours very truly,
Daniel Devitt, Richard Ramer, Carol Matranga, Andrie Schoutens, Albert Hazelberg, Paul Schoutens, Dale Lankford, Gordon Spencer.

Mr. Chairman, these are my neighbors in the small town of Gilroy, Calif., who have their answer to juvenile delinquency. Let them work and you solve the delinquency problem.

Mr. QUIE. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. ASHBROOK].

Mr. ASHBROOK. Mr. Chairman, in the Education and Labor Committee it was my privilege to serve on this important subcommittee which heard the testimony on this bill. There were many of us who thought at the time that possibly this was the type of approach which should be made by States and local governments. But, because of the great significance of the problem we felt there may be a place for the Federal Government in this field if properly oriented and guarded.

Mr. Chairman, speaking as one Member, I was very much impressed, I might say, by the Secretary of the Department of Health, Education, and Welfare when he came before our committee. It certainly seemed to me at that time that Mr. Ribicoff had his feet on the ground, so to speak. He gave indications that he was going to direct the program in such a way that we might all support it. He stated that he certainly was going to compile data and evaluation reports which we could then pass on to the States and local governments as a method of combating juvenile delinquency. I think if anyone has listened to the debate this afternoon, it has been clear on both sides of the aisle that no one contemplated the creation of a bureaucracy, the creation of massive Federal programs which would inject the Government at the Washington level completely into the field. It was in that spirit that I supported this bill. I am one person who has great reluctance in going along with the bureaucratic efforts to control so many aspects of our life.

I must say to my distinguished friend from Rhode Island that I was very much concerned at his statement that as the chairman of the subcommittee which would pass upon appropriations for this important legislation in the future he looked forward to a grant-in-aid program or a direct Federal-aid program to combat juvenile delinquency. I must say that the present speaker, the gentleman from Ohio, did not contemplate that in this program nor did the majority of our committee and subcommittee. Quite the opposite, we received many protestations that it would not take this approach. I must bring to the attention of the House that I think this is a very important factor in this bill; whether we do in effect want to set up something which will study, which will evaluate, which will demonstrate as it says in the

title of the bill, or whether we will in effect set up something which will grow into a bureaucratic effort to inject the Federal Government completely, or almost completely, into this field.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Does the gentleman agree that this bill does not authorize any such program?

Mr. ASHBROOK. I agree that the bill does not. But when I read the report, I have some concern over demonstration projects, and so forth, which I think may be very significant.

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Connecticut.

Mr. GIAIMO. Mr. Chairman, does not the gentleman agree that in testimony by the Secretary of Health, Education, and Welfare, in testimony by the Secretary of Labor, it was stated that this would receive money only to help coordinate, to start these projects; but that the responsibility was with the States and local communities? And in testimony by the Attorney General of the United States in answer to a direct question as to whether or not it was his intention to bring the Federal Government into this field of enforcement of juvenile crimes, his answer was "No," that it was the responsibility and function of local governments; and that it was not the intention and purpose of the Federal Government to get into this area, except that we want to try to get this type of legislation to help coordinate these projects in some way. Was not that clearly brought out?

Mr. ASHBROOK. I certainly would agree with the gentleman that that was brought out. It was my impression up to this time that the seed money would be of the type which would be designed to produce reports and know-how with the idea in mind of helping other levels of government which are combating this program. Now it seems that almost certainly the seed money will bring forth a crop, a harvest, of Federal intervention, a harvest of Federal bureaucracy. I, myself, am greatly concerned at this and I think it should be pointed out just where we are heading. I will oppose this bill for that reason.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman.

Mr. GOODELL. Mr. Chairman, I want to commend the gentleman for pointing out this problem. I want to say that I think we had better get it straight, that nobody on this side of the aisle, in my opinion, and as far as I know, nobody on the subcommittee on that side of the aisle contemplates that this was a foot in the door for a grant-in-aid program. If that is what it is, you can count us out right now, because it is not my intention to get into anything of that nature. I do not think any of us believes that the Federal Government has any business to try to solve this problem itself. The testimony of the Attorney General, of the Secretary of the Health, Education, and Welfare Department, every one of the witnesses that came up here was that this is a local and a State problem, that the Federal Government can provide some leadership, guidance, cooperation to start, but nothing more than that. If anybody on that side of the aisle has a plan to make this the nose under the tent and that we are going to get the whole camel in in 2 or 3 years, then I think we had better find out about it right now.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Indiana.

Mr. BRADEMAS. I have been told that it is always unwise for a younger Member of this body to get into any kind of squabble with anybody on the Appropriations Committee, and especially with someone who has the great influence, which he justly deserves, of the distinguished gentleman from Rhode Island.

Mr. ASHBROOK. I may not be here 2 years from now and at any rate it is always better to do what one thinks is right without regard to reelection.

Mr. BRADEMAS. I may not be here, either, and moreover, I agree with the gentleman from Ohio that it is always better to do what you think is right. For that reason I speak all the more candidly and say that I happen to be in disagreement with my friend from Rhode Island, if in fact he does contemplate that the purpose of this legislation is to move in the direction of establishing a Federal grant-in-aid program in the field of juvenile delinquency, as distinguished from the pilot project grants provided in the bill. It is my name that is on the bill and not the name of the gentleman from Rhode Island. I hope that I have made myself clear, therefore, on this matter of the role of the Federal Government. It is a limited role.

My own view of that, and the view of the Secretary of Health, Education, and Welfare, the Attorney General of the United States, and the Secretary of Labor, is that this bill is not designed to allow the Federal Government to preempt control of juvenile delinquency from the State and local governments. I hope I make myself clear.

Mr. ASHBROOK. I thank the gentleman from Indiana.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Ohio.

Mr. BOW. In the Department of Justice appropriation bill for this year, which has passed the House and is now being debated in the other body, $500,000 is being appropriated for the treatment and rehabilitation of juveniles. That money is appropriated to the Attorney General. I wonder if the gentleman could tell the committee if there will be an overlapping of that program, where they speak of juveniles, with the program to be set up under this bill.

Mr. ASHBROOK. There is probably some overlapping in numerous programs, some yet to be before the House. We have the Youth Conservation Corps bill, and a training bill to name only two, which to some extent will overlap. I cannot speak directly as to the $500,000 the gentleman mentioned.

Mr. BOW. I wonder if the gentleman from Ohio would perhaps agree with me that the $500,000 that has been appropriated by the House in this appropriation bill probably is for rehabilitation of juveniles?

Mr. ASHBROOK. I would assume it would be. Somebody on the committee might answer that better than I. I thank the gentleman for bringing that up.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from New York.

Mr. GOODELL. I should like to quote an editorial that I think points up the viewpoint of those of us who are in support of this bill. We have built this for the purpose of making studies and demonstrations so that we can avoid the need for any crash programs at the Federal level itself. This editorial points out that juvenile delinquency is a local problem. It says the Federal Government should not move into this field and try to take over the solution of the juvenile delinquency problem. I quote the editorial:

> There may be something touching in this faith in the Federal Government, this naive belief that the answer to any and every kind of problem is to throw it at Washington. But whatever else may be said of that attitude, it must be judged delinquent in commonsense.

I agree with that editorial. I do not think the members of the committee on either side that deal with this problem think that it should be thrown at the Federal Government, that the Federal Government has any wisdom that is not available to our local and State governments. We feel, however, that if the local and State governments are really to meet this problem they need Federal coordination. We ought to stop there. We are not going into a movement to put the Federal Government into a program to control juvenile delinquency. May I ask the Members on the other side of the aisle if they do not agree with me?

Mrs. GREEN of Oregon. I might say to the gentleman there is no such purpose in this bill.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mrs. GREEN of Oregon. Mr. Chairman, I yield 1 minute to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, this bill is one bill from the Committee on Education and Labor about which no one is in controversy. There was only one vote in the committee opposing this legislation. There are some people here today, and I am speaking particularly of the gentleman from Michigan [Mr. HOFFMAN] who would kill this bill by ridicule. This is good legislation, wholesome legislation, needed legislation, and I trust it will be the will of the committee to approve it.

Mrs. GREEN of Oregon. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Chairman, I rise in support of H.R. 8028. I hope this legislation will be adopted by Congress so that for the first time in our history we can begin a serious, concerted attempt to determine the causes of juvenile crime in our country.

While it is true that most of us here in Congress have been seriously preoccupied in recent months with international problems, we cannot afford to lose track of the fact that juvenile delinquency has been steadily increasing in this country.

U.S. Attorney General Robert Kennedy and FBI Director J. Edgar Hoover both stated that the increase in juvenile crime has reached the proportions of a national crisis. This is a subject we can no longer ignore.

I have spent a great deal of time and personal effort during the past 20 years in dealing with the problems of juvenile crime. There is no question there are many theories and suggestions on how to deal with this problem. It appears to me, however, that most theorists touch upon individual aspects of this problem when in fact an effective formula for dealing with juvenile crime would include practically every facet of our society.

Several years ago I had occasion to discuss this problem with the warden of a Federal reformatory. He cited an inscription taken from an Egyptian tomb, which lamented the fact that the children of that day were incorrigible, disrespectful of their parents, and completely irresponsible in their attitude toward local laws.

This very competent warden dismissed concern about juvenile crime with the statement that the Egyptian inscription proves the problem of juvenile delinquency dates back many centuries.

I, for one, cannot accept this type of reasoning. It has always been a source of great concern to me that while civilization has been able to make spectacular progress in every field of human endeavor, we have not been able to deal effectively with this problem of lawlessness among young people.

Our scientists have made impressive gains in dealing with diseases which have beset mankind. In the field of technology we can now confidently look to the day when we will pierce outer space and place a man on the moon. We have made progress in every sphere of civilization; and yet, if the inscription on the Egyptian tomb is correct, we are still literally in the Dark Ages when it comes to dealing with youthful crime.

It is my hope that when this legislation is approved by Congress, all of the interested agencies will move forcefully to establish several pilot projects, and through the process of saturation will try to give every community in America the results of the research so that we can at this late date perhaps reverse the mounting rate of youthful offenses.

There is no question in my mind that we need trained personnel, but I do not believe that such a program of long-term training through college grants and fellowships should be incorporated in this particular measure. I would be happy to support legislation to make funds available for training these people on a long-term basis, but it is my firm conviction that funds provided in the measure before us today should be used to the greatest extent possible for actual research on the problem itself.

The measure before us today does provide funds for short-term courses for policemen, juvenile officers, social workers, and various other people dealing with the problem of juvenile delinquency. I hope that the administrators of this act will resist the temptation to dissipate these funds for long-term training facilities and instead confine themselves to the short training courses needed to qualify people participating in the pilot projects which will be established by this act.

I know that every community in this country has problems of juvenile crime. I know also that in most instances lack of funds to hire competent help is one of the great problems in local communities. It would appear to me, however, that we can approach this entire problem more realistically and perhaps eventually provide some form of Federal assistance to local communities only if at the conclusion of the pilot projects to be established by this legislation we can evolve a sound formula for dealing with the youthful offenders.

I congratulate the subcommittee which reported this bill out to the full committee for striking from the language the provision for long-term fellowships and limiting training assistance to short-term courses and also assistance for establishing facilities where these short-term courses will be conducted.

Within the spirit of this compromise, I wholeheartedly support this legislation. There is no question in my mind that this is one of the most important measures to come before this Congress, and I feel confident that at the conclusion of this program, local authorities throughout the country will be better prepared to deal with problems of juvenile crime within their respective jurisdictions.

I am indeed proud to have been able to play a part in bringing this legislation to the House for final consideration. It is my hope that this is the first step toward ultimately reversing this tragic waste of American youth who, for various reasons, have been led down the path of juvenile crime. I sincerely urge my colleagues to support this measure.

Mrs. GREEN of Oregon. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Chairman, I thank the gentlewoman from Oregon and the members of the committee for this time. I have some prepared remarks, but I would like to take this time to make a few observations.

One of my colleagues from California made the point that there was something soft about us Americans and that we were somehow different. I just want to remind him and the members of the committee that this is not a problem unique to this country. This is a worldwide problem. I lived abroad with my wife and four children for some time, and it came as a surprise to discover that other nations whose people have worked so hard and were often denied many of the good things in life, faced these problems too. I lived in a rural English village. They had juvenile delinquency there. I lived in London and in London they also had serious juvenile delinquency problems. We heard the good gentleman from Iowa [Mr. KYL] in his excellent statement speak about what is happening in Sweden. There are some sociologists who say this has something to do with the state of world tensions. I believe that it does have something to do with it, but it should be clear that juvenile delinquency is not unique to this country.

Mr. Chairman, this is a good bill. This problem needs our attention, and I certainly hope that the bill will be strongly supported.

One other point was made on the unemployment question. There can be no doubt that we have, to a degree, painted ourselves into a corner here, in that juvenile delinquency has a definite relationship to employment. But, remember this, according to the last figures I saw, 6.9 percent of our total labor force is still out of work.

It is impossible to overemphasize the magnitude of this problem which extends its tentacles into each of our communities. According to the well-documented "Report to the Congress on Juvenile Delinquency" by the Department of Health, Education, and Welfare:

> In 1958, between 1.5 and 2 million youngsters under 18 were dealt with by the police for misbehavior. Over 600,000 different children came before the juvenile courts because of alleged delinquent behavior, including traffic offenses. Even if the 1958 rate remains static, a total of between 4 and 5 million different children will be referred to the juvenile courts for delinquent acts within the next decade, of whom more than one-third will appear more than once.

The rate, however, is not remaining static. Again quoting the HEW report:

> The total population of children in the age group 10 to 17 years, upon which juvenile delinquency statistics are based, has increased almost 50 percent in the past decade and is expected to increase additionally by about 50 percent by 1980. The national rate of reported juvenile court delinquency has doubled in the decade 1948 to 1958. Careful analysis of the available data suggests that the increases are not artifacts of better reporting or more efficient law enforcement, but are real.

Furthermore, in the State of California the rate of juvenile delinquency increased by 11 percent between 1957 and 1959, and in my own district the rate increased by 15 percent between 1959 and 1960.

A problem of this magnitude demands immediate, constructive action, and I believe that this legislation is a definite step in the right direction. H.R. 8028, as the Committee on Education and Labor has so clearly stated, would provide the encouragement and the seed money for a more concentrated effort to prevent and combat juvenile delinquency and youth offenses on the part of the States, communities, and private agencies. It

seeks both to explore new methods for curing this social problem and to test the effectiveness of scattered programs already being tried.

Mr. Speaker, a factor which is a consideration for many of us is the role that the Federal Government should play in the struggle to combat juvenile delinquency. Although this problem is decidedly national in scope, there can be little doubt that the major attack will not and in fact cannot, be carried on directly by the Federal Government. It will of necessity be accomplished by State and local agencies, of both a private and public nature, which are on the scene to deal with delinquency and youth crimes.

The fact remains, however, that the Federal Government has a legitimate and important service to perform in the control and treatment of juvenile delinquency today. This is a role of leadership; a role to provide the incentive urgently needed and desired by local agencies. I believe that this bill effectively provides for such a role, and I urge the House to approve it today.

Mr. QUIE. Mr. Chairman, I yield such time as he may require to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Chairman, I rise in support of H.R. 8028, and I do so enthusiastically. I say this, however, with the full realization that neither this bill nor any bill, no matter how thoughtfully conceived or how well-intentioned, will lead us toward a complete solution of the problem of juvenile delinquency.

I say this also with all due regard for the efforts of the Special Subcommittee on Education which has worked diligently on this legislation and for the fine work of the authors of this bill.

We all should be aware that incidences of juvenile crime are increasing at an alarming rate. If the present trend continues unabated, it is estimated that by 1970 one boy in every five will be involved in at least one court delinquency during his adolescence. During the year 1959 alone 773,000 juvenile delinquency cases—including traffic offenses—were handled by juvenile courts in the United States. We can only guess at the number of offenses that never reach the authorities.

These are alarming statistics and should make every one of us aware that this problem has reached a magnitude which transcends community boundaries. With increased mobility, continuing revolutions in industry, agriculture, commerce, transportation, and communications, the problem has taken on the dimensions of a national crisis.

There is an ever-increasing need to provide for research and demonstration projects in order to develop better methods for the control and treatment of juvenile delinquency. Even more important, there is an urgent necessity for the training of more personnel to adequately cope with this critical problem. In my own judgment, the shortage of trained social workers is the most critical deficiency in our present system.

Positive action must occur on many fronts, but if we fail to strengthen the institutions which form the basic fabric of our society—the home, the school, the church, the neighborhood, the community agency, the recreation center, the place of work—then we might as well give up and admit that we have failed the young people of our society and that we ourselves—the so-called responsible adult citizens of our country—are the unwitting creators of conditions which allow delinquency to thrive.

Mr. Chairman, I strongly believe that no legislation we can pass on this crucial subject will be adequate if it fails to strike at the heart of the problem—the causes of juvenile delinquency.

It is fine that we are quick to rush in the troops to help control delinquency once it has occurred or threatens to occur and that we are making some progress in our efforts to help rehabilitate the juvenile offender. But what steps are we taking to prevent delinquency from occurring?

Perhaps the problem is too much for us. Maybe, it will overwhelm us in spite of our continuing search for a solution. At any rate, we persist in undermining our constructive efforts in this area by permitting many of the destructive forces of our society to nullify whatever good we may hope to accomplish.

All too often, we overlook the fact that the tremendous social and economic upheavals which have fostered tensions, conflicts, inequities, and unrest in the modern world have in fact wrought great changes on the primary unit of our society—the family.

Great movements of population along the highways of our gasoline combustion society have quickened life's pace and intensified life's pressures. It is no accident that we have been termed an "age of anxiety."

The family unit has not been unaffected by these changes. In an agrarian society the family was an economic and social asset to be preserved and protected. Each member had an ordered place and a necessary function in the structure of the family hierarchy. There was no confusion as to the role or status of the individual member.

In an urban, industrial society the life of each individual is increasingly specialized and fragmented. No longer is the family unit a social and economic necessity to sustain this life. This too often has led to a breakdown of the family structure.

Juvenile delinquency begins in the home and the community in which the youngster lives. It owes its inception to lack of love, care, and affection and springs from families where the bonds of devotion have been shattered either through their own inadequacies and failures or through their inability to cope with circumstances and misfortune. It is capable of occurring in the most rundown, blighted, and impoverished slums or it can occur in the clean, well-lighted neighborhoods of people with higher social and residential status—people who are often referred to as the very pillars of their community.

When children have no love, they look for ways they can attract the attention of others. They look out into the world we have created for them and what do you think they find? They quickly discover that antisocial behavior will achieve the attention that they did not receive at home.

Harrison Salisbury makes a very cogent statement on some of the preconditions of delinquency in his report on "The Shookup Generation," page 162:

> It can be no accident that the most vigorous and vicious revolt and most spectacular of its manifestations are found precisely in those strata of the population where conflict abounds, where insecurity is rife, where uncertainty is commonplace, and where the ordinary pillars of humanity, the family, and the social community are debased or shattered.
>
> The rebellion occurs where neither a youngster's family nor the other social forces impinging on his life are prepared or able to give him the support and aid which he needs in adjusting to the complex problems of the contemporary age and the eternal turbulence of adolescence.
>
> The revolt is directed against the same elements which have failed the adolescents—the components of the society he is living in. The rebels may take an old rabbi in Boston, a teenage girl in Los Angeles, or a middle-aged woman in St. Louis as the object of their murderous rage. But when they strike down the woman, the rabbi, or the girl they are really striking at the society they have been projected into through no fault of their own.
>
> Their objective is unconscious, anarchistic protest against the world as they perceive it. They have not the wit nor the means to offer any alternative. But, by combining their youthful energy, their brute vigor, and their young ruthlessness they are writing with their knives, their rumbles, and their japping a bloody and terrible indictment of their times.

Is it any wonder that these children join gangs and street clubs? In an age of violence and social upheaval, instances of which are blared across the radios, the TV, and the movie screens, which fill our papers, magazines, and comic books, is it any wonder that these children find encouraging examples to start them on the road of antisocial behavior. Is it any wonder that in a senseless violent age they are perpetrators of crimes of senseless violence? I think not.

If anyone has any doubts on the subject all he need do is look around him. His doubts will be quickly dispelled.

Harrison Salisbury draws a sharp analogy between the violence of the teenage subgroups and the large-scale pattern of cataclysmic conduct displayed by the nations of the world, page 163:

> When we look at life today, the tensions between peoples, the constant threat of war, the preoccupation with weapons of unequaled power, the universal training of young men in the arts of death and destruction, we cannot fail to see in adolescent gang hostility a distorted reflection of the atmosphere of the world itself. The ever more deadly combat of the youngsters, the aimlessness with which they fight, the potency of their weapons, the development of new and atrocious tactics, the wider and wider spread of conflict seem, as in a distorting glass, to mirror the conduct of nations.

The increasing violence of our times is a fact which has not gone unnoticed. Although violence and outlaw behavior have long been a part of the American scene—from the frontier days down to the bootleg era—a number of factors,

many of them the creation of our postwar years, have heightened and intensified the conditions of our age and have made it a time without parallel in the history of our nation and the world. Our modern technology has spawned inventions so terrifying in their impact—both potential and actual—that we are in constant danger of being whirled out into the abyss—victims of our own self-debasement and destruction.

A particularly graphic description of the increasing violence of our time was made by Dr. Marcel Frym, director of criminological research at the Hacker Clinic of Beverly Hills, Calif.

> The accent on violence is expressed in many ways—the use of atomic power for mass destruction in warfare, overpowerful motor vehicles, acute international tensions implying the threat of war, intense racial tensions, etc. These developments are enforced by mass communication media which are more suggestive and impressive than ever before—the television programs which can be observed at home, day and night, motion pictures, emphasizing and actually glorifying violence as indicative of masculinity, gory newspaper reports as well as comic strips which feature force and ridicule higher values.

While the Soviet Union and United States are exchanging threats and counterthreats and are moving troops to the borders of Berlin, angry groups of unhappy youngsters are fomenting plans for a rumble in some obscure alleyway of the Bedford-Stuyvesant section of Brooklyn.

Is it any wonder?

One of the most unfortunate aspects of this problem is that in spite of our good intentions and best efforts we are constantly undermining the decent values of our society.

When we consider the unalienable rights, the cherished freedoms, and the limitless oportunities with which we are blessed in this country, when we consider the dedication of so many of our citizens and institutions in the fight against juvenile delinquency, and then pit these things against some of the false values and standards of our society—the blind pursuit of material things, the constant preoccupation with the appearance of things—it is difficult not to be annoyed by the disconcerting contradictions involved.

When we find our youth board workers and probation officers constantly competing with slick magazines, hotrods, and poisonous TV shows, then the whole appalling extent of the dichotomy is driven home to us. When we remind ourselves that we have more sleazy magazines than psychiatrists, we can begin to realize the great discrepancy between our good intentions and the sad condition of things.

Until we face up to these facts, we can not even begin to attack this problem intelligently, broadly, and effectively.

We should ask ourselves the following questions: What kind of standards of decency and morality have we established for our young people? What kind of guidance and leadership are the adults of our society setting for the youth of our country? In what kind of world are we bringing up our children?

We must answer these questions. It is not enough that we pass them off by saying that life has never been simple and that try as we might we can never eliminate all of the bad features and uncertainties of human existence. We must make our deeds consistent with our intentions.

A principal of a Brooklyn school, who is eminently well qualified to speak about young people, says the following:

> We try to make them act the way we don't. We try to teach them to be polite, to be generous, to believe in the sacredness of human life, to respect the rights of others. But the kids have eyes. They look around. They see that ultimately individuals and nations use force to solve their problems. They think that we are hypocrites because we tell them about the old-fashioned virtues. On the one hand we urge them to save money. On the other we urge them to spend it on the installment plan. We do not practice the virtues which we preach in private life, community life, or in foreign relations.

He is absolutely right. The question is, What do we do about it?

Mr. Chairman, certainly, in the name of trying to prevent delinquency, we shouldn't treat the inhabitants of our cities as if they were mere pawns on a chessboard, subject to the grand and often heartless strategies of our slum clearers and our urban redevelopers. It is correctly argued that the elimination of slum conditions will help alleviate the problem of juvenile delinquency. I am one who consistently supports urban renewal and Federal housing. But all too often what is accomplished under the name of slum clearance and urban redevelopment does just the opposite and encourages the growth of delinquency in areas where it had previously not been a serious problem. What the city hall planners and wrecking crews tragically overlook is that the destruction of a neighborhood means the tearing down of a community with long-established human relationships.

Harrison Salisbury offers a superb description of how this process occurs and how the end result fosters the growth of juvenile delinquency, pages 66–67:

> The stated objective of slum clearance is to clean out a section of the city which has decayed, to tear down dilapidated, rat-infested tenements, to wipe out the debris-filled home workshops, obliterate the dives, the dens, the cribs, and the blind pigs.
>
> The concept is a little like that of a dentist. Drill out the infected cavity and fill it with nice new wholesome cement. It may hurt a little at first but the end justifies the pain. However, the slum clearer is not a dentist. His drill uproots all the people in the neighborhood, good as well as bad. He tears down the churches. He destroys local business. He sends the neighborhood lawyer to new offices downtown. The clinic and the synagogue move to the Bronx.
>
> Bulldozers do not understand that a community is more than broken-down buildings and dirty store fronts. It is a tight skein of human relations. It has a life all its own. The wreckers tear this human fabric to ribbons. The oldtimers are driven from their rundown flats and their ancient brick houses. They cannot wait 3 years for the new houses to open. Nothing more than a passing effort is made to give them a place in the new building anyway. They need a place to live here and now. So they drift away. They find a worse flat in a tumbledown on the edge of the new ghetto-to-be. They go their way, resentful, bitter, lives twisted out of joint. The new neighborhood can never be as good as the old, or so they think.
>
> Into this neighborhood where nerves are still raw and bleeding pour hundreds and thousands of new faces, often of a race and nationality different from that which lived there before.
>
> This is a human revolution. But seldom are the social effects recognized. No effort is made to orient the new people. Nothing is done with the old residents. Institutions which might have been bridges between new and old have been ruthlessly ripped out.
>
> "Wherever you have great population mobility and disrupted population areas," according to Hugh Johnson of the youth board, "gangs spring up to replace the broken stability of the group. Wherever the pattern of life breaks down kids form gangs to give themselves a feeling of protection and stability."
>
> Before East Harlem began to resound to the deadly plong of the wreckers' ball and the tattoo of new steelwork it was a slum. But it had many institutions that gave stability. There were the Neapolitan blocks, the street fiestas, the interwoven relationship of stores and neighbors. Out it all went. In came the gangs.

It need not happen this way, and in some instances it has not. There are a number of well-planned housing projects throughout the United States. However, without thoughtful planning that considers the uprooting effects of slum clearance on the people involved, our efforts at slum clearance and urban redevelopment will continue to foster the growth of juvenile delinquency.

The members of the subcommittee recently made a trip to New York to get a firsthand look at the conditions under which delinquency flourishes and the neighborhoods in which it receives its most tragic expression.

I can see that this visit made a deep impression on them. The members were particularly dismayed by the sense of hopelessness on the part of the young people with whom they talked—the empty, dull, pointless lives they live—lives without hope and without satisfaction.

The question remains, What can we do?

Mr. Chairman, the first thing we can do as legislators is to vote for this bill. But as citizens acting in a responsible fashion there are many possible courses of action open to us.

The point I have been trying to make is that we can train additional personnel, as we must do—social workers, probation officers, juvenile court judges, psychiatrists—we can provide for research projects and job training programs, and we need these personnel and programs very badly, and we still do not come close to solving this problem.

Much of the trouble is an inevitable product of our times and is going to be with us for a long time to come.

A great deal of our difficulties spring from our failure to devote sufficient attention to the causes of juvenile delinquency. This has of necessity led to a concentration on rehabilitation and control programs and a marked neglect in our attention to ways of preventing delinquency.

An unfortunate consequence of this neglect has been a continual undermining of the best community efforts in attempting to solve the problem.

We need more research on the causes of delinquency. We need, particularly, more psychiatrists and social workers, available to all strata of our population, who can work with emotionally disturbed children and their families. We need a coordinated program which not only launches a sustained attack on this problem but also works to prevent our best efforts from being undermined by our own emphasis on violence, our own hypocrisies, our failure to mitigate against cheap tabloids, poisonous TV programs, salacious magazines, slick advertisements, and other breeders of false hopes and expectations and other debasements of human dignity. This is a problem for the community, for parents and citizens, and it is an urgent problem. We can never eliminate these influences in their entirety but we must combat them in every way possible and endeavor to lessen their influence on young people who come from emotionally disturbed homes and who would be particularly prone to the brazen incitements which these tawdry influences afford in such large measure.

We must never forget that we are dealing with a human problem of monumental proportions, a problem of which our knowledge is tragically limited. We must never forget that control and rehabilitation are not the same thing as prevention and if we do not place more of our energies toward discovering the causes of delinquency and strengthening the means of prevention, our work will have been all but in vain.

Mr. QUIE. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. BARRY].

Mr. BARRY. Mr. Chairman, ordinarily, being from New York, where it is our habit to pay $1.71 in the Federal Treasury for every dollar we get back, we should be very much in favor of anything that is particularly slanted and helpful to New York. I would like to say that this subject consumes the greater part of the attention of the people of New York City and New York State, in general, as it does parents all over the Nation.

However, there are two organizations in New York City that have done the most, perhaps, of any to alleviate conditions such as we are talking about today, and they are the Boy Scouts of America and the YMCA. For 10 years I was a member of the board of the Boy Scouts of New York, and I can say to you with positive conviction that for every 4 boys there are 3 who want to become Scouts but only one who is able to become a Scout. But, the reason for this is not for lack of a program, not for lack of knowledge of what to do about it. The Boy Scout program is systematized, well organized, and works in many communities, but where there is general apathy on behalf of the parents, on behalf of the churches, and on behalf of the American Legion posts and other sponsoring organizations to do the work necessary to bring into existence Scout troops and to do their part in the area surrounding them you will never get results. And, that is exactly the problem here. It is not basically a problem of knowing what the program should be, because we have good programs that have worked in certain communities where there is that leadership.

Now, in regard to the YMCA: This is a mass organization of 80,000 members in New York, with 23 branches comprising a capital plant of around $60 million, with 2,000 employees. I happen to be on the board of directors of this organization as well, and I can say to you that we have gone out and extended ourselves into the areas that need this service more than most any other. We have not always been successful in these areas, because there are certain local problems that have to be overcome, and the main one is getting the backing of the people and the response of the individuals and parents themselves.

Now, we have turned over to the school system the complete education of our children which traditionally in our America was not intended. It used to be that parents had a strong guiding hand in the daily study of each one of our children. Today the tendency is to let the school do it all, and if we do not get good results, we blame the schools. This is not going to work as far as juvenile delinquency is concerned. We cannot say to the Boy Scouts, "All right; you have not been able to do a good job; turn it over to the Federal Government." It simply is not going to work.

Let me read to you part of a letter from the Young Men's Christian Association of Greater New York dated June 8, 1961:

> Bob, I do not know how much you know about the needs of 16- to 19-year-olds in the underprivileged areas of our American cities—particularly the needs of Negro or Puerto Rican youth. In such communities as Harlem and Bedford in New York, about half of the 16- to 19-year-old youths are out of school for one reason or another and are also unemployed. There is no panacea for this problem. Most of these boys, when they do get jobs, don't stay more than a couple of months. We probably need to think of an organization something like the old CCC. Another need is to get unions and businesses to find work opportunities for these boys.

There is an inference in today's debate that juvenile delinquency is solely the problem of underprivileged areas. Such is definitely not the case as the incidence of juvenile delinquency is high even among some of the most privileged. May I point out the theft last weekend of five automobiles and the destruction of road signs on a tiny island where almost everyone on the island has a second home. This in a community of less than 200 privileged families—or the destruction of a church organ in the highest average family income village in New York State.

One of my constituents recently wrote:

> President Kennedy is recommending a $50 million youth delinquency program expenditure. This, sir, in my opinion, is like checking a horse's tail to find out why he has a decayed tooth.

We should go to the heart of the problems of delinquent children—the parents. Let us make parents responsible for their children—then and only then will we reduce delinquency.

A major step to cure delinquency would be for State and local governments to enact strong laws with teeth in it, making parents responsible for their own children. This would get at the source of the problem: Punishing irresponsible parents of youthful offenders would work like magic to help correct the juvenile delinquent problem.

May I conclude by suggesting that Members heed carefully the words of an expert in the field of youth guidance, the distinguished Congressman from California [Mr. GUBSER], and to remember the statement of the gentlewoman from Ohio [Mrs. BOLTON]—both of whom emphasized that a main cause for delinquency is the lack of opportunity for constructive endeavor by hundreds of thousands of our teenagers who no longer are in school.

They both hit the nail right on the head.

Mrs. GREEN of Oregon. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. SANTANGELO] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mr. SANTANGELO. Mr. Chairman, I rise in support of H.R. 7178, a bill to provide Federal funds to combat the problem of juvenile delinquency and youth offenses. This bill to provide Federal assistance for projects which will evaluate and demonstrate techniques and practices leading to a solution of the Nation's problems relating to the prevention and control of juvenile delinquency and youth offenses and to provide training of persons for work in these fields is desirable and demonstrates a great concern of this administration to solve the problem. This measure provides an authorization of $10 million for carrying out the purposes of this act for the fiscal year ending June 30, 1962, and a similar amount for each of the 4 succeeding fiscal years. President John F. Kennedy on May 11 called upon Congress to use its financial resources to implement the efforts of State and local communities and to assist dedicated persons who are striving in many ways to see to it that the youth of our country will develop strong character and attitudes favorable to the democratic way of life. This measure seeks to carry out the recommendation which President John Kennedy called upon us to make.

The problem of juvenile delinquency for youthful offenders cannot be solved by one measure alone. It requires the concentrated effort and support of the home, the church, the synagogue, and voluntary agencies. It requires the continuous recognition by parents of their parental responsibilities to control that which they created.

During my career as a State senator, I was fortunate to be designated as one

of the members of the statewide temporary commission on youth and juvenile delinquency. This commission made an exhaustive study in the State of New York. We covered the cities and the rural areas. We held hearings throughout the State and examined the conditions from Chautauqua County to Richmond County, from Buffalo to New York, from Poughkeepsie to Brooklyn, from Syracuse to Long Island. Our recommendations to the State legislature, of which there were 34, included to a large degree what this legislation seeks to provide. We recommended projects which would help trained personnel employed or preparing for employment in programs for the prevention or control of juvenile delinquency or youth offenses. We recommended that technical assistance be afforded to public or private agencies, organizations, and institutions, which are dedicated to controlling juvenile delinquency. We recommended a permanent youth commission for the State of New York which would cooperate with municipalities, public agencies, and voluntary groups to utilize the inexhaustible energies of our adolescents and youth and direct them into constructive channels and to redirect the activities of young men and boys who were on the road to the violation of law.

This commission, after an exhaustive study and soul searching, set forth basic philosophy behind the approach to the solution of the problem of juvenile delinquency in stirring words. They are as follows:

> We reaffirm that basically any solution of the problem of juvenile delinquency is the recognition that all life comes from God. Consequent to this fact, we acknowledge the dependence of man upon God for moral welfare and spiritual fulfillment. In the man-to-God and man-to-man relationship, the Ten Commandments serve as the basic criteria of human conduct. When interpersonal relationships are governed by this code of behavior, man's moral judgments are sound and enduring, and as human dignity and God-given rights are secured this basic philosophy provides the imperative for an act of concern for the total welfare of troubled youth in our society.

I was privileged to testify before the Special Subcommittee on Education of the Committee on Education and Labor, House of Representatives, in connection with H.R. 7178. I was privileged to give the committee in detail the benefit of my views and which are found on pages 195–216 of the committee hearings. I commend the committee for recommending the approval of this legislation. This is one of the finest measures in connection with this problem that I have ever seen. When this measure is adopted, those dedicated persons who are in the program or who seek to participate in the solution of this problem involving a small percentage of our youth whose numbers increase with our population will have the wherewithal to implement their activities. States, localities, and communities which find themselves without the economic means will receive impetus in their work. The problem of juvenile delinquency is everyone's problem. It is a problem which testifies to the failure of society and many parents in their obligations to the youth of our country.

I expect beneficial results from the passage of this legislation and I trust that when we return several years hence and receive a report as to the efficacy of this legislation, we can thank once again the members of this committee for the diligence, industry, and vision, and also pay tribute to our President who has led the way in this program in bringing the youth of our country to the new frontier of decency and goodness with the assistance of a Government which cares. I trust that this measure will pass.

Mrs. GREEN of Oregon. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. TOLL] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mr. TOLL. Mr. Chairman, I wish to commend my colleagues on the Education and Labor Committee who have worked so diligently to bring to the floor H.R. 8028, the Juvenile Delinquency and Youth Offenses Control Act of 1961. This gives the Members a chance to support a very important measure for the welfare of our future citizens and for the welfare of our society in general. The need for Federal legislation in this field has been amply demonstrated. The conditions involved not only affect the large communities of our country, but spread like a contagious disease to suburban and rural areas.

I have sponsored the forestry camp legislation in Pennsylvania in 1955 and had the pleasure of seeing the law enacted which created the two camps now in operation. Gov. David L. Lawrence in his testimony predicted the opening of a third camp in a very short while. This effort on the State level represents supplementary action to the $5½ million spent in the present fiscal year for the operation of delinquency institutions in the Commonwealth.

The city of Philadelphia has also tackled the problem with a special program started in July of 1959, using the social group method. The Philadelphia Youth Conservation Corps operates as a preventive program for potentially juvenile delinquent boys. The main objective of the corps is to combat, prevent, and diminish juvenile delinquency. The city budget for this purpose is $174,000. The city of Philadelphia has had splendid leadership in this field under Commisisoner of Welfare Randolph E. Wise and for many years has had professional guidance from Dr. John O. Reinemann, director of probation of the municipal court of Philadelphia. Dr. Reinemann said:

> In the juvenile delinquency field, specifically, Federal aid to States and their political subdivisions for demonstration projects in the area of prevention, control, and treatment of this social ill, as well as for more adequate training of personnel in police departments, courts, training schools, correctional institutions, and other agencies engaged in any phase of this vitally important work, is urgently called for.

I am glad to join the committee in support of this bill and I hope that the measure is enacted into law in this session of the 87th Congress.

Mrs. GREEN of Oregon. Mr. Chairman, I yield such time as he may desire to the gentleman from Connecticut [Mr. GIAIMO].

Mr. GIAIMO. Mr. Chairman, we have heard a great deal of discussion about this bill today dealing with some of the causes of juvenile delinquency, or the fact that we have a situation of juvenile delinquency which is getting worse in the United States. We have heard Members speak about the fact that family life may be breaking down, that the influence of the family may have deteriorated, that perhaps some of our children are getting soft, that perhaps they are looking at too much television, that perhaps they are becoming too bored with the easy living they are having; but the point is that whatever the reason we must face the problems of our society as we find them in our times. We have this situation with us, for whatever the reason, for whatever the causes and effects, a situation that is getting constantly worse. It is a situation that runs the whole gamut of social conditions.

In order to properly attack and eradicate, or try to eradicate, if you please, you would have to deal with questions of enforcement of justice, properly trained judges, properly trained probation officers, properly trained young people to work with the juvenile delinquents or possible juvenile delinquents; you would have to have adequate housing, adequate recreational facilities, adequate training of police personnel, adequate control of job opportunities, and the opportunity for young people to get jobs and to work in jobs. These are the real problems. Inability to deal with or do away with these problems causes to some extent an increase in this area of delinquency. It is found most in the urban areas, not the rural areas, but areas like New York City. I saw a housing project in New York City where 35,000 people live. There was not a playground in that area, not a swimming pool, not a recreational facility. The children had to play in the streets.

This problem cannot be solved by the Federal Government; the Federal Government obviously cannot do it, but the Federal Government can try to aid local communities in solving the problem. It is not the intention of this legislation in any way to try to inject the Federal Government into this area, or to try to enlarge and broaden the responsibility and functions of the Federal Government in this area of juvenile delinquency. We may try to do so, as you may well know, in the field of education, as was tried today; we may try to do it in the field of public housing, or some other areas, but not in the problem of juvenile delinquency.

What we are trying to do in this legislation simply is this: There are some areas that are rather advanced in this field; New York City is one of them.

This bill is not designed only for New York City; as a matter of fact, it is designed for cities like my own, where in the last week and a half there were several major crimes by juvenile delinquents in my general area. It is designed so that other communities may learn what is being done in major cities such as New York, Chicago, and Los Angeles, to meet this problem, to learn how groups of young men in New York are working with these young juvenile delinquents.

Mr. BARRY. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield.

Mr. BARRY. Why do you need $30 million to study what is being done in New York?

Mr. GIAIMO. We need $10 million a year for 3 years to study what is being done throughout the country. We need it in order to evaluate the training programs which have been developed in these cities. We need it to gather information so that it may be distributed to other areas and other cities, we need it to train personnel and to provide technical assistance so that we can have adequately trained personnel; perhaps by sending people to study what is being done in New York, Chicago, and Los Angeles, in some of the projects they have underway that give promise of great success. We believe it will help the States and local communities in solving the problem of the individual delinquent. This is a good bill. It merits your favorable consideration. I urge you to give it your support.

Mr. BENNETT of Florida. Mr. Chairman, as coauthor of legislation for the Federal assistance in the field of juvenile delinquency elimination, I rise in firm support of this measure. In doing so, however, I do not do this with any idea that the Federal Government can or should assume the primary responsibility in this field. City and State governments have a greater responsibility. But above all, the problems of juvenile delinquency must be solved and prevented by parental control and example. What we individually do as parents speaks much louder than what we say; and it counts for more than anything that any legislation can do.

Mr. BOLAND. Mr. Chairman, I rise in favor of H.R. 8028 to provide Federal assistance for projects which will evaluate and demonstrate techniques and practices leading to a solution of the problems relating to the prevention and control of juvenile delinquency and youth offenses, and to provide training of personnel for work in these fields.

Juvenile delinquency has been increasing in both rural and urban communities, and in all sections of the country. It has become a problem of serious national concern and has been increasing steadily during the last 12 years. In 1960, approximately 440,000 children from age 10 to 17 were referred to the courts for delinquency. Experts estimate that if present delinquency rates continue, between 3 and 4 million children will be brought before the courts for delinquency in the next decade. Court cases, however, represent only a fraction of the delinquency problem. Each year police deal with about 2 million youths who are in trouble.

Mr. Chairman, this legislation would provide the encouragement and the money for a more concentrated effort to prevent and combat juvenile delinquency and youth offenses by the States, communities, and private agencies. The committee report points out that the bill seeks to explore new methods for curing this social problem and to test the effectiveness of scattered programs already being tried.

We are all aware that the primary responsibility of combating juvenile delinquency and youth offenses rests with the States and local communities. The role of the Federal Government is to help give a common focus to the efforts and activities of all governmental and nongovernmental agencies and institutions at all levels, and to assist them in a manner that will bring about the most effective and concentrated attack on the very serious problems of our Nation's youth.

Mr. Chairman, Attorney General Robert Kennedy did an excellent job of explaining the role of the Federal Government in the problem of juvenile delinquency when he testified before Chairman EDITH GREEN'S Special Subcommittee on Education, as follows:

> In the last 30 years, much has been learned about detecting conditions which lead young people into criminal activities. In many communities, large and small, throughout the United States, some effective action is being taken.
>
> The knowledge and resources are scattered, however. The problem is to spread greater awareness of what is being done and what can be done; to increase the resources, particularly in trained personnel, for more effective action; and to bring such resources together in the same community. These tasks are the goals toward which this legislation will move us.

Therefore, this bill provides for a 3-year $30 million program of Federal assistance in demonstration projects, training personnel, and supplying technical aid and information. H.R. 8028 covers youth offenses as well as juvenile delinquency in order to reach the problems of offenses committed by youths in their late teens and early twenties who are above the juvenile age limit in their State.

Mr. Chairman, in conclusion I want to emphasize to my colleagues of the importance of this legislation and urge that the bill be adopted.

ST. LOUIS EXPERIENCE PROVES VALUE OF IMAGINATIVE PROJECTS TO CURB DELINQUENCY

Mrs. SULLIVAN. Mr. Chairman, I support wholeheartedly the bill now before the House, H.R. 8028, by Congressman BRADEMAS, to provide Federal assistance for projects which will evaluate and demonstrate techniques and practices leading to a solution of the Nation's problems relating to the prevention and control of delinquency, and providing also for a traineeship program for personnel in this work. Our experience in St. Louis demonstrates the great value of this kind of approach to the problem of curbing juvenile delinquency.

Two years ago, when the Elliott subcommittee held hearings on a predecessor bill in the 86th Congress, I testified in favor of the legislation and submitted an extensive brief from the Metropolitan Youth Commission of St. Louis and St. Louis County for a demonstration project of the kind this legislation would help to make possible. I know that once this bill becomes law, the administration can look for the greatest kind of support and cooperation from the St. Louis Metropolitan Youth Commission to make the program effective.

By coincidence, I received today a letter from Managing Director John F. Box, Jr., of radio station WIL in St. Louis, reporting on a highly successful project conducted jointly by the metropolitan youth commission and WIL to obtain summer jobs for youngsters. The project was so successful, with over 248 juveniles placed in part-time jobs, that the State employment service is now making arrangements to continue the program on a permanent basis. I congratulate Eugene P. Schwartz, executive director of the youth commission, and WIL, for their imagination and enterprise in this project.

The Metropolitan Youth Commission of St. Louis and St. Louis County is a joint city-county agency formed about 5 years ago, with a membership of 18 outstanding citizens appointed half by our mayor and half by the county supervisor. It is financed by city and county funds, and has done a remarkable job in examining into the causes of delinquency and methods of combating it. It works closely with the courts and the police departments, but more importantly, it works closely with parents and with children, too.

If H.R. 8028 is passed, this agency can immediately be enlisted in an expanded research and demonstration project of the kind the bill suggests.

On August 22, I testified before Mrs. GREEN'S subcommittee on my bill, H.R. 15, to establish a program of fellowships and scholarships for the training of teachers for specialized work with exceptional children. Among such children are the emotionally disturbed and the socially maladjusted, including the institutionalized delinquent. I am anxious to see H.R. 15 become law, because I think it is sorely needed. The traineeships which would be set up under H.R. 8028 for training personnel in the field of working with delinquents—probation officers, social workers, institutional workers, youth workers generally—would provide excellent support for the dedicated men and women now engaged in this work and overworked and overwhelmed by the magnitude of the task. There is no conflict between the kind of traineeships provided for in H.R. 8028 and the fellowships for teachers called for in H.R. 15—in fact, they would supplement each other. The classroom teacher plays a vital role in the overall effort to discover tendencies toward delinquency and to help potential delinquents get the kind of professional help

they need before these children go off the deep end.

I congratulate Congresswoman GREEN for the work she has done in her Special Subcommittee on Education of the House Committee on Education and Labor on this bill now before us and in the entire field of special education.

Mr. Chairman, I submit for inclusion in the RECORD as part of my remarks the correspondence I received today, on the summer job placement program in St. Louis, as follows:

AUGUST 26, 1961.

Hon. LEONOR K. SULLIVAN,
St. Louis, Mo.

DEAR MRS. SULLIVAN: I thought you would be interested in the attached letter we received from the Metropolitan Youth Commission of St. Louis and St. Louis County.

WIL radio sponsored this experimental project which the commission put into effect this summer. Results, as you can see, are most gratifying.

I thought you would be interested in knowing how effective a community-minded radio station can be when they make a genuine effort to augment their regular broadcast schedule with outside projects.

Sincerely,

JOHN F. BOX, Jr.,
Managing Director.

METROPOLITAN YOUTH
COMMISSION OF ST. LOUIS
AND ST. LOUIS COUNTY,
August 15, 1961.

Mr. JOHN BOX,
Manager, Radio Station WIL,
St. Louis, Mo.

DEAR MR. BOX: I wanted to send you this note before I leave town for several weeks to let you know how successful the Caroline Mission Employment Service was. As of today there are over 248 juveniles placed on jobs, many of which turned out to be regular weekly jobs, a few hours a week for these youngsters.

Needless to say, our youth commission is very grateful to you for sponsoring this program during this past summer. You should also know that the State employment service because of this demonstration is making arrangements to continue it on a permanent basis thereby providing service to youth in a high delinquency area.

Sincerely yours,

EUGENE P. SCHWARTZ,
Executive Director.

Mrs. GREEN of Oregon. Mr. Chairman, under unanimous consent I include in the RECORD editorials from the Oregon Journal, the Washington Post, and the New York Times relating to the juvenile delinquency problem:

[From the Oregon Journal, May 16, 1961]

PRESERVING MOST IMPORTANT ASSET

Recognizing that the problem of juvenile delinquency is increasing and is a real danger to the health of the Nation, President Kennedy in a special message to Congress has asked appropriations for a 5-year program, and appointed a special Committee on Juvenile Delinquency and Youth Crime to coordinate Federal activities.

Both Multnomah County and the city of Portland recognized the growing youth delinquency program some time ago and set up a metropolitan youth commission to assess the problems and seek preventive measures. Under the proposed Kennedy program, this commission and its work should fit in well with the Federal program.

"Juvenile delinquency and youth offenses diminish the strength and vitality of our Nation," said the President in his message to Congress. "By means of the proposed legislation, the Federal Government will be able to provide assistance to those dedicated persons in local communities throughout the Nation who are striving in many ways to create the social conditions that will insure the growth of a skilled and resourceful population of young men and women who are firm in character and committed to the development of a democratic way of life."

We have many agencies and organizations in the field now working on a positive basis to help youth develop into healthy adulthood. The schools, churches, youth organizations, park bureaus, and many agencies of government and community service all have their roles in the development of youth. The home, of course, still, is the most vital influence on youth education and guidance.

Somewhere along the line from the toddling stage to preadulthood far too many youngsters are getting in trouble that leads to juvenile delinquency, which in turn frequently leads to even more serious criminal activity. They become either burdens or outright dangers to society.

The problem is not one of easy solution, because there are many facets and interlocking situations. The metropolitan youth commission, composed of 11 members appointed by the city and county, has been investigating some of the why of juvenile delinquency to determine if there are not some preventive measures.

The local commission has found that the school dropout problem is a serious one in leading to youth troubles. The dropout all too often finds he has neither the skill, the knowledge, nor the experience to compete for jobs, often leading to idleness, frustration, and trouble.

Difficulties leading to dropouts may be numerous, starting as early as the third or fourth grade. Local studies are underway now on this problem. The local commission has found that to attack any social problem as extensive as this it is first necessary to have the problem investigated and defined, and this demands researchers.

The Federal Government can help immeasurably through such studies, training of personnel and encouragement of groups seeking some of the answers as to why young men and women get entirely "off the beam" to the detriment of both themselves and society in general.

It has been said many times, and it is true, that our young people are our most important asset, but far too much of that asset is either being wasted or turned into a liability.

[From the Washington Post]

ACCENT ON YOUTH

President Kennedy's Executive order and his letter to the Speaker of the House on juvenile delinquency serve two most salutary purposes. They help to focus national attention on a problem of acute concern to the whole country. And they approach this problem with a compassionate awareness that it is not exclusively, or even primarily, a police problem nor one to be solved by punitive measures.

The program to be carried forward cooperatively by the Attorney General and by the Secretaries of Labor and of Health, Education, and Welfare, together with the legislation sought from Congress, can have an important stimulating influence. But they cannot, of course, alter the basic fact that juvenile delinquency is essentially a local problem which must be dealt with through local agencies—schools, churches, settlement houses, community welfare agencies—operating together to bring hostile and rebellious youth into participation in the community's life.

Dealing in this patient fashion with juveniles who break society's rules is a job for skilled and trained professionals. The President proposes the authorization of Federal grants for "the training of personnel, employed or preparing for employment in programs for the prevention or control of juvenile delinquency or youth offenses." But the $10 million he proposes for the purpose must be looked upon as no more than a bare beginning.

The draft bill suggested by the President would provide grants also—out of the same $10 million—for demonstration and evaluation projects designed to develop techniques and practices for dealing with delinquency. There is already an abundance of such experimentation. The real need is to put what is now known into use and to prod responsible private and public agencies at the local level into more effective operation. We hope that the President's recommendations will have the effect of doing this.

[From the New York Times, July 25, 1961]

When Representative EDITH GREEN of Oregon led a House subcommittee through a Brooklyn slum a few hours after a teenager had been murdered in a squabble over a dime, the youths to whom she talked made it plain that the thing they needed and wanted most was a job. Perhaps their words will help provide the push required to speed congressional action on the administration's proposal for a Youth Employment Opportunities Act.

The White House program is designed to do three things, all important in ridding young people of the fear that they were born surplus in an automated society. It will supply on-the-job training in the industrial skills for which employers are calling. Through a Youth Conservation Corps it will enable other idle youngsters to perform useful tasks in the national parks and forests under conditions that should provide a tonic for their spirits at the same time that it strips the flabbiness from their bodies. Local public service projects will provide still another outlet for youthful energies on a basis that will benefit both the youngsters and the community.

The program is an essential companion to the administration's specialized proposals for combating juvenile delinquency. It stems from a recognition that we cannot hope for a bright national future if our youth starts with a conviction that it has no worthwhile role, that its talents are unwanted and its aspirations condemned to emptiness. In May, before the closing of schools threw a huge new wave of young jobseekers into the overfull labor market, 550,000 youths between 16 and 21 were without work. By October the number may be twice that.

The chief defect of the administration's job plan is that it is much too modest. The work opportunities it promises would not absorb the pool of job-hungry youngsters in New York alone. Congress should move swiftly to pass the President's bill and begin thinking about what else needs doing to make the employment horizons of our rising generation less bleak. Large-scale Federal aid to the public schools of the Nation, now stalled because of the irrelevant, corroding religious issue, would do more in the long run for our youth than any other single law that Congress could enact.

Mr. LATTA. Mr. Chairman, I support the passage of H.R. 8028, a bill designed to "provide Federal assistance for projects which will evaluate and demonstrate techniques and practices leading to a solution of the Nation's problem relating to the prevention and control of juvenile delinquency and youth

offenses and to provide training of personnel for work in these fields."

Having always been interested in the problem of juvenile delinquency and having chairmaned a special legislative committee to investigate this problem in Ohio when a member of the Ohio Senate, I cannot help but believe that the amount requested for this study is wholly inadequate to do the job that needs to be done. However, this is a start in the right direction and I support the effort.

Mr. HALPERN. Mr. Chairman, juvenile delinquency has long been a serious problem, one for which the Congress and the executive branch must not shun their responsibilities. The enactment of this legislation bears out that Congress realizes this fact and wants the Government of the United States to assume its proper role to conquer this vital disease that has infected so much of America's youth—our greatest national resource.

Mr. Chairman, I am in full accord with H.R. 8028, for which S. 279 was substituted. This bill is comprehensive and realistically confronts the problem. Nevertheless, I had hoped that the committee would broaden the legislation by establishing the kind of machinery I believe necessary for directing youth programs on a national level. I refer to the provision in my own legislation, H.R. 8260, which I urged the committee to consider and which I fervently hope will be given priority action, now that this important phase of the delinquency-abatement program is moving forward.

Mr. Chairman, ever since I came to this House and for years before that I have advocated cooperation among governmental agencies on all levels in connection with youth programs.

As a New York State senator for many years, I was close to the State and local approaches to this problem. I was the sponsor of legislation that created the New York State Youth Commission and the enabling legislation to establish the New York City Youth Board. I am fully aware of the responsibilities of all levels of government in this field. None can be effective without the other. Human behavior is not confined to local or State lines.

The role of the Federal Government is important if the problem is to be met head on; Federal leadership is vital. Holding this view in 1959, I introduced a bill calling for the establishment of a Federal Youth Office to be administered under an Assistant Secretary in the Department of Health, Education, and Welfare, a sub-Cabinet position especially created for the purpose.

I firmly feel the problem is vital enough to warrant such high-level status. Only through such Government recognition can proper leadership be given in this field.

My original bill is not dissimilar to H.R. 8028. As a matter of fact, there are many sections in it that are nearly identical. Because of this and in view of the assurances I have been given that the differences will be considered as a separate matter, I have joined in fully associating myself with H.R. 8028 and have introduced supporting legislation, my bill being H.R. 8343. I am privileged to be a cosponsor of this measure and I feel its overwhelming approval will serve notice that Uncle Sam is ready and willing to roll up his sleeves and do something meaningful about the delinquency problem.

Now, to get back to my further recommendation which I urged the committee and the Members of this House to give their every evaluation and their consideration. Among the added features to my original bill is the provision to establish the new unit in HEW to administer an effective program. Surely we all agree the field of youth activities is highly specialized and essential to the strength and health of America. Our Nation of tomorrow can be no better than our youth of today. Then, is not the subject worthy of such agency recognition?

The Federal Youth Office, as I envision it, would provide the required leadership for intergovernmental cooperation to strengthen State, local, and private efforts in youth problems. It would develop formulas and standards for Federal grants to States, localities, and private agencies on a share-the-cost basis. It would assist the States in the establishment and operation of juvenile delinquency control and prevention programs. Moreover, the Office would encourage research in, and demonstration of, new techniques in dealing with teenage behavioral problems and crime and would provide for the training of personnel to staff programs for the control and treatment of juvenile delinquency. The agency would also provide a national clearinghouse for exchange of information on youth problems and on methods and techniques for dealing with them.

The Youth Office, therefore, through its efforts with State, local, and private agencies would enable a complete, fully coordinated attack on the serious problem of juvenile delinquency. We must have more accurate data on the nature and amount of delinquency in different areas. We are seriously hampered by not being able to secure an accurate national report on delinquency. The Federal Bureau of Investigation provides statistics on juvenile delinquency as a part of its overall crime reporting program, and the Children's Bureau gathers some statistics from certain juvenile courts throughout the country. But neither of these agencies has the resources to develop the type of information collection and dissemination which will aid the communities most effectively.

The Federal Youth Office would be able to provide such comprehensive information, and thus it could indicate which correctional agencies and local areas most need the technical assistance provided for in the bill. In the new attack on delinquency, we need such new resources to manage the increasing demand for technical help.

On matters of general policy and procedure, my bill also makes provision for close cooperation with the President's Committee on Juvenile Delinquency and Youth Crime. Such cooperative work at the Federal, State, and local levels of government is vital for any successful preventive work.

The Federal Government is spending $126 million a year merely for the custodial care of 40,000 child delinquents. Contrast this figure with the proposed cost in the juvenile delinquency bill of $10 million. This money will be spent for the prevention of crime and not merely for bigger enforcement and correctional programs. Our main objective should be the prevention of those early law violations that begin criminal careers, and we must pour as much money, labor, and thought as possible into achieving this aim.

Mr. Chairman, we can no longer sit back and believe that this is just a temporary situation that will pass. Juvenile delinquency is a grim, stark reality. We cannot coddle it any longer. We must face it squarely.

The Federal Government is spending billions abroad to strengthen our position in the free world. We are spending billions to keep America strong on the homefront. Yet, what are we doing to prevent the deterioration and moral breakdown of so many of our youth—the backbone of our strength?

Our country should reflect to the rest of the world an image of human decency, dignity, and government by law. What do they think of these continuing stories of teenage crime and violence? The way we can convince them that this does not reflect America is to do something about eliminating it. And, to do that, you must have the tools for prevention and cure.

Certainly this condition involves only a small percentage of our young folks. The vast majority are good, clean, fine boys and girls. But, pointing to percentages is not going to stop these rampages.

The problem, unfortunately, is growing worse. J. Edgar Hoover reported in March 1961 that crimes by youths increased some 6 percent over the previous year, and at this rate of increase, a million or more youngsters may be arrested in the year 1962.

In the fact of these tragic statistics, again I emphasize, Congress cannot shun its responsibility. It is time that the Government of the United States assumed its proper role in this crucial situation. I believe a long step forward is being taken through the enactment of H.R. 8028, with which I am proud to be identified as cosponsor.

The CHAIRMAN. All time having expired, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Juvenile Delinquency and Youth Offenses Control Act of 1961".

FINDINGS AND POLICIES

SEC. 2. (a) The Congress hereby finds and declares that juvenile delinquency and youth offenses diminish the strength and vitality of the people of our Nation; that such delinquency and offenses are increasing in both

urban and rural communities; that such delinquency and offenses occur disproportionately among school dropouts, unemployed youth faced with limited opportunities, and youth in deprived family situations; and that prevention and control of such delinquency and offenses require intensive and coordinated efforts on the part of private and governmental interests.

(b) The policy of the Federal Government is to assist in the prevention and control of juvenile delinquency and youth offenses, and to encourage the coordination of efforts among governmental and nongovernmental educational, employment, health, welfare, law enforcement, correctional, and other agencies concerned with such problems.

With the following committee amendment:

On page 2, line 8, after the word "opportunities" insert "and with employment barriers,".

The committee amendment was agreed to.

Mr. JONAS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, those who read this RECORD tomorrow will do so, I fear, with a deep sense of depression. They will conclude that we have a country in which all of the youth are delinquent. It is important to deal with the problem of delinquency among the youth of our land, but it is a mistake to let the impression go out to the country and to the world that all of the teenagers in the United States are delinquent or are potential criminals.

I have not seen the statistics in the last year or two, but the last time I read them they disclosed that 95 percent of the youth of this country are good citizens.

May I inquire of the gentlewoman from Oregon, chairman of the subcommittee, if that is correct?

Mrs. GREEN of Oregon. I will say to the gentleman from North Carolina that is correct. I tried to point that out in my opening statement. The vast majority of our young people are never involved in delinquent acts. But there are situations existing in various parts of the country where there is a high concentration of juvenile crimes. In one city, for example, a survey showed that 41 percent of the young men under 18 years of age had been arrested for one cause or another.

Mr. JONAS. I just want to be sure we do not leave the impression that all of the young people in this country are delinquent.

I would like to tell the committee what I propose to do about that. I have a resolution pending before the Committee on the Judiciary to request the President of the United States to proclaim a Youth Appreciation Week during November of every year. This suggestion was made to me by Optimist International and was based upon a successful youth appreciation program which for a number of years has been conducted by the Optimist Club of Charlotte, N.C. This idea was originated by a member of that club who traveled a considerable distance one night to participate in the organization of a youth program in that community. It was a dark, rainy, sleety, cold evening. But upon arrival he found that young people from all over the county had assembled in that town to listen to him, to hear what he had to say. He was thrilled over this experience, and as he rode home to Charlotte that night, he began to wonder why we talk so much about juvenile delinquency and pay so little attention to the 95 percent of our youth who are good citizens.

He determined to do something about it and sold his youth appreciation idea to his Optimist Club in Charlotte. From there it was picked up by Optimist International and is now actively sponsored by that civic organization in many communities in the United States.

The objective of the program and of my resolution is to have, in every community, the civic clubs on different days of the week, the schools, the parent-teachers' associations, and similar organization—culminating in the churches on Sunday—a well-organized program calling attention to the positive accomplishments of the youth of our country.

The secondary objective of that program is to encourage the good citizens among our youth population to start working on this problem themselves, trying to persuade their associations, their playmates, their schoolmates to become good citizens, too.

I am not speaking against the pending bill. I am simply taking advantage of this opportunity to invite your attention to my resolution pending before the committee and to urge your support of it. We can pass resolutions designating allergy days and every other kind of day you can imagine, but so far it has not been possible to obtain approval on the part of the committee for the establishment of a week during the year in which we would pay attention in our schools, in our homes, in our civic clubs, and in our churches to this problem of youth.

I yield to the gentleman from New York.

Mr. GOODELL. Mr. Chairman, I want to congratulate and commend my esteemed colleague for his statement. I think it is particularly well timed for this statement to be made when we are considering this bill, and that we keep in perspective the fact that most of our youth, the overwhelming majority of our youth, are doing just fine. They are progressive and energetic people who want to take their place in our society in a constructive way. I thank the gentleman for his statement.

Mr. JONAS. I think that is true. In our zeal to work out ways and means of combating delinquency, I do not think we should ignore the positive accomplishments that are being made by 95 percent of the youth of our country.

Mr. PUCINSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PUCINSKI: On page 2, line 14, after the word "in" and before the word "the" insert the following: "developing techniques for".

Mr. PUCINSKI. Mr. Chairman, I offer this amendment in a sincere effort to assuage the fears that were raised in the general debate on this bill by the gentleman from New York [Mr. GOODELL]. This amendment would make certain that any money spent under this legislation would be used by the Federal Government only to help, on a temporary basis, develop techniques for dealing with the problem of juvenile crime. As the bill now reads, we see here the statement that "it is the policy of the Federal Government to help local communities deal with the problem of juvenile crime." The three words I am adding, limit such help only to developing techniques which local communities could then apply to meet their respective problems. I submit, Mr. Chairman, that without this additional language which I propose to limit the scope of Federal activity in this field, it is entirely conceivable and probable that we would be adopting a policy here today which in a very short time could put the full burden of controlling juvenile crime on the shoulders of the Federal Government. I submit, Mr. Chairman, that the original language in this section is the stuff from which bureaucratic empires are built. I do not believe we intend in this legislation to develop a policy which would put the Federal Government in the business of eliminating juvenile crime. We merely want to help develop the formulas and techniques, then let the local communities assume this remedy with the use of new approaches. If we are to leave the language as it now appears in the bill, I am certain that within a few years the bureaucracy will interpret it as a mandate for the Federal Government to go into every city, hamlet, and village to deal with juvenile crime. Instead of a $30 million appropriation for 3 years, as proposed in this bill, we will see a multibillion-dollar program flowing from Washington to every corner of America. I hope the committee will accept my amendment.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I am glad to yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Chairman, I have consulted with the other members of the subcommittee, and we are willing to accept this amendment.

Mr. QUIE. I accept the amendment also.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, apropos of the remarks of the gentleman from North Carolina [Mr. JONAS] on the effect of this debate on people throughout the world, I should like to recount a story that was told to me by a teacher who returned from one of the Far Eastern countries. She said that American officials ordered films from this country through the ICA program for the purpose of showing native teachers the methods of instruction in the classrooms of American schools. What do you suppose the ICA sent to this foreign country? It was a film showing American children standing on their desks, jumping up and down, throwing erasers at the teacher, talking back to the

teacher, shooting paperwads and otherwise demonstrating a complete lack of discipline. The teachers in this particular foreign country were aghast. They could not believe American youngsters were so lacking in discipline.

Mr. Chairman, if films such as I have described are being sent all over the world I doubt that it makes very much difference what we say in this debate.

Now, Mr. Chairman, I want to get back to the bill. I say again that to me this is an unconscionable delegation of power to one individual, a nonelected official of the Government. I ask some member on the committee the meaning of this language to be found on page 3 of the bill:

> The Secretary is authorized to make grants for projects for the evaluation, or demonstration of the effectiveness, techniques, and practices which in the Secretary's judgment hold promise of making a substantial contribution to the prevention or control of juvenile delinquency or youth offenses.

Mrs. GREEN of Oregon. If the gentleman will yield——

Mr. GROSS. I am happy to yield to the gentlewoman from Oregon for an explanation.

Mrs. GREEN of Oregon. That was put in because of this: A particular case in point is one where on the streets of New York we have the youth gang workers. Suppose the Secretary evaluated the work that they had done over a period of time, and decided that that work really made a substantial contribution to the control and the prevention of juvenile delinquency? Then he might award funds or might enter into a contract with such an organization in another city—in Chicago or in the District of Columbia.

Mr. GROSS. But this gets back, it seems to me, to the discussion between the gentleman from New York, Mr. GOODELL, and another member of the committee as to how far the Federal Government is going in starting programs in local communities. Here we find written right into this bill, and no disclaimers can change it that the Federal Government is going to move right into the local communities; for here the Secretary of Health, Education, and Welfare is authorized to make grants for projects wherever he desires. It is unlimited. It does not make any difference where they are. The Federal Government is in, clear up to the hilt, without limitation.

That is my problem with this bill, and the reason for my opposition. It is a wide-open grant of power to the Secretary of Health, Education, and Welfare.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman.

Mr. BRADEMAS. Would the gentleman from Iowa suggest that we should write into this bill a Federal determination, a dictation of each area to which such grants were to be made?

Mr. GROSS. I think the committee ought to have come, in all good conscience, to the floor of the House with a bill spelling out what the Secretary is authorized to do. There is virtually nothing in this bill except an unlimited delegation of power and $30 million to the Secretary of Health, Education, and Welfare. There is no other limitation. I repeat, this is a blank check.

Mr. COLLIER. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I shall be very brief. I take this time because I feel I would be remiss if I did not in fairness to the Committee on the Judiciary, in reference to the remarks made by the gentleman from North Carolina [Mr. JONAS], explain that the failure of the committee to report the bill on National Youth Achievement Week was rather the result of an unfortunate situation rather than indifference to the resolution itself. Actually there are two national organizations, the Optimists on the one hand and the Loyal Order of Moose on the other, who support two different resolutions that are essentially the same in purpose but where the dates and certain other general differences in the programs which they respectfully support make it somewhat a problem for the committee.

I simply took this time to recognize the fact that this is a peculiar situation, I am sure, for the Committee on the Judiciary in which to find itself. Again I say that I do not think it represents any indifference on its part to the recognition of the program of Youth Achievement Week or Youth Honor Week.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I am happy to yield.

Mr. JONAS. Apropos that remark, I would call the attention of the House to the fact that last year the other body passed a bill similar to mine. It has already passed that bill this year. So at least one of the bodies of the Congress has taken positive action along this line, and I still say that I hope the Committee on the Judiciary in its wisdom will report out either my resolution or the resolution of the gentleman from Illinois.

I do not care particularly which one is reported out, but I think the situation is one that deserves to be recognized by Congress and I think it would serve a very useful purpose if the President of the United States should be authorized to designate a "Youth Appreciation Week."

Mr. COLLIER. I thoroughly agree with my colleague from North Carolina and would certainly support the purpose of his bill. I simply took this time, as I previously explained, to let the Members of the House know that there was a bit of a conflict in the specific resolutions involved, and I felt that this should be explained here on the floor.

Mrs. BLITCH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we are considering here today legislation that proceeded out of concern, I am sure, of the members of the committee of a problem that does exist in our country. It has been pointed out here that not only urban areas but rural areas are affected. In my little town of 3,000 there has been a small problem of juvenile delinquency. The parents of those children took care of that situation and it was adequately disposed of.

Last year it was my pleasure to hear from the town of Moultrie, Ga., that the young people of that town had gotten together themselves, and then the adult organizations of the town had gotten together and elected representatives and had worked with those children, and those young people had cleaned out the magazine stands and recommended nonattendance at certain motion pictures. They did not let somebody else do it, they did it themselves.

Then they had a terrific meeting in the stadium and they had a person from one of the great universities of Florida, who was an expert in this field, come and talk with them. The whole town, it seems, turned out to listen to this man discuss with them the problem they had. It is just remarkable the program that has been brought about in the town of Moultrie, Ga. It is not in my district. I wish the Member who represents that district were on the floor at this time. Unfortunately he is not here right now.

Last year I had the reports of this program placed in the CONGRESSIONAL RECORD and now I intend to have them printed and sent out generally over my district, because I think everyone should know what youth itself can do for itself. Youth wants to do it. They do not want the Federal Government telling them what to do. There is a lot too much of that already. Our young people are proud of themselves when they have accomplished good things for themselves.

Therefore, Mr. Chairman, I oppose the bill that is before us. I think this problem is one that is squarely upon the people in the various communities, and I think they themselves will take care of it if they are given a little bit more recognition for what already has been done. I think the resolution mentioned by the gentleman from North Carolina is very good and I hope it is adopted. I regret that I cannot support this bill, but in all conscience I feel that a great deal more will be accomplished if the young people themselves take this problem and work it out, as they are doing in the town of Moultrie.

Mrs. GREEN of Oregon. Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with and that the bill be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

(The remainder of the bill is as follows:)

DEMONSTRATION AND EVALUATION PROJECTS

SEC. 3. (a) For the purpose of demonstrating improved methods for the prevention and control of juvenile delinquency or youth offenses (which, for the purposes of this Act, includes treatment of juvenile delinquents and youthful offenders), the Secretary of Health, Education, and Welfare (hereinafter in this Act referred to as the "Secretary") is authorized to make grants for projects for the evaluation, or demonstration of the effectiveness, of techniques and practices which in the Secretary's judgment hold promise of making a substantial contribution to the

prevention or control of juvenile delinquency or youth offenses, including techniques and practices for the training of personnel and for developing or securing more effective cooperation among public and other nonprofit agencies, organizations, and institutions.

(b) Such grants may be made to any State, local, or other public or nonprofit agency, organization, or institution; and to the extent he deems it appropriate, the Secretary shall require the recipient of any grant to contribute money, facilities, or services for carrying out the project for which such grant was made.

(c) The Secretary is further authorized to enter into contracts for any such projects with public or other agencies, organizations, or institutions, and with individuals.

(d) The full amount (as determined by the Secretary) of any grant for a project made under this section shall be reserved from the appropriation for the fiscal year in which the grant is made; and payments on account of such grant in that and subsequent fiscal years may be made only from the amount so reserved.

(e) Payments under this section may be made in installments, and in advance or by way of reimbursement, as may be determined by the Secretary, and shall be made on such conditions as he finds necessary to carry out the purposes of this section.

TRAINING OF PERSONNEL

SEC. 4. (a) For the purpose of training personnel employed or preparing for employment in programs for the prevention or control of juvenile delinquency or youth offenses, the Secretary is authorized to make grants for programs for such purpose which in his judgment hold promise of making a substantial contribution to the prevention or control of juvenile delinquency or youth offenses. Such programs may include, among other things, the development of courses of study, and establishment of fellowships and traineeships with such stipends and allowances, including travel and subsistence expenses, as the Secretary may determine to be necessary.

(b) Such grants may be made to any Federal, State, local, or other public or nonprofit agency, organization, or institution; and to the extent he deems it appropriate, the Secretary shall require the recipient of any grant to contribute money, facilities, or services for carrying out the program for which such grant was made.

(c) The Secretary is further authorized to enter into contracts for any such programs with public or other agencies, organizations, or institutions, and with individuals.

(d) The full amount (as determined by the Secretary) of any grant for a program made under this section shall be reserved from the appropriation for the fiscal year in which the grant is made; and payments on account of such grant in that and subsequent fiscal years may be made only from the amount so reserved.

(e) Payments under this section may be made in installments and in advance or by way of reimbursement, as may be determined by the Secretary, and shall be made on such conditions as he finds necessary to carry out the purposes of this section.

TECHNICAL ASSISTANCE SERVICES

SEC. 5. (a) The Secretary is authorized to make studies with respect to matters relating to the prevention or control of juvenile delinquency or youth offenses, including the effectiveness of projects or programs carried out under this Act, to cooperate with and render technical assistance to State, local, or other public or private agencies, organizations, and institutions in such matters, and to provide short-term training and instruction in technical matters relating to the prevention or control of juvenile delinquency or youth offenses.

(b) The Secretary is authorized to collect, evaluate, publish, and disseminate information and materials relating to studies conducted under this Act, and other matters relating to prevention or control of juvenile delinquency or youth offenses, for the general public or for agencies and personnel engaged in programs concerning juvenile delinquency or youth offenses, as may be appropriate.

AUTHORIZATION OF APPROPRIATIONS

SEC. 6. There is hereby authorized to be appropriated to the Secretary for the fiscal year ending June 30, 1962, and each of the two succeeding fiscal years, the sum of $10,000,000 for carrying out this Act.

MISCELLANEOUS

SEC. 7 (a) (1) The Secretary is authorized to appoint such technical or other advisory committees to advise him in connection with prevention or control of juvenile delinquency or youth offenses as he deems necessary.

(2) Members of any such committee not otherwise in the employ of the United States, while attending meetings of their committee, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $75 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently. The provisions of section 1003 of the National Defense Education Act of 1958 shall apply to members of such committees.

(b) The Secretary shall consult with the President's Committee on Juvenile Delinquency and Youth Crime on matters of general policy and procedure arising in the administration of this Act, and shall consider the recommendations, if any, of such Committee on program applications submitted under section 3 or 4 and on proposed studies or other actions to be undertaken pursuant to section 5.

(c) As used in this Act, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 3, line 9, after "institutions" insert "in determining the projects for which grants and contracts will be made under this section, the Secretary shall give special consideration to a major project in the District of Columbia."

Mr. JONES of Missouri. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have some questions about this amendment, and also have a suggestion to the committee because a precedent has been set during this Congress in the use of the words "shall give special consideration." I was intrigued by the words "special consideration." In the Department of State, they have indicated that special consideration does not mean anything to them. I hope that the Department of Health, Education, and Welfare will take cognizance of this situation, and I am taking this opportunity to call your attention again to the fact that the House of Representatives in adopting the Sugar Act in March told the Department of Agriculture and the Department of State that special consideration should be given in the purchases of sugar in the reallocation of the Cuban allotment to those countries that would buy our surplus agricultural products. They had an offer from Brazil. Brazil wanted to sell sugar to us and take the dollars in return and buy wheat from us. In other words, it was a transaction involving wheat for dollars. The State Department turned that down although they said that they did give special consideration, but they thought the Congress was wrong. I want to call your attention to that. Perhaps, you may want to change those words and make it stronger in the bill.

Mr. Chairman, the next point is why we make a special case out of the District of Columbia. I think I know why and that is on account of our conditions here in the District of Columbia. All the money that you are going to spend with these do-gooders here in the District of Columbia is not going to do you any good until you bring about a change in their philosophy. You cannot instill morality into these people by spending money. The only way you are going to instill morality in these youngsters in the District of Columbia is by some discipline in the schools. We have forgotten about discipline in our schools. I read with a great deal of embarrassment where in our schools today, if a teacher tries to exercise a little discipline, then they call in the law and accuse her or him, as the case may be, of assault and battery.

When I was a youngster in school, I knew that if I was punished in school, I was going to get more of the same kind of punishment when I got home. But, today, you know, we do not want anybody to lay a hand on our little Johnnie or our little Mary. They are supposed to be free, you know. They are supposed to be uninhibited in any way. We cannot have any discipline in our schools because of this philosophy. I am telling my colleagues here that all of this do-gooder stuff emanating from a Federal agency is the kind of thing that I do not want in my community. I think you are ruining our young people of today by taking away some of these old-fashioned practices that we used to have when we did not have this juvenile delinquency, as you call it. The gentleman from Iowa pointed out a minute ago that it is not youth delinquency, but it is parental delinquency, and until we use some of our laws and bring more stringent efforts to bear on this problem, you are not going to correct this thing.

You call this money seed money. You say this $30 million is seed money. I have listened to statements by Members from both sides of the aisle, and I have been so confused. Some of them say they want the Federal Government to come in here and tell us what to do. Others say, "No, we do not want the Federal Government to come in here and tell us what to do. Before we get through here, and I know I will not have the time to get the answer, but I am going to try to find out when you say you are going to make grants to these people, whether they are going to be grants in aid, and is the local community and the local organization going to match these funds? Are we going to have public and nonprofit agencies and organizational institutions which will receive these grants? I do not know whether it means the Boy Scouts or the YMCA or parent-

teacher associations or what? I would like to know about some of those things. But, I am calling attention now to this amendment, and I just want to tell you that putting these words "special consideration" in there, if the Department of Health, Education, and Welfare is anything like the Department of State, you are just kidding yourselves, because "special consideration" has no meaning whatsoever. And, if they give the same treatment to those words that the State Department has, they will have the same contempt for this Congress that the State Department has shown for this House.

Mr. GRIFFIN. Mr. Chairman, I offer an amendment. I offer a substitute for the committee amendment.

The Clerk read as follows:

Substitute amendment offered by Mr. GRIFFIN to the committee amendment in the bill: On page 3, line 2, after the word "projects" insert the words "in the District of Columbia".

Mr. GRIFFIN. Mr. Chairman, I offer this amendment as a substitute for the committee amendment. My amendment would authorize the Secretary to make grants for pilot projects in the District of Columbia for the evaluation and demonstration of the effectiveness of techniques and practices to control juvenile delinquency.

I want to indicate that I agree that the Federal Government should provide some leadership in this field.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield at that point?

Mr. GRIFFIN. I yield to the gentleman from California.

Mr. ROOSEVELT. I just want to know whether the purpose of the amendment is to limit these projects just to the District of Columbia, which I am sure your language would do.

Mr. GRIFFIN. That is correct.

Mr. ROOSEVELT. I thank the gentleman.

Mr. GRIFFIN. I want to point out that in section 5 of the bill the Secretary is authorized to make studies with respect to projects, to cooperate and to render technical assistance to State and local agencies, and on page 6, the Secretary is authorized to collect, evaluate, publish, and disseminate information and materials relating to studies involving juvenile delinquency. These provisions, in my mind, are good; the Federal Government should be performing these services; the Federal Government should be collecting information and studies as to activities going on around the country in this field.

But, there are two provisions in this bill, one providing for Federal grants to establish projects and another to provide for the training of personnel, which are the "camel's nose under the tent," and which inevitably, in my opinion, will lead in the direction of a gigantic Federal program to take over State and local responsibilities to control the problems of juvenile delinquency.

Now, we have been told that in the city of New York alone the city of New York is spending $74 million a year trying to combat the problem of juvenile delinquency. There is only $10 million a year in this bill, a ridiculously small sum, to try to do anything in this field on a nationwide scale.

If we sprinkle this small sum of money around the country for a few projects here and there, what will be the result? Next year or the year after the administration in power will be back to say, "We have not made much progress in dealing with this problem because we didn't have enough money. We need a great deal more money."

The Federal Government can and should provide leadership in this field. The Federal Government has a definite and clear responsibility right here in the District of Columbia where there is a very serious juvenile delinquency problem. The bill calls for $10 million—but this would be only an authorization; I do not know that the Committee on Appropriations would actually appropriate that much—but even if we spent $10 million a year here in the District of Columbia, it could be spent very effectively to "show the way," so to speak, to provide leadership and to set an example for the rest of the Nation to follow. But, let us not spread this money thinly all over the country. Let the Federal Government gather and disseminate information and perform the needed coordinating function; but then let us also concentrate what money we have in this bill to spend on the problems here in the District of Columbia which is the direct responsibility of this Congress.

Mr. Chairman, I urge the adoption of the substitute.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman from North Carolina.

Mr. JONAS. The gentleman's amendment contemplates that the District project will be a pilot project.

Mr. GRIFFIN. We would concentrate on projects in the District of Columbia; we would utilize the advisory committees from around the country but we would try first to solve the problem that exists here where we have a direct responsibility. The District of Columbia could serve as an example and demonstration for the rest of the country.

Mr. JONAS. From which they could profit everywhere.

Mr. GRIFFIN. It would be an example which the States and communities could follow. The District is our responsibility.

Mr. HIESTAND. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I yield.

Mr. HIESTAND. I wish to commend the gentleman. This amendment makes sense. Here in the District of Columbia Congress has jurisdiction. The 10th amendment to the Constitution prohibits the exercise of such authority in the States by the Federal Government, but here in the District of Columbia we can work on the problem and all the States and communities of the Nation can profit by the methods and plans worked out here.

Mr. BRADEMAS. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, one of the points made by the gentleman from Michigan in offering the substitute was that the purpose of the bill as reported by the committee was, to quote him, "to spread money all over the United States." I would like, however, to quote a statement made by Secretary Ribicoff during his testimony in support of the legislation, in which the Secretary made clear that precisely the opposite was the case. He said:

We should not scatter this money all over the country and get nothing for it. We should concentrate it in a small group of communities and give it a good, all-out try.

I take it that the purpose of the substitute offered by the gentleman from Michigan is to go even one step further and concentrate all the money here in the District of Columbia. It seems to me, however, Mr. Chairman, that the problem of juvenile delinquency is different in rural areas, in small towns, and perhaps in other large cities, from the problem of delinquency in the District of Columbia. For example, the 1960 Uniform Crime Reports, recently released by the FBI, in July of this year, presents for the first time, information on rural arrests. Many people think of juvenile delinquency as being entirely a city problem. These FBI figures show, however, that juvenile offenses in the rural areas of the United States are rapidly increasing. I think, therefore, that it would be a great tragedy if, by restricting these demonstration projects to the District of Columbia, where the committee has already indicated we should give serious consideration to having one, we should turn our backs on the serious problem of juvenile delinquency in the small towns, the rural areas, and the other large cities of the United States. Yet, this would be the effect of the substitute amendment offered by the gentleman from Michigan.

Mr. Chairman, I hope the substitute will be defeated.

Mr. KYL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in reply to comments just made by the gentleman from Indiana, I would first point out that I think one reason for concentrating our efforts here in the District of Columbia is that we can do a sufficient job. The basic causes of juvenile delinquency are the same wherever delinquency occurs, whether it be Podunk, N.Y., or somewhere else; the causes are the same in different parts of the country.

But before we leave this point I would like to go a little further into the story of the District of Columbia. On the last night when the gentleman from Iowa [Mr. HOSTEN], and I spent time with the Juvenile Detail of the District of Columbia, a time, I might say, which started at 8 o'clock Saturday evening and went on until 7 o'clock Sunday morning—in period the juvenile officers who were on duty booked, investigated, or took to the detention home 20 youngsters. I had an opportunity to talk to these youngsters and I found there were three factors common to all: First, a very general lack of knowledge of the

law and lack of respect for the law; second, a lack of knowledge of social standards or standards of responsibility; and, third, except for one of the youngsters who had run away from home in another city and had come to this city, all the youngsters had come from broken or nonexistent homes.

Let us give you just one case history which I copied from the files of the Department that night. The 16-year-old youngster, who was without a driver's license, stole an automobile and wrecked it. Here is his record:

At 8, arrested for arson; at 9, five housebreaking charges and petit larceny; at 10, petit larceny; at 10, two charges of housebreaking; at 12, petit larceny and two attempted housebreakings; 15, carrying a deadly weapon. At 16 this charge was filed.

When he was 5 years old his father left home. In the 11 years from that time his mother produced another 5 children. She had never bothered to see a minister or a justice of the peace to formalize the affair. Neither of the parents, if they might be called that, were working. The youngster said his mother supported the family on relief payments. You can see here two dozen possible causes for delinquency.

The gentleman from Connecticut [Mr. GIAIMO] delineated a whole series of causes very ably, very aptly.

In view of all of the different causes there are in the District of Columbia, if we want to limit it to the District, you can have all of the projects you want to try to eliminate, but until you do a job which the District Committee is trying to do in setting up a deterrent which will drain off the top 50 or 60 percent of cases by setting up an enforcement law, you are not going to minimize the delinquent situation.

Some of you people are going to oppose the committee proposal which will come to the floor soon. If these Members intend to oppose the bills being prepared by the District Committee which would establish and enforce this law, then I would suggest they have some other proposal to substitute in place of it to get at this deterrent.

Members have experienced the same thing themselves. They are in a hurry, they watch the rear-view mirror, and they look at a car coming down the road a mile or so ahead. Why are they watching this car? Because they think it is a patrolman. They have one factor present which the problem people do not have. They are not worried about the $25 they will have to pay as a fine, but they are worried as to what their fellow citizens may think of them. At the same time the knowledge that they have of the law and that they might get caught is a deterrent. It is a deterrent that is lacking among many people in the District where there is a general disrespect for those who are trying to enforce the law. There are two officers on duty in the Juvenile Bureau from 12 o'clock Saturday night to 8 o'clock on Sunday, and no one in the office to help. In addition there is a court situation which finds the youngsters going to court 9, 10, or 12 months after the charge of delinquency is made. The charges are dismissed.

I support this legislation only because the expenditure might be used wisely to help minimize a very serious group of problems.

Mr. GIAIMO. Mr. Chairman, I rise in opposition to the substitute offered by the gentleman from Michigan.

Mr. Chairman, the substitute offered by my friend, the gentleman from Michigan, to limit all of these projects to the District of Columbia would mean that we would not have in the country at large any of these projects, and that they would be confined merely to the District.

In addition to that, we would give consideration to starting one of these projects in the District, regardless of whether or not the District was ready and willing to undertake such a project.

This is completely foreign to the idea and philosophy behind the bill as it is written. As the bill is written we are evaluating projects which communities have initiated by themselves, which they have demonstrated to be good in their own areas and which should be expanded or which should be started in another area, but the impetus and desire have come from the community, from the local level, and not from the Federal level.

This would not be the situation in the District if this substitute is agreed to but rather, the reverse. It would amount to the Federal Government getting directly into the program and telling the District government that this is what you must do and this is what you must accomplish in order to eradicate delinquency.

Secondly, Mr. Chairman, I do not think that the District of Columbia is a typical city in the United States. I do not say this in any derogatory sense, but because of the fact that it is under the jurisdiction of the Federal Government; that it is not within a State or within a territory, and because of that fact it is unique. The situations which exist in the District and which we find in the District may not exist in other areas of the country, or they may not be the same.

Mr. Chairman, the purpose of this bill is to try and find out what some of the problems are; to see how some of these projects work, and to help coordinate in this entire field.

Mr. Chairman, I do not think that the gentleman's substitute would accomplish this goal.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Michigan [Mr. GRIFFIN], to the committee amendment.

The question was taken; and on a division (demanded by Mrs. GREEN of Oregon) there were—ayes 102, noes 95.

Mrs. GREEN of Oregon. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. GRIFFIN and Mrs. GREEN of Oregon.

The committee again divided, and the tellers reported that there were—ayes 106, noes 98.

So the substitute to the committee amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment as amended by the substitute.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, line 18, after the word "and" strike out the balance of the line down to and including all of line 19 and insert: "the establishment of short-term traineeships with such allowances for".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 6, line 14, strike out "four" and insert "two"; and on page 6, line 15, strike out "act" and insert "Act".

The committee amendment was agreed to.

Mr. GRIFFIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GRIFFIN:

On page 3, strike out lines 13 and 14 and insert in lieu thereof:

"(b) Such grants may be made to the District of Columbia or to any other public or nonprofit agency, or organization located therein;"

On page 4, line 23, strike out "any Federal, State," and insert in lieu thereof "the District of Columbia or to any".

On page 5, strike out lines 4, 5, and 6.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes on his amendment.

Mr. GRIFFIN. Mr. Chairman, these are conforming amendments to draw the bill in accordance with the previous amendment and to make sense in the legislation. I ask that they be adopted.

Mr. ROOSEVELT. Mr. Chairman, I make a point of order against the amendments.

The CHAIRMAN. The gentleman will state his point of order.

Mr. GRIFFIN. Mr. Chairman, I make the point of order that the point of order comes too late.

The CHAIRMAN. The gentleman from California was on his feet.

Mr. GRIFFIN. The amendment was offered and I was recognized to explain the amendment, and I proceeded to explain the amendment.

The CHAIRMAN. The gentleman from California was on his feet seeking recognition. The gentleman from California will state his point of order.

Mr. ROOSEVELT. Mr. Chairman, I make the point of order on the ground that if this amendment is in order it would take the legislation completely out of the jurisdiction of the Committee on Education and Labor and transfer it to the Committee on the District of Columbia and, therefore, would completely change the character of the bill. I therefore make a point of order against the amendment.

The CHAIRMAN. Does the gentleman from Michigan desire to be heard on the point of order?

Mr. GRIFFIN. Yes, briefly.

I should like to point out, Mr. Chairman, that the purposes of the bill at the beginning would still be consistent

with what has been done in terms of the amendment. Section 5 of the bill provides that the Secretary is authorized to make studies with respect to juvenile delinquency. Section 5(b) provides that the Secretary is authorized to collect, evaluate, publish, and disseminate information, and so forth. He could still have advisory committees to help with his pilot projects in the District of Columbia, and the District of Columbia projects would serve a national purpose in demonstrating what could be done throughout the Nation.

The CHAIRMAN (Mr. WALTER). In the opinion of the Chair, the amendment offered is clearly a limitation and actually confines the activity, and for that reason the amendment is germane and the point of order is overruled.

Mrs. GREEN of Oregon. Mr. Chairman, I rise in opposition to the amendments offered by the gentleman from Michigan.

Mr. Chairman, the amendment offered by the gentleman was offered in the subcommittee, and it was defeated in the subcommittee. I am speaking of the amendment offered a moment ago, and on which we had a teller vote. These additional amendments are part of a package. The amendment to limit the program to the District of Columbia was offered in the subcommittee. After a very thorough debate it was defeated. It was offered in the full committee and was defeated.

I would again say to the Members of this House that juvenile delinquency is not a problem of the District of Columbia alone; it is a problem in the rural areas as well as in the cities. In 1958 the rate of increase in juvenile delinquency was 14 percent in the rural areas and 8 percent in the city areas over that of 1957.

If there is one place in the United States where we need a demonstration project and evaluation of what is being done, it is in the city of New York. If you adopt this amendment, you make it impossible for the Department to carry out any program there, to carry out any demonstration project.

A few moments ago, the colleague from South Dakota asked if it would be possible to have a project on an Indian reservation. I said to him that the language of the bill did not prohibit this. If this amendment is adopted such a project or study could not be made on any Indian reservation.

May I also say that this bill requires matching funds, facilities, or services. It says that the Federal Government will pay for only part of the project and that the private agency, the State, or local district, must furnish the rest. When you adopt language that says the only place we can have a project, the only place we can evaluate techniques, is in the District of Columbia, you make it impossible to require matching funds of any size; you make it impossible to really negotiate with the District of Columbia, because the hands of the Federal Government are tied. The local representatives know the Federal Government is obligated to carry out the program with or without local cooperation and with or without matching funds beyond a token gesture.

I make a plea to the Members of the House that they study the nationwide problem of juvenile delinquency that has had such a tremendous increase for 12 consecutive years, that concerns every single congressional district in the United States. It is not a problem just for this one city of Washington, D.C.

I am amazed that just a couple of days ago this Congress with very little objection passed a bill to appropriate Federal funds to prevent hog cholera. We said this was a national problem, we would vote Federal funds for it. There was no argument made that this was the States responsibility. We said we have a national responsibility here because hog cholera is on the increase and has become a national problem.

By what stretch of the imagination could anyone argue that cholera in swine is a national responsibility but that delinquency in our children is not?

In 1934, there were 34,000 cases of polio in the United States. We were alarmed and rightfully so. We said it was a national problem. It was a problem that affected every State and every congressional district—not just the District of Columbia. I submit that the crippling effects of juvenile delinquency are greater than the crippling effects of polio, yet we recognized polio as a national problem when there were 34,000 cases.

Mr. WILSON of Indiana. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. WILSON of Indiana. The gentlewoman, Mr. Chairman, is not in order. She is not speaking on this amendment, but is speaking on the bill itself.

The CHAIRMAN. The gentlewoman from Oregon is in order. The point of order is overruled.

The gentlewoman from Oregon may proceed.

Mrs. GREEN of Oregon. Mr. Chairman, as I started to say we recognized the crippling effects of polio and stated very emphatically that it was a matter of national concern. We were willing and anxious to appropriate Federal funds to try to eliminate polio, to try to prevent it; and we moved in with the force of the Federal Government, and through Federal research and Federal grants we have made tremendous progress in eliminating polio.

As I said before, the crippling effects of juvenile delinquency are much greater. Juvenile delinquency and its harmful consequences affect 2 million boys and girls every year—not just 34,000. I submit, Mr. Chairman, that juvenile delinquency is a national problem and it should be the concern of every Member in every district throughout the United States. Please do not tie the hands of the Federal Government and say to the Federal Government, "You can only go into the District of Columbia." You people in Iowa, Kansas and Nebraska—in Kentucky and Alabama—your problems may be entirely different than the problems in the District of Columbia. You people in New York City—your problems are different than they are in the District of Columbia. Let us have a program that will really move forward so that 3 years from now when this program ends, we can say that we have made some progress nationwide, and that juvenile delinquency is on the decline rather than increasing.

Mr. GOODELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would like to point out that most of these amendments are conforming amendments and, although I voted against the original amendment offered by the gentleman from Michigan [Mr. GRIFFIN], having adopted that amendment, I think most of the amendments he is now proposing would have to be adopted in order to have the bill make sense. There is one exception to this, however, and it is the reason I rise in opposition. I think he is also, by this amendment, limiting the training of personnel to the District of Columbia which goes somewhat further than just conforming. If it is just a matter of conforming with the first amendment, I will support it. I think we should pass legislation that makes sense.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Michigan.

Mr. GRIFFIN. I want to say that the gentleman from New York is absolutely correct. In the presentation I made explaining the amendment in the first instance, I pointed to the fact that the bill calls for pilot projects and the training of personnel; and that these two provisions would be, in effect, the "camel's nose under the tent." Now then, it is true that the first amendment offered dealt only with the grants for pilot projects. But to be consistent, in my opinion, it would not make much sense to have Federal grants for pilot projects in the District of Columbia and then have a provision for training personnel for such projects all over the country. To that extent, I believe, these are conforming amendments. But I appreciate the gentleman's explanation.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Chairman, I realize that part of the amendment just offered by the gentleman is conforming, but I agree with him that it goes beyond that. When we get back into the House, I intend to ask for a record vote on the amendment and that is an additional reason I hope that these amendments are defeated at this time. Of course, Mr. Chairman, this goes way beyond the first amendment, and in my opinion, the first amendment should not have been approved by the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. GRIFFIN].

Mrs. GREEN of Oregon. Mr. Chairman, I ask for tellers.

Tellers were ordered; and the Chairman appointed as tellers Mrs. GREEN of Oregon and Mr. GRIFFIN.

The Committee divided, and the tellers reported that there were—ayes 108, noes 112.

So the amendment was rejected.

The CHAIRMAN. There being no further amendments, under the rule the Committee rises.

Accordingly, the Committee rose; and Mr. ALBERT having assumed the chair as Speaker pro tempore, Mr. WALTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 8028) to provide Federal assistance for projects which will evaluate and demonstrate techniques and practices leading to a solution of the Nation's problems relating to the prevention and control of juvenile delinquency and youth offenses and to provide training of personnel for work in these fields, and for other purposes, pursuant to House Resolution 436, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered. Is a separate vote demanded on any amendment?

Mrs. GREEN of Oregon. Mr. Speaker, I ask for a separate vote on the Griffin amendment.

The SPEAKER pro tempore. Is a separate vote demanded on the other amendments? If not the Chair will put them en gros.

The other amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report the amendment on which a separate vote is demanded.

The Clerk read as follows:

Page 3, line 2, after the word "projects" insert the words "in the District of Columbia."

The SPEAKER pro tempore. The question is on the amendment.

The question was taken, and the Speaker pro tempore announced that the noes appeared to have it.

Mr. GRIFFIN. Mr. Chairman, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 187, nays 217, not voting 33, as follows:

[Roll No. 179]

YEAS—187

Abbitt	Bolton	Dorn
Abernethy	Bow	Dowdy
Adair	Bray	Durno
Alexander	Bromwell	Ellsworth
Alford	Brown	Fenton
Alger	Broyhill	Findley
Andersen, Minn.	Bruce	Fisher
Anderson, Ill.	Burleson	Flynt
Andrews	Byrnes, Wis.	Ford
Arends	Cederberg	Forrester
Ashbrook	Chamberlain	Fountain
Ashmore	Chenoweth	Frazier
Auchincloss	Chiperfield	Garland
Avery	Clancy	Gary
Baker	Collier	Gathings
Baldwin	Colmer	Glenn
Barry	Corbett	Goodling
Bass, N.H.	Cramer	Grant
Bates	Cunningham	Griffin
Battin	Curtin	Gross
Becker	Curtis, Mass.	Gubser
Beermann	Curtis, Mo.	Hagan, Ga.
Belcher	Dague	Haley
Bell	Davis, John W.	Halleck
Bennett, Mich.	Derounian	Harrison, Va.
Berry	Derwinski	Harrison, Wyo.
Betts	Devine	Harsha
Blitch	Dole	Harvey, Ind.
	Dominick	Harvey, Mich.
Hébert	Martin, Mass.	Scherer
Henderson	Martin, Nebr.	Schneebeli
Herlong	Matthews	Schweiker
Hiestand	Meader	Schwengel
Hoeven	Miller, N.Y.	Selden
Hoffman, Mich.	Minshall	Short
Horan	Moore	Shriver
Hosmer	Moorehead, Ohio	Sikes
Huddleston	Morrison	Siler
Hull	Mosher	Smith, Calif.
Ichord, Mo.	Murray	Smith, Va.
Jensen	Ostertag	Stafford
Jonas	Passman	Stephens
Jones, Mo.	Pelly	Taber
Judd	Pillion	Taylor
Kearns	Pirnie	Teague, Calif.
Keith	Poage	Teague, Tex.
Kilgore	Poff	Thomson, Wis.
King, N.Y.	Quie	Tuck
Kitchin	Ray	Tupper
Knox	Reece	Utt
Kyl	Reifel	Vinson
Laird	Rhodes, Ariz.	Wallhauser
Landrum	Riehlman	Weaver
Langen	Riley	Whalley
Latta	Rivers, S.C.	Wharton
Lennon	Robison	Whitener
Lipscomb	Roudebush	Whitten
McCulloch	Rousselot	Williams
McDonough	St. George	Willis
McIntire	Saylor	Wilson, Calif.
McMillan	Schadeberg	Wilson, Ind.
McVey	Schenck	Winstead
MacGregor		Younger

NAYS—217

Addabbo	Fulton	Moeller
Addonizio	Gallagher	Monagan
Albert	Garmatz	Montoya
Anfuso	Gavin	Moorhead, Pa.
Ashley	Giaimo	Morgan
Aspinall	Gilbert	Morris
Ayres	Goodell	Morse
Bailey	Granahan	Moss
Baring	Gray	Multer
Barrett	Green, Oreg.	Murphy
Bass, Tenn.	Green, Pa.	Natcher
Beckworth	Griffiths	Nix
Bennett, Fla.	Hagen, Calif.	Norblad
Blatnik	Halpern	O'Brien, Ill.
Boggs	Hansen	O'Brien, N.Y.
Boland	Harding	O'Hara, Ill.
Bolling	Harris	O'Hara, Mich.
Bonner	Hays	Olsen
Brademas	Healey	O'Neill
Breeding	Hechler	Osmers
Brewster	Hemphill	Patman
Brooks, Tex.	Holifield	Perkins
Broomfield	Holland	Peterson
Buckley	Holtzman	Pfost
Burke, Ky.	Ikard, Tex.	Philbin
Burke, Mass.	Inouye	Pike
Byrne, Pa.	Jarman	Powell
Cahill	Jennings	Price
Cannon	Joelson	Pucinski
Carey	Johnson, Calif.	Randall
Casey	Johnson, Md.	Reuss
Celler	Johnson, Wis.	Rivers, Alaska
Chelf	Jones, Ala.	Roberts
Church	Karsten	Rodino
Clark	Kastenmeier	Rogers, Colo.
Coad	Kee	Rogers, Fla.
Cohelan	Kelly	Rogers, Tex.
Conte	Keogh	Rooney
Cook	Kilday	Roosevelt
Cooley	King, Calif.	Rostenkowski
Corman	King, Utah	Roush
Daddario	Kirwan	Rutherford
Daniels	Kluczynski	Ryan
Davis, Tenn.	Kornegay	St. Germain
Delaney	Kowalski	Saund
Dent	Kunkel	Scranton
Denton	Lane	Seely-Brown
Diggs	Lankford	Shelley
Dingell	Lesinski	Shipley
Donohue	Libonati	Sibal
Dooley	Lindsay	Sisk
Downing	Loser	Slack
Doyle	McCormack	Smith, Iowa
Dulski	McDowell	Smith, Miss.
Dwyer	McFall	Spence
Edmondson	Macdonald	Springer
Elliott	Machrowicz	Staggers
Everett	Mack	Stratton
Evins	Madden	Stubblefield
Fallon	Magnuson	Sullivan
Farbstein	Mahon	Thomas
Fascell	Marshall	Thompson, N.J.
Feighan	Mathias	Thompson, Tex.
Finnegan	May	Thornberry
Fino	Michel	Toll
Flood	Miller, Clem	Tollefson
Fogarty	Miller, George P.	Trimble
Frelinghuysen	Mills	Udall, Morris K.
Friedel		Ullman
Vanik	Weis	Young
Van Zandt	Wickersham	Zablocki
Walter	Widnall	Zelenko
Watts	Yates	

NOT VOTING—33

Boykin	McSween	Rabaut
Brooks, La.	Mailliard	Rains
Davis, James C.	Mason	Rhodes, Pa.
	Merrow	Santangelo
Dawson	Milliken	Scott
Hall	Moulder	Sheppard
Hardy	Nelsen	Steed
Hoffman, Ill.	Norrell	Thompson, La.
Johansen	Nygaard	Van Pelt
Karth	O'Konski	Westland
Kilburn	Pilcher	Wright

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hoffman of Illinois for, with Mr. Dawson against.

Mr. Pilcher for, with Mr. Santangelo against.

Mr. Van Pelt for, with Mr. Scott against.

Mr. Hardy for, with Mr. Rabaut against.

Mrs. Norrell for, with Mr. Sheppard against.

Mr. Johansen for, with Mr. Karth against.

Mr. Hall for, with Mr. Moulder against.

Mr. Nelsen for, with Mr. Rains against.

Mr. James C. Davis for, with Mr. Rhodes of Pennsylvania against.

Mr. Thompson of Louisiana for, with Mr. Steed against.

Until further notice:

Mr. Boykin with Mr. Kilburn.

Mr. Brooks of Louisiana with Mr. Mason.

Mr. McSween with Mr. O'Konski.

Mr. Wright with Mr. Mailliard.

Mr. HARRISON of Virginia changed his vote from "nay" to "yea."

Mr. MILLER of New York changed his vote from "nay" to "yea."

Mr. MORSE changed his vote from "yea" to "nay."

Mr. LATTA changed his vote from "nay" to "yea."

Mr. BROOMFIELD changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 279) to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

The Clerk read the Senate bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Juvenile Delinquency Act of 1961".

FINDINGS AND POLICIES

SEC. 2. (a) The Congress hereby finds and declares that juvenile delinquency diminishes the strength and vitality of the people of our Nation; that such delinquency presents increasingly serious community problems; and that its prevention, control, and treatment require intensive efforts on the part of private and governmental interests.

(b) The policy of the Federal Government shall be to assist in the prevention, control, and treatment of juvenile delinquency.

TITLE I—DEMONSTRATION AND STUDY PROJECTS

SEC. 101. (a) For the purpose of demonstrating and developing improved methods, including methods for the training of personnel, for the prevention, control, and treatment of juvenile delinquency, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1961, and for each of the three succeeding fiscal years such sum, not to exceed $2,500,000, as the Congress may determine.

(b) The sums appropriated under this title shall be available for grants or contracts to carry out projects for demonstrations and studies which, in the judgment of the Secretary of Health, Education, and Welfare (hereinafter in this Act referred to as the "Secretary") hold promise of making a substantial contribution to the discovery, the development, or the evaluation or demonstration of the effectiveness, of techniques and practices, including techniques and practices for the training of personnel, for the prevention, control, and treatment of juvenile delinquency. The Secretary may make such grants to States and municipalities and to other public and private nonprofit agencies, including institutions of higher learning or research: *Provided*, That the Secretary shall require each grant recipient to contribute money, facilities, or services to the extent the Secretary deems appropriate. He may enter into contracts for such projects with public or private organizations or agencies or with any individuals.

(c) Payments under this title may be made in advance or by way of reimbursement as may be determined by the Secretary, and shall be made on such conditions as the Secretary finds necessary to carry out the purposes of this title.

TITLE II—TRAINING OF PERSONNEL

SEC. 201. (a) For the purpose of training personnel, employed or preparing for employment in programs for the prevention, control, and treatment of juvenile delinquency, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1961, and for each of the three succeeding fiscal years, such sum, not to exceed $2,500,000, as the Congress may determine.

(b) Sums appropriated under this title shall be available for grants or contracts to carry out programs for the training of such personnel, which in the judgment of the Secretary hold promise of making a substantial contribution to the prevention, control, and treatment of juvenile delinquency. Such programs may include the development of courses, fellowships, and traineeships, with such stipends and allowance, including travel and subsistence expenses, as the Secretary may determine to be necessary. The Secretary may make such grants to States and municipalities and to other public and private nonprofit agencies, including institutions of higher learning: *Provided*, That the Secretary shall require each grant recipient to contribute money, facilities, or services to the extent the Secretary deems appropriate. He may enter into contracts for such programs with public or private organizations or agencies or with individuals.

(c) Payments under this title may be made in advance or by way of reimbursement as may be determined by the Secretary, and shall be made on such conditions as the Secretary finds necessary to carry out the purposes of this title.

TITLE III—TECHNICAL ASSISTANCE SERVICES

SEC. 301. (a) The Secretary shall make studies, investigations, and reports with respect to matters relating to the prevention, control, and treatment of juvenile delinquency, including the effectiveness of programs carried out under this Act, cooperate with and render technical assistance to States and municipalities and other public and private agencies in such matters, and provide short-term training and instruction in technical matters relating to juvenile delinquency.

(b) The Secretary shall, in connection with all grants and contracts provided for in title I and title II, collect, evaluate, publish, and disseminate information and materials for agencies and personnel engaged in programs concerning juvenile delinquency.

TITLE IV—NATIONAL ALVISORY COUNCIL ON JUVENILE DELINQUENCY

SEC. 401. (a) There is hereby established in the Department of Health, Education, and Welfare a National Advisory Council on Juvenile Delinquency (hereinafter referred to as the "Council"). The Council shall be composed of the Secretary or his designee, who shall be Chairman, and twelve members appointed without regard to the civil service laws by the Secretary. The appointed members of the Council shall be persons (including persons from public and voluntary organizations) who are recognized authorities in professional or technical fields related to juvenile delinquency or persons representative of the general public who are leaders in programs concerned with juvenile delinquency. The Council shall advise the Secretary on the administration of this Act.

(b) Before any grant or contract is made under title I and title II, the Council shall review the project or program involved and shall submit its recommendation thereon to the Secretary. The Council may also recommend to the Secretary projects or programs initiated by it. The Secretary is authorized to utilize the services of any member or members of the Council in connection with matters relating to this Act for such periods, in addition to conference periods, as he may determine.

(c) Appointed members of the Council, while attending meetings of the Council or otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $50 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b-2) for persons in the Government service employed intermittently. Notwithstanding the foregoing or any other provision of law the Secretary may accept the services of appointed members under this section without the payment of compensation therefor (and with or without payment of travel expenses or per diem in lieu of subsistence).

(d)(1) Any member of the Council is hereby exempted, with respect to such appointment, from the operation of sections 281, 283, 284, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U.S.C. 99), except as otherwise specified in paragraph (2) of this subsection.

(2) The exemption granted by paragraph (1) shall not extend—

(A) to the receipt of payment of salary in connection with the appointee's Government service from any source other than the private employer of the appointee at the time of his appointment; or

(B) during the period of such appointment, and the further period of two years after the termination thereof, to the prosecution or participation in the prosecution, by any person so appointed, of any claim against the Government involving any matter concerning which the appointee had any responsibility arising out of his appointment during the period of such appointment.

TITLE V—GENERAL PROVISIONS

SEC. 501. (a) The Secretary is authorized to make regulations governing the administration of this Act.

(b) The Secretary shall include in his annual report a full report of the administration of this Act.

(c) There are hereby authorized to be included for each fiscal year in the appropriation for the Department of Health, Education, and Welfare such sums as are necessary to administer this Act.

Mrs. GREEN of Oregon. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. GREEN of Oregon: Strike out all after the enacting clause of S. 279 and insert in lieu thereof the provisions of H.R. 8028 as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 8028) was laid on the table.

GENERAL LEAVE TO EXTEND

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the bill just passed and that I may revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 8922. An act to amend the Small Business Act to increase by $20 million the amount available for regular business loans thereunder.

MUTUAL ASSISTANCE APPROPRIATION BILL

Mr. CANNON. Mr. Speaker, I ask unanimous consent that it may be in order on Tuesday next to consider the foreign aid appropriation bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PROGRAM FOR THE BALANCE OF THE WEEK AND NEXT WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I take this time to inquire of the majority leader as to the program for the balance of the week and as much as he can tell us of the program for next week. Of course, we have just now learned that it will be in order on Tuesday next to consider the appropriation bill for the mutual assistance program. I would respectfully inquire of the majority leader if he could tell us as to the program for tomorrow. I hope the program for Friday will be very light and possibly we can so limit it that we will not need to be back here until Tuesday of next week.

Mr. McCORMACK. I can answer the latter observation that we will make arrangements to go over until Tuesday. We now have the unanimous-consent agreement proposed by the gentleman from Missouri which means that the mutual assistance appropriation bill will come up Tuesday. It is my understanding that every effort will be made to dispose of the bill that day, so that means there cannot be a light day on Tuesday. However, if the bill is not disposed of, and if the unanimous-consent request that I shall make shortly is granted, there will be suspension day on Wednesday. In order to go over until Tuesday we would have to arrange for another suspension day, because next Monday is regular suspension day.

Mr. HALLECK. If the gentleman will permit an interruption at that point, as far as I am concerned, while suspensions are in order on Monday it would be perfectly agreeable to me that the suspensions come on Wednesday of next week, particularly because of the fact that many Members would like to be away on Labor Day.

Mr. McCORMACK. Then, Mr. Speaker, I ask unanimous consent that the call of the Consent Calendar and bills under suspension of the rules in order on Monday, September 4, may be in order on Wednesday, September 6.

Mr. GROSS. Mr. Speaker, reserving the right to object——

Mr. McCORMACK. Mr. Speaker, I withdraw my request in order to complete the colloquy with the gentleman from Indiana. I might say that if we cannot get this consent we will have to meet on Monday. My only purpose in submitting the request was to cooperate with the membership.

Mr. HALLECK. If the gentleman will permit me, I see no reason, as far as I am concerned, why we cannot expedite the business of the House of Representatives by taking care of the suspensions on Wednesday if we are anxious to expedite sine die adjournment. After carefully looking over the program as well as I can project it, I cannot see any reasons why suspensions should not be made in order on Wednesday instead of Monday.

Mr. McCORMACK. I agree with the gentleman, and I hope no Member will object.

Mr. HALLECK. May I suggest that the gentleman submit the unanimous-consent request and find out.

The SPEAKER pro tempore. Does the gentleman from Massachusetts renew his consent request?

Mr. McCORMACK. I renew my request that the call of the Consent Calendar and the call of bills under suspension of the rules be in order on Wednesday instead of Monday.

The SPEAKER pro tempore. Is there objection?

Mr. GROSS. Reserving the right to object, Mr. Speaker, this business of suspension of the rules is an unusual procedure, it is a harsh procedure. Suspension of the rules means exactly what it says. I think the House is entitled to have some idea of how many bills will be called under suspension and what the bills are.

Mr. McCORMACK. The gentleman knows I always announce bills before they are called. There has never been a bill called under suspension of the rules regarding which the membership has not been given advance notice.

Mr. GROSS. Oh, yes.

Mr. McCORMACK. Refresh my memory, please.

Mr. GROSS. Is the gentleman ready to announce the bills that will be called up?

Mr. McCORMACK. On tomorrow I will announce the bills to be called up next Wednesday if the request is granted.

Mr. GROSS. Let us know what the bills are tomorrow and then submit the request.

Mr. McCORMACK. If the gentleman does not take my word that I am going to announce them I am very much astonished.

Mr. HOFFMAN of Michigan. Mr. Speaker, I object.

Mr. HALLECK. Mr. Speaker, while it is distasteful to me, if it is in order to expedite the business of the House of Representatives I would suggest to the majority leader that possibly he should move that the call of the Consent Calendar and suspension of the rules be in order on Wednesday next.

Mr. McCORMACK. My understanding is that such a motion can be made only on suspension day.

Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. McCORMACK. Whether or not a motion to suspend the rules and transfer the Consent Calendar day and suspension of the rules from Monday to Wednesday would be in order except when suspensions are in order.

The SPEAKER pro tempore. The gentleman has correctly stated the rule.

Mr. HALLECK. May I say further that I conferred with the majority leader; I conferred with many Members on our side of the aisle, as I know the gentleman from Massachusetts has on his, and made every effort possible to the end that we could take suspensions up on Wednesday rather than Monday. The majority leader said to me when I asked him today about announcing the suspensions that he would announce them tomorrow. That would give us from Thursday until Wednesday to know what is coming up under suspension of the rules.

Actually, if there is no consent that we adjourn over Monday, then we will be in session on Monday, and under the rules of the House any suspensions the Speaker might want to recognize would be in order. We are not giving up anything on our side of the aisle.

All we are doing is arranging for the suspensions to come up on Wednesday instead of Monday. I respectfully request the gentleman from Michigan, for whom I have the greatest regard, to withdraw his objection in order that this arrangement can be made, because, in my opinion, it will suit the convenience of many Members and will expedite the work of the House of Representatives.

Mr. McCORMACK. Mr. Speaker, unless I get unanimous consent to transfer the Consent Calendar from Monday to Wednesday, I am most reluctantly constrained to advise the House we will have to meet on Monday, because at this time of the year I would not want to take the responsibility of losing a suspension day.

Mr. HALLECK. May I say to the gentleman I can understand that. I had the responsibility of the majority leadership, and I fully appreciate what the gentleman is saying. If this were to bring about suspension of the rules that would not be in order otherwise, I would not agree to it.

Mr. HOFFMAN of Michigan. Mr. Speaker, I have no objection, but I want to know what is coming up and my colleague from Iowa wants to know. That is all he wants to know.

Mr. HALLECK. We have been assured that on tomorrow we will be told the bills that will be called up under suspension of the rules. I can understand the difficulty of the majority leader and the Speaker in determining what measures shall be called up under suspension of the rules. That is something that the Speaker controls, of course, and I would be quite sure that the Speaker would not arrange for the calling up of bills that might be highly controversial. If the announcement were made tomorrow, then everyone would have ample notice before Wednesday next as to what is coming up.

Mr. McCORMACK. I have stated to the gentleman from Iowa that I shall announce the program tomorrow for next week. When I announce the program I announce the bills that will be called up under suspension of the rules. Once I make the announcement of bills to be called up under suspension of the rules that is fixed. I should call the attention of committee chairmen that if they want any suspensions considered that they proceed to do so between now and tomorrow, in any event whether we meet on Monday or Wednesday or whether the suspensions will be called up on either Monday or Wednesday.

Mr. HOFFMAN of Michigan. Mr. Speaker, I withdraw my objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Mr. Speaker, reserving the right to object, I think the House is entitled to know the bills that the gentleman proposes to bring up under suspension of the rules. I for one want to know. When a bill is called up under

suspension of the rules you cannot amend it, you cannot do anything but vote it up or down.

Mr. McCORMACK. The gentleman would not have dared to take the position——

Mr. GROSS. I have taken that position.

Mr. McCORMACK. The gentleman from Iowa would never dare take that position unless we were trying to do something for the accommodation of the Members of the House. That is the only opportunity of reserving the right to object, because if we were meeting on Monday I would simply announce what we were going to call up under suspension of the rules. All we are trying to do is to transfer the suspensions from Monday to Wednesday, for the convenience of the Members of the House. I will announce what the program will be tomorrow if consent is granted. I will not announce until Friday, if we meet on Friday. If we are going to take these up on Monday, I would announce tomorrow the suspensions. If it goes over until Wednesday, I am not going to be put in the position of being subjected to a condition precedent when I am in a clear position where I am trying to benefit practically all of the Members of the House.

Mr. GROSS. So the gentleman is saying that the right to know what legislation is coming up is his?

Mr. McCORMACK. The gentleman from Massachusetts did not say that, and the gentleman from Iowa in his exuberance has no right to say that.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Mr. Speaker, I object.

Mr. HALLECK. Mr. Speaker, will the gentleman from Massachusetts [Mr. McCORMACK] advise us as to the program for tomorrow?

Mr. McCORMACK. The program for tomorrow covers the resolution on Red China, Senate Concurrent Resolution 34. If the Senate adopts the conference report on the mutual security assistance authorization bill and it gets over here in time, that conference report will be brought up. Then, the gentleman from South Carolina [Mr. McMILLAN], as chairman of the Committee on the District of Columbia, will ask unanimous consent that the following bills, or any one of them, might be considered, and only by unanimous consent:

First. H.R. 6967, relating to nonprofit corporations.

Second. S. 561, relating to the amount of claims in the small claims court.

Third. H.R. 7752, to amend the Alcoholic Beverage Control Act, as amended.

Fourth. S. 2239, a bill relating to the National Society of the Sons of the American Revolution.

Those bills can only be brought up by unanimous request, but the gentleman from South Carolina [Mr. McMILLAN], will make that request some time tomorrow. These bills were scheduled on District day of last Monday, but they were not reached.

In addition to that, there will be the bill providing for an additional Assistant Secretary of Commerce, H.R. 6360.

Mr. HALLECK. Will the gentleman permit me to make one further observation, and I say this with all deference to the gentleman from Iowa [Mr. GROSS]. I had suggested this arrangement about suspensions because I recognize that on Monday the Speaker has the right under the rules to suspend the rules and to recognize for suspension of the rules and to consider any bill that might be offered.

Mr. Speaker, I have had many Members on both sides of the aisle ask me whether or not we could arrange the affairs of the House of Representatives so that we might adjourn over from Friday until Tuesday next, to try to make that arrangement to suit their convenience. We have had a long session and a long summer here in the Congress of the United States. How much longer we will be required to be in session I do not know. I trust that we can adjourn sine die very shortly. I think some actions of recent days have indicated that we are moving rapidly to a sine die adjournment. If the postponement of suspensions from Monday to Wednesday were to delay the sine die adjournment, I would say be here Monday. Because I am sure that there will be no such delay, I myself suggested to the majority leader that we transfer the suspensions on Monday over until Wednesday. Of course the request can be renewed tomorrow. However, it goes without saying that many Members are interested in making their personal plans. If we could have assurance now as to what the situation will be, it would be of great help to many, many Members who have spoken to me. So I respectfully request the gentleman from Iowa to withdraw his objection to the request, recognizing the assurance that has been given by the majority leader that we will be given notice tomorrow as to the matters that will come under suspension on Wednesday next.

Mr. McCORMACK. I am willing to exhaust all remedies in this respect. I hope the gentleman from Iowa will reconsider and that the unanimous-consent request may be granted. I can assure the gentleman—and I cannot do any more; my word is my bond—at least I think so—that the bills to be considered under suspension will be announced tomorrow. I cannot make any greater promise than that.

Mr. HALLECK. Mr. Speaker, with the promise of the majority leader, may I renew the request?

Mr. McCORMACK. Mr. Speaker, will the gentleman permit me to renew the request?

Mr. HALLECK. Of course.

Mr. McCORMACK. Mr. Speaker, I renew my request.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Mr. Speaker, I object.

NATIONAL HISTORIC SITE AT FORT DAVIS, JEFF DAVIS COUNTY, TEX.

Mr. RUTHERFORD. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 566) authorizing the establishment of a national historic site at Fort Davis, Jeff Davis County, Tex., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 5, after "lands," insert "not to exceed four hundred and sixty acres in all,".

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. O'NEILL. Mr. Speaker, at the time of the rollcall on the Federal aid bill this afternoon I was with a group of small businessmen from my area and arrived here just as the Speaker was announcing the vote. Had I been present I would have voted "yea."

LET'S PUT OUR CARDS BEFORE THE HEARSE

Mr. DEROUNIAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DEROUNIAN. Mr. Speaker, the artful conduct of a great nation's foreign policy includes the ability to confuse and disconcert. In this, the New Frontier is demonstrating an unmatched flair. Indeed, the new administration's skill in propagating confusion is so successful that it has recoiled into our own homeland, besmogging all of the American people and our friends abroad as well as our foes.

A few days ago I pointed to the card-carrying Attorney General, bringing attention to the fact that the President's brother was carting cards around Africa so he might identify which nations and world leaders are our friends and which are our enemies. It was a sort of do-it-yourself kit in foreign policy. I pointed out his confusion as to one national president and how his cards helped him discover whether to be antagonistic or amiable as he drifted around Africa.

Back here at home, of course, we have reached the zenith of confusion in the conduct of our foreign policy. Our officially designated Secretary of State, poor fellow, is being forced to operate in a cloud of contradictions and competitors, leaving official Washington, all the American people, and indeed all the world wondering who in truth is the Secretary of State and who in fact speaks authoritatively for the United States: our Ambassador at the United Nations, Mr. Stevenson; Mr. Bowles as Under Secretary of State; Mr. McGeorge Bundy and Mr. Rostow at the White House; General Max Taylor at the White House; the newspaper writer on

the President's staff, Mr. Tannenwald; Mr. Mennen Williams, Secretary for Africa; Mr. Harriman, the rover boy in all foreign affairs; Mr. Dean Acheson, a professional kibitzer—all speaking simultaneously and continuously, frequently at odds with one another and often in conflict with their party leaders on Capitol Hill. No wonder people puzzle over who is in truth and in fact Secretary of State and what, indeed, is America's foreign policy.

Now we run across another whimsical negotiator, Mr. Richard Goodwin of the President's personal staff. The New York Times has just reported that at Montevideo Mr. Goodwin, whose competence in foreign affairs is hardly apparent, engaged in discussions at a private party with Maj. Ernesto Guevara, Castro's Minister of Industries. The meeting is described as "accidental" but evidently Major Guevara comes well prepared for accidents, because the newspaper reports he gave our President's representative a gift of the Cuban flag and a box of cigars.

The former Argentinian Foreign Minister stated that this "accidental" meeting lasted 3 hours "and the fact that the personal representative of President Kennedy could not have spoken for 3 hours with the Cuban minister without prior knowledge of his chief."

I begin to believe that Mr. Goodwin needs one of Bobby Kennedy's boxes of cards more than a Castro box of cigars. Possibly he lost his cards and, like the Attorney General, got our friends and enemies mixed up during his junket around the world. Conceivably he lost his buttons; we can only hope he didn't during his private conservation with Castro's emissary. I am sure we shall never know what really took place.

Mr. Speaker, with or without cards, the President's people here at home and roaming the world seem singularly gifted in getting our country into worse trouble than even Cuba or Laos got us into. Is it not time the President recalled the roaming troublemakers? Is it not time that someone told the American people and the world, friends and foes alike, just who is going to be our Secretary of State? Is it not time that the discords be taken out of our pronouncements, that we make up our minds just what we stand for in the world, and that America stand revealed once again, clearly, unmistakably, as a nation clear minded, determined, courageous, and dependable, militantly resolute in the face of imperialistic communism?

I will even vote for an appropriation for more cards, if they will help the President bring order out of this chaos.

WHITE HOUSE CONFERENCE ON MENTAL HEALTH

The SPEAKER pro tempore. Under previous order of the House the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, today I have introduced a bill calling for the holding of a White House Conference on Mental Health. My motivation in doing this is the sobering realization that the gravest health problem in our Nation today is that of mental health. And, furthermore, it is a problem—like the reaches of the human mind itself—that knows no geographical bounds and is worldwide in scope.

A White House conference would help develop an effectual program to provide an opportunity to develop and carry out forward-looking activities aimed at giving added stimulus to all activities in the area of mental health, including research, with a maximum of international cooperation and exchange of ideas as well as initiate a pattern of national leadership in the field of mental health. It would stimulate the development and coordination of Federal, State, community, and private programs for the purpose of combating the problem most effectively.

Let me point up the seriousness of the situation.

An estimated 17 million people, or about 1 in every 10 persons in the United States, are suffering from some form of mental illness.

Mental illness fills more hospital beds than cancer, heart disease, and tuberculosis combined. It is the greatest health problem in the world today. In countries with well-developed health services, about one-half of the hospital beds are occupied by psychiatric cases.

This is a sobering and challenging situation. When one considers that an estimated 10 percent of public school children alone in this Nation are emotionally disturbed and that 1 out of 10 children born now will need mental hospital care during his life, one realizes that the mental health problem is of vital concern to ourselves and to all mankind.

In terms of money, the cost of mental disease is fantastic. Just maintenance and treatment in mental hospitals in the United States of America requires about $750 million a year; and this does not include construction or expansion. The strain on the individual taxpayer is illustrated by the fact that 28 percent of every tax dollar in the operating budget of New York State goes for the care of the mentally ill. If the cost of veterans' compensation is included, the total amounts to $3 million a day for the country as a whole. The loss to society is completely immeasurable.

Experience at State mental hospitals has proved that there is a way to bring eventual reductions to these mounting costs—and that is through intensive treatment of patients rather than mere custodial care. Real dollar savings to the taxpayer can be achieved and humanitarian purposes served through an earlier return of patients to society. When patients are cured instead of receiving just custodial care, the community saves money. The patient resumes his place in society, he becomes productive again, and he once more assumes the status of taxpayer rather than tax consumer.

To achieve this objective, however, requires steady dedicated effort and deeper understanding of the status of the factors which are necessary for the development of an increased number of cured patients.

Additional facts and figures in this regard emphasize the seriousness of this problem.

Mental illness is increasing. For instance, in 1957, about 673,000 people, or 51 percent of the 1,320,300 patients comprising the average daily hospital census, were patients in psychiatric hospitals. And, as our population continues to expand, we can expect a larger number of mentally afflicted persons.

In addition, there is too much overcrowding and understaffing of mental hospitals. Psychiatric facilities are so overburdened that in many cases there are waiting periods of as long as 2 years. Our State mental hospitals (which comprise the largest proportion of such facilities) have only 45 percent of the physicians they need, 65 percent of the psychologists, 19 percent of the graduate nurses, 76 percent of the attendants.

It is estimated that between 10,000 and 20,000 more psychiatrists are needed and about 10,000 more clinical psychologists.

Another estimate is that there should be at least one clinic for every 50,000 in the population, or about 3,500 full-time clinics. Contrast this with the actual figure of some 1,350 clinics in the United States, including 65 VA clinics, and of these, about half give only part-time service.

Patients in mental hospitals are not receiving adequate care. The per capita maintenance expenditure in public non-Federal mental hospitals in the United States in 1957 was $1,332.75 per year or $3.65 per day. These figures are to be contrasted with the 1944 standards of the American Psychiatric Association of $1,825 per patient per year, or $5 per day.

This lack of funds as well as lack of well trained personnel reduces the ability to give vitally important early care to patients. Such care is exceedingly significant because if treatment is begun early enough and intensively enough about 80 percent of mental patients can look forward to being cured.

Insufficient research is a disturbing element in the problem of mental health. While the States in 1958 were spending over $812 million in total maintenance expenditures for patients in public non-Federal mental hospitals, they spent less than 2 percent of this amount for research in mental illness. Again this is contrasted with the opinion of the National Governor's Conference on Mental Health in 1954, that 10 percent of each State's mental health budget should be allocated for research and training.

Approximately $44,580,000 is being spent for mental health research by the States and by the major Federal and national voluntary agencies interested in mental health. On the basis of some 673,000 patients in psychiatric hospitals in 1957, this works out to approximately $66 per individual patient, or about 26 cents annually for each man, woman, and child in the United States. Mental illness is costing the Nation over $3.7 billion yearly in hospital and medical expenses, job absenteeism, production loss, and so forth. Yet the annual research investment to combat this toll is only about 1 percent of the enormous cost.

Has research thus far paid off? The new tranquilizing drugs, together with greater expenditure per patient by States, and an increase in trained personnel have brought about a sustained annual reduction in State hospital populations and have returned cured patients to society much earlier.

New developments are being reported, as for instance, in the field of drugs which are effective against depressions.

Improvement in treatment methods and the increase in the numbers of patients who are being discharged from mental hospitals as a result of research are exceedingly welcome developments.

But when we realize that a large proportion of the patients in mental hospitals cannot yet be cured by known methods of treatment, the necessity for stepping up research is patently evident.

Progress has been considerable—but the problems are many—the need for more trained personnel, more facilities, including community mental health services, more funds, more research, the development of outpatient services, and a far greater dissemination to the public of information on mental health problems so as to increase understanding.

Mr. Speaker, in recognition of the gravity of the mental health problem in the United States, I have today introduced a bill to provide for the holding of a White House Conference on Mental Health to be called by the President with a tentative date of June 1962. I ask that a copy of the bill be printed in the RECORD at the conclusion of my remarks.

The Conference would be planned and conducted by the Secretary of Health, Education, and Welfare with the assistance and cooperation of other departments and agencies represented on the Federal Council of Mental Health.

Provision for the conducting of similar conferences by the States in preparation for the White House Conference is included.

The purpose of the Conference would be to bring together representatives of Federal, State, and local governments, professional and lay people who are working in the field of mental health, and of the general public.

My hope is that it will develop recommendations and plans for action which will serve the purposes of—

First. Stepping up the research programs designed to discover cures and better methods of prevention, care, and treatment of the mentally ill;

Second. Coordinating the interchange of ideas so that the findings of separate units can be combined to reduce duplication of efforts and expense and to effect the most productive methods in combating mental illness;

Third. Increasing the availability of adequate treatment and trained personnel for mental health patients so that they can receive the full benefit from the advances we have made thus far, thereby speeding up the process of recovery and increasing the likelihood of the patient's return to society as a productive member;

Fourth. Providing better chances for our youth to grow up in robust good mental health; and

Fifth. Disseminating to the public more extensive information on mental health problems so as to increase the understanding of what is involved, to help relieve the social ostracism, and to indicate how an individual and a community might meet the needs of the mentally ill.

I have long had an interest in the problems of the mentally ill, Mr. Speaker. As a State senator in New York I sponsored the law establishing the New York Mental Health Commission and the one authorizing the current $350 million mental hospital expansion program. I am a director of the Queens County Mental Health Society. These years of study in the field have forcibly demonstrated to me the great need for a national, coordinated attack on the problem.

In the words of one of the experienced experts in the field, Dr. Paul Sivodan, "Mental diseases are the most curable and the most hopeless of all illnesses. The most curable because, if detected early, modern treatment will effect a cure."

Herein lies the basis for an understanding of the need for a nationwide program. Intensive treatment of patients requires more of everything—research, personnel, facilities, and understanding. But it means earlier return of the mentally ill to normal, productive lives with a consequent real dollar saving to the taxpayer.

Progress has been substantial. But much, much, more has to be done. Mental illness is still a danger to society, but mainly to its pocketbook. Frugal authorities have come to understand that curing patients is the cheapest way of having none. Healthier citizens are a national asset of immeasurable value.

That is why, Mr. Speaker, I urge the Congress to consider fully the incalculable benefits in terms of human and material resources which can flow from a national conference which will provide the focal point for an assault on the illness which levies the heaviest toll on our country.

U.S. GOVERNMENT POLICY AND A SPECIAL COMMITTEE ON CAPTIVE NATIONS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 30 minutes.

Mr. FLOOD. Mr. Speaker, in numerous previous addresses I have stated the reasons and arguments justifying the formation of a Special House Committee on Captive Nations. Many Members have urged on a bipartisan basis that immediate action be taken by the Rules Committee on this vital proposal. Recently, however, a new development emerged, involving the attitude of the State Department toward such a committee. Because this development has unnecessarily clouded the situation somewhat I should like to read the following communication I sent to the Honorable HOWARD W. SMITH, chairman of the Rules Committee. The contents of this letter should be sufficient to clarify the situation surrounding the resolutions calling for a Special Committee on Captive Nations. I feel certain that my distinguished colleagues will profit from them, and I also hope that these points will serve to overcome what appears to be a delaying action on these resolutions. The contents of this communication go a long way, I believe, to dissipate false notions and rumors that a special committee would run counter to U.S. Government policy.

The aforementioned letter to Chairman SMITH follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 29, 1961.

Hon. HOWARD W. SMITH,
Chairman, House Committee on Rules, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Two weeks ago I was informed that the Rules Committee requested the appearance of a State Department representative to discuss the desirability of establishing a Special House Committee on Captive Nations. In order to be given the possible opportunity of rebutting the representative I asked Mr. Carruthers to notify me and others sponsoring the resolutions of the time of this appearance. Now I am given to understand that no such appearance will take place and that, instead, the Department has expressed in general and unexplained terms a negative position on the proposal, along with an insinuation that the White House supports this position.

It appears to me, as I am sure it does to you, that this kind of response to your request is grossly unsatisfactory. A mere expression of attitude in vague terms and without justifying reasons is scarcely a foundation for serious consideration of this very important and most essential proposal. Worse still is the misleading implication that the creation of this committee would run counter to State Department policy. I am advised that this is the impression conveyed.

Aside from the considerations of the appropriate weight to be given to an executive opinion in a matter that is exclusively legislative and also of the curious unwillingness of the Department to send someone in person before your committee so that the opportunity for incisive questioning may be available to you, I should like simply to dispel the impression that a Special House Committee on Captive Nations would not be in accord with the policy of our Government. In fact, in the light of all the documented evidence furnished in my addresses on this subject since last March 8, I am astonished to learn that this is the inference drawn from a patently inconsistent position expressed by some group in the Department. Anyone clinging to this inference simply has not familiarized himself with the facts.

The facts are as follows:

(1) In my address on August 10, 1961 (CONGRESSIONAL RECORD, pp. 15376–15383) I offered 15 solid reasons justifying the necessary formation of a Special Committee on Captive Nations, reasons ranging from the principle of national self-determination to legislative intent. My colleagues and I still have to hear convincing counterarguments to any of these detailed reasons. But I emphasize that my first reason is the guiding principle of national self-determination;

(2) As to the policy of our Government, it is interesting to note that on April 23, 1961, the Department of State, in a reply to Khrushchev's stand on Cuba, declared the following: "The people of the United States believe that the right of self-determination is fundamental and should apply throughout the world. We reject the right of any narrow political grouping or any country to arrogate to itself the power to determine the real will of the people." A careful reading

of the resolutions would readily show that a special committee would be in full and complete accord with this policy position and also in its fact finding and scientific investigations would continuously mirror the "real will of the people" of the two dozen captive nations;

(3) Again as to the policy of our Government, only last month in his July 17 Captive Nations Week Proclamation, President Kennedy stressed that "it is in keeping with our national tradition that the American people manifest its interest in the freedom of other nations" and "I urge them to recommit themselves to the support of the just aspirations of all peoples for national independence and freedom." What better way can we manifest this interest and recommit ourselves, especially in the present crisis, than by way of this people's committee to study continuously, persistently, methodically, and objectively, the plight of all the captive nations;

(4) Once more on policy, in his state of the Union message the President declared: "We must never forget our hopes for the ultimate freedom and welfare of the Eastern European peoples." Again, what better way is open to the Chamber of the American people's will, this House of Representatives, to give living and consistent expression to these hopes than by way of the proposed special committee;

(5) The statements of the President always impinge on policy and on April 20, 1961, before the American Society of Newspaper Editors, he said: "It is clearer than ever that we face a relentless struggle in every corner of the globe that goes far beyond the clash of armies or even nuclear armaments. We dare not fail to see the insidious nature of this new and deeper struggle. We dare not fail to grasp the new concepts, the new tools, the new sense of urgency we will need to combat it." Indeed, we dare not. And from what better source can our people learn all this than from the captive nations to which a special committee will be especially devoted;

(6) Recognizing the basic continuity of the policy of our Government, we should also observe that President Eisenhower on two occasions called upon the American people "to study the plight of the Soviet-dominated nations" and the then Under Secretary Douglas Dillon expressed the same viewpoint for the Department of State in an address I used for documentary proof (CONGRESSIONAL RECORD, Mar. 8, 1961, pp. 3527–3529); and

(7) Not to needlessly extend this further, let us recall the statement of President Kennedy which seeks to implement the policy directions given above: "The captive nations should be studied intensively. If a Joint Congressional Committee on the Captive Nations is the best way to insure such popular study, I would naturally not be opposed to it." (CONGRESSIONAL RECORD, Mar. 8, 1961, p. 3524). Not to incur other known difficulties, many Members and I feel strongly that the best way is the creation of the Special Committee of the House on Captive Nations, one to which I feel sure the President would naturally not be opposed.

In the light of all this and more one cannot but be amazed by the position taken by the State Department. Since a special committee by its concentrated study of the captive nations would work in behalf of our people and our executive organs, one cannot but wonder who in the State Department determined this position and, actually, for what concrete reasons and with what motivation. I seriously doubt that the leadership of our Government shares this unjustified position. The facts overwhelmingly point in the other direction.

Within our own legislative precincts let us be guided by these facts. Let us also be guided by the fact that approximately 40 resolutions have been submitted by our Members in favor of a special committee. And let us be guided by the popular support for this proposal. In almost every legislative week since March, sample letters of this support have been printed in the RECORD. I have no doubt whatsoever that the House would overwhelmingly vote for this proposal.

With the Berlin crisis staring us in the face it is time now to report out favorably this proposal for a Special House Committee on Captive Nations. Our Members and I seek your immediate action on this. It is now almost 4 months since the first hearing was held on this vital proposal.

In gratitude for your studied consideration of this and your favorable action, I am,

Sincerely yours,

DANIEL J. FLOOD,
Member of Congress.

GROWING POPULAR INTEREST IN STUDY OF CAPTIVE NATIONS

Mr. Speaker, as has been my habit throughout these discussions, I should like to offer additional evidence of growing popular interest in the study of the captive nations. Many Members will find much of this evidence of the greatest interest. It is drawn not only from domestic sources but also from foreign areas. And some of it, as, for example, the two recent scientific Ukrainian defections to the free world, would be of enormous value to the studies of a Special Committee on Captive Nations from its chief viewpoint of Moscow's imperialism and colonialism both within and outside the Soviet Union.

I therefore request, Mr. Speaker, that the following items be printed at this point in the RECORD:

First. The observance of Captive Nations Week in the Free Republic of China;

Second. The observance of the week in Bremerton, Wash.

Third. An excellent analysis of two UNESCO publications by Dr. Roman Smal-Stocki of Marquette University, dealing with cultural colonialism in the U.S.S.R.;

Fourth. The resolutions and letter of the American Friends of the Anti-Bolshevik Bloc of Nations pertaining to the captive nations; and

Fifth. The New York Times editorial and report on the two defections, along with the account in the Telegram of Toronto, Canada:

[From the China Post, July 18, 1961]

CAPTIVE NATIONS WEEK MARKED HERE—DECLARATION OF FREEDOM RALLY IN SUPPORT OF THE PEOPLE OF THE CAPTIVE NATIONS IN THEIR STRUGGLE FOR FREEDOM

Since the end of World War II, over 800 million people of the world have been shut behind the Iron Curtain. To strive for their freedom and survival, an overwhelming majority of them have been carrying on their fight against Communist tyranny. In fact, the heavier the oppression, the more violent is their resistance. The demonstrations by workers in East Germany in 1953, the uprising by the Polish people in 1956, the Hungarian revolution in October of the same year, the anti-Communist revolution by the Tibetan people in 1959, and the anti-Communist movements by the people under Communist domination in various parts of the Chinese mainland in the past years are examples in point.

As an expression of their sympathetic support to the captive nations and their peoples in the struggle for national independence and freedom, the American Government and people have designated the third week of July as Captive Nations Week, which was passed by both the House of Representatives and Senate, and formally proclaimed by former President Eisenhower on July 17, 1959. As from that year, the people in all parts of the United States hold various kinds of ceremonies and activities within that week each year. And the commemoration of this week will continue to be observed as long as the enslaved peoples behind the Iron Curtain have not regained their freedom.

RIGHTEOUS MOVE

This great and righteous move on the part of the U.S. Government and people deserves high respect of the countries and peoples of the whole free world. Particularly at the time when contradictions within the ranks of the Communist Parties have been deepening, peoples behind the Iron Curtain have been fighting relentlessly against the tyrannical Communist rule, famine on the Chinese mainland has been aggravating to most alarming proportions and struggle against communism has been gaining in vigor and effectiveness, this righteous move by the American Government and people not only is an indication of its deep sympathy to the unhappy lot of the peoples of the captive nations and of its opposition against communism, but also gives great encouragement to the enslaved peoples in their will and determination to strive for freedom.

However, we have to point out that the Communist bloc, to divert the attention of the enslaved peoples in their fight against Communist tyrannical rule, and to achieve its end of world domination, has been playing on the fear of war on the part of the free world. Thus, it harps on the slogan of peaceful coexistence with a view to dividing the free nations on the one hand and launches an overall offensive against the free world in the form of threats, deceit, inducements, infiltration, subversion, and even armed aggression on the other. In the face of this formidable antagonist, it is a great pity that there are still certain countries in the democratic camp, either for selfish reasons or out of a sense of self-complacency, adopt a policy of appeasement in the vain hope of existing peacefully side by side with the Communist bloc. While holding a mass rally in support of the enslaved countries and peoples to strive for their freedom here at Taipei today, we feel compelled to call upon the United States and other democratic countries and their peoples to maintain their high degree of vigilance toward this adverse undercurrent in the world and to save on time the danger with which the free world is confronted.

SUGGESTIONS OFFERED

On behalf of the people from all walks of life of the Republic of China, we wish to offer the following suggestions:

1. It is our belief that solidarity of the free world is the only way open in the cold war in which it is engaged against the Communist bloc. For this reason, we urge all democratic countries to step up their anti-Communist cooperation, to stand pat on their policy to defend Berlin, to maintain independence, freedom, and unification of Laos and the Congo, and to give support to the freedom fighters of Cuba in their struggle for national recovery, so as not to let the Communists seize a single inch of free territory.

2. It is our conviction that any attempt to appease or compromise with the Communists will not only give encouragement to the aggressor but also dampen the ardor of the enslaved peoples in their will and determination to strive for freedom. For this reason, we are strongly opposed to the admission of the puppet regime of Outer Mongolia into the United Nations. We hope also that the United States will stop her talks with it for

the establishment of diplomatic relations right away.

3. We believe that the only effective way in coping with Communist infiltration and subversive activities is to broaden the scope of the freedom movement in support of the enslaved peoples shut behind the Iron Curtain in their struggle for freedom and to step up the support to them and to encourage them to rise in revolt against their Communist oppressors. Only thus will the tyrannical Communist regimes be overthrown from behind the Iron Curtain, and in unison with the anti-Communist forces outside of it, thoroughly tear down the Iron Curtain.

Finally, we, the people from various walks of life of the Republic of China, wish to convey to the American Government and people our sincere support to the Captive Nations Week and hope that the freedom-loving peoples of the United States and the world will dedicate themselves to the common struggle for the regaining of freedom for over 800 million peoples in Europe and Asia at any early date.

An Open Letter to the Peoples of the Captive Nations

Dear Friends: Hitlerite nazism was uprooted as the result of World War II. It has been replaced by Communist imperialism, far more totalitarian and oppressive. Its first victims were the countries in east and central Europe. Their national independence has been surrendered under Communist iron heels and the freedom of their peoples has been deprived of. Later, its aggressive tentacles extended from the Chinese mainland to North Korea and North Vietnam in Asia. Now almost 1 billion peoples have been enslaved and persecuted, leading a life even more miserable than that of beasts of burden. Particularly on the Chinese mainland, Communist tyranny has brought about a catastrophic famine. The Communists, instead of giving relief to the afflicting masses, have cut down their rations and left them to eat grass roots and wild plants for subsistence. No one knows how many people have died of sickness and hunger. Indeed, tyrannical rule such as this has been never heard of in the annals of mankind.

To pursue freedom and to resist slavery are the inalienable rights of mankind. Historical facts have shown once and again that no country and people can be permanently enslaved. Nor can any tyrannical rule last. Caesar and Hitler, powerful as they were, were all overthrown under the impact of the human desire for freedom and national independence. Such being the case, can Soviet imperialism negate this law of historical development and be free from the doom of final collapse?

To show their sympathetic support to the captive nations in their struggle for independence and their people for freedom, the American Government and people have, since 1959, started a "Captive Nations Week" movement. It goes without saying that it will go a long way in enhancing immeasurably your confidence in the fight for freedom and against slavery. To unite the just force of all freedom-loving peoples in the United States and the whole world, the people of the Republic of China, as from this year, give their wholehearted endorsement to this movement with a view to giving their support to the struggle for freedom by the enslaved peoples under Communist domination. We shall exert our utmost to push forward this movement, so as to give you practical and effective help and to unite all anti-Communist forces on both sides of the Iron Curtain for tearing down the Iron Curtains in Asia and Europe and to reestablish your national independence and freedom.

Dear friends, darkness will leave you very soon; and light is ahead of you. Let us hope that you will unite yourselves and step up your struggle in your common effort to search for light and strive for freedom.

Cable to President Kennedy

Dear President Kennedy: In warm response to the Captive Nations Week which has been initiated by your country, we are holding a rally at Taipei today as an expression of our deep sympathy to those captive nations and their peoples. On behalf of people of all walks of life of the Republic of China, we wish to avail ourselves of this opportunity to convey to you our respect for the righteous act on the part of your Government which has given great encouragement to the enslaved peoples in their struggle for freedom.

At the time when over 800 million peoples shut behind the Iron Curtains in Europe and Asia are engaged in their life-and-death struggle for freedom and survival, we hope that you will take firmer stand and provide stronger leadership to the whole free world by pushing forward in every possible way the freedom movement and giving effective support to the peoples groaning under the yoke of Communist tyranny in their fight for freedom and exert your influence to stop talks with the puppet regime of Outer Mongolia for the establishment of diplomatic relations with it, the thought of admitting the Peiping regime into the United Nations, preposterous "two Chinas" concept and any attempt to exist peacefully with the Communist bloc born of a sense of complacency and in utter disregard to the principle of international justice, so as to realize your hope that the cause of freedom will spread all over the areas behind the Iron Curtain from Peiping to Warsaw and from Budapest to Havana. Indeed, nothing can possibly give the enslaved peoples greater encouragement. And only thus can the tyrannical communism be uprooted and the peoples under its domination regain their freedom again.

With highest regards,

Ku Cheng-kang,

Chairman, Committee of Civic Organization of Republic of China in Support of Struggle for Freedom Behind the Iron Curtain.

Weeklong Program in Response to Captive Nations Week

SUNDAY, JULY 16

Mr. Tsiang Chang-lin, an anti-Communist escapee recently fleeing to Taiwan for freedom, meets the press to give a report on real conditions on the Chinese mainland. Special broadcasts to people at home and abroad as well as areas behind the Iron Curtain by all local broadcasting stations.

Youth forum.

Catholics in Taipei holding Mass for the people of the captive nations.

Prayers by all Christian churches.

Slide show of slogans in various cinemas for 1 week beginning from July 16 and observance of 1 minute of silence in memory of victims under Communist enslavement and persecution.

Postmarks bearing slogans on all mails for 1 week beginning July 16.

Publishing bulletins by various public service centers throughout Taiwan.

MONDAY, JULY 17

Rally at the Armed Forces Officers' Club in Taipei at 10 a.m.

Activities on Kinmen.

Special broadcasts.

Catholics in Hsingchu holding Mass.

TUESDAY, JULY 18

Forum held by Chinese women at Ru Mo Hall at 3 p.m. in Taipei.

Activities on Matsu.

Catholics in Taichung holding Mass.

Special broadcasts.

WEDNESDAY, JULY 19

Forum sponsored by labor unions at the auditorium of the highway bureau, at 9 a.m.

Activities in Taichung.

Special broadcasts.

Catholics in Chiayi holding Mass.

Buddhist temples saying prayers for those who died under Communist slavery and persecution.

THURSDAY, JULY 20

Forum sponsored by intellectuals.

Rally held in Taiwan.

Catholics in Taiwan holding Mass.

Special broadcasts.

FRIDAY, JULY 21

Forum sponsored by the commercial and industrial circle in Taiwan, at Taipei City Hall at 4 p.m.

Special broadcasts.

Rally held in Kaohsiung.

Mosques conducting religious services.

Catholics in Kaohsiung holding Mass.

SATURDAY, JULY 22

Rally held in Keelung.

Catholics in Haulien holding Mass.

Special broadcasts.

Evening party at Taipei Park.

Forum held by anti-Communist ex-POW's of the Korean war.

Ku Predicts Collapse of Red Tyranny in Rally To Mark Captive Nations Week

Ku Cheng-kang, chairman of the Committee of Civic Organizations of the Republic of China in Support of the Struggle for Freedom Behind the Iron Curtain, yesterday predicted that Communist tyranny which enslaves people will finally be washed away by the surging tide of struggle by the enslaved peoples for freedom.

Presiding over a freedom rally held at 10 o'clock yesterday morning at the Armed Forces Officers' Club, Ku said that the Russian people have been enslaved under the iron heels of communism since 1917. "Following the close of World War II, 14 countries in Europe and Asia became victims of Communist aggression. Some of them have lost their national independence, while others have been left divided," he pointed out.

"The number of people shut behind the Iron Curtain including the Russians totals around 1 billion," Ku declared.

However, Ku said, these peoples are strongly against Communist tyranny. "During all these years," he pointed out, "anti-Communist movements have followed in rapid succession one after another." The strikes by workers in East Germany in 1953, the riots by the Polish people in 1956, the anti-Communist uprising by the Hungarians in 1956, the revolution by the Tibetan people in 1959, and anti-Communist movements both in the slave camps of the Soviet Union and on the Chinese mainland are just some examples in point, he added.

STRIVE FOR FREEDOM

"These facts show on the one hand that communism is deeply detested by all the peoples shut behind the Iron Curtain and on the other that the peoples under the Communist domination are putting up positive fight to strive for their freedom," Ku declared.

Archbishop Paul Yupin spoke after Ku. He said that the free world is supporting the efforts made by the captive nations to regain freedom out of humanitarian and religious considerations.

Richard M. McCarthy, Director of the U.S. Information Service, declared at the meeting that Communist tyranny on the Chinese mainland is aimed at destroying the ancient tradition of respect for the individual, the strength of family ties and any independence of thought or expression.

FAILURE OF COMMUNES

"It has also imposed upon the Chinese people the inhuman regimentation of the 'people's communes.' From the communes the Communists expected to harvest more grain and extract more work out of the mainland," the USIS Director said.

McCarthy said that these efforts made by the Chinese Communists are in vain. "Instead," he added, "they have reaped only hardship, misery, and famine."

"If we are going to preserve freedom for ourselves and others," McCarthy pointed out, "we must remember, we must not only maintain our strength but increase it."

Chiang Chang-lin, ex-official of the Communist Ministry of Geology, also delivered a speech concerning conditions on the Chinese mainland. He said that the people on the Chinese mainland are living under the worst tyranny. "They have not enough to eat and are being forced to work as long as possible," he declared.

The 28-year-old native of Antung Province also told of how he fled the Communist-controlled mainland for freedom. He crossed the Yunnan-Thailand border to flee for freedom a couple of months ago. He arrived here on July 1.

ANTI-RED UPRISING

Yeh Hsiang-chih, Director of the Intelligence Bureau of the Ministry of National Defense, also gave a lecture at the meeting. He declared that the people on the Chinese mainland are rising against the puppet regime in Peiping.

The MND Intelligence Chief said that the Republic of China must cooperate closely with other free nations in helping the people shut behind the Iron Curtain to regain freedom.

"Above all," Yeh said, "we must do everything within our power to help our compatriots on the mainland to regain their freedom. He added that only through coordinated efforts by people on both sides of the Iron Curtain can Communist tyranny be crushed and mankind saved from calamity.

PROGRAM FOR THE RALLY IN SUPPORT OF THE PEOPLE OF THE CAPTIVE NATIONS IN THEIR STRUGGLE FOR FREEDOM, SPONSORED BY THE GENERAL PUBLIC OF THE REPUBLIC OF CHINA

Beginning of the program.
Chairman assuming chairmanship.
Audience standing up.
Band playing.
National anthem.
Salute national flag and the portrait of national founder, the late Dr. Sun Yat-sen.
One minute of silence in memory of victims under Communist enslavement and persecution.
Report by Mr. Ku Cheng-kang, chairman of the Committee of Civic Organizations of Republic of China in Support of Struggle for Freedom Behind the Iron Curtain.
Read messages from the President of the Republic of China.
Speeches by: Archbishop Paul Yupin; Mr. Richard M. McCarthy, director of USIS, Taipei office; Mr. Tsiang Chang-lin, an anti-Communist escapee recently fleeing to Taiwan for freedom.
Special lecture: Mr. Yeh Hsiang-tze, an expert on Chinese Communist affairs.
Adoption of declaration and statement of the rally.
Shouting slogans.
Band playing.
End of the program.

MESSAGE BY PRESIDENT CHIANG TO THE MASS RALLY IN SUPPORT OF THE PEOPLES OF CAPTIVE NATIONS IN THEIR STRUGGLE FOR FREEDOM

Since the end of World War II, the Soviet imperialists have become more audacious than ever in their persistent scheme to communize the whole world. By either direct or indirect aggression, they have carried out external expansion and pushed hundreds of millions of people in Europe and Asia behind the Iron Curtain. The enslavement and massacre of large numbers of people is a tragedy unprecedented in human history. The Government and people of the United States, in order to express their sympathy with and support to the enslaved peoples in their struggle for freedom and independence, have since 1959 set aside a "Captive Nations Week" each year. This annual event has steadily gained in momentum and grown in impact. Being the voice of righteousness, it has won the praise of all freedom-loving peoples of the world, and given unparalleled encouragement to the peoples behind the Iron Curtain and their resistance to Communist tyranny stiffened.

The fate of Chinese people suffering under the Peiping regime on the mainland is even worse than that of the enslaved peoples in other Iron Curtain countries. It follows that their hostility to communism is the strongest and their yearning for deliverance, the most urgent. Since the autumn of 1960, the Chinese mainland has been visited by a series of natural disasters rendered ever graver by Communist tyranny and maladministration. As a result, discontent has become widespread, and there have been innumerable cases of mass pillagings of granaries and mass killings of Communist cadres. The anti-Communist movement is spreading in scope as well as in seriousness. This proves that no matter how strict is the Communist control, and how cruel are Communist measures of repression, they cannot destroy the determination and the will of our enslaved compatriots to fight for existence and freedom. Once the opportunity ripens, they will surely throw off the shackles on them and free themselves of the present oppression.

Today, as people in the Republic of China gather here in observance of the U.S.-initiated Captive Nations Week, all of us Chinese should further strengthen the unity among ourselves in order to be able to carry out our sacred duty of national recovery. We should also unite with all free and democratic nations and peoples in the world and take positive actions to render effective support to peoples enslaved on the Chinese mainland and elsewhere behind the Iron Curtain. Above all, I hope all our compatriots on the mainland will continue to fight against Communist tyranny with an undaunted spirit, and seize every opportunity to deal the enemy a mortal blow. Only through coordinated efforts by peoples on both sides of the Iron Curtain can Communist tyranny be crushed and mankind be saved from calamity. May this be a signal for greater dedication on the part of all of us.

DECLARATION OF THE FREEDOM RALLY IN SUPPORT OF THE PEOPLE OF THE CAPTIVE NATIONS IN THEIR STRUGGLE FOR FREEDOM

Since the end of World War II, over 800 million people of the world have been shut behind the Iron Curtain. To strive for their freedom and survival, an overwhelming majority of them have been carrying on their fight against Communist tyranny. In fact, the heavier the oppression, the more violent is their resistance. The demonstrations by workers in East Germany in 1953, the uprising by the Polish people in 1956, the Hungarian revolution in October of the same year, the anti-Communist revolution by the Tibetan people in 1959, and the anti-Communist movements by the people under Communist domination in various parts of the Chinese mainland in the past years are examples in point.

As an expression of their sympathetic support to the captive nations and their peoples in the struggle for national independence and freedom, the American Government and people have designated the third week of July as Captive Nations Week, which was passed by both the House of Representatives and Senate and formally proclaimed by former President Eisenhower on July 17, 1959. As from that year, the people in all parts of the United States hold various kinds of ceremonies and activities within that week each year. And the commemoration of this week will continue to be observed as long as the enslaved peoples behind the Iron Curtain have not regained their freedom.

This great and righteous move on the part of the U.S. Government and people deserves high respect of the countries and peoples of the whole free world. Particularly at the time when contradictions within the ranks of the Communist Parties have been deepening, peoples behind the Iron Curtain have been fighting relentlessly against the tyrannical Communist rule, famine on the Chinese mainland has been aggravating to most alarming proportions, and struggle against communism has been gaining in vigor and effectiveness, this righteous move by the American Government and people not only is an indication of its deep sympathy to the unhappy lot of the peoples of the captive nations and of its opposition against communism but also gives great encouragement to the enslaved peoples in their will and determination to strive for freedom.

However, we have to point out that the Communist bloc, to divert the attention of the enslaved peoples in their fight against Communist tyrannical rule and to achieve its end of world domination, has been playing on the fear of war on the part of the free world. Thus, it harps on the slogan of peaceful coexistence with a view to dividing the free nations on the one hand and launches an overall offensive against the free world in the form of threats, deceit, inducements, infiltration, subversion, and even armed aggression on the other. In the face of this formidable antagonist, it is a great pity that there are still certain countries in the democratic camp, either for selfish reasons or out of a sense of self-complacency, adopt a policy of appeasement in the vain hope of existing peacefully side by side with the Communist bloc. While holding a mass rally in support of the enslaved countries and peoples to strive for their freedom here at Taipei today, we feel compelled to call upon the United States and other democratic countries and their peoples to maintain their high degree of vigilance toward this adverse undercurrent in the world and to save on time the danger with which the free world is confronted.

On behalf of the people from all walks of life of the Republic of China, we wish to offer the following suggestions:

1. It is our belief that solidarity of the free world is the only way open in the cold war in which it is engaged against the Communist bloc. For this reason, we urge all democratic countries to step up their anti-Communist cooperation, to stand pat on their policy to defend Berlin, to maintain independence, freedom, and unification of Laos and the Congo, and to give support to the freedom fighters of Cuba in their struggle for national recovery, so as not to let the Communists seize a single inch of free territory.

2. It is our conviction that any attempt to appease or compromise with the Communists will not only give encouragement to the aggressor but also dampen the ardor of the enslaved peoples in their will and determination to strive for freedom. For this reason, we are strongly opposed to the admission of the puppet regime of Outer Mongolia into the United Nations. We hope also that the United States will stop her talks with it for the establishment of diplomatic relations right away.

3. We believe that the only effective way in coping with Communist infiltration and subversive activities is to broaden the scope of the freedom movement in support of the enslaved peoples shut behind the Iron Curtain in their struggle for freedom and to step up the support to them and to encourage them to rise in revolt against their Communist oppressors. Only thus will the tyrannical Communist regimes be overthrown from behind the Iron Curtain, and in unison with the anti-Communist forces outside of it, thoroughly tear down the Iron Curtain.

Finally, we, the people from various walks of life of the Republic of China, wish to convey to the American Government and people our sincere support to the Captive Nations Week and hope that the freedom-loving peoples of the United States and the world will dedicate themselves to the common struggle for the regaining of freedom for over 800 million peoples in Europe and Asia at an early date.

CABLE TO MR. KENNEDY, PRESIDENT OF THE UNITED STATES

DEAR PRESIDENT KENNEDY: In warm response to the Captive Nations Week which has been initiated by your country, we are holding a rally at Taipei today as an expression of our deep sympathy to those captive nations and their peoples. On behalf of people of all walks of life of the Republic of China, we wish to avail ourselves of this opportunity to convey to you our respect for the righteous act on the part of your Government which has given great encouragement to enslaved peoples in their struggle for freedom.

At the time when over 800 million peoples shut behind the Iron Curtains in Europe and Asia are engaged in their life-and-death struggle for freedom and survival, we hope that you will take firmer stand and provide stronger leadership to the whole free world by pushing forward in every possible way the freedom movement and giving effective support to the peoples groaning under the yoke of Communist tyranny in their fight for freedom and exert your influence to stop talks with the puppet regime of Outer Mongolia for the establishment of diplomatic relations with it, the thought of admitting the Peiping regime into the United Nations, preposterous two Chinas concept and any attempt to exist peacefully with the Communist bloc born of a sense of complacency and in utter disregard to the principle of international justice, so as to realize your hope that the cause of freedom will spread all over the areas behind the Iron Curtain from Peiping to Warsaw and from Budapest to Havana. Indeed, nothing can possibly give the enslaved peoples greater encouragement. And only thus can the tyrannical communism be uprooted and the peoples under its domination regain their freedom again.

With highest regards.

KU CHENG-KANG,
Chairman, Committee of Civic Organizations of Republic of China in Support of Struggle for Freedom Behind the Iron Curtain.

SPEECH BY MR. KU CHENG-KANG, PRESIDENT OF THE CHINA CHAPTER, APACL AT THE FREEDOM RALLY IN SUPPORT OF THE PEOPLE OF THE CAPTIVE NATIONS IN THEIR STRUGGLE FOR FREEDOM

Today is the third anniversary of the Captive Nations Week which was announced by Mr. Eisenhower, the former President of the United States, in accordance with a joint resolution by the American Congress. The purpose for this movement is to give support to all enslaved peoples in their struggle for freedom and national independence. That the people of the Republic of China give their warm response to this movement is motivated by a desire to unite all freedom-loving peoples in the United States and other parts of the world in their common support to the captive nations and their peoples, so as to tear down the Iron Curtains in Asia and Europe with their concerted efforts and to bring into consummation the mission of this movement.

Russia fell prey to tyrannical Communist rule in 1917. Since then, the Russian people has been enslaved under the iron heels of communism. Following the end of World War II, 14 countries in Europe and Asia became victims of Communist aggression. Some of them have lost their national independence, while others have been left divided. The number of people shut behind the Iron Curtain including the Russians totals around 1,000 millions.

However, these peoples are strongly against Communist tyranny. During all these years, anti-Communist movements have followed in rapid succession one after another. The strikes by workers in East Germany in 1953, the riots by the Polish people in 1956, the anti-Communist revolution by the Hungarians in 1956, the anti-Communist uprising by the Tibetan people in 1959 and anti-Communist movements both in the slave camps of the Soviet Union and on the Chinese mainland are just some examples in point. These facts show on the one hand that communism is deeply detested by all the peoples shut behind the Iron Curtain, and on the other, that the peoples under the Communist domination are putting up positive fight to strive for their freedom. We are confident that Communist tyranny which enslaves people will finally be washed away by the surging tide of struggle by the enslaved peoples for freedom.

In the fight against the Communist bloc, the great weakness on the part of the free nations is lack of a firm stand, of a spirit of unity, and of a basic policy to tear down the Iron Curtain. Thus, it provides an opportunity to the Communists to divide them and to practice their tactics of infiltration and subversion and brings about a tense world situation with the world security and human freedom seriously threatened. At the time when we are exerting our utmost to extend our support to the enslaved peoples in their struggle for freedom, we wish to call upon all nations of the free world, especially the United States upon whom devolves the responsibility to provide leadership to the whole free world, to make a review of their anti-Communist policy and to lay down a positive and firm policy in the fight against communism so as to meet the requirements of the current world situation and to strive for the victory in the struggle against aggression and for freedom.

First of all, we wish to point out that the free world should give up its policy of appeasement. The Munich Conference sacrificed Czechoslovakia and resulted in the outbreak of World War II. At the Yalta Conference, the interests and rights of China were sacrificed and, finally, it led to the fall of the Chinese mainland. Largely because of this appeasement policy on the part of the free world is it possible for the Communist bloc to expand its influence today. It is our belief that a firm stand is the basic condition and the most effective measure to fight against communism. For this reason, let us hope that anything which may affect the morale of peoples on both sides of the Iron Curtain and may give encouragement to the growth of Communist influence should be stopped right away.

Secondly, we wish to point out that the free world should not entertain any illusion toward neutralism. As a matter of fact, neutralism is a Communist tactic for the implementation of the so-called peaceful coexistence. The Communists use peaceful coexistence to create the illusion of neutralism, making those politicians having no independent will and no ability to protect themselves to believe that neutralism is the only way for their own security. The end result is that neutralism has become a Communist trap for them. Right now, the Communist bloc is trying to create a neutralist bloc beside the two existing world opposing camps—democratic and Communist. In fact, this is a means to divide and paralyze the free world and is a sinister plot on the part of the Communists to change the balance of the world today. Particularly at the present moment when the influence of the two world opposing blocs has almost come to a point of equilibrium, the danger of neutralism is especially great. For this reason, we have to call upon the free world to heighten its vigilance.

Finally, we wish also to point out that the free world should adopt a policy of liberation. The policy that is being followed by the free world under the leadership of the United States is a policy of containment, retaliation and deterrence. This policy achieved much success in the past, because it arrested the Communist bloc to launch armed aggression against their weak neighbors. But now the Communist bloc has adopted a strategy of indirect aggression by infiltrating and subverting various areas and democratic countries of the world in political, economic, and cultural fields. This new strategy has helped the Communist influence grow. This fact proves that the policy of containment is not able to contain Communist expansionism any longer. For this reason, we hold that the free world should adopt the policy of liberation as the basic anti-Communist policy. This is to say, the free world should help the growth of free force in Europe and Asia so as to arrest the Communist expansionism on the one hand, and give support to the growth of free force behind the Iron Curtain so as to rock the foundation of Communist rule behind the Iron Curtain on the other. Only by linking up the anti-Communist forces on both sides of the Iron Curtain can Communist aggression be effectively checkmated. Only thus can Communist rule be overthrown and the captive nations regain their independence and the enslaved peoples recover their freedom.

We are confident that, to tear down the Iron Curtain, it calls for the concerted efforts of the free world as well as those of the enslaved peoples. President Chiang Kai-shek has long ago initiated support to the anti-Communist revolutionary movement behind the Iron Curtain, so as to realize the policy of liberation. All people of the Republic of China, in response to this great call, have started the Freedom Day movement in their positive support to the peoples shut behind the Iron Curtain in the struggle for freedom. APACL, in all its annual conferences, passed resolutions to give support to the anti-Communist movement behind the Iron Curtain and to give positive support to it. Today, we give our hearty response to the Captive Nations Week movement. It signifies the union of the anti-Communist forces behind the Iron Curtains both in Europe and Asia. It also means solidarity of the anti-Communist forces both in the East and in the West in their common struggle for the same cause. At the same time, it is an indication that the freedom movement of the world is gaining in momentum. In actuality, growth of the force in support to the enslaved peoples in their struggle for freedom is the only forcible guarantee to maintain world peace and freedom of mankind. The people of the Republic of China are willing to strive jointly with the peoples of the United States and the world for the realization of this common objective—to regain the freedom of the enslaved peoples.

BREMERTON CAPTIVE NATIONS COUNCIL,
Bremerton, Wash.

REPORT: CAPTIVE NATIONS WEEK, JULY 16 THROUGH JULY 22, 1961

Proclamations: Hon. Albert D. Rosellini, Governor, State of Washington; Hon. H. O. Domstad, mayor, city of Bremerton, Wash.

Letters in support of Captive Nations Week:

House of Representatives: Hon. THOR C. TOLLEFSON; Hon. THOMAS M. PELLY; Hon. CATHERINE MAY.

U.S. Senate: Hon. HENRY M. JACKSON; Hon. WARREN G. MAGNUSON.

Kitsap County Republican Central Committee, Robert J. Bryan, chairman; Assembly of European Captive Nations, Vaclovas Sidzikauskas, chairman.

KBRO, spot radio announcements throughout Captive Nations Week.

Bremerton Captive Nations Council letters to 37 Kitsap County churches urging special captive nations services. Response continues through newly formed study groups.

Window displays: Bremerton Chamber of Commerce. Full color captive nations maps (four, poster size). Public Law 86–90. Eisenhower's proclamation. City of Bremerton proclamation. Bremerton Captive Nations Council resolution.

First Federal Savings & Loan Association: Special report (14 parts) of the Select Committee on Communist Aggression, House Report 2694. City of Bremerton proclamation. Bremerton Captive Nations Council resolution. Full color captive nations maps.

East German photo poster.

Shevchenko poster, hand-lettered in Ukrainian and English.

Hard-bound books: "Masters of Deceit," J. Edgar Hoover. "The Naked Communist," Skousen.

Booklets: "Ukrainian Quarterly," "Handbook for Summit," "The New Colonialism," "Facts on Communism," vols. I and II; "Hungary Under Soviet Rule."

Information center and window display: medical-dental building, street floor. Open daily 10 a.m. to 5 p.m. (8 p.m. Friday and Saturday).

Partial list of items displayed: "Crimes of Khrushchev" (7 parts); "Soviet Union, Prison House of Nations and Races"; all proclamations, letters, and resolution; "Soviet World Outlook"; "North Korea—A Study of Communist Takeover"; poster showing Hungarian revolt, pictures from Life magazine, 1956; photoposter of "Lest We Forget," HUAC.

Distribution of 8,200 Government documents and miscellaneous publications relating to Communist totalitarianism at the information center.

Other: Letter to Hon. DANIEL J. FLOOD in support of H.R. 211 (see CONGRESSIONAL RECORD, May 22, 1961).

Bremerton Captive Nations Council resolution and letter printed in central Washington paper.

Assisted large numbers of summer school students in making reports at the request of their instructor.

We express our sincere appreciation to: Assembly of European Captive Nations, National Captive Nations Committee, American Friends of the Captive Nations, Hungarian Committee, American Council of Christian Laymen, and our elected representatives for their contributions which made the first observance of the Captive Nations Week in the city of Bremerton a memorable occasion.

JAMES K. MORGAN,
Chairman.

STATE OF WASHINGTON,
EXECUTIVE DEPARTMENT,
Olympia, July 12, 1961.

A STATEMENT BY THE GOVERNOR

The Congress of the United States, by public law approved in July of 1959, designated the third week in July of each year as Captive Nations Week.

All the captive peoples behind the Iron and Bamboo Curtains, including the Russian and Chinese people themselves, have for long years been enslaved by Communist tyranny. The imperialistic policies of Communist Russia have led, through direct and indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainlaind China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, and North Vietnam. The captive peoples of these nations have never ceased to strive for freedom and look to the United States for leadership in bringing about their liberation and independence.

This week has been set aside to keep fresh in the minds of all people the fact that the free world has not forgotten these nations and that they must some day become independent, and that the people of our State share with them their aspirations for the recovery of their freedom and independence.

Now, therefore, I, Albert D. Rosellini, Governor of the State of Washington, do hereby urge the people of this State to join with the citizens of other States in the observance of Captive Nations Week and further urge the people to remember our promises to the people of the submerged nations and to show that we have not forgotten our silent allies.

ALBERT D. ROSELLINI,
Governor.

CAPTIVE NATIONS WEEK, JULY 16–22, 1961

Many nations throughout the world have been made captive by the imperialistic and aggressive policies of Soviet communism. The peoples of the Soviet-dominated nations have been deprived of their national independence and their individual liberties.

The citizens of the United States are linked by bonds of family and principle to those who love freedom and justice on every continent.

It is appropriate and proper to manifest to the peoples of the captive nations the support of the Government and the people of the United States of America for their just aspirations for freedom and national independence.

Whereas the Senate and the House of Representatives of the United States of America, by Senate Joint Resolution 111, and House Joint Resolutions 454 and 459, authorize and request the President of the United States to designate the third week of July as Captive Nations Week;

Now, therefore, I, H. O. Domstad, mayor of the city of Bremerton, Wash., do hereby invite our citizens concerned with the freedom and security of our Nation to observe the week of July 16–22, 1961, as Captive Nations Week, and urge you to study the plight of the Soviet-dominated nations and to recommit yourselves to the support of the just aspirations of the peoples of those captive nations. Freedom will be secured only when all men everywhere are free, and peace can be preserved only by people who are prepared to make sacrifices for it.

BREMERTON CAPTIVE NATIONS COUNCIL,
Bremerton, Wash.

Whereas many of the free people of the United States of America have ancestral roots in Europe and Asia;

Whereas the major portion of these ancestral lands have now been annexed by force into the totalitarian Russian Empire;

Whereas this annexation was perpetrated by a small minority of reactionaries and terrorists;

Whereas this colonial system has been maintained by political genocide and suppression of non-Russians through fear;

Whereas this inhuman process has tended to destroy ethnic languages, values, heritages, and societies; and

Whereas this rule by force cannot be conscientiously recognized as the legitimate representative government of these peoples: Now, therefore, be it

Resolved by the membership of the Bremerton Captive Nations Council assembled, That all evidence supports the proposition that the Russian Soviet Socialist Republic is the one great colonial power still existing today, that world opinion should be continually focused on the criminal deeds of the Russian imperialists, and that the formerly free people caught in this web of international exploitation should be given a chance to regain that lost freedom.

Throughout the country thousands of civic, fraternal, veterans' and other patriotic organizations, and countless American citizens, are preparing to observe the 1961 Captive Nations Week which this year falls on July 16–22.

The Bremerton Captive Nations Council invites the citizens of the Bremerton area to visit their window displays at the Bremerton Chamber of Commerce, First Federal Savings & Loan, and in the Medical-Dental Building. Proclamations by Gov. Albert D. Rosellini and Hon. H. O. Domstad, mayor of the city of Bremerton, as well as statements from Senators HENRY M. JACKSON, WARREN G. MAGNUSON, and Representatives THOR C. TOLLEFSON, THOMAS M. PELLY, and CATHERINE MAY, an original copy of the joint resolution by Congress designating the Captive Nations Week observance under Public Law 86–90, and President Eisenhower's original proclamation, inclusive, are on display at the Medical-Dental Building location.

Churches throughout the area have initiated the local observance through announcements and special services in accordance with President Kennedy's proclamation.

DISCRIMINATION AND BIAS IN TWO UNESCO PUBLICATIONS

(By Roman Smal-Stocki, Ph. D., Marquette University)

I

This article is the response to a duty which the writer feels, as an American scholar, to evaluate two important publications of the United Nations Educational, Social, and Cultural Organization (UNESCO). The basis of this evaluation is Public Law 565, adopted by the 79th U.S. Congress, which authorized this country's acceptance of membership in this organization. The law states that this organization was established in order "* * * to contribute to peace and security by promoting collaboration among the nations throughout education, science, and culture in order to further universal respect for justice, for the rule of law, and for the human rights and fundamental freedoms which are affirmed for the peoples of the world without distinction of race, sex, language, or religion, by the Charter of the United Nations."

The first publication to be considered is "The Use of Vernacular Languages in Education" in the "Monographs on Fundamental Education Series," second printing, Paris, UNESCO, February 1958.

The work includes an introduction followed by "A Continental Survey of Vernacular Languages and Their Use in Education" (ch. I).

The meaning of a vernacular language, according to the definition given on page 46, chapter II, of the report of the UNESCO meeting of specialists held in 1951 in Paris, is "A language which is the mother tongue of a group which is socially or politically dominated by another group speaking a different language. We do not consider the language of a minority in one country as a vernacular if it is an official language in another country."

There is an interesting editorial footnote to the definition:

"UNESCO recognizes that, while this definition holds in the generality of cases, for it to be universally applied and comply with the conditions governing individual particular cases, variations in emphasis and wording would be necessary."

It is important also to take the other definitions of terms into consideration:

"Mother or native tongue: The language which a person acquires in early years and which normally becomes his natural instrument of thought and communication.

"National language: A language used in the business of government—legislative, executive, and judicial.

"Pidgin: A language which has arisen as the result of contact between peoples of different language, usually formed from a mixing of the languages."

It is clear from the definitions of these terms that the political qualifications of the nations speaking the pertinent languages are involved. Thus for a language to qualify as "vernacular" it must be spoken by a nationality which is in fact not a nation which constitutes its own independent political, social, and cultural entity; it means that this language is not used as the official language in the business of government—legislative, executive, or judicial. In short, the qualifications of language as "vernacular" is the official recognition by UNESCO of the colonial status of a nation.

Discussed in chapter I, which is interesting and detailed, are the following topics: Africa with its 369 languages; the imperialist language policies of the English, the French, and the Belgians toward the vernacular languages of the natives; the American continents with their hundreds of indigenous languages. Other areas considered are Asia and the Pacific with their problems of India, Pakistan, Burma, Ceylon, Indonesia, Philippines, Turkey, Iran, Nepal, China, Japan, the Arab-speaking world, Israel, and finally, "Europe Including the U.S.S.R." The information about the U.S.S.R. and the Slavic world which appears on pages 41–43 of the UNESCO publication leans heavily on E. Koutaissof's "Literacy and the Place of Russian in the Non-Slavic Republics of the U.S.S.R.":

"Europe is a crossroads of languages and cultures * * * the number of ways of speaking in the whole of Europe and the Soviet Union is, therefore, enormous. Of the main languages mentioned, only 26 (including as one unit Czech and Slovak, and the Serbo-Croat and Slovene) are official languages; the rest are vernaculars. Some of these vernaculars are dialects of main languages as Alsatian, spoken in France, which is a dialect of German, as Letzenburguer of Luxembourg and Frisian of Holland and Germany. Macedo-Rumanian, spoken in Greece, is a variant of Rumanian; Walloon of Belgium may be taken as a French dialect; Judeo-Spanish is a variant of Castilian; the language of the Faroe Islands is very close to Icelandic; Galician of Spain is similar to Portuguese; Ruthenian and White Russian speakers can understand Great Russian.

"Main languages which are real vernaculars in Europe, not including the Soviet Union, though some of them are also spoken in the Union, are: Armenian, spoken in Bulgaria, Turkey, and the U.S.S.R.; Basque, spoken in Spain and France; Lapp, spoken in Finland, Norway, Sweden, and the U.S.S.R.; Catalan, spoken in Spain, France, and in Italian Sardinia; Lusatian-Serb or Wend, spoken in Germany; Maltese, spoken in Malta (under British administration); Manx, spoken in the Isle of Man; Provencal, spoken in France; Welsh, spoken in the United Kingdom; Gaelic, spoken in the United Kingdom; Lithuanian, spoken in Poland, Germany, and the U.S.S.R.; Karaite, spoken in Poland; Romany or Gypsy, spoken in varied forms almost everywhere.

"In the Soviet Union about 100 different main languages are spoken; these include 6 Slavic (Great Russian, Polish); 11 Finnish; 43 Caucasian (Georgian is the most important); 27 Turco-Tatar; 4 Mongol; 4 Iranian-Manchurian (Turco-Tatar, Mongol, and Manchurian are classed as Altaic by some authorities), and some Paleoasiatic and Samoyede minor languages. 'Soviet educational policy,' an authority writes, 'has aimed at providing education in the vernacular; languages that had no written form have been endowed with scientifically devised alphabets and grammars, a work of great magnitude which is still proceeding, for obviously the earlier grammars were at first approximations. These languages, whose alphabets were difficult and ill-adapted, were made to replace them by simpler Latin and later by the Russian script, which made the art of reading and writing more accessible to the masses. In time, the need for a unifying language led to the introduction of compulsory Russian and the concomitant use of the Russian alphabet for most vernaculars. With the extension of compulsory attendance from 4 to 7 or 8 years, and the provision of boarding schools for pupils from outlying villages, the standards for proficiency in Russian are likely to improve. This will help solve the problem of more advanced education among minor linguistic groups.

"So far there have been no attempts at devising a simplified form of pidgin-Russian. The aim seems to be a bilingual population proud of its own national achievements, yet enjoying access to the wider world through Russian.

"In this connection it should be borne in mind that even great Russian writers have not scorned the work of translating from other languages, the modern Soviet writers consider it part of their vocation. As a consequence, usually good translations of both major European works and popular native songs and epics are available in Russian. A Chukchi may read the Manas and a Karelian the works of Rustavelli in Russian. This is admittedly not the best way of knowing the poetry of other nations but it broadens the range of reading of the multilingual population of the U.S.S.R. and enables small linguistic groups to participate in the intellectual life of a much larger community."[1]

II

On this presentation of the language problems of the U.S.S.R. and its sphere of influence we offer the following remarks:

(1) The information about the Soviet Union is, in comparison with the abundance of data on the other countries, superficial and misleading. Responsible along with UNESCO for this are the United States delegate to UNESCO, Dr. M. Swadesh, of Columbia University, and the U.S. Department of State. The U.S.S.R. joined UNESCO in 1954 and therefore shares responsibility for the second printing of this work.

(2) From the linguistic point of view it is inadmissible to mix state units with existing languages and to treat "as one unit" Czech and Slovak, because the linguistic fact is that in existence are two separate units, Czech and Slovak. It is also inadmissible to establish as one unit Serbo-Croat and Slovene because, again, there exist at least two units, Serbo-Croat and Slovene. (In our opinion it is better to operate with three units because of the developed differences between Croat and Serb. In fact, however, in Yugoslavia there is yet a fourth unit, Macedonian, which was completely disregarded in the UNESCO publication.)

(3) Only the 26 main languages in Europe and U.S.S.R. are declared as "official languages"; the rest are "vernaculars." "Some of these vernaculars are dialects of main languages," or "variants." Here, among mention of Alsatian, Letzenburguer, Frisian, Walloon, etc., is also to be found: "Ruthenian and White Russian speakers can understand Great Russian."

The inclusion of "Ruthenian and White Russian" in this paragraph discussing the dialects or variants of main languages and the statement, "Ruthenian and White Russian speakers can understand Great Russian," induce the false ide.. in the reader that "Ruthenian and White Russian" are in the same linguistic relation to Great Russian as the enumerated "dialects or variants to their man languages." This is contrary to linguistic fact and is simply Russian imperialist propaganda.

(4) We object to the term "Ruthenian." This medieval term is justified for the proper era and area (as "Bohemian," "Hungarian," etc.), but for scholarly publications of our time the correct contemporary usage is called for; i.e., Czech, Magyar, etc., as are also to be found in the UNESCO publication. Consequently, the term "Ruthenian" here is misleading and inaccurate; Ukrainian should be used instead. This term is known to the editors, for we find in Appendix I, page 142, under the "Tentative Classification of the Languages Spoken in the World Today," "Ruthenian (or Ukrainian), (Czechoslovakia, Poland, Rumania)."

(5) We object also to the confusing term "White Russian," which customarily is used as a political term antithetically to "Red Russian."

(6) The languages of these two Slavic nations legitimately merit in UNESCO publications the application of proper scientific terminology because their states, the Ukrainian Soviet Socialist Republic and the Byelorussian Socialist Republic, are charter members of the United Nations. Consequently, for these languages only the terms "Ukrainian" and "Byelorussian" should be used in the official publications of the United Nations.

These two republics, it is to be recalled, have been members of UNESCO since May 12, 1954.

(7) The information about the territories where these languages are spoken is wholly nonsensical and contrary to fact: "Ruthenian (or Ukrainian), (Czechoslovakia, Poland, Rumania)." Equally nonsensical is it to insist, as is done on page 142, that "Russian" is spoken in "Rumania, Bulgaria, Finland."

The fact is that just as there exists a Bulgarian, Czech, and Slovak Polish, Serbo-Croat, and Slovene linguistic and ethnographic territory (see page 142), there also exists Ukrainian and a Byelorussian linguistic and ethnographic territory in the mentioned republics of these nations. But

[1] E. Koutaissof, "Literacy and the Place of Russian in the Non-Slavic Republics of the U.S.S.R." Regional paper on vernacular languages, No. 21, Paris, 1951, M.S.

to mention only "Ruthenian and White Russian minorities" and not to mention the proper Ukrainian and Byelorussian linguistic territories is confusing.

(8) The term "Russian," which is used without explanation, alternating with "Great Russian," is confusing in its linguistic use; therefore, we prefer the term "Muscovite," because the "Russian Federated Soviet Socialist Republic," which uses this term "Russian" in its political meaning, is a multinational and multilingual state encompassing the rest of the old czarist Russian Empire, the national and linguistic nucleus of which is the Muscovite nation and its language.

(9) Taking into consideration the definition above of the term "vernacular," which states that "we do not consider the language of a minority in a country as a vernacular if it is an official language in another country," we object to the degradation in this UNESCO publication of the Ukrainian and Byelorussian languages to vernaculars because they are official languages in their own republics, which, as pointed out above, are charter members of the United Nations, and because, according to the constitutions of these republics not only their state laws, but according to the Constitution of the U.S.S.R., all federal laws must be upheld and published in the official languages of the two mentioned Slavic Union Republics. Article 40 of the Union constitution orders:

"Laws passed by the Supreme Soviet of the U.S.S.R. are published in the languages of the Union Republics over the signatures of the President and Secretary of the Presidium of the Supreme Soviet of the U.S.S.R."

(10) A strange and unscientific argument was employed by the authors in order to degrade these two Slavic languages to "vernaculars": "Ruthenian and White Russian speakers can understand Great Russian." This point of "understanding" demands a scientific qualification "partly"; besides, it is not a one-way argument, but logically also applies in the other direction, to wit, "partly" Great Russian speakers understand Ruthenian and White Russian. But surely this does not degrade "Great Russian" to a vernacular of the official languages of the Ukrainian or Byelorussian Republics. In addition, the authors should know that the "Ruthenian and White Russian speakers" understand Polish far more easily. Do not the Slovaks and Czechs, on the one hand, and the Poles and Ukrainians, on the other, understand themselves partly mutually? And likewise the Slovenes, Croats, Serbs, and Macedonians?

This "understanding" argument betrays linguistic and historical dilettantism and even Russian imperialistic bias, none of which belongs in scholarly publications aspiring to scientific objectivity.

(11) The following excerpt is obscure: "Main languages which are real vernaculars in Europe, not including the Soviet Union, though some of them are also spoken in the Union, are: Armenian, spoken in Bulgaria, Turkey and the U.S.S.R. * * * Lithuanian, spoken in Poland, Germany, and the U.S.S.R. * * *," and together with Basque, Lapp, Catalan, Lusatian-Serb or Wend, Gaelic, etc., they are finally classed in the same group as "Roman or Gypsy, spoken in varied forms almost everywhere" (p. 42). Where is simple logic? The editors cited their definition of vernacular and expressly stated that "we do not consider the languages of a minority in one country as vernacular if it is an official language in another." But they do just that by classifying Armenian, the official language of the Armenian Soviet Socialist Republic, as spoken in Bulgaria, Turkey, and even in the Soviet Union, to which the Republic belongs, as a "real vernacular." The same treatment is accorded Lithuanian, the official language of the Lithuanian Soviet Socialist Republic, as spoken in Poland, Germany, and even in the Soviet Union.[2]

These three nations—Estonia, Latvia, and Lithuania—have a record of heroic resistance to the dictatorship of Russian communism, which by breaking all principles of justice and international law abolished in these countries all human rights and fundamental freedoms. Our Government does not recognize their occupation and integration into the Soviet Union; but just now, when these nations are fighting for their very existence, UNESCO erases Estonian and Latvian from the European family of existing national and official languages while Lithuanian is classified as a real vernacular on a level with the Gypsy language.

III

In the Soviet Union, the reader is informed, about 100 different main languages are spoken. These include six Slavic languages, but only two are given between parentheses (Great Russian, Polish). The languages of the two other Slavic republics of the Soviet Union were not regarded as important enough to cite, although Polish was included by some strange logic of the UNESCO linguists. Then follows the long quotation from the work by E. Koutaissof, an individual cited by UNESCO as an authority on Soviet educational policy. Mr. Koutaissof makes the following points on Soviet educational policy:

(a) that it has aimed at providing education in the vernacular;

(b) that languages which had no written form have been endowed with scientifically devised alphabets and grammars;

(c) that difficult and ill-adapted alphabets of languages were replaced by similar Latin and the latter by the Russian script which made the art of reading and writing more accessible to the masses;

(d) that the need for a unifying language led to the introduction of compulsory Russian and the concomitant use of the Russian alphabet for most vernaculars;

(e) that so far there have been no attempts at devising a simplified form of pidgin-Russian;

(f) that the aim of the Soviet policy seems to be a bilingual population proud of its own national achievements yet enjoying access to the wider world through Russian; and for that purpose even great Russian writers have translated major European works and popular native songs and epics into Russian.

On these points on "Soviet educational policy" which are accepted and publicized by UNESCO as objective truth, we should like to make the following comments:

(1) It is wholly untenable on the part of UNESCO to accept as gospel the Russian Communist point of view about the "place of Russian in the Non-Slavic Republics of the U.S.S.R." American scholars of the Soviet language and educational policy are not provided with an equal opportunity to present their point of view. But above all it is unobjective to disregard the opinions on these problems of the free scholars of those nationalities now in exile. UNESCO presents only one side of the coin—the Communist one. The reverse side is ignored. Is the free world yet to be a free market of ideas?

It is a fact established by an immense amount of material and authoritative statements of the Russian Comunist Party itself that philology, linguistics, and education are subordinated to the dictatorship of the Communist Party for the realization of its program. Therefore, to publish such information on Soviet educational policy and its attitude toward the non-Russian languages in the Soviet Union without critical remarks and factual background information is a flagrant abuse of the UNESCO forum.

This disregard for the human rights and fundamental freedoms of these non-Russian nations is the more unfortunate in that it is displayed by a U.N. organization. Moreover, it appears in a publication whose expenses are paid for by the free world, especially the United States.

(2) As background information for the understanding of the Russian Communist policy regarding education and non-Russian languages in the Soviet Union, one must keep in mind its guiding principles and dialectical method of thinking and acting.

The aim, as formulated by Stalin at the 16th Congress of the All-Union Party (1930) regarding languages, is:

"The flourishing of national culture and languages during the period of the dictatorship in a single country is permitted, but with the purpose of preparing conditions for the dying out and amalgamation of these cultures and languages into a single culture and common language when socialism achieves victory in the whole world."[3]

The historic mission of Russian, as formulated by D. Zaslavsky, is:[4]

"The Russian language has become the world language. * * * The succession of languages runs through the ages. Latin was the language of the ancient world; French, of the feudal epoch; English, of capitalism; Russian is the world language of socialism. French is the fancy language of courtiers, and English is the jargon of traders. They were the tongues of ruling classes and of snobbish intellectuals. The English language corrupted people in foreign lands, Russian is the first language of internationalism. No one can call himself a scholar if he does not know Russian. Russians unquestionably occupy first place in the social sciences. All future progress in these sciences has been determined by the genius of Lenin and Stalin."

For the realization of these aims, the Russian Communist dictatorship used the so-called Soviet Linguistic Theory of N. Ya. Marr, who, after 1920, elaborated it on the basis "of the tenets of dialectical and historical materialism.[5] (The theory was revoked by Stalin himself in June 1950.[6])

The main principles of Marr's theory are: (a) all things in society—the political, judicial, philosophical, religious, and artistic—are superstructures resting on an economic basis; consequently, language also is a superstructure; (b) as everything in society has class characteristics, there do not exist national languages but only class languages; (c) the historical and economic process moves inevitably toward the establishment of the one and indivisible proletarian republic the world over, and Lenin postulated for this era the emerging of one Soviet nation, with one Soviet culture and one language. The task of Soviet linguistics is to realize the first phase of this process and to speed up through enforced use of Russian the unification process of languages in the Soviet

---

[2] "Gaelic, spoken in the United Kingdom," is also falsely degraded to a vernacular because it is the official language of the Irish Republic.

[3] We underscore the point that languages have no rights as such in the Soviet Union but only permission from the Russian Communist Party.

[4] Literaturnaia Gazeta, February 1949.

[5] See Roman Smal-Stocki, "The Nationality Problem of the Soviet Union," pp. 79–92.

[6] See Roman Smal-Stocki, "Reasons for the Revocation of Marr's Linguistic Theory by Stalin, June 1951," Proceedings of the Shevchenko Scientific Society, vol. I, Philosophical Section, New York-Paris, 1955, pp. 5–22.

Union, and (d) all Indo-European linguistics, with their conception of an Indo-European family of languages and its original protolanguage, is "bourgeois nonsense"; instead, all languages of the world developed from four original elements—sal, ber, yon, and rosh—from which all words of all languages stem.

Marr, convinced that there exists in the whole world a "single glottologic-language-forming process," classified languages according to stage theory in four groups based on the level of the economic development of the peoples. At the very top appear the Semitic and Indo-European languages. Next appear three groups of languages frozen at a given stage—economically, socially, linguistically—which represent obsolete language systems because their stagnation is final. To these groups belong also the Finno-Ugric, Turkic, and Mongolian languages. Into the most primitive group at the very bottom, Marr placed Chinese and the living Middle and Far African languages. (The main reason for Stalin's revocation of Marr's theory was the Communist conquest of China.)

Marr's Soviet linguistic theory underlaid the linguistic, nationality, and educational policy of the whole Stalin period up to 1950, and it clarifies the statement of Stalin at the 16th Congress in 1930, on the "flourishing of national culture and languages during the period of the dictatorship." But Stalin simultaneously advanced an important condition for this "flourishing," namely, in the non-Russian languages everything has to be of "Socialist content" and must be expressed only in "national language form." Its practical consequences soon became apparent: "Socialist content" could best be expressed by introducing only Russian words and phrases into the non-Russian languages, that is, by Russifying them.

At the same time the Russian classic language and literature, developed by the Russian nobility and bourgeoisie, were proclaimed by the Russian Communists as the "proud heritage of the Russian proletariat." Russian was proclaimed as "classless," "all-national," as the "language of the great Lenin and the Communist revolution" and of the "big brother." Therefore, this language has to be preserved in absolute purity as a holy language. The application of Marr's Theory after 1928 signified an enforced Russification of all non-Russian languages in the Soviet Union.

Russian communism thus established not only a Russian political and economic dictatorship, but a linguistic one as well. All non-Russian languages and nations lost the freedom to express their peculiarities in orthography, terminology, vocabulary, phraseology, and syntactical constructions. The aim of Soviet policy clearly was the creation of a "Soviet nation" with a Russian culture and language.

This aim has been partially realized by applying genocide, by liquidating leading linguists, writers, even Communist leaders of the non-Russian nations and nationalities, by a systematic Russification of the universities and the education of the non-Russian nations and by colonizing their territories with Russians and accusing all opponents of this Russian imperialism of "bourgeois nationalism."

The present Khrushchev era is characterized by the same dialectical thesis-antithesis. In slogans of "flourishing national cultures and languages" for the non-Russian nations and nationalities, on the one hand, and eternal friendship among the Soviet family of progressive peoples, on the other, we note a deepening Russification of the schools of the non-Russian nations. Soviet educational standards compel the teaching of Russian 15 hours weekly in non-Russian schools, whereas only 8½ hours are given over to native language instruction. This is in accord with established Soviet goals for the "synthesis" of all nations into one Russian Soviet nation, which will be the "vanguard of humanity" and give the world "Russian as the international language." This cultural world imperialism is pursued by all means, including the so-called "cultural exchanges."

This privileged and master position of the Russian language in the Soviet Union is established by the Russian Communist Party in direct violation of Article 13 of the Soviet Constitution:

"The Union of Soviet Socialist Republics is a federal state, formed on the basis of a voluntary union of equal Soviet Republics."

And also of article 123:

"Equality of rights of citizens of the U.S.S.R., irrespective of their nationality or race, in all spheres of economic, governmental, cultural, political, and other public activity, is an indefeasible law.

"Any direct or indirect restriction of the rights of, or, conversely, the establishment of any direct or indirect privileges for citizens on account of their race or nationality, as well as any advocacy of racial or national exclusiveness or hatred and contempt, is punishable by law."

The Soviet Constitution is thus mere window dressing.

For 40 years the non-Russian nations and nationalities have been resisting Russian cultural imperialism and its linguistic dictatorship. This fight is one of the facets of so-called national communism among the non-Russian Communists, who demanded for all languages in the Soviet Union equal rights with the Russian language. They demanded the right for the writers, poets, and scholars of all nations and nationalities of the U.S.S.R. to develop and to cultivate their languages in order to make language an instrument of perfect understanding among the individuals using it toward popular education in democracy and humanism. They demanded full liberty of languages as realized in Switzerland, the United States, Canada, or the British Commonwealth. The non-Russian linguists and philologists especially demanded the right of language self-determination for all non-Russian nations, including the right—without interference from Russian Communists—to establish the orthographic, grammatical, and terminological norms of the languages and to conduct free objective research in the field of linguistics and philology.

This background information is essential for the understanding of the language problems of the non-Russian nations and nationalities which are inseparably merged with the basic ideas and purposes of the United Nations Charter, namely "* * * to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples—and to achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion."

Without this information the American reader in the free world would get a completely false idea from the UNESCO publication about the plight of the non-Russian languages in the Soviet Union; he would be prone to accept the baseless thesis as truth that the Russian dictatorship has left free at least one field, that of language and linguistics, for the non-Russian nations, nationalities, and peoples.

(3) Against this background of the non-Russian languages problem in the Soviet Union, we now turn to an evaluation of the information about the Soviet Union, point for point:

With reference to point (a): Soviet educational policy has not "aimed at providing education in the vernacular." First, the Soviet educational policy is aimed not at all at education, in the sense that we understand education, but at Russian Communist indoctrination with the final goal of propagandizing the world revolution. Second, it is wrong to classify the official languages of the non-Slavic Union Republics or even the languages of the autonomous Soviet Socialist Republics as vernaculars. Third, the Russian Communist Party is everywhere providing not education in the vernacular, but Russification of the vernaculars by making their natural development practically impossible.

On point (b): It is true that some languages which had no written form have been endowed with alphabets and grammars, but it is also true that this was done to facilitate the Russification of these languages and peoples by imposing on them the Cyrillic script, used in Russian.

On point (c): It is untrue that difficult and ill-adapted alphabets were replaced by simpler Latin and later by the Russian script in order to make the art of reading and that of writing accessible to the masses. The fact is that in order to separate the Moslem nations from the alphabets of their cultural Islamic heritage and to facilitate atheist propaganda and Russification, first the Russians used the slogan: "The Latin alphabet is the beginning of the revolution and of progress." This reform cut off the literate native masses from the art of reading and writing. Becoming aware that the Moslem nations of the Soviet Union acquired through this reform a common Latin script with Turkey and that by this script their opposition to Russification became stronger, the Russian Communist Party then ordered the Cyrillic script to be used in the languages of all the non-Russian nations (with the exception of the Georgian and Armenian) together with the Soviet Linguistic Theory of Marr. Even upon Rumanian in the Moldavian Soviet Republic was the Cyrillic script impressed, and the Rumanian nation was split.

It is unscientific in a UNESCO publication to use for the Cyrillic script the term "Russian"; moreover, it demonstrates the Russian Communist imperialist bias. This script in scientific literature is called Cyrillic after its supposed creator, the Slavic apostle of Christianity, St. Cyril. This script is used by the Bulgarians, Serbs, Macedonians, Ukrainians, Byelorussians, Cossacks, and Russians. To introduce the term "Russian script" in a UNESCO publication, a political term which is preferred by Russian communism and imperialistic pan-Russianism and atheism, is strikingly unfair to all the other Slavic nations and their languages.

On point (d): It was not the need for a unifying language which led to the introduction of compulsory Russian and the concomitant use of the Russian alphabet for most vernaculars in the Soviet Union, but the interest of Russian cultural imperialism and Russian Communist world revolution, the first stage of which was and is the attempted Russification of the non-Russian languages in the U.S.S.R. and the creation of a Russian speaking "Soviet nation."

On point (e): The statement that so far there have been no attempts at devising a simplified form of "pidgin-Russian" is only partly true. As a matter of fact, the Russian language is proclaimed as a kind of "holy language" of the Russian Communist secular faith, and the Russian Communists prefer full Russification of the non-Russians to simplified forms of pidgin-Russian.

But we must remark that the term "pidgin" is not used here in the proper meaning of the definition. Pidgin is a language which has arisen as the result of contact between peoples of different language; it is usually formed from a mixing of the languages, and that presupposes a natural

process, as in the rise of pidgin-English. But pidgin-Russian was created by Communist terror, compulsion, mass exiles, and by the artificial methods of Marr's linguistic theory. Therefore, among pidgin-languages it merits a special term: Russian terror-pidgin. (It was a special phenomenon in the concentration camps.) The Russian Communist Party became disinterested in the creation of pidgin-Russian because the Marr method stimulated anti-Russian nationalism among the non-Russian nations, and "national communism" rose among the non-Russian Communists. Also the enforcement of Russian in the captive countries of Poland, Czechoslovakia, Rumania, Hungary, Bulgaria, and Yugoslavia had the same results. The Russian language, despite its great literature, is presently hated among non-Russian nations as the language of Russian Communist dictatorship [7] and pan-Russian chauvinism and Messianism.

On point (f): The statement that "the aim of the Soviet policy seems to be a bilingual population proud of its own national achievements, yet enjoying access to the wider world through Russian" is simply contrary to fact and to the statements of Lenin, Stalin, and even present-day Communist leaders. Everything national in regard to the non-Russian nations is denounced as bourgeois nationalism and counterrevolution by today's Russian Communist imperialists. The classic authors of the literatures of the non-Russian nations (for instance: Shevchenko, Franko, and Lesya Ukrainka of Ukraine) are published in purged and falsified editions while the Russian classic authors remain untouched. Consequently, the non-Russian nationalities have no access to their own national achievements or any feats of heroism to take pride in. In any event, any display of their national pride constitutes bourgeois nationalism.

In the same way the ascribing to Russian writers of a sense of devotion to the non-Russian nations and nationalities which motivates them to supply translations so that all may participate in the intellectual life of the larger community is only partly true, and the examples are badly selected. A "Karelian," which means a "Finn," can read Rustavelli in Finnish, yet a Chukchi fears to read the heroic poem "Manas" since it was denounced as "nationalist Kirghiz" by the Russians and since the purging of many Kirghiz scholars by special "decree" because they were "proud of their national achievements." [8]

IV

Chapter II is dedicated to the report of the UNESCO meeting of specialists in 1951. This discussion completely ignored the language problems in the Soviet Union, their history and experiences since 1920.

To be sure, many of the suggestions and recommendations of this report are valuable, but these will never be seriously considered by the Russian Communist dictatorship. It is worthwhile for linguists to compare the suggestions and recommendations on "The Choice of Writing Systems" and "Questions of Vocabulary and Structure" with the real situation enforced on the non-Russian nations by the Russian Communists. The statement of Professor Sauvegeot on pages 72–74 is excellent, a point which especially must be applied to all non-Russian languages in the Soviet Union:

"If Finnish had not adapted itself through centuries to the successive needs with which it was confronted, the Finnish people would today speak only Swedish, and would thereby have lost all the treasures which they have inherited from their ancestors and which they have succeeded in handing down to the present generation. Many other examples of the same type could be quoted, showing that, for a people desirous of preserving their heritage, no price could be too high in an effort to adapt their language to the needs which circumstances impose upon them. Success in this is essential if we wish to preserve, for the future of mankind, that diversity of civilizations which enriches all, and modern linguistics vastly facilitates it."

Here is the great tragedy of present times—that the Russian Communist dictatorship attempts to do just the opposite. It attempts to impose on the non-Russian languages and nations the fate of the Karelian part of the Finnish language whose speaking population the Russians hope to completely Russify and absorb in the next decade, as they have already done with the Jews. Their Karelo-Finnish Union Republic already is abolished.

Chapter III includes some case histories. Only one of them has any connection with present-day Russian communism; namely, the Finno-Ugrian Experiment, reported by Professor Sauvegeot. We are happy to see that the Estonian language, missing in appendix I in the "Tentative Classification of the Languages Spoken in the World Today," appears here. But the article is purely historical, and the author does not mention what happened to the Karelo-Finnish language in the Soviet Union, or to Estonian and Magyar, after World War II under Russian communism. Also the Ingrians, an example of Soviet genocide, are in this connection not mentioned at all.

Only in one case did we find an important principle applied for the solution of language problems. On page 99 in a discussion on Bahasa Indonesia:

"This is not democratic in the modern sense, and does not appeal to the generation which has coined the slogan, 'One country, one people, and one language.'"

Thus there is a double moral standard in the UNESCO publication, one, the democratic principle, for the countries of the free world and the languages of the colonial peoples liberated by the free world, another for the languages of the nations and nationalities which fell victim to Russian Soviet imperialism.

In summation, the information on the Soviet Union and its sphere of influence is unobjective and inaccurate. It creates a false impression about the language problems of the Soviet Union by silencing the attitude of the Russian Communist Party toward the non-Russian languages. Lastly, it was allowed to be written with pro-Soviet Russian imperialist bias.

The second publication to be discussed is: "Contributions a l'Histoire Russe—Studies on Russian History—Contribuciones a la Historia Rusa, Cahier d'Histoire Mondiale, Numero Special," 1958; Editions de la Baconniere, Neuchatel; published under the financial assistance of UNESCO.

It consists of a preface of A. A. Zvorikine, vice president of the commission internationale pour une histoire du developpement scientifique et cultural de l'humanite, and three chapters with articles dedicated to (1) prehistory, (2) the Middle Ages and the 16th century, and (3) the period from the 18th to the 20th century, written by representative Soviet scholars of good standing in the Russian Communist Party.

The following matters cannot but provoke strong criticism in the free world:

(1) Terminology: In English, French, and Spanish the volume uses in the title the terms: Russian, Russe, and Rusa. Just what do these terms mean in this UNESCO publication?

From Zvorikine's preface (p. 13) the reader learns that Georgia, Uzbekistan, Eastern Siberia, North Caucasus, Ukraine, Crimea, Armenia, and Central Asia (p. 14) since the paleolithic and mesolithic ages are "Russian" and the histories of all the colonies of the old czarist Russian Empire from the dawn of man up to the present are "Russian history." Zvorikine does use objectively and systematically in his preface the terms "Soviet Union" or U.S.S.R., but in the title the Russian imperialistic bias comes to full expression, "Soviet Union" being equated with "Russia."

Is this terminology of the title objective and scientific or is it Russian imperialist propaganda?

Would UNESCO write in this fashion in the case of the countries and peoples of the former European colonies in Asia or Africa, including, for instance, India or Egypt since ancient ages in the history of Great Britain, or Morocco and Tunis in French history? Why must "Russian Lebensraum" be respected by UNESCO in such a way and why must it be propagated by such terminology throughout the free world?

The term "Russie-Russia" has a second meaning in chapter I in the article of I. U. Boudovnitz. Here it is used for the Kievan Rus-Ukraine in spite of the fact that even Soviet Academician A. D. Grekov, in his English works published in Moscow, insists for this state and era on the use of the term "Kiev Rus" ("The Culture of Kiev Rus," Moscow, 1947) as well as in his German translations on the term "Rus" ("Die Bauern in der Rus, Geschichte der Kultur der Alten Rus," Academie Verlag, Berlin, 1959).

The term "Russie-Russia" has a third meaning in chapter II, denoting Moscovia-Muscovy—which is also used in the present Soviet terminology in Russian.

To top off this terminological confusion the term "Russie-Russia" is used in the third chapter. Czar Peter I changed the name of the Muscovite Czardom to "Russian Empire"; from that time on this term for the state is fully justified. The ruling Muscovite nation and empire changed its nationality term gradually to "Russian" and now also terms as "Russian" its language, culture, and history. This term is an expression of the Russian imperialism and colonialism of the Russian Petrine empire. It has created constant confusion between "Russian" equalling citizenship or, better, "subjectship," and "Russian" equalling the language, culture, and history of the imperial Muscovites. Consequently, at the present time these two meanings should also always be terminologically separated in the interest of an objective presentation of East European history.

What is behind these terminological tricks of the Soviet "savants"? It is this. By the introduction of a common term "Russie-Russia" for all the periods of East European and partly even Asiatic history from the paleolithic up to the present Soviet Union, the Russian Communists attempt to create, in the free world, the impression of a "continuity of Russia" for the defense of the integrity and indivisibility of "Russia" behind which lurks the old Russian-Muscovite imperialism and colonialism.

In order to provide a firm basis for the evaluation of the present problem of the term "Russia" being equated with the term "Soviet Union," we submit the scholarly opinion of a distinguished American geographer, Prof. Eugene Van Cleef, Ohio State

---

[7] See the experiences of an American speaking Russian in Poland in the article, "I'm Suspected," in "Talmanac Goes to Poland and Czechoslovakia." Talman Federal Savings and Loan Association. Chicago, Ill., p. 1. One Pole warned another: "This man says he is American but he speaks Russian. Be careful."

[8] See Roman Smal-Stocki, "The Nationality Problem of the Soviet Union," pp. 290–293; "Vestnik Akademii Nauk S.S.S.R.," No. 12, 1950.

University, who in his article "Russia or U.S.S.R.?" [9] writes:

"It may be well enough for the 'man on the street' to use the term 'Russia' when he means the U.S.S.R., but when a geographer does so the sin seems unpardonable.

"Today, officially speaking, the U.S.S.R. consists of * * * so-called Republics one of which is commonly named 'Russia' or technically, Russian Federated Socialist Republic. Presumably, the Government of the Soviet Union has a right to organize itself into such political units as pleases itself. Because it has decreed to employ as the name for one of its divisions, a name which once upon a time referred to the whole nation is no justifiable ground for continuing to use Russia in its wrong sense—certainly not among an intellectual folk.

"There are those who contend that 'Russia' is more convenient to say than 'U.S.S.R.,' much less the protracted expression 'Union of Soviet Socialist Republics.' And there are those who argue that inasmuch as the R.S.F.S.R. contains the seat of the National Government and is the largest in area and population of the Republics it is legitimate to say 'Russia' when we mean U.S.S.R. Again, we may hear it said, 'Everybody knows what we mean when we say Russia, so why bother with saying U.S.S.R.?'

"Of course, it is the privilege of any person to use any nomenclature which pleases his fancy, provided he announces in advance what his intentions are. If he declares, 'I am now going to discuss matters pertaining to the U.S.S.R., but I shall use the word Russia in its stead,' he is on safe ground.

"These contentions, justifications, whims, and other bases for deviating from the standard or the official nomenclature may satisfy millions of persons and, arguing 'common usage' to be the criterion for the accepted meaning of a word, these persons are sincere in their continued erroneous ways.

"Even if we were to grant as sound all these misuses by the masses, we as geographers can hardly tolerate an identical attitude among ourselves. Nor can we excuse our own error, when we commit it, on the ground of wishing not to give an impression of superior knowledge by being correct. If there be geographers who dissent, then we can only say they do a disservice to our science.

"After World War I, many nations sought to gain official recognition by other nations, of the native names of their cities. For example, Norway announced the abandonment of Christiania and its replacement by Oslo. Interestingly enough, the world promptly acceded to the request, and few if any of the younger generation are aware of the change. On the other hand Eire, or Ireland, asked that Dublin give way to Baile Atha Cliath. But although modern atlases show this name, hardly a person outside Eire uses that form—the probable reason is clear enough. The correct pronounciation of the native name is almost impossible by those unfamiliar with the Celtic language. Even so, this type of substitution for the correct name is of a different order from that of Russia for the U.S.S.R. The two forms are synonymous. They do not have different official meanings. A part is not substituted for the whole as in the case of Russia for the U.S.S.R.

"The U.S. Board of Geographic Names 'in editing materials for accuracy and consistency of geographic names * * * permits the abbreviation "U.S.S.R." and the term "Soviet Union" for the present-day entity, but limits the use of "Russia" to references to pre-Soviet Russia.' Again, 'We recommend "Russian Soviet Federated Socialist Republic," or the abbreviations "RSFSR" for the largest of the Soviet republics.' So states the Executive Secretary of the Board. This recognition by the Board ought to serve as a sufficiently authoritative basis for anyone to employ the term 'Russia' correctly and without embarrassment. Certainly for the geographer there is no alternative; nor need he be apologetic for being correct."

(2) Scholarly objectivity: In order to evaluate the articles from the scholarly point of view one must consider facts of Soviet life under Communist dictatorship. Having sketched the plight of linguistics under Russian Communist dictatorship, we now present the situation of all liberal arts and sciences under the Soviet regime.

It is a matter of fact, unquestioned by the Communists themselves:

(a) that since the establishment of the Russian Communist dictatorship in Petrograd, its later expansion into the Soviet Union and, after World War II, over the new colonies, academic freedom has been abolished in all the captive nations. The inalienable rights of all scholars in the fields of liberal arts and sciences were destroyed with irreparable damage to these disciplines, to the culture of all the captive nations inside and outside of the Soviet Union, and to the whole of mankind.

(b) that all liberal arts and sciences in the Soviet Union and its sphere of domination are subordinated to the Marxist-Leninist dictatorship of the Russian Communist Party, which has converted them into tools of the Russian cultural imperialism. This is also especially true of the sciences, which have become one of the most efficacious tools of Communist world revolution.

(c) that the Soviet police state created a Soviet police liberal arts and sciences and also a Soviet police literature, according to Marxist-Leninist Party dogmas and the established directives of the Russian Communist Party. Thus in fact from the very top, from the Soviet Academy of Sciences and its system of academies over the universities and its institutions to the lower levels of education, all research and education is directed by the Communist Party according to Marxism-Leninism in a constant cold war inside and outside the Soviet Union against any freedom of thought. All liberal arts and sciences are subordinated to rigid conformism following the party line, and only the party can change, through new directives, the opinions of scholars and professors, who, having no tenure, are completely at the mercy of the party. Scholars cannot collaborate (in the meaning of the free world); one can only collaborate with the Russian Communist Party, which terrorizes them. Soviet scholars are merely the loudspeakers of the Russian Communist Party—not the representatives of free and objective research of the nations, nationalities, and peoples of the Soviet Union.

In the present era of Soviet Russian imperialism and colonialism since the end of World War I, the Communist Party continues the policy of the old czarist Russian Government, especially with regard to the liberal arts. The old White Russian czarism systematically persecuted all liberal arts of the non-Russian nations, especially history, philology, and linguistics. The far-reaching persecution of all free research was accompanied by the creation of pseudo-scientific imperialist conceptions in history, philology, and linguistics, imposed by the czarist government upon schools and teaching in the empire. The most important pseudo-scientific conceptions of Russian imperialism were:

(a) The official scheme of "Russian history," which negated the existence of separate Ukrainian and Byeloruthenian (Byelorussian) historical streams. The Kievan Rus-Ukraine and all its cultural achievements simply disappeared in the maw of "Russian" history.

(b) the conception of the so-called Proto-Russian parent language in Slavic philology, which gave Russian chauvinist politicians the terms "Russia and Russians" in order to deprive the Ukrainian and Byeloruthenian languages of their rank as independent Slavic languages and to degrade them to "dialects of Russian," unfit for use in public life or for instruction. Thus Russian was forced upon Ukraine and Byelorussia as the literary language (by ukase of the czar Ukrainian has been forbidden since the year 1876). These dogmas of "unity in history and language" of the Ukrainians and Byeloruthenians with the Russians became the cornerstone of Russian imperialist propaganda to preserve the "integrity and indivisibility of the Russian empire." [10]

After the expansion of the Russian Communist dictatorship by aggressive wars and subversion into the former colonial territories of czarist Russia, territories which made legitimate use of the right of self-determination and during the revolution proclaimed their independence (Idel-Ural Tarters, Ukraine, Kuban Cossacks, Byeloruthenia, Don Cossacks, North Caucasians, Georgia, Azerbaijan, Armenia, Siberia, Turkestan—only Finland, Estonia, Latvia, and Lithuania preserved their freedom) the Russian Communist dictatorship at the end of the NEP period (1928) reestablished the old czarist pseudoscientific conceptions as dogmas. In philology the conception of the "Proto-Russian unity of the Byeloruthenian, Russian, and Ukranian languages" (amongst which Russian is not equal with the others, but rules as the "language of the older brother" and the "holy language" of the Communist revolution) was revived and Marr's "theory" was used, as discussed, for the forced Russification of all non-Russian languages in the Soviet Union. M. N. Pokrovsky's official Marxist history [11] condemning Russian imperialism and colonialism was banned. The old czarist official Russian scheme of history was reintroduced, and under the editorship of Mrs. A. M. Pankratova, the history of the Soviet Union and of all non-Russian nations was rewritten, according to the conception that Russian imperialism was the "lesser evil," "progressive," and "beneficial" to the economic, political, and cultural development of all non-Russian nations. A glorification of Ivan the Terrible and of Peter I is a peculiarity of the new Communist evaluation of Muscovite and Russian history, which also expanded the idea of the "integrity and indivisibility of Russia equal the Soviet Union" into the paleolithic age.

According to M. A. Zinoviev: [12] "History is a powerful weapon of Communist education and it must wholly serve the cause of the struggle for communism," and so the history of the Soviet Union for the last few decades is a history which is continuously being rewritten. This fact is proven by a large literature (example, C. E. Black, "Rewriting Russian History," Frederick A. Praeger, 1956, New York). The history of Slavic philology

[9] The Journal of Geography, vol. 54, November 1955, pp. 413–415.

[10] In 1906 some objective Russian academicians, among them the leading Russian linguists—F. E. Korsh, F. F. Fortunatov, A. A. Shachmatv—defended the independence and equality of the Ukrainian language in a "considered opinion" of the Imperial Academy of Sciences.

[11] M. N. Pokrovsky, "Brief History of Russia," vol. I, II, Marxist Library, Works of Marxism-Leninism, New York, 1933, International Publishers.

[12] M. A. Zinoviev, "Soviet Methods of Teaching History," Washington, 1952.

and linguistics in the Soviet Union has also a large literature (see the writer's work, "The Nationality Problem of the Soviet Union," Bruce Co., 1952, Milwaukee, Wis., pp. 93–259) and the work (in Ukrainian) of Panteleimon Kovaliv, "Principles of Formation of the Ukrainian Language in Comparison With Other Eastern Slavic Languages," Memoirs of the Shevchenko Scientific Society, vol. CLXVIII, New York, 1958). How the Russian Communist Party eliminated free creativeness and thought in the literatures of the nations under its dictatorship is well represented in the work of Avrahm Yarmolinsky, "Literature Under Communism," Russian and East European Institute, Indiana University, 1957, Bloomington, Ind.

To recapitulate, all the articles of the mentioned book published under UNESCO auspices reflect Russian Communist Party dogmas and directives. No credit attaches to UNESCO for its endorsement and financial support of this work of Communist propaganda. Briefly, in "Russian history" mention is made of all paleoanthropological finds on the territory of the U.S.S.R. and Siberia; the study of the Urartu civilization in the Caucasus of such great importance for Armenia and Georgia; the Rus-Ukrainian written monuments of the 11th century; an article minimizing the influence of the Mongols on the Muscovite civilization (in order to counteract the school of thought that Russia-Muscovy, in spite of her Byzantine Orthodox religion, belongs not to the Byzantine civilization but to the Turanian); the great cultural achievements of Armenia and Georgia before the Mongol invasion; the first printed books of all Slavic nations. Then all articles are restricted to the Russian-Muscovite aspect of the history: the political and social Russian literature of the 16th century (attempting to make the tyranny of Ivan the Terrible a European phenomenon of the Renaissance); the Russian-Muscovite inventors of the 18th and 19th centuries; the evolution of the Russian theater, 1800–60; the development of Russian plastic arts in the 19th century; Russian music in the 19th century. Hence these articles tend to leave the reader with the impression that not one of the Russian-conquered colonial nations, nationalities, and peoples, who in previous chapters were included in this "Russian history," also had its own development in literature, the theater, the plastic arts, and music.

The book ends with an article on the Marxian philosophy of G. V. Plekhanov and with a eulogy for Lenin the philosopher, which reaches the level of a typical Communist agitka.

VI

In light of the above, we hold that both UNESCO publications are unobjective and are permeated with the dogma of the Russian Communist Party. An abuse of the objectives of UNESCO and a waste of the money of the American taxpayer, they comprise at the same time a direct aid in the present cold war of ideas to the Russian pseudoscientific infiltration in the free world.

Not to be overlooked is the effect on the American scholar, who, grounded in the idea of free scholarship from birth, labors under the delusion that in collaborating with a Soviet scholar he is advancing the objective search for truth. In actuality, he collaborates with the Russian Communist Party, the fountainhead of all the scientific opinions of its UNESCO delegates.

Hence such collaboration as in these UNESCO publications comprises a direct violation of the spirit of the UNESCO Constitution.

The attention of our Government is called to the fact that it would be illogical and without legal foundation to justify the content of these UNESCO publications by point 3 of article I of the UNESCO Constitution which says:

"With a view to preserving the independence, integrity, and fruitful diversity of the cultures and educational systems of the states members of this organization, the organization is prohibited from intervening in matters which are essentially within their domestic jurisdiction."

We do not hereby propose any intervention in Soviet domestic affairs; but we do demand as an American scholar and citizen that UNESCO publications must comply with its constitution and that they be the expressions of an "unrestricted pursuit of objective truth" and of a "free exchange of ideas and knowledge," rather than a vehicle for Russian Communist propaganda.

The truth is that the Russian Communist dictatorship, as a signer of the U.N. Charter, has violated its pledges regarding the non-Russian languages, nations, and nationalities, even with respect to two U.N. members, Ukraine and Byelorussia, as are implicit in article 55:

"With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote: (c) universal respect for, and observance of, human rights and fundamental freedom for all without distinction as to race, sex, language, or religion."

By collaborating with the Russian Communist dictatorship, as it has in these ill-conceived UNESCO publications, the United States is depriving the United Nations and herself as well of political and moral prestige among all the non-Russian victims of the Soviet Union. The publications comprise a blatant disregard and contempt of their human rights, their fundamental freedoms and their right to self-determination.

This collaboration manifests the double standard of morals of the United States which, on the one hand, condemns the Dominican and Cuban dictators, but on the other collaborates in UNESCO with the delegates of the Russian Communist Party, the most tyrannical regime history has ever known.

Finally, this collaboration with Soviet scholars is based on a naive belief in "peaceful coexistence" with and a "gradual liberalization" of Russian communism, a dangerous obsession of some State Department officials who did not even wait for the Soviet "Trojan Horse," but voluntarily opened wide the gates at UNESCO to it (at American expense), anticipating the "liberal Khrushchev era."[13] Zvorikine is properly appreciative of this (p. 13):

"Le consentement donne par la redaction des Cahiers a la publication de ce numero special temoigne que le principe de la collaboration amicable des savants de divers pays se realise dans notre travail en commum."

(3) On behalf of the Shevchenko Scientific Society, an American learned association, we protest against these publications and request our Department of State:

(a) To influence UNESCO in the name of fair play to grant equal rights to American scholars whose opinions do not conform with Russian Communist Party lines in a similar "numero special" publication under the auspices of UNESCO and with its financial assistance.

(b) To insure that this UNESCO publication receives the same treatment in Soviet Union libraries as the mentioned UNESCO publication got in the free world. Only then will a basis have been established for a scholarly discussion and exchange of ideas.

(c) To insist that the American delegation to UNESCO be supplemented by American scholars—specialists in the field of liberal arts and sciences of the non-Russian nations, nationalities and peoples inside the Soviet Union and within the sphere of influence of Russian communism.

RESOLUTIONS ADOPTED AT THE OBSERVANCE OF THE SECOND ANNIVERSARY OF CAPTIVE NATIONS WEEK, SPONSORED BY THE AMERICAN FRIENDS OF THE ANTI-BOLSHEVIK BLOC OF NATIONS (AF–ABN), JULY 16, 1961, NEW YORK CITY

Whereas the President of the United States of America has proclaimed Captive Nations Week according to Public Law 86–90 in support of the liberation of all captive nations; and

Whereas the Communist menace has increased during the last year, especially in Cuba, Laos, and in Berlin; and

Whereas the free world, particularly the United States of America has become the last resort and bastion of hope of the captive nations; and

Whereas the Communists, pursuing their openly declared policy of world domination, have violated and usurped the then-free nations of Albania, Armenia, Azerbaijan, Bulgaria, Byelorussia, China (mainland), Cossackia, Croatia, Cuba, Czechia, East Germany, Estonia, Georgia, Hungary, Idel-Ural, Latvia, Lithuania, North Korea, North Vietnam, Poland, Rumania, Serbia, Slovakia, Slovenia, Tibet, Turkestan, and Ukraine and destroyed their respective governments, individual rights, and freedom and carried out a policy of genocide, deportation, and widespread deployment (reshuffle) of native populations for the purpose of completely subjugating these nations; and

Whereas we and all God-fearing and peace-loving peoples, who demonstrated by their actions the respect for human rights and freedom as well as the integrity of all other nations, are firmly convinced that there cannot be real peace until and unless the wrongs which have been perpetrated by Communist Russia and Red China are righted by returning to all the captive nations and all the captive peoples their fundamental freedom and national independence; and

Whereas we are further convinced that any compromise with Communist Russia in any area of the world will lead to nothing less than the confirmation of the declared policy of Moscow aimed at world conquest, and will in fact encourage it to further aggression and territorial aggrandizement; and

Whereas in recent declarations by statesmen of the United States and other free countries there has been expressed the traditional faith in self-government and national independence of all the nations, thus making us confident that peace, justice, and liberty shall be restored as the inalienable rights of all the captive nations: Now, therefore, be it

---

[13] For the whole Soviet Union all scholarly activities are now regulated by the Resolutions of the 21st Congress of the Communist Party, which are enforced on all Academies of Sciences of all Union Republics of the non-Russian nations. In liberal arts the aims are: "increasing the struggle against bourgeois ideology, especially against bourgeois nationalism and revisionism * * * an integral part of the propaganda of Marxist-Leninist ideas must be an aggressive criticism of the reactionary bourgeois ideology, especially contemporary revisionism, bourgeois nationalism and cosmopolitanism." To these directives are subordinated history, linguistics, philosophy, literature, law, social sciences, and ethnography. Cf. "Dopovidi Akademii Nauk U.S.S.R.," copy 6, 1960, p. 848–849.

Resolved, That we respectfully request the President, the Government and the Congress of the United States of America:

1. To implement the Captive Nations Week resolution with appropriate and fitting actions;

2. To call for a full-scale United Nations investigation into Russian Communist aggression against all formerly independent non-Russian nations now held in bondage both within and outside the Soviet Union;

3. To ask the United Nations General Assembly to adopt a resolution calling for the withdrawal of all Soviet Russian troops and political police from the captive nations of Eastern and Central Europe and Asia and for the return to their respective homelands of all peoples and their families who have been deported to Soviet slave camps, contrary to their will and in pursuance of Soviet Russia's policy of national genocide, and to allow them to resume their lives under a system of freedom and democratic governments, elected by free and unfettered peoples within their own national boundaries;

4. To provide material aid and support to the enslaved peoples who are struggling for their liberation from Communist tyranny;

5. To create an international military force to be composed of troops from all countries enslaved by Communist-imposed regimes to help uphold the principles of the United Nations Charter;

6. To refrain from an economic aid to countries now enslaved by Communist Russia, including Yugoslavia, thus weakening the Red regimes to the point where their enslaved peoples can successfully rebel and throw off their yoke of captivity;

7. To press relentlessly in the United Nations to bring Khrushchev and his murderous regime to trial for his crime of destroying the freedom of Hungary;

8. To regard the people of East Germany as much in capitivity as the other Communist-enslaved nations behind the Iron Curtain; any compromise on Berlin should be considered as the abandonment of the cause of freedom;

9. To move toward the recognition of free representatives of the captive peoples, rather than the tyrants who now misrepresent them;

10. To oppose the admission of Red China into the United Nations; such an admission would be in violation of every principle upon which the United Nations was founded and for which it stands, and would in effect end the usefulness of the United Nations as an instrument of justice and peace;

11. To support the passage of the Flood resolution calling for the establishment of a permanent House Committee on Captive Nations, which is now before the House Rules Committee. Such a committee would provide authoritative and unbiased knowledge and information on the captive nations, which could be made available for the U.S. Government policymaking agencies; finally, be it

Resolved, That we express our sincere and lasting gratitude to the President, the Government and the Congress of the United States for their resolute and fearless encouragement rendered to all captive peoples in their struggle for liberation and national independence.

This resolution is hereby unanimously adopted the 16th day of July 1961, and attested to by the signatures of the president and secretary general of the executive council of the American Friends of the Anti-Bolshevik Bloc of Nations, Inc.

IGNATIUS M. BILLINSKY,
Chairman.
CHARLES ANDREANSZKY,
Secretary General.

CVII——1114

JULY 19, 1961.

Hon. JOHN F. KENNEDY,
President of the United States of America,
The White House, Washington, D.C.

DEAR MR. PRESIDENT: The executive council of the American Friends of the Anti-Bolshevik Bloc of Nations takes the liberty of transmitting to you the resolutions which were unanimously adopted at a commemorative meeting observing the second anniversary of the Captive Nations Week resolution, which was held on Sunday, July 16, 1961, in New York City.

We also want to express to you, Mr. President, our heartfelt gratitude for the great foresight and wisdom which you demonstrated by issuing a special Presidential proclamation of Captive Nations Week on July 14, 1961.

Your proclamation is a great and encouraging manifestation that the U.S. Government and the American people as a whole will never acknowledge the enslavement of the captive nations of Europe and Asia. We can assure you that the captive nations in Russian Communist slavery are relieved and encouraged by your step and will continue to fight against Communist despotism with redoubled determination and courage, knowing that the United States, the leader of the free world, is on their side and against Communist enslavement.

Respectfully yours,

IGNATIUS M. BILLINSKY,
Chairman.
CHARLES ANDREANSZKY,
Secretary General.

AMERICAN FRIENDS OF ABN OBSERVE CAPTIVE NATIONS WEEK

Marking the second anniversary of the Captive Nations Week resolution approved by the U.S. Congress in 1959 and signed as a law of the Nation by former President D. D. Eisenhower, in which the Senate and the House of Representatives of the United States of America authorized and requested the President of the United States of America to issue a proclamation designating the third week in July 1959 as "Captive Nations Week" and to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world. Executive Council of the American Friends of Anti-Bolshevik Bloc of Nations held a special observance, on Sunday, July 16, 1961, at the Hotel New Yorker, in New York City, at which Attorney General Louis Lefkowitz read the proclamation of Governor Rockefeller.

The ceremony, which was attended by a large audience of the representatives of captive nations and American guests, began at 7:30 p.m. with the addresses of Mr. Charles Andreanszky, secretary general of the AFABN, and Mr. Ignatius Billinsky, chairman, stressing the significance of Captive Nations Week and the possibilities of a practical implementation of the liberation policy, after which the resolutions, concerning the American foreign policy in regard to nations enslaved by Moscow, were adopted. It was decided to forward copies of these resolutions to President Kennedy and Members of U.S. Congress.

The culminating feature of the evening was an address by Attorney General Louis J. Lefkowitz, of New York State, who also read the proclamation of Governor Rockefeller urging the observance of Captive Nations Week in the State of New York.

Among the other speakers on the program were Mr. Justin McCarthy, New York State chairman of the Captive Nations Committee, Mrs. Catherine Dorney, secretary of the American Educational Association and Dr. Albert Kalme, vice chairman of the AFABN.

The ceremonies commenced and were concluded with a moment of silence which symbolized the suppression of free speech and individual liberties under Communist tyranny.

Preceding the ceremonies a press conference was held with representatives of New York newspapers and press agencies attending.

[From the New York Times, Aug. 21, 1961]

DR. KLOCHKO'S DEFECTION

It was not uncommon in the 1920's or early 1930's for Soviet scientists to defect when given the opportunity by a trip outside the country. Many of such defectors then were people who had come to maturity under czarism and were unsympathetic to communism, while to be a Soviet scientist then was a source neither of prestige nor appreciable material reward.

All this has changed greatly in recent years, and Soviet scientists are today the relatively well-paid elite of that country. Not surprisingly, therefore, there have been few, if any, defections of Soviet scientists in recent years until Dr. Mikhail A. Klochko made his dramatic break in Ottawa last week. His story reveals that there are still powerful motives for even a relatively affluent Soviet scientist to be at odds with that system. Dr. Klochko denounces "the lack of human dignity in the U.S.S.R.," the political pressures on scientists, and the lack of freedom among the factors impelling his decision.

No doubt there are other factors, too, that played a role. His name sounds Ukrainian and he may well have smarted over great Russian rule in the Soviet Union. His pay was good, but his lodging was a one-room cubbyhole pervaded by gasoline fumes and noise. If a relatively prominent Soviet scientist had to live in such an environment, we can imagine how much worse living conditions must be for ordinary Soviet citizens. Dr. Klochko, we may assume, represents a current of Soviet dissidence which is far more important than his isolated act alone implies.

[From the Toronto (Canada) Telegram, Aug. 17, 1961]

KLOTCHKO ASKED ABOUT WORK HERE BEFORE DEFECTING

(By Leon Kossar)

MONTREAL.—Questions that Soviet scientist Dr. Michael Antonovich Klotchko asked people here before he asked for asylum in Canada indicate he took the step only after careful planning and thought.

"He asked about the working conditions here and the manner of life," said a local man who met Klotchko.

PERSONAL LIFE

This man, who did not want his identity revealed, reported that Dr. Klotchko did not say much about his personal life.

But he said he had no family in the Soviet Union. He is a widower.

The Montreal man who met him said Klotchko was born in the Ukrainian region of Poltavschyna and had lived in Moscow since 1935.

UKRAINIANS

Dr. Klotchko told him at least one-quarter of the Soviet scientists are Ukrainian, and asked about Canada's 500,000-strong Ukrainian community.

"Dr. Klotchko had an opportunity to talk to his professional colleagues here and as he speaks English quite well, he was not restricted to those who spoke only Russian or Ukrainian.

"It seemed as if he was earnestly trying to find out as much firsthand information about Canada as he could."

[From the New York Times, Aug. 23, 1961]

SECOND SOVIET SCIENTIST SAID TO ASK ASYLUM

VIENNA, August 22.—A Soviet electronics expert has asked Austrian authorities for political asylum, reliable sources said today.

The scientist, 24-year-old Nikolai I. Sereda, of Kiev, a member of a Soviet tourist group, is said to have walked up to a Viennese traffic policeman and told him he did not want to return home.

The sources said Mr. Sereda's father, a professor and member of the Ukrainian Academy of Sciences, flew to Vienna and made an unsuccessful attempt to persuade his son to change his mind.

In Ottawa last week, a Soviet sicentist, Dr. Mikhail A. Klotchko, requested and received political asylum.

A holder of the Stalin Prize for his work in general and inorganic chemistry, Dr. Klotchko went to Canada to attend an international scientific meeting.

He was the first important Soviet scientist to defect to the West since the death of Stalin.

THE RULES COMMITTEE

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, after today's vote on the Federal aid to education bill there should no longer be any doubt about whether the House Rules Committee was accurately reflecting the sentiments of the House in not reporting out an omnibus Federal aid to education bill.

It is now quite clear that the House Rules Committee was not thwarting the will of the House.

Perhaps now we can go back and reexamine the stories of the past to see if the Rules Committee was ever at any time thwarting the will of the House. It has been my contention that the Rules Committee has seldom, if ever, thwarted the will of the House. Calendar Wednesday procedure was placed in the Rules of the House to guard against just such abuse of power.

The reason Calendar Wednesday has been used infrequently in the past is because there has been no serious abuse by the Rules Committee, not because Calendar Wednesday is a cumbersome procedure. Calendar Wednesday procedure is not cumbersome; it is very simple. It is not subject to filibuster or delay any more than any other procedure of the House. Of course, any procedure is cumbersome if one lacks a majority of the votes.

Finally, I would like to say a word to my unperceptive Republican friends who were so anxious to beat the phony reform of the Rules Committee back in January this year. Had you been successful do you think that the political by-play to divert the public's attention away from the basic schism in the Northern Democrat-Southern Democrat coalition by blaming the Rules Committee and the Republican members on it would have ever been exposed? I think not. We can all be thankful that the Rules Committee is no longer the handy scapegoat for the left-wing politicians to blame when their ill-conceived legislative proposals founder for lack of votes. I think a few apologies are in order to the Rules Committee for the unfair castigation it has received in the past. It was not the Rules Committee that needed reforming but rather some of the half-baked and incompletely considered legislative proposals presented to it.

GRASSROOTS REJECTION OF FEDERAL AID TO EDUCATION

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HIESTAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. HIESTAND. Mr. Speaker, the House of Representatives' emphatic decision not to consider the new education bill reflects a strong grassroots rejection of general Federal aid to education.

The vote stepped on the camel's nose as it sought to slip under the tent. The administration bill was but a toe in the door and the public protest was reflected in the overwhelming vote to throttle the so-called watered down bill.

Americans do not want Federal aid to education. The provision for $325 million in construction was a "joker" tied into a package with the "sweeteners"—impacted area and National Defense Education Act extensions.

As if the public furor were not enough earlier, this latest rejection of general Federal aid should prove the point: education of our youngsters can best be handled by Americans in their own locality, rather than from a Washington bureau.

H.R. 8890 SERVES NO ONE WELL

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. SEELY-BROWN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. SEELY-BROWN. Mr. Speaker, I am opposed to the consideration of H.R. 8890 under Calendar Wednesday procedure because I believe that the legislative proposals it contains require consideration and study which the committee which is reporting it has not given to it.

In the early days of this session, we had a controversy in the House over a change in the authorized membership of the Committee on Rules.

At that time, some of the proponents of the change emphasized as one of the important reasons for the change, the unsatisfactory alternative of Calendar Wednesday procedure to get legislation to the floor.

I voted for the change in the Rules Committee, in the belief that such a change would impose on those who should have such responsibility, greater responsibility for the legislation that is adopted or is not adopted by the House. I do not think that I made a mistake in my vote at that time.

There might be some justification in using Calendar Wednesday procedure to get this bill to the floor, if it were the same bill upon which hearings had been conducted, the same bill which received ample study and consideration by all of the members of the committee, the same bill which was the subject of a printed report by the committee, which, with the record of the hearings on it, all of the Members of the House would have an opportunity to read.

There is no such justification for H.R. 8890, because it is a brandnew bill, which for some reason eliminates some of the features which attracted to other bills their most ardent supporters. The present bill was considered by the committee for only 70 minutes, 50 of which, I am told, was consumed by one of the majority in explaining an amendment which is not even included.

This bill (H.R. 8890) serves no one well—its sponsors, its supporters, and least of all the people of the respective States whom we represent.

A majority member of the committee has referred to this bill as a monstrosity. It would be monstrous to consider it, in this manner and at this time.

The National Education Association, which surely has put more time and effort and study into all possible methods for legislating Federal aid to education than anyone else, has written to the chairman of the committee, recommending that "any existing law which has expired should be extended for 1 year"—this would take care of Public Laws 874 and 814, also the college student loans—and "further action on new legislation await the second session of the 87th Congress."

I think the National Education Association has made an excellent and a constructive recommendation. I am for that.

H.R. 8890: FEDERAL AID TO EDUCATION

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. MATHIAS. Mr. Speaker, the requirements of responsible representation present a difficult question on the call of the calendar today on H.R. 8890, the so-called compromise Federal aid to education bill.

I am firmly pledged to support extension of impacted area aid to local schools and have introduced a bill for that purpose. I am an advocate of expansion of the National Defense Education Act. I am a supporter of a sound program of Federal assistance in a school construction program.

But the hasty and ill-considered manner in which H.R. 8890 has been brought to the floor of the House of Representatives precludes responsible efforts to arrive at satisfactory solutions to these problems. The bill was never read in the House Committee on Education and Labor; it received only 20 minutes consideration on its merits in this committee; no hearings were held and no witnesses were invited to comment on the bill; Members of the House not on the committee had no opportunity to attend the committee's meeting as either observers or witnesses. The committee operated without printed bills and no copies of the bill were available for study until Tuesday.

Today, at noon, by the parliamentary maneuver of Calendar Wednesday an attempt is being made to bring this "jury rigged" bill to an immediate vote. The briefest perusal indicates that the proposal contained novel and untried formulas for distributing benefits and for administration of the program.

In the meantime, the National Education Association announced its opposition to the bill in the form presented and to the hasty Calendar Wednesday procedure. A necessarily quick check of local educational organizations indicates general support of the NEA objections. With the House convening at noon, lack of time made it impossible to canvass the opinions of local school authorities and interested citizens throughout the District.

Under the circumstances I feel compelled to oppose this reckless approach to a problem that demands our best thought and care.

I shall continue to work for a sound education program including aid to impacted areas, expansion of the National Defense Education Act and necessary school construction.

SALE OF AMERICAN FARM COMMODITIES TO COMMUNIST NATIONS

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. MATHIAS. Mr. Speaker, in light of the interest and concern of many of my colleagues in the House of Representatives over the June 22 announcement of the Department of Commerce to henceforth permit sales of American surplus farm commodities to Communist nations at subsidized prices, I wish to herewith submit for inclusion in the RECORD the latest letter I have received from the Commerce Department relevant to this matter, together with my answer to the Department letter:

THE UNDER SECRETARY OF COMMERCE,
Washington, D.C., August 23, 1961.

Hon. CHARLES MCC. MATHIAS, JR.,
House of Representatives,
Washington, D.C.

DEAR MR. MATHIAS: This will acknowledge and thank you for your letter of August 17 concerning the export of subsidized surplus agricultural products to the Soviet Union.

While I understand and appreciate your point of view, I will have to say quite frankly that we disagree with you that there is any real distinction—so far as the foreign purchaser is concerned (regardless of which country is involved) between the purchase of so-called subsidized agricultural products from America and the purchase of American farm products which have not come under the subsidy program. It seems to me if it is good for the United States to export "unsubsidized" agricultural commodities to the Soviet bloc, exactly the same reasons justify the export of subsidized agricultural commodities. I wonder if this isn't true because the persons who are "subsidized" in the handling of our surplus agricultural commodities are the farmers and producers in this country.

Under our price support program the U.S. Government in effect buys surplus commodities at the price support level when these commodities cannot be sold by the growers either in the private or foreign market for as much as the price support level. Then it is up to the U.S. Government to dispose of these surplus products at the most favorable price possible, and quite often (in fact, usually) the prevailing world prices will be below the price support level paid the American farmer. So far as the purchaser in the foreign market is concerned, it would be quite immaterial whether the products he gets from the United States come under the agricultural price support program or not. The foreign purchaser buys at the prevailing world prices, and obviously this country cannot sell surplus agricultural commodities on the world market for more than the prevailing world prices. This is simply by way of emphasizing that it is not the foreign purchaser who is benefiting from the American subsidy but rather it is the American farm producer who receives the direct benefit.

From the standpoint of the American Treasury, if the Federal Government has paid a dollar per unit for a given agricultural commodity and the prevailing world price is only 75 cents per unit, our Government would be confronted with the choice of selling the commodity on the world market and recovering 75 percent of what the Government loaned or paid to the American farm producer—or keeping the particular commodity stored, with that extra expense involved as well as the initial outlay of $1 per unit.

Recently, Secretary Hodges and Secretary of State Rusk met with a group of Congressmen and explained the situation concerning export of subsidized agricultural commodities. The group was informed that no subsidized agricultural commodities had been shipped to the Soviet bloc, and in fact that no export license requests have been received or granted for such shipment. This is still the case. The Department of Commerce has not licensed for export to the Soviet bloc any subsidized agricultural commodities.

Concerning the last paragraph of your letter of August 17, I want to say that we wish to be as cooperative as we possibly can with any Member of Congress on any activity affecting the Department of Commerce. In the case of export licenses, we have nothing to hide from any Member of Congress. So far as publicizing names of business firms who are awarded export licenses, I hope you will take an early opportunity to review the language of the statute enacted by Congress which clearly contemplates that business or trade information obtained in administering this act shall be kept on a confidential basis except where it clearly in the national interest requires otherwise. We have furnished you our explanation for not publicizing names of individual export firms. We believe our conclusion on this point is completely sound.

Sincerely yours,

EDWARD GUDEMAN,
Under Secretary of Commerce.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 30, 1961.

Hon. EDWARD GUDEMAN,
Under Secretary of Commerce,
Department of Commerce, Washington, D.C.

DEAR MR. SECRETARY: Your letter of August 23 again does not address itself to the principal problem which concerns me in relation to the sale of subsidized agricultural products to Russia; namely, the foreign policy of the United States. If it is any comfort to you, neither did the remarks addressed by Secretary Rusk and Secretary Hodges to the group of Congressmen at the meeting to which you refer.

I am beginning to suspect that no statements can be made on this topic which many of us feel important, because there is no policy on this subject.

Very truly yours,

CHARLES MCC. MATHIAS, JR.

FEDERAL AID TO EDUCATION

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. LINDSAY] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. LINDSAY. Mr. Speaker, ever since I have been a Member of Congress, and before, I have pressed for a meaningful Federal aid for education bill. In the 86th Congress I spoke on the floor in support of and voted for the Thompson bill, an excellent school construction bill, modeled after the first Eisenhower aid to education proposal. In fact, in supporting this bill I split with the minority which was then committed to the so-called debt-service method of financing school construction.

I have been a strong supporter of the National Defense Education Act as originally conceived. It is important that it be extended. It is important, too, that it be perfected by the elimination of unnecessary and hamstringing appendages such as the disclaimer affidavit requirement.

I support Federal assistance for education in federally impacted areas.

Now, this resort to Calendar Wednesday procedure to bring up a new education bill, which at best is inadequate, to me is unbelievable. I was one of those on the minority side who voted to expand the Rules Committee. In so doing I was giving the majority a chance to bring its proposals to the floor in orderly procedure, to provide for proper and sufficient debate by the full House, and to allow for careful examination of the legislation proposed. I and others on the minority side have been roundly criticized from some quarters for this vote. It was a good and necessary vote. I can just imagine what congressional critics would be saying at this point if the resolution to expand the Rules Committee had been defeated and the situation existed, which now exists, of important,

long-considered, carefully drawn Federal aid to education legislation frozen in the Rules Committee.

Mr. Speaker, it is high time the majority put its house in order. At the time of debate on the Rules Committee motion, the majority argued, and I agreed, that devices to get around the Rules Committee were cumbersome and inadequate insofar as proper legislative processes are concerned. Calendar Wednesday was singled out as a cumbersome, hasty, limited method for legislating.

Now let us look at what is happening here. A new bill has suddenly been offered at the last moment by the administration and by the majority leadership. I myself was not able even to get a copy of the bill as reported out of the Committee on Education and Labor until this morning. It contains some provisions that are new and different from anything proposed in the past. None of us has been given time to examine it. The members of the Committee on Education and Labor, from which this bill emerged yesterday, are apparently agreed to the following facts: that the committee met at 10 o'clock yesterday morning, Tuesday, the morning before the bill was to be considered by the full House under Calendar Wednesday procedure; most of the Members had never seen the proposed bill until they walked in at that moment; at 10:15 a.m. a move to have the bill read was denied by a rollcall vote—17 to 13; immediately following this, by another 17-to-13 vote, all discussion was limited to a total of 70 minutes—on a new proposal on the most important domestic legislative matter that the U.S. Congress has before it; exactly 45 minutes was spent in discussing a new and entirely different formula for allocating funds to States. Having reported the bill out in this fashion by a closely divided vote, and some of those who voted against it in committee were long supporters of Federal aid for school construction, there was no attempt even to submit the matter to the Rules Committee for a proper rule under which an adequate number of hours for debate could have been provided. In my own judgment, 2 legislative days on the floor of the House is a bare minimum for a bill of this importance. As we all know, under Calendar Wednesday procedure the total matter must be completed in 1 day.

Mr. Speaker, my vote to expand the Rules Committee last January was in part designed to avoid the necessity for this kind of procedure. It is insulting to those on the minority for the majority to slap a last-minute, strung-together, and totally inadequate compromise before us in this take-it-or-leave-it procedure, and expect us to agree to the procedure. It is especially insulting to those who risked their political lives in order to give the majority in the early part of the session the necessary room under our rules so that matters of importance could be brought to the floor of the House for proper and full debate. My vote against the motion to consider the present bill under this procedure has nothing to do with the merits of the legislation—indeed, not having had time even to read the bill under this device, it is difficult to come to any sound conclusion on the merits. From the cursory examination I have given it I am quite sure that I would vote for it, inadequate as it may be. My vote is a protest against the procedure used and the complete inability of the majority to put its legislative house in order.

Mr. Speaker, I have even heard it said by some Members on the majority side that they care not whether the House defeated the motion to consider the bill as long as they had a record vote which would "get them off the hook" on their failure to give us an education bill; which would give them an opportunity, by a demogogic twist of logic which the public will never understand to claim that those who refuse to agree to the procedure are against education. Insofar as this attitude exists on the majority side, it represents the most cynical political move I have seen since I have been a Member of Congress.

There are many, particularly on the minority side, who are against all Federal aid to education, and to the extent that my vote against this procedure gives them aid and comfort, I am sorry. We need an education bill. The House passed a good one—the Thompson bill in the 86th Congress; a public school bill on which reasonable men conceivably can agree lies moldering in the Rules Committee. My vote in January was designed to avoid just the kind of thing that has happened here today. This is an inexcusable mess and the majority should answer for it. If the public does not understand what has happened, as the majority may suppose and expect that it will not, I will make it my business, for one, to see that it does.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may have until midnight Friday to file sundry reports.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

INCREASED ACTIVITIES OF SMALL BUSINESS COMMITTEE

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MULTER. Mr. Speaker, this is the third of a series of reports which are being made to acquaint the Members of the House with the services which are constantly being performed for them and their small business constituents in connection with the myriad problems which are encountered daily by that segment of the national economy.

Previous reports covered committee activities in connection with financial assistance to small business concerns, hearings with respect to unfair trade practices, and other general help given to small businessmen. In this report, I would like to stress some of the ways in which the committee has been successful in aiding small firms in their constant struggle to obtain a fair share of Government procurement contracts, as well as other activities of the committee. The following short summaries will, I hope, show the Members how we are always striving to be of more comprehensive and effective assistance in this area:

PROCUREMENT ACTIVITIES

The problem of subcontracting of Government procurement by prime contractors was carefully considered by Subcommittee No. 2 at a conference at the offices of the Small Business Administration on July 19, 1961. This conference was attended by representatives of 4 national associations, 12 large prime contractors, and 13 Government agencies. The subcommittee is presently evaluating the result of this meeting and surveying at staff level the subcontracting practices of the prime Government contractors.

There has been much controversy concerning the Small Business Administration set-aside program in the construction industry. As a result, a member of the staff of Subcommittee No. 2 attended a meeting in the SBA offices on August 22 to consider this matter. The Senate Small Business Committee, Office of the Secretary of Defense, General Services Administration, the Associated General Contractors of America, Inc., and the Small Business Administration were represented. The objections to this program by the members of the Associated General Contractors were made known by their representative. It was decided that other meetings would be held to continue consideration of this matter, including the question of proper size standards of small business in the construction industry. This committee is presently considering the problems raised at this meeting for the purpose of evaluating the stake of small business in this set-aside program.

This committee recently considered the problem of the procurement by the Department of Defense of vital aircraft chronographs domestically. The committee was informed that a lot of this equipment was being purchased in foreign markets, as a result of which this industrial activity was in danger of disappearing from the American scene. A program was initiated by the Department of Defense to survey the horological industry for a determination of essentiality. Such survey has been completed, and a study is now being made for the purpose of comparing military requirements with domestic production capacity. It is expected that this study will not be completed until sometime in September. The findings of the study group will be reviewed by the Office of the Secretary of Defense and the Office of Civil Defense Mobilization for a final decision. It is feared that unless this industry is declared essential, the United States may be lacking the facilities for the production of a very important por-

tion of military aircraft; namely, the timing area. This involves accuracy of time not only in aircraft, but in missiles.

INVESTIGATION AND HEARINGS

At the request of a large number of Members of the House, the Special Subcommittee of the Select Committee on Small Business is conducting a study of the chaotic condition of the poultry industry. Several Members of the U.S. Senate also expressed interest in this matter. Public hearings in Washington were held on August 15, 16, and 17, and are scheduled to be resumed commencing September 13, 1961. At the first series of hearings a representative of the Secretary of Agriculture was heard and a detailed statement of background and statistical data was received into the record. Several Members of the House were heard and introduced witnesses from their respective congressional districts who testified and introduced statements. Intense interest in this matter was manifested from over a score of States.

When hearings are resumed on September 13, it is expected that representatives of some of the national feed manufacturers and distributors will be heard and, also, officials from several Federal agencies and departments will comment concerning present statutes and regulations applicable to this industry.

ANTIMONOPOLY LEGISLATIVE PROPOSALS

In answer to many hundreds of complaints received by the committee from innumerable small businessmen, several members of the committee introduced bills to prohibit discriminatory pricing practices and to outlaw sales at unreasonably low prices, including those at levels below cost. These bills were introduced as the result of testimony obtained by the committee during the past several years, which disclosed a great many instances in which big businesses were making sales at prices below cost for the sole purpose of ruthlessly destroying competition. Evidence also satisfied the committee, that, when small businesses are eliminated by such practices, the prices of commodities immediately rise to higher levels.

Additionally, many members of the committee introduced legislation which would empower the Federal Trade Commission to issue temporary cease and desist orders. Hearings conducted with respect to problems in the dairy, poultry, and other industries indicate very clearly the need for this remedial legislation. As we are all aware, long delays have always characterized the disposition of complaints filed with the Federal Trade Commission, as well as other regulatory agencies. For instance, committee records show that a large number of cases of extreme importance to small business have been pending before the Federal Trade Commission for periods ranging from 6 to 10 years, without relief. It is obviously in the interest of small concerns that the Federal Trade Commission have the power, after due notice and hearing, to issue temporary cease and desist orders, to prevent the destruction of small businesses during the pendency of the litigation.

All of these bills were considered at a public hearing before the House Committee on Interstate and Foreign Commerce, at which several members of the Small Business Committee testified in support of the bills. Many industry representatives also stressed the urgent need for this legislation. The members of the committee will continue their efforts to obtain the passage of such bills.

FOREIGN ASSISTANCE ACT OF 1961

Mr. MORGAN submitted a conference report and statement on the bill (S. 1983) to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic development and internal and external security, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KNOX, for the balance of the week, on account of prior commitments to his family.

Mr. NYGAARD (at the request of Mr. SHORT), on account of illness.

Mr. JAMES C. DAVIS, for the remainder of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ASHBROOK (at the request of Mrs. MAY), for 1 hour, on Thursday, September 7.

Mr. BRUCE (at the request of Mrs. MAY), for 2 hours, on Thursday, September 7.

Mr. CUNNINGHAM (at the request of Mrs. MAY), for 1 hour, on Thursday, August 31.

Mr. REUSS (at the request of Mr. LIBONATI), for 40 minutes, on tomorrow, Thursday, August 31, 1961.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. PHILBIN.

Mr. FLOOD (at the request of Mr. HECHLER), his special order today, and to include extraneous matter.

Mr. PELLY.

(The following Members (at the request of Mrs. MAY) and to include extraneous matter:)

Mr. MICHEL.

Mr. MATHIAS.

Mr. FINO.

Mrs. MAY.

Mrs. WEIS.

Mr. CURTIS of Missouri.

(The following Members (at the request of Mr. LIBONATI) and to include extraneous matter:)

Mr. SANTANGELO.

Mr. MONAGAN.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 46. An act to provide for the establishment and administration of basic public recreation facilities at the Elephant Butte and Caballo Reservoir areas, New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1186. An act to facilitate the protection of consumers of articles of merchandise composed in whole or in part of gold or silver from fraudulent misrepresentation concerning the quality thereof, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 2272. An act to disclaim interest in certain rights in certain lands in the State of Nevada; to the Committee on Interior and Insular Affairs.

S. 2454. An act to amend the housing amendments of 1955 to make Indian tribes eligible for Federal loans to finance public works or facilities, and for other purposes; to the Committee on Banking and Currency.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 29. An act to amend section 216(b) of the Merchant Marine Act, 1936, as amended, to permit the appointment of U.S. nationals to the Merchant Marine Academy;

H.R. 44. An act to authorize the appropriation of $150,000 for use toward the construction of a U.S. Pacific War Memorial;

H.R. 1794. An act to provide for the conveyance of certain real property of the United States situated in Hawaii to the State of Hawaii;

H.R. 2898. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof;

H.R. 3526. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof;

H.R. 5235. An act to authorize the Confederated Tribes of the Warm Springs Reservation of Oregon to acquire land within the boundaries of their reservation;

H.R. 5964. An act to authorize the use of funds arising from a judgment in favor of the Potawatomi Nation of Indians, and for other purposes;

H.R. 6102. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in Highlands County in the State of Florida to the record owners of the surface thereof;

H.R. 7108. An act to amend the Federal Home Loan Bank Act and title IV of the National Housing Act, and for other purposes;

H.R. 8277. An act to amend the Federal Home Loan Bank Act to simplify and improve the election and appointment of directors of the Federal home loan banks; and

H.R. 8922. An act to amend the Small Business Act to increase by $20 million the amount available for regular business loans thereunder.

ADJOURNMENT

Mr. LIBONATI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 11 minutes p.m.) the House adjourned until tomorrow, Thursday, August 31, 1961, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1264. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill entitled "A bill to provide for the discharge of minors who enlist in the naval service or the Coast Guard without consent of parents or guardian"; to the Committee on Armed Services.

1265. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill entitled "A bill to amend title 10, United States Code, to authorize the crediting of certain service for the purpose of voluntary retirement"; to the Committee on Armed Services.

1266. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to amend section 7 of the Administrative Expenses Act of 1946, as amended, relating to travel expenses of civilian officers and employees assigned to duty posts outside the continental United States"; to the Committee on Government Operations.

1267. A letter from the Attorney General, transmitting a draft of a proposed bill entitled "A bill to amend the Trading With the Enemy Act, as amended"; to the Committee on Interstate and Foreign Commerce.

1268. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to provide for the satisfaction of claims arising out of scrip, lieu selection, and similar rights"; to the Committee on Interior and Insular Affairs.

1269. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting a report of all tort claims paid by the Department of the Navy for the fiscal year 1961, pursuant to section 2673 of title 28, United States Code; to the Committee on the Judiciary.

1270. A letter from the Deputy Secretary of Defense, relative to 21 reports covering 25 violations of section 3679, Revised Statutes, and Department of Defense Directive 7200.1, entitled "Administrative Control of Appropriations Within the Department of Defense"; to the Committee on Appropriations.

1271. A letter from the Secretary of the Air Force, transmitting a draft of a proposed bill entitled "A bill to amend title 10, United States Code, to clarify retirement date of deferred officers"; to the Committee on Armed Services.

1272. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill entitled "A bill to amend section 9 of the act of August 11, 1959, Public Law 86-155 (73 Stat. 337)"; to the Committee on Armed Services.

1273. A letter from the Comptroller General of the United States, transmitting a report on the review of certain activities of the Government of the Virgin Islands for the fiscal year ended June 30, 1960; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BROMWELL: Committee on the Judiciary. Minority report on S. 1990, an act to amend section 1362 of title 18 of the United States Code so as to further protect the internal security of the United States by providing penalties for malicious damage to certain communications facilities (Rept. No. 965 pt. 2). Referred to the House Calendar.

Mr. FORRESTER: Committee on the Judiciary. House Joint Resolution 358. Joint resolution authorizing the President to issue annually a proclamation designating the third week in March as National Poison Prevention Week, in order to aid in bringing to the American people the dangers of accidental poisoning; with amendment (Rept. No. 1078). Referred to the House Calendar.

Mr. FORRESTER: Committee on the Judiciary. H.R. 8038. A bill to amend section 491 of title 18, United States Code, prohibiting certain acts involving the use of tokens, slugs, disks, devices, papers, or other things which are similar in size and shape to the lawful coins or other currency of the United States; with amendment (Rept. No. 1079). Referred to the House Calendar.

Mr. FALLON: Committee on Public Works. H.R. 8678. A bill to provide for the conveyance of a portion of the Henry G. Shirley Memorial Highway and other highways on the Pentagon road network to the Commonwealth of Virginia, and for other purposes; with amendment (Rept. No. 1080). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Alabama: Committee on Public Works. H.R. 7477. A bill to repeal section 409 of the Public Buildings Act of 1949, requiring the submission of a report to the Congress concerning eligible public building projects; without amendment (Rept. No. 1081). Referred to the Committee of the Whole House on the State of the Union.

Mr. KILDAY: Committee on Armed Services. H.R. 8765. A bill to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes; with amendment (Rept. No. 1082). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Mississippi: Committee on Public Works. H.R. 3801. A bill to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports on such investigations and surveys for submission to the Congress, and for other purposes; with amendment (Rept. No. 1083). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. H.R. 7259. A bill to waive section 142 of title 28, United States Code, with respect to the U.S. District Court for the Western District of Louisiana, Lafayette Division, holding court at Lafayette, La.; without amendment (Rept. No. 1084). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. House Resolution 417. Resolution to continue in effect House Resolution 190 and House Resolution 386, 83d Congress; without amendment (Rept. No. 1085). Referred to the House Calendar.

Mr. WALTER: Committee on the Judiciary. S. 2237. An act to permit the entry of certain eligible alien orphans; with amendment (Rept. No. 1086). Referred to the Committee of the Whole House on the State of the Union.

Mr. LANE: Committee on the Judiciary. H.R. 4357. A bill to increase certain compensation benefits payable pursuant to the War Hazards Compensation Act; with amendment (Rept. No. 1087). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORGAN: Committee of conference. S. 1983. An act to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic and social development and internal and external security, and for other purposes (Rept. No. 1088). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATTIN:

H.R. 8973. A bill to amend the Internal Revenue Code of 1954 to provide that livestock sold on account of drought, infestation, or other disaster may be replaced at any time within 5 years without recognition of gain; to the Committee on Ways and Means.

By Mr. BARRY:

H.R. 8974. A bill to amend titles I, II, and III of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. BECKWORTH:

H.R. 8975. A bill to amend section 312 of title 38, United States Code, to provide that disabilities of certain veterans held as prisoners of war for 2 or more years by the Japanese during World War II shall be considered to be service connected; to the Committee on Veterans' Affairs.

By Mr. HALPERN:

H.R. 8976. A bill to provide for holding a White House Conference on Mental Health to be called by the President of the United States in June of 1962, to be planned and conducted by the Secretary of Health, Education, and Welfare with the assistance and cooperation of other departments and agencies represented on the Federal Council on Mental Health; to assist the several States in conducting similar conferences on mental health prior to the White House Conference on Mental Health; and for related purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HÉBERT:

H.R. 8977. A bill to amend section 6112 (a) and (b) of title 10, United States Code; to the Committee on Armed Services.

By Mr. JOHNSON of Maryland:

H.R. 8978. A bill to amend the Internal Revenue Code of 1954 to permit the amortization over a 60-month period of certain civil defense facilities; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 8979. A bill to provide certain incentives for the repair, improvement, renovation, and restoration of residential and commercial property under the tax laws of the District of Columbia, to provide that existing housing in urban renewal areas in the District of Columbia shall be rehabilitated, restored, and preserved in all possible cases, and for other purposes; to the Committee on the District of Columbia.

By Mr. ROBERTS:

H.R. 8980. A bill to revive the Alabama studies on juvenile delinquency, and for other purposes; to the Committee on Armed Services.

H.R. 8981. A bill to authorize a 3-year program of matching grants to assist the States in expanding and strengthening professional nurse education for the purpose of assuring an adequate supply of professional nurses to meet the requirements of the Armed Forces, Federal, State, and local governmental and civilian hospitals and health agen-

cies, as well as other employers; to the Committee on Interstate and Foreign Commerce.

By Mr. RUTHERFORD:

H.R. 8982. A bill authorizing the Dow Chemical Co. to construct, maintain, and operate a bridge across the Rio Grande at or near Heath Crossing, Tex.; to the Committee on Foreign Affairs.

By Mr. BONNER:

H.R. 8983. A bill to authorize the Secretary of the Interior to participate in financing the construction of a bridge at Cape Hatteras National Seashore, in the State of North Carolina, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BROYHILL:

H.R. 8984. A bill to regulate the practice of physical therapy in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BURLESON:

H.R. 8985. A bill to increase the number of apprentices authorized to be employees of the Government Printing Office, and for other purposes; to the Committee on House Administration.

By Mr. DOMINICK:

H.R. 8986. A bill to prohibit the shipment in interstate or foreign commerce of articles imported into the United States from Cuba, to provide penalties for such shipment, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McDOWELL:

H.R. 8987. A bill to amend the act of July 13, 1946, to authorize the construction, maintenance, and operation of certain additional toll bridges over or across the Delaware River and Bay; to the Committee on Public Works.

By Mr. MULTER:

H.R. 8988. A bill to amend the act of March 3, 1901, to permit the appointment of new trustees in deeds of trust in the District of Columbia by agreement of the parties; to the Committee on the District of Columbia.

By Mr. THOMPSON of New Jersey:

H.R. 8989. A bill to amend the act of July 13, 1946, to authorize the construction, maintenance, and operation of certain additional toll bridges over or across the Delaware River and Bay; to the Committee on Public Works.

By Mr. HALPERN:

H.R. 8990. A bill to strengthen the criminal penalties for the mailing, importing, or transporting of obscene matter, and for other purposes; to the Committee on the Judiciary.

H.R. 8991. A bill to amend section 1461 of title 18 of the United States Code with respect to the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 8992. A bill to amend certain administrative provisions of title 38, United States Code, relating to the Department of Medicine and Surgery in the Veterans' Administration; to the Committee on Veterans Affairs.

By Mr. IKARD of Texas:

H.J. Res. 554. Joint resolution to avoid suppression of inventive diligence in America; to the Committee on the Judiciary.

By Mr. McDOWELL:

H.J. Res. 555. Joint resolution granting consent of Congress to the State of Delaware and the State of New Jersey to enter into a compact to establish the Delaware River and Bay Authority for the development of the area in both States bordering the Delaware River and Bay; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.J. Res. 556. Joint resolution granting consent of Congress to the State of Delaware and the State of New Jersey to enter into a compact to establish the Delaware River and Bay Authority for the development of the area in both States bordering the Delaware River and Bay; to the Committee on the Judiciary.

By Mr. STRATTON:

H.J. Res. 557. Joint resolution proposing an amendment to the Constitution of the United States relating to the eligibility of certain persons to vote for any candidate for elector of President and Vice President; to the Committee on the Judiciary.

By Mr. JONES of Missouri:

H.J. Res. 558. Joint resolution providing for printing copies of "Cannon's Procedure in the House of Representatives"; to the Committee on House Administration.

By Mr. DOWNING:

H. Con. Res. 381. Concurrent resolution declaring the sense of the Congress that no further reductions in tariffs be made during the life of the present Reciprocal Trade Agreements Act; to the Committee on Ways and Means.

By Mr. BECKER:

H. Res. 440. Resolution to authorize the Committee on Armed Services to conduct an investigation and study of the availability to members of the armed services of information concerning the struggle with Soviet imperialism; to the Committee on Rules.

By Mr. BOW:

H. Res. 441. Resolution authorizing a study and investigation of matters pertaining to international air transportation; to the Committee on Rules.

By Mr. GUBSER:

H. Res. 442. Resolution to authorize the Committee on Armed Services to conduct an investigation and study of the availability to members of the armed services of information concerning the struggle with Communist imperialism; to the Committee on Rules.

By Mr. RAY:

H. Res. 443. Resolution to authorize the Committee on Armed Services to conduct an investigation and study of the availability to members of the armed services of information concerning the struggle with Communist imperialism; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL:

H.R. 8993. A bill for the relief of Mrs. Susanne Wood Bottlang; to the Committee on the Judiciary.

H.R. 8994. A bill for the relief of Mrs. Elsie F. Larson; to the Committee on the Judiciary.

By Mr. DANIELS:

H.R. 8995. A bill for the relief of Tat Se Ng; to the Committee on the Judiciary.

H.R. 8996. A bill for the relief of Grace and May Ning, to the Committee on the Judiciary.

By Mr. MERROW:

H.R. 8997. A bill for the relief of Athanisia G. Koumoutsou; to the Committee on the Judiciary.

By Mr. RANDALL:

H.R. 8998. A bill for the relief of Robert S. Trumbull; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 8999. A bill for the relief of Dimitrios Verveniotis; to the Committee on the Judiciary.

By Mr. INOUYE:

H.J. Res. 559. Joint resolution authorizing the Secretary of the Air Force to admit a citizen of the Kingdom of Thailand to the U.S. Air Force Academy; to the Committee on Armed Services.

EXTENSIONS OF REMARKS

Aid to Education Legislation

EXTENSION OF REMARKS

OF

HON. JESSICA McC. WEIS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 30, 1961

Mrs. WEIS. Mr. Speaker, for those of us who have hoped during the entire session that soundly conceived education legislation could be considered and enacted by the House this year, the situation with which we are presented today is extremely disappointing.

Instead of a carefully considered bill called up for debate under normal procedures, we are confronted this afternoon with a hastily drafted piece of legislation brought to the floor under the seldom-used Calendar Wednesday procedure. No copies of the bill were even available until Monday. No hearings were held to consider the entirely new feature relating to school construction which the bill contains. No report from the Education and Labor Committee on the bill was available for study until we reached the floor of the House at noon today, just minutes before we were expected to cast our votes on the measure. No reasonable opportunity was given to file minority views to the committee report. No effort was even made to secure a rule from the Rules Committee.

Mr. Speaker, I submit that this is a slipshod and haphazard way of considering legislation which simply cannot be condoned. I am disappointed and discouraged that the administration and the leadership in the House have allowed a matter of such grave importance as the adequate education of our young people to come to this.

In the past, I have supported the National Defense Education Act, and I feel very strongly that it should be extended. I have supported the impacted areas program and it, too, should be continued. A year ago I supported President Eisenhower's efforts to secure enactment of a school construction program, and I continue to believe that the Federal Government can play an effective role in providing help in this area. I am in complete sympathy with the aims of Representative GREEN's bill, H.R. 8900, dealing with assistance to institutions of higher education.

But, Mr. Speaker, I am definitely opposed to the procedure which is being attempted here today, and I shall vote against consideration of H.R. 8890 in this manner. I sincerely hope that this effort to bring to bill to the floor today will be defeated and that as a result an opportunity to carefully analyze and

evaluate the administration's latest proposals will be available to us. Only in this way can those who are sincerely concerned with the Nation's educational problems insure themselves against the adoption of a hastily conceived and completely untried device for meeting the school construction problem.

You Don't Have To Be Crazy—The Individual and Education

EXTENSION OF REMARKS
OF
HON. ROBERT H. MICHEL
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 30, 1961

Mr. MICHEL. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From the Northern Virginia Sun, Aug. 21, 1961]

YOU DON'T HAVE TO BE CRAZY—THE INDIVIDUAL AND EDUCATION

(By Senator BARRY GOLDWATER)

U.S. Commissioner of Education Sterling McMurrin, speaking to the Harvard summer school on education administration, made a statement which, to my mind, reveals the hidden desire of the New Frontier to bring the education of our children under the control of the Federal Government.

Advocates of Federal aid to education angrily deny they seek dictatorial powers.

In my opinion, Federal control is explicit and implicit in every suggested Federal-aid bill we have considered.

At Harvard Mr. McMurrin said:

"Educational goals conceived only in terms of the individual welfare are no longer sufficient to insure the preservation of democracy in an age when continuing political, social, and cultural crises place the Nation in deadly peril."

"Educational goals conceived only in terms of the individual welfare are no longer sufficient," says Mr. McMurrin. Is this not a demand for collectivization?

The individual, through personal development of whatever talents he possesses, has made this country what it is today.

Individuals produce progress, not the Federal Government. Individuals establish morality, not the Federal laws. Individuals select the national goals and aspirations, not the Congress. Individuals exhibit love and compassion, not the corporate state.

It is the Communists who maintain the people who live under their domination. But the collectivists have failed miserably to achieve even the minimum of material well-being for their subjects, and certainly there is no spiritual satisfaction for those who live under Communist doctrine.

Here in the United States of America, on one-sixth of the world's real estate, a small fraction of the world's population, operating in a climate of individual freedom, has been created more material wealth than the rest of the world combined.

Here we have stamped out starvation, something no totalitarian state has been able to accomplish.

Our citizens, under what McMurrin now discards as the old-fashioned concept of individual determination, have enjoyed greater educational opportunities than have been available to any other children in the world.

On what valid ground can the U.S. Commissioner of Education argue that the preservation of democracy depends upon the abandonment of our historic educational concept?

How can he suggest that we must now forget the welfare of the individual and direct our concern to the collective?

Freemen as responsible individuals created this Republic and have perpetuated it for our benefit.

I am confident Mr. McMurrin is no Communist, but I think he advocates this central control because, like so many social reformers, he has accepted central dictation as the only acceptable solution to the problems of the 20th century.

I would remind Mr. McMurrin, and all who believe in centralized control, that in modern times tyranny has commenced with regimentation in the classroom, with the removal of individual determination and with the substitution of mass or collectivist objectives.

How do you stand, sir?

Washington Newsletter

EXTENSION OF REMARKS
OF
HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 30, 1961

Mr. CURTIS of Missouri. Mr. Speaker, it is not my regular practice to place in the RECORD the newsletters which I send to my constituents. In the past some of them have been put in the RECORD and I should like to insert my most recent newsletter in the RECORD as the result of a letter which I have received, a letter which I also wish to have appear as a foreword to my newsletter, for I believe that there are some important points raised in it. The letter, from Mr. Emmet Layton, of St. Louis, and my newsletter follow:

LAYTON, LAYTON & ASSOCIATES,
St. Louis, Mo., August 14, 1961.

Hon. THOMAS B. CURTIS,
Congressman, Second District of Missouri, Washington, D.C.

DEAR MR. CURTIS: You will find enclosed an abstract from your July letter which we have taken the liberty of printing for a limited distribution to those who might not otherwise have received it. All these years we have enjoyed and thoroughly appreciated your reports without writing to express our sincere gratitude. But your July communication was so very outstanding that we are compelled to let you know how deeply it impressed, how truly it satisfied, and how clearly it stated the problem which might well lie at the root of an increasing failure to communicate with each other.

It is with bewilderment that people find themselves surrounded by half truths and a distorted picture of their Nation, their environment and the very heart of what they have held most dear. Many of us are in an embattled position, forced to prove what should be considered self-evident.

The great creation which was—and is—the United States has something of a sacramental quality—an outward and visible sign of an inward and spiritual grace. The grace to be free and to share that freedom with others is being gradually eroded away to the point where the simple among us are confused, the mature are frustrated, and the intellectuals are angry—and often mad.

Is it possible for your July letter to be read into the CONGRESSIONAL RECORD? It deserves the widest possible distribution—and we thank you again, most sincerely.

Very truly yours,

EMMET LAYTON.

A REPORT FROM YOUR CONGRESSMAN REPRESENTING THE SECOND DISTRICT OF MISSOURI, TOM CURTIS

JULY 1961.

DEAR CONSTITUENTS: The deeper I get into the major issues that face our country today, the more difficult I find it is to pass back information to you. Part of this difficulty arises from the fact that some of these issues are complicated, but I am satisfied that this is not the essence of the problem. I find from my question and answer sessions with groups ranging from high school students to golden age clubs that the people by and large are perfectly capable of understanding the issues of the day, even when they are a bit complex. In fact, politics can be fun if we conduct it on the level of reason and not of prejudice.

EXCHANGE OF IGNORANCE

A new definition of an expert is as follows: You are an expert when the reporters begin quoting you on subjects outside your field.

Indeed, it is a great temptation to discuss subjects about which you have only a smattering of knowledge. Few of us can resist this temptation, particularly when we are egged on. Furthermore, the less we know about a subject, the easier it is to make sweeping generalities about it; the more we know about a subject, the more cautious we are in making unqualified statements.

Today in America we are engaged in a great exchange of ignorance. Experts have not exercised self-discipline about popping off on subjects outside their specialized fields. All of us are alert to the sensational, and that which is most sensational is a sweeping generality.

LABELING

The housewife has learned a great deal about the merchandising art of packaging and labeling products. She has learned the truth of the ancient maxim that all that glitters is not gold and has become wary. We ordinary citizens are just becoming aware of the fact that ideas are being merchandised just like soap. We must become wary and look behind labels to see what the real product is. We must look behind the handsome face and cultured voice of the salesman, or the hero who endorses the product, at the product itself.

We also must be wary of the negative sale—the sale that downgrades the ideas of the competitor instead of pointing up the virtues of one's own ideas. Or, worse still, the negative sale that avoids all discussion of the ideas and resorts to a personal attack on the label and the salesman of the competing ideas.

CRITICISM OUT OF CONTEXT

The most sensational generalities arise from criticism out of context. This kind of criticism is most difficult to handle because the criticism itself may be accurate. Just as soon as you try to put the criticism in context by pointing out the favorable points in the problem, the criticizer comes back to retort, "Oh, then you are satisfied with the situation," which of course, is not the case at all.

HARVEST OF SHAME

Let me illustrate by an example one of hundreds of examples from which I could select. Many of you saw the CBS television "documentary" film of our itinerant farm laborers narrated by Edward Murrow. I know this because many of you wrote to me about it asking me about its accuracy.

This film was a prime example of criticism out of context. There is certainly a serious problem in the standard of living of our itinerant farm laborers. However, let us put

the problem in context. It is not a new problem in America. It is not a neglected problem. A great deal has been done in the immediate past to get on top of this problem. It is a rapidly disappearing problem because of what the many people concerned with it, experts, have been doing about it. If Mr. Murrow wanted to show the problem in context, he would have gone to the experts to find out when the problem arose, what had been done about it, what was being done about it, and what the future prospects for eliminating the problem were. Furthermore, in context he would have pointed out that the problem existed nowhere in the world outside America, because it was not a problem of failure but a problem created by the success of our American system.

Our itinerant farmworkers are a social problem because of the contrast of their living conditions with the higher living conditions of almost everyone else around them. In Mexico, the living conditions of the American itinerant farm is so much higher than the general living conditions in Mexico that there is a 2- or 3-year waiting list to be permitted to enter the United States to become an itinerant farmworker.

Now, back to the beginning. Because I have tried to put the problem in context, does this mean I am satisfied with the progress we have made? Not at all. America thrives on criticism; that's one way we move ahead to improve our system.

FRUSTRATING THE COMMUNISTS

I once told a member of the Russian Embassy that in many respects the Russians were a great help to America. They were constantly on the alert to find things that were wrong in America, to pick at them, and try to build them into major issues that would damage America. However, America by and large is on the lookout for things that are wrong, and when things are brought to our attention we go out to correct them. There is nothing like an astute critic, whatever his motives, to bring improvement.

The damage occurs, however, when we permit the Communists or anyone else to get away with criticism out of context. By treating a matter out of context we can destroy the essential goodness and the progress we have been making in an undue concentration on the flaw that we are seeking to eliminate. So Mr. Murrow's broadcast hurt to some degree the progress we were making in coping with the problem by treating the matter out of context. He hurt America by directing a personal criticism against our society by the title he selected, "Harvest of Shame." Indeed, there is no shame in the amazing progress America has made in the field of agriculture, freeing men and women for the first time in history from the animal drudgery this activity has demanded. There is no shame in the contrast we have created between the itinerant farm laborers and the rest of our people unless we are to say that whenever any group moves ahead of another group it is shameful to have a lower group. The shame would exist if this were a problem that we were not doing something about. But we are doing something about it, and Murrow had to search pretty hard to get the pictures he did without showing the progress being made.

HEALTH, EDUCATION, AND WELFARE

Most of the criticism directed against our systems of promoting health, education, and welfare has been badly out of context. If we wish to criticize in context, let us start out with this basic and irrefutable statement—our society has the best health, education, and welfare of any society in history by a considerable margin. Furthermore, we have attained this high standard by preserving, indeed I would state by placing emphasis on, personal freedoms.

There has been a din of exchanges of bits of ignorance in this area. Let me point up one for illustration. Russia has a superior system of education. What is the truth? Russia has over half her children in rural areas, where there is no rural electrification, no farm-to-market roads, and very few schoolhouses. Russia has compulsory education in rural areas of only 4 years. Does this mean that we can learn nothing from Russia's quality educational programs? Of course not, we can learn from them and any society, but it certainly does mean that we should not seriously think for a minute of exchanging our educational system for Russia's.

It has been said that people over 65 have higher medical bills than any other age group in our society. This is true, and it is out of context because older people also have lower costs in every other area of their budgets than any other age group in our society—rent, clothing, food, recreation, and bearing the cost of rearing and educating children. It has been said that older people have lower incomes from salaries and wages than any other age group in our society. This is true, and it is also out of context because older people have more liquid assets and more savings than any age group in our society. Does this mean that we have no problem in the health cost of the aged? By no means, but on further analysis it shows that the problem of health costs is not peculiar to any age group. We all have the problem and it will be met, and is being met through more health facilities and more and better health insurance programs.

It has been stated that 18 million Americans go to bed hungry. This is true, and it is irresponsibility out of context. The statistic related to balanced diets and had nothing to do with financial ability to have balanced diets. The teenage group apparently has the least desirable balanced diet of any group in our society. Doctors are telling Americans to eat less and more selectively, and not eat more. If you follow your doctor's advice, you become one of the 18 million Americans going to bed hungry.

All of this criticism out of context bears great danger. 1. It may cause us to damage or even destroy a system which has produced the highest standards ever attained by any society, in our narrow concentration on the flaws we are seeking to correct. 2. It certainly does cause us damage in the eyes of the world which is hard put to believe that America's standards in health, education, and welfare are as high as they are.

RACIAL PROBLEMS

Probably there has been more criticism of America out of context in the field of race relations than any other area. So out of context has the criticism been that it shocks people to realize that in this area, too, nowhere in the world has there ever been such high standards of race relations as exist in the United States today.

A great deal of criticism is constantly being directed against the United States from India on the subject of race relations. Any student of India, or even a person with half a knowledge of India is aware of the fact that no people or no nation has such a poor record or standard of race relations.

Much is made of U.S. race relations in respect to the U.S. prestige in the new nations of Africa. Has anyone listened to those who have made a study of race relations between the various groups of native Africans? I am somewhat knowledgable of the Caribbean nation, Haiti, which is entirely Negro. Both race and class relations in Haiti are at such a low standard that to relate them to the problems in the United States is almost meaningless.

CUBA, LAOS, WEST BERLIN, AND FOREIGN POLICY

The exchange of ignorance that constantly goes on in the field of our foreign policy is the most shocking of all to one who digs into these matters. It does not shock our people generally, because they have been kept in the dark about even the rudiments of facts. Statements that are fantastically false are treated with the same response that carefully weighed statements receive.

The following is only a glimmer of what I am referring to. In my judgment, the essence of the Cuban situation lies in sugar. Under U.S. policy established and maintained over 50 years ago, Cuba has been encouraged to become and remain essentially a one-crop economy—sugar. All nations for defense reasons have to maintain a sure supply of sugar. Not to take care of our sweet tooth, but to manufacture industrial alcohol and other ingredients needed for ammunition, rubber, and other war materials. The U.S. sugar policy rests in this area. For 11 years the Congress has had no real hearings or open debates on sugar policy. When the Sugar Act has been extended, as it has from time to time, the issues have been decided behind closed doors by a very small group of Congressmen, Government officials, and people outside Government.

I have made many public statements on the need for the Congress, representing the people, to learn about sugar, and as they learn about sugar to inform our people about the issues surrounding it. By doing this, we probably will find the proper answer to Cuba, both for our benefit and for the benefit of the Cuban people.

HIDING INFORMATION FROM THE PEOPLE

I have concluded that the major issue facing the United States today is getting public debate on a higher plane * * * a plane that sets forth the proper rules of debate * * * a plane that permits those who have studied a field to be heard and the facts they have adduced to be weighed. This means that we must call the House to order and still the student voices of ignorance which shut out the voices of scholarship and reason. I have the greatest faith in the wisdom of the American people if they are permitted to hear honest and forthright debate on the issues that face us.

Amazing Export Policy of the Department of Commerce

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 30, 1961

Mr. PELLY. Mr. Speaker, I shall never understand or cease to be amazed by statements of Secretary of Commerce Luther B. Hodges in connection with his Department's administration of the Federal Export Control Act of 1949. His most recent pronouncement of administration policy in this field occurred during a press conference on Tuesday, August 29. The Secretary stated that the United States is making "doubly sure" it sells nothing of strategic value to Communist countries. Elaborating further, he went on to say, the Department of Commerce is exercising a "much tighter scrutiny" of license applications.

Finally, he said that the reason more licenses are being granted is because Department policy now demands quick "yes" or "no" answers to exporters requesting licenses for shipment to Iron Curtain countries and the Secretary attributes the increase in shipments to the speedup in decisionmaking. However, he concluded, the only licenses being granted are "for items demonstrably nonstrategic."

For the record, Mr. Speaker, let me cite the licenses issued, commodities involved, and the country of destination for the 2-week period immediately preceding the Secretary's press conference of August 29, starting with Monday, August 14 up to and including Friday, August 25:

Number issued	Country	Commodity description
21	Yugoslavia	Electron tubes.
		Processing vessels.
		Copper cable.
		Construction machinery and parts.
		Petroleum products.
		Copper scrap.
		Borates.
		Electronic testing machines and parts.
		Silicon.
		Automotive parts.
		Aircraft parts.
		Synthetic resins.
		Physical properties testing and inspecting machines.
		Iron and steel scrap.
		Semiconductors.
		Steel pipe.
		Synthetic lubricants.
5	East Germany	Semiconductors.
		Surgical and medical instruments.
		Cigar leaf tobacco.
		Technical data (patents filed).
		Synthetic resins.
6	Hungary	Technical data.
		Chemical specialties.
		Industrial sewing machine parts.
		Medicinal and pharmaceutical preparations.
8	U.S.S.R.	Steel and iron staples.
		Textile machinery and parts.
		Bakery machinery and parts.
		Glass products.
		Manmade fiber and manufactures.
		Asbestos gaskets.
		Saw blades.
8	Cuba	Spanish radio transcriptions.
		Small red beans; dry, ripe.
		Technical data.
		Vertical record-filing cabinets.
		Malaria eradication commodities.
1	Bulgaria	Industrial chemicals.
2	Rumania	Resistors.
		Synthetic resins.
15	Czechoslovakia	Industrial chemicals.
		Medicinal and pharmaceutical preparations.
		Industrial instrument and parts.
		Safety apparel and equipment.
		Geographical world globe.
		Rubber manufactures.
		Synthetic resins.

Mr. Speaker, I submit that this is a very sorry record. Consider for a moment the commodities cleared for export in this 2-week period. Substantial quantities of iron and steel scrap, copper scrap, industrial machine parts, aircraft parts, construction machinery, to name just a few. The question arises does the Secretary really think that the general public and the Members of this House are so naive as to believe these commodities are in fact nonstrategic? According to his quoted statements this must be the case. Consequently, Mr. Speaker, I urge prompt action on my bill, H.R. 8547, which would bring an immediate stop to this traffic by barring all trade with Communist countries and bring an abrupt and timely halt to the activities of these so-called fast decision makers in the Department of Commerce. At the same time, I urge that House Resolution 403, reported out by the Rules Committee, which would establish a Select Committee of the House to investigate the Export Control Act of 1949, be immediately called up for consideration.

The sands of time are indeed running out. The hour grows late, and we can no longer afford to dally and procrastinate on matters that so seriously involve the security of the United States.

Answer to Congressman Francis Walter in Connection With the Bureau of Security and Consular Affairs

EXTENSION OF REMARKS

OF

HON. ALFRED E. SANTANGELO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 30, 1961

Mr. SANTANGELO. Mr. Speaker, in the August 24, 1961, issue of the CONGRESSIONAL RECORD, on page 17022, my colleague, FRANCIS WALTER, of Pennsylvania, inserted a letter which he mailed to the editor of the Sons of Italy in Philadelphia, answering an allegedly unfair personal attack against him by me. He refers to a letter which the Federation of the Italian-American Democratic Organizations of the State of New York, Inc., of which I am president, sent to John F. Kennedy, the President of the United States, condemning Congressman WALTER for his threat to abolish the Bureau of Security and Consular Affairs in the State Department, subsequent to the President's announcement that he was going to appoint Salvatore Bontempo as Director and Michael Cieplinski as Deputy Director. Mr. WALTER invited me in his concluding sentence to answer him. Prior to Mr. WALTER'S letter, I had not inserted any article in the CONGRESSIONAL RECORD, and in view of Mr. WALTER'S invitation, I take this opportunity to reply to his statement and incorporate the resolution which the federation sent to our President, John F. Kennedy.

As long as Representative WALTER'S name is attached to the immigration law that is currently on our books and which is known as the McCarran-Walter law, it is difficult to see how he can escape the suspicion of prejudice against certain national groups. Many of the bills that he quotes to prove his pro-Italian sympathies would be needless if we had an immigration law based on fairness instead of on national origins which discriminates against immigrants from southern and eastern Europe. The national origins concept has lost its meaning in view of the lack of unimpeded access to the United States by American-born sons and daughters of Europeans who emigrated to the Western Hemisphere.

Not only does the general public dislike the McCarran-Walter law, but also do many of our colleagues, who have introduced omnibus legislation to abolish the law and to enact a law which they regard as fair and reasonable. Approximately 28 Congressmen at some time or other led by Congressman CELLER, of New York, chairman of the Judiciary Committee, have introduced omnibus immigration laws designed to repeal the McCarran-Walter law.

Eastern Europe is now largely closed to us as a source of immigrants, but no European who lives in a country whose quota is filled for the next 10 years or more while thousands of unfilled quota places remain elsewhere is likely to think of Congressman WALTER as a friend and benefactor. Mr. WALTER is regarded by many as "Mr. Immigration." No legislation apparently can be enacted without his approval.

During the last presidential campaign, our President pledged to me in writing that he would espouse legislation revising the immigration law to make it more humanitarian, to reunite families, and to reallocate unused quotas. While Congressman WALTER has introduced legislation this year, meaningful immigration laws carrying out the President's program has not been forthcoming. In view of Mr. WALTER'S breastbeating as to his accomplishments, I urge him to take action this year to carry out the President's pledge of reunification of families and reallocation of unused quotas.

I notice that while Congressman WALTER attacked the appointments of Salvatore Bontempo and Michael Cieplinski, he makes no mention of their conduct in the positions for which they were appointed. Is it possible that in the short period of time since their appointment that they have proven to be able men and that they are doing the job well? Finally, it will be much easier for Americans to stop being Italian-Americans or Polish-Americans when laws such as the McCarran-Walter immigration law are no longer in existence to remind them of their origins:

The original resolution of the Federation of the Italian-American Democratic Organizations of the State of New York, which is the basis of our controversy, is set forth, as follows:

Whereas the President of the United States has recently nominated Salvator Bontempo as Administrator of the State Department Bureau of Security and Consular Affairs, an American of Italian ancestry from New Jersey, and Michael Cieplinski as Deputy Administrator, an American of Polish ancestry from New York; and

Whereas as the appointees are qualified by reason of their background and demonstrated experience; and

Whereas Representative FRANCIS E. WALTER, of Pennsylvania, has taken unprecedented steps to prevent the appointees, Salvator Bontempo and Michael Cieplinski, from serving in the posts to which they have been designated by threatening to abolish the entire Bureau of Security and Consular Affairs, a bureau of 800 which handle pass-

ports and visas and refugee problems, and also makes security checks on all State Department employees, and which was created 8 years ago by a bill coauthored by Representative WALTER; and

Whereas the aforesaid Bureau has performed and is performing valuable functions essential to the security of our Nation; the Federation of the Italian-American Democratic Organizations of the State of New York, Inc., believes that such legislation to abolish the Bureau is motivated by obvious personal prejudices and considerations rather than by the best interests of the welfare of the United States; and

Whereas, the federation believes that Representative WALTER's actions are a manifestation of discriminatory attitudes toward nationality groups, particularly against peoples of the Mediterranean area and Slavic countries as demonstrated in the provisions of the biased Walter-McCarran Immigration Act: Now, therefore, it is

Resolved, That the federation protests and condemns the attempted rebuke of the President of the United States through the methods of Congressman WALTER's proposed legislation to abolish the Bureau of Security and Consular Affairs subsequent to the President's nominations; and it is further

Resolved, That the federation condemns the attitude and conduct of Representative FRANCIS E. WALTER in seeking to abolish the State Department's Bureau of Security and Consular Affairs to which Salvator Bontempo and Michael Cieplinski have been nominated by the President of the United States to serve.

Should Congressional Committee Hearings Be Televised?

EXTENSION OF REMARKS
OF
HON. JOHN S. MONAGAN
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 30, 1961

Mr. MONAGAN. Mr. Speaker, one of the most respected Members of Congress recently prepared for publication in TV Guide a most illuminating commentary on the question "Should Congressional Committee Hearings Be Televised?"

Under leave to extend my remarks, I include in the RECORD this very convincing argument by our colleague, the gentleman from New York, EMANUEL CELLER, in opposition to the televising of congressional committee hearings:

SHOULD CONGRESSIONAL COMMITTEE HEARINGS BE TELEVISED?

(By Representative EMANUEL CELLER, of New York, chairman of the House Judiciary Committee)

Hearings before congressional committees, like regular sessions of the Senate and the House of Representatives, have traditionally been open to members of the public and to the press. This enables the people to keep posted on the activities of their Government, as befits citizens in a democracy. With the coming of television the question has arisen whether this powerful new mass medium should be given the run of congressional hearing rooms under the same terms, subject only to technical limitations, as are now accorded members of the working press. The Senate has no rule on the subject—each committee decides for itself, and Senate committee hearings are sometimes televised. On the House side, however, Speaker SAM RAYBURN has, wisely, I believe, refused to permit televising of committee hearings. The present statement was stimulated by Senator JOHN L. MCCLELLAN's interesting article in the May 6 issue of TV Guide magazine, in which he advocates the use of television in this area.

Those who, like Senator MCCLELLAN, recommend that congressional hearings should be televised stress the growing interest of the American people in public affairs. To encourage and satisfy this interest, they argue, it is well to take the people fully into confidence by letting them see and hear, as well as read about, the legislative process.

Procedural fairness will be guaranteed, these protagonists of congressional TV contend, by the fact that possible dictatorial or arrogant behavior by Congressmen toward witnesses will show up and discredit those responsible. On the other hand, they urge, defiant, evasive, and untruthful witnesses will be deterred from excesses or be publicly exposed.

I am unable to share these optimistic estimates of the results of televising committee hearings. Indeed, I fear that we have much more to lose than to gain by turning these necessary fact finding proceedings into television spectaculars.

The heart of the matter is that television, for all its unquestioned wonders, is not well adapted for broadcasting the sober, fact-finding inquiries that committee hearings are supposed to be. Nor does the undoubted success of the medium in broadcasting ceremonies, addresses, press conferences, and debates afford a basis for contrary view. All such events are spectacles; they are intended to be spectacles. They edify as spectacles. What is more, whether the purpose be to dramatize our national traditions, to win or hold political support, or to inform the audience on public issues, the participants in these spectacles exhibit themselves voluntarily.

By contrast, the purpose of committee hearings is neither to dramatize, nor to vie for political preferment, nor to entertain the public. It is to inform the members of the committees with respect to the virtues and shortcomings of pending measures and with respect to the need for legislation not yet introduced. Indeed, the sole justification for the exercise of the subpena power of Congress, with its attendant sanction of punishment for contempt, is the search for truth. What is more, in the exercise of that power, congressional committees frequently summon to their hearings participants who do not appear voluntarily, who have not participated in the formulation of the ground rules and whose interest may even be to conceal or misstate the truth, rather than aid in its search. Whether subjecting such people to the glare of television cameras is calculated to transform their reluctance into cooperativeness is open to serious question.

Insofar as congressional committee hearings partake of the nature of accusatory proceedings, witnesses are neither accorded the traditional safeguards of the criminal law such as the right to cross-examine, nor do they enjoy the privacy imposed upon grand jury proceedings. In consequence, if the chairman and committee members be unfair, witnesses face the risk of irreparable damage to their reputations under extremely unequal, not to say prejudicial, circumstances. What valid purpose can be served by subjecting them to the further ordeal of television lights and national network audiences?

There are other reasons why the medium is inappropriate for broadcasting such proceedings. I am breaching no confidence when I observe that Members of Congress are, in the nature of their elective office, extremely sensitive to publicity. The tendency of committee members to "get in the act" in the course of hearings is well known. This compulsive need to compete for the spotlight is immeasurably stimulated when hearings are broadcast live.

Congressional TV cannot be justified by the assertion that the television public has a right to see and hear, in its living rooms, what goes on at these hearings. Historically, the publicity of legal proceedings was and is a right of the litigants.

Nor has it been established that the interest of the people in receiving telecasts of committee hearings arises primarily from a desire to observe the Government at work. Judging from the type of broadcast the industry has presented, the general public is less interested in the serious, detailed consideration of problems than in the confessions of a Charles Van Doren, the humiliation of a Sherman Adams, the discomfiture of discredited corporate executives, the surliness of racketeers at bay, the number of times a witness takes the fifth amendment. It is the sensational, not the solid, on which coverage is focused.

Finally, it should be noted that although committee hearings are an important part of the legislative process, they are not the only or the most important part. It is the executive sessions of the committees in which the real give-and-take of the process predominantly takes place, and the debates on the floor of the House and Senate in which conflicting views and interests are finally resolved. Only the committee hearings, however, are proposed to be televised, for only they lend themselves to a publicity free-for-all for committee members.

I emphatically agree with the observation that Government business is not show business. The work of Congress requires sober reflection and quiet deliberation. It cannot operate at its best under the scrutiny of floodlights, invisible audiences, and the confusion of light and sound equipment. We must not permit any practice, however popular, that tends to weaken the functioning of Government.

The Mexican National Lottery

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 30, 1961

Mr. FINO. Mr. Speaker, I would like to tell the Members of this House about the national lottery of our southern neighbor, Mexico.

In 1960 the gross receipts of the Mexican national lottery were over $55 million. The net income to the Government in that year was better than $14 million.

Mexico, like the other nations of Latin America, realized the merits of lotteries long ago. There is not one Latin American nation that does not have a national or state lottery. In Latin America, the lottery is a time-tested and proven financial device dating back several centuries.

It is time that we in the United States overcome outdated prejudices and biases to take the proper view of gambling and its relation to the Government. Gambling is ineradicable—the Government must act to control it rather than seek to ignore it—and a national lottery would make the gambling urge work for the public welfare.

Address by Senator Barry Goldwater, of Arizona, Montgomery County, Md., August 14, 1961

EXTENSION OF REMARKS
OF

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 30, 1961

Mr. MATHIAS. Mr. Speaker, on August 14 I had the privilege of introducing the distinguished junior Senator from Arizona, BARRY GOLDWATER, as the principal speaker at a meeting in Montgomery County, Md. The speech of Senator GOLDWATER follows:

SPEECH BY SENATOR BARRY GOLDWATER, OF ARIZONA, AUGUST 14, 1961

Congressman MATHIAS, Chairman KYLE, fellow Republicans and I suspect, as the chairman mentioned, a few Democrats. They have no other place to go today—and we certainly welcome them. I first want to apologize for having been late. I acted just a New Frontiersman on the way out. I didn't know where I was going.

This neighbor-to-neighbor campaign is one that produced results in 1960 and is one that will produce results in 1962. And let me start right at the outset by telling you people that 1964 is a long ways off. But 1962 is right around the corner. And I don't know if this country can stand 4 full years of the Kennedy treatment. And the only way that we can make sure that we can is to elect a Republican House of Representatives in 1962 which I am convinced we can do. Not only can we take the House, I think we can make rather sizable gains in the Senate—although taking control of that body would be somewhat of a dream right now. We have just too many southerners who are up for reelection and while we are making gains down there, we are not quite strong enough yet. But we do think in the Senate that we can retain the Republican Senators that we have up for reelection, some 15 of them, and we can pick up 7 or 8 Democratic seats, if we get to work, and I mean work hard. You've got JOHN BUTLER running for reelection in this State in 1962 and it is absolutely imperative that he be returned to office. JOHN is one of the most conscientious, hard-working Senators that I know in the whole body, and the thing that I like about him is that he thinks of himself as a U.S. Senator, not just as a Maryland Senator. As you know, there is such a thing as a United States, and in the Constitution we are pretty much charged with thinking of our Republic instead of being selfish in a narrow way and only thinking of our States. And whenever you hear of someone wanting to tamper with the Constitution, or the Bill of Rights or any of the basic concepts of our Republic, you'll find JOHN BUTLER out in the lead trying to defeat that. And you've got "MAC" MATHIAS here running again, in this district, in 1962. So don't be thinking about 1964. We can take care of 1964, if we win big in 1962. But if we don't make sizable gains in 1962, frankly, I don't see much hope in 1964.

And don't think that the time isn't ripe. Why, if this election could be held tomorrow, there'd be no question about the outcome. Governor after Governor would be Republican. Statehouse after statehouse would be Republican. The House of Representatives would be Republican. I have traveled since the election in all 50—I'll take it back—49 States. I haven't been back to Alaska yet, and I find the kind of enthusiasm we need every place I go. It isn't just here in Maryland. It's everywhere. And every single speaker we have out, reporting back every Tuesday morning, is just flabbergasted by the amount of enthusiasm in this country for the Republican Party. It's better, frankly, than it was during the election. Don't ask me why, but it is. The people of America are more disturbed today than I have ever seen them in my political life. I think they have every reason to be disturbed. There is great evidence of this disturbed feeling.

We elected a Republican in South Carolina last week. Now, can you imagine that? The first time in history. We elected, about 2 months ago, our first Republican officeholder in the history of Georgia. And, of course, we elected a Republican in Texas, which is really remarkable. Oh, they're trying to blame that on all kinds of things except the wonderful candidate we had and the fabulous organization Republicans put together. I think you ladies would be interested in knowing that they had ladies of all ages, all over Texas, and they called themselves "Tower's Tomatoes." They wore bright red skirts—they looked like tomatoes, real good tomatoes. They went around punching doorbells and working hard.

And, of course, down there the Vice President lives, and some Texans haven't forgotten that. They're a little upset. We don't like to be too harsh on the Vice President, though, because he did develop something new in this last election. You know he got the State legislature to allow him to run for two places on the ballot. In fact, he could have run for more than that—and—don't laugh about it, because to us in politics it's sort of the Townsend plan. It's Federal aid to the aged politician. You see, if we extend this as far as we can, we can run for every position on the ballot. Now you can't lose them all. You've got to win one or two. I've always thought out in my State of Arizona that I'd like to be sheriff some day; but my legs are too straight.

But these indications that I've given you are not indications of something that just happened. These Republican victories in the Deep South are just the beginning. I might tell you, we expect to win two or three House seats in Texas and we expect to win two or three more seats in Florida. We feel we actually have a chance for a seat in the House of Representatives from Georgia. Now this is on the move. The trend has been developing for a long time. And people haven't paid attention to it. It's been occasioned by young people in the South—growing up realizing that they cannot live under a single-party system; that they have to have a two-party system; that there has to be competition between the parties all over this country in order that the best men and the best women can be sought to run for election and be elected to office.

Because that's all we're interested in—whether we be a Jeffersonian Democrat or a Republican—we're interested in good government. I have to make a definite differential between the word "Democrat" and Jeffersonian Democrat—because there's a great difference. There are many people today traveling under the name of Democrat, who aren't quite sure of its spelling, and have learned about the Democratic Party more from Walter Reuther and John Galbraith and Arthur Schlesinger, than they have from the teachings of Jefferson.

Now I want to try to impress upon you Republicans and you Democrats who are interested in good government, what happened in the 1960 election. Now, if we forget losing the Presidency—and I'll admit every day that gets harder to do, if we'll just forget that—we had, in my mind, the best election we've had since 1928 in the Republican Party. We picked up 307 members in State legislatures around America. We won two new governorships. We control eight more legislatures. We elected 21 new young Members to the House of Representatives. And we have advanced in local and county government. We elected a total of three new Members to the U.S. Senate—although one, unfortunately, died before he could be sworn in. So the move is on, and this is another move that hasn't just started. We took our whipping in 1958 and many of us saw this coming back as far as 1954, when we were beginning to lose sheriff races and races for State legislatures and gubernatorial races. Then came 1958 and the great debacle that year, and Republicans all over this country began to get to work. And as a result, in 1960 we had an outstanding success, as I say, if we forget the loss in that very close election up on top, which, of course, we can't do anything about.

I heard a disturbing thing along this line coming out here tonight while I was trying to find this school: I heard that there was a rumor that somebody had broken into the county courthouse in Cook County and stolen next year's election.

We don't want that to happen. No, I think America has finally reached a point in its history where, once again, the people are going to make a decided and important change in its political orientation. Now, this isn't anything new in American government. We've gone through these cycles ever since we've been a Republic; ever since we've had a Constitution. We have been successful in government and our people have grown apathetic and lazy and have allowed people to get into government that did not have the best interests of our governmental way of life at heart. I recall 30-odd years ago, during my 1 year in college, the great swing against conservatism. For no reason at all we were resisting conservative professors and conservative businessmen and conservative politicians. We were doing it because we were young people and we were tired of being told what to do, and tired of being told that there was only one concept of government, one concept of economics.

And now, as I travel across America and see in audiences like I see here tonight, a great overwhelming preponderance of young people, I realize what's going on. The same thing in the opposite direction that took place in the late 1920's and early 1930's. The young people of today are asking themselves—why is it, after we have been through some 20 years of the best business in the history of our country—why are we spending four to five times as much on relief as we did when we first started it? Why is it that after having spent billions of dollars in an effort to alleviate what was called by Franklin Roosevelt the suffering of the people, to relieve "one-third of the nation," as he used to say, "who were poorly housed, underfed, poorly clothed"—do we still hear the President of the United States asking for more funds to help 17 million people "who go to bed hungry every night," and one-third of the people who are "poorly housed and poorly clothed"?

Young people are very naturally asking themselves, "Is this the way? Is the centralizing of all Government in Washington the answer to our problems, whether they be social problems, humanitarian problems, or the problems of the world?" And the young people are answering themselves by saying, "No"—more and more and more. Young people are looking to the Republican Party to bring to them the kind of government that they know this country deserves; that they know this country has to have if we are going to continue as a free people. The centralizing of government in the city of Washington is the most insidious, most dangerous thing that is happening to the American people today.

I don't rule out communism. I am not like the chairman of the Foreign Relations

Committee, who wouldn't know what to do with victory if we won it; who doesn't like the idea that we talk about communism as being a danger. I recognize it as a danger. But there is a far greater danger going on right here in America, and that danger is wrapped up in the idea that you and I as American people can no longer do for ourselves the things that we should. And that we should look instead to Washington; that the money we work hard for, the property we acquire, should be spent by an all-wise Government in Washington, which knows far better than we know about our local needs.

In fact, you are probably aware of the current argument that's been going on in the Senate this week. Senator STROM THURMOND, of South Carolina, and Senator FULBRIGHT, of Arkansas, and others. This was started, I might say, by a memorandum that was sent by Senator FULBRIGHT to the Defense Department, suggesting that commanding officers not be allowed to discuss problems that they see arising in our country. Yes, they could discuss the enemy, they could discuss military matters, but to discuss dangerous trends in our Government is taboo any more. Well, I happen to be a part-time military man, but tonight I am not. Tonight I am a Senator. So that rule of McNamara doesn't apply to me.

The very interesting thing that has come out of this, that most of the newspaper writers have overlooked so far, has been this fact: nobody likes being associated with Communists, Socialists—with any other form of government, in fact, than our own. And yet, as Senator THURMOND has brought this message day after day to the American people—if we teach the true nature of communism we must recognize that it has a close alliance with socialism.

The people are beginning to think in a way that the—what I call the radical, not the liberal—the radical, has prayed they would never think in. More and more Americans are beginning to understand that all forms of government other than the governments of free men, require central control to become effective. This is a common and an absolutely necessary ingredient of government collectivism. I don't care whether we call it communism, socialism, Fabianism, the welfare state, planned economy, the New Deal, Fair Deal, or the New Frontier. Contained in every one of these, is the absolute essential of government control. And people who have been advocating this, newspaper editors who have been editorializing for the welfare state, do not like to be reminded that they are talking about something that has the same first cousin as all of the other "isms" in the history of man, and that we have today.

Now, whether we call this the welfare state, communism, or something else, the responsibility for the welfare and prosperity and security of the people is presumed by these radicals to rest entirely with the central government. Now, let's take a look at that. If that were the way our Government should have been run, our Constitution would never have been written.

Our Constitution was written by men fresh from Europe and England, where bureaucracy ran rampant; where lives were controlled; where business was controlled; and they came to the shores of America, not to establish another Socialist order or bureaucratic order. They came here to discover what freedom actually is, and they did that. They built a government that would protect those freedoms. And these wise old men who lived here in Maryland and Virginia, Delaware, and in the Thirteen Original Colonies, these men to whom you and I owe so much, these men who said that they would risk their lives, their fortunes, and their sacred honor, for this Government that they gave us, they discovered why we are free people. They discovered it when Tom Jefferson put down what I guess all of them knew, that we are endowed by our Creator with certain inalienable rights and among these are life, liberty, and the pursuit of happiness. If this isn't a good national goal today, and I read an awful lot from pretty smart people who say that we need new national goals—if the pursuit of life, liberty, and happiness isn't a good national goal, today, then I suggest that we have to change our form of government. Because the entire Constitution was written to protect these rights, to enable us to use them, to protect these rights from the vagaries of men. And men, today, remain the problem of government, the problem of the world—just the same as men have always been the problem.

What we are doing today in government is flaunting the very concept of the American Republic. We are doing it by telling people, "Oh, you don't have to work. We'll take care of you. Don't worry about your father and mother when they get 65. We're going to have a Federal old-age home for them some place. We'll fix them up." And they're telling parents, "Don't be concerned about your children's education. Don't worry about the PTA, the school board, the county school superintendent, the State school superintendent. Oh, we have some very wise people in Washington who can run these institutions much better than you." In fact, you ought to read some interesting material. Get the book they put out on the education problem. It even goes further. We are going to be responsible for international education. Handling our States isn't enough.

This is the trend that we have taken, ladies and gentlemen: that Americans all over this country are reacting to. I don't buy the idea that the American people have succumbed to the low moral attitude that the Romans did when they thought government should and could provide everything for them. Oh, government might feed you, it might give you the material things of life; but it can't give you peace. It can't give you happiness. It can't give you freedom. You take away the dignity of man by making him subservient to some government, and you have destroyed freedom. You take away freedom, and what good is living? I am disturbed in this vein by some of the utterances of the New Frontiersmen, who go around the world preaching that we can have coexistence, peaceful coexistence, with a philosophy of government that for years has announced as its only goal in life the destruction of the world, and the rebuilding of it in their image. And yet, peaceful coexistence is talked—we hear it everywhere we go.

I don't think there is an American living who actually would like to crawl on his hands and knees to Moscow to avoid having one bomb dropped.

And there is absolutely no question in my mind that the American people stand behind President Kennedy's words of just a few days ago, when he told Mr. Khrushchev what we intended to do about Berlin. I don't think there's a doubt in any American's mind, that if the call comes, we are going to go. No American, Democrat or Republican, wants war. But no American should ever be afraid to fight for the things other Americans have fought and died for. But our people are disturbed. And I find as much of it centered in the failures of our foreign policy over the last 40 years as I do in the concern over the drift in our domestic policy. This is a real concern. The people are not very proud of the United States and its relationship with the problem they call Cuba. They are not very proud of the United States in its relationship with problems that we have created ourselves around the world by being too timid.

Americans, I believe, are tired of having foreign countries write our foreign policy. I think what Americans want, if you don't mind my own personal opinion gained from talking with literally hundreds of our people, is direction. They want to know what is our foreign policy. They suspect it's peace. I haven't heard anyone spell it out; I suspect it's peace. Is it honorable or dishonorable peace? They want honorable peace. And they want to be told how we are going to achieve this. What are we going to do in a psychological way and an economic way, in a political way, to win over communism? Now, mind you there's only one other alternative. And that's defeat. There's no halfway between this thing you call victory and defeat. Because if you try to live with an enemy that's out to destroy you, you're not going to be very happy—because the requirements of that living are going to mean doing away with the things we Americans like. I don't think Americans are too impressed with the idea of that kind of life. They don't like the idea of our continuing to talk about disarmament when—what have we got to give up? I keep thinking of a little simile in this respect. Here's a man about 7-foot five, who weighs about 260—and he's as hard as that table—and I know that just one whack with his fist and I am all through. But I have a gun. And he knows it. One day he says to me, GOLDWATER, let's talk disarmament.

We have that gun. We have the Strategic Air Command. We've got the greatest air force and the greatest military power that the world has ever known. And our enemies just want us to give it up. It's as simple as that—and I don't think we ought to be talking about it at a time when we ought to be maintaining and building our strength instead of appearing like we would weaken and yield in cases here and there and elsewhere.

These things I speak of are not new. And this of course is the surprising thing. We should get everybody in the United States to read history. It would show, for example, that it was the temper of the American people in 1898 that sent us to free Cuba. McKinley resisted it; the Congress resisted it; but the people won. It's been that way in every battle we've gotten into, every battle, whether it's meant war or short of war or argument. The American people have made themselves felt and now in this day and age the people are remembering that the Constitution starts out by saying, "We, the people,"—and they're starting to do something about it.

And the young people are recognizing what we in my generation didn't recognize, that there is a grave responsibility to government, to good government, and that we Republicans present today the only fully sound argument for good government that can be presented by either political party.

And don't buy this idea that the Republican Party is split—that there's some Grand Canyon between a Republican like Goldwater and a Republican like Rockefeller. That's not true. There are many, many areas of agreement. I'd hate to put Proxmire and Harry Byrd together.

Let's not in 1962 and in 1961 get sold on this idea that there is a fundamental difference in this party that's tearing us apart. There is difference. We'll all admit that. But there's also great areas of agreement. And as you go out and sell this party and its candidates to the people in your community and in your congressional district, you're going to have to have the answers—for these questions that they are going to raise with you about the great differences in this party. We actually, if you could see the statistics, are surprisingly close together, even though in some instances we are surprisingly far apart. But we have to have some fun some way. I can't think of anything worse than going through a day without an argument.

So, ladies and gentleman, in closing, let me as a Republican of a State many, many miles from you congratulate you upon what you did and urge you to keep this up—to let this spread.

We've done something like this in my own State. In 1946 when we started the work as a Republican Party, the registration was 9½ to 1 against us. And today I think when they count all the noses it's going to be about 1½ to 1. Their lead is coming down. We're getting closer and closer. But it hasn't been the work of one or two or four or five people. It's been the dedicated work of lots of people, particularly young people, and particularly young women. I have often said at home, you men write the checks and go on about your gin rummy and golf, and give me your women—and we'll win the election. That's what we do.

Equal Rights for Women

EXTENSION OF REMARKS
OF
HON. CATHERINE MAY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 30, 1961

Mrs. MAY. Mr. Speaker, on Monday of this week during the observance of the 41st anniversary of women's suffrage, the complete listing of Members of Congress who have introduced House joint resolutions on the equal rights for women amendment in the 87th Congress was not available to me.

Inasmuch as the discussion on the floor of the House should have given recognition to the 128 Members of the House who have introduced the resolution, I, under unanimous consent, include the listing of these Members and States represented at this point in the RECORD:

HOUSE JOINT RESOLUTIONS ON EQUAL RIGHTS FOR WOMEN AMENDMENT INTRODUCED IN THE 87TH CONGRESS

Hon. KATHARINE ST. GEORGE, of New York.
Hon. MARTHA W. GRIFFITHS, of Michigan.
Hon. GORDON L. MCDONOUGH, of California.
Hon. ABRAHAM J. MULTER, of New York.
Hon. JESSICA MCC. WEIS, of New York.
Hon. J. CARLTON LOSER, of Tennessee.
Hon. GEORGE H. FALLON, of Maryland.
Hon. JAMES W. TRIMBLE, of Arkansas.
Hon. FRANK T. BOW, of Ohio.
Hon. CLEVELAND M. BAILEY, of West Virginia.
Hon. JAMES E. VAN ZANDT, of Pennsylvania.
Hon. JOHN J. RHODES, of Arizona.
Hon. EDWARD A. GARMATZ, of Maryland.
Hon. EUGENE SILER, of Kentucky.
Hon. RICHARD E. LANKFORD, of Maryland.
Hon. CLARK W. THOMPSON, of Texas.
Hon. WILLIAM C. CRAMER, of Florida.
Hon. SAMUEL N. FRIEDEL, of Maryland.
Hon. CATHERINE MAY, of Washington.
Hon. CHARLES MCC. MATHIAS, JR., of Maryland.
Hon. GLENARD P. LIPSCOMB, of California.
Hon. DANIEL B. BREWSTER, of Maryland.
Hon. THOMAS F. JOHNSON, of Maryland.
Hon. WILLIAM A. BARRETT, of Pennsylvania.
Hon. FRANK M. CLARK, of Pennsylvania.
Hon. GLENN CUNNINGHAM, of Nebraska.
Hon. ELFORD A. CEDERBERG, of Michigan.
Hon. SILVIO O. CONTE, of Massachusetts.
Hon. F. BRADFORD MORSE, of Massachusetts.
Hon. OTTO E. PASSMAN, of Louisiana.
Hon. CHARLES M. TEAGUE, of California.
Hon. JAMES A. BYRNE, of Pennsylvania.
Hon. GEORGE HUDDLESTON, JR., of Alabama.
Hon. HARRY R. SHEPPARD, of California.
Hon. ABNER W. SIBAL, of Connecticut.
Hon. D. S. (JUDGE) SAUND, of California.
Hon. HAROLD T. JOHNSON, of California.
Hon. HARLAN HAGEN, of California.
Hon. MARGUERITE STITT CHURCH, of Illinois.
Hon. D. R. (BILLY) MATTHEWS, of Florida.
Hon. GEORGE E. SHIPLEY, of Illinois.
Hon. KATHRYN E. GRANAHAN, of Pennsylvania.
Hon. JOHN E. MOSS, of California.
Hon. CHARLES S. GUBSER, of California.
Hon. JOHN H. DENT, of Pennsylvania.
Hon. EDWARD P. BOLAND, of Massachusetts.
Hon. WILLIAM H. AVERY, of Kansas.
Hon. J. ERNEST WHARTON, of New York.
Hon. ELMER J. HOLLAND, of Pennsylvania.
Hon. VICTOR A. KNOX, of Michigan.
Hon. WILLIAM B. WIDNALL, of New Jersey.
Hon. JULIA BUTLER HANSEN, of Washington.
Hon. PAUL B. DAGUE, of Pennsylvania.
Hon. WILLIAM E. MILLER, of New York.
Hon. FRANK C. OSMERS, JR., of New Jersey.
Hon. ALEXANDER PIRNIE, of New York.
Hon. FRED SCHWENGEL, of Iowa.
Hon. GORDON H. SCHERER, of Ohio.
Hon. WILLARD S. CURTIN, of Pennsylvania.
Hon. CHARLES C. DIGGS, JR., of Michigan.
Hon. HARLEY O. STAGGERS, of West Virginia.
Hon. WILLIAM K. VAN PELT, of Wisconsin.
Hon. PHIL WEAVER, of Nebraska.
Hon. EDWIN B. DOOLEY, of New York.
Hon. THOMAS M. PELLY, of Washington.
Hon. CLIFFORD DAVIS, of Tennessee.
Hon. JOHN DOWDY, of Texas.
Hon. JOE L. EVINS, of Tennessee.
Hon. IVOR D. FENTON, of Pennsylvania.
Hon. JAMES G. FULTON, of Pennsylvania.
Hon. LESTER HOLTZMAN, of New York.
Hon. JACK WESTLAND, of Washington.
Hon. HAROLD D. DONOHUE, of Massachusetts.
Hon. H. R. GROSS, of Iowa.
Hon. PAUL A. FINO, of New York.
Hon. RICHARD S. SCHWEIKER, of Pennsylvania.
Hon. JOHN JARMAN, of Oklahoma.
Hon. PETER FRELINGHUYSEN, JR., of New Jersey.
Hon. CHESTER E. MERROW, New Hampshire.
Hon. VICTOR L. ANFUSO, of New York.
Hon. CLIFFORD G. MCINTIRE, of Maine.
Hon. GRACIE PFOST, of Idaho.
Hon. HARRIS B. MCDOWELL, JR., of Delaware (by request).
Hon. WILLIAM L. SPRINGER, of Illinois.
Hon. HORACE SEELY-BROWN, JR., of Connecticut.
Hon. PETER A. GARLAND, of Maine.
Hon. STANLEY R. TUPPER, of Maine.
Hon. A. S. HERLONG, JR., of Florida.
Hon. CATHERINE D. NORRELL, of Arkansas.
Hon. WILLIAM T. CAHILL, of New Jersey.
Hon. MILTON W. GLENN, of New Jersey.
Hon. E. Y. BERRY, of South Dakota.
Hon. HERMAN TOLL, of Pennsylvania.
Hon. PHILIP J. PHILBIN, of Massachusetts.
Hon. JAMES A. BURKE, of Massachusetts.
Hon. JOEL T. BROYHILL, of Virginia.
Hon. WM. W. SCRANTON, of Pennsylvania.
Hon. JACKSON E. BETTS, of Ohio.
Hon. B. F. SISK, of California.
Hon. WALTER L. MCVEY, of Kansas.
Hon. FRANK KOWALSKI, of Connecticut.
Hon. ARNOLD OLSEN, of Montana.
Hon. WILBUR D. MILLS, of Arkansas.
Hon. WILLIAM G. BRAY, of Indiana
Hon. RICHARD L. ROUDEBUSH, of Indiana.
Hon. WM. J. RANDALL, of Missouri.
Hon. JAMES E. BROMWELL, of Iowa.
Hon. JAMES A. HALEY, of Florida.
Hon. CARROLL D. KEARNS, of Pennsylvania.
Hon. E. ROSS ADAIR, of Indiana.
Hon. HAROLD R. COLLIER, of Illinois.
Hon. FLORENCE P. DWYER, of New Jersey.
Hon. ARCH A. MOORE, JR., of West Virginia.
Hon. OREN HARRIS, of Arkansas.
Hon. SEYMOUR HALPERN, of New York.
Hon. DANIEL K. INOUYE, of Hawaii.
Hon. FRANK W. BOYKIN, of Alabama.
Hon. FRANK STUBBLEFIELD, of Kentucky.
Hon. CHARLES C. DIGGS, JR., of Michigan.
Hon. WILLIAM S. BROOMFIELD, of Michigan.
Hon. TOM STEED, of Oklahoma.
Hon. ROLAND V. LIBONATI, of Illinois.
Hon. ROBERT T. ASHMORE, of South Carolina.
Hon. ALFRED E. SANTANGELO, of New York.
Hon. WAYNE L. HAYS, of Ohio.
Hon. JAMES H. MORRISON, of Louisiana.
Hon. ROBERT R. BARRY, of New York.
Hon. HJALMAR C. NYGAARD, of North Dakota.

Rule of Law

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 30, 1961

Mr. PHILBIN. Mr. Speaker, recent statements of Father Joseph F. Thorning, Ph. D., D.D., professor of Latin American history, Marymount College, Arlington, are extremely interesting and pertinent to some burning contemporary issues.

His recent comments on revolutionary movements and Latin American affairs are revealing and helpful.

It was be presumptuous as well as inaccurate as he points out in substance to associate the honored and great name of Thomas Jefferson, perhaps the most illustrious of our American political philosophers, an acknowledged authority on questions of human freedom, with warped or misconstrued concepts of how to get rid of oppressive government.

The great Jefferson made it very clear in his writings and utterances that while he supported the right to alter or abolish an oppressive government, he never advocated that the right should be exercised indiscriminately. Ever conscious of sound, ethical, and moral principles which he believed inevitably should govern the right to rebellion, he held to the view that the attempt to alter or abolish an existing government is not an absolute right, but rather a right limited by definite, well-established principles.

The rules and the practices of anarchistic and nihilist systems, such as so often serve the purpose of communism, are diametrically opposed to those of valid, democratic principles. Under these systems, where violence, deceit, betrayal, lies, and misrepresentations, per se, are justified and encouraged in order to foster and spark rebellion, it is not necessary that widespread violations of human rights exist, that peaceful means of legal redress are impossible. Dictatorial fiat is the measure and the means.

On its face, the seizure of the *Santa Maria* appears as an act of piracy. It, therefore, could not be justified on moral grounds; in fact such an action must be interpreted as contrary to established principles of international law.

Confiscation and seizure and exercise of dominion over private property belonging to private individuals or groups in peacetime is a violation of civil and municipal, as well as international law, and no rationalization, however dialectical, can negative that fact. The same

rule would be applicable to government property either in a domestic or international forum. That is a fundamental rule of law long respected in every civilized society, and unjust armed aggression against another state is legally and morally condemned.

America must always be mindful of the origin of our own country and in that sense this Nation should never reject the moral basis of any valid and honest movement whose aim is to throw off the yoke of oppression by tyrannical dictators. At the same time, Americans should hope and strive for orderly evolution wherever it is possible in order to avoid violence and bloodshed. To allow Communists to flout this rule of law in order to impose Marxist dictatorship can never be tolerated by freemen. This Nation must respect and uphold the right of any people to seek liberation from tyranny and establish a free government of its own choice.

Father Thorning is a deep thinker whose views are invariably supported by very able and scholarly perception founded on fundamental moral and democratic principles. His commentary on current events, particularly those relating to Latin American affairs, carries greatest weight and enjoys authoritative standing, not only in academic circles, but among governmental and diplomatic experts and contemporary leaders.

Moreover, his linguistic ability and special mastery of the Spanish and Romance languages, combined with his vast knowledge of Latin American affairs, and the great respect and confidence in which he is held by our neighbors to the south, give this distinguished scholar great repute and stature in Latin American countries as well as in our own.

I hope that our State Department and other Government agencies working to improve our Latin American relations and strengthen our devoted and faithful friends in Latin America will not only pay increasingly careful attention to Father Thorning's views and opinions, but will take appropriate steps to draw upon his vast store of knowledge in this field. The unquestionably high standing, and popularity which he enjoys in Latin America and his intimate knowledge of the personalities and the conditions in Latin America mark Father Thorning as one of our most qualified, if not the best qualified, American in Latin American affairs.

Many of us who are greatly concerned that we are in danger of losing additional ground in Latin America to the Communist bloc would be reassured if the knowledge and great ability of this most alert, talented, and courageous American were brought to bear upon the policies and conduct of our efforts to keep Latin America on our side in the current life and death struggle for human liberty.

It is vital that in this struggle the great, fundamental moral, ethical, and human principles that lie at the base of our American system be rigorously applied to the solution of current problems. In this effort, Father Thorning's counsel could unquestionably prove most valuable.

SENATE

THURSDAY, AUGUST 31, 1961

The Senate met at 9 o'clock a.m., and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou who art from everlasting to everlasting, each new day's dawning brings to us the wondrous thought that we are with Thee. The long travail of the ages makes clear, as Thy word declares, that where there is no vision the people perish, as shining ideals go down before the brute facts of force and chaos.

In a world where for others their very country is turned into a prison and the lash of the taskmaster's whip is upon them, we are grateful—

For the priceless gift of freedom,
For the home, the church, the school;
For the open door to manhood
In a land the people rule.

Give us to realize that Thou art our challenge as well as our shelter and our refuge, and that in the crises of these days Thy voice to us is calling in all the want and woe, in all the hunger and misery of our fellows under all skies.

We pray in the name of the Elder Brother of us all. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, August 30, 1961, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on August 30, 1961, the President had approved and signed the following acts and joint resolution:

S. 333. An act for the relief of Godofredo M. Herzog;

S. 606. An act to provide for the construction of a shellfisheries research center at Milford, Conn.;

S. 650. An act to amend the Watershed Protection and Flood Prevention Act to permit certain new organizations to sponsor works of improvement thereunder;

S. 702. An act to authorize the Secretary of Agriculture to exchange certain lands in the State of Wyoming with the town of Afton, Wyo.;

S. 731. An act for the relief of Charles F. Tjaden;

S. 841. An act to amend the Defense Department Overseas Teachers Pay and Personnel Practices Act, and for other purposes;

S. 848. An act to authorize the Secretary of Agriculture to convey a certain parcel of land to the town of Tellico Plain, Tenn.;

S. 883. An act to extend the application of the Federal Boating Act of 1958 to the Commonwealth of Puerto Rico, the Virgin Islands, and Guam;

S. 1054. An act for the relief of Huan-pin Tso;

S. 1100. An act for the relief of Sang Man Han;

S. 1179. An act for the relief of Alicja Zakrezewska Gawkowski;

S. 1205. An act for the relief of Roger Chong Yeun Dunne;

S. 1222. An act relating to documentation and inspection of vessels of the United States;

S. 1335. An act for the relief of W. B. J. Martin;

S. 1443. An act for the relief of Mrs. Tyra Fenner Tynes;

S. 1492. An act to amend the act of March 24, 1948, which establishes special requirements governing the selection of superintendents of national cemeteries;

S. 1527. An act for the relief of James D. Jalill;

S. 1622. An act to amend the Atomic Energy Community Act of 1955;

S. 1697. An act to approve the amendatory repayment contract negotiated with the Huntley Project Irrigation District, Montana, to authorize its execution, and for other purposes;

S. 1873. An act to amend the act entitled "An act to authorize the Commodity Credit Corporation to donate dairy products and other agricultural commodities for use in home economics courses," approved September 13, 1960 (74 Stat. 899), in order to permit the use of donated foods under certain circumstances for training college students;

S. 2079. An act to retrocede to North Carolina jurisdiction over the southern, eastbound lanes of North Carolina Highway 24, and the eastern, northbound lanes of U.S. Highway 17, as these highways traverse and parallel Camp Lejeune, N.C.;

S. 2187. An act to implement the provisions of the International Convention for the Prevention of the Pollution of the Sea by Oil, 1954;

S. 2245. An act to amend the act granting the consent of Congress to the negotiation of certain compacts by the States of Nebraska, Wyoming, and South Dakota in order to extend the time for such negotiation; and

S.J. Res. 76. Joint resolution authorizing the Secretary of the Interior during the calendar year 1962 to continue to deliver water to lands in certain irrigation districts in the State of Washington.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour for the transaction of routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING THE SENATE SESSION

Mr. MORSE. Mr. President, at the request of the majority leader and minority leader I ask unanimous consent that the Constitutional Rights Subcommittee of the Committee on the Judiciary be authorized to sit during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MORSE. Mr. President, at the request of the majority leader and the minority leader I ask unanimous consent that the Committee on Aeronautical and Space Sciences be permitted to sit during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

REPORTS ON OVEROBLIGATIONS OF APPROPRIATIONS

The VICE PRESIDENT laid before the Senate a letter from the Deputy Secretary of Defense, transmitting, pursuant to law, reports covering 25 overobligations of appropriations within that Department, which with the accompanying reports, was referred to the Committee on Appropriations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare, with amendments:

H.R. 4998. An act to assist in expanding and improving community facilities and services for the health care of aged and other persons, and for other purposes (Rept. No. 845).

By Mr. CANNON, from the Committee on Armed Services, without amendment:

H.R. 2877. An act to authorize the Director, Office of Civil and Defense Mobilization, to approve a financial contribution for civil defense purposes to the State of Oklahoma (Rept. No. 848);

H.R. 8383. An act to further amend section 201(i) of the Federal Civil Defense Act of 1950, as amended, and for other purposes (Rept. No. 846); and

H.R. 8406. An act to further amend Reorganization Plan No. 1 of 1958, as amended, in order to change the name of the office established under such plan, and for other purposes (Rept. No. 847).

By Mr. BYRD of Virginia, from the Committee on Finance, without amendment:

H.R. 6969. An act to amend title 38, United States Code, to increase dependency and indemnity compensation in certain cases (Rept. No. 850); and

H.R. 8414. An act to amend section 5011 of title 38, United States Code, to clarify the authority of the Veterans' Administration to use its revolving supply fund for the repair and reclamation of personal property (Rept. No. 849).

By Mr. BYRD of Virginia, from the Committee on Finance, with amendments:

H.R. 5852. An act to provide for the free entry of a towing carriage for the use of the University of Michigan (Rept. No. 851).

By Mr. MAGNUSON, from the Committee on Commerce, without amendment:

S. 2376. A bill to amend the act of July 23, 1947, chapter 301, as amended, to extend for 2 years the authority to make temporary appointments and promotions in the U.S. Coast Guard (Rept. No. 853); and

H.R. 2308. An act to amend the Ship Mortgage Act, 1920, with respect to its applicability to certain vessels (Rept. No. 852).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

H.J. Res. 225. Joint resolution to grant the consent of Congress to the Delaware River Basin Compact and to enter into such compact on behalf of the United States, and for related purposes (Rept. No. 854); which, under the order of the Senate of July 7, 1961, was referred to the Committee on Interior and Insular Affairs.

By Mr. BIBLE, from the Committee on the District of Columbia, with amendments:

S. 2397. A bill authorizing the National Capital Transportation Agency to carry out part 1 of its transit development program and to further the objectives of the act approved July 14, 1960 (74 Stat. 537) (Rept. No. 855).

By Mr. HARTKE, from the Committee on the District of Columbia, without amendment:

S. 2299. A bill to provide for the establishment of a juvenile division within or in connection with the District of Columbia Youth Correctional Center, and to authorize the judge of the juvenile court of the District of Columbia to commit to such juvenile division, subject to the provisions of the Juvenile Court Act, children 15 years of age or older (Rept. No. 857).

By Mr. HARTKE, from the Committee on the District of Columbia, with an amendment:

H.R. 4669. An act to amend the law relating to gambling in the District of Columbia (Rept. No. 856).

By Mr. SMITH of Massachusetts, from the Committee on the District of Columbia, without amendment:

S. 1918. A bill to extend benefits of the Policemen and Firemen's Retirement and Disability Act Amendments of 1957 to widows and surviving children of former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, or the U.S. Secret Service Division, who were retired or who died in the service of any such organization prior to the effective date of such amendments (Rept. No. 859).

By Mr. SMITH of Massachusetts, from the Committee on the District of Columbia, with amendments:

S. 1528. A bill to make the Policemen and Firemen's Retirement and Disability Act Amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service; and to their widows, widowers, and children (Rept. No. 858).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mrs. SMITH of Maine, from the Committee on Armed Services:

Maj. Gen. Robert B. Luckey, U.S. Marine Corps, for commands and other duties determined by the President, for appointment to the grade of lieutenant general while so serving; and

Paul W. Greeley and Raymond T. Holden, for temporary promotion to the grade of rear admiral.

EXECUTIVE REPORT OF COMMITTEE ON ARMED SERVICES

Mrs. SMITH of Maine. Mr. President, from the Committee on Armed Services, I report favorably 369 nominations for promotion and appointment in the Regular Army in the grade of lieutenant colonel and below. All of these names have already appeared in the CONGRESSIONAL RECORD. In order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The VICE PRESIDENT. Without objection, the nominations will lie on the desk, as requested by the Senator from Maine.

The nominations are as follows:

David C. Ammons, and sundry other officers, for promotion in the Regular Army of the United States; and

Ralph R. Carestia, and sundry other distinguished military students, for appointment in the Regular Army of the United States.

By Mr. EASTLAND, from the Committee on the Judiciary:

Edward S. Northrop, of Maryland, to be U.S. district judge for the district of Maryland.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PASTORE:

S. 2495. A bill to provide for the issuance of a special postage stamp to commemorate the 15th anniversary of the establishment of the Touro Synagogue at Newport, R.I., as a national shrine; to the Committee on Post Office and Civil Service.

By Mr. KEATING:

S. 2496. A bill for the relief of Haim Joseph Shwisha; to the Committee on the Judiciary.

By Mr. CASE of South Dakota:

S. 2497. A bill to extend the purchase programs for mica and beryl ores to June 30, 1965; to the Committee on Interior and Insular Affairs.

By Mr. DODD:

S. 2498. A bill for the relief of the estate of Linda K. Gravenhorst; to the Committee on the Judiciary.

By Mr. JAVITS:

S.J. Res. 130. Joint resolution observing the 75th anniversary of Yeshiva University; to the Committee on the Judiciary.

(See the remarks of Mr. JAVITS when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTIONS

IMMEDIATE RESUMPTION OF NUCLEAR TESTING

Mr. DODD (for himself and Senators ALLOTT, BRIDGES, BUTLER, CANNON, FONG, HICKEY, SCHOEPPEL, SCOTT, SMATHERS, TALMADGE, THURMOND, and TOWER) submitted a resolution (S. Res. 200) concerning the resumption of nuclear testing, which was referred to the Committee on Armed Services.

(See the above resolution printed in full when submitted by Mr. DODD, which appears under a separate heading.)

ADDITIONAL FUNDS FOR COMMITTEE ON THE JUDICIARY IN CONNECTION WITH THE INTERNAL SECURITY OF THE UNITED STATES

Mr. EASTLAND submitted the following resolution (S. Res. 201), which was referred to the Committee on the Judiciary:

Resolved, That the limitation of expenditures under S. Res. 49, Eighty-seventh Congress, first session, relating to the internal security of the United States, agreed to January 31, 1961, is hereby increased by $20,000, and such sum, together with any unexpended balance of sum previously authorized to be expended under such resolution, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee and covering obligations incurred under such resolution on or before January 31, 1962.

THE 75TH ANNIVERSARY OF YESHIVA UNIVERSITY

Mr. JAVITS. Mr. President, I send to the desk for appropriate reference, and ask to have appropriately referred, a joint resolution saluting the 75th anniversary of Yeshiva University.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 130) observing the 75th aniversary of Yeshiva University, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. JAVITS. Mr. President, 75 years ago this September a small band of East European immigrants on New York City's lower East Side, concerned with the need to preserve their spiritual and cultural heritage in a new land, established an elementary school to serve the burgeoning Jewish community.

Incidentally, that is where I was born.

In the humble setting of the teeming, poverty-infested population center that was Manhattan's lower East Side, this pioneering endeavor marked the birth of Yeshiva University, the oldest and largest American university under Jewish auspices.

Following a pattern of development similar to other privately sponsored colleges and universities founded by religious groups, Yeshiva University widened the scope of its activity, broadening its programs to meet the mounting educational needs of the total community. Today, the small seminary that was begun in 1886 has flowered into a major university, representing a historic expression of the Jewish community in higher education.

Among Yeshiva University's notable achievements are the establishment, for the first time under Jewish auspices, of a college of medicine, graduate school of science, education, social work, and other centers of higher learning that have received wide academic acclaim. At the university's 17 schools and divisions spread out over six teaching centers in New York City, more than 5,000 men and women, of all faiths, colors, and creeds, from every part of the country, pursue courses leading to undergraduate, graduate, and professional degrees. Many thousands of the university's alumni occupy positions of responsibility in the sciences, education, industry, and other vital fields.

On its 75th anniversary, Yeshiva University has responded to the challenge confronting American higher education by inaugurating a dynamic "Blueprint for the Sixties"—a 10-year program of physical and academic expansion to meet mounting enrollments and the Nation's increasing demands for college-training individuals. It seems certain that this institution's illustrious past will be equaled by a future of even greater service.

Yeshiva University's purposeful growth attests to the tremendous opportunity that is afforded all citizens in a nation such as ours to share in advancing the general welfare. In these trying times, Yeshiva University demonstrates a striking contrast between life in a free society and under authoritarian rule. In a free society, men—bred in freedom and nourished on the sacred principles of liberty—will of their own volition assume the burdens of responsibility in those endeavors that further the common good. And it is only within the framework of a democratic community that religious and ethnic groups, while maintaining their identities and unique cultural heritages, are enabled to make a singular contribution to the enrichment of those ethical and moral values that are the very essence of our way of life.

IMMEDIATE RESUMPTION OF NUCLEAR TESTING

Mr. DODD. Mr. President, on August 9, I addressed to my colleagues in the Senate a letter calling their attention to a resolution which I had prepared, urging immediate resumption of nuclear testing, and which I was planning to introduce. I held off the submission of the resolution because I did not want to do anything which might impair the position of the President or his representative at the Geneva Conference.

In this letter to my colleagues I said that if any of them chose to join in sponsoring the resolution, I would be happy to have them do so. Twelve of my colleagues have now become cosponsors of the resolution. They are the Senator from Colorado [Mr. ALLOTT], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], the Senator from Nevada [Mr. CANNON], the Senator from Hawaii [Mr. FONG], the Senator from Wyoming [Mr. HICKEY], the Senator from Kansas [Mr. SCHOEPPEL], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Florida [Mr. SMATHERS], the Senator from Georgia [Mr. TALMADGE], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER].

We must take the Soviet announcement as an indication that our worst misgivings about the test moratorium have been justified. During all the time that we have been crippling our own development of those vital offensive and defensive weapons that depend upon testing, the Soviets have been perfecting their nuclear technology to the point where they are now ready for a series of tests which may mark staggering advances in their effort to subjugate the world.

The Kremlin has not been in the habit of announcing weapons tests, even after they have taken place. If they now plan to conduct new tests in the atmosphere or in the outer reaches of the atmosphere, where they can be witnessed at a distance or monitored by the free world, it is because they have some very special purpose and some very special weapons in mind.

They will be testing weapons of revolutionary design, perhaps even weapons based on some entirely new concept in nuclear technology. The one thing that can be predicted with certainty, is that the weapons they will be exploding within the coming weeks and months are intended, in the Soviet calculus of terror, to strike fear into the hearts of the entire free world. They are intended to further intimidate our allies and our friends, to undercut our position in the negotiations to which we are now committed, to force us to accept a compromise on Berlin that will pave the way to its peaceful annexation by its East German puppets.

Let us not delude ourselves with talk about a propaganda victory. At best, it is a cheap and transitory thing that will be forgotten in a month. What we have here is a crushing defeat. In abandoning our nuclear weapons development for 3 years, we have gambled our national defense and our survival on the fatuous hope that the Russians were sincere in desiring a test ban. We have ignored the pleas of those scientists and military leaders who insisted that if we did not resume testing we would fall behind in the arms race.

What was obvious to some is now clear to all. The proof is now in that the protracted negotiations at Geneva were part of the conflict strategy of the Soviet Union. Through these negotiations they were able to inactivate our nuclear weapons technology; to greatly reduce the credibility of our nuclear deterrent; to foster the illusion of coexistence to carry on their own nuclear weapons program in secret, in preparation for a political showdown at a point of their own choosing.

Now we can only hope that the incredible, wishful thinking that permitted our one-sided test ban to drag on for 3 years is so thoroughly discredited that we may resume, with realism and sanity, our struggle for survival against an enemy that continues to fatten on our mistakes.

Mr. President, I submit the resolution and ask that my letter of August 9 be printed at this point in the RECORD.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The resolution (S. Res. 200) was referred to the Committee on Armed Services, as follows:

Whereas the United States, in the interest of negotiating an enforceable ban on nuclear testing, has observed a voluntary moratorium on all nuclear testing since October 1, 1958; and

Whereas this moratorium was predicated on the assumption that the Soviet Government was observing a reciprocal moratorium; and

Whereas this reciprocal moratorium has not been subject to any inspection or verification; and

Whereas, in a sincere effort to achieve agreement on a test ban treaty, the Western nations have offered the Soviets many important concessions; and

Whereas, despite the many Western concessions, the Soviet Union, after two and one-half years of negotiation, has refused to agree to any meaningful system of inspection, has informed the West that it would not accept more than three onsite inspections per annum, and has in recent months hardened its position by insisting on the right of veto; and

Whereas a single major technological breakthrough by the Soviets, achieved by clandestine testing, might conceivably give them the means of destroying us at relatively small cost to themselves, or else might confront us with the terrible choice between surrender and all-out thermonuclear war; and

Whereas the Soviet regime has in its lifetime violated more than 1,000 treaties and agreements, as established by a Senate study; and

Whereas Communist theory justifies the violation of treaties whenever this will help to advance the cause of international communism; and

Whereas we can no longer stake our survival as a nation on the word of honor of a regime that has so consistently violated its word of honor; and

Whereas the Constitution confers upon Congress the primary responsibility of providing for the defense of the United States: Therefore be it

Resolved, That it is the sense of the Senate—

that Soviet secrecy, and Soviet intransigence at Geneva, and Soviet threats and aggression, leave us with no alternative but to resume nuclear weapons testing;

that such testing should be resumed forthwith, with a firm assurance to other nations that the tests will be conducted in a manner which does not contaminate the atmosphere;

that, notwithstanding the resumption of testing, we should declare our willingness to continue negotiations with the Soviets, in the hope that, out of respect for world opinion, they will ultimately agree to a nuclear test ban treaty that provides for adequate inspection on both sides of the Iron Curtain.

The letter presented by Mr. DODD is as follows:

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
August 9, 1961.

DEAR SENATOR: Enclosed you will find a resolution, urging the immediate resumption of nuclear testing, which I plan to introduce at an early date.

As you know, we have observed a voluntary moratorium on nuclear tests for almost 3 years now, without any assurance that the Kremlin has been observing a reciprocal moratorium. In view of the fact that the Soviets have violated more than 1,000 treaties and agreements, there is, to put it mildly, a grave chance that they have not observed their side of the honor moratorium.

As you know, the Joint Chiefs of Staff, the Atomic Energy Commission, and many of the members of the Joint Committee on Atomic Energy, who have access to all the information, have repeatedly urged the early resumption of nuclear weapons testing.

I would also like to point out that there exists no commitments, unilateral or otherwise, which would prevent us from resuming tests forthwith. President Eisenhower informed the world on December 29, 1959, that, because of the lack of progress at the Geneva Test Ban Conference, we would not further renew or extend the moratorium but would reserve the right to resume nuclear testing, with due notice to the international community.

I believe that this resolution reflects the attitude of the great majority of the American people and the great majority in Congress. I also believe that it could only be helpful in the present situation if the Senate passed such a "sense" resolution.

By its nature, this resolution should be introduced with broad bipartisan backing. I am, therefore, inviting members of both parties to join me in sponsoring the measure.

If you wish to be listed as a cosponsor, would you kindly advise Miss Jean Wegner in my office?

Sincerely yours,

THOMAS J. DODD.

AMENDMENT OF SMALL BUSINESS ACT—AMENDMENT

Mr. TOWER (for himself and Mr. BENNETT) submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 836) to amend the Small Business Act, and for other purposes, which was ordered to lie on the table and to be printed.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

John C. Williams, of South Carolina, to be U.S. attorney, western district of South Carolina, term of 4 years, vice Joseph E. Hines.

A. Roy Ashley, of South Carolina, to be U.S. marshal, western district of South Carolina, term of 4 years, vice M. Frank Reid, deceased.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Thursday, September 7, 1961, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

NOTICE OF HEARING ON NOMINATION OF JAMES ROBERT MARTIN, JR., TO BE U.S. DISTRICT JUDGE, EASTERN AND WESTERN DISTRICTS OF SOUTH CAROLINA

Mr. JOHNSTON. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, September 8, 1961, at 10:30 a.m., in room 2300, New Senate Office Building, on the nomination of James Robert Martin, Jr., of South Carolina, to be U.S. district judge, eastern and western districts of South Carolina, a new position.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from North Carolina [Mr. ERVIN], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. RANDOLPH:

News article from Wall Street Journal on "Medical Care for the Aged Under Social Security," and statement by him before House Ways and Means Committee.

By Mr. MORTON:

Letter addressed to him, written by the Secretary of the Army, relating to the 100th Division (Training).

EXPANSION OF MILITARY SHIPPING ON GREAT LAKES

Mr. WILEY. Mr. President, the Nation, in the judgment of Great Lakes Senators, could benefit in savings of millions of dollars for the American taxpayers by routing more oversea shipments of military cargo through the Great Lakes-St. Lawrence Seaway system.

For this reason, the Defense Department, we believe, should reexamine its transportation pattern for shipping defense materials overseas. In 1960, for example, the United States shipped about 12 million tons of military cargo. Of this tonnage, only about 70,000 tons—less than six-tenths of 1 percent—were routed through the Great Lakes and the seaway.

Overall, about 40 percent of U.S. production—including substantial amounts of military goods—is turned out in areas adjacent to the Great Lakes. According to estimates, $1 to $3 per ton could be saved by utilizing this less expensive route to destinations throughout the world. Because of this, I—joined by fellow Senators from the Lake States—have urged the Defense Department to take the following steps:

First. Take a new look at—and as necessary revise—Department shipping patterns to route more cargo on the Great Lakes;

Second. Establish a Great Lakes Transportation Command; and

Third. Undertake test shipments to determine amount of savings for the American taxpayers by utilization of the Great Lakes-St. Lawrence Seaway routes.

I request unanimous consent to have the text of the recommendations to the Defense Department printed at this point in the RECORD.

There being no objection, the recommendations were ordered to be printed in the RECORD, as follows:

AUGUST 29, 1961.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: We are sure that you will understand that the undersigned have a strong and justifiable interest in the development of the Great Lakes area as this country's fourth seacoast and, as we like to think of it, the world's eighth sea.

The completion of the St. Lawrence Seaway in 1959 opened up the great midcontinent area of the United States to the direct flow of ocean traffic to and from other great world ports. We have been especially interested in seeing that the ports which have developed, and are developing in our respective States, benefit to the maximum from the opportunities presented by the opening of the Seaway.

Great strides have been made by the communities bordering the Great Lakes in developing their port facilities, and much has been accomplished in the past 3 years to improve the efficiency of handling ocean cargoes. In many of our Great Lakes ports, general cargo is being handled on and off vessels as efficiently, or more efficiently, than at the long established east coast or gulf ports.

Working through our respective port commissions and authorities, we have found many handicaps must be overcome before ultimate utilization of the Seaway can be fully accomplished. Much work is being carried out individually and collectively in correcting many of the transportation inequities which have come into existence over the years.

For the past 2 years, an effort has been carried out by the major ports in our respective States to secure a reasonable percentage of the defense cargo shipped annually. According to our best information, military cargo sent overseas in the year 1960 amounted to approximately 12 million tons. Since over 40 percent of the U.S. industries are located in areas immediately adjacent to the Great Lakes ports, it therefore follows that a major percentage of this military cargo originates in these areas.

Of the total tonnage, however, only some 70,000 tons, less than six-tenths of 1 percent, was routed through the Great Lakes ports, even though experience clearly shows that substantial savings were made last year by use of these ports. We sincerely believe that savings of from $1 to over $3 per ton are possible on tonnage originating in the midcontinent area, scheduled for shipment to the so-called Hamburg-Bordeaux range when shipped from Great Lakes ports. With the substantial tonnages involved in this movement, the potential savings to the Government by use of Great Lakes ports and the seaway could run into millions of dollars.

Our experience has been that the present methods used in calculating the overall transportation costs are so complex that the figures can be interpreted in many different ways. The picture is further complicated by the invoking of section 22 of the Defense Transportation Act. It has come to our attention that this section of the Defense Transportation Act has been invoked for the benefit of certain east coast ports without the railroads being asked to quote a commensurate reduced rate to the closer lake ports in immediate proximity to the point of origin of the defense cargo.

We understand the complexity of the problem, and it is not our desire to involve ourselves in a highly complex and long-drawn-out discussion. It is our opinion that much time and possible unpleasantness could be saved if your office would issue a directive to the military services concerned effectuating the following points:

1. Establish a Great Lakes Transportation Command similar to the Atlantic Coast Command, the Gulf Coast Transportation Command, and the West Coast Transportation Command. At the present time, the Army Transportation Command maintains a small office in the Great Lakes, which is a suboffice of Atlantic Transportation Terminal Command. The establishment of such a Great Lakes Transportation Command is justified in order to stimulate the development and assimilation of this artery of transportation into the defense structure. The Great Lakes ports and the seaway have an almost unlimited potential in times of emergency, and their proper use is therefore vital to our national security.

2. The Defense Department should instruct the military services concerned that, during the balance of the 1961 season, they shall route a minimum of 200,000 tons through the Great Lakes ports and, in 1962, they shall route a minimum of 500,000 tons during the Great Lakes shipping season through the Great Lakes ports. The respective transportation commands would maintain accurate, current cost data, based on actual experience, on the movement of tonnage through their commands. From the data evolved from these test shipments, actual costs will be developed and used as a basis for subsequent allocation of tonnage between the east coast, the Great Lakes, the gulf coast, the west coast ports. We are confident that savings shown will result in adequate and reasonable routing of defense tonnage through the Great Lakes ports.

3. It is only fair that instructions be issued by your office that, wherever section 22 of the Defense Transportation Act is invoked on movement of cargo from the midcontinent area to the coastal ports, the railroad involved should also be required to quote a commensurate reduced rate to the nearest Great Lakes ports.

4. A review of standards of documentation, stowage, and dunnage, and the allocation of the costs thereof should be conducted by all of the appropriate commands to assure accurate standardized costs.

We feel that a directive from your Office covering the four suggested points will not only result in substantial dollar savings for the Defense Department, but will also improve the flexibility of our overall Military Establishment during a serious emergency by developing to a maximum all arteries of transportation. Such a directive from your Office, in our opinion, will do much to correct what we feel is a serious inequity which now exists under present procedures and practices.

Very truly yours,

ALEXANDER WILEY, Senator from Wisconsin; HOMER E. CAPEHART, Senator from Indiana; EVERETT MCKINLEY DIRKSEN, Senator from Illinois; PAUL H. DOUGLAS, Senator from Illinois; PHILIP A. HART, Senator from Michigan; VANCE HARTKE, Senator from Indiana; HUBERT H. HUMPHREY, Senator from Minnesota; FRANK J. LAUSCHE, Senator from Ohio; EUGENE J. MCCARTHY, Senator from Minnesota; PATRICK V. MCNAMARA, Senator from Michigan; WILLIAM PROXMIRE, Senator from Wisconsin; STEPHEN M. YOUNG, Senator from Ohio.

U.S. DISARMAMENT AGENCY

Mr. HUMPHREY. Mr. President, I am sure that most of my colleagues are aware of the impressive list of American leaders who testified before the Committee on Foreign Relations in support of the bill (S. 2180) to establish a U.S. Disarmament Agency for World Peace and Security.

This legislation, so vital today in a world threatened by nuclear conflict, has won the support of the highest officials of our Nation. It was drafted by President Kennedy. It was endorsed by former President Eisenhower. It is supported by Secretary of State Dean Rusk and his predecessor Christian Herter; by Defense Secretary Robert McNamara and his predecessor Thomas Gates; by the Chairman of the Joint Chiefs of Staff, Gen. Lyman Lemnitzer, and by former NATO commander, Gen. Alfred Gruenther.

A few weeks ago I sent summaries of the legislation and its purpose to a number of leading American citizens on the nongovernmental level. I am pleased to report that the response so far has been strongly and enthusiastically in favor of the establishment of the Disarmament Agency.

Today I wish to announce the support for this bill of three distinguished Americans: Mrs. Franklin Delano Roosevelt; Mr. Henry Luce, of Time-Life publications; and Mr. Henry Ford, of the Ford Motor Co.

Mr. President, I ask unanimous consent that an excerpt of an article by Mrs. Roosevelt and letters addressed to me from Mr. Henry Luce and Mr. Ford be printed at this point in the RECORD.

There being no objection, the letters and excerpts were ordered to be printed in the RECORD, as follows:

TIME, INC.,
New York, N.Y., August 22, 1961.

The Honorable HUBERT H. HUMPHREY,
U.S. Senate, Washington, D.C.

DEAR SENATOR HUMPHREY: Thank you for your letter about disarmament and for the informative material about pending legislation to provide for a U.S. Disarmament Agency.

It seems to me that the establishment of a U.S. Disarmament Agency is both proper and necessary.

This subject of disarmament is an immensely complicated one and therefore requires the continuous attention of experts. It also requires, from time to time, prompt decisions which can only be made by the President on the advice of a public office in whom he has confidence.

Your efforts to establish this much-needed Agency have my wholehearted support.

With kindest personal regards,

Sincerely yours,

HENRY R. LUCE.

FORD MOTOR CO.,
Dearborn, Mich., August 24, 1961.

The Honorable HUBERT H. HUMPHREY,
U.S. Senate,
Committee on Foreign Relations,
Washington, D.C.

DEAR SENATOR HUMPHREY: I thank you for your invitation to express my views concerning S. 2180, the bill introduced by you and a bipartisan group of Senators to establish a U.S. Disarmament Agency. I do not, as you will understand, feel competent to comment on the specific provisions of the legislation, but I do support its underlying objectives.

In a world faced with the constant threat of annihilation, I believe we must do all in our power as a nation to develop techniques for the accomplishment and maintenance of disarmament in order to avoid the madness of nuclear war. Although we have been forced by threats to our security to step

up our defense preparedness, I see no reason, either psychological or practical, to delay reasonable moves designed to improve and coordinate disarmament efforts.

Very sincerely,

HENRY FORD.

ARTICLE EXCERPT BY MRS. FRANKLIN D. ROOSEVELT

I would like to turn now to a subject in the international field which, I feel, is of the greatest importance. President Kennedy's administration has drafted a bill which is under consideration by the members of both parties in Congress. In the Senate this bill was introduced by Senator HUBERT H. HUMPHREY and it would create a U.S. Disarmament Agency. Senator HUMPHREY has been chairman of the Senate Disarmament Subcommittee and no one knows this whole field better than he does. He realizes, that at a time of increased international tensions, such as we are now in, there is a tremendous need for efficient coordination of disarmament policymaking and effective preparation for disarmament negotiation. He is, therefore, fully aware of the need for one agency with the responsibility for America's disarmament research and planning activities. He feels strongly that the public should know more about these needs and I think the judgment should be accepted and we should be willing to examine the proposals which are being made in the administration's bill. In the House 51 Representatives introduced an identical bill, the basic bill H.R. 7936 was introduced on June 29, 1961, by Dr. THOMAS E. MORGAN, chairman of the House Foreign Affairs Committee. The coordination between the House and the Senate was good, for the bills in each House were introduced on the same day. In the Senate the Senators sponsoring include four Republicans. In the House only one Republican sponsor could evidently be found, which worries me a little because evidently the public is not well enough informed on this subject to have been in touch with their Congressmen and made them understand that the establishment of a Disarmament Agency for World Peace and Security is of nonpartisan interest and affects all the people of the United States regardless of party.

In his inaugural address President Kennedy pointed out: "Man holds in his mortal hands the power to abolish all forms of human life." If we go on as we are going today the chance of an accidental war brought on by the mistaken use of some nuclear weapon is very great. If the arms race continues I see no end but destruction for our civilization. So the establishment of this Agency seems to me important to every man, woman, and child in the United States and they should communicate with their representatives in Congress and tell them of their vital interest.

Nobody likes to back something without adequate knowledge, so there are certain things, I think, we should know about this new Agency which will be the focal point for all U.S. disarmament efforts within the Government. It will participate in the formulation of overall policy in areas related to disarmament, such as basic national security policy, strengthening of the peace-maintaining machinery of international institutions, and procedures for the settlement of international disputes, and the reduction of tensions among nations. Here are four things the Agency will be responsible for:

1. The conduct, support, and coordination of research for disarmament policy formulation.

2. The preparation for and direction of U.S. participation in international negotiations in the disarmament field.

3. Dissemination and coordination of public information concerning disarmament.

4. The preparation and operation of any international control system that might become part of U.S. disarmament activity.

These are the essentials for us to know in order to form our own opinions and urge on our representatives favorable action.

APPROPRIATIONS FOR DEFENSE

Mr. LAUSCHE. Mr. President, the 87th Congress to date has authorized and appropriated a total of $46.6 billion for defense. This has been at the request of the administration and various branches of our Armed Services. Seemingly, the request would have been made only after careful planning and to get the best and most for every dollar appropriated and at a time when needed.

It appears however, Mr. President, that we have taken too literally, and for the wrong purpose, the Biblical quotation "Let not thy left hand know what thy right hand doeth."

Mr. President, the right hand of our defense is the capability of American industry to produce, with well-laid plans and quickly, the needs for defense. It appears that while Washington is planning, American industry is left in the dark and instead of keeping itself in readiness is, through lack of information, dissipating some of its capabilities to meet possible emergencies.

Mr. President, the situation is well described in an editorial entitled "Time To Dispel the Fog," which appeared in the August 21, 1961, issue of the American Machinist magazine.

I ask unanimous consent that this editorial be printed in the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TIME TO DISPEL THE FOG

(By Burnham Finney)

With much fanfare President Kennedy recently announced to the Nation and to the world an expansion in our defense program. New and commendable emphasis is to be put on weapons for limited warfare, he said.

Since then, the President has asked Congress for about $1.8 billion to carry out his program. Beyond that, there is no visible evidence of any attempt to inform industry, or anyone else, of what is going on or what is going to be done.

It is a natural assumption that if we are to be prepared for any kind of war, limited or otherwise, we will base our plans on the newest weapons developed by modern technology. Such weapons would consist of the most up-to-date rockets and missiles and guns and tanks that our ingenuity can devise.

The prototypes of these weapons are said to be in existence. If they are to be put into production, plants will have to be tooled for them.

Yet, strangely, no agency in Washington associated with defense operations knows of any plans at all for any sizable tooling expenditures. In fact, the armed services and their contractors are engaged in important liquidation of the Nation's military production equipment at the same time that the White House is trying to create the impression that a full-fledged national emergency is just around the corner.

"From one of America's finest electronic plants used in the manufacture of missiles, aircraft and radar parts," an advertisement says that $1.5 million of precision machinery and equipment is to be sold. Most of the listed items are "new since 1953."

If precedent holds, these tools will be sold for about 10 cents on the dollar. The Army has been disposing of machinery at auction at ridiculously low figures recently. And more auction sales are coming up. Our national production resources thus are being broken up and scattered so that the loss cannot be retrieved.

All of this is occurring at a time when Washington gives no indication whatever that it knows what industry's capability is for making the newest weapons. Remember that the precision with which these weapons have to be made is a far cry from the standards of World War II.

We waited until World War II was upon us before we decided to tool defense facilities. It then took us 2 years to build the machines for the tooling program. We were caught exactly the same way in the Korean war. Is history going to repeat itself?

At this juncture it is difficult if not impossible to find out in Washington what the defense production score is. Metalworking manufacturers do not know whether the Government is talking big to impress the world or whether it means business. They do not know whether they are to be asked to get into a much-enlarged defense program.

They have no inkling of it if the Government has any serious intention to tool up for production of modern technology's latest weapons as part of its defense buildup. The current dissipation of the Nation's machine resources by 10-cent liquidation is evidence that there is no such serious intent.

The administration will do the country a service by clearing away the fog of uncertainty that now envelops the defense program. It should take industry into its confidence without delay and spell out its specific plans.

LEVERS TO LIFT THIS HEMISPHERE

Mr. SMATHERS. Mr. President, although the International Latex Corp. has published informative editorials on national and international affairs since 1939 as a public service, it is noteworthy that at no time were they used for selfish ends, or partisan purposes.

These contributions during a span of 22 years, at such cost in effort and money, have given this company and its founder, Mr. A. N. Spanel, unique stature throughout the free world.

These efforts can best be described as an extraordinary demonstration of democracy at work, on a vigilant, dedicated basis. For this, the company and Mr. Spanel are beyond praise.

I now ask unanimous consent that the editorial advertisement which appeared in the Washington Post on Monday, August 21, 1961, be printed in the body of the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LEVERS TO LIFT THIS HEMISPHERE

(By A. N. Spanel, chairman, International Latex Corp.)

The Scripps-Howard newspapers featured a front page story on Thursday, August 17, 1961, which revealed that the Kennedy administration, at the highest levels, is now backing the concept that private enterprise be enlisted to help our Government raise living standards through its foreign-aid program.

To this end the Senate has adopted Senator JACOB JAVITS' amendment which reads:

"The President shall, wherever appropriate, carry out programs of assistance through private channels and to the extent practicable in conjunction with local private or governmental participation, including loans * * * to any individual, corporation, or other body of persons."

Explaining the amendment, Senator FULBRIGHT told the Senate: "Wherever possible we shall utilize private channels and encourage participation of local private channels wherever it is appropriate to the purposes of this bill."

"It would be a paradox," Senator JAVITS told the Senate, "if in our efforts to aid the underdeveloped areas in the world, we overlooked the role of private enterprise and thus failed to use our most effective economic resource."

"Loans to private enterprise," Senator JAVITS said, "either in this country or in the country receiving the assistance, or to mixed enterprises of both, might well prove to be the most effective way of achieving many long-range purposes of this bill."

This enlightening Scripps-Howard feature story should be encouraging news to business interests throughout the free world and particularly in this hemisphere. We therefore deem it timely to republish the following article which we ran in these columns on June 26, 1961, in the public interest.

We Americans are today acutely concerned with the destiny of the Western Hemisphere. We are awakening, at last, to the facts that the security and the future of our own country are at stake in what transpires in the Latin American countries; that the future of the hemisphere is indivisible.

The Monroe Doctrine, for the first time since its enunciation, has been successfully breached by despots. Nearly every country in South America, Central America, and the Caribbean is under menace of the kind of totalitarian slavery already riveted on Cuba.

Bolivia is in a state of crisis. Extreme right and left forces are putting the squeeze on relatively democratic governments in Venezuela, Chile, Uruguay, and other nations. Nearly everywhere the explosive discontents bred by poverty, illiteracy, and oppression are being inflamed and channeled in sinister directions by native and alien Communists.

Concern for our own security, along with compassion for the suffering Latin American people, have created in the United States a climate of public opinion receptive to bold, constructive plans for meeting basic Latin American problems. This presents an opportunity, we believe, to initiate long overdue planning, in partnership with Latin American people and States, looking not merely to emergency help but to long-term solutions.

LUKEWARM RECEPTION

President Kennedy's alliance for progress, to which over half a billion dollars have been committed as a first year installment for Latin American uses, is noble in inspiration and intent. Much of it is necessary, some of it indispensable. It differs from previous aid efforts, however, primarily in its dimensions. The lukewarm reception it has received among Latin Americans probably reflects their feeling that it is more of the same, that it does not go to the core of their problems.

In essence the Kennedy program provides food, and dollar grants for schools, hospitals, farm machinery, technical support. It makes available loans to Latin American enterprises now strangled by usurious interest rates. These and other aspects of the expanded aid are meritorious indeed. But they leave unchanged the prevailing economic patterns—the causes of the great wretchedness on a continent brimming with potential wealth.

The time has come for a bolder development program, in partnership with Latin Americans. It must be a program designed to generate sufficient new employment to raise living standards rapidly to ever higher levels.

The all-important Latin American need therefore is not for capital alone. It is for new manufacturing plants, new business and agricultural enterprises, new mining ventures including drilling for petroleum energy. For each of them is a focal center for new employment. It is private American industry, rich in capital and business acumen, preferably in partnership with Latin American businessmen, that can meet that need.

The President's alliance for progress has been described as a species of Marshall plan adapted to Latin America. This is true—and this is its built-in weakness. Techniques that work in one part of the world are not necessarily suited to another.

In Europe, as Mr. Walter Lippmann recently pointed out, the Marshall plan was to revive and reconstruct long-industrialized countries. Their basic needs were capital and credits. In most of Latin America, by contrast, industrialization must be started almost from scratch. The importation of capital is therefore not enough.

LIVING MODEL

The Marshall plan is thus a faulty model for a large part of Latin America. Fortunately a better living model exists on our side of the Atlantic. Its name is Puerto Rico, where we have a pilot plant of effective economic progress in an underdeveloped region under conditions similar to those in Latin America generally.

Puerto Rico was long regarded as the classic example of a backward area steeped in human misery and torn by social tensions. Today, what was called the poorhouse of the Caribbean, has become a showcase of economic sanity and social peace. It constitutes living proof that the answer for Latin America is not merely in U.S. grants, however generous. They will prove sterile unless new conditions for economic health are created: the industrial and agricultural opportunities for the gainful employment necessary to achieve a growing standard of living.

To cite a case in point, just now lamentably conspicuous, there is Bolivia. Though we funneled $175 million into that country in the last 9 years, it is teetering on the edge of political and economic chaos. Dollars alone did not generate employment, dollars alone will not solve Latin America's pressing problems.

Puerto Rico has prospered precisely because, instead of pleading for handouts, it acted to enable American firms to establish branches on the island, usually in cooperation with the Puerto Rican Government, which preferred to be the host and not the mendicant.

Under the resolute and imaginative guidance of Governor Muñoz-Marin, fortunately understood and supported by our Federal Government, economic-political statesmanship had the green light. The result is that already over 600 American-financed manufacturing units are generating jobs and a growing standard of living on this teeming island.

These companies enjoy a 10-year exemption from all Puerto Rican corporate and property taxes, and have been freed for 10-year terms from U.S. Federal taxes as well. These are magnetic incentives. More important is the fact that the island, living under the American flag, participates in what comes close to a common market with the United States and to some degree with Canada.

MAGNETIC INCENTIVES

Some of these conditions could be created for other and eventually for all Latin American nations. They must be helped to see and to follow the one road to economic salvation—a larger and ever larger Latin American common market as the main incentive to private North American industrial ventures, bolstered by favorable tax incentives and attitudes calculated to invite nervous venture capital.

Puerto Rico is notedly poor in natural resources. Yet it has absorbed over 600 industrial plants, and that is only a beginning. The rest of Latin America, with its rich but undeveloped resources, could quickly absorb between 10,000 and 15,000 plants. Each of them, a partnership of foreign and local capital, would become, we repeat, the focal center of the only thing that can assure true and continuing improvement in living standards—new jobs.

But first, the Latin American countries must remove the obstacles they have erected against themselves over the years, starting with fair and workable land reforms now long overdue.

What are other obstacles? Most of them derive from an exaggerated nationalism in the economic spheres. North Americans willing to finance branches of their businesses in Latin America, instead of being welcomed as industrial pioneers, are too often treated as intruders, to be harassed and overtaxed.

More important, it is self-defeating nationalism that has erected steep tariff walls, fragmenting Latin America into 20 limited and competing markets. This has discouraged outside investors, who seek adequate markets for what they produce. It has condemned each of the countries to low production, pitiful wages, and high consumer prices.

In spite of risks and barriers, substantial private U.S. capital is going into manufacturing businesses in Latin America. But over 90 percent of this capital goes to three nations: Argentina, Brazil, and Mexico, for the self-evident reason that these are in themselves large markets.

COMMON MARKET SOLUTION

Suppose that the whole of Latin America, indeed the whole of the hemisphere, were one huge market. Investment in industry and in the vast but now dormant natural resources in underdeveloped countries would then become so attractive as to be almost irresistible.

This is the logic of the Common Market, recognized and confirmed in practice by six West European nations. That logic is not only valid for the entire Western Hemisphere but offers the only viable solution for the economic problems of Latin America.

Given farsighted American leadership, those nations willing to go along at once, and ultimately all hemisphere nations, can be welded into a gigantic common market to guarantee common prosperity for 170 million people. To conquer its poverty, Latin America must be helped to overcome its paralyzing economic disunity.

As long ago as April 1956, we wrote in these columns:

"There are those who say that Latin America needs a great flow of foreign capital, 'such as developed the young United States.' But it should be remembered that this capital was flowing into a young federation of states unhampered by economic barriers vis-a-vis each other * * *. The United States offered wide-open markets and growth potentials that Latin America will continue to lack so long as it remains carved up into 20 divided economic groups."

It may be objected that private investments on that scale would drain American

currency at a time when Washington tries to stem its outflow. But conventional grants-in-aid, too, are a drain on gold reserves, and this without the prospect of greatly increased employment, higher standards of living, or any return in the form of profits. In addition there is another answer.

UNITY AT WORK

We could and should invite private business in France, England, Germany, Italy, Switzerland, Holland, Belgium, and other free-world nations to join as partners of American private enterprise in Latin America. It is just as important for Canada, for example, to make her presence felt in this development as it is for England to be a living part of the European Common Market. There would be a most valuable "plus" in such a move since certain of these nations, notably France, helped to educate large numbers of their lawyers, doctors, engineers, professors, and university presidents—leaders who continue to cherish the cultures that they absorbed during their studies in these countries. They are the men who now influence the political streams of their homelands. Thus the European partners we would invite into the U.S. plan for modernizing and industrializing Latin America, would also serve to evaporate the clouds of suspicion that gather in the minds of Latin people the moment the "Colossus of the North" appears. Baseless and senseless, yes; but those suspicions are enormous obstacles for pioneering American businessmen to face and hurdle alone.

Further, these European countries are developing surplus capital which, guaranteed by the presence and leadership of the United States, could be drawn into this common undertaking, in partnership with Latin American businessmen, wherever possible.

ESSENCE OF PLAN

Against this background we want to repeat the three-point plan first published in these columns in 1956 and reprinted many times since then:

"1. It is proposed that the 20 countries of Latin America enter into a mutual agreement to drop all existing trade barriers between them. In return, the United States will declare tax-exempt all profits earned through new investments of its citizens in the aforesaid countries prior to the transfer of these profits to the United States; and upon transfer, the profits be taxed no higher than at capital gain rates. Furthermore, in order that the volume and scope of such investments may be realized, the United States will assume responsibility for effecting a minimum private investment of a billion dollars a year for 5 years (preferably as loans and for the most part to private enterprises).

"2. The U.S. commitments will hinge upon the Latin countries agreeing that, except for petroleum and minerals, the profits on such private investments shall not be taxed more than 10 percent per annum and that this maximum rate shall apply either to corporations or to individuals but not to both. In this way, North American investors would not have their incentives stifled by self-defeating, high Latin tax rates.

"3. The 20 Latin American nations will agree to the free and unrestricted movement of both profits and capital from one country to another, in order to encourage the pioneering development not just of some but of all their countries."

Our 1956 proposal ended with words that, in the light of the Cuban tragedy and explosive political pressures in other countries, are even more pertinent today:

"Whatever costs the United States might incur as a consequence of reduced tax receipts would be inconsequential compared to the overwhelming financial burdens it would otherwise be forced to undertake in the future in helping to snuff out the hemispheric fires of communism or fascism."

EDUCATION FOR MIGRANT CHILDREN

Mr. WILLIAMS of New Jersey. Mr. President, in the United States every child has the right to obtain a free public education. The children of America's migrant agricultural workers, however, have been deprived of much of the education to which they are entitled. As the families move from place to place, the children lose much time from school. Even when a family has settled for a period of time in a camp, time is lost before the children are placed in school. Migrant children often stay home from school to care for younger brothers and sisters or to work in the fields beside their parents.

I look forward to alleviation of this situation in the near future. On August 25, the Senate passed three migratory labor bills which I had sponsored. One of these bills provides for grants to States or local communities affected by the impact of migrants to provide educational opportunities for migrant children and migrant adults. I am hopeful that the House of Representatives will also pass this bill, which is so important to the future of so many children.

Some States have already made progress in providing educational opportunities for migrant children. Fine examples of programs for migrant children are the summer schools established by the Migrant Labor Bureau of New Jersey at Cranbury, Woodstown, and Fairton, N.J. Charles H. Harrison, education editor of the Record of Hackensack, N.J., describes these schools in two articles of a series he has written on migratory labor. The articles, "Summer Schools for Migrants Sow Seeds of Better Learning," and "Little Girl With Shiny Shoes Dances in a Somber World," appeared in the Record of August 17 and August 18, respectively.

Mr. Harrison has commented on the desire of migrants to obtain an education:

Once the migrant workers' children are exposed to education, they react eagerly to it. Both children and parents are appreciative of the educational opportunities offered by the State. The large enrollment in the summer schools is indicative of this desire to learn.

Mr. Harrison writes:

Although summer attendance is elective, and despite many causes which may prevent a child's getting on the bus, 70 percent of the migrant workers' children aged 5 to 12 are registered.

As Senator from New Jersey and as chairman of the Senate Subcommittee on Migratory Labor, I am proud of the action New Jersey has taken. Even in as progressive a State as New Jersey, however, State officials point out that adequate provision for the educational needs of migrant children cannot be achieved by State action alone. I look forward to Federal assistance for programs of education for migrant children.

Because Mr. Harrison's articles clearly indicate the great need for education among these children and the progress that can be made in providing this education, I ask unanimous consent that the two articles be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

SUMMER SCHOOLS FOR MIGRANTS SOW SEEDS OF BETTER LEARNING—70 PERCENT OF ITINERANTS' CHILDREN ENROLLED IN SOUTH JERSEY

(By Charles H. Harrison)

New Jersey's summer schools for migrant workers' children are stamping out the grapes of wrath.

SIX-WEEK PROGRAM

For 6 weeks in the middle of the summer, big, yellow school buses roll up clouds of dust as they rumble out to the south Jersey farms in the morning to pick up the children of the men and women who pick the Garden State.

The buses are dispatched by the Migrant Labor Bureau, which runs schools at Cranbury, Woodstown, and Fairton. There are approximately 270 children registered in the schools this summer, although the number boarding the buses each day varies according to the weather, the market, and babysitting duties in camp.

The summer program is voluntary, but, if the children are still here in September, registration in public school is compulsory. Although summer attendance is elective, and despite many causes which may prevent a child's getting on the bus, Miss Chrystine Shack, assistant director of the program, estimated 70 percent of the migrant workers' children aged 5 to 12 are registered.

State law allows a child over 12 to work in the fields. Said Sherwood Wilson, head teacher at the Fairton School: "If the sun is shining they're in the fields; if it rains they're in school. We don't get many over 12."

Wilson illustrated another of the problems in getting the children to school. He had a girl 14 enrolled for 2 weeks, but she had to stay away to babysit in the camp with six younger children. "She was probably the best pupil we had," Wilson sighed.

Who is the migrant worker? He spends his winter in Florida, Georgia, or the Carolinas and his summer in New Jersey, Maryland, or other Northern States. Simeon Moss, assistant to the Commissioner of the State Department of Labor and Industry, said the migrants go back and forth in secondhand buses.

Each busload coming into New Jersey is supervised by a crew leader, Moss said, and the crew leader is responsible for obtaining a license from the State to work in the fields. The migrants are southern Negroes and Puerto Ricans. They arrive in July and stay until early fall, Moss said.

Around Cranbury, they're picking the potato crop. However, the market is depressed this summer, Moss said, and the attendance at Cranbury School is less than expected. Around Woodstown, it is tomatoes, asparagus, and snapbeans. In the Fairton area there are onions to top and beans and tomatoes to gather.

The migrants stay at camps provided by the farmers. These camps are inspected by the State on at least two occasions, Moss said.

Everything is free at the migrants' schools—education, food, clothing, and medical care. Lunches are nutritionally balanced, Moss said, although the bureau's budget allows each school only $250 a season

for meat. We had chili con carne, salad, raisins, bread, milk, and pudding at the Woodstown School. It was good.

The schoolday is from 8:45 a.m. to 3 p.m. The 3 schools are manned by 17 teachers and assistants. Moss said the teachers are accredited New Jersey teachers and are paid $100 a week, although a head teacher at one of the schools receives slightly more.

The State rents the schools at a cost of $100 a room for the 6 weeks. Medical care is provided by the State department of health. According to Mrs. Georgia Lee Johnson, nurse at the Cranbury School, each child has a national health record which he takes with him to wherever the crops call his parents.

For instance, she said, a child may receive two polio shots in New Jersey. With the cold winds, the family goes south and Florida health officials complete the cycle with the third shot. Mrs. Johnson said there are many hygienic problems to treat.

Children are arranged by categories, rather than grades, since despite efforts to educate the children properly, a number of them never finish a grade. There are primary, intermediate, junior, and senior divisions.

But even these divisions are almost meaningless. For instance, Wilson is teaching a senior division, children over 10 years old. But instruction varies from the first-grade to the eighth-grade level.

Moss figures that in a 4-year period a migrant worker's child loses a year of school. "In a few isolated cases," Moss asserted, "this summer program is the only education the child gets all year."

The first day of summer school is a heartbreaker. The children come in tattered clothes, often shoeless. Most of them need a bath and arrive with an empty stomach. New clothes and shoes are provided largely through the New Jersey Council of Churches.

We had the opportunity of talking with the Reverend and Mrs. Theodis Clark, representing the council. Mrs. Clark is originally from Puerto Rico, and at Woodstown, where there are 21 children who don't speak English, she is interpreter for the doctor and nurse. The Clarks serve at the camps as counselors and recreation directors, and Mr. Clark performs religious services.

"The people are anxious to get out of the stream," Mr. Clark said. For the 7 years they have been on the circuit in south Jersey, Mr. Clark said, they have been working on one man in particular, trying to impress on him the need to settle down to safeguard the future of his children.

"We're proud," Mr. Clark said, "he has bought his own house in New Jersey and is going to be a farmer."

LITTLE GIRL WITH SHINY SHOES DANCES IN A SOMBER WORLD—TO HUMBLE BOY OF MIGRANT WORKER, LIFE'S A STORY HE CANNOT TELL

(By Charles H. Harrison)

At the school for migrant workers' children in Cranbury, a little girl danced a jig, kicking up her heels in exultation. She was wearing her first pair of shoes.

IN FROM THE FIELDS

The girl was in the class for preschool children. This is the first year the State migrant labor bureau has run a program for children aged 3 to 5 at its summer schools. Before this year the youngsters either shifted for themselves in camp while their parents worked in the fields, or an older brother or sister had to stay away from school to mind them.

Mrs. Georgia Lee Johnson, nurse at the Cranbury School, said that in 1 camp 11 tots were supervised for the day by a 7-year-old.

The day-care centers for the preschoolers are experimental at Cranbury and Fairton. "They're working out very well," said Simeon Moss, assistant to the commissioner of the department of labor and industry, "We think it may be feasible to locate them at the camps."

Mrs. Charles Hickerson has charge of the preschool group at Cranbury. For many of the youngsters, she said, it is their first experience with toys and crafts. "They're responding gradually," she continued. "At first they were withdrawn and tense."

One little boy spends most of his time at the easel painting. His work is not much different from the average nursery school child, Mrs. Hickerson said. But children in the preschool group she teaches in Princeton during the regular school year usually have quite a story to tell about what they have painted.

Mrs. Hickerson pointed to a product from the little boy's brush hanging on the wall, smears in black and red. "He had nothing to tell."

"For many of the children," Moss said, "the nap at noon is the most sleep they get all day." Large families and crowded camp conditions are not conducive to restful sleep, he said.

At the Woodstown School, there is a language problem. Approximately one-third of the children are Puerto Rican and don't speak English. Miss Eleanore Rue, head teacher, said a Spanish-speaking teacher comes in 3 days a week to teach English. "Poor children," she said, "they do need our help."

An 11-year-old girl acts as interpreter on many occasions for other youngsters, older and younger. We asked her what she liked best about school. She replied reading was her favorite subject. What was her favorite book or story? "The first book I get in my hands I like best," she said.

She has six brothers and sisters. After school, if her parents are still in the fields, she helps. At night she does the dishes and other chores.

Once the migrant workers' children are exposed to education they react eagerly to it. "They come in eager to work and not play," said Sherwood Wilson, head teacher at the Fairton School. However, play is an important part of the daily program.

Both children and parents are appreciative of the educational opportunity offered by the State. Moss said the State is studying the possibility of an adult-education program aimed especially at upgrading the workers' skills and teaching the women home economics and home maintenance. "The problem is when to teach them," Moss said. "They're too tired after work, and they need some recreation on the weekend."

LIKES JERSEY

A boy in Wilson's class comes from Florida. His father is a crew leader. We asked him whether he liked Florida or New Jersey best. "New Jersey," was his quick reply. "In Florida when it gets hot you don't want to stay in your shoes and you don't want to get out."

Moss is grateful for the sympathetic attention Gov. Robert B. Meyner and the State legislature have given the migrant workers' problems, particularly in the past 3 years when the budget for the summer-school program rose from $12,000 to $26,000 this year.

But he feels the program needs a $45,000 to $50,000 budget, so facilities can be opened in Burlington, Monmouth, and Camden or Ocean counties. Also, Moss would like to see enacted Federal legislation proposed by U.S. Senator HARRISON A. WILLIAMS, Democrat, of New Jersey, which would provide higher standards for the migrants.

One of the things which most impresses the visitor to the schools is the excellent behavior of the children. We confessed we expected them to be on the disobedient and boisterous side.

Wilson said he can remember one scrap between children in the 3 years he has been in the program. The little boy in his room who answered some of our questions had better manners than a few children we've talked to in public schools in Bergen County.

Mrs. Johnson said the children are well disciplined by their parents and taught respect for others. "The mother may not have much to give her daughter, but she has great love for her. That's important.

"When a migrant mother reaches over and pats her child, the child knows she means it."

HEALTH SERVICES FOR MIGRANT FAMILIES

Mr. WILLIAMS of New Jersey. Mr. President, many migrant agricultural families have learned to accept serious illness and disease as a normal part of life. America's high standard of living and advanced public health measures have not reached the lives of migrant workers, the lowest income group of our Nation. The most elementary preventive health measures are not taken by many of the migrants. In addition, because of their continual movement from area to area, migrants are unable to partake of community health services suited for a more settled population.

On August 25 the Senate passed a bill to provide Federal grants for local health programs in areas seriously affected by the seasonable impact of migrant agricultural workers. As sponsor of this bill and as chairman of the Senate Subcommittee on Migratory Labor, I am greatly encouraged by this action. The Senate's passage of the bill is a great step forward in the extension to migrant families of basic health services which have been available to the general public for many years. I look forward to the family health service clinics and the projects to improve health services and conditions which the bill will stimulate.

An article which appeared in the August 15 Asbury Park Press, "Migrant Families Get Health Service," describes a health service for migrant families in Monmouth County, N.J. The Monmouth County Organization for Social Service has sponsored a mobile health unit, a converted house trailer. The unit travels to farms and provides physical examinations, inoculations, tuberculosis, and other tests, and health advice to migrant families.

This health service is a fine example of one of the ways in which services can be adapted to suit migrant families. I am hopeful that with aid provided by national legislation, communities throughout the Nation will provide health services for migrant families. Only with services available on a nationwide basis can the health of these mobile people be improved significantly.

Because the Asbury Park Press article, "Migrant Families Get Health Service," provides a clear account of one type of health service for migrant families,

I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MIGRANT FAMILIES GET HEALTH SERVICE

ATLANTIC TOWNSHIP.—Four physicians and six nurses, working from a mobile unit parked on the side of a dirt road, began a new public health service last night.

They gave physical examinations, inoculations, tuberculosis and other tests, and advice to migrant families who do not have easy access to regular health services.

About 60 men, women, and children from 5 migrant labor camps attended the first mobile health clinic sponsored by the Monmouth County Organization for Social Service.

The unit is a 37-foot converted house trailer, silver with navy blue letters identifying it as the "MCOSS Mobile Health Service."

TOWED TO ROAD

It was towed onto Walling Road, on the John C. Ripley Farm off Route 537, for the first of a series of visits to eight Monmouth County farms on a rotating schedule extending to the middle of October.

The unit was in operation from 7 p.m. until after dark. A generator was used to provide light for the physicians once the sun went down.

Miss Winona E. Darrah, executive director of the MCOSS, said the first night's results were "very satisfactory."

"I think the mothers were very happy to have the service for their children," commented Mrs. Elizabeth Carlin, public relations director for the agency. "Of course, the kids didn't like the shots too much."

At least one mother made a major occasion of the mobile unit's visit. She showed up with her five children dressed in their best Sunday clothes.

Dr. Joseph A. Jurkoic, a Neptune pediatrician, examined preschool youngsters in the clinic inside the trailer, while shots and tests were given to older children and adults in the open air.

Dr. William J. Dougherty, director of the division of preventable diseases of the State department of health, was in charge of the inoculations and tests, which were given by Dr. Leon Meucur and Dr. James Watson.

ASSISTED PHYSICIANS

Six MCOSS nurses assisted the physicians.

The migrant families learned of the new health service from circulars distributed in the area and by personal visits. Some walked to the mobile unit, others drove, and others were given transportation by personnel of the MCOSS and the State department of health.

A Red Bank police escort led the mobile unit to the Ripley Farm. Peter Mann, Holmdel Township, has volunteered as the driver of the tow truck.

The unit was scheduled to be at the Daniel K. Stattel Farm, Route 79, Bradevelt, Marlboro Township, tonight.

Mr. MANSFIELD. Mr. President, is there further morning business?

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

SALINE WATER CONVERSION PROGRAM

Mr. MANSFIELD. Mr. President, I move that the unfinished business be laid before the Senate and be made the pending business.

The motion was agreed to; and the Senate resumed the consideration of the bill (S. 2156) to expand and extend the saline water conversion program being conducted by the Secretary of the Interior.

SOVIET ANNOUNCEMENT OF RESUMPTION OF NUCLEAR TESTING

Mr. MANSFIELD. Mr. President, there has been a good deal of talk regarding the announcement, made by Premier Khrushchev, to the effect that the Soviet Union intends to resume nuclear testing sometime soon. There also has been much talk to the effect that a so-called 100-megaton bomb will be created, and, I suppose, under certain circumstances used.

If my memory serves me correctly, this is not the first reference made by Mr. Khrushchev to a so-called 100-megaton bomb; but it appears to me, on the basis of hindsight, that what has happened by way of this announcement is something which should not surprise us in the least. We know that whereas in the beginning the leaders of the Soviet Union were quite anxious to try to reach an agreement—at least, so they said—for the control of nuclear weapons, for the past year they have shown a lack of desire in this direction, even though time and time and time again the United States and the United Kingdom came forward with plans to see whether some accommodation, some arrangement, some compromise agreement, could be reached.

It is my further understanding that Mr. Arthur Dean, our chief delegate to the nuclear test ban conference at Geneva, recently was sent back to Geneva with a new proposal. That proposal was given short shrift, although it encompassed a wide area; and if negotiations could have been carried on in good faith, I assume that proposal would have been received with some degree of favor.

What our policy will be, no one knows. I am not by any means an expert on things nuclear or thermonuclear; but, if I correctly recall, it was stated that should the negotiations between the three powers fail, at an appropriate moment we would feel it incumbent upon us to resume testing, but that that testing would be of an underground nature, whereby the air would not become polluted and the lives of people, animals, and plants thereby endangered.

I hope that we shall study this matter carefully, and will recognize that perhaps this is a tactic on the part of Mr. Khrushchev, tied to an extent to the present—today, the ever-present—crisis at Berlin; perhaps it is a tactic also in relation to our standing in other areas of the world where we can at a moment's notice face additional crises, in addition to the one now confronting us at Berlin.

Of course, we are supposed to have been able to win a psychological victory because of this prior statement by the Soviet Union. But I hope no one will consider this a victory, because what seems to be in the offing is a policy which will affect the life of every man, woman, and child in the entire world. I hope the Soviet Union, the United States, the United Kingdom, and all the nations on the verge of becoming nuclear powers will likewise move with caution and discretion.

I hope all of us recognize that regardless of the immediacy of the present announcement by Khrushchev, in some way, in some fashion, at some time an agreement for the control of nuclear weapons must be found, because if it is not, the Soviet Union and the United States will not be the only ones to pay the price entailed because of this destructive process, but all the other peoples of the world as well will do so; and we are not so far away, according to the information I read in the public press, from the time when we can expect as many as 8, perhaps 10, or even more nations to have the nuclear process in their control and, in time, to be able to develop nuclear weapons.

So, Mr. President, while the period in which we live is a dangerous one, and while the statement issued by Mr. Khrushchev is a dangerous one, I hope we shall not become stampeded, but shall think through this matter and shall act as calmly as possible in the light of all the known circumstances, and shall do so in recognition of the fact that if at some time, under decent circumstances, some agreement is not reached, then the very existence of mankind may be at stake.

Mr. KUCHEL. Mr. President, the sham and the hypocrisy of the Soviet Union today stand out in bold relief before all the world.

I recall some of the history of the procedure by which the Government of the United States over the years, under Democratic Presidents and under Republican Presidents, has painstakingly tried to demonstrate its earnest desire to find a way for a dependable first-step agreement with respect to a nuclear test ban and disarmament.

On one occasion, officials of the Government of the United States, representing its NATO allies, endeavored, day in and day out, for many long months, in London, to reach an honorable and dependable agreement with the Soviet Union. On some occasions, indeed, it appeared that we were almost on the verge of agreement. Then suddenly from the Kremlin came the order to go home, and the Soviet representatives hastily left for Moscow.

That able man, Arthur Dean, has sat at a conference table in Geneva, sometimes accepting some of the counterproposals which the Russians made, only to find that when we endeavored to reach an agreement by accepting some of those proposals, the Russians "zigged" to a new position, and then asserted that the only way they would sign an agreement for nuclear test bans would be to have control by the so-called troika administration, which obviously represented no control at all.

Mr. MANSFIELD. Mr. President, will the Senator yield at that point?

Mr. KUCHEL. I yield.

Mr. MANSFIELD. It is my understanding, and this just came to me, that the recent proposal by Arthur Dean was, in effect, the troika proposal in reverse, by means of which there would be a cer-

tain number of supervisory personnel from the Soviet Union, a like number from the Western Powers, and a small number, but a decisive number, from the neutral nations.

Mr. KUCHEL. The Senator is correct.

Mr. MANSFIELD. This operation of the troika principle was turned down by the Soviet Union.

Mr. KUCHEL. The Senator is correct; and, once again, cannot the world now see where the responsibility lies? It lies entirely with the Soviet Union.

I doubt very much that, under the present leadership of international communism on this globe, mankind may look forward in the near future to the possibility of a nuclear test ban being agreed upon. That is a sad thing to say and an unpleasant future to envision.

Under all those circumstances, Mr. President, speaking for myself, I urge the Government of the United States to demonstrate to the world that now, I repeat, the sham and the hypocrisy of international communism compels this country, in the interests of the security of the American people, to begin anew to test, to perfect its nuclear arsenal, not alone for the deterrence of potential Communist aggression, but—God forbid that we ever come to it—for the combating of Soviet aggression through such retaliation as the Government of our country and our allies might deem appropriate at any given time.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to the Senator from Missouri.

Mr. SYMINGTON. I commend the able assistant minority leader for his statement this morning.

We talk about "resumption" of testing. It has never been clear to me why we should take for granted the fact the Soviets ever stopped testing. We know of very heavy explosions that have occurred in the Soviet Union. Why should we assume they are not testing? Everybody who discusses this matter, even after the announcement of last night, talks about the fact the Soviets are going to resume testing.

I wrote one of the ablest editorial writers of one of the largest papers in this country, questioning his position on this subject, which was that this country should continue the unilateral test cessation agreement, asked him how he could feel the way he did, especially because on other issues his views were so solid. He replied, "I have never said they were not testing. But the advantages to us in world approval for not testing are so great, I think our policy is the wise policy to continue."

Because of the very great advantages which automatically accrue to those who do test, as against those who do not, I could not and cannot agree with his conclusion.

My point is that nobody, in these discussions or colloquies, that I know of, has taken any position except the fact the Russians are resuming tests. I take the position that, in all probability, based on their record and the fact of explosions in Russia we know about, they have been testing.

Does the Senator not agree that is logical?

Mr. KUCHEL. I certainly cannot disagree with the able Senator from Missouri, because the explosions behind the Iron Curtain, to which he has referred, have never been adequately explained by the Soviet Union; and it will not do for us to accept the statements of the leaders in the Kremlin when they slough them off and say, "These explosions were not nuclear." That is not an answer. No one is able to say what the Soviet Union has done.

The able Senator from Missouri makes an excellent point. Who knows, outside of the Kremlin itself, whether or not there has ever been a cessation of nuclear testing behind the Iron Curtain?

Mr. SYMINGTON. Mr. President, will the able Senator yield?

Mr. KUCHEL. I do.

Mr. SYMINGTON. In all developments of technological articles, field testing makes it possible to get more results for less weight.

Not so long ago, when the Senator from New York, who is here with us this morning, and I lived in the same town, I was in the business of the production of radios. These radios were very large as compared with the size of today. I purchased a set the other day smaller than a pack of playing cards, an excellent machine.

The more blast per pound that is obtained, the less thrust is necessary to propel a weapon. Therefore, based on the record, is it not logical to conclude that for years the Soviets have been working very hard to improve their weaponry by testing, because they could have done this without possibility of our discovering it?

Mr. KUCHEL. There is no question about it. I say that for an American with the background of the Senator from Missouri to make this statement underlines the importance of the question. I agree with the utterances the Senator has just made on the Senate floor.

Mr. SYMINGTON. I thank the able Senator, and would ask him one more question, if he will yield.

Mr. KUCHEL. I yield.

Mr. SYMINGTON. Does the Senator know of any agreement we have or have had with the Russians with respect to testing or not testing?

Mr. KUCHEL. There is no such agreement.

Mr. KEATING. Mr. President, will the Senator yield to me?

Mr. KUCHEL. I yield to the Senator from New York.

Mr. KEATING. It seems to me the distinguished Senator from Missouri has made an excellent point. We seem to have taken some comfort from the fact that there is no positive proof that the Soviets have been testing. There is, likewise, no positive proof that they have not been testing. And when we are dealing with the Soviet Union, with their record of deceit and deception, the only safe assumption is also the more sinister one.

Scientists inform me that the explosions which have taken place could have been nuclear testing explosions. Anyone, therefore, can have his own ideas about what has been going on. It is true that we seem to have gone on the assumption that, because there is no absolute proof of the Soviet's testing, they are not testing, and that therefore we should make no move in that direction. My fear is that we have lost valuable time.

I hope and pray that is not so. I fear we have lost some of the advantage we previously had.

My feeling has been for some months that a definite cutoff date should have been set by our Government and at that time we should have stated we would resume underground nuclear testing. It seems to me that was the only safe assumption upon which to proceed.

I think the Senator from Missouri has made a very valuable contribution to this discussion, as has the Senator from California.

Mr. KUCHEL. I thank the Senator. He places the issue with respect to Soviet sincerity or insincerity precisely. There is no evidence on either side, yet the explosions behind the Iron Curtain remain unexplained.

Mr. President, the American people applaud what the President of the United States has done, as they applauded what his predecessor did, in sending representatives of free peoples to a table in a continuing attempt to try to find an agreement; but the patience of the American people is not inexhaustible. Quite beyond that, the security of the American people must continue to be the first consideration of the Government of the United States.

When Arthur Dean returned a few days ago to Geneva he went there for what the President indicated was the last time. Now the Soviets, by their sinister announcement, by their truculent announcement, made yesterday, have destroyed the present hopes of mankind to eliminate by honorable agreement the horrible possibility of a deadly contamination of the air which people and animals breathe, by which, indeed, life on this planet goes on.

Mr. GORE. Mr. President, I do not think it is correct to say that the President of the United States has assumed that the Soviets have refrained from all testing of nuclear weapons. I know it is not correct for anyone to say that the junior Senator from Tennessee has assumed such. I do not know; I have doubts; I have not proceeded upon an assumption that the Russians have or have not conducted tests covertly.

As I interpret it, this was a major move on the part of the Soviet dictator to frighten and intimidate the NATO powers of Western Europe. I invite attention of Senators to the CONGRESSIONAL RECORD for yesterday, page 17532. I made this remark to the Senate:

> It seems to me this is a part of the Soviet drive to frighten U.S. Allies from our side. One by one, Khrushchev has warned Germany, France, England, Italy, and other nations that in case of a conflagration, in case of hostilities, he would make dust of their countries and their peoples. He has not succeeded in this campaign of "scare and bluster."

I do not believe this further chapter will succeed.

Mr. President, I read in the Washington Post and Times Herald this morning, in the column of Mr. Drew Pearson, a quotation directly attributed to Mr. Khrushchev:

> Why do I think that, despite all this, there will be no war? Because Chancellor Adenauer may turn out to be the best disciple of peace—and his Defense Minister, Strauss. Strauss knows what war would do to West Germany. So do your other Allies—Premier Fanfani of Italy, whom I found to be a very reasonable man, and also De Gaulle and Macmillan.
>
> They will be the first to take the United States by the hand and tell you there must be no war over Berlin.

Here, in the quoted words of Khrushchev, is evidence that he is undertaking to break the will of the West to resist by threats of nuclear destruction.

I do not believe the brave people of Great Britain—the English, the Scotch, and the Irish—who have weathered the storms and the dangers of the centuries and who have fashioned a great way of life, who are a brave and cultured people, will succumb to this thermonuclear intimidation. I do not believe the great nation epitomized by the courage, the daring, the austerity, and the wisdom of General de Gaulle will succumb. I do not believe that NATO will be broken by such actions. Nevertheless, it seems to me that this is a major purpose of the announcement.

The second significant thing with respect to the announcement of resumption of testing, to which I invite the attention of the Senate, is that this involves testing in the atmosphere of the world. The development of bombs of the magnitude referred to in the announcement cannot be accomplished underground. Moreover, weapons of such magnitude are more weapons of terror.

Had the Soviets tested in the atmosphere, it is very likely the United States would have known about it. It may have been possible for the Soviets to conduct covert tests underground without detection, and as evidence that the President has not assumed to the contrary, the President appointed a distinguished committee of scientists to conduct a survey and to study the possibilities of the conduct of such covert tests and the advantages involved for the Soviet Union in the event such tests were covertly conducted.

This has not been a closed question. It has been a question of inquiry, a subject of doubt.

Nevertheless, the United States has kept its own hands clean, has refrained from testing, though it has declared itself long since free from the moratorium, in the hope that an agreement could be reached, which we see now was a vain hope.

President Kennedy and the great Nation he represents stand before the world with honorable intentions, with sincere desire, with demonstrated good faith. It now comes to this sad end.

As the President said yesterday, the United States must reach decisions indicated by its own security and responsibility.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. SYMINGTON. Mr. President, I have the greatest respect, as I am sure everyone in this body knows, for the sincerity and the capacity of the President of the United States; and also respect for the previous President. It seems to me we are now faced with the necessity of doing whatever is necessary to deter Communist aggression.

I thank the able Senator from New York, who constantly impresses me with his grasp of those subjects that have to do with our security, for the very kind remarks he made this morning.

Today in our Military Establishment we have many new weapons. We have also the Strategic Air Force.

The hearings being conducted by the very able Senator from Mississippi have proved that by far the greatest deterrent today is the Strategic Air Force. In that Air Force we have three types of bombers. We have the B–52, the B–47, and the B–58. The Senate has requested that more money be spent on the B–52 bomber. The more B–52's we have, with trained crews, the greater the deterrent capacity of the United States.

But recently something else has happened. Statements have been made with which I concur—that the B–47 bomber is now close to obsolete. Between the B–52 and the B–58, I choose the B–52, because the experts believe it is the better bomber with the newer weapons, for the job to be done. On the other hand, the B–58 is a tremendously improved B–47. It flies far more than twice as fast. It carries a great deal more weaponry. It has at least as much range. It is a modern airplane. It is the most modern bomber, even though only a middle-range bomber, that the free world has.

When we get into the question of the increased tensions of Berlin, do we say that we shall build more of our most modern medium bomber? No. We say that we shall, instead of retiring our obsolete bomber, subsonic—actually a 1946 bomber—15 years old, that we will maintain that bomber, and therefore we are maintaining in the SAC fleet a relatively obsolete airplane.

We have Senators such as the senior Senator from Georgia [Mr. RUSSELL], who know a great deal about the subject. They have been studying it for 30 years. By a vote of 87 to 4 the Senate expressed its confidence in the B–52 bomber, having in mind especially that the Hound Dog missile and the Skybolt missile are coming along. Despite that fact, we have heard from the Defense Department that there will be no additional purchases of the B–52, and no additional purchases of the B–58, just a retainment of the old B–47's.

Mr. Khrushchev loves to rattle missiles, but the facts are that he showed production quantities of a bomber comparable to the B–58, though probably with more range. Therefore he has been building planes in recent years.

In 1956, when the Chief of Staff of the Air Force went to Russia at the invitation of Mr. Khrushchev, he saw nine new models.

The statement was made by some of our people that these were probably prototypes and would not go into production. Later on we found seven of those planes were placed in production. Five years later four new Soviet airplanes were demonstrated at the Tushino show last month. One of them was comparable to the B–58, and in some ways comparable to the B–52. Another was a fighter comparable to the F–108, the longer range fighters we canceled because we could not afford it.

Another reason given for canceling production of that plane is that the most modern bomber, the B–70, would do the same job. Then we cut back heavily on the B–70.

I am not criticizing the past.

Senators know that I have been on the floor of the Senate warning on this subject for many years. But the past is past, and there is no use to cry over spilled milk. This country, however, today has an income of close to $1.5 billion a day. I believe as the basic menace of communism becomes ever more important to the average citizen we ought to back up what we talk about in this Chamber, all these speeches, with some action. The action that can be taken, and in my opinion should be taken, is recommendation for a greater investment of the treasure of the United States in the security of the United States. It is true that according to many people, we put up more money recently than the Soviets. They put up $3 billion more a few weeks ago; we put up $3.5 billion more. But an article by Professor Bergson in the New York Times showed that, based upon the new hard ruble, the Soviets may well have put up $8 billion more.

I believe we have come to the point where we had better not listen entirely to those who want to negotiate for peace without consideration of our relative strength and to some of the scientists, and start listening at least a little more to the military men who will have to defend this country in case we are attacked.

By that statement I merely mean that we should listen when the military men ask for modern equipment and better training for their men.

I am the first to agree that defense is but one square on the checkerboard of American foreign policy. But we do not have enough modern equipment, and we do not have enough trained people. If there is any lesson from this latest exhibition of duplicity or aggressiveness—whatever the word should be—on the part of the Soviet, that is the lesson that comes to my mind. I thank the Senator.

Mr. GORE. I thank my distinguished friend for his able comment. He has been a strong champion of American strength and preparedness for a goodly number of years. His voice has always been strong and eloquent in this cause.

Returning for a moment to the awesome question of nuclear weapons testing, it seemed to me that when the Soviets returned to the conference table last April and there reneged on propositions of control and inspection to detect violations of possible nuclear weapon test agreements to which they had already

agreed, and instead insisted upon a Soviet veto over all mechanisms of inspection, that they had thereby demonstrated their cynicism, their contempt for the negotiating process, their unwillingness to accept inspection, and had thereby demonstrated the futility of further conferences so long as the demand for veto obtained. It was my view then that further negotiations would be fruitless, and I so expressed that view.

However, the President chose to continue to go the last mile, demonstrating not only his own good faith, but the prayerful hope of himself as President and of the people whom he represented, that an agreement could be reached.

I agree with the distinguished senior Senator from Missouri that we must start now from where we are. We now see that the Soviets have never been sincere in the conference at Geneva. We now see that this has been an exercise in propaganda. We hope the world can see that the President of the United States and the people of the United States have been sincere in their hope and in their good faith in their proffer.

There on the conference table, as of yesterday, before it was swept clean by the Soviet announcement, was the actual text of a treaty, submitted in good faith, in reasonable terms, earnestly and sincerely advocated by the President and his Ambassador, Mr. Dean. Starting from where we are, let the world see and let our allies realize that Khrushchev is undertaking to blackjack and to intimidate them into surrender. I believe they will resist, and that our Western allies will stand firm and, in fact, even firmer under this threat. We can confidently expect them to recognize and reject this strategy of terror.

Mr. DODD. Mr. President, I should like to make some observations about what the Senator from Missouri and the Senator from Tennessee and the Senator from California have said.

I am sure they will agree that the events yesterday are ominous indeed, perhaps fateful.

It can be taken as a certainty that the weapons the Kremlin will be testing in the more or less public domain of the earth's atmosphere will not be first prototypes. They will be testing weapons that they are certain will go off. They will be testing weapons which have already been proved in prototype. And if these weapons have been proved in prototype, then they could only have been proved in clandestine tests, perhaps carried out underground with scaled-down models.

These scaled-down models, I would point out, could have been of very considerable size. As scientists concerned with the problem have recently testified, we would have had no way of detecting test explosions even of several hundred kilotons—tests of weapons, that is, up to 10 times the power, or more, of the Hiroshima bomb—if they had been conducted in large underground caverns.

We can only speculate on the nature of the new weapons Khrushchev proposes to test. Perhaps it is the 100-megaton bomb, which would be the equivalent of 100 million tons of TNT. Perhaps it is the neutron bomb, Soviet possession of which, as I have pointed out, would confront us with the terrible choice between all-out thermonuclear war and surrender. Perhaps it is some other device, unknown to us in principle. What we can anticipate with certainty is that it will be a weapon of terror. It may very well be the weapon of supreme thermonuclear blackmail which Khrushchev will play as his trump card in the Berlin crisis.

But if Khrushchev can demonstrate his possession of a superweapon, it would have implications that go far beyond its immediate impact on the Berlin crisis. If the free world shows itself weak and divided, Khrushchev might even be able to achieve his goal of world conquest without war. Alternatively such a weapon might give him the capability to launch a surprise thermonuclear attack so devastating in its first impact that the Soviets would be able to absorb whatever retaliation we could throw at them in a so-called second strike.

These are gloomy suppositions. But they are possibilities we cannot afford to ignore.

I do not believe that we should cry over spilled milk. We should start from this day forward. I believe, also, that this is the day on which we might consider why we are in this difficulty. This is not by way of recrimination or by way of blaming anyone for anything. However, I think it is the part of intelligence to take a look at our own record, to see if we can find what we did that was wrong, or what we failed to do that we should have done and that would have been helpful.

I have said on another occasion that I thought the moratorium on the test ban was the most fatuous blunder in all our history. I believe it today more firmly than the day I said it.

What has troubled me during all these years is that reputable scientists all along have told us that there is no scientific way of detecting a carefully concealed nuclear explosion. I had luncheon with an eminent physicist only yesterday, who told me that there is no way of detecting a concealed underground nuclear explosion five times as great as the nuclear bomb that was dropped on Hiroshima.

In the face of that scientific fact, what kind of business was it for us to trust the Soviet Union?

The moratorium was an agreement of honor, pure and simple, in which we forsook some most vital progress which could have been made in nuclear weapons technology and perhaps imperiled our very survival as a nation, on the assumed honor and truthfulness of the Soviet regime.

That we should have done so is something that surpasses understanding. I doubt that there is a single person in this Chamber who would challenge the statements that the Communists are liars and cheats and murderers; that their philosophy justifies any act of villainy or dishonesty so long as it will advance the cause of communism; that they have, in the 40-odd years of the Soviet regime, violated more than 1,000 treaties and agreements; that they are out to cut our throats and to bury us.

And yet, I repeat, we have staked the safety of our people and the very survival of our Nation on the preposterous assumption that the Communists, for some strange reason, would keep to their word on the nuclear test ban moratorium, that they would not attempt to cheat despite the fact that the achievement of nuclear superiority would point the way to world conquest.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. SYMINGTON. I commend the Senator from Connecticut. Let me repeat what I said on the floor yesterday. When this matter first came up in 1956, the understanding was we could detect any violation. In 1957 we could detect any violation above 5 kilotons, but not below. In 1958, we could detect any violation above 20 kilotons, but not below. In 1959, it was 100 kilotons. In 1960 scientists told me they doubted we could detect a nuclear explosion of 500 kilotons, if it was properly handled.

I placed in the RECORD questions I asked of Mr. McCloy, which he answered. I asked him 20 questions about how we would proceed with nuclear testing. If we read one of his answers, which embraces the concept of decoupling plus a large cavity like a salt mine, we come to the conclusion that we cannot detect an explosion below a megaton.

Therefore we may have placed ourselves completely in the hands of the Soviets. It is not a matter of honor, because there is no agreement.

I ask my good friend from Connecticut to let me proceed for 1 more minute. As the distinguished Senator from Tennessee for whom I have the greatest respect, has said, all this involves our allies. The most dangerous thing that could happen now from the standpoint of the security of the United States would be for our allies to begin to feel that we would not back up our commitments to them.

For a long time I have said that in my opinion the greatest danger of war would be belief, conviction on the part of Mr. Khrushchev, that we would not defend ourselves. We know that the record proves one of the reasons Hitler struck in 1939 was his conviction the British would not fight. Our allies are watching what we do, not what we say. They are watching how many men we train, how modern our Army is, how modern our Navy is, how modern is our Air Force. There are no greater realists in the world than the French and the British. History has proved that to be true. I can remember that 4 or 5 years ago I went to General Maxwell Taylor and said to him, "I am astounded to find the condition in which the U.S. Army is at this time," this after hearing he was going to resign.

I said, "Will you tell me how much money you believe is needed to obtain a modern Army?"

I received the figure, at that time, of $10 billion. General Taylor said, "We could spread that amount over 5 years, $2 billion a year."

We did our best to get that money for him. As these clouds were beginning

to gather, we nevertheless obtained only $500 to $600 million.

The Senator from Connecticut has full right to be apprehensive about this unilateral nuclear test. I hope he agrees with me that the cessation policy time has come to express our apprehension of Communist aggression more in defense preparation and less in talks on this floor about victories of words.

Mr. DODD. I am grateful to the great Senator from Missouri for what he has said. He has very clearly explained the situation. I hope that our colleagues in the Senate will, on reading what he has said, be grateful for what he has made so clear.

Mr. GORE. Mr. President, will the Senator yield?

Mr. DODD. I shall be happy to yield to the Senator from Tennessee. I consider the Senator from Tennessee one of the great authorities in this body on this whole question. As he well knows, I have gone to him and sought his counsel and advice. He has always been kind and helpful, as has also the Senator from Missouri. I do not want the Senator from Tennessee or the Senator from Missouri or anyone else in the Senate to understand that I am being critical of them, more than I would be of myself at this hour. Having said that, I am happy to yield.

Mr. GORE. I am most grateful for the generosity of the distinguished junior Senator from Connecticut and for the generous remarks of my able and distinguished friend, the senior Senator from Missouri. It is not my purpose, either, to be critical of anyone, and least of all to be partisan. Just as the senior Senator from Missouri has so aptly said, we must start from now in the formulation of policy, so did President Kennedy find himself under the necessity upon the assumption of the Presidency of starting with the situation obtaining as of then.

I believe it should be pointed out that President Kennedy has never specifically imposed a moratorium on testing upon himself or upon the policy of this country. Indeed, former President Eisenhower specifically declared this country free from the moratorium.

So there has been no agreement on the part of the United States to refrain from testing. There has been no agreement on the part of the Soviet Union; merely a statement by the Soviet leaders. Nevertheless, the United States has refrained from testing. It has, indeed, even refrained from completion of preparations for major testing. This may be one of the more serious of the errors involved. At least, we should be grateful and thankful for the good will, for the trust in mankind, for the sincerity of both former President Eisenhower and President Kennedy for the desire to bring under international control this awful weapon which poses not only a threat in war, but a threat of contamination in the world's atmosphere from its testing within the atmosphere.

This is a particularly ominous development of yesterday. Most nations which now desire to develop, and may be on the verge of developing, nuclear weapons cannot test underground. This may start a disastrous wave of atmospheric contamination.

At the very beginning of the conferences in Geneva, it was the position and the sincere and earnest view of the junior Senator from Tennessee that the United States should set for itself attainable goals, goals supported by scientific fact. The goals which were set forth at the beginning of the conferences were not, in my opinion, supported by scientific fact, as the Senator from Connecticut knows. The negotiations started for the stoppage of all tests, on the assumption that tests of all size and in all environments could be detected. Our own tests, the Hardtack series in the western part of the United States, had demonstrated that was not true. This had been demonstrated to be fallacious before the conferences in Geneva began. Therefore, I felt that the goal to which we could logically aspire would be an agreement to stop the tests which contaminate the atmosphere and thereby pose a threat to the well-being of the human race, not only in Russia and the United States, but in Ceylon, in Australia, in South America, in Africa and Asia—throughout the earth.

Now that this exercise in propaganda has been brought to a dramatic and sad conclusion by the Soviet Union, the United States must calculate its policy not alone in view of its security; I think we must yet calculate the policy upon a consideration of the threat to all mankind.

I hope President Kennedy will, even now, whether from the White House or from the United Nations, entreat the Soviet Premier to refrain from making tests in the atmosphere, tests which pose such an awesome threat to all human life—indeed, to all biological life. If the Soviet Union must test underground, then undoubtedly we must test underground, too. But even though the situation has reached this sad pass, perhaps this man who is now saying, as I just read, that the British will not fight, that the Germans will not fight, that the French and the Italians will not fight—perhaps this man, who now may be convinced, as Hitler was so disastrously convinced, that the British will not fight, can be dissuaded from his madness. Even now, unless absolute power has warped reason absolutely, perhaps the great weight of world public opinion can yet be brought to bear with telling effect.

I apologize to the Senator from Connecticut for this extended interruption. Once again I thank him for his generous comments.

Mr. DODD. Mr. President, I am very happy that the Senator from Tennessee interrupted. I am grateful to him. He always makes a worthwhile and valuable contribution on the floor of the Senate and everywhere else. I quite agree with him in everything he said. I, too, hope that we shall continue to do everything we can to make certain that the Soviet Union does not go further than it has already gone by the announcement which has been made. I am sure the Senator would agree, however, that while we are doing this, we should take the steps which are necessary to make certain that we are safe and secure. That is why I offered the resolution this morning, urging the President to resume testing immediately.

Mr. SCOTT. Mr. President, on the subject of nuclear testing there is now reason to believe, from current reports, that the President feels perhaps some amount of time should elapse to allow world opinion to place the blame where it belongs, on the Soviet Union, for its aggressive and malevolent intent in the resumption of experimental nuclear testing, and to allow the so-called neutral and uncommitted nations of the world to realize who is responsible for menacing world peace. I think myself that the people of many satellite countries are more anti-Communist than those of some of the so-called neutral and uncommitted nations, because they have lived with communism and know the nature of the enemy.

I hope that such delay as the President believes to be reasonably desirable to secure the benefit of world opinion will not be too long extended. We have some reason to believe that the Russians may be planning another move in the next few days. This is a war of nerves directed perhaps not principally at us but at our friends and allies in the hope of shaking their resolution. So far as our allies are concerned, I believe such an effort is bound to fail.

I think it is necessary for us to resume testing as soon as may be practical. I would assume we would expect to control, so far as may be possible, contamination of the air.

I suggest that all persons should read the statement made today by the great scientist, Mr. Edward Teller, who, as I understood it, said he would have considerably more fear of a Russian bomb and Russian intentions than he does of all the possible fallout of all the weapons we could conceivably test.

Mr. President, on October 31, 1958, when the United States agreed to a nuclear test moratorium for 1 year, it was believed that the United States enjoyed a qualitative weapon superiority over any potential enemy. Since that date we have not conducted any nuclear tests. In absence of an effective agreement with inspection and control, we do not know with any degree of assurance whether the U.S.S.R. has similarly abstained from testing. Accordingly, the effect of a continued moratorium on nuclear testing without any effective agreement has been to possibly degrade our relative nuclear superiority.

From the point of view of improving our military preparedness, for both general and limited war, additional weapon tests are needed. Experiments in nuclear physics and engineering are vital to scientific progress, the absence of which tends toward speculative rather than assured results. Our current military systems developments are paced by fast-moving R. & D. programs. However, the lack of verifying evidence on advanced nuclear weapon concepts tends to

act as a brake to these developments. Specifically, the effect on current and future capabilities are:

First. Unless the performance of new nuclear designs can be demonstrated through tests, our national atomic capability is effectively frozen near present levels of quality and cost, with the collateral problems of obsolescence.

Second. The delay in resuming nuclear testing will have serious effects on our nuclear weapons development program, to wit:

It will preclude attainment by the United States of possible scientific breakthroughs which could contribute both to improvement in weapons and advancement of knowledge in the world of science.

The gains that are possible with testing will not be achieved, thus hindering development of smaller, lighter, and less expensive tactical weapons.

In the area of scientific personnel, gradual erosion of our weapons design teams to other more interesting fields of endeavor can be expected.

Highly necessary weapons effects information both at high altitude and underground will not be attained.

Mr. JAVITS. Mr. President, I have issued the following statement on the resumption of nuclear testing by the Soviet Union:

The United States should not necessarily follow the Soviet Union in resuming nuclear testing right now. We should rather state that we are free to test, as the free world security requires, in the days ahead; and we should let the world feel the full impact of the Soviet Union's cruel decision before making a final announcement. We should also state that when we do resume testing we will announce it and we should, of course, avoid testing in the atmosphere, if at all possible.

In the interim we should make clear to all the world the brutal cynicism of the U.S.S.R. in its announcement to resume testing and in the way it has dashed the world's hopes on disarmament. We should reiterate our continued willingness to resume the efforts on disarmament on the terms we have proposed, in which even the U.S.S.R. found at one time a suitable basis for negotiation.

We have not one but two responsibilities—the security of the free world and the moral leadership of the free world. We must do our utmost to sustain both responsibilities in this hour of grave crisis.

At the same time, Mr. President, we must vest our full confidence in the President and in the Joint Chiefs of Staff as to the decision when the national security requires us at that exact moment to announce we actually are resuming testing. Now we should confine ourselves to the announcement that our hands are free to resume testing as soon as we feel the security of the Nation requires it.

Mr. MILLER. Mr. President, the imperialist Soviet Union has finally decided to do openly what it probably has been doing secretly for some time—namely, conduct explosions of nuclear test weapons. Announcement of this policy was accompanied by typical Soviet saber-rattling, warning that Russian scientists have worked out projects of creating superpowerful nuclear bombs with a yield of up to 100 million tons of TNT equivalent.

That announcement should come as no particular surprise, Mr. President. It fits with the Soviet policy of nuclear blackmail, which Premier Khrushchev has been using for some time—particularly against some of our allies. Our own scientists have been pointing out that testing is essential to insure reliability of new developments. Indeed, the voluntary test moratorium to which the United States has subjected itself for the past 3 years has reached the point where continuation of this policy would seriously jeopardize the security of our country, which depends upon the deterrent nuclear power it must continue to possess.

The big difference between the situation confronting the United States and that confronting the Soviet Union with respect to nuclear testing is that the United States needs to do this in order to insure continuation of its power to deter aggression; whereas the Soviets need do so only for the purpose of trying to offset our deterrent power, so that they can continue their aggressive, imperialistic policies. The other nations of the world, particularly those which promote the freedom of their peoples through fair and accurate dissemination of information to the public, should be made clearly aware of this difference, so that there will be no question about why the United States must resume nuclear testing.

If Premier Khrushchev has timed this announcement for the purpose of changing our policy over Berlin, Mr. President, I believe he will be disappointed. Our rights in Berlin and the integrity of the principle of self-determination of the German people under the United Nations Charter do not bend, much less break, because of saber rattling by an aggressive Communist power. The Soviets must be made to understand that "might does not make right," that they are merely wasting their time if they seek to intimidate us, and that we do not propose to stand still while they vainly attempt to offset our deterrent capability.

I trust, Mr. President, that the President will heed the advice of the Atomic Energy Commission and his military advisers, and will promptly direct resumption of nuclear testing as a result of the stupid, but not surprising, announcement from Moscow. Vague and meaningless expressions to the effect that the United States must now decide what its own national interests require are not enough.

WILEY SEES THREEFOLD DANGER IN RESUMPTION OF NUCLEAR TESTING BY THE SOVIET UNION

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the RECORD a news release prepared by me relating to the announcement of the resumption of nuclear testing by the Soviet Union.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

Senator Alexander WILEY, Republican of Wisconsin, today said Khrushchev's decision to resume nuclear testing is a major threat to world peace.

"This resumption of nuclear testing could be a dangerous step of a 'death march' to a man's destruction," Senator Wiley warned.

"Provocatively, it represents:

"A grave threat to the security of the United States;

"Ever-greater dangers to world peace; and

"A real hazard to the health of the nearly 3 billion people of the world—by further saturation of the air with radioactive elements.

"Too, it could well hasten the time when Red China—an aggressive threat to peace on the Far Eastern horizon—will become a full-fledged member of the 'Russian Roulette' Club of nuclear powers.

"By resumption of testing, Mr. Khrushchev probably wants an opportunity to 'show off' the 100-megaton bomb about which he has been bragging.

"In perspective, this will probably prove to be one more effort by the Reds to utilize 'nuclear blackmail.' Despite the magnitude of this threat, however, this is now no time for hysteria. Rather, it is a time for:

"Solemn evaluation of the danger;

"Further strengthening Western deterrent power—including taking the necessary steps to protect ourselves with a 'nuclear antidote';

"Exertion of greater efforts for halting the arms race; and

"A mobilization of world opinion against Red tactics, which threaten to endanger the lives of all people—if not by war, then by oversaturating the atmosphere with radioactivity," Senator WILEY concluded.

BRITISH GUIANA—BEACHHEAD FOR INTERNATIONAL COMMUNISM

Mr. DODD. Mr. President, on July 17 I warned the Senate that Dr. Cheddi Jagan and his Communist-dominated People's Progressive Party would probably win in the British Guiana elections scheduled for August 21, that such a victory would give the Kremlin its first beachhead on the South American Continent, and that a combination of Castro and Jagan would bring us to the brink of catastrophe throughout Latin America.

I pointed out that whereas the international Communist movement was doing everything to insure the victory of Jagan, we were doing nothing, not even through the broadcasting facilities available to us, to place the true facts about the Jagan movement before the people of British Guiana and to encourage and assist the opposition.

Since the triumph of Jagan in the election of last week, some questions have been raised on the floor of the Senate and in the American press about the propriety and political wisdom of describing Dr. Jagan as a Communist and treating him as one.

It has been stated that the surest way to push Guiana into the Communist orbit would be to describe the newly elected government as Communist, without any proof. Thus the New York Times of August 23 commented editorially:

Dr. Jagan has been labeled by some high American officials and some Senators as a

Communist, or the equivalent of one. If this were to prove the official U.S. Government attitude, Dr. Jagan and his government would certainly be in the communistic camp alongside of Cuba very soon. If British Guiana is handled by the United States with some understanding, sophistication, and sympathy, there is every reason to hope it will become a desirable member of the inter-American system.

Mr. President, I do not believe one should make the charge of communism lightly. It is a very serious charge, and falsely made it is true that it can alienate people.

But must one have a Communist Party membership card or a whole batch of Communist Party membership cards before one describes a man as Communist or a movement as Communist dominated? This kind of proof, as everyone knows, or should know by this time, is virtually impossible to obtain.

It is, however, important to know who is a Communist and who is not a Communist, because if we are not able to make this central distinction, we can have no foreign policy worthy of the name. In making this determination, I believe we must be fastidious in gathering our evidence; but once the evidence is in, we must apply certain elementary rules of common sense.

If an animal looks like a duck, walks like a duck, swims like a duck, and quacks like a duck, and lives habitually with ducks, I believe that every rational person would be prepared to agree that the animal in question is a duck.

Cheddi Jagan talks like a Communist. He behaves like a Communist. He has played a leading role in Communist front organizations. He has consorted with international Communist leaders. He has distributed official Communist literature. He has sided with the Kremlin in every conflict of policy with the free world. He has hailed Communist victories in Cuba and in China and has himself been hailed and supported by the Communist propaganda apparatus. Yet, in the face of this record, there are still people who insist on believing that perhaps Jagan is not a Communist, perhaps he is just a European-style social democrat or an agrarian reformer.

To those who now state that there is no proof, or ask that we wait until the proof is in, I say that the proof has been in for a long time.

I recommend to all of those who have any doubts about the Communist affiliations of Cheddi Jagan and Communist domination of his movement, that they read the white paper published by the British Government in October 1953, after it had been compelled to suspend the constitution and depose the first government of which Cheddi Jagan was the head. I also urge them to read the report of the British Guiana Constitutional Commission in 1954. I urge them to examine the personal record of Cheddi Jagan, of his wife, Janet, who has been described as the director of the Communist terrorist apparatus in British Guiana, and of his chief lieutenants.

If they take the pains to do so, I am sure we shall hear no more pleas that we wait "until the proof is in."

Let me quote some of the most relevant items from the British white paper and from the report of the British Guiana Constitutional Commission.

In paragraph 101, the report of the British Guiana Constitutional Commission stated:

On the evidence as a whole, we have no doubt that there was a very powerful Communist influence within the PPP—

That is Jagan's party—

At the time of the elections at least six of the party's most prominent leaders—specifically Dr. Jagan (leader of the legislative group), Mrs. Jagan (general secretary and editor of Thunder), Mr. Sydney King (assistant secretary), Mr. Rory Westmaas (junior vice chairman), Mr. B. H. Benn (executive committee member and secretary of the Pioneer Youth League) and Mr. Martin Carter (executive committee member)—accepted unreservedly the "classical" Communist doctrines of Marx and Lenin: were enthusiastic supporters of the policies and practices of modern Communist movements; and were contemptuous of European social democratic parties, including the British Labour Party."

This report was issued, under a British Labor Government, and with the scrupulous regard for the facts that is characteristics of British investigatory procedures.

And yet, in the face of that, the New York Times editorial to which I referred quoted Jagan as stating that his movement is dedicated to "the ideal of socialism." "Pending evidence to the contrary," said the New York Times, "the United States has everything to gain by taking Dr. Jagan's pronouncements at their face value."

Mr. President, it is difficult to understand how such a position could be taken in the face of the investigation and the conclusion and the report by the British commission.

The British white paper of 1953 devoted a substantial section to the ties of the People's Progressive Party with international Communist organizations. I now quote several paragraphs:

Leaders of the party have been closely associated with international Communist organizations for many years. Mrs. Jagan was a member of the Young Communist League in the United States before 1943 and Mr. R. Westmaas frequently attended Communist meetings in Great Britain before returning to British Guiana in November 1952. At least 10 members of the party have made trips behind the Iron Curtain during the past 2 years and these trips have increased in frequency since the party came into power. Such party members who visited the United Kingdom had frequent contacts with Communists here.

In official broadcasts Ministers gave evidence of their attachment to Communist ideas. Dr. Jagan announced he believed that socialism having replaced capitalism would "itself evolve into the higher Communist stage of society." In an official broadcast the Minister for Education said his intention was to remove churches from their present participation in the educational system of the country and to revise the curriculum and textbooks of schools "to give them the true Guianese Socialist and realistic outlook."

The party and, in particular, Mr. R. Westmaas, one of its vice presidents, have promoted the formation of a Communist political youth organization, the Pioneer Youth League, affiliated to the Communist-controlled World Federation of Democratic Youth (WFDY) and World Peace Council (WPC). All Ministers have been present at one time or another at league meetings where propaganda of the WFDY and WPC was distributed. On August 16, 1953, a Youth Congress, to which oversea delegates were invited by the Minister for Works, was held to coincide with the Communist World Youth Festival at Bucharest.

The British white paper charged, among other things, that "the PPP Ministers insisted on the removal of the ban on the entry of certain well-known West Indian Communists into British Guiana," that "they introduced a bill to repeal the Undesirable Publications Ordinance, thus removing the power of the Governor in Council to exclude subversive literature," that they had attempted to oust established, non-Communist trade unions by legislative action, that Communist literature had been brought into the country by Dr. Jagan and had been seized by customs, that the PPP had attempted to gain control of the public service and had "encouraged junior officers to act as informers," that they had undermined the loyalty of the police, and had planned to organize a so-called people's police. Dr. Jagan was quoted as saying on May 3, 1953: "Comrades, in the past, when we asked for bread, we were given bullets, and those who fired at workers were honored by the masters. But when the PPP gets into power, the same bullets which were fired upon the poor people will be fired on our oppressors. We shall organize a police force; it will be known as the people's police."

The white paper pointed out that the organ of the People's Progressive Party had followed the lead of the Communist-controlled Warsaw Peace Congress of November 1950.

It pointed out that Dr. Jagan in the summer of 1951 had attended "The Third World Festival of Youth and Students for Peace" and had at that time broadcast an attack on British imperialism over radio Prague.

It pointed out that in 1951, Dr. Jagan attended the general council meeting of the Communist-controlled World Federation of Trade Unions, and had called upon this instrument of Communist subversion to establish a special colonial department, to assist trade unions in colonial countries.

It pointed out that when the police raided PPP headquarters, they found photographic documents and captions supporting the charges that the Americans had waged bacteriological warfare in Korea.

It charged that there was a well-developed cell system organized by the People's Progressive Party, with a "hard core of some 400 or 500 members who are ready to do violence."

The complete Communist domination of the People's Progressive Party was exposed and denounced by one of the few prominent non-Communist leaders of the party, Mr. Forbes Burnham, who broke with Jagan in 1955 and formed his own party, the People's National Congress.

The report of the British Guiana Constitutional Commission published a list

of representative literature distributed by the People's Progressive Party. Let me read a few of these edifying titles:

"The Right of Nations to Self-Determination," by V. I. Lenin.

"Patriotism and Internationalism," by S. Titarenko.

"The Labor Movement in Great Britain," issued by the British Communist Party.

"They Were Killed Because They Were Negroes," published by the West Indies Committee of the British Communist Party.

Mr. President, Cheddi Jagan has remained a faithful minion of the world Communist conspiracy to this day. Within the past year, he has hailed Castro as a "liberator" and has been hailed by Castro. He has banned the distribution in British Guiana of a USIA publication entitled "What Can a Man Believe," contrasting life in free countries with life in totalitarian countries. Jagan's Minister of Natural Resources, the Honorable H. B. Benn, stated only a few months ago, "It is easier to stop tomorrow than to stop communism."

Mr. President, I could go on and on with this recital of the record. But surely in the light of the record I have already presented, no reasonable person could doubt that Cheddi Jagan and Janet Jagan and their Ministers are Communists, that their movement is Communist dominated, that it does take its orders from the Kremlin.

It has been argued that if we truly believe in the principle of self-determination, we could not in good faith have intervened in any way in the British Guiana elections; that if the British Guiana people want a Jagan government, they are entitled to have a Jagan government.

But I say that it is not self-determination when the Jagan movement campaigns with the unlimited financial means of the world Communist movement at its disposal, while the opposition parties are refused contributions by British and American concerns doing business in British Guiana, for fear that this would antagonize Cheddi Jagan.

It is not self-determination when Moscow, Peiping, and Havana inundate British Guiana with propaganda favorable to Jagan, while the Voice of America and BBC do nothing to expose the true nature of the Jagan movement or the true nature of communism, or to give support and encouragement to the opposition.

It is not self-determination when the World Bank, with American approval weights the election in Jagan's favor by granting him a loan of $1¼ million just before the election, thus enabling Jagan to pretend to his people that he knows how to deal with the Americans and that the American Government is prepared to support him. This, in my opinion, is a scandal that cries out for explanation.

It is not self-determination when the Jagan party deceives the people of British Guiana by concealing its Communist identity from them and parades, as Castro did, in the guise of a reform and independence movement.

It is not self-determination when the people of any country vote for reform and democracy, but get, instead, a Communist dictatorship from which there is no way of extricating themselves. On the contrary, such fraud constitutes a flagrant perversion of the right of self-determination which all men who believe in freedom should expose, rather than defend.

The Washington Post, in an optimistic editorial, appealed against any attempt to interfere with the right of the British Guiana people to self-determination, and held forth the hope that after they had had experience with the Jagan regime, the people of British Guiana would take back their endorsement at the polls, just as the people of Kerala voted the Communists out of office. Whether this optimistic parallel holds any water depends in the final analysis on our British allies and on ourselves.

Kerala was never an independent state. It was a state in the sense that Connecticut is a State. Even under an elected Communist government, it remained constitutionally subordinate to the State of India, without the power to levy armies or other powers reserved to sovereign governments. Even then, before the Communists could be voted out of power, it was necessary for New Delhi to impose martial law in Kerala and put an end to the excesses with which the Communists had been terrorizing the population.

Within 2 years, if Britain does not intervene, British Guiana is scheduled to become fully independent. Meanwhile, at least theoretically, Britain reserves the right to intervene in an emergency.

Will Britain use this right if Jagan proceeds to Castroize British Guiana, to set up a one-party dictatorship, to confiscate foreign enterprises, and to create a people's police and a people's militia as instruments of control?

Will it use this right if there is evidence, as I fear there will be, that British Guiana under Jagan is being used for the infiltration and subversion of Brazil, Colombia, Venezuela, Dutch Guiana, and other Latin American countries?

Mr. President, the United States and Great Britain must accept the fact that the Caribbean area has become a major theater of Communist political and military operations; and we must make plans, in concert, to deal with this danger.

If we do not do so quickly, if we continue to drift and hope for the best, as we have done in regard to Cuba, then, as certainly as day follows night and defeat follows inaction and folly, we shall, within the next several years, see the Caribbean Sea converted into a Communist lake, and communism triumphant through large parts of the Latin American mainland.

Mr. President, when one examines the record, there is no question that Jagan has been following the Communist line; and regardless of whether he is a card-carrying Communist or whether he is on a Communist membership list, there is no question that today he is as much a Communist as is any well-known Communist in the world.

This situation is very serious for us, and that is why I am discussing it.

What troubles me even more than these facts is the fact that the World Bank granted Jagan a loan of $1,250,000, I believe, only 6 weeks before the election in British Guiana. Mr. President, what kind of intervention is that? The election was about to take place in British Guiana, and the facts about Jagan—including his clear record of communism—were known. Then, late in June, he came to Washington, and personally signed for a World Bank loan of $1,250,000, and the World Bank extended the loan. I know it will be said that the World Bank is an international organization. But the United States is a rather large stockholder in that organization.

Mr. LAUSCHE. To the extent of 33 percent.

Mr. DODD. Yes, to the extent of 33 percent. I say it will be rather hard to explain to the American people that an organization in which we have membership to the extent of 33 percent has loaned in excess of $1 million to one about whom, I say, there is no dispute of his affiliation, his dedication, and his devotion to the Communist conspiracy.

Some of our friends have said that the use of our radio facilities to tell the truth about Jagan would be intervention. I say it is the worst kind of intervention when, on the eve of the British Guiana election, in which there were two candidates, one of them was permitted to come to Washington and obtain a loan of in excess of $1 million, following which he returned to British Guiana and used that fact to his great personal advantage. As recently as 2 days ago I talked to several persons who were there during all that period; and they state, "When that happened, the jig was up. But you cannot tell us that he is not a Communist."

Nevertheless that World Bank loan was made; and shortly thereafter Jagan won the election in British Guiana by only a few votes.

This is one of the worst things that has ever happened; and someone should explain how it was allowed to take place at this critical hour.

I said to one official of the World Bank, "Did you talk about Jagan? Every banker I know considers that the most important element in connection with a loan is the character, the reputation, and the integrity of the one who applies for the loan; they are more important than his credit rating or his property holdings. The most important thing is to know what sort of man is applying for the loan. Did your bank ask those questions about Jagan? Did anyone tell you he is a Communist and has been running with Communists?"

He replied, "Yes, the question has been raised."

But I have not yet been able to find out what was said.

This situation must be absolutely terrifying to the American people. It must shock them to realize that such a thing was allowed to happen at this critical hour in world developments.

Mr. GRUENING. Mr. President, will the Senator from Connecticut yield?

The PRESIDING OFFICER (Mr. HICKEY in the chair). Does the Senator from Connecticut yield to the Senator from Alaska?

Mr. DODD. I am glad to yield.

Mr. GRUENING. Apart from the very effective points the Senator from Connecticut is making in regard to the character of this man, what explanation or justification is there for making such loans to colonies of another country which, under the new orientation of this administration, is supposed to be one of the contributors to our foreign aid program, before such colonies are even liberated? That has happened in several cases. How is it justified?

Mr. DODD. I do not know. I asked that question, too; but I have not yet been able to obtain an answer. I hope I do get one. If so, I shall be happy to report it to the Senate.

Incidentally, let me state that I was told that the application for the loan had been pending 2 years. So I asked, "Why was there such great haste, just 6 weeks before the election? If the application had been pending for 2 years, could not you have waited until the people of British Guiana had had a chance to reach their decision? Could not you have waited another 6 weeks?" But I did not get a very good answer to that question, either.

Mr. GRUENING. Mr. President, will the Senator from Connecticut yield further to me?

Mr. DODD. I am happy to yield.

Mr. GRUENING. I would say that those of us who support the principle of foreign aid—believing that some of it may be necessary in this crucial time in the world—are deeply concerned not merely about the maladministration that has characterized it, but also because of the fear that that maladministration will continue.

There has been a very firm declaration of purpose on the part of our President to change that. I certainly applaud that purpose. But to date there is no evidence, so far as I am aware, that that fine declaration of purpose is being carried out by any significant changes in key personnel.

I believe it would be most important for the Senator from Connecticut, who is a member of the Foreign Relations Committee, to pursue this matter and to ascertain who is responsible for making the loan to Jagan, and under what circumstances, and to ascertain whether officials of that type who are responsible for that action are to be retained in the proposed new and better setup. This will have a great bearing on whether we can have any confidence that the promised improvement of administration of foreign aid will actually occur.

I wish to say that I have the gravest fears that the promised improvement in administration will not take place, but that, despite the President's purpose, the same policies and performance which have been so disastrous in many parts of the world will continue. We all hope they will change, because if they do not change not only will the foreign aid program be a failure and the money wasted, but it will be of actual help to the forces we are trying to defeat, the Communists. If the money goes to a few people at the top as so often hitherto, or to governments run by officials with Communist affiliations or sympathies, we will be helping the very forces we are trying to combat, and defeating our efforts in behalf of freedom and peace.

Mr. KEATING. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I yield to the Senator from New York.

Mr. KEATING. I congratulate the Senator from Connecticut for bringing this matter to the attention of the Senate. It is shocking that the International Bank would make such a loan on the eve of an election. As the Senator has said, it would not have been necessary for them, with their office here in Washington, to go to a British white paper. As the Senator knows, the Internal Security Subcommittee has taken evidence with regard to the situation in British Guiana in relation to its investigation into communism in the Caribbean.

While the testimony was not released, upon request it would have been made available, of course, to any official of the International Bank, or anyone else in Government who needed the information. They knew very well the testimony was being taken.

It gives great pause to those of us who feel, as I know the Senator from Connecticut does, that assistance to friendly nations is in the interest of our own country, to see a thing like this happen, which undoubtedly had a definite influence on the election. There is no doubt about it. Whether or not the election would have been different without it, nobody can say; but it is regrettable in the extreme that the International Bank took the step at just this date. I am glad that the Senator from Connecticut has brought the matter to our attention.

Mr. DODD. I am grateful for the contribution of the Senator from New York.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the following documents: First, "British Guiana, Suspension of the Constitution," published by Her Majesty's Government; second, the following appendixes from the "Report of the British Guiana Constitutional Commission"—published by Her Majesty's Government: Appendix I—"Extracts From the PPP Periodical Thunder and From Speeches and Writings of PPP Leaders," Appendix II—"List of Communist Literature Distributed by the PPP," Appendix III—"Note on the Arson Plot"; third, article from the Daily Chronicle—Georgetown, British Guiana—September 30, 1960, headed "British Guiana Can Expect Anything Should PPP Lose Elections"; fourth, article from the Guiana Graphic—Georgetown, British Guiana—July 4, 1961, entitled "Benn Meant Every Word"; fifth, some sundry articles from the American press dealing with the British Guiana crisis of 1953–54.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1 through 5.)

Mr. DODD. Mr. President, in concluding my remarks, I hope that what I have said has not in any way suggested an "I told you so" attitude. It is no solace at all to be proved right when our national security is at stake, and when the cost of being proved right runs so high. But we shall never survive the terrible trials that lie ahead of us unless we first of all expose to ourselves and find the explanations for all the blunders and errors—errors of commission and errors of omission—of which we have been guilty.

What I find particularly frightening about the situation in British Guiana is that we have been aware since 1953 that this was a political crisis area, where the Communists might conceivably come to power.

But we did nothing.

In the name of economy, we even withdrew a few labor attachés who, according to accounts, had been doing an effective job of counseling the anti-Communist trade unions.

Worse than this, as I have pointed out, we fortified Jagan's position by providing him with technical assistance and by approving the World Bank loan of $1¼ million, which was personally signed for by Jagan himself. I have been told by Americans who were in British Guiana at the time that, had we wanted to help Jagan win, we could have taken no more effective measure than the granting of this loan in the weeks immediately preceding the election. Indeed, when we consider that Jagan won by only two seats, I do not think it is too much to suggest that this loan made the difference between victory and defeat for the forces of communism in British Guiana.

Now, despite Jagan's record, despite the sorry experience with being nice to Castro and with aid to Tito and to Poland, we find that there is talk of keeping Jagan from going Communist by making bigger and better loans to him.

Mr. President, there is an alternative to folly; there is an alternative to inaction. I believe that the record of our tragic failure in British Guiana is still another argument for the establishment of a Freedom Academy where methods of combating communism can be studied and devised and where we train cold war experts for the side of freedom.

EXHIBIT I—BRITISH GUIANA—SUSPENSION OF THE CONSTITUTION

(Presented by the Secretary of State for the Colonies to Parliament by Command of Her Majesty, October 1953)

I. INTRODUCTION

1. The new Constitution introduced in British Guiana last April was based on a report (Col. No. 280) of an independent Commission (Sir John Waddington, Chairman, Professor V. T. Harlow and Dr. Rita Hinden, members). It conferred upon the people for the first time universal adult suffrage and provided for a bi-cameral Legislature with a Lower Chamber (House of Assembly) consisting of twenty-seven members, of whom twenty-four were elected, and an Upper Chamber (the State Council) consisting of nine members appointed by the Governor (two on the recommendation of the Ministers in the Lower Chamber). The Constitution provided for the appointment of six elected members of the House of Assembly as Ministers with departmental responsibility and gave them a majority of two in the Executive

Council, the principal instrument of policy. The Governor was obliged (save in exceptional cases) to consult, and take the advice of, this Council.

2. In the General Election at the end of April for the House of Assembly under the new Constitution the People's Progressive Party (P.P.P.) gained 51 percent of the votes, and 18 out of 24 seats. With this majority it secured the election of members of the Party to the six Ministerial posts filled from the House of Assembly.

These Ministers were: Dr. C. B. Jagan (Minister for Agriculture), Mr. L. F. S. Burnham (Minister for Education), Mr. A. Chase (Minister for Labour), Mrs. S. King (Minister for Works), Dr. J. P. Lachhmansingh (Minister for Health), Mr. J. N. Singh (Minister for Local Government).

Dr. Jagan was elected Leader of the House of Assembly and Mrs. Jagan, Deputy Speaker. Two further members of the P.P.P., Mr. Fingal and Mr. Robertson, were appointed to the State Council on the recommendation of the six Ministers.

3. The People's Progressive Party, therefore, held six out of the ten places in the Executive Council. It also had a working majority in the House of Assembly, but not in the State Council. It would also have had a majority if the Governor had decided to call a Joint Session of the two Houses for any purpose.

II. ACTIVITIES OF MINISTERS

4. The conduct of Ministers showed no concern for the true welfare of the Colony and threatened its progress as an orderly state: it had seriously endangered the economic life of the country and had set it on the road to collapse. Examples of this conduct are:

(i) Fomenting of strikes for political ends (pars. 15–18);

(ii) Attempting to oust established trade unions by legislative action (par. 19);

(iii) Removal of the ban on the entry of West Indian communists (par. 6);

(iv) Introduction of a bill to repeal the Undesirable Publications Ordinance and the flooding of the territory with communist literature (paragraph 8);

(v) Misuse of rights of appointment to Boards and Committees (paragraph 13);

(vi) Spreading of racial hatred (paragraph 14);

(vii) Plan to secularize Church schools and to re-write textbooks to give them a political bias (paragraph 36);

(viii) Neglect of their administrative duties (paragraphs 22–23);

(ix) Undermining of the loyalty of the Police (paragraphs 9–11);

(x) Attempts to gain control of the Public Service (paragraph 12);

(xi) Threats of violence (paragraphs 28–33);

5. Each one of these acts judged separately was serious enough, and the cumulative effect was disastrous. Viewed in the light of the Communist connexions of Ministers, their aim was unmistakable.

6. In the succeeding paragraphs the events of the period May–September 1953 are described roughly in chronological order.

The loyal address and withdrawal of bans on entry of Communists and Communist literature

7. At the first business session of the new House of Assembly held on 17th June the Party refused to move a loyal address to the Queen in response to Her Majesty's gracious message at the introduction of the new Constitution (though a loyal address was passed unanimously when moved by the Leader of the Opposition).

8. At the same time and contrary to the general policy of other West Indian Governments, the P.P.P. Ministers insisted on the removal of the ban on the entry of certain well-known West Indian Communists into British Guiana. They introduced a bill to repeal the Undesirable Publications Ordinance, thus removing the power of the Governor in Council to exclude subversive literature. Communist literature brought in by Dr. Jagan in 1951 was seized by customs officials. The proposed bill sought to invalidate this seizure and was thus attempting to make these officials liable to legal proceedings for their official action. It has not yet passed into law, but meanwhile communist literature has been pouring into the country.

Undermining of the loyalty of the police

9. Ministers intended to organize a "Peoples' Police." On 3d May, Dr. Jagan said, "Comrades, in the past when we asked for bread we were given bullets and those who fired at workers were honoured by the masters. But when the P.P.P. gets into power the same bullets which were fired on those poor people will be fired on our oppressors. We shall organise a Police Force; it will be known as the People's Police."

10. Ministers in their speeches made clear their dissatisfaction that the existing police force was not under the control of P.P.P.; they encouraged dissatisfied policemen to take their complaints to party leaders and used the dissidents to spread discontent and disaffection.

11. The Minister for Labour tried to interfere with the control of the police by the Chief Secretary. He informed the Chief Secretary that he proposed to issue a statement for the guidance of the police and requested the Chief Secretary to draw their attention to it. The following are extracts from the proposed statement: "It is nauseating to find that as soon as there is a labour dispute or stoppage of work—no matter how trivial or large—the police intervene. Any repetition of the past attitude and conduct by the police will meet with stern action on the part of the elected Ministers". In fact the police had not interfered in labour disputes; they only became involved in the exercise of their duty to maintain law and order. The Chief Secretary managed to prevail on the Minister to defer publication until the question had been further discussed, but on 23rd September the Minister asked that the Governor should be informed that he proposed to issue the substance of the statement after resumption of work in the sugar industry.

Attempts to gain control of the public service

12. It is fundamental, as it is in this country—and it is written into all colonial constitutions—that the public services should be free from all political influences. Accordingly under the constitution responsibility for the public service is reserved to the Governor who is advised on these matters by an independent Public Service Commission. Ministers, however, clearly showed that they resented this. For example, in a speech on July 26, Dr. Jagan said "They have appointed a Civil Service Commission because they do not want us to have anything to do with the appointment of civil servants. We would like to have power to appoint our own people who would be able to do our work". Ministers made clear their intention to abolish the Public Service Commission and to refuse to vote provision for it. They encouraged dissatisfied members of the Service to come direct to them for redress. They also encouraged junior officers to act as informers on departmental activities and have sought their views regarding the efficiency and conduct of their senior officers. The Minister of Works instructed the Director of Public Works that committees of workers should be set up in connexion with works projects. The functions of these committees were not to be confined to service conditions, but were to advise on the execution of the projects.

Control over boards and committees

13. Ministers' appointments to Statutory Boards and Committees showed their determination to put these Committees under Party control without regard for members' suitability and experience. They appointed 4 P.P.P. supporters, 3 of whom were primary schoolteachers, to the Education Committee while the representatives previously on the Committee of the denominational governing bodies which control 260 out of 277 primary schools in British Guiana were excluded. They also proposed to fill 5 out of 7 seats on the Transport Advisory Council by P.P.P. supporters. Two of these were junior members of the Transport and Harbours Department itself, and one was a tailor who earns his living by selling P.P.P. literature. Ministers pressed the Governor to transfer to them his powers to appoint members of other more important executive boards and committees so as to give them control over the local government board and such organizations as the Rice Marketing Board. Ministers ordered the manager of the Rice Marketing Board to disobey the instructions of the legally appointed Board using the threat that they (the Ministers) would shortly be appointing a new Board.

Racial hatred

14. The Ministers for Education and for Labour started an "African and Colonial Affairs Committee" which declared support for the Mau Mau in Kenya and the communist terrorists in Malaya and specialised in vicious anti-British, anti-white propaganda.

Labour unrest

15. For many years a trade union called the Man Power Citizens' Association (M.P.C.A.) has represented the main body of sugar workers. It has negotiated a number of agreements with the Sugar Producers' Association (S.P.A.) improving wages and setting up joint negotiating machinery. In 1945 Dr. Jagan, who had been Treasurer of this Union, having failed to gain control of it, broke away and later under his influence, a rival union, the Guiana Industrial Workers' Union (G.I.W.U.) was formed with Dr. J. P. Lachhmansingh (later Minister for Health) as President. This union set out to break the M.P.C.A. and the negotiating machinery between the M.P.C.A. and the S.P.A. After the Enmore riots of 16th June, 1948, in which a number of people were killed, a Commission of Inquiry into the Sugar Industry reported (Colonial No. 249) that the claim of the G.I.W.U. for recognition was premature and unwarranted and that the claims and complaints of the workers were amply represented by the already recognised unions.

16. The G.I.W.U., however, sought to call general strikes in the sugar industry in the autumns of 1951 and 1952, to obtain recognition, but failed to secure any general support for its calls though strikes did occur on individual estates. In the official report of the Registrar of Trade Unions in British Guiana, the number of members of the G.I.W.U. on the 31st December, 1952, was given as 817, compared with 7,272 members of the M.P.C.A., of whom at least half were sugar workers.

17. When the P.P.P. came into power it espoused the cause of the G.I.W.U. of which Dr. Lachhmansingh remained President although Minister for Health. Labour relations in the sugar industry have steadily deteriorated owing to direct interference by Ministers in minor matters which would previously have been settled through the existing joint consultative machinery. During this year there were 64 minor stoppages from May to September, compared with 3 up to May. In August the Minister for Labour approached the S.P.A. and pressed for the recognition of the G.I.W.U. The Association sent a conciliatory reply offering joint recognition with the M.P.C.A. A meeting of the

Union was held on August 30 to consider this offer. The Minister for Health as President, and the Minister for Works (who held no official position in the Union) attended. The latter dominated the proceedings and insisted on the meeting calling a general strike in the Sugar Industry. The meeting agreed without considering the S.P.A.'s reply to their demand for recognition; and Mr. King, Dr. Lachhmansingh, Mrs. Jagan (that is, two Ministers and the Deputy Speaker) and other members of the Party toured the estates urging the workers to strike.

18. The resulting strike eventually paralyzed the whole industry. Some days after it had started the Union represented that its object was to secure an improvement in wages and working conditions, although no previous approach had been made on the matter to the employers. Attempts were made to organize a general strike in sympathy in other industries and essential services. Some members of the Sawmill Workers' Union (President—Dr. Jagan) and the British Guiana Labour Union (President—the Minister for Education) responded. The President of the Transport Workers' Union, who was opposed to joining the strike, eventually agreed under pressure and intimidation to a 4-hour sympathy stoppage of work by his Union. Even this was only partially successful and there was little response from other Unions. The Minister for Health then ordered the sugar workers to return to work.

Labour legislation

19. Strikes having failed, the Minister for Health announced that the G.I.W.U. demand for recognition would be pursued by legislative action. A draft Labour Relations Ordinance was thereupon published requiring employers to recognize for purposes of negotiation any Union which obtained the support of 52 percent of the workers in an industry by ballot. Such legislation is contrary to policy and practice in British industry because it imposes an element of compulsion in a field where the principle of mutual consent, which is inherent in collective bargaining, can alone yield satisfactory results. It is claimed to be based on a United States law, but in fact reflects only one feature of a general code of industrial law in the United States which imposes restrictions and obligations not only upon employers, but also upon trade unions. At the same time the Minister for Labour moved to repeal the Trade Disputes (Essential Services) Ordinance 1942. The object of this Ordinance is to prevent sudden stoppages in services where there is likely to be an immediate and serious effect on the life and health of the community. Without such protection, the country could be deprived of water supplies, electricity, transport and drainage, and food supplies and public health endangered.

20. On September 24, the day the strike ended, the House of Assembly met. Before the session began, large crowds had been instigated by the P.P.P. and G.I.W.U. leaders to assemble in the vicinity of the Legislative Chamber. While the police were attempting to control them the Minister for Works exhorted them to rush the building. It was soon packed with an unruly crowd and it was some time before sufficient order could be restored for the session to begin. The Minister for Labour then moved the suspension of Standing Orders so that the Labour Relations Bill could be taken without due notice through all its stages that day. The Speaker refused this request on the grounds that such action infringed the rights of the minority in the House, and that he could not permit a measure of such importance to the life of the community to be taken without notice. The Ministers present and other members of the P.P.P. then rose and left the Chamber. Pandemonium broke out amongst the large crowd in the Chamber, which invaded the floor of the House, and order could not be restored for some time. The Leader of the Opposition had to be given police protection on leaving the building. The Party at first threatened to boycott the House until the Speaker reversed his ruling and at a public meeting the Speaker was accused by the Ministers of partiality. Eventually, however, the Bill was debated for several days and passed. These incidents added to the already serious tension in Georgetown which was not relaxed until the arrival of the troops.

21. The alarm generated amongst moderate opinion by these developments was reflected in a resolution recorded on the 21st September by the State Council, expressing its grave anxiety at the sugar strike and regretting that "certain Ministers of the Crown in the Colony had been actively engaged in various parts of the country in promoting and sustaining this strike." The resolution continued "such action by these Ministers of the Crown is a grave danger to the Constitution, a direct threat to the peace and security of the citizens of the Colony and the negation of good and responsible democratic government," and it asked the Secretary of State "after due enquiry to take such action as he may deem fit to ensure confidence in the Government and the proper and efficient working of the Constitution."

Ministerial negligence

22. When the Ministers were dismissed large arrears of work were found in most of the offices; in the case of the Minister for Works, who was responsible for drainage and irrigation, important issues had been left undealt with for several months. The consequences of this neglect and of Ministers' actions are given in paragraphs 24–27.

23. Ministers came into power at an important stage in the development of the country. Prospects were bright. An estimated total of £10 million overseas capital had been invested in the Colony over the preceding five years. Plans to bring large areas of land into production on the coast and to provide for the ever-growing population had been drawn up, involving large schemes for the drainage of land. Arrangements had been made to find the substantial sum of money required to meet the cost, partly from the Colony's allocation of £3½m. from United Kingdom funds for development. There were favourable markets for the two main agricultural products, namely sugar and rice, the former provided by the Commonwealth Sugar Agreement, 1951. The report of the International Bank Mission which visited British Guiana early this year was available in mid-July. This report provided an excellent blue-print for the future development of the Colony. Ministers made no attempt to take advantage of all these opportunities despite the efforts of the Governor who, as stated in his broadcast, pressed upon them on many occasions, ways and means of making progress in the economic field.

III. THE ECONOMIC CONSEQUENCES

24. Not only did Ministers neglect all these opportunities of pushing ahead with the development of the resources of the territory and thereby improving the standard of life of the inhabitants, but by their activities they undermined the confidence of the whole business community. Although the International Bank Mission concluded during its visit that the major part of the large sums required for development during the next 5 years could be raised locally, the Governor was recently advised that any attempt to raise a local loan would be unsuccessful. A survey by the Chamber of Commerce of principal business firms shows that turnover in wholesale and retail trades decreased by 9½ percent compared with the corresponding period in 1952. There is ample evidence that until private firms have more confidence in the future of the Colony they will make no further capital investments there. For example:

(a) Kennametals International S.A. (Inc.) abandoned an exclusive permission to explore for columbite/tantalite on June 30;

(b) The New York Alaska Gold Dredging Company abandoned an exclusive permission on September 3;

(c) The Gulf Oil Corporation withdrew their application for an oil exploration license on August 27;

(d) Panhandle Oil Canada Limited has abandoned further exploration pending the clarification of the political situation;

(e) A building project by Ellis Associated Companies involving capital investment of $300,000 was abandoned as financial backers refused to continue negotiations with the then Government.

25. Unemployment increased sharply in the building trade, because of a general reluctance to start new construction work. Local timber mills report decreases varying from 12 percent to 40 percent in the demand for lumber for the domestic building trade.

26. At the end of 1952 Savings Bank deposits totalled approximately $16 million. The level of deposits fluctuated during the first weeks of the new Government, but a serious run started in August as is shown in the following table:

Date	Deposits	Withdrawals	Net withdrawals
Aug. 19–31	$281,264	$604,605	$323,341
Sept. 1–15	369,029	1,371,485	1,002,456
Sept. 16–30	338,694	712,619	373,925
Total	988,987	2,688,709	1,699,722

NOTE.—Dollar (B.W.I.)=4s. 2d.

After the arrival of the troops the rate of withdrawal significantly decreased.

27. The numerous strikes and stoppages in the sugar industry which had taken place during the past 4 months owing to direct interference in labour relations on sugar estates by Ministers resulted in substantial losses in production of sugar and in wages earned by sugar workers.

IV. THE DANGER OF VIOLENCE

28. The leaders of the P.P.P. had for some time made clear their preparedness to use force to gain their ends. For example—

(i) On March 10 this year Dr. Jagan said: "In Kenya the Africans are not only killing white men who took away their land, but are killing their own people who turn stooges and that should be done to stooges (here) who are fighting the cause of the Government and not the people."

(ii) The Minister for Education said in House of Assembly on September 11: "The possibility of our present constitution being taken from us will be met by as much force as is necessary." He also said at a public meeting on September 24: "They say they are going to take away the constitution from us, but I would like them to know that when they attempt that, Her Gracious Majesty will not only hear of the explosion of the atomic bomb in the hinterlands of Australia, but she will hear of it in the mud land of British Guiana, for we intend to fight to the end. I would like not to disclose our plans for the intended action which we will take, but will keep it a secret until it becomes necessary to put it into operation."

29. Ministers' actions showed that their speeches were not mere rhetoric. One example of this was when the Minister for Works encouraged a mob to rush the legislature (see par. 20). The attempts to subvert the police force and to set up "People's Police" can have had no other object (see pars. 9 and 10).

30. It was established from reliable sources that, at meetings attended by Dr. Jagan, the Minister for Education, the Minister for

Works, and Mrs. Jagan, a plan was made to set fire to business property and residences of prominent Europeans and Government officials. It was to be put into force if the Governor refused to declare a Joint Session to consider the Labour Relations Bill, or if action was taken to arrest any of the Ministers for sedition or if the Constitution was revoked. This information was supported by reports of unusual sales of petrol to individuals without cars who carried it away in cans or bottles.

31. The P.P.P. has a well-developed cell system which enables contacts to be made and instructions issued, and there is reported to be a hard core of some 400–500 Party members, concentrated mainly in Georgetown, who are ready to do violence at the bidding of the leaders, particularly Mr. King.

32. From September 1 to October 9, 660 applications for cover against riot and civil commotion to a value of $11,335,000 were received by three of the insurance companies operating in the colony from persons who have not previously sought such cover.

33. On October 15, the Governor reported that "There can be no doubt that the arrival of troops forestalled any plans for violent demonstrations with which any moves to take action against Ministers and the party, even the withdrawal of portfolios from one or more of the Ministers, would otherwise have been greeted."

V. PEOPLE'S PROGRESSIVE PARTY LEADERS AND COMMUNISM

Ties with international Communist organizations

34. Leaders of the Party have been closely associated with international communist organisations for many years. Mrs. Jagan was a member of the Young Communist League in the United States before 1943 and Mr. R. Westmaas frequently attended communist meetings in Great Britain before returning to British Guiana in November, 1952. At least ten members of the Party have made trips behind the "Iron Curtain" during the past two years and these trips have increased in frequency since the Party came into power. Such Party members who visited the United Kingdom had frequent contacts with Communists here. Details of contacts between P.P.P. leaders and international communist front organisations are given in Appendix A. It will be seen that these have mainly been with the "World Federation of Trade Unions," an organization under communist control which has latterly devoted much attention to the incitement of strikes and agitation in Western democratic countries and their colonies. At its general Council meeting in November 1951, Dr. Jagan himself sought the formation of a Colonial Bureau of the W.F.T.U. P.P.P. leaders have made it clear that they were prepared to follow the lead of W.F.T.U. and to further the aims of international communism in British Guiana.

Party organization

35. The P.P.P. evolved from a political discussion group organised by Dr. and Mrs. Jagan. Although the party had a following amongst labour leaders, it was firmly controlled from the outset by Mrs. Jagan as Secretary and Dr. Jagan as President. They used the Party to disseminate communist literature and to spread pro-Communist propaganda in its journal "Thunder." As already described the Jagans and their associates set out to capture the existing Trade Union movement or, where they failed, as with the sugar union, to set up rival unions in order to provide the labour wing to their political party. Mrs. Jagan, shortly after her election as Deputy Speaker of the House of Assembly, attended the Third World Congress of the Communist-dominated Women's International Democratic Federation (W.I.D.F.) and, on her return, she circulated a directive to Party members calling for organization of small cells for recruitment and indoctrination and the selling of the party's paper and Communist literature.

Communist propaganda

36. In official broadcasts Ministers gave evidence of their attachment to Communist ideas. Dr. Jagan announced he believed that socialism having replaced capitalism would "itself evolve into the higher Communist stage of society." In an official broadcast the Minister for Education said his intention was to remove Churches from their present participation in the educational system of the country and to revise the curriculum and textbooks of schools "to give them the true Guianese Socialist and realistic outlook."

37. The Party and, in particular, Mr. R. Westmaas, one of its Vice-Presidents, have promoted the formation of a Communist political Youth Organization, the Pioneer Youth League, affiliated to the Communist controlled World Federation of Democratic Youth (W.F.D.Y.) and World Peace Council (W.P.C.). All Ministers have been present at one time or another at League meetings where propaganda of the W.F.D.Y. and W.P.C. was distributed. On August 16, 1953, a Youth Congress, to which overseas delegates were invited by the Minister for Works, was held to coincide with the Communist World Youth Festival at Bucharest.

38. The Party sought to undermine the position and influence of the established Youth Movements, such as the Boy Scouts and Girl Guides, which are grouped in the Colony under a Youth Council. This Council refused to accept the membership of the League on the grounds that it was a political organization. The Minister for Local Government and Social Welfare proposed to the Governor that the Minister for Works should be made chairman of the Council.

39. In May, Mrs. Jagan set up a Women's Progressive Organization which has applied for affiliation to the communist controlled W.I.D.F. A British Guiana Peace Committee, in which the Minister for Works, Mrs. Jagan and Mr. R. Westmaas have been active, has been spreading this type of communist "peace" propaganda for some time and has taken its lead from the communist-run World Peace Council. Mr. Westmaas is responsible for running a bookshop which is the main centre for the dissemination of communist propaganda.

40. In sum, Dr. and Mrs. Jagan, Mr. S. King and Mr. R. Westmaas especially have been in frequent contact with Communists and Communist front organizations abroad. They have shown by their speeches and writings that they are zealots in the cause of communism and have demonstrated by their actions that their objective is to impose a totalitarian control on the P.P.P., the Trade Unions, the police force, the youth organisations and the State itself. All the Ministers have supported the extremists, have shown that they were prepared to be guided by them and cannot, therefore, evade responsibility for what has occurred.

41. The Soviet Communist leaders issue periodical directives in the Cominform Journal concerning the "national liberation movement in colonial and dependent countries." Communists are charged with the duty of securing control of these movements in order to establish satellite "Peoples' Democracies." The technique by which communist parties have seized power in all other parts of the world is significantly standardized. In those countries a highly disciplined party machine used propaganda, indoctrination of the young, infiltration of the police and the public service, penetration of all forms of social organisation, fomenting of class hatred and the creation of economic chaos by strikes to achieve its ends. Step by step this is the pattern followed by the P.P.P. in British Guiana.

VI. ACTION BY HER MAJESTY'S GOVERNMENT

42. It became clear by the end of September that British Guiana was facing a rapid deterioration in the efficiency of its administration, in its economy and in its security. This deterioration threatened not only public order, but the very livelihood of the people. The Governor's reserve powers were certainly never intended to deal with a situation of this kind, so that effective action could not be taken within the terms of the Constitution to remedy matters. After consultation with the Governor Her Majesty's Government were driven reluctantly to the conclusion that the only course was to take steps to suspend the Constitution. To have waited until further deterioration in the situation had brought loss of life would have been a betrayal of Her Majesty's Government's responsibilities.

43. Her Majesty's Government realised the gravity of this step. Some Ministers had threatened violence and tension was great. They and other extremists might have used this occasion for stirring up disorder. Her Majesty's Government accordingly decided to transfer to British Guiana the troops which were stationed in Jamaica and British Honduras to support the security forces and to ensure the maintenance of order. In the event the action taken by Her Majesty's Government was greeted with widespread relief in the Colony and there were no incidents beyond the general strike which the P.P.P. Ministers are attempting to organise. In the West Indies the unofficial members of several Executive Councils and Committees have supported Her Majesty's Government's action. Strong criticisms of the P.P.P. by leaders of the two principal political parties in Jamaica have been published in the Press.

44. Pending the making of the Order in Council to suspend the Constitution P.P.P. Ministers were deprived of responsibility for departments and steps were taken to amend the Constitution so that the Governor, in exercising his powers under the Constitution, was no longer obliged to act on the advice of Executive Council. This was the effect of the British Guiana (Constitution) (Amendment) Order in Council, 1953, made on 4th October, 1953, and of the Additional Instructions, amending the Royal Instructions to the Governor of April 1, 1953, signed by The Queen on the same day. The Governor was also given emergency powers at the same time under the British Guiana (Emergency) Order in Council, 1953. The texts of Her Majesty's Government's announcement and the Governor's broadcast of 9th October are given in Appendices B and C. As stated in the announcement a Commission will be sent out to British Guiana to enquire into the events which have led to this check in the political advance of the Colony and to make recommendations for a revised Constitution.

APPENDIX A—CONTACTS BETWEEN P.P.P. LEADERS AND INTERNATIONAL COMMUNIST FRONT ORGANIZATIONS 1950–1953

In November 1950, Keith Carter from British Guiana was present at the Second World Peace Congress held in Warsaw under the auspices of the Communist World Peace Council. In February 1951, "Thunder," the organ of the People's Progressive Party, included an article entitled "Long Live Peace," which followed the lead of the Communist controlled Warsaw Peace Congress of November 1950, in calling for the abolition of atomic, bacteriological, and other methods of mass destruction. Towards the end of 1951 a British Guiana Peace Committee was set up, and was dominated by P.P.P. supporters.

In the summer of 1951, Dr. Jagan, the leader of the People's Progressive Party, visited Europe, primarily to attend the IIIrd "World Festival of Youth and Students

for Peace" which was held in Berlin in August 1951. It was also attended by thirteen other British Guianese residents at that time in the United Kingdom, including Mr. R. Westmaas, who on his return to British Guiana became a prominent member of the P.P.P. On August 20, Prague Radio in its English transmission broadcast a recorded speech made by Dr. Jagan in which he denounced British imperialism for allegedly exploiting the manpower and plundering the resources of British Guiana.

In November 1951, Dr. Jagan attended the the General Council meeting of the Communist-controlled World Federation of Trade Unions[1] (W.F.T.U.) in the Soviet sector of Berlin, as an observer. During the course of his speech there he made a suggestion that to assist trade unions in colonial territories the W.F.T.U. should set up a Colonial Department. This suggestion was reiterated by a Trinidad observer present, and later a recommendation incorporating this proposal was approved by the General Council meeting. A further recommendation approved was to the effect that the W.F.T.U. should send delegates to colonial territories in order to strengthen its links with these territories.

Meanwhile, in Vienna the staff of the W.F.T.U. Secretariat had been augmented by the arrival there from the U.S.A. of Mr. Ferdinand C. Smith, a Jamaican by birth. Mr. Smith had lived in the U.S.A. for over 30 years and was well known there for his Communist activities amongst maritime workers; he left the U.S.A. in anticipation of the execution of a deportation order in force against him. He became an Assistant Secretary in the W.F.T.U. Secretariat in charge of American, Canadian, and Caribbean affairs, and later was nominated as head of the W.F.T.U. Colonial Department.

In the spring of 1952, presumably in fulfilment of the W.F.T.U. General Council recommendation referred to earlier, Mr. Smith in company with Mr. W. Strachan, a Jamaican Communist resident in London, travelled to the West Indies. They visited Jamaica and Trinidad but were refused permission to visit British Guiana; this decision was later the subject of a bitter attack by Dr. Jagan in the Legislative Assembly. Both Mr. Smith and Mr. Strachan returned to Europe in June 1952, but a month later Mr. Smith sailed from the United Kingdom for Jamaica, where he remained until March of this year. In March he led delegates from the Caribbean at an International Conference on Social Security held in Vienna under the W.F.T.U. auspices; he travelled to Jamaica once more in April to continue his activities there on behalf of the W.F.T.U.

After his debut at the Berlin Council, Dr. Jagan and his more extreme colleagues in the P.P.P. began to take a prominent part in W.F.T.U. activity. The W.F.T.U. Bulletin of January 16–31, 1952, contained a long article by him on the Trade Union "struggle" in British Guiana in which he attacked the "sham constitution" given to the Colony and demanded "real independence". The W.F.T.U. Bulletin of March 1–15, 1953, contained an article in extreme terms by Mrs. Jagan on "Civil Liberties in British Guiana.".

In the late summer of 1952, the Pioneer Youth League of British Guiana came into being as the Youth Movement of the P.P.P. It was accepted as an affiliate of the Communist controlled World Federation of Democratic Youth (W.F.D.Y.)[2] at a Council meeting held in Prague in February, 1953, and attended by Mr. S. King, Assistant Secretary of the P.P.P., and lately Minister of Communications.

In October 1952, Dr. Jagan was present at a meeting in Barbados called by Mr. Richard Hart, Secretary of the Caribbean Labour Congress, and attended by other Communist sympathisers from Trinidad, St. Vincent and Barbados itself. Mr. F. C. Smith intended to be present at this meeting also, at which it is believed that plans to further W.F.T.U. influence in the Caribbean area were discussed, but in the event he was not allowed to enter Barbados.

In December 1952, Mr. S. King, Assistant Secretary of the P.P.P., travelled to Vienna to attend the so-called Congress of Peoples for Peace, held under the auspices of the World Peace Council. He was elected to the Presidium. Later Mr. King visited Budapest where he is reported to have made a statement alleging that 90 percent of the youth of British Guiana were unemployed, and that the schoolchildren were half starved. He also went to Prague where he attended the W.F.D.Y. Council meeting mentioned above. On his return on 5th March, 1953, he brought back with him a large suitcase full of Communist propaganda, pamphlets and correspondence with Communist contacts in Eastern Europe and England.

In May 1953, a body known as the Women's Progessive Organisation was formed at a meeting held in Georgetown by Mrs. Jagan, and a decision taken to apply for affiliation to the Communist controlled Women's International Democratic Federation[3] (headquarters—Soviet sector of Berlin). Immediately afterwards Mrs. Jagan left for Copenhagen to attend the Third World Congress of Women organised by the W.I.D.F. Mrs. Jagan was elected to the Congress Presidium. In a speech she said "We need guidance and help * * * We in the colonial world are tied economically and politically like the slaves of old. * * * Our people turn their eyes to the great socialist countries which have been moving forward with great rapidity and success. Help us to win freedom for all the oppressed colonial peoples of the world." Mrs. Jagan visited Rumania after the congress.

In June 1953, Mr. R. Westmaas, vice president of the P.P.P., attended a session of the World Peace Council in Budapest, during the course of which Dr. Jagan and Mr. E. Huntley (a P.P.P. member) were elected members of the W.P.C. Mr. Westmaas stayed in Europe to attend the Third World Youth Congress and the Fourth World Youth Festival, both events being held in Bucharest in late July and early August under the auspices of the World Federation of Democratic Youth. Mr. Westmaas was joined by two delegates from British Guiana selected by the Pioneer Youth League, Mr. Martin Carter (an assistant secretary of the P.P.P.) and Mr. Ramkarran (a P.P.P. member).

Three members of the P.P.P., Mr. Jackson (President of the Federation of Unions of Government Employees), Mr. Blackman (Secretary of Saw Mill Workers' Union) and Mr. Ramkarran (a member of the House of Assembly) were at the Third Congress of W.F.T.U. which opened on 10th October, 1953, in Vienna. The Secretary-General, M. Saillant, said in his opening speech that the main task of the W.F.T.U. was to develop the workers struggle "as much against colonial exploitation as for the strengthening of the social laws won in the course of previous struggles. That is why we need to stimulate, develop and guide everywhere the combative spirit." Mr. Ramkarran said at the Congress "In this (sugar) strike movement the organisations affiliated with the so-called International Confederation of Free Trade Unions stabbed the workers in the back" (presumably because they refused to take part in a political general strike). Mr. Blackman spoke of British Guiana being hidden behind "the blood bespattered curtain of British terrorism" and said "we will fight with as much determination even against odds as the Malayan patriots and the people of Kenya. We who have lived in slavery look with pride and admiration at the achievements of the Soviet Union, the successes of People's China and the People's Democracies in such a short space of time. Steel us to go forward with greater courage." He appealed to the W.F.T.U. for help. Mr. Jackson was elected to the Presidium. Observers from Jamaica, St. Vincent, and Trinidad attended this function together with Mr. F. C. Smith.

Papers seized in recent police raids on party premises show that the P.P.P. leaders were in constant communication with W.F.T.U. and other international communist bodies in Europe as well as individual Communists in the United Kingdom. The following are examples:

1. Letter from Jean Lafitte of the W.P.C. enclosing photographic documents and captions concerning bacteriological warfare in Korea and China;

2. Letter from the Committee for Friendship and Cultural Relations with Foreign Countries, Sofia, Bulgaria, dated June 4, 1953, sending material and photographs on the life of Dimitrov;

3. Two letters dated April 17 and August 25, 1953, from the W.F.T.U. Publications Limited to Mr. Huntley (a member of P.P.P.), acknowledging notes on sugar workers and newspaper reproductions;

4. Declaration from the World Peace Council in Budapest, June 1953, attended by Mr. Westmaas;

5. Letter to Mr. Huntley's wife, forwarding proceedings of Third World Congress of Women in Copenhagen, June 1953;

6. Letter to the Pioneer Youth League from Jacques Denis, General Secretary, W.F.D.Y., Bucharest, acknowledging receipt of names of four delegates and two observers elected to attend the World Youth Congress.

---

[1] At the time of its Berlin Council meeting the W.F.T.U. had been for nearly three years under Communist control. Its primary task, as defined at its Milan Congress in 1949 by the Soviet Trade Union leader V. V. Kuznetsov was to "expose the warmongers and their agents in the labour movement," a task which "in the colonial and dependent countries" was to be "combined with the call for a struggle for national liberation and independence". Kuznetsov insisted that the W.F.T.U. should work to "secure the affiliation of new members especially trade union centers in colonial and dependent countries" and that its executive bodies should "establish close contact with the trade unions of those countries." The promise of "systematic help for trade unions in the colonial and dependent countries" was repeated at the meeting of the W.F.T.U. Executive Committee in Budapest in May 1950, which also instructed the W.F.T.U. Secretariat to extend the distribution of W.F.T.U. material to Asia, Africa, and Latin America, and to assist trade unions of those countries in starting and developing a trade union press.

[2] The W.F.D.Y. is a Communist-controlled organisation which has close links with the W.F.T.U. It has always shown a close interest in colonial problems. Thus, its Executive Council reported at its Second Congress in Budapest in September 1949: "The imperialists' preparations for war have been stepped up. * * * Everything is being put into motion in order to drown in blood the irresistible movement of the colonial peoples for national liberation."

[3] The Communist-controlled Women's International Democratic Federation has also shown a close interest in colonial problems in accordance with the accepted Communist line. A resolution passed at its Asian Conference at Pekin in 1949 declared: "The W.I.D.F. leads women of all the imperialist countries in their struggle against their governments for the immediate termination of the colonial wars and armed intervention in Vietnam, Indonesia, Malaya, Burma, and the southern part of Korea."

There is abundant information available to indicate quite clearly that since initial contacts were made in 1950–51 there has been a steady strengthening of the ties between the P.P.P. under the leadership of Mr. and Mrs. Jagan, Mr. Westmaas and Mr. King and the foremost international communist front organisations. There is little doubt that the attendance by P.P.P. leaders at international meetings organised by these movements has given considerable impetus to the activities of the P.P.P. and the trade union and youth organisations under its control. The increased attention paid by W.F.T.U. to Colonial affairs in recent years, suggested by Dr. Jagan himself, indicates the clear intention of Soviet communism to spread disaffection throughout the Colonial Empire by exploiting labour troubles and in other ways, while the presence of Mr. F. Smith in the West Indies shows that that part of the world and British Guiana in particular has been singled out for a concentrated attack.

APPENDIX B—STATEMENT BY HER MAJESTY'S GOVERNMENT OF OCTOBER 9, 1953

1. Her Majesty's Government have decided that the Constitution of British Guiana must be suspended to prevent Communist subversion of the Government and a dangerous crisis both in public order and in economic affairs. The necessary Order-in-Council will shortly be laid before Parliament and an independent Commission of Enquiry appointed to report on what has happened and to recommend a revised constitution. The faction in power have shown by their acts and their speeches that they are prepared to go to any lengths including violence to turn British Guiana into a Communist state. The Governor has therefore been given emergency powers and has removed the portfolios of the Party Ministers. Armed forces have been landed to support the police and to prevent any public disorder which might be fomented by Communist supporters. These measures are being announced to the people of British Guiana in a broadcast by the Governor.

2. Her Majesty's Government are quite satisfied that the elected ministers and the Party were completely under the control of a Communist clique. There is no doubt whatever that Dr. Jagan, Mrs. Jagan, Rory Westmaas, and Sidney King, to name the ringleaders, are closely associated with international Communist organizations such as the World Federation of Trade Unions, the World Federation of Democratic Youth, the World Peace Council and the Women's International Democratic Federation. It is well known that these organizations are used for indoctrinating supporters in all parts of the world and as a cloak for concerting Communist plans. From the actions and public statements of these extremists it is clear that their objective was to turn British Guiana into a totalitarian state subordinate to Moscow and a dangerous platform for extending Communist influence in the Western hemisphere.

3. Ministers have used their official positions in the Trade Unions and their influence as Ministers to provoke and encourage a stoppage of work in the sugar industry for political purposes, without regard to the real interests of the workers. They deliberately spread the stoppage of work to other industries, including the services essential to the life of the community, which it was their duty as Ministers to protect. They then attempted to gain their political ends in the Trade Unions by legislation and to set aside the rules of the House to get this passed at once. They incited large and unruly crowds to attend meetings of the House of Assembly, seeking to intimidate the opposition members with threats and abuse.

4. They have conducted an assiduous campaign to undermine the loyalty and discipline of the Police Force and have proposed to establish what they term People's Police.

5. They have persistently intruded into the sphere of the public service in an attempt to subject it to their political control: as part of this campaign they have attacked the Public Service Commission set up to ensure the freedom of the public service from political interference and pressure and have announced their intention to abolish it.

6. Ministers have promoted the formation of a communist political Youth Organisation, the Pioneer Youth League, and have sought to undermine the position and influence of the established Youth Movements, such as the Boy Scouts and Girl Guides. The Minister of Education has announced his intention to remove Churches from their present participation in the educational system of the country and to revise the curriculum and textbooks of schools with the evident objective of indoctrinating the children of the country with their political views.

7. Ministers have sponsored a British Guiana branch of the communist-inspired Peace Committee. Both personally and through their agents they have engaged in the dissemination of communist subversive propaganda and initiated and directed subversive activities. They have set up a Committee which supports communist terrorists in Malaya and deliberately foments racial hatred.

8. In these and other directions Ministers have deliberately used their powers, not to further the interests of the whole community, but to pervert the constitution and secure totalitarian control over all aspects of the social, cultural and economic life of British Guiana. Among other things they are seeking to turn the workers of British Guiana and their unions into the political tool of an extremist clique.

9. These events have already done serious harm. Moderate opinion in the territory is alarmed at the turn events have taken, as was marked by the recent resolution passed by the State Council. There can be no doubt that in the present circumstances no business will undertake further capital development in the territory nor is there any hope of bringing in the technical assistance from abroad that is so badly needed for economic development. This could only lead, and lead soon, to mass unemployment.

10. It has become clear to Her Majesty's Government that the Ministers have no intention of making the constitution work, that on the contrary their sole object is to seize control of the whole life of the territory and to run it on totalitarian lines. They have clearly shown that they are prepared to use violence and to plunge the state into economic and social chaos to achieve their ends. Their next attempt to demonstrate their power might have been disastrous to the territory.

11. These are the reasons why steps were taken to vest in the Governor full control of the Government of the Colony and the necessary emergency powers to ensure law and order. As soon as the necessary legal steps can be taken the present Constitution will be suspended and an interim government set up with which the Guianese will be fully associated.

12. The Commission of Enquiry will be set up in due course by the Secretary of State to enquire into the events in British Guiana which have led to this check in the political advance of the Colony and to make recommendations for a revised Constitution.

13. The damage which this Communist plot has done to the economic and social life of the community must be repaired as quickly as possible. The Governor will take vigorous steps forthwith to restore the economic position of the country, to ensure the rapid development of its resources and to accelerate the improvement in housing and other social services.

14. The Governor is announcing that he will hasten to carry out the recommendations of the International Bank report which has been available in the territory for some time and which is to be published shortly. The Bank's recommendation to set up a British Guiana Credit Corporation which will provide credits for agriculture, industry, forestry, fisheries and rural and urban housing will be carried out as soon as possible. In this and other ways it is hoped that the social and economic progress of the territory will be resumed.

15. This action in British Guiana is not because of any change in the policy of Her Majesty's Government of encouraging political advance, reaffirmed by the Secretary of State when he took Office: the action has been taken to meet the danger which hangs over the Colony and is designed solely to protect the life and liberty of the people of British Guiana.

APPENDIX C—BROADCAST BY SIR ALFRED SAVAGE, K.C.M.G., GOVERNOR OF BRITISH GUIANA, ON OCTOBER 9, 1953

The official statement which has just been read to you will be published in the Gazette and Press but I am arranging for it to be distributed today with this speech to as many parts of the Colony as possible. Recent events may have come as a surprise and perhaps a relief to many of you. But it was inevitable, as I shall explain, and now each one of you has a duty to your country to perform at this time with loyalty and forbearance.

2. My first duty is to maintain law and order and I call upon the Police and the Volunteer Force to carry out faithfully the tasks assigned to them.

I know that attempts have been made in recent months to undermine your loyalty to the Crown and by intimidation and other methods to seduce you from the high traditions of the Forces to which you belong. I know the strain which this has put upon you but I rely on each one of you to do your duty without fear or favour and to obey your superior officers implicity as you have done at all times in the past and in particular during the recent strike in the sugar industry. At this moment the Navy and Army are here in sufficient force to cope with any emergency that may arise and the forces are widely distributed throughout the country. They will be used to support you if their assistance is needed to protect life and property. In order to preserve public order I may have, much as I regret it, to use certain emergency powers. It is the duty of every person to assist the forces of law and order and to maintain the peace. As a precautionary measure, meetings have been banned and checks on road traffic have been instituted but I hope in general there will be as little interruption as possible in the normal life of the country. The inter-colonial cricket match with Trinidad will begin this morning and will continue, provided the crowds disperse quickly to their homes after the match.

3. Most of you listening can answer the question "Why has this been necessary?" It is because over recent months there has been a planned and continuous programme of strengthening links with communist countries with a view to making British Guiana a servile state where people are compelled, under intimidation, to give up those freedoms which we all cherish. You must have seen the reports of visits of an increasing number of people to iron curtain countries. What good were they bringing or sending back to British Guiana? Pamphlets and propaganda to teach us the Russian way of life. I do not believe the large majority of you want it.

4. Let me take you back to the 14th April when my wife and I arrived in this country and we pledged ourselves to your service. Since then we have endeavoured to meet as many of you as possible—at public meetings

of welcome, in your homes, and in your places of work—to learn at first hand of your problems and to see whether our experience elsewhere could be of assistance to you. Almost my first words on arrival were to speak of industrial relations—to plead for a better understanding between labour and capital, for without it there could be no substantial development. I pressed for conditions to be established which would encourage the investment of capital for development, to provide more employment and therefore improved standards of living. But what has happened? Confidence has been recklessly thrown away. I entered on my task here with sincerity and enthusiasm. I believed and still believe that much can be done in the next few years to encourage the economic development of the country so that as many of you as possible who are unemployed or under-employed could be given work and so improve your standards of living. I and my officials have done our utmost to make this constitution work. I have done everything I could to meet the wishes of the Ministers elected by the House of Assembly and to induce them by good will, by tact, by patience and by tolerance to carry out their responsibilities. The experience and advice of the whole public service was at their disposal and as you know I made no use of my reserved powers to prevent them acting as they wished. I have pressed on them at every opportunity, collectively and individually, ways, and means of making progress in the economic field but with few exceptions most of their time has been spent in building up a political dictatorship, even stating that they are prepared to use violence to obtain their ends.

Individual Ministers have told me privately that they disagreed with some of the actions of their colleagues but as collectively they have presented a united front in all their actions I am forced to treat them all for the present as equally responsible and I have withdrawn all their portfolios today and they will cease to be in charge of the departments and subjects which I assigned to them in May.

5. So much could have been done but so little was attempted in the social and economic field. We have had probably more visits of industrialists in the last six months than in many years before. There appeared to be a growing opportunity for development of this great country but the words and actions of the Ministers and of certain of their supporters have created doubts as to their real intentions and the outside world has lost confidence and the good name of British Guiana has become suspect.

And it is not only outside of this country that confidence has been lost. Many of the small depositors in our own Post Office Savings Bank have had their fears. Since 19th August over $2,000,000 has been withdrawn in excess of deposits, mainly by the people with small savings. If the people of this country have not faith in their own Government, how can we expect people overseas to risk their money here? And so as a first step towards restoring confidence I ask those of you who have withdrawn your savings to put them back in the Bank. I give you my word that nothing will be done to prejudice the security of your savings.

6. Next I want to speak individually to the sugar workers. During the recent strike it was impossible constitutionally for me to speak to you. You know how I was attacked for not answering the call for my intervention and it was suggested that I took no interest in the workers. That was untrue. Ten days after the strike began some Ministers suggested that I should intervene and I agreed to do so provided that both parties would accept my decision. Dr. Lachhmansingh refused my offer. The sugar strike was deliberately engineered by certain of the Ministers and others to secure domination of the industry for political and not trade union purposes. What good reason was there to cause all of you and your families to suffer as you have done?

Do you remember my visits to the estates some weeks ago when my wife and I met many of you and I undertook to do all I could to help, particularly on the question of housing and land which so many of you pressed on me? Shortly after my return to Georgetown I had informal meetings with representatives of certain companies and put some suggestions to them. Had it not been for the recent strike I believe arrangements would have been made by now to provide more money for loans for more houses. Many of you spoke to me about more land being made available in sugar areas and the development of peasant farming. Again I discussed these matters with certain companies and I found them sympathetic. If it had not been for the strike I know some progress would have been made in this respect. However, I shall now resume the discussions on these matters and trust that in the near future I shall be able to make an announcement on this question. But I do urge on you the necessity for you to continue your work and to ensure that this crop is reaped with no further delay. If you fail in this, it can only mean further suffering to you and your families.

7. To the trade unionists of this country I would say, you have a great responsibility and opportunity to restore confidence in this country. In the months that lie ahead your words and actions will be closely watched overseas. On you will depend to a large extent whether the industrialists who are interested in the development of the resources of this country will feel that if they come here they will be given a fair deal by you as well as by the Government. I watched with anxiety your reaction to the political pressure for a sympathy strike and I was glad to see that with certain exceptions you resisted the demand in spite of political intimidation.

8. And now a few words to the Civil Service. You, too, have I know been subjected to severe strain and anxiety during the past months and I am very conscious of the loyalty and patience with which the majority of you have resisted political pressure and have remained true to the high traditions of the Service. I am confident I can rely on your continued loyalty in the tasks of reconstruction which lie ahead.

9. And to every man and woman in this Colony let me say that this constitutional setback which British Guiana has suffered and the precautions which it has been necessary to take to ensure law and order need not and should not be allowed to dislocate our normal life. I call upon you all to assist me by remaining calm and carrying out your normal duties. I have the right to demand your co-operation. If you give it freely, the sooner will it be possible to turn our energies to the constructive tasks of development and social improvement which have lain neglected during the last five months and to move forward once more along the path of progress.

10. For a short time the Government will be carried on under the present Constitution as modified by amending Instruments which have been made and it is intended as soon as circumstances permit, to provide for the appointment of an Interim Government with which Guianese will be fully associated. As you have heard a Commission of Enquiry will be set up to make recommendations regarding the new Constitution. Meantime, provided that normal work and business continues I intend to introduce as soon as possible the economic measures which could and should have been carried out by the late Government and to accelerate the implementation of the International Bank Report. I shall set up as soon as possible a British Guiana Credit Corporation and a provisional Economic Council with a Development Committee in each county of this country. I do not promise you the moon but I will see that the different economic proposals which you pressed on me during my tours of the country will now be sympathetically examined and as far as is practicable will be implemented.

11. Finally, I realise that I have a very heavy task in front of me and with the deepest sincerity and good will I appeal to every one of you, whatever your politics, race, or religion, to give me your full trust, your support, and your prayers. With them I am certain it will be possible to recover the confidence of the people both here and overseas so that the last unhappy months may be forgotten and we shall all go forward with a happier and more prosperous British Guiana. God save the Queen.

EXHIBIT 2

APPENDIX I—EXTRACTS FROM THE PPP PERIODICAL, THUNDER, AND FROM SPEECHES AND WRITINGS OF PPP LEADERS

A—Extracts from Thunder

The official organ of the People's Progressive Party is the monthly periodical Thunder. This periodical is edited by the General Secretary of the Party, Janet Jagan, and regularly carries articles by leading members of the PPP.

The views on international affairs expressed in the periodical invariably follow those advanced by the propagandists of the Soviet Union and the Communist Parties of the world. Considerable space is devoted to adulation of the Soviet Union, other Soviet bloc countries, and China. On the other hand there is frequent vilification not only of "capitalist" countries such as the United Kingdom, the United States, and France, but also of the Labor movements in these countries and of Communists such as Trotsky, Tito, and Beria who have incurred Moscow's displeasure. Considerable publicity is given to the activities and pronouncements of the Communist-controlled World Federation of Trade Unions, while the International Confederation of Free Trade Unions is referred to only as a subject for abuse. A similar distinction is made between Communist leaders and Communist-sponsored conferences and those of the democratic Socialist parties. The periodical's review column is devoted entirely to the praise of current Communist publications (which it is stated can be obtained from the PPP offices). Not one of the many books and pamphlets issued by the democratic Socialist parties and the free labor movements is even mentioned.

The following extracts from articles and news items appearing in Thunder during the period January 1950 to December 1953 are representative of many similar statements appearing in the paper.

The International Situation

"The imperialists and their numberless lackeys fear the progressive people's forces of the world. But today the anti-imperialist and progressive forces are unprecedently strong. The Chinese People's Republic led by Mao Tse-tung is a shining beacon from the East sending hope to the oppressed colonial toilers of the world and lighting the way they must inevitably follow for 'liberty, equality, fraternity' among men"—(Thunder, April 1950).

"The United States reject a planned economy. American capitalists also dread a peace which makes war equipment superfluous." "American economy is a war economy, as Russia's is a peace economy." "America's Marshall plan reestablishes capitalism on the basis of Wall Street monopoly, arresting reconstruction, and crippling industrial development. The Marshall plan rebuilds the Nazi war machine." "Under the Atlantic Pact the U.S. supply the arms,

Europe the cannon fodder for fighting Russia" (Thunder, May 1950, article "War or Peace" by the Dean of Canterbury).

"The time has come for the British labor leaders to stop dancing to the tune played by America's war policy. Instead of fighting the Malayans, give them their freedom" (Thunder, April 1951).

"Human beings the world over are today threatened by a modern cannibal—American imperialism. Ever since 1914 when America was in the grip of economic depression, this cannibal has been living and thriving on war munition manufacturing and the rehabilitation of war damage in ravaged countries. Now, in our days even the rehabilitation of war-damaged areas cannot fill the maw of this gross imperialist parasite. Today American imperialism can only exist by creating war economy" (Thunder, May 1951).

"The People's Progressive Party has shown itself a staunch fighter for World Peace." "I ask you to support our appeal for the signing of a Pact of Peace between the Five Great Powers which demands an immediate ending of the Korean war, the banning of the atom bomb and chemical, radioactive, and germ warfare, and the condemnation of the use of violence against peoples of Colonial Countries" (Thunder, January 1953, article "A Message of Peace" by Rory Westmaas, Secretary of the British Guiana Peace Committee, Vice President of the PPP).

The war in Korea

"The present Government of South Korea, subservient to the policy of the American Government, is carrying out a policy which is maintaining the workers in the most terrible poverty and subjecting them to pitiless repression."

"The regime in southern Korea is one of fascist terror, where human rights are nonexistent; it is a daily threat to democracy and peace." (Thunder, August, 1950, article "Background to the war in Korea" from W.F.T.U. Bulletin.)

"The Americans are using germ warfare on the coloured Korean population just as they used the Atom Bomb on the coloured Japanese. . . . World democratic opinion is opposed to the war. Who in fact wants the war? The American bankers and makers of armaments have time and again hailed the war as 'good business' and 'the best thing that could have happened.' It is such circles in whose benefit the war in Korea is being waged" (Thunder, October 1952, article "Not a Man for Korea," by Sydney King, Assistant Secretary of the PPP).

The war in Indochina

"Imperialist plot against Vietnam."

"The prospect of complete victory for the Democratic Republic of Vietnam over the French interventionists is causing no little concern and alarm among the imperialists. Such a victory would undermine all the hopes of the imperialists to convert Indochina into a bridgehead for military adventures against the democratic movement in Asia, primarily against the Chinese People's Republic" (Thunder, February 1950).

British colonial policy

"To us here in British Guiana this book is very useful. It gives ample factual evidence of the American colonization of Britain, the Colonial Development and Welfare farce, of the new imperialism of the Labour Party, that so-called British Socialism with its callous rapacity for colonial plunder and its hangman methods of intimidating in Malaya and India." (Thunder, October, 1951, reviewing R. Palme Dutt's book "Britain's Crisis of Empire." It may be noted that this book says, inter alia, "The freedom of the colonial peoples will be won, and is today being won, not through petitions or prayers or good behaviour or maganimity of the rulers, but only through the strength of the national liberation movement, through the national revolution" (p. 140). This passage is quoted in Thunder's review).

The Soviet Union and other Soviet bloc countries

"In the Soviet Union people work for themselves and not for exploiters. This book comparing conditions in the United States with those in the U.S.S.R., says that during 1920–1938 'over 31 million farmers were unable to make a living and fled to the cities. During the same period almost 23 million unemployed left the cities to work on the farms.' That is America. And these are only two groups of facts of the many that the author brings forward to prove that the Soviet State with its planned economy is superior to the anarchic economic of the capitalist countries like England and the United States. All conscious workers should read this book so that there will come more definitely in their action a knowledge of what is worth fighting for, and against what the progressive movements of the enslaved world are rebelling." Thunder, June 1950, reviewing "Social and State Structure of the U.S.S.R." by V. Karpinsky.)

Guaranteed employment

It is only in the Soviet Union and the New Democracies that the right of employment is guaranteed to the citizen (Thunder, October 1951).

Message from Comrade Jagan

During my recent trip abroad I have been lucky to travel extensively both in the capitalist sector and the socialist sector of the world. A lot of propaganda and lies have been spread about the eastern People's Democracies—about forced labour, the denial of freedom of religion, and what not. I have seen the people at work with my own eyes and on many occasions by myself and not led by my nose as we are made to believe. I have not seen any evidence of forced labour. Rather, everywhere there was enthusiasm and spiritedness. This was no doubt born of the knowledge that the government was their government, that the factories were their factories, that they were building a new and bright future for themselves. I did not witness the same enthusiastic spirit among the British working class.

Having seen the horrors of war and the great enthusiasm with which the people of the Socialist sectors are building, I am fully convinced that these people really and sincerely want peace. Peace has meaning for them—for with peace, every day brings more improvements. I can hardly say the same for the capitalist countries. They are trying to solve their unemployment problems by putting workers in the army. They are increasing their profits by preparing for war. We are feeling the pinch of this policy by the ever-increasing rise in the cost of living. We are feeling it because we are not the masters of our own destiny. We will always be underfed, ill-clad, and ill-housed so long as we are tied hand and foot and allow ourselves to be delivered as booty to the imperialists. Let us resolve to make every effort to strengthen the PPP and to fight for self-government and the establishment in British Guiana of a People's Government (Thunder, December 1951).

PPP mourns loss to mankind of J. V. Stalin

The Third Annual Congress of the PPP observed 2 minutes silence on the sad occasion of the death of J. V. Stalin, the leader of the Soviet people, the liberator of free Europe, and the acknowledged pathfinder of Peace, Thunder, May 1953.

On the other hand in the U.S.S.R., China, Hungary, in brief in the countries which are not bound with the chains of colonialism and imperialism the rights of women are guaranteed by their governments and written in the law (Thunder, June 1953, article "Women and Peace," by Jessica Huntley).

Communism

"Today when the word 'war' is heard over the radio and read in the papers innumerable times, the ideas of William Gallacher in the 'Case for Communism' are of the utmost importance" (Thunder, September 1950).

"Question. Why do you sell books published by the Communist Party of Great Britain?

"Answer. We sell any books that are fair and just to (a) the working class, (b) the colonial people. It is not the fault of the PPP that, to all intents and purposes (it is a matter of history) the other parties believe in the colonial system" (Thunder, March 1952, "What is the PPP?" by Sidney King).

"History has shown such personalities as Trotsky, Tito, Beria as profound opportunists. The workers must be militant, and expose them in their true colours. Long live the theory of scientific Socialism by Marx and Lenin" (Thunder, September 1953, article "The Struggle in a Socialist Party" by H. I. Franklin).

The free trade unions

"By their treacherous splitting activities in the world trade union movement and the trade union movements in Asian countries, the reactionary leaders of the A.F.L., C.I.O., and British Trade Union Congress are assisting in the realisation of the imperialist plans which aim to intensify the plunder of the working people.

"At the prompting of the employers and of their government, these same leaders, activated by fascist concepts, engineer the creation of so-called 'trade unions' in order to dominate them and further the policy of the imperialists" (Thunder, January 1950, quoting from a resolution of the Trade Union Conference of Asian and Australasian countries held under the auspices of the W.F.T.U.).

"The British T.U.C. which faithfully follows the lead of the Labour Government in colonial matters has laid aside £27,000 to be spent on the colonial trade unions for buying motor cars, typewriters, duplicating machines, and office supplies. Perhaps it is hoped that in this way the colonial unions will become loyal and turn aside from the business of liberating their countries" (Thunder, January 1951).

"Yellow International Attempts to Split African Labor Movement."

"The Yellow Trade Union International calling itself the 'International Confederation of Free Trade Unions' (I.C.F.T.U.) which is financed by the U.S. State Department, has called a so-called 'African Labour Congress' this week in Duala, French Cameroons, in an attempt to extend its labour-splitting activities among the militant African proletariat in central and west Africa" (Thunder, April 1951).

"Birds of a feather.

"Birds of a feather flock together and so the scab leaders of the ICFTU with the blessings of the pious American Negro-hating and British colonial-shooting Governments found followers in the West Indies. Messrs. Gomes, Solomon, C. P. Alexander (Trinidad), Thomas (Grenada), Critchlow (B.G.), have flocked together at a scab conference. Governor Rance, employee of the Government of Britain, repeated official Government blessings when he opened the conference. Nothing was said about the brutal treatment of the Grenada workers, about the bar on Gairy's movements. No sir. The ICFTU was not formed for that purpose. Divide the workers! Slander the Communists! Long live the British Colonial oppression. Rule Britannia (Freedom)" (Thunder, September 1951).

"Having failed to turn back the advance of the Caribbean masses by frontal attack, imperialism has now succeeded in introducing into our ranks an agent in the form of

the so-called International Confederation of Free Trade Unions (ICFTU)" (Thunder, May 1953, quoting a May Day message issued by Richard Hart, Secretary of the Caribbean Labour Congress).

The World Federation of Trade Unions

"W.F.T.U. 7th anniversary.

"The P.P.P. cabled the following greetings to the World Federation of Trade Unions on its 7th anniversary—'P.P.P. British Guiana sends fraternal greetings W.F.T.U. seventh anniversary in struggle for workers rights, peace and socialism'" (Thunder, November 1952).

B—Extracts from speeches and writings of PPP leaders

The attitude of the PPP towards the Waddington Constitution has been illustrated in chapter 4 of this report by extracts from Party publications and speeches. The following extracts have been selected to show the attitudes of some of the leaders of the PPP toward communism as such.

"Those who know anything about economic theory know that communism, according to the definition of Marx, Engels, Lenin, and Stalin, is only the advanced stage of socialism. * * * My idea was to show Members of this Council that in theory socialism and communism are the same. According to the people who wrote the textbooks, communism is merely a higher state of society than socialism. * * * I am not here to dispute what they have written."

"When Communists refer to force they refer to what is known as the repressive force of society * * * the force of the state which makes the laws * * * to see that the former exploiters behave themselves, and if they do not, they are apprehended and tried in the People's Courts. * * * It is from that stage that Communism comes in. * * * Just as how in the schools of our country an attempt is made to have certain influences moulding the minds of the youth in order to preserve the status quo, the capitalist system, in the Socialist society the children of the exploiters and the exploited are sent to school where their minds are moulded."

"As far as I am concerned, when the Government puts its ban on Communist publications I will import books which are written and printed by non-Communist organizations—books which propagate the same ideas. * * * If I am prevented from importing or reproducing literature then either I and others like myself would be forced to obtain it surreptitiously, which we do not want to do, or write the books ourselves. That can easily be done. * * * Therefore all the objects of the Government will be thwarted by those of us who want to spread Communist ideas." (Speech by Dr. Jagan in the debate on the undesirable publications bill in the legislative council on February 27, 1953.)

"From the Socialist camp rings the echo of Stalin's reassuring pronouncement: 'Export of revolution is nonsense. Every country, if it so desires, will carry out its own revolution, and if it does not so desire, there will be no revolution,'" ("Peace Shall Walk Among You," by Mr. S. King).

"Only the candidates of the People's Progressive Party are sufficiently advanced politically to be able to put up a persistent battle against all forms of obstruction and veto which will be used against all constructive measures and to detect the tactics of the imperialists and expose them to the people. * * * Only a Party with our record of preparation; and of struggle on behalf of the working class and the masses is capable of making the necessary war. * * * On the lips of every loyal Guianese of every race and in the hearts of the oppressed, this name (Cheddi Jagan) has become a banner behind which tramp the revolutionary and progressive masses of our country—to battle and victory."—(Foreword by Mr. S. King to "Fight for Freedom—Waddington Constitution Exposed" published by Dr. Jagan).

"At this stage we are fighting for national independence which leads to socialism and communism. We will have to do like the people of Russia. They were once under the same oppression like us and now have their own independence for the past 35 years." (Speech by Mr. S. M. Lachhmansingh, P.P.P. member of the House of Assembly, to sugar-workers at Plantation Blairmont, May 1953.)

"Fascism and imperialism are only words of the capitalist order, and as such we can put them in one camp for economic and other purposes. Communism and socialism are in the same camp, so that to all intents and purposes the world is divided into two camps—the Socialist or Communist camp, which is the people's camp, and the camp which today calls itself the democratic camp, but which is really the capitalist camp. There is great division of opinion as to what is meant by democracy, but I do not want to go into a lengthy discourse on that." (Speech by Dr. Jagan in the House of Assembly on July 24, 1953.)

"Capitalism proved itself more efficient than feudalism and slavery and so replaced them. So will the capitalist system in due course be changed into a higher and more efficient Socialist system. Likewise socialism itself will evolve into the higher Communist stage of society. * * * I am a great admirer of the Soviet Union, the people's China and the people's democracies." Speech by Dr. Jagan broadcast on radio Demerara on August 9, 1953.)

APPENDIX II—LIST OF COMMUNIST LITERATURE DISTRIBUTED BY THE PPP

The following list is representative of Communist literature distributed by the PPP in British Guiana. Pamphlets and similar material were circulated at party meetings and at meetings of the British Guiana Peace Committee, the Pioneer Youth League and other such organizations. Toward the end of January 1953, the party leaders opened a bookshop and library in Regent Street, Georgetown, and this was extensively stocked with Communist propaganda publications.

In February 1953 the old legislative council passed the undesirable publications (prohibition of importation) ordinance enabling the Governor-in-Council to make orders banning the entry into the colony of subversive literature. No orders were made during the period up to May 1953, when the PPP Ministers took office and they then introduced a bill to repeal the ordinance. This had not been enacted by the time the constitution was suspended and the ordinance has continued in force.

"Communism and Labour," by Harry Pollitt.

"I Saw the Truth in Korea," by Allan Willington, Daily Worker correspondent.

"The Colonies the Way Forward," published by the British Communist Party.

"Social Insurance in the U.S.S.R.," by Z. Mokhov.

"A Russian Looks at Reborn Europe," by Boris Polevoy.

"The Right of Nations to Self-Determination," by V. I. Lenin, published in the U.S.S.R.

"Soviet Music," by Boris Yagolim, published in the U.K.

"New China New World," by Arthur Clegg, published in the U.K.

"The Peaceful Co-Existence," by S. Titarenko, published in the U.K.

"Lenin and Britain," published in the U.K.

"Socialism and the Individual," by M. D. Karmari, published in the U.S.S.R.

"The Deception of the People," by V. I. Lenin, published in the U.K.

"The Soviet Union at the Fifth Session of U.N.O., 1950," published in the U.K.

"Soviet Weekly," 5th April, 1951, published in the U.K.

"Constitution of the Union of Soviet Socialist Republics," published by Soviet News, 3, Rosary Gardens, London, S.W.7.

"Patriotism & Internationalism," by S. Titarenko, published by Soviet News, 3, Rosary Gardens, London, S.W.7.

"The Labour Movement in Britain," issued by the Communist Party and published by Farleigh Press, Beechwood Rise, Watford, Herts.

"Soviet Schools Today," by Deana Levin, published by Illustrated Periodicals, Ltd, London, S.E.1.

"They were killed because they were Negroes," published by the West Indies Committee of the Communist Party, 16, King Street, London, W.C.

"Russia with our own Eyes," by the British Workers' Delegation to U.S.S.R.—1950.

"The Educational Commentary on Current Affairs," issued by the "Daily Worker" and published by Educational Commentary, 75, Farringdon Road, London, E.C.1.

"Bucharest Organ of the Information Bureau of the Communist and Workers' Parties—For a Lasting Peace and for a People's Democracy," published at 56, Valeria Braniste, Bucharest.

"Constitution (Fundamental Law) of the Union of Soviet Socialist Republics," published by Soviet News, 3, Rosary Gardens, London, S.W.7.

"New China News Agency"—4th May, 1951, published by Prague Office, 608, Na Marne, Prague XIX.

"For a Lasting Peace, for a People's Democracy," published by the Information Bureau of the Communist and Workers' Parties, Bucharest, Rumania.

"Prague Newsletter"—5th July, 1951, published by Pragopress, Prague, Czechoslovakia.

Pamphlets issued by the World Congress of the Defenders of the Peace:

"The Truth About Soviet Russia."

"J. V. Stalin Answers 'Pravda' Correspondent's Questions."

"How Hungarian Children Live" (Sinder Simon).

"Statement of Foreign Ministry of the U.S.S.R. on North Atlantic Pact" (Hr. Schilstad).

"Youth in Hungary," by Athenaeum, published by Hungarian Bulletin.

"World Trade Union Movement," by T. F. McWhinnie, published by WFTU Publications, Ltd.

"The American Aggressors Indicted," by Louis Saillant, published by WFTU Publications, Ltd.

"Aid to Economically Backward Countries," by Pavel Cherny-shev, published by Soviet News London.

"Federation and Self-Government Now or Colonialism and Slavery for Ever," published by the Caribbean Labor Congress (London branch).

"Hungarian Production Results for 1951," published by the Hungarian News and Information Service, 33, Pembridge Square, London, W2.

"Hungarian News and Information Service; Documents on Foreign Affairs," published by Hungarian News and Information Service, 33, Pembridge Square, London, W2.

"Everyday Life in Hungary," published by the Hungarian News and Information Service, London, W2.

"Terror in Kenya," published by WFTU Publications, Ltd.

"Documents of Congress of the Peoples for Peace, Vienna, December 12–19, 1952," published by Congress Secretariat.

"Egypt and the Sudan—The People on the March," by Ahmed Taha Ahmed, published by WFTU, Ltd., London.

"The Progress of Man," published by Young Communist League, 16, King Street, London, WC2.

"To Every Woman Everywhere," published by Women's International Democratic Federation Berlin W8.

"The Housing Crisis in Capitalist and Colonial Countries," published by WFTU Publications, Ltd.

"Fourth World Festival of Youth and Students for Peace and Friendship, August 2–16," published by International Festival Committee, Bucharest.

"Little Stalin Library No. 5 on the National Question," by J. Stalin, published by Lawrence & Wishart, London.

"Kenya—What Are the Facts?" by P. Bolsover, published by the Communist Party, London.

APPENDIX III—NOTE ON THE ARSON PLOT

1. The British Government White Paper (Cmd. 8980) says in paragraph 30 that "it was established from reliable sources that * * * a plan was made to set fire to business property and residences of prominent Europeans and Government officials." The evidence on which this statement is based was not obtained until October 6, and it could not, therefore, have had any bearing upon the decision of Her Majesty's Government to suspend the constitution. We went into this matter as thoroughly as we could. Obviously our general witnesses knew nothing of any plan of this kind. The information upon which the paragraph in the White Paper is based came to the ears of the police from informers. We saw the police reports and we questioned the officers responsible for them. The value of these reports is, of course, no more than the reliability of the informers, and we were not told, indeed we did not ask, who the informers were or if we could see them. But we have not the slightest doubt that information was conveyed to the police by informers whose information had always hitherto proved accurate. One was able to give second-hand information and the other third-hand information of a meeting of several of the most prominent leaders of the PPP at the home of Dr. Jagan on the evening of October 5. They reported that the leaders had discussed the strong rumours that troops were on the way to British Guiana and that the constitution was to be suspended and had argued whether they should put into effect a plan for setting fire to certain properties that had already been devised for some such eventuality. We also saw straightforward police reports and had direct evidence of prominent PPP officials being seen in the neighborhood of business premises at times when they would not normally have been expected to be there. Finally, we had the evidence mentioned in the White Paper of unusual sales of petrol and kerosene in small quantities to persons who do not possess cars and who do not, as a general rule, use these spirits for heating or lighting. The comment of the PPP witnesses on this latter point was that all the people in Georgetown expected that there would be a strike at the electricity power station and were therefore buying petrol and kerosene for heating or lighting if the strike should take place. That may or may not be the explanation but there is no doubt of the fact that unusual sales of petrol and kerosene did take place.

2. We have no reason to disbelieve the evidence of several persons who told us of telephone warnings they had received that their houses were "on the list," and we certainly believed the evidence of the Archbishop of the West Indies who described to us preparations which he had discovered to set fire to his house. How far these incidents were merely threats to intimidate and did not correspond with any real intention to act we cannot estimate; but they certainly corroborate the other evidence that the idea of fire razing was in the air.

3. In our opinion the Governor and the police, and all others concerned who knew of the reports received by the police, would have been failing in their duty if they had not taken them seriously. The situation in the colony was very tense, and all responsible people were acutely aware of the acts of violence done recently during the course of the sugar strike. The argument put to us that no one would think of starting a fire in Georgetown itself because of the certainty that it would spread and cause a tremendous amount of damage in a city built mainly of wood is equally valid in our view as a reason which would compel the Governor to take serious account of any possibility of fire.

EXHIBIT 3

[From the Georgetown (British Guiana) South America Daily Chronicle, Sept. 30, 1960.]

CHEDDI WOOS SUPPORT FROM INDIAN BUSINESSMEN—WITHOUT GUARANTEES—DR. JAGAN THREATENS: "B. G. CAN EXPECT ANYTHING" SHOULD PEOPLES PROGRESSIVE PARTY LOSE ELECTIONS—DISSATISFIED GROUP, DARED TO GET HIM OUT OF POWER

Dr. Cheddi Jagan, Minister of Trade and Industry and leader of the majority party, met a group of Indian businessmen on Wednesday night for a 3-hour conference which he had arranged personally to encourage them to give him continued support at the forthcoming general elections.

When asked consistently about guarantees of freedom, Dr. Jagan told them that he could only give them guarantees until such time as independence was granted, but refused to give any assurances after that time. In reply to questions from many quarters, he said that if they were not satisfied they could use all the means at their disposal to get him out of power.

Faced with a barrage of searching questions from a man who had told him that the country's economy was going from bad to worse, Dr. Jagan admitted that he was definitely decided on pursuing a socialist policy and would borrow money from any source including Russia and Cuba, as soon as the country was independent and if he were returned to power.

THE THREAT

He threatened that unless they were prepared to support him—and should he lose the elections—the country could expect anything since he would be pursuing a program not only in British Guiana but all over the world.

The Indian businessmen suggested that since he had called them together to seek their continued support, they would like to have businessmen represented in the Party's Executive and the Legislative Council to ensure a sound economic policy and guarantee progress for the country. Dr. Jagan replied that he could not make such a promise.

DEVELOPMENT

It was recommended that he should set up an Economic and Industrial Planning and Development Committee with statutory powers to plan a development and industrial program for the country, with the power to borrow money from all sources. He refused to commit himself to the proposal and treated it with indifference.

After the lengthy discussion there was general disappointment among the businessmen over the failure to get definite safeguards from Dr. Jagan, who left without any assurances of support from the group as he had expected.

EXHIBIT 4

[From the Guiana Graphic, July 4, 1961]

"IT'S EASIER TO STOP TOMORROW THAN TO STOP COMMUNISM"—BENN MEANT EVERY WORD

Mr. Brindley Benn, chairman of the People's Progressive Party has told the people of Georgetown he meant every word when he said in the legislative council last year that it was easier to stop tomorrow than to stop communism.

"I said so because I believed every word. It is not a case that I was speaking figuratively."

"There is no force on earth to stop the march of communism—the church, the bishops or parsons—it is the inevitable fulfillment of civilization," he declared.

Mr. Benn, Minister of Natural Resources in the Government, said party members will be instructed not to vote in constituencies where the PPP is not contesting.

Their call for unity with the People's National Congress was not a sign of weakness, he said.

"So far as we are concerned, we are going to win the elections, but a merger of the PPP and the PNC will bring about the death knell of the ugly specter of racialism that has reared its head in British Guiana," he said.

Dr. Fenton Ramsahoye, speaking at length, on the bill of rights in the new constitution, said it was not to be felt that such provisions were lacking in the past. They had already existed, but certain people had asked that they be included in the new constitution because of imaginary fears.

Dr. Ramsahoye said that every man would have the right to choose his religion. A man's right to all the basic freedoms, he said, are in the bill of rights, so no one need fear that he would be left to the mercy of tyrants.

Dealing with the history of British Guiana, the young lawyer charged that every obstacle was placed in the path of progress.

He recalled that Dr. Marshall, the local government expert who came to British Guiana, had written in a memorandum:

"Everything seems to conspire to impede progress. If it was not the civil servant, it was the man in some form of authority.

"No one seems to want to cooperate for progress in an atmosphere of truth and dignity."

The people of British Guiana will have to get out of this frame of mind if they want to move forward, Dr. Ramsahoye declared.

Dr. Charles Jacob, recently returned from Cuba, declared "if communism means the abolition of illiteracy, the alleviation of unemployment and the destruction of human misery," he wanted it.

Speaking at length on Cuba, he said people outside the Republic were given wrong impressions. "They should go there and see progress at its best."

Cuba is now the only truly democratic country in the Americas, according to Dr. Jacob.

EXHIBIT 5

[From the Sun Star, July 5, 1953]

PERT AMERICAN BLOND AND SPOUSE BUILD RED ROLE

(By Henry Bartley Lee)

When an exotic blond of the Young Communist League married an East Indian student from British Guiana several years ago in Chicago, the shadow of communism stretched across the Western Hemisphere. Janet Rosenberg indoctrinated her husband, Cheddi Jagan, into the Communist Party.

Both then went to British Guiana and organized the first Communist election victory outside the Iron Curtain.

The party they used for a front, the Peoples Progressive Party, won substantial control of the Government last May in the first exercise of universal franchise in the country.

Although British Guiana is still under British sovereignty, its new constitution grants local autonomy. Although a British responsibility, the colony on the northeast coast of South America is in the strategic backyard of the United States.

OFFICIAL ALARM

State Department officials, consequently, express alarm because conditions the Communists exploited exist throughout the British West Indies, stretching from the Bahamas, off Florida, to British Guiana.

The Jagans exploited a situation charged with economic and social tension, induced by poverty and racism, with impassioned dexterity. They dressed themselves in rags and agitated among hungry, ignorant workers. Where they could assemble a small audience, they would arouse them with customary Communist slogans—imperialism, colonialism, exploitation, and racism.

Three cars the Jagans own were left at home. Cars and rags don't mix.

Janet, described as pretty and comely, outdid her husband at times. She would bare her feet and work with the women in the fields. Her hairdo would be either East Indian or African, depending on which group she was propagandizing.

Promising a nice home, a radio, and a car, the Jagans won support of two big labor groups. Exploiting racial tension, they unified erstwhile antagonistic East Indians and Negroes against the whites. About half the population are East Indian, a third Negro.

Organization was improved after the Jagans and several lieutenants visited behind the Iron Curtain. Cheddi organized the youth after attending a Communist youth rally in East Berlin. Janet brought the first women into politics after attending a Communist peace congress. A young labor leader was sent to the University of Prague.

The Peoples Progressive Party organ, Thunder, showered these groups with typical Communist propaganda. It carried dispatches from Peking and the Communist-controlled World Federation of Trade Unions, charging the United States with aggression and bacteriological warfare in Korea.

With this strategy and the advantage of a divided opposition, the Jagan-led PPP won 18 of 24 elective seats in the legislative assembly. Cheddi, party chairman, became majority leader; Janet, party secretary, became deputy speaker. The victory was not a complete rout, however, because the highly disorganized opposition got almost half the popular vote.

Great Britain cooperates with the majority party, explaining it prefers the party govern with responsibility in the legislature rather than agitate without responsibility underground.

AMERICAN DEFAULT

Meanwhile, we are losing the fight against international communism in this area by default. No American propagandist is in the entire British West Indies. Nor is there a labor attaché in the foreign service there to influence potentially powerful labor unions—now being infiltrated by Communists with funds and propaganda facilities that are apparently unlimited.

The U.S. consulate in British Guiana was effectively resisting Communist infiltration of the unions. Then the economy bloc in Congress closed the consulate last December.

"Workers cannot understand why the Communists have so much literature there and we have none," Serafino Roumaldi, inter-American representative of the American Federation of Labor, reported after a recent visit to British Guiana. "Nor can they understand why they get no point 4 aid. Ironically, point 4 provides no funds for colonies like British Guiana."

JAMAICAN WORRIES

Prime Minister William Bustamante of Jamaica, an island of the British West Indies near the Panama Canal, recently warned of the increasing danger of communism in the Caribbean area. Bustamante, former New York waiter, reported "a bold attempt to create a state of communism in Jamaica."

The West Indian political situation needs particular attention because power there is passing from whites to colored and Negro groups. Many of the latter two are unionized.

It is significant, however, that communism may be making the greatest gains where it is receiving the least attention—right at our strategic backyard.

[From the Evening Star, Oct. 10, 1953]

GUIANA STAYS CALM AS BRITAIN REMOVES SIX ON RED CHARGES

GEORGETOWN, BRITISH GUIANA, October 10.—With imperial troops and warships maintaining order at strategic points, British Guiana remained calm today despite London's ouster of six ministers on Communist charges and suspension of the colony's 6-month-old constitution.

Washington backed up Britain, expressing grave concern over the threat to Western Hemispheric security from a possible coup in this South American colony by the "international Communist conspiracy." The State Department in Washington expressed gratification that the "British Government is taking firm action to meet the situation."

Steps were taken officially to inform all Latin American governments of the U.S. stand.

Five hundred troops of the Royal Welsh Fusiliers guarding government centers in Georgetown and rich sugar plantations on the surrounding plains reported no disturbances.

LIFE APPEARS NORMAL

Despite a state of emergency declared by British Governor Sir Alfred Savage, life among the 450,000 residents of diverse races appeared to be following the normal course—except on the political front.

Britain cracked down on the colony's government yesterday, charging that Chief Minister Cheddi Jagan and his five ousted associates were serving Moscow instead of Britain.

"The faction in power have shown they are prepared to go to any length, including violence, to turn British Guiana into a Communist state," the London government declared.

The ousted Cabinet ministers, all members of the leftist People's Progressive Party, were accused of supporting Communist fronts, fomenting strikes and threatening the public welfare. They have been in office only 6 months.

INVESTIGATION ASSURED

In announcing suspension of the constitution, Britain said a commission of inquiry would investigate the "political advance of the colony" and make "recommendations for a revised constitution."

Chief Minister Jagan and his American-born wife, the former Janet Rosenberg, said yesterday they were "most unhappy about the whole situation." Both have denied they are Communists. Chief Minister Jagan is an East Indian who once studied dentistry in Chicago. His wife, whom he met in Chicago, is executive secretary of the People's Progressive Party.

The party, running on a leftist platform, won 18 of the 24 elected seats in the colony's House of Assembly last April in the first elections held under the new constitution.

While the elected ministers have been deprived of governmental responsibility they technically retain office and will draw pay until the order suspending the constitution has been under consideration by the British Parliament for 40 days and is approved. Parliament will not convene for another 10 days.

[From the New York Times, Nov. 6, 1953]

LONDON, November 5.—The Government tonight submitted to Parliament an order creating an interim administration for British Guiana under close London supervision.

The order also formally suspended the Guiana constitution with the ouster of the leftist government of the Progressive People's Party. Britain charged that the ministers were conspiring to set up South America's first Communist regime.

The interim government will be composed of an executive council and a legislative council, but only one or two members of the executive council, to be nominated by the Governor, will have departmental duties.

The British Labor Party has washed its hands of the Progressive People's Party and advised its local branches not to provide a platform for its spokesmen. Letters to all local branches said "leaders of the Progressive People's Party pursued a Communist policy and created a situation which necessitated the movement of troops (to Guiana) to insure maintenance of law and order."

[From the Sunday Star, Dec. 20, 1953]

MRS. JAGAN ADMITS SHE LIKES RED RULE

GEORGETOWN, BRITISH GUIANA, December 19.—Mrs. Janet Jagan, Chicago-born wife of ousted Premier Cheddi Jagan, admitted in court today that she was a firm admirer of the Soviet system of government.

She added that she was also an admirer of the governments in Scandinavia, China, India, and other countries, but she denied ever belonging to the Communist Party, or the Young Communist League of America or ever attending meetings of young Communists while in the United States.

"I belong to no Communist Party," she declared during cross-examination at her trial on charges of attending a public meeting near here last Sunday where she and nine other persons were arrested.

Since the Progressive Peoples Party government was ousted October 9 by the British Government on the grounds that it was conspiring to set up a Communist state, British Guiana has been under a state of emergency. Public gatherings have been forbidden. Mrs. Jagan has been the reputed firebrand of her husband's party.

Jagan is of East Indian Hindu origin and now is in India seeking support.

Mrs. Jagan admitted she was the local correspondent of the London Daily Worker, a Communist newspaper, and added that she agreed with many Communist principles, "especially the one that imperialism and colonialism are a decadent part of society and must come to a close."

[From the Sunday Star, Feb. 7, 1954]

RED ACTIVITY IN BRAZIL, GUIANA RAISES FEAR OF MALAYA-TYPE WAR

(By Henry B. Lee)

The specter of communism still hovers about British Guiana in South America. Before Britain suspended the colony's new self-governing constitution last fall, leaders of the majority party were alleged to be under direction of the Cominform. Out of power now, party remnants are apparently working through Latin American Communist movements and fomenting problems that could rock the inter-American system.

One report has these remnants of the People's Progressive Party linking up with the outlawed, but still potent, Communist movement in Brazil. Although this report remains unsubstantiated, the British and Brazilian Governments at least suspect the two forces will attempt a link. Police chiefs of the two countries met at the border recently to set up a security check on Reds crossing the boundary. Those traveling from British Guiana to Brazil must now be certified as "non-Communists."

THE PRESTES THREAT

Even the prospect of such a link is threatening. It would unite a core of well-trained agitators under the leadership of colorful Luis Carlos Prestes, top international Com-

munist figure. In another unsubstantiated report Prestes is said to be building an army of about 18,000 Communists in the inaccessible Amazon River area, adjacent to the British Guiana border.

His tumultuos political career began in 1924 when he joined Getulio Vargas, now Brazil's President, in an unsuccessful rebellion. For 3 years afterward Prestes led a retreating army from southern Brazil to Bahia in the north, then down the Amazon to the Bolivian frontier. While eluding government troops, he fought 56 battles, set up several "shadow" states and made treaties with hostile Indian tribes. This feat has been compared with the "long march" of Mao Tse-tung in his rise to power in China.

When President Vargas launched a successful revolution in 1930, Prestes returned to Brazil and worked with his old collaborator for a while. After moving more to the left, Prestes broke with Vargas and went to school in Moscow, where he became friendly with two fellow students—Mao Tse-tung and Ho Chi-minh.

Returning to Brazil, the dapper engineer organized the first Communist Party there. He led a Communist rebellion in 1935 and received a 17-year prison sentence. But after 9 years he made a deal with President Vargas and was soon busy rebuilding his party and attending to his duties as executive committeeman of the Comintern.

His party registered 600,000 votes and elected 14 deputies in 1945. After it got 800,000 votes, 14 deputies and 2 senators in 1948, it also got outlawed. Prestes once again became a fugitive.

Even as a fugitive, he remains a powerful force in Brazilian politics. He has helped defeat a proposed United States mutual assistance pact and prevented United States development of Brazil's much-needed oil. Recently he made an anti-United States drive the basis of his party's new program, trying to exploit the country's current wave of ultranationalism.

ANOTHER MALAYA?

If Prestes has or should get British Guiana's Communist force under his wing, several questions would be raised. Will he direct a Communist drive in the tense, colonial Caribbean possessions? Will he start another Malaya and perhaps tie down several free world divisions in the Amazon jungles.

There is no doubt about another course of action being taken by People's Progressive Party leaders in British Guiana. They are doing what the United States has feared—mobilizing Latin American sentiment by picturing this British move as a revival of the British colonialism that has so often stirred the Americas. This is an issue they can exploit among both Latin American Communist movements and reactionary governments. It is an issue by which they may drive a wedge between the United States and Britain or between the United States and its neighbors in the Americas.

Janet Jagan, Chicago-born wife of the deposed PPP majority leader, Cheddi Jagan, claims nine labor unions in Venezuela have launched a protest movement against the British action. When Richard Westmass, another PPP leader, was arrested recently, police found in his possession a coded message from Venezuela. More important, the Venezuelan Government complained openly to Britain about her treatment of PPP leaders in the colony.

Venezuela is, of course, more interested in some British Guiana territory it thinks should be Venezuelan. This boundary dispute almost caused a war between the United States and Britain in the 1890's, before the United States brought pressure on Britain to arbitrate the dispute and then had to bring pressure on Venezuela to accept the arbitration award. Venezuela is still dissatisfied with the settlement.

Janet, said to be the driving force behind the PPP, also claims support from the "women of Argentina." Whoever these women are, it is no surprise that any force in Argentina will support anything that boosts that country's claim to the British-held Falkland Islands. The same can be said for Guatemala regarding the neighboring colony of British Honduras, claimed by all political factions in Guatemala.

These issues explain why several Latin American governments will bring the British Guiana question at the Pan American Conference that begins in Caracas March 2. It may be very difficult for the United States to come away from the conference without straining its relations with either its British ally or some of the Latin American republics.

FEDERATION MOVEMENT

Another reaction to the British clampdown on Reds is the revival of a movement to federate the three Guianas—British, Dutch, and French—and form a republic. Many conservation and economic interests in the Guianas have supported this, desiring to move out of the sterling area and form close economic links with the United States. Proponents claim they have a "continental destiny."

Britain, meanwhile, is trying to establish political and economic stability in its highly illiterate and poverty-stricken colony. Moderate forces, once dispersed and ineffective against the well-organized PPP, are now becoming united under the National Democratic Party. It is apt to play an important role in Britain's efforts to lead its colony back on the road to self-government and eventual independence. Britain's task is a formidable one, especially since its strategic and bauxite-rich colony has a part on the stage of contemporary world politics.

[From the Washington (D.C.) Star, Aug. 22, 1954]

WHAT HAPPENED WHEN REDS WENT UNDERGROUND IN GUIANA?

(By Henry B. Lee)

Last year Great Britain landed troops in its colony of British Guiana and expelled the first openly Communist-led government in the Western Hemisphere. Wherever the deposed Red leaders went—to jail, into the pulpit or underground—they have continued to cause trouble.

Today communism still hovers menacingly above this steaming jungle of sugar plantations and bauxite mines on South America's northeast coast. A small band of Reds is showing how a well-disciplined cadre can harass a government and halt progress from the underground. These Communists may also be showing a pattern of behavior that can be expected when puppet governments in other countries fall.

The Communist-led People's Progressive Party won substantial control of the colony's government early in 1953. This election was the first exercise of universal suffrage under a new constitution granting local autonomy. The party exploited nationalism, racialism, poverty, and ignorance in a country that is one-half East Indian and one-third Negro.

LED BY COMINFORM

The ranks of the party were said to be made up of non-Communists who wanted more food and less British in their country. They were docile followers of a hard core of Communist leaders apparently under orders of the Cominform in Bucharest.

After the party governed irresponsibly for several months, Britain suspended the constitution, deposed the government and declared a state of emergency last October. Britain charged the party was planning a coup and the establishment of a Soviet satellite state.

Now underground, the Reds have switched their tactics to suit the occasion. They have abandoned atheism and taken up religion, which gives them a ready-made audience for their propaganda. Other new tactics range from something like Mahatma Gandhi's "civil disobedience" to outright terrorism.

One Communist leader used his prison cell to organize a Communist group. Cheddi Jagan, 34-year-old dentist, former Northwestern University student, and deposed majority leader of the party, was preaching to fellow inmates at Sunday religious services. A sermon on the commandment, "Thou shalt not steal," for instance, was turned into a tirade against capitalism.

To prevent him from indoctrinating other inmates, he was placed in isolation.

The continued presence of Red influence was indicated in charges pressed against the prison superintendent and his deputy. The government charged them with coddling Jagan by permitting him too many visits and altering his prison record.

His wife Janet was arrested one day while addressing a large outdoor crowd. Janet, a pert blond from Chicago, who is said to be the mastermind in the Guianese Communist movement, was wearing an Indian shawl and claimed she was conducting a Hindu religious ceremony. The judge said the religious trappings were an "unholy farce" and fined her $140 for holding an illegal political meeting.

HUNGER STRIKE

Five party leaders staged a hunger strike when jailed at the outset of emergency rule last fall.

That was about the time Jagan conferred with Communist leaders in India and returned to British Guiana with big plans for a civil disobedience drive. By that time, however, the party was being unmasked and was losing some of the mass support such a movement would require.

The party still has retained the support of many fanatics who are being used in an increased terrorist drive. The government has announced three recent dynamite blasts, apparently from Communist sources. One of these blew the head off Queen Victoria's statue in the capital city of Georgetown.

Mrs. Jagan was recently sentenced to pay an $85 fine or serve 3 months for illegally possessing a top-secret riot manual of the government police. The manual was described as a "highly confidential document for the protection of life and property in the event of a riot."

This disclosure indicated the party may still have some of the police under its control.

Security precautions have been increased in the wake of a rise in terrorist activities. A huge ring of electrically charged wire has been thrown up around the Governor General's residence. Security troops have been more heavily armed.

PROPAGANDA FLOWS ON

Despite desperate efforts of the British to seal off the colony from Iron Curtain links, Communist propaganda continues to stream into the colony. Police recently arrested several Reds and seized large quantities of Communist propaganda in their possession. One publication was "Culture in the Rumanian Peoples Republic—an Asset of Free People."

This continued communication link with the Iron Curtain raises speculation over whether the party is in contact with Luis Carlos Prestes, Brazilian fugitive and one of international communism's top agents. He has been reported organizing a Red army in remote Brazilian jungles about 60 miles from the Guiana border. There have been several unverified reports of meetings between the two groups.

It is obvious that the Reds are resorting to carefully drafted plans to halt Britain's

social and economic development of its Guiana colony—a long range program essential for political development there. But what the Communists' long range objectives are is difficult to determine.

ORDER OF BUSINESS

Mr. BIBLE and Mr. LAUSCHE addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BIBLE. Mr. President, if the Senator will yield, I would like to seek recognition for the purpose of calling up a conference report. The chairman of the Committee on Foreign Relations has been very patient, waiting for me to receive recognition so I may call up a conference report.

Mr. LAUSCHE. I have been waiting for 1 hour to get the floor. It will take me about 5 minutes to make my presentation.

Mr. BIBLE. I am trying to accommodate both Senators. I do not think it will take very long to dispose of this very important conference report, so it can make its journey to the House side.

Mr. LAUSCHE. I think the Senator has a priority right.

Mr. BIBLE. The Senator from Ohio was recognized first. There is no question about that.

Mr. LAUSCHE. I yield to the distinguished Senator.

Mr. BIBLE. First, let me express my appreciation to the Senator from Ohio for his usual kindness and patience and indulgence in these matters.

COMMITTEE MEETINGS DURING SENATE SESSION TODAY

Mr. BIBLE. First, Mr. President, I wish to make several unanimous-consent requests.

I ask unanimous consent that the Committee on the Judiciary be authorized to meet today during the session of the Senate to consider H.R. 8140, to strengthen the criminal laws relating to bribery, graft, and conflict of interest, and some nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIBLE. These have been cleared with the minority.

I also ask unanimous consent that the Committee on Finance be permitted to meet during today's session of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIBLE. That has likewise been cleared with the minority.

Mr. President, I am prepared to yield to the distinguished chairman of the Committee on Foreign Relations, but before doing so, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BIBLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN ASSISTANCE ACT OF 1961—CONFERENCE REPORT

Mr. BIBLE. Mr. President, I now yield to the distinguished chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT], for the purpose of calling up the conference report.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1983) to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic development and internal and external security, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. FULBRIGHT. Mr. President, I call to the Senate's attention the fact that the language of the bill as approved by the conferees appears in the CONGRESSIONAL RECORD this morning at page 17829. The statement of the managers on the part of the House appears on page 17842.

Mr. President, separate copies have just arrived. I made my statement before they arrived. They have just arrived and are available for Members of the Senate.

Mr. President, in reporting to the Senate on the results of the conference on the foreign aid bill, I wish first to express my gratitude to members of the conference who met for 25 hours in examining differences between a House bill and a Senate bill which covered 160 pages of text and some 130 specific differences. The chairman of the House Foreign Affairs Committee, Mr. MORGAN, of Pennsylvania, and his Democratic and Republican colleagues, were most persuasive in presenting their case, and yet, at the same time, they exhibited that degree of understanding which is always essential in working out differences between the two Houses.

I would be less than candid if I did not confess my concern at the situation more than a week ago when it became apparent that differences between the House and Senate on the foreign aid bill were assuming partisan overtones. It seemed to me that the nonpartisan approach which had characterized congressional activities in the field of foreign policy since the war was endangered. As our conference progressed, press reports and statements by nonconferees hardened public partisan differences as conferees searched for an aid program to serve the interests of all Americans. Fortunately, this partisan spirit did not make much headway with the conferees. Thus, it is possible now to report to the Senate that the foreign aid bill of 1961 in its final form has been approved by all of the House conferees and a bipartisan contingent of Senate conferees.

Naturally, the compromise which we now submit to the Senate was not accomplished without pain. Personal conviction, and duty imposed on me by Senate support of long-range borrowing authority by a vote of 39 to 56, made it most difficult to accept language which might be in any way construed as hampering the President in putting the development program on a more efficient, long-range basis. I was most reluctant not to be able to apply to the development loan program those principles of financing which have proven indispensable and effective in the operation of similar large scale domestic programs.

At the same time House conferees were under a duty to try to limit provisions of this bill to a 1-year authorization of the appropriation of funds.

Our ultimate agreement, I believe, gives the President authority to make long-term commitments for the loan program in a magnitude that should enable this country substantially to assist newly developing nations to grow in a pattern consistent with the economic and political principles espoused by this Nation. I ask unanimous consent that there be inserted in my remarks at this point the development loan language upon which the conferees agreed.

There being no objection, the language was ordered to be printed in the RECORD, as follows:

SEC. 202. AUTHORIZATION.—(a) There is hereby authorized to be appropriated for the purposes of this title $1,200,000,000 for the fiscal year 1962 and $1,500,000,000 for each of the next four succeeding fiscal years, which sums shall remain available until expended provided that any unappropriated portion of the amount authorized to be appropriated for any such fiscal year may be appropriated in any subsequent fiscal year during the above period in addition to the amount otherwise authorized to be appropriated for such subsequent fiscal year.

(b) Whenever the President determines that it is important to the advancement of the United States interests and necessary in order to further the purposes of this title, and in recognition of the need for reasonable advance assurances in the interest of orderly and effective execution of long-term plans and programs of development assistance, he is authorized to enter into agreements committing, under the terms and conditions of this title, funds authorized to be appropriated under this title, subject only to the annual appropriation of such funds.

(c) Upon conclusion of each such agreement involving funds to be appropriated, the President shall notify the Foreign Relations and Appropriations Committees of the Senate and the Speaker of the House of Representatives of the provisions of such agreement, including the amounts of funds involved and undertakings of the parties thereto.

Mr. FULBRIGHT. Mr. President, in brief, the conferees authorized the appropriation of $1.2 billion for development loans for the current fiscal year. For each of the next 4 years the authorization is in the amount of $1.5 billion. Thus, the funds authorized for the development loan program are in the

amount requested by the President for the first year. For each of the next 4 years the amounts are $400 million less than the amount requested by the President. The sums authorized are viewed not as ceilings for loans, but as floors. If conditions require Congress could, of course, authorize the appropriation of larger sums.

The most important language agreed upon relates to congressional recognition of the need for the "orderly and effective execution of long-term plans and programs of development assistance." In order to enable the President to make such long-term plans Congress would authorize him, and I quote from the new section 202(b), "to enter into agreements committing funds authorized to be appropriated, subject only to the annual appropriation of such funds."

In effect, Congress is telling the President that he can make agreements for dollar loans over a period of years and that the Congress will appropriate such funds as necessary, up to the maximum authorized, to give effect to those agreements. There is no doubt in my mind that the Congress can, for compelling reasons, refuse to provide funds backing up the agreements the President may make. The long-range borrowing authority which the conferees rejected was subject to the provisions of the Government Corporations Control Act and, as I said numerous times during debate, it was subject to similar control by Congress.

The imporant thing, however, is that Congress, even though it does not accept borrowing authority, now endorses the concept that the President must be able to make long-range commitments. Congress will be morally committed to support the President with appropriations unless there are affirmative showings or unusual or compelling reasons in the national interest why such funds should not be appropriated.

I say to Members of the Senate who supported long-range borrowing authority in this body that we are bringing back from the conference language upon which the President may rely. It is clear that by adopting this language the Congress is deciding that long-range financing commitments are to be matched by appropriations and not whittled away as has been the case in connection with annual appropriations in the past for the Development Loan Fund.

In view of the fact that borrowing authority has not been conferred on the President, the conferees did not feel it necessary to retain the detailed provisions of the Dirksen amendment calling for congressional surveillance of each loan in an amount greater than $5 million. The conferees nevertheless included in the new section 202(c) a requirement that agreements involving funds "to be appropriated" in the years ahead shall be reported to appropriate congressional committees. Thus the Congress will be kept currently informed of those aspects of the development program which extend into future fiscal years.

I believe the conference agreement on long-range planning avoids some of the difficulties that had crept into the Senate's approach to long-range borrowing. For example, those who reluctantly supported borrowing authority sought by the Dirksen amendment to inject the Congress into day-to-day operations of the executive branch. This raised basic questions of the relationship of Congress to the executive.

The bill now reported gives the Executive the freedom necessary to operate the long-range loan program efficiently and successfully, and, at the same time assures the Congress that it retains a major voice in the important policy decisions. We have given the President a fresh mandate and adequate authority to put the aid program on a basis which may command wider suport of the American people. I hope very much that he will do his utmost to improve the quality of personnel engaged in the program and that by this time next year the American public generally may have not only a fuller understanding of what we are trying to accomplish in the aid program but greater confidence in its administration.

I know Members are interested in other provisions of the bill which I now touch upon lightly.

First, with respect to the amendments, I ask unanimous consent to insert at this point the figures agreed to by the conferees.

There being no objection, the figures were ordered to be printed in the RECORD, as follows:

Fiscal year 1962

[In millions]

Development loans	$1,200.0
Development grants	380.0
Investment surveys	5.0
International organizations	153.5
Supporting assistance	465.0
Contingency fund	300.0
Military assistance	1,700.0
Administrative assistance	50.0
Total	4,253.5
House amendment	4,368.5
Senate bill	4,076.5
Adjustment against House bill	−115.0
Adjustment against Senate bill	+177.0
Total authorizations:	
Fiscal year 1962	4,253.5
Fiscal year 1963—Military	1,700.0
Fiscal year 1963–66	6,000.0
Total	11,953.5

Mr. FULBRIGHT. Mr. President, with the exception of the Development Loan Fund which I discussed earlier, differences between the two bills were for the most part compromised at a figure half way between the amounts included in each bill. The supporting assistance now is $465 million and the military figure is $1.7 billion. On an overall basis the amount authorized for fiscal year 1962 is $4.2 billion. This is $115 million less than the House authorized and $177 million more than the Senate authorized.

One of the subjects which greatly concerned Members of the Senate as well as Members of the House involved the impact of the aid program upon the domestic economy. Although nearly 90 percent of the military assistance funds are spent in the United States and all of the economic assistance dollars eventually return to the United States for expenditure, there has been concern that these programs will promote competition with established American industries. The Senator from New Hampshire [Mr. BRIDGES] proposed an amendment which was not accepted by the Senate which would have severely crippled the aid program—a program whose basic purpose is to serve all of the American people. The House brought to the conference a provision somewhat alcng the lines of the Bridges amendment. We gave that language careful consideration and accepted it with an amendment which makes it clear that no part of the development loan program is to be used to help create any new enterprise in any foreign country unless there has been agreement that such enterprise will not export for consumption in the United States more than 20 percent of its annual production.

There has been some interest as to whether there is any language in the bill related to aid to Cuba. Actually the Senate bill left unimpaired legislation prohibiting aid to Cuba. The conference accepted language in the House which states flatly:

> No assistance shall be furnished under this Act to the present Government of Cuba.

Members will recall spirited debate in the Senate on an amendment proposed by the junior Senator from Connecticut, [Mr. DODD] listing countries which are not to receive aid under the program. That amendment was defeated in the Senate and in lieu thereof we adopted an amendment by the senior Senator from Connecticut [Mr. BUSH] stating:

> No assistance shall be furnished under this Act to the government of any country unless the President determines that such country is not dominated or controlled by the international Communist movement.

That language remains in the bill.

One other subject which I mention relates to the requirement that the administration furnish such documents, papers, et cetera, to the Congress or to the General Accounting Office as may be necessary to assist in the discharge of their responsibilities. This provision has always raised a constitutional question of the capacity of the Congress to compel the executive branch to comply with congressional requests for information. Although the House bill did not provide for the President to make an exception in cases when he might refuse to furnish material, the conferees agreed to include language making it possible for the President, upon certification, to refuse to include such material. In connection with the activities of the inspector general of the aid agency, material may be refused to be furnished upon the personal certification of the President.

Finally, I invite attention of members to the inclusion in the House bill of a series of amendments to the Foreign Service Act of 1946. These amendments were designed to provide language training, to simplify fiscal arrangements, to authorize certain travel expenses, to provide flexibility in the administration of home leave provisions, and similar activities related to the operation of the Foreign Service. The Senate conferees accepted these provisions of the House bill.

With the adoption of the foreign aid bill of 1961, the Congress will have given the President a better bill than has been heretofore provided. We live in a world of upheaval. Communist nations under the direction of the Soviet Union seek every possible opportunity to subject newly developing nations to a Communist economy and eventual political domination. The foreign aid bill is the principal instrument available to the President to demonstrate that we are interested in and willing to help other peoples create for themselves a life of freedom and dignity.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. MANSFIELD. Mr. President, will the Senator yield to me in order that I may propound a unanimous-consent request?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. I ask that the request appear either before or after the conclusion of the debate on the bill.

Mr. President, after consultation with the distinguished minority leader, I wish to propound a unanimous-consent request that a vote be taken on the conference report on the foreign aid bill at 12:30 p.m. today.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. CASE of South Dakota. Mr. President, reserving the right to object, is it understood that between now and 12:30 the time will be devoted to a discussion of the conference report and that the Senate will not return to consideration of the saline water bill?

Mr. MANSFIELD. I wish to assure the Senator from South Dakota that such is not the case. The saline water bill is the pending business. When Senators who wish to speak on the conference report have concluded, the consideration of the conference report will be set aside and it will again be called up at 12:30 p.m.

Mr. DIRKSEN. Mr. President, reserving the right to object—and I shall not object—I should like to observe to the majority leader that if perchance, because of a conference that will take some of us away from the Senate, we should be delayed beyond 12:30, it is understood that the time under the unanimous-consent request will be extended until we return.

Mr. MANSFIELD. That understanding is acceptable, but I should like to make the time as specific as I can—12:30 p.m. is the time that I now request.

Mr. DIRKSEN. Mr. President, I shall ask for the yeas and nays on the conference report.

Mr. MORSE. Mr. President, reserving the right to object, I observe that it is now 10:30 a.m. We know that there are a considerable number of Senators who are not very sympathetic with the conference report. I think they are mistaken. I shall shortly make a statement in support of the conference report. But I do not think Senators ought to come to the Chamber and discover that we have entered into a unanimous-consent agreement without their knowledge on this important piece of legislation. History should be made on the bill. Senators should have time to speak on it. I suggest that a quorum call should be had before the unanimous-consent request is propounded.

I am anxious to get the conference report voted on by 12:30 p.m., but I would not like to find myself in the position of having some Senator say that the Senate had entered into a unanimous-consent agreement without notice. Debate on the report might have finished before that time. I think the procedure is bad policy without a quorum call on a matter as important as the one before the Senate.

Mr. President, I object.

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays on the conference report.

The yeas and nays were ordered.

Mr. LAUSCHE. Mr. President, I should like to ask the Senator from Arkansas, the chairman of the committee, what happened to the amendment that deleted from the bill the authority of the President to guarantee loans that he would be permitted to indemnify on the basis of a business failure?

Mr. FULBRIGHT. On that point we accepted largely the House language, after a very long and strenuous discussion, except a minor change with regard to the amount. The Senator will notice that other than the amounts, on which we provided $85 million on this question, with $15 million reserved for housing under the Smathers amendment, the bill now provides $90 million, with $10 million provided under the Smathers amendment. The Senator will notice the language on page 6 of the conference report.

Mr. LAUSCHE. Does that provision mean that guarantees may be issued against failure of businesses due to normal causes?

Mr. FULBRIGHT. Up to 75 percent.

Mr. LAUSCHE. Then the amendment that was accepted by the Senate was destroyed in the conference report.

Mr. FULBRIGHT. The Senator is correct. The House refused to accept the amendment. That often happens in conferences. The House conferees would not accept the amendment. They thought it would nullify the main purpose of this particular provision. The Senator will notice that a limitation was provided that would continue the program only to June 30, 1964. The provision was made in an effort to mollify the feeling that an indefinite extension was sought. It is in the nature of an experimental program. If it does not succeed, the agency will have to return for further authorization.

Mr. LAUSCHE. The situation now is that up to the aggregate sum of $90 million, guarantees may be issued to private investors to assure them that if they will undertake an enterprise in an underdeveloped country and as a result, suffer failure or loss in their businesses due to normal causes, they will be indemnified by the Federal Government.

Mr. FULBRIGHT. We have made certain restrictions. I suppose that failure due to fraud or misconduct for which the investor is responsible would be excluded. But failures due to normal causes, such as business becoming bad, without any fault or misconduct on the part of the investor, would be covered.

A premium would be charged. The premium is to be at the discretion of the President, and should be set upon consideration of all the factors involved in the particular situation.

As I have said, the proposal is in the form of a guarantee with an insurance premium. It is not a guarantee without any payment. It is intended that the premium for the proposed kind of insurance bear a proper relationship to the risk involved.

Another limitation is also provided. None of the guarantees shall be over $10 million. They should emphasize the smaller projects. The program is not intended for large-scale, basic industries, which would fall under the development loan program, for example.

Mr. LAUSCHE. It is my understanding that the language finally adopted in conference has added a guarantee against business failure to the title under which guarantees may be issued, except when such failure results from fraud or misconduct. Up until now, under the guarantee title guarantees could be issued only against losses due to confiscation of property and losses due to war. The conference report now provides that the U.S. Government will guarantee against business failures money invested in underdeveloped countries.

Mr. FULBRIGHT. The Senator is correct. The Senator will recall from the debate in the Senate on this subject that the program is a new so-called experimental program, limited in amount. Its purpose is to induce the utilization of private funds, rather than governmental funds, to be invested in underdeveloped countries. It is an effort to promote the participation of private individual business. The justification is that private business will go in with its management and incentive to make profits, and perhaps will do a better job than direct Government assistance can. It is hoped such private investment will take place. If it should succeed, it will be a very great success. It would start a new trend in underdeveloped countries. Of course, it is anticipated to use the program in the developed countries—Western Europe, for example—but in countries wherein there has been very little private investment.

Mr. GRUENING. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I should like to turn the debate over to the Senator from Alabama, because I have an appointment downtown.

Mr. GRUENING. I should be happy to ask my question of the Senator from Alabama.

Mr. FULBRIGHT. The Senator from Alabama sat through all the hearings. I am supposed to go to a meeting with the majority leader. The Senator from Alabama can explain the report further.

Mr. GRUENING. Mr. President, will the Senator yield so that I may ask the proposed question of the Senator from Alabama?

Mr. FULBRIGHT. The Senator from Alabama will pursue the discussion. I yield.

Mr. SPARKMAN. I will do my best. I regret that the chairman must leave. I know he as an important appointment and must leave. I shall do my best to substitute for him.

Mr. GRUENING. The Senator will recall a rather spirited series of colloquies on the subject of interest rates on loans made to Latin American countries.

Mr. SPARKMAN. I wonder if the Senator will withhold the question for a moment until we can complete discussion of this other question, since it is a different subject matter. The Senator from Vermont, who has for many years been one of the leaders in Latin American affairs, and quite active in helping to write this fine proposed legislation, might care to say something on the question of insurance, not on Government loans, but on private investments.

Mr. AIKEN. It was my understanding—and I believe the understanding also of the committee, if I recall—that we should change the wording somewhat. We put in the words "for which the investor is responsible," so as to make it clear that an investor could not collect insurance because of any bad management by anyone the investor had hired.

Mr. LAUSCHE. From what page is the Senator reading?

Mr. AIKEN. That is at page 52 of the House report, and it appears on page 7 of the bill. The question arose as to what we should insure against, whether it should be losses due to fraud or mismanagement. The conferees agreed that we should not guarantee against mismanagement or fraud. Mismanagement would be the result of the investor hiring a poor manager. That was my understanding, and I believe also the understanding of the conferees. It was understood that we would not guarantee them against mismanagement.

Mr. SPARKMAN. I think the Senator from Vermont is correct on that. We had a great deal of discussion. We understood that even though this was an experimental program we would be careful that we should write this safeguard into it. I see on the floor the Senator from Oregon [Mr. MORSE], who is chairman of the Latin American Subcommittee. I keep referring to Latin America, because presumably it is in this area that these loans probably would be made.

Mr. LAUSCHE. Mr. President, I had the floor and surrendered it about 45 minutes ago, at a time when I wanted to make a 5-minute speech on a different subject. I must get away to an important engagement.

Mr. SPARKMAN. I shall be very glad to yield to the Senator for that purpose. The Senator from Oregon is on his feet. I wondered whether he wanted to make any comment.

Mr. MORSE. I completely agree with what the Senator from Vermont and the Senator from Alabama have said. We had a long discussion of this subject in the conference. The Senator from Vermont was one of the leaders in the discussion, and made clear that we were not underwriting mismanagement. It was the Senator from Vermont who offered the compromise that was agreed on. It ought to be made clear in the legislative history that we are not underwriting mismanagement.

Mr. SPARKMAN. I agree with the statements that have been made on this subject.

I wonder if we could dispose of the interest question next.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. GRUENING. The Senator will recall that we debated at some length the question of the interest rates on the loans that would be made to Latin American countries. It was discussed first in connection with the amendment offered by the senior Senator from Delaware [Mr. WILLIAMS], and was also discussed by the senior Senator from Kentucky [Mr. COOPER], whom I see on the floor, and others. There was extended debate on this issue when we were considering the Foreign Assistance Act.

The amendment which I proposed provided that loans to be made to Latin American countries should not be reloaned at more than 5 percent more than the interest rate which we were charging. The amendment passed the Senate by a vote of 74 to 16. I was impressed and pleased by the fact that a majority of the members of the Foreign Relations Committee of the Senate supported the amendment. I should like to ask the Senator from Alabama what happened to this amendment in conference, and what were the circumstances surrounding its elimination.

Mr. SPARKMAN. The House had no language in the bill pertaining to interest rates. The Senator from Alaska knows that I opposed the proposal because I did not believe it was practical and because I thought the solution which had been worked out previously in the appropriations for the Latin American fund was entirely reasonable. I stated at the conference that, even though that had been my position, we had come to the conference with the expression from the Senate on a yea and nay vote that that was our proposal.

The Senator from Alaska will recall that I discussed this matter with him before I went to the conference, and called his attention to the fact that I believed there was a technical error in the amendment which he had offered, and that instead of doing what he wanted done—that is, raise the rate by 5 percentage points—it actually raised it by only 5 percent of the original interest rate. In other words, had it been loaned at, say, 5 percent, the reloaned interest rate would be 5¼ percent.

Mr. GRUENING. The debate made crystal clear what the purpose of the amendment was. A technical error, if there was one, which I doubt could have been corrected if the amendment was to be retained.

Mr. SPARKMAN. The Senator knows that in the practice of law we do not look at the debates in Congress, unless there is an ambiguity.

Mr. GRUENING. I beg the Senator's pardon. The legislative history is always of great pertinence.

Mr. SPARKMAN. Only in case the statute does not show on its face in plane language what is intended. At any rate, this is not highly important. I mentioned that to the Senator. That was immediately brought out when the conference met. The House conferees simply were not willing to accept it. It was, as a matter of fact, the position of the House conferees that this question had been settled last spring quite satisfactorily, and they insisted that the best they could do would be to put this proposal in the bill, and that is what we did.

Mr. GRUENING. I would say that we may expect now that our money, loaned at no interest rate or at a very negligible interest rate, will be reloaned at usurious rates in some Latin American countries, and that under the present language of the bill, without the language of my amendment, a great part of the benefit of our whole loan program will be lost before it reaches the people whom it is intended to help. History will record that fact.

Mr. SPARKMAN. I hope that will not be the case. It will not happen if it is administered in the way that we think it is going to be administered and in the way we have told the people in charge of the program all the way through that it ought to be administered. I have absolute confidence that the Senator from Alaska will be pleased with the results and that he will not see usurious rates charged.

Mr. GRUENING. I hope so. I hope my friend's optimistic forecast will be fulfilled. I cannot agree with him. I should like to ask whether there is any provision in the conference report, as finally presented to us, which will enable us to overcome the tragic errors of mismanagement which have characterized the program in the past and which the President desires to correct.

Mr. SPARKMAN. Yes. I can point to at least two things. First there is an amendment in the bill tying this, insofar as Latin America is concerned, directly with the Bogotá agreement, which promises to bring about these reforms. Beyond that, so far as the administration generally is concerned, we have strengthened the inspector general's provision that we wrote into law last year. I believe that will be workable and will produce good results.

Mr. GRUENING. I am sure we all hope so.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. SPARKMAN. I have promised the Senator from Ohio to yield to him. As a matter of fact, he had the floor and he yielded to us in order to permit the chairman to present the conference report. Now he has a 5-minute speech which he wishes to make.

Mr. MILLER. I merely wished to ask a question which would tie in with the previous colloquy.

Mr. LAUSCHE. This has been going on for some time.

Mr. SPARKMAN. We will come back to it. I ask unanimous consent that I may be allowed to yield to the Senator from Ohio to make a speech which he wishes to make, without my losing the right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBSIDIZATION OF RAILROADS

Mr. LAUSCHE. Yesterday morning the Interstate Commerce Commission, through its chairman, Mr. Everett Hutchinson, appeared before the Surface Transportation Subcommittee of the Committee on Commerce. Mr. Hutchinson made a recommendation about how the public carriers of our country could be helped.

My recollection is that he made 12 recommendations, supposedly approved by the Interstate Commerce Commission.

The Interstate Commerce Commission is now made up of 11 members. Five are Republicans; six are Democrats. The last two members appointed were John W. Bush, of Ohio, appointed April 3, 1961, and William H. Tucker, of Massachusetts, also appointed on April 3, 1961.

The 12th recommendation made by the Commission was that the Federal Government enter into subsidizing of the railroads. I queried Mr. Hutchinson at great length, wishing to learn from him what the source of his authority and the Commission's authority was to deal with a policy of this type as distinguished from regulatory measures and the control of public carriers. That interrogation was not concluded. It is my judgment that the Commission went beyond the realm of its authority in attempting to deal with a subject which has no relationship, but deals with the philosophy of government.

I have taken the floor this morning to discuss this subject because of the great expansion of the granting of subsidies by Congress. As for myself, I have adopted the policy that I will oppose the expansion of existing subsidies and the creation of new ones. This week, by the conclusion of business tomorrow, there will be before the Senate six bills, each of them dealing with new subsidies or the expansion of old ones.

Mr. President, where is this policy leading us? In what direction are we traveling? When we enter into a program of subsidizing railroads, are we not moving in the direction of an expanded Federal Government, of finally, the goal, when the Government will be running the railroads, the airlines, the inland waterways, and other modes of transportation?

I listened with great interest this morning to the debate concerning the great fight between Khrushchev and our President, the great fight as to whether the Communist ideology or that of a free people shall prevail. While I listened, I could not help meditating whether it is all a sham battle. Are we not moving on our own volition toward federalization and centralization? Are we not, by our own acts, moving toward an all-powerful central government? I can not dismiss from my mind the proposition——

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The time of the Senator from Ohio has expired.

Mr. SPARKMAN. How much more time does the Senator from Ohio deisre?

Mr. LAUSCHE. I ask for 5 minutes—if I need that much.

Mr. SPARKMAN. Madam President, under the same condition, I yield 5 additional minutes to the Senator from Ohio.

Mr. LAUSCHE. Madam President, I cannot dismiss from my mind the prospect that when we once begin to subsidize the railroads, we shall be only a door away from ultimate Government control of the railroads. There may be some Senators who will look upon this development with favor. I cannot. I cannot look upon it with approval, because I believe it would be only a sojourn in governmental operation, with freedom still being accorded to the people; but the sojourn will come to an end, and finally there will be an all-powerful Federal Government.

I do not propose to remain silent concerning the action of the Interstate Commerce Commission. I shall want to know if all the Members concurred in this opinion. I shall want to know how John W. Bush, of Ohio, who went on the Commission on April 3, and William H. Tucker, of Massachusetts, who also went on the Commission on April 3, have concluded that they are in a position to make recommendations to Congress on this all-important question.

Mr. MORSE. Madam President, will the Senator from Ohio yield for a point of order?

Mr. LAUSCHE. I yield.

Mr. MORSE. I wish to raise a point of order, because I think we ought to have the parliamentary situation clarified. I think the Senate is moving under a procedure which does not conform with the fact. It is my understanding that the Senator from Ohio had the floor in his own right, but that he yielded the floor to the majority leader for the taking up of a conference report. As I understand, the Senator from Ohio never yielded his right to the floor. That right to the floor continued to vest in the Senator from Ohio.

Now we find ourselves in a situation where, none of us knowing it, we are under some kind of unanimous-consent agreement whereby the Senator from Ohio, who had the floor in his own right, apparently has to look to the Senator from Alabama [Mr. SPARKMAN], and to other Senators to exercise his right. It is my position that when the Senator from Ohio yielded to the majority leader, he did not lose his right to control the floor but could take it back at any time he wished to take it back. He accommodated the majority leader.

In these closing days of the session—and I shall speak later in my own right concerning procedural developments in the Senate—we must be on guard to protect our floor rights and not have them taken away from us.

Madam President, in my judgment, the Senator from Ohio is entitled to exercise his original right to the floor at any time he wishes in the debate on the conference report, since he granted a privilege to the majority leader because the majority leader asked for it.

In my judgment, the Senator from Ohio is entitled to regain the floor without being subjected to any 5-minute limitation.

I ask for a ruling on my point of order that the Senator from Ohio is not subject to any time limitation imposed upon him by the Senator from Alabama.

Mr. SPARKMAN. Madam President, may I speak briefly on the point of order?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Alabama?

Mr. LAUSCHE. Did I have the floor? I thank the Chair. I yield to the Senator from Alabama.

Mr. SPARKMAN. Madam President, I thought that when a point of order was pending, it was entirely discretionary with the Chair as to whether a Senator might be recognized in order to speak to the point of order. So I make the point of order that I do not have to depend upon the yielding of the floor by the Senator from Ohio, but that whether I may be recognized is entirely discretionary with the Chair.

The PRESIDING OFFICER. The Senator from Alabama has a right to speak to the point of order. The Senator from Ohio has been yielded 5 minutes, so he does not have to yield to the Senator from Alabama, unless he desires to, on that 5 minutes.

Mr. LAUSCHE. Madam President, who has the floor?

The PRESIDING OFFICER. In the opinion of the Chair, the Senator from Ohio had yielded to the majority leader during the consideration of the conference report and would get the floor back after the approval of the conference report.

Mr. SPARKMAN. That is exactly the point I wish to make—namely, that the Senator from Ohio yielded without limitation, for consideration of the conference report. As a matter of fact, when I yielded to the Senator from Ohio, I really did not intend to have the 5-minute limitation apply.

Mr. MORSE. Madam President, speaking to my point of order, let me say I think the Chair's ruling is completely in error. When a Senator has the floor and yields for such a purpose, in my opinion he can take back the floor at any time. I think that is what the Senator from Ohio clearly intended. He did not wish to yield until he had completed his speech.

I believe that in the last few weeks the Senate has developed a rather poor handling of the procedural rights of Senators. As I shall state later this morning, from now until the adjournment I intend to have the rules of the Senate enforced.

Mr. LAUSCHE. Madam President, in making my statement, I am motivated in large degree as a consequence of the frequency with which I hear it argued on this floor that certain businesses in the United States cannot continue to live unless they are subsidized by the taxpayers. Hardly a 2-week period passes without the argument being made that a certain business will go into oblivion unless the taxpayers contribute to the continued life of the business. That has been happening too frequently.

Now it is argued that if we wish to maintain the railroad service, it should be subsidized. But nothing is said about giving consideration to correction of conditions within the railroads' opera-

tion—in short, to action which might stabilize them financially.

At this time I wish to read what Commissioner Freas said on this subject:

> In spite of the current popularity of Federal subsidies and the New Haven's dire need of assistance, I cannot subscribe to the report's recommendation with regard to this form of Federal aid. Critical as the situation here is, I am of the opinion that at least some of the States and many of the municipalities directly affected should provide greater assistance before resort is made to cash Federal subsidies.

At the hearing yesterday I asked Mr. Hutchinson, "Did your Commission make any study of the damaging impact featherbedding practices have on the operation of the railroad industry?"

He hesitated, and said, "We have thought about it."

My point is that we are trying to cure the symptom by paying the taxpayers' money to the railroads. But we are not getting the railroads to institute reforms which will make their service salable to the public. That principle applies not only to the railroads; it also applies to countless other industries. It is claimed our merchant marine cannot now exist unless it is subsidized.

Today there will be on the floor of the Senate a bill to increase the airlines' subsidies. Tomorrow there will be half a dozen bills granting subsidies, and probably during the remainder of this session of Congress or by the end of 1962 there will be a subsidy bill for the railroads.

All I can say is, "Sweat on, you taxpayers. Let the Congress take out of your pockets your money and give it to those which imprudently run their businesses because of the Government's failure to deal with the causes that have priced our industries out of business. Yes, sweat on, taxpayers, sweat and pay."

ACT FOR INTERNATIONAL DEVELOPMENT OF 1961—CONFERENCE REPORT

The Senate resumed the consideration of a report of the committee on conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1983) to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic development and internal and external security, and for other purposes.

Mr. SPARKMAN. Madam President, the Senator from Iowa wished to propound a question, and I am glad to yield now to him for that purpose.

Mr. MILLER. I thank the Senator from Alabama.

Madam President, I ask unanimous consent that the brief colloquy I expect to have with the Senator from Alabama may appear in the RECORD——

Mr. MORSE. Madam President, I rise to a point of order. I shall object to yielding for anything except a question.

Mr. MILLER. Madam President, I shall revise my request; namely, that the question and the answer be printed in the RECORD immediately following the colloquy with the Senator from Alaska.

Mr. MORSE. Madam President, if there is to be a comment about a colloquy, I wish to make clear that the colloquy must be limited to questions and answers, or else I will object.

The PRESIDING OFFICER. The Senator from Oregon calls for the regular order.

Mr. MILLER. Madam President——

Mr. SPARKMAN. Madam President, at this time I yield to the Senator from Iowa, for a question.

Mr. MILLER. Apropos of the questioning and the concern expressed by the Senator from Alaska, I wish to ask this question: If it develops that usurious rates of interest are charged by some of the interests in Latin America which use the money that we are lending to them at little or no interest, will it be possible for the Appropriations Committee in its annual review and annual appropriations procedure to cut off the use of further moneys to the countries or interests which are charging usurious interest?

Mr. SPARKMAN. Of course the making of appropriations is always up to the Appropriations Committees. I should dislike very much to see that process used as justification for some matter which would constitute virtually a use of the legislative power. I think the better procedure would be, instead of saying that the Appropriations Committee could use that as an excuse for not making further appropriations or for eliminating appropriations to be used in a certain country, or something of the sort—certainly I would not favor such a method—to keep a close watch; and I think I can assure the Senator that a close watch will be kept by both the Senate Appropriations Committee and the House Appropriations Committee, because they have stressed strongly to the officials of the State Department, including Mr. Labouisse and all others who have appeared before them in connection with this program, that they expect it to be carried out with the greatest of care, discretion, and good management.

As I said a few minutes ago, we have strengthened the Inspector General's organization and have included in this measure a provision to the effect that the Bogotá agreement is to be a part of the Latin American program; and the Bogotá agreement contains, among other provisions, a provision in regard to reform in interest rates.

Mr. MILLER. Let me ask another question. I recognize the desirability of all the proposed action the Senator from Alabama has outlined; but it seems to me there still will be a possibility, and perhaps a strong one, that interest rates of a usurious nature may be charged. Nothing in this measure, so far as I can ascertain, would prevent that. But if that happens, will there be some way to stop it? I do not know how we can stop it unless we cut off the funds.

Mr. SPARKMAN. I believe the Senator will agree that the better way to proceed will be to insist that when the aid officials make a contract for the making of such a loan, there be included a provision that usurious interest rates shall not be charged—or, rather, a provision that the reloan rate shall not exceed a certain interest rate, and include such a provision in the contract.

Mr. MILLER. Is that contemplated?

Mr. SPARKMAN. It is certainly my thought that it would be.

Mr. MILLER. So when the conference report is agreed to—I assume it will be agreed to—it will be understood, as a matter of the legislative history, that the congressional intention is that the contracts with such countries or interests in Latin America will include a provision and an understanding on the part of the U.S. Government that usurious interest rates will not be charged by the recipients?

Mr. SPARKMAN. I would certainly agree as to that. In fact, I go further. Of course, a usurious rate is one in excess of the legal rate. But we go further than that; we have placed upon the administrator of the program the duty to lower those interest rates in any reasonable way that he can—I refer to excessive interest rates—and in no event to exceed the legal interest rate in the country concerned.

As I understand the laws pertaining to usury, they provide that a usurious rate is one which is beyond that which can legally be charged. We have written into the bill specifically that it shall not exceed the legal rate.

If the Senator will look at page 3 of the report, subsection (d), he will see the provision we wrote in—

> Funds made available for this title shall not be loaned or reloaned at rates of interest excessive or unreasonable for the borrower and in no event higher than the applicable legal rate of interest of the country in which the loan is made.

So I would say that under no conditions would the reloan be permitted to be made at a usurious rate. It is our hope that in countries where the legal rate is high, every effort will be made to pull it down to what we shall consider to be a more reasonable rate.

Mr. MILLER. And it is the intention that, in contracts between the U.S. Government and countries receiving the loans, it will be so provided?

Mr. SPARKMAN. That is correct. The Senator will recall that the same provision is in the bill.

Mr. JAVITS. Madam President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. JAVITS. Will the Senator state for the record—I think we all understand it, but it should be stated for the record, since this is an important question—the rationale of the conferees which resulted in dropping out of the bill the Dirksen amendment for legislative oversight and for giving notice to the appropriate legislative committees, with a standstill period of time before reloan agreements could take effect?

I notice that amendment has been succeeded in the conference report by really three provisions, the authorization-appropriation provision, section 202(a); the authority to the President to enter into commitments permitting agreements, subsection (b); and the notice to the appropriate committees, subsection (c). But I point out that the notice will be post facto, after the loan agreements

have been made; whereas under the Dirksen amendment a more effective control would be exercised in requiring notice before the agreements were made and a standstill period before they could be entered into.

Will the Senator give us the essence of the controversy and the compromise?

Mr. SPARKMAN. The Dirksen amendment—which, by the way, I did not consider to be a bad proposal; I think it could have been quite practical—was offered in view of the fact that Treasury borrowing was provided for in the bill. It related primarily, if not altogether, to Treasury borrowing. It was in the bill as a control in connection with Treasury borrowing.

The conference report which has been agreed upon does not contain a provision for Treasury borrowing. All the funds under the loan program are to be appropriated by the Appropriations Committees. Therefore, it was agreed that we did not need the Dirksen amendment.

The Senator from New York has referred to the commitment part. If he and other interested Senators who would like to follow this discussion will turn to page 4 of the conference report, they will see subsection (c) sets forth the commitment part. It reads as follows:

Upon conclusion of each such agreement involving funds to be appropriated, the President shall notify the Foreign Relations and Appropriations Committees of the Senate and the Speaker of the House of Representatives of the provision of such agreement, including the amounts of funds involved and undertakings of the parties thereto.

We felt that that was sufficient notice. We provide that it shall be done upon conclusion of the agreement. I do not know that there was any particular discussion as to whether it should be done before the agreement was concluded or not, but we thought it was timely, and that this was the proper time to do it, since we had given the President the right to make commitments. We also felt that the reporting provided for was adequate.

If the Senator will go one step further with me, and look at page 32 of the report, near the bottom of the page, section 634(b)—both (a) and (b) are pertinent—that section provides for reports and information that the President shall provide.

Subsection (b) reads as follows:

The President shall, in the reports required by subsection (a) of this section, and in response to requests from Members of the Congress or inquiries from the public, make public all information concerning operations under this Act not deemed by him to be incompatible with the security of the United States.

I invite attention particularly to this language:

In the case of each loan made from the Development Loan Fund—

That is the part to which the Dirksen amendment referred, the part to which Treasury borrowing would have applied, and the part to which the commitments would apply—

established pursuant to section 201(a) the President shall make public appropriate information about the loan, including information about the borrower, the nature of the activity being financed, and the economic development objectives being served by the loan.

In addition, we have the standard provisions to which I referred earlier relating to the Inspector General's Department. As I said previously, we have strengthened that provision in the legislation this year. We felt it was protected about as strongly as it could be, that the Dirksen amendment was not necessary, and that the provisions we had written into the bill were adequate.

Mr. JAVITS. In other words, would it be fair to summarize the answer by saying the new scheme of the legislation made a new scheme of control desirable, and hence they did not really drop the Dirksen amendment——

Mr. SPARKMAN. That is correct. As a matter of fact, the essence of the provision is made to fit in with the new scheme, as the Senator has referred to it.

Mr. JAVITS. I should like to ask about two other provisions in the bill. One is the amendment which I had the honor to sponsor, with relation to private enterprise, which is contained in section 601(b)(4), which provides that private enterprise, which is contained in section opment Loan Fund.

Will the Senator tell us whether that question was in any way discussed in the conference? That provision was in both the House and Senate bills in exactly the same terms, so it really was not in controversy.

Mr. SPARKMAN. It was not in conference, but it was discussed, and it was approved by the conferees on both sides. As the Senator has correctly said, the identical language was carried in both versions.

Mr. JAVITS. May we have any expression in connection with the report as to the serious purpose of the administration in regard to the implementation of that provision?

Mr. SPARKMAN. Of course, the Senator knows that the Senate conferees did not write the report, but that the managers on the part of the House did. There is nothing with respect to the provision in the report of the managers. I suppose it would not be normally expected, since this provision was not in conference.

Mr. JAVITS. That is correct.

Mr. SPARKMAN. Our committee feels that private enterprise should be encouraged. We worked with that thought in mind. We discussed it with the officials who appeared before us in the hearings. We stressed that it ought to be encouraged as much as can reasonably be done.

Mr. JAVITS. Finally, I ask my colleague about the revision in the language in section 102, the statement of policy, as it relates both to the amendment against discrimination by other countries directed toward Americans, the basis of the amendment sponsored by the Senator from Oregon [Mr. MORSE] and myself; and also the Douglas-Keating amendment for freedom of the seas. Can the Senator give us some enlightenment as to the nature, purpose, and objective of the compromise made in that regard?

Mr. SPARKMAN. This was the last thing decided by the conferees. The Senate committee started its consideration of the bill with the hope that the statement of policy could be cut down. The statement of policy has grown year after year until it has spread out and become several pages in length. We directed the staff to attempt to write a simple statement of policy in a couple of paragraphs. This was done, and at first the committee accepted it.

In some later discussions it was felt by some that provisions ought to be put back in the statement of policy, spelling out certain things, particularly in regard to amendments voted by the Senate. The first thing we knew, instead of putting the statement back piece by piece, we put the entire section 102 back in the bill. That was done on my motion, because it began to appear that otherwise we would develop a mass of patchwork.

The Senate passed the bill with section 102 very much as it was, and perhaps exactly as it was, in existing law. There may have been some changes.

The House developed a long statement of policy, with considerable differences. We had considerable difficulty in reconciling the two versions. Finally we asked the combined staffs to go through both statements of policy and to bring together the best parts of each. That was done. The statement of policy was finally agreed upon. We felt that we retained very much the spirit of the statement of policy as it had been hammered out previously in the Senate.

I am sure the Senator has noted that we retained the substance of the two different amendments to which he referred.

Mr. JAVITS. I thank my colleague. Finally, I ask whether the use of the words "international law procedures" contained in this particular paragraph, at the very end, implies only the International Court of Justice, or whether it would include the United Nations and any other arbitration proceedings, any other regional organizations, or any other procedures governed by the rule of law rather than the rule of force.

Mr. SPARKMAN. I think that is a fair question. We felt that nations ought to seek more and more to settle their differences in international gatherings, whatever their nature might be, and that we ought to seek to influence them to do so to a greater extent.

Mr. JAVITS. This procedure is not confined to the International Court of Justice.

Mr. SPARKMAN. Not at all. It is not confined to the United Nations, but it includes both of those organizations, as well as others.

Mr. JAVITS. It includes the United Nations.

Mr. SPARKMAN. Yes.

Mr. JAVITS. I think that is very important, because the United Nations has done much, especially in the field which I know was in the mind of the committee, as it was in my mind, involving the conflict between the Arab States and Israel.

I say to my colleague—I hope with the indulgence of my friend from Oregon—that I think the conferees have submitted a conference report which, considering the exigencies they faced, is so reasonably in balance that it ought to be acceptable to the Senate.

Finally, even in connection with the provision as to which I really had doubts and grave concerns, as many Members to whom I talked know, I think the conferees finally arrived at probably as good a catechism as could be worked out.

I wished to be sure, from my questioning, first, that it was precise as to an understanding of the organs of international cooperation involved; and, second, that the eloquent call to principle contained in the declaration was something which really was understood by the world to be a pronounced and definite American policy not diluted by other words in the document.

Mr. SPARKMAN. I think that is a very fine statement by the Senator from New York. He has stated exactly what the members of the committee sought to do.

Mr. JAVITS. I am very grateful.

Mr. SPARKMAN. We sought to bring forth a statement of policy to let the whole world know that we wished to be friendly with all nations, and that we stood ready to do our bit toward helping friendly nations with their economic problems.

Mr. JAVITS. But that we would not tolerate discrimination or the denial of access by nations to the commerce of the world.

Mr. SPARKMAN. I am not sure we ought to use the language quite that way; that we would not tolerate.

Mr. JAVITS. When I say "we would not tolerate," I do not mean we would use force.

Mr. SPARKMAN. That reaches a point where we might be dictating. In other words, we do not advocate it.

Mr. JAVITS. We do not advocate it, and we find it intolerable. Let us use the negative.

Mr. SPARKMAN. Very well.

Mr. JAVITS. I thank my colleague.

Mr. HOLLAND. Madam President, I congratulate the conferees for having brought back to the Senate a better bill than was passed either by the Senate or by the House, in my opinion.

I note that that opinion seems to be shared by Mr. Arthur Krock, the distinguished columnist of the New York Times, who writes a long and interesting column on the conference report, published in today's New York Times. I ask unanimous consent that the entire article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VOWING SHE WOULD NE'ER CONSENT, CONSENTED

(By Arthur Krock)

WASHINGTON, August 30.—It takes a lot to surprise Senator BYRD of Virginia where events in the arena of politics are concerned. But even he must have rubbed his eyes when he read last night's White House statement that the agreement of the House-Senate conferees on the modus operandi for long-term development loans in the foreign aid program was "wholly satisfactory" to the President.

For the conferees agreed on a 5-year authorization of the President to make development loan commitments in a total of $7.2 billion, with an actual appropriation of $1.2 billion for fiscal 1962, but subject to annual appropriations by Congress. But what the President had fought for to the finish was a Treasury borrowing credit of $8.8 billion over 5 years, entirely freed of the restraint of the annual appropriation procedure of Congress. And the administration had proclaimed with one voice that this delegation of Congress' power of the purse was absolutely indispensable to the viability of the development loan program.

SURPRISE FOR SENATOR BYRD

But there was a more personal factor of surprise for Senator BYRD in the White House announcement. The President had successfully used extraordinary pressures to defeat a BYRD amendment which gave him the same 5-year authorization to commit the full $8.8 billion he sought for development loans, $1.6 billion more than the conferees authorized, subject only to the same annual appropriation procedure of Congress the conferees imposed.

The White House explained this about-face on the differing phraseology of the conference report and the BYRD amendment, asserting that the latter "recognized the necessity for this Government to give assurance that assistance will continue to be forthcoming over a period of years." On this wholly semantic argument the administration based its rating of the conference report as wholly satisfactory in contrast with the BYRD amendment. But the following text of the amendment invites the conclusion that this was a tactical move to cover an enforced retreat:

There is hereby "authorized" to be "appropriated" to the President for use in carrying out (the long-term development loans program) such sums, not to exceed $1,187 million for use beginning in the fiscal year 1962, and not to exceed $1,900 million for use beginning in the fiscal years 1963 through 1966, as the Congress shall determine to be necessary, which amounts shall remain available until expended.

THINGS EQUAL TO THE SAME THING

One is as clear a congressional statement of intent as the other. And the practical restraint imposed by Congress' retention of the power of the purse is precisely the same in the conferees' language—"subject only to the annual appropriation of such funds"—as in BYRD's language—"as the Congress shall determine to be necessary," because each specifies an authorized 5-year commitment total in annual amounts. Except that BYRD's total increases the amount authorized. This fundamental similarity, including the rejection by both of the President's basic request for foreclosed 5-year Treasury borrowing authority, was generally acknowledged here today, as for example this comment by the Evening Star: "The compromise finally agreed upon is virtually identical with the Byrd amendment."

For his own part, Senator BYRD observed that the conferees' report and its acceptance by the President "vindicated the efforts" of himself, the House Republicans, and some others, "to preserve to Congress the right to appropriate, and assured that each year's appropriation for development loans committed would be properly expended." But he wondered with many others why, and on what counsel, the President had been induced to climb out so far on a weak limb from which his retreat had to be made in full public view.

In such circumstances as these, however, the dire consequences so freely prophesied rarely materialize. The administration of foreign aid, particularly of development loan projects, will probably be greatly improved by the refusal of Congress to relinquish its only effective power of review of Government spending. The President's leadership will suffer no serious permanent damage from his defeat, and even may usefully impel him to reappraise the judgment of some advisers. And the principle of long-term development planning has been salvaged by Congress from the blunders of its advocates.

Mr. HOLLAND. Madam President, I note that in the concluding paragraph Mr. Krock summarizes the situation in a manner which I think should bring some comfort to all concerned, to Senators and Representatives of all points of view. I invite attention to a portion of the last paragraph, in the following words:

The administration of foreign aid, particularly of development loan projects, will probably be greatly improved by the refusal of Congress to relinquish its only effective power of review of Government spending. The President's leadership will suffer no serious permanent damage from his defeat, and even may usefully impel him to reappraise the judgment of some advisers. And the principle of long-term development planning has been salvaged by Congress from the blunders of its advocates.

It seems to me that everyone should take some comfort from this last-minute development.

I note that Mr. Krock makes one of his principal themes warm congratulations to the distinguished senior Senator from Virginia [Mr. BYRD] because of the culmination of this long-drawn-out affair and because of the fact that the amendment of the Senator from Virginia is so largely incorporated, though with a somewhat lesser amount of authorization than was included in his amendment.

Mr. AIKEN. If the Byrd amendment is now included in the bill as reported by the conference, it came in the "back door."

Mr. HOLLAND. Notwithstanding the fact that I am not for back-door spending, I am glad that the amendment got into the conference report by whatever means.

I quote again from Mr. Krock's column:

For the conferees agreed on a 5-year authorization of the President to make development loan commitments in a total of $7.2 billions, with an actual appropriation of $1.2 billions for fiscal 1962 * * *.

Quoting further from Mr. Krock's column:

What the President had fought for to the finish was a Treasury borrowing credit of $8.8 billions over 5 years.

Mr. Krock wrote further:

The President had successfully used extraordinary pressures to defeat a Byrd amendment which gave him the same 5-year authorization to commit the full $8.8 billions he sought for development loans, $1.6 billion more than the conferees authorized, subject only to the same annual appropriation procedure of Congress the conferees imposed.

I hope this occasion will serve to strengthen the ranks of all of us to try to make a success of the program. We have appropriated heretofore a large amount and committed an even greater

amount of funds paid in by our taxpayers from all walks of life and all over the country to a cause which we believe to be the furtherance of important foreign policy of our Nation and important contributions to our own defense program. We could not have voted for such a bill as the one before the Senate, if we had not believed that it involved important foreign policy and involved important additions to our defense structure.

I hope that on those two aspects of policy there may be no party division, that there may be no division by regions, and that there may be no division as between so-called conservatives and so-called liberals. Sometimes I find it very difficult to determine the line of demarcation between those two so-called groups. We have two objectives, which I think we should all support, and upon which we should form ranks and try to make a better success in the future of this very important program than it has been at times in the past.

Mr. SPARKMAN. Madam President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Alabama.

Mr. SPARKMAN. I should like to bring out a point, because I think it is well for us to have it clearly in mind. As I understand, Mr. Krock wrote in his column that what we have done is literally to adopt the Byrd amendment for a lesser amount.

With all respect for the Senator from Virginia and the fine effort he made to bring order out of chaos and bring about some degree of agreement, his amendment was not the same as what we have done. If I recall correctly, it did not include the power of the President to make substantial commitments. I believe that point is very important. The conferees held that that was very important. I should like to read a very brief statement on the part of the managers of the House:

> It is understood that the conferees regard the language in the bill as authority for the Executive to make commitments which will be honored by Congress unless there is evidence of obvious bad management or the other country has failed to meet its responsibilities.

In the remarks he made to the Senate earlier today, the chairman of our committee made the following statement with reference to the proposed commitments:

> Congress will be morally committed to support the President with appropriations unless there are affirmative showings or unusual or compelling reasons in the national interest why such funds should not be appropriated.

I do not want the Senate to gloss over the power to make commitments, because I think it is important. A very good meeting ground between the two extreme points of view—those who wanted Treasury borrowing and those who wanted to depend entirely on annual appropriations—was reached. The conference report provides for advance commitments which we expect Congress to honor in the defense management, in keeping with the statement of the managers of the House.

Mr. HOLLAND. I appreciate the statement of the Senator from Alabama, with which I do not quarrel in any way.

The reason why most of us who supported the Byrd amendment ardently—and the Senator from Florida was one of those—was that we were not satisfied with the management of the program heretofore, and we insisted that the country was not satisfied. We suggested that the best way to regain the confidence of the country was to retain the right of Congress not only to supervise the program by its annual appropriation machinery, but to make very sure of a substantial correction in this important program of some of the defects of administration, which were chargeable to no individual, but to the looseness of the organization and other factors which need not be mentioned.

The Senator from Florida is quite happy about the use in the conference report of the words "obvious bad management." That is the thing that all of us were trying to assure the country would not be allowed to continue in the future administration of the foreign aid fund.

I believe the conference report makes very clear that in the event there is obvious bad management, Congress in no sense is bound to support commitments which have not been followed by good and clean administration in the field.

I understand the wording of the conference report to mean exactly that. As one who very ardently supported the Byrd amendment, I think that that captures and compels the observance of the prinicipal objective of the Senator from Virginia, who could speak better for himself if he were here than I can speak for him. That was my own point of view in the earlier debate. I think that was the point of view of the Senator from Virginia [Mr. BYRD], the Senator from Vermont [Mr. AIKEN], and many other Senators.

There is no commitment under the wording of the conference report, except that it must be supported by good management. The Senator from Alabama, by nodding his consent to that statement, makes it very clear that the country may now realize that our commitment of intention is walled around with an assurance that we shall insist upon good management. I think that is the only way we could have recaptured popular confidence in this very difficult program, if we can recapture it.

Mr. CAPEHART. Madam President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. CAPEHART. I think it should be made crystal clear—and I think the able Senator from Alabama made an effort to do so—that the public should not be confused. The bill permits the President of the United States to commit Congress for a 5-year period, and it provides that something may be done when there is evidence of obvious mismanagement.

Unfortunately, we will not know anything about the obvious mismanagement for 3 or 4 or 5 years. So, all we are doing in this instance is taking great credit to ourselves for having reworded some language, to the effect that we are going to control this program for 5 years, when in reality we are not.

All one need do is to read the small type to understand that we have given the President of the United States the right to spend $1.5 billion a year for the next 5 years.

It is a fact that we must appropriate the money each year.

We have agreed to do so. The President can go ahead and make plans. He can even commit $6 billion during the first 6 months, on the basis of $1.5 billion for 4 years.

We are obligated under the wording to continue it, as a practical matter. I know we are obligated, because if the President makes a contract with a nation and agrees to give x amount of dollars or $10 million a year for 5 years, and then the Appropriations Committees turns it down, we will have worse situations and more ill will throughout the world than we have ever dreamed of having.

All we are doing is taking credit for doing something here, whereas in my personal opinion, we have not done anything. That is why I believe it should be on the basis of 2 years, and that we should appropriate money for 2 years. Two years is long enough in which to negotiate any new contract or a contract of any kind. If we cannot do it in 2 years, we cannot do it in 3 years.

If we do it for a period of 5 years, I suppose that at the end of 3 years we must extend it for another 5 years, in order always to be 5 years ahead, or behind, or whatever it is.

Therefore the record should be made perfectly clear that we are committing the American taxpayers, for all practical purposes, for a period of 5 years to the expenditure of $7,200 million.

I was one of the conferees and sat through the conference. I understand the language in the conference report. I know this as a practical matter. That is exactly what we are doing in the bill before us.

Mr. HOLLAND. I appreciate the comment of the Senator from Indiana, with which I am not entirely in accord. I believe there is real meaning and that the country will find real meaning in the wording that I have quoted already from the conference report, which gives Congress completely free rein to cut off an appropriation entirely in the event obviously bad management is shown.

Mr. CAPEHART. I agree with the Senator. The point is that bad management on these individual loans will only come to light years later. It will not come to light within the fiscal year for which the appropriation is made. That is my point. I say that as a practical matter. I agree with the able Senator that that is what the language provides.

As a practical matter, in my opinion, it does not mean much. Perhaps it means a little. I will give a little and be slightly flexible and say that it means a little, but very, very little. We should not confuse the American people.

Mr. HOLLAND. The Senator from Florida would never be a party to knowingly confusing the American people.

Mr. CAPEHART. I did not say that.

Mr. HOLLAND. The Senator from Florida differs with his able friend from Indiana in two respects. First, he thinks that obviously bad management does not necessarily have to apply to the mere use and expenditure of funds to be appropriated this year, but to the entire appropriation. The Senator from Florida would be just as free to reduce an appropriation for showings of bad management and mishandling of this program in the field, whether it related to a program that is instituted after this date or whether it related to a program already underway, because this is Federal money, put up by the taxpayers of our Nation, which is being expended in either case.

The second point with which the Sentor from Florida disagrees with the Senator from Indiana is that I think he has not taken sufficient note of the other condition that is stated. I notice it was well stated by the Senator from Arkansas [Mr. FULBRIGHT] in his statement. It was repeated by the Senator from Alabama, and it bears repetition now. I quote as follows:

> Congress will be morally committed to support the President with appropriations unless there are affirmative showings or unusual or compelling reasons in the national interest why such funds should not be appropriated.

I believe that means that if bad times should come upon us so that we will not be able to or cannot carry on this program we shall have the right to terminate it.

I note that we felt that we had that perfect right when it concerned our Interstate Highway System, affecting our own States, when the revenues which we had counted on were not adequate to carry on that program in its fullness. In spite of the fact that there were objections voiced here on the floor of the Senate and in the other body, the administration then in power, with the approval of the great majority of both Houses, reduced the funds that were committed from year to year for 2 or 3 years to our own States. I believe that if we were justified in doing that when our own people and our own programs of development were involved, we should certainly have no hesitancy in following the same course in connection with programs which more directly affect other countries, should they be affected by the same kind of situation, or any other situation which, as the Senator from Arkansas has said, vitally affects the public interest of the United States.

Mr. CAPEHART. Madam President, will the Senator yield?

Mr. HOLLAND. I shall yield in a moment. I believe, also, that the Senator from Indiana is perhaps not paying as much attention to another point as he usually does, because he is a very sound economist and a very successful businessman, and certainly a very fine Senator. He has not paid adequate attention, I think, to the fact that the total program of the development loans has been very substantially reduced from the $8.8 billion, involved in the original bill, which was recommended and which was debated here on the floor of the Senate and recommended to the other body and debated in their committee and on their floor, to $7.2 billion over a period of 5 years.

So I believe there is a substantial improvement in the conference bill. I am sorry that the conferees on the part of the Senate were not able to hold on to all the reductions on the various programs which we adopted on the floor of the Senate. However, I repeat my statement that I consider the bill in its entirety as it stands now, and as it comes from the conference, to be a much better bill than either the Senate or House bill.

Mr. CAPEHART. Madam President, will the Senator yield?

Mr. HOLLAND. I promised to yield first to the Senator from Vermont. Then I shall be glad to yield again to the Senator from Indiana.

Mr. AIKEN. The possibility of no mismanagement under the bill before us today is better than it is under the present law. It is better than it would have been had the Dirksen amendment been added to the bill, because that amendment required only transactions of $5 million and over to be reported to Congress. This bill requires the Administrator to submit to Congress all contracts which he has made before the money is appropriated. During the first year Congress will appropriate on faith. Naturally that must be done. In the second year the Administrator will have to come forward with his agreements which have been made under the authorization of Congress, and submit those agreements to Congress. Then Congress is morally bound to provide the money unless there is evidence of mismanagement, bad faith, completely unsound judgment, or changes in world conditions or in the national condition which would warrant not appropriating, up to the limits specified, funds with which to meet this commitment.

Mr. HOLLAND. I thank the Senator for his comment, with which I completely agree.

Mr. AIKEN. My point is that this year a committee of the House has been making a great deal out of mismanagement which occurred in a Latin American country in 1955. I believe that the chances of detecting mismanagement are probably better under the present bill than under the law now on the statute books, under which we have been operating during the last 10 or 15 years.

Mr. HOLLAND. I thank the Senator from Vermont. Before again yielding to the Senator from Indiana, I have gotten the very definite impression from the reorganization of the program by President Kennedy, under which he has assured Congress that there will be a separate head in each of the countries, with direct accountability to Washington, and a direct opportunity to check, and with the assurance also that Congress will be taken into the confidence of the administration as to the results, that we will be getting a more satisfactory administration of this important program. I am hopeful for much better results. I again say that the conference bill is a better bill than was passed in either House. My only regret about it is that the conferees on the part of the Senate were not able to hold on to all the reductions which we made on the floor of the Senate. I do think they were able to hold on to a major portion of them. Now I yield again to the Senator from Indiana.

Mr. CAPEHART. The point I wish to make is that this is a 5-year bill providing $7,200 million. Let us grant that under the extreme conditions which the able Senator from Florida related as to bad management and the country suffering financial straits, Congress, through the Committees on Appropriations, would be justified in acting. My point is that we should not let ourselves get into that position. The President may make a thousand contracts, or 500, or 100, or even 2,000, and the Committees on Appropriations may say, "We will not provide the money to fulfill those contracts." The President may make a 5-year contract to provide $10 million a year or $1 million a year. The payments may be made for the first year or the first 2 years.

Then the extreme conditions about which the Senator from Florida speaks may occur, and the further allocation of funds may be cut off.

In my opinion, that will create chaos and make more enemies for us throughout the world. It would have been better if we had not started the program in the first place.

We should not put ourselves in that position. We should have the courage to say that this is a 5-year program. In my opinion, it should be a 2-year program, because 2 years is sufficiently long.

Madam President, the conferees of both Houses have acted. I do not care to continue the discussion except to state that the contingencies I have described may someday occur.

I remember that the United States supplied milk to Colombia, when we had an excess of milk. Then we discontinued the supply, and what trouble we had as a result. The Colombians said that the United States had plenty of milk; that we still had a surplus. Their representative said to me, "You would have been better off if you had not given us any milk in the first place, because we gave the milk to our schoolchildren over a period of months, and when we had to discontinue it we could not make the children understand why the great United States did not have more milk to supply."

Those are the things I am talking about as practical matters. We should watch out for them, but we do not. That is what gets us into so much trouble throughout the world. We do not think these things through. Sometimes we act hastily, and sometimes otherwise. I am simply stating what may happen someday as a result of the legislation.

Mr. HOLLAND. Madam President, we all know, of course, that this is not, by any means, an ideal program. I suppose there is no Member of either House who is happy with the exigencies of the world situation and of our own defense situation, which require us to have a foreign aid program. I find it, to me, the most distasteful program to support which comes up in the course of a year's work. But when we have a program which directly relates to our

foreign policy and to our security, we have no choice but to work out the best program possible.

I am the first to admit that there are grave administrative difficulties and that there is no assurance that the entire program will function happily on every front or in every particular I wish we had available some administrators who are as sound as the distinguished Senator from Indiana [Mr. CAPEHART] has shown himself to be in the handling of his own very prosperous business. But all I can say is that I think we have done a better job in the conference bill than was done by either House in the separate bills. I shall hope with all my heart that the program may succeed. If it does not, I will not lay its failure to a lack of good motives on the part of those who have done so much good work in trying to devise a good program.

Madam President, I yield the floor.

CONGRESS URGED TO SUPPORT ACCELERATED ACTIVITIES OF SMALL BUSINESS ADMINISTRATION; ADMINISTRATOR HORNE PRAISED

Mr. RANDOLPH. Madam President, I have noted with interest, but with a degree of bafflement, the comments made yesterday by the energetic Senator from Wisconsin [Mr. PROXMIRE] concerning the acceleration of loan activities by the Small Business Administration.

Of course I do not question my diligent colleague's sincerity in this matter, but I do state without equivocation that I disagree with his recommendation, in essence, that the Congress apply the brakes to the Small Business Administration. Mine is the exact opposite view. It is my judgment that the Congress should stimulate the Small Business Administration in its effort to be more helpful to the very vital small business segment of the Nation's economy.

As a member of the Senate Select Committee on Small Business, I, too, have participated in studies of the problems of our country's independent enterprises as distinguished from the larger integrated firms. They have been neglected in the past, and this neglect must not be condoned now or in the future.

My criticism—and it seems to me that I have heard the Senator from Wisconsin [Mr. PROXMIRE] express himself similarly on the subject in the past—has been that the Small Business Administration was too timid in its approaches to providing services and making loans to the so-called little fellows of our business community.

The fact is that under the prior administration many of us had the feeling that SBA, although accorded the means to do so by law, did not aggressively approach its responsibilities of being of real service to small businesses and of meeting their needs in a degree commensurate with their problems.

Concerning the implications of the junior Senator from Wisconsin that SBA has expanded its activities and services too rapidly, I am of the opinion that the agency is performing aggressively and in a vastly improved manner. It needs, however, to do an even better job and should expand further if the real problems of many small businesses are to be met adequately in this highly competitive era. I would not discourage the Congress, insofar as Small Business Administration appropriations and loan authority are concerned; rather, I would encourage the Congress to accord real encouragement and opportunities to SBA to further expand its services and ability to assist our country's independent businesses.

I am pleased that the junior Senator from Wisconsin acknowledged that the Administrator and his associates in the Small Business Administration have succeeded in the stepping up of loans to an increased number of eligible applicants. It is not my view that this represents overindulgence in liberalism or overzealousness.

Because one of the very real needs in West Virginia has been more attention to the problems of that State's small business enterprises, I have attempted to keep as well informed as possible concerning the activities of and actions taken by the Small Business Administration.

I have never noted a more substantial degree of improvement in any governmental operation with which I have had contact over the years than that which I have observed this year in the Small Business Administration under the most capable and devoted present Administrator, John E. Horne.

It is a fact well known to me and to many others that Administrator Horne and his associates in the Small Business Administration have achieved the new status of efficiency and stepped-up tempo of that agency's operations through extra hours of attention to duty. The SBA has not been overexpanded; the truth is that its officers and employees have given of their time and their talents in exceptional degree. I wish to commend them for their diligence and their desire to meet their responsibilities through what I know was, on many occasions, self-sacrifice. Deprecation of their efforts and their results should be deplored by those of us who desire to see improvement in the status of the Nation's small businesses.

I know it certainly was not the intention or purpose of the Senator from Wisconsin to deprecate those efforts and their results, but I believe that sometimes there is hesitancy or reluctance to recognize the improvement which has come to small business through the direct efforts of the Small Business Administration.

My impression of the remarks of the Senator from Wisconsin [Mr. PROXMIRE] leads me to understand that he objects to the SBA accelerated loan program, on the thesis that it has resulted in the approval of what he described as being too many large loans.

The information I received, as did my colleagues in the Congress a few days ago, in the form of a State-by-State summary of SBA loans revealed that the overwhelming majority of loans—actually about 90 percent of them—were for amounts of less than $100,000. And seldom does the record show SBA loans to firms with more than 300 employees. The greater percentage of the loans is made to small enterprises having 100 or fewer employees.

Mr. PROXMIRE. Mr. President, will the Senator from West Virginia yield?

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). Does the Senator from West Virginia yield to the Senator from Wisconsin?

Mr. RANDOLPH. I am glad to yield.

Mr. PROXMIRE. First, I wish to commend the Senator from West Virginia for his speech. I think it is excellent, and it helps me to clarify my position in connection with this matter.

I wish to say that yesterday I expressed my regard and esteem for Mr. Horne; and I said he had carried out very well and very avidly the intent of Congress, and that he has done an extremely fine servicing job. I repeat that statement; and nothing I have said should be regarded as being critical of him.

I criticized Congress for legislation requiring the making of large loans. I did not criticize the acceleration of the SBA activity, nor was I critical because of the fact that the Small Business Administration has made more loans. I think all that is very fine. But I criticize the making of large loans.

The Senator from West Virginia has pointed out that 90 percent of the Small Business Administration loans are in amounts of less than $100,000. That is true. However, it is important to note that almost half of the funds loaned are involved in the loans of more than $100,000. Imagine that, one-half of all the SBA loan money in the 10-percent big loans. My position is that certainly at this time such large loans can be made by the banking institutions of the country, and will be made by them if they are sound loans.

Within the last week or two the Banking and Currency Committee has received testimony from Mr. Mitchell, recently appointed to the Federal Reserve Board. He is a very able man, and was a vice president of the Federal Reserve in Chicago. He testified that the banks all over the country are more anxious and willing to make loans than usual and are looking for opportunities to make them. We also had before the Joint Economic Committee Mr. Martin, Chairman of the Federal Reserve Board. He testified to the same effect. He said the rates are relatively high, but that the banks are anxious to make loans whenever they can, wherever they can.

It seems to me that loans of this sort which offer proper opportunities to the private banks should be made by them; and I wish to call attention to the fact that the loans now under consideration are Small Business Administration loans, are short-term loans, and are in a sense, though only in a sense, in competition with the loans made by the private banking fraternity.

I believe that at present ample credit is available in our country.

Mr. RANDOLPH. Mr. President, let me point out that I think the use of the word "competition" by the Senator from Wisconsin is not exactly correct, because in West Virginia, as in Wisconsin, the

commercial banks are partners, so to speak, in connection with these loans. The bank, the local lending institution, is joined with the Small Business Administration, or the Small Business Administration is joined with the local lending institution, in providing the funds necessary for building up these businesses. It is a cooperative effort, rather than a competitive one.

Mr. PROXMIRE. The Senator from West Virginia is correct when he states that, strictly speaking, SBA is not competitive with the banks. It is necessary for the small business which wishes to obtain such loans first to have its application for the loans rejected by a bank, before application can be made to the Small Business Administration. In addition, usually the Small Business Administration participates with banks in loans but SBA provides 85 percent of the money. But in many cases the Small Business Administration provides 100 percent of the funds; and that is true in some of the big loans I listed yesterday which were made just last month.

So in the strict sense there is no competition between the Federal Government and the private banks. Nevertheless the local banks probably do pass up some business they might otherwise take in the absence of SBA. For sound big loans—over $100,000—without SBA, the banks would try very hard, in cooperation with their correspondent banks, if necessary, to make more of these loans.

I thank the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I am grateful to the Senator from Wisconsin. In this instance there is a difference of opinion, but only in degree. All Members of the Senate, who are intensely interested in small business, wish to have our public institutions help small business. We recall that Congress has provided a $350,000 maximum limitation on the Small Business Administration loans. Actually, there have been only a relatively few instances in which loans in that amount have been recorded. I have checked on that matter. There have been some, but they have been relatively few. The Senator from Wisconsin may take the position that there have been too many of them; but I might say there have been too few instances of that sort for the good of the overall economy.

Mr. President, I know of no better way in which the economy of this country can be stimulated in the interest of maintaining a competitive free enterprise system and in the preservation of the source of many new ideas and new inventions than by helping small businesses to become and remain vigorous components of the total economy.

Insofar as the Small Business Administration's record in West Virginia is concerned, I am appreciative of the recent improvement which has been experienced in the field of loan activity. But I am not satisfied with the extent of improvement. Administrator Horne and I are not in disagreement on this point. We agree that more technical assistance and more loan approvals—especially loans with bank participation—are necessary in West Virginia. It would be unfortunate and definitely not in the public interest to stifle or even slow down Small Business Administration progress in meeting the responsibilities fixed by law upon this vitally important agency.

The fact is that under the prior administration the SBA was so inadequately staffed in West Virginia that backlogs of loan applications were inherited by the present administration. Moreover, the former administration created a problem it never solved adequately when it moved the State office from Charleston to Clarksburg and left only a subbranch office in Charleston, where, I am advised, very little activity took place.

The present administration has been moving resolutely to correct this situation by augmenting the Charleston subbranch staff so that more activity can be stimulated in the populous southern portion of West Virginia. Likewise, the present administration, cognizant of the slow movement of loan application papers, acted to expedite this paperwork, with the result that the virtual stalemate which existed in February, March and April was overcome in May, June, and July. We now feel SBA is on the move in our State.

In the first 7 months of 1960, a total of 17 business loans were made to small businesses in West Virginia with a dollar value of $891,000.

For the same 7-month period of 1961, most of which was under the present administration, a total of 23 business loans were consummated, with a commensurate increase in the dollar value to a total of $1,711,000.

I repeat: The greater percentage of this increase was reflected in the months of June and July of this year when the present administration broke the paperwork logjam and approved 11 loans for a total of $844,000. And in this connection, I point out to my friend from Wisconsin that 1 of the 11 loans approved in the June–July period was for the $350,000 maximum to a lumber firm employing 233 persons; another was for $205,000 to a packinghouse employing 95 workers, a third was for $120,000 to a tractor firm employing 28 individuals, while the remaining 8 were for amounts ranging from $40,000 down to $10,000 for firms with from 1 to 20 employees. This seems to me to reflect rather adequate across-the-board representation of small businesses and the ratio of the so-called larger to the smaller firms aided is satisfactory.

I am gratified that the Senate acted affirmatively yesterday to enable SBA to move forward, and I hope that we shall be equally affirmative in our action when other measures in the area of SBA jurisdiction come before us within a few days.

FOREIGN ASSISTANCE ACT OF 1961—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee on conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1983) to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic development and internal and external security, and for other purposes.

Mr. KEATING. Mr. President, lest the debate on the conference report be viewed as all sweetness and light, I wish to express my disagreement regarding certain features of it.

I recognize the difficulty the conferees faced, and I am sure the Senate conferees did the best they could under the circumstances. But in my judgment the net result of this conference report is that the House of Representatives is the dominant body in connection with foreign affairs. They have demonstrated that fact by their victory in the major features.

One respect in which the House did not prevail, and that I regret, is with regard to the statement of policy in the beginning. I must express my deep regret that the Senate conferees did not yield to the House on the language with reference to freedom of navigation on international waterways and the right of all persons to travel and pursue their lawful activities without discrimination as to race or religion.

The language in the House bill was very strong, very forthright, and quite unmistakable on this subject. The Senate language was adopted, in effect. All the conferees did was water down slightly the language inserted by the distinguished Senator from Arkansas in committee which to a large extent nullified the language which preceded. Although the preamble stated our support for freedom of the seas and nondiscrimination, the language of the Senator from Arkansas would have precluded our taking any action to back these principles.

It seems to me this was simply a statement of fundamental principles of international law and that it should have been included in the report in a strongly worded affirmation. I regret that it was not, and consider it to be an unfortunate omission.

As to the question of limitation of interest rates on loans that are to be made, the distinguished Senator from Delaware [Mr. WILLIAMS] gave us an opportunity to place a ceiling on the amount which borrowers could charge to lenders in the countries we are trying to help. Although his amendment was not successful, we did iron out, after long debate, language which was certainly much preferable, in my judgment, to the rather meaningless statement in the bill that the funds made available shall not be loaned or reloaned at rates of interest excessive or unreasonable for the borrower—who is to say?—and in no event at any rate higher than the legal rate of interest in the country in which the loan is made.

That is virtually the language offered by the Senator from Arkansas, which was turned down by the Senate.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. SPARKMAN. I remind the Senator from New York that when the Senator from Arkansas offered it as a

substitute for the Williams amendment, it was adopted.

Mr. KEATING. But later it was turned down.

Mr. SPARKMAN. Then the Senator from Delaware asked permission to withdraw his amendment. That permission was granted. Later it was offered as a substitute for the language of the Senator from Alaska, and that is when it lost.

Mr. KEATING. That is correct, and I think the language of the Senator from Alaska was much more definite and preferable than this wording. I regret that the Senate conferees yielded on that particular point.

As to the basic problem of the most important and most controversial feature of the bill, the financing of the Development Loan Fund, many of us, in fact a sizable majority of the Members of the Senate, recognized the necessity for long-term planning and programing.

A very satisfactory solution was reached in the Senate in assuring congressional surveillance over this program through the so-called Dirksen amendment. That was an amalgam of the ideas of a great many Members. It called for surveillance by four committees over the loans to be made, and was an excellent substitute for the amendment offered by the distinguished Senator from Virginia, which would have required annual authorizations.

As to the conference report in this area, in harsh and realistic terms, it must be said that we are getting less money than the Byrd amendment would have offered, by half a billion dollars, and less independence through reporting and through congressional scrutiny on all advance commitments.

The only gain for the long-range program is an express clause which permits advance commitments to be made and authorizes the President to enter into those commitments, but with the language "always subject to annual appropriations." So that we are right back at the point where we started.

I am happy to see this language in the report. I hope it will be agreed to in the other body. It is a very pious declaration that the Executive will have the authority to enter into commitments, subject only to annual appropriations.

It is understood that the conferees regarded the language in the bill as authority for the Executive to make commitments which will be honored by the Congress unless there is evidence of obvious bad management or the borrowing country has failed to meet its responsibilities. I am happy the conferees recognized that condition.

I do not, however, believe the Members of the other body who preside over the destinies of appropriations will accept that language without objection.

The only gain for the long-range programing idea at all is this clause, but the most determined opponent of this program in the other body, I understand, insists that the authority which is in this declaration already exists in previous legislation, and has been used in the past. Moreover, to some extent the wording of the appropriation provisions for the Development Loan Fund supports his position.

The most surprising aspect of the conference results, however, is not, really, the defeat of the Treasury borrowing provision, but, rather, the amazing administration effort to depict this defeat as a triumph.

I am reminded of the old nursery rhyme:

The King of France marched up the hill
With 20,000 men;
The King of France came down the hill
And ne'er went up again.

I was one who marched up the hill with the administration on this issue. It now appears that, for myself and others who believe that long-term planning and programing really are necessary, there will be no opportunity for us to do anything now except march down the hill again.

Certainly, I shall support the conference report. I think it would be tragic if we did not take that action.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. KEATING. I am happy to yield.

Mr. SPARKMAN. Earlier today I had a colloquy with the Senator's colleague [Mr. JAVITS] in which we discussed these points. The Senator knows, I am sure, that we stayed in conference for more than a week. If I remember correctly, it was about 10 days.

I believe the Senator knows the very last major item we agreed on was the method of financing. The House of Representatives had provided for only 1 year of annual appropriations of $1.2 billion. The Senator realizes, of course, the conference proposed a 5-year program of $1.2 billion the first year and $1.5 billion for each of the 4 succeeding years, with a statement on the part of the managers of the House that this was to be treated as a floor and not a ceiling, and that the administration might come to Congress asking a greater authorization if the program justified it. We came from the conference with the very essential part, which I do not feel the distinguished Senator from New York has sufficiently stressed in his remarks, which is the right of the President to make advance commitments, which we say shall be honored by Congress in the absence of mismanagement or fraud or something which would give Congress good reason not to do so.

I think the Senator must admit we did a pretty good job. I marched up the hill with the Senator from New York. In fact, I was one of those who first advocated this approach, about 5 years ago. I felt the program needed that much flexibility. We gave the program as much flexibility as we could, short of Treasury borrowing, and even as late as Friday of last week I was hopeful we would be able to get the Treasury borrowing agreed to. I think perhaps we would have, if the Senator's Governor had not harpooned any chances we had in the House of getting any Republican votes for it.

I do not wish to inject partisanship in this debate, because so far as the conferees were concerned, we had quite a harmonious meeting and there was no partisanship, yet we must recognize the fact that we had an uphill fight to get as much as we did.

Mr. KEATING. Mr. President, the Senator may not wish to inject partisanship, but he has, so I desire to reply to him.

I think the Senator overstresses, perhaps, the influence of the Governor of New York on the Members of the House of Representatives or on the conferees. The Governor of New York may have his views about the language which should be included in the bill, but he is very much interested in the long-range features of the bill. Whatever the opinion of the Governor of New York may be, it is my opinion that the statement of the conferees to the effect that the Appropriations Committee will only act under extraordinary circumstances is not necessarily the opinion of the Appropriations Committee in the other body, which controls the matter, and, in my opinion, it is not the opinion of the other body as a whole. The conferees may have their opinion that way, but the conferees cannot put something in a conference report which will control the Members of both Houses.

I must say that I hope the statement of the conferees is accurate, because long-term planning is essential to the success of the Development Loan Fund and to the cleaning up of some of the mistakes and shortcomings encountered in the past administration of this program.

The defeat of the Senate version of the bill meant also the defeat of the important congressional surveillance which was contained in the provision for sending the loans to Congress for a "look see" on the part of the committees of Congress. In my judgment, that would have provided a good way for the Congress to keep its finger on the administration of the fund while allowing for effective long-term programing. But, Mr. President, the main point I was making is, we must not kid ourselves about what has been done by the conferees. I have no doubt that they did all they could. I am sure they were diligent and tried to sustain the position of the Senate, but they have not sustained the position of the Senate, hard as they may have tried.

As I pointed out, we would have been better off without all this controversy unless we were to come out on top on the issue. Some are still pretending that we are marching up the hill and getting what we wished. Perhaps the high level of spending which is called for in this and other programs has caused a sort of dizziness or loss of balance, so that some people do not know whether they are going up or down, but in order to keep the record straight, Mr. President, I ask unanimous consent to include in the RECORD, immediately following my remarks, some material dealing with the long-term foreign aid planning, which dates back to the days before we considered and defeated the amendment offered by the distinguished Senator from Virginia [Mr. BYRD]. This material includes a "Meet the Press" program, on which both the Member of the other body to whom reference has been made and the Senator from Arkansas [Mr. FULBRIGHT] appeared.

The Senator from Arkansas said, of the 5-year authorization and annual appropriation program, which is pre-

cisely what is in the bill suggested, "I would not favor that at all."

The material includes a comment inserted into the CONGRESSIONAL RECORD by the distinguished Senator from Arkansas on August 11, pointing to the many disadvantages of the course the committee now supports.

It also includes a joint letter from Secretary of State Rusk and Secretary of the Treasury Dillon, in which both flatly reject the program now sponsored. Many of us had conferences with the Secretaries, also, and they flatly rejected, as did the President, a multiyear authorization of appropriations.

Finally, Mr. President, I should like to include the language from the mutual security appropriation bill passed by the Senate September 2, 1960, now Public Law 86–704, dealing with the Development Loan Fund, which clearly authorizes it "to make such contracts and commitments without regard to fiscal year limitations * * * as may be necessary in carrying out the programs set forth in the budget for the current fiscal year."

In other words, under the present law there is virtually the same authority to do everything which is to be allowed under the conference bill, for it says "to make such contracts and commitments without regard to fiscal year limitations."

The language of the bill before the Senate would add very little to that language.

Madam President, from this material it will be quite evident that we are indeed marching back down the hill, whether some of us choose to admit it or not.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, D.C., July 18, 1961.

Hon. KENNETH B. KEATING,
U.S. Senate.

DEAR SENATOR KEATING: The Congress will shortly be acting upon legislation authorizing the continuance of the foreign aid program and on appropriations to carry it forward. We believe that the passage of the foreign aid legislation as requested by the President is of such critical importance to our national interest that we are taking this unusual step of communicating with you personally regarding certain key questions that have been raised during the congressional hearings.

Are the sums requested for foreign aid necessary?

The continuance of economic and military assistance on the scale proposed by the President is compelled by our commitment to our own freedom and to the building of a decent world order. With respect to economic assistance, nations old and new are struggling along the path from formal independence into nationhood and are determined to have the benefits of modern civilization. If the democratic world does not help them, the Communists will leap aboard this great revolution of freedom, seize it, direct it to their own ends, and make it the instrument of their limitless imperialist ambitions. We will be false both to our own national interest and to our obligations to others if we allow this to happen.

With respect to military assistance there is an inescapable partnership between economic and social progress on the one hand and conditions of essential security on the other. The Communists continue to use internal subversion, paramilitary action, and the shadowing threat of military attack to bring other peoples under their domination. In this way they threaten the peace of the world and the security of our own Nation. Under these circumstances we must continue our military assistance program. Minimum levels of safety require the sums requested.

Why is borrowing authority important to the aid program? For two reasons:

First, if the United States is to be of substantial help to the less-developed nations in their efforts to meet the demands of their people for economic growth, it will be imperative in many cases to provide assurances that our loan aid will be forthcoming in known amounts over a period of several years—that is, to make long-term commitments. Such assurances are vital in helping the recipient countries to make the hard political decisions involved in self-help measures and internal reforms necessary to economic and social progress. Moreover, our ability to pledge aid in advance will be a significant factor in obtaining assurances of contributions from other industrialized nations.

Second, for the United States to be able to give these essential assurances of aid over a period of years, it will be necessary to free our development lending program from the difficulties of working under the uncertainties inherent in annual requests for funds. It must be put on a basis where there can be reasonable assurance of the availability of known levels of funds over a reasonable period of years, against which forward commitments may be made. Borrowing authority is the customary method used by Congress to finance U.S. Government lending agencies which must make such forward commitments. It is the established, practical means by which this crucial need of the aid program can be met.

IS BORROWING AUTHORITY FISCALLY IRRESPONSIBLE?

The answer to this question is categorically "No." Borrowing authority has been used by the Congress to finance more than 20 Federal lending activities, beginning with the Reconstruction Finance Corporation in 1932 and continuing through action by the Congress in the current session in the Area Redevelopment Act, the Veterans' Loan Act, and the Housing Act. Borrowing authority would not require an increase in the public debt or borrowing from the public any more than any other form of funding. Whether such an increase may be necessary will depend at any given time on the overall receipts of the U.S. Government as compared to its overall expenditures. Thus, the effect of the aid program on the public debt would be exactly the same whether the program were funded by borrowing authority or by annual appropriations. Activities under the borrowing authority would be included in the annual budget just as they are for the more than 20 existing activities now financed through borrowing.

The request for borrowing authority made 4 years ago by President Eisenhower, Secretary Dulles, and Under Secretary Herter for the Development Loan Fund was made at a time when it was intended that the DLF should make loans repayable in local currencies. It should be noted that under the new program loans would be repaid only in dollars.

In sum, we are convinced that borrowing authority for long-term development lending is fiscally sound and represents the most efficient and least costly method of providing development assistance.

Would a multiyear authorization of appropriations do?

No. Such an arrangement still would not provide the needed basis to give reasonable assurances of funds for future years in cases where this would be important. Such an authorization would not provide congressional authority for advance commitments. The future availability of U.S. funds would still be subject to annual appropriations in amounts which could be known for only 1 year at a time.

The nature of the annual appropriations process simply does not provide the reasonably assured availability of future funds for development lending required by other nations if they are to undertake long-term development programs dependent on the future receipt of agreed amounts of funds. This need would not be met even if, for example, it were to be agreed that funds should be made available by borrowing authority authorized by legislation—but only on an annual basis. Such an arrangement would still not provide the congressional authority required to make the needed advance commitments.

Would borrowing authority deprive Congress of control?

No, it would not. The President is asking the Congress to exercise its power to make a national decision that the United States will participate in the process of development for a realistic period of 5 years. This action will announce a national policy of the greatest significance. The President's proposal does not ask for any reduction in the control of Congress over the aid program except in the single essential that Congress itself will establish a policy that a specific amount of funds will be available for a stated period unless reasons of sufficient consequence arise to curtail or revoke them.

Within this single premise the proposed statute does everything reasonably possible to preserve to the Congress effective control. The proposed statute does not ask that the funds be made available all at once but only by annual increments. It would establish criteria for their use. Quarterly reports are to be made. Standards for loans will be set by an interagency loan committee. All grant aid will still be the subject of annual aid legislation which will be presented to both the authorizing and appropriating committees. During this process all development lending operations will also be reviewed. The Congress could take action in the annual aid bill or at any other time during the year upon the basis of the quarterly reports to change the lending criteria and other provisions covering loans or to curtail or even to end the borrowing authority or any part of it.

It is important to realize also that the proposed legislation makes the new lending program subject to the provisions of the Government Corporation Control Act, now generally applicable to existing Government lending activities financed by borrowing authority. Under these provisions, the executive branch will submit each year to the Appropriations Committees of the House and the Senate for approval a budget program containing estimates of operations for the following fiscal year.

What advantage would borrowing authority, subject to such controls, have?

It would have a very significant advantage. It would create a strong presumption, which does not exist under the present system, that funds in known amounts would be available for the continuation of the program, even though the Congress could take later action to the contrary. The developing nations will feel safe in the conviction that the Congress, once having asserted its policy, will not reverse it unless it finds that the purposes of the legislation are not being fulfilled or that other circumstances of an exceptional nature make such action necessary.

Can we afford foreign aid in the amounts needed?

Certainly. The funds requested for fiscal year 1962 will be less than 1 percent of our gross national product. In fact the dangers and potential costs of any alternative are so great that we cannot afford not to carry

on our aid program at the level needed for its success.

We sincerely hope that this letter will help to resolve the principal questions with which the Congress seems to be concerned in the President's proposals for the new foreign aid program. We urge you to support the President's request for authority and for funds and to make it possible for our Government to act with assurance and continuity.

Sincerely yours,

DEAN RUSK,
Secretary of State.
DOUGLAS DILLON,
Secretary of the Treasury.

Public Law 86-704, 86TH CONGRESS, TITLE I, MUTUAL SECURITY

The Development Loan Fund is hereby authorized to make such expenditures within the limits of funds available to it, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided in section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation, except as hereinafter provided.

COMMENT ON BYRD AMENDMENT

The amendment would knock out of the bill the financing of development lending through borrowing authority and would substitute the appropriation method. The amount ($8.8 billion) and the time period (5 years) would remain the same.

The Committee on Foreign Relations considered several alternative ways of financing the Development Loan Fund and rejected such alternatives.

The amendment would eliminate one of the most important features of the bill: the policy of placing development lending on a long-term basis instead of on the annual appropriation basis. This feature has been regarded as having the highest priority both by the Committee on Foreign Relations and by President Kennedy. It was recommended by President Eisenhower in 1957.

Borrowing authority rather than appropriation is the usual procedure for lending operations of the U.S. Government. Some 24 lending agencies and other Government corporations are financed by borrowing authority. About $100 billion has been authorized for expenditure by the Congress in this way. S. 1983 requests borrowing authority only in the case of loans repayable in U.S. dollars. All other parts of the foreign aid program are to be financed through appropriations as usual.

Financing of lending by borrowing authority will be less costly and result in more effective programs overseas in the long run. Foreign countries will be able to develop more effective economic plans because the plans can be long range since the United States would be prepared to match country contributions with U.S. loans over a long range. Money would also be saved through the elimination of any hasty obligation of funds at the end of the fiscal year for fear of congressional failure to reappropriate.

Experience since 1957 with the appropriation method of financing development loans demonstrates that an appropriation authorization is not a reliable basis on which the executive branch can make conditional commitments to foreign countries. Appropriations have averaged 30 percent less than authorizations.

The borrowing authority method does reduce control by the Appropriations Committees over development loans but the ultimate control by the Congress as a whole is not impaired. Appropriations Committees will review the loan budget annually but will be able to impose limits if some unusual circumstance has altered basic congressional policy. At the same time, the power of Congress to cancel the whole lending program, or to stop it at the end of any fiscal year, or to reduce it for future years, continues in effect.

There is no difference, as between borrowing authority and appropriation, in the impact which the development loan program will have on either the Government budget or on the taxpayer. The economic effect of either method of financing is the same. The money must ultimately be raised by the Treasury in the same way whether the borrowing authority or appropriation method is used; namely, by a combination of taxation and borrowing from the public.

The choice of method of financing makes no difference in the likelihood that foreign loans will be repaid. Repayment depends upon the economic conditions in the borrowing country. There has never been any default on a foreign aid loan. Repayments of principal and interest on foreign aid loans are now coming in at the rate of $800 million per year.

Borrowing authority is not new to the Senate even in the foreign aid program. The Senate in 1957 authorized the establishment of the Development Loan Fund and 3 years of financing, the first year by appropriation and the next 2 years by borrowing authority.

Some have argued that this is purely a matter of committee jurisdiction. That is only one aspect of the question, but in that connection it should be pointed out that the Byrd amendment would result in the loss of jurisdiction over development loans for 5 years by the Committee on Foreign Relations which would, incongruously, continue to have jurisdiction over the remaining portions of the foreign aid program.

MEET THE PRESS—SUNDAY, AUGUST 6, 1961

(Produced by Lawrence E. Spivak)

Moderator: Ned Brooks.

Guests: Senator J. W. FULBRIGHT, Democrat, of Arkansas, and Representative OTTO E. PASSMAN, Democrat, of Louisiana.

Panel: Sander Vanocur, NBC News; John Steele, Time and Life magazines; John Hightower, Associated Press; Lawrence E. Spivak, regular panel member.

Mr. BROOKS. This is Ned Brooks inviting you to "Meet the Press." Because of the importance of the controversy centered on the President's foreign aid program now before Congress, "Meet the Press" is departing today from its usual format. We will present two interviews, and we will devote the questions to the foreign aid program.

Our guests are leading authorities in the debate now taking place on this issue. Senator J. W. FULBRIGHT, of Arkansas, the chairman of the Senate Foreign Relations Committee, and Congressman OTTO PASSMAN, of Louisiana, the chairman of the House Appropriations Subcommittee on Foreign Operations.

Asking the questions today on "Meet the Press" are Sander Vanocur, of NBC News, John Steele, of Time and Life magazines, John Hightower, of the Associated Press, and Lawrence E. Spivak, our regular member of the "Meet the Press" panel.

The center of controversy on President Kennedy's foreign aid program lies in the 5-year financing provision. One side insists that long-term financing is essential. The other argues that the provision is unnecessary and will deprive Congress of its constitutional power over appropriations.

Our guests today, Senator FULBRIGHT and Congressman PASSMAN, represent opposing viewpoints on this aspect of foreign aid. By a toss of a coin it has been determined that Congressman PASSMAN will be interviewed first on this special 1-hour "Meet the Press" program. Congressman PASSMAN is the chairman of the House Appropriations Subcommittee on Foreign Aid. He is a businessman, he has served in Congress for 15 years. We are ready now to start the questions. Mr. Spivak.

Mr. SPIVAK. Congressman PASSMAN, your critics say that if you had your way you would abolish foreign aid altogether. Are they correct about that?

Representative PASSMAN. I think that question should be answered by saying that during the 6 years that I have been chairman of the Foreign Operations Subcommittee on Appropriations it has been my privilege and responsibility to write the legislation, to write the report, to bring the bill out, to defend it on the floor, the aggregate amounted to $20,514 million since I have had it and I have voted for the bill each year.

Mr. SPIVAK. Isn't it true however, Mr. PASSMAN, you voted against the authorization of the bill? Here is the CONGRESSIONAL RECORD, for example, in which you yourself say, "I have voted against the authorization for foreign aid from the inception of the program."

Representative PASSMAN. That is correct. Each year I find that bill is too diversified, it is too flexible, and it is too expensive.

Mr SPIVAK. Am I to understand then, you are for foreign aid in principle, though?

Representative PASSMAN. Insomuch as foreign aid is a part of our foreign policy, after the Congress has authorized foreign aid then certainly in handling the money bill I am going to support the administration and meet the request for funds.

Mr. SPIVAK. Well, the question I asked you though is: What is your own position? Are you for foreign aid, though, in principle?

Representative PASSMAN. In principle I am very much against foreign aid because I don't believe that giving away our wealth and dollars alone will save our country.

Mr. SPIVAK. Would you say that in the 15 years that we have had a foreign aid program it has been unsuccessful to a high degree through the world? Would you say the program has been good, has been excellent, or has been bad?

Representative PASSMAN. I say in many respects the foreign aid bill has been good. Of course it has been a very expensive program; $106 billion has been the cost since the end of World War II.

Mr. SPIVAK. Why then are you against it in principle if it has been good?

Representative PASSMAN. Well, the Marshall plan at the beginning of the program, they indicated it would require 5 years to complete the program at a cost of $15 billion and would go into some 18 or 19 nations. I surmised at that time that the foreign aid bill would get out from under control so here we are 15 years, not 5 years, $106 billion, not $15 billion; 97 of the 110 nations of the world are receiving aid, and not the original 18.

Mr. SPIVAK. May I have one more question?

Mr. PASSMAN. I think you will agree that we are in a fight for survival with the Communist, won't you?

Representative PASSMAN. I would certainly say that it is a battle for the minds of man; yes.

Mr. SPIVAK. Is there any other way you can think of fighting them if we are not prepared to fight them militarily at the drop of a hat?

Representative PASSMAN. I am certainly not arguing that we shouldn't be prepared militarily. I am speaking on the subject of foreign aid.

Mr. SPIVAK. No, no, I am talking about foreign aid. Aren't we going to have to—since the world has shrunk—aren't we going to have to help these backward people if we are going to get anywhere at all in the kind of world we live in?

Representative PASSMAN. I think that a controlled foreign aid program will serve a very good purpose in certain fields. The technical aid field, for instance. But in many instances foreign aid has been a total waste, especially out in the Far East and

in many instances the projects have cost from five to six times as much as the original estimates. We have absolutely lost control of the foreign aid because when you are in 97 of the 110 nations of the world with a program of this type, it is costing now a total of $10,800 million annually, with 53,000 people in the program, if you pick up the participants, the trainees, and the employees. We have lost control of the program.

Mr. HIGHTOWER. Mr. PASSMAN, in some testimony released yesterday from one of the hearings you conducted there is a statement by you to the effect that the administration offered to drop the long-range aid provisions of the bill, which is the heart of the bill, from the administration's viewpoint, if you would step aside as chairman of your committee.

Could you tell us how that offer was made and what the circumstances were at the time?

Representative PASSMAN. Certainly I think that the story has been overplayed, and I go to the record for that. I quote from the record on that.—Mr. PASSMAN to Secretary Rusk: "I would not mention this matter if you had not made certain comments in your own statement: 'A Member of Congress came to me and said, "I will tell you how you can please the Department and save a lot of trouble in the future"—paraphrasing the statement made to me by the Member of Congress, I continue—he said, "Two representatives of the ICA came to me and said, 'If Mr. PASSMAN will resign his chairmanship we will withdraw our request for long-term aid.' "' " Then continuing to address Secretary Rusk I said: "I would not have mentioned that fact if you had not said this: 'I recognize that this proposal is of direct interest to this subcommittee. I know it is said that its purpose is to avoid coming to this committee for funds for economic assistance. This is not its purpose.' "

Secretary Rusk did not comment on that statement.

Mr. HIGHTOWER. Do you know whether the administration is making any investigation to find out what happened?

Representative PASSMAN. Do you mean in this instance?

Mr. HIGHTOWER. Yes.

Representative PASSMAN. I question whether they are or not because almost every paper you pick up—here is one from the New York Herald Tribune: "J.F.K. Plans To Bypass House Appropriations Subcommittee on Aid Bill."

I think it is generally understood that maybe they would like to not have to go before the committees for these very rough examinations on their requests. I think that is obvious.

Mr. HIGHTOWER. There is here, of course, a question of followup and I know you will understand if I ask it: Will you give us the names of three persons who were involved in the account you gave the committee?

Representative PASSMAN. Certainly I would not. At the proper time, if it is necessary, then I shall. I am not going to embarrass any Member of Congress and I don't think it is necessary to go that far. The statement speaks for itself.

Mr. STEELE. Mr. PASSMAN, this is a pretty shocking allegation you have made about two members of the Foreign Aid Administration trying to—to put it mildly—fix you. Why won't you give us their names?

Representative PASSMAN. To be perfectly honest with you, you may have misunderstood. Two ICA representatives spoke to a Member of Congress, and I quoted verbatim—that is, my remarks placing my interpretation upon it, so I can only say that I don't even know the names of the two representatives. I do know the name of the Congressman.

Mr. STEELE. Will you tell us the name of the Congressman?

Representative PASSMAN. No, I certainly will not, and you know that I will not.

Mr. STEELE. Congressman, you brought this to light in testimony released June 29.

Representative PASSMAN. Yes.

Mr. STEELE. When Secretary Rusk appeared. Since that date you have had for several days running Mr. Labouisse, the Director of the foreign aid program.

Representative PASSMAN. Yes, sir.

Mr. STEELE. Now why didn't you take this up with him?

Representative PASSMAN. Mr. Rusk, the Secretary of State, and I think possibly he is a little higher in the administration and I took it up because he had made a statement before the committee that it had been said: "I know it is said that his purpose is to avoid coming before this subcommittee," that prompted the question to Mr. Rusk. Mr. Labouisse did not mention that in his appearance before the committee. I therefore did not mention it.

Mr. STEELE. Have you asked Mr. Labouisse to find out who these two individuals were who proposed this rather odd——

Representative PASSMAN. No, I must be perfectly frank with you and tell you I have been too busy conducting examinations trying to save some money for the taxpayers than to really get into something that really doesn't amount to anything.

Mr. STEELE. You don't think this amounts to anything, this supposed trade?

Representative PASSMAN. I suppose it is a matter of interpretation. If I may go back now and state that every paper I have picked up in recent days that "J.F.K. Plans To Bypass House Appropriations Subunit on Foreign Aid Bill," I think that comes closer to answering your question than anything I could say.

Mr. STEELE. Well, doesn't this go to the very heart of the integrity of this program? If to properly constitute it, officials of the Foreign Aid Administration made such a proposal, shouldn't the American people know about it?

Representative PASSMAN. I must call the gentleman's attention to the fact, if we want to continue on this, a very able Member of Congress came to me and said, "I will tell you how you can please the Department and save a lot of trouble in the future." Paraphrasing this statement made to me by the Member of Congress, he said, "Two representatives of the ICA came to me and said, 'If Mr. PASSMAN will resign his chairmanship, we will withdraw our request for long-term aid.' "

Mr. STEELE. Mr. PASSMAN, here is one that you can answer. Are you resigning or aren't you?

Representative PASSMAN. Well, certainly not.

Mr. VANOCUR. Mr. PASSMAN, the debate over foreign aid seems to hinge right now on this long-term borrowing authority. Isn't it true, sir, that under the Government Corporation Control Act which is included in the foreign aid bill as it now stands, that the foreign aid administration would have to come back every year for annual review by both Appropriations Committees of the Senate and the House?

Representative PASSMAN. I should think though that—we should first point out, article I, section 9 of the Constitution contains the following provision: "No money shall be drawn from the Treasury but in consequence from appropriations made by law."

Now before they came back to Congress the funds would have been committed and in 186 years of the existence of this Nation we have never violated a treaty, we never reneged on a commitment and if these people go out and commit the funds, then they come back for review by the Congress, it wouldn't be worth anything and I think that is generally understood by Members of the Congress and I think the administration realizes quite well if they get this rather unusual approach, withdrawing money—you are not borrowing money, you are withdrawing money from the Treasury without an appropriation—furthermore these people go so far as to say that they would have committed our country to these huge sums before the Congress would know what country, what programs, or what projects the money would be committed to.

Mr. VANOCUR. Congressman, isn't it true this is not an unusual act as you suggest? It has been done by many Government agencies over the years, going back to Herbert Hoover's time.

Representative PASSMAN. I might state if I remember correctly, the first time came in 1932. The first 144 years of the existence of our Constitution I should think it would have been unthinkable that you would have ever attempted to withdraw money out of the U.S. Treasury without an appropriation. During the depression the Congress made the exception.

Now that has become the precedent for, along the years, of getting money out of the Treasury without an appropriation. But I question whether even a few years ago any administration would have ever attempted to withdraw money from the U.S. Treasury for a foreign aid program.

Mr. VANOCUR. Then it is solely the question of foreign aid. For example, if this concerns agriculture which is vital to the interests of your district, would you vote against such borrowing procedure and have you voted against it?

Representative PASSMAN. Should I not answer you this way: All of the other programs so far as I know call for withdrawal from the Treasury with a repayment to the Treasury. I am not arguing that two wrongs make a right. So far as I am concerned it is unconstitutional, it has never been taken into the courts.

Now I must be abundantly frank with you. Searching the record I am sure that you can find where I have supported legislation that would borrow money from the Treasury without an appropriation.

Mr. VANOCUR. But you are against this because it concerns the principle of foreign aid, is that right?

Representative PASSMAN. I am afraid that I did not say that. I have always been against withdrawing money from the U.S. Treasury without an appropriation. Occasionally I am sure, if the record should be searched, that I have voted for bills that would withdraw money from the Treasury without an appropriation, but two wrongs will not make a right.

Mr. SPIVAK. Mr. PASSMAN, did I understand you to say that the foreign-aid bill this year, with the President's requests, would add up to $10.8 billion of new money?

Representative PASSMAN. I say, and without fear of successful correction, that the total estimated cost of the aid program for fiscal year 1962, including interest on what we borrowed to give away, amounts to $10,800 million.

The mutual security bill, the bill that my committee handles, calls for only $4,800 million. Now the back-door portion—that is withdrawing money from the Treasury—is only $1,187 million, but that is just to let the camel get its nose under the tent, but the overall program will call for $10,800 million.

Mr. SPIVAK. How much of that is interest? Are you figuring interest to eternity? That is assuming that this is not going to be repaid?

Representative PASSMAN. No, I am only figuring interest for the 1 year, Mr. Spivak. We have actually given away $90 billion. We had to borrow that money before we could give it away. Now, if you figure the interest on the $90 billion, it is $3,600 million annually.

Mr. SPIVAK. You are not talking then about what the administration is asking for foreign aid next year, you are figuring the interest on the $90 billion?

Representative PASSMAN. Only for 1 year.

Mr. SPIVAK. That you say has been spent.

Representative PASSMAN. Only for 1 year.

Mr. SPIVAK. Is that a fair way to figure it, Mr. PASSMAN?

Representative PASSMAN. Of course you have to make up your own mind about that. We had to borrow the money before we could give it away. We are writing checks for $3,800 million each year to pay the interest. Now you have Public Law 480. That is the Surplus Agriculture Act. You have the International Development Association. The Inter-American Development Bank. Repayments of loans to other U.S. agencies, including of course the British loan to be piped back into this program, and the Export-Import Bank.

So you have many other agencies that you are getting money for for foreign aid other than the bill that I handle, my committee.

Mr. SPIVAK. Congressman, implicit in what you are saying is that all the money has been wasted and that we have gotten nothing at all for it. You might as well——

Representative PASSMAN. I don't think I said all money has been wasted. We had to borrow the money to give it away. I am keeping it in context. That we have given to our friends and neighbors throughout the world $90 billion in foreign aid since the end of World War II. Now if you add the interest——

Mr. SPIVAK. Have we gotten nothing for that?

Representative PASSMAN. I didn't say we have gotten nothing for it.

Mr. SPIVAK. I am asking you. Have we gotten nothing for that?

Representative PASSMAN. You will have to make up your own mind about that. Let's take Cuba, 90 miles from our shores. We have given Cuba $2,355 million in the last few years. Look where Cuba has gone today. I am sure along the way foreign aid has helped a great deal. Turkey, Greece, Europe, the foreign aid program is still going on in Europe, make no mistake about that.

Mr. HIGHTOWER. Mr. Congressman, one of the criticisms which the advocates of foreign aid have made about it over the years is that the 1-year limitation on commitments and the appropriating process has limited the Government in working out long-range programs with other countries, countries such as India, for example.

The argument in favor of this new provision which has been advanced by the administration is that it would permit such programs to be developed and would in fact make foreign aid spending much more efficient and much more effective in achieving foreign policy objectives for this country.

What would you suggest as a way to deal with this problem if you agree with this analysis of it?

Representative PASSMAN. Unfortunately it has not been properly explained, I am afraid, to the administration, to the Congress, and to the American public. All foreign aid presently is on a long-range planning program. All programs are planned from 5 to 15 years.

On June 30, at the close of this, the Government, they had on hand $5,443 million for many long-term contracts. Some of this money the Congress provided 6 or 7 years ago. We are respecting those obligations. So without any consideration to any new appropriation, they have on hand $5,443 million. You have certain items in this $5,443 million you haven't even had to caption in the bill for several years. Development assistance, that you are still carrying in that account. The President's Asian fund, that was passed several years ago.

You have $50 million in that account. So all foreign aid programs are presently planned on a long-range basis and if I may, please——

"Mr. PASSMAN. Mr. Secretary, when you were talking about better planning you are not talking about better planning of the projects and programs, you are talking about better finance planning. Have I stated that accurately?

"I think it is better financed planning in the recipient countries. It does not make for better projects.

"Secretary DILLON. It has nothing to do with the technical part of the project.

"We are not dealing with programs, projects, or costs, we are only dealing with a better system of financing.

They say to us now that we are going to have to assure some of the other nations that the money is available for a full 5 years before they are willing to cooperate. I say after giving away $106 billion, including the interest, to 97 nations of the world, we have never reneged on a contract. It is rather late in the day to come up and say "Now we are going to have to see a program for 5 years before we are willing to cooperate."

May I repeat it is not better programs, it is not better projects, it is not cheaper programs or cheaper projects, it is a system of financing and if I may respectfully say, it is definitely to get around these very cruel scrutinies that we give this aid program because the waste is rampant all over the world.

Mr. STEELE. Mr. PASSMAN, a few months ago did you vote for the area redevelopment bill?

Representative PASSMAN. I am sure that I did.

Mr. STEELE. Wasn't that back-door financing?

Representative PASSMAN. I am sure it was back-door financed. In fact some of my constituents say I am the most liberal man in Congress—that is the first 6 months of this year. I have tried to support the President's program.

Mr. STEELE. In 1953 didn't you announce your support for the St. Lawrence Seaway project?

Representative PASSMAN. I certainly did.

Mr. STEELE. Wasn't that back-door financing?

Representative PASSMAN. In all probability.

Mr. STEELE. In 1954 didn't you oppose abolition of the Reconstruction Finance Corporation?

Representative PASSMAN. Let us say I voted for it 50 times. Nevertheless 2 and 2 will not add up to making 5, it will still be 4. Two wrongs do not make a right. I have stated in the beginning in all probability I have supported back-door financing but this is a back-door withdrawal with nothing ever going back into the U.S. Treasury. In this one little item of $8,800 million is just getting the camel's nose under the tent. If you use the maximum terms on this, this is—this is worth knowing, Mr. Steele—if they use maximum period on just the $8,800 million we will pay $17 million interest to borrow that money. This is not a loan. They don't even refer to it as loans. Please, if you will. There is no interest for 50 years.

The first 10 years you don't pay anything back. Then the next 10 years, 1 percent a year, and in the remaining 30, you pay 3 percent. Nothing comes back into the Treasury.

Mr. BROOKS. We have about 3 more minutes with Congressman PASSMAN.

Mr. Vanocur.

Mr. VANOCUR. Congressman PASSMAN, you say you have voted for what you call back-door financing in other measures and you have also expressed yourself as being against foreign aid. Is there something else involved here? Do you have any faith in the people administering our foreign aid program?

Representative PASSMAN. I think they are about the most dedicated people I have ever met. But I think it is good to repeat, Mr. Vanocur, that we are in now 97 of the 110 nations of the world with this program. To give you one example—I could in all probability document 1,000 for you—here is one little item out in Vietnam. You had a highway plan that cost $18,300,000. You had good engineering, long planning. We paid an architect and an engineer good fees. But did we finish it for $18,300,000? No. It actually cost us $129,900,000.

Now these people are dedicated. They are willing. But it has gotten out of control. Ninety-seven nations, fifty-three thousand trainees and employees all over the world.

Mr. VANOCUR. Well, Congressman, if you feel this way—and the President himself has said there have been abuses of the foreign aid program—why haven't you as an important member of a committee, the chairman, who have used foreign aid, go to see the President to advise him on these matters?

Representative PASSMAN. I am very fond of the President. The President is a very busy man. I think I know why you asked that question and I think you are entitled an answer. Vice President JOHNSON informed me that he would get me an hour with the President to discuss this matter. The President's secretary called me and said, "We will let you know when you can come." So far the invitation has not reached my desk to go down. I would be very happy to discuss it with him.

Mr. STEELE. Could you imagine why he hasn't called you?

Representative PASSMAN. I am sure the President has been very busy.

Mr. SPIVAK. Mr. PASSMAN, you said a minute ago that waste is rampant all over the world in this.

Representative PASSMAN. Yes.

Mr. SPIVAK. You have had your present system. Why haven't you done something about that?

Representative PASSMAN. I have tried very hard. I have traveled 300,000 miles, I have gone around the world and visited——

Mr. SPIVAK. But you haven't succeeded and Mr. Dillon wants this new 5-year plan because he says, "It will be the most efficient and least costly method of providing development assistance." Have you any method of providing economic assistance? Have you any method of proving he is wrong?

Representative PASSMAN. That is Mr. Dillon's idea, you understand. It is not my idea. I can only say, if I may, during the 6 years it has been my privilege to handle this bill, my committee and the Congress supporting us reduced the President's request by $4,562 million.

Each year they hollered, "You have wrecked the program." But notwithstanding that fact, each year they have finished up with large unobligated funds which reverted back to the Treasury. They don't know themselves what they need.

Mr. SPIVAK. You admit your present system has not worked out too well and waste has been rampant?

Representative PASSMAN. Yes, sir.

Mr. SPIVAK. Why not give the other method a chance and Congress will have some control?

Representative PASSMAN. The Congress will have absolutely no control over this program if we give the back-door withdrawal, because they will have committed the funds before the return of Congress. They admit they can commit the entire $8,800 million through the back door during the past year.

Mr. SPIVAK. You say they have already committed under this past system and you haven't been able to get rid of the waste?

Representative PASSMAN. We have reduced it substantially. If you give them this system there will be no opportunity for us to make reductions in subsequent years that we have made in the past.

Mr. BROOKS. Gentlemen, I am afraid at this point I am going to have to interrupt. I see that our time has gone very rapidly.

We have now reached the halfway point in our program and it is time to hear from Senator FULBRIGHT.

Thank you very much, Congressman PASSMAN for being with us.

Mr. BROOKS. Stand by now for the second portion of "Meet the Press." We have heard from Congressman PASSMAN, and next our panel will interview Senator FULBRIGHT. We will be ready to resume our program after this pause for station identification.

This is Ned Brooks again, inviting you to a special edition of "Meet the Press." Our guest on this second portion of today's program is Senator J. W. FULBRIGHT, of Arkansas. And again introducing the members of our panel, Sander Vanocur, of NBC News; John Steele, of Time and Life magazines; John Hightower, of the Associated Press, and Lawrence E. Spivak, our regular member of the "Meet the Press" panel.

President Kennedy's foreign aid program is nearing a showdown in Congress. Votes are scheduled this week in the Senate and the bill will be considered soon in the House of Representatives. The most controversial feature of this bill is a long-term provision for loans under which $8.8 billion will be made available for helping underdeveloped countries. Our two guests today represent opposing viewpoints on this issue, Senator FULBRIGHT supporting the long-term loans, Congressman PASSMAN, whom we have just heard, opposing them.

Senator FULBRIGHT is the chairman of the Senate Foreign Relations Committee. He is a former university president and has served in Congress since 1943.

Now we are ready to resume the questions. Mr. Spivak.

Mr. SPIVAK. Senator FULBRIGHT, last year when the foreign-aid bill was up, you were quoted as saying this, and I quote: "It is becoming increasingly clear to me that this program cannot survive many more annual authorizations."

Now if the program is worthwhile, why should that necessarily be so.

Senator FULBRIGHT. I think the criticisms that you hear so much about derive from the fact that they are unable to make the kind of agreements covering a long period for basic improvements in these countries under annual authorizations. This is not a physical impossibility, of course, but without authority beyond a year, it is extremely difficult, if not impossible, to obtain other countries' agreements, based purely upon the probability that we may appropriate these funds. As you have already heard and as you well know, they have been cut substantially.

One time we had—2 years ago, I believe, or 3 years ago—a 2-year authorization. The act for—it was about $1,800 million as I recall it—the actual appropriations resulting under that authorization was approximately two-thirds—slightly over a billion dollars.

So we have tried a 2-year authorization and I considered that it did not work. And I don't think it would work now. That is, this is the program Senator BYRD is proposing. I think to give it an orderly administration it should have the assurance of 5 years of funds and then they can go to the countries, the various countries and make plans for the development of such things as communications, and docks, transportation, and so on. The basic in power—the basic things.

What has happened in the past have been too many of these short terms, I would think, relatively superficial programs that didn't add much to the wealth-producing capacities of the respective countries.

Mr. SPIVAK. But Senator, you have just heard Congressman PASSMAN say that the administration has been able to make long-term commitments and in fact has made long-term commitments and Congress has never gone back on.

Why is there such a sharp difference of opinion between you two on this question of whether you have or haven't made long-term commitments?

Senator FULBRIGHT. You say why is there such a difference? We view this matter, I think, from different points of view. With very few exceptions there have been no long-term undertakings that I know of. The only exception I can think of of any importance is in the Indus River Basin in recent years, and it is a consortium in which the International Bank and four or five other countries undertook a major part of it, a large part of it, and then we committed some local currency, a great deal of local currency in this program and then we did specifically say that subsequent to the annual contribution it would be subject to appropriations, in this instance.

But this was negotiated, I will point out, by the International Bank, not by our people, and the Bank has great resources and great reputation, great prestige. It was not negotiated by our own people.

I know of no comparable program that our own ICA has negotiated.

Mr. SPIVAK. You are saying then that most of the arrangements have been on a short-term basis, a year-to-year basis?

Senator FULBRIGHT. That is right. They have tried to help in the development of long-term commitments but we cannot go beyond the firm commitment of 1 year. I would say this to a great extent involves a psychological fact.

There is a great difference in my view between negotiating with a foreign country who has no understanding or particular, we will say, confidence in our Congress as we do—people don't normally have that in any foreign country's congress, or government. There is a great difference in that and our Army Engineers, for example, coming to the Congress and saying "We are going to undertake a program for the development of the Columbia River." There are many internal domestic pressures and powers and influences that assure the continuation of such a program. This does not prevail in the case of a country such as India, Pakistan, or Brazil. They have no great influence in this country, not any familiarity with it, and I don't think they are comparable.

To say that we have done this domestically, it is true we have done it domestically, but I think that is irrelevant to the problem here, and the truth of the matter is that we have had this 12 years' experience and it hasn't failed. Congressman PASSMAN is one of the most enthusiastic—well, not enthusiastic, he is one of the most vocal critics of this program. It seems to me that this in itself proves that this system doesn't work well. I think he said a moment ago that he had lost control of it.

Well, what we are seeking to do is to bring some control into it. Either we ought to abandon it or quit it, if it is going to be subject to such terrible criticism as loss of control, or we ought to make it efficient. All in the world we are trying to do in this long-term financing is to make it more efficient, to give it some continuity and stability. I would say I know of no important corporation in this country that conducts its affairs in this fashion. They all make 5- and 10-year plans for the development of research and so on. You all know that.

I know of no comparable major undertaking that is conducted in such fashion.

Mr. HIGHTOWER. Senator, Congressman PASSMAN said that one of the purposes—I gather he considers it a primary purpose in this whole operation—is to bypass his committee, and particularly to bypass him.

Is it your understanding that under this proposed plan the Appropriations Committees would be completely bypassed?

Senator FULBRIGHT. They are not in any fashion bypassed. As a matter of fact next year, a year from now, if this is adopted, next year that committee, if it has the support of the Congress—if the Congress supports it—it could say that this should be limited. We could repeal it. We could rescind it. There are various things they could do if they chose to do so. They have the authority under the Government Corporations Control Act, to review it. The budget for the following year will be presented to them and they will—if they disapprove of it so strongly that they would say "For the coming year there will be no more authority to borrow," and the Congress agrees with them—of course the committee alone cannot do it—they can rescind it or limit it in any degree.

Mr. HIGHTOWER. Senator, much of our discussion here has turned on the question of financial arrangements and so on, but you said in a speech in the Senate on Friday, I believe, that the foreign aid program as a whole, regardless of its technicalities is—your phrase was "an enduring price to pay in an effort to create the kind of world we want."

Now I wonder if a big part of the issue here really is not in this word "enduring." Isn't the administration asking the Congress in effect, for the first time, to vote a bill which says that the foreign aid program is here to stay for a long period?

Senator FULBRIGHT. I think that is true. Not for the first time. The administration, I will remind you, under President Eisenhower asked for a 3-year borrowing authority, but the Congress refused to give it. My committee gave it. We voted in my committee—I think this is the third time—for a multiple-year borrowing authority, but the Congress has never given it. And I think that is true. This is a recognition. This is a major decision—I wouldn't minimize it—by the Congress, recognizing that this is likely to be a long-term—even beyond 5 years. There have been those who have hoped that this could be stopped soon, and I think this is one of the reasons they have rejected any long-term planning, in the hope that it might be stopped. But now I think we have had enough experience to know that this is going on, certainly for 5 years, if not considerably longer.

Mr. HIGHTOWER. Well, then doesn't a lot of the controversy about this thing stem from the fact that people generally do not understand or are not convinced that the foreign aid program is in fact a useful instrument of foreign policy——

Senator FULBRIGHT. I think they are not convinced and due largely to misunderstanding. I regret very much the use of these slogans, of "back-door financing," and "waste" and so on. You might as well call it "front-door finagling" or "side-door shenanigans." All of these slogans are completely misleading. There is nothing back door about this. As has already been said, in over 20 instances of some of the most important organizations in our Government—corporations—that have done some of the greatest functions and jobs in our Government have been financed exactly the same way. There is nothing wrong with the method and it does not bypass the Congress.

Mr. STEELE. Senator, your committee in its recent report advocating extension of the aid program said that in many countries of the world where our aid goes the population explosion far exceeds the per capita income increase per year despite our aid. Now isn't it wasting our aid funds unless something is done about this population explosion?

Senator FULBRIGHT. I think something should be done and I think it is a mistake not to recognize that the countries desire it. For example, Pakistan and India, to my knowledge—because I have discussed it and it is public knowledge—are very desirous of doing something about this, and of having assistance in doing it, and I think because of our local domestic politics that we should not refrain from it. That is because of our

local domestic politics, I think we ought to give them assistance.

Mr. STEELE. Senator, do you think under the foreign aid program we ought to sponsor the sending of planned parenthood information to these countries?

Senator FULBRIGHT. We should do whatever they request. For example, the Indian representative here a few days ago, Mr. Goss, told me they needed very badly equipment, medical equipment, and nurses. People trained in that. They don't need fully trained doctors. And they would be of great assistance to them if they had such things as that. I think we shouldn't impose anything on anyone, but if they desire it, and they believe that it is in their interests—and certainly I believe it is in the interests of an effective program—I think we should respond.

Mr. STEELE. Can money under the program now be used for that program under the contingency provisions?

Senator FULBRIGHT. There is no prohibition but our policy has been not to do it and it never has been done.

Mr. STEELE. Are you thinking of introducing an amendment to the program providing for such assistance?

Senator FULBRIGHT. Mr. Steele, I think it would be a good idea. I happen to be involved in so many controversies at the moment I thought I might defer that one for a week or two.

Mr. VANOCUR. Senator FULBRIGHT, it is generally agreed that no one has helped this program more than Mr. Khrushchev because of his threats on Berlin. Well, now, if this is the case, doesn't it suggest to you——

Senator FULBRIGHT. Well, I don't agree with that, but go ahead.

Mr. VANOCUR. Well, I understand from talking to Members of Congress that these threats on Berlin have——

Senator FULBRIGHT. I think events have resulted in a vastly increased military appropriation, but I see no great assistance to this economic development. You have just seen what we did to the military. We upped it, what? Four or five billion dollars over the expected amount. We even gave them $1 billion more than they asked for. But I don't see any enthusiasm for this aid program comparable to that.

Mr. VANOCUR. Yes, but Senator, the point is, didn't you at the very beginning of these hearings, and Senator HUMPHREY—two men who have been supporters of this foreign aid—indicate displeasure with the way it was heading, when the hearings began?

Senator FULBRIGHT. Well, I have many criticisms of the way it has been done and one of the principal ones is this method of financing. I think some of the mistakes that have been made are mistakes of judgment. I questioned in my speech, and I pursued it very—I thought—thoroughly in the hearings, about the enormous and, I think, disproportionate amount of money that has gone into Korea, for example, with very little to show for it. But that doesn't mean that I think the program as a whole hasn't a proper function here. It is like the crime that occurs in Washington. I am not advocating we do away with the police department because we have an unusually high degree of crime here. We must reform it and use better judgment. I think we have put too much money in certain places, out of all proportion to their importance.

Mr. VANOCUR. Senator, in the beginning, the administration promised a new look in foreign aid and yet when it came up, Senator HUMPHREY, for example, felt so agitated about it that he complained he wouldn't vote for the foreign aid bill if there weren't some changes made, specifically in Latin America.

Doesn't this suggest perhaps that the Foreign Aid Administration needs to look more carefully at these programs before they get sent up to the Hill?

Senator FULBRIGHT. I think they should. I think this is a new Administration and I think that it could have been better arranged but we can always say that. No program is perfect. I hope next year, having more time, they will go into the questions at least that I am interested in. I don't pretend to know all the answers. These are judgments that we must arrive at after examining the program and it is a matter of judgment as to how much can go into various areas.

We attempted in the committee—I did—to reallocate by regions some of the funds, but the committee didn't support me in this instance. There are always differences of opinion within the committee so I didn't prevail. We have, I think, been very generous in Latin America this year.

Mr. VANOCUR. On the subject of Latin America, the administration says it wants to insist upon social, economic, and political changes being made in recipient nations. Now how do we insist these changes be made without being accused, as in the case of Latin America, of Yankee imperialism?

Senator FULBRIGHT. It is not imperialism, it is intervention. It is intervention in depth. It is proper intervention in my view and it is not imperialism. That is a misnomer. We are certainly not seeking to dominate these countries, but we are insisting upon conditions of reform, land reform, taxation, housing, and so on. Social reform. To try to bring about, I would say, a peaceful revolution in these countries, an orderly and peaceful revolution. This is a great undertaking. I don't know whether it can be done or not. We think it is worth while trying. But I approve of this. This is basic in the Act of Bogotá and I hope that this same sort of thing can be used more in this whole program.

I think perhaps we have been wrong in restraining ourselves from this so-called intervention, and putting no strings upon these things.

But one of the reasons we can't put strings very well is the absence of any assurance for a longer period cooperative program. If you can go in and only say "Well, I'll build a plant here," or "I will build a road," and that is that, you are in no position to make many bargains about what they should undertake on their part. Whereas, I think you would be in a position if you can create a plan for the development of that country, which Mr. Dillon and our people are trying to do at this moment in Uruguay and I hope they will succeed. The whole purpose of that meeting is to see what kind of plans they have been able to come up with.

Mr. VANOCUR. Well, Senator, on that subject, if we do, in the United States get this long-term borrowing authority and countries will not guarantee us that they will make the economic changes like land reform and taxation, should we refuse to give them the money?

Senator FULBRIGHT. I think so. I think as long as we are reasonable about it. Of course, our programs shouldn't ask them to do the impossible, but this is a matter of judgment. This is, I think, a proper concept of self-help concept and if we are going to enter into these programs, "I expect you to do your part and this is the part you can do." Whether or not we do it wisely and moderately or stupidly is another matter, but I think the idea, the principle is sound.

Mr. HIGHTOWER. The need for this kind of thing to whatever extent it exists has been there for quite some time. Why has it not been done before?

Senator FULBRIGHT. Of course, the need was there. Imagine what we might have done in Cuba 50 years ago when we had Cuba. We had it for 3 years under our control. Later we had it again, a second time, and we did nothing about it. We did nothing about it 10 years ago.

Now this idea of a large subsidy to Cuba, most of that was the premium we paid her in the purchase of her sugar. The real reason for the sugar bill was not Cuba, it is really to subsidize and protect our own domestic producers. It was only incidental to Cuba. And there were no strings at all on it.

If the money we put into Cuba had been loaned for specific projects similar to the ones discussed in the Act of Bogotá, I think we might have had a very different situation.

Mr. HIGHTOWER. Senator, Congressman PASSMAN, as I understood him, said that the Government, the executive branch of the Government now has something like $5 billion carryover from previous programs and he suggested that this makes it unnecessary to have additional money for long-term commitments.

Senator FULBRIGHT. This is always true in any big operation. This is your working balance. If anybody looks at their bank account at the end of each month, why you have a certain amount there. That doesn't mean you don't need it.

Most of this—I haven't checked this, but I would daresay at least three-fourths of it is already obligated to existing programs. It hasn't been spent yet. They have made contractual agreements and it hasn't been spent. This is true. If you look at any 1 year for the last 12 years there is always some carryover or something in the pipeline. Things that have been ordered. There is a difference between unobligated and unexpended. I don't think he said that these were wholly free from obligation; unobligated. They just haven't been spent yet.

Mr. HIGHTOWER. Senator, if the opposition became very severe, as indeed it might; I don't know; on the matter of the financing arrangement, here, would it be possible to have a compromise by which you would have a 5-year authorization of a program, but an annual appropriation of funds to carry it out?

Senator FULBRIGHT. I would prefer it as it is. This would merely mean that the Foreign Relations Committee would have nothing more to do with the matter and it is completely within the jurisdiction of the Appropriations Committee. Now I have great respect for the Appropriations Committee. Mr. PASSMAN and his colleagues have rendered a great service to the country in many respects. We happen to differ on this particular item. I can't help believe, with all due respect, that they resist this partly because they are members of that committee, but that is natural.

I suppose I might too if I was on the committee. I have no feelings about that. But I would not favor that at all. I would prefer to have either a shorter term—if I have to—I am not offering any compromise, but rather than that, I would rather have a shorter term borrowing authority or I would rather have it remain as it is.

Mr. STEELE. Well, what about another alternative: That of Senator KEATING, of New York, who would provide the money and the authorization for the full 5 years, but make the administration come up for approval from Congress, or permitting Congress the veto of any long-term loan program.

Senator FULBRIGHT. I don't think this is workable. Actually, on principle, I have no particular objection to it. Congress will approve or disapprove these loans as they are reported. Not in advance, but that is impracticable in my view. If you had to approve it in advance, you destroy most of the flexibility and the reason for having the authority. Because it must be held up then for congressional approval.

I in all frankness don't believe the Congress is quite as well equipped as I hope the executive will be in the negotiations of the so-called conditions for these loans. They will have the opportunity to review them

after they are made, it is true, but if they are so unsatisfactory, as we are led to believe, then they can stop it for the succeeding years—you must remember that they cannot spend or obligate the full $8.8 billion in the first year; only the $1,187 million.

Then the next year they have a right to authorize it providing the Congress doesn't say "You shall not do so," so it doesn't all go in at once. And by reviewing what has been done, it seems to me, it is a very effective restraint upon what will be done in the succeeding year. If they have gone clear out of bounds, we can say "No more of that," and we will stop it.

The Keating thing, it seems to me, is a gimmick that would be very cumbersome to apply, although if you are looking for some gimmick, I suppose it is better than the other one.

I don't know why we can't do this in a straightforward, reasonable way and if after review next spring they have been improvident or stupid, we can say "You must do this," or "You must stop it," or "We will repeal it."

Mr. VANOCUR. Senator FULBRIGHT, President Kennedy has committed his personal prestige and the prestige of the White House beyond any bill he has yet submitted to the Congress on this foreign aid bill this year. Do you know if there is anything that he was told by Mr. Khrushchev in Vienna about the underdeveloped world that made him so anxious to get this bill passed the way he wanted it, without any compromise?

Senator FULBRIGHT. I don't think there was anything specific. I do think that the rather grim and determined and ominous way in which Mr. Khrushchev talked did lead him to believe that this, together with our military defenses, are very important.

Let me say before I stop that this business of the lending part is only 25 percent of this overall program that we are asking for. The other three-fourths of it is not with this so-called borrowing authority at all. It goes in the usual fashion, and $1.8 billion of it is straight military assistance so it shouldn't be out of perspective or proportion. This is, I think, a reasonably modest program. Although I will add that it is not so popular and I have received great criticism from my own State and from many sources. It isn't a popular program, I think, because it is misunderstood.

Mr. BROOKS. We have about 1 minute. Mr. Spivak.

Mr. SPIVAK. Secretary of State Rusk recently said if a plebiscite were held the American people's judgment would support your position.

Do you think that is so, from what you have just said?

Senator FULBRIGHT. The American people generally, perhaps, and perhaps they would in my State. It is true that those who oppose these things are much more articulate than those who approve of it so perhaps I have put it out of proportion—out of perspective.

Mr. SPIVAK. Would you like to ask our viewers, for example, to express their opinions to their Congressmen?

Senator FULBRIGHT. I would like greater understanding, especially in my State, of this kind of program.

Mr. SPIVAK. I would like to take you to one thing that Congressman PASSMAN insists. He says that the administration could directly or indirectly commit the whole of the $8.8 billion in 1 year.

Senator FULBRIGHT. Not under the bill as now written. Each year it has its limitations. It is $1,187 million the first year and $1.9 billion in each of the succeeding 4 years.

Mr. BROOKS. I think with those dollar signs, Senator, we will have to interrupt because our time has just run out. Thank you very much, Senator FULBRIGHT, for being with us. Also our thanks to Congressman PASSMAN who appeared during our first half hour.

RESUMPTION OF NUCLEAR TESTING BY SOVIET UNION

Mr. KEATING. Mr. President, very briefly I wish to address myself to a related subject, which was discussed earlier today in a colloquy with the distinguished Senator from Missouri [Mr. SYMINGTON], the distinguished Senator from Tennessee [Mr. GORE], and other Senators, with respect to the resumption by the Soviet Union of nuclear testing.

Mr. President, the decision of the Soviet Union to resume testing, combined with their boasts of creating a doomsday bomb to destroy all civilization, is the most flagrant instance the world has yet seen of deliberate intimidation and aggression. It is clear that the Communists intend to stop at nothing in their ruthless drive for power. Human life, the very survival of the human race, means nothing to them in their naked grasping after power.

The United States, of course, must immediately resume plans for our testing in order to guarantee the Nation's security through an adequate deterrent.

As I said earlier this morning, in my judgment we should have taken these steps before this time. It is clear, from the Russian stress on the size of their bombs, that their aim is to frighten the free world into surrender rather than to develop limited tactical nuclear weapons as we are trying to do. The Russian decision calls for a rapid and sure reappraisal of U.S. needs. There must be no delay in meeting the newest and most dangerous threat of all.

Yet, Mr. President, at the same time that the Communists have announced this decision, so horrible to the rest of the world, they are filling the airways and propaganda publications with their fake and phony stories about Western aggression in Berlin. In direct repudiation of the truth and facts of the situation, the Soviets are trying to depict the free world as aggressors and criminals in Berlin. For instance, the East Germans are suddenly turning to the neutrals meeting in Belgrade to try to tell their tale of falsehood and deceit to nations which in the past have leaned over backward to be sympathetic to the Communist point of view.

Communist bosses who once delighted in attacking Tito as a revisionist are now making their way humbly to his gathering of so-called uncommitted nations to beg for his support. Walter Ulbricht from East Germany is apparently ready to eat humble pie if he can persuade Tito and the rest of what they call uncommitted nations that Berlin should be handed to him like a carcass to the vultures.

Mr. President, this renewed effort by the Communists to win neutralist support on an issue where they are clearly by all conceivable standards in the wrong, while at the same time threatening the destruction of the world, should be a timely warning to us. Ulbricht is dead wrong to think that West Berlin will ever be a dead city. The technique of the big lie has worked for them in the past, and if we are not on our toes it may have that effect again. There is a very real need for the administration to go to bat publicitywise and propagandawise for the freedom of Berlin with vigor, determination, and also with more imagination than has been shown so far.

The whole story of communism versus the free way of life can be summarized in the dramatic comparison of East and West Berlin. The newest Iron Curtain has come down, or rather, since it is a brick wall, it has gone up, because once more, as has always happened in the past, where the Communist system exists side by side with freedom, it is seen in its true light as a prison. The Communists cannot bear this any longer so they have locked the prison door, but their failure is there for the whole world to see if we will only make the effort to reveal it.

Mr. President, if the leaders of the neutral nations are going to consider the Berlin question at all, they should have an opportunity to see the latest Berlin blockade at first hand. They should have the opportunity to stand in West Berlin and be fired on by Soviet water cannon. They should have the opportunity to travel through both sectors of Berlin and see what brings peace and prosperity, to see whether it is the Communist terror or the freedom of hard-working West Berliners. They should have an opportunity to meet the refugees who safely made it to freedom as well as those unfortunate would-be refugees who have not made it. They should feel the immediate menace of the doomsday bomb Khrushchev boasts of.

The leaders of the neutral nations should see, too, those in number nameless, but to whom our hearts go out, who were seeking to swim to freedom and were shot down. In my judgment, the free world should not permit those men to have died in vain. We should honor them. I would propose a state funeral for them. They may well be humble people. But they are a symbol. I hope that throughout the free world memorial services will be held to honor those men who died seeking freedom, trying to escape from communism.

Mr. President, it would be in the interests of world peace and international law if the Allied Nations were to invite the neutral leaders to come to Berlin after Belgrade, to see for themselves what is going on, to see the cruel difference between what the Communists promise and what they deliver. Mr. President, Mayor Willy Brandt of Berlin has already asked Nehru to visit Berlin. His offer, perhaps politically motivated, was refused. But that is no reason why the United States, Great Britain, and France do not invite and offer to transport the leaders of all neutralist nations to Berlin for a direct fact-finding tour. Even if turned down, such an offer would show that the free world is not afraid of the truth and does not hesitate to reveal its intentions to other free nations. I think it would be a very valuable move; it would have a wide impact; and it might make clear to some of the neutralists who have not seen the truth of communism at close hand that

there can be no neutrality where freedom is concerned unless all sense of truth and principle are abandoned. It would be a good lesson for the whole world to learn. We must not cease our efforts to get this lesson across.

The new Soviet decision now to test this doomsday bomb reveals that we must move quickly, not only to perfect our own nuclear weapons—which is very important, but is only one side of the coin—but also we must move to convey the truth about Soviet perfidy in Berlin to the nations that still claim to have an open mind on communism.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that Hon. JOHN W. MCCORMACK, a Representative from the State of Massachusetts, had been elected Speaker pro tempore during the absence of the Speaker.

The message announced that the House had passed the bill (S. 279) to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H.R. 566. An act authorizing the establishment of a national historic site at Fort Davis, Jeff Davis County, Tex.;

H.R. 7934. An act to authorize the Secretaries of the military departments to make emergency payments to persons who are injured or whose property is damaged as a result of aircraft or missile accidents, and for other purposes; and

H.R. 7809. An act to improve the active-duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H.R. 4785) relating to withholding for State employee retirement, disability, and death benefit system purposes, on the compensation of certain civilian employees of the National Guard.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 7371) making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1962, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ROONEY, Mr. SIKES, Mr. CANNON, Mr. BOW, and Mr. TABER were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a bill (H.R. 8773) to amend section 265 of the Armed Forces Reserve Act of 1952, as amended (50 U.S.C. 1016), relating to lump-sum readjustment payments for members of the Reserve components who are involuntarily released from active duty, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 8773) to amend section 265 of the Armed Forces Reserve Act of 1952, as amended (50 U.S.C. 1016), relating to lump-sum readjustment payments for members of the Reserve components who are involuntarily released from active duty, and for other purposes, was read twice by its title and referred to the Committee on Armed Services.

AMENDMENT OF CHAPTER 50 OF TITLE 18, UNITED STATES CODE, RELATING TO TRANSMISSION OF BETS, WAGERS, AND RELATED INFORMATION

Mr. EASTLAND. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to S. 1656.

The PRESIDING OFFICER (Mr. METCALF in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 1656) to amend chapter 50 of title 18, United States Code, with respect to the transmission of bets, wages, and related information, which were, on page 1, line 9, strike out "of" where it appears the second time, and insert "by", and on page 2, line 23, after "State," insert "Commonwealth of Puerto Rico,".

Mr. EASTLAND. Mr. President, I move that the Senate concur in the amendments of the House.

The motion was agreed to.

ASSISTANCE TO STATES IN ENFORCEMENT OF CRIMINAL LAWS BY PROHIBITING INTERSTATE TRANSPORTATION OF WAGERING PARAPHERNALIA

Mr. EASTLAND. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to S. 1657.

The PRESIDING OFFICER (Mr. METCALF in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 1657) to provide means for the Federal Government to combat interstate crime and to assist the States in the enforcement of their criminal laws by prohibiting the interstate transportation of wagering paraphernalia, which were, on page 1, line 5, strike out "1952" and insert "1953"; on page 2, line 16, strike out "publication." " and insert "publication."; on page 2, after line 16, insert: "(c) Nothing contained in this section shall create immunity from criminal prosecution under any laws of any State, Commonwealth of Puerto Rico, territory, possession, or the District of Columbia."

On page 2, after line 18, strike out "1952" and insert "1953", and on page 3, line 5, strike out "1952" and insert "1953".

Mr. EASTLAND. Mr. President, I move that the Senate concur in the amendments of the House.

The motion was agreed to.

Mr. MORSE obtained the floor.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. MORSE. Mr. President, I ask unanimous consent that I may yield to the Senator from Wisconsin without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE TRAGEDY OF SOVIET RESUMPTION OF NUCLEAR TESTING

Mr. PROXMIRE. I thank the Senator from Oregon for his graciousness.

The resumption of nuclear testing by the Soviet Union is an international tragedy, since the Soviet announcement indicates that the tests would be of superbombs—above ground. It is certain to increase radioactive fallout and worldwide death and disease.

It, of course, also makes a nuclear arms race mandatory and in doing so sharply increases the terrible probability of a nuclear holocaust.

As I said more than a month ago, we must, of course, resume nuclear testing—and promptly. Not to do so would concede an insufferable military advantage to Communist Russia.

Discouraging as this development is, we must continue to press on to strive to reach an agreement to end nuclear testing—based on inspection and control. If this country abandons that goal—of a beginning in nuclear control—the last hope of avoiding nuclear devastation goes with it.

PARLIAMENTARY PROCEDURE

Mr. MORSE. Before discussing the conference report in connection with which I was one of the conferees, I wish to discuss a few procedural matters which are of concern to the Senate.

This morning a unanimous-consent agreement was asked for a vote on the conference report at 12:30. I objected. I want the RECORD to show the reason for it. My objection was not due to any lack of desire to cooperate with the leadership of the Senate or with the very distinguished Senator from Arkansas, the chairman of the Committee on Foreign Relations, about whose magnificent work as chairman of the conference I will have something to say momentarily.

I objected because we are in the closing days of the session. I have been here 17 years. I know how important it is that in the closing days of the session we watchdog the application of the rules of the Senate in order to protect the public interest.

The Senate has been getting into the habit of entering into unanimous-consent agreements to limit debate and to fix the time for a vote without adequate notice to the whole Senate. It is a bad practice. I know how easy it is to get into the habit of following that practice.

I serve notice that, so far as the rules require a quorum call, I shall insist that that rule be followed. There is no rule that requires a quorum call before a unanimous-consent agreement to limit debate is requested. But there is a rule

which requires that a quorum be present before any unanimous-consent agreement is entered into to set the time to vote. I wish to talk about what I think ought to be a kind of understanding among us in the Senate with regard to unanimous-consent agreements.

I was told by some of the staff this morning that an attempt is always made to get in touch with Senators who might possibly have some opposition to entering into a unanimous-consent agreement in regard to a particular bill. It is true that the leadership has been circumspect about that.

But one cannot always be sure. There are a hundred of us. At least legal notice ought to go to each one of us. The best legal notice that we can give is to have a quorum call.

I now serve notice that whenever I am on the floor of the Senate and a unanimous-consent agreement is asked for, and there has not been a quorum call connected with the unanimous-consent request, I shall object, because I believe every Senator is entitled at least to the opportunity to respond to a request for a unanimous-consent agreement.

Rule XII, section 3, provides:

> No request by a Senator for unanimous consent for the taking of a final vote on a specified date upon the passage of a bill or joint resolution shall be submitted to the Senate for agreement thereto until, upon a rollcall ordered for the purpose by the Presiding Officer, it shall be disclosed that a quorum of the Senate is present.

In other words, the rule book provides that a quorum is necessary before a unanimous-consent agreement can be entered into which sets the time for taking of a final vote. It is only fair that no unainmous-consent agreement which limits debate on a matter should be entered into without a quorum call, although the rules do not provide for it. I have myself been caught on occasion now and then when a unanimous-consent agreement of which I was not aware has prevented the presentation of a considerable body of evidence on the floor of the Senate, in connection with a bill.

This matter is particularly important in the closing days of the session. We know that there is always a drive on to rush through legislation in the closing days, and that frequently such legislation is not given adequate consideration.

So I will not agree to any unanimous-consent agreement in the absence of a quorum call. I would appreciate the courtesy on the part of my leadership to notify me of any intention at any time to ask for a unanimous-consent agreement to limit debate, because there are always certain matters in regard to which there must be full debate, even though such full debate may discommode the plans of some of our colleagues for an early recess.

Of course I do not believe there should be any recess at all, but I will come to that in a moment. I merely wish the RECORD to show that one of my reasons for serving notice that I will not give unanimous consent to limit debate without a quorum call to protect the interests of any absent colleague is that there is certain legislation that needs very, very thorough consideration—days of consideration. We will cross those bridges when we get to them.

RULES OF DEBATE

I now come to another matter. A very good faith misunderstanding developed this morning with regard to a parliamentary situation on the floor of the Senate involving two of my very dear and close friends, the Senator from Nevada [Mr. BIBLE] and the Senator form Ohio [Mr. LAUSCHE]. It was a case of minds not meeting. As far as intent was concerned, both men acted in complete sincerity and good faith.

The Senator from Ohio advises me it was not his understanding that he had yielded the floor for the duration of the debate on the conference report, but that he had yielded the floor for the bringing up of the conference report, assuming that he would have the right at any time, if the debate went on longer than the leadership of the Senate thought at the time it would go on, to regain the floor.

As I read the transcript of what transpired, I believe the Senator from Nevada was perfectly justified in his assumption that what he had obtained was an understanding that the Senator from Ohio would yield the floor during the duration of the debate on the conference report.

I read the RECORD following the Senator from Ohio being recognized:

> Mr. BIBLE. Mr. President, if the Senator will yield, I would like to seek recognition for the purpose of calling up a conference report. The chairman of the Committee on Foreign Relations has been very patient, waiting for me to receive recognition so I may call up a conference report.
>
> Mr. LAUSCHE. I have been waiting for 1 hour to get the floor. It will take me about 5 minutes to make my presentation.
>
> Mr. BIBLE. I am trying to accommodate both Senators. I do not think it will take very long to dispose of this very important conference report, so it can make its journey to the House side.

That language shows clearly that what the Senator from Nevada, as acting majority leader, was seeking to do was to get an agreement to go ahead with the conference report and finish consideration of the conference report before the Senator from Ohio made his speech.

The transcript then reads:

> Mr. LAUSCHE. I think the Senator has a priority right.

He is referring, of course, to the fact that the conference report is always privileged on the floor of the Senate if the person wishing to motion it up can get the floor. Of course, a conference report is subject to unlimited debate also.

The transcript continues:

> Mr. BIBLE. The Senator from Ohio was recognized first. There is no question about it.
>
> Mr. LAUSCHE. I yield to the distinguished Senator.

The Senator from Ohio did not say he yielded the floor.

He did not say, as I always do when I yield, and as I did when I started my comments this afternoon, "I yield to so and so with the understanding that I do not lose my right to the floor." The Senator from Ohio did not say that, and that led, in part, to the case of confusion which developed with regard to this situation.

For the benefit of the Parliamentarian, I wish to say that, in my judgment, in such a situation the presumption is with the Senator who yields. When the Senator in this instance said he yielded to the other Senator, I think it clearly implied, as he expressed was his intention, that he was not yielding the floor, but was yielding for the purpose of enabling the conference report to be brought up and was also reserving the right to take the floor at any time he wished to reexercise that right. However, it is perfectly clear that the transcript does not make clear his intention.

The last point in the transcription reads:

> Mr. BIBLE. First, let me express my appreciation to the Senator from Ohio for his usual kindness and patience and indulgence in these matters.

After the conference report had been brought up and the distinguished Senator from Arkansas [Mr. FULBRIGHT] had made his speech explaining the conference report, I think the Senator from Ohio would have been entitled to retake the floor without having to be subjected to a time limitation upon any remarks that he might have wished to make thereafter.

I have commented on this situation not only because I think the record ought to be clear as to my position concerning what transpired this morning—because I think the ruling of the Parliamentarian was wrong, since it did not give weight, in my judgment, either to the specific intent of the Senator from Ohio, that he had yielded to the Senator from Nevada but did not yield the floor—but further, because I think a clear, implied presumption ought to go with the Senator who is yielding, so that there will be no question as to understanding what his intentions are when he yields.

That raises another question. Senators also getting into what I believe is the very bad practice of getting the floor—and I have done it myself, although I have done so in order to accommodate the leadership—and then farming out the time. Only a couple of weeks ago a Senator held the floor for more than a hour, farming out the time to other Senators, on a subject on which he himself had been speaking. That is not good procedure. I hope it will be exercised most sparingly, because here again we ought to follow the rule book, and not follow a course of action which allows a Senator to get the floor and then hold it and farm it out for hours thereafter.

FOREIGN ASSISTANCE ACT OF 1961—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1983) to promote the foreign policy, security, and general welfare

of the United States by assisting peoples of the world in their efforts toward economic development and internal and external security, and for other purposes.

Mr. MORSE. Mr. President, now I turn to the conference report. First, the Senate is deeply indebted to the Senator from Arkansas [Mr. FULBRIGHT] for the magnificent leadership he gave to the Senate in taking the Senate bill on foreign aid through the conference. I have been in many conferences in my years in the Senate. I have never seen a chairman of Senate conferees more able, more patient, more diplomatic, more tactful, more understanding of conflicting points of view, both among his own conferees and among the House conferees, than the Senator from Arkansas [Mr. FULBRIGHT]. That we were able finally to reach agreement with the House is due in large measure to the leadership of the Senator from Arkansas.

I do not speak for him, but I speak the truth when I say there were many concessions which had to be made, many compromises which had to be accepted, many instances in which the Senate conferees yielded to the House, all of which pained the Senator from Arkansas, because those concessions were so inconsistent with the things he has stood for throughout the years in regard to a foreign aid program.

The Senator from Arkansas is a very big man. He has the qualities needed in a chairman of a conference on a bill which involves as many differences of opinion and conflicts as were involved in this bill. The Senator from Arkansas, in my judgment, set a grand example for all of us to try to equal in case we are ever placed in a position of similar leadership and responsibility as that fulfilled so brilliantly and ably by the Senator from Arkansas in connection with the foreign aid conference report.

The Senator from Arkansas would not have been able to accomplish the results which were accomplished in the conference had it not been for the cooperation he received from other conferees, Democrats and Republicans alike, on the Senate side. Although there could not possibly be any limit to my words of praise for the Senator from Arkansas, I wish also to express, as one of the conferees, my deep appreciation for the unfailing help and leadership we received at all times from the distinguished Senator from Alabama [Mr. SPARKMAN]. He handled certain issues in some instances when it was necessary for the Senator from Arkansas to be temporarily absent from the room. The Senator from Alabama, who took over the chairmanship of the Senate side of the conference on such occasions, deserves great credit for the help he was to the Senator from Arkansas in bringing forth this very fine—and I say "fine," under the circumstances—conference report.

Then our whip, the distinguished Senator from Minnesota [Mr. HUMPHREY], never failed the committee in being of assistance to us in trying to find that adjustable point which could be reached in compromise in this highly controversial issue.

Our majority leader, the distinguished Senator from Montana [Mr. MANSFIELD], was always helpful and at the service of the distinguished Senator from Arkansas in assisting to bring forth this report.

Now I wish to say something about the Republican side of the table, because although the newspapers have been carrying articles about partisan differences and political differences over the foreign aid bill, there was no partisanship within the conference room.

I see in his seat on the other side of the aisle the distinguished Senator from Indiana [Mr. CAPEHART]. Although the name of the Senator from Indiana does not appear as yet on the printed conference report—and although he had strong differences in regard to what he thought ought to be in the final bill, the Senator from Indiana was very helpful and nonpartisan in the presentation of points of view differing from those of the rest of us. We are all indebted to the Senator from Indiana for the help he was to the Senate conferees in making it possible for us to bring out a bill as good as the one which has been brought out.

The distinguished Senator from Iowa [Mr. HICKENLOOPER], who is absent from the Senate, I understand, because of official business elsewhere, time and time again presented arguments which, in my judgment, persuaded the House either to give a little or to capitulate entirely on some particular point.

The distinguished Senator from Vermont [Mr. AIKEN] was of great assistance to the conferees on many points, particularly in connection with American business foreign investments, questions involving Latin American affairs, and the drafting of workable compromises with respect to the long-term development loan program.

But we could not have accomplished what the report contains if it had not been for the service, far beyond the line of duty, of the staff—of the Committee on Foreign Relations staff—headed by Dr. Carl Marcy, Mr. George Denney. It is necessary to work with them in order fully to appreciate their ability and their dedication to the work of the Foreign Relations Committee and to the interests of our country in the field of foreign policy.

Mr. President, at this time I wish to refer to the conference report itself, which the Senator from Arkansas has explained in great detail.

Mr. FULBRIGHT. Mr. President, will the Senator from Oregon yield?

The PRESIDING OFFICER (Mr. METCALF in the chair). Does the Senator from Oregon yield to the Senator from Arkansas?

Mr. MORSE. I yield.

Mr. FULBRIGHT. I merely wish to express my appreciation to the Senator from Oregon for his very fine compliments; and I also desire to associate myself with what he has said about the other members of the conference committee, on both sides.

This subject is very complicated. I appreciate the Senator's references to all members of the committee and to the staff. The job was unusually difficult—the most difficult I have ever encountered, and one of the most tiring.

Certainly the Senator from Oregon contributed very greatly especially during the latter days, when everyone was tired, to the achievement of the final report; and I would not wish this opportunity to pass without saying that the Senator from Oregon was one who made really great contributions to the conference report.

Mr. MORSE. Mr. President, the Senator from Arkansas is very kind; but all of us who serve on the conference committee know who was most responsible for this report, and the credit for it goes to the chairman of the conference committee, who also is the chairman of the conferees, the Senator from Arkansas [Mr. FULBRIGHT].

Mr. President, at this time I wish to deal with several points which were raised earlier today in the debate. There was debate in connection with what really is provided in the report in connection with long-term planning.

I read, from page 3, section 201(d):

(d) Funds made available for this title shall not be loaned or reloaned at rates of interest excessive or unreasonable for the borrower and in no event higher than the applicable legal rate of interest of the country in which the loan is made.

On page 47 of the report the following appears:

The managers on the part of the House were fully in accord with the desire of the Senate to avoid any situation in which funds made available by the United States might be reloaned at exorbitant rates of interest. At the same time is was recognized that variations in the situations of different countries might be such that any percentage limitation would prevent the attainment of the objectives of the development loan program.

Mr. President, the Senator from Alaska [Mr. GRUENING] was very much concerned about this interest rate issue, because he had proposed a 5-percent ceiling on the interest rate. In view of that fact, I believe I should make this statement, because, after thorough discussion in the committee, when it became perfectly clear that the House would not go along with any fixed ceiling on the interest rate, I moved that this compromise language be accepted. I made the motion only when it was perfectly clear that some such compromise had to be arrived at in connection with this matter.

But the Senator from Alaska [Mr. GRUENING] has made a real contribution to the legislative history of this matter; and if it had not been for the position he took, I believe the provision finally arrived at might have been such that there would have been greater danger that usurious interest rates would be charged, particularly in Latin America.

I want the Senator from Alaska to keep in mind the fact that the language now included makes perfectly clear that loans which would permit usurious interest rates to be charged will not be made; that the control retained is sufficient to prevent that; and that the making of great profits by reloaning the funds the United States makes available in connection with such loans for any of these projects will not be permitted. So I wish to thank the Senator from

Alaska for his help in enabling the conferees to work out this language.

This morning there was some debate in regard to whether the Byrd amendment has gotten into this measure by the back door. I quite agree with the observation of the Senator from Vermont that if it did, none of us is aware of it. Certainly there is no intention on the part of the conferees to underwrite the Byrd amendment.

This morning the Senator from Arkansas stated:

In effect, Congress is telling the President that he can make agreements for dollar loans over a period of years and that the Congress will appropriate such funds as necessary, up to the maximum authorized, to give effect to those agreements. There is no doubt in my mind that the Congress can, for compelling reasons, refuse to provide funds backing up the agreements the President may make. The long-range borrowing authority which the conferees rejected was subject to the provisions of the Government Corporations Control Act and, as I said numerous times during debate, it was subject to similar control by Congress. The important thing, however, is that Congress, even though it does not accept borrowing authority, now endorses the concept that the President must be able to make long-range commitments. Congress will be morally committed to support the President with appropriations unless there are affirmative showings or unusual or compelling reasons in the national interest why such funds should not be appropriated.

Mr. President, I wish to point out that section 202(b) provides that—

(b) Whenever the President determines that it is important to the advancement of United States interests and necessary in order to further the purposes of this title, and in recognition of the need for reasonable advance assurances in the interest of orderly and effective execution of long-term plans and programs of development assistance, he is authorized to enter into agreements committing, under the terms and conditions of this title, funds authorized to be appropriated under this title, subject only to the annual appropriation of such funds.

Mr. President, that is not the Byrd amendment. It is a far cry from the Byrd amendment. So I think that at this time we should note what the conference report provides. In a moment I shall refer to the position the Senator from Indiana took in regard to this matter, because it is one of the reasons why he has not gone along with this part of the conference report.

There is no question that this language authorizes the President of the United States to enter into executive agreements which, in effect, commit funds. Of course, Congress would, if it wished to do so, repudiate the President's action in connection with some particular project or agreement. But what Congress would do that?

Today, when we adopt this conference report, its legislative history should be clearly understood to authorize any President of the United States during the life of this measure to enter into executive agreements to commit funds. The President will be the chief contracting party for the United States, in the last analysis—although, of course, he may delegate the authority to assistants. But this provision is not the Byrd amendment by the back door; and Arthur Krock, in his article which appeared this morning in the New York Times, could not be more wrong in his analysis of the conference report.

The Senator from Indiana, in the colloquy he had on the floor of the Senate this morning, and in many of his discussions in conference, pointed out that in many instances this amounts to long-time financing and to really binding this Government to the executive agreements the President may enter into under the provisions of section 202(b), which has been referred to, unless the Government wants to walk out on its clear moral commitments.

The Senator is correct. I want the RECORD to show that, as one of the conferees, I believe him to be correct, because in my judgment, he has explicitly expressed the intent of the conferees.

Mr. President, that is not the Byrd amendment. It is a far cry from it.

As the Senator from Indiana has pointed out, suppose the President enters into an agreement to build a road in any country, but let us take Bolivia as an example, which surely needs roads. Suppose that commitment calls for $250 million to cover a 4-year contract, and provides for the payment of $50 million the first year, $50 million the second year, $50 million the third year, and the remainder the fourth year. That becomes the agreement. After 2 years, as the Senator from Indiana has pointed out, does anyone think Congress would refuse to go ahead with that commitment or agreement by not appropriating funds? I cannot imagine anything worse that we could do to the prestige and standing of the United States than to renege on a Presidential executive agreement in this particular instance the building of a road—which would leave the project uncompleted.

We are trying to create good will. Let us understand that when we approve this legislation, the Congress undertakes a moral obligation, for the life of the legislation, to carry out the commitments which the President may enter into.

That is why I am glad that, with his complete intellectual honesty, the Senator made that clear in his speech of explanation to the Senate this morning. Although the Senator from Indiana did not vote with us, he properly described, both in committee and again on the floor of the Senate this morning, exactly what is involved in the legislation we are passing today.

Although we did not get the so-called Treasury borrowing power, we did get authority for the President of the United States to enter into executive agreements that commit authorized funds, and if Congress in the future ever wanted to repudiate its President after he had entered into an executive agreement which, under this legislation, Congress had empowered him to do, by failing to appropriate the funds, the Congress would have to assume that responsibility.

To those who think we have lost everything in conference in regard to the longtime development loan program, I say that we did no such thing. To the contrary, we brought about a remarkable compromise, in my judgment; and most of the credit goes to the man who is now trying to get me to yield to him, the chairman of the conference, the Senator from Arkansas [Mr. FULBRIGHT], to whom I am pleased to yield.

Mr. FULBRIGHT. Mr. President, I think the Senator has explained exactly the way I understand the provisions, in his usually very clear, and forceful manner. I think there was great misunderstanding about the so-called borrowing authority. It had fallen victim to a very common disease, namely, the practice of attaching a slogan to it called back-door financing. What really happened was that it became a symbol around which the opposition to the whole program gathered, to distort it.

I agree with the Senator that the actual effect of the language as spelled out is very similar to what would have been true if we had retained the original language. I think this fact was well understood, as the Senator from Oregon has said, by the Senator from Indiana. We spelled out what would have happened under the borrowing authority, under the effect of the Government Corporations Control Act, because as the bill originally was passed by the Senate, Congress could have reneged or rescinded the whole authority.

The Senator from Oregon is doing a great service for the RECORD and for the understanding by the public and the administration of what the effect and intent of this measure is. I think he is doing it very well, indeed. He has stated my understanding of the measure.

Mr. MORSE. I thank the Senator from Arkansas for his kind statement.

I turn now to the last point I shall discuss in connection with the conference report. I do so because I had assured the Senator from New York [Mr. JAVITS] that I would make a comment on it. He referred to this subject matter earlier today. It was impossible for me to take the floor at that time to discuss it, but I told him I would make a very brief statement in regard to it, for the purpose of legislative history.

The statement goes to the agreement that was finally reached by the Senate conferees and the House conferees in connection with the policy statement of the bill. It will be recalled that when the bill left the Senate, it had in it the following language:

The Congress declares it to be a primary necessity, opportunity, and responsibility of the United States, and consistent with its traditions and ideals, to renew the spirit which lay behind these past efforts, and to help make a historic demonstration that economic growth and political democracy can go hand in hand to the end that an enlarged community of free, stable, and self-reliant nations can reduce world tensions and insecurity. In addition, the Congress declares that it is the policy of the United States to support the principles of increased economic cooperation and trade among nations, freedom of the press, information, and religion, freedom of navigation in international waterways, and recognition of the right of all private persons to travel and pursue their lawful activities without discrimination as to race or religion. In the administration of all parts of this act these principles shall be supported in such a way

as to avoid taking sides in any controversy between countries having friendly relations with the United States while urging both sides to adjudicate the issues involved by means of procedures available to the parties.

The record will show, may I say for the benefit of the Senator from New York and for the RECORD, that, in my judgment, it was impossible to reach an agreement in conference either on the Senate or House language. I shall not take the time to read the House language, but merely to say that the House language went even further in regard to the subject matter of freedom of navigation in international waterways and freedom from discrimination of U.S. citizens in any country with which we enter into foreign aid agreements.

So again, we proceeded under the very tactful leadership of the Senator from Arkansas, who felt very strongly that the Senate language should remain as it was, including the language of the last sentence that was objected to particularly by the House conferees:

In the administration of all parts of this act these principles shall be supported in such a way as to avoid taking sides in any controversy between countries having friendly relations with the United States while urging both sides to adjudicate the issues involved by means of procedures available to the parties.

The Senator from Arkansas, in my judgment, made a very brilliant and able argument in support of retaining that sentence in the bill. It became perfectly clear that the sentence would never be acceptable to the House conferees. In fairness to me, the RECORD should show I thought the sentence ought to be modified.

Therefore, an assignment was given to the House staff members and to the Senate staff members to try to work out some language, which would include the acceptable portions of the Senate version and of the House version, as a composite upon which we might agree. The staff did a remarkably good job, in my opinion, in presenting such a proposal, but some Senate conferees and some House conferees found themselves in disagreement, either because of omissions from the composite statement or because of inclusions in the statement.

The final compromise—and I think it is a very acceptable compromise—consists of taking the language from the document memorandum prepared by the two staffs, and an amendment which I offered as a final effort to try to get agreement. It is to be found on page 2 of the conference report, and it reads as follows:

In addition, the Congress declares that it is the policy of the United States to support the principles of increased economic cooperation and trade among countries, freedom of the press, information, and religion, freedom of navigation in international waterways, and recognition of the right of all private persons to travel and pursue their lawful activities without discrimination as to race or religion. In the administration of all parts of this act these principles shall be supported in such a way in our relations with countries friendly to the United States which are in controversy with each other as to promote an adjudication of the issues involved by means of international law procedures available to the parties.

I assume the responsibility for that last sentence of the compromise:

In the administration of all parts of this act these principles shall be supported in such a way in our relations with countries friendly to the United States which are in controversy with each other as to promote an adjudication of the issues involved by means of international law procedures available to the parties.

I think that is the wisest solution we could reach in the conference in regard to the problem, and I personally think it is a sound solution.

In answer to the specific question raised earlier this morning by the Senator from New York [Mr. JAVITS], the sentence is not intended to limit the parties to the World Court. It is intended for the parties to make use of all the procedures of international law which may be available. The Senator asked if this applied to various arbitration, mediation, conciliation, and other procedures which exist in international law, and my answer, as the drafter of the sentence, is "Yes." My colleagues on the conference committee know the answer is "Yes" because I specifically discussed the subject in explaining the amendment I offered.

I think the final language on this very controversial subject—and we spent a great deal of time on it—is language which all should accept with a great satisfaction, because I think it is a fair solution to a very volatile issue.

Although the chairman made very clear his preference for the language in the Senate version, after he had done his best to carry out his point of view he yielded to the judgment of the overwhelming majority of the conferees.

I close, Mr. President, by saying I sincerely hope this conference report, which presents to the Senate, in my judgment, the best and soundest foreign aid bill on which we have ever had an opportunity to vote, will be agreed to by an overwhelming vote in the next few minutes.

Mr. HUMPHREY. Mr. President, I have listened with great interest to the remarks of the Senator from Oregon. First I thank the Senator for his kind personal references.

I associate myself with everything the Senator said relating to the chairman of the Committee on Foreign Relations [Mr. FULBRIGHT], and the remarkable work he has performed in bringing about what I consider to be a very creditable and sound foreign aid program for the ensuing years.

I also join in the Senator's commendation of the staff of the Senate Committee on Foreign Relations, Dr. Marcy and his associates, and of course the staff of the other body, who worked with us in the conference.

The conference committee had a very difficult assignment of trying to reconcile two diverse points of view, particularly with reference to the long-term financing or the loan provisions of the foreign aid program. I shall not take the time of the Senate to go through those questions in detail, but merely say the words of the Senator from Oregon express my thoughts and my feelings. I associate myself in particular with his most recent comment on the policy of our Government toward the use of international waterways and highways without discrimination based upon race, creed, color, or national origin. I feel that the language finally agreed upon was a satisfactory statement of American policy, because it puts the whole thing into the context of international law, which the Senator from Oregon spelled out by his contribution to that particular provision.

Mr. President, in our discussion here today of the conference report attention should be called to the language in the statement of policy—section 102—declaring it to be "the policy of the United States to support the principles of increased economic cooperation and trade among countries, freedom of the press, information, and religion, freedom of navigation in international waterways, and recognition of the right of all private persons to travel and pursue their lawful practices without discrimination as to race or religion."

I am much pleased that such language was agreed to, and I hope that those who administer this measure will see to it that the intent of the Congress in this area is carried out.

This statement of policy refers to the Arab boycott of Israel shipping on the Suez Canal and the denial by Arab countries of entrance to those of the Jewish faith. It should be noted, Mr. President, that this involves more than a dispute between the Arabs and Israel. The Arab boycott has gone so far as to affect Americans who happen to be of the Jewish faith. They, too, have been denied entrance to Arab territory, and here in the United States, Arab countries have exerted pressure to deny employment of Jews by American-owned companies doing business with the Arabs.

Mr. President, I am well aware of the arguments that are made that we must be practical about all of this, and that we cannot afford to court disfavor of the Arab countries. To this argument I would reply that while we offer a friendly hand to the Arab countries and sincerely desire to help them build a better life for their people, we cannot as a free and democratic country, founded upon the principle of religious freedom, condone such discriminatory practices. And if we simply sit back and say nothing and do nothing, we are, by omission, sanctioning such violations of religious liberty.

Mr. President, Israel has demonstrated its friendship for America. It has spurned overtures from the Soviets and has worked diligently to build a prosperous country founded and dedicated to man's freedom. In this grave period of world crisis, with the world divided between the free world and the totalitarian Soviet camp, it is crucially important that by our words and by our actions we make it clear we will not tolerate religious discrimination, here at home or abroad.

I reiterate the hope that the intent of Congress on this subject be carried out by those who administer the act, and that they do all within their power to see to it that the program is carried out with this spirit in mind. Such is the require-

ment of the law. It demands and requires compliance.

The basic difference between the House version and the Senate version of the bill of course related to what we call the Development Loan Fund, or the loan provisions. The Senate felt strongly as to the need for what we call the Treasury borrowing authority. The prime reason for the Treasury borrowing authority on a 5-year basis was to permit the President and those to whom he delegated the authority for the aid program and the loan program to make long-term plans as a part of the overall program. In other words, we were interested in Treasury financing so that the administration could plan ahead, when required, in terms of capital projects and so that there would be assurance of funding of those projects on the basis of the plans.

It was the view of a majority of the Senate—I believe the majority was 19—that the 5-year Treasury financing program was the proper method to follow. The other body said:

> No, we will provide a 1-year program and there will be a $1.2 billion authorization. The agency can go to the Appropriations Committee to get its money.

The Senator from Arkansas [Mr. FULBRIGHT], the chairman of the committee, made it clear when he discussed the borrowing authority under the 5-year proposal that it would in no way deny to the Appropriations Committee either of the House or of the Senate an opportunity to scrutinize the program or even to cut back on the program. In fact, the program would have had an annual review and would have had a business budget. In addition, both Houses of Congress by concurrent resolution could have cut off the program, diminished the program, or altered the program.

The assumption was that if the Congress adopted Treasury financing over a 5-year term there would be a commitment on the part of the Congress to fulfill the pledges made by the President or his agents in any loan program with another country.

I think that was the better way to do it. I have not changed my mind. But as a result of the conference, we arrived at what I consider to be a workable compromise. I believe that the language of the compromise indicates the basic soundness of its provisions.

First, it is a 5-year program. It is a 5-year authorization. That within itself permits long-term planning. But section 202(b) of that compromise provision in the conference report follows the commitment of $1.2 billion for the first year, and $1.5 billion for the next 4 years, along with the provision that all unused funds may be carried over and all unappropriated funds relating to the authorization may also be carried over. Section 202(b) spells out in further detail what that provision really means. It states:

> Whenever the President determines that it is important to the advancement of the U.S. interests and necessary in order to further the purposes of this title, and in recognition of the need for reasonable advance assurances in the interest of orderly and effective execution of long-term plans and programs of development assistance he—
>
> Referring to the President—
>
> is authorized to enter agreements committing, under the terms and conditions of this title, funds authorized to be appropriated under this title, subject only to the annual appropriation of such funds.

The important word is that subsection (b) is the word "committing." So what we have really said is that we have a 5-year authorization.

We would say to the President, "When you feel that it is the interest of an orderly program for you to have advanced planning and advanced commitments, you are authorized to commit a specific amount of money within the title relating to title I under the loan provisions of the act."

Such a commitment would place a moral responsibility upon Congress to fulfill the commitment that the President of the United States had made at our direction. I wish it quite clear that Congress is literally authorizing and directing the President in this instance to make commitments if he deems it within the national interest to do so, and if he finds that it would provide for effective execution of long-term plans and programs of development assistance.

While it is not as easy to follow through in terms of financing a program as is the Fulbright proposal—5-year Treasury borrowing with money available on the basis of the Treasury borrowing—the objectives of the Fulbright proposal are met by the compromise provision on long-term financing in sections 202(a), 202(b), and 202(c). Section 202(c) made it unnecessary. It might be said to be a substitute for the Dirksen amendment. The Dirksen amendment, relating to overseeing of activities of Treasury borrowing, was no longer necessary once Treasury borrowing had been eliminated.

Mr. CAPEHART. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I yield.

Mr. CAPEHART. Is not the explanation of the able Senator from Minnesota with respect to the section to which he has referred, and the authority that it would give the President to borrow up to 5 years, supported by the statement of the President himself that the agreement was very satisfactory? In other words, will not the President, through the proposed language, receive what he really requested originally?

Mr. HUMPHREY. I think the President is getting a workable program. He said he found it satisfactory. He said that he found it would meet the standards that he hoped Congress would authorize in terms of long-term planning and the availability of moneys to fulfill commitments under those long-term plans.

Mr. CAPEHART. From a practical standpoint the President is getting exactly what he originally asked for, is he not?

Mr. HUMPHREY. From a practical standpoint he is getting what he asked for, if not exactly what he requested.

Mr. CAPEHART. For that reason he was very agreeable.

Mr. HUMPHREY. The President was satisfied with that provision.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MONRONEY. Over the years I have supported foreign aid programs, commencing with the Marshall plan. The great demand of our people has been to refine and tighten up proposed plans, to eliminate waste, and to move forward with constructive programs that would actually result in eliminating the terrible cesspools of economic distress in the less-developed nations.

Those are the objectives which the public wishes us to accomplish through the provisions of the bill.

Mr. HUMPHREY. I think the Senator is correct.

Mr. MONRONEY. Those who will administer the program have assured members of the Committee on Appropriations that they feel the bill will accomplish these objectives, and have assured us of their own determination to achieve them. Is not the remaining issue that is facing us in our consideration of the conference report the question of long-term financing, as contrasted to 1-year "shotgun" decisions on large sums of money that must be committed out of a single annual appropriation?

Mr. HUMPHREY. The Senator is correct.

Mr. MONRONEY. We have a choice. The House made the original choice in selecting a 1-year approach. The Senate made the choice of a 5-year program and then, as an avenue to achieve long-term financing, the Senate chose the method of Treasury financing.

Mr. HUMPHREY. The Senator is correct.

Mr. MONRONEY. Now the Senate conferees, under the great leadership of the Senator from Arkansas [Mr. FULBRIGHT] with the help of other and able and tireless members of the Committee on Foreign Relations, have agreed that agreement on such an approach was not possible, but they have brought back a "siamese twin" of the method which the Senate decided was best to use.

The conferees rejected Treasury financing, but they have chosen what is essentially advance contract authority. The managers on the part of the House state:

> The Executive has authority to enter into agreements committing the United States to participate in development programs of foreign nations for a period of up to 5 years but making such commitments subject only to the regular annual or supplemental appropriations of funds. * * * It is understood that the conferees regard the language in the bill as authority for the Executive to make commitments which will be honored by the Congress unless there is evidence of obvious bad management or the other country has failed to meet its responsibilities.

The language I have read is the language of those who have yielded from the plan of 1-year financing and agreed to long-term financing.

Contract authority is used in a number of successful programs. For example, the Federal Airports Act also gives the Executive the right to enter

into grant agreements with local municipal and State airport authorities. Congress, and the Appropriations Committees thereof, meet and honor such contracts as are executed under that authorization.

Mr. HUMPHREY. That is the system we call contract authority. The Senator has described it accurately.

Mr. MONRONEY. Therefore, we have had ample experience in the years of the operation of the Federal Airport Act—which we hope will be renewed by the Senate this afternoon—and of the Federal highway program, under a system of commitments that are made under contract authority subject to later appropriations.

I believe the record should show that it is the intent, as indicated by what I have heard said by the distinguished chairman of the committee, the Senator from Alabama, the Senator from Oregon, and the Senator from Minnesota, as well as by Senators on the Republican side of the Senate, that we will consider this authority to make loan agreements in the same light which we consider contract authority, with the Appropriations Committee examining it, of course, but with every intention of meeting the pledge of the Government expressed in the agreement which it is authorized to make.

So we have arrived by a different highway but at the same destination, and this bill will guarantee that we no longer will have a shotgun decision to take a project because an authorization will expire within 12 months at most and sometimes even within 1 or 2 months. In other words, we can have an orderly plan, and be properly selective, so that those projects that have a good chance of helping to solve the economic problems of the underdeveloped countries can be undertaken. Does the Senator agree?

Mr. HUMPHREY. That is my feeling exactly. As the Senator knows, we have voted together on this principle.

Mr. MONRONEY. Yes.

Mr. HUMPHREY. We want long-term planning. We need long-term planning authority. It is a more efficient way of doing business. It will help provide for better administration of the program. I believe that in the light of the explanation of sections 202(a) and 202(b) of the conference report, the substitute language relating to loans, and the long-term financing, we have arrived at a procedure which, while it is not as efficient a procedure as Treasury borrowing, will fulfill the purpose of Treasury borrowing, and definitely falls within the experience that we have had with contract authority.

Mr. MONRONEY. I agree.

Mr. HUMPHREY. I thank the Senator for his contribution.

Mr. MONRONEY. I have one other comment that I wish to make. At page 49 of the statement of the managers on the part of the House, there appears this statement:

LOANS TO INTERNATIONAL DEVELOPMENT ASSOCIATION (SEC. 205)

Section 206 of the Senate bill authorized the President to lend up to 10 percent of the development loan funds to the International Development Association (IDA). The House amendment contained no comparable provision.

Information available to the managers on the part of the House indicated that under the existing authority of the International Development Association Act (Public Law 86-565, 74 Stat. 293), borrowing of development loan funds was not authorized but that such borrowing had been contemplated by the Executive and the Congress when the International Development Association was established. The managers on the part of the House, therefore, accepted the Senate provision with a clarifying amendment that such loans are to be made "in accordance with the provisions of this title" of the Act for International Development.

I commend the conferees particularly with reference to this provision because of my keen interest in IDA. The Foreign Relations Committee recognized the fact that IDA is well suited to help underdeveloped areas, and that there is no lending facility so capable of meeting these needs as is a multinational banking facility.

IDA is an affiliate of the World Bank, which has the greatest technical know-how in the world and the greatest lending record in the world. If the President chooses to use the authority given him to add to the funds of IDA 10 percent of the amount authorized for loans, he will have $750 million over a 5-year period to increase the lending capacity of IDA. When offering to do this he will have an exceptional bargaining capacity with the other developed nations to say to them, "If we put up X millions of dollars and put it into the IDA to meet this problem on an international basis, will you put up your share?"

It can generate $2 of investment in IDA by other developed nations for every dollar that we put up under this mechanism.

I wish to compliment the conferees particularly on meeting this problem in a way in which the burden of this aid on the American people will be lessened and rather than some of the new nations becoming clients of the United States alone, instead, will receive financial assistance under a banking system of the developed nations of the world represented in the International Development Association.

I wish to express my gratitude to the conferees for keeping this important section in the bill.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. HUMPHREY. I shall yield in a moment. I wish to complete my presentation on the long-term financing first.

The provisions in this bill for long-term financing represent a significant step forward in the evolution of our foreign aid concepts. The bill asserts the firm conviction of the Congress that the time has come to put an end to the stop-and-go process of funding development assistance which has so often characterized our actions in this regard in the past.

The multiyear commitment authority will promote the more efficient use of development loan funds. The AID agency will be able to subordinate the dramatization of short-term requirements to the critical need to meet the essential criteria for long-term development plans and programs. In this way we will be able to provide a powerful inducement to recipient countries to undertake those hard measures of internal economic and social reform on which the successful growth of the less-developed countries depend.

The multiyear technique will enable the recipient countries to carry out their own development programs more efficiently. The various activities of a development program can now be carefully timed with assurance that funds will be available to implement future activities upon which the successful operation of the initial activities will depend. For example, a steel mill begun this year will be of little use if many of the smaller industries counted on to use steel products do not exist when the steel plant is completed.

Finally, the existence of a 5-year program will help to encourage other industrialized nations increase their contributions to development assistance. The size and form of such aid both from from those nations and the United States can be given a common long-range perspective.

The Congress by its action on this bill will have expressed to all the world a new U.S. initiative—an intention to provide significant financial support for sound long-range development efforts in the developing nations. By specifically conferring upon the Executive the power to enter into long-term commitments, clear evidence will have been provided of our intention to make available the necessary funds in the future. This clear intention is reinforced by repeated statements to this effect by Members of the Congress during the recent hearings before the authorizing and appropriations committees and during the course of the floor debates. This determination to carry through on our intention will represent an invigorating reaffirmation of U.S. leadership to our friends overseas.

Nor should the protracted discussions which have taken place over the internal techniques of the U.S. Government to be utilized in implementing development assistance be construed in the slightest degree as weakening the depth and scope of our commitment to help meet the economic and social requirements of the emerging nations of Latin America, Africa, and Asia. There should be no doubt either on the part of the Executive or of the less-developed countries that our commitment to supply the necessary funds will under all reasonable circumstances be honored.

By our action on this bill, the Congress will have established a minimum level of availability of funds to meet one of the most challenging, if not the most challenging, problems of the 1960's. We will have provided an exciting initiative and critical forward thrust to what President Kennedy has so aptly described as the "decade of development."

IMPLEMENTING THE TECHNICAL SERVICE FOR PEACE AMENDMENT

I should like to invite attention to one of the extremely important decisions reached by the Senate-House conference committee on S. 1983.

It is a pleasure to note that, under section 621(a), the technical services for peace amendment which I had sponsored in the Senate is not only retained in the conference version, but is strengthened. This is accomplished along the lines which I had urged in my statement to the Senate of August 18.

The pertinent portion of section 621(a) reads as follows:

> In providing technical assistance under this Act in the field of education, health, housing, or agriculture, or in other fields, the head of any such agency or such officer shall utilize, to the fullest extent practicable, the facilities and resources of the Federal agency or agencies with primary responsibilities for domestic programs in such fields.

I ask unanimous consent that the excerpts of page 62 of the conference report on this provision be printed in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

USE OF OTHER U.S. AGENCIES (SEC. 621(a))

Section 621(a) of the Senate bill included a sentence which provided that in providing technical assistance under this act in four specific fields, the AID agency should utilize, to the fullest extent practicable, facilities and resources of appropriate U.S. Government agencies.

The House amendment did not contain a comparable provision.

The managers on the part of the House were in agreement with the objective of the Senate provision which is intended to prevent duplication by the AID agency of facilities already in existence under other U.S. departments or agencies. They accepted the provision of the Senate bill with an amendment broadening its application to other fields than those specifically enumerated in the Senate bill.

Mr. HUMPHREY. As the author of the amendment I should like now to elaborate a few points, so as to make unmistakably clear to the administrators of the foreign-aid program how I, for one, believe this particular provision should be implemented.

WELFARE ILLUSTRATES OTHER NONENUMERATED FIELDS

First, the phrase "in other fields," over and above the four enumerated fields of "education, health, housing, and agriculture" is intended to be interpreted broadly, not narrowly. That is why that language was used.

There are a very considerable number of additional fields of technical assistance which can be more competently and economically backstopped by expert domestic U.S. agencies—Cabinet departments, commissions, and other organizations—than by AID setting up its own facilities and resources.

One such field is that of human welfare, including the work of the Social Security Administration and its U.S. Children's Bureau. Numerous other fields could be mentioned as well.

There are many agencies, as I said, such as the Housing and Home Finance Agency, the Department of Agriculture, the Department of the Interior, with its reclamation and irrigation capacities, and public power resources, and technical capacity—all of these many agencies and departments have a role to play.

NO TOKEN EFFORTS, RATHER FULL COLLABORATION INTENDED

Second. The second point which I wish to make is that this amendment is not intended as a token gesture.

It is not expected that the foreign aid agency will merely "go through the motions" of utilizing a few of the personnel, facilities and resources of domestically oriented Federal agencies. Actually, that has always been done—if only a limited extent. Rather, it is now intended that there will be a vital, fully—not partially—collaborative relationship, in which the domestic agency is given maximum responsibility to bring to bear its fullest competence.

That means the domestic agency should recruit the best possible staff from its ranks as part of their career development, and from the professional community, rather than possibly sending castoffs or second-raters.

MOBILIZING PROFESSIONAL GROUPS' AID

Third. Thus, the amendment is intended to include the concept that AID and, in particular, the expert domestic agency, bring to bear on foreign aid needs—fuller, more expanded relationships with domestic professional organizations. Thereby, AID will get the benefit of the most advanced thinking and cooperation of the professional community.

In the case of the U.S. Office of Education, for example, this means that it will be given the mandate to utilize for foreign aid planning and implementation its longstanding association with the National Education Association and the vast array of outstanding specialized, educational groups—in primary, secondary, higher, vocational, and other education.

In the case of the U.S. Public Health Service, this means that the fullest benefit—far more than at present—shall be gained from the great competence of the American Medical Association, the Association of Accredited Medical Colleges, and similar professional groups, in addition to individual voluntary organizations, such as Medico; central groups, such as the National Health Council, the American Council of Voluntary Agencies for Foreign Service, Inc., foundations, and so forth.

It means that professional organizations skilled in problems of human welfare shall be invited by the Social Security Administration to render the greatest possible service to AID and the foreign aid program.

HIGH POLICY LEVEL FOR TECHNICAL COUNSEL IN AID

This domestic agency—nongovernment collaboration is particularly essential in view of the fact that there is still no assurance that the Technical Assistance Offices in AID Washington headquarters will be represented at a high enough policy level and with sufficient staff to do the necessary job.

In my statement of August 17, I had pointed out the danger that, if the letter of the Gant report were carried out, technical assistance at Washington headquarters of AID might be submerged and shrunken in size.

In my view, AID coordinative efforts in health, education, housing, agriculture, welfare, and other fields should not and must not be buried so far down the line in the administrative hierarchy as to become ineffectual. The fact that domestic agencies receive a greater measure of responsibility under my amendment does not mean that AID should deny itself the necessary central policymaking ability in technical assistance. Such central policy need not and should not deprive the AID regional offices of their right and duty to carry out country plans tailored to the individual situation in each land.

BALANCE IN ADMINISTRATIVE RESPONSIBILITY

There is in effect a delicate balance between Washington policy and country planning, between AID policy and domestic agency expertness which skilled administration and genuine partnership can and should carry out.

PRIORITY FOR HUMAN RESOURCES DEVELOPMENT

Lastly, I call attention to the Senate's sound amendment, stressing the importance of human resources development, section 211(b)—conference report, page 50. There is emphasized that in the early stages of development, the emerging countries should primarily be assisted in fields such as education, malaria eradication and related fields, technical or nontechnical, involving human resources; that is, that this be given a priority ahead of those capital projects which are for purposes other than human resources.

I call the attention of the Senate to another amendment which I proposed, relating to the title or the name of the program. It is referred to in the conference report as "Identification of Source of U.S. Assistance, Section 641."

I want the AID agency officials to remember this and to be aware of it. I had proposed that the program be identified with the title "American Aid"—just plain "American Aid"—rather than some gobbledygook USEON, which nobody would understand; it is like language from outer space. I think the American people will understand what "American Aid" means. I am sure that our friends in other parts of the world will understand what it means. The conference report reads:

> However, the committee of conference believes that as a minimum the facilities housing U.S. AID missions can be so marked.

Thus when a person goes to a foreign country and wishes to visit a U.S. mission which is engaged in our oversea activity, he will not walk up to it and find some name like USEON. I have looked in the dictionary, and I find there is no such word or such name. It is some sort of abbreviated alphabetical political soup which no one can quite taste or understand. It is proposed to print over the doorways of those missions, in simple American language, "American Aid," so that when someone visits a mission he will know who is offering the aid and where it comes from, and will have a description of it.

I believe this particular amendment, while it is merely one of language, is of considerable importance in the acceptance of the program.

I call the attention of the Senate also to the amendment of section 601, relating to cooperatives and credit unions.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD that part of the report on page 56 relating to cooperatives and credit unions.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

COOPERATIVES AND CREDIT UNIONS (SEC. 601(a))

Section 601(a) of the Senate bill enumerated a number of purposes, including the encouragement of the development and use of cooperatives, credit unions, and savings and loan associations, and supported the exchange of ideas and technical information on matters covered only by subsection (a) of section 601.

Section 601(a) of the House amendment omitted any reference to cooperatives, credit unions, and savings and loan associations, but was otherwise identical to the language of the Senate bill.

The managers on the part of the House accepted the Senate provision in the belief that the encouragement of the development of cooperatives, credit unions, and savings and loan associations was consistent with the objectives of the assistance program and would improve its effectiveness.

Mr. HUMPHREY. Mr. President, this particular provision is, in my opinion, very important. The AID agency should have within it a special unit to urge the development and use of our cooperatives in the foreign aid program, in encouraging their development overseas, in encouraging the development of credit unions for small credit for the individual; to encourage the development of savings and loan associations in order to promote housing programs in those countries. This will tie in with our pilot project for housing in South America. It seems to me that we have an opportunity to do some effective pioneering in the fields of education, health, housing, land reform, and agricultural pursuit, to improve the production of food and fiber in terms of a host of technical services which can strengthen this program.

Mr. FULBRIGHT. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. FULBRIGHT. I do not wish to shut off any debate, but the House, as everyone knows, is planning to adjourn until tomorrow after a formal meeting. It was thought that by having the Senate convene early this morning we could vote on the conference report in time to have it go to the House. It is not so much that I am concerned about the conference report, but the appropriations necessary to implement the program will be delayed possibly as long as a week.

We tried to secure permission to vote on the conference report this morning, but the permission was denied. I do not know what else to say, except that it seems to me that, if at all possible, Senators should let us vote on the conference report; then perhaps it might be described subsequent to a vote. Otherwise, the House will not receive the report today and will not be able to vote on it today, thus perhaps causing a delay of from a week to 10 days before the appropriation bill can be considered.

Mr. HUMPHREY. I assure the Senator that I shall not delay the consideration of the conference report.

Mr. CASE of South Dakota. Mr. President, the Senator from Minnesota indicated a little earlier that he might yield to me for a question.

Mr. HUMPHREY. I did not know the Senator desired me to yield to him; I am sorry.

Mr. CASE of South Dakota. The Senator's statement about identifying buildings or areas in which the aid program will be available is, I think, interesting. I am not sure that in every instance the words "American aid" would be understood or read by the people in some of the countries where the aid programs will be available.

In that connection, I might suggest that during the initial relief programs, when the Government supplied relief in occupied areas, some of us who were members of the Herter committee were disturbed by the fact that there was no identification of the aid being provided by the United States. We suggested that in those instances the U.S. flag be displayed at the soup lines where the children received their soup and where other aid was dispensed. We thought that would be useful.

I recognize that when we are dealing with unoccupied areas in foreign countries, and the buildings are not owned by the United States or do not enjoy diplomatic privileges, it may not be possible to display the U.S. flag outside. However, in those cases, I think, the shield, which is an emblem of the United States and would identify the operation, might well be used.

Mr. HUMPHREY. I agree with that suggestion. I think that will be done.

Mr. CASE of South Dakota. I wish to ask a couple of questions relating to the colloquy between the Senator from Minnesota [Mr. HUMPHREY] and the Senator from Oklahoma [Mr. MONRONEY]. Did I understand the Senator from Minnesota to say that he believed the provisions in section 202, as reported in the conference report, dealing with the Development Loan Fund, established a situation comparable or equal to the establishment of contract authority?

Mr. HUMPHREY. I said it was similar to, not identical with, because contract authority has its own legal basis. The controlling word was where the language in section 202(b) stresses that when the President makes long-term plans, he may also make commitments.

Mr. CASE of South Dakota. On page 17829 of the RECORD of August 31, where the conference report is printed, the following language appears:

He [the President] is authorized to enter into agreements committing, under the terms and conditions of this title, funds authorized to be appropriated under this title, subject only to the annual appropriation of such funds.

Mr. HUMPHREY. That is correct.

Mr. CASE of South Dakota. Will the agreement committing the funds recite the fact that the commitment is subject only to the annual appropriation?

Mr. HUMPHREY. I am not certain what the technical language will be. I feel sure that if the language in the conference report is accepted, Members of Congress will realize that there is a moral responsibility to fulfill the commitments wherever they are made.

Mr. CASE of South Dakota. Will such a commitment be a commitment to appropriate funds in the amount that may be shown in the schedule of the committing agreement?

Mr. HUMPHREY. That is correct.

Mr. CASE of South Dakota. Or will the Committee on Appropriations, when it reviews the request, have the same right to take a look at the actual rate of expenditure and make appropriations for the ensuing years consistent with the probable rate of expenditure in a manner somewhat similar to what the Committee on Appropriations does with respect to rivers and harbors or flood control projects?

Mr. HUMPHREY. It would do a little of both. Where the commitments are made on a long-term basis, I imagine the Committee on Appropriations would wish to include that in its schedule of financing for the coming year.

Mr. CASE of South Dakota. But if the Committee on Appropriations found that in the current year the actual rate of expenditure was not as much as had been contemplated in the prior year, and that cash was available, would the committee then be able to take that into account and reduce the appropriation for the subsequent year?

Mr. HUMPHREY. Yes, so long as cash with which to fulfill the commitments was available.

Mr. CASE of South Dakota. I thank the Senator from Minnesota.

The PRESIDING OFFICER. The question is on agreeing to the conference report. On this question, the yeas and nays have been ordered.

Mr. CAPEHART. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KEFAUVER. Mr. President, I wish to join the many other Senators who have complimented the chairman of the Foreign Relations Committee [Mr. FULBRIGHT] and the other members of the committee and the committee staff for the outstanding work done in connection with the conference report. The case for it has been fully documented and well presented. I believe that, on the whole, they have reached the best possible compromise in connection with the matters in disagreement between the Senate and the House.

But one provision of the House version of the bill which has been substantially retained by the conference report was not given sufficient legislative consideration and, therefore, I wish to mention it briefly at this time. Since this matter

was not presented to either the House committee or the Senate committee, there was no opportunity for full consideration of it.

On page 57 of the conference report, Senators will find section 606(c), which relates to the purchase of drugs or pharmaceutical products. I think this provision is a most unfortunate instance of legislation without proper consideration.

Many enlightened countries of the world expressly reject product patents on drugs. As a matter of conscious public policy, they have exercised their sovereign rights to exclude from patent monopoly these necessities of health.

But the provision of the conference report to which I am referring prohibits the use by our Government of any funds provided under the foreign aid program for the purchase of a drug in another country if an American manufacturer holds a patent monopoly on the product in this country, unless there is express authorization from the owner of the patent that such drug or pharmaceutical product can be manufactured outside the United States. The failure of other countries to grant patents on drugs is not aimed at the United States, but section 606(c) is aimed at them. The exclusion of drugs from their patent systems applies to all—to their own nationals, as well as to the citizens and corporations of all other countries.

It could well be that this provision will prevent our aid program from supplying critically needed drugs in time to combat epidemics. Manufacturers of pharmaceuticals in Austria, Switzerland, Germany, Holland, and Italy, in Europe, might in effect be blacklisted because they were operating within the established laws and practices of their sovereign countries. Iran and Japan, in Asia, do not grant pharmaceutical product patents. Closer to home, Brazil, Mexico, and Venezuela are countries from which the U.S. Government's foreign aid program could be barred from purchasing essential drugs. Even though a certain drug might have been developed or invented in a country which does not issue patents on drugs, and even though such drugs were manufactured there, and later were brought to this country, and even though the drug invented in the foreign country might receive an American patent, this provision would mean that even if adequate supplies of the drug were available in Italy or in some other country which does not issue such patents, and even though the drug had originally been developed in that country, it would be necessary for those administering this program to purchase the drug in the United States, and it would be necessary for them to pay whatever price the holder of the U.S. patent wished to charge for the drug.

At the very time the Antitrust and Monopoly Subcommittee is considering proposed legislation to require licensing of patented drugs after 3 years—with very generous royalties—the conferees have adopted a restrictive provision which moves in an exactly opposite direction.

The implication in this section is that other countries are waiting to pounce on our contributions to the health of the world, and that our defenseless manufacturers of drugs must be protected from piracy. In fact, the trade press account of the introduction of this amendment reads:

> No patent pirated drugs could be bought with any foreign aid money under amendment by Representative ROUDEBUSH, Republican, of Indiana, adopted by House Friday. Provisions must survive House-Senate conference to be law.

Let me point out to the Senate, and to the House of Representatives, what the patent experts already know: The United States is in a class by itself in granting monopoly privileges by patent to drug manufacturers, without any protection of the public interest.

The major Western countries which do grant patents on pharmaceuticals—Belgium, England, and Canada—provide public protection by price control or by requiring compulsory licensing, or both.

The United States alone among major countries grants unrestricted monopolies in the drug field, without any protection to the public interest.

To the extent the aid program is forced by this provision to purchase essential drugs only from domestic monopolists or their foreign agents or licensees, the American taxpayers will be overcharged. Or, alternatively, the aid program will be unnecessarily reduced in scope.

The purchase of drugs runs into large amounts of money. We know that some drugs are sold in this country, under a patent monopoly, for 20 cents a capsule when they are produced for 2½ cents a capsule at most, and are sold in countries where the foreign aid program is in effect at perhaps 3 or 4 cents a capsule, rather than the 20 cents a capsule as a result of the patent monopoly which exists in this country.

The Antitrust and Monopoly Subcommittee has shown conclusively that patented drugs sell in the United States and Canada at prices far higher than unpatented drugs of the same kind. The difference is in no way caused by production costs or expenditures on research. Comparable drugs in other countries, which do not grant such monopolies, sell much more in line with cost of production. Moreover, the record is clear that countries which do not grant product patents on drugs, such as Germany, Switzerland, and France, have been outstanding in the development of new drugs.

Mr. President, it is my understanding that it is essential to pass the foreign aid program immediately, and I shall vote for it on that ground. Under normal circumstances I should fight this provision prior to passage.

I shall, however, introduce a bill to repeal this section.

Mr. JAVITS. Mr. President, I have already expressed my intention to support the conference report on the Foreign Assistance Act of 1961. I am disappointed, naturally, that the plan for long-time financing, which would have given the President of the United States, subject to complete congressional authority, which I think was contained in the Senate proposal, the capability of dealing with the competition we face in the foreign aid field from the Russians and the Chinese, as well as the capability of meeting the needs of a development program in such countries as India, with its 5-year plans, and the prospective development plans, over a term of years, in Brazil and other countries.

It would also have given him the capability of effectively dealing with one of the great problems we are going to face in the world, which is the new trade bloc known as the European Economic Community, and other free trade areas and economic communities expected to be formed in Central and South America and other areas of the world.

But the conference committee has brought forth a substitute which seems to be a feasible means for giving the President, so far as we can go, consistent with annual authorizations and appropriations, an opportunity to do what the long-term commitment authority was designed to accomplish, and what those of us who supported it felt had to be done in the interest of the world situation.

However, Mr. President, though I am disappointed, I am not dismayed. As we say so often, the course of legislation is compromise, and I think this will be an effective compromise. But I will say to my colleagues, especially my colleagues on this side of the aisle, who, as my own colleague from the State of New York said, marched up the hill once, and now are marching down again, our work and our efforts in support of the long-term lending authority was not in vain. I do not think agreement on the bill could have been arrived at even for a 5-year authorization, which, incidentally parallels the experience of the Marshall plan, unless we had made this fight. What is more important, I think, is that we now have impressed upon this legislation the clear intention of the Congress that the President shall do in substantive effect what we believe he should do and was authorized to do under the long-term borrowing authority.

I think with the legislative record of the passage of that kind of bill by the Senate, it will be impossible to dismember authorizations when they come to the appropriation stage, and that the cutting off of appropriations, a month before the end of an effective period, by 30 percent, notwithstanding what such action does to the position of the United States, will be at an end.

As is so often true, the words of the bill will not be nearly as important as the climate in which we legislated on it. That climate was made by the long fight for the long-term borrowing authority.

In addition, I am glad the committee has carried out the proposal for aid to private enterprise which was contained in the proposal which I offered. I think the provision will have an enormous effect in tying private enterprise of the free world into the development of less-developed areas. Unless that is done, the free world will be fighting with only one-fifth of its capability with respect to the struggle for freedom, which cannot win against the totality of the efforts of the whole Communist bloc.

I think this aspect represents the decisive edge which we have over the Communists. As I have asked before, What have we got that they do not have? We have private enterprise activities and the credit which private enterprise can muster. The Communists do not have that. We have to use that advantage effectively, and the amendment which I offered will help us to do it.

Finally, I think the committee came to a fair resolution of the provisions in the policy statement in section 102, especially those relating to nondiscrimination against American citizens in countries, wherever they may be, with respect to faith, color, race, or national origin, as our citizens go to other nations. We are also familiar with the situation at the Dhahran Airbase, and also with the freedom-of-navigation provision as provided in the Douglas-Keating amendment, and with the nondiscrimination provision as provided in the Morse-Javits amendment, relate to the inhibition of the free flow of commerce, especially through the Suez Canal, and other waterways.

Although the committee has not done as much as I had hoped would be done, it has worked out a compromise which gives understanding and emphasis to the basic ideals of American policy.

I think the discussion of the amendment by the Senator from Alabama [Mr. SPARKMAN] when we talked about it, as he carried forward the managership of the bill on the floor earlier today, was very helpful as relating to the language and as showing our determination with respect to the principles which are there enunciated.

So, although I am not happy about it, I am not dismayed. I think the spirit will be added to the terms of the law and that the present bill will give the President an opportunity to do a truly effective job in the foreign aid field, and will go far in what he will be able to do in terms of the impact of our technical assistance and the participation of private economic systems of the whole free world. At least we are making a start in the right direction. So I shall support the conference report.

Mr. CAPEHART. Mr. President, I am not opposed to cooperating with the world, because I have done business with the world. I realize that the people of the world have been pushed closer and closer together as the result of faster and faster transportation and communication.

I am opposed to the foreign aid bill, and I shall vote against the conference report, as I voted against the bill, and as I voted in the committee.

In my opinion, we have the world confused. We have our own people confused. We are so confused ourselves that I do not know whether we can ever get out of our confusion.

We began with the Marshall plan. We had ECD, ICA, the International Bank, the Export-Import Bank, and the Development Loan Fund. Now we have a new bill under which the Development Loan Fund will be dropped and a new name will be provided for a new organization.

Someday I wish our Government and our Congress would make up its mind as to what should be done, and stick to it. It seems to me we simply do these things in the way best calculated to confuse the people.

I do not like the fact that, by indirection, our Government now, and the Congress, when it passes the bill, is accepting the philosophy that we must from this time on help 97 of the 110 nations of the world.

The only reason we are not helping the other 13 nations is that they are Communist nations. We are helping some of these, like Poland, Yugoslavia, and others. We seem to have adopted that philosophy and that policy.

I, for one, do not believe the taxpayers and the American citizens can carry that load indefinitely. The load will get heavier instead of lighter. That is the history of such legislation.

We are following this program in a way to promote and to accelerate the socialization of these countries.

We should adopt the principle of private enterprise and write it into the legislation. We should say we will earmark funds for private enterprise systems. But as it is proposed, we are asked instead to give the money which is earned by the private enterprise system to countries to do with as they please, for all practical purposes. I hope I am wrong. I hope history will prove me wrong, but in my opinion we are simply hurrying along the day when these nations, or many of them, will be socialized. For instance, as a result of what we are asked to do under the terms of the bill, we shall help to socialize the African countries. Socialization might well be, as it is in many instances, I think nearly always, the first step toward communism.

I have advocated for many years, and I repeat now, for I wish to have the RECORD again show it, that what we should do and what we should have done in regard to the proposed legislation before the Senate, is to divorce military aid from the economic aid.

We should provide an appropriation for whatever is necessary for military aid to defend this country by making expenditures in other countries. We should have a military budget, permit our own military to handle it, and take it out of the foreign aid bill entirely. I have advocated that for years.

One other thing I have advocated, which I advocate again, is to have one agency lending money and helping the world. We should help private industry through the Export-Import Bank or a subsidiary of the Export-Import Bank.

The program should be handled by the Export-Import Bank.

I have always advocated, and I advocate today, that the technical aid which we are to give to countries throughout the world should be handled by the Department of Commerce. I am not opposed to giving these countries technical aid, but the program should be handled through the Department of Commerce, the business department of our Government, and for the purpose of helping business.

If we had one bill before us dealing with the military program and another bill dealing with economic help to the nations through a private enterprise system, to be handled through a subsidiary of the Export-Import Bank, with the Department of Commerce handling the technical aid portion, we would have a program which in my opinion would promote what I am sure we all wish to promote; namely, free nations with free enterprise systems.

But, that is not the approach we are following. As I have said, we have adopted the philosophy now that we must help all the nations.

On top of that, we have adopted the philosophy, not particularly written into the language of the law, but nevertheless a philosophy adopted by the leadership of our Government and this administration, that we must give money to certain foreign countries or loan them money, and give them all the cooperation possible without seeking anything in return.

When anyone tries to write into the proposed legislation the declaration that we should help the private enterprise system or help these countries to install the kind of government we have—to say to other nations what we favor—it is said, "You are saying on what basis you will lend them the money or give them the money." It is said, "No, you cannot do that, because you are interfering with the internal affairs of these nations."

In other words, what we are asked to do is to say to 97 nations, "Come and get it. Do with it what you please."

I may be overexaggerating a bit, but I do not think I am. We extend to them all, "Love and kisses. Here we are. We love you. You do as you please."

There is a philosophy which permeates our Government that if we will do this, if we will extend love and kisses; extend money and more money and more money; and help and more help and more help; if we in the United States should ever get into financial or political or military trouble, these nations will come to our rescue.

Now, Mr. President, I am one who does not believe it. These nations will come to our rescue only if it is in their best interest on such a day to do so.

I do not know that I can blame them. It is human nature.

Therefore, we have a loosely drawn bill which will run for 5 years. We shall now have a completely new arrangement. We shall drop all the old ties. We shall change the name of the Development Loan Fund. We shall operate the program in a different way. We have all the plans of the last 16 years about which I have told the Senate. The ink on one has not dried before we have dropped the plan and taken up another.

We are merely confusing ourselves and the world. Now we have a 5-year plan. We have said that we will appropriate $1,200 million for the first year and authorize the President to commit us for $1.5 billion a year for the next 6 years. He can go ahead and commit the United States. Today in the Senate we are told—and the statement is a part of the report—that we are morally obligated to

appropriate whatever money the President of the United States commits.

So far as I am concerned, having sat through the conference, studied the problem, listened to the debate today, and read the reports, it is my judgment that, for all practical purposes, we are giving the administration a 5-year program.

The best proof of that fact is that the President of the United States is very happy with it, because he will be given the right to commit the United States for 5 years.

He can come back and say, "I have committed the United States up to $1.5 billion each year. Now that I have committed the money, Congress is morally responsible for appropriating the money."

I invite the attention of Senators to the situation in which we find ourselves. The President will be able to make a commitment over a 4-year period. If Congress fails to appropriate the money to support the commitment, we shall then have a bad situation throughout the world because we shall have made enemies. We shall have repudiated the action of the President.

Today the statement was made in the Senate that when the President makes commitments, he must write into the commitments the provision that they are subject to the appropriation of money by Congress. If that statement is true, then who in the world would proceed to do any planning for spending any money when they do not know whether they will receive it?

We shall then have nullified what we think we are accomplishing, because if, as I believe he must under the proposed legislation, the President writes into agreements that they are subject to appropriations of Congress, how can the agency proceed? Future Congresses cannot be bound. They may or may not appropriate the necessary funds. We might not have the money available. Then we would have another bad situation, because if a 4-year contract were made with a country which would aid that country, and it should go communistic, and no longer be stable or financially responsible, we would nevertheless be obligated to continue with the aid.

My fourth point is that I recommend that the program under the bill be confined to 2 years of appropriated funds, because that is a long enough time for anyone to negotiate either a good or a bad contract. We do not need more than 2 years. That time is sufficient.

So, I say to Senators that I think we should reject the conference report. I think we should write a completely new bill. I think we should get away from our present policy that we will indefinitely support 97 of the 110 countries of the world. I do not think we can do so.

We shall make more enemies than friends. I do not know why we want to commit ourselves. I happen to know that a few years ago we gave surplus milk to Colombia. Colombia adopted a system of giving that milk to schoolchildren. We ran out of surplus milk and discontinued the program. As a consequence we had more trouble than a dog has fleas. We could not make the people of Colombia today believe that this great Nation of ours does not have surplus milk. Therefore they are very unhappy and dissatisfied. They do not understand.

We are now talking about a program under which the President would make commitments. Many Senators say that we would have the right not to appropriate the money to carry out those commitments. I say that under the language of the bill we would have a responsibility to do so. At least we would have a moral responsibility. If we do not appropriate the money, we shall create a chaotic situation which will result in the making of many enemies. It is an unworkable and impractical situation. We should appropriate the money or not adopt the sort of plan we are now considering.

I am repeating myself, and I am doing so for a purpose. With our present philosophy, and our action under it, we are merely helping to speed the day when the recipient nations of the world will be socialized. That statement is particularly true of the so-called backward countries.

That point was illustrated when I tried to earmark for private enterprise 50 percent of the proposed funds for Africa. It was pointed out that Africa has no private enterprise, since the nations of Africa are only now coming into existence.

Mr. President, I say that now is the time to establish the private enterprise system in those countries, because if we do not do so now, but give money to the governments of the nations in Africa, and governments are established which own all business, those nations will never have a private enterprise system.

We should say to African countries, "Yes, we will help you. We will help you to establish the free enterprise system."

In my opinion, we ought to earmark the money for that purpose.

I cannot support the proposed legislation. I cannot support the philosophy behind what is proposed. I think in the end we will get into a great deal of trouble. I think we should stop, think, and listen, because if we do not, I think we shall regret our action.

Mr. KUCHEL. Mr. President, in the text of the conference report on mutual security appears the following language:

The Congress reaffirms its conviction that the peace of the world and the security of the United States are endangered so long as international communism continues to attempt to bring under Communist domination peoples now free and independent and to keep under domination peoples once free but now subject to such domination. It is, therefore, the policy of the United States to continue to make available to other free countries and peoples, upon request, assistance of such nature and in such amounts as the United States deems advisable and as may be effectively used by free countries and peoples to help them maintain their freedom.

Mr. President, that has been the bipartisan policy of the Government of the United States for many years. I believe it has been a good policy. I believe it has been in the interests of the American people. I believe it is in the interest of an honorable peace. It has been endorsed, over the years, by every President, every Secretary of State and Defense, and every member of the Joint Chiefs of Staff.

I have listened to representatives of governments around the globe who have asserted unequivocally that had it not been for the assistance rendered to their countries by the Government of the United States under mutual security, their countries would have long since been abandoned to communism and would have become satellites in the evil communistic orbit.

Thus, I shall continue to support mutual security as it is presented to us today. The events of the last 24 hours, with the grim announcement of the leader of the Soviet Union relative to the resumption of nuclear testing and the Soviet Union's decision to construct terror weapons of 100 megatons, underline the indispensable necessity of this part of America's foreign policy, something which deserves the support of all Members of Congress and all the people of the Nation. It is Khrushchev who would profit from our abandoning this program, as I see it.

It is indeed an American policy. It is an enlightened American policy. We demonstrate by its continuance that we accept the role of leadership around the globe for man's freedom and that we intend to discharge the responsibility that role requires.

Mr. President, the bill is designed also, as I have indicated in reading the language in the first section of the bill, that the aid and assistance from the people of the United States will be confined to free peoples, to those countries which are not Communist dominated nor subject to Communist influence. I ask unanimous consent that the text of the report at page 22 with respect to section 620 be set forth in full at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SEC. 620. PROHIBITIONS AGAINST FURNISHING ASSISTANCE TO CUBA AND CERTAIN OTHER COUNTRIES.—(a) No assistance shall be furnished under this Act to the present Government of Cuba. As an additional means of implementing and carrying into effect the policy of the preceding sentence, the President is authorized to establish and maintain a total embargo upon all trade between the United States and Cuba.

(b) No assistance shall be furnished under this Act to the government of any country unless the President determines that such country is not dominated or controlled by the international Communist movement.

(c) No assistance shall be provided under this Act to the government of any country which is indebted to any United States citizen for goods or services furnished, where such citizen has exhausted available legal remedies and the debt is not denied or contested by such government.

(d) No assistance shall be furnished under section 201 of this Act for construction or operation of any productive enterprise in any country where such enterprise will compete with United States enterprise unless such

country has agreed that it will establish appropriate procedures to prevent the exportation for use or consumption in the United States of more than 20 per centum of the annual production of such facility during the life of the loan. In case of failure to implement such agreement by the other contracting party, the President is authorized to establish necessary import controls to effectuate the agreement. The restrictions imposed by or pursuant to this subsection may be waived by the President where he determines that such waiver is in the national security interest.

Mr. KUCHEL. Thus the language of the report prevents any assistance under this act to the present Government of Cuba. It provides, in the words which the Senate previously approved that, unless the President determines a country is not dominated or controlled by international communism, no assistance of any kind shall be furnished to the government of any such country.

I voted for the amendment offered by the junior Senator from Connecticut, [Mr. DODD] which I thought was considerably stronger than this language, but which went down to defeat in the substitute which was adopted. At any rate, the point is that we now make it clear that the regrettable decision the Senate made on the 11th of May, when it passed legislation providing that we would give assistance to Communist-dominated governments in Eastern Europe, is overruled and eliminated in the language of the bill that we have before us. That is one excellent thing we did.

I was one who supported the amendment offered by the able senior Senator from New York [Mr. JAVITS] dealing with free enterprise. This country has grown to greatness on the theory of free competitive enterprise. Where we can assist free enterprise around the globe, we intend to do it. That is what this bill says. We intend to use this vehicle as one of the means by which we achieve success in that field. Thus we have written into the Mutual Security Act a provision for encouragement of free enterprise and private participation in the carrying out of the policy enunciated in the legislation. We provide specifically that, wherever appropriate, these programs will be carried out through private agencies and, to the extent practicable, in combination with local private and governmental participation.

The basis of our assistance is both military assistance and economic. The basis of our economic assistance is in loans, repayable to this country.

All in all, what the Senate does here today and what shortly thereafter, with the approval of the House of Representatives, what the Congress will have enacted, represents one strong answer, one continuing answer to the challenge which the forces of international communism fling at us.

I listened a little earlier to the comment that our aid when given ought to be clearly demonstrated as "American aid." I agree. I wish to tell my colleagues in the Senate that recently a friend of mine from California returned from a trip to one of the Latin American countries where the Government of the United States had given aid in the form of foodstuffs. The people of that country speak Spanish. They do not speak English. The packages of aid had clearly marked on them that the foodstuffs in those packages had been given by the Government and people of the United States of America. But it was written only in English.

If we make any legislative history here today, I trust that my colleagues in the Senate will not dispute my thinking that under this bill when our assistance is labeled as "American aid," it ought also to be in such language as the people who utilize American aid can understand. It would be much better if the message on the packages of foodstuffs which went from the people of the United States, through their Government, to those who are less fortunate south of the border, showed the fact that it was a gift, in language which the recipients could understand.

I believe the conferees have done a good job. Vindicated in the bill is a provision for which some of us vigorously contended on the floor when the bill was first considered by the Senate. Vindicated in the legislation today is the responsibility of Congress under the Constitution to appropriate the moneys which are to be expended by the Government of our country.

Those of us who believe in mutual security, those of us who have supported and will continue to support long-term authority on the part of the President of our country, are nevertheless extremely gratified that Congress did not abdicate its share of the constitutional responsibility to sit in judgment on the policy of the Government of this country.

I salute my friend from Virginia, HARRY BYRD, who led the fight with the amendment he offered, and which in full measure is recognized and adopted in the conference report which is before us. That confirms, if I may say so, the wisdom of those of us who originally supported the Byrd amendment. In that connection, I ask unanimous consent that the language in the report at page 48, dealing with the subject of appropriations, be included in my remarks at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The compromise language agreed to by the committee of conference provides recognition by the Congress of the importance of making long-range commitments to the less-developed countries as a means of facilitating their economic development while eliminating the necessity for Treasury borrowing to finance such long-range commitments. It is not intended to imply the absence of similar authority under other categories of aid.

The Executive has authority to enter into agreements committing the United States to participate in development programs of foreign nations for a period of up to 5 years but making such commitments subject only to the regular annual or supplemental appropriations of funds. The committee of conference recognizes that the amount agreed to for each of the future years is below that requested by the Executive and therefore is to be regarded as a floor rather than a ceiling. If the program proves itself and additional funds are considered necessary for the attainment of our foreign policy objectives, Congress will entertain a request for such authority and appropriations. In justifying any such request the Executive will also need to justify in detail before the Committee on Foreign Affairs its use of the funds theretofore authorized. It is understood that the conferees regard the language in the bill as authority for the Executive to make commitments which will be honored by the Congress unless there is evidence of obvious bad management or the other country has failed to meet its responsibilities.

The requirement that the authorizing committees as well as the Appropriations Committees of the House and Senate be informed of the details of each agreement involving the loan of funds not yet appropriated assures that the authorizing as well as the Appropriations Committees will be kept currently informed and have an opportunity to revise and adjust the program in the light of future developments through the normal legislative procedures.

Mr. KUCHEL. I merely wish to underline this one sentence from the excerpt which has been entered in the RECORD:

The Executive has authority to enter into agreements committing the United States to participate in development programs of foreign nations for a period of up to 5 years but making such commitments subject only to the regular annual supplemental appropriations of funds.

That is clear enough. That language, and our intent, cannot be distorted. Congress is not going to shirk its responsibilities under the Constitution. Congress under the Constitution will continue to participate in a program which we believe is in the interest of the security of the American people.

Mr. HICKENLOOPER. Mr. President, as a member of the conference committee, I was not available yesterday when the conference report was available for signature. Therefore, my name does not appear on the report. I would have signed the report yesterday had I been available, because I believe in the spirit of compromise. The bill as it comes from conference is a definite improvement over the bill as it passed the Senate.

I am not thoroughly satisfied with the compromise, but the report contains certain helpful features. In the first place, the annual authorization is reduced some $500 million. Second, the principle of Congress retaining control of the appropriation process is retained in the conference report. That was fundamental in the amendment offered by the senior Senator from Virginia [Mr. BYRD] and also in the amendment offered by me when the bill passed the Senate.

The report contains an additional provision that the President may make commitments within the limitations of the authorization, but it is clearly stated that those commitments are subject to annual appropriations by Congress, which means annual examination and annual scrutiny of these programs by the Committees on Appropriations and by Congress.

I think it is essential that we make an authorization for military purposes abroad.

For many years I have supported the idea of loans rather than grants in our operations. The great difficulty with our

foreign operations is today and has been in the past that bureaucracy and bureaucrats have a tendency to try to give the people of foreign countries jet airplanes before they are able to discard their ox carts. Bureaucracy has a tendency to attempt to force on people devices and methods which are beyond their basic competence to use and to fit into their own economies. That is true in the less-developed countries or areas of the world.

The fault with our foreign aid program in the past and at the present time is more a fault of administration than it is of intention. The development loan program will fall flat on its face if it does not have realistic, practical administration. If it does have realistic, practical administration, then the program will have a reasonable chance for some success in providing help.

I am not at all completely satisfied with the provisions of the bill as it comes from conference. However, in appreciation of the fact that it is necessary to have a bill, that the report contains at least two provisions in the Development Loan Fund program of which I approve, and the fact that the report represents a substantial reduction in the amount made available, I expect to vote for the report.

Another comment I wish to make in passing concerns the statement of policy in the report. It is the most extravagant outburst of unnecessary and confusing surplusage I have seen for a long time. It is completely out of place in the report. A short statement of policy would have served well; but the conferees have attempted to put everything in the world into the statement of policy.

The statement of policy inveighs against sin; it supports Christmas and Santa Claus. It is against evil; it is for good. We could have said all that in three lines; but now it has been said in three pages. I think it is simply an unnecessary bunch of verbiage whose purpose could have been well satisfied with a short, concise statement of policy. However, it is in the report; probably it cannot be taken out; and probably it satisfies those who think it is necessary to make specific statements in this kind of legislation. I merely mention this in passing as being one of the things which I believe is utterly unnecessary in the report to the extent to which it has been included.

The whole success of the Development Loan Fund program will be assured if the program is wisely, sensibly, and economically administered. But there is one other point concerning which I wish to raise a warning, so far as I myself am concerned. I think that before long we shall be confronted with another back-door spending or back-door borrowing problem involving Latin America. I do not wish my vote on the conference report at this time to be construed as a precedent indicating that I expect to support that philosophy so far as the inter-American, 10-year, $20 billion development program is concerned. We will meet that proposition when it arises; we will cross that bridge when we come to it.

However, in a spirit of compromise, because it is necessary to pass the bill, I expect to vote for the conference report.

Mr. CASE of South Dakota. Mr. President, before the Senator from Iowa yields the floor, and since he was a senior conferee from the minority side and took an active part in the consideration of the report, I should like to ask him a question which I propounded earlier today to the assistant majority leader, the distinguished Senator from Minnesota [Mr. HUMPHREY].

Speaking of the provisions in section 202(b), relating to the Development Loan Fund and the authority given to the President to make commitments subject only to the annual appropriations process, I ask the Senator whether it is his idea that the agreements made by the President should themselves recite that the commitments are subject only to the annual appropriations.

Mr. HICKENLOOPER. In my opinion, if they failed to recite them, they would be misleading. It is essential and inherent that any agreement made by the Executive with another country recite that the law requires commitments to be subject to annual appropriation; that that right should inhere in the agreement; and that the agreement should be subject to it. That is one of the reasons why I can vote with a little more freedom for this particular provision.

Mr. CASE of South Dakota. Will the Committee on Appropriations, when it reviews the requests submitted by the agency, have the same right to look at the actual rate of expenditure in the pending year and make its appropriations for the ensuing year consistent with the probable rate of expenditure in a manner somewhat similar to what the Committee on Appropriations does now with respect to the domestic items of flood control and rivers and harbors projects? If it found that all the money had not been expended in the prior year, would the Committee on Appropriations have any discretion or any right to take that fact into consideration in making the money available?

Mr. HICKENLOOPER. I should think so, because the report provides that while moneys authorized for each year will remain available, they are under the appropriation process until expended. As I understand, those moneys will have to be reappropriated by Congress each year. That is, the unspent portion of the authorization will have to be reappropriated each year.

Mr. CASE of South Dakota. I thank the Senator from Iowa for that statement, because I believe it clarifies the history of this matter and makes clear that the provision for annual review by the Appropriations Committees is not idle language, but is intended to provide Congress, through its Appropriations Committees, with some real review powers.

Mr. HICKENLOOPER. Mr. President, I assure the Senator from South Dakota that as a member of the Foreign Relations Committee and as a member of this conference committee, I certainly have no intention of having that provision considered idle language. I believe it should be effective and vigorous language with life and meaning, and I believe it retains that power in the Appropriations Committees, and that if the administration attempts to overplay it or bypass it, difficulties will occur.

Mr. MILLER. Mr. President, I propose to vote for the conference report on the foreign aid bill. I voted with considerable misgivings for the Senate version of the bill, but with the realization that Senate action was necessary in order to get the bill to conference, where I hoped the 5-year Treasury financing provisions of the Senate version of the bill would be removed. Actually, Mr. President, I doubt that I could vote for the conference report if the report had not removed this feature from the bill. At the time when the Senate was debating the Byrd amendment, I said that adoption of that amendment, so as to insure that there would be a 5-year authorization to enable long-range program planning, coupled with annual appropriations review by the Congress, would help considerably in enabling me to support the administration's foreign aid program. I want to emphasize that the Byrd amendment called for a 5-year authorization, which appeared to me to be desirable in order to lay the groundwork for long-range program planning. During the debate on the Byrd amendment, I pointed out that I had not been at all impressed by the argument of the proponents of the back-door financing provision that such a provision was necessary in order to make possible long-range program planning. That was a specious argument, Mr. President. Even under our present foreign-aid programs without any back-door financing and without more than 1 year of authorizations, we have been carrying out long-range planning. On August 11, I pointed out—as shown on page 15575 of the RECORD—that in the case of Greece, 21 of 47 projects were for 2 to 5 years; that in the case of Ethiopia, 42 of 45 projects were from 2 to 15 years; and also that the record is barren of any project which has ever been discontinued because of failure of Congress to appropriate the money needed. However, the administration was not to be deterred from persisting in its specious argument and in defeating the Byrd amendment.

The conference report now contains the Byrd amendment features, Mr. President. After the hue and cry that had been raised against it, and after the proponents of the 5-year back-door financing proposal had tried to make us believe that it was such a sacred cow that its removal would greatly impede the President's program, the President himself has come out with the statement that the compromise report is "wholly satisfactory." Indeed it is, Mr. President; and editorial comment supports this conclusion. I ask unanimous consent that there be inserted in the RECORD the lead editorial from last night's Washington Evening Star, entitled "Wholly Satisfactory," and an editorial from the New York Herald Tribune for August 31.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Star, Aug. 30, 1961]

WHOLLY SATISFACTORY

It may seem like a typographical error, but it isn't. For this is what the White House actually said—that the foreign aid financing compromise worked out by House-Senate conferees is "wholly satisfactory."

This compromise agreement authorizes the President to make foreign aid commitments over a 5-year period. But there will be no Treasury borrowing or, as some called it, back-door financing.

Mr. Kennedy wanted legislative authority to finance the program through Treasury borrowing, and some of his aids were suggesting that doomsday would be just around the corner if he didn't get it. But these dire forecasts evidently were part and parcel of what the late Wendell Willkie used to call campaign oratory. For now that the battle is over, the White House puts its stamp of approval on the compromise and correctly says that it provides reasonable assurance that long-term aid commitments will be met.

The main objective—orderly planning on a long-range basis—surely is attainable under this compromise. The necessary appropriations, of course, will have to be sought on an annual basis. But this, we think, is as it should be, for Congress, as a matter of principle, ought not to surrender its control over the public purse. The granting of authority to make commitments obviously imposes a special duty on Congress in the future to refrain from the kind of politicking which would expose this country to accusations of bad faith. We do not believe there will be any difficulty on this score, however, provided the commitments made are sound and that the program as a whole is competently administered.

Major credit for this victory for sound financing belongs to the Republicans in the House. But it might be pointed out that much time could have been saved if the administration had been willing to accept the amendment offered early this month by Senator BYRD of Virginia. The compromise finally agreed upon is virtually identical with the Byrd amendment.

[From the New York Herald Tribune, Aug. 31, 1961]

REAL TEST AHEAD FOR AID COMPROMISE

The Senate-House conferees have hammered out a foreign aid compromise which could prove highly effective, while at the same time bridging the deep divisions which developed over the President's request for Treasury borrowing, or back-door financing authority.

While turning thumbs down on back-door financing, the conferees did agree to a 5-year authorization for development loans, to be financed by annual appropriations. This had previously been considered and rejected, on grounds that the hazards of annual appropriations were such as to make even 5-year authorization virtually meaningless as a basis for long-term planning. But the conferees went on to write in language specifically empowering the President to enter into agreements with other nations for use of the authorized funds, even though not yet appropriated—which constitutes a moral commitment of the strongest sort, by Congress, to make good on the President's pledges.

The whole point of the rejected Treasury-borrowing scheme was to make long-range planning possible. The need for such planning is self-evident. But opponents of the aid program have raised such a ruckus at each year's appropriations go-around, and frequently made such deep slashes in the administration programs, that any secure planning has been out of the question.

With economic development loans taking a permanent place as a major instrument of U.S. policy, something better than the old method of financing was needed. These loans frequently require delicate coordination with the long-range plans of the recipient country, for which Congress is not equipped. The compromise tells the President, in effect: You make the plan, you do the coordinating, and we'll provide the money—but we'll provide it in our own traditional way, through appropriations.

This can prove both a sensible compromise and a creative advance in legislative procedure—provided Congress keeps its end of the bargain. It is here that the real test is going to come, with not only the national interest but the good faith of the United States now in the balance.

Mr. MILLER. Mr. President, a word of caution should be advanced at this point. There seems to be some interpretation in the nature of a so-called moral commitment in regard to the power given the President to enter into agreements with other nations, for use of the authorized funds, even though not yet appropriated. Let me say this, Mr. President: If our Development Loan officials and if the officials of the foreign nations concerned do a good job and if their programs are sound and progressive—if, in short, there is administration of this program in keeping with the moral trust due the American taxpayer—there will need be no worry at all over the action of Congress in backing this program with the necessary money. But let us keep the record straight: There is no "moral commitment" sufficient to cause Congress to back up a program that is unsound, unwisely administered, and lacking in wholehearted cooperation on the part of the recipient country and its officials.

I ask unanimous consent that there be printed at this point in the RECORD editorials on this subject appearing in the August 31 issues of the Washington Post, the New York Times, and the Wall Street Journal.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 31, 1961]

MUCH OF THE LOAF

Under the foreign aid legislation now emerging from Congress, it should be possible for the administration to perfect developmental loan programs with greater assurance of continuity than those of the past, even though the Treasury borrowing feature of the President's proposals was eliminated.

The fight to gain the borrowing authority was not in vain. It emphasized the need for long-term operations to such an extent that Congress has given the principle its moral support, even though it has rejected the means by which President Kennedy wished to achieve that objective.

What remains to be seen is the extent to which the evident will of Congress is respected here—committees in future ought to have a decent respect for the avowed purpose of Congress. If they do, the executive department will be able to operate abroad with the needed freedom they do not exhibit in appropriate regard for the moral commitments of Congress and those of the executive department, and if, by that disregard they impair the continuity of the developmental loan program, the administration will go before the next Congress with a much stronger case for achieving continuity by Treasury borrowing.

The administration did not get what it wishes to have—a power, given in advance, to carry out a long-range plan. Even its own proposals would not have bestowed upon it, irrevocable, an absolute discretion to perform all it purposed. Perhaps, under a democratic system, with a coordinate legislative branch, an irrevocable statutory assurance is an impossibility. Congress, after all, would have been free to suspend Treasury borrowing for developmental loans, at some future session.

The emerging legislation will make it necessary for the executive department to devote a great deal of attention to expounding foreign aid policy and explaining foreign aid programs to Congress. Perhaps this is just as well. The continuity of any program of foreign aid, whatever its statutory foundation, must depend, in the end, upon the support it enjoys among members of Congress and among the American people as a whole. The Congress and the country will stand by the long-term moral commitment of the new act, if the operations under it are efficiently conducted and if there is full access to information about them.

[From the New York Times, Aug. 31, 1961]

FOREIGN AID COMPROMISE

In a compromise that goes a long way toward putting foreign aid on a more businesslike basis and therewith strengthening our defenses against the Communist challenge, the Senate-House conference committee has agreed on what is in effect a 5-year free world development program analogous to the Marshall plan for Europe.

It authorizes a $4,253,500,000 program for the current fiscal year, half a billion dollars less than the administration requested but still the biggest in years. What is more important, it gives the President the authority he requested to make long-term commitments on low- or no-interest loans to underdeveloped countries to a total of $7.2 billion over the next 5 years, repayable in dollars. This is $1.6 billion below the administration's request, but within the authorized sum it permits carefully planned long-range projects to develop the economies of these countries, to raise their living standards, and to fortify them against Communist pressures.

The administration lost out on its plan to finance these loans by borrowing from the Treasury, as many other Government agencies do. The funds for the loans will still be subject to annual congressional appropriation and politicking. One may argue endlessly the fine points of difference between authorization and appropriation. But having authorized the President by a declaration of intent to commit the good faith of the United States on the loans, Congress must be expected to honor the new commitments.

On that assumption President Kennedy welcomes the compromise as wholly satisfactory and as an important decision for the United States and the free world.

[From the Wall Street Journal, Aug. 31, 1961]

BOUND BY BILLIONS

It's clear enough that the administration won't get the kind of long-term financing of foreign aid loans it wanted. But a fairly obvious defeat is being hailed by some as a moral victory for the White House.

As whipped into shape by a House-Senate conference committee, the aid-financing bill omits the administration scheme of direct Treasury borrowing. Instead, it authorizes loan spending of up to $7.2 billion over the next 5 years and empowers the administration to make commitments to foreign countries in advance of annual congressional appropriations. This grant of authority, it's said, puts Congress under a new moral com-

mitment to make good U.S. aid promises as they come due.

Congress has committed itself, to be sure. But when in the past 15 years has Congress not been committed to maintaining a U.S. foreign aid program? Wisely or not, Congress has in practice long given U.S. policymakers assurance that foreign aid won't be cut off abruptly.

But Congress is no more bound now than it ever was to give the aid givers precisely the program they want. For all the talk of aid financing the debate this year actually was about whether the White House or Congress would set the standards by which U.S. aid is judged. In keeping the check of annual appropriations, Congress has sensibly upheld its right to tell the White House where it's wrong.

And there are plenty of things that can go wrong with the administration's new aid plans. Moreover, many assumptions and practices proved wrong and wasteful in the past remain unchanged. In a sense, the administration has won a considerable victory in convincing a skeptical Congress that new billions ought to be committed on the strength of promised reforms.

So there is indeed a moral commitment involved in the foreign aid program. But it falls squarely on the administration which has promised to Congress and the American people that foreign aid will be wisely spent.

Mr. LAUSCHE. Mr. President, I contemplate voting for the conference report. I shall do so on the basis that President Truman, President Eisenhower, President Kennedy, Secretaries of State Acheson, Dulles, Herter, and Rusk, and every member of the Joint Chiefs of Staff ever since the mutual aid program has been adopted, have recommended its use on the basis of its being an integral part of our national defense.

I have received many letters of complaint about the mutual aid program. Most of them have their roots in the maladministration; and, based upon the maladministration, complaints have been made against the general program.

But, Mr. President, I cannot see my way clear to disregard the advice of the members of the Joint Chiefs of Staff, the advice of our Secretaries of State, and the advice of the three Presidents of the United States, and thus say that these men, who are most intimately acquainted with our problems, are wrong, and that I should substitute completely my judgment for their advice.

I did not support the back-door method of financing originally contained in the bill. I am more than ever convinced that I was right in that judgment. Those who argued that a parallel in this back-door method of financing was to be found in the Reconstruction Finance Corporation and the housing agencies were arguing fallaciously, in my opinion. There is no parallel.

Revolving funds in those agencies could be justified, in a measure, because the moneys loaned were likely to be repaid. In the bill pending before us, loans are to be made on a 50-year basis, in many instances without interest, and without assurance that at the end of the time the money will be found replaced in the Treasury.

In the conference report that weakness was remedied. While a 5-year authorization is given, the requirement is contained in the bill that the Appropriation Committees and the Congress each year shall approve the moneys specifically allocated for the administration and the execution of the programs.

In addition, the Development Loan Fund authorization has been reduced for the fiscal years 1963, 1964, and 1965 from the sum of $1,900 million a year to $1,500 million for each of those years.

Moreover, the military assistance program for the year of 1962 has been reduced by $100 million, and the authorization does not continue into the years of 1963, 1964, and 1965.

In my judgment, the testimony on this issue is, in a substantial degree, gray. I wish it were black or white, so it could be clearly delineated. It is not. And, on that basis, I have to approach the question of what we should do on the strength, the objectivity, and the knowledge of the witnesses. I repeat, that on that basis I must take into consideration the opinions expressed by the various individuals whom I identified a moment ago.

I now get to the question of misadministration, and I think there is the crux of the whole problem. I have in my hand a letter which I received in reply to a communication addressed to Mr. Carl Marcy, chief of staff of the Foreign Relations Committee. Undoubtedly the subject that I am now to discuss will in the future become an acute topic concerning the administration of mutual aid.

My letter stated that recently there has been carried in the newspapers a story that Lauchlin Currie was connected with the disbursement of mutual aid in the United States. I did not believe that that story was correct. Lauchlin Currie was born in Canada, became a citizen of the United States, and abandoned his citizenship in 1955. The proof is rather clear that he circulated in quarters consisting of individuals leaning toward communism. There are many who will say he belonged in that class.

I asked Mr. Marcy whether Lauchlin Currie had any connection with the disbursement of mutual aid in our country. He answered my letter and stated he had contacted the State Department and that Lauchlin Currie has been hired as an expert by the Government of Colombia. He is now the economic adviser of the Government of Colombia, and there is great probability that, in his consultative capacity and in his connection with the Government of Colombia, he is disbursing the aid we are giving to that nation.

The letter further states that until now we have given Colombia $250 million.

I submit that it would be a pretty sad state of affairs if our money to Colombia was being administered by a person who was hostile to our system of government and friendly to the communistic system.

About 2 weeks ago I had a letter from a very reliable source stating that food distributed in Yugoslavia was denied to persons of the Catholic faith. If that was done, I know it was not intentional on our part, but it is possible, and I would say very nearly probable, that some fanatical Communist in Yugoslavia, in attempting to dissuade devotion to a particular church, denied this relief to certain persons.

Getting back to my original point, I believe mutual aid is an indispensable and integral part of our national defense. It is a part of our foreign policy. Opposition to it is grounded on reports of maladministration, frequently exaggerated, but in many instances absolutely true.

If the people of our country are to be familiarized with the genuine merits of this program, I suggest that the administration apply itself with the utmost rigor and intensity in making certain that maladministration will be completely eliminated.

In this perilous hour of international relations, in this hour when Communist Russia is trying, by every means possible, to estrange our relationships with other countries, I cannot see how we can afford to abandon this program.

It is on that basis, Mr. President, that I contemplate voting for the conference report, cognizant of the fact that I fought for the elimination of back-door spending, cognizant of the fact that I moved to reduce the amount from $1,900 million to $1,600 million, which item has now been reduced to $1,500 million for 1963, 1964, and 1965.

As I have said, upon the bases I have stated I shall vote for the measure.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I am fairly sensible of the fact that the House of Representatives is waiting to act on this measure. I shall not unduly trespass on the time of the Senate, but it is something of such moment that it deserves more than cavalier treatment.

I am delighted indeed there has been extended discussion of the conference report. It is important to make some legislative history and to secure some clarification of certain sections, such as section 202. I think the colloquy carried on by the Senator from South Dakota [Mr. CASE] with the Senator from Oklahoma [Mr. MONRONEY] and the Senator from Minnesota [Mr. HUMPHREY] has to a considerable extent clarified that question.

I thought I would use as a text today what the very distinguished Arthur Krock wrote in the New York Times as of Thursday, August 31, under a very entrancing title "Vowing She Would Ne'er Consent, Consented."

That is a great title. I shall have to go back to my poetic compendiums to find where he got it, unless Arthur will tell me and save me the time.

I read the first paragraph of Mr. Krock's article:

It takes a lot to surprise Senator BYRD of Virginia where events in the arena of politics are concerned. But even he must have rubbed his eyes when he read last

night's White House statement that the agreement of the House-Senate conferees on the modus operandi for long-term development loans in the foreign aid program was wholly satisfactory to the President.

I remember the weeping, the lamentations, the protestations, and the convictions which were uttered on this floor, that this proposal was of world-shaking import, that unless one could back the truck up to the back door of the Treasury the very world might become askew in its orbit, and who could say what would happen to all the satellites in orbit today?

It may be that whoever made the announcement from "1600" must have remembered the old admonition in the Scriptures:

Weeping may endure for a night, but joy cometh in the morning.

Perhaps it was that way. I am glad, of course, that there is concord with the spirit of the ancient gospel.

Mr. Krock wrote further:

For the conferees agreed on a 5-year authorization of the President to make development loan commitments in a total of $7.2 billion, with an actual appropriation of $1.2 billion for fiscal 1962, but subject to annual appropriations by Congress. But what the President had fought for to the finish was a Treasury borrowing credit of $8.8 billion over 5 years, entirely freed of the restraint of the annual appropriation procedure of Congress. And the administration had proclaimed with one voice that this delegation of Congress power of the purse was absolutely indispensable to the viability of the development loan program.

It is amazing how suddenly these things can be brought together. I am reminded of the sweet young blond who said to her boy friend, when she saw all of her girl friends getting married, "If you will save $1,000, I will marry you."

But her girl friends were getting married posthaste, and she was becoming a little concerned. Finally one night she said to him, "How much did you save thus far?"

He said, "Thirty-five dollars."

She said, "That's enough."

So we see $8.8 billion in backdoor financing. The amount has been cut. There are annual appropriations. It is enough—$35. It is enough. In the language of the White House, the result is wholly satisfactory. Semantics are amazing.

I am glad that there is an Arthur Krock. One need not prepare a speech. All he need do is to take an Arthur Krock article, paragraph by paragraph, and it makes a speech. The next paragraph contains a title: "Surprise for Senator BYRD."

The article continues:

SURPRISE FOR SENATOR BYRD

But there was a more personal factor of surprise for Senator BYRD in the White House announcement. The President had successfully used extraordinary pressures to defeat a Byrd amendment—

I did not make that statement; Arthur Krock wrote it. He went on in the article to say—

* * * which gave him the same 5-year authorization to commit the full $8.8 billion he sought for development loans, $1.6 billion more than the conferees authorized, subject only to the same annual appropriation procedure of Congress the conferees imposed.

The White House explained this about-face on the differing phraseology of the conference report and the Byrd amendment, asserting that the latter "recognized the necessity for this Government to give assurance that assistance will continue to be forthcoming over a period of years." On this wholly semantic argument the administration based its rating of the conference report as "wholly satisfactory" in contrast with the Byrd amendment. But the following text of the amendment invites the conclusion that this was a tactical move to cover an enforced retreat.

I do not think the distinguished Senator from Virginia [Mr. BYRD] was surprised. I believe he was astonished. Today we must be careful about our use of words.

Many years ago a chap who used to study Webster's dictionary got into difficulties when his wife caught him kissing the maid.

She said, "I am surprised."

The young man never lost his composure. He said: "Oh, no, my dear, you are not surprised; you are astonished. I am the one who is surprised."

The Senator was astonished rather than surprised. But I think I must admonish Mr. Krock on the way he throws the English language around.

Mr. Krock continued:

There is hereby authorized to be appropriated [supplied] to the President for use in carrying out [the long-term development loans program] such sums, not to exceed $1,187 million for use beginning in the fiscal year 1962, and not to exceed $1,900 million for use beginning in the fiscal years 1963 through 1966, as the Congress shall determine to be necessary, which amounts shall remain available until expended.

Then came the conference report. The President was authorized to make an agreement; and an agreement must be submitted to the committee, stating the country, the purpose, and so forth. Then there must be an appropriation to go along with the commitment. But the power is here. For that reason I made the last 30-second speech on the bill before it left the Senate. I voted for the bill, but I said:

The next vote will be the crucial vote on the conference report. My vote will be determined entirely by the nature of the conference report.

The conferees returned with a report which would preserve the power of Congress and preserve the power of scrutiny. In its own wording my amendment was deleted. The language contained in the conference report is even stronger than the amendment that I submitted, because I suggested a $5 million cutoff. I was reluctant to do so. I wanted to permit scrutiny of the entire operation. I think the conference report will permit such scrutiny. I think in any scrutiny we can come well above $5 million in any agreement which may be presented. If my analysis is correct, I think both the Byrd amendment and the Hickenlooper amendment are now essentially a part of the bill. They constitute a kind of doubleheader.

Being dedicated only to the business of serving my people, my Government, and this legislative body, in which I have served for more than a quarter of a century, I was desirous, along with others, to preserve that constitutional authority in Congress, and I voted for the earlier presentation of the bill so that it could go to conference.

Had not the conference report met our specifications when it came to the Senate, the vote would have been crucial indeed. But the conference committee has done a singularly good piece of work on the bill. I believe the committee is to be complimented. Other provisions might have been included, but when all is considered, and on net balance, the report is pretty fair.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. SCOTT. It has often been said that honest confession is good for the soul. Some of us heard from the White House and from eminent sources across the aisle of the importance of preserving the national security, and we were persuaded that perhaps the Byrd amendment went too far. Indeed, our lamps were filled with oil and we conceived of ourselves as the honest virgins. We conducted ourselves in this eminent and certainly self-laudatory role in our desire to secure some means of legislative oversight without causing, as we felt, difficulty or embarrassment to the Executive.

But suddenly the steam went out of the opposition, the oil went out of our lamps, and we found that, after all, we were only foolish virgins.

Mr. DIRKSEN. I am afraid that my distinguished friend from Pennsylvania is about to get me off into difficulties. I was about to give him a Biblical rejoinder, but I believe I will have to impose some restraint.

I wish to allude to another part of Mr. Krock's article. The next headline reads: "Things Equal to the Same Thing." Anyone who has studied algebra or plane or solid geometry knows that things equal to the same thing are equal to each other. Let us read what Mr. Krock has to say under this fetching subparagraph:

One is as clear a congressional statement of intent as the other. And the practical restraint imposed by Congress retention of the power of the purse is precisely the same in the conferees' language—"subject only to the annual appropriation of such funds"—as in BYRD's language—"as the Congress shall determine to be necessary."

Therefore, Mr. President, things equal to the same thing are equal to each other. That language is equal to the language of the Byrd language. How happy anyone can be.

I read one more sentence, then I shall conclude. Mr. Krock says:

In such circumstances as these, however, the dire consequences so freely prophesied rarely materialize.

It reminds me of the fellow who was sitting in the barber chair having his hair cut. A firetruck went up the street, and he bounded out of the barber chair and ran out into the street. In a few minutes

he came back and said: "What am I running for? My house is not on fire."

The house was not on fire, Mr. President; we only made it appear so. All those dire consequences, all those world-shaking things that were to eventuate as a result of the obdurate quality of this body, that took so long to debate it and put it into proper focus, when we almost got the amendment of the distinguished Senator from Virginia adopted, will mean, of course, that all of these dismal prophecies will not eventuate but, forsooth, as Mr. Krock says, the language of the conference report is equal to the Byrd amendment; and things equal to the same thing are equal to each other.

I congratulate the distinguished Senator from Virginia. In the interest of good, sound, constitutional government, he made a great fight. Over in the great State of Virginia they still set high store by arithmetic. I believe it was Aristotle who once said:

> Arithmetic, though stranger, is the greatest of the sciences and the mother of invention.

I hope no one will rise up—as my friend HUBERT did the other day, when he told me it was not Marshal Ney but Marshal Murat, among Napoleon's generals—to tell me it was not Aristotle who made that statement, because I will have to go back to the compendium to see whether it was actually Aristotle who said it. I think it was.

Mr. HUMPHREY. I agree.

Mr. DIRKSEN. Does the Senator agree?

Mr. HUMPHREY. On the conference report.

Mr. DIRKSEN. If it is not Aristotle, it has to be Plato. It has to be one of them. So, Mr. President, things equal to the same thing are equal to each other.

One of the great aphorisms of arithmetic, which Euclid himself cannot dispute, is just that: Things equal to the same thing are equal to each other.

So we have gone up the hill and we have come down again. The conference report is here and the Byrd amendment and the Hickenlooper amendment are here. After this long, phrenetic struggle, let us congratulate each other on the preservation of the constitutional power of the Senate, as this conference report goes to the House and then finds its way to the desk of the President of the United States, for, as the White House has said, it is wholly satisfactory.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. KEATING. The one thing which Mr. Krock apparently does not cover is the fact that not only is the language of the Byrd amendment and the language of the conference report the same, but the language giving the President authority to make long-term commitments is virtually the same as the language in the 1960 mutual security bill which is now the law. So again we are right back where we started.

Mr. DIRKSEN. This is the most all-inclusive finale to a long legislative program that I have seen in a long time.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HRUSKA. I believe this would be a good place for me to document the statements of the Senator from Illinois. I recall that when Representative JUDD's proposal was made, the President said this about it:

> I do not believe the proposal we discussed for a multiyear authorization with reduced amounts subject to annual appropriations is satisfactory.

A memorandum enclosed with his letter to Representative JUDD termed the Judd proposal "inadequate" for several reasons.

In March the New York Times quoted the President as saying Congress would have to assume the responsibility for money wasted on his new foreign aid program if it refused to authorize Treasury financing of long-term development loans.

So the bill that was formerly objectionable and wasteful is now wholly satisfactory. I suggest that some of us heard the President the first time. The Senator from Nebraska is one of them. He is going to cast his vote in such a way that will show he is against wasting money that would be spent on the President's foreign aid program in the absence of the long-range, back-door spending arrangement.

There were also other instances. For example, in a letter sent to all Members of Congress which was signed by the Secretary of State, Dean Rusk, and the Secretary of the Treasury, Douglas Dillon, this question was asked and answered:

> Is borrowing authority fiscally irresponsible?

The answer was a flat "No" and the conclusion was, "In sum, we are convinced that borrowing authority for a long-term development lending is fiscally sound and represents the most efficient and least costly method of providing development assistance."

Another question was:

> Would a multiyear authorization of appropriations do?

Again the answer is a flat "No." "Such an arrangement," said the letter, "would not provide the needed basis to give reasonable assurance of funds for future years in cases where this would be important."

I merely wish to observe that apparently even with all of these shortcomings, the bill is wholly satisfactory.

I join the Senator from Illinois in congratulating and commending the Senator from Virginia for having waged the battle that he did.

We have avoided the sorry day when, in the name of expediency, Congress would abdicate its constitutional responsibilities which are owed to the American people.

I suggest that this type of encroachment upon the powers of Congress is found not only in matters of appropriations. We will find it in the discussion of the wilderness bill next week. We will witness an attempt to give to the President the power to recommend to Congress what wilderness areas should be set aside. This function heretofore was exercised by Congress, based on constitutional as well as statutory authority. Under the suggested procedure Congress will be given the "privilege" of vetoing the President's recommendations, thus turning around the traditional and constitutional responsibilities of this body.

An amendment will be proposed by the senior Senator from Colorado. I expect it will be thoroughly debated. The amendment should be supported on the same principle which is applied to preserve the congressional authority in the pending bill.

I thank the Senator from Illinois. I ask unanimous consent, Mr. President, to place in the RECORD at this point in my remarks a statement I have prepared on the conference report on the foreign aid bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HRUSKA

The Senate-House conference committee report on foreign aid has been described by the White House as "wholly satisfactory" and "an important decision for the United States and the free world."

The President yesterday told his news conference that he thinks the compromise worked out by the conferees "gives us a very valuable tool, and I am, therefore, appreciative of the work that was done by the conference."

In the same news conference, Mr. Kennedy described himself as a "practitioner of the political profession," which has the classic definition of being the art of the possible. Those of us who served in the Senate with Mr. Kennedy will remember well his practice of the profession, or the art as the case may be.

Therefore, we should not be surprised at his ability to find now that the compromise solution on foreign aid is "wholly satisfactory," whereas only a few weeks ago, when Representative WALTER JUDD proposed essentially the same thing, the President said: "I do not believe the proposal we discussed for a multiyear authorization with reduced amounts subject to annual appropriations is satisfactory."

A memo enclosed with his letter to Congressman JUDD termed the Judd proposal "inadequate" for several reasons.

In March, the New York Times quoted the President as saying Congress would have to assume the responsibility for wasted money spent on his new foreign aid program if it refused to authorize Treasury financing of long-term development loans.

But now, the bill is "wholly satisfactory."

Probably no newspaper in the Nation, Mr. President, has been more ardent in its support of Mr. Kennedy's back-door financing plan than the Washington Post. But even the Post appears to be having some second thoughts as it observes editorially this morning: "The emerging legislation will make it necessary for the executive department to devote a great deal of attention to expounding foreign aid policy and explaining foreign aid programs to Congress. Perhaps this is just as well. The continuity of any program of foreign aid, whatever its statutory foundation, must depend, in the end, upon the support it enjoys among Members of the Congress and among the American people as a whole."

That is exactly like what those of us who supported the Byrd amendment were saying from the start.

It might be well to recall at this point, too, a letter sent to all Members of the Congress, dated July 19, and signed jointly by Secretary of State Rusk and Treasury Secretary Dillon. That letter asked and answered its own questions. One question

was, "Is borrowing authority fiscally irresponsible?" The answer was a flat "No" and the conclusion was "In sum, we are convinced that borrowing authority for a long-term development lending is fiscally sound and represents the most efficient and least costly method of providing development assistance."

Another question was, "Would a multi-year authorization of appropriations do?" Again the answer was a flat "No." "Such an arrangement," said the letter, "would not provide the needed basis to give reasonable assurance of funds for future years in cases where this would be important."

And yet, this is almost precisely the compromise worked out in conference which the White House now finds "wholly satisfactory."

It seems to me that there is a lesson to all this. The Senate might well keep in mind that the President is a practical man and that when he says he will not compromise or that he will not yield, he is simply practicing the art of the possible. We are men of reason and good will and when viewpoints conflict, compromise and solution are always possible.

A most constructive battle was waged and won in this case. Here in the Senate it was led by the senior Senator from Virginia. It was a battle not only for a basic principle but for the practical results which flow from that principle.

In some respects the conference report represents a greater victory for those who believe in more effective control and supervision of this huge program than would the success of the Byrd amendment.

It will be a sorry day, when in the name of expediency, this Congress abdicates its responsibility to the people, whose elected Representatives we are, in favor of a system which concentrates such large-scale fiscal authority in the hands of one man. The damage would extend far beyond its day and visit itself upon all future Congresses. The evil could never be undone.

This Congress can take pride in the wisdom of its rejection of the foreign aid back-door financing plan, just as it can in having turned back the ill-conceived proposals for concentration of power we found in the omnibus farm bill as first written.

We in the Senate owe a great debt to our colleagues in the House for their forthright position against the threatened encroachments on our constitutional system which for almost 175 years has withstood attacks by those ambitious for unwise and far-reaching power. They had a sound basis in the thorough discussion on the amendment sponsored and managed by Senator BYRD.

Mr. DIRKSEN. Mr. President, I conclude. I express my deep and abiding appreciation to my fellow citizens, the Honorable Harry Byrd, the Honorable Arthur Krock, the Honorable Roman Hruska, and others, not only for having documented, but for having made my speech for me.

Mr. HUMPHREY. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. HUMPHREY. The Senator from Illinois earlier in his presentation quoted a lady who said she would never sin, but then consented.

Mr. DIRKSEN. That is the title of Mr. Krock's article.

Mr. HUMPHREY. Yes, but it is a quotation. I thought the Senator would like to know that after consultation with the Presiding Officer, who is a learned man in his own right, I simply wished to make this presentation by the distinguished Senator from Illinois even more eloquent than it was, if that is possible. I should like to have a footnote added that the quotation is from Byron, in "Don Juan," and the name of the girl was "Julia." I thought that would be helpful to the Senator. [Laughter.]

Mr. DIRKSEN. Mr. President, I ask that that be added as a postscript. I weep and indulge in lamentation that my distinguished friend beat me out to the marble room to get the quotation. [Laughter.]

Mr. HUMPHREY. After this lucid description of the workings of the conference committee, there is nothing which gratifies one more, in this day of trouble and travail, than to know that we have been able to make one or more persons happy. Apparently, after all the distress which the minority leader and others have endured in connection with the foreign aid bill, they have arrived at a point of some foreign policy togetherness, motivated by a really genuine sense of happiness. I am happy to have made some slight contribution to that result because of my great esteem and affection for the minority leader.

Mr. DIRKSEN. Oh, Mr. President, I am overwhelmed; but I am afraid of that word "togetherness." [Laughter.]

The PRESIDING OFFICER. The question is on agreeing to the conference report on the Foreign Assistance Act of 1961. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. ANDERSON] and the Senator from New Mexico [Mr. CHAVEZ] are absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON] and the Senator from New Mexico [Mr. CHAVEZ] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] is absent because of death in his family.

The Senator from Utah [Mr. BENNETT] is necessarily absent.

The Senator from Massachusetts [Mr. SALTONSTALL] is detained on official business. If present and voting, he would vote "yea."

On this vote, the Senator from Connecticut [Mr. BUSH] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from Connecticut would vote "yea" and the Senator from Utah would vote "nay."

The result was announced—yeas 69, nays 24, as follows:

[No. 177]

YEAS—69

Aiken	Dirksen	Humphrey
Allott	Dodd	Jackson
Bartlett	Douglas	Javits
Beall	Engle	Keating
Boggs	Fong	Kefauver
Burdick	Fulbright	Kerr
Butler	Gore	Kuchel
Byrd, W. Va.	Gruening	Lausche
Cannon	Hart	Long, Mo.
Carroll	Hartke	Long, Hawaii
Case, N.J.	Hayden	Magnuson
Church	Hickenlooper	Mansfield
Clark	Hickey	McCarthy
Cooper	Hill	McGee
Cotton	Holland	McNamara
Metcalf	Neuberger	Smith, Mass.
Miller	Pastore	Smith, Maine
Monroney	Pell	Sparkman
Morse	Prouty	Symington
Morton	Proxmire	Wiley
Moss	Randolph	Williams, N.J.
Mundt	Scott	Yarborough
Muskie	Smathers	Young, Ohio

NAYS—24

Bible	Ervin	Russell
Byrd, Va.	Goldwater	Schoeppel
Capehart	Hruska	Stennis
Case, S. Dak.	Johnston	Talmadge
Curtis	Jordan	Thurmond
Dworshak	Long, La.	Tower
Eastland	McClellan	Williams, Del.
Ellender	Robertson	Young, N. Dak.

NOT VOTING—7

Anderson	Bush	Saltonstall
Bennett	Carlson	
Bridges	Chavez	

So the report was agreed to.

Mr. MUNDT subsequently said: Madam President, I rise to say that I had expected to participate briefly in the debate preceding adoption of the conference report. Unfortunately, I was detained, with the Senator from Arkansas [Mr. MCCLELLAN] in connection with our crime investigating committee, and could not reach the Chamber in time to speak before the vote was taken.

As the RECORD reveals, I voted against the foreign aid bill when it was before the Senate. In a speech I made at that time I stated that provided the conferees would alter the bill so as to restore the authority of Congress and restore the authority of the Appropriations Committees over foreign aid, I expected to vote for the conference report when it came before us. And I did just now vote in favor of agreeing to the conference report.

However, I wish the RECORD to show very clearly that, as indicated by the very fine statement made by the minority leader, the Senator from Illinois [Mr. DIRKSEN], before the report was adopted, in voting for the conference report I do not feel that we have in any sense committed the Congress or the Appropriations Committees to any unannounced programs or any stipulated amounts of money, it is my definite position that we have retained the essential feature; namely, that these programs must come up annually for consideration in detail and final ratification and approval. This makes them completely compatible with our previous procedures in authorizing the foreign aid programs and policies which I have in the past supported.

As one who sits not only on the full Appropriations Committee but also on its subcommittee which deals with these foreign aid programs, I want the RECORD to show clearly that I do not consider that there have been any commitments beyond the fact that every year Congress retains its authority to act on the basis of its own discretion in regard to the amounts to be appropriated, the programs to be projected, and the periods for which foreign aid is to be utilized. It was on that basis that I voted in favor of adoption of the conference report. Until we evolve some other plan or basis for our foreign policies and for cooperating with the free world in resistance to Communist aggression, we must necessarily work with our friends abroad and share with them the costs and sacrifices

involved in preventing war and in defeating the attempts of international, godless communism to dominate the world.

I congratulate the conferees therefore on having deleted the back-door spending provisions, which were in the bill when we voted on it in the Senate, and for having restored provision for the responsibility and the authority of Congress in this area. Let us hope we can develop methods for decreasing the costs and increasing the desirable results of our activities in foreign aid.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 561. An act to amend the act relating to the small claims and conciliation branch of the municipal court of the District of Columbia, and for other purposes; and

S. 2239. An act to amend the act entitled "An act to incorporate the National Society of the Sons of the American Revolution," approved June 9, 1906 (34 Stat. 227), in order to remove the statutory limitation on the amount of property such society may receive, purchase, hold, sell, and convey at any one time.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 34) relative to the relationship of the United States with the Republic of China and communistic China.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 5255) to clarify the status of circuit and district judges retired from regular active service; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CELLER, Mr. DONOHUE, Mr. TOLL, Mr. MCCULLOCH, and Mr. MEADER were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker pro tempore had affixed his signature to the following enrolled bills and they were signed by the Vice President:

S. 85. An act for the relief of Maria Dolores Villar Salinas, Angela Casanova Cabello, Carmen Guenaga Anchustegui, and Flora Casals Pons;

S. 304. An act for the relief of Anna Lekos;

S. 570. An act for the relief of Giuseppa Alonzi;

S. 713. An act for the relief of Anastasia Stassinopoulos;

S. 722. An act for the relief of Aideh Kobler; and

H.R. 566. An act authorizing the establishment of a national historic site at Fort Davis, Jeff Davis County, Tex.

VISIT OF VICE PRESIDENT JOHNSON TO BERLIN

Mr. TALMADGE. Madam President, the recent mission of our Vice President to Berlin was to demonstrate to the world that neither this country nor our allies intend to be bluffed or pushed out of Berlin. There have been many comments about the visit of our Vice President to Berlin. I ask unanimous consent that several of the articles and editorials bearing upon this subject be printed at this point in the RECORD.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the Dallas Morning News, Aug. 22, 1961]

VICE PRESIDENT'S MISSION

LYNDON JOHNSON makes it certain that the office of Vice President will henceforth be regarded as something far more important than a make-weight to balance off an appeal to the voting populace. The usefulness of the post to supply a deputy to the President was first demonstrated by Richard Nixon, who ably served President Eisenhower, in sickness and in health, literally all over the earth. Under LYNDON JOHNSON, the office has declined not a whit in prestige and usefulness.

In Berlin particularly, JOHNSON has proved the best answer to Nikita Khrushchev that we have had. No more than a mere answer, perhaps, is to be found in the gesture of sending JOHNSON and 1,500 American troops to Berlin. But what JOHNSON said and what he did there in the beleaguered city make it more than a token reinforcement of freedom's cause.

In times past the News has been critical of Mr. JOHNSON. But when any man plays sincerely and manfully the role of Mr. America abroad, all his countrymen should take pride in him. LYNDON JOHNSON handled himself well in Berlin.

To be sure, handing out gilt-edged passcards entitling the holder to sit in the gallery of the U.S. Senate seems almost funny to many of us. But, in fact, it was evidence of the Vice President's keen understanding of the German common man's profound appreciation of credentials and documents and official recognition.

And, after all, the right to look on while foreign policy for the maintenance of the free world is under open debate somehow visualizes and epitomizes the whole issue between Russian tyranny on the one hand and the worldwide dream of liberty on the other.

The tall man from Texas was Mr. America for a few hours. But, when old age comes upon him, and he sits in the sunset of life, it may be that those hours in Berlin—facing a sea of earnest, anxious faces, bringing earnestness to match their own and hope to give them courage—will seem to him to be the finest in his career.

And if our double-minded diplomats in Washington will now forsake their devious ways and face up to the solemn obligation to make good every promise made in Berlin, LYNDON JOHNSON will have achieved a victory not merely for himself, but for the whole world. The whole world has paused in hushed silence for a sure word of decision. That word the Vice President bore to Berlin.

[From the Houston Chronicle, Aug. 22, 1961]

MOOD HAS MAGICALLY CHANGED IN BERLIN

(By David M. Nichol)

BERLIN.—Berliners went back to their jobs Monday with new confidence and sizable emotional hangovers.

Externally, the city has changed very little as a result of the visit of Vice President LYNDON B. JOHNSON and the increase by nearly one-third of the American garrison here.

The wall which the Communists have thrown up since last Sunday between the two parts of Berlin continues to grow in size and effectiveness and the forcible annexation of East Berlin becomes more complete.

MOOD HAS CHANGED

But in 36 hours, the entire mood and atmosphere on both sides of these unnatural barriers has changed.

Last week the Berliners felt with some bitterness that they had been thrown to the Soviet wolves. Now they feel again that they are an integral and valued part of the free world and will not be abandoned.

Conversely, Vice President JOHNSON has taken back to Washington an amazing picture of a city prepared to face any sacrifices with courage and endurance so long as it has reliable allies.

Everywhere JOHNSON went during his stay, he was surrounded by exuberant thousands. His plane was an hour late in arriving Saturday night, but the Berliners waited patiently, often in pouring rain, for his appearance.

CLAY IS HAILED

Few foreign visitors anywhere ever have been received with such genuine positive emotion, with the possible exception of Gen. Lucius D. Clay, whose case is even more remarkable.

By all normal standards of history, Clay, as military governor of a defeated people, should not be high in their affection.

But there was a special warmth here for Clay as an individual who was described repeatedly as "the savior of the city."

It was Clay who ordered the airlift that broke the brutal year-long blockade of the city by the Soviets in 1948 and 1949 and the Berliners never have forgotten it.

[From the Dallas Times Herald, Aug. 22, 1961]

JOHNSON AGAIN PROVES WORTH AS TROUBLESHOOTER IN BERLIN

Mission accomplished.

Vice President LYNDON JOHNSON once again demonstrates his remarkable effectiveness in reaching the hearts of anxious peoples as a troubleshooter for the President and the American people.

The Texan's successful mission to Berlin combined much that was typically L.B.J.—striding from his car to greet, individually, scores of citizens of West Berlin, passing on flowers from the crowd to a little girl in the throng, personally shaking hands with every American soldier in the vanguard of reinforcing troops.

And even the worldly wise of West Berlin loved it and took him to their hearts. For JOHNSON was to them much more than the Vice President of the United States, the highest American official to visit their city since President Truman at the close of World War II. And he was more than just a friendly Texan they had come to know through photos and films from their own beloved Chancellor Adenauer's visit to the L.B.J. Ranch.

Far beyond all this, JOHNSON was a symbol, a symbol of support for their courage in standing up to the Soviets and their Red German puppets. He was a tall and purposeful reminder—to the Communists glowering behind their new wall locking in East Berlin as well as to the cheering West Berliners that they would not be left standing alone and forgotten.

As he already had done three times previously since his election, at NATO, in Africa, and the Far East, the Vice President took on a tough and vital chore for the new President. In each case he brought new understanding of American sympathy and determination. Now he's topped all the rest.

LYNDON JOHNSON'S pledge for President Kennedy and the United States to the free people of West Berlin could not have been more plain:

"To the survival and to the creative future of this city we Americans pledge in effect what our ancestors pledged in forming the

United States: 'Our lives, our fortunes, and our sacred honor.'"

Well done, LYNDON.

[From the Los Angeles Herald-Express, Aug. 22, 1961]

LYNDON JOHNSON'S TRIBUTE

What a glorious tribute Vice President LYNDON JOHNSON paid to the people of West Berlin and West Germany when he told them:

"Divided, you have never been dismayed. Threatened, you have never faltered. Challenged, you have never weakened.

"Today, in a new crisis your courage brings hope to all who cherish freedom, and is a massive and majestic barrier to the ambitions of tyrants."

So say we all.

The tremendous courage of this people when they are virtually looking down the barrels of Soviet guns eager to quell them and make them captives, or to annihilate them, is a lesson against weakness and surrender to millions of other free peoples hundreds and thousands of miles distant.

[From the Anderson (S.C.) Independent, Aug. 24, 1961]

VICE PRESIDENT JOHNSON PROVING KEY ENVOY IN THESE TENSE DAYS

Vice President LYNDON B. JOHNSON's breezy, hearty, Texas manner was put to a most difficult test on his mission to Berlin.

Despite the fact that a battle group of 1,500 U.S. fighting men came at the same time to dramatize JOHNSON's visit and the determination of this country to keep access open to Berlin, the truth is that JOHNSON came empty handed.

His was a factfinding tour, not the "action, not words" which Mayor Willy Brandt of West Berlin had demanded.

The mayor is the Socialist candidate for Chancellor of West Germany, opposing the veteran incumbent, Konrad Adenauer.

There was some disposition at first to write off his protests as designed to inject the Berlin situation into the German elections.

But Brandt and Adenauer have since appeared on the same platform, in a show of national unity.

They are worried over the drop in morale of West Berliners, who see the walls going up across their city, dividing it in half, and no way to stop it.

Working groups of Allied ambassadors meeting in Washington with the State Department and in London with the British Foreign Office have found no formula that would not quickly catapult East and West to the brink of war.

For the time being, at least, the idea of ending all trade with the Soviet bloc has been shelved.

Its effect would have been greatest had it come immediately after the Communist moves.

The new battle group raises the U.S. garrison in West Berlin to 6,500 men.

Britain is recalling an armored unit from Kuwait to bolster its garrison of 4,000 men.

France is backing up its 3,000-man garrison with two divisions in reserve, recalled from Algeria.

West Berliners, described only a few weeks ago as less fearful of developments than the Allies, have been jolted by the barbed wire and concrete walls thrown up by the Reds.

These barriers are a stark reality.

The new Iron Curtain was a step taken in desperation by the Reds to cut off the flow of harried people seeking escape from Communist slavery in East Berlin.

Vice President JOHNSON—on his visit to Anderson during the campaign last fall he made a highly favorable impression upon the tens of thousands who saw and heard him—is proving to be President Kennedy's most trusted troubleshooter in the boiling area of world tensions. How fortunate we are that this great Texas statesman is Vice President of the United States.

Just back from Asia he is credited with not only soothing some ruffled feelings but also bluntly reminding our erstwhile friends of the facts of survival.

The mission to West Berlin also was an urgent and vital task—and LYNDON JOHNSON again came through with flying colors.

His increasingly important role on the world scene confounds the skeptics who predicted that President Kennedy and Vice President JOHNSON soon would find themselves at odds.

Instead, after nearly 8 months, he already has been entrusted with more key responsibilities than any Vice President in history. It is known that the Texan's opinion weighs heavily in many crucial decisions at the White House.

Wherever he goes, he's making new friends for the United States.

ONE MILLIONTH FEDERAL EMPLOYEE ENROLLED UNDER BLUE CROSS AND BLUE SHIELD

Mr. DIRKSEN. Madam President, today the Senate has been honored by a visit by the national president of the Blue Cross Association and the national president of the Blue Shield Plans. They came here to attend a luncheon in honor of the one millionth Federal employee enrolled under their so-called governmentwide service benefit plan. That person is Mr. John Norpel, personnel security investigator for the State Department. He and Mrs. Norpel and their children are here.

Since the worldwide headquarters of this organization are in Chicago, I believe it appropriate to take proper note of their visit, because of their dedicated service to an organization which seeks to bring relief from pain and agony and to assuage the physical distress of those, both in the Government service and out of the Government service, from one end of the country to the other. I salute them for the great work they are doing; and I am very glad they could come to Washington, to attend the luncheon in honor of the one millionth Federal employee enrolled under this program.

ANNUAL CONVENTION OF THE AMERICAN MINING CONGRESS

Mr. MAGNUSON. Madam President, the American Mining Congress is to hold its annual convention beginning on September 11, in Seattle. Members of the mining fraternity from all over the Nation will be present. The Mining Congress invited me to head a panel to meet on the first morning, September 11; and the distinguished Senator from Idaho [Mr. DWORSHAK] was to be one of the main speakers. The distinguished Senator from Nevada [Mr. BIBLE] also planned to attend and to make a talk at one of the panels on mining problems; and my colleague, Senator JACKSON, was also to be on the program. But, of course, later we found that the situation in the Senate probably will not permit us to be present there. All of us send our regrets. I am sure that all of us feel very keenly about mining problems.

The convention will be very important for all of us, including the majority leader, who also cannot attend, but I am sure was invited; and the Senator from Colorado [Mr. ALLOTT] also has a deep interest in this matter.

Madam President, I have prepared some remarks which I intended to deliver at the opening session of the Mining Congress. I ask unanimous consent that those remarks be printed at this point in the RECORD; and I wish to express to the Mining Congress the regrets of all Senators who were cordially invited and wished to participate in this very important meeting.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT PREPARED FOR DELIVERY BY SENATOR MAGNUSON BEFORE THE AMERICAN MINING CONGRESS

Mr. President, members of the American Mining Congress, and fellow panelists, no subject which will be discussed during this convention is more complex, more filled with pitfalls, more surrounded by conflicting interests, or more important to the national welfare and security than is an intelligent and workable national mineral policy.

It is fitting, Mr. Conover, that you, in working out the convention agenda, made formal discussion of this all-important facet of the Nation's economy and the survival of our domestic mining industry the first order of business.

Our way of life, our economy, and our very civilization are based upon the greatest per capita use of metals and minerals in all the history of the world; and, it is frightening when we consider that in recent years our domestic production of minerals has not kept pace, either quantitywise or pricewise, with population growth—in fact, it has been lagging far behind.

There are those who blame the executive branch of the Federal Government for the lack of a firm and virile national mineral policy which would have prevented this danger-fraught lag in domestic production growth. There are others who lay the blame at the doorstep of the Congress.

Both groups are partly right and largely wrong. This is because the real root of the evil lies in, and is nurtured by, behind-the-scenes internal conflicts of interest and understandable dissensions within the ranks of the American mineral industry, which make it quite difficult for either the executive branch or the Congress, acting separately or together, to tackle the problem. But a way must be found.

I refer specifically to the undeniable fact that many of our large American mineral-producing companies in such important bulk production fields as copper, iron ore, oil, lead, zinc, and manganese, have foreign operations equal to or greater than their domestic productive capacity. The coal industry, of all the major segments of our mineral-extractive industry, stands alone in being unfettered by the necessity of wearing two hats.

And, it is only natural and to be expected that economic and political pressures build up in these foreign countries to force the America-based mining companies to increase their foreign production. The companies, tolerated at best as rich Yankees in a foreign land, have no choice in the matter. They either bow to the demand for increased production—which is then followed by decreased production or a lessened growth in production in their domestic mines—or they get out and lose all or a great part of their foreign investment.

Such companies are not even able to support in the Congress efforts to increase

tariffs or impose quotas on imports of foreign ores and metals for the protection of the domestic mining and fabricating industries for fear of affronting the governments of the foreign countries in which they operate. They are corporate victims of nightmares of their own making.

Then, there is the further complication of the State Department—dedicated to making friends and influencing peoples and governments in the community of foreign nations—protecting, at all costs and all internal hazards, the economies of friendly foreign lands or foreign lands sought as friends. Even a subsidy plan to keep alive important segments of our domestic mining industry is looked upon with distaste and disdain because it might increase worldwide surpluses and thereby weaken the economy of some foreign country. This, in my opinion, they carry too far—and I have protested on many occasions.

The domestic mineral industry thus finds itself firmly fixed on the jagged horns of an implacable dilemma as it gropes for a solution of the necessity of formulating a commonsense and workable national mineral policy.

The Congress should move, even though it would be difficult to get majorities, in the absence of unified support from all segments of the industry.

Let me give you another illustration of the tremendous braking power and dragging action of a house divided against itself. There are those, and I am among them, who firmly believe that the statutory price of silver is too low. We would like to see the price of silver increased for a variety of reasons. It just does not make sense for the silver producer to be forced to subsidize the Government to the tune of approximately 39 cents for every ounce produced that goes into our coinage system. Nor does it make sense for the Government to sell this price-depressed silver to industrial users at a bargain price. The sweat of the silver miner should be paid for.

The overall situation has been made even more acute by a growing shortage in worldwide silver stocks as new production lags behind burgeoning consumption occasioned by widespread new industrial uses and the demand of the peoples of numerous emerging African independent nations for large quantities of silver coins in their monetary systems.

And yet, whenever any suggestion is made that the Treasury cease selling silver to industrial users at a 30-percent discount price from the statutory value and at lower than world prices, a cry of anguish, joined in by some Treasury Department people who should know better, goes up and a horde of lobbyists descends upon Washington, and the net result is another stalemate.

I venture to predict, however, that the day is coming, and rapidly, when the Treasury will dry up and then all domestic silver production, and more, will be required for our own coinage purposes. When that day comes, the silver segment of a new national mineral policy will establish itself and the industrial users, forced then to buy in the world market, and at possible runaway prices, will regret having killed the goose that has been laying their silver egg.

You, the American mineral industry, must achieve a courageous, unified, and action-packed front, in which big and little producers are working partners, to serve up guideposts to your Government in the formulation and effective operation of an intelligent overall national mineral policy. This great Nation of ours must not miss the boat in one of the most important mainstreams of its economic life—maintenance of a virile domestic mineral industry. There surely are some areas of agreement upon which the industry can unite in effort.

I need not belabor this audience with arguments as to what results, in mineral matters, when unified action is taken. I would remind you, however, of the uranium depletion tax allowance reversal by the executive department 2 years ago, and the sudden death of the proposal, of recent weeks in Congress, that the floodgates of unlimited stockpiled minerals releases be opened through the foreign-aid bill, when the American Mining Congress went into action with a united industry behind it.

Mr. BIBLE. Madam President, I wish to associate myself with the regrets which have been expressed by the Senator from Washington. The American Mining Congress is certainly one of the outstanding congresses in the entire Nation, and it is of very, very great interest to those in the mining areas of the West. I know that the program will be of inestimable value to the mining industry and the entire world. I am very sorry that, because of the legislative situation, I cannot attend.

SALINE WATER CONVERSION PROGRAM

Mr. BIBLE. Madam President, I ask that the unfinished business be laid before the Senate.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 2156) to expand and extend the saline water conversion program being conducted by the Secretary of the Interior.

Mr. BIBLE. Madam President, S. 2156, the particular bill now pending before the Senate, was submitted and recommended by the President of the United States to carry out his recommendations on saline water research within the natural resource message which had been given to the Congress in his state of the Union message.

The bill which is now before the Senate was sponsored by 17 Senators at its introduction by the Senator from New Mexico [Mr. ANDERSON] on the 27th day of June 1961. I am extremely sorry that this distinguished chairman of the Interior and Insular Affairs Committee is unable to be with us here today instead of being in a hospital bed in New Mexico.

The purpose of the measure is to expand and extend the saline water research and development program being conducted by the Office of Saline Water of the Department of the Interior.

Three similar measures have been introduced in the Senate this year. S. 22 was introduced by the distinguished Senator from South Dakota [Mr. CASE] and 16 other Senators. S. 100 was introduced by the distinguished Senator from California [Mr. ENGLE]. S. 109 was introduced by the distinguished Senator from New Mexico [Mr. ANDERSON] with 16 cosponsors.

The original program in this very challenging area was authorized in 1952 by legislation approved by the Interior and Insular Affairs Committee. The program was extended in 1955, and construction of five demonstration plants was authorized in 1958.

The Freeport, Tex., plant has been constructed and is in operation. On November 6, 1960, a contract for the construction of the 1-million-gallon-a-day plant at San Diego, Calif., was awarded. I believe that plant will be in operation by the end of this year.

A contract for the brackish water plant of 250,000-gallon-a-day capacity at Webster, S. Dak., has also been entered into. The contracts for the plants at Roswell, N. Mex., and Wrightsville Beach, N.C., are expected to be consummated in the very near future.

The Secretary of the Interior advises that the enactment of the bill will provide the Department with the program authorizations required to assure the most vigorous and effective research and development program possible in this field.

The measure has been amended by our committee—that is, title I of this particular legislation—to limit the authorization for research to $75 million for a 10-year period.

The Secretary of the Interior testified rather extensively on this point, and I think he made a good case for this particular length of time, so far as the research and development feature of the proposed legislation is concerned.

The bill also provides for further construction of demonstration plants, without enumerating types or location, and increases the authorized size to a maximum capacity of 50 million gallons a day. That is in title II of the bill before the Senate.

Title III, as submitted by the committee, providing financial assistance for the construction of conversion plants by State or public or private organizations, has been deleted. It was the feeling of the committee that title I and title II were far more important to move this program forward; and as a result, title III was deleted.

Title IV was a section which provided for grants and contracts to assist cities and communities in solving water problems that could be cured through saline water conversion, and this title has been removed from the original proposal.

Title V was a section which provided for assistance to and cooperation with other agencies of the Federal Government in the design, construction, and operation of saline water plants as a defense tool or as an economic aid for foreign countries. This title has been retained in the measure now before the Senate.

In addition, the bill has been further amended to include a definition of "saline water," as suggested in his appearance before the committee by the distinguished Senator from South Dakota [Mr. CASE], who has devoted many years to active leadership in this particular field. This definition is incorporated in the version now before the Senate.

There was also a provision incorporated in the bill to prevent the loss to the Government and the general public of the use of patents that have been developed as the result of use of Federal funds under the program.

In this connection, the distinguished Senator from Louisiana [Mr. LONG] appeared and made a very impressive

presentation. We all know of his interest in this area. This provision is similar to provisions which are included in the Coal Research and Development Act and the Helium Gas Act, which were both passed in the last Congress. This amendment was gladly accepted by the committee, and it is incorporated in the bill which is now before the Senate.

The report on the bill points out very clearly the need for accelerating the program and moving into this area. Certainly, water is becoming more and more in short supply throughout the length and breadth of the land. The truth of this is brought home particularly to those of us who represent semiarid States. For example, in my State, in a good year, the average rainfall for the year is about 6 inches. In a year such as we are now having, when we are in one of the most serious droughts we have ever experienced, the problem of water, even for municipal use, is truly critical. We find this to be true generally throughout the United States.

Forecasts, as they can best be predicted, show that it will be only a few short years before we will actually be in a condition of short water supply. I think it is an amazing statistic that water consumption in the United States has increased from an estimated 40 billion gallons daily in 1900 to 312 billion gallons daily today. At the same time, it is estimated that water consumption will be 435 billion gallons daily in just a few short years.

I think it is very obvious to anyone that the water supply in this great Nation of ours is not equally distributed. The bill we have before us will be a means of acceleration of our movement into the area of equal distribution.

I believe it is correct to say that in the last 10 years there have been spent something in the neighborhood of $20 million in this particular area. The testimony before the committee, at the time the experts from the Office of Saline Water of the Department of the Interior appeared before us, showed that this year something like $1,700,000 was being used for research and development, and something like $4 million for the building of conversion plants. This is inadequate if we are to score the necessary breakthrough.

Costs have not been brought down to the point where saline water can be realistically used; it can be employed only for some high priority uses. I think we are making headway in this direction. The pending bill, if enacted, will bring us closer to scoring a breakthrough in the great problem of water shortage.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment.

Mr. BIBLE. Madam President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc, and that the bill, as thus amended, be considered as original text for the purpose of amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada? The Chair hears none, and it is so ordered.

Mr. MONRONEY. Madam President, on behalf of myself, my colleague [Mr. KERR], and the Senator from Tennessee [Mr. GORE], I offer the amendments of which I have at the desk, and ask to have them stated.

The PRESIDING OFFICER. The amendments will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 6, line 15, it is proposed to strike "$75,000,000," and to insert "$100,000,000."

On page 6, line 17, it is proposed to strike "1971" and to insert "1967."

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. MONRONEY. Madam President, this is a rather simple proposal, the purpose of which is to emphasize the urgency of research to make the great breakthrough, for the benefit of civilization and humanity, which will be achieved if our scientists are able to show the world that the miracle of converting sea water into fresh water has been accomplished by this great free nation.

The amendments would increase the $75 million provided in the bill to finance the program under a 10-year authorization, to $100 million under a 5-year authorization.

The House passed a bill authorizing $50 million for 5 years.

I feel the amendment is necessary because of the urgency of moving forward toward a goal which is even more important than our goals in space, landing on the moon, or a lot of other important things we are attempting to do.

The turning of sea water into fresh water not only will be of importance to Americans, but the people of every nation of the world will thank God for American scientists if we find the golden key to unlock nature's secret.

The House bill, with a 5-year authorization, provides a $10 million level of appropriations for each of the 5 years. That is the way the Appropriations Committee, of which I have the honor to be a member, tends to consider these authorizations. If there is a 5-year program with a total dollar authorization, one is inclined to simply divide by the number of years to determine the needed annual appropriation. Under that formula there will be a $10 million annual level of appropriations.

The Senate bill, as introduced in the Senate by a large number of sponsors, of which I am proud to have been one, had no dollar limitation on the amount of appropriations.

I think the committee was wise in providing a figure. But when the committee says it wishes to have a 10-year program, and raises the funding for the 10-year program to $75 million, that results in annual level of appropriations less than the House provided. Under the House bill the annual level was $10 million, by dividing the $50 million by the 5 years. If we divide the $75 million by 10 years, there is a level of appropriations of $7.5 million a year.

The amendment I propose would grant a $100 million authorization for 5 years, which would permit a level of appropriations, as the Appropriations Committee and the Bureau of the Budget generally consider it, of $20 million a year.

If we can afford to spend several million dollars for every shot into space, Madam President, we can certainly afford to spend $20 million a year for increasing what is mankind's most vital resource, both at home and abroad.

As the Senator in charge of the bill, the distinguished Senator from Nevada [Mr. BIBLE], has said, today we are using 312 billion gallons of water daily. This represents 60 percent of all the water known to be available to Americans. The estimated use for 1975, taking into account the present population growth figures, will be 453 billion gallons a day, or 90 percent of all the water available.

This is a very dangerous situation. As the Senator from Nevada has said, the water is not properly distributed. There are vast areas of our country which have little water available, for which no water can be developed from underground reservoirs. The streams are dry, polluted, or unusable.

If we expect to have available this most valued of all resources—one without which human life cannot exist, one without which agriculture cannot produce food, one without which the wheels of industry cannot move—we had better look after the needs for tomorrow, to see whether we can find new sources, rather than following the cycle of water on the surface being evaporated, going into clouds, being again distributed in the form of rain into the rivers, and captured and used from the rivers.

This program offers the hope that we can, by intelligence and with accelerated research, unlock the unlimited quantities of water from the oceans, which cover three-fourths of the globe, by making this water usable for the benefit of mankind.

The industrial uses of water at the present rate are 40 percent of consumption. Each year we observe a jump in the percentage. With increased industrial use, with increased use for air-conditioning and many other things, it is probable the percentage in the future will be higher than 40 percent.

There are many communities in nearly all States with insufficient water supplies. There is an underground water supply in the gulf area and in the Atlantic coast area which is being contaminated by salt water, due to depletion of the water and the encroachment on the water table.

In many States the drilling of oil wells and other mining operations result in the contamination of underground water supply. That is happening in Oklahoma and in other oil-producing States.

California found it necessary to extend pipelines hundreds of miles to bring water to several of its great cities. There was the great project from Arizona, from Hoover Dam across the mountains over the long distance of hundreds of miles, to supply the needs of Los Angeles.

California has voted to raise a billion dollars, from the sale of bonds, to bring water from northern California mountain regions into areas of need. The water is to be used for irrigation and to supply the needs of vast populations in southern California. That is a billion-dollar expenditure, yet at the very door of California is an unlimited quantity of

ocean water which, if we can turn this golden key, will be available for use.

There is no doubt that if California could use the unlimited waters of the oceans, the waters of the Colorado River, so desperately needed in New Mexico and Arizona and other States, could be left to supply their needs, while California received its supply of pure fresh water from the ocean.

Much progress has been made in the 8 years the program has been underway, but we need to accelerate and to break through to an economically feasible process, now that we have learned of systems which give promise. Standing still is not good enough.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield.

Mr. GRUENING. I wish to associate myself with the comments of the junior Senator from Oklahoma, and especially his emphasis upon the urgency of the program. The Senator has properly echoed the sentiments which I think our President expressed some time ago, when he said that the conquest of this new resource would be more valuable to mankind than some ventures into space, important as they may be.

It is a striking fact that although much emphasis in connection with the program has been given in the so-called arid States, the Mountain States and Plains States, there is not a single State in the Union which will not run short of water within a foreseeable time. There are many areas in which it is assumed there is a sufficient supply of water, though that is truly not the case.

We know that in Alaska, as wide and as deep as the 48 older States, there is a tremendous rainfall in certain parts of the State, along the southern, the Pacific coast area the highest under the flag on the North American Continent, yet in the northern part of Alaska, along the whole Arctic slope, there is an arid region which has only 4 inches of rainfall annually. There the Eskimos are obliged to get their drinking water by going out on the icepack of the Arctic, from where they bring in ice, which they melt to get their drinking water. The great Tanana Valley has only 11 inches.

Similar situations, not exactly the same but analogous, exist everywhere under the flag.

I am sure the Senator's amendment is what we need.

There is no use in adopting a halfway program. If we could achieve our objective, the result would be one of the greatest conquests by man that could possibly take place. We would have utilization of a limitless resource which, for the purposes intended, is now useless—sea water. When we have done so, we shall have revolutionized the economy of this country. We shall be able to make the desert bloom and meet the critical needs of our large cities in the West, and even those along the Atlantic coast. I hope that the amendment of the Senator from Oklahoma will be agreed to.

Mr. MONRONEY. I thank the Senator from Alaska for his valuable contribution to this debate.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. AIKEN. I should like to join the Senator from Oklahoma in saying that in my opinion the bill is one of the most important bills that Congress will consider. I believe this is true not merely because something must be done about the Plains States, the Mountain States, and the drier States of the West, but also because the proposed program would affect every State in the Union, as the Senator from Alaska [Mr. GRUENING] has said.

The bill would affect particularly my State, Vermont. That may be hard to believe, but it is so. Today the trend is toward the concentration of millions and millions of people in the already overcrowded industrial and populous centers of the country. As the populations of such areas increase, particularly along the Atlantic seaboard from Virginia north to southern New Hampshire and even into the corner of Maine, the demand for water grows more and more acute. At present the only way we can get the necessary water for the large cities that are developing—I think they are unsound and unwise urban developments, but nevertheless the trend is in that direction and we have not been able to stop it—is to rob the rural States. In northern New England we are already feeling pressure in anticipation of an increase of several million in population in southern New England and the Atlantic Coast States.

If we permit the large metropolitan areas to usurp the water which is our lifeblood, not only for residential purposes, but also for recreational and agricultural purposes, we shall find ourselves gradually depending more and more on distant areas for our food. We shall find our recreational areas becoming closed because of the need for water in the immense growing, insecure, and largely bankrupt cities. So I think we who live in rural areas should resist to the last ditch the efforts of great urban centers to despoil us of our resources, but at the same time we should go all out in helping them to find a new source of water, which I admit they need.

For the most part, great centers of population have access to unlimited amounts of salt water, which would serve their purposes as soon as we can find a way to remove the salt economically. So I am wholeheartedly in favor of the general proposal. I am not familiar with the details of the bill. I do not pretend to know about patent rights and other subjects that may be involved. But I know the overall need. We must develop other sources of water. We must not permit our rural areas, upon which the country depends for its food today as well as for its recreation, to be despoiled so that more and more millions of people can be crowded into fewer cities.

Mr. MONRONEY. I thank the Senator for his very important comment that, unless sources of water are found for the large population centers of the world which grow up mainly along the seacoasts, they will have to continue to take more and more water from the agricultural areas.

Mr. AIKEN. We must consider another point. In the event of a nuclear attack, the enormous city which runs from Virginia to the southwestern tip of Maine could be paralyzed almost overnight. In Vermont we have been told that we should be prepared to take care of a million additional people in the event of a scare. We would have to take care of those people after our resources had literally gone down the river to generate electric power for the big cities, to clean up pollution in the urban areas and to supply their domestic water needs.

Mr. MONRONEY. The Senator is correct.

Mr. JORDAN. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the junior Senator from North Carolina.

Mr. JORDAN. I associate myself with the sponsors of the fine bill now before the Senate. I have been working on the proposal for 2 or 3 years, because a plant of the type proposed will be built by the International Nickel Corp. at Wrightsville Beach, N.C. It will be an experimental plant. I believe the company has made the first breakthrough in the whole process of converting saline water. The company is already preparing the ground. This year a contract will be let to provide a 250,000-gallon plant.

The same condition exists in the eastern part of North Carolina as exists in other parts of the country. There is plenty of water, but it is brackish. As the drilling goes deeper, we get more salt water. Drillers must move farther inland each year in order to obtain fresh water.

As the Senator from Oklahoma pointed out awhile ago, the fresh water table is constantly going down and salt water is replacing it. Unless we find some use for our great potential source of supply—and the only place we will find it is in the ocean—the American people will be in serious trouble within a few years.

Most of North Carolina happens to have plenty of rainfall the year round. We have many rivers and creeks. In the western part of the State we are not in trouble because we have reservoirs and dams, which many States do not have. If they do not have rainfall they do not have water flowing into their creeks and reservoirs.

I believe that the amendment of the Senator from Oklahoma is satisfactory. I do not think we could spend the amount of money suggested without throwing away half of it, because we must first determine what the experimental plants will do. There must first be a breakthrough.

I should like to ask one question. I notice that the bill provides for development here and abroad. How much money could be spent on this project out of the country?

Mr. MONRONEY. There is no definite limitation in the bill. Other than expenditures for research, I think the money that would be spent outside of the country would normally come from the Development Loan Fund or other funds provided under the Foreign Aid Act.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CASE of South Dakota. It is understood that no part of the funds appropriated would be available for expenditure abroad. Title III provides for cooperation between the Department of the Interior, the Department of Defense, and the Department of State in programs which the Department of Defense—and the Department of State more particularly—might have abroad. But it is the understanding of the Senator from South Dakota that either the $75 million as proposed by the committee, or the $100 million contained in the amendment of the Senator from Oklahoma, plus whatever funds might be appropriated under title III for demonstration plants, would be for research and plants in the United States.

I assume that it might be possible under the research program for the Secretary of the Interior to conduct some research abroad. I believe that the language is broad enough for that purpose. I do not think the bill contemplates any appropriation under the authority of this act for demonstration plants abroad.

Mr. MONRONEY. What I was trying to say—but I do not believe I explained it very well—is that I think if we could make breakthroughs or partial breakthroughs, the program could be one of the greatest instruments to help the undeveloped areas.

Rather than sending military weapons or equipment to underdeveloped areas, foreign aid to build plants to convert salt water can open new vistas of life in the underdeveloped areas. The program could turn the sands of North Africa, where a vast abundance of methane gas and oils exists on the borders of the Sahara, into a very productive area. The only need for the development is a method. If under the foreign aid program we can offer such countries an opportunity to build with our assistance—not under the pending bill, but under the bill which the Senate passed a short while ago—to build demonstration plants so that the crowding, teeming populations that are in revolution today will have access to land which today is barren and crusty, but can be turned into a veritable Garden of Eden—we shall have demonstrated what American means. We shall demonstrate what science means. We shall have earned the undying gratitude of millions of people who have never known a square meal.

When we can transform land so that food can be raised and provide a new standard of living for the people who live in such areas, an opportunity will be opened for real programs that will astound the people living in those areas.

Mr. CASE of South Dakota. Mr. President, will the Senator yield on that point?

Mr. MONRONEY. I yield.

Mr. CASE of South Dakota. Section 503 of the bill as reported reads:

> SEC. 503. The Secretary of State, whenever he deems it appropriate in order to accomplish the objectives of any Act of Congress designed to assist in the economic development of foreign nations, shall seek the cooperation and assistance of the Secretary of the Interior in establishing saline water conversion plants in those areas of the world where natural supplies of fresh water are in limited supply.

I believe that is in harmony with what the Senator from Oklahoma has said, that the establishment of plants abroad through any operations of the Secretary of State would come not under this bill but out of funds provided in the foreign aid bill, or some other bill.

> The Secretary of State, whenever he deems it appropriate in order to accomplish the objectives of any Act of Congress designed to assist in the economic development of foreign nations, shall seek the cooperation and assistance of the Secretary of the Interior in establishing—

And so forth. Title I of the bill refers to the shortage of ground water in many parts of the Nation. It reads:

> In view of the increasing shortage of usable surface and ground water in many parts of the Nation and the importance of finding new sources of supply—

And so forth. In other words, this bill is primarily for meeting the shortage of supply in the United States and for developing processes here.

Title II relates to demonstration plants within the United States.

Title III suggests that what we learn here through the Office of Saline Water in the Department of the Interior shall be made available to the Secretary of State for his operations abroad under other acts of Congress.

Mr. JORDAN. That is what I wanted to be certain about. The Senator knows we are trying the freezing process in Wilmington. There are two types of evaporation processes. They have not been successful in converting water in great quantities. I wanted to be certain that we did our development in this country, rather than developing it all over the world where we cannot keep up with it. Our scientists are here. I shall support the Senator's amendment. I believe it is one of the most valuable pieces of legislation that has ever come to the floor of the Senate.

Mr. MONRONEY. I thank the Senator. I yield now to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, I congratulate the senior Senator from Nevada [Mr. BIBLE] and the junior Senator from Oklahoma [Mr. MONRONEY] for their leadership in this matter, as well as the Senator from New Mexico [Mr. ANDERSON], who is not available today. I believe that this is one of the most important measures ever to come before Congress, based upon its value to my State, based upon its value to the Nation, and based upon its value to the earth. I cite as an example the situation in my State. The rainfall in the eastern portion in my State is as much as 60 inches a year. In the western area, near El Paso, it is less than 1 inch. It drops 1 inch for every 15 miles. The distance from large bodies of water does not determine the arid condition of an area or the lack of water. There are some areas in Texas near the Gulf of Mexico which are arid for lack of water.

It is of as great importance there as it is in the rest of the country. It is likewise of the greatest importance to people in States which border on the Atlantic seaboard.

Those who have made studies of underground water supplies have told me that as we have drawn on our underground water supplies, the water has become increasingly saline. It is not enough to make it unusable, but it has become saline to such an extent that continued great withdrawals from underground water supplies have caused experts to tell us what within a few decades there will be salt water where there now is an abundant fresh water supply.

This is a matter of a shortage of surface fresh water, of a shortage of underground fresh water, a shortage which is increasing. It is caused to a large extent by the great demands upon the limited fresh water supplies. Industry uses many times more thousands of gallons of water in the processing of one ton of finished product than was required for a ton of finished product 25 or 30 years ago.

A short time ago it was my privilege to go with the distinguished Vice President of the United States and the distinguished Secretary of the Interior, and a committee headed by the distinguished Senator from New Mexico, the chairman of the Committee on Interior and Insular Affairs [Mr. ANDERSON] and others, to Freeport, Tex., for the dedication ceremony of one of the first of three salt water conversion plants. It uses one of three different methods that are being used. It is a method with which we hope to be able to extract great amounts of fresh water supplies.

Madam President, I favor the expenditure of this money. At the same time I cannot agree with my colleague, the distinguished Senator from North Carolina [Mr. JORDAN], in his statement during the colloquy with the distinguished Senator from Oklahoma, when he said that he thought that the money we appropriated would in part be wasted, that it would be impossible to spend $10 million a year. I submit that it can be spent expeditiously and spent wisely, when we know what the plant will cost.

We have been told that if the Freeport plant were five times the size of the present conversion plant, producing five times as much water, the unit cost would be much cheaper. We need enough money to build a large plant.

The plant at Freeport, Tex., furnishes water for industrial plants and fresh water for the municipality of Freeport. It costs too much to use it for agricultural purposes. The Federal Government is paying a part of the cost, and the municipality is also paying a part of the cost.

This is a field in which time is not standing still. The problem is increasing. The places where fresh water is available are limited. The answer is to convert salt water into fresh water.

I commend the distinguished Senator from Oklahoma for his very apt statement about what the passage of this bill will mean for American prestige in the world, if this water can be furnished to

make the desert literally blossom as the rose and bring food to people who have been hungry for hundreds of years. There are parts of the Arabian Peninsula that were coffee-growing areas 500 years ago. They are now part of the Arabian Desert. That land can no longer grow coffee. There are parts of the north African desert which were the breadbasket of the Roman Army in Africa. Water can bring it all back. Drillings in several desert areas have shown that the soil could be among the richest on earth, if only there were water to make it productive.

The great problem is the problem of making it economically feasible to produce fresh water so as to make it possible to use it in the raising of crops. While it could be used for city supplies, it would still be too expensive to make it economically feasible to use in raising crops.

Dr. Walter Webb of the University of Texas has pointed out that the Southwestern part of the United States is a desert. He has been roundly criticized for it. However, he studied the average rainfall per year in that area and has shown that it is less in the Southwestern part of the country than it is in parts of Tunisia and Morocco. However, we have found that the underground supply of water is saline water. If we can make it economically feasible to convert that water and bring the cost down low enough, we will have solved the water problem. It can be done with research.

I commend the leadership for what they have done in bringing this bill to the floor of the Senate.

Mr. LAUSCHE. I join with the Senator from Oklahoma in support of the bill. The population of the world is now about 2,750 million. It is increasing at the rate of about 2½ percent a year. Even a State like Ohio, with water on the north in Lake Erie, and water on the south in the Ohio River, is beginning to suffer from a shortage of water in the interior. It is becoming a pressing problem.

In various parts of the world, the tension which exists among nations is the consequence of a fight for water supply. Two significant examples are Pakistan and India. The United States has provided a huge sum of money to those nations for the development of a joint water impoundment which will supply water in the Indus Valley to India and Pakistan.

There is now a serious conflict between the Arabs and Israel concerning the diversion of water from the Jordan Valley.

A grave problem exists in Egypt, and it will not be solved by the building of the Aswan Dam.

There are arid areas which are looking for a supply of fresh water out of the saline waters of the ocean.

Mr. CASE of South Dakota. Madam President, will the Senator from Ohio yield while he is speaking of the problem of the Arabs?

Mr. LAUSCHE. I yield.

Mr. CASE of South Dakota. It was my privilege to be in Israel a couple of years ago just at the time a proposal of the Fairbanks-Whitney Co. for the development of a process for the benefit of Israel was being announced. They contemplate the development of a process presumed to be one which will avoid freezing.

The problem of the diversion of water from the River Jordan is acute. When I was at Jericho, it occurred to me that the development of a satisfactory and practical process for desalting ocean water might provide a solution to the problem.

The city of Jericho is about 1,800 feet below sea level. The Arabs still have access to the sea in the Gulf of Aqaba. It would be theoretically possible, it seemed to me—and I so suggested to the Jordanians at the time—to take some water out of the sea, desalt it, and carry it down the 1,500 to 1,800 feet below sea level, generate power by reason of the head which would be obtained in dropping the water that much below sea level before getting down to the plains of Jericho, and get both potable water and hydroelectric power. It would take an engineer having more slide-rule ability than I have to determine how much water would be required down there, because eventually the residue would go to the Dead Sea, and it would be necessary to measure accurately how much would be used for hydroelectric power and how much would be lost in evaporation. Still, it seemed to me that the idea of taking the salt out of the water and taking advantage of the fall which exists between sea level and the low lands of Jordan might provide some answer to the diversion of water in the Jordanian area.

Mr. LAUSCHE. Madam President, one of the members of the faculty of Union Theological College, at Cincinnati, is Professor Glick. He is an archeologist of worldwide distinction. He traveled over the lands of Israel, along the path which the Israelites took in their exodus from Egypt and their final return to the Promised Land. In his archeological researches, he attempted to follow the geographical description, contained in the Bible, of the water places of Israel. He presents a most fascinating story concerning the vitality and importance of water 3,000 years ago. Where there was a water well then, today there are the remnants and evidences of people who settled there. He has reproduced his research in a book which is most fascinating in its descriptions.

So the subject of the scarcity of water is not one of the immediate day, but is one which began 3,000 years ago. The description given by the Senator from Texas concerning the Arab lands which are now arid and devoid of life, but which at one time flourished with vegetation and food, is apt.

Getting back to the importance of propositions, there is now before Congress a proposal to spend $20 million for an aquarium to enable people to see the various types of fish which abound in the fresh waters and salt waters of the world.

It has been suggested that $30 million be spent by the Federal Government to build a Federal exposition building at the World's Fair in New York.

It has been suggested that $39 million be spent to build a memorial to James Madison, $12 million of which, according to the Senator from Florida [Mr. HOLLAND], would be expended for the memorial, and $27 million for utilitarian purposes of housing ancient documents.

My point is: How much better it would be to put the whole amount of $30 million for the Federal exposition building at the World's Fair in New York, the $20 million for the aquarium, and the $15 million for the memorial to James Madison, to use in improving the supply of potable water. I revere James Madison; I have learned much from him. But if he were on the floor of the Senate today, I feel certain he would say, "Use that $15 million to try to break through the problem of taking salt out of the waters of the ocean, so as to make the water available for irrigation and consumption purposes."

I agree fully with the Senator from Oklahoma that the greatest aid we can give to the world is by breaking through this problem. If we can break through it, our foreign aid program can be ended. I gladly join with the Senator from Oklahoma in recommending this expenditure.

I am not familiar with the details of dividing $75 million by 10 and making only $7,500,000 available, as distinguished from the House program of providing $50 million for 5 years and making $10 million available, but I know this: Much as I am trying to guard the taxpayers' money, if I am to make an error, it will be in the direction of recommending more, rather than less, than what is needed for this program.

Mr. MONRONEY. I thank the Senator from Ohio. My amendment seeks to accelerate the program, so that we can be the ones who will find this blessing for mankind. This is science for life. We spend billions upon billions of dollars for science for death. If we can show the kindly side of Uncle Sam's face, if we can be the discoverers of the vital secret which can change the lives of the 3 billion people of the world, then we will have made an investment which will have the most fabulous yield since the beginning of Christendom. We can do that if we will devote some of our science, not to the preparation for the conquest of space, not to the development of missiles, not to the preparation for the production of other death-dealing devices, including supersonic aircraft; but to a better life simply by providing $100 million over a 5-year period for the purpose here sought. This amount for which we are asking would be scarcely enough to buy the four B–58 bombers.

Which will have the greater yield? Which will help to change the course of mankind's fate of poverty and hunger in underdeveloped areas, where billions of people live? We can lose the race in sputniks; we can lose the race to the moon; but this great country, with its scientific reputation, dare not lose the race to benefit mankind.

I feel certain that the Communist opponents are working hard on this project, just as little Israel is and as other countries are. I would hate to see the United States lag behind. We have already received tenfold in return for the meager sums which have been spent. Ten years ago the cost of conversion of salt water to fresh water was $4 a thousand gallons.

Today, by conventional methods, it has been reduced to $1.75 a thousand gallons.

One plant claims it has now brought down the cost to $1. Another says it can bring it down to 50 cents. This has been the result of the following expenditures: In the fiscal year 1960, the Office of Saline Water, in the Department of the Interior, had a research budget of $1,755,000, plus $1,850,000 for experimental plant construction. In the fiscal year 1961, the amount for research was decreased to $1,355,000, but the amount for plant construction was increased to $2,040,000. This shows the magnitude of our expenditures—less than the cost of one ICBM. These expenditures already have cut by more than half, and perhaps by three-fourths, the cost per gallon, assuming a production of 50,000 gallons. Although that is not enough for irrigation water supply, yet it marks milestones along the way. But the last miles must still be traveled.

There are five processes for the production of fresh water from saline water.

The first process is distillation, in respect to which great cost-cutting progress has been made in the reuse of heat and scale and corrosion control. That process has to a considerable degree been brought up to date.

The second process is solar distillation, using heat from the sun.

The third system is the use of membrane processes—electrodialysis. This uses a combination of thin membranes and electric current to screen out the dissolved salts.

The fourth method is freezing. It is an experimental method to separate salt from frozen water. Today, it seems to be the best method.

The fifth category is composed of chemical and electrical methods of conversion, such as gas hydrates and controlled absorption. These are under research study.

The experts say that perhaps none of these methods will be the one finally used, but that there will be a combination of these and others.

For example, it is proposed at Oak Ridge, Tenn., the State of the distinguished Senator from Tennessee who is one of the cosponsors of this amendment, to open some of the laboratories there which have access to atomic piles, to see whether some of the tremendous heat available in connection with the atomic processes can be used to crack this great problem and to bring about the dream that mankind has sought to realize since the beginning of time.

Mr. HOLLAND. Madam President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. HOLLAND. I thank the Senator from Oklahoma for yielding.

Madam President, last fall, after Hurricane Donna struck, my colleague, the Senator from Florida [Mr. SMATHERS], and I went to Matecumbe Key, and then to Key West. One of the results of that hurricane was the washing out and destruction of the great aqueduct which is the sole source and supply of water, aside from rainfall, not only for all the keys and Key West, but also for the naval base at Key West, the antisubmarine center, the Boca Chica Airbase, and the like, all of which are important parts of our Defense Establishment because they dominate the Florida Straits, which are quite narrow there, and constitute the sole channel of passage for shipping from the Gulf of Mexico to the Atlantic, and back and forth.

Fortunately the Navy, by sending in a skilled crew which worked literally day and night for several days, was able to restore the line before any great harm was done.

I call attention to this situation in order to remind Senators that while there are many problems in far-off places, probably one of the most critical problems in this field is with reference to one of our great defense installations and also in connection with the some 40,000 to 50,000 people who live in Monroe County, Fla. The aqueduct now extends over 100 miles, from the mainland down the keys, to Key West. I have had considerable to do with the aqueduct, because it was installed during the time when I happened to be serving as chief executive of Florida; and we had quite a problem getting it installed with the necessary speed, when it developed that the movement of water by barge was not only very expensive, but also was subject to interruption by a variety of causes, and was, therefore, not dependable.

The people in that part of Florida have not been able to understand why they have not received any recognition at all from the agency which is administering this law, when the need is so obvious and when it relates so directly to the necessary supply of water to carry on life and activities, not only for our various defense bases, but also for those 50,000 people.

While I am supporting this legislation, as I have in the past, and will continue to do so, I want the RECORD to show that although I would not take away any demonstration plant from either Freeport, Tex., or Wrightsville Beach, N.C., or San Diego, Calif., or South Dakota, or any of the other places where plants have been installed or where their installation is contemplated, yet I have not been able to understand, and neither has my colleague, the Senator from Florida [Mr. SMATHERS], or the Member of the House of Representatives from that area, why we have been unable to get any recognition at all of a situation which we believe is the most critical of any such situation existing within the country.

We have been particularly mindful of this problem when we know that on the Dutch Island of Aruba, in the Caribbean not far from our own coast, it was found a long time ago to be not only possible, but also necessary, to install a conversion plant, which is now producing somewhere between 2 and 3 million gallons a day. I have been there, and have drunk the water, and it is good. They found it practical to provide the necessary supplies of water for the limited population there and for the several great refineries there, and also for the airbase and the very important shipping base there.

I support this legislation, and I shall support the amendment of the Senator from Oklahoma, unless some good reason to the contrary is advanced by those who are handling the bill. Since I have not heard them state their position, I do not have the final details in regard to this matter; but I should like to see the program proceed more rapidly.

Mr. MONRONEY. That is what my amendment will do.

Mr. HOLLAND. Therefore, I rather think I shall support the amendment of the Senator from Oklahoma.

But I desire to call attention to the fact that we are passing up at least one—and I think the most critical—need for the installation of a demonstration plant which exists anywhere in the Nation. Why the division in the Department of the Interior which is handling this matter has been unwilling to see this need, I am unable to state, unless it be it is just finally getting around to recognizing that areas outside the reclamation areas of the Nation do have some needs in this field.

I hope that the Senators who are supporting this measure will feel that it is appropriate for this body to call attention to a need which affects more than our State, for it also affects highly important defense installations which certainly have to be supplied with water.

Mr. MONRONEY. Madam President——

Mr. CASE of South Dakota. Madam President, will the Senator from Oklahoma yield?

Mr. MONRONEY. Madam President, I should like to yield first to some of the committee members; I think they can state what was done.

For myself, I should like to say that for the fiscal year 1960 we had only $1,800,000 for research and only $2,040,000 for plant construction for the entire Nation. We are probably spending more for sewage disposal in Dade County than we are spending in the entire Nation to find the answer to this problem. Certainly the only thing we are short of is money. My amendment will help accelerate this program and will increase the level of spending from $7,500,000 to $20 million a year; roughly stated, that is what the amendment will do.

Mr. HOLLAND. Madam President, perhaps the Senator has the answer to the question of why this division of the Interior Department has been unable or unwilling to see that this area in Florida is one of the most important key places which needs this development.

Mr. CASE of South Dakota. Madam President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. CASE of South Dakota. I think there has been a little misunderstanding with respect to the bill. We are dealing here with two different acts.

The act of 1952 proposed a research program. The act of 1955 extended the research program. Neither of those acts authorized demonstration plants. The act of 1958 was the one which authorized demonstration plants.

The $75 million figure which the Senator from Oklahoma seeks to amend is in title I which is an amendment to the act of 1952, as amended by the act of 1955, which relates to research.

Title II of the bill amends the 1958 act and the deals with demonstration plants. The demonstration program was authorized in 1958, after the research undertaken in the 1952 and 1955 programs brought the program to the point where it was thought demonstration plants were warranted.

The distinguished Senator from New Mexico [Mr. ANDERSON], who is chairman of the Committee on Interior and Insular Affairs, introduced a bill, either in late 1957 or early 1958, which proposed to authorized two demonstration plants dealing with sea water, one to be on the Atlantic coast, and one on the Pacific coast.

The junior Senator from South Dakota, who had been interested in this program primarily because of his experience with alkali water, wanted the program for experimental plants to include treatment of inland brackish waters. So he introduced a bill which would authorize a plant in the Great Plains, where brackish water is the problem.

Hearings were held on the two bills, the bill which the Senator from New Mexico had proposed for two demonstration plants, one on each ocean coast, and the bill which the junior Senator from South Dakota had introduced dealing with brackish water.

Two or three days of hearings were held, and as a result of those hearings, a new consolidated bill was introduced by the Senator from New Mexico, which authorized five demonstration plants, three dealing with sea water and two with brackish water, one each to be located on the Gulf of Mexico, the Atlantic, and the Pacific coasts, and two plants in the interior of the country.

That, we thought at the time, was a great advance, for we had been advancing from a small beginning.

In the Senate, in 1952, we had doubled the authorization from $1 to $2 million for the 5-year program but we had difficulty getting the first money to implement the program. The Senator from South Dakota recalls that the House did not propose, at that late stage of the session, to implement the money for the program.

But we provided $100,000 in the Senate in the final appropriation bill and the conferees from the House agreed so that we got a little office set up in the Department of the Interior in 1952 to get the program underway.

But the Office of Saline Water in the Department of the Interior has not had authority to go beyond five demonstration plants, one on each coast, one on the Gulf of Mexico, and two in the interior.

I do not know why the coast of Florida was not selected rather than the coast of North Carolina. My understanding is that the former Secretary of the Interior, Fred Seaton, a former Member of this body, established a committee of scientists from various institutions and businesses, who evaluated the applications made by various communities, and that committee was responsible for the points selected. Be that as it may, five plants were all that were authorized in the act of 1958.

The bill before us does not place any limitation on the number of demonstration plants. Title II authorizes such demonstration plants as the Congress may appropriate to build.

Title I has a dollar limitation, but it is concerned with research.

Title II of the bill has no limitation in dollar amount. It will be up to the Appropriations Committee. The distinguished Senator from Florida is a member of the Appropriations Committee, and I have no doubt that, if the bill is passed, the Senator from Florida will see that funds are provided to implement title II of the act to provide for the demonstration plant which he needs, on the merits of the proposal he is suggesting as an appropriate ground.

Mr. MONRONEY. I thank the Senator for his explanation.

Mr. HOLLAND. I appreciate those very comforting words. I just want to say to the Senator, though, that the two Senators from Florida and the Representative from the district of Florida affected have literally worn out their welcome at the Department of the Interior, trying to get something done in the matter I mentioned. It seemed to us we had a case that was so completely unassailable, so completely beyond any need that existed anywhere else, that it certainly should have been recognized.

We shall, of course, not give up our efforts. I am not one of the kind who would oppose a program simply because it had not been done in my own area, but it is a fact which cannot be controverted that there is no population among the American people, other than on the island of Key West and the keys that lead to it, who live in a place where no fresh water can be found under the ground.

The line of keys is more than 100 miles long. When one arrives at Key West, he is a long way from the mainland and a fresh water supply. Having served at that place in the Army, when the only bathing water we could get was salt water, and having learned how unsatisfactory it is, I know some of the pains and aches of the people who live there. I think there is a need there that should be supplied.

I am glad to see the acting chairman of the committee arise [Mr. BIBLE], because perhaps he has words of greater comfort to utter.

Mr. MONRONEY. I yield to the acting chairman of the committee. He is carrying the ball for the great champion, who is really the father of this effort in the desalinization field, the Senator from New Mexico [Mr. ANDERSON], who unfortunately is confined to the hospital because of an operation.

Mr. BIBLE. The Senator from New Mexico is certainly one of the great champions in this field. I rise only to ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, Public Law 85–883, which has been referred to.

There being no objection, Public Law 85–883 was ordered to be printed in the RECORD, as follows:

PUBLIC LAW 85–883

[SENATE JOINT RESOLUTION 135, SEPTEMBER 2, 1958]

Joint resolution providing for the construction of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses

Whereas official Government reports show unmistakably that the United States population is multiplying at a rate which by 1980 will triple the demand for supplies of fresh water, which if not available will adversely affect the national defense by jeopardizing the economic welfare and general well-being of vast segments of the population of the United States, as well as the population of some of our Territorial possessions; and

Whereas many cities, towns, and rural areas are already confronted by shortages of potable water that imperil health; and

Whereas the expanding population, industry, and agriculture of the United States are becoming increasingly dependent upon an assured augmented supply of fresh water while the future welfare and national defense of the United States rest upon increased sources of fresh water; and

Whereas research by governmental agencies, educational institutions, and private industry has brought about the evolution, on a limited scale, of methods of desalting sea water and the treatment of brackish water which give promise of ultimate economical results; and

Whereas the United States Government has the responsibility, along with safeguarding the national defense, and protecting the health, welfare, and economic stability of the country, to transform these experiments intc production tests on a scale not possible of achievement otherwise; and

Whereas the Congress recognized its responsibility in this field by the enactment in 1952 of the Saline Water Act (66 Stat. 328), reaffirmed its position by the amendments to such Act in 1955 (69 Stat. 198); and the legislative history of such Acts reveals that the Congress recognized even then that the time had arrived for tackling the problem more realistically and effectively, but unfortunately the program was limited to such an extent that concrete results are not possible of attainment under the provisions of existing legislation; and

Whereas the Congress now finds it is in the national interest to demonstrate, with the least possible delay, in actual production tests the several optimum aspects of the construction, operation, and maintenance of sea water conversion and brackish water treatment plants: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior shall, pursuant to the provisions of the Act of July 3, 1952, as amended (42 U.S.C. 1951–1958), and in accordance with this joint resolution, provide for the construction, operation, and maintenance of not less than five demonstration plants for the production, from sea water or brackish water, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses. Such plants shall be designed to demonstrate the reliability, engineering, operating, and economic potentials of the sea or brackish water conversion processes which the Secretary shall select from among the most promising of the presently known processes, and each plant shall demonstrate a different process. A decision with respect to the process to be utilized in the first of these five plants shall

be made by the Secretary within six months after the date of approval of this joint resolution and decisions with respect to the processes to be utilized in the other plants shall follow at intervals of not more than three months. Each such decision shall be reported promptly to the Congress and the construction of the plants shall proceed as rapidly as is possible.

(b) The construction of the demonstration plants referred to above shall be subject to the following conditions:

(1) Not less than three plants shall be designed for the conversion of sea water, and each of two plants so designed shall have a capacity of not less than one million gallons per day;

(2) Not less than two plants shall be designed for the treatment of brackish water, and at least one of the plants so designed shall have a capacity of not less than two hundred and fifty thousand gallons per day; and

(3) Such plants shall be located in the following geographical areas with a view to demonstrating optimum utility from the standpoint of reliable operation, maintenance, and economic potential—

(A) At least one plant which is designed for the conversion of sea water shall be located on the west coast of the United States, at least one such plant shall be located on the east coast thereof, and at least one such plant shall be located on the gulf coast thereof; and

(B) At least one plant which is designed for the treatment of brackish water shall be located in the area generally described as the Northern Great Plains and at least one such plant shall be located in the arid areas of the Southwest.

(c) As used in this joint resolution, the term "demonstration plant" means a plant of sufficient size and capacity to establish on a day-to-day operating basis the optimum attainable reliability, engineering, operating, and economic potential of the particular sea water conversion process or the brackish water treatment process selected by the Secretary of the Interior for utilization in such plant.

SEC. 2. The Secretary of the Interior shall enter into a contract or contracts for the construction of the demonstration plants referred to in the preceding section, and the Secretary shall enter into a separate contract or contracts for the operation and maintenance of such plants. Any such operation and maintenance contract shall provide for the compilation by the contractor of complete records with respect to the operation, maintenance, and engineering of the plant or plants specified in the contract. The records so compiled shall be made available to the public by the Secretary at periodic and reasonable intervals with a view to demonstrating the most feasible existing processes for desalting sea water and treating brackish water. Access by the public to the demonstration plants herein provided for shall be assured during all phases of construction and operation subject to such reasonable restrictions as to time and place as the Secretary of the Interior may require or approve.

SEC. 3. The Secretary is authorized to accept financial and other assistance from any State or public agency in connection with studies, surveys, location, construction, operation, or other work relating to saline or brackish water conversion problems and facilities for such conversion, and to enter into contracts with respect to such assistance, which contracts shall detail the purposes for which the assistance is contributed. Any funds so contributed shall be available for expenditure by the Secretary in like manner as if they had been specifically appropriated for purposes for which they are contributed, and any funds not expended for these purposes shall be returned to the State or public agency from which they were received.

SEC. 4. The authority of the Secretary of the Interior under this joint resolution to construct, operate, and maintain demonstration plants shall terminate upon the expiration of seven years after the date on which this joint resolution is approved. Upon the expiration of such seven-year period the Secretary shall proceed as promptly as practicable to dispose of any plants so constructed by sale to the highest bidder, or as may otherwise be directed by Act of Congress. Upon such sale, there shall be returned to any State or public agency which has contributed financial assistance under section 3 of this Act a proper share of the net proceeds of the sale.

SEC. 5. The powers conferred on the Secretary of the Interior by this joint resolution shall be in addition to and not in derogation of the authority conferred on the Secretary by the Act of July 3, 1952, as amended (42 U.S.C. 1951–1958). The provisions of such Act, except as otherwise provided in this joint resolution, shall be applicable in the administration of this joint resolution.

SEC. 6. When appropriations have been made for the construction or operation and maintenance of any demonstration plant under this joint resolution, the Secretary may, in connection with such construction, or operation and maintenance, enter into contracts for construction, for materials and supplies, and for miscellaneous services, which contracts may cover such periods of time as he shall consider necessary but under which the liability of the United States shall be contingent upon appropriations being available therefor. Unobligated appropriations heretofore made to carry out the Act of July 3, 1952 (66 Stat. 328), as amended (42 U.S.C. 1951 and following) shall be available for administrative and technical services, including travel expenses and the procurement of the services of experts, consultants, and organizations thereof in accordance with section 15 of the Act of August 2, 1946 (60 Stat. 806), as amended (5 U.S.C. 55a), in connection with carrying out the provisions of this joint resolution.

SEC. 7. There are hereby authorized to be appropriated such sums, not in excess of $10,000,000, as may be necessary to provide for the construction of the demonstration plants referred to in this joint resolution, together with such additional sums as may be necessary for the operation and maintenance of such plants, and the administration of the program authorized by this resolution.

Approved September 2, 1958.

Mr. BIBLE. That law makes it crystal clear that there was to be one plant for sea water located on the west coast; one plant on the east coast; one plant on the gulf coast; and then one plant for brackish water in the northern Great Plains and one in the great Southwest. That was the congressional directive at that time.

Five plants are planned at the present time. One is actually in operation. One will be in operation on the Pacific coast at the end of this year. The North Carolina plant will be in operation next year. I believe the South Dakota plant will be in operation next year.

Mr. CASE of South Dakota. The latter part of this year.

Mr. BIBLE. And, of course, the Freeport plant in Texas is in operation. So I think there is a ray of hope that, with the enactment of this bill, and with the traditional persistence of the distinguished senior Senator from Florida, joined by the distinguished junior Senator from Florida, if they continue their efforts before the Department and point out their problems, they will obtain some relief for that area. I hope I can get to follow their pattern in Nevada, where the average rainfall is only 6 inches a year, and where we certainly need water.

Mr. CASE of South Dakota. The Senator has asked to have printed in the RECORD the 1958 act. Is that correct?

Mr. BIBLE. Yes.

Mr. MONRONEY. I think this colloquy has served a very fine purpose, if for no other reason than to show that the Senate is determined to accelerate this most vital program. The best way to accelerate it is to fund it at a level to show we are serious about it. Then the distinguished Senator from Florida, who is such a great leader on the Appropriations Committee, and other Senators can try to fund other demonstration projects and build up to the quantity production which, through actual operation, through trial and error, we will learn how to do, and move forward even beyond the laboratories to mass production and reduction in cost to the point where we can be the first to break through in this most vital of all scientific developments that have occurred.

This is more vital than atomic energy. It is more vital than medical research, yet we shall spend $740 million for medical research next year. Without water none of us could live. We are outrunning our water supply.

In the search for peace we can bring water to the lands of the Sahara, North Africa, the Middle East——

Mr. HOLLAND. And Key West.

Mr. MONRONEY. and Key West, Texas, and California.

This can be the greatest instrument we could have. I feel the Congress should move forward now, after a constructive beginning, which was rather slow. Now we have an opportunity to make a breakthrough. This is why I have imposed on the distinguished acting chairman of the committee, in order to present my amendments.

Mr. BIBLE. Madam President, will the Senator yield at that point?

Mr. MONRONEY. I shall be glad to yield the floor. I have consumed more than my fair share of the time.

Mr. BIBLE. I think every bit of the discussion has been helpful. It pinpoints the need, nationwide, for an acceleration in the program.

The amendments offered by the Senator from Oklahoma would do two things. The first amendment would increase the amount of the authorization from $75 million to $100 million. The second amendment somewhat disturbs me. That amendment would shrink the tenure of the program from 10 years to 5 years.

As the bill came from the Department of the Interior it provided an open-end authorization for a 10-year program. I refer to the research and development portion of the program, title I.

The committee felt, after hearing testimony from the Secretary of the Interior and after having been advised that the House of Representatives had placed a limitation of $50 million in the bill, under a 5-year program, that the length of time for the program was not suffi-

cient. We specifically questioned the Secretary of the Interior on that point. The record will show that the Secretary indicated it should be a 10-year program. We pressed him further as to a dollar limitation on the authorization which would be realistic, and the Secretary indicated that he would prefer an open-end authorization, but said he recognized that the House of Representatives had imposed a $50 million limitation. He indicated that he could economically and without waste use from $75 million to $100 million over a period of 10 years.

It was the considered judgment of the committee, after studying the problem, that $75 million was a reasonable figure.

The Senator from Oklahoma has been most persuasive today. I have sat with the Senator on the Committee on Appropriations for 2 years. We have had before us people from the Office of Saline Water, Department of the Interior. We have urged them—and I know the Senator from Oklahoma has urged them—to accelerate the program. They always have been under some type of budgetary ceiling which would not allow them to move forward as fast as we thought they should.

I think a good case can be made for the $100 million to be spent over a period of 10 years, rather than $100 million to be spent in 5 years.

Mr. MONRONEY. I appreciate very much the willingness of my distinguished colleague to accept the higher level of funding.

The only thing which worries me is the urgency with respect to time. We must not be second in this race for the desalinization of ocean water.

Perhaps the record could be clear, which might be an adequate statement for the Bureau of the Budget and the Department of the Interior, that we do not seek to confine the program to a limitation of $10 million in any 1 year. The Senator has been a member of the Committee on Appropriations, and knows that the committee often divides the authorization by the period of years, to arrive at an amount for a given year.

I think we need to accelerate the program. If we are making progress, there should be an expenditure of $20 million a year, if we can find adequate research possibilities, without limiting the program. We should do the work that can be done. If all the $100 million is used in a period of 5 years, we should provide more. Even this sum of money is a small fraction of the amount California will be spending to bring water from the northern part of the State to the southern part of the State.

Mr. BIBLE. I think the Senator makes a very valid point with respect to the level of expenditures. The mere fact that there is a $100 million program with a 10-year term does not mean that the money should be spent at the rate of exactly $10 million each year. The Senator is a member of the Appropriations Committee, and he knows that the program must be justified.

I think the report of the Committee on Interior and Insular Affairs gives an answer to this particular problem.

The committee says, with respect to the size of the program:

> There is no intention, however, of limiting any annual appropriation to a pro rata share of the total. In a program involving a fast-moving science and technology, funds should be available to take advantage of all promising opportunities offered.

If the bill is enacted into law, it is entirely possible that in the first year the level of expenditure may be $15 million or $20 million. Perhaps there will be some exciting breakthrough, which in the second year will justify the expenditure of another $20 million. On the other hand, if the program does not move as fast as we hope it will, perhaps a lesser amount will be required.

In any event, I think there is no intent—and I think the report makes it very clear—that the program is to be parceled out in equal annual appropriations.

Mr. MONRONEY. With that in mind I shall be glad to accede. The report does specify there is not to be a mathematical division by the number of years, but that the money is to be provided to meet the research possibilities which the experts in the field say are ahead, and that there should be no ceiling other than the general authorization over the 10-year period, which can be reviewed later by the fine committee of which the Senator from Nevada is now the acting chairman.

I understand that the program could be pursued up to the limit of $100 million in the period of time stretching over 10 years, but that if there is an exciting breakthrough, or if there are exciting opportunities which offer hope for success, more than the normal average can be expended; and perhaps up to $20 million, or whatever the experts determine can be fruitfully spent, will be provided.

Mr. BIBLE. I think this is what the report specifically says.

I hope the Senator from Oklahoma will feel at liberty to modify his amendment, to take out the 5-year time limitation.

Mr. MONRONEY. Madam President, will the Senator yield to me?

Mr. BIBLE. I am happy to yield to the Senator from Oklahoma.

Mr. MONRONEY. I wish to modify my amendment by striking out the last half of the amendment, the portion which provides: "on page 6, line 17, strike out '1971' and insert '1967.'"

The PRESIDING OFFICER. The Senator has a right to modify his amendment.

Mr. MONRONEY. Thus the amendment would provide for an authorization of $100 million for the 10-year period. Based upon the great foresight of the committee, as shown by its report, and the statement of the distinguished acting chairman of the committee, it is understood that it would be possible to exceed the average expenditures for any of the 10 years, if the Appropriations Committee, in its wisdom, finds there is adequate need.

Mr. BIBLE. Madam President, I think the distinguished Senator from Oklahoma has correctly stated the intention of the committee. In order that there may be no misunderstanding, certainly there is no intention to limit any annual appropriation to a pro rata share of the total.

Mr. CASE of South Dakota. Madam President, I wish to join, for the minority side of the Senate, in seconding this interpretation of the amendment.

The authorization would be for a $100 million program over a 10-year period. It should not be understood as limiting the appropriations in any given year to $10 million, or one-tenth of the total amount. We understand that in some years, because the availability of talent and the availability of research contracts, there will be more progress and work, and that more than $10 million may be spent. In some of the earlier years of the program, expenditures might be more than that amount.

I think the language that the acting chairman of the committee has cited from the committee report gives ample support to that interpretation.

I should also like to draw attention to the fact that thus far in the history of the act which we are amending it has never been regarded as limiting the appropriation to a pro rata basis. The original 1952 act authorized $2 million for a 5-year program, and 3 years later that authorization was increased to $10 million. So under the original act we appropriated for only 2 or 3 years and then expanded the program. So I fully support the interpretation which has been placed upon the amendment by the language cited by the acting chairman of the committee by his own interpretation and by the interpretation proposed by the author of the amendment.

Mr. BIBLE. I thank the distinguished Senator from South Dakota. He has been most helpful in formulating the terms of the bill.

Madam President, I ask for a vote on the amendment at this time.

Mr. THURMOND. Madam President, I rise in support of the saline water conversion program. I think most Senators know that I am economy minded, but I feel that the proposed legislation would provide a very vital program for our Nation and other nations of the the world.

We have very good rainfall in my State, but in visiting the farms in my State I have observed that the production of crops—for example, peaches, corn, grain, and other crops—on land which is irrigated is three or four times as much as it is on land which is not irrigated. In some instances, without irrigation, certain crops, which usually produced very well, made very poor production.

Last year I had occasion to visit a number of other countries. I visited in Lebanon, Jordan, and India. After going through those countries and seeing how they lack in foliage and are destitute in some respects, I became convinced that the main reason was the lack of fresh water.

I know of nothing that is more vital to animal and plant life than water. It is my judgment that we could do nothing more important to win the friendship of people in the countries of the world that are so vitally affected by this problem than to promote the saline water conversion program.

I hope the Senate will approve the measure and that we shall expedite the implementation of the program.

I feel that the program is important also to our Defense Establishment, and is therefore essential to our survival. A great many cities in the United States today are having great difficulty in obtaining water. I have heard of a number of cities that have great trouble in finding a reliable source of water. If we develop the proposed saline water conversion program in the way that I feel it will be developed, it is my judgment that the source of sea water then available will supply all the water that we in this country and other countries may need.

I take pleasure in endorsing the great work of the distinguished Senator from Oklahoma and his advocacy of this program. I also commend the distinguished Senator from South Dakota [Mr. CASE], who, I believe, is the father of the saline water conversion program. I feel that it will be of benefit to mankind, and I feel that it will be of great help to our country and the other countries of the world.

Mr. BIBLE. Mr. President, I ask for a vote on the amendment as modified, which would raise the figure specified in the bill from $75 million to $100 million.

Mr. ALLOTT. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. I wish to be sure of the amendment we are about to vote on.

The PRESIDING OFFICER. The amendment is the amendment of the Senator from Oklahoma [Mr. MONRONEY] as modified.

Mr. ALLOTT. I wish to know specifically whether the 10-year limitation is in the amendment.

Mr. BIBLE. The 10-year limitation is not in the bill. It is in the committee amendment and, while the amendment of the Senator from Oklahoma would reduce the term, that provision has been eliminated. The Senator has modified his amendment. The amendment now before the Senate would merely raise the amount from $75 million to $100 million.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma, as modified.

The amendment, as modified, was agreed to.

Mr. ALLOTT. Madam President, I shall take only a few minutes to present a problem in connection with the bill that I think is very important. I do not believe the bill answers the problem, and I am frank to confess that I do not have the answer to it either.

The problem arises because of two amendments in the bill, one of which is on page 5, commencing with line 14, and one of which is on page 7, lines 10 to 16. Both deal with the question of who owns the patents on the work that is done in pursuance of the proposed contracts.

I join in the words which were spoken a few moments ago about the Senator from South Dakota [Mr. CASE], who is known as the father of the bill. He has done a great deal of work, and the progress made is due to a great extent to the devotion which he has given to the subject.

In all frankness I wish to say that the senior Senator from Nevada [Mr. BIBLE], who is in the Chamber, has also spent a great deal of time on the subject, as have most of the members of the Committee on Interior and Insular Affairs. There have been numerous hearings on these various proposals over the past 3, 4, or 5 years. The present bill is a result of the combined efforts of a great many individuals.

The particular amendment with respect to which I wish to speak very briefly, primarily for the purpose of raising certain questions, is an amendment proposed by the Senator from Louisiana [Mr. LONG]. Although it is not shown as an amendment in the printed bill, I believe it should be. It is erroneously shown as a part of the text.

On page 5, commencing with line 14, the amendment reads as follows:

(b) All research within the United States contracted for, sponsored, cosponsored, or authorized under authority of this Act, shall be provided for in such manner that all information, uses, products, processes, patents, and other developments resulting from such research developed by Government expenditure will (with such exceptions and limitations, if any, as the Secretary may find to be necessary in the interest of national defense) be available to the general public. This subsection shall not be construed as to deprive the owner of any background patent relating thereto of such rights as he may have thereunder.

The Senator from Louisiana stated his position very well, and so far as my recollection of the numerous hearings is concerned, I believe most of the committee followed this general feeling. In explaining his attitude the Senator said:

Government research and development, in addition to its effect on the growth of our economy, have an equally profound effect on the structure of our economy. The channeling of research and development funds into an industry can insure its expansion and prosperity; the withholding of such funds can stifle or retard its growth. Similarly, the awarding of research contracts to particular corporations, especially in trail-blazing developments, confers incalculable advantages in know-how which generally presages the growth, domination, or competitive superiority in these or related fields. The disposition of rights resulting from Government research and development can increase monopoly and the concentration of economic power or alternatively can spread the resulting benefits throughout our society with consequent benefit to the maintenance of a competitive free enterprise system and more rapid economic growth.

That states the position of the Senator from Louisiana very well, and probably better and more clearly than I could possibly do it. However, we come into a very strange situation. The people who are going to be contracted with in this area will be the people who are already in the area. I bring this up because I think it is a serious question. If we follow the amendment literally, we create a situation in which a company which has already devoted its best research talent to the development of a process, after contracting with the Government, finds that anything it develops beyond that belongs to the Government for the use of the public, and it would get no benefit therefrom. Therefore, it would not put its greatest efforts or its best brains into the development of this program.

The Defense Department has pursued an entirely different policy. Mr. Graeme C. Bannerman, Deputy Assistant Secretary of Defense for Procurement, has stated this attitude very well. In testifying he said:

Today, we wish to restate and endorse this historical position in opposition to a rigid policy of taking title to all patents which are conceived or first reduced to practice under our research and development contracts.

Then later he said this:

The national public interest is heavily and most importantly identified with the defense structure. National defense is the responsibility of the Department. To discharge this responsibility, we seek the best scientific and technological resources we can find, and our research and development contracts must necessarily be awarded to the firms, large or small, which have these resources and will freely devote them to military work.

The following statement I find particularly significant:

Our objective in these programs is the rapid development of constantly improving weapons. We are not seeking patentable inventions, the likelihood of their occurrence is unpredictable, and whether or not they do or do not occur is actually irrelevant so long as our development goals are achieved or surpassed. Patentable inventions are thus byproducts of development and our principal concern with them is that these inventions be freely available to us and to our other contractors for use in future Government work. Our present policy assures this.

He made this most significant statement at another point:

It is essential to the national defense that these specialized firms and their best background ideas and prior investment be freely available for weapons development. It is not reasonable to suppose that the most advanced firms in a given research area would take on military development contracts or devote their most commercially promising ideas to military work if the result would be that they would lose the very commercial advantage which led them to start in the field in the first place, which effort, in turn, was our basis for selecting them. This, however, would be the result of our regularly seeking title to patents first reduced to practice under our contracts.

Madam President, I must confess that it goes slightly against my feeling to have the Government finance research and development and then have a particular firm gain all the benefits from it. However, the policies which the Defense Department has pursued over a long time have produced very great benefits. I must say that the argument that Mr. Bannerman has just made in the statement I have quoted last has a great deal of force and effect with me.

The language of Senator LONG, of Louisiana, is to a great extent taken from the Helium Act, which is Public Law 86–77, 86th Congress, which I introduced in the Senate and, to a great extent, wrote. It follows the general pattern of the Long amendment. I must confess that I have not had an opportunity, be-

cause of lack of time, to prepare an amendment which I thought would answer the problem. I have not been able to do so.

One further point that I think should be brought out is that perhaps we are not doing the right thing in acting at this time. The Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary, which is now presided over by the Senator from Arkansas [Mr. McCLELLAN], has had this subject under great study for a long time. I do not believe that we can drop this question here and forget it, because the Government of the United States must develop a long-term policy. I hope that the language of the Helium Act, to which I have referred, which is section 4, will be considered by the conference committee in resolving this question.

The House of Representatives has apparently taken an attitude which is akin to the attitude of the Defense Department.

Who can say which is right? Who can say which is wrong? I am not sure. I would be remiss in my obligations if I did not raise this question. It is a two-edged sword. Do we gain more by putting the patents which may be the result from Government research in the hands of the Government, or do we at the same time stifle the impetus of private industry to put its best brains and its greatest effort into this field?

I am frank to confess that I do not know the answer, but I feel that it is a question which should be examined into far more deeply than we in the Committee on Interior and Insular Affairs have had an opportunity to do.

Mr. BIBLE. Madam President, will the Senator from Colorado yield?

Mr. ALLOTT. I yield.

Mr. BIBLE. I appreciate the comments of the distinguished senior Senator from Colorado. This presentation was made before our committee by the distinguished Senator from Louisiana [Mr. LONG], who is an expert in the field. I do not for a moment pose as one. The Senator from Louisiana stated that the provisions which are now before the Senate are similar to the provisions in the Coal Research Development Act and the Helium Gas Act. I have asked the staff to verify this. I am told that the provisions are almost identical, with only a very few words changed. I believe the differences are only a matter of words used, rather than meaning.

But it was also important, in direct answer to the Senator from Colorado, that in appearing before us the Senator from Louisiana, who has been vitally interested in this particular problem, said that the witnesses from NASA who appeared on the House side last year and before the Small Business Committee, and some of those who went before the Committee on the Judiciary, said they would not be interested in taking these contracts unless they could have the patent rights. Oddly enough, the leaders of the movement, when they found they could not get authority to keep their patent rights, went back to NASA and asked for the kind of contract under which patent rights were preserved for the protection of the United States.

Mr. Webb, the Director of NASA, came before us this year and said he had made a study to see which, if any, responsible contractors NASA would like to have available, by virtue of the fact that they fully demanded the right to preserve patent rights, and he could not find any.

That was the testimony before the committee.

I do not pose as an expert, but I think the problem which the Senator from Colorado has raised is important. It is one which can well be considered when we go to conference on the bill.

The Senator is correct in saying that this provision was adopted by way of amendment. It is not a part of the act. In that respect, it is different from the House bill.

Mr. ALLOTT. I thank the Senator from Nevada for his remarks. I am certain he will agree that the statement he attributed to the Senator from Louisiana represents very accurately his point of view. In fact, I read a considerable amount of his testimony in order to find that portion which clearly represents his point of view.

Mr. BIBLE. I thoroughly agree with the Senator. This question will be before us for consideration when we go to conference.

Mr. CASE of South Dakota. Madam President, first, I think it is well that the Senator from Colorado has brought this question before the Senate as a part of the consideration of the bill. It is to be noted that under the authority granted the Secretary of the Interior under paragraph (e) of section 3, title I, the Secretary would be authorized to "acquire secret processes, technical data, inventions, patent applications, patents, licenses, land and interests in land—including water rights—plants and facilities and other property or rights by purchase, license, lease, or donation."

In section 4(b) we find this language:

> This subsection shall not be construed as to deprive the owner of any background patent relating thereto of such rights as he may have thereunder.

I make this statement merely as a part of the history, to show that it is not contemplated that the Secretary shall, willy-nilly, acquire or confiscate the rights of persons holding patents, but that the property right in patents shall be respected. The paragraph does provide, it is true:

> All research within the United States contracted for, sponsored, cosponsored, or authorized under authority of this act, shall be provided for in such manner that all information will * * * be available to the general public.

It is also provided, in section 8, in the language to which the Senator has referred, that every such contract or agreement made with any public or private agency in a foreign country shall contain provisions effective to insure that the results or information developed in connection therewith shall be available without cost to the United States for the use of the United States throughout the world and for the use of the general public within the United States.

Mr. ALLOTT. Madam President, will the Senator from South Dakota yield?

Mr. CASE of South Dakota. I yield.

Mr. ALLOTT. As I recall, I referred to both of those provisions in my remarks. It is true also that subparagraph (b), to which I devoted most of my remarks, contains a reservation protecting the basic background patents.

What causes me the greatest concern is that we had considerable testimony—and I have talked with numerous people in the field who have this feeling—to the effect that no method has yet been devised which will be the ultimate solution of our problem in this area; that the ultimate method may be something which is not yet dreamed of. So if the policy of paragraph (b) is followed, it could be that in the development of one of these plants someone would suddenly come forth with a new idea; but then it would not be possible to get pressure behind the development of the new idea, because there would not be the impetus of private profits, no impetus of gain; and therefore the benefit would be lost. It is this factor more than anything else—the fact that many persons do not believe that in the five plants we yet have the answer to the method—that has caused me to raise this question, because somewhere as a result of basic research the answer will come.

I thank the Senator from South Dakota for yielding.

Mr. CASE of South Dakota. I think we all agree that the final answer can be found. It must be recognized, at the same time, that there may not be a single answer. The problem is different and varies under the different conditions which exist. The problem may be solved differently if only a small-sized plant is needed, or if only a production of 250,000 or 500,000 gallons a day is required. The answer in that case may be different from what it would be if the requirements were for 1 million or 5 million gallons a day. The answer will vary according to the volume of water required.

The answer may also vary by reason of the nature of the water. Certainly there will be a difference in the nature of inland water by reason of the amount of hardness, the number of thousands or hundreds of parts of solids, as in the case of brackish waters in the United States. What may be suitable for water which has 1,700 parts of solids may not be suitable in areas where the number of parts of solids is as high as 2,400 or possibly even 4,000.

So there may not be a single answer. If we were dealing only with water which contained ordinary table salt, we might try to reverse the process by which the table salt is dissolved in water. If we could find a way to do that, we would have the simplest method. But as we deal with various kinds of water, we encounter various types of salts and sulfates. The quantities in which they occur present different problems. So the answers will vary according to the nature of the water, its temperature, and the volume required in different places. However. the problem posed by the Senator from Colorado is real. I hope, as he

suggests, that the conferees will give consideration to the problem when the bill is in conference.

Madam President, much of what I had expected to say in my general talk has already been said in the debate which has taken place thus far. However, I wish to make a few statements concerning the history of the legislation and to say something about the parts which different persons have played in the program.

The distinguished senior Senator from New Mexico [Mr. ANDERSON], chairman of the Committee on Interior and Insular Affairs, has been in the forefront of this development from its outset. I know it must be a matter of regret to him that his absence in the hospital, due to an unexpected operation, prevents his presence in the Chamber at this time. I hope he will read the RECORD.

Also, I desire to have the record show that, in my judgment, the distinguished senior Senator from Nevada [Mr. BIBLE] has handled the bill admirably in the absence of the chairman, and that he has set forth the provisions of the bill and has handled the bill in a way which would do credit to the Senator from New Mexico. I know of no way of giving higher praise than that.

Mr. BIBLE. Madam President, I wish to express my thanks to the Senator.

Mr. CASE of South Dakota. Madam President, in discussing the development of this legislation, it is to be noted that during the past 8 years the floor leaders of the Senate have been of inestimable help. The present Vice President of the United States, LYNDON JOHNSON, during much of the 8-year period was one of the Senators from Texas and was majority leader of the Senate. He was of invaluable help during the entire development of this legislation. The distinguished minority leader during most of that period—and he was majority leader during part of it, former Senator Knowland, of California, was also of great help in the development of the program. The senior Senator from Colorado [Mr. ALLOTT] and the Senator from South Carolina [Mr. THURMOND] have been very generous in their references to my part in this program.

The program has been most interesting. What was a dream 10 years ago has today become a practical possibility—the conversion of salt water or brackish water into potable water, at a reasonable cost, for domestic and industrial purposes. The development of very large scale conversion of ocean water into water suitable for irrigation is still some distance away, but it may come.

While the plants on the seacoast today offer possibilities of producing potable water at a cost of $1 or $1.25 per thousand gallons, and although that price is not prohibitive for industrial uses or domestic uses, it would be a prohibitive price for water for irrigation purposes. We hope the plants treating brackish inland waters may produce potable water at a cost not to exceed 50 cents a thousand gallons, and possibly for as little as 30 cents a thousand gallons. But the production of such water for irrigation is still some distance away.

Madam President, there have been three distinct legislative steps in the development of this program.

In the late 1940's, a number of able Members of the House of Representatives—notably, Representative Fletcher, Representative Phillips and Representative Engle, now one of our distinguished colleagues here in the Senate—introduced in the House bills to authorize Government research in this field, the desalinization of water. In 1952 there was sent to the Senate by the House a bill which it had passed, following its introduction by Representative ENGLE, now the distinguished junior Senator from California. I accord to Senator ENGLE a large measure of the credit for getting the program underway. I am glad that Senator ENGLE is able to be present for a part of this debate, because it was his bill which the House passed in 1952; and then the bill came to the Senate, and formed the basis of the first legislation in this field. His bill proposed a $1 million research program, with a laboratory program to be conducted by the Government.

I had been interested in the program while I was a Member of the House of Representatives. However, I felt that instead of having the Government start with a Federal laboratory, we would make faster progress by authorizing a research program to be undertaken through contracts with existing private and public institutions. Consequently, I proposed an amendment to the House bill to accomplish that purpose, and I proposed to increase the authorized program from $1 million to $2 million. That was agreed to by the Senate. The distinguished Senator from New Mexico [Mr. ANDERSON] was of particular help in getting the amendment agreed to and getting the bill passed at that time. The bill as thus amended was passed, and that Saline Water Act of 1952 is the foundation of this program.

The 1952 act authorized $2 million for a 5-year program. We had to struggle to get appropriations with which to initiate the program. But thanks to Members such as the Senator from Arizona [Mr. Hayden]; former Senator Cordon, of Oregon; the gentleman from Ohio, Representative Kirwan; and the gentleman from Iowa, Representative Jensen; the funds with which to get the program begun were made available that year. Within the Department of the Interior, David Jenkins was commissioned to set up an office and to contact universities and research organizations which might be interested in research contracts. At times, progress was difficult, and may have seemed to be slow. But the program was new, and those in charge wished to be sure the limited funds were made to achieve maximum benefits.

But by 1955 it was apparent that results were being achieved; and it seemed desirable to extend, expand, and expedite the program. I then introduced, with the cosponsorship of several other Senators, a bill to increase the authorization to $10 million and to extend the program through the fiscal year 1963. That measure was passed, and was an amendment to the act of July 3, 1952.

Again, the program of research was marked by encouraging results; and the distinguished Senator from New Mexico [Mr. ANDERSON] introduced a bill to authorize two demonstration plants devoted to the treatment of ocean or sea waters. I introduced a bill to authorize a plant for the treatment of inland brackish waters. Hearings were conducted by the Committee on Interior and Insular Affairs, in which I was privileged to participate with the Senator from New Mexico [Mr. ANDERSON].

The hearings produced far more general interest and much more in the way of concrete discussion of processes than we had expected. The outcome was a joint resolution jointly sponsored by the Senator from New Mexico and myself. That joint resolution called for three plants to treat sea water and two plants to treat brackish water. That bill was passed by Congress, was signed by President Eisenhower on September 2, 1958, and is one of the two acts to which amendments are proposed by means of Senate bill 2156, which now is before the Senate.

Mr. ENGLE. Madam President, will the Senator from South Dakota yield?

Mr. CASE of South Dakota. I yield.

Mr. ENGLE. I appreciate the courtesy of the Senator from South Dakota in yielding, so that I may express my appreciation to him and my gratitude for his very kind remarks with respect to the legislation which I initiated some years ago in the House of Representatives, to start this program. I know that throughout the development of this very important legislation the Senator from South Dakota [Mr. CASE] has taken a most active, vigorous, and constructive interest in it.

I support the pending bill and his efforts and those of other Senators to continue a program which in my opinion can be revolutionary in character, not only for our country, but for the entire world.

I congratulate the Senator from Nevada [Mr. BIBLE] and the distinguished chairman of the Senate Committee on Interior and Insular Affairs for bringing this bill to the floor.

Mr. CASE of South Dakota. Madam President, during the second Eisenhower administration, as an outgrowth of extensions and amendments, the program was given top attention by the then Secretary of the Interior, Fred Seaton, and by Dr. A. L. Miller, formerly a Member of the House of Representatives from Nebraska, whom Mr. Seaton designated to be head of an Office of Saline Water, in the Department of the Interior. They set up an advisory committee of scientists and businessmen to evaluate proposals for the location of the five authorized demonstration plants, all of which were designated before the end of 1960.

The processes selected and the sites designated for the five plants were as follows:

1. Long-tube vertical multiple effect distillation, Freeport, Tex.
2. Multistage flash distillation, San Diego, Calif.
3. Electrodialysis, Webster, S. Dak.

4. Forced circulation vapor compression, Roswell, N. Mex.
5. Freezing, Wrightsville Beach, N.C.

This program has had the enthusiastic support and encouragement of President Kennedy and his administration. The President has pointedly said that the importance of this program to mankind may well exceed that of many much more publicized programs.

In his special message on natural resources, last February, President Kennedy stated:

> No water resources program is of greater long-range importance—for relief not only of our shortages, but for arid nations the world over—than our efforts to find an effective and economical way to convert water from the world's greatest, cheapest natural resources—the oceans—into water fit for consumption in the home and industry.

The Secretary of the Interior, Mr. Udall, and his Director of the Office of Saline Water, Mr. C. F. MacGowan, both appeared before the Committee on Interior and Insular Affairs, and not only urged enactment of Senate bill 2156, but also brought to the committee factual evidence in regard to the progress of the program and the importance of its extension and enlargement.

The bill before us, S. 2156, is the administration bill for the proposals in S. 22, which I introduced on January 5, with the sponsorship of a large number of Senators from both sides of the aisle, and similar bills by the Senator from California [Mr. ENGLE] and the Senator from New Mexico [Mr. ANDERSON], also with the sponsorship of several Senators.

The bill now before us has the support, I believe, of all Senators who have sponsored other bills.

As has already been pointed out, the bill is in three parts or titles. The first extends the research program and authorizes $75 million for a 10-year stepped-up program. The second authorizes a broad program of demonstration plants with such funds as may be appropriated. The third directs coordination and consultation between other agencies and departments, notably Defense and State, with Interior in promoting the general objectives of the program.

The Senator from California [Mr. KUCHEL], has just entered the Chamber. I say to him, as I indicated before, that the Representatives and Senators from California have been most urgent in promoting and expediting a program for the desalinization of water.

Mr. KUCHEL. Madam President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. KUCHEL. I would be recreant to my sense of duty if I did not salute the able Senator from South Dakota [Mr. CASE], who has long been a leader in a completely nonpartisan attempt by the Government of the United States to achieve a breakthrough in the desalination of water.

The able chairman of the Committee on Interior and Insular Affairs, the Senator from New Mexico [Mr. ANDERSON] is absent, but I remember that several years ago these two colleagues of ours joined in sponsoring the first legislation in this field. I was very glad they permitted me to add my name to the bill which they introduced.

When the history of this era is finally written, the legislation which is about to pass will loom large as one of the most important enactments of the Congress with respect to the needs of people—not the people of California alone, not the people of the United States alone, but, indeed, the people of the whole globe.

Ever since Biblical times—indeed, before—the problem of abundant water has been a continuing one. I come from a State which is keenly and acutely aware of what that problem is. It was suggested earlier that the people of my State have bonded themselves to the amount of $1,750 million to carry on a water program in California under a plan which envisages a total cost to the people of my State of $20 billion.

So I say to the Senator from South Dakota [Mr. CASE], congratulations on the leadership he has exercised and the exertions in which he has participated, along with other able Members of the Senate, including the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. BIBLE], and other Senators who have contributed to the success of the program so far. Under this legislation, I feel sure that success will be far greater than was originally envisioned.

Mr. CASE of South Dakota. I always am appreciative of the leadership which the California Members of the House and Senate have taken in this direction. Perhaps it has been a blessing for the rest of us that they have had a water problem in their State, because their needs will have helped us solve our water problems.

Mr. KEATING. Madam President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. KEATING. Although the State of New York has not at the moment a water problem of immediate, pressing need, this problem affects every State increasingly, and, as the distinguished Senator from California has said, it is a problem in the whole world. If we could solve the water problem throughout the world, we would have fewer wars and less tension. The shortage of water has been a continuous cause of difficulty between nations.

I became interested in this problem at the time when the distinguished Senator from South Dakota and I served together in the House. I remember his pioneering work in this field at that time. In the early days, others sometimes scoffed at the idea of converting saline water into fresh water. Many who have more recently jumped on the bandwagon were scoffing at the time when the distinguished Senator from South Dakota was pioneering in this field.

I remember that in 1952, when the bill first came to the Senate, the Senator from South Dakota offered an amendment allowing the Department of the Interior to contract with private industry for research and development. The research and development which has evolved from that arrangement has been very helpful in this program.

So, down through the years, in conjunction with the distinguished Senator from New Mexico [Mr. ANDERSON], the distinguished Senator from Nevada [Mr. BIBLE], the distinguished Senator from California [Mr. ENGLE], and other distinguished Members who have been mentioned, our colleague from South Dakota has been in the forefront of the effort. It must be a gratifying thing to him to see the passage of this bill, which goes so far and which will be such an effective instrument, not only in bringing greater happiness and prosperity to our own people in this country, but also greater international understanding.

I am sure the Senator from South Dakota is familiar with the extremely helpful and knowledgeable work which has been performed in research in this field in the small but energetic State of Israel. I believe they have a different system there from the one that has been promoted in this country, but I express the hope that our Government, in working in this area, will cooperate with Israel, and that Israel will cooperate with our Government. Much can be mutually accomplished by both countries in this research.

Again I commend the distinguished Senator from South Dakota for his efforts in this field, as I do the distinguished Senator from Nevada, who has so capably handled this bill on the floor.

I shall support it, and support it enthusiastically, as a wonderful forward step, both for the United States and for the world.

Mr. CASE of South Dakota. Naturally, I am gratified to hear these remarks by the distinguished Senator from New York, who has again demonstrated his interest in broad national problems.

Evidence of the fact that possibly even in New York City there is growing interest in this problem is that fact that Mr. Warren Berry, a columnist for the New York Herald Tribune, had an article in the Exchange for April 1961, bearing the title "Desalting the Ocean—A New Industry?" and I ask unanimous consent that the article may appear at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DESALTING THE OCEAN: A NEW INDUSTRY?

(By Warren Berry)

On a hot day there's nothing a man likes more than a cold beer. A 6-ounce glass with a bit of foam on top is a real thirst quencher. But to make 6 ounces takes about 1 quart of water.

It's an innocent, almost insignificant scene: A thirsty man sitting comfortably at home watching a world series game on TV, sipping his beer and placing the glass back on a paper coaster. But then the statistician starts to analyze the components in this simple act of thirst quenching—and also comes up with some other figures.

A barrel of beer takes 470 gallons of water to make, a ton of steel uses 65,000 gallons and a ton of paper needs 45,000. Just keeping this country going laps up 250 billion gallons of water daily. By 1970, worried experts assure us, the Nation's water requirements will be doubled, possibly tripled.

Where's it all coming from? We ordinary mortals don't sweat about this too much. Our lack of interest is quite natural since

we have always taken water for granted. After all, we're mostly water ourselves.

Naturally we know some sections of this well-endowed land are impoverished when it comes to water. The wealth of Texas may be its oil but its lifeblood is water. Its cattle raisers and cottongrowers operate in a State where water sometimes is used up 20 times faster than nature can produce it. Occasionally the East feels a bit parched but not often enough to create a good scare. A Boston water main bursts or a Jersey reservoir suddenly becomes brackish and mud filled—and the city fathers say "no watering the lawn Tuesdays."

The facts are more important than just beer drinking, car washing, or keeping the front lawn green. Industry and government are worried, and for good reason. Within 10 years, more than 1,000 American cities will be forced to use salt water or the brackish variety for drinking purposes. That's the word from Dr. Arthur Miller who heads the Interior Department's Office of Saline Water.

President Kennedy told Congress about it, Vice President JOHNSON has written on the subject, and most recently a Senate subcommittee has estimated it will take over $50 billion to keep this country green and growing over the next 20 years.

The twin blotters of irrigation and industry each sop up 45 percent of the water used daily while the rest spills from household water taps. Since industry is so heavily involved, it's now leading the way with processes for converting saline or brackish liquids. At least 25 major companies are engaged in the search.

Some see profits in the future, others aren't so sure, but in general all agree it's necessary work. Making fresh water from the sea or a green-scabbed millpond can be expensive.

The experts would like to produce 1,000 gallons of fresh, palatable water for 20 to 40 cents. So far, about the lowest practical level is $1.

Caught in the whirlpool, American industry is trying evaporation, chemicals, sunpower, even freezing, to do the job.

Everyone's heard that dire name, the Dry Tortugas, but down in the Netherlands Antilles the island of Aruba was also faced with a water problem. A New York engineering firm toyed with the project and considered ideas ranging from towing icebergs down from the Arctic to building a $10 million plant. The latter project won out.

Aruba is an island where the calm blue waters are ideal for swimming but even a tourist wouldn't drink sea water. A multistage distillation method was chosen from several methods suggested. Essentially it's simple enough: Oil is used as the fuel in heating sea water to boiling, then the pure steam is condensed and out comes fresh water. After being reduced from a 3.5 percent salt content to less than 0.0005 percent, the water is so pure it's tasteless and has to be filtered through coral to give it a bit of flavor.

Distillation seems to be one of the most popular systems now being pursued by American companies. General Electric, Westinghouse, and Food Machinery & Chemical are exploring that area. But in a sunny tropical clime why not harness something that's plentiful? Sun-tanned men in white laboratory smocks are doing just that at Du Pont and Curtiss-Wright where they think solar heat might do the job. It's another evaporation process where salt water drips down a glass-protected, slanted pan. Sun rays cause the fresh water to condense on the glass much like the steam on the inside of a window in an overheated room on an overcold day.

Of course the old idea of a simple filter is always a contender, especially since it's taken on some space age overtones. From the basic idea of forcing salt water through a membrane so that salt particles remain behind, the principle has evolved into an electrochemical process whereby salt is broken down to its components leaving behind clear, cool water. A negative electrical charge draws sodium out through a membrane on one side and a positive charge draws chlorine out the other. In the middle of the plastic receptacle, there's nothing but fresh water.

Membranes of many types are taking up the time and money of American Machine & Foundry, Pfaudler Permutit, and Rohm & Haas, among others.

Freezing is the hope of several big entries in the field: Fairbanks Whitney, Carrier, and Blaw-Knox. The big test will be a desalting plant Fairbanks is building in Israel.

And the strictly chemical types are attracting attention, too. They sometimes use resins which attract salt ions, sometimes solvents for drawing the pure water from the salt. Koppers has landed on gas hydrates for separating the water from the brine. It would be fine if an ocean or two could be changed into drinkable stuff. Or speaking from the strictly human angle, it would be all right if man had a different set of kidneys. The ocean is between 3 and 3½ percent salt. The human body can dispose of only 2 percent.

Sweetening the sea becomes important, but there's also the problem of reusing available water. The National Association of Manufacturers last year told the Senate Select Committee on National Water Resources that a lot of this effort is up to industry itself. One ultramodern steel producer, a spokesman said, used only 1,100 gallons to make a ton of metal against the industry average of 65,000 gallons. Some factories now recirculate and purify the liquids in everything from cooling systems to employee water fountains.

In the field of water treatment, there is Sterling Drug with its Zimmerman method for subtracting sludge and sewage from contaminated waterways. It has a royalty-free arrangement with the Metropolitan Sanitary District of Greater Chicago which helped develop the process. Government cooperation seemed to pay off, though. Now it's signed up with the sanitary board of Wheeling, W. Va., for a 15-year contract. Chemical companies like Wallace & Tiernan have been concentrating on making money from water treatment, too.

Profit-conscious industry and vote-conscious Government agree on the magnitude of the problem, no matter which methods prove most practical. There are fears that the United States might become the first major industrial nation to experience a serious water shortage.

To many observers, in short, this problem of water supply is going to make the space race look pallid.

Mr. CASE of South Dakota. Madam President, I ask unanimous consent that an article by George Kennedy, "The Rambler" of the Washington Star, for August 28, 1961, be placed in the RECORD at this point. He reports an interview on this subject in the office of Secretary Udall and Mr. MacGowan, Director of the Office of Saline Water.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE RAMBLER DRINKS PURE H_2O

(By George Kennedy)

Secretary Udall complained the other day that all this space craze was distracting the public's attention from a program of more mundane importance, the conversion of sea water into fresh water.

The Rambler feels that changing the lone and level sands of desert into the fruited plain is more important than putting a man on a moon.

So, being of good will with a desire to do something constructive in this column, he wandered over to Interior and had a talk with Charles F. MacGowan, Director of the Office of Saline Water.

He learned that the recently opened Freeport (Tex.) plant is one of five about the country either under construction or in the initial stages of operation.

The others are at San Diego, Calif., Webster, S. Dak., Roswell, N. Mex. and Wrightsville Beach, N.C.

They represent as many methods of conversation. Freeport, San Diego and Roswell are distillation plants, but of different design and operation. Webster is an electrodialysis plant in which brackish water is demineralized by passing an electric current through it. The plant at Wrightsville Beach is a freezing plant.

The conversion of brackish water is even more of a problem than sea water. It is being tackled in many parts of the world, in Japan, South Africa, Algeria, Israel and Bahrein on the Persian Gulf.

Some minerals, especially iron, have a way of staying in the water through their conversion into steam and condensation back into water in the distilling process. That's why electrodialysis is used.

This demineralization is of first importance to agriculture, to the irrigation of the desert. Man and animals will get by on brackish water that will stunt or kill plant life.

The description of the operation of the Freeport plant in the Associated Press report of its opening was not one that would satisfy an avid reader of Popular Mechanics. But one realized why, when Mr. MacGowan put before a light a colored transparency that showed the course of the water in and out. Basically the process is a single distillation, but it is both ingenious and complex due to the effort to obtain optimum utilization of the heat.

For instance, the water just condensed from steam, which is quite hot, is piped alongside the incoming sea water to warm it so that it will take less heat in the boiler chamber to turn it into steam.

The heat is obtained from the neighboring Dow chemical plant. The fuel is gas. The Dow Co. buys half the product water. The other half is purchased by the city of Freeport.

The plant produces at a cost of $1 per thousand gallons.

What does natural fresh water cost?

That is difficult to determine, Mr. MacGowan said. The District's water comes from the Potomac. It is free for the tapping. But natural water is a raw material to be processed. It must be filtered and chlorinated to reduce bacteria. Alum and fluorine are added. District water costs about $1 a thousand gallons. But that is the delivered price—at the faucet.

It it estimated that a plant 30 times the size of the one at Freeport would produce at the rate of about 50 cents per 1,000 gallons. But it may be that the lowest cost process will be the freezing of sea water. That is not as simple as it sounds. For some of the products, water must be used to wash the ice crystals. Salt has a way of clinging to them.

In this process there is similar ingenuity in trying for optimum use of the refrigerant. The brine, which refuses to freeze, becomes quite cold—below 32°. It is piped alongside the incoming sea water before it gets to the freezing chamber.

"Here," said Mr. MacGowan taking a plastic flask from his desk, "have a drink. This is gulf water from the Freeport plant."

It tasted fine.

Mr. CASE of South Dakota. Following that article, as a part of the history of this effort, I ask unanimous consent

to have printed in the RECORD at this point remarks of C. F. MacGowan, Director of the Office of Saline Water, before the Association of Western State Engineers, at Bismarck, N. Dak., on Thursday, August 17, 1961. This address is of particular value because it reviews what he calls the microscopic beginning in 1952 to the location of five demonstration plants, and gives a little information on the processes used in each of those plants, which I am sure will be of interest to those who want to know about the program.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ADDRESS BY DIRECTOR MACGOWAN

We feel that really remarkable progress has been achieved in the short span of 9 years. The cost of converting 1,000 gallons of sea water to fresh has been reduced from over $4 to about $1, but the total effect of the advances in technology is lost in an instantaneous flurry of dispatches that fresh water from the oceans will make the deserts bloom immediately upon completion of but one step along the long road.

I think you will agree with me that good progress has been made, but you also know that there is no market for irrigation water at $326 per acre-foot. So we'll cut away the fantasy by not talking about the moon; nor free energy; nor the banishment of disease; and certainly, not about converted sea water to make the deserts capable of bearing crops unless and until the costs are dramatically reduced.

We must learn to walk before we can learn to run. In my opinion the Office of Saline Water has just taken its first toddling steps, but for us, just like it is for every child, it is quite an accomplishment. Those of you who are parents can understand how we now feel—proud, apprehensive and protective.

"MICROSCOPIC" BEGINNING

The U.S. Government's work in this field goes back to 1952, when Congress passed the Saline Water Act to provide for research and development of practical methods of producing fresh water from saline sources. The 1952 act authorized $2 million for a 5-year program. In 1955, the act was amended by increasing the authorization to $10 million and extending the life of the program through fiscal year 1963. From fiscal 1953 to fiscal 1962 inclusive, Congress has appropriated a total of $9,297,960, which amounts to an average annual appropriation of less than $1 million. In terms of the total Federal budget this amount has been described as microscopic. Compared to many State water development programs it is minute. It is even dwarfed by many municipal water development expenditures.

In 1958 the Congress provided the Office of Saline Water with a new dimension and authorization: To construct and operate five saline water conversion plants to demonstrate the reliability, engineering, operating, and economic potentials of the most promising of the presently known processes.

In the demonstration plant program five processes and five sites have been selected. They are: Long-tube vertical multiple-effect distillation, Freeport, Tex.; multistage flash distillation, San Diego, Calif.; electrodialysis, Webster, S. Dak.; forced circulation vapor compression, Roswell, N. Mex.; and freezing, Wrightsville Beach, N.C.

THE FREEPORT PLANT

On June 8, 1960, the Department of the Interior awarded a $1,246,250 contract to the Chicago Bridge & Iron Co. for the construction of the 1-million-gallon-per-day saline water conversion demonstration plant at Freeport, Tex.

In the LTV process, sea water falls through bundles of 2-inch tubes in a series of evaporators under progressively reduced pressure. In the first evaporator, steam around the outside of the tube bundle causes part of the sea water to boil as it falls through the tubes. Emerging at the bottom of the evaporator, then, is a mixture of vapor and hot brine. The hot brine is pumped to the top of the second evaporator where under slightly reduced pressure it again falls through the inside of the tubes.

The vapor produced in the first effect flows to the outside of the tube bundle in the second effect. Here the vapor is condensed to fresh water by giving up its latent heat of vaporization to the sea water falling through the tubes which again causes part of the water in the tubes to boil. The same process is repeated through all 12 effects of the plant. The Freeport plant was completed on June 6, 1961, and dedicated on June 21.

THE SAN DIEGO PLANT

A $1,608,000 construction contract for a 1-million-gallon-per-day plant at San Diego, Calif., was awarded to the Westinghouse Electric Corp., on November 5, 1960. This plant will utilize a multistage flash distillation process.

In flash distillation, sea water is heated and then introduced into a large chamber where reduced pressure lowers the boiling point of the hot brine.

When the brine enters this chamber the reduced pressure causes part of the liquid to immediately boil—or flash—into steam, leaving a slightly concentrated brine which is passed through a series of similar chambers (multistage) at successively higher vacuums where the flash process is repeated at progressively lower temperatures.

The San Diego plant is being constructed with 36 flashing stages. It is scheduled for completion late this year.

THE WEBSTER PLANT

A $482,200 construction contract was awarded on November 16, 1960, for the construction of a 250,000-gallon-per-day electrodialysis process demonstration plant to demineralize the brackish well water of Webster, S. Dak. The Webster plant is also scheduled to be completed and in operation by the end of this year.

An electrodialysis cell, as utilized in this process, consists of a sandwich of alternating cation and anion permeable membranes. Upon the application of an electric current the positively charged ions (such as sodium), pass through the cation permeable membranes and the negatively charged ions (such as chloride), move in the opposite direction and pass through the anion permeable membranes. The water in the center chamber of each membrane sandwich is thus depleted of salt, while the water passing through the intervening pairs is enriched.

THE ROSWELL PLANT

A third distillation process, forced circulation vapor compression will be utilized in a 1-million-gallon-per-day plant at Roswell, N. Mex. We hope to be able to award a construction contract for this plant before the end of the year.

In a forced circulation vapor compression plant, the saline water is forced up through a tube bundle, with vapor and hot brine emerging from the top of the tubes. The vapor is pumped off, and compressed, thus raising its temperature, and returned to the heating side of the evaporator tubes as the principal heat source of the plant.

THE NORTH CAROLINA PLANT

The fifth demonstration plant will utilize a freezing process. An ice crystal is pure water, but when sea water freezes the salt crystals are trapped between the ice crystals. The problem is to economically separate the pure water ice crystals from the salt. The conversion of salt water by freezing is relatively new, but we feel it has considerable potential. Freezing has several inherent advantages over conventional distillation processes. For example, the lesser tendency toward sealing and corrosion because of the low operating temperatures involved, and most important, perhaps, the lower energy requirement to freeze sea water as compared to the energy required for the evaporation of sea water.

We expect to obtain a great deal of information from the construction and operation of the five demonstration plants, the cost of which is approximately $8,575,000. I extend to all of you a cordial invitation to visit these plants to determine for yourself their practical value and potential application. Bear in mind, however, that they are relatively small, and for the most part, first generation or pioneer units. Continued progress toward lower cost converted sea or brackish water is anticipated.

We expect these first plants to produce fresh water in the range of $1–$1.25 per thousand gallons, with the exception of the plant at Webster, S. Dak., where a lower cost might be attained due to lower salinity of the water to be demineralized.

THE ECONOMICS INVOLVED

Since so much depends upon it, I believe it is important to briefly describe how the Office of Saline Water computes the cost of fresh water converted from saline sources. We begin with the cost of the land required for the plant; to this we add the total capital investment for necessary equipment, operating costs including fuel and personnel, maintenance, taxes, interest, and insurance. The entire project is amortized on a rather severe 20-year schedule.

Use of a 20-year amortization schedule is not because we believe plant life is limited to that period of time, but because we believe progress will be such that any plants constructed today will be obsolete by that time. Using this formula, which we believe includes all costs at today's prices, we arrive at a cost of water at the plant.

This procedure was developed in order to compare the economic merits of one conversion process with those of another process. Unfortunately, many people compare these costs with the rate they presently pay for natural fresh water. More properly, we suggest that the cost of converted water be compared with the cost of developing new and additional sources of supply to meet the increasing demands for fresh water. It should also be pointed out that the water obtained from a conversion plant is of the highest quality, and for industrial and municipal use it should be worth a better price.

Within our authorization and appropriation limits the Office has developed a rather unique Government program. From the outset we have endeavored to develop a cooperative program between Federal agency and States, municipalities, private research and industrial firms. At the present time the Office has entered into cooperative agreements with seven States providing for general assistance and exchange of information on the development of improved saline water conversion processes and their actual potential application. Possibly my appearance here today will stimulate the signing of several more such agreements.

COST IS THE PROBLEM

To convert sea or brackish water to fresh is relatively simple, but to do it at low cost (as we are directed to do) is extraordinarily difficult. It presents many chemical and mechanical problems of considerable magnitude. We know of the existence of many natural phenomena, but we do not understand how those phenomena occur nor is there any data. We have uncovered many gaps in the knowledge and understanding of well-known natural processes. For example, we know that salt dissolves in water and that the process requires very little

energy. If we knew how this is accomplished perhaps we could reverse the process to remove the dissolved solids.

Since the initiation of the program, as I have indicated earlier, the cost of converted water has been reduced substantially. However, if we were to continue only the present effort, which has been largely engineering, we may fast approach the flat portion of the asymptotic cost curve. During the past few years the cost of conversion has been reduced by dollars, but the cost curves predict that from this point forward it will be as difficult to lower the cost by a dime as it was to cut the cost by a dollar in the past.

Most scientists and engineers agree that the ultimate effective, economical means of saline water conversion may yet remain to be discovered; hence, the foundation of any effective program such as this is continuous fundamental research. Thus, we are attempting to surmount the technological barriers to low-cost conversion through a dual approach to the problem: basic research and engineering development.

SIXTY CONTRACTS PAST YEAR

During the past year, over 60 contracts were negotiated and managed by our 14 staff engineers. Most of these contracts, as has been the case in previous years, have supported studies in the field of engineering development.

Different processes will be developed having advantages for particular applications. For example, some types of processes will be more economical for treating brackish waters; some processes are expected to be particularly adaptable to use in household-type units or small installations; others will be best for multimillion-gallon-per-day plants. The factors connected with location, such as water type, fuel costs, weather conditions, and waste disposal conditions, can determine which of several conversion processes would be the most efficient to use for a given purpose.

Between today and the day of low-cost conversion many difficult technological barriers still must be surmounted. In my opinion, this can best be accomplished through basic and fundamental research aimed at developing new knowledge and a better understanding of the natural phenomena involved.

To assist us in developing a basic research program aimed at solving the water supply problem of a generation hence, we asked the National Academy of Science-National Research Council to conduct a thorough study of problems involved and the various disciplines that might profitably be explored, and recommend a course of action that we could use as a guideline in an expanded basic research effort.

To provide us with the information and recommendations we sought earlier this summer, the NAS–NRC conducted a monthlong conference at Woods Hole, Mass., to which they invited some of the finest scientists of this Nation to participate. The recommendations of this learned conference will be available late this year, and I can assure you that we are looking forward to receiving this document with considerable anticipation. We intend to implement its recommendations as expeditiously as possible.

President Kennedy has pledged his administration to redoubled efforts in the field of saline water conversion. To this end there is currently before the Congress legislation that will enable us to substantially accelerate our present program. As a matter of fact, next Tuesday (Aug. 22, 1961), we will appear before the Senate Interior and Insular Affairs Committee to present justification for an expanded and extended program.

SELECT WATER COMMITTEE'S REPORT

It seems certain that the day will come when saline water conversion plants will be erected and operated in most, if not all, of the Western States. This projection is based on the report of the Senate Select Committee on National Water Resources which stated: "Demands (for fresh water) are projected to increase to 559 billion gallons a day or 51 percent of streamflow by 1980, and to 888 billion gallons a day, or 81 percent of streamflow by year 2000."

The report of the select committee also pointed out that to provide for projected increases in population and economic activity, full development of all of the available water resources would be required by 1980, or earlier in the south Pacific, Colorado River, Great Basin, upper Rio Grande-Pecos River, and upper Missouri River water resource regions.

By the year 2000 the following regions will be added to the list of those in which full development of available water resources will be required if the projected demands are to be met: upper Arkansas-Red Rivers, western Great Lakes, and western gulf water resource regions.

Even if the projections of the Senate committee prove to be only partially correct it seems evident that a new source of supply to supplement our natural sources of fresh water will be required, and its cost may not be the primary consideration. We know that our future economic development hinges upon the availability of fresh water. The Office of Saline Water is working to make a supplemental supply available at the lowest possible price—but most important of all to make it available, if needed.

We can put a price on water, but we cannot put a value on it.

It is not necessary or prudent for me to speculate on the future price of fresh water converted from saline sources. I am convinced, however, that working hand in hand with States, municipalities, universities, research organizations, and industry we can look forward to continued progress and an exciting future.

Mr. CASE of South Dakota. Madam President, following that insertion, I ask unanimous consent to have printed at this point in the RECORD a portion of a statement by Kenneth G. Barnhill, of Ionics, Inc., on the economical desalting of brackish water by electrodialysis, which he wrote as a paper for presentation at the 1960 Joint Convention of the Florida Section, American Water Works Association, at Fort Lauderdale, Fla., on the 14th of November 1960.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ECONOMICAL DESALTING OF BRACKISH WATER BY ELECTRODIALYSIS

(By Kenneth G. Barnhill, Ionics, Inc., 152 Sixth Street, Cambridge, Mass.)

Much publicity has been given the general subject of saline water conversion and certainly Florida, almost surrounded by sea water and underlain with considerable brackish water, is interested in the subject. In consequence, no technical program in recent months touching on water use has been complete without a paper on the subject. The writer is pleased to present the paper for your conference on one of the most promising processes for treating brackish water; namely, electrodialysis. The economics of the process will be our emphasis.

Florida has a stake in our Government's program. A half-million-dollar pilot plant using the freezing process is to be installed at St. Petersburg, and the cities of Port Orange and Key West are receiving further consideration at this writing along with five other east coast sites for the last of the five large Government demonstration plants also utilizing the freezing method.

I. INTRODUCTION

In electrodialysis, or electric membrane demineralization, charged atomic-size particles of dissolved salts and minerals when subjected to an electrical field migrate through selective plastic membranes to a waste brine, leaving partially demineralized water behind.

The use of the process has grown rapidly in this country and abroad in the last 2 years. As of January 1, 1958, there were only two commercial-size plants in operation in the United States. Today, less than 3 years later, there are 11 plants in operation with an aggregate capacity of 350,000 gallons per day serving 10,000 people. Nine more units have not yet been started up, which will add more than 500,000 gallons per day of capacity.

The adaption of the process abroad has been equally noteworthy. Most of the plants have gone into desert areas, where oil exploration has been flourishing, e.g., Bahrain, Kuwait, Arabia, and Libya. About 30 plants are in operation in these areas and more are on order.

The South Africans have a large experimental plant at Welkom designed for 3 million gallons per day, but currently not producing at capacity.

Total world capacity of commercial membrane plants is about 1.2 million gallons per day.

Coalinga, Calif., dedicated the first truly municipal demineralizing plant in February of 1959 which serves 6,500 people with demineralized drinking and culinary water through one part of a dual piping system. Much good data has been published on this plant.

June 1, 1960, the city officials of Oxnard, Calif., witnessed the operation of the first 250,000 gallons per day "stack," demonstrating the fact that multimillion-gallon-per-day plants can be built using this stack as a building block.

It is the object of this paper to review geographical areas in the United States where brackish water exists and fresh water is scarce or inaccessible. The Florida situation will receive special attention.

We shall also explain the workings of the electrodialysis process and the equipment to carry it out.

Estimated costs will be developed for three 2-million-gallon-per-day plants based on three typical Florida waters using actual analyses.

II. THE PREVALANCE OF HIGHLY MINERALIZED WELL WATER IN THE UNITED STATES

While waterworks men generally are aware that the States of Texas, New Mexico, Arizona, North and South Dakota, and Montana have an abundance of saline ground water, few realize that central New York State, southwestern Kansas, many parts of southern California, the extension of our Great Plains in neighboring Manitoba, Saskatchewan, and Alberta, and both coastal areas of your native Florida, also suffer from this condition.

Florida's situation is summarized in the two quotes from Water Supply and Research Paper No. 6, November 30, 1951, and a statement by Florida's director of the bureau of sanitary engineering.

"Along the coastal fringe from Volusia to Dade County, water from the artesian aquifer is too highly mineralized to be used as a source of municipal supplies, often having a total hardness ranging from 500 to 1,000 parts per million, with chlorides and sulfates of the same magnitude."

"The coastal counties south of Hillsborough secure artesian water chiefly from the Hawthorne formation of Miocene age. Water from these formations, however, is generally too highly mineralized for domestic use, being chiefly utilized for irrigation purposes. A striking feature of these waters is the excess of sulfate and chloride over bicarbonate. The high calcium and sulfate content sug-

gests contamination with gypsum, as well as marine residuals."

In testimony before the Select Committee on National Water Resources, U.S. Senate, in Jacksonville, Fla., December 3, 1959, Florida's director of the Bureau of Sanitary Engineering, Florida State Board of Health, Mr. David B. Lee, said "We have highly mineralized waters in many areas of the State which will handicap development of satisfactory public water supplies unless the water resources of those areas are properly developed. It is also our belief that desalinization would be a great asset if it can be done so that the water would be acceptable to taste and sufficiently economical."

III. WATER SUPPLY ALTERNATIVES

When a town or isolated real estate development is faced with the problem of water supply, it has several choices:

1. Tie in to an existing public supply.
2. Dam the closest fresh water surface source, treat, and transport by pipeline.
3. Develop wells in shallow "lens" water.
4. Haul good water from the closest source and keep cisterns full.
5. Treat local deep well water even though it may be highly mineralized.

Frequently, a development is beyond the corporate limits of a town, and the town either is not interested in supplying water or would levy high charges for doing so. Another possibility is that the nearest public supply is many miles away and pipeline costs would be unrealistic.

Dams are very expensive structures and usually involve extensive land taking, large bond issues, and public votes. An example of this was the supply provided Patrick Air Force Base a few years ago.

Islands which parallel the Florida and Texas coasts have shallow lenses of fresh water which may be adequate for very limited use. However, anything approaching heavy pumping causes the chloride content of such supplies to skyrocket. Also, such sources are solely dependent upon rainwater in the area and, if there is a sustained dry spell, the lens disappears leaving the users high and dry.

Hauling water is a nuisance and, in most cases, very expensive. We have the example of Coalinga, Calif., which imported its water 45 miles from Armona for many years at a cost of $7.05 per 1,000 gallons. This city expects to save $400,000 in the next 10 years by treating its local well water by the Ionics process.

This brings us to our fifth alternative—namely, to treat the local deep well water as required. Degasification, softening and/or demineralization may be necessary and can be justified more often than not.

IV. ADVANTAGES OF USING LOCAL WATER

The treatment of local deep well water, even though highly mineralized, offers certain advantages over imported surface water.

1. Superior quality: The quality of the local water is often superior in many respects other than mineral content to an imported surface water. Surface sources are quite likely to have problems of taste, odor, color, turbidity, algae, radioactivity, and organic matter, all complicated by seasonal variations.

2. Reliability of supply: Large underground reservoirs are virtually immune to drought cycles.

3. Easy staging of investment: Facilities can be built as required to meet current demand rather than for an uncertain long-range estimated future demand.

4. No land taking: There should be no necessity for extensive land taking, securing of rights-of-way, and other long involved legal and monetary procedures.

5. Easier financing: The treatment plant may be paid for on a pay-as-you-go basis, often out of local funds or private capital.

6. Independence: The control of the project rests in local hands. Fewer Government agencies are involved and, consequently, red-tape is held to a minimum.

V. THE ECONOMICS

Consideration of engineering economics necessarily involves a discussion of alternatives, and one alternative of towns or communities with highly mineralized water is to continue to use it untreated. This is a prevailing solution for a great many towns, the U.S. Public Health Service standards notwithstanding.

The consumer too often thinks that his water bill represents his entire monthly water cost, disregarding what the water costs him in other ways to use it. An analysis of what mineralized water may cost the individual homeowner has been prepared by Katz.

The ideal water for home use would be palatable, sanitary, soft, noncorrosive, and nonscaling. A homeowner in one of several small southern California communities may typically utilize well water containing 1,000 to 2,500 parts per million total dissolved solids, and his average monthly usage for a family of three or four will be approximately 12,000 gallons. The monthly water bill will run between $4 and $5, or between 33 cents and 42 cents per thousand gallons.

Since the water is unpalatable, the family buys from two to four 5-gallon bottles of spring water at $1.50 per bottle, adding $3 to $6 to the total water cost.

The high hardness of the water requires home zeolite softening, and costs will vary from $3 to $10 per month depending upon whether the homeowner rents or buys.

Finally, the highly mineralized water shortens the life of the plumbing system, hot water heater, automatic dishwasher, and clothes washer, perhaps by a factor of two. If the average investment in plumbing and appliances is $1,000 to $1,500, and we consider that the highly mineralized water shortens depreciation from 20 years to 10 years, there is a $4 to $6 monthly charge also assessable to the "bad" water.

The total water bill is then $14 to $27 rather than the $4 to $5 which is paid to the water company, a unit price of $1.16 to $2.25 per thousand gallons. A higher priced water of lower mineral content would have shown savings for the average homeowner.

The health cost of using a highly mineralized water has yet to be assessed, although the medical profession suspects that there are connections between mineral content and certain illnesses or diseases. For example, there is the theory that high sodium waters have an adverse effect on people with hypertension and certain types of heart and kidney disease.

Some work is being conducted by the California State Board of Health and the Provincial Department of Health of Saskatchewan to correlate ailments and even surgery to mineral content of water. Publications of their findings and the final report of the U.S. Public Health Service advisory committee for the revision of the 1946 drinking water standards will be awaited with interest.

Mr. KEATING. Madam President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. KEATING. I did not mean to imply in my remarks that the State of New York does not have an interest in the proposed legislation. I believe it does. I believe every State has an interest in the proposed legislation, whether the water supply at the moment is adequate, pure, and wholesome, or not. The possibility of converting saline water into fresh water affects every man, woman, and child in this country, no matter in which State.

Mr. CASE of South Dakota. Madam President, if the way I phrased my comment indicated that the Senator from New York implied the State of New York was not interested, I very much regret that fact. Of course the State is interested. New York perhaps has been more fortunate than most as to a supply of fresh water in times past, but the time will come when even the State of New York, with an abundant water supply, may be directly concerned with the conversion of saline water, as well as concerned because of a national interest.

I offer a minor amendment, really clarifying in nature, and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 15 in lines 16 and 17 and in lines 24 and 25, it is proposed to strike out the words "shall seek the cooperation and assistance of the Secretary of the Interior" and to insert in lieu thereof in each place "shall consult with the Secretary of the Interior."

Mr. BIBLE. Madam President, the Senator from South Dakota discussed the amendment with me. I think it would improve the bill. I am happy to accept it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BIBLE. Madam President, one of the most helpful members of our committee, one of the sponsors of the bill, is the distinguished junior Senator from Colorado [Mr. CARROLL]. During the time he has been in the Senate we have served together on the Committee on Interior and Insular Affairs. Legislation to develop a salt water conversion program has been one of his great loves. I am happy to note that the Senator from Colorado is present in the Chamber, and I am happy to yield to him for such comments as he may care to make.

Mr. CARROLL. Madam President, I thank the able Senator from Nevada for his kind remarks, which I do not think I really deserve.

As the able Senator from Vermont has said, this is one of the most important bills to come before the Congress. I pay tribute to all the fine leaders in both the House and the Senate. I especially commend Representative WAYNE ASPINALL, the chairman of the House Committee on Interior and Insular Affairs. He has had a great interest in this measure, as have all members of the House Committee on Interior and Insular Affairs, and all members of the Senate Committee on Interior and Insular Affairs.

Mr. CASE of South Dakota. Madam President, will the Senator yield at that point?

Mr. CARROLL. I am happy to yield.

Mr. CASE of South Dakota. Representative ASPINALL, the chairman of the Committee on Interior and Insular Affairs of the House, has rendered yeoman

service in the development of this program.

The bill which came from the House is a reflection of the great interest and diligence he has shown in this regard. In the hearings which the House conducted Representative ASPINALL showed a great knowledge of the program. Without his fine, intelligent, understanding work we would not have the proposed legislation at its present stage, almost ready to go to the President.

Mr. CARROLL. I thank the able Senator from South Dakota.

Madam President, there has been a discussion of the origin of the program in 1952, but I remember that perhaps 20 years ago there was discussion of such a program as this. The then Secretary of the Interior, Oscar L. Chapman, spoke of dreams of such a program.

The former Secretary of the Interior, Fred Seaton, also tried to advance the program.

I do not wish in any way to take away credit for fine work from the Senator from South Dakota, the Senator from New Mexico, the Senator from California or other Senators who have been leaders in this field, but in the early days the program was too timid. It was too timid in 1955. It was too timid in 1958, when a measure was brought before the Committee on Interior and Insular Affairs. There was a struggle to get a few million dollars for one of the most important projects confronting this Nation, the endeavor to obtain a scientific breakthrough to provide more potable water not only for people but also for municipalities and the farmlands of America.

Today the Senate has agreed to an amendment to increase the program to $100 million. This is not a great deal of money for such important work.

I do not desire to waste money, and I feel sure no one wishes to waste money, but we must attack the program more vigorously than we have attacked it in the past. We have made some progress, but I do not think we can afford to wait 10 years. I do not think we can afford to wait 5 years. If $20 million provided in the next year will give greater emphasis to the program, greater acceleration to the program, let us provide it. This is why I supported the Monroney amendment.

I do not wish to waste money. When we think of the great sums which we are spending for military purposes—and we have to do so, in the interest of survival of our Nation—a program like the saline water conversion program involves a very small sum of money. I repeat the statement of the able Senator from Vermont: There is no more important piece of proposed legislation before this body.

Madam President, I have supported and actively fought for an expanded saline water program since my first days in the Senate.

I am happy again today to support, as a cosponsor of the measure, S. 2156, which extends and expands the saline water conversion program now being conducted by the Secretary of the Interior.

In March of 1958, I recall the hearings I participated in held by our Interior and Insular Affairs Committee. At that time we were preparing legislation authorizing full-scale demonstration plants for production from sea or other saline waters, water suitable for use in homes, in industry, or on farms.

In 1959 and 1960 we acted to accelerate the pace of the saline water conversion program.

At that time I predicted bitter battles would occur in the semiarid West over short water supplies, and I pointed out that saline water conversion work was proceeding at too slow a pace to meet the rapidly increasing water demands. The bill, which I cosponsored, S. 3557, to speed up saline water research passed this body on June 24, 1960.

During the years we fought for a saline water conversion program it was my desire that a pilot plant for conversion of brackish water be established somewhere in Colorado.

Several sites were proposed by me to the Secretary of the Interior, included among them the unique "closed basin" area of the San Luis Valley in south central Colorado, where an excessive underground reservoir of saline water is destroying the quality of the rich farm soil.

The two pilot brackish water plants are scheduled to be built elsewhere in the Great Plains, but the experiments conducted there will eventually be of enormous benefit to Colorado farmers and communities.

However, in Colorado our brackish water problem is so unique I am not sure that large scale, multimillion-gallon conversion plants will provide an immediate answer.

We have brackish water widely dispersed in rural areas throughout the State and largely in underground aquifers.

Because of our unique conditions in the West, I called upon the Secretary of the Interior to study the feasibility of a program that would provide small conversion plants on a farm-by-farm basis.

What is needed in Colorado is development of two types of conversion units: one that can economically convert brackish water for rural family domestic use at a rate of 20 gallons a day and another that could convert several thousand gallons a day for irrigation purposes.

I have called for study of the possibility of the Federal Government setting up a small loan program similar to the REA for purposes of purifying rural water in the West.

To give my colleagues an opportunity to know how badly such a program is needed in my State alone, I ask unanimous consent that a letter to me from Ed Clark, director of the State of Colorado Department of Natural Resources, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE OF COLORADO,
DEPARTMENT OF NATURAL RESOURCES,
Denver, Colo., August 22, 1961.

Senator JOHN CARROLL,
U.S. Senate Building,
Washington, D.C.

DEAR JOHN: This letter furnishes you the information you desired concerning local brackish and saline waters in Colorado which could be treated and made into potable waters for the betterment of the local residents.

Under separate cover I am sending you a report on "Public Water Supplies of Colorado, 1959–60." On page 23 you will note that recommended maximum total dissolved solids in waters is placed at 500 parts per million, with the provision that 1,000 parts per million will be permitted if water of better quality is not available. Beginning on page 102 of this report you will find a listing of municipalities giving the chemical analysis of their water supplies. I have used this listing for the information given below.

Municipalities in Colorado which are using water for domestic supplies that contain in excess of 1,000 parts per million total dissolved solids:

Total dissolved solids in public water supply

Municipality and district	
Arkansas River Valley:	
Crowley	1,200
Fowler	1,120
Las Animas	2,650
La Junta	1,560
Manzanola	1,130
Rocky Ford	1,400
Sugar City	1,150
Wiley	2,000
Platte River Valley:	
Brighton	1,240
Crook	1,440
Fort Morgan	1,120
Hudson	1,280
Kersey	1,320
Merino	1,260
Town and Country Mutual Co. (Arvada)	1,160
Other areas:	
Dacoma	1,060
Firestone	2,580
Fredericks (known to be high, but no analysis).	
Milliken	1,460
Eads	1,120
Kit Carson	1,160
Limon	1,070
Iliff	3,520

The rural areas adjacent to each of the above listed municipalities contain brackish waters which are not considered to be potable and acceptable for domestic use.

The following areas are known to contain brackish waters in the rural areas, and many farms and ranches are being served by water that is hauled from nearby towns with good supplies: Grand Valley-Palisades to Mack; Uncompaghre Valley-Montrose, Olathe, and Delta areas; Norwood-Naturita-Uravan area.

On the basis that 500 parts per million of dissolved solids is the maximum for good potable water, the following municipalities in Colorado have an unsatisfactory quality and a better supply is desirable:

	Parts per million
Aguilar (total dissolved solids)	592
Ault (residue on evaporation)	839
Cheraw (residue on evaporation)	898
Dove Creek (residue on evaporation) (supply A)	816
Eaton (residue on evaporation)	929
Fort Lupton (residue on evaporation)	994
Gilcrest (total dissolved solids)	1,010
Hillrose (residue on evaporation)	531
Hugo (residue on evaporation)	667
Julesburg (residue on evaporation)	696
Keenesburg (residue on evaporation)	685
Kim (residue on evaporation)	788
LaSalle (residue on evaporation)	943
Northwest Utilities (total dissolved solids)	967
Olney Springs (total dissolved solids)	575
Platteville (residue on evaporation)	778
Rangely (residue on evaporation) (source B)	554
Simla (residue on evaporation)	604
Sterling (residue on evaporation)	690

	Parts per million
Sunnyslope Estates (residue on evaporation)	863
Swink (total dissolved solids)	972
Wellington (total dissolved solids)	989
Western Hills (residue on evaporation) (source A)	653
Westminster (residue on evaporation) (source A)	706

On June 16 I attended a demonstration open house at a brackish water conversion field test at the Dalpra Farm in Weld County. I am enclosing copies of the releases handed out at this field meeting. It shows what can be done, and the test was made in one of the rural areas listed above, namely the Dacoma-Longmont area.

All of the above information is based on domestic and limited livestock use of waters. In the irrigation field, there are tremendous ground water supplies of brackish and saline waters in the deep aquifers in the San Luis Valley. If treated, this water could be used in connection with the closed basin proposal of the Bureau of Reclamation which project would make more water available in the Rio Grande Valley, and could conceivably help relieve Colorado of the deficit of its water delivery to New Mexico, Texas, and Mexico.

With best regards.

EDWARD L. CLARK,
Director.

Mr. CARROLL. Madam President, my colleagues will note that whereas recommended total dissolved solids in water is a figure of 500 parts per million, there are 22 areas in Colorado with water containing over 1,000 parts per million and 24 areas with water containing over 500 parts per million. There are several communities with water containing over 2,000 and 3,000 parts per million.

The Bureau of Reclamation has been active in Colorado in attempting to meet this problem of brackish water on farms.

In an area northwest of Denver, where rural families still, in the mid-20th century, must haul potable water 20 miles to their farms from municipal systems, the Bureau has set up two demonstration plants on a farm to see if brackish well water can be economically purified.

On June 16 of this year the Bureau held a demonstration of its saline water conversion units on the farm of Gilbert O. Dalpra near Longmont, Colo.

Madam President, I ask that at this point in the RECORD there be printed two announcements released by the Department of the Interior on June 14, describing its small saline water conversion units experiments on the Dalpra farm in Colorado.

There being no objection, the announcements were ordered to be printed in the RECORD, as follows:

An open-house event will be held on the morning of June 16, 1961, at the farm of Gilbert O. Dalpra near Longmont, Colo., to demonstrate to the public experimental equipment installed by the Engineering Laboratories of the Bureau of Reclamation to convert brackish water to fresh.

The experimental installation is being operated by the Bureau's scientists as part of a national research program of the Office of Saline Water of the Department of the Interior to develop low-cost methods of converting saline and brackish water to fresh. The demineralization process being tested at the farm, under a lease arrangement which the Bureau of Reclamation has completed with Mr. Dalpra, is basically the same as that to be used in the demonstration plant under construction near Webster, S. Dak. The Webster plant is to be placed in operation by the Office of Saline Water in the fall of this year to convert 250,000 gallons per day of fresh water from brackish water.

The brackish water on the Dalpra farm is being pumped from two 250-foot deep wells. The water contains a total dissolved solids content of over 3,000 parts per million. The U.S. Public Health Service recommends that the dissolved solids content of water for human consumption should not exceed 500 parts per million.

Visitors at the open house will see two installations used in conversion of the brackish water. Both units utilize the electrodialysis method of saline water conversion. The first unit is a trailer-mounted installation which has a four-stack demineralizer capable of reducing the salt content of the brackish water to 500 parts per million at a rate of about 18,000 gallons per day. The fresh water is used by Mr. Dalpra in supplying water for his household consumption and for the needs of his dairy herd.

The second unit is a small single-stack household device which can produce potable drinking water at a rate of 20 gallons per day. Water from this unit is used by the Dalpra family in partly supplying the family's domestic water needs.

Electrodialysis is a process in which ions (electrically charged particles) of various salts dissolved in the water are forced to move by an electric potential. The ions that contain a negative electric charge go one way, and the positively charged ions travel in the opposite direction. This motion causes the ions in the salts to pass through specially constructed membranes installed in a stack. The trailer-mounted unit contains four stacks of 300 membranes each. The membranes are so designed that they let only one type of ion pass through. Once the ions emerge, they cannot flow back. Thus, the ions pass out of the originally brackish water, leaving it fresh. Waste water is used to carry off the discarded salts.

Brackish water introduced to the four-stack unit can be demineralized at an estimated cost of $1.50 per thousand gallons. The smaller unit can produce fresh water at a cost of less than $0.01 per gallon. These costs are representative of small units, and it is anticipated that these costs will be reduced when larger units are operated. Several farmers in the Dalpra farm area now haul their drinking water from Longmont at a cost of from $3.50 to $4.50 per thousand gallons.

"There are large quantities of brackish water in the northern Great Plains and the arid Southwest," Secretary of the Interior Stewart L. Udall recently explained. "The small installation at Longmont and the demonstration plant to be placed in operation at Webster, S. Dak., are part of our accelerated research program to develop low-cost saline and brackish water conversion processes. The importance of this program cannot be overemphasized as our Nation becomes increasingly aware of impending water shortages and the need to develop new sources of water economically," Secretary Udall further explained.

FACT SHEET

(By U.S. Department of the Interior, Bureau of Reclamation, Office of the Assistant Commissioner and Chief Engineer, Denver, Colo.)

WHAT'S THE EVENT?

An open house on June 16 at the Gilbert O. Dalpra farm in Weld County, 2 miles south and 6 miles east of Longmont, Colo., demonstrating experimental equipment which converts brackish water to fresh.

WHAT'S BEING DEMONSTRATED?

On display is the electrodialysis field test station including the two demineralizers presently being evaluated there. These demineralizers convert the brackish water on the Dalpra farm to fresh water by a process known as electrodialysis. In this process, the ions (electrically charged particles) of various salts dissolved in the water are forced to move by an electrical potential. Upon application of an electric potential, the positively charged ions (such as sodium) go in one direction, while the negatively charged ions (such as chloride) travel in the opposite direction. This motion causes the ions to move past special membranes which allow only one type ion to pass through. Once the ions emerge, they cannot flow back, and thus move out of the originally brackish water leaving it fresh. Waste water is used to carry off the discarded salts. As designed, the trailer-mounted unit contains 4 stacks of 300 membranes each. These membranes are 18 inches wide, 20 inches long, and 0.025 inch thick and cost approximately $5 per square foot. The household unit contains 40 membranes, 1½ inches wide, 13 inches long, and 0.007 inch thick. These membranes cost approximately $1.50 per square foot.

The larger unit is trailer mounted for mobility and is capable of demineralizing this water at a rate of 18,000 gallons per day. The second unit is a recently developed household device capable of producing fresh water at a rate of 20 gallons per day.

Other equipment on display includes a manganese zeolite filter for ion removal, large water storage tanks, and the pumps, meters, and instruments used in conducting demineralization experiments.

WHAT'S BRACKISH WATER?

Water which contains more than 500, but less than 35,000 parts of dissolved salts per million parts of water, is classified as brackish water. Brackish water is not recommended for human consumption and may be unsuitable for animal consumption or irrigation of crops. The brackish water on the Dalpra farm is obtained from two wells, both over 250 feet deep, and it contains the sulfate and chloride salts of sodium, calcium, magnesium, and potassium. In contrast to this brackish water, which has a salt content of over 3,000 parts per million, Denver's domestic water supply contains approximately 100 parts of dissolved solids per million.

WHO'S CONDUCTING THE DEMONSTRATION?

Scientists of the Engineering Laboratories of the Bureau of Reclamation at Denver are on hand to explain the equipment and demonstrate its usefulness. They are operating the equipment to gather performance data on the efficiencies, capacities, costs, and additional information which will be useful in designing other demineralization installations. The Bureau's scientists are performing the demineralization work as part of a national research program sponsored by the Office of Saline Water of the Department of the Interior. The Office of Saline Water has been engaged in saline water conversion research since 1953. The goal of this agency is to develop low-cost conversion processes that will permit utilization of the vast inexhaustible water supply of the oceans, as well as develop processes that will economically convert unmeasured billions of gallons of now unusable inland brackish water to fresh.

The Bureau of Reclamation is conducting the experiments at this location under a lease arrangement with Mr. Dalpra which was completed in June 1960. The Dalpra farm was selected as the first test site after analyzing data from several sources on 1,700 natural waters throughout the State of Colorado. After the lease was arranged, the Bureau erected at the farm site, a concrete pad, workshop, storage shed, water storage tanks, an iron removal unit, and other water handling equipment.

WHAT TYPE ELECTRIC POWER IS NEEDED FOR ELECTRODIALYSIS?

Electric powerlines and metering equipment for this test station were installed by

the Public Service Co. of Colorado. A power supply of 3-phase, 440-volt alternating current was provided. The alternating current received from the powerlines is converted to direct current for use in the membrane stacks by means of an air-cooled selenium rectifier. The pumps, lights, heaters, and other equipment are operated from the alternating current source.

IS THE CONVERTED WATER BEING USED?

The fresh water obtained from the two units is being used by Mr. Dalpra in supplying water for his household consumption and for the needs of his dairy herd.

WHAT ABOUT COSTS?

Brackish water produced from the four-stack unit is being demineralized at an estimated cost of $1.50 per thousand gallons. The smaller unit can produce fresh water at a cost of less than 1 cent per gallon. These costs are representative of small units, and it is anticipated that the costs will be reduced when larger units are operated. Several farmers in the Dalpra farm area now haul their drinking water from Longmont at a cost of from $3.50 to $4.50 per thousand gallons.

The cost of establishing the Bureau's test station at the Dalpra farm was $28,000. This included the costs involved in selecting the site, design, and layout of this station; purchase and installation of auxiliary equipment; and moving the trailer-mounted unit to the site.

WHERE DOES THIS RESEARCH GO FROM HERE?

The two units on display are part of the research and development program conducted by the Engineering Laboratories for the Office of Saline Water. Three additional demineralizers presently under construction or evaluation in the Denver laboratories will be field tested here or at other sites. The information gathered by this testing program will be used to help design other electrodialysis plants such as the demonstration plant presently under construction in Webster, S. Dak.

In 1958, Congress authorized the construction of five demonstration plants as part of the saline water conversion program. These plants, including the Webster plant, are to demonstrate the engineering and economic potentials of the most promising known processes for converting salt water to fresh. The first of these plants, designed to produce 1 million gallons of fresh water daily, has been built and is now undergoing preliminary testing. The second and third plants are now under construction and the fourth one is to be started this fall. The fifth plant will utilize a freezing process and construction is scheduled to begin on it early next year.

HOW IMPORTANT IS SALINE WATER CONVERSION?

Americans today are using some 70 percent of the available fresh water, and it is estimated that with the increasing population and industrial growth our country will be consuming 90 percent of the supply in less than 15 years. Thus, we obviously need not only to conserve our normal sources of fresh water, but also develop new sources. An answer to this problem is to perfect low-cost processes to produce fresh water from salt water. President Kennedy has stated: "No water resources program is of greater long-range importance—for relief not only of our shortages but for arid nations the world over—than our efforts to find an effective and economical way to convert water from the world's greatest cheapest natural resources—our oceans—into water fit for consumption in the home and by industry. Such a breakthrough would end bitter struggles between neighbors, States, and nations—and bring new hope for millions who live out their lives in dire shortage of usable water and all its physical and economical blessings, though living on the edge of a great body of water throughout that parched lifetime. This administration is currently engaged in redoubled efforts to select the most promising approaches to economic desalinization of ocean and brackish waters, and will focus our energies on those approaches."

Secretary of the Interior Stewart Udall has stated: "Our Nation faces serious water problems in the foreseeable future. With water becoming increasingly costly and water shortages of a magnitude that could conceivably restrict our economic growth, we must unrelentingly press for the development of all our available water. Anything less than total development will not be enough."

Mr. CARROLL. Madam President, I think the experiments on the Dalpra farm offer exciting possibilities to all rural families in the vast semiarid regions of the Great Plains.

We are all hopeful that these units can be refined and perfected to the point that purified well water can be produced at a rate as economical as water piped from municipal systems.

I urge the Secretary of the Interior to put increased emphasis on this small conversion unit program with the hope that an early breakthrough will occur in perfection of a small economical plant.

Once the engineers and scientists have developed a practical small plant, I hope consideration will be given to enabling farmers to install such units at low cost, through cooperative, nonprofit associations. This conceivably could be done through the Farmers Home Administration as part of its water facilities loan program.

In regard to the major desalinization program, now underway at seacoast cities, I have often expressed myself on its indirect benefits to the Great Plains area.

I have indicated how a major portion of the fresh waters of the West rise in the Mountain States and flow to the seacoast cities.

The Mountain States and seacoast States have for years contested, sometimes bitterly, over the dwindling supplies of available fresh water.

Once sea water conversion plants have been perfected, so that cheap domestic water is available in substantial supply, I visualize an easing of the pressures as between States for river water.

The Mountain States have a direct and vital interest in the rapid perfection of sea water conversion plants on the west coast and gulf coast.

In this respect I wish to mention that a Denver firm is managing and operating the first sea water conversion plant which was dedicated on June 19 of this year. This company is the Stearns-Roger Manufacturing Co. I ask unanimous consent that at this point in the RECORD there be printed a May 28 story in the Denver Post, describing the role the Denver-based Stearns-Roger Co. is playing in converting sea water to potable water.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STEARNS-ROGER TO OPERATE BIG SEA WATER UNIT

(By Willard Haselbush)

The Stearns-Roger Manufacturing Co., of Denver, has been awarded a million-dollar contract to manage and operate the first sea water conversion plant completed under the Federal Government's 2-year-old program of developing low-cost sources of fresh water for the Nation.

The plant has just been completed at Freeport, Tex., and has been producing fresh water from sea water on an experimental basis since early May.

The Freeport plant has a capacity of one million gallons a day. It is the first of five saline water conversion demonstration plants which will be built in various parts of the country by the Office of Saline Water, a new division of the U.S. Department of the Interior created by Congress.

The Federal program is aimed at making it possible for any coastal area to augment its fresh water supply for municipal and agricultural purposes at low cost. It also is aimed at converting brackish or salty well water found in many areas.

Backers of the saline water conversion project see in it a great potential for Colorado. As population in this area increases and more water is needed, they say, it may be possible for California to substitute converted sea water for the Colorado River water it now receives from Upper Basin States.

Selection of Stearns-Roger to operate the new plant was another triumph for the Denver-based company, a versatile giant in the field of industrial engineering and construction.

Denver engineers will be selected for the Freeport job. They will work under direction of I. A. Cornwell of Englewood, manager of the Stearns-Roger special products division.

The division engineered, built, and now is operating a liquid hydrogen plant at Bakersfield, Calif., for the Government, one of three of its kind in America.

Other sea water conversion plants will be located at San Diego, Calif., and at a site yet to be selected on the Atlantic seaboard.

In addition, the Office of Saline Water has authorized demonstration plants for the conversion of brackish water at Webster, S. Dak., and Roswell, N. Mex.

The contract awarded to Stearns-Roger calls for developmental investigation for a period of 4 to 5 years.

PRODUCTION SCHEDULED

Although the Freeport plant is experimental, it is a production unit and potable water produced by it will be utilized by the city of Freeport and the Dow Chemical Co. nearby.

Dow Chemical Co. donated 5 acres of land and the use of its sea-water flume for the project and will sell power and steam at low rates to the plant.

Dow Chemical, which also operates the Rocky Flats project near Denver, has contracted to purchase half of the plant's output at 30 cents per 1,000 gallons. The city of Freeport is purchasing the remainder of the output at 20 cents per 1,000 gallons for municipal use.

The Freeport plant was built by Chicago Bridge & Iron Co. on a low bid of $1,246,250.

The million-gallons-per-day plant utilizes a long-tube vertical distillation process.

TESTS UNDERWAY

An initial 15-hour sea water test run at 75 percent of capacity has been successfully completed at the Freeport plant and an 8-day test at full rated capacity now is underway. When it is completed, the plant will be turned over to the Denver team for operation.

Members of the Stearns-Roger team include F. H. Murray, plant superintendent, and Tom Frost, process engineer.

Mr. CARROLL. Madam President, the Denver Post has long supported the saline water program. In an editorial on August 1 of this year the Post said: "by 1970 if we have not perfected our

desalting methods the United States will be in serious trouble." The Post also called attention, as I did a few moments ago, to the benefits which would accrue to Upper Basin States if cheap desalting of sea water is perfected in southern California.

I ask unanimous consent that the Denver Post editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Denver Post, Aug. 1, 1961]

WE CAN'T LET UP ON DESALTING

Perhaps the most important arm of the Federal Government (as far as we in the West are concerned) is eventually going to be an odd little division of the Department of the Interior which goes by the initials OSW.

Actually, the division is the Office of Saline Water, and its reason for being is the production of fresh water from the various salt waters which abound in and around our continent.

The water problem in America is becoming a national problem.

We have realized for years that the demands of southern California on the waters of the Colorado River were creating problems for those of us in the upper basin, but the water problems of areas outside our arid Western States have not been so apparent.

Yet today, citizens of the wet, humid, and seemingly fertile Eastern States are seriously concerned about water shortages; in a few years, they predict, the entire Nation will suffer unless solutions are found.

Partly, of course, the water problem is the result of the population increase, and partly the result of increased demands for water by people and industry.

In the continental United States we are now using 323 billion gallons of water a day.

In 20 years, the experts say, we will be using 600 billion gallons a day, and by the year 2000 we will be using 880 billion gallons.

But the usable supply of water in this country, overall, is only about 500 billion gallons a day. Another 500 billion gallons exist (outside the oceans) but this water is brackish and unusable at present.

The answer, obviously, is to make the water usable—and thus we have the Office of Saline Water.

Government officials have estimated that five huge basin areas are going to be short of water by 1980—including our own Colorado Basin.

There is no time to be lost in the production of usable water from liquid we now disregard, and the Government is not losing time, we can say thankfully. There is some way to go, of course, but OSW is getting there.

Nine years ago, when OSW began working, the cost of converting salt water to fresh water was $5 per thousand gallons (compared to a viable figure of 38 cents per thousand gallons).

Today, the cost has been brought down to $1 per thousand gallons.

The cost is coming down, the work is being speeded up, and not a moment too soon—for the latest guess of the experts is that by 1970 if we have not perfected our desalting methods the United States will be in serious trouble.

Mr. CARROLL. Madam President, in summary, I urge the passage of the bill before us today. As the Denver Post said, this program must be perfected soon—not by 1970 but by 1964, 1963, or 1962. Research and demonstration plant efforts must be pushed ahead with all possible speed.

I think the bill we have before us today is a major step toward providing new supplies of fresh water to our growing Nation.

I thank the Senator from Nevada and commend him for his leadership in regard to the bill.

Mr. ENGLE. Madam President, my concern with saline water conversion goes back a number of years. In the 82d Congress I introduced the original legislation authorizing the saline water conversion program now operating in the Office of Saline Water in the Department of the Interior. I was joined in this original movement by a number of my colleagues in the House and in the Senate. Among them were Senators CLINTON ANDERSON and CARL HAYDEN, and Representatives WAYNE ASPINALL and MICHAEL KIRWAN—all of whom have maintained a continuing interest in the success of the program.

Our present inadequate water resource programs are hastening many areas in the United States to a condition in which every year will be as bad as the severe drought years of the past. By 1980, present programs will leave five major river basins, covering one-fourth of the continental United States, without enough water for consumption uses and sewage dilution. One-fifth of our water supply is drawn from underground sources. We must remember that this supply is the accumulation of centuries. Each year we are withdrawing far more than is replenished.

Because of our own critical water problems in the State of California, I have become acutely conscious of the situation affecting the whole country. I am convinced that the best possibility for a breakthrough to abundant water supplies not only in the United States but in every land, is through salt water conversion.

Under the present law, the Office of Saline Water has experimented with three methods of desalting water. These methods have not resulted in a major breakthrough by which large amounts of water can be desalted cheaply. We need a program of much longer range and wider scope than is now authorized.

The Nation's as well as the world's water needs will continue to mount steadily. Lower and lower cost methods of desalting water must and can be perfected. I believe that the program embraced in S. 2156, of which I am a cosponsor, will accomplish that objective. Under this measure we will have a long-range program of research and development. In addition, it provides for the construction of more demonstration plants and for financial assistance on a share-the-risk-with-industry basis.

It is essential that we reduce the cost of converted sea water more than 50 percent, or to about 40 cents per thousand gallons, to make it economically attractive for industrial and municipal uses in the more critical areas of the country. We must further reduce the cost of converted sea water to one-fifteenth its present cost for irrigation purposes in places of scarce supply. If our saline water program can reduce the cost of water to 40 cents per thousand gallons, the accomplishment would be sufficiently economic to satisfy the domestic, municipal, and industrial water demands in many key areas of the United States.

If we fail to proceed with the proposed expanded program, a multitude of communities in our country in the near future will see their source of fresh water critically depleted. We must guard against such a situation.

You may ask what achievement has been made in the past to justify further expansion of the salt water conversion program. I would like to cite one example. In Coalinga, Calif., water too salty for domestic use had in the past been replaced by fresh water hauled in tank cars at the almost prohibitive cost of $9.35 per thousand gallons. Now, as a result of a process developed under the saline water program, the city of Coalinga gets its domestic water supply at about $1.45 per thousand gallons.

In a message to Congress in May, President Kennedy said that the saline water program holds promise of providing technological benefits that will transcend boundary lines and international frontiers.

It is not unreasonable to hope that a stepped-up program, as envisioned in the legislation before us today, might ultimately reduce the cost of salt water conversion to 30 cents a thousand gallons. This would make abundant water conversion a practicable technique for the parched corners of the planet. This will take time and money—the kind of time and money that only a Federal program can make possible. Since the benefits would be available not only to our coastal States but to our inland areas where brackish water could be converted, we ought to support the program generously.

Madam President, if we can obtain low-cost fresh water in massive amounts by saline conversion, I believe this accomplishment would overshadow most of our scientific achievements as a benefit to mankind. I regard the expansion of the saline water conversion program one of our most critical domestic needs, and I urge my colleagues to act quickly and favorably.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. BIBLE. Madam President, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from further consideration of H.R. 7916 and that the Senate proceed to the consideration of that bill.

Mr. ALLOTT. Madam President, reserving the right to object, may I inquire what H.R. 7916 is?

Mr. BIBLE. It is the House-passed bill. It would merely be substituted for the Senate bill, so we can get to conference.

Mr. ALLOTT. There is no objection.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 7916) to expand and extend the saline

water conversion program being conducted by the Secretary of the Interior.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada?

There being no objection, the Senate proceeded to consider the bill.

Mr. BIBLE. Madam President, I move that H.R. 7916 be amended by striking out all after the enacting clause, and inserting in lieu thereof the text of Senate bill 2156, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. BIBLE. Madam President, I move that Senate bill 2156 be indefinitely postponed.

The PRESIDING OFFICER. The question is on the motion of the Senator from Nevada.

The motion was agreed to.

Mr. MANSFIELD. Madam President, first I congratulate the senior Senator from Nevada [Mr. BIBLE] and the senior Senator from South Dakota [Mr. CASE] for the contributions that they have made in the passage of the saline water bill this afternoon. It was good to note that there was unanimous support for the proposal, which means so much to our country, and that the bill was supported regardless of party lines. I commend also the distinguished senior Senator from Vermont [Mr. AIKEN], the senior Senator from Ohio [Mr. LAUSCHE], and others, for their assistance.

I believe we passed a bill which is in accord with the needs of the Nation.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1983) to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic development and internal and external security, and for other purposes.

AMENDMENT OF FEDERAL AIRPORT ACT

Mr. BIBLE. Madam President, I move that the Senate proceed to the consideration of Calendar No. 629, Senate bill 1703.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1703) to amend the Federal Airport Act so as to extend the time for making grants under the provisions of such act, and for other purposes.

The PRESIDING OFFICER. The question is on the motion of the Senator from Nevada.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, with amendments, on page 2, line 21, after the word "in", to insert "Hawaii,"; in line 22, after the word "Islands", to insert "in addition to such sums as may otherwise be authorized to be obligated by this Act,"; on page 3, line 6, after the word "amount", to strike out "65" and insert "40 per centum shall be available for projects in Hawaii, 40"; at the beginning of line 9, to strike out "35" and insert "20"; on page 4, after line 6, to insert:

(c) Subsection (e) of such section 5 (as so redesignated by subsection (c) of this section) is amended by striking out "section 204 of the Civil Aeronautics Act of 1938 (49 U.S.C. 424)" and inserting in lieu thereof "subsection (a) of section 303 of the Federal Aviation Act of 1958 (49 U.S.C. 1344 (a))".

In line 13, after "(a)", to strike out "The second sentence of section 6(a) of such Act (49 U.S.C. 1105(a)) is amended to read as follows: 'Each amount so apportioned for a State shall, during the fiscal year for which it was first authorized to be obligated, be available only for grants for approved projects located in that State, or sponsored by that State or some public agency thereof but located in an adjoining State, and thereafter any portion of such amount which remains unobligated shall be redistributed as provided in subsection (c) of this section.' "; at the beginning of line 22, to strike out "(b)"; on page 5, at the beginning of line 4, to strike out "(c)" and insert "(b) Paragraph (2) of section 6(b) of such Act (49 U.S.C. 1105(b)(2)) is amended to read as follows:

" '(2) Such discretionary fund shall be available for such approved projects in the several States, Puerto Rico, and the Virgin Islands as the Administrator may deem most appropriate for carrying out the national airport plan, regardless of the location of such projects. The Administrator shall give consideration, in determining the projects for which such fund is to be so used, to the existing airport facilities in the several States, Puerto Rico, and the Virgin Islands, and to the need for or lack of development of airport facilities in the several States, Puerto Rico, and the Virgin Islands.' "; in line 21, after the word "of", to insert "the fiscal year following"; in line 24, after the word "section", to strike out "Until July 1, 1962, the first sentence of this subsection shall not apply to amounts so apportioned prior to July 1, 1961, unless such amounts have not been obligated by grant agreement for two fiscal years after originally authorized."; on page 6, line 16, after "Sec. 5.", to insert "(a)"; on page 7, after line 2, to insert:

(b) Subsection (a) of such section 10 is amended by striking out "(d), and (e)" and inserting in lieu thereof "and (d)".

At the top of page 9, to strike out:

(c) Paragraph (2) of section 6(b) of such Act (49 U.S.C. 1105(b)(2)) is amended by striking out "States, Alaska, and Hawaii" wherever appearing therein and inserting in lieu thereof "States".

At the beginning of line 5, to strike out "(d)" and insert "(c)"; at the beginning of line 12, to strike out "(c)" and insert "(d)"; at the beginning of line 14, to strike out "(f)" and and insert "(e)"; after line 16, to insert a new section, as follows:

SEC. 9. The Federal Aviation Act of 1958 (49 U.S.C. 1301 et seq.) is amended by adding at the end of section 1109 thereof a new subsection as follows:

"(e) The head of any agency of the Federal Government charged with any duty of inspection, clearance, collection of taxes or duties, or other similar function, including, but not limited to, the Secretary of the Treasury, Secretary of Agriculture, Attorney General, and Secretary of Health, Education, and Welfare, is authorized to acquire by purchase, condemnation, lease, or otherwise, space at public airports which he deems necessary for the performance of such duties and to pay a reasonable compensation therefor."

On page 10, line 4, to change the section number from "9" to "10", and in the same line, after the word "Act", to strike out "shall take effect on July 1, 1961, but", and in line 7, after the word "before", to strike out "July 1, 1961" and insert "their enactment"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Federal Airport Act (49 U.S.C. 1103) is amended by inserting "(a)" immediately after "SEC. 4." and by adding at the end thereof the following new subsection:

"ANNOUNCEMENT OF PROGRAM

"(b) It shall be the duty of the Administrator to make public by January 1 of each year the proposed program of airport development intended to be undertaken during the fiscal year next ensuing, and he may revise such program to the extent he finds necessary to accomplish the purposes of this Act."

SEC. 2. (a) The first sentence of section 5(a) of such Act (49 U.S.C. 1104(a)) is amended by inserting immediately before the period at the end thereof the following: "and the sum of $66,500,000 for each of the fiscal years ending June 30, 1962, June 30, 1963, June 30, 1964, June 30, 1965, and June 30, 1966".

(b) Section 5(b) of such Act (49 U.S.C. 1104(b)) is amended by inserting "(1)" immediately after "(b)" and by adding at the end thereof the following new paragraph:

"(2) For the purpose of carrying out this Act with respect to projects in Hawaii, Puerto Rico, and the Virgin Islands, in addition to such sums as may otherwise be authorized to be obligated by this Act, there is hereby authorized to be obligated by the execution of grant agreements pursuant to section 12 of this Act the sum of $1,500,000 for each of the fiscal years ending June 30, 1962, June 30, 1963, June 30, 1964, June 30, 1965, and June 30, 1966. Each such authorized amount shall become available for obligation beginning July 1 of the fiscal year for which it is authorized, and shall continue to be so available until so obligated. Of each such amount, 40 per centum shall be available for projects in Hawaii, 40 per centum shall be available for projects in Puerto Rico and 20 per centum for projects in the Virgin Islands."

(c) Section 5 of such Act is further amended by redesignating subsections (c) and (d) as subsections "(d)" and "(e)", respectively,

and by inserting immediately after subsection (b) the following new subsection:

"SPECIAL AUTHORIZATION FOR CERTAIN GENERAL AVIATION AIRPORTS

"(c) In addition to other sums available under this Act, there is authorized to be obligated by the execution of grant agreements pursuant to section 12 the sum of $7,000,000 for each of the fiscal years ending June 30, 1962, June 30, 1963, June 30, 1964, June 30, 1965, and June 30, 1966, for the development in the several States of airports the primary purpose of which is to serve general aviation and to relieve congestion at airports having high density of traffic serving other segments of aviation. Each such authorized amount shall become available for obligation beginning July 1 of the fiscal year for which it is authorized and shall continue to be so available until so obligated."

(d) Subsection (d) of such section 5 (as so redesignated by subsection (c) of this section) is amended by striking out "subsections (a) and (b)" and inserting in lieu thereof "subsections (a), (b), and (c)".

(e) Subsection (e) of such section 5 (as so redesignated by subsection (c) of this section) is amended by striking out "section 204 of the Civil Aeronautics Act of 1938 (49 U.S.C. 424)" and inserting in lieu thereof "subsection (a) of section 303 of the Federal Aviation Act of 1958 (49 U.S.C. 1344 (a))".

SEC. 3. (a) Paragraph (1) of section 6(b) of such Act (49 U.S.C. 1105(b)(1)) is amended to read as follows:

"(b)(1) Twenty-five per centum of all amounts authorized to be obligated by section 5(a) and all of the amounts authorized to be obligated by section 5(c) shall, as such amounts become available, constitute a discretionary fund."

(b) Paragraph (2) of section 6(b) of such Act (49 U.S.C. 1105(b)(2)) is amended to read as follows:

"(2) Such discretionary fund shall be available for such approved projects in the several States, Puerto Rico, and the Virgin Islands as the Administrator may deem most appropriate for carrying out the national airport plan, regardless of the location of such projects. The Administrator shall give consideration, in determining the projects for which such fund is to be so used, to the existing airport facilities in the several States, Puerto Rico, and the Virgin Islands, and to the need for or lack of development of airport facilities in the several States, Puerto Rico, and the Virgin Islands."

(c) Section 6(c) of such Act (49 U.S.C. 1105(c)) is amended to read as follows:

"REDISTRIBUTION OF FUNDS

"(c) Any amount apportioned for projects in a State pursuant to subsection (a) of this section which has not been obligated by grant agreement at the expiration of the fiscal year following the fiscal year for which it was first authorized to be obligated shall be added to the discretionary fund established by subsection (b) of this section."

SEC. 4. Section 9(d) of such Act (49 U.S.C. 1108(d)) is amended by inserting "(1)" immediately after "(d)" and by adding at the end thereof the following new paragraph:

"(2) No project shall be approved by the Administrator which does not include provision for installation of such of the landing aids specified in section 10(d) as are determined by him to be required for the safe and efficient use by aircraft of the airport taking into account the category of the airport and the type and volume of traffic utilizing the airport."

SEC. 5. (a) Section 10 of such Act (49 U.S.C. 1109) is amended by striking out subsection (e) and inserting in lieu thereof the following:

"LANDING AIDS

"(d) To the extent that the project costs of an approved project represent the cost of installation of (1) land required for the installation of approach light systems, (2) in-runway lighting, (3) high intensity runway lighting, or (4) runway distance markers, the United States share shall be not to exceed 75 per centum of the allowable costs of such installation."

(b) Subsection (a) of such section 10 is amended by striking out "(d), and (e)" and inserting in lieu thereof "and (d)".

SEC. 6. (a) Paragraph (5) of section 11 of such Act (49 U.S.C. 1110) is amended to read as follows:

"(5) the airport operator or owner will furnish without cost to the Federal Government for use in connection with any air traffic control activities, or weather-reporting activities and communication activities related to air traffic control, such areas of land or water, or estate therein, or rights in buildings of the sponsor as the Administrator may consider necessary or desirable for construction at Federal expense of space or facilities for such purposes;".

(b) Section 11 of such Act is further amended by adding at the end thereof the following new sentence: "Whenever the Administrator shall obtain from a sponsor any area of land or water, or estate therein, or rights in buildings of the sponsor and shall construct thereon at Federal expense space or facilities, he is authorized to relieve the sponsor from any contractual obligation entered into under this Act to provide free space in airport buildings to the Federal Government to the extent he finds such space no longer required for the purposes set forth in paragraph (5) of this section."

SEC. 7. Section 13(b) of such Act (49 U.S.C. 1112) is amended to read as follows:

"COSTS NOT ALLOWED AFTER JUNE 30, 1961

"(b) With respect to amounts obligated under this Act after June 30, 1961, the following shall not be allowable project costs: (1) the cost of construction of that part of a project intended for use as a passenger automobile parking facility; or (2) the cost of construction of any part of an airport building except such of those buildings or parts of buildings intended to house facilities or activities directly related to the safety of persons at the airport."

SEC. 8. (a)(1) Paragraph (7) of section 2(a) of such Act (49 U.S.C. 1101(a)(7)) is amended by striking out "Alaska, Hawaii,";

(2) Paragraph (12) of section 2(a) of such Act (49 U.S.C. 1101(a)(12)) is amended by striking out "on May 13, 1946,".

(b) Section 3(a) of such Act (49 U.S.C. 1102(a)) is amended—

(1) by striking out "Alaska, Hawaii, and" where it appears in the first sentence thereof; and

(2) by striking out "Alaska, Hawaii," in the third sentence thereof.

(c)(1) The heading of section 7 of such Act (49 U.S.C. 1106) is amended to read as follows: "Availability of Funds for Projects in Puerto Rico and the Virgin Islands".

(2) The text of section 7 of such Act is amended by striking out "Alaska, in Hawaii, or in Puerto Rico," and inserting in lieu thereof "Puerto Rico".

(d) Section 9(c) of such Act (49 U.S.C. 1108(c)) is amended by striking out "Alaska, Hawaii,".

(e) Section 10(c) of such Act (49 U.S.C. 1109(c)) is amended by striking out "Alaska and" where it appears in the heading and in the text of such section.

SEC. 9. The Federal Aviation Act of 1958 (49 U.S.C. 1301 et seq.) is amended by adding at the end of section 1109 thereof a new subsection as follows:

"(e) The head of any agency of the Federal Government charged with any duty of inspection, clearance, collection of taxes or duties, or other similar function, including, but not limited to, the Secretary of the Treasury, Secretary of Agriculture, Attorney General, and Secretary of Health, Education, and Welfare, is authorized to acquire by purchase, condemnation, lease, or otherwise, space at public airports which he deems necessary for the performance of such duties and to pay a reasonable compensation therefor."

SEC. 10. The amendments made by this Act shall not apply with respect to projects for which amounts have been obligated by the execution of grant agreements before their enactment. With respect to such projects, the Federal Airport Act shall continue to apply as if this Act had not been enacted.

Mr. BIBLE. Madam President, in accordance with a promise that I made some time ago, I yield the floor.

PROPOSED SUBSIDIZATION OF RAILROADS

Mr. LAUSCHE. Madam President, yesterday in testimony given before the Committee on Surface Transportation, the Chairman of the Interstate Commerce Commission recommended that the U.S. Government enter into the subsidization of railroads.

In advance of the time that its Chairman testified, the Interstate Commerce Commission issued a press release. That press release was carried before any statements were made by members of the committee expressing their view on the recommendation. Rather unfortunately the adverse views have not been circulated. My fear is that citizens of Ohio will think that there is uniform support in the Committee on Surface Transportation and others in Washington for the United States to begin subsidizing the railroads.

I was rather pleased to have delivered to me today a copy of a statement by E. S. Marsh, president of the Santa Fe Railroad. He made the following statement:

The circumstances which prompt a proposal for a Federal subsidy to the New Haven are regrettable but understandable in the light of long Government aid to New Haven competitors and Government policies which have not required or allowed various forms of transportation to charge true economic costs to the people who actually use the service that is essential. This merely points up the urgent need for Congress to enact a realistic transportation policy embracing recommendations that have been made by various study groups over a quarter of a century and which are included in the Magna Carta legislative program of the Association of American Railroads.

The commutation part of railroad transportation is relatively insignificant, the revenues from it being only about 1 percent of total railroad revenues. It would be unfortunate for the impression to be created that any significant part of the railroad problem would be solved by a subsidy to the commuter operation.

A Federal subsidy to railroads is the first step toward eventual nationalization of all transportation and it is in my opinion an undesirable alternative to establishing national transportation policies that would allow private ownership to compete on a basis of equality. The time-tested American system of free competitive enterprise should prevail in transportation as it does in other business.

I repeat that two of the members of the Interstate Commerce Commission have been on the Commission for 5

months. One of them was an employee of the State of Ohio. He was my purchasing agent. He and the Commission arrogate to themselves the grave responsibility of changing our economic philosophy concerning the subsidizing of railroads.

Madam President, I predict that what the Commission did may be the beginning step toward socialization of our railroad system. I do not propose to remain in this Chamber and keep mum as a clam on what has been done.

I should like to ask Mr. Bush of Ohio and Mr. Tucker of Massachusetts, who have been members of the Commission for 5 months, who directed them to make such a finding.

It is rather odd to me that the statement came like a bolt out of the clear sky. There was no indication of what was contemplated. No request was made upon the Commission to speak on the general economic philosophy of our country, as distinguished from the principles that ought to be applied in the regulation of the carriers.

My hope is that the railroad leaders of our country will not accept the sugar-coated pill which has within it poison. Through such poison those who are advocating such proposed subsidies, in my opinion, contemplate the destruction of the free method of operating our railroads in the United States.

EXECUTIVE SESSION

Mr. MANSFIELD. Madam President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

U.S. ATTORNEY

The legislative clerk read the nomination of John T. Curtin to be U.S. attorney for the western district of New York.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. MARSHAL

The legislative clerk read the nomination of Victor L. Wogan, Jr., to be U.S. marshal for the eastern district of Louisiana.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. AMBASSADORS

Mr. MANSFIELD. Madam President, I ask unanimous consent that consideration of the nominations of U.S. ambassadors be postponed temporarily.

The PRESIDING OFFICER. Without objection, it is so ordered.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of Louis A. Mezzano to be collector of customs for customs collection district No. 38, with headquarters at Detroit, Mich.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the nominations of postmasters be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc, and, without objection, they are agreed to en bloc.

Mr. MANSFIELD. I ask unanimous consent that the President be notified of the nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith of the nominations confirmed today.

LEGISLATIVE SESSION

Mr. MANSFIELD. I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed consideration of legislative business.

STATEMENT BY SENATOR THURMOND, OF SOUTH CAROLINA, BEFORE THE COMMITTEE ON ARMED SERVICES CALLING FOR AN INVESTIGATION OF GAGGING THE MILITARY IN ANTI-COMMUNIST STATEMENTS AND SEMINARS

Mr. CASE of South Dakota. Madam President, I ask unanimous consent that there be printed in the RECORD at this point the statement of the Senator from South Carolina [Mr. THURMOND] before the Committee on Armed Services today on his bill (S. 191), calling for an investigation into certain matters concerning the Department of Defense.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. Chairman and members of the committee, many historians have written that the United States has never entered a war for which it was prepared. The historians, of course, were speaking in terms of conventional arms and in numbers of trained military personnel. In the Korean war we found ourselves for the first time unprepared on another front. Out of all the Americans who fought in Korea and were captured, not one escaped from the Communists. According to reliable reports and studies, up to one-third of those Americans captured aided or abetted the enemy to an extent theretofore considered treasonable. One cannot escape the conclusion that our personnel were unprepared for the impact of mind warfare, for they were not sufficiently knowledgeable of either our own form of government and the traditions of the United States or of the methods and tactics in the mind-warfare field used by the enemy. Thereby was America disgraced, and in the eyes of the world, moral defeat added to military defeat.

As a result of studies undertaken and completed subsequent to the cease-fire in Korea, two definitive policies were inaugurated by our Government, both involving corrective action.

First, there was issued by the President a code of conduct for personnel in the armed services, which was accompanied by a directive to the effect that the Armed Forces would conduct such troop informational and educational programs as were necessary to insure that American troops would not again be casualties of a mind-warfare attack to which they might be subjected. In 1958, the National Security Council, in recognition of the fact that the cold war was of a total nature involving more than just military personnel and operations, issued a directive which authorized and directed the use of military facilities and personnel, in cooperation with nongovernmental groups, for the purpose of informing the American public—the civilian soldier—on the nature of the menace of the cold war.

The troop informational and educational programs, which were inaugurated with the intent to arm military personnel against mind warfare, were implemented in varying degrees by the services and, as is to be expected, achieved rather spotty success. The more diligent commanders, however, judging from the evidence which is available, were successful to a very high degree.

The implementation of the 1958 National Security Council directive involved a minimum of participation by the active military, a somewhat greater degree of participation by the inactive Reservists, and, from the evidence available, was singularly effective for the effort exerted. The evidence of the effectiveness of this program is documented in the Senate Internal Security Subcommittee hearing released last Sunday, August 27, 1961, which was entitled "The New Drive Against the Anti-Communist Program."

In recent months, there has been a whole new uprising of activity which is both alarming and significant. On December 5, 1960, representatives of 81 Communist Parties from around the world, meeting in Moscow, for the first time in the history of the Communist movement, issued a basic document, referred to as a manifesto, which officially took note of and decried an anti-Communist informational program. This basic document of communism called for an all-out attack on anticommunism in the United States.

Subsequently, Gus Hall, our secretary general of the Communist Party U.S.A., issued a lengthy and detailed policy statement calling for a campaign against the anti-Communist educational programs in the United States and specifically called for a repeal or a rendering ineffective of the 1958 National Security Council directive. This statement by Gus Hall prescribed the tactics to be used in the Communist effort, which included the enlistment of a united front including non-Communists and stanchly loyal Americans, to accomplish the end sought by the Communists. It was specifically stated in Hall's directive that the Military Establishment was to be the primary target.

Thereafter, there began to appear a pattern of articles in various publications which cannot be characterized as other than a bold smear of our Military Establishment. Several articles had in their captions and in the bodies of the articles references to what was characterized as our "military-industrial complex." These articles, by and large, were saturated with unsubstantiated allegations in general terms and innuendoes that military personnel were speaking to their troops, and especially to civilian audiences, on partisan political matters. Incidentally, I have screened all of these numerous articles which have come to my attention and not one of them states a specific instance where an officer on active duty made any statement on a domestic political matter or on foreign policy.

Motivations are matters beyond proof. We have no way of knowing—nor shall we ever have—as to just what motivates any individual to take a specific action. It is

impossible to state conclusively that any of the foregoing circumstances and occurrences to which I have referred were solely or even partly responsible for the motivation of actions taken by and within the Department of Defense. Motivations, however, can be laid aside; for actions must be judged on their merits—whether they are for or against the best interest of the country—regardless of the thinking of the individual or individuals who perpetrated the actions. These, however, are some of the occurrences which have taken place by and within the Department of Defense subsequent to the commencement of the events which I have related.

Last year and earlier this year, some of the services purchased copies of the film "Operation Abolition." Service personnel were invited and urged by the services to use them for troop informational and educational programs. They were also made available for showing to the public. On March 10, 1961, pursuant to a memorandum issued by the Office of the Secretary of Defense, official use of the film "Operation Abolition" was prohibited. The prohibition did not, of course, require the destruction of copies of the film on hand. They were only placed on an "oncall basis" for nonofficial use. The prohibition was done in such a manner, however, as to make it perfectly clear that it would be inadvisable for any military personnel to participate in the use of such film for unofficial purposes; and, indeed, I have knowledge of very severe statements made by Defense officials in writing as to what would happen to an officer who, even on off-duty time, obtained and showed to a civilian group, upon request, the film "Operation Abolition."

Another film, "Communism on the Map," which was commercially produced, was banned for any use or acquisition by the services on April 21, 1961.

Although the Department of Defense and the various services have copies of films on hand which they themselves prepared, and which are very effective training films for military personnel, they have been stored away and use of them is negligible. Among these films are: "Blueprint for Communist Conquest" (AFIF–76), "Defense Against Enemy Propaganda" (AIF–1), and "Soviet Partisan Warfare" (MF–30–8616).

The Department of Defense has officially announced that it is preparing new training films. One of these already completed is entitled "The Challenge of Ideas," which I viewed and characterized as "namby-pamby" and "gutless." I would like at this time to express my apologies for so characterizing that film. When examined from a psychological warfare viewpoint, the characterization which I made of the film was naive and even misleading. A better characterization for that film would be "subversive." I will give you an example. This film was produced for the specific purpose of being shown to military personnel undergoing military training which was to ready them to fight in mortal combat an enemy of the United States. Despite the propaganda to which we are subjected, even these men are aware that the enemy against whom they are being trained to fight are the Communist armed forces. It is necessary to keep in mind the purpose of the film to understand its subversive character. At the end of this film, an actress, Miss Helen Hayes, supplies a conclusion. Her opening statement is to the effect that the conflict in which we are now engaged will continue for generations to come. The implication of that statement is inescapable: to wit, victory is impossible. Now, I ask you, what effect will such insidious propaganda have on the minds of men being trained to a peak of fitness to combat our enemy? On the one hand, they undergo arduous physical training to teach them the art of military combat. At the same time they are told by their trainers through a film that they cannot possibly hope to achieve victory. This is no less than subversion of the moral fiber of our troops. If you have not seen the film, I suggest that you do so; for there is other equally subtle subversive propaganda in its contents. For a real contrast, you should also request and view the film entitled "Defense Against Enemy Propaganda." This will give you a comparison with what the Defense Department is now preparing for use, as typified by "The Challenge of Ideas," and the films already available but negligibly used.

There has also developed an increasingly strict pattern of censorship of all statements of military officers. I fully recognize, appreciate, and accept, without qualification, the necessity for clearance of speeches by military officers for compliance with security classifications and consistency with national policy as determined and established by duly constituted civilian authority. The pattern of censorship to which I refer, however, has nothing whatever to do with either security requirements or inconsistencies with national policies. On August 17, 1961, I gave 10 examples of expressions which the censors invariably deleted from proposed speeches of military officers. Those expressions are as follows:

1. Communist conspiracy directed toward absolute domination of the world.
2. Soviet infiltration menacing this Nation and extending throughout far corners of the globe.
3. The steady advance of communism.
4. The Communist challenge.
5. On such theories socialism thrives.
6. Insidious ideology of world communism.
7. Communism encompassing Marxism, Fabian socialism, socialism.
8. Soviets have not relented in the slightest in their determination to dominate the world and to destroy our way of life.
9. Nothing has happened to indicate that the goals of international communism have changed.
10. Today in the face of the worldwide threat of international communism.

If these expressions contravene national policy, it is no wonder that the Department of Defense sought to finance a study on "strategic surrender of the United States." On the question of censorship I could go on ad infinitum with both comments and censored expressions. I assure you these are only examples.

Despite the fact that there has not been revealed one instance in which an active-duty officer spoke to a civilian audience or his troops on domestic political matters, seminars and discussions, in which military personnel were to participate, or in which military facilities were scheduled to be used, have been canceled or postponed. I discussed in some detail on the Senate floor the cancellation of a scheduled 2-week instructional course in the Panama Canal Zone for Reserve officers of the three services who now live and reside in South and Central American countries. Surely there could be no fear of a discussion of "partisan political matters" among these people. Some of the other events of this nature which have been canceled or postponed were originally scheduled for such places as Shreveport, La.; Fredericksburg, Va.; Fort Benjamin Harrison, Ind.; Glenview Naval Air Station, Ill.; and Fort Sam Houston, San Antonio, Tex. The cancellation of another is now under consideration in the Pentagon.

In addition, there is all too much evidence that the impression is being spread that the administration wants anticommunism soft-pedaled. Assistant Secretary of Defense for Public Affairs Arthur Sylvester is quoted in the press as having expressed the hope that the action in General Walker's case would be an example to other officers. Such statements coupled with directives issued from various civilian officials in the Department of Defense and the three services are well designed to gag any officer or, for that matter, any enlisted man—and enlisted men have been active in the troop informational and educational programs—from performing their responsibilities under official directives to prepare their personnel to resist Communist aggression of any type, including mind-warfare attacks by the enemy.

There is more. It is an area that is even graver and of more dire consequence. While military personnel are, as they should be, subject to civilian authority—and I might add that this principle has never in our history been contested—the senior military officers now designated as the Joint Chiefs of Staff are military advisers to the President. Their estimates are essential to his decisions.

I might mention at this point that I am in no way alluding to the recent appointment of a special military adviser to the President, for this has nothing to do with the matter about which I am speaking. It has come to my knowledge that certain intelligence estimates and policy statements are distorted, and the only word which properly characterizes them is "phony." It has been demonstrated that intelligence estimates on purely and solely military questions, in which each and every one of the military services have nonconcurred, have nevertheless, thereafter, become official policy of the National Security Council. I will cite an example from out of the past to show both that this is no recent development and that our capabilities are being seriously impaired. There was an estimate originating outside the Department of Defense to the effect that Formosa would fall before the end of 1950. All three services nonconcurred in this estimate, yet it became the official estimate of the National Security Council. This involves material still classified, but can be documented. I do not propose to deal in more recent instances of this nature at this time because of the nature of the security classification of such instances.

The matters to which I have referred are those which fall within the jurisdiction of the Congress, and within the Congress, specifically fall within the jurisdiction of this committee. Much has been said about the principle of civilian control over the military, and in the context in which this principle has been used, it has been a smokescreen, for there has been no contest of the principle. There is an offshoot of this principle, however, which bears directly on the question of the resolution before us. The Congress is the policymaking body of our Government under the Constitution. We cannot surrender this responsibility and we cannot delegate it away to appointed officials or to another branch of the Government. We must bear the responsibility. The matters proposed to be investigated by Senate Resolution 191 could not possibly be more specifically and completely within the jurisdiction of this committee. It is the Congress which determines what weapons will be supplied to our Armed Forces and it is this committee which initially provides the guidance for the Congress in this matter. Information with which to resist mind-warfare attacks by the enemy is just as important a weapon which must be provided our military personnel as any intercontinental ballistic missile, and is as every bit as basic in its contribution to our ultimate victory or defeat as the food which our soldiers eat while they are in the field.

The Congress must set the policy on what types of defensive weapons are to be used against mind-warfare attacks, just as it determines the necessity for and authorizes the supplying of our troops with defensive devices against poisonous gas, such as gas

masks, and just as it determines the necessity for and authorizes defensive weapons for our civilian population, such as air-raid and fallout shelters.

We are elected officials with the specific duty of formulating policy. We cannot delegate this responsibility which we, by accepting these posts, have undertaken. This is a matter which is vital to the survival of the Nation, and I urge the committee to delay no longer in undertaking this investigation which will provide the facts necessary on which the Congress can base policy decisions.

A BLOCKADE OF CUBA AS A COUNTERMOVE TO THE BERLIN BLOCKADE

Mr. JOHNSTON. Madam President, the Fair Play for Cuba Committee has accused the senior Senator from Mississippi, the distinguished chairman of the Senate Internal Security Subcommittee, of "telling pathetic and silly lies" when he recently warned the American people that the "Committee for Fair Play" is Communist dominated and Communist financed.

I rise to defend the able Senator and to join him in warning the American public that the FPCC is part of an organized Communist trap to crush out all anti-Communist movements in the United States, including even the probe of the Senate Internal Security Subcommittee. This campaign is geared to trick the American people into believing that communism is in no danger of spreading its poison in the United States, but that the danger of its growth lies abroad.

Madam President, the FPCC is just one of the well-known techniques used by the Reds to stimulate a pressure campaign such as this. This committee serves as a tool through which the Communists initiate smears and character assassinations, rumors, and any other forms of public pressure which they can concoct, ranging from petitions to demonstrations to blackmail and corruption.

The Fair Play for Cuba Committee is not only Communist dominated, but it is criminally aggressive. Its members are guilty of treasonous passions against their own fellow men and are involved in an organization whose activities are detrimental to furthering the best interests of the United States as well as Latin America. In their efforts to secure so-called fairplay for Cuba they are aiding and encouraging the advancement of communism at home and in Cuba, and in all of Latin America.

Madam President, to emphasize the imprudent actions of this organization and to back up the statement that it is financed substantially by the Castro government as well as Communist dominated, let me draw from the staff study published in the Senate Internal Security Subcommittee hearing on the Communist threat to the United States through the Caribbean. It is noted there that the "bulk of the campaign to popularize Cuba among Negroes is carried on by the Fair Play for Cuba Committee."

The study reports that the acting Negro chairman of the committee, Richard Gibson, invoked the fifth amendment in refusing to answer questions regarding his activity. He was one of the eight Negroes among the founders of the FPCC. Joanne Alileen Grant, who has been listed as the secretary of the Fair Play Committee, is a Negress who invoked the fifth amendment on October 10, 1960, before the Internal Security Subcommittee in refusing to answer all questions regarding her Communist Party affiliations. Richard Gibson estimated that about one-third of the 3,000 members belonging to the Fair Play Committee were Negroes.

One active member of the committee is Robert F. Williams, NAACP chairman in Monroe, N.C., where racial strife erupted so violently this past weekend as to cause shooting to break out in the downtown square. The result was the wounding of a policeman. The violence that is presently plaguing this small town of 11,000 persons has long been brewing, perhaps since 1959, when Williams' views on meeting force with force became so radical that he was expelled from the NAACP. It was Williams who several weeks ago called for picketing of the county courthouse as a "test of the passive resistance method."

Yesterday the Federal Bureau of Investigation asked the 50 State patrolmen at Monroe to issue an alarm for Williams, charging him with kidnaping a white couple and holding them hostage during the race rioting. Long known for advocating violence against whites, Williams has been reported for issuing ammunition to his followers in Monroe.

To illustrate the so-called good will and fairplay spread by the committee, I wish to quote from the words of Williams as he spoke to the Columbia University Fair Play for Cuba Committee on February 10, 1961. "I don't know what kind of 'ism' they have in Cuba today, but whatever it is, we could use a little of it in the United States." This speech was apparently part of an FPCC tour which covered universities throughout the country, spreading such malicious ideas, as the above quoted, to the youth of our country.

In his propaganda sheet, the Crusader, Williams, went so far as to carry to his Negro leaders a glowing description of Castro's agrarian reform program.

The color of the FPCC was clearly visible in a pro-Castro-Lumumba demonstration held in the United Nations Plaza, New York City, on February 18, 1961. Placards displayed read as follows: "Cuba Si, Congo Oui, Yankee No." Chanted slogans were "Viva Fidel Castro." "Down with Yankee Imperialism."

William W. Worthy, Jr., a Negro who is a featured writer in the bulletins of the FPCC has throughout his career displayed a marked hostility to the United States and its laws.

This is the same man who paid ardent tribute to Fidel Castro as "that outstanding national hero and statesman" and continued further to speak with pride of the "militant mass actions of the Negro people—featuring mass sit-in actions, marches, and demonstrations."

Madam President, need I cite further examples or offer more proof that once again the forces of international communism and its allies are utilizing their powerful resources through the "Committee for Cuban Fair Play" in an effort to turn the American citizen against his own Government? Cooperating in this effort with the FPCC are Fidel Castro's Cuban government and his Communist henchmen as well as the Communist Party, U.S.A.

Madam President, the time has come for us to be aggressive; I advocate throwing a blockade around Cuba and squeezing her economy until she falls to her knees. The longer we linger in this matter, the longer Cuba and her Communist associates will be able to spread their poison via such propaganda as the Fair Play for Cuba Committee.

Why does not someone start encouraging a little fairplay for America? I do not see anyone talking about the more than $1 billion worth of American property which has been usurped by Cuba; and this amount is only an estimated sum, as it does not include all the property seized and not yet reported to the American authorities. Nor does it include all the debts due and owed American firms once operating in Cuba. Nor does it cover money held up in frozen bank accounts in Cuba.

I do not hear anyone talking about the 30 Americans jailed in Cuba. Worse than that, I have seen no fairplay cries over Americans killed in Cuba.

Considering the fact that Cuba has seized American property, citizens, and planes, and has even gone so far as to cause the death of five Americans, we have no other choice but to brand the Castro government as a form of piracy.

It is frightening to acknowledge that the United States is tolerating pirates—Communist pirates—just 90 miles from our own shores.

Madam President, surely Cuba has pushed us far enough. We should know from our trying past experiences that it is impossible to compromise with or appease the Communists, whether they be those of Castro or of Khrushchev. We must stand firm and fight fire with fire. Cuba has stolen from right under our very noses property, citizens, and equipment.

In our early history it took America almost 12 years to put a stop to the Barbary pirates, but we did so by the firmest and strongest possible action. Our Nation gave the Barbary pirates no alternative but to stop their piracy or she would blockade their ports and ships and blow them off of the map. Thus the piracy was halted.

I can think of no better way to counteract the grave blockade against Berlin than to throw a blockade around Cuba. To comply with Cuba's piracy or retire from unjust demands will, in the final analysis, cost us more than war. We may be well assured that the present disrespect of Cuba and such Communist propaganda organizations as the Fair Play for Cuba Committee will inevitably bring on insults which may necessarily involve us in ideological and military battles. To paraphrase Thomas Jefferson: "A coward is more likely to be exposed to quarrels than a man of spirit."

If we silence the cry of those who would be gullible enough to believe that the truths about the Fair Play for

Cuba Committee are "pathetic and silly lies"; if we show ourselves as men of spirit before it is too late, perhaps we can avert disaster.

Madam President, if we are going to the conference table over Berlin, then let us go to the conference table with some fire with which to fight the Communist fire. A blockade of Cuba will equal the blockade of Berlin. At this point we have nothing to negotiate with in the Berlin crisis, but if we blockade Cuba, we will have a big stick with which to confer and negotiate.

Madam President, reports from Brazil indicate the possibility of a civil war in that country created by the division between followers of President Janio Quadros and those who would like to see Vice President Joao Goulart named President.

Without the excessive agitation created in Brazil by Communist agents under the direction of Fidel Castro, the political problems there could be amicably settled, I feel certain. However, these agents of the Castro Communist government from Cuba, backed financially by Russia and trained by Russian Communists, are stimulating a civil war in Brazil. Cuba is being used as a springboard into all of Latin America by communism. The Castro government is, in truth, an arm of the Soviet Union, and therefore is intervening in Western Hemisphere matters in violation of the Monroe Doctrine.

Proof of this charge can readily be found in news dispatches originating from Cuba reporting Castro's broadcasts and other propaganda urging the people of Brazil to take up arms and begin guerrilla warfare from the mountains of Brazil against the established civil and military authorities in Brazil.

For this reason I call upon the President of the United States to blockade and isolate Cuba from the rest of our Western Hemisphere. I feel sure the Congress will back the President in such a move, and I know that the American people, who are fed up with being pushed around, will likewise back him wholeheartedly.

It is time we muffled the agitations of groups such as the Fair Play for Cuba Committee and take the Communist threat in this Western Hemisphere by the arm and set our house in order. The Castro government in Cuba is an extremely dangerous menace. Cuba is a small country, but it has the poisoning capability of a rattlesnake, and we must exterminate it. A blockade of Cuba is the least bloody, and probably the most sure way.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. JOHNSTON. I yield.

Mr. RANDOLPH. The Senator from South Carolina has been very blunt in his speech. There are many Senators within this forum and people throughout the country, including the citizens of South Carolina, whom the Senator so ably represents, who realize the importance of dealing in a realistic, yet a very firm manner with the Castro threat.

I was visited yesterday in my office by a longtime friend. He was a retired officer of the Armed Forces. This gentleman had gone to Cuba and established a very substantial business in that country. That business, worth some $200,000, was confiscated by the Castro regime. The automobile in which this reputable businessman was driving down the road in Cuba was also burned and his life was actually endangered. This man was forbidden for 6 weeks from entering his own apartment, the home in which he lived, to secure certain personal belongings. He is a citizen of our country. It is almost tragic to have to report what I have stated with reference to the treatment of this outstanding American. His investment, I repeat, was confiscated, and he was threatened.

Mr. JOHNSTON. I thank the Senator from West Virginia for his comments. I, too, could relate many instances somewhat similar to the one he has related, and which have been reported to me. It is time for the United States to act. The more quickly we act, the better off we will be.

SALARIES OF REFEREES IN BANKRUPTCY

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter which I received from Dean F. Ratzman, acting president of the Oregon chapter of the Federal Bar Association. Enclosed in the letter are two resolutions passed by the Oregon chapter of the Federal Bar Association. I ask unanimous consent that the resolutions be printed in the RECORD. Let the RECORD show that I find myself in complete agreement with the resolutions.

There being no objection, the letter and resolutions were ordered to be printed in the RECORD, as follows:

PORTLAND, OREG., *August 28, 1961.*

Hon. WAYNE MORSE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: The Oregon chapter of the Federal Bar Association requests your consideration of the enclosed resolutions, which were adopted by the Oregon chapter on August 24, 1961.

Sincerely yours,

OREGON CHAPTER, FEDERAL BAR ASSOCIATION,
DEAN F. RATZMAN,
Acting President.

Whereas the Oregon chapter of the Federal Bar Association at a meeting held August 24, 1961, considered the provisions of H.R. 5341, which would increase the maximum salaries of referees in bankruptcy and concluded that enactment of this bill is necessary for continued appointment and retention of highly qualified referees: Therefore, be it

Resolved, That passage of H.R. 5341 would be in the public interest and is recommended by the chapter.

OREGON CHAPTER, FEDERAL BAR ASSOCIATION,
DEAN F. RATZMAN,
Acting President.

Attest:

JAMES G. GRUETTER,
Secretary.

Whereas the members of the Oregon chapter of the Federal Bar Association at a meeting duly held on August 24, 1961, at Portland, Oreg., reviewed and approved reasons advanced by the Department of Justice in support of companion bills S. 1488 and H.R. 6242, relating to the salary system for atorneys of that Department; and

Whereas Oregon chapter members agree that there is great merit in the reasons advanced by the Department of Justice; namely, that a more adequate and realistic pay system is needed for obtaining and retaining the caliber of personnel necessary for the protection of the interests of the United States; and

Whereas the need for a more adequate and realistic pay system for attorneys representing the United States exists in all departments and other agencies or offices of the United States, and action with respect to this need should not be taken on a piecemeal or discriminatory basis which would accentuate the problem for agencies not included in the legislation: Therefore, be it

Resolved, That S. 1488 and H.R. 6242 should be amended to provide for the fixing, without regard to the Classification Act of 1949, as amended, of the annual salaries of the attorneys for all departments and other offices or agencies of the United States or agencies of the United States by the chief legal officers of such departments, offices, or agencies, with compensation of individual attorneys to be limited to not more than $19,000.

OREGON CHAPTER, FEDERAL BAR ASSOCIATION,
DEAN F. RATZMAN,
Acting President.

Attest:

JAMES G. GRUETTER,
Secretary.

JUDICIAL VACANCIES IN THE NINTH JUDICIAL DISTRICT

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter which I received from Mr. Frank H. Schmid, secretary of the Judicial Conference of the Ninth Judicial District. Enclosed in the letter is a resolution which I ask unanimous consent to have inserted in the RECORD. Let the RECORD show that I am in complete support of the resolution.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

OFFICE OF THE CLERK,
U.S. COURT OF APPEALS
FOR THE NINTH CIRCUIT,
San Francisco, Calif., August 10, 1961.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I am enclosing copy of a resolution of the Judicial Conference of the Ninth Judicial Circuit held at Portland, Oreg., on July 13, 1961, which is transmitted pursuant to the direction of the conference for your consideration.

Very truly yours,

FRANK H. SCHMID,
Secretary.

THE JUDICIAL CONFERENCE OF THE NINTH JUDICIAL CIRCUIT

Whereas there are 14 vacancies and unfilled district judgeships and 2 unfilled circuit judgeships in the ninth circuit; and

Whereas the need for adequate judicial manpower is accumulating day by day: Now, therefore, be it

Resolved, That this conference respectfully but firmly requests the President to proceed with all deliberate speed to fill the judicial vacancies now existing in this circuit; and

That the secretary of the conference send a copy hereof to the Attorney General of

the United States and to the Senators of the several States within this circuit.

POWER FOR PLUTONIUM

Mr. MORSE. Mr. President, in a recent issue of the Oregonian there appeared a very sound editorial, entitled "Power for Plutonium," and I commend the editors of the Oregonian for publishing it. I wish to associate myself with its observations, and I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Oregonian, Aug. 8, 1961]

POWER FOR PLUTONIUM

What has not received much attention in the congressional debate about a $95 million appropriation to produce 700,000 to 800,000 kilowatts of electricity from wasted heat at the new Hanford plutonium reactor is that the AEC's big Hanford project itself uses about half that amount.

This power now comes from the hydroelectric system of dams built by the U.S. Army Corps of Engineers and the Bureau of Reclamation, and transmission of the Bonneville Power Administration. For a long time, the amount of power from the Federal system used by Hanford for defense purposes was classified, although known to be substantial.

Representative CHET HOLIFIELD, of California, chairman of the Joint Atomic Energy Committee, has revealed, however, that Bonneville supplies the AEC's Hanford works with 350,000 to 400,000 kilowatts of electricity. It is completely absurd that Hanford, having the capacity to provide electricity for its own needs, and as much more for the Federal Columbia power system, must now drain power away from the system which could be used by utilities and industries.

BPA has said that if the Hanford reactor is approved in Congress, it will be able to offer to industries and utilities 400,000 kilowatts of firm power right away. This is power anticipated but held in reserve to meet preference requirements. With Hanford assured, it can be turned into the making of jobs in the Northwest without delay. The balance of the Hanford production would become available when the reactor is completed in 1964.

Agreement has been reached in the House Rules Committee to again allow the House to vote on the Hanford item separately from the AEC bill in which it is contained. The Senate has approved the item. If for no other reason—and there are many good ones—the House should approve it to take the burden of Hanford's energy demands off the back of Northwest industry and employment.

BACK TO SCHOOL: SERIOUS BUSINESS

Mr. MORSE. Mr. President, the August 10 issue of the Catholic Sentinel of Portland, Oreg., contains a most worthwhile editorial entitled "Back to School: Serious Business." It states in part:

Unfortunately, the Communists seem to approach education more seriously than many citizens of the free world. The current concern about the quality of American education is of crucial importance.

I ask unanimous consent to have this editorial printed here in the CONGRESSIONAL RECORD in its entirety.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Catholic Sentinel, Aug. 10, 1961]

BACK TO SCHOOL: SERIOUS BUSINESS

As parents, teachers, and students prepare for a new school year they should be aware that education plays a vital part in the struggle for the soul of mankind. Unfortunately the Communists seem to approach education more seriously than many citizens of the free world. The current concern about the quality of American education is of crucial importance.

The Communist revolution was and is an intellectual revolution. From the inception of his work, Lenin stressed education, not just of a few, but of the masses. Through his lifetime, and through Stalin's lifetime, and now today, the Communist Party has diligently obeyed this doctrine of Lenin: Educate, educate, educate. The Communists believe and have been taught that it is through ideas and the economic and technological system evolved from them that they will conquer the world. They have achieved great feats in technology through education. They are now determined to extend their teachings to anyone who will listen, especially to underdeveloped nations.

It is essential that everyone in the West understand that the competitor is an educated nation of young, dynamic people: intense, loyal, determined men and women. They have been given a thorough, specialized education. They are provided continually with refresher or upgrading training. They are adopting the best ideas of every land. The Soviet Union is dedicated to becoming a nation of trained specialists.

Each child must go to school until he is 16. It is not school as in the United States. For instance, every child begins the study of a foreign language—English, French, or German. But the educational process does not stop with linguistic exercises, it extends to a study of the histories, cultures, political systems, weaknesses, and strengths of other nations, and always there is emphasis on the physical sciences.

Technical training of young pupils for 8 years of elementary study, several hours a week in school workshops and small gardens. After this thorough training in secondary school, the Soviet youth, boy or girl, must work for 2 years.

Then the young men and women take a comprehensive selection examination to determine their fitness and qualification for higher education. Some are weeded out of university education altogether. Some are sent to special training centers of a technical or production type.

The universities are overcrowded, and only the select and qualified can enter them. But, once they are admitted, they receive a thorough education and are permitted to go into and develop any specialty for which they qualify.

The Communists have developed a new religion, and they believe they are the commissioned evangelists of this religion to the world. The concept of the dignity of man is the most powerful political idea in the world. But the Communists have tried to capture this idea. They talk and preach freedom when they mean domination. They talk liberation of underdeveloped peoples, when they mean control and manipulation. They hope one day to liberate even us Americans from capitalist masters.

Unless this kind of hard, planned, focused, trained, educated evangelism is understood by the people and leaders of the West, and properly handled, it can destroy all for which the West stands. We must really compete with the Communists. Coexistence alone is not enough.

FEDERAL AID TO EDUCATION

Mr. MORSE. Mr. President, Federal aid for our schools and our children is not dead. The House vote of yesterday only shows that Members are not ready to accept a compromise, as sweeping as the one presented to the House yesterday.

In the Senate we are giving careful consideration to three major proposals for aid: First, aid to the States to help them maintain their public, elementary, and secondary schools. This bill has already passed the Senate. Second, aid to promote a program to equip young children and youths to meet the special needs the present tensions of the day present. This bill, known as the NDEA amendment bill, has been favorably reported by the Senate committee and now awaits Senate action. This bill contains many essential aid programs: instruction at all school and college levels in science, mathematics, languages, and certain other studies essential to our national defenses. This bill also would provide loans for the construction of facilities for both public and private schools to make the program available to all schools which help with the national defense education program.

There are many technical aspects of this bill. My subcommittee voted to give it a favorable report and the full committee supported us. Our third bill would give aid for colleges and college youth to help the colleges meet the demands that a college must meet and to provide college scholarships to youth who without such aid could not go to college.

I hope that before the Congress adjourns that the Senate will have passed all three of these bills. When we return for the next session there is real hope that the House will then take action and give a ruling for the consideration of this legislation.

A bill to continue aid for 1 year for the federally impacted areas is also pending before the Senate and probably will be acted upon before we recess. It may be amended in some respect.

I regret that the Congress has not moved faster on education legislation but I am not at all discouraged. I am confident that after Members of Congress talk to their constituents this fall they will come back and pass the President's education program.

FEDERAL RECOGNITION PROCEDURE FOR NATIONAL GUARD OFFICERS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a letter addressed to me on August 24 by the Honorable Roswell L. Gilpatric, Deputy Secretary of Defense, in which he advised me that, as of that date, the new regulations affecting Federal recognition procedures for National Guard officers were in the process of being prepared. It is interesting to note that the new regulations had not been finalized and promulgated as of that date, which was, incidentally, the date on which West Virginia's adjutant general, Hal Wil-

liams, was confirmed by the Senate for the appointment of brigadier general in the Adjutant General's Corps, Army National Guard of the United States.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF DEFENSE,
Washington, August 24, 1961.

Hon. ROBERT C. BYRD,
U.S. Senate.

DEAR SENATOR BYRD: This is in furtherance of our telephone conversation of this morning concerning my letter to Senator RUSSELL having to do with the Federal recognition procedure for National Guard officers. In that letter Senator RUSSELL was in part advised as follows:

"Accordingly, both services will in the future require that all officers below the grade of colonel who are appointed as adjutants general be fully qualified, to include length of service, time in grade, time to serve in the higher grade, and a military educational qualification, before they are extended Federal recognition and promoted in the Reserve to the next higher grade. The effect of this will be to limit promotions to one grade at a time up to and including the grade of colonel."

This policy has been adopted by both the Department of the Army and the Department of the Air Force, and both Departments, in coordination with the National Guard Bureau, are in the process of preparing appropriate regulations which will be promulgated to the various States.

It is a pleasure to furnish you this information and your interest in the subject is sincerely appreciated.

Sincerely,

ROSWELL L. GILPATRIC,
Deputy Secretary of Defense.

K.'S STATEMENT IS JUMBLE OF LIES AND FALSE LOGIC

Mr. BYRD of West Virginia. Mr. President, the syndicated column of Drew Pearson appears as a daily feature in the Huntington Advertiser, Huntington, W. Va. It is a widely read column, and much respected.

But just as the subscribers to this outstanding newspaper read the Pearson column, so do its editors, for they are equally alert to what Mr. Pearson has to say.

Thus, when Mr. Pearson recently went to Rússia and reported in detail an interview he was afforded with Mr. Khrushchev, the editors of the Huntington Advertiser studied his ensuing columns with solemn sobriety. In doing so, they were able to get an insight into the mind of Mr. Khrushchev, and to follow the mental gyrations which make up the false logic of this Communist leader.

More important, though, is the fact that the editors of the Huntington Advertiser have been able to articulate their findings, in the Pearson columns, in a splendid editorial which exposes Mr. Khrushchev as a conniving Communist bent on bringing us down on our knees through belligerence, bombast, and an appeal to false logic.

This editorial, printed in the August 29, 1961, edition of the Huntington Advertiser, deserves to be read by Americans everywhere, so that all can know where the blame may lie if the world is set aflame by this "corkscrew" egotist in the Kremlin. I therefore ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

K.'S STATEMENT IS JUMBLE OF LIES AND FALSE LOGIC

The outstanding aspects of Khrushchev's statement to Drew Pearson on Berlin are its inconsistencies, its contradictions, its misrepresentations, its brazen demands, and its pretense that blame for the crisis lies upon the West.

If for no other reason, the Advertiser columnist performed an important public service by exposing Khrushchev's cynical treachery in attempting to justify his breach of solemn agreements.

Some of the proposals are so absurd they should not mislead even a fourth-rate moron. One of the most obvious of these was the attempt to prove Khrushchev's sincerity in assuring the independence of West Berlin by suggesting that the city's rights be protected by token troops of France, Britain, the United States, and the Soviet Union.

That is, the paunchy old pirate wants the right to move his forces into the Western sectors of Berlin and do his best by propaganda and intimidation to turn the free city into another Communist nest.

The proposal recalled one of Khrushchev's own colorful expressions. Dispatching Soviet soldiers to guarantee freedom anywhere would be like sending a goat to guard a cabbage patch.

The Allies might answer it by suggesting that Khrushchev allow them to march their troops into Communist East Berlin to help keep it free.

Another example of brazen misrepresentation mingled with absurd reasoning was presented in a discussion of the proposed Soviet peace treaty with East Germany.

"We have said, and we repeat," the statement declared, "that no one is encroaching on freedom of access to West Berlin. On the contrary, in proposing a conclusion of a German peace treaty we emphasized that freedom of West Berlin's communications must be guaranteed."

Then came this joker:

"The West Berlin government, as any sovereign government, must have the right to maintain diplomatic, economic, and cultural ties with any country of any continent."

There was no mention of the right of a small state to defend itself by keeping up military communications with friendly powers. The next paragraph laid bare the hidden aim of the Communist agitation.

"We want to do away completely with the vestiges of World War II while Western countries—United States, Britain, and France—are clinging in every way possible to those vestiges, seeking thereby to assure their troops access to West Berlin on the basis of occupation rights which stem from the regime of Hitlerite Germany's surrender."

Even if this were true, it might reasonably be said that clinging to vestiges of World War II is preferable to fighting another war that would leave few vestiges of modern life.

The inconsistency of the whole Soviet contention was further exposed by this statement:

"The sovereign countries of the world—and the German Democratic Republic is of their number—are guided by a universally accepted rule: if their routes of communication with other countries run through the territory of third states, then naturally agreement of those third states is always required in order to use those communications."

If the slippery old meatball can guarantee West Berlin's communications for diplomatic, economic, and cultural purposes in signing his peace treaty with East Germany, he can also assure their maintenance for military occupation forces.

The entire statement is solid evidence that Khrushchev wants to make his own rules to suit his purpose as he goes along. He wants Western troops out of West Berlin, and he is threatening war to get his wish.

Once again it is made clear that the only way to maintain Allied rights at Berlin is to stand ready to defend them with full military strength.

Arguing points of disagreement with Khrushchev is like debating with a corkscrew, which changes its direction at every point. Belligerent K. will get all the concessions he can, whether by absurd logic or by intimidation.

We cannot afford to let him intimidate us. Once he succeeds in such methods, he will use them repeatedly and will finally drive us to the point of complete surrender or fighting for our own freedom.

Standing up to the threat at Berlin can lead eventually to nuclear war. The chances are that it will not. But even if it does, we cannot afford to waver.

To the great majority of free Americans, even the horrors of nuclear war would be preferable to the degradation of life under the slavery of communism.

Our Nation came into existence in the spirit of the ringing cry of the Revolution, "Give me liberty or give me death." If it has to perish, let it go out in the same proud spirit.

CONSOLIDATION OF SUPPLY ACTIVITIES IN DEPARTMENT OF DEFENSE—COURAGEOUS DECISION OF THE SECRETARY

Mr. DOUGLAS. Mr. President, this afternoon the Secretary of Defense announced that he intends to consolidate supply activities which are common to all three services.

SINGLE MANAGERS CONSOLIDATED

This, of course, does not include weapons, but it includes those commodities under single managers which are now managed by the individual services, activities such as medical supplies, subsistence, clothing, petroleum, construction, automotive equipment, industrial supplies, and general supplies. Responsibility for these commodities are now farmed out to specific services, and the Secretary of Defense is now consolidating these single managers in a separate agency which will be responsible to him. He is adding electronic equipment to this list. This decision will increase by 50 percent the number of items under common management, as it will include electrical and electronic items. It will result in the purchasing under common direction of approximately $4,300 million of supplies each year.

IMMEDIATE ANNUAL SAVINGS OF $250 MILLION

I wish to say I am delighted that the Secretary of Defense has made this very brave decision, and I believe the people and the Congress will support him to the full. It is believed that the additional annual savings on the handling of the common items which are now consolidated will amount to approximately $250 million a year.

In addition, if the announced plans of the Secretary are fulfilled, there will

shortly be added to the consolidated supply agency some $11,800 million of aviation spare parts, for which the prices in the past have often been grossly excessive, some $5 billion of industrial production equipment, and several hundred million dollars' worth of chemical supplies. Hence, in the near future this consolidated supply agency could include as much as $21,500 million of supplies which are noncombat in nature; and I wish to emphasize that this does not cover ammunition or ordnance or combat planes, but it now covers $4,500 million of supplies, and it may be extended—if the Secretary finds this early experiment proper, and if we give him support—to a total of $21,500 million.

IMPORTANT DECISION

This decision is one of the most important in recent years. It was advocated years ago by the Hoover Commission. I have advocated it for many years on the floor of the Senate. The other members of the Defense Procurement Subcommittee of the Joint Economic Committee have also advocated it for a long period of time.

We realize that there will be strong opposition to this decision of the Secretary from those who have a vested interest in the continuation of a multiplicity of supply systems. There will be service opposition, and there will be opposition from favored contractors who have done very well in dealing with the separate supply system.

SECRETARY DESERVES STRONG PUBLIC SUPPORT

In my judgment, we should let the Secretary of Defense and the President know that they have strong support from numerous Members of Congress for this courageous decision, which in my judgment will vastly improve the supply system of the Department of Defense, and will result in savings of hundreds of millions of dollars a year, which can then be used to increase the number of missiles, planes, guns, tanks, and combat troops, and hence will increase the efficiency of the Armed Services.

I wish to say we have a great Secretary of Defense, and he deserves our support.

Mr. PROXMIRE. Mr. President, will the Senator from Illinois yield?

The PRESIDING OFFICER (Mr. Moss in the chair). Does the Senator from Illinois yield to the Senator from Wisconsin?

Mr. DOUGLAS. I am glad to yield.

Mr. PROXMIRE. I wish to commend the Senator from Illinois for his statement. I think he is too modest; he has failed to emphasize sufficiently the fact that it was he who called this matter to the attention of the Senate last year, and emphasized it, and, I think is responsible in no small degree for this development. I recall that when the Assistant Secretary of Defense a couple of months ago appeared before our Subcommittee on Armed Services Procurement, of the Joint Economic Committee, the Senator from Illinois once again stressed this point and hammered it home.

I think a saving of $250 million is wonderful news for the Congress and for the country, and I join the Senator from Illinois in paying a tribute, which certainly is deserved, to the Secretary of Defense, who has taken a very, very controversial position in doing this.

Is it not true that speculators have made millions of dollars by purchasing from one service, at very low cost, and then selling the items to another service, at a far higher cost? Has not that practice been documented?

Mr. DOUGLAS. In many cases the military have purchased equipment which was later regarded as scrap, and the purchasers have resold it either to other services or to the general public at high prices; that is true.

Mr. PROXMIRE. That is the kind of opposition—one of many sources of opposition—to this decision which the Secretary of Defense can expect.

Mr. DOUGLAS. I thank the Senator from Wisconsin.

The chief credit must go to the Secretary of Defense, because he has had the courage to carry the decision into effect. And the decision is based on very thorough study.

Furthermore, it was one of the recommendations of the Hoover Commission, which had a very able group working on this problem. While I disagree with Gen. Robert Wood on his political doctrines, it is true that, as the former Quartermaster General of the Army and as the former head of Sears, Roebuck, he also has been very strong in his advocacy of this position.

It also carries out the principles of the so-called McCormack-Curtis amendment; and Representative JOHN W. MCCORMACK, of Massachusetts, and Representative THOMAS B. CURTIS, of Missouri, also deserve a great deal of the credit for the amendment which gave the Secretary of Defense the authority to consolidate the supply services.

Mr. LAUSCHE. Mr. President, will the Senator from Oklahoma yield to me?

Mr. MONRONEY. I yield.

Mr. LAUSCHE. One of the most perplexing problems confronting me as a Senator is the responsibility for answering the many letters which have come from Ohioans who have been complaining about waste in the procurement and, finally, in the sale of surplus goods. I have always felt helpless in that connection. I could not condone what was going on; and it was shocking not only to have a citizen send in a newspaper clipping disclosing some indefensible action, but to find myself up against a stone wall in begging that some corrective action be taken.

Mr. DOUGLAS. I think that at long last we have a Secretary of Defense who knows what the problem is, has studied it, is willing to act, and has the experience and the ability to carry through with the program.

Mr. LAUSCHE. My commendations go also to the Senator from Illinois [Mr. DOUGLAS] for his determined fight to bring about some acceptance of business prudence in the procurement and disposal policies of the Department of Defense.

Mr. DOUGLAS. I thank the Senator from Ohio.

Mr. LAUSCHE. It pleases me greatly to learn that these recommendations of the responsible agencies have been followed by the Secretary of Defense.

Mr. DOUGLAS. The Secretary of Defense accepted the criticisms we made, and has acted on them in a most broad-minded and efficient fashion. We have had a series of conferences with him, and this decision has grown out of them.

AMENDMENT OF FEDERAL AIRPORT ACT

The Senate resumed the consideration of the bill (S. 1703) to amend the Federal Airport Act so as to extend the time for making grants under the provisions of such act, and for other purposes.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the committee amendments be adopted en bloc without reading, and that the bill as thus amended be considered as original text, for the purpose of further amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, one of the most successful partnerships between the Federal Government and the cities of America has been the airport program carried out under the Federal Aviation Act. As Senators are aware, this is the law under which the Federal Government provides matching funds to local communities for the construction and improvement of airports. The act was originally passed in 1946 with the stated purpose of providing "a system of public airports adequate to anticipate and meet the needs of civil aeronautics." It set up a system of national planning to insure the wise expenditure of Federal funds, and provided a formula for the apportionment of Federal aid among the States and Territories. Over the years the program has been expanded and improved until it is a key element in the development of an adequate national air transportation system.

SUMMARY OF THE BILL

The authority for the Federal Aviation Agency to enter into grant agreements to provide matching funds, in the amount of $63 million annually, for airport development expired June 30 of this year. This bill would amend the Federal Airport Act to accomplish the following purposes:

First. Extend the provisions of the act for a period of 5 years, and increase the level of Federal funds to a total of $75 million annually.

Second. Set aside a special fund of $7 million a year for the development of airports for general aviation, and thus relieve congestion at airports serving other segments of aviation.

Third. Restrict Federal participation in the construction of terminal buildings to costs directly related to the safety of persons using the airport or the operation of aircraft.

Fourth. Prohibit the approval of any project which does not include provision for the installation of certain specified landing aids, such as high-intensity runway lighting, which the Administrator determines to be required for safe and efficient handling of the traffic at the particular airport. The Federal share of the cost of such aids would be in-

creased from a maximum of 50 percent to a maximum of 75 percent.

Fifth. Provide that funds allocated to a State under the apportionment formula which are not obligated within 2 fiscal years shall become available for use, in the Administrator's discretion, in any State.

Sixth. Require publication by January 1 each year of the proposed program for airport development during the next fiscal year.

Seventh. Amend the Federal Aviation Act to authorize various departments of the Federal Government to pay for space in public airports which is necessary for the performance of their duties.

EXTRACTS FROM COMMITTEE REPORT

Mr. President, I ask unanimous consent to insert at this point in the RECORD extracts from the committee report containing a section-by-section analysis, a discussion of the special provisions of the bill, and a summary of the committee amendments.

There being no objection, the analysis and summary were ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS

Section 1 of the bill would require the Administrator to make public by January 1 of each year the proposed program of airport development to be undertaken during the next fiscal year; however, he could revise the announced program as may be necessary to accomplish the purposes of the act.

Section 2 would authorize the Administrator to enter into grant agreements in each of the fiscal years ending June 30, 1962, 1963, 1964, 1965, and 1966, obligating up to $66,500,000 for projects in the various States; up to $7 million for general aviation airports, to relieve congestion at high-density air carrier airports; and up to $1,500,000 for projects in Hawaii, Puerto Rico, and the Virgin Islands of which 40 percent would be available to Hawaii, 40 percent to Puerto Rico, and 20 percent to the Virgin Islands.

Section 3 would provide that 25 percent ($16,625,000) of the $66,500,000 authorized under section 2 shall become available for use in any State in the discretion of the Administrator and that the $7 million for certain general aviation airports authorized by section 2 shall constitute a discretionary fund available for use in any State. The section would further provide that Puerto Rico and the Virgin Islands would be eligible for discretionary funds. Funds apportioned to the specific States which remain unobligated by grant agreement at the expiration of 2 fiscal years would be added to the discretionary fund.

Section 4 would provide that as a condition precedent to approval of any project, provision must be made for the installation of such landing aids as are specified in section 5 if the Administrator determines that they are necessary for the safe and efficient use of the airport, considering the type and volume of traffic at the particular airport or the class of airports to which it belongs.

Section 5 would increase from 50 to 75 percent the Federal share of the cost of land required for the installation of approach light systems, and the cost of installation of in-runway lighting, high-density runway lighting, and runway distance markers.

Section 6 would provide that an airport operator or owner will furnish the Federal Government, without cost, such areas of land or water or rights in buildings of the sponsor as the Administrator considers necessary for the construction, at Federal expense, of space or facilities for use in connection with air traffic control, weather reporting, and communication activities. The Administrator would be authorized, under certain conditions, to relieve a sponsor from any contractual obligation to provide free space in airport buildings to the Federal Government.

Section 7 would amend the act to provide that the Federal Government will not participate in the cost of construction of a passenger automobile parking facility or the cost of construction of terminal buildings, except where directly related to safety of persons at the airport.

Section 8 would make certain technical amendments to place Alaska and Hawaii on the same footing as other States.

Section 9 would amend the Federal Aviation Act to provide that the head of any Federal agency charged with the duty of inspection, clearance, collection of taxes or duties, etc., is authorized to pay for space at public airports which may be necessary for the performance of such duties.

SPECIAL PROVISIONS OF THE BILL

Landing aids

As this report has attempted to point out, an alarming number of air accidents occur in the terminal area. The installation of appropriate landing aids can contribute significantly to reducing the incidence of terminal area accidents. Under circumstances where local airport authorities have neglected to place sufficient emphasis on landing aids, the Federal Government is almost powerless to act, unless it takes the drastic action of closing the airport. It was for this reason that section 4 was incorporated into the bill to require local airport authorities to make provision for the installation of certain specified landing aids as a condition precedent to the receipt of Federal aid, provided the Administrator of the Federal Aviation Agency determines that such aids are required for the safe and efficient use by aircraft of the airport, considering the category of the airport and the nature of its use. The specified items are set forth in section 5 and include (1) land required for the installation of approach light systems, (2) in-runway lighting, (3) high-intensity runway lighting, or (4) runway distance markers. The Federal share on all these items will increase from 50 percent to not to exceed 75 percent of the allowable costs, a provision already in effect with respect to high-intensity runway lighting.

Terminal buildings and parking facilities

The bill represents a departure from existing law in that it would make ineligible for Federal funds project costs involving the construction of any part of an airport building, except such buildings or parts thereof as are directly related to the safety of persons at the airport. An example of project costs which would be allowable under this bill would be those involved in the construction of buildings designed to house fire and crash equipment.

Under existing law, neither the cost of the acquisition of land for nor the construction of passenger parking facilities are allowable. The bill would amend the law so as to allow the cost of acquiring the land for such purposes but not for construction. Your committee believes this amendment is justified in light of the testimony of the Federal Aviation Agency, which in pertinent part stated:

"Present law excludes both the cost of acquiring land and the cost of constructing the passenger parking facilities. This existing prohibition has proved extremely difficult for us to administer. Under the Federal-aid airport program land is normally acquired in large parcels for all or part of a sizable airport development project. Elimination of the estimated cost of land for parking facilities from the cost of land acquired for the total project has resulted in only nominal savings to the Government, and a great many headaches for those who administer it."

Space for Federal air traffic control and related activities

Under existing law an airport sponsor is required to furnish the Federal Government without charge space in airport buildings as may be required for use in connection with air traffic control activities, and weather reporting and communication activities related thereto. In this regard, section 6 would amend present law to require the airport operator or owner to furnish, without cost to the Government, such areas of land or water, or estate therein, or right in buildings as may be necessary for the construction at Federal expense space necessary for the aforementioned activities. Direct Federal construction, at Federal expense, of space and facilities for the housing of these activities will provide the necessary flexibility to meet the constantly changing needs inherent in these vitally important activities. Uniformity of design and economy in installation and maintenance would be achieved.

In light of these changes, section 6, under certain conditions, would authorize the Administrator of the Federal Aviation Agency to relieve the airport sponsor of any contractual agreement to furnish the Federal Government, without charge, space for the housing of air traffic control and related activities.

Advance publication of annual airport program

Present law would be amended by section 1 to require the Administrator to make public by January 1 of each year the proposed program of airport development intended to be undertaken during the next fiscal year. This will give airport sponsors advance notice as to the amount of Federal funds on which they can rely and enable them to better plan for programed construction.

Special authorization for certain general aviation airports

Section 2(c) would establish a special fund of $7 million a year, the primary purpose of which is to develop airports to serve general aviation to where this would relieve congestion at airports having high density of traffic and serving other segments of aviation.

A significant portion of the general aviation fleet is composed of multiengine and large single-engine aircraft. These aircraft in particular, in addition to all other general aviation aircraft, tend to concentrate their operations in localities served by the air carriers. The latest national airport plan, prepared by the Federal Aviation Agency, shows the need for 131 new general aviation airports at communities where general aviation is presently being accommodated by often already overtaxed carrier airports. Your committee is convinced that the testimony presented during the course of its hearings on this measure amply demonstrated the need for providing suitable alternate facilities for private pilots if congestion at high density commercial airports is to be relieved. This testimony clearly indicated that the greatest need for developing general aviation airports exists in those areas where the need for the development of commercial airports is also the greatest, and consequently where the highest demands for apportioned funds exist. As a result, section 3(a) places the amounts authorized by section 2(c) in the discretionary fund, thereby providing the Administrator with the flexibility necessary to insure that such amounts are made available in those areas where the need is most critical.

Your committee wishes to make perfectly clear that in earmarking $7 million for certain general aviation airports, it is simply establishing a special set-aside to meet the particular problem outlined above and is in no way setting an overall ceiling on amounts available for general aviation airports. On the contrary, your committee will expect the Administrator to give due consideration

to the needs of general aviation when allocating funds made available under section 2(a) of this bill.

Discretionary fund

Under existing law 75 percent of all amounts which have been apportioned but not obligated by grant agreement at the expiration of 2 fiscal years are reapportioned among the respective States in the manner of reapportionment of the original authorization. Because of this provision, a significant amount of these funds are reapportioned to States which originally did not use all of their allocated funds, with the result that the funds become frozen for another 2 years. This process on a descending scale could theoretically continue ad infinitum. To insure more efficient and expeditious use of airport aid money, the bill provides that the funds which have not been obligated within 2 fiscal years will be added to the discretionary fund. This will enable the Administrator to more effectively utilize funds authorized under the act by making them available for use in areas of greatest need.

COMMITTEE AMENDMENTS

Redistribution of funds

Section 3 of the bill, as introduced, proposed that any amount apportioned to the specific States which had not been obligated by grant agreement at the expiration of the fiscal year for which it was first authorized to be obligated would revert to the discretionary fund. During the course of the hearings, this proposal met with a great deal of criticism. Typical of this criticism was that expressed by Mr. James D. Ramsey, representing the National Association of State Aviation Officials, who stated that it would be completely impractical to limit the time between the Administrator's announcement of the tentative allocation and the actual signing of the grant agreement to 1 year. He mentioned that in a study of approximately 80 projects in Michigan the average time required amounted to 68 weeks. Other witnesses indicated that the time required was generally substantially longer. With the exception of the Federal Aviation Agency, all witnesses who testified on the subject strongly urged that the amounts apportioned be available for 2 years. In view of this persuasive testimony your committee has accordingly amended the bill to increase the period from 1 year to 2 years during which apportioned funds will remain available to the various States.

Space for Federal inspection agencies

Your committee added a new section 9 to the bill, which would amend the Federal Aviation Act so as to authorize the head of any Government agency charged with such duties as inspection, collection of taxes or duties, to pay for space at public airports which may be necessary in the performance of such duties. Under existing law these agencies, including Bureau of Customs, the Immigration and Naturalization Service, the Public Health Service, and the Department of Agriculture do not have the authority to contract and pay for necessary space in airport buildings and the costs for providing such space is generally borne by the airport users. Since these duties are strictly governmental and generally of no direct benefit to the users, your committee is of the view that it is a matter of simple equity for the Federal Government to bear the responsibility for assuming the costs it incurs in connection with the execution of its duties. Expenditures authorized by this section would, of course, have to be funded through regular appropriation channels.

Treatment of Hawaii, Puerto Rico, and the Virgin Islands

Section 2(b) of the bill as introduced, was amended to make one State, Hawaii, eligible to participate in a special fund established for Puerto Rico and the Virgin Islands. Under the amendment Hawaii would receive 40 percent of the total amount of $1,500,000 per year while Puerto Rico and the Virgin Islands would share on the basis of 40 percent and 20 percent, respectively. The original bill provided that 65 percent and 35 percent, respectively, of the $1,500,000 would be available for projects in Puerto Rico and the Virgin Islands. In view of the fact that Puerto Rico and the Virgin Islands could not participate under existing law in the discretionary fund, it was necessary to set the fund at $1,500,000 if the anticipated airport requirements would be met. Since inclusion of Hawaii in this fund would reduce the amounts available to Puerto Rico and the Virgin Islands, your committee accordingly added a further amendment to section 3 of the bill to provide that Puerto Rico and the Virgin Islands shall in the future be eligible to participate in the discretionary fund. In this way the Administrator is given authority to insure that airport requirements in Puerto Rico and the Virgin Islands are adequately met.

The inclusion of Hawaii in this fund is believed justified in view of the inequities which it would otherwise suffer under the population-area formula applied to the other 49 States. Under the apportionment formula Hawaii's small population and small land area would result in an allocation of only $131,818 annually. Under the present law it is assured of an annual allotment of $750,000.

Hawaii's insular status and unique reliance on air transportation require that it be given special consideration in the allocation of Federal airport aid. It is situated 2,400 miles off the coast of California and it is the only island State. Its economy, based mainly on tourism and agriculture, is completely dependent on air service and ocean shipping from the mainland and between the islands. In this regard it should be pointed out that interisland air movements are expected to increase roughly 250 percent during the next 20 years. Hawaii's strategic location as "the crossroads of the Pacific" give its airports a vital role in the operation of the U.S. Military Establishment in the Pacific area. In view of these considerations, all of which have been forcefully and persuasively presented in testimony at the hearings by Senators LONG and FONG, your committee is convinced that the regular apportionment formula could not satisfy the airport needs of Hawaii.

In view of the fact that the apportionment formula is not workable insofar as application to the State of Hawaii is concerned, your committee requests that the Administrator of the Federal Aviation Agency conduct a study to determine if any means can be devised to more equitably provide for the allocation of Federal aid to the various States. Your committee will expect to receive the Administrator's recommendations in this regard by January 1, 1962.

A SAFETY ORIENTED BILL

Mr. MONRONEY. Mr. President, the bill reported by the committee this year emphasizes safety items more directly than have any prior amendments to the act. This concern with safety is reflected in several ways.

We have recommended the addition of a requirement that, before a project can be approved, it must include provision for the installation of any of the following landing aids which the Administrator determines to be required for the safe and efficient use of the airport:

First. Land for installation of approach light systems.

Second. In-runway lighting.

Third. High-density runway lighting.

Fourth. Runway distance markers.

The Federal share of the cost of these items is increased from a maximum of 50 percent to a maximum of 75 percent of the cost, a provision already in effect with respect to high-intensity runway lighting.

Furthermore, the committee has eliminated from the bill for the first time any Federal participation in terminal buildings, except for space which is directly related to some safety function. For example, the Federal Government might participate in the cost of constructing a building to house fire and crash equipment, but would no longer make any contribution to the waiting room in the airport terminal building. This represents the continuation of a trend in previous amendments which prohibited Federal participation in the cost of such things as restaurants, offices, cocktail lounges, and other commercial areas. The exclusion of nonsafety terminal costs has permitted the committee to reduce the total amount of Federal funds provided in the bill.

The bill earmarks a special fund of $7 million a year for the development of airports to serve general aviation where this would relieve congestion at airports having high density of traffic. It is the hope of the committee that this program will permit a badly needed separation of private aircraft and high-speed commercial traffic, with commercial airports designed to serve the needs of air passengers and equally convenient and adequate general aviation airports designed to serve the needs of private and business flyers.

THE EXTENT OF THE NEED

I know that a number of the members of the committee, as well as other Senators who are quite interested in this program, have had some apprehension that the funds provided are not adequate to meet the Nation's demonstrated airport needs.

This bill provides a total of $75 million a year in Federal matching funds for a 5-year period. Most of the witnesses before the committee recommended a larger amount of $100 million a year, the amount authorized by the Congress in the bill passed in 1958 and vetoed by President Eisenhower. However, the committee has followed the recommendations of the administration of its assurance that $75 million a year is adequate.

There was substantial agreement between the Federal Aviation Agency and the Airport Operators Council and related organizations that the total needs for airport development in the next 4 to 5 years will be in the neighborhood of $1,100 million. I ask unanimous consent to include in the RECORD at this point a summary table showing the airport development estimated to be required by the Federal Aviation Agency in the 1961 revision of the national airport plan, and also to include a table summarizing the national airport survey conducted by the Airport Operators Council and other organizations.

There being no objection, the tables were ordered to be printed in the RECORD.

Summary of estimated required airport development by cost item by State, fiscal years 1962–66

[In thousands of dollars]

State	Air carrier airports								General aviation airports								Grand total, air carrier and general aviation
	Land acquisition	Site preparation	Paving	Lighting	Control tower	Public use facilities	Miscellaneous	Total	Land acquisition	Site preparation	Paving	Lighting	Control tower	Public use facilities	Miscellaneous	Total	
Alabama	1,872	1,077	4,819	186	635	450	256	9,295	1,126	864	901	106	0	100	151	3,248	12,543
Alaska	451	16,152	7,438	1,093	1,015	1,000	149	27,298	258	1,983	0	75	0	0	78	2,394	29,692
Arizona	3,363	1,068	7,890	529	320	2,108	1,026	16,304	816	905	2,887	389	0	196	291	5,484	21,788
Arkansas	155	286	1,425	235	120	0	114	2,335	981	906	2,267	404	0	0	312	4,870	7,205
California	65,191	11,305	26,452	2,295	1,575	22,904	11,385	141,107	20,037	6,062	10,011	1,904	2,417	2,467	1,373	44,271	185,378
Colorado	130	353	6,298	439	500	1,030	151	8,901	627	290	1,725	230	0	60	179	3,111	12,012
Connecticut	270	984	1,066	227	70	290	263	3,170	885	1,092	1,191	602	0	900	290	4,960	8,130
Delaware	10	21	387	57	0	60	8	543	185	562	573	66	0	0	0	1,386	1,929
Florida	1,468	2,713	9,792	739	1,975	3,715	1,260	21,662	551	164	1,174	387	50	0	32	2,358	24,020
Georgia	8,655	5,726	5,590	378	80	200	99	20,728	711	743	1,296	204	0	20	75	3,049	23,777
Hawaii	311	5,234	6,212	1,492	0	2,765	394	16,408	420	278	447	50	0	85	143	1,423	17,831
Idaho	199	91	3,798	300	260	365	371	5,584	171	50	1,022	179	0	185	152	1,759	7,343
Illinois	24,178	3,249	9,033	830	1,240	845	736	40,111	10,546	8,247	9,992	629	0	75	629	30,118	70,229
Indiana	392	1,165	2,828	153	440	50	480	5,508	2,121	1,329	3,115	470	0	105	184	7,324	12,832
Iowa	110	243	1,949	144	90	50	100	2,686	791	603	3,525	276	0	257	221	5,673	8,359
Kansas	111	177	1,485	98	0	70	6	1,947	828	430	4,591	553	0	306	292	7,000	8,947
Kentucky	1,455	7,078	8,280	689	1,650	555	794	20,501	1,552	2,389	563	5	300	0	628	5,437	25,938
Louisiana	973	1,967	6,270	321	0	140	181	9,852	843	10,472	2,536	107	0	80	137	14,175	24,027
Maine	110	1,627	2,176	214	0	1,360	331	5,818	223	809	1,053	277	0	150	198	2,710	8,528
Maryland	1,640	4,482	10,801	459	200	4,750	14	22,346	1,693	1,797	1,749	218	0	0	83	5,540	27,886
Massachusetts	453	6,163	3,401	634	0	455	408	11,514	1,372	2,351	2,729	1,196	76	1,400	616	9,740	21,254
Michigan	1,011	866	3,425	344	200	425	177	6,458	1,645	1,174	1,468	314	0	172	105	4,878	11,336
Minnesota	655	754	4,741	375	200	1,325	352	8,402	1,044	889	1,486	278	0	10	204	3,911	12,313
Mississippi	99	1,852	6,083	165	0	1,170	997	10,366	471	1,279	537	42	0	0	161	2,490	12,856
Missouri	370	1,097	4,974	146	40	1,820	367	8,814	4,861	579	4,435	424	0	135	184	10,618	19,432
Montana	42	603	4,533	693	0	860	454	7,185	219	137	1,065	241	0	195	105	1,962	9,147
Nebraska	173	1,109	5,662	253	100	607	331	8,235	1,132	1,144	2,965	270	108	205	336	6,160	14,395
Nevada	153	696	1,583	102	20	1,831	38	4,423	14	214	192	59	0	0	27	506	4,929
New Hampshire	62	842	879	114	0	655	108	2,660	223	912	867	129	0	20	241	2,392	5,052
New Jersey	875	1,120	2,188	271	170	3,220	466	8,310	3,398	2,395	1,755	464	0	30	566	8,608	16,918
New Mexico	221	958	4,892	357	0	596	189	7,213	313	639	1,818	192	0	111	188	3,261	10,474
New York	6,529	26,148	13,279	1,369	0	7,129	13,229	67,683	6,567	2,787	2,439	479	200	145	733	13,350	81,033
North Carolina	1,448	1,694	5,501	419	20	245	242	9,569	1,397	2,067	1,039	245	0	0	193	4,941	14,510
North Dakota	229	163	1,846	150	30	201	354	2,973	289	453	641	0	0	0	57	1,440	4,413
Ohio	1,995	4,684	14,444	838	250	1,080	954	24,245	4,229	2,441	3,721	330	0	100	973	11,794	36,039
Oklahoma	4,570	3,353	9,601	290	320	0	232	18,366	1,221	1,060	3,724	919	150	0	661	7,735	26,101
Oregon	594	910	1,255	592	100	219	309	3,979	428	130	884	90	100	0	96	1,728	5,707
Pennsylvania	6,705	20,905	10,045	1,280	890	2,920	4,455	47,200	10,298	12,340	7,658	1,911	0	325	317	32,849	80,049
Rhode Island	90	616	890	182	250	260	102	2,390	30	71	234	63	0	180	16	594	2,984
South Carolina	1,300	1,490	2,834	185	150	2,085	1,099	9,143	321	540	224	88	0	80	77	1,330	10,473
South Dakota	116	158	2,983	200	270	920	105	4,752	435	472	256	35	0	45	201	1,444	6,196
Tennessee	124	072	4,259	530	0	4,097	240	10,222	773	915	1,819	337	0	138	116	4,098	14,320
Texas	5,414	2,799	14,339	820	380	3,360	411	27,523	4,141	1,804	8,016	197	150	24	1,160	15,492	43,015
Utah	14	210	264	73	0	34	4	599	65	423	451	62	0	0	105	1,106	1,705
Vermont	70	114	297	55	0	80	39	655	252	1,289	1,034	142	0	0	168	2,885	3,540
Virginia	362	451	5,395	545	160	140	148	7,201	2,386	2,978	3,152	502	300	0	476	9,884	17,085
Washington	2,040	261	3,031	301	600	1,496	369	8,098	376	77	908	174	55	0	73	1,663	9,761
West Virginia	375	2,398	2,798	439	160	180	97	6,447	525	1,381	1,402	194	0	0	75	3,577	10,024
Wisconsin	530	1,609	5,560	347	500	663	1,577	10,786	1,053	479	1,782	2	0	0	14	3,330	14,116
Wyoming	16	37	438	298	0	68	31	888	33	122	290	15	0	0	82	542	1,430
U.S. total	147,679	150,030	265,419	23,445	14,980	80,848	46,002	728,403	94,876	83,517	109,609	16,615	3,906	8,301	13,774	330,598	1,059,001
Puerto Rico	220	10,100	5,377	311	0	1,950	26	17,984	23	0	275	78	0	50	6	432	18,416
Virgin Islands	1,000	3,004	700	69	75	100	55	5,003	0	0	0	0	0	0	0	0	5,003
Territorial total	1,220	13,104	6,077	380	75	2,050	81	22,987	23	0	275	78	0	50	6	432	23,419
Grand total	148,899	163,134	271,496	23,825	15,055	82,898	46,083	751,390	94,899	83,517	109,884	16,693	3,906	8,351	13,780	331,030	1,082,420

Source: Federal Aviation Agency.

Funds needed for airport development—National airport survey (July 1, 1961, to June 30, 1965)

[Conducted jointly by Airport Operators Council, American Association of Airport Executives, and National Association of State Aviation Officials]

States	Publicly owned airports	Airports reporting projects planned	Cost of projects planned	Funds available and anticipated from local and State sources	Additional funds needed	States	Publicly owned airports	Airports reporting projects planned	Cost of projects planned	Funds available and anticipated from local and State sources	Additional funds needed
Alabama	53	3	$4,540,000	$2,105,150	$2,434,850	New Hampshire	16	8	$2,514,314	$1,296,250	$1,218,064
Alaska	256	118	27,594,500	11,174,750	16,419,750	New Jersey	30	2	40,580,000	25,849,250	14,730,750
Arizona	101	22	24,882,823	14,814,248	10,068,575	New Mexico	36	8	5,881,300	693,524	5,187,776
Arkansas	55	10	1,224,400	723,200	501,200	New York	46	17	88,432,550	42,904,695	45,527,855
California	213	64	122,739,771	77,344,653	45,395,118	North Carolina	59	3	5,280,700	2,669,000	2,611,700
Colorado	58	8	18,959,723	11,821,307	7,138,416	North Dakota	112	27	4,853,400	2,745,600	2,107,800
Connecticut	7	12	18,345,400	9,791,750	8,553,650	Ohio	182	10	24,501,650	11,672,300	12,829,350
Delaware	3	1	730,400	338,000	392,400	Oklahoma	74	9	13,967,000	7,744,186	6,222,814
Florida	95	30	85,443,944	28,941,441	56,502,503	Oregon	90	12	4,584,682	2,560,205	2,024,477
Georgia	52	7	59,150,600	29,754,600	29,396,000	Pennsylvania	165	26	37,526,555	25,843,853	11,682,702
Hawaii	13	8	25,197,200	12,598,600	12,598,600	Rhode Island	5	5	5,813,470	3,257,720	2,555,750
Idaho	135	15	2,558,777	1,412,633	1,146,144	South Carolina	55	20	17,962,420	7,716,000	10,266,420
Illinois	56	58	47,363,600	20,371,300	26,992,300	South Dakota	57	28	4,244,995	2,173,295	2,071,700
Indiana	105	17	8,667,295	4,454,215	4,213,080	Tennessee	63	62	37,577,673	21,454,500	16,123,173
Iowa	83	22	10,547,677	6,009,177	4,538,500	Texas	227	113	49,722,784	12,379,061	37,343,723
Kansas	99	10	5,446,800	1,197,950	4,248,850	Utah	46	40	4,352,522	900,450	3,452,072
Kentucky	31	38	30,356,725	16,600,375	13,756,350	Vermont	20	22	3,199,000	1,600,500	1,598,500
Louisiana	41	10	28,172,400	14,149,700	14,022,700	Virginia	31	11	5,153,607	2,626,000	2,527,607
Maine	29	19	6,245,319	3,513,744	2,731,575	Washington	80	10	13,852,400	7,312,818	6,539,582
Maryland	11	8	19,360,100	10,425,121	8,934,979	West Virginia	42	8	6,403,300	3,545,066	2,858,234
Massachusetts	24	40	38,024,400	22,283,950	15,740,450	Wisconsin	72	43	13,124,900	6,984,675	6,140,225
Michigan	125	90	84,629,646	53,835,848	30,793,798	Wyoming	36	31	1,898,550	1,027,300	871,250
Minnesota	103	51	14,472,510	9,134,391	5,338,119						
Mississippi	44	63	13,843,600	7,151,000	6,692,600	Total, all States	3,631	1,338	1,116,409,435	583,747,724	532,661,711
Missouri	81	8	1,732,225	891,600	840,625	Commonwealth of Puerto Rico	15	23	8,635,000	4,317,500	4,317,500
Montana	103	57	8,694,750	6,260,937	2,433,813						
Nebraska	96	29	7,987,998	5,494,546	2,493,452	U.S. total	3,646	1,361	1,125,044,435	588,065,224	536,979,211
Nevada	15	5	8,049,080	6,197,290	1,851,790						

Mr. MONRONEY. Mr. President, the Federal Aviation Agency pointed out to the committee that this amount represents total needs, and thus includes some items which would be ineligible for Federal funds under the proposed bill. Air traffic control towers will henceforth be built by direct appropriation, and this represents some $20 million of the total estimated needs. Parts of terminal buildings which are not eligible for Federal assistance represent another $90 million of this total. The balance has been reduced by 20 percent on the basis of past experience, which would indicate that 80 percent of the needed development is all that can be reasonably expected to be completed. On this basis, airport costs in which the Federal Government would participate would be reduced to a total of about $780 million, and the Federal share thus reduced to $390 million. The bill provides $375 million, and an additional $14 million, which will become available under existing legislation, is still unprogramed.

I ask to have included at this point in the RECORD a table showng the State apportionment which would apply under the proposed $75 million program.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Federal-aid airport program—State apportionment of $75,000,000 authorization (75 percent State apportionment and 25 percent discretionary)

Alabama	$806,890
Alaska	3,994,844
Arizona	950,979
Arkansas	607,329
California	3,258,755
Colorado	948,502
Connecticut	390,289
Delaware	78,332
District of Columbia	106,705
Florida	1,096,112
Georgia	946,607
Hawaii	131,618
Idaho	657,532
Illinois	1,793,445
Indiana	895,215
Iowa	763,932
Kansas	859,060
Kentucky	695,524
Louisiana	787,763
Maine	366,734
Maryland	514,350
Massachusetts	778,275
Michigan	1,742,125
Minnesota	1,057,902
Mississippi	629,166
Missouri	1,071,649
Montana	1,088,320
Nebraska	718,232
Nevada	786,796
New Hampshire	147,285
New Jersey	899,232
New Mexico	954,576
New York	2,698,477
North Carolina	989,872
North Dakota	565,565
Ohio	1,651,795
Oklahoma	796,355
Oregon	901,766
Pennsylvania	1,885,489
Rhode Island	127,824
South Carolina	542,163
South Dakota	615,385
Tennessee	781,577
Texas	3,139,146
Utah	697,789
Vermont	119,165
Virginia	837,737
Washington	$873,882
West Virginia	422,155
Wisconsin	997,096
Wyoming	707,687
Puerto Rico	975,000
Virgin Islands	525,000
U.S. total	49,875,000
Insular areas:	
Hawaii	600,000
Puerto Rico	600,000
Virgin Islands	300,000
Total	1,500,000
Discretionary funds:	
General aviation	7,000,000
Regular discretionary (25 percent)	16,625,000
Grand total	75,000,000

Mr. MONRONEY. Mr. President, I assure the Senate that I will support, and I believe a great majority of the committee will support, a further increase in the funds available for this program if our experience should demonstrate that local funds are available to complete more than 80 percent of the needed development. Furthermore, I am confident that, should experience demonstrate the need for additional funds, the Federal Aviation Agency and the President would be prepared to give favorable consideration to such an increase. We face in this program, as in other programs, the necessity to use great caution to avoid any unnecessary expenditures in the face of the demands upon our resources now being made by the expanded defense program.

Mr. President, this bill represents the best possible program that could be arrived at by members of the Aviation Subcommittee. The subcommittee was unanimous in reporting the bill. We had great help from the membership on the minority side, the distinguished junior Senator from New Hampshire [Mr. COTTON], the distinguished senior Senator from Kansas [Mr. SCHOEPPEL], and the distinguished junior Senator from Kentucky [Mr. MORTON]. There was one dissenting voice in the full committee but, so far as the entire remainder of the membership of the Committee on Commerce is concerned, we were in unison that this bill represents the best possible combination of safety measures, filling the needs at the lowest possible cost, putting the burden of terminal buildings and fancy construction on the municipalities, and devoting Federal funds primarily to the runways which are essential to a truly national air transport system.

I am grateful to the members of the Aviation Subcommittee for their cooperation.

The Senator from New Hampshire [Mr. COTTON] introduced a bill earlier, in which he proposed a 5-year program of $75 million advance contract authorization a year.

The increased emphasis on safety measures resulted from a careful investigation of accidents that happened last year. We found that accidents, to a great extent, occurred in the terminal areas, and that increased safety can be gained, at a relatively small expense, by improving landing aids at our airports.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the Senator from Colorado.

Mr. CARROLL. I commend the able Senator from Oklahoma for his leadership in this field. Not only has he been a great leader, but he has shown vision that has been very helpful all over the Nation, but especially in my State.

Mr. President, the history of the Federal Government's efforts to assist the cities of our Nation in building an airport system so essential to our economic growth has been reviewed here today, and this review eloquently attests to the importance of Federal assistance in this program. There is still much to be done to meet our growing needs, but the program has made possible many fine airports which could not have been built if local municipalities had been left to cope with the task alone.

As technological developments continue in the aviation field, the job of keeping pace in constructing adequate airports becomes more formidable. Airport facilities in the jet age are expensive projects. Their design is complex. It is not engineeringly feasible, much less practical, to build them piecemeal. That is why, Mr. President, I support the bill before us today. I am a cosponsor of S. 1703. The Senate Subcommittee on Aviation has held extensive hearings and given much study to the best method of financing this program, and I support the concept of contract-agreement authority embodied in this bill.

In the capital city of my State, Denver, plans are underway to improve the municipal airport to meet the demands of increased jet traffic. Plans for paving Stapleton Field's new north-south runway, paving some aprons and taxiways, and putting high intensity lights on the new runway would require more than the entire State's allocation of $948,502 in Federal aid for 1 fiscal year. This example is duplicated in many cities throughout the United States. The 5-year contract authority is necessary for these airports to proceed with their plans. It is simply not good business to offer Federal financial assistance by annual allocations, beset as they would be by uncertainty which would seriously hamper the cities in getting the construction work contracted out.

Airport needs no longer apply only to our big cities. The acceleration of commerce makes it necessary for smaller cities and towns to provide airport facilities in order to share in the Nation's economy—both in contributing to a healthy business condition and in reaping the benefits of trade.

The greatest growth in civil aviation has occurred in general aviation. Of the total number of aircraft in the country over 90 percent are in the category "general aviation aircraft" as differentiated from commercial airlines. The general aviation fleet now includes more than 68,000 aircraft. The Federal Aviation Agency forecasts this fleet will grow to more than 86,500 by 1965.

Various surveys have been made to find out the scope of meeting the airport needs for this increased air traffic. The national airport survey conducted jointly by Airport Operators Council, American Association of Airport Executives, and National Association of State Aviation Officials place the total amount of money required for the job at $1,125 million. Approximately half this amount is expected to come from local sources.

This study group has recommended that Colorado receive $7,138,415 in Federal assistance during 1961–65 for airport projects.

The Federal Aviation Agency, from its continuing close study of airport needs and airport facilities now available, has made specific recommendations of new construction needed and improvements of existing facilities which should be planned. The number of towns which are faced with such needs and which will be eligible to apply for assistance under this important legislation in my own State of Colorado is typical of the situation which exists in other States throughout the country.

I ask unanimous consent to have printed in the RECORD the complete chart of recommendations for airport development over the next 5 years in Colorado, as prepared by the FAA.

There being no objection, the chart was ordered to be printed in the RECORD.

Colorado

Airport type	Community	Airport	Hub type	Based aircraft 1960/1966	Total passengers (thousands) 1960/1966	Longest runway 1960/1966 (feet)	Type of aircraft, 1966	Forecast longest nonstop flight	Recommended airport development, 5-year plan
GA	Akron	Akron-Washington County		5		4,100	Gp-I		None.
AC	Alamosa	Municipal	N	6 5	5	4,400 5,933	DC-3	200	Land; construct runway extension; surface taxiways and apron and construct apron extension and access road; lighting.
GA	Aspen	Sardy Field (Aspen-Pitkin County.)		6 11	7	6,800 5,200	Gp-II		Land; construct runway and apron extensions; strengthen and overlay existing runway; public use facilities; fencing.
GA	Boulder	Municipal	L	13 51		7,200 4,200	Gp-II		Light runway; construct and light taxiways; construct public use facilities, apron, segmented circle; beacon; lighted wind cone; access road.
GA	Broomfield	Jefferson County	L	61 60		5,500 6,000	Gp-II		Extend runway; enlarge apron; construct runway; marking; lighting.
GA	Burlington	Municipal		72 3		6,500 3,800	Gp-I		Land; construct runway, taxiway, apron, access road, segmented circle, wind cone; fencing.
GA	Canon City	Fremont County		4 10		3,900 5,414	Gp-II		None.
AC	Colorado Springs	Peterson Field	S	12 50 60	86 134	5,800 9,092 11,400	B-720	544	Land; site preparation; pave runway extension, parallel taxiway, exit and connecting taxiways, holding aprons, parking apron; widen taxiway with exits at runway; widen and extend taxiway parallel to runway with holding aprons; construct public use facilities; entrance road and fence; lighting.
AC	Cortez	Cortez-Montezuma County	N	30	7	5,900	CV-340	200	Construct parallel taxiway, access road, and segmented circle; lighting.
GA	Craig	Municipal		36 13	10	6,500 5,600	Gp-II		Light runways; construct segmented circle, beacon, and lighted wind cone.
GA	Delta	New		15 0		5,600 0	Gp-I		Construct new airport.
GA	Denver	New (South)	L	10 0		4,500 0	Gp-II		Do.
AC	Denver	Stapleton Airfield	L	100 170 202	1,699 2,440	5,300 10,000 11,300	B-707-100	1,650	Pave runway, taxiways and holding apron; lighting; construct new control tower and service roads; expand and reconstruct apron; grade and drain general aviation area; enlarge public use facilities; relocate street and acquire land for extension and clear zones for runways.
AC	Durango	LaPlata Field	N	14	12	7,200	CV-340	250	Construct parallel taxiway and runway extension; lighting.
GA	Eagle	Eagle (FAA)		16 0	17	7,700 5,100	Gp-I		None.
GA	Estes Park	New		1 0		5,100 0	Gp-II		Construct new airport.
GA	Fort Collins	Christman Field		3 21		5,200 4,000	Gp-II		Land; construct taxiway and apron; light runway; install wind cone and segmented circle.
GA	Fort Morgan	Municipal		25 12		5,600 5,200	Gp-II		Land; widen and extend runway; construct access road; lighting; miscellaneous.
GA	Granby	Granby-Grand County		14 10		5,500 4,900	Gp-II		Land; construct runway, taxiway, apron, and access road; light runway; install beacon, wind cone, and fencing.
AC	Grand Junction	Walker Field	N	12 91	46	6,200 5,403	DC-7	450	Land; construct runway extension, parallel taxiway, apron extension, and taxiway extension; lighting.
GA	Greeley	Municipal		109 55	66	7,100 5,020	Gp-II		Land, clear zones; construct taxiways and apron; pave runway.
AC	Gunnison	Gunnison County	N	66 6	3	5,300 6,000	CV-340	200	Land; construct apron extension and public use facilities.
GA	Hartsel	New		7 0	4	7,300 0	Gp-II		Construct new airport.
GA	Julesburg	Municipal		2 3		5,500 3,200	Gp-I		None.
GA	Kit Carson	Trading Post (SU)		4 1		3,500 4,200	Gp-III		None.
				2		4,500			

Colorado—Continued

Airport type	Community	Airport	Hub type	Based aircraft 1960/1966	Total passengers (thousands) 1960/1966	Longest runway 1960/1966 (feet)	Type of aircraft, 1966	Forecast longest nonstop flight	Recommended airport development, 5-year plan
GA	Kremmling	Kremmling-Grand County		1		5,500	Gp-II		Land, clear zones.
GA	La Junta	Municipal		2 35		5,400 8,274	Gp-II		None.
AC	Lamar	do	N	42 13	2	5,500 4,800	DC-3	200	Construct apron, taxiway, public use facilities: access road; light taxiway.
GA	Leadville	New		15 0	3	4,800 0	Gp-I		Construct new airport.
GA	Limon	Municipal		6 8		5,000 4,000	Gp-II		Land; construct runway, taxiway, apron, and channel change; light runway; install beacon and fencing.
GA	Longmont	do	L	9 53		5,200 4,200	Gp-II		Widen and extend runway, taxiway, and apron; construct access road.
GA	Loveland	New		63 0		4,900 0	Gp-II		Construct new airport.
GA	Meeker	Meeker		12 11		4,800 4,500	Gp-II		Light runway; install beacon, land; extend runway.
GA	Monte Vista	San Luis Valley	N	13 5		5,900 6,285	Gp-II		Land, clear zones; construct runway, access road; install segmented circle.
AC	Montrose	Montrose County	N	6 12	5	5,200 5,700	CV-340	200	Land; reconstruct runway, taxiways, and apron; construct runway extension; relocate threshold lights; construct apron extension and access road; lighting.
GA	Nucla	Hopkins Field		14 12	7	7,300 4,600	Gp-I		Construct access road.
GA	Pagosa Springs	New		14 0		4,800 0	Gp-I		Construct new airport.
GA	Paonia	Municipal		6 5		3,800 3,250	Gp-I		Acquire land; construct runway, taxiway, apron and access road; install segmented circle.
AC	Pueblo	Pueblo Memorial	N	6 57	17	3,900 8,820	V-810	250	Light taxiways; reconstruct apron; enlarge public use facilities.
GA	Rangely	Rangely		68 7	25	8,500 4,500	Gp-II		None.
GA	Rifle	Garfield County		8 5		5,500 5,000	Gp-II		Land; construct and light runway; construct taxiway; apron, access road, beacon, segmented circle, lighted wind cone, fencing.
CA	Salida	Salida (SU)		6 4		5,600 3,600	Gp-I		Land; construct runway, access road, segmented circle, wind cone, fencing.
GA	Springfield	Municipal		5 3		4,500 3,500	Gp-I		Land.
GA	Steamboat Springs	New		4 0		3,400 0	Gp-I		Construct new airport
AC	Sterling	Crosson Field	N	5 27	1	4,300 4,700	DC-3	200	Widen runway and relocate runway lights; construct entrance road and public use facilities.
AC	Trinidad	Municipal	N	32 4	2 0	4,700 5,500	DC-3	200	Land; light taxiways; reconstruct runway, taxiways, apron, and access road.
GA	Walden	Walden-Jackson County		5 6	1	5,500 5,900	Gp-II		Construct runway; access road.
GA	Walsenburg	Huerfano County		7 1		5,200 5,200	Gp-I		None.
GA	Westcliff-Silvercliff	Custer County		2 0		3,700 4,800	Gp-I		None.
GA	Wray	Municipal		2 7		4,200 4,230	Gp-I		None.
				8		4,200			

Mr. CARROLL. I join the Senator from Oklahoma in commending the able Senator from New Hampshire [Mr. COTTON]. This bill is a real step forward, and I want to lend my full support to this program.

Mr. MONRONEY. I thank the Senator for his valued help in all the airport bills, and I congratulate his State, and particularly commend it for the wonderful airport in the city of Denver, which is recognized as one of the finest terminals we have.

Mr. MOSS. Madam President, I believe there is no question that America is the most airminded nation in the world, and for our own security and well-being, we want to keep it that way.

The civilian airport might be called the front door of the community through which much of its business and commerce must pass, while its military counterpart—the airbase—is the garage, the depot, the filling station, the parking lot, and operational center of what is probably our most potent arm of defense.

For a long time we have been aware that the Nation with an adequate network of military airports has a strong lease on security, and that those States which prepare for and develop a competent system of civilian airports, and establish good trunklines and local airline systems, will be in the advance guard of the Nation's economic development and growth.

Recently, the National Association of State Aviation Officials, the American Association of Airport Executives, and the Airport Operators Council jointly conducted a survey to determine the amount of money which will be required for civilian airport expansion and improvement from June 1961 through June 30, 1965.

The survey went to the grassroots, with questions asked directly of the individual authorities who own or operate airports. This airport-by-airport check showed that approximately 3,500 of the 6,500 airports in the United States are publicly owned, and that nearly half of them need immediate expansion and improvement. To build the new airports we

need, and raise the standards of those we have, to cope with the rapid growth of modern air transportation and meet its rigid safety requirements will cost more than a billion dollars. What better argument could there be for the passage of the measure before us today—S. 1703?

I am glad to report that continuation and expansion of the Federal-aid-to-airports program has the unqualified support of the Utah State Aeronautic Commission.

Harlon W. Bement, its director, says:

> There has been considerable gain to both Utah and the Nation by the construction of new airports and the improvement of existing fields through joint Federal, State and local financial participation. Certainly our economy is better, and our transportation problems have been greatly eased by airport development accomplished under the Federal aid to airports program.

Mr. Bement continues:

> Many of our airport projects would not have been undertaken, or the work would have proceeded much more slowly, without this program. If Congress extends it, we are hopeful of providing a well-balanced airport system in Utah—not only for air carrier aircraft, but for general aviation as well.

The national survey showed that of the 46 publicly owned airports in Utah, 20 reported needed and planned projects at a total cost of $4,352,522. It is estimated local and State sources can contribute about $900,000. This leaves a hiatus of $3,425,072.

Under the bill before us, Utah will receive $697,789 in contract authority each year for a 5-year period. This would give us $3,398,973—close to the amount needed.

However, I do not need to point out these estimates of 1961–65 needs are based on projects planned and reported at this time. Airports which did not reply to the survey, or improvements not yet planned, are not included. New problems are bound to come up.

For example, it appears now that the main instrument runway at the new Salt Lake Municipal Airport must be resurfaced, and the asphaltic concrete overlay strengthened in about a year. There is no estimate of costs, but they will be substantial.

The new Salt Lake Airport is second to none in the country in efficiency. It covers approximately 2,400 acres and has four asphalt runways 150 feet in width and 4,134, 5,550, 6,700, and 10,000 feet in length. It is constructed in such a manner and is of sufficient size to take care of any airplane service for the present. A new terminal building costing $4½ million has been built.

Salt Lake City very much needed this new airport. The city is one of the most important airway centers in the United States. It is located at the "Crossroads of the West" and is the perfect transportation hub for the 11 Western States. Planes leave and arrive on a staccato schedule, carrying air passengers, airmail, air express, and cargo. The average daily number of flights of all kinds is well over 500.

Because Utah's economy and population are both expanding at a tremendously accelerated rate, we must now develop our airports in our medium-sized and smaller towns and cities to the level necessary to profit from the great activity at the Salt Lake airport and to meet the State's transportation needs. For example, Salt Lake County's population increased 53 percent in the years between 1940 and 1960, and the population of the State as a whole increased 65 percent during the same period. This means that the outlying areas are growing faster than Salt Lake, and means of transportation to them must be improved and accelerated.

Utah is a State which lends itself ideally to air travel because of its geography which varies from plateau lands to high mountain ranges. Winding canyons and steep mountain passes slow down travel by car or train, but by plane a trip across the State is quickly accomplished.

Mr. President, passage of this bill will help America move more competently into the jet age. There can be no question about the need for the measure. It is becoming increasingly evident, both in my State of Utah and elsewhere in the country, that a good airport is as important and essential to the progress and survival of a community as good schools, good water supply, and good public utilities.

(At this point Mr. Moss took the chair as Presiding Officer.)

Mr. COTTON. Mr. President, 2½ years ago the Senate had a knockdown fight over legislation to amend and extend the Federal-aid-to-airport program. The legislation before us today will accomplish the same purpose, but, I am pleased to say, there seems little likelihood that today's debate will develop into much of a battle. Time has erased many of the differences that existed in 1959 and constructive compromises have eliminated most of the rest. The pending bill, S. 1703, is an effective compromise which has produced a sound bill and a realistic airport-aid program.

The principal provisions of the bill can be summarized briefly. It would extend the Federal airport program under which grants are made to State and local governments for the construction and improvement of airports. The bill would authorize grants totaling $75 million in each of the next 5 years, including a special fund of $7 million a year for the development of smaller airports for general flying which may relieve congestion at busy major air terminals.

The bill would forbid the use of Federal grants for the construction of terminal buildings or other facilities unless they are directly related to safety. It also would increase the Federal contribution from 50 to 75 percent of the cost of certain specified types of safety devices and landing aids. In addition, it would empower the Federal Aviation Administrator to turn down requests for airport aid unless the safety devices required at the airport are installed. But a listing of the major provisions of the bill may not clearly reveal its most important and significant feature.

The bill is a sure stride forward in the direction of aviation safety. Its whole emphasis, from beginning to end, is on the safety of the traveling public. The funds it would provide must be used for projects having a direct bearing on safety. While the bill is a compromise measure in many respects, I assure the Senate that it makes no compromise when it comes to air safety.

Federal aid must not be dissipated on things which are not clearly related to safety. Heretofore, Federal aid funds have been available for the construction of airport terminal buildings and similar facilities which may be highly desirable, but which by no stretch of the imagination can be related to safety. This bill would bar the use of aid funds for terminal buildings, not because the committee was opposed to handsome and comfortable airport terminals but merely because we cannot defend such a use for Federal funds when there are unmet safety needs at the Nation's airports.

We enjoy traveling amid luxury and comfort, but we really cannot justify putting those considerations ahead of safety at any time, and we cannot justify, either, charging the comforts and conveniences to the account of the Federal taxpayer.

That is the key feature of this bill.

In considering the bill, we ought to bear in mind also that the Federal Government is responsible, and 100 percent responsible, for an enormous system of air navigation facilities. To maintain and operate the air traffic control network across the country, the Federal Government will spend $440 million this year, and it will spend another $126 million on equipment for the system. These are responsibilities we cannot avoid because only the Federal Government can assure the uniformity and coordination required of such a system.

But the finest, safest, and most precise air navigation and traffic control system in the world is of doubtful value unless there are safe and adequate airports at each end of the flight. Federal airport aid is the most effective way to provide those airports throughout the country, but we must see that the aid is channeled into the facilities for safe landings and safe takeoffs for the 200,000 Americans who fly each day. Airport aid, furthermore, is the best way to assure that our airports fit into a comprehensive, coordinated system which is adequate to meet the needs of the Nation.

While the bill emphasizes the safety aspects of airport aid, it also relies heavily on the foresight, leadership, and energy of the local communities which own and operate most of the airports in this country. We have gone over the bill, and the basic Airport Act itself, carefully, to make sure it recognizes the facts of life which the local sponsors of airport projects must face. That is why the bill provides a long-term continuing program. That is one reason why a substantial discretionary fund is made available to the Administrator. That is why funds are available for obligation by a State for 2 years. To put this program on a stop-and-start basis of uncertainty and doubt would only be wasteful and unwise, in my opinion.

As a minority member of the Subcommittee on Aviation I commend the distinguished Senator from Oklahoma [Mr. MONRONEY] for his constructive contribution through the years to this program for the future. The air tranportation facilities in this country are the arteries which will carry the lifeblood of American commerce as well as American communications, and will provide for the meeting of Americans across the country and with people of other countries in the years ahead.

This is perhaps one of the most important features of progress which we in the Congress face for the immediate future. No man has contributed more than has the distinguished Senator from Oklahoma [Mr. MONRONEY]. No man has at his fingertips a more comprehensive knowledge of the subject.

Unhappily, last year there were areas of disagreement. I fought and lost with regard to an amendment to hold the appropriation to the budget estimate and to hold the programs to those involving safety of the traveling public and of the public living adjacent to airports in this country.

The bill before us, unlike the bill we considered at that time, is completely in keeping with the recommendation of the President and of the Bureau of the Budget. It is restricted to safety, which is the primary responsibility of the Federal Government. With possibly one exception, it has the unanimous support of our subcommittee and full committee.

We have gone over the bill carefully, with a fine-tooth comb, and we have weighed all the elements and fought out any differences that existed. The bill represents a constructive step in one of the most vital fields of development in America today.

I thank the distinguished Senator from Oklahoma for his fairness, his patience, and his leadership. I also thank the distinguished Senator from Kansas and other members of the committee for their contributions.

Tonight we stand as a committee almost wholeheartedly for the bill, which represents not merely a compromise, but also a constructive step, which has been weighed and found to our satisfaction to be the proper way to approach the problem, so that we shall not lose any time in this vital field.

Mr. MANSFIELD. Mr. President, I have a unanimous-consent request to make.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. I have discussed it with the various Senators who are concerned. There was a quorum call when the bill was laid before the Senate about 15 minutes ago.

I ask unanimous consent, on the basis of the four amendments which I understand will be offered, that time be allocated as follows: To one of the Proxmire amendments, 1 hour, to be divided 30 minutes to each side; and to each of the other three amendments—one by the distinguished Senators from New York [Mr. JAVITS and Mr. KEATING], one by the Senator from Wisconsin [Mr. PROXMIRE], and one by the Senator from Ohio [Mr. LAUSCHE]—30 minutes, to be divided 15 minutes to each side; with 1 hour allotted to the consideration of the bill.

Mr. JAVITS. Mr. President, if the Senator will yield, I shall not object because I am a party to the agreement, but I wish to make it clear, so that the time element may be understood, that from the time on the bill I shall need about a half hour to develop the legal problems incident to segregation in airport terminals. With the manager of the bill present on the floor, I state that in my opinion the situation is such that the law now prohibits what the administration is allowing to occur.

I think it needs to be developed. I only want to be sure that in the time allocated on the bill it was understood that I would need the amount of time I suggested to develop the subject.

Mr. DIRKSEN. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. First, I should like to ask the distinguished Senator from Wisconsin whether he contemplates asking for the yeas and nays on any of his amendments.

Mr. PROXMIRE. Yes, indeed. The junior Senator from Wisconsin would appreciate having the yeas and nays ordered on the first amendment before consenting to the unanimous-consent request.

Mr. DIRKSEN. What about the other two amendments?

Mr. PROXMIRE. I wish a yea-and-nay vote on my second amendment. I understand that the Senator in charge of the bill, the distinguished Senator from Oklahoma [Mr. MONRONEY] will join me in asking for the yeas and nays.

Mr. DIRKSEN. The Senator refers to the yeas and nays on both amendments?

Mr. PROXMIRE. Yes.

Mr. DIRKSEN. May I inquire of the junior Senator from New York [Mr. KEATING] whether he desires the yeas and nays on his amendment?

Mr. KEATING. There will be colloquy on my amendment, and I believe an acceptable amendment will be arrived at.

Mr. DIRKSEN. Mr. President, I believe that the Senator from Ohio has no amendment.

Mr. MANSFIELD. He will have an amendment to offer, but I understand that he may not ask for the yeas and nays on it. He is still considering the question.

Mr. DIRKSEN. Three and one-half hours of debate would be involved, exclusive of the time for the voting.

Mr. MANSFIELD. The Senator is correct.

Mr. DIRKSEN. So we shall be here until 11 o'clock tonight, with the yea-nay vote at approximately midnight.

Mr. MORSE. Mr. President, reserving the right to object, I wish to ask a question. Suppose between now and the close of the debate some Senator, based upon what develops in the debate, decides that he wishes to offer another amendment. Will he be excluded from the privilege of debating the amendment?

Mr. MANSFIELD. I assure the Senator that the distinguished minority leader and I will be happy to recognize a condition of that sort and do all we can to provide the necessary time to debate such an amendment.

Mr. MORSE. May it be understood that if any Senator should offer another amendment, that 20 minutes will be allowed for debate on the amendment, 10 minutes to each side?

Mr. MANSFIELD. I assure the Senator that he would have no trouble in obtaining time.

Mr. DIRKSEN. Mr. President, I should like to make one further inquiry of the distinguished majority leader for purposes of clarification. In view of the fact that the debate would run until a late hour, may I ask the Senator in charge of the bill, and also the majority leader, if there were to be record votes, whether the votes could be taken tomorrow rather than tonight?

Mr. MANSFIELD. That would be perfectly agreeable, but I hope that my assent will not be taken as a hint by interested Senators not to make their cases tonight, because I should like to continue at least until 9 o'clock or thereabouts and get as much out of the way as possible. Then I should like to have an agreement to the effect that if there are to be yea-and-nay votes—there will be at least two—they may be held over until the limitation debate has ended tomorrow, at the conclusion of the call of the calendar.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MONRONEY. The crucial amendment, because it involves the differing positions of the two Houses, will be represented in the amendment on the method of financing, of the distinguished Senator from Wisconsin. I should like it understood that each of us will have perhaps 10 minutes on a side tomorrow morning, before the record vote on that amendment occurs, if the the purpose of the distinguished majority leader is to have the yea and nay votes tomorrow.

Mr. MANSFIELD. Such a course would be perfectly acceptable.

Mr. MONRONEY. By doing so we could explain the amendment to Senators present at that time.

Mr. DIRKSEN. Mr. President, for the purpose of further clarification, assuming that the first amendment to be offered is the Proxmire amendment, debate on the amendment would take us roughly to half past eight—in fact, beyond half past eight. I assume, then, that all votes would likely go over until tomorrow.

Mr. MANSFIELD. The Senator is correct. I hope that the votes may be taken immediately before third reading.

Mr. COTTON. Mr. President, reserving the right to object, the vote on the financing amendment is the vital vote. Several Senators want to be certain that they vote on the amendment. If the voting is carried over until tomorrow, certain Senators would be deprived of that opportunity because of commitments which they cannot avoid. It would seem that, having waited all this time to consider the bill, and the first vote being the vital vote, that we should be allowed, within the proposed limitation of time, which will keep us to a very

late hour, then to have an opportunity to vote on the amendment.

Mr. MANSFIELD. Mr. President, if Senators unanimously agree to the request, I would agree to have that one vote tonight and only that one vote. All others would go over until tomorrow.

Mr. SCOTT. Mr. President, reserving the right to object, many of us have other amendments to offer. We could not agree to a unanimous-consent request limiting the vote to only one amendment tonight. If we must stay here, I am prepared to stay all night. I will stay here, vote, and have a few quorum calls, too. I am not willing to make an agreement that all of us go about our own affairs and then return here at about 10 o'clock tonight to vote on the one amendment, which is what would happen.

Mr. MANSFIELD. No. Since there would be only 1 hour of debate on the amendment, the vote would take place roughly at about 8:30.

Mr. SCOTT. There would be an hour of debate.

Mr. MANSFIELD. An hour on the amendment, if it is used. In order to bring the question to a head, if other amendments are considered tonight and the amendment which we have discussed is held over until tomorrow, I hope that we may dispose of all amendments except the one which seems to be the main bone of contention.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MONRONEY. Having discussed the subject with other Senators who will offer amendments, it is our feeling that the only rollcall that would be asked for would be on the financing amendment.

Mr. PROXMIRE. The Senator from Wisconsin has two amendments on which he would like a rollcall vote. One amendment is on the question of financing and the other is on the question of the reduction of the appropriation.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. BARTLETT. I have an amendment which I understand the manager of the bill, the distinguished Senator from Oklahoma, is willing to accept, and I shall not ask for a yea-and-nay vote.

Mr. HOLLAND. Mr. President, reserving the right to object—and I shall not object—do I correctly understand that there will be only one vote tonight?

Mr. MANSFIELD. Yes.

Mr. HOLLAND. And if any other votes are called for——

Mr. PROXMIRE. If the Senator from Montana will yield, it is my understanding that there will be no votes tonight, but we will present our case and there will be votes tomorrow morning at an agreed time, or after we return.

Mr. MANSFIELD. Mr. President, I misstated the case. The Senator is correct.

Mr. COTTON. If that is the case, I will object.

Mr. MANSFIELD. I thought we had an agreement that there would be a vote on the half-hour amendment tonight, and that the principal amendment would go over until tomorrow and be taken up at the conclusion of the morning hour. Otherwise I would have to withdraw the request if an agreement cannot be reached.

Mr. COTTON. Mr. President, I do not want to impede the Senate——

Mr. MANSFIELD. The Senate will convene tomorrow at 9 o'clock.

Mr. COTTON. I believe that evening engagements are not quite as important as commitments that take a Senator out of the city. There is one important vote. I cannot see any reason why we cannot have the amendment debated within the limitation and the vote on the amendment taken tonight, because there are not only one but several Senators who will not be present tomorrow. I think it is advisable to have the will of the Senate expressed on that one amendment at least.

Mr. MANSFIELD. Can the Senator come to an agreement with his colleague from Pennsylvania?

Mr. COTTON. I believe he does not want to remain all night.

Mr. SCOTT. On the contrary. I say we can remain in session all night.

If Senators are eager to vote tonight, would the Senators be willing to limit their time for debate?

Mr. MANSFIELD. Senators are a little tired. They have been working long hours this week. I think they should be given some consideration. The Senate is convening early tomorrow. If an agreement cannot be reached, I withdraw the request.

Mr. DIRKSEN. I ask the Senator not to withdraw the request yet.

Mr. HOLLAND. Mr. President, let it be distinctly understood that, so far as I am concerned, I shall be here whenever the agreement requires us to be present. I merely want to know if we are to have one vote or several votes tonight. I should like to know what to expect so I can be back here to vote.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that 30 minutes of debate be allowed on each amendment, with 15 minutes to a side, and that an hour and a half of debate be allowed on the bill.

The PRESIDING OFFICER. Is there objection?

Mr. MANSFIELD. And that there be a vote tonight on the first amendment.

Mr. HOLLAND. And on no others?

Mr. MANSFIELD. On no others. Other votes will go over until tomorrow.

The PRESIDING OFFICER. Does the time limitation apply to amendments?

Mr. MANSFIELD. Yes; the usual form of agreement.

Mr. RANDOLPH. Reserving the right to object, I wish to understand when the vote will come.

Mr. MANSFIELD. In a half hour.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That during the further consideration of the bill (S. 1703) to amend the Federal Airport Act so as to extend the time for making grants under the provisions of such act, and for other purposes, debate on any amendment or amendments thereto, motion, or appeal, except a motion to lay on the table, shall be limited to 30 minutes, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1½ hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. PROXMIRE. Mr. President, I call up my amendment 8–30–61—A.

The PRESIDING OFFICER. The amendment will be stated.

Mr. PROXMIRE. I ask unanimous consent that the reading of the amendment be dispensed with, and that it be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 2, beginning with line 11, strike out all through line 6 on page 4 and insert in lieu thereof the following:

"SEC. 2. (a) Section 5 of such Act (49 U.S.C. 1104) is amended by redesignating subsection (d) as subsection (e), and by inserting immediately after subsection (c) the following new subsection:

"'APPROPRIATION AUTHORIZATION FOR PROJECTS

"'(d)(1) For the purpose of carrying out this Act with respect to projects in the several States, in addition to other amounts authorized by this Act, appropriations amounting in the aggregate to $332,500,000 are hereby authorized to be made to the Administrator over a period of five fiscal years, beginning with the fiscal year ending June 30, 1962. Of amounts appropriated under this paragraph $66,500,000 shall become available for obligation, by the execution of grant agreements pursuant to section 12, beginning July 1 of each of the fiscal years ending June 30, 1962, June 30, 1963, June 30, 1964, June 30, 1965, and June 30, 1966, and shall continue to be so available until expended.

"'(2) For the purpose of carrying out this Act with respect to projects in Hawaii, Puerto Rico, and the Virgin Islands, in addition to other amounts authorized by this Act, appropriations amounting in the aggregate to $7,500,000 are hereby authorized to be made to the Administrator over a period of five fiscal years, beginning with the fiscal year ending June 30, 1962. Of amounts appropriated under this paragraph, $1,500,000 shall become available for obligation, by the execution of grant agreements pursuant to section 12, beginning July 1 of each of the fiscal years ending June 30, 1962, June 30, 1963, June 30, 1964, June 30, 1965, and June 30, 1966, and shall continue to be so available until expended. Of each such amount, 40 per centum shall be available for projects in Hawaii, 40 per centum shall be available for projects in Puerto Rico, and 20 per centum shall be available for projects in the Virgin Islands.

"'(3) For the purpose of developing, in the several States, airports the primary purpose of which is to serve general aviation and to relieve congestion at airports having

high density of traffic serving other segments of aviation, in addition to other amounts authorized by this Act for such purpose, appropriations amounting in the aggregate to $35,000,000 are hereby authorized to be made to the Administrator over a period of five fiscal years, beginning with the fiscal year ending June 30, 1962. Of amounts appropriated under this paragraph, $7,000,000 shall become available for obligation, by the execution of grant agreements pursuant to section 12, beginning July 1 of each of the fiscal years ending June 30, 1962, June 30, 1963, June 30, 1964, June 30, 1965, and June 30, 1966, and shall continue to be so available until expended.' "

On page 4, line 8, strike out "(c)" and insert in lieu thereof "(a)".

On page 4, line 25, after "5(a)" insert "and section 5(d)(1)".

On page 5, line 1, strike out "5(c)" and insert in lieu thereof "5(d)(3)".

Mr. PROXMIRE. Mr. President, I shall make my statement very brief.

My amendment would discontinue the practice of authorizing the FAA to enter into contracts obligating Federal funds in advance of appropriations as a means of furnishing Federal aid to airports. It provides that funds shall be authorized and appropriated in advance of obligations, except for unused obligational authority remaining available under present law.

The amendment authorizes funds over a 5-year period. The language would permit the Appropriations Committee to appropriate all the funds for the full 5 years in advance, if it wished to do so. In other words, they could decide that they would appropriate all of the $375 million immediately, to let FAA make its commitments. The difficulty under the pending bill is that the Committee on Appropriations is effectively foreclosed. It is bound by the FAA contract commitments. In other words, it would have no choice in the matter.

The Appropriations Committee could, if it wished to do so, provide funds for 2 years or 1 year, at its pleasure. If it agrees that long-term commitments are necessary, as the FAA and most airport sponsors believe, it can provide the funds in advance. The general conclusion from the testimony was that 18 months' advance commitment is necessary.

My amendment would eliminate backdoor financing by giving the Appropriations Committee the duty and responsibility of providing funds far enough in advance to meet the needs of sponsors for long-term planning.

I recognize that long-term planning for airports is deemed essential. Advance appropriation would accomplish it just as well as advance authority for contract obligations. Furthermore, it would allow orderly, constitutional procedures.

As is well known, the House has already adopted the appropriations method. It seems to me that it makes sense.

Mr. President, I reserve the remainder of my time.

Mr. LAUSCHE. Mr. President, it was agreed that I should have 10 minutes.

Mr. MONRONEY. That is correct. I yield 10 minutes on the bill to the Senator. Has the Senator from Wisconsin completed his statement?

Mr. PROXMIRE. I may speak for 2 or 3 minutes later. For the present I have completed my statement.

Mr. LAUSCHE. Mr. President, I filed individual views with respect to the majority report of the committee. My dissent was predicated upon the proposal that in the bill there was an enhancement of the subsidies that were being provided in the airport and airport facility program.

In 1958 I subscribed to the proposal that the Federal Government ought gradually to withdraw from the subsidization of the building of airports and facilities.

In that year the President recommended that there be a gradual withdrawal from the subsidy program. Congress did not listen to his recommendation. It passed a bill departing completely from the advice which he gave.

The House made certain changes in the bill, in which the Senate concurred, and the bill was forwarded to the President. The President, however, withheld approval and issued a memorandum, a pertinent part of which reads as follows:

Now, however, I am convinced that the time has come for the Federal Government to begin an orderly withdrawal from the airport grant program * * *. I recognize that there will doubtless be a transitional period during which the Federal Government will be required to provide aid to urgent airport projects which are essential to an adequate national aviation facilities system and which cannot be completed in any other way. * * *

The President disapproved of what was done. In his budget for 1960 he recommended that a gradual decline in the allocation be made to finance a project. He recommended $50 million for 1961, $45 million for the next year, and $35 million for the following 3 fiscal years.

I then subscribed, and I now subscribe, to that proposal, because I believe that the Federal Government has a burden so great to carry with respect to national defense that we ought gradually to withdraw from what was being done.

On page 8 of the report the committee states:

As your committee has frequently stated in the past, the capital investment required to develop airport facilities sufficient for the present and future air transportation needs of this country far exceed the financial capabilities of local communities.

This Government on the Federal level is in a far worse fiscal position than local governments and State governments.

No one can convince me that we are in a position at the Federal level to keep drawing out of the moneybag without rendering it empty and creating fiscal difficulties.

I am in favor of a gradual withdrawal. I am against the creation of new subsidies and the expansion of old ones.

As shown on page 47 of the report, in my individual views, four principal subjects are approached on a matching basis. The first is the cost of land for installation of approach light systems. Until now we have been matching on a 50–50 basis. The bill provides 75 percent by the Federal Government and 25 percent by the local government.

Second is the installation of inrunway lighting. With regard to the installation of inrunway lighting, it involves a new subsidy.

The matching formula in the present bill is 75 percent on the part of the Federal Government and 25 percent of the basis of payments by local governments. I see no reason why the costs of this item should not be paid on a 50–50 matching basis.

The third item deals with the installation of high intensity runway lights. With respect to this item, no change has been made in the law; therefore, I have no objection to it.

The fourth item relates to the installation of runway distance markers. This is a new subsidy. In my opinion, there is no justification for placing it on the basis of 50–50 percent participation.

There is one item which the Government has been subsidizing on the basis of 100 percent. That 100-percent subsidization deals with the installation of the approach lighting system. The 100-percent contribution has not been changed. All of the contributions have been lifted upward; none of them have dropped downward. New subsidies have been created. The Federal Government is entering into this program on an intensified basis, with the exception—and I commend the Senator from Oklahoma for it—that we will make it a full and complete domestic or local obligation to build the facilities, except safety facilities which are used in servicing airports.

Today we are increasing subsidies in the airport program. Tomorrow there will be half a dozen bills to increase the subsidy in the merchant marine program. Today the recommendation was made to enter into subsidization of the railroads.

The trend in subsidies is upward. The trend is toward the creation of new subsidies. I humbly submit that the Federal Government cannot stand it. We will run into trouble. We are causing the mayors, the Governors, and the innocent citizens of the country to believe they can get money from the Federal Government and not have to pay any taxes.

Mayors are coming to Washington with ladles in their hands, begging. The fact is that the Federal Government is breaking down the moral fiber of men who occupy high public offices in our general program, instead of cultivating independence, character, and courage. Subsidies are breaking down that character. They are making beggars out of the ordinary citizens, townships, cities, counties, and State governments. In my opinion, we are walking down a highway which will lead us to the brink. There will be no further way to go. Trouble will be at hand.

That presents my side of the case. I think it rather substantially places before the Senate what the program has been as described by the Senator from Oklahoma and what my opposition to it is.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. MONRONEY. Mr. President, I thank the Senator from Ohio for stating his position succinctly and cogently.

I do not consider this proposal a subsidy. I consider it participation by the Federal Government to pay a portion of its share of the cost in return for the use it gets from the airports of the Nation. During World War II, 429 civil airports were turned over to the Army and the Navy. That saved the Federal Government a cost running into billions of dollars, because those airports were put to use immediately. I venture the assertion that at least two airports in each State are today jointly used by civil aviation and those great Reserve Forces of America, the Air National Guard and the Air Reserves, with no landing charges whatsoever, and the airport facilities furnished absolutely free, with no gasoline tax paid into the States or to the municipalities. Because these Reserve Forces use these facilities the Federal Government should pay something for the construction and replacement of the facilities which they wear out.

I invite attention to the table on page 12 of the report. I shall select at random samples of some of the international airports, because I think this item is important.

At Anchorage International Airport, located in the State of the two distinguished Senators from Alaska, 25.8 percent of the landings are military landings.

At Miami International Airport, 9.7 percent of the landings are military.

At Baltimore Friendship Airport, 40.5 percent are military landings.

At Los Angeles International, 8.6 percent of the landings are military.

At Chicago O'Hare Field International Airport, 24.3 percent are military landings.

At San Francisco International, 9.2 percent of the landings are military.

In addition, at fields at Chicago, Detroit, and other cities, the percentage of military landings is higher than at these international airports. So what we are doing in matching local funds is to pay for a part of the use which the Federal Government obtains. Furthermore, I believe it is highly important to recognize that sharing of the costs of the national transportation system was inaugurated in 1924, when we began Federal highway aid. Since that time, the Government has spent billions of dollars in constructing highways and is now engaged in a $40 billion program, a program which is not on a 50–50 basis, but on a 90 percent Federal, 10 percent matching basis.

This program has been supported as one which is necessary if we are to have a national transportation system.

Likewise, the expenditure of $75 million a year for a national airport system, most of which traffic is interstate, is a part of the strength and the development of our great Nation. The funds which are paid in aviation gasoline tax should be given some credit. This, I believe, would come to almost $60 million a year. But the books are not kept that way.

CONTRACT AUTHORITY

Mr. President, I now turn to the Proxmire amendment.

The Senate bill continues the program initiated in 1956 of providing Federal funds under a system of advance contract authority. Under this program the Federal Aviation Agency is authorized to execute grant agreements—that is to obligate Federal funds by contract—in the amount of $75 million for each of the fiscal years 1962 through 1966. The authorized amounts become available at the beginning of the fiscal year for which they are authorized and continue to be available until obligated.

The House bill proposes to abandon this program—likewise, the Proxmire amendment proposes to abandon this system which has worked so successfully, and to return to the system of annual appropriations, which was used for the first 10 years of the airport program between 1946 and 1956. Your committee is convinced that the choice between these two proposals is the most important decision with respect to the airport program which the Congress has faced since 1956.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table showing the funds available and obligated under this program for the fiscal years from 1947 through 1961 prepared by the Federal Aviation Agency.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Net project funds available for obligation, grant agreements, and cash expenditures, by fiscal years, 1947–61

	Net project funds available	Grant agreements	Net project funds available	Grant agreements	Total net project funds available	Total grant agreements	Total cash expenditures
1947	$42,750,000	$3,041,906			$42,750,000	$3,041,906	
1948	30,662,500	25,490,758			30,662,500	25,490,758	$5,148,889
1949	36,817,172	49,908,900			36,817,172	49,908,900	30,390,990
1950	36,500,000	44,049,461			36,500,000	44,049,461	33,182,519
1951	21,200,000	39,703,042			21,200,000	39,703,042	30,388,415
1952	15,850,000	19,538,231			15,850,000	19,538,231	32,808,068
1953	9,710,029	11,007,077			9,710,029	11,007,077	26,990,836
1954		−855,556				−855,556	17,481,945
1955	20,750,000	19,698,475			20,750,000	19,698,475	8,353,021
1956	20,571,525	8,588,383	$42,500,000	$9,205,897	63,071,525	17,794,280	16,515,871
1957		7,649,910	63,000,000	37,491,306	63,000,000	45,141,216	20,649,031
1958	[1] −587,387	6,403,252	63,000,000	63,922,493	62,412,613	70,325,745	42,870,387
1959			63,000,000	72,956,360	63,000,000	72,956,360	56,577,626
1960			63,900,000	82,202,876	63,000,000	82,202,876	57,113,356
1961			63,000,000	[2] 73,794,239	63,000,000	[2] 73,794,239	[2] 65,160,717
Total	234,223,839	234,223,839	357,500,000	339,573,171	591,723,839	573,797,010	443,631,671
Total grant agreements					573,797,010		
Available for obligation July 1, 1961					[2] 17,926,829		

[1] Unused appropriation which reverted to the Treasury.
[2] Estimated.

Source: Federal Aviation Agency.

Mr. MONRONEY. Mr. President, I ask unanimous consent also to have printed at this point in the RECORD a discussion of the history and need of contract authority as contained in the committee report.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

CONTRACT AUTHORITY

Under existing law the Federal-aid-to-airports program is administered under advance contract authority. This system permits the Federal Aviation Agency to contractually obligate the Government through the execution of grant agreements and thereby furnishes airport sponsors with definite assurance that necessary Federal funds will be available at the time the projects are to be undertaken. Contract authorization permits are Agency and the local sponsors to program airport projects over a period of years. Such advanced programing is essential to the efficient and orderly development of an adequate airport system.

The need for advance contract authority is graphically demonstrated when one reviews the history of the airport program during the period from 1946 through 1955 when Federal funds could be obligated only as they were appropriated from year to year. The Federal Airport Act, enacted in 1946, recognized that airport development would have to be undertaken in stages over periods of at least 5 years to permit necessary advanced planning. It authorized a total amount of $520 million to be appropriated over a period of 7 years with the provision that not more than $100 million could be appropriated during any single fiscal year. This period was later extended without any increase in the authorization. Local authorities began planning for airport development on the assumption that the necessary Federal matching funds would be available in each of the 7 years. Since a number of States found that legislation was necessary to enable their political subdivisions to participate in the program only $42,750,000 was appropriated during the first fiscal year. It was anticipated, however, that appropriations would increase during subsequent years when the local authorities were able to complete their planning and financial arrangements. Regrettably, what was envisioned did not occur since the highest amount appropriated until contract authority was established was the $42,750,000 appropriated for the first year of the program. During the first 9 years under the appropriation system only $236,221,154 was made available out of the total of $520 million originally authorized for the first 7 years.

As discussed in another section of this report the Secretary of Commerce in 1953 determined that no funds for the airport program would be requested for fiscal year 1954 pending a study as to the need for Federal participation. As a result of the study $22,500,000 was requested and appropriated for fiscal 1955. While this amount

was recognized as clearly inadequate to meet airport needs at the time, the executive branch apparently determined that the amount was sufficient to match requests by local authorities, particularly in view of the fact that most of them had deferred planning pending completion of the study as to whether the Federal Government would continue to participate in the program. In fiscal 1956 the President in his budget requested an appropriation for airport aid in the amount of only $11 million. This amount was smaller than in any previous year with the exception of fiscal year 1954 during which no appropriation was made.

Because of the entirely unsatisfactory history of the airport program, the various local airport authorities appealed to Congress for relief. As a result the House Committee on Appropriations recommended an appropriation of $20 million, an amount almost double that requested by the President in his budget estimate. This recommendation was approved by the Senate Committee on Appropriations. The Senate Committee on Appropriations, recognizing not only the need for greater Federal participation, but also the need for adopting a system which would insure that Federal funds would be available on a firm basis stated in its report (S. Rept. 512, 84th Cong., 1st sess.):

"Many communications and statements have been presented to the committee by distinguished citizens. Members of the Senate and of the House of Representatives, urging an increase in this fund up to the maximum authorized to be appropriated in 1 year, which is $100 million. Testimony was presented to the committee as to the criteria employed by the administration in choosing airports for Federal aid under this authority.

"In view of the fact that decision is pending on legislation which would substantially change the pattern of selection and extend eligibility for aid to more of the communities throughout the Nation which have sold or authorized bonds, or by other means built up funds to match Federal grants aggregating more than $161 million, it is believed a larger appropriation would be of doubtful value to communities seeking the increased grants."

The Senate Appropriations Committee thus deferred to your committee the determination as to the funding system to be adopted in the Federal aid airport program.

A more detailed discussion of the legislative history of the Federal Airport Act is contained in another section of this report.

Your committee is convinced that only through the advance contract authority system of financing can the Federal Government adequately meet its responsibilities to provide the financial assistance and leadership in the development of an adequate national system of airports in the critical years which face aviation. Mayor William B. Hartsfield, of Atlanta, representing the American Municipal Association in testifying on the need for contract authority stated:

"Long-term continuity is absolutely essential if we are to have an orderly, efficient, and economical development of our national airport system. We cannot move ahead in fits and starts. We cannot continue to plan long-term programs and then have to postpone or abandon them because of the uncertainty of Federal financing. A 5-year program is essential in order to establish orderly development of our airports system.

"Along the same lines, a requirement to have the appropriations fixed on a year-to-year basis ignores completely the realities of capital programing and bond financing at the local level.

"I can say to you gentlemen with quite some experience behind me that it takes a long time to condition a town to the need for certain capital improvements. There must be a propitious time, there must be a consideration of other requirements as well as the airport; locally an airport must take its place with schools, sewers, and parks and streets and highways. It takes a long time in some States and longer in others to fulfill legal requirements. Bonds must be validated.

"Sometimes bonds are questioned by taxpayers and taken to the Supreme Court before they are finally validated. And then after they are validated, there comes a time when you must figure the market. If the market has gone down, you must wait until you get a decent market to sell your bonds.

"All of that requires a great deal of local time which it would be impossible to match if we were on the annual appropriation basis up here.

"In order to relate rationally all of our major municipal improvements to each other, including streets, sewers, school needs, police and fire protection, as well as airports virtually every municipality in the Nation now draws up its capital programs on a projected 5-year basis.

"After these capital programs are drawn up, anywhere from 6 months to a year is required to receive approval of the voters for our bond issues, and another 6 months to a year is required to complete the underwriting and financing of the bonds.

"If we bear in mind that these expenditures are required to protect the safety, not just of the citizens of Atlanta, or any particular city, but of all of the air-traveling public of America it seems to me that the Congress is faced with a clear choice. If it wants the localities to participate in providing the requirements necessary to protect the air-traveling public it must relate its financing provisions to the realistic capabilities of the local communities. A short-time authorization program, and particularly annual appropriations, makes programing at the local level impossible. If Congress insists on annual appropriations then it must be willing to shoulder the full cost of airport development."

Mr. Frank S. Pittenger, representing the American Association of Airport Executives, commented:

"You may ask why, if we have long-range plans, is it so essential to have long-range financing programs. The answer is summed up in the two words 'efficiency' and 'economy.' A knowledge of the rate with which Federal funds will be made available for airport development in a future fixed period.

"1. Permits proper planning for local financing, and particularly to raise matching funds.

"2. Permits orderly coordination of land acquisition, engineering, and construction.

"3. Permits the overall airport development to be initiated and completed in economical, logical stages.

"The wisdom of such a policy can be found in the Federal Aid Highway Act which included financing provisions over a 13-year span. This action provided assurance to the States of the Federal determination to provide adequate funds to develop the highway system, and assurance to the material and equipment industries, the highway planners and contractors and others associated with highway construction that they should make their plans and gear their activities to this defined long-range program.

"We are, therefore, encouraged to find in this bill the provisions to make matching funds available over the next 5 years. Airport planning and development are not something that can readily be turned off or on depending on the availability of funds at the moment. The time element involved in making the preliminary design, in establishing cost estimates, in organizing bond issues, in obtaining land, and in meeting the many other details is substantial; these steps cannot intelligently be accomplished on short notice. It would not then be unusual to have 4 or 5 years elapse between the time the need for a project was recognized and the time the project was in fact completed. Therefore, it is important, yes, imperative that the proposed 5-year extension of the act be considered as the minimum period in which Federal participation can definitely be anticipated. Unless the long-range approach is adopted, full value of the moneys spent on airport development will not be realized."

Clearly, the inadequacy of the airport program between 1947 and 1955 is ample demonstration that the annual appropriation system is not adequate. During the first 7 years under the annual appropriation system when the local communities were confronted with uncertainty from year to year as to whether funds would be made available they were only able to match $212,628,000. This is in contrast to the first 4 years under the advance contract authority system when they were able to match Federal funds in the amount of $204,588,000.

Because of the extreme fluctuations in the Federal funds made available from year to year, public agencies were understandably reluctant to make the financial, engineering, site selections, and other necessary plans for the development of an airport project. In a number of cases they had issued general obligation bonds for purposes of matching Federal funds but were unable to secure Federal aid as a result of inadequate appropriations. The appropriations system contributed in substantial degree to the failure to accomplish more than a small portion of the projects contemplated by the original act.

Your committee wishes to make clear its conviction that local communities must be given the necessary time required for airport planning with the firm assurance that Federal funds will be available when necessary if they are to be in a position to avail themselves of the assistance authorized under the act. The history of the administration of this program clearly shows that sufficient time to permit local planning is essential. For example, in 1947 local communities were in a position to match only approximately $3 million whereas in the second year, 1948, approximately $25,025,000 was matched. This is in striking contrast to the first years the contract method was employed when in 1957 they were able to match $45 million, slightly over $70 million in 1958, and nearly $73 million in 1959. The long and successful administration of the Federal highway program under contract authority lends strong support to the need for similar authority in the administration of the airport program. Aside from the substantial savings which accrue to the Federal Government as a result of a stable unfluctuating program, the advantages from the standpoint of effective administration of the program are self-evident.

Your committee does not subscribe to an approach which would have the Federal Government tell the local communities that "you can plan on $75 million and if we don't change our mind we'll match it." This is precisely the approach that prevailed in the period during which the annual appropriation method of funding was employed. Your committee wishes to make unmistakably clear its view that experience has proven the advance contract authority system of funding is essential if the Federal Government is to execute its responsibilities, as a participant in the development of an adequate national airport system, with dispatch, efficiency, and economy.

Mr. MONRONEY. Mr. President, the use of contract authority for the airport program was modeled on the successful

experience under the Federal highway program. I know of no more reason to abandon its successful use in the case of airports than to abandon its equally successful use in the case of highways.

Likewise, I think we would look rather silly, having authorized $7.5 billion for foreign aid a few hours ago, a part of which will be used to help the people of other countries in their development of airports, water supply, or other public works under a system identical to advance contract authority, to deny to the cities of America the right to vote their bonds with the same certainty that matching money will be available.

The Federal airport program is one which involves primarily cooperation between the Federal Government and municipalities, which in most cases are the local sponsors of airport projects. In almost every case they must rely on municipal bond issues to finance airport construction and improvement. They simply cannot provide local financing through bond issues without absolute assurance as to the level of the Federal funds which will be available if they vote the bonds.

This whole program has been based upon the necessity for painstaking advance planning. The Federal Aviation Agency issues, and revises periodically, a national airport plan which reflects the airport needs of every community in the country, and no project may be entertained by the Administrator unless it conforms to the national plan. Projects are then developed by municipalities, on the basis of the plan and in collaboration with the Federal Aviation Agency, to determine the total cost. Local communities must then be educated to the needs, bonds proposed, voted, issued, and sold to finance the local share of the costs. This is simply not a program that can operate successfully when neither the Agency nor the local communities know from one year to the next how much will be available in matching funds from the Federal Government.

The experience under annual appropriations during the first 10 years of the program was a completely unsatisfactory one, and this resulted from the nature of the program, and not from the action of the Congress.

I refer Senators to the table which has been inserted in the RECORD, and which appears on page 6 of the committee report. It illustrates the experience under annual appropriations, as contrasted to the experience after 1956 under contract authority. In 1947, the Congress appropriated $42 million. Continuation of appropriations at this level would not have supported all of the projects which were ready to go forward, so that many cities hesitated to vote bonds. As a result, fewer applications were received, and the next year the amount of the appropriation was reduced. This trend continued, with minor variations up or down, with the Congress providing $30 million in 1948, $36 million in 1949 and 1950, $21 million in 1951, $15 million in 1952, $9 million in 1953, and no funds in 1954. With each reduction, fewer projects obviously were submitted, because there were insufficient matching funds; and as fewer projects were submitted, the funds were further reduced, and the development of airports in the Nation went into a decline, and that situation resulted in a very dangerous condition.

It is for these reasons that I have asked for a record vote of the Senate to sustain the committee's recommendation to continue contract authority. If this type of financing were never going to be used, even where it is the most efficient to accomplish the purposes of the program, that would be bad enough. But let us not single out the airport program as the sole victim, while other programs, such as that for the construction of highways, and the program of granting foreign aid to almost all the countries around the world, by loans, as was voted earlier today by the Senate, continue.

Mr. LAUSCHE. Mr. President, will the Senator from Oklahoma yield?

The PRESIDING OFFICER (Mr. METCALF in the chair). Does the Senator from Oklahoma yield to the Senator from Ohio?

Mr. MONRONEY. First, let me ask how much time remains under my control?

The PRESIDING OFFICER. Eight minutes.

Mr. MONRONEY. I yield to the Senator from Ohio; but I ask him to be very brief, please.

Mr. LAUSCHE. I shall be.

Let me ask whether the staff knows how much we are providing annually for directional signals, weather service, and so forth. How much are we spending for that on the Federal level?

Mr. MONRONEY. I do not have that information before me at the moment. Those items were contained in the independent offices appropriation bill. But we are spending a great deal of money, and we need to spend it where it is needed the most—at the points where the planes leave the element of the air and come onto the element of the ground. That is why we have increased the funds for lighting. Expenditures for that purpose are the most economical expenditures we can make. The runway markers to which the Senator objects, cost perhaps $10 each, and are usually placed a thousand feet apart on the runways—which makes that cost for a runway about $200, which is subject to matching funds. Certainly the lighting of runways is the least costly program of any. The approach lighting has been done 100 percent at Federal cost. So a 3,000-foot pattern of light for illuminating the approach to a runway is still being provided at the same rate. On the other hand, there have been very few increases of the kind the Senator has complained about, insofar as the lighting is concerned.

Mr. LAUSCHE. I am not objecting to that, but I object to the increase in the percentage of participation.

Mr. MONRONEY. I appreciate the position of the Senator from Ohio, and I respect his position.

Mr. McNAMARA. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. McNAMARA. I am on the side of the Senator from Oklahoma, and I am opposed to the Proxmire amendment.

However, I believe it unfair continually to compare the highway program, which is paid for by the highway users, with this program. The $40 million to which reference has been made is largely provided by means of the taxes paid by those who use the roads.

Mr. MONRONEY. That is true. But, in addition, $60 million from the aviation gasoline tax goes into the highway program, and DC–6's should not be using the highways. So credit should be given to aviation for the money paid into the Treasury by means of the gasoline tax.

Mr. McNAMARA. But the Senator has referred to the $40 million, which is almost entirely paid for by means of the taxes paid by those who use the highways.

Mr. MONRONEY. But this is also true of airport users if you count the aviation gasoline tax which goes into the highway fund and count the passenger tax of 10 percent which goes to the Federal Treasury. Unfortunately, the bookkeeping is not kept in such good order as it is in the case of the highway program.

Mr. McNAMARA. I think that is a good point, but I do not want to have the highway program condemned.

Mr. MONRONEY. They are both good programs, and the distinguished Senator from Michigan has always been a very good friend and advocate of both.

Mr. RANDOLPH. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. RANDOLPH. Mr. President, there is no disagreement with the observation of the capable senior Senator from Ohio [Mr. LAUSCHE] in reference to the need for sturdy characteristics of responsible citizenship. But I submit to my colleagues, that this is not at issue on the pending amendment. I speak, I reiterate, in all deference to my colleague from Ohio.

Senator LAUSCHE contends that this necessary expenditure, argued for so effectively by the junior Senator from Oklahoma, is a stepped-up subsidization. It is, as Senator MONRONEY responds to the charge, rather a program of participation. I will go further and state that it goes further than a Federal and State and/or local political subdivision. It is an investment not only for an orderly development of commerical airports used by scheduled and general aircraft, but the long-term program is a definite contribution to the building of airports for defense purposes.

The Senator who handles this bill is correct in his clear and persuasive opposition to this amendment.

Mr. President, I offered the resolution which was adopted in the House of Representatives in 1945 which brought to the Congress the survey of our airport needs. In 1946 I cosponsored the Federal Aid to Airports Act. During the early period of that program annual funds were appropriated.

The year-to-year basis lacked the necessary stability, even though progress

was made. Cities were prevented from making financial arrangements in this method of financing. Advance planning is vital to a well-rounded and continuous effort, and in 1955 a plan of Federal aid on a 4-year basis was obligated. Local sponsors need time to provide local financing through bonding, and so forth. We need now to take a further long-range determination. West Virginia has benefited by airport expansion. I am pleased to cosponsor the bill, S. 1703.

Mr. MONRONEY. I thank the Senator from West Virginia for his comment.

Mr. President, I reserve the remainder of the time available to me.

Mr. PROXMIRE. Mr. President, there is absolutely nothing in my amendment or in the action of the House of Representatives which would prevent the Appropriations Committees from recommending appropriations of $375 million at the very beginning, if they wished to do so. My argument is that the Appropriations Committees should have an opportunity to work its will, and that that is the only way that can be done. But the fact is that under the bill as it now stands the Appropriations Committees' function washes out and means nothing. This authorization will give the FAA the right to make final ironbound contracts. Practices over the past several years show that they will do so and commit all $375 million before any appropriation is made. This means the Appropriations Committees must approve all—every nickel of the $375 million. It will have no other choice unless it chooses to violate a contract. It will not do so. We know that.

However, the Constitution provides, in article 1, section 9, paragraph 7, that—

> No money shall be drawn from the Treasury, but in consequence of appropriations made by law; * * *.

But the bill as it now stands provides that the contracts shall be made by the Federal Aviation Agency, and that then the Appropriations Committees shall have no alternative but to honor those contracts.

Mr. President, it seems to me that this amendment is the least we can provide, and that what it provides is the least we can ask.

I should like to add that the aviation industry is the most heavily subsidized in America. Who fly the Cessnas and the Convairs? Only the very wealthy; in fact, one has to be able to afford more than one Cadillac, in order to be able to afford to own such planes. One must be able to afford three or four Cadillacs in order to be able to own one. But 60 percent of the use of our airports is by the private industry or by the businesses which are able to operate these planes, and of course they can well afford to pay the higher user taxes which they would be required to pay if some of this burden were borne by the users.

The fact is that our subsidy to the airports, to the aviation industry, is more than $800 million. The fact is that we get from the aviation industry, in fuel taxes and taxes on passengers who use the airlines, less than $200 million. This is a 4-to-1 subsidy. There is no comparison with the highway program, under which user taxes more than pay the cost.

It seems to me that action on this amendment will be based on whether or not there is any feeling that the Appropriations Committee should have an opportunity to act when grants are made by the Congress. I cannot conceive of any justification for having an Appropriations Committee if, under these circumstances, Congress does not give the Appropriations Committee the opportunity to pass on grants which are made to airports under the bill.

I think the action taken by the House was very wise and sensible. Plans can certainly be made in advance. The only question is, Do we trust the Appropriations Committee?

It is true that in 1953 very little was granted for airports. In 1954 nothing was granted. That was the decision of the Appropriations Committee. Perhaps under my amendment we would spend a little less money. What a crime that would be. Perhaps we would save money. The Appropriations Committees are the committees which the Senate and House have placed in charge of providing funds, and there will be no appropriation process if we do not take this procedure.

Mr. MONRONEY. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from Mr. N. E. Halaby, Administrator, to Hon. WARREN G. MAGNUSON, chairman of the Committee on Interstate and Foreign Commerce, explaining this subject.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEDERAL AVIATION AGENCY,
OFFICE OF THE ADMINISTRATOR,
Washington, D.C., July 18, 1961.

HON. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: On July 13, the Committee on Interstate and Foreign Commerce of the House of Representatives reported out proposed legislation which would extend the airport program authorized by the Federal Airport Act. This legislation is the companion bill to S. 1703 which is currently being considered by your committee.

The House bill, H.R. 8102, as reported by the Interstate and Foreign Commerce Committee, makes substantial changes in the legislation originally proposed to the Congress by the President in his letter of April 24, 1961. Essentially, these changes convert the legislation proposed by the President from a bill which would provide a 5-year grant of advance contract authority of $75 million a year to a bill which authorizes the appropriation of $75 million for 5 years. By providing in the substantive legislation only for authorization of direct appropriation, instead of granting advance contract authority, the aviation industry, the States, and their local political subdivisions would not, by the passage of such a law, be given any firm congressional assurance of long-term Federal aid.

As you know, we believe the key to a successful Federal airport program is assurance extending over a period of several years that specific amounts of Federal funds will be available each year for airport development. It is only with such long-term assurance from the Federal Government that the States, cities, and counties can do the forward thinking necessary to properly plan for, and make the necessary financial arrangements to assure, the airport development which they need. We believe that the record made by your committee in hearings on S. 1703 makes this fundamental fact abundantly clear. Indeed, this record contains strong testimony from practically every witness that the past history of the airport program shows that the direct appropriation technique of financing the airport program simply will not work.

For these reasons, I regret that the House committee considering this legislation did not see fit to follow the recommendations of the President and provide for the financing of the airport program by contract authority. We do feel very strongly that the past history of this program shows that the system of advance contract authority is the surest way by which we can give the States and their political subdivisions the necessary long-term assurance of Federal aid.

H.R. 8102, as reported by the House Committee on Interstate and Foreign Commerce, also provides that State-apportioned funds are to remain available for obligation prior to redistribution for 2 years, instead of the 1 year recommended in the legislation proposed by the President. We understand that the recommendation of the Aviation Subcommittee of your committee is to the same effect. We would hope that the full committee would reconsider this and return to the original recommendation of the President because we believe that redistribution every year, instead of every 2 years, is necessary in order to assure maximum utilization of available funds.

In conclusion, this Agency hopes that the Committee on Interstate and Foreign Commerce of the Senate will report favorably those provisions of the bill providing the advance contract authority recommended by the President, and that it will restore the original provision of the legislation providing for annual redistribution of State-apportioned funds.

Sincerely,

Jeeb,
N. E. HALABY,
Administrator.

Mr. MONRONEY. Mr. President, only a few hours earlier we decided to permit agreements with foreign nations prior to appropriation of the funds. I do not think we should deny the same system to those who are trying to build airport facilities under a matching arrangement.

I yield back the remainder of my time.

Mr. PROXMIRE. I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from Wisconsin [Mr. PROXMIRE]. The yeas and nays have been ordered on this question, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Mississippi [Mr. STENNIS], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Virginia [Mr. ROBERTSON], the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], and the

Senator from New Mexico [Mr. CHAVEZ] are absent because of illness.

I further announce that, if present and voting, the Senator from Nevada [Mr. BIBLE], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from New Jersey [Mr. WILLIAMS] would each vote "nay."

On this vote, the Senator from New Mexico [Mr. ANDERSON] is paired with the Senator from Virginia [Mr. BYRD]. If present and voting, the Senator from New Mexico would vote "nay," and the Senator from Virginia would vote "yea."

On this vote, the Senator from Minnesota [Mr. HUMPHREY] is paired with the Senator from Virginia [Mr. ROBERTSON]. If present and voting, the Senator from Minnesota would vote "nay," and the Senator from Virginia would vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] is absent because of death in his family.

The Senator from Nebraska [Mr. HRUSKA] is absent on official business, and if present and voting, would vote "nay."

The Senator from Utah [Mr. BENNETT] is necessarily absent.

The Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Kentucky [Mr. COOPER], and the Senator from Vermont [Mr. PROUTY] are detained on official business.

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Connecticut [Mr. BUSH]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Connecticut would vote "nay."

The result was announced—yeas 9, nays 73, as follows:

[No. 178]

YEAS—9

Case, S. Dak.	Hickenlooper	Proxmire
Curtis	Lausche	Russell
Douglas	Miller	Wiley

NAYS—73

Aiken	Gruening	Morse
Allott	Hart	Morton
Bartlett	Hartke	Moss
Beall	Hayden	Mundt
Boggs	Hickey	Muskie
Burdick	Hill	Neuberger
Butler	Holland	Pastore
Byrd, W. Va.	Jackson	Pell
Cannon	Javits	Randolph
Capehart	Johnston	Schoeppel
Carroll	Jordan	Scott
Case, N.J.	Keating	Smathers
Church	Kerr	Smith, Mass.
Clark	Kuchel	Smith, Maine
Cotton	Long, Mo.	Sparkman
Dirksen	Long, Hawaii	Symington
Dodd	Long, La.	Talmadge
Dworshak	Magnuson	Thurmond
Ellender	Mansfield	Tower
Engle	McCarthy	Williams, Del.
Ervin	McClellan	Yarborough
Fong	McGee	Young, N. Dak.
Fulbright	McNamara	Young, Ohio
Goldwater	Metcalf	
Gore	Monroney	

NOT VOTING—18

Anderson	Carlson	Kefauver
Bennett	Chavez	Prouty
Bible	Cooper	Robertson
Bridges	Eastland	Saltonstall
Bush	Hruska	Stennis
Byrd, Va.	Humphrey	Williams, N.J.

So Mr. PROXMIRE's amendment was rejected.

Mr. MONRONEY. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table.

The motion to lay on the table was agreed to.

Mr. MONRONEY. Mr. President, for the information of Senators, by agreement there will be no further yea-and-nay votes tonight. I believe only one amendment will be offered, and the committee intends to accept it.

As to the consideration of the bill tomorrow, there will perhaps be a yea-and-nay vote on one other amendment, to be considered after the morning hour tomorrow.

ORDER FOR ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations this evening, it stand in adjournment until 9 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR CALL OF THE CALENDAR TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of morning business tomorrow, there may be a call of measures on the calendar to which there is no objection, the call to start with Calendar No. 726; and to continue thereafter beginning with Calendar No. 770.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF FEDERAL AIRPORT ACT

The Senate resumed the consideration of the bill (S. 1703) to amend the Federal Airport Act so as to extend the time for making grants under the provisions of such act, and for other purposes.

Mr. BUTLER. Mr. President, I associate myself with the favorable comments which have already been made about S. 1703, of which I am a cosponsor, and offer a few comments of my own.

I cosponsored this measure because I feel that the bill is a must. It provides the necessary impetus to the continued development of our national airport system and at the same time places an accent on air safety to a degree that was not prevalent heretofore. It is a good bill because, if passed, it will provide the means necessary to implement the national airport plan for the fiscal years 1962–66 recently released by the Federal Aviation Agency. It is a necessary bill because air transportation is playing an increasingly important role in the economy of the Nation and is an essential element in national defense.

That air transportation has become an indispensable part of our economy is revealed by statistics which were developed at the Aviation Subcommittee hearings on this bill.

Those hearings revealed that the aircraft manufacturing industry employs 735,000 people in the manufacture of aircraft and aircraft parts and that this figure exceeds the number employed in any other manufacturing industry.

Since 1946 the number of civil aircraft has increased from 10,000 to 86,583, in addition to private executive aircraft of approximately 25,000, and the number of airline passengers has increased from 12 million to 56.4 million. By 1965 it is expected that there will be in excess of 76.9 million airline passengers and by 1970, 100 million. Air cargo has increased to the extent that every 9 days there is transported an amount equivalent to the total amount carried in 1949.

This increase has been on a nationwide basis. It is not restricted to one locality or one region; therefore, responsibility for the expansion of our network of airports must lie with the Federal Government. The Federal Government assumed this responsibility in 1946, in the 79th Congress, the Federal Airport Act was passed with its stated purpose being "to provide a system of public airports adequate to anticipate and meet the needs of civil aeronautics."

The bill before us at this time, S. 1703, not only will continue with added impetus the program started in 1946, but also it puts, quite correctly and necessarily, greater emphasis on safety. The committee hearings revealed that for the period 1946 through 1958 accidents at the few large airports handling 50 percent of the air carrier traffic were about half as many as those experienced at airports which tend to lag behind in the installation of the most modern safety facilities. This bill will, as much as possible, prevent such "foot dragging" in the future because it will make it a condition precedent to receiving Federal funds that the airport and its facilities are operated in a safe condition and that the airport authorities make proviso for the installation of certain specified landing aids.

Safety should, of course, be in the forefront in any aviation project. It deserves and demands the highest priority, and this bill requires that it be given that priority or, as noted above, Federal assistance will not be forthcoming. Less essential purposes must stand aside until the safety needs of air travel are met. The airport conveniences and comforts must come later. Passenger parking lots or lounges, for example, while desirable are certainly not as essential as adequate runways or runway lighting or other aids designed to protect life and property. Funds for such are, therefore, specifically excluded from projects financed under the act. Virtually every section of this bill is aimed primarily at the objective of greater safety for the public, and that is as it should be.

In authorizing a 5-year program of Federal assistance for airport development, the bill will contribute materially to long-range planning. It will enable

communities in Maryland and throughout the Nation to look forward to greater airport development on a thoroughly analyzed, well-programed basis which, I believe, will do nothing but yield substantial dividends in the future.

The bill is designed to assist the huge commercial fields such as Friendship Airport in my State at Baltimore. But it does not stop there. Included also is provision for a special fund to aid in the development of airports for general aviation, the nonairline segment of aviation. This will substantially assist the smaller airports, of which we have many in Maryland. I regard this as an extremely important and necessary provision because development of the smaller fields will become increasingly important. It recognizes the fact that at the end of 1960 there were more than 110,000 registered aircraft in the country and that less than 2 percent of them were airline transports. Development of facilities for general aviation will help to relieve the congestion at airports which have a high density of airline traffic and thus make a real contribution to safety. In addition it will insure that these smaller airports are equipped with the latest safety devices.

In any program such as this it is, of course, imperative that the program should be initiated by the locality but, as pointed out above, the effect is national in scope and, therefore, must have continuity and organization. For that reason, the act requires the Federal Aviation Agency to prepare the national airport plan, to which I have already referred. That plan must specify the projects considered necessary to insure a system of public airports adequate to meet the demands of the various segments of aviation. The plan for the fiscal years 1962 to 1966 was published by the FAA in April 1961 and, pursuant to the Federal Airport Act, airports not included therein are not eligible for Federal financial assistance. Even those airports and municipalities which are included in the plan must submit and have approved by the FAA a master plan of their proposed airport development before they can share in the Federal matching funds. Such a system of Federal supervision over the expenditure of millions of dollars of Federal funds has, in my opinion, a dual purpose. Initially, it insures a program with continuity and substance with an accent on safety rather than plush waiting rooms. Second, it will reduce the amount of waste, which would otherwise be inherent in such an undertaking, because of the check that such supervision places on ill-advised and unneeded programs.

This bill, as I have already stated, will benefit the whole country. Of importance to my State of Maryland, however, is the fact that its airports will benefit to the extent of $541,350 annually by way of allocations plus other benefits that it may qualify for from the annual discretionary fund of $16,625,000 or from the annual general aviation fund of $7 million.

Of Maryland's 11 public airports, the only ones that qualify under the act, 9 were approved by the FAA in the recently published plan to participate in the program. In addition, it proposed two new airports, one at Baltimore and the other, to serve general aviation needs, at Ellicott City.

These airports are certainly needed. Equally important and vital to the overall program, as well as to the continued development and progress of aviation in Maryland, however, are the improvements suggested and recommended by the FAA at Friendship Airport in Baltimore, and at the airports in Crisfield, Cumberland, Easton, Gaithersburg, Hagerstown, Oakland, Ocean City, and Salisbury.

When completed, Maryland will most assuredly have a vastly improved, efficient, and safe network of airports.

Mr. President, this is a good program. It is a necessary program. It will benefit the public and it will benefit the entire country, not only because it will permit the continued development of an efficient, well-coordinated airport program, but because of the utilization that can be made of such a system for purposes of national defense in times of emergency. I urge all my colleagues to vote in the affirmative for this important issue and thereby allow the program to continue without interruption.

Mr. MONRONEY. Mr. President, the distinguished Senator from Alaska [Mr. BARTLETT] wishes to offer an amendment.

Mr. BARTLETT. Mr. President, I offer my amendment, which is printed, and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 5, between lines 15 and 16, it is proposed to insert the following:

(c) Paragraph (3) of section 6(b) of such Act (49 U.S.C. 1105(b)(3)) is amended by striking out "and national forests" and inserting in lieu thereof "national forests, and special reservations for Government purposes."

On page 5, line 16, redesignate subsection (c) of the bill as subsection (d).

On page 9, line 13, before the period, insert a comma and—

and by inserting before the period at the end thereof a comma and "or a special reservation for Government purposes".

Mr. BARTLETT. Mr. President, I shall not take long to describe the amendment. Actually, it is intended to make it possible for the Department of Interior to apply for discretionary funds so that an airstrip may be built on St. George, one of the Pribilof Islands, the site of the great fur seal fisheries.

With the passage of the bill, Mr. President, Hawaii and Alaska for the first time will come within the general provisions of the Federal Airport Act. That act provides that Federal agencies may apply for discretionary funds for airport projects in national parks, recreation areas, monuments, or forests.

My amendment would extend the existing authority to the Pribilof Islands, so that one field could be built on one island in the Bering Sea.

I hope the amendment will be accepted by the committee.

Mr. MONRONEY. Mr. President, the distinguished senior Senator from Alaska favored the committee with a complete description of the project. As the Senator has pointed out, the act states:

(3) Such discretionary fund shall also be available for such approved projects in national parks and national recreation areas, national monuments, and national forests, sponsored by the United States or any agency thereof, as the Administrator may deem appropriate for carrying out the national airport plan;

Unfortunately, we did not know about the grandeur of the Pribilof Islands under the control of the Secretary of the Interior, so we did not specify them.

Therefore, the Senator has done the committee a service by pointing out the problem of these islands.

We are very happy to accept the amendment of the distinguished Senator from Alaska, because the State of Alaska will become one of the key points on the worldwide aviation network. The airport which would be permitted under the amended language would add more fields for air commerce in the great new State. We are happy to accept the amendment.

Mr. BARTLETT. Mr. President, before concluding, I wish to join the distinguished Senator and other Senators who have spoken words of praise for the work of the Senator from Oklahoma [Mr. MONRONEY] in fashioning the bill and bringing it to the Senate. As a member of the Subcommittee on Aviation, I know the devotion and labor which the Senator applied to the proposed legislation, which in my judgment points the way to the continued development of our national aviation system. I know, too, he had to reconcile a variety of viewpoints, but he always kept his vision fastened upon the National, State, and local interest.

I think he has brought to the Senate proposed legislation which will advance the cause of this important industry. Those in the field of civil aviation owe a great debt to the Senator from Oklahoma. It has been a real pleasure to me to have been able to serve under him on the committee.

Mr. President, the air transport industry has a great record of growth. Less than a decade ago, the train and bus carriers each handled more scheduled passenger-mile traffic between cities than the airlines. Today, the airlines carry almost as many passenger-miles in scheduled service as the railroads and highway motor carriers combined. Since 1950, the domestic and international air passenger traffic has more than tripled, and cargo traffic has more than doubled.

Statistical forecasts relative to all forms of aviation speak for themselves. In 1950 there were 15 million air carrier revenue passengers in the United States. In 1960 there were 56.4 million such passengers. The Federal Aviation Agency estimates that there will be 81 million passengers in 1966, the terminal date for the proposed legislation, and 100 million passengers by 1970.

Statistics relating to air transport of cargo are equally startling. In 1950 domestic air cargo ton-miles equalled a

little over 200 million. In 1960 operations reached 577 million miles. The FAA estimates that this figure will equal 1.2 billion miles in 1965 and 2 billion miles in 1970, an increase of almost 1,000 percent over a 20-year period.

The necessity for an integrated system of public airports was succinctly stated as long ago as 1952 by General Doolittle in a special report to the President:

> No airport exists by itself, and the usefulness of each depends upon the quality of its neighbor. Fundamental to U.S. air transportation is a well-integrated system of airports which provide adequate facilities both at origination and destination points.

It is precisely to provide for this integrated airport system that the proposed legislation should be enacted. In view of the projected increases in all forms of aviation, in view of the new dangers that these increases will precipitate, and in view of the inadequacy of existing facilities to handle even the demands of this day, S. 1703, which represents an extension of the original Federal airport program, is needed to continue the efforts which have already been made.

It should be pointed out that domestic aviation represents only a part of the picture. In 1959 the general aviation fleet consisted of over 75,000 aircraft which flew approximately three times as many hours and twice as many miles as the domestic certified airlines, thereby accounting for 51.2 percent of all aircraft operations. According to the FAA, the most outstanding feature in the development of general aviation flying has been the greatly increased use of the airplane for business transportation, agricultural and industrial pursuits, and air taxi service. Thousands of business organizations and individuals have come to depend on air travel. Business enterprises own and operate aircraft ranging from single engine planes to DC–3's, turboprop jets, and F–27's, with some pure jets already joining the business fleet. In this connection, the National Business Aircraft Association emphasized that "the business community of the United States is directly affected by the existence of a sound airport development and modernization program." The association, furthermore, unhesitatingly supports the aims of the legislation which we consider today.

Airports cannot, however, be considered solely as vital links in our commercial transportation system. They are closely related to the exclusive Federal responsibility for the defense of the United States and the maintenance of our national postal system. Commercial airports will supplement military airports in times of peace, and may provide the only alternative facilities in the event of attack. Relative to the use of these facilities, I wish to remind the Senate that the Federal Airport Act requires that local sponsors guarantee military access and use of all airports constructed with Federal funds.

The former Postmaster General, in a speech delivered to the U.S. Chamber of Commerce in Washington, D.C., stated on April 29, 1957:

> The Post Office can no longer rely, to the extent that it once could, on the railroads of the country for carrying the mails between post offices. There are only 2,600 mail-carrying trains in contrast to more than 10,000 a quarter of a century ago. Today 70 percent of our post offices cannot be reached directly by train connections.

The implications are clear. For Alaska, where almost all mail of every kind is transported by air, they are especially clear.

I support S. 1703 with great enthusiasm not only because it is of vital importance to the Nation, but also because it will for the first time allow Alaska to participate on an equal basis with the other States. In view of Alaska's great size, her needs are nearly incalculable.

Though Alaska's population is low, her growth rate over the last decade has been 75 percent, which is substantially more than the total gain of 43 percent in the United States during the same years. There is every reason to believe, furthermore, that as Alaska's great potential for the development of her natural resources is increasingly realized, this trend will continue and will even accelerate. I might add that most of the gain in civilian population from 1950 to 1960 has come from the outside; that is, from the other States. Citizens from other States will travel in increasing numbers to Alaska, and it is indispensable for the national welfare that safe and easy transportation facilities be available to them. These facilities precede the development of Alaska's vast natural resource potential, and in turn will attract citizens from other areas to aid in this development.

There exist, unfortunately, a great number of small communities scattered over Alaska's 586,000 square miles which are not accessible by road or water. In fact, most of the communities are so situated. The people of these communities are deprived, and will continue to be deprived of those advantages that the citizens of the other States now often take for granted, unless action is taken by the State and Federal Governments.

Air facilities must be improved or constructed not at a few large cities, but at more than 100 small communities. Alaska's estimated costs are high, then, because the airport plan for the State is geared to the development of the Alaska transportation system as a whole, and not to construction concentrated at two or three sites. Unfortunately, airports for use by communities of smaller population do not cost proportionately less than those for use by communities serving large population areas.

To illustrate the exceptional importance of air transportation to Alaska, I submit the following résumé of existing surface transportation facilities in the State. The evidence speaks for itself.

The Alaska Railroad is the backbone of Alaska's surface transportation system. Yet despite Alaska's great size, the main line, connecting Seward and Whittier with Fairbanks via Anchorage, is only 470 miles long, and there are only 58½ miles of branch trackage. Furthermore, there is no rail connection with trunklines in Canada or the other States.

Intercity highways in Alaska total slightly over 5,200 miles in length. This is equivalent to about 1 mile for every 112 square miles of area, in contrast to an average of about 1 mile per square mile in the other States. The lack of adequate funds over the years has been the reason for the small highway mileage. Only since last July have Federal aid highway funds been made available to Alaska on an equal basis with the other States.

Waterborne commercial freight between Alaska and the other States runs at a level of about 600,000 tons annually, which is 12 times the volume moving by highway. Yet no regular passenger service is now available by sea, except seasonally between Seattle and southeastern Alaska, and this by foreign vessels. By way of illustration, the only year-round access to Juneau, the State's capital, is by air, as there are no roads leading to or from the city. Such reliance on a single transportation medium necessitates a vastly increased program for the expansion and improvement of that medium.

Notwithstanding the need for the development of intrastate and interstate air facilities in Alaska, funds must remain for the improvement of international facilities. Though Fairbanks and Anchorage International Airports have recently been improved, projected increases in international travel through Alaska will require additional expenditures for safety facilities.

I would add here that Alaska's potential for tourism is limitless. In order to provide incentives for U.S. and international travelers to linger in Alaska, however, transportation facilities within the State must be improved. In connection with this administration's recent effort to attract tourists to this country, and in view of the importance of leaving a good impression on foreign people, much needs to be accomplished in Alaska. Needless to say, not only Alaskans, but citizens of the other 49 States will benefit from these improvements.

The acquisition of Alaska in 1867 was a landmark in the history of this Union. The significance of this acquisition has only been realized during the last decade, and it seems clear that as the natural resources of the continental United States are gradually depleted, Alaska's importance as a provider of these resources will grow. Enormous land areas remain, furthermore, unexplored.

In short, it is impossible to tell what untold riches may still be hidden in a land which, measured between its extremities, spans distances as great as those coast to coast and border to border within the continental United States. These riches will not be discovered, and the existing resources will not be developed unless there are adequate communication and transportation facilities available. Once deposits are discovered, and the land is adequately surveyed, surface facilities will have to bear the burden of development, but until that day air travel is the only satisfactory medium for achieving objectives which are of incontestable importance.

Related to the development of Alaska's natural resource potential is the development of an adequate defense system. An important obstacle in this area is again a lack of knowledge of Alaska's interior. Exploration requires access, and exploration on a large scale requires easy access. Easy access to the interior of Alaska is possible only by air.

Admittedly, there are separate appropriations for military construction, but the development of civilian air facilities is necessary to supplement military facilities which already exist. Alaska's strategic location in the hemisphere and its proximity to China and the Soviet Union make this development of primary importance. In the event of war, a possibility which we must strive to prevent at any costs consistent with the preservation of those freedoms which we cherish, military bases will be the first to be stricken. We must have, therefore, other access to the crucial military installations which have been and are being constructed in Alaska. The civilian airport system could, in the event of a national emergency, supplement the existing military system and could, when necessary, service the missile detection system in Alaska which is constructed to protect a large segment of our northern border from polar attack.

I wish to submit for consideration by this Senate a résumé of existing air travel and air facility statistics in Alaska and a projection of future needs as formulated by the Airport Planning Branch of the Federal Aviation Agency. In 1959, each Alaskan made 1.4 trips by air, while in the 48 States only one quarter of the people traveled by air. Alaska ranks first in all the States in active civil aircraft ownership in relation to population, with 63.2 aircraft per 10,000 population, or 48.9 aircraft per 10,000 population—more than any other State. As of December 31, 1959, Alaska had 344 airports, of which only 131 were general, while 213 were limited or restricted. The latter are in desperate need of improvement. Of the 131 general airports, 61 had runways of less than 3,000 feet, while only 17 had runways of 7,000 feet or more.

To illustrate the growth of air travel since 1956 and its importance to the well-being of the State of Alaska and the United States, one need only consider the number of airports which have been constructed in Alaska since that year. In 1956 there were 82 civil and military airports and airfields in the State. In 1957 there were 281; in 1958, 297; and in 1959, 344 such facilities. Anchorage International Airport traffic increased from 63,173 to 98,138 air carrier passengers during the same period. Overall revenue-ton-miles in scheduled intra-Alaska air traffic increased from 1,990,334 in 1950 to 7,627,000 in 1959.

The Federal Aviation Agency reports, Mr. President, that Alaska needs improvement and new construction at about 115 localities. A conservative cost estimate for these projects is $29,692,000. Alaska's program under the apportionment formula could reach $31,958,750, which includes both Federal and State money. The FAA estimate does not include, however, the development of such sites as the propsed Sitka Airport, for when the national airport plan was being prepared, Sitka was omitted since a site had not been selected and cost estimates varied between $5 and $14 million. If the $5 million minimum estimate had been used, the 5-year total estimate would equal $34,692,000, or $2,733,250 more than full utilization of the provisions of S. 1703 would provide.

The National Airport Planning Branch took cognizance of its conservative estimate, however, and therefore included in the national airport plan the following statement:

> An exception to the national airport plan policy of specifying development regardless of the ability, intent, or commitment on the part of the community to proceed with airport development is made for Alaska. Aeronautical needs and comparative financial ability are peculiar to that State. The necessary locations are included in the plan but because all the Alaskan development needs could never be expected to be fulfilled within the time limits of the plan, they have been omitted in many instances to avoid an unrealistic presentation of the total estimated requirements.

Mr. President, the Federal Airport Act authorizes funds which are necessary to the economic and cultural welfare of the Nation, to our defense efforts, to the demands of the jet age, and to the increased demands of domestic and foreign commerce. The far-reaching implications of this piece of legislation will affect literally every citizen. S. 1703 is not a special-interest bill, but one that is essential for the maintenance of our position as a world leader, both in terms of our standard of living, and in terms of our ability to defend and promote elsewhere our cherished democratic institutions.

I am grateful to the Senator from Oklahoma for accepting the amendment.

Mr. MONRONEY. I thank the Senator for his praise of an achievement which he is entitled to share as much as I, because our committee knows no partisan division.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the distinguished Senator from Texas as much time as he may require.

Mr. YARBOROUGH. I appreciate the kindness of the Senator from Oklahoma in yielding to me. Mainly, I wish to pay a tribute to him for his leadership on the Federal-aid-to-airports program. My State is very much interested in the proposed program, and has been very much interested in it in the past. Texas has more airfields than any other State, with the possible exception of California. We need to develop more. We are developing them. The proposed program has been a great stimulus in my State for the development of airfields and the development of air transportation. We are extremely happy that from our next-door neighbor, the State of Oklahoma, has come the chairman of the Subcommittee on Aviation, the distinguished Senator from Oklahoma [Mr. MONRONEY], with his wide knowledge of this subject.

The Senator from Oklahoma is known in aviation fields all over the country. He has helped to build up our domestic airway system, our transport system, our travel systems, and our communication system. In doing so we have been strengthened immeasurably by the leadership that he has given year after year.

As a member of the full Committee on Commerce, I know the diligence with which he has pursued bills on this subject. I think the Senate is extremely fortunate to have the Senator from Oklahoma in the position of chairman of the subcommittee. I am happy to be a cosponsor and supporter of the bill.

Mr. MONRONEY. The Senator is always an early sponsor of proposed legislation in this field. As a member of the full committee, he has been a leader in supporting the subcommittee on questions of national concern. I congratulate him on the great advancement of Texas in the field of aviation. Perhaps more transcontinental air traffic passes through Texas than any other State in the Union. The people of Texas have long been progressive in that field. I thank the distinguished Senator.

Mr. President, I yield back the remainder of my time.

Mr. BARTLETT. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alaska.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL REPORT OF A COMMITTEE

The following additional report of a committee was submitted:

By Mr. ENGLE, from the Committee on Commerce, with amendments:

H.R. 6775. An act to amend the Shipping Act, 1916, as amended, to provide for the operation of steamship conferences (Rept. No. 860).

ADDITIONAL BILLS INTRODUCED

The following additional bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as indicated:

By Mr. LONG of Louisiana:

S. 2499. A bill to authorize the continuation of certain inspection activities of the Secretary of the Interior; to the Committee on Commerce.

By Mr. FONG:

S. 2500. A bill to provide for the adoption of a perpetual calendar; to the Committee on Commerce.

By Mr. DOUGLAS:

S. 2501. A bill to establish the Franklin Delano Roosevelt Memorial National Park; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. DOUGLAS when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS (for himself and Mr. DIRKSEN):

S. 2502. A bill authorizing the Administrator of Veterans' Affairs to convey certain property to Loyola University of Chicago; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. DOUGLAS when he introduced the above bill, which appear under a separate heading.)

A LIVING MEMORIAL FOR FRANKLIN DELANO ROOSEVELT

Mr. DOUGLAS. Mr. President, I introduce for appropriate reference a bill to establish a Franklin Delano Roosevelt Memorial National Park to be located on the Potomac River between the Lincoln Memorial and the Jefferson Memorial.

This proposal was originally introduced in the House by Representative HARRIS M. MCDOWELL and represents the type of practical memorial that would be appropriate to the memory of Franklin Delano Roosevelt. Throughout his boyhood and later during his long years of public service, Franklin Roosevelt was keenly interested in nature, the conservation of the Nation's natural resources, and the beauty of our cities and countryside. His concern for the preservation of the natural beauty of this land of ours is most eloquently described in his own words:

> We intend to preserve and build up the land of this country—its soil, its forests, and its rivers—all the resources with which God has endowed the people of the United States.
>
> I see an America whose rivers and valleys and lakes—hills and streams and plains—the mountains over our land and nature's wealth deep under the earth—are protected as the rightful heritage of all the people.[1]

What is more appropriate as a memorial to Franklin Delano Roosevelt in the Nation's Capital than the creation of a garden spot on the Potomac? Such a garden, in bloom the year around, would be a living memorial of natural loveliness. Truly, it would be a monument more lasting in the minds of men than bronze—a memorial not graven in stone but one which would convey to those who see it the quiet dignity and sincerity of the man whose memory it honors.

Most Senators are familiar with the controversy which arose earlier this year over the winning design for a memorial monument to Franklin D. Roosevelt. The judges' selection—a series of 17-story-high slabs—have been dubbed by many critics as "useless bookends," "monumental mockery," a "free-form Stonehenge," "giant tombstones."

Washington, like other large American metropolitan centers is becoming increasingly surrounded by circumferential highways, spoked by more and more bridges and weighted by larger and larger office buildings. I believe it fitting that the Congress should act whenever possible to preserve for the Nation's Capital those green and open spaces which remain. It is essential that the Congress make certain no more is lost of the spacious grandeur which makes the city distinctly beautiful.

As the New York Times pointed out in a July 16, 1961, editorial which discussed Representative MCDOWELL's Franklin Delano Roosevelt Memorial National Park:

> The last thing Washington needs is another huge monument. No one knows better than New Yorkers that the rarest and most wonderful thing a city can have is open park space, open and usable. Small formal gardens for the display of seasonal flowers, perhaps setting off a dignified—not gigantesque—piece of sculpture dedicated to F.D.R., and incorporated into an area of beautifully planned informality like that of the London city parks, would indeed be an appropriate memorial as well as a delightful relief in a monument-ridden city.

Marquis Childs commented in the Washington Post for September 7, 1960, on the preferability of a living memorial in this monument-ridden city:

> A national park is a living and functional memorial, as those currently resisting the erection of more political sculpture in Washington like to point out. The Capital abounds with static—and often ugly—monuments to men long since left behind by the sweep of history.
>
> Without greater care and discrimination this can become absurd. And in the process, the spacious beauty of Washington can be destroyed.

It is because I am concerned lest more monumental mockeries come to destroy the city's beauty, and because I believe that a living memorial to Franklin Roosevelt is the most appropriate way to honor him that I am introducing this proposed legislation today.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD so that it can be considered by my colleagues who might be interested in the proposal. I cordially invite those of my colleagues concerned with a memorial truly representative of Franklin Delano Roosevelt to join me as a cosponsor and for this purpose I ask that it be held on the desk for a period of 1 week.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and will lie on the desk, as requested by the Senator from Illinois.

The bill (S. 2501) to establish the Franklin Delano Roosevelt Memorial National Park, introduced by Mr. DOUGLAS, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established the Franklin Delano Roosevelt Memorial National Park (referred to hereafter in this Act as the "park"). The site of the park shall be the site reserved in the first section of the joint resolution of September 1, 1959 (73 Stat. 445).

SEC. 2. The Secretary of the Interior (hereafter in this Act referred to as the "Secretary") shall develop the park on a continuing basis to enhance its cultural, artistic, and educational value to the public. In the original plans for such development, provision shall be made for a formal public garden. The Secretary shall landscape the park and shall include therein statues, fountains, and such other embellishments as may be suitable and fitting. The Secretary shall provide facilities for cultural, artistic, and educational activities. Plans for the entire park need not be completed in detail before construction is begun in a part thereof, and revisions and modifications may be undertaken in the light of experience and changing circumstances. It is the intention of the Congress that the development of the park shall proceed over a period of years, so that each part thereof not only will harmonize with the whole, but also will in itself represent the highest attainable standards of excellence.

SEC. 3. In selecting or formulating plans and designs (including any revisions thereof) to carry out section 2 of this Act, the Secretary shall consult the Franklin Delano Roosevelt Memorial Commission, the Commission on Fine Arts, the National Capital Planning Commission, the Commissioners of the District of Columbia, the Chairman and Superintendent of the District of Columbia Recreation Department, the President of the District of Columbia Board of Education, and the Superintendent of Schools of the District of Columbia.

SEC. 4. The Secretary is authorized to accept on behalf of the United States such gifts of money or other property as may in his discretion be appropriate for use in carrying out the purposes of this Act.

SEC. 5. The provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended and supplemented, shall, except to the extent inconsistent with this Act, apply to the Franklin Delano Roosevelt Memorial National Park.

CONVEYANCE OF A PORTION OF THE HINES HOSPITAL RESERVATION TO LOYOLA UNIVERSITY OF CHICAGO

Mr. DOUGLAS. Mr. President, for myself and my colleague, the junior Senator from Illinois [Mr. DIRKSEN], I introduce, for appropriate reference, a bill authorizing the conveyance of approximately 79 acres of the reservation of the Veterans' Administration hospital, Hines, Ill., to Loyola University of Chicago for use as a medical center.

The Stritch School of Medicine of Loyola University of Chicago is a highly valued and respected institution of medical research and education in the Midwest. It now seeks to expand its services to the community by developing a medical center which will be adequate to meet the great demands which are made, and increasingly will be made, of its skilled faculty and its facilities.

Mr. President, considering the rapid increase in population in the northeastern Illinois metropolitan area and the needs of Illinois and the Midwest for expanded medical study, training, and services, and in view of the fact the Veterans' Administration is finding certain portions of the Hines reservation unsuitable for its further use, I believe it would be highly appropriate to make this section of Hines land available for development as a medical center by Loyola University.

The bill provides for the conveyance to the university, without monetary consideration, about 79 acres of land from

[1] "The American Way." Selections from the public addresses and papers of Franklin Delano Roosevelt. New York, the Philosophical Library, 1944, pp. 6–7.

the Hines reservation as declared excess to the needs of the VA, together with existing structures on that land. The exact legal description of the tract is left to the VA Administrator, and if a survey is required, Loyola University shall pay the cost.

Provision is made in the bill to assure that the conveyed land shall be used for the purposes of a medical center and in such a manner as will not interfere with the care and treatment of patients in the VA hospital. On the contrary it will greatly improve the quality of the medical care in the hospital and of course of the patients. The university would be required to have its medical center in operation on the land within 10 years of the date of conveyance.

Mr. President, I believe the rapid development of this proposed medical center will be of great value to the Midwest and the entire Nation, and I hope the Congress will be able to approve this bill very soon.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2502) authorizing the Administrator of Veterans' Affairs to convey certain property to Loyola University of Chicago, introduced by Mr. DOUGLAS (for himself and Mr. DIRKSEN), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

CREDITS AGAINST THE EMPLOYMENT TAX IN CERTAIN CASES—RECOMMITTAL OF BILL

Mr. BYRD of Virginia. Mr. President, H.R. 2585, relating to credits against the employment tax in the case of certain successor employers, is now pending on the Senate Calendar. I ask that it be recommitted to the Senate Committee on Finance so that technical changes can be made.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the Assistant Secretary of the Treasury, relating to the bill.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

TREASURY DEPARTMENT,
Washington, D.C., August 30, 1961.

Hon. HARRY F. BYRD,
Chairman, Committee on Finance,
New Senate Office Building,
Washington, D.C.

DEAR MR. CHAIRMAN: On August 9, the Senate Finance Committee reported, with an amendment, H.R. 2585, relating to the credits against the employment tax in the case of certain successor employers. The amendment would apply the proposed successor employer rules retroactively to calendar years after 1950 in the case of statutory mergers and consolidations.

As noted in our report of August 9 on H.R. 2585, proponents of retroactive relief in the case of statutory mergers had presented certain legal arguments to the effect that the retroactive provision merely represented the correct interpretation of existing law. The report of the Committee on Finance also states that it was the belief of the committee that the retroactive provision was merely a clarification of existing law. On August 15, 1961, the Acting Chief Counsel of the Internal Revenue Service, after reconsideration of this legal issue, ruled that the successor corporation resulting from a statutory merger or consolidation is the same employer and taxpayer as the predecessor corporation within the meaning of the existing provisions of the Federal Unemployment Tax Act. On August 16, 1961, the Acting Commissioner of Internal Revenue expressed his agreement with this interpretation of existing law and also with the chief counsel's recommendation that prior rulings on this subject be modified accordingly. Consequently, the retroactive provision contained in the bill not only appears to be undesirable in principle but also is now unnecessary.

As we also noted in our report of August 9, the Internal Revenue Service, for administrative reasons, preferred a somewhat different technique for accomplishing the objectives of the bill on a prospective basis. However, the Service has informally advised us that the administrative problems involved in the present bill are not sufficiently great as to warrant modifying the bill at this time.

In view of the foregoing, the Treasury Department favors the enactment of H.R. 2585 if the unnecessary retroactive provision is deleted.

The Bureau of the Budget has advised the Treasury Department that there is no objection from the standpoint of the administration's program to the presentation of this report.

Sincerely yours,

STANLEY S. SURREY,
Assistant Secretary.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 31, 1961, he presented to the President of the United States the following enrolled bills:

S. 85. An act for the relief of Maria Dolores Villar Salines, Angela Casanova Cabello, Carmen Guenga Anchustegui, and Flora Casals Pons;

S. 304. An act for the relief of Anna Lekos;

S. 570. An act for the relief of Giuseppa Alonzi;

S. 713. An act for the relief of Anastasia Stassinopoulos; and

S. 722. An act for the relief of Aideh Kobler.

ADJOURNMENT UNTIL 9 A.M.

Mr. MONRONEY. Mr. President, if there is no further business to come before the Senate at this time, I move, pursuant to the order previously entered, that the Senate adjourn until 9 a.m. tomorrow.

The motion was agreed to; and (at 8 o'clock and 35 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Friday, September 1, 1961, at 9 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate August 31, 1961:

U.S. MARSHAL

A. Roy Ashley, of South Carolina, to be U.S. marshal for the western district of South Carolina for the term of 4 years, vice M. Frank Reid, deceased.

U.S. DISTRICT JUDGE

Joseph S. Lord III, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania, vice a new position.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 31, 1961:

U.S. ATTORNEY

John T. Curtin, of New York, to be U.S. attorney for the western district of New York for the term of 4 years.

U.S. MARSHAL

Victor L. Wogan, Jr., of Louisiana, to be U.S. marshal for the eastern district of Louisiana for the term of 4 years.

COLLECTOR OF CUSTOMS

Louis A. Mezzano, of Michigan, to be collector of customs for customs collection district No. 38, with headquarters at Detroit, Mich.

POSTMASTERS

ALABAMA

James W. West, Falkville.
Starns L. Hall, Hackleburg.
James R. Willingham, Wedowee.

ARKANSAS

John C. Milum, Batesville.
Jessie J. Lowerins, Luxora.
James E. White, St. Joe.
Gerald Sale, Piggott.

CALIFORNIA

Florence L. McQueen, Big Sur.
Willis W. Brown, Bijou.
Richard J. Williamson, Camino.
Royal C. Brown, Chico.
Maxwell M. Jamieson, Dana Point.
Alberta F. Kinne, Douglas City.
Ray E. Wheeland, Hesperia.
Rowland D. Eastwood, June Lake.
Noriyuki Tashima, Livingston.
Diana L. Gauthey, Mammoth Lakes.
Walter T. Robinson, Mariposa.
M. Craig Friel, Jr., Napa.
Irene E. Pringle, New Cuyama.
John B. Silva, Newman.
Ola R. Morgan, Niland.
Libby A. Medaris, Orleans.
Valda L. Daniel, Plaster City.
Jean F. Johnson, Proberta.
Butler R. Ferrier, Raymond.
Forest L. Vehrencamp, Wrightwood.
Margaret M. Kennedy, Twentynine Palms.

COLORADO

Edmund L. Suher, Olney Springs.

GEORGIA

Howard D. Dumas, Morven.
Henry B. English, Oglethorpe.

ILLINOIS

Edwin D. Rinkenberger, Gridley.
William H. Melton, Harrisburg.
Carl L. Hileman, Tamms.

INDIANA

William E. Alexander, Carthage.
Thomas R. Lain, Edinburg.
James R. Smith, Gosport.
Edwin L. Hussung, Lanesville.
Henry V. Nickell, Marshall.
Robert J. Long, Spencer.
Cecil R. Sellers, Springport.
Wanda L. Grimes, Tangier.
Harry Loy, Jr., Union City.

IOWA

Cleo L. Evans, Davis City.
James R. Purcell, Fertile.
Vernon F. Copenhaver, Glidden.
Marjorie M. Mrzena, Somers.

KANSAS

June M. Kofford, Bloom.
Charles E. Knedlik, Narka.
Elizabeth G. Venable, Rock.

KENTUCKY

Harold W. Griggs, Calvert City.
Clifford L. Hibbs, Fairdale.
Bert Sallee, Liberty.
C. Raymond Stewart, New Castle.
James G. Dismuke, Salvisa.

MAINE

David L. Whitney, Damariscotta Mills.
Charles A. James, Woodland.

MICHIGAN

Victor B. LaCombe, Carp Lake.
M. Rhoda Hyliard, Concord.
John T. Cotter, Pewamo.
Charlena Shaver, Silverwood.
George R. Mazur, Trout Lake.

MINNESOTA

Robert G. Somers, Avoca.
Mary Bogdanovich, Calumet.
James F. McNally, Chokio.
Jerome L. Schnettler, Clarissa.
Bernard G. Gould, Coleraine.
Lura Mae Myers, Cottage Grove.
Kenneth J. Hasskamp, Crosby.
Traverse G. Tommervik, Gary.
Ernest L. Swanson, Goodridge.
George W. Knutson, Graceville.
Stanley M. Griebel, Harmony.
Alfred H. Rustad, Jr., Humboldt.
Sam Platisha, Keewatin.
Dean L. Schultz, Litchfield.
Robert J. Bennett, Lowry.
Carl W. Renaldo, Meadowlands.
James L. Holt, Osakis.
Raymond A. Kratzke, Pelican Rapids.
Curtis W. Johnson, Peterson.
Raymond M. Guck, Royalton.

MISSOURI

Kenneth W. Hackman, Owensville.
Edward T. West, Queen City.
Richard D. Cook, Revere.
Russell G. Brown, Risco.
Louis C. Fricke, Rockville.
Kenneth C. Vanzandt, Washburn.

MONTANA

Daniel E. O'Leary, Harlem.
Ralph E. Parpart, Medicine Lake.

NEW JERSEY

Joseph L. Yearly, Riverton.

NEW YORK

Thomas J. Jamer, Manorville.
Olga C. Bennett, Mayfield.
Rachel B. Hoose, Mount Vision.
Lois E. McKeon, Pattersonville.
John T. Wallace, Pine Hill.
David M. Losee, Westhampton.

NORTH CAROLINA

William A. Burch, Jr., Bat Cave.
Herman M. Wilson, Brasstown.
Mary I. McLeod, Buies Creek.
Joseph B. Wall, Chocowinity.
Herbert Q. Hocutt, Clayton.
Della M. Galloway, Grimesland.
Elmer V. Wood, Jr., Stokesdale.
Clifford G. Watts, Taylorsville.

OHIO

Robert H. Cassel, Aurora.
Charles J. Sonnhalter, Canal Fulton.
Urban L. Berning, Maria Stein.

OKLAHOMA

Ford H. Sims, Martha.

OREGON

Jack B. Knight, Jefferson.

PENNSYLVANIA

Walter H. Grier, Sr., Beaver Brook.
Edward Bell, Farmington.
Carl F. Hynek, Jr., Willow Grove.

PUERTO RICO

Juan Sanchez De Jesus, Vega Baja.

SOUTH CAROLINA

Richard B. Burnett, Spartanburg.

TENNESSEE

Joseph T. Coffman, Cedar Grove.
Joseph M. Little, Clarkrange.
Leon W. Crews, Hollow Rock.
Robert H. Van Hooser, Huntland.
Faylah D. Looney, Iron City.
Franklin D. Wilson, Nolensville.
George M. Koontz, Petros.

TEXAS

Graydon W. Baze, Gorman.
Jack N. Grady, Hereford.
Waunita A. Lynch, Highlands.
Willie O. Ham, Maryneal.
George D. Jenkins, Melvin.
Delno F. Schultz, Wharton.
David F. Renfro, Zavalla.

VIRGINIA

Edward A. Coleburn, Accomac.
Bernard R. Shrader, Cedar Bluff.
Eva B. Toner, Claremont.
Robert T. Gillette, Courtland.
Murphy H. Elder, Cullen.
Mary O. Padgett, Goode.
Kenneth B. Broadwater, Nickelsville.
Brenda S. Holt, Rockville.
Glenn P. Combs, Stephens City.
John R. Johnson, Suffolk.

WASHINGTON

Dorothy D. Eldridge, Fox Island.
John R. Atherton, Sunnyside.
Helen K. Grantham, Yacolt.

WEST VIRGINIA

Margaret M. McCormick, Anawalt.
Chloe Stevenson, Capels.
Joseph E. Vasil, Cassville.
Charles A. Crumrine, Middlebourne.

WISCONSIN

Catherine A. Olson, Footville.
Kenneth J. O'Hern, Forestville.
Alfred E. Purvis, Knapp.
James P. Meyers, Potter.
Clarence J. Scharpf, Rubicon.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 31, 1961

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore (Mr. ALBERT).

The SPEAKER pro tempore. The Chair lays before the House a communication which the Clerk will read.

The Clerk read as follows:

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 31, 1961.

I hereby designate Hon. CARL ALBERT to act as Speaker pro tempore today.

SAM RAYBURN,
Speaker of the House of Representatives.

Rev. Richard A. Purnell, Jr., Bellmore Methodist Church, Bellmore, Long Island, N.Y., offered the following prayer:

Almighty and everliving God, who art the author and foundation of all that is good, worthy, and true:

Deliver us, we pray, from the specters of fear, hatred, and passion for power which beset the earth, dividing men and frustrating their best efforts.

Guide us to firm convictions in the triumph of good will, in respect for personality as Thy creation, and in those truths which are embedded in the hearts of all who would seek the presence of and be attuned to the leading of Thy spirit.

Rekindle our faith, that we may be directed in decision by Thy still small voice speaking in the human heart, for all of the ideologies of men are but shadows which rise and fade away before the reality of Thy will.

Thus may we ask Thy blessing upon us, not for our gain, but rather that we may become channels of Thy grace to Thy children in a torn and needy world.

We ask it in the name of our Saviour, the Master of men. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed with amendments a bill of the House of the following title:

H.R. 7371. An act making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1962, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCCLELLAN, Mr. ELLENDER, Mr. HAYDEN, Mr. MAGNUSON, Mr. FULBRIGHT, Mr. BRIDGES, Mr. SALTONSTALL, Mr. MUNDT, and Mrs. SMITH of Maine to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 85. An act for the relief of Maria Rosario Barrena-Villachica, Maria Dolores Villar Salinas, Angela Casanova Cabello, Carmen Guenaga Anchustegui, and Flora Casals Pons;

S. 304. An act for the relief of Anna Lekos;

S. 570. An act for the relief of Giuseppa Alonzi;

S. 713. An act for the relief of Anastasia Stassinopoulos; and

S. 722. An act for the relief of Aideh Kobler.

ELECTION OF HON. JOHN W. McCORMACK AS SPEAKER PRO TEMPORE

Mr. WALTER. Mr. Speaker, I send to the Speaker's table a resolution (H. Res. 445) and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 445

Resolved, That Hon. JOHN W. MCCORMACK, a Representative from the State of Massachusetts, be, and he is hereby, elected Speaker pro tempore during the absence of the Speaker.

Resolved, That the President and the Senate be notified by the Clerk of the election

of Hon. JOHN W. MCCORMACK as Speaker pro tempore during the absence of the Speaker.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SWEARING IN OF SPEAKER PRO TEMPORE

Hon. JOHN W. McCORMACK assumed the Chair and the oath of office was administered to him by Mr. WALTER.

FOREIGN ASSISTANCE ACT OF 1961

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tomorrow night to file a report on the foreign assistance appropriation bill for fiscal 1962.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. TABER reserved all points of order on the bill.

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATION BILL, 1962

Mr. ROONEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7371) making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1962, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York? The Chair hears none, and appoints the following conferees: Messrs. ROONEY, SIKES, CANNON, BOW, and TABER.

ACTIVE DUTY PROMOTION OPPORTUNITY OF AIR FORCE OFFICERS

Mr. KILDAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 7809) to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "That, during the period beginning on the date of enactment of this Act and ending at the close of June 30, 1963, any authorized strength prescribed for the grade of lieutenant colonel by or under section 8202 of title 10, United States Code, may be exceeded by not more than four thousand."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AIRCRAFT OR MISSILE ACCIDENT DAMAGE

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 7934) to authorize the Secretaries of the military departments to make emergency payments to persons who are injured or whose property is damaged as a result of aircraft or missile accidents, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 5, strike out "$2,000," and insert: "$1,000."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

DISABILITY AND DEATH BENEFIT WITHHOLDING

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 4785) relating to withholding for State employee retirement, disability, and death benefit system purposes, on the compensation of certain civilian employees of the National Guard, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 3, after line 3, insert:

"SEC. 2. Section 709(f) of title 32, United States Code, is amended by adding at the end thereof the following: 'Compensation authorized under this section may include the amounts of the employer's contributions to retirement systems. Such contributions shall not exceed 6½ per centum of the compensation on which such contributions are based.'"

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendment was concurred in.

The title was amended so as to read: "An act to provide specific authority for Federal payments of the employer's share of the cost of retirement systems for civilian employees of the National Guard and to extend the authority for withholding employee contributions to State retirement systems by permitting deductions of employees' contributions to State-sponsored plans providing retirement disability or death benefits."

A motion to reconsider was laid on the table.

MAKING THE CALL OF THE CONSENT CALENDAR AND CONSIDERATION OF MOTIONS TO SUSPEND THE RULES IN ORDER ON WEDNESDAY, SEPTEMBER 6, 1961

Mr. BOLLING, from the Committee on Rules, reported the following privileged resolution (H. Res. 444, Rept. No. 1089) which was referred to the House Calendar and ordered to be printed:

Resolved, That the call of the Consent Calendar and consideration of motions to suspend the rules, in order on Monday, September 4, 1961, may be in order on Wednesday, September 6, 1961.

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 444 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the call of the Consent Calendar and consideration of motions to suspend the rules, in order on Monday, September 4, 1961, may be in order on Wednesday, September 6, 1961.

The SPEAKER pro tempore. The question is, Will the House now consider the resolution?

The question was taken.

So, two-thirds having voted in favor thereof, the House proceeded to consider the resolution.

Mr. BOLLING. Mr. Speaker, the purpose of the resolution is quite clear. The real discussion of this matter took place on yesterday. I therefore reserve the balance of my time and yield 30 minutes to the gentleman from Illinois [Mr. HOFFMAN].

Mr. HOFFMAN of Illinois. Mr. Speaker, I think the gentleman from Missouri has given us a very good explanation of the resolution.

I yield back the balance of my time.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

BERLIN NEGOTIATIONS

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, the worst move the United States could possibly make concerning the Berlin crisis would be to negotiate with the Soviet masters of aggression. There is nothing to negotiate. This crisis was created by the Soviet Union without just cause. It was created by the Soviets to get something from the free world and to test our nerves and our determination. If we negotiate and participate in summit conferences every time the Soviets create a crisis or plan some aggression, someday we will be negotiating with the Soviet Union for

control of the Panama Canal. It is not too fantastic to see the time when we will negotiate for Florida or Alaska. We must remain firm and not give 1 inch or concede one principle. Justice is on our side. France during this crisis is adopting a realistic position. We should stand with France and sweat this problem through to the finish with fortitude and resolution. It is now or never. The free world has lost through every conference with Soviet leaders. In all of our negotiations with them we have been the loser. We have been on the defense.

Mr. Speaker, we have never saved 1 inch of free territory or preserved the freedom of any people through conferences and negotiations with the Communist masters of deceit and aggression. On any list of failure and surrender we find Teheran, Yalta, Potsdam, Camp David, Paris, and Vienna with its loss of Laos. I warned this House that no good would come of the Khrushchev conferences with President Eisenhower. I warned this House of the danger of our President going to Vienna. These conferences did not prevent or stop aggression in Laos, Africa, Cuba, nor Berlin. Conferences and negotiations with the Communists always lead to more negotiations, more conferences, more failure, and compromise of principle. In their campaign to conquer the world they are gambling on our desire for peace and our desire to buy time. This is the surest step toward war and the loss of freedom throughout the world. Just as Munich led to war, so are these conferences today. If someone stole my television set, I am not going to negotiate with him about the family car because next he might want the refrigerator or my home.

Mr. Speaker, we can and should put Communists on the defense. Let us create a crisis of our own. Let us demand free elections in Poland, Czechoslovakia, Hungary, North Korea, Cuba, East Germany, and in the countless territories seized by the Communist aggressors. If we must negotiate, let us negotiate about the captive nations. Negotiations on any other basis would lead to our destruction.

FOREIGN-AID BILL DOES NOT ABDICATE CONGRESSIONAL APPROPRIATION AUTHORITY

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, I want to congratulate the House conferees on the foreign-aid bill for standing firm against including borrowing authority in connection with the financing of the Development Loan Fund.

I know some House Members have expressed doubt as to just what the new language involves. There still is some fear that the legislative branch may have abdicated as far as the appropriations procedure is concerned and yielded congressional responsibility to the executive branch.

As one of the active opponents of back-door spending, I admit I was fearful especially when President Kennedy was quoted as saying the arrangement arrived at in conference was "wholly satisfactory." However, Mr. Speaker, my mind was set at ease in reading the transcript of President Kennedy's press conference. He was asked if he would think that there was a kind of moral obligation upon the part of the Appropriations Committee to honor advance commitments for development lending. The President's reply was clear and unequivocal. He said:

> No. I would think that the Appropriations Committee would have to make their own—meet their own responsibilities.

I think, Mr. Speaker, that the language adopted by the conference committee on the foreign aid bill giving authority to make long-term commitments for development lending is setting forth what already has been a practice. It is a part of the long-range planning which has bipartisan support in this House, but as for the matter of appropriations, I am glad the President agrees and is satisfied that the Congress has retained full responsibility for appropriating funds and that the provision of Treasury borrowing has been eliminated.

FINAL JUDGMENT NEARS ON CHEROKEE AWARD

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, thousands of Cherokee Indians were cheered yesterday by the announcement of Attorney General Robert Kennedy that the Government will not appeal the recent, long-awaited award of the Indian Claims Commission.

The Attorney General, after careful consideration of the record in this major Indian claim case, concluded that an appeal would not be justified and would only serve to delay justice.

I am informed that attorneys of the Department are cooperating with tribal attorneys to expedite the entry of final judgment by the Commission, in order that the appropriation for the award may be made in this session of the Congress. While an offset question remains to be settled, it should not delay the judgment or appropriation.

Mr. Speaker, I hope and trust these formalities may be speedily concluded in order that both the appropriation and the needed distribution legislation may be enacted at the earliest possible date.

The Cherokees have waited many, many years for this day of justice; their hearts are full of gratitude today for the Attorney General's decision and the effort to expedite final settlement.

HOUSE RESOLUTION 440

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, on yesterday, August 30, 1961, I introduced House Resolution 440, to authorize the Committee on Armed Services to conduct an investigation and study of the availability to members of the Armed Forces of information concerning the struggle with Soviet imperialism. This actually means the Communist world-wide conspiracy.

Further, that the committee investigate the admonishment of Maj. Gen. Edwin A. Walker, who was also relieved from his command in Europe. This action was taken because of charges made by a paper called the Overseas Weekly, a paper that I, myself, complained about being sold on military bases, several years ago. The action against this distinguished general, based upon the statement of General Clarke, was about as weak a position as could possibly be had. I believe it is the duty of the Congress to ferret out the truth and I am certain General Walker would be completely vindicated and the Overseas Weekly barred from all military installations. Further, it has come to my attention that our military commanders are being prevented from informing the members of the armed services of the machinations of the Communist conspiracy. Moscow radio is broadcasting 24 hours a day to our troops in 43 different languages, with the intent of destroying their morale. Why should our military commanders be prevented from giving the truth to their own troops? It is just as important in the cold war, that the members of our armed services be properly informed, as it is for them to learn how to use all types of weapons for a possible hot war.

I often wonder why this has happened and I am sure the American people also, not only wonder, but are demanding that the Congress take some action. I sincerely hope the Rules Committee will give this resolution immediate attention and report it for House action.

RECIPE FOR CONFUSION

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana.

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, I wish to submit here today what I call a "recipe for confusion," a way in which to assure to future governments of this Nation that orderly processes of legislation and executive action can be avoided in favor of government by crisis.

I do not recommend this recipe. Although the ingredients are made to look

as succulent as any viands that ever graced a table, they are actually bitter fruit, indeed. The tasting is bad enough, but the indigestion is even worse and the aftereffects are horrifying, indeed.

The recipe is simple:

Take programs that are among the fond dreams of every do-gooder who can get the President's ear. Mix with political pressures of every sort—a dash of carrot, a pound of whip, a sprinkling of coercion, a teaspoon of cajolery. Pour into a Congress whose leaders are, at best, lukewarm to many of these programs. Add some foot dragging, eye winking, and other ingredients designed to slow things down. Spice with more liberal ideas thought up by the Congress. Blend in pressure from these liberals to combine with White House pressures. Let simmer for 8 months.

There, Mr. Speaker, you have your recipe for "organized confusion," a recipe that is getting nothing but criticism from all over the Nation today.

In short, Mr. Speaker, let us stop mixing ingredients. Let us stop simmering the stew. Let us put water on the fire and go home.

REPORT ON EDUCATIONAL EXCHANGE ACT

Mr. HAYS. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until midnight tonight to file a report on the bill (H.R. 8666) the Educational Exchange Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

COMMUNIST CHINA

Mr. BURLESON. Mr. Speaker, pursuant to order of this House of Tuesday, August 29, 1961, I call up Senate Concurrent Resolution 34, and ask for its immediate consideration.

The Clerk read as follows:

Whereas the Government of the United States enjoys close and friendly relations with the Government of the Republic of China, including treaty obligations which this Government honors; and

Whereas the Republic of China has faithfully discharged its obligations under the Charter of the United Nations; and

Whereas the Chinese Communist government has flagrantly violated basic human rights, has imposed on the Chinese people one of the most brutal regimes known to history, and is without authority to speak for the Chinese people other than the authority that derives from usurpation and tyranny; and

Whereas the Chinese Communist regime by its aggression in Korea, its repression in Tibet, its threats against its neighbors, its failure to release American prisoners as promised, its export of narcotics to non-Communist countries, in collaboration with criminal elements in these countries, on a scale that makes it the major source of the international illicit narcotics traffic, and its hostility toward the United States and the United Nations has demonstrated that it is not qualified for representation in the United Nations: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the United States shall continue to meet its commitments to the people and Government of the Republic of China and shall continue to support that Government as the representative of China in the United Nations; and be it further

Resolved, That the United States shall continue to oppose the seating of the Chinese Communist regime in the United Nations so long as that regime persists in defying the principles of the United Nations Charter; and be it further

Resolved, That it is the sense of the Congress that the American people support the President in not according diplomatic recognition to the Chinese Communist regime.

Mr. BURLESON. Mr. Speaker, on numerous occasions the House of Representatives has expressed itself by an overwhelming vote on resolutions against diplomatic recognition by the U.S. Government of the regime of Communist China and against its admission to the United Nations.

We come again to this issue. I believe it desirable, Mr. Speaker, that the text of the resolution be included in the RECORD at this point:

Whereas the Government of the United States enjoys close and friendly relations with the Government of the Republic of China, including treaty obligations which this Government honors; and

Whereas the Republic of China has faithfully discharged its obligations under the Charter of the United Nations; and

Whereas the Chinese Communist government has flagrantly violated basic human rights, has imposed on the Chinese people one of the most brutal regimes known to history, and is without authority to speak for the Chineses people other than the authority that derives from usurpation and tyranny; and

Whereas the Chinese Communist regime by its aggression in Korea, its repression in Tibet, its threats against its neighbors, its failure to release American prisoners as promised, its export of narcotics to non-Communist countries, in collaboration with criminal elements in these countries, on a scale that makes it the major source of the international illicit narcotics traffic, and its hostility toward the United States and the United Nations has demonstrated that it is not qualified for representation in the United Nations: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the United States shall continue to meet its commitments to the people and Government of the Republic of China and shall continue to support that Government as the representative of China in the United Nations; and be it further

Resolved, That the United States shall continue to oppose the seating of the Chinese Communist regime in the United Nations so long as that regime persists in defying the principles of the United Nations Charter; and be it further

Resolved, That it is the sense of the Congress that the American people support the President in not according diplomatic recognition to the Chinese Communist regime.

Mr. Speaker, this resolution is considered under unusual procedures, in that unless time is yielded for the purpose, amendments are not in order.

I am aware that some of you feel that the sentiments expressed in this resolution should also be applicable to Outer Mongolia. I share your sentiment and have introduced separate legislation on the subject. Since this resolution has been passed by the other body, should it be amended, there is doubt that time will permit a possible conference or that the other body will consider it, if amended.

I think, however, I can give you reasonable assurance that the separate resolution on the admission of Outer Mongolia to the United Nations will be considered by the Foreign Affairs Committee, and I join those of you who share this view that action of this nature is desirable, in the hope that it may be brought to the floor before adjournment.

Mr. Speaker, there is no doubt in my mind that this House will overwhelmingly, and I hope, unanimously, approve Senate Concurrent Resolution 34. In doing so, we address ourselves to all the people of the United States of America, and yes, to all peoples of the world. The action here will give strength and assurance to those of our own people who harbor some fear that we may weaken and be less diligent in our opposition to the Chinese Communist regime becoming a member of the United Nations. It should strengthen other peoples of the world who see some increased opposition to our stand on this issue.

In my judgment, Mr. Speaker, we should absolutely leave no doubt in the minds of people anywhere that pressures from whatever source applied will continue to be resisted with the strongest possible determination. It would be unconscionable and unthinkable for us to do otherwise.

In the face of the aggressive intents of the Chinese Communists, according to their own admissions; the fact that the Communist regime does not represent the will of the people it ruthlessly rules; because of the constant belligerence toward free people of other countries; because of their avowed and recorded efforts to sabotage and subvert other nations, including the illicit, wholesale export of narcotics; and because of this outlaw regime's action in Korea, it is crystal clear that not the slightest consideration should be entertained that Red China qualifies for admission to the United Nations or is entitled to diplomatic recognition by our own Government.

Mr. Speaker, someone may say, and meritoriously so, that there is no need to include any possible condition in this resolution as to the admission of Communist China to the United Nations. In other words, they may say, "Why include, 'so long as that regime persists in defying the principles of the United Nations Charter'?" My reply to such a question would simply be that it is not a condition, and to add that there is not the slightest evidence to indicate that the Red regime of China would ever qualify. On the other hand, in the affairs of men, even the vilest sinner has the capacity to repent.

The 16th session of the United Nations opens on September 19. The representatives of the U.S. Government in the United Nations will be fortified with an important tool of opposition to the admission of Red China by the action of the Congress. The Congress speaks for the American people. There is no doubt that this resolution reflects the views of the vast majority, and that vast majority, through this Congress and through our representatives in the United Nations, says to the world that we stand on the principle that so long as any regime practices the outlawry

plainly evidenced by the Red leaders of Communist China, that we will stand unequivocably firm and determined that she shall not take her place among other nations of the world at the council table.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. BURLESON. I yield to the gentleman from New York.

Mr. BECKER. Mr. Speaker, I would like to ask this question: This resolution has now passed the other body, and is here for action in the House. Certainly I and others are in favor of what the gentleman from Texas [Mr. BURLESON] has said. But the gentleman cannot give us any assurance that even though a resolution with respect to Outer Mongolia will come out to the floor of the House where we can act on it, that the other body would act on the resolution?

Mr. BURLESON. No; we would have no assurance of that. As a result of that opinion, I have introduced a simple resolution which I hope can be passed by the House.

Mr. BECKER. If the gentleman will yield further, may I ask the gentleman to express an opinion as to the reason why we cannot amend this to include Outer Mongolia to reflect our opposition to recognizing that country?

Mr. BURLESON. I certainly would not argue the point as to the merits of excluding it, except the circumstances as the gentleman well knows, are somewhat different.

On the other hand, the reason is simply this: If we amend this resolution, it may require a conference between the House and the other body. Even if the Senate accepted the amendments which might be adopted here, we have no assurance that under the press of business they would have time to reach it. It is entirely a matter of time but again I give assurances that diligent effort will be made to bring up separately the resolution I have introduced to apply to Outer Mongolia in practically the same manner as the present resolution applies to Red China.

Mr. BECKER. If the gentleman will yield further, then it would seem—I am not arguing with the gentleman from Texas, for whom I have but the greatest respect—to be the fact that there may not be time if we were to amend this resolution to go back to the other body, and for the other body to act upon the matter in conference. It is a question of time.

Mr. BURLESON. That is correct. Since the House of Representatives has on many occasions passed a similar resolution without having it finally concluded, we now have a certainty of concurrent action by adopting the language before us without change.

So, Mr. Speaker, I think here is an opportunity for an expression by the two Houses of Congress that the Government of the United States should not recognize Communist China and Communist China should not under any circumstances be admitted to the United Nations.

Mr. BECKER. And the same feeling with regard to Outer Mongolia should be expressed. I express that feeling to the gentleman from Texas, and I know he agrees with that. I would hope there would be some means of getting it in this resolution today. I think it is highly important in view of certain steps and actions which have been taken in the past month which make it very clear that there is an attempt to recognize Outer Mongolia as a deal for another action in another part of the world.

Mr. BURLESON. Mr. Speaker, I appreciate and highly respect the gentleman's views and share them. With the resolutions which have been introduced, I believe reasonable assurance can be given that consideration will be given to this very important question by the Committee on Foreign Affairs. Beyond that I cannot go. I can give a promise so far as my own efforts are concerned.

Mr. BECKER. Mr. Speaker, I have the highest respect for the gentleman and, of course, I accept his word. I know he will do everything he possibly can, and I hope that we will get action on that this session.

Mr. BURLESON. Mr. Speaker, I am most appreciative of the gentleman's remarks.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, first of all I wish to associate myself with the remarks of the distinguished gentleman from Minnesota [Mr. JUDD], who preceded me in this discussion on the resolution now pending before the House. It is very timely and fitting that we have this opportunity once again to reaffirm our position and to rededicate ourselves as Representatives of the American people on this issue.

This House has spoken many times on the subject. In my own case I have maintained this position from the day I have been in Congress, and I am sure that is true of many, many others. Many of us have introduced bills on this same subject. The substance of my bill, House Concurrent Resolution 293, introduced by me on May 4, 1961, is incorporated in the pending bill, Senate Concurrent Resolution 34. So, Mr. Speaker, I wholeheartedly support the pending bill.

Red China indicts itself before the world and we, in advancing our freedom doctrine, must pursue this indictment with all vigor. It is important and significant that we on this day, at this particular time in world events, take a strong bipartisan stand in support of our President's position on this vital international question.

Mr. BURLESON. Mr. Speaker, I think at this point it would be advisable for me to ask unanimous consent that all Members may have the privilege of extending their remarks on this pending resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURLESON. Mr. Speaker, I yield 4 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Speaker, I hope I can do what I want to do in the time allotted me.

We have passed this resolution many times, and it behooves us to pay a little attention to why the resolutions we passed did not have more effect. Of course I am strongly behind this resolution.

One reason is that we have not come forward with a bill of particulars to the extent that we might. I was very appreciative of the remarks of the gentleman from Minnesota [Mr. JUDD] but when you say in this resolution "persist in defying the principles of the United Nations Charter" we should document that as we can and as the gentleman from Minnesota has stated.

But I asked the Committee on Foreign Affairs, for example, Have you prepared a document that lists the various principles of the United Nations Charter in which China is in violation so that we can disseminate this kind of information to the people throughout the country, in our various districts? I am always asked this question, as I know my colleagues have been, and I think that needs to be done.

One other thing. I think a part of this document needs to point out where Russia actually is in violation of the Charter; and, going further, where Red China is in violation of many things, and I think they are, which Russia is not in violation of.

In my opinion, the theme is this: The people we must plead with, and I think the rest of us must do the same thing if these resolutions are going to have meaning, are those who approve the United Nations. I happen to think that the United Nations is fundamentally a good base to start on. But those who would improve the United Nations had best realize that the one way to destroy the United Nations is to lower its standards.

As the gentleman from Pennsylvania pointed out in this debate, we have to relate this to the eligibility clauses. What destroyed the League of Nations was the destruction of its standards. Any organization can become meaningless if the few things it stands for are eroded, and the adamant Red China under the present circumstances is in violation by failing to agree on any basic principle. That is a sure way of destroying the United Nations as opposed to perfecting the United Nations.

I would like to know—I think this is true, but I have not documented it—Red China does not agree to the International Geneva Convention so far as the treatment of prisoners and other things are concerned. I think Russia agrees on that. I think that is one of the things we should document. Is that correct?

Mr. JUDD. That is correct. And also the Soviet Union subscribes and, I think, fairly consistently, adheres to the International Conventions on Opium Traffic, which Red China does not pretend to recognize or follow.

Mr. CURTIS of Missouri. Mr. Speaker, I want to renew my basic request. Permission to extend remarks has been granted, but I wish that the Committee on Foreign Affairs would ask the staff,

if they could do it within the proper time, to prepare the kind of material and put it in the RECORD at this point, so that we can use this material to send back to the people in our communities in order to let them understand the reasons behind this and why this is so important if they want to perfect and improve the United Nations rather than to damage and destroy it.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Minnesota.

Mr. JUDD. I may say to the gentleman from Missouri that the United Nations itself has documented a list of violations by Red China of the principles of the United Nations. The record is devastating.

Mr. CURTIS of Missouri. Can we put that in the RECORD at this point?

Mr. JUDD. I shall try to get a copy of it. May I also say that there is in preparation right now by our own agencies the very thing which the gentleman from Missouri asks for. There are many shorter statements of the major violations, but a virtually complete documentation, I grant you, needs to be prepared by our Government and given widest possible circulation.

Mr. CURTIS of Missouri. That is what will make these resolutions more effective, in my judgment.

Mr. BURLESON. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. FEIGHAN].

Mr. FEIGHAN. Mr. Speaker, this resolution on the question of Red China is pertinent and timely. We should not, we must not, recognize and thus dignify the evil regime which has been imposed by force upon the people of mainland China. Nor should we allow the admission of that regime to the United Nations. We must prevent that admission, if needs be by exercise of our veto power.

But this resolution is not as urgent as the pending resolution on the crisis of Berlin and East Germany. The Members of the House were prepared to act on such a resolution as far back as Monday, August 7. It was scheduled for action on that date. Over the previous weekend the chairman of the House Foreign Affairs Committee reconciled the differences among Members on the substance of the resolution. It was held up—through no fault of the chairman of the Foreign Affairs Committee, through no fault of the gentlemen from Mississippi [Mr. COLMER] and the gentleman from New Jersey [Mr. GALLAGHER] and through no fault of mine.

Mr. Speaker, I suggest that long overdue action be taken on House Concurrent Resolution 351, as revised, or the leadership announce the reasons for further delay on this vital matter.

Mr. BURLESON. Mr. Speaker, I yield 2 minutes to the distinguished Congresswoman from Illinois [Mrs. CHURCH], with whom I have the pleasure, distinction, and, I might add, the responsibility, of serving as the congressional representatives in the United Nations opening on September 19. If the gentlewoman will permit me, may we assure our colleague from New York [Mr. DEROUNIAN] that the views of this body will be expressed in places where our voices will be heard at the United Nations this fall.

Mrs. CHURCH. Mr. Speaker, I have asked for just 2 minutes today. I could talk for an hour on the need for unanimous passage of this resolution. I feel that it is much more important that every voice in the Congress be given a chance to testify in behalf of the matter pending, than for me as a member of the House Committee on Foreign Affairs to preempt more time.

Mr. Speaker, the gentleman from Texas [Mr. BURLESON] has kindly pointed out that he and I are soon to carry a great responsibility. I would say through no merit of my own, though that gentleman has great merit. We have been named to represent the Congress of the United States—we are, in fact, two of five named to represent the United States in the coming session of the General Assembly of the United Nations. If the Senate in its wisdom confirms our appointment, we shall so serve when the 16th General Assembly is called to order on September 19, 1961.

Mr. Speaker, I have for years in this House protested any consideration of a proposal to recognize Red China or permit its admission to the United Nations. I would say with vehemence, that whatever this House did, I personally could not vote to seat Communist China as a member of the United Nations. But we wish to go to the General Assembly fortified in our own conviction and strengthened in our action by the weapon that can be given us to use as it has been used again and again—the expressed resolution of this body of freemen and freewomen representing a nation of freemen and freewomen, that the United Nations shall not be threatened by the admission of a nation which defies our principles of freedom, and which by its actions presents to all of us a challenge to work harder for the preservation of those principles, convictions, and ideals which are our heritage, without which we would not want to live.

I welcome the suggestion of the gentleman from Missouri [Mr. CURTIS] that we put into the RECORD the implementing facts showing why we, again representing the people of the United States, are resolute in a determination not to admit to the United Nations a nation that does not deserve to be so recognized or so admitted.

I trust that this resolution will be passed without one dissenting voice.

Mr. BURLESON. Mr. Speaker, I yield 1 minute to my distinguished colleague from Wisconsin [Mr. ZABLOCKI] who is chairman of the Subcommittee on the Far East of the Committee on Foreign Affairs and who ordinarily would be handling this resolution but who has so graciously yielded to me that I may have the pleasure and privilege of so doing.

Mr. ZABLOCKI. Mr. Speaker, I rise in support of the resolution proposing to reaffirm the opposition of the Congress to the recognition of Red China and to the admission of that regime to the United Nations. I urge this resolution be given the unanimous vote of this body.

I wish to commend my good friend, the distinguished gentleman from Texas [Mr. BURLESON], not only for sponsoring this resolution but for bringing it before this body at this propitious time. I want to associate myself with his remarks and those of the distinguished gentleman from Minnesota [Mr. JUDD].

As one who has had the privilege of serving as a delegate to the 14th General Assembly of the United Nations I want to advise that a unanimous vote for this resolution will have a salutary and very important impact on the noncommitted nations, as well as on those countries which are our allies but at times follow a course that is not in our national interest.

In my opinion, Mr. Speaker, the vote today is not intended to instruct our delegation. I should like to say to my friend from New York [Mr. DEROUNIAN], as one who has served in the United Nations, that our delegation needs no firming up on this question. On the other hand, it is necessary we advise by a unanimous vote, the peoples of the world, our friends, our allies, and our enemies alike, that the Congress is firm in upholding the Charter of the United Nations and the qualifications for admission of countries to the United Nations.

Some may say because Congress has asserted its position on this issue the resolution is unnecessary.

It is true, this is not the first time that the Congress has taken steps to express its convictions on this subject.

In 1956, a resolution similar to the one which we are considering today, was approved by a vote of 391 to 0 in the House, and by a vote of 86 to 0 in the other body.

In 1959, the Zablocki resolution on this subject was approved in the House by the overwhelming vote of 368 to 2.

Earlier this year, 338 Members of Congress signed a declaration circulated by the Committee of One Million which vigorously opposed the seating of the Red China regime in the United Nations, and diplomatic recognition of that Communist regime by the United States.

And again on March 28, 1961, numerous Members of Congress took the floor of the House when I had a special order on this subject, to express their their strong convictions against the acceptance of Communist China into the United Nations, as well as against our recognition of that regime.

Some people have said, therefore, that there is no question about where the Congress stands on this issue, and that there is no need for the resolution which is pending before us.

With this I cannot agree.

There is every indication that the Communist regime of Red China has not given up its designs to become a member of the United Nations and to replace the legitimate representation of the Republic of China. Further, the advocates of U.S. recognition of Red China are continuing their campaign.

In view of these facts, and since it now definitely appears that the question of the admission of Red China will be debated by the 16th General Assembly of the United Nations which will meet in New York on September 19, I believe that this House must once again express its position on these issues.

The reasons for the position outlined in the resolution are based on reality and solid facts of history.

These facts demonstrate that, by every standard of national and international conduct, the Communist regime on the mainland of China is an outlaw and an aggressor. Red China is not a peaceful nation. It is inadmissible under the charter.

The Red China regime has perpetrated murder upon its own people. It has abused foreign nationals, throwing them into prison and submitting many of them to inhuman tortures and death. It has provoked civil or foreign wars in Korea, in Tibet, in Indochina, in the Philippines, in Malaya, and in Laos. It has been branded an aggressor by the United Nations, and in spite of this it has continued to defy and fight that organization. To this very day, the Communist regime of Red China continues to defy United Nations aims to reunify Korea, and all efforts being made to promote the establishment of just peace, with freedom, in many parts of southeast Asia.

These are facts—this is the reality with which we must deal.

These facts show clearly that Communist China does not meet the requirements outlined in the U.N. charter for membership in the United Nations.

Red China is not a peace-loving state, and it is neither willing nor able to carry out the obligations of membership in the United Nations.

Red China must not be admitted to the United Nations, and it must not be recognized by our Nation.

These are my sentiments. And I earnestly hope that the membership of the House will concur in them by unanimously approving the resolution before us.

Mr. BURLESON. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Speaker, I share wholeheartedly the sentiments that have been expressed heretofore with respect to this resolution. But I think there is one point that might be further underscored. A short time ago the gentleman from Florida indicated that this House and indeed the Congress, previously, on many occasions, expressed its views upon the subject of the admission of Red China to the United Nations. This is true. It is estimated that on as many as 17 different occasions this House has said that we do not believe in the admission of Red China. Then, some say, why should we restate that position today?

I think we should do so because here we are in a rather new Congress, the 1st session of the 87th. It is important that the views of this Congress be made known in this respect. It is important also just at this crucial time in the history of the world, when there is so much conflict between communism and the freedom-loving nations that we again restate our position. So it is of the utmost importance that the House act upon this resolution, that it act favorably, and that it act unanimously in showing our unalterable opposition to the admission of Red China to the United Nations.

Mr. BURLESON. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut [Mr. MONAGAN].

Mr. MONAGAN. Mr. Speaker, I rise in support of this resolution not only on the general grounds on which it is based but also because of specific language, which has not yet been referred to, and which I should like to emphasize. The gentleman from Minnesota has spoken of the repression of Tibet and the gentleman from Texas has spoken of the suppression of the narcotics trade, but there is another very important provision in this resolution which no one has mentioned. It censures Communist China for its failure to release American prisoners as promised. We in Connecticut are very sensitive about this question because there is a young man from the city of New Britain named John Downey who is still in a Communist prison. Therefore, for this reason, to emphasize our firm, national feeling in this connection, as well as the other reasons which have been mentioned, I think it is extremely important that we vote this resolution unanimously today. I compliment the gentleman from Texas on his outstanding work in connection with this resolution.

Mr. BURLESON. I thank the gentleman very much.

Mr. Speaker, I yield 2 minutes to my colleague from California [Mr. McDONOUGH].

Mr. McDONOUGH. Mr. Speaker, I rise in support of this resolution. However, I do feel that it is not strong enough nor specific enough to express the opinion of this Congress. I see no instruction in the resolution to the U.S. delegate to vote "no" if a proposal should come before that body, and I see in the last paragraph of the resolution that it is the sense of the Congress that the American people support the President in not according diplomatic recognition to the Chinese Communist regime. It has been only a few weeks ago that the papers were filled and our mail was filled with vehement protests against Mr. Lattimore's being sent to Outer Mongolia for the purpose of inducing that nation to become friendly with the United States, which was considered a back-door approach to the admission of Red China to the United Nations.

We have passed this resolution 17 times before. This is a pious resolution, in a sense. It is an expression of the Congress. It is mild in its approach. It is not specific enough, in my opinion. I doubt that it will have any effect on the Council of Foreign Relations, which has been considered the invisible government in the control of international affairs in the United States.

I compliment the committee on bringing in the resolution. I think it is nothing more than a repetition of what we said before. But I do not think we have said in specific terms that we want the U.S. delegate at the United Nations to vote "no," and we have not done anything to oppose bringing Outer Mongolia into the United Nations, except by stating that we do not want Communist China as a part of the United Nations.

Mr. BURLESON. If the gentleman will yield, may I just say to him that I do not intend to take issue any further than to say that as far as Outer Mongolia is concerned there is no evidence, and if there is I would be happy to know of it, that there is any crucial recognition of any sort or kind involved. Therefore, I think the gentleman's remark in that respect is rather extraneous to the issue here at the moment.

Mr. McDONOUGH. Why should not the resolution specify that the U.S. delegate to the United Nations should vote "no" on the recognition of Red China?

Mr. BURLESON. The gentleman may not have heard my earlier remarks in explanation of that subject. I, and I think perhaps others, have introduced resolutions on this subject.

It was considered wise and in the interest of orderly procedure that they be considered separately because the issues were not identical and, in addition, at the present time we did not think that if the resolution were amended, it would have a fair chance of being passed by the other body.

Mr. McDONOUGH. I do not want to appear too critical, but I must say, having said the same thing 17 times, What is the reason for having to state it again, if we do not say it in more positive terms this time than it was said on previous occasions?

Mr. JUDD. Mr. Speaker, if the gentleman will yield, is the gentleman suggesting that if a man, on his 17th wedding anniversary, tells his wife he loves her, it does not make any difference because he has said it 17 times before?

Mr. BURLESON. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. ASHLEY].

Mr. ASHLEY. Mr. Speaker, the resolution before us will pass overwhelmingly, but it will not pass unanimously. Two years ago, Mr. Speaker, I cast my vote against a similar resolution and on the basis of the convictions I had at that time, I shall do so again today. On that occasion 2 years ago, Mr. Speaker, the vote, as I recall, was 381 to 2. Of the 2 dissenters, one has survived and the other has not, indicating that there may be at least a certain amount of political danger in expressing opposition to the kind of resolution before us today. However, Mr. Speaker, if it is necessary to choose between being safe and being consistent with what I feel is a matter of principle, I must favor the latter. I did not think it was a good resolution 2 years ago and I do not think it has improved with age. Two years ago, I said that the resolution then before us was

both undesirable and unnecessary—undesirable because it restricted the flexibility of the President in the conduct of our foreign policy for which he under the Constitution is solely responsible; unnecessary—because Congress has gone on record no fewer than 19 times in opposition to the admission of Red China to the United Nations. I believe the resolution before us today is undesirable and unnecessary for these selfsame reasons.

Two years ago, I said that there was no noticeable tendency on the part of the Eisenhower administration to waver on the question of Red China's admission to the United Nations. Certainly the Kennedy administration today cannot be said to entertain any illusions with respect to the Communist menace which confronts us throughout the world. Neither administration requested an expression from Congress on the subject of Red China because it simply was not and is not needed.

On the contrary, Mr. Speaker, if Congress persists in this kind of gratuitous expression, every vestige of flexibility in the conduct of our foreign policy stands to be destroyed. It is time we recognize that such infringements by Congress upon Presidential authority, well intentioned though they may be, may actually serve to frustrate implementation of an affirmative foreign policy.

Let me say again for the RECORD, Mr. Speaker, that I most certainly do not favor admission of Red China into the United Nations at this time. My vote today does not reflect any misconception with respect to this brutal regime. My objection to the resolution before us is that the administration has little enough room for maneuver on China policy without Congress tying its hands still tighter.

Mr. BURLESON. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Speaker, I shall, of course, support this resolution. I offer merely one observation paraphrasing the words of Ralph Waldo Emerson, that what we do not do in the way of vigor, firmness, and effective action in the field of foreign policy and toward our enemies may speak so loudly that the world will have difficulty hearing what we say in these resolutions.

Mr. BURLESON. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland [Mr. JOHNSON].

Mr. JOHNSON of Maryland. Mr. Speaker, this resolution deserves the overwhelming support of this Congress. It focuses our attention on the magnitude of the cold war in which we are engaged. While the eyes of the world are centered on the deepening crisis in Berlin, we must not forget that Communist China is an equal partner with the Soviet Union in the Communist philosophy to dominate the world.

Communist China is committed to the policy that "war is inevitable." Gentlemen, we are told that Red China will develop the nuclear bomb within the next 18 months. Dedicated to a program that war is a necessity, that human life is of no real value, should awaken all of us to the fact Red China also imposes a threat to our survival.

Red China stands adjudged as an aggressor by the United Nations, yet there are those who claim Communist China should be in this world body. I am sure the souls of thousands of American youth who died in the rice paddies and on the desolate ridges of Korea will cry aloud in protest if Communist China should be accepted into the family of nations.

Red China remains defiant of the rules of decent international conduct and arrogantly proclaims dedication to the philosophy of armed combat as the means of promoting her godless ideology.

All our leaders state we are at war—a cold war. It is a war being fought on many fronts but by a means short of full-blown armed hostilities. From the standpoint of objectives, on the part of the Communists, it is as much war as any ever fought. Their goals are demoralization, conquest, control, and colonization of territory and the enslavement or destruction of free nations and freemen. Their declared ultimate goal is the subjugation of the United States.

This resolution demonstrates the feeling of Congress that Red China is not only a threat to the free world but also a dangerous country to be admitted to the United Nations.

Mr. Speaker, I want to join in asking the unanimous adoption of this timely resolution.

Mr. BURLESON. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Speaker, I rise in support of this resolution and urge its unanimous adoption.

The question has been raised here as to whether or not we need another reaffirmation of our determination not to seat Red China in the United Nations, since we have adopted similar resolutions on 19 previous occasions. The thought comes to me that it is extremely necessary for the entire country and the world to know how the Members of this Congress feel, and that this resolution is required now again, to remind the world of the fact that we continue to be against the admission of Red China into the United Nations simply because there are those who might say that maybe the time has now come to give consideration to the admission of Red China. I do not think Red China should be considered for admission into the United Nations until such time as the people of this once great nation are given full rights of self-determination. There is no question in my mind that if the people of China were given the right to freely elect their leaders, they would rid China of the Communist yoke immediately just as would the people of all captive nations drive the Communists out, given a similar opportunity. I hope this resolution will be unanimously adopted.

Mr. BURLESON. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Speaker, I rise to speak about this resolution, with the realization that the House has time and again gone on record on this question and also with the realization that this provision is included, if my recollection is correct, in the foreign aid bill which was passed and that it will probably come back to us in the conference report.

Mr. JUDD. Mr. Speaker, if the gentleman will yield, I just want to say that the section in opposition to Red China is not now in the conference report.

Mr. RYAN. In any event, we are on record, and it seems to me that the time has come for us to face this question positively. I think this resolution presents a negative approach. I think for us to say in the United Nations that this is a subject which is taboo, which should not be debated, which should not be discussed, is a wrong approach. It seems to me that we cannot ignore the fact that there are 650 million people on the mainland of China; that this country will eventually have atomic weapons; and that, if there is going to be any measure of control over armaments throughout the world, efforts must be made to bring all nations into some kind of disarmament agreement. And, if we do not talk to the people, we do not have any chance.

While we cannot support the admission into the United Nations of Communist China, or any other country which does not adhere to the principles of the United Nations, nevertheless negotiations can be carried on and efforts made to see if this regime is willing to release prisoners of war, if it is willing to adhere to the declarations of the United Nations, and to what extent. A commission set up under the United Nations, a committee to study this problem, might in time find an appropriate willingness; at least, it would be an approach. It would be a positive step forward.

It would be a cessation of the rigid thinking, the inflexible thinking, which has guided policy in this area in the past.

The Constitution places the responsibility for the conduct of foreign relations in the executive branch. It seems unwise at this particular time—and in the face of the impending struggle in the United Nations over the China question—that the Congress tie the hands of the Executive. Beyond this, in the face of the possibility that the Peiping government will be seated, this action by the Congress can only have the effect of making any defeat for the U.S. position more resounding than it would otherwise be. There is a chance that through tactical maneuver, and other means of exerting influence, we may keep the Peiping government out of the United Nations by a very narrow margin. But if this is to happen, it will not be because of this resolution. Quite to the contrary, as year after year support has diminished for our position—as year after year delegations have made it all too evident that they deferred to the United States against their preconvictions—as year after year new members have been added who do not care to identify themselves with the United States on this issue our position has become increasingly tenuous. One might go so far as to say that on this issue

we are out of step with most of our European allies and with most of the nations of Asia and Africa, including the new states of Africa. It is increasingly doubtful whether we can depend upon the earlier support of all the Latin American Republics.

This resolution will not cause these nations to change their own objective views on this issue. In fact, in some instances, in their determination not to be pressured into an alinement in the cold war—this resolution will have the effect of hardening their determination not to vote with the United States. In some quarters of the world, and I am not referring to the Communist bloc, governments and peoples are becoming tired of catering to what they conceive to be the highly unrealistic proposition that the Nationalist Government on Formosa represents the 650 million people of mainland China. Right or wrong, they are becoming tired of the assumption that the Formosa Government is either the de facto government or the legitimate Government of China. Indeed many increasingly are of the view that these very assumptions—implying a restoration of the Chiang Kai-shek government upon the mainland—constitute a threat to world peace. Rightly or wrongly these nations harbor the thought that by stubbornly persisting in our opposition to seating the Peiping government the United States is perpetuating a threat to the peace. This being the case, it is not difficult to see that those nations who share this opposition to our China policy—but who support us on most other questions—would like to see the United States come out of this bruised as little as possible. If one may judge their public statements correctly—they would like to see the United States approach this issue on its merits as any other issue coming before the United Nations. They feel embarrassed for us as we pose the issue, not as a procedural question before the United Nations, but rather as an ultimate test of faith in which a vote against us would be taken as a total rejection of all that we stand for and a total embracement of communism. As we pose the issue, their vote on China representation must be an allout acceptance of what we stand for or an allout rejection. By this resolution we would take the issue of China representation out of the normal process of U.N. solution and instead place the prestige of the United States on a pedestal in the United Nations—then challenge the assembled delegates to bring our prestige crashing down.

We have good and valid reasons for opposing the representation of Peiping in the United Nations. But we have failed to grasp the reality of the fact that many of the non-Communist nations disagree with our position. We believe, for example, that the Peiping regime is not truly representative of the Chinese people since it has imposed itself upon the people. It has not held free elections, but many of our allies contend that this is not a criterion of membership in the United Nations. It is evident, they say, that the Peiping regime has de facto control over China. We assert that Communist China does not meet the requirements of being peace loving nor of assuming the responsibilities of international law and order. To document this position we point to China's aggression in Korea, its violation of the provisions of the Hague Convention on Prisoners of War, its sword rattling over Formosa and its aggression in southeast Asia and Tibet. Many of our allies hold the view that, while this may be true, to some extent China's bellicose behavior might be attributed to the international ostracism enforced by denying Peiping a seat in the United Nations. Others would say that if our objective is to make China conform to United Nations standards the best way to accomplish this would be to bring her into the United Nations where the Peiping government could be held accountable. We contend that the Nationalist Government was an original member of the United Nations and so long as that government exists it is entitled to its seat. Many of our allies would say that this is a valid argument for keeping the Republic of China in but not a valid reason for keeping the Peiping government out. We contend that with Communist China and the Soviet Union both represented the Communist bloc would have overriding power in the United Nations. Many non-Communist countries who oppose us on this issue would say that two vetoes in the Security Council are no more effective than one. They point out that in all probability China and the Soviet Union would not see eye to eye on all questions but would bring to public view the existing frictions within the bloc. Whether we agree or not, we have to recognize the fact that the views of many non-Communist countries on this issue do not coincide with our own.

Let me quote from some of the leaders of our stanch ally, the United Kingdom. Last December 12 there was a revealing debate in Parliament. Mr. Desmond Donnelly introduced a resolution calling for censure of the Government for its failure to press for the admission of the Peiping government to the United Nations. Along with many reasons advanced favoring representation, Mr. Donnelly chided the Government for its refusal to support Peiping representation simply on the grounds that it might result in U.S. withdrawal from the United Nations. He said:

> If we take that argument to its logical conclusion, on the same basis the United Kingdom Government should have withdrawn from the United Nations because of American opposition to us over Suez.

Another Member of Parliament, Mr. John Tilney, agreed that Peiping should be represented, but said:

> What is the good of hailing China as a friend if, by so doing, one immediately makes the United States one's enemy. * * * I must say that I hope that under the new administration and under the new President the policy of the United States will change.

Another Member, Lady Megan Lloyd George, then said:

> Even the United States, powerful as she is, could not afford to leave the United Nations. But even if such an argument could have been used in the days of Dulles, it cannot reasonably be used in the days of Kennedy.

Another Member of Parliament, Mr. C. Pannel, said:

> Surely the honorable gentleman does not expect us to be as mealymouthed to the party opposite as it is to the Americans. * * * The United Nations is not a club that was opened only for our friends, the Americans. * * * The Americans know that they cannot, for too long, maintain this facade of not recognizing Red China.

A member of the opposite party, Mr. Cyril Osborne, said:

> Our best course is to do all that we can behind the scenes to persuade the Americans to agree to the inclusion of Red China in the United Nations.

Another member, Miss Jennie Lee, then stated:

> If the price of the Anglo-American friendship is British subservience, that is too high a price. * * * I believe that the American people are now ready for a move to be made on this front, but whether they are ready or not there ought surely to be a British voice in international affairs.

Then followed Mr. Donald Wade:

> One objection is that it would involve a serious loss of face for the United States. However, one cannot go on keeping up the pretense that the de facto government of China is not really the government, and whatever loss of face may be involved, I think it will be all the worse the longer the decision to admit Red China is put off.

Then Mr. Gordon Campbell reviewed the reasons behind the U.S. position, concluding:

> I would support moves to break the deadlock, but I believe that these require careful preparation. Otherwise there is a danger of very serious misunderstandings with the United States. * * * This is a matter on which public opinion in that country could very quickly, though wrongly perhaps, be influenced against us.

Mr. Speaker, there is no need to cite further evidence of the strong feeling in both the Conservative and Labor Party in Great Britain to the general effect that the right course of action would be to admit Red China to the United Nations—but their view is that, since the United States has an unreasonable obsession about this, they had better handle us with kid gloves. This same thinking has prevailed in many other countries. I will not take the time to quote opinion expressed in the Parliaments of the Scandinavian countries, Japan, India, Burma, Pakistan, Indonesia, Cambodia, Ceylon, and many of the countries of the Middle East, Africa, and Latin America.

While the British Government has not firmly committed itself, it has been warming up to it. On February 9, the Foreign Secretary, Lord Home, said in the House of Lords:

> We have supported the moratorium on debates on whether or not Communist China

should be seated in the United Nations, because the choice, until now, has been between the admission of Communist China and the breakup of the United Nations, and so long as that was the choice there was only one answer. It is for the United States to say, in their own time, what their attitude will be.

The Foreign Secretary later declared that the facts of international life required Communist China's admittance into the United Nations. Prime Minister Macmillan and President Kennedy reportedly agreed only to disagree on China policy, at the time of their meeting in Washington last April.

During his state visit to the United States in July, President Mohammed Ayub Khan of Pakistan let it be known that the Government of Pakistan now favors the admission of Red China and will not oppose admission at the September session.

The meeting between President Kennedy and Premier Hayato Ikeda of Japan, while Ikeda was in the United States at the end of June, is of interest. Japan did not agree to oppose the seating of Communist China. The position of Japan, rather, was that Communist China could not be the sole representative of China in the United Nations; that the Nationalist Government should also be represented; and that the seating of Communist China would not recognize the territorial jurisdiction of Mainland China over Formosa. Premier Ikeda made it clear that pressures within Japan were propelling that Government to establish closer relations with China; that it was "unrealistic and unnatural" that a nation of 650 million people should not be included in the United Nations.

Former President Quadros of Brazil had indicated that Brazil will shift its vote at the forthcoming session and favor consideration of the China representation question.

At the last session the moratorium on considering the question of China's representation won by a vote of 42–34 with 22 abstaining. Most of those abstaining, including the newly independent countries of Africa, have indicated that they will vote in favor of placing the issue on the agenda and many have indicated support for seating the Peiping regime.

Mr. Speaker, the distinguished chairman of the Senate Foreign Relations Committee put his finger on the nub of the situation when he said on television recently that in effect the President does not have a free hand in this matter, that he is the victim of our past mistakes and American public opinion. This is not foreign policy based on freedom of the Executive to initiate, respond, and maneuver with flexibility in the national interest. Rather, in this annual ritual of passing a resolution it is foreign policy by handcuffing the President. It goes far beyond the advice-and-consent-of-the-Senate provision of the Constitution.

Since 1948 the House of Representatives has passed 16 resolutions, all having the effect of binding the hand of the Executive—all having the effect of serving notice on the other countries of the world that any dissent from our view would constitute a vote of nonconfidence. Indeed, during the recent foreign aid debate, 102 Members voted to deny economic aid to any nation which voted for the seating of Communist China. It has been suggested that a defeat on this issue would mean our withdrawal from the United Nations.

Mr. Speaker, I want to reiterate that our reasons for excluding Peiping from the United Nations are appreciated by only a handful of our allies. I want to point out that since the very thin margin against Peiping's representation at the last session the margin has shifted against us. If despite the passage of this resolution the Peiping regime should be seated, the adverse impact on the prestige of the United States will be magnified a thousandfold.

Mr. Speaker, I believe that the United States should reexamine its policy and be prepared to make a shift in the posture we have held since 1949. I am not suggesting that we abandon our policy of containment; nor that in the near future we abandon the embargo; nor that we immediately abandon our opposition to United Nations representation. I do suggest that we accelerate a trend which began during the last year of the Eisenhower administration and which has been quietly continued during the Kennedy administration. That is a policy of avoiding provocation; of letting past hostilities cool down; of firmly letting it be known that the United States does not condone nor will it support any efforts of the Nationalist Government to liberate the mainland; and a policy of laying a basis for some relations with the Peiping Government. This the administration has been quietly pursuing through the negotiations at Warsaw on exchange of newsmen, the distribution of food in starvation areas through international voluntary agencies, and other issues. The current investigation of the merits of recognizing Outer Mongolia may be taken, in part, as a cautious attempt to change our earlier posture. Such measures will provide the United States with more instruments of international influence and control than have been available under our past static policy of containment and threatened liberation.

Mr. Speaker, I submit that such an approach making for flexibility of action would be preferable to tieing the hands of the President through the passage of this resolution.

Mr. BURLESON. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. ROUSSELOT].

Mr. ROUSSELOT. Mr. Speaker, I rise in support of this resolution, Senate Concurrent Resolution 34. I am proud to proclaim my support of the Republic of China. I am totally opposed to everything for which the Chinese Communist Government stands. I say to the gentleman from New York [Mr. RYAN], that if it were true that the Communist Chinese regime now in control in China were truly representing the 600 million people in China we would be delighted to consider it; but they do not represent those people. They represent the people of China in no positive way. I say that a leader who has allowed the execution of 20 million people is not a true representative of the people.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield.

Mr. RYAN. Does the gentleman contend that the Formosa regime represents the 650 million mainland Chinese?

Mr. ROUSSELOT. Much more nearly than Mao Tse-tung.

So, Mr. Speaker, I say that this resolution is very important. It is important that the Congress go on record making its opposition to this Communist conspiracy entirely clear.

I also feel that it is important that the American people know that we are firmly opposed to the Communist philosophy espoused by Mao Tse-tung.

I wish this resolution was stronger in its denounciation of the Red Chinese government, but I am still proud to support it in its present form.

Mr. BURLESON. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. DOYLE].

Mr. DOYLE. Mr. Speaker, I am in support of this resolution.

Mr. Speaker, I speak emphatically, even though it must necessarily be brief, in support of Senate Concurrent Resolution 34, which emanated from the Committee on Foreign Affairs, and say that since there has been a well-rounded and informed discussion of the subject matter of this resolution by the able members of our Committee on Foreign Affairs, I do not find it pertinent for me to take the time of the Members of this House to also discuss the merits of the timely concurrent resolution which so aptly declares that the Republic of China has faithfully discharged its obligations under the Charter of the United Nations while the Chinese Communist government has flagrantly violated basic human rights, and has imposed on the Chinese people one of the most brutal regimes known to history, and is without authority to speak for the Chinese people other than the authority that derives from usurpation and tyranny.

Furthermore, that worthy resolution which I rise in support of identifies that the Chinese Communist regime by its aggression in Korea and its repression in Tibet, by its failure to release American prisoners as promised, by its export of narcotics to non-Communist countries, in collaboration with criminal elements in these countries, on a scale that makes it the major source of the international illicit narcotics traffic, and its hostility toward the United States and the United Nations has demonstrated that it is not qualified for representation in the United Nations.

Mr. Speaker, because of these factual recitals, and because my support of this pertinent resolution at this time is but a continuance of my long-existing and well-known opposition to the Chinese Communist regime being in the United Nations until or unless that Communist

conspiracy in good faith vigorously discontinues its persistence in open defiance of the principles of the United Nations, I bespeak for a unanimous vote in favor of Senate Concurrent Resolution 34.

And furthermore, Mr. Speaker, I would consider myself as remiss if I did not cordially compliment the author and the Committee on Foreign Affairs in bringing forth this resolution dated July 31, 1961.

I think it is probably well known that I am now and have been one of the congressional endorsers opposing the sitting of Communist China in the United Nations and am a member of the Committee of One Million Against the Admission of Communist China to the United Nations. The statement on the literature of that Committee of One Million states as follows:

> We continue to oppose the seating of Communist China in the United Nations, thus upholding international morality and keeping faith with the thousands of American youths who gave their lives fighting Communist aggression in Korea. To seat a Communist China which defies, by word and deed, the principles of the U.N. Charter would be to betray the letter, violate the spirit, and subvert the purposes of that charter. We further continue to oppose U.S. diplomatic recognition or any other steps which would build the power and prestige of the Chinese Communist regime to the detriment of our friends and allies in Asia and of our national security. Any such action would break faith with our dead and the unfortunate Americans still wrongfully imprisoned by Communist China and would dishearten our friends and allies in Asia whose continued will to resist Communist China's pressures and blandishments is so vital to our own security interests in that part of the world.

The Steering Committee of that Committee of One Million Against the Admission of Communist China to the United Nations being the following distinguished Americans: Senator Paul H. Douglas, Hon. Charles Edison, Representative Walter H. Judd, Senator Kenneth B. Keating, Hon. H. Alexander Smith, Representative Francis E. Walter.

Mr. FLOOD. Mr. Speaker, on the eve of the 16th session of the General Assembly of the United Nations, when the question of Chinese representation may come to a climax, Red China has launched a large-scale campaign to win China's seat, now held by the Nationalists. Simultaneously it has renewed its verbal attacks on Formosa in an effort to oust Chiang's Nationalist Government, not only from the United Nations, but from its stronghold on that island.

This campaign must not succeed. The members of the United Nations must stand firm against this attempt by an aggressor nation to force its way into an organization which was established to help maintain the peace.

The arguments which are advanced in favor of Chinese Communist representation in the United Nations are contradictory, paradoxical, and without basis in fact.

It is argued that Communist China controls and really represents the Chinese people, while Nationalist China speaks only for Formosa. What could be further from the truth? The Chinese Communist government does not and never will control the minds and hearts of the Chinese people. Chiang Kai-shek's government, on the other hand, is the true representative of China, the inheritor of its honorable traditions.

It is argued that the United Nations should be "universal" and that universality cannot be achieved in the absence of the Chinese Communists. This is a play upon words, an exercise in semantics, an argument with no substantive meaning. For the sake of some meaningless "universality" should the United Nations be turned over to the aggressive forces in the world? The United Nations was not based, and should not be based, upon "universality." In the words of the U.N. Charter, it is, or should be, an organization of "peace loving" states. Whenever the United Nations ceases to emphasize its peacekeeping and peacemaking purposes it will have started on the road to its own dissolution.

Premier Khrushchev argued brazenly in the last U.N. General Assembly that Communist China was peaceloving. He failed to explain how such a peaceloving state could join the North Koreans in fighting United Nations forces, sent to resist the North Korean aggression; how it could conquer and virtually annihilate the Tibetan people; how a peaceloving state could encroach upon large areas of Indian territory; how it could threaten world war over Formosa; how it could seek to infiltrate and subvert in southeast Asia. Red China is the only nation in the world that advocates war as an instrument of national policy.

Statements have also been made from time to time to the effect that world problems involving China such as disarmament, the situation in Laos, and the threats against Formosa, cannot be settled in the absence of Communist China from the United Nations. The proof that negotiations of these questions can go on, whether or not Communist China is in the United Nations, is evident from what has and is actually happening. The United States has negotiated with Communist China for years on a number of problems, in Warsaw, in Geneva, and elsewhere.

Red China, under its present leaders and with its present policies, would weaken, divide, and subvert the United Nations. This fact should be apparent to all members of that organization.

Mr. BARRY. Mr. Speaker, in the conflict between Communist totalitarianism and the free world one of the major difficulties is the difficulty of reaching agreement with our allies on what our position should be toward Communist China. Among our allies there are divergent views—and within each of them there is no firm view on this issue. Yet we must remember that our position must often seem unclear to our allies. That our discussions about the seating of Communist China in the United Nations may raise doubts about our position is extremely unfortunate, particularly in relation to our allies in Asia. How extraordinary it must seem to them that we who have been pleading with them for the last several years not to recognize or trade with Communist China appears now to contemplate such a possibility. It seems to me that to take an annual vote on this matter must suggest to many of our Asian allies that they, too, should recognize and finally trade with this renegade nation. It might convince them, too, that the Chinese Communist regime was proving so powerful that even the United States was considering dealing with it. These Asian allies of ours are not strong enough to stand against Communist aggression by themselves. The temptation to float with what might seem like the rising tide would be very great, very great indeed.

But there is another and an entirely different reason for this House to express its opposition to the admission into the United Nations of the Communist regime. Communist China has put itself, from the beginning, outside the pale of international law. There are other nations around the globe that have no consideration for the good of mankind or the rule of law, but in almost every instance those nations were recognized at a time when there was at least the hope that they would live up to their international obligations. Communist China, however, has not even afforded us the opportunity to delude ourselves into believing it possible. It has been reckless enough to keep us constantly aware of its absolute refusal to conduct itself in a civilized manner.

With this daily and dreadful example before us, how can the House do other than unanimously support the resolution before us?

Mr. HIESTAND. Mr. Speaker, I believe this to be a particularly important time for us overwelmingly to adopt this resolution.

The pressures for admisison have recently been stepped up by the pro-Communist bloc.

The recent news that the Red Chinese would soon have an atomic bomb, was I believe intended as such a pressure.

If we, the elected representatives of the American people, today declare ourselves we are declaring the will of the people. I believe the administration may then be justified in instructing our delegates not only to oppose the admission of Red China, but even to oppose the consideration of the question.

A tremendous upsurge of public opinion against the obviously phony recommendation for recognition of the phoney government of Outer Mongolia reflects only a part of the tremendous conviction of the American people against the recognition by the United Nations of Red China.

Mr. HALPERN. Mr. Speaker, I rise in vigorous support of this resolution to oppose Red China's admission to the United Nations. This reaffirmation of American sentiment just a short time before the United Nations reassembles will, we hope, give pause to those countries

who insist that Red China should participate in the councils of that body. And, I trust that the U.S. delegates will heed this action of the elected representatives of the American people and use the veto power, if need be, to block Red China's admission.

I cannot accept the concept that any nation, great or small, can force its way into the world body of nations through intimidation, aggression, cynical opportunism, and brutality. If these are the credentials for admission we might as well scrap our system of values built up over the course of more than 2,500 years. Tyrannical imperialism cannot in any manner be construed to be in conformity with the principles of justice under law, independence of nations, and self-determination.

China does not qualify for admission under the Charter of the United Nations. Article IV of that charter which relates to admission of nations other than the original members reads:

> Membership in the United Nations is open to all peace-loving nations which accept the obligations contained in the present charter and, in the judgment of the Organization are able and willing to carry out these obligations.

The "obligations" referred to in the Charter consist among others of the principles of settlement of disputes by peaceful means and the refraining by members of the threat of use of force against the territorial integrity or political independence of any state.

As long as Red China adamantly and irrationally insists on violating these obligations, it will by its own actions—not those of others—keep itself from admission to the United Nations. No reasonable person can argue that its past and present record in any way refutes its consistent violation of these Charter provisions.

The record of the Red Chinese Government in the decade since it bludgeoned its way to power in that country hardly lends support to those seeking its current admission to the U.N. Aggression, subversion, coercion, guerrilla raids, suppression of independent governments, the flaunting of international agreements, despotic and brutal disregard of human rights—the hideous roster is there for all to see—Korea, Burma, Indochina, Quemoy and Matsu, Tibet, and Laos. And, recent reports from the northern frontier of India indicate mounting Chinese coercion against Bhutan, Nepal, and the other small buffer states in the Himalayas.

Despite years of negotiation at Geneva and Warsaw, Red China is still holding Americans in prison on charges never proved in courts of competent jurisdiction under the protections of due process of law. We cannot forget these Americans for whom the Reds consistently refuse to give an accounting, despite their pledges solemnly made at Panmunjon, another sickening, horrible example of broken promises and commitments.

Admission of Red China to the United Nations would endanger the free world security system which we and our allies have built up in southeast Asia. It would constitute a devastating blow to our policy of moral and material support of the small nations in that part of the world which are desperately endeavoring to maintain themselves against the massive pressures from Red China.

It would constitute a demoralizing blow to the Government of Nationalist China on Formosa and lead to the recognition of the Red China government by the other nations of the world, thereby enormously increasing the prestige of that government and of communism.

It would, in short, give aid and comfort to a nation which is determined to destroy us, which is, in effect, at war with us.

Let us hope that the indication of American determination not to be coerced by force or aggression, so splendidly demonstrated by the adoption of the resolution by the House of Representatives, will reverberate throughout the world until every aggressor realizes that freemen will not be dissuaded from their goal of justice for all nations under law.

Mr. Speaker, I trust the resolution will pass by an overwhelming vote.

Mr. ROGERS of Florida. Mr. Speaker, I rise in support of this measure. It clearly illustrates the feelings of the American people that Communist China be denied entry to the United Nations.

There are no reasons to support the entry of this ruthless enemy of freedom to the U.N. Red China is the most barbaric symbol of world communism. Its population of 669 million enslaved souls was denied entry for the 10th consecutive year last October 8 when the issue came to a vote before the world body, and Communist China has not altered its role in fomenting world turmoil since that time. On these grounds, further consideration of Red China's entry to the United Nations is unwarranted.

Mr. SHRIVER. Mr. Speaker, I wish to declare my strong support of this resolution expressing the sense of Congress against the seating of Communist China in the United Nations. Because of my firm belief that the Communist government on the mainland of China has not demonstrated anything but contempt for the principles of the United Nations, I introduced a similar resolution—House Concurrent Resolution 269—along with other of my colleagues in the House.

The Chinese Communists see the victory of communism in Asia as inevitable; and now that they control the vast population and territory of mainland China they are utilizing the advantages these give to encompass their ends.

Chinese Communist leaders have shown by their words and their acts that they are not primarily interested in promoting the welfare of their people while living at peace with their neighbors. Their primary purpose seems to be to extend the Communist revolution beyond their borders to the rest of Asia and thence to the rest of the world.

I believe it is significant that the House and the other body, either jointly or separately, have passed by floor action at least 16 resolutions or amendments to other measures expressing opposition to admission of Red China to the United Nations since 1951. The record decisively shows the unanimity of the Congress on this particular question.

The results of my 1961 opinion poll in the Fourth District of Kansas, as well as the mail from constituents, indicate that most citizens are in accord with the resolution.

Mr. Speaker, I believe that the late John Foster Dulles very ably summarized the thinking of most of us who support this resolution. He said:

> Internationally the Chinese Communist regime does not conform to the practices of civilized nations; does not live up to its international obligations; has not been peaceful in the past, and gives no evidence of being peaceful in the future. Its foreign policies are hostile to us and our Asian allies. Under these circumstances, it would be folly for us to establish relations with the Chinese Communists which would enhance their ability to hurt us and our friends.

Mr. BREEDING. Mr. Speaker, I am happy to support this resolution, which puts the Congress strongly on record against any change in the relationship between this country and Communist China. It is timely for the Congress to adopt this resolution and thereby reaffirm to the entire world our unalterable opposition to any nation "shooting" its way into the United Nations or into the family of nations.

Mr. Speaker, this Nation is founded upon a respect for individual freedom, for law and order, and for honorable dealings between individuals and nations.

The Chinese Communist despises the individual. They have substituted the lies for truth. Doubledealing and trickery are normal diplomatic tools for them.

We cannot compromise our strong moral position by compromising with a nation that reeks of tyranny, cruelty, and despotism. Communist China is an outlaw among nations. They must remain an outlaw nation until such time as they prove by deeds—not words—that there has been a fundamental change in their form of government and in their approach to other nations.

If we should accede to the admission of Red China to the United Nations, we would betray a faithful ally and friend.

President Kennedy has said there will be no change in our China policy. This resolution by the Congress will strengthen his hand.

I hope the resolution passes by a unanimous vote.

Mr. LANGEN. Mr. Speaker, permit me to add my voice to the many elegant and eloquent statements that have been made in the House today in support of Senate Concurrent Resolution 34. The hope of the free and Christian people throughout the world will surely rise with the strong support of this resolution by the Congress of the United States of America.

When I joined several other Members of Congress in proposing the resolution, it was with the feeling that Congress should be on record as being opposed to both the admission of Communist China to the United Nations and diplomatic recognition of the Chinese Red regime.

The resolution cites several reasons for nonadmittance and nonrecognition of the Chinese Reds, including defiance of the United Nations and its principles; aggression against the U.N. in Korea; suppression of human rights in Tibet and incursions against the territory of its neighbors, including India; hostility toward the United States; and the continuing imprisonment of Americans.

I want to stress further that recognition and admittance of the Chinese Communists to the United Nations would have a tremendous demoralizing effect on the freedom-loving peoples throughout the world, who are fighting the very evils represented by the Chinese Communist regime.

Mr. ANDERSON of Illinois. Mr. Speaker, I rise in support of Senate Concurrent Resolution 34, which would express the sense of Congress that the United States will remain faithful to its commitments to the Government of the Republic of China, and refuse to extend diplomatic recognition or support the admission of Red China to the United Nations. Some of us in the minority have watched with increasing alarm the apparent despair of this administration over the possibility of blocking the admission of Red China to the United Nations. Indeed, trial balloons have gone up from time to time from eminent and prominent individuals within the administration suggesting a "two-China policy." Of course, the Communists have long trumpeted that the recognition of Red China and its admission to the United Nations is an inevitable occurrence. When we become irresolute in our determination that this shall not occur, we can only give substance to this doctrine of "inevitability."

The Ambassador to the United States from the Philippines, Carlos Romulo, once expressed it very succinctly when he said that "the admission of Red China to the United Nations would be like inviting Al Capone to join the Chicago police force." I rejoice in the fact that this Congress has time after time displayed its unanimity for the proposition that we shall not compromise with evil. I hope that this resolution will not only be spread upon the records of history, but that its meaning will permeate every echelon of those departments and agencies in the executive branch, which are concerned with the day-to-day execution of our foreign policy. Let them be disabused completely of any notion that the Congress or the people of the United States will tolerate any softening in our opposition to the bloody despotism of Red China.

Not only would the admission of Red China to the United Nations be in complete violation of the U.N. Charter, but our firm friends in southeast Asia like the Philippines and Thailand would suffer a crushing blow. Although the Soviets are currently probing our defenses in West Berlin, let us not delude ourselves into thinking that Communist designs on the rice bowl of southeast Asia have been discarded. Far more important than the materialistic doctrine of economic aid is our dedication to the principles of the American Revolution. We can, therefore, not degrade ourselves in the eyes of the world by sacrificing those principles by abandoning our present policy with respect to Red China. I hope that as the result of the action that we have taken in this House today that the administration will be strengthened and encouraged to make every effort at the forthcoming session of the United Nations to block and defeat even the consideration of admission of Red China to the United Nations. In doing so, they will have the complete support of the Congress and the American people.

Mr. BELL. Mr. Speaker, this afternoon I rise to favor passage of the resolution opposing U.S. diplomatic recognition of, or seating of the Chinese Communist regime in the United Nations.

We all know that Red China was involved in the Korean conflict against the United Nations which has still not officially been terminated—even today merely a state of truce exists. A state of "suspended hostilities" still exists between the United Nations and Red China. On this count, and on many others, Communist China has violated the very charter on which the United Nations was founded.

Red China has proven herself not to be a responsible entity. She has been irresponsible on many counts, the most recent being her action in Laos and Tibet, perpetrating aggressive, warlike acts on other independent nations. Her word is not reliable, and she is not to be trusted.

If this Nation were to recognize or admit Red China into the United Nations, it would have a very unfavorable effect on many of the southeastern Asian nations who would feel that we and the United Nations have lost face. The reaction might be that a number of uncommitted countries would swing toward or into line as satellites of the Communist powers.

U.S. economic and world position would be unfavorably affected upon United Nations seating or U.S. recognition of Red China. Our trade relationships with Japan could be a case in point. Japan's economic ties have been oriented toward the West and toward the United States. If Red China were recognized by the United States or admitted into the family of the United Nations, this would have a profoundly unfavorable and undesirable effect. It would signal Japan to open up economic ties with the Chinese mainland. Today, Mr. Speaker, you cannot separate economic and political ties. They go together. If Japan's economic relations became directed toward the mainland of China, her political attention might possibly be turned in this direction. This would be another severe blow to the United States.

If Red China were to be admitted into the United Nations it would have to be on a "one China" basis. Nationalist China would have to be dropped. This is the only basis upon which Mao Tse-tung has said he would agree to even accepting United Nations membership, should it be offered. This is completely unacceptable to the United States, of course.

And what would become of our first line of defense which had been proclaimed by the Eisenhower administration to include Quemoy, Matsu, Formosa, the Pescadores Islands, Japan, and the Philippines? Surely they would fall into chaos.

If Red China were to be admitted into the United Nations, regardless of whether on a "one China" or a "two China" basis, she would inevitably be given a seat on the Security Council because of her size and population. From there, she could work very well with the Soviet Union to Western detriment. On matters involving southeast Asia, where China would not want to exercise a veto, Russia could exercise the veto, thus taking Red China off the hook as far as her relationship with other southeast Asian friends. In Eastern Europe where Russia would like to increase her alliances and friendships, China could exercise the veto where it was unwise for Russia to do so.

Recognition by the United States or admission to the United Nations at this time would tend to strengthen the Communist government in China. Reports indicate that Mao Tse-tung's regime is under strain and difficulty and could abort. Agricultural crop failures, famine, a breakdown of the communal system, and other economic difficulties in China have been disillusioning to the rank and file. The purpose of this resolution is to deny the regime another "rallying point" to propagandize and console the populace.

In view of the fact that Red China has advocated the "annihilation of the United States," and is pledged to our downfall, we should not leave a stone unturned to give the people of China every opportunity to throw off this yoke. We should not encourage the Communist Chinese regime by appeasing it or according it any of the formalities of international recognition.

Finally, Mr. Speaker, I do not believe that we can possibly win the cold war against our enemies by further uniting them. The route is to keep them divided insofar as possible until such time as there is a change in the controlling regime, or until such time as binding peacetime programs can be made, based on adequate arms inspection.

Mr. BURLESON. Mr. Speaker, I am most grateful to all who have contributed to this discussion.

Mr. Speaker, I move the previous question.

The SPEAKER pro tempore (Mr. ALBERT). Without objection the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

Mr. BURLESON. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 395, nays 0, answered "present" 2, not voting 35, as follows:

[No. 180]

YEAS—395

Abbitt	Diggs	Jones, Ala.
Abernethy	Dole	Jones, Mo.
Adair	Dominick	Judd
Addabbo	Donohue	Karsten
Addonizio	Dooley	Kastenmeier
Albert	Dorn	Kearns
Alexander	Dowdy	Kee
Alford	Downing	Keith
Alger	Doyle	Kelly
Andersen, Minn.	Duleski	Keogh
	Durno	Kilday
Anderson, Ill.	Dwyer	Kilgore
Andrews	Edmondson	King, Calif.
Anfuso	Elliott	King, N.Y.
Arends	Ellsworth	King, Utah
Ashbrook	Everett	Kirwan
Ashmore	Evins	Kitchin
Aspinall	Fallon	Kluczynski
Auchincloss	Farbstein	Kornegay
Avery	Fascell	Kowalski
Ayres	Feighan	Kunkel
Baker	Fenton	Kyl
Baldwin	Findley	Laird
Baring	Finnegan	Landrum
Barrett	Fino	Lane
Barry	Fisher	Langen
Bass, N.H.	Flood	Lankford
Bass, Tenn.	Flynt	Latta
Bates	Fogarty	Lennon
Battin	Ford	Lesinski
Becker	Forrester	Libonati
Beckworth	Fountain	Lindsay
Belcher	Frazier	Lipscomb
Bell	Frelinghuysen	Loser
Bennett, Fla.	Friedel	McCormack
Bennett, Mich.	Fulton	McCulloch
Berry	Gallagher	McDonough
Betts	Garland	McDowell
Boggs	Garmatz	McFall
Boland	Gary	McIntire
Bolling	Gathings	McMillan
Bolton	Gavin	McVey
Bow	Giaimo	Macdonald
Boykin	Gilbert	MacGregor
Brademas	Glenn	Machrowicz
Bray	Goodell	Mack
Breeding	Goodling	Madden
Bromwell	Granahan	Magnuson
Brooks, Tex.	Grant	Mahon
Broomfield	Gray	Marshall
Brown	Green, Pa.	Martin, Mass.
Broyhill	Griffin	Martin, Nebr.
Bruce	Griffiths	Mason
Buckley	Gross	Mathias
Burke, Ky.	Gubser	Matthews
Burke, Mass.	Hagen, Calif.	May
Burleson	Haley	Meader
Byrne, Pa.	Hall	Michel
Byrnes, Wis.	Halleck	Miller, Clem
Cahill	Halpern	Miller, N.Y.
Cannon	Hansen	Mills
Carey	Harding	Minshall
Casey	Harris	Moeller
Cederberg	Harrison, Va.	Monagan
Celler	Harrison, Wyo.	Montoya
Chamberlain	Harsha	Moore
Chelf	Harvey, Ind.	Moorehead, Ohio
Chenoweth	Harvey, Mich.	
Chiperfield	Hays	Moorhead, Pa.
Church	Healey	Morgan
Clancy	Hébert	Morris
Clark	Hechler	Morrison
Coad	Hemphill	Morse
Cohelan	Henderson	Mosher
Collier	Herlong	Moss
Colmer	Hiestand	Moulder
Conte	Hoeven	Multer
Cook	Hoffman, Ill.	Murphy
Cooley	Holifield	Murray
Corbett	Holland	Natcher
Corman	Holtzman	Nix
Cramer	Horan	Norblad
Cunningham	Hosmer	O'Brien, Ill.
Curtin	Huddleston	O'Brien, N.Y.
Curtis, Mass.	Hull	O'Hara, Ill.
Curtis, Mo.	Ichord, Mo.	O'Hara, Mich.
Daddario	Ikard, Tex.	Olsen
Dague	Inouye	O'Neill
Daniels	Jarman	Osmers
Davis, John W.	Jennings	Ostertag
Davis, Tenn.	Jensen	Passman
Delaney	Joelson	Patman
Dent	Johansen	Pelly
Denton	Johnson, Calif.	Perkins
Derounian	Johnson, Md.	Peterson
Derwinski	Johnson, Wis.	Pfost
Devine	Jonas	Philbin
Pike	Schadeberg	Thompson, Tex.
Pillion	Schenck	Thomson, Wis.
Pirnie	Scherer	Thornberry
Poage	Schneebeli	Toll
Poff	Schweiker	Tollefson
Price	Schwengel	Trimble
Pucinski	Scott	Tuck
Quie	Scranton	Tupper
Randall	Seely-Brown	Udall, Morris K.
Ray	Selden	Ullman
Reece	Shelley	Utt
Reifel	Sheppard	Vanik
Reuss	Shipley	Van Zandt
Rhodes, Ariz.	Shriver	Vinson
Rhodes, Pa.	Sibal	Wallhauser
Riehlman	Sikes	Walter
Riley	Siler	Watts
Rivers, Alaska	Sisk	Weaver
Rivers, S.C.	Smith, Calif.	Weis
Roberts	Smith, Iowa	Whalley
Robison	Smith, Miss.	Whitener
Rodino	Smith, Va.	Whitten
Rogers, Colo.	Spence	Wickersham
Rogers, Fla.	Springer	Widnall
Rogers, Tex.	Stafford	Williams
Rooney	Steed	Willis
Roosevelt	Stephens	Wilson, Calif.
Rostenkowski	Stratton	Wilson, Ind.
Roudebush	Stubblefield	Winstead
Roush	Sullivan	Yates
Rousselot	Taber	Young
Rutherford	Taylor	Younger
St. George	Teague, Calif.	Zablocki
St. Germain	Teague, Tex.	Zelenko
Saund	Thomas	
Saylor	Thompson, N.J.	

NAYS—0

ANSWERED "PRESENT"—2

Ashley	Ryan

NOT VOTING—35

Bailey	Hoffman, Mich.	Pilcher
Beermann	Karth	Powell
Blatnik	Kilburn	Rabaut
Blitch	Knox	Rains
Bonner	McSween	Santangelo
Brewster	Mailliard	Short
Brooks, La.	Merrow	Slack
Davis, James C.	Miller, George P.	Staggers
		Thompson, La.
Dawson	Milliken	Van Pelt
Dingell	Nelsen	Westland
Green, Oreg.	Norrell	Wharton
Hagan, Ga.	Nygaard	Wright
Hardy	O'Konski	

So the Senate concurrent resolution was concurred in.

The Clerk announced the following pairs:

Mr. Brewster with Mr. Short.
Mr. Thompson of Louisiana with Mr. Knox.
Mr. Hardy with Mr. Hoffman of Michigan.
Mr. Santangelo with Mr. Westland.
Mrs. Norrell with Mr. Beermann.
Mr. Dingell with Mr. Merrow.
Mr. Blatnik with Mr. Nygaard.
Mr. Hagan of Georgia with Mr. Van Pelt.
Mr. Bailey with Mr. O'Konski.
Mr. Staggers with Mr. Mailliard.
Mr. Slack with Mr. Kilburn.
Mr. Karth with Mr. Nelsen.
Mr. Pilcher with Mr. Milliken.
Mrs. Blitch with Mr. Wharton.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WATERSHED PROTECTION AND FLOOD PREVENTION

The SPEAKER laid before the House the following communications, which were read and, with the accompanying papers, referred to the Committee on Appropriations:

AUGUST 30, 1961.

Hon. SAM RAYBURN,
The Speaker, U.S. House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Agriculture has today considered the work plans transmitted to you by Executive Communication 1127 of the 87th Congress and referred to this committee and unanimously approved the following work plans:

State, Kentucky; watershed, Big Reedy Creek.

Sincerely yours,

HAROLD D. COOLEY,
Chairman.

AUGUST 30, 1961.

Hon. SAM RAYBURN,
The Speaker, U.S. House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Agriculture has today considered the work plans transmitted to you by Executive Communication 1227 of the 87th Congress and referred to this committee and unanimously approved the following work plans:

State, Tennessee; watershed, Can Creek.

Sincerely yours,

HAROLD D. COOLEY,
Chairman.

SPECIAL SUBCOMMITTEE OF COMMITTEE ON EDUCATION AND LABOR

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the special subcommittee of the Committee on Education and Labor may sit while the House is in session today during general debate.

The SPEAKER pro tempore (Mr. MILLS). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SMALL CLAIMS BRANCH OF MUNICIPAL COURT OF DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 561) to amend the act relating to the small claims and conciliation branch of the municipal court of the District of Columbia, and for other purposes, and I further ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there obection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 4 of the Act of March 5, 1938 (sec. 11–804(a), District of Columbia Code, 1951 edition), is amended by striking "$50" and inserting in lieu thereof "$150".

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that I may include after the passage of each of the District of Columbia bills to be considered today an explanation of that bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to amend the act relating to the small claims and conciliation branch of the municipal court of the District of Columbia, so as to raise the jurisdictional amount of such branch from $50, as the law now provides, to $150.

Subsection (a) of section 4 of the act of March 5, 1938 (52 Stat. 103; sec. 11–804(a), D.C. Code, 1951 ed.), which the proposal would amend, provides that—

> Said branch shall have exclusive jurisdiction over all cases within the jurisdiction of the court in which the amount of the plaintiff's claim or the claimed value of personal property in controversy does not exceed $50 exclusive of interest, attorney's fees, protest fees, and costs. Said jurisdiction shall not include actions for recovery of the possession of real estate, whether or not such actions include a claim for arrears of rent, or personalty, or both arrears of rent and personalty.

The present jurisdictional amount was established more than 20 years ago. According to the annual reports of the business of the municipal court for the District of Columbia submitted by the chief judge thereof to the Attorney General, the number of small claims actions filed in the municipal court during the fiscal years from 1946 to 1960 and, for comparison, the number of actions in excess of $50 filed during the same period are as follows:

Fiscal year:	*Small claims*	*Claims in excess of $50*
1945–46	19,584	9,818
1946–47	21,001	13,769
1947–48	25,082	21,189
1948–49	27,364	25,249
1949–50	25,021	25,953
1950–51	23,566	26,861
1951–52	22,844	28,899
1952–53	21,774	29,090
1953–54	22,979	32,636
1954–55	21,745	33,543
1955–56	19,840	35,374
1956–57	20,652	35,502
1957–58	20,066	42,081
1958–59	17,007	37,108
1959–60	14,824	37,287

The foregoing figures show that during recent years the number of small claims actions has begun to sharply decrease. It is noted, however, that the number of actions for amounts in excess of $50 has generally increased over the number of actions filed in prior years. A substantial percentage of these actions, perhaps 40 to 45 percent, are actions in which the amount claimed on the value of the property in controversy is $150 or less. This trend would seem to justify increasing to $150 the jurisdictional amount of this branch of the court, in order to allow more litigants to have the advantage of the simplified procedures prescribed by law for actions in this branch.

NATIONAL SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2239) to amend the act entitled "An act to incorporate the National Society of the Sons of the American Revolution," approved June 9, 1906 (34 Stat. 227), in order to remove the statutory limitation on the amount of property such society may receive, purchase, hold, sell, and convey at any one time.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to incorporate the National Society of the Sons of the American Revolution", approved June 9, 1906 (34 Stat. 227), is amended by striking out the following: ", to an amount not exceeding at any one time in the aggregate $500,000".

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, the purpose of the proposed legislation is to amend section 3 of the act incorporating the National Society of the Sons of the American Revolution by removing the limitation of $500,000 of the amount of property, real and personal, that the society might own.

The National Society of the Sons of the American Revolution was chartered by the Congress in 1906. The society has among its purposes that of perpetuating the memory of the men who, by their services or sacrifices during the War of the American Revolution, achieved the independence of the American people.

At the time that the society was chartered by the Congress, the charter contained a limitation of $500,000 of the amount of property, real and personal, that the society might own. The committee has been advised that this limitation has never been of any particular concern to the society until the present time.

In view of the fact that the Society of the Sons of the American Revolution may be the recipients of special bequests which would give the organization assets, the value of which would be in excess of the limitation contained in the present charter, that society now feels that it is necessary to remove the limitation contained in section 3.

The committee is of the opinion that it would be in the interests of this organization to remove the present limitation on the amount of property the society might receive, purchase, hold, sell, or convey, at any one time, and therefore, is in agreement that the limitation should be removed from its charter.

INCORPORATION OF CERTAIN NONPROFIT CORPORATIONS IN DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 6967) to provide for the incorporation of certain nonprofit corporations in the District of Columbia, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known and may be cited as the "District of Columbia Nonprofit Corporation Act".

CONTENTS

Sec.
1. Short Title.
2. Definitions.
3. Applicability.
4. Purposes.
5. General Powers.
6. Defense of Ultra Vires.
7. Corporate Name.
8. Reserved Name.
9. Registered Office and Registered Agent.
10. Change of Registered Office or Registered Agent.
11. Registered Agent as an Agent for Service.
12. Members.
13. Bylaws.
14. Meetings of Members.
15. Notice of Members' Meetings.
16. Voting.
17. Quorum.
18. Board of Directors.
19. Number, Election, Classification, and Removal of Directors.
20. Vacancies.
21. Quorum of Directors.
22. Committees.
23. Place and Notice of Directors' Meetings.
24. Officers.
25. Removal of Officers.
26. Books and Records.
27. Shares of Stocks and Dividends Prohibited.
28. Loans to Directors and Officers Prohibited.
29. Incorporators.
30. Articles of Incorporation.
31. Filing of Articles of Incorporation.
32. Effect of Issuance of Certificate of Incorporation.
33. Organization Meetings.
34. Right To Amend Articles of Incorporation.
35. Procedure To Amend Articles of Incorporation.
36. Articles of Amendment.
37. Filing of Articles of Amendment.
38. Effect of Certificate of Amendment.
39. Procedure for Merger.
40. Procedure for Consolidation.
41. Approval of Merger or Consolidation.
42. Articles of Merger or Consolidation.
43. Effective Date of the Merger or Consolidation.
44. Effect of Merger or Consolidation.
45. Merger or Consolidation of Domestic and Foreign Corporations.
46. Sale, Lease, Exchange, or Mortgage of Assets.
47. Voluntary Dissolution.
48. Distribution of Assets.
49. Plan of Distribution.
50. Revocation of Voluntary Dissolution Proceedings.
51. Articles of Dissolution.
52. Filing of Articles of Dissolution.
53. Involuntary Dissolution.
54. Venue and Process.

Sec.
55. Jurisdiction of Court To Liquidate Assets and Affairs of Corporation.
56. Procedure in Liquidation of Corporation by Court.
57. Qualification of Receivers.
58. Filing of Claims in Liquidation Proceedings.
59. Discontinuance of Liquidation Proceedings.
60. Decree of Dissolution.
61. Filing of Decree of Dissolution.
62. Deposits in Registry of Court.
63. Survival of Remedy After Dissolution.
64. Admission of Foreign Corporation.
65. Powers of Foreign Corporation.
66. Corporate Name of Foreign Corporation.
67. Change of Name by Foreign Corporation.
68. Application for Certificate of Authority.
69. Filing of Application for Certificate of Authority.
70. Effect of Certificate of Authority.
71. Registered Office and Registered Agent of Foreign Corporation.
72. Change of Registered Office of Registered Agent or Foreign Corporation.
73. Service of Process on Foreign Corporation.
74. Amendment to Articles of Incorporation of Foreign Corporation.
75. Merger of Foreign Corporation.
76. Amended Certificate of Authority.
77. Withdrawal of Foreign Corporation.
78. Filing of Application for Withdrawal.
79. Revocation of Certificate of Authority.
80. Issuance of Certificate of Revocation.
81. Application to Foreign Corporations Conducting Affairs on the Effective Date of This Act.
82. Conducting Affairs Without Certificate of Authority.
83. Annual Report of Domestic and Foreign Corporations.
84. Filing of Annual Report of Domestic and Foreign Corporations.
85. Effect of Failure To Pay Annual Report Fee or To File Annual Report.
86. Proclamation of Revocation.
87. Penalty for Conducting Affairs After Issuance of Proclamation.
88. Correction of Error in Proclamation.
89. Reservation of Name of Proclaimed Corporation.
90. Reinstatement of Proclaimed Corporations.
91. Penalties Imposed Upon Corporation.
92. Fees for Filing Documents and Issuing Certificates.
93. Commissioners: Duties and Functions.
94. Appeal From Commissioners.
95. Certificates and Certified Copies To Be Received in Evidence.
96. Forms To Be Furnished by Commissioners.
97. Greater Voting Requirements.
98. Waiver of Notice.
99. Action by Members or Directors Without a Meeting.
100. Unauthorized Assumption of Corporate Powers.
101. Procedure To Elect To Accept Act.
102. Statement of Election To Accept This Act.
103. Filing of Statement of Election To Accept This Act.
104. Effect of Certificate of Acceptance.
105. Actions To Be in Name of District of Columbia.
106. Right of Repeal Reserved.
107. Effect of Invalidity of Part of This Act.
108. Effect of False Statement.
109. Effective Date.
110. Appropriation of Funds.

DEFINITIONS

SEC. 2. As used in this Act, unless the context otherwise requires the term—

(a) "Corporation" or "domestic corporation" means a corporation not for profit subject to the provisions of this Act, except a foreign corporation.

(b) "Foreign corporation" means a corporation not for profit organized under laws other than the laws of the District of Columbia, for a purpose or purposes for which a corporation might be organized under this Act, but shall not include a corporation created by a special Act of Congress.

(c) "Not for profit corporation" means a corporation no part of the income of which is distributable to its members, directors, or officers: *Provided, however,* That the payment of reasonable compensation for services rendered and the making of distribution upon dissolution or final liquidation as permitted in this Act, shall not be deemed a distribution of income.

(d) "Articles of incorporation" means the original articles of incorporation and all amendments thereto, including articles of merger or consolidation, and in the case of a corporation created by a special Act of Congress, means such special Act and any amendments thereto made by special Act of Congress, or pursuant to general law.

(e) "Bylaws" means the code or codes of rules adopted for the regulation or management of the affairs of a corporation irrespective of the name or names by which such rules are designated.

(f) "Member" means one having membership rights in a corporation in accordance with the provisions of its articles of incorporation or bylaws.

(g) "Board of directors" means the group of persons vested with the management of the affairs of a corporation irrespective of the name by which such group is designated.

(h) "Insolvent" means that a corporation is unable to pay its debts as they become due in the usual course of its affairs.

(i) "Commissioners" means the Commissioners of the District of Columbia or the agent or agents designated by them to perform any function vested in the Commissioners by this Act.

(j) "District" means the District of Columbia.

(k) "The court", except where otherwise specified, means the United States District Court for the District of Columbia.

APPLICABILITY

SEC. 3. (a) The provisions of this Act relating to domestic corporations shall apply to all corporations organized hereunder or which elect to accept the provisions of this Act.

(b) The provisions of this Act relating to foreign corporations shall apply to all foreign not for profit corporations conducting affairs in the District of Columbia for a purpose or purposes for which a corporation might be organized under this Act.

(c) No corporation eligible to be formed under this Act shall be incorporated under any other Act or statute now in force in the District of Columbia except that those organizations eligible to be formed under the Acts or parts of Acts referred to in section 49–303, District of Columbia Code (1951 edition), may be formed under those Acts or parts of Acts.

PURPOSES

SEC. 4. Corporations may be organized under this Act for any lawful purpose or purposes including, but not limited to, one or more of the following or similar purposes: benevolent; charitable; religious; missionary; educational; scientific; research; literary; musical; social; athletic; patriotic; political; civic; professional, commercial, industrial, business, or trade association; mutual improvement; promotion of the arts; except that cooperative organizations or organizations subject to any of the provisions of the insurance laws of the District may not be organized under this Act.

GENERAL POWERS

SEC. 5. Each corporation shall have power—

(a) to have perpetual succession by its corporate name unless a limited period of duration is stated in its articles of incorporation;

(b) to sue and be sued, complain and defend, in its corporate name;

(c) to have a corporate seal which may be altered at pleasure and to use the same by causing it, or a facsimile thereof, to be impressed or affixed or in any other manner reproduced;

(d) to purchase, take, receive, lease, take by gift, devise or bequest, or otherwise acquire, own, hold, improve, use, and otherwise deal in and with, real or personal property, or any interest therein, wherever situated;

(e) to sell, convey, mortgage, pledge, lease, exchange, transfer, and otherwise dispose of all or any part of its property and assets;

(f) to lend money to and otherwise assist its employees other than its officers and directors;

(g) to purchase, take, receive, subscribe for, or otherwise acquire, own, hold, vote, use, employ, sell, mortgage, loan, pledge or otherwise dispose of and otherwise use and deal in and with, shares or other interests in, or obligations of, other domestic or foreign corporations, whether for profit or not for profit, associations, partnerships, or individuals, or direct or indirect obligations of the United States, or of any other government, State, territory, governmental district, or municipality or of any instrumentality thereof;

(h) to make contracts and incur liabilities, borrow money at such rates of interest as the corporation may determine, issue its notes, bonds, and other obligations, and secure any of its obligations by mortgage or pledge of all or any of its property, franchises and income;

(i) to lend money for its corporate purposes, invest and reinvest its funds, and take and hold real and personal property as security for the payment of funds so loaned or invested;

(j) to conduct its affairs, carry on its operations, hold property, and have offices and exercise the powers granted by this Act in any part of the world;

(k) to elect or appoint officers and agents of the corporation, and define their duties and fix their compensation;

(l) to make and alter bylaws, not inconsistent with its articles of incorporation or with the laws of the District of Columbia, for the administration and regulation of the affairs of the corporation;

(m) unless otherwise provided in the articles of incorporation, to make donations for the public welfare or for religious, charitable, scientific research, or educational purposes, or for other purposes for which the corporation is organized;

(n) to indemnify any director or officer or former director or officer of the corporation, or any person who may have served at its request as a director or officer of another corporation, whether for profit or not for profit, against expenses actually and necessarily incurred by him in connection with the defense of any action, suit, or proceeding in which he is made a party by reason of being or having been such director or officer, except in relation to matters as to which he shall be adjudged in such action, suit, or proceeding to be liable for negligence or misconduct in the performance of a duty. Such indemnification shall not be deemed exclusive of any other rights to which such director or officer may be entitled, under any bylaw, agreement, vote of board of directors or members, or otherwise;

(o) to cease its corporate activities and surrender its corporate franchise;

(p) to have and exercise all powers necessary or convenient to effect any or all of the purposes for which the corporation is organized.

DEFENSE OF ULTRA VIRES

SEC. 6. No act of a corporation and no conveyance or transfer of real or personal property to or by a corporation shall be invalid by reason of the fact that the corporation was without capacity or power to do such act or to make or receive such conveyance or transfer, but such lack of capacity or power may be asserted:

(a) In a proceeding by a member or a director against the corporation to enjoin the doing of any act, or the transfer of real or personal property by or to the corporation. If the act or transfer sought to be enjoined is being, or is to be, performed pursuant to any contract to which the corporation is a party, the court may, if all of the parties to the contract are parties to the proceeding and if it deems the same to be equitable, set aside and enjoin the performance of such contract, and in so doing may allow to the corporation or the other parties to the contract, as the case may be, compensation for the loss or damage sustained by either of them which may result from the action of the court in setting aside and enjoining the performance of such contract, but anticipated profits to be derived from the performance of the contract shall not be awarded by the court as a loss or damage sustained.

(b) In a proceeding by the corporation, whether acting directly or through a receiver, trustee, or other legal representative, or through members in a representative suit, against the incumbent or former officers or trustees of the corporation.

(c) In a proceeding by the Commissioners, as provided in this Act, to dissolve the corporation, or in a proceeding by the Commissioners to enjoin the corporation from the transaction of unauthorized acts.

CORPORATE ACTS

SEC. 7. The corporate name—

(a) shall not contain any word or phrase which indicates or implies that it is organized for any purpose other than one or more of the purposes contained in its articles of incorporation;

(b) shall not be the same as, or deceptively similar to, the name of any domestic corporation, whether for profit or not for profit organized under any Act of Congress authorizing the formation of corporations under the laws of the District of Columbia, or that of any corporation created pursuant to any special Act of Congress to transact business or conduct affairs in the District, or that of any foreign corporation whether for profit or not for profit authorized to transact business or conduct affairs in the District, or a name the exclusive right to which is at the time reserved in the manner provided in this Act or in accordance with the provisions of the District of Columbia Business Corporation Act;

(c) shall be transliterated into letters of the English alphabet, if it is not in English;

(d) shall not indicate, nor shall any statement be made, that the corporation is organized under an Act of Congress.

RESERVED NAME

SEC. 8. (a) The exclusive right to the use of a corporate name may be reserved by any person or corporation, domestic or foreign, by delivering to the Commissioners an application to reserve a specified corporate name, executed by the applicant. If the Commissioners find that the name is available for corporate use, they shall reserve the same for the exclusive use of the applicant for a period of sixty days. Such reservation may be renewed.

(b) The right to the exclusive use of a specified corporate name so reserved may be transferred to any other person or corporation by delivering to the Commissioners a notice of such transfer, executed by the applicant for whom the name was reserved, and specifying the name and address of the transferee.

REGISTERED OFFICE AND REGISTERED AGENT

SEC. 9. Each corporation shall have and continuously maintain in the District of Columbia—

(a) a registered office, which may be, but need not be, the same as its principal office;

(b) a registered agent, which agent may be either an individual resident of the District of Columbia whose business office is identical with such registered office, a domestic corporation, whether for profit or not for profit, or a foreign corporation, whether for profit or not for profit, authorized to transact business or conduct affairs in the District of Columbia and having an office identical with such registered office.

CHANGE OF REGISTERED OFFICE OR REGISTERED AGENT

SEC. 10. (a) The registered office of a corporation or its registered agent, or both, may be changed by delivering to the Commissioners a statement setting forth—

(1) the name of the corporation;

(2) the address, including street and number, if any, of its then registered office;

(3) if the address of its registered office is to be changed, the address, including street and number, if any, to which the registered office is to be changed;

(4) the name of its then registered agent;

(5) if its registered agent is to be changed, the name of its successor registered agent;

(6) that the address of its registered office and the address of the office of its registered agent as changed will be identical; and

(7) that such change was authorized by resolution duly adopted by its board of directors or was authorized by an officer of the corporation duly empowered to make such change.

(b) Such statement shall be executed in duplicate by the corporation by its president or a vice president, and the corporate seal shall be thereto affixed, attested by the secretary or an assistant secretary, and delivered to the Commissioners. If the Commissioners find that such statement conforms to law, they shall, when all fees and charges have been paid as in this Act prescribed—

(1) endorse on each of such duplicate originals the word "Filed", and the month, day, and year of the filing thereof;

(2) file one of such duplicate originals in their office;

(3) return the other duplicate original to the corporation or its representative.

(c) The change of address of the registered office, or the change of registered agent, or both, as the case may be, shall become effective upon the filing of such statement by the Commissioners.

(d) A corporation shall change its registered agent if the office of registered agent shall become vacant for any reason, or if its registered agent becomes disqualified or incapacitated, or if it revokes the appointment of its registered agent.

(e) Any registered agent of a corporation may resign as such agent by delivering written notice thereof, executed in triplicate, to the Commissioners, who shall file one copy thereof in their office and forthwith mail a copy thereof to the corporation at its registered office and another copy to the corporation at its principal office in the District of Columbia as shown by the records of the Commissioners. The appointment of such agent shall terminate upon the expiration of thirty days after receipt of such notice by the Commissioners or upon the appointment of a successor agent becoming effective, whichever occurs sooner. No fee or other charge of any kind shall be imposed with respect to a filing under this subsection.

REGISTERED AGENTS AS AN AGENT FOR SERVICE

SEC. 11. (a) The registered agent appointed by a corporation as provided in this Act shall be an agent of such corporation upon whom any process, notice, or demand required or permitted by law to be served upon the corporation may be served. Service of any process, notice, or demand upon a corporate agent, as such agent, may be had by delivering a copy of such process, notice, or demand to the president, vice president, the secretary, or an assistant secretary of such corporate agent.

(b) Whenever a corporation shall fail to appoint or maintain a registered agent in the District or whenever its registered agent cannot with reasonable diligence be found at the registered office, then the Commissioners shall be an agent of such corporation upon whom any such process, notice, or demand may be served. Service on the Commissioners of any such process, notice, or demand shall be made by delivering to and leaving with them or with any clerk having charge of their office duplicate copies of such process, notice, or demand. In the event that any such process, notice, or demand is served on the Commissioners, they shall immediately cause one of such copies thereof to be forwarded by registered or certified mail, addressed to the corporation at its registered office.

(c) The Commissioners shall keep a record of all processes, notices, and demands served upon them under this section, and shall record therein the time of such service and their action with respect thereto.

(d) Nothing herein contained shall limit or affect the right to serve any process, notice, or demand required or permitted by law to be served upon a corporation in any other manner now or hereafter permitted by law.

MEMBERS

SEC. 12. A corporation may have one or more classes of members or may have no members. If the corporation has one or more classes of members, the designation of such class or classes, the manner of election or appointment and the qualifications and rights of the members of each class shall be set forth in the articles of incorporation or the bylaws. If the corporation has no members, that fact shall be set forth in the articles of incorporation. A corporation may issue certificates evidencing membership therein.

BYLAWS

SEC. 13. The initial bylaws of a corporation shall be adopted by its board of directors. The power to alter, amend, or repeal the bylaws or adopt new bylaws shall be vested in the board of directors unless otherwise provided in the articles of incorporation or the bylaws.

MEETINGS OF MEMBERS

SEC. 14. (a) Meetings of members may be held at such place within or without the District of Columbia as may be provided in the bylaws or, where not inconsistent with the bylaws, in the notice of the meeting.

(b) An annual meeting of the members shall be held at such time as may be provided in the bylaws. Failure to hold the annual meeting at the designated time shall not work a forfeiture or dissolution of the corporation.

(c) Special meetings of the members may be called by the president, the secretary, the board of directors, or by such other officers or persons or number of proportion of members as may be provided in the articles

of incorporation or the bylaws. In the absence of a provision fixing the number or proportion of members entitled to call a meeting, a special meeting of members may be called by members having at least one-twentieth of the votes entitled to be cast at such meeting.

NOTICE OF MEMBERS' MEETINGS

SEC. 15. Written or printed notice stating the place, day, and hour of the meeting and, in case of a special meeting, the purpose or purposes for which the meeting is called, shall, in the absence of a provision in the bylaws specifying a different period of notice, be delivered not less than ten or more than fifty days before the date of the meeting, either personally or by mail, by or at the direction of the president, or the secretary, or the officers or persons calling the meeting, to each member entitled to vote at such meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail addressed to the member at his address as it appears on the records of the corporation, with postage thereon prepaid.

VOTING

SEC. 16. (a) Members shall not be entitled to vote except as the right to vote shall be conferred by the articles of incorporation.

(b) A member may vote in person or, unless the articles of incorporation or the bylaws otherwise provide, may vote by proxy executed in writing by the member or his duly authorized attorney-in-fact. No proxy shall be valid after eleven months from the date of its execution, unless otherwise provided in the proxy. Where the articles of incorporation or the bylaws so provide, voting on all matters, including the election of directors or officers where they are to be elected by the members, may be conducted by mail.

(c) The articles of incorporation or the bylaws may provide that in all elections for directors every member entitled to vote shall have the right to cumulate his vote and to give one candidate a number of votes equal to his vote multiplied by the number of directors to be elected, or by distributing such votes on the same principle among any number of such candidates.

(d) If a corporation has no members or if the members have no right to vote, the directors shall have the sole voting power and shall have all of the authority and may take any action herein permitted members.

QUORUM

SEC. 17. (a) The bylaws may provide the number or percentage of members entitled to vote represented in person or by proxy, or the number or percentage of votes represented in person or by proxy, which shall constitute a quorum at a meeting of members. In the absence of any such provision, members having at least one-tenth of the votes entitled to be cast represented in person or by proxy shall constitute a quorum. The affirmative vote of a majority of the votes entitled to be cast by the members present or represented by proxy at a meeting at which a quorum is present, shall be necessary for the adoption of any matter voted upon by the members, unless a greater proportion is required by this Act, the articles of incorporation or the bylaws.

(b) Unless otherwise provided by the articles of incorporation or the bylaws, the members present at a duly organized meeting may continue to do business until adjournment, notwithstanding the withdrawal of enough members to leave less than a quorum.

(c) If a meeting cannot be organized because a quorum has not attended, those present may adjourn the meeting from time to time until a quorum is present, when any business may be transacted that may have been transacted at the meeting as originally called.

BOARD OF DIRECTORS

SEC. 18. The affairs of a corporation shall be managed by a board of directors. Directors need not be residents of the District of Columbia or members of the corporation unless the articles of incorporation or the bylaws so require. The articles of incorporation or the bylaws may prescribe other qualifications for directors.

NUMBER, ELECTION, CLASSIFICATION, AND REMOVAL OF DIRECTORS

SEC. 19. (a) The number of directors of a corporation shall be not less than three. Subject to such limitation, the number of directors shall be fixed by the bylaws, except as to the number of the first board of directors which number shall be fixed by the articles of incorporation. The number of directors may be increased or decreased from time to time by amendment to the bylaws, unless the articles of incorporation provide that a change in the number of directors shall be made only by amendment of the articles of incorporation. No decrease in number shall have the effect of shortening the term of any incumbent director. In the absence of a bylaw fixing the number of directors, the number shall be the same as that stated in the articles of incorporation.

(b) The names and addresses of the members of the first board of directors shall be stated in the articles of incorporation. Such persons shall hold office until the first annual election of directors or for such other period as may be specified in the articles of incorporation or the bylaws. Thereafter, directors shall be elected or appointed in the manner and for the terms provided in the articles of incorporation or the bylaws. In the absence of a provision fixing the term of office, the term of office of a director shall be one year.

(c) Directors may be divided into classes and the terms of office of the several classes need not be uniform. Each director shall hold office for the term for which he is elected or appointed and until his successor shall have been elected or appointed and qualified, except in the case of ex officio directors.

(d) A director may be removed from office pursuant to any procedure therefor provided in the articles of incorporation or the bylaws, and if none be provided may be removed at a meeting called expressly for that purpose, with or without cause, by such vote as would suffice for his election.

VACANCIES

SEC. 20. Any vacancy occurring in the board of directors and any directorship to be filled by reason of an increase in the number of directors may be filled by the affirmative vote of a majority of the then members of the board of directors, though less than a quorum of the board, unless the articles of incorporation or the bylaws provide that a vacancy or directorship so created shall be filled in some other manner, in which case such provision shall control. A director elected or appointed, as the case may be, to fill a vacancy shall be elected or appointed for the unexpired term of his predecessor in office.

QUORUM OF DIRECTORS

SEC. 21. A majority of the number of directors fixed by the bylaws, or in the absence of a bylaw fixing the number of directors, then of the number stated in the articles of incorporation, shall constitute a quorum for the transaction of business, unless otherwise provided in the articles of incorporation or the bylaws; but in no event shall a quorum consist of less than one-third of the number of directors so fixed or stated. The act of the majority of the directors present at a meeting at which a quorum is present shall be the act of the board of directors, unless the act of a greater number is required by this Act or by the articles of incorporation or the bylaws.

COMMITTEES

SEC. 22. If the articles of incorporation or the bylaws so provide, the board of directors, by resolution adopted by a majority of the directors in office, may designate and appoint one or more committees, each of which shall consist of two or more directors, which committees, to the extent provided in said resolution, in the articles of incorporation or in the bylaws of the corporation, shall have and exercise the authority of the board of directors in the management of the corporation. Other committees not having and exercising the authority of the board of directors in the management of the corporation may be designated and appointed by a resolution adopted by a majority of the directors present at a meeting at which a quorum is present. The designation and appointment of any such committee and the delegation thereto of authority shall not operate to relieve the board of directors, or any individual director, of any responsibility imposed upon it or him by law.

PLACE AND NOTICE OF DIRECTORS' MEETINGS

SEC. 23. Meetings of the board of directors, regular or special, may be held at such place within or without the District of Columbia, and upon such notice as may be prescribed in the bylaws or, where not inconsistent with the bylaws, by resolution of the board of directors. A director's attendance at any meeting shall constitute waiver of notice of such meeting, excepting such attendance at a meeting by a director for the purpose of objecting to the transaction of business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the board of directors need be specified in the notice or waiver of notice of such meeting, unless otherwise provided in the articles of incorporation or the bylaws.

OFFICERS

SEC. 24. (a) The officers of a corporation shall consist of a president, a secretary, and a treasurer, and may include one or more vice presidents and such other officers and assistant officers as may be deemed necessary, each of whom shall be elected or appointed at such time and in such manner and for such terms not exceeding three years as may be prescribed in the articles of incorporation or the bylaws. In the absence of any such provision, all officers shall be elected or appointed annually by the board of directors. If the bylaws so provide, any two or more offices may be held by the same person, except the offices of president and secretary.

(b) The articles of incorporation or the bylaws may provide that any one or more officers of the corporation or other organizations shall be ex officio members of the board of directors.

(c) The officers of a corporation may be designated by such other titles as may be provided in the articles of incorporation or the bylaws.

(d) All officers and agents of the corporation, as between themselves and the corporation, shall have such authority and perform such duties in the management of the property and affairs of the corporation as may be provided in the bylaws, or as may be determined by resolution of the board of directors not inconsistent with the bylaws.

REMOVAL OF OFFICERS

SEC. 25. Any officer or agent elected or appointed may be removed by the persons authorized to elect or appoint such officer or agent whenever in their judgment the best interest of the corporation will be

served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed. Election or appointment of an officer or agent shall not itself create contract rights.

BOOKS AND RECORDS

SEC. 26. Each corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any of the authority of the board of directors; and shall keep at its registered office or principal office in the District of Columbia a record of the names and addresses of its members entitled to vote. All books and records of a corporation may be inspected by any member having voting rights, or his agent or attorney, for any proper purpose at any reasonable time.

SHARES OF STOCK AND DIVIDENDS PROHIBITED

SEC. 27. A corporation shall not authorize or issue shares of stock. No dividend shall be paid and no part of the income of a corporation shall be distributed to its members, directors, or officers. A corporation may pay compensation, including pensions, in a reasonable amount to its members, directors, or officers for services rendered, may confer benefits upon its members in conformity with its purposes, and upon dissolution or final liquidation may make distributions to its members or others as permitted by this Act, and no such payment, benefit, or distribution shall be deemed to be a dividend or a distribution of income.

LOANS TO DIRECTORS AND OFFICERS PROHIBITED

SEC. 28. No loans shall be made by a corporation to its directors or officers. The directors of a corporation who vote for or assent to the making of a loan to a director or officer of the corporation, and any officer or officers participating in the making of such a loan, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

INCORPORATORS

SEC. 29. Three or more natural persons of the age of twenty-one years or more may act as incorporators of a corporation by signing, verifying, and delivering in duplicate to the Commissioners articles of incorporation for such corporation.

ARTICLES OF INCORPORATION

SEC. 30. (a) The articles of incorporation shall set forth—

(1) the name of the corporation;

(2) the period of duration, which may be perpetual;

(3) the purpose or purposes for which the corporation is organized;

(4) if the corporation is to have no members, a statement to that effect;

(5) if the corporation is to have one or more classes of members, any provision which the incorporators elect to set forth in the articles of incorporation designating the class or classes of members, stating the qualifications and rights of the members of each class and conferring, limiting, or denying the right to vote;

(6) if the directors or any of them are not to be elected or appointed by one or more classes of members, a statement of the manner in which such directors shall be elected or appointed; or that the manner of such election or appointment of such directors shall be provided in the bylaws;

(7) any provisions, not inconsistent with law, which the incorporators elect to set forth in the articles of incorporation for the regulation of the internal affairs of the corporation, including any provision for distribution of assets on dissolution or final liquidation and any provision which under this Act is required or permitted to be set forth in the bylaws;

(8) the address, including street and number, if any, of its initial registered office, and the name of its initial registered agent at such address;

(9) the number of directors constituting the initial board of directors, and the names and addresses, including street and number, if any, of the persons who are to serve as the initial directors until the first annual meeting or until their successors be elected and qualify;

(10) the name and address, including street and number, if any, of each incorporator.

(b) It shall not be necessary to set forth in the articles of incorporation any of the corporate powers enumerated in this Act.

(c) Unless the articles of incorporation provide that a change in the number of directors shall be made only by amendment to the articles of incorporation, a change in the number of directors made by amendment to the bylaws shall be controlling. Whenever a provision of the articles of incorporation is inconsistent with a bylaw, the provision of the articles of incorporation shall be controlling.

FILING OF ARTICLES OF INCORPORATION

SEC. 31. (a) Duplicate originals of the articles of incorporation shall be delivered to the Commissioners.

(b) If the Commissioners find that the articles of incorporation conform to law, they shall, when all fees and charges have been paid as in this Act prescribed—

(1) endorse on each of such duplicate originals the word "Filed", and the month, day, and year of filing thereof;

(2) file one of such duplicate originals in their office;

(3) issue a certificate of incorporation to which they shall affix the other duplicate original;

(4) deliver the certificate of incorporation, together with the duplicate original of the articles of incorporation affixed thereto, to the incorporators or their representative.

EFFECT OF ISSUANCE OF CERTIFICATE OF INCORPORATION

SEC. 32. Upon the issuance of the certificate of incorporation, the corporate existence shall begin, and such certificate of incorporation shall be conclusive evidence that all conditions precedent required to be performed by the incorporators have been complied with and that the corporation has been incorporated under this Act, except as against the District of Columbia in a proceeding to cancel or revoke the certificate of incorporation.

ORGANIZATION MEETINGS

SEC. 33. (a) After the issuance of the certificate of incorporation an organization meeting of the board of directors named in the articles of incorporation shall be held within the United States at the call of a majority of the directors so named for the purpose of adopting bylaws (unless the power to adopt bylaws has been reserved by the articles of incorporation to the members, in which event the bylaws shall be adopted by the members), electing officers, and the transaction of such other business as may come before the meeting. The directors calling the meeting shall give at least five days' notice thereof by mail to each director so named, which notice shall state the time and place of the meeting: *Provided, however,* That if all the directors shall waive notice in writing and fix a time and place for said organization meeting no notice shall be required of such meeting.

(b) A first meeting of the members may be held at the call of the directors, or a majority of them, upon at least five days' notice, for such purposes as shall be stated in the notice of meeting.

RIGHT TO AMEND ARTICLES OF INCORPORATION

SEC. 34. A corporation may amend its articles of incorporation, from time to time, in any and as many respects as may be desired: *Provided,* That its articles of incorporation as amended contain only such provisions as might be lawfully contained in original articles of incorporation if made at the time of making such amendment.

PROCEDURE TO AMEND ARTICLES OF INCORPORATION

SEC. 35. Amendments to the articles of incorporation shall be made in the following manner:

(a) Where there are members having voting rights, the board of directors shall adopt a resolution setting forth the proposed amendment and directing that it be submitted to a vote at a meeting of members having voting rights, which may be either an annual or a special meeting.

(b) Written or printed notice setting forth the proposed amendment or a summary of the changes to be effected thereby shall be given to each member entitled to vote at such meeting within the time and in the manner provided in this Act for the giving of notice of meetings of members. If the meeting be an annual meeting, the proposed amendment or such summary shall be included in the notice of such annual meeting.

(c) The proposed amendment shall be adopted upon receiving the affirmative vote of at least two-thirds of the votes entitled to be cast by members present or represented by proxy at such meeting.

(d) Where there are no members, or no members having voting rights, an amendment shall be adopted at a meeting of the board of directors upon receiving the vote of a majority of the directors in office.

(e) Any number of amendments may be submitted and voted upon at any one meeting.

ARTICLES OF AMENDMENT

SEC. 36. The articles of amendment shall be executed in duplicate by the corporation by its president or a vice president, and the corporate seal shall be thereto affixed, attested by its secretary or an assistant secretary, and shall set forth—

(a) the name of the corporation;

(b) the amendment so adopted;

(c) where there are members having voting rights, (1) a statement setting forth the date of the meeting of members at which the amendment was adopted, that a quorum was present at such meeting, and that such amendment received at least two-thirds of the votes entitled to be cast by members present or represented by proxy at such meeting, or (2) a statement that such amendment was adopted by a consent in writing signed by all members entitled to vote with respect thereto;

(d) where there are no members, or no members having voting rights, a statement of such fact, the date of the meeting of the board of directors at which the amendment was adopted, and a statement of the fact that such amendment received the vote of a majority of the directors in office.

FILING OF ARTICLES OF AMENDMENT

SEC. 37. (a) Duplicate originals of the articles of amendment shall be delivered to the Commissioners.

(b) If the Commissioners find that the articles of amendment conform to law, they shall, when all fees and charges have been paid as in this Act prescribed—

(1) endorse on each of such duplicate originals the word "Filed", and the month, day, and year of the filing thereof;

(2) file one of such duplicate originals in their office;

(3) issue a certificate of amendment to which they shall affix the other duplicate original;

(4) deliver the certificate of amendment, together with the duplicate original of the articles of amendment affixed thereto, to the corporation or its representative.

EFFECT OF CERTIFICATE OF AMENDMENT

SEC. 38. (a) Upon the issuance of the certificate of amendment, the amendment shall become effective and the articles of incorporation shall be deemed to be amended accordingly.

(b) No amendment shall affect any existing cause of action in favor of or against such corporation, or any pending suit to which such corporation shall be a party, or the existing rights of persons other than members; and, in the event the corporate name shall be changed by amendment, no suit brought by or against such corporation under its former name shall abate for that reason.

PROCEDURE FOR MERGER

SEC. 39. Any two or more domestic corporations subject to the provisions of this Act may merge into one of such corporations in the following manner:

The board of directors of each corporation shall, by resolution adopted by a majority vote of the members of each such board, approve a plan of merger setting forth—

(a) the names of the corporations proposing to merge, and the name of the corporation into which they propose to merge, which is hereinafter designated as the surviving corporation;

(b) the terms and conditions of the proposed merger;

(c) a statement of any changes in the articles of incorporation of the surviving corporation to be effected by such merger;

(d) such other provisions with respect to the proposed merger as are deemed necessary or desirable.

PROCEDURE FOR CONSOLIDATION

SEC. 40. Any two or more domestic corporations subject to the provisions of this Act may consolidate into a new corporation in the following manner:

The board of directors of each corporation shall, by resolution adopted by a majority vote of the members of each such board, approve a plan of consolidation setting forth—

(a) the names of the corporations proposing to consolidate, and the name of the new corporation into which they propose to consolidate, which is hereinafter designated as the new corporation;

(b) the terms and conditions of the proposed consolidation;

(c) with respect to the new corporation, all of the statements required to be set forth in articles of incorporation for corporations organized under this Act;

(d) such other provisions with respect to the proposed consolidation as are deemed necessary or desirable.

APPROVAL OF MERGER OR CONSOLIDATION

SEC. 41. A plan of merger or consolidation shall be approved in the following manner:

(a) Where the members of any merging or consolidating corporation have voting rights, the board of directors of such corporation shall adopt a resolution approving the proposed plan and directing that it be submitted to a vote at a meeting of members having voting rights, which may be either an annual or a special meeting.

(b) Written or printed notice setting forth the proposed plan or a summary thereof shall be given to each member entitled to vote at such meeting within the time and in the manner provided in this Act for the giving of notice of meetings of members.

(c) At each such meeting, a vote of the members shall be taken on the proposed plan of merger or consolidation. The plan of merger or consolidation shall be approved upon receiving the affirmative vote of at least two-thirds of the votes entitled to be cast by members present or represented by proxy at such meeting.

(d) Where any merging or consolidating corporation has no members, or no members having voting rights, a plan of merger or consolidation shall be adopted at a meeting of the board of directors of such corporation upon receiving the vote of a majority of the directors in office.

(e) After such approval, and at any time prior to the filing of the articles of merger or consolidation, the merger or consolidation may be abandoned pursuant to provisions therefor, if any, set forth in the plan of merger or consolidation.

ARTICLES OF MERGER OR CONSOLIDATION

SEC. 42. (a) Upon such approval, articles of merger or articles of consolidation shall be executed in duplicate by each corporation by its president or a vice president, and the corporate seal of each such corporation shall be thereto affixed, attested by its secretary or an assistant secretary, and shall set forth—

(1) the plan of merger or the plan of consolidation;

(2) where the members of any merging or consolidating corporation have voting rights, then as to each such corporation (a) a statement setting forth the date of the meeting of members at which the plan was approved, that a quorum was present at such meeting, and that such plan received at least two-thirds of the votes entitled to be cast by members present or represented by proxy at such meeting, or (b) a statement that such amendment was approved by a consent in writing signed by all members entitled to vote with respect thereto;

(3) where any merging or consolidating corporation has no members, or no members having voting rights, then as to each such corporation a statement of such fact, the date of the meeting of the board of directors at which the plan was approved and a statement of the fact that such plan received the vote of a majority of the directors in office.

(b) Duplicate originals of the articles of merger or articles of consolidation shall be delivered to the Commissioners.

(c) If the Commissioners find that such articles conform to law, they shall, when all fees and charges have been paid as in this Act prescribed—

(1) endorse on each of such duplicate originals the word "Filed", and the month, day, and year of the filing thereof;

(2) file one of such duplicate originals in their office;

(3) issue a certificate of merger or a certificate of consolidation to which they shall affix the other duplicate original;

(4) deliver the certificate of merger or certificate of consolidation, together with the duplicate original of the articles of merger or articles of consolidation affixed thereto, to the surviving or new corporation, as the case may be, or its representative.

EFFECTIVE DATE OF THE MERGER OR CONSOLIDATION

SEC. 43. Upon the issuance of the certificate of merger, or the certificate of consolidation by the Commissioners, the merger or consolidation shall be effected.

EFFECT OF MERGER OR CONSOLIDATION

SEC. 44. When such merger or consolidation has been effected—

(a) the several corporations parties to the plan of merger or consolidation shall be a single corporation, which, in the case of a merger, shall be that corporation designated in the plan of merger as the surviving corporation, and, in the case of a consolidation, shall be the new corporation provided for in the plan of consolidation;

(b) the separate existence of all corporations parties to the plan of merger or consolidation, except the surviving or new corporation, shall cease;

(c) such surviving or new corporation, as the case may be, shall have all the rights, privileges, immunities, and powers and shall be subject to all the duties and liabilities of a corporation organized under this Act;

(d) such surviving or new corporation shall thereupon and thereafter possess all the rights, privileges, immunities, and franchises, as well of a public as of a private nature, of each of the merging or consolidating corporations; and all property—real, personal, and mixed—and all debts due on whatever account, and all other choses in action, and all and every other interest, of or belonging to or due to each of the corporations so merged or consolidated, shall be taken and deemed to be transferred to and vested in such single corporation without further act or deed; and the title to any real estate or other property, or any interest therein, vested in any of such corporations shall not revert unless required by the terms of the gift, bequest, or devise, or be in any way impaired by reason of such merger or consolidation;

(e) such surviving or new corporation shall thenceforth be responsible and liable for all the liabilities and obligations of each of the corporations so merged or consolidated; and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place, or such surviving or new corporation may be substituted in its place. Neither the rights of creditors nor any liens upon the property of any such corporation shall be impaired by such merger or consolidation;

(f) in the case of a merger, the articles of incorporation of the surviving corporation shall be deemed to be amended to the extent, if any, that changes in its articles of incorporation are stated in the articles of merger; and, in the case of a consolidation, the statements set forth in the articles of consolidation and which are required or permitted to be set forth in the articles of incorporation of corporations organized under this Act shall be deemed to be the articles of incorporation of the new corporation.

MERGER OR CONSOLIDATION OF DOMESTIC AND FOREIGN CORPORATIONS

SEC. 45. One or more foreign corporations and one or more domestic corporations may be merged or consolidated if permitted by the laws of the State or country under which each such foreign corporation is organized.

(a) Each domestic corporation shall comply with the provisions of this Act with respect to the merger or consolidation, as the case may be, of domestic corporations and each foreign corporation shall comply with the applicable provisions of the laws of the State or country under which it is organized.

(b) If the surviving or new corporation, as the case may be, is to be governed by the laws of any State or country other than the District of Columbia, it shall comply with the provisions of this Act with respect to foreign corporations if it is to carry on its affairs in the District of Columbia, and in every case it shall deliver to the Commissioners, who shall file—

(1) an agreement that it may be served with process in the District of Columbia in any proceeding for the enforcement of any obligation of any domestic corporation which is a party to such merger or consolidation; and

(2) an irrevocable appointment of the Commissioners of the District of Columbia as its agent to accept service of process in any such proceeding.

(c) The effect of such merger or consolidation shall be the same as in the case of the merger or consolidation of domestic corporations, if the surviving or new corporation is

to be governed by the laws of the District of Columbia. If the surviving or new corporation is to be governed by the laws of any jurisdiction other than the District of Columbia, the effect of such merger or consolidation shall be the same as in the case of the merger or consolidation of domestic corporations except insofar as the laws of such other jurisdiction provide otherwise.

SALE, LEASE, EXCHANGE, OR MORTGAGE OF ASSETS

SEC. 46. A sale, lease, exchange, mortgage, pledge, or other disposition of all, or substantially all, the property and assets of a corporation may be made upon such terms and conditions and for such consideration, which may consist in whole or in part of money or property, real or personal, including shares of any corporation for profit, domestic or foreign, as may be authorized in the following manner:

(a) Where there are members having voting rights, the board of directors shall adopt a resolution recommending such sale, lease, exchange, mortgage, pledge, or other disposition and directing the submission thereof to a vote at a meeting of members having voting rights, which may be either an annual or a special meeting.

(b) Written or printed notice stating that the purpose, or one of the purposes, of such meeting is to consider the sale, lease, exchange, mortgage, pledge, or other disposition of all, or substantially all, the property and assets of the corporation shall be given to each member entitled to vote at such meeting, within the time and the manner provided by this Act for the giving of notice of meetings of members.

(c) At such meeting the members may authorize such sale, lease, exchange, mortgage, pledge, or other disposition and may fix, or may authorize the board of directors to fix, any or all of the terms and conditions thereof and the consideration to be received by the corporation therefor. Such authorization shall require the vote of at least two-thirds of the votes entitled to be cast by members present or represented by proxy at such meeting.

(d) After such authorization by a vote of members, the board of directors, nevertheless, in its discretion, may abandon such sale, lease, exchange, mortgage, pledge, or other disposition of assets, subject to the rights of third parties under any contracts relating thereto, without further action or approval by members.

(e) Where there are no members, or no members having voting rights, a sale, lease, exchange, mortgage, pledge, or other disposition of all, or substantially all, the property and assets of a corporation shall be authorized upon receiving the vote of a majority of the directors in office.

VOLUNTARY DISSOLUTION

SEC. 47. A corporation may dissolve and wind up its affairs in the following manner:

(a) Where there are members having voting rights, the board of directors shall adopt a resolution recommending that the corporation be dissolved, and directing that the question of such dissolution be submitted to a vote at a meeting of members having voting rights, which may be either an annual or a special meeting. Written or printed notice stating that the purpose, or one of the purposes, of such meeting is to consider the advisability of dissolving the corporation, shall be given to each member entitled to vote at such meeting, within the time and in the manner provided in this Act for the giving of notice of meetings of members. A resolution to dissolve the corporation shall be adopted upon receiving at least two-thirds of the votes entitled to be cast by members present or represented by proxy at such meeting.

(b) Where there are no members, or no members having voting rights, the dissolution of the corporation shall be authorized at a meeting of the board of directors upon the adoption of a resolution to dissolve by the vote of a majority of the directors in office.

(c) Upon the adoption of such resolution by the members, or by the board of directors where there are no members or no members having voting rights, the corporation shall cease to conduct its affairs except insofar as may be necessary for the winding up thereof, shall immediately cause a notice of the proposed dissolution to be mailed to each known creditor of the corporation, and shall proceed to collect its assets and apply and distribute them as provided in this Act.

DISTRIBUTION OF ASSETS

SEC. 48. The assets of a corporation in the process of dissolution shall be applied and distributed as follows:

(a) All liabilities and obligations of the corporation shall be paid, satisfied, and discharged, or adequate provision shall be made therefor.

(b) Assets held by the corporation upon condition requiring return, transfer, or conveyance, which condition occurs by reason of the dissolution, shall be returned, transferred, or conveyed in accordance with such requirements.

(c) Assets received and held by the corporation subject to limitations permitting their use only for charitable, religious, eleemosynary, benevolent, educational, or similar purposes, but not held upon a condition requiring return, transfer, or conveyance by reason of the dissolution, shall be transferred or conveyed to one or more domestic or foreign corporations, societies, or organizations engaged in activities substantially similar to those of the dissolving corporation, pursuant to a plan of distribution adopted as provided in this Act.

(d) Other assets, if any, shall be distributed in accordance with the provisions of the articles of incorporation or the bylaws to the extent that the articles of incorporation or bylaws determine the distributive rights of members, or any class or classes of members, or provide for distribution to others.

(e) Any remaining assets may be distributed to such persons, societies, organizations, or domestic or foreign corporations, whether for profit or not for profit, as may be specified if a plan of distribution is adopted as provided in this Act.

PLAN OF DISTRIBUTION

SEC. 49. A plan providing for the distribution of assets, not inconsistent with the provisions of this Act, may be adopted by a corporation in the process of dissolution and shall be adopted by a corporation for the purpose of authorizing any transfer or conveyance of assets for which this Act requires a plan of distribution, in the following manner:

(a) Where there are members having voting rights the board of directors shall adopt a resolution recommending a plan of distribution and directing that the plan be submitted to a vote at a meeting of members having voting rights, which may be either an annual or a special meeting. Written or printed notice setting forth the proposed plan of distribution or a summary thereof shall be given to each member entitled to vote at such meeting, within the time and in the manner provided in this Act for the giving of notice of meetings of members. Such plan of distribution shall be adopted upon receiving at least two-thirds of the votes entitled to be cast by members present or represented by proxy at such meeting.

(b) Where there are no members, or no members having voting rights, a plan of distribution shall be adopted at a meeting of the board of directors upon receiving the vote of a majority of the directors in office.

REVOCATION OF VOLUNTARY DISSOLUTION PROCEEDINGS

SEC. 50. A corporation may, at any time prior to the issuance of a certificate of dissolution by the Commissioners, as hereinafter provided, revoke the action theretofore taken to dissolve the corporation, in the following manner:

(a) Where there are members having voting rights, the board of directors shall adopt a resolution recommending that the voluntary dissolution proceedings be revoked, and directing that the question of such revocation be submitted to a vote at a meeting of members having voting rights, which may be either an annual or a special meeting. Written or printed notice stating that the purpose, or one of the purposes, of such meeting is to consider the advisability of revoking the voluntary dissolution proceedings, shall be given to each member entitled to vote at such meeting, within the time and in the manner provided in this Act for the giving of notice of meetings of members. A resolution to revoke the voluntary dissolution proceedings shall be adopted upon receiving at least two-thirds of the votes entitled to be cast by members present or represented by proxy at such meeting.

(b) Where there are no members, or no members having voting rights, a resolution to revoke the voluntary dissolution proceedings shall be adopted at a meeting of the board of directors upon receiving the vote of a majority of the directors in office.

(c) Upon the adoption of such resolution by the members, or by the board of directors where there are no members or no members having voting rights, the corporation may thereupon again conduct its affairs. If the articles of dissolution have been delivered to the Commissioners, notice of such revocation shall be given to them in writing.

ARTICLES OF DISSOLUTION

SEC. 51. If voluntary dissolution proceedings have not been revoked, when all debts, liabilities, and obligations of the corporation shall have been paid and discharged, or adequate provision shall have been made therefor, and all of the remaining property and assets of the corporation shall have been transferred, conveyed, or distributed in accordance with the provisions of this Act, articles of dissolution shall be executed in duplicate by the corporation by its president or a vice president, and the corporate seal shall be thereto affixed and attested by its secretary or an assistant secretary, and such statement shall set forth—

(a) the name of the corporation;

(b) where there are members having voting rights—

(1) a statement setting forth the date of the meeting of members at which the resolution to dissolve was adopted, that a quorum was present at such meeting, and that such resolution received at least two-thirds of the votes entitled to be cast by members present or represented by proxy at such meeting, or

(2) a statement that such resolution was adopted by a consent in writing signed by all members entitled to vote with respect thereto;

(c) where there are no members, or no members having voting rights, a statement of such fact, the date of the meeting of the board of directors at which the resolution to dissolve was adopted and a statement of the fact that such resolution received the vote of a majority of the directors in office;

(d) that all debts, liabilities, and obligations of the corporation have been paid and discharged or that adequate provision has been made therefor;

(e) that all the remaining property and assets of the corporation have been transferred, conveyed, or distributed in accordance with the provisions of this Act;

(f) that there are no suits pending against the corporation in any court, or that adequate provision has been made for the satisfaction of any judgment, order, or decree which may be entered against it in any pending suit.

FILING OF ARTICLES OF DISSOLUTION

SEC. 52. (a) Duplicate originals of such articles of dissolution shall be delivered to the Commissioners.

(b) If the Commissioners find that such articles of dissolution conform to law, they shall, when all fees and charges have been paid as in this Act prescribed—

(1) endorse on each of such duplicate originals the word "Filed", and the month, day, and year of the filing thereof;

(2) file one of such duplicate originals in their office;

(3) issue a certificate of dissolution to which they shall affix the other duplicate original;

(4) deliver the certificate of dissolution, together with the duplicate original of the articles of dissolution affixed thereto, to the representative of the dissolved corporation.

(c) Upon the issuance of such certificate of dissolution the existence of the corporation shall cease, except for the purpose of suits, other proceedings, and appropriate corporate action by members, directors, and officers as provided in this Act.

INVOLUNTARY DISSOLUTION

SEC. 53. (a) A corporation may be dissolved involuntarily by a decree of the court in an action instituted by the Commissioners in the name of the District of Columbia when it is made to appear to the court that—

(1) the franchise of the corporation was procured through fraud; or

(2) the corporation has continued to exceed or abuse the authority conferred upon it by this Act; or

(3) the corporation has failed for ninety days to appoint and maintain a registered agent as provided in this Act; or

(4) the corporation has failed for ninety days after change of its registered office or registered agent to deliver to the Commissioners a statement of such change.

(b) At least thirty days before any action for the involuntary dissolution of a corporation shall be filed by the Commissioners, they shall notify the corporation by certified or registered mail addressed to such corporation at its registered office a notice of their intention to file such suit and the reason therefor. If, before action is filed, the corporation as the case may be shall submit satisfactory evidence that said franchise was not procured through fraud or that the corporation has not exceeded or abused such authority or shall appoint or maintain a registered agent as provided in this Act, or deliver to the Commissioners the required statement of change of registered agent, the Commissioners shall not file an action against such corporation for such cause. If, after action is filed, for a reason stated in paragraph (3) or (4) of the preceding subsection the corporation shall as the case may be appoint or maintain a registered agent as provided in this Act, or shall deliver to the Commissioners the required statement of change of registered agent, and shall pay the costs of such action, the action for such cause shall abate.

VENUE AND PROCESS

SEC. 54. In every action for the involuntary dissolution of a corporation hereinbefore provided, summons shall issue and be served as in other civil actions. In case a return is made thereon that no officer or agent of such corporation can be found within the territorial limits of the District of Columbia, then the Commissioners shall cause publication to be made in some newspaper of general circulation published in the District of Columbia, containing a notice of the pendency of such action, the title of the court, the names of the parties thereto, and the date on or after which default may be entered. The Commissioners shall cause a copy of such notice to be mailed by registered mail to the corporation at its registered office within ten days after the first publication thereof. The certificate of the Commissioners of the mailing of such notice shall be prima facie evidence thereof. Such notice shall be published at least once each week for three successive weeks, and the first publication thereof may begin at any time after the summons has been returned. Unless a corporation shall have been served with summons, no default shall be taken against it earlier than thirty days after the first publication of such notice. The cost of publication of such notice shall be paid by the Commissioners, unless the decree is against the corporation and such cost is collected from it.

JURISDICTION OF COURT TO LIQUIDATE ASSETS AND AFFAIRS OF CORPORATION

SEC. 55. The United States District Court for the District of Columbia shall have full power to liquidate the assets and affairs of a corporation—

(a) in any action by a member or director when it is made to appear—

(1) that the directors are deadlocked in the management of the corporate affairs and that irreparable injury to the corporation is being suffered or is threatened by reason thereof, and either that the members are unable to break the deadlock or there are no members having voting rights; or

(2) that the acts of the directors or those in control of the corporation are illegal, oppressive, or fraudulent; or

(3) that the corporate assets are being misapplied or wasted; or

(4) that the corporation is unable to carry out its purposes;

(b) in an action by a creditor—

(1) when the claim of the creditor has been reduced to judgment and an execution thereon has been returned unsatisfied and it is established that the corporation is insolvent; or

(2) when the corporation has admitted in writing that the claim of the creditor is due and owing and it is established that the corporation is insolvent;

(c) upon application by a corporation to have its dissolution continued under the supervision of the court;

(d) when an action has been commenced by the Commissioners to dissolve a corporation and it is made to appear that liquidation of its affairs should precede the entry of a decree of dissolution;

(e) it shall be necessary to make directors or members parties to any such action or proceeding unless relief is sought against them personally.

PROCEDURE IN LIQUIDATION OF CORPORATION BY COURT

SEC. 56. (a) In proceedings to liquidate the assets and affairs of a corporation the court shall have the power to issue injunctions, to appoint a receiver or receivers pendente lite, with such powers and duties as the court, from time to time, may direct, and to take such other proceedings as may be requisite to preserve the corporate assets wherever situated, and carry on the affairs of the corporation until a full hearing can be had.

(b) After a hearing had upon such notice as the court may direct to be given to all parties to the proceedings and to any other parties in interest designated by the court, the court may appoint a liquidating receiver or receivers with authority to collect the assets of the corporation. Such liquidating receiver or receivers shall have authority, subject to the order of the court, to sell, convey, and dispose of all or any part of the assets of the corporation wherever situated, either at public or private sale. The order appointing such liquidating receiver or receivers shall state their powers and duties. Such powers and duties may be increased or diminished at any time during the proceedings.

(c) The assets of the corporation or the proceeds resulting from a sale, conveyance, or other disposition thereof shall be applied and distributed as follows:

(1) All costs and expenses of the court proceedings and all liabilities and obligations of the corporation shall be paid, satisfied, and discharged, or adequate provision shall be made therefor;

(2) Assets held by the corporation upon condition requiring return, transfer, or conveyance, which condition occurs by reason of the dissolution or liquidation, shall be returned, transferred, or conveyed in accordance with such requirements;

(3) Assets received and held by the corporation subject to limitations permitting their use only for charitable, religious, eleemosynary, benevolent, educational, or similar purposes, but not held upon a condition requiring return, transfer, or conveyance by reason of the dissolution or liquidation, shall be transferred or conveyed to one or more domestic or foreign corporations, societies, or organizations engaged in activities substantially similar to those of the dissolving or liquidating corporation as the court may direct;

(4) Other assets, if any, shall be distributed in accordance with the provisions of the articles of incorporation or the bylaws to the extent that the articles of incorporation or bylaws determine the distributive rights of members or any class or classes of members, or provide for distribution to others;

(5) Any remaining assets may be distributed to such persons, societies, organizations, or domestic or foreign corporations, whether for profit or not for profit, specified in the plan of distribution adopted as provided in this Act, or where no plan of distribution has been adopted, as the court may direct.

(d) The court shall have power to allow, from time to time, as expenses of the liquidation, compensation to the receiver or receivers and to attorneys in the proceeding, and to direct the payment thereof out of the assets of the corporation or the proceeds of any sale or disposition of such assets.

(e) A receiver of a corporation appointed under the provisions of this section shall have authority to sue and defend in all courts in his own name as receiver of such corporation. The court appointing such receiver shall, for the purposes of this Act, have exclusive jurisdiction of the corporation and its property, wherever situated.

QUALIFICATION OF RECEIVERS

SEC. 57. A receiver shall in all cases be a citizen of the United States or a corporation for profit authorized to act as receiver, which corporation may be a domestic corporation or a foreign corporation authorized to transact business in the District of Columbia, and shall in all cases give such bond as the court may direct with such sureties as the court may require.

FILING OF CLAIMS IN LIQUIDATION PROCEEDINGS

SEC. 58. In proceedings to liquidate the assets and affairs of a corporation the court may require all creditors of the corporation to file with the clerk of the court or with the receiver, in such form as the court may prescribe, proofs under oath of their respec-

tive claims. If the court requires the filing of claims it shall fix a date, which shall be not less than four months from the date of the order, as the last day for the filing of claims, and shall prescribe the notice that shall be given to creditors and claimants of the date so fixed. Prior to the date so fixed, the court may extend the time for the filing of claims. Creditors and claimants failing to file proofs of claim on or before the date so fixed may be barred, by order of court, from participating in the distribution of the assets of the corporation.

DISCONTINUANCE OF LIQUIDATION PROCEEDINGS

SEC. 59. The liquidation of the assets and affairs of a corporation may be discontinued at any time during the liquidation proceedings when it is made to appear that cause for liquidation no longer exists. In such event the court shall dismiss the proceedings and direct the receiver to redeliver to the corporation all its remaining property and assets.

DECREE OF DISSOLUTION

SEC. 60. In proceedings to liquidate the assets and affairs of a corporation, when the costs and expenses of such proceedings and all debts, obligations, and liabilities of the corporation shall have been paid and discharged and all of its remaining property and assets distributed in accordance with the provisions of this Act, or in case its property and assets are not sufficient to satisfy and discharge such costs, expenses, debts, and obligations, and all the property and assets have been applied so far as they will go to their payment, the court shall enter a decree dissolving the corporation, whereupon the existence of the corporation shall cease.

FILING OF DECREE OF DISSOLUTION

SEC. 61. In case the court shall enter a decree dissolving a corporation, it shall be the duty of the clerk of the court to cause a certified copy of the decree to be delivered to the Commissioners, who shall file the same. No fee shall be charged by the Commissioners for the filing thereof.

DEPOSITS IN REGISTRY OF COURT

SEC. 62. Upon the voluntary or involuntary dissolution of a corporation, the portion of the assets distributable to any person who is unknown or cannot be found, or who is under disability and there is no person legally competent to receive such distributive portion, shall be reduced to cash and deposited in the registry of the court and shall be paid over to such person or to his legal representative upon proof satisfactory to the court of his right thereto. If any portion thereof remain in the registry after ten years from the date of deposit, it shall escheat to the District of Columbia and shall be paid into the Treasury of the United States for the credit of the said District.

SURVIVAL OF REMEDY AFTER DISSOLUTION

SEC. 63. The dissolution of a corporation or the expiration of its period of duration shall not take away or impair any remedy available to or against such corportion, its directors, officers, or members for any right or claim existing, or any liability incurred, prior to such dissolution if suit or other proceeding thereon is commenced within two years after the date of such dissolution. Any suit or proceeding by or against the corporation may be prosecuted or defended by the corporation in its corporate name. The members, directors, and officers shall have power to take such corporate or other action as shall be appropriate to protect such remedy, right, or claim. If such corporation was dissolved by the expiration of its period of duration, such corporation may amend its articles of incorporation at any time during such period of two years so as to extend its period of duration.

ADMISSION OF FOREIGN CORPORATION

SEC. 64. (a) A foreign corporation to which this Act is applicable shall procure a certificate of authority from the Commissioners before it conducts affairs in the District, but no foreign corporation shall be entitled to procure a certificate of authority under this Act to conduct in the District any affairs which a corporation organized under this Act is not permitted to conduct. A foreign corporation shall not be denied a certificate of authority by reason of the fact that the laws of the state or country under which such corporation is organized governing its organization and internal affairs differ from the laws of the District, and nothing in this Act contained shall be construed to authorize the District to regulate the organization or the internal affairs of such corporation.

(b) Without excluding other activities which may not constitute conducting affairs in the District of Columbia, a foreign corporation shall not be considered to be conducting affairs in the District for the purposes of this Act, by reason of conducting an isolated transaction completed in thirty days and not in the course of a number of repeated transactions of like nature or by reason of any one or more of the following activities in the District:

(1) maintaining or defending any action or suit or any administrative or arbitration proceeding, or effecting the settlement thereof or the settlement of claims or disputes;

(2) holding meetings of its directors or members or carrying on other activities concerning its internal affairs;

(3) maintaining bank accounts;

(4) creating evidences of debt, mortgages, or liens on real or personal property;

(5) collecting its debts, taking security for the same, or enforcing any rights in property securing the same.

POWERS OF FOREIGN CORPORATION

SEC. 65. (a) No foreign corporation to which this Act is applicable shall conduct in the District any affairs which may not be conducted by a corporation organized under this Act.

(b) A foreign corporation which shall have received a certificate of authority under this Act shall, until a certificate of revocation or of withdrawal shall have been issued as provided in this Act, enjoy the same rights and privileges as, but no greater rights and privileges than, a domestic corporation organized for the purposes set forth in the application pursuant to which such certificate of authority is issued; and, except as in this Act otherwise provided, shall be subject to the same duties, restrictions, penalties, and liabilities now or hereafter imposed upon a domestic corporation of like character.

CORPORATE NAME OF FOREIGN CORPORATION

SEC. 66. No certificate of authority shall be issued to a foreign corporation—

(a) which has a name the same as, or deceptively similar to, the name of any domestic corporation, whether for profit or not for profit, organized under any Act of Congress authorizing the formation of corporations under the laws of the District of Columbia or that of any corporation created pursuant to any special Act of Congress to transact business or conduct affairs in the District, or that of any foreign corporation, whether for profit or not for profit, authorized to transact business or conduct affairs in the District, or a name, the exclusive right to which is, at the time, reserved in the manner provided in this Act, or in accordance with the provisions of the District of Columbia Business Corporation Act;

(b) unless the corporate name of such corporation is in English, or is transliterated into letters of the English alphabet if it is not in English.

CHANGE OF NAME BY FOREIGN CORPORATIONS

SEC. 67. Whenever a foreign corporation which is authorized to conduct affairs in the District of Columbia shall change its name to one under which a certificate of authority would not be granted to it on application therefor, the authority of such corporation shall be suspended and it shall not thereafter conduct any affairs in the District until it has changed its name to a name which is available to it under the laws of the District.

APPLICATION FOR CERTIFICATE OF AUTHORITY

SEC. 68. A foreign corporation, in order to procure a certificate of authority to conduct affairs in the District of Columbia, shall make application therefor to the Commissioners, which application shall set forth—

(a) the name of the corporation and the state or country under the laws of which it is incorporated;

(b) the date of incorporation and the period of duration of the corporation;

(c) the address, including street and number, if any, of the principal office of the corporation in the state or country under the laws of which it is incorporated;

(d) the address, including street and number, if any, of the proposed registered office of the corporation in the District, and the name of its proposed registered agent in the District at such address;

(e) a brief statement of the purposes it proposes to pursue in conducting its affairs in the District;

(f) the names and respective addresses, including street and number, if any, of the directors and officers of the corporation;

(g) such additional information as may be necessary or appropriate in order to enable the Commissioners to determine whether such corporation is entitled to a certificate to conduct affairs in the District.

Such application shall be executed in duplicate by the corporation by its president or a vice president, and the corporate seal shall be thereto affixed, attested by its secretary or an assistant secretary.

FILING OF APPLICATION FOR CERTIFICATE OF AUTHORITY

SEC. 69. (a) There shall be delivered to the Commissioners—

(1) duplicate originals of the application of the corporation for a certificate of authority;

(2) a copy of its articles of incorporation and all amendments thereto, duly certified by the proper officer of the state or country under the laws of which it is incorporated.

(b) If the Commissioners find that such application conforms to law, they shall, when all fees and charges have been paid as in this Act prescribed—

(1) endorse on each of such duplicate originals the word "Filed", and the month, day, and year of the filing thereof;

(2) file in their office one of such duplicate originals of the application and the copy of the articles of incorporation and amendments thereto;

(3) issue a certificate of authority to conduct affairs in the District to which they shall affix the other duplicate original application;

(4) deliver the certificate of authority, together with the duplicate original of the application affixed thereto, to the corporation or its representative.

EFFECT OF CERTIFICATE OF AUTHORITY

SEC. 70. Upon the issuance of a certificate of authority by the Commissioners, the corporation shall have the right to conduct affairs in the District for those purposes set forth in its application, subject, however, to the right of the District to suspend or to revoke such authority as provided in this Act.

REGISTERED OFFICE AND REGISTERED AGENT OF FOREIGN CORPORATION

SEC. 71. Each foreign corporation authorized to conduct affairs in the District shall have and continuously maintain in the District—

(a) a registered office which may be, but need not be, the same as its principal office in the District;

(b) a registered agent, which agent may be either an individual resident in the District whose business office is identical with such registered office, or a domestic corporation, whether for profit or not for profit, or a foreign corporation, whether for profit or not for profit, authorized to transact business or conduct affairs in the District, having a business office identical with such registered office.

CHANGE OF REGISTERED OFFICE OR REGISTERED AGENT OF FOREIGN CORPORATION

SEC. 72. (a) The registered office of a corporation or its registered agent, or both, may be changed by delivering to the Commissioners a statement setting forth—

(1) the name of the corporation;

(2) the address, including street and number, if any, of its then registered office;

(3) if the address of its registered office is to be changed, the address, including street and number, if any, to which the registered office is to be changed;

(4) the name of its then registered agent;

(5) if its registered agent is to be changed, the name of its successor registered agent;

(6) that the address of its registered office and the address of the office of its registered agent, as changed, will be identical;

(7) that such change was authorized by resolution duly adopted by its board of directors, or was authorized by an officer of the corporation duly empowered to make such change.

(b) Such statement shall be executed in duplicate by its president or vice president, and the corporate seal shall be thereto affixed, attested by its secretary or an assistant secretary, and shall be delivered to the Commissioners. If the Commissioners find that such statement conforms to law, they shall, when all fees and charges have been paid as in this Act prescribed—

(1) endorse on each of such duplicate originals the word "Filed", and the month, day, and year of the filing thereof;

(2) file one of such duplicate originals in their office;

(3) return the other duplicate original to the corporation or its representative.

(c) The change of address of the registered office, or the change of registered agent, or both, as the case may be, shall become effective upon the filing of such statement by the Commissioners.

(d) A foreign corporation shall change its registered agent if the office of registered agent shall become vacant for any reason, or if its registered agent becomes disqualified or incapacitated to act, or if it revokes the appointment of its registered agent.

(e) Any registered agent of a foreign corporation may resign as such agent by delivering a written notice thereof, executed in duplicate, to the Commissioners, who shall file one copy thereof in their office and forthwith mail a copy thereof to the corporation at its principal office in the state or country under the laws of which it is incorporated as the same appears in the records of the Commissioners. The appointment of such agent shall terminate upon the expiration of thirty days after receipt of such notice by the Commissioners or upon the appointment of a successor agent becoming effective, whichever occurs sooner. No fee or charge of any kind shall be imposed with respect to a filing under this subsection.

SERVICE OF PROCESS ON FOREIGN CORPORATION

SEC. 73. (a) The registered agent so appointed by a foreign corporation authorized to conduct affairs in the District shall be an agent of such corporation upon whom any process, notice, or demand required or permitted by law to be served upon the corporation, may be served. Service of any such process, notice, or demand upon a corporate agent, as such agent, may be had by delivering a copy of such process, notice, or demand to the president, vice president, the secretary, or an assistant secretary of such corporate agent.

(b) Whenever a foreign corporation authorized to conduct affairs in the District shall fail to appoint or maintain a registered agent in the District, or whenever any such registered agent cannot with reasonable diligence be found at the registered office, or whenever the certificate of authority of a foreign corporation shall be suspended or revoked, then the Commissioners shall be an agent of such corporation upon whom any such process, notice, or demand may be served. Service on the Commissioners of any such process, notice, or demand shall be made by delivering to and leaving with them, or with any clerk having charge of their office, duplicate copies of such process, notice, or demand. In the event any such process, notice, or demand is served on the Commissioners, they shall immediately cause one of such copies thereof to be forwarded by registered or certified mail, addressed to the corporation at its principal office in the state or country under the laws of which it is incorporated, as the same appears in the records of the Commissioners.

(c) If any foreign corporation shall conduct affairs in the District without a certificate of authority, it shall by conducting such affairs be deemed to have thereby appointed the Commissioners its agent and representative upon whom any process, notice, or demand may be served. Service shall be made by delivery to and leaving with the Commissioners, or with any clerk having charge of their office, duplicate copies of such process, notice, or demand, together with an affidavit giving the latest known post office address of such corporation, and such service shall be sufficient if notice thereof and a copy of the process, notice, or demand are forwarded by registered or certified mail, addressed to such corporation at the address given in such affidavit.

(d) The Commissioners shall keep a record of all processes, notices, and demands served upon them under this section, and shall record therein the time of such service and their action with reference thereto.

(e) Nothing herein contained shall limit or affect the right to serve any process, notice, or demand, required or permitted by law to be served upon a corporation in any other manner now or hereafter permitted by law.

AMENDMENT TO ARTICLES OF INCORPORATION OF FOREIGN CORPORATION

SEC. 74. Whenever the articles of incorporation of a foreign corporation authorized to conduct affairs in the District are amended, such foreign corporation shall, within ninety days after such amendment becomes effective, file with the Commissioners a copy of such amendment duly certified by the proper officer of the state or country under the laws of which it is incorporated; but the filing thereof shall not of itself enlarge or alter the purpose or purposes which such corporation is authorized to pursue in conducting its affairs in the District, nor authorize such corporation to conduct affairs in the District under any other name than the name set forth in its certificate of authority.

MERGER OF FOREIGN CORPORATION

SEC. 75. Whenever a foreign corporation authorized to conduct affairs in the District shall be a party to a statutory merger permitted by the laws of the state or country under the laws of which it is incorporated, and such corporation shall be the surviving corporation, it shall, within ninety days after such merger becomes effective, deliver to the Commissioners a copy of the article of merger duly certified by the proper officer of the state or country under the laws of which such statutory merger was effected; and it shall not be necessary for such corporation to procure either a new or amended certificate of authority to conduct affairs in the District unless the name of such corporation be changed thereby or unless the corporation desires to pursue in the District other or additional purposes than those which it is then authorized to pursue in the District.

AMENDED CERTIFICATE OF AUTHORITY

SEC. 76. (a) A foreign corporation authorized to conduct affairs in the District shall procure an amended certificate of authority in the event it changes its corporate name, or desires to pursue in the District other or additional purposes than those set forth in its prior application for a certificate of authority, by making application therefor to the Commissioners.

(b) The requirements in respect to the form and contents of such application, the manner of its execution, the delivering of duplicate originals thereof to the Commissioners, the issuance of an amended certificate of authority and the effect thereof, shall be the same as in the case of an original application for a certificate of authority.

WITHDRAWAL OF FOREIGN CORPORATION

SEC. 77. (a) A foreign corporation authorized to conduct affairs in the District may withdraw from the District upon procuring from the Commissioners a certificate of withdrawal. In order to procure such certificate of withdrawal, such foreign corporation shall deliver to the Commissioners an application for withdrawal.

(b) The application for withdrawal shall state—

(1) the name of the corporation and the state or country under the laws of which it is incorporated;

(2) that the corporation is not conducting affairs in the District;

(3) that the corporation surrenders its authority to conduct affairs in the District;

(4) that the corporation revokes the authority of its registered agent in the District to accept service of process and consents that service of process in any action, suit, or proceeding based upon any cause of action arising in the District during the time the corporation was authorized to conduct affairs in the District may thereafter be made on such corporation by service thereof on the Commissioners;

(5) a post office address to which the Commissioners may mail a copy of any process against the corporation that may be served on them.

(c) The application for withdrawal shall be executed by the corporation by its president or a vice president, and the corporate seal shall be thereto affixed, attested by its secretary or an assistant secretary, or, if the corporation is in the hands of a receiver or trustee, shall be executed on behalf of the corporation by such receiver or trustee and verified by him.

FILING OF APPLICATION FOR WITHDRAWAL

SEC. 78. (a) Duplicate originals of such application for withdrawal shall be delivered to the Commissioners. If the Commissioners find that such application conforms to law, they shall, when all fees have been paid as in this Act prescribed—

(1) endorse on each of such duplicate originals the word "Filed", and the month, day, and year of the filing thereof;

(2) file one of such duplicate originals in their office;

(3) issue a certificate of withdrawal to which they shall affix the other duplicate original;

(4) deliver the certificate of withdrawal, together with the duplicate original of the application for withdrawal affixed thereto, to the corporation or its representative.

(b) Upon the issuance of such certificate of withdrawal, the authority of the corporation to conduct affairs in the District shall cease.

REVOCATION OF CERTIFICATE OF AUTHORITY

SEC. 79. (a) The certificate of authority of a foreign corporation to conduct affairs in the District may be revoked by the Commissioners when they find that—

(1) the certificate of authority of the corporation was procured through fraud practiced upon the District; or

(2) the corporation has continued to exceed or has abused the authority conferred upon it by this Act; or

(3) the corporation has failed for a period of ninety days to pay any fees, charges, or penalties prescribed by this Act; or

(4) the corporation has failed for a period of ninety days to appoint and maintain a registered agent in the District; or

(5) the corporation has failed for ninety days after change of its registered office or registered agent to file with the Commissioners a statement of such changes; or

(6) the corporation for a period of two years has not conducted any affairs in the District; or

(7) the corporation has failed to file with the Commissioners a duly certified copy of each amendment to its articles of incorporation within ninety days after such amendment becomes effective; or

(8) a misrepresentation has been made of any material matter in any application, report, affidavit, or other document submitted by such corporation pursuant to this Act.

(b) No certificate of authority of a foreign corporation shall be revoked by the Commissioners unless (1) they shall have given the corporation not less than thirty days' notice thereof by certified or registered mail addressed to such corporation at its principal office in the state or country under the laws of which such corporation is organized, as the same appears in the records of the Commissioners or at its registered office in the District, and (2) the corporation, prior to such revocation and as the case may be, shall fail to submit satisfactory evidence that said certificate was not procured by such fraud, or that the corporation has not exceeded or abused such authority, or shall fail to pay such fees, charges, or penalties, or shall fail to appoint a registered agent in the District, or shall fail to file the required statement of change of registered office or registered agent, or shall fail to file a statement showing that it has conducted affairs in the District within a period of two years, or shall fail to file a copy of any such amendment to its articles of incorporation, or shall fail to submit satisfactory evidence that a misrepresentation of a material matter was not made in any such application, report, affidavit, or other document.

ISSUANCE OF CERTIFICATE OF REVOCATION

SEC. 80. (a) Upon revoking any such certificate of authority, the Commissioners shall—

(1) issue a certificate of revocation in duplicate;

(2) file one of such certificates in their office;

(3) mail to such corporation at its registered office in the District the other such certificate.

(b) Upon the issuance of such certificate of revocation, the authority of the corporation to conduct affairs in the District shall cease.

APPLICATION TO FOREIGN CORPORATIONS CONDUCTING AFFAIRS ON THE EFFECTIVE DATE OF THIS ACT

SEC. 81. Foreign corporations conducting affairs in the District at the time this Act takes effect for a purpose or purposes for which a certificate of authority is required under the provisions of this Act shall, within six months after the effective date of this Act, procure a certificate of authority and shall otherwise comply with all applicable provisions of this Act. Failure to secure a certificate of authority within the time provided in this section shall subject the corporation to all the penalties, liabilities, and restrictions provided in this Act for conducting affairs without a certificate of authority.

CONDUCTING AFFAIRS WITHOUT CERTIFICATE OF AUTHORITY

SEC. 82. (a) No foreign corporation which is conducting affairs in the District without a certificate of authority shall be permitted to maintain any action, suit, or proceeding in any court of the District until such corporation shall have obtained a certificate of authority. Nor shall any action, suit, or proceeding be maintained in any court of the District by any successor or assignee of such corporation on any right, claim, or demand arising out of the conduct of affairs by such corporation in the District, until a certificate of authority shall have been obtained by such corporation or by a corporation which has acquired all or substantially all of its assets.

(b) The failure of a foreign corporation to obtain a certificate of authority to conduct affairs in the District shall not impair the validity of any contract or act of such corporation, and shall not prevent such corporation from defending any action, suit, or proceeding in any court of the District.

(c) A foreign corporation which conducts affairs in the District without a certificate of authority shall be liable to the District for the years or parts thereof during which it conducted affairs in the District without a certificate of authority, in an amount equal to all fees, penalties, and other charges which would have been imposed by this Act upon such corporation had it duly applied for and received a certificate of authority to conduct affairs in the District as required by this Act and thereafter filed all reports required by this Act; and, in addition thereto, it shall be liable for a penalty to be assessed by the Commissioners of not in excess of $200. The Commissioners shall bring proceedings to recover all amounts due the District under the provisions of this section. Such charges and penalties shall be paid to the District before any certificate of authority is issued to such foreign corporation.

ANNUAL REPORT OF DOMESTIC AND FOREIGN CORPORATIONS

SEC. 83. (a) Each domestic corporation, and each foreign corporation authorized to conduct affairs in the District, shall prepare an annual report setting forth—

(1) the name of the corporation and the State or country under the laws of which it is incorporated;

(2) the address, including street and number, if any, of its registered office in the District, and the name of its registered agent at such address, and, in the case of a foreign corporation, the address, including street and number, if any, of its principal office in the state or country under the laws of which it is incorporated;

(3) a brief statement of the character of the affairs which the corporation is actually conducting, or, in the case of a foreign corporation, which the corporation is actually conducting in the District;

(4) the names and respective addresses, including street and number, if any, of the directors and officers of the corporation.

(b) Such annual report shall be made on forms prescribed and furnished by the Commissioners, and the information therein contained shall be given as of the date of the execution of the report. It shall be executed by the corporation by its president, a vice president, secretary, an assistant secretary, treasurer, or assistant treasurer, or, if the corporation is in the hands of a receiver or trustee, it shall be executed on behalf of the corporation by such receiver or trustee.

FILING OF ANNUAL REPORT OF DOMESTIC AND FOREIGN CORPORATIONS

SEC. 84. Such annual report of a domestic or foreign corporation shall be delivered to the Commissioners on or before the fifteenth day of April of each year, except that the first annual report of a domestic or foreign corporation shall be delivered to the Commissioners on or before the fifteenth day of April of the year next succeeding the calendar year in which its certificate of incorporation or its certificate of authority, as the case may be, was issued by the Commissioners. Proof to the satisfaction of the Commissioners that prior to the fifteenth day of April such report was deposited in the United States mail in a sealed envelope, properly addressed, with postage prepaid, shall be deemed a compliance with this requirement. If the Commissioners find that such report conforms to law, they shall file the same. If they find that it does not so conform, they shall promptly return the same to the corporation for any necessary corrections, in which event the penalties hereinafter prescribed for failure to file such report within the time hereinabove provided shall not apply, if such report is corrected to conform to the requirements of this Act and returned to the Commissioners in sufficient time to be filed prior to the first day of May of the year in which it is due.

EFFECT OF FAILURE TO PAY ANNUAL REPORT FEE OR TO FILE ANNUAL REPORT

SEC. 85. If any corporation incorporated under this Act, or any corporation which has elected to accept this Act, or any foreign corporation having a certificate of authority issued under this Act, shall for two consecutive years fail or refuse to pay any annual report fee or fees payable under this Act, or fail or refuse to file any annual report as required by this Act for two consecutive years, then, in the case of a domestic corporation, the articles of incorporation shall be void and all powers conferred upon such corporation are declared inoperative, and, in the case of a foreign corporation, the certificate of authority shall be revoked and all powers conferred thereunder shall be inoperative.

PROCLAMATION OF REVOCATION

SEC. 86. (a) On the second Monday in September of each year, the Commissioners shall issue a proclamation listing the names of all domestic corporations and all foreign corporations which have failed or refused to pay any annual report fee or fees or failed or refused to file any annual report as required by this Act for two consecutive years next preceding June 30 in the year in which such proclamation is issued and upon the issuance of such proclamation the articles of incorporation or the certificate of authority, as the case may be, shall be void and all powers thereunder inoperative without further proceedings of any kind.

(b) The proclamation of the Commissioners shall be filed in their office and shall be published once during the month of

September in each of two daily newspapers of general circulation in the District of Columbia.

(c) Upon publication of the proclamation of revocation as provided in this Act each domestic corporation listed in such proclamation shall be deemed to have been dissolved without further legal proceedings and each such corporation shall cease to carry on its business and shall, after paying or adequately providing for the payment of all of its obligations, distribute the remainder of its assets, as in this Act provided with respect to dissolved corporations.

(d) All domestic corporations the articles of incorporation of which are revoked by proclamation or the term of existence of which expires by limitation set forth in its articles of incorporation shall nevertheless be continued for the term of three years from the date of such revocation or expiration bodies corporate for the purpose of prosecuting and defending suits by or against them, and of enabling them to pay, satisfy, and discharge their liabilities and obligations and, after paying or adequately providing for the payment of all its obligations, to distribute the remainder of their assets, as in this Act provided with respect to dissolved corporations, but not for the purpose of continuing to conduct the affairs for which such corporation shall have been organized: *Provided, however,* That with respect to any action, suit, or proceeding begun or commenced by or against a corporation prior to such revocation or expiration and with respect to any action, suit, or proceeding begun or commenced by or against such corporation within three years after the date of such revocation or expiration, such corporation shall only for the purpose of such actions, suits, or proceedings so begun or commenced be continued a body corporate beyond said three-year period and until any judgments, orders, or decrees therein shall be fully executed.

PENALTY FOR CONDUCTING AFFAIRS AFTER ISSUANCE OF PROCLAMATION

SEC. 87. Any corporation, person, or persons who shall exercise or attempt to exercise any powers under articles of incorporation of a domestic corporation or under a certificate of authority of a foreign corporation which has been revoked shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding $500 or by imprisonment not exceeding one year, or both.

CORRECTION OF ERROR IN PUBLICATION

SEC. 88. Whenever it is established to the satisfaction of the Commissioners that any corporation named in said proclamation has not failed or refused to pay any annual report fee or file any annual report for two consecutive years, or has been inadvertently included in the list of corporations as so failing or refusing to pay annual report fees or file reports, the Commissioners are authorized to correct such mistake by issuing a proclamation to that effect and restoring the articles of incorporation or certificate of authority, as the case may be, to good standing with like effect as if such proclamation of revocation, as to such corporation, had not been issued.

RESERVATION OF NAME OF PROCLAIMED CORPORATION

SEC. 89. The Commissioners shall reserve the names of all corporations the articles of incorporation of which have been revoked and of all foreign corporations the certificates of authority of which have been revoked until December 31 of the year in which the proclamation of revocation was issued and no domestic corporation shall be formed nor the name of any such domestic corporation changed to a name the same as or deceptively similar to such reserved name nor shall any foreign corporation be authorized to do business under a name the same as or deceptively similar to such reserved name.

REINSTATEMENT OF PROCLAIMED CORPORATIONS

SEC. 90. (a) A domestic corporation, the articles of incorporation of which have been revoked, may at any time after the date of the issuance of the proclamation of revocation deliver to the Commissioners a petition for reinstatement, in duplicate, accompanied by the delinquent annual report or reports, or payment of delinquent annual report fee or fees in full, or both, as the case may be, plus interest thereon as provided by this Act, together with any penalties imposed by this Act. The Commissioners, if they find that all such documents conform to law, and that the period for reservation of the name has not expired, or if such period has expired, that the name is available for corporate use pursuant to the provisions of this Act, shall file them in their office and shall issue their certificate of reinstatement which shall have the effect of annulling the revocation proceedings theretofore taken as to such corporation and such corporation shall have such powers, rights, duties, and obligations as it had at the time of the issuance of the proclamation with the same force and effect as to such corporation as if the proclamation had not been issued.

(b) If the petition for reinstatement of a proclaimed corporation is delivered to the Commissioners after the period for reservation of the name has expired and if they find that the name is not available for corporate use pursuant to the provisions of this Act, then, in addition to complying with the provisions of the preceding paragraph the proclaimed corporation shall set forth in its petition for reinstatement its name at the time its articles of incorporation were proclaimed void and the new name by which the corporation will thereafter be known, which shall be a name available for corporate use pursuant to the provisions of this Act.

(c) A foreign corporation whose certificate of authority has been revoked shall, upon reentering the District, comply with all of the requirements of law applicable to an original application for a certificate of authority, including the payment of the filing fee for filing an application for a certificate of authority, but it need not file again a copy of its articles of incorporation or any amendment thereof that is then on file with the Commissioners. After the revocation of the certificate of authority of a foreign corporation, the Commissioners shall retain the articles of incorporation and amendments theretofore filed and the original application for a certificate of authority for a period of ten years.

PENALTIES IMPOSED UPON CORPORATIONS

SEC. 91. Each corporation, domestic or foreign, that fails or refuses to file its annual report for any year within the time prescribed by this Act shall be subject to a penalty of $5 to be assessed by the Commissioners.

FEES FOR FILING DOCUMENTS AND ISSUING CERTIFICATES

SEC. 92. The Commissioners shall charge and collect for—

(a) filing articles of incorporation and issuing a certificate of incorporation, $10;

(b) filing articles of amendment and issuing a certificate of amendment, $5;

(c) filing articles of merger or consolidation and issuing a certificate of merger or consolidation, $5;

(d) filing a statement of change of address or registered office or change of registered agent, or both, $1;

(e) filing articles of dissolution, $1;

(f) filing an application for reservation of a corporate name or for a renewal of reservation, $5;

(g) filing notice of transfer of a reserved corporate name, $5;

(h) filing statement of election to accept this Act and issuing certificate of acceptance, $10;

(i) filing an application of a foreign corporation for a certificate of authority to conduct affairs in the District and issuing a certificate of authority, $10;

(j) filing an application of a foreign corporation for an amended certificate of authority to conduct affairs in the District and issuing an amended certificate of authority, $5;

(k) filing a copy of an amendment to the articles of incorporation of a foreign corporation holding a certificate of authority to conduct affairs in the District, $5;

(l) filing a copy of articles of merger of a foreign corporation holding a certificate of authority to conduct affairs in the District, $5;

(m) filing an application for withdrawal of a foreign corporation and issuing a certificate of withdrawal, $1;

(n) filing application for reinstatement of a domestic or foreign corporation and issuing certificate of reinstatement, $10;

(o) filing any other statement or report, including an annual report, of a domestic or foreign corporation, $1;

(p) indexing each document filed, except an annual report, $2;

(q) furnishing a certified copy of any document, instrument, or paper relating to a corporation, $5;

(r) the Commissioners are authorized to make regulations providing for reasonable fees for other services not listed in this section.

COMMISSIONERS: DUTIES AND FUNCTIONS

SEC. 93. (a) The Commissioners shall have the power and authority reasonably necessary to enable them to administer this Act efficiently and to perform the duties therein imposed upon them.

(b) The Commissioners shall be charged with the administration and enforcement of this Act. Said Commissioners are authorized to employ such personnel as may be necessary for the administration of this Act, within appropriations made by Congress. The compensation of such personnel shall be fixed in accordance with the provisions of the Classification Act of 1949, as amended.

(c) The Commissioners may transfer any or all of the functions vested in them by this Act to any agent designated by them pursuant to law. It shall be the duty of any officer or agency of the government of the District of Columbia to perform any function delegated to such officer or agency by the Commissioners pursuant to this Act.

(d) Every certificate and other document or paper executed by the Commissioners, in pursuance of any authority conferred upon them by this Act, and sealed with the seal prescribed by subsection 29–935(c), District of Columbia Code, and all copies of such papers, as well as of documents and other papers filed in accordance with the provisions of this Act, when certified by them and authenticated by said seal, shall have the same force and effect as evidence as would the originals thereof in any action or proceeding in any court and before a public officer, or official body.

(e) The Commissioners are authorized to make, modify, and enforce such regulations as they may deem necessary to carry out the provisions of this Act, prescribe penalties for the violation of any such regulation not exceeding a fine of $300 or imprisonment for ninety days, or both, and to pre-

scribe such forms and procedures for use in the conduct of the business of any office or agency established by them as they may deem appropriate.

APPEAL FROM COMMISSIONERS

SEC. 94. (a) If the Commissioners shall fail to approve any articles of incorporation, amendment, merger, consolidation, or dissolution, or any other document required by this Act to be approved by the Commissioners before the same shall be filed in their office, they shall, within ten days after the delivery thereof to them, give written notice of their disapproval to the person or corporation, domestic or foreign, delivering the same, specifying the reasons therefor. From such disapproval such person or corporation may appeal to the United States District Court for the District of Columbia by filing with the clerk of such court a petition setting forth a copy of the articles or other document sought to be filed and a copy of the written disapproval thereof by the Commissioners; whereupon the matter shall be tried de novo by the court, and the court shall either sustain the action of the Commissioners or direct them to take such action as the court may deem proper.

(b) If the Commissioners shall revoke the certificate of authority to conduct affairs in the District of any foreign corporation, pursuant to the provisions of this Act, such foreign corporation may likewise appeal to the United States District Court for the District of Columbia by filing with the clerk of such court a petition setting forth a copy of its certificate of authority to conduct affairs in the District and a copy of the notice of revocation given by the Commissioners; whereupon the matter shall be tried de novo by the court, and the court shall either sustain the action of the Commissioners or direct them to take such action as the court may deem proper.

Appeals from all final orders and judgments entered by the United States District Court for the District of Columbia under this section in review of any ruling or decision of the Commissioners may be taken as in other civil actions.

CERTIFICATES AND CERTIFIED COPIES TO BE RECEIVED IN EVIDENCE

SEC. 95. All certificates issued by the Commissioners in accordance with the provisions of this Act, and all copies of documents filed in their office in accordance with the provisions of this Act when certified by them, shall be taken and received in all courts, public offices, and official bodies as prima facie evidence of the facts therein stated. A certificate by the Commissioners under the seal of their office, as to the existence or nonexistence of the facts relating to corporations which would not appear from a certified copy of any of the foregoing documents or certificates shall be taken and received in all courts, public offices, and official bodies as prima facie evidence of the existence or nonexistence of the facts therein stated.

FORMS TO BE FURNISHED BY COMMISSIONERS

SEC. 96. All reports required by this Act to be filed in the office of the Commissioners shall be made on forms which shall be prescribed and furnished by the Commissioners. Forms for all other documents to be filed in the office of the Commissioners shall be furnished by the Commissioners on request therefor, but the use thereof, unless otherwise specifically prescribed in this Act, shall not be mandatory.

GREATER VOTING REQUIREMENTS

SEC. 97. Whenever, with respect to any action to be taken by the members or directors of a corporation, the articles of incorporation require the vote or concurrence of a greater proportion of the members or directors, as the case may be, than required by this Act with respect to such action, the provisions of the articles of incorporation shall control.

WAIVER OF NOTICE

SEC. 98. Whenever any notice is required to be given to any member or director of a corporation under the provisions of this Act or under the provisions of the articles of incorporation or bylaws of the corporation, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be equivalent to the giving of such notice. Presence without objection also waives notice.

ACTION BY MEMBERS OR DIRECTORS WITHOUT A MEETING

SEC. 99. Any action required by this Act to be taken at a meeting of the members or directors of a corporation, or any action which may be taken at a meeting of the members or directors, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the members entitled to vote with respect to the subject matter thereof, or all of the directors, as the case may be.

Such consent shall have the same force and effect as a unanimous vote, and may be stated as such in any articles or document filed with the Commissioners under this Act.

UNAUTHORIZED ASSUMPTION OF CORPORATE POWERS

SEC. 100. All persons who assume to act as a corporation without authority so to do shall be jointly and severally liable for all debts and liabilities incurred or arising as a result thereof.

PROCEDURE TO ELECT TO ACCEPT ACT

SEC. 101. Any corporation which is organized and existing under the laws of the District of Columbia or under any special Act of Congress on the date this Act takes effect, and which is organized not for profit, and is without authority to issue shares of stock, and is organized for a purpose or purposes for which a corporation may be organized under the provisions of this Act may elect to avail itself of the provisions of this Act in the following manner:

(a) Where there are members having voting rights, the board of directors shall adopt a resolution recommending that the corporation accept this Act and directing that the question of such acceptance be submitted to a vote at a meeting of the members having voting rights, which may be either an annual meeting or a special meeting. Written or printed notice setting forth the proposal to accept this Act shall be given to each member entitled to vote at such meeting within the time and in the manner provided in this Act for the giving of notice of meetings of members. The proposal to elect to accept this Act shall be adopted upon receiving at least two-thirds of the votes entitled to be cast by members present or represented by proxy at such meeting.

(b) Where there are no members, or no members having voting rights, the election to accept this Act may be adopted at a meeting of the board of directors upon receiving the vote of at least a majority of the directors in office.

STATEMENT OF ELECTION TO ACCEPT THIS ACT

SEC. 102. The statement of election to accept this Act shall be executed in duplicate by the corporation by its president or vice president, and the corporate seal shall be thereto affixed, attested by its secretary, or and assistant secretary, and shall set forth—

(a) the name of the corporation;

(b) a statement by the corporation that it has elected to accept this Act;

(c) where there are members having voting rights—

(1) a statement setting forth the date of the meeting of the members at which the election to accept this Act was adopted; that a quorum was present at such meeting, and that such acceptance received the affirmative vote of at least two-thirds of the votes entitled to be cast by members present or represented by proxy at such meeting, or

(2) a statement that such election to accept this Act was adopted by a consent, in writing, signed by all members entitled to vote with respect thereto;

(d) where there are no members or no members having voting rights, a statement of such fact, the date of the meeting of the board of directors at which the election to accept this Act was adopted, and the statement of the fact that such acceptance received the vote of a majority of the directors in office;

(e) the purpose or purposes (which may be different from its existing purposes) which it will thereafter pursue, and shall not include any purpose prohibited to a corporation organized under this Act;

(f) if the corporation has no members, a statement to that effect;

(g) if the corporation has members, there shall be set forth—

(1) the number of classes of members;

(2) if there is more than one class of members, a statement of the qualifications and rights and limitations of each class of members;

(3) if members, or any class or classes of members, are not entitled to vote, a statement to that effect;

(4) if members, or any class or classes of members are entitled to vote, a statement setting forth the voting rights and of any limitation or limitations thereof of members or of any class or classes thereof;

(h) any other provision, not inconsistent with law, or this Act, for the regulation of the internal affairs of the corporation;

(i) the address, including street and number, if any, of its registered office in the District of Columbia and the name of its registered agent at such address;

(j) the names and respective addresses, including street and number, if any, of its officers and directors;

(k) it shall not be necessary to set forth in the statement of election to accept this Act any of the corporate purposes enumerated in this Act. Whenever a provision in the statement of election to accept this Act is inconsistent with a bylaw, the provision of the statement of election to accept this Act shall be controlling.

FILING OF STATEMENT OF ELECTION TO ACCEPT THIS ACT

SEC. 103. (a) Duplicate originals of the statement of election to accept this Act shall be delivered to the Commissioners.

(b) If the Commissioners find that the statement of election to accept this Act conforms to law, they shall, when all fees and charges have been paid as in this Act prescribed—

(1) endorse on each of such duplicate originals the word "Filed", and the month, day, and year of the filing thereof;

(2) file one of such duplicate originals in their office;

(3) issue a certificate of acceptance, to which they shall affix the other duplicate original;

(4) deliver such certificate of acceptance with the other duplicate original affixed thereto to the corporation or its representative.

EFFECT OF CERTIFICATE OF ACCEPTANCE

SEC. 104. (a) Upon the issuance of a certificate of acceptance as hereinbefore provided, the election of the corporation to accept this Act shall become effective and the

existence of the corporation shall be continued under this Act and such certificate shall be conclusive evidence that all conditions precedent required to be performed under this Act have been complied with and that the corporation has elected to accept the provisions of this Act and the corporation shall be entitled to and be possessed of all of the privileges and powers and franchises and be subject to all the provisions of this Act as fully and to the same extent as if such corporation had been originally incorporated under this Act; and all privileges, franchises, and powers theretofore belonging to said corporation and all property, real, personal, and mixed, and all debts due on on whatever account, and all choses in action, and all and every other interest of or belonging to or due such corporation shall be and the same are hereby ratified, approved and confirmed and assured to such corporation with like effect and to all intents and purposes as if the same had been originally acquired through incorporation under this Act; but no contract, debt, claim, duty, liability, or obligation of any corporation to which a certificate of acceptance has been issued shall be affected or impaired in any way nor shall the rights of creditors or any liens upon the property of such corporation be affected or impaired by such election to accept this Act.

(b) Neither the issuance of a certificate of acceptance to a corporation created under the provisions of a special Act of Congress, nor the adoption of any amendment pursuant to this Act, shall release or terminate any duty or obligation expressly imposed upon any such corporation under and by virtue of the special Act of Congress under which it was created or any amendment made thereto, nor enlarge any right, power, or privilege granted any such corporation by such special Act except to the extent that such right, power, or privilege might have been included in the articles of incorporation of a corporation organized under this Act.

ACTIONS TO BE IN NAME OF DISTRICT OF COLUMBIA

SEC. 105. All civil actions under this Act which the Commissioners are authorized to commence, and all prosecutions for violations of the provisions of this Act, shall be brought in the name of the District of Columbia by the Corporation Counsel of the District of Columbia.

RIGHT OF REPEAL RESERVED

SEC. 106. Congress reserves the right to alter, amend, or repeal this Act, or any part thereof, or any certificate of incorporation or certificate of authority issued pursuant to its provisions.

EFFECT OF INVALIDITY OF PART OF THIS ACT

SEC. 107. If a court of competent jurisdiction shall adjudge to be invalid or unconstitutional any clause, sentence, paragraph, section, or part of this Act, such judgment or decree shall not affect, impair, invalidate, or nullify the remainder of this Act, but the effect thereof shall be confined to the clause, sentence, paragraph, section, or part of this Act so adjudged to be invalid or unconstitutional.

EFFECT OF FALSE STATEMENT

SEC. 108. A person who signs any instrument delivered to the Commissioners pursuant to this Act, knowing it to contain a misstatement of fact, shall be guilty of perjury.

EFFECTIVE DATE

SEC. 109. This Act shall take effect one hundred and eighty days after the date of its approval.

APPROPRIATION OF FUNDS

SEC. 110. There are hereby authorized to be appropriated from any moneys in the Treasury of the United States to the credit of the District of Columbia, such amounts as may be necessary to carry into effect the provisions of this Act.

With the following committee amendments:

Page 4, line 10, insert "not" after the word "shall".

Page 12, line 20, after the word "renewed" insert the following: "for an additional period of sixty days and for good cause shown such reservation may be further extended for a reasonable period".

Page 43, between lines 21 and 22, insert the following:

"(3) a post office address to which the Commissioners may mail a copy of any service of process, notice, or demand against the corporation that may be served on them."

Page 55, line 23, strike out "three" and insert "two".

Page 80, strike lines 18 and 19 and insert in lieu thereof the following:

"(3) mail the other such certificate to such corporation at its registered office in the District or to its principal place of business as the same appears in the records of the Commissioners."

Page 82, line 16, insert ", penalties," immediately after "fees".

Page 85, line 5, strike "May" and insert "July" in lieu thereof.

Page 92, line 21, strike "(r)" and insert in lieu thereof "(s)"; and insert between lines 20 and 21 the following:

"(r) furnishing a certificate as to the existence or nonexistence of a fact relating to a corporation, $1;"

Page 93, lines 22 and 23, strike "29–935 (c), District of Columbia Code", and insert in lieu thereof "(c) of section 120 of the District of Columbia Business Corporation Act".

Page 104, line 18, insert "or of regulations promulgated under the authority of this Act" immediately after "Act".

Page 104, line 20, add the following: "As used in this Act the term 'Corporation Counsel' means the attorney for the District, by whatever title such attorney may be known, designated by the Commissioners to perform the functions prescribed for the Corporation Counsel in this Act".

Page 105, line 12, strike "perjury" and insert in lieu thereof: "a misdemeanor and shall be punished by a fine not exceeding $500 or by imprisonment for not exceeding one year, or by both such fine and imprisonment".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, this proposed act, based on the model Nonprofit Corporation Act of the American Bar Association, is complementary to the District of Columbia Business Corporation Act. It would supplant the antiquated, confusing, and inadequate patchwork of laws for the incorporation of various categories of nonprofit organizations that has accumulated over a long period on a more or less ad hoc basis. It has been prepared by the Committee on Corporation Law of the Bar Association of the District of Columbia and has been approved by the board of directors of the association which instructed the committee on corporation law to submit it to Congress for its consideration and enactment.

Such an act is deemed necessary to replace the present confusion, and to spell out in detail the rights, obligations, and means for conducting the affairs of nonprofit corporations, whether domestic or foreign. At the present time incorporators of a charitable organization often find it difficult to determine which of several sections of the District of Columbia Code relating to the formation of corporations is most appropriate to their purposes. Sometimes there is a choice between two or more sections with different requirements and granting different authority. There are certain types of corporations authorized as, for example, boards of trade and cemetery associations, which apparently obtain corporate attributes without the necessity of a charter. Nor are all of the statutory powers for the formation of corporations found in title 29 of the code, for the authorization for cemetery corporations is found in title 27. In the several chapters of title 29 authorizing the formation of nonprofit corporations, there is substantial overlapping and provisions are contained therein that have application to individuals, partnerships, or nonincorporated associations as well as to corporations. This latter defect is notably true in connection with educational institutions.

Although the formation of charitable corporations in the District of Columbia is quite easy because of the sketchiness of the statutory requirements, that same characteristic has made it very difficult to know what the rights or obligations of the corporation may be after its formation. The confused areas include such important matters as merger, consolidation, dissolution, and the transfer of property. The proposed act, though long and detailed, is not therefore onerous. On the contrary, its detailed provisions should give an answer for most problems of corporate existence, so that counsel of nonprofit corporations may readily determine with precision what the corporation may do and how to do it.

The act would be applicable to newly incorporated domestic nonprofit corporations, all foreign nonprofit corporations conducting affairs in the District of Columbia, and any existing domestic nonprofit corporations that elect to accept the provisions of the act. In this, as in many other respects, it follows the pattern of the District of Columbia Business Corporation Act. It does not apply to existing nonprofit corporations unless they elect to avail themselves of the provisions of the act. It was felt that any requirement that existing corporations reincorporate under the act or accept the act might raise too many problems, difficult to foresee, of property rights, rights under wills and trusts, and so forth to make such a requirement feasible. However, in view of the clearly defined rights and procedures in the act, it seems likely that many corporations will desire to accept the act in order to assure themselves of its advantages. An existing corporation accepting the act could, for example, be assured of its right to effect a merger and would know definitely the procedure therefor.

The right to accept the act would apply also to corporations formed under special acts of Congress. Many of the corporations existing in the District of Columbia were formed under such special acts, and purely local, as well as national organizations, have this distinction. Although such corporations would probably be reluctant to jeopardize their claim to this honor by electing to accept this act, it is conceivable that some of them, faced with an extremely vague and sketchy statement of their rights and powers in their old congressional charter, might want the opportunity to accept the advantages of this act. This act would enable them to do so if they wished.

With one minor exception contained in section 3(c), no new corporation eligible for formation under this act could be formed under an old act. If this were permitted, the advantages of the new act from the point of view of the District of Columbia and the public would be largely nullified, and instead of bringing about clarification and standardization, this act would only add to the confusion by furnishing an addition to the many existing methods of incorporation. However, the existing chapters of title 29 would remain in the code and would still govern the corporations heretofore formed pursuant to such provisions.

A collateral problem, as indicated above, is that there are some provisions in the old chapters that have general applicability to individuals, associations and new corporations which should not be allowed to remain buried and overlooked by new corporations or individuals to which they are applicable. The principal example of this type of provision is the requirement of approval by the Board of Education of educational institutions—District of Columbia Code, section 29: 415–519. To avoid this danger, it is recommended that these sections be moved from their inappropriate place in title 29, chapter 4 to title 31, "Education and Cultural Institutions," which, in view of its general application to any type of educational institution is the more appropriate place for them.

Foreign corporations, even those currently conducting their affairs in the District, would be required by this act to register and file annual reports. Obviously they are not in the same situation as existing domestic corporations. There is no record here of their existence or the fact of their pursuing their purposes here. The act is designed to make them amenable to some supervision and particularly to assure their being subject to process in this jurisdiction. These considerations, of course, prevailed in respect to business corporations when the Business Corporation Act was passed.

The proposed act as embodied in identical bills in the House and the Senate is based primarily on the model Nonprofit Corporation Act of the American Bar Association. This was, in turn, pattermed on the Illinois act of 1943. Since that time, the States of Virginia, Connecticut, Florida, Nebraska, North Dakota, Oregon, Texas, and Wyoming have all enacted nonprofit corporation acts, which more or less closely follow the model. The proposed act has been carefully correlated by the bar association committee with the District of Columbia Business Corporation Act to make sure they were consistent wherever appropriate. Since that act was based on an American Bar Association model act which parallels the nonprofit model, the two principal bases for the present draft are similar in many important respects.

However, in preparing this draft variations from the model act as enacted in various States were compared and in some instances adopted. This was particularly true of the very carefully considered Virginia act. But no section has been finally accepted without close scrutiny and, in most instances, the several sections were revised several times to make them as suitable as possible for their intended purpose. In a number of cases the model act was modified to improve or clarify its language. Three separate complete drafts have been prepared in succession. Each one has been analyzed and often rewritten by individual members of the subcommittee and by the subcommittee acting in concert. Copies of the final draft were submitted to the members of the full committee on corporations, the various suggestions made by them were debated and, in several instances, were incorporated in the final draft. That draft was introduced in the 86th Congress by Senator BIBLE as S. 3833. That bill was then again carefully scrutinized by members of the subcommittee and a number of improvements were made that have been incorporated in the present bill.

It is felt that the proposed act as now introduced represents a practical solution for the problem of the nonprofit corporation in the District of Columbia. Undoubtedly it may have defects which have escaped the notice of the committee and it proposes methods of dealing with particular situations that might have been solved differently by another committee. Any defects may have to be remedied by later amendments, but it is believed that the proposed act as it stands represents the most workable procedure in most situations and that the proposed act would work a vast improvement in the one large segment of corporate law in the District of Columbia that needs reform.

AMENDING DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL ACT

Mr. McMILLAN. Mr. Speaker, I yield to the gentleman from New York [Mr. MULTER], chairman of the subcommittee, to call up the next bill.

Mr. MULTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 7752) to amend the District of Columbia Alcoholic Beverage Control Act, as amended, and for other purposes, which has been reported to the House by the Committee on the District of Columbia.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. GROSS. Mr. Speaker, reserving the right to object, is this bill to be considered in the House as in Committee of the Whole or strictly under unanimous consent.

The SPEAKER pro tempore. This bill is on the House Calendar.

Mr. McMILLAN. This bill is to be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman asks unanimous consent to consider the bill in the House as in Committee of the Whole.

Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (g) of section 11 of the District of Columbia Alcoholic Beverage Control Act as amended (D.C. Code, sec. 25–111(g)), is amended—

(1) by striking "restaurants and" in the fourth sentence of such subsection; and

(2) by inserting immediately after such fourth sentence the following new sentence: "In the case of restaurants, said spirits, beer, and wine shall be sold or served only (1) to persons seated at public tables or at bona fide lunch counters, and (2) to persons in an enclosed or screened-off area in any such restaurant set aside for the accommodation of persons waiting to be seated at public tables."

SEC. 2. Clause (2) of the fifth sentence of such subsection (g) shall take effect on the thirtieth day after the date of enactment.

H.R. 7752

Mr. MULTER. Mr. Speaker, the purpose of H.R. 7752 is to allow service at a screened-off bar or counter, of spirits, wine, and beer in District of Columbia restaurants to customers who are waiting for seats in the restaurant proper.

Under present law it is necessary for a restaurant to provide a table and chairs in a waiting room in order to serve alcoholic beverages to waiting customers. This bill would permit service to customers waiting for tables even though they are not seated, provided the area in which the beverages are being sold is screened-off and separated from the principal dining area of the restaurant.

A restaurant or lunch counter which does not have a separate screened-off area would be required to provide a seating arrangement either at a table or counter. This bill permits service without prior seating only to waiting customers who are to be seated when space becomes available for service of their meals.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MULTER. Mr. Speaker, I ask unanimous consent that all Members who may desire to do so may extend their remarks immediately prior to the passage of the bill just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

LEGISLATIVE PROGRAM

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I have asked for this time for the purpose of inquiring of the acting majority leader, the gentleman from Oklahoma [Mr. ALBERT] as to the program for the balance of the day and the program for tomorrow; and while I recognize the fact that the gentleman cannot announce all of the legislative program for next week, could he tell us what the prospects might be or what the plans are in respect to the adjournment over Labor Day weekend.

Mr. ALBERT. Mr. Speaker, in response to the gentleman from Indiana, as soon as the conference report on the Mutual Security Act is received from the other body, it will be taken up and acted upon in the House. If the report is finished today, the House will meet tomorrow, but there will be no business and it is our plan to ask unanimous consent to go over until next Tuesday. I might also advise the membership that there is no further business pending the arrival of the mutual security conference report. Members are advised that it is planned to take up the conference report as soon as it reaches the House.

Mr. HALLECK. In other words, while there is no arrangement for a recess today pending the arrival of the conference report, I take it there are special orders that have been granted?

Mr. ALBERT. The gentleman is correct. We will proceed in the regular way to recognize Members on special orders that have been granted and with other miscellaneous matters pending the receipt of the conference report on the Mutual Security Act.

Mr. HALLECK. Mr. Speaker, I just wish to say I hope the other body can conclude its action on the conference report reasonably soon, and my information is that that may happen and that when the conference report arrives here that it may be considered expeditiously and be adopted so that the business for this week will be concluded until next Tuesday.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Illinois.

Mr. SPRINGER. I would like to direct a question, if I may, to the majority whip. Is it not intended to bring up today the bill for an additional Assistant Secretary of Commerce?

Mr. ALBERT. I will advise the gentleman that we do not intend to bring that bill up today.

Mr. SPRINGER. I thank the gentleman.

PERSONAL ANNOUNCEMENTS

Mr. VAN ZANDT. Mr. Speaker, on rollcall 167, August 24, 1961, when H.R. 84, a bill to stabilize the mining of lead and zinc by small domestic producers on public, Indian, and other lands, was under consideration, I was unavoidably absent. However, if I had been present, I would have voted in the negative.

CLARIFYING THE STATUS OF CIRCUIT AND DISTRICT JUDGES

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill, H.R. 5255, to clarify the status of circuit and district judges retired from regular active service, with the Senate amendments thereto, disagree to the amendments, and ask a conference with the Senate on the disagreeing votes of the two Houses.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York? The Chair hears none, and appoints the following conferees: Messrs. CELLER, DONOHUE, TOLL, MCCULLOCH, and MEADER.

TIME MAGAZINE

Mr. DENT. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Speaker and Members of the House, I was just handed the September 1 issue of Time magazine and I had pointed out to me an article which I believe is derogatory in its contents to those Members of the House who, by reason of accident and good fortune of birth, depending on your viewpoint, happen to be born of Italian parentage. I have devoted some 27 years to legislative public life, and at no time during all those years have I ever considered myself to be a member of any specific bloc or group based upon racial, religious, or ethnic lines. It appears that Mr. O'Brien, an adviser and member of the President's staff, is the subject of a three- or four-page story covering his activities. I would like to quote from some of these activities as they are contained in this article.

> Thus, when the 14 members of the Italian-American congressional bloc threatened to vote against the administration's feed grains bill just to demonstrate their power, O'Brien quickly found out what was on their minds: no man of Italian descent had been appointed to a major administration post. O'Brien promised to look into the matter for them, the bloc voted right, and a few weeks later the White House was pleased to announce the appointment of Salvatore Bontempo as head of the State Department's Consular Service. For good measure, Michel Cieplinski was named as Bontempo's assistant, mollifying an 11-member Polish-American group in the House.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Pennsylvania, with pleasure.

Mr. WALTER. I would like to, in the first place, express to my colleague from Pennsylvania [Mr. DENT], my feelings of appreciation for the contributions that he has made during the many years that he has served in legislative bodies; never as a representative of a racial group but always as an American. Second, I would like to point out the fact that the appointments the gentleman mentioned were made in absolute violation of the law because the law provides for the kind of qualifications necessary for these positions, and neither of these men were qualified in any respect.

Mr. DENT. I want to thank the gentleman and to say to the House that I did not know Mr. Bontempo prior to his appointment but understand he is a fine American with an enviable record of public service.

I do not know what the qualifications are for belonging to the Italian-American congressional bloc, but I suppose it is being born of poor but proud Italian immigrants who became poor but proud American citizens. I can certainly qualify.

If this story was true I might say I resent not being called in when they handed out these plums, but maybe it was because I did not vote right. I did not vote for the farm bill, the feed grain bill, so evidently I was not consulted. But on behalf of Members of this Congress of the United States I think that any newspaper that toys with the suggestion that membership in Congress is broken up into groups because of racial or religious background is toying with a very dangerous thing, especially to inflict such an ideology upon the American people through an organization such as Time magazine.

I do not know of any racial groupings here. It would be just as appropriate to speak of the "South" American group, the Republican American group, and to say that these groups defeated a piece of legislation yesterday. There is no "South" American group here, although Members could be from the South. There is no Polish-American group here, although there may be those whose parents came from Poland. Likewise, there are Germans, French, and even a few Irish scattered around in the midst of this membership. I do not know how my good friend, DANIEL INOUYE, is going to be designated, but to me he is just a loyal American representing his State of Hawaii. I resent any Member being tagged as belonging to a particular ethnic group. I am proud of my friendship with all the various Americans, no matter from whence they sprung.

PERSONAL EXPLANATION

Mrs. BLITCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Georgia?

There was no objection.

Mrs. BLITCH. Mr. Speaker, it is most unfortunate that I was unable to be on

the floor this morning when the House passed Senate Concurrent Resolution 34. I want to go on record as being in favor of the resolution. Although I know my vote will not count I want the House to be aware of the fact that I am in complete sympathy with the great majority vote by which the resolution was adopted.

PERSONAL EXPLANATION

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BAILEY. Mr. Speaker, I am asking this time in order to advise my colleagues that I was at the Pentagon on business along with two of my colleagues from West Virginia. We were about one-half minute late in getting to vote on Senate Concurrent Resolution 34 just approved. Had I been present I would have voted "yea."

Mr. STAGGERS. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from West Virginia.

Mr. STAGGERS. I wish to concur in what the gentleman has stated, that we were detained at the Pentagon and were late in getting back. Both of us, as well as our colleague from West Virginia [Mr. SLACK], were detained, and he, too, would have voted "yea" on the resolution if he had been present.

ANNOUNCEMENT

Mr. HAGAN of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. HAGAN of Georgia. Mr. Speaker, I would like to state that I was entertaining Miss Georgia of 1961 in the dining room. We heard a bell ring, but in the confusion someone said it was a teller vote. As I stepped outside I found it was not a teller vote. However, I missed the rollcall by about a half second. Had I been present I would have voted "yea."

Mr. SHORT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. SHORT. Mr. Speaker, I, too, was detained unavoidably during the vote on the rollcall on Senate Concurrent Resolution 34. I happened to be having lunch with Miss North Dakota, which I consider a very important assignment. But had I been present, Mr. Speaker, I would certainly have been proud and glad to vote "yea" on the resolution.

Mr. BEERMANN. Mr. Speaker, on rollcall No. 180 I arrived in the Chamber at the finish of the rollcall, having been unavoidably detained. I am a member of the Committee of One Million which is against the seating of Red China in the United Nations. Had I been present I would have most emphatically voted "yea" on the resolution.

MANPOWER DEVELOPMENT AND TRAINING ACT

Mr. GOODELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOODELL. Mr. Speaker, this session of Congress will shortly come to a close and it is becoming increasingly apparent that a vital piece of legislation, endorsed by Members from both sides of the aisle, may be neglected in the rush to leave these hallowed Halls.

I refer to H.R. 8399, the proposed Manpower Development and Training Act of 1961.

Mr. Speaker, the U.S. Department of Labor, in its "Monthly Report on the Labor Force," for July 1961, said:

> The total without jobs for more than 6 months actually rose by 100,000 in July to a peak for the year of 1 million.

The report shows a total of 1,026,000 who have been out of a job for 27 weeks or more.

Secretary of Labor Goldberg expressed to me today his strong view that this bill should be considered during the present session. I agree with Secretary Goldberg.

The gentleman from Pennsylvania [Mr. HOLLAND], chairman of the House subcommittee which developed this proposal, has likewise indicated repeatedly his concern over the plight of the subcommittee bill. I am the ranking Republican on that subcommittee. I have been working frantically to avoid having this critical proposal crushed in the closing days of Congress.

Gentlemen, I consider this bill an active, forward-thinking measure designed to alleviate the unfortunate plight of an important segment of our population. Our unemployed are important. This bill would help give these people new skills to contribute to the productivity of our Nation.

I consider it one of the most vital pieces of legislation that can be considered in the closing weeks of this Congress. The time for words alone is past. It is time for action.

WHY NOT RETURN SERVICE DEPENDENTS TO THEIR HOMES

Mr. YOUNGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. YOUNGER. Mr. Speaker, the President has stated repeatedly that the Berlin situation is fraught with danger. That, together with the calling up of the Reserves and the National Guard, the appropriation of $207 million for civilian defense all substantiates this danger. But I want to call attention to the fact that if this is true, and I believe it is, we are derelict in our duty, and the administration is derelict in its duty in not bringing back the service wives and children from Europe. If anything breaks over there and something should happen to the women and children of our service people in Europe, the blood of those people will have to be on the hands of somebody else other than the Congress.

ANNOUNCEMENT

Mr. GEORGE P. MILLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GEORGE P. MILLER. Mr. Speaker, as long as alibiing seems to be the order of the day for not being present at the last rollcall, I might as well get into the act.

I happened to be downtown conferring with the science adviser to the President and his assistant on some matters of vital interest to the Subcommittee on Oceanography, of which I am chairman. I got back here too late to make the rollcall. I was in the elevator with the two gentlemen from West Virginia who also missed the rollcall. We arrived here too late. This is the first time in 17 years I have taken the well to excuse myself on account of being absent on a vote, but inasmuch as it seems to be the order of the day, I too want to go on record in saying I would have voted "yea" on the resolution.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. GEORGE P. MILLER. I yield to the gentleman from Minnesota.

Mr. JUDD. May I get into the act by reporting that I have had a call from my colleague from Minnesota [Mr. NELSEN], expressing his regret that because of official business, he was not able to be here for the vote. He asked to have it announced that had he been present he would have voted "yea" on the resolution.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. GEORGE P. MILLER. I yield to the gentleman from California.

Mr. ROOSEVELT. I know the gentleman is one of the most responsible Members of the House. Does he think that on Wednesday when his bill which appears on the Consent Calendar is reached he has any assurance it may not be objected to?

Mr. GEORGE P. MILLER. I have no such assurance. If it does not get through this time, I think we will have to try to get it up under suspension of the rules.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. GEORGE P. MILLER. I yield to the gentleman from Virginia.

Mr. HARDY. Mr. Speaker, I find myself in a situation similar to that of the gentleman from California. I entered the Chamber after my name had been called on the rollcall and, consequently, I was not shown as having voted for the resolution under discussion. Had I been here at the time my name was called I would have voted "aye."

Mr. GEORGE P. MILLER. Mr. Speaker, I feel I am in very good company when I am with the gentleman from Virginia [Mr. HARDY].

POSSIBLE CONSIDERATION TODAY OF CONFERENCE REPORT ON S. 1983—FOREIGN AID AUTHORIZATION BILL

The SPEAKER pro tempore. The majority leader [Mr. ALBERT], while engaged in a colloquy with the minority leader [Mr. HALLECK], stated that if the conference report on the mutual security bill is adopted in the Senate, it will be brought up immediately after being messaged to the House. I hope we can get the conference report up for consideration this afternoon. I make that observation before we go into special orders so Members of the House will know that if the Senate adopts the conference report we will take it up immediately upon its arrival in the House.

PERSONAL EXPLANATION

Mr. FULTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FULTON. Mr. Speaker, on May 11 I left on an official trip to examine the Pluto and Rover nuclear rocket experiments in Nevada with the Science and Astronautics Committee of the House. I answered two rollcalls that afternoon, before the plane left. There were two votes on the President's Council of Economic Advisers. Had I been present, I would have voted "yea" on the Gross amendment, rollcall No. 54, and "nay" on final passage of the bill, rollcall No. 55. Neither of these votes was called by the leadership of either side, and were not expected according to our best advice when we left on this official duty.

On Tuesday, May 16, 1961, I favored passage of House Resolution 284, the rule for debate on H.R. 4614, to establish an Office of International Travel and Tourism in the Commerce Department, and would have voted "yea." I was voting in my home district, as was my duty as a citizen, in the Pennsylvania primary election on this day.

Notice had been given the previous week as Congress recessed, by the leadership of both parties, that no votes on legislation would occur on Tuesday, May 16, 1961, because of the Pennsylvania election on that day, and none did occur in accordance with the leadership agreement. But this agreement, of course, did not preclude an individual Member on a rule to consider a bill on the floor, suddenly and without notice, demanding a procedural record vote, which would obviously embarrass the whole Pennsylvania congressional delegation of both parties.

Two other quorum calls were made on this afternoon, which I necessarily missed in order to vote in the Pennsylvania primary election.

TIME TO DISPEL THE FOG

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and to include an article.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, the editorial entitled "Time To Dispel the Fog," which appeared in the American Machinist/Metalworking Manufacturing under date of August 21 expresses the machine tool builders' plight today better than any other article I have seen. It is a natural assumption that if we are to be prepared for any kind of war, limited or otherwise, we will base our plans on the newest weapons developed by modern technology. Yet, strangely, no agency in Government associated with defense operations seems to know of any plans at all for any sizable tooling expenditure. We waited until World War II was upon us before we decided to tool defense facilities and it took us 2 years to build the machines for the tooling program. We were caught exactly the same way in the Korean war. Is history going to repeat itself? The administration will do the country a service by clearing away the fog of uncertainty that now envelops the defense program.

Under leave to extend my remarks I include the editorial, as follows:

TIME TO DISPEL THE FOG

With much fanfare President Kennedy recently announced to the Nation and to the world an expansion in our defense program. New and commendable emphasis is to be put on weapons for limited warfare, he said.

Since then, the President has asked Congress for about $1.8 billion to carry out his program. Beyond that, there is no visible evidence of any attempt to inform industry, or anyone else, of what is going on or what is going to be done.

It is a natural assumption that if we are to be prepared for any kind of war, limited or otherwise, we will base our plans on the newest weapons developed by modern technology. Such weapons would consist of the most up-to-date rockets and missiles and guns and tanks that our ingenuity can devise.

The prototypes of these weapons are said to be in existence. If they are to be put into production, plants will have to be tooled for them.

Yet, strangely, no agency in Washington associated with defense operations knows of any plans at all for any sizable tooling expenditures. In fact, the armed services and their contractors are engaged in important liquidation of the Nation's military production equipment at the same time that the White House is trying to create the impression that a full-fledged national emergency is just around the corner.

"From one of America's finest electronic plants used in the manufacture of missiles, aircraft, and radar parts," an advertisement says that $1.5 million of precision machinery and equipment is to be sold. Most of the listed items are "new since 1953."

If precedent holds, these tools will be sold for about 10 cents on the dollar. The Army has been disposing of machinery at auction at ridiculously low figures recently. And more auction sales are coming up. Our national production resources thus are being broken up and scattered so that the loss cannot be retrieved.

All of this is occurring at a time when Washington gives no indication whatever that it knows what industry's capability is for making the newest weapons. Remember that the precision with which these weapons have to be made is a far cry from the standards of World War II.

We waited until World War II was upon us before we decided to tool defense facilities. It then took us 2 years to build the machines for the tooling program. We were caught exactly the same way in the Korean war. Is history going to repeat itself?

At this juncture it is difficult if not impossible to find out in Washington what the defense production score is. Metalworking manufacturers do not know whether the Government is talking big to impress the world or whether it means business. They do not know whether they are to be asked to get into a much-enlarged defense program.

They have no inkling of it if the Government has any serious intent to tool up for production of modern technology's latest weapons as part of its defense buildup. The current dissipation of the Nation's machine resources by 10-cent liquidation is evidence that there is no such serious intent.

The administration will do the country a service by clearing away the fog of uncertainty that now envelops the defense program. It should take industry into its confidence without delay and spell out its specific plans.

SUGARBEETS

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, the first thing a manufacturer must determine is if a market exists for the product he is considering making. The market must either already exist, or one must be created. But however it is done, a market is present before the manufacturing begins. This is basic.

Not only is it basic in manufacturing, but it is basic in farming.

And upon this basic principle hinges our entire argument for the increase of the sugar quota allowed our country.

The market exists, there is no doubt about that. It exists and is increasing annually. But it is being allotted to other countries. It has been closed so that American producers cannot expand, nor can there be any new starts. It has been so controlled, that any farmer with irrigated land and facilities suitable for the production of sugarbeets would be completely discouraged.

And they were discouraged. When they look to the Government, not for subsidization, not for handouts, but for assurance that a market will be in existence for their product; this is not too

much to ask. This is what all of us have a right to expect from our Government. We should be given the opportunity to expand our production and our economy to the fullest, precluding, of course, a surplus. But no surplus exists in sugar.

Over 70 percent of our sugar needs have been imported; one-half billion dollars worth in 1959; $550 million worth in 1960; the 1955–58 average was only $460 million. In the 2 years following a $90 million increase was shown.

Cuba has been supplying 30 percent of our imports—or $350 million worth.

In 1960, the United States consumed 9.5 million tons of sugar. Based on per capita consumption, it is estimated that sugar requirements will total 10.5 million tons in 1965, an increase of 1 million tons in 5 years, or roughly 200,000 tons per year.

Combining with the potential reallocation of over 3 million tons gives a total of 3.2 million tons to be assigned in 1961.

There is the market. It already exists. It is here. But it is elusive and unapproachable because it might very well be allocated to offshore producers.

No businessman, no farmer, no beet-grower is going to attempt a risk of that proportion. What we are asking for is not out of reason. The farmers of this country want the right of a larger allocation of a part of the Cuban quota, they deserve this right, and we are demanding it for them.

IN CELEBRATION OF LABOR DAY—1961

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, on the first Monday of each September, the people of the United States observe Labor Day. It is set apart in tribute to the worth, and the achievements of those who work for wages.

Seventy million American men and women comprise the civilian labor force. With their rising standard of living, they make up the great middle class of our Nation; proving that only in a free society can more and more people share in the general progress. We have few extremes of wealth or poverty because we have made equality of opportunity available to all who are able to work, and are willing to improve themselves.

Ours is truly a New World, settled and developed by those who wanted no part of the stratified caste systems and entrenched privilege that held back the Old World. Every American believes that he is as good as the next American, or is capable of becoming so.

Here we believe that every person who does his level best is worthy of his hire, and that the fruits of production shall be distributed as fairly as possible to all who contribute their energy and skill and talent to constructive work. Look at the cars that will pass before your eyes this Labor Day weekend, and the people you meet at the beach, the lakeside or the ball game, and you will find little to distinguish the factory worker from the rich, the famous or the powerful.

The political freedoms won by earlier generations are being strengthened by social and economic freedoms as we move forward in cooperation to help build a better world. So many varied influences and individuals and courageous experiments have participated and are participating in the growth and development of our Nation, that no one has been able to select from all the characters and situations the ones that would truly tell the American story. Because, as measured by time, it has just begun. On Labor Day, however, we pause to recognize the major role played by the working men and women in that unfolding story.

Labor Day was first celebrated in New York 79 years ago. It was sponsored by the Central Labor Union, in answer to the suggestion of Peter J. McGuire that the day be set aside in honor of labor.

Exercising their right to freedom of association, some 18,000,000 Americans have joined the AFL–CIO and other trade unions as a strong force in the economic, social, and political life of the community. And to their everlasting credit, they rise above the legitimate claims of self-interest to promote those public programs in the fields of education, health, housing, and civil rights that will match material progress with human happiness and spiritual fulfillment.

Organized labor has come a long way in less than 100 years. It has both learned much and taught much on its uphill struggle to be heard, and respected. Its most significant victory, of benefit to the whole area of labor-management relations, was its success in establishing, through law, the domestic procedure of collective bargaining.

In honoring Labor Day, we honor the organizations that represent those who work for wages. The American labor movement, confident and free, is a powerful influence in advancing the rights, the responsibilities, and the dignity of human beings.

PROBLEMS OF THE AMERICAN FARMER

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, I have said many times in talking about the problems of the American farmer, that if he could only get a fair share of the consumer's dollar for the purchase of agricultural products, that most of his problems would be solved. Recently I was very interested to read the plea of our Secretary of Agriculture, the Honorable Orville L. Freeman, that our bakers do not raise the price of bread. It is my understanding that the farmer gets only 14 percent of what the consumer pays for a loaf of bread. It is my further understanding that this includes the cost of the butter and milk in the bread as well as the wheat. Keep in mind that the 14 percent of the cost of the loaf of bread does not represent the amount that the wheat farmer gets, but must include the amount that the farmer who produces the butter and the farmer who produces the milk must get.

Last year the average cost for a pound loaf of bread was 20.3 cents, and of this amount the farmer received 2.8 cents. It is interesting to note that the share received by the baker and wholesaler, who are generally the same person or company, was 11.9 cents, or 59 percent of the total. The retailer got 3.4 cents, or 17 percent; and the miller received 0.7 of a cent, or 3 percent. Other costs amounted to 1.5 cents.

In other words, when the consumer buys a pound loaf of bread in the marketplace for 20.3 cents the wholesaler and baker, and the retailer, receive more from the purchase than the farmer.

It is significant to note that the farmer's share of the cost of a loaf of bread has decreased from 25 percent to 14 percent during the last decade while the price of bread has increased from 13.5 cents per pound loaf to 20.3 cents. The baker-wholesaler's share has gone up from 44 to 59 percent, the retailer's has remained the same at 17 percent and the miller's has decreased from 5 to 3 percent. It should be pointed out that labor costs have continually been increasing, as well as other costs involved in production and distribution of bread, but the fact remains that the price that the farmer gets for his produce is not responsible for any projected price increase in a loaf of bread.

I wish to give credit to Mr. Julius Duscha, staff reporter for the Washington Post, for the statistics that I have quoted in this statement. I have taken these statistics from a very interesting article entitled "Wheat Price Boost No Cause To Increase the Cost of Bread," by Mr. Duscha, which appeared in the Washington Post on Tuesday, August 29, 1961.

NATIONAL DEFENSE PROFESSIONAL NURSE TRAINING ACT

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ROBERTS. Mr. Speaker, on August 30, 1961, I introduced H.R. 8981, entitled the "National Defense Professional Nurse Training Act of 1961."

Nationwide, there has been for some time a substantial deficit of graduate nurses in relation to the need for their services. Now, the stepping up of our national defense activities increases still further the demand for their services.

The Armed Forces have indicated that their expanded program will require 1,250 additional nurses, including the call up of Reserves, to add to the 8,450 nurses the Armed Forces have at present.

Everybody will recall that during World War II the professional nurse shortage was so great that a valiant and highly successful effort was made to train additional nurses through the Cadet Nurse Corps.

Certainly, I hope that the situation will not become so serious again that similar measures will be needed now in order to train additional nurses for our Armed Forces and our governmental and civilian needs. However, the additional nurses which the Armed Forces will recruit will come out of the pool of trained professional nurses out of which other governmental and also our civilian needs must be satisfied.

Our hospital schools train approximately 85 percent of our professional nurses. About 900 of the Nation's hospitals conduct programs of nurse education. On account of these programs, a great financial burden is imposed on these hospitals which has to be passed on to the hospital patients because the needed funds cannot be raised in any other way.

This deficit now runs as high as $1,000 per nurse trainee per year, and the costs of nurse education are increasing as the standards of the programs are improved.

About 25 percent of all professional nurses active in their profession are employed by government—Federal, State, or local. In the main, the education of nurses required by government is not carried on in educational institutions supported by government. While State and local governments participate financially to a limited extent in nurse education, the Federal Government uses the services of nurses who have been trained by others.

Thus, the ironical situation exists that when the Army recruits 500 additional nurses, the training of these nurses was largely paid for by hospital patients. Therefore, those of our citizens who have the misfortune of being confined to a hospital and who may be the least able to pay, are actually subsidizing our defense effort.

In my opinion, this is indefensible. The cost of nurse training should certainly be borne by the Federal Government at least to the extent that the Federal Government is a user of nurse services.

The bill which I have introduced would provide for a joint Federal-State program of Federal grants of $200 per student per year, provided that the States matched these grants with amounts ranging from $50 to $100 depending upon the wealth of the State.

I feel that the problem of nurse shortages and nurse education should be the joint responsibility of Federal and State Governments because all needs are satisfied out of a common pool or nurses, and there should not be a separate, exclusively Federal program to train professional nurses to meet the needs of our Armed Forces and Federal governmental hospitals and other institutions.

The program would be administered by the Surgeon General of the Public Health Service who would approve plans for participating States.

The bill would assist the degree-granting collegiate schools as well as the diploma-granting hospital schools. Both types of schools are essential to meet the existing need and both need financial assistance.

I am aware of the fact that the Surgeon General has established a Consultant Group on Nursing Care to help devise a program that will meet the needs of the Nation for nurses. The consultants are expected to report to the Surgeon General by January 1, 1962.

The program on which the administration is working is, of course, a long-range program, and upon receipt of President Kennedy's recommendations for legislation in this field, which I hope will be forthcoming early during the second session, the Subcommittee on Health and Safety of the Committee on Interstate and Foreign Commerce, of which I am chairman, will hold prompt hearings. However, it is not certain yet whether such a long-range program will be submitted in time for Congress to act on next year. Therefore, in view of the urgency of the situation, I can see nothing inconsistent in the adoption of a temporary emergency program to meet increasing national defense needs for professional nurses. I hope that the Congress will take prompt action on this legislation.

PROGRESS REPORT ON CLASSICS OF DEMOCRACY PROGRAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. O'HARA] is recognized for 60 minutes.

Mr. O'HARA of Illinois. Mr. Speaker, I am taking this time today to give to the House a progress report on the classics of democracy program, concerning which the Committee on Foreign Affairs, on page 6 of its report on the mutual security bill of 1961, said:

> The committee is pleased with the progress of what has been termed the "classics of American democracy" program. When this program was inaugurated, works such as The Federalist, which had inspired our forefathers, were unavailable in translated editions. Under the classics of American democracy program they have been translated into upward of 50 languages and dialects and made available to the peoples of new and developing nations at the grassroots. Perhaps no program has been more successful in winning the hearts and minds of the peoples of the new emerging nations. The committee strongly recommends the continuance and expansion of this program.

Naturally, I am pleased that the Committee on Foreign Affairs has given such high priority to this program since it is the development of the concept of a group of distinguished Chicagoans, most of them from the district I have the honor to represent, and which I, with the able gentleman from Ohio [Mr. FEIGHAN], had the privilege to present to the Congress.

For the benefit especially of the newer Members of the House, several of whom have asked me for more information since reading this strong recommendation in the committee's report, I shall begin by briefly sketching the high points in the birth and growth of the program of which the Committee on Foreign Affairs has said: "perhaps no program has been more successful in winning the hearts and the minds of the peoples of the new emerging nations."

LUNCHEON THAT STARTED PROGRAM

First. Participants in the luncheon in Chicago were: Dr. Jerome Kerwin, chairman of the Charles P. Walgren Foundation, University of Chicago; Dr. Harold Fey, executive editor, Christian Century; A. T. Burch, then associate editor, and Van Allen Bradley, literary editor of the Chicago Daily News; Emery T. Filbey, vice president emeritus, University of Chicago; Thomas B. Stauffer, a member of the faculty of Wilson Junior College with State Department background, the host at the luncheon; John McGinnis, president, Pennsylvania Lodge 225, Brotherhood of Railway Clerks; and Dr. Richard P. McKeon, professor of philosophy, University of Chicago, State Department visitor to the universities of India and other countries, a recognized authority in his field, as were the others in their respective fields. It was a small group, typical of many such in American communities that give direction and drive to worthy and moral causes.

Second. From this luncheon came the Chicago Committee for the Classics of Democracy, dedicated to the task of winning hearts and minds of people everywhere who were realizing their long dream for independence by making available to them at grassroots the classics of democracy that had been an inspiration to our own forefathers. It was this committee that first brought to public attention the shocking fact that even "The Federalist" had been translated into only one language and that edition was out of print. Mr. Stauffer served as the unpaid executive secretary of the committee.

NEWSPAPER EXPOSÉ ALERTS PUBLIC

Third. The Chicago Daily News, of which Mr. Burch was the associate editor and Mr. Bradley, the literary editor, was then owned by John Knight, whose newspapers in Chicago, Michigan, Ohio, Florida, and elsewhere, and whose news and feature service to other newspapers afforded a national audience reaching pretty thoroughly into American homes the country over. The publication in the Chicago Daily News of reports from its foreign correspondents in all parts of the world, substantiating the position of the Chicago Committee for the Classics of Democracy, had a tremendous effect in arousing the American people. They reported that in country after country books on democracy nowhere were available at grassroots while Communist literature was everywhere, that the Soviet books and pamphlets were at every news-

stall and every corner while the literature of democracy, such as it was, was mostly in expensively bound volumes in a few scattered libraries visited by a relatively few persons. The reports of the foreign correspondents of the Chicago Daily News were carried in the other Knight newspapers and in newspapers from coast to coast receiving the Knight news and feature service. This documented on-the-spot presentment by journalists of high standing and prestige alerted the American people for the first time to the almost unbelievable lag of the United States in the battle for the minds and hearts of people in quest for inspiration and knowledge in attaining the most perfect form of self-government.

Fourth. Meanwhile Dr. Fey, executive editor of the Christian Century, with the wide and influential circulation of that publication, was making a large contribution to building popular demand for a program directly to reach and win the hearts and minds of people by imparting to them that faith in democracy that comes only from understanding.

AMERICAN PUBLISHERS JOIN FORCES

Fifth. In 1954 the gentleman from Ohio [Mr. FEIGHAN] and I appeared before the distinguished committee of publishers serving as an advisory board to the U.S. Information Agency. Mr. Stauffer accompanied us as spokesman for the Chicago group. This committee, composed of some of the Nation's outstanding publishers and editors, gave its approval to, and endorsement of, a program to print in many languages and dialects the classics of democracy that had inspired our forefathers and to distribute them in inexpensive paperback editions through local news and book stands in all the foreign lands. Too much credit cannot be given to the American publishers who were among the first sponsors of the program and after its acceptance by USIA aided in having the classics of democracy printed in translated editions on local presses by local publishers in many foreign lands and distributed to the news stalls and book dealers in the usual manner of distribution in each of the respective countries.

QUESTIONNAIRE SHOWS PUBLIC INTEREST

Sixth. In 1957 I reported to the House the overwhelmingly favorable results of a poll which I had undertaken of representative leaders of opinion throughout the country, and following this USIA put renewed effort into the expansion of the program. In the questionnaire sent to 5,000 leaders in all activities I had requested suggestion as to which 10 books should be included in what might be termed "The bible of Democracy." The replies were so thoughtful, informative, illuminating, and reflective of such deep American thinking on this subject that I caused their insertion in the CONGRESSIONAL RECORD of January 18, 1956, A488–A495; January 19, 1956, A581–A588; January 20, 1956, A602–A607; and January 23, 1956, A666–A676, with a complete index in the CONGRESSIONAL RECORD of January 26, 1956, A816–A820. I recommend the reading of these letters by my colleagues.

REBIRTH OF "THE FEDERALIST"

I have from time to time reported on the progress and uniform success of USIA in carrying on the program. On April 8, 1959, I made my annual progress report to the House, and again on September 21, 1960. In these progress reports I emphasized the fact that "The Federalist," of which there was not one foreign translation in print at the time of the now famous luncheon in Chicago, had experienced a literal rebirth as a result of the classics of democracy program, in which USIA and private publishers, including the Franklin Press, worked in close cooperation. "The Federalist" appeared in an Italian edition, and was the bestseller of the year in nonfiction; appeared in German and was acclaimed in all the reviews in German newspapers as something long needed as a guide to self-government; appeared in Arabic and was acclaimed by the Arabic world. It was printed in African languages and was in the hands of all the delegates to the Pan-African Conference at Accra in Ghana.

PRESENT STATE OF THE PROGRAM

Mr. Speaker, my progress report this year will be confined to a statement furnished me on August 9, 1961, by Howard O. Hill of the Translations Branch of USIA, of the classics of American democracy that have been printed in foreign languages up to date, the sizes of the editions and the sales prices. I shall follow this with comments by three members of the Chicago committee, Dr. Fey, Dr. McKeon, and Mr. Stauffer. Mr. Hill's statement follows:

Classics of democracy

	Language	Edition size	Retail price
Adams, John: "The Political Writings of John Adams," editor, George A. Peek, Jr.	English	30,000	$0.15
Calhoun, John C.: "A Disquisition on Government." [1]	do	30,000	.10
Dewey, John:			
"The Public and Its Problems"	Spanish [2]	16,000	.82
"Freedom and Culture" [3]	Arabic	5,000	.75
	Chinese	2,000	3.00
	English (India)	4,000	----------
	French	2,000	1.54
	German	6,300	1.50
	Greek	7,000	----------
	Kannada	2,000	.42
	Korean (4 editions)	[4] 2,000	.57
	Malayalam	1,000	.47
	Marathi	2,500	.52
	Portuguese	5,475	.92
	Tamil	25,000	.10
	Urdu (India)	25,000	.10
	Urdu (Pakistan)	5,000	.42
	In process: Turkish.		
Emerson, Ralph Waldo: "Emerson's Essays."	Arabic	5,000	.90
	Telugu	1,000	.40
	Tamil	2,000	.21
	Kannada	1,000	.26
	Malayalam	2,000	.32
	Japanese (4 editions)	12,500	.92
"Basic Selections From Emerson," editor, E. Lindeman.	English	50,000	.10
	Malayalam	2,000	.32
	Greek	4,000	1.50
	Burmese	20,000	.10
	Korean	3,000	1.00
	Bengali	5,000	.32
"Selections From the Works of Emerson," editor Hans Hartmann.	German	5,000	2.33
"The Portable Emerson," editor Mark Van Doren.	Hindi	10,000	.31
	Chinese	6,000	.43
	Gujerati	5,000	.32
	Marathi	5,000	.32
"Autobiography of Benjamin Franklin," [5] Benjamin Franklin.	Serbo-Croatian and English.	12,000	.31
	Serbo-Croatian	3,000	1.20
	Hindi	8,000	.63
	Arabic	5,000	.25
	Chinese	4,000	2.00
"Autobiography of Benjamin Franklin"—Continued.	French	3,000	$1.80
	Gujerati	5,000	.37
	Greek	7,000	.83
	Hebrew	5,000	----------
	Malayalam	1,000	.37
	Portuguese	6,000	1.20
	Marathi	5,000	.37
	Indonesian	10,000	.32
	Kannada	2,000	.50
	Vietnamese	3,000	.37
	Telugu	3,000	.42
	Burmese	5,000	.31
	German	4,000	3.00
	Korean	5,000	1.20
	Urdu	5,000	.94
"George Washington," [5] Marcus Cunliffe	Japanese	17,000	----------
	In process: Urdu. Bengali.		
Hamilton, Madison, and Jay: "The Federalist Papers."	English	30,000	.15
	Italian	3,000	2.56
	French	2,000	9.60
	Korean [2]	5,000	1.54
	Spanish [2]	4,000	----------
	German	1,600	7.41
	Spanish	10,000	.87
	Portuguese [6]	1,500	1.10
	Vietnamese [6]	2,000	.35
	Assamese [6]	1,100	.73
	Bengali [6]	1,100	.73
	In process: Hindi.[6] Urdu.[7] Gujerati.[8] Marathi.[8]		
Hand, Learned: "The Spirit of Liberty"	Burmese	6,000	.42
	French	2,000	2.86
	German	6,500	6.19
	Greek	2,000	.67
	Singhalese	2,500	.21
	Telugu	1,000	.31
	Turkish	23,000	(9)
"The Bill of Rights" [5]	Japanese	2,000	.42
Hume, David: "David Hume's Political Essays, editor, Charles W. Hendel.	English	20,000	.10
Jefferson, Thomas: "Thomas Jefferson," editor, Gilbert Chinard.	Burmese	5,000	3.84
	French	1,800	1.71
	Spanish [2]	3,000	----------

Footnotes at end of table.

Classics of democracy—Continued

	Language	Edition size	Retail price
"Jefferson: Champion of the Free Mind," Phillips Russell.	Malay	5,000	$0.34
	Japanese	17,000	.28
	Farsi	2,000	.32
	Gujerati	2,000	.31
	Marathi [6]	2,000	.42
	Urdu [6]	5,000	.21
	German [6]	2,000	1.85
	Spanish [6]	5,000	2.20
"The Life and Selected Writings of Thomas Jefferson," Adrienne Koch and Wm. Peden.	Bengali	3,000	.26
	Gujerati	5,000	.32
	Hindi	5,000	.32
	Marathi	5,000	.32
"Jefferson—A Great American's Life and Ideas," Saul Padover.	Chinese	4,000	.32
	Greek	3,000	.83
	French	1,800	3.42
"Thomas Jefferson on Democracy," Saul Padover.	Burmese	5,000	.31
	Chinese	4,000	.52
	Japanese [6]	2,500	1.39
"Thomas Jefferson and American Democracy," [3] Max Berloff.	Italian	3,000	2.40
"Thomas Jefferson," [6] Gene Lisitsky	English (India)	10,000	.32
	Arabic	5,000	.30
	Bengali	3,000	.34
	Chinese	3,000	.32
	Gujerati	3,000	.16
	Hindi	10,000	.32
	Indonesian	10,000	.06
	Japanese	3,000	.47
	Korean	2,000	.40
	Marathi	3,000	.16
	Oriya	3,000	.32
	Punjabi	3,000	.32
	Singhalese	2,500	.20
	Tamil	10,000	.05
	Telugu	10,000	.05
	Urdu	5,000	.32
	Indonesian (reprint) [6]	3,000	.06
"The Jefferson Heritage," [3] Dumas Malone	Arabic		.34
"Thomas Jefferson," [3] Vincent Sheean	Bengali	2,000	.62
	Vietnamese	1,500	.45
	In process: Hindi. Malayalam. Marathi. Tamil. Telugu. Urdu.		
"Political Writings of Thomas Jefferson," editor, Edward Dumbauld.	English	30,000	.15
Lincoln, Abraham: "Lincoln Reader," editor Paul M. Angle.	Thai	2,500	2.00
	Arabic	4,000	.84
"Abraham Lincoln," Lord Charnwood	English	75,000	.10
	Japanese [2]	5,000	1.05
"Abraham Lincoln," [3] James Daugherty	Arabic	6,000	.56
	Burmese (3 editions):		
	1st	5,000	.42
	2d	5,000	.42
	3d	10,000	.42
"Abraham Lincoln," Emil Ludwig	Bengali	1,100	.52
	Chinese	6,000	.23
	Gujerati	2,500	.42
	Hindi	5,000	.42
	Japanese	3,000	.56
	Kannada	2,000	.32
	Malayalam	2,000	.26
	Marathi	2,500	.42
	Oriya	3,000	.32
	Persian	1,500	.32
	Singhalese	2,500	.20
	Telugu	2,000	.42
	Turkish	4,000	.35
	Tamil	2,000	.63
	Portuguese [2]	100,000	.10
	Assamese [2]	1,100	.42
"Abraham Lincoln Speaks," [3] Abraham Lincoln (USIS).	Hindi	6,500	$0.57
	Urdu	5,000	.63
"Abraham Lincoln: The Prairie Years and the War Years," Carl Sandburg.	Hebrew	3,000	1.25
	German	5,000	8.49
	Spanish	3,000	5.39
	Arabic [2]	6,000	1.55
	Portuguese [2]	5,000	5.40
"Abraham Lincoln," Benjamin P. Thomas	Arabic	4,000	.29
	Chinese	3,000	1.15
	Greek	5,000	1.67
	Korean	6,000	2.00
	French	3,000	2.54
	Spanish	8,000	1.76
	Slovenian	2,500	1.66
	Japanese	1,500	[10] 1.94
	German	5,000	3.81
	Serbo-Croatian	2,500	1.13
	Portuguese [2]	5,000	
	Turkish (2 volumes) [2]	[4] 12,000	[4] .56
	Korean (revised edition) [3]	3,000	1.15
Locke, John: "Second Treatise of Government," editor, Thomas P. Peardon.	English	25,000	.10
	Spanish [2]	25,000	1.05
Mill, John S.: "John S. Mill: Representative Government," editor, H. Penniman.	English	25,000	.10
	Arabic [2]	4,000	.70
"Essays on Liberty," editor, Shields	English	25,000	.10
	Arabic	4,000	.56
Paine, Thomas: "Selected Writings," editor, Nelson F. Adkins.	English	30,000	.15
	Bengali	25,000	.10
	Gujerati	25,000	.10
	Hindi	25,000	.10
	Japanese	25,000	.10
	Marathi	25,000	.10
	Tamil	25,000	.10
	Arabic [2]	10,000	.10
Thoreau, H. D.: "Walden or Life in the Woods."	Arabic	4,000	.75
	Chinese	8,000	.43
	Bengali	5,000	.32
	Portuguese	4,000	.68
	Telugu	5,000	.63
	Korean	5,000	1.20
	Greek	5,000	1.60
	Malayalam	1,000	.42
	Tamil	1,500	.42
	Spanish [2]	15,000	.33
	German [2]	3,000	3.05
"The Story of H. D. Thoreau," [3] Charles Norman.	Spanish	73,000	.11
	In process: Arabic.		
"Selected Writings," editor, Cargill	English	30,000	.10
	Japanese	25,000	.10
	Arabic [2]	10,000	
	Spanish [2]	28,000	
De Tocqueville, Alexis: "Democracy in America."	Indonesian [2]	5,000	1.33
	Italian	10,000	.48
	Hindi	25,000	.16
	Japanese	5,000	.33
	Spanish	3,000	5.20
	Burmese	10,000	.21
	Italian: Vol. I	2,000	3.84
	Vol. II	2,000	
Wilson, Woodrow W.: "The Wilson Reader," Frances Farmer.	English	25,000	.15
	French	2,000	2.35
	Chinese	5,750	.50
	Gujerati	2,000	.31
"The Story of Woodrow Wilson," David Loth.	Chinese	12,000	.25
	Tamil	1,500	.10
	Portuguese	6,000	.27
	Malayalam [2] (serialization).	17,000	.01

[1] India has expressed interest in possible Indian-language editions.
[2] Published since last report.
[3] Added title.
[4] Each.
[5] Published since last report. The Hindi edition of "The Spirit of Liberty" for technical and contractual reasons is no longer active. In addition, the contract for the Japanese edition of "Spirit of Liberty" was renegotiated substituting Judge Hand's "The Bill of Rights."
[6] No contract finalized as yet.
[7] Original publisher unable to produce satisfactory translation. New publisher being sought.
[8] Free distribution.
[9] Published since last report for contractual reasons, the German edition of "Thomas Jefferson on Democracy" is no longer active. In addition, the Portuguese, Persian, Thai, Malayalam, and Kannada editions of the Lisitsky title are no longer active for technical and/or contractual reasons.
[10] Per set (vols. 1 and 2).

ITALIAN

PUBLIC LAW 480 BOOK PROGRAMS, CLASSICS OF DEMOCRACY AND RELATED MATERIALS

I. Titles published

1. "An Anthology From the Writings of French Ideologues."
2. "An Anthology From Kant's Political Writings."
3. Joseph L. Blau, "The Age of Jackson."
4. Baron Charles de Montesquieu, "Selected Works."
5. Guiseppe Mazzini, "Selected Works."
6. Alexis de Tocqueville, "Selected Works."

II. Titles in process

1. Alexander Hamilton, "Selected Works."
2. Wilhelm von Humboldt, "On the Limits of Government."
3. Carlo Cattanso and Italian liberals, "Selected Works."
4. British liberal thought of the 19th century, "An Anthology."
5. David Hume, "Political Writings."
6. John Locke, "The Second Treaty and First Letter on Tolerance."
7. "English Political Thought From 1600 to Burke."
8. "An Anthology of Italian Liberalism."
9. "Liberalism in the Age of W. Wilson."
10. Benjamin Constant, "Selected Political Writings."
11. Ralph Waldo Emerson, "Moral and Political Essays."
12. Abraham Lincoln, "Selected Writings."
13. F. D. Roosevelt, "Selected Works."
14. Thomas Jefferson, "Selected Works."

FRENCH

PUBLIC LAW 480 BOOKS PROGRAMS, CLASSICS OF DEMOCRACY AND RELATED MATERIALS

I. Titles published

1. James M. Burns, "John F. Kennedy."
2. Nye and Morpurgo, "A History of the United States."
3. John Brown, "Hemingway."
4. Mario Einaudi, "The Roosevelt Revolution."
5. Max Lerner, "America as a Civilization."

II. Titles in process

1. Marcus Cunliffe, "Literature of the United States."
2. Alfred Owen Aldridge, "Franklin and His French Contemporaries."

3. Leonard Reissman, "Class in American Society."
4. Ferdinand Stone, "Main Institutions of American Law."
5. Henry Steele Commager, "The American Mind."
6. Frederick Jackson Turner, "The Frontier in American History."
7. Morton White, "Social Thought in America."
8. John I. H. Baur, "New Art in America."
9. W. W. Rostow, "Stages of Economic Growth."
10. Robert Bowie and Carl J. Friedrick, "Etudes sur le Federalisme."

DR. M'KEON LOOKS TO FUTURE

Dr. Richard P. McKeon, professor of philosophy at the University of Chicago, State Department visitor to foreign universities, and one of the fathers of the program, writes:

DEAR CONGRESSMAN O'HARA: I have been going over the latest report of the publication of "Classics of Democracy." Mr. Thomas B. Stauffer has made the report available to the members of the citizens committee of your district which you have associated with you in your long and effective effort to get the "Classics of Democracy" translated and distributed. I am writing to you now to express my enthusiasm with the progress that has been made. Naturally, however, I think that I can serve my function as a committee member best if I add to such an expression of enthusiasm a few words of criticism and some indications of next steps that might be taken.

The reason for my enthusiasm is that the "Classics" begin to emerge clearly in this year's report. My interest in the program began during my travels abroad after the end of World War II. Both in the countries liberated from fascism and nazism and in the newly emergent states, there was little understanding of the principles or processes of democracy. The classics of Communist "democracy" were easily available, but similar fundamental and detailed statements of the principles and problems of democracy were hard to come by. This was true not only in Latin America and south Asia but even on the continent of Europe. Popular biographies of the fathers of the American Constitution or constructions of the image of the American way of life were no substitute for this purpose, though they might have an important place in an information program. My hope was that we might make "The Federalist" papers (and a dozen other works) available in all the major languages of the world so that they might be studied in the schools and read by curious educated laymen. I believe that we are beginning to achieve that end, and the effects of the program that I have observed in India and in the Arab States go far beyond what I had hoped for. An English paperback edition of "The Federalist" was widely displayed in the bookstores, and the Arabic translation received wide, intelligent, and favorable attention.

The importance of the program is political and social as well as educational and theoretic. It is relevant to the large problems of world order today as its mention in the report on the Mutual Security Act indicates, and the principles and issues the classics discuss are clearly related to your own programs on the Subcommittee on African Affairs and the Subcommittee on Inter-American Affairs. I served as a consultant, earlier this year, in the preparation of the report of the Organization of American States on "Latin American Higher Education and Inter-American Cooperation," and I was struck by the fashion in which questions of economic aid were at each point related to cultural, moral, and political considerations. The report has one section devoted to "The Formation of Persons Capable of Cultural Leadership," in which the statement is made:

"The universities, nevertheless, cannot be limited solely to serving the social requirements of the communities in which they function. Their obligations go beyond the needs for service in this restricted sense. If the institutions of higher learning were restricted to the service of social and economic needs, asy they appear, they would lack the necessary vigor to direct the course of society. Social and economic development is not neutral from the ethical point of view; it entails a series of problems of all kinds. To anticipate these problems, to contribute to directing social change along the desired lines, to build knowledge on a foundation of moral responsibility—these are the irrefutable taks of the universities" (pp. 3–4, of the report, Washington, June 1961).

Jefferson, Adams, and Madison are suggestive guides in the intricacies of these questions, and they provide the rest of the world and us insights, which tend otherwise to be neglected, into the problems of international diplomacy and cooperation as well as into the problems of a democratic society.

I turn now to the critical and prospective vein. Let me say, first, that I realize that the classics are not the whole or even the central concern of the USIA. I speak only of what should be done in a very small portion of the program of the Agency. My reflections are not concerned with the program as a whole; if they were I should add paragraphs of enthusiasm (and criticism) concerning activities which are not here mentioned.

Within the original program of the "Classics of Democracy," we have made progress, particularly in the case of "The Federalist." (1) The list of languages into which it has been translated is still short; the translations into some languages which were announced years ago are still in process; many languages could be added. Moreover, some of the translations are of selections; they are useful if well made, but the whole "Federalist" should also be available. (2) We have not made as much progress on some of the other classics. I recommend that one or two be chosen, and pushed in like fashion. My candidates would be Locke, Mill (who have appeared only in English and in one translation), and Montesquieu (who is mentioned only in the Italian program). (3) We ought to get some translations of Americans who contributed to the formation of the Constitution. My candidates would be the "Political Writings of Adams," and the "Political Writings of Jefferson" (which have appeared only in English). We have made a beginning of translation of Paine and Thoreau, and we should go further.

This first paragraph requires a footnote. Among the books published are some from "The American Heritage Series," published in the United States by the Liberal Arts Press. These include Peeks' edition of John Adams, Post's Calhoun (?), Gabriel's Federalist (?), Hendel's Hume, Dumbauld's Jefferson, Adkins' Paine, Cargill's Thoreau. I have used some of these editions in my courses in the United States and in India. They are attractively priced abroad: the American edition of Adams is $1, the foreign edition is 15 cents. I used these editions in my courses at the University of Baroda in India, and I saw them in bookstores through the Near East and south Asia. These editions of Adams, Jefferson, Paine, and Thoreau might be translated into other languages.

If the time has come for further extensions of the program, I have two additions to recommend. (1) We might add books that will clarify the problems treated in the classics. I have in mind three kinds of works: (a) a good working commentary on the Constitution; (b) collections of materials bearing on the Constitution, such as W. U. Solberg's collection "The Federal Convention and the Formation of the Union of the American States," which contains almost 300 pages of "Madison's Notes on the Constitutional Convention" (it is published in the American Heritage series for $1.75 in the United States); (c) histories dealing with the problems of the period, such as Felix Gilbert's "To the Farewell Address: Ideas of Early American Foreign Policy" (published 1961) in which our neighbors in the world will find many problems similar to their problems today. (2) The second extension would move from the field of political classics to literary classics. We might draw up another list to make more easily available to other peoples one branch of American cultural activities.

I make these suggestions because it seems to me that the program is going so well that its effectiveness and scope might be extended, and no one could do this as well as the man who brought the program into existence and saw it so far along its way. Let me congratulate you again on the "Classics of Democracy," which is a superb statesmanlike achievement. If I can be of any help in the further steps of the program, please count on my cooperation.

Yours sincerely,

RICHARD P. MCKEON.

COMMENTS AND SUGGESTIONS BY DR. FEY

Dr. Harold E. Fey, editor of the Christian Century, a participant in the Chicago luncheon and member of the Chicago committee on the classics of democracy, comments on the USIA report, and makes suggestions on the future development of the program in the following letter:

DEAR CONGRESSMAN O'HARA: The latest report of the publication program of the U.S. Information Service concerning "Classics of Democracy" is an exciting, even if a very incomplete document. The report has come to my attention from Thomas B. Stauffer who has made it available to members of the citizens committee of your district.

It makes us proud to be associated with you in this prolonged enterprise of translating and distributing some of the classics of democracy. I congratulate you and the U.S. Information Agency on the notable progress you have made in this enterprise. I hope this is only a beginning and that the effort will expand in numbers of languages and countries to be reached and in the content of the material which is translated and distributed.

First let me make a few suggestions concerning the reporting of this enterprise. It would be much more effective if the report were more elaborate and were standardized so that year-by-year comparisons could be made. The reader needs to know how many copies have been distributed as well as how many have been published, and what the totals are of the number of languages, numbers of copies published, number of copies distributed, and geographical areas of distribution.

One impression gained by reading this list is the comparative neglect of the people speaking the native languages of Africa. Some of these at least have been reduced to written form. I suggest that a conference be held between persons in the USIA who are responsible for this program and officials of the American Bible Society, 450 Park Avenue, New York 22, in order to secure help on the technical problems involved in translating these languages. Please understand my suggestion involves only technical problems and is not intended in any way to influence the content of the USIA program. The Bible has been translated into more than a thousand languages and its distribution until recent years exceeded the distribution of Marxist publications.

In addition to urging the extension of the present program of translating and distributing the "Classics of Democracy," I would urge the widening of the list to include standard books on the workings of democracy. For example, the book by Prof. Zachariah Chaffee of Harvard on civil liberties in the United States would make a useful adjunct. Books on the operation of municipal and State governments and the problems of decentralized support of public education, welfare, and health would be useful.

I agree with Professor McKeon that an extension could be made in the field of literary classics. Please understand that these suggestions for the improvement of the program are based on great admiration for what has been already accomplished and a desire that this program be extended and improved.

I should think that the program could be promoted through the broadcasting and other public activities of the USIA. I would suggest that the organization contact the television networks of this country with a view to making the "Classics of Democracy" enterprise the subject of a nationwide public affairs television show or series of shows.

With best wishes, I am,

Sincerely yours,

HAROLD E. FEY, *Editor.*

MR. STAUFFER'S ANALYSIS OF REPORT

Thomas B. Stauffer, member of the faculty of Wilson Junior College, formerly with State Department in the foreign field, host at the Chicago luncheon, and member and executive secretary of the Chicago Committee on the Classics of Democracy, gives high praise to the achievement of USIA in developing the program but comments at some length, mostly in terms of praise, at times critical, with the underlying purpose of contribution to the development of the program to the full realization of the dream. His letter follows:

DEAR CONGRESSMAN O'HARA: In general the USIA report is excellent and shows much active work and much achievement which we can only commend. Perhaps it is due to the concise form of the report, but I feel that the idea of the classics program, as distinct from the general long-term publishing program of USIA, emerges more clearly this year than in earlier USIA reports.

As I said in earlier letters, I think the background and intent of the classics program have been very fully developed in your former statements in the House, in 1959 and 1960, and need not be reviewed. Ample justice has also been done to the various persons who have helped in the early development of the classics idea.

Perhaps, therefore, especially in view of the recognition of the classics program in the report on the Mutual Security Act, any general comments this year should look to the future.

We must not forget that our ultimate original conception included other things besides the international political classics which are the background and the intellectual tools, so to speak, of our democracy. We had intended to advocate a series of American literary classics, and a set of documentary and historical works, including such materials as a good constitutional commentary like Corwin; to what extent USIA is meeting this intent does not appear in the present report about the political classics.

Although the classics program now seems more distinct in relation to the overall program of USIA, this report does not give the whole picture of classics publishing. Last year you will recall one of the important items of your statement was the great success of the Franklin Publications edition of "The Federalist" in Arabic. This year's report lists 15 USIA editions of "The Federalist," but there is no reference to the Arabic edition from Franklin, or any other editions of classics from sources other than USIA. Thus there are certainly 16 editions of "The Federalist" in use overseas, not just the 15 listed from USIA, and the 16th is a very important one. We do not learn from USIA, and I do not know, what else may be going on in the publishing of the classics, besides the work of USIA. It is true that we turned to USIA in the first place, because there had not been enough done by ordinary commercial processes over the years. But I wish we had a total scoreboard—a list of titles, a cross list of languages, and then maybe checkmarks of different kinds to show USIA editions in hardcover, or paperback, or by price; Franklin or other American-sponsored editions; native editions, and so on. The idea is to know that the books are available to the readers, not necessarily to have the American taxpayer pay for them. What, for instance, has been added to available books, by Ambassador Zellerbach's group in Italy, which first published the Italian "Federalist"?

There is another difficulty in interpreting the present concise report: in former years the progress reports included a large body of material on the reception of the published classics, in the various countries abroad. This material included reports of actual sales, and reviews, and comments by leaders in the several countries. None of this material is included in the present report, though USIA may have it available in Washington.

I think, however, that we may assume from the present report that the books continue to be well received, from the fact that a good number of them have been reprinted, and that USIA has evidently stepped up their production both in size of editions and number of titles. There is in fact a notable advance in the latter two respects, and the achievement of USIA begins to approximate our intent of saturation publication of cheap translations. (See "Franklin's Autobiography" in the report.)

The present report has not distinguished in some cases between complete texts and excerpts or selections; in regard to "The Federalist" for instance, I know that the German text is a full one, the Vietnamese a booklet of excerpts. Since two Spanish editions of "The Federalist" are listed, one of 4,000 copies, one of 10,000; perhaps one is a full text, one selections, which I know we published in Argentina; or is this a confusion of two printings?

A general difficulty which concerns me is that USIA seems to have no plan for systematic cross-distribution of books, where there is more than one country in a language area. For instance, if someone in Chile wanted the excellent de Tocqueville published in Mexico, he would have to order it individually, since USIA seems not to provide for its distribution throughout the Spanish-speaking world. So, too, I would think that some way would be found to insure that French editions would be as easily available in Madagascar, Vietnam, and Syria, as in France, even at some additional cost to USIA.

Further, when texts are listed in English, it is not discernible where they have been published or sold; I believe from other correspondence with USIA that these are mainly paperbacks sold in India.

There have been some editorial mistakes; for instance—the French Federalist was reprinted from the excellent, but out-of-print 1911 edition; that edition included a text of the Constitution as of 1911, which was reprinted without the addition of the subsequent amendments to date.

Several of the texts approved by your broad survey of American leaders, in 1956, such as Humboldt and Mazzini, are now for the first time appearing in the USIA reports, and no action at all is reported on some of the titles, e.g., Burke and Bryce. On the other hand, USIA has made good use of some titles not on our original list, such as Adams and Calhoun; and our basic list was by no means exhaustive or exclusive.

It is curious, too, that Mazzini is reprinted only in Italy, the one place where he would be most familiar anyway. This is shown in the separate report at the end of the USIA presentation, on operations in France and Italy under Public Law 480· I am not familiar with the provisions of this law but the lists of books are very good indeed, though going beyond the classics in contemporary materials.

The publication of books of high intellectual order of Rostow's "Stages of Economic Growth" not only contributes to the intellectual development of the recipient countries, and the sophistication of their economic thought, but reflects great credit on the United States as the original home, and now the sponsor abroad, of such meritorious works. It is by no means likely or necessary that these newer works should enjoy the universal interest and approval which we found attached to the classics, nor is it necessary that this should be the case, in order for serious works on important current themes to be desirable additions to the overall USIA publishing program.

You will recall however, that your original statement on the classics made the point that these historic works were by men beyond the reach of present controversy or the suspicion of being aimed at present international tensions; Judge Learned Hand was the only living author on our original proposed list.

I personally still feel that USIA has taken books about, or biographical material, or juvenile editions too easily as meeting the intent of the classics plan, to provide texts for adults. There is difficulty, of course, in that men like Washington and Lincoln did not leave bodies of formal writing on theory, like "The Federalist"; and I note that USIA now has, besides an abundance of good adult lives of Lincoln, a Lincoln reader (and of course, lives and juveniles do have their proper place in the overall USIA program).

One more general comment; at several places in the report USIA mentions difficulties on the part of local publishers in getting adequate translations of classics texts. May I mention that I, though I know no Arabic at all, once had to develop a method for translating some very delicate materials about the international labor movement, into that language. What I did was to take the texts to several translators, independently, explaining what I thought were the nuances in English, and asking each of them for an Arabic version. I then had these various Arabic readings put together by a U.S. Government native employee; then had the whole checked by a very intelligent Arab, for general literacy, quality, and accuracy; and then had that whole reviewed by a sympathetic trade-unionist, to be sure that we had caught the special idioms of the trade unions. This revised text was then published with considerable success.

I see no reason why USIA could not produce good translations by this method. Note that some of the most successful classics editions such as the German, Italian, and Arabic Federalist, are not by commercial translators, or publisher's employees, but are by distinguished leaders of the several countries—a diplomat, a professor, a jurist, who know not only the two languages, but the subject matter as well.

I now proceed to remark on the individual titles cited by USIA: It would be good in each case to know about the editorial apparatus, introduction, and so forth.

Adams: Not on our original list, but an excellent addition. I believe these English paperbacks were mainly sold in India.

Dewey: "The Public and Its Problems": Glad to see this somewhat neglected work, his most fundamentally and directly political one, get started. "Freedom and Culture" is a good additional title.

Emerson: Do the four Japanese editions total 12,500 thousand, or is each printing that big?

Franklin: This with the Emerson, shows the beginnings of the kind of language coverage, volume, and price at which the program should take aim.

Federalist: As noted in this listing does not distinguish between complete and abridged editions, and does not mention the important Arabic edition by Franklin Publications. The full texts have apparently not appeared in cheap editions. The Hindi, Marathi, and Gujerati editions are old friends; the first letter ever from USIA, in reply to my inquiry through you in 1954 about the classics, listed these, as I recall, as published; they have since come and gone in USIA reports, as published or pending, and here they are again, pending. Burmese visitors here have expressed the hope that there would be a Burmese edition. A reputable Turkish publisher has expressed interest in doing an edition, but has heard nothing from USIA.

Hand: A leading Greek intellectual and poet has praised the quality of the Greek translation of the "Spirit of Liberty." The Bill of Rights, though a more technically juristic work, is an excellent addition:

Jefferson: All that has been done is good, but there might be more action on the texts that with biographical material; the new countries can use Jefferson's ideas, but cannot live his life. The Lisitsky "Life" is good, but a juvenile, according to its U.S. publishers. It is a pity that so many editions of any USIA book should become inactive. With so many Jefferson titles, either there is a very subtle adaptation to local markets, or a great deal of energy has been spent in copyright negotiations rather than translating and publishing.

Lincoln: I welcome the addition of a volume of texts to the abundant biographical material. The use of Charnwood's "Lincoln" is a good idea, not only for its very high merit as literature, but because, written by a non-American for non-Americans, it explains a good deal of important background that an American might take for granted. Further, this tribute to our great President by an Englishman may be more convincing abroad than the same tribute from an American. Note the good prices on the various editions of the Ludwig "Lincoln."

Locke: Note that the "Letters on Toleration" is also included, under the Public Law 480 program in Italy.

Wilson: In my personal opinion, the books cited are not a very good presentation of Wilson.

I have commented above, that very little has been done with some of the texts on our basic list, though many fine titles have been added. And, as I said, though there is great progress in language spread, volume, and price, much remains to be done.

But all in all, this is a very excellent and commendable achievement by USIA. I would not be so minutely critical as I have been, if I thought the effort would be wasted. Here, there is much more to praise than to question and I think you can go before the House and the public with every confidence that they will join with you in praise of the very real accomplishments of USIA in this matter.

I trust that you continue to feel the same satisfaction and pride as the congressional sponsor of the classics program, that are felt by the committee of your friends here who have had the honor of working with you on the "Classics of Democracy."

Yours ever,

THOMAS B. STAUFFER.

SUGAR

The SPEAKER pro tempore (Mr. MILLS). Under previous order of the House, the gentleman from Texas [Mr. ROGERS] is recognized for 60 minutes.

Mr. ROGERS of Texas. Mr. Speaker, on July 31 of this year I addressed this body concerning the subject of sugar. I today address myself to that same subject, because I think it is of prime importance to all the people of the United States. I think that once the entire sugar story is known throughout the United States, the people of this country will awaken to the injustices that have prevailed for a number of years and will demand from the grassroots that something be done about it.

For a number of years we have had what is known as the Sugar Act. Each year this Sugar Act has been extended as an emergency matter. We have gone right up to the last few days of the session, and the Sugar Act has come before the House with not sufficient time to debate it, without the Members knowing what it was, and with representations to them that unless it was continued without question great and dire tragedies would happen to the economy of this country.

Under that Sugar Act, for a long time, as I recall, and I may be wrong about these percentages, but they are approximate, 45 percent of the sugar that was consumed by the people of the United States of America on the continent of this country was produced by the domestic producers of sugar in this country, 55 percent, or more than half of it, was being produced by foreign countries and being sold to this country at a price that the sugar refiners and people in control of the sugar business claimed was for the best interests of the housewives of this country.

I want to explain that particular feature in just a few minutes. The fact of the matter is that disturbances began to arise as to whether or not this was good policy. In my opinion, those in control of the sugar economy of this country decided it was better to give a little than to have this entire picture brought out into the open. So the ratio of imports to domestic production was changed and has remained the same ever since that change. At the present time it is approximately 55 percent domestic sugar and 45 percent foreign sugar.

Keep in mind that sugar is a vital material both in peace and in war, and also keep in mind that domestic production, the 55 percent that we produce as domestically produced sugar, includes sugar from the Hawaiian Islands and from Puerto Rico, and from both places the sugar has to be brought into this country by surface vessel.

While we are thinking about that, as just a side thought, let us remember that during World War II when we were dependent upon foreign sources for manganese, definitely an essential and indispensable war material, Hitler's machine was able through their efforts to pick out of convoys of ships as large as 70, 2, 3, 4, or 5 ships carrying manganese, and sink them, because the Hitler group was running short of ammunition and they knew what this country needed worse than anything else.

Unless we expect to find ourselves in that same identical position with relation to sugar should something else happen to cause a world war during our time, we had better take a long look at readjusting this entire sugar picture and stop listening to the cry of "wolf" that is raised every time the Sugar Act gets close to the expiration date. At those times the cry of "wolf" is raised by people who are making a lot of money from this present arrangement and discriminating against the American farmer.

The American farmer has been the whipping boy for a number of years of people who do not understand the farm problem and do not understand rural living. He has had no one in many instances to take up the cudgel in his behalf against the metropolitan press.

He has not tried to organize as labor unions have and brought to bear the great strength that he could bring to bear if he were organized to say, "We will not furnish you these products unless you agree to certain prices which we lay down." He has truly operated on the free enterprise system. He realized some time ago what was happening in the sugar picture and, as a true American, he assumed this matter would be taken care of and that it could be taken care of in the ordinary trend and run of events. He did not press the issue. He knew that since sugar could be produced in substantial quantities in this country that his problem would be recognized and that he would be allowed to produce that sugar. He did not hope for it to be done overnight. He did not ask that it be done quickly. He was willing to be patient and accept the situation and take it in the ordinary trend and run of economic events. However, world events sometimes change the picture, and in this particular situation there was a tremendous change. As I told you, we had been importing 45 percent of our sugar for a number of years. Two-thirds of that sugar which we were importing from foreign countries was coming from Cuba—the same Cuba that is now under the domination of Castro. America uses approximately 10 million tons of sugar per year. We were buying 3.2 million tons of that sugar from Cuba under a treaty. That was all well and good. We were friendly nations. But overnight the situation changed where the status between this country and Cuba is unfriendly and diplomatic relations have been broken. We were paying Cuba a premium for that sugar above the world market price because they had agreed to furnish us that sugar on a contract basis. During World War II when sugar could be sold on the world markets at a very high price, we continued to buy that sugar under the contract price from

Cuba which was less than the world market price. Now that was fine. That was well and good. But it must be remembered that in peacetime we were paying Cuba approximately 2 cents per pound premium on the sugar that we bought from Cuba and we were getting approximately 30 percent of our domestic requirements from Cuba. Overnight the picture changed. We broke diplomatic relations; 3 million tons of sugar were needed by this country and the source had been cut off.

The American farmer, as an American who had gone along in this picture, and worked with this country and had made sacrifices for his country and had sent his sons to war, as true citizens of the United States, rightfully assumed that at least a portion of that sugar would be allocated to him—to a man who had proven time and time again that he could grow all the sugar that this country needed if he were called upon to do so. But, what he failed to reckon with was this group—this small group that has an economic throttle hold on the sugar economy of this country. He failed to realize that he was faced in modern times with another situation, the kind of situation that is illustrated best by the story of the dog in the manger. These people who control the sugar situation in this country refused to give up 1 pound of that sugar. Why? The answer is simple. The imported sugar is cane sugar. It is imported into the United States in a raw state, a raw state that I understand requires only a laundering process in the refineries located along our coasts. The Sugar Division of the Department of Agriculture has told me that 107 pounds of sugar brought in in that manner, in the raw state, will produce 100 pounds of refined sugar.

Now, these folks who own these refineries did not want the American farmer to have any of this sugar to be produced by growing sugarbeets, because they were afraid they would lose a small percentage of the money that they were making by refining imported sugar; sugar imported from foreign countries, not from our offshore possessions or not from our offshore States but sugar imported from foreign countries, and they, with their power, were able again to hoodwink the American people to gain an extension of the Sugar Act. We were able to reduce the length of time but not very much, because the time was too short to educate the people of the House of Representatives, the Members of this Congress, as to the problem that was posed. It was an emergency situation in which they said, "We must extend this Sugar Act or we will be in a terrible state in our foreign policy with those countries south of our border. We will be in a terrible state in being unable to meet the domestic sugar needs of this country, because we used to get this sugar only 6 days away and now it is going to require 6 weeks' to 3 months' time in order to get the sugar." And, when they extended that Sugar Act, do you think that a provision was made in it for any part of this 3 million pounds to be produced by the American farmer? No; provision was not made for that. As a matter of fact, there were provisions in the extension of that Sugar Act that absolutely denied to the American farmer the right to produce any of that sugar.

As I said, the American farmer was denied the right because it was specifically provided in that extension of the Sugar Act that all of this sugar that had formerly come from Cuba be purchased from other foreign countries. Those are the key words, and if you will get the extension of that Sugar Act, you will see what was done to the American farmer, to the American housewife, to the American laborer, to the American businessman, to the American small community that could have profited by producing to some degree of self-sufficiency a very vital product that we need and must have.

Now, let us go on further and see what happened to some of that sugar.

Mr. BREEDING. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Kansas.

Mr. BREEDING. I want to compliment the gentleman from Texas for his remarks in regard to sugar and say that I agree with him. Also I want to ask this question: The gentleman made the statement that a small group in this country controlled the supply of sugar. Can you name this group?

Mr. ROGERS of Texas. Let me say this, I cannot name them right now. We have their names. I think there are about 12 importers, if my memory serves me correctly, and in addition to that I think you could add a group of refiners that are not named, which would be associated with that group insofar as control of the market is concerned. Now, that information or the documentation of that information is available from the Sugar Division of the Department of Agriculture any time any Member here wants it. I might here qualify that a little bit. I said it was available to any Member of Congress who wanted it any time he wanted it. In recent weeks I have experienced some of the most dilatory practices I have ever run into in the Department of Agriculture in getting information about the sugar situation. I have written letters to them, I have posed direct and specific questions to which I today do not have the answers because the letters have not only not been answered, they have not been acknowledged.

Mr. BREEDING. Mr. Speaker, will the gentleman yield further?

Mr. ROGERS of Texas. I yield.

Mr. BREEDING. Is this the group that prohibits the farmers of my State from acquiring additional acres to grow sugarbeets on?

Mr. ROGERS of Texas. Oh, yes. The reason for that, I may say to the gentleman from Kansas, is simple.

Let me put it this way, it has been argued that the American farmer can grow all the sugarbeets he wants to grow. Certainly he can. He can grow all the jimsonweed and staggerweed he wants to, but he does not have any place to sell them. That is the situation with respect to sugar. As long as you import 40 percent of the sugar from foreign countries that is produced at wages that are starvation wages even in those countries and where the people are not going into any other agriculture activities, they are simply growing the sugarcane and sending it to this country at any price they can get, or at world market prices as far as that is concerned—as long as the refiners have only to wash the imported product and let the American public buy at high prices, you can rest assured that the American farmer is not going to be able to produce any more than the amount not allowed to be imported.

Mr. BREEDING. I would like to make this point: The western part of my State of Kansas has considerable irrigation, and certain types of soil that are well qualified to produce sugarbeets, and to produce wheat and wool that are presently in surplus, yet they are not permitted to grow crops not in surplus. Why that should be is something that has not been explained, but should be explained, to my farmers and to the people in my area.

Mr. ROGERS of Texas. Let me say this to the gentleman from Kansas—and I do not think there is in this House today a man more interested in, or more dedicated to, the farm and agricultural problems of the country than the gentleman from Kansas [Mr. BREEDING]—we in this country have invested millions upon millions of dollars under the reclamation programs in order to make productive the arid areas of this Nation, to control and harness the waters as they make their way to the sea and prevent their being wasted. We have made veritable paradises out of many places in the West, and the waters from those reservoirs in many places is used to grow sugarbeets. I wish the gentleman could listen to the testimony before our committee every time we have a reclamation project under consideration, to hear the question asked, Why should we produce more agricultural products when we have them in surplus at the present time? It is a very good argument, and a very difficult argument to answer. I think I for one would agree that we should reclaim the arid areas of this land in order to feed future generations and make our country grow and prosper and add to it during our generation, but if we would not follow the policy that has been laid down and followed under the Sugar Act, many of those acres that have been used to produce surplus agricultural products could be used to produce sugar, which is not in surplus.

In addition to that there are many areas in this country that are completely free enterprise, private enterprise areas, where the Government has no investment, where there are no reclamation projects that are crying for the right to grow sugarbeets.

Mr. BREEDING. A further question of the gentleman from Texas. I would like to make this point:

My farmers cannot see why the American farmer is not permitted to grow more sugar. When you say 45 percent

of our supplies have been grown overseas, why can you not agree with me that we should not give that to some other foreign country?

Mr. ROGERS of Texas. I thank the gentleman.

Mrs. MAY. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentlewoman from Washington.

Mrs. MAY. Following up the question by the gentleman from Kansas, I know his American farmers and my American farmers, all American farmers in the United States, are completely confused, I am sure the gentleman from Texas will agree with what has been going on in the last few days. The record shows we have imported all this Cuban quota sugar from foreign countries. As a result, certain organizations are complaining that we now have a surplus of sugar for this year. Yet not 1 pound of this is American-grown surplus.

So it seems to me a very ridiculous situation that one of the solutions that is now under discussion is reimposition of acreage restriction on the American farmer.

I wonder if the gentleman from Texas will not agree that it will be very difficult to explain to the American farmer that we must now control his production or cut back his acreage as a means of controlling a sugar surplus that he did not create?

Mr. ROGERS of Texas. I thank the gentlewoman from Washington, who has been one of the leaders in the fight to have this changed.

I want to say in answer to the question of the gentlewoman that I am not going to attempt to explain to the American farmer why it is that this has to be done. I am going to tell him why it has to be done and tell him that it cannot be explained, there is not any way to explain it at all. The fact of the matter is that he is being discriminated against because of the dollar sign in some people's eyes who have more respect for the dollar than they have for the welfare of the American farmer.

Mrs. MAY. I am sure the American farmer was upset when he learned that on Tuesday of this week out in Colorado they were actually holding a meeting to discuss the possibility of reimposing these controls and limitations on the American farmer, but there was no discussion at this meeting called by the U.S. Department of Agriculture, about control of sugar imports from foreign countries. I think we ought to get in the RECORD here—I hope the gentleman from Texas will agree—that the latest reports from the meeting was that the testimony of those attending was overwhelmingly against reimposition.

It is my understanding that the great majority of the persons presenting testimony at the Department of Agriculture hearing on sugarbeet acreage controls, held in Denver, Colo., on Tuesday of this week, spoke against such controls. It is also my understanding that the witnesses appearing at the hearing represented a broad cross section of the existing beet sugar industry, both growers and processors, as well as persons and organizations who want to contribute to our Nation's sugar supply but under existing law are prohibited from doing so.

Among the witnesses was our distinguished colleague, the gentleman from Texas [Mr. POAGE], who appeared as a representative of the House Committee on Agriculture. It is my understanding that Mr. POAGE said he saw no reason why the U.S. Department of Agriculture should put on acreage controls next year. In thus advocating no sugarbeet planting restrictions, he followed the wishes of the committee as expressed on page 5 of the committee's report of March 14, 1961, on H.R. 5463. The committee said:

> Furthermore, it is the committee's hope that the Secretary [of Agriculture] will not find it necessary to reimpose sugarbeet acreage controls during the life of the interim extension of the act reported herein.

The bill with which this report was concerned became the Sugar Act extension which expires next June 30. Thus, it would not be in accordance with the wishes of the House Committee on Agriculture—nor, I believe, in accordance with the wishes of the Congress—for the Secretary of Agriculture to reimpose controls on the acreage of sugarbeets which will be planted in the spring of next year.

I call this to the attention of the Secretary of Agriculture, and I hope that same sentiment will be expressed not only in Congress but throughout all parts of America.

Mr. ROGERS of Texas. It is my understanding the testimony was overwhelmingly against the reimposition of acreage restrictions, and like everyone in this country who is interested in the farm program, if it becomes necessary to maintain our standard of living that we do have acreage restrictions, then well and good; but the first thing that ought to be taken into consideration is the welfare of other American citizens, the people of the United States of America. As long as we are importing 45 percent of our sugar needs and denying to the American farmer the right to grow the sugar that we need in this country, as I said before, there just is not any explanation for it. The only thing we can think of that the people who advocate that policy could have is not an explanation but an excuse, which is not acceptable to me.

Mrs. MAY. I think it might be pointed out that every one of those of us who are going to participate with the gentleman from Texas [Mr. ROGERS] in his fine presentation of the truth and facts on this situation are at the same time great advocates of the orderly marketing processes and the protection which the Sugar Act has given the American housewife as well as the American sugar producer and processors.

Mr. ROGERS of Texas. The gentlewoman, who is an able member of the Agriculture Committee, knows that that can be controlled and that there need be no trouble about this situation; that all of this hoodwinking that has been going on about the American housewife being imposed upon if this is changed is nothing in the world but false progaganda.

Mrs. MAY. If the gentleman will yield further, we have talked about the utter ridiculousness of the situation where we suggest reimposition of controls because this year we have experienced a surplus over consumption in this country. I would like to point out to the gentleman that I have recommended to the Department of Agriculture a plan that makes much better sense to my way of thinking:

We should stockpile sugar. Sugar is our most palatable high-energy food. It would be a relatively simple matter to establish stockpiles of sugar, in scattered parts of the Nation. It could be packaged in 1-pound and 2-pound moisture-proof packages, with present packaging machinery. The packages could be labeled something like, "Property of the U.S. Government—Not for Sale," and stored indefinitely. With a few simple precautions, sugar can be stored for many years if necessary—without spoiling. Sugar is not classed as a perishable commodity. It lends itself ideally to such storage. As I pointed out in my remarks on the floor of the House last Monday, we could very easily figure out how much sugar should be stored on basis of present consumption needs—for each 1,000 persons we would require 1 ton of sugar per week. A 1-week supply for the entire population would require 180,000 tons of sugar, and a 2-week supply would require 360,000 tons of sugar.

This year, under our present sugar law, we shall have available for the U.S. market nearly 9,950,000 tons—nearly 10 million tons—of sugar. Our actual consumption will be only about 9,550,000 tons. The extra 400,000 tons or so may destroy the sugar market near the year-end, when much of it will be coming in from foreign nations. Thus, it would seem that this year would be the ideal time to stockpile sugar, a vital and necessary food, for national emergency, and at the same time relieve the domestic sugar market from a depressing situation which our present sugar law is presenting.

Mr. ROGERS of Texas. That is a wonderful point. I would also add that the gentlewoman from Washington knows, and everyone who is the least bit familiar with the sugar picture knows, that it is like strategic minerals; that we cannot begin to produce it overnight. If our source of supply, or foreign source of supply, mind you, is cut off, we cannot replace that overnight through domestic production because it takes time not only to grow the beets and the cane, but to set up the proper processing plants to meet these requirements. Therefore, if some of the dire predictions, or just a part of them come true, that we have been hearing in the last few days, we could find ourselves reduced overnight to below 25 percent of our sugar needs in this country. Certainly we should stockpile it.

Mrs. MAY. I thank the gentleman and would make one final point.

Recent events just point up how extremely urgent it is that we place greater reliance upon our domestic sugar producing areas that are capable of supplying consumers dependably and in ample quantity. We have made the point that in a national emergency we need stockpiles of sugar. The second point is, in a national emergency, we might be completely cut off from all foreign sugar sources in a matter of hours and therefore be deprived of necessary sugar from supplies on hand in a matter of a few weeks. The domestic sugar producing areas that are capable of dependable supply are fortunately on the continental United States and thus do not have to ship their sugar via sealanes that are so subject to enemy attack. I refer to the cane producers of Louisiana and Florida, who are capable of producing a moderate amount more than they are now producing, and to the sugarbeet producers in the 22 present sugarbeet producing States and many more States who want to produce but under the present law are unable to.

The feeling of uncertainty the administrators of the Sugar Act had concerning the reliability of foreign suppliers is plainly evident in two facts:

First. They placed the technical consumption estimate figure at 10 million tons for 1961—some 450,000 tons higher than anyone expects actual consumption to run.

Second. They allocated the former Cuban quota among 24 separate nations, in the hope that somehow, the combination of this inflation of the consumption figure and the reaching out halfway around the world for supplies would in some way bring in enough foreign sugar for American consumers.

In the last few days we have had a disturbing awakening as to the inherent dangers in relying upon foreign nations for so much of our sugar—no matter how widely you scatter your sources.

I refer, of course, to Brazil. Brazil is one of the nations which in the past has not had entry to our sugar market but this year has been authorized to ship in 336,474 tons. At the end of July, Brazil had an unfilled balance of 251,614 tons—still to be provided for our market. The great political disturbances now shaking that nation lead me to wonder whether it will ever be shipped.

Those disturbances also lead me to wonder whether Brazil will become another Cuba.

They also lead me to wonder how many other Latin American countries are similarly unstable—and thus unreliable as sources of sugar for American consumers.

Yet, while we are reaching halfway around the globe—authorizing sugar shipments from unstable governments—we appear to be on the verge of restricting production in our own great sugarbeet producing states, which can, if permitted, supply us with large quantities of sugar.

In the interests of stability of sugar supplies for U.S. consumers, as well as in the interests of a sound agriculture, we should be encouraging rather than discouraging sugarbeet production in the United States.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from North Dakota.

Mr. SHORT. Mr. Speaker, I want to express my thanks to the gentleman from Texas for sort of taking the lead in this effort in which many of us are participating in an effort to try and bring the sugar situation in clearer perspective before not only the Members of Congress, but the American people.

Mr. Speaker, this apparently is a subject that needs a lot of study. The gentleman from Texas mentioned something here just a little bit ago that I think is most important. He mentioned the importance of time in increasing the productive capacity of the United States and its ability to produce sugar. I think it was most unfortunate that Congress has not seen fit this year to extend the Sugar Act so we can take the steps that are necessary for the farmers to gear themselves to increased production, and for the producers to gear themselves in their ability to increase their productive capacity.

Mr. Speaker, if the gentleman from Texas would yield further, I would like first of all to request permission to insert in the RECORD a statement that I have prepared in anticipation of the gentleman's special order that he had intended to utilize on Tuesday of this week. This was the day on which the meeting was held in Denver, Colo., to which the gentlewoman from Washington [Mrs. MAY] referred a few minutes ago, and the title of my remarks was "A Ridiculous Situation."

Mr. Speaker, the gentlewoman from Washington used those same words in referring to the situation that exists in the United States. This statement was prepared on the day that this meeting was held in Denver, before we knew what the outcome of that meeting was going to be, and before we knew what the expression of those people that addressed that meeting was. It is real interesting, I think, if the gentleman will yield further, that of about 150 people who attended that meeting, which in my opinion indicates the extreme interest in materially increasing sugar production in the United States, of these 150 representatives of sugar-producing areas over the western part of the United States, there was just a murmur of dissent, or a murmur of acceptance—I will put it that way—to the idea of reimposing acreage restrictions on the production of sugarbeets.

Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD a prepared statement.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

(The statement referred to is as follows:)

A RIDICULOUS SITUATION

The Department of Agriculture is holding a hearing in Denver, Colo., today to hear testimony regarding the restriction of sugarbeet acreage in 1962. Growers and processors of sugarbeets have been invited to present testimony on four points:

1. Desirable effective inventory of beet sugar at the end of 1962.

2. Desirable 1962-crop national acreage limitation.

3. Provisions to be made for new producers and new areas at the national and at State levels.

4. Methods of dividing the national acreage limitation among States and the State allocations among areas, and of establishing individual farm shares. Of special importance in these matters is the weighing to be given 1961 acreages at each level of allocation.

Now it is ridiculous on the face of it that a hearing should be held with the objective of developing restrictions on domestic sugarbeet acreage at a time like this. We have eliminated Cuba from our sugar market. To replace Cuban sugar we are reaching to remote areas of the globe—to India, for example, to Australia, to Hong Kong. Not only do we deny our own American farmers the right to replace any of the former Cuban sugar, but now we are holding a hearing to determine how much present sugarbeet growers should be cut back in their sugarbeet acreage next year. At a time when international tensions are at a high pitch, when the Berlin crisis and all it implies continues to grow worse, we are proposing to reduce production of a vital and necessary commodity that always is the first to go on the ration list when war comes and the last to go off the ration list when peace is restored.

It is attempting to heap blame upon the Department of Agriculture for this ridiculous situation. But let us remember that the Department of Agriculture is merely administering the sugar law the Congress has given it to administer. Under the present Sugar Act, the Department of Agriculture has no alternative except to hold the hearing it is holding in Denver today.

The Department, under the present law, is charged with the responsibility of regulating the production of sugarbeets to approximately the amount that will yield the sugar required for the anticipated marketing quota of the beet sugar industry. Under the present law, the beet sugar quota in 1962 may very well be 200,000 tons or 300,000 tons less than the 2,609,170-ton quota the beet sugar industry has today for the calendar year of 1961. The beet sugar quota may be considerably less for two reasons:

1. The present basic quota stems from an unrealistically high technical consumption requirements figure of 10 million tons—some 450,000 tons higher than actual consumption is expected to be. It is reasonable to assume that the technical consumption requirements figure will be much lower next year. Therefore, the beet sugar basic quota, along with all other basic quotas, we may assume will be much lower.

2. More than 400,000 tons of the present beet sugar quota derives from allocation of parts of the quotas of two other domestic areas—Hawaii and Puerto Rico—which are unable to meet their basic quotas this year. It is entirely possible that Puerto Rico or Hawaii or both may produce considerably more sugar next year, and therefore the allocation of "deficits" to the beet sugar quota may logically be assumed to be less in 1962 than in 1961.

And so, faced with the situation that the beet sugar quota may be considerably less next year, the Department of Agriculture must, under the present law, holding hearings and determine the needed acreage level for confining production to the probable quota level.

Of course, as a very practical matter, it is utterly impossible to estimate what the beet

sugar quota may be for the full calendar year of 1962 because we now have a sugar law that expires in the middle of the year—on June 30, 1962. How can even the most clairvoyant administrator estimate a beet sugar quota for a full year when the law runs out in the middle of the year, and the terms of the law under which quotas are established may be changed considerably before June 30?

This, of course, makes a ridiculous situation all the more ridiculous. Yet this is the situation which a few willful men in positions of power in the Congress—who have consistently blocked action on long-range sugar legislation this session—have caused.

Mr. SHORT. Mr. Speaker, if the gentleman from Texas [Mr. ROGERS] will yield further, it seems to me that there has been a very considerable smokescreen built up around this whole sugar situation. I have heard the gentleman refer to this apparent attempt to confuse this situation. I believe certainly that there has been an inference that we were faced here with the possibility of increasing unduly the supply of sugar not only in the United States but in the world. I believe there has been an inference many times that we had to be very careful about getting a part of our supply of sugar from foreign countries, because they could produce it cheaper, and that we had to protect the interests of the consumer since the price might get unreasonably high.

I think some of the gentlemen who are interested in sugar legislation have seen this report that was prepared by the Agriculture and Stabilization Service of the Department of Agriculture recently, dated August 1961, No. 112. I recommend that everybody secure a copy of it.

Mr. Speaker, on the question of world per capita consumption—and I think this is very important and it was very interesting to me to find it in this report, it shows—and I am quoting from the report—

Since World War II the growth in consumption has been more rapid than for any previous period and greater than for any other major food. World consumption has increased from 27 million metric tons in 1949 to 46.9 million tons in 1959.

That is a 10-year period.

In one decade world consumption rose by 70 percent or at an annual rate of 7 percent per annum.

Mr. Speaker, if the gentleman from Texas does not think that is conclusive proof that we are not about to produce an oversupply then it seems to me the record here is most conclusive.

And just one more point, if the gentleman will permit.

Mr. ROGERS of Texas. Mr. Speaker, if the gentleman will permit me to say this at this point about oversupply, these other products, production of which or consumption of which we are controlling in this country, we are not importing 45 percent of those products. How much of wheat do we import? Less than 1 percent. These are scare tactics; this is just propaganda that these people are putting out.

Mr. SHORT. What the gentleman says is certainly true. This is a ridiculous situation again, as we referred to it here just a few minutes ago. This is one very important food commodity of which we do not produce a surplus. In fact, as the gentleman said awhile ago, we produce less than half of our annual domestic needs.

Mr. Speaker, there is one other point with regard to stability of price. I think the inference has been made many times that the price was about to go too high. The price of sugar is about one-third lower today than at the turn of the century in terms of present purchasing power. I think this is something we should all recognize as eminently important concerning sugar, that it is about the one food commodity which is cheaper today than any of the other things we buy for our personal needs.

However, I must say right here that all food products are a better buy than most manufactured products.

Mr. ROGERS of Texas. Let me say at this point in keeping with the gentleman's observations, and I was going to touch on this point later but this is a very good time to do it, another one of the scare tactics is that the American housewife will be imposed on if they do not import sugar, that the price of sugar will go up so high and the cost-of-living index will be so high that she will just go out of business. Let me show you the true facts of that. It is the truth that always drives these fellows out in the open. Here they are. Figure it up with your own pencil or accept the statistics of the Sugar Division. We use 10 million tons of sugar a year. There are approximately 200 million Americans, which means that every individual in this country is using approximately 100 pounds of sugar a year. That includes everything, soft drinks, cookies, everything that is manufactured. The housewife out of that uses about one-third in household uses. For instance, in round figures say she uses 36 pounds for each individual in her household. They say it will raise the price of sugar as much as 2 cents a pound.

Mr. SHORT. Let me say right there to the gentleman from Texas it would still be a bargain.

Mr. ROGERS of Texas. Here is the bargain. There were 3 million tons of sugar taken away from Cuba and given to foreign countries. If 500,000 tons of that sugar, or just one-sixth of it, had been given to the American farmer his problem could have been answered and as the years go on with our population increase there would have been no trouble at all. These sugar people now in control would not be hurt but they were so greedy they could not give anything up at the present time.

But let us take the 500,000 tons. That is one-sixth of the amount of sugar out of the Cuban quota, so it would be only about one-sixth we will say of the sugar that this American housewife was using. Only one-sixth of it would be increased by 2 cents a pound. One-sixth of 36 is 6, the way they taught me in school. Two cents times 6 is 12 cents a year. A family of four people would be required to put out 48 cents a year more in order to let their own fellow citizens in this country produce one-sixth of the amount of sugar that was being produced by Cuba, that is now under the domination of Castro.

Mr. MORRIS. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from New Mexico.

Mr. MORRIS. I want to compliment the gentleman from Texas [Mr. ROGERS] on bringing this problem to the attention of the House. I should like to touch on one of the aspects of this sugar situation, that is, the tax provision. As most of us know, the payment that is made to the farmers of this country for paying good wages, and other restrictions that are imposed on them, are paid by the Department of Agriculture from a tax on all sugar. In 1959, which was the last year that the Sugar Act operated before we temporarily extended it, they took in $92 million under this tax and paid out $72 million to the farmers. We could allocate, under our approximately 10-million-ton requirement, 1,700,000 tons of this sugar to domestic production, and still the Sugar Act would make a profit for the Treasury. It would not cost one single nickel.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I am happy that the gentleman from Texas [Mr. ROGERS] has brought the question of increasing domestic sugar production to the floor.

I am particularly interested in the utilization of idle land for the production of any crop that may be cultivated on it with assurances of returns that are profitable both to the growers and to the Nation.

In recent years we have taken millions of acres of good land out of cultivation of crops such as wheat and cotton in order to cope with our agricultural surplus problems.

It would be a happy day indeed if we found other crops to plant on the retired acreage without in turn creating new surplus problems. This we have not succeeded in doing. We welcomed soybean cultivation for this reason; and soybean production has been flourishing. Yet, by itself, it has not absorbed sufficient acreage to take up the slack, as we all know. Therefore, if we have other crops that can take up at least a share of the millions of acres that are now out of cultivation we should welcome them with open arms.

The growing of sugarbeets is one of such crops.

I shall not go into the history and the statistics of acreage of sugarbeets in this country. This can be done by the experts, and the figures are available to anyone who needs them.

The fact is, however, that sugarbeet growing has been carried on with increasing success in this country for several decades. Today nearly 25 percent of our total sugar consumption is supplied by our own sugarbeets.

There has been a steady improvement in the yield per acre over a period of

years. Both the tonnage of beets per acre has been increased and the sugar content per ton of beets. At the same time the cost of production has been reduced through technological advancement. The stoop labor previously characteristic of the planting of sugarbeets has been largely eliminated.

There cannot be any question of the capacity of this country to grow enough sugarbeets to supply the total sugar requirements of the country.

However, it is not suggested that we undertake to do this.

In the past, Cuba has been the source of about one-third of our sugar supply. This has now been cut off and we are buying our offshore sugar from other countries, notably Mexico, Brazil, Santo Domingo, India, et cetera. This is a temporary arrangement, awaiting the return of Cuba to the western community of nations. When Cuba does return it may be anticipated that she will resume shipping to this country; but possibly on a somewhat reduced basis. We should not again be so heavily dependent on a source that can no longer be regarded as dependable as it was during two world wars.

Today the United States produces 55 percent of its sugar needs, including the shipments from Hawaii and Puerto Rico. The rest of the world supplies 45 percent of it. As already said, Cuba provided about two-thirds of the foreign sugar. The Philippines supply most of the remainder.

There is nothing sacred about the 55 percent share supplied by this country. The 55–45 percent division was set up back in 1934 under the Jones-Costigan Act. Cane sugar was cheaper than beet sugar and it was necessary to have the competition to keep the price down. Beet sugar still costs more to produce than cane sugar in tropical climates both because sugarcane does not have to be replanted each year and because of lower labor costs. We have been paying a premium price to Cuba because we have paid for Cuban sugar a price that makes possible profitable beet sugar production in this country in competition with the Cuban product. This is in the nature of a subsidy to the domestic industry no less than it was a premium to Cuba.

The principal question facing increased beet sugar production in this country is, Where and by whom should it be produced?

The Sugar Act distributed production by States on a historical basis. The inevitable result has been that new areas in other States or areas that produced only a small acreage have been wholly or virtually excluded from expansion.

There has been considerable expansion in beet sugar production in the United States in the past 5 years because in the Sugar Act of 1956 provision was made for the United States to share in the so-called growth factor, that is, the annual increase in sugar consumption in this country resulting from population increase. This comes to about 150,000 tons per year at the present rate of population growth. Sugarbeet acreage could be expanded in proportion to its share of total U.S. sugar production.

Then both Hawaii and Puerto Rico fell behind in their quotas and the makeup of this deficit fell to the domestic beet sugar industry.

The result has been an increase in acreage of sugarbeets in this country, the greater part as a result of the deficits of Hawaii and Puerto Rico.

This increase in acreage would have made it possible to expand beet production in the smaller areas such as those of Texas, New Mexico, Kansas, and the Dakotas, and in States that have no acreage but that have suitable land, such as Oklahoma and Arizona.

The provisions of the Sugar Act themselves stood in the way. The Department of Agriculture, had it desired to do so, could not have accommodated those areas.

It is true that "new growers" were awarded 95,000 acres for expansion as against 65,000 acres to "old growers," but the "new growers" were those located in the old areas that had the large historic base that automatically received the lion's share.

No new grower in a State that had not grown beets could be accommodated. Oklahoma is such a State.

Also subjected to receiving a few crumbs were the growers in States that had small historic bases. Some of these States had insufficient acreage to justify the building of a beet processing mill and had to ship their beets several hundred miles. This was an uneconomic situation; but they could not get a mill because they had insufficient acreage; and they could not get the acreage because the Sugar Act stood in the way.

Mr. Speaker, this is too much of a straitjacket for a developing industry such as sugarbeets. The law creates a virtual monopoly for the "old growers" and the beet processors in those areas. What is needed is legislation that will open the seams and let in these new areas that can establish or that have already established their capacity to produce efficiently sugarbeets with a high sugar content. They should no longer be excluded by the operation of a law that has for years benefited one group to the neglect of others.

I should think that the law could be rewritten to the end that this country could produce a greater share of its sugar requirements, perhaps 65 percent of it rather than 55 percent, and participate to a greater extent in supplying the increase in consumption resulting from population increase; and at the same time opening the opportunity of expanding on a practical basis the growing of sugarbeets in the areas that are now excluded or virtually squeezed out.

This would help solve the surplus land problem and at the same time would give additional employment to labor.

Mr. Speaker, I think the time has come when the inequity of the Sugar Act should be removed and the security of the country made less dependent than it is now on foreign sources that have now been demonstrated to be not wholly dependable.

Also, Mr. Speaker, in reference to the 12 importers that the gentleman from Kansas mentioned, I might also point out to the House there is just a little bit of profit made on this sugar that is imported into this country. The world market is about 3 cents a pound less than these 12 importers and whoever else is in on this business transaction receive for their imported sugar, and when they bring this sugar into this country, there is a profit of around 3 cents a pound which is paid by the housewives in this country on this transaction. I do not know whether that has any bearing on the firmness of some people's position or not, but it is a fact.

I might also point out to the House, we tried to make it clear, at least the Congress did when we passed the Sugar Act, that a country would not gain a vested interest in Cuba's quota which has been suspended and has been divided among all the other foreign countries in varying amounts. But none has been allocated to the domestic farmers. The question I have in my mind is, What is our Department of State, who has opposed increased domestic production, going to tell these countries among which they have divided up Cuba's quota, if Cuba ever has a stable government which is friendly to this country, and they want to give this quota back to Cuba? What are they going to tell all these other countries who have been sharing this windfall in the last 2 or 3 years? This is something that concerns me, Mr. Speaker. I think the next time this is extended, it should be brought to the floor of the House under an open rule. It should be brought up in time to be properly debated and not just within 2 or 3 days before we are trying to adjourn sine die.

Mr. ROGERS of Texas. I think the gentleman from New Mexico is to be complimented for his long and arduous efforts on this problem. He has made a great contribution in the work of trying to reach a solution of this problem, and he has worked very hard and diligently on it. I know the people of his great State are very proud of what he has done.

Mr. MORRIS. Mr. Speaker, would the gentleman yield further? I would like to call to the attention of this Congress and the Nation the agricultural conference report on the omnibus farm bill which pointed out that the Department of State has apparently decided to ignore the provisions where preference would be given in allocating Cuba's quota to countries that would take our country's surplus agricultural products. We have had a very sad experience with an Assistant Secretary of State and the gentleman from Missouri [Mr. JONES] said here on the floor of the House either yesterday or the day before that, as chairman of the Legislative Oversight Committee of the House Committee on Agriculture, he had not yet heard from the Department of State in this matter.

Mr. ROGERS of Texas. I thank my colleague.

Mr. LANGEN. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Minnesota.

Mr. LANGEN. Mr. Speaker, I thank my colleague for yielding. Again, Mr.

Speaker, it becomes most appropriate to compliment the gentleman from Texas for the very excellent and eloquent manner in which he has documented and presented to this House the facts concerning the sugar situation and the degree to which the American farmer has been shortchanged in the entire consideration of the sugar program. In my opinion, I do not know any one item that would benefit the agricultural economy of this Nation in more ways and in a more secure manner than would the proposition of expanding the sugar production to some degree. We have noted during the course of the discussion here this afternoon, there have been indications, and here recently there was a meeting held in Denver indicating that there might be reductions in the domestic production of sugarbeets.

I am wondering if we realize just what this means. I notice that the Department of Agriculture prepared an analysis of why these hearings were necessary. Those analyses indicated a possible reduction of 13 percent or 87 percent of the 61 acres. Now, can you imagine a situation of that kind where we are asking the American farmer to actually make a substantial reduction in view of the fact that the Cuban quota was recently released, and, as the gentleman from Texas has so effectively stated, every ton of that sugar having gone to some other foreign nation without the least bit of consideration for the American farmer?

Now, how could this have been avoided? This could very simply have been avoided by giving attention to effective legislation passed by this Congress during this session. Why have we not had such legislation or even considered it? I have from time to time written to the chairman of the Committee on Agriculture requesting hearings, wondering when they were going to hold them or what was going to happen to the sugar problem. Those answers have always indicated that we had to wait for a report or a decision or a determination on the part of the Department of Agriculture, which has not been forthcoming. Strangely enough, the Department found time to determine how much it was necessary to reduce the acreage of the American farmer and so indicated in the hearings recently held in Denver, but somehow or other they could not find time to determine whether or not they ought to have a policy relative to the domestic production here within our own country. Because of that reason we have not had action, and because of it we find we are faced with this situation where again, come next year and in the next session of this Congress, we will be forced to take some action in the very last hours, and there is a real danger, and I am wondering whether many of the Members here do not agree with me, that we might be thrown into a situation of being forced into taking some definite action, because the act now does not run any more than half of next year, the expiration date being June 30. So, in view of those facts, I think the assignment and the manner in which it has been carried out by the gentleman from Texas this afternoon bears real significance not only to every farmer who is desirous of producing beets but to the taxpayer and the consumer throughout the Nation. It is well to note that we have an area such as the one I represent that could produce sugarbeets.

Now, price was mentioned. In the last discussion I called to the attention of the House that there were beets being produced in the Red River Valley, and by an analysis of a report submitted to the Committee on Agriculture, even if there were a 25-percent gross reduction in the price, the production of beets would still go up in that area. So, there is every indication that we can produce sugar at a profitable price and one that would actually be to the advantage of the housewife. That sugar is presently moving into the Chicago market as well as other markets at a price that is lower than the cane sugar that is coming in there now that we are importing from countries all over the face of the globe. So, again we see a price situation that certainly lends nothing to the lack of action that has been displayed in connection with the sugar problem and the manner in which the American farmer has been shortchanged.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Speaker, I think my colleague, the gentleman from Texas [Mr. ROGERS], has performed a service to the country in arranging this hour in which we might discuss one of the important agricultural problems, a problem which also relates to defense and other issues in our country.

We have found as legislators that some of our problems in agriculture and otherwise almost defy solution. There seems to be no reasonably adequate answer to some of them. That cannot be said of the problem which the gentleman from Texas has presented to the House this afternoon. There is an answer to this problem which has been presented.

There is no valid reason why the American farmer should not be permitted to produce a larger portion of the sugar which is domestically consumed in this country. Such a program would be good for the public generally, for the farmer, for the taxpayers, for the Department of Agriculture. I have been very disappointed over the delays which have occurred.

There is no good reason why the American farmer should not share to some extent in the Cuban quota which is now being parceled out temporarily to other countries. There is no good reason why the prospective beet sugar grower should not share in the growth factor. There is no good reason why suitable communities should not receive adequate notice so that processors of sugar could construct needed mills, so that it would be meaningful to produce sugarbeets in new areas. It costs $15 million to build one of these mills and takes about 3 years' time. Hence the need for the earliest possible action.

I would like to see the Department of Agriculture, the Department of State, and the Congress get together on a program to increase domestic allocations of sugar at the earliest possible moment. I have no doubt but that if this matter is presented to the House of Representatives, a great majority of the Members will support a meaningful and worthwhile program for our domestic sugar producers. There are some differences of opinion but they can be settled.

Mr. ROGERS of Texas. I thank the gentleman and want to say that he, like the others today who have spoken to this subject, has contributed in great measure to this study. I thank the gentleman for his fine support of this worthy project.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I want to join with my colleagues in commending the gentleman from Texas [Mr. ROGERS] for once again bringing this important matter to the floor of the House, and I hope to the attention of the Department of Agriculture and the Department of State. I am sure all who realize the action the Department of State has taken know that whenever an acceptable government is again established in Cuba the only person who will suffer will be the American farmer. The beet-producing American farmer will have his quota taken away from him. I want to fight that quota again going to Cuba, because we will not, according to our friends in the State Department, hurt any other nation to which we have given these temporary quotas.

I wish to ask my friend from Texas whether or not the State Department in allocating this quota which heretofore went to Cuba has given to the American farmer the growth use of sugar in the production of beets, or whether that, too, has been given to some foreign country.

Mr. ROGERS of Texas. I will say to the gentleman, the State Department does not have the right to give the growth away. That, of course, is a matter for the Department of Agriculture.

The growth factor could solve this problem if it were properly utilized. However, as the matter presently stands 30 percent of the growth factor is being retained for Cuba and is presently assigned to other foreign countries—foreign countries which also have an additional 15 percent of the growth factor.

Mr. SAYLOR. I certainly hope the members of the Agriculture Committee of the House will read carefully this testimony and the statements that we have heard and call upon the Department of Agriculture to protect our farmers. I certainly hope we will not be faced in June of next year with the situation where we will again have to immediately pass another extension of the Sugar Act.

Mr. ROGERS of Texas. I thank the gentleman.

Mr. DOMINICK. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Colorado.

Mr. DOMINICK. Mr. Speaker, I want to commend the gentleman for bringing this matter up, and I join with many of the statements that have been made here today on the floor.

There are a couple of things that I think should be put in the RECORD. One of them is the recent situation which has happened to the price of sugar, which has been brought about by the fact unlimited acreage was given to the domestic farmers this year—there were no restrictions—plus the fact that the entire amount of the Cuban allocation was made available to other places. On the ground that the Cuban allocation would go to the domestic farmers, acreage was expanded in many places. We now have in certain portions of this country a surplus of sugar which is reflected in the recent price that has gone down 54 cents since the first of June this year on raw sugar. That is the price in New York.

I have recently written to the Secretary of Agriculture asking that he put into effect a limit on the amount of the import quotas that were reallocated. I have not received an answer to this letter. But if we can get that into effect, it will boost the price again. The price of the sugar itself is reflected in the price the growers get for their sugar beets. This is important from the domestic point of view.

The only other way to strengthen the price structure at the present time is for the Secretary of Agriculture to reduce the consumption estimate. Up to date I have not received an answer to that request either. We have found over a period of 12 years that the primary difficulty in working out this problem so that we can get a fair share for the American farmer in the production of sugar in this country has been generated by the State Department. Every time we turn around and try to get a domestic program we run head on into the State Department which says that we have to do something for the other countries before we help ourselves. That is a point that we can keep on hammering and maybe we will make enough of an impression so that we can get a stable program next year.

Mr. ROGERS of Texas. I thank the gentleman.

Mr. REIFEL. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from South Dakota.

Mr. REIFEL. I want to commend my colleague from Texas for taking the leadership in presenting this important problem to the House.

The farmers in my district, which is a new beet sugar area, are looking to the gentleman for the kind of leadership they feel will help us to get some quotas in beet sugar and in the other domestic areas so that we can develop our economy out there, which is more in the nature of the production of some crops that are in surplus that could be put into beet sugar, which is not in surplus.

I want to take this opportunity to commend the gentleman for this leadership here in the House. It has been promised in the early part of the session that definite consideration will be given during this session to permanent sugar legislation, but that has not been forthcoming. Through efforts such as the gentleman's and the others who have been working so diligently, I hope before this session is over—certainly early in the next session—we will have some permanent legislation.

If sugarbeet acreage controls are imposed next year, the Government of the United States can justly be accused of not keeping faith with the American farmer.

The U.S. Congress and particularly the House of Representatives has been put in the unfortunate position of failing to keep faith with the farmer—failing to fulfill pledges—because of the failure to move on long-range sugar legislation this year. Let me cite the record:

On page 2 of House of Representatives Report No. 79 of the 87th Congress, 1st session, a report presented March 14, 1961, I find these words:

> Amendments to the basic Sugar Act will be thoroughly considered in open hearings on the enactment of more permanent sugar legislation, which the chairman has stated will be scheduled as early as possible in May. At these hearings those interested in the various aspects of the Sugar Act will be given an opportunity to appear before the committee and express their points of view and the committee itself will have full opportunity to integrate the various proposals into the act as a whole and reach a mature and informed decision on an amendment and extension of the act which will best serve the national interest.

On page 2 of House of Representatives Report No. 212 of the 87th Congress, 1st session, I find these words:

> The Senate adopted an amendment giving domestic areas absolute priority on any quota withdrawn from Cuba and giving "new and potential producers of sugarbeets and sugarcane" certain consideration in the event restrictive proportionate shares are reimposed on domestic beet or cane production.
>
> The Senate receded from this amendment with the understanding that hearings on a long-range sugar bill will be started by the House Committee on Agriculture early in May and that every effort will be made to report a bill and pass it through the House at this session of Congress. The House conferees also expressed the hope that the Senate Committee on Finance would undertake hearings contemporaneously with those of the House so that long-range sugar legislation might be enacted at the earliest practicable date.

We all know what happened. Only 2 partial days were devoted to Sugar Act hearings—May 18 and 19.

A sugar bill never did come out of the committee, although numerous sugar bills were referred to the committee.

Now let me quote again from the March 14 report—this time from pages 4 and 5:

> As stated above, the committee will begin hearings in May to write long-term sugar legislation. The committee is well aware of the problems and aspirations of the domestic sugar-producing industry and at that time spokesmen for prospective domestic producers of sugarbeets and sugarcane will have the opportunity to fully present their views. It is the view of the committee that the Secretary of Agriculture should not reimpose acreage controls until the committee has held such hearings. Furthermore, it is the committee's hope that the Secretary will not find it necessary to reimpose sugarbeet acreage controls during the life of the interim extension of the act reported herein.

In view of all this, it would be a sad mistake on the part of the Government to impose acreage limitations on sugarbeets next year. It would, in truth, be a breach of faith.

Reimposition of restrictive controls on the 1962 crop sugarbeet program would be discriminatory against the domestic producer, a travesty upon the taxpayer and a severe blow to both new and old growers.

It would be unbelievable to the American people if our State and Agriculture Departments demonstrated in this manner that they think more of the foreign sugar producer than of the American farmer.

My district in eastern South Dakota is a large producer of crops now in surplus, particularly wheat and corn. Only recently we have discovered the huge potential for successful cultivation of sugarbeets.

The opportunity to expand production of sugarbeets would have a highly favorable impact in stabilizing our up-and-down agricultural economy, preserving the small town, attracting new agricultural-type industries, providing employment, and reversing the trend toward larger and fewer farms.

The Federal Government has invested many thousands of dollars in studying the Oahe irrigation project in eastern South Dakota, which will serve nearly a half-million acres suitable for sugarbeet production. Sugarbeets could be and should be the backbone of this project, assuring the Federal Government that its extensive investment will be returned many times over.

The farmers of my district critically need a more diversified cropping program. Sugarbeets fit their need for a high income cash crop, while in addition providing byproducts for livestock feeding, an industry which provides 80 percent of South Dakota's farm income.

The capacity of the Belle Fourche plant of Utah-Idaho Sugar Co., our only sugar market, will barely scratch the surface of the production capacity in my district. Restrictions at this time would be a crushing blow to agricultural development in South Dakota as well as other farm areas of the Nation.

Mr. ROGERS of Texas. I thank the gentleman.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Kansas.

Mr. DOLE. Mr. Speaker, I want to commend the gentleman from Texas for his statement today and for his efforts on behalf of sugarbeets.

Mr. Speaker, at the present time the United States is importing 45 percent of our sugar needs. The 55 percent that we produce domestically includes that which is produced by our offshore islands and possessions. A continuation of this ratio cannot be justified and should not be continued.

There are many basic reasons why our domestic sugarbeet growing and processing should be increased. In the first place the farm problems are still without solution and while commonsense dictates we do everything that we can to lessen the problem of surpluses we cannot in good conscience cut back American farmers wheat and feed grain acreage and at the same time increase imports of a nonsurplus crop, sugar. This is so elementary that it need not be argued.

Take for example the Southwest Kansas Sugar Beet Council as pointed out before the House Committee on Agriculture by Harold Purdy and Harry L. Lightcap, sugar producers of Deerfield and Hugoton, Kans., respectively, on May 18, 1961. The council is composed of the Southwest Kansas Irrigation Association, the Pawnee Valley Irrigation Association, High Plains Beet Growers Association, and Ark Valley Beet Growers Association. This council represents 20 counties in the southwest area of the State of Kansas. These 20 counties have a total area of approximately 10 million acres of farmland and at the present time there are 2,910 irrigation wells supplying water for 822,000 acres of land under irrigation.

This area has a large underground supply of water. Geological surveys and logs of gas wells and water wells drilled in the area show the water-bearing sands to be from 200 to 500 feet thick with an average of about 300 to 350 feet over the area. The Geological Survey indicates there has been no serious lowering of the water level in southwestern Kansas. With this vast supply of water and great numbers of underdeveloped acres with the prospect of growing paying crops, it would be no trouble or effort to put another 1 million acres under irrigation. The U.S. Department of Interior and Kansas State Geological Survey anticipate the supply of water on the uplands will last several decades and along the several river valleys it will last indefinitely.

These gentlemen further pointed out that this area in western Kansas was one of many in the United States where sugarbeets could be grown and in speaking for new growers they nevertheless clearly pointed out they did not want to gain at the expense of old growers but simply wanted to get into the business with a quota over and above the present old growers' quota.

There are 9,000 acres of sugarbeets grown in the area these gentlemen referred to which must be shipped to our neighboring State of Colorado for processing and since acreage restrictions were removed many potential growers, eager to plant beets, have been unable to find a processing plant to handle them.

Another Kansan who testified before the House Committee on Agriculture with respect to long-range sugar legislation on May 18, 1961, was Orvin Marquardt from Courtland, Kans. Mr. Marquardt is the manager of the Kansas Bostwick Irrigation District, located in north-central Kansas, and clearly described the vast area in north-central Kansas which could profitably produce sugarbeets. He stated:

> Sugarbeets have long been recognized as a crop that contributes greatly toward a well-balanced diversified farming program along with a more stable income than other crops. Sugarbeets require a higher investment and greater production expenditures than feed grains, so that a firm, long-range sugarbeet program is essential. Past experience with the feed grains also illustrates that such a program must be correctly managed to insure the grower a firm and profitable market for his sugarbeets.

As previously stated for the RECORD, farmers of Kansas have as much right to provide sugar for the American market as do the sugar interests of India, Australia, and Hong Kong. Yet farmers of Kansas, under the present law, are forbidden the right to replace one ounce of Cuban sugar, while 24 foreign nations around the globe have been authorized shipments of 3,247,195 tons to replace Cuban sugar in the American market. Nine of these nations have never had a quota in this market.

To demonstrate good faith and a desire to help find a solution to the present legislative stalemate, the four Republican freshmen Members on the Agriculture Committee have indicated to the chairman our willingness to remain after adjournment of Congress to serve on a subcommittee and hold hearings on long-range sugar legislation. We feel the problem is of such urgency that it deserves our attention now—not just before the expiration of the present extension of the Sugar Act in June 1962.

The opportunity which exists for giving American growers their fair share of the Cuban windfall may never present itself again if further delays are encountered. American growers and potential growers have demonstrated their ability and willingness to increase sugarbeet production if only they can be given the assurance and protection they deserve.

The inaction by both Congress and the executive department to take affirmative action leading toward an equitable solution is deplorable. Why is it so difficult to take quick positive action for the American farmer? Why is this administration holding hearings to determine feasibility of reducing sugarbeet acreage? Why do we permit shipments of 12,000 tons of sugar from El Salvador; 17,000 tons from Guatemala; 336,474 tons from Brazil; 36,000 tons from Ecuador; 46,000 tons from Colombia; 75,000 tons from the French West Indies; 90,000 tons from Australia; 5,000 tons from Paraguay; and 225,000 tons from India, countries not having a regular quota? Why do we give an extra windfall of 490,731 tons to the Republic of the Philippines; 544,870 tons to Peru; 222,723 tons to the Dominican Republic; 589,591 tons to Mexico; 25,897 tons to Nicaragua; 37,005 tons to Haiti; 5,851 tons to the Netherlands; 186,048 tons to Nationalist China—Formosa; 6,020 tons to Panama; 26,282 tons to Costa Rica; 1,266 tons to Canada; 1,034 tons to the United Kingdom; 1,453 tons to Belgium; 265,923 tons to the Federation of the West Indies and British Guiana; and 27 tons to Hong Kong—9 times the regular Hong Kong quota?

There are the unanswered $64 questions. This policy is incomprehensible, inconsistent, indefensible, and constitutes an indictment of the American farmer.

Mr. ROGERS of Texas. I think there are many words that can be said to fully describe the picture that has been built up through the years. I think the American farmer has been very nice about the situation, and he is to be honored for the manner in which he has attacked the proposition from the standpoint of being reasonable and practical and in the best interests of this Nation. I think he is entitled to reciprocation.

Mr. WICKERSHAM. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Oklahoma.

Mr. WICKERSHAM. Mr. Speaker, I should like to say that there are many Members of this Congress that feel exactly like the gentleman from Texas. Not only is each one of the Members that will speak today speaking for you, but he will be speaking for four or five or half a dozen people in his area.

GENERAL LEAVE TO EXTEND REMARKS

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that all Members may be allowed to extend their remarks in the RECORD on the subject we have just been discussing.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. NYGAARD] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. NYGAARD. Mr. Speaker, sugar production and import control should not be determined by what appears to be an easy solution—that of reducing the beet production.

And why?

First, our Nation needs a firm, secure supply of sugar, particularly because of the present world condition.

Second, the economy of our agriculture needs a boost that can so easily be given them by increasing sugar allocations for domestic producers, including Hawaii.

Third, our national defense needs this production for munitions and food for our Armed Forces, as well as for food for our civilian population which is under additional strain and load in times of stress.

Our agricultural producers are again ready, eager, and able to produce any and all of the food and fiber for our national needs, in peace or in war.

Let us not deny them the opportunity. Let us help them help us.

We have been told that it was necessary to hold in abeyance the sugar allocations which were taken away from

Cuba due to the unfriendly government in that country which we all had hoped would be of a temporary nature. The idea was that we should be able, in the event of a new and friendly government, to restore the sugar allocation to that country in the interests of better international relations.

The actual fact is that this allocation has been redistributed by increasing in tremendous proportion the sugar allocations to other foreign nations previously receiving allocations from us. In addition, we have extended new allocations to certain countries with whom we have not had any prior sugar trade.

According to this activity, it would appear that our own people are not entitled to a break in economics but that foreign countries can be the only recipients of anything we do in aid and assistance. When I speak of aid and assistance, I do not mean the social programs we are developing here in this country, those programs are not a gift, they are bought and paid for by our people, the taxpayers. This is not the case with these windfalls in foreign trade, particularly in our purchase of sugar under the allocations to foreign nations.

We are setting a precedent here that is going to be hard to withdraw, and again the American farmer may be asked to sacrifice his allocations for the benefit of so-called international relations.

One need not be an isolationist to show concern for our American people, and on this basis I state that I feel the American farmer has been very unjustly treated in the allocations of sugar quotas over a period of years. I think we should correct this situation now.

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. CHENOWETH] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. CHENOWETH. Mr. Speaker, the sugar problem is one of the most important issues facing our Nation today.

We find ourselves in an almost unbelievable situation as to the production of domestic beet sugar. On the one hand, the United States has lost its former main sugar supplier, Cuba, which has categorically joined the Communist camp, and the Nation is contending with international perils which could result overnight in a severe shortage of sugar.

On the other hand, under a sugar law which is outdated and which should have been revised at this session, the Department of Agriculture is thinking about restricting the marketing of beet sugar and may actually cut back plantings of beets in the spring of 1962.

This occurs as to a crop with respect to which the United States is a deficit and not a surplus producer, a crop which is economically very attractive to growers and at a time when growers would like very much to increase their acreage.

I represent an old, established beet-growing area, in which the growing and processing of sugarbeets represents one of our principal economic strengths. It would be most unfortunate if, due either to marketing restrictions or to a 1962 crop control program, beet growers in my district were forced to cut back their production from this year's levels, as would happen if the Department of Agriculture reduces 1962 beet acreage.

The interests of growers in my district would be best served by permitting them to continue producing at this year's level, which represents substantially full plant capacity, while the Secretary of Agriculture carries out his obligation under the law to see that the sugar price is one which will "fairly and equitably maintain and protect the welfare of the domestic sugar industry." Not only would this serve the best interests of these beet growers and the economy of my district, which benefits tremendously from a long period of factory operation, but also the overall interests of the Nation, including those of housewives and food manufacturers. I feel our national interests are best served by having produced and available for marketing the largest possible domestic production.

And finally, if, as Secretary Freeman has stated he will recommend, the Nation is to rely on the beet sugar industry for a greater part of our total needs, then it behooves the beet sugar industry to do all it can in this direction.

We in the old producing areas naturally want to have the opportunity to produce and sell all we can at a price that will be fair and equitable to us. We recognize, however, that the demand of the Nation for more domestic sugar production should also be satisfied in part by areas which do not now produce or which produce only small quantities of sugarbeets. We have favored in the past and will support in the future legislation which will permit the continued capacity operation of the established beet sugar industry, and which will also allow for the economic production of beets and construction and operation of new factories in areas which do not now have such facilities.

I have introduced a bill, H.R. 8865, which would lift marketing and crop restrictions on domestic producers during 1961 and 1962. Many leaders of the beet sugar industry are convinced that the action proposed by this bill is not only a desirable but very logical first step in plans for enacting early in the next session long-term sugar legislation that will recognize the right of the existing industry to produce at full capacity and which will also permit the entry into the business on an orderly basis of new areas which desire to grow beets.

Mr. BERRY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, I wish to join my colleagues in commending the gentleman from Texas in taking the lead on this unjustified sugar problem.

Why should the American farmer be prevented from using his acreage for the production of sugar? Why should the American taxpayer be forced to pay millions of dollars annually to take farmland out of production while sugar, which could be grown and produced on these idled acres, is imported?

This procedure is not only unfair to the farmer, it is unfair to the taxpayer, it is unfair to the consumer.

As proof of the fact that farmers across the Nation are anxious to obtain the right to increase sugar acreage I ask permission to insert as a portion of my remarks a letter received August 21, 1961, from F. W. Bergeson, manager of the Utah-Idaho Sugar Co., of Belle Fourche, S. Dak., which is, in part, as follows:

The sugarbeet expansion potential in South Dakota is tremendous.

The existing cropping program on the rich, fertile soil of much of the area of South Dakota does not reach the limit of the productive capacity of the land.

Natural rainfall in some areas is sufficient to support a more intensified cropping program including sugarbeets.

Underground aquifers lie under the terrain of thousands of acres and could provide supplemental water for irrigation. The interest in irrigation is just being awakened. A high income cash crop such as sugar beets stimulates irrigation developments. This development could bring a great economic boom to South Dakota.

The Oahe reclamation project is progressing rapidly. The people of South Dakota are supporting it to the fullest extent. This project alone will irrigate one-half million acres of fertile land. Sugarbeets could be and should be the backbone of this irrigation project.

The farmers of South Dakota critically need a more diversified cropping program. Sugarbeets fits their need for a high-income cash crop plus providing byproducts for South Dakota's large livestock industry.

The Utah-Idaho Sugar Co. is very interested in expanding sugarbeet production to the maximum of the great potential known to exist in South Dakota.

The expansion program undertaken this year proves that the crop can be grown very successfully in many new areas of South Dakota. The South Dakota farmers need this crop and desire to expand as rapidly as possible. The capacity of the Belle Fourche factory will only scratch the surface of the production capacity of South Dakota.

A stable Sugar Act which allows an orderly expansion of the domestic industry is sorely needed so that further sugarbeet-processing facilities could be established in South Dakota.

Sugarbeet acreage restrictions at this time would certainly be a crushing blow to the overall agricultural development of South Dakota.

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, if we pursue the folly of reducing sugarbeet acreage and cutting back the production of this vital industry in these perilous times, we shall be ignoring the lessons of history and taking steps exactly contrary to what experience shows is the wise course.

All the great generals of history have recognized the importance of food to military success. To Napoleon Bonaparte is attributed the statement that "an army marches on its stomach." To

Napoleon Bonaparte also goes the credit for establishing the beet sugar industry of France, and for demonstrating to all the world the importance and vital necessity of a dependable "home" source of sugar production, especially during times of national peril.

In the year 1811, the British fleet, patrolling the coasts of France, effectively blocked shipments of sugar to France from the West Indies. Sugar prices in France rose to a dollar a pound. More serious than the inflated price was the shortage of this vital, high-energy food for Napoleon's armies.

Just a few years before, a German scientist had succeeded in extracting sugar—identical to that obtained from the cane plant—from the white Silesian beet, on a limited commercial scale. The French had become interested, and a couple of small French factories had been started.

When Napoleon's attention was drawn to the existence of a small beet sugar factory at the village of Passy, he immediately went there to see for himself and pinned the Cross of Honor on Benjamin Delessert, who had erected the factory and was operating it. A few days later, in March of 1811, he brought the French beet sugar industry into existence on a large scale by the stroke of his quill pen. He signed a decree providing for the planting 79,000 acres of sugarbeets, for erecting beet sugar factories, and for establishing six experimental stations to assist farmers in planting and developing the new crop. He appropriated 1 million francs to implement this program.

Thus the dire need for a quick-energy food—produced on "home" territory, where enemy fleets could not interfere with its arrival for French consumers and the French Army—brought the beet sugar industry into being on a large scale in France. As a result of Napoleon's various decrees, 334 small beet sugar factories were erected in France in 1812 and 1813. Today, beet sugar is produced in virtually every European country, and the sugarbeet is the basic source of supply for all of Europe.

Now what can we learn from this lesson of history?

First, it reaffirms what we all know and should, at this critical stage in our own history, again recognize: that the only sure and dependable source of supply of sugar for U.S. consumers is sugar that is produced within the continental borders of the United States. There is no danger that this sugar will fail to reach us because of submarine warfare. No ocean shipping lanes are involved in sugar produced within our own continental border. The sugar is produced here and so it is available here.

Second, it provides a demonstration of the importance of sugar, that high-energy food, to the welfare of a nation. Napoleon recognized its importance to such an extent that he created an industry to assure his armies and the French people a dependable supply.

Third—and this is the greatest lesson we can learn—in this time of national crisis it is in our own national interest to increase and encourage greater production of sugarbeets in the continental United States. And it follows that it is contrary to our national interest to restrict and discourage production of sugarbeets.

Let us, then, heed this great lesson of history. Let us learn from the past, and act upon what we learn, so that we may with greater confidence face an uncertain and dangerous future.

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BEERMANN. Mr. Speaker, I compliment the gentleman from Texas [Mr. ROGERS] for vigorously pursuing the sugar problem and giving us the opportunity to present our views.

It has become increasingly plain that the Department of State is a roadblock in the path of American agriculture balancing supply and demand.

The House Committee on Agriculture, the Secretary of Agriculture, the sugarbeet growers, the processors of sugarbeets, and all other interested segments of our economy are very desirous of helping the United States produce more of the sugar needed for our consumption.

Why are the efforts of the Department of Agriculture and all the people who are interested in growing sugarbeets being thwarted? Why not make it possible for the growers of corn, wheat, milo, and cotton to reduce their production of surplus crops and produce a crop in demand—sugarbeets?

The construction of new sugar mills, costing approximately $15 million per plant would help our economy by reducing unemployment and increasing capital expenditures. And there would be a continuing annual income to the growers.

The Department of State is purchasing 45 percent of our sugar needs and selling very little of our surplus crops in exchange. Why not produce this 45 percent of our sugar needs on land that is presently growing crops in surplus?

Mr. Speaker, the Department of State is a contributing factor in not allowing American agriculture freedom to operate under the law of supply and demand.

Mr. LANGEN. Mr. Speaker, it is with dismay that I observe the latest letter from the Department of Agriculture relative to the 1962 sugarbeet acreage program. It was not news that sugarbeet grower associations and processors are to express their views and recommendations in Denver next week on whether the 1962 acreage of sugarbeets should be restricted or not restricted. But it was news to discover the Agriculture Department had already worked out a tentative plan that would cut domestic sugarbeet acreage to about 87 percent of the 1961 level. However, the Department was careful to say that the plan was being considered only "in the event it determines that restrictive proportionate shares will be necessary."

This latest move by the Agriculture Department exemplifies the wisdom of a statement I released to my constituents on August 9, 1961, that the now available Cuban sugar quota will again become the "plum" in 1962 of other foreign interests, to the disservice of the American farmer.

This might all have been avoided by the consideration and passage of long-term sugar legislation this year, which has been consistently recommended by various Members of this Congress, including myself.

House Agriculture Committee Chairman HAROLD D. COOLEY, in a letter to me, called it "unfortunate" that he has not yet received the recommendations from either the President or the Secretary of Agriculture with reference to an extension of the sugar program. Congressman COOLEY said legislative hearings would "not accomplish anything at all" if held prior to receiving recommendations from the administration.

It is inconceivable that the American farmer should now be asked to slash his production to 87 percent of the 1961 crop in view of the available Cuban quota. And yet the Department of Agriculture refuses to even recommend expansion of U.S. sugarbeet acreage until at least next year, which at best will be of no benefit to the farmer until at least 1963.

It is further alarming to note that foreign supplies of sugar have been purchased to the degree that they have already had an adverse effect on sugar prices. The Wall Street Journal reported last week that the Government has set quotas so high that prices outrun demand—and "sugar plenty promises to drive prices still lower."

The U.S. Beet Sugar Association, through its president, Robert H. Shields, informed Secretary of Agriculture Freeman and Secretary of State Rusk that raw sugar prices have declined 50 points in about as many days. Shields called for prompt Government action and recommended that the Government "notify the foreign countries to whom the Cuban windfall has been allocated that until further notice only 90 percent of their allocations may be imported into the United States."

This is a fair approach to the problem. But instead, the Agriculture Department will hold hearings: One for the purpose of allotting the marketing of domestic beet sugar for 1961, the other to consider slashing the 1962 acreage.

I hope I am wrong. I hope the Department of Agriculture will have listened with an open mind when the public hearing was held this week in Denver. But I am sorely afraid it is just another case of the Department's playing lip-service to the farmer while displaying a preclosed mind.

The reduction or even the limitation of sugarbeet acreage at this critical time in our Nation's history would be utterly contrary to the best interests of the United States, and contrary to national policy established by the Congress more than 27 years ago and repeatedly reemphasized since then.

As recently as June 6, 1960, on page 3 of House of Representatives Report No. 1746, a duly constituted committee of

this Congress, the House Committee on Agriculture, stated:

> For many years it has been the policy of the U.S. Government for defense and strategic reasons—to preserve within the United States the ability to produce a substantial portion of our sugar requirements. This has been done because sugar is an essential and vital food product needed by American consumers, the supply of which on a worldwide scale has been marked by periods of alternating scarcity and surplus.

Essentially the same language was used by the same committee and also by the Finance Committee of the other body in 1955 and 1956.

Let me emphasize parts of that statement. You will notice that it says that it has been the policy of our Government for many years for defense and strategic reasons to preserve our ability to produce a substantial portion of our sugar requirements within the United States. We are today spending billions and billions of dollars on weapons and machinery and manpower for defense and strategic reasons. That is sound national policy, and we all recognize it as such.

Why, then, should we now propose to go contrary to our national policy on sugar, and reduce the amount of sugar we now produce in the continental United States? Certainly if ever we needed to bolster our assurance of supplies of this "essential and vital food product" we need to do so now in the face of the present worldwide dangers we face.

On page 4 of the House report of June 6, 1960, there is some amplification of the purposes of the Sugar Act. The report says:

> Basically, the Sugar Act is intended to do three things: (1) Make it possible, as a matter of national security, to produce a substantial part of our sugar requirements within continental United States and to do this without the consumer-penalizing device of a high protective tariff; (2) assure U.S. consumers of a plentiful and stable supply of sugar at reasonable prices; and (3) permits nearby friendly foreign countries to participate equitably in supplying the U.S. sugar market for the double purpose of expanding international trade and assuring a stable and adequate supply of sugar.

Please note that the first point stresses that the Sugar Act, "as a matter of national security," intends to make it possible to produce a substantial part of our sugar requirements "within continental United States." To reduce continental production of sugarbeets at this moment in history certainly is contrary to this important phase of our long-established national security policy.

Please note also that the third point states that the Sugar Act is intended to permit nearby friendly foreign nations to participate in supplying U.S. consumers both for expanding international trade and assuring a stable and adequate supply of sugar.

We all remember that we cut off Cuba's quota in this market after she ceased to be friendly. We are all agreed that was in the national interest. Yet now we are obtaining sugar from the far reaches of the limitless oceans—from India, Australia, Hong Kong, and other faraway places—to replace Cuban sugar. Can those places, and others I might name, be considered nearby? Can shipments that take 3 to 6 weeks to reach the United States be considered, even by the most fantastic stretch of the imagination, as contributing to the assurance of stable and adequate supplies of sugar?

If our present Sugar Act forces us to reduce sugar production in our own country and at the same time reach to such remote places as the Indian Ocean for supplies, then, gentlemen, I say that the present act is contrary to the established policies of Congress and is contrary to the best interests of the United States.

FLOW OF COMMUNIST PROPAGANDA INTO THE UNITED STATES

The SPEAKER pro tempore. Under previous order of the House the gentleman from Nebraska [Mr. CUNNINGHAM] is recognized for 60 minutes.

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I have today introduced a bill to stop the flow of Communist propaganda into this country. I think that many of us are disturbed with the order of the present administration of March 17 which allows this Communist propaganda to come into this country freely and be distributed by the U.S. postal system free of charge.

Mr. Speaker, this is a very delicate and difficult matter to get at. I have had the help of some constitutional lawyers in preparing the legislation which I have introduced today, because this particular inflow of Communist mail involves the complicated Universal Postal Union which represents an unofficial treaty arrangement, but it is not a treaty in the sense that it needs ratification by the Senate. There are some good reasons for the establishment of the Universal Postal Union, dating back to the early history of our country. But there is no doubt in my mind and in the mind of other people who are concerned, that the Communists have abused the mail arrangement between countries.

COMMUNIST MAIL DELIVERED FREE

Mr. Speaker, I do not think that the American people want to stand any longer for the proposition of several hundred thousands of tons of Communist propaganda mail coming into our country and being delivered by our postal system free of charge. The mail that I speak of has gone skyward since the decision of the administration on March 17 to allow it to come in unchecked.

Mr. Speaker, for many years prior to that date of March 17 of this year, under previous administrations, both Democrat and Republican, this mail was intercepted by the customs people and, if it was determined to be political propaganda, the people to whom it was addressed were asked if they wished to receive it. About 99.5 percent of the people contacted said "No; they did not want to receive it; they had not ordered it."

Most of this mail is addressed to our youth, the teachers, and to colleges and universities, because this is a favorite trick of the Communists to get at the minds of our young people.

Mr. Speaker, there are groups in this country who are compiling lists of students throughout the Nation and forwarding them to Moscow or some other Communist country, where they are addressed, and this material placed in an envelope. Then it comes in in large volume, and then is sent on under the new administration's decision to the recipients.

YOUNG MINDS AFFECTED

Mr. Speaker, I think this is one of the most serious problems we have, to stop this Communist propaganda coming into our country. It is the technique of the Communists to work on the young minds of the various nations. So I say that this legislation is long overdue. I would have introduced it earlier had it not been for the fact that it was a very complicated bill to prepare. But I know now that the bill is workable and I do hope that the Members of the House of Representatives will give me support by, perhaps, introducing similar legislation and at least letting me know that they too are concerned about this problem in order that we might have the necessary backing to get this heard before the proper committee.

I might add that we are now considering in the Committee on Post Office and Civil Service—and I am the ranking member on the Postal Operations Subcommittee—a bill to increase postal rates, because supposedly there is a deficit in the Post Office Department. How in the world can we go to the American people and ask or compel them to pay increased postal rates when this huge volume of Communist propaganda is coming into this country and is delivered free? And we know that as a result of that this is adding a terrific burden on the financial position of the Post Office Department and is contributing immensely to the deficit that we have.

So I say that we come with unclean hands to the American people when we ask them for an increase in postal rates unless we stop the free delivery of this Communist propaganda to our citizens.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. CUNNINGHAM. I am delighted to yield to the gentleman from Illinois.

Mr. COLLIER. Mr. Speaker, I should certainly like to commend the gentleman from Nebraska for bringing this matter to the attention of the House and more particularly for the legislation that he has introduced. I should also like to point out that the National Communist Party headquarters in the United States, now located in the city of Chicago, continues to use the U.S. mails to spread its propaganda, its hatemongering type of literature, mailing it to people who have not requested it and who certainly do not want it. I should hope that the Members of this House will join with the gentleman from Nebraska in

joint sponsorship of his legislation so that what I believe to be a very sad situation may be corrected.

Mr. CUNNINGHAM. I thank the gentleman and should like to point out to him that the legislation I introduced today provides also that the U.S. mails should not be used to distribute Communist propaganda originating in this country and we know there are volumes of that type of propaganda that do originate in this country.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. CUNNINGHAM. I am delighted to yield to the distinguished gentleman from Ohio who has been very active in this field and who was, I believe, the first Member of this body to call attention to this serious situation.

Mr. BOW. I thank the gentleman.

I recall having raised this question of the free distribution of Communist propaganda in the mails of the United States, in view of the great deficit we have, and objected to it and called upon the Post Office Department to do something about it. I am delighted the gentleman from Nebraska has taken this step and has prepared legislation that will curb this noxious activity and stop this propaganda from flowing through the mail at the expense of the American taxpayer. The gentleman is to be congratulated. I assure him I intend not only to support his bill but to introduce similar legislation, because since the time I made the statement regarding this matter I have received mail from all over the United States raising the question: Why is not something done about it? I am delighted that the gentleman from Nebraska now has done something about it. I hope the gentleman will urge his committee to take action.

I am glad also the gentleman is raising the question of the distribution of propaganda throughout the United States initiating here in the United States. A few Congresses ago I introduced legislation to try to stop that. It seems to me a crime that they can send this material to libraries and schools all over the country, so that this goes out without indication that it is propaganda. I think we should make sure that when this propaganda goes out throughout the United States there is some way to identify it so when it gets into the libraries, the schools, or other areas, the people will know what they are reading. The gentleman knows as well as I do that this propaganda comes from the Communist countries behind the Iron Curtain and the Bamboo Curtain.

I appreciate very much the gentleman's taking this step. I assure him of my support, and will do everything I can to get other support for him.

Mr. CUNNINGHAM. I thank the gentleman. I know that with his support this legislation will have much easier sailing through the various steps that are necessary to its enactment.

Mr. BEERMANN. Mr. Speaker, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Nebraska.

Mr. BEERMANN. I also want to compliment my colleague from Nebraska. I know the many long hours of effort he has put into studying this problem.

A couple of days ago I received in the mail a magazine from a constituent in Nebraska. This magazine was mailed from Europe. It has pictures and articles. I did not see much of a subversive nature in it, but what I should like to ask the gentleman from Nebraska is, With this magazine being distributed in the United States, what reciprocity do the magazines of this country receive in being distributed in Europe?

Mr. CUNNINGHAM. What type of magazine was it?

Mr. BEERMANN. It was a picture magazine. It had articles and some good news in it. I think it cost my constituent either 7 or 9 cents to mail it from Nebraska to me in Washington, D.C. Do we have reciprocity in European countries in the distribution of magazines of that type?

Mr. CUNNINGHAM. That involves the very complicated Universal Postal Union, which it would take several hours to discuss in order for us all to understand it completely. But if the magazine came from Paris to the United States we would deliver it free, and if we sent a magazine from the United States to Paris they would deliver it free.

Mr. BEERMANN. A further point, then: Our U.S. mails, unless we stop this Communist propaganda, are helping communism in our country, making us softhearted. The very fact that we distribute it free through the mail is dangerous to ourselves.

Mr. CUNNINGHAM. If we would send similar information, which the Communists would call American propaganda, to Russia, they would not deliver it, so they are not living up to the Postal Union agreement themselves. This would not only be third-class matter, as they open first-, second-, and third-class matter and inspect it before they allow it to go on, if they do allow it to go on.

Mr. BEERMANN. I thank the gentleman. I assure him that I will support his legislation.

Mr. BOW. If the gentleman will yield further, on the question of the mail being delivered, perhaps the gentleman will recall that in Czechoslovakia, behind the Iron Curtain, when mail was received which had a stamp on it, they refused to deliver it because of the stamp that was on it from this country.

Mr. CUNNINGHAM. The gentleman is absolutely correct. I have a further statement here which I planned to present and call attention to that very act of the Communists in returning many of these letters to us that have that stamp on it.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Illinois.

Mr. COLLIER. I had intended to make the same observation, but pursuing the same matter, it has come to my attention on several occasions from constituents of mine who have written letters to relatives behind the Iron Curtain that in many instances, mail directed to their relatives there has never reached its destination, for what reason, of course, is often unexplainable, but I think most of us know why.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Minnesota.

Mr. JUDD. I too commend our distinguished colleague from Nebraska for having taken this step. It is really incredible that we should allow an avowed and powerful enemy to be pouring poisonous propaganda into the minds of our own youth. We would not allow any other country to be shipping in dangerous drugs or disease bacteria. We would not allow anybody to pour poison into our water supply. But here is our most important possession, the minds and attitudes of our youth, and out of some mistaken notion that by treating this avowed enemy as if it is a law-abiding nation, we will get reciprocal behavior in return, we allow that enemy to pour this poisonous material day after day into the untrained and uncritical minds of our youth.

Mr. Khrushchev has jarred many by his announcement that he is going to resume the testing of atomic bombs. But how has he achieved the great gains that he has made heretofore? It has not been with bombs. He has made those gains with words—lying words. He has been winning all around the world with lying words. And we not only let him send them in, we help pay the transportation of material which is most effective in weakening and dividing and confusing and undermining with the purpose of eventually subjugating our own people.

It is a long overdue action that the gentleman has taken. I hope today's pronouncement by Mr. Khrushchev after years of his having talked about disarmament, while we relaxed, may jar us into belatedly taking this and a lot of other steps that are also long overdue.

Mr. CUNNINGHAM. I thank my colleague from Minnesota. I am proud to say our colleague was born in the great State of Nebraska and received his medical education there. We all have the deepest respect for him, and I think his words of wisdom and encouragement certainly will mean much to all of us in this struggle to stop this inflow of insidious propaganda, which I again say is delivered free of charge by the U.S. postal system.

Recently an employee of the Bureau of Customs said such material printed abroad and destined for student groups in schools and colleges did indeed reach directly or indirectly every school and college in the United States. He further said that a spot check of the volume of Communist propaganda was made over a 12-month period in 1959.

The port of New Orleans alone counted over 300,000 packages of such Communist propaganda destined for schools and colleges in 1 year. From 5 to 15 separate pamphlets were contained in each package. The official also said that New Orleans was one of the lesser ports of entry from the standpoint of such material entering this country and that there were 40 other ports of entry to

this country—"Communist Training Operations," part 2, "Communist Activities and Propaganda Among Youth Groups," hearings before the Committee on Un-American Activities Committee, House of Representatives, 86th Congress, 2d session, February 2 and 3, 1960, U.S. Government Printing Office, page 1327.

INSPECTION PROGRAM CANCELED

As I have stated, since 1948 this propaganda material has been screened by the Customs Bureau at the ports of entry. But on March 17 of this year, the Kennedy administration canceled this inspection program. Why? This is the official answer from the Post Office Department:

The program had no intelligence value and it interfered with efforts to improve East-West relations.

Mr. Speaker, those are foolish reasons, in my opinion. In the first place I do not believe the program was designed for its intelligence value but to intercept unwanted and unsolicited Red propaganda material.

FLOODING THE COUNTRY

It is significant that the Deputy Director of Customs in the port of New York said in June that Communist propaganda is "really flooding this country" since the Kennedy administration order of March 17.

A veil of secrecy now surrounds the flow of this material into this country. No figures are available as to the amount of such material, although the Customs Bureau is checking over some figures it has "to determine their accuracy," my office was told yesterday.

The fact that this inspection or screening program might interfere with East-West relations and therefore must be ended must have given a big laugh to the Kremlin. Can anyone seriously believe that a nation or system which continuously sends out political propaganda into other nations—propaganda aimed at overthrow of the democratic form of government in those other nations—is sincerely interested in improving relations with those same nations?

I charge today that this is the grossest kind of ignorance of the true menace of the international Communist system. To allow the Communists free access to our mails in the hope that this will improve relations with them is stupidity.

IMPORTANT COMMUNIST TOOL

We must remember that the Communists are not devoted to winning by waging war or force of arms, but by revolution, boring from within, subversion, spying, all the things that are so repugnant to a free world. How can any thinking person conclude that we will improve East-West relations by giving the international Communist movement the right to send tons and hundreds of tons of propaganda flowing into this country, aimed especially at young people and minority groups. How can anyone seriously doubt that this propaganda is one of the major tools of the Soviets in their cold war for world domination?

Yet we are expected to believe that by aiding the Communists to propagandize persons in this country we will improve East-West relations. It is folly.

HOOVER STATEMENTS

J. Edgar Hoover, Director of the FBI, told a House Appropriations Subcommittee this spring:

The Communist Party, U.S.A., during the past year has stepped up its activities among the youth of our Nation. In addition to their youth work, the Communists devoted considerable effort toward infiltration of our industries and unions, in improving their agitation and propaganda machinery, in exploiting the prevailing international political climate in an effort to make Soviet policies more acceptable to American public opinion, and in rebuilding their influence among all segments of our society. (Hearings on H.R. 7371 (State, Justice, judiciary appropriation bill) before a subcommittee of the House Appropriations Committee, House of Representatives, 87th Cong., 1st sess., Mar. 6, 1961. U.S. Government Printing Office. (P. 423.))

Mr. Hoover says the Communists have worked to improve their propaganda machinery, and I believe we all recognize that Mr. Hoover knows what he is talking about. I cannot help but wonder how much this free flow of propaganda into this Nation has helped the Communists in their efforts to improve their propaganda machine.

Mr. Hoover also said:

The Soviet intelligence services have reorganized, multiplied their contacts with the American people, and have become aggressively bolder in spearheading their espionage offensive against the United States. The intelligence organizations of the satellite countries, carefully coordinated under Soviet leadership and control, have gained increasingly in experience and ability.

The current, widespread ramifications of the Soviet bloc espionage networks which today extend throughout the entire United States, have indicated a realistic need for a further tightening of our security on the homefront. While the Communists speak of peace, their intelligence setup is the most extensive in world history. (Ibid., p. 425.)

Mr. Hoover states that the Soviet intelligence setup is the most extensive in history, yet we expect to improve East-West relations.

EAST GERMAN PROPAGANDA

I would like to include now a typical example of the type of Communist political propaganda which is being sent into this country—unsolicited. This was received by a man in Michigan. It is a blatant appeal for support of the Russian and therefore automatically the East German position in regard to Berlin. It is an eight-page pamphlet entitled "Prevent War." The last page contains a map of East Germany which cannot be reproduced in the RECORD, but it shows Berlin within the East German puppet colony and a notation that it is "about 112 miles" from West Germany to Berlin.

The text of the pamphlet follows:

PREVENT WAR—ARGUMENTS AND MATERIAL ON THE QUESTION OF A PEACE TREATY WITH GERMANY AND A SOLUTION OF THE WEST BERLIN PROBLEM

DEAR READERS: On the front pages of your newspapers recently you found many reports dealing with the question of Germany and the problem of West Berlin. Both problems are being discussed in international political circles with great interest. This subject was dealt with in the talks between N. S. Khrushchev and President Kennedy in Vienna and in a Soviet memorandum to the U.S. Government. When this document was published, many opinions were expressed in both German States. Walter Ulbricht, Chairman of the GDR State Council, granted an interview to Mr. W. R. Hearst, chief editor and owner of the American Hearst press, and answered many journalists' questions at an international press conference in the presence of 350 journalists. Leading political bodies in the GDR, the State Council, the Ministers' Council, the National Council of the National Front of Democratic Germany and the Politbureau of the Central Committee of the Socialist Unity Party issued a joint statement which contained a proposal to the Government of the Federal Republic to take up negotiations in preparation for a peace treaty.

The Soviet Government made the first proposal for the preparation of a peace treaty with Germany as early as 1946. A draft of such a treaty was handed to the Western Powers in 1952. Unfortunately both they and the West German Government rejected this great chance.

In 1958, the Soviet Union submitted a new draft peace treaty for discussion. And now the time is more than ripe that such a peace treaty be concluded.

With this pamphlet please let us acquaint you a little more thoroughly with certain aspects of this problem.

A situation has arisen which represents a great danger to the peoples of Europe and to the whole world, as a result of the continued existence of problems left unsolved after the Second World War.

Thank you in advance for your attention.

THE GERMAN PEOPLE HAVE A RIGHT TO A PEACE TREATY

It was always a rule that at the end of a war a peace treaty was signed by the states concerned. This is customary, a usage of international law. It was more than 14 years ago that a peace treaty was signed with Italy and other states which fought on the side of Hitler Germany. The United States of America, Britain, and other countries concluded a peace treaty with Japan in 1951. But the governments of the same countries do not want to hear of a peace treaty with Germany.

"The Potsdam Agreement is and will remain our legal basis. The Western Powers have violated this legal basis. They created a separate West German currency. They actively helped to divide Germany. They pressed the Paris treaties upon the West German people. They accepted West Germany into NATO. In none of these cases were the Soviet Union, as partner in the Potsdam Agreement, or the German people consulted. We can no longer look on while rights and peace are jeopardized.

"A peace treaty would lay down our complete and unassailable sovereignty under international law. It would also be the legal basis for all agreements with the Western Powers, about which I already spoke, agreements on the basis of liberty and equality for large and small states alike.

"Such a final full-stop to the Second World War and the postwar period would in no way impede the reunification of Germany, but on the contrary create indispensable conditions for acquiring national unity." (From an interview granted to "Neues Deutschland" by Walter Ulbricht, Chairman of the GDR State Council.)

WHY JUST NOW?

"We make this urgent demand just now because month by month tension is increasing and the danger of serious conflicts becoming more acute as a result of nuclear armament and revanchist propaganda in West Germany. We simply want to prevent this development continuing until one day some provocation or other plunges Germany and the whole world into the greatest catastrophe of all, into a new war.

"We want to bring this dangerous development in West Germany to a timely halt. We want a peace treaty because it would give the guarantee that Germany could never again be responsible for starting another war. This is in the national interests of the German people as a whole, in the interests of the people of West Germany, naturally in the interests of the people of the German Democratic Republic and in the interests of all peoples." (From Walter Ulbricht's statement at the international press conference on June 15, 1961.)

THESE PATHS LEAD TO A PEACE TREATY

The best and most favorable way to normalize the situation in Germany would be as proposed by the Soviet Government memorandum and by the German Democratic Republic:

1. Both German Governments take up negotiations and reach agreement on questions concerning a peace agreement with Germany and the road to peaceful reunification.

Should these negotiations result in positive proposals by the German Democratic Republic and the Federal Republic, a peace conference of all those countries involved in the war against Hitler Germany could be convened without delay so that a uniform German peace treaty could be agreed upon and signed.

2. Another possibility is that a peace agreement is reached on the basis of two treaties. This would be a concession to those governments not prepared to conclude a uniform peace treaty with both German states. In this case the countries of the anti-Hitler coalition could sign a peace treaty with both, or one German state, as they think fit. The text of the treaties need not be identical but must at least be based upon the same principles in all major questions of a peace agreement.

3. Should, however, the Western Powers and the West German Government intend to let this question of a peaceful agreement with Germany drag on, should they continue to refuse to face reality and negotiate, the Soviet Union, and other countries prepared to do so, will sign a peace treaty with the German Democratic Republic.

NO DICTATION

"The representatives of political and social life as well as of the Government of the German Democratic Republic, from their joint session, submit to the Governments of the Union of Soviet Socialist Republics and the United States of America, to the governments of all states who are interested in a peaceful solution of the German problems, in particular to the Governments of the People's Republic of Poland, the Czechoslovak Socialist Republic, the United Kingdom of Great Britain, and the Republic of France, the recommendation that a peace conference be prepared without delay and that negotiations be commenced as a result of which the conclusion of a peace treaty with both German states can take place and on this basis, the West Berlin question be settled." (From the joint statement of German Democratic Republic political representatives.)

WHAT WOULD A PEACE TREATY MEAN?

A key to peace and reunification for Germany.

Complete sovereignty for the German people.

A stop to West German militarists and revanchists.

The prevention of nuclear armament.

Improving the chances of international disarmament agreement.

The normalization of the situation in West Berlin.

The normalization of relations between the peoples of Europe.

Security for all nations.

QUOTATIONS PROVE WEST GERMAN EXTREMISTS ARE FOLLOWING IN HITLER'S FOOTSTEPS

Bonn's Minister Seebohm: "We demand recovery of the areas of German settlement in the east." ("Sudetendeutsche Zeitung," June 7, 1961.)

Von Hassel, CDU Prime Minister in Schleswig-Holstein: "Our territorial demands go well beyond the Oder-Neisse frontier; we want back the areas which were formerly under German rule." (At a revanchist meeting of the Silesian "Landsmannschaft" organization, June 9 to 11, 1961.)

Konrad Adenauer: "The Bundeswehr needs atomic weapons. We cannot send our youth to war without atomic weapons." (June 11, 1961, at a revanchist meeting of the Silesian "Landsmannschaft" in Hanover.)

Bonn's Minister Lemmer: "I would prefer a real aggravation of the international dispute about Berlin to keeping the present situation as it is." (June 8, 1961, in Bad Godesberg.)

Hans Ehard, CSU Prime Minister of Bavaria: "The risk of war is at present the only key to the door of liberty which the West possesses." (At a revanchist meeting of the Silesian "Landsmannschaft" from June 9 to 11, 1961.)

A peace treaty would stop these extremists.

GERMANS IN EAST AND WEST SAY "YES" TO A PEACE TREATY

Erich Bäumlingen, salesman, Düsseldorf (West Germany): "The proposal that both German states should reach agreement on the problems of a peace treaty is the best way to solve the German question."

Oskar Adler, chairman of Shop Stewards Council, Karlsruhe (West Germany): "I believe that this would prevent the danger of war for years to come and that peaceful development would begin for the German workers and the whole German nation."

Kurt Werner, turner, motor works, Johannisthal (Socialist Berlin): "What we need is a final full stop to the last war. A peace treaty with Germany is really long overdue."

Willi Hunger, cooperative farmer, Prädikow (GDR): "We give our wholehearted support to the proposal that all interested governments should begin without delay on preparations for a peace conference to pave the way for a peace treaty and solution of the West Berlin question."

Prof. Norbert Aresin, director of the Leipzig University Women's Clinic: "It's high time that a peace treaty was concluded with both German states."

WEST BERLIN MUST BECOME A DEMILITARIZED FREE CITY

"We know of no Berlin problem. There is only a West Berlin problem. West Berlin is a part of a city in the center of the German Democratic Republic, it lies on German Democratic Republic territory and Bonn has not the slightest right to claim it. The West German Government has no right whatever in West Berlin.

"To put it more precisely, I would like to emphasize the following: After the conclusion of a peace treaty, life in West Berlin would no longer be influenced by occupation regimes, espionage centers, or special transmitters which organize the cold war, or by any other measures which could serve the purpose of preparing for another war. This means: West Berlin must not be used against the interests of the German Democratic Republic and other Socialist countries, or against the United States, England, France, the West German Federal Republic and other Western countries. West Berlin should have the status of a truly neutral city. This means: In connection with the conclusion of a peace treaty, the statute of occupation will cease to exist and West Berlin will obtain the status of a neutral, free city with secure international guarantees. The German Democratic Republic will strictly respect this status of neutrality. We think such a status will serve the interests of peace." (W. Ulbricht at the international press conference June 15, 1961.)

"It is our opinion that the time has now come for the four powers, but also both German states, to conduct serious negotiations on the principles of a peace treaty. We are prepared for such negotiations. Those who reject a peace treaty are obviously intent on disrupting peace and increasing the danger of war."

WALTER ULBRICHT.

Identical propaganda pamphlets were received by other persons in Michigan, and, I presume, in many other sections of the country.

Why do we deliver this material free of charge? It is because we have an agreement to do so, known as the Universal Postal Union. Under terms of the UPU agreements with foreign nations (not ratified by the U.S. Senate, incidentally) over 100 nations have agreed to carry mail received from foreign countries without any additional charge to the sender. This greatly simplifies the use of international mail, since the sender does not have to purchase stamps of a foreign nation in order to have that foreign nation's postal system deliver a letter.

U.S. MAIL INTO THE TRASH

I wonder if the United States is engaged in a similar propaganda campaign as the Soviet Union and its captive satellites. If so, does anyone sitting here today believe that the Soviet Union is delivering such American propaganda to Russian citizens? Does anyone have any doubt that not only does American propaganda go into the trash but that any magazine, newspaper, pamphlet or other material which contains a true statement of facts in regard to international issues also goes into the trash basket? Can anyone doubt that the Russians are intercepting not only propaganda mail—if we send any—but also all letters of a personal or business nature before they are delivered? Russia is a dictatorship. Individual rights are nonexistent. There can be little doubt, based on known facts, that Russia not only intercepts all mail sent from the free world to its citizens, but destroys mail without even notifying the sender.

Many Members will recall the "Champions of Liberty" series of commemorative stamps issued by the U.S. Post Office Department from 1957 through this year. One of these stamps honored the great Czech patriot, Thomas Masaryk. Of course, as the Communists have rewritten Czech history, he is not a patriot, but a counterrevolutionary or some such thing. But he is regarded in the free world as a hero of the Czech people, and so this Nation honored him with a postage stamp.

The extent to which Communists go to prevent their captive colonies and the captive people in them from knowing the truth and learning about free world activities can be easily illustrated by the action the Communists took in regard to this stamp. They sent back undelivered many of the envelopes bearing the Masaryk stamp. On some the stamp had

been obliterated. Thus do the Communists honor their international commitments under the Universal Postal Union.

BOW SUGGESTION

This matter is disturbing to many Americans. Our colleague, the gentleman from Ohio [Mr. Bow] has called on the President to announce to the Universal Postal Union that we will no longer honor the reciprocal agreement with nations that misuse the mails for propaganda, nor with any nation that censors or refuses to deliver mail dispatched from the United States. An excellent suggestion, but it has apparently fallen on deaf ears.

The honored chairman of the House Un-American Activities Committee [Mr. WALTER] and the ranking minority member of the committee [Mr. SCHERER] have both called attention to this problem. They have also introduced legislation aimed at another part of this problem, the labeling of such material. I heartily endorse their approach also.

I think it is time that we all realize that by delaying action we help the Communist purpose. As long as we do not act, they will take advantage of the Universal Postal Union and the lack of inspection by United States officials. They have nothing to lose and everything to gain in their battle of subversion, propaganda, and revolution.

Under leave to extend my remarks, I now include an article by Roscoe Drummond entitled, "Propaganda War—Moscow and the Mails.". This article appeared July 15, 1961, in many papers around the country.

PROPAGANDA WAR: MOSCOW AND THE MAILS

(By Roscoe Drummond)

Must the Government and the people of the United States supinely accept a mounting mass of Soviet and Chinese Communist propaganda—and do nothing to protect ourselves?

I am not talking about censoring the news or shielding ourselves from the fullest knowledge of the actions and declarations of the Communist government officials. We need to know what the adversary is saying, about us, to us, and against us.

But does a free society have to leave itself totally exposed to an unending brainwashing of foreign Communist propaganda—mostly concealed in its origin, subtle, purposeful—directed primarily at young Americans, at college students, at the millions of Eastern European emigrants who are just beginning to put their roots down in American democracy?

This propaganda barrage is now being intensified. The Deputy Collector of Customs in New York estimates that the inflow of Communist material increased fully 137 percent during the past 12 months. The total volume of known Communist propaganda coming into the United States in 1960 was more than 14 million packages, as against 6 million in 1959.

Dr. Bela Fabian, who has fought tyranny his whole life and is now chairman of the Federation of Former Hungarian Political Prisoners, points out that the Soviets are now making a special drive to get at Ukrainian, Hungarian, and other Eastern European exiles in the United States. They hunt down names and addresses and then flood them with unsolicited propaganda attacking the United States as "imperialist," "war mongering," and "colonialist."

This tide of propaganda from behind the Iron Curtain is mounting, not receding. It is reaching saturation proportions.

Do we have to stand helplessly by and let it come?

Why should we?

Bear in mind that the avowed tactic of the Communists is to try to maintain on the surface normal diplomatic relations with non-Communist governments and behind the scenes to work for their destruction. Since the Communists are dedicated to destroying every non-Communist government, why should we put into their hands any tool to help them do it?

I offer this basic principle to decide how we should deal with unsolicited Communist propaganda: All courtesies and all facilities exchanged between the United States and any Communist government should be reciprocal.

This means that American diplomats must have the right to travel as freely in the Soviet Union as Soviet diplomats travel in the United States. Freedom of travel must be reciprocal. This we require.

This means that American propaganda must have the right to flow as freely into and throughout the Soviet Union as Soviet propaganda can flow into and throughout the United States. Freedom of propaganda must be reciprocal—or Communist propaganda will be stopped at ports of entry.

I do not mean that solicited Communist material should not be receivable. It should be. That is an American's right. But the U.S. Post Office ought not to have to work for Moscow and Peiping delivering unsolicited and unwanted Communist propaganda.

I now wish to call your attention to another use of the mails by the Communists which shows the lengths to which these demons will go in trying to threaten refugees who have reached this country from behind the Iron Curtain. This story appeared in the Washington Post May 29, 1961. It is entitled "Reds Use Mails To Lure Exiles Back to Homes."

Communist Hungary is using a new American mailing privilege to send persons of Hungarian origin here a gentle bid to "set their citizenship in order" and visit their homeland.

Refugees consider it a deceitful effort to lure unsophisticated or homesick Hungarians back to Hungary, where their prospects of departure are cloudy.

The pitch is in an attractive tabloid, Hungary News, which an uncounted number of Hungarians—American citizens and resident aliens—have received unsolicited by regular or registered mail since March.

The dike was opened then by a Presidential order that the Post Office Department stop impounding Communist propaganda carried in the mail from abroad.

In one issue, dated April 15, "Hungarians abroad" are told they have until December 31 to apply to the closest Hungarian legation for a special Hungarian passport. A legation spokesman here said it knows nothing of the matter.

Another article is directed to "the more than 100,000 native sons" who left the country since 1956 (the year of the Hungarian revolution). They should be allowed to have Hungarian citizenship and visit their homeland, the article says.

Hungarian law provides for dual citizenship and whether a Hungarian enters the land as an alien (American) or a national he is perilously subject to Hungarian law, a freedom fighter here pointed out yesterday.

A State Department aid noted that American citizenship is lost by the person who takes up another and that resident aliens jeopardize their chances for American citizenship by breaking the 5-year continuous residence requirement.

Many Americans naturalized before World War II visit their native Hungary as tourists without incident, he said, and Hungarians who came here since then are generally discouraged—though not prevented—from making the trip.

As long as the volume and impact of Hungary news remains as small as it appears to the State Department, no action will be taken, he said, remarking that there's always the waste basket. The Post Office Department said its hands are tied.

I include now an article by Lawrence Sullivan which appeared in the periodical "Christian Economics" on March 21, 1961. This is entitled, "Postal Subsidy for Moscow Propaganda." This and the other articles I am including are but a few of the many articles written on this subject which have aroused many Americans to this problem. I commend each of these authors for their work in this field:

POSTAL SUBSIDY FOR MOSCOW PROPAGANDA

(By Lawrence Sullivan)

High school and college students throughout the United States are richly supplied with Communist youth literature which is delivered free of charge by the U.S. Post Office.

This report, from the House Committee on Un-American Activities, has alerted educators once more to the tide of evermore aggressive student leadership in pro-Communist demonstrations throughout the country.

When Moscow determines upon a new propaganda drive aimed at U.S. students it ships over its "educational literature" in ton lots to U.S. ports of entry, already addressed individually. Uncle Sam then distributes the Moscow periodicals free anywhere in the 50 States and the territories.

"Every school and college in the United States is directly or indirectly the recipient of some of these Communist propaganda publications," the committee's report said. ("Communist Training Operations," pt. 2; GPO, Washington, Oct. 12, 1960, p. 1327.)

Our own Bureau of Customs made a 12-month spot check of Moscow's training literature through New Orleans. It counted "at least 300,000 packages of Communist propaganda destined to schools and colleges in the United States."

Each package contained 5 to 15 different publications on youth leadership for communism.

"New Orleans is one of the lesser ports of entry from the standpoint of Communist propaganda. A heavier volume of this material is coming into the United States via approximately 40 other ports of entry."

The endless lists of U.S. students are compiled and addressed through the World Federation of Democratic Youth, a pro-Communist transmission-belt organization in London; and by the International Union of Students in Prague, Czechoslovakia.

"Both of these major international Communist-controlled youth organizations publish at least 40 periodicals, which are disseminated regularly in schools and colleges. None of these publications bears labeling as Communist propaganda, in accordance with requirements of the Foreign Agents Registration Act."

In 1 recent year 7 million pieces of such Communist literature were cleared through New York, and tons more through San Francisco, Seattle, Baltimore, Los Angeles, Philadelphia, Boston, and New Orleans. Every Russian, Polish, or Czech ship touching a U.S. port brings its quota of Red educational literature for domestic free mailing. During 1 week last year the San Francisco post office cleared 17½ tons of postage-free Red propaganda to U.S. addresses.

"It is frustrating and disappointing to see the sanctity of the mails abused," said Chief Postal Inspector David H. Stephens before the House Appropriations Committee. "In

this country we are governed largely by the sanctity of the seal of mails, a tradition which has served us well, and I would hate to see it weakened."

Congressman FRANK T. BOW, Republican, of Ohio, a ranking member of the Appropriations Committee, disagrees:

"No other country in the free world permits Moscow's propaganda to be delivered at the expense of its own taxpayers," said Congressman Bow. "Many countries refuse to let such subversive material in under any circumstances. Instead of increasing postage rates at home, why not start on budget balancing in the Post Office by refusing to distribute this Communist propaganda free of charge?"

In a few cases, when non-Communist ships are available, foreign postage pays for fetching the Russian literature to our ports of entry. But at shipside United States of America the mail is handed over to the U.S. Post Office. The entire cost of distribution and delivery to any address in the United States, Puerto Rico, the Virgin Islands, or Guam, is borne by the U.S. Post Office.

"This propaganda is unsolicited," Congressman Bow continued. "Much of it is addressed to colleges and student groups throughout the United States. Under the Foreign Agents Registration Act all of this stuff is supposed to be labeled 'political propaganda,' but none of it is.

"The only way to discover propaganda is to open the literature and study it for subversive content. Of course, if the Russian packets are never opened, there would be no way to determine the content to be 'political propaganda.' "

Not even first-class mail from the United States to Russia is delivered without being opened and examined in Moscow. Every piece of mail is read carefully for content. That which is approved is forwarded to the addressee. That which is not deemed in the Russian national interest is thrown into the trash. The U.S. mailer is not even notified that his mail will not be delivered. Much of the pen-pal mail sent by American youths to Russian teenagers under the Washington-Moscow cultural exchange agreement is never delivered in Russia, but all Russian letters are delivered here.

Our U.S. law extends to Communist countries free second-class mailing privileges anywhere in our national territory. Section 226, title 39 of the United States Code provides these preferential postage rates "* * * for the dissemination of information of a public character, or devoted to literature, the sciences, arts, or some special industry."

Never has any U.S. Government agency compiled for Congress a statement showing the total annual tonnage of incoming Communist propaganda distributed free or even an official guess of the total cost of this subsidy to the Kremlin's special industry mail.

"Does not commonsense dictate the complete elimination of all postal subsidies for Communist propaganda before American readers are taxed further for their own daily, weekly, or monthly publication?" Congressman Bow asks.

"I think the flow of propaganda material into this country is a very serious matter, indeed," said Chief Postal Inspector David H. Stephens before the Appropriations Committee (p. 162). "I am sure you know that the Government is limited as to what it can do to combat this influence with respect to denying use of the mails to the senders of this material. * * *"

The Supreme Court has ruled in several controlling cases that the doctrine of "clear and present danger" from Red propaganda does not apply to mere advocacy of Communist principles, but applies only when specific overt acts of sabotage, subversion, or revolution are at hand to offer "a clear and present danger" to the national security.

Congressman JOHN R. PILLION, of Lackawanna, N.Y., pressed Inspector Stephens on the matter of incoming Red propaganda.

"Actually, if you had a great bundle of propaganda, no matter how vicious, coming from Red China or Moscow, and if I were to receive it in New York City or San Francisco and you attempted to investigate it, under the Supreme Court decision would you say you have the power to take that propaganda material away from me?"

Inspector Stephens answered: "I would say in this country, 'No' " (p. 164).

"So when we talk about using our law enforcement machinery to stop Communist propaganda, you are helpless, and your hands are tied completely under the decisions of the Supreme Court today; is that correct?"

"That is correct," replied Chief Inspector Stephens, "and I might say that living with it from day to day is a very frustrating experience."

"Could this situation be corrected by legislation?" queried Congressman OTTO E. PASSMAN, of Monroe, La., "or would it require a constitutional amendment to offset these rulings of the Supreme Court in order to give you power to seize this Communist propaganda?"

This urgent question is now under crash study, both in the General Counsel's Office in the Post Office, and by constitutional experts in the House and Senate.

Meanwhile, the Kremlin's youth-training literature continues to flow inward daily by the ton.

At the same time the United States, through its U.S. Information Agency, is spending an average of $110 million a year the world around in news, radio, library, and TV operations calculated to defeat Moscow's unrelenting propaganda drive against freedom.

And finally, Mr. Speaker, I wish to include the full text of a statement entitled, "Statement by the General Counsel of the Post Office Department Concerning Communist and Other Foreign Political and Cultural Publications." It is dated June 8, 1961:

This statement is designed to answer some questions asked of postal officials concerning the flow of foreign, and particularly Communist, political publications in the United States through the mails.

RECENT HISTORY

A program for screening these types of publications was established during World War II, following an interpretation by the Attorney General, in 1940, of the Foreign Agents Registration Act of 1938. At that time, the program was concerned primarily with Nazi propaganda. In 1948, the emphasis shifted to Communist propaganda, but the detention of such material under the screening program did not apply to periodicals ordered by libraries, universities, political scientists, or individuals, who had formally notified the Post Office Department that they had ordered the publications. In 1958, the policy was amended with regard to individual addresses who, thereafter, were asked whether they wanted the publications; if they did, the literature was delivered to them.

The program gave rise to sharp controversy and, on June 29, 1960, a committee of the Planning Board of the National Security Council reviewed this matter and recommended that the program be discontinued. The recommendation was accepted by the Planning Board, but was not carried forward.

PRESENT STATUS

The Government's policies regarding this matter were carefully considered by President Kennedy, the Secretary of State, the Secretary of the Treasury, the Attorney General and the Postmaster General. They concluded that the program had no intelligence value and that it interfered with efforts to improve East-West relations. On March 17, 1961, the President ordered the program discontinued.

The President's decision in no way affected the method of handling publications addressed to libraries, universities, and the like, which have been receiving them all along. The only effect of the decision is that such mail is no longer detained nor is the addressee asked whether he wants it. The President's decision did not permit the mails to be used to carry literature which could not use the mails before, nor will it interfere with the Post Office Department's or Bureau of Customs' efforts to keep pornographic material from entering this country from abroad.

The Universal Postal Union Conventions which encompass 102 nations, including the Iron Curtain countries, provide that surface mail with proper postage sent from one member country to another be delivered without charge. Under this arrangement, member nations transport and deliver mail which the U.S. postal service sends to them. In exchange, this country transports and delivers mail sent from foreign countries to residents of the United States.

The most recent Post Office Department figures show that during fiscal 1960, 95 million pounds of printed matter were dispatched from the United States, and approximately 68 million pounds of printed matter were received in the United States through the mail.

The Department in this statement apparently tries to indicate that this program of inspection would have been stopped by the previous administration if it had found time before the New Frontier took control.

It is obvious that the Eisenhower administration did not intend to act on this matter. It was under study, as are thousands of questions involving national policy. It is obvious that there was no inclination by the Eisenhower administration to discontinue the program because it was in power nearly 6 months after a recommendation by a committee of the Planning Board of the National Security Council, which seems like a relatively low-level recommendation anyway. And during these 6 months, no order was issued from the White House curtailing this inspection and screening program in any way.

It remained for the New Frontier to let down the bars to this Communist propaganda.

Mr. Speaker, there is a great deal of information about this subject which is not available. We need to know much more about the size of this problem, the operation of the Universal Postal Union, experience of other countries with this matter, and related information.

Accordingly the Postal Operations Subcommittee of the House of Representatives, of which I am the ranking minority member, will very likely hold complete hearings on this subject in the near future. I have discussed this matter with both the subcommittee chairman, the gentlewoman from Pennsylvania [Mrs. GRANAHAN] and chairman of the Post Office and Civil Service Committee, the gentleman from Tennessee [Mr. MURRAY]. They agree that this subject needs additional and intensive study, and I am confident that our subcommittee hearings will provide the answers we need in this field.

THE ATTEMPT TO PLACE THE ENVIRONMENTAL HEALTH CENTER IN ROCKVILLE: A CASE STUDY IN HOW TO OVERCROWD METROPOLITAN WASHINGTON

The SPEAKER pro tempore (Mr. MILLS). Under previous order of the House, the gentleman from Wisconsin [Mr. REUSS] is recognized for 40 minutes.

Mr. REUSS. Mr. Speaker, this summer I have repeatedly been pointing out the need for some rational arrangement for deciding where to put future additions to the Federal establishment—in Washington or in the hinterland—CONGRESSIONAL RECORD, July 17, 1961, pages 12734–12738; CONGRESSIONAL RECORD, July 19, 1961, pages 12934–12935; CONGRESSIONAL RECORD, August 29, 1961, pages 17443–17444.

If we planlessly gratify the wishes of any Federal agency that decides it would like to expand in Washington, we are going to produce a population in the Washington metropolitan area that will be impossible to handle. Water supply, sanitation, traffic, the provision of open space—all will break down if we simply allow nature to take its course and Washington's population in the next generation to explode from its present 2 to 5 million.

SAVING THE NATION'S CAPITAL

If we will intelligently plan the future of the Federal establishment in the Washington metropolitan area—which controls the area's total population—we can limit future growth by the year 2000 to something like 4 million rather than 5 million. If we can do that, we can find the water we need without ruining the Potomac; we can dispose of our wastes in a civilized manner; we can prevent our traffic from strangling us; and we can preserve some open spaces to keep the Nation's Capital unique and beautiful.

What is needed, though, is thoughtful planning, on a truly national scale, of how much of the expanding Federal Government shall be plunked down in Washington, and how much shall be located elsewhere in the country. H.R. 8248, introduced by me on July 19, would set up a Government-wide policy of decentralization, under a Director of Relocation and Decentralization Planning in the Office of the President. His duty would be to establish criteria for determining what functions should best be carried out in the Washington area, and what in alternative areas, and for applying those criteria to specific proposals for locating Federal agencies. The Director is to take into account all relevant factors, including the need to protect and prepare the Nation's Capital, new methods of communication, the possibility of liaison offices in Washington, greater efficiency through decentralization, ability of the alternative location to take care of Government personnel, and the needs of such cities for additional employment opportunities.

THE ENVIRONMENTAL HEALTH CENTER

The need for some such guidelines as would be provided by H.R. 8248 has been demonstrated time and again. The location of new facilities, as between Washington and the rest of the country, has been dependent largely on the self-centered whim of the agency concerned, with only such check as the Appropriations Committees of Congress—themselves without any firm guidelines as to location—are able to give.

Mr. HECHLER. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from West Virginia.

Mr. HECHLER. Mr. Speaker, the gentleman from Wisconsin is making a powerful argument, I believe, for which I commend him. And, I am pleased to note that this argument has received a good deal of attention lately since he first began to make it. I would like to ask the gentleman this question: Is it not true that it would also help solve some of our distressed area problems if Federal agencies were decentralized to areas like West Virginia? In the State of West Virginia, not only is land relatively cheap but locations are very accessible to the population centers and transportation is excellent. In addition to that, decentralization would make a big dent in our unemployment picture in those areas.

Mr. REUSS. I would certainly agree with the gentleman from West Virginia that if we had a sensible policy of decentralizing from Washington those parts of the Federal establishment which are not policymaking, and hence do not need to be here, we could do a great deal for areas of the country which have persistent unemployment problems. More than that, even as to areas which are spared some of the extremes of unemployment, which, for example, West Virginia has, could by a thoughtful and sensible policy of redistributing some of the nonpolicymaking functions of the Federal Government immeasurably add to the cultural opportunities which a modern community ought to have. If, for example, some of the 3 million people who, if we do nothing, are going to be dumped into the metropolitan area of Washington in the next generation, could be given a chance to work for the Federal Government in 50 or 100 other locations throughout the country, think what that would do for local cultural activities, for supporting a bookstore, for helping to get a local symphony started, for enabling art institutions to come into being. So, it is not only important for our communities from coast to coast to have some part of our Federal establishment from the standpoint of combating unemployment. It is almost equally important that our Federal establishment be shared broadly in order to promote the contribution to culture which Federal employment can give to any community.

Mr. HECHLER. Mr. Speaker, will the gentleman yield further?

Mr. REUSS. I yield to the able and perceptive gentleman from West Virginia.

Mr. HECHLER. Is there any reason why agencies like the Fish and Wildlife Service, the National Park Service, or the Forest Service could not be moved to a State like West Virginia? These activities are clearly related to the resources and potentialities of West Virginia.

Mr. REUSS. Before answering that question, let me make it very clear that I am not suggesting that I am competent to make location decisions, and I am sure the gentleman from West Virginia is not suggesting he would do it either. But I would certainly say that agencies such as the gentleman has mentioned, the Fish and Wildlife Service and the National Park Service or the Forest Service could do a much more effective job if the great bulk of their operation were shifted close to those portions of the country where their work occurs. That certainly would be true of those named, and indeed of half a hundred other Federal agencies.

During the Second World War, 42,000 Federal employees were taken out of Washington and decentralized to some 45 communities around the country, and while many of them trickled back after the war, when Congress back was turned, the general experience was salutary. They did an excellent job out in the rest of the country. I think the gentleman's point is well taken.

Mr. HECHLER. I thank the gentleman for his kind and sympathetic remarks with relation to the State of West Virginia.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield.

Mr. JONES of Missouri. I want to congratulate the gentleman on his effort to try to bring about decentralization. I would like to know what in the gentleman's opinion was the thing that caused these people to be brought back here after it has been successfully proven that they could operate efficiently out in the field, so to speak? And I am referring to the Farm Credit Administration, the REA, and other agencies which were decentralized. How did they happen to get back? Can the gentleman answer that?

Mr. REUSS. That is a very curious story in our national history, and I set it forth with considerable documentation in a speech I made on the 17th of July of this year, which will be found at page 12734 of the CONGRESSIONAL RECORD.

Mr. JONES of Missouri. I do not want to take the gentleman's time needlessly; I will read it.

Mr. REUSS. What happened was that these agencies packed up and left the cities where they were, and got established back here, and told Congress about it later on. It was not a very edifying picture in executive-legislative relations had there been then, in the years 1946 and 1947 when this was happening, a strong policy in the executive branch of seeing that our location of the Federal establishment followed rational lines, this might not have happened, and we would not have been faced with this tremendous population expansion that is taking place in the Metropolitan Washington area.

Mr. JONES of Missouri. I would like to ask the gentleman what he thinks about a theory I have entertained after some observation and study, although not as much study as has been given it by the gentleman from Wisconsin, but after some observation it has been my theory that the only way we are going to get this

decentralization is to bring about a discontinuation and a refusal to expand the building program in the city of Washington so everyone will know that our Government is not going to continue to expand in the metropolitan area. If Congress will refuse to give its approval and will refuse to appropriate money for the building of more buildings here in Washington, D.C., we can turn that expansion out into other areas of this Nation. What does the gentleman think of that suggestion?

Mr. REUSS. I think the world of the suggestion that we should not accord everything into the Washington area.

Mr. JONES of Missouri. I hope the gentleman will help us bring this about.

Mr. REUSS. I have introduced a bill, H.R. 8248, which is pending before the House Committee on Government Operations. This bill is designed to bring some order into the location and relocation of Government offices.

Mr. JONES of Missouri. I mean the environment.

Mr. REUSS. Yes, it includes the whole metropolitan area. In connection with this problem, I am going to include a case history of a current attempt to set down the Environmental Health Center at Rockville, Md., which I think will be an example of just how not to locate governmental agencies.

I thank the gentleman.

Mr. JONES of Missouri. I will be glad to cooperate with the gentleman, and I wish him great success in his efforts.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Illinois.

Mr. COLLIER. While I do not know how the adoption of any plan or program of this nature would affect the folks who live in Washington, I respectfully submit that there probably are many constituents of many Members of this House who would not look upon this with great favor. I say that because at the present time we have about 31 Federal agencies strewn across the face of the city of Chicago. Bureaucracy being what it is, when some poor constituent has a problem, he is sent from one agency to the other, from the north side to the south side. Ultimately, in many instances he does arrive at the agency where his problem can be handled. The decentralization, if this is going to spread beyond the confines of Washington, I repeat, might not sit too well with some of the constituents who have problems with the multiplying agencies and commissions of the Federal Government. At least they could be put in one area where, as they are sent from one place to another, they would not have so far to go.

Mr. REUSS. Let me say to the gentleman, I certainly do not contemplate scattering to the winds the kind of Federal agencies where the public needs to maintain daily contact. I would also envisage there would be in Washington a sufficient echelon of any agency to fully handle the problems of the public who come to Washington and require direct contact with a Federal agency.

What I am suggesting is that it should not be necessary that the entire Federal establishment be concentrated here in the lovely but topographically limited valley of the Potomac, or we are going to have in a few years a Washington to which visitors may come with no hope of enjoying the ancient Capital as Jefferson, Lincoln, and generations gone by knew it.

Mr. COLLIER. Is it the idea of the gentleman from Wisconsin that in the decentralization of the facilities of many agencies of Government some of the existing facilities be closed or be replaced with facilities outside of their present location?

Mr. REUSS. I am suggesting that somewhere in the executive branch there ought to be an informed public official whose job it is to look at the total Federal establishment, future and present, and decide where, in the public interest and in the interest of maintaining the Nation's Capital that will continue to have the charm which Washington has always had, a given installation shall be located.

Mr. COLLIER. I commend the gentleman, but I think this is probably a case of having let all of the tentacles grow before we start cutting any of them off. Maybe we should have cut some of the tentacles of this rapidly mushrooming growth of the Federal Government some years ago and perhaps they would have a type of planning as the expansion continues on and on its merry way.

Mr. REUSS. I hope that before the mushroom grows any more tentacles, we will be able to plan its growth a little more rationally.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Ohio.

Mr. HAYS. I will say to the gentleman his idea, of course, has a great deal of merit from a utopian standpoint, but from a practical standpoint it will not work very well. The gentleman said he would keep an echelon of people here which would be available to anyone who might come to Washington. That is exactly what is hapening in all these regional bureaus. We have a regional department, a three-State region of a Post Office Department, out in Ohio. But it slows down the business of the Post Office in the time it takes mail to go to Cincinnati, then back to Washington to get a decision.

If I had my way, they would close the whole thing and put it here in Washington where you could get action; instead of a couple of weeks, perhaps, within a couple of days.

The gentleman also talked about the buildings here, and talked about not building any more buildings. I am for building more buildings, because that is the only way of getting rid of the slums in town. I am talking about the tempos. The only way we can get rid of them is to get the people out of them, and build something in its place which is fit for the tourists to look at.

Mr. REUSS. I would say to the gentleman that of course I favor the provision of adequate and beautiful buildings in Washington, now and in the future. Indeed, under my view, in the next generation we are going to have to construct many more buildings in the Washington metropolitan area for the Federal establishment. My only point is that it is high time that someone should put his mind on the question of whether every Federal agency needs to have everything in Washington, or whether it is not possible that there be some sensible decentralization.

Let me give the gentleman from Ohio [Mr. HAYS] another example of an agency which I think handles the problem rather well. The Tennessee Valley Authority has 14,783 employees. Of these, 14,778 are in the Tennessee Valley. Five constitute a central Washington office for anyone who comes to the Nation's Capital and has business with the TVA, or for any other governmental agency that wants to do business with the TVA. I am not suggesting that this pattern will work for all agencies. I do suggest that it is possible to take a rational overview of where things belong and then put them there, rather than to do what we now do, which is to leave it entirely to the empire-building whims of the Washington agency concerned which, of course, wants to have everything in the Washington metropolitan complex. If we keep on with that, the gentleman from Ohio, who I know will be here for at least a generation to come, is going to find it increasingly difficult to get into town in the morning.

Mr. HAYS. If the gentleman will yield further, I thank the gentleman for his confidence, but that is just the reason I will not be here for a generation to come. I would think that the gentleman's study and his concern—and I think it is a proper concern—would reflect that, perhaps, a good deal of emphasis ought to be put on how do we get people who are now in Washington from where they live into town? I think the whole problem here—not only here but in New York, Chicago, Cleveland, and in many cities—is a complete strangulation of the city by thousands and tens of thousands of automobiles.

Mr. REUSS. The gentleman from Ohio is so right. Whatever happens with the population explosion of Metropolitan Washington in the next 30 years, we are going to have to move much more aggressively to solve our problems of automobile travel, of rapid transit, of water supply, of waste disposal, and the provision of green space. What I am suggesting is that we ought to make it possible for our planners, who are now working very diligently on these problems, to solve them. As it is now, where we say "Let anybody plunk down whatever he wants right in the Washington area," we are making it impossible for them to solve these problems.

Mr. MONAGAN. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Connecticut.

Mr. MONAGAN. I certainly agree with the thesis of the gentleman from Wisconsin.

Incidentally, I think the gentleman from Ohio [Mr. HAYS] has made a very excellent point, and which was a fine analogy for the point that the gentleman is trying to make. In that connection I recall the article that Louis

Mumford has written in the New Yorker magazine that in the Park Avenue section of New York, against all the dictates of reason and good sense, they are piling people on people, and straining the transportation, the eating facilities, and all other facilities of this area.

I think in the governmental field a similar thing may well happen here. We have the unit that is known as a metropolis; now we are going into megalopolis. I think the gentleman is really looking ahead and trying to prevent that from happening in the Washington area.

I think from the point of view of strategic considerations, efficiency of operation, aesthetic consideration, something of this sort should be done. And the very example which I understand the gentleman is going to go into at more length in Rockville, it seems to me, proves that to some degree at least there could be a decentralization and, like the gentleman from West Virginia, I should hope that the Government may consider in decentralizing placing some of these facilities, research laboratories and other facilities of that sort, in sections like my own, which is a depressed area, to provide jobs and to bring in citizens of a high type to this particular section.

I might say to the gentleman that the President earlier in the year issued an Executive order in which he asked Government departments, or directed them, to give consideration to this very question in allocating of new governmental facilities. I think that is a consideration the gentleman might well have in mind.

Mr. REUSS. I thank the gentleman, particularly for mention of the distinguished American planner and urbanist, Lewis Mumford. I am very proud to have received a letter from Lewis Mumford a few days ago in connection with the bill, H.R. 8248, which I have introduced, in which he endorses the principle of the bill, and suggests that Washington must indeed, if it is to survive as the Nation's capital of beauty and utility, consider this problem of decentralization that we are talking about.

Mr. MONAGAN. Mr. Speaker, I might say to the gentleman that I have introduced a bill that touches on this same situation that the President's Executive order did. It would require Government departments to consider the possibility of locating new facilities and new processes in areas which are in economic difficulty.

Mr. REUSS. Mr. Speaker, a recent case history of an inadequately planned location is the Environmental Health Center—EHC—the service now of Health, Education, and Welfare. I shall attempt to lead you by the hand through its tangled chronology.

The EHC will conduct research into the pressing problems of water pollution by sewage, chemicals, and other wastes, air pollution by automobile exhaust fumes, radiological health, industrial noise, milk sanitation, agricultural pesticides, and similar matters. It has been estimated by the administration to cost $70 million, to need 4,500 employees, and to require more than 1,000 acres—some 690 acres immediately.

Here is the story of how it was decided to erect the EHC, 20 miles out of Washington, in Rockville, Md.:

THE DECISION TO BUILD—SOMEWHERE

First. The Congress, in 1959, decided in general terms that an EHC was needed.

The Committee on Appropriations of the House of Representatives, in its April 1959 report requested "that the Public Health Service make a thorough study of the environmental health problems and the most efficient organization of our facilities to meet these needs, and have a report prepared * * * by 1960 * * * so that the committee may have an opportunity to study it before holding hearings on the 1961 budget."

SEVEN HUNDRED AND EIGHTY-FIVE THOUSAND DOLLARS TO DEVELOP PLANS

Second. During the hearings on the fiscal 1961 budget, HEW told the Congress that it wished to get started on an EHC, and requested $785,000 to develop plans for an EHC as an expansion of the existing Sanitary Engineering Center in Cincinnati, Ohio. On February 16, 1960, Mark D. Hollis, Assistant Chief, Bureau of State Services, Public Health Service, told the House Appropriations Committee:

Since it would be expensive and time consuming to build up individual centers with all of these supporting scientific disciplines and central research services needed, it is proposed to develop an Environmental Health Center which can bring to bear a centralized focus of all the scientific disciplines on the problems of the evaluation of the health effects of the various environmental hazards.

Consequently, it is proposed to establish a coordinated facility * * * Cincinnati, Ohio, offers a favorable general location where ample land already under Government ownership is available. The Sanitary Engineering Center, located on a 21-acre Government-owned tract, could serve as the nucleus for this development. It is estimated that approximately 250,000 square feet of net assignable space is needed for this purpose, with construction cost of about $19 million. In 1961 $785,000 is requested for developing plans for this Environmental Health Center, including designs and drawings (1961 House appropriations hearings, Public Health Service, p. 202).

The Appropriations Act, containing the $785,000 appropriation for planning the EHC, became law in September 1960. Congress, in effect, was directing the establishment of an EHC, presumably in Cincinnati.

MEANWHILE, BACK AT THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Third. Meanwhile, the Department of Health, Education, and Welfare seemed to be having a change of heart on the Cincinnati location. The final report of the Study Group on Mission and Organization of the Public Health Service, HEW, was made on June 7, 1960. The study group was set up by the Surgeon General on December 29, 1959, and was composed of 12 staff members of the Public Health Service. On pages 28–29 of this 66-page report are given the recommendations concerning environmental health:

Public recognition of the urgency of environmental health problems will undoubtedly place increasing responsibilities on the Public Health Service. It is essential that the new organization for environmental health be flexible and, especially in the years immediately ahead, that it provide a broad and firmly coordinated approach.

Many of the operations of the new bureau must be carried out in the field where the problems exist. Hence the development of various field centers can be anticipated to conduct types of research, provide technical assistance to State and local agencies, and bring certain services closer to the consumer.

However, the major environmental programs of the Public Health Service must be unified and coordinated, if urgent problems are to be dealt with effectively. A strong headquarters staff in the Washington area will be essential for central planning and administration, including maintenance of a highly complex set of relationships between environmental programs of the Service and other governmental programs. Water pollution and radiological problems are outstanding examples of such multiple relationships. Also a central laboratory facility will be needed for research which cannot be done in the field, which cuts across divisional lines and requires interdisciplinary scientific approaches. The study group believes strongly that this central facility is a prerequisite if the complicated and extensive problems facing this bureau are to be met effectively.

While this recommendation is a little vague, it certainly sounds as if HEW—then and there on June 7, 1960—was deciding off the cuff that the central laboratory facility, the main part of an EHC, was to be in Washington. That the decision by HEW to locate the EHC in Washington was made this early is indicated by a letter to me dated August 4, 1961, by Assistant Surgeon General R. J. Anderson of the Public Health Service, Department of Health, Education, and Welfare, in which he says:

Early in 1960, an internal task force, the Study Group on Mission and Organization of the Public Health Service, recommended the establishment of an EHC in the Washington area. After considerable staff work by the Public Health Service, the PHS proposal was carefully reviewed and concurred in by the Secretary. Since October 1960, the PHS has worked closely with the National Capital Planning Commission on the problem of site selection.

It thus certainly appears that while Congress was appropriating the $785,000 in September 1960, the Department of Health, Education, and Welfare had already determined to build the EHC in Washington.

WHERE TO BUILD?

Fourth. By the time of the hearings last spring on the fiscal 1962 HEW budget, HEW was not able to go ahead with any budget request for EHC, because of the problem of location. On March 14, 1961, there occurred the following colloquy between the gentleman from Rhode Island [Mr. FOGARTY] and HEW Secretary Ribicoff:

Mr. FOGARTY. Public Health now. There is some question about the location for the Environmental Health Center, isn't there?

Mr. RIBICOFF. I would say at the present time there is considerable confusion here. This is going to be a growing department. It cannot help growing over the next few years. Whether this should be in Washington, near the National Health Institutes, or whether it should be elsewhere is something

that is being considered and studied at the present time. We are continuing to work on it very hard and as soon as plans are firmed up we will submit a revised request through proper channels.

But there is no question that something has to be done in this field and we are not ready at the present time to tell you just what it is. The $785,000 that Congress appropriated last year for detailed plans will not be sufficient and we are going to have to have more money once we come to a decision, because there is no question that this is going to be a big thing, Mr. Chairman.

Mr. FOGARTY. We had hoped you would be in with some firm requests this year for the Environmental Health Center. We have been giving it some consideration for 3 or 4 years now (hearings, House Appropriations Committee, Subcommittee on Labor and Health, Education, and Welfare, pt. 1, pp. 96-97.)

HEW REPRIMANDED

Fifth. On May 15, 1961, in its report on the HEW appropriation bill, the House Appropriations Committee took HEW to task for its delay in planning the EHC:

This committee has long been concerned over the undue procrastination and delay in the completion of projects for the construction of new facilities of the Public Health Service. It has been repeatedly necessary for the committee to prod for the completion of these projects in its reports on the appropriation bills. Among the many examples of this sorry situation are the Communicable Disease Center which took more than 8 years to complete following express criticism on the delay in moving forward in the committee report on the 1952 bill; the Sanitary Engineering Center which took 5 years to complete; the Shiprock Indian Hospital project which the committee noted in the report on the 1959 bill had not moved forward 2½ years after Congress appropriated funds for its construction; and the construction of the Dental Research Building for which submission of the budget proposal following completion of plans was so long delayed that the Congress had to act on its own to get the project underway.

It now appears that the same pattern of delay and procrastination is being followed in connection with the proposed Environmental Health Center. The Congress appropriated $785,000 for the planning of an Environmental Health Center in the 1961 act on the basis of testimony as to the importance of environmental health research needs and overcrowding at the Sanitary Engineering Center. However, the committee was greatly surprised to find that witnesses had no progress to report and no funds have been obligated to date. Instead, witnesses reported using substitute measures such as temporary buildings and renting space and altering it to laboratory needs. The committee regards this expedient as being necessary to enable long overdue work to go forward in the environmental health field but points out that such temporary measures are inefficient and costly and urges that the planning and implementation for the permanent facilities go forward without delay.

From all the information the committee has been able to get, the Bureau of the Budget has been the main stumbling block (H. Rept. 392, 87th Cong., 1st sess., HEW appropriation bill, 1962, pp. 14-15).

THE ROCKVILLE SITE ENTERS

Sixth. On June 14, 1961, the President transmitted to the Senate a request for an amendment to the fiscal 1962 budget of $3,515,000 to buy a site for the EHC in the Washington area, and to make detailed plans for the buildings. The President attached to his request the following justification signed by Acting Budget Director Elmer T. Staats:

This proposed amendment to the budget is to provide funds for site acquisition and detailed planning of such a new central environmental health facility. It has been determined that the Washington area is the most desirable location for the new central facility, primarily because of the need for close and frequent contact with the many other agencies of the Federal Government which also carry on programs of vital concern in this field, and $2,070,000 is needed to acquire a site consisting of about 690 acres. The Department has worked closely with the responsible Washington area planning agencies and it has jointly been determined that a site northwest of Rockville, Md., is the most desirable and appropriate location for the new facility.

The balance of the request, in the amount of $1,445,000, is required to undertake detailed master site planning and the preparation of architectural specifications and drawings.

The Budget Bureau based the selection of the Rockville site on the following documents:

THE HEW DOCUMENT

"General Considerations of Qualitative Factors Involved in the Geographic Location of an EHC," April 25, 1961, Department of Health, Education, and Welfare, Public Health Service, Bureau of State Services. Because of its basic nature, this document is set forth in full:

The basic concept of environmental health is rooted in the relationship of the ecology of man to his health. Modern science has created a situation having no close precedent in history, for while man lives in a sheltered environment, many health insults, produced by modern technology, produce individual and collective injury. It should be expected that the rapidity of technical innovation will create in the future new health problems at a rate such that the development of specific control methods will impose scientific and economic burdens not experienced in the past.

To meet this situation, it will be necessary to orient research, so that close collaboration of the physician, the engineer, the physicist, chemist, biologist, mathematician, political and social scientist, and the economist will focus on the problems we face. Such a comprehensive approach to the study of environmental problems will require not only these many scientific disciplines but also organizational, administrative, and policymaking skills and talents, working as a unified group. The necessity of considering the total impact of environment on man demands both a comprehensive and integrated approach.

In an area as new and undeveloped as environmental health, it is essential that all elements of the program be "under one roof" to provide a maximum of effective communication and exposure to problems. The dining room and conference room are as strategic as the laboratory in promoting a meeting of minds, a sparking of research creativity, a harnessing of varied talents, and a sharpening of focus upon objectives.

Geographic distance and separation of the parts foster a waste in travel time and money; an inhibiting formalization of conferences and agendas; intellectual disciplinary inbreeding; a restricted research perpective; a dissolution of the integrated approach; an unfortunate and unnecessary loss of coordination between basic and applied research, and between research and operational activities; and an undesirable separation between research laboratory heads and top program planning and direction.

Policy, goals, research applications, and administration are inextricably interwoven. It is especially desirable not to dismember this fabric of relationships in the early stages of research in so relatively new an area. In this respect, the environmental health situation is distinctly different from that of CDC.

To establish and maintain a scientific and technical staff of the competence necessary to perform imaginative, creative research in this field requires that it be established in a community possessing (a) a large enough metropolitan population to assure the availability of needed technical and nontechnical personnel in both quality and quantity; (b) a variety of operating research installations encompassing the broadest possible spectrum of scientific disciplines and skills; (c) outstanding scientific and technical library and documentation facilities; (d) educational and other training centers which both produce and refresh scientists, engineers, and other specialists; (e) a large grouping of the scientific fraternity possessing a level of professional sophistication conducive to intellectual challenge and creativity; and (f) desirable social and cultural facilities to provide personal and family satisfaction.

Such a scientific community, one not duplicated elsewhere, exists in the Washington metropolitan area.

The following sections compare the Cincinnati and Washington, D.C. metropolitan areas, to which are appended brief statements identifying the major characteristics of the Boston and San Francisco metropolitan areas, all related to the following criteria: Population and employment pool, research installations and resources, special library facilities, schools, and a community in which to live.

Preliminary consideration of a number of cities resulted in the final selection of these four metropolitan areas as those most able to meet the criteria established for selecting a site for the Environmental Health Center.

I. POPULATION AND EMPLOYMENT POOL

The Washington metropolitan area alone (2 million) is approximately twice the size of Cincinnati (1,071,624). Perhaps no two major and distinct standard metropolitan statistical areas are as physically proximate to each other as those of Washington and Baltimore. Therefore, metropolitan Baltimore (1,727,000) must be included in any consideration of the availability of technical and nontechnical manpower. This makes for an area almost four times the size as that of Cincinnati.

Cincinnati is known primarily as an industrial base. Despite such outstanding exceptions as the Kettering Laboratories and Wright-Patterson Field in nearby Dayton, the area is primarily the center for the machine tool, cosmetics, and soap industries. Employee skills are industry oriented. The Washington area is nonindustrial. Although tourism, real estate, and printing-publishing are the major nongovernment economic activities of this area, Federal operations provide the major employment for the largest segment of the local population. As a result, the administrative, clerical, and research skills and talents to be found in such employment are in greater abundance in the Washington metropolitan area than in Cincinnati, especially as they relate to the personnel needs of a major research center.

The pattern of Federal employment which blankets the Nation's Capital further produces the subtle yet strategic element of equalized or comparable financial remuneration. The scientist is professionally at ease with colleagues and friends in the sense that the salary scale is common to all. Income disparities are not great, as would be the case in an area of greater heterogeneous employment.

II. RESEARCH INSTALLATIONS AND RESOURCES

Research runs the gamut of intellectual endeavor in the Washington area, from Vitro to Melpar, from the National Institutes of Health in Bethesda to the Agricultural Research Station in Beltsville. Both basic-fundamental and developmental-applied research are underway. Some of the newer research areas, such as laboratory precise measurement instrumentation and computer design are being carefully nurtured in this area.

The following Federal research agencies are immediately available: Agricultural Research Center, National Bureau of Standards, Public Roads Research Station, Weather Bureau, Physical Research, Army Engineering Research and Development Laboratory, Walter Reed Army Medical College, Naval Ordnance Laboratories, Naval Medical Research Institute, D. W. Taylor Model Basin, Naval Research Laboratory, Space Flight Research Center, Smithsonian Institution, National Research Council, National Science Foundation, National Aeronautics and Space Agency, Department of Labor, Department of the Interior, Atomic Energy Commission, Food and Drug Administration, National Institutes of Health, and Armed Forces Institute of Pathology.

Within commuting range: Army Chemical Center, Fort Detrick, Naval Academy, and Fort Belvoir.

When the facilities of industry-based Baltimore are added, the relative attractions of this area for the scientific fraternity are overwhelming.

As a case in point, it is precisely the presence of the National Institutes of Health, National Library of Medicine, and the Naval Medical Research Center in one section (Bethesda) that still involves the hopes of the Johns Hopkins University to pull together all of its various research facilities into one adjacent tract, so as to make of the area the unquestionably largest, most important medical-health research center of the world, with a concentration of research talent not to be found anywhere else in the world.

Research in such fields as air-and-water pollution, milk and food technology, and radiological health hazards is shared in varying degrees by a number of Federal agencies, such as the Atomic Energy Commission and the Departments of Agriculture and Commerce. These and other agencies maintain not only extensive extramural research grant operations but also direct research operations of worldwide renown, such as the National Bureau of Standards, Naval Research Laboratory, Weather Bureau, and the Agricultural Research Station. The immediate availability and accessibility of the scientists and research policy decisions involved to the staff of the proposed environmental health center cannot be overestimated in terms of coordination and liaison.

The presence of such diverse, nongovernmental or quasi-governmental professional bodies as the American Association for the Advancement of Science, American Chemical Society, National Wildlife Federation, and National Academy of Sciences-National Research Council, makes this area an increasing focus of meetings for scientific societies. At one and the same time, the individual scientist is exposed to colleagues from all points of the compass, presented with national scientific policy considerations, can visit pertinent research installations in the area, and usually attends gatherings of related societies holding joint meetings for these same reasons. The attractiveness of such a scientific "marketplace" and forum cannot be overestimated in terms of the intellectual stimulus provided by interdisciplinary conversation, focus upon purposes of technical consultation.

In turn, major problems involving aspects of environmental health, and with which many national professional and scientific societies are concerned, can be aided by the accessibility of research heads of a number of Federal agencies in this metropolitan area.

The Cincinnati metropolitan area possesses but one major research facility useful to the needs and requirements of an environmental health program—the combined University of Cincinnati-Kettering Laboratories. The Procter & Gamble Co. maintains its own specialized laboratories in the area. The Kroger Food Foundation has its headquarters in Cincinnati. Within commuting range are the Air Materiel Command Research and Development Laboratories of Wright-Patterson Air Force Base in Dayton, some 50 miles distant; and the well-known Battelle Memorial Institute, in Columbus, about 100 miles away.

Any comparison of the Cincinnati and Washington metropolitan areas in terms of this criterion disclose the clear advantage of the latter area.

III. LIBRARY RESEARCH FACILITIES

Research and communication are two sides of the same coin. Research is never complete until it is transmitted, either verbally or in writing. The need for intellectual cross-fertilization and the demands of interdisciplinary research make imperative that at-hand availability of scientific documents and literature both horizontally and vertically, that is, across the broad spectrum of scientific disciplines as well as in depth within these disciplines. (For example, it has been determined by studies that at least one-third of the research chemist's time is devoted to study of the literature.) This literature is as essential a part of the research process as are laboratory facilities and instruments.

As a world capital for scientific research, the Washington metropolitan area is unmatched in terms of location of special scientific-technical library facilities. More than 240 libraries are in this area, including such large—and in most cases, unique—collections as those of the U.S. Patent Office, National Archives, Library of Congress, National Institutes of Health, National Library of Medicine, Armed Forces Institute of Pathology, Department of Agriculture (including Agriculture Research Service), National Bureau of Standards, Atomic Energy Commission Technical Library, Geological Survey Library, American Chemical Society, American Pharmaceutical Association, Johns Hopkins Applied Physics Laboratory, and Science Information Exchange, all of which are further augmented by the special scientific library facilities of the Baltimore area, no more than 1 hour distant.

The following specialized libraries are located in the Cincinnati area: University of Cincinnati (also a U.S. Atomic Energy depository), Xavier University, Kettering Laboratory; medical libraries: Cincinnati General Hospital, Instititum Divi Thomae, Lloyd Library (private), Wm. S. Merril Pharmaceuticals, Christ Hospital Institute of Medical Research; company libraries: Cincinnati Milling Machine, Champion Paper & Fibre Co. (in nearby Hamilton), General Electric Co., National Lead Co., Procter & Gamble Co.; Engineering Society of Cincinnati Library.

Inspection of the above list suggests limited (in size and specialization) facilities, as compared with the truly national libraries available in the Washington area.

IV. SCHOOLS

The Washington area includes 14 colleges and universities offering undergraduate and graduate training in the basic sciences, the medical and life sciences, and engineering. Some 13 technical schools, junior colleges, and teachers colleges provide supporting technical and subprofessional training. When such institutions as the Johns Hopkins University, Baltimore College, and technical institutes in Metropolitan Baltimore are added, this area's value is enhanced as a center for both degree-granting and short-course curriculums, as well as for periodic symposia, workshops, and related gatherings dealing with the sciences.

The conduct of training activities for personnel from State activities, universities, other Federal agencies, and foreign countries will be a significant part of the environmental health center's program, and the availability of such a variety of academic resources—teaching staff, research staff, and laboratory facilities—can considerably enhance the operations of the center in terms of ready interchange of staff, interdisciplinary cross-fertilization, and a sharpening of creative effort.

In the Cincinnati area the University of Cincinnati and Xavier University offer strong undergraduate and graduate courses in the sciences. Miami University and the University of Kentucky have local, evening college branches. The University of Dayton is 55 miles away, and the Universities of Indiana, Louisville, and Purdue are a little more than 100 miles distant for consulting and advisory services. Also, seven excellent technical schools are located in the Cincinnati area, schools offering semiprofessional curriculms in engineering, chemistry, physics, and electronics.

As compared with the full campuses of such institutions as Georgetown, George Washington, American, Maryland, and nearby Johns Hopkins, the advantage of educational facilities would seem to be clearly in favor of the Washington metropolitan area.

V. A COMMUNITY IN WHICH TO LIVE

As the National Capital and an international center, Washington, D.C., is possessed of historic points of interest and a collection of unique cultural attractions and assets not equaled anywhere else in this country. Recreational facilities range from accessibility to mountain resorts, to water sports, boating, and deep sea fishing. A selection of major public school systems is available as are also a number of outstanding private and special schools, many with curriculums of national reputation. A mild climate, complete national and international news coverage, and a tremendous consumers goods market add attractive living features to this metropolitan area.

As the seat of Government, outstanding scientists circulate in and out of the Washington area steadily, serving as consultants, appearing before congressional committees, visiting the headquarters of professional societies, working on postdoctoral projects, and holding positions of scientific responsibility for varying periods. The continual presence in the community of people with these diverse professional backgrounds makes for an unusually high level of intellectual sophistication and stimulation, one to attract and hold the highest caliber of personnel. This attraction is as great for visitors as it is for permanent residents.

BOSTON METROPOLITAN AREA

I. Population and employment pool

The Boston metropolitan area, with a population of 2,500,000, includes 65 communities socially and economically integrated with the central city of Boston. The group consists of 17 cities and 48 towns.

Boston is a combination of manufacturing, commercial, and shipping interests including research, educational, and cultural activities. The area possesses a well-balanced labor force from which to draw, with almost half the population having completed high school. Better than 12 percent are classified in the professional, technical, and kindred fields. Some 15 percent are listed in the clerical field.

II. Research installations and resources

The Boston metropolitan area has outstanding research facilities in such fields as engineering, medicine, pharmacy, and public health. More than 25 major research-oriented manufacturing companies are located in the area, such as General Electric, Sylvania, Raytheon, and Arthur D. Little Co.

During the past fiscal year, the Department of Health, Education, and Welfare awarded about $23 million of grants to the Boston area. Harvard University received $1,369,000 for the construction of a research center for environmental health. The Arthur D. Little Co. in Cambridge is the largest independently operated research firm in the United States. Located adjacent to MIT, it employs a staff of about 700 professionals and maintains contracts with an additional 400 academic consultants. Activities include research in the life sciences, cryogenics, engineering problems, toxicity studies, and pharmaceutical work.

Route 128, Boston's circumferential highway, already called the electronics highway, is on its way to becoming the industrial research center of the Northeast. More than $52 million was invested in the construction of new plants and expansion of already-existing plants. A study of industries already on the highway shows 63 firms engaged either fully or partly in research activities.

Among schools engaged in research in the Boston area are Harvard, Boston, and MIT, with all three receiving a total of almost $10 million from Department of Health, Education, and Welfare for projects during 1960.

Numerous additional research facilities are located in the metropolitan area: The Children's Cancer Research Foundation, Massachusetts Mental Health Research Corp., and Massachusetts General Hospital. Some of the country's leading research work is done in the Boston area. Research is considered one of Boston's richest resources, with over 300 research laboratories employing more than 15,000 scientists, engineers, and technicians. The area thus provides a broad base of facilities and personnel from which a new entry can expect help.

III. Library facilities

The Greater Boston libraries contain more than 16 million volumes, more than half of which are located in the area's colleges and universities such as: Widener Library (Harvard), Boston Public Library, and MIT Library. The Harvard Medical School has just announced its plan for a new library costing more than $7 million.

IV. Schools

In the Boston area are to be found the following institutions: Babson Institute of Business Administration, Boston College, Boston University, Brandeis University, Harvard University, Massachusetts College of Optometry, Massachusetts Institute of Pharmacy, MIT, New England College of Pharmacy, Northeastern University, Radcliffe College, Simmons College, Tufts University, and Wellesley. Less than 40 miles away are: Clark University, Holy Cross, and Worcester Polytechnic Institute.

During the 1958–59 school year Massachusetts produced the most engineering doctorates, was third in master degrees awarded, and fifth in engineering bachelor degrees granted. The public school systems are among the finest in the country. Some of the oldest and most famous private and social schools are located in the area.

V. A community in which to live

The presence of a diversified scientific and professional group in the area makes Greater Boston an attractive site for a research center. Historically and culturally, Boston has a well-deserved national and international reputation. Much of this country's early and illustrious history is centered in this area. The symphony orchestra and smaller musical ensembles, many of them endowed, together with a network of museums, make for a noteworthy musical and artistic center. Furtherances of the legitimate theater, music, and the fine arts are in constant procession. Though the area is climatically subject to extremes in temperatures in summer and winter, recreational facilities abound, ranging from the Green and White Mountains and the Berkshire Hills to the Cape Cod seashore and the Maine coast. Ready and accessible transportation—the Logan International Airport—is less than 15 minutes by public transportation from downtown Boston—make for continual visits of scientific and engineering specialists to the metropolitan area. The 65 separate, but related, political jurisdictions provide a great variety of suburban areas in which privately owned homes dominate.

SAN FRANCISCO METROPOLITAN AREA

I. Population and employment pool

The San Francisco metropolitan area has a population of some 3,300,000, with the population and diversified economic activities located for the most part in the southern counties. The employment pattern is varied in view of the heterogeneous industrial, research, commercial, shipping, business, and agricultural interests involved.

II. Research installations and resources

The University of California complex includes an imposing array of research laboratories, many of them concentrating on aspects of radiation and healths such as the Donner, Livermore, Laurence, and Crocker Laboratories. The university-related medical research laboratories—Procter and Hooper—and the virus laboratory under Dr. Wendell Stanley, are all well-known. Also available are the Institute of Engineering Research and the Sanitary Engineering Research facilities.

The Stanford University collection of specialized schools and research centers (such as the Hanson Medical Center, outstanding in physics) are also well-known. Among the private research groups of repute are those of Traceriab, Hazelton Nuclear Science Laboratory, Varian Associates, and Dalmo. Computer firms are also in the area, such as IBM and Beckman Instruments. In still another category are the Standard Research Institute, the Ames Aeronautical Laboratory, the Naval Biological Laboratory, and the Naval Radiological Defense Laboratory.

The bay area is the center of intensive research, privately sponsored as well as underwritten by Federal grants, in such environmental health fields as air pollution, water supply, radiological health, and occupational health. New fields are rapidly developing in this area, such as air and space medical research.

III. Research library facilities

Other than the San Francisco Public Library, with a total of more than 750,000 volumes, the major technical research collections are to be found included in the facilities of the universities of the area; University of California, with 2½ million volumes, and Stanford University, having 1½ million. As in most other cities, a variety of privately endowed, specialized, technical and scientific collections are available, but the number of volumes and facilities for their use are limited.

IV. Schools

Major institutions of higher education include the University of California, University of San Francisco, Santa Clara University, San Francisco State College, Mills College, Stanford University, and San Jose University (50 miles distant). The nine counties comprising the bay area all have junior colleges as well as outstanding public school systems and private and special schools with specialized curriculums for the bright and the handicapped. Business schools and technical institutes, scattered in the area, produce large numbers of young people trained in the subprofessions.

V. A community in which to live

San Francisco offers a number of attractions for desirable living. The mild year-round climate is justly famous. Natural scenic and recreational areas include the ocean, the Sierra Mountains, the orchard-citrus valleys, Monterey Peninsula, fishing spots, Golden Gate Park, and Fleischacker Zoological Gardens. The San Francisco Opera, symphony orchestra, and university-residence musical ensembles provide pleasures for all musical tastes. A number of new and spacious suburban areas offer homes and home life under near-Mediterranean climatic conditions. New highways permit rapid transit to all parts of the city, valley, and peninsula. Public forums, aggressive newspaper coverage, gourmet restaurants, international settlement sections, intense public spirit, and a heterogeneous mixture of scientific and engineering talents in the professional categories, all combine to produce a level of culture, sophistication, and variety making for an attractive life.

CONCLUDING OBSERVATIONS

Kaleidoscopic overviews of the Cincinnati, Washington, D.C., San Francisco, and Boston metropolitan areas as possible sites for a research-oriented national Environmental Health Center suggest the following rank: (1) Washington, D.C., (2) Boston, (3) San Francisco, and (4) Cincinnati.

The variety and level of research activities in the San Francisco and Boston areas are comparable, with the advantage going to Boston because of San Francisco's relative geographic isolation. Still, none of these areas match the attraction of Washington, D.C., for the following reasons:

(a) As the Nation's Capital, the policy-making and decisionmaking functions are in Washington. These should not be separated from research and operational programs.

(b) The two major universities in the San Francisco and Boston areas are the primary or sole sources of reasonable collections of scientific documents and literature. By comparison, the Washington area is serviced by the Library of Congress as an "anchor," then by the impressive special libraries of the major Federal agencies (including the National Library of Medicine), then by the universities, and concluding with the unique Science Information Exchange, which catalogs thousands of research projects throughout the country as a clearinghouse.

(c) The availability of either or both the direct research operations and the administrative headquarters of other governmental agencies and bureaus involved in specific and related aspects of environmental health problems provides for desirable and often necessary accessibility in carrying on research. Reference is to the Bureau of Mines, Weather Bureau, National Bureau of Standards, Agricultural Research Service, Naval Ordnance Laboratory, Naval Research Laboratory, National Naval Medical Center, and this agency's own National Institutes of Health.

(d) Since the country's major environmental health problems are directly related to large population concentrations, the Chicago-Richmond-Boston triangle encompasses almost 40 percent of the Nation's standard metropolitan statistical areas, including most of the largest, and representing 47 percent of the total national population.

In view of the earlier stated advantages of Washington, D.C., this geographic proximity to the major "workload areas" clearly makes this metropolitan area the most attractive location for the Environmental Health Center.

NATIONAL CAPITAL PLANNING COMMISSION

The National Capital Planning Commission report, at its meeting on May 18, 1961, recommended the approval of the Rockville site of the EHC requested by HEW with the following motion:

Assuming that it is determined by others that the EHC is to be located in the Washington metropolitan area, the NCPC approves the Rockville site.

The minutes of an earlier NCPC meeting of January 5, 1961, show the following:

ENVIRONMENTAL HEALTH CENTER LOCATION—PROGRESS REPORT

Mr. Plavnick reported that the staff has suggested to the Department of Health, Education, and Welfare several possible sites for the location of the laboratory facilities and the farm and demonstration area (as shown by red and green circles, respectively, on NCPC Plan File No. 120–16) of the Environmental Health Center to be established in the environs of Washington. He further reported that the laboratory facilities require, tentatively, 400 acres and the farm and demonstration area requires 800 acres to consolidate activities now located throughout the United States and to accommodate an anticipated increase in employees from 800 to 4,000. He stated that the Commission will continue to assist in finding a suitable location for the center.

NATIONAL CAPITAL REGIONAL PLANNING COUNCIL

The National Capital Regional Planning Council on May 15, 1961, adopted the following resolution:

That this Council approve the proposed HEW location northwest of Rockville, Md., with the following reservation:

That consideration be given to the three sites as proposed by the planning director of Fairfax County and such other sites as may come to the attention of proper officials, that the staffs of this Council, the Commission, and the HEW prior to final action by the Commission and prior to request for funds from Congress, and if any one of these are equal to or exceed the minimum criteria of the site they have already selected, then the Council be given an opportunity to review this recommendation.

There is nothing showing that anything further was done about the Fairfax sites.

At an executive meeting of the NCRPC on April 10, 1961, the minutes show the following comments by Richard H. Kraft, Staff Director of the NCRPC:

Mr. Kraft said that previous studies for the virtually adjoining Bureau of Standards had indicated that difficult traffic problems would be generated when it becomes fully operative, and that the HEW site would merely compound the problem. He added that one of the principal forms of relief would be in the construction of local arterials similar to those planned by Maryland-National Capital Park and Planning Commission but not yet programed. He urged that comprehensive studies be made to insure adequate road construction when needed.

THE SCIENCE ADVISER'S REPORT

In 1961, the Rockville proposal was referred orally by the Bureau of the Budget to the President's science adviser, Dr. Jerome Wiesner. On May 18, 1961, Dr. Wiesner's ad hoc panel of scientists issued the following report:

PRESIDENT'S SCIENCE ADVISORY COMMITTEE AD HOC PANEL ON ENVIRONMENTAL HEALTH

An ad hoc panel was convened on May 18, 1961 to consider the Department of Health, Education, and Welfare proposal for an Environmental Center at Rockville, Md. Members of the Panel attending were: Dr. Colin MacLeod, chairman, Dr. Rolfe Eliassen; Dr. George Kistiakowsky; Dr. Robert Loeb; Dr. Gerald McDonnel; Dr. Russell Morgan; Dr. Dickinson Richards; Dr. Joseph Sterner; Dr. James Whittenberger; Dr. Abel Wolman; and Dr. Herbert Bosch.

The Panel heard briefings by representatives of Health, Education, and Welfare on the scientific aspects of the proposed center program, the personnel requirements and a general discussion of the overall program plans, including budget estimates for grants, contracts, and fellowships for the next 5 years. Bureau of Budget representatives discussed long-range significance of the proposed center.

The Panel identified what appeared to be the major issues and discussed each of the following:

1. Does the Public Health Service require a new center for administrative and research activities in environmental health?

The consensus was that such a center is necessary, not only to house its present activities, but also for future development. There was agreement that activities at the Taft Center and associated laboratories in Cincinnati plus those required by the rapid expansion proposed for the next 5 years, cannot be accommodated without extensive additional construction. For a variety of reasons, Cincinnati is not considered a suitable location for expanded facilities. These include inadequate land area at the present sites, difficulty in attracting scientific and technical personnel, lack of strong academic institutions in the area and physical separation from administrative branches of the PHS and other departments of Government such as Interior, Agriculture, and Commerce.

2. Should the new environmental health center be located in the Washington area?

The Panel endorsed the plan to locate the regulatory, technical assistance, and administrative functions of the program in the Washington area, but had reservations as to the requirement for housing the major Government research facilities of all phases of the proposed program in a single center.

The Washington area has clear-cut advantages because of proximity to administrative branches of PHS, the research activities of the NIH, and the related programs of other departments of the Federal Government. Further, it can be argued that administrative, control and enforcement activities will benefit from close proximity to laboratories conducting research on the technical problems. At the same time, it is recognized that decentralization has been successful in the cases of the Communicable Disease Center in Atlanta and the various laboratories of the Atomic Energy Commission. The Panel was not aware of a study to determine the feasibility of establishing decentralized Federal research units either at existing Government laboratories or in association with universities. See paragraph 4 below.

3. What is a reasonable rate of growth for the proposed center program? It is clearly apparent that the chief problem in developing sound scientific as well as control programs is the availability of competent people in the various fields of science who can contribute to the solution of problems of environmental health.

The Surgeon General's report to the Congress in 1960 and the testimony of experts before the Appropriations Subcommittee of the House in March 1960 emphasized the critical shortage of persons qualified for research on problems of environmental health. In recognition of this need the PHS established research training grants and project grants in the fields of radiological health, industrial hygiene, etc. These grants have had the immediate effect of increasing competition among universities for competent faculty members as well as for the few promising students entering the environmental health field. Undoubtedly, in the long run, these grants will enable universities to train more highly qualified people, particularly when the importance and the attractions of the field of environmental health become better recognized. In the meanwhile, the best interests of the program will be served by restricting expansion to limits set by the availability of highly qualified people.

One of the difficulties besetting environmental health research is the requirement of participation by many disciplines, including not only medical scientists and engineers, but also a long list including chemists, physicists, ecologists, and many others. Past experience has shown that, on the average, the less able graduates in the various disciplines have been attracted to the environmental health field. After entering the field, they may suffer by isolation from the main streams of advance in the parent discipline. This factor is also relevant to a decision about the wisdom of centralizing Federal research in a single facility in Washington, since there are no strong academic institutions in the community, with interests in environmental health.

For these reasons, the Panel believes that Government research facilities should be developed on a selective basis to satisfy specific needs. The proposed broad expansion appears too rapid for the supply of qualified manpower. Implicit in this consideration is the necessity for a clear delineation by the PHS of the substantive nature of the research program to be carried out in the proposed center. The Panel is of the opinion that the program has not been given adequate consideration and that this is a fundamental requirement for sound planning for the center.

4. Need for evaluation of existing governmental laboratories that can contribute to studies in environmental health.

Program planning of new facilities for the five major areas of research proposed for the center should include an evaluation of existing Government laboratories with demonstrated competence in closely related scientific areas. For example, in the field of radiological health, the Panel noted the potential availability of the several AEC National Laboratories for the conduct of large scale radiobiological and chronic toxicity experiments. The PHS does require laboratories for epidemiologic research on human populations, since this area of public health concern is not adequately provided for by other agencies.

Whether or not an expanded central laboratory is established in the PHS, some leaders in the environmental health field believe strongly that there should be regional laboratories, based in or very closely associated with universities having interest and competence in one or more of the fields of environmental health. Three considerations lead to this conviction:

(a) The critical shortage of research personnel creates the need to take advantage of the leadership and training potential of university departments which have competence in environmental health. One of the recognized limitations of Government research laboratories is that they contribute very little as research training institutions, in contrast with universities.

(b) Environmental health problems are often of greater regional interest than national concern, for example, air pollution in California and water pollution in the Ohio River Basin. Such regional challenges increase the likelihood of attracting able research workers, especially if a university is involved. The Public Health Service has taken advantage of some opportunities of

this kind, but could do so in more effective fashion.

(c) The field of environmental health is very broad and engages the attention of many disciplines. A university-centered laboratory would enable research workers to maintain close contact with other workers in their own discipline. Continuing contact with the parent discipline promotes research skills of the individual and also increases the possibilities of fruitful interchange between basic and applied research.

RECOMMENDATIONS

1. The Panel recognizes and endorses the position of the Public Health Service that there is an urgent need for expanded activities in research and control measures related to environmental health and concurs that a center in the Washington area to house administrative support and certain research activities will facilitate development of the field.

2. The proposed program expansion (to the level of $300 million per year in 5 years) is rapid. The Panel is acutely aware of the severe shortage of well-qualified scientists in the field, and for this reason recommends that major emphasis for the immediate future be given to the development in the universities of scientific personnel. The expansion of the proposed central facility should be related to availability of personnel for the needs of the Federal Government as well as those of communities and universities throughout the country.

3. The research program of the proposed center requires much more careful delineation and projection. Except in the case of ongoing programs to be transferred from facilities such as the Taft Center, the Panel did not feel that enough effort had been directed to identification of major problems and drafting of the blueprints of specific research to be undertaken.

4. In consonance with recommendations of other committees, it is recommended that strong, university-based centers be set up not only for research and education, but also to help in the solution of local environmental health problems. The present and proposed regional laboratories which are in essence field stations do not fulfill this requirement.

5. The potential of other Federal laboratories to assist in the solution of problems of environmental health requires serious exploration. This does not appear to have been done with the thoroughness and imagination that the potentialities merit. For example, the superb facilities at the Brookhaven and Oak Ridge National Laboratories have not been considered in the field of radiological health.

THE SENATE COMMITTEE REJECTS THE REQUEST

Seventh. On July 25, 1961, the Senate Committee on Appropriations, in its report on the HEW appropriation bill, 1962, disallowed the supplementary budget request of $3,515,000 for site acquisition and plans and specifications for an EHC at Rockville. The committee's report said:

The committee has disallowed the supplemental budget estimate of $3,515,000 for site acquisition and plans and specifications for an Environmental Health Center.

The estimate contemplated the acquisition of 690 acres, at a cost of $3,000 an acre, in nearby Maryland, and the preparation of plans and specifications for facilities at a cost of $33,400,000, of 450,000 net square feet, to house 1,600 employees.

It is the view of the committee that the contemplated site is an extremely poor selection and that inadequate justification was presented in the support of the request (S. Rept. 618, 87th Cong., 1st sess., Departments of Labor, Health, Education, and Welfare, and related agencies appropriation bill, 1962).

And so the question of the location of the EHC, so much needed by everyone, has been put off until next year.

THE DECISIONMAKING PROCESS

Now, let us look at the decisionmaking process involved in the choice of the Rockville site. The decision to put EHC at Rockville was a momentous one. Here is a $70 million laboratory, to occupy more than 1,000 acres. Its projected 4,500 employees constitute almost 2 percent of the present 239,100 Federal workers in the Washington metropolitan area.

Surely the responsibility for where in the United States to put the EHC should be placed on one designated person in the executive branch. He should obviously not be a member of the agency involved. Instead, he should be a person skilled in national planning. And he should arrive at his decision only after full consideration of the need to protect and preserve the Nation's Capital, the availability of new methods of communication, the projected expansion plans of all branches of the Federal Government, the availability of alternative locations, their need for Federal installations, and similar factors.

No such rational procedure was followed in the EHC case. Of the four documents on which the decision was based—the HEW study of April 25, 1961, the National Capital Planning Commission report of May 18, 1961, the National Capital Regional Planning Council resolution of May 15, 1961, and the President's Science Adviser's Panel report of May 18, 1961—only the first-named report, that of April 25, 1961, even justifies the Washington area as the EHC site.

THE ROCKVILLE TRAFFIC MESS

The NCPC decision specifically washes its hands of responsibility for the Rockville site by its statement, "assuming that it is determined by others that the EHC is to be located in the Washington metropolitan area." The NCPC apparently wanted no part of the decision to locate here.

The NCRPC resolution of May 15, 1961 was by no means a final approval of Rockville; indeed, its Staff Director, Richard H. Kraft, had objected that to put the EHC in Rockville "would merely compound" difficult traffic problems.

The Science Advisory Panel report of May 18, 1961, was likewise inconclusive. It should be noted that none of the scientists involved were planners, that they had no set of criteria before them, and that the whole matter was referred to them by a telephone call. It emphatically did not endorse the idea of putting the central research laboratory of EHC in the Washington area. Instead, it said:

The Panel recommends and endorses the position of the PHS that there is an urgent need for expanding activities in research and control measures related to environmental health and concurs that a center in the Washington area to house administrative support and certain research activities will facilitate development of the field.

LACK OF STUDY CRITICIZED

The Panel went on to criticize the lack of a study "to determine the feasibility of establishing decentralized research units either at existing Government laboratories or in association with universities." The Panel, it went on, "did not feel that enough effort had been directed to identification of major problems and defining of blueprints for specific research to be undertaken." Again, the Panel found that "the potential of other Federal laboratories to assist in the solution of environmental health problems" had not been sufficiently explored.

This leaves us, then with the HEW report of April 25, 1961, as the sole document which says, "Put the central research laboratory in Washington." This means that the decision was really left with the affected agency itself, the HEW. I should think that we could take it as a general rule that any Washington bureau would almost always prefer to expand in the Washington area. Indeed, the April 25, 1961, document seems merely a rationalization of the decision by HEW, made on June 7, 1960, and confirmed again in October, 1960, to build in Washington.

KEEPING UP WITH THE JONESES

But the inadequacy of the April 25, 1961, HEW report is best perceived by looking at the report itself. The only places considered by the report for the EHC are Washington, Boston, Cincinnati, and San Francisco, although it would certainly seem that an environmental health laboratory could be perfectly well placed in a number of other areas.

The reasons given for picking Washington are masterpieces of the non sequitur:

First. Additional Federal employees feel uncomfortable working in a community with privately employed people, so all Federal employees should be in Washington. This seems to be what is meant by the following paragraph from the HEW report:

The pattern of Federal employment which blankets the Nation's Capital further produces the subtle yet strategic element of equalized or comparable financial remuneration. The scientist is professionally at ease with colleagues and friends in the sense that the salary scale is common to all.

If you accept this reasoning, all scientists who work for the Government from here on out are going to have to work in Washington, or they will not feel "professionally at ease." How is that for keeping up with the Joneses?

Second. A lot of scientists come to Washington for conventions, so all scientific activities should be located in Washington. As the report says:

The presence of such diverse, nongovernmental or quasi-governmental professional bodies as the American Association for the Advancement of Science, American Chemical Society, National Wildlife Federation, and National Academy of Science-National Research Council, makes this area an increasing focus of meetings for scientific societies. At one and the same time, the individual is exposed to colleagues from all points of the compass, presented with national scientific policy considerations, can visit pertinent

research installations in the area, and usually attends gatherings of related societies holding joint meetings for these same reasons. The attractiveness of such a scientific "marketplace" and forum cannot be overestimated in terms of the intellectual stimulus provided by interdisciplinary conversation, focus upon purposes of technical consultation.

Here we have the HEW non sequitur experts going themselves one better—all scientists, no matter for whom they work, should settle in Washington, so they can attend conventions in Washington without traveling. How silly can you get?

THE WASHINGTON CLIMATE

Third. Washington is so pleasant to live in, so all new Federal establishments should be located here. As the report says:

As the Nation's Capital and an international center, Washington, D.C., is possessed of historical points of interest and a collection of unique cultural attractions and assets unequalled anywhere else in this country. * * * Recreational facilities range from accessibility to mountain resorts to water sports, boating and deep sea fishing.

Nothing is said about the deep sea fishing of Boston and San Francisco, which are considerably nearer the deep sea than Washington. Washington, according to the report, has "a mild climate," while the Boston area "is climatically subject to extremes in temperatures in summer and winter." Yesterday Washington's temperature ranged from a high of 93° to a low of 71°; Boston's ranged from a high of 81° to a low of 63°. But, quite apart from all this, what does this have to do with where to locate the EHC? Are we being told that scientists are boycotting any place but Washington?

Fourth. Washington is the Nation's Capital, so all Government scientific research and operations must be conducted there. In the words of the report:

As the Nation's Capital, the policy and decisionmaking functions are in Washington. These should not be separated from research and operational programs.

Why a central laboratory facility cannot be located away from Washington, and adequate liaison maintained as needed, is not explained.

This childish mishmash of non sequiturs would be laughable if it were not apparently the basis for the momentous decision to locate the EHC here in the Nation's Capital. Bottled smog is to be brought in from Los Angeles, polluted water from the Ohio River, milk from Wisconsin, and pesticides from Iowa, to be analyzed by scientists who, we are told, will not work except in the Nation's Capital—even if it means ruining the Capital by destroying the very amenities which attract the scientists in the first place.

SENATORS BYRD AND BIBLE SPEAK OUT

We can all be grateful to the Senate Appropriations Committee for rejecting this preposterous decision. The Senator from West Virginia [Mr. BYRD] deserves a vote of thanks from all who love the Nation's Capital for some of the statements he made at the hearings on the Rockville request:

Senator BYRD. Some things that have been said in justification of this location can be said with regard to the justification of the location in this area of other facilities for other agencies, and as time goes on, these things may be said with increasing strength. I am just fearful that our National Capital is one of these days going to become a great industrial complex, and a great scientific mecca rather than the National Capital which was foreseen and planned, certainly, by our forefathers.

It seems to me, too, that with the increasing efficiency of our communications facilities all over the country, that this argument concerning liaison, with respect to communications, to transportation, close contact with other agencies, should somehow be somewhat dissipated when we think that communications facilities are improving all the time (hearings, Senate Appropriations Subcommittee on Health, Education, and Welfare, June 14, 1961, p. 1370).

And again:

Senator BYRD. I think I recognize the need for such a facility as this, but I feel constrained to express some concern at the growing concentration of facilities here in the metropolitan area of Washington. I think some of these days we are going to have to give a little more thought than we have been giving to the problems of traffic congestion. * * * I just want to voice that growing concern on my part. We envision the employment of 4,500 persons in this facility when it is completed. We cannot add many more facilities to the Washington area employing 4,000 to 5,000 persons in each facility without having to build several more bridges, Senator BIBLE, over this sewage pool you have been talking about, and without taking a lot of other steps to protect a growing population and expanding Federal properties in the area (pp. 1367–1368).

Senator BIBLE also spoke out clearly:

Mr. Chairman, I will merely close by saying, and I do not want to labor this point, I hope that this vicious circle of the presence of Federal agencies here providing a rationale for the location adjacent thereto of various Federal facilities might, as time goes on, become a less valid argument than seems to be made today (p. 1373).

The case history of the attempt to place EHC at Rockville clearly demonstrates the need for a rational location procedure. I hope that before the question of locating EHC and other installations like it comes back to the Congress, a rational procedure will have been evolved.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I am very glad to yield to the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Then there is no substantial reason why this Environmental Health Center should be established in this area at all?

Mr. REUSS. Not as far as I can see.

Mr. VANIK. It seems to me, that these scientists ought to live as closely to the problem as they can. In our northern industrial cities, in the steelmaking cities, we face the terrible problem of air pollution resulting from the industrial contamination of the atmosphere. It would seem to me that scientists could probably do a better job on this problem of industrial wastes, if they lived in close proximity to it so that they could accurately determine the effect it has upon humans who live in the community.

Mr. REUSS. Yes, as it is now, if the Environmental Health Center is put out in the suburban sprawl of Rockville, 20 miles out——

Mr. VANIK. Mr. Speaker, if the gentleman will yield, then it would be located in what is probably the cleanest air of America because this area is practically devoid of industrial wastes.

Mr. REUSS. Then it will be necessary to bottle smog in Los Angeles and bring it here. It will be necessary to bottle polluted water from the Ohio River and bring it here for study. It will be necessary to import pesticides from Iowa and milk from my own State of Wisconsin to be worked over by the scientists in the Environmental Health Center, if it is built in Rockville.

Mr. VANIK. I certainly concur in what the gentleman has said. Washington is so heavily overloaded with Government personnel that expansion should be limited to only those agencies and functions that cannot practicably be located anywhere else. I think we have reached the point of saturation with respect to the expansion of Federal bureaucracy in this community. I think a certification should be required by appropriate agencies to certify that they cannot operate practicably anywhere else before they are permitted to expand in this highly congested Washington area. I think that the Federal bureaucracy will operate more efficiently and I think that the public will more willingly contribute to its support if it is decentralized, so that many communities can enjoy the stability of its payroll as well as the many other contributions made by Federal employees to the communities in which they reside.

I think the gentleman is talking about a very important problem, and I think it is high time for someone at the top level to decide that only essential agencies be permitted to expand or be created in this area.

Mr. REUSS. I thank the gentleman.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McGown, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1983) entitled "An act to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic development and internal and external security, and for other purposes."

FOREIGN ASSISTANCE ACT OF 1961

Mr. MORGAN. Mr. Speaker, I call up the conference report on the bill (S. 1983) to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic

development and internal and external security, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the statement.

Mr. MORGAN (interrupting the reading of the statement). Mr. Speaker, I ask unanimous consent that the remainder of the statement be considered as read.

Mr. GROSS. Mr. Speaker, reserving the right to object, I assume the gentleman is going to take ample time to explain the conference report.

Mr. MORGAN. Yes, I intend to.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1088)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1983) to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic development and internal and external security, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That this Act may be cited as 'The Foreign Assistance Act of 1961'.

"PART I

"Chapter 1—short title and policy

"SEC. 101. SHORT TITLE.—This part may be cited as the 'Act for International Development of 1961'.

"SEC. 102. STATEMENT OF POLICY.—It is the sense of the Congress that peace depends on wider recognition of the dignity and interdependence of men, and survival of free institutions in the United States can best be assured in a worldwide atmosphere of freedom.

"To this end, the United States has in the past provided assistance to help strengthen the forces of freedom by aiding peoples of less developed friendly countries of the world to develop their resources and improve their living standards, to realize their aspirations for justice, education, dignity, and respect as individual human beings, and to establish responsible governments.

"The Congress declares it to be a primary necessity, opportunity, and responsibility of the United States, and consistent with its traditions and ideals, to renew the spirit which lay behind these past efforts, and to help make a historic demonstration that economic growth and political democracy can go hand in hand to the end that an enlarged community of free, stable, and self-reliant countries can reduce world tensions and insecurity.

"It is the policy of the United States to strengthen friendly foreign countries by encouraging the development of their free economic institutions and productive capabilities, and by minimizing or eliminating barriers to the flow of private investment capital.

"In addition, the Congress declares that it is the policy of the United States to support the principles of increased economic cooperation and trade among countries, freedom of the press, information, and religion, freedom of navigation in international waterways, and recognition of the right of all private persons to travel and pursue their lawful activities without discrimination as to race or religion. In the administration of all parts of this Act these principles shall be supported in such a way in our relations with countries friendly to the United States which are in controversy with each other as to promote an adjudication of the issues involved by means of international law procedures available to the parties.

"Accordingly, the Congress hereby affirms it to be the policy of the United States to make assistance available, upon request, under this part in scope and on a basis of long-range continuity essential to the creation of an environment in which the energies of the peoples of the world can be devoted to constructive purposes, free of pressure and erosion by the adversaries of freedom. It is the sense of the Congress that assistance under this part should be complemented by the furnishing under any other Act of surplus agricultural commodities and by disposal of excess property under this and other Acts.

"Also, the Congress reaffirms its conviction that the peace of the world and the security of the United States are endangered so long as international communism continues to attempt to bring under Communist domination peoples now free and independent and to keep under domination peoples once free but now subject to such domination. It is, therefore, the policy of the United States to continue to make available to other free countries and peoples, upon request, assistance of such nature and in such amounts as the United States deems advisable and as may be effectively used by free countries and peoples to help them maintain their freedom.

"Assistance shall be based upon sound plans and programs; be directed toward the social as well as economic aspects of economic development; be responsive to the efforts of the recipient countries to mobilize their own resources and help themselves; be cognizant of the external and internal pressures which hamper their growth; and should emphasize long-range development assistance as the primary instrument of such growth.

"The Congress reaffirms its belief in the importance of regional organizations of free peoples for mutual assistance, such as the North Atlantic Treaty Organization, the Organization for Economic Cooperation and Development, the European Economic Community, the Organization of American States, the Colombo Plan, the South East Asia Treaty Organization, the Central Treaty Organization, and others, and expresses its hope that such organizations may be strengthened and broadened, and their programs of self-help and mutual cooperation may be made more effective in the protection of the independence and security of free people, and in the development of their economic and social well-being, and the safeguarding of their basic rights and liberties.

"Finally, the Congress urges that all other countries able to contribute join in a common undertaking to meet the goals stated in this part.

"Chapter 2—Development assistance

"Title I—Development Loan Fund

"SEC. 201. GENERAL AUTHORITY.—(a) The President shall establish a fund to be known as the "Development Loan Fund" to be used by the President to make loans pursuant to the authority contained in this title.

"(b) The President is authorized to make loans payable as to principal and interest in United States dollars on such terms and conditions as he may determine, in order to promote the economic development of less developed friendly countries and areas, with emphasis upon assisting long-range plans and programs designed to develop economic resources and increase productive capacities. In so doing, the President shall take into account (1) whether financing could be obtained in whole or in part from other free-world sources on reasonable terms, (2) the economic and technical soundness of the activity to be financed, (3) whether the activity gives reasonable promise of contributing to the development of economic resources or to the increase of productive capacities in furtherance of the purposes of this title, (4) the consistency of the activity with, and its relationship to, other development activities being undertaken or planned, and its contribution to realizable long-range objectives, (5) the extent to which the recipient country is showing a responsiveness to the vital economic, political, and social concerns of its people, and demonstrating a clear determination to take effective self-help measures, and (6) the possible effects upon the United States economy, with special reference to areas of substantial labor surplus, of the loan involved. Loans shall be made under this title only upon a finding of reasonable prospects of repayment.

"(c) The authority of section 610 may not be used to decrease the funds available under this title, nor may the authority of section 614(a) be used to waive the requirements of this title.

"(d) Funds made available for this title shall not be loaned or reloaned at rates of interest excessive or unreasonable for the borrower and in no event higher than the applicable legal rate of interest of the country in which the loan is made.

"SEC. 202. AUTHORIZATION.—(a) There is hereby authorized to be appropriated to the President for the purposes of this title $1,200,000,000 for the fiscal year 1962 and $1,500,000,000 for each of the next four succeeding fiscal years, which sums shall remain available until expended: *Provided*, That any unappropriated portion of the amount authorized to be appropriated for any such fiscal year may be appropriated in any subsequent fiscal year during the above period in addition to the amount otherwise authorized to be appropriated for such subsequent fiscal year.

"(b) Whenever the President determines that it is important to the advancement of United States interests and necessary in order to further the purposes of this title, and in recognition of the need for reasonable advance assurances in the interest of orderly and effective execution of long-term plans and programs of development assistance, he is authorized to enter into agreements committing, under the terms and conditions of this title, funds authorized to be appropriated under this title, subject only to the annual appropriation of such funds.

"(c) Upon conclusion of each such agreement involving funds to be appropriated, the President shall notify the Foreign Relations and Appropriations Committees of the Senate and the Speaker of the House of Representatives of the provisions of such agreement, including the amounts of funds involved and undertakings of the parties thereto.

"(d) Except as otherwise provided in this part, the United States dollar assets of the corporate entity known as the Development Loan Fund which remain unobligated and not committed for loans repayable in foreign currencies on the date prior to the abolition of such Fund shall be available for use for purposes of this title.

"SEC. 203. FISCAL PROVISIONS.—All receipts from loans made under and in accordance

with this title shall be available for use for the purposes of this title. Such receipts and other funds made available under this title for use for the purposes of this title shall remain available until expended.

"SEC. 204. DEVELOPMENT LOAN COMMITTEE.—The President shall establish an interagency Development Loan Committee, consisting of such officers from such agencies of the United States Government as he may determine, which shall, under the direction of the President, establish standards and criteria for lending operations under this title in accordance with the foreign and financial policies of the United States. Except in the case of officers serving in positions to which they were appointed by the President by and with the advice and consent of the Senate, officers assigned to the Committee shall be so assigned by the President by and with the advice and consent of the Senate.

"SEC. 205. USE OF THE FACILITIES OF THE INTERNATIONAL DEVELOPMENT ASSOCIATION.—If the President determines that it would more effectively serve the purposes of this title and the policy contained in section 619 (pertaining to newly independent countries), he may, in accordance with the provisions of this title, lend not to exceed 10 per centum of the funds made available for this title to the International Development Association for use pursuant to the International Development Association Act (Public Law 86–565, 74 Stat. 293) and the article of agreement of the Association.

"Title II—Development Grants and Technical Cooperation

"SEC. 211. GENERAL AUTHORITY.—(a) The President is authorized to furnish assistance on such terms and conditions as he may determine in order to promote the economic development of less developed friendly countries and areas, with emphasis upon assisting the development of human resources through such means as programs of technical cooperation and development. In so doing, the President shall take into account (1) whether the activity gives reasonable promise of contributing to the development of educational or other institutions and programs directed toward social progress, (2) the consistency of the activity with, and its relationships to, other development activities being undertaken or planned, and its contribution to realizable long-range development objectives, (3) the economic and technical soundness of the activity to be financed, (4) the extent to which the recipient country is showing a responsiveness to the vital economic, political, and social concerns of its people, and demonstrating a clear determination to take effective self-help measures and a willingness to pay a fair share of the cost of programs under this title, (5) the possible adverse effects upon the United States economy, with special reference to areas of substantial labor surplus, of the assistance involved, and (6) the desirability of safeguarding the international balance of payments position of the United States. If the President finds that assistance proposed to be furnished under this title would have a substantially adverse effect upon the United States economy, or a substantial segment thereof, the assistance shall not be furnished.

"(b) In countries and areas which are in the earlier stages of economic development, programs of development of education and human resources through such means as technical cooperation shall be emphasized, and the furnishing of capital facilities for purposes other than the development of education and human resources shall be given a lower priority until the requisite knowledge and skills have been developed.

"SEC. 212. AUTHORIZATION.—There is hereby authorized to be appropriated to the President for use beginning in the fiscal year 1962 to carry out the purposes of section 211 not to exceed $380,000,000, which shall remain available until expended.

"SEC. 213. ATOMS FOR PEACE.—The President is authorized to use, in addition to other funds available for such purposes, not to exceed $2,000,000 of the funds available for the purposes of section 211 for assistance, on such terms and conditions as he may determine, designed to promote the peaceful uses of atomic energy outside the United States.

"SEC. 214. AMERICAN SCHOOLS AND HOSPITALS ABROAD.—(a) The President is authorized to use, in addition to other funds available for such purposes, funds made available for the purposes of section 211 for assistance, on such terms and conditions as he may specify, to schools and libraries outside the United States founded or sponsored by United States citizens and serving as study and demonstration centers for ideas and practices of the United States.

"(b) The President is authorized to use, notwithstanding the provisions of the Mutual Defense Assistance Control Act of 1951 (22 U.S.C. 1611 et seq.), foreign currencies accruing to the United States Government under any Act, for purposes of subsection (a) of this section, and for assistance, on such terms and conditions as he may specify, to hospitals outside the United States founded or sponsored by United States citizens and serving as centers for medical treatment, education, and research.

"SEC. 215. LOANS TO SMALL FARMERS.—It is the policy of the United States and the purpose of this section to strengthen the economies of less developed friendly countries, and in friendly countries where the economy is essentially rural or based on small villages, to provide assistance designed to improve agricultural methods and techniques, to stimulate and encourage the development of local programs of self-help and mutual cooperation, particularly through loans of foreign currencies for associations of operators of small farms, formed for the purpose of joint action designed to increase or diversify agricultural productivity. The maximum unpaid balance of loans made to any association under this section may not exceed $25,000 at any one time; and the aggregate unpaid balance of all loans made under this section may not exceed $10,000,000 at any one time.

"SEC. 216. VOLUNTARY AGENCIES.—(a) In order to further the efficient use of United States voluntary contributions for relief and rehabilitation of friendly peoples, the President is authorized to use funds made available for the purposes of section 211 to pay transportation charges from United States ports to ports of entry abroad, or, in the case of landlocked countries, to points of entry in such countries, on shipments by the American Red Cross and United States voluntary nonprofit relief agencies registered with and approved by the Advisory Committee on Voluntary Foreign Aid.

"(b) Where practicable the President shall make arrangements with the receiving country for free entry of such shipments and for the making available by that country of local currencies for the purpose of defraying the transportation cost of such shipments from the port of entry of the receiving country to the designated shipping point of the consignee.

"Title III—Investment Guaranties

"SEC. 221. GENERAL AUTHORITY.—(a) In order to facilitate and increase the participation of private enterprise in furthering the development of the economic resources and productive capacities of less developed friendly countries and areas, the President is authorized to issue guaranties as provided in subsection (b) of this section of investments in connection with projects, including expansion, modernization, or development of existing enterprises, in any friendly country or area with the government of which the President has agreed to institute the guaranty program. The guaranty program authorized by this title shall be administered under broad criteria, and each project shall be approved by the President.

"(b) The President may issue guaranties to United States citizens, or corporations, partnerships, or other associations created under the laws of the United States or of any State or territory and substantially beneficially owned by United States citizens, as well as any wholly-owned foreign subsidiary of any such corporation—

"(1) assuring protection in whole or in part against any or all of the following risks:

"(A) inability to convert into United States dollars other currencies, or credits in such currencies, received as earnings or profits from the approved project, as repayment or return of the investment therein, in whole or in part, or as compensation for the sale or disposition of all or any part thereof,

"(B) loss of investment, in whole or in part, in the approved project due to expropriation or confiscation by action of a foreign government, and

"(C) loss due to war, revolution, or insurrection:

Provided, That the total face amount of the guaranties issued under this paragraph (1) outstanding at any one time shall not exceed $1,000,000,000; and

"(2) where the President determines such action to be important to the furtherance of the purposes of this title, assuring against loss of not to exceed 75 per centum of any investment due to such risks as the President may determine, upon such terms and conditions as the President may determine: *Provided,* That guaranties issued under this paragraph (2) shall emphasize economic development projects furthering social progress and the development of small independent business enterprises, and no such guaranty shall exceed $10,000,000: *Provided further,* That no payment may be made under this paragraph (2) for any loss arising out of fraud or misconduct for which the investor is responsible: *Provided further,* That the total face amount of the guaranties issued under this paragraph (2) outstanding at any one time shall not exceed $90,000,000: *Provided further,* That this authority shall continue until June 30, 1964.

"(c) No guaranty shall exceed the dollar value, as of the date of the investment, of the investment made in the project with the approval of the President plus actual earnings or profits on said investment to the extent provided by such guaranty, nor shall any guaranty extend beyond twenty years from the date of issuance.

"(d) The President shall make suitable arrangements for protecting the interests of the United States Government in connection with any guaranty issued under section 221(b), including arrangements, with respect to the ownership, use, and disposition of the currency, credits, assets, or investment on account of which payment under such guaranty is to be made, and any right, title, claim, or cause of action existing in connection therewith.

"SEC. 222. GENERAL PROVISIONS.—(a) A fee shall be charged for each guaranty in an amount to be determined by the President. In the event the fee to be charged for a type of guaranty authorized under section 221(b) is reduced, fees to be paid under existing contracts for the same type of guaranty may be similarly reduced.

"(b) All fees collected in connection with guaranties issued under section 221(b), under sections 202(b) and 413(b)(4) of the Mutual Security Act of 1954, as amended, and under section 111(b)(3) of the Economic Cooperation Act of 1948, as amended (22 U.S.C. 1509(b)(3)) (exclusive of fees for informational media guaranties heretofore

or hereafter issued pursuant to section 1011 of the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1442) and section 111(b)(3) of the Economic Cooperation Act of 1948, as amended), shall be available for meeting management and custodial costs incurred with respect to currencies or other assets acquired under guaranties made pursuant to section 221(b) of this part, sections 202(b) and 413(b)(4) of the Mutual Security Act of 1954, as amended, and section 111(b)(3) of the Economic Cooperation Act of 1948, as amended (exclusive of informational media guaranties), and shall be available for expenditure in discharge of liabilities under guaranties made pursuant to such sections, until such time as all such property has been disposed of and all such liabilities have been discharged or have expired, or until all such fees have been expended in accordance with the provisions of this section.

"(c) In computing the total face amount of guaranties outstanding at any one time for purposes of paragraph (1) of section 221(b), the President shall include the face amounts of outstanding guaranties theretofore issued pursuant to such paragraph, sections 202(b) and 413(b)(4) of the Mutual Security Act of 1954, as amended, and section 111(b)(3) of the Economic Cooperation Act of 1948, as amended, but shall exclude informational media guaranties.

"(d) Any payments made to discharge liabilities under guaranties issued under section 221(b) of this part, sections 202(b) and 413(b)(4) of the Mutual Security Act of 1954, as amended, and section 111(b)(3) of the Economic Cooperation Act of 1948, as amended (exclusive of informational media guaranties), shall be paid first out of funds specifically reserved for such payment pursuant to the proviso to the second sentence of section 222(e), and thereafter shall be paid out of fees referred to in section 222(b) as long as such fees are available, and thereafter shall be paid out of funds, if any, realized from the sale of currencies or other assets acquired in connection with any such guaranties as long as such funds are available, and finally shall be paid out of funds realized from the sale of notes issued under section 413(b)(4)(F) of the Mutual Security Act of 1954, as amended, and section 111(c)(2) of the Economic Cooperation Act of 1948, as amended.

"(e) All guaranties issued prior to July 1, 1956 (exclusive of informational media guaranties), all guaranties issued under section 202(b) of the Mutual Security Act of 1954, as amended, may be considered, and all other guaranties shall be considered for the purposes of section 3679 (31 U.S.C. 665) and section 3732 (41 U.S.C. 11) of the Revised Statutes, as amended, as obligations only to the extent of the probable ultimate net cost to the United States Government of all outstanding guaranties. Funds obligated in connection with guaranties issued under section 221(b) of this part, sections 202(b) and 413(b)(4) of the Mutual Security Act of 1954, as amended, and section 111(b)(3) of the Economic Cooperation Act of 1948, as amended (exclusive of informational media guaranties), shall constitute a single reserve, together with funds available for obligation hereunder but not yet obligated, for the payment of claims under all guaranties issued under such sections: *Provided*, That funds obligated in connection with guaranties issued prior to July 1, 1956, and guaranties issued under section 202(b) of the Mutual Security Act of 1954, as amended, shall not, without the consent of the investor, be available for the payment of claims arising under any other guaranties. Funds available for obligation hereunder shall be decreased by the amount of any payments made to discharge liabilities, or to meet management and custodial costs incurred with respect to assets acquired, under guaranties issued pursuant to section 221(b) of this part, sections 202(b) and 413(b)(4) of the Mutual Security Act of 1954, as amended, and section 111(b)(3) of the Economic Cooperation Act of 1948, as amended (exclusive of informational media guaranties), and shall be increased by the amount obligated for guaranties as to which all liability of the United States Government has been terminated, and by the amount of funds realized from the sale of currencies or other assets acquired in connection with any payments made to discharge liabilities, and the amount of fees collected, under guaranties issued pursuant to such sections (exclusive of informational media guaranties).

"SEC. 223. DEFINITIONS.—As used in this title—

"(a) the term 'investment' includes any contribution of capital commodities, services, patents, processes, or techniques in the form of (1) a loan or loans to an approved project, (2) the purchase of a share of ownership in any such project, (3) participation in royalties, earnings, or profits of any such project, and (4) the furnishing of capital commodities and related services pursuant to a contract providing for payment in whole or in part after the end of the fiscal year in which the guaranty of such investment is made; and

"(b) the term 'expropriation' includes but is not limited to any abrogation, repudiation, or impairment by a foreign government of its own contract with an investor, where such abrogation, repudiation, or impairment is not caused by the investor's own fault or misconduct, and materially adversely affects the continued operation of the project.

"SEC. 224. HOUSING PROJECTS IN LATIN AMERICAN COUNTRIES.—(a) It is the sense of the Congress that in order to stimulate private homeownership and assist in the development of stable economies, the authority conferred by this title should be utilized for the purpose of assisting in the development in the American Republics of self-liquidating pilot housing projects designed to provide experience in rapidly developing countries by participating with such countries in guaranteeing private United States capital available for investment in Latin American countries for the purposes set forth herein.

"(b) In order to carry out the purposes set forth in subsection (a), the President is authorized to issue guaranties assuring against the risks of loss specified in paragraph 221(b)(2) of investments made by United States citizens, or corporations, partnerships, or other associations created under the law of the United States or of any State or territory and substantially beneficially owned by United States citizens in pilot or demonstration private housing projects in Latin America of types similar to those insured by the Federal Housing Administration and suitable for conditions in Latin America. The total face amount of guaranties issued under this section outstanding at any one time shall not exceed $10,000,000.

"(c) The provisions of section 222 (a), (b), (d), and (e) shall be applicable to guaranties issued under this section in the same manner and to the same extent as they apply to guaranties issued under section 211(b)(2).

"Title IV—Surveys of Investment Opportunities

"SEC. 231. GENERAL AUTHORITY.—(a) In order to encourage and promote the undertaking by private enterprise of surveys of investment opportunities, other than surveys of extraction opportunities, in less developed friendly countries and areas, the President is authorized to participate in the financing of such surveys undertaken by any person on such terms and conditions as he may determine: *Provided*, That his participation shall not exceed 50 per centum of the total cost of any such survey. The making of each such survey shall be approved by the President.

"(b) In the event that a person who has undertaken a survey in accordance with this title determines, within a period of time to be determined by the President, not to undertake, directly or indirectly, the investment opportunity surveyed, such person shall turn over to the President a professionally acceptable technical report with respect to all matters explored. Such report shall become the property of the United States Government, and the United States Government shall be entitled to have access to, and obtain copies of, all underlying correspondence, memorandums, working papers, documents, and other materials in connection with the survey.

"SEC. 232. AUTHORIZATION.—There is hereby authorized to be appropriated to the President for use beginning in the fiscal year 1962 to carry out the purposes of this title not to exceed $5,000,000, which shall remain available until expended.

"SEC. 233. DEFINITIONS.—As used in this title—

"(a) the term 'person' means a citizen of the United States or any corporation, partnership, or other association substantially beneficially owned by United States citizens; and

"(b) the term 'survey of extraction opportunities' means any survey directed (i) to ascertaining the existence, location, extent, or quality of any deposit of ore, oil, gas, or other mineral, or (ii) to determining the feasibility of undertaking operations for the mining or other extraction of any such mineral or for the processing of any such mineral to the stage of commercial marketability.

"Title V—Development Research

"SEC. 241. GENERAL AUTHORITY.—The President is authorized to use funds made available for this part to carry out programs of research into, and evaluation of, the process of economic development in less developed friendly countries and areas, into the factors affecting the relative success and costs of development activities, and into the means, techniques, and such other aspects of development assistance as he may determine, in order to render such assistance of increasing value and benefit.

"Chapter 3—International organizations and programs

"SEC. 301. GENERAL AUTHORITY.—(a) When he determines it to be in the national interest, the President is authorized to make voluntary contributions on a grant basis to international organizations and to programs administered by such organizations on such terms and conditions as he may determine, in order to further the purposes of this part.

"(b) Contributions to the United Nations Expanded Program of Technical Assistance and the United Nations Special Fund for the calendar years succeeding 1961 may not exceed forty per centum of the total amount contributed for such purpose (including assessed and audited local costs) for each such year.

"(c) In determining whether or not to continue furnishing assistance for Palestine refugees in the Near East through contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the President shall take into account (1) whether Israel and the Arab host governments are taking steps toward the resettlement and repatriation of such refugees, and (2) the extent and success of efforts by the Agency and the Arab host governments to rectify the Palestine refugee relief rolls.

"SEC. 302. AUTHORIZATION.—There is hereby authorized to be appropriated to the President for use, in addition to funds available under any other Act for such purposes,

for the fiscal year 1962 to carry out the purposes of this chapter not to exceed $153,500,000.

"SEC. 303. INDUS BASIN DEVELOPMENT.—In the event that funds made available under this Act (other than part II) are used by or under the supervision of the International Bank for Reconstruction and Development in furtherance of the development of the Indus Basin through the program of cooperation among South Asian and other countries of the free world, which is designed to promote economic growth and political stability in South Asia, such funds may be used in accordance with requirements, standards, or procedures established by the Bank concerning completion of plans and cost estimates and determination of feasibility, rather than with requirements, standards, or procedures concerning such matters set forth in this or other Acts; and such funds may also be used without regard to the provisions of section 901(b) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1241), whenever the President determines that such provisions cannot be fully satisfied without seriously impeding or preventing accomplishment of the purposes of such programs: *Provided*, That compensating allowances are made in the administration of other programs to the same or other areas to which the requirements of said section 901 (b) are applicable.

"Chapter 4—Supporting assistance

"SEC. 401. GENERAL AUTHORITY.—The President is authorized to furnish assistance to friendly countries, organizations, and bodies eligible to receive assistance under this part on such terms and conditions as he may determine, in order to support or promote economic or political stability.

"SEC. 402. AUTHORIZATION.—There is hereby authorized to be appropriated to the President for use beginning in the fiscal year 1962 to carry out the purposes of this chapter not to exceed $465,000,000, which shall remain available until expended.

"Chapter 5—Contingency fund

"SEC. 451. CONTINGENCY FUND.—(a) There is hereby authorized to be appropriated to the President for the fiscal year 1962 not to exceed $300,000,000 for use by the President for assistance authorized by part I in accordance with the provisions applicable to the furnishing of such assistance, when he determines such use to be important to the national interest.

"(b) The President shall keep the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Speaker of the House of Representatives currently informed of the use of funds under this section.

"Chapter 6—Assistance to countries having agrarian economies

"SEC. 461. ASSISTANCE TO COUNTRIES HAVING AGRARIAN ECONOMIES.—Whenever the President determines that the economy of any country is in major part an agrarian economy, emphasis shall be placed on programs which reach the people in such country who are engaged in agrarian pursuits or who live in the villages or rural areas in such country, including programs which will assist them in the establishment of indigenous cottage industries, in the improvement of agricultural methods and techniques, and which will encourage the development of local programs of self-help and mutual cooperation.

"PART II

"Chapter 1—Short title and policy

"SEC. 501. SHORT TITLE.—This part may be cited as the 'International Peace and Security Act of 1961.'

"SEC. 502. STATEMENT OF POLICY.—The Congress of the United States reaffirms the policy of the United States to achieve international peace and security through the United Nations so that armed force shall not be used except for individual or collective self-defense. The Congress hereby finds that the efforts of the United States and other friendly countries to promote peace and security continue to require measures of support based upon the principle of effective self-help and mutual aid. It is the purpose of this part to authorize measures in the common defense against internal and external aggression, including the furnishing of military assistance, upon request, to friendly countries and international organizations. In furnishing such military assistance, it remains the policy of the United States to continue to exert maximum efforts to achieve universal control of weapons of mass destruction and universal regulation and reduction of armaments, including armed forces, under adequate safeguards to protect complying countries against violation and evasion.

"The Congress recognizes that the peace of the world and the security of the United States are endangered so long as international communism and the countries it controls continue by threat of military action, by the use of economic pressure, and by internal subversion, or other means to attempt to bring under their domination peoples now free and independent and continue to deny the rights of freedom and self-government to peoples and countries once free but now subject to such domination.

"It is the sense of the Congress that an important contribution toward peace would be made by the establishment under the Organization of American States of an international military force.

"In enacting this legislation, it is therefore the intention of the Congress to promote the peace of the world and the foreign policy, security, and general welfare of the United States by fostering an improved climate of political independence and individual liberty, improving the ability of friendly countries and international organizations to deter or, if necessary, defeat Communist or Communist-supported aggression, facilitating arrangements for individual and collective security, assisting friendly countries to maintain internal security, and creating an environment of security and stability in the developing friendly countries essential to their more rapid social, economic, and political progress. The Congress urges that all other countries able to contribute join in a common undertaking to meet the goals stated in this part.

"Finally, the Congress reaffirms its full support of the progress of the members of the North Atlantic Treaty Organization toward increased cooperation in political, military, and economic affairs. In particular, the Congress welcomes the steps which have been taken to promote multilateral programs of coordinated procurement, research, development, and production of defense articles and urges that such programs be expanded to the fullest extent possible to further the defense of the North Atlantic area.

"Chapter 2—Military assistance

"SEC. 503. GENERAL AUTHORITY.—The President is authorized to furnish military assistance on such terms and conditions as he may determine, to any friendly country or international organization, the assisting of which the President finds will strengthen the security of the United States and promote world peace and which is otherwise eligible to receive such assistance, by—

"(a) acquiring from any source and providing (by loan, lease, sale, exchange, grant, or any other means) any defense article or defense service;

"(b) making financial contributions to multilateral programs for the acquisition or construction of facilities in foreign countries for collective defense;

"(c) providing financial assistance for expenses incident to participation by the United States Government in regional or collective defense organizations; and

"(d) assigning or detailing members of the Armed Forces of the United States and other personnel of the Department of Defense to perform duties of a noncombatant nature, including those related to training or advice.

"SEC. 504. AUTHORIZATION.—(a) There is hereby authorized to be appropriated to the President for use beginning in the fiscal years 1962 and 1963 to carry out the purposes of this part, the sum of $1,700,000,000 for each such fiscal year, which sums shall remain available until expended.

"(b) In order to make sure that a dollar spent on military assistance to foreign countries is as necessary as a dollar spent for the United States Military Establishment, the President shall establish procedures for programing and budgeting so that programs of military assistance come into direct competition for financial support with other activities and programs of the Department of Defense.

"SEC. 505. UTILIZATION OF ASSISTANCE.—(a) Military assistance to any country shall be furnished solely for internal security, for legitimate self-defense, to permit the recipient country to participate in regional or collective arrangements or measures consistent with the Charter of the United Nations, or otherwise to permit the recipient country to participate in collective measures requested by the United Nations for the purpose of maintaining or restoring international peace and security.

"(b) To the extent feasible and consistent with the other purposes of this part, the use of military forces in less developed friendly countries in the construction of public works and other activities helpful to economic development shall be encouraged.

"SEC. 506. CONDITIONS OF ELIGIBILITY.—(a) In addition to such other provisions as the President may require, no defense articles shall be furnished to any country on a grant basis unless it shall have agreed that—

"(1) it will not, without the consent of the President—

"(A) permit any use of such articles by anyone not an officer, employee, or agent of that country,

"(B) transfer, or permit any officer, employee, or agent of that country to transfer such articles by gift, sale, or otherwise, or

"(C) use or permit the use of such articles for purposes other than those for which furnished;

"(2) it will maintain the security of such articles, and will provide substantially the same degree of security protection afforded to such articles by the United States Government;

"(3) it will, as the President may require, permit continuous observation and review by, and furnish necessary information to, representatives of the United States Government with regard to the use of such articles; and

"(4) unless the President consents to other disposition, it will return to the United States Government for such use or disposition as the President considers in the best interests of the United States, such articles which are no longer needed for the purposes for which furnished.

"(b) No defense articles shall be furnished on a grant basis to any country at a cost in excess of $3,000,000 in any fiscal year unless the President determines—

"(1) that such country conforms to the purpose and principles of the Charter of the United Nations;

"(2) that such defense articles will be utilized by such country for the maintenance of its own defensive strength, and the defensive strength of the free world;

"(3) that such country is taking all reasonable measures, consistent with its po-

litical and economic stability, which may be needed to develop its defense capacities; and

"(4) that the increased ability of such country to defend itself is important to the security of the United States.

"SEC. 507. SALES.—(a) The President may furnish defense articles from the stocks of the Department of Defense and defense services to any friendly country or international organization, without reimbursement from funds made available for use under this part, if such country or international organization agrees to pay the value thereof in United States dollars. Payment shall be made in advance or, as determined by the President to be in the best interests of the United States, within a reasonable period not to exceed three years after the delivery of the defense articles, or the provision of the defense services. For the purposes of this subsection, the value of excess defense articles shall be not less than (1) the value specified in section 644(m)(1) plus the scrap value, or (2) the market value, if ascertainable, whichever is the greater.

"(b) The President may, without requirement for charge to any appropriation or contract authorization otherwise provided, enter into contracts for the procurement of defense articles or defense services for sale to any friendly country or international organization if such country or international organization provides the United States Government with a dependable undertaking (1) to pay the full amount of such contract which will assure the United States Government against any loss on the contract, and (2) to make funds available in such amounts and at such times as may be required to meet the payments required by the contract, and any damages and costs that may accrue from the cancellation of such contract, in advance of the time such payments, damages, or costs are due.

"SEC. 508. REIMBURSEMENTS.—Whenever funds made available for use under this part are used to furnish military assistance on cash or credit terms, United States dollar repayments, including dollar proceeds derived from the sale of foreign currency repayments to any agency or program of the United States Government, shall be credited to the current applicable appropriation, and shall be available until expended solely for the purpose of furnishing further military assistance on cash or credit terms, and, notwithstanding any provision of law relating to receipts and credits accruing to the United States Government, repayments in foreign currency may be used to carry out this part.

"SEC. 509. EXCHANGES.—Defense articles or defense services transferred to the United States Government by a country or international organization as payment for assistance furnished under this part may be used to carry out this part, or may be disposed of or transferred to any agency of the United States Government for stockpiling or other purposes. If such disposal or transfer is made subject to reimbursement, the funds so received shall be credited to the appropriation, fund, or account funding the cost of the assistance furnished or to any appropriation, fund, or account currently available for the same general purpose.

"SEC. 510. SPECIAL AUTHORITY.—(a) During the fiscal year 1962, the President may, if he determines it to be vital to the security of the United States, order defense articles from the stocks of the Department of Defense and defense services for the purposes of part II, subject to subsequent reimbursement therefor from subsequent appropriations available for military assistance. The value of such orders under this subsection in the fiscal year 1962 shall not exceed $300,000,000. Prompt notice of action taken under this subsection shall be given to the Committees on Foreign Relations, Appropriations, and Armed Services of the Senate and the Speaker of the House of Representatives.

"(b) The Department of Defense is authorized to incur, in applicable appropriations, obligations in anticipation of reimbursements in amounts equivalent to the value of such orders under subsection (a) of this section. Appropriations to the President of such sums as may be necessary to reimburse the applicable appropriation, fund, or account for such orders are hereby authorized.

"SEC. 511. RESTRICTIONS ON MILITARY AID TO LATIN AMERICA.—(a) The value of grant programs of defense articles for American Republics, pursuant to any authority contained in this part other than section 507, in any fiscal year beginning with the fiscal year 1962, shall not exceed $57,500,000: *Provided*, That an amount equal to the amount by which the foregoing ceiling reduces the program as presented to the Congress for the fiscal year 1962 shall be transferred to and consolidated with the appropriation made pursuant to section 212 and shall be used for development grants in American Republics.

"(b) Internal security requirements shall not, unless the President determines otherwise and promptly reports such determination to the Senate Committee on Foreign Relations and to the Speaker of the House of Representatives, be the basis for military assistance programs for American Republics.

"PART III

"Chapter 1—General provisions

"SEC. 601. ENCOURAGEMENT OF FREE ENTERPRISE AND PRIVATE PARTICIPATION.—(a) The Congress of the United States recognizes the vital role of free enterprise in achieving rising levels of production and standards of living essential to economic progress and development. Accordingly, it is declared to be the policy of the United States to encourage the efforts of other countries to increase the flow of international trade, to foster private initiative and competition, to encourage the development and use of cooperatives, credit unions, and savings and loan associations, to discourage monopolistic practices, to improve the technical efficiency of their industry, agriculture, and commerce, and to strengthen free labor unions; and to encourage the contribution of United States enterprise toward economic strength of less-developed friendly countries, through private trade and investment abroad, private participation in programs carried out under this Act (including the use of private trade channels to the maximum extent practicable in carrying out such programs), and exchange of ideas and technical information on the matters covered by this subsection.

"(b) In order to encourage and facilitate participation by private enterprise to the maximum extent practicable in achieving any of the purposes of this Act, the President shall—

"(1) make arrangements to find, and draw the attention of private enterprise to, opportunities for investment and development in less-developed friendly countries and areas;

"(2) accelerate a program of negotiating treaties for commerce and trade, including tax treaties, which shall include provisions to encourage and facilitate the flow of private investment to, and its equitable treatment in, friendly countries and areas participating in programs under this Act;

"(3) seek, consistent with the national interest, compliance by other countries or areas with all treaties for commerce and trade and taxes, and take all reasonable measures under this Act or other authority to secure compliance therewith and to assist United States citizens in obtaining just compensation for losses sustained by them or payments exacted from them as a result of measures taken or imposed by any country or area thereof in violation of any such treaty; and

"(4) wherever appropriate carry out programs of assistance through private channels and to the extent practicable in conjunction with local private or governmental participation, including loans under the authority of section 201 to any individual, corporation, or other body of persons.

"SEC. 602. SMALL BUSINESS.—(a) Insofar as practicable and to the maximum extent consistent with the accomplishment of the purposes of this Act, the President shall assist American small business to participate equitably in the furnishing of commodities, defense articles, and services (including defense services) financed with funds made available under this Act—

"(1) by causing to be made available to suppliers in the United States, and particularly to small independent enterprises, information, as far in advance as possible, with respect to purchases proposed to be financed with such funds;

"(2) by causing to be made available to prospective purchasers in the countries and areas receiving assistance under this Act information as to such commodities, articles, and services produced by small independent enterprises in the United States; and

"(3) by providing for additional services to give small business better opportunities to participate in the furnishing of such commodities, articles, and services financed with such funds.

"(b) There shall be an Office of Small Business, headed by a Special Assistant for Small Business, in such agency of the United States Government as the President may direct, to assist in carrying out the provisions of subsection (a) of this section.

"(c) The Secretary of Defense shall assure that there is made available to suppliers in the United States, and particularly to small independent enterprises, information with respect to purchases made by the Department of Defense pursuant to part II, such information to be furnished as far in advance as possible.

"SEC. 603. SHIPPING ON UNITED STATES VESSELS.—The ocean transportation between foreign countries of commodities and defense articles purchased with foreign currencies made available or derived from funds made available under this Act or the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1691 et seq.), and transfers of fresh fruit and products thereof under this Act, shall not be governed by the provisions of section 901(b) of the Merchant Marine Act of 1936, as amended (46 U.S.C. 1241), or any other law relating to the ocean transportation of commodities on United States-flag vessels.

"SEC. 604. PROCUREMENT.—(a) Funds made available under this Act may be used for procurement outside the United States only if the President determines that such procurement will not result in adverse effects upon the economy of the United States or the industrial mobilization base, with special reference to any areas of labor surplus or to the net position of the United States in its balance of payments with the rest of the world, which outweigh the economic or other advantages to the United States of less costly procurement outside the United States, and only if the price of any commodity procured in bulk is lower than the market price prevailing in the United States at the time of procurement, adjusted for differences in the cost of transportation to destination, quality, and terms of payment.

"(b) No funds made available under this Act shall be used for the purchase in bulk of any commodities at prices higher than the market price prevailing in the United States at the time of purchase, adjusted for differences in the cost of transportation to destination, quality, and terms of payment.

"(c) In providing for the procurement of any surplus agricultural commodity for transfer by grant under this Act to any recipient country in accordance with its requirements, the President shall, insofar as practicable and when in furtherance of the purposes of this Act, authorize the procurement of such surplus agricultural commodity only within the United States except to the extent that such surplus agricultural commodity is not available in the United States in sufficient quantities to supply emergency requirements of recipients under this Act.

"(d) In providing assistance in the procurement of commodities in the United States, United States dollars shall be made available for marine insurance on such commodities where such insurance is placed on a competitive basis in accordance with normal trade practice prevailing prior to the outbreak of World War II: *Provided,* That in the event a participating country, by statute, decree, rule, or regulation, discriminates against any marine insurance company authorized to do business in any State of the United States, then commodities purchased with funds provided hereunder and destined for such country shall be insured in the United States against marine risk with a company or companies authorized to do a marine insurance business in any State of the United States.

"SEC. 605. RETENTION AND USE OF ITEMS.—(a) Any commodities and defense articles procured to carry out this Act shall be retained by, or upon reimbursement, transferred to, and for the use of, such agency of the United States Government as the President may determine in lieu of being disposed of to a foreign country or international organization, whenever in the judgment of the President the best interests of the United States will be served thereby, or whenever such retention is called for by concurrent resolution. Any commodities or defense articles so retained may be disposed of without regard to provisions of law relating to the disposal of property owned by the United States Government, when necessary to prevent spoilage or wastage of such commodities or defense articles or to conserve the usefulness thereof. Funds realized from any disposal or transfer shall revert to the restrictive appropriation, fund, or account used to procure such commodities or defense articles or to the appropriation, fund, or account currently available for the same general purpose.

"(b) Whenever commodities are transferred to the United States Government as repayment of assistance under this Act, such commodities may be used in furtherance of the purposes and within the limitations of this Act.

"SEC. 606. PATENTS AND TECHNICAL INFORMATION.—(a) Whenever, in connection with the furnishing of assistance under this Act—

"(1) an invention or discovery covered by a patent issued by the United States Government is practiced within the United States without the authorization of the owner, or

"(2) information, which is (A) protected by law, and (B) held by the United States Government subject to restrictions imposed by the owner, is disclosed by the United States Government or any of its officers, employees, or agents in violation of such restrictions,

the exclusive remedy of the owner, except as provided in subsection (b) of this section, is to sue the United States Government for reasonable and entire compensation for such practice or disclosure in the district court of the United States for the district in which such owner is a resident, or in the Court of Claims, within six years after the cause of action arises. Any period during which the United States Government is in possession of a written claim under subsection (b) of this section before mailing a notice of denial of that claim does not count in computing the six years. In any such suit, the United States Government may plead any defense that may be pleaded by a private person in such an action. The last paragraph of section 1498(a) of title 28 of the United States Code shall apply to inventions and information covered by this section.

"(b) Before suit against the United States Government has been instituted, the head of the agency of the United States Government concerned may settle and pay any claim arising under the circumstances described in subsection (a) of this section. No claim may be paid under this subsection unless the amount tendered is accepted by the claimant in full satisfaction.

"(c) Funds appropriated pursuant to this Act shall not be expended by the United States Government for the acquisition of any drug product or pharmaceutical product manufactured outside the United States if the manufacture of such drug product or pharmaceutical product in the United States would involve the use of, or be covered by, an unexpired patent of the United States which has not previously been held invalid by an unappealed or unappealable judgment or decree of a court of competent jurisdiction, unless such manufacture is expressly authorized by the owner of such patent.

"SEC. 607. FURNISHING OF SERVICES AND COMMODITIES.—Whenever the President determines it to be consistent with and in furtherance of the purposes of part I and within the limitations of this Act, any agency of the United States Government is authorized to furnish services and commodities, on an advance-of-funds or reimbursement basis to friendly countries, international organizations, the American Red Cross, and voluntary nonprofit relief agencies registered with and approved by the Advisory Committee on Voluntary Foreign Aid. Such advances or reimbursements which are received under this section within one hundred and eighty days after the close of the fiscal year in which such services and commodities are delivered, may be credited to the current applicable appropriation, account, or fund of the agency concerned and shall be available for the purposes for which such appropriation, account, or fund is authorized to be used.

"SEC. 608. ADVANCE ACQUISITION OF PROPERTY.—(a) The President is authorized to maintain in a separate account, which shall, notwithstanding section 1210 of the General Appropriation Act, 1951 (64 Stat. 765), be free from fiscal year limitation, $5,000,000 of funds made available under section 212, which may be used to pay costs of acquisition, storage, renovation and rehabilitation, packing, crating, handling, transportation, and related costs of property classified as domestic or foreign excess property pursuant to the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.), or other property, in advance of known requirements therefor for use in furtherance of the purposes of part I: *Provided,* That the amount of property classified as domestic excess property pursuant to the Federal Property and Administrative Services Act of 1949, as amended, held at any one time pursuant to this section shall not exceed $15,000,000 in total original acquisition cost. Property acquired pursuant to the preceding sentence may be furnished (1) pursuant to any provision of part I for which funds are authorized for the furnishing of assistance, in which case the separate account established pursuant to this section shall be repaid from funds made available for such provision for all costs incurred, or (2) pursuant to section 607, in which case such separate account shall be repaid in accordance with the provisions of that section for all costs incurred.

"(b) Property classified as domestic excess property under the Federal Property and Administrative Services Act of 1949, as amended, shall not be transferred to the agency primarily responsible for administering part I for use pursuant to the provisions of part I or section 607 unless (1) such property is transferred for use exclusively by an agency of the United States Government, or (2) it has been determined in the same manner as provided for surplus property in section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, that such property is not needed for donation pursuant to that subsection. The foregoing restrictions shall not apply to the transfer in any fiscal year for use pursuant to the provisions of part I of amounts of such property with a total original acquisition cost to the United States Government not exceeding $45,000,000.

"SEC. 609. SPECIAL ACCOUNT.—(a) In cases where any commodity is to be furnished on a grant basis under chapter 4 of part I under arrangements which will result in the accrual of proceeds to the recipient country from the sale thereof, the President shall require the recipient country to establish a Special Account, and

"(1) deposit in the Special Account, under such terms and conditions as may be agreed upon, currency of the recipient country in amounts equal to such proceeds;

"(2) make available to the United States Government such portion of the Special Account as may be determined by the President to be necessary for the requirements of the United States Government: *Provided,* That such portion shall not be less than 10 per centum in the case of any country to which such minimum requirement has been applicable under any Act repealed by this Act; and

"(3) utilize the remainder of the Special Account for programs agreed to by the United States Government to carry out the purposes for which new funds authorized by this Act would themselves be available: *Provided,* That whenever funds from such Special Account are used by a country to make loans, all funds received in repayment of such loans prior to termination of assistance to such country shall be reused only for such purposes as shall have been agreed to between the country and the United States Government.

"(b) Any unencumbered balances of funds which remain in the account upon termination of assistance to such country under this Act shall be disposed of for such purposes as may, subject to approval by Act of the Congress, be agreed to between such country and the United States Government.

"SEC. 610. TRANSFER BETWEEN ACCOUNTS.—Whenever the President determines it to be necessary for the purposes of this Act, not to exceed 10 per centum of the funds made available for any provision of this Act may be transferred to, and consolidated with, the funds made available for any other provision of this Act, and may be used for any of the purposes for which such funds may be used, except that the total in the provision for the benefit of which the transfer is made shall not be increased by more than 20 per centum of the amount of funds made available for such provision.

"SEC. 611. COMPLETION OF PLANS AND COST ESTIMATES.—(a) No agreement or grant which constitutes an obligation of the United States Government in excess of $100,000 under section 1311 of the Supplemental Appropriation Act, 1955, as amended (31 U.S.C. 200), shall be made for any assistance authorized under titles I and II of chapter 2 and chapter 4 of part I—

"(1) if such agreement or grant requires substantive technical or financial planning, until engineering, financial, and other plans necessary to carry out such assistance, and a reasonably firm estimate of the cost to

the United States Government of providing such assistance, have been completed; and

"(2) if such agreement or grant requires legislative action within the recipient country, unless such legislative action may reasonably be anticipated to be completed in time to permit the orderly accomplishment of the purposes of such agreement or grant.

"(b) Plans required under subsection (a) of this section for any water or related land resource construction project or program shall include a computation of benefits and costs made insofar as practicable in accordance with the procedures set forth in circular A–47 of the Bureau of the Budget with respect to such computations.

"(c) To the maximum extent practicable, all contracts for construction outside the United States made in connection with any agreement or grant subject to subsection (a) of this section shall be made on a competitive basis.

"(d) Subsection (a) of this section shall not apply to any assistance furnished for the sole purpose of preparation of engineering, financial, and other plans.

"SEC. 612. USE OF FOREIGN CURRENCIES.—Except as otherwise provided in this Act or other Acts, foreign currencies received either (1) as a result of the furnishing of nonmilitary assistance under the Mutual Security Act of 1954, as amended, or any Act repealed thereby, and unobligated on the date prior to the effective date of this Act, or (2) on or after the effective date of this Act, as a result of the furnishing of nonmilitary assistance under the Mutual Security Act of 1954, as amended, or any Act repealed thereby, or (3) as a result of the furnishing of assistance under part I, which are in excess of amounts reserved under authority of section 105(d) of the Mutual Educational and Cultural Exchange Act of 1961 or any other Act relating to educational and cultural exchanges, may be sold by the Secretary of the Treasury to agencies of the United States Government for payment of their obligations outside the United States, and the United States dollars received as reimbursement shall be deposited into miscellaneous receipts of the Treasury. Foreign currencies so received which are in excess of the amounts so reserved and of the requirements of the United States Government in payment of its obligations outside the United States, as such requirements may be determined from time to time by the President, shall be available for the authorized purposes of part I in such amounts as may be specified from time to time in appropriation Acts.

"SEC. 613. ACCOUNTING, VALUATION, AND REPORTING OF FOREIGN CURRENCIES.—(a) Under the direction of the President, the Secretary of the Treasury shall have responsibility for valuation and central accounting with respect to foreign credits (including currencies) owed to or owned by the United States. In order to carry out such responsibility the Secretary shall issue regulations binding upon all agencies of the Government.

"(b) The Secretary of the Treasury shall have sole authority to establish for all foreign currencies or credits the exchange rates at which such currencies are to be reported by all agencies of the Government.

"(c) Each agency or department shall report to the Secretary of the Treasury an inventory as of June 30, 1961, showing the amount of all foreign currencies acquired without payment of dollars on hand of each of the respective countries, and the Secretary of the Treasury shall consolidate these reports as of the same date and submit to the Congress this consolidated report broken down by agencies, by countries, by units of foreign currencies and their dollar equivalent. Thereafter, semiannually, similar reports are to be submitted by the agencies to the Treasury Department and then presented to the Congress by the Secretary of the Treasury.

"SEC. 614. SPECIAL AUTHORITIES.—(a) The President may authorize in each fiscal year the use of funds made available for use under this Act and the furnishing of assistance under section 510 in a total amount not to exceed $250,000,000 and the use of not to exceed $100,000,000 of foreign currencies accruing under this Act or any other law, without regard to the requirements of this Act, any law relating to receipts and credits accruing to the United States, any Act appropriating funds for use under this Act, or the Mutual Defense Assistance Control Act of 1951 (22 U.S.C. 1611 et seq.), in furtherance of any of the purposes of such Acts, when the President determines that such authorization is important to the security of the United States. Not more than $50,000,000 of the funds available under this subsection may be allocated to any one country in any fiscal year.

"(b) Whenever the President determines it to be important to the national interest, he may use funds available for the purposes of chapter 4 of part I in order to meet the responsibilities or objectives of the United States in Germany, including West Berlin, and without regard to such provisions of law as he determines should be disregarded to achieve this purpose.

"(c) The President is authorized to use amounts not to exceed $50,000,000 of the funds made available under this Act pursuant to his certification that it is inadvisable to specify the nature of the use of such funds, which certification shall be deemed to be a sufficient voucher for such amounts.

"SEC. 615. CONTRACT AUTHORITY.—Provisions of this Act authorizing the appropriation of funds shall be construed to authorize the granting in any appropriation Act of authority to enter into contracts, within the amounts so authorized to be appropriated, creating obligations in advance of appropriations.

"SEC. 616. AVAILABILITY OF FUNDS.—Except as otherwise provided in this Act, funds shall be available to carry out the provisions of this Act as authorized and appropriated to the President each fiscal year.

"SEC. 617. TERMINATION OF ASSISTANCE.—Assistance under any provision of this Act may, unless sooner terminated by the President, be terminated by concurrent resolution. Funds made available under this Act shall remain available for a period not to exceed twelve months from the date of termination of assistance under this Act for the necessary expenses of winding up programs related thereto.

"SEC. 618. ECONOMIC ASSISTANCE TO LATIN AMERICA.—Economic assistance to Latin America pursuant to title I and title II of chapter 2 of part I of this Act shall be furnished in accordance with the principles of the Act of Bogotá signed on September 13, 1960, and in order to carry out the policies of this Act and the purposes of this section, the President shall, when requested by a friendly country and when appropriate, assist in fostering measures of agrarian reform, including colonization and redistribution of land, with a view to insuring a wider and more equitable distribution of the ownership of land.

"SEC. 619. ASSISTANCE TO NEWLY INDEPENDENT COUNTRIES.—Assistance under part I of this Act to newly independent countries shall, to the maximum extent appropriate in the circumstances of each case, be furnished through multilateral organizations or in accordance with multilateral plans, on a fair and equitable basis with due regard to self-help.

"SEC. 620. PROHIBITIONS AGAINST FURNISHING ASSISTANCE TO CUBA AND CERTAIN OTHER COUNTRIES.—(a) No assistance shall be furnished under this Act to the present government of Cuba. As an additional means of implementing and carrying into effect the policy of the preceding sentence, the President is authorized to establish and maintain a total embargo upon all trade between the United States and Cuba.

"(b) No assistance shall be furnished under this Act to the government of any country unless the President determines that such country is not dominated or controlled by the international Communist movement.

"(c) No assistance shall be provided under this Act to the government of any country which is indebted to any United States citizen for goods or services furnished, where such citizen has exhausted available legal remedies and the debt is not denied or contested by such government.

"(d) No assistance shall be furnished under section 201 of this Act for construction or operation of any productive enterprise in any country where such enterprise will compete with United States enterprise unless such country has agreed that it will establish appropriate procedures to prevent the exportation for use or consumption in the United States of more than twenty per centum of the annual production of such facility during the life of the loan. In case of failure to implement such agreement by the other contracting party, the President is authorized to establish necessary import controls to effectuate the agreement. The restrictions imposed by or pursuant to this subsection may be waived by the President where he determines that such waiver is in the national security interest.

"Chapter 2—Administrative provisions

"SEC. 621. EXERCISE OF FUNCTIONS.—(a) The President may exercise any functions conferred upon him by this Act through such agency or officer of the United States Government as he shall direct. The head of any such agency or such officer may from time to time promulgate such rules and regulations as may be necessary to carry out such functions, and may delegate authority to perform any such functions, including, if he shall so specify, the authority successively to redelegate any of such functions to any of his subordinates. In providing technical assistance under this Act in the field of education, health, housing, or agriculture, or in other fields, the head of any such agency or such officer shall utilize, to the fullest extent practicable, the facilities and resources of the Federal agency or agencies with primary responsibilities for domestic programs in such fields.

"(b) Notwithstanding the provisions of section 642(a), the corporate entity known as the Development Loan Fund, the International Cooperation Administration, and the Office of the Inspector General and Comptroller shall continue in existence for a period not to exceed sixty days after the effective date of this Act, unless sooner abolished by the President. There shall continue to be available to each such agency and office during such period the respective functions, offices, personnel, property, records, funds, and assets which were available thereto on the date prior to the effective date of this Act.

"(c) On the date of the abolition of the corporate entity known as the Development Loan Fund, the President shall designate an officer or head of an agency of the United States Government carrying out functions under part I to whom shall be transferred, and who shall accept the assets of, assume the obligations and liabilities of, and exercise the rights established or acquired for the benefit of, or with respect to, the Fund as of the date of abolition and not otherwise disposed of by this Act. In addition, on such date the President shall designate such officer or head of agency as the person to be sued in the event of default in the fulfillment of the obligations of the Fund, and shall transfer to such officer or head of

agency such offices, entities, functions, property, and records of the Fund as may be necessary, and notwithstanding any other provision of law, shall transfer to such officer or head of agency such personnel of the Fund as the President determines to be necessary. Not later than ninety days after the date of such transfer, the President shall transmit to the Congress a final report of the operations and conditions (as of the date of the transfer) of such Fund.

"(d) On the date of the abolition of the International Cooperation Administration the President shall transfer to an officer or head of an agency of the United States Government carrying out functions under part I such offices, entities, functions, property, records, and funds of such agency, not otherwise disposed of by this Act, as may be necessary, and notwithstanding any other provision of law, shall transfer to such officer or head of agency such personnel of the International Cooperation Administration as the President determines to be necessary.

"(e) On the date of the abolition of the agencies referred to in subsection (c) and (d) of this section, the President shall designate an officer or head of an agency of the United States Government carrying out functions under part I to whom shall be transferred, and who shall accept, the assets, obligations, and liabilities of, and the rights established or acquired for the benefit of, or with respect to, the Export-Import Bank of Washington related to the loans made by the Bank pursuant to section 104(e) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(e)). In addition, on such date the President shall designate such officer or head of agency to be sued in the event of default in the fulfillment of such obligations of the Bank, and shall transfer to such officer or head of agency such records of the Bank as may be necessary.

"SEC. 622. COORDINATION WITH FOREIGN POLICY.—(a) Nothing contained in this Act shall be construed to infringe upon the powers or functions of the Secretary of State.

"(b) The President shall prescribe appropriate procedures to assure coordination among representatives of the United States Government in each country, under the leadership of the Chief of the United States Diplomatic Mission. The Chief of the diplomatic mission shall make sure that recommendations of such representatives pertaining to military assistance are coordinated with political and economic considerations, and his comments shall accompany such recommendations if he so desires.

"(c) Under the direction of the President, the Secretary of State shall be responsible for the continuous supervision and general direction of the assistance programs authorized by this Act, including but not limited to determining whether there shall be a military assistance program for a country and the value thereof, to the end that such programs are effectively integrated both at home and abroad and the foreign policy of the United States is best served thereby.

"SEC. 623. THE SECRETARY OF DEFENSE.—(a) In the case of assistance under part II of this Act, the Secretary of Defense shall have primary responsibility for—

"(1) the determination of military end-item requirements;

"(2) the procurement of military equipment in a manner which permits its integration with service programs;

"(3) the supervision of end-item use by the recipient countries;

"(4) the supervision of the training of foreign military personnel;

"(5) the movement and delivery of military end-items; and

"(6) within the Department of Defense, the performance of any other functions with respect to the furnishing of military assistance.

"(b) The establishment of priorities in the procurement, delivery, and allocation of military equipment shall be determined by the Secretary of Defense.

"SEC. 624. STATUTORY OFFICERS.—(a) The President may appoint, by and with the advice and consent of the Senate, twelve officers in the agency primarily responsible for administering part I, of whom—

"(1) one shall have the rank of an Under Secretary and shall be compensated at a rate not to exceed the rate authorized by law for any Under Secretary of an Executive Department;

"(2) two shall have the rank of Deputy Under Secretaries and shall be compensated at a rate not to exceed the rate authorized by law for any Deputy Under Secretary of an Executive Department; and

"(3) nine shall have the rank of Assistant Secretaries and shall be compensated at a rate not to exceed the rate authorized by law for any Assistant Secretary of an Executive Department, and in the selection of one of such persons due consideration shall be given to persons qualified as professional engineers.

"(b) Within the limitations established by subsection (a) of this section, the President may fix the rate of compensation, and may designate the title of, any officer appointed pursuant to the authority contained in that subsection. The President may also fix the order of succession among the officers provided for in paragraphs (2) and (3) of subsection (a) of this section in the event of the absence, death, resignation, or disability of the officers provided for in paragraphs (1) and (2) of that subsection.

"(c) Any person who was appointed, by and with the advice and consent of the Senate, to any statutory position authorized by any provision of law repealed by section 642(a) and who is serving in one of such positions at the time of transfer of functions pursuant to subsections (c) and (d) of section 621, may be appointed by the President to a comparable position authorized by subsection (a) of this section on the date of the establishment of the agency primarily responsible for administering part I, without further action by the Senate.

"(d) Notwithstanding the provisions of sections 642(a)(1) and 642(a)(2), any person who, on the date prior to the effective date of this Act, held an office or a position authorized pursuant to sections 205(b), 527(b), or 533A of the Mutual Security Act of 1954, as amended, or Reorganization Plan Numbered 7 of 1953, may continue to hold such office or position, subject to the discretion of the head of the agency primarily responsible for administering part I, for a period of not more than sixty days following the effective date of this Act.

"(e)(1) In addition to the officers provided for in subsection (a) of this section, there shall be in the Department of State an officer with the title of "Inspector General, Foreign Assistance," who shall be appointed by the President, by and with the advice and consent of the Senate. In addition, there shall be one Deputy Inspector General, Foreign Assistance, and two Assistant Inspector Generals, Foreign Assistance, who shall be appointed by the President, and such other personnel as may be required to carry out the functions vested in the Inspector General, Foreign Assistance, by this subsection. Notwithstanding any other provisions of law, such of the personnel employed under the authority of section 533A of the Mutual Security Act of 1954, as amended, as the Inspector General, Foreign Assistance, may designate, and such of the property, records, and funds of the office established by such section 533A as the Inspector General, Foreign Assistance, may deem necessary, may be transferred to the office of the Inspector General, Foreign Assistance. The Inspector General, Foreign Assistance, shall receive compensation at the rate of $20,000 annually; the Deputy Inspector General, Foreign Assistance, shall receive compensation at the rate of $19,500 annually, and each Assistant Inspector General, Foreign Assistance, shall receive compensation at the rate of $19,000 annually.

"(2) The Inspector General, Foreign Assistance, shall report directly to the Secretary of State and shall have the following duties and responsibilities:

"(A) He shall arrange for, direct or conduct such reviews, inspections and audits of programs being conducted under part I of this Act and of the Peace Corps as he considers necessary for the purpose of ascertaining the efficiency and the economy of their administration, their consonance with the foreign policy of the United States, and the attainment of their objectives.

"(B) For the purpose of ascertaining the extent to which programs of assistance being carried out under part II of this Act and the Agricultural Trade Development and Assistance Act of 1954, as amended, are in consonance with the foreign policy of the United States, are aiding in the attainment of the objectives of this Act, and are being carried out consistently with the responsibilities with respect thereto of the respective United States chiefs of missions and of the Secretary of State, as well as the efficiency and the economy with which such responsibilities are discharged, he shall arrange for, direct or conduct such reviews, inspections and audits of programs of assistance under part II of this Act and the Agricultural Trade Development and Assistance Act of 1954, as amended, as he considers necessary.

"(3) The Inspector General, Foreign Assistance, shall maintain continuous observation and review of programs with respect to which he has responsibilities under paragraph (2) of this subsection for the purpose of—

"(A) determining the extent to which such programs are in compliance with applicable laws and regulations;

"(B) making recommendations for the correction of deficiencies in, or for improving the organization, plans or procedures of, such programs; and

"(C) evaluating the effectiveness of such programs in attaining United States foreign policy objectives and reporting to the Secretary of State with respect thereto.

"(4) In order to eliminate duplication and to assure full utilization of existing data, the Inspector General, Foreign Assistance, shall, in carrying out his duties under this Act, give due regard to the audit, investigative and inspection activities of the various agencies, including those of the General Accounting Office and of the military Inspectors General.

"(5) For the purpose of aiding in carrying out his duties under this Act, the Inspector General, Foreign Assistance, shall have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material of the agencies of the United States Government administering part I or part II of this Act, the Peace Corps or the Agricultural Trade Development and Assistance Act of 1954, as amended. All agencies of the United States Government shall cooperate with the Inspector General, Foreign Assistance, and shall furnish assistance upon request to the Inspector General, Foreign Assistance, in aid of his responsibilities.

"(6) The Inspector General, Foreign Assistance, shall have authority to suspend all or any part of any project or operation (but not a country program) with respect to which he has conducted or is conducting an inspection, audit or review provided he first has given written notice to the Secretary of State. Any such suspension shall remain effective until such program or part thereof is ordered resumed by the Inspector General, Foreign Assistance, or by the Secretary of State. This paragraph shall not apply to part II of this Act, and with respect to the Agricultural Trade Development and Assist-

ance Act of 1954, as amended, shall apply only to projects and operations administered by the Secretary of State.

"(7) Expenses of the Inspector General, Foreign Assistance, with respect to programs under part I or part II of this Act and the Peace Corps shall be charged to the appropriations made to carry out such programs, and with respect to programs under the Agricultural Trade Development and Assistance Act of 1954, as amended, shall be charged to funds available under the authority of this Act: *Provided,* That such appropriations shall not be charged with such expenses after the expiration of a thirty-five day period which begins on the date the General Accounting Office, or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering legislation, appropriations, or expenditures under the Act, has delivered to the Office of the Secretary of State a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material which relates to the operation or activities of the Inspector General, Foreign Assistance, unless and until there has been furnished to the General Accounting Office, or to such committee, or subcommittee, as the case may be, (A) the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested, or (B) a certification by the President personally that he has forbidden the furnishing thereof pursuant to such request and his reason for so doing. The waiver authority in section 614(a) of this Act and the provisions of section 634(c) of this Act shall not apply to this subsection. Such expenses shall not exceed $2,000,000 in any fiscal year. The Inspector General, Foreign Assistance, may make expenditures (not in excess of $2,000 in any fiscal year) of a confidential nature when he finds that such expenditures are in aid of inspections, audits, or reviews under this subsection. A certificate of the amount of each such expenditure, the nature of which it is considered inadvisable to specify, shall be made by the Inspector General, Foreign Assistance, and every such certificate shall be deemed a sufficient voucher for the amount therein specified.

"SEC. 625. EMPLOYMENT OF PERSONNEL.—(a) Any agency or officer of the United States Government carrying out functions under this Act is authorized to employ such personnel as the President deems necessary to carry out the provisions and purposes of this Act.

"(b) Of the personnel employed in the United States to carry out part I or coordinate part I and part II, not to exceed seventy-six may be appointed, compensated, or removed without regard to the provisions of any law, of whom not to exceed fifty-one may be compensated at rates higher than those provided for grade 15 of the general schedule established by the Classification Act of 1949, as amended (5 U.S.C. 1071 et seq.), and of these, not to exceed eight may be compensated at a rate in excess of the highest rate provided for grades of such general schedule but not in excess of $19,000 per year: *Provided,* That, under such regulations as the President shall prescribe, officers and employees of the United States Government who are appointed to any of the above positions may be entitled, upon removal from such position, to reinstatement to the position occupied at the time of appointment or to a position of comparable grade and salary. Such positions shall be in addition to those authorized by law to be filled by Presidential appointment, and in addition to the number authorized by section 505 of the Classification Act of 1949, as amended.

"(c) Of the personnel employed in the United States to carry out part II, not to exceed eight may be compensated at rates higher than those provided for grade 15 of the general schedule established by the Classification Act of 1949, as amended, and of these, not to exceed three may be compensated at a rate in excess of the highest rate provided for grades of such general schedule but not in excess of $19,000 per year. Such positions shall be in addition to those authorized by law to be filled by Presidential appointment, and in addition to the number authorized by section 505 of the Classification Act of 1949, as amended.

"(d) For the purpose of performing functions under this Act outside the United States the President may—

"(1) employ or assign persons, or authorize the employment or assignment of officers or employees by agencies of the United States Government, who shall receive compensation at any of the rates provided for the Foreign Service Reserve and Staff by the Foreign Service Act of 1946, as amended (22 U.S.C. 801 et seq.), together with allowances and benefits thereunder; and persons so employed or assigned shall be entitled, except to the extent that the President may specify otherwise in cases in which the period of employment or assignment exceeds thirty months, to the same benefits as are provided by section 528 of that Act for persons appointed to the Foreign Service Reserve, and the provisions of section 1005 of that Act shall apply in the case of such persons, except that policymaking officials shall not be subject to that part of section 1005 of that Act which prohibits political tests; and

"(2) utilize such authority, including authority to appoint and assign personnel for the duration of operations under this Act, contained in the Foreign Service Act of 1946, as amended, as the President deems necessary to carry out functions under this Act; and such provisions of the Foreign Service Act of 1946, as amended, as the President deems appropriate shall apply to personnel, appointed or assigned under this paragraph, including in all cases the provisions of section 528 of that Act: *Provided, however,* That the President may by regulation make exceptions to the application of section 528 in cases in which the period of the appointment or assignment exceeds thirty months: *Provided further,* That Foreign Service Reserve officers appointed or assigned pursuant to this paragraph shall receive within-class salary increases in accordance with such regulations as the President may prescribe.

"(e) The President is authorized to prescribe by regulation standards or other criteria for maintaining adequate performance levels for personnel appointed or assigned pursuant to paragraph (2) of subsection (d) of this section and section 527(c)(2) of the Mutual Security Act of 1954, as amended, and may, notwithstanding any other law, but subject to an appropriate administrative appeal, separate employees who fail to meet such standards or other criteria, and also may grant such personnel severance benefits of one month's salary for each year's service, but not to exceed one year's salary at the then current salary rate of such personnel.

"(f) Funds provided for in agreements with foreign countries for the furnishing of services under this Act shall be deemed to be obligated for the services of personnel employed by the United States Government as well as other personnel.

"(g) The principles regarding foreign language competence set forth in section 578 of the Foreign Service Act of 1946, as amended (22 U.S.C. 801), shall be applicable to personnel carrying out functions under this Act and the Secretary of State shall make appropriate designations and standards for such personnel.

"(h) Notwithstanding any other provision of law, officers and employees of the United States Government performing functions under this Act shall not accept from any foreign country any compensation or other benefits. Arrangements may be made by the President with such countries for reimbursement to the United States Government or other sharing of the cost of performing such functions.

"(i) To the maximum extent practicable officers and employees performing functions under this Act abroad shall be assigned to countries and positions for which they have special competence, such as appropriate language and practical experience.

"SEC. 626. EXPERTS, CONSULTANTS, AND RETIRED OFFICERS.—(a) Experts and consultants or organizations thereof may, as authorized by section 15 of the Act of August 2, 1946, as amended (5 U.S.C. 55a), be employed for the performance of functions under this Act, and individuals so employed may be compensated at rates not in excess of $75 per diem, and while away from their homes or regular places of business, they may be paid actual travel expenses and per diem in lieu of subsistence at the applicable rate prescribed in the standardized Government travel regulations, as amended from time to time. Contracts for such employment with such organizations, employment of personnel as experts and consultants, not to exceed ten in number, contracts for such employment of retired military personnel with specialized research and development experience, not to exceed ten in number, and contracts for such employment of retired military personnel with specialized experience of a broad politico-military nature, not to exceed five in number, may be renewed annually.

"(b) Service of an individual as an expert or consultant under subsection (a) of this section shall not be considered as service or employment bringing such individual within the provisions of section 281, 283, or 284 of title 18 of the United States Code, or of section 190 of the Revised Statutes (5 U.S.C. 99), or of any other Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with any claim, proceeding, or matter involving the United States Government, except insofar as such provisions of law may prohibit any such individual from receiving compensation in respect of any particular matter in which such individual was directly involved in the performance of such service. Nor shall such service be considered as employment or holding of office or position bringing such individual within the provisions of section 13 of the Civil Service Retirement Act, as amended (5 U.S.C. 2263), section 212 of Public Law 72–212, as amended (5 U.S.C. 59a), section 872 of the Foreign Service Act of 1946, as amended, or any other law limiting the reemployment of retired officers or employees or governing the simultaneous receipt of compensation and retired pay or annuities.

"(c) Notwithstanding section 2 of the Act of July 31, 1894, as amended (5 U.S.C. 62), any retired officer of any of the services mentioned in the Career Compensation Act of 1949, as amended (37 U.S.C. 231 et seq.), may hold any office or appointment under this Act, but the compensation of any such retired officer shall be subject to the provisions of section 212 of Public Law 72–212, as amended.

"(d) Persons of outstanding experience and ability may be employed without compensation by any agency of the United States Government for the performance of functions under this Act in accordance with the provisions of section 710(b) of the Defense Production Act of 1950, as amended (50 U.S.C. App. 2160(b)), and regulations issued thereunder.

"SEC. 627. DETAIL OF PERSONNEL TO FOREIGN GOVERNMENTS.—Whenever the President

determines it to be in furtherance of the purposes of this Act, the head of any agency of the United States Government is authorized to detail or assign any officer or employee of his agency to any office or position with any foreign government or foreign government agency, where acceptance of such office or position does not involve the taking of an oath of allegiance to another government or the acceptance of compensation or other benefits from any foreign country by such officer or employee.

"SEC. 628. DETAIL OF PERSONNEL TO INTERNATIONAL ORGANIZATION.—Whenever the President determines it to be consistent with and in furtherance of the purposes of this Act, the head of any agency of the United States Government is authorized to detail, assign, or otherwise make available to any international organization any officer or employee of his agency to serve with, or as a member of, the international staff of such organization, or to render any technical, scientific, or professional advice or service to, or in cooperation with, such organization.

"SEC. 629. STATUS OF PERSONNEL DETAILED.—(a) Any officer or employee, while assigned or detailed under section 627 or 628 of this Act, shall be considered, for the purpose of preserving his allowances, privileges, rights, seniority, and other benefits as such, an officer or employee of the United States Government and of the agency of the United States Government from which detailed or assigned, and he shall continue to receive compensation, allowances, and benefits from funds appropriated to that agency or made available to that agency under this Act.

"(b) Any officer or employee assigned, detailed, or appointed under section 627, 628, 631, or 624(e) of this Act is authorized to receive under such regulations as the President may prescribe, representation allowances similar to those allowed under section 901 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1131). The authorization of such allowances and other benefits and the payment thereof out of any appropriations available therefor shall be considered as meeting all the requirements of section 1765 of the Revised Statutes (5 U.S.C. 70).

"SEC. 630. TERMS OF DETAIL OR ASSIGNMENT.—Details or assignments may be made under section 627 or 628 of this Act or section 408 of the Mutual Security Act of 1954, as amended—

"(1) without reimbursement to the United States Government by the foreign government or international organization;

"(2) upon agreement by the foreign government or international organization to reimburse the United States Government for compensation, travel expenses, and allowances, or any part thereof, payable to the officer or employee concerned during the period of assignment or detail; and such reimbursements (including foreign currencies) shall be credited to the appropriation, fund, or account utilized for paying such compensation, travel expenses, or allowances, or to the appropriation, fund, or account currently available for such purposes;

"(3) upon an advance of funds, property, or services by the foreign government or international organization to the United States Government accepted with the approval of the President for specified uses in furtherance of the purposes of this Act; and funds so advanced may be established as a separate fund in the Treasury of the United States Government, to be available for the specified uses, and to be used for reimbursement of appropriations or direct expenditure subject to the provisions of this Act, any unexpended balance of such account to be returned to the foreign government or international organization; or

"(4) subject to the receipt by the United States Government of a credit to be applied against the payment by the United States Government of its share of the expenses of the international organization to which the officer or employee is detailed or assigned, such credit to be based upon the compensation, travel expenses, and allowances, or any part thereof, payable to such officer or employee during the period of detail or assignment in accordance with section 629.

"SEC. 631. MISSIONS AND STAFFS ABROAD.—(a) The President may maintain special missions or staffs outside the United States in such countries and for such periods of time as may be necessary to carry out the purposes of this Act. Each such special mission or staff shall be under the direction of a chief.

"(b) The chief and his deputy of each special mission or staff carrying out the purposes of part I shall be appointed by the President, and may, notwithstanding any other law, be removed by the President at his discretion. Such chief shall be entitled to receive (1) in cases approved by the President, the same compensation and allowances as a chief of mission, class 3, or a chief of mission, class 4, within the meaning of the Foreign Service Act of 1946, as amended, or (2) compensation and allowances in accordance with section 625(d), as the President shall determine to be appropriate.

"SEC. 632. ALLOCATION AND REIMBURSEMENT AMONG AGENCIES.—(a) The President may allocate or transfer to any agency of the United States Government any part of any funds available for carrying out the purposes of this Act, including any advance to the United States Government by any country or international organization for the procurement of commodities, defense articles, or services (including defense services). Such funds shall be available for obligation and expenditure for the purposes for which authorized, in accordance with authority granted in this Act or under authority governing the activities of the agencies of the United States Government to which such funds are allocated or transferred.

"(b) Any officer of the United States Government carrying out functions under this Act may utilize the services (including defense services) and facilities of, or procure commodities and defense articles from, any agency of the United States Government as the President shall direct, or with the consent of the head of such agency, and funds allocated pursuant to this subsection to any such agency may be established in separate appropriation accounts on the books of the Treasury.

"(c) In the case of any commodity, service, or facility procured from any agency of the United States Government to carry out part I, reimbursement or payment shall be made to such agency from funds available to carry out such part. Such reimbursement or payment shall be at replacement cost, or, if required by law, at actual cost, or at any other price authorized by law and agreed to by the owning or disposing agency. The amount of any such reimbursement or payment shall be credited to current applicable appropriations, funds, or accounts, from which there may be procured replacements, of similar commodities, services, or facilities, except that where such appropriations, funds, or accounts are not reimbursable except by reason of this subsection, and when the owning or disposing agency determines that such replacement is not necessary, any funds received in payment therefor shall be deposited into the Treasury as miscellaneous receipts.

"(d) Except as otherwise provided in sections 507 and 510, reimbursement shall be made to any United States Government agency, from funds available for use under part II, for any assistance furnished under part II from, by, or through such agency. Such reimbursement shall be in an amount equal to the value (as defined in section 644 (m)) of the defense articles or of the defense services (other than salaries of members of the Armed Forces of the United States), or other assistance furnished, plus expenses arising from or incident to operations under part II. The amount of such reimbursement shall be credited to the current applicable appropriations, funds, or accounts of such agency.

"(e) In furnishing assistance under this Act, accounts may be established on the books of any agency of the United States Government or, on terms and conditions approved by the Secretary of the Treasury, in banking institutions in the United States, (1) against which letters of commitment may be issued which shall constitute recordable obligations of the United States Government, and moneys due or to become due under such letters of commitment shall be assignable under the Assignment of Claims Act of 1940, as amended (second and third paragraphs of 31 U.S.C. 203 and 41 U.S.C. 15), and (2) from which disbursements may be made to, or withdrawals may be made by, recipient countries or agencies, organizations, or persons upon presentation of contracts, invoices, or other appropriate documentation. Expenditure of funds which have been made available through accounts so established shall be accounted for on standard documentation required for expenditure of funds of the United States Government: *Provided*, That such expenditures for commodities, defense articles, services (including defense services), or facilities procured outside the United States may be accounted for exclusively on such certification as may be prescribed in regulations approved by the Comptroller General of the United States.

"(f) Credits made by the Export-Import Bank of Washington with funds allocated thereto under subsection (a) of this section or under section 522(a) of the Mutual Security Act of 1954, as amended, shall not be considered in determining whether the Bank has outstanding at any one time loans and guaranties to the extent of the limitation imposed by section 7 of the Export-Import Bank Act of 1945, as amended (12 U.S.C. 635e).

"(g) Any appropriation or account available to carry out provisions of part I may initially be charged in any fiscal year, within the limit of available funds, to finance expenses for which funds are available in other appropriations or accounts under part I: *Provided*, That as of the end of such fiscal year such expenses shall be finally charged to applicable appropriations or accounts with proper credit to the appropriations or accounts initially utilized for financing purposes: *Provided further*, That such final charge to applicable appropriations or accounts shall not be required in the case of expenses (other than those provided for under section 637(a)) incurred in furnishing assistance by the agency primarily responsible for administering part I where it is determined that the accounting costs of identifying the applicable appropriation or account to which such expenses should be charged would be disproportionate to the advantage to be gained.

"SEC. 633. WAIVERS OF CERTAIN LAWS.—(a) Whenever the President determines it to be in furtherance of the purposes of this Act, the functions authorized under this Act may be performed without regard to such provisions of law (other than the Renegotiation Act of 1951, as amended (50 U.S.C. App. 1211 et seq.)), regulating the making, performance, amendment, or modification of contracts and the expenditure of funds of the United States Government as the President may specify.

"(b) The functions authorized under part II may be performed without regard to such provisions as the President may specify of the joint resolution of November 4, 1939 (54 Stat. 4), as amended.

"(c) Notwithstanding the provisions of sections 3544(b) and 8544(b) of title 10 of the United States Code, personnel of the Department of Defense may be assigned or detailed to any civil office to carry out this Act.

"SEC. 634. REPORTS AND INFORMATION.—(a) The President shall, while funds made available for the purposes of this Act remain available for obligation, transmit to the Congress after the close of each fiscal year a report concerning operations in that fiscal year under this Act. Each such report shall include information on the operation of the investment guaranty program.

"(b) The President shall, in the reports required by subsection (a) of this section, and in response to requests from Members of the Congress or inquiries from the public, make public all information concerning operations under this Act not deemed by him to be incompatible with the security of the United States. In the case of each loan made from the Development Loan Fund established pursuant to section 201(a) the President shall make public appropriate information about the loan, including information about the borrower, the nature of the activity being financed, and the economic development objectives being served by the loan.

"(c) None of the funds made available pursuant to the provisions of this Act shall be used to carry out any provision of this Act in any country or with respect to any project or activity, after the expiration of the thirty-five-day period which begins on the date the General Accounting Office or any committee of the Congress charged with considering legislation, appropriations, or expenditures under this Act, has delivered to the office of the head of any agency carrying out such provision, a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material in its custody or control relating to the administration of such provision in such country or with respect to such project or activity, unless and until there has been furnished to the General Accounting Office, or to such committee, as the case may be, (1) the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested, or (2) a certification by the President that he has forbidden the furnishing thereof pursuant to request and his reason for so doing.

"(d) In January of each year, the President shall notify the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Speaker of the House of Representatives of all actions taken during the preceding twelve months under this Act which resulted in furnishing assistance of a kind, for a purpose, or to an area, substantially different from that included in the presentation to the Congress during its consideration of this Act or any Act appropriating funds pursuant to authorizations contained in this Act, or which resulted in obligations or reservations greater by 50 per centum or more than the proposed obligations or reservations included in such presentation for the program concerned, and in his notification the President shall state the justification for such changes. In addition, the President shall promptly notify the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Speaker of the House of Representatives of any determination under section 303, 610, 614(a), or 614(b).

"(e) The President shall include in his recommendations to the Congress for programs under this Act for each fiscal year a specific plan for each country receiving bilateral grant economic assistance whereby, wherever practicable, such grant economic assistance shall be progressively reduced and eventually terminated.

"SEC. 635. GENERAL AUTHORITIES.—(a) Except as otherwise specifically provided in this Act, assistance under this Act may be furnished on a grant basis or on such terms, including cash, credit, or other terms of repayment (including repayment in foreign currencies or by transfer to the United States Government of commodities) as may be determined to be best suited to the achievement of the purposes of this Act, and shall emphasize loans rather than grants wherever possible.

"(b) The President may make loans, advances, and grants to, make and perform agreements and contracts with, or enter into other transactions with, any individual, corporation, or other body of persons, friendly government or government agency, whether within or without the United States, and international organizations in furtherance of the purposes and within the limitations of this Act.

"(c) It is the sense of Congress that the President, in furthering the purposes of this Act, shall use to the maximum extent practicable the services and facilities of voluntary, nonprofit organizations registered with, and approved by, the Advisory Committee on Voluntary Foreign Aid.

"(d) The President may accept and use in furtherance of the purposes of this Act, money, funds, property, and services of any kind made available by gift, devise, bequest, grant, or otherwise for such purpose.

"(e) Any agency of the United States Government is authorized to pay the cost of health and accident insurance for foreign participants in any program of furnishing technical information and assistance administered by such agency while such participants are absent from their homes for the purpose of participation in such program.

"(f) Alien participants in any program of furnishing technical information and assistance under this Act may be admitted to the United States if otherwise qualified as nonimmigrants under section 101(a)(15) of the Immigration and Nationality Act, as amended (8 U.S.C. 1101(a)(15)), for such time and under such conditions as may be prescribed by regulations promulgated by the Secretary of State and the Attorney General.

"(g) In making loans under this Act, the President—

"(1) may issue letters of credit and letters of commitment;

"(2) may collect or compromise any obligations assigned to, or held by, and any legal or equitable rights accruing to, him and, as he may determine, refer any such obligations or rights to the Attorney General for suit or collection;

"(3) may acquire and dispose of, upon such terms and conditions as he may determine, any property, including any instrument evidencing indebtedness or ownership (provided that equity securities may not be directly purchased although such securities may be acquired by other means such as by exercise of conversion rights or through enforcement of liens or pledges or otherwise to satisfy a previously incurred indebtedness), and guarantee payment against any such instrument;

"(4) may determine the character of, and necessity for, obligations and expenditures of funds used in making such loans and the manner in which they shall be incurred, allowed, and paid, subject to provisions of law specifically applicable to corporations of the United States Government; and

"(5) shall cause to be maintained an integral set of accounts which shall be audited by the General Accounting Office in accordance with principles and procedures applicable to commercial corporate transactions as provided by the Government Corporation Control Act, as amended (31 U.S.C. 841 et seq.).

"(h) A contract or agreement which entails commitments for the expenditure of funds made available under titles II and V of chapter 2 of part I and under part II may, subject to any future action of the Congress, extend at any time for not more than five years.

"(i) Claims arising as a result of investment guaranty operations may be settled, and disputes arising as a result thereof may be arbitrated with the consent of the parties, on such terms and conditions as the President may direct. Payment made pursuant to any such settlement, or as a result of an arbitration award, shall be final and conclusive notwithstanding any other provision of law.

"(j) The provisions of section 955 of title 18 of the United States Code shall not apply to prevent any person, including any individual, partnership, corporation, or association, from acting for, or participating in, any operation or transaction arising under this Act, or from acquiring any obligation issued in connection with any operation or transaction arising under this Act.

"SEC. 636. PROVISIONS ON USES OF FUNDS.—(a) Appropriations for the purposes of or pursuant to this Act (except for part II), allocations to any agency of the United States Government, from other appropriations, for functions directly related to the purposes of this Act, and funds made available for other purposes to the agency primarily responsible for administering part I, shall be available for:

"(1) rent of buildings and space in buildings in the United States, and for repair, alteration, and improvement of such leased properties;

"(2) expenses of attendance at meetings concerned with the purposes of such appropriations or of this Act, including (notwithstanding the provisions of section 9 of Public Law 60–328 (31 U.S.C. 673)) expenses in connection with meetings of persons whose employment is authorized by section 626;

"(3) contracting with individuals for personal services abroad: *Provided*, That such individuals shall not be regarded as employees of the United States Government for the purpose of any law administered by the Civil Service Commission;

"(4) purchase, maintenance, operation, and hire of aircraft: *Provided*, That aircraft for administrative purposes may be purchased only as specifically provided for in an appropriation or other Act;

"(5) purchase and hire of passenger motor vehicles: *Provided*, That, except as may otherwise be provided in an appropriation or other Act, passenger motor vehicles for administrative purposes outside the United States may be purchased for replacement only, and such vehicles may be exchanged or sold and replaced by an equal number of such vehicles, and the cost, including exchange allowance, of each such replacement shall not exceed $3,500 in the case of an automobile for the chief of any special mission or staff outside the United States established under section 631: *Provided further*, That passenger motor vehicles, other than one for the official use (without regard to the limitations contained in section 5 of Public Law 63–127, as amended (5 U.S.C. 78(c)(2)) and section 201 of Public Law 85–468 (5 U.S.C. 78a–1)) of the head of the agency primarily responsible for administering part I, may be purchased for use in the United States only as may be specifically provided in an appropriation or other Act;

"(6) entertainment (not to exceed $25,000 in any fiscal year except as may otherwise be provided in an appropriation or other Act);

"(7) exchange of funds without regard to section 3651 of the Revised Statutes (31 U.S.C. 543) and loss by exchange;

"(8) expenditures (not to exceed $50,000 in any fiscal year except as may otherwise be provided in an appropriation or other Act) of a confidential character other than

entertainment: *Provided,* That a certificate of the amount of each such expenditure, the nature of which it is considered inadvisable to specify, shall be made by the head of the agency primarily responsible for administering part I or such person as he may designate, and every such certificate shall be deemed a sufficient voucher for the amount therein specified;

"(9) insurance of official motor vehicles or aircraft acquired for use in foreign countries;

"(10) rent or lease outside the United States for not to exceed ten years of offices, buildings, grounds, and quarters, including living quarters to house personnel, and payments therefor in advance; maintenance, furnishings, necessary repairs, improvements, and alterations to properties owned or rented by the United States Government or made available for use to the United States Government outside the United States; and costs of fuel, water, and utilities for such properties;

"(11) expenses of preparing and transporting to their former homes, or, with respect to foreign participants engaged in any program under part I, to their former homes or places of burial, and of care and disposition of, the remains of persons or members of the families of persons who may die while such persons are away from their homes participating in activities carried out with funds covered by this subsection;

"(12) purchase of uniforms;

"(13) payment of per diem in lieu of subsistence to foreign participants engaged in any program under part I while such participants are away from their homes in countries other than the United States, at rates not in excess of those prescribed by the standardized Government travel regulations, notwithstanding any other provision of law;

"(14) use in accordance with authorities of the Foreign Service Act of 1946, as amended (22 U.S.C. 801 et seq.), not otherwise provided for;

"(15) ice and drinking water for use outside the United States;

"(16) services of commissioned officers of the Coast and Geodetic Survey, and for the purposes of providing such services the Coast and Geodetic Survey may appoint not to exceed twenty commissioned officers in addition to those otherwise authorized;

"(17) expenses in connection with travel of personnel outside the United States, including travel expenses of dependents (including expenses during necessary stopovers while engaged in such travel), and transportation of personal effects, household goods, and automobiles of such personnel when any part of such travel or transportation begins in one fiscal year pursuant to travel orders issued in that fiscal year, notwithstanding the fact that such travel or transportation may not be completed during the same fiscal year, and cost of transporting automobiles to and from a place of storage, and the cost of storing automobiles of such personnel when it is in the public interest or more economical to authorize storage.

"(b) Funds made available for the purposes of this Act may be used for compensation, allowances, and travel of personnel including Foreign Service personnel whose services are utilized primarily for the purposes of this Act, for printing and binding without regard to the provisions of any other law, and for expenditures outside the United States for the procurement of supplies and services and for other administrative and operating purposes (other than compensation of personnel) without regard to such laws and regulations governing the obligation and expenditure of funds of the United States Government as may be necessary to accomplish the purposes of this Act.

"(c) Notwithstanding any other law, not to exceed $3,000,000 of the funds available for assistance under this Act (other than title I of chapter 2 of part I) may be used in any fiscal year (in addition to funds available for such use under other authorities in this Act) to construct or otherwise acquire outside the United States (1) essential living quarters, office space, and necessary supporting facilities for use of personnel carrying out activities authorized by this Act, and (2) schools (including dormitories and boarding facilities) and hospitals for use of personnel carrying out activities authorized by this Act, United States Government personnel, and their dependents. In addition, funds made available for assistance under this Act (other than title I of chapter 2 of part I) may be used, notwithstanding any other law, to equip, staff, operate, and maintain such schools and hospitals.

"(d) Not to exceed $1,500,000 of the funds available for assistance under this Act (other than title I of chapter 2 of part I) may be used in any fiscal year to provide assistance, on such terms and conditions as are deemed appropriate, to schools established, or to be established, outside the United States whenever it is determined that such action would be more economical or would best serve the interests of the United States in providing for the education of dependents of personnel carrying out activities authorized by this Act and dependents of United States Government personnel, in lieu of acquisition or construction pursuant to subsection (c) of this section.

"(e) Funds available under this Act (other than title I of chapter 2 of part I) may be used to pay costs of training United States citizen personnel employed or assigned pursuant to section 625(d)(2) (through interchange or otherwise) at any State or local unit of government, public or private nonprofit institution, trade, labor, agricultural, or scientific association or organization, or commercial firm; and the provisions of Public Law 84-918 (7 U.S.C. 1881 et seq.) may be used to carry out the foregoing authority notwithstanding that interchange of personnel may not be involved or that the training may not take place at the institutions specified in that Act. Such training shall not be considered employment or holding of office under section 2 of the Act of July 31, 1894, as amended (5 U.S.C. 62), and any payments or contributions in connection therewith may, as deemed appropriate by the head of the agency of the United States Government authorizing such training, be made by private or public sources and be accepted by any trainee, or may be accepted by and credited to the current applicable appropriation of such agency: *Provided, however,* That any such payments to an employee in the nature of compensation shall be in lieu, or in reduction, of compensation received from the United States Government.

"(f) Funds made available under section 212 may be used for expenses (other than those provided for under section 637(a)) to assist in carrying out functions under title I of chapter 2 of part I, under the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1691 et seq.), and under the Act to provide for assistance in the development of Latin America and in the reconstruction of Chile, and for other purposes (22 U.S.C. 1942 et seq.), performed by the agency primarily responsible for administering part I.

"(g) Funds made available for the purposes of part II shall be available for—

"(1) administrative, extraordinary (not to exceed $300,000 in any fiscal year), and operating expenses;

"(2) reimbursement of actual expenses of military officers detailed or assigned as tour directors in connection with orientation visits of foreign military personnel, in accordance with the provisions of section 3 of the Travel Expense Act of 1949, as amended (U.S.C. 836), applicable to civilian officers and employees; and

"(3) maintenance, repair, alteration, and furnishing of United States-owned facilities in the District of Columbia or elsewhere for the training of foreign military personnel, without regard to the provisions of section 3733 of the Revised Statutes (41 U.S.C. 12) or other provision of law requiring a specific authorization or specific appropriation for such public contracts.

"SEC. 637. ADMINISTRATIVE EXPENSES.—(a) There is hereby authorized to be appropriated to the President for the fiscal year 1962 not to exceed $50,000,000 for necessary administrative expenses of the agency primarily responsible for administering part I.

"(b) There is hereby authorized to be appropriated to the Secretary of State such amounts as may be necessary from time to time for administrative expenses which are incurred for functions of the Department of State under this Act and unrepealed provisions of the Mutual Security Act of 1954, as amended, or for normal functions of the Department of State which relate to such functions.

"Chapter 3—Miscellaneous provisions

"SEC. 641. EFFECTIVE DATE AND IDENTIFICATION OF PROGRAMS.—This Act shall take effect on the date of its enactment. Programs under this Act shall be identified appropriately overseas as "American Aid".

"SEC. 642. STATUTES REPEALED.—(a) There are hereby repealed—

"(1) Reorganization Plan Numbered 7 of 1953;

"(2) the Mutual Security Act of 1954, as amended (except sections 143, 402, 405(a), 405(c), 405(d), 408, 414, 417, 451(c), 502(a), 502(b), 514, 523(d), and 536): *Provided,* That until the enactment of legislation authorizing and appropriating funds for activities heretofore carried on pursuant to sections 405(a), 405(c), 405(d), and 451(c) of the Mutual Security Act of 1954, as amended, such activities may be continued with funds made available under section 451(a) of this Act;

"(3) section 12 of the Mutual Security Act of 1955;

"(4) sections 12, 13, and 14 of the Mutual Security Act of 1956;

"(5) section 503 of the Mutual Security Act of 1958;

"(6) section 108 of the Mutual Security Appropriation Act, 1959;

"(7) section 501(a), chapter VI, and sections 702 and 703 of the Mutual Security Act of 1959, as amended; and

"(8) section 604 and chapter VIII of the Mutual Security Act of 1960.

"(b) References in law to the Acts, or provisions of such Acts, repealed by subsection (a) of this section shall hereafter be deemed to be references to this Act or appropriate provisions of this Act.

"(c) The repeal of the Acts listed in subsection (a) of this section shall not be deemed to affect amendments contained in such Acts to Acts not named in that subsection.

"SEC. 643. SAVING PROVISIONS.—(a) Except as may be expressly provided to the contrary in this Act, all determinations, authorizations, regulations, orders, contracts, agreements, and other actions issued, undertaken, or entered into under authority of any provision of law repealed by section 642(a) shall continue in full force and effect until modified by appropriate authority.

"(b) Wherever provisions of this Act establish conditions which must be complied with before use may be made of authority contained in, or funds authorized by, this Act, compliance with, or satisfaction of, substantially similar conditions under Acts listed in section 642(a) or Acts repealed by those Acts shall be deemed to constitute compliance with the conditions established by this Act.

"(c) Funds made available pursuant to provisions of law repealed by section 642(a)

(2) shall, unless otherwise authorized or provided by law, remain available for their original purposes in accordance with the provisions of law originally applicable thereto, or in accordance with the provisions of law currently applicable to those purposes.

"(d) No provision of this Act shall affect, or be deemed to affect, except as the President may determine, the agency within the Department of State known as the Peace Corps, nor any of the functions, offices, personnel, property, records, and funds available thereto on the date prior to the effective date of this Act, pending the enactment of legislation for the Peace Corps or the adjournment of the first session of the Eighty-seventh Congress, whichever is earlier.

"SEC. 644. Definitions.—As used in this Act—

"(a) 'Agency of the United States Government' includes any agency, department, board, wholly or partly owned corporation, instrumentality, commission, or establishment of the United States Government.

"(b) 'Armed Forces' of the United States means the Army, Navy, Air Force, Marine Corps, and Coast Guard.

"(c) 'Commodity' includes any material, article, supply, goods, or equipment used for the purposes of furnishing nonmilitary assistance.

"(d) 'Defense article' includes—

"(1) any weapon, weapons system, munition, aircraft, vessel, boat, or other implement of war;

"(2) any property, installation, commodity, material, equipment, supply, or goods used for the purposes of furnishing military assistance;

"(3) any machinery, facility, tool, material, supply, or other item necessary for the manufacture, production, processing, repair, servicing, storage, construction, transportation, operation, or use of any article listed in this subsection; or

"(4) any component or part of any article listed in this subsection; but

shall not include merchant vessels or, as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011), source material, byproduct material, special nuclear material, or atomic weapons.

"(e) 'Defense information' includes any document, writing, sketch, photograph, plan, model, specification, design, prototype, or other recorded or oral information relating to any defense article or defense service, but shall not include Restricted Data and formerly Restricted Data as defined by the Atomic Energy Act of 1954, as amended.

"(f) 'Defense service' includes any service, test, inspection, repair, training, training aid, publication, or technical or other assistance, including the transfer of limited quantities of defense articles for test, evaluation, or standardization purposes, or defense information used for the purposes of furnishing military assistance.

"(g) 'Excess defense articles' mean the quantity of defense articles owned by the United States Government which is in excess of the mobilization reserve at the time such articles are dropped from inventory by the supplying agency for delivery to countries or international organizations as grant assistance under this Act.

"(h) 'Function' includes any duty, obligation, power, authority, responsibility, right, privilege, discretion, or activity.

"(i) 'Mobilization reserve' means the quantity of defense articles determined to be required, under regulations prescribed by the President, to support mobilization of the Armed Forces of the United States Government in the event of war or national emergency.

"(j) 'Officer or employee' means civilian personnel and members of the Armed Forces of the United States Government.

"(k) 'Services' include any service, repair, training of personnel, or technical or other assistance or information used for the purposes of furnishing nonmilitary assistance.

"(l) 'Surplus agricultural commodity' means any agricultural commodity or product thereof, class, kind, type, or other specification thereof, produced in the United States, either publicly or privately owned, which is in excess of domestic requirements, adequate carryover, and anticipated exports for United States dollars, as determined by the Secretary of Agriculture.

"(m) 'Value' means—

"(1) with respect to excess defense articles, the gross cost incurred by the United States Government in repairing, rehabilitating, or modifying such articles;

"(2) with respect to nonexcess defense articles delivered from inventory to countries or international organizations as grant assistance under this Act, the standard price in effect at the time such articles are dropped from inventory by the supplying agency. Such price shall be the same standard price used for transfers or sales of such articles in or between the Armed Forces of the United States Government, or, where such articles are not transferred or sold in or between the Armed Forces of the United States, the gross cost to the United States Government adjusted as appropriate for condition and market value; and

"(3) with respect to nonexcess defense articles delivered from new procurement to countries or international organizations as grant assistance under this Act, the contract or production costs of such articles.

Military assistance programs and orders shall be based upon the best estimates of stock status and prevailing prices; reimbursements to the supplying agency shall be made on the basis of the stock status and prices determined pursuant to this section. Notwithstanding the foregoing provisions of this section, the Secretary of Defense may prescribe regulations authorizing reimbursements to the supplying agency based on negotiated prices for aircraft, vessels, plant equipment, and such other major items as he may specify: *Provided*, That such articles are not excess at the time such prices are negotiated: *Provided further*, That such prices are negotiated at the time firm orders are placed with the supplying agency by the military assistance program.

"SEC. 645. UNEXPENDED BALANCES.—Unexpended balances of funds made available pursuant to the Mutual Security Act of 1954, as amended, are hereby authorized to be continued available for the general purposes for which appropriated, and may at any time be consolidated, and, in addition, may be consolidated with appropriations made available for the same general purposes under the authority of this Act.

"SEC. 646. CONSTRUCTION.—If any provision of this Act or the application of any provision to any circumstances or persons shall be held invalid, the validity of the remainder of this Act, and of the applicability of such provision to other circumstances or persons shall not be affected thereby.

"SEC. 647. DEPENDABLE FUEL SUPPLY.—It is of paramount importance that long-range economic plans take cognizance of the need for a dependable supply of fuels, which is necessary to orderly and stable development and growth, and that dependence not be placed upon sources which are inherently hostile to free countries and the ultimate well-being of economically underdeveloped countries and which might exploit such dependence for ultimate political domination. The agencies of government in the United States are directed to work with other countries in developing plans for basing development programs on the use of the large and stable supply of relatively low cost fuels available in the free world.

"PART IV

"SEC. 701. Section 1 of the Defense Base Act, as amended (42 U.S.C. 1651), is further amended as follows:

"'(1) In paragraph (5) of subsection (a) insert after "thereof" in the second parenthetical phrase "unless the Secretary of Labor, upon the recommendation of the head of any department or other agency of the United States, determines a contract financed under a successor provision of any successor Act should be covered by this section".

"'(2) In subsection (e) strike out "June 30, 1958, but not completed on July 24, 1959" and substitute therefor "but not completed on the date of enactment of any successor Act to the Mutual Security Act of 1954, as amended".'

"SEC. 702. In paragraph (4) of section 101(a) of the War Hazards Compensation Act, as amended (42 U.S.C. 1701), insert after 'thereof' in the parenthetical phrase 'unless the Secretary of Labor, upon the recommendation of the head of any department or other agency of the United States Government, determines a contract financed under a successor provision of any successor Act should be covered by this section'.

"SEC. 703. (a) Section 305 of the Mutual Defense Assistance Control Act of 1951 (22 U.S.C. 1611 et seq.) is amended to read as follows:

"'SEC. 305. There is hereby authorized to be appropriated to the Secretary of State such sums as may be necessary from time to time to administer and carry out the objectives of this Act.'

"(b) The amendment to section 305 of the Mutual Defense Assistance Control Act of 1951 effected by subsection (a) of this section shall not be deemed to affect the repeal of laws effected by that section prior to such amendment.

"SEC. 704. Section 104(e) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(e)), is amended by substituting 'such agency as the President shall direct' and 'agency' for 'the Export-Import Bank' and 'bank', respectively.

"SEC. 705. Section 5 of the joint resolution to promote peace and stability in the Middle East (22 U.S.C. 1964) is amended by substituting 'whenever appropriate' for 'within the months of January and July of each year'.

"SEC. 706. The Act to provide for assistance in the development of Latin America and in the reconstruction of Chile, and for other purposes (22 U.S.C. 1942 et seq.), is amended by adding a new section 4 reading as follows:

"'GENERAL PROVISIONS

"'SEC. 4. (a) Funds appropriated under sections 2 and 3 of this Act may be used for assistance under this Act pursuant to such provisions applicable to the furnishing of such assistance contained in any successor Act to the Mutual Security Act of 1954, as amended, as the President determines to be necessary to carry out the purposes for which such funds are appropriated.

"'(b) Of the funds appropriated under section 2 of this Act not more than $800,000 shall be available only for assisting in transporting to and settling in Latin America selected immigrants from that portion of the Ryukyuan Archipelago under United States administration.'

"SEC. 707. Section 523(d) of the Mutual Security Act of 1954, as amended (22 U.S.C. 1783(d)), is amended by striking out the words 'achievement of the United States foreign policy objectives' and inserting in lieu thereof the words 'prevention of improper currency transactions.'

"SEC. 708. The Foreign Service Act of 1946, as amended (22 U.S.C. 801 et seq.), is further amended as follows:

"'(1) In the second sentence of section 701, strike "to the extent that space is available therefor"; substitute "members of family" for "spouses"; and add before the period "or while abroad".

"'(2) Amend section 872 by striking out subsections (b) and (c) and inserting in lieu thereof the following:

"'(b) When any such retired officer or employee of the Service is reemployed, the employer shall send a notice to the Department of State of such reemployment together with all pertinent information relating thereto, and shall pay directly to such officer or employee the salary of the position in which he is serving.

"'(c) In the event of any overpayment under this section, such overpayment shall be recovered by withholding the amount involved from the salary payable to such reemployed officer or employee, or from any other moneys, including his annuity, payable in accordance with the provisions of this title.'

"(3) In section 911, add the following new paragraphs (9) and (10):

"'(9) the travel expenses of officers and employees of the Service who are citizens of the United States, and members of their families, while serving at posts specifically designated by the Secretary for purposes of this paragraph, for rest and recuperation to other locations abroad having different environmental conditions than those at the post at which such officers and employees are serving, provided that such travel expenses shall be limited to the cost for each officer or employee and members of his family of one round trip during any continuous two-year tour unbroken by home leave and two round trips during any continuous three-year tour unbroken by home leave;

"'(10) the travel expenses of members of the family accompanying, preceding, or following an officer or employee if, while he is en route to his post of assignment, he is ordered temporarily for orientation and training or is given other temporary duty.'

"(4) Amend section 933(a) to read as follows:

"'(a) The Secretary may order to the continental United States, its territories and possessions, on statutory leave of absence any officer or employee of the Service who is a citizen of the United States upon completion of eighteen months' continuous service abroad and shall so order as soon as possible after completion of three years of such service.'

"(5) Amend the title of section 942 and subsection (a) thereof to read as follows:

"'TRAVEL FOR MEDICAL PURPOSES

"'SEC. 942. (a) In the event an officer or employee of the Service who is a citizen of the United States or one of his dependents, requires medical care, for illness or injury not the result of vicious habits, intemperance or misconduct, while stationed abroad in a locality where there is no qualified person or facility to provide such care, the Secretary may, in accordance with such regulations as he may prescribe, pay the travel expenses of such person by whatever means he shall deem appropriate, including the furnishing of transportation, and without regard to the Standardized Government Travel Regulations and section 10 of the Act of March 3, 1933, as amended (60 Stat. 808; 5 U.S.C. 73b), to the nearest locality where suitable medical care can be obtained. If any such officer, employee, or dependent is too ill to travel unattended, or in the case of a dependent too young to travel alone, the Secretary may also pay the round-trip travel expenses of an attendant or attendants.'

"SEC. 709. Section 2 of the Act of July 31, 1945, as amended (22 U.S.C. 279a), is hereby amended to read as follows:

"'SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be required for expenditure under the direction of the Secretary of State, for the payment by the United States of its proportionate share in the expenses of the Organization: *Provided*, That the percentage contribution of the United States to the total annual budget of the Organization shall not exceed 33.33 per centum.'

"SEC. 710. (a) The first section of the Act entitled 'An Act to authorize participation by the United States in the Interparliamentary Union', approved June 28, 1935, as amended (22 U.S.C. 276), is amended by striking out '$33,000' and '$15,000' and inserting in lieu thereof '$48,000' and '$30,000', respectively.

"(b) The amendments made by this section shall be effective only for the fiscal year 1962."

And the House agree to the same.

THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
OMAR BURLESON,
FRANCES P. BOLTON,
WALTER H. JUDD,
Managers on the Part of the House.

J. W. FULBRIGHT,
JOHN SPARKMAN,
HUBERT H. HUMPHREY,
MIKE MANSFIELD,
WAYNE MORSE,
GEORGE D. AIKEN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1983) to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic development and internal and external security, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House struck out all of the Senate bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the Senate bill and the House amendment. Except for clarifying, clerical, and necessary conforming changes, the differences are noted below:

INTRODUCTION

The House amendment included a number of references to "economically underdeveloped countries" while the Senate bill used the designation "less-developed countries." The managers on the part of the House agreed to the designation of "less-developed countries" as having no significant difference in meaning and as being more acceptable to the nations to which the term is applied.

The House amendment referred in several instances to "appropriate committees of the Congress" in instances when the Senate bill referred to specified committees of the Senate and to the "Speaker of the House of Representatives." The managers on the part of the House agreed to the references to "the Speaker of the House of Representatives" as more precisely in accord with the rules of the House.

The House amendment authorized an appropriation of $4,368,500,000 while the Senate bill authorized funds in the amount of $4,076,500,000. The Senate bill also carried an authorization for Treasury borrowing for development loans of $1,700,000,000 for each of the four fiscal years 1953 through 1966—a total of $6,800,000,000. The Committee of Conference agreed to an authorization of an appropriation of $1,200,000,000 for fiscal year 1962 and $1,500,000,000 for each of the next four years.

For military assistance the Senate bill authorized an appropriation of $1,550,000,000 for each of fiscal years 1962 and 1963. The House amendment authorized an appropriation of $1,800,000,000 for use beginning in fiscal year 1962 and such sums as may be necessary for fiscal year 1963. The Committee of Conference agreed to an authorization of appropriations for $1,700,000,000 for each of fiscal years 1962 and 1963.

The committee of conference agreed to the following additional authorizations: fiscal years 1963–1966, development loans, $6,000,000,000; and 1963—military assistance, $1,700,000,000. Together with the authorization for fiscal year 1962 of $4,253,500,000, the total authorizations are $11,953,500,000.

The following table shows the adjustments between the two Houses:

	Senate bill	House amendment	Conference agreement	Adjustment against Senate bill	Adjustment against House bill
Pt. I:					
Ch. 2. Development assistance:					
Title I. Development loans	[1] $1,187.0	$1,200.0	[2] $1,200.0	+$13.0	----------
Title II. Development grants	380.0	380.0	380.0	----------	----------
Title IV. Investment surveys	5.0	5.0	5.0	----------	----------
Ch. 3. International organizations and programs	153.5	153.5	153.5	----------	----------
Ch. 4. Supporting assistance	450.0	481.0	465.0	+15.0	−$16.0
Ch. 5. Contingency fund	300.0	300.0	300.0	----------	----------
Pt. II: Ch. 2. Military assistance	[3] 1,550.0	[4] 1,800.0	[5] 1,700.0	+150.0	−100.0
Pt. III: Ch. 2. Administrative expenses	51.0	49.0	50.0	−1.0	+1.0
Total	4,076.5	4,368.5	4,253.5	+177.0	−115.0

[1] Also authorized additional borrowing authority of $1,700,000,000 for fiscal years 1963–66.
[2] Also authorizes an appropriation of $1,500,000,000 for each of fiscal years 1963 through 1966.
[3] Also authorized an appropriation of $1,550,000,000 for fiscal year 1963.
[4] Also authorized an appropriation for fiscal year 1963 of such sums as may be necessary.
[5] Also authorizes an appropriation of $1,700,000,000 for fiscal year 1963.

LONG TITLE

The House amendment stated in the long statutory title that the bill is to "promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic and social development * * *."

The Senate bill was identical except that the words "and social" were deleted.

The managers on the part of the House accepted the interpretation of the Senate and of the Executive that the phrase "economic development" be used consistently in the bill to embrace social as well as economic aspects

of economic development and deleted the words "and social."

SHORT TITLE (SEC. 1)

The House amendment required that the bill be cited as an "Act for Peace and Mutual Progress With Justice and Freedom for All."

The Senate bill provided that the bill be cited as the "Foreign Assistance Act of 1961."

The managers on the part of the House concurred in the position of the Senate that since the function of the short title was primarily identification and reference, "Foreign Assistance Act of 1961" was acceptable.

STATEMENT OF POLICY ON ECONOMIC ASSISTANCE (SEC. 102)

Both the Senate bill and the House amendment contained comprehensive statements of policy reaffirming expressions previously made of the intent of Congress with respect to the objectives of the nonmilitary assistance programs of the United States together with expressions of congressional approval of new concepts and new procedures to be followed in the carrying forward of the program for economic development.

The committee of conference recognized that although the policy statements differed in language and in emphasis, they agreed with respect to basic policy, and it adopted a policy statement combining the language of both the Senate bill and the House amendment.

The managers on the part of the House insisted on the inclusion in the statement of policy of a strong expression of United States support for the principle of freedom of navigation on international waterways and of the right of all private persons to travel and pursue their lawful activities without discrimination as to race or religion.

Subsection 102(1) of the House amendment, relating to the continued opposition of the United States to the recognition of Red China and the seating of representatives of Red China in the United Nations was omitted from the act as agreed to because an expression of the sense of the Congress on this issue is contained in S. Con. Res. 34 which has already been approved by the Senate and is scheduled for consideration by the House of Representatives on the date following the filing of this conference report.

The statement with respect to guarantees of freedoms contained in section 600 of the House amendment was deleted in view of comparable language in the statement of policy.

DEVELOPMENT LOAN FUND (SEC. 201)

Section 201(a) of the Senate bill required that the President establish a fund to be known as the Development Loan Fund to make development loans. The House amendment did not contain any provision for the establishment of a Development Loan Fund but provided general authority for the making of development loans.

The managers on the part of the House accepted the Senate language in the belief that the retention of the name "Development Loan Fund," well established and widely known under the Mutual Security Act, would provide continuity and avoid possible confusion, particularly in foreign countries. This provision is not intended to affect the integrated operation of the new AID agency.

ADVERSE EFFECT ON U.S. ECONOMY

Section 201(a) of the House amendment relating to development loans and section 211 of the House amendment relating to development grants included similar provisions that "if the President finds that a loan [or grant] proposed to be made under this part would have a substantially adverse effect upon the U.S. economy, or any substantial segment thereof, the loan [or grant] shall not be made."

The Senate bill did not include such provisions.

The managers on the part of the House agreed to the elimination of this requirement as applied to development loans but insisted that it be retained with respect to development grants. In accepting this compromise the committee of conference believed that a restriction of this nature was more appropriate for grant programs than for assistance made available on the basis of loans repayable in dollars.

LIMITATION ON INTEREST RATES (SEC. 201(d))

The last sentence of section 201(b) of the Senate bill provided that development loans should be made on condition that if any portion of the funds loaned were used for the purpose of making loans within the recipient country, the interest charged by the borrowers should not exceed the interest charged by the United States by more than 5 percent per annum. The House amendment contained no comparable provision.

The managers on the part of the House were fully in accord with the desire of the Senate to avoid any situation in which funds made available by the United States might be reloaned at exorbitant rates of interest. At the same time it was recognized that variations in the situations of different countries might be such that any percentage limitation would prevent the attainment of the objectives of the development loan program.

The managers on the part of the House, therefore, accepted a compromise requiring that "funds made available for this title shall not be loaned or reloaned at rates of interest excessive or unreasonable for the borrower and in no event higher than the applicable legal rate of interest of the country in which the loan is made."

CAPITALIZATION OF DEVELOPMENT LOAN PROGRAM (SEC. 202 (a), (b), AND (c))

Section 202(a) of the House amendment authorized the appropriation of $1,200,000,000 for fiscal year 1962 for development loans.

Section 202(a) of the Senate bill authorized the use of borrowing authority in the amount of $1,187,000,000 for fiscal year 1962 and $1,700,000,000 for each of fiscal years 1963 through 1966.

The committee of conference agreed to a compromise, including the following major provisions:

Subsection (a) authorizes an appropriation of $1,200,000,000 for fiscal year 1962 and $1,500,000,000 for each of the next 4 succeeding fiscal years. Such funds are to remain available until expended with the provision that any unappropriated portion of the amount authorized to be appropriated for any fiscal year may be appropriated in any subsequent fiscal year during the above period in addition to the amount otherwise authorized to be appropriated for such subsequent fiscal years.

Subsection (b) authorizes the President, when he determines that it is important to the advancement of the U.S. interest and necessary in order to further the purposes of the development loan program, and in recognition of the need for reasonable advance assurances in the interest of orderly and effective execution of long-term plans and programs of development assistance, to enter into agreements committing, under the terms and conditions of the development loan authority, funds authorized to be appropriated under that authority subject only to the annual appropriation of such funds.

Subsection (c) requires that upon conclusion of each such agreement involving funds to be appropriated, the President shall notify the Foreign Relations and Appropriations Committees of the Senate and the Speaker of the House of Representatives of the provisions of such agreement, including the amounts of funds involved and undertakings of the parties thereto.

The compromise language agreed to by the committee of conference provides recognition by the Congress of the importance of making long-range commitments to the less-developed countries as a means of facilitating their economic development while eliminating the necessity for Treasury borrowing to finance such long-range commitments. It is not intended to imply the absence of similar authority under other categories of aid.

The Executive has authority to enter into agreements committing the United States to participate in development programs of foreign nations for a period of up to 5 years but making such commitments subject only to the regular annual or supplemental appropriations of funds. The committee of conference recognizes that the amount agreed to for each of the future years is below that requested by the Executive and therefore is to be regarded as a floor rather than a ceiling. If the program proves itself and additional funds are considered necessary for the attainment of our foreign policy objective, Congress will entertain a request for such authority and appropriations. In justifying any such request the Executive will also need to justify in detail before the Committee on Foreign Affairs its use of the funds theretofore authorized. It is understood that the conferees regard the language in the bill as authority for the Executive to make commitments which will be honored by the Congress unless there is evidence of obvious bad management or the other country has failed to meet its responsibilities.

The requirement that the authorizing committees as well as the Appropriations Committees of the House and Senate be informed of the details of each agreement involving the loan of funds not yet appropriated assures that the authorizing as well as the Appropriations Committees will be kept currently informed and have an opportunity to revise and adjust the program in the light of future developments through the normal legislative procedures.

LIMITATION ON OBLIGATION AUTHORITY AND REQUIREMENT FOR GOVERNMENT CORPORATION CONTROL ACT BUDGETS

The managers on the part of the House agreed to the elimination of subsection 203(b) which established limits on obligation authority and to subsection 203(c) requiring annual submission of a budget in accordance with provisions of the Government Corporation Control Act. In view of the fact that these subsections had been included in the House amendment as applicable to development loans to be financed by means of Treasury borrowing, the elimination by the committee of conference of financing by Treasury borrowing made these subsections inapplicable.

SENATE CONFIRMATION FOR MEMBERS OF DEVELOPMENT LOAN COMMITTEE (SEC. 204)

Section 205(a) of the Senate bill provided that officers appointed to the Development Loan Committee should be confirmed by the Senate, except in cases where confirmation of the appointment of such officers to perform comparable functions had already taken place. The House amendment contained no provision on this subject.

The managers on the part of the House accepted the Senate provision in the belief that this requirement will tend to improve the administration of the development loan program.

LOANS TO INTERNATIONAL DEVELOPMENT ASSOCIATION (SEC. 205)

Section 206 of the Senate bill authorized the President to lend up to 10 percent of the development loan funds to the International Development Association (IDA). The House amendment contained no comparable provision.

Information available to the managers on the part of the House indicated that under the existing authority of the International Development Association Act (Public Law 86-565, 74 Stat. 293) borrowing of development loan funds was not authorized but that such borrowing had been contemplated by the Executive and the Congress when the International Development Association was established. The managers on the part of the House, therefore, accepted the Senate provision with a clarifying amendment that such loans are to be made "in accordance with the provisions of this title" of the Act for International Development.

DEVELOPMENT GRANTS AND TECHNICAL COOPERATION (TITLE II, SEC. 211)

The title of title II in the Senate bill was "Development Grants and Technical Cooperation"; the title of title II in the House amendment was simply "Development Grants."

Section 211, General Authority, under the House title, authorized the furnishing of assistance to promote "technical" as well as "economic development."

Section 211, General Authority, of the Senate bill authorized the furnishing of assistance "through such means as programs of technical cooperation."

The managers on the part of the House accepted the Senate title and a compromise which retained the specific reference to "technical" development contained in the House amendment. In accepting this compromise, the committee of conference recognized that "technical" development is an intermediate step between technical cooperation and economic development, and should be emphasized as an essential element in the promotion of the development of the productive capacities of the less-developed countries.

FAIR SHARE CRITERION (a)(4))

Section 211(a) of the Senate bill added the willingness of the recipient country "to pay a fair share of the cost" of development grant programs to the considerations which the President must take into account in furnishing development grant assistance. The House amendment contained no comparable provision.

The managers on the part of the House accepted the Senate requirement that the President take into account the recipient country's willingness "to pay a fair share of the cost of programs" under the development grant program as contributing to the success of the program. Similar language was included in the existing section 303 of the Mutual Security Act.

EMPHASIS ON HUMAN RESOURCES DEVELOPMENT (SEC. 211(b))

Section 211(b) of the Senate bill provided that in countries in the earlier stages of economic development, programs of development of education and of human resources through such means as technical cooperation should be emphasized, and the furnishing of capital facilities for purposes other than the development of education and human resources should be given a lower priority until the requisite knowledge and skills have been developed. The House amendment contained no comparable provision.

The managers on the part of the House accepted the Senate provision. They were in complete agreement that it is essential that human resources be developed before major capital projects can be fully effective. It is the understanding of the committee of conference that the limitation in this section does not inhibit such programs for the development of human resources as school construction and malaria eradication which go beyond the scope of technical cooperation or commodity programs designed to generate local currency to carry out human resources development projects.

It is also understood that although capital projects outside the field of human resources development in countries in the earlier stages of development should be given a lower priority for development grant financing, such capital projects are not altogether prohibited.

ASSISTANCE TO AMERICAN-SPONSORED HOSPITALS ABROAD (SEC. 214(a))

Section 214(a) of the House amendment provided that development grant funds could be used for assistance to American-sponsored hospitals abroad. The Senate bill contained no comparable provision.

The managers on the part of the House agreed to the deletion of the reference to hospitals included in the House amendment. They are convinced that in view of the fact that there are over 1,000 American hospitals abroad and that their needs and their relative importance in furthering U.S. foreign policy objectives have not been adequately studied and evaluated, the authorization of assistance to such hospitals is premature.

POLISH CEMETERIES IN ITALY

Section 214(c) of the House amendment authorized the use of U.S.-owned local currencies to repair and maintain cemeteries in Italy for members of the Polish Armed Forces who died in combat in Italy during World War II. The Senate bill contained no comparable provision.

The committee of conference is in sympathy with the objective of this provision but concluded that an authorization for the use of foreign currencies for this purpose should not be approved until certain aspects have been explored.

It is believed that the United States should not undertake the repair, rehabilitation, improvement, and maintenance of cemeteries in Italy on a strictly unilateral basis but rather that any arrangement relating to the Polish cemeteries in Italy should be on a joint basis with cooperation and some assumption of responsibility by the Government of Italy.

The information available to the committee of conference indicates that the supply of Italian currency available to the United States in Italy is not, nor is it contemplated to be in the foreseeable future, sufficient to meet required U.S. expenditures in that country. Such expenditures of Italian currency include those necessitated by the presence of U.S. military personnel in that country.

It is agreed that the chairman of the Committee on Foreign Relations and the chairman of the Committee on Foreign Affairs should communicate jointly with the Secretary of State, requesting him to study and report on the cost of maintenance of the Polish cemeteries in Italy, the extent to which the Government of Italy would cooperate, and the availability of U.S.-owned currencies to finance such a project.

LOANS TO SMALL FARMERS (SEC. 215)

Section 215 of the House amendment expressed the policy of the United States to provide assistance through loans of foreign currencies to small farmers. The Senate bill did not include a comparable provision.

The provision of the House amendment is retained, except that the allowed aggregate unpaid balance of all loans under this section to be permitted at any one time is reduced from $25,000,000 to $10,000,000. This restriction will not affect loans made under other authorities in the bill or in other acts.

RESTRICTION ON ELIGIBILITY OF COUNTRIES FOR VOLUNTARY RELIEF ASSISTANCE (SEC. 216(a))

Section 216(a) of the House amendment restricted the authorization to use development grant funds to pay transportation costs of shipments by voluntary relief agencies to countries and areas eligible for assistance under the bill. Section 215(a) of the Senate bill did not contain this restriction.

The managers on the part of the House accepted the argument that a distinction should be drawn between the attitude of the people of countries toward the United States and the attitude of the government of such countries. Consequently, the phrase "of friendly peoples" was substituted for the words "in countries and areas eligible for assistance under this Act" contained in the House bill.

INVESTORS ELIGIBLE FOR INVESTMENT GUARANTIES (SEC. 221(b))

Section 221(b) of the House amendment authorized issuance of guaranties to U.S. citizens, corporations, and associations. Section 221(b) of the Senate bill restricted issuance of guaranties to business entities which were both U.S. chartered and substantially beneficially U.S. owned, including any wholly owned foreign subsidiaries of such entities.

The managers on the part of the House accepted the Senate provision in substance with a clarifying amendment which substitutes the phrase "as well as" for the word "including." It is believed that this provision will increase the effectiveness of the investment guaranty program while conforming to the basic concept of the House amendment.

INVESTMENT GUARANTY PROTECTION AGAINST WAR AND OTHER RISKS (SEC. 221(b)(1)(C))

Section 221(b)(1)(C) of the House amendment authorized protection against loss due to war, revolution, or insurrection, or any governmental sanction imposed against the project country government which materially adversely affects the continued operation of the project.

Section 221(b)(1)(C) of the Senate bill authorized protection against loss due to war only.

The managers on the part of the House accepted a compromise, limiting the protection to loss due to war, revolution, or insurrection.

ALL RISK GUARANTIES (SEC. 221(b)(2))

Section 221(b)(2) of the Senate bill dealing with all risk guaranties authorized coverage, not to exceed 75 percent, against loss of any investment, except for normal business-type risks in the case of equity investments.

The Senate bill further provided that these all-risk guaranties should emphasize economic development projects furthering social progress and the development of small independent business enterprises; that no guaranty should exceed $10,000,000; and that the face amount of these guaranties under this authority should not exceed $85 million at any one time.

The House amendment authorized the issuance of guaranties up to the face amount of $100 million against loss of investment from any cause other than fraud or misconduct on the part of the investor.

The managers on the part of the House accepted the Senate requirements providing that the guaranties shall not exceed 75 percent of the investment or $10 million and shall emphasize social progress and small business. It is understood that such emphasis does not preclude the issuance of all-risk guaranties in connection with other investments, so long as sufficient authority is reserved to meet reasonably foreseeable needs for the preferred categories of investment.

A clarifying amendment was made to the House provision against payments for losses

arising out of fraud or misconduct. The words "for which the investor is responsible" were substituted for the words "on the part of the investor" to make it clear the exception refers solely to the investor.

The managers on the part of the House accepted a compromise of $90 million for the total face amount of all-risk guaranties that can be outstanding at any one time.

DATE OF VALUATION OF INVESTMENT (SEC. 221(C))

Section 221(c) of the Senate bill specified that the date as of which the investment is to be valued for purposes of determining the amount of guaranty coverage shall be the date of the investment. The House amendment did not contain the more specific Senate requirement.

The managers on the part of the House accepted the Senate version as being more specific and less subject to misinterpretation.

DEFINITION OF EXPROPRIATION (SEC. 223(b))

Section 223(b) of the House amendment defined, in part, expropriation. The managers on the part of the House accepted an amendment to emphasize that the definition of the term "expropriation", as contained in the House amendment, is not limited to the unexcused breach by a host government of its contractual arrangements with an investor. This change is not necessarily intended to mean that where "includes" is used elsewhere in the act unqualifiedly, it is a term of limitation.

PILOT HOUSING IN LATIN AMERICA (SEC. 224)

Section 224 of the Senate bill authorized the issuance of guaranties of a face value not exceeding $15,000,000 against the risks of loss specified in section 221(b)(2). The guaranties authorized would cover investments made by U.S. citizens or business entities which are both U.S. chartered and substantially beneficially U.S. owned in pilot or demonstration private housing projects in Latin America similar to those issued by the Federal Housing Administration and suitable for conditions in Latin America. The House amendment contained no comparable provision.

The managers on the part of the House accepted the Senate provision with a limitation of $10,000,000 on the total face amount of guaranties that may be outstanding at any one time.

The committee of conference understands that the $10,000,000 of guaranty issuing authority may be used to assure against loss of investment due to any of the risks specified in section 221(b)(2) and subject to the 75 percent and fraud or misconduct limitations provided in that section. Under that section (221(b)(2)) guaranties not to exceed 75 percent may be issued against loss of investment from any cause, except loss arising out of fraud or misconduct for which the investor is responsible. The section further limits to $10,000,000 the amount of any one guaranty.

SURVEYS OF INVESTMENT OPPORTUNITIES (SEC. 233(a))

Definition of persons

Section 233(a) of the House amendment authorized participation in financing of surveys conducted by U.S. citizens or business entities in which the majority beneficial interest is held by U.S. citizens. Section 233(a) of the Senate bill required in addition that the business entities be U.S. chartered.

The committee of conference accepted the House provision in substance changing the phrase "the majority beneficial interest is held by U.S. citizens" to "substantially beneficially owned by U.S. citizens" in the belief that they were substantially identical.

AUTHORIZATION FOR SUPPORTING ASSISTANCE (SEC. 402)

Section 402 of the House amendment authorized an appropriation of $481,000,000 for supporting assistance. Section 402 of the Senate bill authorized an appropriation of $450,000,000 for this purpose.

The committee of conference agreed on a figure of $465,000,000—a reduction of $16,000,000 below the authorization approved by the House and an increase of $15,000,000 above the authorization approved by the Senate.

ASSISTANCE TO NATIONS HAVING AGRARIAN ECONOMIES (SEC. 461)

Section 461 of the House amendment contained two subsections. Subsection (a) stated it to be the policy of the United States to secure a better and fuller life for the peoples of underdeveloped countries and to meet the needs of those who are undergoing a revolution of rising expectations. Subsection (b) required that in countries whose economies are in major part agrarian, at least 50 percent of all nonmilitary assistance in each fiscal year be furnished through programs which directly or indirectly reach the people engaged in agrarian pursuits in such countries.

The Senate bill contained no comparable provisions.

The committee of conference agreed to a compromise. Subsection (a) was eliminated and the language of subsection (b) was modified to provide that the President shall place emphasis upon programs reaching the people who are engaged in agrarian pursuits rather than the requirement that at least 50 percent by dollar value of nonmilitary assistance to such countries should benefit people engaged in agrarian pursuits.

STATEMENT OF POLICY ON MILITARY ASSISTANCE (SEC. 502)

Section 502 of the House amendment and section 502 of the Senate bill contained statements of policy with respect to military assistance. They differed in emphasis and in content.

The committee of conference accepted the House language but added a provision of the Senate bill, expressing the sense of the Congress that an important contribution toward peace will be made by the establishment under the Organization of American States of an international military force.

AUTHORIZATION FOR MILITARY ASSISTANCE (SEC. 504)

Section 504 of the House amendment authorized an appropriation of $1,800,000,000 for military assistance for fiscal year 1962 and an appropriation of such sums as may be necessary for fiscal year 1963.

Section 504(a) of the Senate bill authorized an appropriation of $1,550,000,000 for military assistance for each of the fiscal years 1962 and 1963.

The managers on the part of the House accepted a compromise, authorizing $1,700,000,000 for each of the fiscal years 1962 and 1963.

COMPETITION OF MILITARY ASSISTANCE WITH OTHER DEFENSE PROGRAMS (SEC. 504(b))

Section 504(b) of the Senate bill required the President to adopt procedures for programing and budgeting which would bring military assistance programs into competition for financial support with other activities and programs of the Department of Defense. The House amendment did not contain a comparable provision.

The managers on the part of the House accepted the Senate provision, which is similar to language contained in section 103(a) of the Mutual Security Act of 1954, in the belief that this requirement will assure a more rigid scrutiny of military assistance programs by the Secretary of Defense and our senior military officers.

CONDITIONS OF ELIGIBILITY FOR MILITARY ASSISTANCE (SEC. 506(a))

Section 506(a) of the House amendment required that neither defense articles nor defense services (which included training) should be furnished to any country unless it agreed to specific conditions. In addition, section 506(b) required the President to make certain determinations concerning the recipient country.

Section 506 of the Senate bill required that agreement be obtained to specified undertakings only as to defense articles furnished on a grant basis.

The committee of conference accepted the conditions specified in the House language but do not require these conditions when defense services are furnished and make them applicable only when defense articles are furnished on a grant basis.

The $1,000,000 limitation in the House amendment on the amount of assistance to be authorized for any country unless the President determines that such assistance will be utilized by such country for the maintenance of the defensive strength of the free world is increased to $3,000,000.

AUTHORITY TO DRAW DEFENSE ARTICLES FROM DEFENSE DEPARTMENT STOCKS (510(a))

Section 510(a) of the House amendment authorized the President to order defense articles from stocks of the Department of Defense when he determines it to be vital to the security of the United States in the amount of $400,000,000 in fiscal year 1962.

Section 510(a) of the Senate bill authorized such drawdown authority in the amount of $200,000,000 in any fiscal year.

The language of the House amendment is retained, except that the dollar limitation is reduced to $300,000,000—an amount $100,000,000 less than the figure in the House bill and $100,000,000 more than the figure in the Senate bill.

CEILING ON MILITARY ASSISTANCE TO LATIN AMERICA (SEC. 511(a))

Section 511(a) of the House amendment placed a $60,000,000 ceiling on grants of defense articles for Latin American Republics for any fiscal year beginning with fiscal year 1962. Section 511(a) of the Senate bill placed a $55,000,000 ceiling on such grants.

The committee of conference agreed to a compromise limitation of $57,500,000—a reduction of $2,500,000 below the House ceiling and an increase of $2,500,000 above the Senate ceiling.

REPORTS ON MILITARY ASSISTANCE TO LATIN AMERICA FOR INTERNAL SECURITY (SEC. 511(b))

Section 511(b) of the House amendment provided that internal security requirements shall not, unless the President determines otherwise, be the basis for military assistance programs for the American Republics.

Section 511(b) of the Senate bill was the same, but provided that the President should promptly report such determinations to the Senate Foreign Relations Committee and the Speaker of the House of Representatives.

The managers on the part of the House accepted the Senate requirement for the reporting of such Presidential determinations.

COOPERATIVES AND CREDIT UNIONS (SEC. 601(a))

Section 601(a) of the Senate bill enumerated a number of purposes, including the encouragement of the development and use of cooperatives, credit unions, and savings and loan associations, and supported the exchange of ideas and technical information on matters covered only by subsection (a) of section 601.

Section 601(a) of the House amendment omitted any reference to cooperatives, credit unions, and savings and loan associations, but was otherwise identical to the language of the Senate bill.

The managers on the part of the House accepted the Senate provision in the belief that the encouragement of the development of cooperatives, credit unions, and savings and loan associations was consistent with the objectives of the assistance program and would improve its effectiveness.

OFFICE OF SMALL BUSINESS (SEC. 602 (b) AND (c))

Section 602 (b) and (c) of the Senate bill provided that an Office of Small Business, headed by a Special Assistant for Small Business, should be established in the AID agency, and that the Secretary of Defense should provide procurement information on military assistance purchases to small, independent enterprises as far in advance as possible.

The House amendment did not include comparable provisions.

The managers on the part of the House accepted these provisions of the Senate bill, which are contained in the existing Mutual Security Act, in the belief that they will improve the effectiveness of the efforts of the Agency for International Development (AID) and the Defense Department to assist American small business to participate in the furnishing of commodities and services financed with funds made available under the foreign assistance program.

OFFSHORE PROCUREMENT (SEC. 604(a))

Section 604(a) of the House amendment set forth criteria for procurement outside the United States. Section 604(a) of the Senate bill added to the criteria in the House amendment a provision permitting offshore procurement "only if the price of the commodity procured is lower than the market price prevailing in the United States at the time of procurement, adjusted for differences in the cost of transportation to destination, quality, and terms of payment."

The managers on the part of the House agreed to a compromise in the Senate language, substituting for the words "the commodity procured" the words "any commodity procured in bulk." It is the understanding of the committee of conference that this compromise language will require procurement in the United States in situations where identical bids are received from a U.S. and a foreign bidder, and that this limitation will not prohibit procurement outside the United States of commodities not available in the United States.

USE OF BARTERED COMMODITIES (SEC. 605(b))

Section 605(b) of the House amendment provided that commodities received as repayment for assistance may be used in furtherance of the purposes of the act and in accordance with the provisions of the act applicable to the furnishing of such assistance.

Section 605(b) of the Senate bill was the same but omitted the phrase "in accordance with the provisions of the Act applicable to the furnishing of such assistance."

The managers on the part of the House accepted a compromise in which the final clause is modified to read "such commodities may be used in furtherance of the purposes and within the limitations of this Act" as being clearer.

PROCUREMENT OF PHARMACEUTICALS (SEC. 606(c))

Section 606(c) of the House amendment prohibited expenditures by the U.S. Government of any funds under the bill for the acquisition of pharmaceutical products manufactured outside the United States if the product is covered by a valid U.S. patent without license of the owner thereof. The Senate bill contained no comparable provision.

The committee of conference retained the provision of the House amendment with a clarifying amendment and provided that, in lieu of requiring a license from the owner of the patent, the manufacture outside the United States shall be expressly authorized by the owner of the patent.

It is the understanding of the committee of conference that it is the intent of this amendment that it apply only to procurement by the U.S. Government, as indicated by its sponsor during its consideration by the House.

ACQUISITION OF DOMESTIC EXCESS PROPERTY (SEC. 608(b))

Section 608(b) of the Senate bill provided that, with an exception for domestic excess property acquired in any fiscal year with a total acquisition cost not exceeding $50,000,000 which may be used pursuant to part I, no such property shall be acquired unless (1) it is acquired for use exclusively by a U.S. agency or (2) it is determined that such property is not needed for donation pursuant to section 203(j) of the Federal Property and Administrative Services Act.

The House amendment contained a similar limitation, except that an amount not exceeding $35,000,000 was provided.

The committee of conference agreed on $45,000,000 as the dollar limitation for the purposes of section 608(b).

COUNTERPART (SEC. 609)

Section 403 of the House amendment required that whenever commodities were furnished on a grant basis under arrangements which resulted in the accrual of proceeds to the recipient government from the import and sale thereof, the recipient government should agree to deposit the equivalent of such proceeds in a special account and make available to the United States such portion as the United States determined to be necessary for U.S. requirements. No provision was made for the disposition of the remainder of the counterpart other than the requirement that the President take appropriate measures to assure the use of counterpart.

Section 609 of the Senate bill was similar to the House amendment, except that it authorized the President to decide whether or not to require counterpart deposits in any particular case; or, in the event counterpart was required, it provided that the balance of counterpart after U.S. requirements were met should be used for mutually agreed purposes for which new funds authorized by the bill would themselves be available.

The managers on the part of the House accepted a compromise. In general, the Senate language was approved, except that the discretion given the President under the Senate bill to decide whether or not to require counterpart deposits is eliminated and the requirement of counterpart deposits is made mandatory. It is agreed also that instead of requiring the deposit of proceeds of "import or sales," the deposit of sales proceeds only is necessary. This is to avoid difficulties in connection with the collection of the counterpart equivalent of import duties collected by the recipient country. In addition, the language of the provision was modified to make clear that the counterpart requirement applied only to transactions under supporting assistance.

In accepting the Senate language limiting the deposit of counterpart to supporting assistance (ch. 4 of pt. I), the managers on the part of the House made clear their understanding that foreign currencies could and should be deposited when commodities are made available for sale by recipient countries under development grants (title II of ch. 1), except in unusual situations.

USE OF FOREIGN CURRENCIES (SEC. 612)

Section 611 of the House amendment authorized the use of certain local currencies derived from the nonmilitary assistance program but limited the use of such currencies to those which have been determined to be in excess of U.S. Government requirements and which are authorized for use in appropriation acts.

Section 612 of the Senate bill provided the same authority but did not require appropriation action and, in addition, provided a priority to reservation of foreign currencies for educational exchange programs.

The managers on the part of the House agreed to a compromise which retained the priority to reservation of foreign currencies for educational exchange programs contained in the Senate bill. Otherwise, the provisions of the House amendment were accepted, including the requirement that foreign currencies might be used in such amounts as "may be specified from time to time in appropriation acts."

ACCOUNTING OF FOREIGN CURRENCIES (SEC. 613)

Section 613 of the Senate bill established new rates and criteria for accounting and reporting procedures regarding foreign currencies owed to or owned by the United States.

The House amendment contained no comparable provision.

The managers on the part of the House accepted the Senate provision with amendments.

Subsection (a) was amended to read "for evaluation and central accounting" in the place of "for accounting and evaluation." This change delineates the Treasury responsibility for central accounting so that there will be no conflict with other agencies having responsibilities in this field, such as the General Accounting Office and the Bureau of the Budget. Under this subsection, the Treasury will have the responsibility for bringing together from the accounting operations of the various agencies the data necessary to prepare periodic overall accounting reports for submission to Congress on a uniform basis. This also makes clear that valuation would be a Treasury responsibility insofar as determining the exchange rates at which local currencies will be converted into dollars in the reports.

In subsection (b) the word "reported" was substituted for "used." This change makes it clear that with regard to valuation of currencies the provision refers to the valuation used in the preparation of the reports since this is generally the only relevant use of such valuations.

In subsection (c), immediately after the phrase "foreign currencies," the words "acquired without payment of dollars" were inserted. This change is designed to avoid the implication that foreign currency reports should include currencies which have been purchased by agencies for dollars to meet their current expenditures abroad and which are included in their dollar accountability.

COORDINATION WITH OTHER COUNTRIES

Section 615 of the House amendment required the President to provide for the coordination of programs of assistance with programs of assistance carried out by other foreign countries and international organizations.

The Senate bill contained no comparable provision.

The managers on the part of the House accepted the Senate position in recognition of the emphasis given to coordination both in Section 622: Coordination of Foreign Policy, and in the reorganization of the administration of economic assistance.

PRINCIPLES OF THE ACT OF BOGOTÁ (SEC. 616)

Section 616 of the House amendment required that economic assistance to Latin America pursuant to chapter 2 of part I (Development Assistance) be furnished in accordance with the principles of the Act of Bogotá. It also contained the requirement that the President shall, when requested by a foreign nation and appropriate, assist in fostering measures of agrarian reform, in-

cluding colonization and redistribution of land with the view to insuring a wider and more equitable distribution of the ownership of land.

The Senate bill (sec. 618) contained the same requirement but did not provide for assistance in fostering measures of agrarian reform.

The managers on the part of the House accepted a clarifying amendment offered by the Senate. "Title I and II" was inserted before chapter 2 of part I in order to make clear that the requirement was intended to apply only to development loans and grants. Chapter 2 of part I also includes investment guaranties and investment surveys which might be used for assistance to Latin America but to which the principles of the Act of Bogotá are not fully relevant.

EMPHASIS ON MULTILATERAL ASSISTANCE (SEC. 619)

Section 619 of the Senate bill provided that assistance under part I to any independent countries should, to the maximum extent appropriate in the circumstances of each case, be furnished through multilateral organizations or in accordance with multilateral plans.

The House amendment contained no comparable provision.

The managers on the part of the House accepted the Senate provision. The committee of conference also believes that the new AID agency should make the fullest practicable use of the services of experts and technical personnel of existing international organizations such as the International Bank for Reconstruction and Development and the International Monetary Fund. Such personnel can be of considerable assistance in investigating and developing the details of self-help measures, such as fiscal and monetary reform, which should be undertaken by recipient countries as an essential condition of long-term assistance. These are intended to be suggestive and not definitive of the sources from which technical personnel should be drawn.

ASSISTANCE TO AND TRADE WITH CUBA (SEC. 620(a))

Section 618 of the House amendment provided that no assistance would be furnished to the present Government of Cuba; the President is authorized to establish and maintain a total embargo on trade by the United States and Cuba; and the furnishing of assistance to any country which furnished assistance to the present Government of Cuba was prohibited, unless the President determined such assistance was in the national and hemispheric interests of the United States.

The Senate bill retained section 552 of the Mutual Security Act of 1954, as amended, which provided simply that no assistance should be furnished to Cuba under this act after the date of enactment of the Mutual Security Act of 1960 unless the President determined that the assistance was in the national and hemispheric interests of the United States.

The managers on the part of the House receded from the requirement that no assistance should be furnished any country which furnished assistance to the present Government of Cuba, recognizing that a finding based upon national interest and hemispheric interests could be conflicting. It might well be that to continue assistance to a country outside the Western Hemisphere would be in the national interest but would not involve the hemispheric interest. Therefore, the Senate position regarding the elimination of this requirement was accepted.

ASSISTANCE TO COMMUNIST COUNTRIES (SEC. 620(b))

Section 619(a) of the House amendment provided that no assistance should be furnished to any country or area dominated or controlled by the international Communist conspiracy and enumerated 17 countries, including Poland and Yugoslavia.

Section 620(a) of the Senate bill provided that no assistance should be furnished to the government of any country unless the President determined that such country was not dominated or controlled by the international Communist movement.

The managers on the part of the House accepted the Senate provision which does not enumerate specific countries. The language agreed to clearly expresses the requirement that no assistance shall be furnished to the government of any country unless the President determines that such country is not dominated or controlled by the international Communist movement. It is believed that the Executive should be given full responsibility for determining whether or not any country is dominated or controlled by the international Communist movement and should be required to maintain continuous vigilance with respect to this matter and make adjustments in its policy whenever necessary. Consideration was given to the possibility that the enumeration of specific countries might relieve the Executive of a certain amount of responsibility and might make the Executive less zealous in including additional governments in the list when changes occurred altering their relationship to the Soviet Union.

The managers on the part of the House accepted the provision of section 642 of the Senate bill which continues in effect section 143 of the existing Mutual Security Act requiring specified assurances as a condition of assistance to Yugoslavia.

PROHIBITION AGAINST ASSISTANCE TO COUNTRIES IN DEBT TO U.S. CITIZENS (SEC. 620(c))

Section 620(b) of the Senate bill prohibits assistance to the government of any country which is indebted to any U.S. citizen who has exhausted legal remedies and which debt is not denied or contested by such government.

The House amendment contained no provision on this subject.

The managers on the part of the House accepted the Senate provision with a clarifying amendment. The phrase "for goods or services furnished" was added to make clear that the debt must be for goods and services as distinguished from government bonds or similar obligations which may be in default.

RESTRICTION ON ASSISTANCE TO PRODUCTIVE ENTERPRISE (SEC. 620(d))

Section 619(b) of the House amendment prohibited assistance under part I of the bill for construction or operation of any productive enterprise unless the country agreed that it would prevent the exportation to the United States of more than 10 percent of the annual production of such facility during the life of the loan. It authorized the President to establish import controls in the event of the failure of the country to implement such agreement and prohibited waiver of this subsection except where the President determined such waiver to be in the national interest.

The Senate bill did not contain a comparable provision.

The committee of conference accepted the House language with the following amendments:

First, the application of this provision is specifically limited to assistance provided in the form of development loans rather than to all economic assistance under part I of the bill.

Second, instead of making the limitation applicable to assistance for construction or operation of any productive enterprise, it was made applicable only to productive enterprises "where such enterprise will compete with U.S. enterprise", that is, to situations where the product of the enterprise being assisted will compete in the U.S. market directly with the product of the United States.

Third, the limitation on export for use or consumption in the United States of 10 percent of the annual production of the foreign facility was raised to 20 percent.

The language of the final sentence was modified to make it positive rather than negative without changing its meaning. The agreed language of this sentence is:

"The restrictions imposed by or pursuant to this section may be waived by the President where he determines that such waiver is in the national security interest."

USE OF OTHER U.S. AGENCIES (SEC. 621(a))

Section 621(a) of the Senate bill included a sentence which provided that in providing technical assistance under this act in four specific fields, the AID agency should utilize, to the fullest extent practicable, facilities and resources of appropriate U.S. Government agencies.

The House amendment did not contain a comparable provision.

The managers on the part of the House were in agreement with the objective of the Senate provision which is intended to prevent duplication by the AID agency of facilities already in existence under other U.S. departments or agencies. They accepted the provision of the Senate bill with an amendment broadening its application to other fields than those specifically enumerated in the Senate bill.

ABOLITION OF DEVELOPMENT LOAN FUND (SEC. 621(c))

Section 621(c) of the Senate bill, which related to the abolition of the Development Loan Fund, provided that the President should accept and assume the assets, obligations, and liabilities of, and rights established or acquired for the benefit of, or with respect to, the Development Loan Fund. In addition, it required that all personnel of the Development Loan Fund should be transferred to the new AID agency, and called for a final report on the Development Loan Fund within 90 days after the date of transfer.

Section 621(c) of the House amendment which dealt with the same matter, provided that the President should accept the assets of, assume the obligations and liabilities of, and exercise the rights established or acquired for the benefit of, or with respect to, the Development Loan Fund. In addition, it provided for the transfer of such personnel as might be necessary, and omitted any requirement for a final report of the Development Loan Fund.

The committee of conference accepted the language of the House amendment, except that the requirement for a final report of the operations and condition of the Development Loan Fund contained in the Senate bill was agreed to. The committee of conference agreed also to revised language to make clear that only such DLF personnel should be transferred to the AID agency as might be necessary. This provision will facilitate the ability of the AID Administrator to weed out those employees who are not deemed adequate to the important tasks of the Agency, without requiring a wholesale replacement of personnel.

ABOLITION OF THE INTERNATIONAL COOPERATION ADMINISTRATION (SEC. 621(d))

Section 621(d) of the Senate bill, which related to the abolition of the International Cooperation Administration, required that all personnel of the ICA should be transferred to the new AID agency.

Section 621(d) of the House amendment, which dealt with the same matter, provided for the transfer of such personnel as might be necessary.

The managers on the part of the House agreed to a modification of the language of the House amendment to eliminate any possible misinterpretation of the language of the House bill and to make clear that only

such ICA personnel should be transferred to the new agency as were determined by the President to be necessary. This provision will facilitate the ability of the AID Administrator to weed out those employees who are not deemed adequate to the important tasks of the Agency, without requiring a wholesale replacement of personnel.

COORDINATION OF FOREIGN POLICY (SEC. 622)

Section 622 of the Senate bill contained three subsections.

Subsection (a) provided that nothing in the act should be construed to infringe upon the powers or functions of the Secretary of State.

Subsection (b) required the President to prescribe appropriate procedures to assure coordination among U.S. representatives in each country under the leadership of the ambassador.

Subsection (c) provided that the Secretary of State should be responsible for the continuous supervision and general direction of assistance programs under the act.

The House amendment did not contain a comparable provision.

The managers on the part of the House accepted this provision of the Senate bill in the belief that this assignment of responsibility in the legislation would eliminate uncertainty and clarify lines of authority. This provision is identical to section 523 (a), (b), and (c) of the existing Mutual Security Act.

RESPONSIBILITY OF SECRETARY OF DEFENSE (SEC. 623)

Section 623 of the Senate bill vested in the Secretary of Defense a number of responsibilities relating to the administration of the military assistance program. The House amendment did not contain a comparable provision.

The managers on the part of the House accepted the Senate provision as providing assurance that there will be no confusion as to the functions and responsibilities of the Secretaries of State and Defense with respect to the administration of the military assistance program. The language of this section is identical to that of section 524 of the existing Mutual Security Act.

INSPECTOR GENERAL (SEC. 624(e))

Section 622(e) of the House amendment provided for an Inspector General, Foreign Assistance, in the Department of State with broad authority with respect to the two programs of economic and military assistance, Peace Corps programs, and programs of assistance under Public Law 480.

Section 642(a)(2) of the Senate bill continued unrepealed section 533A of the Mutual Security Act which provided for the present Inspector General and Comptroller.

The committee of conference accepted the provisions of the House amendment with the following amendments:

(1) The House amendment had provided for three Assistant Inspectors General, one of whom was to be responsible for inspection of engineering, construction, and operations and to be qualified as a professional engineer. In view of the fact that the committee of conference agreed (sec. 624) that the President in his appointment of the nine statutory officers having the rank of Assistant Secretary shall give due consideration to persons qualified as professional engineers, the managers on the part of the House agreed to the elimination of the engineering Assistant Inspector General and accepted provision for only two Assistant Inspectors General.

2. Paragraph (6) was amended to make clear that the authority of the Inspector General to suspend all or any part of any project or operation does not include authority to suspend a country program. The intent of the language of the House amendment had been made clear in the committee report, which stated:

"The terms 'project or operation' are not intended to include an entire program in a country. They apply instead to segments or phases of country programs, including such things as construction projects, award of contracts, the operation of a regional office, or the financing of particular types of activity."

Section 622(e)(7) of the House amendment contained a proviso which prohibited charging the expenses of the Inspector General against appropriations to carry out military and nonmilitary assistance programs and Peace Corps programs after the expiration of 35 days from the date on which any appropriate committee of the Congress, or the General Accounting Office, delivered a written request to the Secretary of State's office that it furnish any document or other material relating to the operation or activities of the Inspector General unless and until such material was furnished.

This provision of the House amendment was retained, except that language was added permitting such information to be denied upon a personal certification by the President that he has forbidden the furnishing of such information and giving his reason for so doing.

The managers on the part of the House accepted this requirement of a personal certification by the President in the belief that the President should personally review any denial of information requested under this authority and give personal assurance that information relating to waste, inefficiency, or wrongdoing in the operation of the foreign assistance program is not being withheld from the Congress.

The managers on the part of the House considered the possibility that if this modification of the House provision was not accepted, a refusal of information to the Congress by the Secretary of State or the President would have the effect of putting the Inspector General out of business while permitting the rest of the foreign assistance program to go forward.

The committee of conference recognized that the Inspector General, Foreign Assistance, is assigned major responsibilities under this legislation and is given broad authority for discharging his responsibilities. Finding personnel qualified to perform the necessary functions will inevitably be difficult. The quality of the personnel selected will determine the success of the Inspector General's efforts. Because of the magnitude and diversity of U.S. foreign assistance operations, it is recognized that it will be impossible to maintain a permanent staff which includes the variety of specialists necessary to analyze and evaluate all aspects of foreign assistance operations. In order to meet this situation, it is the understanding of the committee of conference that the Inspector General will be able under the authority of the act to contract for the services of engineers, analysts, and other technicians when necessary.

PROFESSIONAL ENGINEERS (SEC. 624(a)(3))

Section 624(a)(3) of the Senate bill provided for nine Assistant Administrators in the AID agency and further provided that one should be the head of the Office of the Development Loan Fund and that in his selection, due consideration should be given to persons qualified as professional engineers.

The managers on the part of the House accepted the Senate provision dealing with professional engineers.

SUPERGRADE POSITIONS (SEC. 625 (b) AND (c))

Section 625(b) of the Senate bill authorized the employment in the United States of 85 individuals to carry out economic assistance and to coordinate economic and military assistance. Such individuals could be appointed, compensated, or removed without regard to the provisions of any law. Of that number 60 could be supergrades of whom 10 could be paid not more than $19,000. The Senate bill also provided in section 625(c) that 12 additional individuals might be compensated at supergrade rates to carry out military assistance programs. Of these 12, 3 might be paid not more than $19,000. In summary, the Senate bill authorized 72 supergrade positions of which 13 could carry compensation up to $19,000.

Section 623(b) of the House amendment authorized 70 individuals to carry out all parts of the bill—economic and military—who could be appointed, compensated, or removed without regard to the provisions of law. Of that number 45 could be supergrades. Not more than 15 of the latter could be paid up to $19,000.

The managers on the part of the House retained the Senate language that separated personnel employed to administer economic assistance and to coordinate military and economic programs from those employed to administer military assistance. They agreed that 76 of these individuals may be employed to administer economic assistance and coordinate economic and military assistance. These may be appointed, compensated, or removed without regard to the provisions of any law. Of the 76, 51 may be compensated at supergrade rates of whom 8 may receive up to $19,000. In connection with the administration of the military assistance program the committee of conference agreed that eight may receive supergrade salaries of whom three may receive up to $19,000. In summary, the committee of conference agreed to 59 supergrade positions of which 11 may carry compensation of not more than $19,000.

SELECTION OUT (SEC. 625(e))

Section 625(e) of the Senate bill authorized a selection-out procedure subject to an appropriate administrative appeal of personnel appointed and assigned to the AID program pursuant to the authority contained in the Foreign Service Act of 1946, as amended. The House amendment contained identical language for selection out but did not contain the provision for an administrative appeal. It also included a provision that in exercising the selection-out authority no political test shall be taken into consideration and no discrimination shall be made against any person on account of race, creed, or color.

The managers on the part of the House accepted the Senate language that provides for an administrative appeal in the case of those selected out. Since other parts of the bill make applicable the provisions of section 1005 of the Foreign Service Act which prohibits political tests and discrimination based upon race, creed, or color, it was not deemed necessary to include that provision in this subsection. Accordingly the managers on the part of the House accepted the Senate version.

FOREIGN LANGUAGE REQUIREMENT (SEC. 625(g))

Section 625(g) of the Senate bill required that the principles of foreign language competence of section 578 of the Foreign Service Act apply to personnel engaged in assistance programs abroad.

The House amendment contained no comparable provision.

The managers on the part of the House accepted the Senate provision. The committee of conference understands that this requirement is intended to apply only to the principles of section 578 of the Foreign Service Act since special problems exist in the recruitment and assignment of AID agency technicians which do not pertain to Foreign Service officers of the Department of State. The committee of conference expects that the Secretary of State will establish appropriate standards of language competence for AID agency personnel which will be both adequate and realistic.

ACCEPTANCE OF BENEFITS FROM FOREIGN COUNTRIES (SEC. 625(h))

Section 625(h) of the Senate bill provided that, notwithstanding any other provision of law, U.S. officers and employees performing functions under the act should not accept any compensation or any other benefits from any foreign country.

The House amendment did not contain a comparable provision.

The managers on the part of the House accepted this provision of the Senate bill in the belief that it will contribute to a closer control and better administration of the program.

PUBLIC INFORMATION AND REPORTS (SEC. 634(b))

Section 634(b) of the Senate bill provided that in the case of each development loan made, the President shall make public appropriate information about the loan, including information about the borrower, the nature of the activity being financed, and the economic development objectives being served by the loan.

The House amendment contained no comparable requirement. The managers on the part of the House accepted the Senate provision. The committee of conference understands that the provision does not require information to be made public which has been furnished in confidence by borrowers or which would otherwise not be in the best interests of the United States to make public.

CUTOFF OF ASSISTANCE WHEN INFORMATION IS NOT FURNISHED (SEC. 634(c))

Section 632(c) of the House amendment provided that no funds made available pursuant to the act should be used to carry out any provision of the act in any country or with respect to any project or activity when documents or other material relating to administration of such provision which shall have been requested in writing by congressional committees to the General Accounting Office have not been furnished within 35 days.

Section 634(c) of the Senate bill applied this limitation only to funds made available for nonmilitary assistance and provided an exception to the cutoff of such funds when the President certifies that he has forbidden the furnishing of the material and his reasons for doing so.

The managers on the part of the House accepted a compromise involving two modifications of the language contained in the House amendment. In agreeing to accept the House provision that made this subsection applicable to both military and economic assistance authorized under this act, rather than limiting the application of the subsection to economic assistance alone as was the case in the Senate bill, the managers on the part of the Senate insisted that the information requested by the General Accounting Office or any committee of the Congress could be denied upon a certification by the President that he has forbidden the furnishing of such information and his reason for so doing, and insisted also that written requests for information under the conditions of the subsection could be originated only by the General Accounting Office or a committee of the Congress but not by a duly authorized subcommittee. The committee of conference gave consideration to the position taken by the Department of Justice that serious constitutional questions were raised by the language of the House amendment.

The managers on the part of the House accepted the argument that any duly authorized subcommittee of the Congress would be assured of the backing of its full committee in any request for information of sufficient importance to justify the use of the authority of this subsection.

REPORTS ON PROGRAM CHANGES (SEC. 634(d))

Section 632(d) of the House amendment provided for semiannual reports on all actions taken during the period which differ in various ways from the illustrative programs included in the presentation of the executive branch to the Congress.

Section 634(d) of the Senate bill was the same, except that it provided for annual reports.

The managers on the part of the House accepted the Senate requirement for annual reports with an amendment requiring that such reports should be received by the Congress in January in order that they would be of maximum value in acting on foreign assistance legislation.

FURNISHING OF INFORMATION TO CONGRESS OR THE GENERAL ACCOUNTING OFFICE

Section 632(e) of the House amendment provided that all documents, papers, communications, audits, reviews, findings, reports, and other material which relate to the operations or activities of any agency of the U.S. Government administering part I or part II should be furnished to the General Accounting Office or to any committee or subcommittee of the Congress charged with considering legislation or appropriation for, or expenditures of, such agency, upon request.

The Senate bill contained no comparable provision.

The managers on the part of the House agreed to the elimination of this subsection because the language of subsection 632(c) of the bill deals with the same matter in a more effective manner.

EMPHASIS OF LOANS (SEC. 635(a))

Section 635(a) of the Senate bill provided that assistance under the act should emphasize loans rather than grants wherever possible.

The House amendment contained no comparable provision.

The managers on the part of the House accepted the Senate provision because they favor making assistance available on a loan rather than a grant basis when possible.

GENERAL AUTHORITIES (SEC. 635(b))

Section 633(b) of the House amendment authorized the President to enter into a variety of transactions including loans in furtherance of the purposes and within the limitations of the act.

The comparable section of the Senate bill, section 635(b), did not include a specific reference to loans and did not include the phrase "within the limitations."

The managers on the part of the House accepted a Senate amendment striking out the introductory clause in the House amendment "except as otherwise specifically provided in this Act." This clause was considered redundant in view of the final clause of the same provision which referred to "within the limitations" of the act.

ADMISSION OF ALIEN PARTICIPANTS (SEC. 635(f))

Section 633(f) of the House amendment authorized admission of alien participants if otherwise admissible as nonimmigrants, defined in section 101(a)(15)(H) of the Immigration and Nationality Act, in such categories of paragraph (H) as may be prescribed by regulations promulgated by the Secretary of State and the Attorney General.

Section 635(e) of the Senate bill authorized the admission of alien participants to the United States, if otherwise qualified as nonimmigrants in section 101(a)(15) (relating to nonresident aliens) of the Immigration and Nationality Act.

The committee of conference accepted the Senate version because there is at present no specific category under section 101(a)(15) which would adequately cover alien participants in the technical assistance program. The Senate version closely parallels section 201(a) of the United States Information and Educational Exchange Act of 1948 which deals with the admission of exchange visitors. There is now pending in the House S. 1154 which recently passed the Senate and a companion measure, H.R. 8666. These would add a new paragraph (J) to section 101(a)(15) of the Immigration and Nationality Act which would specifically cover exchange visitors and participants in programs of technical assistance. Pending enactment of one of these measures or other legislation to add a category to section 101(a)(15) covering admission of alien participants, the Senate version is necessary to provide an adequate basis for the admission of such participants.

DIRECT ACQUISITION OF EQUITY SECURITIES (SEC. 635(g)(3))

Section 635(f)(3) of the Senate bill authorized the President in making loans under the act to acquire any property on such terms and conditions as he may determine with a proviso that equity security could not be directly purchased, although such securities could be acquired by other means such as through enforcement of liens or pledges.

Section 633(g)(3) of the House amendment, while including the same authority, did not contain the limitation against the acquisition through direct purchase of equity securities.

The managers on the part of the House accepted the Senate provision.

SETTLEMENT AND ARBITRATION (SEC. 635(i))

Section 635(h) of the Senate bill authorized the settlement of claims and arbitration of disputes arising out of any investment guaranty operations and stipulated that the arbitration must be consented to by both parties.

Section 633(i) of the House amendment contained similar authority for the settlement of claims and the arbitration of disputes, but extended it to cover matters arising out of operations under the act and did not limit it to investment guaranty operations. Also, the House amendment did not contain any stipulation as to the need for the consent of the parties.

The managers on the part of the House accepted the Senate provision since it tended to be more limiting and more closely conformed to the expected use of the authority granted.

PROVISIONS ON USES OF FUNDS (SEC. 636)

Section 636 of the Senate bill, following the practice in existing law, enumerated the basic administrative authorities necessary for the day-to-day operations of the AID program. Some of these were identical with existing law; others were modifications. The House amendment moved those items in existing law that were retained without change to section 642(a)(2) which lists the unrepealed parts of the Mutual Security Act of 1954, as amended. Those authorities that were modified by the House were enumerated in section 634 of the House amendment.

The managers on the part of the House accepted the arrangement in section 636(a) of the Senate bill which retained in a single section of the law all the basic authorities. The managers on the part of the House accepted the Senate language with amendments as follows:

The language limiting the purchase of passenger motor vehicles for the official use of the head of the AID Agency to a single vehicle as it appeared in the Senate bill was clarified.

The Senate bill permitted long-term leases (not to exceed 10 years) for office space, living quarters, and other necessary facilities. The House amendment authorized advance payments in excess of 1 year for leases for facilities but did not authorize the making of a lease which exceeded 1 year's duration.

Experience has demonstrated the necessity for long-term lease authority in some of the countries in which aid programs are conducted. The managers on the part of the House therefore accepted the language in the Senate bill.

The Senate bill authorized payment of transportation costs of remains of participants to their homes or to a place of burial. The House amendment permitted payment of such costs only to the participants' former homes. Experience has demonstrated that in some cases transportation of remains to former homes is undesirable and shipment to places of burial other than the former home is more desirable. The managers on the part of the House accepted the language in the Senate bill.

Section 636(b) of the Senate bill authorized both military and economic assistance funds to be used for personnel compensation, allowances, and travel; and for printing and binding without regard to any other law. It also provided that such laws as might be necessary may be waived in connection with expenditures abroad for supplies, services, and other administrative and operating expenses other than compensation of personnel.

The House amendment contained this identical authority by continuing section 411(d) of the Mutual Security Act of 1954, as amended, under section 642(a)(2)(d).

The managers on the part of the House accepted the Senate provision as being more appropriate in that it brings together in one bill all of the basic administrative authorities.

Section 636(c) of the Senate bill contained an authorization for the construction or acquisition of living quarters, office space, and supporting facilities overseas for use by U.S. Government employees and their dependents in an amount not to exceed $4 million in any fiscal year. The funds used for this purpose are to come from those funds available for assistance under part I except development loan money. The House amendment contained no comparable provision.

It has been found that in many areas necessary facilities either cannot be leased because they do not exist, are not available because of the heavy demand for such facilities, or because rental is so high as to make it uneconomical to lease. In more than two-thirds of the new posts in Africa facilities such as living quarters, office space, schools, and hospitals are not available in sufficient quantity to accommodate AID personnel. The specific authority to construct or otherwise acquire schools and hospitals will permit use of AID funds to meet the needs of dependents of U.S. Government personnel in localities where it is necessary for the AID program to acquire or construct such facilities.

The committee of conference qualified the living quarters that may be acquired or constructed to those that are essential for the use of American personnel and reduced the amount available for these programs in any fiscal year to $3 million.

Section 636(d) of the Senate bill and the House amendment contained identical language authorizing the use of not more than $1.5 million in any fiscal year of funds available under part I (except development loan money) for assistance to schools established, or to be established, abroad for the education of dependents of U.S. Government personnel whenever such action would be more economical or best serve U.S. interests in providing such education. To make clear that this authority would not permit the duplication of facilities authorized in subsection (c) the Senate bill included the words "in lieu of acquisition or construction pursuant to subsection (c) of this section." The managers on the part of the House accepted the language in the Senate bill.

Section 636(g)(1) set a limit of $300,000 in any fiscal year on the extraordinary expenses that may be incurred from funds made available for purposes of military assistance. The House amendment did not contain any limitation. The managers on the part of the House accepted the Senate language.

Section 636(g)(3) of the Senate bill authorized the maintenance, repair, alterations, and furnishing of U.S.-owned facilities for the training of foreign military personnel without regard to certain statutes relating to public contracts.

The House amendment contained no comparable provisions.

The managers on the part of the House accepted the Senate provision which was designed primarily to make it possible for the United States to provide available facilities for an Inter-American Defense College to be used for training students from member countries of the Inter-American Defense Board.

ADMINISTRATIVE EXPENSES (SEC. 637)

Section 637(a) of the Senate bill authorized an appropriation of $51 million for the administrative expenses of the AID agency. The House amendment authorized an appropriation of $49 million for that purpose. The committee of conference agreed upon an authorization of $50 million.

The Senate bill contained a subsection (b) that constituted a permanent authorization of appropriations to the Secretary of State for administrative expenses related to functions under the act and certain unrepealed provisions of the Mutual Security Act of 1954, as amended, such as the coordination of economic and military assistance and the support of NATO activities. This was a continuation of section 411(c) of the Mutual Security Act of 1954. The House amendment contained no comparable provision.

At the time the foreign aid bill was submitted by the executive branch, it was contemplated that the necessary appropriations would be requested as part of the regular Department of State Appropriation Act. This did not prove feasible. The continuation of the authorization provided in section 411(c) is required in order to permit an appropriation for this purpose in the fiscal year 1962 foreign aid appropriation bill. The managers on the part of the House therefore accepted the language in the Senate bill.

The managers on the part of the House accepted the Senate provision with the understanding that military and economic assistance in numerous instances cannot always practicably be identified. However, the committee of conference believes that as a minimum the facilities housing U.S. AID missions can be so marked also, that every effort should be made to find ways to more fully carry out such an identification policy.

IDENTIFICATION OF SOURCE OF U.S. ASSISTANCE (SEC. 641)

Section 641 of the Senate bill required that economic and military assistance be identified appropriately overseas as "American Aid."

Section 641 of the House amendment did not contain a comparable requirement concerning the identification of programs under the act.

ASSISTANCE TO YUGOSLAVIA (SEC. 642(a)(2))

Section 642(a)(2) of the Senate bill left unrepealed section 143 of the Mutual Security Act which requires that in furnishing assistance to Yugoslavia, the President continuously assure himself that Yugoslavia is free from the international Communist movement and that the furnishing of such assistance is in the interest of the national security.

The managers on the part of the House concurred with the Senate in retaining unrepealed this provision which specifically requires this determination be made in regard to Yugoslavia.

FOREIGN CURRENCIES FOR INTERNATIONAL EDUCATIONAL EXCHANGE ACTIVITIES (SEC. 642(a)(2))

Section 642(a)(2) of the Senate bill continued as unrepealed section 514 of the Mutual Security Act, which required, upon request of the Secretary of State, the reservation of foreign currencies for international educational exchange activities.

The House amendment contained no comparable provision, and the managers on the part of the House accepted the Senate provision.

ASSISTANCE TO REFUGEES (SEC. 642(a)(2))

Section 642(a)(2) of the Senate bill left unrepealed section 451(c) of the Mutual Security Act and provided that the authority for refugee programs and the use of contingency funds to finance these programs, including Cuban refugees, would continue until the enactment of authorizing and appropriating legislation.

The House amendment contained no comparable provision.

The managers on the part of the House accepted the Senate provision since the authority provided by the Senate provision expires upon the enactment of legislation authorizing and appropriating funds for the activities specified. The committee of conference understands that legislation (H.R. 8291) is currently being considered in the House. However, should this bill unexpectedly be held up, this will authorize the continuance of refugee programs until final passage of the proposed legislation.

DEFENSE BASE ACT AND WAR HAZARDS COMPENSATION ACT (SECS. 701 AND 702)

Section 701(1) of the House amendment amended the Defense Base Act to extend the workmen's compensation coverage of that act to contracts under any successor act to the Mutual Security Act of 1954, as amended (which would include the new foreign assistance bill), other than contracts financed by loans repayable in dollars, unless the Secretary of Labor, upon recommendation of the financing agency, determined that such coverage would be appropriate. Section 701(2) amended the Defense Base Act to apply the coverage of that act retroactively to any and all contracts which were not completed prior to the date of enactment of the bill. Section 702 of the House amendment similarly amended the War Hazards Compensation Act, which provides war risk hazard and internment compensation coverage.

The Senate bill contained no comparable provisions.

The managers on the part of the Senate accepted the House amendment with amendments. The language in the House version would have two unintended effects. First, the deletion of the exception for DLF contracts would have the unintended effect of subjecting existing DLF contracts to the retroactive coverage of these two statutes. Second, the proposal to exclude contracts financed by loans repayable in dollars under any successor act to the Mutual Security Act was intended as excluding only contracts financed under the development lending section of the bill but it would also have excluded any contracts financed by dollar repayable loans under other categories in the bill. The amended language accepted by the committee of conference leaves unaffected existing DLF contracts which were absolutely excluded from coverage by the two acts but permits coverage of contracts financed by development loans under the bill upon the determination of the Secretary of Labor.

RESPONSIBILITY OF SECRETARY OF STATE FOR ADMINISTRATION OF BATTLE ACT (SEC. 703)

The committee of conference agreed to an amendment to section 703(a) which amended section 305 of the Battle Act so as to provide a permanent authorization of appropriations to the Department of State to carry out the objectives of that act. The amendment substituted "Secretary of State" for "Department of State" and added "to administer and" before "carry out". These changes make clear that the Secretary of State is the statutory Administrator of the Battle Act, thereby in effect replacing the obsolete language of section 102 of that act.

IMPROPER CURRENCY TRANSACTIONS ABROAD (SEC. 707)

Section 707 of the Senate bill amended section 523(d) of the Mutual Security Act to authorize the President to direct issuance of regulations governing the extent to which pay allowances received and to be used in any country should be paid in local currency "whenever the President determines that prevention of improper currency transactions in a given country requires it." The House bill contained no comparable provision.

This provision was inserted in the Mutual Security Act of 1960 as a result of scandals involving Air Force personnel in black-market currency operations in Turkey.

The managers on the part of the House accepted the language in the Senate bill. The committee of conference was of the opinion that clarifying the criteria would facilitate implementation of this provision where required.

INTERPARLIAMENTARY UNION (SEC. 710)

Section 709 of the House amendment amended the act authorizing U.S. participation in the Interparliamentary Union to increase from $33,000 to $48,000 the authorization of appropriations for this purpose. The effect was to increase from $15,000 to $30,000 the amount available for expenses of the American group. It left unchanged the amount of $18,000 available for contributions to the Bureau of the Union. The Senate bill contained no comparable provision.

The managers on the part of the Senate receded with an amendment limiting such increase to the fiscal year 1962.

THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
OMAR BURLESON,
FRANCES P. BOLTON,
WALTER H. JUDD,
Managers on the Part of the House.

Mr. MORGAN. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, the bill which the House managers bring back today is the result of long and arduous negotiation. The conferees held long sessions on 6 days. There were over 130 differences between the House and Senate bills, and as you all are aware some of these differences involved fundamental conflicts.

I want to take this occasion to express my appreciation to the House conferees who have given so much time to their task. Throughout the conference their attitude has been constructive, and in the consideration of each issue the dominating objective has been to work out a fair arrangement that would make the program work better.

The predominating issue in the conference was the issue of Treasury borrowing to finance development loans just as it had been the predominating issue in the House debate. The Senate conferees were very strongly committed to the principle of Treasury borrowing and were supported in their views by a substantial vote in favor of Treasury borrowing in the Senate.

The managers on the part of the House were firmly convinced on the basis of our experience during the 5 days of consideration of the foreign aid bill on the House floor that the majority of the House was and is opposed to financing development loans by Treasury borrowing. After long discussion, agreement was reached on this point only day before yesterday, the fifth day of the conference. In order to get agreement to the complete elimination of Treasury borrowing, it was necessary for the House to make concessions on other points.

The bill we bring back upholds the position of the House.

The consideration of the development loan program this year in the House made clear, however, the need for long-range commitments, and many of those who most strongly opposed financing such commitments by Treasury borrowing made clear during the House debate their support for the necessity for making long-range commitments.

The language adopted in the conference makes it possible for the United States to make commitments for future financing of development programs of the less-developed countries which will be helpful and reassuring to these countries while at the same time preserving the normal congressional procedures with annual appropriations.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I am sure I speak the sentiments of most if not all the Members of the House when I say that the gentleman is to be congratulated upon the tremendous job he has done on this difficult and important subject. He and the Members of the House who accompanied him in the conference are all to be commended. This is certainly one of the legislative land marks of this or any other year.

I think the bill preserves, as the gentleman has said, the position of the House; but it is a fine and reasonable compromise between the bills passed by the two bodies. Under this conference report the mutual security program can move forward and meet the responsibilities that lie ahead. Again I commend the gentleman and on behalf of the entire House thank him for the great job he has done.

Mr. MORGAN. I thank the gentleman.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield.

Mr. HALLECK. I, too, want to commend the conferees who were the representatives of the House. In my opinion they stood their ground.

The great fundamental difference between the bills passed by the other body and this body is, as the gentleman said, the issue of Treasury borrowing against congressional appropriation and the matter of long-term planning. I have said that long-term planning was highly desirable, but at the same time we have insisted that there be an annual review by the Congress of the United States. The executive branch I am sure feels that the compromise, if such it may be called, that has been arrived at preserves to the Congress of the United States and particularly to the Appropriations Committee of the House of Representatives, and the House of Representatives itself, the right to an annual review, because the language of the conference report provides for annual appropriations.

I think my view in that regard has been corroborated by the statement of President Kennedy himself at his press conference when he said that, of course, the responsibilities and rights and authority of the Appropriations Committee of the House of Representatives and the right of appropriation here has been preserved in this conference report.

Mr. MORGAN. I thank the distinguished minority leader.

Mr. BROOMFIELD. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Speaker, I, too, would like to join with the gentleman from Indiana and the gentleman from Oklahoma in paying tribute to the conferees for working out this report that carries out the intent of the House in great detail.

Mr. MORGAN. I thank the gentleman.

The language agreed to appears on page 17289 of the CONGRESSIONAL RECORD and is contained in section 202 of the bill. I invite each Member to read it carefully.

The bill authorizes an appropriation of $1,200 million for fiscal 1962, which is exactly the same as the authorization in the bill as it passed the House. In addition, authorizations of $1,500 million are provided for each of the next 4 fiscal years.

The language accepted by the conference authorizes the President to enter into agreements committing funds authorized to be appropriated within the limits contained in the bill but subject to annual appropriation. All such commitments will be made with the understanding on the part of the borrowing country that funds will only be forthcoming after appropriation.

The legislation as agreed to assures congressional control. Appropriations will be requested each year, and these requests will be handled in the normal manner. In addition, subsection 202(c) of the bill requires that notice be given to the Congress of each agreement involving funds not yet appropriated whenever such agreements are entered into.

One of the difficult points in the conference was the statement of policy. Both bills had rather comprehensive policy statements which were basically in agreement on most issues, and on most points it was relatively easy to work out a compromise which combined the basic concepts of the Senate and House bills.

There was rather fundamental disagreement, however, as to the language

relating to freedom of navigation on international waterways. After long discussion and in the face of strong opposition, a compromise was agreed to, giving expression of U.S. support for the principle of freedom of navigation on international waterways and of the right of all private persons to travel and pursue their lawful activities without discrimination as to race or religion.

A provision in the House bill expressing U.S. opposition to the recognition of Red China or the seating of Red China in the United Nations was deleted in view of the fact that Senate Concurrent Resolution 34 had already passed the Senate and was scheduled for consideration in the House today.

The House bill included provisions to curtail the use of foreign aid funds to build up industries in foreign countries which would compete with U.S. industries. After long discussion it was necessary for the House to compromise, but the compromise agreed to retain the basic provisions of the House bill.

We retained the requirement with respect to development grants that "if the President finds that assistance proposed to be furnished under this title would have a substantially adverse effect upon the U.S. economy, or a substantial segment thereof, the assistance shall not be furnished." We had to accept, however, the elimination of the same restriction as applies to development loans. Subsection 620(d) of the bill, however, retains the fundamental concepts of section 619(b) of the House bill, although the limitation on export for consumption in the United States was raised from 10 to 20 percent of the annual production of the foreign facility.

We had to work out a compromise with the Senate regarding supergrades. The Senate bill authorized 72 supergrades, the House bill, 45. We agreed to a figure of 59. This was a case where it was impossible for either side to insist on having its own way.

The House bill included provisions to curtail the use of foreign aid funds to build up industries in foreign countries which would compete with U.S. industries. After long discussion it was necessary for the House to compromise, but the compromise agreed to retain the basic provisions of the House bill.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Iowa.

Mr. GROSS. Reading on page 17843 of the RECORD, the conference report as printed in the RECORD, I find this language under 202(a):

> It is understood that the conferees regard the language in the bill as authority for the Executive to make commitments which will be honored by the Congress unless there is evidence of obvious bad management or the other country has failed to meet its responsibilities.

The question I would like to ask is this: Where did this language come from? Who prepared this language?

Mr. MORGAN. Is the gentleman referring to the language in the report or in the statement of the managers?

Mr. GROSS. In the statement of the managers on the part of the House.

I will say to the gentleman that it is very peculiar language coming from the managers on the part of the House. I cannot believe it was written by the committee. I am wondering if this language was written downtown?

Mr. MORGAN. No. I can assure the gentleman the language was not written downtown.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Minnesota.

Mr. JUDD. Part of the agreement that was finally reached when the conferees receded from their long and determined insistence on Treasury borrowing was that the managers on the part of the House put that statement in our report to the House, which we did.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Michigan.

Mr. FORD. In reference to the same language referred to by the gentleman from Iowa, in this morning's newspaper the transcript of the President's news conference of yesterday quotes the President along this line: First he was asked, if this language in section 202(b) is put in the basic law, would he think there was at least a kind of a moral obligation upon the Appropriations Committee to honor those commitments with appropriations?

The President replied:

> No. I would think that the Appropriations Committee would have to make their own—meet their own responsibility.

The President seems to say that although conditional commitments can be made, they are subject to the appropriations process and in no sense is there a moral obligation across the board to supply the funds.

What would be the gentleman's comment?

Mr. MORGAN. I think the President of the United States has stated the facts correctly. I think it is up to the Committees on Appropriations to decide what their responsibilities are. They will have to consider the obligations of the United States to other nations as well as other factors.

Mr. Speaker, the agreement on the amount of money involved in the bill is also mentioned in the table on page 17842 of the CONGRESSIONAL RECORD. Briefly, the conference agreed to a total for fiscal year 1962 of $4,253,500,000.

This was $115 million less than authorized in the House bill, and $177 million more than authorized in the Senate bill.

Mr. Speaker, I urge the House to approve the conference report. This is a long bill which takes the place of the old mutual security legislation contained in the act of 1954. The conferees have worked hard and long, and have arrived at a satisfactory compromise. It was not easy to overcome the Senate's insistence on a Treasury borrowing program. I feel confident that the House will agree that the managers on the part of the House have defended the position of the House in a satisfactory manner, and I think the conference report should be adopted.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Speaker, it is not often that I take the time of the House to praise any Member of the House or eulogize anyone. But I do think that after sitting through many weeks of hearings of the Foreign Affairs Committee, the gentleman from Pennsylvania [Mr. MORGAN] deserves the commendation of every Member of the House. I do not believe the gentleman missed a single session, or more than a few minutes of any session, when he might have been called to the telephone. The gentleman gave every member of the committee who had any objection or who had any amendment or who had any complaint a complete and full amount of time to state that complaint and offer amendments, and to state their objection. He was absolutely fair and impartial. I understand, although I was not a member of the conference committee, from the conferees, that he was a tower of strength in the conference to maintain the position of the House, and that he stood fast when he was belabored and beleaguered by the Senate to recede. I think the gentleman from Pennsylvania [Mr. MORGAN] did a magnificent job in the hearings and I think the gentleman has done a tremendous job in conference. I think the House, really, is in his debt.

Mr. BURLESON. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Texas.

Mr. BURLESON. Mr. Speaker, as one of the conferees on the mutual security bill, I wish to testify to the diligence and dedication of those serving on the conference to maintain the position of the House. I can do so with grace, since my own contribution was of no great significance.

Under the able leadership of the distinguished chairman of the Foreign Affairs Committee, I give you the complete assurance that the conferees have brought back a report, now presented to you, which is the very best possible to attain. By a comparison of the two versions passed by this House and the other body, your decision against Treasury borrowing, commonly known as backdoor financing, has been sustained. Review and annual appropriations by the Appropriations Committee are provided, and other safeguards and limitations are written in to give the strongest possible control over financing.

Mr. Speaker, as a conferee, I was an agent of the House. In that capacity, I joined with my chairman and our other colleagues in signing the report. I joined with them in the strongest representation to our counterparts in the other body that this House must maintain control of financing the foreign aid program and that it would not accept the Treasury borrowing provision.

I have signed the report as your agent, and repeat that, in my judgment, the best possible compromise is returned to you. As one who voted against the bill when passed by the House, I do not expect to support the bill on its final pas-

sage but do support the action of the conferees.

Mr. HARVEY of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Michigan.

Mr. HARVEY of Michigan. Mr. Speaker, I also voted for the bill when it was passed by the House. But I was concerned about section 619, assistance to Communist countries and the fact that the committee departed from the original Casey amendment as it passed the House. It occurs to me that the language now is considerably weaker than the language which enumerated the 17 Communist countries, as the House spelled it out. I wonder if the gentleman would care to comment on that?

Mr. MORGAN. I think the language has not been weakened. Of course, the countries are not enumerated. The managers on the part of the Senate strongly resisted the enumerating of the countries, but I think the language is adequate. We did not want to relieve the Executive of any responsibility for maintaining continuous vigilance with respect to whether or not the various governments receiving our aid are subject to Communist domination. There is a certain danger that when we list countries by law, the Executive is relieved of a certain amount of responsibility. Section 143 of the old Mutual Security Act is continued in effect in the bill agreed to. We repealed it in the House bill but when the conference struck out the list of countries we reinstated the old mutual security limitation and assistance to Yugoslavia. The bill names two countries, Cuba and Yugoslavia, and there is a strong statement against giving assistance to countries dominated by the international Communist movement anywhere in the world.

Mr. HARVEY of Michigan. Mr. Speaker, when H.R. 8400, the foreign aid bill, passed the House, section 619(a) of the House amendments specifically provided that no assistance should be furnished to any country or area dominated or controlled by the international Communist conspiracy, and some 17 countries, including Yugoslavia and Poland were enumerated.

In conference with the Senate, this provision has been eliminated in favor of language in the Senate bill, section 620(a), wherein it simply provides that no assistance should be furnished to the government of any country unless the President determines that such country was not dominated or controlled by the international Communist movement. As I see it, this is considerably weaker than the language in H.R. 8400, as amended, when it passed the House originally. Our State Department, for example, takes the view that Yugoslavia is not a part of the international Communist movement, although it readily admits that Yugoslavia is a Communist country. This is a slight distinction as far as I am concerned. Such assistance does serve to strengthen the Communist dictatorships as they exist in these countries.

The language in the bill as it now reads leaves the determination of furnishing aid to Communist countries to the President. Under the State Department view, we can expect aid to continue to Yugoslavia and Poland, both Communist nations. This makes no sense to me in the perilous position that we find ourselves in Berlin, and particularly in view of the announcement from the Soviet Union today that it intends to resume nuclear testing. If we were attacked by the Soviet Union, are any of us silly enough to think that we will be assisted by any Communist government, Yugoslavia or Poland included? I think not.

In recent weeks, some of us have been critical of shipments of strategic materials to Communist countries. It makes even less sense to me to build a steel mill in a Communist country under the provisions of foreign aid.

I believe that foreign aid is a tool rightfully used in the cold war and, if properly administered, can strengthen the forces of freedom by aiding peoples of less developed friendly nations to develop their country and its resources, to improve their lot in life, and to establish responsible governments. However, I do not believe this should include assistance to Communist nations as has been done in the past, and as this language would permit.

For this reason, although I supported H.R. 8400 when it passed the House, I cannot support it now, and I intend to vote against it in protest against this policy.

Mr. MORGAN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Speaker, it was my very great pleasure to serve with Dr. MORGAN in the conference committee. I want to express myself even more strongly than did my colleague from Ohio [Mr. HAYS] in the matter of my respect and admiration of our committee chairman, the distinguished gentleman from Pennsylvania [Mr. MORGAN].

It is true that we had a very strenuous and very difficult task, for the two Houses were in absolute opposition. Without the strength the chairman showed, his courteous strength—and, you know, there is such a thing as courteous strength and something less than courteous—we would have had a much more difficult time. He was quite wonderful in the way he handled every difficult situation. To the distinguished gentleman from Minnesota, Dr. JUDD, and myself, he was consultant, friend, and coworker during all the long hours. We have nothing but the greatest admiration for the way he has handled his responsibilities.

I am not going to say anything about the bill, because that will be discussed as much as it need be by others. But I wanted to express myself as being exceedingly happy over the outcome of the conference and over the whole method of procedure. Instead of no bill, as well might have been, or a bill that would have been all too far from the objectives of the Congress, I thank the gentleman for yielding me this time.

Mr. MORGAN. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. FARBSTEIN].

Mr. FARBSTEIN. Mr. Speaker, I want to join all my colleagues in heaping encomiums upon the head of the chairman of the committee because of the manner in which he conducted the hearings during that entire period in the Committee on Foreign Affairs. I was not a member of the conference committee.

I deplore the fact that the conference committee of the House and Senate, which met to reconcile the differences between the House and Senate versions of the "Act for International Development of 1961" did not agree to the statement of policy in the bill passed by the House.

Despite my objection to a portion of the statement of policy, because of the manifold benefits for the peace and welfare of the underdeveloped nations as well as this country contained in the bill, I shall vote for the bill.

Although I appreciate the fact that the House Members fought valiantly under the leadership of our earnest and capable chairman, I deplore the fact that the members of the conference committee representing the House receded from the position taken by the House Committee on Foreign Affairs and, indeed, the House of Representatives itself on the statement of policy.

I deplore even more the fact that the other body this year passed the Act for International Development containing language which, in my opinion, not alone is watered down from that of the House statement of policy, but vitiates the effect of its preamble dealing with boycotts, blockades, and discrimination against American citizens and American business.

Why was the House statement of policy weakened in the removal of that portion which granted the right of commercial access? Are we to condone discrimination against American business? Why was our protest watered down?

The statement tends toward a general weakening of the forthright position taken by the House in its statement of policy.

How is the change in language to be interpreted? Are we now to be considered neutrals against that which is legal, right, and in the American tradition? Do we now say that we owe no obligation to American citizens and American business to protect their rights against boycotts and blockades?

Should we give aid to nations who boycott, blackmail, and blacklist Americans who trade with a friendly nation? Are we to bow to the wishes of uncertain and neutral nations as against the rights of our own citizens?

The statement in the House bill to the effect that assistance under the act shall be administered to give effect to the principles contained therein, namely, boycotts, blockades, and discrimination, is omitted and in place thereof there is the statement, "In the administration of all parts of this act these principles shall be supported in such a way in our

relations with countries friendly to the United States which are in controversy with each other as to promote an adjudication of the issues involved by means of international law procedures available to the parties." What has this ambiguous statement to do with the original statement contained in the House version? What was wrong with aid being administered in accordance with the principles stated in the House version?

The Government of the United States has always regarded the protection of the essential rights and liberties of its citizens as its prime responsibility. Until recently the conduct of America's foreign relations reflected a firm commitment to this position. It was known throughout the world that actions impairing the dignity and equal rights of Americans, for whatever reason and in whatever land, would not be tolerated by the United States.

No self-respecting nation can afford the loss of integrity and prestige incurred by submissiveness to affronts; and we must not permit our Government to pursue a course degrading to the dignity of the United States which, in my opinion, transcends all other issues and requires close scrutiny by this Congress. The accommodation of our Government to trespasses upon its sovereignty and discriminatory abuses visited upon its citizens is without justification in American law and tradition.

Irrespective of the irrelevance of the declaration of vitiation contained in the conference statement of policy, those nations guilty of discrimination against our citizens and our business will infer that as a result of this watered-down statement of policy, which we are being asked to accept today, the Congress does not mean what it says and they are free to pursue their blackmail, boycotts, blockades and discriminatory practices against American citizens and American business without fear of objection by the United States.

The statement of policy in the House bill states to the world that this Congress objects to intrusions upon its sovereignty—especially by nations which are the recipients of our largess. This is not in the conference report.

Although it is true our protest has not been effective in the past, this does not mean we are to dilute or weaken that protest.

Mr. MORGAN. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Speaker, I have requested this time in order to ask the chairman of the Committee on Foreign Affairs one or two questions.

Under the development credit program authorizing $1.2 billion for this year and $1.5 billion for each of the following 4 years, what would be the effect of a difference in opinion between the committees of the Congress and the executive branch as to the actual need for a particular program or programs? How would the difference be resolved?

Mr. MORGAN. Of course, the gentleman is familiar with the language in the bill which authorizes entering into agreements committing the United States subject only to the appropriation of funds. I believe the President spelled out in his press conference yesterday that responsibility lies with the Appropriations Committee and the established process. The Appropriations Committee has to consider commitments made by the United States to other nations as well as other things.

Mr. PASSMAN. Upon examination of the requisitions, or proposals, for commitments, if the committee should, after careful deliberation, arrive at a figure substantially below the authorized total of $1,500 million, would that be the amount recommended to the Congress, and would it be acceptable, according to the gentleman's understanding of the legislation?

Mr. MORGAN. I just want to read the gentleman a sentence from the conference report:

> It is understood the conferees regard the language in the bill as an authority for the Executive to make commitments which would be honored by the Congress unless there is evidence of obvious bad management or the country has failed to meet its responsibilities.

Mr. PASSMAN. Then, if the Executive makes a commitment of $1,500 million, whether or not the Congress agrees that it is sound even if the committee's examination clearly indicates such an amount is not actually needed, is the Congress obligated, anyway, to appropriate the money?

Mr. MORGAN. I feel that the final responsibility lies with the Congress as expressed through its appropriation of funds.

Mr. GALLAGHER. Mr. Speaker, if the gentleman will yield, I believe the key words are "authorized to be appropriated." If the funds are not appropriated, they cannot be used.

Mr. PASSMAN. In so many instances, commitments are made before the subcommittee of the Committee on Appropriations is even given an opportunity to hold hearings on the request; and if they make such commitments under this program, regardless of their nature, then we are, let us say, at least morally, committed to make the money available, are we not?

Mr. GALLAGHER. The final word rests with the Committee on Appropriations under the language of the bill.

Mr. PASSMAN. I thank the gentleman. But I would say, too, that I am a realist.

Mr. MORGAN. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. HARDY].

Mr. HARDY. Mr. Speaker, first of all, I want to express my appreciation to the gentleman from Pennsylvania for yielding this time to me. I also want to express my appreciation for his cooperation and for the very fair attitude which he has always exhibited. I want to particularly congratulate him on his working out with the other body the compromise language which will permit long-range planning in our foreign aid program without bypassing our appropriations procedures. I think that is a very fine accomplishment. It disturbs me considerably in the face of that to still find myself in the well of the House under the condition of having to oppose this conference report. I have to oppose it, Mr. Speaker, for a reason similar to the opposition which I had to a conference report several years ago. I have always supported foreign aid. I would like to support this foreign aid bill, but the language which the conferees have agreed to with respect to the furnishing of information to the Congress and the GAO convinces me that this bill ought not to be passed as it is. What it would do is provide statutory authority for the President to withhold any information he sees fit from the Congress. To permit the executive branch complete control over the information which it will provide the Congress could effectively remove from Congress its control over appropriated funds. This is particularly dangerous because of the flexibility and discretionary authority with which foreign aid funds are expended. This flexibility really necessitates a freer flow of information to Congress.

We have been all through this before. Right now, on this very day, I have an illustration of the problem that is involved. My subcommittee has found evidence that an ICA employee, whose name I will not now divulge, is in a conflict-of-interest situation which indeed may involve serious improprieties. We have not been able to pursue the matter that far, but an essential document relating to it is in the hands of the State Department. It is a document from the Office of the Inspector General and Comptroller, which under the language in the conference report could be denied us. Under the present law, the Assistant Secretary of State for Congressional Relations, Mr. Hays, has agreed to furnish it to me. During the latter part of 1960, President Eisenhower personally ordered the Department of State to withhold information from our committee. This order was subsequently reversed by President Kennedy. And what did we find the information contained? It contained evidence of a conflict of interest by a former Director of the ICA mission in Peru—it contained evidence of incompetence by high officials in ICA—it contained evidence of incompetence, and perhaps even malfeasance, on the part of other employees; it contained evidence also that the inspectors themselves neglected to perform their duties and that their performance served to cover up improprieties instead of bringing about their correction.

It was because of what we found, following instructions from President Kennedy that these documents be furnished, that we were able to recommend improvements in the administrative setup. It was because of what we found that we were able to report factually to the Congress.

The original withholding of this information, in my judgment, was accomplished on dubious legal grounds—in fact, I think it was illegal. But if we adopt this conference report we will have provided legal basis on which the executive branch can refuse to give the Congress anything.

We have given the President the flexibility he says he needs with respect to

committing and expending these funds. He ought not to object to giving the Congress full and complete data on how his administration uses that authority. Indeed, I don't believe the President does object. It is his underlings who want to hide their performance.

Mr. Speaker, we ought to send this conference report back and insist that the language in section 624(e)(7) be made to conform to the language as passed by the House. I recognize the need for foreign aid and want to vote for the legislation, but the conference report ought to be changed first. The only way, under the existing parliamentary situation, I can register this position is to vote against the conference report with a view to instructing the conferees.

Mr. MORGAN. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, first of all I want to join others who have paid eloquent and deserved tribute to the chairman of our Committee on Foreign Affairs, the gentleman from Pennsylvania [Mr. MORGAN], and particularly for the superb way in which he handled our conference with the other body, the most difficult conference in which I have ever participated. We went there with the positions of the two Houses just about as far apart as was possible. With great patience and firmness he explained and contended for the House bill, supported by all four of the other House conferees. With skill he avoided angering anyone, conceding where the Senate bill was superior, compromising where that was inescapable, and thus we were able to prevail in the end on the matter of rejecting Treasury borrowing, which was the essential point insisted on by the House of Representatives in its vote on the foreign aid bill.

Mr. Speaker, this conference report accepts the necessity for long-range planning and long-range development loans. Our commitment is to a policy of entering into and carrying out long-range programs. But we do not make commitments to provide funds for any particular program. The final say on individual programs will remain where it is now, in the Committees on Appropriations and the Congress.

If you look at the language in section 202, which is the nubbin of the compromise, you see that in making conditional commitments for 2- or 5- or 10-year programs, the Executive will have to write into every agreement, "Subject to the annual appropriation of funds." And appropriation of funds is the sole prerogative of the Congress.

In outline, it amounts to this: First, the Congress recognizes that long-range development loans are necessary, because we have long-range problems and they cannot be solved by short-range programs. It is similar to what the Congress did after Pearl Harbor when it declared war on Japan. It did not declare war for 1 year, and then debate for 2 or 3 months whether to fight a second year. It declared war until we won. We committed ourselves to a long-range struggle; but we did not commit ourselves to specific operations for the duration. We did not turn over to anyone else control over our finances. Every year the military came to the Congress to present its plans, its needs, its programs and projects and get the money Congress chose to appropriate. One year the emphasis might be on battleships and the next on bombers or submarines. Flexibility was retained.

In this conference report we do, in our view, commit the Congress to support of a long-range program of development loans rather than grants, with sufficiently long-term assurance of financing so that we can hope to get the economic development in important, less-developed countries that simply cannot be obtained on a year-to-year basis.

Second. The idea was sold, or it came to be widely believed, that in order to have long-range loan programs, they must be financed by direct Treasury borrowing, that the Executive could not rely on the Congress to provide sufficient funds for properly planned and properly administered programs. This line we rejected, just as the House had rejected it, because the record does not justify the assumption. We insist that we can have sound long-range programs without abandoning the constitutional process of authorizing and appropriating funds, after evaluating plans and programs presented by the Executive. So, it is necessary to have long-range programs; but it is not necessary to authorize 5 years of Treasury borrowing to finance them.

Third, we do not believe so-called back-door financing is the best way to get the best results. Whenever and wherever any 5-year authority is given without annual review and without the Congress keeping check on those in charge of the programs, with the power in Congress to cut funds if there is improper or unwise management, you do not get the most efficient operation. If they know that they are going to have to come each year and explain and justify what they are doing, the agency's feet, so to speak, are kept to the fire and better operations results.

So, after 6 days of tough bargaining, an agreement was reached which gives the Executive assurance of continued support for a policy of making long-range development loans up to an authorized limit, without the Executive's being able to make irrevocable commitment for any individual loan; and at the same time, it keeps in the hands of the Congress its proper constitutional responsibility for annual review and determination of the overall size and cost and character of the program. The Executive gets continuity up to the levels authorized; the Congress retains final control. This is what the House wanted from the beginning.

We also fought as hard as we could to hold down the amounts authorized to be appropriated in this multiyear authorization, annual appropriation mechanism. The Executive had asked for $1,900 million each year for 4 years after this year. We wanted to authorize $1 billion or $1.2 billion a year which would give them a substantial foundation of funds to loan, but they would have to come back to us to get additional authorizations they want and, I believe, need. In order to get any additional authorization they would have to justify not only the additional amount, but their use of the amount already authorized in the bill, and they would have to justify such requests not only to the Appropriations Committee but to the Committee on Foreign Affairs and the Committee on Foreign Relations. However, in order to get the Senate conferees to yield on Treasury borrowing, we finally had to go up to $1.5 billion authorization a year. This still will require their coming to Congress for authorization of the additional amounts they say they will need.

Mr. PASSMAN. Mr. Speaker, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Louisiana.

Mr. PASSMAN. What would be the situation if the Executive should commit our country to $1.5 billion for fiscal 1963? What will they submit to the Committee on Appropriations?

Mr. JUDD. Whenever they make an agreement conditionally committing a given amount for a loan or loans to country X, they will immediately submit that agreement and its provisions to the gentleman's committee.

Mr. PASSMAN. Would that be done prior or subsequent to the commitment?

Mr. JUDD. After the commitment. Let me read the language:

> Upon conclusion of each such agreement involving funds to be appropriated, the President shall notify—

If they were making commitments of funds already appropriated, I would think it would be out of your hands. But this language clearly states: "Upon conclusion of each such agreement involving funds to be appropriated."

So the agreement with the commitment would be made first and then submitted to the gentleman's committee, which would decide whether to make the appropriation or not. That decision would be in the judgment of the committee.

Mr. PASSMAN. Suppose the administration should decide $1.3 billion is needed, and the committee should decide to appropriate $1.2 billion as being adequate to meet the needs? Which viewpoint would prevail in such a situation, that of the committee or the executive branch?

Mr. JUDD. The committee action would prevail. But it should be clearly understood that the conference committee expects that appropriations will be made for commitments within the $1,500 million authorization unless there is evidence of bad management or obvious bad judgment. They can ask for more than the $1.5 billion authorized but they would have to justify such requests first, before our committee and then your committee.

Mr. PASSMAN. After the commitment was made, the Congress would have no alternative.

Mr. JUDD. No, that is not the understanding of the conferees. All commitments would be conditional, subject to the annual appropriation of such funds. The language does not require you to supply the amount conditionally committed unless you agree with the basic

soundness of the arrangements they have made. It is something like our treatymaking process, the Executive signs a treaty, subject to ratification by the Senate. Most treaties are thus ratified, but the Senate can reject and has done so in a good many historic instances, when it strongly disagreed. Similarly, under this bill, the Executive can make a loan commitment, subject to provision by the Congress of the funds for the loan. Ordinarily it will provide the funds, but it can reject, and I doubt not that it sometimes will.

Mr. PASSMAN. I thank the gentleman.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Indiana.

Mr. ADAIR. Members of the other body have been reported as saying along the line of the questions put by the gentleman from Louisiana that if commitments were made the Congress would be morally bound to provide money through the appropriation process.

Does the gentleman from Minnesota feel that is the case?

Mr. JUDD. I do not think we are morally bound to provide money for individual projects, if we do not think they are sound. While I do not like the word, "morally," I do think that the Congress in adopting this report—there should not be any uncertainty on this point—is adopting a policy of authorizing the Executive to make long-range plans and conditional commitments within the limits of $1,500 million a year, subject to review and the provision of funds by the Appropriations Committee and the Congress.

Mr. ADAIR. Subject to the operation of the Appropriations Committee?

Mr. JUDD. There is no question about that. That condition will have to be in every agreement. When the Congress has passed this bill, I would expect it to provide funds for all projects for which conditional commitments have been made, within the amounts authorized, except as it can show they are not wise projects or they are not being handled well or the basic planning is not adequate, and so forth, to justify the amount committed. The Congress will scrutinize each agreement thoroughly, and the final determination will be in the hands of the Congress.

Mr. MORGAN. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Speaker, reluctantly I rise to oppose the conference report on the Mutual Security Act of 1961. I say reluctantly because I have supported the general policy of foreign aid rather consistently in the past in the belief that we must assist free countries to develop economic strength and political stability to resist military aggression and the subversive infiltration of international communism.

At the same time, my studies as a member of the Foreign Operations and Monetary Affairs Subcommittee of the House Committee on Government Operations, popularly known as the Hardy Committee, have demonstrated widespread waste and mismanagement in the expenditure of foreign aid funds; and, in many cases, that overspending abroad actually has impeded achievement of the objectives of the foreign aid program. I have, therefore, consistently supported all sound reductions in the size of the program and have likewise emphasized that economic development abroad should be accomplished primarily by private capital investment with the principal role of our Government being that of facilitating such investment abroad.

Nevertheless, the successive Mutual Security Acts, in my judgment, have moved in the wrong direction. Instead of tapering off government-to-government aid and facilitating the increase of private capital investment, each new foreign aid authorization bill includes greater flexibility and weaker standards and criteria, and—even worse—grants greater immunity from congressional scrutiny.

The bill currently before us in the conference report has removed many of the limitations and safeguards which the House wrote into the measure during debate on Wednesday, August 16, and Thursday, August 17, 1961. One of the significant changes is the compromise provision in the authorization section, section 202, title I of chapter 2 for the development loan fund.

As the House passed the bill, it provided $1.2 billion for the fiscal year 1962, but the conferees have added $1.5 billion for each of the next 4 succeeding years. They also authorized the President to enter into agreements committing this country in advance of appropriations subject only to the subsequent granting of money by the Congress. The effect of this compromise is to eliminate the annual review by the Foreign Affairs Committee of the House, the Foreign Relations Committee of the Senate, and the Congress itself, and to give a free hand to the administrators of the program for the next 5 years, subject only to such checks as the Congress may exercise in the appropriation process.

Other significant provisions of the conference report provide flexibility such as waivers of provisions of existing law "as the President may determine," delegations and redelegations of functions vested in the President as he may determine, transferability features, and access to domestic and foreign excess property and foreign currencies owned by the United States as additional sources of funds for development assistance.

It is my conviction that in the light of the vastly expanded authority and flexibility and the vast amounts of public funds authorized by the conference report, that the ability of the Congress to scrutinize operations and activities in exercising such vast power should be untrammeled and effective.

Mr. Speaker, the House, in amending H.R. 8400, through proposals made by the gentleman from Virginia [Mr. HARDY] and the gentleman from Florida [Mr. FASCELL] did clearly provide for congressional access to information and documents concerning the administration of foreign aid.

At this point, Mr. Speaker, I wish to pay tribute to the gentleman from Virginia [Mr. HARDY], who, over the years, has conducted a running battle with the bureaucrats who wish to administer public funds and exercise vast public authority behind a wall of secrecy and thus to avoid an accounting for their trusteeship of vast power.

The gentleman from Virginia has led the fight to employ the power of the purse to compel the production of documents and information both for committees of the Congress and the General Accounting Office. He has been successful over the years in writing into mutual aid authorization and appropriation bills language to accomplish this purpose.

However, he has not been completely successful, because in the Senate and in conference language has been inserted to authorize the President, by certifying that he had forbidden the production of the information and giving reasons, to avoid the provisions of the Hardy amendment. When the Congress established the Office of Inspector General of the State Department, it provided that funds for the operation of this office could be used contingent upon furnishing to the Congress and the General Accounting Office information requested. There was no escape clause permitting the avoidance of this obligation by presidential certification.

H.R. 8400, as reported by the Foreign Affairs Committee, omitted altogether the Hardy amendment with respect to the funds for operating the Office of Inspector General and Controller and contained the presidential escape clause with reference to the general requirement of furnishing information to Congress and the General Accounting Office upon request. The House, however, with the concurrence of the Foreign Affairs Committee, accepted unanimously an amendment offered by Mr. HARDY to insert in section 624(e)(7) a provision with respect to the Inspector General, Foreign Assistance, requiring the production of information to congressional committees and the General Accounting Office upon request. This action appears on page 16315 of the CONGRESSIONAL RECORD of August 18, 1961.

Similarly, the House unanimously adopted an amendment offered by the gentleman from Florida [Mr. FASCELL] to strike the presidential certification escape clause from section 634(c), general provisions relating to furnishing information to the General Accounting Office and the Congress upon request. This action is recorded on page 16318 of the CONGRESSIONAL RECORD for August 18, 1961.

The conferees, however, not only restored the language stricken by the amendment of the gentleman from Florida [Mr. FASCELL] to section 634(c) of the general provisions relating to furnishing information which appears in the CONGRESSIONAL RECORD of Wednesday, August 30, 1961, at page 17839, but have also added the presidential escape clause to the amendment offered by the gentleman from Virginia with respect to furnishing information in the possession of the Inspector General, Foreign Assistance, to the General Accounting Office and committees of Congress,

which appears at the bottom of page 17837 of the CONGRESSIONAL RECORD of August 30, 1961.

Mr. Speaker, in my judgment, the presidential escape clause effectively nullifies the action solemnly taken unanimously by the House of Representatives designed to uphold the power of Congress to find out how foreign-aid funds are being spent. It even weakens existing law. This provision aids, upholds, and enhances bureaucratic secrecy and its immunity from accounting for the discharge of trust of public funds and public authority. This denial of congressional access to information about the public business—knowledge indispensable to the formation of sound legislative judgments—coupled with the vast increase in authority and funds, and a greater latitude of discretion and flexibility vested in the bureaucracy, renders this measure one which I cannot support.

Mr. Speaker, April 17, 1961, in a speech on the floor of the House—CONGRESSIONAL RECORD, pages 6015-6019—I praised President Kennedy for ordering Secretary of State Rusk to reverse instructions he had given witnesses not to provide documents and information concerning misconduct. That information was requested by the Hardy committee, pursuant to provisions in existing law, which, by this conference report, would in effect be repealed.

It appears I was premature in this praise and that the bureaucracy has now been successful in inducing the conferees to restore their immunity from effective congressional scrutiny of their acts.

I urge the House to vote down the conference report.

Mr. MORGAN. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Speaker, at the outset I wish in all sincerity to compliment and congratulate the chairman of the House Committee on Foreign Affairs, the gentleman from Pennsylvania [Mr. MORGAN] for doing a very effective and result-producing job.

I also wish to extend the same compliment to the members of the conference committee representing the House.

The House of Representatives in particular, and the Congress as a whole, can be proud of the way in which this result in reference to financing development loans was handled. It was accomplished in the proper legislative way and with the proper results.

I do not say this is a victory for the legislative branch over the executive. I simply say this is the way we should accomplish the results. I happen to agree with the end result.

Mr. Speaker, it is not good to quibble about words or phrases, but I think it might be helpful to get an interpretation of a particular word in section 202(b).

If the gentleman from Pennsylvania will respond, may I ask why did the conferees use the word "only" on page 4?

On page 4, the phrase is "subject only to the annual appropriation of such funds." By the use of the word "only" we do not mean any restriction or inhibition? It seems to me it would have been more normal to use the word "however." But I want to be clear on this point. Is there any unknown reason as to why the word "only" was used?

Mr. MORGAN. I think it means nothing more than subject only to the normal appropriations process.

Mr. FORD. I think that clarifies it. I wanted to be certain and sure that there was not any unusual or unforeseen intent.

Also, I think in the statement by the managers there is an indication in the following language which might disturb me a bit. The conference statement of the managers says on page 48, as follows:

> The committee of conference recognizes that the amount agreed to for each of the future years is below that requested by the Executive and therefore is to be regarded as a floor rather than a ceiling.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. FORD. I would be happy to yield to the gentleman from Minnesota.

Mr. JUDD. In my previous remarks I planned to clarify this very point but did not have time. I had something to do with the preparation of that language, and it is not complete. I can see how it might be misconstrued. It might look as if the word "floor" applies to appropriations whereas we meant it to apply to requests for authorizations. The executive wanted $1.9 billion and we authorized $1.5 billion. If it wants the additional $400 million or anything above this floor of $1.5 billion, it must come in each year and make its request before the authorizing committee, the Committee on Foreign Affairs.

One of the arguments used by the executive was that if we authorized an amount less than the $1.9 billion requested, it would probably be regarded as a ceiling and they would be expected never to go above that. Since that was not our intent, it was agreed in conference to put in the statement of the managers on the part of the House an explanation that we regard the authorization of $1.5 billion as the minimum of what will probably be necessary to accomplish our worldwide objectives in this field, and that requests for authorizations above that "floor" will not be regarded as a violation by the executive of a "ceiling" on requests. They will be entitled to ask for more.

Mr. FORD. This is a floor for commitments under the authorization?

Mr. JUDD. No, it is a floor for requests for authorization; not a floor for commitments under the authorization. Let me read it as it should have read:

> The committee of conference recognizes that the amount agreed to for each of the future years is below that requested by the executive and, therefore, is to be regarded as a floor with respect to the executive's requests rather than as a ceiling on them.

The use of the word "floor" was perhaps confusing. We wanted to allay their fear that our adoption of an authorization below their request would be regarded as placing a ceiling on future requests, and they might be considered to be acting in bad faith if they then asked for more than this $1.5 million authorization.

Mr. FORD. As I read it, however, there is no mandate?

Mr. JUDD. That is correct.

Mr. FORD. There is no mandate that there be appropriations to this extent?

Mr. JUDD. Not at all.

Mr. MORGAN. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Speaker. I deplore the failure of the conferees representing the other body to agree to the language in the statement of policy which was included in the House bill. The conference report has watered down our original stand on Arab discrimination.

We must be firm in our resolve not to condone the discrimination practiced by Arab League countries against U.S. citizens. We must not appease those who boycott and blacklist American businesses and citizens.

In my speech on H.R. 8400 on August 15, I stated that "if we have learned nothing else from the history of recent decades, it is that appeasement achieves nothing." The plain fact is that the discriminatory practices of the nations of the Arab League are repugnant to our fundamental principles. We gain nothing by watering down our stand on this issue. If the United States is to be the moral leader of the free world, we must exercise moral leadership.

I hope the State Department will take cognizance of the will of the House as expressed in the original bill.

Mr. MORGAN. Mr. Speaker, I yield 4 minutes to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I wish to congratulate the distinguished gentleman from Pennsylvania, chairman of the committee, and the committee on the vast amount of time they have devoted to this measure. I wish to ask him this question:

Section 202(b) authorizes the President to enter into commitment agreements for development loans. The question naturally arises, as is indicated by the debate on the floor here this afternoon, Is the President authorized to make these commitments before the Committee on Appropriations recommends and the Congress makes the appropriation for such purposes, or after?

Mr. Speaker, on that point the President has expressed himself, as reported in this morning's Washington Post at a press conference yesterday afternoon when he was asked if he thought there would be at least a moral obligation to make the appropriation. Here is what he said:

> No. I would think that the Appropriations Committee would have to make their own—meet their own responsibilities.

That is a plain, unequivocal statement. It is unmistakable. So I desire to ask the chairman of the Committee on Foreign Affairs if the President's answer comports with their interpretation of the language carried in the conference report? In his opinion, is that also the interpretation of the conferees?

Mr. MORGAN. I think subsection (b) of the conference report answers the gentleman's question.

Mr. CANNON. I did not understand the gentleman. Will the gentleman repeat it?

May I say this is a most vital part of this conference report, and the House and the country are entitled to know if the President's interpretation is the interpretation of the conferees.

Mr. MORGAN. I cannot speak for the President, but I am sure the gentleman is familiar with subsection (b) of 202. I think the gentleman's question is answered in the language of that section. The President is authorized to make commitments before funds are appropriated but these commitments are subject to appropriation of the funds.

Mr. CANNON. The gentleman then agrees with the President?

Mr. MORGAN. I beg your pardon?

Mr. CANNON. The gentleman agrees with the President?

Mr. MORGAN. The gentleman agrees with what the President is reported to have said at his press conference yesterday?

Mr. CANNON. In the statement I have just read.

Mr. MORGAN. As far as the gentleman from Pennsylvania is concerned, he agrees with the President of the United States. The Appropriations Committee has responsibility, but it must take into account the commitments which the President has made to other countries.

Mr. MacGREGOR. Mr. Speaker, only a few Members of the House of Representative are unalterably opposed to our mutual security program. A somewhat larger number favor foreign aid only to those countries militarily allied with us. A clear majority, comprised principally of moderates in both parties, agree that it is necessary to a successful American foreign policy that we have long-term programs, including long-term development loans in preference to grants. During 1960 under President Eisenhower the Congress authorized $500 million for economic assistance in Latin America; this year under President Kennedy we appropriated that money. Furthermore, the Congress in 1960 approved U.S. participation in a 10-year project for the development of the Indus River Basin. The total American share is $515 million, to be spread over the 10-year life of the project. The requisite funds were voted last year and again this year. During the past 10 years the Congress has provided financing for about 92 percent of the total amount of foreign aid authority. The foregoing demonstrates that Congress will provide funds on schedule to finance proper development loan programs.

President Kennedy and his advisers claim that the foreign aid program cannot accomplish its objectives of economic aid to newly emerging nations unless the administrators of the program are given the power to borrow almost $9 billion from the Treasury over the next 5 years. A majority of Congressmen believe that proper long-range plans can be drawn up and then carried through by combining long-range congressional authorizations with annual congressional review through the appropriations responsibility.

When you cast aside emotional arguments and fallacious conclusions, and take a hard look at the facts, you readily see that the purpose behind the original Kennedy proposals is to avoid annual scrutiny and control by the Congress over the expenditures of public funds. We are asked to issue a $8.8 billion blank check to foreign aid administrators to use as they see fit. I have studied the problem carefully and fairly, and I cannot believe that decisions of major importance involving our basic security can be better made by political appointees of the executive branch, than by Congressmen and Senators responsible to the people who elected them.

What the House of Representatives really wants is to take a look at major projects before America is unalterably committed to their support. We feel this is part of our responsibility. We cannot forget that article I, section 9 of the Constitution still provides: "No money shall be drawn from the Treasury, but in consequence of appropriations made by law." We are anxious that underdeveloped countries carry out political, social, and economic reforms looking toward equality of opportunity for their citizens under a system of self-government. It is difficult to see how the accomplishment of these reforms can be affected by the manner in which America finances its long-range efforts to assist these nations. When presidential advisers appear to equate patriotism with support for the Treasury-borrowing approach, they do a great disservice to the strength of our own system of self-government. Instead of loud complaining about congressional obstruction, I think it would be more useful, both abroad and at home, for President Kennedy and Secretaries Dillon and Rusk to reassure other countries by pointing to the record of congressional support for proper long-range foreign aid programs.

I have long expressed my strong support for an effective mutual security program, including economic assistance to less fortunate countries. There have been many instances of waste and inefficiency, but these do not justify elimination of our programs. They do compel better administration. We need to put more emphasis on trained personnel and less emphasis on dollars. We need to help people so that they are better able to help themselves. These objectives are in America's best self-interest in the increasingly bitter contest with international communism. The President and his appointees have their responsibility, and Congress has its obligation as the elected representatives of the American people. These responsibilities and obligations can best be met by a foreign aid bill which combines a long-range authorization financed by annual appropriations.

Mr. BROOMFIELD. Mr. Speaker, I rise in support of the conference report on S. 1983, the foreign aid authorization bill.

I think we owe an overwhelming vote of thanks to the House members of the conference committee for the masterful task they performed on a difficult and controversial problem.

I believe that we have incorporated in this bill before us today the ingredients of a sound, workable program of assistance abroad with adequate authority for the President to undertake long-range programs of development abroad. At the same time, we have retained close congressional supervision and inspection of this program.

There can be little doubt that if this program is soundly administered and efficiently executed that Congress will lend this program its full support in future years by providing the necessary funds to implement these programs to raise the living standards and spread our goal of self-determination throughout the underdeveloped countries of the world.

Today, there should be little doubt in neutral nations as to which form of government—communism or democracy—offers the greatest hope for the world.

We are all aware of Premier Khrushchev's statement that he intends to resume nuclear testing on a unilateral basis. We are aware of his total disregard for the future of mankind with his announced intention to develop a bomb with five times the killing power, the destructive power, and presumably the fall-out capacity of any previous bomb.

It should be perfectly clear to all the world that while communism offers death, despair, and total destruction, we in the free world are offering peace, prosperity, and the freedom of man to make his own decisions.

I think all of us recognize the significance of Premier Khrushchev's proposal. He is saying, in effect, that he is going to dominate the world, even if there is no world left to dominate.

Today, we should use a weapon we now have in our hands to refute Khrushchev's threat of total destruction. We should use the weapon of hope for a better future, of a promise for a better tomorrow, which this bill offers the world.

We should regard Khrushchev's bomb threat for what it is—a sign of weakness. Khrushchev's threat to blast the world into submission if it does not do as he says points out the sterility, the hopelessness, of the Communist position.

It points out the opposition to communism which has been developing throughout the world and which now is growing behind the Iron Curtain. Khrushchev's statement is one of despair, because he evidently can see no hope for Communist domination of the world other than by force.

In this bill before us today, we are not offering bigger and better bombs with more killing power. We are offering those who are without opportunity a chance to improve themselves. We are not offering total destruction and annihilation. We are offering a tomorrow to man which will be better for him and his children.

The people of the neutral nations of the world are now able to see for themselves something we in the United States have known for a long time. They now know that communism regards human beings as nothing more than worker ants who must strive, work, and sacrifice for

something called the state which has no form, no substance, and no soul.

They now see that communism would destroy them if they dared to deviate from the wishes of their masters; that these masters would burn them, blast them, and poison them without a qualm if they did not do as they were told.

I am sure that the people on this earth see more clearly today what communism is about than at any time in our past. Now it is up to us to demonstrate to the world that we here in Congress also see this threat as it really is and that we are determined that peace with justice will once again reign in the world.

Mr. MONAGAN. Mr. Speaker, I shall vote to support the conference report although I regret that the conference has limited the capacity of investigating committees of the Congress to require the production of pertinent information by the executive branch.

I want particularly to compliment our chairman, the gentlemen from Pennsylvania, Dr. MORGAN, for the outstanding job he has done in bringing this legislation to fruition under the most trying conditions.

In the final compromise on long-term financing, I believe that a fair conclusion has been reached. The executive will have greater freedom to make commitments and to make long-range plans but the ultimate financial control at this time will remain in the Congress.

I feel sure that if the executive demonstrates the reliability of its administration in the future the Congress will be liberal in considering future requests for funds.

Mr. ASHBROOK. Mr. Speaker, while the conference report may be considerably better than the original version of the bill, something which is a little better than bad hardly rates our support. We are here abdicating a great degree of our control over how this program is being administered. This is so any way you look at it.

In the 7 months I have been here it has been said at numerous times when objections are made to appropriation bills that we should not make the authorizations if we don't want the appropriations. What we are doing here is granting the executive department the right to make the authorizations and to commit us to foreign aid ad infinitum. As an example, the Congress has nothing to say about Secretary Rusk's commitment to the Latin Americans but he has pledged the full faith and credit of the U.S. Government to $20 billion over the next 10 years. To give somebody the right to authorize for 5 or 10 years is usurping the power of appropriation which constitutionally reposes in the Congress.

It is a sad day for the taxpayers when we relegate our body to a rubber stamp. The record clearly discloses that the State Department, the ICA, and other nonelected agencies of the executive department clearly do not warrant the good faith and trust of the legislative branch in making such a delegation and I wholeheartedly oppose this compromise foreign aid bill.

The Treasury financing-borrowing feature of this bill was but a diversionary tactic which so clouded the issue that we never really discussed the lack of merit of the program, its approach and its history. This bill is five times worse than the bill we passed earlier this month since it is for 5 years rather than 1 year. We did not even have the courage to name the Communist countries to which aid is not to be extended. A color-blinded State Department will undoubtedly now give aid to Poland and Yugoslavia, to name but two.

Mr. JONES of Missouri. Mr. Speaker, while I have not had an opportunity to thoroughly read or study the conference report, I have read the comments of President Kennedy in his news conference of yesterday. I have also listened to the comments by members of the conference committee, and particularly to the remarks of the chairman of the Foreign Affairs Committee, the distinguished gentleman from Pennsylvania, who has explained the report.

The question which has been in my mind, while not having been answered specifically during the debate, has been answered informally by the chairman, the gentleman from Pennsylvania, Dr. MORGAN, in such a way that I believe I can with good conscience support the conference report.

I voted for the bill when it was passed by the House, after having voted for the Saund amendment, requiring annual appropriations, and eliminating the so-called back-door spending. I have been concerned with the authority given to the President—which I realize will be implemented by officials of the State Department—for long-term commitments, say one extending over a 5-year period, and after 1 or 2 years it develops that the program or project has proven, in my opinion, to be ineffective, ill advised, or extremely wasteful, and yet the administration considers the program to be justified, would I, by voting approval of this conference report, have morally obligated myself to support appropriations for such projects? This is the question. The chairman of the Committee on Foreign Affairs has informally expressed his opinion that I should not feel obligated to support appropriations for programs which I feel are proven to be unjustified, even though administration commitments have been given.

In this connection, I concur in the closing statement of the editorial which appeared in this morning's issue of the Washington Post, which reads:

> The Congress and the country will stand by the long-term moral commitment of the new act, if the operations under it are efficiently conducted and if there is full access to information about them.

I think the administration, including the President, and particularly those in the State Department charged with the operation of this program should understand that their actions will be under even closer scrutiny in the future than in the past, and that their commitments will not be honored by Congress—at least not approved by this Member—if they do not measure up to the high standards which this Congress has indicated are desirable, and further, I think the recipient nations should also understand that the commitments made by the executive department are in effect subject to a veto by the legislative branch of this Government when and if these programs prove to be ill-advised, poorly administered, or wasteful in operation.

I do not consider that by the approval of this conference report that Congress is giving the President a blank checkbook, to be used over a 5-year period, without the necessity not only of reporting to Congress, but also of receiving annual approval before the funds to redeem the checks he has issued are appropriated.

Mr. CASEY. Mr. Speaker, I am deeply disappointed that the conference committee deleted my amendment prohibiting aid to 18 specific Communist countries, and adopted the more flexible version that passed the Senate.

A majority of the Members who voted on this amendment set forth the position of this House on aid and assistance going to Communist nations under this program. It is regrettable their wishes were not adhered to by members of the conference committee, but I wish to state that I believe the effect will not go unnoticed.

In my opinion, the adoption of this amendment by the House should put on notice the agencies within the executive branch that Congress and the American people take a dim view of their tax funds being used to assist those who subscribe to an ideology which would destroy us.

It is my hope that the Department of State, the International Cooperation Administration, and those charged with the responsibility of distributing such aid will look closely at the recipient nations, and will stop any assistance going to Communist countries. It is my hope that not one of the 18 countries listed in my amendment will be permitted to participate in this program until freedom and liberty are returned to their lands.

To claim that a Communist in Yugoslavia is not as dedicated an enemy to the survival of our system of government in the United States as a Russian or Chinese Communist is a ridiculous interpretation, and one to which the ordinary American cannot and will not subscribe.

My intentions are to oppose the conference committee's recommendations, and I urge those who feel as strongly as I do to join with me.

Regardless, I wish to state to my colleagues who supported my amendment that I do not think we lost a battle. For in this bill, there is a general prohibition against aiding countries the President determines to be under the international Communist conspiracy. The key rests entirely upon this interpretation—and I can assure you that those responsible for this interpretation will have to answer to Congress in the future.

Mr. PELLY. Mr. Speaker, I support the House-Senate conference report on the foreign aid bill. Earlier in the day in a brief statement to the House, I expressed my gratification that the House conferees had stood firm against the administration's Treasury borrowing proposal and that instead had succeeded in writing in a provision making all loan

funds subject to annual appropriations. In other words, all back-door spending which abdicated the annual scrutiny and control of the congressional Appropriations Committees has been removed. I am happy that repayments on previous foreign loans will not be used to finance this program. Likewise, I am pleased that a continuing authority to draw on defense stocks is not in the bill. Finally, I am pleased the amount of the loan program is cut from $8.8 to $7.2 billion.

Of course, there is still much talk about a moral responsibility of Congress to provide funds that are needed for long-range commitments. In the other body, the chairman of the Senate Foreign Relations Committee says, according to a press dispatch, that Congress will be morally committed to support the President with appropriations unless there are affirmative showings, or unusual, or compelling reasons why such funds should not be appropriated.

This is not my understanding. The only moral commitment I read in this bill falls on the administration—not on the Congress—and that is to carry out its pledge that the program will be carried out better and the money more wisely spent than in the past.

President Kennedy, as I said in previous remarks, told the press the language giving authority to make long-term commitments did not carry a moral obligation upon the part of the Appropriations Committee to honor those commitments. The President made a clear statement on this point.

I hope Congress as a result of this controversy over the method of financing this program will return in the future to the sound and constitutional appropriations procedure on all legislation. The legislative branch must regain its control of the public purse.

Mr. HALPERN. Mr. Speaker, I am dismayed by the unfortunate compromise of American principles evident in the so-called compromise version of the antibias clause in the declaration of policy in the mutual security bill. The Senate-House conference, which met to reconcile the differences between the Senate and House bills, reported out a measure far closer to the watered-down and vague Senate wording than the much stronger and specific House version.

The call by the House for executive authority to cut off aid to nations that impose blockades and otherwise discriminate was eliminated. The obscure and, to all effects, nebulous clause advocated by the chairman of the Senate Foreign Relations Committee appeared to emerge from the alleged "compromise" as the essence of the new clause.

I feel the final wording is a definite retreat from the previous stands taken by Congress, such as the Douglas-Keating amendment, and other strong antibias provisions heretofore enacted by Congress. This retreat is particularly tragic because it could well serve to encourage Arab intransigeance.

I cannot call the new language an actual "compromise" in the true sense of the word. I would call it, even if well intended, a seeming appeasement of certain Arab countries to negate the previously voiced congressional position on the boycott and blockade issues. Apparently it was with the tacit agreement of the State Department for it follows the Department's consistent policy on this issue. The conference, in my opinion, did not effect a true reconciliation of the two versions—the commendable, strong House language and the weak, wishy-washy Senate provision. The result is a disheartening step backward. Although, granted, it is better than no antibias provision as originally advocated by the chairman of the committee in the other body.

Blockades must be opposed, whether in Berlin or Suez. The Berlin blockade has been challenged to the point of a dangerous crisis while another blockade, equally a violation of international law, at Suez, is appeased. Let our foreign policy be consistent. Our citizens are asked to face the risk of atomic destruction in a showdown over one blockade but we meanwhile retreat in the face of the Arab blockade, boycott, and discrimination against many American citizens, companies, and shipping flying the U.S. flag.

However, the issue before us now is to give effect to the concept espoused that nevertheless does link aid with standards of conduct. While I feel the compromise measure is itself compromised insofar as the goals of the House were stated in its original bill, we must still expect and demand implementation of the will of Congress by the executive branch, especially in the State Department. Certainly, the fact of its inclusion is in itself a measure of reaffirmation of the sense of Congress along lines previously expressed.

Every opportunity must be seized to strive for implementation of goals—to deny aid to nations that discriminate against our citizens and our shipping on an arbitrary basis and which practice illegal boycotts and blockades affecting other recipients of our aid. Despite its shortcomings, the new clause may still furnish a basis for action that would implement the known sense of Congress and it does furnish authority for action by the executive department.

Mr. O'HARA of Illinois. Mr. Speaker, I join with my colleagues in paying deserved tribute to the great chairman of the Committee on Foreign Affairs. He has conducted the affairs of his committee in a manner that has won not only the admiration but also in a very real sense the affection of both the Democratic and Republican members of the committee. I join, too, with my colleagues in congratulating Dr. MORGAN, Mr. ZABLOCKI, Mr. BURLESON, Mrs. BOLTON, and Dr. JUDD on the tremendous service they have rendered the Congress and the country by returning from the conference with a bill that satisfies the President and that reconciles such differences as there may have been in matters of approach to the objectives of the program.

In voting for the acceptance of the conferees' report, however, I shall have a sense of deep regret that the language of the House bill on the matter of international waterways and discrimination has been watered down. Very much of what I feel was expressed in the remarks of my distinguished colleague from New York [Mr. FARBSTEIN].

It had been my privilege and pleasure to work with Mr. FARBSTEIN and Mr. HAYS in the framing of the statement of policy as regards international waterways that was contained in the Mutual Security Act of 1960. It will be recalled that this statement of policy as regards international waterways that originated in the House was objected to in the other body, that there was a long debate on the floor of the other body, and that after the debate there was a vote, and the other body by a substantial majority elected to stand with the House and the language remained in the bill.

This to me was proof positive that the statement of policy as regards international waterways in the Mutual Security Act of 1960 was in conformance with the thinking of a vast majority of the Members of both bodies of the Congress.

This year the Committee on Foreign Affairs by a unanimous vote reinserted the language in the mutual security bill of this year, and added thereto other strong language firmly stating the position of the United States of America on the matter of discrimination against any Americans in whatever land stationed, on the lines of religion. The vote in our committee on this reaffirmation of the moral law was unanimous. There was not a voice raised against it on the floor of the House, and from this I can conclude that the statement in the House bill as regards international waterways and religious discrimination expressed the thinking of every Member of this body.

Mr. Speaker, I do not think we win strong and enduring friendships when we seek temporary favors by the barter of our self-respect. As an American I wish no more nor no less than that which is accorded all other Americans. Members of this body have been denied access to other countries because their approach to the understanding of their relationship with the infinite was through a religious faith not in favor of those lands. Frankly, I do not see how we can hold up our heads with self-respect if we permit any country to discriminate against Americans on any other grounds than those of character.

I am happy and I am proud that the body of which I am a Member has asserted its position, without one dissenting vote, on this fundamental issue of the moral law as applied to foreign policy.

I am confident that had the membership of the other body been given the opportunity of expressing itself directly on this issue, its decision would have been exactly the same as that expressed in the House.

Mr. BELL. Mr. Speaker, I am against passage of the conference version of the Foreign Assistance Act of 1961. My opposition is not because I am opposed to foreign aid in principle, but because I feel that the conference version failed to actually and completely eliminate the so-called back-door spending feature of the program. Contract authority, along with the public debt transaction, note cancellation, and revolving funds, com-

prise the four types of back-door devices which abrogate congressional control of the purse strings.

It is my conclusion, after careful consideration and after listening to the debate on the floor that once the executive branch of our Government commits to another nation for assistance, that the House of Representatives and the Senate are morally obligated to fulfill the commitment. I object to the House of Representatives abrogating any of its exclusive prerogative to originate and pass upon bills permitting withdrawal of money from the Treasury. The U.S. Constitution specifically sets out this responsibility as an exclusive duty of this legislative body.

Further, there was some indication on the floor that perhaps the legislative branch of our Government would not be able to obtain all of the facts in detail pertaining to these loans and grants once committed. In other words, under the cloak of executive privilege, documents and evidence essential to congressional scrutiny of foreign aid programs may be denied.

In conclusion, let me point out that perhaps our most successful foreign aid program was the Marshall plan which was fundamentally based on annual appropriations by the legislative branch of our Government. This is a shining example of a program succeeding without rigid long-term commitments.

Mr. DOOLEY. Mr. Speaker, I am strongly in opposition to the amounts recommended by the Committee on Appropriations for mutual security during fiscal 1962. I am in support of those who would restore the 21-percent cut made in the amounts provided and passed by this very Chamber less than a week ago.

Now I have read in many newspapers during the last few days that the terms of the authorization bill somehow "morally commit" the House to restore these cuts. No such thing. The basic legislative intent of section 202(b) of S. 1983 was clearly developed on the floor just last Thursday in a colloquy between the chairman of the Committee on Appropriations [Mr. CANNON] and the chairman of the Committee on Foreign Affairs [Mr. MORGAN]. At that time they both agreed that the President of the United States had stated the case clearly at his press conference the day before, when, in answer to a question from a reporter as to whether he thought there would be at least a moral obligation to make the full appropriation, he said: "No. I would think that the Appropriations Committee would have to make their own—meet their own responsibilities." In other words, the action last week of the Committee on Appropriations as expressed in the bill before us, in no way violates the terms of the authorization bill. In short, because the record clearly shows that the percentage cut under previously enacted foreign aid authorizations is not at all a break with tradition, we are getting exactly what some of us asked for.

Anticipation of such action compelled me to oppose the amendment offered by the gentleman from California [Mr. SAUND]. Moreover, the bill before us serves to further sustain my original bewilderment at the "wholly satisfactory" evaluation of the authorization bill by the President last week.

If, according to the terms of the authorization bill, we are not morally committed to restore these cuts, then what? Mr. Speaker, I respectfully submit that we should rather be committed to sustaining the collective judgment of the members of the legislative committee, the Committee on Foreign Affairs, who deliberated for months on the authorization bill. We should further be committed to supporting the judgment of the members of the conference committee, who laboriously compromised with the committee from the other Chamber, in arriving at what they thought were justified authorizations. Last but not least, there are 260 of us who, just 5 short days ago, voted for the level of authorizations contained in the conference report—and at least that number should feel constrained to sustaining their own respective personal judgments in this matter. It is in this direction that our moral commitments lie. To act otherwise would be sheer ambivalence.

In recent weeks I have heard a lot of talk about the constitutional prerogatives of the legislative branch with respect to the powers to appropriate. I think it is about time some of us started worrying about the vanishing powers of our legislative committees, whose recommended authorizations to appropriate are carrying less and less meaning with the Congress each year. I have long maintained that it is precisely for this reason that the executive branch, together with many disillusioned members of our legislative committees, have seen fit to support measures that would bypass the annual appropriations process. This trend will stop only when some of the powers of the purse are restored to their rightful legislative owners.

Mr. Speaker, we have that opportunity now.

Mr. FRIEDEL. Mr. Speaker, under the permission granted for all Members to extend their remarks in the RECORD during the debate on the conference report on the mutual security bill, I would like to make a statement regarding this legislation.

I have always supported our foreign aid program in the past and I will support this conference report today because it is apparently the best compromise the conferees could obtain.

However, I am greatly disappointed to note that the statement of policy in the bill has been watered down to the point where it has little meaning. The language in the House bill offered greater protection to American citizens and American business regarding their rights against boycotts and blockades, and I feel that this language should have been retained by the conferees. The House Foreign Affairs Committee and the House itself voted in favor of the stronger language and I am sorry the Senate conferees insisted on weakening it. I do not see how we can possibly improve our own position by offering less protection to our own citizens and businessmen.

The removal of that portion of our statement of policy which granted the right of commercial access to other countries makes it appear that the United States condones the actions of some countries in boycotting American trade. If we are to continue to give aid to other countries, I do not think it is too much to expect them to trade with American business, without discrimination.

By watering down our statement of policy, we are opening the door for those nations guilty of discrimination against our citizens to charge that Congress does not care if they pursue their blackmail, blockades, and discrimination of American business. The statement of policy originally passed by the House let the world know that the United States objects to such actions, especially by nations we are helping through our mutual security program.

Because I realize the good accomplished by our aid to other countries, I will support this conference report, but I want to go on record as protesting the wording in our statement of policy because I feel that the language indicates that our Government is not prepared to protect the essential rights and liberties of its citizens. "Trade—Not Aid" is an excellent motto and I feel very strongly that America has the right to trade with any other nation in the world, regardless of the internal disputes of one nation with another.

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members have permission to extend their remarks in the RECORD during the debate on this conference report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MORGAN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

Mr. ADAIR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 260, nays 132, answered "present" 1, not voting 44, as follows:

[Roll No. 181]

YEAS—260

Addabbo	Byrne, Pa.	Downing
Addonizio	Byrnes, Wis.	Doyle
Albert	Cahill	Dulski
Anfuso	Cannon	Durno
Arends	Carey	Dwyer
Ashley	Chamberlain	Edmondson
Aspinall	Chelf	Elliott
Auchincloss	Chenoweth	Ellsworth
Avery	Clark	Everett
Bailey	Coad	Evins
Baldwin	Cohelan	Fallon
Barry	Conte	Farbstein
Bass, N.H.	Cook	Fascell
Bass, Tenn.	Cooley	Feighan
Bates	Corbett	Fenton
Beckworth	Corman	Finnegan
Bennett, Fla.	Curtin	Fino
Blatnik	Curtis, Mass.	Flood
Boggs	Curtis, Mo.	Fogarty
Boland	Daddario	Ford
Bolling	Dague	Fountain
Bolton	Daniels	Frazier
Boykin	Davis, Tenn.	Frelinghuysen
Brademas	Delaney	Friedel
Breeding	Dent	Fulton
Bromwell	Denton	Gallagher
Brooks, Tex.	Derounian	Garland
Broomfield	Diggs	Garmatz
Buckley	Dominick	Gary
Burke, Ky.	Donohue	Gathings
Burke, Mass.	Dooley	Giaimo

Gilbert	McFall	Rodino
Glenn	Macdonald	Rogers, Colo.
Goodell	MacGregor	Rooney
Granahan	Machrowicz	Roosevelt
Gray	Madden	Rostenkowski
Green, Pa.	Magnuson	Ryan
Griffin	Mahon	St. Germain
Gubser	Marshall	Saund
Hagen, Calif.	Martin, Mass.	Schneebeli
Halleck	Mathias	Schweiker
Halpern	Matthews	Schwengel
Hansen	May	Scott
Harding	Miller, Clem	Scranton
Hays	Miller, George P.	Seely-Brown
Healey	Moeller	Selden
Hébert	Monagan	Shelley
Hechler	Montoya	Sheppard
Henderson	Moorhead, Pa.	Sibal
Herlong	Morgan	Sisk
Holifield	Morrison	Slack
Holland	Morse	Smith, Iowa
Holtzman	Mosher	Smith, Miss.
Horan	Moss	Spence
Hosmer	Multer	Springer
Huddleston	Murphy	Stafford
Ikard, Tex.	Natcher	Staggers
Inouye	Nix	Steed
Jarman	Norblad	Stratton
Joelson	O'Brien, Ill.	Stubblefield
Johnson, Calif.	O'Brien, N.Y.	Sullivan
Johnson, Md.	O'Hara, Ill.	Taylor
Johnson, Wis.	O'Hara, Mich.	Teague, Calif.
Jones, Ala.	Olsen	Thomas
Jones, Mo.	O'Neill	Thompson, Tex.
Judd	Osmers	Thornberry
Karsten	Ostertag	Toll
Kastenmeier	Patman	Tollefson
Kee	Patten	Trimble
Keith	Pelly	Tupper
Kelly	Perkins	Udall, Morris K.
Keogh	Peterson	Ullman
Kilday	Philbin	Vanik
King, Calif.	Pike	Van Zandt
King, N.Y.	Pirnie	Vinson
Kirwan	Powell	Wallhauser
Kluczynski	Price	Walter
Kornegay	Pucinski	Watts
Kowalski	Quie	Weis
Kunkel	Randall	Whalley
Lane	Reifel	Wickersham
Lankford	Reuss	Widnall
Lesinski	Rhodes, Pa.	Wilson, Calif.
Libonati	Riehlman	Yates
Lindsay	Rivers, Alaska	Younger
McCormack	Roberts	Zablocki
McDowell	Robison	Zelenko

NAYS—132

Abbitt	Goodling	Moulder
Abernethy	Grant	Passman
Adair	Gross	Pfost
Alexander	Hagan, Ga.	Pillion
Alford	Haley	Poage
Alger	Hall	Poff
Anderson, Ill.	Hardy	Ray
Ashbrook	Harris	Reece
Ashmore	Harrison, Wyo.	Rhodes, Ariz.
Ayres	Harsha	Riley
Baker	Harvey, Ind.	Rivers, S.C.
Baring	Harvey, Mich.	Rogers, Fla.
Battin	Hemphill	Rogers, Tex.
Becker	Hiestand	Roudebush
Beermann	Hoffman, Ill.	Roush
Belcher	Hull	Rousselot
Bell	Ichord, Mo.	Rutherford
Bennett, Mich.	Jennings	St. George
Berry	Jensen	Saylor
Betts	Johansen	Schadeberg
Blitch	Jonas	Schenck
Bonner	Kearns	Shipley
Bow	Kilgore	Short
Bray	Kitchin	Shriver
Brown	Kyl	Sikes
Broyhill	Laird	Siler
Bruce	Landrum	Smith, Calif.
Burleson	Langen	Smith, Va.
Casey	Latta	Stephens
Cederberg	Lennon	Taber
Church	Lipscomb	Teague, Tex.
Clancy	McCulloch	Thomson, Wis.
Collier	McDonough	Tuck
Colmer	McIntire	Utt
Cramer	McMillan	Weaver
Cunningham	McVey	Whitener
Davis, John W.	Mack	Whitten
Derwinski	Martin, Nebr.	Willis
Devine	Mason	Wilson, Ind.
Dole	Meader	Winstead
Dorn	Michel	Young
Dowdy	Mills	
Findley	Moore	
Fisher	Morehead, Ohio	
Flynt	Morris	
Gavin		

ANSWERED "PRESENT"—1

Andersen, Minn.

NOT VOTING—44

Andrews	Hoffman, Mich.	Nygaard
Barrett	Karth	O'Konski
Brewster	Kilburn	Pilcher
Brooks, La.	King, Utah	Rabaut
Celler	Knox	Rains
Chiperfield	Loser	Santangelo
Davis, James C.	McSween	Scherer
	Mailliard	Thompson, La.
Dawson	Merrow	Thompson, N.J.
Dingell	Miller, N.Y.	Van Pelt
Forrester	Milliken	Westland
Green, Oreg.	Minshall	Wharton
Griffiths	Murray	Williams
Harrison, Va.	Nelsen	Wright
Hoeven	Norrell	

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Nelsen for, with Mr. Andersen of Minnesota against.

Mr. Santangelo for, with Mr. McSween against.

Mr. Loser for, with Mrs. Norrell against.

Mr. Dingell for, with Mr. Pilcher against.

Mr. Rains for, with Mr. Williams against.

Mr. Rabaut for, with Mr. Brooks of Louisiana against.

Mr. Brewster for, with Mr. Scherer against.

Mr. Karth for, with Mr. James C. Davis against.

Mr. Thompson of New Jersey for, with Mr. Hoffman of Michigan against.

Mr. Kilburn for, with Mr. Van Pelt against.

Mr. Miller of New York for, with Mr. O'Konski against.

Mr. Merrow for, with Mr. Knox against.

Mr. Westland for, with Mr. Hoeven against.

Mr. Celler for, with Mr. Nygaard against.

Mrs. Green of Oregon for, with Mr. Forrester against.

Mr. Barrett for, with Mr. Harrison of Virginia against.

Mr. Dawson for, with Mr. Wharton against.

Mrs. Griffiths for, with Mr. Andrews against.

Until further notice:

Mr. King of Utah with Mr. Mailliard.

Mr. Murray with Mr. Milliken.

Mr. Thompson of Louisiana with Mr. Chiperfield.

Mr. Wright with Mr. Minshall.

Mr. ANDERSEN of Minnesota. Mr. Speaker, I have a live pair with the gentleman from Minnesota [Mr. NELSEN]. If he were present he would have voted "yea." I voted "nay." I withdrew my vote of "nay" and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ADJOURNMENT FROM TOMORROW UNTIL TUESDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Tuesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LEGISLATIVE PROGRAM FOR BALANCE OF THIS WEEK AND NEXT WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I request this time in order to inquire of the acting majority leader what the program for the balance of the week is and what it will be for next week?

Mr. ALBERT. There is no legislative program for tomorrow.

For next week, the program is as follows:

On Monday, of course, as we have just disposed of, there is no session because it is Labor Day.

On Tuesday the Private Calendar will be called, and the mutual security appropriations bill for 1962 will be considered. If this is not completed on Tuesday it will be called up for completion after the suspensions.

Wednesday, under the rule previously adopted, will be Consent Calendar Day. There are 24 suspensions.

First is H.R. 9000 the Impacted Areas and National Defense Education Act extension.

There are 23 more, and if any Member desires me to read them off, I shall. Otherwise I will insert them in the RECORD as they are listed.

Mr. HALLECK. If the gentleman will yield, I think I have my list here at the desk. If anyone wants to look at it, it will be available. Otherwise, it will be printed in the RECORD to avoid the time that would necessarily have to be taken if the gentleman from Oklahoma were to read each one.

(The list referred to follows:)

H.R. 9000, impacted areas and NDEA.

H.R. 8723, welfare and pension plan.

H.R. 8597, railroad retirement.

S. 2051, education of war orphans.

H.R. 8291, resettlement of aliens.

S. 2237, permit entry of eligible alien orphans.

H.R. 6145, taxes, postponement, reduced credit provisions.

Senate Concurrent Resolution 14, salute, "Uncle Sam" Wilson.

H.R. 6630, railway companies, rights-of-way.

S. 200, Indians, limitation, appropriations, vocational training.

House Joint Resolution 459, Maryland, preserve lands.

H.R. 8666, educational and cultural exchanges, international relations.

H.R. 8870, amend Small Business Investment Act of 1958.

H.R. 8762, increase loan authority, Small Business Act.

H.R. 8632, Merchant Marine Act—exchange of vessels.

H.R. 2488, to amend the Shipping Act of 1916, licensing of ocean freight forwarders.

H.R. 1777, crimes and offenses, counterfeiting of State obligations.

H.R. 4357, increase compensation, War Hazards Compensation Act.

H.R. 8038, crimes and offenses, penalty to use slugs, disks, etc.

H.R. 3019, Annex, Government Printing Office.

H.R. 9011, training of teachers of the deaf.

H.R. 8902, promote the education of the blind.

H.R. 7812, Farm Labor Contractors Registration Act.

S. 48, leases, recreation facilities in reservoir areas.

Mr. ALBERT. Thursday, and the balance of the week, there is a primary, as everyone knows, in New York City, and the leadership will request that record votes, except on procedural matters which may come up on Thursday, might go over to the next legislative day.

Mr. Speaker, I ask unanimous consent that all rollcall votes on bills, motions to recommit, and amendments which might be appropriate on Thursday next might be put off until the following legislative day.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. For Thursday and the balance of the week there is the public works appropriations bill for 1962.

House Resolution 403, investigations, Export Control Act of 1949.

House Resolution 407, rules to amend clause 3 of rule XIII.

The following bills may be brought up by unanimous consent at any time:

H.R. 7692, marking of packages, imported articles.

H.R. 8876, having to do with taxpayer account numbers.

The chairman of the Committee on Ways and Means has advised that he will seek to call those up, too, by unanimous consent.

Of course, this announcement is subject to the general reservation that conference reports may be brought up at any time, and that any further program may be announced later.

Mr. HALLECK. If the gentleman will permit, might I say that if we dispose of the mutual security appropriations bill next week and can get the public works appropriation bill out of the way, I cannot see any reason why we cannot adjourn next week and, certainly, no later than the middle of the following week, if we can get the proper cooperation from the other body.

I see the Speaker pro tempore smiling, but I have found out in my experience here that you never get adjourned unless you really get down to business and work to that end.

Mr. Speaker, as far as I am concerned, and I am sure I speak for the majority of the Members, I certainly hope that with many of the things back of us with which we have had to contend, and with this program now laid out for next week, we ought to move rapidly for an adjournment sine die.

Mr. ALBERT. I know the gentleman realizes that the gentleman will have the cooperation of the Democratic leadership. We all want to move toward adjournment just as fast as the business of the Congress will permit. I think we all want to do that.

Mr. Speaker, I have just been advised by a representative of the Committee on House Administration that that committee will have two or more privileged matters to present to the House next week.

COMMITTEE ON ATOMIC ENERGY

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that the Committee on Atomic Energy have until midnight to file a conference report on the bill H.R. 7576.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

INDIAN REVOLVING LOAN FUND

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1540) to amend the law establishing the Indian revolving loan fund.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the appropriation authorization in section 10 of the Act of June 18, 1934 (48 Stat. 986), is hereby amended by increasing it from $10,000,000 to $35,000,000.

(b) All funds that are now or hereafter a part of the revolving fund authorized by the Act of June 18, 1934 (48 Stat. 986), the Act of June 26, 1936 (49 Stat. 1968), and the Act of April 19, 1950 (64 Stat. 44), as amended and supplemented, including sums received in settlement of debts of livestock pursuant to the Act of May 24, 1950 (64 Stat. 190), sums collected in repayment of loans heretofore or hereafter made, and sums collected as interest or other charges on loans made, shall hereafter be available for loans to organizations of Indians, Eskimos, and Aleuts (hereinafter referred to as Indians), having a form of organization that is satisfactory to the Secretary, and to individual Indians of one-quarter degree or more of Indian blood who are not members of or eligible for membership in an organization that is making loans to its members, for any purpose that will promote the economic development of such organizations and their members, or the individual Indian borrowers.

With the following committee amendment:

Strike out all after the enacting clause and insert "That the appropriation authorization in section 10 of the Act of June 18, 1934 (48 Stat. 986), is hereby amended by increasing it from $10,000,000 to $15,000,000."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I move that the House insist on its amendment to the bill S. 1540 and ask for a conference with the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

The Chair hears none, and appoints the following conferees: Messrs. HALEY, EDMONDSON, MORRIS, BERRY, and NYGAARD.

AMERICA MUST MAINTAIN NUCLEAR SUPERIORITY OVER THE RUSSIANS

Mr. KING of Utah. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. KING of Utah. Mr. Speaker, by declaring its resolve to resume nuclear weapons tests, the Kremlin has dealt the hopes of mankind for peace another cruel blow.

To this Nation, the Red masters' declaration should serve as another grim reminder that our own nuclear arsenal, coupled with the capacity to unleash that arsenal against Communist aggression, remains one of the greatest powers for peace in the world.

It is another in a long series of reminders that the Red masters remain unalterably committed to the same desire which tyrants throughout history have held—the desire to inflict their will upon all of mankind.

Because our nuclear capability is the greatest deterrent to war, we must expend whatever energies and make whatever decisions are necessary to preserve our advantage in this field. Since World War II, our technology and our progress have continuously paced the field of nuclear physics. We still firmly hold the leadership of this field today.

Our people should not panic over the Kremlin's intention to produce a bomb with the power of 100 million tons of TNT. For some time our scientists have possessed the ability to produce such a bomb, and would have done so had such a weapon possessed any important strategic advantages, aside from the propaganda value upon which the Russians are attempting to capitalize in such a feat. Moreover, the American stockpile of nuclear weapons is presumably still decisively greater than the Russians' stockpile.

Yet we must not underestimate the challenge which the Russians' resumption of nuclear tests poses. Our response to the challenge should be a thorough reevaluation of our own program in this field. It is clearly vital that we preserve the advantage we hold.

Through a crash effort, the Russians gained ascendancy over the free world in space. It would be a mistake of catastrophic proportions to let them capture ascendancy over us in nuclear physics. Because of the Russians' ascendancy in space technology, we must face the possibility that their capability for delivering nuclear weapons may at some point in this decade be greater than our like capability. If we should ever let them capture the lead in the development of nuclear warheads, our security and that of all our allies would face grave perils. At such a time, nuclear blackmail could become a hideous reality. The Red masters would not hesitate to use such blackmail if they possessed the necessary technical advantages to support it, just as they now have no hesitation about heightening global tensions by announcing plans to resume nuclear tests.

They obviously have timed their announcement to play upon the fears of the neutral nations which open their conference tomorrow. I believe that this strategy will backfire upon the Russians.

The Russians hope to draw neutrals to them by another display of power.

Instead this saber rattling should deepen the neutrals' distrust of Soviet intentions. I here call upon the executive branch of our Government to take such steps as may be necessary to maintain America's nuclear superiority over Russia. The Nation must be prepared to make and to implement the grim decisions which lie ahead.

EXPLANATION BY AVERELL HARRIMAN DUE CONGRESS

Mr. BARRY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BARRY. Mr. Speaker, Tuesday a report circulated that last autumn during the elections for the Presidency, Averell Harriman, then a private citizen, traveled to Russia for an interview with Mr. Khrushchev. At that interview, it is claimed, Mr. Harriman advised the head of the Soviet Government how to "help" Mr. Kennedy in the election.

Mr. Drew Pearson reports Mr. Khrushchev as remarking, referring to President Kennedy:

> Naturally we didn't say we were for him publicly, Averell Harriman had warned us not to. He [Harriman] said, "If you chide Nixon, chide Kennedy a little, too. It will help."

It was with a sense of profound amazement that I read this report. Certainly the Congress is entitled to an explanation by Mr. Harriman, as requested Tuesday by my colleague, TOM CURTIS, on the floor of this House.

As a member of the Foreign Affairs Committee I have been waiting with some interest for the last 3 days for this explanation. Mr. Harriman has apparently chosen to remain silent. What is the meaning of this silence?

The U.S. Criminal Code forbids any private citizen of the United States to discuss with foreign governments matters affecting the vital interests of the U.S. Government. Is the choice of President such a matter of vital domestic interest? That a prominent Democrat, a member of the Kennedy team and a former Governor of New York should undertake to advise a foreign power, indeed a Communist power, as to how best to influence a U.S. presidential election so as to help elect a candidate of his own party, if it is not actually in violation of the law, is surely shocking conduct.

Mr. Harriman is presently a roving ambassador for the United States. If his usefulness in this capacity is not to be impaired, he must clear up this highly damaging report. If he will not do so himself, it would seem to me advisable that the proper committee of Congress ask him to do so. I am sure we all await his explanation with interest.

CERTAIN ACTIONS OF FEDERAL COMMUNICATIONS COMMISSION

Mr. THOMSON of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

STATEMENT BY CONGRESSMAN THOMSON OF WISCONSIN ON INTRODUCTION OF RESOLUTION

Mr. THOMSON of Wisconsin. Mr. Speaker, I am introducing today a resolution concerning certain proceedings before the Federal Communications Commission which I believe would have the most serious adverse effect on the people of my district and of my State of Wisconsin, as well as on hundreds of thousands of other people in other areas of the United States. The resolution also demonstrates the grossly inconsistent if not misleading position taken by the Federal Communications Commission respecting substantial appropriations which it has requested and recently obtained from the Congress.

I refer specifically to the FCC's actions on July 26, 1961, which initiated proceedings proposing in eight cities—including my State capital of Madison—to delete existing VHF channels on which a VHF station is currently providing vitally needed TV service, and to compel those VHF stations to shift from the VHF to an admittedly inferior, in terms of coverage, UHF channel. This proposed destruction of valuable VHF frequencies and service would under any circumstances be considered most extreme and very harmful to the public's best interests. When, as here, it is prematurely taken without any of the basic technical data which the Commission has represented to Congress that it does not have and has in fact obtained special appropriations to attempt to obtain—then I submit the Commission has far overstepped the bounds of reasonable administrative action and this House must take appropriate action to prevent the vast harm threatened by its administrative arm, the FCC.

To go back in time for a moment, the FCC during the 86th Congress sought a special appropriation in excess of $2 million to conduct an experimental study of ultrahigh frequencies—or the UHF, as they are called—to be held in New York City. The Subcommittee on Independent Offices of the House Committee on Appropriations, chaired by the Honorable ALBERT THOMAS, of Texas, was naturally quite concerned with the need and justification for such a substantial appropriation, amounting as it did to one-sixth of the Commission's entire annual budget. The Commission and its individual Commissioners in hearings before the subcommittee asserted what they believed to be compelling justification for such special appropriation in response to probing inquiry by subcommittee members. The subcommittee was advised and I quote from the Commission's formal statement of record that there was "need for a special engineering study into the effectiveness of UHF television," and that "the aim of this project is to determine facts which would aid in the resolution of the television allocations problem which has been a source of serious concern to the Congress, the broadcasting industry, and the Commission." The study was to cover the entire range of UHF operations including, and I again quote:

> All phases of a development, measurement, and field testing for UHF television.

The House was further told that funds for the study were necessary, since—and I again quote:

> Until comprehensive knowledge of UHF services and capability is obtained, there is little hope of successfully utilizing UHF on a nationwide basis.

And, that every effort would be made to evaluate the effectiveness of UHF broadcasting so as to seek to find—and again I quote:

> The assurance that UHF could be effectively utilized (subcommittee hearings, par. 2, at p. 684).

That was the Commission's own initial statement which went on to refer to the acteristics, and the more widespread quencies—or VHF television—in terms of its wider and more reliable coverage, its superior receiver and antenna characteristics and the more widespread distribution of VHF receivers.

All of these asserted needs for a special experimental UHF study were reiterated by the individual Commissioners in response to subcommittee questions. It was clear that the Commission sought to find out more about UHF capabilities so as to determine its capacity for replacing the VHF in the United States as a possible—and I repeat possible—solution to TV allocations problems. Thus, it was agreed to be, and I again quote:

> The feeling of the Commission that you cannot arrive at a conclusion with respect to UHF without this study (id., at p. 704).

The Appropriations Subcommittee was also quite concerned that the UHF study was proposed to be held in New York City which would require the erection of two new UHF stations from the ground up at a cost in excess of a million dollars alone, whereas there were existing UHF stations in other cities such as in Pittsburgh which could have been utilized for this purpose at a much lower, if not minimal, cost. The Commission insisted upon a UHF study in New York for the reason as stated by one of the Commissioners that—and this, too, is a quotation—

> If it works in New York City the chances are that it will work any place in the country (id.).

With the closest particular respect to the subject matter of my resolution, it was finally stated by one subcommittee member with FCC approval that—another direct quotation:

> The Commission does not want to move toward definite conclusions with respect to whether or not they all ought to be UHF or whether there ought to be an intermixture or whether there ought to be a demixture unless they have some sort of study upon which

to base their conclusions. This would seem to be an expensive way but the only way the FCC can actually arrive at the decision as to what is going to happen to UHF (id., at p. 721).

On the basis of these assertions, the 86th Congress specially appropriated and made available for the special UHF study the amount of $2 million.

That FCC study is only just now getting underway, with its actual operations now scheduled to commence in late 1961 and the final Commission results not due to be completed until January 1963. In fact, the Commission has just requested that the Congress insert new language in its present appropriations bill to extend the availability of the special study appropriation past June 30, 1962, for an additional 6 months.

Since the study has not yet even commenced, the Commission obviously has not obtained any data from it with respect to UHF capabilities or other technical aspects.

Despite this absence of UHF data, the Commission on July 26, 1961, took those allocations actions I have referred to, proposing fundamental changes in our television system. These were the proposals in eight cities, including Wisconsin's capital city of Madison to delete existing VHF channels and service, and compelling VHF stations to shift from their present VHF channels to the narrower coverage and less reliable UHF. Madison channel 3 was proposed for extinction in this ad hoc, haphazard manner, as well as seven other operating VHF stations in the significant cities of Montgomery, Ala., Columbia, S.C., Champaign-Urbana, Ill., Binghamton, N.Y., Erie, Pa., Hartford, Conn., and Rockford, Ill., about which this House has already heard and will undoubtedly hear further.

The proposed deletion of Madison channel 3—or "deintermixture," as the FCC sometimes deceptively labels it—would take from south-central Wisconsin one of its most vital natural resources. That is a television channel serving the vast rural and agricultural areas of that region, and linking those hundreds of thousands of people with their State capital of Madison. Without Madison channel 3, because of the admitted technical disparities of substituted UHF television, tens of thousands of people would actually be deprived of their only regular and reliable television service, or of one of the only two or three regular and reliable television services they may now enjoy. No major metropolitan center of the United States which may have as many as five or seven VHF stations plus countless other services, is proposed to lose as much as one VHF channel. Yet here, the Commission—without any of the technical data which they are spending $2 million to try to obtain—now would deprive countless Wisconsinites, as well as other areas, of the basic television service on which they so heavily depend and rely. This is nothing less than an outright discrimination against the rural and agriculture citizens of Wisconsin. It is an attempted repetition in television of the unfortunate situation in radio in which these same people and the State of Wisconsin never received their rightful share of prime radio facilities.

It is for these reasons that I have introduced a resolution which would preclude the Commission taking any further action looking toward deleting existing VHF channels and forcing existing VHF stations to shift to the UHF, until it has at least completed the current experimental study of UHF in New York City for which Congress has appropriated $2 million. By the Commission's own representations in seeking this considerable appropriation, it has made clear that it does not now have any of the proper technical data upon which to seek to take such harmful action. Either this is so or the Commission has misled this House into an appropriation which it did not need, was not entitled to, and is now wasting. But let us assume that this latter possibility is not so. Then, only when the experimental UHF study is fully completed could the Commission possibly obtain the technical knowledge and assurance of UHF capabilities which it admittedly now does not have and is currently exploring. To delete existing and vitally needed VHF channels and services before that time would amount to administrative folly as well as a tragedy for the people who would thereby be deprived of the regular television service to which they are entitled. Accordingly, I urge this House to pass the resolution which would at least safeguard its own appropriations processes as well as prevent the premature and so particularly harmful administrative action now threatened by the Federal Communications Commission.

A POSITIVE APPROACH TO PEACE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 10 minutes.

Mr. STAGGERS. Mr. Speaker, under the pressure of world tensions which are becoming more ominous from day to day, and which have spread from the original starting point in Western Europe to every corner of Asia, to Africa, and which are now sprouting like the green bay tree in our own hemisphere, all our thought and energy is being absorbed by plans and projects to meet challenges. Nobody is thinking or talking, at least in a general public way, about what could be done to remedy the causes which give rise to the tensions. It is true that the causes are identified well enough. They are summed up under the headings of poverty, disease, ignorance, and oppression, and we piously assert our national policy to reduce or to remove those causes. The point is, we neither adopt, nor plan, nor discuss any broad practical steps which could conceivably bring about the desired result. If, by the grace of God, war threats should suddenly cease, if disarmament proposals should unexpectedly be agreed to by everybody concerned, what comes next?

The Congress has before it a number of bills providing for the establishment of a Disarmament Agency. The bills are sponsored by an impressive number of Members belonging to both political parties, and they conform to the stated views of the present occupant of the White House, as well as to those of his predecessor. An example of the bills themselves, and of the limited official discussion, gives the impression that the sponsors are concerned, perhaps only vaguely, with something far beyond the limited goal of disarmament. They speak of "keeping the peace in a disarmed world," and of a "peaceful world society in which disarmament, except for the forces needed to apply international sanctions, is the accepted condition of international life." Yet even this timorous approach to the whole problem has met with no vigorous or concerted action up to the present time. Perhaps the view is entertained that the bills would only add a new agency to a list which is already long, interfused, and expensive, and probably also futile.

Disarmament is merely a negative approach to the problem. If we should achieve an agreement by which national military forces would be reduced to 10 percent, or 1 percent, of their present size and strength, if we should eliminate the dreaded atom bomb entirely, we would still do nothing to the causes of unrest. Tensions would remain, and smaller military contingents would struggle with undiminished zeal, and probably with equal disruption to a peaceful organization of civil life. But if the causes of tension were removed the sizes of military forces would be of less consequence. There would be no occasion for them to lock in all-destructive strife.

I submit that my record shows that no Member of Congress has been more consistent than I in advocating and supporting a military power for the United States that is adequate to meet all conceivable needs. Yet my advocacy of military might has been haunted by a growing realization that it is more or less vain. Every increase in our force is answered by a greater increase in the forces which are our actual or potential enemies. Those actual or potential enemies today number at least two-thirds of the population of the globe. They include not only those people who stand in acknowledged opposition to our way of life, but also those peoples whose condition of life leads them to an irrational but none the less hostile envy of our achievements. There is no certainty, indeed, that we can count on concrete sympathy from the third of the world which is presumably committed to our way of thinking.

Although I support military preparedness, and although I have used some 4 years of my life in military service, and would repeat the experience if the need arose, I have no faith in the ultimate triumph of force. For that reason, I have, during the years I have been privileged to serve in Congress, introduced a number of bills providing for the establishment of a Department of Peace in the President's Cabinet. I believe today that the present proposal for a Disarmament Agency should be merged

in and expanded to a provision for a Department of Peace.

A Department of Peace would gather to itself all the dignity and prestige of a regular department of this Government. It would advertise to the world that we were so concerned with the problems of peace that we were setting up specific standing arrangements to deal with them. It would invite the imitation of other forward-looking governments in making similar provisions, and help to generate a new atmosphere from which all extraneous business or political or social matters could be excluded. It would make peace a matter of continuous study and action.

One incidental function of a Department of Peace would very probably be the formulation of disarmament terms. This is its negative aspect, a deterrent function, to some extent. On the positive side, which is the only permanent value in either a Disarmament Agency or a Peace Department, it would deliberately search for and attempt to eliminate causes of friction. At the same time, it would study and discuss publicly and formulate articulated programs and projects designed to improve human relations, and finally turn them over to those who have the authority and resources to put them into execution.

The problems of peace are of prodigious magnitude. Merely to list them is to bring on a headache. Needless to say, I have no magic formula to feed all the hungry in the world, to cure all diseases, to educate all the uneducated, to release all the oppressed from their bonds. But this is by no means to say that the job cannot be done. Human ingenuity and resourcefulness seem to be equal to every task that they have taken up. Recent achievements show us that we can harness the atom and conquer space. Who is it that is given credit for the common statement:

> The difficult we do at once; the impossible takes a little longer.

Does that kind of spirit animate those who deal with the material world alone, and not with the world of human relations?

Let us arm our Government with an ideological weapon which will be irresistible in all the councils of the world. Let us advertise loudly and publicly that we propose to devote our energies and resources to the propagation of peace. Let us put a full Department of Peace at the President's disposal and endow it with generous means to pursue its lawful purposes. Its cost will be only a minute fraction of the cost of only one little armed expedition, and it may succeed in composing one by one the many and difficult conflicts which beset the advance of civilization. We can be sure that it will attract to its service the best minds of the Nation, those who will consider it the supreme honor of all time to contribute to the promotion of a peaceful world.

BICENTENNIAL OF PITTSFIELD AND BERKSHIRE COUNTY, MASS.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mr. CONTE] is recognized for 30 minutes.

Mr. CONTE. Mr. Speaker, this year marks the bicentennial of Berkshire County, Mass., and of its county seat, the city of Pittsfield. The anniversary of both naturally has particular meaning to me, for Berkshire is my native soil, and Pittsfield is my hometown. I would feel forgetful, in fact, ungrateful, if I did not rise to pay my heartfelt tribute to the region to which I am bound by lifelong and indissoluble ties. As the Scottish poet has well said:

> Breathes there a man, with soul so dead,
> Who never to himself hath said,
> This is my own, my native land?

Before the advent of the First World War, the United States, even by American historians, was commonly rated and referred to as a "young" country: compared with the older states of Europe and the Orient, its antiquity is certainly not great; but considering the abundance of republics which arose in this hemisphere in the 19th century, to say nothing of the emergence of new states and the regrouping of the old ones after the two World Wars, the United States of America can no longer be classed with the younger generation of the nations of the earth. After all, the first permanent English settlement was made more than 350 years ago at Jamestown, Va.; in my own State, Plymouth was settled only 23 years later, in the year 1620; the English took over New Amsterdam from the Dutch in 1664. Finally, the town of St. Augustine—the oldest European settlement on the North American Continent—in territory one day to form part of the United States, was founded by the Spanish in 1565. So, all told, the early planting of these seeds in the New World from which the American Union was one day to spring, clothes our country with a very respectable antiquity.

As for the region I have the honor to represent, probably the first white men to see Berkshire County were a body of Connecticut troops who, under command of Maj. John Talcott, were stationed at Westfield in August 1676, at the close of King Philip's War. Talcott learned that a remnant of the Narragansett Tribe was fleeing westward. He immediately started in pursuit and surprised some 200 Indians sleeping peacefully on the bank of the Housatonic River. Taken completely by surprise, the Indians fled in terror to the woods; 25 were killed, 20 were captured. Talcott lost but 1 man—a Mohegan Indian. This was the end to the last serious threat of the Narragansetts to the settlers of Massachusetts.

Eighteen years later, the Reverend Benjamin Wadsworth of Boston, afterward president of Harvard College, accompanied commissioners of Massachusetts and Connecticut on their way to Albany to meet other commissioners from New York, New Jersey, and Rhode Island in a conference with representatives of the Iroquois and the Mohicans. His journal, which is of great historic importance, throws much light upon this wild mountain region before it received white settlers. Among other things, the journal confirms the tradition that the Indian word of multitudinous orthography, which was eventually reduced to "Housatonic," referred to the entire surrounding country, or at least a part of it, rather than merely to the river.

It is asserted that the earliest settlers of Berkshire County came from New York and took up claims at Mount Washington as early as 1693. A family by the name of Hallenbeck being named as the first to build a home, they were followed by a man named Van Valkenburg. There is certainly some question about this because little precision existed in the New York and Massachusetts boundary line. At any rate, local historians do not seem inclined to recognize New Yorkers as bona fide pioneers of western Massachusetts but accord that honor to Obadiah Noble, who in the year 1725 came up from Westfield and settled in what is now Sheffield. He was the first land occupant in Berkshire under a Massachusetts grant of two townships which covered in part the territory now comprising Sheffield, Great Barrington, Alford, Egremont, and Stockbridge Townships. These lands had come to the white men directly from the Indians who sold them for 3 barrels of cider and 30 quarts of rum.

The next step in opening the Berkshire region to settlement came in the form of a grant of land for four townships along the route between the Connecticut and Housatonic Rivers for military purposes in order to afford a line for troops and supplies to Canada. What became known as the Great Road from Boston to Albany, which ran between Blanford, in Hamden County, and Great Barrington, was traversed by troops under the famous Major General—and later Lord—Jeffrey Amherst in 1758; and over it marched the captured army of General Burgoyne on its way to Boston after its surrender at Saratoga in the fall of 1777.

During all these early years, living conditions in Berkshire County were primitive in the extreme, reminding one of the Kentucky wilderness where Abraham Lincoln first saw the light of day half a century or more later. Log cabins were the prevailing type of dwelling. We are told that the interior arrangements and furnishings of these crude forest huts were in keeping with the exterior. There were no floors, merely beaten earth. There were no chairs nor tables, for there were no boards. The bedposts were crotched sticks driven into the ground; in the crotches were placed two stout saplings, one at the head and one at the foot; on these were laid light elastic poles, serving the purpose of slats. Pine or hemlock boughs served as the mattress. The cooking utensils were a skillet and a spider—a trivet for supporting a pan on the hearth; the closet possibly boasted the luxury of a single pewter cup and platter, and perhaps a wooden trencher. Clean birchbark frequently substituted for the lack of plates. The food was, of course, mostly fish and game, as it had been that of the Indians—fortunately both were plentiful. There is a story that a visitor from Cape Cod who had penetrated the Berkshire region, upon catching sight of one of

these primitive huts, turned to his guide and remarked:

See, there is a hogpen with a chimney on it.
Be quiet—

Hastily interposed the guide—

that is where your uncle lives.

These were the conditions on the western Massachusetts frontier some two centuries ago.

Turning to the city of Pittsfield, a plot of the future township was presented to the Massachusets General Court. This was accepted and allowed, and 3 years later, in the summer of 1741, the lots were brought into the open market. Owing to the fear, however, that the French might take the part of Spain in the existing war with Great Britain, actual settlement was delayed until sometime after the war had closed. Apparently the first clearings were made in the summer of 1749, but no settlement was made until 1752.

In that year, Solomon Deming moved his family into what is now the eastern part of the city. He was soon followed by Charles Goodrich, who had the pioneer honor of driving the first team and cart into the little settlement, cutting his way for miles through the thick woods. Those times called for hardy men, tough in fiber and spirit, and although today we think of Massachusetts as one of the oldest of the communities—as indeed it is—it should not be forgotten that less than a century previous to the great pioneer advance across the Appalachians and Alleghanies, the conditions in the western part of the State were quite as primitive and, save for the absence of Indian threats, quite as hazardous as any encountered in Kentucky and the Northwest Territory in the early years of the 19th century. Actually, within 3 years of the first settlement, during the French war, Indians invaded the county and the settlers of Pittsfield and Lenox fled to Stockbridge for protection, but the threat passed and within 2 or 3 years all returned to their homes.

In the founding year, 1752, the two original settlers, Deming and Goodrich, and others, were incorporated under the name of "the proprietors of the settling lots in the township of Pontoosuck," the Indian name for the area, meaning "a run for deer." This had been the hunting ground for the Housatonic Indians. Within the next few years, in view of the Indian scare, three small forts, or blockhouses, were erected for the protection of the inhabitants. By 1758 there were 20 log cabins in the settlement.

The first town meeting was held in the house of Deacon Crofoot on May 11, 1761, and the newly organized municipality was proudly named Pittsfield, after the great Prime Minister of England, one of the best friends America ever had. This, then, is the origin of the city.

To the people of Berkshire County belongs the honor of being among the first—if not the first—in all America to make public pronouncement against British usurpation. At Sheffield, on January 12, 1773—more than 2 years before the alleged "Mecklinburg Declaration of Independence"—the inhabitants nearby assembled to consider "the grievances which the Americans in general and the inhabitants of this province in particular labor under." The report of the committee, appointed to voice the sentiments of the people, viewed "with deepest sorrow the design of Great Britain gradually to deprive us of invaluable rights and privileges which were transmitted to us by our worthy and independent ancestors"; and professed "the most amicable regard and attachment to our most precious sovereign and protestant succession as by law established"; but "with that deference and respect, due to the country on which we are and always hope to be dependent, enter upon the following resolves."

By a very curious coincidence, the first two of the resolutions are almost identical in language with certain immortal phrases contained in the Great Declaration issued at Philadelphia on July 4, 1776:

Resolved, The Mankind in a State of Nature are equal, free and independent of each other, and have a right to be the undisturbed Enjoyment of their lives, their Liberty and Property.

Resolved, That the great end of Political Society is to secure in a more effectual manner those rights and privileges wherewith God and Nature have made us free.

These resolutions were written by the celebrated Theodore Sedgwick, soldier, legislator, jurist, and stanch patriot. By 1776 he was already prominent in national councils; his eloquent resolution of 1773 may have found their way to Philadelphia by the spring of 1776, in which case they may well have been noticed by Thomas Jefferson himself. Certainly, the language of comparable sections of the two documents bear a startling similarity.

In this connection, it is interesting to note that when the Declaration of Independence was read in a church at Sheffield, a slave girl hearing it, said: "It stands to reason that I am free." She sought out Sedgwick who brought suit to establish her freedom, and the court granted it upon his plea. This, declared the late David Dudley Field in Stockbridge in 1870, was "the first instance where that Declaration was held to mean what it said."

During the Revolution the county of Berkshire contributed its full share to the patriot cause. Its minutemen immediately marched to Boston upon receipt of the news from Lexington. Three county regiments fought at Bennington, in one of which was the famous "Fighting Parson" Allen, who, when news arrived of the approaching conflict, assembled his congregation and, musket in hand, called upon his people to follow him to the field of battle in defense of their country and their sacred rights. It is claimed that the doughty clergyman, after duly admonishing the foe for their wicked doings, fired the first shot on the American side.

In the War of 1812, Pittsfield became the rendezvous for Berkshire volunteers, and there, too, British prisoners were quartered.

At the outbreak of the Civil War, Berkshire County responded with patriotic speed, as it has done to all subsequent calls to the colors. It sent to the front approximately 6,000 men—nearly 400 more than its quota. In Lincoln's first call for volunteers, the county was largely represented in the 8th Massachusetts Regiment. Subsequently, the 49th Massachusetts was made up almost entirely of Berkshire men, and the county also contributed largely to the ranks of the 10th, 21st, 31st, and 37th Regiments. Truly a dedicated and noble response to the call to arms. As we commemorate the outbreak of that terrible civil conflict just a century ago, the descendants of those men of western Massachusetts who leapt to the defense of the Union can view the record of their county with solemn pride. I feel I could not conclude this portion of my remarks more appropriately than by quoting the beautiful inscription at the base of the Civil War memorial in the city park of Pittsfield:

For the dead, a tribute.
For the living, a memory.
For posterity, an emblem of loyalty to the flag of their country.

These historic 200 years in which Pittsfield and Berkshire County have participated so vitally cover not only the time since this Nation was founded, but also the years in which the concepts of our country were formulated. The people of that area are rightfully proud of their heritage and hold it as an inspiration for the future role that they will play in the life of their country. I know that I am joined today by all my colleagues in the House of Representatives in extending my congratulations and best wishes to my lifelong home—Pittsfield and Berkshire County, Mass., on their 200th birthday.

NATIONAL MILK SANITATION LEGISLATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. JOHNSON] is recognized for 10 minutes.

Mr. JOHNSON of Wisconsin. Mr. Speaker, on August 30, Secretary of Agriculture Orville Freeman appeared in person before the House Interstate and Foreign Commerce Committee in strong support of my national milk sanitation bill, which would insure the free movement of high-quality milk from State to State.

Speculation has been rampant about the Agriculture Department's position on my bill to establish the U.S. Public Health Service's Milk Code as the quality yardstick for fluid milk and fluid milk products shipped in interstate commerce. In 1960, Secretary of Agriculture Ezra Benson sent an unfavorable report to the hearings on a similar measure which I had introduced in the 86th Congress.

When Secretary Freeman was unable to appear at the hearings held earlier this year on milk sanitation legislation that I introduced in the current Congress, many observers predicted that the Agriculture Department would wash its

figurative hands of the milk sanitation bill on the basis that it is a health matter and, therefore, a question to be settled by Congress and the Department of Health, Education, and Welfare. The latter has already given its strong endorsement to the measure.

However, Secretary Freeman's favorable testimony yesterday has laid these rumors to rest forever. Mr. Speaker, under unanimous consent heretofore granted, I include this testimony in the RECORD.

STATEMENT OF THE SECRETARY OF AGRICULTURE, ORVILLE L. FREEMAN, ON THE NATIONAL MILK SANITATION BILL BEFORE THE HOUSE INTERSTATE AND FOREIGN COMMERCE COMMITTEE, AUGUST 30, 1961

Mr. Chairman and members of the committee, I appreciate this opportunity to express the support of the U.S. Department of Agriculture for the subject matter of H.R. 50. Its provisions would insure the free and unobstructed movement in interstate commerce of milk and milk products that meet the high sanitary requirements recommended by the U.S. Public Health Service.

The subject matter of this bill is of great significance to consumers, to the processors and handlers of milk, and to farmers. Milk is our most basic food, and there is no other single consideration relating to food that is of more importance to consumers than the assurance of an adequate supply of pure and wholesome milk at fair and stable prices. Milk is also our most important single farm product, from the point of view of the number of farmers involved in its production as well as its share in total farm income. Likewise, the processing and distribution of milk employs more of the efforts of our food marketing industries than any other single food commodity. Thus, anything that affects the production, marketing and consumption of milk as importantly as does the legislation you are considering is of major concern to the Department of Agriculture, with its vital responsibilities to farmers, to the food processing and marketing industries, and to consumers.

After a long and careful study, it is our conclusion that the legislation before your committee will serve the purpose of providing maximum protection of the public health at the lowest possible cost to farmers and to processors and distributors of milk, and thus to consumers as well. Therefore we urge its enactment into law.

Our support of this legislation is in conformity with our objectives for both the producers and the consumers of milk and milk products.

Our objective for producers of milk is to assist them in producing and marketing a better food product with ever-increasing efficiency, and to help them obtain returns on their labor, investment, and managerial effort that are more equitable and more secure. For consumers we seek to assure an abundant supply of pure and wholesome milk at a fair price. The Department of Agriculture is currently undertaking an intensive effort to develop improved economic programs that will better serve these purposes both in respect to producers and consumers. A committee of specialists in milk marketing problems drawn from every section of the country and from every field of expert knowledge in milk production, processing, and marketing, is now seeking to ascertain and evaluate the opportunities afforded by modern dairy technology and marketing systems to further these goals. From this study, from numerous other studies within the Department and by industry, land-grant colleges, and State governments, and from consultation with producers as authorized by the Agricultural Act of 1961, we intend to use every resource at our disposal to develop and enact improved programs to raise farm income to a fair level.

The primary concern of the Department of Agriculture in respect to milk sanitation regulations is with their economic effects. We do not have direct responsibility or authority for administering such regulations, and we respect the competence and authority of the U.S. Public Health Service to establish and administer standards in this field.

Nevertheless, just as inadequate returns to dairy farmers, or inadequate economic resources for the processing and distribution of milk, may greatly affect the purity and wholesomeness of the milk supply, so also do regulations to protect the sanitary quality of milk have important economic consequences. There is substantial reason to believe that both farmers and consumers are penalized by the multiplicity of local sanitation regulations and inspection requirements which are now enforced throughout the country. The proposed legislation would establish a uniform sanitary standard for milk under which milk could be shipped freely anywhere that it can find an economic market, subject of course to provisions of purely economic programs designed to guarantee adequate supplies and fair prices under the Marketing Agreement Act of 1937.

Producers, handlers, and consumers would benefit substantially by the elimination of many of the present needless costs of complying with overlapping and duplicating inspections and the differing standards of various States and localities.

It is now frequently necessary for inspectors to travel long distances to inspect milk supplies before a permit to ship milk can be issued, even though the milk concerned may be already fully inspected in accordance with fully acceptable standards by officials of another jurisdiction. Varying procedures or equipment may be required under various State and local health ordinances. In some cases there are variations in requirements as to labeling or the specifications of containers. All these unstandardized requirements create unnecessary costs which add nothing to public health protection and could be reduced under the proposed legislation.

These economic gains will be paralleled by gains in purity and wholesomeness of milk. The U.S. Public Health Service has had experience and the major responsibility in the Federal Government for the development of sanitary standards to safeguard the health of consumers of milk. The USPHS model milk ordinance and code, upon which the proposed Federal milk sanitation code would be based, has been voluntarily adopted by more than 1900 local jurisdictions and serves as the basis of milk sanitation regulations in 36 States. This code, when applied through the compliance procedure administered by the USPHS and as proposed under this legislation, will afford fully adequate protection to consumers of milk. We believe that it will tend to upgrade the quality and purity of milk supplies which now are not produced, processed, and marketed in compliance with the Federal milk sanitation code.

We believe this will occur because consumer preference can be expected for milk which does meet the standards of the USPHS Code, and that producers and handlers will find it to their advantage to meet these standards in order to qualify their milk supplies for acceptance in whatever market they may find to be most advantageous economically from time to time.

In testifying as to the adequacy of the USPHS Code, when applied through the compliance procedure administered by the Public Health Service and as proposed in this bill, we in the Department of Agriculture do not rely on our own judgment alone. The overwhelming preponderance of expert medical, public health, and sanitation testimony which your committee has received supports enactment of this bill. In earlier hearings this year before your committee, expert testimony was presented in support of enactment of the bill from all of the major national professional associations in this field, as follows:

Conference of State Sanitary Engineers, represented by Dr. John Andrews, chief, sanitation section, sanitary engineering division, State board of health, State of North Carolina;

Association of State and Territorial Health Officers, represented by Dr. Russell E. Teague, commissioner of health, State of Kentucky;

American Public Health Association, represented by Mr. P. Walton Purdom, director, division of environmental health, Community Health Services, Department of Health, City of Philadelphia, Pa.; and

U.S. Department of Health, Education, and Welfare, represented by Mr. Ivan Nestingen, Under Secretary; Dr. John D. Faulkner, Chief, and Dr. Robert Anderson, Deputy Chief, and Mr. Max Decker, Staff Veterinarian, Milk and Food Branch, Public Health Service.

In addition to these representatives of the national professional associations of public health and sanitation authorities, your committee received testimony in support of enactment of the bill from Dr. Joseph C. Olson, Jr., professor of dairy bacteriology, University of Minnesota, and Mr. O. G. Muegge, State sanitary engineer, State Board of Health, State of Wisconsin.

The USDA has carefully considered the claim made by opponents of this legislation that a number of States have higher sanitation standards than those recommended by the USPHS. We have requested the Department of Health, Education, and Welfare to submit to us a report on the differences between the USPHS milk ordinance code and the regulations of certain States which have failed to adopt this code as a basis for their milk sanitation regulations. This report, which I would like, with your permission, to submit for the record following my statement today, leads to our conclusion that the claim referred to above is not supported by the facts, and that the health of consumers of milk will be more effectively protected if this legislation is passed. (Statement attached.) Furthermore, the adoption of this legislation will in no way interfere with the rights and opportunities of local handlers, if they wish, to produce and sell milk under requirements more exacting than those deemed adequate by the Public Health Service. A potential market frequently exists for food products having special characteristics for which some consumers are willing to pay premium prices.

The adoption of the proposed legislation will also eliminate the opportunity to misuse milk sanitation programs as economic trade barriers. There is considerable evidence to indicate that milk sanitation regulations of States and municipalities frequently are used to obstruct the movement of milk of high sanitary quality in interstate commerce. Such obstruction may result from legal limitations contained in the law and regulations of the given jurisdictions, or from practical difficulties in the inspection of farms or plants located in distant areas, when a community insists on making its own inspections as a prerequisite for acceptance for out-of-State milk. Or it may be a matter of administrative policy which has been established for economic purposes.

The Department of Agriculture has no direct administrative responsibility or authority in the area of obstructions to the movement of milk in interstate commerce. However, the Department has made an intensive research study of this problem, and in 1955, published a report on the impact of sanitary requirements, Federal orders, State

milk control laws, and truck laws on price, supply, and consumption. The results of this study were published in Marketing Research Report No. 98 by the Agricultural Marketing Service. This study included a survey of the policies affecting the acceptance of milk in all communities over 25,000 population having full-time health units. The report states, on page 20 under "Examples of Restrictive Sanitary Regulations," as follows:

"By far the most common policy standing in the way of free movement of milk was the refusal of given jurisdiction to accept milk produced or handled under the supervision of other jurisdictions having substantially equivalent sanitary standards. In order to get comprehensive information on this and some other aspects of sanitary regulation, a mail questionnaire was sent to health officers of all urban places of 25,000 or more population having full-time health units (appendix A). Replies were received from 318 cities, out of the 334 questionnaires sent out, about a 95-percent return. Respondents in six jurisdictions reported that the questionnaire was not applicable to their situations.

"Out of 312 cities, 100 refused to accept milk from farms supervised by their own State department of health or agriculture (in many States the State agency does not supervise sanitation on dairy farms); 84 refused to accept milk from farms supervised by some other State (although a given city might accept supervision of one State and reject that of another); 74 refused to accept milk from farms approved by cities not having the standard ordinance; while only 49 refused to accept milk under supervision by cities having the standard ordinance (table 8).

"It should be kept in mind that there were many cities which unconditionally accepted milk, the production and handling of which was supervised by specified agencies. There were 127 cities which accepted supervision of farms by their own State department of health or agriculture without question; 75 which accepted supervision of some other State or States; 69 which accepted supervision by cities having the standard ordinance; and 42 which accepted supervision by cities having other types of ordinance.

"The most common condition for accepting milk produced under the supervision of another agency was that the source be rated by the methods prescribed by the U.S. Public Health Service. Another common practice was to approve a source only after visiting the supply area and inspecting some of the farms."

In the summary and conclusions section of the same report, the following statement is made:

"Sanitary regulations hinder or prevent the movement of milk into a substantial number of cities. Some markets prohibit outright the entry of milk from beyond specified limits. Others burden such entry by insisting on their own inspection and then delay or refuse to inspect, or levy discriminatory fees. Still other markets differentiate their regulations from those of surrounding areas without apparent necessity."

Shippers are understandably reluctant to protest publicly against obstructions arising from health ordinances or administrative practices thereof which they might encounter in their efforts to sell milk, for fear of antagonizing or provoking local pressures upon the officials responsible for certifying milk supplies. It should be recognized that these obstructions frequently may serve as hurdles which outside milk suppliers must overcome at considerable cost and inconvenience to themselves, rather than at all times as absolute barriers to any movement of milk. Because these hurdles may be raised or lowered arbitrarily depending upon local market pressures, outside milk shippers are under constraint to avoid jeopardizing the good will in the receiving market area upon which future sales opportunities may depend.

Because the Department of Agriculture has no regular and continuing administrative responsibility in this field, we have asked the U.S. Public Health Service to furnish illustrations of State or local health regulations which have been administered in such a manner as to constitute barriers or obstructions to the free movement of milk since the Department of Agriculture's report in 1955. With the permission of the committee, I request that this statement on reported instances of sanitary milk regulations used as trade barriers, be inserted in the record following my statement.

It should be pointed out that the distortion and misuse of milk sanitation regulations and procedures for economic purposes is bound to impair their effectiveness in protecting the public health. By eliminating the opportunity to misuse milk sanitation programs as economic trade barriers, public health officials will be able to devote greater energy and to function with increased efficiency in carrying out their primary responsibility of protecting the public health. Consumers will have greater assurance of an adequate supply of pure and wholesome milk. Both consumers and farmers producing milk will gain the advantage of less costly and more efficient marketing of milk through the reduction of overlapping, duplicating, and inconsistent sanitation regulations and inspections.

Some opposition to this legislation has arisen from the fears of milk producers in certain areas that its passage might result in a reduction of the prices they receive for their milk. We do not believe these fears are justified. The cost of transporting milk, and the preference of plants for nearby milk supplies will continue to be legitimate economic factors protecting milk producers in high-production cost areas against serious competition from distant sources of milk.

Moreover, as I stated earlier, this Department is determined to protect and improve the incomes of farm people, including milk producers, through constructive and equitable economic programs. The price support program for dairy products is providing stability and a very substantial degree of protection to the incomes of all dairy farmers, and I am hopeful that with appropriate legislative improvements this protection will be strengthened. Federal milk marketing orders now operating in 80 markets throughout the country, would furnish full protection to producers in those markets against the loss of any justified price and income protection they may now be receiving through trade barriers. Similar protection is available in milk markets that are not now regulated under Federal orders if such protection is needed and desired by local producers. This Department has recommended and will continue to support appropriate broadening of the enabling authority which provides for milk marketing orders where such is required to help accomplish the goal of equitable returns to milk producers.

It is our view that the legitimate income goals of milk producers can be accomplished more easily and more surely through united efforts to establish constructive and orderly economic programs that are fair to all producers, to consumers, and to the public, than through the dependence upon the misuse and distortion of public health regulations for narrow economic purposes. The proposed legislation will contribute to this purpose through the extension of uniform milk sanitation and inspection standards and procedures to take the place of varying, frequently conflicting, and sometimes inadequate State and local sanitation standards and levels of performance. Its adoption will be a long step forward toward more orderly and more efficient marketing of milk, toward the elimination of waste and unnecessary costs to producers and consumers alike, toward greater unity of purpose among dairy farmers throughout the Nation, and toward a secure, abundant, and wholesome supply of milk at reasonable cost for the American people.

DIFFERENCES BETWEEN THE USPHS MILK ORDINANCE AND CODE AND THE REGULATIONS OF CERTAIN STATES

The provisions of the USPHS Milk Ordinance and Code have been developed over the years with the aid of a national advisory group of milk sanitation experts from State health departments, city health departments, the U.S. Department of Agriculture, the dairy industry, and universities. Every effort has been made to include only those provisions necessary to protect the public health, and to exclude nonessential requirements. The objective of this approach has been to provide maximum health protection at the lowest possible cost to the dairy farmer and milk processor, and thus to keep the cost of milk to the consumer low.

It has been stated that the milk sanitation standards of a large number of States are "higher" than those recommended by the USPHS. This is not the case, since the regulations of 36 States and over 1,900 local jurisdictions, including a number of large cities, are based upon the USPHS Milk Ordinance and Code. The regulations of a few States do differ from the USPHS Code. A few have more stringent bacterial standards. With the exception of California, however, most of the State regulations which differ are far less stringent than the USPHS Code on fundamental sanitation requirements for both dairy farms and pasteurization plants. In addition, the regulations of several of these same States do not provide for adequate inspection and laboratory procedures which are necessary for proper enforcement. Such inspection and laboratory procedures are spelled out in detail in the USPHS Milk Ordinance and Code.

Fourteen States have adopted milk sanitation regulations somewhat different from those specified in the USPHS Milk Ordinance and Code. These States are: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Ohio, Michigan, Tennessee, North Dakota, and California. All but five are in the Northeast.

Some comments on the regulations of these States would appear in order. California regulations are quite detailed, and are considered by USPHS as equivalent, in terms of public health protection provided, to the requirements of the USPHS Code. Although the State of North Dakota has not adopted the USPHS Code, its milk sanitation regulations cover the same basic requirements; and in addition, by North Dakota legislative act, the dairy commissioner is required to follow the USPHS Code in enforcing the State legislation. The Michigan milk sanitation regulations for dairy farms are quite similar to requirements of the USPHS Code, although the Michigan pasteurization plant requirements lack specificity. In addition, the State of New Hampshire has incorporated into its State regulations the pasteurization plant sanitation requirements nearly identical with those contained in the USPHS Milk Ordinance and Code, and Rhode Island is utilizing the pasteurization plant sanitation requirements contained in the USPHS Code.

At the request of the Subcommittee on Health and Safety of the House Committee on Interstate and Foreign Commerce, a comparison was made in 1960 of the regulations of these States with the provisions of the USPHS Milk Ordinance and Code. A condensation of these comparisons—on a State-by-State basis—follows.

With the exception of the States noted above, these comparisons show that most of the regulations of these States lack specificity on important items of sanitation, and that a number are quite deficient with regard to proper control of the pasteurization process and the protection of pasteurized milk against recontamination. In this connection, it is desired to point out that pasteurization is relied upon as the final public health safeguard, and deficiencies as regard pasteurization requirements are serious. Therefore, the USPHS considers the regulations of a number of these States to be weak and deficient.

MAINE

Dairy farm requirements: Similar in scope and intent to requirements contained in USPHS Milk Ordinance and Code; however, Maine requirements lack specificity with respect to some important items of sanitation.

Pasteurization plant requirements: Maine regulations omit many important requirements necessary for both proper pasteurization of milk and protection of pasteurized milk from contamination. Such requirements are specified in the USPHS Code.

Health of cows: Maine laws require that all cows be tested annually for tuberculosis, but make no reference to brucellosis control except in the case of the production of "retail raw milk." USPHS Code specifies compliance with USDA programs for tuberculosis and brucellosis control, which does not require annual testing for TB unless incidence of TB in cattle exceeds 0.2 percent.

Bacterial counts: The Maine bacterial standard for raw milk to be pasteurized is identical with the bacterial standard contained in USPHS Code. Maine bacterial standard for pasteurized milk is not more than 25,000 per ml. after pasteurization. USPHS Code specifies a maximum of 30,000 as delivered to the consumer. (No significant difference.)

Frequency of inspections and laboratory examinations: Not specified in Maine regulations. USPHS Code specified that each farm and each plant shall be inspected at least once every 6 months, with followups on violations; and, further requires that laboratory examinations be performed at a minimum frequency of at least four samples every 6 months for milk and for all types of other milk products sold.

NEW HAMPSHIRE

Dairy farm requirements: New Hampshire dairy farm requirements are not as specific as those contained in USPHS Code.

Pasteurization plant requirements: New Hampshire has recently adopted, as State regulations, the pasteurization plant provisions of the USPHS Code.

Health of cows: New Hampshire milk sanitation regulations do not contain specific reference to either tuberculosis or brucellosis control measures. However, New Hampshire has attained a modified accredited TB-free status, and was the first State to qualify as a brucellosis-free area. USPHS Code specifies compliance with USDA programs for tuberculosis and brucellosis control.

Bacterial counts: New Hampshire bacterial counts for raw and pasteurized milk are the same as those contained in USPHS Code.

Frequency of inspections and laboratory examinations: New Hampshire regulations contain no requirements as to minimum frequency of farm or plant inspections, or to minimum frequency of laboratory examinations. The USPHS Code specifies at least one inspection of each farm and each plant every 6 months with followups on violations; and further requires laboratory examinations to be performed at a minimum frequency of four samples every 6 months for milk and all types of other milk products sold.

VERMONT

Dairy farm requirements: Vermont dairy farm requirements are not as specific as those contained in USPHS Code and are deficient in some respects on basic sanitation items.

Pasteurization plant requirements: Vermont regulations omit a number of fundamental requirements necessary to insure the proper pasteurization of milk and to properly protect the pasteurized milk against contamination. The USPHS Code contains such requirements.

Health of cows: Vermont milk regulations do not mention bovine tuberculosis control measures. However, it is known that in Vermont, the USDA program for tuberculosis control is followed. Vermont regulations with respect to brucellosis control are similar to those of the USPHS Code. The USPHS Code requires conformance with USDA programs of tuberculosis and brucellosis control.

Bacterial counts: Vermont regulations specify a maximum bacterial count of 100,000 per milliliter for raw milk for pasteurization and 20,000 per milliliter for pasteurized milk, as contrasted with the USPHS Code maximums of 200,000 per milliliter for raw milk for pasteurization and 30,000 per milliliter for pasteurized milk, as delivered to consumer.

Frequency of inspection and laboratory examinations: Vermont regulations require at least annual inspection of dairy farms and plants, and laboratory examinations on raw and pasteurized milk at least once a month. USPHS Code specifies at least one inspection of each farm and each plant every 6 months with followups on violations; and further requires laboratory examinations to be performed at a minimum frequency of four samples every 6 months for milk and all other types of milk products sold.

MASSACHUSETTS

Dairy farm requirements: Massachusetts dairy farm requirements are very general and lack the specificity contained in the USPHS Code on many sanitation items.

Pasteurization plant requirements: Massachusetts plant regulations are not as specific as those contained in the USPHS Code and are deficient in some respects on basic sanitation items relating to the proper protection of pasteurized milk against contamination.

Health of cows: Massachusetts regulations require that all cows be tested annually for tuberculosis or such cows must be located in a modified-accredited tuberculosis-free area. USPHS Code requires TB testing of individual herds at least every 6 years, even if located in modified-accredited tuberculosis-free area. Massachusetts follows the USDA program for brucellosis control as is required by the USPHS Code.

Bacterial counts: Massachusetts maximum bacterial count for raw milk for pasteurization is identical to that contained in the USPHS Code. Massachusetts maximum bacterial count for pasteurized milk is 10,000 per milliliter as compared to the USPHS maximum count of 30,000 per milliliter as delivered to the consumer.

Frequency of inspections and laboratory examinations: Massachusetts regulations require that each farm and each plant be licensed annually, but does not specifically provide for inspections. USPHS Code specifies that each farm and each plant shall be inspected at least once every 6 months, with followups on violations, Massachusetts regulations require the laboratory examination of raw and pasteurized milk at least twice a month. USPHS Code requires that laboratory examinations be performed at a minimum frequency of at least four samples every 6 months for milk and for all types of other milk products sold.

It is significant to note that Massachusetts does not require pasteurized milk to be examined by the phosphatase test, which is a test used to determine whether milk has been properly pasteurized. USPHS Code requires the application of the phosphatase test to milk and milk products at the same frequency as the above bacteriological tests.

RHODE ISLAND

Dairy farm requirements: In general, Rhode Island requirements are similar to those contained in USPHS Milk Ordinance and Code, but lack specificity with respect to some important items of sanitation.

Pasteurization plant requirements: Rhode Island is utilizing the pasteurization plant sanitation requirements contained in the USPHS Milk Ordinance and Code.

Health of cows: Rhode Island regulations require that dairy cattle be free from tuberculosis with no interval specified for testing, and the regulations make no reference to testing for brucellosis. USPHS Code specifies compliance with USDA programs for tuberculosis and brucellosis control.

Bacterial counts: The Rhode Island bacterial standard for raw milk for pasteurization is 100,000 per milliliter and 25,000 per milliliter after pasteurization. The USPHS Code specifies a maximum of 200,000 per milliliter for raw milk for pasteurization and a maximum of 30,000 as delivered to the consumer.

Frequency of inspection and laboratory examinations: Frequency of inspection of farms and plants not specified in Rhode Island regulations. The USPHS Code specifies at least one inspection of each farm and and each plant every 6 months, with followups on violations. Rhode Island regulations require that four samples be examined of raw and pasteurized milk and cream every 3 months. USPHS Code requires laboratory examinations to be performed at a minimum frequency of at least four samples every 6 months for milk and for all types of other milk products sold.

CONNECTICUT

Dairy farm requirements: In general, Connecticut regulations for dairy farms are similar to the requirements of the USPHS Code, but lack the specificity contained in the USPHS Code. Connecticut farm regulations do not cover several important items of sanitation.

Pasteurization plant requirements: Connecticut plant regulations do not require use of airspace heaters or airspace thermometers on vat pasteurizers to insure proper pasteurization, as does the USPHS Code. Several other basic items of plant sanitation, which are spelled out in the USPHS Code, are not specified in Connecticut regulations, i.e., proper construction of dairy containers and equipment, and proper construction, protection, and testing of plant water supplies.

Health of cows: Connecticut regulations require that all cows be given annual examinations for tuberculosis and brucellosis. The USPHS Code specifies compliance with USDA programs for tuberculosis and brucellosis control.

Bacterial counts: The Connecticut maximum bacterial count standard for raw milk for pasteurization is 300,000 per milliliter. The USPHS Code specifies a maximum of 200,000 per milliliter for raw milk for pasteurization. The Connecticut maximum bacterial count standard for pasteurized milk is identical with the standard in the USPHS Code. The Connecticut regulations do not specify coliform or phosphatase standards, as does the USPHS Code. The coliform standard is an index of contamination subsequent to pasteurization, and the phosphatase standard is an index of proper pasteurization.

(NOTE.—In addition to regular pasteurized milk, the Connecticut State Department of Agriculture has promulgated very limited

regulations for "Grade A milk and cream." The maximum bacterial count standard for grade A milk for pasteurization is 100,000 per milliliter and a maximum count of 10,000 per milliliter after pasteurization.)

Frequency of inspections and laboratory examinations: Connecticut regulations state, "the Commissioner shall inspect regularly and as frequently as possible the dairy farms and milk plants." The USPHS Code specifies at least one inspection of each farm and each plant every 6 months, with followup inspections on violations. Connecticut regulations do not specify the frequency of bacteriological sampling, but merely state that they should be run regularly. The USPHS Code requires laboratory examination of all milk and milk products sold, at a minimum frequency of four samples each 6 months.

NEW YORK

Dairy farm requirements: New York farm laws follow generally the basic requirements of the USPHS Code; however, they are not as specific as the USPHS Code. Two-compartment wash vats, hand-washing facilities, and bactericidal rinsing of milkers' hands are not required by New York, but are specified in the USPHS Code.

Pasteurization plant requirements: New York regulations omit many important requirements necessary for proper pasteurization of milk and protection of milk from contamination. New York regulations do not require easily cleanable construction of walls and floors, effective screening during fly season, or a separate receiving room for raw milk. The USPHS Code is quite specific as regards these requirements.

Health of cows: New York regulations require an annual test for tuberculosis and require all dairy herds to comply with plan A for brucellosis. The USPHS code requires compliance with the USDA programs for tuberculosis and brucellosis control.

Bacterial counts: The bacterial counts specified in the New York regulations for raw milk and pasteurized milk are identical to those contained in USPHS code.

Frequency of inspections and laboratory examinations: New York requires that farms and plants be inspected by industry, initially, and at least annually thereafter. Samples of raw and pasteurized milk are required to be obtained and examined by the processor at intervals of not more than 3 months.

The USPHS Code specifies at least one inspection of each farm and each plant every 6 months, with followups on violations; and further requires laboratory examination to be performed at a minimum frequency of at least 4 samples every 6 months for milk and all other types of milk products sold. USPHS Code provides, in the case of raw milk, for acceptance of industry inspections and laboratory examinations only as a supplement to official inspections and examinations. The USPHS Code requires inspection of pasteurization plants and laboratory examinations of pasteurized milk to be performed by the official supervisory agency.

NEW JERSEY

Dairy farm requirements: New Jersey farm requirements are not as specific as those contained in the USPHS Code, and do not cover many important items of sanitation. Specifies on such matters as milking barn lighting, bactericidal treatment of dairy equipment with chemical sanitizers, temperature of cooling, and proper protection of farm water supplies are not provided for. The USPHS Code is quite specific with respect to all of these basic sanitation items.

Pasteurization plant requirements: New Jersey regulations omit many basic items necessary to insure proper pasteurization, such as requirements for indicating and recording thermometers, leak-protector inlet and outlet valves on pasteurization vats, and stops on pasteurization vat outlet valves. These requirements are contained in detail in the USPHS Code.

Health of cows: New Jersey regulations do not specifically mention bovine tuberculosis and brucellosis control. They contain a broad requirement that an examination of cows shall be made by a licensed veterinarian of the State or other jurisdiction at least once a year. However, it is known that the State carries on a tuberculosis and brucellosis control program in accordance with the rules and regulations of USDA programs for tuberculosis and brucellosis control. The USPHS Code requires compliance with the USDA programs for tuberculosis and brucellosis control.

Bacterial counts: The New Jersey maximum bacterial count standard for raw milk for pasteurization is 150,000 per milliliter in the case of producers shipping milk in cans, and 50,000 per milliliter for producers using bulk milk cooling tanks. The USPHS Code specifies 200,000 per milliliter for raw milk for pasteurization, irrespective of the type of equipment used by the producer. The New Jersey maximum bacterial count standard for pasteurized milk is identical to that specified in the USPHS Code.

Frequency of inspections and laboratory examinations: The New Jersey regulations do not specify the frequency of inspection of producer dairies and milk plants. The USPHS Code requires inspection of both farms and plants initially, and at least once each 6 months thereafter. New Jersey regulations do not contain specific requirements as to the frequency of laboratory examinations. The USPHS Code specifies that milk and all other types of milk products shall be examined at least four times each 6-month period.

(NOTE.—In addition to the New Jersey Health Department milk regulations above, the New Jersey State Department of Agriculture has promulgated a voluntary program for New Jersey-produced grade A milk. This milk-grading program is elective, and a special inspection fee is charged to those plants who participate. The bacterial count of raw milk before pasteurization is required to be not more than 50,000 per milliliter. After pasteurization, the count is required to be not more than 10,000 per milliliter. It is reported that only seven or eight dairies in the State participate in this particular program.)

PENNSYLVANIA

Dairy farm requirements: Pennsylvania regulations are quite general as regard basic milk sanitation requirements. On many important items, they lack the specificity contained in the USPHS Code. In addition, Pennsylvania regulations do not include specific requirements on cleanliness of floors, walls, and ceilings in the milking barn; do not require cow udders, flanks, and bellies to be clean at milking time; and do not require facilities for washing of the milker's hands, or even that the milker's hands be clean at the time of milking. Pennsylvania milk regulations are also deficient in that they do not provide for proper construction and protection of farm water supplies used for the cleaning of dairy equipment. This is a serious deficiency as a farm water supply contaminated with domestic sewage or animal wastes can contaminate the milk with disease organisms.

Pasteurization plant requirements: Pennsylvania plant regulations are deficient in many important respects and are not considered equivalent to the pasteurization plant requirements specified in the USPHS Code.

Health of cows: Regulations on tuberculosis are quite similar to USPHS Code. State achieved a modified certified brucellosis-free status in March 1958.

Bacterial counts: The bacterial counts specified in the Pennsylvania regulations for both raw milk and pasteurized milk are identical to those specified in the USPHS Code.

Frequency of inspections and laboratory examinations: Dairy farms are inspected by licensed "approved" industry inspectors at 6-month intervals. USPHS Code requires that the official State or local control agency inspect each dairy farm at least once each 6 months, and if industry inspection of farms is used, such inspections shall be considered a supplement to, and not a substitute for official inspection, and an inspection by the official agency be conducted at least annually. Pennsylvania requires that pasteurization plants be inspected by State or city inspectors at least annually. The USPHS Code requires plants to be inspected at least once every 6 months.

Pennsylvania regulations require that raw milk and pasteurized milk be tested monthly. USPHS Code requires laboratory examination of all milk and milk products at least four times each 6-month period.

OHIO

Dairy farm requirements: Ohio laws and regulations are broadly written and quite general. They lack specificity with respect to important items of sanitation, such as proper protection of farm water supplies and cooling of milk. The USPHS Code provides much more specific coverage.

Pasteurization plant requirements: Ohio plant regulations omit many fundamental items of sanitation necessary to insure proper pasteurization and protection of pasteurized milk against contamination. The USPHS Code is quite specific as regards these basic items.

Health of cows: Ohio laws require the removal of cows from the herd if they are known to be afflicted with tuberculosis or brucellosis. USPHS Code specifies compliance with the USDA program for tuberculosis and brucellosis control.

Bacterial counts: Ohio regulations are not specific with respect to bacterial count standards for raw milk to be pasteurized, and for pasteurized milk. The USPHS Code specifies maximum bacterial counts.

Frequency of inspections and laboratory examinations: Ohio requires the same inspection frequency of both farms and plants as is required by the USPHS Code. Ohio regulations require sampling of raw milk and pasteurized milk at the same frequencies as specified in the USPHS Code.

(NOTE.—Despite the fact that Ohio has not based its regulations on the USPHS Code, 56 counties and 52 municipalities in Ohio have adopted the USPHS Code as local regulations. The State of Ohio also actively participates in the voluntary State-USPHS program for the certification of interstate milk shippers, which uses the USPHS Code as the basic standard.)

MICHIGAN

Dairy farm requirements: Michigan farm requirements are specific and, for the most part, similar to the requirements of the USPHS Code.

Pasteurization plant requirements: Michigan plant requirements lack specificity with respect to many fundamental items of sanitation necessary to insure proper pasteurization and protection of pasteurized milk against contamination. The USPHS Code contains detailed requirements relative to such items.

Health of cows: Michigan law requires that all grade A milk come from tuberculosis-free cows as determined by annual testing. Testing for brucellosis is not specifically required by Michigan law; however, State department of agriculture does carry on a brucellosis control program. USPHS Code specifies compliance with USDA programs for tuberculosis and brucellosis control.

Bacterial counts: Michigan bacterial count standards for Grade A pasteurized milk are identical to that contained in the USPHS Code. The maximum bacterial count standard for raw milk for pasteurization in Michigan is 100,000 per milliliter. The USPHS Code specifies a maximum of 200,000 per milliliter for raw milk for pasteurization.

Frequency of inspections and laboratory examinations: Michigan law does not specify frequency of inspection for either dairy farms or pasteurization plants. The USPHS Code requires inspection of both farms and plants at least once each 6 months. Michigan law requires the examination of monthly samples of raw milk for pasteurization, and the examination of four samples of pasteurized milk each 6 months. USPHS Code requires a minimum of four samples each 6 months for both raw milk for pasteurization and pasteurized milk.

TENNESSEE

Dairy farm requirement: Tennessee regulations are very general and are confined to one paragraph defining "insanitary milk." Numerous items are omitted, such as construction and protection of water supplies, adequate cooling of milk, screening of milkhouse, and provision for adequate facilities for washing and bactericidal treatment of milk utensils. All of these items of sanitation are specifically required by the USPHS Code.

Pasteurization plant requirements: Tennessee plant regulations are not as specific as those contained in the USPHS Code, and are deficient in many fundamental sanitation requirements necessary for the proper pasteurization of milk and the protection of pasteurized milk against contamination.

Health of cows: The Tennessee regulations contain no specifications for control of tuberculosis and brucellosis in dairy cattle. The USPHS Code specifies compliance with USDA programs for tuberculosis and brucellosis control.

Bacterial counts: Tennessee law does not contain bacterial count standards for raw milk for pasteurization or for pasteurized milk, as does the USPHS Code.

Frequency of inspection and laboratory examinations: The Tennessee regulations specify that inspections shall be made at a frequency "as the Commissioner may deem proper" for both farms and plants. The USPHS Code requires inspection of both dairy farms and plants prior to the issuance of a permit, and at a minimum of at least once each 6 months thereafter. The Tennessee regulations do not specify the frequency of laboratory examination of milk, as does the USPHS Code.

(NOTE.—Despite the fact that Tennessee has not based its regulations on the USPHS Code, 12 counties and 79 municipalities in Tennessee have adopted it as the local regulation.)

NORTH DAKOTA

The dairy regulations of North Dakota were found to generally follow the basic milk sanitation requirements as outlined in the USPHS Code, but did not contain nearly the degree of specificity as outlined in the Code. However, under section 4–1703 of the North Dakota dairy law, the following statement appears, which directs the dairy commissioner to follow the USPHS Code in enforcing grade A milk regulations in the State:

"In the enforcement of the regulations regarding grade A milk in chapter 4–10 of the North Dakota Revised Code of 1943, the dairy commissioner shall be guided by the interpretations, not inconsistent with the North Dakota law and regulation, which are contained in the latest edition of the Recommended Milk Ordinance and Code of the U.S. Public Health Service, a certified copy of which shall be on file in this office."

(NOTE.—Even though North Dakota has not adopted the USPHS Code, it in effect utilizes the code in the enforcement of its regulations. It should also be noted that 24 counties and 44 municipalities in North Dakota have adopted the USPHS Code.)

CALIFORNIA

Dairy farm requirements: California regulations for dairy farms are similar in intent and scope to the USPHS Code. California regulations contain specific and detailed construction dimensions for such items as gutters, alleys, curbs, stanchions, and mangers. Such degree of specificity is purposely not contained in the USPHS Code. California also requires a two-room milkhouse, unless a pipeline milker is in use. The USPHS Code provides for the acceptance of a one-room milkhouse.

Pasteurization plant requirements: Pasteurization plant requirements of the California regulations are generally equivalent to those contained in the USPHS Code.

Health of cows: California requires tuberculosis examinations of all dairy herds every 2 years and requires conformance to the USDA program for brucellosis control. The USPHS Code specifies compliance with USDA programs for both tuberculosis and brucellosis control.

Bacterial counts: The California maximum bacterial standard for raw milk for pasteurization is 75,000 per milliliter, whereas the USPHS Code specifies a maximum of 200,000 per milliliter for raw milk for pasteurization. The California bacterial standard for pasteurized milk is 15,000 per milliliter at time of delivery to the consumer, while the USPHS Code specifies a maximum of 30,000 per milliliter as delivered to the consumer. California regulations do not provide for a standard for coliform organisms in pasteurized milk, whereas the USPHS Code does. The coliform count is an index of milk contamination subsequent to pasteurization.

Frequency of inspections and laboratory examinations: California regulations specify that the dairy farms shall be inspected six times per year and that pasteurization plants shall be inspected twice each month. The USPHS Code specifies at least one inspection of each farm and each plant every 6 months, with followup inspections on violations.

California regulations provide for laboratory analysis of two pasteurized milk samples twice each month and raw milk samples on a monthly basis. The USPHS Code requires laboratory examinations to be performed at a minimum frequency of four samples every 6 months for milk and for all types of other milk products sold.

Important as it is to have adequate standards and regulations, effective and dependable performance is of even more vital significance from the standpoint of protecting the public health. During the past few years, in the discharge of its official duties, and at the request of State milk sanitation agencies, the USPHS has made ratings of a number of milk supplies in the New England States, New York, and New Jersey. In addition, personnel in several of these States have made ratings and furnished them to the USPHS. The results of these particular ratings are presented below:

Examples of recent average sanitation compliance ratings of pasteurization plants and some producer supplies in Northeast United States[1]

Year and location	Type of rating	Average sanitation compliance rating	Year and location	Type of rating	Average sanitation compliance rating
1960		*Percent*	1961		*Percent*
Metropolitan New York City	2 pasteurization plants	83.0	Eastern Massachusetts	1 pasteurization plant	65.0
Metropolitan Connecticut community	do	70.5	Northern New York	30 producers	86.6
Eastern New Jersey	5 pasteurization plants	81.6	Western Pennsylvania	10 pasteurization plants	82.0
Eastern Massachusetts	3 pasteurization plants	77.6	Eastern Pennsylvania	5 pasteurization plants	68.5
Central Massachusetts	do	87.6	Eastern New Jersey	9 pasteurization plants	59.0
Central Pennsylvania	2 pasteurization plants	80.0	Southern New Jersey	25 producers	77.0

[1] Ratings were made by the U.S. Public Health Service at the request of State milk sanitation agencies and the dairy industry, and in the discharge of its official duties.

EXAMPLES OF REPORTED INSTANCES OF SANITARY MILK REGULATIONS USED AS TRADE BARRIERS

1. ST. LOUIS, MO.

The city of St. Louis, whose regulations are basically similar to those recommended by the Public Health Service, insists on making inspection of all milk sold in the city, whether from within the State or from out-of-State sources. Although during periods of shortage, grade A milk from outside sources is accepted without difficulty, at other times, the city refuses to issue permits to out-of-State sources and cities failure to comply with health regulations as the reason.

One of the procedures used to deny permits is to upgrade the St. Louis regulations for the reason "that all new producers and plants must comply with additional requirements now found to be necessary," but which have been waived in the case of local producers holding permits. Supposedly all new farms and plants on the city's own milkshed must also meet these requirements. Outside sources wishing to sell milk in St. Louis find it difficult and expensive to comply with these requirements which are not insisted upon by their own milk sanitation agencies. Example: The city has been known to refuse to issue permits to out-of-State sources (1) when the producer dairies have well-pit installations which meet current requirements for existing water supplies; (2) where so-called basement barns are used for milking, rather than milking parlors; and (3) for can producers. The milk ordinance and code as well as all State regulations, provide for the acceptance of raw milk from both can and bulk tank producers.

One of the reasons why St. Louis insists on self-inspection, rather than to accept results of inspections made by the supervisory health jurisdictions of an out-of-State supply, is that St. Louis finances its milk inspection service by an assessment against the industry on a hundredweight basis, and

feels that local industry would object if out-of-State supplies were not similarly assessed. Thus, if an outside supply is under a system of inspection in its own State, for which it pays another health agency, it would be subject to dual assessment and frequently feels that it cannot afford to enter the market.

Data is available which shows that milk inspectors from St. Louis, when making inspections in Illinois of Illinois shippers, are more severe in applying rating procedures than they do for their own shippers. This data indicates that debits of from 9 to 19 points in excess of those required by the PHS method of surveying milksheds have been inflicted on Illinois shippers. Accordingly, St. Louis is provided with an excuse for refusing permits, since by this technique, their inspections show that the milk supply in Illinois is of inferior sanitary quality. PHS surveys of some of these same Illinois supplies have shown that they rate at least 90 percent compliance with the milk ordinance and code.

2. DISTRICT OF COLUMBIA

The District of Columbia has for many years operated under a closed-market system of administration. Milk has been admitted only during periods of extreme shortage, and only until such time as the local milkshed could be expanded to meet local needs. This situation has arisen as a result of an interpretation, by the Corporation Counsel, of the 1925 District of Columbia Milk Code to the effect that the District of Columbia Health Department must inspect all milk sold in the District. Such inspections are not usually made except under a milk shortage condition.

Over the years, the District of Columbia milk regulations have contained many restrictive provisions, which producers outside the local milkshed found expensive to meet when their permit applications were considered. Examples of such restrictive provisions were: (1) Insistence for many years that milk equipment and utensils on the farm must be subjected to steam sterilization, which can only be done through the installation of expensive steam chests and steam boilers; (2) insistence on two-room milkhouses for producer dairies; and (3) inclusion in the regulations of specific distances and dimensions for such items as barn gutters, cow platforms, location of cowyard, etc. Recently, the District of Columbia regulations were changed in such manner as to bring them into closer conformity with the milk ordinance and code; however, section II of the milk ordinance and code, which permits acceptance of milk from outside areas under specified conditions, was not included in the revised regulations. It has also been reported, though not proven, that when a new producer applies for a permit, the restrictive features, such as dimensions and distances, are still being applied in "scoring" the applicant's form.

Two years ago, during the local milk squabble, milk from sources in States outside the local milkshed was processed in District of Columbia plants for sale in nearby Maryland communities. The District of Columbia Health Department required that this milk be handled separately and not commingled with District of Columbia-inspected milk. However, it was processed in the same plants and equipment. Although the milk was accepted by the State health department in Maryland, the District of Columbia Health Department would not permit it to be sold to District of Columbia consumers. This appears to be a clear illustration of the unwarranted use of health regulations as an economic trade barrier since the milk sold in Maryland in no way endangered the public health.

3. ARDMORE, PA.

For many years this community has required that all milk sold within its jurisdiction be under direct inspection of its own milk sanitation officer. Although sufficient funds are reported to be appropriated for the inspection of the amount of milk which is consumed in the community, plants which also distribute elsewhere are required to pay the inspection costs of their total supply. Since this is a suburban community (Philadelphia), and sales would be small, several Philadelphia plants have not found it economical to pay the inspection costs, and do not sell in this market. In addition, this township enforces highly specific sanitation requirements which have been carried to the extent that farm tanks and other dairy equipment meeting 3-A sanitary standards, which are recognized by most health jurisdictions, are not permitted on farms and plants supplying this market, unless they meet additional requirements. Thus, the trade barrier is not limited to milk alone, but extends to milk equipment as well, and results in higher equipment costs to dairy farmers and milk processors.

4. STATE OF NEVADA

The State of Nevada passed a law in April 1955 which requires the State department of health to investigate and inspect all out-of-State sources of milk (both farm and plants). Only in those instances where full compliance with Nevada regulations exists are permits issued. Initially, the Nevada State Department of Health had been willing to accept out-of-State milk which had been certified under the voluntary State-PHS program for certification of interstate milk shippers, but after the passage of this law, it was no longer able to do so.

Nevada regulations require a two-room milkhouse, which is not considered necessary for the production of clean, safe milk by most States or the Public Health Service. In order to comply with Nevada law, all out-of-State producers must construct two-room milkhouses. This requirement imposes a heavy burden on out-of-State dairy farm producers and their processors who wish to market a portion of their product in Nevada. An Idaho milk plant operator described the effects of this requirement as follows: "With interstate trade barriers such as they are, there is no incentive to increase our supply over and above local market requirements. Short supply States cannot expect others to carry a year-round surplus in order to give them a supply during a few fall months when they happen to be short, and shut out these shipments by means of arbitrary standards the balance of the year."

Utah shippers have been seriously affected by this provision of Nevada regulations. It has been reported that Nevada has requested each Utah producer selling milk in Nevada to submit a plan indicating the changes they will make to comply with Nevada regulations. Upon receipt of such a plan, Nevada authorities will grant 1 year to achieve compliance.

5. KANSAS CITY, KANS.

Kansas City, Kans., has adopted regulations that no milk can be received in the city unless inspected by the Kansas City Health Department. In this connection, Kansas City has arbitrarily established the limit of its inspection to 45 miles, and charges an inspection fee based on 50 cents per cow.

6. GENERAL RESTRICTIONS IMPOSED BY VARIOUS STATES AND MUNICIPALITIES WHICH HAVE THE EFFECT OF OBSTRUCTING THE FREE MOVEMENT OF MILK IN INTERSTATE COMMERCE

A number of States, including Alabama, California, Connecticut, Florida, Maine, Massachusetts, Michigan, Nevada, New Jersey, and New York, have included in their sanitary laws or regulations requirements that all out-of-State sources of milk and milk products be inspected by their own personnel before permits are issued. Frequently this provision of State law, and identical provisions in the sanitary regulations of many municipalities, are utilized to close the market against outside competition, which is a use of health regulations as economic trade barriers.

Various techniques are employed, such as, (1) charging exorbitant inspection fees, which outside shippers feel they do not wish to pay considering the volume of milk likely to be sold; (2) inclusion of detailed specifications in the regulations which have little or no public health significance, such as specific distances and dimensions for gutters, etc., and which are not required by the State in which the supply is located; (3) modification of label requirements; (4) lowering of bacterial counts specified in their regulations, and then refusing to accept the milk from an outside source because the jurisdiction in which it is produced does not have an identical regulation (in several such cases the bacterial count of the milk being received in the community has not been in question); and (5) refusal or unwillingness to inspect dairy farms or milk plants located beyond an arbitrarily fixed distance.

Frequently, inspectors from one State, when inspecting supplies in another State, will apply standards more stringently than they are enforced at home. Recently, an official of a large dairy cooperative in one of the Eastern States advised a representative of the Public Health Service that when inspectors from his State check sources located in a neighboring State, the standards of compliance insisted upon were much more rigid than those with which producers in his own State had to comply.

Many small communities, and in some cases health districts, also use the direct inspection provisions of their sanitary regulations to protect local distributors from competition. As indicated above, this is sometimes done by assessment of high fees, refusals to make such inspections because of staff limitations, or by insisting upon requirements, which their own sheds are not meeting, when inspections of outside sources are made. Therefore, even though the regulation in itself does not constitute a trade barrier, the net result of this administrative practice is to close the market. A number of small Missouri and Kansas communities are known to follow this practice.

THE PEACE CORPS

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HIESTAND] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. HIESTAND. Mr. Speaker, the first set of Peace Corps men are off for Africa to participate in what certainly is an ambitious project.

Yesterday, 50 Peace Corps men took off for Ghana; this morning, 31 flew from New York, bound for Tanganyika.

Some skeptics are wondering if the Peace Corps men will convert the "Dark Continent" into the "Lost Continent." I certainly hope not. The lofty ideals of the Peace Corps are commendable, but its practicability is another matter.

Most of us have heard arguments against the program. Before departing for Africa, the Peace Corps members visited Washington earlier this week. While visiting Capitol Hill, some of them almost had their young ears burned off by some of my colleagues.

This first group was here to be properly dispatched by the President and also to undergo briefings by the State Department, International Cooperation Administration, and U.S. Information Agency.

One of the frequent complaints against the Corps is in the manner of selectivity. We have heard of the political patronage within the program. And, judging from the early morning soirees staged by some Peace Corps men during this week's stay in the Nation's Capital, some of us might well wonder if these representatives of the United States will do more harm than good. And, make no mistake about it, Mr. Speaker, these young people are representatives of the United States whether they carry official credentials of the Government or not. Every American abroad is a representative of our Nation.

And so, as the first Peace Corps men leave our country, we might well watch them hopefully. Their actions and their work may well reflect whether we are embarking on another children's crusade or merely a lofty but impractical expression of idealism.

THE AMERICAN TAXPAYER AND HIS POCKETBOOK

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HARVEY] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, a matter of great interest to the American taxpayer is his pocketbook. It is being squeezed, gouged, and drained to the point that many Americans are more concerned than ever about our foreign aid programs, primarily because the taxpayers are footing the bill to enrich the coffers of other countries. This has been done for many years with the result that we are weakening our own financial condition and our own national economy.

Representative of the views of my constituents, who have been flooding me with requests to oppose all foreign aid, are two editorials which I ask my colleagues in the Congress to read and to seriously consider.

One editorial, "Foreign Aid Forever?" is taken from the Knightstown (Ind.) Banner of August 24, 1961; the second editorial, "Will They Vote for Failure?" is from the Indianapolis (Ind.) Star of August 6, 1961.

[From the Knightstown (Ind.) Banner, Aug. 24, 1961]

FOREIGN AID FOREVER?

Foreign aid once again is a hot issue in Congress.

The Kennedy administration is seeking to appropriate $8.3 billion over a 5-year period for foreign aid and to give the President authority to spend the money as he sees fit—without consulting Congress each year as is now done. Much the same kind of a bill was pushed by the Eisenhower administration so it really isn't a partisan subject.

When World War II ended, the Marshall plan came into being and foreign aid was considered necessary to restore some of the nations which had been hard hit by the war, and especially to ward off any communistic tendency.

How many people would have believed at that time that in 1961, the United States would still be spending billions on foreign aid, and 97 of the 110 countries in the world would be receiving foreign aid from us this year?

Just as a matter of arithmetic, the $8.3 billion requested by President Kennedy for foreign aid amounts to $208 for every family of four in the United States or $52 for every man, woman, and child. It's probably well that they don't make a house-to-house canvass for this money, because the response wouldn't raise $800 million—let alone $8.3 billion.

This is a difficult problem, because it is necessary for the United States to help some of our allies to get on their feet. The trouble is that the rest of the world thinks that the United States is much more wealthy than we are—especially during a serious recession. Certainly, Americans have many material possessions but how many of them are paid for?

It is argued that the cost of national defense in the United States is over $40 billion a year and the cost of foreign aid is only a small percent of that. If this foreign aid helps to stop communism, the argument goes, then it is money well spent.

The stories of graft and political payoffs within various countries, using U.S. foreign aid funds have been a matter of public knowledge for years. This, of course, is not true in every nation, but it is only natural for any foreign administration in power to accept these funds—whether loans or gifts—and use them for their best political advantage. Sometimes, this antagonizes others in the nation or the United States does not receive credit at all.

In still other cases, the industries or agriculture of these other nations are developed with our money and they become keen competitors of ours, putting Americans out of work. It is true, of course, that as their standard of living is raised, the people of other nations should buy more American products.

The entire world is getting the idea that the United States is so rich that we must give handouts everywhere or we are like Mr. Scrooge, and, yet, those who live out here away from the white buildings of Washington know full well how hard it is to make a living today and to earn enough money to pay the taxes and maintain their homes. Still, Congressmen continue to appropriate funds which do not exist by pushing the Government more deeply into debt for foreign aid as well as for a host of other projects.

Many of these projects are needed, but it is well that Congress at least retain the right to review the foreign aid program and to reduce this give-away program to the minimum—unless the people of this Nation believe that the United States should have a foreign aid program forever. In that situation, we wonder how much the assistance is appreciated, or whether it has become a fact that we can't ever stop it without making friends into enemies.

There's just one certainty in all this—as an American taxpayer, you're going to pay the bill. Or, will it be your grandchildren who will pay?—R.T.M.

WILL THEY VOTE FOR FAILURE?

While President Kennedy is beating the drums for his multimillion-dollar long-range foreign aid program, a committee of Congress has just issued a report on the almost total failure of the foreign aid program in Peru. We hope Members of Congress will read this report instead of filing it away in the wastebasket—as usual. If they do, they will not vote for the almost unlimited authority the President is asking over foreign aid funds.

The House Committee on Government Operations decided late last year to investigate a successful foreign aid program. It had been criticized for only investigating foreign aid operations that were a complete mess, as in Laos. So they found out that Rollin S. Atwood, until recently regional director of the Office of Latin American Operations of the International Cooperation Administration thought very highly of the Peru program. He described it as "one of the finest programs ICA ever had. It is one that has achieved the objectives of the United States perhaps better than any other program we have had in Latin America." So the committee expected to find good news about foreign aid in Peru.

Here is what they found: A $14 million food relief program was started. "The primary purpose of the program was feeding hungry people. Less than 6 percent of the food was distributed free in the drought area. At least one-third of this [grain] was sold to millers and distributed through normal commercial channels. Whether any of this reached drought victims cannot be determined.

"Almost 25 percent of the food provided remained undistributed at the time the drought was officially declared over * * * almost one-half of this amount still remained in warehouses a year later.

"Although USOM (local ICA field office) Director John R. Neale had received instructions to obtain ICA/W (Washington headquarters) approval of the projects proposed by the Government of Peru to be financed with the sales proceeds, he failed to do so.

"As a result of Neale's failure to carry out his duties as USOM Director, at least 60 percent of the sales proceeds were used improperly. An instance of improper use was the unapproved construction of eight houses at Puno and their sale, below cost and on an installment basis, to prominent persons in the town.

"A $2 million loan to Peru intended to aid its economy through construction of a road to open isolated areas for agricultural development and colonization, was the subject of such faulty and inadequate planning that after construction had actually started, the route had to be completely changed, when belated soil tests established that the area to be served by the original route was unsuitable for farming. Washington was not advised of this change until this fact was uncovered by an ICA/W auditor.

"The road finally constructed under this loan ended in the middle of nowhere—'on the side of a mountain'—at a point about halfway along the projected route.

"A $125,000 irrigation project built at Pampas de Noco does not irrigate. The reason the project was not feasible seems incredible in any properly planned irrigation project—it was simply that there was not enough water available in the area to make use of the projected irrigation works.

"USOM Director John R. Neale entered into a conflict-of-interest situation for personal profit when he organized and invested in the corporation Negociacion Bazo Velarde, S.A., for the purpose of operating a farm which was receiving aid under the U.S. program." Neale did not tell the truth when questioned by ICA. Also ICA had enough information to make an investigation but it was 4 years before any action was taken. Even then "both Regional Director Atwood and Ambassador Achilles (Theodore C.) persisted in impressing on the Board their beliefs that Neale was simply a victim of spite. Neither appeared to have any knowledge of the actual facts.

"There were no end use checks made of the drought program. ICA/W on the basis of information from various sources, could have taken action to correct this situation." Special audits finally came when Congress began its investigation.

"USOM/Peru Deputy Director Coon tried for over a year to get action from responsible ICA officials on his charges of Neale's maladministration in Peru, only to get rebuffs from ICA Director Smith (James H. Jr.) and Regional Director Atwood. It was not until it became known that he was to appear before a congressional committee, that P.S. & I. (ICA Office of Personnel Security) was finally directed to investigate Coon's charges.

"After failing for over a year and a half to make any substantial inquiry into the charges that a USOM employee (a Peruvian national) had improperly profited from the sale of some $42,000 in surplus grain stocks, OIGC finally reopened the case, 1 day after this subcommittee had expressed interest in the case."

Now this is an example of what Regional Director Atwood called a foreign aid program "perhaps better than any other program that we have in Latin America." We wonder what the worse programs are like. Atwood also called Neale a man who "made perhaps the greatest contribution to the entire technical cooperation in Latin America * * *" and one of the "most outstanding technicians we have in the field." If this is so, those not so outstanding must be awful.

Nothing in the new Kennedy program would correct the kind of situation described in Peru. It would only make it more permanent and worse. At the same time, if ICA officials think the program in Peru is so great, it seems only logical to suppose that there are scores of other cases—as already shown up in Laos and Vietnam—all over the world, of mismanagement, conflict of interest, stupidity, poor planning, waste, and entrenched bureaucracy.

American taxpayers who support the foreign aid program should send for the committee report "U.S. Aid Operations in Peru" from PORTER HARDY, JR., of Virginia, who headed the investigation. Address, House Office Building, Washington. People who oppose the foreign aid program should write their Congressmen, same address, and tell them to read the report before they vote for more foreign aid.

LABOR DAY

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HARVEY] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, I would like to take this opportunity to salute all our working men and women, past and present, whom we honor on Labor Day.

From the first unofficial observance of this day in New York City in 1882 has evolved nationwide recognition of the importance in setting aside a day to honor all laborers. Labor Day has been observed for 79 years, not through congressional action, but primarily as a result of action taken by State legislatures and local government officials.

This is a day on which we should pause to assess our many gains, our growth, and our achievements wrought by the labor of so many dedicated individuals. Our progress in all areas of endeavor has been phenomenal even though we are as yet a young nation in comparison with so many others around the world. We could not have prospered and widened our sphere of influence without the honest and sincere efforts expended by our working men and women.

I truly recognize the importance of our working men and women, now and more especially for the future. Without their continued devotion to our form of government and our way of life, we should surely have collapsed as a nation before now. We have gone through several periods of extreme stress and strain as a nation, always with the full support and cooperative dedication of our working people.

It is, then, with gratitude and admiration that I join with so many others in taking my hat off in acknowledgment of the importance of America's working men and women. May your contributions to our future progress be adequately recognized and appreciated by us all.

HOUSE COMMITTEE ON CAPTIVE NATIONS

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, the distinguished gentleman from Pennsylvania [Mr. FLOOD] and I have repeatedly called the attention of the Members of the House to the urgent need for the creation of a special House Committee on Captive Nations.

At the present time, the resolution creating this committee remains bottled up in the House Rules Committee due to the objections of the State Department, as voiced by the Speaker's spokesman in the committee, the distinguished gentleman from Missouri [Mr. BOLLING]. I need not dwell on the fact that the deliberate suppression of this and other resolutions is certainly contrary to the statements made on the floor of the House by many Members during the debate which "liberalized" the Rules Committee.

However, the issue before us is the value and accomplishments that could come from a special House Committee on Captive Nations. The gentleman from Pennsylvania [Mr. FLOOD] called to your attention yesterday the statements made by the President and other key officials, indicating support of the principles involved in this committee. Certainly, there can be no basic objection to the statement that the Soviet Union is at the present time the only colonial and imperialistic power in the world, and this fact could be thoroughly exposed for proper world understanding and judgment by this House committee.

Mr. Speaker, I ask leave to place into the RECORD at this time an editorial that appeared in the Ukrainian Quarterly, summer of 1961, entitled "The World, the President, and Captive Nations Week, 1961."

THE WORLD, THE PRESIDENT, AND CAPTIVE NATIONS WEEK, 1961

The observance of Captive Nations Week in 1961 was more successful than that of 1960 or 1959. This is as it should be. With more experience, a background of planning, and more efficient coordination by the National Captive Nations Committee in Washington, citizen committees in various sections of the country have come to organize the festivities of the week with increased skill and performance. One of the highlights of the week was, of course, the proclamation issued by President Kennedy.

It serves no useful purpose to compare the contents of Kennedy's proclamation with those of Eisenhower's in the 2 preceding years. Comparisons along this line are, nevertheless, already underway. For example, under the caption "Captive Nations Week—An Unfortunate Symptom" a statement of Representative JOHN M. ASHBROOK, of Ohio, in the CONGRESSIONAL RECORD of July 27 contends that the President "issued a halfhearted proclamation which never once mentioned the Communists." Others point to the pithy character of this third proclamation. These strictures may be correct. On the other hand, however, the Kennedy proclamation eliminates the misleading term "Soviet-dominated nations" which appeared in the Eisenhower proclamations. Contrary to the wording of the Captive Nations Week resolution, this term caused people to assume that the nations referred to are those under the domination of the Soviet Union rather than all of the captive nations under the foreign heel of Soviet Russia. Moreover, the resolved part of the present proclamation stresses explicitly "the just aspirations of all peoples for national independence and freedom." This does not appear in either of the Eisenhower proclamations.

The fact is that President Kennedy did issue a proclamation which, it is reported, he himself prepared. In certain fundamental respects, as indicated above, it improves upon the previous proclamations. In other respects, also as shown above, it could have been more substantial in the "whereas clauses" and more decisive in spotlighting the myth of Communist ideology. It is hoped that in future proclamations there will be absolutely no grounds for complaint and criticism. And there is every reason to be confident of this. These proclamations are read widely and carefully, behind the Iron Curtain as well as in the free world. They reflect the foreign policy thinking of our Government at given times. With the state of the world today, whether one looks at Berlin, Cuba, Laos, Turkestan or East Germany, our displayed interest in the captive nations always bears important relevancy. Words, the cloak of our ideas, are profoundly consequential.

THE POWER OF THE PRESIDENT'S WORDS

It should be quite evident, therefore, that the words, declarations and proclamations of the President of the United States command and convey tremendous power. They create impressions, they affect minds and thoughts, and they influence, for better or for worse, the actions and activities of groups and individuals. What is not said in particular situations is just as consequential as what is said.

In the past 7 months there has been increasing doubt about the proper and judicious use of this power in the White House. This does not mean the President alone but also those about him. Many statements are prepared for the President and although the responsibility for checking on them rests with him, oftentimes circumstances prevent the giving of the most careful attention to them. As concerns the captive nations, the

record of this first phase of the new administration is a checkered and unstable one. It reflects uncertainty of thought and conviction regarding the captive nations, the world, and our security.

Here is the record. In contrast to Eisenhower's first inaugural address, President Kennedy's made no mention whatsoever of the captive nations. The New Frontier, which the President defined in these terms—"If freedom is to survive and prosper, it will require the sacrifice, the effort and the thoughtful attention of every citizen. It is this effort and concern which makes up the New Frontier"—obviously did not include the captive nations. Then, in his state of the Union message, the President inserted one weak, sentimental sentence: "We must never forget our hopes for the ultimate freedom and welfare of the Eastern European peoples."

The Cuban fiasco changed this trend radically. Before the American Society of Newspaper Editors in April, the President asked some to recall "the long rollcall of refugees who cannot now go back—to Hungary, or to North Korea, or to North Vietnam, or to East Germany, or to Poland, or to any of the other lands from which a steady stream of refugees pours forth, in eloquent testimony to the cruel oppression now holding sway in their homelands." In the same address he emphasized what many have been declaring for a decade: "The evidence is clear—and the hour is late. We and our friends will have to face the fact that we cannot postpone any longer the real issue of survival itself." One may ask whether the peoples of the non-Russian captive nations are regarded as "our friends" and, if so, what preparations are being made to enlist them in the war of survival?

At this time the reply of the President to Khrushchev reached a high point that months ago should have been a starting point: "The people of the United States believe that the right of self-determination is fundamental and should apply throughout the world. We reject the right of any narrow political grouping or any country to arrogate to itself the power to determine the 'real will of the people.'" Nothing explicit about the captive nations which Khrushchev does not like to hear but, nonetheless, the meaning is clear.

In June, the President's report on his European talks is now marked by confusion as well as omission. He affirms again our belief "in a system of national freedom and independence" and "that liberty and independence and self-determination, not communism, is the future of man," but with regard to Khrushchev's basic empire, the U.S.S.R., he speaks of that "nation's achievements in space" (the U.S.S.R. a nation!) and also of the different meanings given by "the Soviets" to the "same words—war, peace, democracy, and popular will." The Soviets, or councils of workers and peasants, can scarcely express themselves, and the colonial Russian totalitarians who alone can assign their meanings to words, obviously do not have different brain structures from ours and impute meanings they want for purposes of confusion, deception, and division. It is surprising that the President was pulled in by this.

Concerning all of this and more, it is no wonder that toward the close of June the London Times depicted the administration in a state of "political disarray." With this situation prevailing, many began to wonder whether the President would proclaim Captive Nations Week the following month. There can be no doubt of the fact that the Khrushchev message to Kennedy on our Independence Day was designed to influence the President from issuing the proclamation. Moscow and its colonial puppets would then have a propaganda heyday. The issuance of the proclamation on our own Independence Day would have had a compounded effect. But the President chose to release solely his statement on "The Meaning of Liberty" in which he says, "What matters is the concrete meaning that our words gives our lives. We make the revolution of liberty, not by what we exhort others to do, but what we do ourselves."

The proclamation was issued on July 14, 2 days before the Captive Nations Week commenced. But a week after the period, in an otherwise excellent address to the Nation on the Berlin crisis, the President made a fantastic statement which again suggests a lack of understanding and a deep uncertainty with regard to East European history, the captive nations, and their strategic relationship to us. It is hard to believe but he did say: "We recognize the Soviet Union's historical concerns about their security in central and eastern Europe, after a series of ravaging invasions—and we believe arrangements can be worked out which will help to meet those concerns, and make it possible for both security and freedom to exist in this troubled area." One finds it difficult to conceive a more logically confused and mixed-up statement than this. Also, as Senator KEATING, of New York, rightly pointed out in the Senate, "The President seemed to be stressing the rights of the Soviet Union to security rather than the rights of the people there to self-determination not only for East Berlin, but also for East Germany, and all of east and central Europe."

As to the fantastic statement itself, first it is evident that a state which has been in existence for less than 40 years could scarcely have developed "historical concerns" in this short period. Second, if the President doesn't as yet know, this empire-state was created and built by the destruction of numerous independent non-Russian nations and states which are enumerated in the Captive Nations Week resolution. Third, if the security of the present Red Russian Empire and that of the previous White Russian Empire is an object of our concern, we are desperately in need of historical training to see in what direction the series of ravaging invasions took place. According to this statement, the invaded have now become the invaders. Only the Russians have had the reputation of distorting and rewriting history. It appears someone in the administration has chosen to compete with them. And fourth, the statement is almost sublimely self-contradictory. Concern for the security of an empire mixes with freedom as oil with water.

FROM THE WEEK TO A COMMITTEE

The above facts, more than anything else, explain why a Special House Committee on the Captive Nations is a patent necessity. During the observance of the 1961 Captive Nations Week the theme of creating such a committee was sounded over and over again. Throughout the country countless Americans recognized the urgent need for such a committee to serve not only Congress and the represented American citizenry but also—quite necessarily—our executive branch of the National Government. The July 24 issue of the CONGRESSIONAL RECORD gives an impressive account of the activities, festivities, and expressed thoughts of groups and individuals who observed Captive Nations Week.

In addition to this theme there were, of course, other ideas furthered by observers of the week. These included a firm stand without any compromise on West Berlin, a determined opposition to the admission of Red China to the U.N., the establishment of a Freedom Academy, the activation of the Kersten amendment to the Mutual Security Act with reference to Cuba, the expansion and improvement of the "Voice of America" broadcasts to the non-Russian nations in the U.S.S.R., and the restoration and extension of the "Champion of Liberty" stamp series. However, the theme which attracted most attention was the passage of House Resolution 211. The resolution was sponsored originally by the Honorable DANIEL J. FLOOD of Pennsylvania and calls for the establishment of a Special Committee on the Captive Nations in the House of Representatives.

The argumentation in favor of this and similar resolutions has been set forth in detail since March 8 when the original resolution was submitted. The addresses of Congressmen FLOOD, DERWINSKI, SCRANTON, HALPERN and some four dozen other legislators spell out all the compelling reasons why such a committee is a "must." The reader can profit immensely from reading the RECORD issues of March 8, March 27, May 10, June 20, 24, and August 3. No direct refutations have been given to the dozen and more reasons cited for the necessary formation of the committee. There is no question but that once the measure is reported out by the Rules Committee, it will pass overwhelmingly in the House.

Thus in this project alone one can see how the world, the President, and Captive Nations Week observances are tied together. Through its investigations, studies, hearings, and reports a Special Committee on the Captive Nations would fix the the attention of world opinion on the only real threat to the nontotalitarian free world; namely, Soviet Russian imperialism and colonialism. It would thereby put to account statements made by leaders in the free world, as, for example, President Sukarno's statement in June that it is nonsense to accuse Moscow and Peiping of carrying out imperialist policies. Furthermore, the work of such a committee would give the constant lie to the so-called 20-year plan launched by Moscow, particularly by its disclosures of the rampant colonialism and imperialism within the Soviet Union.

In serving our Government and the American people this committee would be the prime vehicle of public information and enlightenment concerning all of the captive nations. It would be performing an indispensable job that no agency, public or private, is doing. And the salutary results of the committee's work and findings would help to prevent the incurrence of grandiose statements on the Soviet Union, and on the captive nations within and outside it, at any high level of our Government. Twisted conceptions about the enemy and his victims are not exactly solid grounds for meeting the tasks of a war of survival.

Finally, the creation of a Special Committee on the Captive Nations would represent the first concrete implementation of the Captive Nations Week resolution. It would also be the fitting response of Congress to the 1961 Captive Nations Week, to the urgings of millions of Americans who see in it a powerful means to ultimately defeat Moscow in the cold war.

ON ACCEPTANCE OF CONFERENCE REPORT ON FOREIGN AID BILL

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. SEELY-BROWN] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. SEELY-BROWN. Mr. Speaker, I am in favor of accepting the conference report on S. 1983, the foreign aid authorizations bill, because I believe that it will achieve substantially all of the

objectives which I, as a member of the Committeee on Foreign Affairs which considered and reported the legislation, sought.

During my entire service in Congress, I have supported the successive foreign aid programs. I am in favor of long-range planning with annual appropriation and review by the Congress, not only in this instance but in all Government activities where it will promote economy and efficiency. In the bill as agreed upon between the House and Senate conferees, this is achieved in an effective manner.

Although the bill does not provide the authority for borrowing from the Treasury which the President once said was essential to the success of his program, he has stated that the bill in the form in which it is now before us is "wholly satisfactory." Certainly, it will provide him with full authority to carry out in the most effective manner the international development projects in which our Government is to assist, and which in the 5 years ahead will be so important a part of our foreign relations.

The bill authorizes the appropriation for international development in this fiscal year of $1.2 billion, and $1.5 billion for each of the next 4 fiscal years, which funds shall remain available until expended, thus providing full opportunity for such commitments as the administration deems prudent in long-range planning. It should be noted that any unappropriated portion of the amount authorized to be appropriated for any fiscal year may be appropriated in any subsequent fiscal year in addition to the amount otherwise authorized, so that if Congress should appropriate in any one year less than the amount authorized, the authorization would be cumulative in the succeeding years.

The authority of the President to enter into agreements committing funds authorized in this bill is clearly stated, and it is to be subject only to the annual appropriation of the funds authorized. The President very properly is required to notify the Senate and the House of all agreements entered into under the authority of this act, and the amounts of funds involved.

Thus, under this bill, the people of the United States are entering into an investment in good neighborliness which between now and fiscal 1967 will involve grants and loans which will aggregate more than $11.9 billion. We hope and expect to get back the portions which are in the form of loans. If the program is well administered, the return on the investment in the form of good will and mutual security should be many times the outlay.

PRESIDENT ENDORSES TEMPORARY CEASE-AND-DESIST ORDERS FOR THE FEDERAL TRADE COMMISSION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PATMAN. Mr. Speaker, on August 28 President John F. Kennedy sent a letter to the Honorable OREN HARRIS, chairman of the House Committee on Interstate and Foreign Commerce, strongly endorsing pending legislation introduced by Hon. TOM STEED, myself, and a number of our colleagues, to authorize the Federal Trade Commission to issue temporary cease-and-desist orders against unfair practices while cases concerned with permanent relief are pending before the agency. I should like here to introduce the President's letter into the RECORD.

AUGUST 28, 1961.

Hon. OREN HARRIS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN HARRIS: I want to express my strong support for pending legislation to authorize the Federal Trade Commission to issue temporary cease-and-desist orders against the continuance of unfair practices while cases concerned with permanent relief from such practices are pending before that agency. I understand measures to accomplish that purpose are now pending before the House Committee on Interstate and Foreign Commerce: H.R. 1233 and H.R. 1817, introduced by Congressmen STEED and PATMAN.

Effective law enforcement by the Federal Trade Commission has long been hampered by delays in litigation and an increasing backlog of cases. Despite a concerted effort to decrease these delays through recent revision of the Commission's organization and procedures, the basic difficulty requires additional remedies. At present, the Commission is powerless to halt allegedly illegal practices until the termination of frequently protracted proceedings. As a consequence, small businessmen who are so often the target of discriminatory and monopolistic activities are often irreparably injured or destroyed long before the lengthy process of adjudication has been completed. The proposed legislation will provide means to prevent such injury during that interim period. It will thus provide important protection for the small business community and, indeed, all those who are confronted by violations of the laws which seek to sustain our competitive economy. Such orders should, of course, be subject to the protection of appropriate due process, including the safeguards of judicial review.

The White House Committee on Small Business which I established in April and which includes representatives of the major Government agencies, has studied the proposed legislation and recommended its approval.

I have concluded that such legislation will provide essential protection for small businessmen and thus strengthen competition throughout the Nation's economy. I am hopeful that congressional action on behalf of the objectives of this legislation will be both expeditious and favorable.

Sincerely,

JOHN F. KENNEDY.

As the President so clearly sees, long delays in litigation and the increasing backlog of cases have seriously hampered the Commission in its efforts to achieve effective law enforcement.

As the President states:

Small businessmen who are so often the target of discriminatory and monopolistic activities are often irreparably injured or destroyed long before the lengthy process of adjudication has been completed.

The President also states that this legislation "will provide essential protection for small businessmen and thus strengthen competition throughout the Nation's economy."

IMMEDIATE PASSAGE A MUST

Mr. Speaker, passage of this bill at this session of Congress is an absolute must if we are to halt the destruction of small business in this country.

This bill has strong bipartisan support. Similar bills have been introduced by Mr. EVINS, Mr. ROOSEVELT, and Mr. MULTER, all members of the Small Business Committee. Similar bills have been introduced by the gentleman from Colorado [Mr. ROGERS] and a number of other Members of the House. As the President states, the White House Committee on Small Business, including representatives of the major Government agencies, have studied the proposed legislation and recommended its approval.

This bill will correct the inordinate delay which has characterized procedures during the past several years before the Federal Trade Commission. It will give to the Federal Trade Commission power to issue temporary cease-and-desist orders, certainly a modest addition to the Commission's powers, since the Congress long, long ago gave the Commission the power to issue permanent injunctions against objectionable practices.

BILL WILL REDUCE BACKLOG AND DELAYS

The crux of the matter is that this bill will cut through the legal entanglements that have hamstrung the Commission in achieving effective relief for small businessmen being pressed to the wall by predatory practices and all manner of unfair competition. With this power, the Commission can step in before the damage is done—before the legal experts employed by big business defendants can start spinning their legal web.

In my testimony before the Interstate and Foreign Commerce Committee in support of this legislation, I cited a report which the Federal Trade Commission made to me on March 21, 1961, showing how serious this problem has become with that agency. I placed that statement in the RECORD on March 22 at pages 4610–4612. That report showed the large number of cases of vital interest to small business which have been pending, without decision, at the FTC for periods ranging from 6 to 10 years.

Although the Commission has endeavored to expedite proceedings within the framework of its statutory powers, it has never been able to provide small business complainants with the immediate relief which is necessary to stop the practices which are destroying them while the litigation is pending. The Commission also has been powerless to forestall consummation of objectionable mergers threatening to destroy competition.

LONG DELAY IN PILLSBURY CASE

Let me give a brief chronology of the notorious delay involved in the famous Pillsbury merger case.

On June 12, 1951, more than 10 years ago, Pillsbury Co. acquired Ballard & Ballard Co. On March 7, 1952, Pillsbury acquired the Duff Baking Mix Division of American Home Foods, Inc. The Federal Trade Commission issued a complaint against these acquisitions in July 1952 alleging violation of section 7 of the Clayton Act.

Trial commenced in September of that year and the Commission had put in its case by January of 1953. The defendants offered a motion to dismiss, which was finally denied by the Commission in December of 1953.

The respondents began their defense around July 1954 and had not completed their case until some 3 years later. The trial examiner filed his opinion on February 19, 1959, ordering partial divestiture of Ballard and full divestiture of the Duff assets. The Commission's decision was issued December 16, 1960, ordering complete divestiture of both Ballard and Duff.

At present this case is on appeal in the fifth circuit and I am informed it will probably take about 1 year for the court to reach the case.

So the end is not in sight and the baking mix industry has been deprived of the competition which both the examiner and the Commission concluded had been eliminated.

COMMISSION ALREADY HAS POWER TO ISSUE PERMANENT INJUNCTIONS

We must not stand by and permit the little fellow to be annihilated. We must give the Federal Trade Commission this essential weapon to step in before the damage is done. The Commission must have the power to issue temporary cease-and-desist orders. It is my firm belief that if the Commission can be trusted to issue final orders of restraint, it certainly is qualified to issue temporary orders in instances in which prima facie cases of violations are shown.

WISCONSIN PIONEERED IN WORKMEN'S COMPENSATION ACT—GOLDEN JUBILEE SEPTEMBER 1, 1961

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. JOHNSON] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JOHNSON of Wisconsin. Mr. Speaker, I wish to call attention to an important anniversary in social legislation and am very proud that my home State, Wisconsin, pioneered in this significant social reform.

September 1, 1961, marks a milestone in the history of workmen's compensation legislation. On September 1, 1911, the first constitutional Workmen's Compensation Act became effective. I am proud to say that the State of Wisconsin is the author of this first law to provide financial protection for men and women who suffer industrial injuries through no fault of their own. There are few chapters in Wisconsin's legislative history more gratifying than the enactment of the Compensation Act.

Agitation for the Workmen's Compensation Act began in Wisconsin in 1905, with the introduction of a bill by F. Brockhausen, a member of the legislature and an officer of the Wisconsin State Federation of Labor. Similar bills were introduced by him in 1907 and 1909. In the latter year, a committee on industrial insurance was created to make a study and submit a report with recommendations to the 1911 legislature. The final report took the form of a bill, which, with minor amendments, was passed as chapter 50, laws of 1911.

Wisconsin had been preceded by two States in appointing special legislative committees on workmen's compensation, Minnesota and New York, and the work of these three committees paved the way for the drafting of workmen's compensation bills in other States.

The arduous task of the Wisconsin Industrial Insurance Committee in preparing a bill can be appreciated when we consider the fact that the members had no guide of precedent from a single State in the country. The proposed measure contained suggestions from German and English compensation acts, but primarily it was the outcome of painstaking inquiries and consultations in every part of the United States.

I am pleased that the Post Office has issued a special stamp commemorating the enactment of Wisconsin's Workmen's Compensation Act and I was proud to attend the ceremony at the White House celebrating the introduction of this commemorative stamp.

NATIONAL MILK SANITATION BILL

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. JOHNSON] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JOHNSON of Wisconsin. Mr. Speaker, on July 31, Ivan Nestingen, Under Secretary of Health, Education, and Welfare, testified before the House Interstate and Foreign Commerce Committee in support of my national milk sanitation bill to establish the U.S. Public Health Service Milk Code as the quality yardstick for fluid milk and fluid milk products moving in interstate commerce. Needless to say, I am delighted to have HEW's strong endorsement of this measure, which would benefit consumers, dairy plant operators, and the bulk of dairymen by eliminating the use of varying and arbitrary milk sanitation regulations as trade barriers against the free flow of top-quality milk from State to State.

I ask unanimous consent to have Under Secretary Nestingen's testimony printed in the RECORD.

STATEMENT BY IVAN A. NESTINGEN, UNDER SECRETARY OF HEALTH, EDUCATION, AND WELFARE, BEFORE THE HOUSE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, MONDAY, JULY 31, 1961

Mr. Chairman and members of the committee, we appreciate this opportunity to testify concerning the views of the Department of Health, Education, and Welfare on H.R. 50 and identical bills.

H.R. 50 would amend the Public Health Service Act in such way as to require the Surgeon General to promulgate a Federal Milk Sanitation Code and to administer a program for certification of interstate milk plants, whose milk and milk products, subject to certain conditions, could not be excluded from a receiving State or locality on health grounds if they complied with the provisions of the Federal Milk Sanitation Code.

The Department of Health, Education, and Welfare recommends enactment of H.R. 50. The reasons are contained in Secretary Ribicoff's report on the bill. My presentation will be limited to a discussion of Public Health Service interests and activities in the field of milk sanitation which appear pertinent to the bill, and to further amplification of several points made in the Secretary's report.

The interest of the Public Health Service in milk stems from two important public health considerations. First, of all foods, none surpasses milk as a source of those dietary elements needed for the maintenance of proper health—especially of children and our older citizens. For this reason, the Service has, for many years, promoted increased milk consumption. Second, milk has a potential to serve as a carrier of disease, and has, in the past, been responsible for disease outbreaks of major proportions.

The incidence of milkborne disease in the United States has been sharply reduced in recent years; however, occasional outbreaks still occur. Such outbreaks indicate that it is a measure of control through constant vigilance rather than elimination of milkborne disease which has been achieved.

The milk sanitation program of the Public Health Service is one of its oldest and most respected activities. This program was initiated at the turn of the century when the Service undertook a comprehensive study of the role of milk in the spread of disease. Research was then undertaken to identify and evaluate sanitary measures necessary for control of milkborne disease, including studies on proper methods of pasteurization.

More than 35 years ago, the Service initiated a program to assist States and municipalities institute effective programs for prevention of milkborne disease. In 1924, a model regulation, now known as the milk ordinance and code, recommended by the Public Health Service, was developed for State and local use. With the aid of a national advisory committee, including representatives from States and municipalities, and from the U.S. Department of Agriculture, this ordinance and code has since been revised 12 times in order to translate new knowledge into public health practice. In both the development and revision of this code, every effort has been made to include only those provisions necessary to protect the public health, and to exclusive nonessential requirements.

The current milk sanitation program of the Public Health Service includes research and investigations, development of sanitary standards, education and training, and development of laboratory methods. While primarily designed to provide assistance to States and municipalities, it includes enforcement activities regulating the sanitary quality of milk and frozen desserts served on interstate conveyances. In addition, the Service has, for 10 years, participated with the States in the conduct of a national—but voluntary—program for certification of interstate milk shippers.

To conserve time, I will not discuss the overall program of the Service in greater detail. It is described in the supplement to my statement, which I request, Mr. Chairman, be incorporated in the record.

Section 803 of the bill specifically states that the grade A sanitation standards and practices of the milk ordinance and code recommended by the Public Health Service should be used in the development of the Federal Milk Sanitation Code which the bill would authorize. Therefore, I would like to discuss first the extent to which the milk ordinance and code is utilized by States and municipalities.

The sanitation provisions of the milk ordinance and code recommended by the Public Health Service are already being applied by the majority of the States. This is portrayed on this chart to which I would like to direct your attention. As will be noted, the code now serves as the basis for the milk sanitation regulations of 36 States. Fourteen of these States have adopted the code as State law.

Of the States which have adopted different regulations, two—New Hampshire and Rhode Island—utilize the sanitary standards of the milk ordinance and code which pertain to pasteurization plants. In another one of these States—North Dakota—the dairy commissioner, by legislative act, is required to be guided by the interpretation of the sanitary provisions of the milk ordinance and code in his enforcement of the State's grade A milk program. In still another State—California—the milk sanitation regulations, although more detailed in certain respects than the milk ordinance and code, are considered equivalent in terms of public health protection provided.

State utilization of these sanitary standards is but part of the picture. More than 1,900 counties and municipalities throughout the United States have adopted the Public Health Service Code as local regulations. The geographic distribution of these counties and municipalities is shown on my second chart to which I now direct your attention.

Mr. Chairman, a list of States which have adopted the milk ordinance and code as State law or State regulations, together with the number of municipalities and counties, by States, which have adopted the code as local regulations, is included in the supplement to my statement.

The milk ordinance and code is also the basic standard used in the voluntary program for the certification of interstate milk shippers, which I will discuss later. It has been incorporated by reference in Federal specifications, and it is used as the sanitary regulation for milk served on interstate carriers. It is considered by most public health agencies and the milk industry as the national standard for milk sanitation.

We believe, Mr. Chairman, that the use of Public Health Service recommended grade A sanitation standards in the promulgation of a Federal Milk Sanitation Code would, under the system of at least 90-percent compliance and other safeguards provided for in the bill, fully protect the public health of consumers in milk-receiving areas.

I would now like to briefly discuss the voluntary program for the certification of interstate milk shippers, since H.R. 50 would require full utilization of State and local supervision and inspection, and State certification, in a manner quite similar to that used in this voluntary activity.

In 1951, at the request of the Association of State and Territorial Health Officers, a voluntary State-Public Health Service program for certification of interstate milk shippers was established to provide State and local authorities in milk-receiving areas with reliable information on the sanitary quality of milk supplies being shipped interstate. The basic agreements under which this voluntary program operates were developed by the National Conference on Interstate Milk Shipments, composed of representatives of official State milk sanitation agenices.

In this program, inspection and laboratory control of interstate milk supplies are performed by the States and municipalities having routine jurisdiction over the supply. Sanitation ratings of each shipper's supply are made by the State of origin, using the Public Health Service Milk Ordinance and Code and rating method as uniform criteria for evaluation. The States then certify to the Service those shippers whose products and plants have been rated by them in accordance with these criteria, and the Service publishes quarterly a list of the sanitation ratings of such shippers for the information of authorities in those jurisdictions desiring to import milk. In order to validate the sanitation compliance ratings submitted by the States, the Service periodically checks such ratings and evaluates the work of each participating State. Mr. Chairman, all of these basic features of the voluntary program have been incorporated into H.R. 50.

In our opinion, this program has been helpful in facilitating the interstate movement of milk supplies of high sanitary quality. However, being voluntary in nature, it has not, and cannot, eliminate the deliberate or unreasonable use of health regulations as trade barriers. Such barriers do exist.

The use of health regulations to restrict the interstate movement of milk is an outgrowth of the early pattern of sanitary control of milk which was developed on a local milkshed basis. At that time, sanitary control of milk was not extensive throughout the United States, refrigeration of milk on the farm left much to be desired, and there was not sufficient refrigerated transport in use to rapidly move large volumes of milk long distances. Because of these conditions, many communities included in their regulations, a requirement that no milk could be sold within their jurisdiction unless inspected at the source by their own personnel. Under the conditions then existing, this requirement was probably justified.

Conditions, however, have changed considerably during the past 25 years. Population expansion and growth of our metropolitan centers, with the attendant reduction of land available for dairy farming, has compelled many communities to look to outside sources for more and more of their grade A market milk supplies. According to our records, practically all States now both export and import fluid milk and milk products to some extent each year; even those States which rank high in total milk production. This is portrayed on two charts to which I would now like to direct your attention. A summary of this information is presented in the supplement to my statement.

Developments in sanitation, farm refrigeration, processing techniques, and refrigerated transport now make possible the movement of quality milk and milk products safely to any point in the Nation. In addition, sanitary control of milk is now extensive, and milk sanitation programs are now being conducted in all parts of the United States. Under the conditions which now exist, we do not believe there are many sound reasons for a State or community to exclude, on health grounds, a milk supply of high sanitary quality, when such milk is under an adequate program of supervision and laboratory control at the source and is protected in transit.

Despite the change in conditions, there is evidence to indicate that milk sanitation regulations of States and municipalities are frequently used to obstruct the movement of milk of high sanitary quality in interstate commerce. The U.S. Department of Agriculture, several years ago, conducted a study of the impact of sanitary requirements, Federal orders, State milk control laws, and truck laws on price, supply, and consumption, the results of which were published in Marketing Research Report No. 98. The report states (p. 20) under "Examples of Restrictive Sanitary Regulations": "By far the most common policy standing in the way of free movement of milk was the refusal of given jurisdictions to accept milk produced or handled under the supervision of other jurisdictions having substantially equivalent sanitary standards."

Our own experience indicates that there are milk sanitation regulations and administrative practices, of little or no public health significance, which obstruct the movement of high-quality milk in interstate commerce. Examples are: (1) the charging of high inspection fees which distant shippers feel they do not wish to pay, considering the volume of milk likely to be sold; (2) inclusion in milk regulations of certain detailed specifications, or differing sanitation requirements, which are not required by the State of origin and which have little or no effect on the sanitary quality of the milk; (3) refusal to accept milk from an out-of-State source because the producing jurisdiction does not have an identical bacterial standard in its regulations, regardless of whether or not the milk itself meets the bacterial standards of the receiving jurisdiction; (4) refusal, or unwillingness, to inspect farms or plants located beyond an arbitrarily fixed distance; and (5) more stringent application of standards to out-of-State sources than are enforced locally.

It is desired to emphasize that even when the milk sanitation regulations of a community contain no restrictive or discriminatory provisions, and theoretically, a barrier does not exist, that, in fact, a barrier may be created by administrative policies governing inspection of out-of-State sources. Such policies are frequently influenced by local economic considerations. I would like to reaffirm at this time that the Department of Health, Education, and Welfare believes that milk sanitation regulations can be justified only for the bona fide purpose of protecting the public health, and should not be used as a means of regulating the economic aspects of milk marketing.

I would like to make one further comment on the policy of some jurisdictions to insist that their own personnel make inspections of out-of-State milk supplies. In most instances, this is a costly duplication of existing services. Often a single supply is inspected by authorities from 6 to 10 different States and municipalities in a year's time. We cannot agree with the advocates of direct inspection that this is the only way that they can be assured that out-of-State milk supplies are safe for consumption within their own jurisdictions.

There is wide agreement today among health authorities as to the basic sanitary requirements necessary to protect milk supplies, and the voluntary certification program has demonstrated that States and municipalities can obtain reliable information on the sanitary status of out-of-State supplies without sending inspectors to distant sources. In our opinion, those agencies, which unnecessarily spend part of their health appropriation to duplicate the inspection services of other health agencies, would be better advised to spend such funds to strengthen local milk sanitation services, or for other pressing health needs.

I also wish to comment on the safeguards which have been included in H.R. 50 to assure that only milk of high sanitary quality is certified for interstate shipment. Mr. Chairman, no matter how comprehensive milk sanitation regulations may be, they afford protection to the consuming public only to the extent to which their provisions are followed in the production, processing, pasteurization, and distribution of milk and milk products. In recognition of this fact, the Public Health Service developed a numerical rating method to provide an objective means for determining the sanitary quality of fluid milk. Most of the States now use this method.

Over the years, the Public Health Service has had considerable experience in rating

milk supplies throughout the United States. A study of these ratings indicates that there are supplies of high sanitary quality and of mediocre quality in most every State. This fact was recognized by the Association of State and Territorial Health Officers in its official statement, "Need and Recommended Principles for Federal Milk Sanitation Legislation," when it recommended that no fluid milk and milk products be certified for interstate shipment which had not achieved a sanitation compliance rating of 90 percent or more. We believe the authors of H.R. 50, and identical bills, were wise to include in section 804(b) of the bill a provision that milk and milk products, to be eligible for certification, must achieve a sanitation compliance rating of 90 percent or more.

The bill would also preserve to receiving jurisdictions the right to reject milk, certified under the provisions of the bill, if such milk had been mistreated in transit, or if it otherwise failed to conform to the criteria of the Federal Milk Sanitation Code.

These safeguards would assure fluid milk and milk products of high sanitary quality to jurisdictions receiving milk and milk products under the provisions of the bill. In fact, we believe it inevitable that the immunities conferred by the bill, together with the prestige attached to compliance with a high Federal standard, would inspire both industry and official agencies to seek necessary improvements in their local supplies. Consequently, we are certain that H.R. 50 would result in added health protection for consumers of milk in many areas.

In conclusion, Mr. Chairman, the Department of Health, Education, and Welfare favors enactment of H.R. 50 for the following reasons:

1. H.R. 50 would provide an effective means of eliminating barriers to the interstate shipment of fluid milk and fluid milk products resulting from unduly restrictive milk sanitation regulations and differing sanitation requirements without displacement of existing State and local milk sanitation personnel and agencies. It would apply the force of Federal law only where health regulations or enforcement practices unnecessarily obstruct the interstate marketing of wholesome milk of high sanitary quality.

2. H.R. 50 does not call for direct Federal regulation. Rather, it would provide for utilization of the existing structure of State and local milk sanitation services for supervision, inspection, laboratory control, rating, and certification of interstate milk supplies, in a manner quite similar to that now used in the voluntary program for the certification of interstate milk shippers. The Surgeon General—through means provided in the bill—would assure the integrity and reliability of the system.

3. H.R. 50 would utilize, as a basis for the Federal Milk Sanitation Code, the tried and proven grade A sanitation standards of the milk ordinance and code recommended by the Public Health Service.

4. H.R. 50 does not contain an "affects interstate commerce" clause and, thus, would not deprive States and local communities of the right to exercise full sanitary control over their intrastate supplies.

5. H.R. 50 would assure fluid milk and milk products of high sanitary quality to jurisdictions receiving milk and milk products under its provisions.

6. H.R. 50 would discourage State and local jurisdictions from sending their own personnel to make inspections of out-of-State milk sources and thus, to a large degree, would eliminate unnecessary and wasteful duplication of inspection services.

7. The provisions of H.R. 50 could be carried out by the Surgeon General of the Public Health Service at a relatively modest expenditure by the Federal Government. A statement of estimated administrative costs of the bill projected over the next 5 years is enclosed with the Department's report on H.R. 50.

I wish to thank the committee for its courtesy to me and to the Department in the presentation of this statement.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. JOHNSON of Wisconsin (at the request of Mr. NATCHER), for 10 minutes, today.

Mr. STAGGERS, for 10 minutes, today.

Mr. CONTE (at the request of Mrs. MAY), for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MADDEN and include a speech he made in Indianapolis yesterday at an Army Engineers hearing.

Mr. FINO.

Mr. CAREY.

Mr. PHILBIN and include extraneous matter.

Mr. JOHNSON of Wisconsin to revise and extend his remarks and include extraneous matter in his special order today.

Mr. MAHON, his remarks today, and to insert a letter.

(The following Member (at the request of Mrs. MAY) and to include extraneous matter:)

Mr. PIRNIE.

(The following Member (at the request of Mr. EDMONDSON) and to include extraneous matter:)

Mr. BRADEMAS.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore:

H.R. 566. An act authorizing the establishment of a national historic site at Fort Davis, Jeff Davis County, Tex.

SENATE ENROLLED BILLS SIGNED

The SPEAKER pro tempore announced his signature to enrolled bills of the Senate of the following titles:

S. 85. An act for the relief of Maria Dolores Villar Salinas, Angela Casanova Cabello, Carmen Guenaga Anchustegui, and Flora Casals Pons;

S. 304. An act for the relief of Anna Lekos;

S. 570. An act for the relief of Giuseppa Alonzi;

S. 713. An act for the relief of Anastasia Stassinopoulos; and

S. 722. An act for the relief of Aideh Kobler.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 29. An act to amend section 216(b) of the Merchant Marine Act, 1936, as amended, to permit the appointment of U.S. nationals to the Merchant Marine Academy;

H.R. 44. An act to authorize the appropriation of $150,000 for use toward the construction of a U.S. Pacific War Memorial;

H.R. 1794. An act to provide for the conveyance of certain real property of the United States situated in Hawaii to the State of Hawaii;

H.R. 2898. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof;

H.R. 3526. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof;

H.R. 5235. An act to authorize the Confederated Tribes of the Warm Springs Reservation of Oregon to acquire land within the boundaries of their reservation;

H.R. 5964. An act to authorize the use of funds arising from a judgment in favor of the Pottawattomi Nation of Indians, and for other purposes;

H.R. 6102. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in Highlands County in the State of Florida to the record owners of the surface thereof;

H.R. 7108. An act to amend the Federal Home Loan Bank Act and title IV of the National Housing Act, and for other purposes;

H.R. 8277. An act to amend the Federal Home Loan Bank Act to simplify and improve the election and appointment of directors of the Federal home loan banks; and

H.R. 8922. An act to amend the Small Business Act to increase by $20 million the amount available for regular business loans thereunder.

ADJOURNMENT

Mr. EDMONDSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Friday, September 1, 1961, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1274. A communication from the President of the United States, transmitting a proposed supplemental appropriation to pay claims and judgments rendered against the United States, as provided by various laws, in the amount of $21,751,161, together with such amounts as may be necessary to pay indefinite interest and costs (H. Doc. No. 229); to the Committee on Appropriations.

1275. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a draft of a proposed bill entitled "A bill to amend the act of July 21, 1961, and for other purposes"; to the Committee on Science and Astronautics.

1276. A letter from the Administrator, General Services Administration, transmitting a report of all leases for periods exceeding 5 years for building space entered into by the General Services Administration during the period January 1 through June 30, 1961, pursuant to Public Law 85–493; to the Committee on Government Operations.

1277. A letter from the Assistant Secretary of the Air Force, transmitting a draft of a proposed bill entitled "A bill for the relief of Maj. Leonard H. Potterbaum, U.S. Air Force; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BOLLING: Committee on Rules. House Resolution 444. Resolution providing that the call of the Consent Calendar and consideration of motions to suspend the rules in order on Monday, September 4, 1961, may be in order on Wednesday, September 6, 1961; without amendment (Rept. No. 1089). Ordered to be printed.

Mr. WILLIAMS: Committee on Interstate and Foreign Commerce. S. 320. An act to amend the provisions contained in part II of the Interstate Commerce Act concerning registration of State certificates whereby a common carrier by motor vehicle may engage in interstate and foreign commerce within a State; with amendment (Rept. No. 1090). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 1093. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. HAYS: Committee on Foreign Affairs. H.R. 8666. A bill to provide for the improvement and strengthening of the international relations of the United States by promoting better mutual understanding among the peoples of the world through educational and cultural exchanges; with amendment (Rept. No. 1094). Referred to the Committee of the Whole House on the State of the Union.

Mr. FALLON: Committee on Public Works. S. 1719. An act to amend title 23 of the United States Code with respect to Indian reservation roads; with amendment (Rept. No. 1095). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 2488. A bill to amend the Shipping Act, 1916, to provide for licensing independent ocean freight forwarders, and for other purposes; with amendment (Rept. No. 1096). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 8632. A bill to amend section 510(1) of the Merchant Marine Act, 1936, relating to the exchange of vessels; with amendments (Rept. No. 1097). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Committee of conference. H.R. 7576. A bill to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (Rept. No. 1101). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POFF: Committee on the Judiciary. H.R. 2344. A bill for the relief of Teresa Del Vecchio Cipollone; without amendment (Rept. No. 1091). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H.R. 4484. A bill for the relief of Miss Liu Lai Ching; with amendment (Rept. No. 1092). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 2615. A bill for the relief of Dr. Victor Wang Ta Ng and his wife, Alice Siu Har Ng; without amendment (Rept. No. 1098). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H.R. 3008. A bill for the relief of Hom Hong Hing, also known as Tommy Joe; without amendment (Rept. No. 1099). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 4499. A bill for the relief of Mrs. Margaret Ruda Daniel; without amendment (Rept. No. 1100). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. POWELL:

H.R. 9000. A bill to extend for 2 additional years the expired provisions of Public Laws 815 and 874, 81st Congress, and the National Defense Education Act of 1958, and for other purposes; to the Committee on Education and Labor.

By Mr. BONNER:

H.R. 9001. A bill to amend the Merchant Marine Act, 1936, in order to provide for the reimbursement of certain vessel construction expenses; to the Committee on Merchant Marine and Fisheries.

By Mr. CORBETT:

H.R. 9002. A bill to amend the Civil Service Retirement Act so as to include certain oversea service with the American National Red Cross as creditable service for purposes of such act; to the Committee on Post Office and Civil Service.

By Mr. CONTE:

H.R. 9003. A bill to establish a U.S. Disarmament Agency for World Peace and Security; to the Committee on Foreign Affairs.

By Mr. CUNNINGHAM:

H.R. 9004. A bill to deny the use of the U.S. postal service for the carriage of Communist political propaganda; to the Committee on Post Office and Civil Service.

By Mr. MACDONALD:

H.R. 9005. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for one-half of the expenses incurred by him in the construction of a civil defense shelter of approved type and design; to the Committee on Ways and Means.

By Mr. RIVERS of Alaska:

H.R. 9006. A bill to provide for establishing and operating a foreign trade zone, a hall of States, and an international reception and information center at the Anchorage International Airport, Anchorage, Alaska, and for other purposes; to the Committee on Ways and Means.

By Mr. SANTANGELO:

H.R. 9007. A bill to provide for the issuance of a special postage stamp to commemorate the 15th anniversary of the establishment of the Touro Synagogue at Newport, R.I., as a national shrine; to the Committee on Post Office and Civil Service.

By Mr. UTT:

H.R. 9008. A bill to regulate the foreign trade of the United States by providing safeguards to domestic industry against unfair and destructive imports and to authorize reciprocal trade agreements between the United States and foreign countries; to the Committee on Ways and Means.

By Mr. McMILLAN:

H.R. 9009. A bill to amend the act entitled "An act to regulate the height of buildings in the District of Columbia," approved June 1, 1910, as amended; to the Committee on the District of Columbia.

By Mr. STAGGERS:

H.R. 9010. A bill to create a Department of Peace; to the Committee on Government Operations.

By Mr. FOGARTY:

H.R. 9011. A bill to make available to children who are handicapped by deafness the specially trained teachers of the deaf needed to develop their abilities; to the Committee on Education and Labor.

By Mr. RYAN:

H.R. 9012. A bill to provide for the desegregation of public schools, with all deliberate speed, including nationwide first-step compliance by 1963, and for other purposes; to the Committee on Education and Labor.

By Mr. THOMPSON of Texas:

H.R. 9013. A bill to provide for the transfer of rice acreage history where producer withdraws from the production of rice; to the Committee on Agriculture.

By Mr. ZELENKO:

H.J. Res. 560. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MULTER:

H.J. Res. 561. Joint resolution relative to observing the 75th anniversary of Yeshiva University; to the Committee on the Judiciary.

By Mr. GRANT:

H. Con. Res. 382. Concurrent resolution declaring the sense of the Congress that no further reductions in tariffs be made during the life of the present Reciprocal Trade Agreements Acts; to the Committee on Ways and Means.

By Mr. PILLION:

H. Con. Res. 383. Concurrent resolution expressing the sense of the Congress regarding the Mongolian People's Republic; to the Committee on Foreign Affairs.

By Mr. PHILBIN:

H. Res. 446. Resolution extending greetings and felicitations of the House of Representatives to the people of Ware, Mass., on the occasion of the 200th anniversary of their community; to the Committee on the Judiciary.

By Mr. PILLION:

H. Res. 447. Resolution expressing the sense of the House of Representatives regarding the Mongolian People's Republic; to the Committee on Foreign Affairs.

By Mr. BURLESON:

H. Res. 448. Resolution amending rule XXXV, Rules of the House of Representatives, 87th Congress; to the Committee on Rules.

By Mr. FRIEDEL:

H. Res. 449. Resolution relating to additional salary for the assistant tally clerk No. 2 (minority); to the Committee on House Administration.

By Mr. THOMSON of Wisconsin:

H. Res. 450. Resolution requesting the FCC to continue all VHF television broadcasting until the Commission's pending UHF study is completed and a full and detailed report is available to the Congress and the public; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOW:

H.R. 9014. A bill for the relief of Domenico De Matteis; to the Committee on the Judiciary.

H.R. 9015. A bill for the relief of Athena Velliou; to the Committee on the Judiciary.

By Mr. DAGUE:

H.R. 9016. A bill for the relief of Takako Susuki Moore; to the Committee on the Judiciary.

By Mr. FINNEGAN:

H.R. 9017. A bill authorizing the Administrator of Veterans' Affairs to convey certain property to Loyola University of Chicago; to the Committee on Veterans' Affairs.

By Mr. FINO:

H.R. 9018. A bill for the relief of Vito La Fata; to the Committee on the Judiciary.

H.R. 9019. A bill for the relief of Salvatore Romeo; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 9020. A bill for the relief of Aue Ming Sum, Jan Long Line Gay, Aue Tong Yick, Aue Jam Hige, Aue Joan, and Aue Jim Tein; to the Committee on the Judiciary.

By Mr. THOMPSON of Texas:

H.R. 9021. A bill for the relief of Dr. Julian M. Chen; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

"Chances Are Growing for Medical Aid Plan Under Social Security," Wall Street Journal Staff Reporter Asserts in Comprehensive News Article—Senator Randolph Calls for Bold and Courageous Action

EXTENSION OF REMARKS
OF
HON. JENNINGS RANDOLPH
OF WEST VIRGINIA
IN THE SENATE OF THE UNITED STATES
Thursday, August 31, 1961

Mr. RANDOLPH. Mr. President, I was intrigued by this headline in the Wall Street Journal today: "Care for the Aged: Chances Are Growing for Medical Aid Plan Under Social Security; Election Year Pressure Will Help 1962 Prospects—Cost Worry May Limit Benefits—Local Polls Sway Lawmakers."

The news article by John A. Grimes, staff reporter of the Wall Street Journal, under that headline is encouraging to those of us who support the principle of medical care for the aged under the social security system.

I hope the quotation included in the story, "It is no longer a question of whether; it is when," is an accurate appraisal of sentiment in the Congress favorable to prepaid medical care benefits for our senior citizens through the social security system. When? My answer is that enactment of legislation on this subject cannot come too soon, and hopefully during the life of this 87th Congress.

In West Virginia, I have campaigned consistently on the affirmative side of this issue and I know from my many contacts with the people at the grassroots and from the volume of my correspondence on the subject that a preponderant number of our citizens of all ages support the affirmative viewpoint. There is a real desire that a start be made on the establishment of a plan embracing the principle of paying in the productive years for medical care which few will escape needing in their periods of retirement.

Senator KERR and other members of the Senate Finance Committee gave painstaking attention to this problem. I believe, as I stated during debate on care for the aged, that the esteemed senior Senator from Oklahoma deserved commendation for his sincere efforts in the formulation of a plan. That program, enacted into law during the 86th Congress, should be supplemented. If we embrace the broadest social security formula a merited advance will be achieved.

I am not wedded to any thought that the initial approach to bringing medical care for the aged under social security must be an all-benefits-included plan, because I know the system will have to be evolved on a relatively gradual basis in order to be fiscally sound and administratively feasible. Nevertheless, even the first step must be a bold and courageous one.

At every opportunity in the 86th Congress and again in this 87th Congress, I have taken and will continue to take advantage of every appropriate occasion to express my support for the principle that medical care for the aged should be made a part of social security.

In this connection, Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement I made before the House Ways and Means Committee on August 2, 1961, in favor of pending legislation on the subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JENNINGS RANDOLPH, OF WEST VIRGINIA, TO THE HOUSE WAYS AND MEANS COMMITTEE, IN SUPPORT OF LEGISLATION TO EXPAND SOCIAL SECURITY TO PROVIDE MEDICAL CARE FOR THE AGED, WEDNESDAY, AUGUST 2, 1961

Mr. Chairman, I am most appreciative of the opportunity afforded by this committee to present my views in support of proposed legislation which would expand the social security program to provide medical care for the aged on a prepaid insurance basis to supplement the medical assistance for the needy aged provisions of Public Law 86–778.

West Virginia was one of the first States to enact legislation to enable it to participate in the health care program for needy aged under Public Law 86–778. The initial action taken in our State was the enactment of necessary legislation by the West Virginia Legislature in an October 1960 extraordinary session called for that purpose.

Ours was perhaps not the only State which entered into the program on what was then believed to be a temporary expedient basis on the assumption that Congress would pass a more substantial and more meaningful measure under social security tax financing. In a sense, West Virginia now is being penalized for this early action in behalf of those of its aged citizens who qualify under the Federal-State program authorized by Public Law 86–778 and our State law which implemented it.

The failure of Congress to move ahead with and provide social security coverage for medical care purposes has already necessitated in West Virginia the development of plans for a cutback in the existing program of medical services for the needy aged. And if the proposals for social security expansion are delayed beyond this year it is estimated that West Virginia's share of the cost of the limited needy aged care plan will advance to between $10 million and $12 million.

In a recent cogent article on the medical care-for-the-aged problem in West Virginia, a well-informed writer for the Charleston Gazette wrote:

"Without passage of the administration proposal for expanded social security coverage to include medical care for the aged, which would shift financing to social security from general revenue, this State will be hard pressed to meet its aged care obligations in the year ahead. * * * Medical care for the aged cannot long be supported by direct taxation. Social security, under which the individual would pay for his care in unproductive years while he is still productive, is the only solution for financing on a permanent basis.

"When the present program of medical assistance for the needy aged was passed last October 1960, the financing plan adopted was a temporary expedient. The Governor recommended a shift of funds from other purposes to carry the program until March of this year, and the legislature acquiesced.

"The 6-month plan was calculated to coincide with action in Washington on the social security proposal. It was anticipated that the shift from general taxation to social security would be made within 2 months after Congress convened in January.

"When it was realized early this year that the social security measure was in trouble, the West Virginia Legislature decided to continue the program in the old form until January of next year. Aged care as a public service had been so slow getting off the ground that much of what was appropriated in October 1961 was still available when the legislature faced the problem anew in February.

"With this backlog of funds, plus an additional appropriation of $1,325,256, it was believed that West Virginia would have enough money for its needy aged medical care program to last through December, with the Federal Government paying 70 percent of the program's costs.

"But the situation has changed radically since the legislature went home in March. Medical care costs have skyrocketed. Where they were running at $153,867 when the legislative decision on anticipated needs was made in February, they were running at $391,859 last month, June.

"State Welfare Director W. Bernard Smith is indeed worried. There is no longer any cushion to carry the program past December 31, as there was last March. As conditions stand, Smith either has the choice of stopping the program before the legislature returns again to appropriate more money or of curtailing services. Chances are he will order a cutback in services very soon. He and his staff are now studying ways to reduce services without wrecking the program.

"And what does the future hold after next January? In event the social security program is again sidetracked, it is believed that West Virginia's share of the cost of needy aged care will run to $10 or $12 million annually.

"This is a shocking prospect when one realizes that the next legislature has no-

where to look for so much money without going through the painful process of revamping the entire tax structure after having already done so during the last regular session before adjourning in March."

That is the picture confronting the officials and the citizens of West Virginia.

Mr. Chairman, those of us who support the social security concept of medical care for the aged do not deny the value of Public Law 86–778. But many of us have acknowledged its value as a supplement to, rather than a substitute for, social security financing. As a general measure, Public Law 86–778 fails to provide the soundest financing and it adds an inordinate load to the already overburdened States, and it falls far short of offering adequate medical care for the needy aged, including the great majority of elderly persons who are unable to finance their health care under the impact of constantly mounting costs.

The inadequacy of the present law and its heavy impact on States through matching requirements are attested to by the small number of States which have programs in effect and the few which have elected to participate in its benefits this year. This record of achievement is inadequate to the needs of one of the most urgent social and humanitarian problems of our day.

Neither logic nor experience, neither social justice nor economic prudence can justify the resistance to social security financing of aged health care, which would allow men and women to pay for their later medical needs during the most productive years of their working lives. This program is opposed on the grounds of dogma rather than experience, and it is attacked by scare slogans rather than reason.

We are informed, too, that during the 6 months after Public Law 86–778 went into effect on October 1, 1960, Federal matching payments to the States for old-age assistance and medical care increased by $44.5 million. This has enabled some States to decrease their spending for old-age assistance, to be sure, but when the number of States fully participating in Public Law 86–778 increases materially, I am certain the result will be that both Federal participation and State expenditures will mount rapidly.

This situation, developing at a time when the demands upon general revenues at both the Federal and State levels are on the increase, must be rectified—and this can best be done by turning to the social security method of financing medical care for the aged and by increasing the social security tax for this purpose.

Mr. RANDOLPH. Mr. President, I ask unanimous consent also that there be printed in the CONGRESSIONAL RECORD the news article published in today's issue of the Wall Street Journal to which I made reference.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CARE FOR THE AGED: CHANCES ARE GROWING FOR MEDICAL AID PLAN UNDER SOCIAL SECURITY—ELECTION YEAR PRESSURE WILL HELP 1962 PROSPECTS; COST WORRY MAY LIMIT BENEFITS—LOCAL POLLS SWAY LAWMAKERS

(By John A. Grimes)

WASHINGTON.—Chances are growing that Congress next year will approve the hotly controversial plan for medical care for the aged via social security.

Passage, if it comes, will not be easy. Because of the cost, backers may have to settle for a cut-down version of President Kennedy's present scheme to pay hospital, nursing home, and other bills for 14 million Americans aged 65 or more.

But the belief is growing among foes as well as friends of the plan that it is destined for congressional approval in some form. A hard-core opponent of the proposal, sensing the trend in capital sentiment, concludes: "It's no longer a question of whether; it's when." Adds another foe: "There's just too much pressure for Congress to hold out against."

Almost as soon as the legislators return to town next January, they'll be greeted by an election-year concert of demands for new health help. Many of the folks 65 or over will make themselves heard; even in the present lull, says one Congressman, "there's enough mail tricking in to remind you that they're watching." Labor's lobbyists will turn on a flood of letters from union members and their families. State Governors tussling with budget problems will prod lawmakers for social security financing; this might ease the States burdens under medical care programs they now partly finance. And President Kennedy's legislative strategists, who have deliberately refrained from pressing the health issues to any showdown this year, will turn on real heat.

COST AND COMPULSION

All this pressure is now expected to overcome stony resistance among conservatives who object to the cost and compulsory aspect of social security financing, and among doctors who see a step toward socialized medicine.

Administration lobbyists are concentrating their fire on the House Ways and Means Committee, where a medical care bill must start its trip through the legislative mill and where the opposition has been tough. "We've changed some votes," asserts a key lobbyist, "though I don't know for sure that we've changed enough."

More particularly, Kennedy aids are trying to win over Committee Chairman MILLS, an Arkansas Democrat who not only voted against a social security health bill last year but helped author the Federal-State cost-sharing program that Congress enacted instead. "If we can get MILLS, we've automatically got the votes we need," figures one tactician. Officials are confident the issue can be negotiated with Mr. MILLS, even if it means cutting down the benefits in the President's plan for the sake of establishing a principle.

It's too soon to tell if any special pressure will be applied, but Kennedy men will at least appeal to the Congressman's sense of party responsibility, working through such administration supporters on the committee as Louisiana's Representative BOGGS.

ADDED AMMUNITION

As added ammunition, White House lobbyists are counting heavily on arguments that the Federal-State plan adopted last year is proving inadequate to meet old folks' health needs. In the first 6 months of the law's operation, reports Assistant Health, Education, and Welfare Secretary Cohen, only a few more than 10,000 new ailing elderly people received State medical help. States are moving very slowly, HEW officials contend, to pick up their part of the burden.

"A lot of Congressmen went home last year thinking they'd taken care of the oldsters' medical problems, and found themselves still on the spot," remarks a key congressional staff man. "Now, some of them are almost eager to vote for the social security plan."

As an indicator of the support for the social security health plan, some lawmakers from supposedly conservative districts are getting some surprising results in polls of the home folks.

Republican Representative WIDNALL of New Jersey, expressing astonishment at a 20-percent response to 60,000 general questionnaires mailed out, reports a 62.5-percent yes vote for the proposal. Pennsylvania's GOP Representative SCHNEEBELI reports a 59-percent vote in favor of the social security approach. And a poll by Republican Representative HOSMER, of California, while finding constituents opposed to Federal aid for teachers' salaries and thought labor needed more regulation, simultaneously came up with a 53-percent yes response on the social security question.

BETTER MOBILIZATION?

By next year, the supporters may be better mobilized than ever. Retired Democratic Congressman Forand, of Rhode Island, who helped father the plan for medical benefits under social security, has just announced formation of a National Council of Senior Citizens for Health Care Through Social Security, with headquarters on Capitol Hill, as a lobby to work for the goal its name specifies.

The present stealthy advance of this proposed boom for the elderly marks a comeback from seeming disaster. Last summer, amid the heat of Presidential politicking, both the Senate and the House fought off all efforts—Candidate Kennedy's included—to shoehorn a health schedule into the social security law. This year, despite the President's placement of the plan high on his legislative "must" list, Congress has gone no further than to hold 2 weeks of hearings on it.

Even apart from any socialized-medicine danger, there's genuine apprehension among many lawmakers as to where this new plunge might take the social security system in the long run.

"Anything we okay along this line will be just a foot in the door," frets a key Ways and Means Committee member. "It could end up costing more billions than anyone has been talking about." Another influential Congressman worries that social security tax increases necessary to pay for possible expansions of a health-care program, along with other tax boosts already scheduled, would bring a revolt by the public against the whole social security system.

The Congressmen who are worrying about even the early costs of a health plan under social security note that the administration already has been having trouble with its cost estimates. Administration officials have conceded that their first figures on the cost of nursing home care were too low.

Leonard Larson, president of the American Medical Association, labels Mr. Kennedy's plan "unpredictably but extremely expensive." J. Douglas Colman, speaking for the Blue Cross private health insurance plans, contends the administration's cost estimates are "hazardously low" for all but the first year or two of operation.

Next year's battle over health care for the aged will revolve, initially at least, around the administration's plan now hanging fire in the House Ways and Means Committee. This calls for payment, out of a special social security account, of certain health bills for any or all of 14.2 million persons aged 65 and over who now are eligible for social security pensions—whether they need the help or not. The benefits: Up to 90 days of hospital care for one illness, after an out-of-pocket cost to the patient of $20 to $90; 180 days of skilled nursing-home care for one illness; 240 home health service visits a year; and hospital out-patient expenses that amount to more than $20 apiece. Cost of the package, by administration estimates, would be $1.1 billion in the first full year of operation, rising to $2.6 billion by the year 2000.

TWO-WAY TAX BOOST

To collect the necessary funds, the administration proposes a two-way increase in social security taxes paid by workers and their bosses. First, the maximum amount of each worker's taxable wages would be increased to $5,200 a year from the present $4,800. In addition, the tax rate would be

boosted by one-quarter of a percentage point each on employer and employee; the present rate is 3 percent apiece. This would pluck an additional maximum of $13 a year from the paycheck of a worker now covered by social security, and a like amount from his employer's cash register. This increase would be piled atop already scheduled tax boosts which would take the top annual social security paycheck bite from $144 each for a worker and his employer now to $222 starting in 1968.

By comparison, what Mr. MILLS fashioned last year, with the help of Oklahoma's Senator KERR, was a program to fatten Federal public-assistance payments to the States; the increase was earmarked for medical benefits for needy old people. As envisioned by its authors, the plan could be stretched to cover as many as 12 million of the nearly 17 million persons aged 65 and over, whether they are on social security rolls or not.

First, Uncle Sam agreed to put up 50 percent to 80 percent of an added $12 a month—a sum raised just this year by Congress to $15—for increased medical benefits to be made available to some 2.4 million Americans already getting Federal-State old-age assistance; the top payment in which the United States will share now stands at $80 a month per individual. Second, under a new medical assistance program the Government undertook to shoulder 50 percent to 80 percent of the cost of certain health benefits offered by the States to as many as 10 million more senior citizens who, though not on public assistance, might find the cost of an illness more than they could afford. The total Federal bill, it was estimated, might climb as high as $165 million in the first full year that all States had some sort of plan working.

CLAIMS AND CHARGES

Though the Kerr-Mills plan is less than a year old, its performance to date has already brought both claims of success and charges of failure.

The American Medical Association, which sees the evil of socialized medicine lurking in the administration proposal, insists that the record of State participation so far is "remarkable proof" that the Kerr-Mills plan is working. The doctors' group, along with other opponents of the social security plan, insists the 1960 law in combination with the spread of private health insurance plans will take care of the problem by reach the old people who really need medical help.

HEW officials take a less hopeful view. Their calculations show that about half the 43 States already offering medical help to old-age assistance recipients have taken legislative steps to improve these programs, and three States have started giving such aid to needy old-age assistance beneficiaries for the first time. But State adoption of the other half of the Kerr-Mills plan is moving more slowely. As of mid-August, HEW statisticians reported that 14 States were operating, in some form, medical-assistance plans for the aged not on old-age assistance roles; eight more States have adopted the necessary legislation and hope to have a program working by next year; and another eight States have legislation pending or have enacted a program but no funds for it. Action on plans in 19 more States "is not anticipated," HEW officials claim.

DRUGS AND DENTURES

Furthermore, they add, many State plans fall far short of the glowing list of benefits set forth in the law as eligible for Federal matching funds; these range from full hospital services down through doctor and dentist bills and the cost of doctor-prescribed drugs and dentures. One example cited: Kentucky limits hospital stays to 6 days, has a two-call limit on physicians' services, and a ceiling of $48 a year on dentist bills covered. HEW Secretary Ribicoff complains unequal treatment from State to State is "not fair to the elderly."

Mr. Ribicoff warns, too, of a "fantastic drain" on hard-pressed State treasuries if the present plan ever is broadened to cover the major share of medical costs for the aged. He forecasts a possible $1 billion-a-year price tag, with the States having to pay just under half of this.

Declares a report by the special Senate Subcommittee on Problems of the Aged, headed by Democratic Senator MCNAMARA, of Michigan, an ardent backer of social security financing: "The States already are experiencing difficulty in financing other essential programs. * * * The danger emerges therefore that the economic burden of the medical assistance for the aged program will tend to restrict the scope of benefits and the aged population to be covered, and thus fail to meet the long-range legislative intent of the program."

Added to all this pressure on Congress is the steady growth in the number of old folks, many of them demanding help with medical bills. Since 1950, the 65-and-over population has climbed by nearly 4.5 million to around 17 million; by 1970, it's expected to top 20 million. More and more, Congressmen report, the elderly have become a formidable political bloc.

Climbing medical costs are also keeping the health issue hot. This past June, the medical care category of the Government's consumer price index stood at 168.8 percent of the 1947–49 average, 3.9 percent above the level of a year earlier and far over the 105.4 percent reading for June 1950. In the same 10-year period, the total cost of living index rose from 101.8 percent of the 1947–49 average to 127.6 percent.

Educational Problems in the State of New York

EXTENSION OF REMARKS
OF
HON. ALEXANDER PIRNIE
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, August 31, 1961

Mr. PIRNIE. Mr. Speaker, in representing the second largest federally impacted area in the State of New York, I can attest to its problems in providing proper education for the thousands of children in the Rome-Utica-Oneida, N.Y., region.

Employing nearly 13,000 individuals, Griffiss Air Force Base rivals Idlewild International Airport in size. Although possessing assets conservatively valued in excess of $110 million, this installation pays no local real estate taxes. Therefore, for those affected school districts, Federal assistance in lieu of taxes is fully justified. For over a decade, the Federal Government has recognized this responsibility. Therefore, Public Laws 815 and 874 should be extended without delay.

Moreover, it is equally important to continue the provisions of the National Defense Education Act whereby qualified young people receive the opportunity for higher education despite lack of funds. During my service in the Congress, I have been glad to make information available on this program to all high school graduates in my district. In this age of rapidly expanding technology, education has received increased recognition as one of our Nation's foremost assets. It would be tragic to permit either or both of these worthy programs to falter because of an attempt to use them as a political gimmick to enlist support for massive Federal aid to education. These measures deserve favorable consideration by the Congress and should not be jeopardized in any way because of pressures for new and uncharted programs in areas of questionable responsibility.

George Whelan Anderson, Jr.

EXTENSION OF REMARKS
OF
HON. HUGH L. CAREY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, August 31, 1961

Mr. CAREY. Mr. Speaker, on August 1, the great Borough of Brooklyn in the city of New York was accorded a signal honor by our President in the appointment of one of her native sons to a high position in the defense forces of the Nation. On June 22, 1961, President John F. Kennedy announced the nomination of Vice Admiral Anderson as Chief of Naval Operations. He succeeded Adm. Arleigh Burke in that position on August 1, 1961.

George Whelan Anderson, Jr., was born on December 15, 1906, in Brooklyn, N.Y., son of George W. and Clara (Green) Anderson. He attended Brooklyn Preparatory School, and entered the U.S. Naval Academy, Annapolis, Md., from his native State in 1923. Graduated and commissioned ensign on June 2, 1927, he subsequently advanced in rank to that of rear admiral, to date from August 1, 1954. He served in the rank of vice admiral from May 1, 1957, until January 18, 1958, and on September 14, 1959, he again assumed the rank of vice admiral.

Following graduation from the Naval Academy in 1927, he remained there for the short course in aviation, before reporting to the U.S.S. *Cincinnati*, on which he served as a junior officer until 1930. He was then ordered to the Naval Air Station, Pensacola, Fla., for flight training and, designated naval aviator in October of that year, was ordered to the Atlantic Fleet for duty in the aviation units of the U.S.S. *Concord* and U.S.S. *Raleigh*, successively.

Between 1933 and 1935 he was assigned to the flight test division of the Naval Air Station, NOB, Norfolk, Va., after which he had duty afloat with Fighting Squadron 2, based on the U.S.S. *Lexington*. He was detached from that squadron with orders to the Newport News (Va.) Shipbuilding & Dry Dock Co., where the U.S.S. *Yorktown* was building, and joined that aircraft carrier on her commissioning on September 30, 1937. From the fall of 1939 until early 1940 he was attached to Patrol Squadron 44, Patrol Wing 4, based at Seattle, Wash.

He was next assigned to the plans division, Bureau of Aeronautics, Navy Department, Washington, D.C., and while there participated in the formulation of the American aircraft program for World War II. This included association with wartime agencies charged with production and allocation of all U.S. aircraft, and planning the aircraft aspects of the expansion of naval aviation. For his liaison work with the Army Air Force while in that assignment, he received a letter of commendation from the War Department, with authorization to wear the Army commendation ribbon.

In March 1943 he again reported to the Newport News Shipbuilding & Dry Dock Co., this time to assist in fitting out the new U.S.S. *Yorktown*—CV–10—and became navigator and tactical officer when she was commissioned on April 15, 1943. He was aboard that aircraft carrier during her early action in the Pacific, and received a letter of commendation, with authority to wear the commendation ribbon, from the commander in chief, U.S. Pacific Fleet, for outstanding services from August 15 to November 1, 1943, while attached to the U.S.S. *Yorktown*.

He is also entitled to the ribbon for, and a facsimile of the Presidential Unit Citation awarded the U.S.S. *Yorktown* for "extraordinary heroism in action against enemy Japanese forces in the air, at sea, and on shore in the Pacific war area from August 31, 1943, to August 15, 1945."

He next had duty as plans officer on the staff of commander aircraft, U.S. Pacific Fleet, and for "exceptionally meritorious conduct as head of the plans division of the staff of commander, Air Force, U.S. Pacific Fleet, during the period from November 1943 to March 1944," he was awarded the Legion of Merit.

On March 28, 1944, he reported as assistant to the deputy commander in chief, U.S. Pacific Fleet and Pacific Ocean areas. He was awarded the Bronze Star Medal for "meritorious achievement—in that capacity—during operations against enemy Japanese forces in the Pacific war area, from March 28, 1944, to April 16, 1945."

In June 1945, he became aviation officer in the strategic plans section on the staff of the commander in chief, U.S. Fleet, with headquarters at the Navy Department, Washington, D.C. As such he also had duty as Deputy Navy Planner on the Joint Planning Staff. Ordered to the Office of the Chief of Naval Operations, Navy Department, he was appointed a member of the Permanent Joint Board on Defense—Canada-United States—in November 1946; was also one of the Navy members of the Brazilian-United States Defense Commission and served with the Joint War Plans Committee of the Joint Staff.

In July 1948 he returned to sea as commanding officer of the U.S.S. *Mindoro*, and when detached from that antisubmarine carrier in August 1948, reported for instruction at the National War College, Washington, D.C. Completing the course there in July 1950, he joined the staff of the commander, 6th Fleet, as fleet operations officer. In December 1950 he transferred to the staff of the Supreme Allied Commander in Europe—SHAPE—and remained there until July 1952 as the senior U.S. officer in plans and operations. He served as commanding officer of the U.S.S. *Franklin D. Roosevelt* for a year, and when detached from command of that aircraft carrier in June 1953, reported for duty in the Office of the Chief of Naval Operations, Navy Department.

In July 1953 he became special assistant to the Chairman of the Joint Chiefs of Staff, Washington, D.C., continuing to serve in that capacity until July 1955. On August 3, that year, he assumed command of the Formosa Patrol Force with additional duty as commander, Fleet Air Wing 1—his title was changed late in 1955 to commander, U.S. Taiwan Patrol Force. He was Chief of Staff, Joint Staff, commander in chief, Pacific, from July 1956 until May 1957, when he reported in the rank of vice admiral as chief of staff and aid to the commander in chief, Pacific. He was commander, Carrier Division 6, from July 1958 until September 14, 1959, when he became commander, 6th Fleet, and commander, naval striking and support forces, southern Europe, with the accompanying rank of vice admiral.

In addition to the Legion of Merit, the Bronze Star Medal, the Commendation Ribbon—Navy—the Commendation Ribbon—Army—and the Presidential Unit Citation Ribbon with one star, Admiral Anderson has the American Defense Service Medal; the American Campaign Medal; the Asiatic-Pacific Campaign Medal with two stars; the World War II Victory Medal; and the National Defense Service Medal. He has also been awarded the Order of the British Empire, rank of honorary officer, from the Government of Great Britain.

Admiral Anderson's official address is Brooklyn, N.Y., but he makes his home in Washington, D.C. He is married to the former May Lee Lamar Sample, of Pensacola, Fla., and has two sons, Lt. George W. Anderson III, U.S. Navy—class of 1957—and Thomas Patrick; a daughter, Mary Annette; and stepdaughter, Miss Carolyn Sample.

Lotteries of West Germany and West Berlin

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 31, 1961

Mr. FINO. Mr. Speaker, I should like to tell the Members of this House about the government lotteries of West Germany. There are two major regional lotteries in West Germany, and an additional one in West Berlin.

The total gross receipts of the German lotteries in 1960 amounted to about one quarter of a billion dollars. The net profit to the government in that year was close to $50 million.

West Germany and West Berlin gather large revenues from these lotteries, and we would do well to profit from their example in these days when our financial resources are being taxed as never before to enable us to meet our defense requirements. Now, more than ever, America needs a national lottery—especially if it is the only alternative to higher taxation.

Testimony of Congressman Philip J. Philbin, Third Massachusetts District, Before Subcommittee on International Organizations and Movements, House Foreign Affairs Committee, on House Joint Resolution 488, To Establish a Temporary Loan Guarantee Program for the 1962 World Sport Parachuting Championship, August 29, 1961

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 31, 1961

Mr. PHILBIN. Mr. Speaker, under leave to extend my remarks in the RECORD, I desire to insert testimony which I recently gave before the distinguished House Foreign Affairs Subcommittee on International Organizations and Movements, urging Federal encouragement and support of the 1962 World Sport Parachuting Championship to be held at Orange, Mass.:

TESTIMONY OF CONGRESSMAN PHILIP J. PHILBIN, THIRD MASSACHUSETTS DISTRICT, BEFORE SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS AND MOVEMENTS, HOUSE FOREIGN AFFAIRS COMMITTEE, ON HOUSE JOINT RESOLUTION 488, TO ESTABLISH A TEMPORARY LOAN GUARANTEE PROGRAM FOR THE 1962 WORLD SPORT PARACHUTING CHAMPIONSHIP, AUGUST 29, 1961

Mr. Chairman and members of the committee, as author of one of the bills to establish a temporary loan guarantee program in connection with the 1962 World Sport Parachuting Championship to be held at Orange, Mass., I am very thankful indeed for the expeditious manner in which this outstanding committee has scheduled hearings on these bills and, of course, for the opportunity to appear here today.

In my opinion, great importance is attached to this scheduled event, which is the sixth world sport parachuting championship.

You recall that you previously considered and reported what is now Public Law 86–796, providing for an invitation to attend this great event and such invitation has been delivered by an official of the American Embassy in Vienna to the Parachuting Committee of the Federation Aeronautique Internationale and has already been accepted by 15 or more nations.

It should be noted that the selection of the United States as host for 1962 was opposed publicly by the Soviet Union on the grounds that this country could not conduct a championship parachuting event as well as the three previous events of this type which were held behind the Iron Curtain.

As planned, this sixth championship will be the largest international aviation competition ever held in the Western Hemisphere. The championship will be conducted over a 26-day period in August of 1962. Fourteen of these days will be competition days—the remainder scheduled for rest and recreation of the competitors. It is expected that from 15 to 20 nations of the world will be represented and that up to 500,000 spectators will attend. In 1958, 600,000 people attended the fourth biannual competition at Bratislavia, Czechoslovakia.

I am informed that as host State, the Commonwealth of Massachusetts has appropriated $125,000, and that $100,000 of this appropriation is contingent upon at least a matching amount from a Federal source.

For that reason, if this important championship is to be assured for the United States, the Congress must immediately approve legislation guaranteeing a loan by private banks to the nonprofit championship corporation in an amount not to exceed $500,000.

These funds would be employed to promote the championship on a national and international level and as operating funds for the competition period—August 9 to September 4, 1962. The $100,000 provided by the Commonwealth will be allocated for promotion on a statewide basis, improving the present facility and planning and coordinating the event.

I am informed that management consultants retained by the commission promoting the event have estimated that if the championship is promoted on a modest scale, it will gross proceeds sufficient to pay all the expenses of the event.

In that case, of course, the proposed loan guarantee of the Federal Government would be inoperative and the Government would never have to pay out 1 cent.

So far as I am concerned, I would not be concerned even if the Federal Government would underwrite the entire obligation because I feel strongly that, apart from promoting international good will and encouraging a rather unique and very valuable sport, there are extremely vital tones of the national interest involved in this proposal.

The Soviet has long since been following the policy of encouraging and supporting organized sport in all fields. The Soviet has not only set up but has financially supported an extensive and large international program in Russia itself and among the satellites to promote sports of every kind, and this has accounted in large measure for the fine showing that Russia has been able to make in the past two Olympic games. There can be no question that this type of activity has been strongly subsidized by the Soviet.

But as meritorious as this feature of the proposal is, I am not arguing for the program provided for by the bill on this ground alone. I am convinced that this is but another field in which we should and must eagerly enter into determined and extensive competition with the Soviet and other nations of the world. We cannot afford to be behind any nation in this kind of activity. The encouragement of sport is involved here, to be sure, but so is the entire gamut of competitive activity which in this time of stress, anxiety, and pressure, this Nation must be prompted to engage in to retain its prestige in the world, adequately meet its international commitments, and properly defend the United States. In the Soviet world, hundreds of thousands of boys are engaged in parachute jumping and related sports. The roll is growing larger every day so that, indeed, we are led to believe that millions of boys are participating in this activity.

Whether you call this activity sport, as it certainly is viewed in one sense, or whether you call it preparation for national fitness in time of emergency and danger, it seems to me that the proposal is of such merit as to be mandatory and imperative.

I in fact, for my part, do not see how it could be rejected and ignored at a time when the Soviet and all nations in the Communist orbit are forging ahead in this important field.

Even if the Congress has to subsidize this activity and the bill I have introduced does not require this, but calls merely for a guarantee with definite assurance of repayment, I would still feel that the proposal was justified and should be undertaken without slightest hesitancy or delay.

Whether we like it or not, we are competing with the Soviet in every field that relates to our total national potential and if we fail to do so, through inadvertence, miscalculation, or underestimation of our opponents, we will live to regret our indifference and complacency and failure to understand the stark realities of the world in which we live.

I recognize that there will be some who consider this proposal as a waste of money, and intrusion by the Government into fields in which it has no concern. There were those who opposed Federal support of the Olympic games on this basis just as there were and are those who opposed building up the defense potentials of our own Nation and the free world.

There are those who very clearly underestimate the nature of the threat we face and perhaps overestimate our own potential even as they languish in smug complacency and apathy while the enemy stands without the gates and is, in fact, entrenched within the gates to a greater degree than many people are willing to recognize.

But I sincerely hope that the Members of the Congress will not adopt this attitude. On the contrary, I hope and pray that we may be awakened to a deep, moving awareness of the challenge confronting us and act in this matter which, in itself, calls only at the worst for assumption by the Government of relatively meager funds. Before our overall strength and readiness dangerously declines and fails to keep pace with the ruthless forces that oppose us in this confused, perilous, and crucial time in world history, I respectfully urge the chairman and members of the great Foreign Affairs Committee of the House that this bill be considered and adopted in the best national interest and that this Congress go on record as favoring closing at least this part of the gap which presently separates us from the powerful totalitarian complex that is surreptitiously and brazenly working for our destruction and the destruction of freedom in the world.

My distinguished and able colleague Congressman JAMES A. BURKE has asked me to record him as being in support of the bill.

I respectfully urge the committee to report the bill introduced by my valued colleague, Congressman SILVIO CONTE; in whose district the event will be held.

I also ask that one of the coauthors of the bill, my distinguished and able colleague, Congressman THOMAS O'NEILL, may include his views in the RECORD.

The 100th Infantry Division

EXTENSION OF REMARKS

OF

HON. THRUSTON B. MORTON

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Thursday, August 31, 1961

Mr. MORTON. Mr. President, when the Defense Department launched our Nation's largest military buildup since the Korean war, the Commonwealth of Kentucky was extremely proud to provide the cornerstone in the training of thousands of young fighting men under the emergency mobilization program.

In recalling the "Centurymen" of the 100th Infantry Division to active duty, the Military Establishment paid high tribute and honor not only to the excellence and proficiency of the division but also to the traditions of high patriotism and sacrifice which Kentucky has always displayed in the face of national adversity.

The 100th Division, a unit in the U.S. Army Reserve, consists of 5 regiments whose rosters number approximately 3,000 men in 44 Kentucky communities. The "Centurymen" will report for duty on September 26 at Fort Polk, La. Its primary mission will be to establish an Army Training Center at Fort Polk in order to expand the mobilization training base of the Army.

In addition to the 100th Division, the Defense Department also called up the 304th Military Police Unit—USAR—Bardstown, and two National Guard outfits, the 413th Ordnance Company, Frankfort, and the 3d Medium Tank Battalion, Bowling Green. All reporting October 1, the ordnance company will go to Fort Benning, Ga., the military policemen to Fort Hood, Tex., and the tankers to Fort Knox, Ky.

The makeup of the Century Division reflects a complete cross section of life in Kentucky. Its members include bankers, college educators, attorneys, truckers, clerks, farmers, grocers, and right on down the line. Kentucky fighting men have always been in the forefront when duty called. They have never hesitated to take up arms during crises. Kentuckians spearheaded the advancement of our Nation westward beyond the Alleghenies, and have served with distinction and heroism in every conflict involving our Nation.

It is interesting to note that during the Civil War, Kentucky oversubscribed its quotas for service in both the Union and Confederate Armies. It is also interesting that of the recent order calling up some 76,000 reservists and National Guardsmen, Kentucky will provide about 3,500 men or approximately 4.5 percent of the total. Populationwise, Kentucky provides less than 2 percent of the national population.

Undoubtedly, the dislocations of active duty will impose hardship on many members of the 100th Division and their families. The sacrifices which these citizen-soldiers have been called on to make will be felt in innumerable ways in their home communities.

The attitude of the 100th Division is best summed up by its commander, Maj. Gen. Dillman Rash, who commented, "This job is one we have been training for, and we are going to give them a crackerjack show."

The Century Division, which saw 163 days of frontline action in France and Germany during World War II and shattered two centuries of military history by capturing the stronghold city of Bitche, has been called up for 1 year. It has spent several years becoming a training

organization, and it is to this mission that it is now assigned.

The excellence of the 100th Division's training capabilities is exemplified by the fact that it is the only one of 13 full training divisions called to duty at this time. In short, the division is the best one qualified to do the job.

Secretary of the Army Elvis J. Stahr, Jr., himself a Kentuckian, has written to each member of the Kentucky congressional delegation explaining the reasons why the 100th Division was called to active duty. I ask unanimous consent that Secretary Stahr's letter to me be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE ARMY,
Washington, August 28, 1961.

Hon. THRUSTON B. MORTON,
U.S. Senate.

DEAR SENATOR MORTON: The following information concerning the selection of the 100th Division (Training) for mobilization and subsequent stationing at Fort Polk, La., for the purpose of establishing an Army training center to expand the mobilization training base for the Army is being provided to you and the other members of the Kentucky delegation in the hope that it will be of assistance.

The selection of the 100th Division (Training) for mobilization was determined by the Department of the Army in coordination with the Commanding General, U.S. Continental Army Command.

The following basic criteria were utilized in arriving at this decision:

(a) The unit's reasonable geographical proximity to Fort Polk.

(b) The readiness of the division is considered higher than other training divisions located within a reasonable distance of the training site.

(c) The assigned strength is high.

(d) The division has actually conducted highly satisfactory training center instruction for the past 3 years during annual active duty for training at Fort Knox, Ky.

(e) The annual evaluation of this division during summer training has consistently reflected a high state of readiness.

Sincerely yours,

ELVIS J. STAHR, Jr.,
Secretary of the Army.

Burns Ditch Project: Wrong Place, Wrong Time

EXTENSION OF REMARKS
OF
HON. RAY J. MADDEN
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 31, 1961

Mr. MADDEN. Mr. Speaker, on August 30, yesterday, I attended the Army Engineers' hearing on the proposed harbor project in northern Indiana.

This hearing was held in Indianapolis, Ind., and was conducted by Col. Joseph A. Smedley, district director of the Chicago regional office of the Army Engineers.

I am hereby submitting the testimony and facts which I gave in person concerning my opinions and recommendations on this large expenditure of taxpayers' money:

STATEMENT OF RAY J. MADDEN, MEMBER OF CONGRESS OF INDIANA, AT ARMY ENGINEERS' HEARING ON BURNS DITCH HARBOR, INDIANAPOLIS, IND., AUGUST 30, 1961

Mr. Chairman: The building at public expense of an $86-million harbor and port at the proposed site just east of Burns Ditch would not be in the interest of the people of Indiana. I shall briefly state the commanding reasons why this is so.

First, I think it is clear that a harbor built at the Burns Ditch site would be of direct benefit, almost exclusively, to the two major steel companies, Midwest and Bethlehem. This is a fact which is clear on the face of the situation to anyone knowing the circumstances. This is a fact which is clearly stated by the Army Engineers' report, which, as I understand it, is being reconsidered by this hearing. Although I am informed by the Corps of Army Engineers officials in Washington that this report, "The Army Engineers' Interim Report on the Burns Waterway Harbor," dated October 1960, in their words, "is no longer considered a report" because it has been sent back to the field for reexamination.

According to this Army Engineers' report, 97.3 percent of the future benefits coming from this proposed harbor at Burns Ditch will go to the two steel companies, namely, Midwest Steel, a wholly owned subsidiary of the National Steel, and Bethlehem Steel. On page 19, paragraph 57, the report states the estimated average annual benefit will be $8,157,000. Of this amount, general cargo or shipping exclusive of steel mill operation would account for only $217,000. The entire balance would be accounted for by coal, iron ore, and limestone shipments for use by the two steel mills on the premises.

Mr. Chairman, I fail to see the justification for the expenditure of millions of dollars of public money to provide a harbor and port for the exclusive benefit of these two wealthy and powerful steel companies. Moreover, I find it additionally absurd to provide such a harbor in an area where only one relatively small piece of industry now exists. I might also say that the ardor of the steel companies to construct the promised steel mills is less than pressing at the moment, so it would seem public investment in a Burns Ditch Harbor would be a risky venture, at least, even if building a harbor at public expense for the almost sole use of two steel companies were otherwise justifiable. As an elected Representative, Mr. Chairman, I for one, am not willing to endorse the expenditure of public funds for a risky and special interest serving private project.

Secondly, Mr. Chairman, I think there is good evidence to indicate that because of the character of the lake itself, the Burns Ditch location on Lake Michigan is simply not suitable for a harbor. It is hardly necessary to point out that the great Indiana sand dunes are high and deep at the Burns Ditch site precisely because the currents of the lake waters placed them there and continue to shift sand and other materials to this point. Again, I think the evidence on its face raises serious questions about the economics of maintaining a port at a point of maximum buildup of lake deposits. For the lake currents carry southward, stone and earth from the west banks of the lake and deposit them on the south banks, almost precisely at the Burns Ditch site. The Burns Ditch location is at the southern tip of the 500-mile north to south sweep of storms and winds coming from the north and northwest. Hence the terrific sand and deposit fill at this point.

I would encourage the Army Engineers, in their reevaluation of this Burns Ditch Harbor proposal, to fully report on the problems which certainly must come from the continuing deposit by the currents of sand, pieces of rock, and other debris. Evidence of the great force of the currents in this area is provided by the Army Engineers interim report of October 1960 to which I have referred earlier. In appendix F, paragraph 45, it states that at this part of the lake, there is a dominant east to west lateral transport of sand and other matter, and that the effect of the projection of a harbor into the lake at the Burns Ditch site will result each year in the erosion of 27,000 cubic yards of sand west of the harbor and equivalent fill to the east of the harbor. This seems to me good evidence of the doubtful economy of maintaining a harbor at this site. Also, it should be pointed out that these facts about the current indicate the harbor would cause increased fill at the State park, perhaps to the extent of drastically harming its beaches. This Dunes State Park is now self-supporting, but it may well be asked if it could still continue to support itself without State tax aid when faced with the expensive costs of keeping the sandfill from ruining its beaches.

Above all, Mr. Chairman, the difficulty caused in the Burns Ditch area by the lake currents, seems to me to be a strong reason for considering the feasibility and advisability of locating the proposed port further west in Lake County. I shall mention this again at the close of my remarks.

The third reason why I am opposed to the proposed spending of $86 million or more of public funds for the construction of a harbor at Burns Ditch is, very frankly, because such an expenditure would be extremely wasteful and ill-advised at this time. I hardly need remind anyone here that the Federal Government is spending some $88 billion in the next fiscal year and will incur a budget deficit of close to $5.5 billion. The distinguished Representative in Congress from the Second District, Mr HALLECK, has almost daily reminded us all of the need to cut out nonessential expenditures, and I sometimes wonder about the consistency of urging economy as minority leader of the House of Representatives, while endorsing as Second District Congressman, expenditures for a project which would primarily serve two special interests and for which neither the justification nor feasibility has been established.

I have heard talk of course, that the State of Indiana would be willing to "go it alone" and build the harbor without Federal assistance. This too makes me wonder about the urgency which leads the Burns Ditch supporters to push the harbor at any cost—whether it be by further burdening the already overtaxed citizens of Indiana or by a shared expenditure with the Federal Government.

In short, Mr. Chairman, I am strongly opposed to this proposed location of a harbor and port at Burns Ditch because it is not economically justifiable in this time of increased national defense preparation.

I cannot find in any of the recent hearings by the Army Engineers, testimony revealing the fact that efforts to construct a major harbor on the southernmost point of Lake Michigan has been tried at different intervals for 125 years.

On July 4, 1837, Senator Daniel Webster made a Fourth of July speech at Michigan City on the occasion of launching the preliminary efforts to establish a major harbor in this region.

In 1836, the Government began work of improving and expanding a harbor at Michigan City and appropriated $20,000.

In 1837, an additional appropriation was made of $30,000.

In 1840, a third appropriation was made and the harbor work went on under the charge of Captain Stockton of the Army and appropriation was made amounting to $60,733.

In 1849, another appropriation by the Government of $25,000.

In 1852, another appropriation of $25,000.

Then, for a period of years, the Government abandoned all work on the harbor and for more than 14 years it lay a useless wreck. The primary difficulty having been the terrific storms which swept down from the 500-mile north to south stretch of Lake Michigan.

Again in 1865, the Michigan Harbor Co., through subscriptions, spent $100,000 for piers and other work in order to make a permanent major harbor at Michigan City.

In 1867, the Congress again appropriated the sum of $75,000.

We must remember a $25,000 appropriation in 1850 compares to $200,000 today.

These above facts were taken from the history of this area, procured from the Library of Congress in Washington, D.C. I mention them merely to remind the taxpayers of Indiana that the present well-promoted project did not start with the administration of Gov. Harold A. Handley.

But, Mr. Chairman, there should be a major harbor in northern Indiana, and it should be constructed where it will best serve the people of Indiana. I believe for the reasons I have stated in part here today, that the proposed port and harbor should be constructed in the industrial Calumet region where it could also serve the State of Indiana.

1. Where it would serve many industries and businesses already established, and not simply serve one industry, steel, which is only promised and which in other parts of the State is not even working at maximum levels;

2. Where adequate land for additional steel mills and other industries could be made available by filling in along the shore;

3. Where lake currents and the constant buildup of debris would not be likely to provide difficult problems to keeping the port in operation;

4. Where the feasibility of a deepwater port and harbor has already been shown by extensive study;

5. Where large numbers of skilled workers and thousands of idle and part-time workers now reside.

The last time the Lake County steel mills operated at 100 percent for an extended period was in 1946, immediately after World War II. During the last several years, the Carnegie-Illinois, Inland Steel, and Youngstown Sheet & Tube in Lake County have operated as low as 46 percent, but with automation, increased efficiency, and modern inventions, the outlook for a 100-percent improvement in the present steel production capacity is very remote. The construction of a $80 million harbor to promote two additional steel mills in this area will bring about further additions to the unemployment and relief rolls of northwest Indiana.

Mr. Chairman, about a month ago I filed a request with the Public Works Committee in the U.S. House of Representatives, a resolution for an exhaustive Army Engineers survey of the possibility of a major deepwater harbor located in the area adjacent to Hammond, Whiting, and East Chicago on the shores of Lake Michigan, bordering the Illinois-Indiana State line. I wish to herewith incorporate with my remarks a letter which the Honorable CHARLES A. BUCKLEY, chairman of the Committee on Public Works in the U.S. House of Representatives received from Maj. Gen. William F. Cassidy, U.S. Army, Director of Civil Works. The same speaks for itself.

I also wish to incorporate with my remarks a copy of the resolution which was passed by the Committee on Public Works in the U.S. House of Representatives on August 24, 1961, wherein this committee requested a review and survey of the Hammond, Whiting, and East Chicago shoreline for the purpose of expanding its harbor facilities as mentioned above.

The First 7 Months: President Kennedy and the 87th Congress

EXTENSION OF REMARKS

OF

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 31, 1961

Mr. BRADEMAS. Mr. Speaker, under unanimous consent I include in the RECORD the text of my August newsletter dealing with the first 7 months of President Kennedy's administration and the 87th Congress.

The newsletter follows:

As the 87th Congress drives toward adjournment, I think you'll be interested in a summary of our first 7 months' work under the Kennedy administration. Here's how it looks from Washington:

Although the threat to Berlin is the major concern here, President Kennedy has made clear that his purpose is to bolster the Nation's strength in order to meet crises in other parts of the world as well. His speech on Berlin drew bipartisan support. Congress responded quickly to his call for $3.5 billion for a military-civil defense buildup, authority to raise draft calls and order some Reserve units to active duty. By increasing our conventional forces, President Kennedy seeks to give us an alternative between surrender and nuclear war. He wants to demonstrate to Khrushchev that we mean to stand firm in Berlin and that we intend to negotiate from strength, not weakness, in other trouble spots of the world.

The Berlin crisis emphasizes the shift in attention of the administration from domestic to foreign problems. When the President took office in January, recession and unemployment were in the headlines. Then the Congo, Laos, Cuba, especially Berlin, changed that. As General MacArthur told the President during his recent visit, "Well, the chickens have come home to roost, and you happen to live in the chickenhouse." In spite of troubles abroad, Congress has made a record of solid achievement on domestic legislation in the first half-year of the administration.

Ten of the President's sixteen priority bills have been written into law. Five were requested in Mr. Kennedy's program for economic recovery and growth:

1. Thirteen-week extension of unemployment benefits.

2. Aid to needy children of jobless workers.

3. Area redevelopment program to encourage industry and jobs in hard-hit communities.

4. Increase in minimum wage to $1.25 and extension of coverage to 3.5 million new workers.

5. Improved social security: Minimum pension raised from $33 to $40; more benefits for widows; male workers can now draw reduced benefits at age 62.

Other major requests now law: The program to curtail feed grain surpluses—which has sharply cut corn production—extended for 1 year. A new Office of International Travel to encourage foreign tourists to visit the United States. Seventy-three more Federal judgeships including two for Indiana via a bill I cosponsored with Senator HARTKE.

Also enacted: A highway bill which will finance, largely through new highway user taxes, completion of the Interstate and Defense Highway System by 1972 as scheduled.

An omnibus housing bill providing 35-year, 3-percent-downpayment loans for low and moderate income houses and 20-year, limited interest loans up to $10,000 for home improvement; 100,000 units of low-income housing; expansion of urban renewal to provide $75 million for grants to States and localities for city planning, $650 million in loans to local communities to help improve water, gas, and sewage plants; $2.8 billion in loans to help colleges build dormitories and dining halls.

The pickup in the economy has economists saying we're out of the recession, another boom is possible. What worries those who support the Kennedy program for economic growth is this: The gain in jobs has been moderate despite the encouraging increase in output. More than 5 million Americans still can't find work. In our own Third District unemployment remains the No. 1 problem. July reports showed some 10,700 jobless in the South Bend-Mishawaka labor market alone. This amounts to 11.5 percent of the work force—highest percentage in Indiana. Coming months will tell whether we can reduce hard core unemployment, bring about the spurt in economic growth we need to maintain our industrial lead over the Communist world.

My greatest satisfaction this year has been to announce, jointly with Senator HARTKE, award of Federal contracts in the Third District worth more than $50 million. Studebaker-Packard Corp. in June won contracts totaling over $27 million for military trucks. Earlier, Studebaker-Packard was successful bidder to supply Federal civilian agencies with passenger cars worth $4,480,321. Bendix-Mishawaka will do most of the work on a new $20 million contract for the Navy's surface-to-air Typhon missile. The project may ultimately run to hundreds of millions of dollars. I was glad also to lend a hand to the U.S. Rubber Mishawaka plant which recently won a contract for Polaris missile casings and, to consolidate operations, will transfer a department from Providence, R.I., to Mishawaka.

With foreign aid legislation prominent in the news, I think it essential to keep two major points in mind:

1. Without an adequate foreign aid program, an economic and political vacuum will be created in the underdeveloped nations which Communist imperialism will certainly fill.

2. Over 80 percent of U.S. foreign aid funds are spent right in this country for goods and services.

While I support President Kennedy's aid program, as I did President Eisenhower's, I feel very strongly that our foreign aid operations overseas should be conducted more efficiently and effectively. That's why I sent a letter on behalf of 30 House Democrats asking Foreign Aid Chief Henry Labouisse for detailed answers to four questions. Here's a New York Herald-Tribune article of August 7, 1961, concerning the letter:

"FOREIGN AID BACKERS ASK END OF WASTE—SEEK ASSURANCES BY PROGRAM CHIEF

"WASHINGTON, August 6.—Thirty House Democratic supporters of President Kennedy's $8.8 billion long-range foreign aid program sought assurances today that the money will not be wasted.

"They asked Aid Director Henry B. Labouisse in a letter what steps he planned to take to prevent any further bad planning, waste, and unsuitable projects. They also asked what he intended to do about firing unsatisfactory aid officials.

"Their statement came as Assistant Senate Democratic Leader HUBERT H. HUMPHREY, of Minnesota, and Senator KENNETH B. KEATING, Republican, of New York, spoke out on behalf of the most controversial feature of the President's aid plan.

"CONTROVERSIAL FEATURE

"The provision would commit Congress to a 5-year aid program not subject to annual appropriations as required in the past. This

long-range financing feature faces a tough fight in the House and in the Senate which is now working on the aid bill.

"The Senate opened debate on the aid bill last week. The House will take up the bill later.

"Senator KEATING said in a statement that long-range aid planning was of crucial importance.

"BERLIN CRISIS CITED

"Senator HUMPHREY declared in a separate statement that the Berlin crisis had underlined the need for consistent long-term aid planning.

"The letter by the 30 Democrats pointed up congressional concern about the long-range feature of the President's aid program. Most of the group consider themselves liberals and are firm supporters of the aid program.

"But they told Mr. Labouisse there had been 'documented instances of bad planning, waste, and unsuitable projects.' They asked: 'What specifically will be done to prevent the repetition of such instances?'

"CONSTRUCTIVELY CRITICAL

"The group, which represents 16 States, prefaced its query to Mr. Labouisse by saying it agrees that the President's foreign aid program 'is both essential to the security of the United States and consistent with the desires of the American people to encourage economic development and strengthen free political institutions in other nations.'

"But they said their duty to be 'constructively critical' prompted four questions, including the one on how waste will be stopped.

"They also wanted to know what will be done to make sure aid goes to the people who need it; how private business firms will be protected against expropriation or currency blocking; and what steps have been or will be taken to remove aid officials 'whose performance is unsatisfactory.'

"Representative JOHN BRADEMAS, Democrat, of Indiana, spokesman for the group, said that although its members believe in foreign aid, 'we are also convinced that our aid program abroad can be conducted more efficiently and effectively.'"

The new Soviet feat of orbiting a man around the world for 25 hours is more dramatic evidence that in the struggle with the Communist world, brainpower is indispensable. That's why I feel those who insist on denying help to American education where it is really needed are playing Russian roulette with our national security.

It's therefore a tragedy that President Kennedy's three education bills are still mired down in the House and Senate. These bills would: (1) provide grants to States for more classrooms and/or better teachers' salaries; (2) provide loans and grants to colleges for academic facilities plus scholarships for needy, able students; (3) extend the National Defense Education Act.

If Congress fails to get a chance to vote on these bills, the losers will be American students and the national interest; the winners, Mr. Khrushchev and the Communist leaders, who are continuing to press their countries ahead scientifically and industrially.

In New York City a few weeks ago, I stood on street corners talking to young gang leaders who know—though still in their teens—all about murder and robbery and narcotics. The night our congressional subcommittee visited Brooklyn, a 17-year-old boy was beaten to death over a dime.

I'm convinced that juvenile delinquency is a problem that must be solved at the local level, not by the Federal Government. But youth crime is becoming so serious in many areas that I have introduced a bill to help local communities tackle it. Attorney General Robert Kennedy and Secretaries Goldberg of Labor and Ribicoff of Health, Education, and Welfare have all testified in support of the bill, which would: (1) finance pilot projects to find better techniques to combat delinquency, and make the findings available nationwide, (2) help train more specialists to deal with delinquents and youthful offenders.

During our visit, one 18-year-old girl told us it would take just "three steps from my stoop" to find narcotics in New York. Few of us realize what jungles of crime exist in some of the towns and cities of our country.

A new frontier in TV has been opened by WNDU–TV with its "Washington Tie-Line" series. At WNDU's request I have been recruiting people with significant jobs in Washington for interviews with questioners on the other end of a long-distance line in South Bend. First guest, appropriately, was Federal Communications Commission Chairman Newton Minow, fresh from his famous debut speech in which he described much of TV as a "wasteland" and called for more public service programs—like "Tie-Line." Next guest was the new U.S. Ambassador to the Organization of American States, de-Lesseps S. Morrison. The Ambassador spoke of the "incomplete revolution" in Latin America and the task facing the United States in helping bring both social reform and economic progress to the rich but troubled continent south of us. Appearing on August 5, Miss Pamela Turnure, press secretary to Mrs. Kennedy, talked of her exciting job, which requires both long hours and much tact in dealing with the White House news corps.

HOUSE OF REPRESENTATIVES

FRIDAY, SEPTEMBER 1, 1961

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. MCCORMACK.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Philippians 4: 6: *In everything by prayer and supplication, with thanksgiving, let your requests be known unto God.*

Almighty God, we thank Thee for the refreshing and sustaining ministry of prayer when our spirit becomes languid and faint and we are tempted to grow weary in well-doing.

Help us to hold with increasing tenacity of purpose and fond affection to those great promises in Thy Holy Word which will inspire us to carry on with renewed faith and hope.

Show us that we may be able to surmount all our difficulties and meet life courageously and victoriously if we have Thy grace in our hearts.

Grant that daily we may give encouragement and cheer to those who wander in the region of despondency and whose lives, under the pressure of anxiety and care, are like bruised and broken reeds.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On August 14, 1961:

H.R. 845. An act to amend title 38, United States Code, to increase the rate of special pension payable to certain persons awarded the Medal of Honor, and for other purposes; and

H.R. 3279. An act to increase the maximum rates of per diem allowance for employees of the Government traveling on official business, and for other purposes.

On August 17, 1961:

H.R. 181. An act to amend sections 3253 and 8253 of title 10, United States Code;

H.R. 2203. An act to authorize the Secretary of the Interior to exchange certain property in Rocky Mountain National Park, Colo., and for other purposes;

H.R. 2925. An act to amend the act of March 8, 1922, as amended, pertaining to isolated tracts, to extend its provisions to public sales;

H.R. 4321. An act to amend section 303 of the Career Compensation Act of 1949 to authorize the transportation of dependents and baggage and household effects of certain retired members;

H.R. 4323. An act to amend the Career Compensation Act of 1949 with respect to special pay for diving duty, and for other purposes;

H.R. 5228. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Girl Scouts of the United States of America for use at the 1962 Girl Scouts senior roundup encampment, and for other purposes;

H.R. 5518. An act to revise the boundaries of the Fort Raleigh National Historic Site in North Carolina, and for other purposes;

H.R. 7445. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1962, and for other purposes;

H.R. 7722. An act to amend section 3579, title 10, United States Code, to provide that commissioned officers of the Medical Service Corps may exercise command outside the Army Medical Service when directed by proper authority; and

H.R. 7851. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1962, and for other purposes.

On August 21, 1961:

H.R. 5954. An act making appropriations for the Treasury and Post Office Departments, and the Tax Court of the United States for the fiscal year ending June 30, 1962, and for other purposes.

On August 25, 1961:

H.R. 1452. An act to authorize the sale of a portion of the former light station property in Scituate, Mass.;

H.R. 4786. An act to provide travel and transportation allowances for members of the National Guard and reserve components when travel is performed in an active duty or inactive duty training status in compliance with Federal directives;

H.R. 6597. An act to amend title 10, United States Code, to permit the crediting of certain minority service for the purpose of determining eligibility for retirement, and for other purposes;

H.R. 7189. An act granting the consent of Congress to the compact or agreement between the States of North Dakota and Minnesota with respect to the boundary between such States;

H.R. 7721. An act to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within the Fort Sheridan Military Reservation, Ill.;

H.R. 7725. An act to authorize the Secretary of the Army to reconvey to the town of Malone, N.Y., certain real property heretofore donated by said town to the United States of America as an Army Reserve center and never used by the United States;

H.J. Res. 435. Joint resolution to provide for recognition of the centennial of the establishment of the Department of Agriculture, and for other purposes; and

H.J. Res. 436. Joint resolution to provide for recognition of the centennial of the establishment of the national system of land-grant universities and colleges.

On August 30, 1961:

H.R. 1290. An act for the relief of Ernest Morris;

H.R. 1612. An act for the relief of Mr. Ernest Hay, Wamego, Kans.;

H.R. 2656. An act for the relief of Capt. Leon B. Ketchum;

H.R. 3227. An act to amend section 1732 (b) of title 28, United States Code, to permit the photographic reproduction of business records held in a custodial or fiduciary capacity and the introduction of the same in evidence;

H.R. 4030. An act for the relief of Robert A. St. Onge;

H.R. 4659. An act to establish a National Armed Forces Museum Advisory Board of the Smithsonian Institution, to authorize expansion of the Smithsonian Institution's facilities for portraying the contributions of the Armed Forces of the United States, and for other purposes;

H.R. 4660. An act to authorize modification of the project Mississippi River between Missouri River and Minneapolis, Minn., damage to levee and drainage districts with particular reference to the Kings Lake Drainage District, Missouri;

H.R. 6765. An act to authorize acceptance of an amendment to the articles of agreement of the International Finance Corporation permitting investment in capital stock;

H.R. 6835. An act to simplify the payment of certain miscellaneous judgments and the payment of certain compromise settlements;

H.R. 7038. An act to eliminate the right of appeal from the Supreme Court of Puerto Rico to the Court of Appeals for the First Circuit;

H.R. 7610. An act for the relief of Joe Kawakami;

H.R. 7724. An act to provide for advances of pay to members of the armed services in cases of emergency evacuation of military dependents from oversea areas and for other purposes;

H.R. 7864. An act to dissolve Federal Facilities Corporation, and for other purposes; and

H.J. Res. 544. Joint resolution making continuing appropriations for the fiscal year 1962, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 206. An act to facilitate administration of the fishery loan fund established by section 4 of the Fish and Wildlife Act of 1956, and for other purposes;

H.R. 1098. An act to amend section 901 of title 38, United States Code, to provide that a flag shall be furnished to drape the casket of each deceased veteran of Mexican border service;

H.R. 1337. An act for the relief of Amelia Andreoli D'Attorre;

H.R. 1627. An act for the relief of the Princess Anne County School Board, Virginia;

H.R. 2111. An act for the relief of Benjamin Schoenfeld;

H.R. 2429. An act to prohibit destruction of, or injury to, certain property moving in interstate or foreign commerce, and for other purposes;

H.R. 3159. An act to permit certain foreign-flag vessels to land their catches of fish in the Virgin Islands in certain circumstances, and for other purposes;

H.R. 3222. An act to amend section 4(a) of the act of April 1, 1942, so as to confer jurisdiction on the municipal court for the District of Columbia over certain counterclaims and cross-claims in any action in which such court has initial jurisdiction;

H.R. 3296. An act to authorize the Secretary of the Interior to nominate citizens of the Trust Territory of the Pacific Islands to be cadets at the U.S. Merchant Marine Academy;

H.R. 4639. An act for the relief of Rear Adm. Carl H. Cotter;

H.R. 5054. An act for the relief of Wolfgang Stresemann;

H.R. 5180. An act for the relief of Dr. Ferenc Domjan and others;

H.R. 5321. An act for the relief of American President Lines, Ltd., Nitto Shosen Co., Ltd., and Koninklijke Java-China-Paketvaart Lijnen N.V. (Royal Interocean Lines);

H.R. 5647. An act for the relief of David C. Thomas, Robert W. Barber, Milton A. Chace, and Richard F. Turner;

H.R. 5656. An act to provide for reasonable notice of applications to the U.S. courts of appeals for interlocutory relief against the orders of certain administrative agencies;

H.R. 6495. An act to amend the Life Insurance Act of the District of Columbia;

H.R. 6798. An act to amend the act incorporating the Washington Home for Foundlings and to define the powers of said corporation;

H.R. 7044. An act to amend section 35 of chapter III of the Life Insurance Act for the District of Columbia;

H.R. 7154. An act to authorize the Commissioners of the District of Columbia to regulate the keeping and running at large of dogs;

H.R. 7265. An act to amend the code of law for the District of Columbia so as to provide a new basis for determining certain marital property rights, and for other purposes;

H.R. 7707. An act for the relief of Andrew Telesfor Kostanecki;

H.R. 8032. An act to amend the Healing Arts Practice Act, District of Columbia, 1928, and for other purposes; and

H.R. 8033. An act to amend section 17 of the Interstate Commerce Act so as to authorize the delegation of certain duties to employee boards.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 256. An act to amend the District of Columbia Alcoholic Beverage Control Act; and

H.R. 7916. An act to expand and extend the saline water conversion program being conducted by the Secretary of the Interior.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1656. An act to amend chapter 50 of title 18, United States Code, with respect to the transmission of bets, wagers, and related information; and

S. 1657. An act to provide means for the Federal Government to combat interstate crime and to assist the States in the enforcement of their criminal laws by prohibiting the interstate transportation of wagering paraphernalia.

FEDERAL CONTROL OF EDUCATION

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, I was never more proud of this House than on Wednesday when we rejected Federal aid to school construction by the overwhelming vote of 242 to 170. The House thus rejected decisively this first step in Federal control of education. This vote was an expression of confidence in our dedicated, competent teachers throughout the United States. It was a vote of confidence in our local school boards and trustees. It was a vote of confidence in the individual citizen. It was a vote of confidence in local government and States rights which is the foundation stone of our American democracy.

It now seems that this great House is the only institution the people can look to with any confidence to prevent national brainwash, to prevent national conformity, and to prevent a Fascist-type totalitarianism. This House and the American people realize that if we really believe in freedom and individual liberty, then we must permit the individual and local government a maximum of freedom. We must have confidence in the people's ability, honesty, patriotism, and integrity. This House expressed that confidence Wednesday at a time when schools were opening for the fall session all over the United States. It came at the psychological time. It was a vote for real education. It was a vote for our children now in school. This vote will help and encourage our people to look to themselves and to develop themselves according to their own educational ideals.

This House realized, as many Socialists did not, that the Federal Government does not have one dollar to give for school construction. As the chairman of our Appropriations Committee so ably pointed out recently on the floor of this House, we are going in the red at the rate of $1 million an hour, 24 hours a day.

I must warn this House that the Socialist and bleeding-heart liberals will beat the bushes this fall with misleading propaganda, and they will be back again next year with grandiose plans for Federal control of education. We must be prepared to meet them at the grass-

roots and reject again their fantastic schemes and machinations for the control of our teachers and the minds of our young people. Let us not turn the clock back to dictatorship and wornout socialism. Let us move forward with our present system of education which has helped make the United States the greatest Nation in all history.

CONGRESSIONAL JUNKETS AID FOREIGN AID

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, reports from many foreign countries indicate there has been a serious slump in the number of American tourists this year, and consequently a drop of millions of dollars in income from this source.

But the British and Europeans should take heart—and get their silverware polished—for the junketing Members of Congress will soon be on their way.

As this unlamented session shows signs of drawing to a close, the corridors and lounges give forth sounds similar to those of a travel bureau.

So be of good cheer, foreigners. A recordbreaking foreign aid authorization giveaway has just been approved, with back-door financing under another name, and there will soon be an ample number of Members of Congress on the way to your shores, at taxpayers' expense, to tell you of the good things of life that are in store for you, also paid for by American taxpayers.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule on Wednesday next may be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SUBCOMMITTEE ON PRINTING OF COMMITTEE ON HOUSE ADMINISTRATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Printing of the Committee on House Administration may be permitted to sit during general debate on Tuesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMITTEE ON AGRICULTURE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file certain reports.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

JUVENILE DELINQUENCY AND YOUTH OFFENSES CONTROL ACT OF 1961

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the body of the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, in response to inquiries from some of my colleagues concerning the Juvenile Delinquency and Youth Offenses Control Act of 1961 (H.R. 8028), introduced by me and passed by this House last Wednesday, I would like to take this time to explain an amendment to the bill which we did not have an opportunity to discuss during debate.

I refer to the phrase "and with employment barriers" which appears in subsection (a) of section 2 on page 2 of the bill. Subsection (a) of the "Findings and policies" reads as follows:

> The Congress hereby finds and declares that juvenile delinquency and youth offenses diminish the strength and vitality of the people of our Nation; that such delinquency and offenses are increasing in both urban and rural communities; that such delinquency and offenses occur disproportionately among school dropouts, unemployed youth faced with limited opportunities and with employment barriers, and youth in deprived family situations; and that prevention and control of such delinquency and offenses require intensive and coordinated efforts on the part of private and governmental interests.

The phrase, "and with employment barriers," Mr. Speaker, was included as one of the subcommittee amendments and was approved by the full Education and Labor Committee. We included this phrase in our findings only because a number of witnesses testified to the subcommittee that in some States laws which place minimum age limitations on the part-time employment of children might possibly have an adverse effect on their growth and development. A number of States do require that children be of a certain age before they can be employed full time, particularly in hazardous occupations.

FOURTH ANNUAL REPORT COVERING U.S. PARTICIPATION IN INTERNATIONAL ATOMIC ENERGY AGENCY, 1960—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 233)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with accompanying papers, referred to the Joint Committee on Atomic Energy and ordered to be printed:

To the Congress of the United States:

I transmit herewith, pursuant to the International Atomic Energy Agency Participation Act, the fourth annual report covering U.S. participation in the International Atomic Energy Agency for the year 1960.

JOHN F. KENNEDY.

THE WHITE HOUSE, *August 31, 1961.*

FIFTH ANNUAL REPORT ON FOREIGN AID TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 234)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with accompanying papers, referred to the Committee on Ways of Means and ordered to be printed with illustrations:

To the Congress of the United States:

I hereby transmit the fifth annual report on the operation of the trade agreements program, submitted to the Congress pursuant to section 350(e)(1) of the Tariff Act of 1930, as amended.

Developments during 1960 presage bright promise for the continued expansion of world trade. U.S. exports rose to a historic peak. The benefits the increased exports brought included an improvement in our balance-of-payments status. Steps taken through the General Agreement on Tariffs and Trade to lower barriers to trade should further enlarge our oversea markets.

The continued expansion of multilateral trade remains a principal objective of the United States in carrying out our historic trade agreements program. In pursuing this objective it is important that we apply measures that will support and advance both our security and economic interests.

Furtherance of a sound trade policy requires that we increase our exports to assure a vigorous, expanding domestic economy. It also requires initiative and foresight in meeting problems presented by the developing countries, by the growth of regional trading organizations, and by the acceleration of the continuing Communist offensive in the field of trade. Solutions to these complex problems must be sought and achieved in cooperation with other free world nations.

The trade agreements program represents an important instrument of our foreign policy and is of assistance in our efforts to meet and to deal with the challenges to our economic objectives.

JOHN F. KENNEDY.

THE WHITE HOUSE, *September 1, 1961.*

CHARLES H. BIEDERMAN—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 235)

The SPEAKER pro tempore laid before the House the following veto

message from the President of the United States:

To the House of Representatives:

I am returning herewith, without my approval, H.R. 4640, "For the relief of the estate of Charles H. Biederman."

The bill would waive the statute of limitations and the defense of res judicata—the same issue cannot be litigated twice—to allow the Court of Claims to render judgment on a claim for the alleged overpayment of Federal income taxes for the years 1936 through 1944. The case was initially settled by a Tax Court decision on the basis of an agreement between representatives of the claimant and the Internal Revenue Service. Subsequent petitions to the Tax Court and the Court of Claims to reopen the case were refused in both instances.

I can find no evidence which would justify the exceptional handling proposed for this case. On the contrary, the record seems to me to indicate that the claimant's rights and opportunities were fully safeguarded.

The taxpayer, Charles H. Biederman, was assessed additional Federal income taxes and penalties for 1936 through 1944 in the amount of $215,719.49. The assessment was based on the taxpayer's liability for tax on the income of property he had placed in trust for his children but from which he retained income, and on his failure to report approximately $90,000 of other dividend and interest income.

A trust company which was appointed by an Ohio court as guardian of the taxpayer's estate during a period of incompetency filed a petition in the Tax Court of the United States to have his tax liability redetermined. The guardian and the Government agreed to settle the action and the Tax Court on August 26, 1948, decided the case on the basis of this agreement. The agreement involved concessions by both sides; the taxpayer paid only $86,707.32 of the original assessment.

The taxpayer upon return to competency in 1950 attempted in both the Tax Court and Court of Claims to set aside the Tax Court's decision. This action apparently stemmed from a collateral court decision relating to the legal title to the trust, as distinguished from the tax liability for the income therefrom. The courts rejected his petition on the ground that it was barred by the statute of limitations and the doctrine of res judicata.

All the evidence indicates that the Guardian Trust Co., a reputable and experienced institution, acted in the taxpayer's best interests. The settlement agreement, as a matter of fact, resulted in a return to the taxpayer of $129,000 of the original assessment of more than $215,000. Negotiations preceding the settlement allowed full opportunity for both parties to present and evaluate facts and pertinent Federal tax law. In the absence of extraordinary circumstances, proper administration of the tax laws demands that when a taxpayer and the Government conclude a settlement agreement which becomes the basis of final court decision the agreement should remain conclusive.

JOHN F. KENNEDY.

THE WHITE HOUSE, *September 1, 1961.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal and without objection the bill and message will be referred to the Committee on the Judiciary and ordered to be printed.

There was no objection.

PUBLIC WORKS APPROPRIATION BILL

Mr. CANNON. Mr. Speaker, I ask unanimous consent that it may be in order on Thursday next to take up for consideration in the House the public works appropriation bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

Mr. GROSS. Mr. Speaker, reserving the right to object, I have no idea that I will object, but how many bills are we going to handle on Thursday?

Mr. CANNON. My understanding is that all record votes will go over until the following day.

Mr. GROSS. Well, is it proposed to get the foreign giveaway appropriation bill out of the way by that time?

Mr. CANNON. That comes up on Tuesday. We already have a unanimous consent agreement to consider the foreign aid bill on Tuesday.

Mr. GROSS. Does the distinguished chairman of the Committee on Appropriations think that you can conclude general debate and vote on the foreign giveaway bill in 1 day?

Mr. CANNON. I believe it is understood by the leadership on both sides of the aisle that the House will meet early that day and make every effort to dispose of the bill.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AUTOMOBILE FUMES AND LUNG CANCER

Mr. WILSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks, and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, I was very much interested in an article appearing in today's Washington Post regarding the possible correlation between exhaust fumes from automobiles and lung cancer. I have also been very much interested in comments made by the Secretary of Health, Education, and Welfare, Mr. Ribicoff, pertaining to this matter.

Mr. Speaker, thousands of times on every day of our lives air passes through our nostrils into our lungs. We take in some 15,000 quarts of air per day, 10 times as much by weight as our intake of food and water combined. And yet, careful as we have learned to be of the purity of these other essential elements of living, we give too little thought to the quality of the air we breathe.

Today we are being forcibly reminded of the importance of the air we breathe. As our metropolitan areas grow larger year by year and our industries grow more diverse and complex, vast quantities of wastes of all kinds are thrown into the atmosphere above our cities. There they intermingle and interact chemically, activated by sunlight.

And there, when the winds do not blow, they stay. Our millions of urban and suburban dwellers breathe in the complicated mixture. They have no choice.

What harm does it do? We are just beginning to find the answers. We know that in extreme circumstances polluted air can kill. We have reason to suspect that breathing polluted air may have long-term effects on our health, surpassing in importance anything we yet can prove.

Two principal lines of attack have been and are being followed by the researchers in the field. The first is to apply methods which have worked so well in the control of communicable diseases. The techniques employed are those of field investigation and statistical analysis.

The second avenue of research has been and is to study the biological damage caused by certain known ingredients of community air supplies. Here the scene is the laboratory.

Thus, research into the health effects of air pollution applies well-established scientific methods to a problem which is little understood and enormously complex.

The impact of polluted air on our health appears to take two general forms.

The first is more dramatic, better known, and, fortunately, rarer—the acute "episode" resulting from a deadly combination of manmade pollution and extended periods of restricted air movement.

The second is subtler, harder to observe and document, and very little understood—the cumulative effect of breathing polluted air over a period of years.

A third type of effect, acute, and temporary irritation of the eyes and other membranes, such as that produced by the notorious Los Angeles smog, which may or may not prove to cause long-range health damage, is nevertheless currently recognized as a highly undesirable phenomenon causing adverse psychological effects.

The "urbanization" factor in death rates is well established and recognized. Mortality for a number of diseases, notably arteriosclerotic and other heart diseases and cancer of the stomach, esophagus, and lung, is markedly higher among city dwellers than among rural people.

The causes underlying this fact of contemporary life are less clear. Air pollution is a logical suspect. Probably many factors interact to produce the known result.

The striking rise of lung cancer as a cause of death in most of the industrialized parts of the world has focused intense public interest on the search for its cause. As is well known, excessive cigarette smoking has been blamed as at least a contributory factor.

Less widely publicized is the fact that mortality rates for lung cancer among urban dwellers are significantly higher than among strictly comparable rural groups. Statistical studies now underway show possible parallels between lung-cancer rates and air-pollution indexes.

A number of pollutants found in community air supplies are known to produce cancer in experimental animals. Currently, solid particles taken out of the air in eight different cities are being tested for their ability to produce cancer in mice. Taken together, this admittedly fragmentary evidence points unmistakably to relationship between air pollution and lung cancer which demands further exploration and study.

Sulfur oxides in the air are known to make breathing more difficult. Ozone, another irritant gas which occurs in community air supplies, can cause scarring of lung tissue in animals and can produce pulmonary edema.

Mr. Speaker, epidemiological and statistical studies show parallels between air pollution and mortality rates from cancer of the stomach and esophagus, similar to those from lung cancer. It seems likely, therefore, that the medical effects of air pollution are not confined to the respiratory and circulatory systems.

Adding up the evidence, it is abundantly clear that acute air pollution can cause death among the aged and infirm and serious illness in the general population. It is possible that irritants present in air cause changes in the tissues of the respiratory tract and hamper breathing. Still unproved but supported by accumulating evidence is the theory that air pollution contributes significantly to mortality rates of many of the "urban" diseases of contemporary society, including arteriosclerotic and other heart conditions, and cancer of the lung, trachea, stomach, and esophagus.

The future of research into the medical effects of air pollution is both challenging and promising. In general five areas of investigation are producing prospects of success.

First, the field investigations and statistical studies aimed at an understanding of air pollution's influence on the geographical distribution of disease and death should be continued and intensified.

Second, the associations between air pollution and the functions of the respiratory system should be systematically explored.

Third, the associations between air pollution and the various cancers and heart conditions previously mentioned must be more fully explained.

Fourth, the biological impact of specific pollutants must be studied intensively.

The fifth area of research, although not medical, is allied with the medical research fields. This is the area of research in which those in the automobile field seek to find new and better ways of making their engines run cleaner, emit less fumes, and in that way remove a possible cause of some lung cancer.

The automobile is now the only major source of air pollution in American cities that is not under some degree of control. Through the switch from soft coal to oil and gas in urban industry, and through the use of filters, collectors, and precipitators on industrial chimney stacks, smoke and soot are now kept within bounds civic officials are willing to tolerate.

We do not need to banish automobiles from the city in order to reduce the fumes they throw into the air. There are practical solutions for the problem.

The trouble comes from an extremely small but very potent fraction of gas vented through the crankcase or exhausted through the tailpipe. The modern internal-combustion engine, though perhaps the most efficient machine ever built for public use, is not 100 percent efficient. The gasoline it burns the way it is supposed to emerges from the cylinders as pure water and carbon dioxide—the harmless products of complete combustion. But even a perfectly tuned automobile engine wastes a little fuel—about 2 percent on the average.

Nearly half of this waste is fuel that passes through the engine and out the tailpipe without burning properly. This unburned or partially burned fuel is an important source of hydrocarbons—the exhaust products that chiefly worry pollution-control experts.

Recently an engineering committee of the Automobile Manufacturers Association discovered that approximately the same amount of hydrocarbon is exhausted through the crankcase; some gasoline vapor squeezes between the pistons and the cylinder walls, and eventually makes its way into the air through a vent in the crankcase.

Since 1954 the Automobile Manufacturers Associations' Vehicle Combustion Products Committee has examined about 100 ways to remove hydrocarbon from the automobile exhaust. The only solution seems to be to burn up the hydrocarbons before they emerge from the tailpipe. But how? The gases are far too dilute to sustain a flame at ordinary exhaust-system temperatures.

Arvin Industries, a manufacturing concern in Columbus, Ind., is a leader in the field of catalytic mufflers. Arvin has a proud reputation for many years as an extremely efficient organization. Its manufacturing operations are extremely efficient and local labor has produced good results in Arvin's well-equipped plants.

Arvin did extensive research on the catalytic muffler and has recently offered a catalytic antismog device to the State of California, where a serious smog problem exists.

The unit fits between the manifold exhaust and the tailpipe and is recognized as the leader in the catalytic muffler field. Not as expensive as other models, the Arvin muffler has proven efficient, economical, and may well prove to be the best answer to automobile exhaust problems.

Mr. Speaker, the example I have set forth shows that private industry is working to try and help correct the air-pollution problem, to do all in its power to aid in the solution of this critical situation.

Again, Mr. Speaker, we are seeing that private enterprise and ingenuity can help solve our problems.

But more help is needed. We must find out the true and proper correlation between air pollution and lung cancer. We must develop information, plan an attack, if one is mandated, and see that it is carried out.

For this reason, I was happy to note in the Washington Post that Mr. Ribicoff is taking an active part in promoting and pushing the continuing research on this matter. I want to state here that I am heartily in accord with his work and his position.

Certainly, protecting the health of our Nation, and finding the answers to such grave problems as lung cancer are important. And while private industries such as Arvin are doing their best to help correct one phase of the problem, there is much these companies cannot do.

For that reason, Mr. Speaker, it is my opinion that the Department of Health, Education, and Welfare should get all necessary encouragement; and it is my intention, in the next session of the Congress, to introduce legislation that will give that Department the money and manpower it needs to complete its work at the earliest possible moment. Certainly we cannot afford to waste even a single day if it will help us find the answers to the problem that is cancer.

RESUMPTION OF NUCLEAR TESTING BY SOVIET RUSSIA

Mr. JOHANSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JOHANSEN. Mr. Speaker, so Washington officialdom is surprised and shocked—oh, yes, and disappointed, as well—over Khrushchev's announcement of the resumption of nuclear testing by Soviet Russia?

That official reaction is the thing that ought to be shocking.

Or should it be, in view of the dream-world existence of so much of Washington officialdom for so long—going back even prior to one President's whistle-stop campaign reference to "Good old Joe"?

With respect to Khrushchev's latest announcement, Secretary of State Rusk reportedly said, "This business of the Soviet Union ought to soak in hard, soak in hard everywhere."

Which raises the question as to whether the indoctrination course of GI's on the nature of international communism—recently the subject of so much criticism in some official circles—ought

not to be actually extended to high levels of the executive branch.

Now that it has been formally hinted that Mr. Khrushchev really does indulge in "nuclear blackmail" and even disregards adverse "world opinion"—to which the United States supposedly must always kowtow—I have one modest suggestion to offer.

Why is not someone in the Government—I mean some single, intelligent, slightly imaginative individual—not a new department, bureau, or agency—given a pencil and pad and told to write down a list of possible "dirty tricks" which Khrushchev and the other leaders of international communism might conceivably pull off in the future.

No harm would be done if this memorandum happened to fall into the hands of Communist agents since I am sure their bosses already have such a list.

By having such a document at hand possibly American leadership would hereafter have their surprise, shock, and disappointment somewhat cushioned as the Communist skullduggery unfolded.

And some effective, advance countermeasures might even be devised.

COMPTROLLER OF THE CURRENCY RAY M. GIDNEY SHOULD RESIGN

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, I am shocked by the utter and complete breakdown of the so-called accord between the Attorney General and the Comptroller of the Currency which culminated yesterday in the district court's refusal of a motion by the Government to grant a temporary restraining order in the merger of Continental Illinois National Bank & Trust Co. with City National Bank & Trust Co. Mr. Gidney's approval of this merger, in utter disregard of the opinion of the Attorney General that it would violate the antitrust laws, is fanning the fires of merger activity throughout the country. The only logical outcome of this trend is the creation of one giant banking system throughout the Nation. That is a policy which this administration is opposed to and any hangovers from the previous administration who favor a nationwide branch banking system, which can only lead to further industrial monopoly, should resign forthwith.

MERGER APPROVAL BY COMPTROLLER OF THE CURRENCY GIVES GREEN LIGHT TO MONOPOLY IN BANKING

Mr. Speaker, the financial world has taken its signal from the Comptroller of the Currency. It will now proceed to promote mergers, get swift approval by the Comptroller of the Currency, and then proceed with the transaction to the point where the district courts will refuse the Attorney General any efforts to secure temporary restraining orders. That is the prospect.

At this point I should like to include in the RECORD an article appearing in last Sunday's New York Times entitled "Merger Approval Stirs Bank World." This is a most prophetic article and should be read with great interest:

[From the New York Times, Aug. 27, 1961]

MERGER APPROVAL STIRS BANK WORLD—FEDERAL BACKING FOR STEP IN CHICAGO PUZZLES BIG INSTITUTIONS HERE—HAS ASSAULT ENDED?—INTERVENTION BY TREASURY IS REPORTED TO HAVE BEEN DECISIVE FACTOR

(By Albert L. Kraus)

The green light given by the Federal Government to merger of the City National Bank of Chicago into the Continental Illinois National Bank & Trust Co. is puzzling the banking industry.

Does it mean that the Department of Justice is abandoning its frontal assault on further mergers in banking?

Does it mean an end to the 5-month-old accord among the Attorney General, the Secretary of the Treasury, and the Comptroller of the Currency? Under the accord, the Comptroller agreed to defer approval of mergers the Department of Justice indicated it would attack in the courts.

Does it mean a green light also for the expansion efforts of New York City banks still awaiting Federal supervisory approval?

These are some of the questions that have been raised since the Comptroller of the Currency was permitted last week to approve the Continental Illinois-City National merger. As a result of his action, Continental Illinois will leapfrog to first place over the First National Bank of Chicago.

CHALLENGE IN PHILADELPHIA

The situation is more puzzling because it is similar to one in Philadelphia that the Department of Justice has challenged in the courts. There the Philadelphia National Bank, second largest in the city, sought to acquire the Girard Trust Corn Exchange Bank, and thus to jump to first place over First Pennsylvania Banking & Trust Co.

In contrast to Chicago, where the merged bank will rank as the 9th largest in the country, the Philadelphia merger would produce a bank ranking only as the 16th.

The Comptroller, Ray M. Gidney, described the Chicago approval as an exception to his understanding with the Attorney General, Robert F. Kennedy, and the Secretary of the Treasury, Douglas Dillon. He said it should not be interpreted as indicating what action might be taken on other pending merger applications.

ACTION BY TREASURY?

Lee Loevinger, head of the Antitrust Division of the Department of Justice, indicated that the Department might still bring suit. He said it was the Treasury Department that intervened on behalf of Continental Illinois and City National contending that City National had lost personnel and deposits as a result of uncertainty that had developed.

In almost all mergers, some personnel and deposits are lost. Officers who see fewer opportunities for advancement in the merged institution are apt to leave for greener pastures. Companies that have maintained balances in both institutions are likely to pull down their holdings.

Nevertheless, except in emergency situations, this reason has seldom been advanced as justification for supervisory approval of a merger. Nor has anyone suggested an emergency in Chicago.

The nature of the reasoning raises the question of whether a similar argument could not be applied by the Federal Reserve Board to justify merger of the Manufacturers Trust Co. and the Hanover Bank, now awaiting its approval. The Hanover, as is quite common in such cases, has lost some personnel.

Wall Street did not apparently consider such an event a possibility. Neither Manufacturers nor Hanover shares responded to the announcement about the Chicago merger.

However, both the First National City Bank of New York and the National Bank of Westchester, White Plains, whose merger is awaiting the Comptroller's approval, inched up in price in the over-the-counter market where bank shares are traded.

Other Westchester banks were marked up also on the theory that if the First National City-National of Westchester merger would the other banks would be likely candidates for merger.

Meanwhile, reports that Mr. Gidney would be stepping down from his office on September 1, were strangely muted. A holdover from the Eisenhower administration, the Comptroller has been under fire from some members of the Kennedy administration.

The attacks, however, have quieted and there were reports last week that Mr. Gidney was planning to address the national bank division of the American Bankers Association at its convention in San Francisco the middle of October.

Let me read a few key sentences from this New York Times report.

The first question raised by the article is the following:

Does it mean that the Department of Justice is abandoning its frontal assault on further mergers in banking?

The answer to this question is clear. The Department of Justice moved in rapidly to seek a temporary injunction to forestall the merger between the two Chicago banks. Lee Loevinger, head of the Antitrust Division of the Department of Justice, is to be complimented on the swift and decisive action he took in this regard.

The second question raised by the New York Times was:

Does it mean an end to the 5-month-old "accord" among the Attorney General, the Secretary of the Treasury, and the Comptroller of the Currency?

Again, the answer is quite clear. The Comptroller is disregarding completely any so-called accord.

The third question raised by the New York Times is:

Does it mean a green light also for the expansion efforts of New York City banks still awaiting Federal supervisory approval?

Here, again, the answer is obvious. The giant banks are going to drive ahead with their merger plans. The merger movement will be shot to heights unparalleled in the annals of American banking.

EFFECT OF COMPTROLLER OF THE CURRENCY'S APPROVAL OF BANK MERGER

What is the effect of an approval of the Comptroller of the Currency of a bank merger proposal? The answer is clear. The parties proceed with the merger—proceed to scramble up their personnel and activities—proceed to completely eliminate competition between merging parties—proceed to so intermingle their activities as to make virtually impossible the restoration of competition. All of this is done with the glow of approval of the Comptroller of the Currency. The Comptroller's approval of the merger for all practical purposes apparently nullifies the injunctive powers of the Department of Justice.

An article appearing in the September 1 issue of American Banker clearly shows how the merging banks are proceeding now to commingle their assets. According to the American Banker:

The physical phase of the merger will begin officially at 6 p.m. Chicago time tonight.

The moving program will continue on an around-the-clock basis until completed. It is estimated the moving will be finished sometime Sunday afternoon.

More than $1.5 million in cash and more than $1 billion in securities will be transferred from the City National headquarters to the Continental Building during the weekend.

I would like to introduce the full article from the American Banker at this point:

JUDGE DENIES U.S. PLEA FOR INJUNCTION TO PREVENT CHICAGO BANKS' MERGER

CHICAGO.—Judge Julius H. Miner, U.S. district court, yesterday denied the Government's plea for a temporary restraining order to block the merger of City National Bank & Trust Co. into Continental Illinois National Bank & Trust Co. In announcing his decision, Judge Miner said:

"It is clear from the testimony that the merger has progressed too far to avoid irreparable injury to the City National Bank if the injunction were to be granted. In fact, it appears to the court that a restraining order would destroy any possibility effectuating this merger.

"This court of equity cannot sanction irreparable injury upon any litigant."

The physical phase of the merger will begin officially at 6 p.m. Chicago time tonight.

The moving program will continue on an around-the-clock basis until completed. It is estimated the moving will be finished some time Sunday afternoon.

More than $1.5 million in cash and more than $1 billion in securities will be transferred from the City National headquarters to the Continental building during the weekend.

A contingent of bank guards, aided by Brinks guards and Chicago police, will guard the transfer.

A court ruling blocking the merger of City National Bank & Trust Co. into Continental Illinois National Bank & Trust Co. would mean problems for City National, President Arthur T. Leonard testified Thursday.

Mr. Leonard was on the witness stand as the Department of Justice pursued its effort to get a temporary restraining order to prevent the physical merger of the two Loop banks.

The case, before U.S. District Judge Julius H. Miner, was being fought right to a moving day deadline.

The movers are set to start transferring millions of dollars of City National assets across La Salle Street to the Continental building Friday.

"A temporary restraining order would cause utter confusion among our 31,000 customers," Mr. Leonard said, pointing out customers expect to start drawing checks on the Continental as of Tuesday morning.

The Justice Department sought the restraining order with the intention of bringing an antitrust suit later to prevent a permanent consolidation of the two banks.

However, Mr. Leonard said, "the merger virtually is completed with the exception of the transfer of the physical assets and the movement of personnel to the Continental Building."

Mr. Leonard pointed out City National's 31,000 customers had been notified by official letters and that 1,250 renters of safe deposit boxes also had been told of the move.

In sum, City National employees, he said, had put in more than 13,000 hours of overtime work preparing the way for the physical consolidation.

SECURITIES CHECKED

It took 460 employees under the supervision of 15 auditors from A. C. Allyn & Co. to check and verify the securities to be transferred, he added.

Judge Miner told the attorneys at one point that he was continuing the hearing at such length because he wanted a complete court record before he gave his decision.

"While I am vitally concerned with the urgency of this case, I do not think the saving of a few hours should interfere with justice," the jurist stated.

Immediately after being notified of the Comptroller's approval, officials of the banks set plans into motion to start moving City National's assets and facilities into the Continental Illinois Building beginning today (Friday).

The long Labor Day weekend presented an ideal opportunity to expedite the moving operation without interfering with the bank's operations, officials said.

On Wednesday, Judge Miner refused to be rushed into handing down a verdict despite the closeness of the banks' moving schedule and the merger deadline.

JUDGE'S COMMENT

The jurist, after listening to an hour-long Justice Department presentation followed by 90 minutes of testimony by Continental Illinois officials Wednesday, said:

"In the light of what is before me, I could not grant it (the injunction)".

The key to Judge Miner's delay, lawyers asserted, came in the testimony of Donald M. Graham, vice chairman of Continental-Illinois.

Mr. Graham testified he had been assured by a Justice Department attorney in Washington last week the the Government would not move a restraining order to block the banks' physical merger.

CITES QUOTATION

It had been understood by all parties that the Justice Department was reserving the right to try the merits of the merger under the provisions of the Sherman and Clayton Acts.

According to Mr. Graham's testimony, Larry L. Williams, now Chief of the Justice Department's Special Trial Section, stated in a conversation on August 2:

"The Government does not intend to file an injunction complaint."

Judge Miner, toward the close of Wednesday's hearings, said he wanted to hear more about the reported conversation between Mr. Graham and Mr. Williams.

The latter, who is vacationing in California, was not present at the time.

In holding his ruling in abeyance, Judge Miner also took into consideration statements made by Miles G. Seeley, of the law firm of Meyer, Friedlich, Spies, Tierney, Brown & Platt, who presented the case for Continental.

BANK'S COUNSEL'S VIEW

Mr. Seeley asserted the court's ruling on the consolidation would be crucial.

"This merger is not postponed, it is dead," if the injunction is granted, Mr. Seeley declared.

He contended that the original agreement between the banks stipulated that the contract would be void unless the merger would be completed before December 31.

Obviously, Mr. Seeley stated, the antitrust litigation following issuance of the injunction could not be completed before the end of the year.

Herbert G. Schoepke, Justice Department attorney, in pleading for the restraint order, said it was imperative that the antitrust case be tried before there is a "complicated, hopeless intermingling of the assets, which would make relief most difficult."

Mr. Schoepke presented memoranda from the Justice Department and from the Federal Reserve Board which previously had been filed with the Comptroller stating the opinions of both agencies that the merger would tend to substantially lessen bank competition in Chicago.

The Department of Justice attorney said if the merger were completed, the four largest downtown banks here would hold 65 percent of all Chicago deposits. The present figure is 62 percent.

The merger would increase the deposits held by the 16 Loop banks from 82 percent of all Chicago deposits to 87 percent, he added.

BANKS' STATEMENT

CHICAGO.—In a statement on Federal Judge Julius H. Miner's denial of an injunction against the banks' merger, issued jointly, David M. Kennedy, chairman, Continental-Illinois National Bank & Trust Co., and Arthur T. Leonard, president, City National Bank & Trust Co. said:

"We are gratified by Judge Miner's decision.

"We are proceeding on the basis of the authority granted by the Comptroller of the Currency based on his finding that this merger is in the public interest.

"We are continuing without interruption our program of physically merging the two banks over the forthcoming Labor Day weekend.

"It is our purpose to establish a new high standard of banking service for Chicago and the Midwest, and we intend that this purpose shall be realized."

At this point, Mr. Speaker, I should like to include a report from the New York Times of September 1 entitled "Court Won't Bar Big Bank Merger." This article shows the extent to which the district court has been influenced by the action of the Comptroller of the Currency:

COURT WON'T BAR BIG BANK MERGER—UNITED STATES LOSES ATTEMPT TO HALT STEP IN CHICAGO PENDING ANTITRUST LITIGATION—TRIAL WILL BE PRESSED—BUT GOVERNMENT WILL FACE AN ACCOMPLISHED FACT WHEN CASE OPENS

CHICAGO, August 31.—Judge Julius H. Miner in Federal district court today refused to grant the Government's request for a temporary restraining order to block the merger of two large Chicago banks, the Continental Illinois Bank & Trust Co. and the City National Bank & Trust Co.

The decision cleared the way for completion of the merger tomorrow, the date announced previously by the two banks for the consolidation, one of the biggest in Chicago banking history. Physical transfer of the City National's properties to the Continenal's building will take place over the weekend.

"It is clear," Judge Miner said in his ruling, "that the merger has progressed too far and that a restraining order would create irreparable damage. In fact, it appears to the court that a restraining order would destroy the possibility of effectuating this merger.

"This court of equity cannot sanction irreparable injury upon any litigant, or prevent a proposed merger by a restraining order without a full hearing on the issues."

BANKER GRATIFIED

David M. Kennedy, chairman of the Continental Illinois, the larger of the two banks,

said his bank was gratified by Judge Miner's decision.

"We are proceeding on the basis of the authority granted by the Comptroller of the Currency's finding that this merger is in the public interest and we are continuing without interruption our progress of physically merging the two banks over the forthcoming Labor Day weekend."

Judge Miner's ruling followed 2 days of hearings on the Department of Justice's request for issuance of a temporary injunction pending adjudication of the Government's antitrust suit against the two banks.

Asked whether the Government planned to appeal the ruling, Herbert G. Schoepke, the Government's top lawyer in the case, said that a decision would be made in Washington. He added that he was not sure whether a ruling in a temporary restraining order case could be appealed.

PUBLIC INTEREST NOTED

Judge Miner noted that the Comptroller of the Currency, who approved the merger on August 21, had the independent right to sanction a merger between banks if he considered the merger to be in the public interest after conferring with the Department of Justice.

"Any restraining order would nullify the finding of the Comptroller that the merger is in public interest, without affording the banks an opportunity to litigate it," the court said. "Also, the uncontradicted testimony before the court is that the merger has been 'virtually completed,' except for the physical transfer of the assets."

Arthur T. Leonard, president of the City National Bank & Trust Co. of Chicago, testified earlier in the day that if the Government succeeded in its move to block the merger, the effect on his bank would be chaotic.

Mr. Leonard said a restraining order would cause "utter confusion" among the City National's 31,000 customers and other persons involved in the merger.

CUSTOMERS NOTIFIED

He said all of the bank's customers were notified of the Comptroller of the Currency's approval of the merger last week and that notices went out to 371 correspondent bank customers in 31 States and to companies for which City National acts as stock transfer agent and registrar.

Since August 22, the day after approval by the Comptroller of the Currency, 460 City National and Continental employees working in teams have put in about 13,000 hours of overtime handling details of transferring millions of dollars of securities of the bank and its trust accounts, he said.

Mr. Leonard said his bank also had asked the Chicago Clearing House Association, which handles the millions of checks written every day in the city, to notify association members that all checks and other financial items drawn on City National should be cleared through Continental after tomorrow.

According to this New York Times article, the district court noted that the Comptroller of the Currency had sanctioned the merger as in the public interest and the court went on to say:

Any restraining order would nullify the finding of the Comptroller that the merger is in public interest, without affording the banks an opportunity to litigate it.

In this instance apparently the District court felt that the Comptroller of the Currency's opinion swung the balance against the Department of Justice. In other words, the practical effect in this case was that the Comptroller of the Currency's opinion prevailed over that of the Attorney General. And the effect was to nullify the Attorney General's powers to seek a temporary injunction.

COMPTROLLER OF THE CURRENCY SHOULD STEP DOWN NOW

Let me quote again from the New York Times of August 27:

Meanwhile, reports that Mr. Gidney would be stepping down from his office on September 1 were strangely muted. A holdover from the Eisenhower administration, the Comptroller has been under fire from some members of the Kennedy administration.

The attacks, however, have quieted and there were reports last week that Mr. Gidney was planning to address the national bank division of the American Bankers Association at its convention in San Francisco the middle of October.

It is time now to ask for Mr. Gidney's resignation.

Mr. Speaker, I desire to discuss another subject in view of information appearing in the New York Times today.

REVOLUTION TAKING PLACE IN THE MONEY TRUST?

Mr. PATMAN. Mr. Speaker, there is a small item in the New York Times this morning which refers to a very large event.

The news is that four New York banks are selling their 60 percent ownership in the Discount Corp.

Who is the Discount Corp.? I would not be surprised if most Members of the House had never heard of the Discount Corp. It is not an organization which has been widely advertised. Yet, those of us who have had an opportunity to get acquainted with this organization and learn something about its functioning in the money system of the United States have good reason to think that it is an organization of no small consequence. On the contrary, its operations, its ownership, its directors, and its relative secrecy all add together to make an appalling story.

The Discount Corp. is owned, or has been up until this week, principally by four of the principal New York money market banks. In truth, seven of the top New York banks have constituted its board of directors.

The announcement now comes that the four bank owners are selling their stock in the Discount Corp. to what are called institutional investors.

The announcement demonstrates how effective public information and public exposure can be toward bringing about voluntary compliance with the antitrust laws, particularly when the Antitrust Division of the Department of Justice begins an investigation. About 2 years ago, specifically in early August of 1959, the Joint Economic Committee held hearings in New York concerning the operation of the so-called open market in U.S. Government securities. This so-called open market was then made up of 17 private dealers in Government securities. The Federal Reserve Bank of New York extends credit to the banking system of the United States—and at times takes credit out of the banking system exclusively through these dealers. Their volume of business aggregates more than $300 billion a year, which makes them bigger than all of the stock exchanges and all of the commodity markets of the country combined.

One of these dealers, and perhaps the largest one, is the Discount Corp. Several of the other New York banks owning stock in the Discount Corp. or having directors on its board, or both, are also members of this rather exclusive club of open market dealers. This has presented a very interesting situation. These bank dealers in the so-called open market are described in some quarters as being vigorous competitors with one another in fixing the price of Government securities sold to the public. Where I have been puzzled, and still am puzzled, is this: How vigorously does one bank dealer compete with another bank dealer in which it holds a large ownership; when each part owner in this cooperative venture has good reason not to compete too vigorously with its subsidiary, then does it follow that it would wish to cause prices of Government securities to behave in certain ways which would injure not only the subsidiary but the other competitors as well?

Prior to the time that the Joint Economic Committee held its hearings in New York, I believe the general public and even the big institutional investors in Government bonds were ignorant of the ownership and control of the Discount Corp. I imagine that the Antitrust Division itself was ignorant of this matter. During those hearings, however, information concerning the ownership and the interlocking directorates of the Discount Corp. was put into the public record. Further, it has been pleasing to hear that the Antitrust Division has recently got around to making an investigation of this matter. It is even more pleasing to hear that the parties concerned have at least to a certain extent taken voluntary actions which would seem to put them above suspicion of noncompliance with the elementary requirements of the antitrust laws.

I note that on another page, page C–39 of the New York Times this morning, an announcement by two stockbrokers, the First Boston Corp., and Smith, Barney & Co., to the effect that they have handled the sales of some 29,734 shares of the Discount Corp. This announcement further indicates that these shares were a "direct placement" negotiated by the companies involved, and not an offering to the general public. Thus, we cannot say whether there is any substantial change in the ownership of these shares. They may have been merely shuffiled from one nominal ownership to another. I hope that before the Antitrust Division drops its interest in this matter it will consider whether or not it can appropriately learn who the new owners are and let the public know.

Furthermore, the Department of Justice owes the public an accounting on still another question: This is the question of what is to be done to bring the Discount Corp. and the other New York banks into compliance with section 8 of the Clayton Antitrust Act. In other words, the question is, Will the seven

New York banks who supplied the directors making up the board of directors of the Discount Corp. continue in this interlocking cooperative posture? Nothing has been said about this.

I believe that the Members will be most interested and most impressed with the ramifications of these interlocking directorates which come to a head in the Discount Corp., or at least did so 2 years ago. Accordingly, I will insert in the RECORD a statement which I put into the hearing records of the Joint Economic Committee on this subject 2 years ago. The statement is as follows:

OWNERSHIP AND INTERLOCKING CONNECTIONS OF THE DISCOUNT CORP. (REVISED)

The significance of the Discount Corp.'s interlocking directors and other connections in the financial community arises from the fact that it is one of the largest dealers in U.S. Government securities. In terms of volume of trading with the Federal Reserve System's open market account, it is the largest single dealer.

The Federal Reserve System's open market account buys and sells tremendous quantities of Federal securities in what is called the open market. All sales and purchases in this open market are with 17 private security dealers. In addition, the Federal Reserve enters into repurchase agreements with many of these dealers, which repurchase agreements are in effect loans made to the dealers for the purpose of assisting them in carrying securities. Last year the Federal Reserve System's trading with the 17 dealers amounted to $18 billion, including repurchase agreements.

The board of directors of the Discount Corp. is made up of directors of the seven top New York money-market banks, plus several officers of the corporation. These banks are: Bankers Trust Co., Chase Manhattan Bank, Chemical Corn Exchange Bank, First National City Bank, Manufacturers Trust Co., Morgan Guaranty Trust Co., and New York Trust Co.

Further, of the seven banks listed above all but two, Chase Manhattan Bank and Manufacturers Trust Co., are reported to be stockholders in the Discount Corp., their combined stockholdings constituting a majority of Discount Corp.'s stock.

Furthermore, three of the owner banks are also dealers in Government securities and, as such, trade in Government securities with the Federal Reserve open market account. These are Bankers Trust, Chemical Corn Exchange, and Morgan Guaranty Trust.

The directors of Discount Corp. and the 7 money-market banks are also directors of 89 other major financial institutions. Altogether, these large institutions, plus Discount Corp. and the 7 money-market banks—a total of 97 companies—had assets aggregating $132 billion at the end of 1958. These interlocking connections were with many of the top financial institutions of the country—with 8 of the 10 top commercial banks, with 6 of the 10 top savings banks, with 7 of the top 10 life insurance companies, and with 5 of the top 10 fire and casualty insurance companies. In addition, the directors of Discount Corp. and the seven money-market banks are also directors of many of the largest industrial and utility corporations, which are, of course, large investors in Government securities.

The accompanying chart shows the interlocking directors between Discount Corp. and the 7 money-market banks, as well as between these institutions and 89 other major financial companies. The names of individuals are indicated on the chart by code numbers, and the names of these individuals, plus the names of all the other companies with which each is connected, are provided on the attached list.

In 1957, Discount Corp.'s net profits amounted to $1.2 million. In 1958, its net profits increased to $1.8 million, giving a return of 21 percent on its total capital account, including undivided profits.

INTERLOCKING DIRECTORS OF DISCOUNT CORP. AND ITS OWNER-BANKS WITH MAJOR FINANCIAL INSTITUTIONS

DISCOUNT CORP.

1. Alexander, Henry Clay: Morgan Guaranty Trust Co., chairman; Discount Corp., director; Johns-Manville Corp., director; American Viscose Corp., director; Standard Brands, Inc., director; and General Motors Corp., director.

2. Anderson, Edward E.: Discount Corp., senior vice president, director; and East River Savings Bank, trustee.

3. Champion, George: Chase Manhattan Bank, president, director; Discount Corp., director; American Smelting & Refining Co., director; Blind Brook Club, Inc., director; Charter Oaks Fire Insurance Co., director; Chase Manhattan Realty Corp., president, director; Chase International Investment Corp., director; Elsin Electronics Corp., director; Japan Society, Inc., director; Southern Railway Co., director; and Travelers Indemnity Co., director.

4. Cleveland, J. Luther: Guaranty Trust Co. of New York, chairman; Discount Corp., director; Guaranty Safe Deposit Co., director; Atchison, Topeka & Santa Fe Railroad, director; and Anaconda Co., director.

5. Colt, S. Sloan: Bankers Trust Co., director; Discount Corp., director; Provident Insurance Co., director; Royal Exchange Assurance Co., member U.S. Advisory Commission; Port of New York Authority, commissioner; Mutual Life Insurance Co. of New York, trustee; American Bank Note Co., director; General Foods Corp., director, member finance committee; General Electric Co., director, member finance committee; American Can Co., director, member executive committee; and Tax Foundation, Inc., treasurer, trustee.

6. Helm, Harold V.: Chemical Corn Exchange Bank, chairman; Discount Corp., director; Corn Products Refining Co., director, member executive committee; City Investing Co., director; Home Insurance Co., director, member finance committee, member executive committee; Home Indemnity Co., director, member executive committee; Lykes Bros. SS Co., director; United States Rubber Co., director; Champion Paper Foundation, trustee; Association of Reserve City Bankers, member; New York Clearing House Association, member clearinghouse committee; New York Clearing House Building Co., president; New York Money Market, member general committee; Whitehall Foundation, Inc., trustee; Commercial Solvents Corp., director, member executive committee, audit committee; Associated Dry Goods Corp., director, member executive committee; Lord & Taylor, director; Christian Properties Corp., trustee; Champion Paper & Fibre Co., director; F. W. Woolworth Co., director; Equitable Life Assurance Society of United States, director, member executive committee, member finance committee; Ralston Purina Co., director; and National Industrial Conference Board, vice chairman, trustee.

7. Flanigan, Horace C.: Manufacturers Trust Co., chairman; Discount Corp., director; Dollar Savings Bank, trustee; New York Fire Insurance Co., director; Stern Bros., director; Bankers Club of America, governor; Union Oil Corp. of California, director; Hilton Hotels Corp., director; General Aniline & Film Corp., director; Allied Stores Corp., director; Anchor Hocking Glass Corp., director; and Beekman-Downtown Hospital, director.

8. Massie, Adrian M.: New York Trust Co., chairman; Discount Corp., director; Pacific Insurance Co. of New York, director; Commonwealth Insurance Co., director; Mercantile Insurance Co., director; Bankers & Shippers Insurance Co., director; Jersey Insurance Co., director; North British & Mercantile Insurance Co., director; Greenwich Savings Bank, trustee; and U.S. Life Insurance Co., director.

9. Mills, Dudley H.: Discount Corp., chairman; Underwood Corp., director; Great American Insurance Co., director; American National Insurance Co., director; Great American Indemnity, director; and Rochester American Insurance Co., director.

10. Repp, Herbert N.: Discount Corp., president, director; and Investment Bankers Association of America, Governmental Securities Committee, member.

11. Sheperd, Howard C.: First National City Bank, New York, chairman; International Banking Corp., chairman; National City Foundation, chairman; Discount Corp., director; National City Realty Corp., president, director; Anaconda Co., director; Best & Co., director; Canadian Pacific Railway, director; Corning Glass Works, director; Federal Insurance Co., director; Federal Reserve Bank of New York, class A director; New Jersey Zinc Co., director; Union Pacific Railway, director; United Aircraft Corp., director; Consolidated Edison Co., trustee; East River Savings Bank, trustee; National City Safe Deposit Co., director; First National City Trust Co., director; and J. C. Penney Co., director.

12. Sherer, Dunham B.: Chemical Corn Exchange Bank, director.

BANKERS TRUST CO.

Colt, S. Sloan. (See Discount Corp.)

13. Cullman, Howard S.: Bankers Trust Co., director; Cullman Bros., Inc., president, director; Port of New York Authority, honorary chairman; Fifth Avenue Coach Lines, Inc., director; Lexington Ave. & 42d Street Corp., chairman; Prudential Insurance Co. of America, director; Waldorf-Astoria Hotel Corp., director; Philip Morris, Inc., director; and Tobacco Merchants Association, president, director.

14. Given, William B.: American Brake Shoe Co., chairman; Bankers Trust Co., director, member executive committee; Bucyrus-Erie Co., director, member executive committee; Mellon National Bank & Trust Co., director; Combustion Engineering, Inc., director, chairman, executive committee; Dry Dock Savings Bank, trustee; Lloyds-Brake Shoe, Ltd., chairman; Lloyds (Burton), Ltd., director; Fabrications Auxiliares des Industries Locomotrices (French), honorary president; and Dominion Brake Shoe Co., Ltd., director.

15. Hanes, John W.: Olin Mathieson Chemical Corp., director; Bankers Trust Co., director; United States Lines Co., director, chairman executive committee and finance committee; Johns-Mansville Corp., director; Purolator Products, Inc., director; Mutual Life Insurance Co. of New York, trustee; and P. H. Hanes Knitting Co., director.

16. Lapham, Lewis A.: Grace Line, Inc., president, director; Bankers Trust Co., director; Federal Insurance Co., director; Barber Oil Co., director; W. R. Grace & Co., director; Tri-Continental Corp., director; H. J. Heinz Co., director; Maritime Association, Port of New York City, president; and American Bureau of Shipping, member board of managers, member finance committee.

17. Leeb, Brian P.: Bankers Trust Co., director; Franklin Savings Bank, trustee; and Phoenix London Group, director.

18. Montgomery, George G.: Kern County Land Co., president, director; Bankers Trust Co., director; Castle & Cook, Inc., director; Pacific National Life Assurance Co., director; Matson Navigation Co., director; Oceanic Steamship Co., director; American Trust Co., director; General Electric Co., director; and Pacific Lumber Co., director.

19. Morgan, Thomas A.: Bankers Trust Co., member executive committee, member trustee committee, director; Lehman Corp., director; Atlantic Mutual Insurance Co., trustee; Bulova Watch Co., director; Centennial Insurance Co., director; Western Union Telegraph Co., director; Shell Oil Co., director; General Aniline & Film Corp., chairman retirement committee, member executive committee and research committee, director; United States Industries, Inc., director, member executive committee; Jewelers Acceptance Corp., director; and Standard Financial Corp., director.

20. Puckett, B. Earl: Bankers Trust Co., director; Allied Stores Corp., chairman; Jack Black Dry Goods Co., director; L. S. Donaldson Co., director; L. H. Field Co., director; Golden Rule, director; Herpolsheimer Co., director; Jordan Marsh Co., director; Joske Bros. Co., director; F. N. Joslin Co., director; Maas Bros., Inc., director; Meyer's Co., director; Morehouse-Martens Co., director; Muller Co., Ltd., director; O'Neill & Co., director; Pomeroy's, Inc., director; A. Polsky Co., director; Rollman & Sons Co., director; Louis Samler, Inc., director; Titche-Goettinger Co., director; A. E. Troutman Co., director; C. M. Guggenheimer, Inc., director; George B. Peck, Inc., director; Waite's, Inc., director; Heer's, Inc., director; C. C. Anderson Stores Co., director; Polsky Realty Co., director; B. Gertz, Inc., director; Bon Marche, Inc., director; Stern Bros., director; Lehman Corp., director; Pee Wee Corp., president, director; Wayne Petroleum Co., president, director; Robinson-Puckett, Inc., director; and 20th Century-Fox Corp., director.

21. Reed, Philip D.: General Electric Co., chairman, finance committee; Bankers Trust Co., director; American Express Co., director; American Express Co., Inc., director; Metropolitan Life Insurance Co., director; National Dairy Products Corp., director; Scott Paper Co., director; Hoving Corp., director; Tiffany & Co., director; Otis Elevator Co., director; and Bigelow-Sanford Carpet Co., director.

22. Taylor, William T.: ACF Industries, Inc., chairman; Bankers Trust Co., director; Adams Land & Development Corp., director; American Land & Development Corp., director; Adams Express Co., member, executive committee and board of managers; American International Corp., member, executive committee; Allied Stores Corp., director; Fairfield County (Conn.) Trust Co., director; and Basic Research Corp., trustee.

23. Tompkins, Boyston A.: Bankers Trust Co., director; Bowery Savings Bank, trustee; General American Investors, director; Otis Elevator Co., director; Babcock & Wilcox Co., director; National Aviation Corp., director; Flintkote Co., director; International Paper Co., director; Detroit Edison Co., director; Webb & Knapp, Inc., director; and Purolater Products, Inc., director.

24. Watson, Thomas J., Jr.: IBM Corp., president, director; Bankers Trust Co., director; Mutual Life Insurance Co., director; International Correspondence Schools, World, Ltd., director; and Time, Inc., director.

CHASE MANHATTAN BANK

25. Bell, Elliott V.: McGraw-Hill Publishing Co., chairman, executive committee, director; Chase National Bank, director; Business Week, editor and publisher; New York Life Insurance Co., member, executive committee, member, finance committee, director; Dime Savings Bank of Brooklyn, trustee; New York Telephone Co., director; American Agricultural Chemical Co., director; Revere Copper & Brass, Inc., director; Tri-Continental Corp., director; and Carrier Corp., director.

25. Catharine, Robert M.: Dollar Savings Bank of New York, chairman, trustee; Chase Manhattan Bank, director; Commonwealth Insurance Co. of New York, director; U.S. board, North British & Mercantile Insurance Co., director; and Maryland Casualty Co., director.

Champion, George. (See Discount Corp.)

27. Clay, Lucius D.: Continental Can Co., chairman; Lehman Corp., director; General Motors Corp., director; Central Savings Bank of New York, trustee; Metropolitan Life Insurance Co., director; American Express Co., director; and United States Lines, Inc., director.

28. Davies, Paul L.: Food Machinery & Chemical Corp., chairman, director; Chase Manhattan Bank, director; American Trust Co., director; California Water Service Co., director; Caterpillar Tractor Co., director; International Business Machine Corp., director; Southern Pacific Co., director; National Industrial Conference Board, director; Pacific Gas & Electric Co., director; and Stanford Research Institute, director.

29. De Butts, Henry Ashby: Southern Railway Co., president, director; Chase Manhattan Bank, director; Cincinnati, New Orleans & Texas Pacific Railway, president, director; Alabama Great Southern Railway, president, director; Richmond-Washington Co., director; New Orleans & Northern Railroad Co., president, director; Georgia Southern & Florida Railway Co., president, director; Association of American Railroads, director; Equitable Life Assurance Society of United States, director; Riggs National Bank, director; Richmond, Fredericksburg & Potomac Railroad, director; and Woodward & Lothrop, Inc., director.

30. De Witt, J. Doyle: Travelers Insurance Co., president, director; Chase Manhattan Bank, director; Travelers Indemnity Co., president, director; Chase Manhattan Realty Corp., director; Hartford Electric Light Co., director; Charter Oaks Fire Insurance Co., president, director; Mechanics Savings Bank (Hartford), trustee; Travelers Broadcasting Service Corp., director; Veeder-Root, Inc., director; Hartford National Bank & Trust Co., director; Holo-Krome Screw Co., director; Connecticut Public Expenditure Council, Inc., trustee; Southern New England Telephone Co., director; and United Aircraft Corp., director.

31. Ecker, Frederic W.: Metropolitan Life Insurance Co., president, director; Chase Manhattan Bank, director; China Medical Board of New York, Inc., trustee; Institute of Life Insurance, director; Life Insurance Association of America, director; and Life Insurance Medical Research Fund, director.

32. Holman, Eugene: Standard Oil Co. (New Jersey), chairman, director, chairman, executive committee; Chase Manhattan Bank, director; and Metropolitan Life Insurance Co., director.

33. Kappell, Frederick R.: American Telephone & Telegraph Co., president, director; Chase Manhattan Bank, director; and Metropolitan Life Insurance Co., director.

34. Martino, Joseph A.: National Lead Co., director; chairman, executive committee; Chase Manhattan Bank, director; Chemtron Corp., director; Allegheny Ludlum Steel Corp., director; Baker Castor Oil Co., director; Morris P. Kirk & Son, Inc., vice president, director; R–N Corp., director; Pioneer Aluminum, Inc., chairman; Baritina de Venezuela, S.A., director; Fidelity & Casualty Co. of New York, director; Minnesota Linseed Oil Co., chairman; Nickel Processing Corp., chairman; Titanium Metals Corp. of America, director; East River Savings Bank, trustee; and ABC Paramount Theaters, Inc., director.

35. McCloy, John J.: Chase Manhattan Bank, chairman, director; American Telephone & Telegraph Co., director, member, executive committee; Metropolitan Life Insurance Co., director, member, finance committee; Ford Foundation, chairman; Westinghouse Electric Corp., director; Rockefeller Foundation, trustee; United Fruit Co., director; and Allied Chemical Corp., director.

36. Oates, James Franklin, Jr.: Equitable Life Assurance Society, president, chairman; Chase Manhattan Bank, director; First National Bank of Chicago, director; Great Northern Railway, director; and Miehle-Goss-Dexter, Inc., director.

37. Percy, Charles Hartig: Bell & Howell Co., president, director; Harris Trust & Savings Bank, director; and Burroughs Corp., director.

38. Prior, Frank O.: Standard Oil (Indiana), chairman, director; Chase Manhattan Bank, director; American Petroleum Institute, director; American Oil Co., director;

39. Russell, Frank F.: Cerro de Pasco Corp., chairman; Chase Manhattan Bank, director; National Aviation Corp., director; Otis Elevator Co., director; Union Oil & Gas Corp. of Louisiana, director; Worthington Corp., director; Popular & Porvenir Cia de Seguros, director; Martin Co., director; Circle Wire & Cable Corp., director; Fairmont Aluminum Co., director; and Peruvian American Association, president, director.

40. Stone, Whitney: Stone & Webster, Inc., chairman; Chase Manhattan Bank, director; American Express Co., director; Stone & Webster Engineering Corp., director; Stone & Webster Service Corp., director; Stone & Webster Securities Corp., director; San Salvador Development Co., director; and General Reinsurance Corp., director.

CHEMICAL CORN EXCHANGE BANK

41. Black, James B.: Pacific Gas & Electric Co., chairman; member, executive committee; director; Chemical Corn Exchange Bank, director; United States Steel Corp., director; Southern Pacific Co., member, executive committee; director; Equitable Life Assurance Society of United States, director; Shell Oil Co., director; Gila River Ranch, Inc., member, executive committee; director; Firemen's Fund Insurance Co., member executive committee, director; Ford Foundation, trustee; Del Monte Properties Co., director; and California Pacific Title Insurance Co., member, executive committee, director.

42. Black, Kenneth E.: Home Insurance Co., president and director; Chemical Corn Exchange Bank, director; Home Indemnity Co., president and director; Harlem Savings Bank, trustee; Atlantic Coast Line Railroad, director; General Adjustment Bureau, Inc., director; George A. Fuller Co., director; National Board of Fire Underwriters Building Corp., president; and Underwriters' Laboratories, Inc., director.

43. Bruce, James: Chemical Corn, Exchange Bank, director; American Airlines, Inc., director; Commercial Credit Corp., director; General American Investment Co., director; Equity Corp., director; United States Industries, Inc., director; Fruehauf Trailer Co., director; National Dairy Products Co., director; Revlon, Inc., director; Congoleum Nairn, Inc., director; Technicolor Inc., director; Federal Home Loan Bank of New York, director; Republic Steel Corp., director; Avco Corp., director; Continental Insurance Co., director; Western Tablet & Stationery Co., director; and Fairbanks Morse & Co., director.

44. Callaway, Cason J.: Blue Springs Farms, owner; Chemical Corn Exchange Bank, director; United States Steel Corp., director; Nutrition Foundation, Inc., trustee; Trust Co. of Georgia, director; and Shell Oil Co., director.

45. Drysdale, Robert A.: Drysdale & Co., senior partner; Chemical Corn Exchange Bank, director; Central Savings Bank, trustee; Guardian Life Insurance Co., director; Westchester Fire Insurance Co., director; North River Fire Insurance Co., director; and U.S. Fire Insurance Co., director.

46. Few, Benjamin F.: Liggett & Myers Tobacco Co., president and director; Chemical Corn Exchange Bank, director; Bank for Savings in City of New York, trustee; and Duke Power Co., director.

47. Grainger, Isaac B.: Chemical Corn Exchange Bank, president and director; Safety Industries, Inc., director; Fort Myers Southern RR. Co., director; Hartford Fire Insurance Co., director; and Hartford Accident & Indemnity Co., director.

48. Harris, Henry Upham: Harris, Upham & Co., partner; Chemical Corn Exchange Bank, director; Texas Co., director; Oceanarium, Inc., partner and director; Stone & Webster, Inc., director; and Great American Insurance Co., director.

49. Hauser, Alfred H.: Chemical Corn Exchange Bank, vice president; American Life Insurance Co. of New York, director; Colonial Ice Co., director; Porete Manufacturing Co., director; Maracaibo Oil Exploration Corp., director; American Surety Co., trustee; Empire City Savings Bank, trustee; and Granby Consolidated Mining, Smelting & Power Co., Ltd., director.

Helm, Harold H. (See Discount Corp.)

50. Houston, Frank K.: Chemical Corn Exchange Bank, honorary chairman, vice chairman, director, executive committee; Standard Insurance Co. of New York, director; Thomas Jefferson Memorial Foundation, chairman; Aetna Insurance Co., director; Century Indemnity Co., director; Piedmont Fire Insurance Co., director; World Fire & Marine Insurance Co., director; and Hotel Waldorf-Astoria Corp., director.

51. Humphreys, Harry E., Jr.: U.S. Rubber Co., chairman; Chemical Corn Exchange Bank, director; Latex Fiber Industries, Inc., director; Terminal Warehouses, Ltd., director; Great American Insurance Co., director; Dominion Rubber Co., Ltd., director; Mutual Life Insurance Co. of New York, trustee; Rubber Manufacturers Association, director; and National Industrial Conference Board, member.

52. Jackson, N. Baxter: Chemical Corn Exchange Bank, chairman, executive committee and director; General Reinsurance Corp., director; McCrory Stores Corp., director; American Chicle Co., director; French American Banking Corp., director; Interchemical Corp., director; Western Electric Co., director; Aluminum, Ltd., director; Alco Products, Inc., director; American Chain & Cable Co., director; Home Life Insurance Co., director; North Star Reinsurance Corp., director; and Port of New York Authority, commissioner.

53. Kellstadt, Charles H.: Sears, Roebuck & Co., president and director; Allstate Insurance Co., director; First National Bank (Atlanta), director; First National Bank (Miami), director; Continental Illinois National Bank & Trust, director; and Whirlpool Corp., director.

54. McKim, Robert J.: Associated Dry Goods Corp., president and director; Chemical Corn Exchange Bank, director; and Bowery Savings Bank, trustee.

55. Williams, Thomas R.: Ichabod T. Williams & Sons, Inc., president; Chemical Corn Exchange Bank, director; George D. Emery Co., president and director; Edgewater Saw Mills Co., president and director; Niagara Fire Insurance Co., director; Astoria Importing & Manufacturing Co., president and director; and Astoria Pan-Americana, Inc., chairman.

56. Woods, J. Albert: Chemical Corn Exchange Bank, director; Central Savings Bank, director; Corn Products Co., director; Wilson & Toomer Fertilizer Co., director; and American Smelting & Refining Co., director.

FIRST NATIONAL CITY BANK OF NEW YORK

57. Allyn, Stanley Charles: National Cash Register Co., chairman; First National City Bank of New York, director; Armco Steel Corp., director; Western Allegheny Railroad, director; Northwestern Mutual Life Insurance Co., trustee; and Mead Corp., director.

58. Chubb, Percy, 2d: Chubb & Son, partner; First National City Bank of New York, director; Federal Insurance Co., president and director; Vigilant Insurance Co., president and director; National Foreign Trade Council, Inc., director; American Institute of Marine Underwriters, director; International Banking Corp., director; and Colonial Life Insurance Co., of America, director.

59. Dodge, Cleveland Earl: Phelps-Dodge Corp., vice president and director; First National City Bank of New York, director; Atlantic Mutual Insurance Co., trustee; Brooklyn Bridge Freezing & Cold Storage, director; Centennial Insurance Co., trustee; First National City Trust Co., director; Dodge Fibers Corp., director; Habirshaw Cable & Wire Corp., director; Merchants Refrigerating Co., director; Montezuma Copper Co., vice president and director; Phelps Dodge Copper Products Corp., director; Phelps Dodge Mercantile Co., vice president; Phelps Dodge Refrigerating Corp., vice president and director; and Southern Pacific Co., director.

60. Follis, Ralph Given: Standard Oil of California, president and chairman; First National City Bank of New York, director; California Commercial Co., director; American Gilsenite Co., director and deputy chairman; Arabian American Oil Co., director and vice chairman; Trans-Arabian Pipeline Co., chairman; Crocker-Anglo National Bank, director; U.S. Council, International Chamber of Commerce, trustee; Federal Engineering Corp., director; Stanford Research Institute, trustee; National Petroleum Council, vice chairman; National Industrial Conference Board, chairman; and American Petroleum Institute, director.

61. Forward, DeWitt A.: First National City Bank of New York, director and senior vice president; National City Safe Deposit Co., director; Dime Saving Bank (Brooklyn), trustee; Boeing Airplane Co., director; International Banking Corp., director; Allis Chalmers Manufacturing Co., director; National City Foundation, director; and Phillips Petroleum Co., director.

62. Grace, Joseph P., Jr.: W. R. Grace & Co., president and director; First National City Bank of New York, director; Brazilian Technical Fund, president; Carthusian Foundation in America, Inc., director; Casita Mara (Elizabeth Seton League, Inc.), director; Emigrant Industrial, S. B., trustee; Grace Institute, president and trustee; International Chamber of Commerce, U.S. Council, trustee; Grace Line, Inc., director; Atlantic Mutual Insurance Co., trustee; Ingersoll-Rand Co., director; Northern Insurance Co., of New York, director; Stone & Webster, Inc., director; Assurance Co. of America, director; Centennial Insurance Co., trustee; and Yale Institute of International Studies, council member.

63. Hagerty, Harry C.: Metropolitan Life Insurance Co., vice president. (F), director; First National City Bank of New York, director; Erie Railroad, director; East River Savings Bank, director; Rochester Gas & Electric Co., director; National Broadcasting Co., director; and Radio Corp. of America, director.

64. Horner, H. Mansfield: United Aircraft Corp., chairman and director; First National City Bank of New York, director; Hartford National Bank & Trust, director; Southern New England Telephone Co., director; and Travelers Insurance Co., director.

65. Nagle, Alexander C.: First National City Bank of New York, director; American Radiator & Standard Sanitary Co., director; National Biscuit Co., director; United States Steel Corp., director; Prudential Insurance Co., director; and American Sugar Refining Co., director.

66. Parlin, Charles C.: Shearman & Sterling & Wright, member; First National City Bank of New York, director; United States & Foreign Securities Corp., president and director; Citizens National Bank, director; Alfred Hofmann & Co., director; Celanese Corp. of America, director; York Commercial Corp., director; Guerlain Inc., director; Potash Import & Chemical Corp., director; Compania Ontario, director; and Pallas Corp., director.

67. Perkins, Richard Sturgis: First National City Bank of New York, vice chairman; Phoenix Assurance Co., director; City Bank Farmers Trust Co., chairman; Ritz-Carlton Hotel Co., director; New York Life Insurance Co., director; Prudential Insurance Co., Great Britain, director; Hudson Insurance Co., director; International Telephone & Telegraph Corp., director; Royal Globe Group, director; Bank of Monrovia, director; International Banking Corp., director; National City Safe Deposit Co., director; Phelps Dodge Corp., director; Provident Loan Society, trustee; Southern Pacific Co., director; and Allied Chemical Corp., director.

Sheperd, Howard C. (See Discount Corp.)

68. Temple, Alan H.: First National City Bank of New York, vice chairman, director; International Banking Corp., director; Prudential Insurance Co. of Great Britain, director; Hudson Insurance Co., director; Seaboard Surety Co., director; Atlantic Mutual Insurance Co., trustee; Centennial Insurance Co., director; and Moore Corp., Ltd., director.

69. Winthrop, Robert: Robert Winthrop & Co., general and special partner; First National City Bank of New York, director; Green Bay & Western Railroad, vice president, director; Kewaunee, Green Bay & Western Railroad, vice president, director; Stony Point Land Co., director; First National City Trust Co., director; Seamen's Bank for Savings, secretary, board of trustees, trustee; Eagle Fire Insurance Co., of New York, director; First National City Safe Deposit Co., director; International Banking Corp., director; Norwich Union Insurance Co., director; U.S. & Foreign Securities Corp., director; and Wall Street Investing Corp., chairman, advisory council.

MANUFACTURERS TRUST CO.

70. Brush, Alvin G.: American Home Products Corp., chairman; Manufacturers Trust Co., director; American Foundation for Pharmaceutical Education, director; Buck Hill Falls Co., director; Dime Savings Bank, Brooklyn, trustee; Electric Bond & Share Co., director; and United Medical Service, director.

71. Crandall, Lou R.: George G. Fuller Co., chairman; Manufacturers Trust Co., director; Curtiss-Wright Corp., director; Sperry & Hutchinson Co., director; Harlem Savings Bank, trustee; General Cable Corp., director; Home Insurance Co., director; and Sears, Roebuck & Co., director.

Flanigan, Horace C. (See Discount Corp.)

72. Franklin, John M.: U.S. Lines Co., president, director; Manufacturers Trust Co. director; Baltimore & Eastern Railroad, director; Worthington Corp., director; Number One Broadway Corp., president, director; Roosevelt Steamship Co., president, director; U.S. Lines Co. (Canada) Ltd., president, director; U.S. Operations, Inc., president, director; Atlantic Transport Co., Ltd., director; American Merchant Marine Institute, director; Home Insurance Co., director; Continental Can Co., Inc., director; American Bureau of Shipping, director; American Steamship Owners Mutual P. & I. Association, Inc., director; and Laurel Race Course, Maryland State Fair, Inc., director.

73. Gerli, Paolino: Manufacturers Trust Co., director; American & Foreign Insurance Co., director; Belding Hemingway Co., director; International Silk Guild, president, director; Interstate Department Stores, Inc., director; Commodity Exchange, director; La France Industries, Inc., chairman; Emigrant Industrial Savings Bank, trustee; International Silk Association, director; and Cheney Bros., Inc., vice president, director.

74. Johnston, Oswald L.: Simpson, Thacher & Bartlett, partner; Manufacturers Trust Co., director; Atlas Corp., vice president, secretary, director; E. W. Bliss Co., chairman,

executive committee, director; General Baking Co., director; Stern Bros, director; Harris-Intertype Corp., director; Hidden Splendor Mining Co., director; Petro-Atlas Corp., director; and Electric Bond & Share Co., director.

75. Leithead, Barry T.: Cluett Peabody & Co., president, director; Manufacturers Trust Co., director; Cluett Peabody & Co. of Canada, chairman; B. F. Goodrich Co., director; and Travelers Insurance Co., director.

76. Madden, John T.: Emigrant Industrial Savings Bank, chairman, trustee; Manufacturers Trust Co., director; W. R. Grace & Co., director; J. P. Maguire & Co., director; and Coca-Cola Bottling Co. of New York, director.

77. Rabe, William G.: Manufacturers Trust Co., chairman, treasury committee, director; Hershey Creamery Co., treasury, chairman, executive committee, director; Alleghany Corp., member, executive committee, director; First Geneva Corp., president, director; Aeolian-American Co., director; Technicolor, Inc., director; Bankers Commercial Corp., director; Stern Bros., director; and Beech-Nut Life Savers, Inc., director.

78. Robinson, William E.: Coca-Cola Co., chairman, director; Manufacturers Trust Co., director; Libbey-Owens-Ford Glass Co., director; Coca-Cola Export Corp., director; Coca-Cola, Ltd., Toronto, director; and Harlem Savings Bank, director.

79. Sargent, Henry B.: American Foreign Power Co., president, director; Manufacturers Trust Co., director; Central Mexico Light & Power, director; Cia Brasileira de Forea Electrea, chairman; Cia Colombiana de Electricidea, director; Cia Cubana de Electricidea, chairman; Cia Panamena de Fuerza y Luz, director; Cordoba (Argentine) Electric Tramways Construction Co., Ltd., director; Cordoba Light & Power Co., director; Ebasco International Corp., chairman; Empresas Electrica del Equador, Inc., director; Empresas Electrica Argentenas, chairman; Empresas Electric Mexicanas, Inc., chairman; Guanrajuato Power & Electric Co., director; Far East Power Corp., chairman, president; Northern Mexico Power & Development Co., Ltd., chairman; Pernambuco Tramways & Power Co., Ltd., director; Puebla Tramway Light & Power Co., chairman; Public Utilities Investment Trust, Ltd., chairman; Rio Grandense Light & Power Syndicate, Ltd., director; South American Power Co., chairman, president; Shanghai Power Co., chairman; Telephone Co. of Pernambuco, Ltd., director; Stanford Research Institute, director; American Institute for Foreign Trade, director; Electric Bond & Share Co., director; and U.S. Life Insurance Co., director.

80. Smith, Harold V.: Home Insurance Co., chairman, director; Manufacturers Trust Co., director; Home Indemnity Co., chairman, director; Lehman Corp., director; Pennsylvania Mutual Life Insurance Co., trustee; and Gracie Square-River Corp., director.

81. Van Bomel, Leroy Allison: National Dairy Products Corp., consultant; Manufacturers Trust Co., director; New York University, member council; Nutrition Foundation, Inc., trustee; American Surety Co., trustee; Ryder System, Inc., director; and Transportation Mutual Insurance Co., director.

82. Von Elm, Henry C.: Manufacturers Trust Co., honorary chairman, director; Sperry & Hutchinson, director; George A. Fuller Co., director; Home Insurance Co., director, member, finance committee; and George W. Rogers Construction Corp., director.

83. Walker, George S.: Electric Bond & Share Co., president, director; Manufacturers Trust Co., director; Ebasco Services, Inc., chairman; United Gas Corp., director; American & Foreign Power Co., director; Schering Corp., director; Escambia Chemical Corp., director; and Chemical Construction Corp., director.

MORGAN GUARANTY TRUST CO.

Alexander, Henry C. (See Discount Corp.)

84. Bechtel, Stephen D.: Bechtel Corp., president, director; Morgan Guaranty Trust Co., director; Bechtel International, Ltd., chairman; Nuclear Power Group, Inc., director; Bechtel International Corp., chairman; International Bechtel Builders, Inc., chairman; Arabian Bechtel Corp., chairman; Pacific Bechtel Corp., chairman; Kuwait Bechtel Corp., chairman; Bechtel International Co., chairman; Bechtel Nuclear Corp., chairman; Bechtel Foundation, president; U.S. Department of Commerce, chairman, business advisory committee; International Bechtel, Inc., chairman; Continental Can Co., director; Industrial Indemnity Co., director; Lakeside Foundation, director; Lakeside Corp., president, director; Canadian Bechtel, Ltd., chairman; Southern Pacific Co., director; U.S. Lines Co., director; and Stanford Research Institute, director.

85. Cabot, Paul C.: State Street Research & Management Co., partner; Morgan Guaranty Trust Co., director; State Street Investment Corp., chairman; Eastern Gas & Fuel Association, trustee, member executive committee; National Dairy Products Corp., director, member executive committee; B. F. Goodrich Co., director; Continental Can Co., director; and Ford Motor Co., director.

86. Cheston, Charles Steele: Morgan Guaranty Trust Co., director; Western Savings Fund Society (Philadelphia), member, board of managers; Provident Mutual Life Insurance Co. (Philadelphia), director; Philco Corp., director; Philadelphia National Bank, director; Insurance Co. of North America, director; Monsanto Chemical Co., director; Mead Corp., director; Muskogee Co., director; Plax Corp., director; Kansas, Oklahoma & Gulf Refinery, director; American Airlines, Inc., director; Chemstrand Corp., director; Indemnity Insurance Co. of North America, director; and Monsanto (Canada), Ltd., director.

Cleveland, J. Luther. (See Discount Corp.)

87. Dickey, Charles Denston: Morgan Guaranty Trust Co., director; chairman, executive committee; Beaver Coal Corp., director; Braden Copper Co., director; Church Life Insurance Corp., director; Church Fire Insurance Corp., director; General Electric Co., director; Kennecott Copper Corp., director; New York Life Insurance Co., director; Panhandle Eastern Pipe Line Co., director; Western Savings Fund Society of Philadelphia, member, board of managers; Merck & Co., director; and Atlantic Refining Co., director.

88. Josephs, Devereux C.: Morgan Guaranty Trust Co., director; New York Life Insurance Co., director; Consolidated Edison Co. of New York, trustee; Carnegie Corp., trustee; American Smelting & Refining Co., director; American Brake Shoe Co., director; and Smith Kline & French Laboratories, director.

89. Morgan, Junius Spencer: Morgan Guaranty Trust Co., director; member, executive committee; Continental Can Co., director; Atlantic Mutual Insurance Co., trustee; and Centennial Insurance Co., trustee.

90. Shanks, Carrol M.: Prudential Insurance Co., president, director; Morgan Guaranty Trust Co., director; Life Insurance Association of America, director; National Biscuit Co., president; Public Service Electric & Gas Co., director; Bigelow-Sanford Carpet Co., director; Fidelity Union Trust Co. (Newark), director; Institute of Life Insurance, director; Georgia-Pacific Corp., director; and Union Carbide Corp., director.

91. Sharp, Dale E.: Morgan Guaranty Trust Co., president, director; Standard Accident Insurance Co. (Detroit), director; Pilot Insurance Co. (Toronto), director; Planet Insurance Co. (Detroit), director; Yorkshire Insurance Co., chairman; Seaboard Fire & Marine Insurance Co., director; and Wilson & Co., director.

92. Stetson, Eugene W.: Morgan Guaranty Trust Co., director; Textile Banking Co., chairman; Coca-Cola Co., director; member, finance committee; French American Banking Corp., chairman advisory committee; Illinois Central Railroad, director; chairman, executive committee; United Stores Co., director; Air Reduction Co., director; member executive committee; Tri-Continental Corp., director; member, advisory committee; Gulf Atlantic Warehouse Co., director; chairman, executive committee; and Tri-Continental Financial Corp., director.

93. Symes, James M.: Pennsylvania Railroad, president, director; Morgan Guaranty Trust Co., director; Norfolk & Western Railway, director; Wabash Railroad, director; Detroit, Toledo & Toronto Railroad, director; First Pennsylvania Banking & Trust Co., director; Insurance Co. of North America, director; and American Railway Engineers Association, member.

94. Wingate, Henry S.: International Nickel Co. of Canada, president, director; Morgan Guaranty Trust Co., director; International Nickel Co. (New York City), president, director; Whitehead Metal Products Co., director; Alloy Metal Sales, Ltd., director; Gap Farms, Inc. (Philadelphia), director; Centre d'information Du Nickel, Brussels, director; Centre d'information Du Nickel, Paris, director; Mond Nickel Co., Ltd., member, advisory committee; American Radiator & Standard Sanitary Corp., director; Seaman's Bank for Savings, trustee; Bank of Montreal, director; and Canadian Pacific Railway, director.

95. Woodruff, Robert W.: Coca-Cola, director: chairman, finance committee; Morgan Guaranty Trust Co., director; Southern Railway, director; Trust Co. of Georgia, director; Continental Gin Co., director; General Electric Co., director; Metropolitan Life Insurance Co., director; and American Express Co., director.

NEW YORK TRUST CO.

96. Aldrich, Hulbert S.: New York Trust Co., president, director; National Sugar Refining Co., director; Excelsior Savings Bank, trustee; Bridgeport Brass, director; IBM World Trade Corp., director; Noranda Copper & Brass, director; Penn-Dixie Cement Corp., director; New Britain Machine Co., director; American & Foreign Insurance Co., director; American Machine & Metals, Inc., director; British & Foreign Marine Insurance Co., Ltd., director; Globe Indemnity Co., director; Liverpool & London & Globe Insurance Co., director; National Distillers & Chemical Corp., director; Newark Insurance Co., director; One Hundred Fifty William Street Corp., director; Queen Insurance Co. of America, director; Royal Indemnity Co., director; Royal Insurance Co., Ltd., director; Star Insurance Co. of America, director; and Thomas & Mersey Marine Insurance Co., Ltd., director.

97. Aldrich, Malcolm Pratt: Commonwealth Fund, president, director; New York Trust Co., director; Southern Pacific Co., director; and Equitable Life Assurance Co. of the United States, director.

98. Anthony, Graham Hudson: Veeder-Root, Inc., director; chairman, executive committee; New York Trust Co., director; Holo Krome Screw Corps., chairman; Connecticut Mutual Life Insurance, director; Hartford National Bank & Trust, director; Hartford Electric Light, director; Aetna Insurance Co., director; Southern New England Telephone Co., director; Mechanics Saving Bank, director; and Burlington Industries, director.

99. Ballantine, Arthur A.: Dewey, Ballantine, Bushby, Palmer & Wood, partner; New York Trust Co., director; Bowery Savings Bank, trustee; New York Life Insurance Co., director; General American Investors Co., director; Springfield College, trustee; Northeastern College, trustee; and United Hospital Fund of New York, honorary trustee.

100. Dunn, Kempton: American Brake Shoe Co., president, director; New York Trust Co., director; Bucyrus Erie, director; Franklin Savings Bank, trustee; and Dominion Brake Shoe Co., chairman.

101. Jennings, B. Brewster: New York Trust Co., director; and Central Savings Bank of New York, trustee.

Massie, Adrian M. (See Discount Corp.)

102. Paynter, Richard K., Jr.: New York Life Insurance Co., director; vice president; chairman, finance committee; New York Trust Co., director; Diocesan Investment Trust of Diocese of New Jersey, trustee; Delaware & Bound Brook Railroad, director; Employers' Liability Assurance Corp., member, executive committee; Otis Elevator Co., director; Phoenix Assurance Co., director; Seamen's Bank for Savings, trustee; General Cable Corp., director; Colonial Williamsburg Insurance, trustee; Pennsylvania-Reading Seashore Lines, director; and Princeton Inn, director.

103. Watson, Arthur K.: IBM World Trade Corp., president, director; New York Trust Co., director; Niagara Fire Insurance Co., director; American Brake Shoe Co., director; and Continental Insurance Co., director.

MEMBERSHIP OF U.S. TREASURY ADVISORY COMMITTEES

(1) JOINT ECONOMIC POLICY COMMITTEE OF THE LIFE INSURANCE ASSOCIATION OF AMERICA AND THE AMERICAN LIFE CONVENTION—MEMBERSHIP AS OF JULY 9, 1959

O. Kelley Anderson (chairman), president, New England Mutual Life Insurance Co., Back Bay Post Office Box 333, Boston, Mass.

Claude L. Benner, president, Continental American Life Insurance Co., Rodney Square, Wilmington, Del.

H. W. Brower, president, Occidental Life Insurance Co. of California, Box 2101, Terminal Annex, Los Angeles, Calif.

Paul F. Clark, chairman of the board, John Hancock Mutual Life Insurance Co., Post Office Box 111, Boston, Mass.

Louis W. Dawson, president, Mutual Life Insurance Co. of New York, 1740 Broadway at 55th Street, New York, N.Y.

Frederic W. Ecker, president, Metropolitan Life Insurance Co., 1 Madison Avenue, New York, N.Y.

Leland J. Kalmbach, president, Massachusetts Mutual Life Insurance Co., 1295 State Street, Springfield, Mass.

R. B. Richardson, president, Western Life Insurance Co., 600 Park Avenue, Helena, Mont.

Donald C. Slichter, president, the Northwestern Mutual Life Insurance Co., 720 East Wisconsin Avenue, Milwaukee, Wis.

Carrol M. Shanks, president, Prudential Insurance Co. of America, Newark, N.J.

Frazar B. Wilde, president, Connecticut General Life Insurance Co., Hartford, Conn.

James Ralph Wood, president, Southwestern Life Insurance Co., Post Office Box 2699, Dallas, Tex.

Staff members: Dr. James J. O'Leary, director of economic research, Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.; Claris Adams, executive vice president and general counsel, American Life Convention, 1701 K Street NW., Washington, D.C.; Eugene M. Thore, vice president and general counsel, Life Insurance Association of America, 1701 K Street NW., Washington, D.C.

(2) INVESTMENT BANKERS ASSOCIATION OF AMERICA, MEMBERS OF GOVERNMENTAL SECURITIES COMMITTEE, 1959

Robert B. Blyth, chairman, National City Bank of Cleveland, 623 Euclid Avenue, Cleveland, Ohio.

Milton S. Bosley, National Bank of Detroit, Woodward at Cadillac Square, Detroit, Mich.

Wendell T. Burns, Northwestern National Bank of Minneapolis, 620 Marquette Avenue, Minneapolis, Minn.

Dwight W. Chapman, American Trust Co., 464 California Street, San Francisco, Calif.

F. Newell Childs, C. F. Childs & Co., Inc., 141 West Jackson Boulevard, Chicago, Ill.

James A. Cranford, The Atlantic National Bank of Jacksonville, 121 West Forsyth Street, Jacksonville, Fla.

Stewart A. Dunn, C. J. Devine & Co., 48 Wall Street, New York, N.Y.

W. Wayne Glover, California Bank, 625 South Spring Street, Los Angeles, Calif.

Sheldon R. Green, Chase Manhattan Bank, 18 Pine Street, New York, N.Y.

H. Lyman Greer, The Fifth Third Union Trust Co., Fourth and Walnut Streets, Cincinnati, Ohio.

Alfred H. Hauser, Chemical Corn Exchange Bank, 30 Broad Street, New York, N.Y.

Hardin H. Hawes, Harris Trust & Savings Bank, 115 West Monroe Street, Chicago, Ill.

Russell A. Kent, Bank of America N.T. & S.A., 300 Montgomery Street, San Francisco, Calif.

George B. Kneass, Philadelphia National Bank, 1416 Chestnut Street, Philadelphia, Pa.

Frederick G. Larkin, Jr., Security-First National Bank of Los Angeles, Sixth and Spring Streets, Los Angeles, Calif.

Ralph F. Leach, Guaranty Trust Co. of New York, 140 Broadway, New York, N.Y.

Pat G. Morris, The Northern Trust Co., 50 South La Salle Street, Chicago, Ill.

Robert C. Morris, Bankers Trust Co., 16 Wall Street, New York, N.Y.

Emil J. Pattberg, Jr., The First Boston Corp., 15 Broad Street, New York, N.Y.

John H. Perkins, Continental Illinois National Bank & Trust Co., 231 South La Salle Street, Chicago, Ill.

Leimont K. Pfeffer, First National City Bank of New York, 55 Wall Street, New York, N.Y.

L. Sumner Pruyne, the First National Bank of Boston, 67 Milk Street, Boston, Mass.

Herbert N. Repp, Discount Corp. of New York, 58 Pine Street, New York, N.Y.

Lockett Shelton, Republic National Bank of Dallas, Dallas, Tex.

Rudolf Smutny, R. W. Pressprich & Co., 48 Wall Street, New York, N.Y.

Girard L. Spencer, Salomon Bros. & Hutzler, 60 Wall Street, New York, N.Y.

(3) GOVERNMENT SECURITIES AND THE PUBLIC DEBT COMMITTEE OF THE NATIONAL ASSOCIATION OF MUTUAL SAVINGS BANKS—MEMBERSHIP AS OF JULY 9, 1959

Carl G. Freese (chairman), president and treasurer, Connecticut Savings Bank of New Haven, 47 Church Street, New Haven, Conn.

Francis P. Burns, president, Beneficial Mutual Savings Bank, 1200 Chestnut Street, Philadelphia, Pa.

Mr. C. Lane Goss, president, Worcester County Institution for Savings, 365 Main Street, Worcester, Mass.

Mr. Henry S. Kingman, chairman of the board, The Farmers & Mechanics Savings Bank, 90 South Sixth Street, Minneapolis, Minn.

Mr. John W. Kress, executive vice president, The Howard Savings Institution, 768 Broad Street, Newark, N.J.

Mr. Charles J. Lyon, president, Society for Savings, 31 Pratt Street, Hartford, Conn.

Mr. William A. Lyon, president, Dry Dock Savings Bank, 742 Lexington Avenue, New York, N.Y.

Mr. Kilgore Macfarlane, Jr., president, Buffalo Savings Bank, 545 Main Street, Buffalo, N.Y.

Mr. J. Reed Morss, president, the Boston Five Cents Savings Bank, 30 School Street, Boston, Mass.

Mr. Barrett C. Nichols, treasury, Maine Savings Bank, 15 Casco Street, Portland, Maine.

John M. Ohlenbusch, senior, vice president, the Bowery Savings Bank, 110 East 42d Street, New York, N.Y.

Levi P. Smith, chairman of the board, the Burlington Savings Bank, 148 College Street, Burlington, Vt.

Mr. William H. Smith, president, Holyoke Savings Bank, 143 Chestnut Street, Holyoke, Mass.

Staff members:

Dr. Grover W. Ensley, executive vice president, National Association of Mutual Savings Banks, 60 East 42d Street, New York, N.Y.

Saul B. Klaman, economist, National Association of Mutual Savings Banks, 60 East 42d Street, New York, N.Y.

(4) ADVISORY COMMITTEE ON GOVERNMENT SECURITIES OF THE SAVINGS AND LOAN BUSINESS—MEMBERSHIP AS OF JULY 9, 1959

W. W. McAllister, Sr. (chairman), chairman of the board, San Antonio Savings & Loan Association, 401 Navarro Street, San Antonio, Tex.

Edward C. Baltz, president, Perpetual Building Association, 500 11th Street NW., Washington, D.C.

Wilton T. Barney, president, Orital Savings & Loan Association, 326 Main Street, Hackensack, N.J.

James E. Bent, president, Hartford Federal Savings & Loan Association, 50 State Street, Hartford, Conn.

A. J. Broomfield, president, Industrial Federal Savings & Loan Association, 1630 Stout Street, Denver, Colo.

Henry A. Bubb, president, Capitol Federal Savings & Loan Association, 534 Kansas Avenue, Topeka, Kans.

C. L. Clements, president, Chase Federal Savings & Loan Association, 1100 Lincoln Road, Miami Beach, Fla.

Carl Distelhorst, executive vice president, Florida Savings & Loan League, Post Office Box 2246, Orlando, Fla.

William J. Dwyer, president, Franklin Society Federal Savings & Loan, 217 Broadway, New York, N.Y.

Gustav Flexner, executive vice president, Greater Louisville First Federal Savings & Loan Association, 417 West Market Street, Louisville, Ky.

Harold P. Halleen, senior vice president, Bell Savings & Loan Association, 79 West Monroe Street, Chicago, Ill.

Raymond P. Harold, president, Worcester Federal Savings & Loan Association, 22 Elm Street, Worcester, Mass.

Henry P. Irr, president, Baltimore Federal Savings & Loan Association, Fayette and St. Paul Streets, Baltimore, Md.

Roy W. Larsen, president, Twin City Federal Savings & Loan Association, 801 Marquette Avenue, Minneapolis, Minn.

E. C. Sherbourne, president, City Federal Savings & Loan Association, East Jersey Street at Jefferson, Elizabeth, N.J.

A. D. Theobald, president, First Federal Savings & Loan Association, 111 North Jefferson Avenue, Peoria, Ill.

Gerrit Vander Ende, president, Pacific First Federal Savings & Loan Association, 204 South 11th Street, Tacoma, Wash.

Charles A. Wellman, executive vice president, Glendale Federal Savings & Loan Association, 122 West Broadway, Glendale, Calif.

Paul Westerfield, president, Home Federal Savings & Loan Association, 128 East Fourth Street, Cincinnati, Ohio.

W. C. Warman, staff vice president (secretary to the committee), United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.

(5) COMMITTEE ON GOVERNMENT BORROWING OF THE AMERICAN BANKERS ASSOCIATION—MEMBERSHIP AS OF JULY 9, 1959

Robert V. Fleming (chairman), chairman of the board, the Riggs National Bank, Washington, D.C.

Henry C. Alexander, chairman of the board, Morgan Guaranty Trust Co. of New York, New York, N.Y.

Bruce Baird, president, National Savings & Trust Co., Washington, D.C.

S. Clark Beise, president, Bank of America N.T. & S.A., San Francisco, Calif.

Kenton R. Cravens, president, Mercantile Trust Co., St. Louis, Mo.

Fred F. Florence, chairman, executive committee, Republic National Bank of Dallas, Dallas, Tex.

John M. Griffith, president, City National Bank, Taylor, Tex.

H. Frederick Hagemann, Jr., president, Rockland-Atlas National Bank of Boston, Boston, Mass.

N. Baxter Jackson, chairman, executive committee, Chemical Corn Exchange Bank, New York, N.Y.

David M. Kennedy, chairman of the board, Continental Illinois National Bank & Trust Co. of Chicago, Chicago, Ill.

Homer J. Livingston, president, the First National Bank of Chicago, Chicago, Ill.

John J. McCloy, chairman of the board, the Chase Manhattan Bank, New York, N.Y.

Reno Odlin, president, Puget Sound National Bank, Tacoma, Wash.

F. Raymond Peterson, chairman of the board, First National Bank & Trust Co. of Paterson, Paterson, N.J.

Dietrich Schmitz, chairman of the board, Washington Mutual Savings Bank, Seattle, Wash.

Earl B. Schwulst, president and chairman of the board, the Bowery Savings Bank, New York, N.Y.

James E. Shelton, chairman of the board, Security-First National Bank of Los Angeles, Los Angeles, Calif.

Norfleet Turner, president, First National Bank of Memphis, Memphis, Tenn.

Joseph C. Welman, president, Bank of Kennett, Kennett, Mo.

A. L. M. Wiggins, chairman of the board, the Bank of Hartsville, Hartsville, S.C.

Paul I. Wren, executive vice president, Old Colony Trust Co., 1 Federal Street, Boston, Mass.

Staff members:

Eugene C. Zorn, Jr. (secretary of the committee), deputy manager and director of research, American Bankers Association, 12 East 36th Street, New York, N.Y.

IRRESPONSIBLE SPENDING CAN WRECK THIS COUNTRY

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Texas [Mr. FISHER] is recognized for 30 minutes.

Mr. FISHER. Mr. Speaker, during the recent debate on the foreign aid bill the distinguished gentleman from Missouri [Mr. CANNON], chairman of the Committee on Appropriations, very forcefully reminded us of the financial plight of this country and the need for something to be done about it.

As we approach the end of this session of the Congress let us explore that subject and see just what the Congress has been doing that has given rise to so much public concern about the fiscal policies now being followed.

Mr. CANNON stated:

The spending budget this year—fiscal 1962—is approximately $88 billion. The spending budget last year was $81 billion. Shortly, in a couple of years, we will have a budget of $100 billion a year. * * * We have been spending during this entire year, every hour, $1 million more than we are taking in.

We already owe the greatest peacetime debt in history. We are now paying the highest interest rate. We cannot sell our bonds any more at 2 percent. * * * This year we paid in interest alone $9 billion. Just 21 years ago the entire Federal budget was less than that.

Mr. CANNON went on to point out that we have raised the debt limit seven times since 1954.

In commenting on a dangerous trend, to which the Congress has in some measure succumbed—that of back-door spending—the speaker revealed that back-door spending provisions thus far requested in this session in connection with 11 bills, including the foreign aid bill, amount to at least $28,670 million.

That latter fact in itself points up a dangerous trend. The technique of back-door spending simply means that the Congress delegates to the executive branch of the Government the right to obtain funds by Treasury borrowing, without the Congress being further consulted about it. It therefore means that the Congress to that extent abdicates a constitutional responsibility of passing upon the appropriation of the taxpayers' money.

IRRESPONSIBLE SPENDING HABITS

When we survey the spending habits of this Congress we must recognize the fact that wild and irresponsible spending has on occasions taken place. During the first 6 months of this year some 66,000 additional Federal employees have been added, and more are being requested.

President Kennedy has transmitted to the Congress more than 25 requests for increases in budget estimates or new spending proposals.

An Associated Press story recently began thus:

President Kennedy, in his first 6 months in office, has advanced concrete proposals for increasing future Federal spending by well over $10 billion.

Another news report stated:

On the basis of plans already proposed by the White House, or in the works, the budget will pass $100 billion by the year starting July 1, 1964. That will be more than double the outlays of just 10 years ago. By 1970, if plans are carried out, the Government will be spending at an estimated $114 billion a year.

This increase in spending cannot be explained by the saying that we are closing the missile gap and that unexpected increases were required to improve our national security. The fact is, that only about one-fourth of the approximately $10 billion of additional spending requested by the President is earmarked for those purposes.

An explanation can only be found in the new and expanded Federal programs that have been urged and of which many have been approved by the Congress.

WELFARE PROGRAMS HIKE DEFICITS

As a result of welfare programs approved in Congress this year, the deficit at the end of the last fiscal year—which ended on June 31, 1961, was $3.9 billion. And the deficit for the current fiscal year has been officially estimated at about $5 billion. It may be more.

These new and expanded welfare programs are all useful and good if just the spending of taxpayers money can be considered to be good. Many of them are admittedly not essential. Let us examine just a few of them.

In May of this year the Congress approved a so-called depressed areas bill, a $400 million package. It is something new, designed to treat local problems that have always been considered so obliquely local that Federal responsibility was never considered in the search for solutions. It flaunts the principle of local responsibility for the handling of local affairs.

The theory is that by grants and loans communities that face unemployment problems may get Uncle Sam to in that way help them attract new industries. The initial $400 million cost of the program is, of course, but the beginning. Grants beget grants, and every year we can be sure pressures will be applied to increase the amount. There is already a wild scramble on the part of communities all over the country to get their share of the big handout.

It all adds up to more bureaucracy, less local responsibility, more concentration of authority in Washington. And yet there is little likelihood that the program will solve any basic problems. Many communities attract new industries and they do so by low taxes, progressive towns, civic-minded citizens, resources, climate, transportation facilities, and in general by making it profitable for a business venture to operate.

HOUSING BONANZA

Take, as another example, the mammoth omnibus housing bill which the Congress approved this year. It was called a $6.1 billion measure. Actually the ultimate cost will probably amount to around $9 billion. It goes far beyond any housing bill ever even considered by the Congress in the past. It contains "pie in the sky" for almost everyone. And many new programs which the act includes will expand and become a constant annual drain upon the Treasury.

The bill includes, for example, authority for an additional 100,000 public housing units, which sponsors must admit are not needed. This program, copied from the socialized housing plan inaugurated in England under the Socialist Government when it was in power there, has evolved into a boondoggle. Instead of making housing units available to needy families, as originally claimed, these units are now being rented to families earning up to $5,000 a year, and even more, at rentals of about half of the going rate. That explains why this program has become known as socialized housing.

As a further example of irresponsibility and waste in the housing field, the Urban Renewal Administration of the Federal Housing and Home Finance Agency recently announced an urban renewal project for the little town of Wink, Tex. It was announced that the Government is giving Wink $891,868 and lending it $1,034,758 at the usual low rate of interest. Plagued by a chronic water shortage, the little town is going to be dressed up with no place to go, I am afraid. But what difference does it make? Uncle Sam is putting up the money.

PROPOSED DEPARTMENT OF URBAN AFFAIRS MEANS MORE WASTE

The Congress will soon be asked to approve a new agency, a Department of Urban Affairs, with its Director to be a member of the President's Cabinet. This new agency is to enable municipalities to come to Washington for more money to finance welfare, housing, and a multitude of other projects. This means a further lessening of local responsibility, and more and more concentration of government in Washington at the expense of local responsibilities. And it means vast sums of money added to the budget year in and year out in the future.

Then, early this year the Congress appropriated $215 million to be given out as aid for children of unemployed people. Has it come to pass that local people cannot take care of their local relief problems? This is referred to as the "big brother" role of Uncle Sam in dealing with purely local affairs.

In addition, the Federal Government has begun a vastly expanded program of giving food to families of needy and unemployed. That is fine and good. No one wants to see deserving people go hungry. But in this instance the Government has been going into the markets and spending millions in the purchase of certain food products for this purpose. So it is not just a matter of giving away surplus commodities already owned by the Government.

The question is: Is this really necessary? Are local communities unable to meet local responsibilities in that field? Can local community chest drives no longer cope with local relief problems? If not, then would it not be more desirable that a particular community in need first seek help on the State level before making the long journey to Washington? Or is it becoming the policy of the Federal Government to preempt this field and relieve the local communities of this time-honored responsibility?

TREND MAY BE DANGEROUS

It is the trend that bothers me. If uninterrupted, just what will it lead to? G. D. H. Cole, a leading Socialist spokesman, wrote an article in the Communist publication, Masses and Mainstream, entitled "Is There Common Ground?" In this article he delineated the common ground between Socialists and Communists. The second of the four points of common ground listed by Cole is:

> Second, Communists and Socialists agree in seeking to establish for all people some sort of welfare state or society.

Let us examine another or two of the many new and expensive welfare programs now being advanced. We are being urged to act quickly on a new 4-year $700 million training program "designed to give new skills to unemployed workers."

Life Line on January 25 commented:

> The trouble with this kind of spending is that it is habit forming, almost like a narcotic. In 1935, for instance, during the depth of the depression, Federal welfare spending cost $2 billion. And this year the Government's expenditure for so-called welfare programs are at the rate of $21 billion a year. That is an increase of more than 1,000 percent over such expenditures in 1935.

Now, what is the thinking behind all this upsurge in welfare spending? One authority referred to the old Keynesian theory that government should spend in bad times to balance the economy—reducing the debt in good years. That would be fine if the second part were observed.

But this authority points out that deficit advocates do not bother to rationalize; they delight in debts. Deficits, they say, are really measures of credit and credit creates economic activity. Credit can be creative if well used and firmly based. But credit for public spending also creates inflation, including higher interest rates—and tighter credit for private enterprise. It also undermines confidence in the dollar. Inflation, it is said, levies its own taxes—always heaviest on those least able to pay.

MORE INFLATION?

The new threat of more inflation stems from two chief causes: deficit Federal spending and the drive by big labor for increased wages.

It works this way: The more the Government borrows, the more money goes into circulation, and as the amount of money increases it becomes cheaper; that is, it will buy less. So the result is that prices and wages go up and up. At the same time the standard of living of those on fixed incomes goes down and down.

In two decades the American dollar has lost more than half of its purchasing power. If its value is taken to be 100 cents in 1939, it now contains the equivalent of 44 cents.

On top of the generous spending that has been going on, Walter Reuther has made it plain he will be shooting for the moon in demands on automobile manufacturers. The auto makers in an attempt to settle offered Reuther a 21-cent hourly increase in wages over the next 3 years, plus a wide range of improvements in fringe benefits.

"Their offer does not remotely lay the basis for a settlement," Reuther replied.

If Reuther succeeds in his goals, as McDonald did in dealing with the steel industry 2 years ago, then the pattern set will be expected to lead to a general wave of wage-price increases. And this, of course, means inflation and more inflation, particularly since it will coincide with the Federal Government's deficit spending policies, which, incidentally, are strongly supported by Reuther.

OTHER EXAMPLES OF FREE SPENDING

Let us consider other examples of nonessential spending, now in the making. The House recently refused to approve an initial $95 million expenditure to build a nuclear-powered electric project at Hanford, Wash. The Senate has approved it. The proposal sounds good. It would provide electricity out in the Northwest at subsidized rates, with the American taxpayers helping pay for it. But it turned out that even with that outlay the cost would be about $130 per kilowatt to produce. And powerplants currently being installed produce at a cost of only about $80 per kilowatt. Moreover, it was developed that the Northwest already has a surplus of electric production capacity.

Mr. Speaker, if we follow the line of least resistance and vote for all these projects that lack sound justification, where is all of this spending to lead us? Have we no sense of fiscal responsibility left? Yet we are told that we are now in a period of grave national emergency. We all know that is true. The President in his recent special message to Congress regarding the Berlin crisis, stated:

> If we are to preserve our fiscal integrity and world confidence in the dollar—it will be necessary to hold tightly to prudent fiscal standards.

Now, that is a wonderful statement, but what is being done about it? How can we reconcile the billions being spent for welfare and other nonessential purposes with the President's announcement? Let us ponder well the President's advice when we vote on such things as the Hanford projects, depressed areas bills, housing bonanza measures, school aid, new agencies, Federal subsidies to construct local sewer plants, $700 million training programs for so-called unemployed, Peace Corps, and scores of other outlays, a combination of the cost for which may well do violence to our fiscal integrity.

WHAT ABOUT THE PEACE CORPS?

I have just mentioned the proposed Peace Corps, approval of which has already been voted in the Senate and will soon be acted upon in the House. To be sure, it is appealing—sending young men and women all over the world to teach, engineer, doctor, mend, and promote American techniques for doing things.

But when we examine the proposal we run into duplications on every hand. Point 4 under foreign aid has been doing this kind of work for years. If it is sound and is not adequate, would it not be more sensible to expand point 4? And religious missionaries are in this field and have been for years.

To be sure, the proposal, with trained and capable personnel, could conceivably do some good for our country. Perhaps point 4 should be eliminated and their trained personnel transferred to the Peace Corps, if that is a better way of doing it. But what can we expect from the young people who will man the Peace Corps? There is reason to believe at least some of them will be overeducated and undertrained. Here is an example in point:

The press recently reported that a 22-year-old Miami youth, Charles S. Kamen, was recruited by the Peace Corps. He was accepted. He wants to teach in the Philippines.

Kamen, a June sociology graduate of Brandeis University, turned up recently as an uninvited guest at a Miami Rotary Club showing the film, "Operation Abolition."

That film reveals a college student riot in San Francisco, led by known Communists, against a public hearing scheduled by the House Un-American Activities Committee.

"He kept applauding at the wrong time," the Rotary president was quoted as saying. "He laughed loudly when the witnesses refused to answer questions.

"Then he tried to grab the microphone to 'tell our side of the story'."

Amid shouts of "throw him out," four elderly Rotarians grabbed him and escorted him forcibly down the elevator to the sidewalk.

Then, on August 22 the press reported:

The Peace Corps is running into mounting opposition on Capitol Hill because Director Sargent Shriver has refused to discharge Kamen.

This incident is mentioned only for the purpose of illustrating the fact that apparently little concern is being observed concerning the quality of personnel being chosen to represent the Peace Corps.

Moreover, it would seem that in view of the President's recent message on Berlin, with the draft being stepped up and a large number of reservists being called up or alerted, this entire Peace Corps idea should be put on the shelf at least for the time being.

The initial cost of this project is estimated at $40 million. Let us hope that the Congress, if it decides to approve the Peace Corps, will at least cut the cost in half, and let it serve as an experiment.

The problem—and the challenge—with which this Congress and the country is faced was, I thought, well expressed in an editorial which appeared in the July 26 issue of the Washington Star, which follows:

In this situation, it seems to us that at least two things are imperative. Our allies must assume their full share of the effort, despite the obvious reluctance of some to do so. And the Kennedy administration as well as the American people must be willing to give up or postpone expenditures on things which are not essential. True, Mr. Kennedy said last night that we must keep down all spending "not thoroughly justified in budget requests." He seems to think, however, that everything for which he has asked since taking office is justified, and he offers the easy assurance that "We can afford all these things." We disagree. As this Nation begins to prepare for the danger of war, it should be willing to cut back on those things which are not essential to this preparation. The more abundant life has great political appeal, but its maintenance is not compatible with the grim demands which Mr. Kennedy says are imposed upon us by the requirements of national survival.

THE LATE WILLIAM M. BOYLE, JR.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, it is with deep regret I learned of the death of William M. Boyle, Jr., whom I admired very much and whose friendship I greatly valued. His death leaves a feeling of deep sorrow among his legion of friends and admirers.

Bill Boyle impressed everyone who knew or met him with his ability, his deep faith, his deep patriotism, his broad and understanding mind, which was evidenced by his nobility of character, his captivating personality, his love of the Democratic Party, and the fine example he set for others as a family man.

I prized very much this friendship that existed between us.

In his profession as a lawyer, he had established for himself an outstanding name.

In the field of politics, in his early years as a young man, he took an active interest in the success of the Democratic Party. Bill Boyle was a great organizer, a quality so necessary for success in the field of politics.

Bill Boyle held many positions of trust, all of which he carried out with ability, leadership, and success.

For years he occupied a very close relationship and friendship with former President Truman, taking an active and leading part in all his campaigns.

In the 1948 campaign of former President Truman, that unusual and historic campaign, Bill Boyle played a most important part, always loyal, devoting untiringly his full time throughout the country, to the election of President Truman. He was one of a small circle who was confident that President Truman would be elected.

In 1949 he was elected chairman of the Democratic Committee, in which position he served with distinction for 2 years.

His legion of friends and admirers, of whom I am included, will miss Bill Boyle very much.

Mrs. McCormack joins with me in extending to Mrs. Boyle and her daughters our deep sympathy in their great loss and sorrow.

COMMEMORATIVE STAMP IN MEMORY OF FRIDTJOF NANSEN

The SPEAKER pro tempore (Mr. McMILLAN). Under previous order of the House, the gentleman from Montana [Mr. OLSEN] is recognized for 20 minutes.

Mr. OLSEN. Mr. Speaker, as an official expression of admiration for great and gifted public servants in many lands, the U.S. Post Office has been issuing a series of commemorative stamps, perhaps the best known among them being the champion of liberty series. The men thus honored not only served their peoples and governments but also have rendered some signal service to the community of nations and to some sacred human cause.

Today I have introduced a resolution for the addition to the list of illustrative public servants thus honored the name of the late Fridtjof Nansen, the centenary of whose birthday is being observed this year. It would be eminently appropriate for the U.S. Post Office to issue on this occasion—his birthday is October 10—a commemorative stamp in honor of this noble son of Norway, a true explorer, a courageous statesman, and a great humanitarian, whose outstanding championship and indefatigable work for the welfare of millions of destitute people after the First World War in his capacity as the League of Nation's first High Commissioner for Refugees has placed him among the immortals of his age, of our age.

I have prepared a biography of Fridtjof Nansen, which I wish to have my colleagues in the House hear about.

This biography follows:

FRIDTJOF NANSEN

(October 10, 1861–May 13, 1930)

This year marks the centenary of the birth of a great Norwegian, a true giant among great Norsemen. Fridtjof Nansen was a man of many parts, and great in many ways: he was eminent as an explorer, distinguished as a scientist, illustrious as a statesman and humanitarian.

This inimitable Viking of our age was born into an average Norwegian family in a village named Froen, near Norway's capital city, Oslo. Soon after his birth the family moved to the city and there his father practiced law. After completing his secondary education Fridtjof Nansen entered the Oslo University, specializing in zoology, in which field he subsequently earned the doctor of philosophy degree in 1887. In the meantime he became intensely interested in exploration, particularly in polar expeditions. In 1888 he made a successful expedition into the then unknown interior of Greenland. From then on he made numerous pioneering expeditions across the Arctic Ocean, and the North Pole, each succeeding one more daring than its predecessor. But in every one of these he was remarkably successful and was recognized as a leading explorer at the turn of the century. In 1908 he became professor of oceanography at Oslo University, and 10 years later was made rector of that institution.

Fridtjof Nansen was a man of boundless energy. Besides attaining splendid success in scientific fields, he wanted to serve his people and his country as an active public servant in politics. Thus we find him very active in Norwegian national politics. When the Norwegian-Swedish Union was dissolved in 1905, Nansen became Norway's first Ambassador in England. Though representing a small country in that world capital, he was respected and honored by people in all classes there who came to know him. During the First World War he led a Norwegian delegation to this country for the purpose of securing essential supplies for Norway. But this man of great vision and positive action, while working hard for the welfare of his countrymen, showed a serious concern for the lot of helpless millions suffering in war. While in this country he became acquainted with leaders interested in relief work, and with their encouragement he later embarked upon the last and perhaps the greatest phase of his career.

At the end of that war there were millions of homeless refugees in many parts of Europe, in Russia, and in Asia Minor. These victims of the war and of postwar disturbances had a prior claim upon all philanthropic organizations in Europe and America, and their fate was the first concern of the newly established League of Nations. That world organization set up its refugee group, and Fridtjof Nansen was made its head as the League's Commissioner for Refugees. But the task was a stupendous one, too difficult to perform even under normal conditions. People were starving by the tens of thousands in Russia, in the Caucasus, in Asia Minor, and in Greece; Armenians, Greeks, Russians, and many others were clamoring for aid. No man, nor a group of men, nor a government could deal with the almost heartrending situation, but this courageous and resourceful son of Norway, who was fast becoming No. 1 public servant in Europe and in the world, tackled the job with determination and firm resolve.

Dr. Nansen had already gained high esteem and deserved respect in the League Assembly as the spokesman of his country, and he used his almost unequaled prestige

in the furtherance of the cause of refugees there. Once when officially thwarted in his attempt to have the League raise an international relief loan, he personally embarked upon a fundraising campaign, and in the course of 6 weeks in northern Europe alone he raised more than $1 million. With that sum on hand, he ignored the redtape of official channels, collected a small staff of skilled administrators, and with more aid from organizations in this country, he was feeding some 10 million people on several continents.

This man of goodwill, of extraordinary energy, of indomitable will, and of sterling integrity served conscientiously and most honorably the cause of refugees for 10 years. He was their eloquent spokesman in the free world. Through his untiring efforts the lives of many thousands were saved, and many other thousands secured a new lease on life. Nansen was instrumental in endowing these homeless refugees with an international passport, known as the Nansen passport, which was duly recognized and honored by all countries. Thus besides helping these refugees to be fed, he freed them from bondage.

For all these almost superhuman services to humanity Nansen was honored by many lands. He was a friend of many monarchs, presidents, and prime ministers of many countries. He was awarded the Nobel Peace Prize in 1923, and in 1925 he was elected rector of St. Andrews University in Scotland, a high honor usually reserved to distinguished citizens of commonwealth countries. But this simple and stolid son of Norway, this model citizen of the world, did not care for honors and decorations. Nor did he care for money. The Nobel Peace Prize money (some $40,000) which he received went directly to the refugee fund. His was a devoted and dedicate life for the service of human welfare, for man's advancement toward a better and peaceful world. On the centenary of the birth of this great public servant, patriot, scientist, statesman, and humanitarian we pay tribute to his blessed and immortal memory.

THE 22D ANNIVERSARY OF NAZI INVASION OF POLAND

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI], may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, today, September 1, is the 22d anniversary of the Nazi invasion of Poland which opened World War II. Certainly, one of the greatest of the many tragedies of World War II was the betrayal by the Allies, specifically by our Presidents at Teheran, Yalta, and Potsdam, of the Polish people, who despite their heroic participation on the side of freedom, found their own nation placed in the hands of a Communist puppet government.

Certainly in a far more eloquent and effective manner than I could possibly produce, an appropriate discussion of the tragic events which affected the Polish people throughout World War II is found in the message of the President of the Republic of Poland to the Polish nation on the occasion of this 22d anniversary of World War II.

At the conclusion of my remarks, Mr. Speaker, I ask leave to place into the RECORD this message from H. E. August Zaleski to the Polish people behind the Iron Curtain and those scattered in various parts of the world:

MESSAGE OF THE PRESIDENT OF THE REPUBLIC OF POLAND TO THE POLISH NATION

H. E. August Zaleski, President of the Republic of Poland has issued the following message to the Poles all over the world to mark the 22d anniversary of the German invasion of Poland on September 1, 1939:

"On this anniversary, every Pole cannot but recall the bitter memory of the attack upon our native country by Germany allied with Russia, in order to effect yet another partition of Poland.

"In spite of the heroic resistance of the Polish forces, who fought unaided by our allies, the two age-old enemies of our country overran the whole Republic of Poland. This occupation, which violated all the tenets of international law, was unparalleled in modern times in its efforts to exterminate the whole Polish nation, and in this, both the occupying powers vied with each other in the atrocities they committed for the eradication of everybody and everything that was Polish. Despite this, the Polish nation carried on the struggle without interruption and with boundless devotion.

The fight was waged by the Polish forces in exile, by the home army in Poland, and by every citizen of the Republic regardless of status, age, sex, and ethnic origin. Our allies were lavish in encouraging and praising us while the fighting lasted. Apart from their treaty commitments to Poland, the United States and Great Britain on August 14, 1941, proclaimed the Atlantic Charter, which defined principles upon which the future structure of the world was to rest.

On January 1, 1942, the Soviet Union and the other Allies accepted these principles. They guaranteed freedom and independence to all nations.

This did not, however, prevent the principal signatories of the charter from concluding the shameful accords of Teheran, Yalta, and Potsdam. The present dire state of world relations brought about these agreements must be evident to those who drew them up. It can be stated without any exaggeration that since hostility ceased, the world has been continually passing from one crisis to another. Their duration varies, but they all end in more or less sizable concessions to the advantage of the one country, which still conducts a large-scale imperialistic policy, i.e., Soviet Russia. Under the pretext of spreading the Communist creed or of ensuring her own security, Russia is extending her influences in every part of the world, whilst the West—terrified by the phantom of atomic war—has hitherto not managed to take the single step that could hold up this advance of Russian imperialism. And this step is the demand that Russia withdraw from all the lands lawlessly seized by her.

But there are signs that the time when this will be done is approaching. Thus, the President of the United States said on March 8 this year: "We must never, at any summit, in any treaty declaration, in our minds, recognize Soviet domination of Eastern Europe." Whilst on the 20th anniversary of the Atlantic Charter, he affirmed that time has not changed and events have not dimmed the historic principles expressed in the Atlantic Charter. "We are still," he said, "determined to protect the right of all peoples to choose the form of government under which they live."

It is indubitable that the present difficult international position is the outcome of that departure from the principles of the Atlantic Charter which consisted primarily in bringing a hundred millions of the population of Europe under the Russian yoke. We trust that this blunder can still be repaired. All that is necessary is clearly and boldly to revert to the ideals of freedom and justice that were abandoned for momentary and insignificant gains.

CUBAN INVASION DIARY

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. LAIRD], may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. LAIRD. Mr. Speaker, there have been called to my attention three articles written by Mr. Robert T. Hartmann, chief of the Los Angeles Times' Washington Bureau, under the title, "Invasion Diary." These articles contain unusual background information concerning the attitude of a Cuban doctor who left his U.S. practice and volunteered to help rid his native island of Fidel Castro in last April's ill-fated invasion.

Under unanimous consent, Mr. Speaker, I insert at this point in the RECORD the first in this series of articles which appeared in the Los Angeles Times on Monday morning, August 21, 1961:

[From the Los Angeles Times, Aug. 21, 1961]

INVASION DIARY: CUBAN TELLS LOSS OF FAITH IN UNITED STATES

(By Robert T. Hartmann)

WASHINGTON.—Here is an absorbing human document—the uninhibited diary of a Cuban doctor who left his U.S. practice and volunteered to help rid his native island of Fidel Castro in last April's ill-fated invasion.

Dr. Arturo Lopez—which is not his name—penned his innermost feelings and personal observations as they came to him during the eventful fortnight that took him from a training base in Guatemala to the jumping-off point in Nicaragua and within a tantalizing stone's throw of his goal. His diary, made available to the Times by a responsible U.S. official who received it from reliable Cuban sources, is here published for the first time.

HE LOSES FAITH IN UNITED STATES

More fascinating than fiction, the diary contains few facts not known to Castro's expert military interrogators who have been working over the free Cuban survivors for months. The shocking details of the Bay of Pigs disaster also have been reconstructed for Americans by able reporters working with sources more comprehensively informed than Dr. Lopez.

What is unique about his account is that it reveals, even in English translation, the slow erosion of one Cuban's faith in the United States, the soaring and shattering of high hopes on which he and his comrades staked their lives, and the cruel impact of what seemed a bewildering betrayal upon a bit player in a colossal tragedy of errors.

This patriot physician was not enmeshed in the Cuban refugee politics which contributed along with American bungling to the debacle.

LITTLE COMFORT FOR AMERICANS

His private concerns are simple and readily recognizable by anyone who has ever waited off a dark invasion beach—his beloved Carmencita and the freedom of his country. The diary records his fears for close Cuban friends and comrades in arms, whose names have been disguised or deleted by this reporter, along with other inconsequential details which might still give aid or comfort to the enemy.

But there is little comfort left for Americans in this intimate and passionately Latin account of the April agony of one free Cuban, except that he survived. Others were less lucky, including two hitherto unsung Americans whose heroism Dr. Lopez relates in his final entry.

MONDAY, APRIL 10, 1961

(For several days reports have been published in Cuba and the United States that Cuban exiles are preparing for an invasion with American assistance at bases in the United States and Central America, including Guatemala, where the diary begins.—Ed.)

"Since dawn it has been obvious our departure is near. This morning at 9 about 600 men were chosen to go to a place closer to Cuba, where our airmen have been for a week. Also the Cuban commanders and the base medical team departed.

"I went to confession, but could not get my communion. Some superior orders had moved the mass up from the scheduled hour of 10 a.m., so I was late.

We all feel an atmosphere of fiesta because we are confident of a victory. I said farewell to Jose, always with his big smile; Luis was brave in his adios. We were all in military formation before they boarded the trucks and permission to sing our national anthem was asked and granted. It was a very touching farewell, though they assured us we would all meet again at "point X" before going to Cuba.

"That night I went up the hill to headquarters to see if there was any news from Carmencita, though I knew it was too soon for a message."

TUESDAY, APRIL 11

(The Washington Post reported on this date that "Cubans are about to fight Cubans for the control of their island nation, and the anti-Castro forces have the blessing of the Kennedy administration.")

"Five hundred more men left, among them many friends. I prayed all day that we would not go until I received Carmencita's letter, but it did not arrive."

WEDNESDAY, APRIL 12

(In Washington, President Kennedy told a press conference that "under no circumstances" would U.S. Armed Forces intervene in Cuba and denied any anti-Castro offensive would be mounted from the United States. This was broadcast worldwide and, of course, to Cuba.)

"What was left of our troops, including the parachutists, left the base. About 1,250 men will land in Cuba. An atmosphere of happiness and confidence in victory continues.

"My only worry was leaving without news from Carmencita. But I could wait no longer, though I made one more trip for mail. I left behind a bag of clothes and a white silk handkerchief, which all my friends and the top Cuban commanders had autographed, to be sent either to Miami or, God willing, to our old home in Havana. I hope we can all read the signatures together in Cuba soon.

"The trip was horrible, loaded down with my sleeping bag, binoculars, radio and jammed inside a canvas-covered truck for 2 hours over an infernal road through mountains and precipices. We inhaled the greatest imaginable quantity of dust, which blacked out my glasses and the handkerchief I used to cover nose and mouth.

"Coming down from 6,000 to 800 feet we arrived at the airbase and had to carry our gear five blocks to a barracks. I washed from the waist up at a faucet, and afterwards felt much better. We had barely begun to relax when we were told to leave at once by plane. So we walked back the five blocks for a hurried meal—our first cold water fit to drink—and after bolting the food we waited for 2 hours on the grass.

"Destination unknown

"I had given one of the Americans a few lines dashed off to Carmencita, but got my letter back and wrote her much more, not knowing when she might receive it. Finally we left Guatemala in a military plane, about 10 p.m. We spent the 3½-hour flight speculating where we were going, using our new compasses.

"(We shall not fail for lack of equipment.)

"When we flew due east we wondered: Jamaica? In the time announced it would be impossible to reach Guantanamo or Haiti, much less Puerto Rico. Maybe a key south of Cuba?"

THURSDAY, APRIL 13

"Apparently that compass doesn't work well in a plane. We landed in Nicaragua early this morning.

"Waiting were familiar faces—the boys from our air force (names deleted). Again we boarded trucks, but the medical team rated a jeep, and were taken to a railroad station.

"Loaded into freight cars, close and dark, so nobody could identify us as invading Cubans with full military equipment, we had a luckily brief ride to the wharf. There the ships were awaiting us.

"And I found out we had been deceived about a hospital ship.

"No hospital ship

"The hospital ship they had promised us never existed. Now I doubt if anything I had believed was the truth, and I wonder whether we are really going to get all the necessary support to conquer.

"I turned my back on the American doctor who broke the news, saying my colleagues and I would give him our decision the next day. It was about 3 in the morning. All the ships were packed with people but ours had not yet arrived.

"The chief medical officer offered Dr. Pepe and me his own cabin, but we refused and remained all night with our team on the pier, debating what to do."

FRIDAY, APRIL 14

"Pepe and I were invited to have breakfast with the fleet commander, a very nice Cuban, who said we were justified in our displeasure. We asked him to get us in to see the American chiefs who call themselves our allies and directors of all this operation. We wanted to tell them our decision: not to go in the expeditionary boat assigned us.

"It seemed silly to go through more discomfort and worse difficulties for a whole week without any chance to do our professional duties as physicians. But since we had given our word and despite our doubts due to the many lies already disclosed, we wanted to help our fellow citizens by being flown to Cuba as soon as a plane could land and a hospital could be set up on the beachhead.

"Bitter argument

"Well, we argued all day—almost 12 hours—with no less than six people who gave us all kinds of unconvincing explanations. Finally they took us to the top American, who informed us he was giving the orders in military matters.

"We did everything but come to blows with him.

"After I told him a thing or two, this American dared to say they were sacrificing more for Cuba than we are.

"I answered they were serving their own interests and I would not tolerate anyone giving me lessons in patriotism.

"Then the commander of the Cuban air force, who wanted us to go and treat the wounded troops, stepped in. He took the American over to a corner to stop our violent argument. Left alone, Pepe and I decided we could not destroy any of the high spirit and confidence of the troops or abandon them at the hour of their departure.

"Departure delayed

"We went over to the Cuban and American commanders and said we would go under any circumstances. We shook hands and bade the Americans goodby.

"We turned our backs and went aboard the *Lake Charles*, the ship assigned to us. I was given a good sofa in the captain's office. We ate with the captain and officers and are comfortably taken care of. The other ships got the order to depart, but we are waiting for some reason."

SATURDAY, APRIL 15 (D-DAY MINUS 2)

(On this date three Cuban air bases were simultaneously bombed and two B–26's landed in Florida. There one pilot said he and two others had defected from Castro's air force. As Americans learned much later and the Communists knew then, they were part of the invasion plan and took off from "secret" Central American bases. Castro ordered general mobilization.)

"Our expedition consists of five 2,500-ton freighters about 240 feet long with only four or five cabins in each. They are loaded with jeeps, trucks, landing craft and a tremendous cargo of highly explosive aviation gasoline to be used by our planes once we seize the airport after the landing.

"If, during an attack, one spark should reach the gasoline the explosion would put us all in orbit.

"We continue tied up to the pier, waiting for our fuel tanks to be filled and speculating where the landing will be. Most of us think either the Isle of Pines or San Juliar in Pinar del Rio.

"Tanker 40 hours late

"There are a lot of cracks, not too tranquilizing, about being put on this 'floating atomic bomb,' which is supposed to refuel the other ships off the beachhead. Now our expected tanker is already 40 hours late.

"My gastritis is worse. I cannot understand how things can get so fouled up in an operation like this. I spent most of the day in bed on canned skimmed milk and paregoric, sick, too, with disillusionment at the deceit about the hospital ship of which we were the victims.

"But I was happily excited about the bombing of three airports in Cuba, which the American doctors who notified us said was very successful. We did especially heavy damage to the one at Santiago. It surprised us, though, that our entire air fleet had not taken part so as to accomplish complete destruction.

"Bomber attack

"I had seen 20 or 25 big bombers but only 8, it seems, took part in the attack. For surprise and psychological impact the first blow should have been as hard as possible. There were plenty of pilots, aircraft and bombs to do it.

"Why wasn't it done?"

SUNDAY, APRIL 16 (D DAY MINUS 1)

(On this date Castro challenged the United States to produce the Cuban pilots before the United Nations, and Washington dummied up tight on the whole affair. At the White House, evidently on representations from U.N. Ambassador Adlai Stevenson relayed through the State Department, President Kennedy issued secret orders (to the CIA, unbeknown to the Pentagon) canceling the second air strike by free Cuban B–26 bombers scheduled to knock out Castro's nine fighter planes in known locations. The invaders naturally knew nothing of this.)

"We were surprised the air raid was not repeated today as we know the landings are about to start.

"About noon the tanker finally showed up and we got our orders to depart as soon as it was dark.

"I wrote my last letter to Carmencita. We all prayed a rosary in the bow of the ship. I had no chance for communion as I promised Carmencita. We all prayed only three fathers and they have already sailed for Cuba.

"Besides our surgical team there are in all about 100 men aboard as we cast off."

Mr. Speaker, I include at this point in the RECORD that part of the invasion diary which appeared in the Los Angeles Times on Tuesday, August 22, 1961:

[From the Los Angeles Times, Aug. 22, 1961]

INVASION DIARY: CUBAN BITTER AT LACK OF AID

(By Robert T. Hartmann)

WASHINGTON.—Dr. Arturo Lopez, a fictitious name for a real Cuban physician who volunteered for last April's ill-fated attempt to liberate his native island, kept a fascinating personal diary of his mounting fears and frustrations.

In the first entries, published exclusively by the Times Monday, he described the high hopes of the invaders as they left their secret training camps in Guatemala and Nicaragua and sailed for Cuba, his discovery at dockside that the hospital ship he believed promised by the American authorities was not available, and his decision after angry argument to embark anyway in an old freighter loaded with aviation gasoline.

As the SS *Lake Charles* steams toward Cuba, 2 days behind the bulk of the small invasion fleet, the Cuban patriots cheer a surprise strike by their B–26 bombers on three Castro air bases, raising Dr. Lopez' spirits but puzzling him when a second Sunday air raid mysteriously fails to materialize. Never dreaming it had been canceled at the 11th hour by President Kennedy himself, the doctor continues his diary:

MONDAY, APRIL 17 (D-DAY)

(At 2 a.m. on this day some 1,200 to 1,600 U.S.-trained and equipped Cuban exiles, calling themselves the "army of liberation," launched an amphibious assault on the swamp-surrounded beaches of Bahia de Cochinos, the Bay of Pigs, south of Havana. Initially they achieved tactical surprise and swiftly seized the nearest airstrip at Jaguey Grande. In Washington, Secretary of State Rusk reiterated that "there is not and will not be any intervention there by U.S. forces.")

"I awoke with the ship's radio blaring news of the invasion.

"Overjoyed, we all remained glued to the radio and telegraphic equipment, trying to get news from New York or our own forces in Cuba because we knew all the propaganda stations were telling lies.

"There was a report that other great landings had occurred at the Isle of Pines, Bacacon and Pinas del Rio. Where did those troops come from? The men were joking that at the last minute maybe the people in Miami decided to go and fight for Cuba.

"Altogether we are quite optimistic. Personally, I am feeling a lot better already, I started cutting down on the paregoric—don't know how much longer it has to last."

TUESDAY, APRIL 18 (D-DAY PLUS 1)

(On this day, while fog of war shrouded the Bay of Pigs, President Kennedy received a message from Premier Khrushchev warning him to call off the Cuban intervention. He replied that the United States "can take no action to stifle the spirit of liberty.")

"We are still 100 miles away from Cuba.

"All we can do is think about our families, and how worried they must be, believing us under fire.

"I wonder how much the medical skill of our team must already be needed by our friends on land—or did the landing go off by surprise and practically without casualties as they told us so many times.

"By afternoon we hear that our forces are being attacked by heavy tanks and jets. The Americans told us positively that such arms would not be used against us—for reasons only they knew—so our troops neither trained nor took with them any antitank or antiaircraft guns.

"But perhaps this news is only for propaganda purposes—to give Mr. (Adlai) Stevenson at the United Nations an excuse for saying that the United States will not allow Russian help for Castro.

"The captain just told us to try on our lifejackets and keep them close at hand. It is comforting, though, to see the American destroyers and Navy jets buzzing around us.

"Something has gone wrong in the landing.

"Near Great * * * Island we got dispatch orders to stop, and soon afterward another of our ships was sighted apparently coming from Cuba. When it got nearer we recognized it as the *Caribe*, and a destroyer closed in and seemingly told it to stop also.

"Holes in ship

"Three of its seven landing craft were still on deck, though half the liferafts are gone. Some said they could see holes in the ship's side.

"After dark we received orders to proceed north, but slowly, and wait for a boat which would unload our aviation gasoline for use at an airport they have just conquered. What airport can this be? Anyway we'll be glad to be rid of the danger of explosion.

"My sofa in the captain's office is right next to the main radio telephone. I can hear all the talk between ships as I lie awake, and the orders issued them to maneuver.

"Sometimes it sounds optimistic, but most of the time worried, and so we await the day.

WEDNESDAY, APRIL 19 (D-DAY PLUS 2)

(Castro's well-trained and Communist-armed regular troops crushed the invasion with tanks and artillery, taking some 1,200 prisoners who fought until their ammunition was exhausted. After knocking down the lumbering B–26's, Castro's fast fighters freely strafed the diminishing beachhead. In glum silence, Washington prepared for the worst.)

"I think things are going badly despite the hopeful gains reported by Swan Island (U.S.) radio.

"We were only 5 hours from Cuba when unexplained orders came to stop again. Over the radiotelephone reports keep coming from the beachhead saying they are under attack by superior forces with tanks and planes and that without reinforcements they don't know how much longer they can hold out.

"Ten a.m.—Pleas for help from the land increase alarmingly. They are asking for immediate assistance from jets in order to survive. Apparently only a small group is holding the beach and using the phone from a little seashore village, while the rest of our troops are completely surrounded.

"Over all channels we are getting messages for the flagship of the U.S. Navy division which escorted us, demanding jets and the cooperation which a thousand times was offered us if we were attacked by enemy jets or heavy tanks.

"What bitter hours we spent hearing over and over again the same answer—while the best of Cuban men who unhesitatingly offered their lives to the fatherland were being destroyed by the Communist hordes.

" 'Our hearts are with you,' they answer. 'We have communicated this desperate situation to our superiors and surely, very soon, we will get authorization from the big boss to help you.'

"Eleven a.m.—All the Cuban ships have asked the flagship for permission to go ashore ourselves and help our desperate friends. Except for our 100 men, the others have only their own crews and the cargo they never have been able to disembark.

"Finally, after 11:30 a.m., we were overjoyed to hear:

" 'To the entire fleet—proceed at full speed toward the beachhead. We have ordered four jets which are already airborne on their way to attack and four more are coming from a nearby place. To all ships—proceed according to Operation Plan 1.'

"Ships start north

"All the ships started due north, easily pulling ahead of us. (No boat ever came to offload our gasoline.) We did the best we could with our poor engines.

"Doubt no more. They are going to give us the support they promised. We are seeing it with our own eyes and hearing it with our own ears over official circuits. Not that we have much; the fight at the beach will not be easy.

"Some of us are going to stay there, but they have not deceived us. They have fulfilled their promises.

"After this military move of plain and open help, how can they hold back? Our sacrifice will not be sterile, and in a few weeks Cuba will be free of Fidel and communism.

"Brief happiness

"I went to bathe and put on my camouflage suit for landing, but my joy and happiness were brief. When I came out of the shower, everyone seemed wilted. 'What's wrong?' I asked.

" 'It's too late. The beachhead is lost. There has been no answer from shore, and reports from the jets are very confusing.'

"A few minutes later we heard:

" 'To the entire fleet—alter your course 180 degrees.'

"I went out on deck for one look at the Cuban coast—my first and last. What a tragedy. All lost. A series of accidents saved this ship from disaster, for which thanks to God, but how many (and who?) are gone forever along with our hopes of saving the fatherland?

"Useless sacrifice

"So much sacrifice—so useless.

"If they were going to help us, use force if necessary as they just demonstrated—why haven't they been doing it since yesterday afternoon when our brave boys were attacked by jets and tanks?

"They will never be able to explain why they waited so long.

"They have no pardon in the eyes of God. Nor will I ever forgive them (though Castro and his regime are doomed) for having permitted the slaughter of such a quantity of Cubans.

"Now we are ordered to keep an alert watch for enemy planes. They have sunk two of our transports.

"Such air cover have they given us, the * * *."

Mr. Speaker, I include at this point in the RECORD the third part of the invasion diary which appeared in the Los Angeles Times on Wednesday, August 23, 1961.

VANQUISHED VOICE "FREE CUBA" HOPE—ALL NEWS BAD AS DEJECTED BAND SAILS HOME IN ABORTIVE INVASION

(By Robert T. Hartmann)

WASHINGTON.—Through two preceding installments from the personal diary of Dr. Arturo Lopez, pseudonym of a patriotic Cuban physician who volunteered for last April's abortive attempt to rid Cuba of Castro, Times readers have witnessed the collapse of the invasion and with it the writer's last hope for promised American help. Dr. Lopez' concluding entries resume as the gasoline-loaded freighter that brought him agonizingly within sight of his

native shore strains its ancient engines to reach safety before it, too, is spotted and sunk by Communist jets.

THURSDAY, APRIL 20

(As the enormity of the Bay of Pigs disaster dawned on disbelieving Americans, President Kennedy told the American Society of Newspaper Editors in Washington "our restraint is not inexhaustible" and vowed Cuba would not be abandoned to the Communists. That evening, he conferred with former Vice President Nixon.)

"We have been blacked out completely since dusk last night, when we changed course from east to south—back to Nicaragua. We all gathered to pray a rosary for the souls of those who died.

"Slowly our own normal fear of physical danger changed, as time crept by, into almost an obsession that our families must be told we are OK. How I wish Juanita could be with Carmencita in this trying hour. How much better I would feel if I knew.

"It is not easy to accept hard truth even when one clearly understands. We have been glued all day to the radio trying to sift conflicting stories wondering if we might still do something.

"According to Swan Island, the fight goes on. According to Fidel, all is finished. Our analysis rejected sentimentalities and forced us to the worst conclusion. But what now of us? Will Nicaragua accept us after all this publicity?

We have a favorable wind and should reach port early tomorrow, luckier than most of my friends. I'll find some way, by fair means or foul, to get word to Carmencita that I'm alive.

"Havana radio is charging the invasion started from Puerto Cabezas, Nicaragua. So of course we turn around again, north northeast, heading for Puerto Rico. Now the wind is against us, and it will take 4 or 5 days at our poor speed. The ship shakes a lot, and some of the men are seasick. I distributed seasickness pills.

"Heard names of prisoners

"We heard the first few names of prisoners, Pepe among them. His brother is with us, and through we invented a thousand lies to cheer him up he says he would rather Pepe were dead. They will break him first and then execute him. He is very brave—a true man.

"They announced the old TV show with the prisoners for tonight—I hope Pepe is not on it. Some doctors' names were given, of course not from our group. But what is Carmencita thinking of this? She knew about the hospital ship we planned to work on, and when she hears the enemy reports of medical supplies destroyed (as they really were) will she think we were sunk?

"No—didn't I write her saying there was no hospital ship? I pray to God she hasn't got my last letter, probably she hasn't. Some are playing dominoes. I played checkers awhile, trying to relax.

"Suddenly, the ship stops—new course, toward Nicaragua again.

"What game is this they're playing?

"Are we supposed to steam up and down the Caribbean Sea until the United Nations or the Organization of American States solves the problem of Cuba versus the United States?

"Let them do as they like, but let us talk to our loved ones. We are Latins, not of a Saxon temperament.

"Naturally there is much tension, our spirits are overheated, and we argue a lot. The future, I think, holds much misery for us. We will not quit trying to defeat Fidel Castro, but only if we are treated as equals and never again like blind pawns.

"We will provide men for democracy's cause, but they will also have to offer men. We will only go back under a mixed command with both forces represented. Never shall there be another time when the Cuban commanders are called in the night before the invasion, not to discuss or agree on plans, but to be told what to do."

SATURDAY, APRIL 22

("You are following a very dangerous path—ponder that," Premier Khrushchev cabled President Kennedy from Moscow. The President's role was beginning to reach American readers. Still he declined any press conference comment, wryly noting that "victory has many fathers but defeat is an orphan." Following a National Security Council meeting, Mr. Kennedy flew to Camp David to confer with General Eisenhower. He named Gen. Maxwell Taylor (retired) to probe the Cuban fiasco in the CIA and Pentagon.)

"Last night we heard over radio the TV quiz, including that coward Jimenez who talked too much. Was Carmencita listening to his slander and does she believe we were yellow? They also announced the capture of Manuelo—who is right here with us—one more heartache for those at home.

"This afternoon we dropped anchor in Puerto Cabezas again, where another of our ships has already arrived.

"Several of our airmen came aboard and told us we lost 12 planes and 11 pilots—another crash-landed his plane on the airstrip inside our beachhead but was rescued. Minutes later Castro's militia retook the field, they said.

"A thousand acts of heroism were performed by our brave pilots flying B–26 bombers without a single fighter to protect them. We had none, but they told us: 'Don't worry, whenever you are near Cuba modern fighter aircraft will approach and cover you—the air support is going to be fantastic.'

"Support lacking

"American air support was totally lacking, after a stream of dispatches demanding fulfillment of those promises they told us the Cuban air commander frantically sent one to President Kennedy himself, saying because of him our pilots were daily flying into suicide.

"Now rumor has it we cannot land, but upon transferring our gasoline tomorrow are to be sent off to Puerto Rico. After discussing this very seriously we all served notice that (1) our families must be notified at once of our safety, (2) we must get rid of that gasoline immediately, (3) we would go to Puerto Rico or anywhere they ordered us by plane but not in this freighter, and (4) we would stop the ship from weighing anchor until we got a satisfactory reply from the authorities."

SUNDAY, APRIL 23

(Another minor mutiny flared up over a U.S. television show. Secretary of Interior Udall said of the Cuban fiasco that the Eisenhower-Nixon administration "started it." The GOP exploded with self-righteous wrath. President Kennedy indirectly rebuked Udall and publicly accepted "sole responsibility for the events of the past few days.")

"A 'gentleman' came aboard and told us to write our families, promising our letters would leave at once for Miami, and that besides he would try to get off a cable. He said the gasoline would be unloaded promptly but our destination could not be decided until tomorrow, when someone very important is coming to the base.

"This calmed us down a bit, but by now we believe nothing.

"The other ship came alongside to take some of our oil. There were some survivors of the beachhead on board, who told us the landing was easy early on D-Day morning, and quite a surprise. But at 7 a.m., they said, one of our ships got stuck and soon came under heavy enemy fire which prevented the unloading of half her cargo.

Two hours later another ship, hit by a rocket from a plane exploded after luckily completing the landing operation. What a rough deal they had and how much deceit.

"Days numbered

"Yet in spite of everything, considering how world affairs are going, the policies the American President is making and the hardening of hemispheric opposition to Castro, I am sure his days are numbered. Nobody will save him in the end. Maybe Cubans won't have the stellar role in the final act that we played this time, but our fighting failure predetermined the ending.

"We know our countrymen who stayed behind in Miami will ridicule us for our naive faith, or with worse words, but we shall reserve our judgment of them.

"We heard mass this afternoon at an altar set up on the dock by the chaplain of the airbase. All our other priests fell in Cuba. In his sermon the father insisted we had only lost one round, and said he will help get us home for a rest before the second."

MONDAY, APRIL 24

"The atmosphere is still superheated—there is talk of a revolt to force them to take us back to Miami.

"The expected 'very important people' visited us at lunch time. They turned out to be Cubans. They asked us details about everything and urged us to stay with the Army of Liberation and carry on the fight.

"We asked them to intercede and get us to our families for a few days. They said they would, but that we should consider ourselves on leave, not discharged. We talked a long while and became more calm and confident of our ultimate victory.

"A little later we received the order to disembark and go to the airbase, where we arrived just as the first planeload of survivors took off for Florida. This time the Cuban Revolutionary Council did keep its promise."

TUESDAY, APRIL 25

(On this date the New York Post reported that Dr. Miro Cardona and the Cuban Revolutionary Council had been held under virtual house arrest by CIA agents and kept in ignorance of Cuban developments until the landing had clearly failed. New York Governor Rockefeller met with President Kennedy and called upon all Americans to unite behind him.)

"While waiting for our flight we looked over the B–26's which got back from Cuban missions. They are not planes anymore; they are sieves. I cannot imagine how the pilots are still alive.

"If from the start the army of liberation had possessed just 8 or 10 modern fighter planes, instead of only B–26 bombers with no tail protection at all, how different our story could have been.

"Our pilots tell me that two of the best American flight instructors at this base, denouncing the failure to provide the promised fighter cover, got into two of the B–26's against orders and took off for Cuba themselves.

"Alas, both of them paid for this beautiful gesture with their lives. They fell on Cuban soil, demonstrating to us they were the good Americans, loyal and truly believing what they had told us.

"So we'll all be home in Miami by morning, determined to try again as soon as the time is ripe to free Cuba—Cuba libre."

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 30 minutes, today, and for 30 minutes, on Wednesday, Sep-

tember 6, 1961, and to revise and extend his remarks and include extraneous matter.

Mr. FEIGHAN, for 60 minutes, on Tuesday, September 5, 1961.

Mr. FISHER, for 20 minutes, today.

Mr. OLSEN, for 20 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. VAN ZANDT (at the request of Mrs. MAY).

Mr. MATHIAS (at the request of Mrs. MAY).

Mr. HOLTZMAN (at the request of Mr. FLOOD) and include extraneous matter.

Mr. ANFUSO.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore:

H.R. 4785. An act to provide specific authority for Federal payments of the employer's share of the cost of retirement systems for civilian employees of the National Guard and to extend the authority for withholding employee contributions to State retirement systems by permitting deductions of empolyees' contributions to State-sponsored plans providing retirement disability or death benefits;

H.R. 7809. An act to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel; and

H.R. 7934. An act to authorize the Secretaries of the military departments to make emergency payments to persons who are injured or whose property is damaged as a result of aircraft or missile accidents, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER pro tempore announced his signature to enrolled bills of the Senate of the following titles:

S. 561. An act to amend the act relating to the small claims and conciliation branch of the municipal court of the District of Columbia, and for other purposes;

S. 1656. An act to amend chapter 50 of title 18, United States Code, with respect to transmission of bets, wagers, and related information;

S. 1657. An act to provide means for the Federal Government to combat interstate crime and to assist the States in the enforcement of their criminal laws by prohibiting the interstate transportation of wagering paraphernalia;

S. 1983. An act to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic development and internal and external security, and for other purposes; and

S. 2239. An act to incorporate the National Society of the Sons of the American Revolution, aprpoved June 9, 1906 (34 Stat. 227), in order to remove the statutory limitation on the amount of property such society may receive, purchase, hold, sell, and convey at any one time.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 24 minutes p.m.) pursuant to its previous order, the House adjourned until Tuesday, September 5, 1961.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1278. A communication from the President of the United States, transmitting amendments to the budget for the fiscal year 1962 involving an increase in appropriations in the amount of $1,200 million for the Agency for International Development (H. Doc. No. 230); to the Committee on Appropriations and ordered to be printed.

1279. A communication from the President of the United States, transmitting proposed supplemental appropriations in the amount of $8,414,000 for various agencies of the executive branch (H. Doc. No. 231); to the Committee on Appropriations and ordered to be printed.

1280. A letter from the Under Secretary of the Interior, transmitting a report on the Waurika project, Oklahoma, pursuant to section 9(a) of the Reclamation Project Act of 1939 (53 Stat. 1187) (H. Doc. No. 232); to the Committee on Interior and Insular Affairs and ordered to be printed with illustrations.

REPORTS OF COMMITTEE ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 7692. A bill to amend the Tariff Act of 1930 to require certain new packages of imported articles to be marked to indicate the country of origin, and for other purposes; with amendment (Rept. No. 1102). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 8876. A bill to amend the Internal Revenue Code of 1954 to permit the use of identifying numbers; without amendment (Rept. No. 1103). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 4934. A bill to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreation facilities in reservoir areas; with amendment (Rept. No. 1104). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 7866. A bill to amend the Poultry Products Inspection Act to extend the application thereof to the Commonwealth of Puerto Rico; with amendment (Rept. No. 1105). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 8520. A bill to amend the Soil Conservation and Domestic Allotment Act, as amended, to add a new subsection to section 16 to limit financial and technical assistance for drainage of certain wetlands; with amendment (Rept. No. 1106). Referred to the Committee of the Whole House on the State of the Union.

Mr. PASSMAN: Committee on Appropriations. H.R. 9033. A bill making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1962, and for other purposes; without amendment (Rept. No. 1107). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 9022. A bill to prohibit exports to Communist countries; to the Committee on Interstate and Foreign Commerce.

H.R. 9023. A bill to deny the use of the U.S. postal service for the carriage of Communist political propaganda; to the Committee on Post Office and Civil Service.

By Mr. DERWINSKI:

H.R. 9024. A bill to authorize the use of foreign currencies for repair and rehabilitation of certain cemeteries abroad; to the Committee on Foreign Affairs.

By Mr. DOLE:

H.R. 9025. A bill to deny the use of the U.S. postal service for the carriage of Communist political propaganda; to the Committee on Post Office and Civil Service.

By Mr. HOLTZMAN:

H.R. 9026. A bill to amend the provisions of law relating to longevity step increases for postal employees; to the Committee on Post Office and Civil Service.

By Mr. KEARNS:

H.R. 9027. A bill to designate the third Library of Congress building as the John Philip Sousa Memorial Library, and to provide for the establishment of the John Philip Sousa collection in the Library of Congress, and for the placing of statues of John Philip Sousa and Dr. Harvey W. Wiley in Statuary Hall; to the Committee on House Administration.

By Mr. MATTHEWS:

H.R. 9028. A bill to designate the third Library of Congress building as the John Philip Sousa Memorial Library, and to provide for the establishment of the John Philip Sousa collection in the Library of Congress, and for the placing of statues of John Philip Sousa and Dr. Harvey W. Wiley in Statuary Hall; to the Committee on House Administration.

By Mr. OLSEN:

H.R. 9029. A bill to provide for the issuance of a special postage stamp in commemoration of the centennial anniversary of the birth of Fridtjof Nansen; to the Committee on Post Office and Civil Service.

By Mr. SMITH of Iowa:

H.R. 9030. A bill to amend the act to promote the education of the blind, approved March 3, 1879, as amended, so as to authorize wider distribution of books and other special instruction materials for the blind, and to increase the appropriations authorized for this purpose, and to otherwise improve such act; to the Committee on Education and Labor.

By Mr. TOLLEFSON:

H.R. 9031. A bill to amend the Merchant Marine Act, 1936, in order to provide for the reimbursement of certain vessel construction expenses; to the Committee on Merchant Marine and Fisheries.

By Mr. PASSMAN:

H.R. 9033. A bill making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1962, and for other purposes.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. STEPHENS introduced a bill (H.R. 9032) for the relief of John Pignataro, which was referred to the Committee on the Judiciary.

SENATE

FRIDAY, SEPTEMBER 1, 1961

The Senate met at 9 o'clock a.m., and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, we come beseeching Thee for the undergirding of Thy might for those who here have been trusted with the national welfare. Grant them the grace of unruffled patience in the face of opposition to our Nation's designs for world betterment. May we keep the torch of hope ablaze for the distressed and disinherited across all the frontiers of want and woe.

We ask not for appreciation but only for the satisfaction of being faithful stewards of privilege in all our relationships with others. Thus may we be loyal to the royal in ourselves and hasten the glad day when Thy kingdom may come and Thy will be done in all the earth.

We ask it in the Name which is above every name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 31, 1961, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on August 31, 1961, the President had approved and signed the following acts:

S. 98. An act to authorize the Secretary of the Interior to provide water and sewage disposal facilities to the Medora area adjoining the Theodore Roosevelt National Memorial Park, N. Dak., and for other purposes;

S. 242. An act for the relief of Mary Dawn Polson (Emmy Lou Kim) and Joseph King Polson (Sung Sang Moon);

S. 705. An act for the relief of Norman T. Burgett, Lawrence S. Foote, Richard E. Forsgren, James R. Hart, Ordeen A. Jallen, James M. Lane, David E. Smith, Jack K. Warren, and Anne W. Welsh;

S. 1289. An act to amend sections 337 and 4200 of the Revised Statutes of the United States so as to eliminate the oath requirement with respect to certain export manifests;

S. 1347. An act for the relief of Georgia Ellen Thomason;

S. 1450. An act for the relief of Shim Dong Nyu (Kim Christine May); and

S. 2034. An act to amend the Communications Act of 1934, as amended, in order to expedite an improve the administrative process by authorizing the Federal Communications Commission to delegate functions in adjudicatory cases, repealing the review staff provisions, and revising related provisions.

U.S. PARTICIPATION IN INTERNATIONAL ATOMIC ENERGY AGENCY—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 233)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Joint Committee on Atomic Energy:

To the Congress of the United States:

I transmit herewith, pursuant to the International Atomic Energy Agency Participation Act, the fourth annual report covering U.S. participation in the International Atomic Energy Agency for the year 1960.

JOHN F. KENNEDY.

THE WHITE HOUSE, *August 31, 1961.*

REPORT ON TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 234)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Finance:

To the Congress of the United States:

I hereby transmit the fifth annual report on the operation of the trade agreements program, submitted to the Congress pursuant to section 350(e)(1) of the Tariff Act of 1930 as amended.

Developments during 1960 presage bright promise for the continued expansion of world trade. U.S. exports rose to an historic peak. The benefits the increased exports brought included an improvement in our balance-of-payments status. Steps taken through the General Agreement on Tariffs and Trade to lower barriers to trade should further enlarge our oversea markets.

The continued expansion of multilateral trade remains a principal objective of the United States in carrying out our historic trade agreements program. In pursuing this objective it is important that we apply measures that will support and advance both our security and economic interests.

Furtherance of a sound trade policy requires that we increase our exports to assure a vigorous, expanding domestic economy. It also requires initiative and foresight in meeting problems presented by the developing countries, by the growth of regional trading organizations and by the acceleration of the continuing Communist offensive in the field of trade. Solutions to these complex problems must be sought and achieved in cooperation with other free world nations.

The trade agreements program represents an important instrument of our foreign policy and is of assistance in our efforts to meet and to deal with the challenges to our economic objectives.

JOHN F. KENNEDY.

THE WHITE HOUSE, *September 1, 1961.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 1540) to amend the law establishing the Indian revolving loan fund; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HALEY, Mr. EDMONDSON, Mr. MORRIS, Mr. BERRY, and Mr. NYGAARD were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 6967. An act to provide for the incorporation of certain nonprofit corporations in the District of Columbia, and for other purposes; and

H.R. 7752. An act to amend the District of Columbia Alcoholic Beverage Control Act, as amended, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker pro tempore had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 561. An act to amend the act relating to the small claims and conciliation branch of the municipal court of the District of Columbia, and for other purposes;

S. 1656. An act to amend chapter 50 of title 18, United States Code, with respect to transmission of bets, wagers, and related information;

S. 1657. An act to provide means for the Federal Government to combat interstate crime and to assist the States in the enforcement of their criminal laws by prohibiting the interstate transportation of wagering paraphernalia;

S. 1983. An act to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic development and internal and external security, and for other purposes;

S. 2239. An act to amend the act to incorporate the National Society of the Sons of the American Revolution, approved June 9, 1906 (34 Stat. 227), in order to remove the statutory limitation on the amount of property such society may receive, purchase, hold, sell, and convey at any one time;

H.R. 4785. An act to provide specific authority for Federal payments of the employer's share of the cost of retirement systems for civilian employees of the National Guard and to extend the authority for withholding employee contributions to State retirement systems by permitting deductions of employees' contributions to State-sponsored plans providing retirement disability or death benefits;

H.R. 7809. An act to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel; and

H.R. 7934. An act to authorize the Secretaries of the military departments to make emergency payments to persons who are injured or whose property is damaged as a result of aircraft or missile accidents, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on the District of Columbia:

H.R. 6967. An act to provide for the incorporation of certain nonprofit corporations in the District of Columbia, and for other purposes; and

H.R. 7752. An act to amend the District of Columbia Alcoholic Beverage Control Act, as amended, and for other purposes.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour for the transaction of routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. KUCHEL, and by unanimous consent, the Foreign Relations Committee was authorized to meet during the session of the Senate today.

On request of Mr. MANSFIELD, and by unanimous consent, the Retirement Subcommittee of the Committee on Post Office and Civil Service was authorized to meet during the session of the Senate today.

On request of Mr. MONRONEY, and by unanimous consent, the Constitutional Rights Subcommittee of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar, beginning with the new reports.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. HART, from the Committee on the Judiciary:

THADDEUS M. MACHROWICZ, of Michigan, to be U.S. district judge for the eastern district of Michigan.

By Mr. HILL, from the Committee on Labor and Public Welfare:

Dr. Norman Q. Brill, of California, and Dr. Saul W. Jarcho, of New York, to be members of the Board of Regents, National Library of Medicine, Public Health Service.

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Adlai E. Stevenson, of Illinois; Omar Burleson, U.S. Representative from the State of Texas; Marguerite Stitt Church, U.S. Representative from the State of Illinois; Francis T. P. Plimpton, of New York, and Arthur H. Dean, of New York, to be representatives to the 16th session of the General Assembly of the United Nations; and

Charles W. Yost, of New York; Clifton R. Wharton, of California; Philip M. Klutznick, of Illinois; Jonathan B. Bingham, of New York; and Mrs. Gladys A. Tillett, of North Carolina, to be alternate representatives to the 16th session of the General Assembly of the United Nations.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the Executive Calendar, beginning with the new reports, will be stated.

U.S. DISTRICT JUDGE

The Chief Clerk read the nomination of Edward S. Northrop, of Maryland, to be U.S. district judge for the district of Maryland.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

THE MARINE CORPS

The Chief Clerk read the nomination of Maj. Gen. Robert B. Luckey, U.S. Marine Corps, to be lieutenant general.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

THE NAVAL RESERVE

The Chief Clerk proceeded to read sundry nominations in the Naval Reserve.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

THE ARMY

The Chief Clerk proceeded to read sundry nominations in the Regular Army, which had been placed on the Secretary's desk, after having been printed in the CONGRESSIONAL RECORD on August 21, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON ARMY, NAVY, AND AIR FORCE PRIME CONTRACT AWARDS TO SMALL AND OTHER BUSINESS FIRMS

A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Army, Navy, and Air Force prime contract awards to small and other business firms, dated June 1961 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON CONTRIBUTIONS RECEIVED BY U.S. NATIONAL COMMISSION FOR UNESCO

A letter from the Secretary of State, transmitting, pursuant to law, a report of gifts and bequests received and accepted by the U.S. National Commission for the United Nations Educational, Scientific, and Cultural Organization, covering the fiscal year 1961 (with an accompanying report); to the Committee on Foreign Relations.

AMENDMENT OF ADMINISTRATIVE EXPENSES ACT OF 1946, RELATING TO EMPLOYMENT OF CERTAIN EXPERTS

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to amend section 15 of the Administrative Expenses Act of 1946; to provide for regulation by the President of the employment of experts or consultants or organizations thereof; and for other purposes (with accompanying papers); to the Committee on Government Operations.

REPORT ON WAURIKA RECLAMATION PROJECT, OKLAHOMA

A letter from the Under Secretary of the Interior, transmitting, pursuant to law, a report on the Waurika reclamation project, Oklahoma (with accompanying papers); to the Committee on Interior and Insular Affairs.

MAJ. LEONARD H. POTTERBAUM

A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation for the relief of Maj. Leonard H. Potterbaum, U.S. Air Force (with an accompanying paper); to the Committee on the Judiciary.

PETITION

The VICE PRESIDENT laid before the Senate the petition of Don W. Creagh, of South Gate, Calif., praying for the enactment of Senate bill 822, the proposed Freedom Commission Act, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ENGLE, from the Committee on Commerce, with amendments:

S. 1728. A bill to amend section 510 of the Merchant Marine Act, 1936, to provide for the trade-in of obsolete vessels in connection with the construction of new vessels, either at the time of executing the construction contract or at the time of delivery of the new vessel (Rept. No. 861).

By Mr. JOHNSTON, from the Committee on Post Office and Civil Service, without amendment:

H.R. 7043. An act to extend to employees subject to the Classification Act of 1949 the benefits of salary increases in connection with the protection of basic compensation rates from the effects of downgrading actions, to provide salary protection for postal field service employees in certain cases of reduction in salary standing, and for other purposes (Rept. No. 864).

By Mr. CLARK, from the Committee on Post Office and Civil Service, without amendment:

H.R. 6141. An act to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired

pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes (Rept. No. 862).

By Mr. KERR, from the Committee on Aeronautical and Space Sciences, without amendment:

S. 2481. A bill to amend the National Aeronautics and Space Administration Authorization Act for the fiscal year 1962 (S. Rept. No. 863).

By Mr. MORSE, from the Committee on the District of Columbia, with amendments:

S. 502. A bill to authorize the employment of retired personnel of the Federal Government by the Board of Education of the District of Columbia, and to authorize the employment of retired personnel of the Board of Education of the District of Columbia, by the Federal Government (Rept. No. 865).

By Mr. BEALL, from the Committee on the District of Columbia, without amendment:

H.R. 7622. An act to repeal sections 1176 and 1177 of the Revised Statutes of the United States relating to the District of Columbia (Rept. No. 866).

BILL AND JOINT RESOLUTION INTRODUCED

A bill and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HILL:

S. 2503. A bill to authorize a 3-year program of matching grants to assist the States in expanding and strengthening professional nurse education for the purpose of assuring an adequate supply of professional nurses to meet the requirements of the Armed Forces, Federal, State, and local governmental and civilian hospitals and health agencies, as well as other employers; to the Committee on Labor and Public Welfare.

By Mr. DIRKSEN:

S.J. Res. 131. Joint resolution authorizing the President to issue a proclamation designating the third week in March of 1962 as National Poison Prevention Week, in order to aid in bringing to the American people the dangers of accidental poisoning; to the Committee on the Judiciary.

(See the remarks of Mr. DIRKSEN when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

PRINTING IN CONGRESSIONAL RECORD OF ANY MATTER BY A SENATOR OF WHICH HE IS THE AUTHOR

Mr. CURTIS submitted the following resolution (S. Res. 202), which was referred to the Committee on Rules and Administration:

Resolved, That Senate Resolution 127, Eightieth Congress, agreed to July 23, 1947, is amended by adding at the end thereof the following:

"SEC. 2. Notwithstanding the foregoing provisions of this resolution, any Senator having been recognized may offer for printing in the CONGRESSIONAL RECORD any written or printed matter of which he is the author, including quotations not exceeding one hundred words in length of matter of which he is not the author which are intended to be considered as a part or in support of the matter of which he is the author, and such matter shall be received and printed as though it had been read orally by such Senator on the floor of the Senate."

DESIGNATION OF THIRD WEEK IN MARCH OF 1962 AS NATIONAL POISON PREVENTION WEEK

Mr. DIRKSEN. Mr. President, I introduce, for appropriate reference, a joint resolution which has for its purpose authorizing the President of the United States to issue a proclamation designating the third week in March of 1962 as National Poison Prevention Week.

I am introducing this resolution so as to bring both the hazards of accidental poisoning and the steps which have been taken to control such hazards forcefully to the people of the United States. This resolution—by calling to the attention of the American people the dangers of accidental poisoning—will contribute toward efforts to educate the American people to remember that many substances which are used routinely in our daily life carry potential hazards, and that the general public must be continually made aware of such dangers.

These dangers resulting from accidental poisoning were highlighted by a writer in the New York Times who observed that time was when medicines were drab to look at, unpleasant to smell, and downright nasty to taste. In that same benighted era, household cleaners and similar chemical concoctions came in utilitarian cans and boxes, and the overpowering smell when the lid came off was enough in itself to signal "handle with care." Today there are pills as bright and pretty as jewels, liquid medicines as tasty as soda pop. Cleaners and polishes are delicately tinted, sweetly scented, silky to the touch. The containers are pretty enough to display on open shelves.

All of this, observed the writer, makes life pleasanter to the housewife, but it may mean added danger to the very young, danger from accidental poisoning.

At the annual spring conference of the American Academy of Pediatricians held in Washington, D.C., the peril inherent in these newly alluring threats was highlighted in a special exhibit set up by the Academy of Medicine of the Cleveland Poison Information Center.

Each year, the physicians were reminded, 300,000 children are accidentally poisoned, and accidental poisonings kill more children than rheumatic fever, polio, whooping cough, diphtheria, "strep" throat, and scarlet fever combined. The majority of young victims are in the age range of 1 to 3 years, but 4- and 5-year-olds suffer a share of the misery, too.

By way of prevention, the poison control specialists emphasized, parents should be urged to read the fine print on all labels and keep all questionable preparations from the reach of children.

Parents also should dispose of the remains of medicine and other one-use preparations as soon as they have served their purpose.

The national clearinghouse for poison control centers, set up by the Public Health Service of the U.S. Department of Health, Education, and Welfare, now has 460 well-distributed State and local poison control centers affiliated with it.

One of the interested groups which is urging favorable consideration of this joint resolution is the National Association of Retail Druggists, which is composed of some 36,000 independent retail pharmacists, all who are aware of the potential dangers from accidental poisoning and who are united in seeking to give better information on this matter to the general public.

Mr. President, I feel that this joint resolution would serve a most laudatory purpose by calling attention to the people of the United States the dangers of accidental poisoning. I hope that this joint resolution may be considered in the very near future.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 131) authorizing the President to issue a proclamation designating the third week in March of 1962 as National Poison Prevention Week, in order to aid in bringing to the American people the dangers of accidental poisoning, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on the Judiciary.

DEDUCTION FOR INCOME TAX PURPOSES OF CERTAIN CONTRIBUTIONS—AMENDMENTS

Mr. JAVITS submitted amendments, intended to be proposed by him to the bill (H.R. 2244) relating to the deduction for income tax purposes of contributions to charitable organizations whose sole purpose is making distributions to other charitable organizations, contributions to which by individuals are deductible within the 30-percent limitation of adjusted gross income, which were ordered to lie on the table and to be printed.

PROHIBITION OF EXAMINATION IN DISTRICT OF COLUMBIA COURTS OF ANY MINISTER OF RELIGION IN CERTAIN CASES—AMENDMENTS

Mr. MILLER submitted amendments, intended to be proposed by him, to the bill (H.R. 5486) to prohibit the examination in District of Columbia courts of any minister of religion in connection with any communication made to him in his professional capacity, without the consent of the party to such communication, which were ordered to lie on the table and to be printed.

AMENDMENT OF SHIPPING ACT OF 1916, AS AMENDED, TO PROVIDE FOR OPERATION OF STEAMSHIP CONFERENCES—AMENDMENTS

Mr. KEFAUVER submitted amendments, intended to be proposed by him, to the bill (H.R. 6775) to amend the Shipping Act, 1916, as amended, to provide for the operation of steamship conferences, which were ordered to lie on the table and to be printed.

IMMEDIATE RESUMPTION OF NUCLEAR TESTING—ADDITIONAL COSPONSOR OF RESOLUTION

Mr. DODD. Mr. President, yesterday I introduced a resolution (S. Res. 200) declaring that it is the sense of the Senate that the United States should resume nuclear testing immediately.

I was joined in that resolution by other Senators whose names are printed on the resolution. Our distinguished colleague from Arizona [Mr. GOLDWATER] has asked to be added as a cosponsor and I ask unanimous consent that the name of Mr. GOLDWATER be added at the next printing of the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARINGS ON NOMINATIONS OF JOSEPH S. LORD III TO BE U.S. DISTRICT JUDGE, EASTERN DISTRICT OF PENNSYLVANIA, AND ABRAHAM L. FREEDMAN TO BE U.S. DISTRICT JUDGE, EASTERN DISTRICT OF PENNSYLVANIA, NEW POSITIONS

Mr. JOHNSTON. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Tuesday, September 12, 1961, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nominations:

Joseph S. Lord III, of Pennsylvania, to be U.S. district judge, eastern district of Pennsylvania (a new position).

Abraham L. Freedman, of Pennsylvania, to be U.S. district judge, eastern district of Pennsylvania (a new position).

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi [Mr. EASTLAND], chairman, the Senator from Nebraska [Mr. HRUSKA], and myself.

NOTICE OF HEARING ON NOMINATION OF DAVID W. DYER TO BE U.S. DISTRICT JUDGE, SOUTHERN DISTRICT OF FLORIDA, A NEW POSITION

Mr. JOHNSTON. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, September 8, 1961, at 10:30 a.m., in room 2300, New Senate Office Building, on the nomination of David W. Dyer, of Florida, to be U.S. district judge, southern district of Florida, a new position.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi [Mr. EASTLAND], chairman, the Senator from Nebraska [Mr. HRUSKA], and myself.

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. JOHNSTON. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Terrell L. Glenn, of South Carolina, to be U.S. attorney, eastern district of South Carolina, term of 4 years, vice N. Welch Morrisette, Jr.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Friday, September 8, 1961, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. RANDOLPH:

Collected comments relating to corn, compiled by Miss Margo Cairns.

FOOD—ADDRESS BY SENATOR AIKEN

Mr. MANSFIELD. Mr. President, in the September 1961 issue of Catholic Rural Life appears a condensation of a commencement address delivered at Goddard College, by the distinguished senior Senator from Vermont [Mr. AIKEN]. In my opinion, no one has a better understanding of the food problems of this country or, for that matter, a better understanding of those problems in relation to the other countries of the world.

Because of the high esteem and the great admiration I have for the judgment and integrity of the Senator from Vermont, I ask unanimous consent to have printed in the RECORD the condensation from the commencement address delivered at Goddard College by the distinguished Senator.

There being no objection, the condensation of the address was ordered to be printed in the RECORD, as follows:

FOOD—AMERICA'S MOST POTENT WEAPON

(By GEORGE D. AIKEN, U.S. Senator from Vermont)

Since time began, war has been waged incessantly on earth, first animal life against the elements, man against animal, man against man, tribe against tribe, race against race, and nation against nation. Now, having reached the acme of our extraterritorial possibilities on earth, we are vaguely weighing possibility of a conflict between planets.

There is no reason to believe that war will now cease. The question we must ask and answer is "What kind of wars?" Will they be the sort where man seeks to kill off those of his own kind? Or will wars of the future be directed by man against his most inexorable enemies, poverty, hunger, disease, illiteracy, and intolerance?

Over the ages these enemies have inflicted more casualties and suffering than all the more spectacular battles of land, sea, and air combined.

To wage war, it is necessary to have weapons, defensive and offensive. In this field man has progressed from the stone hatchet to the spear, the bow, the crossbow, the musket, the repeating rifle, and machinegun to the guided missile and the death ray.

Paradoxically, with the refinement of weapons for exterminating one another has come the development of better weapons with which to forestall our major enemy, death itself.

From the days of sulfur and molasses, peppermint and camomile, we have seen the development of vaccines, blood plasmas, anesthesia, antibiotics, and many unpronounceable discoveries of medicine and surgery all intended to postpone the day of Gabriel's reveille.

Of all the weapons used in war, however, one is utterly indispensable. That is food. We have always been told that any army travels on its stomach. Be that as it may, it is an indisputable fact that no people become strong and successful either in peace or war if they are undernourished or in ill health. Well-fed, healthy people are the prime ingredient of a strong nation. The United States is a strong nation today because of our agricultural productivity.

CORN FOR YUGOSLAVIA

The summer of 1950 was a cool season in Yugoslavia. The corn crop was a near failure. There would be none to export and not enough even for home use. The prospects were indeed desolate. Stalin's forces had stripped many industrial plants of whatever usable equipment had been left after the war.

America had corn in excess of our needs. Although Yugoslavia was a Communist state and considered by many to be irrevocably committed to the Soviet bloc, our country, true to its tradition, gave to this Balkan nation some $38 million worth of food, principally corn. This food was distributed to the people under the direction of CARE. The Yugoslav Government cooperated fully in advising its people as to the source of this assistance.

Although Yugoslavia today is a full-fledged Socialist state, it does not participate in the world movement of forcing this ideology on other nations. Had it not been for the timely help given by the United States, it is unlikely that Yugoslavia would be a free nation today.

DROUGHT IN PAKISTAN

From time immemorial, drought has been one of the scourges of mankind. A single year's onslaught by this formidable enemy has been known to weaken strong nations. Pakistan has been a perennial victim of this scourge. In 1952 and 1953, drought struck Pakistan. The country was desperate. Threatened by traditional area enemies from without and by inflation and starvation from within, it looked as if this young nation might have to give up the ghost before it achieved maturity.

I was chairman of the U.S. Senate Committee on Agriculture in 1953. One day we received a message from the White House. The President requested an immediate grant of wheat for Pakistan. Just 2 weeks later at Baltimore, I participated in ceremonies at the sailing of the first shipload of wheat for Karachi. The shipload was the forerunner of millions of tons of wheat which our Nation has since made available to the people of Pakistan.

What did we get out of this deal? Well, not much money I admit. We loaned the money received from that part of the wheat that was sold back to Pakistan to be used on irrigation developments and for other purposes. The chronic fear of famine and inflation in that country has been mitigated.

We have been helpful to both India and Pakistan in reaching an agreement relating to a division of water from the Indus watershed so that each can make more progress in fighting their common enemy, drought. We have gained a friend among the nations. During my term of service at the United Nations last fall, I learned that

Pakistan was one of three Asian nations that almost invariably was found by the side of the United States.

The two examples I have given illustrate the manner in which U.S. food has contributed to the strengthening of our relations with other people. Our records are replete with other instances. Since the Korean war, billions of dollars worth of American corn, wheat, vegetable oils, milk, and other commodities have gone to all corners of the earth. The fear of famine and inflation has not been fully erased, but it no longer holds the stark terror which it used to have for half the world's population.

Although our largest cooperative programs are now with nations like India, Brazil, and Pakistan, there is hardly a country on earth but what plans more confidently and rests more securely because it knows that, should disaster strike, American food and aid would be promptly available.

TASK AHEAD

The Foreign Agricultural Service has estimated that the world's food shortage today in calories and protein alone if reduced to terms of common commodities would amount to 35 percent of the annual U.S. milk production, 40 percent of our peas and dry bean production and 120 percent of our annual wheat production. Even in our own hemisphere there are several countries where the people are living under a dietary deficit of more than 500 calories per day.

Why should this concern us greatly? Aside from humanitarian considerations, we should be concerned with the effects of malnutrition on the ideology of a people. There are those who say we should give food only to those whose national philosophy agrees with ours. I have heard it said that we should withhold food and assistance from a people until they revolt against totalitarian masters. I have never known this method to work. People cannot be starved into democracy. They can be starved into accepting dictatorships.

If I have now described for you the value of food as a weapon to be used in ideological or social conflicts, I would be remiss if I did not warn you that we are in danger of losing that weapon. In spite of foreign sales and contributions our excess production has continued to mount until today we have considerable more wheat and feed grain than is required for normal safe reserves for all purposes. This situation has provoked public resentment. The taxpayer objects to paying storage costs. The trader protests Government being in the grain business at all. The consumer who has probably been the principal beneficiary of the programs get taken in by voluminous propaganda and joins the chorus shouting "throw the rascal out."

Yielding to pressure, our Government has proposed measures to appease this public clamor. Already, over my protest, the Congress has approved and the executive branch has put into effect a program under which 26 percent of our corn and feed grain land will not be planted this year.

If the yield is reduced proportionately, we shall produce in the United States less feed grain than we shall consume this year. The administration has already asked to have this program extended another year. Also similar requests have been made for wheat.

In the meantime, while the Department of Agriculture seeks drastic reductions in production, the State Department asks for authority leading to long-term commitments to foreign nations. Somebody in Washington had better do some coordination and do it soon.

I have repeatedly urged that the solution of excess farm production does not lie in compulsory restrictions upon the farmer but rather we should concentrate upon the development of new outlets.

These new outlets may well be in a world which is chronically scourged by malnutrition and disease and continually threatened by war. America's stock in trade at the international bargaining table will be reduced proportionately as we curtail our agricultural output. The public cost of maintaining a bountiful food production is less than 10 percent of the cost of maintaining our military defenses at home and abroad.

Without minimizing the importance of strong security measures to be used in the event of an armed attack upon our country or upon democracy at large, I can say in all sincerity, that as of today in the war against poverty and disease, intolerance and despotism, or even in a war between conflicting ideologies, food is America's most potent weapon.

HISTORY OF THE BERLIN SITUATION

Mr. FULBRIGHT. Mr. President, believing that something is to be learned from past mistakes, I should like to call to the attention of my colleagues an article by Mr. Philip Mosely that appeared in the quarterly Foreign Affairs of July 1950.

Mr. Mosely, a distinguished authority on Soviet affairs, was political adviser to the late Ambassador John G. Winant, the American representative on the European Advisory Commission (EAC). The Commission grew out of a Conference of Foreign Ministers held in Moscow in October 1943. It was here that the United States, Britain, and Russia agreed in principle to joint responsibility for Germany and joint occupation of Germany. They established the EAC to help draw up common policy for postway Germany and other problems. The EAC met from January 1944 to August 1945. It defined occupation zones for the United States, Britain, and the Soviet Union in Germany as a whole and in Greater Berlin as a separate unit, providing also for joint administration of Berlin. The Commission agreed to the formation by the United States, Britain, and the Soviet Union of an Allied Control Council to be the supreme authority for Germany as a whole, and for each military commander in chief to be the supreme authority, under orders of his Government, in each nation's occupation zone. A protocol amended one of the EAC's earlier meetings and included France among the occupying powers.

The EAC never reached an agreement guaranteeing Western access to Berlin. Mr. Mosely places primary responsibility for this failure upon the War Department, which, he claims, subordinated settlement of postwar political problems to a single minded concern with the conduct of the last stages of the war in Europe.

There was established in December 1943 a Working Security Committee, an interdepartmental group composed of officers of State, War, and Navy Departments. It was from this ambiguously named committee that the EAC was to draw its instructions. The War Department was represented by its Civil Affairs Division, which, according to Mr. Mosely, held a veto over directives to the EAC and used it to frustrate efforts to reach political settlements on the character of postwar occupation of Germany prior to the ending of hostilities.

Mr. President, it is my intention to have Mr. Mosely's article reprinted in full at the end of my remarks and I herewith ask unanimous consent to do so. However, I shall quote a few paragraphs in support of Mr. Mosely's main point:

Although the establishment of the WSC (or Working Security Committee) had been agreed to early in December (1943) by the three departments * * * It could not begin to function at once because the Civil Affairs Division of the War Department refused at first to take part. For a fortnight the representatives of the Division maintained that the surrender and occupation of Germany were purely a military matter which would have to be decided at the military level and that therefore there was no need for the WSC, or, for that matter, for a European Advisory Commission. In rejoinder, it was pointed out that the President, who was also Commander in Chief, had joined with the heads of two other governments in creating the EAC and in expressing the intention to work out Allied agreements on postwar Germany. According to the Civil Affairs Division, military government was a purely military matter; when the time came, the necessary orders would be issued by the Combined Chiefs of Staff, and that was all. This view ignored the fact that the Combined Chiefs of Staff would probably not be allowed to determine American postwar policy, that there was no Soviet representation on it, that the President was committed to seeking postwar agreement on Germany with both the Soviet and British Governments, and that meanwhile the American representative on the EAC was completely without instructions.

More significant (than the question of locating a new German capital), I believe, was the proposal that a corridor should be established connecting the prospective western areas of occupation with Berlin, this to be accomplished by joining certain intervening districts of Saxony-Anhalt and Brandenburg to the western zones. This proposal, for which I was responsible, ran counter to the principle of retaining the administrative boundaries of the existing (provinces), but it was consistent with the proposal to break up Prussia and thus to destroy its preponderance within postwar Germany. Since it was assumed that for most purposes Germany would be treated as a political and economic entity, the economic disruption caused by creating this corridor for purposes only of occupation and enforcement of Allied authority would be negligible. I realized that such a proposal by the United States would probably meet with Soviet objections, but I believed that if it could be presented first, with impressive firmness, it might be taken into account by the Soviet Government in framing its own proposals. I believed that the dignity and security of the American authorities to be installed eventually in Berlin required that provision be made in advance for free and direct territorial access to Berlin from the West.

This proposal was never acted upon in the WSC in Washington and was therefore never presented to the EAC in London. The position of the Civil Affairs Division of the War Department was that the determination of the future zones of occupation was no concern of the WSC or of the EAC. It was a military matter which would be decided at the proper time and at the military level. The Civil Affairs Division even denied for many weeks the right of the EAC to negotiate an agreement on zones. It argued that zones of occupation would be determined by

the location of troops at the time of Germany's surrender or collapse. This, the State Department members felt, was to rely on an extremely risky expedient. If there were no Allied agreement on postwar zones, there would be constant suspicions between the Allies. The Germans could fan these fears by hints of a separate understanding with East or West. In the closing phase of the war, strategy and tactics might be determined by the desire to occupy the largest possible area of Germany rather than by the aim to defeat Germany as quickly as possible. In their reply, the representatives of the War Department implied that they expected all of Germany up to the Rhine to be in Soviet control upon Germany's defeat, and that therefore it was useless to expect the Soviet Government to carry out any agreement regarding the division of Germany which might have been reached in advance, since this would be to its disadvantage. To this the answer was obvious. If the prospects were so gloomy, all the more reason to seek early agreement on future arrangements for Germany, since clearly it was not in the interest of European stability and of American security that all or nearly all of Germany should pass under sole Soviet control. As for the doubt concerning the Soviet Government's fulfillment of its agreement, no American Government could afford to report to its people and its Allies that it had refused to negotiate a postwar agreement on this ground. * * * After many days of argument and counterargument, the Civil Affairs Division exercised its right of veto in early January 1944. WSC was debarred from providing Mr. Winant with proposals concerning the future zones of occupation.

In his discussions with the War Department, Mr. Winant raised with the Civil Affairs Division the question of access to Berlin from the Western zones. He offered to propose detailed provisions safeguarding American access by highway, railroad, and air. Since the Soviet representative had repeatedly insisted that there would be no difficulty in arranging for transit through the Soviet zone to Berlin and that the presence of American and British Forces in Berlin of course carried with it all necessary facilities of access, Mr. Winant was confident that concrete provisions could be negotiated in the EAC without great difficulty.

The Civil Affairs Division opposed the insertion of a specific provision concerning access to Berlin. It felt that it was impossible to foresee, in May 1944, in advance of D-day, what railroads and highways would be needed for use by the Allied forces. If specific roads and railroutes were assigned, they might be in a state of complete destruction when the time came to enter Berlin, and then it would be difficult to arrange for alternative facilities. They insisted that this was a purely military matter which would be taken care of at the military level when the time came. Mr. Winant felt that he could not further challenge this authoritative military view. When he returned to London he at last circulated to the EAC, on June 12, the American proposal concerning zones of occupation in Germany.

Mr. President, I have raised this question, first, because of my belief that something may be gained from reviewing the past; second, because in recent years a good deal of misinformation has been circulated about the failure to secure agreements from the Soviet Union specifically covering access routes to Berlin; and third, because the episode dealt with in this article is one example of what can happen when military opinion is granted the authority to veto or otherwise to frustrate policies that are essentially political in character.

I ask unanimous consent to have the article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE OCCUPATION OF GERMANY: NEW LIGHT ON HOW THE ZONES WERE DRAWN

(By Philip E. Mosely)

The first steps toward three-power planning for the occupation and control of Germany after her eventual defeat were taken at the Moscow Conference of Foreign Ministers in October 1943. In those days the Red army was continuing its powerful advance against the German armies (Kiev was liberated during the Conference), and the forces of the Western Allies were preparing their tremendous attack upon Hitler's "Fortress Europe." The need for coordinating the political planning of the major Allies thus became more and more obvious and acute. During Mr. Eden's visit to Washington the previous March, Harry Hopkins had noted the necessity of reaching an understanding "as to which armies would be where and what kind of administration should be developed." [1] A few days later President Roosevelt instructed Secretary Hull to explore, first with the British and then with the Russians, "the question of what our plan is to be in Germany and Italy during the first months after Germany's collapse." [2] Even so, the Italian surrender caught the Allies politically unprepared. The cross-purposes and frictions revealed during the negotiations over Italy showed how urgent it was to begin coordinating Allied purposes and arrangements for the surrender of Germany, and to do so well before the event. In September 1943, it was decided to arrange a first meeting of the three Foreign Ministers in preparation for a first conference of the three heads of governments.

At the Moscow Conference, Mr. Hull presented to Mr. Eden and Mr. Molotov the American view of postwar policy toward Germany.[3] Although this memorandum was received favorably, no attempt was made to reach concrete decisions concerning Germany, and the problem was referred to a new body, the European Advisory Commission (henceforth referred to as the EAC), which was to have its seat in London and carry on its work continuously. The memorandum recommended that an inter-Allied control commission be set up to enforce upon Germany the terms of surrender and the policies of the Allies, and that Germany should be occupied by British, Soviet, and American forces. Thus the principle of joint responsibility in German policy and of joint occupation of Germany was accepted tacitly in October 1943 as a basis of future planning.

The terms of reference of the EAC, as established in the Moscow Protocol of November 1, 1943, reflected a sharp divergence between British and American views. The Foreign Office wanted ECA to receive a broad mandate to settle promptly, during the war, many questions concerning both the enemy and the smaller allied states in Europe. In this view, the ECA should have competence in such matters as the future regimes to be established in France, Poland, Yugoslavia, and elsewhere, and also be authorized to settle minority and boundary disputes. It can be assumed that the British leaders hoped to settle as many of these questions as possible during the war, while the major allies were compelled by necessity to act together to a considerable degree and while the United States had powerful forces in Europe. A British Government has excellent facilities for studying matters of this sort and deciding on definite policy objectives; and the existence of a wartime coalition provided an even better opportunity than usual for the formulation of a final British view.

The dominant official view in the United States was that it would be unwise to attempt to solve postwar problems while hostilities were continuing, except for achieving the establishment of a United Nations organization. There was doubt as to the authority of the executive to commit the United States on matters which are usually settled in treaties of peace. There was uncertainty regarding the degree to which American opinion would, after the war, maintain a detailed interest in and responsibility for specifically European problems. There were fears that groups of American citizens of foreign origin would be distracted from the unified war effort—and, incidentally, from support of the administration—if attempts were made during the war to settle concrete boundary and other issues. These lines of thought led the U.S. Government to favor limiting the mandate of the ECA primarily to working out arrangements for the surrender of the Axis States in Europe. While the American delegation at Moscow accepted the broad wording of article 1 of the terms of reference, it laid emphasis upon the limiting provision that questions could be referred to the EAC only by unanimous consent of the three governments, and it actually regarded article 2 as the only real mandate of the new body.[4] Preparations for beginning the formal negotiations concerning Germany were advanced during the Teheran Conference when the three heads of governments appointed their representatives to the EAC—Sir William Strang for the United Kingdom, Fedor T. Gusev for the Soviet Union, and the late John G. Winant for the United States.

Thus the Moscow and Teheran conferences committed the three major allies to proceeding promptly to the elaboration of joint arrangements for the postwar occupation and control of Germany. In the view of those at the "working level" within the State Department, and in Mr. Winant's view, the task was one of great and immediate urgency. If the Allies could agree on a detailed program of postwar cooperation with regard to Germany, other European problems might prove much more manageable and there would be far stronger hope for some measure of continuing cooperation in a United Nations organization. No one assumed that cooperation would be easy. But there was hope that the great damages which German aggression had inflicted on the world might have created such a shared sense of urgency among the Allies that they

[1] Robert E. Sherwood, "Roosevelt and Hopkins, an Intimate History." New York: Harper, 1948, p. 714.

[2] "The Memoirs of Cordell Hull." New York: Macmillan, 1948, v. II, pp. 1284–1285.

[3] Summarized in Hull, ibid., v. II, pp. 1285–1287. The memorandum was drafted during the Conference by two members of the delegation, including the present writer, mainly on the basis of studies and recommendations approved by the Interdivisional Committee on Germany, in the Department of State, and of studies prepared by the War and Peace Studies Project of the Council on Foreign Relations, New York.

[4] The principal terms of reference of the EAC were: (1) "The Commission will study and make recommendations to the three governments upon European questions connected with the termination of hostilities which the three governments may consider appropriate to refer to it * * *"; (2) "As one of the Commission's first tasks the three governments desire that it shall, as soon as possible, make detailed recommendations to them upon the terms of surrender to be imposed upon each of the European states with which any of the three powers are at war, and upon the machinery required to insure the fulfillment of those terms * * *."

would be able to plan a common allied policy for dealing with Germany in a manner to prevent the recurrence of the danger.

The EAC held an informal organizing meeting on December 15, 1943, and began its formal meeting on January 14, 1944.[5] Naturally, it could work effectively only when all three representatives had full instructions from their governments. The EAC was not, in fact, able to "study and make recommendations to the three governments" on its own initiative. From the beginning it was a negotiating body, and the 12 agreements which it succeeded in reaching had to be approved in advance, down to the last detail and word, by the three (later four) governments before they could be presented as "recommendations" to those governments. Only then would such recommendations receive formal "approval." In matters of such profound concern as those which were referred to the EAC each of the national representatives could speak and act only upon detailed instructions.

In this respect the British representative was fortunately situated. As the seat of the Commission was London, he had direct personal access to the final political authority in his Government and so was able to receive clear guidance rather promptly. Interdepartmental conflicts could be resolved with reasonable expedition through joint committees (in which the primary responsibility of the Foreign Office in matters of foreign policy was recognized), through the admirable functioning of the Cabinet Secretariat, and, if necessary, through reference to the War Cabinet. The American representative on EAC was less fortunate. Until December 1943 there was no established procedure through which he could receive the instructions of his Government. Clearly, postwar policy toward Germany transcended the competence of either the Department of State or the War Department.

In order to meet this lack and to provide the American representative in London with instructions based upon the combined views of the Departments concerned, there was established in December 1943, under the camouflage name of the Working Security Committee (henceforth referred to as WSC), an interdepartmental committee, as consisting of officers of State, War, and Navy Departments. The WSC was designed to coordinate the views of the three Departments and, on this basis, to transmit agreed instructions to Mr. Winant in London. The instructions might be draft documents to be circulated and negotiated in the EAC; or detailed statements of American policies and objectives for his guidance in negotiation, whether formal or informal; or comments on reports of EAC discussions and on proposals submitted by other delegations; or, finally, comments on suggestions and recommendations worked out by the U.S. delegation in London.[6] Formally, the Department of State provided the channel for transmission of instructions to Mr. Winant. But in practice it could forward only instructions and drafts which had been approved by the WSC, or rather by each of the departmental components of the WSC. In theory, the officers of the three Departments concerned with German policy were supposed to work out agreed recommendations in the WSC and then to "clear" the draft instructions with the superior officers within each Department; when notified of such multiple clearance, the chairman of the WSC could then transmit the approved telegram or dispatch to London. In practice, each departmental component within the WSC could exercise a "veto" over any proposed instruction.[7]

The Department of State was represented on the WSC by officers of the Division of European (later Central European) Affairs and the Division of Political (later Territorial) Studies. In presenting recommendations to the WSC, the State Department component could draw upon a large number of background and policy studies which had been reviewed by the President's Advisory Committee on Postwar Foreign Policy since January 1942, and upon the continuing and intensive work of the departmental Interdivisional Committee on Germany.[8] The War Department component was to be provided by the Civil Affairs Division, which had been established in the spring of 1943.[9] If the Civil Affairs Division had made studies of future policy toward Germany in the intervening period this fact did not become evident in the discussions of the WSC.

Although the establishment of the WSC had been agreed to early in December by the three Departments at the Assistant Secretary level, it could not begin to function at once because the Civil Affairs Division of the War Department refused at first to take part. For a fortnight the representatives of the Division maintained that the surrender and occupation of Germany were purely a military matter which would have to be decided at the military level; and that therefore there was no need for the WSC, or, for that matter, for a European Advisory Commission. In rejoinder, it was pointed out that the President, who was also Commander in Chief, had joined with the heads of two other governments in creating the EAC and in expressing the intention to work out Allied agreements on postwar Germany. According to the Civil Affairs Division, military government was a purely military matter; when the time came, the necessary orders would be issued by the Combined Chiefs of Staff, and that was all. This view ignored the fact that the Combined Chiefs of Staff would probably not be allowed to determine American postwar policy, that there was no Soviet representation on it, that the President was committed to seeking postwar agreement on Germany with both the Soviet and British Governments, and that meanwhile the American representative on the EAC was completely without instructions. This deadlock, which threatened to postpone indefinitely the establishment of the WSC, was finally broken by intervention from above, and on December 21, 1943, officers of the Civil Affairs Division met for the first time in the WSC. It should be pointed out that the Civil Affairs Division was staffed largely with civilians who had recently gone into uniform. Some of them who had been lawyers in civil life seemed to regard the jurisdiction and prestige of the military service as they might the interests of a client, to be defended by every device of argument, delay, obstruction, and veto against an adversary, in this case the State Department.

Thus although the WSC began its meetings, it made little progress on the coordination of policy. The Civil Affairs Division representatives who attended were of relatively junior rank. They had been given strict instructions to agree to nothing, or almost nothing, and could only report the discussions back to their superiors. This system of negotiating at arm's length, under rigid instructions and with the exercise of the "veto," resembled the procedures of Soviet negotiators in their more intransigent moods. Under such conditions the pace of work in the WSC was, of necessity, determined primarily by the outlook of the Civil Affairs Division.

This explanation of the procedure by which American policy was formulated in Washington for presentation in the EAC in London has been necessary, since it had a great deal to do with the determination of the American position regarding the future zones of occupation in Germany.

While the WSC was struggling to be born, the Interdivisional Committee on Germany in the Department of State had been giving active consideration to the problems which should be dealt with in the EAC. Upon returning from the Moscow Conference, I had outlined to the Committee three matters of immediate concern—the formulation of an instrument of unconditional surrender, the definition of zones of occupation, and the establishment of Allied control machinery for the joint administration of Germany—and urged that the American proposals be formulated as promptly as possible and circulated in the EAC. Experience had shown that it was advantageous to have American proposals available to the Russians before they drew up their own recommendations. Moreover, the negotiator who put his proposals in first could frequently get his drafts accepted as a basis of discussion. At this stage of the war, too, American negotiators were often in a "middle position" between Soviet and British views, and therefore it was important to enable the American member of EAC to take the lead in submitting proposals. The hope that this might be done in the present case faded rapidly. While the Civil Affairs Division wrangled over jurisdiction in the WSC, Mr. Winant was left without instructions. Without them, he could not even discuss the British and Soviet proposals presented in EAC, much less present any American proposals. On occasion, when he wired urgently asking why he had received no replies to his requests for comment and instructions, the Civil Affairs Division representatives even vetoed draft messages informing him that he should not expect an early reply.

Despite the deadlock over the question of zones, the WSC did make some progress on the formulation of a draft instrument of German unconditional surrender. The American draft, which was circulated in the EAC on March 6, 1944, became the basis of

---

[5] In all, the EAC held 20 formal and 97 informal meetings between Jan. 14, 1944, and August 1945, in addition to frequent private consultations among the delegations. It concluded 12 agreements dealing with German, Austrian, and Bulgarian affairs. The armistices with Rumania, Hungary, and Finland were not referred to it for negotiation.

[6] A brief and formal account of the composition of the Working Security Committee is presented in "Postwar Foreign Policy Preparation, 1939–45," Washington, D.C., 1949 (released in 1950), Department of State Publication 3580, pp. 225, 228–229, 271, 368.

[7] The interdepartmental basis of American policymaking was reflected in the composition of the U.S. delegation to the EAC. Mr. Winant was assisted by a political adviser designated by the Department of State (Mr. George F. Kennan, January to April 1944; the present writer, June 1944 to August 1945), and one or two political officers; a military adviser, with staff; a naval adviser, with staff; and later an air adviser, with staff. The service advisers communicated directly with their superiors in Washington, through their own channels.

[8] Regarding the Advisory Committee, see "Postwar Foreign Policy Preparation," op cit.; also "Dismemberment of Germany," by the present writer, "Foreign Affairs, April 1950. For a brief account of the Interdivisional Committee, see "Postwar Foreign Policy Preparation," p. 177. The present writer served as chairman of this committee in its initial stages, and continued as a member until June 1944; he served continuously as a member of the WSC, occasionally as acting chairman, from December 1943 to June 1944. David Harris, professor of history at Stanford University, became chairman of the Interdivisional Committee in October 1943 and a member of the WSC in June 1944.

[9] Henry L. Stimson and McGeorge Bundy, "On Active Service in Peace and War." New York: Harper, 1947, p. 559.

the EAC protocol of July 25, 1944, setting forth the agreed terms of German surrender.

Already our office had been making a study of possible and desirable zones of occupation, and by mid-December 1943 a tentative proposal was ready for submission to the WSC, together with demographic and economic studies of the suggested zones and the necessary maps. In preparing this proposal we had to assume either that there would or would not be a German central administration in operation at the time of surrender. In the former case, the Allied authorities could work through it, though of course drastically changing its composition and policies. Berlin then would be the logical seat of the joint Allied authority. If there were no German administration in being, it would still be necessary to use the German staffs and records, and Berlin again would be the natural center. A further factor favorable to making Berlin the seat of Allied authority was that any proposal to create a new capital, especially one situated in a Western zone, seemed bound to meet with unrelenting Soviet opposition. It seemed unwise to begin negotiation for an agreed Allied policy by presenting a proposal which could only lead at once to deadlock, thus sacrificing larger interests of Allied cooperation to a contingent advantage which might or might not be of practical importance.

More significant, I believe, was the proposal that a corridor should be established connecting the prospective Western areas of occupation with Berlin, this to be accomplished by joining certain intervening districts of Saxony-Anhalt and Brandenburg to the Western zones. This proposal, for which I was responsible, ran counter to the principle of retaining the administrative boundaries of the existing Länder and provinces; but it was consistent with the proposal to break up Prussia and thus to destroy its preponderance within postwar Germany. Since it was assumed that for most purposes Germany would be treated as a political and economic entity, the economic disruption caused by creating this corridor for purposes only of occupation and enforcement of Allied authority would be negligible. I realized that such a proposal by the United States would probably meet with Soviet objections, but I believed that if it could be presented first, with impressive firmness, it might be taken into account by the Soviet Government in framing its own proposals. I believed that the dignity and security of the American authorities to be installed eventually in Berlin required that provision be made in advance for free and direct territorial access to Berlin from the West.

This proposal was never acted upon in the WSC in Washington and was therefore never presented to the EAC in London. The position of the Civil Affairs Division of the War Department was that the determination of the future zones of occupation was no concern of the WSC or of the EAC. It was a "military matter" which would be decided "at the proper time" and "at the military level."[10] The Civil Affairs Division even denied for many weeks the "right" of the EAC to negotiate an agreement on zones. It argued that zones of occupation would be determined by the location of troops at the time of Germany's surrender or collapse. This, the State Department members felt, was to rely on an extremely risky expedient. If there were no Allied agreement on postwar zones, there would be constant suspicions between the Allies. The Germans could fan these fears by hints of a separate understanding with East or West. In the closing phase of the war, strategy and tactics might be determined by the desire to occupy the largest possible area of Germany rather than by the aim to defeat Germany as quickly as possible. In their reply, the representatives of the War Department implied that they expected all of Germany up to the Rhine to be in Soviet control upon Germany's defeat, and that therefore it was useless to expect the Soviet Government to carry out any agreement regarding the division of Germany which might have been reached in advance, since this would be to its disadvantage. To this the answer was obvious. If the prospects were so gloomy, all the more reason to seek early agreement on future arrangements for Germany, since clearly it was not in the interest of European stability and of American security that all or nearly all of Germany should pass under sole Soviet control. As for the doubt concerning the Soviet Governments' fulfillment of its agreement, no American Government could afford to report to its people and its Allies that it had refused to negotiate a postwar agreement on this ground. Nothing would be lost by assuming that agreements would be kept. If they were made with good faith on the American side, and were later broken by other governments, the situation would be far clearer for all the world, the American people included, to judge. After many days of argument and counterargument, the Civil Affairs Division exercised its right of veto in early January 1944. WSC was debarred from providing Mr. Winant with proposals concerning the future zones of occupation.

It has sometimes been suggested that it was a basic error to divide Germany into zones of occupation; and that it would have been better to station Allied forces in dispersed or interlarded fashion and thus to avoid the creation of separate zones. A tentative proposal to this effect was put forward informally in late December 1943 by a member of the British Foreign Office during a reconnaissance visit to Washington. If this proposal had been adopted, the establishment of zones and the de facto partition of Germany might conceivably have been avoided. It was rejected by the Civil Affairs Division. There were indeed strong arguments against it. Interlarding of forces under different commands would have created serious problems of supply and communications for the very large forces which would be on German territory at the time of defeat. It would be difficult for regional and local commanders to deal with German administrative authorities only through Berlin. Conflicts and misunderstandings might arise between troops of different language and background. The State Department planning group gave the suggestion careful consideration but felt that it could not support it in opposition to the unanimous military opinion. It was assumed also that the Soviet Government would wish to concentrate its forces in a compact territory and would not want its troops to have the wide and free contact with other Allied forces which would be inevitable if Soviet forces were interlarded with British and American troops all over Germany.

The Foreign Office representative who visited Washington in December 1943 and January 1944 also wished to find out whether the United States was preparing to take the initiative in presenting proposals to the EAC. We may assume that his report made it clear that no rapid formulation of agreed American views was to be relied upon. In January, therefore, the Foreign Office took the initiative. At the first meeting of the EAC the British representative presented a draft surrender instrument and a draft agreement on zones of occupation (circulated January 15, 1944). The latter provided for the division of Germany, within its 1937 boundaries, into three zones. The area which it proposed for Soviet occupation was the one which was accepted later by all three powers. Mecklenburg-Pomerania, Brandenburg, Saxony-Anhalt, Thuringia, and the areas to the eastward were to come under Soviet occupation, except for Greater Berlin, which was to be under joint occupation. As a division of Germany, it was equitable. The Soviet Zone, it was estimated, would contain 40 percent of the territory, 36 percent of the population and 33 percent of the productive resources of the pre-1937 country. In terms of war effort and of war-inflicted sufferings, the Soviet Union might have claimed a larger share.

The British proposal would have placed all of northwestern Germany, including Brunswick, Hesse-Nassau, the Rhine Provinces and the areas north of them under British occupation. The zone proposed for American occupation included the Saar and the Bavarian Palatinate west of the Rhine, together with Hesse-Darmstadt, Württemberg, Baden and Bavaria. This arrangement, if approved, would have placed the greatest industrial areas under British control. Only the United States Zone would have bordered on France, and if a zone were later allotted to French occupation, most of the French Zone would have to be detached from the American-controlled area. On the other hand, if the United States withdrew from the occupation of Germany, the American Zone could be taken over more conveniently by French forces. London presumably did not overlook the fact that the proposed British Zone would give Britain a major voice in control over her greatest industrial and commercial competitor in Europe.

For these reasons the proposed allocation of the two western zones was rejected by the American military authorities and by President Roosevelt. The President insisted that the redeployment of major American forces from Germany to the Far East required United States control of the ports of northwestern Germany. Furthermore, occupation of the southwestern zone would necessitate using French lines of communication and transportation, and American-French military relations were not cordial. The British argued that redeployment of American forces to the northwestern zone and of British forces to the southwestern zone would create great confusion, since Montgomery's forces were to advance through the Low Countries into northern Germany, while American forces were to enter central and southern Germany. The American rejoinder was that this problem would diminish rapidly in volume as combat forces were transferred to the Far East and forces in Germany were placed on a garrison-and-security footing. The President urged instead that the British plan to occupy both the southern zone in Germany and all of Austria. The dispute over the allocation of the two western zones was to be settled only 7 months later, at the Quebec Conference of September 1944.

On February 18, 1944, a Soviet proposal concerning zones was also circulated. It accepted the Eastern Zone as suggested by the British proposal, together with the designation of Greater Berlin as a separate zone of joint Allied occupation. The Soviet acceptance, without bargaining, of a zone of slightly more than one-third of Germany, appeared a sign of a moderate and conciliatory approach to the problem of how to deal with postwar Germany. The Soviet representative implied clearly that the question of just how Western Germany would be divided into separate British and American zones was not of particular concern to

[10] Admiral Leahy reports that in November 1943 the Joint Chiefs of Staff considered the question of future zones of occupation (Fleet Adm. William D. Leahy, "I Was There; The Personal Story of the Chief of Staff to Presidents Roosevelt and Truman, Based on His Notes and Diaries Made at the Time." New York: Whittlesey, 1950, p. 197). I have no knowledge of the JCS conclusions, if any were reached.

his government. However, he hoped for an early settlement of the dispute and hence for a prompt conclusion of a three-power agreement. At this time the Civil Affairs Division representatives on the WSC were still maintaining that the EAC was not entitled to negotiate concerning the future zones. Consequently no American proposals or instructions could be sent to Mr. Winant. He made urgent and repeated pleas for them, but to no avail.

At the end of February the Civil Affairs Division suddenly changed its position. It brought into the WSC a small-scale map of Germany, on which penciled lines radiating north, west and south from Berlin had been sketched, explaining that this division represented President Roosevelt's instructions. I do not know who received this "instruction" from the President, or how much information had been presented to him concerning the British and Soviet proposals. This proposed division had the advantage of placing Berlin at the meeting point of the three zones. On the other hand, the proposed Soviet Zone represented only about 22 percent of the area, population, and productive resources of prewar Germany, and was therefore certain to be rejected by the Soviet and British Governments. The hastily penciled lines also cut across many lines of administration and communication. The Civil Affairs Division insisted that this proposal be communicated as it stood to the EAC, and that Mr. Winant demand its acceptance. When it was asked to prepare a background memorandum for the negotiator's guidance in presenting this proposal, it declined to do so. After 10 days of discussion, the WSC agreed to transmit this bare proposal to London as it stood. The State Department component realized that Mr. Winant would undoubtedly ask for fuller instructions, and hoped thus to bring the Civil Affairs Division to a more realistic consideration of the character and difficulties of the proposal it was making. Frantic queries from London followed promptly. The War Department representatives could not be budged. The deadlock continued until the first week of April. The EAC delegation in London insisted that it must be given fuller instructions both for presenting the proposal and concerning the attitude it should adopt if the British and Soviet Governments joined in rejecting it. In the WSC the Civil Affairs Division refused all further elucidations and contingent instructions.

In mid-March the wheels of the EAC, which had been barely turning, ground to a complete stop. The Soviet and American delegations were deeply perturbed by informed comments in the British press concerning matters in dispute, especially as one of the disputes dealt with the question of whether the German forces, after the final surrender, would or would not be treated as prisoners of war. Unauthorized disclosures of these discussions provided Goebbels with effective means of stimulating German resistance. This gave rise to considerable American and Soviet indignation. After a month, during which the work of the EAC was suspended, Mr. Winant was able, by bringing to bear all his influence, to restore Soviet confidence in the future secrecy of EAC discussions. The EAC's work was resumed.

In the meantime, Mr. Winant's political adviser, George F. Kennan, returned to Washington to try to make clear the difficult situation in which the EAC delegation found itself and to clarify the issues which were before it. In the first week of April he was able to present the entire range of EAC issues to President Roosevelt. The President thereupon reconsidered the arrangements for the future zones and authorized his representative in London to approve the proposed Soviet zone. He continued, however, to insist on American occupation of the northwestern zone. Mr. Winant now informed his colleagues orally of this new position, and the American acceptance of the Soviet zone undoubtedly contributed to the renewal of the work of the EAC and to a strengthening of confidence in its ability to build a basis of postwar cooperation among the Allies. Mr. Winant continued to advocate vigorously that the northwestern zone be assigned for American occupation. From April to November, however, the dispute continued.

In May 1944, Mr. Winant paid a short visit to Washington to clarify a large number of issues concerning both the EAC negotiations and numerous other matters. Mr. Roosevelt again affirmed to him his strong view concerning American occupation of northwestern Germany. In his discussions in the War Department, Mr. Winant raise with the Civil Affairs Division the question of access to Berlin from the western zones. He offered to propose detailed provisions safeguarding American access by highway, railroad and air. Since the Soviet representative had repeatedly insisted that there would be no difficulty in arranging for transit through the Soviet zone to Berlin, and that the presence of American and British forces in Berlin "of course" carried with it all necessary facilities of access, Mr. Winant was confident that concrete provisions could be negotiated in the EAC without great difficulty. Although the President had given new instructions early in April, as noted above, Mr. Winant so far had refrained from presenting the American position in writing, since he assumed that Washington would want to see some arrangements concerning access to Berlin included. At this time, of course, it was assumed that such provisions would relate only to the personnel and materiel of the armed forces, since planning was proceeding on the assumption that Germany herself would be treated as a political and economic unit and therefore no special provisions would be needed to regulate the economic relations between Berlin and any of the zones.

The Civil Affairs Division opposed the insertion of a specific provision concerning access to Berlin. It felt that it was impossible to foresee, in May 1944, in advance of D-day, what railroads and highways would be needed for use by the Allied forces. If specific roads and railroutes were assigned, they might be in a state of complete destruction when the time came to enter Berlin, and then it would be difficult to arrange for alternative facilities. They insisted that this was a purely military matter which would be taken care of at the military level when the time came. Mr. Winant felt that he could not further challenge this authoritative military view. When he returned to London he at last circulated to the EAC, on June 12, the American proposal concerning zones of occupation in Germany.

During July the EAC negotiated actively for an agreement on zones and for the division of Berlin into three sectors. Maps were prepared showing the zones in Germany and the sectors in Berlin. The draft agreement specified that "Germany, within the frontiers as they were on December 31, 1937, will, for the purposes of occupation, be divided into three zones, one of which will be allotted to each of the three powers, and a special Berlin area, which will be under joint occupation by the three powers." Article 2 gave a description of the western boundary of the zone which "* * * will be occupied by the armed forces of the Union of Soviet Socialist Republics, with the exception of the Berlin area, for which a special system of occupation is provided below." It also provided that "The Berlin area (by which expression is understood the territory of 'Greater Berlin' as defined by the law of April 27, 1920) will be jointly occupied by armed forces of the United Kingdom, the United States of America, and the Union of Soviet Socialist Republics assigned by the respective Commanders in Chief." In the meticulous drafting practiced by the EAC it was provided that the boundaries of Länder and provinces would be "those which existed after the coming into effect of the decree of June 25, 1941 (published in the Reichsgesetzblatt, pt. I, No. 72, July 3, 1941)," and that boundaries of districts within Greater Berlin would be "those which existed after the coming into effect of the decree published on March 27, 1938 (Amtsblatt der Reichshauptstadt Berlin, No. 13 of Mar. 27, 1938, p. 215)." The clear provisions of the EAC protocol leave no basis whatever for the Soviet assertion, advanced in 1948 during the Berlin crisis, that "Berlin * * * is a part of that [the Soviet] zone."[11] I had been assigned to London to serve as political adviser to Mr. Winant late in June, succeeding Mr. Kennan, and I took an active part in these and subsequent negotiations, until August 1945.

By late July the draft protocol on zones was complete, except for the important question of the assignment of the two western zones, which was obviously beyond the competence of the EAC and a matter which could be decided only between the President and the Prime Minister.[12] By mid-August, when plans were being made for the second Quebec Conference, it was clear that the decision regarding the British and American Zones could not be delayed any further. At this time Mr. Winant was arguing vigorously in London for American occupation of the northwestern zone, although Mr. Stimson, Mr. McCloy and Mr. Stettinius felt that this zone should be allotted to British occupation.[13]

In mid-August, in a telegram of some 7,000 words, Mr. Winant set before the President the position which had been reached in attempts to settle policy toward Germany. He pointed out that the EAC had reached agreement on the terms of German unconditional surrender,[14] that it could complete the agreement on zones as soon as the assignment of the two western zones was decided, and that there was good prospect that it could shortly complete an agreement concerning the future machinery of Allied control. These three agreements, he emphasized, would provide the machinery for dealing with Germany but would not supply the content of future policy toward Germany. He urged that every effort be made on the American side to go forward to negotiate the widest possible measure of agreed policies to be enforced jointly by the future occupying powers. It was not enough to set up the machinery of joint Allied administration; every effort should be made to work out agreed Allied policies which this machinery should carry into effect.

---

[11] Soviet note of July 14, 1948, addressed to the United States and United Kingdom Governments ("Germany, 1947–49, the Story in Documents," Washington, D.C., 1950. Department of State Publication 3556, p. 208).

[12] The circumstances which affected the progress of the EAC make it hard to understand the petulant comment of Robert E. Sherwood (op. cit., p. 818): "It will be remembered that when the question of the future treatment of Germany had come up for discussion among the Big Three at Teheran, agreement had not been reached or very nearly approached. It had been decided to refer this explosive subject to the Russian-British-American Advisory Committee in London and there it had remained through many long months of inconclusive conversations and exchanges of view on all manner of subjects beginning with the primary one.

[13] Solomon and Bundy, op. cit., pp. 568–569.

[14] The American draft of the instrument of German surrender was circulated in the EAC on Mar. 6, 1944, and became the basis of the EAC protocol of July 25, 1944.

Mr. Winant went on to point out that the Russian need for material aid in repairing the vast destruction in the Soviet Union was bound to make the Soviet Government particularly eager to receive reparations deliveries from Germany on a large scale. Since the major part of German industry was located in the western zones, the Allies must try to work out, in advance, a reparations policy which would satisfy a part of the Soviet demands without involving an undue burden for the United States. He urged that Washington hasten the formulation of a reparations policy and then bend every effort toward reaching the earliest possible agreement with its Allies while the war was still in progress. He warned that it would be almost impossible to achieve such an agreement after the close of hostilities and that if no agreement had been reached on reparation the proposed system for the joint control in Germany would break down. Rivalry for control over Germany, he said, would rapidly follow. He urged that the United States consider ways of helping the recovery of the Soviet economy, such assistance to be linked to the achievement of a satisfactory settlement of the problem of German reparations and of the most important political issues between the two Governments.

Instead of pursuing this farsighted program, the United States, in September 1944, dashed off after the will-o'-the-wisp of the Morgenthau "plan." For 6 months it indulged in a policy of "no policy" toward Germany. On October 20 Mr. Roosevelt wrote to Mr. Hull: "I dislike making detailed plans for a country which we do not yet occupy."[15] And 5 days later an F.D.R. memorandum, elicited by the Civil Affairs Division, put a complete stop to postwar planning for Germany and even placed in question the U.S. draft directives which had already been cleared in Washington and circulated to the EAC. Although Mr. Winant was in America in late October, he apparently was told nothing of this decision, which cut the ground completely from under the EAC and from under the policy which he had advocated so forcefully on every possible occasion and particularly in his long telegram of mid-August to the President. The momentum which the EAC had been building up was halted. Progress was not resumed until the beginning of April 1945, when time was already running out.

Mr. Winant wished to place not only his analysis of the chief postwar problems before the Quebec Conference, but also the EAC draft protocol on zones. On September 12 the EAC signed the protocol for transmission to the three Governments. As outlined above, it defined the three zones of occupation in Germany and the three sectors of occupation in Berlin. It assigned the Eastern Zone and the eastern sector to Soviet occupation, and simply left blank the spaces for inserting mention of the two Western occupying powers. The division of the western territory into two zones was that which had been advanced by the British on January 15 and approved by the American delegation on June 12. This division was satisfactory to each of the two Governments—provided it was to receive the valuable Northwestern Zone.

At Quebec, President Roosevelt agreed to accept the southern zone, without Austria. Two further changes were made. The region of the Saar and the Palatinate, to the west of the Rhine, was transferred to the British Zone, and Hesse-Cassel and Hesse-Nassau were shifted to the American Zone. In addition, to meet the American demand for a German port for purposes of redeployment, it was agreed that (1) control of the ports of Bremen and Bremerhaven, and the necessary staging areas in that immediate vicinity, would be vested in the commander of the American Zone; and (2) there would be access to the American Zone through the western and northwestern ports and passage through the British-controlled area.[16]

When the Quebec decision was referred to the EAC for incorporation into the protocol on zones it was found that American and British military views of its meaning were far apart. The American military position, transmitted to Mr. Winant by the State Department, was that control of the two ports meant that "land" Bremen should form a special enclave under direct American military administration, and that access through the British Zone meant that certain railroads and highways must be placed under sole American control and occupation. The British War Office contested this interpretation and went on to point out that military government of Bremen was quite different from control of the ports; that creation of this enclave would seriously disrupt the administrative cohesion of the British Zone; that access by road and rail meant that the American forces would receive, through agreement with the British commander, all necessary facilities for transportation and communications but would not actually run the railroads and monopolize any given highways. The new deadlock continued for many weeks, while the American military fought for their definition.

Meanwhile, it was becoming urgent to complete the revised agreement on zones. During the Churchill-Eden visit to Moscow in mid-October it had been agreed that the new French Provisional Government should be invited to join the EAC, and it was decided to extend the joint three-power invitation on November 11—Armistice Day of the First World War—a day especially significant to the newly liberated French. Now the EAC could operate only under the rule of unanimity. The admission of France prior to the completion of the two pending agreements on zones and on control machinery would thus mean that everything that had been agreed upon tentatively to date would be canceled out, months of slow progress would be lost, and all the work would, in effect, have to begin over again. In Mr. Winant's absence in Washington, I found it necessary to try to complete the two agreements before the French joined the EAC. Personally, I assumed that France would eventually share in the occupation and control of Germany, although both the American and Soviet Governments continued to oppose that proposal. But I felt that the major Allies and France both would be in a stronger position to reach solid agreements on the key problems of postwar Europe if the EAC agreements which were so close to achievement after so many laborious months of progress were confirmed first.

During the first days of November I worked day and night to bring the British and American military views together. I urged that the private dispute be postponed until a later time, since the arrangements for access and transit did not interest the Soviet Government, and that meanwhile the agreement be completed. After numerous sharp exchanges, in which I was the innocent go-between, the differences were narrowed down. The War Department wanted the American commander in chief to exercise such control of the ports and enjoy such transit facilities through the British Zone as he might deem necessary. The War Office, on the other hand, wanted him to exercise such control and enjoy such facilities "as may be agreed hereafter by the United Kingdom and U.S. military authorities to be necessary to meet his requirements."

The American wording would have allowed the U.S. commander to issue orders and would have bound the British commander to comply with his orders. The British wording, in effect, left the arrangements to be worked out later by mutual agreement. With the two drafts so close, I worked the wires and the transatlantic telephone several times daily. Finally, on the understanding that the American Joint Chiefs of Staff would have another opportunity to spell out in detail the meaning of "control of ports" and "access" through the British Zone after the EAC protocol was submitted to Washington for confirmation, the War Department reluctantly accepted the British wording, and the second protocol on zones was signed in the EAC on November 14, 1944.[17] France joined the EAC on November 27.

This protocol on zones was in the form of a series of amendments to the protocol of September 12. Articles 1 and 2 inserted the detailed descriptions of the two Western Zones, as modified at Quebec, while article 3 set forth the arrangements, outlined above, concerning American access to the ports and American transit rights across the British Zone. Because of resentment felt in the War Department against the "mutual agreement" wording described above, approval of the protocol of November 14, as well as that of September 12, was withheld for many weeks. British approval was given on December 5. Soviet approval of EAC agreements usually came only after that of both Britain and the United States had been given. Of course, until the two protocols had been approved by all three governments they were not legally binding.

Mr. Winant was greatly disturbed by the failure to give legal finality to the agreement on zones. When Harry Hopkins passed through London late in January 1945 on his way to the Yalta Conference, Mr. Winant urged upon him, as he had done in telegrams to Washington, the importance of confirming the protocol. Our failure to do so would place an unnecessary burden of doubt and suspicion on the work of the Conference. At Malta, Hopkins reported to Stettinius, on January 31, that "Winant feared * * * that the Russians might reach the border of their zone and then keep on going" unless there was a firm prior commitment concerning the future zones of occupation.[18] Curiously enough, the decision to give U.S. approval to the protocol appears to have been taken by the combined (U.S.-U.K.) Chiefs of Staff, rather than by the Joint (U.S.) Chiefs of Staff.[19] In any case, the American approval of the protocol was forwarded from Malta on February 1 to Mr. Winant in London and was reported by him to his British and Soviet colleagues on February 2. Soviet approval followed, on February 6. The three-power agreement on zones of occupation was now in force.

Confirmation of the Three-Power agreement having been completed, there remained only two further aspects relating to the zones of occupation which concerned the EAC. There were the definition of the French zone of occupation and the preparations for the negotiations of June 1945 concerning access to Berlin. By the time of the Yalta Conference President Roosevelt had abandoned his earlier opposition to French participation in the occupation of Germany, and he now joined with Prime Minister Churchill in securing Marshal Stalin's assent to this course, which was given on the condition that the French Zone

[15] Hull, op. cit., v. II, p. 1621.

[16] Leahy, op. cit., pp. 262–263; Stimson and Bundy, op. cit., p. 576.

[17] The protocol on control machinery in Germany was signed on the same day.

[18] Edward R. Stettinius, Jr., "Roosevelt and the Russians; The Yalta Conference," edited by Walter Johnson. Garden City, N.Y.: Doubleday, 1949, p. 56.

[19] Ibid., pp. 63, 69.

be formed out of the British and American Zones, leaving the Soviet Zone unchanged.[20] After Yalta, negotiation of the detailed agreement was turned over to the EAC. The French and British delegations agreed, after some haggling, on the transfer from Britain to France of the occupation of the Saar, the Palatinate and a large part of the Rhine Province. In opening negotiations with the American delegation, the French representatives asked for Baden and Württemberg, as well as Hesse-Cassel and Hesse-Nassau. They pointed out that this would give them direct access to the Soviet Zone. On the other hand, it would have cut off the United States Zone from the British Zone and further complicated the problem of access to the north German seaports.

The American counterproposal was based on strictly logical conceptions. The boundary between the French and American Zones was to be drawn so as to leave in the American Zone the main highway, or Autobahn, through Ulm-Stuttgart-Karlsruhe, as well as the trunk railroad. Administrative and traditional divisions were disregarded completely. The sole concern was to assure access under American control to the middle Rhine region and the seaports. On two occasions Mr. Winant and I wired strong protests to Washington against the breaking up of both Baden and Württemberg. We pointed out that if it was the American intention to revive and strengthen the Federal States in Germany as a possible safeguard against excessive centralization of power, it was hardly logical to begin the reconstruction of Germany by breaking up two of the Länder possessing a strong sense of regional identity and a certain attachment to democratic self-government. We suggested that some other device be sought for assuring freedom of movement over the highways and railways.[21] Renewed instructions from Washington to insist on the War Department's proposal finally ended in the French acquiescing. The only concessions were the addition of Baden-Baden to the French Zone and a provision for French access to Baden administrative records located at Karlsruhe, in addition to written French assurances that U.S. forces would enjoy freedom of passage across and above all parts of the French Zone.

By early June 1945 these aspects of the determination of the French Zone had been completed in the bilateral Franco-British and Franco-American negotiations. The Soviet representative had meanwhile been inquiring somewhat impatiently when the agreement would be ready to sign in the EAC. Now, however, a new problem, and a new source of delay, arose when the third protocol on zones was put before the EAC. The American and British military authorities now insisted that the assignment of a sector to French occupation in Berlin required a partial readjustment of the sectors assigned earlier to the three other powers. They proposed that, in order to provide three bezirke for the French sector, each of the three powers should give up one bezirk from its own sector; then, by a little rearrangement, the French could be given three contiguous bezirke. The Soviet delegation reacted violently to this proposal, insisting that the Yalta agreement admitting France to a share in the occupation had been conditioned on no change being made in the Soviet zone of occupation. Personally, I felt that the Soviet position was based on a valid analogy, but of course I argued strenuously on the basis of the instructions of my Government. When the Potsdam Conference assembled, the EAC was still deadlocked on the question of the French sector in Berlin, although the EAC protocol, signed on May 1, 1945, had provided for full French participation in the control machinery in Germany and in Berlin.

On arriving at Potsdam I found that the representatives of the War Department at the working level were adamant on the question of detaching one bezirk from the Soviet sector in Berlin. Two days later, however, this point of view was reversed. It was now clear that joint occupation of Berlin would mean joint participation in providing food and fuel for its inhabitants, since General Zhukov had declined, on July 7, to continue supplying all of Berlin from the Soviet Zone.[22] At this time the Western commanders had urged the Russians to meet the economic needs of Berlin. If their proposal had been accepted this would have resulted in the economic amalgamation of Berlin with the Soviet Zone. It was Soviet insistence, in July 1945, which established Berlin as a separate economic area in addition to being a separate area of Allied occupation. American supplies clearly would be required to feed the British and French as well as the American Zones and sectors, and it now seemed undesirable to reduce the size of the Soviet sector. The War Department representatives therefore abandoned their insistence on subtracting one bezirk from the Soviet sector.

The British and American commanders were not yet in agreement, however, concerning which bezirke of their sectors would be taken to form the French sector. Finally, new instructions were sent from Potsdam to the American and British representatives on the EAC, and on July 26, 1945, the EAC signed a third protocol on zones. By it the French Zone in Germany was defined, and the descriptions of the boundaries of the British and American Zones were modified accordingly. The report transmitting the protocol to the four governments stated:

"In view of the physical conditions prevailing in the area of Greater Berlin, the Commission in the drafting of article 7 of the present agreement did not attempt to delineate the area in Greater Berlin to be occupied by the armed forces of the French Republic. The Commission recommends that the question of the delimitation of the French area in Greater Berlin, which will have to be allotted from the American and British areas of Greater Berlin as a consequence of the greater destruction in the Soviet area of the city, should be referred to the Control Council in Berlin for consideration."

Three weeks before the surrender of Germany a proposal to change the agreed zones of occupation had been presented in an unexpected quarter. According to Admiral Leahy's account, Prime Minister Churchill proposed to President Truman, some days prior to April 21, that the British and American forces remain, at least for the time being, on the lines to which they had advanced, far within the future Soviet Zone, and that the two Governments should use this unexpected bargaining advantage to bring about a clarification of Soviet policy toward Germany, and, in particular, to secure Soviet agreement to supply food from the Eastern Zone for a part of the needs of the food-deficient Western Zones. Mr. Winant reacted strongly to this proposal, regarding it, if adopted, as a fatal blow to inter-Allied confidence, and to prospects of any measure of Allied cooperation in Germany as well as on other matters. His reasoning, set forth in telegrams to the President as well as in direct conversations with British leaders, was fully upheld in President Truman's reply of April 21 to the Prime Minister. Mr. Churchill continued to defend his proposal until June 13.[23] Shortly after, on June 24, orders were issued to dissolve the Anglo-American SHAEF Headquarters and armies by July 1, into their separate American and British components, and to prepare to withdraw American forces to the U.S. Zone and to occupy the assigned sector in Berlin.

One further question concerned the EAC only indirectly: the provision of access to Berlin. Ever since Mr. Winant's failure to secure the consent of the Civil Affairs Division of the War Department to the negotiation of guarantees, this matter had been on his mind, and with his approval I had prepared a memorandum and a detailed draft agreement, remembering particularly the difficulties and chicaneries which the Russians had inflicted on American military missions in the countries of Eastern Europe since August 1944. About 1 week after V–E Day a representative of the American side of SHAEF came to London, and for 2 days we discussed in detail the contents, background and implications of the EAC agreements. In reply to his inquiry concerning a guarantee of access to Berlin, I explained how it happened that this matter had not been dealt with and handed him my memorandum and draft agreement on the subject. Among other things, this draft agreement provided that the American commander in chief should choose any two railroads and any two main highways for use by his troops, one each westward to the British Zone and one each southwestward to the American Zone. It authorized him to carry out any repairs to railroads, roads, signal systems and bridges which he might deem necessary and to maintain gasoline pumps, repair patrols, rest stations, and communications points along these facilities. If any of the assigned railways or highways were unusable for any cause, the Soviet commander was to be obligated to make alternative equivalent facilities available at once. It seemed to me that these provisions would afford clear and necessary safeguards for free access to Berlin. I pointed out that the withdrawal of American forces to the assigned zone and the movement of American forces into Berlin were part of one and the same agreement and must be fulfilled conjointly. I noted that the American position in negotiations at the military level for guarantees of access to Berlin was very strong, for the Soviet forces had their eyes on the Zeiss and other important plants of Thuringia and western Saxony. The representative of SHAEF took this advice and my draft documents with him.

On June 13, in reporting to the President, the Secretary of State, and the Secretary of War that the British Government had now agreed to an early withdrawal into the assigned zones, Mr. Winant again stressed the importance of linking up this movement with the entry of the Allied garrisons into Greater Berlin and with the provision of free access to Berlin.[24] He was anxious that every precaution be taken, now that the moment had arrived to negotiate at the military level, to assure freedom of access to the future seat of the Allied control machinery. So far as I am aware, neither Mr. Winant nor his staff received, at the time, any information concerning the exchange of telegrams between President Truman and Marshal Stalin on June 14 and 16, or concerning

[20] Ibid., pp. 89, 126–129, 139, 163–164, 298–299, 344–345.

[21] Ambassador Murphy joined in support of Mr. Winant's second telegram of protest (Lucius D. Clay, "Decision in Germany." Garden City, N.Y.: Doubleday, 1950, p. 13).

[22] Ibid., pp. 27–30.

[23] Leahy, op. cit., pp. 349–350, 382; Lt. Gen. Walter Bedell Smith, "My Three Years in Moscow," Philadelphia and New York: Lippincott, 1950, pp. 21–22.

[24] Leahy, op. cit., p. 382, cites a part of this telegram.

the subsequent negotiations of the American military authorities in Berlin on this subject.[25]

It has been hinted that the failure to make specific provision for the access of the Western Allies to Berlin was due to Mr. Winant's reluctance to appear to question Soviet good faith by insisting on detailed arrangements for this purpose. It has even been alleged that his sad and untimely end was, in some way, due to remorse over a failure to provide, in 1944, against the danger of a Soviet blockade of Berlin in 1948. The details of the EAC negotiations given here should dispose of these legends.

A review of the record shows that during the time when the EAC was striving to prepare the groundwork for postwar Allied cooperation in Germany the problem of making sure that the Western Allies would be able to reach Berlin freely through the Russian Zone was not a matter in which the American military authorities showed any particular interest. They did, however, show deep concern to secure free lines of communication across the British and French Zones. At the insistence of the War Department, the duty of reaching Allied agreements which would provide for adequate access to Berlin was left for direct negotiation among the military commanders in Germany. The omission of any such provision was a decision of the military staff which assumed final responsibility for planning the occupation of Germany.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. JAVITS. I wrote a legal memorandum for the Republican Party Conference on our position in Berlin, which the Senator from Illinois [Mr. DIRKSEN] will ask to have printed in the RECORD today. I hope very much that the Senator from Arkansas will read the memorandum. I think he will find it bears on what he has said.

Mr. FULBRIGHT. The text I have presented is purely historical as to the way the situation grew and how we happened to be involved in this situation.

Mr. JAVITS. That is precisely why I added the supplement.

Mr. FULBRIGHT. As the Senator from New York knows, Mr. Mosely was on the staff of Ambassador Winant and was a participant in some of the negotiations which resulted. I thought the article was an authoritative one.

Mr. JAVITS. I agree.

BRAZIL CRISIS

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial entitled "Brazil on the Brink," published in the New York Times of September 1, 1961. I agree with the sound observations of the editorial.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BRAZIL ON THE BRINK

The Brazilian military officers who defied their own constitution and the will of the voters in refusing to let João Goulart take the Presidency have now brought their nation to the verge of civil war. Only a belated acceptance of legality on their part can now save Brazil from disaster. With Senor Goulart now approaching his country, there is no time to lose.

While the results of the struggle inside the country are awaited, it is well to emphasize again how shocking and how unnecessary this crisis was in the largest and greatest of all Latin American nations. Even though motives and reasons are still obscure, we do know two verdicts that history can be expected to pass.

One is that Janio Quadros betrayed his trust and deserted his post. One cannot recall any event in Latin American history that was so irresponsible and so inexcusable. The other is that the reactionary, feudalistic forces in civil and military life that brought such fierce pressures on Janio Quadros and that are now trying to keep his legal successor, Vice President Goulart, out of the Presidency, have done their country a great disservice.

President Quadros appeared to be successfully dominating the potential revolutionary pressures that exist in Brazil as everywhere in Latin America. Brazil, under his direction, promised to be the key country in President Kennedy's Alliance for Progress plan.

Today we see a threat of civil warfare in Brazil, a reactionary drive to prevent necessary social reforms and the jeopardizing of the Alliance for Progress plan. All this because Janio Quadros threw in the sponge and because some military officers—using the arms furnished by the United States for other purposes—are trying to block constitutional procedures. It is a tragic picture.

THE REAL NECESSITY

Mr. LONG of Hawaii. Mr. President, my distinguished colleague, Senator FONG, and I have been trying ever since we came to the Senate to convince the Department of Defense that the military has a responsibility for contributing toward the costs of an urgently needed new jet runway at Honolulu International Airport which is a joint military-civilian operation. It is one of the busiest airports in the United States. Jets, including Air Force jet tankers, when taking off from the present runway, fly directly over the city of Honolulu. An editorial entitled "The Real Necessity," in the Honolulu Advertiser of August 30, graphically describes the danger we face. I ask unanimous consent that the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE REAL NECESSITY

Every month more than 500 commercial jet airliners thunder down the runway at International Airport in takeoffs which send them climbing and banking over Honolulu.

At the same time, almost 10 times as many military airplanes—5,000 of them, mostly jets—also use the runway for takeoffs.

All told, including propeller planes, the State estimates that 49 percent of the traffic at International is military.

The screaming of the jet engines is an annoyance to those who live and work in the area over which the airplanes must pass.

But more than that, the runway is like a giant gun barrel pointed at the heart of the city, firing airplane projectiles in a steady stream.

Any statistician will tell you that someday, somehow, with traffic that heavy, an airplane is virtually certain to crash on takeoff, very possibly into a densely populated area.

Air traffic has reached unprecedented heights of safety. But aviation, like all other human endeavor, has not yet found a way around the law of averages.

What happens when a jet crashes into a populated area was shown just this Sunday when a Navy jet fighter slammed into a crowded department store at Horsham, Pa. The pilot was killed, the store split asunder and 30 persons injured.

It could have been much worse. For example, what might it have been like if the airplane had been a loaded jet tanker of the kind which takes off so frequently from Honolulu?

For 6 years, local officials have been aware of the hazard here and have sought Defense Department help for financing a seaward runway to channel departing aircraft away from the city.

Local Air Force commanders supported the project but were overruled by the Eisenhower administration. After a recent review, the Pentagon concluded there is no military necessity for the runway, which would cost from $12 to $20 million.

As far as we are concerned military necessity is not the governing factor. The safety argument is so compelling that other questions need hardly be discussed.

The degree of military use of the airport—which has for years been a military-civil partnership of advantage to both parties—argues heavily for military participation in financing a seaward runway.

Exploratory talks are still going on in Washington. With the question of military necessity out of the way, we hope the Defense Department will focus its attention on the safety factor and recognize its responsibility to participate.

HAWAII'S ECONOMY

Mr. LONG of Hawaii. Mr. President, the First National Bank in Honolulu has reported that personal income in the State of Hawaii has reached a new high. An article in the Honolulu Advertiser of August 30, 1961, gives a very interesting picture of Hawaii's economy, including a rundown on the various factors which are involved. I ask unanimous consent that this informative article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ISLANDERS' INCOMES CLIMB TO NEW HIGH

Hawaii's personal income during April, May, and June climbed 6 percent above the same period of 1960, the First National Bank said yesterday.

The islands' personal income now (figured on an annual basis) is at a new high of $1.49 billion, according to the bank's Economic Indicators, a new monthly report. The report is prepared by the bank's department of economic research, headed by Thomas K. Hitch.

The report said that there was a decline in personal income during the fourth quarter of last year and the first 3 months of 1961.

However, increased wage payments in the sugar and pineapple industries as well as slight increases in wages paid in other private industries helped boost the personal income figure to the new high.

Total wages and salaries were $30 million above the first 3 months of this year.

Incomes of independent businessmen also showed a significant increase up $6 million

[25] Clay, op. cit., pp. 24–26; Smith, op. cit., p. 234; identical note of July 6, 1948, addressed by the Governments of the United States, the United Kingdom, and France to the Government of the U.S.S.R., cited from "Germany, 1947–49," op. cit., p. 205, with Soviet reply, pp. 207–208.

to a high of $125 million (computed on annual rates).

Other features of the report:

Civilian dependents of the military increased another 1,500 in the first 6 months of this year over 1960. There are more than 62,000 such dependents here now.

In contrast to continued price stabilization on the mainland, Honolulu's consumer price index increased 2.7 percent in the past 2 months.

Total civilian employment in Hawaii reached an alltime high in July of nearly 250,000 jobs. Unemployment on the big island continued to be fairly high, but was less than the national average.

Tourism showed significant employment expansion, while Federal Government employment continued to increase modestly. There was a very modest decline in construction employment.

Military spending, at a rate of nearly $475 million a year, remained a major source of Hawaii's present prosperity.

Declining sugar prices and production still well below quota, as well as high pineapple inventories and recent cuts in pineapple juice prices were big problems of the two major agricultural industries.

Building permits indicate there is some pickup in construction of single-family dwelling units in recent months, following the collapse of the market last fall.

Growth in retail sales is considerably outdistancing growth in consumer income.

During July, the tourist industry clearly came out of its latest recession. There was an 18-percent increase in visitor arrivals. Hotel occupancies climbed back to an 85–90-percent level.

There was a phenomenal increase in stock sales as the result of mainland financial interest in local stocks.

STOP SACRIFICING AMERICAN WORKMEN'S JOBS ON ALTAR OF FOREIGN AID PROGRAM

Mr. DWORSHAK. Mr. President, recently I made some remarks in the Senate, indicating that it was time for the U.S. Government officials to stop thinking in terms of what we must do to assure our allies that we are willing to fight if necessary to defend the free world and turn to making certain that they are willing to defend and fight for their own defense and our overall collective security as we are.

Monday, September 4, is Labor Day, when we pay our respects to the workingmen of the United States. I should like to apply my same philosophy to a problem in foreign affairs confronting a number of our American workmen.

For a number of years we have been sending billions of dollars to nearly every area of the globe to assist less fortunate countries. In the beginning, these programs were based on the need to help nations which were physically and economically destroyed or gravely injured by the ravages of World War II. Then, we began to expand the program as we caught up with the first needs of the rehabilitation program. We extended our aid, financial and military, to nearly every continent.

However, about this time, waste, inefficiency, and conflict began to beset our programs of foreign aid. Each time these deficiencies were exposed, the answer was that we needed to send more American tax dollars to correct the situation.

Mr. President, we soon saw our foreign aid program take its toll of various segments of our domestic economy as products for which we had set up the dollars and machinery began to build up in the recipient nations to the point where the only outlet was our own U.S. domestic market. Of course, with the low labor costs of foreign nations, the low living standards in those countries, and with subsidy from our U.S. Government programs to these nations, our domestic producers were placed under a serious disadvantage. In time, industries like mining, lumbering, and agriculture of my own State, began to cut back as they could not effectively compete against this use of American tax dollars to produce competitive products abroad. Then, many mines and sawmills closed, and livestock and other farm activities were curtailed. Workmen in Idaho and other States lost their jobs.

Measures have been introduced to give assistance to these domestic industries, but to no avail. Always the final verdict has been rendered by the State Department that this or that type of relief measure would seriously impair our efforts to assist foreign nations. If this disregard for American industry continues, we will either have to see our standard of living go down, or we will have to move even further toward the welfare state. I am sure no true American wants either.

Many of the unemployed we are seeking to help today have become dislocated because of our foreign aid policies. Many of the Government subsidies to domestic industry would be unneeded if it were not for our foreign aid program. We should help our less fortunate nations, but it is time to completely reappraise this program and determine how we can do it without driving taxpaying American workmen off their jobs.

Opposition to foreign aid programs is not because Americans do not recognize the psychology and necessity of maintaining some semblance of cooperation among free nations. Rather, it is because we have been spending these huge sums and do not seem to be making any headway.

Foreign aid opposition is growing because in a sense we are expanding aid instead of reaching the point where recipient nations are becoming more self-reliant and more self-supporting. If the program were effective, we would be cutting down on the scope of the program instead of increasing it.

We should work out assistance programs that will increase production of materials and products that are needed in other undeveloped areas of the globe. Why should we continually encourage foreign development that can find its ultimate market only in the United States?

We are adequately endowed with natural resources, high living standards, and a highly skilled working force. We are leaders in the free world. Let us encourage efficient foreign aid programs that will stimulate trade which will be beneficial to raising the standards of living of the less fortunate nations with products they need. The American workman has been sacrificed long enough on the altar of our foreign aid fallacy, which has only one answer to every problem: More American tax dollars with no strings attached.

OUR NATIONAL CRISIS AND THE NEED FOR LIBERAL-CONSERVATIVE UNITY

Mr. DODD. Mr. President, on Monday evening of this week it was my privilege to address a meeting of the Southern California School of Anti-Communism.

The meeting was held in the Los Angeles Sports Arena, the massive building where the Democratic National Convention held its sessions last year. It was to me, a very impressive demonstration of the eager interest that exists at grassroots level in the central problem of how to deal with communism. While I did not count noses, I believe that there were almost 7,000 people present. This number is all the more impressive when you consider that the school of anticommunism met afternoon and evening for 3 successive days.

I have been increasingly disturbed by the bitterness of the cleavage between liberals and conservatives in this country. In the mortal struggle in which we are engaged, it seems to me that what liberals and conservatives have in common are far more important than the opinions that divide them. I, therefore, felt that the Los Angeles meeting would provide an appropriate platform from which to discuss the need for liberal-conservative unity. This, accordingly, was the main theme of my statement.

Mr. President, I ask unanimous consent to insert into the RECORD at this point, a copy of my remarks before the Southern California School of Anti-Communism on Monday, August 28.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR THOMAS J. DODD BEFORE THE SOUTHERN CALIFORNIA SCHOOL OF ANTI-COMMUNISM, LOS ANGELES SPORTS ARENA, MONDAY, AUGUST 28, 1961

OUR NATIONAL CRISIS AND THE NEED FOR LIBERAL-CONSERVATIVE UNITY

There is a developing mood of anger and frustration in our country today, and there ought to be. For we are losing round after round in the cold war, and our people do not like it.

At the close of World War II, our forces stood triumphant on land and sea and in the air. We had at our command the mightiest array of military power in history. The flags of freedom were unfurled on every continent.

Had we the understanding and the will, our diplomacy, backed up by this military and moral power, could have assured the freedom of the peoples of Europe and Asia and laid the basis for a stable peace. Of this I am convinced.

Yet, the past 16 years have witnessed a calamitous retreat from victory. During all these years, we have suffered defeat after defeat at the hands of international communism; we have retreated from position after position; we have committed folly after folly.

Before World War II ended, the Baltic countries, Lithuania, Latvia, and Estonia, were formally incorporated into the terri-

tory of the Soviet Union despite our paper protests and our refusal to recognize this annexation.

Two years after hostilities ceased, Poland, Hungary, Yugoslavia, Bulgaria, Rumania, Czechoslovakia, and Albania had been lost to communism, despite solemn covenants assuring the people of these countries the right to determine their fate in free elections. East Germany, similarly, has been turned into a Soviet satrapy.

In 1948, we stood by, impotent and ineffectual, and watched the armies of Chinese communism overrun the whole of mainland China.

After successfully dealing, for a time, with Communist aggression in South Korea, and after briefly liberating North Korea from the Reds, we permitted the Chinese Communists to drive us out of North Korea, and submitted ignominiously to this defeat. Inevitably, the Chinese Reds further extended their power in Asia through the conquest of North Vietnam and through the unchallenged consolidation of their power in North Korea.

Perhaps because these defeats were suffered in faraway continents, we were still disposed to feel smug and secure. But in December 1958, what many people had considered impossible finally came to pass. While we stood by in confusion and disarray and apparent helplessness, a Communist dictatorship was installed on the island of Cuba, only 90 miles from our own shores.

In 1959, Tibet was brutally annexed by Communist China, despite the outraged protests of freemen throughout the world.

The past year has witnessed a massive increase in the scale of the Communist attack, and an almost incredible acceleration of its tempo. For the free world it has been a period of growing danger.

Since the beginning of this year alone, there has been the fiasco in Cuba, the disaster in Laos, the sealing off of East Berlin, and, only last week, the victory of Cheddi Jagan and his Communist-dominated People's Progressive Party in the British Guiana elections.

Everywhere we are on the defensive. Everywhere we find ourselves being pushed back.

We have retreated so far that we now stand perilously close to the brink of total disaster. Speaking in Paris last December, I said that if there were another 15 years like the previous 15 years, there would be no more free world left to defend. In the light of what has happened over the intervening 8 months, I feel compelled to revise this timetable.

We do not have 15 years left to us. The next 5 years, I feel, will witness a series of decisive battles between communism and the free world. The outcome of these battles will determine for centuries to come whether mankind is to live in freedom or in slavery.

We now stand with our back to the precipice. We have no ground to give, no time to lose, no margin for error.

It is not in the tradition of the American people to accept defeat, or to respond to threats and bullying with mere paper protests. That is why they are restive today.

That, I believe, is why you are here today. Our people are convinced that the trend must be reversed and can be reversed. In their overwhelming majority they believe that we must stand up to the threat of Communist aggression and Communist subversion, even at the risk of war. They suffer from a sense of deep frustration because they feel that something is wrong, but do not know what is wrong.

If this national dissatisfaction can be channeled into concerted action to restore the supremacy of freedom, it will be a national blessing. But if this sense of anger and frustration were to vent itself in bitter feuding between liberals and conservatives here at home, it would be a national curse. This we must seek to avert and this is why I am here today.

This situation confronting us calls imperatively for two things:

First of all, it calls for a frank analysis of the lessons of the past. If we are to reverse the trend of recent years, if we are to force the Communist world back on the defensive, if we are to set our sights on the victory of freedom over tyranny, we must first of all restudy the strategy and tactics of world communism and we must draw all the hard, bitter lessons of the postwar era. We must decide where we have erred and where we have failed and what might have been done to avoid these failures. We must all be brutally frank with ourselves. Nothing less than this will suffice.

Secondly, I believe that the situation calls imperatively for national unity, for unity between Democrats and Republicans, liberals and conservatives, Catholics, Protestants, and Jews. When I speak of unity, I do not mean unity for the sake of unity. I mean unity behind a program designed to assure the defeat of communism and the worldwide triumph of freedom.

The differences that exist within our society are important, inevitable and, indeed, proper. But we all share the same basic beliefs in freedom and justice, in the God-given nature of man's rights, in the destiny of our country. And these basic beliefs that unite us are 10,000 times as important as the controversies that divide us.

In this moment of grave national peril we can no longer afford the luxury of exaggerating our political differences, of racial or religious bigotry, of emotional extremism on the right or emotional extremism on the left.

Although there is a growing recognition of the need for national unity, I believe that there is far too much accusation of party by party and group by group.

I am particularly worried by the growing bitterness of the debate between our liberals and our conservatives. In speaking about liberals, I do not mean the totalitarian sympathizers of the Soviet Union who disguise themselves as liberals; and in speaking about conservatives, I do not mean those who have so completely abdicated their belief in freedom that they still regret the defeat of nazism. In both instances, I refer to the great mass of decent Americans whose adherence to these respective philosophies of government falls within the framework of the American political tradition.

Let me give you one example of the price we pay for this suspicion and division between liberals and conservatives.

For several months there has been languishing in a pigeonhole in the Senate Committee on Foreign Relations a bill that would establish a Freedom Academy, designed to train thousands of free world leaders in the science of successfully waging the cold war against communism.

Nothing is more demonstrable than the need for this legislation. Last year this bill passed the Senate but failed in the House because of suspicions by hard anti-Communists there that the Freedom Academy would be infiltrated and taken over by pro-Communists or by liberals who were soft on communism. And this year the bill has been buried in the Senate, largely, I am inclined to believe, because of the fear of liberals that the Freedom Academy would become a sort of fortress of militant anticommunism, manned by conservative thinkers.

Thus do we let our differences rob us of the unity to do those things that must be done if we are to survive. And it need not be so.

The fact is that on the question of communism and how to deal with it, neither Republicans nor Democrats, neither liberals nor conservatives, have had a monopoly on wisdom or on folly.

There have been a few situations, but only a very few, in which one party has been more right than the other. There have been other situations in which apparent differences boiled down to the dismal fact tnat both parties were wrong, but for different reasons. But by and large, our foreign policy has been a bipartisan policy.

When we have had victories, they have invariably been accomplished with bipartisan support. When we have blundered with good intentions, we have blundered hand in hand.

When we have suffered defeat or accepted retreat, the policies that resulted in failure have in most cases enjoyed the active or passive support of both parties.

As for the acrimonious debate between liberals and conservatives, as I see the matter, there is, on both sides, some truth, a good deal of exaggeration, and far too much self-righteousness.

There are some conservatives who believe that the problem of communism is essentially a problem of a domestic nature and, if we could get rid of the Communists in government, then the problem of communism would somehow cease to exist. They are sometimes disposed to look upon liberals and all others who deny this thesis as abettors of the Communist conspiracy.

This, of course, is a dangerous oversimplification.

Communism is a massive international movement which has in its arsenal many weapons.

Communism means the Soviet Army and the Chinese Red Army and all the other armies that march under the hammer and sickle.

It means Radio Moscow and Radio Peiping and a propaganda network a hundred times the size of the combined propaganda resources of the free world.

It means a science of political warfare that has been systematically developed in the Red academies in the 45 years since Lenin seized power.

It means scores of thousands of trained practitioners of political warfare, distributed through every country in the world.

It means proven techniques for confusing public opinion in the free world and every conceivable device for exploiting differences within each country and among the countries of the free world.

It also means subversion and espionage and infiltration in government.

But the point I want to emphasize here is that infiltration in government is only one of many means by which communism operates.

Even if some miraculous method could be found for screening every last Communist infiltree out of government, international communism would still constitute a formidable menace to the free world.

But those liberals who decry all talk of communism in government as "witch hunting" are just as wrong as those conservatives who see in it the only real or the major danger to our society. Communist infiltration in government has been a very real and very serious problem, and it will, I am convinced, remain a problem so long as there is a Communist movement.

Let us look at a few facts from the record.

Alger Hiss, one of the top officials of our State Department was convicted of perjury for denying that he had turned over secret State Department documents to Whittaker Chambers, a self-admitted Soviet agent.

Harry Dexter White, the No. 2 man in our Treasury Department, according to incontrovertible evidence in the hands of the FBI, was also a Soviet agent.

Frank Coe, onetime assistant to White, was compelled to resign as head of the International Monetary Fund when he took the fifth amendment in reply to the question: "Are you a Communist agent, Mr. Coe?" He is now working for the Chinese Government.

Laurence Duggan, onetime head of the Latin American Division of the Department of State, was also identified in sworn testimony as a member of the Communist network in Government, before his mysterious suicide in 1952.

And for every one of these infiltrees of top rank, there were a dozen infiltrees of lesser rank.

Communist infiltration in Government may at no time constitute more than a tiny fraction of 1 percent of all Government employees and officials. The potential danger of such an infiltration, however, is obvious. It will never be able to take over the American Government from within, as some exaggerated fears have had it. But it is a matter of record that this tiny fraction of 1 percent has done a lot of damage by purveying state secrets to the Kremlin and by misdirecting American policy.

In July 1953 after extensive hearings, the Senate Subcommittee on Internal Security issued a report on "Interlocking Subversion in Government Departments." Speaking about the Communist infiltrators in Government, this report stated: "They colonized key committees of Congress. They helped write laws, conduct congressional hearings, and write congressional reports. They advised Cabinet members, wrote speeches for them, and represented them. They staffed interdepartmental committees which prepared basic American world policy. They traveled to every continent as emissaries and representatives of the American people. They attended virtually every international conference where statesmen met to shape the future."

It would be prudent to assume that Communist infiltration of Government offices did not come to an end with the Hiss hearings and the hearings held over the next several years. It would be prudent to assume this and to take the necessary precautions. In doing so, however, we must be careful to avoid extremes and careful to protect the civil rights of Government employees.

The ultraliberal extremist and the ultraconservative extremist in a sense beget and encourage each other.

On the one hand, the extremist conservative is sometimes too prone to accuse everyone with whom he disagrees of being a Communist or a Communist sympathizer. The extremist liberal, on the other hand, is able to use every untrue or unsubstantiated allegation to prove, according to his own lights, that communism is a nonexistent menace which has been dreamed up by the reactionaries, and to defend those whose complicity in the Communist conspiracy is unmistakable. The extremist conservative reacts in turn by damning all liberals as Pinks and crypto-Communists.

And so it moves, in a vicious circle.

I believe that the extremists on both sides have received far more attention than they merit, perhaps because all extremists are vociferous, and because extremism is news whereas moderation is not news. This unfortunate emphasis on the extreme elements on both sides has had the effect of driving both the liberals and the conservatives further apart, because it has distorted the impression they have of each other.

To my conservative friends I would point out that party labels really mean very little, that conservatives have sometimes been very foolish in their relations with the Communists and that liberals and, for that matter, Socialists, have often conducted themselves with wisdom and courage. Rather than judging any man on the basis of party label, he should be judged on his record of principle and of opposition to communism.

It was one of the great liberal Senators of our time, the late Robert M. La Follette, Jr., of Wisconsin, who first became aware of the seriousness of Communist infiltration in government and brought it to public attention.

It was the liberal New York weekly, the New Leader, which, during the heyday of our wartime alliance with the Kremlin, swam against Government policy and the current of editorial opinion, challenged the Yalta and Teheran agreements and warned against our overtrustful attitude toward our Soviet allies.

While there are a few unions in our country that are under Communist control, and some union leaders who suffer from fuzzy thinking, on the whole you will find more solid understanding on the subject of communism in the American trade union movement than you will in any other major sector of our society. In the fight against communism, President George Meany, in particular, has shown himself a statesman, an articulate spokesman, a pillar of strength.

It was a tough, old, European Social Democrat, Vaino Tanner, who saved Finland from communism in the difficult postwar years, while the Finnish Agrarian Party, which was supposed to be more conservative, collaborated with the Communists.

In Berlin, the free world has been fortunate to have as allies and spokesmen, first Mayor Ernst Reuter and now Mayor Willie Brandt, both of them Social Democrats.

I could go on and on with the listing. Among the moderate Socialist statesmen who have played an outstanding role in resisting communism in Europe, were the late Ernest Bevin and the late Herbert Morrison in Britain; Paul-Henri Spaak, the recent Secretary General of NATO; Jules Moch, the first French Interior Minister to crack down seriously on the Communists; and Guiseppe Sarragat, the leader of the anti-Communist Socialists in Italy.

I would ask my conservative friends to examine and weigh the record of liberal anticommunism with an open mind. I am confident that, if they do so, it will lead them to reappraise the possibilities of conservative-liberal cooperation.

To my liberal friends I would also appeal for less self-righteousness and more tolerance. The liberals may lay claim to men like George Meany and Robert La Follette in this country and men like Mayor Willie Brandt and Paul-Henri Spaak in Europe. But on the other side there have been giants like Winston Churchill, Premier de Gasperi of Italy, Chancellor Adenauer of Germany, and Gen. Douglas MacArthur, all of them conservatives.

I would urge the liberals, too, to show more balance in their political attitudes. Few of them will challenge the statement that communism is the great menace of our time, that the Communists are cheats, liars, and murderers and that they are out to cut our throats. But for some reason there are liberals who expend a hundred times more energy combating rightwing extremism than they ever seem able to put forth in the fight against communism.

Show them an extremist movement on the right, and they are off like chargers, anxious for the fray. Show them a movement like the Fair Play for Cuba Committee, organized under Communist direction and with Communist financial support but still able to attract and mislead thousands of innocent students, and these selfsame liberals are just not interested.

This completely imbalanced political attitude is, I am afraid, reflected in our press. If it is a matter of exposing some rightwing extremist movement or some movement which is accused of rightwing extremism, many of our newspapers will devote column after column to the subject, day after day. In such cases they display amazing investigative resources. But these investigative resources lie dormant and unused when there are movements like the Fair Play for Cuba Committee waiting to be exposed. And when committees of Congress expose these Communist-front movements for what they are, with overwhelming and incontrovertible evidence, the reports of these committees are frequently ignored or buried.

I report this to you on the basis of experience.

In appealing for liberal-conservative unity in the struggle against the mortal peril that confronts us, I do not underestimate the difficulties. There are ancient prejudices to be overcome, there are areas where agreement will be difficult to achieve. But I believe that such unity is possible because there have already been several highly successful experiments in liberal-conservative unity on specific issues.

Take the issue of the admission of Red China to the U.N. This is a basic issue of principle and morality on which the American people have from the first been united. Congress has repeatedly gone on record, by unanimous votes, as opposing the admission of Red China to the U.N. The broad unity which exists on this issue is further reflected in the remarkably representative membership of the Committee of One Million Against the Admission of Red China to the United Nations. On the roster of this committee you will find names as diverse as Gov. Charles Edison and the late Gen. George C. Marshall, Ambassador Joseph C. Grew and the late Ambassador Warren Austin, Senator Paul Douglas and Senator Styles Bridges. It is this broad Democratic-Republican, liberal-conservative composition that has made the Committee of One Million so effective an organization.

Let me give you another example, closer to home. During the forties, the Communists were able to establish a virtual stranglehold over the motion picture trade unions. Recently I had a conversation with Roy Brewer, one of the courageous trade union officials who helped to break this stranglehold. Mr. Brewer told me that they were successful in driving out the Communists because they were able to establish an anti-Communist coalition that embraced both liberals and conservatives. Without this kind of unity, he said, they could never have succeeded.

Now, as Ronald Reagan recently told the press, the Communists are again crawling out from under the rocks in Hollywood, and the anti-Communist forces must close ranks once again or risk losing the ground they so painfully gained.

You have come here to find out what you as private citizens can do to combat and defeat communism. There is a lot that you can do.

There is a job to be done in combating the Communist reinfiltration of Hollywood.

But even more important than these things, you can help to make Government policy.

Perhaps more than in any other country of the world, the people of America have the power to help determine Government policy on critical issues.

Before you do any of these things, you must inform yourselves. You must attend lectures. You must read books recommended by competent authorities on communism. You must engage in discussions with your friends. You must give this matter the most serious study and thought of which you are capable, because your own future and your country's future are at stake.

You must shun those who are prone to damn everyone with whom they disagree as Communists, or who impugn the motives of

everyone who has blundered in the fight against communism. For there are very few who have not blundered, even among our greatest men. I am reminded of the fact that it was Winston Churchill, himself the soul of British conservatism and one of the immortal political leaders of all time, who was responsible for installing a Communist regime in Yugoslavia.

If you are to be a true fighter for freedom, you must shun the amateurs and quacks and extremists, whose anti-Communist activities only compromise the cause of anticommunism.

You must assiduously attend the meetings of the trade unions and of the other organizations to which you belong, raise issues, encourage discussions, and submit proposals and resolutions.

You must try to remember what you learn. You will find it helpful to follow the proceedings of the Senate Subcommittee on Internal Security and of the House Committee on Un-American Activities. You must be careful about your facts and careful about making charges and allegations that you cannot prove to the hilt.

You must be tolerant, and err on the side of giving people the benefit of the doubt. We must all endeavor to make it as easy as possible for those who have joined front organizations in innocence or good faith to extricate themselves from their associations and come back to the side of freedom.

Finally, you must make your views known to your representatives in Congress, and to your local press and politicians.

We must all give our utmost to the struggle, because we are now passing through the deepest and most perilous period in our history.

I would be less than frank with you if I pretended that I was altogether satisfied with the conduct of our foreign policy.

Foreign policy must be based on an understanding of the enemy that confronts us—and by our successive follies and successive defeats under both Republican and Democratic administrations, we have demonstrated that we do not have this understanding. Over and over again we have indulged in pipe dreams and wishful thinking and shied away from the hard fact that we are locked in a life and death struggle with an incredibly cunning, ruthless, and totally evil enemy.

It requires resourcefulness to meet the many-sided aggressions of a ruthless and cunning opponent—but we have come up with nothing more original than bigger defense budgets and bigger foreign spending programs.

It requires courage and understanding to seize the initiative to challenge the enemy, to exploit every opportunity and press every advantage, to strive unrelentingly for the worldwide victory of freedom. But no such proposals have yet been made that would extricate us from the fatal defensive posture of the postwar period.

We must find a foreign policy that will lead us to victory over the evil forces of communism, because the alternative to this is the static, defensive, do-nothing foreign policy that has led us from disaster to disaster since the close of the war.

I believe we can find common ground for such a foreign policy in the timeless words of Thomas Jefferson: "I have sworn upon the altar of God eternal hostility against all forms of tyranny over the mind of man." There is no reason why all of us, Republicans and Democrats, liberals and conservatives, cannot rededicate ourselves with these words.

If we so rededicate ourselves, in deed as well as in word, I am confident that the American people and their elected representatives can devise a foreign policy that will point the way to the worldwide triumph of freedom.

OWEN LATTIMORE

Mr. DODD. Mr. President, on August 22, I made a statement on the subject of Owen Lattimore, in which I quoted from the conclusion of the report on the Institute of Pacific Relations.

Yesterday, there came to my attention a column which appeared in the Dallas Morning News for June 12, 1961, which presented some highly interesting background dealing with Lattimore's efforts, going back to 1936, to persuade the United States to extend diplomatic recognition to the so-called Mongolian People's Republic. The column was written by Miss Edith Kermit Roosevelt, a writer who has shown a consistent and remarkable understanding of the nature of the Communist conspiracy.

Mr. President, I ask unanimous consent to have inserted into the RECORD at this point, the text of Miss Roosevelt's column in the Dallas Morning News of June 12, 1961.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

LATTIMORE APPROVAL FOR MONGOLIA SEEN

(By Edith Kermit Roosevelt)

The news that the United States is willing to recognize Outer Mongolia should delight Owen Lattimore.

Lattimore, whom the full Senate Judiciary Committee characterized as "a conscious, articulate instrument of the Soviet conspiracy," can justly be called the architect of the present U.S. policy toward Outer Mongolia.

Now a history lecturer at Johns Hopkins University, Lattimore was formerly editor of Pacific Affairs, the international quarterly published by the Institute of Pacific Relations. A report by the Senate Judiciary Committee, dated July 2, 1952, details Lattimore's activities with the IPR, a group it describes as "a vehicle used by the Communists to orient American Far Eastern policies toward Communist objectives."

According to testimony furnished this committee by Igor Bogopolev, formerly of the Soviet Foreign Office, the Soviet foreign group on recommendation by Maxim Litvinov, head of the Soviet Foreign Office, named Lattimore as its agent to "prepare the terrain" by mobilizing "writers, journalists, and other people, to describe for the Western World the progress which is achieved in the Mongolian Popular Republic."

In April 1936, while attending an IPR meeting in Moscow with the Soviet section of the institute, Lattimore called on William C. Bullitt, first American Ambassador to Soviet Russia. During this interview, Lattimore urged Bullitt to wire President Franklin D. Roosevelt recommending recognition of Outer Mongolia as an independent state. The Asian affairs expert also asked Bullitt to set up an appointment for him with Leon Mikhailovich Karakhan, Soviet Vice Commissar for Foreign Affairs.

Here it is pertinent to give a brief rundown of Karakhan's role in the establishment of Mongol independence. As far back as 1921 the Communists set up a Communist republic in Outer Mongolia and proceeded to infiltrate gradually the Outer Mongolian Army and police force with GPU agents (members of the Soviet secret police). By 1934, all that remained was for the Soviet Government to liquidate Mongol leaders. The Soviet Government dispatched Karakhan as its fingerman.

"After all," Karakhan brazenly told Bullitt on his return, "in a country of nomads there are only 300 or 400 people that count, and all I did on a given night was to have about 400 people seized by the GPU agents in the army and police force, and I had them shot before dawn and installed the people that the Soviet Government wished to have installed and Outer Mongolia is now completely ruled by the GPU."

What Lattimore and Karakhan actually said to one another regarding Mongolian "independence" 2 years after this massacre is not known. But what is known is that Lattimore continued to peddle the lie of Mongolian autonomy in his writings, lectures, and his work with State Department policymakers.

Summing up the Lattimore story, the Senate Internal Security Subcommittee said: "The indisputable fact that Lattimore knew Outer Mongolia was Soviet controlled (having, indeed, cooperated with the very persons who were exercising control over it) at a time when he was representing it as free and independent, was one of the many facts which demonstrated to the subcommittee in sharp outline that Lattimore's many misrepresentations were not proceeding from ignorance or confused thinking."

Today, the State Department holdovers from the Lattimore era and those who think like them are continuing these misrepresentations. They have urged the establishment of diplomatic relations with Outer Mongolia as a test of independence. A seat in the United Nations is to be the reward of a display of "the attributes of independence."

The reason given now is the same one Lattimore gives in his book, "Solution in Asia," in which he states that it might be well to recognize Outer Mongolia and give it a seat in the U.N. because it would be to American interest to emphasize that Outer Mongolia is between Communist Russia and Communist China.

But the picture of Outer Mongolia as a neutralist rose between Communist thorns has no basis in fact. In emphasizing common goals, Zhamsarangin Sambu, titular head of Outer Mongolia, said in 1954 at the fifth annual celebration of the Peiping regime:

"The 600 million Chinese people * * * have become an important factor and force in the mighty camp of peace, democracy, and socialism headed by our common friend, the great Soviet Union."

GRANDMA MOSES DAY

Mr. JAVITS. Mr. President, I wish to call the attention of my colleagues to the 101st birthday of Grandma Moses, which has been signalized by a proclamation by Governor Rockefeller, of New York, declaring September 7, 1961, Grandma Moses Day.

I ask unanimous consent that the proclamation be printed in the RECORD at this point as a part of my remarks.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

One year before the beginning of the Civil War a little girl destined for unique achievement and renown, was born "back in the green meadows and wild woods on a farm in Washington County, N.Y." The quotation is in her own words. Her name today is Anna Mary Robertson Moses. We all admire and love her as Grandma Moses.

For threescore years and ten she carried on the work of a farmer's wife and mother of 11 children.

Then, as she puts it herself, she started to paint in her old age, although she had

previously painted "little pictures for Christmas gifts and things like that."

Everybody knows what happened with the canvases that Mrs. Moses created for her own pleasure. The world, in Emerson's words, "beat a path to her door." There is no more renowned artist in our entire country today.

So it becomes us, the people of the Empire State, to salute Grandma Moses on the occasion of her 101st birthday.

Now, therefore, I, Nelson A. Rockefeller, Governor of the State of New York, do hereby proclaim September 7, 1961, as Grandma Moses Day in New York State.

Given under my hand and the privy seal of the State at the capitol in the city of Albany this 21st day of August in the year of our Lord 1961.

NELSON A. ROCKEFELLER.

By the Governor:

WILLIAM J. RONAN,
Secretary to the Governor.

Mr. JAVITS. Mr. President, here is an extraordinary life, known to all Americans, of a fine American woman, who did not paint until she was over 80, and who has now been acclaimed as one of the most distinguished artists in our country and the world.

I think we would want to signalize this extraordinary life, which has now encompassed more than a century, with its tremendous productivity and artistry and its inspiration to everyone who is over 21.

Mr. MANSFIELD. Is there further morning business?

The VICE PRESIDENT. Is there further morning business? If there is no further morning business, morning business is closed.

Mr. MANSFIELD. Mr. President, under the agreement which has been reached, the Senate is now to proceed to the call of the Legislative Calendar. But before doing so, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Without objection, it is so ordered.

THE CALENDAR

Mr. BARTLETT. Mr. President, I ask unanimous consent that, under the previous order, there be a call of the calendar beginning with Order No. 770, H.R. 7154.

The PRESIDING OFFICER. Did the Senator from Alaska say commencing with Order No. 770?

Mr. BARTLETT. Yes.

The PRESIDING OFFICER. Without objection, the clerk will proceed with the call of the calendar.

REGULATION OF DOGS IN THE DISTRICT OF COLUMBIA

The bill (H.R. 7154) to authorize the Commissioners of the District of Columbia to regulate the keeping and running at large of dogs was considered, ordered to a third reading, was read the third time, and passed.

SCHOOL CENSUS IN THE DISTRICT OF COLUMBIA

The bill (S. 560) to amend the act entitled "An act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes," was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of article II of the Act entitled "An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes", approved February 4, 1925 (43 Stat. 807; sec. 31–208, District of Columbia Code, 1951 edition), is amended (1) by striking therefrom "all children between the ages of three and eighteen years permanently or temporarily residing in the District of Columbia, and annually thereafter or as frequently" and inserting in lieu thereof "all children under the age of eighteen years permanently or temporarily residing in the District of Columbia as frequently;" and (2) by inserting immediately after "the school attended by him," the following: "whether such school is public or private".

DISTRICT OF COLUMBIA BOARD FOR CONDEMNATION OF INSANITARY BUILDINGS

The bill (S. 563) to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia," was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (d) of section 2 of the Act entitled "An Act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes", approved May 1, 1906 (34 Stat. 157; title 5, chapter 6, District of Columbia Code, 1951 edition), as amended, is amended by striking "same manner as general taxes are collected in the District of Columbia", and inserting in lieu thereof "manner provided in section 7 of this Act".

SEC. 2. (a) Section 7 of said Act, as amended, is amended (1) by striking "in the same manner as general taxes are collected in the District of Columbia", and inserting in lieu thereof "as provided in this section"; and (2) by inserting immediately before the period at the end of said section the following: "; *Provided further,* That the taxes authorized to be levied and collected under this Act may be paid without interest within sixty days from the date such tax was levied. Interest of one-half of 1 per centum for each month or part thereof shall be charged on all unpaid amounts from the expiration of sixty days from the date such tax was levied. Any such tax may be paid in three equal installments with interest thereon. If any such tax or part thereof shall remain unpaid after the expiration of two years from the date such tax was levied, the property against which said tax was levied may be sold for such tax or unpaid portion thereof with interest and penalties thereon at the next ensuing annual tax sale in the same manner and under the same conditions as property sold for delinquent general real estate taxes, if said tax with interest and penalties thereon shall not have been paid in full prior to said sale".

(b) Any tax levied pursuant to such Act approved May 1, 1906, as amended by the Act approved August 28, 1954, which was levied after the effective date of such Act of August 28, 1954, and prior to the effective date of this section, shall, for the purpose of computing interest thereon, be deemed to have been levied as of the effective date of this section.

SEC. 3. Section 10 of such Act, as amended, is amended to read as follows:

"SEC. 10. (a) Any notice required by this Act to be served shall be deemed to have been served when served by any of the following methods: (a) when forwarded to the last known address of the owner as recorded in the real estate assessment records of the District of Columbia by registered or certified mail, with return receipt, and such receipt shall constitute prima facie evidence of service upon such owner if such receipt is signed either by the owner or by a person of suitable age and discretion located at such address: *Provided,* That valid service upon the owner shall be deemed effected if such notice shall be refused by the owner and not delivered for that reason; or (b) when delivered to the person to be notified; or (c) when left at the usual residence or place of business of the person to be notified with a person of suitable age and discretion then resident or employed therein; or (d) if no such residence or place of business can be found in the District of Columbia by reasonable search, then if left with any person of suitable age and discretion employed at the office of any agent of the person to be notified, which agent has any authority or duty with reference to the land or tenement to which said notice relates; or (e) if any such notice forwarded by registered or certified mail be returned for reasons other than refusal, or if personal service of any such notice, as hereinbefore provided, cannot be effected, then if published on three consecutive days in a daily newspaper published in the District of Columbia; or (f) if by reason of an outstanding unrecorded transfer of title the name of the owner in fact cannot be ascertained beyond a reasonable doubt, then if served on the owner of record in a manner hereinbefore provided. Any notice to a corporation shall, for the purpose of this Act, be deemed to have been served on such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right; and notices to a foreign corporation shall, for the purposes of this Act, be deemed to have been served if served personally on any agent of such corporation, or if left with any person of suitable age and discretion residing at the usual residence or employed at the usual place of business of such agent in the District of Columbia."

(b) In case such notice is served by any method other than personal service, notice shall also be sent to the owner by ordinary mail.

REMOVAL OF DANGEROUS OR UNSAFE BUILDINGS IN THE DISTRICT OF COLUMBIA

The bill (S. 557) to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof" was considered, or-

dered to be engrossed for a third reading, was read the third time, and passed, as follows.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes", approved March 1, 1899 (30 Stat. 923, as amended; title 5, ch. 5, District of Columbia Code, 1951 edition), is amended by striking the term "inspector of buildings" wherever such term appears therein and inserting in lieu thereof "Commissioners". The first sentence of the first section of such Act, as amended, is amended by striking "his opinion" and inserting in lieu thereof "their opinion" and by striking "he shall" and inserting in lieu thereof "they shall".

SEC. 2. The first section of such Act, as amended (sec. 5–501, District of Columbia Code, 1951 edition), is amended by adding at the end thereof the following:

"The term 'Commissioners' means the Commissioners of the District of Columbia sitting as a board or the agent or agents designated by them to perform any function vested in said Commissioners by this Act."

SEC. 3. Section 3 of such Act, as amended (sec. 5–503, District of Columbia Code, 1951 edition), is amended by striking the third sentence therefrom.

SEC. 4. The second sentence of section 4 of such Act, as amended (sec. 5–504, District of Columbia Code, 1951 edition), is amended by striking "bear interest at the rate of 10 per centum per annum until paid, and be carried on the regular tax rolls of the District of Columbia and shall be collected in the manner provided for the collection of general taxes" and inserting in lieu thereof "be collected in the manner provided in section 6 of this Act."

SEC. 5. Such Act, as amended, is amended by inserting the following sections immediately after section 4, reading as follows:

"SEC. 5. The Commissioners shall determine the cost and expense of any work performed by them under the authority of the first four sections of this Act, including the cost of making good damage to adjoining premises (except such as may have resulted from carelessness and willful recklessness in the demolition or removal of any structure) less the amount, if any, received from the sale of old material, and shall assess such cost and expense upon the lot or ground whereon such structure, excavation, or nuisance stands, stood, was dug, was located, or existed, and this amount shall be collected in the manner provided in section 6 of this Act. Any person, corporation, partnership, syndicate, or company subject to the provisions of the first three sections of this Act who shall neglect or refuse to perform any act required by such sections shall be punished by a fine not exceeding $50 for each and every day said person, corporation, partnership, syndicate, or company fails to perform any act required by such sections.

"SEC. 6. Any tax authorized to be levied and collected under this Act may be paid without interest within sixty days from the date such tax was levied. Interest of one-half of 1 per centum for each month or part thereof shall be charged on all unpaid amounts from the expiration of sixty days from the date such tax was levied. Any such tax may be paid in three equal installments with interest thereon. If any such tax or part thereof shall remain unpaid after the expiration of two years from the date such tax was levied, the property against which said tax was levied may be sold for such tax or unpaid portion thereof with interest and penalties thereon at the next ensuing annual tax sale in the same manner and under the same conditions as property sold for delinquent general real estate taxes, if said tax with interest and penalties thereon shall not have been paid in full prior to said sale."

SEC. 6. Section 5 of such Act, as amended (sec. 5–505, District of Columbia Code, 1951 edition) is renumbered "SEC. 7." and is amended to read as follows:

"SEC. 7. (a) Any notice required by this Act to be served shall be deemed to have been served when served by any of the following methods: (1) when forwarded to the last known address of the owner as recorded in the real estate assessment records of the District of Columbia, by registered or certified mail, with return receipt, and such receipt shall constitute prima facie evidence of service upon such owner if such receipt is signed either by the owner or by a person of suitable age and discretion located at such address: *Provided,* That valid service upon the owner shall be deemed effected if such notice shall be refused by the owner and not delivered for that reason; or (2) when delivered to the person to be notified; or (3) when left at the usual residence or place of business of the person to be notified with a person of suitable age and discretion then resident or employed therein; or (4) if no such residence or place of business can be found in the District of Columbia by reasonable search, then if left with any person of suitable age and discretion employed at the office of any agent of the person to be notified, which agent has any authority or duty with reference to the land or tenement to which said notice relates; or (5) if any such notice forwarded by registered or certified mail be returned for reasons other than refusal, or if personal service of any such notice, as hereinbefore provided, cannot be effected, then if published on three consecutive days in a daily newspaper published in the District of Columbia; or (6) if by reason of an outstanding unrecorded transfer of title the name of the owner in fact cannot be ascertained beyond a reasonable doubt, then if served on the owner of record in a manner hereinbefore provided. Any notice to a corporation shall, for the purposes of this Act, be deemed to have been served on such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right; and notices to a foreign corporation shall, for the purposes of this Act, be deemed to have been served if served personally on any agent of such corporation, or if left with any person of suitable age and discretion residing at the usual residence or employed at the usual place of business of such agent in the District of Columbia.

"(b) In case such notice is served by any method other than personal service, a copy of such notice shall also be sent to the owner by ordinary mail."

SEC. 7. Such Act, as amended, is amended by inserting a new section immediately after section 7, as renumbered by this amendatory Act, reading as follows:

"SEC. 8. Whenever the Commissioners find that any building or part of a building, staging, or other structure, or anything attached to or connected with any building or other structure or excavation shall cause a building to be unsafe for human occupancy, they shall give notice of such fact to the owner or other person having an interest in such building, and to the occupant or occupants thereof. If within five days after such notice has been served upon such owner or other interested person, such building or part thereof has not been made safe for human occupancy, the Commissioners may order the use of such building or part thereof discontinued until it has been made safe: *Provided,* That if in the opinion of the Commissioners the unsafe condition of the building or part thereof is such as to be imminently dangerous to the life or limb of any occupant, the Commissioners may order the immediate discontinuance of the use of such building or part thereof. Any person occupying, or permitting the occupancy of, such building or part thereof in violation of such order of the Commissioners shall be fined not more than $300 or imprisoned for not more than thirty days."

SEC. 8. Section 6 of such Act, as amended, is renumbered "SEC. 9."

JUNIOR COLLEGE DIVISION OF DISTRICT OF COLUMBIA TEACHERS COLLEGE

The bill (S. 1328) to authorize the establishment of a junior college division within the District of Columbia Teachers College was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Board of Education of the District of Columbia is hereby authorized to establish a junior college division within the District of Columbia Teachers College which shall offer a two-year program leading to the degree of associate in arts, which degree is hereby authorized to be granted upon certification by the president and faculty of the District of Columbia Teachers College that all requirements for the granting of such degree have been met.

SEC. 2. (a) The Board of Education of the District of Columbia, with the approval of the Commissioners of the District of Columbia, is authorized to establish and determine, from time to time, tuition rates for students at the District of Columbia Teachers College, including the junior college division thereof: *Provided,* That all moneys received for tuition payments shall be deposited in the Treasury to the credit of the general revenues of the District of Columbia.

(b) The Board of Education of the District of Columbia, with the approval of the Commissioners of the District of Columbia, is hereby authorized to establish, and determine, from time to time, fees to be paid by students at the District of Columbia Teachers College, including the junior college division thereof, and receipts from such fees shall be deposited into a revolving fund to be known as "District of Columbia Teachers College student fund" in a private depository in the District of Columbia, which fund shall be available, without fiscal year limitation, for such purposes as the Board of Education of the District of Columbia shall approve, and the Board of Education is authorized, with the approval of the Board of Commissioners of the District of Columbia, to make all necessary rules concerning deposits into, and withdrawals from, such fund.

SEC. 3. The Board of Education of the District of Columbia is authorized to promulgate such rules and regulations as may be necessary to carry out the purposes of this Act.

SEC. 4. This Act shall take effect the first day of July following its approval.

WASHINGTON HOME FOR FOUNDLINGS

The bill (H.R. 6798) to amend the act incorporating the Washington Home for Foundlings and to define the powers of said corporation was considered, ordered to a third reading, was read the third time, and passed.

COUNTERCLAIMS AND CROSS-CLAIMS OF DISTRICT OF COLUMBIA MUNICIPAL COURT

The bill (H.R. 3222) to amend section 4(a) of the act of April 1, 1942, so as to confer jurisdiction on the municipal court for the District of Columbia over certain counterclaims and cross-claims in any action in which such court has initial jurisdiction, was considered, ordered to a third reading, was read the third time, and passed.

HEIGHT OF BUILDINGS IN THE DISTRICT OF COLUMBIA

The bill (S. 1529) to amend the act entitled "An act to regulate the height of buildings in the District of Columbia," was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 3 of section 5 of the Act entitled "An Act to regulate the height of buildings in the District of Columbia", approved June 1, 1910, as amended (36 Stat. 452; 43 Stat. 961; sec. 5–405, D.C. Code, 1951 edition), is amended by striking "over eight stories in height or".

DISTRICT OF COLUMBIA HEALING ARTS PRACTICE ACT

The bill (H.R. 8032) to amend the Healing Arts Practice Act, District of Columbia, was considered, ordered to a third reading, was read the third time, and passed.

LIFE INSURANCE ACT FOR THE DISTRICT OF COLUMBIA, SECTION 35, CHAPTER III

The bill (H.R. 7044) to amend section 35 of chapter III of the Life Insurance Act for the District of Columbia was considered, ordered to a third reading, was read the third time, and passed.

LIFE INSURANCE ACT OF THE DISTRICT OF COLUMBIA

The bill (H.R. 6495) to amend the Life Insurance Act of the District of Columbia was considered, ordered to a third reading, was read the third time, and passed.

DISTRICT OF COLUMBIA LIFE INSURANCE ACT AND DISTRICT OF COLUMBIA FIRE AND CASUALTY ACT

The Senate proceeded to consider the bill (S. 2356) to amend the act known as the "Life Insurance Act" of the District of Columbia, and the act known as the "Fire and Casualty Act" of the District of Columbia, which had been reported from the Committee on the District of Columbia, with amendments, on page 1, line 7, after the word "applicant", to strike out "who files with or otherwise submits, orally or in writing, to the Superintendent any false statement under oath shall, in" and insert "who willfully files with or otherwise submits to the Superintendent, orally or in writing, any material statement, knowing such statement to be false, shall, in", and on page 2, at the beginning of line 17, to strike out "an expiring license, files with or otherwise submits orally or in writing to the Superintendent any false statement under oath" and insert "an expiring license, willfully files with or otherwise submits to the Superintendent, orally or in writing, any material statement under oath, knowing such statement to be false,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 26 and 29 of chapter II of the Life Insurance Act approved June 19, 1934, as amended (48 Stat. 1139, 1141; sec. 35–425 and sec. 35–428, D.C. Code, 1951 ed.), are hereby amended by adding after the second sentence of each such section the following: "Any such applicant who willfully files with or otherwise submits to the Superintendent, orally or in writing, any material statement, knowing such statement to be false, shall, in addition to any other penalty prescribed by law, be guilty of perjury and subject to the penalties thereof."

SEC. 2. The second sentence of section 32 of chapter II of the Fire and Casualty Act approved October 9, 1940, as amended (54 Stat. 1078; sec. 35–1336, D.C. Code, 1951 ed.), is amended to read: "The person to whom the license may be issued shall file sworn answers, subject to the penalties of perjury, to such interrogatories as the Superintendent may require."

SEC. 3. Section 35 of chapter II of said Fire and Casualty Act, as amended (54 Stat. 1079; sec. 35–1339, D.C. Code, 1951 ed.), is amended by adding: "Any applicant who, in connection with such application for renewal of an expiring license, willfully files with or otherwise submits to the Superintendent, orally or in writing, any material statement under oath, knowing such statement to be false, shall, in addition to any other penalty prescribed by law, be guilty of perjury and subject to the penalties thereof."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

BILLS PASSED OVER

The bill (S. 902) to amend the Small Business Investment Act of 1958 and for other purposes, was announced as next in order.

Mr. BARTLETT. Over, Mr. President, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 836) to amend the Small Business Act, and for other purposes, was announced as next in order.

Mr. BARTLETT. Over, Mr. President, by request.

The PRESIDING OFFICER. The bill will be passed over.

H. SMITH NATIONAL HISTORICAL SITE, ARK.

The Senate proceeded to consider the bill (H.R. 32) authorizing the establishment of the H. Smith National Historical Site in the State of Arkansas, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with an amendment on page 2, line 17, after the word "Register", to insert a colon and *"Provided further,* That lands purchased by the Secretary for the purposes of this Act shall be within the exterior boundaries of the following described tracts of land:

"A three-sided, approximately 0.3-acre tract about 250 feet eastward of the easterly abutment of the Missouri Pacific Railroad bridge over the Arkansas River, bounded on all sides by railroad right-of-way 100 feet wide, approved by the Department of the Interior May 2, 1887, as delineated on the plat of West Fort Smith (Choctaw Nation), approved by the Acting Secretary of the Interior August 3, 1904, and filed June 24, 1911, and being block 2 thereon.

"A tract of land beginning at the intersection of the easterly right-of-way line of the Saint Louis and San Francisco Railroad and the northerly line of Garland Avenue; thence easterly along the northerly line of Garland Avenue to its intersection with the westerly line of Third Street; thence northerly along the westerly line of Third Street to its intersection with the southerly line of Rogers Avenue; thence westerly along the southerly line of Rogers Avenue to its intersection with the westerly line of Second Street; thence northerly along the westerly line of Second Street to the northeasterly corner of property of the Arkansas Warehouse Company; thence westerly along the northerly property lines of the Arkansas Warehouse Company and of the city of Fort Smith (known as the commissary) to the easterly right-of-way line of the Saint Louis and San Francisco Railroad; thence southerly along the easterly right-of-way line of the Saint Louis and San Francisco Railroad to the point of beginning."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (H.R. 6974) to amend section 607(b) of the Merchant Marine Act, 1936, as amended, was announced as next in order.

Mr. BARTLETT. Over, Mr. President, as not properly calendar business.

The PRESIDING OFFICER. The bill will be passed over.

CASKET FLAG FOR DECEASED MEXICAN BORDER SERVICE VETERANS

The bill (H.R. 1098) to amend section 901 of title 38, United States Code, to provide that a flag shall be furnished to drape the casket of each deceased veteran of Mexican border service, was considered, ordered to a third reading, was read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 5486) to prohibit the examination in District of Columbia courts of any minister of religion in connection with any communication made to him in his professional capacity without the consent of the party to the communication, was announced as next in order.

Mr. FONG. Over, by request, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL ACT

The Senate proceeded to consider the bill (H.R. 256) to amend the District of Columbia Alcoholic Beverage Control Act, which had been reported from the Committee on the District of Columbia, with an amendment, on page 4, line 22, after the word "display", to strike out "for" and insert "or".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (S. 476) to establish the Point Reyes National Seashore in the State of California, and for other purposes, was announced as next in order.

Mr. BARTLETT. Over, Mr. President, as not properly calendar business.

The PRESIDING OFFICER. The bill will be passed over.

FORT SHAW DIVISION, SUN RIVER PROJECT, MONTANA

The bill (S. 2132) to approve the revised June 1957 reclassification of land of the Fort Shaw division of the Sun River project, Montana, and to authorize the modification of the repayment contract with Fort Shaw Irrigation District, was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the June 1957 reclassification of land of the Fort Shaw division of the Sun River project, Montana, as revised in September 1959, is approved.

SEC. 2. The Secretary of the Interior is authorized, pursuant to article 8(1) of the Act of August 4, 1939 (53 Stat. 1187), to modify the contractual obligation of the Fort Shaw Irrigation District by deducting from such obligation the amount of the unmatured construction charges as of the date of this Act against five hundred thirty-one and seventy-seven one-hundredths acres classified in a paying class under the Act of May 25, 1926 (44 Stat. 636), and found to be permanently unproductive; and the contractual obligation of the Fort Shaw Irrigation District shall, by reason of a finding that thirty-four and seventy-four one-hundredths acres of land, previously classed as permanently unproductive, possess sufficient productivity to be placed in a paying class, be increased in the sum of $1,193.67.

BILL PASSED OVER

The bill (S. 2422) to establish the White House as a national monument, was announced as next in order.

Mr. BARTLETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

EVAGELOS MABLEKOS

The bill (S. 235) for the relief of Evagelos Mablekos, was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of paragraph (19) of section 212(a) of the Immigration and Nationality Act, Evagelos Mablekos may be issued an immigrant visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such Act: *Provided,* That this Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act.

KABALAN FARRIS

The bill (S. 2070) for the relief of Kabalan Farris was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Act of September 22, 1959 (Public Law 86-363), Kabalan Farris shall be deemed to be within the purview of section 4 of that Act.

AMELIA ANDREOLI D'ATTORRE

The bill (H.R. 1337) for the relief of Amelia Andreoli D'Attorre was considered, ordered to a third reading, was read the third time, and passed.

BENJAMIN SCHOENFELD

The bill (H.R. 2111) for the relief of Benjamin Schoenfeld was considered, ordered to a third reading, was read the third time, and passed.

WOLFGANG STRESEMANN

The bill (H.R. 5054) for the relief of Wolfgang Stresemann, was considered, ordered to a third reading, was read the third time, and passed.

DR. FERENC DOMJAN AND OTHERS

The bill (H.R. 5180) for the relief of Dr. Ferenc Domjan and others, was considered, ordered to a third reading, was read the third time, and passed.

AMERICAN PRESIDENT LINES, LTD., AND OTHERS

The bill (H.R. 5321) for the relief of American President Lines, Ltd., Nitto Shosen Co., Ltd., and Koninklyke Java-China-Paketraart Lijnen N.V. (Royal Interocean Lines), was considered, ordered to a third reading, was read the third time, and passed.

DAVID C. THOMAS AND OTHERS

The bill (H.R. 5647) for the relief of David C. Thomas, Robert W. Barber, Milton A. Chace, and Richard F. Turner, was considered, ordered to a third reading, was read the third time, and passed.

ANDREW TELESFOR KOSTANECKI

The bill (H.R. 7707) for the relief of Andrew Telesfor Kostanecki, was considered, ordered to a third reading, was read the third time, and passed.

MRS. RENEE DERI

The Senate proceeded to consider the bill (S. 1537) for the relief of Mrs. Renee Deri, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Mrs. Renee Deri shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee. Upon the enactment of this Act, the Attorney General shall reduce by one number the number of refugees who may be paroled into the United States pursuant to sections 1 and 2(a) of the Act of July 14, 1960 (74 Stat. 504), during the fiscal year ending June 30, 1962.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

PEDRO A. GENERAO AND TEODORA FLORES GENERAO

The Senate proceeded to consider the bill (S. 1846) for the relief of Pedro A. Generao and Teodora Flores Generao, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 4, after the word "Act", to strike out "Pedro A. Generao and Teodora Flores Generao" and insert "Pedro Adan Generao"; in line 8, after the word "visa", to strike out "fees" and insert "fee"; in line 9, after the word "such", to strike out "aliens" and insert "alien"; in line 11, after the word "deduct", to strike out "the required numbers" and insert "one number"; on page 2, line 1, after the word "quota", to strike out "or quotas", and in line 2, after the word "quota", to strike out "or quotas are available" and insert "is available"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for

the purposes of the Immigration and Nationality Act, Pedro Adan Generao shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Pedro Adan Generao."

REAR ADM. CARL H. COTTER

The bill (H.R. 4639) for the relief of Rear Adm. Carl H. Cotter, was considered, ordered to a third reading, was read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 8466) to authorize the construction of a railroad siding in the vicinity of Taylor Street NE., District of Columbia, was announced as next in order.

Mr. FONG. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

MARITAL PROPERTY RIGHTS IN THE DISTRICT OF COLUMBIA

The bill (H.R. 7265) to amend the code of law for the District of Columbia so as to provide a new basis for determining certain marital property rights and for other purposes, was considered, ordered to a third reading was read the third time, and passed.

PRACTICE OF PHYSICAL THERAPY IN THE DISTRICT OF COLUMBIA

The bill (S. 1762) to regulate the practice of physical therapy in the District of Columbia, was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Physical Therapists Practice Act".

DEFINITIONS

SEC. 2. As used in this Act—

(a) The term "Commissioners" means the Commissioners of the District of Columbia sitting as a board, or their authorized agent or agents.

(b) The word "she" and the derivatives thereof shall be construed to include the word "he" and the derivatives thereof.

(c) The term "physical therapy" means the treatment of human disability, injury, or disease by supervised therapeutic procedures embracing the specific scientific application of physical measures to secure the functional rehabilitation of the human body. Nothing in this Act shall be construed as authorizing a physical therapist, whether registered or not, to practice medicine, osteopathy, chiropractic, naturopathy, or any other form or method of healing.

(d) The term "physical therapist" means a person who practices physical therapy under the prescription, supervision, and direction of a person licensed to practice under the Healing Arts Practice Act of the District of Columbia, approved February 27, 1929 (45 Stat. 1326), as amended.

(e) The word "State" or "States" shall be deemed to include any territory of the United States and the Commonwealth of Puerto Rico.

EXEMPTION FROM REGISTRATION

SEC. 3. This Act shall not apply to any person employed in the District of Columbia by the Federal Government or any agency thereof while such person is acting in the discharge of her official duties.

REGISTRATION

SEC. 4. (a) No person shall practice physical therapy in the District of Columbia unless (1) she is duly registered in accordance with the provisions of this Act, or (2) is exempted from such registration by the terms of this Act.

(b) No person not registered in accordance with the provisions of this Act, unless exempted from registration by the terms of this Act, shall, directly or indirectly, (1) represent herself to be so registered or (2) represent herself to be certified, licensed, or authorized to practice physical therapy.

(c) No person shall use in connection with her name the words "physical therapist", "physiotherapist", "physical therapy technician", or use the initials "P.T.", "P.T.T.", "R.P.T.", or any other letters, words, abbreviations, or insignia indicating or implying that she is a registered physical therapist, unless such person is a holder of a valid registration under this Act.

(d) Nothing in this section shall prohibit any person duly licensed or registered in the District of Columbia under any other Act from engaging in the practice for which she is duly registered or licensed.

(e) Nothing in this Act shall apply to any person licensed under the Healing Arts Practice Act of the District of Columbia, nor to any employee of any such person working under his immediate supervision and direction in his private office, provided no such employee shall hold herself out, or otherwise represent herself to be a physical therapist.

POWERS OF COMMISSIONERS

SEC. 5. The Commissioners are hereby vested with full power and authority to delegate, from time to time, to their designated agent or agents, any of the functions vested in them by this Act.

ESTABLISHMENT OF BOARD

SEC. 6. The Commissioners may establish a physical therapists examining board to perform any of the functions vested in the Commissioners by this Act, and, if so established, such board shall be composed of such persons possessing such qualifications as the Commissioners shall determine. The Commissioners are authorized to prescribe the terms of office of members of such board and to fix the compensation of such members. The Commissioners may appoint as members of such board, Federal and District government employees, and such members shall not be entitled to receive compensation as board members, and any such member shall not be debarred by such membership from employment in the Federal or District governments not inconsistent with her duties as a board member. Any board member may receive her compensation as a board member as well as any retirement pay, retirement compensation, or annuity to which she may be entitled on account of previous service rendered to the United States or the District of Columbia governments.

POWERS AND DUTIES

SEC. 7. (a) The Commissioners are authorized to adopt from time to time and prescribe such rules and regulations as may be necessary to enable them to carry into effect the provisions of this Act. The Commissioners shall maintain a register of all persons registered as physical therapists. The Commissioners shall maintain a register of approved schools which they deem afford adequate training in physical therapy.

(b) The Commissioners may make such studies and investigations, and obtain or require the furnishing of such information under oath or affirmation or otherwise, as they deem necessary or proper to assist them in prescribing any regulation or order under this Act, or in the administration and enforcement of this Act, and regulations and orders thereunder. For such purposes, the Commissioners may administer oaths and affirmations, may require by subpena or otherwise the attendance and testimony of witnesses and the production of documents at any designated place. In the event of contumacy or refusal to obey any such subpena or requirement under this section, the Commissioners may make application to the municipal court for the District of Columbia for an order requiring obedience thereto. Thereupon the court, with or without notice and hearing, as it in its discretion may decide, shall make such order as is proper and may punish as a contempt any failure to comply with such order in accordance with the provisions of subsection (c), section 5, of the Act of April 1, 1942 (56 Stat. 193, chapter 207; sec. 11–756(c), D.C. Code, 1951 edition).

REGISTRATION

SEC. 8. The Commissioners shall register as physical therapists all applicants who prove to the satisfaction of the Commissioners their fitness for registration under the terms of this Act. The Commissioners shall issue to each person registered a certificate of registration, which shall be prima facie evidence of the right of the person to whom it is issued to represent herself as a registered physical therapist, and authorized to practice as such under this Act.

REGISTRATION WITHOUT EXAMINATION

SEC. 9. The Commissioners shall register as a physical therapist, without examination, any physical therapist who is at least twenty years of age and of good moral character and who presents evidence satisfactory to the Commissioners that she was, prior to the effective date of this Act, practicing physical therapy in the District of Columbia for a period of two years immediately preceding the effective date of this Act, and that she (1) has graduated from an approved school of physical therapy listed in the register of approved schools or (2) received comparable training or experience in the practice of physical therapy as determined by the Commissioners. Application for registration under this section shall be made on or before the expiration of one year from the effective date of this Act.

REGISTRATION AFTER EXAMINATION

SEC. 10. The Commissioners shall pass upon the qualifications of applicants for registration, provide for and conduct all examinations, determine which applicants have successfully passed the examination and duly register such applicants. To be eligible to be examined for registration as a physical therapist, an applicant must meet the following requirements:

(a) Be at least twenty years old.

(b) Be of good moral character.

(c) Be in good physical and mental health, as certified by a physician licensed to practice in the District of Columbia.

(d) Be a graduate of an approved school of physical therapy listed in the register of approved schools; or possess comparable educational qualifications as determined by the Commissioners.

The examinations specified in this section shall be conducted at such times and places as the Commissioners may determine, and notice of time and place of such examination shall be published not less than thirty days before the first day of each examination in one or more newspapers of local circulation.

The examination shall embrace such coverage of the following subjects to determine the applicant's qualification: The applied sciences of anatomy, neuroanatomy, kinesiology, physiology, pathology, physics; "physical therapy" as defined in this Act, applied to medicine, neurology, orthopedics, pediatrics, psychiatry, surgery; medical ethics; technical procedures in the practice of "physical therapy" is defined in this Act.

RECIPROCITY

SEC. 11. Any applicant who has practiced physical therapy and has been registered, certified, or licensed as such in any State may, upon proof of good moral character, be registered without examination, provided the applicant has graduated from a school of physical therapy approved by the Commissioners, or has received competent comparable training as determined by the Commissioners. It is intended that the standards of education and training required for registration under this section shall be substantially equivalent to those required for registration pursuant to section 10 of this Act. This section shall be construed to apply only to candidates from States which admit registered physical therapists of the District of Columbia without examination.

RENEWAL OF REGISTRATION

SEC. 12. (a) Every registered physical therapist engaged in or who proposes to engage in the practice of physical therapy in the District of Columbia is hereby required to register with the Commissioners annually. Any registrant who allows her registration to lapse by failing to renew the registration annually may be reinstated by the Commissioners by showing cause satisfactory to the Commissioners for such failure and upon payment of all required fees. The Commissioners are authorized, after public hearing, to change from time to time the period for which registration or renewal thereof may be issued.

(b) Any person registered under the provisions of this Act but not so practicing in the District of Columbia shall give written notice of such fact to the Commissioners. Upon receipt of such notice, the Commissioners shall place the name of such person upon the nonpracticing list. While remaining on such list, such person shall not be subject to the payment of any renewal fee and shall not hold herself out as a registered physical therapist nor practice as such in the District of Columbia. Application for renewal of registration and payment of renewal fee for the current year shall be made to the Commissioners by any such person desiring to resume practice as a registered physical therapist.

DENIAL, REVOCATION, AND SUSPENSION OF REGISTRATION

SEC. 13. The Commissioners are authorized and empowered to deny, revoke, or suspend any registration or certificate of renewal of registration issued by the Commissioners or applied for in accordance with the provisions of this Act if the applicant or holder thereof—

(1) has been guilty of fraud or deceit in procuring or attempting to procure any registration or renewal thereof provided for in this Act;

(2) has been convicted of a crime involving moral turpitude;

(3) is an intemperate consumer of intoxicating liquors or is addicted to the use of habit-forming drugs;

(4) has been guilty of unprofessional conduct;

(5) has willfully violated any of the provisions of this Act, or rules or regulations promulgated by the Commissioners pursuant to authority contained in this Act;

(6) is mentally incompetent;

(7) is guilty of undertaking to treat ailments of human beings other than by physical therapy as authorized by this Act, or the undertaking to practice physical therapy independent of the prescription, and direction of a person appropriately licensed to practice under the Healing Arts Practice Act of the District of Columbia; or

(8) is otherwise professionally incapacitated.

Provided, That such denial, revocation, or suspension shall be made only upon specific charges in writing. A copy of any such charges and at least ten days' notice of the hearing of the same shall be mailed to the holder of or applicant for such registration, addressed to her at her last known address.

COURT REVIEW

SEC. 14. Any person aggrieved by any final decision or final order of the Commissioners denying, suspending, or revoking any registration, or renewal of registration, issued or applied for under this Act may obtain a review thereof in the municipal court of appeals for the District of Columbia, and may seek a review by the United States Court of Appeals for the District of Columbia Circuit of any judgment of the municipal court of apeals entered pursuant to its review of any such decision or order, all in accordance with subsection (f) of section 7 of the Act approved April 1, 1942, as added by the Act approved August 31, 1954 (68 Stat. 1049).

UNAUTHORIZED PRACTICE OF PHYSICAL THERAPY

SEC. 15. It shall be unlawful for any person in the District of Columbia to—

(a) sell or fraudulently obtain or furnish any diploma, license, certificate of registration, or record required by this Act; or required by the Commissioners under authority of this Act, or aid or abet in the selling, fraudulently obtaining, or furnishing thereof;

(b) practice physical therapy under cover of any diploma, certificate of registration, or record required by this Act or required by the Commissioners under authority of this Act, illegally or fraudulently obtained or signed or issued unlawfully or under fraudulent registration;

(c) use in connection with her name any designation tending to imply that she is a registered physical therapist unless duly registered under provisions of this Act;

(d) practice physical therapy during the time her registration shall be suspended or revoked.

PRACTICE OF REGISTERED PHYSICAL THERAPISTS

SEC. 16. A person registered under this Act as a physical therapist shall not treat human ailments by physical therapy or otherwise except under the prescription and direction of a person duly licensed or registered under the Healing Arts Practice Act of the District of Columbia.

ENFORCEMENT

SEC. 17. Any person who shall violate the provisions of section 4, 15, or 16 of this Act shall be guilty of a misdemeanor and shall be punished by a fine of not exceeding $500 or by imprisonment for not more than one year, or both.

CONDUCT OF PROSECUTIONS

SEC. 18. (a) Prosecutions for violations of any provisions of section 4, 15, or 16 of this Act shall be conducted in the name of the District of Columbia in the municipal court for the District of Columbia, by the Corporation Counsel or any of his assistants.

(b) It shall be necessary to prove in any prosecution or hearing under this Act only a single act prohibited by law or a single holding out or an attempt without proving a general course of conduct in order to constitute a violation.

FEES AND CHARGES

SEC. 19. (a) The Commissioners are authorized and empowered, after a public hearing, to fix and, from time to time increase or decrease, fees for any services rendered under this Act. The Commissioners shall, pursuant to this section, increase, decrease, or fix fees in such amounts as will, in the judgment of the Commissioners, approximate the costs to the District of Columbia of administering this Act: *Provided,* That no fee shall be increased, decreased, or fixed except after a public hearing.

(b) Upon the change of a registration period as authorized by subsection (a) of section 12 the fee for registration or renewal of registration shall be prorated on the basis of the time covered.

(c) All moneys collected for fees and charges made pursuant to authority contained in this Act shall be paid into the Treasury to the credit of the District of Columbia.

SEVERABILITY

SEC. 20. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provision to other persons and circumstances, shall not be affected thereby.

APPROPRIATIONS

SEC. 21. There is hereby authorized to be appropriated out of the revenues of the District of Columbia such sums as may be necessary to pay the expenses of administering and carrying out the purposes of this Act.

REORGANIZATION

SEC. 22. Nothing in this Act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners may be delegated by said Board of Commissioners in accordance with section 3 of such plan.

EFFECTIVE DATE

SEC. 23. This Act shall take effect one hundred and twenty days after funds are appropriated for the purpose of administering the provisions of this Act.

TISSUE BANKS IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 2321) to encourage and aid the development of reconstructive medicine and surgery and the development of medicosurgical research by authorizing the licensing of tissue banks in the District of Columbia, by facilitating antemortem and postmortem donations of human tissue for tissue bank purposes, and for other purposes, which had been reported from the Committee on the District of Columbia, with amendments,

on page 3, line 4, after the word "persons," to strike out "holding valid licenses as physicians or osteopaths" and insert "duly licensed or duly registered as physicians"; on page 5, line 10, after the word "Any", to strike out "physician, osteopath," and insert "physician"; on page 6, line 2, after the word "any", to strike out "physician, osteopath," and insert "physician"; on page 8, line 6, after "Sec. 10.", to insert "Movement and Disposition of Tissue by Tissue Banks."; on page 9, line 1, after "Sec. 11.", to insert "Removal of Tissue Immediately After Death."; at the beginning of line 8, to strike out "or osteopath licensed" and insert "duly licensed or duly registered"; in line 22, after "Sec. 12.", to insert "Exemption of Licensed Undertakers From Act."; on page 10, line 12, after "Sec. 13.", to insert "Coordination of Act with Reorganization Plan No. 5.", and in line 22, after "Sec. 14.", to insert "Effective Date."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Tissue Bank Act".

SEC. 2. STATEMENT OF POLICY AND PURPOSE.—Because of the rapid medical progress in the field of tissue preservation, tissue transplantation, and tissue culture, and because it is in the public interest to aid the development of this field of medicine, it is the policy and purpose of Congress in enacting this Act to encourage and aid the development of reconstructive medicine and surgery and the development of medicosurgical research by providing for the licensing and regulation of tissue banks, and by facilitating antemortem and postmortem authorizations for donations of tissue.

SEC. 3. DEFINITIONS.—For the purposes of this Act, except where the context indicates a different meaning—

"Commissioners" means the Commissioners of the District of Columbia or their designated agent.

"Donor" means any person who, in accordance with the provisions of this Act, bequeaths or donates his tissue for removal after death in furtherance of the purposes of this Act, and also means any deceased person whose tissue is donated or disposed of for the purposes of this Act.

"Tissue" means any portion of the body of a dead human.

"Tissue bank" means a facility for procuring, removing, and disposing of portions of bodies of dead humans for the purposes of reconstructive medicine and surgery, and research and teaching in reconstructive medicine and surgery.

SEC. 4. TISSUE BANK LICENSES AND REGULATIONS.—(a) No person shall operate any tissue bank in the District of Columbia without a valid license issued pursuant to this Act. No such license shall be issued except to persons duly licensed or duly registered as physicians under the Healing Arts Practice Act of the District of Columbia (45 Stat. 1326; title 2, ch. 1, D.C. Code, 1951 ed.) or to persons holding valid licenses to operate and maintain hospitals for humans pursuant to the Act entitled "An Act to regulate the establishment and maintenance of private hospitals and asylums in the District of Columbia", approved April 20, 1908 (35 Stat. 64; D.C. Code, 1951 ed., title 32, ch. 3).

(b) The Commissioners are authorized, after public hearing, to adopt and promulgate rules and regulations prescribing, without limitation, (1) the terms and conditions under which a tissue bank license may be issued and renewed; (2) the fees to be paid for the issuance and renewal of such licenses; (3) the duration of such licenses; (4) the grounds for suspension and revocation of such licenses; (5) the operation of tissue banks; (6) the conditions under which tissue may be processed, preserved, stored, and transported; and (7) the making, keeping, and disposition of records by tissue banks or by other persons processing, preserving, storing, or transporting tissue.

(c) The Commissioners may, after notice and hearing, deny, suspend, or revoke any tissue bank license issued or applied for pursuant to this Act.

(d) Any person aggrieved by any final decision or final order of the Commissioners denying, suspending, or revoking any tissue bank license or renewal thereof, issued, or applied for under this Act, may obtain a review of such decision or order in the municipal court of appeals for the District of Columbia, and may seek review by the United States Court of Appeals for the District of Columbia of any judgment of the municipal court of appeals entered pursuant to its review of any such decision or order, all in accordance with subsection (f) of section 7 of the Act approved April 1, 1942, as added by the Act approved August 31, 1954 (68 Stat. 1048; sec. 11–772, D.C. Code, 1951 ed.).

(e) Except with respect to the provisions as to licensing, the provisions of this Act, and the regulations made pursuant thereto, shall apply to Federal agencies situated in the District of Columbia, and to District of Columbia agencies.

SEC. 5. PENALTIES.—Any person violating any provision of this Act, or any regulation made pursuant to this Act, shall be fined not more than $300, or be imprisoned for not more than ninety days. Prosecution for violations of this Act and regulations made pursuant thereto shall be brought in the name of the District of Columbia.

SEC. 6. DONATION OF TISSUE.—(a) Any person who, under the law of the District of Columbia, has capacity to make a valid will, may by will, codicil, or any written statement donate his tissue for the purposes of this Act. Any person who, in accordance with this Act, donates his tissue may, but shall not be required to, designate the purpose for which his tissue is to be used. Any physician or hospital validly operating a tissue bank shall have full authority to take the tissue so donated and use the same for the purposes enumerated in this Act.

(b) No particular words shall be required for such person to donate his tissue, but any will, codicil, or written statement shall be liberally construed to effectuate the intent and purpose of the person desiring to donate his tissue for any purpose authorized by this Act. If, pursuant to this section or sections a person donates tissue by a written statement other than by a will or codicil, such statement shall be signed by him and be witnessed by two persons of legal age.

(c) A provision in any will, codicil, or written statement which donates tissue as provided by this Act shall become effective immediately upon the death of the testator or donor, and shall constitute the authority for any physician or hospital validly operating a tissue bank to remove said tissue.

SEC. 7. TISSUE DONATIONS BY THOSE HAVING RIGHT TO BODY.—Any person having the right to a body for the purpose of burial may by a written statement donate any tissue from such body to any tissue bank, and in such written statement may designate the purpose or purposes for which such tissue is to be used. Such writing shall constitute full authority for the tissue bank to use such tissue for the purposes of this Act.

SEC. 8. PERSONS ENTITLED TO THE BODY.—For the purposes of this Act, the order of priority in which persons are entitled to the body for burial and who may donate tissue therefrom shall be the following:

(a) The surviving spouse.

(b) If there be no surviving spouse, or if the surviving spouse is incompetent, unavailable, or does not claim the body for burial, then an adult child, a parent, an adult brother, or an adult sister of the decedent. Any one of such persons may make such donation: *Provided,* That tissue shall not be removed pursuant to a donation made by any one of such persons designated in this subsection if, before such tissue is removed, any one of such persons shall, in writing, notify the tissue bank which is to remove the tissue that he objects to such removal.

(c) Any person whom the deceased during his lifetime designated by written instrument to take charge of his body for burial.

(d) The person or agency who or which assumes custody of the body for burial, in any case in which the person designated as provided in paragraph (c) or all of the persons mentioned in paragraph (a) or (b) of this section have failed to claim the body.

SEC. 9. OFFICE OF THE CORONER.—(a) The Commissioners are authorized to appoint such number of licensed physicians as they deem appropriate to perform such of the functions of the Coroner of the District of Columbia as the Commissioners shall prescribe. The Commissioners are authorized to fix the compensation of such physicians at a rate or rates not in excess of the per diem equivalent of the maximum rate for grade 18 of the General Schedule of the Classification Act of 1949, as amended. The Commissioners are further authorized, in their discretion, to accept the services of such physicians without compensation.

(b) The Coroner of the District of Columbia may, in his discretion, allow tissue to be removed from any dead human body in his custody or under his jurisdiction: *Provided,* That such tissue removal shall not interfere with other functions of the Office of the Coroner: *Provided further,* That the person who, in accordance with section 8 of this Act, is entitled to the body for burial, shall first authorize such tissue removal.

SEC. 10. MOVEMENT AND DISPOSITION OF TISSUE BY TISSUE BANKS.—Sections 675 and 676 of the Act entitled "An Act to establish a code of laws for the District of Columbia", approved March 3, 1901 (31 Stat. 1296), as amended by the first section of the Act approved September 22, 1950 (64 Stat. 904; sec. 27–119a, D.C. Code, 1951 ed.), are amended (a) by striking, in the first sentence of such sections, the words "remove, transport,"; (b) by inserting immediately after "designate," in such first sentence the following: "or to remove from place to place, or transport, the dead body, or any part thereof, of a human being, except"; and (c) by inserting immediately after such first sentence of such sections the following: "Notwithstanding the provisions of the preceding sentence, the Commissioners may, in their discretion, by regulation authorize (a) tissue banks operating pursuant to the District of Columbia Tissue Bank Act or (b) other persons subject to regulations made pursuant to such Act, or both, to remove, transport, and dispose of tissue taken from such dead body without such permit."

SEC. 11. REMOVAL OF TISSUE IMMEDIATELY AFTER DEATH.—Section 683 of the Act entitled "An Act to establish a code of laws for the District of Columbia", approved March 3, 1901 (31 U.S.C. 1298; sec. 27–125, D.C. Code, 1951 ed.), is amended by adding at the end thereof the following: "Notwithstanding the provisions of this section, whenever any person is pronounced dead by a physician duly licensed or duly registered under the Healing Arts Practice Act of the District of Columbia (45 Stat. 1326; title 2, ch. 1, D.C. Code, 1951

ed.), tissue donated in accordance with the provisions of the District of Columbia Tissue Bank Act may be removed by or under the supervision of a person licensed under the authority of section 4 of such Act for preservation in a tissue bank operating pursuant to such Act, without regard for any time limitation, or for any permit or certificate requirement, established by this section: *Provided,* That with respect to a dead human body in the custody of the Coroner or under his jurisdiction, no tissue shall be removed therefrom for preservation except with the specific approval of the Coroner in each case."

SEC. 12. EXEMPTION OF LICENSED UNDERTAKERS FROM ACT.—Nothing in this Act shall be construed (1) to prohibit undertakers licensed pursuant to paragraph 44A of section 7 of the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, as amended (61 Stat. 711; sec. 47–2344a, D.C. Code, 1951 ed.), from discharging their duties, or (2) to prohibit or affect in any way the authority, duties, rights, or obligations vested, imposed, or granted by the Act entitled "An Act for the promotion of anatomical science and to prevent the desecration of graves in the District of Columbia", approved April 29, 1902 (32 Stat. 173, D.C. Code, 1951 ed., title 2, ch. 2).

SEC. 13. COORDINATION OF ACT WITH REORGANIZATION PLAN NO. 5.—Nothing in this Act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners may be delegated by said Board of Commissioners in accordance with section 3 of such plan.

SEC. 14. EFFECTIVE DATE.—This Act, except section 4, shall take effect upon approval. Section 4 shall take effect sixty days after the Commissioners have initially promulgated regulations pursuant to such section.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

ALIEN EMPLOYMENT IN SCIENTIFIC OR TECHNICAL CAPACITY

The bill (S. 2236) to authorize the Secretary of Commerce to employ aliens in a scientific or technical capacity, was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce to the extent he determines to be necessary, and subject to such investigations as he may determine to be appropriate, is authorized to employ and compensate aliens in a scientific or technical capacity without regard to statutory provisions prohibiting payment of compensation to aliens.

FISHERY LOAN FUND

The bill (H.R. 206) to facilitate administration of the fishery loan fund established by section 4 of the Fish and Wildlife Act of 1956, and for other purposes, was considered, ordered to a third reading, was read the third time, and passed.

PROPERTY MOVING IN INTERSTATE COMMERCE

The bill (H.R. 2429) to prohibit destruction of, or injury to, certain property moving in interstate or foreign commerce, and for other purposes, was considered, ordered to a third reading, was read the third time, and passed.

LANDING OF FISH OF FOREIGN-FLAG VESSELS IN VIRGIN ISLANDS

The bill (H.R. 3159) to permit certain foreign-flag vessels to land their catches of fish in the Virgin Islands in certain circumstances, and for other purposes, was considered, ordered to a third reading, was read the third time, and passed.

CITIZENS OF TRUST TERRITORY OF PACIFIC ISLANDS TO BE CADETS AT U.S. MERCHANT MARINE ACADEMY

The bill (H.R. 3296) to authorize the Secretary of Interior to nominate citizens of the Trust Territory of the Pacific Islands to be cadets at the U.S. Merchant Marine Academy, was considered, ordered to a third reading, was read the third time, and passed.

BILL SENT TO FOOT OF CALENDAR

The bill (H.R. 3788) to provide for the transfer of the U.S. vessel *Alaska* to the State of California, for the use and benefit of the department of fish and game of such State, was announced as next in order.

Mr. MORSE. Mr. President, I ask that the bill go to the foot of the calendar and that someone seek information from the Senator from Washington [Mr. MAGNUSON] as to the benefit to the Federal Government in dollars and cents from such a transfer.

The PRESIDING OFFICER. The bill will go to the foot of the calendar.

PRINTING OF HEARINGS AND REPORTS, SUBCOMMITTEE ON NATIONAL POLICY MACHINERY

The concurrent resolution (S. Con. Res. 39) to print 3,000 copies of a compilation of the hearings, reports, and committee prints of the Subcommittee on National Policy Machinery, was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Government Operations three thousand copies each of volumes 1, 2, and 3 of a compilation of the hearings, reports, and committee prints of its Subcommittee on National Policy Machinery issued during the Eighty-sixth and Eighty-seventh Congresses.

BILL PASSED OVER

The bill (S. 230) to make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior, was announced as next in order.

Mr. BARTLETT. Over, Mr. President, as not properly calendar business.

The PRESIDING OFFICER. The bill will be passed over.

PRINCESS ANNE COUNTY SCHOOL BOARD, VIRGINIA

The bill (H.R. 1627) for the relief of the Princess Anne County School Board, Virginia, was considered, ordered to a third reading, was read the third time, and passed.

NOTICE OF APPLICATIONS TO U.S. COURTS OF APPEALS

The bill (H.R. 5656) to provide for reasonable notice of applications to the U.S. courts of appeals for interlocutory relief against the orders of certain administrative agencies, was considered, ordered to a third reading, was read the third time, and passed.

BILLS PASSED OVER

The bill (H.R. 6691) to amend title 18, United States Code, sections 871 and 3056, to provide penalties for threats against the successors to the Presidency, to authorize their protection by the Secret Service, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2395) to amend the Railroad Retirement Act of 1937 to provide reduced annuities to male employees who have attained age 62, and for other purposes, was announced as next in order.

Mr. BARTLETT. Over, Mr. President, as not properly calendar business.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 5968) to amend the District of Columbia Unemployment Compensation Act, as amended, was announced as next in order.

Mr. FONG. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2491) to permit the application of the bulk commodity exemption when other commodities are concurrently transported in the same vessel, was announced as next in order.

Mr. BARTLETT. Over, Mr. President, by request.

The PRESIDING OFFICER. The bill will be passed over.

DELEGATION OF CERTAIN DUTIES UNDER INTERSTATE COMMERCE ACT

The bill (H.R. 8033) to amend section 17 of the Interstate Commerce Act so as

to authorize the delegation of certain duties to employee boards, was considered, ordered to a third reading, was read the third time, and passed.

LEGAL STUDY OF THE BERLIN SITUATION

Mr. DIRKSEN. Mr. President, sometime back I asked the distinguished senior Senator from New York [Mr. JAVITS] to make a legal study of the Berlin situation for the benefit of his colleagues, and this has been done.

In collaboration with Mr. Martin J. Clancy, of the Republican policy committee staff, he has developed an absolutely complete and accurate memorandum setting forth all of the communications, agreements and other data which constitute the basis for the contentions of the United States with respect to its legal rights and occupational rights in Berlin. I believe this will be a very useful document for all Members of the Senate, and I therefore ask unanimous consent to have it printed as a part of my remarks.

I salute the distinguished Senator from New York for doing a masterly job.

There being no objection, the legal study was ordered to be printed in the RECORD, as follows:

BERLIN

1. Berlin has had a special status ever since Allied planning began during World War II with respect to Germany. The agreements bearing upon the occupation of Germany, providing for separate zones of occupation, and establishing an overall Allied governing authority, in each instance made separate provisions for a joint Four Power occupation of Berlin. The following may be cited as examples:

(a) "Conditions of Surrender of Germany" (submitted by the U.S.S.R. at the February 18, 1943, meeting of the European Advisory Commission (EAC)).

(b) "Protocol on the Zones of Occupation in Germany and the Administration of Greater Berlin," September 12, 1944, EAC (final form included France, as of July 1945, ratified August 1945 by Four Powers). In its final form this protocol contained the following provisions:

(1) "Germany within her frontiers as they were on the 31st of December, 1937, will for the purposes of occupation, be divided into four zones, one of which will be allotted to each of the Four Powers, and a special Berlin area, which will be under joint occupation by the Four Powers."

(5) "An Inter-Allied Governing Authority (Kommandatura) consisting of four commandants, appointed by their respective commanders in chief, will be established to direct jointly the administration of the Greater Berlin area."

(c) Four Powers statement issued on zones of occupation and governing by Inter-Allied Authority, June 5, 1945.

(d) In addition, the West's position rests upon the agreements of the Potsdam Conference of Truman, Churchill, and Stalin, in the summer of 1945. At this conference the Three Powers declared that Germany was to be treated as a single economic unit, and that with some readjustment of its boundaries it was to be reestablished as one nation. Indeed, in setting "eventual peaceful cooperation in international life," as a goal, the agreement spoke of "Germany," not of "two or more Germany's." Stalin, himself, advocated at this time a single Germany. In his proclamation to the people, May 8, 1945, he declared that "the Soviet Union does not intend to dismember or destroy Germany."

(NOTE.—Greater Berlin is still occupied territory. Under the Four Power agreement June 5, 1945 it was to become the capital of a united Germany.)

The real difficulty comes from the radically different aims of the Western Powers and the U.S.S.R. as to Germany. The West proposes free elections for a unified democratic Germany, with Berlin as its capital. The Soviet Union proposes a divided Germany, has forcibly communized its own zone of occupation and Berlin sector; and presumably hopes eventually to drag West Berlin into the Communist orbit.

Insofar as West Berlin is concerned, it has been allowed by the Western Powers to establish certain connections with the Federal German Republic. The basic law of the Republic refers to Berlin as one of the "lands" thereof. However, the Federal German Republic recognizes the fact of occupation, as indicated by the following quotations from one of its official publications:

"Under the basic law, West Berlin is a 'land' of the Federal Republic. Because of the Four Power agreements of 1945, it cannot be governed through the Bund, and the application of the basic law to Berlin is still subject to certain restrictions. The West Berlin representatives in the Bundestag and Bundesrat have, therefore, only a consultative status.

"The special status of Berlin means that in practice neither the agreements on the termination of the occupation regime (in the Western Zones of occupation), nor the Western European treaty nor the soldier's law can be applied to the city, which remains under a mitigated occupation statute and Four Power control, though in practice this has not been exercised for years."

It is worth noting that the East German regime has military units stationed in East Berlin, in violation of the Four Power agreements. Since Berlin is an occupied territory, the Western Powers have not permitted West German (German Federal Republic) troops to enter West Berlin.

In summary, it must be said that the occupation of Berlin continues according to a Four Power agreement which cannot be unilaterally terminated. Rather than seeking for an exact legal precedent, let us concede that we have here a unique situation—an occupation "sui generis"—but an occupation nevertheless.

2. The right of access to Berlin by the Western Powers through and over the Soviet Zone of occupation was taken for granted after the German surrender as is indicated by the following:

(a) Message, President Truman to the heads of Governments of the other Three Powers, June 14, 1945, with reference to withdrawal of American troops from Soviet Zone, and arrangements for "simultaneous movements of national garrisons into Greater Berlin and provision for free access by air, road, and rail from Frankfurt and Bremen for U.S. forces."

(b) Reply by Premier Stalin, June 18, 1945, "On our part all necessary measures will be taken in accordance with the above-stated plan."

(c) It should be noted that at this time Russian forces occupied all of Berlin, while American and British forces were well over 100 miles into Soviet Zone of occupation.

3. This right of access to Berlin was spelled out in clear and unmistakable terms both as to routes and free passage, in the following manner:

(a) Upon instructions, General Clay (United States), General Meeks (United Kingdom), and Marshal Zhukov (U.S.S.R.), met on June 29, 1945, and worked out the arrangements as to specific air, rail, and motor routes of entry into Berlin for the Western Powers. These agreements were not formalized as written treaties.

(b) These rights of access were reaffirmed by the Four Powers in various subordinate agreements by such agencies as the Coordinating Committee (Allied Control Council's top working level committee), and the special committees appointed to deal with each kind of transportation.

4. The illegal Soviet blockade of the Western Powers' routes of access by motor, rail, and water was ended under the New York Four Power Agreement of May 4, 1949:

"All the restrictions imposed since March 1, 1948, by the Government of the Union of Soviet Socialist Republics on communications, transportation, and trade between Berlin and the Western Zones of Germany and between the Eastern Zone and the Western Zones will be removed on May 12, 1949."

This was followed by the Paris communique, June 20, 1949, of the Four Power Ministers, which acknowledged the Western Powers' right of access, and made mandatory the resumption of normal communications between the Western Zones and Berlin, and between the sectors in Berlin. This communique included the following paragraph:

"The Governments of France, the Union of Soviet Socialist Republics, the United Kingdom, and the United States agree that the New York agreement of May 4, 1949, shall be maintained. Moreover, in order to promote further the aims set forth in the preceding paragraphs and in order to improve and supplement this and other arrangements and agreements as regards the movement of persons and goods and communications between the Eastern Zone and the Western Zones and between the zones and Berlin and also in regard to transit, the occupation authorities, each in his own zone, will have an obligation to take the measures necessary to insure the normal functioning and utilization of rail, water, and road transport for such movement of persons and goods and such communications by post, telephone, and telegraph."

5. The latest Soviet claim is that the Western Powers have violated the agreement that their air corridors were to be used to carry only troops and officials of these countries. The following facts refute this claim:

(a) No such restrictions as to type of passenger, nationality thereof, or cargo were included in the original agreements as to these routes of access.

(b) The agreement of November 30, 1945, approved by the Allied Control Council, reaffirmed the three flight corridors, 20 miles in width, from the West to Berlin, as previously arranged for on June 29, 1945. Rather than the restrictive terms now claimed by the Soviets, this agreement contained the following language:

"Flights over these routes will be conducted without previous notice being given by aircraft of the nations governing Germany."

(c) In 1947, in a memorandum filed with the Berlin Air Safety Center, jointly operated by the Four Powers, the Russians used precisely the same language as quoted above when referring to the Western Powers' right of air access.

(d) This unrestricted right of air access has been confirmed by its exercise for over 16 years by the Western Powers.

6. There is no legal basis for the U.S.S.R.'s attempts to repeal these rights by unilateral denunciation, since these rights are based on multilateral agreements with no termination date. Nor can the Soviet Union transfer its purported control over these rights to a third party. The East German regime cannot acquire legal powers in the Soviet Zone or Berlin sector which the Soviets themselves have no authority to give.

7. The U.S.S.R. makes the general claim that the treaties and agreements heretofore cited are no longer valid. It argues that East Germany and East Berlin have been administered as separate governmental units for 16 years, and thus present circumstances as compared with those of 1945 are materially changed. The Soviet Union therefore claims to be free to make a peace treaty with the East German regime, recognizing it as sovereign and at that point vesting it with full governmental authority over the whole of its territory, including West Berlin which is physically within this territory.

(a) Its contention is that the international law doctrine of "clausula rebus sic stantibus" is now applicable. It would be more accurate to refer to the latter as a legal maxim rather than a doctrine, for it has neither been defined by an international tribunal nor by a treaty between states. There is no one definition upon which a majority of jurists agree. Nevertheless, most students of international law would find acceptable the following definition: "Obligations of a treaty terminate when a change occurs in those circumstances which existed at the time of the conclusion of the treaty, and whose continuance formed, according to the intention or wills of the parties, a condition of the continuing validity of the treaty" (citing Chesney Hill, in Herbert Briggs' "The Law of Nations," 2d ed., pp. 917–918).

(b) As to the Soviet resort to this doctrine in the present situation, it should be noted that there is nothing in international law allowing for a unilateral application thereof in order to terminate a treaty:

"It remains true that customarily international law lays down the rule that a party who seeks release from a treaty on the ground of a change of circumstances has no right to terminate the treaty unilaterally, and that recognition that the doctrine is applicable must be obtained either from the parties to the treaty or from some competent international authority" (citing Hill in Briggs, ibid.).

"The principle is well established that one party to a treaty does not have the right to terminate its treaty obligations unilaterally merely on the grounds that it believes that the doctrine 'rebus sic stantibus' is applicable to the treaty" (citing Harvard Research in Briggs, ibid., p. 918).

(c) It is interesting to note as well that for many years Soviet jurists have rejected the doctrine of "rebus sic stantibus" as undermining the more basic concept of "pacta sunt servanda" (cf. R. Schlesinger, "Soviet Legal Theory"; W. W. Kulski, "Soviet Comments on International Law," 46 American Journal of International Law 719, 1952; Julius Stone, "Legal Controls of International Conflict," p. 62).

(d) It cannot be denied that the Soviet Union bears the responsibility for the conditions which so far have made unification of Germany or Berlin by free, democratic processes impossible. The doctrine of "rebus sic stantibus" cannot be invoked against the occupation agreements by the very nation which has made the aims of the same agreements impossible of achievement.

(e) Lapse of time in itself does not affect the Four Power agreements, for no terminal point as to the occupation was set forth in such agreements, nor need there be one so long as the purposes of the occupation are not yet fully accomplished.

(f) If conditions have changed, the goals of the occupation have not, and indeed, it would seem even more necessary today that Berlin be occupied. Regardless of illegal changes made by the Soviet Union there remains as well the need of access to support the occupation. Occupation and free access to Berlin, and between the sectors of Berlin, have a legal basis grounded in the Four Power agreements to aid in the establishment of a united, democratic Germany.

8. Based upon all of these commitments, the contentions of the Western Powers fall into focus, giving a sound legal basis to their present position. The Western Powers seek to carry out the commitments as to the joint administration of all Berlin, East and West alike, with a special status for the Four Powers in Berlin until the unification of Germany has been achieved. In the absence of free elections, the U.S.S.R. cannot reasonably claim that the reunification of Germany has now become so impossible as to no longer remain an attainable condition.

9. Legal analysis still leaves open the problem of what can be considered negotiable between the Four Powers within this frame of reference. First, the freedom and independence of West Berlin is not negotiable. Secondly, access to West Germany for the Three Powers in Berlin must be secure; it must also include access for those who live and work there.

But given a genuine will to negotiate successfully on the part of the Soviet Union, there are some alternatives. In this regard it is not enough to deal with Berlin and the question of German unification which is, of course, directly involved and the question of peace treaties with the two Germanys, but these discussions should be extended to other matters, including the Communist position in south and southeast Asia where there is growing pressure upon Vietnam and where the Lao situation is not yet settled; and including even the situation with regard to the negotiations for a nuclear test ban and for disarmament; and also the Communist pressures exercised upon the whole free world, for example, in Latin America, through Cuba and Castro and the very active Communist activity among the new nations of Africa. In short, if the area of discussion among the Foreign Ministers is to be widened to include many other problems which are causing the present buildup of tension in addition to Berlin and the German crisis, there is more elbowroom for negotiations among the parties.

Now this is not to say that there is not an area for negotiation in respect to Berlin and Germany as well. It may be possible to negotiate on the size of the Western garrison needed to maintain the allied presence in Berlin. No one would argue seriously that the forces now committed there are strong enough to defend the city against a massive Communist assault, and since they are therefore primarily a token of allied rights in Berlin, the character and size of the token to be present could be a subject of negotiation. It might perhaps be possible even to include troops from small neutral countries with those of the Allied and Soviet Powers. A source of friction could be removed by employing the United Nations to monitor the allied access corridors between West Berlin and West Germany and for other duties of the same kind.

There are also many questions of economic relations between West and East Germany that are negotiable. There are monetary matters; there are matter of workers moving from East Berlin to West Berlin. All of these can certainly be discussed.

Resort to the United Nations should be had only if negotiations become deadlocked and a threat to peace arises as a result. The Security Council can take up this threat to peace and may be able to keep discussions going. If a resolution is decided on by the West in spite of the likely Soviet veto, further steps can be taken in the General Assembly. While there is little likelihood that an imposed solution can be acceptable, the General Assembly can help to preserve the status quo in Berlin.

BILL PASSED OVER

The bill (H.R. 7482) to amend the Life Insurance Act of the District of Columbia approved June 19, 1934, as amended, was announced as next in order.

Mr. FONG. Mr. President, over.

The PRESIDING OFFICER. The bill will be passed over.

ADDITIONAL DISTRICT OF COLUMBIA JUDGES FOR JUVENILE COURT

The bill (S. 486) to provide for the appointment of two additional judges for the juvenile court of the District of Columbia was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BIBLE. Mr. President, reserving the right to object—and I shall certainly not object—the bill is most important proposed legislation. The bill has been before the Senate a number of times. The juvenile delinquency problem in the District of Columbia is a critical one and is growing worse hour by hour. We have done our level best to add additional judicial manpower to the court system in the District of Columbia.

A bill on this subject has passed in the House of Representatives. I hope by the passage of the pending bill, we can look forward to a conference in order to reconcile the differences between the two Houses, with the objective in mind that, having more judges, we shall be able to try to reduce a backlog of approximately 2,000 cases as of today. I certainly hope that through the passage of the bill we can get to conference and resolve the problem that has stayed with us too long.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BIBLE. Mr. President, I have no objection.

The bill (S. 486) was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 19 of the Juvenile Court Act of the District of Columbia, approved June 1, 1938, as amended (D.C. Code, sec. 11–920), is amended to read as follows:

"APPOINTMENT, QUALIFICATIONS, OATHS, AND SALARY OF JUDGES

"SEC. 19. (a) The juvenile court of the District of Columbia shall consist of three judges learned in the law and appointed by the President, by and with the advice and consent of the Senate. Each judge appointed after the date of the enactment of this subsection shall serve for a term of ten years or until his successor is appointed and qualified.

"(b) To be eligible for appointment as judge of the juvenile court a person must

(1) have been a member of the bar of the District of Columbia for a period of five years preceding his appointment, (2) during a period of ten years immediately preceding his appointment, have been a resident of the District of Columbia or of the metropolitan area of the District for at least five years, of which not less than three years shall immediately precede his appointment, and (3) have a broad knowledge of social problems and procedures and an understanding of child psychology. For the purpose of this subsection the term 'metropolitan area of the District' means Montgomery and Prince Georges Counties in Maryland and Arlington and Fairfax Counties and the cities of Alexandria and Falls Church in Virginia. Each judge shall, before entering upon the duties of his office, take the oath prescribed for judges of the courts of the United States.

"(c) The President shall designate one of the judges to be the chief judge of the juvenile court. The chief judge shall be responsible for the administration of the court. During the temporary absence or disability of the chief judge, the associate judge of the juvenile court designated by the chief judge or acting chief judge of the United States District Court for the District of Columbia shall be responsible for the administration of the court. The salary of the chief judge shall be equal to the salary of the chief judge of the municipal court for the District of Columbia, and the salary of each associate judge shall be equal to the salary of an associate judge of the municipal court for the District of Columbia."

SEC. 2. The judge of the juvenile court of the District of Columbia who, on the date of the enactment of this Act, is occupying the position of judge created by the Juvenile Court Act of the District of Columbia, approved June 1, 1938, shall continue in office and shall be deemed to be occupying one of the three positions of judge provided for by section 19 of such Act, as amended by the first section of this Act, until the term for which he was appointed shall expire and his successor is duly appointed and qualified. Such judge shall be entitled to compensation in accordance with the provisions of section 19 of the Juvenile Court Act of the District of Columbia as amended by the first section of this Act.

SEC. 3. (a) Section 20 of the Juvenile Court Act of the District of Columbia is amended by striking out "death of the" and inserting in lieu thereof "death of any".

(b) Sections 3 and 27 of such Act are amended by striking the word "judge" wherever it appears therein and inserting in lieu thereof the word "judges".

(c) Sections 22 and 24 of such Act are amended by inserting the word "chief" immediately before the word "judge" wherever the same appears therein.

(d) Sections 5, 13, 26, and 36 of such Act are amended by striking out "the judge" wherever it appears in such sections and inserting in lieu thereof "a judge".

(e) Section 23 of such Act is amended (1) by striking from the second sentence "the judge" and inserting in lieu thereof "a judge"; and (2) by striking out "the judge as he may direct and keep full records of its work", and inserting in lieu thereof "the court as it may direct and such department shall keep full records of its work".

(f) Subsection (b) of section 28 of such Act is amended by striking out "The judge may also provide by rule or", and inserting in lieu thereof "The court may also provide by rule or a judge may provide by".

(g) Section 42 of such Act is amended by striking out "judge and other".

SEC. 4. Section 21 of the Juvenile Court Act of the District of Columbia is amended by striking the word "judge" and inserting in lieu thereof the word "court".

SEC. 5. The Juvenile Court Act of the District of Columbia is amended by adding at the end thereof the following new section:

"SEC. 45. The chief judge or the acting chief judge of the juvenile court shall submit to the Attorney General of the United States and to the President of the Board of Commissioners of the District of Columbia a detailed quarterly report of the work of the court, such report to be made within thirty days of the end of the quarter, and to include the number of juvenile and adult cases heard, the number of juvenile and adult cases calendared, the number of juvenile and adult complaints filed, the number of juvenile cases closed without court hearing, moneys collected for fines and support of legitimate and illegitimate family members, and such other information as may reflect the court's operation and volume of work. A copy of such report shall be kept in the office of the clerk of the court and be subject to public inspection during the regular hours that the court shall be open for business."

SEC. 6. Wherever in any laws of the United States reference is made to the judge of the juvenile court of the District of Columbia such reference shall be construed to mean any judge of such court.

Mr. BARTLETT. Mr. President, I ask that the call of the calendar be concluded with the bill last considered, because reports on the remaining bills came in too late for study.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

ESTABLISHING WHITE HOUSE AS NATIONAL MONUMENT

Mr. BARTLETT. Mr. President, I ask unanimous consent that the Senate return to the consideration of Calendar No. 791, Senate bill 2422, since the distinguished Senator from Nevada [Mr. BIBLE] is now present in the Chamber.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2422) to establish the White House as a national monument.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, to strike out all after the enacting clause and insert:

That all of that portion of reservation numbered 1 in the city of Washington, District of Columbia, which is within the President's park enclosure, comprising eighteen and seven one-hundredths acres, shall continue to be known as the White House and shall be administered pursuant to the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–3), and Acts supplementary thereto and amendatory thereof. In carrying out this Act primary attention shall be given to the preservation and interpretation of the museum character of the principal corridor on the ground floor and the principal public rooms on the first floor of the White House, but nothing done under this Act shall conflict with the administration of the Executive offices of the President or with the use and occupancy of the buildings and grounds as the home of the President and his family and for his official purposes.

SEC. 2. Articles of furniture, fixtures, and decorative objects of the White House, when declared by the President to be of historic or artistic interest, together with such similar articles, fixtures, and objects as are acquired by the White House in the future when similarly so declared, shall thereafter be considered to be inalienable and the property of the White House. Any such article, fixture, or object when not in use or on display in the White House shall be transferred by direction of the President as a loan to the Smithsonian Institution for its care, study, and storage or exhibition, and such articles, fixtures, and objects shall be returned to the White House from the Smithsonian Institution on notice by the President.

SEC. 3. Nothing in this Act shall alter any privileges, powers, or duties vested in the White House Police and the United States Secret Service, Treasury Department, by section 202 of title 3, United States Code, and section 3056 of title 18, United States Code.

The amendment was agreed to.

Mr. BIBLE. Mr. President, I offer an amendment to the title, which I send to the desk and ask to have stated.

Mr. KEATING. Mr. President, will the Senator yield for a question?

Mr. BIBLE. I am happy to yield.

Mr. KEATING. What is involved in the establishment of the White House as a national monument? Are the words "national monument" words of art?

Mr. BIBLE. The amendment I have offered is directed to exactly that point. If the Senator from New York will permit the amendment to be read, I think it may answer the question he has in mind.

The PRESIDING OFFICER. Without objection, the amendment will be read.

The LEGISLATIVE CLERK. It is proposed to amend the title so as to read: "A bill concerning the White House and providing for the care and preservation of its historic and artistic contents".

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nevada.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. KEATING. I believe that the actual bill has another title. I have always thought of a national monument as something stodgy and dull—an edifice with pillars—which is certainly not in keeping with the spirit of the White House or the present occupants of the White House. We have the youngest first family in history. To make their surroundings a national monument would seem to me to be very unwise.

If Larry O'Brien wanted to call Senators, he would have to say he had "word from the President's national monument." Such a greeting, I am afraid, would not be in keeping with present practices and ideas.

Mr. BIBLE. Mr. President, for that reason we have offered an amendment to strike out all after the enacting clause and to insert new language, the effect of which would merely continue the White House as it is, to be administered pur-

suant to the National Park Act. It has no characteristics of a national monument. The particular section of the bill which is most important is section 2. The section provides:

SEC. 2. Articles of furniture, fixtures, and decorative objects of the White House, when declared by the President to be of historic or artistic interest, together with such similar articles, fixtures, and objects as are acquired by the White House in the future when similarly so declared, shall thereafter be considered to be inalienable and the property of the White House. Any such article, fixture, or object when not in use or on display in the White House shall be transferred by direction of the President as a loan to the Smithsonian Institution for its care, study, and storage or exhibition, and such articles, fixtures, and objects shall be returned to the White House from the Smithsonian Institution on notice by the President.

The question was raised in the committee that the White House should not be a national monument. The committee went along with the suggestion. I believe we have approximately 83 national monuments throughout the United States. We did not want to characterize the White House as one of them.

The bill is more or less of a bookkeeping provision. It provides that as the occupants of the White House change from presidential election to presidential election, tastes may vary and the desires of the various occupants may change. If they desire to remove furniture which is in the White House, they may do so, and the able Superintendent of the Smithsonian Institution, Mr. Carmichael, has agreed that such furniture can be consigned to his care and it will be left in the Smithsonian Institution for future generations to see.

The furniture that graced the White House during the terms of office of President Eisenhower, President Truman, President Roosevelt, President Kennedy, or whoever it might be, will always be available, but the designation of the White House as a national monument has been completely removed from the bill.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. KEATING. I think the suggestion is a constructive one. We are all familiar with the fine work that the present First Lady has done in embellishing the White House in accordance with her unusually good taste.

The White House has been enriched in meaning because of the dedication and good taste of its present occupants. It is gratifying to note that this splendid tradition is being carried on in most praiseworthy fashion by our present Chief Executive and the charming and talented First Lady. It has been a pleasure to learn of the First Lady's warm personal concern with the decorating of the White House and with the preservation of the time-mellowed symbols and attributes of our national past.

Mr. President, I am very happy to have been assured that from now on when we call the White House we shall not receive the answer, "President's National Monument." I certainly think that the amendment would make a great improvement in the bill.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. BARTLETT. In addition, we now have the assurance of the Senator from Nevada that in the future furniture will be placed on loan with the Smithsonian.

Mr. HOLLAND. Mr. President, I wonder if the Senator from Nevada will yield for a question?

Mr. BIBLE. I am delighted to yield to my distinguished friend.

Mr. HOLLAND. I wonder if the bill would preclude such practices as have prevailed in the past, under which such items as, for example, the Dolly Madison mirror and numerous chandeliers and other objects of art have been transferred from the White House to the Senate wing of the Capitol and presumably to the House wing also?

Mr. BIBLE. I think the bill would not preclude such practices.

I think the procedure would be under the exclusive jurisdiction of the occupant of the White House, whoever he might be. The bill merely provides a logical repository for many of the great items that are in the White House through different administrations. I see nothing in the bill that would preclude what the Senator from Florida has suggested.

Mr. HOLLAND. In other words, if an item were about to be marked for elimination from the White House which either the Senate or the House of Representatives would want to have in the Capitol, if that course were agreeable to the occupant of the White House at that time, arrangements could be worked out to make the desired transfer without the item coming under the provisions of the proposed legislation?

Mr. BIBLE. I would think so.

Mr. HOLLAND. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nevada.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

TRANSFER OF U.S. VESSEL "ALASKA" TO STATE OF CALIFORNIA

Mr. MORSE. Mr. President, I ask unanimous consent that the Senate return to the consideration of Calendar No. 813, H.R. 3788.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 3788) to provide for the transfer of the U.S. vessel *Alaska* to the State of California, for the use and benefit of the department of fish and game of such State.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon?

There being no objection, the Senate proceeded to consider the bill.

Mr. MORSE. I wish to make a few comments on the bill.

I am at a loss to understand the explanation of Calendar 813, H.R. 3788, which the Department of the Interior has made. A letter from Kenneth Holum, Assistant Secretary of the Interior, states:

In 1956, the vessel was no longer required for our research purposes and was declared to be in excess of our needs. Thereafter, the General Services Administration authorized disposal of the vessel as surplus to the needs of the Government. Bids were solicited for sale of the vessel; however, no sale was consummated at that time.

I understand, therefore, that bids were received by the General Services Administration, but they did not think the bids were sufficient, and therefore no sale was consummated.

Notice what happened then:

The State of California requested that the *Alaska* be made available to it on an indefinite loan basis. In the circumstances, that request was approved and the vessel has remained in use by the State since that time.

Mr. President, that is a remarkable transaction. I think we had better find out by what authority any department proceeds to loan out Federal property to a State or to anyone else for use by that State or any other recipient as property of all the taxpayers of this country with apparently no rental and no compensation to be received by the Federal taxpayers.

Notice what happened then:

We believe the value of the *Alaska*, as a fishing boat, probably would not exceed $25,000. We are advised, however, that the State has expended $195,000 for alteration and conversion of the craft as a biological research vessel.

That is very interesting. By what authority did the General Services Administration proceed to let the State of California spend $195,000 on a piece of Federal property without any transfer of title of that property to the State of California, with the State of California investing all that money in the vessel, without even introducing a bill in Congress to give the vessel to the State? Yet the State spent $195,000 on the vessel.

I do not like the procedure. I do not like anything about this procedure. I want a full and detailed explanation from the General Services Administration and from the Department of the Interior with regard to this procedure. If we once allow this precedent to be established, if we once allow this procedure to be followed on the part of the General Services Administration and the Department of the Interior, we will open the gates for this kind of procedure which is not in the interest of the taxpayers of the country.

There are a great many State fishery and wildlife departments who would like to be the recipient of this kind of handout. If we are going to start this with California, let us see what we can do for the benefit of fishery and wildlife departments of other States, too.

I object to the bill being considered on the calendar until I get a full explanation from both the General Services Administration and the Department of the Interior, telling me by what procedure and by what law the vessel was turned over to the State of California and by what right this course of action was followed.

It would be very easy to get approval for this kind of transfer. It would be very easy, if they are going to spend $195,000, to pay 50 percent of the appraised fair market value of the vessel, which is all that the Morse formula calls for. That would amount to $12,500.

MARKETING OF PERISHABLE AGRICULTURAL COMMODITIES

Mr. BARTLETT. Mr. President, I ask that the Senate proceed to the consideration of Order No. 726, S. 1037.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1037) to amend the provisions of the Perishable Agricultural Commodities Act of 1930, relating to practices in the marketing of perishable agricultural commodities.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with amendments.

Mr. HOLLAND. Mr. President, this item was cleared yesterday not only with the two Senators who had previously objected to its passage, but also with the calendar committees on both sides of the aisle, and with the leadership on both sides of the aisle. The item was agreed upon as one that should be brought up today. I know of no objection. That does not mean, of course, that a Senator may not have objection to it at this time.

The bill relates to the Perishable Agricultural Commodities Act which was passed in 1930, to give much better protection to farmers throughout the country producing and marketing perishable commodities than they had theretofore.

I shall not expand that subject. I believe everyone knows that there was a time in the remote past, before the passage of the act, when some commission merchants and others did not fairly treat the producers of highly perishable commodities.

That day has gone forever since the passage and administration of the Perishable Agricultural Commodities Act. However, various imperfections have been discovered in the administration of the act which call for modernization and minor amendments. The bill as unanimously reported by the Committee on Agriculture and Forestry attempts to correct various small deficiencies and to modernize the act.

I ask unanimous consent to have printed in the RECORD at this point an explanation of the provisions of the bill, and I shall be very happy to go into any of them if any Senator wishes to ask me about any of them.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HOLLAND

This bill contains a number of amendments to the Perishable Agricultural Commodities Act, 1930. The Perishable Agricultural Commodities Act is designed to suppress unfair and fraudulent practices in the marketing of fruits and vegetables. Under it commission merchants, dealers, and brokers are licensed; required to keep accurate accounts of their transactions; and prohibited from fraudulent accounting, unjustifiable rejections, failure to deliver, misbranding, and other improper practices. For violation of the act, their licenses may be revoked or suspended, or reparation orders may be issued against them requiring them to pay such amounts as may be necessary to fulfill their obligations. The cost of administering the act is borne out of license fees.

Since 1930, the act has been very successful in regulating the fresh fruit and vegetable industry. Experience under the act has, however, disclosed some minor inequities which should be corrected, and it is the purpose of this bill to do so. For instance, a person who might be ineligible for employment by a licensee might nevertheless be eligible to obtain a license himself. Again, a person whose license was revoked for certain misconduct might be ineligible for employment by another licensee, while another person guilty of the same conduct and guilty of the further violation of not obtaining a license would not be so ineligible. Another example of an imperfection in the existing law is the lack of uniformity with respect to the periods of license ineligibility. A person whose license has been revoked for a flagrant violation of the act can at present be relicensed after the expiration of 1 year, while a person who has merely failed to pay a reparation award, no matter how small the amount, cannot be relicensed for a period of 2 years. The bill would correct these and similar situations dealing with the eligibility of a person for a license or the eligibility of a person for employment by a licensee.

In addition, the bill would also (1) increase the annual license fee from $25 to $50, except in the case of retailers; (2) regulate the use of trade names by licensees to prevent deception; (3) limit the cases in which an opportunity for an oral hearing must be provided to those involving in excess of $1,500; (4) clarify and strengthen the provisions relating to appeal bonds; (5) defer license suspensions until all appeals have ended; and (6) provide for the use of appropriated funds instead of license fees to carry out the unrelated Export Apple and Pear Act.

The bill has been developed through a series of industry meetings over a period of several years and has the general approval of the industry as well as the Department of Agriculture. Hearings were conducted by the Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices. At the hearings an amendment was proposed to expand the already nearly complete exemption of retail grocers. The committee felt that any further expansion of this exemption would not be wise and would lessen the effectiveness of the act. However, the committee has recommended an amendment to prevent any increase in the license fee charged retail dealers.

Mr. HOLLAND. When the calendar was called some time ago the Senator from Tennessee [Mr. KEFAUVER] and the Senator from Oklahoma [Mr. MONRONEY] objected to the passage of the bill, so that they might look into it. I did not understand that they had any fundamental objections whatever to the bill. Since that time the Senator from Tennessee has advised me that he has no objections whatever, and has authorized me to so state to the Senate. The Senator from Oklahoma made the same statement to me, except for suggesting a minor amendment, which is thoroughly agreeable to me, and which I send forward at this time on behalf of the Senator from Oklahoma.

I know of no objection whatever to the bill. It is certainly to the interest of all the producers of perishable commodities. I may say that this is the first time in a long, long time when we found every one of the national agricultural organizations coming before our committee to support the enactment of the bill, without any objection whatever, and without any exception. I believe that facts should speak rather loudly for the enactment of the bill.

The PRESIDING OFFICER. The first committee amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 13, after the figure "$50", to insert "and, for a person buying perishable agricultural commodities solely for sale at retail, such fee shall not exceed $25".

Mr. HOLLAND. Mr. President, I call up the amendment offered to the committee amendment by the Senator from Oklahoma [Mr. MONRONEY], who is necessarily absent on official business, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 14, after the word "retail", to insert ", and for a person who is subject to the Act solely because of his operations as a broker of frozen fruits and vegetables,".

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma [Mr. MONRONEY] to the committee amendment.

The amendment to the amendment was agreed to.

The committee amendment, as amended, was agreed to.

The LEGISLATIVE CLERK. On page 4, line 15, after the word "and", it is proposed to insert the words "opportunity for".

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499a), is amended by adding at the end thereof the following new paragraphs:

"(9) The term 'responsibly connected' means affiliated or connected with a commission merchant, dealer, or broker as (A) partner in a partnership, or (B) officer, director, or holder of more than 10 per centum of the outstanding stock of a corporation or association;

"(10) The terms 'employ' and 'employment' mean any affiliation of any person with the business operations of a licensee, with or wihout compensation, including ownership or self-employment."

SEC. 2. The third sentence of section (3)b of such Act (7 U.S.C. 499c(b)) is amended to read as follows: "Upon the filing of the application, and annually thereafter, the applicant shall pay such fee as the Secretary determines necessary to meet the reasonably anticipated expenses for administering this Act and the Act to prevent the destruction or dumping of farm produce, approved March 3, 1927 (7 U.S.C. 491–497), but in no event shall such fee exceed $50 and, for a person buying perishable agricultural commodities solely for sale at retail, and for a person who is subject to the Act solely because of his operation as a broker of frozen fruits and vegetables, such fee shall not exceed $25. Such fee, when collected, shall be deposited in the Treasury of the United States as a special fund, without fiscal year limitation, to be designated as the 'Perishable Agricultural Commodities Act Fund', which shall be available for all expenses necessary to the administration of this Act and the Act approved March 3, 1927, referred to above: *Provided,* That financial statements prescribed by the Director of the Bureau of the Budget for the last completed fiscal year, and as estimated for the current and ensuing fiscal years, shall be included in the budget as submitted to the Congress annually. The Secretary shall give public notice of any increase to be made in the annual fee prescribed by him hereunder and shall allow a reasonable time prior to the effective date of such increase for interested persons to file their views on or objections to such increase."

SEC. 3. Section 3 of such Act (7 U.S.C. 499c) is further amended by adding at the end thereof the following new subsection:

"(c) A licensee may conduct business in more than one trade name or change the name under which business is conducted without requiring an additional or new license. The Secretary may disapprove the use of a trade name if, in his opinion, the use of the trade name by the licensee would be deceptive, misleading, or confusing to the trade, and the Secretary may, after notice and opportunity for a hearing, suspend for a period not to exceed ninety days the license of any licensee who continues to use a trade name which the Secretary has disapproved for use by such licensee. The Secretary may refuse to issue a license to an applicant if he finds that the trade name in which the applicant proposes to do business would be deceptive, misleading, or confusing to the trade if used by such applicant."

SEC. 4. Section 4(a) of such Act (7 U.S.C. 499d(a)) is amended by inserting before the period at the end thereof ": *And provided further,* That the license of any licensee shall terminate upon said licensee, or in case the licensee is a partnership, any partner, being discharged as a bankrupt".

SEC. 5. Section 4(b) of such Act (7 U.S.C. 499d(b)) is amended to read as follows:

"(b) The Secretary shall refuse to issue a license to an applicant if he finds that the applicant, or any person responsibly connected with the applicant, is a person who, or is or was responsibly connected with a person who—

"(A) has had his license revoked under the provisions of section 8 within two years prior to the date of the application or whose license is currently under suspension;

"(B) within two years prior to the date of application has been found after notice and opportunity for hearing to have committed any flagrant or repeated violation of section 2, but this provision shall not apply to any case in which the license of the person found to have committed such violation was suspended and the suspension period has expired or is not in effect;

"(C) within two years prior to the date of the application, has been found guilty in a Federal court of having violated the provisions of the Act of March 3, 1927 (7 U.S.C. 491–497), relating to the prevention of destruction and dumping of farm produce; or

"(D) has failed, except in the case of bankruptcy and subject to his right of appeal under section 7(c), to pay any reparation order issued against him within two years prior to the date of the application."

SEC. 6. Section 4(c) of such Act (7 U.S.C. 499d(c)) is amended to read as follows:

"(c) Any applicant ineligible for a license by reason of the provisions of subsection (b) of this section may, upon the expiration of the two-year period applicable to him, be issued a license by the Secretary if such applicant furnishes a surety bond in the form and amount satisfactory to the Secretary as assurance that his business will be conducted in accordance with this Act and that he will pay all reparation orders which may be issued against him in connection with transactions occurring within four years following the issuance of the license, subject to his right of appeal under section 7(c). In the event such applicant does not furnish such a surety bond, the Secretary shall not issue a license to him until three years have elapsed after the date of the applicable order of the Secretary or decision of the court on appeal. If the surety bond so furnished is terminated for any reason without the approval of the Secretary the license shall be automatically canceled as of the date of such termination and no new license shall be issued to such person during the four-year period without a new surety bond covering the remainder of such period. The Secretary, based on changes in the nature and volume of business conducted by a bonded licensee, may require an increase or authorize a reduction in the amount of the bond. A bonded licensee who is notified by the Secretary to provide a bond in an increased amount shall do so within a reasonable time to be specified by the Secretary, and upon failure of the licensee to provide such bond his license shall be automatically suspended until such bond is provided."

SEC. 7. Subsections (c) and (d) of section 6 of such Act (7 U.S.C. 499f) are amended by striking out "$500" each place it appears and inserting in lieu thereof "$1,500".

SEC. 8. Section 7(c) of such Act (7 U.S.C. 499g(c)) is amended by striking the second sentence thereof and substituting therefor the following: "Such appeal shall be perfected by the filing with the clerk of said court a notice of appeal, together with a petition in duplicate which shall recite prior proceedings before the Secretary and shall state the grounds upon which petitioner relies to defeat the right of the adverse party to recover the damages claimed, with proof of service thereof upon the adverse party. Such appeal shall not be effective unless within thirty days from and after the date of the reparation order the appellant also files with the clerk a bond in double the amount of the reparation awarded against the appellant conditioned upon the payment of the judgment entered by the court, plus interest and costs, including a reasonable attorney's fee for the appellee, if the appellee shall prevail. Such bond shall be in the form of cash, negotiable securities having a market value at least equivalent to the amount of bond prescribed, or the undertaking of a surety company on the approved list of sureties issued by the Treasury Department of the United States."

SEC. 9. Section 7(d) of such Act (7 U.S.C. 499g(d)) is amended by striking the proviso at the end of the section and substituting therefor the following: "*Provided,* That if on the appeal the appellee prevails or if the appeal is dismissed the automatic suspension of license shall become effective at the expiration of thirty days from the date of the judgment on the appeal, but if the judgment is stayed by a court of competent jurisdiction the suspension shall become effective ten days after the expiration of such stay, unless prior thereto the judgment of the court has been satisfied."

SEC. 10. Section 8(b) of such Act (7 U.S.C. 499h(b)) is amended to read as follows:

"(b) Except with the approval of the Secretary, no licensee shall employ any person, or any person who is or has been responsibly connected with any person—

"(1) whose license has been revoked or is currently suspended by order of the Secretary;

"(2) who has been found after notice and opportunity for hearing to have committed any flagrant or repeated violation of section 2, but this provision shall not apply to any case in which the license of the person found to have committed such violation was suspended and the suspension period has expired or is not in effect; or

"(3) against whom there is an unpaid reparation award issued within two years, subject to his right of appeal under section 7(c).

The Secretary may approve such employment at any time following nonpayment of a reparation award, or after one year following the revocation or finding of flagrant or repeated violation of section 2, if the licensee furnishes and maintains a surety bond in form and amount satisfactory to the Secretary as assurance that such licensee's business will be conducted in accordance with this Act and that the licensee will pay all reparation awards, subject to its right of appeal under section 7(c), which may be issued against it in connection with transactions occurring within four years following the approval. The Secretary may approve employment without a surety bond after the expiration of two years from the effective date of the applicable disciplinary order. The Secretary, based on changes in the nature and volume of business conducted by the licensee, may require an increase or authorize a reduction in the amount of the bond. A licensee who is notified by the Secretary to provide a bond in an increased amount shall do so within a reasonable time to be specified by the Secretary, and if the licensee fails to do so the approval of employment shall automatically terminate. The Secretary may, after thirty days' notice and an opportunity for a hearing, suspend or revoke the license of any licensee who, after the date given in such notice, continues to employ any person in violation of this section."

SEC. 11. The Act of June 10, 1933 (48 Stat. 123; 7 U.S.C. 581–589), popularly known as the Export Apple and Pear Act, is amended by adding at the end thereof a new section as follows:

"SEC. 10. There are hereby authorized to be appropriated such sums as may be necessary for the administration of this Act."

AGE 62 REDUCED ANNUITIES OF RAILROAD RETIREMENT ACT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 819, S. 2395.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2395) to amend the Railroad Retirement Act of 1937 to provide reduced annuities to male employees who have attained age 62, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with amendments on page 2, after line 10, to insert a new section, as follows:

SEC. 3. Section 5(1)(1) of the Railroad Retirement Act of 1937 is amended by inserting before the semicolon at the end thereof the following: ". Where a woman has qualified for an annuity under this section as a widow, and marries another employee who dies within one year after the marriage, she shall not be disqualified for an annuity under this section as the widow of the second employee by reason of not having been married to the employee for one year".

And, in line 19, to change the section number from "3" to "4"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(a)3 of the Railroad Retirement Act of 1937 is amended to read as follows:

"3. Men who will have attained the age of sixty and will have completed thirty years of service, or individuals who will have attained the age of sixty-two and will have completed less than thirty years of service, but the annuity of such men or such individuals shall be reduced by 1/180 for each calendar month that he or she is under age sixty-five when the annuity begins to accrue."

SEC. 2. Section 2(f) of the Railroad Retirement Act of 1937 is amended by striking "three years" and inserting in lieu thereof "one year" and by inserting after the word "filed" where it first appears the following: ", or in the month prior to her or his marriage to such annuitant or pensioner was eligible for an annuity under subsection (a) or (d) of section 5 of this Act or, on the basis of disability, under subsection (c) thereof".

SEC. 3. Section 5(1)(1) of the Railroad Retirement Act of 1937 is amended by inserting before the semicolon at the end thereof the following: ". Where a woman has qualified for an annuity under this section as a widow, and marries another employee who dies within one year after the marriage, she shall not be disqualified for an annuity under this section as the widow of the second employee by reason of not having been married to the employee for one year".

SEC. 4. The amendments made by this Act shall be effective with respect to annuities beginning to accrue in calendar months after the calendar month of enactment thereof.

Mr. BURDICK. Mr. President, the purpose of the bill is to permit persons eligible to receive benefits under the Railroad Retirement Act to have substantially the same benefits as those who receive benefits under the social security system. The bill permits workers who have not had 30 years of service to qualify for annuities at age 62. It also provides for benefits for spouses and widows and widowers. The principal change in that regard is that it permits a wife to be eligible for benefits after 1 year of marriage instead of 3 years.

Mr. President, I ask unanimous consent to have a statement of the purpose of the bill printed at this point in the RECORD.

There being no objection, the statement of purpose was ordered to be printed in the RECORD, as follows:

The principal purpose of the bill is to permit, under the Railroad Retirement Act, men (not entitled to full annuities on the basis of disability) who do not have 30 years of creditable service to qualify for and receive an annuity after attainment of age 62, which would be reduced on an actuarial basis to compensate for the qualification before age 65. This would conform to the provisions of subsections (a) and (q) of section 202 of the Social Security Act, added by the 1961 amendments to that act (Public Law 87–64), under which men who have at least the minimum of service needed to qualify for old-age benefits may after attainment of age 62 obtain old-age benefits on a reduced basis. Women already had the right under the Social Security Act and now have it under the Railroad Retirement Act.

The second purpose is to reduce from 3 years to 1 year the time which must elapse after marriage before any wife or husband who is otherwise eligible for a spouse's annuity can qualify for such an annuity, and to enable wives or husbands who in the month before marriage were eligible for a widow's, widower's, parent's, or a child's annuity which is based on disability, to receive a spouse's annuity immediately upon marriage if then otherwise eligible and, if not, as soon as eligibility otherwise is obtained. This would also conform with similar rights which the Social Security Act affords through provisions which were incorporated into subsection (b) and (f) of section 216 of that act by the 1958 amendments (Public Law 85–840) and the 1960 amendments (Public Law 86–778).

In addition, the bill would also cause women who had qualified for an annuity under the Railroad Retirement Act as a widow before their marriage not to be disqualified for an annuity as the widow of the new husband if he dies within 1 year of the marriage.

GENERAL CONSIDERATIONS

The following is quoted from pages 5 and 6 of House Report No. 216, the report of the Committee on Ways and Means, House of Representatives, to accompany H.R. 6027 (which was enacted as Public Law 87–64, the Social Security Amendments of 1961):

"The provision of benefits at age 62 for men will help to alleviate the hardships faced by that group of men who, because of ill health, technological unemployment, or other reasons, find it impossible to continue working until they reach 65. It is well known that older workers who lose their jobs find it more difficult to get new jobs than do younger unemployed workers. The plight of the older unemployed man is particularly bad. It is, of course, worse during periods of recession and in areas of chronic unemployment. Even with relatively high employment there will always be individuals nearing age 65 who will lose their jobs and find it impossible to get new ones. Adoption of this amendment will make the program, to which these people have made contributions over the years in expectation of receiving benefits when they are too old to work, flexible enough to provide a degree of protection for them when they find themselves unable to get work because of conditions beyond their control when they are getting along in years, even though they have not reached the age of 65.

"Provisions for optional retirement before age 65 are quite common in private pension plans. A study of the pension programs of 230 companies, made by the Bankers Trust Co. of New York in 1960, showed that among the collectively bargained plans 96 percent permitted early retirement and among the noncollectively bargained plans 88 percent permitted early retirement. In another 1960 study (by the Bureau of Labor Statistics) it was found that early retirement provisions were included in 224 of the 300 plans studied (75 percent), and covered about 3 million of the 4.6 million workers who were members of these plans (12 of these plans covering about 350,000 workers provided early retirement for women only). Moreover, it appears that the number of plans providing for optional early retirement is increasing; in a comparable 1952 study (by the Bureau of Labor Statistics) only 166 of the 300 plans which were included had early retirement provisions."

The same considerations which were applicable to the liberalization of the Social Security Act in respect of the time relative to marriage at which a wife's or husband's benefit may begin are applicable to the amendment provided in section 2 of the bill as to the time relative to marriage at which a spouse's annuity may begin.

A widow who had qualified for an annuity as such loses the annuity when she marries. The bill by preventing her disqualification for annuity as the widow of the new husband if he dies within a year of the marriage would protect her against the loss of rights to annuity which she would have otherwise except for the marriage and early death of the new husband.

SECTIONAL EXPLANATION OF THE BILL

Section 1. Reduced annuities for men: Section 1 of the bill would revise section 2(a)(3) of the Railroad Retirement Act so that men as well as women can obtained a reduced annuity after attainment of age 62 even though they do not have 30 years of creditable service. The reduction would be by one one-hundred-and-eightieth for each calendar month that the applicant is under age 65 when the annuity begins to accrue. This is the same basis by which retirement annuities and spouse's annuities now provided by the act for individuals who are not eligible for those annuities in the full amount are reduced.

The requirement of at least 10 years of service for eligibility for any retirement annuity would remain unchanged, as would the right of a woman with 30 years of service to obtain a full annuity at age 60, and the right of any individual to obtain a full annuity before age 65 on the basis of disability.

Section 2. Liberalization of time requirement for spouse's annuity: Section 2 of the bill would amend section 2(f) of the Railroad Retirement Act, which defines the term "spouse," so as to reduce from 3 years to 1 year the maximum time which must elapse after marriage before any wife or husband can qualify for and receive a spouse's annuity; and so as to enable a wife or husband who in the month before her or his marriage was eligible for a widow's, widower's, or parent's annuity, under subsections (a) or (d), or a child's disability annuity under subsection (c), of section 5 of the Railroad Retirement Act, to qualify for and receive a spouse's annuity beginning in the month of marriage if she or he had then attained the age of eligibility and is otherwise eligible, or immediately upon meeting the eligibility requirements.

For example, if a woman or man who was eligible for such an annuity in January marries an annuitant age 65 or over in February of the same year, she, or he, if age 62 in February, could, if otherwise qualified, receive a reduced spouse's annuity beginning in February. If in such a case in January she or he was only age 61 but attained age 62 in June of the same year, she or he could receive a reduced spouse's annuity beginning in June if then otherwise qualified. The same example would apply in the case of a full spouse's annuity if the spouse was age

65 in February or June. The amendment would affect only the time after marriage at which a spouse's annuity could begin. It would not alter the age of eligibility for a spouse's annuity or the other eligibility and qualifying conditions. The right of a wife or husband who is the parent of the annuitant's or pensioner's son or daughter to receive an annuity immediately, without the elapse of any time, following marriage would remain unchanged.

Section 3. Removal of widow's disqualification: Section 3 of the bill would amend section 5(1)(1) of the Railroad Retirement Act which prescribes the qualifications for a widow by adding a sentence thereto which would save a widow who had qualified for an annuity as such before a new marriage from being disqualified for annuity as the widow of her new husband if he dies within a year of the marriage.

Section 4. Effective date: Section 4 of the bill would make the amendments applicable to annuities beginning to accrue in months following the month in which the act is enacted.

COSTS OF THE BILL

The costs of the amendments provided by section 1 of the bill to permit men without 30 years of service to receive reduced annuities upon attainment of age 62 are estimated to be about 0.04 percent of taxable payroll (assumed to be $4.3 billion a year) or about $2 million a year on a level basis.

As of the end of 1959, there were about 10,000 employees in the 62 to 64 age group with 10 to 29 years of service who had withdrawn from the railroad industry. How many of these people will apply for reduced annuities is hard to predict. The 1956–58 experience on withdrawals in this employeee category was as follows: 850 withdrawals in 1956; 1,100 in 1957; and 1,300 in 1958. Except for those among them who died before 1960, these employees are included in the 10,000 figure previously cited.

The following is an estimate of the effect on the first year of the provisions for reduced annuities for men after age 62 who have less than 30 years of service:

Number to be awarded reduced annuity	5,000
Average reduced annuity on an annual basis	$1,000
Total to be paid in year	$5,000,000

Of the $5 million, an undetermined amount will be reimbursable under the financial interchange provisions of section 5(k)(2) of the Railroad Retirement Act, although not in the same year.

The costs of the amendments provided by section 2 of the bill respecting the time relative to marriage at which a spouse's annuity could be payable would be insignificant. The reduction from 3 years to 1 year in the maximum time which must elapse after marriage before a spouse's annuity can be paid would extend eligibility to a very small group of persons who have been denied spouse's annuities because they have been married less than 3 years.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

SMALL BUSINESS INVESTMENT ACT OF 1958

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar 782, S. 902.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 902) to amend the Small Business Act of 1958, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "Small Business Investment Act Amendments of 1961".

SEC. 2. As used in this Act, unless otherwise indicated, references to "the Act" are to the Small Business Investment Act of 1958, as amended.

SEC. 3. Section 103 of the Act is amended—

(1) by striking out paragraph (3) and inserting in lieu thereof the following:

"(3) the terms 'small business investment company', 'company' and 'licensee' mean a small business investment company organized and chartered under State law for the sole purpose of performing the functions and conducting the activities contemplated under title III and which has the approval of the Administrator, pursuant to section 309 of this Act, to operate under the provisions of this Act;"; and

(2) by striking out "and" at the end of paragraph (5), by striking out the period at the end of paragraph (6) and inserting in lieu thereof "; and", and by adding at the end of such section a new paragraph as follows:

"(7) the term 'license' means a permit granted by the Administrator to operate under the provisions of this Act."

SEC. 4. The text of section 202(b) of the Act is amended to read as follows: "There are hereby authorized to be appropriated such sums as may be necessary and appropriate for the carrying out of the provisions and purposes of this Act."

SEC. 5. Section 302(a) of the Act is amended by striking out the second sentence and inserting in lieu thereof the following: "In order to facilitate the formation and growth of small business investment companies, the Administration is hereby authorized, notwithstanding any other provisions of law, to purchase the debentures of any such company in an amount not to exceed the lesser of $300,000 or the amount of the capital and surplus of the small business investment company from other sources."

SEC. 6. Section 302(b) of the Act is amended by striking out "1 percent" and inserting in lieu thereof "3 percent".

SEC. 7. Section 303(b) of the Act is amended by adding at the end thereof the following: "No loan under this subsection shall be made if the total amount outstanding and committed to the borrower under this subsection would exceed $3,000,000."

SEC. 8. Section 304 of the Act is amended by adding at the end thereof the following subsection:

"(d) Equity capital provided to incorporated small business concerns under this section may be provided directly or in cooperation with other investors, incorporated or unincorporated, through agreements to participate on an immediate basis."

SEC. 9. Section 305(b) of the Act is amended by striking out the phrase "other lending institutions" and inserting in lieu thereof the following: "other lenders, incorporated or unincorporated,".

SEC. 10. Section 306 of the Act is amended by striking out the matter following the word "exceed" and inserting in lieu thereof the following: "(1) 20 per centum of the combined capital and surplus of such small business investment company authorized by this Act, or (2) $500,000, whichever is the lesser."

SEC. 11. (a) The text of section 308(a) of the Act is amended to read as follows: "Wherever practicable the operations of a small business investment company, including the generation of business, may be undertaken in cooperation with banks or other investors or lenders, incorporated or unincorporated, and any servicing or initial investigation required for loans or acquisitions of securities by the company under the provisions of this Act may be handled through such banks or other investors or lenders on a fee basis. Any small business investment company may receive fees for services rendered to such banks or other investors or lenders."

(b) Section 308 of the Act is amended by striking out subsection (e) and by redesignating subsections (f) and (g) as (e) and (f) respectively.

SEC. 12. Title III of the Act is amended by adding at the end thereof the following new sections:

"SUSPENSION OF LICENSES; CEASE AND DESIST ORDERS

"SEC. 310. (a) A license may be suspended by the Administration—

"(1) for false statements knowingly made in any written statement required under this title, or under any regulation issued thereunder by the Administration, for the purpose of obtaining the license;

"(2) if any written statement required under this title, or under any regulation issued thereunder by the Administrator, for the purpose of obtaining the license, fails to state a material fact necessary in order to make the statement not misleading in the light of the circumstances under which the statement was made;

"(3) for willful or repeated violation of, or willful or repeated failure to observe, any provision of this Act;

"(4) for willful or repeated violation of, or willful or repeated failure to observe, any rule or regulation of the Administration authorized by this Act; or

"(5) for violation of, or failure to observe, any cease and desist order issued by the Administration under this section.

"(b) Where a licensee has not complied with any one or more of the provisions of this Act, or of the regulations issued thereunder by the Administration, the Administration may order such licensee to cease and desist from such action or failure to act. The Administration may further order such licensee to take such action or to refrain from such action as the Administration deems necessary to insure compliance with the Act and the regulations. The Administration may also suspend the license of such licensee until the licensee has complied with such order.

"(c) Before suspending a license pursuant to subsection (a) of this section, or issuing a cease and desist order pursuant to subsection (b) of this section, the Administration shall serve upon the licensee involved an order to show cause why an order revoking the license or a cease and desist order should not be issued. Any such order to show cause shall contain a statement of the matters of fact and law asserted by the Administration and the legal authority and jurisdiction under which a hearing is to be held, and shall inform the licensee that a hearing will be held before the Administration at a time and place stated in the order. If after hearing or a waiver thereof the Administration determines on the record that an order suspending the license or a cease and desist order should issue, it shall promptly issue such order, which must include a statement of the findings of the Administration and the grounds and reasons therefor and specify the effective date of the order, and shall cause the same to be served on said licensee.

"(d) The Administration shall have the power upon its own motion or the motion of any party to require by subpena the attendance and testimony of witnesses and the production of all books, papers, and documents relating to the hearing from any place in the United States. Witnesses summoned before the Administration shall be paid by the party at whose instance they were called the same fees and mileage that are paid witnesses in the courts of the United States. In case of disobedience to a subpena, the Administration, or any party to a proceeding before the Administration, may invoke the aid of any court of the United States in requiring attendance and testimony of witnesses and the production of books, papers, and documents.

"(e) An order issued by the Administration under this section shall be final and conclusive unless within thirty days after the service thereof the licensee appeals to the United States court of appeals for the circuit in which such licensee has its principal place of business by filing with the clerk of such court a petition praying that the Administration's order be set aside or modified in the manner stated in the petition. After the expiration of said thirty days, a petition may be filed only by leave of court on a showing of reasonable grounds for failure to file the petition theretofore. The clerk of the court shall immediately cause a copy of the petition to be delivered to the Administration, and the Administration shall thereupon certify and file in the court a transcript of the record, if any, upon which the order complained of was entered. If before such record is filed the Administration amends or sets aside its order, in whole or in part, the petitioner may amend the petition within such time as the court may determine, on notice to the Administration. The filing of a petition for review shall not of itself stay or suspend the operation of the order of the Administration, but the court in its discretion may restrain or suspend, in whole or in part, the operation of the order pending the final hearing and determination of the petition. The proceedings in such cases shall be made a preferred cause and shall be expedited in every way. The court may affirm, modify, or set aside the order of the Administration. If the court determines that the just and proper disposition of the case requires the taking of additional evidence, the court shall order the Administration to reopen the hearing for the taking of such evidence in such manner and upon such terms and conditions as the court may deem proper. The Administration may modify its findings as to the facts, or make new findings, by reason of the additional evidence so taken, and it shall file its modified or new findings and amendments, if any, of its order with the record of such additional evidence. No objection to an order of the Administration shall be considered by the court unless such objection shall have been urged before the Administration or, if it was not so urged, unless there were reasonable grounds for failure to do so. The judgment and decree of the court affirming, modifying, or setting aside any such order of the Administration shall be subject only to review by the Supreme Court of the United States upon certification or certiorari as provided in section 1254 of title 28 of the United States Code.

"(f) If any licensee against whom an order is issued under this section fails to obey the order, the Administration may apply to the United States court of appeals within the circuit where the licensee has its principal place of business for the enforcement of the order, and shall file a transcript of the record upon which the order complained of was entered. Upon the filing of the application the court shall cause notice thereof to be served on the licensee. The evidence to be considered, the procedure to be followed, and the jurisdiction of the court shall be the same as provided in subsection (e) of this section for applications to set aside or modify orders. The proceedings in such cases shall be made a preferred cause and shall be expedited in every way.

"INVESTIGATIONS

"SEC. 311. The Administration may make such investigations as it deems necessary to determine whether a licensee or any other person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of this Act, or of any regulation thereunder, or of any order issued under this Act. The Administration shall permit any person to file with it a statement in writing, under oath or otherwise as the Administration shall determine, as to all the facts and circumstances concerning the matter to be investigated. For the purpose of any investigation, the Administration is empowered to administer oaths and affirmations, subpena witnesses, compel their attendance, take evidence, and require the production of any books, papers, and documents which are relevant to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in any State. In case of contumacy by, or refusal to obey a subpena issued to, any person, including a licensee, the Administration may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, and documents. The court may issue an order requiring such person to appear before the Administration, there to produce records, if so ordered, or to give testimony touching the matter under investigation. Any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found.

"INJUNCTIONS AND OTHER ORDERS

"SEC. 312. (a) Whenever in the judgment of the Administration a licensee or any other person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of this Act, or of any regulation thereunder, or of any order issued under this Act, the Administration may make application to the proper district court of the United States or a United States court of any place subject to the jurisdiction of the United States for an order enjoining such acts or practices, or for an order enforcing compliance with such provision, or regulation, and such courts shall have jurisdiction of such actions and, upon a showing by the Administration that such licensee or other person has engaged or is about to engage in any such acts or practices, a permanent or temporary injunction, restraining order, or other order, shall be granted without bond. The proceedings in such a case shall be made a preferred cause and shall be expedited in every way.

"(b) In any such proceeding the court as a court of equity may, to such extent as it deems necessary, take exclusive jurisdiction of the licensee or licensees and the assets thereof wherever located, and the court shall have jurisdiction in any such proceeding to appoint a trustee or receiver to hold or administer under the direction of the court the assets so possessed."

SEC. 13. Section 502 of the Act is amended—

(1) by striking out "$250,000" in paragraph (3) and inserting in lieu thereof "$350,000"; and

(2) by striking out "ten," where it first appears in paragraph (5), and inserting in lieu thereof "twenty-five."

Mr. MANSFIELD. Mr. President, I offer a conforming amendment to the committee amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 8, line 12, it is proposed to strike out "revoking" and insert in lieu thereof "suspending".

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Montana to the committee amendment.

The amendment to the amendment was agreed to.

Mr. PROXMIRE. Mr. President, S. 902, a bill to amend the Small Business Investment Company Act of 1958, was introduced on February 9, 1961, by Senator SPARKMAN, for himself and other members of the Select Committee on Small Business. Hearings were held on July 31 and August 2, 1961, by the Subcommittee on Small Business of the Senate Banking and Currency Committee, of which I am chairman. The bill was reported, with amendments, to the Senate on August 28, 1961.

The Small Business Investment Company Act of 1958 established a program to facilitate the formation of an entirely new type of company, licensed by the Small Business Administration, and regulated by that agency. The act authorized the Small Business Administration to license privately owned small business investment companies for the purpose of providing equity capital and long-term loans to small business concerns. Under the provisions of the act, each SBIC must have a minimum initial paid in capital and surplus of $300,000. The SBA was authorized, however, to purchase from the company up to $150,000 of subordinated debentures, which amount can be considered as part of the required initial capital. Also the SBA was authorized to make loans to SBIC's to a maximum of 50 percent of the paid in capital and surplus, which may include the capital investment by SBA in the form of subordinated debentures.

The SBIC's under the present law may supply funds to small businesses in two ways: First, by investing in stock or other equity securities of the small business concern, and second, by direct term loans for periods up to 20 years, with possible extensions of the time.

The act also authorized the SBA to make loans to any State development company in an amount not exceeding the amount borrowed by the company from all other sources. It also provided for secured loans to both State and local development companies for site acquisition and plant construction, where the proceeds of the loan will assist an identifiable small business concern.

S. 902 makes three principal changes in this SBIC program. First, it encourages increased capitalization of SBIC's, by raising the amount of capital SBA may invest in an SBIC, on a matching

basis from $150,000 to $300,000, and by raising the limit on such investments, generally applicable to commercial banks, from 1 percent, as permitted by the present law, to 3 percent.

Second, it would fix a $3 million limit on the amount of operating loans SBA may make to any one SBIC. There is no dollar limit in the present law, although such loans are limited to 50 percent of the SBIC's capital and surplus, and this 50 percent would be retained in the law.

SBA has indicated that its policy is not to grant loans under section 303 of the act unless there are no funds available from private sources. In its regulations, published in the Federal Register for August 31 of this year, the SBA states that private funds are considered unavailable when the appropriate certificate submitted to SBA so indicates. The certificate submitted by an SBIC includes a statement that the money sought was not otherwise available. Perhaps this might be clarified to include the statement that no funds were otherwise available, even on an SBA standby takeout commitment. I know that other Senators and I were impressed with the description of SBA's procedure for standby takeout commitments. In essence, SBA stands ready to loan money to an SBIC when the lender of prior privately loaned money calls it in.

The bill would also limit the amount that an SBIC can provide to a single small business concern. It limits this amount to either 20 percent of the SBIC's capital and surplus, or $500,000, whichever is the lesser. Upon application, the SBA may permit a larger amount.

Third, the bill would strengthen the hand of the SBA in regulating SBIC's by authorizing certain administrative procedures for suspending an SBIC's license, or issuing a cease or desist order, or authorizing judicial proceedings to take control of the assets of an SBIC where it is necessary.

The committee approved enforcement provisions for SBA with mixed feelings. On the one hand it recognized the clear need for SBA to have flexible authority to deal with licensees who either violate the law or SBA regulations. On the other hand, however, the committee recognized that giving to one man, the SBA Administrator, the power to suspend an SBA license was an extremely broad delegation of power, including as it would a prohibition against the extension of further loans; an acceleration in the repayment schedule of loans owed to SBA; the loss of the privileges of an SBIC, including the privilege to borrow from SBA; and the possible loss of substantial income tax benefits that accrue to SBIC's and their shareholders.

The committee amended the language of section 302 of the SBI Act to include "growth" as a reason for which subordinated debentures of an SBIC might be purchased. However, consonant with the rationale for this act, I would hope that SBA would give preference to new SBIC's, rather than to increase the funds available for the extant corporations.

S. 902 would increase the limit of SBA loans under section 502 of the act to State and local development companies from $250,000 for each identifiable small business concern assisted to $350,000, and by raising the maximum maturity on such loans from 10 years to 25 years.

The bill would also permit private investors to participate with SBIC's in providing equity and long-term loans to small business concerns.

The bill would provide other technical amendments to the act.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 902) was ordered to be engrossed for a third reading, was read the third time, and passed.

HELP FOR RAILROADS

Mr. KEATING. Mr. President, those of us who have been struggling to find some kind of relief for the hard-pressed railroad industry in the United States have been greatly encouraged by two developments that have occurred during the past few days.

First of all, the Interstate Commerce Commission issued a report calling for direct Federal assistance to maintain essential railroad passenger service.

This proposal would be very costly to the Government, and of course the Congress is going to have to study it carefully before deciding whether or not to put it into effect. The very fact that the proposal has been made is, however, heartening evidence that responsible officials in the Government have finally been alerted to the seriousness of this situation.

The critical nature of the railroad problem was brought clearly before the Nation by the recent bankruptcy of the New Haven Railroad. In the weeks preceding that bankruptcy, other Senators and myself sought desperately to find some means that the Federal Government might intercede to help save this vital element in the transportation system of New York and New England. However, the New Haven went under, and is now going through a painful reorganization, which all of us still hope will prevent the reduction of its needed passenger service.

In spite of our failure to save the New Haven from bankruptcy, perhaps our efforts helped to convince the ICC and other Federal officials that some means to save the railroads must be found. Newspaper articles and editorials inserted into the RECORD at the time of the New Haven crisis made clear that other railroads are hovering on the edge of similar financial difficulties.

If we do not take action in the very near future, there is no doubt that the passenger railroad service in the East will be thrown into absolute chaos. This could lead to pressure for nationalization of the railroads, a dangerous recourse that I am sure all of us wish to avoid, if possible.

Neither Federal funds nor Federal action, however, provide the entire answer. We must have vigorous efforts on the State and local levels if our vast network of commuter railroads is to be saved.

It therefore gave me great satisfaction that on the same day the ICC made public its report, the Governors of New York, New Jersey, and Connecticut set up a Tristate Transportation Committee for the Metropolitan Area of New York City. This committee was directed not only to find means to rescue the commuter railroad service, but also to explore the problems of motor traffic, air travel, and freight transportation.

Governor Nelson Rockefeller of New York, who initiated the talks that led to the establishment of this committee, made it clear that this will be an "action agency" rather than just another study group. We can expect that this committee will be a key instrument in solving the transportation problems of the world's greatest metropolitan region.

I was particularly pleased by a remark made by Governor Rockefeller at the time the new committee was announced. Explaining that the State and local governments must take primary responsibility for transit problems, he said:

> We can't just throw up our hands and run to Washington.

Surely this is the attitude that provides the basis for solution to the problems of mass population centers without the loss of freedom and our republican institutions. The Federal Government has its role to play in solving these problems, but if we were to rely on it entirely, we may be certain that would mean the end of self-government in the United States.

I commend Governor Rockefeller and his fellow Governors in Connecticut and New Jersey. They have shown us that State government has the hardiness and the determination to attack the problems of modern society. We at the Federal level should respond by backing up their efforts.

The problem of the railroads will not be solved in a few weeks or a few months. But if we all work together, I am confident that we will find some means to maintain effective free enterprise in this important segment of American transportation.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial published in the New York Times of August 31 and an article written by Don Ross and published in the New York Herald Tribune of the same date, both on the subject of the new hope which has been held out to the railroads.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 31, 1961]

RAIL RESCUE IN SIGHT

The congressional battle ahead cannot be minimized, but the Interstate Commerce Commission recommendation yesterday of direct Federal subsidies to help the railroads maintain essential passenger services may very well prove to be a landmark in the long struggle for official recognition of a national, and especially metropolitan, problem.

Occurring as it did on the very day the Governors of New York, New Jersey, and Connecticut were meeting to explore and effectuate a tristate approach to regional transportation improvement, the Federal action brightens immeasurably the prospect for a beneficial partnership of three levels of government. New York City and the metropolitan regional council representing county and local government in the three States are active and interested parties to betterment of rail service.

Government awakened slowly to its responsibility for saving this sick industry. It subsidized competitors, air, sea, and land. It submitted the railroads to overly exacting regulation, including the double jeopardy of Federal and State supervision. It overtaxed them, sometimes for public improvements that contributed to decline of rail travel, a form of compulsory suicide. It treated the railroads as a monopoly to be feared, when they had already become a fallen contestant deserving only pity.

So perhaps we are now emerging from contradictions of the past, and are ready to construct consistent governmental policy. The ICC says: "A nation that is serious about propelling a man to the moon should be able to solve the mundane problem of moving its citizens dependably and comfortably some 50 miles or less from home to work without multiplying ribbons of concrete and asphalt that would strangle the central cities they are supposed to serve."

But it is not enough merely to rescue the railroads, or what is left of them. Without modernization, expansion, coordination, and vast improvement by imaginative planning the railroads will not recapture the passenger who has taken to the highways or prevent further desertion of customers. If we are to meet the challenge of the future, as the Interstate Commerce Commission suggests, the preservation of status quo will be a meager victory.

[From the New York Herald Tribune, Aug. 31, 1961]

TRISTATE GOVERNORS VOW TO SOLVE TRANSIT MESS

(By Don Ross)

The Governors of New York, New Jersey, and Connecticut announced the appointment yesterday of a tristate transportation committee. They promised that it will not be just another study committee but will come up with a program of action to solve the metropolitan region's massive transportation problems, including those of commuters.

Announcement of the committee, which includes official representatives from the three States and New York City, was made by the Governors—Rockefeller of New York, Robert B. Meyner of New Jersey, and John N. Dempsey of Connecticut—at a press conference in Mr. Rockefeller's office, 22 West 55th Street. The Governors had previously met privately for an hour and a half.

NEW COMMITTEE MEETS

The new committee held its first meeting in Mr. Rockefeller's office immediately after the press conference. Among other things, it will presumably look into the feasibility of establishing a tristate transportation agency to supervise the operation of the region's commuter railroads. The metropolitan regional council, composed of the region's top elected officials, has long been in favor of establishing such an agency. Mayor Wagner, chairman of the MRC, yesterday expressed his approval of the Governors' action.

The committee's first report, the Governors said, is expected November 1. The Governors said that Federal participation in the study will be sought and that representatives of the Federal Bureau of Roads and of the Federal Housing and Home Agency will be invited to become members of the committee. The committee's work is expected to be financed "primarily from Federal and State funds," the Governors said.

LOCAL OFFICIALS INVITED

Local officials of the three States will be invited to consult and work with the committee, it was said and public and private agencies in the metropolitan region will be asked for their cooperation and support.

The Governors declined to get down to details about the problems that the committee will look into. "Instead of just talking about the problems we'd like to be able to say 'here is the problem and here's the solution'," Governor Rockefeller said: "We don't want to raise a problem and then have it kicked around in the press for a couple of weeks. The public gets discouraged."

"We're all tired of study committees," Governor Dempsey said. "I'm willing to go back to my State and tell the people that we will get action this time."

Reporters at the press conference brought up the point that cooperation between New York and New Jersey lately has been less than perfect. Would the two States be able to cooperate in working out transportation solutions?

Among the current points of friction between the two States are New Jersey's new commuter income tax, which is intended to siphon some $50 million annually from the New York State treasury. New York is resisting this. The New York Legislature has passed bills empowering the Port of New York Authority to buy and operate the bankrupt Hudson & Manhattan Railroad (the Hudson tubes) and build a $335 million World Trade Center in lower Manhattan. New since the port authority is a bistate agency. But many New Jersey legislators, viewing the World Trade Center as of benefit mostly to New York and not to New Jersey are against it.

"This region will not grow and develop by furtherance of provincial views," Governor Meyner said. "Bob and I are working together to advance projects that will benefit both sides," Governor Rockefeller said.

Mr. Meyner, a Democrat, will retire as Governor in November. Mr. Rockefeller, a Republican, is expected to run again next year. Mr. Dempsey, a Democrat, is also expected to run in 1962.

In their reported statement announcing the formation of the committee, the Governors said that the following were illustrative of the studies to be undertaken by it:

1. Analysis of the economic and financial resources available to support a coordinated transportation system.

TRANSIT ANALYSIS

2. Analysis of railroad and highway passenger transportation as to adequacy and compatibility as parts of an integrated regional transportation network.

3. Analysis of freight movements by rail, highway, water, and air looking toward a flexible, efficient system that can contribute positively to the region's economic development.

4. Analysis of the region's airport needs, including short-haul taxi service, intermediate ranges and intercontinental requirements.

5. Forecasting the impact of any proposed transportation plans on land use patterns in the region.

6. Evaluation of methods, including technological developments, for improving the service and economics of mass transit.

7. Study of methods and machinery to insure continuing intergovernmental cooperation on the region's transportation matters.

The members of the tristate transportation committee are:

For New York State: William J. Ronan, secretary to Mr. Rockefeller; J. Burch McMorran, superintendent of public works; Arne C. Wiprud, director of office of transportation; and George A. Dudley, director of office of regional development.

For New York City: James Felt, chairman of the planning commission.

JERSEY MEMBERS

For New Jersey: Dwight R. G. Palmer, highway commissioner; Otto H. Fritzsche, highway engineer; Herbert A. Thomas, Jr., director, State division of railroads; and Matt Adams, commissioner of conservation and economic development.

For Connecticut: Carl Lalumia, executive aid to Governor Dempsey; Howard Ives, highway commissioner; Eugene S. Loughlin, chairman, public utilities commission; and Graham Treadway, chairman, Connecticut Development Commission.

An announcement from Mr. Rockefeller's office late yesterday said that the committee, at a 4-hour meeting, had elected William J. Ronan, the Governor's secretary, as its chairman. The committee will hold a meeting in Washington September 18 with representatives of the Federal Bureau of Public Works and of the Federal Housing and Home Finance Agency.

ACTION PRAISED

The Governors' action drew praise yesterday from the Regional Plan Association, a private planning group. C. McKim Norton, its executive vice president, said:

"The Governors' agreement creates machinery for tristate action which the association has urged for several years. This new regional approach opens the way for solutions tailored to the needs of the whole tristate region including its older central cities and mushrooming suburbs. For the first time under chief executive leadership all forms of transportation will be analyzed to create a balanced system of moving goods and people. We can now anticipate that necessary measures will fit into a comprehensive, long-range and permanent regional transportation plan."

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, regardless of the unanimous-consent agreement entered into, the Senator from Delaware [Mr. WILLIAMS] be recognized for 5 minutes, and that the Senator from Ohio [Mr. YOUNG] be recognized for 5 minutes thereafter.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

PROPOSED AMENDMENT OF CIVIL SERVICE RETIREMENT ACT

Mr. WILLIAMS of Delaware. Mr. President, on July 10 the Senate passed S. 739, the purpose of which is to amend the Civil Service Retirement Act, as

amended, with respect to the method of computing interest earnings of special Treasury issues held by the civil service retirement and disability fund. There appeared to be no objection to this provision as approved by the Senate.

On August 16 the bill was reported to the House, but with a significant amendment. It subsequently was passed by the House of Representatives, with this amendment to the Civil Service Retirement Act the purpose of which appears to be to give substantially increased benefits to Members of Congress and employees of Members of Congress.

I have not had time to examine fully the bill and all its implications. However, I have examined it enough to know that there will be opposition to any conference report which is brought before the Senate embracing these provisions. I so serve notice at this time.

I understand the Committee on Post Office and Civil Service is holding hearings this morning on this amendment which was adopted by the House. I regret that I shall not be able to attend the hearing; however, I have notified the chairman of the subcommittee that there will be opposition to this provision. It is indefensible that we should even consider extending to ourselves and our employees such unwarranted benefits. It is recognized that to extend similar benefits to the other employees would bankrupt the whole retirement fund.

I shall discuss the bill and its implications in greater detail at a later date, after I have had an opportunity to examine it more carefully. In the meantime, I quote sections 6, 7, and 8 of the bill, which provide these additional benefits for Members of Congress and our employees:

SEC. 6. The third sentence of section 6(f) of the Civil Service Retirement Act, as amended (5 U.S.C. 2256(f)), is amended to read as follows: "Any Member who completes twenty years of service, or who attains the age of fifty years and shall have served in nine Congresses, or who attains the age of fifty-five years and completes fifteen years of service (at least ten years of which is service as a Member), shall, upon separation from the service (other than by resignation or expulsion), be paid a reduced annuity computed as provided in section 9.".

SEC. 7. Section 6(d) of the Civil Service Retirement Act, as amended (5 U.S.C. 2256 (d)), is amended—

(1) by inserting "(1)" immediately following "(d)"; and

(2) by adding at the end thereof the following new paragraph:

"(2) Any congressional employee who completes twenty years of service shall, upon involuntary separation from service as a congressional employee not by removal for cause on charges of misconduct or delinquency, be paid a reduced annuity computed as provided in section 9.".

SEC. 8. (a) The first sentence of section 9(b) of the Civil Service Retirement Act, as amended (5 U.S.C. 2259(b)), is amended by inserting ", or former congressional employee," immediately following the words "congressional employee" where first appearing in such sentence.

(b) The second sentence of such section 9(b) is amended—

(1) by inserting ", or former congressional employee," immediately following the words "congressional employee" where first appearing in such sentence;

(2) by inserting the word "and" immediately following "service," at the end of clause (1) thereof; and

(3) by striking out ", and (3) has served as a congressional employee during the last eleven months of his civilian service".

Mr. LAUSCHE. Mr. President, I wish to join in the remarks made by the distinguished Senator from Delaware. The President of the United States, in several of his messages, called upon the people of the country to make sacrifices. He asked especially that we not indulge in programs which will accelerate the spiral of inflation.

As pointed out by the Senator from Delaware, we find that today Congress is contemplating the passage of a bill to increase the retirement benefits of Members of Congress and of congressional employees. I cannot bring myself to an understanding of how we in the Congress can ever call upon the citizenry to make sacrifices, when we disregard wantonly every principle which would make possible a course of conduct compatible with that recommended by the President. How can we turn down anyone's demands upon the Government when and if we vote, in these times, to increase our own retirement benefits?

If we are to follow a course which will be serviceable to our country, this is the time to place sacrifices upon ourselves, and then, realizing that we have done that, go to the people of the country and ask them to join with us.

I will stand foursquare with the Senator from Delaware in opposing this measure, which contemplates at this time increasing the retirement benefits of the Members of the U.S. Congress.

Mr. WILLIAMS of Delaware. Mr. President, I thank the Senator from Ohio for his support.

As one example of what the bill would do, it appears that it would extend to Members of Congress or to congressional employees immediate retirement benefits after 20 years of service if they were involuntarily separated from the service. This period is even reduced under certain circumstances. This would place a premium on having a congressional employee discharged after he has served 20 years—for that would make him eligible for larger retirement benefits than he otherwise would be eligible to receive—should he resign or get a letter of regret from his employer at the time of his departure.

A similar situation would exist in the case of the Members of Congress. We know that in most instances the Members of Congress are involuntarily separated from their jobs.

This bill would place the taxpayers in the position of having to pay a Member of Congress a bonus if he were defeated for reelection. How ridiculous can we get?

I wish to pay my respects to the Senator from Oklahoma [Mr. MONRONEY], a member of the Committee on Post Office and Civil Service, who ascertained the joker in the bill when it came to the Senate and insisted on having his committee examine the bill carefully and prepare a report on it. The Senator from Oklahoma has been most alert to this situation, and I desire to thank him and the other members of his committee for placing a red flag on this bill.

The House amendment should be defeated.

Mr. YOUNG of Ohio obtained the floor.

Mrs. NEUBERGER. Mr. President, will the Senator from Ohio yield briefly to me?

Mr. YOUNG of Ohio. I yield.

WATERED HAMS—NO WATER

Mrs. NEUBERGER. Mr. President, I should like to announce that I have just now received a call from the Department of Agriculture, which announces that it has rescinded the order in regard to the adulteration of hams.

I wish to commend the Secretary of Agriculture, Mr. Orville Freeman, and his Department for the watered ham decision announced today. It is certainly refreshing to note that the voice of the consumer, for so long a distant echo, has at last been heard in the offices where administrative decisions are made. While the return to waterless hams will not please some members of the meat industry, it will be signaled as a significant victory for the general public. If the ham is federally inspected, the shopper will once again be able to buy with confidence.

I believe the experience of holding public hearings around the country has been a valuable one for the Department of Agriculture. I trust the lesson has not been lost on the other Federal departments and agencies, for they have not been accustomed to hold hearings on consumer matters. From this experience the departments should have learned that the American consumer does not take lightly to being bypassed by administrative decree. The departments invariably justify their decisions as being in the public interest; yet too frequently they arrive at them with a minimum of public inquiry.

The new no-water-allowed provision is a step in the right direction to restore integrity to the marketplace. The large volume of mail that I and the Department of Agriculture have received in response to my testimony given at the Washington watered ham hearings on May 17, demonstrates the great need for a consumer's forum from which to plead for quality and fair treatment. Such a forum would be available through the establishment of the Senate Select Committee on Consumer Interests. I believe such a committee is needed; and I have submitted a resolution—Senate Resolution 115—which would make this possible.

I thank the Senator from Ohio very much for yielding to me.

Mr. YOUNG of Ohio. I have been happy to yield.

ANOTHER TAX DODGE

Mr. YOUNG of Ohio. Mr. President, American taxpayers should not be required to foot the bill for rumpus rooms and basement bars in dwellings, and

underground parking lots in commercial buildings under the guise of civil defense shelters.

Recently, there was introduced in the House of Representatives by a Member from my State of Ohio, proposed legislation which would permit income tax deductions for fallout shelters in private homes and business establishments.

If citizens wish to pay for shelters, that is their own business. The only conceivable responsibiilty that the Federal Government might have would be to make available to them information as to the various types of shelters that could possibly afford them and their families any protection. I have said repeatedly it is my belief that bomb shelters in basements and backyards will be of little use, if any, in a nuclear war.

To allow an income tax deduction at this time, when we are faced with the largest peacetime budget in our history, would be unconscionable. It would benefit only private homeowners and businessmen. For those who rent their homes or live in apartments it would be meaningless. It would be giving home and apartment owners a special privilege. To allow this measure to pass would be to open a tax loophole, for the benefit of a few, for which the great majority of American taxpayers would have to bear the burden. In this grim period of international anarchy we should be looking for ways to close present tax loopholes, instead of opening new ones.

A chain reaction has begun for those eager to clamber on the civil defense gravy train. Hundreds of contractors are now advertising fallout shelters, so-called, and enticing people who have no need whatsoever for them to go into debt in purchasing them. Members of Congress from wheatgrowing States are importuning department heads to use our wheat surplus to stock these shelters for 14 days. We may depend upon it that the corngrowers, the dairymen, and others will soon follow.

The enticing scent of honey has the civil defense opportunists swarming in droves toward the Treasury. Over $1 billion has already been wasted on civil defense in the past 10 or 11 years. Let us not open the door to a tax subterfuge for the benefit of the few, and cause further waste.

Mr. President, a recent editorial, entitled "Another Tax Dodge," was published in the Cleveland Press on August 26, 1961, and in the Columbus Citizen-Journal on August 28, 1961. Both of these great newspapers are members of the Scripps-Howard league, which for many years has been cognizant of the waste, inefficiency, and uselessness of civil defense, as it has been conducted since 1950. This editorial points out the inequity of an income tax deduction for civil defense fallout shelters, so-called.

The editors of these two fine newspapers are once again to be commended for their service to the public in exposing this latest civil defense scheme. I commend this editorial to my colleagues, and ask unanimous consent that it be printed at this point in the RECORD, as part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Cleveland Press, Aug. 26, 1961, and the Columbus Citizen-Journal, Aug. 28, 1961]

ANOTHER TAX DODGE

A loophole once was a small opening in the wall, through which the brave settlers shot at the noble redman, on the warpath. By a process of evolution it has come to mean a method to duck taxes. The latest proposed loophole is a plan to remit taxes on money spent for private air raid shelters. The Press hopes that Congress doesn't take it seriously.

Author of the scheme is Congressman WILLIAM E. MINSHALL, of Cleveland. Governor Rockefeller of New York has endorsed the general idea. Most articulate opponent is that longtime foe of civil defense boondoggling, Senator STEPHEN M. YOUNG, also of Cleveland. He anticipates homeowners would build rumpus rooms and businessmen underground garages, and call them air raid shelters.

Congressman MINSHALL, on the other hand, says people are building swimming pools and barbecue pits, instead of protecting themselves "against the awesome possibility of being incinerated like flies on a grill."

Shelters thus far suggested provide no protection whatever against incineration. The most that is claimed for them is defense against fallout, in areas remote from bomb blasts.

It is sound policy, in the opinion of this newspaper that U.S. citizens be permitted to build shelters and/or swimming pools to the extent they feel the need of either or both; but not out of taxes.

Federal tax legislation is so full of loopholes now that few are chosen to get stuck with the entire tab and many escape their fair share of the burden. Exemptions of this type get far away from the sound principle that taxes are meant to raise revenue, rather than to regulate the lives of the people.

Senator YOUNG has the right name for this one, "a raid on the Treasury in the name of civil defense."

IMPROVED COMMUNITY FACILITIES FOR HEALTH CARE OF AGED PERSONS

Mr. MANSFIELD. Mr. President, after consultation with interested Senators and the leadership on the minority side, I move that the Senate proceed to the consideration of Calendar No. 828, House bill 4998.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 4998) to assist in expanding and improving community facilities and services for the health care of aged and other persons, and for other purposes, which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 2, line 3, after "$50,000,000", to strike out "for each such fiscal year"; in line 5, after the word "out", to strike out " "$3,000,000" " and insert " "an amount, not to exceed $3,000,000" "; in line 6 after the word "thereof", to strike out " "$5,000,000" " and insert " "such amount as may be necessary" "; in line 21, after the word "authority", to insert "or, where appropriate, the State mental health authority"; in line 22, after the word "reduce", to strike out "to" and insert "the"; on page 3, line 9, to strike out "agency"; in line 17, after "$10,000,000", to strike out "for each such fiscal year"; in line 24, after the word "year", to strike out "shall" and insert "may"; on page 6, line 9, after the word "year", to strike out "shall" and insert "may"; in line 22, after the word "of", to strike out "the cost of such project" and insert "so much of the cost of such facility or such equipment as the Surgeon General determines is reasonably attributable to experimental or demonstration purposes"; on page 7, at the beginning of line 7, to insert "There is hereby authorized to be appropriated not to exceed $10,000,000 for grants in any fiscal year for projects under this section"; on page 8, after line 8, to insert:

AMENDMENT TO DEFINITION OF REHABILITATION FACILITY

SEC. 5. Section 631(n) of the Public Health Service Act is amended to read as follows:

"(n) The term 'rehabilitation facility' means a facility which is operated for the primary purpose of assisting in the rehabilitation of disabled persons through an integrated program of—

"(1) medical evaluation and services, and

"(2) psychological, social, or vocational evaluation and services,

under competent professional supervision, and in the case of which—

"(3) the major portion of the required evaluation and services is furnished within the facility; and

"(4) either (A) the facility is operated in connection with a hospital, or (B) all medical and related health services are prescribed by, or are under the general direction of, persons licensed to practice medicine or surgery in the State."

On page 9, after line 4, to insert:

EXTENSION OF AUTHORIZATION FOR LOANS

SEC. 6. Section 661 of the Public Health Service Act is amended by striking out "prior to July 1, 1962" and inserting in lieu thereof "prior to July 1, 1964".

After line 8, to strike out:

(d) Effective July 1, 1963, the parenthetical phrase in the first sentence of section 433(a) of such Act which reads "(including grants-in-aid for drawing plans, erection of buildings, and acquisitions of land therefor)" is repealed.

After line 12, to insert:

SEC. 7. Section 433(a) of the Public Health Service Act is amended by striking out the parenthetical phrase "(including grants-in-aid for drawing plans, erection of buildings, and acquisition of land therefor)" and inserting in lieu thereof "(including, when in the judgment of the Surgeon General such action is necessary to provide for regional or national research needs, grants-in-aid for drawing plans, erection of buildings, and acquisition of land therefor)".

At the beginning of line 21, to strike out "(e)" and insert "Sec. 8. (a)"; in line 23, after the word "inserting", to strike out "six"." and insert "eight," and by striking out "$30,000,000" and inserting "$50,000,000"; on page 10, at the beginning of line 1, to strike out "(f)" and insert "(b)"; in line 3, to strike out "1962" and insert "1964"; after line 3, to insert:

(c) Section 706(a) of such Act is amended by striking out ", or in the case of a multipurpose facility," and inserting in lieu thereof "in the case of a facility which the Surgeon General determines is to be used for

research, or research and purposes related thereto (including research training), in the sciences related to health or, in the case of any other multipurpose facility,".

And, after line 10, to insert:

(d) Sections 704 and 705(c)(2) of such Act are each amended by inserting ", or research and related purposes," after research", wherever it appears therein. Section 705(e) of such Act is amended by inserting ", or research and related purposes," after "research" the first time it appears therein and inserting "or related purposes" after "research" the second time it appears therein. Section 707(b) of such Act is amended by inserting ", or research and related purposes," after "research purposes". Section 706 (a) of such Act is amended by striking out "facility for research" and inserting in lieu thereof "facility for research, or research and related purposes,". Section 708 of such Act is amended by inserting "or related purposes" after "research".

Mr. HILL. Mr. President, H.R. 4998, the proposed Community Health Services and Facilities Act of 1961, was unanimously reported by the Committee on Labor and Public Welfare. Its passage would greatly assist in expanding and improving community facilities and services for the health care of the aged and the chronically ill outside of hospitals.

The bill would continue or expand several existing grant-in-aid programs for specified time periods, and would create one new program in the Public Health Service.

The major objectives of the bill are as follows:

First, to increase from $30 million to $50 million, for the next 5 years, the annual authorization for grants and services to States, to assist them in developing public health programs to provide out-of-hospital health services to the aged and chronically ill;

Second, to authorize $10 million of appropriations in each of the next 5 years to finance project grants to develop new or improved methods of providing health services outside of hospitals, particularly for the chronically ill and aged;

Third, to amend the Hill-Burton hospital and medical facility construction program, to provide for four changes: (a) To increase from $10 million to $20 million per year the authorization for appropriations to assist in the construction of public and other nonprofit nursing homes; (b) to increase from $1.2 million to $10 million the annual authorization for appropriations for research projects related to the effective utilization and development of hospitals and other medical facilities and to expand the program to permit the paying of up to 66⅔ percent of the experimental construction costs of hospitals and other medical facilities; (c) to liberalize the eligibility criteria of rehabilitation centers by requiring that they provide medical services and either psychological, social, or vocational services to qualify for Federal construction assistance. Under existing law, all four of these categories of services must be provided; and (d) to extend the termination date of the loan program under the Hill-Burton hospital and medical facility construction program until June 30, 1964, when the grant program expires.

Fourth, to restrict the nonmatching program for the construction of health research facilities to projects that are of national or regional value.

Fifth, to extend for an additional 3 years the expiring matching program for the construction of health research facilities, with an increase in the authorization for appropriations from $30 million per year to $50 million per year.

The Committee on Labor and Public Welfare held hearings on S. 1071, H.R. 4998, and a related bill, S. 719, on August 3 and 4, 1961. During these hearings it received testimony from representatives of the Department of Health, Education, and Welfare; the vice president for medical affairs, University of Pennsylvania; the president-elect, American Association for the Advancement of Science; the Association of Schools of Public Health; the American Public Health Association; the Association of State and Territorial Health Officers; the American Hospital Association; the Rochester, Minn., Methodist Hospital and Mayo Clinic; the AFL–CIO; the American Optometric Association; and the American Podiatry Association.

All of these witnesses strongly supported the proposed legislation.

In addition, statements in support of this proposed legislation were submitted by the U.S. Conference of Mayors, the U.S. Conference of City Health Officers, the American Dental Association, the American Nurses Association, and many other interested organizations, officials, and individuals.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HILL. I yield to the majority leader.

Mr. MANSFIELD. I understand that the bill makes available $10 million for grants-in-aid for the construction of research or experimental projects relating to improving hospital design and function in order to provide better patient care and more economical hospital operation.

I will ask the chairman of the Committee on Labor and Public Welfare, who is handling this bill, and whose lifelong interest in the health of the Nation is well known. What types of projects does the committee contemplate would qualify for such grants?

Mr. HILL. Since very little controlled research has been done to determine how the structural design of a hospital facility may be related to improved patient care, more efficient utilization of personnel and the consequent reduction of the cost of care to the patient, the Surgeon General is directed by the bill to carefully evaluate the intended results of any project requesting construction funds in order to determine whether the project proposed is in fact for controlled scientific research, experiment, or demonstration. That is, the qualifying project must demonstrate its scientific nature, and the Surgeon General may determine its qualification by reference to such things as the proposed plans of design, the extent and results of any preliminary research, pilot test projects, professional reports, analyses, or recommendations. Matching funds could then be made available to assist in the construction of a total hospital facility or to assist in the construction of a part or parts of hospitals for the purposes of studying one or more specific areas.

Mr. MANSFIELD. I thank the distinguished chairman of the committee for the detailed answer he has given to the question.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

Mr. HILL. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments will be considered en bloc.

The question is on agreeing to the committee amendments en bloc.

The committee amendments were agreed to en bloc.

Mr. DIRKSEN. Mr. President, my understanding is that there was no controversy over the bill.

Mr. HILL. The Senator is correct. The bill was unanimously reported by the Committee on Labor and Public Welfare.

Mr. DIRKSEN. That was once my committee, the Senator will remember.

Mr. HILL. Yes. We were very proud to have the Senator from Illinois as a member of the committee, and we regretted it very much when he left.

Mr. DIRKSEN. I did not want to leave.

Mr. HILL. We shall be glad to have him back any time.

Mr. DIRKSEN. Circumstances forced me to leave.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 4998) was passed.

AMENDMENT OF FEDERAL AIRPORT ACT

Mr. MANSFIELD. Mr. President, I assume the unfinished business, S. 1703, the bill to amend the Federal Airport Act, is now before the Senate.

The PRESIDING OFFICER. Consideration of the bill does not come before the Senate automatically prior to the expiration of the morning hour.

Mr. MANSFIELD. I ask unanimous consent that the unfinished business (S. 1703) be laid before the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate resumed the consideration of the bill (S. 1703) to amend the Federal Airport Act so as to extend the time for making grants under the provisions of such act, and for other purposes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to suggest the absence of a quorum, without the time being taken from either side.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, I yield myself 3 minutes on the bill.

At 4 minutes after 2 this morning, a TWA Constellation, en route from the East Coast, via Chicago, to Las Vegas and California, disappeared off the tower radar screen at Midway and crashed in a suburban area of Chicago. It, fortunately, struck open space, and, so far as we know, there were no ground casualties. The plane carried 71 or 72 passengers and a crew of 5.

I take this occasion, because of the lack of information at this time, since there apparently is no tape of the communication between the tower and the pilot of the plane, and, so far as we can ascertain at this time through the FAA, there was no communication between the pilot and the company radio, to announce that Mr. Halaby, the Administrator of the FAA, and members of the Civil Aeronautics Board, whose duty it is to investigate all accidents, and other accident specialists, are already en route or have already arrived at the scene of the crash.

Since this is one of that type of accident, the probable cause of which cannot be ascertained until an analysis of the wreckage can be made, after the fire has cooled, I make a plea to the press, as a former member of the press, not to speculate, without definite information of some kind, as to the probable cause.

We have just gone through a series of difficulties in the recent hijacking cases that could have greatly endangered aviation. We have been through other types of air disasters, which occur only once in more than 2 million flights. But there is a tendency, when newspaper headlines feature these spectacular happenings, without definite proof or evidence to sustain a conclusion in the early stages of the investigation, to stimulate delusions of grandeur on the part of psychopathic persons, which has a tendency to further endanger aviation.

I hope that, as a responsibility of the press, they will follow closely and print all of the factual data that can be obtained, and which will be released to the press as rapidly as it can be ascertained and verified and that speculation be withheld until we have more firm and reliable information.

To speculate as to some spectacular cause can actually be one of the most dangerous things that can occur in aviation. As a result of our committee's investigations of accidents over the past several years, we have ascertained that there seems to be a trend, when there is newspaper publicity involving the type of accidents which are largely occasioned by psychopaths, that others who read about them are stimulated, and thereby a dangerous situation is created.

I merely wish to make this announcement, and to assure the Senate and the House that, with the usual speed in getting to the scene, and combing the scene for details in the most scientific way, the experts of the Civil Aeronautics Board and the specialists of Federal Aviation Agency will soon begin to ascertain the cause, as they have been able to do in most accidents of the past.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. MONRONEY. I yield.

Mr. LAUSCHE. Has there been any speculation, in spite of the fact that the tapes give no explanation of the accident?

Mr. MONRONEY. I understand that there was such speculation on a radio news report. There is also a report that some ham operator, some amateur operator, had heard the pilot call by radio to report that there was an electrical fire aboard, or a fire in the electrical system. This could or could not be true. If it can be verified, of course, it will be valuable evidence.

The tape—at the airport tower which was only 4 minutes distant from the plane—so far the tape has been rerun several times by the accident investigator on the scene. It indicates nothing.

The FAA advises me that the company radio, the only other normal source of communication with the plane, was reported to be not monitoring or not in communication with this particular flight.

That would not be the type of dangerous speculation to which I referred.

Some dangerous speculation at times stimulates psychopaths to think of these things. It is perhaps better not to speculate unless there is evidence. The evidence will certainly be released, if there is any, as rapidly as it can be ascertained.

Mr. LAUSCHE. I concur with the Senator's remarks.

Mr. MONRONEY. I thank my distinguished colleague.

Mr. PROXMIRE. Mr. President, I call up my amendment 8–30–61—C, and ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin? The Chair hears none; and, without objection, the amendment will be printed in the RECORD without being read.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 2, beginning with line 14, strike out all through line 16 and insert in lieu thereof the following: "'and the sum of $66,500,000 for the fiscal year ending June 30, 1962, $50,000,000 for the fiscal year ending June 30, 1963, $45,000,000 for the fiscal year ending June 30, 1964, and $35,000,000 for each of the fiscal years ending June 30, 1965, and June 30, 1966'."

On page 3, beginning with line 1, strike out all through the period in line 3 and insert in lieu thereof the following: "sum of $1,500,000 for the fiscal year ending June 30, 1962, $1,000,000 for each of the fiscal years ending June 30, 1963, and June 30, 1964, and $500,000 for each of the fiscal years ending June 30, 1965, and June 30, 1966."

On page 3, beginning with line 19, strike out all through line 20 and insert in lieu thereof the following: "the fiscal year ending June 30, 1962, $6,000,000 for the fiscal year ending June 30, 1963, $5,000,000 for the fiscal year ending June 30, 1964, and $3,500,000 for each of the fiscal years ending June 30, 1965, and June 30, 1966,".

Mr. PROXMIRE. Mr. President, I yield myself 15 minutes.

Mr. President, the amendment would not change the method of financing. Last night I offered an amendment to do that, and it was defeated.

This amendment would provide for an orderly reduction in funds, year by year, as proposed by President Eisenhower and by the former head of the FAA, General Quesada, in 1958–59.

The amendment would authorize $261 million over a 5-year term, instead of the $375 million proposed in the bill, a saving of $114 million.

The reduction would be provided in an orderly way. Funds for the matching grants to the States would be the same in fiscal year 1962 as provided in the bill, a total of $75 million. The funds would be scaled down for each of the 4 years to follow, to accomplish the saving of $114 million.

I feel very strongly, on the basis of the hearings and on the basis of all the justifications, that the $261 million would be ample to accomplish what the committee report describes as desirable and essential, and what the authors of the bill argue should be provided by the Federal Government.

The heart of the issue on how much is to be spent on airport construction lies in the type of projects contemplated and how information was gathered on this question. The bill asks for a 5-year authorization of $375 million. That sum would be fully committed by this bill.

How does the figure of $375 million of Federal money relate to the need for planned airport projects? The answer is to be found in the hearings held on the airport construction bills both in the Senate and House of Representatives this year, in which a national airport survey was given very careful consideration.

The national airport survey was conducted by the Airport Operators' Council, the American Association of Airport Executives, and the National Association of State Aviation Officials. Obviously, these men have a vested interest, one might say, in seeing that as much Federal assistance is provided as can be obtained. No one could say that this particular survey would err on the side of underestimating the needs or the desires for aid.

A chart on page 61 of the hearings on the companion bill in the House shows that the survey correlates closely with later requests for subsidies.

The survey takers wrote to 736 publicly owned air carrier or passenger airports and 2,628 publicly owned general aviation airports. Air carrier airports are served by CAB-certified scheduled flights. The general aviation airports are not served by scheduled airlines and may be thought of as airports which serve occasional charter flights, business flights, and recreational flights. The

airports were asked to say what the cost of the projects they had planned for the period 1961–64 was.

The total cost reported by the airports replying to the survey was $1,125,044,435. That is virtually the same as the $1.1 billion reported in the national airport plan of the Federal Aviation Agency.

Of this sum, $588,065,224 was available from the sponsors of the projects, and from local and State assistance. The survey takers then concluded that $536,979,211 was needed from other sources. But the airport survey has serious weaknesses, and can in no way serve as an adequate foundation for the claim that $375 million is needed in Federal assistance over the next 5 years.

For one thing, as reported on page 38 of the House hearings, 11.9 percent of the $1.1 billion would be for revenue-producing areas in terminals. Under the Federal Airport Act as amended, and printed in the back of the Senate report, on page 41, allowable project costs are those which accomplish airport development. Projects not allowed included bars, cocktail lounges, nightclubs, theaters, private clubs, garages, hotel rooms, commercial offices, or gamerooms.

Reading further, we discover that the cost of airport buildings was allowed insofar as it contributed to the safety, convenience, or comfort of persons using airports. In other words, allowable project costs under existing legislation include barbershops, restaurants, ticket counters, baggage rooms, newsstands, and so on: all facilities which contribute to the comfort and convenience of travelers except those listed above. And 11.9 percent of the $1.1 billion was to be devoted to such areas.

But when we look at S. 1703, on page 8, lines 5–13, we find that allowable project costs will no longer include terminal facilities which contribute to the comfort of passengers, or to their convenience, but only to their safety. In other words, the act itself does away with 11.9 percent of the airport survey's figures or $133,875,000. This leaves $991,169,435 of the original $1.1 billion.

How will the $133,875,000 be raised to build the revenue-producing areas which are intended for airports in the period of 1961–64? Shall this sum be taken from the $588 million available in State and local funds? If it were, and only $454 million in available funds were left, the Government would only have to provide $454 million in 50–50 matching funds and not the $536 million called for by the takers of the airport survey.

On the other hand, let us assume that all of the revenue-producing areas are financed out of funds which no one suspected would become available. In that case $588 million would be available in funds but only $991,169,435 would be needed for all allowable projects; so the Federal share remaining would be about $403 million. That, too, is a long way from the $536 million which this survey reported.

I commend the distinguished Senator from Oklahoma [Mr. MONRONEY] for that very desirable provision in the bill which limits allowable project cost to only those parts of terminal buildings which deal with public safety. It has the result, however, of knocking $133.8 million out of the airport survey offered in support of this legislation.

James Ramsey of the National Association of State Aviation Officials testified before the House subcommittee on page 83 of their hearings that the airport survey figure of $1.1 billion includes $44 million for construction of rent-free space for weather and control tower facilities which could not be included under the terms of this bill. The airport survey also includes $27.5 million for parking areas, which cannot be included under existing legislation or under the Airport Act as this bill would amend it.

I now direct my remarks at another part of the airport survey, which also has to do with matching funds. What are we to make of those projects for which less than 50 percent is available? I cannot believe that the Senate will depend upon the figure of $536 million for Federal needs when the airport sponsors have indicated no plans to make funds available. If the funds are not to become available, there is clearly no need for the Federal Government to match them.

In the list of States which appears on table 9 of the House hearings, page 53, projects are listed under 12 States for which local matching funds are not programed. This does not indicate a failure on the part of the several States, which usually bear a small part of airport construction cost, but of the individual sponsors of the projects and in some cases of the municipalities. Nevertheless, 12 States there are. I ask unanimous consent that a table showing the State, the funds available, the supposed need for Federal funds, and the difference between each pair of amounts be inserted in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Table showing project groups (by States) where insufficient funds are available

State	Funds available	Funds needed	Difference
Alabama	$2,105,150	$2,434,850	$329,700
Alaska	11,174,750	16,419,750	5,245,000
Delaware	338,000	392,400	54,400
Florida	28,941,441	56,502,503	7,561,062
Illinois	20,371,300	26,992,300	6,621,000
Kansas	1,197,950	4,248,850	3,050,900
New Mexico	693,524	5,187,776	4,494,252
New York	42,904,695	45,527,855	2,623,160
Ohio	11,672,300	12,829,350	1,157,050
South Carolina	7,716,000	10,266,420	2,550,420
Texas	12,379,061	37,343,723	24,964,662
Utah	900,450	3,452,072	2,551,622
Total			81,203,228

Mr. PROXMIRE. Mr. President, we can see that in the 12 States of Alabama, Alaska, Delaware, Florida, Illinois, Kansas, New Mexico, New York, Ohio, South Carolina, Texas, and Utah projects are planned which call for more than 50 percent of Federal funds. Again the bill as drafted by the Senate committee frustrates the takers of the survey, for only 50 percent of allowable project costs, with small exceptions, are to be met by the Federal Government. But hoped-for Federal contributions are $81,203,228 greater than the expected local project funds available in those 12 States on the basis of overall summaries by States.

There are many individual projects in various States for which local financing is less than 50 percent, which would further reduce the potential Federal participation.

I should like to point out that in the State of California, where there are 178 projects planned, local funds account for $77 out of $122 million, or well over half. In Iowa, where there are 58 projects planned, local funds account for $6 out of $10.5 million. In Michigan, where there are 252 projects planned, local funds account for $54 out of $84.6 million. In Montana, where there are 96 projects planned, local funds account for $6.2 out of $8.7 million. In Tennessee, where there are 63 projects planned, local funds account for $21.4 out of $37.6 million. In Pennsylvania, where there are 29 projects planned, local funds account for $26 out of $37.5 million. In New Jersey, where there are two projects planned, local funds account for $26 out of $40.6 million. In these States a majority of the projects clearly are financed by local funds without subsidy.

These States should be singled out for praise. But in the 12 States I mentioned, the available funds fall over $81 million short of the so-called need for Federal funds. Because the money is not available locally, $81 million of the so-called need of $536 million may safely be dropped, bringing that total down to $455 million.

Yet another part of this subsidy program which will not bear inspection is the provision for 131 new general aviation airports in communities where there already are air carrier airports. This enormous duplication to accommodate the man who owns his own plane and business aircraft which are increasing in such spectacular numbers is hard to understand. My amendments do not eliminate the discretionary fund provided for this purpose to finance projects in the most urgent cases where compatible use is clearly impossible. If this field is increasing so fast that 131 new airports are needed, I should think its capacity for bearing the expense of some $86 million for improvement of general aviation airports would also be increasing. I think the Government should get out of the business of providing airports for business and pleasure aircraft, particularly because no shift to jets is taking place in this field which requires enormous runway extension programs.

Here again, there is a discrepancy in the airport survey. The project plans for general aviation are stated to be some $160 million, or 14 percent of the whole. Yet the Federal Aviation Administrator has testified that his national airport plan, which resembles the airport survey in other respects, calls for only $85 million over the next 5 years, of which the Federal share was to be some $42.8 million. The phaseout procedure in my amendment would provide $25 million specifically for this purpose, in addition to the portion of other funds which may finance such projects. But

to return to the matter of the airport survey, the projects in general aviation exceeded the amount provided for in the national airport plan by some $75 million. Here is another area in which the Federal Government will not have to pay its 50-percent share.

A further reduction should be made in this survey because, as the Senator from Oklahoma [Mr. MONRONEY] said yesterday, only 80 percent of planned projects have been actually built in the past. Thus we can reduce the airport survey by 20 percent, which in dollars may be as much as $220 million. Yet, under the advance contract authority provided in the bill the full sums authorized are certain to be committed.

Mr. President, in sum, the airport survey, which provides a detailed account of how the airport subsidy funds are to be spent, does not support the authorization in the bill in its present form. The bill in its present form provides for $375 million. My amendment would cut that amount to $261 million. The airport survey presented as evidence to complement the national airport plan falls far short of convincing me of the need for $375 million.

When we examine the figure of $1.1 billion in the airport survey for which detailed information is available, we find that $75 million of that amount is for general aviation airports not provided for in the national airport plan. We find that $81 million at least is not matched by local funds, and that some $27.5 million is provided for parking lots. We find that $133.8 million was intended to be spent on revenue-producing areas which may no longer be assisted under a change to be made in the law by S. 1703, that $44 million for control towers and weather facilities cannot be included either.

The national airport survey plays an important part in the evidence in support of the need for $375 million and is a good indication of how it would be spent. I am unimpressed with that evidence. I find that if I subtract these four figures from the $1.1 billion set forth both in the national airport plan and the national airport survey, the need is about $730 million. Local sources have $588 million according to the survey, much of which will be available for matching. This provides a healthier picture of the ability of our communities and the aviation industry itself to support airports than one might have imagined. I am not an expert in these matters, and I may well be misreading some technical aspects of the national airport survey. But I believe that $261 million provided for by my amendment will finance a substantial share of the needs reported by the airports.

There is yet another consideration. The Engineering News-Record reported on March 10, 1960, that 87.5 percent of the total allocated under the Federal Airport Act construction subsidy program for the fiscal year ending June 30, 1961, was for land acquisition and the construction of runways, taxiways, and aprons. It can be argued that many airports required a temporary assist from the Federal Government for conversion to jet airplane capability. To a degree this represents an extraordinary cost, which some might expect the Government to underwrite.

My criticism of the FAA national airport plan is that the project totals are not related to the distribution formula contemplated for the several States. It is altogether possible that a preponderance of costs would lie in some States, so that no airport construction subsidy based on a State distribution formula could get Federal money into all of the projects. One of the chief weaknesses of the appropriation measure behind this bill is that it bears so little relation to the national airport plan. If that plan is to be used to justify the bill, let the proponents of the measure provide a distribution formula based on the airport plan itself rather than on a State basis.

A justification frequently heard for Federal aid to this enormously wealthy sector of our economy lies in the shift of jet capability. So I looked at exhibit 4 on page 204 of the national airport plan, which lists the estimated development costs of turbojet airports. I find that for 1962–66 $386 million is proposed for land acquisition, site preparation, and the paving of runways, for turbojet airports only. Runway construction on all air carrier airports would run to about $580 million, including all land acquisition. Runway construction on all general aviation airports would run to about $287 million. In other words, the total for all runway construction would be about $867 million.

My amendment, assuming matching funds of 50 percent, would provide $522 million of that figure.

But the national airport survey indicates that only 63.1 percent of the proposed projects from 1961 to 1965 involve runway extension. Land and approach acquisition will take 13.9 percent of the total of $1.1 billion. Landing area development will take 15.4 percent. Paving will take 33.8 percent. These figures are reported on page 38 of the House hearings. So the need for runways has begun to taper off. Where 87.5 percent of the funds for fiscal year 1961 went for runway, taxiway, and apron acquisition and construction, only 63.1 percent of the projects planned by the airports over the next 4 years involve runways, taxiways, and aprons.

My amendment follows the general lines of this change by reducing the airport construction funds each year. This gradual reduction makes sense as the shift to jet runways is gradually effected. The figure in my amendment bears the same relation to the provision in the bill as the percentage of funds for runways in the next 4 years bears to the percentage for runways in fiscal year 1961.

It should be noted that the rest of the FAA budget is enormous. Airports at least could eventually become a local responsibility. The Eisenhower budget for this year was $686 million for new authority. Adding existing authority, it provided $811 million for fiscal 1962 for the FAA. FAA has over 34,000 employees, with an annual wage bill of $290 million.

Forty million dollars of the Eisenhower budget was for airport construction. My amendment would provide an annual average of $52 million for the next 5 years, while the bill would provide $75 million annually. It should also be noted that $8 million is spent annually for the National Capital airports, which is not computed in the regular airport aid plan.

In 1957, the entire FAA program cost $308 million. In 5 years there has been a 250-percent increase in the Federal Aviation Agency, the Agency that provides assistance to the aviation industry.

How much does the aviation user contribute to that?

In fiscal year 1959 the Treasury stated that the 2-cent-per-gallon tax on aviation gasoline brought in revenues of $30 million. The Bureau of Mines reported that slightly more than 2 billion gallons were sold.

In fiscal year 1960 the gasoline tax was raised to 4 cents per gallon, with provision for refunds of 4 cents per gallon to farm users and 2 cents per gallon to nonhighway users such as aviation gasoline consumers. In that year refunds of $24.8 million were made, indicating that some $25 million was retained as aviation gasoline revenue. Incidentally, in that same year, some 60 billion gallons of gasoline were sold, of which 2.4 billion went for farm use and 1 billion for aviation. Thus the highway users paid $2.4 billion, the farmers paid no taxes, and the aviation gasoline users paid $25 million. Aviation used 2 percent of the gas but paid 1 percent of the taxes.

In fiscal year 1961 some 1.26 billion gallons of aviation gasoline were sold, at a very rough estimate from the Bureau of Mines, while some $25 million in aviation gasoline refunds were made. That figure includes refunds made in fiscal year 1961 for taxes received in fiscal year 1960.

For fiscal year 1962, the Treasury Department has made public an estimate of $20 million for receipts from the taxation of aviation fuel.

For fiscal year 1963, the Federal Aviation Agency has estimated that returns from aviation gasoline taxation will decline still further to $18.3 million.

I was surprised to learn from yesterday's RECORD that the Senator from Oklahoma thought that $60 million was raised annually in gasoline taxes. The actual figure is much less, based on the most authoritative sources available. I have listed them. Does the Senator from Oklahoma have more authoritative sources?

The steady decline in returns from aviation gasoline taxation reflects the ever-larger part played in aviation by tax-exempt jet fuel. These figures sound a feeble piping against the crescendo of increasing Federal grants for airport construction. The highway user pays a 4-cent tax on gasoline which costs from 24 to 34 cents a gallon. The aviation gasoline consumer pays a 4-cent tax on gasoline which costs from 42 cents—80

octane—to 45 cents—100 octane—per gallon, and then applies for a refund of 2 cents per gallon on the gasoline he has used.

It is, of course, the small user who is penalized by this bureaucratic scheme and who rarely manages to obtain a full refund, while the large commercial users of aviation gasoline account for almost all of the refunds received. But refunds aside, a tax of only 2 cents out of 43 to 45 cents for aviation fuel is a poor comment on the extent to which airport users are paying their own way for the airport construction program. And if the shift to jet use is the main justification for the program, I cannot understand why the 1.4 billion gallons of jet fuel sold in 1960 were not taxed.

Here is a gross subsidy of $811 million. Taxes on airline travel brought in $158 million in 1960. Taxes for aviation gas brought in between $20 million and $25 million. The result: The general taxpayer is required to pay an enormous net subsidy of over $600 million to this well-to-do industry.

General aviation airports particularly do not merit Federal subsidy. Private and business planes are used by the most affluent segment of our population. This is Federal aid to the super-Cadillac class, to the owners of the Cessnas and Convairs, who must have an average of $7,000 or $8,000 to spend for a plane, and often far more than that. Many private planes cost anywhere from $100,000 to a quarter of a million dollars.

Furthermore, the States with a large number of general aviation projects, which do not benefit air passenger services, have the largest deficiencies of State and local funds.

Mr. President, to sum up, this is a very heavily oversubsidized industry. It is an industry which is extremely affluent and which can well afford to pay more in user taxes and require less in subsidy. My amendment is carefully drawn to provide substantial assistance, enough for jet runways and most of the essential safety facilities. The proponents of the bill have justified no more than that.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield 2 additional minutes to the Senator from Wisconsin.

Mr. PROXMIRE. I yield.

Mr. MAGNUSON. During the course of the Senator's statement he mentioned the increase in the appropriations for FAA. The Senator from Washington, of course, handles the appropriations for the Independent Offices budget, and FAA is one of the agencies included in that appropriation bill. There has been a great increase in the FAA appropriations over the years. I have watched it grow. However, I believe the RECORD should show that probably 72 or 75 percent of the increase has been for the installation of navigational aids, which is a tremendous program throughout the country. It is not quite complete. It involves weather aids, radar aids, and navigation aids, which we are spotting all over the country for the safety of air travel. I get somewhat concerned about this. I believe that we may have reached a plateau in this area so far as our aids are concerned. The country is pretty well covered now.

Mr. PROXMIRE. The Senator is absolutely right. It is a very worthwhile effort.

Mr. MAGNUSON. I am hopeful that after a year or two, when we get the installations completed, that the costs will go down. A part of the personnel increase, of course, is reflected in the people who must be hired to run the installations.

Mr. PROXMIRE. Two hundred and ninety million dollars of the increase goes for personnel.

Mr. MAGNUSON. Some of them are automatic. I am hopeful, as is the Senator from Wisconsin, that we will reach a plateau and that we will then start to go down, because it is quite costly. However, we were quite deficient.

Mr. PROXMIRE. I thank the Senator for underlining the fact that there is enormous aid being given to the aviation industry, and that it is time we taper off. Indeed, we should begin to reduce this vast subsidy to aviation.

Mr. President, I yield the floor.

Mr. MONRONEY. Mr. President, I yield to the distingushed Senator from Kansas [Mr. SCHOEPPEL] the senior minority member of the committee, as much time as he needs. How much time does the Senator think he will need?

Mr. SCHOEPPEL. From 5 to 8 minutes.

Mr. MONRONEY. I yield 5 minutes to the Senator from Kansas.

Mr. SCHOEPPEL. Mr. President, I desire to speak from the historical standpoint with reference to the amendment which has been offered by the Senator from Wisconsin. Checking the figures in the proposal submitted by the Senator from Wisconsin, they provide on the average, if my memory serves me correctly, for about $10 million less per year than my proposed amendment to the airport bill of 2 years ago. As I recall, my amendment at that time provided for $63 million.

It will be recalled that the administration of that day made certain recommendations concerning the needs of aviation. Not a single member of the President's party, which was in the minority in the Senate at that time, offered any amendment or took any active, participating part in opposing the request or suggestions made by the President and the Bureau of the Budget.

At the time I offered an amendment to provide $63 million, as I recall, the distinguished junior Senator from Kentucky [Mr. MORTON] offered an amendment to provide $70 million.

Quite frankly, at that stage of the game, we would have been delighted to have had the support of the Senator from Wisconsin, because I remember that he, according to the RECORD, voted against my amendment and against the amendment offered by the junior Senator from Kentucky, as well. I know that at that time he did not see fit to approve the amendment I had offered.

After all the analysis we have had with respect to the bill, and considering the progress and growth of aviation during the last 2 years, with the great advances which have been made, I think the amount provided in the bill is a proper amount to provide if we expect to have a program which will conform with the new requirements in aviation.

I cannot support the amendment of the Senator from Wisconsin, because it amounts to a cut of approximately $10 million below what was thought to be the minimum amount 2 years ago.

Mr. PROXMIRE. Mr. President, since the Senator from Kansas has mentioned the name of the Senator from Wisconsin, will he yield to me?

Mr. SCHOEPPEL. I yield.

Mr. PROXMIRE. I wish to explain that my position has been modified in the past 2 years, with good, solid reason. Two years ago 90 percent of the money proposed for airport aid was to be for jet runways. Now the share for that purpose is 60 percent. At that time the conversion to jets was in full swing. The rate of conversion has now tapered off. At that time, the overwhelming need was for jet runways. That need is now largely met. That was the reason for the position I took 2 years ago. The record is absolutely clear. That need has begun to be met. It is now less. This is why my amendment is carefully drawn to provide an appropriate gradual reduction.

Mr. SCHOEPPEL. I appreciate the Senator's explanation. Historically, from the standpoint of the recommendation made by the Republican administration 2 years ago, not one Member of the majority, after analyzing the situation, took the position that an amendment should be offered sustaining the reduction they proposed. Quite to the contrary, amendments were offered which we thought were more in line with the needs. The needs were underestimated in some respects, but we desired to be on the safe side.

The present measure has received careful thought and study by our committee, especially by the distinguished Senator from Oklahoma [Mr. MONRONEY], the chairman of the subcommittee. The staff work has been thorough.

I believe the amendment offered by the Senator from Wisconsin would cripple the program. Aviation is a growing industry. Jet runways have been provided in a great many metropolitan areas. But who knows what facilities may be required when the newer commercial jets begin to operate? Facilities will be required in many less important airport areas, away from the large cities. More traffic will be diverted to those areas. General aviation is growing, small light airplanes are meeting an ever-growing number of commercial, business and agricultural needs and airport development must keep pace with that growth.

I hope the Senate will reject the amendment.

Mr. MONRONEY. Mr. President, I strongly oppose the amendment. I am disappointed that the Senator from Wisconsin chooses to attack the general aviation airports with such vehemence.

This field of aviation is undergoing great change and development. I could better understand the Senator attacking our providing Federal funds to New York City, for its Idlewild Airport, or for a needed third international airport there; or attacking providing funds for O'Hare or Midway, in Chicago, or Los Angeles International. But when the Senator thinks that the only people who are flying into the general aviation airports are those who fly jet planes in or super de luxe twin-motor executive aircraft, either he does not know the facts and has not been on the small city and small town airports, or the State of Wisconsin is far behind in the march of aviation progress and is ready to go back to the horse and buggy.

I have received great pleasure in traveling around the small airports of Oklahoma, which is not nearly so wealthy a State as Wisconsin. I have attended the farmers' fly-ins. On one occasion, I found 125 planes from the Flying Farmers' Organization, flown in to a fine small airport by farmers who came up for flapjacks. Our farmers fly. Of course, they do not fly Jet Stars, or Gulf Streams, or Convairs. They fly Piper Cubs or Tri-Pacers or Cessna 170's, and similar planes. They fly planes that sell from between $5,000 and $20,000. They fly because they find it useful to do so in their business. They like to be a part of the modern world.

If the Senator from Wisconsin has not become acquainted with the Flying Farmers and the great use which people in agriculture make of planes, I am afraid he is out of contact with what is taking place.

Many of the young aggie school graduates learn to fly in school. Many of the young men who come out of the military want to stay in the air. Many small communities want to become a part of the aviation picture.

The Senator from Wisconsin proposes drastic meat-ax cuts to reduce Federal aid to a total of $35 million for the whole Nation by the fiscal year 1965, at a time when the number of air travelers and aircraft are increasing steadily.

The Senator's amendment would deny to the small towns of the Nation, which are ambitious to become a part of the Nation's airport network, to serve private and business aircraft, the aircraft operated by small contractors, salesmen, and suppliers; people who find that the airplane is the best and cheapest instrumentality of their business. To deny these funds on a 50–50 matching basis to small airports is to say, "Let us channel all the money into the big airports," because we know it will be necessary to maintain the big airports, which are a "must" in interstate communications and international travel.

I am certain the Senator knows—if he does not, he should know—that today, in intercity travel, more people fly or travel by air than on any other form of transportation except private automobile, and this traveling is done mostly on commercial airlines. I am not speaking of the large amount of passenger miles which is racked up by general aviation. More people fly the commercial airlines nationally—interstate—than travel on the railroads and buslines combined.

The only means of intercity transportation that outdistances it is the private automobile. Yet the amendment of the Senator from Wisconsin would reduce the amount to $35 million at a time when, using the best methods of modern technology, the general aviation fleet the Senator's amendment would hit so hard will be increased from the present 68,000 aircraft to 86,000 or more by 1965. Furthermore, these planes are low-cost planes, not the "Cadillacs of the air" to which the Senator from Wisconsin referred. I suggest that he visit the small airfields in his State, and he will be surprised to find how many Piper Cubs and surplus service planes and even some homemade planes are in use. Some of the homemade planes are fantastic. I have seen some college boys land at such airports with planes with wings no larger than this tier of desks—so small that I could not understand how they were able to fly them at all; but they did.

Mr. SCHOEPPEL. Mr. President, will the Senator from Oklahoma yield?

The PRESIDING OFFICER (Mr. BURDICK in the chair). Does the Senator from Oklahoma yield to the Senator from Kansas?

Mr. MONRONEY. I yield.

Mr. SCHOEPPEL. I cannot help interjecting at this point that the Cessna Co., with its aircraft, and the Beech Co., with its aircraft—planes in the middle price bracket—are two of the companies which manufacture great numbers of the planes the Senator from Wisconsin will find in use at the airfields in his great State of Wisconsin, just as they are used all over the country for a host of purposes.

Mr. MONRONEY. Mr. President, let me say that I think the Senator from Wisconsin might be interested in the figures we have for the revenue from the 10-percent passenger tax from buses, railroads, and airlines. The figure for buses is $43 million; that for railroads is $49 milion; and that for the airlines is $181 million.

So this bill involves more than a parochial matter and more than a sportsmen's paradise. These are the basic air transportation facilities of the United States and the world, and they constitute essential connections with the rest of the world, for the figures show that many more passengers now cross the ocean by air than by sea. Therefore, to permit—as the pending amendment would—complete obsolescence of the airport system would be fatal, indeed.

Similarly, Mr. President, our figures do not correspond with those of the Senator from Wisconsin in relation to the estimated airport needs. To give some idea of the soundness of the cost estimate, we are moving the Anacostia Naval Air Station, here on the outskirts of Washington—it is a rather small installation—to Andrews Field, and the cost of moving it will be over $95 million, which is almost three times the amount the amendment of the Senator from Wisconsin would permit for all 50 of the States in 1965.

And before the Dulles International Airport is completed, its cost will be more than $110 million, or more than three times the amount which all the airports of the Nation would be able to share in 1965 under the amendment of the Senator from Wisconsin.

It seems to me that in order to be realistic, we have made every possible cut in the total amount. We have decreased the cost to $75 million a year—the least amount we think the Nation can live with. I should like to have gone higher than the $75 million, instead of going down to the $35 million provided by the amendment of the Senator from Wisconsin, because all of us know that the need for airports is constantly increasing, and so is the need for increased facilities in order to care for larger and larger numbers of planes. For instance, the Senator from Wisconsin refers to the fact that many of the runways have been extended. It is true that they have been extended, but the body of the runways has been given only a light coating. Many of the runways were designed to handle DC–3's, DC–4's or DC–6's, which weigh less than half what the modern jets which are using the runways weigh.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. MONRONEY. Mr. President, I yield myself 3 more minutes.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 3 more minutes.

Mr. MONRONEY. Mr. President, in another year or two the nose wheels of the 707's or the DC–8's will be dropping through that thin coating of the runways, as it wears out. In short, there will be far more need than there is now, and under this amendment the States will have to provide an even greater share of the necessary improved and additional facilities.

The tables which show that a billion dollars of work will be done over this period use a conservative figure.

But I believe that by eliminating the aid to terminals for nonsafety elements, we have reduced the program sufficiently. That will reduce the total needs by only $90 million. That is all we can safely eliminate, because we have to build the communications facilities which are used by the FAA and the Weather Bureau, and we have to build other structures which will be purely for safety purposes. The remainder is reduced 20 percent, based on past experience.

But now the Senator from Wisconsin would apply that 20-percent reduction a second time. I believe in economy, but I do not believe the 20-percent reduction should be used twice. That would be carrying it too far.

The total for all this—including these reductions from the estimates—will be $780 million, for the 5 years. The Federal share, on the 50–50 matching basis, will be $390 million; but the bill has been reduced by $15 million below this amount because we feel we can recover in a year or two the $14 million that has not yet been claimed by the States to which it is

allocated. Not all of this amount will be spent, unless the States submit satisfactory projects and match it. Before they get through, they will be providing 60 percent to 80 percent of the total, not 50 percent. Even this amount does not include some of the staggering expenses which large metropolitan centers, such as New York, Los Angeles, and other large cities, must provide for if they are to keep their airports adequate and sufficiently modernized and enlarged to accommodate the increasing traffic.

The PRESIDING OFFICER. The additional time of the Senator from Oklahoma has expired.

Mr. MONRONEY. Mr. President, I yield myself 1 more minute.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 1 more minute.

Mr. MONRONEY. Mr. President, this money is needed for better safety. It is high time for the airport facilities to be improved, so that the large planes which use the runways will have the aid of modern lighting equipment, rather than just the lighted pizza pie signs and hamburger stand signs that are to be seen near many of the runways. So we have included in the bill provision for the fine, new, safety feature, namely, narrow-gage runway lights. As the pilot approaches the runway, the two lanes of lights are rather far apart; but as the plane moves along the runway, the two rows of lights grow closer and closer together, so that at the far end of the runway the two rows have almost joined. All the lighting will be embedded in concrete. Thus the pilots will know just where the planes are on the runways.

Mr. BIBLE. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. BIBLE. First, let me commend the distinguished chairman of the Aviation Subcommittee. It was my pleasure, 2 years ago, to serve on this great committee with the distinguished Senator from Oklahoma, and in my opinion he is Mr. Aviation.

I wish to point out that Nevada has many problems in many fields, but I know of no one program that has done more to meet the transportation needs, particularly those in the State of Nevada, than this Federal airport program. As the Senator from Oklahoma has so correctly pointed out, this program depends upon local cooperation and upon having the municipalities involved float the necessary bonds, in order to be able to match the Federal funds. These bonds are among the most popular with the electorate of our State.

I commend very highly the distinguished Senator from Oklahoma, Mr. Aviation, for the outstanding work he has done in this field. He is truly one of the great authorities in the United States, if not in the entire world.

Mr. MONRONEY. Mr. President, the Senator from Nevada is most kind; but let me say that we hated to lose him from our Aviation Subcommittee, because so many of the great, pioneering pieces of legislation bear his name and have benefited by his guidance. So the gain of the Appropriations Committee has been the great loss of the Aviation Subcommittee.

The PRESIDING OFFICER. The additional time of the Senator from Oklahoma has expired.

Mr. MONRONEY. Mr. President, I yield myself 1 more minute.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 1 more minute.

Mr. MONRONEY. Mr. President, practically all transportation in the Senator's great State of Nevada is by means of aviation.

Similarly, the Senator from Alaska, who wishes to speak briefly in regard to this bill, knows that aviation is essential to transportation in his great, new State.

Similarly, the Senators from Hawaii know that the only transportation between various parts of that State and various of its islands is by aviation.

The aviation feeder lines are picking up the traffic load which the railroads have written off. Unless people want to drive long distances, there is no way for them to get to certain points.

Mr. BIBLE. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. BIBLE. The Senator from Oklahoma has prompted an additional remark which I should like to make, which is that in my own State of Nevada we have the Bonanza Air Lines, which is one of the greatest feeder service lines in the entire world. It is the first completely jet prop feeder line service in the entire world. It was pioneered by private industry and private initiative, by a few men who had the vision to see that in this new era they could shorten the time and improve methods of aviation. The aid that has been given to them by bills reported by the Commerce Committee, and particularly the Aviation Subcommittee, has been of inestimable value. Not only that, but they will ultimately pay their way in dividends and money brought back to the Treasury.

Mr. MONRONEY. I yield 2 minutes to the Senator from Alaska [Mr. GRUENING].

Mr. GRUENING. Mr. President, I could not agree more with the fine tribute which the Senator from Nevada has paid to the chairman of the Subcommittee on Aviation. Quite truly, the Senator from Oklahoma is Mr. Aviation himself.

I went along with the Senator from Wisconsin [Mr. PROXMIRE] as one of a small number of Senators who opposed a recent nomination. I felt that he had made his case against confirmation, but only a few of us, a dozen, supported his position with our votes.

In this case, however, I find it difficult to understand his opposition in its present form to a measure which is so vital to our country's progress, our commerce, the national defense and indeed the safety of our traveling public. It is inconsistent with the position he and most of us have taken that we need to strengthen our economy and our security.

Of course, we in Alaska are particularly conscious of aviation, because we have few highways connecting our cities. When Alaska entered the Union it was and is unique in that not only a few, but the majority of our communities are unconnected with any other either by highway or railroad. That is due to Alaska's long exclusion from all Federal highway aid legislation. So aviation is essential to us. In Alaska our bush pilots have developed a magnificent air transportation system. In many parts of our vast area it is the only transportation we have. I hope the amendment will not prevail, and that the bill will be passed as reported. It is a fine bill and will be of immense help to Alaska and the Nation.

As a cosponsor and strong supporter of the bill now before the Senate, S. 1703, to amend and extend provisions of the Federal Airport Act, I wish to repeat my commendation of my colleague, the Senator from Oklahoma [Mr. MONRONEY], who as chairman of the Aviation Subcommittee of the Commerce Committee, has done such fine work in presenting the Senate with legislation that will benefit air transportation enormously.

Alaskans, for reasons I have pointed out, are particularly aware of the great importance of improving air transportation. In a statement I made on this bill before the Senate Commerce Committee, I called attention to the fact that Alaska is the flyingest State in the Union. Our people fly more miles, per capita, own more airplanes, and are more completely dependent on air transportation than those of any other State in the Union.

This being the case we are especially happy that the bill now under consideration will place Alaska on the same basis as other States with respect to allocation of funds provided by the legislation. Until passage of this bill, Alaska has been receiving funds for airports on the same basis as it did during territorial days—a formula woefully inadequate for the need.

We welcome, too, the more liberal approach of the present administration, reflected in its support of this bill, which will provide larger funds for the entire Nation than were allowed by the previous Republican administration. During the 86th Congress, the able chairman of the Aviation Subcommittee introduced legislation to provide funds for the States on a more generous basis than had been the case previously. The Republican administration opposed this flatly, recommending a greatly reduced program that would have fallen far short of meeting the urgent requirements of air transportation. That administration would have approved only an amount of $200 million over a 4-year period, and wanted then to phase out the Federal aid program completely, thereafter, as compared with the present bill which would authorize expenditure of $75 million annually over a 5-year period, and assumes that Federal aid to aviation, like Federal aid to highways, is a continuing obligation.

Now, with the increased authorization provided by S. 1703, together with the provision which will allow Alaska to participate on the same basis as the other States, we find that Alaska will be entitled, during the next 5 years, to an

allocation of funds amounting to $3,994,000 annually, as compared with the meager $1,350,000 allowed under the bill we were able to pass in the 86th Congress. This is of major importance to my State and I know the benefits the increased funds will bring will be an exceptionally important contribution to the further development of Alaska.

Another provision of S. 1703 which is of particular interest to Alaska, with its important international airport at Anchorage, is the committee amendment that will authorize various Federal agencies performing functions in connection with admission of foreign travelers, such as the Immigration and Naturalization Service, the Public Health Service, and the Customs Bureau, to acquire the space they need at airports—in contrast with the present arrangement which requires these facilities to be provided by the carriers. Since these are services on behalf of the Federal Government, it seems entirely fitting that this amendment should be adopted.

Mr. PROXMIRE. Mr. President, I checked with the Federal Aviation Agency, the Department of the Treasury, the Bureau of Mines, and the Joint Committee on Internal Revenue Taxation. I was told in each case that for 1960 and 1961 the amount received from aviation gasoline taxes was between $20 and $25 million. I do not know what else could have been done. I checked with the most authoritative sources. The Senator from Oklahoma has given no sources.

My proposal provides funds to procure the essential safety devices and runways, the need for which was described in the report. The question is, Who is going to pay for less essential services to flying? Is it going to be the general taxpayer? Is the taxpayer going to continue to oversubsidize aviation which already receives over $800 million? Or should it be those who enjoy the benefits of flying—people who can well afford it?

Or do the proponents of this bill believe this lavish subsidy, a fat multiple of the tax revenues from aviation users, should continue forever?

My amendment provides a modest, long-overdue reduction in the subsidy. I urge that it be adopted.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. PROXMIRE. If I may have 1 more minute, I will yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Does the Senator change the formula for participation between the Federal Government and the States, or does he leave it approximately the same as it is in the bill?

Mr. PROXMIRE. I have not changed the formula. I have an amendment pending that would provide a different formula for some of the aids, but it is not this amendment. All this amendment does is reduce the amount on a gradual basis. It is still on a 50–50 matching basis except for certain limited features.

Mr. WILLIAMS of Delaware. I notice the bill as reported by the committee proposes to put the formula on a 75–25 basis rather than a 50–50 matching basis. Personally, I would prefer to see the same formula kept.

Mr. PROXMIRE. It is my understanding that the 75–25 basis is limited to a relatively small amount of money and to certain safety features.

Mr. WILLIAMS of Delaware. That is true, but it does change the formula.

Mr. MONRONEY. Mr. President, I wish to say that relatively small amounts for landing aids are involved, but they add great safety to aviation. We have changed the law so we can require municipalities getting grants to provide these features as a condition precedent to receiving the grants. Since some of them already carried a 75–25 formula, we decided to make it uniform. Items such as runway distance guides will probably amount to less than $200 an airport, but it is very important for the pilots to know where they are on the runway and how much additional yardage or distance remains.

Mr. President, I do not intend to use any further time. I would like to help the Senator from Wisconsin get the yeas and nays.

I merely point out that we are only on the threshold of the greatest days of aviation. Some of my colleagues may have seen the Canadair CL–44 at the airport. It will carry 44,000 pounds of cargo at more than 400 miles an hour, and have a worldwide, transatlantic and transpacific, range. We are going to make a breakthrough on air cargo. We have not seen anything like what we will see in the growth of aviation.

Mr. President, I ask for the yeas and nays on the amendment of the Senator from Wisconsin.

The yeas and nays were not ordered.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator wish the time taken on the rollcall to be charged to either side?

Mr. MONRONEY. I ask unanimous consent that the time for the rollcall, since it is to secure the yeas and nays, not be taken out of the time of either side.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, I ask for the yeas and nays on the Proxmire amendment.

The yeas and nays were ordered.

Mr. MONRONEY. Mr. President, I believe the Senator from Wisconsin has no time remaining. I have no time remaining on the amendment.

The PRESIDING OFFICER. All time on the amendment has expired. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. PROXMIRE]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Wyoming [Mr. HICKEY], the Senator from North Carolina [Mr. JORDAN], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Georgia [Mr. RUSSELL], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON] and the Senator from New Mexico [Mr. CHAVEZ] are absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Wyoming [Mr. HICKEY], the Senator from North Carolina [Mr. JORDAN], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Georgia [Mr. RUSSELL], and the Senator from Missouri [Mr. SYMINGTON] would each vote "nay."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from New Mexico [Mr. ANDERSON]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from New Mexico would vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] is absent because of death in his family.

The Senator from Nebraska [Mr. HRUSKA] is absent on official business.

The Senator from Utah [Mr. BENNETT], the Senator from New Hampshire [Mr. COTTON], and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

The Senator from Arizona [Mr. GOLDWATER] and the Senator from Vermont [Mr. PROUTY] are detained on official business. If present and voting, the Senator from Nebraska [Mr. HRUSKA], the Senator from Connecticut [Mr. BUSH], and the Senator from Vermont [Mr. PROUTY] would each vote "nay."

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from New Hampshire [Mr. COTTON]. If present and voting, the Senator from Utah would vote "yea," and the Senator from New Hampshire would vote "nay."

The result was announced—yeas 10, nays 72, as follows:

[No. 179]

YEAS—10

Case, S. Dak.	Mundt	Wiley
Curtis	Proxmire	Williams, Del.
Douglas	Robertson	
Lausche	Tower	

NAYS—72

Aiken	Case, N.J.	Gore
Allott	Church	Gruening
Bartlett	Clark	Hart
Beall	Cooper	Hartke
Bible	Dirksen	Hayden
Boggs	Dodd	Hickenlooper
Burdick	Dworshak	Hill
Butler	Ellender	Holland
Byrd, W. Va.	Engle	Humphrey
Cannon	Ervin	Jackson
Capehart	Fong	Javits
Carroll	Fulbright	Johnston

Keating	Metcalf	Scott
Kefauver	Miller	Smathers
Kerr	Monroney	Smith, Mass.
Kuchel	Morse	Smith, Maine
Long, Mo.	Morton	Sparkman
Long, Hawaii	Moss	Stennis
Long, La.	Muskie	Talmadge
Magnuson	Neuberger	Thurmond
Mansfield	Pastore	Williams, N.J.
McCarthy	Pell	Yarborough
McGee	Randolph	Young, N. Dak.
McNamara	Schoeppel	Young, Ohio

NOT VOTING—18

Anderson	Chavez	Jordan
Bennett	Cotton	McClellan
Bridges	Eastland	Prouty
Bush	Goldwater	Russell
Byrd, Va.	Hickey	Saltonstall
Carlson	Hruska	Symington

So Mr. PROXMIRE's amendment was rejected.

Mr. MONRONEY. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. PASTORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KEATING. Mr. President, I call up my amendment identified as "8–10–61–A."

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 6, after line 15, insert the following:

(b) Section 11 of such Act is amended—

(1) by striking out "and" at the end of paragraph (7);

(2) by striking out the period at the end of paragraph (8) and inserting in lieu thereof "; and"; and

(3) by adding immediately after paragraph (8) the following new paragraph:

"(9) with respect to any project in Nassau County, New York, the Board of Supervisors of Nassau County approves such project."

Redesignate "(b)" on page 6, line 16, as "(c)".

(At this point Mrs. NEUBERGER took the chair as Presiding Officer.)

Mr. KEATING. Madam President, this amendment is designed as a specific remedy to a specific problem. However, it is based on a principle that I believe to be generally valid.

The decision by the Air Force to cease operations from Mitchel Field in Nassau County, N.Y., has presented the citizens of that county and of all Long Island with a splendid opportunity. This strategically located real estate may be developed in a number of ways that would be of great value to the surrounding communities.

Among the uses that have been suggested have been an industrial park, a hospital, a university, and a YMCA recreation center. Just recently a comprehensive plan for the development of the entire area was unveiled by a committee headed by the distinguished planner, Mr. Robert Moses.

Most of the plans that have been proposed for development of Mitchel Field do not include continuation of an airport at that site. Besides wishing to use the land for other purposes, many citizens of Nassau County are understandably apprehensive over the possibility that they may be plagued by the problem of airplane noise that has become so serious in the vicinities of Idlewild and La Guardia Airports.

The Federal Aviation Agency, however, has indicated that Mitchel Field should be put into use as a general aviation airport. It has set out with great vigor to find a public body in the Long Island area that would be willing to operate the airport. A public body, such as a county or municipality, must, of course, operate the airport if it is to be eligible for funds under the bill that is now before us.

This effort by the FAA has so far been unsuccessful, but it has caused much concern and some resentment in Nassau County. Although the county government is on record against an airport at Mitchel Field, there is always the possibility that some public body may be found to operate the airport, even though this may be contrary to the wishes of the great majority of the persons who will be affected.

My amendment would serve to inhibit this possibility. It would not, of course, completely rule it out. There is nothing in my amendment that would prevent a public body or a private enterprise from operating an airport at Mitchel Field. My amendment would not even necessarily deny Federal funds to such an airport, if it were operated by a public body. It would merely assure that Federal funds could not be used for an airport in Nassau County unless the views of the governing body of Nassau County, which is the jurisdiction affected by Mitchel Field, are first given fair consideration.

Let me make it clear, Madam President, that this amendment does not oppose an airport at Mitchel Field. It merely seeks to make certain that a federally supported airport shall not be established there contrary to the wishes of the people who reside in the locality.

My amendment, which has already been included in the bill passed by the other body, is based on one of the fundamental principles of our system of government. That is the principle of local self-determination. In the history of our country, we have always insisted that the interest of a local community be given fair consideration on any issue by which it is directly affected, and overridden only in the face of a compelling contrary national interest. This emphasis on local self-determination is one of the major reasons why the American system of government has been able greatly to expand its responsibilities without departing from its foundations in popular rule and freedom.

Adoption of my amendment will give application in a particular case to the generally valid principle of local self-determination.

Mr. JAVITS. Madam President, will the Senator yield to me?

Mr. KEATING. I yield to my colleague.

Mr. JAVITS. I should like to propound an inquiry to the Senator from Oklahoma, if I may, on this question. As the Senator knows, my colleague and I have done a little work on this matter. We understand that it is contrary to the policy of FAA to operate any airport where clearly the community—the governmental body of the county in this case—is against it. Can the Senator give us any expression of view on that?

Mr. MONRONEY. First, I should like to understand the point the Senator is making. He said "the policy of FAA to operate any airport." The FAA operates only Washington National Airport and its research airport, NAFEC, at Atlantic City. FAA is not set up, and in my opinion would not be permitted by the Commerce Committee or by the Appropriations Committee, to engage in the operation, per se, of other airports. Its duty under the Federal Airport Act is confined to handling requests for airport aid which are made by a State or a local community.

Mr. JAVITS. Would it be the policy for the FAA to lend itself to the operation of an airport, by aid or otherwise, where the local community was against it?

Mr. MONRONEY. It would be possible under existing law for the FAA to make a grant agreement with a multi-State authority, or some other public body which is created by State law, if the local authority is one which is permitted by State law to operate the airport and it makes application to FAA.

For example, application might be made by the authority responsible for the operation of the Newark-Idlewild-La Guardia airport complex. I think they are now trying to find a location for a fourth airport for the New York area.

Mr. JAVITS. If the county, for example, in this case Nassau County, were against it, would FAA nonetheless lend itself with private developers or others to back an airport?

Mr. MONRONEY. There is no way in which the Federal Aviation Agency could finance or give any financial assistance to a private agency under the Federal Airport Act. Under section 2(a)(9) the sponsor would have to be a public agency that was authorized under the law of that area.

Mr. JAVITS. I may say that the Nassau County Board of Supervisors, the governing body, both on May 8, 1961, and on July 10, 1961, has directly voiced its stand against any airport at Mitchel Field, as a result of any change in Mitchel Field's status.

I ask unanimous consent that the resolutions of the Board of Supervisors of Nassau County be printed in the RECORD at this point.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

OFFICE OF THE EXECUTIVE,
Mineola, N.Y., August 21, 1961.

JACOB K. JAVITS,
U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SENATOR: The report of the committee for the development of Mitchel Field, requested by the Nassau County Board of Supervisors, has just been filed.

I am sending you a copy under separate cover.

The Nassau County Board of Supervisors on May 8, 1961, adopted Resolution 337, which states in part: " * * * maximum beneficial use of the property be achieved, consistent with the desire of the county to attain the greatest measure of use from this area for

the benefit of all of its residents * * * major uses to be for institutions of higher learning, both public and private, recreational uses, and an industrial park."

On July 10, 1961, the Nassau County Board of Supervisors again in retaining the services of experts to: "* * * formulate and establish a coordinated plan for the use of the area at Mitchel Field * * * make recommendations that the 1,100 acres of land at Mitchel Field * * * be set apart for use by institutions of higher learning, both public and private, proposed recreational uses, and the possibility of creating * * * an industrial park or garden."

Resolution 485 of the Nassau County Board of Supervisors also provided for: "the making of recommendations relating to such other use or uses that may, following study, seem to be best suited for the acreage available."

You will see from the recommendations of the committee that they have not deemed aviation one of the uses best suited for the acreage. Each and every member of the board of supervisors—Republican and Democratic—has been quoted in the public press of Nassau County as opposed to an airport at Mitchel Field.

The letters which I have received and which Members of Congress and town officials have received from the public run 10 to 1 in opposition to an airport.

As a matter of fact, Jack, the temper of the people of Nassau County right now runs pretty high against airports, whether their operation be jet or piston. They are just overwhelmingly opposed to increased flying over their homes and the consequent disturbance of their peace.

Both Nassau County daily newspapers have editorially opposed an airport at Mitchel Field and their mail, despite an inspired campaign of letter writing by advocates of an airport at Mitchel, runs proportionately the same as mine, pro and con.

It is my belief that the two resolutions already adopted unanimously by the Nassau County Board of Supervisors convincingly conveys their sentiments and the reflection of the sentiments of their constituents.

Sincerely yours,

A. HOLLY PATTERSON,
County Executive.

Mr. JAVITS. Under those circumstances, can the Senator give us his general expression as to the policy of the FAA? We are trying to help the local community in what it is trying to do for itself in behalf of its own rehabilitation.

Mr. MONRONEY. I cannot in this case, because I do not know whether any laws of the State of New York give some other public agency, such as the New York Port Authority, the right to develop an airport in Nassau County. I do not know about that or whether any other rights are given to other local public bodies.

What I am saying is that the FAA cannot finance a private airport with Government funds. Likewise, it would not be permitted to operate an airport itself. If the laws of the State of New York empower the Governor or empower other groups to request these funds, then the FAA would have the right to match those funds and develop an airport which was suitable to the terrain and to the surrounding conditions.

I have studied the amendment, but I do not believe that the committee could take it in its present form. Perhaps it would be acceptable with a proper amendment, giving local governing bodies the right to be heard to present their views to the FAA authorities. I do not feel I could give any assurance that there is not a State authority or regional authority which exists—and I am not familiar with the laws—that could be prohibited from acting by this legislation.

Mr. JAVITS. If the Senator will allow me, I should like to develop this point. The Port of New York Authority's jurisdiction does not include Mitchel Field. I should like to summarize what the Senator has told us in his very able language. Unless a governmental body, that is, a State or lower political subdivision—and we are not talking about the United States now—seeks the aid of the FAA, under the Airport Act, it is not the policy of FAA to give such aid, to continue an airport.

Mr. MONRONEY. It could not give such aid. A public body would have to make the application for Federal aid in developing an aviation facility.

Mr. JAVITS. Considering the situation in New York, and considering our situation, I am very hopeful that my colleague from New York can work out an amendment with the Senator from Oklahoma which will give us fairly good assurance as to our situation.

Mr. MONRONEY. The Senator from Oklahoma is reluctant to take an amendment applying only to a specific locality.

Mr. JAVITS. I understand.

Mr. MONRONEY. Senators from 50 States may have constituents who are unhappy with the noise level of adjoining airports. That could be the case in Kansas City, and certainly could involve people living near Idlewild or perhaps those in the vicinity of Georgetown here in Washington, who would like to have Washington National Airport moved, after being awakened at 3 o'clock in the morning. It is not a very pleasant thing, I am sure, when one's house is in the landing or takeoff pattern. But we cannot engage in strictly local prohibitions or guarantee that one particular body of supervisors would be given this authority. Therefore, I discussed the situation with both Senators from New York, who have been very strong in their desire to have action taken to relieve the situation. While I feel that we cannot accept the amendment as it is, the suggestions we have discussed would perhaps enable us to provide for a guarantee of the right to be heard by the proper aviation authorities prior to the granting of any Federal funds in that area. This would apply not only to the Mitchel Field area, but to any State in the Union.

Mr. KEATING. The Senator from Oklahoma feels that the interest of the communities in or near the project should be given fair consideration by the administrator?

Mr. MONRONEY. That is correct. That is what I suggested. I hope the Senator has prepared the language which we might consider and which would afford the communities this kind of hearing.

Mr. KEATING. I appreciate the Senator's expression. I am to some degree reassured by his statement of the interest of the Federal Aviation Agency in considering the interests of communities. I sympathize with his wish that we should not legislate for particular areas in a bill of this kind. I think that particularized legislation in connection with a national problem is, as a rule, unwise. I agree with the Senator in general. I resorted to that practice in this case because I feared that to raise the general principle might endanger the particular cause of Nassau County. It seemed to me that to frame the amendment in general language might excite the opposition of Senators from other areas, who, however much they might approve of the principle of local self-determination, might be uncertain of its application in a particular case.

I gather, however, from the Senator's remarks, that my apprehension on this score may be unfounded. If it is possible to protect the interests of Nassau County while, at the same time, writing into the bill a general safeguard for the principle of local self-determination, I should certainly be more than happy to do so.

Mr. MONRONEY. The Senator from New York is carrying me beyond the flight plan, because I did not say that we would accept any amendment which would give the governing body of Nassau County an absolute veto right. I do not wish to go that far, because I do not think there could be any airport program, as vital as such a program is, if at some point or other in the expansion of an existing airfield—even the Washington National Airport—the county commissioners of the county where it is located could negate a $110 million investment simply by saying that the airport may not be extended or may not be improved. I do not intend to revise the law of eminent domain. My suggestion would enable the local governing body to be heard. That is where the Senator has a strong point.

Mr. KEATING. I recognize the point made by the Senator from Oklahoma that he is unwilling to grant a veto power to the local governing body. As I understand him, he is willing to accept language which would indicate that the Administrator should give fair consideration to the interests of the communities in or near the area where the project is to be located.

Mr. MONRONEY. The Senator from New York would be helpful to our committee if he would supply the language he has in mind, so that we might examine it.

Mr. KEATING. In the light of the discussions, the language I suggest would be on page 6, between lines 15 and 16. I propose to insert the following:

(3) No project shall be approved by the Administrator unless he is satisfied that fair consideration has been given to the interest of communities in or near which such project may be located.

Mr. MONRONEY. The amendment appears to be one to which we could agree, since it confers no absolute right with respect to the administrative deci-

sion, but does guarantee to the local people the right to have their views considered, which is properly and justly their due as Americans. I believe it would be unwise for the Administrator to enter into any project where not only the official governing body, but other citizens, as well, have not had the right to be heard.

Mr. KEATING. If the amendment were adopted, it would, to a large extent, protect the interests of Nassau County, a majority of the citizens of which feel strongly about this condition. At the same time, the larger principle of local self-determination will be added to the items which the Adminstrator must consider before giving his approval to an airport project anywhere in the United States.

Mr. MONRONEY. That is true. Nassau County has a particular situation because the field in question is to be declared surplus.

The Federal Aviation Agency and the committee have been of the view that this would be a useful facility for general aviation. However, if it were used for this purpose it would be limited to small, low-speed, relatively quiet aircraft and would operate only during VFR; that is, visual flight rules conditions. By this I mean that it would operate during daylight hours in good weather. Its operation on this basis would serve to relieve some of the congestion at the larger airports in New York. Its use for this purpose would not require all of the land that is available.

As the Senator has indicated, there is substantial sentiment in the local area that this land should be used for educational and park purposes rather than as an airport. The problem will be resolved not under the Federal Airport Act, but under the Surplus Property Disposal Act. Under that act the Federal Aviation Agency is permitted to recommend disposal of surplus Federal airports in such a way as to permit their continued operation as airports.

This provision of law dates from the time after World War II when a great number of military fields which had been built at Government expense were no longer required. Congress provided, I believe wisely, that these facilities built with Federal funds should be retained in the airport system where they could serve a useful purpose. By being maintained as airports, the Federal Government could avoid expenditures under the Federal Aviation Act to duplicate these facilities and the fields would be available for use by reserve military elements and by the military in the event of emergency.

In all candor, I may say to the two Senators from New York, it is not at all unlikely that the safety of international flying will probably cause international flights to be diverted, under the authority of the Government, to other airports, because of the saturated condition of the flight patterns of Idlewild and Newark Airports.

If some place can be found within this vital metropolitan region to siphon off light aircraft to small airports, which can handle 10 or 15 percent of the landings and takeoffs from the large airports, that would perhaps postpone the time when the oversaturation of the major airports of the Port of New York Authority would require a limitation of flights in the interest of safety. This will not be a problem immediately, but it will become a problem of safety when it is found that the larger airports can no longer accommodate safely the number of flights which are being scheduled.

Mr. JAVITS. Madam President, will my colleague yield?

Mr. KEATING. I should like to make one comment before I yield to my colleague.

The Senator from Oklahoma stated in his reply to my original amendment that it would be necessary to condemn land for airport purposes.

Mr. MONRONEY. I did not say that. I said it would be necessary to acquire land.

Mr. KEATING. "By eminent domain" was the phrase used by the Senator. I know of no authority for a private operator of an airport to take property by eminent domain for use as an airport.

Mr. MONRONEY. No one is talking about a private operator; the bill does not refer to them or provide aid for them.

Mr. KEATING. But the Senator has said the FAA would not operate this airport.

Mr. MONRONEY. Yes, and neither would a private operator receive Federal funds under the terms of the bill. This issue really arises under the terms of the Surplus Property Act. The bill before us does not include any provision in any way related to the disposal of this airfield as surplus. Without any prospect of Federal aid, if the General Services Administration could put it up to the highest bidder, so that it would be possible for a private operator to put in his bid, I do not know of anyone who would care to do so, because in view of the large amounts of taxes and other expenses it is difficult to "make a go" of a private airport. They are going out of the picture, rather than coming in; and that is one of our problems.

Mr. JAVITS. Madam President, will my colleague yield?

Mr. KEATING. I yield.

Mr. JAVITS. As a practical matter the GSA—not the Federal Aviation Agency—would be selling this property. And as we understood the Senator, not only now, but when he previously expressed his point of view, the FAA itself certainly would not operate an airport in the teeth of the opposition of the community.

Mr. MONRONEY. In my opinion the FAA would not be permitted to operate it—either by the Congress or by the Appropriations Committee or by the Commerce Committee. This is a bridge that I do not have to worry about crossing.

Mr. JAVITS. I thank the Senator. As to an individual's acquiring the property for any purpose, of course, that is subject to other problems involved in the GSA disposition.

Mr. MONRONEY. Yes. But the FAA has a first-priority claim on the land—if it thinks it should be developed for aviation purposes. If the FAA or if some agency with lesser priority did not claim the land and try to use it, so that it reverted to the General Services Administration for disposal, under the laws GSA would determine the proper disposal of it.

Mr. KEATING. Can the FAA acquire the property and hold it without doing anything about it?

Mr. MONRONEY. I do not know but I would be less than frank if I did not say there is a strong likelihood that it could—for future use as an airport.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. MONRONEY. Madam President, I yield 4 minutes to the Senator from New York.

Mr. JAVITS. I thank the Senator from Oklahoma.

As we understand, the general policy involved here is one which, as the Senator has explained, will take real cognizance of the views of the local community, which has been unalterably opposed. In addition, the local community has underway a very high level development plan. I ask unanimous consent that the plan, as set forth in an article, and certain editorials in regard to it be printed at this point in the RECORD. They refer to college, civic center, and other development.

There being no objection, the article and the editorials were ordered to be printed in the RECORD, as follows:

[From Newsday, Aug. 21, 1961]

URGE A CIVIC CENTER AT MITCHEL

(By John Cummings)

MINEOLA.—An all-inclusive plan for the transformation of Mitchel Field into a genuine center for the county was made public today by the Nassau County Committee on the Development of Mitchel Field.

The bulk of the 1,112 acres that make up the former Air Force base would be allocated for the Nassau Community College, Hofstra College, a county civic center and light industry. Included also in the integrated plan would be sites for parks, schools, homes, business and the Long Island Park Commission.

Proposals for a general aviation airport at the field got the expected thumbs down from County Executive Patterson's committee and from Robert Moses, chairman of the group's executive committee, which prepared the plan.

Patterson hailed the committee's conclusions as "a practical plan with permanent values," and said that "it provides more advantages for all the people of Nassau County."

Moses said of the plan: "It is at least a bold and far-sighted and practical program." He called the Air Force's decision to abandon the field "an almost miraculous opportunity for sensible community development based upon forethought, experience, commonsense and cooperation."

Moses, as usual, minced no words concerning those who advocated the continued use of the field as an airport; although the fiery president of the Long Island State Park Commission did not mention the airport advocates by name.

"This is neither the time nor place for experimentation by academic pundits and amateur planners, nor for commercial exploitation, selfish maneuvering for advantage and bickering over details," Moses said. "Rather, it is a rare occasion to advocate

a practical plan which will be in the best interests of the future citizens of Nassau County."

Moses closed his statement in the foreword to the report with a plea to all segments of the community to support the committee's proposals for the field's use. Only in this way, Moses said, can the county get a quick and favorable decision from the Federal Government on the plan.

The General Services Administration, which has jurisdiction over all federally owned property, has held off on the disposition of the land until December. This delay is to give the Federal Aviation Agency (FAA) time to find a local sponsor for an airport at Mitchel. Today's report by Patterson's committee all but dooms any hope that a local municipality would sponsor such a plan.

In arriving at its overall plan for the field, the report said: "Our effort has been directed to the limited practical uses and realizable objectives which would best serve the public welfare and enlist the support of thinking citizens."

Ranking first in the committee's considerations was the need for increased facilities for higher education. It recommended that the county acquire 235 acres for the Nassau Community College to meet bulging enrollments expected within the next 10 years. The site would be the northeast corner of the base, a natural in the minds of the committee because of the present facilities there. "The base with its tree-lined streets, lawns and campus-like atmosphere has many fine permanent buildings, which can easily be converted to college use," the report said. "This conversion can be accomplished quickly and at a saving of millions of dollars which would otherwise be required over a long period for college facilities on another site."

In addition to the administration building and barracks that could be used as classrooms and laboratories, such facilities as theaters, auditorium and athletic facilities have already been built. The college now occupies the west wing of the new county courthouse in Mineola. The school now has 675 full-time students, but its enrollment is expected to swell to 8,000 by 1970.

Under the committee's plan, Hofstra College, too, would get a sizable chunk of the land. The committee recommended 150 acres for the college, which would be just across Hempstead Turnpike from the present campus. The proposed Hofstra land is bounded by the turnpike and Oak Street.

The present 73-acre Hofstra campus, the committee said, is inadequate to meet increased enrollments. The immediate use of the Mitchel Field land would be for parking and as a drill field for the college's ROTC. "Ultimately," the report said, "the site would be further developed with academic buildings for a proposed law school and other units."

The proposed county civic center is visualized by the committee as the "focal point" for all of the county's cultural and civic interests. "There are a number of contemplated civic enterprises, which, if brought together in one location, could serve as a nucleus for a distinguished community center," the report added.

The committee urged that 200 acres in the southeast corner of the field be set aside for this project. On the site would be an auditorium suitable for public meetings, conventions, concerts, and dramatic productions. The civic center, arranged in a quadrangle, would also include a health clinic.

The report urged 144 acres for light industry, most of it in the northwest corner of the field and including the Mitchel Gardens area on the north side of Stewart Avenue. The committee said it was likely that "substantial firms" could be attracted to the 144-acre area. "The location serves a populous, growing community, is well served by the Long Island Railroad, and has good arterial access." This area was picked, the report added, because industry already exists there and zoning would not be a problem. The report suggests, in addition to light industry, related uses for the northwest portion of the site, "including warehousing, possibly a heliport if approved by the local officials, and other forms of commerce."

Other suggestions called for the setting aside of 55 acres for future school sites, 40 acres for neighborhood parks, 80 acres that would go to the Long Island State Park Commission for future use, 44 acres as residential, 5 acres for local businesses to service the homes there, 97 acres for streets and thoroughfares and 62 acres for the Federal Government.

The report concluded by saying that the plan was drawn up so as not to conflict with neighborhoods presently bordering the field. "In general the existing zoning would accommodate the proposed land uses," it said.

The members of the committee in addition to Patterson and Moses are Dr. John Cranford Adams, president of Hofstra College; Lt. Gen. Blackshear M. Bryan, retired, president of the Nassau Community College; Thomas M. Goodfellow, president of the Long Island Railroad; Robert W. MacGregor, president of the Long Island Federation of Labor, AFL–CIO; James A. Heaney, Jr., of Rockville, a real estate expert; Arthur T. Roth, chairman of the Franklin National Bank; Augustus B. Weller, chairman of the Meadow Brook National Bank; Howard B. Wakeman, senior vice president of the Long Island Lighting Co., and Julius Lippman, New Hyde Park lawyer and a prominent Democrat. Moses headed the executive or advisory committee made up of Goodfellow, Heaney, Roth, and Weller.

Consultants included Sidney M. Shapiro, chief engineer for the Long Island Park Commission; G. Frank Dougherty, park commission counsel; and Gifford Clarke, a Manhattan engineer.

[From the New York Herald Tribune, Aug. 22, 1961]

PUT MITCHEL FIELD TO CIVIC PURPOSE

What is the best use to be made of 1,168-acre Mitchel Field, largest remaining open space in congested Nassau County, which the Air Force no longer wants?

The decision, it seems to us, ought to rest with the county government, which passionately desires a community development devoted to education, civic center, parks and some light industry.

The counterargument, as espoused by the Federal Aviation Agency, is that Nassau needs to keep an eye to transportation, and that a large portion of the tract should be reserved for a civil airport.

But the committee headed by Robert Moses and county executive A. Holly Patterson vigorously contends that Nassau's citizen interest will be best served by converting Mitchel Field to new and broader civic purpose.

This strikes us as a question of the greatest good for the greatest number, now and in the future. It isn't often that such an opportunity is presented for orderly planned development of a community's most pressing needs. We'd rate the airport far behind colleges, community building and the rest. The logic and vision are on local government's side.

[From the Long Island Daily Press, Aug. 3, 1961]

THE HOUSE AGREES: NO AIRPORT

An important tactical victory has been won in a battle that never should have happened.

The Federal Aviation Agency, flying in the face of preponderant public opinion, is determined to establish a general airport at Mitchel Field, the military base abandoned by the Air Force as unsuitable.

FAA's uncalled-for intrusion into a community project has been dealt a serious blow, however. The House of Representatives has forbidden FAA to set up an airport at Mitchel. It did so by specifying that no FAA funds be spent in Nassau County for airport purposes without the approval of the Nassau Board of Supervisors. And Nassau's leaders oppose the FAA airport plan.

This is an important victory for the people of Long Island. Special thanks go to Representative STEVEN B. DEROUNIAN, of Roslyn Estates, who introduced the measure, and to his colleagues.

The battle is not won, however. Similar legislation must pass the Senate. We are most hopeful that it will, since both Senator JACOB K. JAVITS and Senator KENNETH B. KEATING have already expressed opposition to an airport at Mitchel.

Long Island needs the acreage for purposes other than a convenient parking place for executives' private planes or company planes. It needs this land—in the very heart of Nassau County—for a civic and cultural center, for a library, for an expanded Hofstra College, Nassau Community College, and possibly a Veterans' Administration Hospital and a medical college.

The FAA was way off course in proposing a general airport at Mitchel. We hope and trust the U.S. Senate will underscore that fact by endorsing the strong stand taken by the House.

[From Newsday, Aug. 21, 1961]

A GREAT PLAN FOR MITCHEL

Our news pages today describe the outstanding proposal which has been made for the Mitchel Field area by the Nassau County Committee on the Development of Mitchel Field.

This committee, led by County Executive Patterson and Robert Moses and composed of a group of Long Island's most dedicated residents, has shown wisdom, fairness and vision in drawing its plans for the development of these vital 1,112 acres.

Every major need has been satisfied to the fullest extent of the available land. For instance:

The Nassau Community College gets the largest allotment of space—235 acres of lawns, buildings and tree-lined streets which need only students to make it look like the lovely campus it will be. Many of the facilities which formerly made up the Mitchel Airbase can be converted to college use at a minimum of expense. Consider that estimates are for a student body of 8,000 for the Nassau Community College by 1970 and the importance of the Mitchel land to it needs no further underlining. Hofstra College is similarly cramped for space and can hardly be blamed for casting longing looks across the street at the Mitchel area. The committee allots 150 acres to Hofstra, acres which can be used immediately for student parking, for athletics, ROTC drills and faculty housing, and ultimately can be developed with buildings for the proposed law school.

The space allotted to Hofstra, plus that for the Nassau Community College, gives 385 acres out of the 1,112 for purely higher educational purposes. One would have to be horribly shortsighted to argue with that.

The county civic center will fill a need long felt on Long Island. Ultimately, this center will be the cultural center of Long Island as well, with concerts, exhibitions, lectures, dramatic productions, a library, and many other facilities available. The 200 acres to be devoted to this civic and cultural center could be the best 200 acres in Long Island.

LIGHT INDUSTRY, TOO

Light industry is the only other high-acred recipient, with 144 acres to be turned over in this fashion. The location, well served by the Long Island Railroad, will be a good attraction for substantial firms and their use of the land would help the county's economy and bolster its tax income.

There would be land for elementary or secondary schools (55 acres), neighborhood parks (40 acres), parks and parkways of the Long Island State Park Commission (80 acres), Federal Government use (62 acres), residential (44 acres) and thoroughfares and streets (97 acres).

Holly Patterson calls the plan "a practical plan with permanent value." Moses describes it as "a plan which if not perfect and to everybody's satisfaction is, we are convinced, the best we can get." It is, indeed, an excellent plan and the committee members are to be congratulated for formulating it. It may not be all things to all people and, we are sure, there will be some carping from the dissatisfied. We trust this carping will be held to a minimum, that criticism of the plan be confined to constructive criticism and that those diehards who still favor an airport at Mitchel will prove themselves to be good enough losers to be able to see the overall good in the committee's plan and then to give their wholehearted support to it.

Our wholehearted support is behind it already, and we are confident the big majority of Long Island will be as enthusiastic in its support. The closing of Mitchel Field has given Long Island a once-in-a-lifetime opportunity which the Mitchel committee has seized and carried forward. This is a crackajack plan for Mitchel Field. Let's make sure it's put into effect.

[From Newsday, Aug. 16, 1961]

"Where there is no vision, the people perish."—Old Testament: Proverbs xxix: 18.

A DANGEROUS PRECEDENT

"If the Federal Government operates an airport in Nassau County, why shouldn't it do the same thing in Chicago and Detroit and Elko, Nev.?"

That sensible question neatly puts in its place the Federal Aviation Agency's (FAA) stubborn efforts to take over Mitchel Field and operate it—with Federal funds—as a civilian airport. The question was posed by a man who knows both the FAA and the Government—Lt. Gen. Elwood R. Quesada, the Chief of the FAA during the Eisenhower administration.

Quesada contends, and rightly so, that Federal operation of Mitchel would set a "dangerous precedent." The maintenance of municipal airports, he said, is the "traditional and proper responsibility" of State and local governments.

Quesada thus joins a growing list of military, legislative, State, and local officials who object to the FAA's attempt to ram a civilian airport down the throats of Long Islanders. The vast majority of residents here want to escape forever from the always-present possibility of a Mitchel based or bound plane dropping from the skies into our streets, homes and, as has happened too many times before, into our people.

Long Island wants, and needs, a redevelopment of Mitchel along the lines being worked out by Nassau County officials and Robert Moses. This would give badly needed land for the expansion of colleges, and devote portions of land to light industry, residential uses, and Government offices.

But the current FAA chief, Najeeb E. Halaby, keeps insisting he's going to have his own way and Long Island is, by Halaby, going to have its airport at Mitchel even if the Federal Government has to set a "dangerous precedent" and pay the operating costs. But once the Government starts paying for Mitchel's operation, how is it going to turn down the airports "in Chicago and Detroit and Elko, Nev." and anywhere else?

That's what Halaby's dangerous precedent would provoke. And that's only another of the many reasons why no airport should be operated at Mitchel.

[From the Long Island Star Journal, Aug. 3, 1961]

THE HOUSE AGREES: NO AIRPORT

An important tactical victory has been won in a battle that never should have happened.

The Federal Aviation Agency, flying in the face of preponderant public opinion, is determined to establish a general airport at Mitchel Feld, the military base abandoned by the Air Force as unsuitable.

FAA's uncalled-for intrusion into a community project has been dealt a serious blow, however. The House of Representatives has forbidden it to set up an airport at Mitchel. It did so by specifying that no FAA funds be spent in Nassau County for airport purposes without the approval of the Nassau Board of Supervisors. And Nassau's leaders oppose the FAA airport plan.

This is an important victory for the people of Long Island. Special thanks go to Congressman STEVEN B. DEROUNIAN, of Roslyn Estates, who introduced the measure, and to his colleagues.

The battle is not won, however. Similar legislation must pass the Senate. We are most hopeful that it will, since both Senator JACOB K. JAVITS and Senator KENNETH B. KEATING have already expressed opposition to an airport at Mitchel.

Long Island needs the acreage for purposes other than a convenient parking place for executives' private planes or company planes. It needs this land—in the very heart of Nassau County—for a civic and cultural center, for a library, for an expanded Hofstra College, Nassau Community College, and possibly a Veterans' Administration hospital and a medical college.

The FAA was way off course in proposing a general airport at Mitchel. We hope and trust the U.S. Senate will underscore that fact by endorsing the strong stand taken by the House.

Mr. JAVITS. Madam President, under these circumstances can the Senator inform us about the policy of the FAA, especially in view of the fact that the Senator has not said anything about safety in terms of either LaGuardia Field or Idlewild?

Mr. MONRONEY. This goes beyond the bill now under consideration, because the Senator is referring to the ultimate disposal of the land if it is not to be used by the FAA, but is turned over to the GSA.

Mr. JAVITS. But the Senator said the FAA could hold onto it.

Mr. MONRONEY. I believe the FAA can, under the law; and so can any other Federal agency which might claim the land—for instance, the Maritime Administration or the Department of Agriculture or any of the other agencies before it would revert to the GSA for disposal to State or local governmental agencies.

Mr. KEATING. But I have just now been informed that the GSA has given a deadline to the FAA, and has said that if the FAA does not find a sponsor for this before November 1, the GSA will dispose of it.

Mr. MONRONEY. It would be news to me to find that the GSA had that power if the FAA asked for it.

Mr. KEATING. It would be news to me to find that it did not.

Mr. JAVITS. At any rate, in the absence of a show of "force majeur," I think it is highly unlikely that the FAA would proceed in that way, especially when no governmental agency on the State or local level has shown an interest in developing a general aviation airport. Therefore, in view of the way the amendment has been worked out—it now seems to be satisfactory to the Senator from Oklahoma—and also in view of the stated policy, I can understand how the Senator can take the position that we can only go by the attitude of the Agency and the attitude of the GSA itself, as evidenced by their actions. It seems to me that is as effective an arrangement as any that can be made with respect to this matter in connection with this bill.

Madam President, I should like to express my appreciation to my colleague [Mr. KEATING].

The PRESIDING OFFICER. The Senator's time has expired.

Mr. JAVITS. Madam President, I yield myself 4 minutes on the bill. The minority side has 45 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 4 minutes on the bill.

Mr. JAVITS. Madam President, I should like to express my appreciation to my colleague [Mr. KEATING] for his very fine work on this matter and in developing this new language.

Mr. KEATING. I thank my colleague.

Madam President, in accordance with the colloquy and with the consent of my colleague, I modify my amendment in accordance with the language I have read.

Mr. MONRONEY. Madam President, the colloquy has gone into so many areas, and so many things have been said—statements which perhaps could be interpreted as an absolute prohibition against the establishment of a general aviation airport at Mitchel Field—that I would not want to leave the impression that everything in the colloquy, particularly in the remarks of the Senator from New York [Mr. KEATING], relates to this amendment. If it is his suggestion and feeling that this will put an end to any possibility of the use of this very valuable area for an airport, and that those concerned can be given an absolute guarantee in that connection, I would not be prepared to go any further than the language of the amendment itself. If the Senator wishes to submit his original amendment, I am prepared to have it put to a yea-and-nay vote.

Mr. KEATING. Madam President, nothing which I said was designed to indicate that there would be an absolute prohibition against the Administrator's locating an airport in this area if the local residents did not want it there. I understand the position of the Senator from Oklahoma; namely, that he cannot agree to that, and that that is the reason why he is unwilling to accept an

amendment which would provide an absolute prohibition. The language proposed is as follows:

No project shall be approved by the Administrator until he is satisfied that fair consideration—

And this is admittedly and avowedly the province of the Administrator—

has been given to the interests of the communities in or near the project.

That is all that the amendment provides.

Mr. MONRONEY. I am prepared to accept that, as I have informed the Senator, because the amendment speaks for itself. But I am not willing to have the Senator take me into all the highways and byways of this beautiful area of Long Island, where no doubt I would become lost, for, being a country boy, I could not find my way out of that complicated area. So I do not wish to be involved in that way.

Mr. KEATING. Madam President, I have noticed that the Senator from Oklahoma can take good care of himself in any area, either urban or rural. However, I am perfectly willing to modify my amendment accordingly. I recognize that it does not go as far as I would like to have the committee and the Senate go, but I hope the Senator from Oklahoma will accept the amendment in its modified form.

This will do more than assure that proper consideration will be given to persons who live near airports as well as to persons who use them. It will provide support for the regional plans that are now being developed in most of the metropolitan areas of the United States.

A few months ago we included an open spaces program in this year's housing bill. By so doing, we indicated our concern for the healthy and coordinated development of our metropolitan areas. Certainly, airports are going to play a most important role in this development. What is the value of planning the location of our parks and recreation areas if we do not plan the location of our airports?

Passage of this amendment will add another important legislative segment to the framework we are building to assure the healthy growth and development of our communities. It will benefit Nassau County, but it will be of even greater benefit to the Nation at large.

I hope that my friend, the junior Senator from Oklahoma, and in fact all Senators, will join in support of this most worthwhile amendment.

Mr. JAVITS. Madam President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. JAVITS. I can understand the Senator's concern. He wants the amendment to say what the amendment says, and he does not want to qualify it or amend it or substitute other things for it. I think it is very clear.

Also, specifically, for the record, my colleague from New York [Mr. KEATING] and I understand that the expressions of view which the Senator has given are based upon his knowledge of the subject and his acquaintance with the policies of the agencies, and he was giving us the benefit of his expertise, if you will. So we understand perfectly clearly that the amendment, which is the document of the first magnitude, will speak for itself. I should like to join my colleague in giving him that assurance.

Mr. MONRONEY. I feel very much better about it, because we have covered so much territory that one could pick out certain parts which could be misleading. So I appreciate the gracious attitude of the Senators from New York, who have taken a very courageous stand for the people they represent, to the extent of wanting to amend a national bill, if necessary, to provide for that protection. I can appreciate their high degree of service, but I believe the working of the natural procedures relating to government has been amply assured by the language of the amendment itself.

Therefore, I am prepared, on behalf of the committee, to accept the amendment as modified.

The PRESIDING OFFICER. The modification of the amendment will be stated by the clerk.

The LEGISLATIVE CLERK. On page 6, between lines 15 and 16, it is proposed to insert the following:

(3) No project shall be approved by the Administrator unless he is satisfied that fair consideration has been given to the interest of communities in or near which such project may be located.

The PRESIDING OFFICER. All time on the amendment has expired. The question is on agreeing to the amendment, as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. CASE of South Dakota. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CASE of South Dakota. Is time on this measure limited?

Mr. MONRONEY. The time is limited, and all time on the amendment has expired. If the Senator has an amendment, he can obtain time on it, or perhaps the Republicans will yield him a little time. We have used most of our time.

Mr. JAVITS. I yield 5 minutes to the Senator from South Dakota.

MEXICO IS A GOOD FRIEND

Mr. CASE of South Dakota. Mr. President, Mr. P. C. Green, of Aberdeen, S. Dak., has recently brought to my attention a letter from Mr. Leo M. Roy, president, of the Comité Norteamericano Pro-Mexico, A.C. The letter, sent Mr. Green by an American friend of his living in Mexico, is entitled "Take it from us—we live here." This letter deals with the successful battle Mexico is waging against Communist infiltration despite stepped-up efforts by the Kremlin in our neighboring country to the south.

The letter states, in part:

Mexico today is a good friend. It is not Communist. The government of President Adolfo López Mateos is striking back at the Communists, has gone out of its way to make clear its friendship for the United States.

The Sioux Falls Argus-Leader, in my home State of South Dakota, on August 26, 1961, printed an editorial based on this same information, entitled "The Propaganda War on Our Doorstep."

The letter and editorial are so timely at a time when our eyes seem to be diverted in other directions that I commend their reading. I therefore ask unanimous consent that the letter and editorial be printed in the RECORD.

There being no objection, the letter and editorial were ordered to be printed in the RECORD, as follows:

JULY 21, 1961.

TAKE IT FROM US—WE LIVE HERE

DEAR FRIEND: Just a year ago we wrote you about rumors spreading north of the Rio Grande concerning anti-American feelings and a trend toward communism in Mexico.

We U.S. citizens who live in Mexico and know the situation firsthand want to bring you up to date, because the rumors—and they are vicious rumors—have been intensified this year.

First, we must admit there have been some minor incidents, but mostly so insignificant they were hardly noticed down here. These incidents, the malicious rumor spreading are truly the work of paid agents of certain foreign powers, who exaggerated them out of all proportion for publicity purposes abroad.

These agitators are making every effort to disrupt the friendship between Mexico and the United States, to frighten tourists out of coming here, and to alarm investors. Their efforts will surely be repeated since this is a long-term campaign to cause a break between our two countries. And if you believe them, you are playing into the hands of the Communists. You will be doing just what they desire.

We need Mexico's friendship, which is traditional. We share a border over 1,600 miles long, without forts or guns, where friendship and mutual respect have been the byword for generations. Mexico is one of the United States of America's best customers. Our exports to and imports from Mexico are extremely important to both nations. In turn, Mexico needs our friendship and understanding, she needs our tourists, who spend about $650 million here every year.

If the Communists succeed in doing what they are trying to do, we both lose. Mexico will be hard hit economically and standards of living will drop. You well know that a country with great poverty and unemployment could be a pushover for the Communists.

So let's get the picture straight:

Mexico today is a good friend. It is not Communist. The government of President Adolfo López Mateos is striking back at the Communist, has gone out of its way to make clear its friendship for the United States. In an address delivered on June 7, 1961, in which he pulled no punches, the President said: "My government will repress the excesses of demagogic persons or groups of the right or of the left who, working outside the framework of the Constitution, would attempt to dismember the life of the nation and violate constitutional order."

And just last week former President Abelardo Rodríguez declared: "Mexico denounces foreign doctrines being propagated on this continent which endanger the liberty of free peoples."

At no time have the Mexican people been other than friendly. Nowhere will you find such courtesy, friendliness, and good will. There is a remote possibility you may see a "Cuba Si, Yankees No" sign, but you may

also see them in Washington, New York, San Antonio. Here they are the work of professional agitators, deliberately trying to create bad feelings, acting without the support or sympathy of the Mexican people or their Government.

We know. We live here, and are close to developments. We have our homes and businesses in Mexico. We attend the churches of our choice, our children go to the schools we like.

The comité, without prejudice or ulterior motives, by its vote of confidence reaffirms its belief that a cordial and lasting bond of friendship exists between our two countries.

And we ask you not to let the Communists hoodwink you. The next time you see a headline shrieking "Anti-American Riot in Mexico," read the full story. It will probably say that only a few individuals were involved, and that they were led by known agitators, that no Americans were molested, that the Government stepped in and broke it up.

Such a "riot" definitely does not represent "anti-American" feeling on the part of the people themselves. We who live here may not even hear about it until we read it in our hometown papers from the States.

Visit Mexico. See for yourselves what this wonderful country has to offer. Let's all help keep Mexico where it belongs, one of the free and democratic nations of the world.

Sincerely yours,

COMITÉ NORTEAMERICANO PRO-MEXICO, A.C.[1]
LEO M. ROY, *President*.

[From the Sioux Falls Argus-Leader, Aug. 26, 1961]

THE PROPAGANDA WAR ON OUR DOORSTEP

The Red cloud over Havana has diverted attention of most Americans from another cold war battle right in our own backyard: the Kremlin's propaganda efforts in Mexico.

The Soviet Embassy in Mexico City has a staff of 140 with a budget of $70 million. The U.S. Embassy has 110 employees and a budget of $675,000.

Mexico City is important to the Russians. They hope that they can stir up the Mexicans against the United States. One of their first targets is to frighten American tourists. Another is to alarm investors.

In recent months several incidents which illustrated antipathy toward the United States have received far more attention in the news than they deserved. A Mexican legislator made a speech announcing himself for Castro. Paid demonstrators representing themselves as students staged an anti-American parade.

Mexican authorities said the events did not represent the attitude of their country. The events were hardly noticed in Mexico, but were given heavy news treatment in the United States. Here at home we have a lunatic fringe, too. Nutty Americans post signs like "Cuba Si, Yankees No" on the nearest wall in Washington or New York. Some nitwits run around with Hitler's swastika on their arms.

MEXICANS RECOGNIZE THREAT

Mexico today is our good friend. It is not Communist. It is a federal, democratic Republic of 29 States, with the President, legislature, and judiciary elected by universal suffrage. Primary education is free and compulsory to age 15. There is full religious freedom. Military training is compulsory.

Mexicans are fiercely proud of their own revolution (1910)—and of their emerging middle class. The Mexican way has been good for Mexico and Mexicans. They want to grow and develop on their own, without being dominated by their big uncle to the north.

The government of President Adolfo López Mateos is striking back at the interfering Communists. It has gone out of its way to make clear its friendship for the United States.

In an address delivered June 7, President Mateos said: "My government will repress the excesses of demagogic persons or groups of the right or of the left who, working outside the framework of the Constitution, would attempt to dismember the life of the nation and violate constitutional order."

A few weeks later former President Abelardo Rodriguez declared: "Mexico denounces foreign doctrines being propagated on this continent which endanger the liberty of free peoples."

HELP BY VISITING MEXICO

The relationship between Mexico and the United States is a matter of special concern to the Comité Norteamericano Pro-Mexico, A.C., or "Operation Amigos." It is a nonprofit organization of U.S. citizens resident in Mexico.

Says their president, Leo M. Roy: "We ask you not to let the Communists hoodwink you. The next time you see a headline shrieking "Anti-American Riot in Mexico," read the full story. It will probably say that only a few individuals were involved, that they were led by known agitators and that no Americans were molested, that the Government stepped in and broke it up."

We have an idea that winning this propaganda war doesn't involve a larger appropriation for our Embassy in Mexico City. Our friends, the Mexicans, might resent it if we leveled our shotgun barrels of propaganda at them. Mr. Roy of the Comité Norteamericano has better advice:

"Visit Mexico. See for yourselves what this wonderful country has to offer. Let's all help keep Mexico where it belongs, one of the free and democratic nations of the world."

---

[1] The Comité Norteamericano Pro-Mexico, A.C., or "Operation Amigos," is a nonprofit organization of U.S. citizens resident in Mexico. It represents over 100 of the more important U.S. businessmen operating in Mexico, and was formed in 1954 for the purpose of promoting better understanding between the people of our 2 countries.

COWBOY IN THE SKY

Mr. CASE of South Dakota. Madam President, the effort of western ranchers to break a dry spell by cloud seeding from aircraft has inspired Nana Phillips, of Belle Fourche, S. Dak., to write a few verses which graphically portray the experiences of some westerners in trying to seed clouds to increase rainfall. I ask unanimous consent to have the poem printed in the RECORD at this point.

There being no objection, the poem was ordered to be printed in the RECORD, as follows:

COWBOY IN THE SKY

(By Nana Phillips)

'Way out on the distant horizon
Lies a thunderhead, big and blue;
And the farmer, deep down in the valley
Is wondering, what will it do?

Will it bring us lifesaving moisture,
The scourge of the drought to stop;
Or will it bring hail and disaster
To ruin the rest of my crop?

Shall I move the sheep into shelter,
The tractor to higher ground?
Can I hope for a rain on the pasture,
Or will the darn thing go around?

Then, out of the east comes the wrangler
With a fiery and powerful steed,
To round up the stray bits of vapor
And try to prevent a stampede.

For, out on that distant horizon
Is a priceless but wandering band
Of stray little droplets of moisture
In need of a guiding hand.

The strays must be herded together,
And driven over the land;
But the wrangler must move with caution
Lest it get out of hand.

Anxiously still, the farmer
In the valley far below,
Watches the bellowing monster
In darkness and anger grow.

Closer and closer the rain cloud;
But wait—it is growing pale
With windtorn tatters of cloudlets;
You can almost smell the hail.

But, there is the daring wrangler,
He rides in the teeth of the storm,
Changing the icy pellets
Into a softer form.

And so the drought-ridden farmer
Can smile, and hope again;
For, with the help of the wrangler
Comes the wonderful, God-given rain.

Mr. CASE of South Dakota. Madam President, lest some readers of the CONGRESSIONAL RECORD may think cloud modification lacks scientific support, I also offer for the RECORD, and ask unanimous consent to have printed, a brief article from the science section of Newsweek for September 4, 1961. It will be noted that, under sponsorship of the National Science Foundation, the Illinois State Water Survey is pumping electrical charges into a definite area of atmosphere to determine if that will encourage the coalescence of the minute water droplets that make up a cloud so that they will become big enough and heavy enough to fall as raindrops.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WEATHER: CLOUD CHARGING

Since 1946, when the era of scientific rainmaking began, meteorologists have been peppering the atmosphere with artificial ice nuclei to encourage the clouds to give forth rain.

The spotty results of this cloud seeding discouraged some scientists, but others figured they were just missing important steps in the complicated process by which nature makes rain. One of these is the little-known role of electrical charges in making millions of tiny water droplets merge into a single drop heavy enough to fall out of a turbulent cloud.

To see if this could be duplicated, the Illinois State Water Survey was busy last week pumping electrical charges into the atmosphere over 60 square miles of central Illinois farmland. Heart of the experiment, sponsored by the National Science Foundation, is a 30-mile network of thin-gage wire carrying a charge of 20,000 volts. Dust particles wandering close to the wire pick up a charge and waft downwind, rising to 7,000 feet or more on warm days.

Though the array of high-voltage lines won't be able to modify weather in any substantial way, the Illinois researchers expect to get a detailed picture from five ground stations and two tracking aircraft of how the charged dust motes assist the formation of raindrops in small, fair-weather cumulus clouds. "We know electrical effects must play a part in rain formation," observed Dr.

Edward Todd of NSF. "The Illinois project, the largest of its type undertaken in the United States, should tell us what our next steps should be."

ANTI-COMMUNIST FEVER IN WEST BERLIN

Mr. THURMOND. Madam President, the distinguished newspaper columnist, Holmes Alexander, of the McNaught Syndicate, recently returned from a quick visit to West Berlin with Vice President JOHNSON. I have been particularly impressed with Mr. Alexander's first report of this visit on his return to the United States. It is one of the best columns Mr. Alexander has ever written and is entitled "Weapon Is Needed in United States: Anticommunism Fever in West Berlin." This column has been printed in a number of newspapers throughout the country. I ask unanimous consent to have Mr. Alexander's column, as printed in the Columbia Record of Columbia, S.C., of August 25, 1961, printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WEAPON IS NEEDED IN UNITED STATES—ANTICOMMUNISM FEVER IN WEST BERLIN

(By Holmes Alexander)

WITH JOHNSON IN BERLIN.—Last week the United States conquered Berlin. As history runs, it may be that the weapon of conquest will prove more important—and is surely more important to remember—than the conquerors.

The weapon which brought out a million or so Berliners, all of them waving and many of them weeping for joy, was there for all to know—the weapon of anticommunism.

LOATHING OF REDS

This is a fact which cannot be overstated in a story which cannot be overwritten. Virulent loathing of communism lined these streets for miles and miles, filled the windows of nearby apartment houses, lifted voices in roar after roar, pressed flowers upon the American paraders and made Americans (at least this one) so proud to be an American that eyes became moist and voices choked among hardened reporters and old soldiers who had seen great cities liberated from terrible enemies of mankind.

Anticommunism overthrew West Berlin with such swiftness and totality that I wondered as I rode between the crowds, and got out and ran beside the distinguished visitors—I wondered if anticommunism could not conquer everywhere else on earth.

(To one only a few hours from Washington, and only a day or two from Senate debates on whether we should teach anticommunism to soldiers, students, and citizens, it was as if the heavens had opened and presented a revelation.) It didn't seem possible that foreign cities have raised "Yankee, Go Home" signs to us, and that only last summer President Eisenhower was kept out of Tokyo, and that a year or so back Richard Nixon was stoned in Caracas, and that only in April we permitted the liberation of Cuba to fail. One weapon might have won everywhere—the weapon of unrelenting anticommunism.

LYNDON JOHNSON and Lucius Clay brought this weapon to West Berlin and that is how they conquered.

STREET CROWD

After a so-so reception in Bonn, where Chancellor Adenauer and the Federal Republic are not displeased that the refugee flood has been stemmed and not at all disposed to take up arms against communism, we did expect to find a warmer welcome in Berlin. But nothing like this was anticipated, or could have been reasonably imagined.

At Templehof Airport, there was the official greeting by Mayor Willy Brandt, and the inevitable honor guard and military band. A fair crowd stood on the steps or pressed around the off-loading plane.

But as the motorcade went up the street, we saw a herd of people charging toward the moving cars. "They've broken through the police lines," somebody shouted. Our next intimation of something unusual was when one of us turned for female verification to Marguerite Higgins of the New York Herald Tribune and asked: "Maggie, aren't those people crying?"

Many were using the same handkerchiefs with which they waved to dry the tears. Many faces, mostly of middle age and beyond, were contorted and flushed. JOHNSON rode in a closed car, so that only the flapping of a big hand was visible to those on his side of the street. We heard them shouting in German, "Bravo" and "He comes here," almost as if they spoke of the resurrection.

It was too much for the old Texan politico. As he leaped from his limousine, the press bus emptied with a rush. Nothing that ever happens to me will make me prouder of my country than being in that lively, joyous crowd which, by its voice and gestures, was literally worshiping the American image.

JOHNSON's familiar cornpone-and-coronet manner, the combination of ham acting and ducal dignity, made him magnificent. But he might not have shone so superbly if he hadn't had Gen. Lucius Clay in the supporting role.

GENERAL CLAY

Clay, compact and restrained, while JOHNSON is rangy and outgiving, completed a perfect team. To Berliners, Clay is Herr Airlift (1948–49), the militant anti-Communist who wanted to run an armored train through the Russian blockade, the commandant of the city who showed neither bluster nor concern at the ragings of the Reds.

Later on, when Brandt spoke to an outdoor rally at the Schoneberg Rahtaus, the mayor gave a stirring "man who" eulogy of Clay who, Brandt said, had promised upon leaving here 10 years before that if Berlin was ever again in trouble, he'd take the first plane back.

The crowd shouted again and louder still in worship of the American image as personified in Clay.

But men and the offices they hold will change. The weapon of anticommunism remains. We must use it at home and abroad.

THE NEW DRIVE AGAINST THE ANTI-COMMUNIST PROGRAM

Mr. THURMOND. Madam President, George E. Sokolsky's nationally distributed newspaper column, as published August 31, 1961, in the Washington Post and the New York Journal-American, is given over to Edward Hunter's testimony entitled "The New Drive Against the Anti-Communist Program." What is particularly noteworthy in it is this declaration:

As it stands, the Senate Internal Security Subcommittee's report stands as an indictment and it must be answered.

What is equally noteworthy, in appraising this document, is Mr. Sokolsky's appraisal of Mr. Hunter, whom he says he has known during most of his life. Mr. Sokolsky writes:

His integrity cannot be questioned.

Because of the clarity which Mr. Sokolsky gives to his subject, as compared with a Washington Post editorial of August 27, 1961, accusing Mr. Hunter of "brainburning," I ask unanimous consent to have Mr. Sokolsky's column printed in the RECORD at the conclusion of my remarks.

This Senate Internal Security Subcommittee document can be obtained from the Superintendent of Documents, Government Printing Office, Washington, D.C., at 25 cents a copy, with a reduction of 25 percent for orders of 100 or more.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HUNTER'S TESTIMONY

(By George E. Sokolsky)

There will undoubtedly be a storm over the testimony of Edward Hunter before the Senate Internal Security Subcommittee. Already Senators KEATING and DODD have protested the publication of Hunter's testimony, although they had a chance to read it.

I have known Edward Hunter during most of his life, much of which was spent in China. His integrity cannot be questioned. He has devoted his years to a study of psychological warfare and has made a specialty of the technique which he calls "brainwashing." This technique is used by the Russians and the Red Chinese as it was used by Hitler to predetermine human responses to propagandistic stimuli. For instance, the current universal slogan, "I'd rather be Red than dead," is a Communist brainwashing tactic.

In his testimony before the Senate Internal Security Subcommittee, Hunter sought to prove that a powerful anti-anti-Communist movement was being developed.

To prove his case, Edward Hunter has made a study of simultaneous articles and editorials in the non-Communist press which, so far as he is concerned, prove that the Communists have evolved a clever technique in the United States which, as I understand his testimony, seeks to establish that those who are not Communists, spread the Communist line. He cites this as an example:

"One of the most glaring examples of the double standard is in Red racism. The Reds use the term, 'racial liberation wars,' in the native languages of Asia and Africa, and make no bones about it being a war against the white man, specifically the Western white man. So-called liberals who fall into the trap of equating defense of freedom with racism, following the Red line, never raise a voice against the obvious racism engaged in by Communists."

After the defeat and death of Senator Joe McCarthy, the anti-Communist movement in the United States paled. Men and women were ashamed to be associated with McCarthyism.

Recently, a strong grassroots anti-Communist movement developed, particularly in the colleges and universities. This movement is a sincere response to political necessity. Such an organization as the Young Americans for Freedom or the Committee for a Responsible National Student Organization represents the best in American life and it is such efforts which the Communists now seek to kill off.

Hunter goes further than the politicians by mentioning names, citing articles and showing a correlation of ideas. If Hunter is wrong, those whom he accuses of being

brainwashed should establish his error. As it stands, the Senate Internal Security Subcommittee's report stands as an indictment and it must be answered. It is not an indictment involving turpitude; it does involve softheadedness, a failure to study the material that comes before us all.

It must be acknowledged that the United States has suffered from the effort to poohboo anticommunism. That is one reason why we are now sending more troops into Berlin. Rather than ridicule Hunter, it would be wiser to study his testimony carefully.

RUSSIAN TACTICS

Mr. CURTIS. Madam President, as the entire Nation, and in fact the free world, turns its attention to Khrushchev and the Communists and their ideological "pals," the Socialists, there are certain fundamentals I think we should never forget.

First, we should not underestimate the military strength of an adversary.

Second, we should always view a situation objectively. Regardless of how serious is the situation, we shall make it worse if we panic.

Third, we must always remember that a show of weakness invites aggression.

At the same time, Mr. President, there are two other established facts we must remember.

Fourth, we should never underestimate the ability of the Communists to lie, to bluff, and to deceive. They are the world's champions.

Fifth, we must never forget that we cannot do business with, we cannot negotiate with, we cannot compromise with the Communists. The history of communism is not only a history of enslavement of people with a low standard of living, but also a history of broken promises and broken treaties.

Madam President, I ask unanimous consent to have printed in the RECORD an article written by the distinguished writer David Lawrence, published August 9, 1961, entitled "The Greatest Hoax of All Time?" an article written by the same distinguished writer published August 21, 1961, entitled "How To Simulate Manned Orbit," and an article by the distinguished writer, Constantine Brown, published August 31, 1961, entitled "Rushing Into Khrushchev's Hands."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

THE GREATEST HOAX OF ALL TIME?

(By David Lawrence)

IN EUROPE.—Until and unless the Soviet Union allows disinterested scientists and members of the press from other countries to witness the ascent into and descent from space of astronauts aboard satellites which circle the earth, the alleged exploit of Gherman Titov must remain a matter of doubt.

It could have been the greatest hoax of all time.

Everything that has been reported from Moscow and from other countries about conversations by radio to and from the satellite could have been reproduced artificially by tape recordings in advance.

Indeed, a Reuters News Service dispatch from Cape Canaveral, Fla., Sunday contained this significant paragraph about an American space project:

"A 2-ton Project Mercury capsule, it is hoped, will be launched into a single orbit by an Atlas rocket this month. This capsule will contain an 'artificial astronaut,' a 'crewman simulator' which will 'breathe, sweat and talk.'"

That experiment, if successful, is to be followed by a manned capsule sent into orbit by the United States.

But the press of the world will be invited to see the launchings and the return, and to hear the uncoded reports from the spaceship.

In attempting to get ahead of America, the Soviets may well have "simulated" the whole flight.

It seems incredible, for example, that Titov would sleep 8 hours while engaged on such a hazardous and momentous undertaking wherein every minute, it may be assumed, would require him to be alert to see that nothing went wrong mechanically.

It doesn't seem possible that the astronaut, who is but 26 years old and supposed to be in the air only 25 hours, would waste any of those hours in sleep, or that he really could be so calm as to drop off into slumberland at the appointed time with the greatest of ease.

In fact, the Moscow report said that by prearrangement he was supposed to sleep only 7½ hours, but extended his slumbers by 37 minutes.

This recess, incidentally, afforded an opportunity for complete silence in communications while the satellite was supposedly over certain parts of the globe.

Whatever messages came from the ship and were heard at all could easily have been taped beforehand and broadcast from the satellite.

It is significant that nobody but the Russian ground staff could communicate with the satellite during its flight, and that no conversations from outside Russia were permitted.

No television reels were shown in Russia of pictures taken at the beginning or end of the flight, though even these could also have been taped beforehand.

The flight was timed to coincide with the meeting of the Western Foreign Ministers at Paris and has all the aspects of a propaganda stunt, cleverly conceived and executed.

The Russians do not hesitate to lie or forge official documents or to fake stories of episodes for propaganda purposes.

HOW TO SIMULATE MANNED ORBIT—PROJECT MERCURY AUTOMATIC FLIGHT PLAN POINTS TO POSSIBILITY OF RUSSIAN TRICK

(By David Lawrence)

IN EUROPE.—Did the Russians, in their anxiety to achieve a worldwide propaganda victory in the midst of the Berlin crisis, send an automatically operated satellite around the globe with tape recordings aboard and then land a well-rehearsed "cosmonaut" by parachute from a separate flight, and claim to have actually sent a man around the globe?

The evidence with which to answer the foregoing question conclusively either way has not been made available to the public. But, bearing on the subject of automatic space flights, the U.S. Government, through the National Aeronautics and Space Administration, has just issued an enlightening and significant statement describing a satellite to be launched this very week from Cape Canaveral, Fla. It reads in part as follows:

"The most comprehensive test to date—orbital flight and reentry on a completely automatic basis—is the next step in Project Mercury. * * *

"The spacecraft in this test is similar to the one in which the U.S. Mercury astronauts will fly in orbital flight. Since this is the first orbital flight of a Mercury craft, a mechanical 'crewman' simulator will replace man in the cockpit. The 'crewman' simulator will consume oxygen, expel carbon dioxide and fill the cabin with heat and moisture much as a man would in the course of normal breathing.

"On this flight, two 45-minute voice tapes will broadcast preplanned messages to stations in the worldwide network of tracking stations to check on high-frequency and ultra-high-frequency transmissions.

"The spacecraft, measuring 6 feet across its widest diameter and 9 feet from the blunt heat shield to the top of its parachute container, will contain all the complex space-age equipment which makes it possible to fly the complete orbital mission on an automatic basis. In addition to the standard onboard systems through which the pilot can control the vehicle, electronic equipment and sensing devices have been installed to try to duplicate man's judgmental and corrective capacity. * * *

"Other mechanical devices will be on board the MA–4 spacecraft to attempt to reproduce the actions of man. A tape recorder, located in the vicinity of what would be the pilot's head, will record the noises of flight into space and back to earth. A special color camera will be pointed out of the portholes to record the view. Another camera will look through the pilot's periscope while a third one records instrument panel readings.

"Special instrumentation has been installed in the MA–4 spacecraft to record vibration, accelerations and temperature.

"During the flight, information from tracking and ground instrumentation points around the globe will pour into the Goddard Space Flight Center of the National Aeronautics and Space Administration at Beltsville, Md., at the rate, in some cases, of more than 1,000 bits per second. Upon almost instantaneous analysis, the information will be relayed to Cape Canaveral for action.

"The orbiting phase of the mission will last approximately 110 minutes and will carry the Mercury craft around the earth at altitudes ranging from 154 statute miles off the west coast of Australia to 100 miles insertion altitude near Bermuda."

The same official statement defines the expected landing place as 200 miles east of Bermuda, in the Atlantic Ocean. Helicopters will be used to recover the main landing parachute carrying certain equipment and data.

It would, of course, be feasible simultaneously to send an astronaut into the air separately in a plane flying in the stratosphere, parachute him to a landing, and tell the world that a man had actually been aboard the satellite itself in the round-the-world flight. It undoubtedly will be possible to put an American astronaut aboard a satellite itself some day and send him around the world many times—where there are today several American satellites still circling the earth after many months of flight. But the United States hasn't been ready to take the risk of a single human life until a test has been made.

The Russians may have taken such a risk but the "evidence" they have produced thus far is by no means convincing. In fact, several statements made by Yuri Gagarin and Gherman Titov about what they saw from orbital flight are not believed at all by a number of scientists in America, France, and Britain. Both the Russian airmen spoke, for example, of having seen plowed fields while in orbit. Maybe they saw them on the way down to earth, but there is no known telescope that could be installed in the spacecraft used from which—at an altitude of nearly 160 miles—one could distinguish a plowed from an unplowed field on earth.

It was important for the Communists to register a "first" in space at this critical time in world history, and they would, of

course, not hesitate to simulate an actual flight in order to gain a propaganda victory.

RUSHING INTO KHRUSHCHEV'S HANDS—ALLIES SEEN SOLVING KREMLIN'S PROBLEMS BY EAGERNESS FOR NEW NEGOTIATIONS

(By Constantine Brown)

ROME, ITALY.—The fear expressed some weeks ago by some realists in the political and military world that we would bail out Premier Khrushchev at a time when conditions in the Soviet Union and the satellite states were at their worst—for him—is now by way of being realized.

Despite President de Gaulle's definite opposition to the West's making overtures to the Kremlin for negotiation to solve the Berlin problem and other pending difficulties, Washington, London and even Bonn are anxious for a summit meeting.

General de Gaulle's initial opposition to the Western Powers' urging negotiation with Mr. Khrushchev was based on incontrovertible evidence that things in the U.S.S.R. were at their worst economically and at the same time the political and economic situation in East Germany had become desperate.

Under these conditions, General de Gaulle argued, why not let the Russians come to us and suggest that we meet to discuss not only Berlin but everything else? We would then be at a great advantage by condescending to talk with the Soviet boss. Our military strength (all panicky reports and rumors about Russia's superiority notwithstanding) is such that the Russians would not dare pull the trigger.

This realistic French approach to the diplomatic crisis is shared by the military of the NATO. We definitely have the wherewithal to make the Russians pay dearly for any military attempt. And the Russian general staff is aware of this.

Mr. Khrushchev is a shrewd and stubborn man, however. Before swallowing a bitter pill, he intended to try something against the West, as usual by proxy. That something was to be Berlin where he decided to create a real brink, pitting the East German Government against the allies in West Berlin.

There were, according to responsible informants, two plans. One, the most daring and likely to cause a real explosion, was to order the East German forces to raid a sector (preferably not American) and take it over. Mr. Khrushchev is reported to have toyed with that idea as being the most spectacular. But it could have involved a shooting problem which could occur before the whole matter could be brought before the United Nations. The Russian general reportedly said "Nyet."

The second plan, which was put into effect on the night of August 13, was then decided on. It involved less risk, especially if the closing of all communications between the Eastern and Western city was to be done by piecemeal. Mr. Khrushchev's expectations were fulfilled. The step-by-step measures taken by Walter Ulbricht after several days of discussions in Moscow with the Russians and the prime ministers of the satellite countries created only an academic reaction in Washington, London, and Paris.

The closing of the avenues between free and Communist Berlin brought the usual meaningless protests. The frame of mind in Washington and London was, "There is nothing we can do about it except make diplomatic representations." Even the decision to send Vice President JOHNSON and token reinforcements was taken only after President Kennedy received agonizing cries from Chancellor Adenauer and Berlin Mayor Brandt to do something. But simultaneously with these gestures, Washington, London, and Rome let it be known to the world that the situation was so tense and full of danger to the peace of the world that a meeting with Mr. Khrushchev at the earliest convenient time must be held. The Russian dictator had not miscalculated.

On the surface the Soviet Union is not directly involved. It is the "sovereign People's Republic of East Germany" which has taken the restrictive measures to defend herself against "espionage, saboteurs and black marketers." The Soviet Union, it was announced, stands firmly as usual behind her allies. A number of Red divisions were brought to the Russian Zone and Marshal Ivan Konev, one of the heroes of the last war, was placed in command.

Today, despite General de Gaulle's stubborn opposition to rushing to a summit conference, the betting in Europe is that the other powers will make their approach to the Kremlin boss. This will add another feather to his cap by having won another victory over the powerful West by his usual method of bluff and blackmail.

Perhaps at the time when the NATO was at its lowest ebb, such an attitude by the Western Powers might have been described as necessarily circumspect. But today when the Allied forces are strong—although not yet at their peak—and when there is a definite will in America and Europe to stop Mr. Khrushchev's nibbling tactics, this rush to negotiate appears from this side as ludicrous, especially when conditions in the Soviet Union are such that Mr. Khrushchev cannot pull the trigger.

A PROGRAM FOR THE RAILROADS

Mr. JAVITS. Madam President, the ICC recommendations for direct Federal subsidy for the railroads is realistic in relation to the new term financial road that seems to stretch particularly before the eastern railroads, but they fail to take account of the basic problem.

If eastern railroads continue in their present direction without Federal assistance, they are very likely to end up nationalized because there would be no other alternative. This would be a disaster for private enterprise in our country—one of the strongest supports of our freedoms.

Accordingly, the ICC recommendations represent a first step. But this will not solve the railroads' problems unless the Federal Government wants to give them long-term subsidy of a size tantamount to nationalization and this would be self-deception.

Modernization of the railroads is necessary if they are to survive their crisis, and the research and investment needed to bring about proper modernization should be made available. Also, commuter roads and terminal facilities need to be tied in with local rapid transit systems and other local means of transportation under more efficient metropolitan area planning. The problem of displaced employees must also be dealt with in a constructive way without any hardships to them and in the interest of the best in labor management relations.

A new program for the railroads may also involve a new approach to rates, taxation, depreciation, utilization of rights of way and similar measures.

These are very preliminary obligations but a master plan is essential for the railroads' short-term survival and long-term usefulness, as a leading example of private enterprise in the United States. In the past, I have proposed a Federal research program for the railroads. I am now preparing other measures which I will present at the next session of Congress to help deal with this critical problem.

AMENDMENT OF FEDERAL AIRPORT ACT

The Senate resumed the consideration of the bill (S. 1703) to amend the Federal Airport Act so as to extend the time for making grants under the provisions of such act, and for other purposes.

Mr. JAVITS. Madam President, I yield myself 5 minutes on the bill.

I wish to develop with the Senator from Oklahoma the situation on another matter which has been of great interest to me. I gave notice yesterday I would go into it.

This matter concerns the fact that a great many airports in the southern part of the Nation are segregated on the ground of color; and that, by whatever strategem this design is carried through, it nonetheless remains the fact that international travelers and interstate travelers are deeply offended by a situation of this character in our own country, notwithstanding all of our Federal laws and everything we have been able to do on the Federal level so far.

I notice the tempest which has been stirred up in New York by an alleged assault by a policeman on a diplomat from one of the new African countries. Madam President, this is so unusual, because it rarely happens in New York; but in the airport situation, we have a built-in, accepted pattern of segregation, notwithstanding all the laws that we apparently have on the books relating to airports of the country.

We can do something about it, Madam President. It is my deep conviction that the government agencies concerned can do something about it, including the FAA, with which we are dealing today in this measure, which gives it the money to help build airports.

I say the Agency can do something about it, and I say it can be done very specifically, because the law today is completely adequate to enable a vigorous administration in the FAA, and through the White House, to put an end to airport segregation.

May I repeat that no new law is necessary—not one line. The FAA itself, with the backing of the President, can eliminate segregation in the airports of the South.

That is the reason why there is no need for me to submit at this time an amendment to the bill. The law is complete on the subject. The point is, it is not being effectively administered. I have in my hand a letter from the FAA which is only 1 day old, sent to me on August 31, 1961, at my request, which makes that fact crystal clear.

Why do I say that the law is adequate? Let me refer to section 11 of the Federal Airport Act, which provides as follows:

As a condition precedent to his approval of a project under this chapter, the Administrator shall receive assurance in writing satisfactory to him that the airport to which the project relates will be available for public use on fair and reasonable terms and without unjust discrimination.

If that were not enough, we have section 404 of the Federal Aviation Act of 1958, which reads as follows, and I invite Members of the Senate to follow the reading of this section closely, because section 404 is exactly the same provision as is contained in the law which covers railroad or bus terminals, about which the Supreme Court has just ruled in a case, in so many words, which I shall refer to. Bear in mind that the provision I shall read is precisely in the same terms:

> No air carrier or foreign air carrier shall make, give, or cause any undue or unreasonable preference or advantage to any particular person, port, locality, or description of traffic in air transportation in any respect whatsoever or subject any particular person, port, locality, or description of traffic in air transportation to any unjust discrimination or any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

Madam President, precisely upon this particular provision, in exactly these words, the Supreme Court of the United States, in the case of Boynton against Virginia, decided in October 1960, reversed the Supreme Court of Virginia and held that segregation was prohibitable in every one of the bus terminals, exactly as it should be in every one of the airport terminals.

The ICC is now moving into this area. Hearings are being held, and the ICC is going to invoke criminal sanctions, as should have been done years ago.

The Boynton case certainly made clear, with respect to the operation of bus terminals, that the operation of the terminal related to any part of it, and that included the restaurant or the restroom, as it does in an airline terminal. It is made very clear that is one and the same entity for the carrier or owner of the airport, in toto, including the runways, and so on. The mere fact that the restaurant or the restroom is part of a general system of transportation makes it susceptible to precisely the law I have read.

Nonetheless, despite that, there is still segregation in our airports.

When we argued this question with respect to the appropriation bill, I had the right—indeed, the need—to offer an amendment, because I was trying to cut off the money, since the Federal Agency was not, in my opinion, enforcing the law. When that was argued I was told, "We have made contracts. We have to go through with those contracts. That is fundamental to our jurisprudence. We should go through with those contracts."

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. JAVITS. Madam President, I yield myself 5 more minutes.

That statement was made notwithstanding the fact that any contract against public policy is invalid, and every lawyer knows it. We argued that point, but we were defeated.

Madam President, we no longer face that situation. There is no contract involved. There is only a Federal law to be enforced, and it is not being enforced. It will not be enforced until this Agency, with the backing of the White House, takes the bit in its teeth to enforce it.

This Agency, in addition to the CAB, has the authority to take away licenses from carriers which use segregated airports.

This Agency, in addition to the CAB, has the power to cripple any airport which engages in segregation.

Not satisfied to use that power, what is being attempted now, under color of the Boynton case, which is an excellent case, is that the administration has instructed the Attorney General to institute suits to desegregate airports in the South.

That is the same as the school desegregation. It is a fine idea to institute suits, but it will take far more years than we have any right to wait, especially since all the African diplomats are circulating around the United States and they still go into the southern airports, even international airports, and see in the waiting rooms and restrooms the signs "For Colored Only," or "For White Only."

This is a shocking disgrace to our country, and it can be completely stopped and prohibited by the Federal Agency concerned. The law is adequate on the subject, but the Agency will not use it.

All we can do is to protest, to cry out to the high heavens against this practice. That is my purpose today.

Let us consider the specifics of the problem.

Madam President, I ask unanimous consent that the letter from the Federal Aviation Agency may be printed in the RECORD as a part of my remarks, so that there will be no question about the position and what the Agency says.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FEDERAL AVIATION AGENCY,
Washington, D.C., August 31, 1961.

Hon. JACOB K. JAVITS,
U.S. Senate, Washington, D.C.

DEAR SENATOR JAVITS: This is written in response to a request from your office for information as to the administration of the Federal Airport Act, insofar as it concerns racial segregation at airports.

You have asked first for information with respect to administrative action being taken to terminate racial segregation at airports. At one time it was the policy of our predecessor, the Civil Aeronautics Administration, to decline to authorize any Federal grants under the Federal Airport Act for the construction of any portion of an airport terminal building which was to be segregated—these portions usually consisting of facilities such as restaurants and toilets. This policy was not wholly effective, and was altered by the Agency on October 28, 1960, to provide that, in the future, Federal grants would be limited to the construction of items necessary for airport safety, and that no further funds would be made available for the construction of terminal buildings except in unusual circumstances. One of the conditions of such grant is that the facilities must be available to the public without regard to race, creed, or color. A copy of our Agency regulation on this subject is attached.

In this connection, I should point out that S. 1703, to extend the Federal Airport Act, now pending before the Senate, would amend section 13(b) of the Federal Airport Act to eliminate, as an eligible project cost, the construction of any part of an airport building except those buildings or parts of buildings which are intended to house facilities or activities directly related to the safety of persons at the airport. While this amendment would terminate the Agency's present ability to authorize the construction of terminal buildings in special circumstances, it is generally in accord with our present policy.

This Agency has also requested the Department of Justice to institute suit under the Federal Aviation Act to enjoin racial segregation at all airports where it is now practiced, and that Department is now aggressively pursuing this request. I enclose a copy of my letter to the Attorney General, dated June 16, 1961, on this subject.

The Department of Justice has recently commenced suit against the city of New Orleans, La., and the city of Montgomery, Ala., seeking injunctions to terminate racial segregation at the municipal airports of those cities. (*United States* v. *City of New Orleans et al.* (E.D. La.), (*United States* v. *City of Montgomery et al.* (M.D. Alabama).) Federal funds were used for the construction of terminal buildings at both airports. In the case of the New Orleans grant, a written assurance was required and was received from the city, as a part of its application for Federal funds, that segregation would not be practiced at the airport. However, this assurance was not honored thereafter, and a major count in the Government's complaint is based upon this breach of a contract.

The grant to the city of Montgomery, Ala., was made under the former policy of the Civil Aeronautics Administration that no Federal funds would be made available to those portions of a terminal building which were to be segregated; and, in this case, the city constructed those portions entirely with its own funds. The complaint of the United States against the city of Montgomery is based on section 404(b) of the Federal Aviation Act, which prohibits discrimination by air carriers. In *Boynton* v. *Virginia* (364 U.S. 454 (Dec. 5, 1960)) the U.S. Supreme Court held that an identical provision of the Interstate Commerce Act prohibits segregation by privately owned terminals and restaurant facilities which serve interstate passengers. It is our opinion that the Boynton decision will be an effective precedent which will enable the Government to terminate racial segregation at airports even though the discrimination may be practiced by a privately owned lessee or concessionaire. I anticipate that further suits will be filed by the Department of Justice, if efforts to seek a voluntary end to discrimination are not successful.

In addition, this Agency has taken other steps to terminate any possible racial discrimination in connection with Federal grants under the Federal Airport Act. Section 16 of the act provides that federally-owned land may be conveyed to a public agency sponsoring an airport project. This Agency has recently decided to alter the form for future conveyances of land to include a provision that the grantee will not discriminate, on the airport property, because of race, creed, color, or national origin. We have also recently amended our Agency regulations governing grant agreements to require that construction contracts entered into by airport operators who have received Federal grants will obligate their contractors not to discriminate against any employee or applicant because of race, creed, color, or national origin.

You have also asked whether this Agency has made, or will make, grants under the Federal Airport Act for buildings or portions of buildings which are constructed for safety purposes, and which are attached to or a

part of terminal facilities which are segregated. The answer to this is "Yes." Section 11(5) of the Federal Airport Act provides that the airport operator or owner receiving a Federal grant will furnish to any civil agency of the Government, without charge, space in airport buildings for use in connection with air traffic control, weather reporting and communications activities. These facilities may be located within or on a terminal building which is otherwise segregated. However, we should point out that these furnished facilities are under the exclusive control and occupancy of a Federal agency and are, of course, not segregated, either as to the Federal personnel employed there or as to members of the public who may have business to transact there.

This situation would not exist as to any future grants, of course, in view of our present policy not to extend Federal grants for the construction of any portion of a terminal building. In this connection, S. 1703 would amend the Federal Airport Act to relieve the sponsor of its obligation to furnish space without charge for housing Government facilities for air traffic control, weather reporting, and communications. Under this amendment, future facilities of this nature would be constructed by the Government at direct Federal expense. If this legislation is acted, it would probably still be possible for such construction to be attached to, or in the case of control towers constructed on top of, terminal buildings in which segregation is practiced. Here again, however, the Government facility would be owned and operated and under the exclusive control of a Federal agency; and segregation would not be practiced in these areas.

Finally, you have asked whether, in our opinion, present legal and administrative steps will be sufficient to terminate segregation at airports. In our opinion, these steps should be adequate. As stated above, this Agency intends to make no future grants for the construction of airport terminals unless written assurance is given that there will be no discrimination. This would, of course, be strengthened by the enactment of S. 1703 in its present form. In addition, existing judicial decisions are, in our opinion, sufficient to persuade the courts to enjoin segregation at existing airport facilities in actions brought either by the United States or by private individuals concerned.

Sincerely,

DAGGETT H. HOWARD,
General Counsel.

3.0607 Airport Buildings:

3.060701 Eligibility: In order to insure that funds made available under the Federal Airport Act are utilized for items of airport development required in the interest of safety, it will hereafter be the policy of the FAA to participate in the cost of construction of only those airport buildings or portions thereof that are required for the safety of aircraft operating to, from, and in the vicinity of, the airport. Accordingly, effective immediately, no airport buildings will be considered eligible items of airport development except those buildings or portions of buildings required to house the following facilities:

(a) Flight Service Station (FSS).

(b) Airport Air Traffic Control Quarters (Combined Air Traffic Control Tower/FSS).

(c) Weather Bureau (Aeronautically Connected Services).

(d) Aircraft fire and crash equipment.

The policy outlined herein is not to be considered applicable to any projects for which an allocation has been issued prior to October 28, 1960, the date of A.P. & P. Memorandum No. 76.

Notwithstanding the above, under special circumstances outlined below, the construction of airport terminal buildings may be authorized under the Federal-aid airport program upon the personal approval of the Administrator. The constuction of airport terminal buildings will be considered only in those States having an unprogramed balance of State apportionment funds. In addition, Federal participation will be limited to the public use facilities of such buildings consisting of public waiting areas, ticket lobbies (excluding airline space), restrooms, baggage claim areas and circulatory space in the terminal building and fingers.

Where a request is received for FAAP participation in the construction of a terminal building, it will be necessary as a part of the programing recommendations to include a statement in writing from the chief executive officer of the sponsor as to whether or not it is the intent of the sponsor that all of the areas and facilities in the airport buildings, including the building proposed for construction, will be available without regard to race, creed, or color, and are operated, and are intended to be operated on a nonsegregated basis. In addition, the program recommendation should include a statement from the region as to whether segregation is practiced in the airport buildings and whether it is recommended that the particular terminal building be included in the approved program.

FEDERAL AVIATION AGENCY,
OFFICE OF THE ADMINISTRATOR,
Washington, D.C., June 16, 1961.

Hon. ROBERT F. KENNEDY,
The Attorney General,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: Since my letter to you of March 24, 1961, in which I expressed my views on some of the aspects of legal action to eliminate racial segregation practices at airports and particularly at Moisant International Airport, at New Orleans, La., members of my staff have met with representatives of your Department several times.

In the course of these discussions, as I am sure you have been informed, the various aspects of the problems involved have been discussed in great detail. As I am also sure you are aware, it is our recommendation that legal action be initiated at the earliest possible date at New Orleans and at other locations where segregation is practiced in airport terminal buildings. At the same time, we are concerned that the legal basis for such suits by the Government be that which provides the best assurance of a favorable court decision and has a minimum of adverse impact on this Agency's program for needed safety improvements at airports.

I believe it is opportune at this time to request, pursuant to section 1007 of the Federal Aviation Act of 1958 (49 U.S.C. 1487), that the U.S. attorney for the eastern district of Louisiana at New Orleans institute suit for an injunction to restrain violations of section 404(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1374(b)) under authority of the Supreme Court decision in *Boynton* v. *Virginia* (364 U.S. 454), and on the further ground that practice of discrimination in the terminal buildings at Moisant Airport constitutes a violation of the terms of the contract between the city of New Orleans, New Orleans Aviation Board, and the Civil Aeronautics Administration dated August 29, 1957.

I further request that the appropriate U.S. attorneys be instructed to institute similar actions to restrain violations of section 404(b) at other airport locations where racial discrimination is practiced in terminal facilities.

Sincerely,

N. E. HALABY,
Administrator.

Mr. JAVITS. Madam President, this subject is divided by the Agency into a number of parts.

First, in the past there was financing of terminal buildings with FAA help. The terminal buildings were owned by a municipality, and the financing was not with direct Federal money, but instead was a financing of the shell rather than the restaurant facilities or the restroom facilities. The Agency permitted the municipality to build those facilities. Then that portion was segregated. The Agency held, for a long time, that procedure was all right, that the Agency had nothing to do with something to which it did not actually contribute specific dollars for the building of the particular walls involved.

Now the Agency has gotten away from that, and has regulations in this regard.

The Senator from Oklahoma [Mr. MONRONEY] was kind enough to say that this action was partially attributable, at least, to the fight I have made.

The Agency now has regulations to provide that this will not be done, and that there is required a commitment that there will be no segregation when there is Federal financing of the shell.

Madam President, the Federal Government is not to finance the air terminals any more. Indeed, the bill we shall pass today expressly excludes that. In a sense, that is an academic matter. Nonetheless, I think it is a great thing. I am delighted the Agency took that position and changed the regulations. I give it all credit and honor for doing so.

As I say, that is a problem no longer germane to the existing situation.

We move to the next situation, Madam President, which is that the Agency itself has asked the Department of Justice to institute suits to desegregate certain airports. Those suits are pending in New Orleans, La., and in the city of Montgomery, Ala. One airport, when threatened with a suit—at Columbus, Ga.—has already desegregated.

Perhaps we can get some understanding of why people like me are so exercised about this issue when we consider the situation at the New Orleans Airport terminal.

Do my colleagues know that the New Orleans municipality agreed by contract it would not have a segregated airport, and nonetheless has one? The Federal Government is now starting a suit. Think of the circumlocution. Think of the injustice. The United States has to start a suit to desegregate the New Orleans Airport, notwithstanding the solemn promise and the written assurance of the New Orleans Airport that it would not be segregated.

This is what we are up against, and this is why people like myself can sometimes get perhaps more passionate and exercised than one ought to be, even with respect to a legislative proposal.

That is the second point. Suits are being started in a number of cases.

We come to point 3. The Agency is taking precautions to see that land which may be used for airport projects is not used in a segregated way, and the Agency is taking precautions to see, also, that in respect to particular structures which the FAA will construct under this act—like weather stations and other sta-

tions— those structures will not be segregated.

But there is something the FAA is not doing. I shall read to the Senate the precise words on that score. The FAA is not using the power it has under the bill, because it has authority to help with respect to all kinds of runways and communications areas and weather stations.

The Agency is not planning to use its power to deny that kind of help to any airport which is segregated. Let me repeat that. The Agency is not planning to use the money and the authority given under the terms of the bill—to provide assistance for things other than terminals, or the appurtenances of terminals used as terminals, such as runways, safety elements, weather elements—to deny assistance to any airport on the ground that that airport is segregated.

The reason which the Agency gives is as follows, and I wish to read it. The letter is addressed to me:

> You have also asked whether this Agency has made or will make grants under the Federal Airport Act for buildings or portions of buildings which are constructed for safety purposes and which are attached to or a part of terminal facilities which are segregated. The answer is "Yes."

I repeat:

> The answer is "Yes."

In short, Madam President, an airport operator or owner who will get that kind of help will not be required to make a commitment that the airport will not be segregated.

The PRESIDING OFFICER. The time of the Senator from New York has again expired.

Mr. JAVITS. I yield myself 2 additional minutes.

This may be sought to be justified on the ground of safety, but is there not also at least an equal obligation to enforce the Constitution of the United States, so that airports which are segregated will not be a part of our safety chain?

Madam President, at that particular point the airport, under a particular operator, under those particular conditions, is not indispensable. It is useful. It is valuable. It is important to the community. However, if the community—and practically all the airports are municipally owned—insists on violating the Federal Constitution, shall we therefore resolve the doubt in favor of the community rather than in favor of all the people of the United States?

We all know the practicalities of legislation. We all know that no community could for a minute survive if it deprived its own citizens of the use of an airport and of all the safety devices it can get from the Federal Government, simply because it wishes to keep the airport segregated.

I ask the Senator to look at the history. When the law provides, or a court rules, after a great deal of fighting, that schools must be desegregated, they are desegregated. When the "sit-ins" make those involved desegregate lunchrooms, they do so. The social order has not collapsed. It will not collapse. On the contrary, as we all know, this is what the future must hold. It cannot be changed. All we are doing now is permitting a Federal agency not to enforce the law merely because we have not the strength, courage, determination, and conviction to say to the Agency that the law must be enforced. It is high time that we did so.

That is my case.

Mr. PASTORE. Madam President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. PASTORE. I congratulate the distinguished Senator from New York for his eloquent and brilliant presentation. I agree with him implicitly, and I desire to associate myself with everything he has said today.

Mr. JAVITS. I am very grateful to the Senator from Rhode Island, who is an extraordinarily able lawyer. I could not hope for any help and support which would be more influential and more gratifying to me than that of the distinguished Senator from Rhode Island.

Mr. MAGNUSON. Madam President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MAGNUSON. Did the Senator say that the ICC was beginning to do some of the things suggested?

Mr. JAVITS. It is. I have given it credit. It is holding hearings. It will bring some criminal prosecutions. The Senator from Oklahoma [Mr. MONRONEY] has done for myself and my colleague [Mr. KEATING] a real favor that we appreciate. I am not berating the Senator from Oklahoma. He is as much a humanitarian as I am. I do not arrogate the virtues to myself.

It is only when we fight very hard for these things, as we have begun to do with respect to the desegregation of airports, that something happens. The Senator from Illinois [Mr. DOUGLAS] referred to the glacial mountain of indifference. We see it even when the law is with us, as it is with respect to the airports.

The southern railroad terminals must be desegregated. There is no way out of it. There is a progressive move toward that end. I should like to see the same march of progress go into the airports as well, and not depend upon selective individual suits for each airport in an injunction case, which seems to be the present course. The law is clear with respect to the power of the Federal Government.

Mr. MONRONEY. Madam President, I yield myself 2 minutes on the bill.

I have listened with interest to the forceful speech and factual presentation of the law and other statements of the distinguished Senator from New York. I wish again to assure the Senate that no segregated facilities can be built under the bill that is now before the Senate.

In the first place, no Federal funds will be available under this bill for construction of any terminal facilities, except those directly related to safety, and the latter type of facilities are not involved in the segregation problem.

Thus, a building may be constructed in the center of an airport as a control tower. Control towers at one time were built as a part of the terminal buildings themselves. But more adequate air traffic control has required their construction elsewhere. Radar rooms may be either within or without the terminal buildings, but for the most part I venture the assertion that even those which are connected with the terminal building itself would have an absolute no-admittance prohibition on such rooms for anyone excepting authorized personnel.

As the Senator knows, radar rooms and air traffic control rooms permit no visitors, so they could not be involved. I am happy to say that in such parts of the terminals the FAA has made great progress in bringing many fine colored people into the expertise of air traffic control and radar work. Such action has been the result in part, I think, of the efforts of the distinguished Senator from New York and many from areas farther south who have insisted that jobs be given commensurate with ability, regardless of color.

As the Senator is aware, there is already a requirement in the Federal Aviation Act that sponsors undertake as a condition for Federal assistance to operate the facilities on a nondiscriminatory basis. Section 11 states:

> As a condition precedent to his approval of a project under this act, the Administrator shall receive assurances in writing, satisfactory to him, that (1) the airport to which the project relates will be available for public use on fair and reasonable terms and without unjust discrimination.

As the Senator also knows, the Agency has already taken legal steps to enforce such undertakings.

Furthermore, even under existing law permitting participation in terminal construction the Agency has refused to participate in the cost in any segregated facilities.

So I feel that we are making progress. A complete job has not yet been done. But the Senator from New York will find less segregation of facilities in the nationwide aviation system than he will find in rail or bus service. At least that is a step forward to which we can point with pride. Far less segregation exists in respect to air transportation than in respect to the other forms of public transportation. There is more work to be done.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MONRONEY. Madam President, I have nothing further to add.

I move that the Senate proceed to the consideration of H.R. 8102.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8102) to amend the Federal Airport Act so as to extend the time for making grants under the provisions of such act, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oklahoma.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 8102) to amend the Federal Airport Act so as to extend the time for

making grants under the provisions of such act, and for other purposes.

Mr. MONRONEY. Madam President, I move that all language after the enacting clause in H.R. 8102 be stricken and that the language of the Senate bill (S. 1703), "to amend the Federal Airport Act so as to extend the time for making grants under the provisions of such Act, and for other purposes, as amended," be substituted in lieu thereof.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oklahoma.

The motion was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. JAVITS. Madam President, I have heard the Senator from Oklahoma with the deepest interest. I point out that what he has said is completely consistent with the case which I have made. Certainly so far as concerns any structure which houses safety facilities or airport operational facilities to which the FAA contributes, there will be no discrimination or segregation. I am satisfied as to that point. That is not any part of what I charge. What I charge is that the money that is proposed to be used for that type of facility, which is important to any municipality—something which all municipalities want, as is clear from the votes in the Senate on the substantive aspects of the bill—will be extended to airports which are segregated.

I point out that the Agency has chosen the longest, not the shortest, way around in making requests to the Attorney General to institute injunction suits, when by the mere cutting off of money we could bring about desegregation of all airports which are now segregated with practically no exceptions. If such procedure is within the Federal purview—and it is within the power and authority of the Federal Government, the agencies and the President—the power should be exercised in accordance with the Constitution, and we should not give support to efforts to delay the day when millions of Americans enjoy its full benefits.

In the Boynton case the terms of the law are precisely the same as those in the Aviation Act. In the Boynton case the Court made crystal clear that whoever operates segregated facilities, if they are a part of the general scheme of transportation which is involved, can be reached by the action of the courts and is subject to the provisions of these laws.

So, Madam President, I end as I began, with a plea to the President and to these agencies to take action to eliminate, not after years and through a great many suits, but right now, or almost right now, segregation in airports which get any Federal help at all.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill (H.R. 8102) was passed.

The PRESIDING OFFICER. Without objection, Senate bill 1703 will be indefinitely postponed.

Mr. MONRONEY. Madam President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MONRONEY. I move that the Senate insist upon its amendment, ask a conference with the House thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. MAGNUSON, Mr. MONRONEY, Mr. SMATHERS, Mr. COTTON, and Mr. SCHOEPPEL conferees on the part of the Senate.

THE COMMUNITY HEALTH SERVICES AND FACILITIES ACT OF 1961

Mr. JAVITS. Madam President, I am gratified that the Community Health Services and Facilities Act of 1961 was passed by the Senate today. I was a sponsor of one of the bills which entered into this same effort and dated from my sponsorship of my bill in the previous administration when it was administration policy under President Eisenhower.

I ask unanimous consent that a statement which I have prepared on the subject be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JAVITS

Mr. President, I rise to express my satisfaction over the passage of the Community Health Services and Facilities Act of 1961, which is designed to help the States and localities improve health services outside the hospital. This assistance in new nursing home construction and expanded home care services is very much needed. Equally essential is the encouragement provided in this bill for the training of State and local public health personnel and the grants to aid public health schools.

Early in the session I introduced a bill which carried the same purport as this one, the Health Facilities and Training Act of 1961, which was prepared at the instance of Arthur Flemming, Secretary of Health, Education, and Welfare, under the administration of President Eisenhower. Both of these bills are precise steps in the direction of meeting the needs for more health facilities and more professional personnel. The growing recognition of our need was made evident in a report entitled "Physicians for a Growing America," issued in October 1959 by the Surgeon General's Consultant Group on Medical Education, which calls for a $1 billion program over a 10-year period to expand and extend our country's medical facilities.

We ought to be training many more doctors, more nurses, more public health specialists to meet the needs of our expanding population. We should be in a position also to take off some of the crushing burden now placed on our hospitals by providing the trained personnel and the expanded facilities necessary to care for our chronically ill and other unhospitalized cases.

The rich benefits that the health, medical, and related sciences can provide toward a better life should be made available to all our people who need them irrespective of their economic position. And we should be mindful, too, of the impact which American medicine can make in other lands to help build the strength and well-being of the free world. Medicine has no geographic boundaries and I hope the day will soon be here that sees us embark on a worldwide crusade against sickness and disease.

FEDERAL AID TO EDUCATION

Mr. JAVITS. Madam President, next week we will deal with the matter of Federal aid to education. There has been no more tragic failure of Executive leadership or greater legislative problems in this Chamber, that we have seen in a long time, than what took place here in the collapse of this great effort in behalf of Federal aid to education, so vital to our defense.

I am gratified by one thing. I have strongly opposed, and continue to oppose, aid to federally impacted school districts, about which so many efforts have been made here, unless it contains at least a 1-year extension of the National Defense Education Act. I have a printed amendment to S. 2393, the impacted areas school bill to that effect.

I am glad to say that at long last opinion is rallying in the country to the fact that we cannot, that we dare not, extend aid to impacted areas without attaching to such legislation, at the very least, a 1-year extension of the National Defense Education Act, including college housing loans, fellowships, and other programs directly related to the defense of the Nation.

I ask unanimous consent that an editorial published in the New York Times today entitled "School Aid Debacle" be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SCHOOL AID DEBACLE

Satisfactory Federal aid to the public schools, although solemnly promised in both the Republican and Democratic Party platforms and labeled with highest priority by the Kennedy administration, has been killed beyond hope for revival in this session of Congress. This is the tragic end to a chapter of legislative irresponsibility and inept Executive leadership.

Inevitably, the postmortems will allocate the blame to everyone's political advantage. The fact is that the blame must be shared across party boundaries. The bipartisan antiaid coalition, of course, did its best to exploit every extraneous controversy. The parochial school issue was welcomed by those who gladly use any means to obstruct aid to public education.

But much of the burden of the defeat remains on those who mismanaged the measure. Inept behind-the-scenes talk of compromise, particularly the offer to use the National Defense Education Act as a vehicle for back-door aid to nonpublic schools, consolidated the opposition and disheartened supporters. The bill that was held captive in the Rules Committee was sound. It was worth a far greater effort for rescue. It needed the urgency of pressure from the White House and the Department of Health, Education, and Welfare; instead it received offers of soft compromise.

When the inadequate hybrid measure was finally brought to the floor under the Calendar Wednesday procedure it lost even the support of some honest advocates of Fed-

eral aid. The totally new bill, based on a distribution formula different from earlier measures, had to be voted on within 1 day, without proper study or debate. This leaves room for suspicion that some of those who adopted this dubious procedure were more interested in going through the motions and clearing themselves of responsibility than in having school aid enacted.

There remains, however, another issue of overriding importance. As a result of the political horse trading, extension of the vital National Defense Education Act has not yet been voted. Without such extension the colleges will not be able to offer loans to this year's high school seniors. Nor will academic institutions be able to plan effective science, mathematics, language, and fellowship programs, with any assurance of continuity. Enough damage has already been done through the failure to enact public school aid; it must not be compounded by failure to extend the entire National Defense Education Act before Congress adjourns.

Mr. MANSFIELD. I have listened with attention to the remarks of the distinguished Senator from New York about the education bill. I believe he said something to the effect that somebody should be ashamed for the little we have done in this Chamber with respect to that subject.

I believe the Senate can take great credit for what it has done in the field of education. It has passed the general aid to education bill. It has reported from committee a bill having to do with extension of the National Defense Education Act, and another bill having to do with aid to impacted areas. Assurances have been given that both of these bills will be brought up before the Senate adjourns.

So I believe Senators—Democratic and Republican alike—can take great credit for what has been accomplished.

Mr. JAVITS. I believe we have gone into this before. I have always given credit to the Senator from Montana. I have already said that the Senate has done very creditable work. The New York Times editorial makes that very clear. I am not complaining about the Senator's leadership.

Mr. MANSFIELD. The credit should go to the chairman of the Committee on Labor and Public Welfare, the Senator from Alabama [Mr. HILL], and especially to the senior Senator from Oregon, who, as chairman of the Subcommittee on Education, devoted long hours to these measures. We have tried to do our part to live up to our responsibility on this side of the aisle with the aid of some of our Republican colleagues in the Senate.

Mr. JAVITS. I thoroughly agree with the role played by the Senator from Oregon [Mr. MORSE]. I wonder if the Senator from Montana is in a position to answer as to the intention of adding a 1-year extension of the National Defense Education Act to the impacted areas bill.

Mr. MANSFIELD. I would suggest that the Senator take that up with the Senator from Oregon. I will be guided to a large extent by what the Senator from Oregon and the members of his committee want done.

Mr. JAVITS. I thank the Senator.

ULTIMATE IN AUTHORITARIANISM

Mr. DIRKSEN. Madam President, I ask unanimous consent that there be printed at this point in the RECORD, an editorial, "Ultimate in Authoritarianism," which appeared in the July 19, 1961, issue of the Daily Republican Times, Ottawa, Ill.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ULTIMATE IN AUTHORITARIANISM

Few have heard about it—but legislation is being considered by Congress which can have a profound effect on the public health.

One of the bill's major provisions would prohibit the patenting of many pharmaceutical products unless the newly discovered compound could be proven significantly more effective than all chemically related drugs already on the market. In other words, proving that a drug is safe and good would no longer be enough. A Government agency would have to agree that it was better.

If this sounds plausible to you, think again. A preparation which is effective with one patient may fail entirely with another. Only the practicing physician is competent to decide which particular drug is best in any given case. Patients, after all, are individuals, with individual idiosyncracies. And, as the old saying has it, one man's meat may be another man's poison.

Moreover, authoritarian bodies—and any Government agency with the power to decide which of a group of related drugs is best must be authoritarian—often have been guardians of orthodoxy rather than champions of progress. In the past, medical experts rejected Jenner's smallpox vaccine, Pasteur's anthrax vaccine, Lister's theory of antisepsis, and Semmelweis' discovery of the cause of childbed fever. All of these innovations have proven to be milestones in medical history.

The proposed legislation would amount to a roadblock in the way of pharmaceutical development.

KHRUSHCHEV OR THE NEW XERXES

Mr. DIRKSEN. Madam President, current issue of the Helenic Review of New York City contains an editorial entitled "Nikita Khrushchev or the New Xerxes, the Acropolis, Berlin, and Beyond." I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NIKITA KHRUSHCHEV OR THE NEW XERXES—THE ACROPOLIS, BERLIN, AND BEYOND

(By P. B. Peclaris)

It was on September 17 of the year 480 B.C. that the great King of Persia, Xerxes, ordered his men to storm the Acropolis of Athens and burn it down. After a resolute resistance of 2 weeks, the Athenian garrison gave up and the Persian soldiers plundered and destroyed the temples. Herodotus, called the Father of History, tells us that on the Acropolis was the temple of Erechtheus, the "earthborn," which contained an olive tree and a salt water pool.

"The tale goes among the Athenians," says Herodotus, "that the tree and the pool were placed there as witnesses by Poseidon and Athena, when they had their contention about the country. Now this olive tree had been burnt with the rest of the temple when the barbarians took the place. But when the Athenians, whom the King (Xerxes) had commanded to offer sacrifice, went up into the temple for this purpose, they found a fresh shoot, 1½ feet in length, thrown out from the old trunk."

By some odd coincidence, it was in September of 1687 that the second desecration of the Acropolis took place, when the Doge of Venice, Francisco Morosini, during a siege of Athens, bombed, and partially destroyed the Parthenon, which was transformed by the Turks to a powder magazine.

It is now a modern Asiatic despot, Nikita Khrushchev, who threatens to repeat what Xerxes did 2,000 years ago. In a speech to the world, he boasted having warned the Greek Ambassador in Moscow, who expressed doubts that he, Khrushchev, would ever order "atomic bombs to be dropped on the Acropolis and other historical monuments of Greece," that "I should without wavering give my military men the order to come down on the military bases of the North Atlantic bloc, which are situated in Greece, and they naturally would not spare the olive groves nor the Acropolis, because bombs do not differentiate."

THE GREEK ANSWER IS "NO"

Master-propagandist Nikita Khrushchev, by making this cynical remark, might have expected either to terrorize the Greeks or to help his friends, the Communists and other leftists in Greece, to improve their shaky positions in the forthcoming general elections. But this time Mr. Khrushchev committed a serious blunder, thus proving his complete ignorance of Greek character. How mistaken this new Xerxes is was shown by the reaction which his words have produced in Greece. Prime Minister Caramanlis, in a fierce reply, worthy of Greece's glorious past, said:

"If the Soviet Premier hopes, by this gratuitous behavior, to intimidate the Greek people and give encouragement to the extreme left, he may as well know that the contrary will be the result. It may be in Mr. Khrushchev's power, as he says, to destroy the Acropolis. What he cannot do, however, is to destroy the ideals of which the Acropolis is the symbol. Ideals whose power is greater than that of any missile."

Mr. Khrushchev did his fellow travelers in Greece a great disservice with his ill-tempered remark. Never since the end of World War II, were the Greeks as united as they are today in the face of the omninous plans of the Soviets and their vassals in the Balkans. History repeats itself. The Greek nation, represented by its Government and the national opposition leaders, gave the Soviet Premier the one answer the Greeks used to give to all invaders and conquerors: A firm and unequivocal "no." Chairman Khrushchev, drunk with the sweet taste of his successes in out-of-space exploration, in the field of military aviation, and in the construction of superbombs capable of killing millions of people, overlooked some very sobering and inescapable truths. His Marxist-Leninist fanaticism does not allow him to recognize clearly that freemen in Greece, in Berlin, or elsewhere, do not fear his threats because the freedom they are enjoying is the fruit of a long and bloody struggle against tyranny and oppression, which began in the shadow of the Acropolis.

SOVIET PREMIER'S WRONG IDEAS

The Acropolis is a symbol of the free world, as in Berlin, which Mr. Khrushchev thinks is not worth fighting for. He seems to believe that the Western nations are decadent and will never go to war to defend Berlin. He brushes aside all legal arguments and threatens to destroy millions of people if he does not get what he wants, under the terms he sets forth. He introduces big-scale blackmail and extortion as a legitimate form of "diplomacy." He speaks of peace and means war, he heralds coexistence and

translates it as domination, he degrades capitalism, and looks forward to surpassing it.

However, Mr. Khrushchev, when he pulls the strings to intensify the Berlin crisis, should bear in mind that his troops are today in Berlin because his Western Allies of World War II allowed them to take the capital of the German Reich. He knows very well that in April–May 1945 the American, British, French, and other Allied armies were about to occupy all of Germany before the Red Army was ready to launch its offensive from the east. Documented history makes clear that the German general staff had given strict orders for a regular retreat in the west and fierce resistance in the east. Only the Yalta agreements induced General Eisenhower to stop the march on Berlin and acquiesce to the occupation of the eastern part of Germany by the Soviets.

THE WORLD'S EXPECTATIONS

That the situation in Berlin is an abnormal one is a fact that is recognized by the West. Nevertheless, no unilateral action can lead to a solution of the problem. On the contrary, unilateral measures are bound to bring about a dangerous deterioration. The stakes in Berlin are great for Mr. Khrushchev as they are for the Western Allies and the West Berliners. However, as long as this "strange sequence of television diplomacy" continues, the chances of a settlement are growing dimmer daily. The Berlin problem should be taken out of the context of prestige considerations. Both the Soviet Union and the West should work out concrete proposals to be tabled as a basis for negotiations at a conference, which should possibly deal with the German problem as a whole.

The East Germans acknowledged the bankruptcy of their regime by closing the access of West Berlin to their people. Undoubtedly, this is a very heavy blow to Mr. Khrushchev who wants the world to recognize this unpopular regime as the legal government of the 16 million Germans who live in the Soviet occupation zone. From the point of view of prestige the Soviet leader is on the defensive, a fact that makes things more complicated and delicate, when one understands the character of the Soviet Premier.

On the other hand, the West seems not to know what to do in the face of the present crisis. Routine protests to the effect that the restrictive measures of the so-called German Democratic Republic are a violation of solemn agreements and token military demonstrations by the West against East Germany though inescapable, certainly do not represent constructive action aimed at reducing the existing tensions and quieting down high-running emotions.

World public opinion today demands more from the leaders of the West as well as from Mr. Khrushchev. It is still time for President Kennedy and Chairman Khrushchev to review and scrutinize their respective positions before things get out of hand. There is sufficient room for maneuvering on both sides since not all roads to an honest compromise have been explored in depth. What seems to be urgent at this crucial hour is restraint in oral assessments of the situation and in tough statements, both in Washington and Moscow. Secret diplomacy might not only be useful, but also necessary and fruitful under the circumstances. As long as world leaders are standing and talking under the glare of television lights there is no justified hope for an improvement.

The frail tree of the uneasy peace the world lives in need not be destroyed like the olive tree on the Acropolis. To believe Herodotus, the trunk of the burnt tree produced green shoots, thus announcing to the world the renaissance of the temporarily fallen Hellenic civilization. But modern weapons of annihilation will scarcely leave any spark of life on earth.

EXPENDITURE FOR RESEARCH, DEVELOPMENT, AND DESIGN EXPENSES UNDER THE MERCHANT MARINE ACT OF 1936

Mr. MANSFIELD. Madam President, I move that the Senate proceed to the consideration of Calendar No. 176, Senate bill 1185.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1185) to amend the Merchant Marine Act, 1936, in order to authorize the expenditure from certain capital reserve funds of certain amounts for research, development, and design expenses.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, with amendments, on page 1, line 7, after the word "consent," to insert "and upon terms and conditions which the Secretary of Commerce shall by regulation prescribe to give priority to the foregoing purposes of the fund (and with respect to any transfer of funds from the special reserve fund, to give priority to the purposes of that fund) and to carry out the purposes of this act,", and on page 2, after line 5, to insert:

The contractor may also make disbursements from the capital reserve fund (1) for the purchase of cargo containers, delivered after June 30, 1959, of a type approved by the Administrator for use in connection with any of the contractor's subsidized vessels, (2) for the payment of the principal of any indebtedness incurred for such containers, or (3) to reimburse the contractor's general funds for expenditures for such purchases or payments. Such cargo containers to the extent paid for out of the capital reserve fund shall be treated as vessels for the purpose of deposits and withdrawals from the capital reserve fund under this section 607, and the regulations and closing agreements relating thereto, except that the depreciation on such cargo containers shall be based upon the life expectancy used for such containers in the determination of "net earnings" under paragraph (d)(1) of this section 607.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of section 607(b) of the Merchant Marine Act, 1936 (46 U.S.C. 1177(b)) is amended by inserting before the period at the end thereof a comma and the following: "and may also pay from such fund, with such consent and upon terms and conditions which the Secretary of Commerce shall by regulation prescribe to give priority to the foregoing purposes of the fund (and with respect to any transfer of funds from the special reserve fund, to give priority to the purposes of that fund) and to carry out the purposes of this Act, amounts contributed toward research, development, and design expenses incident to new and advanced ship design machinery and equipment".

"The contractor may also make disbursements from the capital reserve fund (1) for the purchase of cargo containers, delivered after June 30, 1959, of a type approved by the Administrator for use in connection with any of the contractor's subsidized vessels, (2) for the payment of the principal of any indebtedness incurred for such containers, or (3) to reimburse the contractor's general funds for expenditures for such purchases or payments. Such cargo containers to the extent paid for out of the capital reserve fund shall be treated as vessels for the purpose of deposits and withdrawals from the capital reserve fund under this section 607, and the regulations and closing agreements relating thereto, except that the depreciation on such cargo containers shall be based upon the life expectancy used for such containers in the determination of 'net earnings' under paragraph (d)(1) of this section 607."

Mr. MANSFIELD. Madam President, it is the intention of the Senate, after discussing the matter with the distinguished minority leader, to take up the bills reported by the Commerce Committee in the order in which they appear on the calendar. After Calendar No. 176 is disposed of, it will be followed by consideration of Calendar Nos. 177, 233, 324, 463, 548, and 643.

Mr. MAGNUSON. The Committee on Commerce has reported the pending bill to amend the Merchant Marine Act in order to authorize the expenditure from certain capital reserve funds of certain amounts for research, development, and design expenses. The bill was reported unanimously by the committee. It is one of the really forward looking bills which we have reported, to help an industry and to help the Government and to help the American people in this field.

I point out that under the Merchant Marine Act of 1936, as amended, vessel operators holding operating-differential subsidy contracts are required to establish a capital reserve fund, in which must be deposited an amount equal to the annual depreciation on their subsidized vessels, the proceeds of sale or other disposition of any subsidized vessels, all indemnities and insurance from loss of vessels, and such additional profit from operations of subsidized vessels as the Secretary of Commerce may deem necessary to insure adequacy of the fund.

A special reserve fund also must be set up to take care of any operating losses and subsidy recapture. Into this fund must go all annual profits in excess of 10 percent of capital necessarily employed.

At the present time, under the provisions of the act, there is no authorization to use any of these funds which are lying there unused.

The committee and the witnesses who appeared before it felt that with the highly competitive situation in ocean transportation, it was highly important that the United States remain in the forefront of vessel design. Heretofore the law has not permitted the fund to be used for that purpose, and the Government has not seen fit to appropriate money directly for as much research as should be made in order to keep pace.

The proposed legislation before the Senate, S. 1185, permits such steamship operators to use their own reserve funds

for that purpose. It applies to containers delivered after June 30, 1959, the date marking the beginning of the container programs of these lines.

The proposed legislation is not retroactive in any sense which would affect Government funds or expenditures. The provision simply permits the operators to pay for this capital equipment from their own reserve funds without any expense to the United States. Everyone agrees that it is appropriate that these funds be available for this purpose.

An amendment is suggested by the Department of Commerce itself, which I shall present to the bill, and which will cover containers.

The bill will allow the operators to borrow from the reserve funds for this kind of research.

The amendment requested by the Secretary of Commerce would assure jurisdiction over the expenditure of funds for containers to prevent undue depletion of reserve funds for vessel replacement.

The amendment I send to the desk was made to apply to the House bill, which is also on the calendar.

This is the sum and substance of the bill.

Madam President, I ask unanimous consent to have printed at this point in the RECORD that portion of the report which includes an explanation of the technical amendment to the bill and the letter from the Comptroller General of the United States, who urges the passage of the bill; a statement by me with respect to the bill; and a letter to me from the Secretary of Commerce, suggesting the amendment which gives further protection for the use of the reserve funds.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMENDMENT TO THE BILL

The bill was amended by the committee to assure that its aims be achieved while at the same time safeguarding the integrity of reserve funds for future replacement of vessels. This has been done by specifying that the acquisition of new vessels and payment for existing vessels remains the primary purpose of the fund thereafter. A portion of such funds can be utilized for research, development, and design expenses incident to new and advanced ship design machinery and equipment by giving priority to the present purposes of the reserve funds.

The bill as amended carried out the original intent of the Merchant Marine Act, which has proved so successful in operation over the years.

As an additional element in the development of more effective techniques in cargo handling and in the production of reduced costs and greater efficiency the bill also provides that the capital reserve funds may be utilized for the purchase of cargo containers with the provision that such purchases may be amortized within their life expectancy. In the field of container ship development such containers are as much a part of the cargo handling system aboard the vessels as cargo booms and winches. It is logical that they be classified in the same manner so that their cost will be defrayed from the same source.

The committee believes that enactment of this bill will contribute substantially to the future development of the American merchant marine and accordingly recommends its enactment.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, June 5, 1961.

Hon. HERBERT C. BONNER,
Chairman, Committee on Merchant Marine and Fisheries, House of Representatives.

DEAR MR. CHAIRMAN: Further reference is made to your letter of May 23, 1961, acknowledged on May 25, requesting the comments of the General Accounting Office concerning H.R. 6974, 87th Congress, 1st session, entitled "A bill to amend section 607 (b) of the Merchant Marine Act, 1936, as amended."

The proposed amendment would permit subsidized vessel operations, if approved by the Maritime Administration, to make expenditures from their capital reserve funds for research, development, and design incident to new and advanced-design machinery and equipment.

We have no special information or knowledge as to the desirability of the proposed legislation and, therefore, we make no recommendation with respect to its enactment. However, we should like to suggest for the consideration of your committee that under the provisions of the present section 607(b) of the 1936 act, each subsidized operator is required by contract to create and maintain a capital reserve fund for the stated purposes of insuring the prompt payment of his obligations to the Government and the replacement of his subsidized vessels as may be required. In view thereof, we believe that in order to assure the maintenance of a sufficient balance of reserve funds to fulfill these contractual obligations, the bill, if given favorable consideration, should establish definite limitations on the porportion or amount of reserve funds which may be expended for research and related purposes.

In this connection, we should like to call attention to the fact, of which you no doubt are aware, that Public Law 86–451 (74 Stat. 95) making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1961, specifically authorizes a sum not to exceed $5,900,000 for research, development, and design expenses incident to new and advanced ship design, machinery, and equipment. In the light of this authority and specific appropriation therefor which has been granted to the Maritime Administration, it is not clear whether the funds being made available by the proposed amendment are intended to augment the governmental research and development program already authorized. Therefore, in the event it is intended that the proposed legislation contemplates a cooperative undertaking by the operators and the Maritime Administration, and is designed to authorize contributions from both sources in seeking the same objective, we recommend that the bill be clarified to remove any question in this regard. Otherwise, there could conceivably arise a question concerning an unwarranted augmentation of the existing appropriation.

Furthermore, while not so stated in the amendment, we assume that in the event the research and development program is undertaken by the shipowners individually, it is intended that the Maritime Administration will coordinate the contemplated projects in order to prevent possible duplication or overlapping of effort.

Sincerely yours,

JOSEPH CAMPBELL.

STATEMENT BY SENATOR MAGNUSON

The survival of this country's hard-pressed commercial shipping fleet, in the face of foreign competition operating at vastly lower costs, will depend in large measure upon the ability of U.S. vessel owners to make fullest use of scientific and technical advances in vessel propulsion, automation, etc. Development of such facilities to the point of practical utility, however, is a costly process, and particularly burdensome in this time of rocketing costs of operation and declining revenues.

This bill would amend section 607(b) of the Merchant Marine Act, 1936, to authorize subsidized vessel operators to pay from their capital reserve funds, with the consent of the Secretary of Commerce, amounts expended for research and design development. At the suggestion of the Maritime Board an amendment has been added, designed to safeguard the original purposes of both capital and special reserve funds.

A second amendment to the bill would permit borrowing from capital reserve funds for construction of containers, these borrowings to be repaid in annual amounts based on the life expectancy of the containers. This would permit utilization of the proven advantages of containerization, but at the same time would avoid any permanent depletion of vessel reserve funds while easing the pressure on currently limited general operating funds. A further amendment requested by the Secretary of Commerce would assure jurisdiction over expenditure of funds for containers, to prevent undue depletion of the reserve funds for vessel replacement.

THE SECRETARY OF COMMERCE,
Washington, D.C.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to S. 1185 as it was reported by your committee. The bill as reported would amend section 607(b) of the Merchant Marine Act, 1936, in two respects.

First it would amend the section to authorize use of capital reserve funds for research and development purposes, with the consent of the Secretary of Commerce and under regulations prescribed by the Secretary to give priority to use of the funds for the acquisition of new vessels and payment for existing vessels.

Second, it would amend the section so as to authorize use of the capital reserve funds to pay for containers. This second amendment would not require the consent of the Secretary of Commerce for this use of the fund, nor would it provide authority for the Secretary to issue regulations to give priority to use the fund for acquiring new vessels and paying for existing vessels.

We believe that use of the fund to pay for containers should be permitted only with the consent of the Secretary of Commerce, and that the Secretary should be authorized to regulate use of the fund to pay for containers so as to safeguard the primary purposes of the fund.

Our recommendation could be carried out by amending the bill (as reported) as follows:

1. Insert "(A)" after the comma in line 3, page 2.

2. Strike out the quotation marks in line 5, page 2, and all matter following it down through the word "fund" in line 7, page 2, and insert in lieu thereof the following: "and (B) amounts."

H.R. 6974, as it passed the House of Representatives, is in substance identical to S. 1185 as reported by your committee. If the action is to be on that bill, we recommend that similar amendments be made to it.

The Bureau of the Budget advises there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

EDWARD GUDEMAN,
Under Secretary of Commerce.

The PRESIDING OFFICER. The first committee amendment will be stated.

The LEGISLATIVE CLERK. On page 1, line 7, after the word "consent", it is proposed to insert: "and upon terms and conditions which the Secretary of Commerce shall by regulation prescribe to give priority to the foregoing purposes of the fund (and with respect to any transfer of funds from the special reserve fund, to give priority to the purposes of that fund) and to carry out the purposes of this Act,".

The PRESIDING OFFICER. The amendment to the committee amendment will not be stated.

The LEGISLATIVE CLERK. On page 2, line 3, after "Act," it is proposed to insert "(A)".

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The second committee amendment will be stated.

The LEGISLATIVE CLERK. On page 2, after line 5, it is proposed to insert:

The contractor may also make disbursements from the capital reserve fund (1) for the purchase of cargo containers, delivered after June 30, 1959, of a type approved by the Administrator for use in connection with any of the contractor's subsidized vessels, (2) for the payment of the principal of any indebtedness incurred for such containers, or (3) to reimburse the contractor's general funds for expenditures for such purchases or payments. Such cargo containers to the extent paid for out of the capital reserve fund shall be treated as vessels for the purpose of deposits and withdrawals from the capital reserve fund under this section 607, and the regulations and closing agreements relating thereto, except that the depreciation on such cargo containers shall be based upon the life expectancy used for such containers in the determination of net earnings under paragraph (d)(1) of this section 607.

The PRESIDING OFFICER. The amendment to the second committee amendment will be stated.

The LEGISLATIVE CLERK. On page 2, after line 5, it is proposed to strike out "The contractor may also make disbursements from the capital reserve fund" and insert in lieu thereof "; and (B) amounts".

The PRESIDING OFFICER. The question is on agreeing to the amendment to the second committee amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BUTLER. Madam President, I call up the amendment which is at the desk, and which is offered in the names of myself and the distinguished Senator from Delaware [Mr. WILLIAMS].

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill, it is proposed to add the following new section:

SEC. A. That the Merchant Marine Act, 1936 (49 Stat. 1985), is amended by striking out subsection (d) of section 502.

Mr. BUTLER. Madam President, the Senator from Delaware has joined with me in urging the Senate adopt his amendment to S. 1185 and thereby eliminate the unrealistic, inequitable, and totally unwarranted 6-percent preference which the west coast shipyards presently enjoy to the detriment of their counterparts on the other coasts when bidding for the construction of a ship under certain provisions of the Merchant Marine Act of 1936. The preference, which may have had some justification when first enacted over 25 years ago, now represents no more than geographical discrimination. It selects one coastal region and gives its shipyards a decided advantage over the yards of the gulf, Great Lakes and the East at great expense to the country and all of its taxpayers.

Those who oppose the elimination of this differential usually do so on the ground that it is necessary for national defense purposes. They argue that the preference equalizes costs as between the coasts and thereby permits a diversified shipbuilding capability on all coasts which is not only desirable from a defense standpoint, but necessary. I shall demonstrate, Madam President, that the argument, which may have been valid in 1936 when the preference was created, is no longer valid; that fiscal responsibility and equity require the 6-percent preference be repealed; that component material costs in most cases, excepting perhaps steel—and probably even steel—are competitive regardless of where the shipyard is located; that, in any event, the competitive equality of the west coast yards should be the determining factor in repeal or retention of the preference, not component material costs, since those external shipyard costs are not a true indication of competitive equality.

Mr. KEATING. Madam President, will the Senator from Maryland yield?

Mr. BUTLER. I yield.

Mr. KEATING. I congratulate the Senator from Maryland for offering the amendment. I support the amendment wholeheartedly. It is in accordance with the Senator's consistent regard for the interests of his State and the interests of all of us in the eastern part of the Nation. I see no reason whatever for this highly discriminatory effort on the part of the west coast shipbuilding interests.

Mr. BUTLER. I thank the distinguished Senator from New York. I hope we will be successful in having the amendment adopted.

Mr. KUCHEL. Madam President, will the Senator from Maryland yield?

Mr. BUTLER. I yield.

Mr. KUCHEL. Has the Senator's amendment ever been the subject of any Senate committee hearings?

Mr. BUTLER. The amendment has been in the Committee on Commerce a number of times. I know I have offered it at least twice. With due respect to the Committee on Commerce, of which I am a member, we have been unable to have hearings on it.

Mr. KUCHEL. Then it is the Senator's answer that there have been no hearings on the amendment?

Mr. BUTLER. There have been no hearings on the amendment in the Senate. As I understand, quite extensive hearings have been held in the House of Representatives.

Mr. KUCHEL. Has the House of Representatives ever considered the proposed legislation?

Mr. BUTLER. I think the House of Representatives has considered it within the last 30 days. It was rejected by the House.

Mr. KUCHEL. I thank the Senator.

Mr. BUTLER. I hope that we who favor the amendment will be able to show that it should not be rejected by the Senate.

Internal efficiency, negotiating ability, technology, labor costs, and general management know-how enter into a determination of the competitive equality of one enterprise as against another, in addition to external costs, that is, costs over which the yard has no control. It is for this very reason that the General Accounting Office report which resulted from hearings before the House Subcommittee on Merchant Marine and Fisheries is virtually useless in determining the necessity of continuing the preference.

That report was extremely narrow and unrealistically limited in authorized scope since its stated objective was "to establish as accurately and objectively as possible the relative regional shipbuilding cost picture." The GAO report categorically stated that "actual costs represent the only true measure of cost differences." It therefore concentrated on material and other costs and ignored almost completely the true test of the need for the 6-percent preference, as demonstrated by actual bids—the bid, of course, representing a distillation of all costs plus technical ability, efficiency, and other intangibles not related directly to material or labor costs. In addition, the General Accounting Office report did not develop whether the preference had accomplished the original purpose of the act, to wit, establishment of a strong west coast shipbuilding capability in view of potential or actual national defense requirements. This, of course, was not part of its assignment, but all should be mindful of the fact when considering the report.

Also fatal to the antirepeal argument that the preference is essential to national defense is the fact that even if it is withdrawn, there remains within the Merchant Marine Act of 1936 itself ample protection to guarantee a continued shipbuilding capability on the west coast. Section 502(f) gives the Federal Maritime Board power to allocate contracts among the coasts in case

of need. Our national defense shipbuilding capability cannot, therefore, be injured by repeal.

Madam President, I ask unanimous consent that the pertinent provisions of section 502(f) be printed in the RECORD at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Section 502(f) (52 Stat. 597, as amended, 46 U.S.C. § 1152) provides in pertinent part:

"The Secretary of Commerce, in connection with ship construction, reconstruction, reconditioning, or remodeling under title VII and section 509, and the Federal Maritime Board, in connection with ship construction, reconstruction, or reconditioning under title V (except section 509), upon a basis of a finding that the award of the proposed construction, reconstruction, reconditioning, or remodeling work will remedy an existing inadequacy in such mobilization base as to the capabilities and capacities of a shipyard or shipyards at a strategic point, and after taking into consideration the benefits accruing from the standardized construction, the conditions of unemployment, and the needs and reasonable requirements of all shipyards, may, with the approval of the President, allocate such construction, reconstruction, reconditioning, or remodeling to such yard or yards in such manner as it may be determined to be fair, just, and reasonable to all sections of the country, subject to the provisions of this subsection."

Mr. BUTLER. Madam President, over the years I have continually examined the many complexities involved in the 6-percent shipbuilding preference, and I cannot see how anyone in good conscience can oppose repeal. The opponents are usually those from the Western States and their concern is understandable. When one gets a windfall, he does not like to relinquish it—ever. But the reasons for their opposition are not so understandable.

On the one hand, they argue the 6-percent preference is necessary because of the disparity in costs as between the west coast and other coasts, and they say that if it were withdrawn, irreparable harm would result to their shipbuilding capability, and that this would be disastrous from a defense standpoint. On the other hand, in the case of defense contracts other than shipbuilding, the west coast interests argue that the West has 27 percent of all prime defense procurement contracts and 31 percent of all prime defense research and development contracts because of greater efficiency and technological know-how in the West and because of their ability to do the job cheaper than in the East. One of my distinguished colleagues from the West said on the floor of the Senate on June 14, that

We have the experience, personnel, the plant capability, and the product quality that enable the Federal Government to get the best possible product at the lowest possible total cost.

If that is the case, perhaps defense plants in the East and elsewhere should have a 6-percent preference in bidding on or negotiating defense contracts. I am sure that if any such move were undertaken, it would be opposed by the west coast interests with as much vigor as they presently support a 6-percent shipbuilding preference in their behalf. But the question of defense contracts is another issue completely, and I do not care to comment further on that now, for I shall have much to say about it in the future.

Madam President, before one can make a conscionable and correct determination of whether the preference should be retained or repealed, the basis, purpose, and objective of its enactment in the first place must be clearly understood. If the objective has been accomplished, it should be repealed. That objective, as I shall hereafter show, has been accomplished, so repeal is imperative.

The legislative history clearly reveals that the preference was created by the Merchant Marine Act of 1936, because at that time the shipbuilding industry on the west coast was dormant, and national-defense considerations required reactivation of the industry. That history also reveals that at the time many of the materials that go into building a ship, such as steel, aluminum, copper, and the large variety of essential component parts, were not available on the west coast, and, therefore, had to be shipped from the industrial East, at rates which were of necessity higher than those charged the east coast yards which were nearer the sources of supply. Also, because of the dormant status of the west coast industry at that time, operating efficiency was inferior and skills were rapidly deteriorating. Hence, the west coast lacked equality as regards its ability to compete. The conclusion was reached, therefore, that some incentive was necessary in order to carry out the national-defense objective of reactivating Pacific coast shipbuilding; and it was recognized that this would be impossible without equalizing opportunity—that is, it would be impossible without establishing competitive equality as between the yards. The requisite incentive and equalizing factor arrived at was the 6-percent preference.

It necessarily follows, therefore, that if the shipbuilding industry on the west coast now has a capability sufficient to satisfy actual or potential national defense requirements, and if overall competitive equality has been established, the preference should be eliminated.

That those objectives have been achieved is apparent by looking at the facts.

In 1936 there were only 3 shipyards on the west coast, with 12 ways. The east coast that year had 8 yards, with 54 ways. By 1959, the west coast had grown to 7 yards with 29 ways—more than doubled. The east coast, on the other hand, in 1959, had 9 yards, but its ways had decreased to 49. Total ways on all coasts other than western numbered 83.

In 1936, activity in the Pacific coast yards was almost nil; but in 1959, their 7 yards had 15 ships under contract, while the East, with its 49 ways, had only 18. Notwithstanding the relative inertia of west coast shipbuilding activity in 1936, it was able to expand sufficiently and rapidly enough to construct 44 percent of the total World War II-built merchant tonnage.

And not only did the west coast yards produce in quantity; they also produced economically. The famous Liberty ship was constructed in the West at a cost which was lower than that for construction in the yards on any other coast. The combined average cost to all other yards of that type of ship during the war was $1,853,000. It cost the west coast yards only $1,737,000. It cost shipyards in the southeast as much as $1,954,000.

In 1961, of the 61 ships under construction in the Maritime Administration's replacement program, 14 are in the west coast yards, and 47 are in Atlantic coast, or gulf coast, or Great Lakes yards. This corresponds favorably with the relative capacity of the yards as already stated—29 ways in the West, to 83 others elsewhere.

The only point in reciting these statistics, Madam President, is to show the Members of the Senate that there is a strong, active, capable, and efficient shipbuilding industry on the west coast. There is no longer a need for a preference to that coast. The national defense shipbuilding capability in the West has already been tested during the war, and it passed with flying colors. The objective and purpose upon which the preference was formulated has been achieved, and it should be repealed.

The facts prove that the west coast is in a position as strong as that of the yards in the rest of the country. The facts prove, as well, that the strength can be maintained, and even increased, without the assistance of the discriminatory preference.

As I stated earlier, Madam President, by means of the 1936 act, by utilization of the 6-percent preference, it was hoped to create competitive equality. That equality has been achieved can best be determined by looking to the only index which establishes the ability to compete—actual bids made on proposed construction and conversion contracts. Bids, of necessity, represent the end product of all cost factors, as well as efficiency and technology, which go into the construction of a ship, and they provide for a profit. An analysis of all bids on the construction and conversion contracts in the Maritime Administration's replacement program from November 30, 1960, through June of this year, not only shows the strength of the west coast industry and its current ability to compete, but also reveals that, in many cases, yards in other sections of the country have difficulty competing with the West.

Between November 30 and the end of June, 4 construction contracts have been awarded, for a total of 16 ships; and 2 conversion contracts have been awarded, for 1 ship each. Two of the sixteen new ships were awarded to a west coast yard as low bidder, without benefit of the 6-percent preference. On four others, the low west coast bid was within one-half of 1 percent of the lowest bid. On six others, a west coast yard underbid three of the six eastern yards that submitted bids and on the larger of the two conversion contracts, the west coast yard bid within two-tenths of 1 percent of the lowest bid and was awarded the contract

under the 6-percent provision. This actual bid was, incidentally, lower than bids from two other eastern yards and one gulf coast yard. The highest bid was from an east coast yard, it being substantially higher than the bids of all four bidding west coast yards. And on this contract all four California bidders underbid two yards from other coasts.

Madam President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a summary entitled "Bidding on Maritime Administration Contracts Awarded Since November 30, 1960."

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Bidding on Maritime Administration contracts awarded since Nov. 30, 1960

NEW CONSTRUCTION

Type of ship	Date of delivery	Owner	Yard	Location	Bid	Ships: Each o.
C4-S-57a	Oct. 18 1961	United States Lines, 2d group, 6 vessels	Avondale	Avondale, La	$12,087,400	6
			Bethlehem	Sparrows Point, Md	10,348,000	6
			do [1]	Quincy, Mass	9,797,000	6
			Ingalls	Pascagoula, Miss	10,932,815	3
			National	San Diego, Calif	10,307,888	6
			Newport News	Newport News, Va	10,294,000	6
			Sun Ship	Chester, Pa	9,884,000	6
			Todd	San Pedro, Calif	11,794,255	6
C3-S-46b	Nov. 1, 1960	American Export, 3d group, 4 vessels	Avondale	Avondale, La	10,022,351	4
			Bethlehem	San Francisco, Calif	9,404,000	4
			do	Sparrows Point, Md	9,527,000	4
			Ingalls	Pascagoula, Miss	10,200,000	4
			Maryland	Baltimore, Md	9,494,038	4
			National	San Diego, Calif	8,811,048	4
			Puget Sound	Seattle, Wash	10,970,000	4
			Sun Ship [1]	Chester, Pa	8,770,000	4
			Todd	San Pedro, Calif	11,307,195	4
C3-S-37c	Nov. 4, 1960	Lykes Bros., 4th group, 4 vessels	Avondale	Avondale, La	9,845,000	4
			Bethlehem	San Francisco, Calif	9,950,000	4
			do [1]	Sparrows Point, Md	8,539,000	4
			Ingalls	Pascagoula, Miss	8,725,000	4
			Sun Ship	Chester, Pa	8,820,927	4
C4-S-1n	Nov. 30, 1960	States SS., 2d group, 2 vessels	Bethlehem	San Francisco, Calif	11,500,000	2
			Ingalls	Pascagoula, Miss	11,750,000	2
			National [1]	San Diego, Calif	11,110,424	2
			Newport News	Newport News, Va	11,436,000	2
			Puget Sound	Seattle, Wash	11,573,000	2
			Sun Ship	Chester, Pa	11,192,717	2
			Todd	San Pedro, Calif	12,511,346	2

CONVERSIONS

SS *Atlantic* Pa-S1-1v	Feb. 5, 1960	American Export, 1 vessel	Bethlehem	Baltimore, Md	$2,310,000	1
			do	New York, N.Y	2,239,500	1
			Maryland	Baltimore, Md	2,390,000	1
			Newport News	Newport News, Va	2,260,000	1
			Sun Ship [1]	Chester, Pa	1,783,445	1
			Todd	Hoboken, N.J	2,248,880	1
SS *Leilani*, P2-S2-R14a	Jan. 6, 1961	APL, 1 vessel	Alabama	Mobile, Ala	9,048,789	1
			Bethlehem	San Francisco, Calif	8,179,993	1
			do	Baltimore, Md	7,770,448	1
			Newport News	Newport News, Va	7,737,581	1
			Puget Sound [1]	Seattle, Wash	7,760,993	1
			Sun Ship	Chester, Pa	10,145,888	1
			Todd	Alameda, Calif	8,664,725	1
			Willamette	Portland, Oreg	8,012,637	1

[1] Awarded contract.

Mr. BUTLER. Madam President, in addition to these facts, statistics also indicate that, with the exception of steel, there is little, if any, differential on any of the other component materials which go into the construction of ships since most of such materials are purchased f.o.b. shipyard. The GAO report revealed a 13-percent disparity in steel costs between east and west coasts. This, however, is a fictitious figure and was achieved by averaging costs on a selective shipyard basis. When complete averaging is used, the differential is reduced to 7.2 percent. Also, the report did not take into consideration steel costs to Bath Iron Works, Bath, Maine, which are higher than those in the West. Nor did it reveal that there is a differential in steel costs even among east coast yards. The differential between the average steel cost to all east coast yards and the Bath Iron Works is 59 cents per hundred pounds as compared to the 44-cent differential between east and west coast yards. As between Bethlehem Steel's Sparrows Point yard in Baltimore and the Bath Iron Works, there is a 69-cent differential in steel costs. So it becomes patently clear that cost differentials do not exist only as between the west and other coasts. They exist between shipyards on an individual basis regardless of the situs.

Mr. President, I think these facts sufficiently demonstrate that continuation of the preference is no longer desirable. The House of Representatives Committee on Merchant Marine and Fisheries recognized this and reported similar legislation by an overwhelming majority vote of the committee after full and complete hearings determined the necessity of repeal. Unfortunately, there have been no hearings in the Senate, but the result would be the same if they were held because facts are facts, and the undeniable ultimate fact is that the preference is an antiquated, unnecessary, unwise, and fiscally irresponsible carryover from a temporary program designed to achieve a stated objective which has since been achieved. Millions of dollars have been wasted because of it; and millions more will be wasted.

To continue to give one geographical region of the country an advantage over other regions is no more than rank discrimination, and I know of no other case in which it has been done. If such discriminatory legislation were enacted as to private citizens, there is no question that it would be held unconstitutional by the courts. If the 6-percent preference is continued, it will represent to me no more than an overt manifestation of Federal favoritism of one geographical segment of our country which also carries over into the broader field of Government defense contracts. It is unfair, and it is patently inconsistent with the American concept of government and its established standards of free enterprise and fair competition to do things this way. Repeal of the preference is long overdue. I urge that it be accomplished now.

Mr. LAUSCHE. Madam President, will the Senator yield?

MR. BUTLER. I yield.

Mr. LAUSCHE. Am I correct in my understanding that, under this preferential consideration, if a west coast shipbuilder's bid is not more than 6 percent higher than that of an east coast shipbuilder, the contract mandatorily must be awarded to the west coast?

Mr. BUTLER. I think that is actually true. It has been done in many cases. There may be other language under the

act which would permit the awarding of the contract to an east coast bidder if the yards on the west coast had more contracts than they could handle or if the defense posture was such that the contract should go to an east coast shipyard. But the Senator is correct in his understanding that if the bid was not more than 6 percent higher than the bid of an east coast shipyard, the contract would go to a west coast shipyard.

Mr. LAUSCHE. When was that provision written into the law?

Mr. BUTLER. In 1936.

Mr. LAUSCHE. And it is the position of the Senator from Maryland that since 1936 there has been a great change in the subject of competitive abilities and advantages?

Mr. BUTLER. Precisely.

Mr. LAUSCHE. The position of the Senator from Maryland is that, 24 years after the adoption of the provision, there is no justification for it, and that when the Government pays as high as 6 percent more of the Federal taxpayers' money for the building of a ship on the west coast, then we have to pay higher than we should and we are wasting the taxpayers' money. Is that correct?

Mr. BUTLER. And we are compounding the wrong, when we consider that the Merchant Marine Act itself contains a provision which would permit the Maritime Administration to give the contract to a west coast yard, even though its bid might be a little higher, if the national defense requirements at the time were such that the contract should go to the west coast yard so that the skills in that yard could be maintained because of our national defense posture.

Mr. WILLIAMS of Delaware. Madam President, will the Senator yield?

Mr. BUTLER. I yield.

Mr. WILLIAMS of Delaware. Is it not a fact that on Navy bids there is no differential and the west coast yards are meeting competition of the east coast yards in bidding for naval ship construction?

Mr. BUTLER. That is true.

Mr. WILLIAMS of Delaware. And if the west coast yards can by competitive bidding underbid the east coast yards for the building of naval ships, why can they not do the same with respect to bidding for construction of merchant marine ships?

Mr. BUTLER. My answer to that question is that I believe they can, and that the purpose for which the preference was provided in the 1936 act has now ceased to exist, and should be repealed.

Madam President, I yield the floor.

Mr. LAUSCHE. Madam President, may I ask the Senator from Maryland a question?

Mr. BUTLER. Yes.

Mr. LAUSCHE. On the matter of allocation of contracts for Navy ships, is the Senator able to tell us to what extent the west coast shipyards have been able to get the bids without the 6-percent bounty?

Mr. BUTLER. I will defer to the Senator from Delaware [Mr. WILLIAMS] for a reply.

Mr. LAUSCHE. Will the Senator from Delaware cover that at a later time?

Mr. WILLIAMS of Delaware. I have the testimony which was given by Rear Admiral Floyd B. Schultz, Assistant Chief of the Bureau for Design, Shipbuilding, and Fleet Maintenance. He was speaking for the Department of Defense on this proposal when it was considered by the House of Representatives under date of the 19th day of May of this year. Admiral Schultz made this statement:

> Although the 6 percent differential is not applicable to naval ship awards, the Navy fully appreciates the necessity, from a naval preparedness standpoint, of maintaining an adequate potential of operating shipyards on the west coast to meet emergency defense needs. In the past the provision of the Merchant Marine Act of 1936 mentioned above has been helpful in building and maintaining an adequate shipbuilding capability among yards on the west coast.

He said "in the past." Continuing, he said:

> Because of higher wage and freight costs and other factors these yards sometimes have been at a competitive disadvantage in bidding on commercial and Government work.
>
> In recent years, however, with the growth and diversification of west coast industry, private shipyards in that area have shown an increasing ability to compete successfully for Navy ship construction. The development of basic supporting industries, the application of improved techniques and the achievement of greater efficiency in shipyard operations, have helped to improve the competitive position of the west coast shipbuilding industry.
>
> Several major awards on a competitive basis during the past year or so offered convincing evidence that west coast yards have definitely overcome their former disadvantage in bidding on Navy ship construction.

I am quoting from the testimony of Rear Admiral Schultz. I repeat:

> Several major awards on a competitive basis during the past year or so offered convincing evidence that west coast yards have definitely overcome their former disadvantage in bidding on Navy ship construction. For example, in March 1960 a Puget Sound firm bidding on a nationwide competitive basis was the lowest bidder on three guided missile destroyers (DDG) and received a contract for approximately $47 million. In November 1960 another Seattle firm was successful, in nationwide bidding, in obtaining an award for two DDG's—at a price of approximately $29 million. Only a few days ago, a San Diego firm, again as a result of countrywide competition, submitted the lowest of 7 proposals received in response to invitations sent to 22 shipyards. This firm was awarded construction of a combat store ship (AFS) at a price of approximately $18 million.

There are several examples which Admiral Schultz gave when he testified before the House committee to clearly show that in the past year the west coast shipyards have been able to bid on a competitive bid basis without resorting to any of the 6-percent differential claimed.

As the admiral points out, in 1936 there was justification for the differential. I think the west coast needed it at that time. There were no steel yards on the west coast or other facilities. That day is long past. This is an outmoded provision.

Today, although bidding on Navy ship construction on a nationwide competitive bid basis, if the yards are bidding on a ship to be constructed for the private merchant marine the west coast bidder knows if he comes within 6 percent he will still be eligible for consideration on the bid. It is not mandatory that the award must be made, but if the bid is, let us say, 5 percent higher on the west coast than the east coast for the identical ship the Maritime Administration under the existing law can make an award on the basis that it is the lowest bid, because it can allow the benefit of a 6-percent differential.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. BUTLER. In several cases, as I have already pointed out, there was no need for the 6-percent differential. The west coast bidders were the low bidders on a nationwide basis.

Mr. WILLIAMS of Delaware. There have been many instances in which they have been low bidders on a nationwide basis.

The surprising fact is that the west coast bids would be considered the lowest even though they were up to 6 percent higher than east coast bids.

I cite an example. The Bethlehem Steel Co. at Sparrows Point, near Baltimore, bid on the construction of two ships. The company submitted bids for the construction of the ships in the west coast yard also. The bids for construction in the west coast yard on an average were $256,000 per ship higher. The company told the Government: "We will build these ships, but we will charge you $256,000 more each if we build them on the west coast than if we build them on the east coast."

The Government in its generosity said, "We need the ships, but we do not need the $512,000, so build them in the more expensive yard."

Mr. LAUSCHE. Has the Senator from Delaware given any thought to the impact which the grant of a 6-percent differential has as to the willingness and inclination of the builders on the west coast to bring themselves into a competitive position? Mention has been made of a difference in labor cost which existed at one time. A query is raised as to why there is a difference in labor cost. If these people continue to receive a 6 percent differential, do we not, in that process, throw a wet blanket over any purpose of having them bring themselves within a competitive position?

Mr. WILLIAMS of Delaware. We certainly do. They are human, just the same as anyone else. If they know they will be given a 6-percent edge they will lean toward that 6-percent edge.

The best evidence is that these builders are able to compete and to get a reasonable proportion of contracts for the Navy ship construction upon which they must bid on a strictly competitive bid basis, whereas with respect to the private merchant marine they say, "We cannot do this construction for the private merchant marine unless we get a differential."

I know that only a few weeks ago there was criticism voiced on the floor of the Senate about the exceptionally large amount of defense contracts in general going to the State of California for the

construction of aircraft and for other types of defense work. I defended the Senator from California and his State. I said California had a right to the contracts so long as the material could be built cheaper in California than in the East.

Mr. KUCHEL. Madam President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. KUCHEL. I merely wish to have the RECORD show I have the honor to say that on that particular occasion my good friend from Delaware was 100 percent correct. My only regret is that on this occasion he is 100 percent wrong.

Mr. WILLIAMS of Delaware. My only regret is that the Senator from California does not maintain the same position on this occasion about which he boasted on the floor of the Senate at that time when he said that his State could underbid other areas of the country for the production of equipment under defense contracts. I compliment the Senator for the ability of his State to underbid other areas and to save the Government money. I have more respect for the shipyards of the Senator's State, perhaps, than he now has, because I think if they were given the opportunity to do it they could occasionally underbid with respect to ship construction today.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry. Who has the floor?

Mr. BUTLER. I yielded the floor to the Senator from Delaware.

Mr. MAGNUSON. The Senator from Delaware has the floor.

Mr. LAUSCHE. The only difference in the position of the Senator from California today is that when he took an identical position 3 weeks ago it operated to his advantage. Today it would operate to his disadvantage, and therefore he believes the Senator from Delaware to be wrong. Three weeks ago, applying the same principle, such a position inured to the benefit of his State, and at that time he felt the Senator from Delaware was correct.

Mr. WILLIAMS of Delaware. That is the only conclusion at which I can arrive.

The other side of the coin would be for us who live in the East, who have been underbid on many of the defense contracts by the State of California—and again I compliment California for an ability to save the Government money by submitting low bids—to be given a similar differential. Suppose we were to ask for a 6-percent differential for the East, in order to compete on the defense contracts which are presently going to California? It would be just as reasonable to ask for a 6-percent differential for the East as it is to ask for one the other way. I would, of course, oppose any such proposal.

Mr. KUCHEL. Madam President, will the Senator yield?

Mr. WILLIAMS of Delaware. I will yield in a moment.

I would insist that the Defense Department not run a relief program for Delaware, for Ohio, or for California. The Defense Department is buying equipment to meet the needs of the Government and is supposed to buy them from the lowest responsible bidder, wherever he may be.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. KUCHEL. I wish to make this point crystal clear.

The amendment now pending never has been heard before any Senate committee. It involves a serious question of national policy. It has grave overtones of national security. The people of the United States, and Senators, ought very carefully to consider whether they wish to have a shipbuilding potential in the West, as well as in the East, from the standpoint of national security.

It has been suggested that the General Accounting Office be empowered to make a study of this. It made a partial one. It found there was a differential.

It has been suggested that the people downtown in the executive branch ought to be given an opportunity to appear with respect to something as important as this, but no such opportunity has been given because there have been no hearings.

I simply say that in this instance I oppose the amendment, because Senators, if they approve the amendment, will be voting blind.

I make that statement sincerely. There is no record of the hearings. No testimony has been taken. From that standpoint I object to it on the ground that it would be bad policy.

Mr. WILLIAMS of Delaware. Madam President, I have great respect for the Senator from California. Hearings were held in the House, and I find no record of the Senator from California testifying before a House committee. Perhaps he did.

Mr. KUCHEL. I belong to the Senate. I do not belong to the House. The Senate is in session.

Mr. WILLIAMS of Delaware. There was no indication of any enthusiasm on the part of the Senator from California to hold hearings on this bill which has been pending before the Committee on Commerce for the last 3 or 4 years.

Mr. MAGNUSON. There is not a single communication from the Senator from Delaware to the committee in which he asked to appear on the amendment.

Mr. WILLIAMS of Delaware. Oh, yes. My cosponsor is a member of your committee.

Mr. MAGNUSON. Not this year.

Mr. WILLIAMS of Delaware. The bill was introduced last year. The introduction of a bill constitutes endorsement.

Mr. BUTLER. Madam President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. BUTLER. All will be forgiven if the Senator from Washington will now undertake to tell us on the floor of the Senate that hearings will be conducted. Will the Senator give us an opportunity to be heard?

Mr. ENGLE. Will the Senator withdraw his amendment?

Mr. BUTLER. I am speaking to the Senator from Washington. The bill was pending before the Committee on Commerce for a number of years.

Mr. MAGNUSON. Madam President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MAGNUSON. Every member of the committee knows that the Senator from Delaware [Mr. WILLIAMS] and the Senator from Maryland [Mr. BUTLER] have been very diligent in the past several years, when shipbuilding has become a little tight, in efforts to repeal the act. The Senator from Delaware has had an amendment before the committee. I do not know whether he has pressed for hearings or not. He has discussed the subject informally with me. Once last year we discussed the question of allocations which we thought would be fair. So far as I know, there has been no request this session for hearings on the bill. The Senator from Maryland and I discussed the subject 3 or 4 months ago, but, since the House committee was conducting hearings, we said, "Let us see what they do with the bill."

Now the House has done something with the bill. They have killed it. The Senator from Delaware has never asked the committee for a hearing that I know of.

Mr. WILLIAMS of Delaware. I was a cosponsor of the amendment of the Senator from Maryland.

Mr. MAGNUSON. I have asked that the Senator's communications to the committee be printed in the RECORD.

Mr. WILLIAMS of Delaware. I do not believe the bill would be changed if hearings were conducted.

Mr. MAGNUSON. The Senator from Washington is not particularly anxious to hold hearings. I shall be very honest about that.

Mr. WILLIAMS of Delaware. I realize that. With respect to the question of any presentation that may have been made by any of the agencies downtown, I believe no one downtown is in a better position to give a constructive opinion on the need for the proposed legislation than is Rear Admiral Schultz, who spoke before the House committee on this same proposal this year in presenting the views of the Department of Defense. What agency is more interested in maintaining an adequate merchant marine? What did he say? I quote:

> Several major awards on a competitive basis in the past year or so offered convincing evidence that the west coast yards have definitely overcome their former disadvantage in bidding on Navy ship construction.

Who else does the Senator wish to hear from? That agency is spending the bulk of the Government's money assigned for this purpose. The Senator from Washington [Mr. MAGNUSON] and the Senator from California [Mr. KUCHEL] are not proposing that the east coast should get a differential on other Government contracts which are presently going to their State. If they did I would oppose it. I do not think we want to put the Defense Department or the U.S. Government in the position when they are buying necessary supplies—whether it be ships or anything else—at higher prices than necessary.

They are not operating a relief agency. They are supposed to buy the supplies at the lowest possible bid price wherever they can buy them, consistent with the defense needs. The Department of Defense has said that it does not need the 6-percent differential and is not using it on defense contracts.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. BUTLER. I think the RECORD should be made clear in this respect. There have been no hearings before a Senate committee for the past 4 years during which the amendment has been pending before the Committee on Commerce. That takes care of the situation in the Senate.

The amendment was reported overwhelmingly from the House Committee on Merchant Marine and Fisheries.

Something happened in the Committee on Rules. By a very narrow vote the Committee on Rules would not grant the amendment a rule, and that is what has happened to it. So as far as the record shows, the committee of the House of Representatives was overwhelmingly in favor of the proposed legislation, but they could not obtain a rule in order to get it to the floor so that the House could work its will.

Now the bill is before the Senate, and I hope that the Senate will work its will by repealing this discriminatory preferential advantage to the west coast shipbuilders.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. Did the Senator from Delaware appear before the House committee and testify?

Mr. WILLIAMS of Delaware. No; it was not necessary. At the time I heard that the House hearings were being conducted the hearings had already concluded, and the next day the bill was reported overwhelmingly.

Mr. LAUSCHE. The amendment was reported by the committee?

Mr. WILLIAMS of Delaware. The amendment was reported by the committee overwhelmingly, but those interested in the bill have not been able to obtain a rule on it.

I wish to show again how this procedure operates. Only recently the Government planned to buy four ships. The Maritime Administration asked for bids on the four ships. The New York Shipbuilding Co. submitted a bid of $10,843,006 for the four ships. That is the price for which the company offered to build the four ships.

Subsequently the Maritime Administration received a bid from a west coast yard. The National Steel Shipyard in San Diego submitted a bid of $12,139,275 on the same ships, which represented a difference of about $1 million.

How was the contract awarded? The Commission awarded two of the ships to the west coast yard at a price of $12,139,275, and to offset taking the bid away from the New York Shipbuilding Co., which was the low bidder, the Administration awarded them two of the ships but graciously raised the price to $11,410,943. The New York Shipbuilding Co. had offered to build the ships for $10,843,006 if it could build the four of them. Thus, several million dollars was paid out unnecessarily by the U.S. Government. Therefore, the taxpayers have a stake in this problem.

I think it is time to repeal the differential and place the procurement and construction of our ships on the same sound businesslike basis upon which we hope other defense establishments are operating.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. Is the transaction to which the Senator refers the subject of a bill now pending in the Senate—and one which will be considered today or Monday—under which the builders are asking for the sum of approximately $400,000 on the ground that the owner of the ship was compelled to have it built on the west coast; and, having the ship built on the west coast, he was required to bring it back to the east coast and therefore felt he should be remunerated for the expense of bringing it back?

Mr. WILLIAMS of Delaware. I am familiar with the bill to which the Senator refers. I believe it is the next bill on the Calendar. I am not in a position to say whether those are the same two ships or not, but that is a typical example of what we will be confronted with if we do not correct this inequity in the law.

Mr. LAUSCHE. To inform the Senator, it is the same transaction. The figures will show that because of this inordinate allowance of the law in the building of these four ships it cost the taxpayers of the United States in the neighborhood, I believe, of $3 million. Does the Senator have those figures?

Mr. WILLIAMS of Delaware. I believe that is substantially correct.

Mr. LAUSCHE. But if the bill is passed as it has been reported, we will have to pay another sum of money for bringing the ship from the west coast back to the east coast.

Mr. WILLIAMS of Delaware. Not only another sum of money, but that is just the beginning of the parade that we will have to contend with and have to continue paying. I wish to emphasize again that I believe at the time the 6 percent differential was inaugurated there was a need for it. Had I been here I would have supported it. It is important that we have west coast shipyards. The point I am making is that in recent years, as a result of the steel capacity which has been put on the west coast and because of other changed conditions as shown by the House committee, that condition no longer exists.

Mr. LAUSCHE. Will the Senator permit me to put these figures in the RECORD at this time?

Mr. WILLIAMS of Delaware. Certainly.

Mr. LAUSCHE. In giving the building of these ships to the west coast, in addition to the extra cost entailed in the building of the ships, we have this situation. Other additional costs to the vessel owners thus not covered include inspection and delivery of the vessel. In the case of the four vessels switched from the low bid on the Atlantic coast yards to the Pacific coast yards there was entailed the extra cost to the operators on the east coast $160,000 to $175,000 per vessel. For four vessels that would mean $700,000, which they are now asking to be remunerated for.

Mr. WILLIAMS of Delaware. That is $700,000 which the taxpayers of the country will have to pay and for which they will receive no benefits.

There are several other examples. The American Export Lines were having two ships constructed. The National Steel & Shipbuilding Co. of San Diego received the contract for the construction of these two ships at a price totaling $1,703,174 over and above the lowest bid which was submitted by the New York Shipbuilding Co. at its Camden, N.J., yards.

Mr. LAUSCHE. Mr. President, will the Senator repeat that figure?

Mr. WILLIAMS of Delaware. The American Export Lines had two ships constructed. The contract was awarded to National Steel & Shipbuilding Co. at San Diego, Calif., for $23,509,002. This figure was $1,703,174 over and above the low bid which had been submitted by the New York Shipbuilding Co. at its Camden yards. In that case the taxpayers were again taken for a ride.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. KUCHEL. Is the Senator aware of the fact that the four ship construction contracts given to San Diego and to which he referred a few moments ago would not be affected at all by the repeal of the section which is the subject of his amendment? Is the Senator not aware that those allocations were made by the Department of Defense under another section of the law, on the statutory basis of the security of the people of the United States, and not by reason of any 6-percent differential?

Mr. WILLIAMS of Delaware. That is correct. However, that is in recognition of the 6-percent differential. If what the Senator is saying is strictly true why does he complain about the repeal of the section? The Defense Department, when they think the security of the country requires the assignment of a contract for the construction of a ship to a certain section of the country, can make that decision. I would not suggest taking that right away from them. I am sure my friend from California would not take that away from them.

That does not mean that all these other examples that we are referring to would not be affected. As the Senator knows, the example which I have just read about the American Export Line of the two ships at San Diego would be affected. It would also be true in the future with respect to similar transactions which would be directly affected.

Mr. KUCHEL. I apologize to the Senator for interrupting. I want the RECORD to show that the example he used is an example untouched, in any fashion, by the amendment which he and the

Senator from Maryland have offered. I wish to develop on my own time a little refutation of the position the Senator takes with respect to his allegation that there are no differentials. I wish to refer them to the opinion of the Comptroller General of the United States and to the findings which he gave to Congress, which demonstrate that there is a differential. This demonstrates why it is difficult for any Senators to pass judgment on a highly important and involved piece of legislation when there have not been any hearings held on it and when we have not had an opportunity to listen to the presentation on the other side of the case.

Mr. BUTLER. Mr. President, will the Senator yield?

I should like to have the attention of the Senator from California. I should like to ask him this question. Does the Senator from California seriously contend that the west coast needs this differential in order to be competitive?

Mr. KUCHEL. I have said so.

Mr. BUTLER. Does the Senator know that on two ships between November and June they were the low nationwide bidder in open competitive bidding?

Mr. KUCHEL. We have had some difficulties in the ship construction industry on the west coast. There has been, on occasion, an almost desperation as to what the shipbuilding industry of the west coast was going to do.

Mr. BUTLER. That is not an answer. The east coast shipyards have had their troubles, too.

Mr. KUCHEL. That is my answer.

Mr. BUTLER. We have great difficulties, too. Our yards put in very low bids, but they still lose the contracts.

Mr. WILLIAMS of Delaware. The answer of the Senator from California can be summed up by saying that they can compete if they have to. If they do not have to they will not. The only way they will compete and the only way we will get it on a sound competitive basis, is to repeal the law granting this 6 percent differential.

At this point I ask unanimous consent to have printed in the RECORD a letter from Mr. Thomas E. Stakem, Acting Maritime Administrator, addressed to me, together with an attachment showing the breakdown of six contracts which have been awarded on the west coast at prices higher than those which were available at the same time from other low responsible bidders. These particular examples which I am putting in the RECORD show that there was a total of $6,832,471 that was paid out unnecessarily under the provision of the act, which could have been saved had this amendment been repealed.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF COMMERCE,
MARITIME ADMINISTRATION,
Washington, D.C.

Hon. JOHN J. WILLIAMS,
U.S. Senate, Washington, D.C.
Washington, D.C.

DEAR SENATOR WILLIAMS: In accordance with your request, by letter dated August 25, 1961, there is attached hereto a report showing the ship construction and conversion contracts that have been awarded to west coast shipyards at prices higher than the lowest responsive bid. Also included is the estimated additional cost to the Government in each instance.

We have not complied with your request for the bid amount of the unsuccessful east coast bidder for the reason that it is not readily comparable in all cases to the west coast contract price. In several instances there would be required adjustment for such circumstances as the lowest responsible bidder being determined on the basis of a four-ship offering but award being made two vessels to the low east coast bidder and two vessels to the west coast bidder, adjustment to eliminate duplication of design work, etc. Under the circumstances, it is felt that such data might be more misleading than informative.

If additional information should be required on this subject, we will be pleased to furnish it as promptly as possible.

Sincerely yours,

THOS. E. STAKEM,
Acting Maritime Administrator.

Contracts awarded to west coast yards at prices higher than responsive bids

NEW CONSTRUCTION

FMB contract	Vessel name	Owner	Shipbuilder	Contract amount	Lowest responsible bidder	Estimated total added cost to Government	Applicable section, 1936 act
66	Export Agent Export Aide	American Export Lines	National Steel & Shipbuilding Co. San Diego, Calif.	$23,509,002	New York Shipbuilding Co., Camden, N.J.	$1,703,174	502(f).
71	Mormaccape Mormacglen	Moore McCormack Lines	Todd Shipyard, San Pedro, Calif.	22,024,842	Sun Shipbuilding & Drydock Co., Chester, Pa.	2,039,536	502(f).
97	Washington Mail Japan Mail Philippine Mail	American Mail Line	do	36,016,784	Newport News Shipbuilding & Dry Dock Co., Newport News, Va.	1,589,841	502(d).
100	Philippine Bear China Bear	Pacific Far East Line	Bethlehem Steel Co., San Francisco, Calif.	27,346,000	Bethlehem Steel Co., Sparrows Point, Md.	512,000	502(d).

CONVERSIONS

42	Mariposa Monterey	Oceanic Steamship Co.	Willamette Iron & Steel Co., Portland, Oreg.	$27,001,638	Maryland Drydock Co., Baltimore, Md.	$974,508	502(d).
136	Leilani	American President Lines	Puget Sound Bridge & Drydock Co., Seattle, Wash.	8,193,300	Newport News Shipbuilding & Dry Dock Co., Newport News, Va.	13,412	502(d).
					Total	6,832,471	

Mr. WILLIAMS of Delaware. I ask unanimous consent to have incorporated in the RECORD as a part of my remarks at this time the testimony of Rear Admiral Schultz of the Department of Defense when he testified on H.R. 1959. This is the same as the pending amendment. I quote from the statement:

Several major awards on a competitive basis during the past year or so offered convincing evidence that west coast yards have definitely overcome their former disadvantage in bidding on Navy ship construction.

There being no objection, the statement was ordered to be printed in the RECORD.

PROPOSED STATEMENT OF REAR ADM. FLOYD B. SCHULTZ, ASSISTANT CHIEF OF BUREAU FOR DESIGN, SHIPBUILDING & FLEET MAINTENANCE BEFORE THE HOUSE MERCHANT MARINE AND FISHERIES COMMITTEE ON H.R. 1159 ON MAY 19, 1961

Mr. Chairman and members of the committee, I am here this morning at your invitation to present the views of the Department of Defense on H.R. 1159, a bill to repeal a provision of the Merchant Marine Act of 1936 which would have the effect of removing the 6-percent differential favoring west coast private shipyards. This differential has sometimes enabled Pacific coast private shipyards to participate in ship construction programs subsidized by the Maritime Administration.

Although the 6-percent differential is not applicable to naval ship awards, the Navy fully appreciates the necessity from a naval preparedness standpoint, of maintaining an adequate potential of operating shipyards on the west coast to meet emergency defense needs. In the past the provision of the Merchant Marine Act of 1936 mentioned above has been helpful in building and maintaining an adequate shipbuilding capability among yards on the west coast. Because of higher wage and freight costs and other factors these yards sometimes have been at a competitive disadvantage in bidding on commercial and Government work.

In recent years, however, with the growth and diversification of west coast industry, private shipyards in that area have shown an

increasing ability to compete successfully for Navy ship construction. The development of basic supporting industries, the application of improved techniques and the achievement of greater efficiency in shipyard operations, have helped to improve the competitive position of the west coast shipbuilding industry.

Several major awards on a competitive basis during the past year or so offered convincing evidence that west coast yards have definitely overcome their former disadvantage in bidding on Navy ship construction. For example, in March 1960 a Puget Sound firm bidding on a nationwide competitive basis was the lowest bidder on three guided missile destroyers (DDG) and received a contract for approximately $47 million. In November 1960 another Seattle firm was successful, in nationwide bidding, in obtaining an award for two DDG's—at a price of approximately $29 million. Only a few days ago, a San Diego firm, again as a result of countrywide competition, submitted the lowest of 7 proposals received in response to invitations sent to 22 shipyards. This firm was awarded construction of a combat storeship (AFS) at a price of approximately $18 million.

The Navy is not familiar with the record of west coast yards in bidding on merchant ship construction in recent years. Consequently, we are not in a position to say whether the 6-percent differential or some other degree of subsidy is necessary to permit west coast yards to be fully competitive. The Maritime Administration is, of course, in the best position to know whether an adequate competitive merchant shipbuilding capability is being maintained on the west coast. The Navy, therefore, on behalf of the Department of Defense, neither supports nor opposes enactment of H.R. 1159.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. Is Admiral Schultz retired? Is he now a private citizen?

Mr. WILLIAMS of Delaware. He was testifying as the representative of the Defense Department. I quote:

I am here this morning at your invitation to present the views of the Department of Defense.

He was not retired. He was speaking on behalf of the Department of Defense when he said:

Several major awards on a competitive basis during the past year or so offered convincing evidence that west coast yards have definitely overcome their former disadvantage in bidding on Navy ship construction.

Mr. LAUSCHE. In other words, he was testifying in behalf of the United States, representing the people of the United States, and he stated, in effect, that the payment of the 6-percent bounty is unjustified?

Mr. WILLIAMS of Delaware. That is correct. It is true that he made it clear that since this was within the jurisdiction of the Department of Commerce, his Department, the Department of Defense, has made no recommendation either for or against the proposal. He was speaking only from the standpoint of the Department of Defense in saying that the 6-percent differential was unnecessary and not needed.

Mr. MAGNUSON. Mr. President, I received a letter yesterday from the Department of Defense, which I shall place in the RECORD.

In the first place, this matter has very little to do with the Navy Department or Navy ships. The Senator from Ohio asked the Senator from Delaware if he could state the percentage of tonnage of naval ship construction as between the west coast and the east coast. I will wager that it is about 9 to 1, or more, for the simple reason that the Navy has an allocation of approximately 50 percent of its ship construction in Navy yards and 50 percent in private yards.

Of the 50 percent built in private yards, most are the very large ships, such as carriers, which are built at Newport News, because of the great facilities which exist there. Most of the cruisers are built by Bethlehem Steel Co., at Quincy, because Bethlehem has the facilities there to construct those ships.

When the west coast yards get around to bidding, they bid on some small Navy ships, ships which are almost custom built. The admiral who testified that west coast yards have been showing an increasing ability or capacity for shipbuilding in the past few months to get into Navy shipbuilding, is correct. Certainly they have shown an increasing ability because they have not had the ability at all prior to this time. Now they are constructing four ships. Three of them are the guided-missile, heavy destroyer type, which are custom-built ships. The reason why the Navy suggested that they be built on the west coast is that it wanted to develop some guided missile know-how in that area of the country.

One more ship is being built on the west coast for the Navy. I do not know what type it is, but it is a small vessel.

Virtually all the Navy and private shipbuilding business has been going, for years, to the east coast yards, because they have the capability to build them. Once a great carrier is built, the builder can sharpen his pencil, and if another such ship comes along, he will know pretty well how to bid on it. The east coast shipbuilders do a good job.

The Navy has nothing to do with this bill. The bill deals with American merchant ships in the ship replacement program and with the differential in Pacific coast shipyards on those ships which are operated by Pacific coast home-based lines. It covers one out of about five ships proposed to be built from 1957 to 1972 in the fleet replacement program, a 20-year program. The Pacific coast yards will have a chance to build one out of five under this 6 percent provision.

Bethlehem Steel Corp. has yards on the west coast and the east coast. Sometimes they bid a little lower on the west coast, whether they are going to make a great deal of money or simply break even, so that they can maintain an equality of shipbuilding in their vast establishments. That is good business.

Two of the four ships at San Diego were allocated under the defense appropriations because there is not a keel being laid on the west coast.

The General Accounting Office has made a study of this subject. This is what the General Accounting Office had to say. The study was made last year.

We found that on the purchase of major material components made during the period of our review which were comparable between shipyards in different regions, the cost of steelplates and shapes averaged 13 percent more to the Pacific coast yards than to the yards in other regions, and the cost of most other major material components were higher in varying degrees to the Pacific coast yards than to the Atlantic coast yards.

In regard to labor costs, which the Senator from Ohio mentioned, the percentage of the average straight time hourly wage as of May 1 to September 1, 1960, showed that the combined average rate of the Pacific coast yards was approximately 6 percent higher than the combined average rate of the Atlantic coast yards. This is added to the 13 percent in other major components.

We are not talking about ships being built for the Navy; we are talking about ships to be built under the ship replacement program between now and 1972, and the differential can be paid only on ships whose home ports are on the Pacific coast and ships that ply the Pacific trade routes.

The Acting Maritime Administrator said he would have a further study made, to be completed by the end of this year, to see whether this repeal proposal is important or not.

No hearings were held on the amendment in the Senate. The House held some hearings, but the House hearings were such that the testimony submitted by the shipyards on the east coast was to the effect that the differential no longer was justified, while the western yards maintained that the cost spread was even greater than 6 percent. The figures were so contradictory that the committee chairman enlisted the help of the General Accounting Office, and this is from their report.

Madam President, this amendment does not belong in the bill. The question is not one of figures. It is a matter of providing for national defense. The Senator from Maryland cited figures showing how shipbuilding on the Pacific coast increased from 1941 to 1942 until the end of the war. Certainly it increased. It increased because, in the interest of the defense of the Nation, it was necessary to go to the west coast to build a large part of the merchant vessels needed. The east coast yards were chock-o-block with ships—warships and other types of ship construction.

The west coast does not have much shipbuilding. The tonnage there is away down. The ships allocated to San Diego and San Pedros were allotted on the plea that there be some ship construction out there.

Senators can vote against the bill if they wish, but the allocation was made to the west coast in order to keep alive some shipbuilding know-how in that region.

The allocation to the Navy yards is fairly good.

The admiral says the west coast is showing surprising capability. Certainly it is. This is the first time there has been an increase in ship construction

in private yards on the west coast. Two destroyers are being built in a Puget Sound shipyard. That shipyard at one time hoped it could make a bid on an American President Line reconversion. That was approximately 3 years ago. They sharpened their pencils and made a bid on the ship, because the home port was on Puget Sound. When they were awarded the bid, they took another look at this situation and asked that the bid be canceled, and they forfeited their bond.

The yard was idle for a long time. Now they have sharpened their pencils again and have convinced the Navy to award them a contract. Many Navy contracts are negotiated rather than awarded on bids, because naval ships usually are custom built. The Navy said the ships ought to be built in a private yard, so the yard on Puget Sound is building the two guided-missile ships. They are called guided-missile cruisers; but, practically speaking, they are heavy destroyers. That is all the west coast yards have had. This differential proviso has been in effect 24 years. Some say that steel is manufactured in our area now. That is true; some is manufactured in Utah and a little is manufactured in California. But most of the materials required for the construction of a dry cargo vessel or a combination vessel are composed of steel which comes from the East—plus all the other components, as the General Accounting Office points out.

There are several other reasons for maintaining this differential. One is that under the vessel replacement program to date, 73 ships have been built or are building; and of the 73, 56 were awarded to Atlantic coast yards. The Pacific coast yards have built only 17, under the big fleet replacement program; and those were built on the west coast only because the yards had figured very closely, and in some cases had the aid of the 6-percent differential allowance. So I do not think it fair to the economy of the west coast to request the Congress to enact this bill, which has not been the subject of a Senate committee hearing.

Therefore, Mr. President, I hope the Senate will reject the amendment.

I ask unanimous consent that there may be printed in the RECORD a statement by me on this matter, a statement on the bids on the various ships, a further statement by the General Accounting Office, and a memorandum on the number of ships built in the east coast yards during the past 15 years, as compared with the number built in the west coast yards.

The PRESIDING OFFICER (Mr. HICKEY in the chair). Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, it will be impossible to obtain these insertions before Tuesday.

I wish to say that if there has been an increase in the amount of construction on the west coast or the Pacific coast, it is because of the great contributions the west coast yards made in a very short space of time during the war. But certainly today approximately 82 percent of the ways in the west coast yards are idle, even though the 6-percent differential is available.

Mr. BUTLER. Mr. President, will the Senator from Washington yield, so that I may request the yeas and nays on the question of agreeing to this amendment?

Mr. MAGNUSON. Yes.

Mr. BUTLER. On the question of agreeing to this amendment, I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. ENGLE. Mr. President, I rise to express my strong opposition to the amendment offered by the Senator from Delaware [Mr. WILLIAMS].

This amendment seeks to repeal certain provisions of the Merchant Marine Act of 1936, which provides for a 6-percent differential in ship construction costs in favor of west coast shipyards.

In 1936 Congress decided that for national defense reasons a nucleus of shipbuilding facilities and shipbuilding skills should be maintained on all of the coasts of the Nation. This was done to give west coast shipyards an allowance for higher costs for materials and labor confronted on this coast, and thus to keep Pacific coast shipyards in existence as a vital segment of the national defense machinery.

For some time east coast and gulf coast shipyards have been demanding that the 6-percent differential be eliminated completely.

Extensive hearings were held before the House Merchant Marine Committee on this matter—in 1959, in 1960, and again this year. No Senate committee hearings have been held on the issue. The House committee, in September 1960, requested an audit by the General Accounting Office. In May 1961, with a 26 to 5 majority over Pacific coast members, the committee voted out a "repeal" bill, over objections of the Pacific coast, and ignoring a plea to permit the GAO to complete its study. That study was three-eighths complete, and showed a definite cost differential in the areas covered.

In 1959, on the basis of extensive testimony, the GAO had estimated that the cost of materials for shipbuilding on the west coast was 13 percent greater than the cost for the east coast and the gulf coast. The GAO also estimated that labor costs for the west coast were 7 percent higher than those for the east coast and the gulf coast shipbuilding. In submitting these findings, the GAO emphasized that the percentages cited could not be taken as conclusive, because of certain limitations faced, including the refusal of certain yards to open their cost records for inspection.

The General Accounting Office admittedly is not equipped to make a thorough study of this question. The Senate Commerce Committee has therefore asked the Maritime Administration to make such a study and to report its findings to the committee early in the 1962 session. We have made it plain that whatever they find to be the differential, we shall be glad to take—whether it is 2 percent, 4 percent, 6 percent, or 8 percent. But no definite study of the matter has been made.

Despite the absence of conclusive evidence, the House Merchant Marine and Fisheries Committee in June of this year ordered favorably reported a bill to repeal the 6-percent differential.

Fortunately—and I emphasize this—the House Rules Committee refused to grant a rule on this bill. It refused because it was convinced that the House Merchant Marine and Fisheries Committee had acted without adequate information and while the study was in progress.

Now an attempt is being made to push for passage of this measure by the Senate. I hope the Senate will not decide on this matter until the full facts can be brought into judgment. I hope we shall not allow ourselves to be stampeded into a vote on this proposal before we receive the recommendations and findings of the Maritime Administration.

I am somewhat perplexed about the anxiety of east coast and gulf coast shipbuilders regarding west coast competition. Let us look at the facts. Under the Maritime Administration's vessels replacement program to replace approximately 300 ships by 1972, only 5 ships have been awarded to west coast shipyards under the 6-percent differential. Seventy-seven contracts have already been let. Six more bids were opened last week. No west coast shipyard was anywhere within the 6-percent differential for these six ships. In short, 5 vessels out of a total of 83 have been placed in west coast shipyards. In fact, west coast shipbuilders are doing so poorly that the Maritime Administration has had to allocate four ships to keep two of the yards going.

All we are asking is an opportunity to get the full facts before us before we act on this issue. It is not ready for an informed vote. I believe that the proponents of repeal of the 6-percent differential are driving for a vote now, because they are fearful that a full and objective disclosure of the facts will kill their case.

Shipbuilding has long been a basic and essential industry to the west coast. During World War II, Churchill's statement that the "preservation of freedom depends on control of the seas" found immediate response in our Pacific yards. Cargo vessels that normally required months to build were built in weeks.

Soviet bloc countries are feverishly building a merchant marine. Russia herself has 100 times the number of submarines that Germany had at the outbreak of the Second World War. Moreover, in this age of the atomic and hydrogen bombs, shipbuilding facilities must be dispersed on all coasts, lest one bomb seriously impair our ability to defend ourselves.

If the Government is going to support shipbuilding—and I believe it should—then that support must benefit the west coast, as well as the other coastal areas.

With the explosive international tensions of today, I doubt that anyone can argue that the threat in the Pacific is any less than it was during World War

II. Without the essential shipyards and labor force on all coasts, there would be tremendous lessening of this country's ability to respond to a national emergency. Our fleet is deficient both quantitatively and qualitatively. This situation applies to both the east coast and the west coast.

A conclusive study of this matter may disclose that the differential should be 4 percent, or 6 percent, or 8 percent. Before we prejudice the military posture of our country, the exact size of the differential should be determined. It would be highly irresponsible for us to decide in this forum today an issue of such importance to our defense and security without the full facts before us and without even a Senate committee hearing.

Mr. MAGNUSON. Mr. President, I wish to read to the Senate a letter I have received from the Maritime Administration:

U.S. DEPARTMENT OF COMMERCE,
MARITIME ADMINISTRATION,
Washington, D.C., August 31, 1961.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This will acknowledge receipt of your letter of August 24, 1961, requesting the Maritime Administration to undertake a study of the various cost factors that enter into the computation of bids for vessel construction in shipyards on the four coasts of the United States.

The Maritime Administration will proceed promptly with this task and will make every effort to comply with your request that the study be completed for presentation to your committee early in the 1962 session.

Sincerely yours,

THOS. E. STAKEM,
Acting Maritime Administrator.

I had asked the Maritime Administration to make a study of the matter, and it agreed to do so.

Mr. President, a few minutes ago I obtained unanimous consent to have printed in the RECORD communications from the Senator from Delaware, requesting the holding of hearings or some action on the 6-percent differential proposal or the amendment the Senator from Maryland [Mr. BUTLER] has had in the committee. I wish to withdraw that request, because I have had the committee staff look for such communications, and there are none.

Mr. WILLIAMS of Delaware. The amendment was offered by the Senator from Maryland [Mr. BUTLER] a member of the committee, and I was a cosponsor of the amendment. But the reason why the Senator from Washington decided not to hold hearings is that he is opposed to it, and he does not want to hold hearings on it. So it is obvious why the hearings were not held on this proposal.

Mr. MAGNUSON. The members of my committee are very independent. If the Senator thinks the chairman can do anything he wants to do, he should come and sit with us. Any time a member of this committee is really insistent on getting something, he gets it. Do not worry about the Commerce Committee membership. Nobody is going to run them. They are all independent. I see four members of the committee present in the Chamber. If the Senator thinks that the chairman can run the committee when it has on it such members as the Senator from Ohio, the Senator from Maryland, the Senator from California, and the Senator from South Carolina, he just has not been around here very long. [Laughter.]

Mr. WILLIAMS of Delaware. I have been a member of the committee, and I have served under the chairman. I say again, let there be no mistake, the Senator from Maryland offered his measure. I was glad to cosponsor it and he requested hearings. I conclude again with the statement of Rear Admiral Schultz when speaking on behalf of the Department of Defense before the House committee which was holding hearings on this identical subject in May of this year, when he said:

Several major awards on a competitive basis during the past year or so offered convincing evidence that west coast yards have definitely overcome their former disadvantage in bidding on Navy ship construction.

That clearly indicates that the man who is in charge, and who should know the needs of the merchant marine better than anyone in this country, including the Senator from Washington, and who speaks for the Department of Defense, does not think that this is necessary. His views should be given recognition in this subject.

I hope the amendment which I have cosponsored with the Senator from Maryland [Mr. BUTLER] will be adopted.

Mr. LAUSCHE. Mr. President, when I became a member of this committee 4½ years ago, I thought I possessed a great deal of independence, but, as time has gone on, and as a consequence of the frequency of my defeats, I am beginning to feel like a supine follower of the commands that come from on high. I wish today to assert on this issue whatever independence I still possess.

The Senator from Delaware has read the letter of Admiral Schultz. I now want to read the letter that was sent by Robert E. M. Ward, rear admiral of the U.S. Navy, dealing with this subject, and it is the final letter on the subject. In this letter of Admiral Ward, he acknowledges receipt of a request to obtain the view of the Department of the Navy on this issue. After acknowledging the letter, Admiral Ward states:

This bill would remove from existing law a 6-percent differential.

He goes further and says:

This provision of law is considered to have been of material assistance to the Navy in maintaining a nucleus of shipbuilding skills and facilities on the west coast, particularly during the postwar period of sharply declining commercial orders.

And he further states:

It now appears, however, that Pacific coast private shipyards are gradually overcoming their previous competitive disadvantages through increased efficiency, application of improved industrial techniques and because of expanded west coast production of basic materials. During recent years certain Pacific coast shipyards, particularly in the Puget Sound area, have been quite successful in competing for naval ship work.

The Department of Defense has no convincing evidence that west coast shipyards are now at a significant disadvantage.

This final letter of Admiral Ward corroborates the testimony of Admiral Schultz, and it corroborates the argument made by the Senator from Delaware.

Mr. MAGNUSON. Read the next sentence.

Mr. LAUSCHE. I shall be glad to read it.

Mr. MAGNUSON. I put it all in the RECORD.

Mr. LAUSCHE. It reads:

The Department of Defense, however, is not in a position to state whether or not some degree of subsidization is still required to enable these shipyards to participate in ship construction programs on a competitive basis.

In view of the foregoing, the Department of the Navy, on behalf of the Department of Defense, neither supports nor opposes the enactment of S. 596.

That is exactly what the Senator from Delaware said 45 minutes ago.

Mr. President, I am not concerned with whether or not the shipbuilding work goes to the west coast or to the east coast. That is not why I am a participant in the debate. I am primarily concerned about what is happening to the taxpayer in the application of this law.

To begin with, in 1936 the Merchant Marine Act was passed, and it was then argued that, in order to enable them to compete with builders of ships in England, Germany, and Japan, we had to provide the American operators of cargo ships and passenger ships with a subsidy.

Calculations were made in 1936. It was concluded that, for every dollar it cost to build a ship in the United States, it cost 68 cents to build it in a competing country. The differential was 32 percent. So a law was passed which stated, in effect, if you build your ships in the United States, we will subsidize you for the difference between the cost of building a ship in the United States and that of building it in a foreign country, but, in no event, will we allow it to exceed 50 percent of the difference.

In 1936 the differential was 32 percent. It was then argued that, in the course of time, the shipbuilders of the United States would place themselves in a competitive position.

Twenty-five years have passed, and what is the situation today?

The differential is now 52 percent. It has gone up 20 percent in 25 years, in spite of the argument made that in the course of time the American shipbuilder would put himself in a competitive position.

As I stated a moment ago, the law put a 50-percent limitation on the amount the taxpayer would be required to contribute. Last year we raised the 50 to 55 percent, and we did so in spite of the fact that the shipbuilders claimed they were begging for business.

The point I make is that so long as the taxpayer is willing to subsidize in the manner contained in the bill and under

the general law, the shipbuilders will never put themselves in a competitive position.

It is argued that on the west coast the labor cost is 6 percent more than it is on the east coast. In effect, it is further argued, "since it is 6 percent higher, ask the taxpayers to pay for it."

I cannot follow that logic. I simply cannot do so. It would seem to me that the west coast, through cooperation of labor and management, would try to bring itself into a competitive position. Why is that not done? The answer is that the shipbuilders know the taxpayer will subsidize them. Moreover, when we know that Japan, Germany, England, and Holland can build at 40 cents on the dollar, when it cost 100 cents on the dollar in the United States, one would think American shipbuilders would put themselves in a competitive position. They are not doing so.

Last year before our committee, when the request was made to lift the limitation to 55 percent, there was a strike in the Bethlehem Shipbuilding Co., and the workers demanded more wages. As more wages were given, the taxpayers' burden became greater.

While the issue before us on the pending bill is significant, I think the problem lies more with a study and a purpose to solve the problem by getting to the causes of it. That we are not doing.

I believe there has been some discussion about eight ships for which bids were advertised. It was found that the shipbuilders on the east coast could build those ships for about $4 million less than the shipbuilders on the west coast, but it was decided to send some of the ship construction to San Diego. The net increase in cost to the taxpayers, by having the work done in San Diego was, I think, $3.5 million to $4 million. A strange paradox occurred. In addition to the added cost of $4 million, the owner of the ships on the east coast is now asking $400,000 reimbursement because he had to bring the ships from the west coast to the east coast. That bill will be taken up before long.

Yesterday we went deeper into the subsidization of airports. The burden falls upon the taxpayer.

Today we are going further into an involvement with the merchant marine. That burden will also fall upon the taxpayers.

Day before yesterday a recommendation was made to subsidize the railroads, which is a novel thought. Certain railroad men, in protesting, claimed it would lead to socialization. The issue is before us.

Finally I say to the taxpayers, "Sweat on. Bleed. Bend your backs. Complain. But carry the burden. It will grow heavier and heavier day by day, through subsidy programs and improvident dealings between government and business, in the belief that you do not know what is going on."

Ohio is hundreds of miles away from Washington. I say to the citizens of Ohio, "You think you know what is going on? In my opinion, there is a veil over your eyes. You are being told, 'we are doing good for you,' but the fact is we are digging into your pockets, making you poorer and poorer every day."

Mr. KUCHEL. Mr. President, 25 years ago Congress, at the request of the executive branch of the Government enacted legislation authorizing the U.S. Maritime Administration to allocate ship construction contracts to west coast shipyards when their bids came within 6 percent of the bids of east coast or gulf coast yards, and then only in the case of bids on vessels to be constructed with Federal subsidy for ship operators based on the Pacific coast and operating in and out of Pacific coast ports. The national security demanded that there be a ship-construction capacity in the West as well as in the East, and along the gulf. It still does.

For a quarter of a century that legislation has been the law of the land. Today we are confronted with a hastily drawn amendment offered by the distinguished Senator from Maryland [Mr. BUTLER] and the distinguished Senator from Delaware [Mr. WILLIAMS] to repeal that law. No committee hearings have been held on the subject. Senators have had no opportunity to study the position of the Government. Senators, thus, will vote blindly on this issue.

I say that the two Senators who sponsor the amendment are mistaken in what they ask the Senate to do. On many occasions I have followed suggestions that they have made in the Senate. But this is an attempted distortion of the legislative process, and the Senate ought to reject it.

In arguing in favor of the amendment, the Senators have made some charges that I believe are erroneous. For example, I have before me the inquiry of the Comptroller General of the United States in a partial survey of the problem only a year ago. He finds that in western America the cost of steel is 13 percent higher than the cost of steel in eastern America available for east coast ship construction. He finds that labor costs are higher in the area from which my able friend from Washington and I come. Those are facts which he has found. How, then, can my two colleagues contend that there is no differential?

But before we take any action on a subject of this importance, I respectfully submit to Senators that it should be subjected to the careful scrutiny of a Senate committee hearing.

On that basis I seek today not to argue the merits or the demerits of the pending amendment, but merely to say that it is wrong for the Senate now to be asked to repeal a law which has been on the books for a quarter of a century. Two Senators now attempt to attach an irrelevant amendment in the nature of a repealer to proposed legislation on another subject.

Mr. MAGNUSON. Mr. President, in the past few weeks when amendments which were not germane to a bill and on which there had been no hearing were offered, after adequate discussion, and in order that Senators could get away, many of whom had waited for the vote, a wise procedure was adopted. A motion to table the amendment was made. I therefore move to lay on the table the amendment of the Senator from Delaware [Mr. WILLIAMS], and the Senator from Maryland [Mr. BUTLER].

Mr. WILLIAMS of Delaware. Mr. President, will the Senator withhold his motion and yield to me?

The PRESIDING OFFICER. The Senator from Delaware has requested the Senator from Washington to withhold his motion. Does he withhold the motion?

Mr. MAGNUSON. Mr. President, I withhold the motion. I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I wonder if there can be a straight vote on the amendment. So far as we are concerned we are ready to have the roll called immediately.

Mr. MAGNUSON. I do not see the difference. One is the same as the other.

Mr. WILLIAMS of Delaware. If the Senator sees no difference I suggest that the Senate vote on the amendment.

Mr. MAGNUSON. Mr. President, I have nothing further to add.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS] and the Senator from Maryland [Mr. BUTLER]. The yeas and nays have been ordered.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. What is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS] and the Senator from Maryland [Mr. BUTLER] to the pending bill.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JORDAN (when his name was called). On this vote I have a pair with the senior Senator from New Mexico [Mr. CHAVEZ]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Colorado [Mr. CARROLL], the Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from Massachusetts [Mr. SMITH], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ] and the Senator from New Mexico [Mr. ANDERSON] are absent because of illness.

On this vote, the Senator from New Mexico [Mr. ANDERSON] is paired with the Senator from Georgia [Mr. RUSSELL].

If present and voting, the Senator from New Mexico would vote "nay," and the Senator from Georgia would vote "yea."

On this vote, the Senator from Colorado [Mr. CARROLL] is paired with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the Senator from Colorado would vote "nay," and the Senator from Mississippi would vote "yea."

On this vote, the Senator from Tennessee [Mr. KEFAUVER] is paired with the Senator from Massachusetts [Mr. SMITH]. If present and voting, the Senator from Tennessee would vote "nay," and the Senator from Massachusetts would vote "yea."

On this vote, the Senator from Florida [Mr. SMATHERS] is paired with the Senator from Missouri [Mr. SYMINGTON]. If present and voting, the Senator from Florida would vote "yea," and the Senator from Missouri would vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] is absent because of death in his family.

The Senator from Nebraska [Mr. HRUSKA] is absent on official business.

The Senator from Utah [Mr. BENNETT], the Senator from New Hampshire [Mr. COTTON], and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

The Senator from Vermont [Mr. PROUTY] is detained on official business.

If present and voting, the Senator from Connecticut [Mr. BUSH], the Senator from Nebraska [Mr. HRUSKA], and the Senator from Vermont [Mr. PROUTY] would each vote "yea."

On this vote, the Senator from New Hampshire [Mr. COTTON] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from New Hampshire would vote "yea" and the Senator from Utah would vote "nay."

The result was announced—yeas 40, nays 41, as follows:

[No. 180]

YEAS—40

Aiken	Hill	Scott
Beall	Holland	Smith, Maine
Boggs	Javits	Sparkman
Butler	Johnston	Stennis
Byrd, Va.	Keating	Talmadge
Case, N.J.	Lausche	Thurmond
Case, S. Dak.	Miller	Tower
Clark	Morton	Wiley
Curtis	Mundt	Williams, N.J.
Dodd	Muskie	Williams, Del.
Ervin	Pastore	Yarborough
Fulbright	Pell	Young, Ohio
Goldwater	Proxmire	
Hickenlooper	Robertson	

NAYS—41

Allott	Fong	Magnuson
Bartlett	Gore	Mansfield
Bible	Gruening	McCarthy
Burdick	Hart	McGee
Byrd, W. Va.	Hartke	McNamara
Cannon	Hayden	Metcalf
Capehart	Hickey	Monroney
Church	Humphrey	Morse
Cooper	Jackson	Moss
Dirksen	Kerr	Neuberger
Douglas	Kuchel	Randolph
Dworshak	Long, Mo.	Schoeppel
Ellender	Long, Hawaii	Young, N. Dak.
Engle	Long, La.	

NOT VOTING—19

Anderson	Cotton	Russell
Bennett	Eastland	Saltonstall
Bridges	Hruska	Smathers
Bush	Jordan	Smith, Mass.
Carlson	Kefauver	Symington
Carroll	McClellan	
Chavez	Prouty	

So the amendment of Mr. WILLIAMS and Mr. BUTLER was rejected.

Mr. KUCHEL. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. ENGLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT OF MERCHANT MARINE ACT OF 1936

Mr. MAGNUSON. Mr. President, I move that the Senate proceed to the consideration of H.R. 6974.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 6974) to amend section 607(b) of the Merchant Marine Act, 1936, as amended.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. MAGNUSON. Mr. President, I move to strike out all after the enacting clause and to insert in lieu thereof the text of S. 1185.

The VICE PRESIDENT. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed to strike out all after the enacting clause and insert the following:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of section 607(b) of the Merchant Marine Act, 1936 (46 U.S.C. 1177(b)), is amended by inserting before the period at the end thereof a comma and the following: "and may also pay from such fund, with such consent and upon terms and conditions which the Secretary of Commerce shall by regulation prescribe to give priority to the foregoing purposes of the fund (and with respect to any transfer of funds from the special reserve fund, to give priority to the purposes of that fund) and to carry out the purposes of this Act, (A) amounts contributed toward research, development, and design expenses incident to new and advanced ship design machinery and equipment", and

"(B) Amounts (1) for the purchase of cargo containers, delivered after June 30, 1959, of a type approved by the Administrator for use in connection with any of the contractor's subsidized vessels, (2) for the payment of the principal of any indebtedness incurred for such containers, or (3) to reimburse the contractor's general funds for expenditures for such purchases or payments. Such cargo containers to the extent paid for out of the capital reserve fund shall be treated as vessels for the purpose of deposits and withdrawals from the capital reserve fund under this section 607, and the regulations and closing agreements relating thereto, except that the depreciation on such cargo containers shall be based upon the life expectancy used for such containers in the determination of 'net earnings' under paragraph (d)(1) of this section 607."

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to.

The VICE PRESIDENT. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 6974) was read the third time, and passed.

Mr. MAGNUSON. Mr. President, I move that the Senate reconsider the vote by which H.R. 6974 was passed.

Mr. BARTLETT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The VICE PRESIDENT. Without objection, Senate bill 1185 will be indefinitely postponed.

SALE OF 10 LIBERTY-TYPE MERCHANT VESSELS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 233, Senate Joint Resolution 21.

The VICE PRESIDENT. The joint resolution will be stated by title.

The LEGISLATIVE CLERK. A joint resolution (S.J. Res. 21) to authorize the Secretary of Commerce to sell 10 Liberty-type merchant vessels to citizens of the United States for conversion into barges.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Commerce with amendments on page 2, line 1, after the word "basis,", to strike out "at not less than the price, determined by the Secretary of Commerce, which is equal to the highest price such vessel would bring if sold for scrap" and insert "competitive bidding with an upset price equal to the average, as determined by the Secretary of Commerce, of domestic and foreign scrap prices for Liberty ships over the twelve-month period prior to the month in which the ships are put up for sale"; in line 9, after the word "a", to insert "non-self-propelled"; in line 11, after the word "States", to insert "The purchase price shall be paid in cash at the time of sale."; in line 12, after the amendment just above stated, to strike out "Such sale shall be on the basis of the payment of not less than 25 per centum of the sale price of the vessel at the time of the execution of the sales contract, with balance payable in approximately equal annual installments over the life expectancy of the vessel after conversion by the purchaser, which life expectancy shall be determined jointly by the Secretary of the Treasury and the Secretary of Commerce, with interest on the portion of the sales price remaining unpaid at the rate of 3½ per

centum per annum; with right of prepayment from time to time of any or all of the sales price remaining unpaid. The obligation of the purchaser with respect to payment of such unpaid balance, with interest, shall be secured by a first preferred mortgage on the vessel sold, which mortgage may provide that the sole recourse against the purchaser under such mortgage, and any of the notes secured thereby, shall be limited to repossession of the vessel by the United States and the assignment of insurance claims, if the purchaser shall have complied with all provisions of the mortgage other than those relating to the payment of principal and interest when due, and the obligation of the purchaser shall be satisfied and discharged by the surrender of the vessel, and all right, title and interest therein to the United States. Upon surrender such vessel shall be (1) free and clear of all liens and encumbrances whatsoever, except the lien of the abovementioned preferred mortgage, and (2) equipped and in as good order and condition, ordinary wear and tear excepted, as when converted into a barge by the purchaser, except that any deficiencies with respect to freedom from encumbrances and condition may, to the extent covered by valid policies of insurance, be satisfied by the assignment to the United States of claims of the purchaser under such policies of insurance.", and on page 4, line 11, after the word "States", to strike out "for a period of at least ten years after conversion into a barge or as long as there remains due the United States any principal or interest on account of the sales price, whichever is the longer periods; and (5) that the foregoing provisions respecting the acquisition of ownership by the United States and documentation shall run with the title to such vessel and be binding on all owners thereof" and, in lieu thereof, to insert "so long as it remains a vessel; (5) that the vessel will be operated only as a non-self-propelled barge; (6) that the vessel will be operated only in domestic trade of the United States (excluding trade with or between ports in Alaska); (7) that the vessel will not be traded in or exchanged under section 510 of the Merchant Marine Act, 1936; and (8) that the foregoing provisions respecting the acquisition of ownership by the United States, the documentation of the vessel, the operation of the vessel, and the trade-in and exchange of the vessel, shall run with the title to the vessel and shall be binding on all owners thereof"; so as to make the joint resolution read:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is authorized, during the one-year period following the date of enactment of this joint resolution, to sell not more than ten Liberty type merchant vessels, which are held in reserve by the Maritime Administration, Department of Commerce, to citizens of the United States, subject to the provisions of this joint resolution and such terms and conditions not contrary hereto as the Secretary may prescribe. Any such vessel shall be sold on an "as is, where is" basis, competitive bidding with an upset price equal to the average, as determined by the Secretary of Commerce, of domestic and foreign scrap prices for Liberty ships over the twelve-month period prior to the month in which the ships are put up for sale. Such sale shall be made on condition that the purchaser expend at least $100,000 to convert the vessel into a non-self-propelled barge in a domestic shipyard, with documentation under the laws of the United States. The purchase price shall be paid in cash at the time of sale.

SEC. 2. Any contract of sale executed under authority of this joint resolution shall provide (1) that in the event that the United States shall, through purchase or requisition, acquire ownership of such vessel, the owner shall be paid therefor the value thereof, but in no event shall such payment exceed the actual depreciated sales price under such contract (together with the actual depreciated cost of capital improvements thereon), or the fair and reasonable scrap value of such vessel, as determined by the Maritime Administrator, whichever is the greater; (2) that such determination shall be final; (3) that in computing the depreciated acquisition cost of such vessel, the depreciation shall be determined in accordance with the schedule adopted or accepted by the Secretary of the Treasury for Federal income tax purposes as applicable to such vessel; (4) that such vessel shall remain documented under the laws of the United States so long as it remains a vessel; (5) that the vessel will be operated only as a non-self-propelled barge; (6) that the vessel will be operated only in domestic trade of the United States (excluding trade with or between ports in Alaska); (7) that the vessel will not be traded in or exchanged under section 510 of the Merchant Marine Act, 1936; and (8) that the foregoing provisions respecting the acquisition of ownership by the United States, the documentation of the vessel, the operation of the vessel, and the trade-in and exchange of the vessel, shall run with the title to the vessel and shall be binding on all owners thereof.

SEC. 3. As used in this joint resolution, the term "citizens of the United States" includes corporations, partnerships, and associations, but only those which are citizens of the United States within the meaning of section 2 of the Shipping Act, 1916, as amended.

The amendments were agreed to.

Mr. BARTLETT. Mr. President, I offer an amendment which I send to the desk and ask to have stated. The amendment has been approved by the chairman of the committee.

The PRESIDING OFFICER (Mr. METCALF in the chair). The amendment of the Senator from Alaska will be stated.

The LEGISLATIVE CLERK. On page 4, in line 20, after the words "United States", it is proposed to strike out "(excluding trade with or between ports in Alaska)".

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alaska.

Mr. WILLIAMS of Delaware. Mr. President, may we have an explanation of the amendment?

Mr. BARTLETT. Certainly. As the bill was reported by the committee, it provides that none of the Liberty ships which will be converted into barges and will go into service, if the bill becomes law, can be used in the Alaska trade. This amendment would strike out the Alaska exclusion so there would be no geographic discrimination in regard to the use of the barges.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alaska.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The question is, Shall the joint resolution pass?

Mr. HOLLAND. Mr. President, may we have an explanation of this measure?

Mr. BARTLETT. Mr. President, the joint resolution permits the Secretary of Commerce to sell not more than 10 Liberty ships from the reserve fleet. They would have to be converted into non-self-propelled barges, and could be used then only in the domestic trade of the United States.

The bill as amended requires that the sale be for cash, and at a price not below that which the Government obtains when selling these ships for scrap.

The committee was informed that there now are approximately 800 ships in the reserve fleet which are actually no longer suitable for merchant marine purposes, and which the Government is disposing of as rapidly as possible, by selling them for scrap.

The joint resolution will make it possible for those who wish to operate barges of this type—either individuals or companies, I assume—to acquire not more than 10 such Liberty ships. The bill will provide, in addition, additional employment in American shipyards.

The bill as amended is, as I understand, favored by the Government departments concerned.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Alaska yield for a question?

Mr. BARTLETT. Of course.

Mr. WILLIAMS of Delaware. Does the bill provide that the ships will be sold on a competitive basis?

Mr. BARTLETT. That is my understanding.

Mr. LAUSCHE. Mr. President, Mr. Stakem, of the Maritime Administration, said he had no objection to the bill; but he recommended that a number of things be done, and one of them was to prohibit the operation of such barges as self-propelled barges and to restrict their operation to the domestic trade.

Mr. BARTLETT. Those provisions have been included.

Mr. LAUSCHE. They have?

Mr. BARTLETT. Yes.

Mr. LAUSCHE. And also that there be a provision for a competitive bidding upset price. Is that provision contained in the bill?

Mr. BARTLETT. Yes; the reply is in the affirmative.

Mr. HOLLAND. Mr. President, it was not clear to me, from the Senator's statement, that 10 is the limit that can be

purchased by any one purchaser, or that 10 is the limit for the total number of ships which may be sold.

Mr. BARTLETT. It is the total number of ships.

Mr. HOLLAND. Very well.

The PRESIDING OFFICER. The question is, Shall the joint resolution pass?

The joint resolution (S.J. Res. 21) was passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is authorized, during the one-year period following the date of enactment of this joint resolution, to sell not more than ten Liberty type merchant vessels, which are held in reserve by the Maritime Administration, Department of Commerce, to citizens of the United States, subject to the provisions of this joint resolution and such terms and conditions not contrary hereto as the Secretary may perscribe. Any such vessel shall be sold on an "as is, where is" basis, competitive bidding with an upset price equal to the average, as determined by the Secretary of Commerce, of domestic and foreign scrap prices for Liberty ships over the twelve-month period prior to the month in which the ships are put up for sale. Such sale shall be made on condition that the purchaser expend at least $100,000 to convert the vessel into a non-self-propelled barge in a domestic shipyard, with documentation under the laws of the United States. The purchase price shall be paid in cash at the time of sale.

SEC. 2. Any contract of sale executed under authority of this joint resolution shall provide (1) that in the event that the United States shall, through purchase or requisition, acquire ownership of such vessel, the owner shall be paid therefor the value thereof, but in no event shall such payment exceed the actual depreciated sales price under such contract (together with the actual depreciated cost of capital improvements thereon), or the fair and reasonable scrap value of such vessel, as determined by the Maritime Administrator, whichever is the greater; (2) that such determination shall be final; (3) that in computing the depreciated acquisition cost of such vessel, the depreciation shall be determined in accordance with the schedule adopted or accepted by the Secretary of the Treasury for Federal income tax purposes as applicable to such vessel; (4) that such vessel shall remain documented under the laws of the United States so long as it remains a vessel; (5) that the vessel will be operated only as a non-self-propelled barge; (6) that the vessel will be operated only in domestic trade by the United States; (7) that the vessel will not be traded in or exchanged under section 510 of the Merchant Marine Act, 1936; and (8) that the foregoing provisions respecting the acquisition of ownership by the United States, the documentation of the vessel, the operation of the vessel, and the trade-in and exchange of the vessel, shall run with the title to the vessel and shall be binding on all owners thereof.

SEC. 3. As used in this joint resolution, the term "citizens of the United States" includes corporations, partnerships, and associations, but only those which are citizens of the United States within the meaning of section 2 of the Shipping Act, 1916, as amended.

Mr. MANSFIELD subsequently said:

Mr. President, I move that the Senate reconsider the vote by which Senate Joint Resolution 21 was passed.

Mr. KUCHEL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

INTERSTATE COMMERCE COMMISSION RECOMMENDATION FOR SUBSIDY PROGRAM FOR ESSENTIAL RAIL TRANSPORTATION

Mr. SCHOEPPEL. Mr. President, one of our legislative concerns today is the Federal Airport Act and its extension of the program of subsidies connected with civilian aviation. It is an appropriate time, therefore, to take some notice of the recommendation of the Interstate Commerce Commission that the Federal Government embark on a program of subsidy for essential transportation services by rail.

In Docket No. 33332, the Interstate Commerce Commission has been considering whether passenger fares of the New Haven Railroad should be increased. Yesterday, the Commission's report on this matter was served. It is a landmark decision containing facts and recommendations that we shall undoubtedly have to consider in the near future. There will be much speculation in many ways.

Much of the material in the ICC's New Haven report relates only to the New Haven. However, the final section of the report, part V, presents general recommendations that merit the widest circulation and study.

Mr. President, I ask unanimous consent that there be printed in the body of the RECORD, as a part of these remarks, the following items: "ICC Docket No. 33332, Report, Part V. Recommendations for Assistance by the Federal Government," appendixes G and H thereto.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

V. RECOMMENDATIONS FOR ASSISTANCE BY THE FEDERAL GOVERNMENT

In the *Railroad Passenger Train Deficit* case, supra, at page 482, we recommended that the 10-percent Federal excise tax on passenger fares be repealed, and that Federal tax laws be amended to encourage local and State tax relief, at least to the extent of disregarding State and local provided "pre-tax net income" for Federal tax purposes.

We hereby reaffirm those two recommendations. We do not deem it necessary at this time either to adopt or to reject recommendation Nos. 11 and 12 advanced by the hearing officers.[1]

We agree with the general attitude of the hearing officers toward Federal aid. At page 74 of their recommended report, they observed:

"We believe the time has now come for the Commission to urge upon the Congress a larger and more direct Federal role in connection with the mass transportation problems of large urban areas. Nor should these problems be regarded as exclusively those of the New Haven Railroad. It is more probable than not that some other large commuter railroads will be plagued before too long by problems similar in kind, if not in degree, to those now confronting the New Haven."

However, the hearing officers recommended against a program of Federal cash subsidies, believing that such a program would, of necessity, involve a means test. They said at page 74 of the recommended report:

"If the size of the subsidy is determined by the size of the deficit, two results are inevitable. First, there would be little or no incentive to make a profit or to cut losses. And secondly, as admitted by the New Haven's comptroller, some agency of the Federal Government would have to be granted authority to establish passenger train schedules in the interest of protecting the public purse."

The New Haven excepts to the foregoing conclusions of the hearing officers with respect to cash subsidy legislation. We agree with the conclusion of the hearing officers that if the amount of Federal assistance is determined by the size of the carrier's deficit, the aid might do more harm than good. To that extent, we find the New Haven's exceptions to be without merit. On the other hand, we have concluded, for the reasons hereinafter set forth, that it is highly improbable that the New Haven can emerge from reorganization and continue to render essential transportation services in the absence of direct Federal grants. The pro forma income account of the New Haven for a typical year in reorganization[2] indicates that the New Haven's situation is almost hopeless without Federal assistance. We do not believe, however, that Federal payments must be related to the size of the passenger deficit incurred by the New Haven and other railroads.

Over the years the Commission has expressed serious misgivings with regard to inequitable promotional policies in the field of transportation pursued by the Federal Government. That concern has sprung from the conviction that the inherent advantages of the various modes of transportation should not be neutralized or stifled by Federal subsidies. Our conviction in that regard is just as strong today as it has been in times past. If there were any reason to believe that the progressive elimination of rail passenger service is due entirely to the inherent advantages of competitive modes, including the private automobile, the Commission would not recommend that even a residuum of such service be preserved by enactment of a program of Federal subsidies.

On the other hand, in refusing, as a matter of principle, to recommend that surface transportation be subsidized by the Federal Government, the Commission has also recognized a conflicting principle. For example, in the Railroad Passenger Train Deficit case, supra at page 484, we declared:

"We adhere to the principle previously expressed, that this country's several forms of transportation should be treated equitably and that no one form should be preferred.

"More specifically, we found in that report:

"The impetus given motor and air travel by Federal, State, and local government

---

[1] That the Commission consider recommending to the Congress legislation to enable railroads to acquire passenger train equipment on terms and conditions more liberal than now exist for the purpose of insuring the continuance of passenger service required by the public convenience and necessity and by the Nation's defense effort.

That, if it becomes necessary to do so, the Commission consider recommending to the Congress legislation providing that taxes levied on interstate railroads by State and local authorities may be found to be unlawful as an undue burden on interstate commerce under the following circumstances:

(a) That the railroad is operating at a deficit in either its freight or passenger service which imperils its survival;

(b) That the continuance of the freight or passenger service provided by the carrier is required by public convenience and necessity; and

(c) That State and local taxes involved, in the light of all relevant circumstances and after a full hearing, are found to be excessive when compared with taxes assessed on the carrier's property by other States and communities through which the railroad operates.

[2] See pp. 38 and 39, infra.

promotional programs has unquestionably operated to the disadvantage of railroad passenger service. Vast highway, airport, and airway modernization programs predicated upon anticipated public needs which are now underway, as well as a policy for continued subsidy to air carriers, offer little solace to an industry which is dependent upon private resources and which has witnessed the gradual erosion of its passenger market. It is not suggested that such programs are not meritorious and desirable in the public interest, but the fact is they do exist; they will, as in the past, have a pronounced impact upon railroad passenger service. Yet, there is little evidence of any comparable governmental effort to promote the public interest in railroad passenger service or to prevent or to take into account competitive inequalities that may be induced by such promotional programs" (p. 480).

It is now clear beyond any reasonable doubt that the progressive elimination of direct and indirect subsidies which operate to the disadvantage of railroad passenger service cannot be achieved in time to save that part of the service which, under conditions of competitive equality, could be continued. Therefore, in proposing a modest program to alleviate the railroad passenger deficit problem, we do not retreat from our position that the subsidization of transportation enterprises by the Federal Government is generally undesirable except to the extent clearly justified by compelling considerations of national defense.

One further fact must constantly be kept in mind. The United States, like most other countries, is experiencing a population explosion. The impact of this enormous increase in population is intensified by the shift of population from rural areas and smaller communities to large metropolitan centers and by the movement out of those centers to sprawling suburban areas. Rail commutation service will be far more essential and much more widely used 10 years from now than it is today assuming that it is still available. Moreover, the population trends just noted suggest that some intercity rail passenger service could become increasingly competitive with transportation by air. Inasmuch as rail facilities, once lost, cannot be reconstructed except at a fantastic cost, it would be the height of folly to determine the essentiality of rail service solely on the basis of present patronage and without regard to definite future needs.

We believe that a Federal program to ameliorate the railroad passenger deficit problem should possess the following characteristics:

(1) Federal aid should not dull managerial incentives to cut losses;

(2) No aid program should require the Federal Government, in the interest of protecting the public purse, to establish passenger train schedules or to prescribe standards of service and equipment;

(3) Administration of the aid program should not require the services of more than a handful of additional Government employees;

(4) The sums to be disbursed should be determined primarily in accordance with a generally accepted formula and should involve a minimal exercise of discretion;

(5) The program should encourage the extension of tax relief and other assistance by State and local governments;

(6) The amount of aid should not be so large as to encourage the continuance of passenger operations not required by the public convenience and necessity;

(7) The amount of Federal aid should be large enough, in conjunction with State and local assistance, to insure the continuance of passenger operations required by the public convenience and necessity;

(8) The total cost of the program should be realistic when viewed in the light of general budgetary considerations; and

(9) The program should be sound in concept.

We will recommend to the Congress enactment of legislation along the following lines which, in our opinion, satisfies all of the criteria set forth above:

Any railroad subject to part I of the act may apply to the Interstate Commerce Commission for financial aid in the continuance of specified passenger train operations provided that the operations so specified constitute a substantial part of the carrier's total passenger service and are represented to be required by the present or future public convenience and necessity. If the Commission determines that a grant of financial aid is required to carry out effectively the purposes and policies of the assistance act, it shall authorize such aid, the annual amount thereof to be determined, as follows:

(1) Expenses incurred by the carrier in the preceding calendar year in the maintenance of way and structures [3] which are directly assignable to passenger service;[4] plus

(2) Additional expenses incurred in the preceding calendar year by any State or States, municipalities, or other political subdivisions and instrumentalities thereof, in the maintenance of way and structures [3] which, if incurred by the carrier, would be a normal, necessary, and proper expense directly assignable to the passenger service; [4] plus

(3) That portion of common expenses incurred by the carrier in the preceding calendar year in the maintenance of way and structures [5] which is assignable to the passenger service; [6] *Provided, however,* That the amount of any grant determined in accordance with the provisions of this paragraph shall not exceed the amount of aid received by the carrier from any State or States, municipalities, or other political subdivisions and instrumentalities thereof, which, in the judgment of the Commission, is reasonably related to the purposes and policies of the Federal assistance legislation.

(4) In determining the benefit derived by the carrier from the aid programs of State and local governments and instrumentalities thereof, and the extent to which such benefits are reasonably related to the continuance of passenger train operations required by the present or future public convenience and necessity, the decision of the Commission shall be final.

(5) In the determination of any proposed discontinuance of service filed pursuant to the provisions of section 13a(1) of the act, the Commission shall give appropriate weight to any representations relative to public convenience and necessity which may have been made by the carrier under this assistance act and to the amount of aid extended to the carrier by the State or States, municipalities, and political subdivisions and instrumentalities thereof directly affected by such proposed discontinuance.

Attached hereto as appendix G is a "Statement of Passenger Revenues, Passenger Deficits, and Expenses of Maintenance of Way and Structures" for class I railroads conducting passenger service for the year 1960. The fifth column of figures shows the amount of aid potentially available for each such railroad in 1961 under paragraph (1) of the above recommendation if the legislation were now in effect. The sixth column of figures, subject to the same qualifications, represents the maximum amount of aid that could be extended under paragraph (3) of the recommended legislation to class I railroads. Figures for class II and electric railroads having annual passenger revenues in excess of $500,000 are set forth in appendix H. No separation is made of expenses between freight and passenger services since the Commission's separation rules apply solely to class I railroads. In any event, Federal aid under the recommended legislation would be negligible for this group of carriers.

Viewing the legislative recommendation in the light of the desirable characteristics of a Federal assistance program,[7] we believe that the following conclusions are warranted:

1. Inasmuch as the amount of financial aid is not directly and primarily dependent upon the size of the passenger deficit,[8] management would have a strong incentive to cut losses arising out of the performance of passenger services.

2. There would be no necessity for the Federal Government, therefore, to limit the number of passenger trains that might be run.

3. We estimate that no more than 10 accountants would be required for the administration of the aid program in addition to the number of field accountants already requested for fiscal year 1962–63.[9] Furthermore, we believe that the other administrative requirements of the recommended aid program could be absorbed by the Commission with the addition of no more than 5 or 10 other employees.

4. Since the Commission's separation rules are already in existence and reflected in rail carrier accounts, little or no discretion would be involved in computing the amount of aid based on maintenance of way and structures directly assignable to passenger service or on the allocation of common expenses between freight and passenger service. Nor would any broad discretion be involved in determining the additional expenses incurred by State and local governments in the preceding calendar year in the maintenance of

---

[3] As defined and provided for in the prescribed systems of accounts.

[4] Calculated in accordance with current rules governing the separation of operating expenses, railway taxes, equipment rents, and joint facility rents between freight service and passenger service or rules promulgated in substitution or in lieu thereof.

[5] As defined and provided for in the prescribed systems of accounts.

[6] Calculated in accordance with current rules governing the separation of operating expenses, railway taxes, equipment rents, and joint facility rents between freight service and passenger service or rules promulgated in substitution or in lieu thereof.

[7] See p. 29, supra.

[8] Some State and local aid, which would be matched by Federal assistance, is conditioned upon deficit operations.

[9] At the present time, the program of our Bureau of Accounts provides for annual examination of accounts and records of class I railroads having operating revenues over $25 million annually. The remaining class I railroads are scheduled for examination every second year. With the additional staff requested in our 1962 and 1963 budgets, this examination program could be maintained. The current examination procedure, however, does not provide for annual verification of carriers' allocations of expenses between freight and passenger services. To accomplish this and to provide for annual verification of all class I railroads would require the additional manpower estimated above. Such annual examination of accounts would be required if our legislative recommendations were adopted. Even in the absence of such legislation, we think it would be desirable to conduct the annual accounting examination which would be required under the proposed legislative recommendations. In that sense, the program could be administered without addition of a single employee to our field accounting staff.

way and structures which would otherwise be incurred by carriers and directly assignable to passenger operations. Little exercise of discretion would be required in determining whether or not specified passenger operations set forth in the application for aid represent a substantial part of the applicant's total passenger operations. A considerable amount of discretion would at times be involved in determining how much benefit the carrier derived from the aid program of State and local governments. For example, the tax relief legislation recently enacted by the Commonwealth of Massachusetts may prove to be of no benefit to the New Haven Railroad because of its restrictive provisions relative to termination of employment.

5. The legislation recommended above should encourage the enactment of tax relief and other assistance programs by State and local governments with a view toward insuring the continuance of passenger operations required by the public convenience and necessity. As indicated, the amount of assistance received by the carrier by virtue of that portion of maintenance of way and structure expenses allocated to the passenger service is determined by the amount of aid extended by State and local authorities.[10]

6. The amount of Federal aid available under the proposed legislation is not so large as to encourage the continuance of passenger operations not required by the public convenience and necessity. In proceedings arising under section 13a(1) of the act, the Commission has held that costs attributable to maintenance of way and structures may not be included as out-of-pocket costs (*Great Northern Ry. Co. Discontinuance of Service*, 307 I.C.C. 59). Accordingly, the amount of aid extended under the proposed legislation could never be so large as to discourage the discontinuance of passenger trains seldom used by the traveling public.

7. We believe that the amount of Federal aid herein recommended is large enough, however, in conjunction with State and local assistance, to insure the continuance of essential passenger operations. If it should develop, for example, that the New Haven would benefit at least to the extent of $5 million as a result of the tax relief and other assistance measures recently enacted by the States of New York, Rhode Island, Connecticut, and Massachusetts, it could qualify for aid from the Federal Government in the total amount of its maintenance of way and structure expenses attributable to its passenger and allied services under the Commission's separation rules. Thus, as shown in the fourth column of figures in appendix G, the New Haven would be entitled to receive $7,339,348 in any year in which the proposed Federal legislation and existing State and local legislation were fully effective, and assuming also, of course, that revenues and expenses in the prior year were identical with those of 1960. As hereinafter indicated, approximately that amount of assistance from the Federal Government is necessary to enable the trustees to rehabilitate the railroad and to prepare a feasible plan of reorganization and in order for the New Haven, thereafter, to survive as a privately owned enterprise.

8. If the program recommended were now in effect, we estimate that the maximum cost thereof for the current calendar year, based on the 1960 figures shown in appendix G, would not be in excess of $52 million, even on the improbable assumption that all of the railroads in the United States would apply for and receive all the assistance potentially available under the legislation. Any increase in the cost of the program would be most heartening inasmuch as the extent of the increase would be measured by the amount of self-help exercised at State and local levels. It is reasonable to conclude, however, that any increase in the cost of the program would be offset to some extent by the discontinuance of passenger train operations which satisfy no significant public demand for service.

9. We believe that the program is sound in concept. It recognizes an obligation on the part of the Federal Government to pay for a portion of the cost of maintaining the railroad right-of-way in view of the obligations already undertaken by the Federal Government relative to construction and maintenance of airways and highways. The responsibility of the Federal Government in preserving essential railroad passenger service may be expressed in terms of the cost of alternate transport facilities and in terms of military preparedness. First, the American Municipal Association, in a survey of mass transportation in New York, Boston, Chicago, Philadelphia, and Cleveland, estimated that if these five cities were to lose their rail commuter service, it would cost $31 billion to build the highways required to serve those commuters.[11]

Although rail commutation service is generally unprofitable for the carriers, it seems clearly to represent the most economical and efficient means of suburban mass transit, all costs considered. Secondly, the railroads handled 97 percent of all organized intercity troop movements during World War II. While it is unlikely that the railroads will be expected to match that record in the future, it seems reasonably certain that more railroad passenger carrying capacity will be required for essential military and civilian travel in any future war or grave national emergency than will be available if the present trend of discontinuance is not checked.

The approximate amount of assistance potentially available to most of the major commuter railroads may be roughly estimated by adding to the fifth column of figures in appendix G the benefit derived from State tax relief and other assistance programs not in excess of the amount shown in the sixth column of figures. For the New York Central the sum would be approximately $6,876,000 ($4,032,000 plus estimated benefit of $2,844,000[12] from 1961 legislation of the State of New York); for the Long Island Rail Road approximately $4,842,000 ($1,724,000 plus estimated benefit of $3,118,000[13] from New York legislation); and for the Pennsylvania Railroad $4,005,089 plus the amount of assistance extended by the State of New Jersey and the city of Philadelphia.

We shall now attempt to the best of our ability to project the New Haven's financial picture for a typical year in reorganization, in an effort to show that not less than $7,300,000 in Federal assistance must be provided annually if the railroad is to be rehabilitated without drastically curtailing essential but highly unprofitable passenger operations. Amounts are shown in millions. Using the projected deficit for 1961, we start with a net deficit figure of $23.6[14] and subtract noncash charges (1960 actual):

[In millions]	
Net deficit	$23.6
Depreciation	9.3
Per diem in dispute [1]	2.0
Total	11.3

Footnotes at end of table.

[In millions]	
Net deficit less noncash charges	$12.3
Payments on equipment obligations	[2] 4.4
Adjusted deficit plus equipment payments	16.7
Amount required annually to bring 1960 maintenance to normal maintenance (estimated):[3]	
Road	4.1
Equipment	2.9
Total	7.0
Total	23.7
Amount required annually to overcome deferred maintenance:[4]	
Road (10 years)	2.8
Equipment (3 years)	4.8
Total	7.6
Total	[5] 31.3
Estimated capital expenditures over a 10-year period [6]	7.8
Trustees' total requirements	[6] 39.1

[1] May be payable in the future depending upon per diem rate to be established by the Commission.

[2] Represents average annual payment over a 10-year period.

[3] The normal maintenance standard used herein is an average of the New Haven's estimate of normal annual maintenance and actual costs for the year 1959. See recommended report, app. 8, sheet 1.

[4] See recommended report, app. 8, sheet 3.

[5] For first 3 years; thereafter $26.5 million for 7 years; then $23.7 million after deferred roadway maintenance has been overcome.

[6] No allowance has been made for cash receipts from sales of property or from sales of salvage recovered from abandoned lines.

The question is: How can the trustees meet these various requirements even if there is a modest increase in freight revenues, some improvement in management, abandonment of uneconomic minor branch lines, and increased labor efficiency? Purely for the sake of illustration we will assume that the current deficit, by reason of all the factors just mentioned, could be reduced by approximately $5 million:

[In millions]	
Reduction	$5.0
Nonpayment of fixed charges, exclusive of interest on equipment obligations	[1] 5.2
State tax relief and other assistance (estimate)	6.0
Total	16.2

[1] Annual figures for 1960.

By generating only this amount of cash, the trustees, as shown by the figures above, could not normalize maintenance, overcome deferred maintenance, or make any capital expenditures.

The addition of Federal assistance in amount of $7.3 million would make it possible for the trustees to normalize $23.5 million maintenance but not to overcome deferred maintenance or make any capital expenditures.

By not paying Federal payroll taxes (the New Haven proportion of $6 million), the trustees would still lack funds ($29.5 million) required to overcome deferred maintenance on both road and equipment as scheduled during the first 3 years of reorganization, but eventually all deferred maintenance could be overcome.

It would appear, therefore, that in order to schedule an ideal rehabilitation program for the New Haven Railroad, without

[10] Par. (2) of the proposed legislation would also encourage State and local assistance.

[11] S. Rept. 1591, 86th Cong., 2d sess., pp. 2–3

[12] State of New York, 1960 annual report of the office of transportation.

[13] Ibid.

[14] See app. C.

discontinuing any essential services, and barring the outbreak of war or the existence of some grave national emergency, the trustees must receive at least $7,300,000 in direct Federal grants, probably loan assistance in financing capital expenditures, and, if the New Haven's proportion of Federal payroll taxes is paid, some further relief such as that which would be derived from repeal of the Federal transportation tax ($3 million annually). It is impossible to prepare a feasible plan of reorganization in the absence of Federal assistance on the scale indicated above and in the absence of permanent and substantial State and local tax relief. In addition, it should be noted that if the operating deficit continues at the present rate in excess of $20 million annually, the equity of the bondholders would eventually be cannibalized. Moreover, if trustees' certificates are issued over a period of years to defray operating expenses, those obligations will become a heavy fixed charge, nonpayment of which would be the signal for liquidation.

CONCLUSION

In view of what has already been said, we do not believe it is necessary to recapitulate our findings and recommendations herein. For the New Haven, and for railroad passenger service generally, the future seems bleak. However, it is not hopeless. A nation that is serious about propelling a man to the moon should be able to solve the mundane problem of moving its citizens dependably and comfortably some 50 miles or less from home to work without multiplying ribbons of concrete and asphalt that would strangle the central cities they are supposed to serve.

An appropriate order will be entered.

Commissioner Goff (concurring): "My concurrence in the recommendation for a subsidy is primarily on the ground that an adequate rail network must be maintained in the interest of national defense. In my opinion, if subsidizing of commuter traffic is necessary, this is the responsibility of the States and localities involved.

"In all other respects I concur in the report."

Commissioner Freas (dissenting in part): "In spite of the current popularity of Federal subsidies and the New Haven's dire need of assistance, I cannot subscribe to the report's recommendation with regard to this form of Federal aid. Critical as the situation here is, I am of the opinion that at least some of the States and many of the municipalities directly affected should provide greater assistance before resort is made to cash Federal subsidies. Otherwise, I join in the report."

Commissioner McPherson not participating.

APPENDIX A

New York, New Haven & Hartford RR. Co.

CONDENSED OPERATING INCOME ACCOUNT

Year	Operating revenues	Operating expenses	Taxes	Rents—net debit	Net railway operating income or (deficit)	Net income or (deficit)
1947	$155,815,387	$127,159,796	$11,352,878	$12,394,582	$4,908,131	($2,190,260)
1948	171,391,814	135,370,333	14,323,563	10,795,382	10,902,536	5,799,596
1949	144,690,868	117,145,462	11,142,000	8,874,408	7,528,998	2,774,888
1950	150,764,985	115,075,645	14,983,256	9,803,273	10,902,811	7,467,299
1951	159,105,404	127,348,726	12,949,013	10,911,028	7,896,637	4,930,718
1952	163,419,662	130,301,586	11,679,476	10,805,722	10,632,878	7,044,599
1953	165,029,092	132,973,431	11,223,390	10,904,194	9,928,077	6,060,348
1954	149,986,923	121,470,321	[1] 7,418,853	11,848,805	9,248,944	9,090,635
1955	155,118,869	127,036,004	[2] 8,739,455	[3] 13,611,071	5,732,339	4,246,534
1956	162,450,211	131,813,650	11,894,998	16,205,732	2,535,831	261,704
1957	164,056,355	135,383,552	11,705,944	16,623,710	343,149	(2,363,702)
1958	149,550,961	125,435,142	11,756,329	16,215,037	(3,855,547)	[4] (4,276,639)
1959	144,335,105	124,968,623	11,738,351	16,843,419	(9,215,288)	(10,816,003)
1960	[5] 134,044,436	121,063,593	12,174,340	17,431,834	(16,625,331)	(14,698,640)
1961 (6 months)	62,364,840	62,131,979	4,220,336	8,842,546	(12,830,021)	(11,777,063)

[1] Includes credit of $3,430,531 representing adjustment of prior years' Federal income taxes.

[2] Includes credit of $1,530,500 representing anticipated abatements of city of Boston taxes and credit of $542,189 for prior years' Federal income taxes.

[3] Includes credit of $791,760 representing anticipated abatements of city of Boston taxes.

[4] Includes $1,429,304 retroactive mail pay for period prior to Jan. 1, 1958.

[5] Includes $128,664 additional railway mail pay accrual.

APPENDIX G

Name of railroad and summary by districts	Revenue from passenger and allied services	Passenger deficit (net railway operating income)	Maintenance of way and structures—Expenses			
			Total, all services	Passenger and allied services		
				Total	Related solely	Common expense apportioned
New York Central RR	$141,291,711	$17,756,172	$73,264,833	$13,903,010	$4,032,434	$9,870,576
New York, Chicago & St. Louis RR	2,961,148	2,698,881	16,089,085	456,079	139,965	316,114
New York Connecting RR	354,749	(257,509)	814,369	114,801	111,610	3,191
New York, New Haven & Hartford RR	59,236,751	13,257,653	17,096,446	7,339,348	2,491,057	4,848,291
New York, Susquehanna & Western RR	134,510	404,448	508,528	32,453	2,223	30,230
Pennsylvania RR	173,694,157	30,877,601	86,071,548	16,054,390	4,005,089	12,049,301
Pennsylvania-Reading Seashore Lines	1,009,641	2,889,264	1,998,094	621,153	61,923	559,230
Pittsburgh & Lake Erie RR	474,437	1,167,770	4,840,195	180,235	24,764	155,471
Reading	9,232,813	5,968,734	13,225,347	1,502,888	347,992	1,154,896
Staten Island Rapid Transit Ry	1,105,636	1,498,761	734,913	435,114	68,942	366,172
Wabash RR	10,041,971	4,131,376	10,951,355	1,140,130	273,220	866,910
SOUTHERN DISTRICT						
Alabama Great Southern RR	2,132,413	936,993	3,073,610	389,198	73,579	315,619
Atlanta & West Point RR	684,682	317,330	475,714	82,915	3,198	79,717
Atlantic Coast Line RR	24,469,060	7,157,268	20,576,243	2,749,760	472,790	2,276,970
Central of Georgia Ry	3,310,504	1,201,944	6,468,517	528,590	52,327	476,263
Chesapeake & Ohio Ry	14,017,898	13,203,034	42,032,429	2,023,983	492,962	1,531,021
Cincinnati, New Orleans & Texas Pacific Ry	3,279,111	1,161,390	7,016,578	668,640	121,290	547,350
Clinchfield RR	1,165	(806)	2,259,355			
Florida East Coast Ry	7,780,637	3,421,130	3,912,274	1,094,961	194,382	900,579
Georgia RR.—Lessee organization	876,548	343,022	976,454	90,067	10,394	79,673
Georgia Southern & Florida Ry	1,265,285	1,052,689	1,667,743	285,612	59,563	226,049
Gulf, Mobile & Ohio RR	5,999,999	2,605,621	10,088,840	408,439	164,489	243,950
Illinois Central RR	35,463,820	13,703,869	37,919,334	5,610,645	1,511,035	4,099,610
Louisville & Nashville RR	20,770,878	13,056,343	29,032,107	3,591,243	563,417	3,027,826
New Orleans & Northeastern RR	1,069,762	1,052,901	2,295,018	259,062	19,397	239,665
Norfolk & Western Ry	7,746,980	6,990,423	26,077,629	974,263	180,766	793,497
Richmond, Fredericksburg & Potomac RR	8,570,277	1,610,722	2,092,499	934,901	410,040	524,861
Seaboard Air Line RR	24,799,636	9,204,093	20,411,831	3,973,170	535,738	3,437,432
Southern Ry	26,366,269	14,669,798	30,957,957	3,938,663	665,196	3,273,467
Tennessee Central Ry	3,499	(939)	560,365			
Western Railway of Alabama	599,518	158,569	535,896	61,697	5,876	55,821

APPENDIX G—Continued

Name of railroad and summary by districts	Revenue from passenger and allied services	Passenger deficit (net railway operating income)	Maintenance of way and structures—Expenses			
			Total, all services	Passenger and allied services		
				Total	Related solely	Common expense apportioned
WESTERN DISTRICT						
Atchison, Topeka & Santa Fe Ry. and affiliated companies	$85,543,703	$37,645,867	$80,057,077	$10,479,652	$1,297,361	$9,182,291
Chicago & Northwestern Ry.[3]	22,554,051	10,332,382	33,890,593	2,702,978	406,193	2,296,785
Chicago, Burlington & Quincy RR	41,796,060	18,781,974	34,084,898	5,772,581	1,019,416	4,753,165
Chicago Great Western Ry	1,391,967	1,006,648	4,444,866	308,423	169,104	139,319
Chicago, Milwaukee, St. Paul & Pacific RR	30,431,949	17,492,642	33,691,970	3,487,977	958,050	2,529,927
Chicago, Rock Island & Pacific RR	31,601,531	16,742,724	27,863,396	4,416,781	1,168,621	3,248,160
Colorado & Southern Ry	2,513,615	891,443	2,306,627	411,015	125,936	285,079
Denver & Rio Grande Western RR	4,764,984	4,935,927	7,966,374	813,289	129,049	684,240
Duluth, Missabe & Iron Range Ry	18,384	193,387	6,707,182	8,142	301	7,841
Duluth, South Shore & Atlantic RR	259,440	55,458	1,272,671	12,610	4,354	8,256
Duluth, Winnipeg & Pacific Ry	44,509	231,373	1,288,596	20,562	3,139	17,423
Fort Worth & Denver Ry	3,565,566	1,901,297	3,870,109	566,029	80,691	485,338
Great Northern Ry	20,817,706	19,128,161	39,453,944	4,389,384	222,471	4,166,913
Kansas City Southern Ry	2,454,861	2,461,026	2,957,105	302,830	93,921	208,909
Louisiana & Arkansas Ry	1,134,941	856,716	2,089,948	120,456	18,509	101,947
Minneapolis & St. Louis Ry.[4]	66,321	156,379	2,557,282	17,295	2,193	15,102
Minneapolis, St. Paul & Sault Ste. Marie RR	1,857,093	3,346,769	6,923,416	628,986	56,298	572,688
Missouri-Kansas-Texas RR and controlled companies[5]	1,651,537	1,568,823	3,029,337	280,772	71,127	209,645
Missouri-Kansas-Texas RR (Delaware)[6]	1,953,332	1,165,391	3,355,003	209,279	89,192	120,087
Missouri Pacific RR	28,438,222	14,965,214	39,779,621	3,699,760	357,444	3,342,316
Northern Pacific Ry	14,813,324	16,539,781	27,208,006	3,235,462	501,959	2,733,503
Northwestern Pacific RR	18,192	193,314	2,463,457	12,587	1,671	10,916
St. Louis-San Francisco Ry	7,815,568	7,036,929	18,000,586	1,694,026	187,231	1,506,795
St. Louis-San Francisco & Texas Ry	11,121	6,690	435,090	2,247	2,247	
Southern Pacific	50,576,698	35,214,043	63,146,243	6,397,074	469,690	5,927,384
Spokane, Portland & Seattle Ry	2,081,068	1,847,847	5,230,959	265,173	27,441	237,732
Texas & New Orleans RR	6,461,786	756,403	21,304,075	797,778	87,521	710,257
Texas & Pacific Ry	10,085,740	4,746,172	7,523,864	1,101,124	311,699	789,425
Union Pacific RR	57,310,259	34,780,933	52,602,251	7,155,585	772,127	6,383,458
Western Pacific RR	2,961,061	2,805,463	7,110,922	564,535	33,717	530,818
Wisconsin Central Ry	1,710,944	1,382,928	3,839,756	317,579	55,373	262,206

[1] Represents operations for period Jan. 1 to Oct. 16, 1960: Merged into Erie-Lackawanna RR.
[2] See footnote 1.
[3] See footnote 4.
[4] Represents operation for 10 months ended Oct. 31, 1960. Merged into Chicago & North Western Ry.
[5] Represents operations for 6 months' period ended June 30, 1960. Company reorganized.
[6] Represents operations for period July 1 to Dec. 31, 1960. Successor in reorganization. See footnote 5.

EXPLANATION OF DATA CONTAINED IN APPENDIX G

The data contained in appendix G were abstracted from the annual reports, form A, filed with this Commission by the class I line-haul railroads. Except for the column headed "Total—All services," which represents maintenance of way and structures expenses for all services, the statement relates to passenger service. Only carriers performing passenger service are included therein.

The column entitled "Revenues From Passenger and Allied Services," consists of passenger fares derived from the transportation of persons and revenues from allied services such as baggage, parlor cars, mail, express, dining, and buffet, and other incidental services. In the year 1960, fares collected from passengers amounted to some 54 percent of the revenues from passenger and allied services. In this connection, it is pointed out that under our rules rail-line revenues are assigned to freight and passenger services according to the type of train moving the traffic.

The passenger deficit (net railway operating income from passenger service) is based on a separation of operating revenues, operating expenses, taxes, and rents between freight and passenger services and represents the excess of these costs of conducting passenger services over the revenues derived therefrom. Income and expenses from other than transportation service and fixed charges are not included in the computation of net railway operating income.

Class I line-haul carriers are required to make a separation of transportation costs under the Commission's rules governing the separation of operating expenses, railway taxes, equipment rents, and joint facility rents between freight service and passenger service. Annual report, form A, to this Commission provides for the reporting of these costs by services in schedules 300: Income Account for the Year, and 320: Railway Operating Expenses. The separation of revenues is provided for in schedule 310: Railway Operating Revenues.

In allocating transportation costs, the primary rule is to first assign to freight or passenger service, including allied services, expenses that are directly or naturally assignable to either of the services. Expenses not directly assignable are called common expenses and the rules prescribe the methods for dividing these expenses between the two services. The test of whether an item of expense is direct or common is whether the service performed or the use of the facility is devoted solely to either of the services or is common to both services.

As we are presently interested in expenses of maintenance of way and structures the remainder of our comments regarding separation of costs will be confined to these expenses. The group of accounts classified under maintenance of way and structures provides for the recording of costs of maintaining roadway and track elements, including tunnels, bridges, ties, rail, ballast, etc.; station, office, warehouse and other buildings; signals and interlockers; communication systems; depreciation on investment in these properties; and other miscellaneous items.

As previously stated, expenses are initially assigned as direct or common. An example of expenses directly assignable to passenger service would be the costs of maintaining passenger stations including tracks and facilities adjacent thereto devoted solely to passenger service.

To illustrate the methods prescribed for separation of common expenses between freight and passenger service, we have selected some of the larger items of cost. The preponderance of expenses for maintenance of way and structures involves maintenance of track elements consisting of ballast, rail, ties, other track material, tracklaying and servicing (labor), tunnels, bridges, and roadway maintenance includible in accounts 202 to 221, inclusive. For purposes of separation of expenses, tracks must first be classified into one of three categories, namely, yard switching, way switching, and running tracks. The expenses for maintenance of each class of track are then separated between freight and passenger services on the following basis:

Yard switching tracks: Expenses for exclusively freight or passenger yards shall be directly assigned. Expenses for yards used in common by freight and passenger services shall be apportioned on the basis of the respective switching locomotive hours in the common yards.

Way switching tracks: Expenses of exclusively freight or passenger tracks shall be directly assigned. Where the tracks at any one location are used in common by both freight and passenger services, expenses may be assigned to that service which makes the preponderant use of them.

Running tracks: Expenses of tracks exclusively used for freight or passenger service shall be directly assigned. The expenses of tracks used in common by both services shall be apportioned on the basis of gross ton-miles (including locomotive ton-miles) handled over these common tracks in the respective services.

In regard to costs of maintaining station and office buildings, the rules provide first for assignment of expenses, as direct, for buildings devoted to one service and then as regards common expenses states "If the sum of the direct freight and the direct pas-

senger expenses is more than 50 percent of the total charges to this account for an accounting division, apportion the common expenses on the basis of the directly assigned expenses in this account for the accounting division involved. Where the sum of the direct freight and the direct passenger expenses does not aggregate 50 percent of the total charges for an accounting division, the common expenses should be apportioned on the basis of special test. Where common expenses exist in any accounting division but the direct expenses are applicable to only one service, i.e., freight or passenger, the common expenses shall be apportioned on the basis of a special test. If the accounting is performed on a system basis rather than by accounting divisions, follow the intent of the above instructions."

Common expenses relating to maintenance of signals and interlockers are separated between the two services on the basis of the total train hours (including train-switching hours) and yard-switching locomotive hours.

Superintendence costs which include pay of officers in charge of or engaged in maintaining roadway and structures, pay of their clerks, and office expenses are also allocated between the two services. This expense is preponderantly common and is allocated to the services on the basis of the proportions of a specified majority of the other maintenance accounts.

The rules in regard to separation of depreciation expense provide for allocation of common expenses according to the proportions of charges under the appropriate (depreciable) maintenance of way and structures accounts.

As can be seen from appendix G, the direct charges to passenger service for maintenance of way and structures are relatively minor when compared to the common expenses. Such direct charges for the year 1960 totaled $31,304,260 whereas common expenses apportioned to passenger services aggregated $18,676,631 for the same period.

APPENDIX H

Class II line-haul railroads and electric railways with passenger revenues over $500,000, year 1960

	Passenger revenues	Freight revenues	Total operating revenues	Maintenance of way and structures	Total operating expenses	Net railway operating income [1]	Net income
CLASS II RAILROADS							
New Jersey & New York RR. Co.	$618,737	$669,245	$1,336,314	$145,765	$1,010,412	$16,035	($9,203)
ELECTRIC RAILWAYS							
Chicago North Shore & Milwaukee Ry.	4,747,613	805,424	5,945,725	796,408	5,966,853	(468,239)	(368,730)
Chicago South Shore & South Bend RR.	3,738,916	3,644,110	7,740,405	867,952	7,323,603	(90,202)	(175,567)
Hudson & Manhattan RR. Co.	7,264,469		7,666,232	1,482,244	7,190,600	(428,873)	(1,542,764)
Total, class II railroads and electric railways	16,369,735	5,118,779	22,688,676	3,292,369	21,491,468	(971,279)	(2,096,264)

[1] Designated as "Operating income" for electric railways.

AMENDMENT OF TITLE V OF THE MERCHANT MARINE ACT, 1936

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 324, House bill 2457.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 2457) to amend title V of the Merchant Marine Act of 1936, in order to clarify the construction subsidy provisions with respect to reconstruction, reconditioning, and conversion, and for other purposes.

Mr. WILLIAMS of Delaware. Mr. President, may we have an explanation of the bill?

Mr. BARTLETT. Yes. By the terms of a bill enacted into law last year, the construction differential subsidy was made to apply only to the construction of new ships. But, as a matter of fact, that was a deviation from the law which had long previously existed, which also made the construction differential subsidy applicable to reconstruction, reconditioning, and reconversion.

This bill restores the former law by making the subsidy apply to those situations, in addition to new ship construction.

Mr. WILLIAMS of Delaware. Is it not a fact that, in effect, the bill provides for a retroactive payment of $610,000 on a $12 million contract for something which was not legalized at the time when the contracts were made?

Mr. BARTLETT. Not according to my knowledge.

Mr. WILLIAMS of Delaware. Based upon the committee report, that is my understanding. What does the bill provide? I notice on pace 3 that it provides for the listed payments; and in that connection I now read from the report:

> We estimate that the total cost of reconstructing the four ships to which H.R. 2457 would retroactively apply will be as follows:

Then the report enumerates.

Mr. BARTLETT. I beg the Senator's pardon; there is a retroactive feature.

Our information in the committee was that it was only an oversight that the law enacted last year had to do only with new construction, and that the general intention was to continue the provisions of the law which had been in existence for so long—namely, that it would be applicable likewise to reconstruction, reconditioning, and reconversion.

Mr. WILLIAMS of Delaware. I get back to my original point. Are we not retroactively amending the law, by this bill, so as to provide $610,000 for these companies, thereby giving them something which, under the law at the time the contracts were made, they were not entitled to?

Mr. BARTLETT. The Senator is absolutely correct. The Senator states the case exactly. However, these companies started the work of reconstruction, as I am informed, before the 1960 act went into effect, secure in the belief that the law which had been in effect for so long would continue to be operative; namely, that it would apply to all these categories.

Mr. WILLIAMS of Delaware. That is correct, but why should we retroactively pay these companies $610,000? At the time they made the decision, the law specifically provided that under no circumstances would the Government pay over 50 percent subsidy. Subsequently, the law was amended to provide that the Government could pay up to 55 percent subsidy. I think we made a mistake when we took that step. Nevertheless, Congress took it. Having taken that step, it is being proposed now that we go back and retroactively allow them to apply this more liberal formula.

Mr. BARTLETT. My understanding is that the Senator is correct. My further understanding is that actually, granted the present state of the American merchant marine, this additional cost to the Government is a small price to pay for having these large liners, which are named on page 3 of the report, put into service to sail the seas of the world carrying the American flag, at a time when too seldom the American flag is seen on the oceans; at a time when our merchant marine is being beaten and battered. The help that our merchant marine receives from the Government, large as it is, in many cases is minor when compared with what foreign nations give their merchant marines. In any case, granted our larger construction and operating costs, the aid is obviously insufficient to put the American merchant marine on a basis of parity with many foreign-flag liners.

Mr. WILLIAMS of Delaware. The Senator says he wants to have the five ships which are named in the bill both constructed and put on the high seas, flying the American flag. The fact is, they are constructed and they are on the high seas, and will be flying the American flag with or without the bill. The bill is merely to give the companies which constructed the ships an additional $610,000 which they did not expect at the time they entered into the contracts, nor did anyone intend to give them that amount. Subsequently, we

became more liberal in our subsidy program. So now somebody is saying to them, "You built too soon. We will go back and give you so much."

Mr. BARTLETT. I am not so sure. We who are on the Commerce Committee hear so often that this line or that has gone out of business. One by one, the number of American vessels on the high seas is diminishing.

In reference to this very point, the fact is that the Federal Maritime Administration might possibly have made a different ruling in respect to the interpretation of the 1960 law. It might have said, even if it mentions only new construction, "We are well aware of the fact that these other elements have heretofore and always been considered as worthy of construction subsidy, because it has been done for years, and so we will grant a subsidy to these companies." It chose to do otherwise. We in the committee, granted that fact, felt we had an obligation to restore the language which had existed theretofore. There was no attack on the part of anyone as to the elements that go into making up the formula which we seek to restore. No one challenged it, to my knowledge.

Mr. WILLIAMS of Delaware. I appreciate that fact. The Senator has pointed out the Commission might have ruled so and so, and Congress might have done something else. If I recall the words correctly, someone once said:

For of all sad words of tongue or pen,
The saddest are these: "It might have been."

Congress might have rejected the increase in the subsidies from 50 to 55 percent, but it did not. Had it done so, we might not be standing here arguing the point.

I go back to my original contention. This bill provides a $610,000 bonus to the companies which built those five ships. They never expected that $610,000 at the time they constructed those ships, and, under the law, they could not have collected. We are going back, out of bureaucratic generosity, and giving them $610,000. I think the American taxpayers could make better use of the $610,000.

I shall vote against the bill.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 2457) was ordered to a third reading, was read the third time, and passed.

NATIONAL CITIZENS COUNCIL ON MIGRATORY LABOR

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 674, S. 1132, which will break up the three bills from the Committee on Commerce, but I am doing this for a reason.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1132) to provide for the establishment of a council to be known as the "National Citizens Council on Migratory Labor."

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 1, line 4, after the word "National", to strike out "Citizens" and insert "Advisory"; in line 6, after the word "of", to strike out "thirteen" and insert "fifteen"; in line 7, after the word "President", to insert "without regard to political affiliations"; in line 9, after "(1)", to strike out "Two" and insert "Three"; on page 2, line 1, after "(2)", to strike out "Two" and insert "Three"; in line 7, after "(4)", to strike out "Two" and insert "Three"; in line 9, after the word "the", to strike out "health" and insert "health, education, and welfare"; in line 10, after the word "problems", to insert "of", and in the same line, after the amendment just above stated, to strike out "relating to"; after line 11, to strike out:

(5) Two individuals, appointed from private life, who are or have been actively engaged in determining and solving the welfare problems of children of migratory agricultural workers; and

At the beginning of line 16, to strike out "(6)" and insert "(5)", and in the same line, after the amendment just above stated, to strike out "Two" and insert "Three"; in line 19, after the word "for", to strike out "a term of six years; except that the terms of the members first taking office shall expire, as designated by the President at the time of appointment, five at the end of two years, four at the end of four years, and four at the end of six years.", and insert "the life of the Council."

On page 3, line 1, after the word "made.", to strike out "Any person appointed to fill a vacancy occurring in the Council prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term."; at the beginning of line 8, to strike out "Seven" and insert "Eight"; on page 6, after line 8, to strike out:

(c) The Council may, in carrying out such duties, submit reports to the President and the Congress at such time, or times, as the Council deems advisable. The Council shall submit an annual comprehensive report of its findings and recommendations to the President and the Congress on or before March 31 of each calendar year.

And, in lieu thereof, to insert:

(c) In carrying out its duties, the Council may, at such time or times as it deems advisable, submit reports to the Secretary of Labor for transmission by him to the President and to the Congress. The Council shall, on or before March 31 of each calendar year, submit an annual comprehensive report of its findings and recommendations to the Secretary of Labor for transmission by him to the President and to the Congress.

And, on page 7, line 4, after the word "of", where it appears the first time, to strike out "twelve" and insert "five"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a Council to be known as the "National Advisory Council on Migratory Labor" (hereinafter referred to as the "Council"). The Council shall be composed of fifteen members appointed by the President without regard to political affiliations as follows:

(1) Three individuals, appointed from private life, to represent the farmer;

(2) Three individuals, appointed from private life, to represent the migratory agricultural workers;

(3) Three individuals, appointed from private life, who shall have a demonstrated interest in and knowledge of the problems relating to migratory agricultural labor;

(4) Three individuals, appointed from private life, who are or have been actively engaged in activities aimed at determining and solving the health, education, and welfare problems of the migratory agricultural worker and his family;

(5) Three individuals who have had experience as State officials and who are knowledgeable of the problems relating to migratory agricultural labor.

(b) Members of the Council shall be appointed for the life of the Council. A vacancy in the Council shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) The President shall designate one of the members of the Council as Chairman, and one as Vice Chairman. Eight members of the Council shall constitute a quorum.

(d) Service of an individual as a member of the Council or employment of an individual by the Council as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of section 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99).

(e) Members of the Council shall each be entitled to receive $50 per diem when engaged in the actual performance of duties vested in the Council, including travel time, and while away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(f) The Council shall meet at the call of the Chairman or at the call of a majority of the members thereof, but not less often than twice each calendar year.

SEC. 2. (a) The Council shall have a staff director who shall be appointed by the Chairman without regard to the civil service laws and the Classification Act of 1949, as amended. The staff director shall have such duties as may be imposed by the Council, and shall be compensated at a rate not to exceed $18,000 per annum.

(b) The Council shall have the power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

(c) The Council may procure, in accordance with the provisions of section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), the temporary or intermittent services of experts or consultants; individuals so employed shall receive compensation at a rate to be fixed by the Council, but not in excess of $50 per diem, including travel time, and while away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

SEC. 3. (a) In carrying out its duties under this Act the Council shall hold both national and regional conferences concerning problems relating to migratory labor. Such national conferences shall be held by the Council not less often than once during each two years of the life of the Council; and such regional conferences shall be held by the Council from time to time.

(b) Subject to any limitations contained in subsection (a), the time, place, and other matters concerning the holding of any such conferences shall be within the discretion of the Council.

SEC. 4. (a) It shall be the duty of the Council to advise the President and the Congress, with respect to (1) the operation of Federal laws, regulations, programs, and policies relating to any and all aspects of migratory agricultural labor; and (2) any and all other matters relating to migratory agricultural labor.

(b) It shall also be the duty of the Council to consider, analyze, and evaluate the problems relating to migratory agricultural labor with a view to devising plans and making recommendations for the establishment of policies and programs designed to meet such problems effectively. In carrying out such duty, the Council shall consider, among others, the following matters:

(1) The effect of existing laws, regulations, programs, and policies on the various problems relating to migratory agricultural labor, including the problems of the migratory agricultural worker, his employer, and the local area in which he is employed;

(2) The means for improved coordination of Federal, State, county, and local policies and programs relating to migratory agricultural labor; and

(3) The development of information and statistics relating to migratory agricultural labor.

(c) In carrying out its duties, the Council may, at such time or times as it deems advisable, submit reports to the Secretary of Labor for transmission by him to the President and to the Congress. The Council shall, on or before March 31 of each calendar year, submit an annual comprehensive report of its findings and recommendations to the Secretary of Labor for transmission by him to the President and to the Congress.

SEC. 5. From time to time the Council shall issue information relating to migratory agricultural labor, in the form of publications or otherwise, for the use of the public generally, and for the use of persons and institutions engaged in work relating primarily to migratory agricultural labor.

SEC. 6. The Council shall cease to exist upon the expiration of five years from the date of the initial appointments to the Council made by the President under this Act.

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Mr. WILLIAMS of New Jersey. Mr. President, last Friday this bill was brought to the floor. I had discussions with the Senator from Louisiana [Mr. ELLENDER]. Action on the bill was not completed on the understanding that it would be considered during the ensuing week and would be before us today.

As a result of very fruitful discussions with the Senator from Louisiana, I have prepared amendments that reflect the changes suggested by the distinguished Senator from Louisiana, and I send the amendments to the desk.

The PRESIDING OFFICER. It is necessary to have the committee amendments considered first.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments will be considered en bloc.

The question is on agreeing to the committee amendments en bloc.

The committee amendments were agreed to en bloc.

The legislative clerk proceeded to read the amendments of Mr. WILLIAMS of New Jersey.

The PRESIDING OFFICER. It is the Chair's understanding that the committee amendments are agreed to en bloc, and, without objection, the bill as amended will be treated as original text for the purpose of amendment.

Mr. HOLLAND. Mr. President, do I understand the amendment now proposes to strike out sections 3 and 5 of the bill and make additional minor changes as per the tentative understanding?

Mr. WILLIAMS of New Jersey. The Senator is correct. I inadvertently failed to say, Mr. President, that I offer the amendments for myself, the Senator from North Dakota [Mr. BURDICK], and the Senator from New York [Mr. JAVITS].

Mr. ELLENDER. Mr. President, another objection was eliminated by limiting the amount of money to be spent each year. In section 7 there was no set amount as to how much would be spent each year. A limitation of $50,000 per year has been provided.

Mr. WILLIAMS of New Jersey. In addition, certain representatives from the various categories have been changed. Representatives of the growers have been increased, and representatives of the workers have been increased, and others have been reduced.

Mr. ELLENDER. Mr. President, I am against legislation of this kind. This bill establishes another committee, which in my estimation is neither desirable nor necessary. We have a Department of Labor, a Department of Health, Education, and Welfare, and a Department of Agriculture. These three Departments, in my estimation, are well able to take care of such problems as are encountered by migratory laborers and recommend to the Congress such changes to the law which are necessary in view of their studies.

However, I am happy to say that the bill as amended is far preferable to the bill as reported. First, farmer representation was increased. Second, sections 3 and 5 were omitted. Third, a monetary limit was established.

Further, it is my understanding that in the reports submitted by the Council to the Secretary of Labor for transmission to the President, and in any other reports made by the Council it is expected that minority views, if any, will be included. Certainly, we would not want a one-sided report.

Mr. WILLIAMS of New Jersey. Minority reports, if any, would, of course, be included in any reports issued by the Advisory Council.

Mr. ELLENDER. Thank you.

Mr. WILLIAMS of New Jersey. I thank the senior Senator from Louisiana for his help in these deliberations.

The PRESIDING OFFICER. The question is on agreeing to the first amendment submitted by the Senator from New Jersey.

Mr. MANSFIELD. Mr. President, I move that the amendments be considered and agreed to en bloc.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The amendments, agreed to en bloc, are as follows:

On page 1, line 9, strike out the word "three' and insert in lieu thereof the word "four".

On page 2, line 1, strike out the word "three" and insert in lieu thereof the word "four".

On page 2, line 3, strike out the word "three" and insert in lieu thereof the word "two".

On page 2, line 6, after the word "labor", strike the ";" and insert the following: ", including the problems of the migratory agricultural worker, his employer, and the community;".

On page 2, line 7, strike out the word "three" and insert in lieu thereof the word "two".

On page 4, line 3, strike out the word "twice" and insert in lieu thereof the word "once".

Strike out from line 25, page 4, through line 10 on page 5.

On page 5, line 11, strike out "4" and insert in lieu thereof "3".

Strike out lines 7 and 8 on page 6.

On page 6, line 15, strike out after "(c)" through the word "Congress." on line 18.

Strike out from line 23 on page 6 through line 2 on page 7.

On page 7, line 3, strike out "6" and insert in lieu thereof "4".

On page 7, line 6, strike out "7" and insert in lieu thereof "5".

On page 7, line 7, after the word "necessary" insert the following: ", not to exceed $50,000 in any fiscal year,".

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1132) was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to provide for the establishment of a Council to be known as the 'National Advisory Council on Migratory Labor'."

Mr. JAVITS subsequently said: Mr. President, I move that the Senate reconsider the vote by which S. 1132 was passed.

Mr. WILLIAMS of New Jersey. Mr. President, I move to lay that motion on the table.

The motion to table was agreed to.

EXEMPTION OF AGRICULTURAL EMPLOYEES FROM CHILD LABOR PROVISIONS

Mr. MANSFIELD. Mr. President, if Senators will bear with me a few minutes, I move that the Senate proceed to the consideration of Calendar No. 673, S. 1123.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1123) to amend section 13(c) of the Fair Labor Standards Act of 1938 with respect to the exemption of agricultural employees from the child labor provisions of such act.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with an amendment, to strike out all after the enacting clause and insert:

That section 12 of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following new subsection:

"(d)(1) Except as provided in paragraph (2), the employer of any employee under the age of eighteen who is (A) employed in agriculture, and (B) engaged in commerce or in the production of goods for commerce, shall (unless such employee is his own child or a child with respect to whom he stands in the place of a parent) be liable, regardless of fault, in money damages for disability or death of the child arising out of or in the course of such employment. The amount of damages under this subsection shall be arrived at in accordance with the law of the jurisdiction where the disability or death arose. The right of action provided an employee by this subsection shall survive to his parent, or, if he has no parent, to the person standing in place of the parent, or, if there is no such person, to his next of kin (jointly, if there is more than one). Nothing in this subsection shall take away any right or bar any remedy to which an employee is entitled under any other State or Federal law, but no claim may be asserted, or action brought under this subsection for damages for any disability or death with respect to which a claim has been asserted under any other State or Federal law. No claim based on this subsection may be adjusted, settled, or discharged without the approval of a Federal court or State court of appropriate civil jurisdiction.

"(2) No claim will lie under this section on account of disability or death of an employee, if a workmen's compensation act of the State where the disability or death arose applied to such employee, and such employee is covered under such act, at the time the disability or death arose, whether or not the circumstances of the particular case are such as to permit recovery under such act."

SEC. 2. Section 13(c) of the Fair Labor Standards Act of 1938 is amended to read as follows:

"(c) The provisions of section 12 relating to child labor (other than subsection (d) thereof) shall not apply with respect to—

"(1) any employee employed in agriculture outside of school hours for the school district where such employee is living while he is so employed, if such employee is—

"(A) employed by his parent, or by a person standing in the place of his parent, on a farm owned or operated by such parent or person, or

"(B) is fourteen years of age or over, or

"(C) is twelve years of age or over and is employed on a farm within the county of the employee's permanent residence or within an adjoining county, but not more than twenty-five miles from the employee's permanent residence, and the employment is with written consent of his parent or person standing in the place of his parent, or

"(2) any child employed as an actor or performer in motion pictures or theatrical productions, or in radio or television productions."

SEC. 3. The amendments made by this Act shall become effective January 1, 1962.

Mr. MANSFIELD. Mr. President, this is another of the bills which was postponed for a week, from last Friday. I understand its provisions have been satisfactorily adjusted, in consultation with the Senator from Louisiana [Mr. ELLENDER], the Senator from Florida [Mr. HOLLAND], and other Senators.

The measure relates to the exemption of agricultural employees from the child labor provisions of the Fair Labor Standards Act.

Mr. WILLIAMS of New Jersey. Mr. President, the majority leader is correct. We spent the past week working on some of the questions raised in the colloquy last Friday, when the bill was discussed at that time.

Grave concern was expressed as to the strict liability provisions in the bill as reported by the committee. It was felt such provisions might cause inequities and create more problems than it would solve.

Out of the discussions, held particularly with the senior Senator from Florida, was evolved an idea for amendments that return to the legislation originally proposed in the bill as introduced in February of this year. Some other changes are in the amendments.

On behalf of myself and the Senator from North Dakota [Mr. BURDICK] and the Senator from New York [Mr. JAVITS] I send to the desk the amendments which express the understanding arrived at with the Senator from Florida.

The PRESIDING OFFICER. The question first is on agreeing to the committee amendment in the nature of a substitute.

Mr. HOLLAND. Mr. President, I would suggest that the committee amendments could be agreed to en bloc, with the understanding that we can then deal with the bill as an original measure.

The PRESIDING OFFICER. The committee amendment is in the nature of a substitute. If that amendment is agreed to, the bill could not be amended further.

Mr. HOLLAND. Except by unanimous consent, which I am suggesting, so that we could deal with the bill as an original measure. I am perfectly willing to have the Senate go into the discussion in any way my distinguished friend from New Jersey wishes. I was simply trying to simplify the procedure, as I viewed it.

Mr. WILLIAMS of New Jersey. Mr. President, I offer the amendments, for myself and the other Senators, as an amendment to the committee amendment in the nature of a substitute.

I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc. The amendments will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 2, after line 10, it is proposed to strike out:

That section 12 of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following new subsection:

"(d)(1) Except as provided in paragraph (2), the employer of any employee under the age of eighteen who is (A) employed in agriculture, and (B) engaged in commerce or in the production of goods for commerce, shall (unless such employee is his own child or a child with respect to whom he stands in the place of a parent) be liable, regardless of fault, in money damages for disability or death of the child arising out of or in the course of such employment. The amount of damages under this subsection shall be arrived at in accordance with the law of the jurisdiction where the disability or death arose. The right of action provided an employee by this subsection shall survive to his parent, or, if he has no parent, to the person standing in place of the parent, or, if there is no such person, to his next of kin (jointly, if there is more than one). Nothing in this subsection shall take away any right or bar any remedy to which an employee is entitled under any other State or Federal law, but no claim may be asserted, or action brought, under this subsection for damages for any disability or death with respect to which a claim has been asserted under any other State or Federal law. No claim based on this subsection may be adjusted, settled, or discharged without the approval of a Federal court or State court of appropriate civil jurisdiction.

"(2) No claim will lie under this section on account of disability or death of an employee, if a workmen's compensation act of the State where the disability or death arose applied to such employee, and such employee is covered under such act, at the time the disability or death arose, whether or not the circumstances of the particular case are such as to permit recovery under such act."

On page 3, at the beginning of line 20, to strike out "SEC. 2. Section" and insert "That section"; in line 23, after the word "labor", to strike out "(other than subsection (d) thereof)".

On page 3, line 25, after the word "agriculture", insert the following: "(other than employment by an employer who is not the parent or a person standing in the place of the parent of the employee in an occupation which the Secretary of Labor finds and declares to be particularly hazardous for the employment of children up to the age of eighteen years)".

On page 4, line 13, after the word "and" insert "(i)".

On page 4, line 15, after the word "parent" insert the following: "or (ii) his parent or person standing in the place of his parent is also employed on the same farm".

On page 4, line 19, strike out "SEC. 3" and insert in lieu thereof "SEC. 2".

On page 4, line 20, strike out "January" and insert in lieu thereof "July".

Mr. MANSFIELD. Mr. President, if the amendments are agreeable to the Senator from Louisiana and the Senator from Florida, I suggest they be agreed to en bloc.

Mr. HOLLAND. I am certainly agreeable to that, but I should like to address some questions to the Senator from New Jersey.

I ask the Senator from New Jersey to yield to me so that I may propound some questions.

Mr. WILLIAMS of New Jersey. I am happy to yield to my friend from Florida.

Mr. HOLLAND. Do I correctly understand that the amendments as presented, if agreed to, would strike that part of the committee substitute which

would have made agricultural employers of child laborers guarantors of the life and limb of their young employees without any necessity for the showing of any fault, if there were any injury or death sustained?

Mr. WILLIAMS of New Jersey. The bill as reported by the committee first provided for absolute or strict liability for any injury arising out of the employment of children.

It also provided that the liability could be discharged through workmen's compensation insurance or other forms.

We felt that probably more questions would be raised than answers would be given by that procedure. The amendments we have offered today strike the strict liability provisions, to which reference has been made.

Mr. HOLLAND. I thank the Senator. I state briefly for the RECORD that those of us who objected to the provision of the bill as reported, which has been mentioned by the Senator from New Jersey, realized it would have been quite reasonably applicable to the situation in some States in which employer's liability insurance is required of all employers, but it would not have been applicable to the situation in many States in which that requirement does not exist, and it would not have been possible of operation in certain States in which there is no provision for the inclusion of agricultural labor under workmen's compensation laws.

We appreciate the Senator's willingness to change that provision and to return to the other, under which, as I understand it, the Secretary of Labor will be permitted, by regulation, to prescribe those activities in agriculture which are hazardous; and, as to them, the bill would provide certain restrictions. Is that a correct understanding?

Mr. WILLIAMS of New Jersey. The bill would provide for the Secretary of Labor to find those occupations which are particularly hazardous, and those would be prohibited as to children covered under the bill. The approach was the original approach in the bill as first introduced. We went to the strict liability in conference with representatives of farm groups. After we had gone to the strict liability, and studied it further, certain problems became apparent. Now we have gone back to the measure which follows the regular industrial child labor findings of the Secretary as to particularly hazardous employment, to prohibit such employment.

Mr. HOLLAND. Is my understanding correct that the amendment would drop certain language which was in the original bill, which would have permitted the Secretary to prescribe regulations covering not only what was particularly hazardous but also what might have affected, in his opinion, the health and general well-being of the children, it being our view that agricultural employment, unless it were particularly hazardous as a result of dangerous mechanisms used or the like, would be more healthful than otherwise for the children?

Mr. WILLIAMS of New Jersey. Yes. We have not included the term "detrimental to health or well-being," but have made the Secretary's finding go to particularly hazardous employment. The Senator from Florida and I have discussed this subject. I thought that with the expression "detrimental to health or well-being" it might well be that an administrator of the program, who may not be knowledgeable of the farm situation, might well think that work after 6 or 7 o'clock at night was not according to the well-being of the child. Those of us who have been close to farms in our lives know that frequently in harvesting fruits and vegetables a farmer cannot even begin until after the dew is off and the crop is dry. Then he must work until the sun sinks low on the horizon.

Mr. HOLLAND. Mr. President, I thank the Senator. I found him peculiarly kindly in his viewpoint toward the problem. It was the attitude of the Senator from Florida, the Senator from Kentucky [Mr. COOPER], the Senator from Louisiana [Mr. ELLENDER], and others, that employment of children in agriculture was very different from the employment of children in industry. Any effort to apply a strict hours rule would be entirely inappropriate, because when the tomatoes are ripe they must be picked. When the strawberries are ripe and the sun is shining they must be picked. If it is raining no one can work. So that any requirement of maximum or particular hours was obviously inapplicable to agriculture, whereas such regulation would be reasonably applicable in ordinary industry.

Mr. WILLIAMS of New Jersey. It is our feeling that we have given the Secretary the legislative equipment needed to prohibit the kind of hazardous employment that would bring youngsters near, for example, very dangerous machinery.

Mr. HOLLAND. For example, in the operation of a tractor, a haymaker, or similar dangerous machinery.

Mr. WILLIAMS of New Jersey. We have had examples of serious injuries and death resulting from the operation of a potato picker.

I agree with the Senator that there can be wholesome work on the farm. I look back with pleasure to pitching hay as a youngster on an Adirondack farm. At the time, it did not seem so much fun, I recall, but in retrospect, it was wholesome and educational, as well as productive work.

Mr. HOLLAND. Mr. President, may I comment that the extremely healthful appearance, the brightness of his eyes, and the general resourcefulness of the Senator from New Jersey may be the result in large part of his training on a farm as a youth.

Mr. WILLIAMS of New Jersey. I am grateful for that description.

Mr. HOLLAND. I understood that there were two additional changes upon which we agreed. Are they covered by the amendment which has been offered?

Mr. WILLIAMS of New Jersey. We permit the work of children 12 and 13 years of age, if the work is on farms in the neighborhood of within 25 miles of their home, with the written consent of their parent, or if their parent is employed on the same farm.

Mr. HOLLAND. In other words, to the provision of the bill as filed, which would require in certain cases written permission is added, as I understand, by the amendment, the provision that if the parent is with the child—which is so customarily the case with migrant workers—that the presence of the parent will serve in lieu of, and as equally satisfactory to, the furnishing of written consent.

Mr. WILLIAMS of New Jersey. The Senator is absolutely correct.

Mr. HOLLAND. There was one other amendment which I understood would also be incorporated in the bill relative to the time of the effectiveness of this part of the measure.

Mr. WILLIAMS of New Jersey. Originally we proposed that the bill become effective January 1, 1962. Realizing that a considerable time will be required to advise the Nation and people affected by the legislation, the effective date would now be July 1, 1962.

Mr. HOLLAND. Mr. President, may I say again that I have found the Senator from New Jersey extremely cooperative, and while I would not want the record even remotely to indicate that I think the child labor provisions are ideally applicable to the employment of children on the farm—and I wish more of them were employed on the farms, for if they were, I think we would have less juvenile delinquency and less lack of health among children—at the same time I think the bill is much more reasonable now than was the reported measure. I think it will be livable. I think that considering the fact that the workmen's compensation laws and other provisions of the law of the various States are so different, and also customs in the various States are so different that the bill will lend itself to the desired purposes much better than the original would have. I wish to thank the Senator for his cooperation in the last week, when he has certainly worked diligently to try to get away from the objections which were voiced on the floor of the Senate last week.

Mr. WILLIAMS of New Jersey. I am very grateful to the senior Senator from Florida for his help and work in connection with this legislation.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks a further explanation of the two migratory labor bills we have before us today.

There being no objection, the statements were ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. DOUGLAS. Mr. President, will the Senator yield to answer a question or two?

Mr. WILLIAMS of New Jersey. I yield.

Mr. DOUGLAS. There has been some discussion as to what the bill presents. I wonder if the Senator from New Jersey will summarize briefly what the bill would do so far as the protection of children is concerned.

Mr. WILLIAMS of New Jersey. As the Senator knows, under present law, after school hours a child of any age can work

on a farm. There is no restriction at all on child labor in agriculture after school hours.

First, the bill closes, conditionally, the present agricultural child labor exemption respecting outside school hours work. The bill prohibits youngsters up to age 18 from working in any occupation found by the Secretary of Labor to be particularly hazardous. We would bring to bear a prohibition against all child labor for youngsters under 12. In other words, except for the parental exemption case, children below age 12 shall not be employed in agriculture. There is a considerable amount of that today. Accordingly, we do not have to think too long in order to realize the hazards and dangers involved.

Mr. DOUGLAS. May I ask about migratory children? As I understand, a great many States of the Union—perhaps, a majority of the States of the Union—either have no school facilities for such children or have very inadequate schools. In such States what are the provisions of the law with respect to children during school hours when such children, because of lack of facilities, are not able to attend?

Mr. WILLIAMS of New Jersey. The problem is a significant one. It results in two things. In many cases it results in illegal employment of youngsters who have absolutely nothing to do but linger around the camps without supervision because the father and mother quite frequently are working in the fields or the orchards.

As the Senator knows, last week the Senate passed a bill which would bring Federal aid for education of migratory youngsters during regular school periods by granting money to communities who take them into their regular schools. The bill also provided a program of summer schools for those communities who wish to use their idle schools to take in the migrant youngsters who are in the community for a few weeks.

We also have before the Senate Committee on Finance a bill to provide child care. The bill has the warm support of the chairman of the Finance Committee, the very able senior Senator from Virginia, who has been most helpful and cooperative in our work on the problem. That program is designed for the preschool youngster. This combined package of educational and day-care measures can well fill the gap in empty lives. If youngsters cannot work, the best place I believe this particular group of youngsters can be is in the school or in the nursery.

Mr. DOUGLAS. That is true. But is it not true that in many States there is no obligation on nonresident children to attend school?

Mr. WILLIAMS of New Jersey. The Senator is correct. There are States that do not require mandatory school attendance of nonresident youngsters in the community. Through the bills I have referred to we hope to stimulate communities to accept their responsibility in connection with this problem.

Mr. DOUGLAS. I thank the Senator.

Mr. COOPER. Mr. President, I join other Senators in congratulating the Senator from New Jersey on the work he has done to provide protection and better working conditions for minors on our farms. I am glad also that the Senator has taken steps to strike the provision which, if it had been adopted, would have made the farmer an insurer for an injury that might occur to a child even without negligence on the part of the farmer.

I should like to ask the Senator about the language of section 2, pages 3 and 4—for interpretation.

I refer particularly to subsection (A) which reads:

> (A) employed by his parent, or by a person standing in the place of his parent, on a farm owned or operated by such parent or person.

I assume that the phrase "by a person standing in the place of his parent" is meant to embody the legal understanding of the phrase, familiarly referred to as "in loco parentis," as is interpreted in law.

Mr. WILLIAMS of New Jersey. Yes. The Senator is correct.

Mr. COOPER. One who provides for the child living with him, whatever the actual relationship may be, would be included. Is that the intention?

Mr. WILLIAMS of New Jersey. That is the intention and the purpose. I am sure the various States follow the definition of the term "in loco parentis."

Mr. COOPER. I read further: "employed by his parent, or by a person standing in the place of his parent, on a farm owned or operated by such parent or person." Does the term "operated by" include—without excluding other—situations in which a part of the farm is leased, or rented upon shares by an individual, who does not own the farm?

Mr. WILLIAMS of New Jersey. It is our purpose to include that situation, where the operation is through tenancy or whatever the legal situation is, short of complete ownership. Where the youngster is close to his parents we feel that he has all the necessary protection, and that he will be properly cared for.

Mr. COOPER. My questions are for legislative history. A person who rents or leases all or a portion of a farm, or contracts to raise a particular crop, as I understand, would be included in the meaning of the word "operation." Is that correct?

Mr. WILLIAMS of New Jersey. That is correct.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. JAVITS. I merely wish to join the Senator from New Jersey, as I have done before. I join him in presenting the amendments, so that there will be no question about the fact that we are together on them. I believe we should understand what this legislation means, and why it was done. The whole country should understand that we are dealing with an area in which there is no regulation or no control of any kind now. This is the first time that something is being done, where in my opinion we are making a practical resolution of a very difficult problem. We saw its difficulties a week ago. Those who might say we should do more about it should realize that this is the first time anything has been done, and we hope it will prove effective. I wish to identify myself with the Senator from New Jersey, as I am the senior Republican on his committee, in putting forward this effort to get something done where nothing has been done up to now.

The PRESIDING OFFICER. The question is on agreeing to the amendments to the committee amendment.

The amendments to the committee amendment were agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes."

Mr. JAVITS. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. WILLIAMS of New Jersey. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I wish to compliment the Senator from New Jersey [Mr. WILLIAMS] for having five bills dealing with migratory labor passed during this year. That commendation also extends to the distinguished senior Senator from New York [Mr. JAVITS], the senior minority member of the committee.

While there are points on which all people can agree and disagree so far as this legislation is concerned, it does mark a step in the right direction. Again I wish to say that the Senator from New Jersey and the Senator from New York are entitled to commendation for what they have done.

The Senator from Florida [Mr. HOLLAND] and the Senator from Louisiana [Mr. ELLENDER] and other Senators are also to be commended for their understanding in trying to work out a reasonable and equitable solution which affects a section of our country.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. The Senator from Kentucky [Mr. COOPER] was equally interested in these matters and was of assistance in working them out.

Mr. MANSFIELD. I was aware of the fact, but I overlooked it. So I doubly commend the Senator from Kentucky for his interest and activity on behalf of this type of legislation.

EXHIBIT 1

NEED FOR AND EXPLANATION OF S. 1132

The bill, S. 1132, would establish a National Advisory Council on Migratory Labor. The purpose of the Council is to provide the national perspective and organization needed in meeting the problems of migratory farm labor.

The Council would be a citizens' group with a balanced membership giving representation to the major parties concerned with migratory labor. The Council would study the problems of migratory labor and the programs and policies relating to those problems. The Council would advise the President and the Congress on such matters.

Establishment of the Council is a vitally needed step in meeting the migratory labor problems of the Nation. Although during the past there have been many studies and investigations of the migratory labor situation, these efforts have been too scattered to meet the full range of problems surrounding the migratory farmworker and his family. This failure to act results, in large measure, from faulty communication and fragmented knowledge of these problems. There is still no complete, coherent picture of the migratory labor situation in its national context.

Although the several groups at work in this area are competent in their individual functions, they cannot provide the overall coordination of effort that is essential to fully effective action. In both the public and private sectors of our society, representatives of organizations concerned with migratory farm labor have pointed out the serious need for a national and independent body to supplement their efforts.

State migratory labor committees, about 30 in number, simply cannot cope effectively with problems which are predominantly interstate in nature. Federal study and administrative groups have operated at the Federal level but not on a truly national scale. These groups have tended to concentrate on particular problem areas rather than the total pattern of the migratory labor situation. Moreover, many of these groups, being inherently tied to the political process, have, too often, been unable to deal objectively with controversial issues. The many private organizations concerned with migratory labor are not able, even in the aggregate, to provide national perspective and organization.

The National Advisory Council on Migratory Labor would be able to evaluate and encourage efforts in the public and private sectors. It would not duplicate the work of present groups—indeed, these groups are the strongest supporters of the Council. In short, the Council would stimulate the best thinking of our citizens and help to provide a better understanding of conditions, needs, and long-range solutions relating to migratory labor problems.

The administration strongly supports this legislation. The bill has also been endorsed by officials of State governments and by private organizations and individuals with special knowledge of problems in this area.

The need for the legislation is clear: we can no longer neglect the problems facing the migratory worker and his family. I, therefore, hope that this bill will soon become part of our public laws in order that migratory labor problems will receive the objective, systematic, and sustained attention that is essential to feasible solutions.

NEED FOR AND EXPLANATION OF S. 1123

The purpose of the legislation, S. 1123, is to curb harmful child labor which exists today extensively in outside-school-hours agricultural employment. In more than 2 years' study of this problem, with my colleagues on the Subcommittee on Migratory Labor, I have become convinced of the vital need for Federal legislation in this area. Only with Federal legislation can we correct the present situation in agricultural child employment, which we know interrupts and retards the educational progress of a large number of children each year, and all too frequently places their very lives in jeopardy in working around dangerous machinery.

The reason for these conditions is found in the present state of the child labor law. This law—that is, the child-labor provisions of the Fair Labor Standards Act of 1938—presently prohibits children under 16 from engaging in agricultural work during regular school hours; however, there is a complete exemption for agricultural work outside regular school hours. Consequently, during nonschool hours children of any age—even 5, 6, or 7—may work long hours in the fields under the present Federal law.

As was stated on the floor on Friday of last week, the proponents of the pending legislation do not intend to belabor the humanitarian aspects of this problem. I would, however, cite evidence to show the nature and number of injuries sustained by young children which can be avoided by enactment of this legislation.

As we strive to reach the most effective remedy to this problem, let us remember that the safety of children is the paramount concern—the elements of convenience or economic gain involved in child labor cannot belie this fact.

Let us not forget this.

Let's take a look at what these injuries mean in their totality. A report on the extent of injuries nationally, supplied to the subcommittee by the Public Health Service, estimates that for the period July 1959, through June 1960, 1,981,000 rural farm children under age 17 sustained injuries.

This estimate includes only persons injured to the extent that they either had to reduce their normal activities or required medical care. The Public Health Service also estimated that 595,000 of these injured children lost time from school, totaling about 3,100,000 school days lost. The data supplied by the Public Health Service is included in the RECORD at this point:

"AUGUST 20, 1961.

"To: Senate Subcommittee on Migratory Labor, Senate Office Building.

"From: P. S. Lawrence, D. Sc., Public Health Service.

"Subject: Estimates relating to rural farm children under age 17.

"The following figures are estimates relating to rural farm children under age 17 (0 to 16 years) in the noninstitutional population of the United States in the year July 1959 through June 1960: population, 8,359,000; persons injured, 1,981,000; females, 995,000; males, 986,000; under age 5, 539,000; ages 5 to 16, 1,442,000.

"These estimates include only persons injured to the extent that they either had to reduce their normal activities or required medical care. About 1,571,000 of these children aged 0 to 16 required medical care for their injuries. Approximately 700,000 rural farm children were injured in the home or nearby yard. It is estimated that 595,000 of these injured children lost time from school, totaling about 3,100,000 school days lost.

"The above figures are based upon household interviews which included about 6,500 rural farm children in the sample. Because of the probable error due to sampling we cannot provide figures in greater detail than the magnitudes shown."

Here is additional evidence of need for this legislation. It comes from Good Housekeeping magazine, November 1960.

The Good Housekeeping article cites these reports received by the National Child Labor Committee from ministers, teachers, and parents all over the country who were asked to survey child labor practices in their regions:

From Lewisburg, Pa.: "I have seen children as young as 7 working the field alongside adults. They are there at 7 a.m. and as late as 5 p.m., a matter of 10 hours, in the heat and dust of the fields."

From Sturgeon Bay, Wis.: "We provide [summer] day schools for children. * * * We have learned from experience that it is no use preparing for children who are old enough to be in fourth grade because anyone that old or older will be out in the orchards picking cherries."

From San Jose, Calif.: "I am aware of scores of children as young as 4 and 5 who work far too many hours in the hot sun without rest periods * * * sanitary drinking water * * * restrooms * * *."

There is a clear, urgent need to correct these conditions. We must stop injuries which maim children, sometimes for life. We must also ease the stifling burden of those who are not injured but who work—in all too many cases—in tasks that are extremely arduous, even for an adult.

The pending legislation does not affect the present law concerning agricultural work during school hours. The legislation concerns only the current exemption from the Fair Labor Standards Act which allows unlimited child labor in agriculture outside school hours.

The pending legislation closes this exemption conditionally: it would allow a child to be employed in agricultural work outside of school hours under the following three conditions:

1. If he is employed by his parents on the home farm; or

2. If he is 14 years of age or over; or

3. If he is between 12 and 14 years of age and works within 25 miles of his home with the written consent of his parents or his parent is employed on the same farm.

Under these provisions, beneficial employment would be encouraged by allowing the child to work on his home farm or on a nearby farm with his parents' permission. Similarly, as expressly stated in the committee report, this legislation would not interfere with the beneficial activities of such organizations as 4-H Clubs, Future Farmers of America, and charitable fresh air funds.

The administration has strongly recommended the enactment of legislation to protect children employed in agriculture outside regular school hours. In testifying before the Senate Subcommittee on Migratory Labor on April 12, 1961, Secretary of Labor Arthur J. Goldberg summarized the need for legislation on this subject in these terms:

"Our records indicate very clearly the strong necessity for a measure of this character. In order to provide for the health, the safety, and the welfare of children, it is necessary that we eliminate the present exemption which permits the employment of children of any age outside of school hours in agriculture."

The inadequacies of the present Federal law have resulted in extensive use of child labor in agriculture. According to a special U.S. census survey, it is estimated that 730,000 children 10 to 18 years of age were employed in 1959 as paid workers in agriculture. Of this number, 457,000 were 10 to 15 years of age; more than one-half of this group were 10 to 13 years of age.

Migratory children, who comprise a significant segment of the children covered by the 1959 special census, are subjected to the most arduous conditions. The most common reason for their employment is the low wage of the breadwinner of the family. Averaging under $1,000 a year, this wage is not sufficient to pay minimum family expenses. Consequently, every available child works.

We know, however, that child labor in agriculture does not really solve the migrant family's low income problem. Instead, the employment of children has the long-range effect of depressing the general wage level, which further complicates the income problem. The proper goal, then, is to look to the future needs of these children and to help them avoid premature work in the fields. In that way, a large step will have been taken

to give them the opportunity for a more worthwhile and productive adult working life.

The strengthening of the provisions of the child labor law will supplement work currently being done in the area of education and day-care facilities. It will also help bring into focus the needs in related child welfare areas and serve to stimulate State, local, and voluntary efforts to provide necessary facilities and opportunities.

The fragmentary nature of existing State legislation has failed to provide a meaningful solution to the problems raised by child labor in agriculture. Twenty States have no minimum age for the employment of children in agriculture. Other States have only partial coverage.

The absence of national action with respect to agricultural employment of children outside of regular school hours continues to endanger the safety, health, and welfare of children engaged in farm labor. I hope the Congress will proceed to correct this deficiency and protect this vital segment of our Nation's youth.

CONSTRUCTION SUBSIDY FOR RECONSTRUCTION, RECONDITIONING AND CONVERSION UNDER THE MERCHANT MARINE ACT OF 1936

Mr. MANSFIELD. Mr. President, I move that the Senate reconsider the vote by which the Senate passed Calendar 324, H.R. 2457.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 2457) to amend title V of the Merchant Marine Act, 1936, in order to clarify the construction subsidy provisions with respect to reconstruction, reconditioning, and conversion, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to reconsider the vote by which the Senate had passed the bill.

Mr. LAUSCHE. Mr. President, this bill makes retroactive the additional benefits created by law passed in 1955, lifting the right to subsidize from a minimum of 50 percent to 55 percent. The bill is made retroactive. If passed, it will authorize the payment on a retroactive basis of a sum not to exceed $610,000.

No hearings were held on the bill in the Commerce Committee. Hearings were conducted in the House. The bill originated in the House and was passed in the House under the declaration that it contemplated putting into written form what was intended but not done in the 1959 act.

I should like to ask the Senator from Alaska [Mr. BARTLETT] what the exact amount involved is.

Mr. BARTLETT. I am relying for my answer upon the statement made by the Under Secretary of Commerce, Mr. Edward Gudeman, in a letter to the chairman of the Commerce Committee, the Senator from Washington [Mr. MAGNUSON]. He said that if the subsidy for reconstructing these ships is determined to be 55 percent, the increased cost would be $610,000. However, the Commerce Department might assign a lesser construction subsidy, and that would mean that the additional cost would be less.

Mr. LAUSCHE. The only letters which appear in the report supporting the bill are those written by the beneficiaries, the steamship companies. On the first page of the report there is stated that the Maritime Board recommended enactment of the bill, as amended. We have available for the RECORD a copy of a letter written by the Maritime Board urging the adoption of the bill.

Mr. MAGNUSON. The bill, which is an amendment of the act, was to meet the views of the Maritime Board. The Board asked the House if they would proceed to clarify this section. In the House record, which I have read—I do not have it before me now—the report stated that the chairman of the Maritime Committee of the House and the ranking minority member stated that it was the intent of the committee to do what this bill suggested. It was done at the request of the Maritime Board. That is why we said the Maritime Board recommended it. It was done at their request.

Mr. LAUSCHE. The files of the Committee on Commerce contain no communications from the Maritime Board urging the passage of the House bill.

Mr. MAGNUSON. The Secretary of Commerce urged its passage in a letter.

Mr. BARTLETT. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. BARTLETT. Let me read from the letter of the Department of Commerce dated May 29, 1961:

> The Department recommends favorable consideration of H.R. 2457.

Mr. LAUSCHE. Where does that appear?

Mr. BARTLETT. That is the second paragraph of the letter and is found on page 2 of the report.

Mr. LAUSCHE. Mr. President, that is all I have to ask concerning the bill. I simply cannot subscribe to the retroactive bills which it is recommended be passed, so as to make payments on a basis which is in conflict with the original proposition manifested by the owners of the ships. Those people knew what the law was; they went forward on that basis. Now they come in and ask that the law be made retroactive.

I do not favor the passage of the bill. I shall vote "nay."

The PRESIDING OFFICER. The question is on the passage of the bill.

The bill (H.R. 2457) was passed.

AMENDMENT OF TITLE VI OF THE MERCHANT MARINE ACT OF 1936

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 463, S. 1690.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1690) to amend title VI of the Merchant Marine Act of 1936, as amended, in order to increase certain limitations in payments on account of operating differential subsidy under such title.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Commerce with amendments on page 1, line 4, after the word "amended", to strike out "(46 U.S.C. 1175)" and insert "(46 U.S.C. 1173)", and in line 5, after the word "follows", to strike out "Such" and insert "Effective on and after July 1, 1962, such"; so as to make the bill read:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the third sentence in the first paragraph of section 603(c) of such Act, as amended (46 U.S.C. 1173), is amended to read as follows: "Effective on and after July 1, 1962, such payments on account shall in no case exceed 90 per centum of the amount estimated to have accrued on account of such subsidy, except that, with respect to that part of the subsidy relating to any particular voyage, an additional 5 per centum may be paid to the contractor after such contractor's audit of the voyage account for such voyage has been completed and the Secretary of Commerce has verified the correctness of the same."

Mr. MAGNUSON. Mr. President, the Senator from California [Mr. ENGLE] held hearings on the bill. Under the present Merchant Marine Act, the vessel expenses covered by the subsidy program include vessel insurance, vessel maintenance, and vessel repairs not compensated by insurance; wages and subsistence of officers and crew; and other items of expense as to which the Maritime Board finds the operators are at a substantial disadvantage. The bill seeks to put the subsidized vessels on a parity.

The subsidy for wages is approximately 85 percent of the total subsidy for all these items. The vessel operator must pay wages and other operating costs when they occur. The present practice has been to pay to the operators on an interim basis 75 percent of the estimated operating subsidy accrual plus 15 percent on the wage item, which makes a total of 90 percent.

The bill provides that after the vessel account has been audited, 90 percent may be paid and 10 percent withheld; or in an emergency, 95 percent may be paid, subject to any future audit.

The bill merely allows an increase in such payments from 75 to 90 percent to be made, because 85 percent is wages, and they must be paid from month to month.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. WILLIAMS of Delaware. What was the position of the Department in connection with the bill?

Mr. MAGNUSON. The Department opposed because they do not have the extra money that would be required. They would like to have the situation remain as it is. But all the Government testimony was to the effect that the payments should be made more current,

because the ship operator has to borrow operating funds while 85 percent of the amount he had coming to him to enable him to make wage and other payments is withheld for too long a period.

Second, the testimony was that after an account had been audited, 10 percent is sufficient to make any adjustment which might need to be made later.

Mr. WILLIAMS of Delaware. Is it not true that the Department of Commerce was more specific in its recommendations? Did they not say—

The Department does not favor the enactment of the bill.

Mr. MAGNUSON. I said the Department did not favor it. I placed that statement in the RECORD. But it was simply because of lack of funds.

Mr. WILLIAMS of Delaware. Is there any agency of the Government which endorsed the bill?

Mr. MAGNUSON. The only agency which would be interested in it would be the Department of Commerce, and they accepted at the House hearing our amendment to make the 90-percent payment apply in fiscal 1963.

Mr. WILLIAMS of Delaware. Was there not a letter from the Bureau of the Budget and a letter from the Treasury Department?

Mr. MAGNUSON. That is correct.

Mr. WILLIAMS of Delaware. I fail to see any endorsement by any agency of the bill.

Mr. MAGNUSON. They said they opposed because there was no money in the budget for the additional payments.

Mr. WILLIAMS of Delaware. I still repeat that there is no endorsement by any agency of the Government and the Commerce Department opposes it.

Mr. MAGNUSON. There was no endorsement because of the reason cited—no money.

Mr. WILLIAMS of Delaware. The Department of Commerce plainly stated: "The Department does not favor the enactment of the bill."

Mr. MAGNUSON. That is correct. The Department of Commerce has some concern; but the other departments whom we asked said they had no concern with the bill. I have explained the bill as carefully as I can; and that is all it proposes to do.

Mr. WILLIAMS of Delaware. As I understand the reason why the Department of Commerce wishes to retain the present formula is that if any errors are developed, they will have the money on hand to make the correction and will not have to make claims for repayment. I shall vote against the bill.

Mr. MAGNUSON. I agree fully with the Department of Commerce that if there are to be subsidies, at least they should be handled on a sound bookkeeping basis, and not be paid until they have actually been earned.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

Mr. LAUSCHE. Mr. President, I do not favor the bill on the basis of the recommendation made by the Department of Commerce. I shall vote against its passage.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 1690) was passed.

AMENDMENT OF TITLE VI OF MERCHANT MARINE ACT, 1936

Mr. MAGNUSON. Mr. President, I ask that the Senate proceed to consider Calendar No. 741, H.R. 6309.

The Senate proceeded to consider the bill (H.R. 6309) to amend title VI of the Merchant Marine Act, 1936, as amended, in order to increase certain limitations in payments on account of operating-differential subsidy under such title.

Mr. MAGNUSON. Mr. President, I move that all after the enacting clause be stricken and that the text of Senate bill 1690 be substituted therefor.

The PRESIDING OFFICER. Without objection, the action of the Senate in passing Senate bill 1690 will be vacated.

Without objection, all after the enacting clause in H.R. 6309 will be stricken out, and the text of Senate bill 1690 will be substituted therefor.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 6309) was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I move that the Senate reconsider the vote by which H.R. 6309 was passed.

Mr. MAGNUSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Without objection, Senate bill 1690 will be indefinitely postponed.

MERCHANT MARINE ACT AMENDMENT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 548, Senate bill 2085.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 2085) to amend section 511(h) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds.

Mr. BARTLETT. Mr. President, this bill would extend the time for commitment of construction reserve funds.

The American-Hawaiian Steamship Co., which has operated in the domestic trades since 1899, has in its vessel reserve funds some $11 million which, under existing statute, must be committed for new construction by December 31, 1961, or $2,500,000 thereof will revert to the Treasury, instead of being invested in new vessels.

The company had filed application with the Maritime Board in April 1959, for mortgage insurance to cover four—later reduced to three—large, fast containerships for intercoastal operation. After prolonged delay, the Maritime Board denied the application, because another operator meanwhile offered to enter this trade with several World War II-built vessels.

The American-Hawaiian Steamship Co. is urging the Maritime Board to review its decision, and requests the additional year for commitment of its funds, to permit revision of its plans if necessary.

No objection was raised at the hearing or otherwise.

If this construction proceeds, we shall have on the high seas the largest cargo liners under the American flag.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2085) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso at the end of section 511(h) of the Merchant Marine Act, 1936, as amended, is amended to read as follows: "*Provided,* That until January 1, 1962, in addition to the extensions hereinbefore permitted, further extensions may be granted ending not later than December 31, 1962."

SEC. 2. The amendment made by the first section of this Act shall take effect December 31, 1961, or on the date of enactment of this Act, whichever date first occurs.

Mr. MANSFIELD. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. BARTLETT. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider a nomination.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

U.S. DISTRICT JUDGE

Mr. HART. Mr. President, from the Committee on the Judiciary, I report the nomination of THADDEUS M. MACHROWICZ, of Michigan, to be U.S. district judge for the eastern district of Michigan; and I request unanimous consent for the immediate consideration of the nomination.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

Mr. HOLLAND. Mr. President, I note on the Executive Calendar two treaties, and I notice that the papers in connection with them have been placed on the desks of Senators. Does the majority leader intend to have the treaties taken up at this time?

Mr. MANSFIELD. Not necessarily. The papers have been placed on the desks of Senators for their information.

LEGISLATIVE SESSION

Mr. HART. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

CONSTRUCTION AND MAINTENANCE OF AMERICAN-FLAG VESSELS BUILT IN AMERICAN SHIPYARDS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 643, Senate bill 1808.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 1808) to amend the Merchant Marine Act, 1936, to encourage the construction and maintenance of American-flag vessels built in American shipyards, which had been reported from the Committee on Commerce, with an amendment, on page 2, line 3, after the word "three", to strike out "years." " and insert "years: *Provided, however,* That the provisions of this amendment shall not apply where, (1) prior to the enactment of this amendment, the owner of a vessel, or contractor for the purchase of a vessel, originally constructed in the United States and rebuilt abroad or contracted to be rebuilt abroad, has notified the Maritime Administration in writing of its intent to document such vessel under United States registry, and such vessel is so documented on its first arrival at a United States port not later than one year subsequent to the date of the enactment of this amendment, or (2) where prior to the enactment of this amendment, the owner of a vessel under United States registry has made a contract for the rebuilding abroad of such vessel and has notified the Maritime Administration of such contract, and such rebuilding is completed and such vessel is thereafter documented under United States registry on its first arrival at a United States port not later than one year subsequent to the date of the enactment of this amendment." ", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 901(b) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1241), is hereby amended by inserting at the end thereof the following: "For purposes of this section, the term 'privately owned United States-flag commercial vessels' shall not be deemed to include any vessel which, subsequent to the date of enactment of this amendment, shall have been either (a) built outside the United States, (b) rebuilt outside the United States, or (c) documented under any foreign registry, until such vessel shall have been documented under the laws of the United States for a period of three years: *Provided, however,* That the provisions of this amendment shall not apply where, (1) prior to the enactment of this amendment, the owner of a vessel, or contractor for the purchase of a vessel, originally constructed in the United States and rebuilt abroad or contracted to be rebuilt abroad, has notified the Maritime Administration in writing of its intent to document such vessel under United States registry, and such vessel is so documented on its first arrival at a United States port not later than one year subsequent to the date of the enactment of this amendment, or (2) where prior to the enactment of this amendment, the owner of a vessel under United States registry has made a contract for the rebuilding abroad of such vessel and has notified the Maritime Administration of such contract, and such rebuilding is completed and such vessel is thereafter documented under United States registry on its first arrival at a United States port not later than one year subsequent to the date of the enactment of this amendment."

Mr. BARTLETT. Mr. President, I wish to submit a brief explanation of the bill. Its purpose is to restrict carriage of 50–50 cargoes by certain vessels.

The Cargo Preference Act of 1954 reserves at least 50 percent of all Government aid or financed ocean cargoes, under certain conditions, to "privately owned U.S.-flag commercial vessels."

This bill would provide that participation in the carriage of the 50 percent of such cargoes reserved for vessels of U.S. registry be denied any vessel which was built, rebuilt, or documented under any foreign registry, until such vessel shall have been documented under the laws of the United States for a period of 3 years subsequent to such foreign building, rebuilding, or reregistration, except in cases where prior to enactment of the act the owner of a vessel built in the United States and rebuilt abroad or contracted to be built abroad has notified the Maritime Administration in writing of his intent to document such vessel under U.S. registry and such vessel is so documented at its first arrival at a U.S. port, or where prior to the enactment of the act the owner of a vessel now under U.S. registry has made a contract for the rebuilding abroad of such vessel.

No objection to the bill was voiced at the hearing or otherwise.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. MAGNUSON. Mr. President, there is on the calendar, Calendar No. 742, House bill 6732, an identical bill. I ask unanimous consent that the Senate proceed to the consideration of that bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H.R. 6732) to amend the Merchant Marine Act, 1936, as amended, to encourage the construction and maintenance of American-flag vessels built in American shipyards.

Mr. MAGNUSON. Mr. President, I move that all after the enacting clause of the bill be stricken out, and that the text of Senate bill 1808, as now amended, be substituted therefor.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to.

The PRESIDING OFFICER. The question now is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 6732) was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MAGNUSON. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Without objection, Senate bill 1808 will be indefinitely postponed.

LICENSING OF INDEPENDENT OCEAN FREIGHT FORWARDERS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 667, Senate bill 1368.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 1368) to amend the Shipping Act of 1916 to provide for licensing of independent ocean freight forwarders, and for other purposes, which had been reported from the Committee on Commerce, with amendments, on page 2, line 20, after the word "applicant", to strike out "is a citizen of the United States and"; on page 3, line 13, after the word "observed", to strike out "to regulate the licensing of" and insert "by"; on page 4, line 8, after the word "compensation", to strike out "not to exceed 5 per centum of the freight cost,", and on page 5, line 1, after the word "shipments", to insert a colon and *"Provided, however,* That where a common carrier by water has paid or has incurred an obligation to pay, separate compensation to an independent ocean freight forwarder for any of the services enumerated above, such carrier shall not be obligated to pay additional compensation to any other independent ocean freight forwarder for services rendered on the same shipment".

Mr. MAGNUSON. Mr. President, in a moment I shall yield the floor to the distinguished Senator from Texas [Mr. YARBOROUGH]; but at this time I merely wish to say that I hope Senators will pay very careful attention to this bill, because there is much urgency about it, from the point of view of time. Unless action is taken promptly, the authority to operate in the way that operations have been conducted for many, many generations will expire on November 30. The Senator from Texas knows a great deal about this matter, and I shall yield the floor to him. But it is very important that prompt action be taken, because the act will expire then.

Mr. YARBOROUGH. Mr. President, this bill will authorize the licensing by

the Federal Maritime Board of the independent freight forwarders. They are described in the bill. Their occupation is identical, and is limited by the bill. Ordinarily, independent freight forwarders are those in the business of bringing together shippers and cargoes. The shippers solicit shipments, and obtain goods from manufacturers, and have the shipments ready when the ships enter port. The object is to prevent delays. The freight forwarders expedite the shipments.

On June 29 of this year the Federal Maritime Board issued a finding, based upon the Shipping Act of 1960, and the interpretation was thus made 45 years after that act was passed—that it was illegal for the forwarders to collect brokerage fees from the carriers. The shippers want to make all of these payments.

A hearing has been held. Representatives of many of the steamship lines stated that this service is a very real one to both the shippers and the carriers.

Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the committee amendments.

The amendments were agreed to.

Mr. KEATING. Mr. President, I urge the passage of S. 1368, which would provide for the licensing of independent ocean freight forwarders.

Freight forwarders have for many years made an invaluable contribution to American commerce. They perform the necessary task of bringing together cargoes and available carriers, thereby facilitating the efficient operation of every ocean port in the United States. If freight forwarders were to pass out of the picture, the result would be chaos along the American waterfront.

For some time it has been evident that the freight forwarding industry should be more closely defined and regulated by law. The freight forwarders, the shippers, and the carriers all have welcomed such regulations. Bills for this purpose were actually approved in both Houses of Congress during the last session, but agreement was not reached in conference.

Up until this year Congress did not view the need for legislation to license freight forwarders as being particularly urgent. The time for this leisurely approach has now, however, passed.

On June 29, 1961, the Federal Maritime Board issued a decision which has threatened the freight forwarding industry with virtual extinction. Contradicting the findings of its own investigator, the Maritime Board ruled that henceforth freight forwarders should receive no compensation from carriers, but must rely on shippers for their whole income.

This decision flies in the face of established practice on the waterfront. It has been vigorously opposed by not only the freight forwarders but by the steamship companies themselves. It is evident that the steamship companies regard the saving that has been granted them by the Maritime Board as a false benefit. Without income from the carriers, the freight forwarders will be unable to carry out their function, and the carriers as well as the shippers are bound to suffer.

The time therefore has come, Mr. President, when it is absolutely necessary to define the role of the freight forwarder, as well as providing means to eliminate what abuses do exist. S. 1368 accomplished these objectives admirably. I urge its speedy passage.

Mr. YARBOROUGH. Mr. President, I submit additional amendments for which I request immediate consideration. These amendments would make the bill identical in text with certain amendments adopted this week in the House committee. The purpose is to have the two bills conform to each other, so that the measure may be passed by both Houses at this session.

The PRESIDING OFFICER. The amendments submitted by the Senator from Texas will be stated.

The LEGISLATIVE CLERK. On the first page, in line 9, beginning with "or its possessions", it is proposed to strike out all through "such possessions" on page 2, line 1, and to insert in lieu thereof the following: "its territories, or possessions to foreign countries, or between the United States and its territories or possessions, or between such territories and possessions".

On page 2, strike out all in line 11 and insert in lieu thereof the following: "by redesignating section 44 as section 45, and inserting immediately after section 43 the following new section:".

On page 2, line 12, strike out "SEC. 43." and insert in lieu thereof "SEC. 44.".

On page 2, line 14, strike out "Board" and insert in lieu thereof "Commission".

On page 2, line 19, strike out "Board" and insert in lieu thereof "Commission".

On page 2, line 24, strike out "Board" and insert in lieu thereof "Commission".

On page 3, line 4, strike out "section" and insert in lieu thereof "Act".

On page 3, line 6, strike out "Board" and insert in lieu thereof "Commission".

On page 3, line 10, strike out "Board" and insert in lieu thereof "Commission".

On page 3, line 11, strike out "Board" and insert in lieu thereof "Commission".

On page 3, line 12, strike out "Board" and insert in lieu thereof "Commission".

On page 3, line 14, restore the matter proposed to be stricken by the committee amendment.

On page 3, line 16, strike out "Board" and insert in lieu thereof "Commission".

On page 3, line 17, strike out "Board" and insert in lieu thereof "Commission".

On page 3, line 25, strike out "Board" and insert in lieu thereof "Commission".

On page 4, line 1, strike out "Board's" and insert in lieu thereof "Commission's".

On page 4, line 4, strike out "Board" and insert in lieu thereof "Commission".

On page 4, beginning with line 6, strike out all to the end of the bill and insert in lieu thereof the following:

"(e) A common carrier by water may compensate a person carrying on the business of forwarding to the extent of the value rendered such carrier in connection with any shipment dispatched on behalf of others when, and only when, such person is licensed hereunder and has performed with respect to such shipment the solicitation and securing of the cargo for the ship or the booking of, or otherwise arranging for space for, such cargo, and at least two of the following services:

"(1) The coordination of the movement of the cargo to shipside;

"(2) The preparation and processing of the ocean bill of lading;

"(3) The preparation and processing of dock receipts or delivery orders;

"(4) The preparation and processing of consular documents or export declarations;

"(5) The payment of the ocean freight charges on such shipments:

Provided, however, That where a common carrier by water has paid, or has incurred an obligation to pay, either to an ocean freight broker or freight forwarder, separate compensation for the solicitation or securing of cargo for the ship or the booking of, or otherwise arranging for space for, such cargo, then such carrier shall not be obligated to pay additional compensation for any other forwarding services rendered on the same cargo. Before any such compensation is paid to or received by any person carrying on the business of forwarding, such person shall, if he is qualified under the provisions of this paragraph to receive such compensation, certify in writing to the common carrier by water by which the shipment was dispatched that he is licensed by the Federal Maritime Commission as an independent ocean freight forwarder and that he performed the above specified services with respect to such shipment. Such carrier shall be entitled to rely on such certification unless it knows that the certification is incorrect."

The PRESIDING OFFICER. Without objection, the amendments of the Senator from Texas will be considered en bloc.

The question is on agreeing to the amendments submitted by the Senator from Texas.

The amendments were agreed to.

Mr. JAVITS. Mr. President, if the Senator from Texas will yield, I should like to state that the port of New York considers this bill to be a most important one. We have received an enormous amount of mail in regard to it. I testified before the committee in favor of the bill. I am grateful to the majority leader for bringing up the bill, and I am grateful to the Senator from Texas for the fine position he has taken in regard to it. I trust that the bill will be passed.

Mr. YARBOROUGH. I thank the Senator from New York. As he knows, the bill in all its details is not exactly as we would like to have it, but the emergency situation involved is such a desperate one that we have amended the bill in order to comply with the desires of all the parties concerned.

The PRESIDING OFFICER. If there be no further amendment to be submitted, the question is on the engrossment and third reading of the bill.

The bill (S. 1368) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Shipping Act, 1916 (46 U.S.C. 801), is amended by adding at the end thereof the following new paragraphs:

"The term 'carrying on the business of forwarding' means the dispatching of shipments by any person on behalf of others, by oceangoing common carriers in commerce

from the United States, its territories, or possessions to foreign countries, or between the United States and its territories or possessions, or between such territories and possessions", and handling the formalities incident to such shipments.

"An 'independent ocean freight forwarder' is a person carrying on the business of forwarding for a consideration who is not a shipper or consignee or a seller or purchaser of shipments to foreign countries, nor has any beneficial interest therein other than a lien, nor directly or indirectly controls or is controlled by such shipper or consignee or by any person having such a beneficial interest."

SEC. 2. The Shipping Act, 1916, is further amended by redesignating section 44 as section 45, and inserting immediately after section 43 the following new section:

"SEC. 44. (a) No person shall engage in carrying on the business of forwarding as defined in this Act unless such person holds a license issued by the Federal Maritime Commission to engage in such business: *Provided, however,* That a person whose primary business is the sale of merchandise may dispatch shipments of such merchandise without a license.

"(b) A forwarder's license shall be issued to any qualified applicant therefor if it is found by the Commission that the applicant is, or will be, an independent ocean freight forwarder as defined in this Act and is fit, willing, and able properly to carry on the business of forwarding and to conform to the provisions of this Act and the requirements, rules, and regulations of the Commission issued thereunder, and that the proposed forwarding business is, or will be, consistent with the national maritime policies declared in the Merchant Marine Act, 1936; otherwise such application shall be denied. Any independent ocean freight forwarder who, on the effective date of this Act, is carrying on the business of forwarding under a registration number issued by the Commission may continue such business for a period of one hundred and twenty days thereafter without a license, and if application for such license is made within such period, such forwarder may, under such regulations as the Commission shall prescribe, continue such business until otherwise ordered by the Commission.

"(c) The Commission shall prescribe reasonable rules and regulations to be observed by independent ocean freight forwarders and no such license shall be issued or remain in force unless such forwarder shall have furnished a bond or other security approved by the Commission, in such form and amount as in the opinion of the Commission will insure financial responsibility and the supply of the services in accordance with contracts, agreements, or arrangements therefor.

"(d) Licenses shall be effective from the date specified therein, and shall remain in effect until suspended or terminated as herein provided. Any such license may, upon application of the holder thereof, in the discretion of the Commission, be amended or revoked, in whole or in part, or may upon complaint, or on the Commission's own initiative, after notice and hearing, be suspended or revoked for willful failure to comply with any provision of this Act, or with any lawful order, rule, or regulation of the Commission promulgated thereunder.

"(e) A common carrier by water may compensate a person carrying on the business of forwarding to the extent of the value rendered such carrier in connection with any shipment dispatched on behalf of others when, and only when, such person is licensed hereunder and has performed with respect to such shipment the solicitation and securing of the cargo for the ship or the booking of, or otherwise arranging for space for, such cargo, and at least two of the following services:

"(1) The coordination of the movement of the cargo to shipside;

"(2) The preparation and processing of the ocean bill of lading;

"(3) The preparation and processing of dock receipts or delivery orders;

"(4) The preparation and processing of consular documents or export declarations;

"(5) The payment of the ocean freight charges on such shipments:

Provided, however, That where a common carrier by water has paid, or has incurred an obligation to pay, either to an ocean freight broker or freight forwarder, separate compensation for the solicitation or securing of cargo for the ship or the booking of, or otherwise arranging for space for, such cargo, then such carrier shall not be obligated to pay additional compensation for any other forwarding services rendered on the same cargo. Before any such compensation is paid to or received by any person carrying on the business of forwarding, such person shall, if he is qualified under the provisions of this paragraph to receive such compensation, certify in writing to the common carrier by water by which the shipment was dispatched that he is licensed by the Federal Maritime Commission as an independent ocean freight forwarder and that he performed the above specified services with respect to such shipment Such carrier shall be entitled to rely on such certification unless it knows that the certification is incorrect."

Mr. JAVITS. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MAGNUSON. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

DELEGATION OF CERTAIN FUNCTIONS BY THE SECURITIES AND EXCHANGE COMMISSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 759, S. 2135.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2135) to authorize the Securities and Exchange Commission to delegate certain functions.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency, with amendments, on page 2, line 8, after the word "amended", to insert "with reference to general rules as distinguished from rules of particular applicability, or of the making of any rule, regulation, or order pursuant to section 19(b) of the Securities Exchange Act of 1934", and in line 23, after the word "further", to strike out "That any person suffering legal wrong because of any agency action, or aggrieved by such action within the meaning of any relevant statute, shall be entitled to review thereof by the Commission" and in lieu thereof, to insert "That in the event action at a delegated level (1) denies any request for action pursuant to section 8(a) or section 8(c) of the Securities Act of 1933 or the first sentence of section 12(d) of the Securities Exchange Act of 1934; (2) suspends, denies, or revokes a broker-dealer registration pursuant to section 15(b) of the Securities Exchange Act of 1934; (3) suspends, denies, or withdraws any registration or suspends or expels a member of a national securities exchange pursuant to section 19(a) of the Securities Exchange Act of 1934; or (4) suspends trading on an exchange pursuant to section 19(a) of the Securities Exchange Act of 1934, a person or party adversely affected by such action shall be entitled to review by the Commission"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in addition to its existing authority, the Securities and Exchange Commission, hereinafter referred to as the "Commission", shall have the authority to delegate, by published order or rule, any of its functions to a division of the Commission, an individual Commissioner, a hearing examiner, or an employee or employee board, including functions with respect to hearing, determining, ordering, certifying, reporting, or otherwise acting as to any work, business, or matter: *Provided, however,* That nothing herein contained shall be deemed to supersede the provisions of section 7(a) of the Administrative Procedure Act of 1946 (60 Stat. 241), as amended: *And provided further,* that nothing herein contained shall be deemed to authorize the delegation of the function of rulemaking as defined in the Administrative Procedure Act of 1946, as amended, with reference to general rules as distinguished from rules of particular applicability, or of the making of any rule, regulation, or order pursuant to section 19(b) of the Securities Exchange Act of 1934.

(b) With respect to the delegation of any of its functions, as provided in subsection (a) of this section, the Commission shall retain a discretionary right to review the action of any such division of the Commission, individual Commissioner, hearing examiner, employee, or employee board, upon its own initiative or upon petition of a party to or an intervenor in such action, within such time and in such manner as the Commission shall by rule prescribe: *Provided, however,* That the vote of one member of the Commission shall be sufficient to bring any such action before the Commission for review: *And provided further,* That in the event action at a delegated level (1) denies any request for action pursuant to section 8(a) or section 8(c) of the Securities Act of 1933 or the first sentence of section 12(d) of the Securities Exchange Act of 1934; (2) suspends, denies, or revokes a broker-dealer registration pursuant to section 15(b) of the Securities Exchange Act of 1934; (3) suspends, denies, or withdraws any registration or suspends or expels a member of a national securities exchange pursuant to section 19(a) of the Securities Exchange Act of 1934; or (4) suspends trading on an exchange pursuant to section 19(a) of the Securities Exchange Act of 1934, a person or party adversely affected by such action shall be entitled to review by the Commission.

(c) Should the right to exercise such review be declined, or should no such review be sought within the time stated in the rules promulgated by the Commission, then the action of any such division of the Commission, individual Commissioner, hearing examiner, employee, or employee board, shall, for all purposes, including appeal or review thereof, be deemed the action of the Commission.

SEC. 2. In addition to the functions transferred by the provisions of Reorganization Plan Numbered 10 of 1950 (64 Stat. 1265),

there are hereby transferred from the Commission to the Chairman of the Commission the functions of the Commission with respect to the assignment of Commission personnel, including Commissioners, to perform such functions as may have been delegated by the Commission to Commission personnel, including Commissioners, pursuant to section 1.

Mr. WILLIAMS of New Jersey. Mr. President, Senators will recall the disapproval of the reorganization plan and the debate engendered by its consideration on the ground that the delegation was too broad and the right of appeal was too narrow. We have worked on this problem since the disapproval of the reorganization plan and have evolved this proposed legislation.

I speak in favor of S. 2135, as amended, a bill which would authorize the Securities and Exchange Commission to delegate certain of its functions, and provide for appeals of actions taken under such delegations.

On June 22, 1961, I introduced, for myself and for Senator JAVITS, S. 2135, a bill designed to accomplish the basic objectives of Reorganization Plan No. 1 of 1961, without raising the problems which were involved in that plan.

As the result of comments on this bill, amendments have been agreed to which meet the objections raised at the hearings and which are, nevertheless, acceptable to both the Securities and Exchange Commission and the Bureau of the Budget.

On August 24, 1961, S. 2135, as amended, was reported favorably by unanimous vote of the Banking and Currency Committee.

This bill would carry out the basic objectives of Reorganization Plan No. 1, to provide for greater flexibility in the handling of the business before the Commission, permitting its disposition at different levels so as better to promote its efficient dispatch. At the same time, S. 2135, as amended, meets the objections raised with respect to the delegation of the general rulemaking power and the aggrieved party's right of appeal to the Commission, as proposed in Reorganization Plan No. 1.

Regarding the Commission's authority to delegate, section 1(a) of the bill provides that the Securities and Exchange Commission shall have the authority to delegate any of its functions by published order or rule to a division of the Commission, an individual Commissioner, a hearing examiner, or an employee or employee board, subject to three exceptions.

The first exception provides that nothing in the bill shall be deemed to supersede the provisions of section 7(a) of the Administrative Procedure Act of 1946, as amended. That section provides, in effect, that, where the organic statute of an agency requires that adjudicatory matters may be decided only upon a written record, after opportunity for a hearing, these functions must be performed by the full agency, one or more members thereof, or a qualified hearing examiner appointed in accordance with the Administrative Procedure Act.

The second exception provides that nothing in the bill shall be deemed to authorize the delegation of the authority to make general rules as distinguished from rules of particular applicability. The rulemaking authority under the Administrative Procedure Act includes first, rules of general applicability such as general regulations, and, second, rules of particular applicability such as orders, which normally consist of the Commission's response to an application by a single party and which resolve a particular statutory issue in relation to that party only. In order to facilitate the dispatch of matters of particular applicability such as orders and yet retain in the Commission itself the authority to make general rules, the bill as reported distinguishes between the two and authorizes the Commission to delegate the former but not the latter.

The third exception provides that nothing in the bill shall be deemed to authorize the delegation of the making of any rule, regulation, or order pursuant to section 19(b) of the Securities Exchange Act of 1934. Section 19(b) permits the Commission, after certain conditions have been met, to alter or supplement the rules of an exchange with regard to matters such as financial responsibility of members, trading in certain securities during specified periods, and the fixing of reasonable Commission rates.

REVIEW BY THE COMMISSION

Section 1(b) of the bill provides in part that the Commission itself retains the discretionary right to review any action taken pursuant to delegation under the bill. This right may be exercised upon the Commission's own initiative or upon petition of a party to or an intervenor in such action, within such time and in such manner as the Commission shall by rule prescribe.

S. 2135, as amended, would also permit a single member of the Commission to bring any action taken pursuant to a delegation under the bill before the full Commission for review.

It is the opinion of the committee that, except in the four instances discussed below, the requirement that the full Commission must review all delegated actions which are questioned by any one of its members is ample protection against possible unwarranted action under delegations pursuant to the bill, and that an absolute right of review by the adversely affected party is therefore not necessary. However, if there are instances other than the four discussed below in which the Commission might determine that there should be an absolute right of review, it can so provide in its rules. And S. 2135 in no way impairs the right of a person or party to petition the court of appeals for review, even though he may be denied review by the Commission.

In the following instances the right of a person or party adversely affected by the action of a delegate to review by the Commission is preserved:

First. If the action denies any request for action pursuant to section 8(a) or section 8(c) of the Securities Act of 1933 or the first sentence of section 12(d) of the Securities Exchange Act of 1934. Under sections 8 (a) and (c) the Commission is empowered to accelerate the effective date of registration statements and to determine the effective date of posteffective amendments to registration statements under which securities are to be offered and sold to the public. Under the first sentence of section 12(d) the registration of a security becomes effective 30 days after the Commission has received certification from exchange authorities that the security has been approved by the exchange, or within such shorter period as the Commission may determine.

Second. If the action suspends, denies, or revokes a broker-dealer registration pursuant to section 15(b) of the Securities Exchange Act of 1934. Section 15 (b) sets the standards which a broker-dealer must meet to become and remain registered; furthermore, it gives the Commission authority under certain conditions to suspend, deny, or revoke broker-dealer registrations.

Third. If the action suspends, denies, or withdraws any registration or suspends or expels a member of a national securities exchange pursuant to section 19(a) of the Securities Exchange Act of 1934. Section 19(a) authorizes the Commission, after meeting certain requirements, to take such action if it is "necessary or appropriate for the protection of investors."

Fourth. If the action suspends trading on an exchange pursuant to section 19(a) of the Securities Exchange Act of 1934.

Section 1(c) of the bill provides as follows with regard to the finality of the Commission's decision:

Should the right to exercise such review be declined, or should no such review be sought within the time stated in the rules promulgated by the Commission, then the action of any such division of the Commission, individual Commissioner, hearing examiner, employee, or employee board, shall, for all purposes, including appeal or review thereof, be deemed the action of the Commission.

Regarding the transfer of certain functions to the Chairman, section 2 of S. 2135 would transfer to the Chairman the functions of the Commission with respect to the assignment of Commission personnel, including Commissioners, to perform such functions as may have been delegated by the Commission to Commission personnel under section 1 of the bill. This follows the pattern established for other Commission functions by Reorganization Plan No. 10 of 1950, which transferred other administrative and personnel functions of the Commission to the Chairman.

In conclusion, let me emphasize once again that S. 2135, as amended, is acceptable to the Securities and Exchange Commission, the Bureau of the Budget, and the New York and Boston Stock Exchanges, which had appeared before the Banking and Currency Committee to testify in favor of proposed amendments to Reorganization Plan No. 1.

The Securities and Exchange Commission at present has a heavy backlog of work because of the increased activity in the securities market. S. 2135, as amended, would enable the Commission to achieve much greater utility from its present manpower. At the same time, this bill would free the Commissioners themselves from dealing with details of minor consequence, thereby enabling them to concentrate on the broad, more important aspects of Commission business. Thus, on the one hand, this bill would give the Commission the increased efficiency which it needs and, on the other, by relieving the Commissioners of onerous details, give them the necessary time to deal effectively with the many matters of policy which confront them.

I strongly urge, Mr. President, that the Senate adopt this bill, which will give the SEC the flexibility of operation it must have to meet the demands of today's securities market.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. JAVITS. The Senator has stated the situation. I think it can be fairly said that I led the fight on the Securities and Exchange reorganization plan, and the Senate went along with the proposition that it should not be approved. That such action was wise is shown by the fact that we have tailored an authority which is of far less greater magnitude, but which at the same time gives the SEC all the power it needs to accelerate its activities.

Whereas the reorganization plan ran head on into strong opposition from the leading security exchanges, this bill has not aroused any such opposition. From my correspondence and communications with the New York Stock Exchange and the American Stock Exchange, I have every reason to believe that they can live with this particular measure so far as the Securities and Exchange Commission is concerned.

If Members of the Senate are interested in the subject and will consult the RECORD of August 24, 1961, at page 16948, they will find spelled out in detail precisely how this bill differs from Reorganization Plan No. 1.

The three major differences are—and they should be restated—that there is now no longer the opportunity in the SEC to delegate the rulemaking power, but only delegate the power to make rules of particular applicability. Under their practice, even a decision of cases could be brought about by a change in the rule. Therefore, that authority can be delegated to a lower echelon below that of the Commissioners themselves.

What is extremely important is that we have now not only reduced the requirement for discretionary review from two members, which was in practical effect half of the Commission, because one member has been ill for a long time, to one member, but have provided mandatory right of review, in what the stock exchanges regard as a critical matter, in which the individual or securities firm may go to the Commission.

These include: first, denial of a request for acceleration of the effective date of a registration statement; second, suspension, denial, or revocation of a broker-dealer registration; third, suspension, denial, or withdrawal of a registration, or suspension or expulsion of a member of a national securities exchange; and, fourth, suspension of trade on an exchange.

These are critically important rights, and make mandatory the right of review by the whole Commission.

I have enjoyed the cooperation of the Senator from New Jersey. He tried hard to have the reorganization plan adopted. When he did not succeed, he sat down with me and, in a practical way, tried to tailor legislation which would meet the need.

Mr. President, I represent a large security market, in terms of representing the State of New York, and I feel I have a great responsibility in this field.

I think all of us realize that the private enterprise system is heavily dependent on the knowledge that securities may be sold and traded with the complete confidence of the public.

All of us understand that when we deal with the Securities and Exchange Commission, we are not dealing with someone who can guide the investor, take him by the hand and tell him what to invest in, and guarantee him a profit; but it can say that, so far as the Commission knows, security issuances are kept free of manipulation and rigging and price fixing, and that the people can rely on the representations which are made, and then make up their own minds as to whether they wish to buy, sell, trade, or acquire new securities.

Therefore, I hope the Senate will feel satisfied with the job, insofar as it ought to be done, as set forth in the bill, and that it will be favorably considered.

Mr. WILLIAMS of New Jersey. Mr. President, I am gratified by the remarks of the Senator from New York, and join with him in urging passage of the measure.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

Mr. MANSFIELD. Mr. President, I ask that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments will be considered en bloc.

The question is on agreeing to the committee amendments en bloc.

The committee amendments were agreed to en bloc.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2135) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. WILLIAMS of New Jersey. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

INCREASE IN AMOUNT OF ALLOWABLE CHARITABLE CONTRIBUTIONS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 557, H.R. 2244.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 2244) relating to the deduction for income tax purposes of contributions to charitable organizations whose sole purpose is making distribution to other charitable organizations, contributions to which by individuals are deductible within the 30-percent limitation of adjusted gross income.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendments.

NUCLEAR TESTS

Mr. PELL. Mr. President, I rise in support of the courage and maturity which President Kennedy has shown toward the question of nuclear tests. This is not a time to panic, and the President's statement yesterday demonstrates his determination not to blindly react to the Soviet announcement that they will resume nuclear tests. The President is obviously speaking from a position of strength and the Soviet decision to resume tests is a clear indication of their nuclear inferiority.

The contrast between the genuine concern of the United States over the frightful prospect of more nuclear fallout as contrasted with the crass and brutal Soviet attempt at nuclear blackmail is now clear for all the world to see. President Kennedy and his advisers deserve the confidence of all Americans and our administration for their determination to leave no stone unturned to seek control of arms and an agreement which will spare the world from the devastating effects of nuclear fallout.

Mr. HART. Mr. President, will the Senator yield?

Mr. PELL. I yield.

Mr. HART. I express admiration for the statement made by the Senator from Rhode Island, and I hope that when those of us here learn, as I just did, that the Russians have announced an intermediate bomb detonation in the atmosphere over Asia, we will not reach for the swords, literally or figuratively; that we will recognize the Communists have proved themselves to be as bad as their harshest critics have described them; and that the moment has arrived when we must submit to the test of responsibility.

It is wonderful that a review is being made here to determine whether our

nuclear arsenal is adequate. If the review suggests there is a question as to that, then a hard decision must be made; but let us wait until we get that answer before we "fire off" here.

Mr. MANSFIELD. Mr. President, I wish to associate myself with what the distinguished Senators from Rhode Island and Michigan have just said.

I can state without fear of successful contradiction, insofar as what the Senators have been talking about is concerned, we are in extremely good shape, I would say most excellent shape.

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I regard with the same concern expressed by other Senators the situation they have discussed.

I stated yesterday, and I reiterate in this context today, I think we should be guided not by the technique of following the leader, if the word "leader" can be used in the context of his horrible business, but instead by observing the necessities of our own security and that of the free world. If anything, we should show restraint at this time, when our hands are untied—everybody knows that and we are free to safeguard our own and the free world's security. This will serve us well, impressing deeply upon the heart and conscience of the world everything we have said about the rulers of Russia. I do not think it is the people, for I think the rulers may well be attempting to frighten their people in this way into believing we are going to attack them—which is, if that is their purpose, the biggest, most outrageous, brutal, and barbarous lie any group of men ever imposed upon those they rule—we are making it crystal clear that there is nothing to this, and no fear of it need be entertained.

I think the restraint which we are showing is best calculated to impress upon the world that we desire peace, that we will do our best in the terrible world in which we live to practice what we preach, and that the rulers of the U.S.S.R. are doing everything to validate what we have been telling the world they really are.

Mr. SPARKMAN. Mr. President, will the Senator yield briefly?

Mr. MANSFIELD. I yield.

Mr. SPARKMAN. Mr. President, I had a comment to add to the thoughts expressed by other Senators in regard to the explosion of a nuclear bomb by the Russians.

I do not think we should be surprised by what has happened. I think we had every reason to expect it. We knew when Russia announced that she was going to resume testing that she was near such a point. We have suspected Russia may have been doing some testing even before now. We know Russia was getting ready for testing, because it takes a considerable time to prepare for a test of a weapon of this nature.

The Senator from New York said something about frightening the people inside Russia, with respect to the danger of war. I think Russia is deliberately attempting to frighten the free world. I think this is part of a scare program centered around the Berlin crisis. Certainly we should not be surprised or allow ourselves to become excited.

CONVERSION OR EXCHANGE OF MATURED SERVICE LIFE INSURANCE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business, which I believe is Calendar No. 557, be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 669, H.R. 856.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 856) to amend section 704 of title 38, United States Code, to permit the conversion or exchange of policies of matured service life insurance to a new modified life plan.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PELL in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PADRE ISLAND NATIONAL SEASHORE RECREATION AREA GETS STRONG NEW SUPPORT

Mr. YARBOROUGH. Mr. President, more and more people are joining in strong support of my bill, S. 4, to make 88 miles of Padre Island in the Gulf of Mexico a national seashore recreation area, thereby preserving a great natural recreation site for use of all the people.

Two distinguished Texans who have joined in support of the Padre Island bill are Mr. Claude Carter, of Harlingen, Cameron County, former president of the Texas Bar Association, and Mr. Garland Smith, an outstanding lawyer and a civic and business leader, of Weslaco, Hidalgo County, in the Rio Grande Valley. These two gentlemen are leaders of character, integrity, and distinction, known through great areas of Texas.

Mr. Carter and Mr. Smith have assisted the able and distinguished Cameron County Judge Oscar C. Dancy in explaining to the public the importance of the Padre Island bill, not only as a recreational facility, but as a vast strengthening factor to the south Texas area economy.

The 88-mile provision they support is the same as the one included in the bill which was transmitted from the Public Lands Subcommittee to the Senate Interior and Insular Affairs Committee this week.

I request unanimous consent to print in the RECORD the following article which appeared in the Corpus Christi, Tex., Caller on August 25, 1961, under the title "Dancy Supported in Seashore Stand by Two Attorneys."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Corpus Christi Caller, Aug. 25, 1961]

DANCY SUPPORTED IN SEASHORE STAND BY TWO ATTORNEYS

BROWNSVILLE.—Two valley attorneys have joined Cameron County Judge Oscar C. Dancy in favoring the 88-mile-long national seashore area proposal for Padre Island. They support Dancy in his statement that its "ridiculous to think the Federal Government will not make provisions for roads in the proposed park area."

In a recent panel discussion, Weslaco attorney, Garland Smith said: "I find it impossible to understand the reasoning of people who say they have to have a commitment for a road from one end of the island to the other. To state there would be no roads would be just like stating that General Motors, when they make another model, are not going to put the motor in the cars.

"There isn't anything pending commercially here that would bring in more business, more money to the Rio Grande Valley, than the Padre Island seashore. I do not know of a single project that is now proposed by any chamber of commerce that would do as much for every town in the valley as the proposed park and yet they come out with these silly things, like roads."

Dancy, during the panel discussion when asked if the Brownsville Chamber of Commerce had changed their stand regarding a demand for road or road easement provisions in the seashore bills pending before Congress, said "They didn't do anything."

Dancy, in recent radio talks, charged the local chamber with "throwing a monkey wrench in the machinery by demanding road provisions." He asked them to change their stand, but to date, the chamber has refused to rescind a 1960 resolution on the matter.

The third member of the panel, Harlingen attorney, Claude Carter said: "I think it would be a tragedy if we passed the Kilgore-Young bill and fail to get the 88-mile road which would give us 7 miles in Cameron County. If we fail to get this seashore area, we must remember that we still have the Padre Island Causeway to pay off, on which we owe $3.75 million. If we get this seashore bill, in accordance with a similar situation in Cape Hatteras, that bridge will be paid for in a few years from the enormous amount of tourist traffic that will flow over the bridge as a result of the seashore."

Smith, a resident of adjacent Hidalgo County, said that even though none of the land was his county, "the better off the taxpayers of Cameron County are the better off we are in Hidalgo County."

Dancy said he will make two radio speeches Saturday and will "talk about the roads on the island."

"I am not too disappointed that the Texas Legislature did not take final action on the Padre Island matter because I am sure they will take care of it in October," Dancy said. "We have had fine cooperation between the State of Texas and the Federal Government and this isn't always the case. We have also had fine cooperation between the two great rival political parties on this and other seashore legislation."

CONVERSION OR EXCHANGE OF MATURED SERVICE LIFE INSURANCE

The Senate resumed the consideration of the bill (H.R. 856) to amend section

704, of title 38, United States Code, to permit the conversion or exchange of policies of matured service life insurance to a new modified life plan, which had been reported from the Committee on Finance, with an amendment, on page 4, after line 8, to insert a new section, as follows:

SEC. 2. (a) Subchapter I of chapter 19 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 725. Limited period for acquiring insurance

"(a)(1) Any person heretofore eligible to apply for participating national service life insurance between October 8, 1940, and April 24, 1951, both dates inclusive, shall, upon application made in writing within two years after January 1, 1962, submission of evidence satisfactory to the Administrator showing such person to be in good health at the time of such application, and payment of the required premiums, be granted insurance under the same terms and conditions as are contained in standard participating policies of national service life insurance.

"(2) All premiums paid and other income received on account of national service life insurance granted under the authority contained in this subsection and on any total disability income provision which may be attached thereto shall be segregated in the national service life insurance fund and, together with interest earned thereon, shall be available for the payment of liabilities under such life and disability insurance.

"(3) Notwithstanding the provisions of section 782 of this title the Administrator shall determine annually the administrative costs which in his judgment are properly allocable to such life and disability insurance and shall thereupon transfer the amount of such costs from any surplus otherwise available for dividends on such life and disability insurance from the national service life insurance fund to the general fund receipts in the Treasury. The Administrator of Veterans' Affairs is directed to submit to the Senate Committee on Finance and the House Committee on Veterans' Affairs, at the end of each fiscal year, a detailed report on additional costs occasioned by issuance of new policies under this section.

"(b) Any person heretofore eligible to apply for insurance under section 620 of the National Service Life Insurance Act of 1940, as amended, or subsection (a) of section 722 of this title, shall, notwithstanding any time limitation for filing application for insurance contained in such sections, upon application made in writing within two years after January 1, 1962, be granted insurance under subsection (a) of section 722 of this title, subject to the other limitations and conditions applicable to such insurance.

"(c) Any person heretofore eligible to apply for insurance under section 621 of the National Service Life Insurance Act of 1940, as amended, shall, upon application in writing made within two years after January 1, 1962, and submission of evidence satisfactory to the Administrator showing such person to be in good health at the time of such application and payment of the required premiums, be granted insurance under subsection (b) of section 723 of this title subject to the limitations and conditions applicable to such insurance, except that (1) until January 1, 1964, limited convertible term insurance may be issued but not renewed after the applicant's fiftieth birthday, and (2) the premiums charged for such insurance and for any total disability income provision which may be attached thereto shall include an additional amount for administrative costs as determined and fixed by the Administrator at the time of issue. The Administrator is authorized to transfer annually an amount representing such administrative costs from the revolving fund to the general fund receipts in the Treasury.

"(d) Notwithstanding the provisions of section 782 of this title, a medical examination when required of an applicant for issuance of insurance under subsection (a) or (c) of this section shall be at his own expense by a duly licensed physician.

"(e) No insurance shall be granted under this section to any person referred to in section 107 of this title."

(b) The analysis of subchapter I of chapter 19 of title 38, United States Code, is amended by adding at the end thereof the following:

"725. Limited period for acquiring insurance."

On page 7, after line 7, to insert a new section, as follows:

SEC. 3. (a) Section 314 of title 38, United States Code, is amended—

(1) by striking out "$19" in subsection (a) and inserting in lieu thereof "$20";

(2) by striking out "$36" in subsection ((b) and inserting in lieu thereof "$38";

(3) by striking out "$55" in subsection (c) and inserting in lieu thereof "$58";

(4) by striking out "$73" in subsection (d) and inserting in lieu thereof "$77";

(5) by striking out "$100" in subsection (e) and inserting in lieu thereof "$106";

(6) by striking out "$120" in subsection (f) and inserting in lieu thereof "$127";

(7) by striking out "$140" in subsection (g) and inserting in lieu thereof "$148";

(8) by striking out "$160" in subsection (h) and inserting in lieu thereof "$169";

(9) by striking out "$179" in subsection (i) and inserting in lieu thereof "$190";

(10) by striking out "$225" in subsection (j) and inserting in lieu thereof "$245";

(11) by striking out "$450" in subsections (k), (o), and (p) and inserting in lieu thereof "$500";

(12) by striking out "$309" in subsection (l) and inserting in lieu thereof "$335";

(13) by striking out "$359" in subsection (m) and inserting in lieu thereof "$385";

(14) by striking out "$401" in subsection (n) and inserting in lieu thereof "$435";

(15) by striking out "$150" in subsection (r) and inserting in lieu thereof "$200"; and

(16) by striking out "$265" in subsection (s) and inserting in lieu thereof "$285".

(b) The Administrator may adjust administratively, consistent with the increases authorized by this section, the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85–857 who are not in receipt of compensation pursuant to chapter 11 of title 38, United States Code.

On page 8, after line 24, to insert a new section, as follows:

SEC. 4. (a) Subsection (r) of section 314 of title 38, United States Code, is further amended by striking out "for all periods during which he is not hospitalized at Government expense" and inserting in lieu thereof the following: ", subject to the limitations of section 3203(f) of this title".

(b) Section 3203 of title 38, United States Code, is amended by adding at the end thereof the following:

"(f) Where any veteran in receipt of an aid and attendance allowance described in section 314(r) of this title is hospitalized at Government expense, such allowance shall be discontinued from the first day of the second calendar month which begins after the date of his admission for such hospitalization for so long as such hospitalization continues. In case a veteran covered by this subsection leaves a hospital against medical advice and is thereafter readmitted to hospitalization, such allowance shall be discontinued from the date of such readmission for so long as such hospitalization continues."

And, on page 9, after line 17, to insert a new section, as follows:

SEC. 5. Section 312(4) of title 38, United States Code, is amended by striking out "three" and inserting in lieu thereof "seven".

SEC. 6. Sections 3, 4, and 5 of this Act shall take effect on the first day of the second calendar month which begins after the date of enactment of this Act, but no payments shall be made by reason of such sections for any period before such effective date.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 856) was read the third time.

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent that the action of the Senate by which Calendar No. 669, H.R. 856, was read the third time be rescinded.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

PAYMENT OF ANNUITIES TO WIDOWS AND DEPENDENTS OF JUDGES OF TAX COURTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 706, H.R. 4317.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 4317) to amend the Internal Revenue Code for 1954 and incorporate therein provisions for the payment of annuities to widows and certain dependents of the judges of the tax courts of the United States.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (H.R. 4317) to amend the Internal Revenue Code of 1954 and incorporate therein provisions for the payment of annuities to widows and certain dependents of the judges of the tax courts of the United States, which had been reported from the Committee on Finance, with amendments, on page 13, line 16, after the word "service", to strike out "within the purview of section 3 of the Civil Service Retirement Act (5 U.S.C. 2253)" and insert "performed as a congressional employee (as defined in section 1(c) of the Civil Service Retirement Act (5 U.S.C. 2251 (c))"; in line 22, after the word "service", to strike out "but such annuity, reduced in accordance with subsection (d),

if applicable, shall not exceed 37½ percent of such average annual salary" and insert "but such annuity shall not exceed 37½ percent of such average annual salary and shall be further reduced in accordance with subsection (d), if applicable"; on page 16, afer line 15, to insert a new section, as follows:

SEC. 3. (a) Section 403(b) of the Internal Revenue Code of 1954 (relating to taxability of beneficiaries under annuities purchased by section 501(c)(3) organizations) is amended—

(1) by inserting before the comma at the end of paragraph (1)(A) the following: "or for an employee by an employer which is a public school system"; and

(2) by inserting before the period in the heading of such section the following: "OR PUBLIC SCHOOL SYSTEM".

(b) The amendment made by subsection (a) shall apply with respect to taxable years beginning after December 31, 1957.

And on page 17, after line 5, to insert a new section, as follows:

SEC. 4. (a) Section 809(d)(6) of the Internal Revenue Code of 1954 (relating to deduction for group life, accident, and health insurance) is amended—

(1) by striking out "group life insurance contracts and group accident and health insurance contracts" and inserting in lieu thereof "accident and health insurance contracts (other than those to which paragraph (5) applies) and group life insurance contracts"; and

(2) by striking out the heading and inserting in lieu thereof "CERTAIN ACCIDENT AND HEALTH INSURANCE AND GROUP LIFE INSURANCE"

(b) Section 815(c)(2)(C) of such Code (relating to policyholders surplus account) is amended by striking out "group life and group accident and health insurance contracts" and inserting in lieu thereof "accident and health insurance and group life insurance contracts".

(c) Section 832(b) of such Code (relating to definitions) is amended—

(1) by striking out paragraph (3) and inserting in lieu thereof the following:

"(3) UNDERWRITING INCOME.—The term 'underwriting' means the premiums earned on insurance contracts during the taxable year less—

"(A) losses incurred and expenses incurred, and

"(B) the allowance for accident and health insurance contracts (determined under paragraph (7)).";

(2) by adding at the end thereof the following new paragraph:

"(7) ALLOWANCE FOR ACCIDENT AND HEALTH INSURANCE.—The allowance under paragraph (3)(B) for accident and health insurance contracts is an amount equal to 2 percent of the premiums earned for the taxable year attributable to accident and health insurance contracts, except that such allowance for the taxable year and all preceding taxable years shall not exceed an amount equal to 50 percent of the premiums earned for the taxable year attributable to such contracts."

(d) The amendments made by this section shall apply to taxable years beginning after December 31, 1960.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. LONG of Louisiana. Mr. President, there have been so many conferences going on all over the floor, while the amendments have been agreed to, that I would raise the question whether the Senate at this time knows upon what it is legislating or to what amendments it has agreed. As one Senator sitting here, I do not know where we are from a parliamentary point of view.

The PRESIDING OFFICER. The Senate has agreed to four committee amendments.

The bill is open to further amendment.

Mr. KERR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KERR. What is the calendar number of the pending business?

The PRESIDING OFFICER. Calendar No. 706.

Mr. DOUGLAS. Mr. President, may I inquire as to the status of Calendar No. 557?

The PRESIDING OFFICER. Calendar No. 557 was laid aside temporarily.

The question is now on the passage of Calendar No. 706.

Mr. GORE. Mr. President, while I have no objection to the basic bill now before the Senate, I do have serious reservations about one of the Finance Committee amendments, section 4, which is the substance of the bill S. 397.

This bill H.R. 4317 seeks to provide for the payment of annuities to widows and dependents of judges on the U.S. Tax Court. This is in line with similar provisions affecting the other Federal courts.

This committee amendment, on the other hand, would permit life insurance companies to deduct an amount equal to 2 percent of the premiums from individual accident and health insurance contracts when determining gain or loss from operations for income tax purposes.

Permitting this deduction for income tax purposes can have no justification on its own merits. Indeed, none has been shown. Proponents of the bill allege that a special deduction is allowed for group business, and since there are few essential differences between group and individual business in this field, a similar deduction should be allowed for individual business. Or, as the leadoff witness for the life insurance companies, in testifying before the Finance Committee, expressed it:

> Without going into any details, this 2-percent deduction would equalize the individual policy as against the group policy.

This is neither a true statement nor a valid argument.

Clearly, the risk undertaken by the writer of individual health and accident policies is not nearly so great as the risk undertaken by the writer of group policies. The company writing a group policy for a large industrial concern, such as the plant in Texas where an explosion resulted in the loss of several hundred lives, could, conceivably, be bankrupt by a single occurrence. The possibility of such a catastrophe or disaster affecting this many holders of individual policies written by a single life insurance company is highly unlikely.

It has never been shown, however, that this 2-percent deduction was justified, even for group business. Risk is properly diversified, where circumstances so warrant, by reinsurance. Furthermore, I am unaware of any principle of taxation or of life insurance underwriting which provides for diversification of risk through such a direct reduction of taxes on net profits.

It has been argued by those in favor of this provision that many small companies have achieved a high-risk position in writing individual health and accident business merely as a result of the successful operations of a single agent in a single community. Where such a situation has resulted from the voluntary actions of the company, it would seem that reinsurance would be dictated by prudent management.

It is difficult to imagine that the cumulative risk voluntarily assumed by companies handling individual policies is sufficiently great to warrant a special tax concession. Even should the risk be great, it is impossible for me to see how a tax concession would be appropriate as a compensation for this voluntary risk taking. As a witness before the committee pointed out, "Considerations of prudent management, State supervision, and available reinsurance procedures would appear to place the writing of individual accident and health policies on a sound actuarial basis within the capacity of the individual company."

From another point of view, this provision is not an "equalizer." No similar deduction is allowed casualty companies when they write either group or individual health and accident business. Permitting life companies a 2-percent allowance based on premium receipts on individual health and accident business would, then, create still another favoritism, and instance of unequal tax treatment as between competing companies. Some of these casualty companies are also quite small and write a fairly concentrated business. Clearly, the proposed deduction would result in highly selective benefits, depending upon the extent of a particular life company's activity in the individual health and accident field. Thus the proposed amendment would perpetrate another inequity in our tax laws while seeking to alleviate an alleged existing one.

Whether or not the risks undertaken by two companies, the one writing individual health and accident policies and the other writing group policies, are equal is peripheral to the discussion. Although the committee claims that this amendment, providing for the deduction of 2 percent of premiums on individual health and accident insurance by life insurance companies in determining their gain or loss from operations, is necessary in view of a similar deduction in the Life Insurance Company Income Tax Act of 1959 for premiums on group health and accident business, in my view there is no valid reason for allowing the 2-percent deduction in the case of either group or individual business.

The Finance Committee, as it has so often done in the past when presented with an instance of unequal tax treatment, has chosen to equalize through liberalization rather than to pursue the more painstaking path of examining the justification for the bellwether provision.

Justification of an additional favoritism because of the existence of another cannot be a sound argument. Two steps taken in the wrong direction are, obviously, not the same as one step along the right path.

In a quest for fairness and equity in the tax laws, it seems to me that the Finance Committee should consider the removal of a special privilege as a means toward equalization where unequal treatment now exists. The action of the committee in adopting this amendment has resulted only in a recommendation for the creation of two inequities, as against the taxpaying public, where only one existed before. I do not believe this to be a salutary process.

Life insurance companies have shown no need for tax relief. Passage of this measure is not sought on the basis of need or relief of undue hardship. As an industry, life insurance companies are among the more lightly taxed. An additional tax cut does not seem justified.

The revenue lost to the Government by the enactment of this measure, although not large by some standards, could certainly be used to good advantage. Funds are required now for the buildup of our military forces, for economic and technical aid to underdeveloped countries, for the exploration of space, and for scientific research in the laboratory.

The creation of unnecessary tax loopholes was never wise; today, such a practice is indefensible from any viewpoint.

I do not consider the proposed legislation to be a major measure and, therefore, on Friday afternoon before Labor Day I shall not ask for a yea-and-nay vote. I do point out the inadvisability of this measure and the undeserved character of the tax relief provided.

Mr. KERR. Mr. President, I ask unanimous consent that a statement with reference to H.R. 4317 as reported by the Committee on Finance be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

H.R. 4317: ANNUITIES FOR WIDOWS OF JUDGES OF THE TAX COURT

H.R. 4317 provides a survivor annuity system for widows and dependent children of Tax Court judges. As amended by the Committee on Finance, it is in all substantial respects identical to the survivor annuity system Congress provided for Federal judges in 1956. The maximum benefit to a widow of a Tax Court judge under the bill is $8,437.50 per year (based on 30 years' service at $22,500). The maximum additional benefit for dependent children is $360 per child with an overall limitation of $900. To qualify for this maximum benefit the judge will have to make contributions of 3 percent of his salary for 30 years or a total of $20,250.

Under the bill the judge must have at least 5 years of covered service to qualify for survivor benefits. Widows will receive annuities starting at age 50 unless there are dependent children, in which case benefits will begin immediately. A widow's benefit will terminate on her death or remarriage, and children's benefits will terminate on death, marriage, or attaining age 18.

H.R. 4317, as passed by the House, would have provided survivors of Tax Court judges somewhat greater annuities than widows of Federal judges get under the 1956 law. Your committee believed there was no justification for this difference and the House-passed bill was amended in two respects to conform its benefit formula to the formula in the 1956 law.

The Committee on Finance also added two new provisions to the House bill. The first insures that amounts contributed by a State or local government toward the purchase price of an annuity for an employee of a public school system will qualify for the 20 percent exclusion allowed by section 403(b) of the Internal Revenue Code in the same manner and to the same extent as if the annuity were purchased for an employee of an organization described in section 501(c)(3), relating to educational, charitable and religious organizations. Under present interpretation, employees of public schools are taxed currently on employer contributions toward an annuity contract while employees of private schools are not. This comes about because public schools are not "organizations described in section 501(c)(3)." Your committee felt it was unreasonable to require public schools to make application for exemption from tax under a particular section of the law when the Federal Government has no power under the Constitution to tax such activities in the first place. This committee amendment clarifies present practice by treating public school employees in the same manner as private school employees are treated for purposes of section 403(b). This clarifying amendment will apply to 1958 and subsequent years, the same as the effective date of section 403(b).

The other provision added to the House bill your committee broadens in two respects the deduction of 2 percent of premiums attributable to group accident and health insurance contracts now allowed life insurance companies for purposes of the phase 2 tax or underwriting income. First, the deduction is extended to individual accident and health policies written in 1961 and thereafter. This will be of special benefit to smaller life insurance companies which ordinarily do not write substantial group contracts but which may be active in the market for individual accident and health policies where risks frequently are greater. Second, your committee has eliminated any competitive advantage this 2-percent deduction has given life insurance companies over casualty companies writing similar policies by providing that it is to be available to casualty companies with respect to accident and health policies written by them in 1961 and thereafter. Mutual casualty insurance companies, however, will receive no tax benefit from this new deduction because it is an adjustment in determining underwriting income and under existing law mutual insurance companies are not taxed on their underwriting income. However, if they become taxable on their underwriting income as the President recommends, they would benefit from this 2-percent deduction.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 4317) was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "An Act to amend the Internal Revenue Code of 1954 and to incorporate therein provisions for the payment of annuities to widows and certain dependents of the judges of the Tax Court of the United States, and for other purposes."

Mr. KERR. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PAYMENT OF DIVIDENDS UNDER NATIONAL SERVICE LIFE INSURANCE ACT OF 1940

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 458, H.R. 5439.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 4539) to amend section 723 of title 38, United States Code, to provide for immediate payment of dividends on insurance heretofore issued under section 621 of the National Service Life Insurance Act of 1940.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. KERR. Mr. President, I ask unanimous consent that a statement with reference to H.R. 4539 as approved by the Senate Committee on Finance be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON H.R. 4539

The general purpose of the bill is to provide, under certain conditions, for the payment in cash of one special dividend on policies of insurance issued originally between April 25, 1951, and January 1, 1957, under section 621 of the National Service Life Insurance Act of 1940 (NSLI Act), to persons who applied therefor within 120 days after release from active duty (most of whom are Korean conflict veterans). Dividends are not now payable on such insurance.

The 5-year term insurance issued under section 621 of the NSLI Act was originally nonconvertible (could not be converted to permanent plan insurance), and nonparticipating (no dividends are payable thereon.) The premium rates for this insurance are based on the Commissioners 1941 Standard Ordinary Table of Mortality and interest at the rate of 2¼ percent per annum. These premiums have resulted in a surplus in the revolving fund of about $60 million which is growing at the rate of $6 to $7 million yearly. It is this surplus which the special dividend is intended to reduce.

The bill would require the Administrator to determine the administrative cost to the Veterans' Administration of paying the special dividend and transfer the amount thereof from the surplus in the revolving fund to the appropriations, "General operating expenses, Veterans' Administration." Also, future surpluses arising in the revolving fund in excess of the actuarial liabilities of the fund, including contingency reserves, are to be transferred from time to time to the general fund receipts in the Treasury.

There is no legal entitlement in the policyholders to the surplus that has accrued in the revolving fund because under the terms of the statute the contract provides that the insurance shall be nonparticipating. However, as pointed out above, the insureds have paid considerably higher premiums than necessary. Accordingly, as a matter of

equity it is reasonable for the Congress to distribute this surplus under the conditions generally proposed. The Veterans' Administration recommends favorably consideration of the bill by your committee.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

Mr. KERR. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CONVERSION OR EXCHANGE OF MATURED SERVICE LIFE INSURANCE

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of Calendar No. 669, H.R. 856.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 856) to amend section 704 of title 38, United States Code, to permit the conversion or exchange of policies of matured service life insurance to a new modified life plan.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate resumed the consideration of the bill.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MORTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORTON. Mr. President, have the committee amendments already been agreed to?

The PRESIDING OFFICER. The committee amendments have been agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the action by which the committee amendments were agreed to be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORTON. Mr. President, I do not know what parliamentary procedure to follow, but I suggest that the two committee amendments be treated separately. Such action will serve the purpose of the amendment which I offered to the bill to strike section 2, the national service life insurance amendment.

I should like to make clear that I have no quarrel with the national service life insurance amendment. The Senate has passed it on five separate occasions. It has passed it as an amendment on a bill which the House passed at this session and which now lies on the desk of the Speaker of the House. It has been made clear that the House will not take action at this session on any bill containing that amendment.

I know the sincerity and deep feeling that my friend and colleague the Senator from Louisiana [Mr. LONG] has on this subject. He is indeed anxious to have the House consider this proposal, which has passed the Senate five times. On one occasion as many as 70 Senators sponsored the bill. I think, if I am not mistaken, the bill passed unanimously in this body. Nevertheless, if we are to get any cost-of-living increase for the service-connected disabled veterans of this Nation at this session of Congress, we shall have to separate this increased compensation provision from the national service life insurance program and the reopening of that program. The two are not connected. The two cover different areas of benefit to our servicemen, and I for one am not willing to go home and not give a deserved cost-of-living increase to the disabled veterans of this Nation merely because we have hit a parliamentary hassle between the two bodies of Congress.

I therefore hope that the Senate will consider separately the two committee amendments: one, section 2; the other, section 3. If they cannot be voted on separately, I will offer an amendment, which was jointly submitted by me and the Senator from Delaware [Mr. WILLIAMS] on the 18th of this month, known as 8–18–61—A, which, on page 4, beginning with line 9, would strike out all of section 2, and then renumber sections 3 through 6 as sections 2 through 5, respectively.

The PRESIDING OFFICER. The Chair informs the Senator that the amendments can be voted on separately.

Mr. MORTON. In that case, Mr. President, I ask that they be voted on separately.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. SCOTT. I understand what the Senator from Kentucky seeks to do is supported by the Disabled Veterans of America and by other veterans' organizations. Is that correct?

Mr. MORTON. It is supported by the Disabled American Veterans, the Veterans of Foreign Wars, and by the AMVETS. They have no objection to the national service life insurance program, and to giving our veterans an opportunity to enter that program, but they realize that unless we break this logjam, which has developed between the view of the House Veterans' Affairs Committee and the view of the Senate, there will be no legislation to benefit the disabled veterans who have service-connected disabilities. We will not have an opportunity to do anything for them at this session.

Mr. SCOTT. I commend the distinguished Senator for his constant and continuing interest in veteran and other programs. I hope the proposal of the Senator from Kentucky will be adopted.

Mr. LONG of Louisiana. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LONG of Louisiana. I am perfectly willing to have the matter come to a vote, and it does not make too much difference to me whether it comes on the Senator's motion to strike or on the so-called national service life insurance amendment. I do wish to discuss the matter, however, before a vote on it is reached. I should like to pose a parliamentary inquiry. On what basis is this question coming to a vote? Is it coming to a vote on the amendment itself or on the motion to strike? Either one would be satisfactory to me.

Mr. MORTON. Since the Chair has announced that the amendments can be voted on separately, I suggest that we do that.

The PRESIDING OFFICER. The question is on inserting a new section 2.

Mr. LONG of Louisiana. Can there be a vote on the national service life insurance amendment?

Mr. MORTON. That is agreeable to me.

Mr. LONG of Louisiana. I ask unanimous consent that the committee amendment with the exception of sections dealing with national service life insurance, be agreed to, and that the Senate then proceed to vote, when discussion has been concluded, on the national service life insurance portion, which I shall discuss.

Mr. MORTON. That is section 2. We can vote on section 2. According to the Senator's request, section 3, which is the other amendment, stays in the bill.

Mr. LONG of Louisiana. That is correct.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The portion of the committee amendment agreed to is as follows:

SEC. 3. (a) Section 314 of title 38, United States Code, is amended—

(1) by striking out "$19" in subsection (a) and inserting in lieu thereof "$20";

(2) by striking out "$36" in subsection (b) and inserting in lieu thereof "$38";

(3) by striking out "$55" in subsection (c) and inserting in lieu thereof "$58";

(4) by striking out "$73" in subsection (d) and inserting in lieu thereof "$77";

(5) by striking out "$100" in subsection (e) and inserting in lieu thereof "$106";

(6) by striking out "$120" in subsection (f) and inserting in lieu thereof "$127";

(7) by striking out "$140" in subsection (g) and inserting in lieu thereof "$148";

(8) by striking out "$160" in subsection (h) and inserting in lieu thereof "$169";

(9) by striking out "$179" in subsection (i) and inserting in lieu thereof "$190";

(10) by striking out "$225" in subsection (j) and inserting in lieu thereof "$245";

(11) by striking out "$450" in subsections (k), (o), and (p) and inserting in lieu thereof "$500";

(12) by striking out "$309" in subsection (l) and inserting in lieu thereof "$335";

(13) by striking out "$359" in subsection (m) and inserting in lieu thereof "$385";

(14) by striking out "$401" in subsection (n) and inserting in lieu thereof "$435";

(15) by striking out "$150" in subsection (r) and inserting in lieu thereof "$200"; and

(16) by striking out "$265" in subsection (s) and inserting in lieu thereof "$285".

(b) The Administrator may adjust administratively, consistent with the increases authorized by this section, the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85–857 who are not in receipt of compensation pursuant to chapter 11 of title 38, United States Code.

SEC. 4. (a) Subsection (r) of section 314 of title 38, United States Code, is further amended by striking out "for all periods

during which he is not hospitalized at Government expense" and inserting in lieu thereof the following:

", subject to the limitations of section 3203(f) of this title:.

(b) Section 3203 of title 38, United States Code, is amended by adding at the end thereof the following:

"(f) Where any veteran in receipt of an aid and attendance allowance described in section 314(r) of this title is hospitalized at Government expense, such allowance shall be discontinued from the first day of the second calendar month which begins after the date of his admission for such hospitalization for so long as such hospitalization continues. In case a veteran covered by this subsection leaves a hospital against medical advice and is thereafter readmitted to hospitalization, such allowance shall be discontinued from the date of such readmission for so long as such hospitalization continues."

SEC. 5. Section 312(4) of title 38, United States Code, is amended by striking out "three" and inserting in lieu thereof "seven".

SEC. 6. Sections 3, 4, and 5 of this Act shall take effect on the first day of the second calendar month which begins after the date of enactment of this Act, but no payments shall be made by reason of such sections for any period before such effective date.

Mr. MORTON. What we have agreed to leave in the bill as an amendment, and which has already passed the House, is a very modest increase for our disabled veterans.

In the lower sections it amounts to changing the amount from $19 to $20; then from $36 to $38; from $55 to $58; from $73 to $77; from $100 to $106; from $120 to $127; from $140 to $148; and so on.

These are modest increases. There has been no change in the compensation since 1957.

I am sure we all agree that these modest increases in compensation to our service-connected disabled veterans are justified and long overdue.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. DIRKSEN. I understand that the total amount involved is roughly $88 million and that it has Budget approval. Is that correct?

Mr. MORTON. The Budget approval was for a slightly lower amount. This amount is what passed the House, which is in the neighborhood of $88 million. The point I make is that we are in agreement. We passed unanimously the national service life insurance amendment, which is of interest to many of us. However, we are not going to get the benefits for the disabled veterans if we include the national service life insurance amendment in the bill. That amendment is now in the House of Representatives, on the Speaker's desk. Any Member who has supported the national service life insurance amendment on the other bill can easily vote to strike it from this bill, because that provision is now on the Speaker's desk. If the House sees fit to act on it, it will act on it. However, the House has indicated to us that it may not act on it. Therefore, why jeopardize compensation to our disabled veterans by insisting on including the national service life insurance amendment in the pending bill?

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. JAVITS. I should like to ask the Senator if a vote of "no" would mean that the Senator's position would be sustained, because the vote would be on the committee amendment.

Mr. MORTON. That is correct.

Mr. JAVITS. The Senator is not offering an amendment of his own, is he?

Mr. MORTON. No. If we want to get any increased compensation for our disabled veterans, we must vote "no."

Mr. JAVITS. I am in favor of the proposal, and have so written many veterans on this subject. However, I appreciate the position of the Senator. As is always true in the Senate, we must depend on one of our colleagues in the Senate, like the Senator from Kentucky in this instance, or as in other cases, on my colleague from New York [Mr. KEATING], or on myself, to alert us in connection with a situation of which a colleague in the Senate has special knowledge. I am grateful to the Senator from Kentucky for alerting us on this matter.

Mr. MORTON. I thank the Senator.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. KEATING. I should like to ask the Senator if the other bill which we passed, and which I supported—and my position has been to give veterans a further opportunity to apply for insurance—was limited solely to the insurance proposition.

Mr. MORTON. No; it contained increased compensation for disabled veterans, but in a somewhat lower amount. After the House passed the bill for compensation to disabled veterans, our committee slightly added to it and added the national service life insurance provision as a committee amendment. The Senate passed the bill unanimously and sent it back to the House. It is now on the Speaker's desk. The chairman of the Veterans' Affairs Committee of the House has indicated that so long as the national service life insurance amendment is in the bill the House will not take it up. Now we have put in the pending bill the identical increments in the compensation for service-connected disabled veterans which are in the House-passed bill.

Mr. KEATING. The pending bill is a House bill.

Mr. MORTON. It is a House bill. It is also an insurance bill.

Mr. KEATING. But the House sent another bill to us; is that correct?

Mr. MORTON. Yes; to which we attached the pending bill including the national service life insurance feature. It is a House-passed bill, which passed the House unanimously. Contained in the House bill was the substance of section 1, which deals with term insurance. We added two amendments to it in committee, one dealing with national service life insurance, which we had already passed a few weeks ago, which the House will not touch; and we also added increased compensation for disabled veterans.

My point is that if we strike section 2 from the bill, we shall have a bill which is exactly, word for word, the same as the bills that have passed the House unanimously. Therefore, there will be no question of a conference. We have every reason to expect that the House will pass it, and that it will be signed into law. Then we shall have done something. We shall have taken a modest step toward giving a cost-of-living increase to our disabled veterans.

Mr. LONG of Louisiana. I ask for the yeas and nays on the amendment.

The yeas and nays were not ordered.

Mr. KERR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. LONG of Louisiana. Mr. President, I shall have to insist that a quorum be present.

Mr. MANSFIELD. Mr. President, I withdraw my request.

The PRESIDING OFFICER. The clerk will resume the call of the roll.

The legislative clerk resumed the call of the roll, and the following Senators answered to their names:

[No. 181]

Aiken	Humphrey	Randolph
Case, S. Dak.	Javits	Schoeppel
Church	Keating	Scott
Curtis	Kerr	Talmadge
Douglas	Kuchel	Thurmond
Dworshak	Long, La.	Wiley
Engle	Mansfield	Williams, N.J.
Gore	McNamara	Williams, Del.
Hart	Morton	Young, Ohio
Holland	Pell	

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ALLOTT, Mr. BARTLETT, Mr. BIBLE, Mr. BURDICK, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CAPEHART, Mr. CARROLL, Mr. CASE of New Jersey, Mr. CLARK, Mr. DIRKSEN, Mr. DODD, Mr. ELLENDER, Mr. ERVIN, Mr. FONG, Mr. GOLDWATER, Mr. GRUENING, Mr. HARTKE, Mr. HAYDEN, Mr. HICKENLOOPER, Mr. HICKEY, Mr. HILL, Mr. JACKSON, Mr. JOHNSTON, Mr. JORDAN, Mr. LONG of Missouri, Mr. LONG of Hawaii, Mr. MCGEE, Mr. METCALF, Mr. MILLER, Mr. MUNDT, Mr. MUSKIE, Mrs. NEUBERGER, Mr. PASTORE, Mr. PROXMIRE, Mr. ROBERTSON, Mrs. SMITH of Maine, Mr. SPARKMAN, Mr. STENNIS, Mr. TOWER, and Mr. YARBOROUGH, entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the committee amendment inserting section 2.

Mr. LONG of Louisiana. Mr. President, I ask for the yeas and nays on the committee amendment.

The yeas and nays were ordered.

Mr. LONG of Louisiana. Mr. President, I hope Senators will remain long enough to hear what this vote is all about, because, in my opinion, this will be one of the most important votes cast in this Congress. The issue involved on this particular question is much more important than the substantive legislative proposal which we are considering.

Here is the problem we face. The Senate Committee on Finance has a number of times recommended to the Senate, and the Senate has a number of times passed by unanimous vote, the proposal that veterans of World War II and the Korean war be offered an opportunity to take out national service life insurance.

In view of the unanimous votes that have repeatedly occurred in the Senate, it might sound as though this is not a controversial measure. Yet, it is a very controversial measure. Most Senators have received a great volume of mail, generated by insurance companies and insurance salesmen, demanding either that they withdraw their sponsorship of this legislation or that they vote against it.

Not a single Member of this body has yet opposed a measure of this nature on its merits. There is one Member who, I assume, will vote against it at this time on its merits, but up to this time there has not been a single Member of this body who has taken the floor to speak or vote against the measure, a similar bill having previously been passed by a vote of 75 to 0. Senators have had as many as 75 letters a day, urging them to back off. They have not done so, notwithstanding the great amount of mail generated by insurance salesmen.

On the other hand, on the House side, the rules of the House are such that it is possible for a committee chairman to prevent a measure that has been passed unanimously by the Senate from ever coming to a vote in the House of Representatives; and that is what has been happening with regard to this particular measure.

This year the chairman of the House committee wrote the Senate. I put his letter in the RECORD a few days ago. He said that if we are going to pass a measure of this sort we should hold hearings.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. GORE. Mr. President, I insist that there be order in the Chamber.

The PRESIDING OFFICER. There will be order.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. GORE. Will the Senator indicate to the Senate to whom the letter was addressed?

Mr. LONG of Louisiana. It was a letter addressed by the chairman of the House Veterans' Affairs Committee to the chairman of the Senate Committee on Finance, the gentleman from Virginia [Mr. BYRD].

I put this letter in the RECORD with the consent of both chairmen. As a matter of fact, I understand the chairman of the House Veterans' Affairs Committee said he would like to have this letter made a matter of record. Here is what he proposed as of March 6, this year:

> It seems to me that a matter of this importance should be handled in the normal legislative way; that is, that hearings should be held and the matter should be considered on its merits rather than placed as a rider on a bill which is not related to the subject under discussion.

I feel that the amendment is relevant to this bill. Even if it were not, it was my impression, and it is still my impression, that one Member of one House does not have the right to tell the other House how it must legislate. When the Senate passes a bill and sends it to the House, or the House passes a bill and sends it to the Senate, it is entirely within the control of the House possessing the bill and papers to act in any fashion that it cares to act.

The chairman of the committee went on to say:

> As you know, this has happened each time that the so-called Long amendment has passed the Senate. It has never been the subject of hearings—

Once again, a House Member tells the Senate how it should act. In this case, hearings have been held by the Senate Committee on Finance—

> and it has never been a subject which has been debated or considered on its merits alone.

The reason that it has never been debated on the negative side is that it has passed unanimously each time it has come up. Therefore, there has been debate on only one side of the issue, because no one has taken the negative side of the question.

The chairman goes on:

> I am writing with all due respect and in no effort whatsoever to influence or suggest the course of action which you or your committee should follow, but nevertheless to express the hope that the substance of the Long amendment—

That is an amendment which I offered for myself and 29 other Senators—

> will not be added to H.R. 856, or to any other bill which the Committee on Veterans' Affairs has reported and sent to the Committee on Finance for consideraion. If this occurs I feel that I must say that I will be constrained to object on that ground alone and I will not take the matter up or ask for a conference between the two Houses if an amendment is added containing the Long proposal. I say this with all due respect for you and your great committee.

What does that mean? In the first place, we are being told by a House chairman how we should legislate—that we will have to conduct hearings, and that we must not offer amendments unless they are relevant—and that even if we do so, he is not going to submit the measure to conference, although it was passed in the Senate by unanimous vote.

What was the attitude of the Senate Committee on Finance on this question? Here is a committee of the Senate which is bound, by the Constitution, not to originate revenue bills, but it is a committee which must consider major revenue bills, tax measures, and tariff measures, which generate revenues.

If we are to accept this type of mandate, it is tantamount to saying the House chairman can tell the Senate, in advance, that it cannot legislate at all, that we are to conduct hearings, and, that even if we do all these things, the measure will still not be considered, and will not be accorded the courtesy of a conference.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. ERVIN. Am I correct in my understanding that the Senator from Louisiana has pointed out that the writer of this letter said he was not making any suggestions? Am I to understand that the Senator from Louisiana agrees with that interpretation and says this is not a suggestion, but a threat?

Mr. LONG of Louisiana. It is a mandate.

What is the attitude of the Senate Committee on Finance on this question? Well, the Senate committee agreed with my argument that a single Member of the House cannot veto Senate-passed legislation in advance, without the matter having been considered by the House itself; that the Senate is entitled to amend important bills that come from the House. That is particularly true of a committee which is bound by the Constitution not to originate legislation of a revenue nature. In a great number of cases the only way we can legislate on such measures is to amend bills. When we are told in advance that we will not be permitted the courtesy of a conference, and that the House will not be permitted to act on the bill, that is tantamount to a single Member of the House having vetoed in advance Senate-passed legislation.

What will it mean if we agree to this? It will mean that in advance a House committee chairman—whether it is the chairman of the Veterans' Affairs Committee or the chairman of the powerful Ways and Means Committee or any other chairman—can tell us, "If you see fit to put an amendment on a bill passed by the House and sent to the Senate, it will not be considered. It is like saying: "You must not legislate."

I think one of the most valuable rights which exists in this democracy is the right of any group to have its case heard on the floor of the Senate, even if the case is urged by a single Senator, even if the Senator has to fight the committee. If the Senate agrees with the Senator's position, it then becomes the position of the U.S. Senate and it is no longer the position of an individual Senator.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. TALMADGE. Is it not true that the Congress of the United States, by a two-thirds vote, can override even the wishes of the President of the United States, if he should veto legislation?

Mr. LONG of Louisiana. Yes.

Mr. TALMADGE. Does the Senator think that one Member of Congress, one Member of the House of Representa-

tives, who happens to be the chairman of a committee, ought to assume a greater power than the President of the United States could exercise when it involves legislation?

Mr. LONG of Louisiana. It does not seem right to me. I suspect that this particular measure would be a subject on which the President's veto might very well be overridden, because it is extremely popular with veterans. Potentially its passage could benefit 16 million veterans.

If we agree to this type of procedure, then we are agreeing in advance that a Member of the House, a single Member, a chairman of a committee, can veto Senate action before the Senate acts. We can bend our knee if we wish to bend our knee. We can foreclose the right of a Senator to stand on this floor, to carry his point, and to have his point considered in conference. We can foreclose the right of a Senator to fight a conference report because the Senate conferees yielded too easily.

I have exercised that right myself, on occasion. So has the Senator from Illinois. So has the Senator from Delaware. Many other Senators have fought to maintain their positions on this floor. Occasionally they have been successful in opposing conference reports. The Senator from Tennessee [Mr. GORE] did that with respect to the atomic energy bill.

We can foreclose and surrender our rights. We can be bullied. We can back down if we wish to. I say if we are going to yield to the chairman of the House Veterans' Affairs Committee this easily, before the second shot is ever fired, then it will take the House or President Kennedy to save us from Khrushchev, because if we will not stand up to a single Member of the House, I do not think a majority here will be able to stand up to Khrushchev.

The threat has been handed to us. We have been told that we shall not be permitted to legislate. We have been told that we shall not be permitted a conference.

The Senate Committee on Finance agreed to stand up as a group of men and say, "If that is how it is to be, we propose to amend a number of major measures. We will amend the veterans' pension bill and the life insurance conversion bill and roll those bills up into one big package and send it to the House, and then stand pat to see what happens. We stand ready to talk about it, and we request conference."

The day the house is permitted to debate and vote on the measure I shall be willing to accept the mandate of the House. But I am not willing to bow down to a single House Member or to urge the Senate to bend its knee to a single House Member, when the Senate is unanimous.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. ROBERTSON. I fully agree with the Senator's position in respect to bowing down to a single Member. That is not the position the House took when one Member of this body objected to the House language in a Post Office Department appropriation bill last year, which language would have authorized the free delivery of unaddressed mail in the big cities. The House then took the position that only one Member of the Senate was opposed, and that the House should not yield to him.

Will the Senator, before he concludes his remarks, give us an explanation of a statement in the report which implies there is not the objection of only one Member. The statement appears on page 12. It is the statement of J. S. Gleason, Jr., Administrator of the Veterans' Administration.

> I do not recommend favorable consideration of the proposed legislation by your committee.

The reference is to the Senator's amendment.

> The Bureau of the Budget advises that it strongly recommends against enactment of the bill and that there is no objection to the submission of this report to your committee.

We do not have before us any hearings, but we have the statement of the Veterans' Administration and of the Bureau of the Budget that they are both very strongly opposed to the proposal. I should like for the Senator to explain that to the Senate.

Mr. LONG of Louisiana. Here are the Senate hearings, for the benefit of the Senator.

The Bureau of the Budget has consistently been against this proposal. It has consistently taken the attitude which the insurance companies have taken in respect to it.

I doubt very much that the Bureau of the Budget is speaking for the administration, because President Kennedy was a sponsor of this bill no later than last year. I doubt very much that the President of the United States has any enthusiasm for defeating a bill which he favored, to the extent of placing his name on it as a cosponsor. He also voted for the bill when he was in the Senate.

I have seen such incidents occur before. I have seen the Bureau of the Budget come to the Congress to say that something was not in accord with the policy of the President, and I have seen the President veto the bill although he was supposed to be in favor of it. I have seen this work in both ways.

In my judgment, there is no doubt that the President would sign the measure if it went to his desk.

The Senate has unanimously passed the measure a number of times, and so has the committee, although it recognized that the Veterans' Administration and the Bureau of the Budget did not support it.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. GORE. As the able Senator knows, the junior Senator from Tennessee has had the honor and opportunity to serve in both Houses of the Congress. Throughout the history of this country it has been necessary for both Houses to observe rules of comity. When such situations as this have occurred before, to such an extremity, it has upon occasion become necessary for the leadership of the two Houses to meet to preserve comity between the two Houses of Congress.

I respectfully suggest that this is an extreme situation. There is extreme provocation. I join with the distinguished junior Senator from Louisiana in a rejection of an attempt to dictate to the Senate how it shall legislate and upon what it shall legislate, with a refusal to consider the recommendation of the Senate.

I respectfully suggest that the Senator has made his point. The Senator has made his case. We can have a yea and nay vote. If the attitude continues, the Vice President, the majority leader, and the minority leader can call upon the leadership of the other body to see that comity between the two Houses is preserved.

Mr. LONG of Louisiana. The Senator is correct. Furthermore, the Senator has not mentioned the President of the United States. Why should we be so terrified and run for fear of a legislative logjam, and why should we fear an impasse? So far we have not given the President an opportunity to demonstrate how he feels should he exercise his leadership in this field. The President has demonstrated he is capable of leading this country and the Congress. He has exercised considerable leadership upon the Congress.

If we are going to retreat, we do not have to do so yet. We can stand our ground for quite a while, with honor, to see exactly how far the House insists on going and how far a single Member insists on going, and how far the veterans' organizations propose to retreat.

Frankly, the veterans' organizations have been told, by memorandums sent to them by the House Veterans' Affairs Committee, that there is no chance for the legislation, that it will not be considered, that it will not be permitted to come to a vote, and that it could not pass if it did.

All I say is, "Let the House vote on it. Let the House do what it wishes. Let there be done in the House what any Senator can do, which is to make a position clear, to make an argument, to have a vote when Members understand the issue.

A Senator can argue his side of the case. If a majority agrees with him, he will prevail.

Incidentally, this outstanding and powerful chairman is one of those who voted to liberalize the Rules Committee of the House, so that the administration's program would have a better opportunity to be presented and voted upon. If that is to be the case, why not let the Senate's position be considered and voted upon?

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. DOUGLAS. Turning from procedure to substance, is it not true that the amendment of the Senator from Louisiana provides there will be no ultimate net cost to the Government?

Mr. LONG of Louisiana. It could cost about $125,000 per year, because of coverage of certain persons who are insurable, although they are not as good a

risk as they would be had they not incurred some service-connected disability.

For the benefit of the service-connected disabled, there could be some small cost. However, the so-called cost of $7 million a year indicated in some letters is only illusory, because that is a cost to be paid by the veterans themselves as a part of the premiums on the insurance.

Mr. DOUGLAS. In other words, the administrative costs would be provided by the veterans and not by the Government.

Mr. LONG of Louisiana. Yes; 99 percent of such costs.

Mr. CURTIS. Mr. President, I am very desirous to see the second amendment adopted by the Committee on Finance passed by the Senate and become law. It has been agreed to before. I understand that the Senate had agreed to it earlier today.

The point is that if the Senate agrees to the first amendment, which relates to section 2, as offered by the distinguished Senator from Louisiana [Mr. LONG], it is my opinion that this very urgent section, which provides an increase in compensation for service-connected disabled veterans, will not become law.

I commend the distinguished Senator from Kentucky [Mr. MORTON]. He has consistently supported this measure. He has today stated his position on the floor of the Senate. He offered the amendment for increased compensation to disabled veterans in the Committee on Finance and the amendment was accepted.

Today we are faced with the wisdom of joining or not joining two different propositions. The question is not whether one agrees with the amendment to open up national service life insurance to more veterans, as proposed by the distinguished Senator from Louisiana [Mr. LONG]. I happen to be opposed to the Long amendment. I have always voted against it in committee. I have never voted for it in the Senate. I have had printed in the RECORD statements in opposition to the amendment. But that is beside the point. I am in the minority. The Senate has repeatedly agreed to the Long amendment. But we are faced with a legislative logjam. For a period of years, going back many years, the House Committee on Veterans' Affairs has taken a position against the opening up of national service life insurance along the lines proposed by the distinguished Senator from Louisiana.

The chairman of the House committee is not speaking his own opinion only. He is repeating the position taken through the years by the House committee.

The Senate has already passed the Long amendment. It is on the Speaker's desk. If we want a meeting of the leadership to iron out questions of comity, the leadership can do so on legislation that has already passed.

We are faced not with a theory, but with a practical situation. Will Congress adjourn without enacting into law a measure to increase the compensation of service-connected disabled veterans or not? In my opinion, we should follow the course proposed by the Senator from Kentucky. Incidentally, the distinguished Senator from Kentucky [Mr. MORTON] is for both measures. He does not oppose the insurance proposal. But he—as does everyone else who has studied the question—realizes that the only way we can take care of the service-connected disabled veterans is through means other than loading the bill with an amendment on which there is much controversy between the House and the Senate.

I sincerely hope that the vote on the committee-approved Long amendment will be "nay"—not as an expression of approval or disapproval of the Long amendment, but for the purpose of enacting into law this year a modest increase in compensation for veterans who have borne the battle and are disabled by reason of their service.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. MORTON. I thank the Senator for what he has said. I should like to ask a question. In order to help the disabled veterans at this session of Congress, the vote on the pending question should be "nay." Is that correct?

Mr. CURTIS. Yes. A vote of "nay" should not be understood as rejecting the Long amendment, but against an unwise joining.

Mr. KERR. Mr. President, I hope that the amendment of the Senator from Louisiana [Mr. LONG] will be retained in the bill. Certainly the Senate is entitled to have its position considered by the House of Representatives. If there is a difference between the Houses, the Senate is entitled to a conference. There is no reason why the bill providing compensation in title 2 should not become law at this session of Congress. If there is a desire on the part of the House that the measure become law—as there surely is because the House has passed the measure "I believe unanimously—we can go to conference either on H.R. 879, which the Senate has passed and which is now on the Speaker's desk, or on H.R. 669, which is the pending business before the Senate.

I think the Senate should pass the bill as it was brought to the Senate by the Committee on Finance, insist on the amendments of the Senate, and ask the House for a conference. If our leadership needs to talk to the leadership of the House in order to get a conference, I believe they will be effective in their efforts and approach.

The PRESIDING OFFICER. The question is on the committee amendment inserting section 2. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HICKEY (when his name was called). On this vote I have a pair with the senior Senator from Oregon [Mr. MORSE]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the senior Senator from Connecticut [Mr. BUSH]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Utah [Mr. MOSS], the Senator from Ohio [Mr. LAUSCHE], the Senator from Georgia [Mr. RUSSELL], the Senator from Washington [Mr. MAGNUSON], the Senator from Florida [Mr. SMATHERS], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Massachusetts [Mr. SMITH], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Oregon [Mr. MORSE] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], and the Senator from New Mexico [Mr. CHAVEZ], are absent because of illness.

I further announce that, if present and voting, the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Washington [Mr. MAGNUSON], and the Senator from Massachusetts [Mr. SMITH] would each vote "yea."

On this vote, the Senator from New Mexico [Mr. ANDERSON] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from Arkansas [Mr. FULBRIGHT] is paired with the Senator from Delaware [Mr. BOGGS]. If present and voting, the Senator from Arkansas would vote "yea," and the Senator from Delaware would vote "nay."

On this vote, the Senator from Minnesota [Mr. MCCARTHY] is paired with the Senator from New Hampshire [Mr. COTTON]. If present and voting, the Senator from Minnesota would vote "yea," and the Senator from New Hampshire would vote "nay."

On this vote, the Senator from Utah [Mr. MOSS] is paired with the Senator from Vermont [Mr. PROUTY]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Vermont would vote "nay."

On this vote, the Senator from Missouri [Mr. SYMINGTON] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Missouri would vote "yea," and the Senator from Nebraska would vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] is absent because of death in his family, and his pair has been previously announced.

The Senator from Nebraska [Mr. HRUSKA] is absent on official business.

The Senators from Maryland [Mr. BEALL and Mr. BUTLER], the Senator from Utah [Mr. BENNETT], the Senator from Delaware [Mr. BOGGS], the Senator from New Hampshire [Mr. COTTON], and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

The Senator from Vermont [Mr. PROUTY], the Senator from Kentucky [Mr. COOPER], and the Senator from North Dakota [Mr. YOUNG] are detained on official business.

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from New Mexico [Mr. ANDERSON]. If present and voting, the Senator from Utah would vote "nay," and the Senator from New Mexico would vote "yea."

On this vote, the Senator from Delaware [Mr. BOGGS] is paired with the Senator from Arkansas [Mr. FULBRIGHT]. If present and voting, the Senator from Delaware would vote "nay," and the Senator from Arkansas would vote "yea."

On this vote, the Senator from New Hampshire [Mr. COTTON] is paired with the Senator from Minnesota [Mr. MCCARTHY]. If present and voting, the Senator from New Hampshire would vote "nay," and the Senator from Minnesota would vote "yea."

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Missouri [Mr. SYMINGTON]. If present and voting, the Senator from Nebraska would vote "nay," and the Senator from Missouri would vote "yea."

On this vote, the Senator from Vermont [Mr. PROUTY] is paired with the Senator from Utah [Mr. Moss]. If present and voting, the Senator from Vermont would vote "nay," and the Senator from Utah would vote "yea."

The result was announced—yeas 50, nays 18, as follows:

[No. 182]

YEAS—50

Aiken	Hart	McNamara
Bartlett	Hartke	Metcalf
Bible	Hayden	Monroney
Burdick	Hill	Muskie
Byrd, W. Va.	Holland	Neuberger
Cannon	Humphrey	Pastore
Carroll	Jackson	Pell
Case, N.J.	Javits	Proxmire
Clark	Johnston	Randolph
Dodd	Jordan	Robertson
Douglas	Keating	Sparkman
Ellender	Kerr	Stennis
Engle	Kuchel	Talmadge
Ervin	Long, Mo.	Williams, N.J.
Fong	Long, Hawaii	Yarborough
Gore	Long, La.	Young, Ohio
Gruening	McGee	

NAYS—18

Allott	Goldwater	Scott
Capehart	Hickenlooper	Smith, Maine
Case, S. Dak.	Miller	Thurmond
Curtis	Morton	Tower
Dirksen	Mundt	Wiley
Dworshak	Schoeppel	Williams, Del.

NOT VOTING—32

Anderson	Cooper	McClellan
Beall	Cotton	Morse
Bennett	Eastland	Moss
Boggs	Fulbright	Prouty
Bridges	Hickey	Russell
Bush	Hruska	Saltonstall
Butler	Kefauver	Smathers
Byrd, Va.	Lausche	Smith, Mass.
Carlson	Magnuson	Symington
Chavez	Mansfield	Young, N. Dak.
Church	McCarthy	

So the committee amendment inserting section 2 was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. LONG of Louisiana. Mr. President, to save the time of the Senate, I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared on the merits of the amendment on which the Senate just voted.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR LONG OF LOUISIANA

I. INTRODUCTION

The U.S. Government's policy of providing insurance for servicemen dates back to the War Risk Insurance Act of 1914, under which a Bureau in the Treasury Department was authorized to insure American vessels and cargoes, and subsequently the crewmembers of these vessels. After the U.S. entry into World War I, Congress, on October 6, 1917, amended the War Risk Insurance Act to establish a program of yearly renewable term insurance against death or total permanent disability for servicemen, permitting them to secure protection additional to that available under the program of fixed disability and death compensation. This contractual insurance continued in force after discharge, and could in most instances be converted to a permanent plan.

By the act of May 29, 1928, Congress provided that an insurable World War I veteran who had been eligible during service to apply for war risk insurance could apply at any time for new insurance (designated U.S. Government life insurance, USGLI) up to $10,000. This USGLI postservice insurance program was replaced on October 8, 1940, by the national service life insurance (NSLI) program. Thus, the privilege of applying for the more liberal USGLI was no longer available to inservice personnel. However, by virtue of the May 29, 1928, legislation, World War I veterans continued to be eligible to apply for USGLI coverage.

Following the precedent established for World War I veterans, Congress by the act of August 1, 1946, authorized the issuance of national service life insurance to insurable veterans of service during the period between October 8, 1940 (the beginning date of the NSLI program) and September 2, 1945 (the ending date of World War II hostilities). The act also provided for the issuance of nonparticipating (non-dividend-paying) insurance to veterans of the same period of service who were insurable except for a service-connected disability.

On April 25, 1951, Public Law 23 of the 82d Congress was enacted. As a substitute for the contractual form of insurance, this law covered all inservice personnel with an automatic gratuitous $10,000 indemnity against death while in service (or within 120 days after separation). In addition, veterans who had been covered by this indemnity could under certain circumstances apply for contractual insurance after separation from service. Veterans' special term insurance (nonparticipating, on a 5-year level premium plan) could be issued to nondisabled veterans upon application received within the 120-day period immediately following separation. Service-disabled veterans' insurance (nonparticipating, on a convertible term or permanent plan) could be issued to veterans suffering from a service-connected disability upon application within the 1-year period immediately following administrative determination that the applicant was suffering from such disability which impaired his insurability.

Effective January 1, 1957, the servicemen's indemnity program was discontinued by Congress. At the same time, the availability of veterans' special term insurance to persons separated from service after December 31, 1956, was terminated. Thus, since January 1, 1957, the only form of Government insurance issuable to any veteran is the service-disabled veterans' insurance.

II. EXPLANATION OF THE BILL

The proposed legislation would establish a 2-year period, beginning January 1, 1962, during which nondisabled veterans and servicemen who served during the period between October 8, 1940 (beginning date of the NSLI program) and January 1, 1957 (termination date of the servicemen's indemnity program), would be eligible to apply for coverage under the NSLI program. Service-disabled personnel separated on or after April 25, 1951, would be given the same 2-year period to apply for coverage under the service-disabled veterans' insurance program.

Nondisabled veterans and servicemen obtaining insurance during the extended period would bear the administrative costs resulting from their participation in the program, through a reduction of dividend payments in the participating group, or a loading of premiums in the nonparticipating group. The administrative costs resulting from new service-disabled veterans' insurance policies would be borne by the Government. In neither case would present policyholders be in any way affected; the new policies would be formed into and paid from a completely separate fund.

III. REASONS FOR THE LEGISLATION

The primary argument in support of extending the period during which World War II and Korean veterans may apply for Government insurance coverage is the fact that both groups had only a relatively short period following separation from service during which they could obtain the form of veterans' insurance for which eligible. For the World War II veteran, this privilege was terminated on April 25, 1951, not quite 5 years after Congress first authorized the issuance of this insurance to veterans. For veterans of the Korean conflict, the act of April 25, 1951, provided only a 120-day period following separation during which a nondisabled veteran could apply for coverage. The service-disabled Korean veteran was given 1 year during which to apply. On the other hand, the privilege of obtaining USGLI was open to the veteran of World War I from October 6, 1917, until April 25, 1951, a period of more than 33 years' duration.

The act of April 25, 1951, which became Public Law 23 of the 82d Congress, took effect abruptly, immediately upon enactment. Eligible veterans who had intended to secure protection had scant warning that the privilege was about to be terminated. In this connection, an excerpt from a 1953 report of the then House Subcommittee on Insurance is pertinent:

"Writing with the ink of the present it is often possible to see how things in the past could have been done better and more effectively. Perhaps in the case of Public Law 23 it would have been better to have made

the effective date prospective rather than immediate" (p. 3, House Committee Print No. 171, 83d Cong., 1st sess., Nov. 2, 1953).

It should also be noted that termination was not requested or agreed to by the various veterans' organizations.

A germane question is why World War II veterans, by far the largest group which the proposed legislation would affect, did not secure national service life insurance during their time in service, or during the period August 1, 1946, to April 25, 1951. The great majority of these servicemen, it appears, did apply for and secure some amount of coverage. During the war, about 95 percent of the inservice personnel were insured for an average amount of approximately $9,000 per person. Up to December 31, 1947, the Veterans' Administration had issued a total of 19,306,406 NSLI policies; of this number, however, only 6,099,000 remained in force on that date. Thus, approximately 9 out of 10 of the veterans primarily affected by the proposed legislation did apply for and pay premiums on one or more national service life insurance policies during their inservice period.

However, there are approximately 16 million veterans who would be eligible to obtain NSLI policies under the proposed legislation; the great majority of these are veterans of World War II, who allowed their coverage to expire following separation from service. Some of the reasons why so many veterans failed to maintain their policies in force following separation are fairly obvious. Probably the majority of veterans in this category were beset with economic problems related to their return to civilian life. While in service, most men were paying premiums by payroll deduction. Upon discharge, it became necessary to pay the Veterans' Administration direct in order to keep the policy in force. Those veterans who were without employment were not in a good position to pay the premiums. The same is true of those who went to school under the GI bill for several years.

Insurance statistics indicate that the average American male is most likely to obtain life insurance when between ages 35 and 40. This is the period when his responsibilities strongly dictate obtaining coverage, and his earnings are most nearly adequate to the need. Yet, the average veteran of World War II was 30 years of age when the right to obtain some form of national service life insurance was withdrawn. With respect to veterans of the Korean conflict, the average age was much lower when the privilege of making postservice application for veterans' special term insurance was terminated. Many of these men were only 21 or 22 years of age at the time.

Furthermore, as to Korean veterans, a period of 120 days following separation from service was an inadequate opportunity to apply for the insurance available to them. Those released during the last 4 months of 1956 had even less than 120 days in which to apply. Those who remained in service beyond December 31, 1956, were absolutely barred from securing any Government insurance unless they could establish a service-connected disability.

Another problem with respect to veterans of the Korean conflict has to do with the type of insurance for which they were eligible to apply. With the enactment of Public Law 85-896, effective January 1, 1959, Congress made the veterans' special-term insurance convertible to permanent plans or exchangeable for limited convertible term plans at greatly reduced costs. It is possible that many more of these veterans would have made postservice application for the special-term insurance, had they known it would later be made convertible.

The expense of the proposed extension to the Government is not expected to exceed $150,000 in the first year. Estimates of the Veterans' Administration over a 5-year period indicate that the average cost for 5 years of the proposed new NSLI program would be approximately $300,000 per year. The extremely low cost of this proposal stems from the fact that, with the exception of service-disabled Korean veterans eligible for service-disabled veterans' insurance, the administrative costs would be borne by the new policyholders. In addition, it should be reiterated that reopening the opportunity to obtain NSLI coverage would in no way affect existing policyholders, since the new policies would form an entirely separate fund.

It might be said that the prime consideration supporting the enactment of this legislation is simply the justice of the matter. Veterans who failed to obtain national service life insurance or who failed to maintain their policies in force following separation from service should be given another chance to acquire the insurance, on the same terms and subject to the same conditions as other veterans of like class. The tremendous inequality inherent in a situation where a relatively small body of the population of a country make the sacrifice of valuable years of life and endure the dangers of war for the benefit of the entire nation dictates some form of compensation for that minority. Any opportunity to benefit as many as 16 million veterans at no appreciable cost to the taxpayer is worthy of consideration.

IV. ARGUMENTS AGAINST THE PROPOSAL

1. Reopening the national service life insurance program for a limited period, it is said, would violate the policy that the Federal Government should reduce to the extent feasible commercial activities. This policy is said to have found expression in the enactment of Public Law 23 on April 25, 1951. A companion argument is that the issuance of new national service life policies would place the Government in unfair competition with private insurance carriers.

The administration of insurance maintained in force after separation of a veteran from the Armed Forces amounts to a service more than a business operation. The question of whether the Government is engaging in unfair commercial competition by offering insurance at cost certainly cannot be limited to veterans' insurance. The same argument is applicable to the entire social security program, for example. In the latter instance, Congress has concluded that virtually every person should be required to carry insurance against certain basic hazards. Such insurance is carried at cost, with annual taxes comparable to premiums. The social security annual tax amounts to $10.8 billion, and annual benefits come to $10.7 billion.[1] In the case of veterans' insurance, annual premiums and annual payments are less than 1 percent of the amount collected by social security and Government retirement programs. The same case can be made with respect to Government insurance, railroad retirement, and other insurance programs in which the Government participates.

The opportunity to obtain insurance at cost is one which the Government made available to veterans, as a measure of gratitude to those who were called upon to make an unequal sacrifice in time of national peril. Having granted this opportunity at a time when the majority of veterans were either uninterested or unable to take advantage of it, this proposal is simply that the chance be reextended at a time when most who failed are in a better position to avail themselves of it.

[1] Figures for fiscal 1960.

2. Commercial insurance is available at comparable rates. Tables will be included elsewhere in this report demonstrating the fact that rates for a like kind and amount of commercial insurance are anything but comparable. In all instances, the net cost of commercial insurance is considerably higher than the net cost of national service life insurance, even when the Veterans' Administration's estimated $5 per year administrative cost is added to the cost of NSLI. In some cases, commercial insurance is over 500 percent more expensive than NSLI.

V. ESTIMATED COST OF THE PROPOSAL

The total cost of this proposal to the Government would depend upon the number of applications received and the number of policies issued thereunder. There are approximately 16 million veterans who would be eligible to apply for insurance. If 1 million of these applied, the following estimates have been put forward by the Veterans' Administration.

The experience of the Veterans' Administration to date indicates that insurance issued to nondisabled veterans under the national service life insurance program is self-supporting, but that insurance issued to service-disabled veterans is not. The loss on the latter insurance has averaged about $90 per policy per year. The Government will be required to bear this excess cost (claims above income from premiums) on service-disabled veterans' insurance issued under the proposed extension. If, out of 1 million applicants for all types of insurance under the proposal about 1,600 policies of service-disabled insurance are issued, the excess claim cost on such insurance will be about $54,000 for the first year, $126,000 for the second, $144,000 for each of the next 3 years.

On participating (dividend-paying) insurance issued under the proposed legislation the Government would be required to bear the excess mortality costs, the costs of waiver of premiums, and the cost of the total disability benefits arising from the extra hazards of military service. If 1 million applications are received, it is assumed that 725,000 policies of participating insurance will be issued, that the average face amount of such policies will be $6,500, and that 2 percent of future claims on such insurance will be traceable to the extra hazards of service. On these assumptions, the extra hazard cost to the Government would be about $75,000 for the first year, $175,000 for the second, and $200,000 for each of the next 3 years.

Only a small fraction of the administrative costs on the new policies would be borne by the Government—that portion of administrative costs occasioned by service-disabled veterans' policies issued under the proposal. The remainder of the administrative costs will be borne by the new policyholders themselves. If 1,600 service-disabled policies were issued, taking the administrative cost per policy to be about $5 per year, the total administrative cost to the Government occasioned by this proposal would be in the neighborhood of $8,000 per year.

The following table demonstrates the above estimates:

Year	Service-disabled benefit cost	Service-disabled extra hazard cost	Service-disabled administrative costs	Total
1st	$54,000	$75,000	$8,000	$137,000
2d	126,000	175,000	8,000	309,000
3d	144,000	200,000	8,000	352,000
4th	144,000	200,000	8,000	352,000
5th	144,000	200,000	8,000	352,000

These cost figures are based on estimates provided by the Veterans' Administration. According to that source, if the effective date of the proposed legislation remains at January 1, 1962, these costs will be somewhat higher. The figures given are predicated upon the adoption of a change proposed by the Veterans' Administration—that the effective date of the bill be set at 1 year from the date of enactment.

It should also be pointed out that the number of applications for insurance under the proposed legislation could greatly exceed the 1 million assumed. This factor would mean that the above cost figures would be increased appreciably.

VI. Comparative annual net costs for commercial and NSLI policies (premiums, including premium waiver, less dividends), $10,000 insurance

	5-year term (1st 5 years) at age—			30-payment life (1st 20 years) at age—		
	30	35	45	30	35	45
Aetna	$58.40	$70.00	$120.20	$204.68	$226.80	$306.85
Metropolitan	61.62	72.08	125.50	223.03	246.94	322.30
New York Life	59.78	70.02	117.04	229.59	254.58	339.02
Equitable	59.88	66.28	118.72	202.20	225.50	302.70
North West Mutual	44.91	56.10	103.00	198.85	219.39	286.70
Travelers	58.40	69.60	117.20	212.35	238.90	320.60
NSLI:						
With $5 administrative expense added	15.90	17.00	55.00	149.80	176.40	258.20
Without the $5 administrative charge	10.90	12.00	50.00	144.80	171.40	253.20

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 856) was passed.

The title was amended, so as to read: "An act to amend title 38, United States Code, to permit the conversion or exchange of policies of national service life insurance to a new modified life plan, and for other purposes."

Mr. KERR. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. LONG of Louisiana. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KERR. Mr. President, I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BYRD of Virginia, Mr. KERR, Mr. LONG of Louisiana, Mr. SMATHERS, Mr. WILLIAMS of Delaware, and Mr. CARLSON conferees on the part of the Senate.

ESTABLISHMENT OF NATIONAL WILDERNESS PRESERVATION SYSTEM

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 610, S. 174, the so-called wilderness bill, and that it be the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (S. 174) to establish a national wilderness preservation system for the permanent good of the whole people and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments.

LEGISLATIVE PROGRAM—ORDER FOR ADJOURNMENT UNTIL TUESDAY, SEPTEMBER 5, 1961, AT 9 A.M.

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished majority leader whether he contemplates any further business today or tomorrow and what the schedule will be for the following week.

Mr. MANSFIELD. Mr. President, so far as the schedule for the rest of the day is concerned, we have just "had it." I think that now there will be nothing but speeches. There will be no further proposed legislation to consider today.

On behalf of the distinguished minority leader and myself, I take this means to congratulate the Senate on a week's work well done. Personally, I did not think it would be possible to finish by tonight the proposed legislation which was scheduled. I had anticipated that there would have been a meeting tomorrow, and would have bet on it; but I am as glad as anyone else to have a few days off and to have a rest in the meantime.

Mr. President, I ask unanimous consent that at the conclusion of its business tonight, the Senate adjourn until 9 o'clock on Tuesday morning next.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, on Tuesday next, the wilderness bill will be before the Senate. Its consideration may well take all of Tuesday and a part, if not all, of Wednesday.

On Wednesday morning it is anticipated that a group of Senators, under the leadership of the distinguished Senator from Rhode Island [Mr. PASTORE], will engage in a "round robin" on the subject of residual oil imports.

On Wednesday, following the conclusion of action on the wilderness bill, it is hoped to take up the bill having to do with the establishment of a Department of Urban Affairs and Housing. The consideration of that bill may well go into Thursday.

On Thursday a group of Senators, led by the minority leader, the distinguished Senator from Illinois [Mr. DIRKSEN], will engage in a "round robin" having to do with steel prices, or something to that effect.

Following the conclusion of action on the bill to establish a Department of Urban Affairs and Housing, it is anticipated that the next item for consideration—and this really is quite hopeful—will be the impacted areas aid bill, the national defense education bill. I hope the distinguished senior Senator from South Dakota [Mr. MUNDT] is in the Chamber, so that he may have reassurance about the impacted areas bill.

Mr. MUNDT. I am happy to have the information.

Mr. MANSFIELD. Then the rest of us can express the hope that there will be no further amendments of that type to other bills.

Mr. JAVITS. Mr. President, will the Senator from Montana yield on that particular point?

Mr. MANSFIELD. I yield.

Mr. JAVITS. The Senator speaks of the national defense education bill. The only bill which the committee has reported is a rather comprehensive bill with extensive amendments to the National Defense Education Act. The committee has not reported any simple extension bill. I wondered to what bill the Senator from Montana was referring.

Mr. MANSFIELD. I do not see the Senator from Oregon [Mr. MORSE] in the offing. So far as I know, the bill to be considered will be a bill reported by the committee.

Mr. CLARK. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. CLARK. As a member of the subcommittee, what bothers me about that statement is that a day or two ago, when the question was raised, the Senator from Arizona [Mr. GOLDWATER] stated that he would propose a number of amendments to the national defense education bill. The Senator from New York [Mr. JAVITS] and I know about them. They are controversial amendments. The consideration of that bill could easily take a week. If it is desired to have a simple bill for the extension of impacted areas legislation, we shall have to get one on the calendar.

Mr. MANSFIELD. I do not see the chairman of the subcommittee, the Senator from Oregon [Mr. MORSE], who has left the Chamber temporarily. All I can go by is what is on the calendar. I shall discuss the proposal with the Senator from Oregon on Tuesday next.

Mr. JAVITS. If the Senator from Montana will substitute "an" for "the", that will take care of it. That will then mean that the Senate will consider an impacted areas bill for the extension of the present law.

Mr. MANSFIELD. That will take us to Thursday.

Mr. MUNDT. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. MUNDT. I agree with what the Senator from Pennsylvania has said. Both bills are meritorious. The Senate

has expressed itself favorably on both of them. However, the impacted areas bill has the element of urgency. I hope it may be passed on its own merits and be sent on its way. Then we can put the national defense education bill on its own feet and get it on its way.

Then I hope we may have the helpful support of the majority leader, if necessary, to lay on the table temporarily some bill which might come along to delay the passage of that bill or forestall the passage of the impacted areas bill.

Mr. MANSFIELD. The suggestion of the Senator from South Dakota will be given every consideration.

Mr. McNAMARA. Mr. President, before he leaves the subject, will the majority leader yield?

Mr. MANSFIELD. I yield.

Mr. McNAMARA. I am absolutely opposed to the procedure outlined for dealing with the education bills. The Senate has passed a good education bill. It includes the other items about which we are talking. I think we ought to remain in exactly that posture.

Mr. MANSFIELD. That was what I understood the position of the Senator from Michigan to be.

Mr. RANDOLPH. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. RANDOLPH. Mr. President, I thought I heard mention made of a round robin on residual oil imports. Could I be enlightened as to the purpose of the so-called round robin?

Mr. MANSFIELD. The Senator from West Virginia will find out on Wednesday morning, when a number of Senators from New England will take the floor to make their views known to other Senators and to their constituents. On Thursday morning there will be a round robin on steel prices.

Mr. RANDOLPH. Presumably the Senators from New England will plead for a scrapping of the quota system, which has partially held in check the residual oil from Venezuela and other areas. The dumping of this product at almost any price has injured competitive fuels, such as coal mined in West Virginia and many other States.

Mr. MANSFIELD. That is what Senators will speak about on Wednesday.

Mr. RANDOLPH. I know; but a number of Senators, including my vigilant colleague, the Senator from West Virginia [Mr. ROBERT C. BYRD], are opposed to that damaging proposal. Senators from New England apparently want residual oil to be dumped into the United States so as to deprive our hard-pressed coal producers of their markets.

Mr. MANSFIELD. I suggest that the Senator from West Virginia join forces in opposition to the Senators from New England.

Mr. RANDOLPH. We shall do so in a vigorous manner, as we have done in the past.

Mr. MANSFIELD. However, I point out that if Senators wish to get away this year before Thanksgiving, they will have to get down to business and perhaps cut down a little on "round robins."

Mr. HUMPHREY. If we have too many round robins, there will not be any robins around.

Mr. HOLLAND. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. I do not know about the effort on the part of any other Senators, but I am certain both Senators from Florida will wish to join in such an expression, because Florida is wholly dependent upon residual fuel oil. We cannot get coal delivered at any reasonable freight rate at all. That is not the fault of the producers of coal. However, Florida is a large, growing State. There is a great demand for power and all other things which require the use of fuel. Our residual oil supplies have been cut off, in large measure, by the quota system. We are against that system and want to have it terminated in any way we can.

We have no quarrel with our friends from the coal area. They cannot bring the coal to us in bushel baskets. The freight rates are so high that the coal producers cannot ship coal to us.

Mr. MANSFIELD. Mr. President, if I may continue with the schedule, on Friday, September 8, the Mexican labor bill will be considered.

Mr. ELLENDER. Will there be a round robin on that bill? I heard there was to be one.

Mr. MANSFIELD. This schedule is, of course, very tentative. I feel quite certain we will not have the luck next week that we had this week.

Also, on Friday, September 8, election law changes on a national scale, as provided in a measure introduced by the Senator from Nevada [Mr. CANNON]; and District of Columbia election law proposals, as contained in a measure introduced by the other Senator from Nevada [Mr. BIBLE].

On Saturday, September 9, it is hoped that the Senate will be able to get to the proposed change in rule XXII.

The appropriation bills are still to be forthcoming before then.

Mr. DIRKSEN. Mr. President, I wish to give the distinguished majority leader some comfort: The purple martins have gone, but the hegira of the robins will not take place for a little while; they will still be around. [Laughter.]

Mr. DOUGLAS. Mr. President, what will be the pending business next Tuesday morning?

The PRESIDING OFFICER. The wilderness bill.

Mr. DOUGLAS. When is Calendar No. 557, House bill 2244, to be considered? It is the tax bill.

Mr. MANSFIELD. Some time next week, I hope.

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter from Stanley Surrey, Assistant Secretary of the Treasury, opposing House bill 2244. The letter is not included in the Finance Committee report, and I believe the letter should be made available in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 12, 1961.

Hon. HARRY F. BYRD,
Chairman, Senate Finance Committee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of this Department on H.R. 2244, a bill "Relating to the deduction for income tax purposes of contributions to charitable organizations whose sole purpose is making distributions to other charitable organizations, contributions to which by individuals are deductible within the 30-percent limitation of adjusted gross income."

The income tax law has long allowed a deduction, subject to limitations, for contributions made to educational, charitable, religious, and other similar organizations. In 1952 the general limit of the deduction in the case of individuals was raised from 15 percent to the present 20 percent of an individual's adjusted gross income.

In 1954 Congress provided in section 170 (b) (1) (A) for the allowance, in the case of contributions made directly to churches, educational organizations, or hospitals, of a deduction in an amount not to exceed 10 percent of an individual's adjusted gross income. Such 10 percent was to be in addition to the 20 percent allowed generally in the case of charitable contributions, with the consequence that a total deduction of 30 percent was made possible. The purpose for allowing the additional 10 percent was to encourage gifts that would, by being made directly to certain designated types of charities that had sustained rising costs and a relatively low rate of return on endowment funds, immediately benefit such organizations to the extent of the full value of the contributed property.

H.R. 2244 would extend the additional 10 percent deduction allowed under section 170(b) (1) (A) to contributions made to an organization exempt from tax under section 501 which is organized and operated exclusively for the purpose of distributing its net earnings for each taxable year to churches, educational organizations, and hospitals described in section 170(b) (1) (A) and which, if it may distribute any portion of the principal, may make such distribution only to one or more of such organizations. The allowance of the additional 10 percent deduction would thus be extended to include contributions to a conduit organization which in turn makes distributions solely to churches, educational organizations, and hospitals.

The only distribution which a conduit organization is required to make under H.R. 2244 is of its annual net earnings. There is no necessity for a current gift of principal. Accordingly, in the absence of a discretionary gift of principal, the immediate benefit to the organizations presently described in section 170(b) (1) (A) would be only in the amount, if any, of the current earnings derived from the gift. Since such a gift would not immediately benefit churches, educational organizations, and hospitals, to the extent of the full value of the contributed property, the allowance of the additional 10 percent deduction for such a gift would not serve the purpose for which section 170(b) (1) (A) was originally enacted. The Senate report to the 1954 Code emphasized that contributions in order to qualify for such additional deduction had to be "paid to the organization and not for the use of the organization." To be brief, the effect of H.R. 2244 in many situations would be to increase the general 20 percent limit on charitable contributions to 30 percent.

Viewed in another way, a gift to a conduit organization permits the donor in many circumstances to maintain control over the contributed property and, in effect, to make a gift of only part of the value of the contributed property. For example, in the case of stock in family corporations, the maintenance as a practical matter by the donor of voting rights is of great value. It would in such circumstances, therefore, not be consistent with the purpose of section 170(b)(1)(A) to allow a deduction for the full value of the gift.

If legislation to extend the additional 10 percent deduction to conduit organizations were to be enacted, it would seem logical that since the full contribution to the churches, educational organizations, and hospitals, the intended beneficiaries of section 170(b)(1)(A), is in effect deferred as long as the conduit organization holds the property, the 10 percent additional deduction for gifts that produce immediate benefit to such organizations should also be deferred until the gift of the contributed property to such organizations is completed. If such deferral of the 10 percent deduction were not provided for, as is the case with H.R. 2244, the effect in many situations might well be to discourage immediate gifts to churches, educational organizations, and hospitals, since, other things being equal, gifts would be made in a deferred manner thorugh conduit organizations rather than directly. The donor, even though making a deferred gift, would be able to retain substantial practical control over the contributed property and yet would receive a current deduction for the full value of such property.

For the foregoing reasons, the Treasury Department opposes the enactment of H.R. 2244.

The Bureau of the Budget has advised the Treasury Department that there is no objection from the standpoint of the administration's program to the presentation of this report.

Sincerely yours,

STANLEY S. SURREY,
Assistant Secretary.

Mr. HUMPHREY. Mr. President, I believe it is well understood that there will be no more votes tonight. Some Senators wish to submit statements or other matters for the RECORD.

LABOR DAY

Mr. KUCHEL. Mr. President, now, more than ever before, we have cause to give thanks to an American tradition of hard work and the dignity of labor. We enjoy the world's highest standard of living. We boast the highest levels of productivity. Indeed, we are a model to all nations of the benefit of labor, and most significantly, the benefit of labor in a free and individual society.

Thus, it is entirely fitting that we survey the achievements and reckon the gains of labor on a special day—fittingly known as Labor Day. It is set aside to commemorate the successful toil of American men and women in the cause of progress and freedom.

As Samuel Gompers pointed out some 50 years ago:

Labor Day differs in every essential from the other holidays of the year in any country. All other holidays are in a more or less degree connected with conflicts and battles of man's prowess over man, of strife and discord achieved by one nation over another. Labor Day is devoted to no man, living or dead; to no sect, race, or nation.

Celebration of the first Labor Day took place on September 5, back in 1882. Members from the nascent labor unions of New York and places nearby marched along Broadway to publicly show the strength and esprit de corps of their ranks. The idea had originated with Peter J. McGuire, a leader of the Brotherhood of Carpenters & Joiners and one of the founders of the American Federation of Labor. It was his recommendation, at a meeting of the Central Labor Union of New York, that a day each year be set aside for the purpose of honoring those who from rude nature delved and carved all the grandeur we behold.

The day first won legal recognition in major eastern cities through city ordinances, but the first State law was passed quite distant from the origin of the holiday. It was Oregon that led the parade of States by a legislative act in 1887. Other States followed, and by 1923, when Wyoming passed its Labor Day law, the holiday became nationwide.

It is significant to note that paralleling the gradual acceptance of a Labor Day was the growth of the labor movement in the United States. Through the united efforts of working men and women, labor evolved from an unorganized and helpless segment of our population to become part of our economic, social, and political history. Labor has taken its place with management and is now an integral part of our American way of life. From a trade-union membership of about 200,000—scarcely 2½ percent of all nonagricultural workers—in the 1880's, today there are over 17 million members in labor organizations—approximately 25 percent of the labor force. The path of the movement was not smooth, but labor today has emerged as a partner in American industry, and a vital contributor to the social advancement of our Nation.

The strength of the labor movement has gained much for the American worker, not only in wages and hours, but in all phases of working conditions. Manufacturing wages, for example, increased from an average of 19 cents an hour back in 1890 to $2.29 an hour in 1960. An average income of worker families, most of them union families, is over $6,000 a year. They are not infrequently suburban homeowners. They have money in the bank, own life insurance policies, and many are even stockholders in our corporations. The spending power engendered by an increased money supply has created a larger demand for goods and services. It has contributed greatly to the expansion of America's industrial might and has helped maintain the economy in time of business lags.

The 8-hour day and the 5-day week are also the outcome of labor's effort and promotion. The drive for shorter hours has resulted in a 23-hour decrease in the workweek—from 63 hours in the 1880's to the present limit of 40 hours.

Labor's concern for better working conditions has been instrumental in effecting a vast change in methods of industrial production. The plants and factories of today are a far cry from the poorly lighted, unventilated places lacking safeguards against accidents and proper sanitary conditions that were prevalent in the early days of labor federation. The success of labor's aim for the physical and economic well-being of workers has paid off not only in benefits to them, but also to the employer and the national economy through increased efficiency and production.

In the areas of development of better education, elimination of child labor, protection of workingwomen, and aid to the injured, labor pioneered and championed measures for legislative action. Compulsory school attendance laws, child labor laws, fair labor standards law, and workmen's compensation laws are on the statute books today largely influenced by labor's pressure. Labor support has been instrumental in the acceptance of unemployment compensation, increase and extension of minimum wages, social security benefits, safety regulations, decent housing, school construction, and fair employment practices. Surely the benefits of these laws to the people cannot be measured in terms of only financial gain. The sense of security and feeling of assurance engendered by such legislation are priceless contributions to bolstering and preserving the freedom and dignity of mankind.

Because of its contributions and because it is a reflection of the best of a free way of life, the American working force has been a strong defense against the spread of communism. The high standards of living achieved by labor and the belief in the American system of government are barriers against any Communist teachings or dictatorial governments. The loyalty and courage of labor strengthen the whole Nation. Cooperation has been particularly noticeable in time of crisis, and, in light of the ominous world we face today, we can feel secure in that knowledge. In retrospect, we can look with pride to the example of World War II when, faced with conquest, men and women rallied to the cause. Production during the war years more than quadrupled, without which our Nation could not have claimed victory. Not only has American labor played a key role in the economic and social growth of our country but has been a vital factor in maintaining freedom's stand.

EXPANSION AND IMPROVEMENT OF COMMUNITY FACILITIES FOR HEALTH CARE OF AGED AND OTHER PERSONS

Mr. HUMPHREY. Mr. President, earlier today the Senate passed Calendar 828, House bill 4998, known as the Community Health Services and Facilities Act of 1961. It had been reported from the Committee on Labor and Public Welfare by its chairman, the Senator from Alabama [Mr. HILL].

Mr. President, this bill, H.R. 4998, is of vital importance; and now that both Houses have acted, and there are only minor differences, I hope that either they

can be reconciled quickly in conference or that the House will accept the minor Senate amendments.

I have sent to the Secretary of Health, Education, and Welfare, and to the Director of the Bureau of the Budget, a telegram urging that in light of the action of the two Houses and the possibility that this legislation will be on the President's desk early next week, the Department of Health, Education, and Welfare, which has responsibility over the provisions of this act, prepare a supplemental budget, so that it may be considered at this session.

I believe it imperative to obtain action now through the Appropriations Committees of the two Houses, so as to energize and expedite action on this bill.

One provision of the bill—it was listed on page 3 of the report, in item No. 6—would increase the annual appropriation ceiling for hospital research grants from $1,200,000 to $10 million, and extend the program to medical facilities other than hospitals, and authorize appropriations for grants for the construction and equipping of experimental or demonstration hospitals and other medical facilities. This is of vital importance. In the Mayo Clinic, at Rochester, Minn., there has been considerable experimentation in terms of hospital construction. Already the Mayo Clinic has been able to demonstrate, through experimental pilot projects, a considerable saving in hospital costs for what we call the chronically ill. The Mayo Clinic has prepared additional plans for further experimentation and research in hospital construction that will relate to the vast number of patients who come to hospitals for what might be called emergency treatment or for surgical and hospital treatment of normal duration. This proposed legislation provides authority for the expanded research in hospital construction to which I have referred.

The Mayo Clinic doctors, the manager of the Mayo Clinic, and those who are technicians and experts in the field of hospital management and construction have prepared a very extensive plan for additional research in hospital facilities, the management of hospitals, and hospital construction; and if it works out as they expect it will, it will sharply reduce the costs of hospital care.

This legislation, with the amount of money provided ranging up to $10 million, might well save the people of the United States hundreds of dollars individually in their hospital costs.

Therefore, I hope action will be taken by the executive branch to implement this particular section, as well as the other sections of the bill, which is called the Community Health Services and Facilities Act.

I did not wish to take time to speak on this subject earlier today, when the Senator from Alabama [Mr. HILL] was discussing this measure with the majority leader [Mr. MANSFIELD]. But at that time the majority leader asked a question of the Senator from Alabama, who answered the question in a manner which clearly indicated and declared that this legislation contains the means of affording and providing hospital construction research grants. I am hopeful that there will be no delay whatsoever.

For purposes of this RECORD, which I trust will be examined very carefully by the executive agencies, I wish to say that any delay on the part of the executive branch would cost the users of hospitals, those who require hospital care, millions of dollars of additional expense, unless this research program is implemented.

Finally, Mr. President, on this item, the appropriation bill for the Department of Health, Education, and Welfare, as it came to us from the House, contained an appropriation in the amount of $10 million to provide for this type of research—namely, hospital construction research. However, it was the feeling of the Senate Appropriations Committee that the authorization language was not sufficiently clear to accommodate that appropriation.

Therefore, rather than have a point of order raised or have any trouble in connection with the appropriations and the expenditure of such appropriations later on, this item has been fully clarified now by the legislation passed today in House bill 4998. There is no doubt whatsoever, therefore, that under the terms of this legislation, whereby we authorize for a period of 5 years a new program of up to $10 million annually of special project grants to public and nonprofit organizations for studies, experiments, and demonstrations of new or improved methods of providing health services outside hospitals, primarily for chronically ill or aged persons, and in that item increase the appropriation ceiling for hospital research grants from $1.2 million to $10 million, and extend the program to medical facilities other than hospitals, and authorize appropriations for grants for the construction and equipping of experimental or demonstration hospitals and other medical care facilities, that language provides all the authority that is required.

I make these remarks now because of my personal interest in this matter as a Senator from the State of Minnesota. I have worked with my colleague [Mr. MCCARTHY] for many weeks and months on this particular matter; and we have worked in close cooperation with the doctors, the specialists, and the technicians from the Mayo Clinic, at Rochester, Minn.

I remind the Senator that the President, in his health message, recommended the very provision I have referred to on hospital construction research, grants for research into improvements in hospital construction and hospital care, with the objective in mind of improving hospital management and thereby cutting down on hospital costs.

COMMUNISM-CAPITALISM COOPERATION—ADDRESS BY RAYMOND W. MILLER

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a most thoughtful address delivered by Raymond W. Miller before the American Institute of Cooperation in St. Paul, Minn., on August 23, 1961, be inserted at this point in the RECORD.

Mr. Miller is a distinguished lawyer, author, lecturer, and student of government. In his speech Mr. Miller notes the important role which cooperatives play in a free society. I congratulate Mr. Miller on his excellent address.

Mr. Miller, by the way, is a visiting lecturer at the Harvard University Graduate School of Business Administration, and one of the leading authorities in the world on the subject of cooperatives. I also invite the attention of my colleagues to the fact that Mr. Miller is the author of a book entitled "Can Capitalism Compete?" He is very well equipped, by experience, training, and intellect, to give us some sound advice on the role of cooperatives in the American economic society.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

COMMUNISM-CAPITALISM-COOPERATION

(Address delivered by Raymond W. Miller at the 34th annual meeting of the American Institute of Cooperation, University of Minnesota, St. Paul, Minn., August 23, 1961)

Communism[1] is, of course, not something new. It was founded more than a hundred years ago on theories advanced by Karl Marx.

Karl Marx was a German philosopher and Socialist. He lived from 1818 to 1883—and was roughly a contemporary of Abraham Lincoln.

Lincoln and Marx had one thing in common. They were both opposed to suffering—intensely interested in improving the lot of the poor—and in righting what they felt was wrong.

Lincoln was concerned by the distress of the lowly in the factories in this country and in Europe. He cringed at the poverty of the farm communities from which he had sprung. He hated with a holy hatred any hereditary wealth which tended to make the rich richer and the poor poorer. He felt that democracy itself could never survive unless it was possible for individuals in all levels of society to have an opportunity for success.

One of Lincoln's great contributions to the people of America was his developing and supporting of the idea of the land-grant college.

Prior to the passage of the Morrill Act in 1861—100 years ago this year—by which the land-grant college became an integral part of American education, it was considered nonacademic for anyone to gain a college education geared toward making himself a more skilled workman, a better craftsman, or a better farmer.

Higher education, from the days of Plato, had been keyed to educating the elite, a relatively few men—and not many women—in the basic fields of restricted sciences and letters. The universities were more or less restricted to people who were to enter law, medicine, teaching, or the clergy. But Abraham Lincoln felt that everyone who wanted to learn and who had the ability to learn was entitled to seek a college education.

Lincoln wanted all men to have a richer and a fuller life. He envisioned man's discoveries, the shop machine and the plow, as

[1] Communism as used in this presentation means present-day Sino-Soviet imperialism of both the Asian and European brands and not the historic New Testament or present-day (in some areas) nonviolent attempts to form nonproprietary communities.

the servants of all the people, and not merely as a more efficient means of filling granaries and the banks of the few who, from the beginning of history, had always managed to maneuver and control the mass of the people for their own benefit.

But Lincoln was not able to do all that he wanted to do in this direction. He was busy with the war, for one thing. And, 6 days after the end of the war, he died from an assassin's bullet.

America and the world lost the benefit of the ideas which he might have developed—and the things he might have done—to raise the living standards of people everywhere, had he lived.

And no leader came forth in North America to take up the load which Abraham Lincoln had carried until his untimely death.

But the torch of revolution toward a changed world traveled across the Atlantic to Europe, and was picked up by Karl Marx and his disciples whose ultimate goal for relieving human suffering was perhaps the same as Abraham Lincoln's had been, but whose philosophy of how to attain that goal was quite different.

Here, very briefly, are three basic points of Karl Marx's doctrine. He believed:

1. That labor is the sole creator of wealth. Research, risk taking, management, investment capital play no fruitful part;

2. That the capitalist class enriches itself by withholding from labor a part of its rightful share; and

3. That all means of production—lands, factories, transportation facilities—should be owned by the state and operated for the benefit of the state.

THE COMMUNIST MANIFESTO

In 1847, Karl Marx, together with his friend Friederich Engels, prepared a document called the Communist manifesto.

A manifesto is a statement of policy issued by an organization or party.

The Communist manifesto was put together as the party platform of an organization known as the Communist League.

It is generally thought that this document was drafted largely by Engels. It is signed by both men, but Engels gives Marx full credit for the ideas expressed in it. In the preface to the English translation, Engels writes:

"I consider myself bound to state that the fundamental proposition which forms the nucleus of the manifesto belongs to Marx."

The gist of the proposition—to quote Engels—is: "that the whole history of mankind has been a history of class struggles, contests between exploiting and exploited, ruling and oppressed classes; that the history of these class struggles forms a series of evolution in which, nowadays, a stage has been reached where the exploited and oppressed class—the proletariat—cannot attain its emancipation from the sway of the exploiting and ruling class—the bourgeoise—without, at the same time, and once for all, emancipating society at large from all exploitation, oppression, class distinctions and class struggles."

The Communist manifesto [2] runs 27 book-size printed pages.

I won't embarrass anyone by asking for a show of hands as to how many of you people have read this paper.

But it is something which I feel that every intelligent American should read, if for no other reason than to see what kind of thinking is back of the idea of communism—and what kind of appeal it took to set the whole idea of communism into motion.

The word "capitalism" as it is widely used—and misused—today was probably unheard of until the time of Marx.

He looked upon the accumulation of capital as really the work of the devils of hell upon earth.

He saw the results of the industrial revolution. He saw men being ground into mere cogs in the wheels of new and mighty industry.

He saw the hovels for those people who came in from the open spaces in the country to get work in the cities.

He saw workmen becoming mere animals, sleeping in dark, dreary places—with food of the lowest type—and with wages so small that they could aspire to nothing more than bare existence, while the profits of industry went to the feudal lords, the barons, and the capitalists of Europe.

Karl Marx hated what he saw—and he hated his interpretation of what he saw.

He lashed out at the situation. He wanted above all else to correct it.

He approached the problem without a sustaining faith in God, and apparently without a belief in the worth and dignity of the individual.

Unlike Abraham Lincoln, Karl Marx appears to have been a person who had no real love in his heart for his fellow man. He wanted to help people in the field of material things but he appears to have been a person who never particularly loved those he felt he might be able to help.

It is significant that through the years, Lincoln has grown steadily and increasingly in worldwide affection and esteem, while Marx as a person has not.

Marx died a lonely, sad, frustrated individual—a broken-hearted wretch who had very few friends.

But, what we must never forget is that, through his theories which—with the help of Engels—he put down on paper and put into circulation, he sowed the seeds of the largest mass movement ever to hit the earth.

Back there in the middle of the 19th century, Karl Marx doubtless had great hopes for the success of his philosophy—but he never could have dreamed that, by the year 1961, there would be more under the control of his doctrine—as explained and interpreted by his disciples—than the total number of Christians, Jews, and Moslems in the world. Think of it.

In addition to attracting followers down through the years, Marxism has gained a number of new characteristics.

For instance, I doubt very much if Karl Marx ever thought he was setting out to draw up a blueprint for a police state, a slave state, or a ruthless dictatorship.

But the point for us to remember is that the basic appeal of communism is stronger today than it has ever been. The basic appeal to the people is this:

"You have been exploited. You have been cheated. You have been ground down. The capitalists and the capitalistic countries have taken away from you what rightfully belongs to you. Your time has come. Do away with all forms of capitalism in your own country and in the world, and you will have everything you want. You will have what is yours. All your problems will be solved."

This is the appeal of communism.

There is no mention in this appeal, of course, about loss of personal freedom. That factor is never mentioned, and never admitted by the promoters of communism.

All they say is that, "We will bury capitalism—and when we do, the world will be ours."

This is a hopeful note for the "have-not." This—plus the use of intrigue—and force, when necessary—causes them to respond to the glowing promises which are held out to them.

Now, here in America, our economic system—our system of capitalism—has not remained static. We have improved it over what it was a century ago.

We have, as a matter of fact, developed an entirely new kind of capitalism.

To differentiate our present-day North American capitalism from the monopoly capitalism which Karl Marx saw in his day, I term our present-day system cooperative-service capitalism—it is the antithesis of communism. That, to my mind, is exactly what we now have, although there is still room for improvement.

This cooperative service capitalism combines the basic principles of participation, self-help and social concern in the use of capital.

Within it labor, management, and capital form a triumvirate that makes possible an economy based upon the theory of abundance rather than scarcity.

Within it capitalistic enterprises develop along various lines. Basically they are profit and loss corporations, nonprofit corporations, individual enterprises and partnerships.

Social and economic mobility differentiates this form of capitalism from the strictures and personal restrictions inherent in the state capitalism of modern dictatorial communism.

This new capitalism participates in producing economic progress through social justice by democratic means.

Canada and the United States have developed on both sides of the border this same general type of cooperative-service capitalism and have each put the old exploitive type in legal straitjackets. Where the word capitalism is used further in this presentation, it means this new North American type.

Cooperative-service capitalism has not led to state ownership of all the means of production, as Karl Marx advocated. It has not caused the individual to regress into a mere pawn of the state, as is the case in all of the Communist countries today.

But it has marvelously succeeded in accomplishing everything worthwhile for which Karl Marx pleaded in his day—and much more.

Our North American system of capitalism centers around the profit motive. It permits the individual citizen to own land and property, productive equipment and resources—to work at a job of his own choosing—to take risks—to compete in the market place—and to keep as his own a fair share of what he earns. But this new capitalism is set up to meet human needs—to create jobs—and to contribute to the general good, as well as to enable employers and employees alike to make money.

This system of capitalism recognizes values in life above and beyond economic security.

It is concerned not only with providing comforts, conveniences, and luxuries for the human body, but it is also concerned with providing for the betterment of the human spirit.

Our North American system of capitalism recognizes the worth and dignity of the individual. It encourages initiative and self-reliance. It embodies ethics—although some individuals and corporations, of course, still have this to learn.

It is based on man's love of freedom.

And, thank goodness, it is practical. It works.

Our American system of service capitalism, as a matter of fact, has proved itself to be by far the best economic system ever devised for producing and distributing an abundance of goods and services for the great mass of the people.

Despite all of this, however, capitalism is not gaining adherents in the world.

It is communism that is gaining.

In many of the newly developing countries of Africa, Asia, and South America, capitalism is looked upon almost with scorn.

[2] Feuer, Lewis S., editor, "Basic Writings on Politics and Philosophy," Doubleday Anchor, paper edition, New York, 1959.

This has been going on for some time.

Dr. Charles Malik,[3] one of the great statesmen of the free world, has told us that in the past 40 years, we have not gained one inch against communism. (Dr. Malik was former president of the United Nations General Assembly and presently is professor at American University in Washington, D.C.)

And he made that statement before Laos and Cuba were so rapidly and so definitely overrun.

The question is: Can capitalism compete?

Can capitalism compete with communism in the newly developing areas of the world?

What will be required of us to gain ground against communism—to preserve our American way of life—to maintain our personal and economic freedom—and to keep America marching in the van of mankind along the main road of human destiny?

These are hard questions.

They are also questions which we cannot escape.

Capitalism will not win out in the world unless capitalists make it win and that is all of us.

Can we do so?

I, for one, believe we can. But we must face the facts as they are, do everything within our power to correct what needs to be corrected—and go on from there to be crusaders for capitalism for service, as well as for profit.

HANDICAPS OF CAPITALISM

To begin with, we must be the first to admit that capitalism—with all of its good points, and with all of its fine achievements—is still far from being perfect.

The imperfections—the faults—are not inherent in the capitalistic system itself. They are merely the reflections—the fruits, if you will—of the attitudes and the actions of the men and women who influence the operation of the capitalistic system—businessmen, government officials, labor leaders, educators, and others. Capitalism is weakened the moment the emphasis ceases to be on service.

Capitalism becomes counterfeit the moment those who control it concentrate on greed.

The whole idea of the new capitalism is lost in the newly emerging countries when, for instance, we go into those countries and buy up chocolate, tapioca, minerals, and other goods at prices which provide a bare living wage, or less, for those who produce those materials. Our economic system should be able to reach out and make it possible for the workers who produce rubber, for example, to own a vehicle of some sort equipped with rubber tires—even though it is nothing more than a self-propelled bicycle.

The whole idea of capitalism is lost when we get so busy trying to make money and to gain economic security, that we can think of nothing else—and when, for instance, we use misleading advertising, make false claims about our products, give inferior service, mislabel packages, fail to fulfill on guarantees, work in collusion with racketeers, set up cartels, conspire to fix prices, look upon competitors as enemies to be wiped out by fair means or foul—and so on.

Practices such as these are not universal. If they were, capitalism would crumble overnight. But whenever greed enters in and integrity goes out, capitalism is handicapped—and its shortcomings cannot be glossed over, or hidden from the eyes of the world.

In passing, I draw attention to three specific handicaps to capitalism which stem purely from the attitudes of those of us who control the operation of our economic system—and which prevent capitalism from earning the wholehearted loyalty of people throughout the world in today's struggle between communism and capitalism.

The first such handicap grows out of our attitude toward color. Four-fifths of the people of the world are of a different color from those of us who have a north European heritage.

When St. Paul brought the civilizing influence of Christianity to Europe, the ancestors to most of us in north Europe—who had been wild pagans, chasing each other around the bushes and through the forests—gained knowledge and power.

Because they were of a light color, they consciously took it for granted that this fact made them a superior race—and we inherited from them the same idea.

But unfortunately for our children and grandchildren, satellites, plows, fertilizers, and factories are colorblind.

We who operate the capitalistic system do not yet seem to recognize this fact—or to recognize it enough.

Few American business firms have any business executives at home or abroad who are empowered to make decisions—and who are of a different race from the "superior" north European.

This is the root of much of the problem that we ourselves are creating for democracy throughout the world.

A second handicap which capitalism possesses grows out of our attitude toward the brains of women. (It sounds rather silly, doesn't it?)

Through the centuries, women have been subservient to men. The woman has been the bearer of children—and the beast of burden.

We in North America have emancipated the woman from drudgery. We have given her the vote and an electric kitchen. We permit her to hold a job. But we have failed to recognize that the brains of women are equal to[4]—if not superior to—the brains of men.

For instance, there are today very few women engaged in highly technical, scientific work in North America. A recent study of a representative number of laboratories of American corporations involved in scientific research showed that very few women were employed except in positions of secretarial work or handling office machines.

The opposite is true in that part of the world with which we are competing for economic and scientific dominance.

In the scientific work of Soviet Russia which has startled the world, women are at least equal in numbers with men—and, in certain fields such as medicine, women predominate. This is equally true in mainland China.

The leaders of Marxism have found that the brains of women are ideally fitted for the scientific age—and are putting them to work. If we do that at all, it is only occasionally.

A third handicap which capitalism possesses—and this may come as a surprise to you—is the fact that we do not communicate our philosophy of life to others; we have the means but not the spirit.

We have magazines, books, newspapers, television, radio—we have developed an overwhelming system of advertising techniques through the written and spoken word, and through audio and visual aids. We can sell soap and toothpaste and automobiles.

But can we sell ideas—can we sell ideas to people throughout the world who may, or may not, understand or be in full agreement with, our ideas?

From my travels in much of the world, and as a result of conversations with literally thousands of people, I have become convinced that we in the United States have failed to master the art of communicating to others our basic philosophy of life.

What we seem to overlook in our communications is the importance of getting others emotionally involved in our facts. This is something we are going to have to learn how to do or, at least, how to do better than we are at present doing.

A WAR OF IDEAS

A war between communism and capitalism in which we are now engaged is a war between freedom and slavery.

It is a war of ideas.

It is getting hotter and hotter.

If we lose this war it could, in many respects, be as destructive to civilization and to sanity in the world as an allout war of missiles and hydrogen bombs.

To win this war, to give the people of the newly developing countries an idea of what democracy is, and of how it works within the framework of a capitalistic economy, we must, first of all, straighten out our own attitudes and actions in the operation of our capitalistic system. And I am confident that this can be done, because I have confidence in the basic integrity and intelligence, and outgiving humanitarianism spirit of the people of North America.

We must remove the handicaps which hang around the neck of capitalism.

The next thing we must do, as I see it, is to spell out representative democracy[5]—to clarify democracy—for ourselves and for the world.

Representative democracy within the framework of a capitalistic economy is not a one-legged stool—it is not a one-legged "shooting stick," such as is used by the British at horse races. Rather, democracy is a chair with four legs. These are the four legs:

First, economic democracy: Economic democracy is a state of society in which people of different races and of various desires, ambitions and degrees of ability have a full opportunity to develop themselves in such a way that they can hold their heads high and say, "We are a part of the material and spiritual growth and development of our country."

The word "we" has become the keynote of the success of the Communist world. We should remember that the word "we" is also the keystone of the success of our Republic—and the keystone of our American way of life.

Our forefathers were not stabbing in the dark when they launched the Preamble to the Constitution with the words, "We the people."

Second, educational democracy: By this, I mean giving people an opportunity to apply and to use their education and training to the fullest. Unless we have educational democracy in the world, there is little need for any other kind of freedom; I hope this does not sound too harsh.

But what I am trying to say is that we had better quit helping illiterates to be literate, unless, at the same time, we can help them find opportunities for the development that should come with literacy.

In too much of the non-European world today, literacy leads only to frustration.

---

[3] Malik, Charles, "Will the Future Redeem the Past?" An address delivered at Williamsburg, Va., June 11, 1960 (reprinted and distributed as a public service by the Virginia Commission on Constitutional Government), Richmond, Va., August 1960.

[4] Rules are often proven by exceptions—a dramatic exception that proves this thesis is Dr. Grace L. Hooper, director of systems research of the Remington Rand division of the Remington Rand Corp., New York Times, business section, Aug. 18, 1961.

[5] By representative democracy which for the purposes of this paper I term democracy, I mean that combination of political theories and practices that has evolved into the types of governments we have in Canada and the United States.

Learning to read and write, without having the opportunity to apply this education and to be a useful citizen causes trouble.

Third, judicial democracy: Being a lawyer, I have deep personal feelings about this particular leg of the chair of democracy.

Unless, and until, laws can be made applicable to all, democracy itself is a farce.

This, too, may sound harsh—but it is a fact. We in the United States are today having perhaps the biggest internal struggle ever to take place in our history to see whether public opinion will support the judicial democracy that our courts are expounding.

We are very fortunate in having judges in our lower and appellate and high courts who carry on the traditions of our great Anglo-Saxon legal heritage.

In many parts of the world, however—and unfortunately in certain sections of the United States—judicial democracy does not have the opportunity to be followed through by community understanding.

American business and civic leaders and government officials, in too many cases, take the easy road—and have followed the whims and fancies of those who believe that they were born into the upper crust because of race.

Fourth, political democracy: This is what we hear so much about in world affairs. A political democracy cannot possibly succeed unless it has the support of the other three legs of democracy: economic, educational, and judicial.

We blame the Government and the administration and various Federal agencies for the fiasco in Cuba and in Laos and elsewhere.

But failure in these areas is not primarily the fault of our Government representatives. It is more the fault of the citizens, the voters, the people of our land, including particularly those of us in cooperatives.

We are so busy with our own personal and business affairs we fail to realize that our national problem could be solved better—and the world would be more stable—if we took time out to strengthen and advance economic democracy, educational democracy, and judicial democracy, so that political democracy could survive.

The sad note is this: In many of the newly developing areas of the world, political democracy is failing and being taken over by some form of military dictatorship—as in Korea—either on the right or the left, very largely because of the failure of cooperative leaders at home and abroad to take a greater interest and a more active part in public and world affairs.

The people of the newer nations have little respect for the local money-lender or the foreign capitalist—and hence choose statism either of the right or of the left.

WHY COMMUNISM HAS GAINED

Cartels are sires of communism and its resulting slavery, because of the frustrations of men and women against the exploitations, abuses, and iron shackles of exploitive capitalism. Communism is largely winning by default because of the neglect on the part of those who have, to have compassion for those who have not.

Cooperatives, on the other hand, are sires of democracy and of freedom, because cooperatives give men and women the opportunity to learn by doing—and to participate in their own destiny both economic and social—to feel that they belong.

Communism has gained ground largely because the capitalistic free world has failed to explain—and to prove—to the people of the world that capitalism has made the gospel of Marx as obsolete as the old belief that the world is flat.

Capitalism can be explained only by capitalists who are true believers. And cooperatives, being among the most capitalistic of all sectors of 20th century capitalism, have neglected to carry the torch of conviction in the crusade for freedom.

Communism is a giant cartel of state capitalism—with men as pawns on the chessboard—and with dictators making the moves. Pawns are always expendable.

Cartelized communism, or cooperative-service capitalism—one or the other will be the "wave of the future."

Our children's destiny is in our hands. If capitalism is to win in competition with communism, the victory will come only as the result of the determination and efforts of the voluntary apostles and disciples of cooperative-service capitalism who believe in this economic system of ours and in this way of life.

Voluntary cooperation is an idea which we can export to the people of the newly developing countries—but not by sitting on our hands—and not by concentrating on our own selfish interests—while the Communists are out selling their wares.

THE MILITIA OF FREEDOM

In our type of government, the citizens of the land are the militia of freedom. From the War of Independence through the several major wars since, our military has been largely composed of nonprofessional fighters. When the call of alarm has sounded, the ablebodied men have risen to assume their tasks in line with their abilities.

Today we are engaged in a war of much greater magnitude than any war we have ever known in the past—a cold war for the loyalties of people.

In this worldwide engagement, new types of resources are needed. While the military holds the lines against a hot, shooting war, the citizens of our Nation must rise up and help win the war of ideas.

Each segment of our population has its appointed task—the educator, for instance, to battle in the classroom and the forum for the principles of freedom; the lawyer for world peace through law; the trade union proponent for freedom of choice in working, the economist for social mobility—and so on through a long list of groups who can help build the battlements for liberty.

The groups which I have just enumerated are perhaps all doing a better job in defense of our common cause than the group here assembled at this meeting of the American Institute of Cooperation—and yet, we have an easier and more important task than any of the others.

Dr. Joseph Knapp, Administrator of the Farmers Cooperative Service of the USDA, in the "Report of the Social Science Research Council," published in 1933,[6] said, "The compilation of information is perhaps less important that ability to make good use of it."

No truer words were ever uttered concerning the basic cause of the loss of much of the free world to dictators and to slavery.

The "little people of the world" can understand the message of cooperation, and can adapt it to their use in developing a standard of living beyond that offered at the end of the rainbow by the dictators of the Kremlin and Peiping—and yet for a third of a century, during which time communism has grown like the beanstalk in the famous folk story, "Jack and the Beanstalk," we at the American Institute of Cooperation have presented papers and have compiled information and have created the world's greatest library of cooperative literature—but we have done practically nothing more than merely to assemble information, and occasionally to use it for ourselves.

We have not taken up the cause of cooperation—and we have failed to make good use of our information in "saving the world."

Freedom is most securie in those countries which use cooperatives as a basic part of their capitalistic economy. Communism, on the other hand, finds a toehold and grows among the population in those areas where cooperatives are either nonexistent or very weak.

People can understand the meaning of working together toward a better economic and social existence—in fact, communism is a false heresy of cooperative effort.

Where true cooperatives are strong, communism is weak—for example, in Sweden, Norway, the United Kingdom, Denmark, Ireland, Greece, Canada, and the United States. But communism is in a virulent stage in countries where cooperatives are largely unknown, as in some countries in Latin America—in some areas cooperatives are beginning to make headway.[7]

The only shortcut to understanding economic freedom is through the use of the nonprofit voluntary associations. We have spent untold millions with the best of intentions in the newly formed nations, and have had it go down the rathole, largely because we have not seriously attempted to help the people there to understand how to use the cooperative vehicle to carry them over the rough spots.

Japan today is in the camp of the free world, principally because during the McArthur regime, the rural people were encouraged to form agricultural, credit, and fisheries cooperatives. Incidentally, this was under the direction of John Cooper from the Bank for Cooperatives in St. Paul.

Communism has had a setback in one section of Italy where an American cooperative group took the initiative in helping the people there get cooperative credit for their local cooperatives. I know of no other spot on the Italian peninsula where communism is being rolled back. This Italian work was implemented through the leadership of Murray Lincoln largely from his experience as president of CARE—another cooperative.

Where the population is poverty stricken, as is most of the uncommitted world, people cannot appreciate capitalism except through experiencing capitalism in their own lives.

Communism does not thrive among the rich, it strikes and festers and grows among the destitute and the hopeless.

I recommend that we, as members of cooperatives, keep on compiling information—but following the Knapp formula make certain that we alert the powers-that-be in all organizations working with people in the emerging nations that cooperatives are the seed beds of democracy.

Only an infinitesimal part of our oversea development efforts, public and private, have been directed into the fields of helping people learn the way and means of self-help organizations. A large part of our failures in the distant areas can be credited to the fact that we have taken the easy path—too much of our oversea time and money has been spent to help governments to do the job when we at home know that that is not the way to help the growth of democracy.

American cooperatives are our logical contacts to the world in explaining how peoples organizations are among the foundation stones of the structure of democracy. Invaluable help can be received from the Farmers Cooperative Service and the Small Business Administration of the U.S. Government—but the lead in showing the world the fundamental principles of our cooperative organizations must be taken by the voluntary organization themselves.

Some big enterprises the Government, of course, must do, such as our own Hoover Dam, TVA, and St. Lawrence development program—but in much of the world we have

---

[6] Black, John D., "Research in Agricultural Cooperation," Social Science Research Council, New York, 1933, p. 27.

[7] "Cooperatives: A Force for Social Change, Americas," Washington, D.C., August 1961.

encouraged the state sector to go into areas where a cooperative of the people themselves could not only do the job much better, but also as well be a seminar for democracy. For instance, we have encouraged Government to distribute power in new countries and have not encouraged the REA cooperative principle.

Too many vested business interests in our country have thrown roadblocks in the way of cooperative efforts overseas while cooperators at the same time, being in possession of the knowledge and experience of how to wield a mighty effort in the direction of stability through the use of the nonprofit mechanism, have stood idly by and done little missionary work.

The North Sea kingdoms have proven that cooperatives are the antithesis of statism and dictatorial communism—and, at the same time, do not eliminate ordinary profit-and-loss private business. The amazing thing is that as cooperatives have served and flourished in these countries and on our continent, ordinary enterpreneur enterprises have likewise prospered.

The nonprofit cooperative not only helps in its selected field, but acts as a stimulus and guide for other business to prosper without depending upon monopoly trusts and cartels.

Most of the world judges between the lure of communism and the straitjacket of cartels and trusts. As between the two, the common run of mankind is choosing communism—and yet we have the cooperatives ready to act as a safety valve in the high pressures of the human boiler and we have not made this mechanism available.

Unless the "little people" of the world can learn to use the nonprofit device of a self-help cooperative for certain of their needs, their is no stopping the drift toward the fulfillment of the dire prophesies of the Master of the Kremlin and Peiping.

Those of us in the free world who have learned to build ourselves and the community through self-help devices have an obligation to make this information available to all and to help them to use the system—or else we will go down the drain to the sewer of Marxism, along with the cartel-minded operators.

The basis of successful educational research is to probe—test—prove. This methodology I have attempted to use in this presentation.

A capsule condensation of the ideas presented here might include these thoughts:

Cooperatives prove that great people are ordinary people captured by a great idea.

There are a half million words in the English language, and the one that has the highest motivation index is participation.

There is no human satisfaction equal to that which comes of doing work that is creative.

Emotion often obscures problems.

This is the age of revolution—will it bring us freedom or slavery?

Cooperative effort trains men to combine enthusiasm with humility—the word "we" becomes all important rather than "I."

The day-by-day difference between the Soviet philosophy and the cooperative philosophy is this: In the Sino-Soviet world the organization is more important than the people, in democracies people are more important than the organization.

Democracy itself is a great cooperative.

Cooperation is not only a good economic device, but a teacher in the school of freedom.

Despite all this, I am afraid that we members of cooperatives are not doing our full part to man the defense wall in the war of ideas.

Our Government-announced policy is to help with information, when asked, those countries that need technical counsel in developing self-help voluntary organizations. The Government would be well advised to actually use co-ops in this country and their leaders to assist in this project.

I recommend, therefore, that our cooperatives assume their rightful position of responsible leadership—and voluntarily fulfill their obligation to do something by appointing and implementing an across-the-board commission of agricultural, credit union, consumer and service cooperative technicians who, without delay, will make available to the world the fundamental principles of self-help which we have found to be all important in developing a land of economic, as well as political, freedom.

Remember, we are mobilizing in a total war of ideas.

This will take time, energy and money—but of what value are these, if the rainbow of freedom vanishes from mankind?

This is today. This is our day. Yesterday is but a canceled check, and tomorrow is a promissory note. But today is cash. Our place in history is right now.

If we neglect our duties as responsible citizens within a responsible society, some of the younger people in this room—when they are the elders in the 21st century—may secretly recount to their children the fact that in their youth they had liberty and freedom. Eternal vigilance is the price of liberty and freedom. That precious right of choice may be seriously impaired—even lost—if this generation fails to live up to its responsibilities.

Time is of the essence. The Bard of Avon in Julius Caesar well expressed it four centuries ago in a mandate for those who believe in cooperative capitalism when he said:

"There is a tide in the affairs of men,
Which, taken at the flood, leads on to fortune;
Omitted, all the voyage of their life
Is bound in shallows and in miseries.
On such a full sea are we now afloat;
And we must take the current when it serves,
Or lose our ventures."

THE DECADE OF DEVELOPMENT

Mr. HUMPHREY. Mr. President, yesterday the Senate and the House completed action on, and the President signed, what we call the Foreign Assistance Act of 1961. The act might well be called the decade of development. In fact, the decade of development is begun.

The conference report which the Senate and the House of Representatives approved yesterday opens a new era of progress for the world. With the passage of this conference report, the decade of development will be begun.

What we are doing today is as significant in history as was the enactment of legislation for the Marshall plan 13 years ago. The quality and scope of our action has been somewhat obscured by the controversy over one aspect of the program—the means of funding the development lending activity. This controversy has hidden the broad area of agreement on the fundamental principle which now is enacted with wide bipartisan support. That principle is that the United States should be—and with the passage of this bill will be—committed to leadership in a great program for progress, a program which President Kennedy has proposed to us as the decade of development.

This legislation authorizes the President to undertake a great program of loans, in the language of the statute, "in order to promote the economic development of less developed friendly countries and areas, with emphasis upon assisting long-range plans and programs designed to develop economic resources and increase productive capacities."

In plain English, this means that the Congress of the United States has authorized the President of the United States to take the necessary actions for the United States to assume a position of leadership with other developed nations to aid a third of the people of the world, over a billion of our human brothers living in the less-developed nations on four continents, to rise out of poverty, ignorance, and disease, and to move forward toward a new life.

What we will be doing is to help the people of these newly independent nations and of the older friendly nations of Latin America to add to the benefits of political independence the benefits of social and economic growth and progress.

Their climb along the upward road must be made primarily through their own efforts. Much of what they have to do will be difficult. Basic economic reforms will often be necessary. There must be a better distribution of land among the people who till it. There must be a greater opportunity of education for the children of all the people. Taxes must be levied through which the wealth of the few will be made available to the needs of progress. Our aid, wisely administered, can be of the greatest benefit in this forward movement.

The great principle for which the President has asked the support of the Congress is the power to act in the name of the United States to make commitments over a period of 5 years to these friendly nations that our aid would be forthcoming to them in agreed amounts over this period. The Congress has provided this assurance. The legislation specifically states that—

Whenever the President determines that it is important to the advancement of U.S. interests and necessary in order to further the purposes of this title, and in recognition of the need for reasonable advance assurances in the interest of orderly and effective execution of long-term plans and programs of development assistance, he is authorized to enter into agreements committing, under the terms and conditions of this title, funds authorized to be appropriated under this title, subject only to the annual appropriation of such funds.

The funds which are to be available to meet these commitments must come from appropriations which are authorized by this bill. The authority now given to the President to make these long-term commitments implies a moral obligation upon the Congress to appropriate the funds in future years which will be necessary to meet commmitments the President has made under this authority, unless there should develop some extreme reason why the Congress should nct honor the commitments through appropriations at a later time.

For this lending program, the bill authorizes the appropriatior. this year of

$1,200 million and for each of the following 4 years an additional $1,500 million. These funds are to remain available until expended, with the provision that any unappropriated portion of the amount authorized to be appropriated for any fiscal year may be appropriated in any subsequent year during this period, in addition to the amount otherwise authorized to be appropriated for such subsequent fiscal years. It is important to realize that the figure of $1,500 million for the 4 succeeding years is to be regarded not as a ceiling but as a floor. The President told the Congress that he believed $1.9 billion would be needed for each of these years. The way is explicitly left open for the President to return to the Congress in each succeeding year to request such additional authorization and appropriation of funds as he may find the interests of the United States require. The figures of $1,500 million can, however, he taken as the assured present intention of the Congress for appropriations and the President may make commitments for assistance in future years up to these amounts in confidence—which the aided countries may share—that the Congress of the United States will make the funds available to honor the commitments.

The understanding which I have expressed of what this great action of the Congress means is clearly stated in the report of the managers on the part of the House. I should like to quote their statement, which has my full approval:

> The Executive has authority to enter into agreements committing the United States to participate in development programs of foreign nations for a period of up to 5 years but making such commitments subject only to the regular annual or supplemental appropriations of funds. The committee of conference recognizes that the amount agreed to for each of the future years is below that requested by the Executive and therefore is to be regarded as a floor rather than a ceiling. If the program proves itself and additional funds are considered necessary for the attainment of our foreign policy objective, Congress will entertain a request for such authority and appropriations. In justifying any such request the Executive will also need to justify in detail before the Committee on Foreign Affairs its use of the funds theretofore authorized. It is understood that the conferees regard the language in the bill as authority for the Executive to make commitments which will be honored by the Congress unless there is evidence of obvious bad management or the other country has failed to meet its responsibilities.

BETTER ADMINISTRATION

Mr. President, the authority now granted to the President to move forward confidently on the full 5 years of the decade of development is by no means all that is contained in this landmark of legislation. It also provides other tools for effective action. The first and perhaps the most important is the authority to establish a unified administration for our whole economic aid program. In the past there has been a diversity of agencies engaged in this vital activity. Coordinating control has been exercised but has been inadequate. This has been fully recognized by the executive branch itself and the President has asked for authority to create a unified agency for international development.

This authority is now provided. It will tie together such existing aid agencies as the International Cooperation Administration, the Development Loan Fund, and others. It will provide for the centralization of programs for our entire economic aid effort. It will identify responsibility for the administration of the program is a Director who will have the high rank of an Under Secretary of State and who will report directly to the Secretary and to the President. It will provide for two Deputy Directors having the rank of Deputy Under Secretaries of State and for Assistant Directors who will rank with Assistant Secretaries of State.

The Congress has firmly placed the AID agency on a high level which should make possible the attraction to this central agency of U.S. foreign policy of men of the highest caliber who are willing to serve their Government in one of its most difficult and most far-reaching activities.

FUNDAMENTALS FOR PROGRESS

The set of tools the new law provides includes other fundamentals for progress.

It provides for supporting assistance which will go primarily to those nations who are undertaking military burdens greater than their own economies can support. It will help other nations which are providing us with bases and other facilities of the greatest importance to our worldwide security effort. It will go to still others which need our continued help in order to prevent economic collapse and internal chaos.

The nations which we will help through this supporting assistance include such allies and friends, fighting for survival against the pressures of communism, as Korea, the Republic of China, Vietnam, Pakistan, Iran, Greece, Turkey, Jordan, and Spain.

It shall be our purpose, however, to encourage these countries which are receiving our supporting assistance to relate that assistance increasingly to development objectives. I believe that as we are able to go forward with this effort it will be possible for us gradually to diminish the amount of our supporting assistance and to put our aid more and more on a development basis.

The great point 4 program remains an integral and effective part of the new aid program. It is now incorporated in a category of development grants. These grants will be chiefly for education and human resources. They will include the technical assistance of past years which will be directed more precisely toward needs essential to economic growth and will be augmented to help fulfill these needs. These grants will go also to other needs which cannot wisely be met from aid provided on a loan basis.

There will be a need on the part of a number of countries for assistance on a grant basis, particularly in the fields of social progress. We have already undertaken a program to meet such needs in Latin America in the legislation for the program for social progress authorized by the Congress at the last session and for which appropriations were made only recently. This effort is part of the great alliance for progress. Development grants are intended to extend our vital assistance in these fields to the new nations of Africa and the Far East. We will help through development grants to carry forward programs of land reform, the development of agricultural credit, rural and urban housing, community development, sanitation, and health facilities, and the creation of urgently needed educational opportunities.

These activities are the most basic and the most needed for the creation of the institutions of government and of the private economy in the newly independent and developing nations of the world.

Development grants will also be used to carry forward the continuing work of the great program of malaria eradication and for other purposes.

INTERNATIONAL ORGANIZATIONS

The new legislation continues the support of the United States to international organizations which have come to have an indispensable and irreplaceable role in development. It was the United States who, in the past, took the leadership to create and support the technical assistance and other aid programs administered by the United Nations and other international organizations. These programs have had two great benefits. They have served to strengthen the United Nations itself and the other international organizations which administer them, and they have served to strengthen our leadership in these organizations. These programs have also been a means by which scarce resources of money and trained manpower can be brought together from other nations and brought to bear on the problems of economic progress.

Through this legislation we will continue our substantial help to U.N. Technical Assistance and Special Fund. We will continue our part in the U.N. effort to bring peace and stability to the Congo. We will continue our principal role in providing for the refugees in the Middle East until a solution can be found to that problem. We will continue our contribution to the U.N. Emergency Force in the Middle East, to the Children's Fund, to the World Health Organization's programs of malaria eradication, worldwide water supply, and medical research, and to the international atomic energy program for peaceful uses of the atom. We will also provide our contribution to the technical cooperation program of the Organization of American States and to the very important joint effort of Pakistan and India for the development of Indus waters.

FOOD FOR PEACE

The AID Act itself does not provide for food for peace. This is done separately. However, food for peace is an integral part of the whole foreign-aid program. Food is a major and necessary component of the resources which the less developed countries need from abroad, but food for peace cannot be

fully effective except in conjunction with a broader program of foreign aid. Full provision for coordination of the great food-for-peace program with the aid program provided for under this legislation will be established in the AID Agency.

DEVELOPMENT RESEARCH

Assistance to the development of some threescore nations in various stages of progress from the most elementary to those on the threshold of self-sustaining growth is the most difficult and the most complex task our Government and people have ever undertaken. It must be frankly recognized that there are many problems involved to which we do not now have the answers. We should therefore adopt the principles long since established in our private enterprise and educational institutions: the use of research as an instrument to help chart our course in the administration of aid.

The legislation now adopted provides for the first time for a program of development research, including the practical testing and application of its results. This program of research has been recommended by the President's Science Advisory Committee. It will be a key tool of development. It will help assemble, evaluate, and put to effective use a body of knowledge which today is scattered, unevaluated, and unused. This newly authorized element of our aid program is in itself a valuable step forward toward a more effective, efficient, and economical use of our aid funds.

CONTINGENCY FUNDS

Unfortunately the experience of past years tells us that we can expect in the months ahead to be confronted with needs for economic assistance funds which cannot now be fully foreseen. We need only look to the course of developments in Vietnam and Berlin to understand the increasing pressure of the Communist bloc on the free nations. It is imperative that the President should have available to him unprogramed funds which he may use to meet perils which we cannot now foresee. It is equally imperative that he should have funds with which he may grasp opportunities which may arise and which if not taken at once may disappear before a return can be made to the Congress for any funds. As the Secretary of State has said:

> We have learned from sad experience that despite the most careful planning the future is blurred as to the precise events which may occur. If we are not in a position to deal with these events, we will be exposed to dangers which we cannot meet and opportunities which we cannot seize.

The President asked $500 million for contingencies. The conference has agreed on a sum of $300 million. The course of events suggests that this fund may indeed be inadequate. If it is, it should be plainly understood that the Congress will receive the request of the President for a supplemental authorization and appropriation to meet contingencies.

PRIVATE ENTERPRISE

The process of economic development is an enormous one. We should not expect that aid should come from Government resources alone. Private enterprise has a significant and essential role to play. In our country a great part of the resources and skills available to us is found among our people and corporations in private life. If we are to make our effort to assist the economic and social growth of the less-developed nations a national effort on our part, we must use these private resources to the maximum.

Private enterprise is competent and in many cases is willing to take a more active part in the development process. Yet private capital is understandably concerned about the uncertainties and even dangers which it will face in making large investments in countries which in many cases are unstable or where the future prospects are uncertain. For this reason it has become a basic policy of our Government in administering the aid program to provide incentives to private enterprise to join in the public effort to assist economic growth in the less-developed countries. Our Government has therefore undertaken a series of efforts to aid American business enterprise and to mobilize its contribution to the national program for economic development. These include the standing efforts to provide assistance through U.S. diplomatic representation and through treaties of friendship, commerce, and navigation which include protection for American private enterprise.

The new aid legislation provides several significant devices to encourage U.S. business participation. One of the most important of these is an all-risk guarantee. This program is established on an experimental basis. Ninety million dollars is authorized to be used to insure against losses of investment—as opposed to failures to realize profits—up to 75 percent of the investment. This provision holds distinct possibilities of benefit in attracting capital for important development activities into areas which otherwise private investors would hesitate to enter.

The new legislation also provides for assistance in locating investment opportunities. Here again the Federal Government and private enterprise may engage in a partnership which is valuable to each. The legislation also provides that loans may be made to private enterprises established by U.S. investors abroad. The terms on which such lending occurs can be varied in order to provide the needed incentive.

The drafters of this statute have been especially conscious of the contribution which American small business may make. The statute specifically provides that the President shall assist American small business to participate equitably in the furnishing of commodities, defense articles, and services—including defense services—financed with funds made available under the act.

These provisions and others will provide a challenge to American enterprise, which has never been found wanting, to participate vigorously in the national effort to create a more stable and peaceful world.

FREE WORLD AID

No one should contemplate that the United States should undertake alone the task of aiding the progress of the less-developed nations. This is a task for the entire free world. The new aid legislation calls for the more vigorous participation of other free nations able to bear a share of the cost of progress. We can be confident that this call will be accepted. The experience of recent months has already shown that Western Germany, the United Kingdom, France, and Japan and other nations as well are willing to take up an increasing part of this load. The authority for long-term commitments provided in the new legislation will contribute to the ability of our administrators to work out programs of assistance which will involve the participation of the other industrialized nations and of such international organizations as the World Bank and the Inter-American Bank.

INTERNATIONAL PEACE AND SECURITY

What I have said thus far has been directed to the blueprint for economic development and social progress contained in this legislation. We are all aware, however, that these goals cannot be achieved unless it is possible for the nations we are planning to assist to have internal stability and security from outside attack. Social and economic progress on the one hand and internal and external security on the other hand are mutually dependent. I do not need to labor the fact that the military pressures of the Soviet bloc remain intense in many parts of the world. The military forces of both the Soviet Union and Communist China are a powerful and ever-present threat. Communist aggression now includes a new and more dangerous form: agitation, infiltration, and guerrilla warfare. It is imperative that we continue our support to the NATO alliance and to our friends, particularly in the Far East who are directly under the Communist guns. At the same time it has become increasingly apparent that we must help these new and developing nations protect their peaceful growth from disruption by Communist activity.

The conference report provides $1,700 million for military assistance. This is certainly a conservative figure. There is considerable evidence that the President may have to return to the Congress for a supplemental request before the year is over. It is imperative in my judgment that the full amount now authorized be appropriated in order that the task of shoring up our great alliances may be carried forward.

SUPERVISION

The new legislation provides the President with broad powers to lead the Nation in the conduct of our foreign relations. This is as it should be. At the same time, the Congress has written into the bill detailed provisions for the maintenance of close scrutiny over the conduct of the program.

The Congress has established in the Department of State reporting directly to the Secretary of State, an Inspector

General whose task it will be to carry out continuing reviews, inspections, and audits of economic programs being conducted under this act and of the Peace Corps for the purpose of ascertaining the efficiency and the economy of their administration and their consonants with the foreign policy of the United States. The Inspector General also has broad powers to permit him to ascertain the extent to which programs of military assistance and of food for peace are being carried in consonance with the foreign policy of our country and our aid in the attainment of the objectives of this act and for other purposes.

This act also requires numerous detailed reports from the administrators of the program as to every phase of activity conducted under it. These reports will bring to the attention of the proper committees of the Congress a nearly continuous flow of information. The Congress will also retain full power to review the most intimate details in the administration of the program each year when the highest officials of the Government come before the Foreign Relations Committee and the Senate Appropriations Committee and the similar committees of the House to present their requests for funds for the next year.

PROTECTION OF AMERICAN PRODUCERS

The drafters of this legislation have given most careful attention to the protection of American producers from unfair competition from foreign goods to the production of which loans under the act may contribute.

The President in making loans for development must specifically take into account the possible effects which any individual loan may have upon the U.S. economy. This consideration must have special reference to areas of substantial labor surplus. The act also makes special provision to protect American products from direct competition in the American market from the products of any productive enterprise for the construction or operation of which loans are made under the act.

FUNDS AUTHORIZED

The requests made by the President and the actions of the House, the Senate and the conferees are significant. The following table shows these figures:

[In millions of dollars]

	President's request	Senate bill	House bill	Conference agreement
Development loans	[1] 1,187.0	[2] 1,187.0	1,200.0	[2] 1,200.0
Development grants	380.0	380.0	380.0	380.0
Investment surveys	5.0	5.0	5.0	5.0
International organizations	153.5	153.5	153.5	153.5
Supporting assistance	581.0	450.0	481.0	465.0
Development research	20.0			
Contingency fund	500.0	300.0	300.0	300.0
Military assistance	1,885.0	[4] 1,550.0	[3] 1,800.0	[6] 1,700.0
Administrative expenses	51.0	51.0	49.0	50.0
Total	4,862.5	4,076.5	4,368.5	4,253.5

[1] Also requested borrowing authority of $1,600,000,000 for each of fiscal years 1963–66 and reuse of loan repayments averaging $300,000,000 per year.
[2] Also authorized additional borrowing of $1,700,000,000 for each of fiscal years 1963–66.
[3] Also authorized an appropriation of $1,500,000,000 for each of fiscal years 1963–66.
[4] Also authorized an appropriation of $1,550,000,000 for fiscal year 1963.
[5] Also authorized an appropriation for fiscal year 1963 of such sums as may be necessary.
[6] Also authorized an appropriation for fiscal year 1963 of $1,700,000,000.

CONCLUSION

Mr. President, as I said at the beginning, this legislation provides the authority to the President for the United States to take the leadership in the march of the free nations across the threshold of a new era of social progress and economic development. It now becomes the opportunity and the challenge of the American people to give their support to this national effort on which the peace and prosperity of themselves and their children will so heavily depend. I am confident that just as the Marshall plan had the enthusiastic support of the American people so will the decade of development kindle their imaginations and their energies. With that support we can hope that there will open for the underdeveloped areas of the world the same prospect of growth and progress which the Marshall plan brought to the nations of Europe.

DECISION OF SOVIET UNION TO RESUME NUCLEAR TESTING—ADDRESS BY SENATOR HUMPHREY

Mr. HUMPHREY. Mr. President, I ask unanimous consent that excerpts from an address I delivered in New York City last night, relating to some of the developments on the international scene, particularly the recent action of the Soviet Union in resuming nuclear tests, be printed in the body of the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS OF REMARKS BY SENATOR HUBERT H. HUMPHREY, 64TH ANNUAL CONVENTION OF THE ZIONIST ORGANIZATION OF AMERICA, NEW YORK CITY, AUGUST 31, 1961

I wish to discuss the tragic setback the cause of peace suffered just 24 hours ago.

I speak of the announcement that the Soviet Union will resume the testing of nuclear weapons—and I speak frankly and with a touch of sadness.

Let us face squarely the impact and implications of Premier Khrushchev's announcement.

The Soviet Union's decision to resume nuclear testing is a cruel and vicious blow to the cause of peace. It represents a cynical disregard for the well-being of humanity. It demonstrates the hypocrisy of the Soviet Union and its so-called peace program.

The entire world now knows that the men in the Kremlin are consumed with ambition and power, without any regard for justice and peace.

The Soviet decision could set in motion an increased arms race in nuclear weapons. That decision has given the go-ahead sign to every country in the world to arm itself to the teeth with these weapons of awful destructive power and to develop new nuclear weapons.

The Soviet decision also marks the launching of an attempted "war of terror." Khrushchev's threat regarding a 100 megaton bomb is a cynical attempt to blackmail and intimidate the world. There can be little military value to such a weapon. It could be used only for annihilation of mass populations. It has been mentioned by Khrushchev only to terrorize the world into submission.

We cannot and will not submit. The United States will make its decision on nuclear testing on the basis of what is best and what is necessary for our national security. We must not be intimidated into precipitous action, and we will not be pushed into the Soviet game of terror and fear.

Let the world know now who has worked positively and sincerely for peace, and who has acted hypocritically and deceptively to destroy the prospects for a just peace.

For 34 months, we have engaged in negotiations with the Soviet Union in an effort to arrive at an agreement to suspend nuclear tests. During those long months, we have respected the self-imposed moratorium on nuclear testing. We have kept our word, and have set an example of self-discipline and national responsibility.

The Soviet Union in recent months has given every indication of its unwillingness to reach agreement. In March of this year, we laid before the Soviet negotiators at Geneva a complete draft treaty which would have provided for the cessation of nuclear tests with effective inspection and control.

Many concessions were made to Soviet objections. In recent days, Arthur Dean, our chief negotiator, returned to Geneva with further concessions to meet the objections of the Soviet Union. Every effort on our part has been rebuked or rebuffed by the Soviets. It had become crystal clear that the Soviet Union sought to renew tests and was doing everything possible to break up the conference at Geneva. The Soviets hoped to drive the United States into renewing tests first, thus giving them a propaganda victory and an excuse to resume Soviet tests.

The Soviets' action represents a great psychological and moral victory for the United States and for President Kennedy. We have refused to be stampeded into nuclear weapons testing. We have kept our word. We have put the welfare of the world ahead of our immediate military needs.

Fortunately, our Nation is strong. Our weapons stockpile is large, and I believe we are ahead of the Soviets in nuclear weapons technology.

We have no reason to be afraid, and we should let the world know that this announcement by the Soviet Union does not intimidate the United States. It does not spread fear in our midst. We will not be led by passion and emotion into some foolish and unneeded course of action.

The purpose of Mr. Khrushchev's announcement is quite obvious. First the Soviet Union wants to improve its nuclear technology and this can be done only through weapons testing. This in itself reveals a relative weakness in Soviet strength.

More importantly, this announcement is a part of a campaign of terror, fear and intimidation. Khrushchev has added this threat to the present Berlin crisis in the hope of dividing our allies from us. He seeks to promote fear and deep concern in the ranks of the peoples of Western Europe and the rest of the world. He is hopeful that by threatening us with some fantastic new weapon, we will give up and the Soviets will win without any use of force.

This will not work. Our Government will reassure the world about our strength. That

strength is real and awesome. Our allies will be reassured that we are determined to resist the aggressive pattern of Soviet action. We will not be driven out of West Berlin. We will not retreat. Mr. Khrushchev needs to know this unmistakably.

Right now I suggest that we take our case to the United Nations. I have urged the President directly that he personally go to the U.N. and tell the General Assembly what the United States attempted to do in 34 months of negotiations on the test-ban issue. It is time that we lay before the entire world the complete proposed draft treaty that we offered the Soviet Union to end nuclear tests. We should also point out how we have met one Soviet objection after another with many concessions in an effort to arrive at an agreement. We must tell how the Soviet Union has rebuffed and rebuked every effort on our part.

Let the world know that the Soviet is the assassin of peace. Let the world know that the Soviet is the villain in the international drama. Let the world know that the United States of America is prepared first to defend itself and its allies, and secondly to work unceasingly for a just and enduring peace.

It is important therefore that the Congress complete its action on the President's proposal for a U.S. Disarmament Agency for World Peace and Security. A national peace agency at this time will be welcomed by the peoples of the world, and would further demonstrate our positive determination to work for peace.

Now more than ever we should bolster the areas of freedom in the world. We must continue our program of economic and technical assistance to the underdeveloped countries.

We must, in fact, step up our efforts in education, in health, in the provision of food and fiber and in the improvement of the economies of the respective nations.

We must be prepared to face a long struggle in all areas. Our attention cannot be restricted only to national defense and weaponry. Our concentration must be upon the needs of the people in Latin America, in Africa, in Asia, in the other parts of the world.

We seek to help people live, not to find new ways for them to die.

Mr. HUMPHREY. Mr. President, I hope the American people now realize that the President of the United States has acted wisely in these months, as did his predecessor, in attempting to restrain the proliferation and the spread of nuclear weapons testing.

The President of the United States has set a fine example for the leaders of the world as to what political responsibility means and how one fulfills it.

The Soviet Union, by breaking the agreement as to the suspension of nuclear weapons tests, has exposed itself before the world as a hypocrite, as the assassin of peace, as the villain in the international drama of world tension and trouble. It will now evermore be clear that the Soviet Union hoped to drive the United States into some precipitate action, and hoped that the United States would first break the agreement. Its own military needs, apparently, required that the Soviets start testing. Today the first test took place, or at least the test that has been announced. That test was an atmospheric test. That particular test is only the first of many yet to come. The American people should be prepared for that. The tests will grow in numbers and intensity. They will be conducted not only for the purpose of improving Soviet nuclear weaponry, but also for psychological warfare purposes, for Soviet propaganda.

I am sure we shall remain steadfast in our purpose of strengthening our Nation, as we are doing, through improvement of our defense structure. I am sure the United States will call to the attention of the world, possibly through the United Nations, the fact that the act of the Soviet Union in exploding a nuclear weapon in the atmosphere is indeed an act of aggression upon its neighbors and upon the world. Radioactive fallout, radioactive debris knows no boundary, no nation, no people. As the radioactive fallout comes to earth from the atmosphere, people will be affected adversely.

Let the world know that the Soviet Union has put aside any regard whatever it may have had for the well-being of mankind, and now seeks only to improve its weaponry and to wage a campaign of terror as a part of its totalitarian world politics.

The interesting thing is that no one seems to be frightened except the Russian people. The news reports, which we have all read, indicate that in the Soviet Union the Russian people are bewildered and frightened. They know that this act on the part of the Soviet Union is another step toward war. They were assured by their government, for years, that the Soviet Union would not be the first to test nuclear weapons again.

The neutral nations which are meeting at Belgrade, as exemplified by the statements of their leaders, have shown disgust for and bitterness toward the Soviet Union. The newspapers are filled with stories.

A headline of one of the newspaper stories of this morning indicates, "Neutralists Shocked by Soviet Move." That was a lead story in the Washington Post and Times-Herald. The same newspaper carries another headline, "Russian Citizenry Gloomy, Anxious Over Test Decision."

It appears to me that the Soviets have again miscalculated. If they thought this act would intimidate our allies, they were wrong, because the leaders of France, Britain, Italy, the Federal Republic of Germany, and other allies have shown great courage and strength. Our ally Denmark, instead of being intimidated by the threats of the Soviets, now makes a greater commitment to NATO. Our ally Greece, being warned and threatened by the Soviets, makes a greater commitment to NATO.

Country after country—including all the uncommitted nations—are shocked and disgusted by the action of the Soviet Union.

Mr. President, sometimes the Soviet Union does the free world a favor by revealing its ugly political nakedness by some of its incredible acts, which are so filled with ambition and power that the nations of the world cannot digest them. I must say that Americans, as the leaders of the free world, can be thankful that our country is strong. We can be thankful our arsenal of military preparedness is strong and superior to that of any other nation in the world.

I was particularly pleased that President Kennedy reassured the world, reassured the free nations, and reassured our people in this great Republic that our stockpile of nuclear weapons is adequate for any need we might have—and it is—and that our superiority in nuclear technology is uncontested—and it is.

The Soviets are indicating a case of international jitters. They are beginning to reveal their weakness rather than their strength.

I hope we shall pursue the steady course of preparedness, alertness, morality, and decency upon which this Nation is now embarked.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the New York Times entitled "Soviet Policy of Terror," which is a very fine editorial analyzing succinctly and concisely the present world situation; and an editorial from the Washington Post and Times Herald entitled "Alternative to Catastrophe."

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 1, 1961]

SOVIET POLICY OF TERROR

In an action that shocks the world and edges it closer to the brink of atomic holocaust, Premier Khrushchev announces that the Soviets are resuming nuclear testing to produce monstrous superbombs capable of being dropped at any point on the globe from space.

This marks another climax in the Soviet ruler's campaign to terrorize the world and cow it into submission to his plans for world domination. It is timed to give new impact to his drive to take over all Berlin as a first step toward detaching West Germany from the North Atlantic alliance, wrecking the free world's defense structure and thus opening the floodgates to the Communist tide everywhere.

To achieve this goal, for which he evidently deems the time to be ripe, the Soviet Caesar displays the utmost contempt for world opinion. His attempt to shift the blame for his own action on those who would resist his efforts to "bury" them is so ludicrous and hypocritical that it is repudiated everywhere outside of the Communist-dominated world.

That includes the "positive neutralists" now meeting in Belgrade, and also those still unable to grasp that the totalitarian mind pursues no limited ambitions that can be appeased, but gambles on all or nothing and can be stopped only by a balance of power adequate to make such a gamble suicidal.

II

Beyond that, Premier Khrushchev's action again demonstrates that the whole Soviet propaganda for both a nuclear test ban and total disarmament is only a gigantic hoax perpetrated on the world. For more than 15 years the Western Powers, led by the United States, have expended their energies and ingenuity to induce the Soviets to agree to balanced and adequately controlled step-by-step disarmament as provided in the United Nations directives.

For the same period they have sought to control and eliminate the atomic bomb, be-

ginning with the Washington three-power declaration of 1945, through the Baruch plan to the latest Geneva test ban conference, at which they made concessions bordering on risks to security.

But the Soviets have sabotaged everything, denouncing controls as espionage, walking out of or demanding constant changes in the disarmament forums, offering sweeping propaganda proposals they have no intention of honoring. Now they have torpedoed the Geneva conference as well, have ended the 3-year test moratorium, and have announced new tests with more lethal fallout to poison the world's atmosphere.

III

The Soviet action gives the Western Powers a free hand to resume their own tests. It goes without saying that everything will and must be done to safeguard the free world and deter Soviet adventures. But there is no reason for the West to be stampeded into new tests. After an emergency session with his advisers President Kennedy declares that our nuclear arsenal is wholly adequate for all defense purposes. That is a reassuring judgment, but it will still have to be kept under constant review.

IV

The one action the United States can and must take is to submit the new Soviet threat to urgent consideration by the United Nations, charged with ultimate responsibility for disarmament. The best way of doing this would be for President Kennedy to appear before it personally to rally world opinion against the Soviet action and for a genuine disarmament effort based on a peaceful settlement of world problems which alone can make a disarmed world possible.

[From the Washington Post, Sept. 1, 1961]

ALTERNATIVE TO CATASTROPHE

The Soviet Union has put an end to the hope that the great powers might spare mankind the dreadful hazards of continued testing of nuclear arms. Men of good will everywhere will be filled with dismay by the ominous portent of the Soviet announcement. The dread specters temporarily exorcised by voluntary test suspension stalk the earth once more to fill waking hours with apprehension and anxiety and to people the hours of sleep with the nightmare monsters that rouse up from unquiet minds. Thus the terror returns, with its threat to the health of the living and to the life of the yet unborn, its renewal of the race for more terrible arms, its promise of nuclear terror, if need be, to gain the ends of Soviet diplomacy.

Every American must be thankful that it is not his country that has made this decision. If such thankfulness exists, it is not to be confused with any narrow satisfaction at the propaganda advantage that accrues to the nations innocent of putting this mortgage on the future of civilization. It is small comfort to know that the other passengers understand who has scuttled the sinking ship upon which the lives of all of us are freighted. If we have gained a propaganda advantage, it is one that surely we would be glad to forfeit if the Soviet Union could be persuaded to reconsider its fateful decision.

And that is just what the United States and other powers should urge it to do. The President has left the way open for such an appeal. He has not given the instant signal for the resumption of nuclear tests by this country, even though he must have been under strong compulsion to do just that. The patience with which the Government of the United States has prosecuted the search for a test ban treaty, and the forbearance with which it has refrained from nuclear testing have made a record that needs no new embellishment. It is a record that divests an appeal to Soviet Russia of every aspect of a tactical propaganda maneuver.

That appeal should be made, by this country, and by those who may choose to join it, not to gain a transient advantage for ourselves, but to gain for all the people of the world, restored hope that a way may be found to escape nuclear disaster. It may be said that such an effort is foredoomed to failure; that Soviet Russia cares nothing for the good opinion of mankind; that it very evidently has weighed already the relative advantage of cultivating esteem and instilling terror. Perhaps this is so; but it may not be so. There is one sure way to find out beyond all conjecture. That is to appeal to Premier Khrushchev to reconsider, before it is too late. If this appeal fails, the resolution with which freemen face the terrors that then lie ahead will not be diminished but will be infinitely fortified by the knowledge that neither hate, nor pride, nor fear, nor rancor have prevented the search for an alternative to catastrophe.

Mr. JAVITS. Mr. President, I say to my dear friend and colleague from Minnesota that earlier in the day a number of us, including the distinguished present occupant of the chair [Mr. PELL], expressed ourselves in the same way with respect to the import and the nature of the activities of the men who rule the Russian people. I think the Senator would have been gratified to hear us all.

There is strong and deep bipartisan support for the position being taken by the President, and a real feeling of faith that ours is the right course, though we understand and realize the perils of the moment and though we all know our hands are quite as free as those of the Russians, any day we feel our national security, or our asurance of the security of the free world, requires us to proceed.

Mr. HUMPHREY. Mr. President, I hope President Kennedy will seize on this opportunity to exert the great political and moral leadership for which this world so desperately cries out, and to do it not only as he is now doing it but also in the forum of the nations of the world, in the General Assembly of the United Nations. I believe the General Assembly will convene on the 19th day of September. I should like to see our President seize the initiative, go to the United Nations, and lay before the General Assembly of the United Nations the total comprehensive program of disarmament which this Nation is developing; which is sensible, reasonable, and would be effective.

Secondly, in that same message I should like to have our President lay before the United Nations the full account of 34 months of negotiations with the Soviet Union at Geneva, Switzerland, in our effort to obtain a ban on further nuclear tests.

He should reveal to the whole world the draft treaty that we placed before the United Kingdom and the Soviet Union starting in March 1961. He should lay before the United Nations and the peoples of the world every objection that the Soviets made in 34 months to our position and every response that we made to those objections. He should lay before the peoples of the world and before the General Assembly of the United Nations the many concessions that this country was willing to make in the cause of peace. Now more than ever the world not only wants a leader who is strong in terms of our military preparedness—and we have such a leader in our country—but also the world needs great moral, ideological, and political leadership. We have such leadership in the President of the United States and those with whom he has associated himself in both political parties and in all elements of American life. The Soviet has given us a glorious opportunity again to demonstrate the difference between freedom and totalitarianism, between liberty and oppression. The world must know once again—and the fact needs to be stated by Senators, Representatives, public and private citizens again and again—that this Nation is unafraid, that this Nation is strong, and that this Nation is prepared.

Mr. President, we have the superiority in weapons that is required for the defense of freedom. Mr. Khrushchev knows that his political and military blackmail will work nowhere. It has backfired even at Belgrade, at the conference of the neutrals. It has backfired in the chancelleries of Western Europe. It is a disgusting exhibition of an overly ambitious man who seeks to terrorize in order to dominate the world.

He will succeed in neither. Terror will not work, and domination will be a failure.

Mr. JAVITS. Mr. President, I am grateful to the Senator from Minnesota for allowing me to make my position clear together with his.

THE METROPOLITAN OPERA SEASON OF 1960–61

Mr. JAVITS. I shall not detain the occupant of the chair or the Senate's very devoted administrative staff. The question relates to Calendar No. 557, H.R. 2244, a tax bill which was passed over today to be taken up another day, and to which I have offered an amendment which, of course, will be printed under the rule, which would open to the 30 percent contributions limit not only those charitable organizations which are now included in that limit—whatever may be said about the merits of the bill which would open it to foundations—but also museums of art or science, libraries operated for the general public or—and this is very important—societies or organizations conducted for the sole purpose of maintaining symphony orchestras or opera, which museums, libraries, societies or organizations normally receive a substantial part of their support from the United States or any State or political subdivision thereof or from direct contributions from the general public.

I ask unanimous consent that the text of the amendment may be printed at this point in the RECORD as a part of my remarks.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

On page 3 before line 1, insert the following:

"(iv) A museum of history, art, or science, or a library, open to and operated for the benefit of the general public, or a society or organization conducted for the sole purpose of maintaining symphony orchestras or operas, and which museum, library, society, or organization normally receives a substantial part of their support from the United States, or any State or political subdivision thereof, or from direct contributions from the general public, or".

On page 3, line 1, strike out "(iv)" and insert "(v)".

On page 3, line 11, strike out "(v)" and insert "(vi)".

On page 3, line 17, strike out "and (iii)" and insert "(iii), and (iv)".

On page 4, line 1, strike out "clause (iv)" and insert "clauses (iv) and (v)".

On page 4, line 4, strike out "(v)" and insert "(vi)".

Amend the title so as to read: "An Act to amend the Internal Revenue Code of 1954 to increase the limitation on the amount of allowable charitable contributions which may be made by individuals to certain museums, libraries, and symphony and opera societies and to certain organizations for the benefit of churches, educational organizations, hospitals, and such museums, libraries, and symphony and opera societies."

Mr. JAVITS. The amendment would help the Metropolitan Opera. Whatever may be the outcome of Secretary Goldberg's arbitration, the Metropolitan Opera will probably have a deficit of over $1 million for the 1961–62 season. We have all established that the Metropolitan Opera is an institution of national significance and importance. The President himself, through his Secretary of Labor, making an extraordinary exception to the normal policy of the Department, has caused the Secretary of Labor to undertake personal arbitration.

One of the first questions asked of me by the officials of the Metropolitan Opera Company when I tried to help in the situation was, "How can an arbitration be conducted when all we can depend upon are public contributions? We have no other source of money."

I think we are making a great mistake in this country in not having a program to help the arts. I have been working very hard for such a program, as has the distinguished occupant of the chair [Mr. PELL], the Senator from Minnesota [Mr. HUMPHREY], and other distinguished Senators and Members of the other body. We have some real objectives. But such action may require some time. Meanwhile we have a problem. Therefore, while we are amending the charitable contributions and the educational contributions law, why not open it, so far as we can consistent with our principles, to a little more help so that the Met and other organizations—but having in mind right now the Metropolitan Opera. There is a problem and implied responsibility. I think all of us who have worked hard to bring about the settlement undertook to give the Met every facility possible in order to raise the necessary money to do what we all want to do, which is to have a 1960–61 season.

I make that explanation for the reason that the Committee on Finance gives diligent attention to amendments. It has them sounded out by the Government departments. I think it does a fair job for all of us.

I have not submitted the amendment to the committee. The reason is obvious. The question is one of recent impression and is a real urgency. I make this statement publicly so the committee will understand that, and nonetheless will give us some kind of report from the Treasury Department, some kind of appraisal of the amendment, notwithstanding the fact that it is a floor amendment, in view of the fact that 4 or 5 days' notice has been given and the bill was not acted upon today.

A SALUTE TO INTERNATIONAL FREE TRADE UNION ORGANIZATIONS

Mr. HUMPHREY. Mr. President, in my Labor Day message I wish to pay a salute to international free trade union organizations.

The struggle for freedom knows no boundaries. The battleground is not limited to the halls of parliaments or to the conference tables of diplomats. It encompasses the field, the factory, the construction site, and everywhere men work to achieve the benefits of a better society. The cause of freedom is a lost cause unless it advances the well-being of all the people of the world, and not just the chosen few.

Our adversaries in the cold war know this, and know it well. Using the language of a democratic society as a camouflage repression, they clearly and successfully infiltrate the inner circles of worker organizations in the free and uncommitted countries around the world. Their prime target in many countries is to capture the trade union movement in many of these countries. They have done their work well.

Recognizing this fact of life, the major free trade unions of the world formed the International Confederation of Free Trade Unions. Their three-way objectives—bread, peace, and freedom—are a clarion call to all those who do not want to knuckle under to the hammer and sickle.

A smaller but equally dedicated organization of free trade unions is the International Federation of Christian Trade Unions. Also, in recent years, the rise of the influence of international trade secretariats around the world in the struggle for freedom has become dramatic and effective.

Joining these international free trade union organizations are national trade union centers in the countries of the free and uncommitted world. Many of the leaders of these organizations know first hand the evils of an enslaved society. They know that economic development is useless unless it is accompanied by the advancement of human dignity and self-respect in a free society. They will not turn back from this struggle.

We in the United States recognize their efforts in a common cause. The trade-union movement in the United States has supported and participated in these great efforts. The Government of the United States, through legislation and administrative action, has supported and aided in the strengthening of free institutions around the world.

On this Labor Day in 1961, I pay tribute to the worker organizations of the world and to their part in the struggle for freedom. It is a cause that will prevail. It is a cause that will end successfully through these great efforts toward the betterment of mankind.

ADJOURNMENT UNTIL TUESDAY AT 9 A.M.

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate at this time, I move, pursuant to the order previously entered, that the Senate adjourn until 9 a.m. on Tuesday, September 5, 1961.

The motion was agreed to; and at 6 o'clock and 36 minutes p.m., the Senate adjourned, under the order previously entered, until Tuesday, September 5, 1961, at 9 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 1, 1961:

David W. Dyer, of Florida, to be U.S. district judge for the southern district of Florida, vice a new position.

Abraham L. Freedman, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania, vice a new position.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 1, 1961:

U.S. DISTRICT JUDGES

Edward S. Northrop, of Maryland, to be U.S. district judge for the district of Maryland.

THADDEUS M. MACHROWICZ, of Michigan, to be U.S. district judge for the eastern district of Michigan.

IN THE U.S. MARINE CORPS

Having designated, in accordance with the provisions of title 10, United States Code, section 5232, the following-named officer for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving:

To be lieutenant general

Maj. Gen. Robert B. Luckey, U.S. Marine Corps.

IN THE U.S. NAVAL RESERVE

The following-named officers of the Naval Reserve for temporary promotion to the grade indicated subject to qualification therefor as provided by law:

MEDICAL CORPS

To be rear admirals

Paul W. Greeley
Raymond T. Holden

IN THE REGULAR ARMY

The nominations beginning David C. Ammons, to be first lieutenant, and ending Richard F. Young, to be second lieutenant, in the Regular Army, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on August 21, 1961.

EXTENSIONS OF REMARKS

Tribute to the Significance of Corn in American Life

EXTENSION OF REMARKS
OF
HON. JENNINGS RANDOLPH
OF WEST VIRGINIA
IN THE SENATE OF THE UNITED STATES
Friday, September 1, 1961

Mr. RANDOLPH. Mr. President, early in the 1st session of the 86th Congress, there occurred a spirited colloquy among Members of this body on the subject of selecting a national flower. At that time the esteemed senior Senator from Illinois [Mr. DOUGLAS] held forth in eloquent and persuasive terms in favor of corn.

Without associating myself as a partisan in the cause of my good friend from Illinois, I would draw attention to some comments by notable Americans on the significance of corn in our national life which have been compiled by Miss Margo Cairns, a lady who has zealously devoted much time and energy to the effort of having the corn tassle adopted as a national symbol.

The nutritional importance of corn cannot be overemphasized. But I would also note than it was one of the first symbols adopted for some of the decorative motifs on the columns of this Capitol Building—the appropriateness of this choice having been observed by some irreverent individuals in relation to comments which are occasionally uttered in these legislative Chambers.

In the form of cereal grain, flour, and also in its more rarified or distilled form, corn has become an integral part of American life; it has sustained our physical life and enriched our language and folklore. I therefore ask unanimous consent to have printed in the CONGRESSIONAL RECORD the comments on corn compiled by Miss Margo Cairns.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

WHAT THEY SAY—COLLECTED COMMENTS ON CORN

Dr. Kenneth D. Wells, president, Freedoms Foundation, Valley Forge: "This Nation could not have fed itself through the years had it not been for maize, Indian corn.

"More than any other bloom in the bounty of God's garden—the corn tassel exemplifies the food by which America under our free system has been fed.

"May the means come to make this essential blossom the symbol of America both fed and free."

Gov. Luther H. Hodges, now U.S. Secretary of Commerce: "In order to provide North Carolinians with an opportunity to acknowledge the economic and traditional significance of a truly southern food product, the State will observe Cornbread Week during the period of October 5–11.

"Cornbread has long occupied an important place in North Carolina and the South. From our earliest days it has been a basic ingredient in our region's worldwide reputation for culinary excellence. In infinite varieties—from hoecake to spoonbread—the tasty and nutritious products of cornmeal are a delightful part of our way of life.

"Cornbread also occupies an important place in the economic life of North Carolina. Seed dealers, farmers, millers, and retailers all owe a substantial part of their livelihood to the production and marketing of corn and corn products.

"In recognition of the many benefits—tangible and intangible—derived from cornbread, I am glad to designate the week of October 5–11, 1958, as Cornbread Week in North Carolina."

Senator PAUL H. DOUGLAS, May 11, 1961: "Corn symbolizes American abundance. It connotes the gratitude we have for its indispensable presence in the days of our ancestors' need, our present magnificent productive capacity, and the past, present, and future bounty our citizens have furnished to hungry peoples all over the world. It is a fitting symbol of our country in the plant world.

"I believe that the importance of corn both in our past history and in our society today clearly calls upon us to recognize this useful plant by making its golden corn tassel our national floral emblem. I am proud to introduce the golden corn tassel resolution for this purpose."

Congressman WALTER H. JUDD: "All Americans must know the story of the struggles for life by the early settlers of Jamestown and Plymouth and that it was corn, America's native plant that fed and sustained them. Perhaps not all Americans know that it was corn that saved starving Russians in the famine of the 1920's.

"Today this same American plant is feeding hungry peoples in many overpopulated lands. Corn has become the U.S. ambassador of good will around the globe."

Herschel D. Newsom, master, 1956: "The National Grange, by action of its delegate body, favors the corn tassel as our national floral emblem.' The resolution establishing this policy, and adopted by our delegate body, reads as follows:

" 'We recommend that the Congress enact legislation to declare the corn tassel our national floral emblem—corn being symbolic of the agriculture of our 48 States, native to our soil, and the object of cultivation for centuries—both by the red man and the farmer of today.' "

Wheeler McMillen, vice president, Farm Journal, Philadelphia: "It would take 11 tables stretching from San Francisco to New York to seat 180 million Americans for one single meal. We consume 540 million meals every day with little worry as to where the food is coming from.

Dorothy Giles, author, "Singing Valleys": "Corn is bread and ham and eggs and milk and cream and cheese. Corn is sugar and starch. Corn is oil and wine. Corn is clothing for men's bodies and shelter above their heads. Corn is life. Its life is the life of men.

"To us, in America, it is the strength of our past, the power of our present, the security of our future. For corn is the symbol of American democracy. And the story of corn is the story of the American people."

Harriet Simpson Arnow, author, "Seedtime on the Cumberland": "It is impossible to overestimate the importance of corn in the settlement of America. Corn was not only a proved and mighty plant of a growth so rapid it could lift itself above the weeds, but it could be planted with a hoe or grubbing hoe in ground too filled with roots and stumps for a plow to make a planting furrow. Another advantage of corn was that it would grow into a tall but sturdy plant able to hold its ears well out of reach of turkeys or raccoons, but downhanging and so well wrapped no damage could come from rain or snow and the smaller birds.

"There was, too, something kind and proud and free about the corn, big stuff a man could walk among, and reach his arms for the ears, 6 feet above the ground on 14-foot stalks. It grew in a wide variety of soils, and would yield at least something for bread on poor ground in a dry year.

"Travelers from Europe commented much on the American grain that was 'neither sown nor reaped.' "

Carl Sandburg, Flat Rock, N.C.: "All my life I have enjoyed watching corn grow, with something of wonder about how the stalk slowly rises from the ground and eventuates into the ripening ear with its brown silk. Now I find myself having added wonder about what happens and why it happens underground when the seed of corn is planted."

Dr. George D. Scarseth, director of research, West Lafayette, Ind.:

"Congratulations on your deep wisdom and understanding in seeing a great American character in the corn plant. Your suggestion that the corn tassel be selected as our national floral emblem is most appropriate.

"What can be a revelation more beautiful to the glory of God than the mechanism and the magic that takes place in a growing plant where the little balls of green chloroplasts race one another inside the cytoplasma, or juices of the cells of a green leaf? These are working to capture the sunshine some 90 million or more miles away and convert it into new life here on earth.

"The corn is one plant that captures more solar energy than any of our farm crops, and it has such a marvelous physiological mechanism in reproducing itself; in this the corn tassel is one of the keystones.

"We Americans have so much to live with and yet we hardly recognize that we have more to live for. So here's to you in your effort to make the corn tassel our national floral emblem."

Henry A. Wallace, former U.S. Secretary of Agriculture:

"A lovely flower for a living room is one thing; a floral emblem symbolizing a great nation is quite another."

Mrs. Julia Proctor White, educator, Peoria, Ill.: "A national floral emblem is not a thing of unrelated, arbitrary choice. To be truly symbolic it must have been interwoven with the story of the land and the people, and its associations with them must be potent and enduring. Our stately maize, the golden corn, is the one plant we have which amply fulfills these requirements.

"The corn tassel, flowering at the tip of its tall stalk, is in itself a symbol of the whole plant and thus doubly a symbol of the United States."

Mrs. Gertrude Stevenson, Minneapolis, Minn.: "A floral symbol must have more than beauty; though it must have that, it certainly must have a great deal more. It must have meaning—sacred and deep. It must be both subtle and evident. It must have history behind it and promise before it. It must awaken thanksgiving and continuity and reverence and faith. The corn tassel is the symbol of the only thing that grows that has all of this."

Val Bjornson, Minnesota state treasurer: "Scoffers, blase journalists, those who always look for some hidden selfish motive, are charmed and challenged by Miss Cairns' story of a plant cultivated by the red man for centuries before the white man came to our hemisphere, a plant native to our soil, symbolic of our agriculture, and, through its countless byproducts, of our industry."

The Professional Writers Club, Washington, D.C.: "The fabulous story of corn was

unveiled for the delighted members in an address by Miss Margo Cairns supported by color motion pictures at the January 1961 meeting. She traced the history of corn from some secluded valley in the Andes, at least 10,000 years ago, to the fabulous fields of hybrid corn in our Western States today. Christopher Columbus found it in the Caribbean, the Pilgrims found it in New England, the Indians had used it for hundreds of years before the Europeans arrived, and the Incas had sculptured cornfields in gold, just to mention a few of her revelations."

Return to God—A Way To Stop Khrushchev

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, September 1, 1961

Mr. ANFUSO. Mr. Speaker, in connection with the announcement by Soviet Russia that it will resume nuclear weapons testing, I should like to make the following comment:

The Communist devil has come out of hiding. It has cast off the mask of its sheeps' clothing.

I believe the U.S.S.R. has been secretly working on the huge nuclear bomb she is talking about which has a power equal to 100 million tons of TNT or 5,000 times bigger than the bomb which destroyed Hiroshima. Now she must make open tests to prove them out.

Khrushchev probably feels that he is now ready for the kill and is not afraid of exposure nor diverse public opinion. He must think that this is the hour to scare both the powerful and the weak nations into submitting to Russia's demands on Berlin and anywhere else in the world she chooses to strike. Even now both Russia and Red China talk of peace while they prepare to swallow up the world.

But there is one thing that can stop these godless countries and that is true moral and spiritual rearmament of humanity everywhere. Only a superior ideology, based on faith, morality, genuine freedom, and righteousness for all, can be effective and bring real peace to a tormented world. Military, economic, and political means are important, but they alone will not suffice.

If ever I believed in this cause, I believe in it now with all my heart. This is the time to unite the world by rearming all peoples with the moral and spiritual strength of our Saviour, who alone crushed the invincible but godless Roman Empire. All nations, except atheistic Russia and China, will follow such leadership. The weapons are not made and never will be made to crush such a spirit.

If Russia wishes to use its deadly weapons she will have to use them now, before the whole world, imbued with the moral strength of religion and faith, will rise up against her. Even her own people, who still have a spark of humanity in them, will drive the devils out of their country.

The So-Called Hanford Powerplant Compromise Is a Sham and for That Reason the House of Representatives Should Stand Fast by Refusing To Accept It

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 1, 1961

Mr. VAN ZANDT. Mr. Speaker, as I am sure every Member of the House of Representatives realizes, the conferees on the AEC authorization bill met yesterday and decided to try to force a half a loaf of Hanford on the House of Representatives. As the minority manager on the part of the House I have refused to sign the conference report because in my opinion it is still contrary to the instruction clearly and emphatically given to the House confrees by a vote of 235 to 164 to stand firm in opposition to the Hanford electric generating project. The proposal to authorize $58 million for the construction of one 400,000-kilowatt unit is a feeble attempt to dilute the effectiveness of the position the House has taken on three previous votes. This so-called compromise—even with the proviso that the electric energy be used exclusively at the Hanford station—is like saying, "Let's compromise, you give me half your beer and I'll give you half my foam."

We have often heard it said that half a loaf is better than none. But I can assure you that in this situation half a no-good loaf to begin with is substantially worse than none.

Mr. Speaker, never in my many years of legislative experience have I seen such a loose treatment of facts and figures in an attempt to get congressional authorization for a project as I have seen in this Hanford situation. Two years of intensive study went into the original proposal to add electric generating facilities to the new production reactor at Hanford. Two years were required because several different studies with varying assumptions had to be made before the proponents could come up with one which might barely pass the test of economic feasibility. In fact, the Joint Committee report on the original project stated on page 8:

> The economics of NPR (during the power-only operation) are about break even or moderately favorable (depending on bases and assumptions).

Therefore, it stands to reason that to increase the cost per kilowatt of installed capacity at Hanford by almost 22 percent—and that is exactly what happens when one constructs a 400,000-kilowatt station for $58 million—the economic feasibility obviously must be much worse. But again, we find the assumption jugglers busily engaged in trying to find a combination of secret assumptions which might make the project appear feasible. It will be noted from the conference report that they even had to increase the assumed plutonium production campaign by 3 years to accomplish their desired ends.

The majority conferees list four so-called advantages which they claim would accrue from the authorization of the single electric generator facility at Hanford. Let us examine these so-called advantages to determine whether they will stand up under the searching light of evaluation:

> 1. All of the electric power produced at the facility will be used for national defense purposes at the AEC Hanford plutonium weapons material production installation.

This is a true statement as far as it goes but it does not actually reflect what effect the project will have on national defense. At this time in our national history when we are engaged in a national defense spending program, unprecedented in our history, it would be foolhardy to dissipate this effort by spending $58 million to produce 400,000 kilowatts of electric power, even to be consumed at Hanford, which could be purchased more economically through the existing arrangements with the power suppliers. It is not sufficient to maintain that it "would be used for national defense purposes" when it is clearly demonstrated that the net effect would be to diminish the effectiveness of the defense effort.

> 2. Since the electric power production is limited to the AEC Hanford installation, the question of whether or not AEC would be in the commercial power business is completely eliminated.

This is one of the most blatant attempts to mislead and to confuse the basic issue contained in the conference report. The Atomic Energy Act of 1954 specifically requires that power may be produced incidentally in research and development reactors or production facilities. It cannot be argued that the addition of 400,000 kilowatts of electric generating capacity is incidental, but rather it becomes a major purpose of this facility. The fact remains that an equal amount of power which was previously supplied to Hanford would be released into the Bonneville system to add to the existing surplus in the Pacific Northwest. The fact remains that this additional surplus of 400,000 kilowatts would be used as a justification for the proposed Federal intertie between Bonneville and California as the first leg on an all-Federal giant power grid. The fact remains that public power planners already have on the drafting board plans to construct other Federal powerplants and transmission lines to compete with existing power suppliers.

Since the conference report assumes an 11-year plutonium production campaign at Hanford, one may ask whether it is also assumed that Hanford will not be required for plutonium production after 1973. If this be the case, what will become of the 400,000 kilowatts of power in this reactor at that time?

> 3. The Hanford atomic electric plant at 400,000 kilowatts would still be the world's largest atomic powerplant from a single reactor.

It might be further stated—as was pointed out during the previous debate

on the original proposal—that this would also be the world's most ridiculous example of obsolete, outmoded, and retrogressive engineering. There can be little benefit gained either technologically or in world prestige by wasting critically needed taxpayers' dollars to build an antique teakettle.

There is no doubt that the United States already enjoys the world's leadership in development of nuclear energy for peaceful purposes. We do not have to make ourselves appear to be foolishly striving for bigness, regardless of the contribution which such bigness might make in the refinement of reactor technology.

4. Economic studies submitted by the Atomic Energy Commission indicate that the entire capital cost of the generating facility will be paid for with interest in 9 years of dual-purpose operation.

I have already addressed myself to this point in the first part of my remarks. For this reason, I think it will be sufficient merely to reiterate that the increase in cost per kilowatt of installed capacity of almost 22 percent in this new proposal would certainly have an adverse effect on the economics of the proposition which the House has three times rejected.

Mr. Speaker, the attempts of the conferees to force half a Hanford loaf on the House of Representatives in no way negates the 10 compelling reasons listed in the separate statement attached to the Joint Committee report on the original AEC authorization bill and the position previously taken by the House of Representatives. Under the circumstances, I sincerely urge my colleagues in this body to rise in even greater force to announce that they will not tolerate such a complete disregard of the need for economy at a time when we are already involved in the most expensive defense effort we have ever undertaken. I feel it is the responsibility which every one of us has to our constituents and to the Nation to assure the most prudent and effective expenditure of Federal funds. The Hanford proposal contained in the conference report is indeed a question of waste. However, it is not a question of wasting steam, but a question of wasting more precious Federal dollars.

Pay Increases for Postal Workers

EXTENSION OF REMARKS
OF
HON. LESTER HOLTZMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, September 1, 1961

Mr. HOLTZMAN. Mr. Speaker, today I am introducing in the House of Representatives a bill which will amend the law relating to longevity step increases for postal workers. This bill is a companion measure to legislation previously introduced by other Members of Congress in the House and the Senate.

Over the years it has been the intent of the Congress to eliminate some of the discrimination against postal employees, and this bill will give them benefits comparable to those now enjoyed under the Classification Act by other Federal employees.

Under the law now in effect regular civil service employees receive longevity increases after 10, 13, and 16 years' service in the same grade. However, as a result of the antiquated law affecting postal employees they receive such increases only after 13, 18, and 25 years' service in grade.

The approval of this legislation will bring the benefits of postal employees more in line with those accorded other employees of the Federal Government, and will correct an inequity which has been in existence far too long.

The Senate has already acted on similar legislation, having passed S. 1459 on July 17; and I am very pleased to see that our Committee on Post Office and Civil Service had referred the legislation to the Subcommittee on Postal Operations, which held hearings on the same yesterday. I am hopeful that prompt and favorable consideration of the bill can be completed in the near future.

Labor Day, 1961

EXTENSION OF REMARKS
OF
HON. CHARLES McC. MATHIAS, JR.
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Friday, September 1, 1961

Mr. MATHIAS. Mr. Speaker, as America pauses to observe Labor Day, 1961, it is fitting that we as Americans pause to reflect upon the special meaning and significance of Labor Day this year.

In the past, the labor of our people has resulted in the strongest and freest nation which this world has yet known. It was by labor that we expanded from our earliest beginnings in New England past our western continental boundaries to those great new and far distant States of Hawaii and Alaska. But these accomplishments should not lead us to believe that our labor has ended; in fact, the challenges of today cause us to rededicate ourselves to toil not only for the benefit of our great Nation but also for the entire world.

The international challenges of today are extreme. The free world looks to us for leadership; the entire world looks to us for the establishment and endurance of a lasting peace. Therefore, on this day which we set aside to pay tribute to labors past we must pause to reflect on the Nation's future and on our world's future. For the great burden of preserving our democratic heritage rests upon the American citizen whose work and individual initiative has molded this Nation into a land of free ideals.

With a renewed dedication Americans must labor with deeper conviction than ever before that the preservation of our individual freedom and democratic principles rests upon the shoulders of Americans themselves—Americans who are dedicated to this land of opportunity and its destiny of freedom.

On this Labor Day let each man resolve to give new meaning to his labor in order that we may rise to the challenges of the day and provide a lasting peace for tomorrow.

SENATE

TUESDAY, SEPTEMBER 5, 1961

The Senate met at 9 o'clock a.m., and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our fathers' God, eternal, sure, and still omnipotent, when the world seems falling to pieces around us, and so many fair hopes are being dashed to the ground, help us in the midst of the whelming flood to stay our minds on Thee and in the strength of the everlasting values that nothing can destroy.

Through all the mystery of life, Thy strong arm alone can lead us to its mastery. Forgive us the distrust of ourselves, of life, and of Thee, and the doubts which besiege us, when, if we but had eyes to see, we would know that the heights about us are full of the chariots of God and the horsemen thereof.

As we spend our years as a tale that is told, may it be to the last page a tale of service well done, of tasks faced without flinching, of honor unsullied, and of horizons stretched out, as daily we fare forth toward journey's end when our work is done. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, September 1, 1961, was dispensed with.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on Friday, September 1, 1961, he presented to the President of the United States the following enrolled bills:

S. 561. An act to amend the act relating to the small claims and conciliation branch of the municipal court of the District of Columbia, and for other purposes;

S. 1656. An act to amend chapter 50 of title 18, United States Code, with respect to transmission of bets, wagers, and related information;

S. 1657. An act to provide means for the Federal Government to combat interstate crime and to assist the States in the enforcement of their criminal laws by prohibiting the interstate transportation of wagering paraphernalia;

S. 1983. An act to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the

world in their efforts toward economic development and internal and external security, and for other purposes; and

S. 2239. An act to amend the act to incorporate the National Society of the Sons of the American Revolution, approved June 9, 1906 (34 Stat. 227), in order to remove the statutory limitation on the amount of property such society may receive, purchase, hold, sell, and convey at any one time.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on September 4, 1961, the President had approved and signed the act (S. 1983) to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic development and internal and external security, and for other purposes.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION TODAY

On request of Mr. CHURCH, and by unanimous consent, the Subcommittee on Retirement of the Committee on Post Office and Civil Service was authorized to meet during the session of the Senate today.

On request of Mr. CHURCH, and by unanimous consent, the special subcommittee of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

On request of Mr. JOHNSTON, and by unanimous consent, the Subcommittee on Contested Nominations of the Committee on Post Office and Civil Service was authorized to meet during the session of the Senate today.

On request of Mr. JOHNSTON and by unanimous consent the Trading With the Enemy Subcommittee of the Senate Judiciary Committee was authorized to meet during today's session of the Senate.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar, beginning with the new reports.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The VICE PRESIDENT. If there be no reports of committees, the nominations on the Executive Calendar, beginning with the new reports, will be stated.

PUBLIC HEALTH SERVICE

The Chief Clerk read the nomination of Dr. Norman Q. Brill, of California, to be a member of the Board of Regents, National Library of Medicine, Public Health Service.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Dr. Saul W. Jarcho, of New York, to be a member of the Board of Regents, National Library of Medicine, Public Health Service.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED NATIONS REPRESENTATIVES

The Chief Clerk proceeded to read sundry nominations of representatives and alternate representatives of the United States of America to the 16th session of the General Assembly of the United Nations.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

PUBLICATION OF NOTICE OF PROPOSED DISPOSITION OF CERTAIN PIG TIN

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a copy of a notice presently being published in the Federal Register of a proposed disposition of approximately 50,000 long tons of pig tin now held in the national stockpile (with an accompanying paper); to the Committee on Armed Services.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Three letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted at the 80th Annual Encampment of the Sons of Union Veterans of the Civil War, at Indianapolis, Ind., favoring the designation of November 19 as Dedication Day, which was referred to the Committee on the Judiciary.

A resolution adopted by the board of directors of the Texas Mortgage Bankers Association, relating to the service charge on FHA loans where the original amount of loan is $9,000 or less; to the Committee on Banking and Currency.

A resolution adopted by the Polish American Congress, central and northern New York State district, at Utica, N.Y., favoring the adoption by the U.S. Government, as part of its foreign policy, the restoration of the western lands to Poland to the Rivers Oder and Niese; to the Committee on Foreign Relations.

UPPER COLORADO RIVER COMMISSION UNANIMOUSLY BACKS PRIVATE UTILITY CONSTRUCTION OF TRANSMISSION LINES TO SERVE THE UPPER COLORADO RIVER STORAGE PROJECT—RESOLUTION

Mr. BENNETT. Mr. President, the Upper Colorado River Commission meeting in Denver on September 1 unanimously endorsed the private utilities offer to construct the power transmission lines which will serve the upper Colorado River storage project.

It should be emphasized that the creation of the Commission was authorized and ratified by Congress when it approved an interstate compact. Four of the five members of the Commission were appointed by the Governors of Colorado, New Mexico, Utah, and Wyoming, respectively, and the Chairman is appointed by the President of the United States. The Commission was created to supervise the regulation, conservation, and utilization of the waters of the Upper Colorado River Basin.

The Commission in its resolution points out that the Bureau of Reclamation has changed its so-called yardstick system to a modified system, thereby increasing the number of delivery points from 15 to 24, which will consequently reduce the irrigation assistance to states by approximately $50 million. It should be noted that the private utilities have argued for some time, based upon compelling data, that they can transmit power from the Colorado units under existing lines, thus saving an estimated $136 million Federal investment in construction costs alone.

The private utilities in the upper basin have taken the unusual action of firmly committing themselves to reducing power wheeling charges as soon as their capital investments in the wheeling fa-

cilities have been amortized. The Commission points out that "such reduced wheeling charges would substantially increase the revenues available for the basin funds as compared with the originally proposed combination system." Colorado's member of the Commission, former Senator Edwin Johnson, estimates that wheeling costs will be reduced by $146 million as a result of the action taken by the private utilities. This gives additional assurance that power can be delivered to the load centers in the upper basin States at 6 mills under the private utility proposal, as required by the Bureau of Reclamation.

I ask unanimous consent that the text of the resolution appear following my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE UPPER COLORADO RIVER COMMISSION

Whereas the Congress exercises the policy-making power of the United States; and

Whereas Congress authorized and ratified an interstate compact among the States of Arizona, Colorado, New Mexico, Utah, and Wyoming which created a commission representing Colorado, New Mexico, Utah, and Wyoming to supervise the regulation, conservation, and utilization of the waters of the Upper Colorado River Basin; and

Whereas the legislature of each of said five States ratified said Upper Colorado River Basin compact; and

Whereas the chairman of said commission is appointed by the President of the United States; and

Whereas the commissioners are appointed by the Governors of the said four States—each Governor naming one commissioner to serve at his pleasure; and

Whereas the utilization of the waters apportioned by said compact for the generation of hydroelectric energy is subservient to the use and consumption of such waters for agricultural and domestic purposes; and

Whereas the regulation, conservation and utilization of the waters of the said Basin requires the construction of both storage projects and participating projects; and

Whereas this development is implemented by the enactment of Public Law 485, 84th Congress, an act authorizing the Colorado River storage projects and participating projects; and

Whereas said projects will generate electric energy which will be marketed; and

Whereas the revenues from such marketing must repay the construction costs of said storage projects including electric facilities and a portion of the construction costs of said participating projects; and

Whereas the early development of the participating projects is of great importance to the progress and welfare of the Upper Basin States; and

Whereas at the hearings of the House and Senate Interior and Insular Affairs Committees in 1954 and 1955 on the authorization for the construction of said Colorado River storage project and participating projects, the investor-owned electric utilities offered to wheel storage project power to preference users over their transmission systems; and

Whereas the Congress in House Report No. 1087, 84th Congress, 1st session, expressed favorable interest in these proposals and stated at page 17:

"The Department of the Interior advised the committee that it was sympathetic to the private companies' proposal and indicated that the suggestions would be given studied consideration if the project were authorized. Therefore, the committee expects the proposal by the private power companies for cooperation in the development to be carefully considered by the Department of the Interior and the electric power and energy of the projects to be marketed, so far as possible, through the facilities of the electric utilities operating in the area, provided, of course, that the power preference laws are complied with and project repayment and consumer power rates are not adversely affected."

Whereas under the provisions of law certain parties are entitled to a preference for the purchase of project electric energy at the price established by the Secretary of the Interior; and

Whereas in the Upper Colorado River Basin investor-owned and Federal transmission lines serve both preference and private users; and

Whereas the investor-owned utilities have proposed a combination transmission system with certain lines to be constructed and operated by the Federal Government and the remaining lines to be provided by the investor-owned utilities with wheeling service for Colorado River storage project energy over such lines to specified load centers; and

Whereas according to recent tables submitted by the Bureau of Reclamation changing from the yardstick to the modified system thereby increasing the number of delivery points from 15 to 24, the irrigation assistance to States has been reduced approximately $50 million; and

Whereas the controversy over the construction of transmission lines has been exceedingly detrimental to reclamation and must be resolved quickly on merit alone; and

Whereas the Upper Colorado River Commission believes that the investor-owned utilities after their capital investments in wheeling facilities have been amortized should adjust their wheeling charges to cover only ad valorem taxes on such transmission facilities, plus operation, maintenance and replacement costs actually incurred; and

Whereas such reduced wheeling charges would substantially increase the revenues available for the basin fund as compared with the originally proposed combination system; and

Whereas the Upper Colorado River Commission has the direct responsibility to protect the adequacy and integrity of said basin fund above other considerations: Now, therefore, be it

Resolved, That the Upper Colorado River Commission, having obtained from the investor-owned utilities firm assurance that they will enter into agreements with the Bureau of Reclamation for bona fide wheeling contracts in which the utilities will limit their wheeling charges after their capital investments in said transmission facilities have been amortized or after the initial 50-year period, whichever is the earlier, to cover only actual ad valorem taxes and actual operation, maintenance, and replacement costs on transmission facilities associated with such wheeling contracts, endorses the combination proposal of the investor-owned utilities, provided that the Congress determines that under such proposal the project repayment and consumer power rates are not adversely affected when compared with other methods of energy transmission; and be it further

Resolved, That the Commission advise the Congress of this endorsement and that the Chief Engineer and Secretary of the Commission is directed to transmit copies of this resolution to members of the Appropriations Committees of both Houses of Congress and to other interested parties.

CERTIFICATE

I, Ival V. Goslin, chief engineer and secretary of the Upper Colorado River Commission, do hereby certify that the above and foregoing resolution was duly passed and approved by the Upper Colorado River Commission at a regularly called meeting of said Commission held at Denver, Colo., on the 1st day of September 1961.

Witness my hand this 1st day of September 1961.

IVAL V. GOSLIN,
Chief Engineer and Secretary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CARROLL, from the Committee on Interior and Insular Affairs, with amendments:

S. 1747. A bill to stabilize the mining of lead and zinc in the United States, and for other purposes (Rept. No. 867).

By Mr. KERR, from the Committee on Finance, with amendments:

H.R. 2585. An act relating to the credits against the employment tax in the case of certain successor employers (Rept. No. 868).

By Mr. KEFAUVER, from the Committee on the Judiciary, without amendment:

S. Res. 144. Resolution to refer S. 1845 to the Court of Claims (S. Rept. No. 872).

By Mr. BIBLE, from the Committee on the District of Columbia, with an amendment:

H.R. 8444. An act to amend the act of August 12, 1955, relating to elections in the District of Columbia (Rept. No. 869).

By Mr. HARTKE, from the Committee on the District of Columbia, without amendment:

S. 2470. A bill to authorize the construction of a railroad siding in the vicinity of Taylor Street NE., District of Columbia (Rept. No. 873).

By Mr. SMITH of Massachusetts, from the Committee on the District of Columbia, with an amendment:

S. 1292. A bill to amend the act of June 19, 1948, relating to the workweek of the Fire Department of the District of Columbia, and for other purposes (Rept. No. 874); and

S. 1745. A bill to amend the act of August 9, 1955, relating to the regulation of fares for the transportation of schoolchildren in the District of Columbia (Rept. No. 875).

By Mr. SPARKMAN, from the Committee on Foreign Relations, with amendments:

S. 653. A bill to provide for the presentation by the United States to the people of Mexico of a momument commemorating the 150th anniversary of the independence of Mexico, and for other purposes (Rept. No. 877); and

S. 2423. A bill to provide for the appointment of a representative of the United States to the Organization for Economic Cooperation and Development, and for other purposes (Rept. No. 878).

AMENDMENT OF CLOTURE RULE—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 870)

Mr. CANNON. Mr. President, from the Committee on Rules and Administration, I report, without recommendation, the resolution (S. Res. 4) to amend the cloture rule by providing for adoption by a three-fifths vote, and I submit a report thereon. I ask that the report be printed, together with the individual views of the Senator from New York [Mr. KEATING].

The PRESIDING OFFICER (Mr. METCALF in the chair). The report will be received, and the resolution will be placed

on the calendar; and, without objection, the report will be printed, as requested by the Senator from Nevada.

REVISION OF FEDERAL ELECTION LAWS—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 871)

Mr. CANNON. Mr. President, from the Committee on Rules and Administration, I report favorably, without amendment, the bill (S. 2426) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes, and I submit a report thereon. I ask that the report be printed, together with the individual views of the Senator from New York [Mr. KEATING].

The PRESIDING OFFICER. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Nevada.

ESTABLISHMENT OF TEACHING HOSPITAL FOR HOWARD UNIVERSITY AND TRANSFER OF FREEDMEN'S HOSPITAL—REPORT OF A COMMITTEE (S. REPT. NO. 876)

Mr. MORSE. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, without amendment, the act (H.R. 6302) to establish a teaching hospital for Howard University, to transfer Freedmen's Hospital to the university, and for other purposes, and I submit a report thereon.

I have studied H.R. 6302 and the departmental and committee reports made concerning it at considerable length. This study convinces me that the measure has great merit.

I should mention at the outset, that I have considered this measure in the light of a possible application of the Morse formula to those provisions of it which transfer the hospital to Howard University without reimbursement. I am satisfied that the measure does not violate the Morse formula.

The Senate report accompanying H.R. 6302 indicates:

Howard University operates under a Federal charter granted in 1867 (14 Stat. 438)—

And that—

Pursuant to legislative enactment in 1928 (45 Stat. 1021) Howard University receives an annual appropriation from the Federal Government in partial support of its operations. In addition, the Federal Government has carried on an extensive building program at Howard to provide the university with physical facilities to conduct its work.

The fact that this great educational institution is located in the heart of our Nation's Capital, and the further fact that it receives substantial annual appropriations and other Federal assistance, makes it clear that for all practical purposes, Howard University is, in effect, a quasi-governmental institution. That being the case, the transfer of the hospital to the university bears a close analogy to an intra-Federal governmental transfer of property. Under such circumstances, the Morse formula is inapplicable.

The PRESIDING OFFICER. The report will be received, and the bill will be placed on the calendar.

JOINT RESOLUTION INTRODUCED

A joint resolution was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ENGLE (for himself and Mr. KUCHEL):

S.J. Res. 132. Joint resolution extending recognition to the International Exposition for Southern California in the year 1966 and authorizing the President to issue a proclamation calling upon the several States of the Union and foreign countries to take part in the exposition; to the Committee on Foreign Relations.

STABILIZATION OF THE MINING OF LEAD AND ZINC—ADDITIONAL COSPONSOR OF BILL

Mr. ALLOTT. Mr. President, I ask unanimous consent that I be listed as a cosponsor of the bill (S. 1747) to stabilize the mining of lead and zinc in the United States, and for other purposes, at the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING ON NOMINATION OF T. EMMETT CLARIE, OF CONNECTICUT, TO BE U.S. DISTRICT JUDGE, DISTRICT OF CONNECTICUT (NEW POSITION)

Mr. DODD. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, September 13, 1961, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nomination:

T. Emmett Clarie, of Connecticut, to be U.S. district judge, district of Connecticut—new position.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Tennessee [Mr. KEFAUVER], the Senator from Wisconsin [Mr. WILEY], and myself, as chairman.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. JOHNSTON. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Alexander Greenfeld, of Delaware, to be U.S. attorney, district of Delaware, term of 4 years, vice Leonard G. Hagner.

Hosea M. Ray, of Mississippi, to be U.S. attorney, northern district of Mississippi, term of 4 years, vice Thomas R. Ethridge.

Donald F. Miller, of Washington, to be U.S. marshal, western district of Washington, term of 4 years, vice William B. Parsons.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, September 12, 1961, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

NOTICE OF HEARINGS ON NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. JOHNSTON. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Tuesday, September 12, 1961, at 11 a.m., in room 2228, New Senate Office Building, on the following nominations:

George C. Young, of Florida, to be U.S. district judge, northern and southern districts of Florida, vice George W. Whitehurst, retired.

Elmer Gordon West, of Louisiana, to be U.S. district judge, eastern district of Louisiana, a new position.

Richard J. Putnam, of Louisiana, to be U.S. district judge, western district of Louisiana, a new position.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi [Mr. EASTLAND], chairman, the Senator from Nebraska [Mr. HRUSKA], and myself.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. WILEY:

Excerpts from an address prepared for delivery by himself over Wisconsin radio stations on September 3, 1961, on the subject "Labor as the Voice of Freedom."

Excerpts from address prepared for delivery by himself over radio station WGN, Chicago, Ill., on September 3, 1961, on the subject of "A Western Antidote to Nuclear Tests by Communists."

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 415. An act for the relief of Margaret Jean Dauel;

S. 513. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Acadia*, owned by Robert J. Davis of Port Clyde, Maine, to be documented as a vessel of the United States with coastwise privileges;

S. 888. An act to authorize the Secretary of the Interior to lease certain lands in the State of Utah to Joseph A. Workman; and

S. 1012. An act to direct the Secretary of the Interior to adjudicate a claim of the Greif Bros. Cooperage Corp., to certain land in Marengo County, Ala.

The message also announced that the House had agreed to the amendment of the Senate to each of the following bills of the House.

H.R. 32. An act authorizing the establishment of the Fort Smith National Historic Site, in the State of Arkansas, and for other purposes; and

H.R. 256. An act to amend the District of Columbia Alcoholic Beverage Control Act.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 7916) to expand and extend the saline water conversion program being conducted by the Secretary of the Interior; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASPINALL, Mr. O'BRIEN of New York, Mr. ROGERS of Texas, Mr. SAYLOR, and Mr. HOSMER were appointed managers on the part of the House at the conference.

ACTIVITIES OF THE COMMITTEE ON PUBLIC WORKS DURING 1ST SESSION OF THE 87TH CONGRESS

Mr. MANSFIELD. Mr. President, I have received a letter from the senior Senator from New Mexico [Mr. CHAVEZ] who is chairman of the Committee on Public Works of the Senate. The letter enclosed a copy of a statement concerning the activities of the Committee on Public Works during this session of the 87th Congress.

I ask unanimous consent that the letter and the enclosure be printed at this point in the RECORD.

There being no objection, the letter and enclosure were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON PUBLIC WORKS,
September 5, 1961.

Hon. MIKE MANSFIELD,
Majority Leader of the Senate,
Washington, D.C.

DEAR MIKE: I would like to submit for your information and for inclusion in the CONGRESSIONAL RECORD, a summary of the activities of the Committee on Public Works during the 1st session of the 87th Congress.

There is attached hereto a list of measures considered and approved by the committee and enacted into law, also those approved by the committee that did not become law, and a discussion of other activities of the committee.

While a large number of the measures before the committee were not enacted into law, the session was marked by many accomplishments in discharging the responsibility assigned it. The various proposals approved by the Committee on Public Works will contribute substantially to the economic well-being of the Nation.

By extending and strengthening the Federal-aid highway program; improvement of small upstream watersheds; by extending, broadening, and expanding the Federal water pollution control programs; continuing studies of additional flood control and navigation improvements; and providing for construction and alteration of Federal office and post office buildings throughout the country, will provide means for the general enhancement of the national economy, and improve the way of life of our citizens.

Two measures approved by the committee are of national interest and worthy of special mention, and their principal provisions are discussed more fully in the data following; these are the Federal-Aid Highway Act of 1961, and the Federal Water Pollution Control Act Amendments of 1961.

The Federal-Aid Highway Act of 1961, and the Internal Revenue Code and highway trust fund amendments, provide the necessary authorization and funds for bringing the Federal-aid program for the Interstate Highway System back on the schedule originally adopted in 1956. This act provides authorization for completion of the system as presently estimated, and provides revenue to go into the highway trust fund sufficient to meet the obligations for its completion by 1972. Completion of this system will contribute to our economic welfare, serve the national defense, and improve the safety of our highways, thus reducing accidents, loss of human life, and the tremendous damages and property losses caused by the hazards of our existing highways.

The Federal Water Pollution Control Act amendments will expand and support the aid in technical research relating to the prevention and control of water pollution, and in providing limited Federal grants for construction of sewage and waste treatment facilities by States, interstate agencies, and municipalities. It will go far in alleviating the present problem of pollution of our streams and protection of the urgently needed supply of water for the rapidly expanding population of our Nation.

The work and accomplishments of the committee were made possible by the work and diligence of the chairmen of the various subcommittees, and the excellent cooperation of all the committee members. To those members, and to you, I wish to express my appreciation for the valuable assistance rendered in connection with the work of the committee, and in securing passage of the many measures by the Senate.

With kindest regards.

Sincerely,

DENNIS CHAVEZ,
Chairman.

Committee on Public Works, U.S. Senate, 87th Cong.

BILLS AND RESOLUTIONS ENACTED INTO LAW—PUBLIC LAWS

No.	Date approved	Provisions	Estimated cost
9	Mar. 29, 1961	Authorize beach erosion control project for shore in San Diego County, Calif.	$1,498,000
61	June 29, 1961	The Federal-Aid Highway Act of 1961—Amend Federal-aid highway laws to make certain adjustments in the highway program, and for other purposes.	11,560,000,000
88	July 20, 1961	Federal Water Pollution Control Act Amendments of 1961—Extends and expands the authorization for grants to States and interstate agencies to assist them in establishing and maintaining adequate measures for the prevention and control of water pollution.	630,000,000
184	Aug. 30, 1961	Modification of the project for damages to levee and drainage districts on Mississippi River between the Missouri River and Minneapolis, Minn., with particular reference to the Kings Lake Drainage District, Missouri.	80,000

BILLS REPORTED BY COMMITTEE ON PUBLIC WORKS AND PASSED BY SENATE

Bill No.	Date passed	Provisions	Estimated cost
S. Res. 16	Feb. 13, 1961	To authorize the Committee on Public Works to employ additional temporary personnel and providing additional funds for the committee.	$125,000
S. 48	June 12, 1961	To authorize the Secretary of the Army to modify certain leases entered into for the provision of recreation facilities in reservoir areas.	0
S. 49	do	To provide for annual audits of bridge commissions and authorities created by act of Congress, for filling vacancies in the membership thereof, and for other purposes.	0
S. 51	July 7, 1961	To provide for a Commission on Presidential Office Space, to carry out remodeling and renovation of the east and west wings of the White House, and the Old State, War, and Navy Building.	13,270,000
S. 340	Aug. 14, 1961	To authorize the Chief of Engineers to enter into a contract with the Standing Rock and Cheyenne River Indian Tribes for clearing portions of the Oahe Reservoir area.	0
S. 811	June 13, 1961	To establish a Wabash Basin Interagency Water Resources Commission.	0
S. 931	July 7, 1961	To repeal that part of the act of Mar. 2, 1889, which requires that grantors furnish, free of all expenses to the Government, all requisite abstracts, official certifications, and evidences of title.	0
S. 1742	Aug. 21, 1961	To extend the provisions of the Federal Disaster Relief Act to Guam, American Samoa, and the Trust Territory of the Pacific Islands in major disasters.	0
S. 2295	do	To amend the act entitled "An act for the organization, improvement, and maintenance of the National Zoological Park" approved Apr. 30, 1890.	0

REPORTED BY COMMITTEE

S. 1563	Aug. 16, 1961 (reported)	To authorize the conveyance of certain lands within the Clark Hill Reservoir, Savannah River, Ga.-S.C., to the Georgia-Carolina Council, Inc., Boy Scouts of America, for recreation and camping purposes.	0

The committee adopted 3 resolutions providing Federal office building surveys at specified locations, and 41 resolutions authorizing review surveys of streams and localities for flood control, navigation, and allied purposes at various localities throughout the Nation.

Projects approved by the Committee on Public Works under the Public Buildings Act of 1959, Public Law 249, 86th Cong.

NEW BUILDINGS

Location	Project	Estimated cost	Location	Project	Estimated cost
Calexico, Calif.	Border patrol station	$375,000	St. Paul, Minn.	Courthouse and Federal office building.	$11,673,000
Los Angeles-Long Beach area, California.	Customhouse	3,250,000	Harrisburg, Pa.	do	7,470,000
Jacksonville, Fla.	Federal office building	9,573,000	Philadelphia, Pa.	do	42,680,000
Marianna, Fla.	Post office and courthouse	633,000	Del Rio, Tex.	Border patrol station	342,000
St. Petersburg, Fla.	Federal office building	5,325,000	Do.	Sector headquarters, border patrol	535,000
Macon, Ga.	Post office and Federal office building.	4,334,000	Charlottesville, Va.	Federal office building	2,333,000
Porthill, Idaho.	Border station	152,000	Spokane, Wash.	Courthouse and Federal office building.	8,694,000
Louisville, Ky.	Federal office building	13,100,000	Washington, D.C.	Federal Office Building No. 5	42,000,000
Houlton, Maine.	Border patrol headquarters	410,000	Total estimated cost (20 buildings).		156,542,000
Harvard area, Massachusetts.	Civil defense headquarters	3,000,000			
Sault Ste. Marie, Mich.	Border station	312,000			
Pigeon River, Minn.	do	351,000			

ALTERATIONS TO EXISTING BUILDINGS

Sacramento, Calif.	Post office and courthouse	$1,059,000	Grand Forks, N. Dak.	Post office and courthouse	$370,000
San Francisco, Calif.	Appraisers building	709,000	Oklahoma City, Okla.	do	879,000
Chicago, Ill.	Federal building	2,044,000	Portland, Oreg.	Courthouse	269,100
Do.	Main post office	3,890,000	Do.	Interior building	1,442,000
Do.	Railroad Retirement Building	1,468,000	Philadelphia, Pa.	Pennsylvania Athletic Club Building.	704,000
Louisville, Ky.	Post office and customhouse	1,209,000	Do.	5000 Wissahickon Ave.	5,296,000
Owensboro, Ky.	do	337,000	Knoxville, Tenn.	Post office and courthouse	462,000
New Orleans, La.	do	3,872,000	Dallas, Tex.	Federal office building	819,000
Do.	Federal office building	1,415,000	Houston, Tex.	Post office and courthouse	1,518,000
Bethesda, Md.	National Institutes of Health	2,328,000	Arlington, Va.	Pentagon building	6,915,000
Detroit, Mich.	Post office and courthouse	4,628,000	Washington, D.C.	Agriculture building	3,538,000
Grand Rapids, Mich.	do	831,000	Do.	Treasury building	2,386,000
Minneapolis, Minn.	Federal office building	1,129,000	Court facilities		11,970,000
Do.	Post office and garage	595,200	Federal buildings at 26 locations throughout the country.		
Grand Island, Nebr.	Post office and courthouse	364,000			
Jersey City, N. J.	Post office	228,000			
New York, N.Y.	General post office	1,168,000	Total estimated cost (31 alterations).		67,882,300
Do.	Vesey Street Federal Office Building	4,040,000			

Projects approved by the Committee on Public Works under the Watershed Protection and Flood Prevention Act, Public Law 566, 83d Cong., as amended

Project	Estimated Federal cost	Date approved	Project	Estimated Federal cost	Date approved
Magma Creek, Ariz.	$2,544,500	May 31, 1961	Middle-South Branch, Forest River, N. Dak.	$1,148,508	Aug. 15, 1961
Muddy Fork, Illinois River, Ark.	710,500	Do.	Sallisaw Creek, Okla.	4,552,584	Do.
Big Sandy Creek, Colo.	871,374	Aug. 15, 1961	Beaver Creek, Oreg.	832,400	Do.
Bull Creek, Ga.	1,849,300	May 31, 1961	Camp Rice Arroyo, Tex.	395,300	May 31, 1961
South River, Ga.	853,703	Aug. 15, 1961	Lower Plum Creek, Tex.	3,303,900	Do.
Seven Mile Creek, Ill.	190,200	May 31, 1961	Twin Parks watershed, Wisconsin	778,325	Aug. 15, 1961
Middle Fork, Anderson River, Ind.	1,004,480	Aug. 15, 1961			
Fall River, Kans.	4,188,800	May 31, 1961	Total	24,367,074	
Bayou Rapides, La.	1,143,200	Do.			

The Federal-Aid Highway Act of 1961

TITLE I

(Public Law 61, 87th Cong.)

The Federal-Aid Highway Act of 1961 provides for completion of the National System of Interstate and Defense Highways on the schedule originally authorized by the Congress in the Federal-Aid Highway Act of 1956, by authorizing a firm program of annual appropriations for apportionment to the States, based on the estimates of cost for completing the Interstate System submitted to Congress earlier this year, as outlined in House Document No. 49, 87th Congress.

Section 108(d) of the Federal-Aid Highway Act of 1956 provided that apportionment of funds to the States for financing construction of the Interstate System for fiscal years 1958 and 1959 would be made on the basis of existing law, and that apportionments for fiscal years 1960 through 1969, inclusive, would be made to the States in the ratio which the estimated cost of completing the Interstate System in each State bears to the sum of the estimated cost of completing the system in all the States. These cost estimates used in making the apportionments were to be based on detailed studies and submitted to Congress within 10 days subsequent to January 2, 1958, and revised at periodic intervals during the life of the program. Apportionments made on this basis are commonly referred to as the needs formula for apportionment.

Pursuant to section 108(d) of the Federal-Aid Highway Act of 1956, the Secretary of Commerce submitted to Congress on January 7, 1958, a State-by-State estimate of cost for completing the Interstate System, which was published as House Document No. 300, 85th Congress, and used as a basis for apportionment to the States of funds authorized for such systems for the fiscal years 1960, 1961, and 1962.

Section 102 of the Federal-Aid Highway Act of 1961 gives approval to the estimate of cost of completing the Interstate System transmitted to the Congress on January 11, 1961, and published as House Document No. 49, 87th Congress, as a basis for apportioning to the States the funds authorized for the Interstate System for fiscal years 1963, 1964, 1965, and 1966.

The existing law has authorized the appropriation of a total of $25.440 billion for payment of the Federal share of the cost of completing the Interstate System. The 1961 cost estimate indicates that the total cost of completing the Interstate System will be $41 billion, of which $37 billion is the estimated Federal share. Section 103 of Public Law 61, 87th Congress, increased the total authorized amount from $25.440 billion to $37 billion. No changes are made in the authorizations through fiscal year 1962. From 1963 through 1969, authorizations were increased by varying amounts, and new authorizations were made for fiscal years 1970 and 1971. The total increase in authorizations was $11.560 billion.

Section 111 of title 23, United States Code, authorizes a State or political subdivision thereof to use the airspace above and below the established gradeline of the highway pavement of the Interstate System for the parking of motor vehicles. Section 104 of Public Law 61 allows a State or political subdivision to use the airspace above and below the highway not only for parking, but for other purposes as well, and to permit the use of such space by others, provided that such use does not impair the full use and safety of the highway, or otherwise interfere in any way with the free flow of traffic on the Interstate System. This airspace could thus be utilized for parking and other purposes by States, municipalities, or private interests granted permission for such use by appropriate authority, subject to the conditions relating to safety of the highways and the free flow of traffic, and to rules and regulations prescribed and promulgated by the Secretary of Commerce under existing law. This section would also authorize the Secretary of Commerce to revise agreements made prior to the date of enactment of Public Law 61, upon application, and in conformance with existing law, as amended.

Section 105 of Public Law 61 authorizes the use of funds appropriated for defense ac-

cess roads to pay the cost of repairing damage caused to highways by the operation of vehicles and equipment in the construction of classified military installations and facilities for ballistic missiles, if the Secretary of Commerce determines that the State highway department of any State is, or has been unable to prevent such damage by restrictions upon the use of such highways without interference with, or delay in, the completion of a contract for the construction of such military reservations or installations. This provision applies to damage caused by construction work commenced prior to June 1, 1961, and still in progress on that date and construction work which is commenced or for which a contract is awarded on or after June 1, 1961.

The Federal-Aid Highway Act of 1958 provided for regulation of outdoor advertising signs or displays within 660 feet of the highway rights-of-way of the Interstate System, in accordance with regulations prescribed by the Secretary of Commerce, in compliance with agreements with the States that they will regulate such advertising. Where outdoor advertising is so controlled by the States, the Federal share of construction of projects will be increased by one-half of 1 percent to 90.5 percent, provided that the agreements pursuant to the law had been entered into with the States prior to July 1, 1961. Section 106 of Public Law 61 extended the date within which agreements with the States relative to the regulation of outdoor advertising could be entered into from July 1, 1961, to July 1, 1963.

TITLE II

Title II of Public Law 61 was considered by the Committee on Finance. It contains adequate financing provisions for completion of the Federal-aid highway program on the basis of the latest estimates for completing the Interstate System, and for increasing the apportionments for the A–B–C program to a level of $1 billion per year.

FEDERAL WATER POLLUTION CONTROL

(Public Law 88, 87th Cong.)

The Federal Water Pollution Control Act Amendments of 1961 extend the authorizations for grants to States and interstate agencies to assist them in meeting the costs of establishing, constructing, and maintaining adequate measures for the prevention and control of water pollution. It enlarges, expands, and extends the present Federal water pollution control law and programs, to further the efforts of over 50 years by the many Federal, State, municipal, health and sanitary officials, and others, in control of pollution of our Nation's waters. The law provides the Federal Government working in a joint effort with State and local authorities, the necessary means to alleviate the present waste of our water supplies through pollution.

Public Law 88 expands and extends the grants to the States and interstate agencies for study and establishment of water pollution control programs; includes a provision for inclusion of storage for regulation of streamflow in planning reservoirs of the Corps of Engineers and the Bureau of Reclamation for the purpose of water quality control; authorizes funds for research and demonstration of methods and procedures for treating municipal sewage and wastes; authorizes establishment and equipping field laboratories and research facilities at seven locations in the United States, and research and study of the water quality of the Great Lakes; increases annual Federal grants to the States for construction of sewage and waste treatment works, in both total amounts and the amount for individual projects; makes the Davis-Bacon Act applicable to projects for which grants have been made; provides that interstate or navigable waters shall be subject to abatement under the act; strengthens the enforcement provisions of the law; amends the Water Supply Act of 1958 to permit the Federal agency concerned to make its own determination of future water supply needs and include the determined capacity in reservoir projects, without definite contractual commitments from States or local interests.

More detailed discussion of the amendments follow:

The first section of Public Law 88 places the responsibility for administration of water pollution control activities and enforcement measures directly with the Secretary of Health, Education, and Welfare, rather than the Surgeon General.

Section 2 grants authority to Federal agencies to give consideration in the survey or planning of any reservoir to inclusion of storage for streamflow regulation for water quality purposes. Such storage and releases is not to be provided as a substitute for adequate treatment of sewage and other waste-controlling methods at the source. A determination would be made of the benefits of such capacity and an appropriate share of the cost allocated to this purpose. Beneficiaries would be determined and if the benefits are widespread or national in scope, the costs of such capacity would be nonreimbursable.

Section 3 removes the limitation of $100,000 that could be used to establish and maintain research fellowships, but requires the Secretary to report annually to Congress on his operations under that provision of the law.

This section also authorizes the Secretary to develop and demonstrate under varied conditions: (1) Practicable means of treating sewage and other wastes to remove the maximum amounts of pollutants in order to restore and maintain the Nation's water at a quality suitable for repeated reuse; (2) improved methods and procedures for identifying and measuring effects of pollutants on water uses, including new pollutants; (3) methods for evaluating the effects of augmented streamflow on water quality and water uses to control water pollution not susceptible to other means of abatement for these purposes. An authorization of not more than $5 million per year and a total authorization of $25 million is provided.

This section further authorizes the establishment and maintenance of field laboratory and research facilities, including, but not limited to, one in the Northeast area, one in the Middle Atlantic area, one in the Southeast area, one in the Midwest area, one in the Southwest area, one in the Pacific Northwest, and one in Alaska. Provision is also included for research, studies, and technical development work, with respect to the quality of waters of the Great Lakes, including an analysis of water quality under varying conditions of waste treatment and disposal.

Section 4 increases the grants to States and interstate water pollution control agencies for the operation of their programs from $3 million to $5 million, and extended such authorizations through June 30, 1968.

Section 5 provides that no construction grant may be made for any project in and an amount exceeding 30 percent of the estimated reasonable cost thereof, or $600,000, whichever is the smaller; except that for a project that serves more than one municipality, the Secretary will allocate to each municipality to be served, such reasonable and equitable share of the estimated cost of such project as he determines reasonable, subject to the 30-percent and $600,000 limitation, with a total of all the amounts so determined limited to $2,400,000. No grant is to be made for any project in any State in an amount exceeding $250,000, until a grant has been made for each such project for which an application was filed with the appropriate State water pollution control agency prior to 1 year after the date of enactment of Public Law 88, July 20, 1961, which the Secretary determines met the requirements in effect prior to that date.

This section also provides that sums allotted to a State which are not obligated within 6 months following the end of the fiscal year for which they were allotted because of a lack of projects approved by the State agency, shall be reallotted by the Secretary to States having projects which have been approved for which grants have not been made because of lack of funds, and such sums will be in addition to any funds otherwise allotted to such State. Whenever a State has funds subject to reallocation and the Secretary finds that the need for a project in a community in such State is due in part to any Federal institution or Federal construction activity, he may, prior to such reallocation, make an additional grant to such project which will reflect an equitable contribution for the need caused by such Federal institution or activity, and State allotments shall be available for payments for projects in such State which have been approved under these terms.

This section increases the authorization for appropriations from $50 million annually to $80 million for fiscal year 1962, $90 million for 1963, and $100 million for each fiscal year 1964 through 1967; at least one-half of the funds appropriated, are to be used on projects in cities of 125,000 population or less.

The provisions of the Davis-Bacon Act are made applicable to projects for which grants are made for sewage and waste-treatment facilities, which requires that laborers and mechanics employed by contractors shall be paid wages at rates not less than those prevailing for similar work in the immediate locality, as determined by the Secretary of Labor.

Section 6 provides that the Secretary of Health, Education, and Welfare, or his designee, shall be a member and chairman of the Water Pollution Control Advisory Board established in the Department, and the term of any member is extended until the date on which his successor's appointment is effective, and present members of the Board shall remain until the expiration of the terms of office for which they are appointed.

Section 7 provides that interstate or navigable waters will be subject to abatement under the law. It also provides that a conference could be called by the Secretary in the case of interstate pollution, upon the request of the Governor of any State; the State water pollution control agency; or the governing body of any municipality, with the concurrence of both the Governor and of the State water pollution control agency. In the case of intrastate pollution, the Secretary may call a conference on the matter only when requested by the Governor of the State in which the pollution is occurring; but he may refuse to exercise Federal jurisdiction if in his judgment the pollution is not of sufficient significance to warrant the exercise of such jurisdiction. The Secretary may call a conference on pollution matters on his own initiative in the case of pollution on interstate streams.

After the conference, if the Secretary believes that effective progress toward abatement of such pollution is not being made, he shall recommend to the appropriate State water pollution control agency that it take necessary remedial action, and shall allow at least 6 months for taking such recommended action. If at the conclusion of the period so allowed, such remedial action to reasonably secure abatement of such pollution has not been taken, the Secretary shall call a public hearing before a hearing board, which will issue its findings.

Following the public hearing, if the pollution is not abated within the time specified in the notice issued, the Secretary may request the Attorney General to bring a suit

on behalf of the United States to secure abatement in the case of interstate pollution, and in the name of the United States in the case of intrastate pollution, only with the written consent of the Governor of such State.

This section also establishes the compensation of members of the hearing board, and includes the definition of a municipality.

Section 8 provides that the summary of conference discussions issued by the Secretary will include references to any discharges allegedly contributing to pollution from any Federal property. Notice of any hearing involving any pollution alleged to be caused by any such discharges shall be given to the Federal agency having jurisdiction over the property involved, and the findings and recommendations of the Hearing Board shall include references to discharges found to be contributing to the pollution.

Definitions under the law are changed to include Guam, and interstate waters to include coastal waters.

The Water Supply Act of 1958 provides authority for the Corps of Engineers and the Bureau of Reclamation to include municipal and industrial water supply capacity in reservoirs under their jurisdiction. Under that act not to exceed 30 percent of the total cost of any project may be allocated to anticipated future demands if State or local interest give reasonable assurances that they will contract for the use of storage for anticipated future demands within a period of time which will permit paying out the cost allocated to water supply within the life of the project. Section 10 amends this act to permit the Federal agency concerned to make its own determination of future water supply needs, and on the basis of such determination, to include capacity in a project without definite contractual commitments from State or local interests.

LAWRENCE F. O'BRIEN

Mr. MANSFIELD. Mr. President, the current issue of Time magazine, September 1, 1961, has a cover story on a man who is well known to the Senate.

The magazine lists him as Lawrence Francis O'Brien. We know him in a more familiar vein as Larry O'Brien. But either way, he is a dedicated and exceptional public servant.

As Presidential Assistant for Congressional Relations, Larry O'Brien's assignment is one of the most difficult and exacting in the administration. He must maintain peaceful and fruitful relations with not only 100 Members of the Senate but also with the more than 400 Members of the House, not an easy job. One would have to search a long time for a task more demanding of tact, diplomacy, good sense, and a sense of humor. Secretary Goldberg might have a comparable assignment if, each week, he had to help renegotiate a contract between a musicians' union headed by Maria Callas and the Metropolitan Opera Co. with Mr. Khrushchev as impresario.

In all seriousness, Mr. President, this administration has been in office a relatively short time. But it has been long enough to prove out Larry O'Brien as an outstanding aid to the President. It has been long enough for Larry O'Brien to win our deepest respect and affection as the President's "man on the Hill."

I am delighted that Time magazine has seen fit to make him better known to the people of the Nation. I ask unanimous consent that the article previously referred to be included at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE MAN ON THE HILL

In his walnut-paneled White House office, Lawrence Francis O'Brien held a hurried conference with his aids. He had been warned by Vice President LYNDON JOHNSON that an important southern Senator was wavering on an administration bill. "See what you can do with him," O'Brien told a staffer. Then, as the meeting broke up, O'Brien turned to his telephone and called another Senator to thank him for a favorable vote the previous week. "I didn't want you to think we didn't notice and appreciate what you did," said O'Brien in a low Yankee twang. "The President mentioned it at the leadership meeting this morning."

During that same morning O'Brien heard warnings, gave orders, and expressed gratitude in a dozen other telephone calls; he talked to Congressmen, lobbyists, Democratic National Chairman John Bailey, and Secretary of State Dean Rusk. Between calls, he raced downstairs three times for quick conferences with President Kennedy. Then he was off to Capitol Hill for a meeting with LYNDON JOHNSON and Senate Majority Leader MIKE MANSFIELD in the Vice President's office. After lunching on the run, O'Brien talked to a dozen Congressmen, examined the fever charts of a dozen pending bills. Returning to the White House in midafternoon, he held another staff conference, saw the President again, greeted North Carolina's visiting Democratic Gov. Terry Sanford, finally shrugged into his jacket and left for the Mayflower Hotel, where a Democratic National Committee cocktail party for Congressmen was in full swing.

All in all, that day last week was a relatively relaxed one in the life of Larry O'Brien, 44, whose job as President Kennedy's special assistant for congressional relations makes him one of the most important of all New Frontiersmen—with responsibility for seeing to it that the Kennedy administration's programs become public law.

A PROBLEM OF CLIMATE

To the casual observer, that responsibility might seem simple. After all, Democrat Jack Kennedy took office from Republican Dwight Eisenhower with lopsidedly Democratic majorities in both the U.S. Senate and the House of Representatives. But Kennedy won his way to the White House by such a perilous plurality (118,000 votes out of a national total of 68 million) that he could in no sense be considered to have a mandate that might compel Congressmen to go along with him. Indeed, many winning Democratic Representatives and Senators who led Kennedy on the ticket within their own constituencies, could reasonably decide that they knew better than the young President about what was good for the people.

In such a political climate, the job of convincing or, if necessary, pushing the Congress into following the administration has become one of the toughest and most sensitive in Washington. It requires keen understanding of the equations of politics. The President's man on Capitol Hill must know instinctively which Congressman will respond to deference or flattery, which ones require threats or pressures from home, which ones will leap at the hint of Presidential support in the next campaign. O'Brien possesses such understanding in good measure. And he is an expert in the political uses of power, patronage, and persuasion.

CHECK IT WITH LARRY

In his operations of Capitol Hill, O'Brien's greatest asset is the all-out backing of the President himself. In the first days of the New Frontier, Jack Kennedy made it obvious to Congressmen that Liaisonman O'Brien was armed with all the authority he might need. Senators and Representatives calling Kennedy with political proposals invariably were asked: "Have you checked that with Larry O'Brien?" They soon got the idea.

O'Brien knows precisely how far the President will go in making legislative concessions to Congress. More than once, when approached by Democratic congressional leaders with suggestions for compromises that might speed administration programs through the Senate or House, O'Brien has accepted on the spot, without having to refer to the President.

As a man who prefers the carrot to the stick in his operations, O'Brien uses the power of the Presidency sparingly. Time and again, congressional leaders have urged him to recommend that President Kennedy intervene directly in legislative matters. Time and again, O'Brien has refused, acting only in crucial cases when a Presidential telephone call or White House talk with a key Congressman is most timely and can be most effective.

THE FRIENDLY LOBBIES

Other top administration officials follow the President's lead in helping O'Brien move New Frontier programs through Congress—and it is indeed a crusty legislator who is not flattered by a friendly telephone call, made at O'Brien's suggestion, from a member of the Kennedy Cabinet.

O'Brien has also made effective use of the pressures that can be brought to bear on Congressmen by the liberal lobbies that abound in Washington—notably that of the AFL–CIO, under its own able legislative man, Andy Biemiller. When administration legislative interests coincide with those of a particular lobbying group, O'Brien makes certain that one of his staffmen compares notes and coordinates efforts with the lobbyists. Intelligence is exchanged, a list is made of Congressmen whose votes might be swayed, and high-tempo lobbying techniques, ranging from direct-mail campaigns to carefully arranged visits from constituents, are turned on the solons.

THE USE OF PATRONAGE

Just before O'Brien took over as President Kennedy's liaison representative to Congress, he conferred with Republican Dwight Eisenhower's man on the Hill, Bryce Harlow. From Harlow, O'Brien received a piece of sage advice: not to get too overtly involved with patronage problems. Said Harlow: "With patronage, you will have to turn down 10 men for every 1 you say yes to. You make people unhappy instead of happy."

O'Brien has followed that advice—up to a point. Officially, patronage is left to Democratic National Committee Chairman John Bailey, who works in consultation with O'Brien Staffman Dick Donahue. But O'Brien knows well that patronage is still a potent political instrument; he makes recommendations to Bailey on major appointments, and his suggestions receive top-priority consideration. Thus, when the 14 members of the Italian-American congressional bloc threatened to vote against the administration's feed-grains bill just to demonstrate their power, O'Brien quickly found out what was on their minds: no man of Italian descent had been appointed to a major administration post. O'Brien promised to look into the matter for them, the bloc voted right, and a few weeks later the White House was pleased to announce the appointment of Salvatore Bontempo as head of the State Department's consular service. For good measure, Michel Cieplinski was named as Bontempo's assistant, mollifying an 11-member Polish-American group in the House.

All Congressmen now know that, although John Bailey is the nominal dangler of politi-

cal plums, O'Brien is really the man to see when they have a patronage problem.

WORLDS APART

For all the political power tools that he can command, Larry O'Brien's greatest strength lies in his personal relationships with the Members of Congress. He can talk their language. Like them, he is a political pro. He has the pro's disdain for windmill-tilting amateurs. "The eggheads," he says, "want the candidate to win on his own terms, to defy the party and interest groups. The egghead thinks it's worthwhile to be defeated. I think it's worthwhile to be elected." This same pragmatic professionalism sets O'Brien apart from many of the other men who surround President Kennedy. "I don't know what I'm doing in this crowd," O'Brien once mused. "I didn't go to Harvard, and I'm not athletic. I don't even play touch football."

Larry O'Brien was born in the Roland Hotel, a small hostelry that his father owned, in downtown Springfield, Mass., on July 7, 1917—6 weeks after John Fitzgerald Kennedy was born, 75 miles across the State and a world apart, in his father's big home in Brookline. Both Lawrence O'Brien, Sr., and Myra Sweeney O'Brien were immigrants from County Cork. Myra was a proud, slender woman and a talented cook—her clam chowder, beef stew, and soda bread were locally celebrated—who had worked as a domestic before her marriage. O'Brien, Senior, was a scrappy redhead, and an up-and-coming real estate operator. By the time young Larry was born, his father owned a string of drab roominghouses, an insurance business, and the Roland Hotel.

ONE PLACE TO GO

Inevitably, the O'Briens encountered and bitterly resented the anti-Irish feelings that gripped western Massachusetts—the Yankee-bred hostility toward immigrants, the Puritan suspicion of Roman Catholics, the "No Irish Need Apply" signs on the factory gates. "My father ran into bigotry," says Larry. "It made him a strong Democrat. It was one place for him to go. He wasn't wanted elsewhere." O'Brien, Senior, became a Democratic Party organizer deep inside a Republican fastness. "It was the old story of the Irish immigrant becoming a citizen, a first voter and a politician at the same time," says his son. "I can remember my father coming back home from the 1924 convention. He brought us hats in the shape of teapots."

The O'Brien kitchen became a political headquarters, and Democratic leaders from Boston made their way there—notably, flamboyant James Michael Curley, archetype of "The Last Hurrah" breed, and smooth-tongued David Ignatius Walsh, first Irishman ever elected to the U.S. Senate from Massachusetts. Walsh was sometimes a trial: whenever he paid a call, he insisted on quizzing Larry on his American history and catechism. But Curley was another, headier cup of tea: as a bug-eyed boy, Larry listened spellbound as his father and Curley conspired like Sinn Feiners about the ways to break the hated Yankee Republican grip on western Massachusetts. And always there was a recurrent theme: "Our kitchen used to be the place where some of the boys would meet, and my father would say: 'All right, now we'll get the signatures.' It was organizational politics, signatures on petitions, door-to-door canvassing. He was a great one for planning—all the things I wound up being involved in myself."

In 1932, when Larry was a part-time helper in Springfield's Democratic headquarters and his father was a State committeeman from western Massachusetts, the O'Briens defied their Irish Catholic neighbors and supported Franklin Roosevelt for the Democratic nomination, instead of Al Smith, who was the local favorite. O'Brien, Sr., was denied a seat in the Massachusetts delegation for his heresy, but history proved that father knew best.

When he was 20, Larry started taking night-school courses at the Springfield branch of Northeastern University (Jack Kennedy was a Harvard sophomore that year). He graduated in 1942 with an LL.B., but he had never had any real notion of practicing law: "If there had been a course in practical politics, I'd have taken that." He was, in fact, getting all the practical politics he could absorb—accompanying his father around the State, stumping for Curley and every other Democratic candidate in sight, and chinning with wardheelers over the mahogany bar in his father's restaurant. At 22, Larry was a rush-hour bartender in O'Brien's Cafe and Restaurant and chairman of his political ward. That same year he ran for office for the only time in his life—and was elected president of the Hotel & Restaurant Employees Union.

THE BEST MAN

During World War II, O'Brien marked time unhappily as an Army sergeant at Massachusetts' Camp Edwards. His poor eyesight (20–400 vision) red-lined him for combat duty. On one 10-day furlough he married Elva Brassard, the daughter of a Springfield house painter. They had courted sporadically for 5 years—on O'Brien's terms. "It was always going to political rallies or running over to see what the city council was doing," recalls Elva O'Brien. "That was Larry's idea of a date." Their best man was Foster Furcolo, an old friend of O'Brien's and a political comer.

After the war, Larry O'Brien returned to Springfield to manage the O'Brien Realty Co.—which had grown to include a gas station and a parking lot in addition to the restaurant—and to get back into politics. In best man Foster Furcolo, organizer O'Brien had a ready candidate. Having come up through the wards, Furcolo was ready for the big time, and O'Brien was eager to handle his campaign for Congress. With his usual attention to detail, he gridded the Second Massachusetts District into 60 units, recruited a corps of secretaries, and kept a swarm of volunteers busy mailing campaign letters to their friends.

During that first Furcolo campaign, O'Brien devised many of the campaign techniques that later became standard operating procedure for John Kennedy's State and National efforts. But 1946 was a Republican year, and Furcolo was defeated by a scant 3,295 votes. As soon as the returns were in, O'Brien went methodically to work on the 1948 campaign. And in the second Furcolo race, O'Brien brought in a winner, with a 15,000 plurality. In gratitude, Foster Furcolo asked O'Brien to come to Washington as his administrative assistant. Two years later, the two friends came to a mysterious and bitter parting of the ways (neither man will reveal the reason), and Larry O'Brien came back to Springfield vowing that he had quit politics forever.

Tea and telephones. It was one of the briefest retirements in political history. Within 6 months, O'Brien was hard at work, organizing Massachusetts for John Kennedy, then a third-term Congressman and an unannounced aspirant to the Senate. Kennedy had known O'Brien casually for 5 years, had spotted him as a campaign organizer of rare talent. Within a year, O'Brien had recruited 350 secretaries, 18,000 volunteer Kennedy workers. By the time Kennedy formally announced his Senate candidacy, O'Brien was all ready with a purring statewide political machine. The O'Brien brain was a supermarket of political innovations: the campaign tea parties, with Kennedy's mother and sisters pouring (and an omnipresent guestbook to provide O'Brien with the names and addresses of potential campaign workers); the expanding "O'Brien Manual," a handbook of organizational instructions written in language that any amateur could understand; the O'Brien home telephone technique, rounding up women volunteers who would each call all the people listed on a single page in the telephone book, ask for support and offer transportation to the polls. Explains O'Brien: "The key to this is the full utilization of womanpower. Normally, women are wasted in a campaign. They have children. They can't come to headquarters."

To the Kennedy team, O'Brien was and is more than a skillful political organizer. He has the experience and understanding to serve as a bridge between the Democratic Old Guard and the New Frontier. The bright, eager young men around Jack Kennedy have always baffled and often offended the Skeffingtons of Massachusetts; but Larry O'Brien can talk to politicians in their own language and win them over. "He was the essential transition man for us with the Old Guard," says Bobby Kennedy. At the same time, O'Brien was an invaluable professor of political science for the likes of Bobby, Kenny O'Donnell, Dick Donahue and other young members of the Kennedy group who were rank political amateurs in Kennedy's successful 1952 senatorial campaign. They have since become a close-knit, highly professional team that is known in administration circles as the Irish "Mafia."

BIG THOUGHTS

As a first-term Senator, Jack Kennedy had a legislative record that was nothing to brag about. But his political appeal was such that in 1956, when Democratic presidential nominee Adlai Stevenson threw the vice presidential nomination up for grabs at the party's Chicago convention, Kennedy made a wildly disorganized 11th-hour attempt for the prize. He lost to ESTES KEFAUVER, but by so narrow a margin that it set the Kennedyites to thinking really big thoughts. Recalls Larry O'Brien (who had not even attended the convention): "After that convention, we began to realize that Kennedy could go all the way."

With Larry O'Brien and his organization working as though their own lives were at stake, Kennedy won reelection to the Senate in 1958 by close to 900,000 votes, the biggest plurality in Massachusetts history. Kennedy's reputation as a prime votegetter—presumably on a national scale—was correspondingly enhanced. And so, in late February 1959, Jack Kennedy called a special presidential strategy session at his father's Palm Beach home. Present were Brothers Bobby and Teddy Kennedy, Brothers-in-Law Sarge Shriver and Steve Smith, Adviser Ted Sorensen—and Larry O'Brien. In this first formal planning for a Kennedy effort to reach the White House, O'Brien was assigned the job of establishing Kennedy organizations throughout the United States.

COURTHOUSE VERSUS WHITE HOUSE

Carrying out that assignment, O'Brien crossed the Nation nine times, traveling 100,000 miles, talking deep into every night, stoking himself with three packs of Pall Malls, a Niagara of black coffee each day. He set up the local organizations, staffed mostly by enthusiastic amateurs in the States where Kennedy had to win presidential primaries to have any real hope for the Democratic nomination. O'Brien could also talk turkey with such patronage-minded politicians as a local West Virginia leader who told him bluntly: "I'm not interested in the White House. I'm interested in the courthouse."

The primaries won, O'Brien was in Los Angeles setting up Kennedy headquarters a full month before the Democrats met to choose their candidate for President. In Los Angeles, O'Brien's elaborate telephone and walkie-talkie system of instant, 24-hour communication with the convention floor and each State delegation headquarters was a marvel of modern political efficiency. After

the convention, O'Brien applied all his tried and true organizational techniques to Kennedy's winning campaign against Republican Richard Nixon. "It was dog work," he recalls, "but it was worthwhile: it worked." Jack Kennedy's own postelection appraisal of O'Brien: "The best election man in the business."

Immediately after election day, O'Brien drew an arduous assignment: checking the qualifications, background, weak points, and strong suits of nearly 10,000 prospective officials in the new administration. One afternoon in Palm Beach, going over the list of names with O'Brien, Kennedy casually notified him of his new job: "By the way, I think this role of congressional liaison is for you." As a graduate of both Houses, Kennedy gave O'Brien a warning against the pitfalls of intimacy. "In politics," the President-elect told him, "you don't have friends. You have allies."

THE UNFIGURABLES

In his campaigning travels, Larry O'Brien had come to know many Congressmen—but he had never dealt with them in their legislative capacity. Now it was time for just such dealing. First O'Brien huddled with a select group of Capitol Hill veterans, sought to make a knowledgeable estimate of the political shape of the 87th Congress. It was decided that the Senate, with a minimum amount of attention, would back most of the Kennedy program. But the House of Representatives was a different matter. The presession analysis showed that there were about 180 certain House votes for most New Frontier programs, about 180 votes that were almost equally sure to go against the administration. That left between 75 and 80 votes that were more or less unfigurable.

Next, O'Brien met early in February in his Mayflower Hotel suite with three of the canniest young Democratic members of the House: Missouri's RICHARD BOLLING, New Jersey's FRANK THOMPSON, and Alabama's CARL ELLIOTT. BOLLING had already gone over the list of New Frontier legislative proposals, estimated as things stood that only one—the housing bill—was a sure shot for House passage. The conferees ran through the entire roster of 437 Representatives—name by name, back-home problem by back-home problem, interest by interest and prejudice by prejudice. "We decided," recalls one of the men who sat in on the Mayflower session, "that we had two target areas, the eastern industrial Republicans and the moderate-to-conservative southerners. We figured there were 40 southerners we couldn't touch—but we've modified that since, because we have touched some of them."

As his staff contact man with southern Representatives, O'Brien wisely selected Henry Hall Wilson, Jr., 39, a North Carolinian who had done yeoman service for Candidate Kennedy in Wilson's native State during the 1960 campaign. Wilson knew little about legislative dealing with Members of Congress. "But we figured he could learn," says Dick Donahue. "The most important thing was to get our own man, so that if he had any ties he had 'em to Larry instead of to a bunch of people he's known and become obliged to on the Hill."

THE ABSOLUTE KEY

In their studies of the House balances of power, O'Brien and his congressional advisers decided that there was a key man: Georgia's CARL VINSON, chairman of the Armed Services Committee and one of the two or three most influential southerners in the House. They decided that it was vital to lure VINSON away from the conservative camp: he could, among other things, bring at least a score of southern votes along with him. Says BOLLING: "VINSON was absolutely the key to the whole session." O'Brien concentrated his own efforts on VINSON. The old gentleman won O'Brien's genuine admiration—and O'Brien won his. As it has happened since that time, CARL VINSON and his House followers have voted down the line for the New Frontier's programs.

The first major administration legislative item to come up for floor vote in Congress found O'Brien with his organizational fences not yet in place. It was the feedgrains bill, which found rural and urban Congressmen bitterly divided. About the only appeal that O'Brien and his staffers could make to Democratic Congressmen was not to let the President down on his first bill—"Let's win this one for Jack, Jackie, and little Caroline." The bill passed the House by seven votes—and since then O'Brien has been able to move more sophisticated weapons into action on behalf of the administration program.

His bulky (5 ft. 11½ in., 187 lbs.) frame and his reddish, whiskbroom thatch are a familiar sight in the Capitol's corridors. In turn, Larry has made it his business to meet nearly all the inhabitants of Capitol Hill at a marathon succession of cocktail parties and at leisurely Sunday brunches on the O'Brien's Georgetown terrace, with wife Elva presiding at meals that include O'Brien potatoes. But O'Brien has remembered the Kennedy warning: although he is liked by nearly everyone, Republican as well as Democrat, on the Hill, he has made use of only one close friend: Representative EDDIE BOLAND, the Congressman from O'Brien's own district. (It was BOLAND who was the earliest to spot Jack Kennedy's presidential potential. In 1946 he told O'Brien: "Kennedy's a real comer. He can go all the way.") On the Hill BOLAND'S office has become an anteroom to O'Brien's headquarters, and other Congressmen have come to regard the Springfield Democrat as the resident of Capitol Hill who has the most direct line to O'Brien.

* * * * *

The administration has suffered defeats: its medical care for the aged bill was shelved without ever coming up for vote; its farm program was gutted; its school aid bill, now vastly diluted, is still in grave doubt. Its crucial foreign aid bill got relatively unscathed through the Senate, was murdered in the House—despite O'Brien's valiant fight for sorely needed long-term borrowing authority—and some time this week will come compromised out of a Senate-House conference.

Despite the defeats and the enforced compromises, the Kennedy administration's legislative record compares favorably with any since the first 100 days of Franklin Roosevelt. Steered intact through the divided 87th Congress were a $394 million depressed areas bill, an increase in the minimum wage from $1 to $1.25 an hour with expanded minimum wage coverage, an omnibus $6.8 billion housing bill, a controversial feedgrains bill, a huge 11-year, $21 billion interstate highways bill. Most of the credit belongs to Larry O'Brien, a man who hates to lose. "We never know when we're beaten," he says of himself and his staff. "We never say die."

He does know that there is a time to compromise. Says he: "As realists, we want to get as much of our program through as we can. If you feel that you are getting as much as you can, all right. If you don't get as much as you can, you've failed." On that basis, no one can say that Larry O'Brien has failed.

TIMING IN DIPLOMATIC NEGOTIATIONS—THE BERLIN SITUATION

Mr. MANSFIELD. Mr. President, in the August 30, 1961, issue of the Christian Science Monitor, there appears an article by the distinguished special correspondent of that newspaper, Mr. Joseph C. Harsch.

It deals with the factor of timing in diplomatic negotiations. Mr. Harsch refers to the Berlin-German situation and points out that negotiations in time may be just as valuable as stitches in time.

It is his thought that we have forfeited many negotiating cards in that situation by our failure to play them while they still had value.

I have tried to get at a similar idea in past speeches by reference to the "time lag" in foreign policy and to the tendency of our diplomacy in recent years to be continuously in pursuit of the last car of a train that is always moving away from us.

Mr. President, I commend to the Senate the article by Mr. Harsch. It contains much wisdom, expressed with much simplicity. I ask unanimous consent that it be included in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STATE OF THE NATIONS—NEGOTIATE WHAT?

(By Joseph C. Harsch)

Everyone in high place, including Chancellor Adenauer of West Germany, says the West will be negotiating with Moscow about Germany sometime, presumably fairly soon.

But the nearer the diplomats come to negotiation, the less there is to negotiate about. The fact is that action is anticipating negotiation and leaving an ever-narrowing area of matters to be discussed in negotiation.

And if I read the signs of the times correctly, Western bargaining power in negotiation is dwindling with each passing day. If the Western governments continue much longer to be unable to agree over the time and purpose of negotiation, they will end up with nothing to do at the presumed future conference with the Soviets except to accept with or without protest a set of accomplished facts.

The division of Germany into two Germanys is an accomplished fact. The incorporation of East Berlin into East Germany is an accomplished fact. The closure of the refugee escape hatch between the two Berlins is an accomplished fact.

There was a time when willingness to grant what now has been taken might well have had some value on the bargaining table. Had the West been willing 6 months ago to accept the division of Germany in return for concessions from Moscow, it is quite conceivable that Western diplomats could have obtained firm and clear guarantees about access to West Berlin.

The opportunity for such a trade is gone now. Moscow has what it wants without negotiation and without offering something the West wants in return. This is not the first time that bargaining counters have been wasted from failing to use them when they still had some value.

Well back in the cold war Moscow was seriously concerned over the ring of Western airbases which surrounded the Communist empire. Moscow presumably would have been prepared to pay a price for the abandonment of some of those bases.

The bases are being abandoned now and there is nothing to show for it. Changing weapons and changing political conditions are driving the West from bases without the payment by Moscow of a single penny.

Well back in the cold war there was a time when Poland might have renounced some of

its so-called "Western territories" in return for a West German agreement on the Polish-German frontier. The Poles were ready to give up Stettin and parts of Silesia, too, but not including Breslau. Bonn refused to consider any settlement of the frontier.

Subsequently the Poles have repopulated Stettin and the border area of Silesia. It is too late now for the Germans to get anything beyond the Oder-Neisse line.

Before the Soviets gave Walter Ulbricht the green light for his cement wall project through Berlin, Western diplomacy might have offered the Oder-Neisse line in return for continued four-power status in Berlin. In that case Herr Ulbricht might have had to be satisfied with East Germany without East Berlin.

It was not necessary for the West to lose its rights in East Berlin had it been willing to bargain when there was still time.

French diplomacy not only saw the dangers in the situation but itself and alone did accept the inevitable. Paris recognized the Oder-Neisse line. But because Bonn insisted on clinging to the reunification doctrine Washington and London reluctantly did the same. The Adenauer policy of giving nothing and admitting nothing may have lost to Germany valuable pieces of land now settled by Poles and the twilight freedom which East Berlin enjoyed until recent days.

Five years ago, probably even a year ago, Herr Ulbricht probably would have been delighted to settle for East Germany minus East Berlin. Now he has East Berlin.

In diplomacy a card is forfeited if it is not played while it still has value. Too many cards have been forfeited unnecessarily.

LABOR-MANAGEMENT RESPONSIBILITY—EXPERIENCE IN FREE EUROPE

Mr. JAVITS. Mr. President, on Thursday some of my colleagues and I on this side of the aisle expect to offer extensive comments on the remarks regarding the price situation in the steel industry made in the Senate on August 22. One element of our comments will include a discussion of labor's responsibility equal to management's to the national interest, in terms of employment costs.

It is therefore with the greatest interest that I have read two columns by David Lawrence in the New York Herald Tribune of August 30 and 31. Mr. Lawrence discusses the need for voluntary self-discipline by management and labor in their wage and price policies. He quotes Mr. Arne Ceijer, chairman of the Swedish Federation of Labor Unions and chairman of the International Confederation of Free Trade Unions, who stated in a speech:

> The freedom of the parties in the labor market to fix wages and working conditions without interference (from the state) is a freedom under responsibility.

Mr. Lawrence also cites the method of settling labor disputes in Great Britain as embodying an approach which brings "the national interest to bear on local disputes as a way of reaching compromise."

These two principles of labor-management responsibility and universal consideration of the national interest should receive much consideration in the United States. Over the past 2 years I have advocated legislation in aid of these principles. Mr. Lawrence writes that "perhaps the real weakness is that in America there is no national body composed of labor and management leaders—which can have a powerful moderating influence on the different labor unions and persuade management to strive harder for improvement of wage scales." I believe that the Peace Production Act (S. 2204) and the National Productivity Council Act of 1961 (S. 1181), both of which I introduced this year could serve to fill this need while stimulating the formation of local labor-management-public groups to bring about grassroots cooperation.

A start has already been made toward legislative action along these lines through Senate adoption of my amendment to the Manpower Development and Training Act of 1961 (S. 1991), directing the National Advisory Committee established under this act to assist in the formation and the work of such local groups. Mr. President, we have now before us a dramatic example of the national dilemma resulting from a wage settlement and management pressures which have set off the threat of new inflationary pressures rising from the basic steel industry. The time has come to provide the framework for the exercise of voluntary wage and price responsibility.

I ask unanimous consent to have the two columns by Mr. Lawrence inserted in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune, Aug. 31, 1961]

MORAL SUASION, NOT LAW USED TO HALT BRITISH STRIKES

(By David Lawrence)

In England this writer had an opportunity in recent days to discuss with top men in the field of labor-management relations the problem of avoiding strikes.

Great Britain has made considerable progress in this area by what might be called moral suasion instead of law. This is of particular interest to America, where in recent years one administration after another has been groping for such a solution.

Not all is rosy in England, to be sure. At the moment, for instance, labor is protesting vociferously against the plans of the Chancellor of the Exchequer, Selwyn Lloyd, to bring about what is called a wage pause. This has thus far affected only the civil servants, whose wage increases have been halted because Mr. Lloyd, as head of the British Treasury, sees ahead some storms in the balance-of-payment problem. Mr. Lloyd also has proposed a national economic planning agency which, though not a part of the Government, would be an independent body consisting of national representatives of the unions and the employers and probably himself. It would provide information and statistical data about the national economy to help it to operate.

The Trades Union Congress—the national organization of British labor unions—has frowned on the plan because of a fear it will brush aside the existing informal but effective arbitration machinery.

In Great Britain, the settling of labor disputes involves a minimum of governmental intervention. While the procedures developed separately in each industry over the years differ widely, they share one approach—to bring the national interest to bear on local disputes as a way of reaching compromises. Approximately 3,000 disputes a year are settled at one stage or another by the procedures agreed upon by both sides. This approach began back in the 1890's and has been developing ever since.

THREE STAGES

In the engineering trades, for example, the procedures operate in three stages. If a dispute cannot be settled informally, a works conference is set up at the factory, with management on one side and the shop stewards representing the union on the other. The meeting may call in outside advice from the local employers' association and the district officials of the union.

If the two sides can't agree, either can demand the second stage of the negotiation—a conference which takes place, not in the local factory, but in one of the centers where the employers' association and the unions have their district offices. This is at the district level. At this stage, more than half the disputes sent up from factory level have been settled.

But if no agreement is forthcoming, the dispute is taken up by the central conference, which meets on the second Friday of every month throughout the year. This is the highest level of negotiation in the engineering industry, and it is attended by members of the national bodies on both sides.

Other industries use similar procedures. The iron-and-steel industry, for instance, sends down to the local level national representatives of both management and labor. They work from the top down, but the effect is the same.

Other industries in Britain use governmental arbitration machinery, and others have no formal procedure.

But the thing to remember about British industrial relations is that agreements between management and labor on a national level do not have the legal status of a contract as in the United States. They are more or less in the form of "gentlemen's agreements." This is a weakness in the system, because it has led to a large number of wildcat strikes.

The influence of Communists inside labor unions in Europe is being felt more and more. Top officials of the labor unions deny that the Communists wield any such influence. Indeed, they point proudly to the fact that a relatively small number of workers are identified with the Communist Party. But this is a naive approach. The Communists in Moscow have long been operating through only a handful of persons in many a national organization. These agents are responsible for stirring up all kinds of antagonisms and for agitating extreme positions.

Communist influence in labor unions is small in the Scandinavian countries, but it is growing in France and in Italy. It has played a part also in British trade union affairs, though the British are not willing to admit that it has caused any considerable damage. Recently, however, one of the largest unions, the Electrical Trades Union, with 240,000 members, was suspended from the national organization—the Trades Union Congress—because many of its officers are Communists or are sympathetic with Communist aims. These officials could not possibly have been elected if the members had not been indifferent and failed to attend union meetings and vote.

There is no question but that Moscow has recognized clearly one of the weaknesses of the free world—its labor problems—and has gradually infiltrated in important unions, making disputes more and more difficult to settle. This is all the more reason why statesmanship is so necessary nowadays to bring about the settlement of labor-management problems.

[From the New York Herald Tribune, Aug. 30, 1961]

EUROPE CALLED AHEAD OF UNITED STATES IN HANDLING LABOR RELATIONS

(By David Lawrence)

One of the biggest challenges in the current competition between the Soviet Union and the Western countries is to be found in the field of labor-management relations.

There is no equivalent on the Western side as yet for the discipline which the Soviets have achieved in handling their labor. The Western countries are being urged to find voluntary methods that will attain some semblance of order in the wage-price problem and permit economic progress without disastrous interruptions due to major strikes.

In the United States, the friction between the two economic forces has long been recognized as serious, but no solution has been achieved. Nobody wants to see the Government run the labor unions or direct the management of the employing companies. So the tendency thus far has been to rely on some form of Government mediation. It has not always proved effective.

Europeans, on the other hand have made some progress toward voluntary settlement of disputes which it would be desirable for America in particular to examine and see whether some of the same principles could not be successfully applied in this country. On this writer's recent trip to Europe, he had an opportunity for a long talk, in Sweden, with Arne Geijer, who is not only chairman of the Swedish Federation of Labor unions but also chairman of the International Confederation of Free Trade Unions. He has often visited the United States and is well known to its labor leaders. Mr. Geijer is a Member of the Swedish Senate and is frequently mentioned in discussions as likely to be the next prime minister of Sweden.

In the interview which this writer had with him, it was apparent that Mr. Geijer sees clearly the gravity of the whole labor problem in the world today. He favors a policy of moderate wage demands rather than hit-or-miss settlements which hurt the economy. He says that wages must not get out of line with the development of industrial productivity. This is, of course, even more important to European countries, which must watch their competitive position closely in export markets.

MUST MODERATE DEMANDS

The Swedish labor leader is also insistent that workers must moderate their wage demands with respect to social welfare measures. He sees a growing competition between labor and government in the field of social welfare. He thinks that workers cannot have both—maximum wage increases and generous social-welfare arrangements. He would prefer to see the Government handle the whole welfare problem.

It has taken time for Mr. Geijer to convince local labor leaders of the long-range advantages of a moderate wage policy and better cooperation with management, but he is making substantial progress. He said, incidentally, that the United States has a lot to learn about the settling of disputes with labor. But perhaps the real weakness is that in America there is no national body composed of labor and management leaders—which can have a powerful moderating influence on the different labor unions and persuade management to strive harder for the improvement of wage scales.

So many large unions have arisen that the AFL–CIO is more of a coordinating body today than a disciplinary institution. It is rare that the top labor leaders of the United States exercise any direct influence in unions outside their own industries.

Mr. Geijer, in his capacity as chairman of the International Federation of Free Trade Unions, recently made some interesting points in this connection in an address to the International Labor Conference in Geneva. He said:

"Industrial expansion in the economically developed countries is going very fast at present. It is accompanied by steady changes in the life of the community. The functioning of society is more and more dependent on an increasingly elaborate machinery. We know from recent experience that even relatively small disputes in the labor market can have quite disastrous effects on the economy of an individual country.

"One is therefore always faced with the problem of how to limit labor disputes, strikes and lockouts by democratic means, in order to benefit as much as possible from the rapid pace of development. In some countries their problems have been solved through legislation which, in many cases, covers quite extensive areas, and this is an infringement upon the freedom of the parties in the labor market to secure peaceful conditions.

NOT MISUSE FREEDOM

"To my mind, the freedom of the parties in the labor market to negotiate agreements concerning wages and working conditions is an essential part of a democratic society. * * *

"However, we must not misuse this freedom. Otherwise the state can be forced to intervene or can make an excuse for doing so in order to ward off serious harm to the community. The freedom of the parties in the labor market to fix wages and working conditions without interference is therefore a freedom under responsibility. * * *

"The national unions must also give enough power to the central organization to enable it to settle the demarcation disputes between them.

"During the last decade most of the agreements concluded in my own country have been reached as a result of central negotiations between the two top organizations, that is to say, the Confederation of Swedish Employers and ourselves. Only on one occasion have the national unions negotiated separately. It is likely that central negotiations covering the whole wage market will be the rule also in the future. But a condition for central negotiations is good will on the employers' side and an atmosphere of understanding for the needs and demands of the different low-paid groups especially."

But all is not optimism about the future of labor relations in Sweden. There are fears of a major strike next year—the first in many years. Wages keep on going up, and so do prices. Profit margins are narrowing. That's why so many of Sweden's industrialists pin their hopes on the European Common Market. They look for increased volume even at smaller profit margins to help them out of their wage dilemmas.

Mr. MANSFIELD. Is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

ESTABLISHMENT OF NATIONAL WILDERNESS PRESERVATION SYSTEM

Mr. MANSFIELD. Mr. President, I move that the unfinished business, S. 174, be laid before the Senate and be made the pending business.

The motion was agreed to; and the Senate resumed the consideration of the bill (S. 174) to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 4, at the beginning of line 1, to strike out "fifteen" and insert "ten"; in line 5, after the word "President", to strike out "Before the convening of Congress each year, the President shall advise the United States Senate and the House of Representatives of his recommendation with respect to the continued inclusion within the wilderness system, of each area on which review has been completed in the preceeding year, together with maps and definition of boundaries: *Provided*, That the President may, as part of such recommendations, alter the boundaries existing on the date of this Act for any primitive area included, to exclude portions not predominantly of wilderness value or to add any adjacent area of national forest lands that are predominantly of wilderness value. The recommendation of the President with respect to each area shall becomes effective subject to the provisions of subsection (f) of this section." and insert "Before the convening of Congress each year, the President shall advise the United States Senate and House of Representatives of his recommendations with respect to the continued inclusion within the wilderness system, or exclusion therefrom, of each area on which review has been completed in the preceding year, together with maps and definition of boundaries: *Provided*, That the President may, as a part of his recommendations, alter the boundaries existing on the date of this Act for any primitive area to be continued in the wilderness system, recommending the exclusion and return to national forest land status of any portions not predominantly of wilderness value, or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value: *Provided further*, That following such exclusions and additions any primitive area recommended to be continued in the wilderness system shall not exceed the area classified as primitive on the date of this Act. The recommendation of the President with respect to the continued inclusion in the wilderness system, or the exclusion therefrom of a primitive area, or portions thereof, shall become effective subject to the provisions of subsection (f) of this section: *Provided*, That if Congress rejects a recommendation of the President and no revised recommendation is made to Congress with respect to that primitive area within two years, the land shall cease to be a part of the wilderness system and shall be administered as other national forest lands: *And provided further*, That primitive areas with respect to which recommendations are submitted to Congress on the eighth, ninth, and tenth years of the review period herein provided shall retain their status as a part of the wilderness system until the expiration, in respect to each area, of a full session of Congress, two years for resub-

mission of revised recommendations to Congress by the President, and, if so resubmitted, until the expiration of a full session of Congress thereafter. Recommendations on all primitive areas not previously submitted to the Congress shall be made during the tenth year of the review period. Any primitive area, or portion thereof, on which a recommendation for continued inclusion in the wilderness system has not become effective within fourteen years following the enactment of this Act shall cease to be a part of the wilderness system and shall be administered as other national forest land."; on page 10, line 18, after the word "adjournment", to strike out the comma and "the Congress did not approve a concurrent resolution declaring that the Congress is opposed to such recommendation" and insert "neither the Senate nor the House of Representatives shall have approved a resolution declaring itself opposed to such recommendation: *Provided,* That in the case of a recommendation covering two or more separate areas, such resolution of opposition may be limited to one or more of the areas covered, in which event the balance of the recommendation shall take effect as before provided."; on page 11, line 10, after "(g)", to strike out "The public" and insert "Public", and in the same line, after the word "notice", to insert "when given"; in line 18, after the word "a", to strike out "concurrent"; on page 12, line 5, after the word "specific", to insert "affirmative"; in line 12, after the word "jurisdiction", to insert a comma and "subject to the approval of any necessary appropriations by the Congress"; on page 13, line 12, after the word "character", to strike out "The wilderness system shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use. Subject to the provisions of this Act, all such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation" and insert "Except as otherwise provided in this Act, the wilderness system shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use. Subject to the provisions of this Act, all such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation"; on page 15, line 4, after the word "works", to insert "transmission lines"; in line 15, after the word "system", to strike out "may" and insert "shall"; in line 16, after the word "restrictions", to insert "and regulations"; on page 17, after line 5, to insert:

(8) Nothing in this Act shall be construed to prevent, within national forest and public domain areas included in the wilderness system, any activity, including prospecting, for the purpose of gathering information about mineral resources which is not incompatible with the preservation of the wilderness environment.

After line 12, to strike out:

SEC. 7. The Secretary of the Interior and the Secretary of Agriculture shall each maintain available to the public records of portions of the wilderness system under his jurisdiction, including maps and descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications. At the opening of each session of Congress, the Secretaries shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and description of areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.

And, in lieu thereof, to insert:

SEC. 7. The Secretary of the Interior and the Secretary of Agriculture shall each maintain available to the public, records of portions of the wilderness system under his jurisdiction, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications. Within a year following the establishment of any area within the national forests as a part of the wilderness system, the Secretary of Agriculture shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made with the approval of such committees. Within a year following the establishment of any area in the national park system or in a wildlife refuge or range as a part of the wilderness system, the Secretary of the Interior shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives. Clerical and typographical errors in such legal descriptions and maps may be corrected with the approval of such committees. Copies of maps and legal descriptions of all areas of the wilderness system within their respective jurisdictions shall be kept available for public inspection in the offices of regional foresters, national forest superintendents, forest rangers, offices of the units of the national park system, wildlife refuge, or range.

And, on page 19, after line 15, to insert:

LAND USE COMMISSIONS

SEC. 9. With respect to any State having more than 90 per centum of its total land area owned by the Federal Government on January 1, 1961, there shall be established for each such State a Presidential Land Use Commission (hereinafter called the Commission). The Commission shall be composed of five persons appointed by the President, not more than three of whom shall be members of the same political party, and three of whom shall be residents of the State concerned. The Commission shall advise and consult with the Secretary of the Interior on the current utilization of federally owned land in such State and shall make recommendations to the Secretary as to how the federally owned land can best be utilized, developed, protected, and preserved. Any recommendations made to the Congress by the Secretary of Interior pursuant to the provisions of this Act shall be accompanied by the recommendations and reports made with respect thereto by the Commission.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Wilderness Act".

WILDERNESS SYSTEM ESTABLISHED

Statement of policy

SEC. 2. (a) The Congress recognizes that an increasing population, accompanied by expanding settlement and growing mechanization, is destined to occupy and modify all areas within the United States and its possessions except those that are designated for preservation and protection in their natural condition. It is accordingly declared to be the policy of the Congress of the United States to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas in the United States and its possessions to be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness.

Definition of wilderness

(c) A wilderness, in contract with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's works substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

NATIONAL WILDERNESS PRESERVATION SYSTEM

Extent of system

SEC. 3. (a) The National Wilderness Preservation System (hereafter referred to in this Act as the wilderness system) shall comprise (subject to existing private rights) such federally owned areas as are established as part of such system under the provisions of this Act.

National forest areas

(b) (1) The wilderness system shall include all areas within the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as wilderness, wild, primitive, or canoe: *Provided,* That the areas classified as primitive shall be subject to review as hereinafter provided. Following enactment of this Act, the Secretary of Agriculture shall, within ten years, review, in accordance with paragraph C, section 251.20, of the Code of Federal Regulations, title 36, effective January 1, 1959, the suitability of each primitive area in the national forests for preservation as wildnerness and shall report his findings to the President. Before the convening of Congress each year, the President shall advise the United States Senate and House of Representatives of his recommendations with respect to the continued inclusion within the wilderness system, or exclusion therefrom, of each area

on which review has been completed in the preceding year, together with maps and definition of boundaries: *Provided,* That the President may, as a part of his recommendations, alter the boundaries existing on the date of this Act for any primitive area to be continued in the wilderness system, recommending the exclusion and return to national forest land status of any portions not predominantly of wilderness value, or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value: *Provided further,* That following such exclusions and additions any primitive area recommended to be continued in the wilderness system shall not exceed the area classified as primitive on the date of this Act. The recommendation of the President with respect to the continued inclusion in the wilderness system, or the exclusion therefrom of a primitive area, or portions thereof, shall become effective subject to the provisions of subsection (f) of this section: *Provided,* That if Congress rejects a recommendation of the President and no revised recommendation is made to Congress with respect to that primitive area within two years, the land shall cease to be a part of the wilderness system and shall be administered as other national forest lands: *And provided further,* That primitive areas with respect to which recommendations are submitted to Congress on the eighth, ninth, and tenth years of the review period herein provided shall retain their status as a part of the wilderness system until the expiration, in respect to each area, of a full session of Congress, two years for resubmission of revised recommendations to Congress by the President, and, if so resubmitted, until the expiration of a full session of Congress thereafter. Recommendations on all primitive areas not previously submitted to the Congress shall be made during the tenth year of the review period. Any primitive area, or portion thereof, on which a recommendation for continued inclusion in the wilderness system has not become effective within fourteen years following the enactment of this Act shall cease to be a part of the wilderness system and shall be administered as other national forest land.

(2) The purposes of this Act are hereby declared to be within and supplemental to but not in interference with the purposes for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple Use-Sustained Yield Act of June 12, 1960, Public Law 86-517 (74 Stat. 215).

National park system areas

(c) (1) There shall be incorporated into the wilderness system, subject to the provisions of and at the time provided in this section, each portion of each park, monument, or other unit in the national park system which on the effective date of this Act embraces a continuous area of five thousand acres or more without roads. Within ten years after the effective date of this Act the Secretary of the Interior shall review the units of the national park system and shall report his recommendations for the incorporation of each such portion into the wilderness system to the President. Before the convening of Congress each year, the President shall advise the United States Senate and the House of Representatives of his recommendations with respect to the incorporation into the wilderness system of each such portion for which review has been completed in the preceding year, together with maps and definitions of boundaries. The recommendation of the President with respect to each such portion shall become effective subject to the provisions of subsection (f) of this section.

(2) The Secretary of the Interior shall include, as part of his recommendations to the President under the provisions of this subsection, a description of the parts of each park, monument, or other unit submitted which should be reserved for roads, motor trails, buildings, accommodations for visitors, and administrative installations. Such parts shall shall be determined in accordance with the procedures for rulemaking under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), except that the public notice required under such section shall be at least ninety days prior to the determination proceedings. No designation of an area for roads, motor trails, buildings, accommodations for visitors, or administrative installations shall modify or affect the application to that area of the provisions of the Act approved August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes" (39 Stat. 535; 16 U.S.C. 1 and following). The accommodations and installations in such designated areas shall be incident to the conservation and use and enjoyment of the scenery and the natural and historical objects and flora and fauna of the park or monument in its natural condition. Further, the inclusion of any area of any park, monument, or other unit of the national park system within the wilderness system pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such area in accordance with such Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 and following); section 3(2) of the Federal Power Act (16 U.S.C., sec. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C., sec. 461 and following).

National wildlife refuges and game ranges

(d) There shall be incorporated into the wilderness system, subject to the provisions of and at the time provided in this section, such portions of the wildlife refuges and game ranges under the jurisdiction of the Secretary of the Interior as he may recommend for such incorporation to the President within ten years following the effective date of this Act, and such portions of the wildlife refuges and game ranges added to his jurisdiction after such date but not later than fifteen years following such date as he may recommend for such incorporation to the President within two years following the date on which such refuge or range was added to his jurisdiction. Before the convening of Congress each year the President shall advise the United States Senate and the House of Representatives of his recommendations with respect to the incorporation into the wilderness system of each area recommended for such incorporation by the Secretary of the Interior during the preceding year, together with maps and definitions of boundaries. The recommendation of the President with respect to each area shall become effective subject to the provisions of subsection (f) of this section.

Modification of boundaries

(e) Any proposed modification of adjustment of boundaries of any portion of the wilderness system established in accordance with this Act shall be made by the appropriate Secretary after public notice of such proposal by publication in a newspaper having general circulation in the vicinity of such boundaries and public hearing to be held in such vicinity not less than ninety days after such notice if there is sufficient demand during such ninety days for such hearing. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recommendations shall become effective subject to the provisions of subsection (f) of this section.

Effective date of President's recommendations

(f) Any recommendation of the President made in accordance with the provisions of this section shall take effect upon the day following the adjournment sine die of the first complete session of the Congress following the date or dates on which such recommendation was received by the United States Senate and the House of Representatives; but only if prior to such adjournment neither the Senate nor the House of Representatives shall have approved a resolution declaring itself opposed to such recommendation: *Provided,* That in the case of a recommendation covering two or more separate areas, such resolution of opposition may be limited to one or more of the areas covered, in which event the balance of the recommendation shall take effect as before provided. Any such resolution shall be subject to the procedures provided under the provisions of sections 203 through 206 of the Reorganization Act of 1949 (5 U.S.C., secs. 133z-12—133z-15) for a resolution of either House of Congress.

Effect of public notice of proposed addition to wilderness system

(g) Public notice when given by either the Secretary of the Interior or the Secretary of Agriculture that any area is to be proposed under the provisions of this Act for incorporation as part of the wilderness system shall segregate such area from any or all appropriation under the public land laws to the extent deemed necessary by such Secretary. Such segregation shall terminate (1) upon rejection of such proposal by the President, (2) upon approval by the Congress of a resolution opposing the incorporation of such area in the wilderness system, or (3) five years after the date of such notice if the proposal to incorporate such area as part of the wilderness system has not been submitted to both Houses of Congress prior to the expiration of such five years.

Addition or elimination not provided for in this Act

(h) The addition of any area to, or the elimination of any area from, the wilderness system which is not specifically provided for under the provisions of this Act shall be made only after specific affirmative authorization by law for such addition or elimination.

ACQUISITION OF CERTAIN PRIVATELY OWNED LANDS WITHIN THE WILDERNESS SYSTEM

SEC. 4. The Secretary of the Interior and the Secretary of Agriculture are each authorized to acquire as part of the wilderness system any privately owned land within any portion of such system under his jurisdiction, subject to the approval of any necessary appropriations by the Congress.

GIFTS OR BEQUESTS OF LAND

SEC. 5. The Secretary of Agriculture and the Secretary of the Interior may each accept gifts or bequests of land for preservation as wilderness, and such land shall on acceptance become part of the wilderness system. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

USE OF THE WILDERNESS

Other provisions of law

SEC. 6. (a) Nothing in this Act shall be interpreted as interfering with the purposes

stated in the establishment of, or pertaining to, any park, monument, or other unit of the national park system, or any national forest, wildlife refuge, game range, or other area involved, except that any agency administering any area within the wilderness system shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes as also to preserve its wilderness character. Except as otherwise provided in this Act, the wilderness system shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use. Subject to the provisions of this Act, all such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation.

Prohibition of certain uses

(b) Except as specifically provided for in this Act and subject to any existing private rights, there shall be no commercial enterprise within the wilderness system, no permanent road, nor shall there be any use of motor vehicles, motorized equipment, or motorboats, or landing of aircraft nor any other mechanical transport or delivery of persons or supplies, nor any temporary road, nor any structure or installation, in excess of the minimum required for the administration of the area for the purposes of this Act, including such measures as may be required in emergencies involving the health and safety of persons within such areas.

Special provisions

(c) The following special provisions are hereby made:

(1) Within national forest areas included in the wilderness system the use of aircraft or motorboats where these practices have already become well established may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary of Agriculture deems desirable.

(2) Within national forest and public domain areas included in the wilderness system, (A) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting (including exploration for oil and gas), mining (including the production of oil and gas), and the establishment and maintenance of reservoirs, water-conservation works, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (B) the grazing of livestock, where well established prior to the effective date of this Act with respect to areas established as part of the wilderness system by this Act, or prior to the date of public notice thereof with respect to any area to be recommended for incorporation in the wilderness system, shall be permitted to continue subject to such restrictions and regulations as are deemed necessary by the Secretary having jurisdiction over such area.

(3) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou roadless areas in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats. Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act, Public Law 539, Seventy-first Congress, July 10, 1930 (46 Stat. 1020), the Thye-Blatnik Act, Public Law 733, Eightieth Congress, June 22, 1948 (62 Stat. 568), and the Humphrey-Thye-Blatnik-Andresen Act, Public Law 607, Eighty-fourth Congress, June 22, 1956 (70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture. Modifications of the Boundary Waters Canoe Area within the Superior National Forest shall be accomplished in the manner provided in section 3(e).

(4) Commercial services may be performed within the wilderness system to the extent necessary for activities which are proper for realizing the recreational or other purposes of the system as established in this Act.

(5) Any existing use or form of appropriation authorized or provided for in the Executive order or legislation establishing any national wildlife refuge or game range existing on the effective date of this Act may be continued under such authorization or provision.

(6) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(7) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

(8) Nothing in this Act shall be construed to prevent, within national forest and public domain areas included in the wilderness system, any activity, including prospecting, for the purpose of gathering information about mineral resources which is not incompatible with the preservation of the wilderness environment.

RECORDS AND REPORTS

SEC. 7. The Secretary of the Interior and the Secretary of Agriculture shall each maintain available to the public, records of portions of the wilderness system under his jurisdiction, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications. Within a year following the establishment of any area within the national forests as a part of the wilderness system, the Secretary of Agriculture shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical and typographical errors in such legal descriptions and maps may be made with the approval of such committees. Within a year following the establishment of any area in the national park system or in a wildlife refuge or range as a part of the wilderness system, the Secretary of the Interior shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives. Clerical and typographical errors in such legal descriptions and maps may be corrected with the approval of such committees. Copies of maps and legal descriptions of all areas of the wilderness system within their respective jurisdictions shall be kept available for public inspection in the offices of regional foresters, national forest superintendents, forest rangers, offices of the units of the national park system, wildlife refuge, or range.

CONTRIBUTIONS AND GIFTS

SEC. 8. The Secretary of the Interior and the Secretary of Agriculture are each authorized to accept private contributions and gifts to be used to further the purposes of this Act. Any such contributions or gifts shall, for purposes of Federal income, estate, and gift taxes, be considered a contribution or gift to or for the use of the United States for an exclusively public purpose, and may be deducted as such under the provisions of the Internal Revenue Code of 1954, subject to all applicable limitations and restrictions contained therein.

LAND USE COMMISSIONS

SEC. 9. With respect to any State having more than 90 per centum of its total land area owned by the Federal Government on January 1, 1961, there shall be established for each such State a Presidential Land Use Commission (hereinafter called the Commission). The Commission shall be composed of five persons appointed by the President, not more than three of whom shall be members of the same political party, and three of whom shall be residents of the State concerned. The Commission shall advise and consult with the Secretary of the Interior on the current utilization of federally owned land in such State and shall make recommendations to the Secretary as to how the federally owned land can best be utilized, developed, protected, and preserved. Any recommendations made to the Congress by the Secretary of Interior pursuant to the provisions of this Act shall be accompanied by the recommendations and reports made with respect thereto by the Commission.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHURCH. Mr. President, during my 5 years in the Senate, I look back upon three bills, reported from the Senate Interior and Insular Affairs Committee, which have great historic significance. The first such bill admitted Alaska to statehood; the second admitted Hawaii. As I am proud to have had an active role in the enactment of the two statehood bills, so I am proud to present to the Senate today the third of these truly momentous measures, S. 174, the wilderness bill.

It is, Mr. President, the successor of a series of wilderness bills, each of them a refinement upon an earlier version. The issue has been before the Interior Committee throughout my term in the Senate. The committee, composed almost entirely of western Senators, whose States will be most directly benefited, has labored long and earnestly to fashion legislation equitable to all.

There is no question but what the whole American people have much to gain from the establishment of a wilderness preservation system. Nevertheless, the pending bill is of primary importance to westerners. We will be its chief beneficiaries. In most other parts of America, people have come to know only the domesticated life of congested cities and clipped countrysides. It is in the West

alone that a person can still escape the clutter of roads, signposts, and managed picnic grounds. The vanishing wilderness is yet a part of our western heritage. We westerners have known the wilds during our lifetimes, and we must see to it that our grandchildren are not denied the same rich experience during theirs. This is why the West needs a wilderness bill. The entire country shares in the same need.

Because the areas covered by the pending bill have already been set aside in their primitive state for some measure of preservation, the proposed wilderness system can be established, if we act now, with no adverse effect on anyone. The tracts involved have already been excluded from timber sales, and consequently do not form any part of the cutting circle for any community or lumber company. Such grazing as now occurs may continue, subject only to the provisions of existing law. Established mining operations—there are only half a dozen of them within the whole of the proposed system—will remain in business, since the restrictions as to the use of wilderness areas are expressly made subject to all existing rights. So there will be no economic dislocations resulting from the enactment of this wilderness bill.

I regret, Mr. President, that the author of the bill, Senator CLINTON P. ANDERSON, of New Mexico, the distinguished chairman of the Senate Interior and Insular Affairs Committee, who, on behalf of himself and 13 other Senators, introduced this measure on January 5, cannot be here to direct the course of the debate. He learned last week from his doctors that he had to undergo an operation which will keep him away from the Senate for at least 2 weeks more. Before he departed, on last Thursday, he made an extended statement on the bill, which begins at page 17016 of the CONGRESSIONAL RECORD for August 24.

I hope the Members of the Senate will read his excellent explanation of the bill, its purposes, and provisions, as well as his reply to those who would emasculate it.

In his statement, the chairman outlined in some detail how this measure superimposes, in respect to areas already set aside for some measure of preservation in their natural state, a directive to the administering Federal agencies to maintain the wilderness character of the tracts involved.

Three types of areas are affected. They are: First, national parks and monuments; second, wildlife ranges and refuges; and third, designated wilderness type areas in the national forests.

None of the Taylor grazing lands are involved. No Indian lands are involved. Any areas placed in the wilderness system beyond the three categories covered in the bill would have to be added by an affirmative act of Congress in which the House, the Senate, and the President all concurred.

The committee has been careful to preserve States rights within the proposed wilderness system. No change is made in regard to the application of State water laws. State jurisdiction over fish and wildlife will extend equally to those parts of the national forests which become wilderness areas, so that no added Federal interference with hunting or fishing is in any way involved. Where the use of aircraft or motorboats has become well established, the practice may be permitted to continue. In addition, such measures may be taken to protect the national forests from fire, insects, and disease, as the Forest Service deems necessary.

There has been predominant agreement among the members of our committee and the witnesses who have appeared before it—the committee has heard more than 500 witnesses—that this Nation must preserve some of its wild, scenic lands in their natural, unspoiled state. We must do this while we still can, for wilderness is not a renewable resource. Once occupied, cut over, or exploited, it is lost forever.

The problem has been how to go about it. How much should be preserved? What should be the rules for classifying primitive tracts as wilderness? How should the wilderness be administered afterwards?

The rules adopted in the pending bill require that each tract becoming part of the wilderness system must be carefully reviewed by the Federal agency administering it, then made the subject of a recommendation by the President to the Congress, where it must lie for at least one full session, and where it is subject to disapproval by either the Senate or the House of Representatives. Each branch of the Congress, retaining the same prerogative it would have to reject any proposed bill up for affirmative enactment, may, by passing a resolution of disapproval, prevent the inclusion of any area recommended to be part of the wilderness system. Thus, the power of Congress to make the final determination is fully guaranteed.

Once an area is placed in the wilderness system, the bill before us provides that it may be reopened for particular developments, if the President of the United States should decide, upon appropriate application, that the use proposed to be made serves a greater public interest than its continued preservation as wilderness. The Congress, of course, retains the power to authorize any activity in a wilderness area, should this prove advisable in the future. By the same token, Congress could alter or abolish any or all wilderness areas, once established, if the public interest were ever to so require.

Moreover, it is not made impossible to enter wilderness areas in search of critically needed metals. Under the bill, limited prospecting for any metal may take place, without need for permission, providing it does not disrupt the wilderness environment. Permission is to be given for more extensive prospecting and mining, if there is need for it. The bill simply assures that the decision to contravene the wilderness character of any of these tracts shall be made at the highest level of government, by the President or by the Congress.

I represent a State in which most of the land is owned by the Federal Government. Many people in my State earn their livelihood through permissive use of Federal land. I would oppose the pending bill if it constituted any threat to these people. I support the multiple-use principle in the administration of our public lands wherever it makes sense, that is, wherever the land is suited for multiple use.

I recognize the importance of lumbering and mining to the economy of Idaho, and I do my best to represent their legitimate interests in this Senate. Although both industries oppose the pending bill, I believe it will, in the long run, prove to be an actual benefit to them. Let me explain why I believe this to be the case:

The Federal Government, which once owned all of Idaho, still owns nearly two-thirds of it. Under existing law, the Government has locked up over 3 million acres in now established primitive areas, comprising nearly a tenth of its total holdings. In these areas, lumbering is prohibited and mining is subjected to severe restrictions. As a matter of fact, there are no mines at all now operating in any of these primitive areas. Moreover, the areas may now be created, their boundaries altered, and new tracts added, by administrative decision alone, without need of any review or approval by the Congress. This is the highly unstable condition under present law.

The pending bill would establish a wilderness system in Idaho based on these existing primitive areas. But before these areas could become a permanent part of the system, each one would have to be reviewed for wilderness values within 10 years following the enactment of the bill. Those portions found to be more suitable for multiple-use—for lumbering, mining, and grazing, as well as recreation—would be released from their present restrictive classification and would revert to ordinary forest lands; the remaining acres, where wilderness values clearly predominate, would then be recommended for retention in the wilderness system. Each such recommendation would be submitted to Congress and made subject to veto by either the House or Senate. At the end of the 10-year period, after the wilderness system has been so established, no new areas could be added without an affirmative act of Congress.

Thus the wilderness bill returns to the Congress its rightful supervision and control over our public lands; it promises greater stability in the management and classification of these lands for the benefit of those industries which depend upon them, even while it sets aside wilderness areas for preservation in their natural state, to be enjoyed by all of us now living, and by our descendants through the years to come.

Mr. President, the loudest arguments that have been heard against this bill make the least sense. Those who protest, "We can't make a living off wilder-

ness," overlook the fact that wilderness preserves will constitute an attraction of increasing appeal as the population grows, and more and more people seek some respite from the clutter of clustered life—from the confusion of congested cities. These wilderness areas will become a mighty magnet for the tourist trade, already vital to our economy in the West. Few industries have as much potential for us. Taking wise precautions now to preserve some of our untamed land, while it is still intact, is just good business for the future.

Opponents of the bill have countered that wilderness only appeals to a minority of our people, that the majority prefer to take their outings by automobile, to park a trailer or pitch a tent in a developed campground, or to enjoy the comforts of organized life at resort hotels, motels, or dude ranches.

I concede this to be true. But should the majority trample underfoot the rightful entitlement of the minority? What a novel doctrine. One would think America big enough to set aside wilderness preserves for the many of our citizens who seek to escape the incessant crowd, to search for solace in solitude amidst a sanctuary far removed from the banality of beer ads and cigarette commercials.

Indeed, this very fact has led other opponents of the wilderness bill to charge that its object is to create vast playgrounds in the West for rich easterners. What poppycock. I would think that the business any vacationer brings to the West is welcome, from whatever part of the country he may come. I am thankful that many do come to Idaho from afar to witness the unique attractions of our primitive areas. But the fact remains that most of the hikers, hunters, and fishermen who enjoy the wild lands of my State come from the farms and towns of Idaho itself. As for the rest, the big majority are westerners from neighboring States. Every Senator voting to report this bill favorably to the Senate represents a State that is west of the Mississippi River.

Perhaps the most ridiculous argument of all against the wilderness bill is that somehow it represents some sort of creeping socialism. Such a charge is so patently absurd that it ought not to be dignified with reply. Yet people are easily frightened by this label, which doubtlessly accounts for its injection into the controversy over the wilderness bill. There is, of course, no substance whatever to the charge. All the land involved is already owned and managed by the Federal Government and is subject to its plenary jurisdiction. Furthermore, insofar as the primitive areas in the national forests are concerned, restrictions concerning their creation, extension, and general use, can now be imposed by administrative action of the Forest Service alone, with no provision under existing law for review or approval by the Congress.

One of the virtues of the wilderness bill is that it restores to the Congress, the elected representatives of the people, a larger measure of supervision and control over the management of our public lands than Congress now enjoys. If it is the specter of a spreading, indifferent, and unresponsive Federal bureaucracy that people who cry creeping socialism fear, then they should applaud the wilderness bill as a step toward returning unduly delegated power to Congress, where it properly belongs. For these people to oppose the wilderness bill makes no sense at all.

Mr. President, amendments have been offered to the pending measure which would give to the appropriate departmental secretaries and the Federal Power Commission the authority to permit intrusions upon the wilderness system. The amendments are not needed, for these agencies will make their recommendations to the President, in any case, to whom this very authority is given. The adoption of the amendments would weaken the integrity of the wilderness system proposed, since each intrusion would be left to the final judgment of agencies which are in fact engaged in serving a specialized clientele.

I am not critical of persons who evaluate hydroelectric power, or timber, or minerals, above continued preservation of a wilderness area. Our population has grown until there is great pressure among conflicting uses for land. We develop city plans and adopt zoning ordinances to keep order in our towns and cities, and we are rapidly moving toward rural zoning. There are a great many disagreements about zones and zoning. These disagreements occur between entirely sincere men. Industrialists sometimes find it hard to understand why an industry is not preferable to the maintenance of a residential area, or more desirable than a playground.

We do not, however, let the industrialists, or the realtors interested in shopping centers and apartment developments, have the final decision on the modification of city zones, nor do we leave the final decision to the appointed public officials who deal with them. The power of decision we reserve to elected officials, the mayor and the city council, who are responsible to all the people.

So, Mr. President, in this bill we properly leave such final decisions to the elected Chief Executive who is accountable to the whole people, in this case the President of the United States, and to the Legislature, which in this case is the Congress of the United States.

I think it is regrettable that so reasonable and constructive a measure as the pending bill has been subjected to such heated and ill-considered attacks. Yet this is the case in my own State and in many others, so much so that an old cynic once remarked to me, "Whenever you are asked where you stand on the wilderness bill, you'd better say: 'Some of my friends are for it, and some of my friends are against it, and I always stand with my friends.'"

This kind of doubletalk by elected officeholders, plus the distorted claims and counterclaims of alarmists on both sides, has engulfed the wilderness bill in a storm of nonsense. Neither friend nor foe has sought shelter long enough to inquire just what the bill, as amended by the Senate Interior and Insular Affairs Committee, actually provides. The prevailing attitude seems to be, "Don't bother me with facts. My mind is made up."

In such a situation, the members of the committee have had to use their best judgment in drafting legislation which, while fair to the special interests involved, is designed to promote the general interest. With this as our objective, we adopted a number of amendments to the bill as originally introduced. I, myself, proposed three amendments, all of which the committee approved. I believe the resulting bill, as amended by the committee, fully protects the needs of our economy, while establishing a wilderness system of lasting recreational value for all the people.

In view of the fine exposition of the Senator from New Mexico [Mr. ANDERSON] of the contents and purposes of the pending measure, before he left for the hospital, and because a number of my colleagues desire to speak on the bill, I shall not take more time.

I close by urging the Senate to approve this wilderness bill. If it becomes law, we will have taken another historic step forward along the path charted by Theodore Roosevelt, pioneered by Gifford Pinchot, and traveled by all the great conservationists who followed them.

We will have preserved, for now and for generations unborn, areas of unspoiled, pristine wilderness, accessible by a system of trails, unmarred by roads or buildings, but open to the considerate use and enjoyment of hikers, mountain climbers, hunters, fishermen, and trail riders, and of all those who find, in high and lonely places, a refreshment of the spirit, and life's closest communion with God.

Mr. ELLENDER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. METCALF in the chair). The Senator will state it.

Mr. ELLENDER. What is the pending business?

The PRESIDING OFFICER. The business is S. 174, the wilderness bill.

Mr. ELLENDER. Mr. President, I move to commit the bill, with all amendments, to the Committee on Agriculture and Forestry.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

Mr. KUCHEL. Mr. President, will the Chair repeat the motion?

The PRESIDING OFFICER. The motion is to recommit the pending business, S. 174, to the Committee on Agriculture and Foresty. The question is on agreeing to the motion.

Mr. CHURCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 183]

Allott	Ellender	Mansfield
Case, S. Dak.	Hickey	Metcalf
Church	Jordan	Moss
Dworshak	Kuchel	

Mr. HUMPHREY. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Michigan [Mr. HART], the Senator from Ohio [Mr. LAUSCHE], the Senator from Louisiana [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Michigan [Mr. MCNAMARA], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from Virginia [Mr. ROBERTSON], the Senator from Florida [Mr. SMATHERS], the Senator from Massachusetts [Mr. SMITH], the Senator from Virginia [Mr. BYRD], the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I further announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ] are absent because of illness.

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Indiana [Mr. CAPEHART] and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

The Senator from New Jersey [Mr. CASE] is absent because of death in the family.

The Senator from Nebraska [Mr. HRUSKA] is absent on official business.

The Senator from New Hampshire [Mr. COTTON], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Massachusetts [Mr. SALTONSTALL] are detained on official business.

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the presence of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. AIKEN, Mr. BARTLETT, Mr. BEALL, Mr. BENNETT, Mr. BIBLE, Mr. BOGGS, Mr. BURDICK, Mr. BUSH, Mr. BUTLER, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CARROLL, Mr. CLARK, Mr. COOPER, Mr. CURTIS, Mr. DIRKSEN, Mr. DODD, Mr. DOUGLAS, Mr. ENGLE, Mr. ERVIN, Mr. FONG, Mr. GORE, Mr. GRUENING, Mr. HARTKE, Mr. HAYDEN, Mr. HICKENLOOPER, Mr. HILL, Mr. HOLLAND, Mr. HUMPHREY, Mr. JACKSON, Mr. JAVITS, Mr. JOHNSTON, Mr. KEATING, Mr. KEFAUVER, Mr. KERR, Mr. LONG of Missouri, Mr. LONG of Hawaii, Mr. MCCLELLAN, Mr. MCGEE, Mr. MILLER, Mr. MONRONEY, Mr. MORSE, Mr. MORTON, Mr. MUNDT, Mrs. NEUBERGER, Mr. PASTORE, Mr. PELL, Mr. PROUTY, Mr. RANDOLPH, Mr. RUSSELL, Mrs. SMITH of Maine, Mr. SPARKMAN, Mr. STENNIS, Mr. SYMINGTON, Mr. TALMADGE, Mr. THURMOND, Mr. TOWER, Mr. WILEY, Mr. WILLIAMS of Delaware, Mr. YARBOROUGH, Mr. YOUNG of North Dakota, and Mr. YOUNG of Ohio entered the Chamber and answered to their names when called.

The PRESIDING OFFICER. A quorum is present.

ORDER FOR ADJOURNMENT TO 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn to meet at 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

ESTABLISHMENT OF NATIONAL WILDERNESS PRESERVATION SYSTEM

The Senate resumed the consideration of the bill (S. 174) to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes.

Mr. ELLENDER. Mr. President, yesterday and the day before I spent some time studying the bill now before the Senate. I was reminded of the fact that the subject matter of this bill was before the Committee on Agriculture and Forestry last year. It affects all of our national forests, and I am wondering why the bill was not submitted to the Committee on Agriculture and Forestry.

It is true that quite an extensive study was made of the wilderness proposal by the Committee on Interior and Insular Affairs, but the lands involved in the bill will affect our national forests, and our national forests have always been under the jurisdiction of the Department of Agriculture and the Committee on Agriculture and Forestry.

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. CASE of South Dakota. In view of the fact that several Members of the Senate have entered the Chamber only in the last few minutes, I am not sure that all of them are aware of the motion the distinguished Senator from Louisiana, chairman of the Committee on Agriculture and Forestry, has made.

Is it not correct, I ask the Senator, that he has made a motion to commit the so-called wilderness bill to the Committee on Agriculture and Forestry?

Mr. ELLENDER. The Senator is correct.

Mr. CASE of South Dakota. And is it not correct that, under the rules of the Senate, the Committee on Agriculture and Forestry is supposed to have referred to it "all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects," including, as No. 6, "forestry in general, and forest reserves other than those created from the public domain"?

Mr. ELLENDER. The Senator is correct.

Mr. CASE of South Dakota. Is it not correct that in a letter of the Secretary of Agriculture to the chairman of the Committee on Interior and Insular Affairs, which appears at page 31 of the report, Secretary Freeman referred to the Multiple Use-Sustained Yield Act of June 12, 1960, and then stated:

> In this act, the Congress declared the establishment and maintenance of wilderness areas to be consistent with the principles of multiple use and sustained yield.

And he then stated:

> In inserting this provision as a committee amendment to the bill which became that act, the Senate Committee on Agriculture and Forestry made it clear that the enactment of that provision was not intended as a substitute for the enactment of legislation to establish a national wilderness preservation policy and program.

Mr. ELLENDER. Yes. I was going to refer to that. It will be recalled that in the report which was submitted to the Senate by the Committee on Agriculture and Forestry when the bill for the Multiple Use-Sustained Yield Act was considered, it was shown that S. 3044 came from the Committee on Agriculture and Forestry, and it, in a measure, recognized the 14 million acres that were already set aside for that purpose.

It is my belief that this new bill is so far reaching that it should be looked into and studied by the Committee on Agriculture and Forestry. It may be that the committee will be in complete agreement with the policy sought to be established. I do not think there will be much variance. But the methods by which the policy is to be attained to establish the wilderness areas may seriously conflict with our method of developing forests for commercial uses and otherwise.

It strikes me the Committee on Agriculture and Forestry should certainly have a look at it, and I do not think there should be any objection to that.

Mr. CASE of South Dakota. Has the Committee on Agriculture and Forestry had any hearings or has it made any recommendations with regard to the so-called wilderness bill?

Mr. ELLENDER. None whatever, except the reference in the report, as the Senator has just stated, when the Multiple Use-Sustained Yield Act was enacted last year.

Mr. CASE of South Dakota. I note that the bill itself, at page 6, in paragraph (b)(2) of section 3 states:

> The purposes of this Act are hereby declared to be within and supplemental to but not interference with the purposes for which national forests are established as set forth in the Act of June 4, 1897, and the Multiple Use-Sustained Yield Act of June 12, 1960.

In view of the fact that the bill before the Senate, on its face, and the recommendation of the Secretary of Agriculture, both refer to the Multiple Use-Sustained Yield Act which was handled by the Committee on Agriculture and Forestry, it occurs to me that the motion by the Senator from Louisiana, chairman of the Committee on Agriculture and Forestry, is very much in order and very well taken.

I am not a member of the Committee on Agriculture and Forestry, but I am a

member of the National Forest Reservation Commission, which was created by act of Congress some years ago. That legislation, I understand, was handled by the Committee on Agriculture and Forestry.

It seems to me it would be only natural for the Committee on Agriculture and Forestry to take cognizance of this bill, and that we should have some recommendation from the committee after it has had an opportunity to study the bill. Therefore, I shall support the motion to commit the bill.

Mr. DOUGLAS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. Moss in the chair). Does the Senator from Louisiana yield to the Senator from Illinois?

Mr. ELLENDER. I yield.

Mr. DOUGLAS. This bill has been before the Senate for many years. I ask the distinguished Senator from Louisiana whether the Committee on Agriculture and Forestry has previously requested that the bill be referred to it.

Mr. ELLENDER. We had the subject before us last year, and we dealt with the wilderness question in the bill which was enacted by the Congress. We recognized that 14 million acres, as I remember the figure, had been set aside as wilderness or wilderness-type areas. We recognized this as one of the legitimate uses under the bill.

Mr. DOUGLAS. When the wilderness bill was referred to the Committee on Interior and Insular Affairs, presumably upon advice of the Parliamentarian, did the Committee on Agriculture and Forestry request that the bill be referred to it rather than to the Committee on Interior and Insular Affairs?

Mr. ELLENDER. No. Nothing was done about that.

Mr. DOUGLAS. Why does the Senator from Louisiana come in at this late date, after the Committee on Interior and Insular Affairs has passed upon the question, to now ask that the bill be referred to his committee?

Mr. ELLENDER. As the Senator knows, bills are sent to committees automatically, I presume by action of those at the desk. We do not have an opportunity to follow through with respect to all the bills which are introduced in the Senate.

When I found that this bill was being reported to the Senate, I got busy and looked into it. I studied it.

I repeat, the bill involves all of the areas in our national forests, because that is the land involved in wilderness. It struck me the bill would affect our national forests to such an extent that the Committee on Agriculture and Forestry should take cognizance of it and do something about it.

Mr. DOUGLAS. Has not the Senator from Louisiana really slipped on his claimed rights, by permitting the bill to go to the Committee on Interior and Insular Affairs without protest? The Committee on Interior and Insular Affairs held hearings. I know the committee has been engaged for 2 or 3 years in an attempt to iron out the difficulties.

Is it not also true that a large portion of the wilderness involves public lands, and that public lands are managed by the Department of the Interior, so that the reference was not a captious reference of the bill?

Mr. ELLENDER. The Senator is entirely wrong about that. The Interior Department has charge of our parks.

Mr. DOUGLAS. Yes.

Mr. ELLENDER. The national forests, from which the wilderness will be carved in the future, are under the Department of Agriculture.

Mr. DOUGLAS. Are not the public lands under the jurisdiction of the Department of the Interior?

Mr. ELLENDER. I am talking about national forests.

Mr. DOUGLAS. I am speaking of the public lands, such as those under the Bureau of Land Management and the wildlife refuges.

Mr. ELLENDER. That is correct; but all the present wilderness areas have been carved, as I said, from our national forests. I repeat, over 14 million acres were previously acted on. Many of our parks have been carved out of lands formerly under the national forests.

Mr. AIKEN and Mr. CHURCH addressed the Chair.

Mr. ELLENDER. I had promised to yield to the Senator from Vermont.

Mr. AIKEN. The proposal of the chairman of the committee has taken me unawares, yet I can see a jurisfication for it. As the Senator says, the Committee on Agriculture and Forestry considered the establishment of wilderness areas last year. A good many members of the committee, if not a majority, were in favor of some such legislation.

I, for one, had overlooked the fact that the bill had been committed exclusively to the Committee on Interior and Insular Affairs this year.

I do not believe we can permit private forestry—the farm forestry which is complementary to farm operations—as well as the national forests which have been acquired and not carved out of the national domain, to go outside the jurisdiction of the Committee on Agriculture and Forestry.

I come from an area where private forestry—the cutting of pulp during the winter or the cutting of logs under selective cutting—is complementary to the farming operations. Many farms today, in the eastern part of the United States, could not afford to continue on summer operations alone but can furnish a good living for a family with harvesting of pulp and timber during the winter months.

I wonder if the Senator from Louisiana would be willing to consider a requirement that the Committee on Agriculture and Forestry report back to the Senate by a specific date. I think it is a good idea to have wilderness areas of reasonable size set aside for the benefit of the public, whether it be 5,000 or 10,000 acres. Anyone who wishes to can get lost on 5,000 or 10,000 acres as easily as he can get lost on 105,000 acres.

I think such areas in parts of the country in which they do not exist now would be desirable. But the program could be overdone.

Unfortunately, the situation is that there are some people, particularly those in the livestock and mining businesses, who do not like the idea of having any wilderness areas at all. Other well-meaning people would set aside so much area in wilderness that perhaps there would be economic failure in this country, even if we did not starve to death. We are in between extremists.

I would not wish to see the Committee on Agriculture and Forestry deprived of consideration of forestry proposals in the United States, and particularly those respecting the national forests which have been acquired by purchase rather than carved out of the national domain. Of course, all of the national forests in the East have been acquired by purchase.

I would put such national forests in a little different category from the national forests of Utah or Nevada or of other Western States, where the forest areas have been set aside from land which has always been owned by the United States.

Mr. ELLENDER. I am not opposed to a wilderness bill. The Senator well remembers that the Committee on Agriculture and Forestry looked into the proposal last year, when the committee reported the sustained yield bill. There was language in the bill to recognize the wilderness areas already established.

Mr. AIKEN. I had the impression that the majority of the members of the committee favored establishment of wilderness areas.

Mr. ELLENDER. Exactly.

Specifically answering the Senator's question as to whether I would agree to a requirement that the committee report the bill by a specific date, I would have no objection to that proposal. I do not wish to kill the bill by any means.

Let us not forget that the House will not consider this bill this year. It strikes me that the Committee on Agriculture and Forestry could be given an opportunity to look into the proposal, say next January and part of February, and report back by March 1. I would not object to that.

It strikes me that the Committee on Agriculture and Forestry should, by all means, look into the bill and study its implications and the effect it would have on forestry.

Mr. AIKEN. The Senator has said that the bill would not become law this year. We are sure of that now.

Mr. ELLENDER. The Senator is correct.

Mr. AIKEN. The Committee on Agriculture and Forestry could consider the bill and report back on the 15th of February or the 1st of March. We could report the bill back, and I believe that there would be much better feeling. The bill would be much more sure of ultimate passage than if the Committee on Agriculture and Forestry were bypassed and ignored.

Mr. ELLENDER. That is exactly the point I desire to make. I believe that would be the result if our committee were to look into the subject and study

it, though not with the idea of going over every detail that the Committee on Interior and Insular Affairs covered.

Mr. AIKEN. Could we make the date March 1?

Mr. ELLENDER. It strikes me that referral of the bill to the committee would help its passage in the House of Representatives. I hope that Senators who are interested in the passage of the wilderness bill will agree to a commitment of the bill to the Committee on Agriculture and Forestry, because I honestly believe that such referral would assist the passage of the bill in the House of Representatives.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. DWORSHAK. I believe that instead of the distinguished chairman of the Committee on Agriculture and Forestry being subjected to criticism because of his alleged untimely motion to commit the bill to his committee, the chairman of that committee should be commended for interposing at this time a warning to the Senate.

I invite the attention of the Senator from Louisiana to a reference in the minority views on the bill which points out that—

> The Outdoor Recreation Resources Review Commission, which is making an inventory of the Nation's recreation resources, and which is scheduled to report early in 1962, has contracted a study of wilderness with the wildlife research center at the University of California. The broad objective of the study is to make a careful appraisal of the place of wilderness and wild areas in the national pattern of outdoor recreation.

Certainly the Senate should be advised that the Outdoor Recreation Resources Review Commission has spent $2 million through its activities and its operations in engaging capable university groups and other agencies to make extensive studies during the past 3 years. I have raised the question that it is not timely for this body to consider the bill a few months prior to the time when this extensive report will be submitted. It is very significant that the Outdoor Recreation Resources Review Commission is composed of 15 members, 7 of whom are laymen, 4 of whom are Senators, and 4 of whom are Representatives.

So Congress has actually a majority of the full membership of the Commission, and therefore can be expected to participate fully in drafting the report at a meeting which is scheduled for late this month in Colorado. Is that not a point that should be recognized at this time so that we can correlate and coordinate not only the extensive work which has been done by the Committee on Interior and Insular Affairs, but the work which could be undertaken by the Committee on Agriculture and Forestry based upon the report of the extensive studies made by this national Commission?

Mr. ELLENDER. I thank my good friend for bringing that subject to the attention of the Senate as another argument to have the bill referred. I repeat that Senators who are really and truly interested in having a wilderness bill passed should take heed of that point, and let us go into it. I feel confident that if the bill is referred to the Committee on Agriculture and Forestry and is then submitted to the Senate and passed, in all probability it will have a better chance of enactment by the House of Representatives.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MANSFIELD. The committee of which the Senator is chairman has jurisdiction of the national forests, but it is my understanding that the forest preserves and the national parks incorporated in the bill are created from the public domain, and that less than 5 percent of the total mileage in the States from New Hampshire to North Carolina is under the jurisdiction of the National Forest Service and therefore within the jurisdiction of the committee of which the distinguished Senator from Louisiana is chairman. Am I correct?

Mr. ELLENDER. As I understand, the national forest areas would be the only areas included in the wilderness system upon enactment of the bill. In the past 15 years or so the Secretary of Agriculture has set aside certain areas. Up to the present time the exact amount is 14,664,053 acres which have been classified as wilderness, wild, primitive, or canoe territory, consisting of 4,888,173 acres in 14 wilderness areas, 998,234 acres in 29 wild areas, 886,673 acres in 1 canoe area, and 7,890,793 acres in 39 primitive areas. The bill would recognize those areas, but all of them have been carved out of national forests.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MANSFIELD. I read from the Standing Rules of the Senate the reference to the jurisdiction of particular committees. Under rule XXV, section (m), Committee on Interior and Insular Affairs, is the following as being within the jurisdiction of that committee:

> Forest reserves and national parks created from the public domain.

Is that correct?

Mr. ELLENDER. The Senator is correct.

Mr. MANSFIELD. How much of such forest areas is included in the public domain?

Mr. ELLENDER. I do not recall the exact amount.

What I am contending is that additional areas will be carved out of the lands of the national forests which are under the Department of Agriculture. For that reason I say that before we carve out more wilderness areas from the national forests, the Committee on Agriculture and Forestry should have a look at the proposal. I do not refuse to answer questions, but as will be seen when I read the short statement that I wish to read, the Secretary of Agriculture could set aside an unlimited number of acres and declare it to be wilderness if he desired to do so.

As I have said, it is my belief that the bill goes quite far. I do not know what effect it would have in the light of the national forestry bill that was passed last year. But I believe we ought to look into it. That is all I am asking. It strikes me that the Senate itself would be better off if it were to take that step.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Idaho.

Mr. CHURCH. As I understand, the Senator concedes that under the Standing Rules of the Senate Committee on Interior and Insular Affairs has jurisdiction over the forest reserves and the national parks created from the public domain. Is that correct?

Mr. ELLENDER. That is correct.

That is the point I wish to make. The wilderness areas would be carved out of lands that are now under the jurisdiction of the Committee on Agriculture and Forestry. That is what I am complaining about.

Mr. CHURCH. If the Senator will look to the actual statistics, I think that he will find that almost all the areas covered by the bill are drawn from land that came from the public domain, and therefore is properly under the jurisdiction of the Committee on Interior and Insular Affairs.

Mr. ELLENDER. That covers lands that have been set aside and parks that have been created over the years. I agree.

I agree to that. I am saying to the Senator that under the pending bill the Secretary of Agriculture would be able to enlarge these areas a good deal; he would be able to encroach on the national forests to a large extent. It strikes me that that is a reason why the bill should be referred to the Committee on Agriculture and Forestry.

Mr. CHURCH. Any additional land that is brought into the wilderness system, once the system has been established, must be brought in by act of Congress. Moreover, under the bill, all of the land that comes into the wilderness system is subject to review by Congress and to veto by either the House or the Senate. Therefore, Congress has the power of final decision in every case.

Mr. ELLENDER. Through the veto; yes. Before that happens, though, the bill would freeze over 14 million acres of national forests as wilderness areas. That would be the law. There may be something that we on the Committee on Agriculture and Forestry might suggest, instead of having these areas frozen by law in the first place and then reviewed by the Secretary of the Interior or the Secretary of Agriculture, and then have the effect of the law set aside by the President, provided that Congress does not veto such action. I would like to reverse the procedure. I would like to have prevail the same system that has prevailed in the past; that is, to have Congress establish these areas, and not let them be established and then passed upon by Congress by way of veto.

Mr. CHURCH. The Senator realizes, does he not, that primitive areas in the

national forests can today be created and expanded by administrative decision alone, without any power of veto by Congress?

Mr. ELLENDER. Under the Department of Agriculture; yes.

Mr. CHURCH. The bill then would restore to Congress a greater measure of control, would it not?

Mr. ELLENDER. What the Senator has said is true under the Department of Agriculture, not under the Department of the Interior.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CASE of South Dakota. I should like to invite the attention of the Senator from Louisiana and other Senators to the language at page 18, line 7, of the bill. I read from the committee amendment on that page:

> Within a year following the establishment of any area within the national forests as a part of the wilderness system, the Secretary of Agriculture shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the U.S. Senate, and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act.

Two questions come to my mind in connection with this language. First of all, on the face of it, it suggests the establishment of areas within national forests as a part of the national wilderness system. If that is true, then I would like to have the recommendation of the Secretary of Agriculture as to the establishment of areas within the national forests.

Mr. ELLENDER. That is what I am arguing for.

Mr. CASE of South Dakota. Secondly, why should the Secretary of Agriculture file a map and legal description with the Committee on Interior and Insular Affairs dealing with wilderness areas established out of national forests, and not file the same map and legal description with the Committee on Agriculture and Forestry, which normally deals with this matter?

It seems logical to have specific consideration by and recommendation from the Committee on Agriculture and Forestry in order to clarify at least the import of passages like that. I am sure the people in my national forests will wonder why the Secretary of Agriculture should come under the supervision of the Committee on Interior and Insular Affairs when areas are established within national forests, and not the Committee on Agriculture and Forestry.

Mr. METCALF. Mr. President, will the Senator from Louisiana yield, so I may explain that point?

Mr. ELLENDER. I yield.

Mr. METCALF. The reason the Committee on Interior and Insular Affairs wants to have a map is so that we can find what mining interests are involved, so that people who want to explore in the public domain can find out about these things.

Mr. CASE of South Dakota. I would have no objection to having the Committee on Interior and Insular Affairs go into that matter. However, it seems to me that with respect to areas established within national forests, the Committee on Agriculure and Forestry might also like to have a report.

Mr. METCALF. Perhaps so. We also want to find out what water supplies are involved. That comes under the jurisdiction of the Interior Committee. We want to know where it is possible to explore damsites, and with respect to other things that come under the jurisdiction of the Interior Committee.

Mr. CASE of South Dakota. If it is to be made that broad, perhaps the Committee on Public Roads might want to look at the water situation, for example.

Mr. METCALF. So might the Department of Commerce with respect to wildlife refuges.

This spreads the matter of jurisdiction over many committees.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from California.

Mr. KUCHEL. I merely wish to say that the wording of the rule of the Senate with respect to the jurisdiction of the Committee on Interior and Insular Affairs, as was pointed out a few minutes ago, specifically clothes the Committee on Interior and Insular Affairs with specific jurisdiction over "forest reserves and national parks created from the public domain."

Mr. ELLENDER. I am not complaining about that. However, in the bill the Secretary and the Chief of the Forest Service would have the power to create more of them and buy more land adjacent to them, and enlarge them, and these departments are now under the Committee on Agriculture and Forestry.

Mr. KUCHEL. Under present law the Secretary of Agriculture can clothe every acre with the state of primitive. This also seeks to replace in Congress, after appropriate proceedings in the executive branch, some of the authority that the Secretary of Agriculture presently has given to him by law. I shall make some comment on my own time on the Senator's motion. However, I thought in answer to the questions raised by the Senator from South Dakota [Mr. CASE] it should be pointed out that the rules specifically give the Committee on Interior and Insular Affairs authority over that type of forest reserve.

Mr. ELLENDER. After being created; yes.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Florida.

Mr. HOLLAND. I believe that the Senator from California has completely forgotten the fact that all of the national forests are not created from the public domain. If he wants to leave out the whole eastern part of the country so far as the application of the pending bill is concerned, his point is right.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. HOLLAND. I decline to yield at this point. I did not interrupt the Senator when he was making his statement.

Mr. KUCHEL. I apologize to the Senator. If he does not desire to yield to a Senator for a question, I apologize.

Mr. HOLLAND. The rule giving jurisdiction to the Committee on Agriculture and Forestry can be found at page 25 of the Senate manual. Subsection 6 specifically reads:

> Forestry in general, and forest reserves other than those created from the public domain.

There are three national forests in my State, the Ocala National Forest, the Osceola National Forest, and the Apalachicola National Forest. None of these was created from the public domain.

As we go up through Georgia and the two Carolinas and Virginia, and so on up through the Appalachians and Alleghenies, we find hundreds of thousands of acres of land in the national forests, beautiful national forests, created for the protection of water reserves and for other purposes that are salutary, and we want to preserve them. Every one of them is under the jurisdiction of the Committee on Agriculture and Forestry, and every one of them is being administered by the Secretary of Agriculture.

Furthermore, I remind the Senator that only last year, when the Senate was considering the multiple use bill, the Senator from Florida made a motion in committee which recognized the fact—and it is in the legislation to speak for itself—that our action was not designed to interfere with the progress of the Wilderness Act, which the Senator from Florida wishes to support. But he does not wish to support it at the expense of giving to the western part of the country all the attention without regarding the wilderness values in the national forests in the eastern part of the Nation, every one of which is located on lands bought by the States, by private interests, or by the Federal Government itself, in order that a national forest might be created. They are great areas, beautiful areas, areas about which we in the Committee on Agriculture and Forestry wish to have something to say.

So far as the Senator from Louisiana is concerned, I think he is speaking up only as he should for the jurisdiction of his committee, for the preservation of the integrity of the Department of Agriculture, and for the East to continue to have something to say in connection with this important bill and its objectives.

The Senator from Florida is a friend of the proposal to establish wilderness areas. I love to go into them myself. I stood for them in committee last year; I wish to stand for them on the floor of the Senate. However, I cannot stand for the pending bill, which serenely forgets the fact that there is a Department of Agriculture and there are committees of Congress which have jurisdiction of many national forests not carved out of the public domain.

Until Senators from the West get around to understanding what is the obvious fact, that we in the East do have an interest in the national forests, it

seems to me that they are setting up what will amount to a complete roadblock to any enlargement from the original establishment of wilderness areas. So far as the original establishment of the wilderness area is concerned, consisting of some 7 million acres, as the report shows, that practically all comes out of the national forests in the West. To say that the Department of Agriculture has no interest in this matter and that the Committee on Agriculture and Forestry has no legitimate interest in it is simply to be blind to the facts in the case and to the fact that the greatest population in the country, in the eastern part of the Nation, values tremendously its national forests and values highly the maintenance of virgin areas therein, whether they are established as formal wilderness areas or not.

I hope the Senator from Louisiana will persist in his motion and that it will prevail, because there is no other way for Congress to approach this problem in a method which will find harmony prevailing in the later consideration of a larger program than to let the Committee on Agriculture and Forestry have an opportunity to consider the proposed legislation.

Of course, the Senator from Louisiana is correct in saying that he never saw the bill which was introduced before it was referred. The Senator from Florida notes that of the large number of Senators who introduced the bill, only two were members of the Committee on Agriculture and Forestry—the distinguished Senator from Oregon [Mrs. NEUBERGER] and the distinguished Senator from Wisconsin [Mr. PROXMIRE]. Practically all the others were members of the Committee on Interior and Insular Affairs. They have an interest in the proposal—a legitimate interest. I respect that interest. I wish to help them work it out. However, to say that other Senators, who come from the eastern part of the Nation, do not have an interest in the bill or its objectives is to negate what is, of course, the fact.

I hope the motion of the Senator from Louisiana will prevail.

Mr. CASE of South Dakota. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. CASE of South Dakota. I wish to make an observation again with reference to the fact that the Secretary of Agriculture would be reporting to the Committee on Interior and Insular Affairs. I comment on the point raised by the junior Senator from Montana with respect to mining. In the national forests of the West today, the jurisdiction over the land which is involved in the mining, prospecting, and development of claims does not get to the Department of the Interior or the Bureau of Land Management until the mining claim is developed and it goes to patent. The administration of the service areas is within the jurisdiction of the Department of Agriculture through the United States Forest Service.

So I say again that if the Secretary of Agriculture is to file maps and legal descriptions of the areas with the Committee on Interior and Insular Affairs, he should also file them with the Committee on Agriculture and Forestry. I am sure that thousands of mining claim holders in the national forests of the West would not understand a proposal that wilderness areas should be established affecting their present claims or claims which might be filed, and that the reporting and the handling of them should be turned over to the Committee on Interior and Insular Affairs when, under present law, they deal with the Forest Service, which has control of the management of the service area.

Mrs. NEUBERGER. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mrs. NEUBERGER. Since the distinguished Senator from Florida [Mr. HOLLAND] mentioned that I was a sponsor of the bill and am also a member of the Committee on Agriculture and Forestry, of which the distinguished Senator from Louisiana [Mr. ELLENDER] is chairman, I wish to make a comment.

Because of my slight seniority, I was afforded the opportunity to choose between serving on the Committee on Interior and Insular Affairs and the Committee on Agriculture and Forestry. I thought a long time before making my decision, because the Committee on Interior and Insular Affairs deals with such activities as the wilderness and the national park system. The word "Forestry" in the title of the Committee on Agriculture and Forestry made me finally decide to accept membership on that committee. However, I must say that in the last half hour I have heard more mention of forestry in the title of that committee than I have heard in the committee itself since I became a member of the committee in January. The committee has always been referred to as the "Committee on Agriculture." I have not heard a tree mentioned since I began to sit on that committee. I think the chairman will admit that I have been diligent in my attendance upon the committee.

Mr. ELLENDER. The Senator from Oregon has been diligent in her attendance.

Mrs. NEUBERGER. Forestry was simply pushed into the background; it has never been considered before.

Because I have attended hearings in other parts of the country on the wilderness bill in other years, I am certain that the hearings have been thoroughly held and well conducted, and that all the material is available to members of the Committee on Agriculture and Forestry right now.

Also, this is my first experience, since becoming a Member of the Senate, in seeing Senators who are really fundamentally, I think, opposed to the whole principle of wilderness trying to indulge in what appears to me to be some kind of stalling action. I do not quite understand that. It seems to me that if Senators profess great interest in the wilderness and are actually interested in it, they are well enough informed by now to vote.

The Secretary of Agriculture says he strongly recommends the bill. This should convince members of the Committee on Agriculture and Forestry of the concern of the Department of Agriculture for the bill.

I dislike to see the Senate engage in what is purely a stalling maneuver, when every Member of the Senate knows exactly what the principles of the wilderness bill are. It seems to me that the motion of the Senator from Louisiana, the distinguished chairman of the committee of which I am a member, should be defeated.

Mr. ELLENDER. Mr. President, I give assurance that my motion is not a stalling action. The Committee on Agriculture and Forestry dealt with forestry last year and the year before, before the Senator from Oregon became a member of the Senate. We have before us a bill dealing with wilderness. I think we should deal with it adequately.

Mrs. NEUBERGER. Does not that mean it is unnecessary to have this bill rereferred?

Mr. ELLENDER. The bill relates to forestry. The Committee on Agriculture and Forestry ought to have something to say about it, because it deals with a subject in which our committee is deeply interested; namely, forestry. I do not know what effect the bill will have on forestry.

Mr. HUMPHREY. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I had agreed to yield first to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I did not know until the motion was made this morning that a motion would be made to commit. I wish to express my approval of the motion.

The statement was made by the distinguished junior Senator from Oregon [Mrs. NEUBERGER] a few moments ago that all Senators know what this is all about. Frankly, I do not think all Senators know what it is all about. It is true that the Committee on Interior and Insular Affairs has spent considerable time on the bill. So far as I know, the Committee on Agriculture and Forestry has not spent any time on the bill.

There are 15 million acres of land with which the Department of Agriculture—that is to say, the Forest Service—is directly concerned, affected by the bill.

There is a great deal more in total acreage with which the Department of the Interior is directly concerned. I do not know on what basis the bill was originally referred to committee. I will say to the Senator from Florida—because of certain remarks about western Senators—that a lot of us in the West do not feel that this bill is satisfactory. I have never known resistance to be made to such a motion when the chairman of a committee had a specific interest in the substance of the bill. I will support the Senator from Louisiana, as I believe I properly should, because here are 15 million acres of forest land; and, as the Senator from Florida has already stated, a great deal of forest land in the United States is not affected by the bill.

Let me point out that on the east side of the Chamber there is displayed a large map which shows in green the forest lands of the Nation; and in the

rear of the Chamber there is displayed a map in black and white which shows the wilderness and wild areas which are the subject matter of the bill. It will be noted that the wilderness bill as such deals primarily with the Western States and also deals with Minnesota, South Carolina, and New Hampshire, but the bulk of the acreage involved in the bill is to be found primarily in the Western States.

So I say to the Senator from Florida that certainly there is no desire on the part of any of us to usurp the authority or jurisdiction of the committee over the bill. On the contrary, I believe that in accordance with the longstanding custom of the Senate, the Senate should recognize the prerogative of the Senator from Louisiana, the chairman of the Committee on Agriculture and Forestry, to have the bill referred to his committee, particularly when it is perfectly obvious—and let me point out that all Senators have on their desks a sheet entitled "Land Area Subject to Inclusion in the Wilderness System"—that 15 million acres included come under the jurisdiction of the Committee on Agriculture and Forestry.

So it would be a break with precedent, I believe, if the chairman of the Committee on Agriculture and Forestry, having such a great interest in this matter, and inasmuch as so much of the land comes under the jurisdiction of his committee, were not to have an opportunity to look at the bill itself.

I appreciate the courtesy of the Senator in yielding to me.

Mr. HUMPHREY. Mr. President, will the Senator from Louisiana yield to me?

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield first to the Senator from Minnesota, to whom I previously promised to yield.

Mr. HUMPHREY. Mr. President, I wish to speak later in my own right on this matter; but at this time I wish to ask a question. First let me say that I appreciate the courtesy of the Senators concerned.

I should like to say that the first bill dealing with this matter was presented to the Congress in 1956, as a study bill, by the late Senator Murray.

In 1957, the Senator from Minnesota introduced the wilderness bill, for legislative action. That was in the 85th Congress.

In 1959, I joined with my friend, the late, departed Senator Neuberger, in introducing the wilderness bill. We held hearings in various parts of the country, before various committees; and I wish to say that, as the author of the bill, I never took so much abuse in all my life as I did in connection with the bill. I come from a State in which there are 22 million acres of forest land, State and Federal, besides privately owned land; and the abuse I received in my own State from the vested interests was unbelievable. But we did not retreat.

Then the Senator from New Mexico [Mr. ANDERSON] took up the bill, and introduced a modified bill. I wish to say we had the cooperation of the distinguished Senator from California [Mr. KUCHEL] on these matters, in working out what were serious problems.

In the opinion of many Senators, the early bills went too far. But the bill now before the Senate is a modified bill.

My point is that under section 3(b) of the bill, certain areas dealt with are already designated as wilderness areas, and the bill does not provide for the inclusion of a single new acre. That has been done under existing law, by the Secretary of Agriculture; and section 3(b) provides that the wilderness area shall include four categories—"wilderness, wild, primitive, or canoe"—and this section states:

(b)(1) The wilderness system shall include all areas within the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service—

Which is in the Department of Agriculture—

as wilderness, wild, primitive, or canoe: *Provided*, That the areas classified as primitive shall be subject to review as hereinafter provided. Following enactment of this Act, the Secretary of Agriculture shall, within ten years, review, in accordance with paragraph C, section 251.20, of the Code of Federal Regulations, title 36, effective January 1, 1959, the suitability of each primitive area in the national forests for preservation as wilderness and shall report his findings to the President. Before the convening of Congress each year, the President shall advise the United States Senate and House of Representatives of his recommendations with respect to the continued inclusion within the wilderness system, or exclusion therefrom, of each area on which review has been completed in the preceding year, together with maps and definition of boundaries: *Provided*, That the President may, as a part of his recommendations, alter the boundaries existing on the date of this Act for any primitive area to be continued in the wilderness system, recommending the exclusion and return to national forest land status of any portions not predominantly of wilderness value, or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value: *Provided further*, That following such exclusions and additions any primitive area recommended to be continued in the wilderness system shall not exceed the area classified as primitive on the date of this Act. The recommendation of the President with respect to the continued inclusion in the wilderness system, or the exclusion therefrom of a primitive area, or portions thereof, shall become effective subject to the provisions of subsection (f) of this section: *Provided*, That if Congress rejects a recommendation of the President and no revised recommendation is made to Congress with respect to that primitive area within two years, the land shall cease to be a part of the wilderness system and shall be administered as other national forest lands—

And so forth. So, under the bill, the classification is to be made by the Secretary of Agriculture, and the recommendation is to be made by the President; and then the Congress itself can reject any of these areas, by means of a motion of disapproval—a procedure which has not been followed in connection with previous legislation in this field.

So if there is any problem about jurisdiction, let me say that we ought not send the bill back to committee. We have put in 5 years of work and study. I know the interests which have fought this bill. There have been honest differences of opinion as to how far a wilderness preservation system should go; and I think the Senator from Vermont stated the matter well when he said there have been some extremists on both sides.

But the fact of the matter is that there have been powerful mining interests and powerful lumber interests who have been opposed to the bill. By the way, I would be interested to know who published the sheet entitled "Land Area Subject To Inclusion in the Wilderness System." What is its authorship? Where did it come from? I want to know where it came from.

Mr. ALLOTT. Mr. President, if the Senator will yield, let me say I distributed that.

Mr. HUMPHREY. I appreciate that. Is this sheet based on the Senator's research?

Mr. ALLOTT. It is the result of research I had done; yes.

Mr. HUMPHREY. I saw one like this which came from the National Lumber Manufacturers' Association.

Mr. ALLOTT. The Senator will notice that at the bottom of the sheet the source of the figures is stated.

Mr. HUMPHREY. But I have seen a very similar sheet which came from the National Lumber Manufacturers' Association.

Mr. ALLOTT. That may be. The one on the Senator's desk was printed through my office.

Mr. HUMPHREY. I accept the Senator's explanation.

Mr. ALLOTT. And if the Senator has any question about the validity of the figures, I shall be very happy to explain them.

Mr. HUMPHREY. I do not have any question at this time as to the validity of the figures. I only say that some of the most powerful economic interests in the country have fought the wilderness bill.

Mr. ALLOTT. Yes; and some of the most powerful economic interests in the country have fought for the wilderness bill.

Mr. HUMPHREY. Those who have fought for the bill are primarily those who want to preserve certain areas of the country for the growing population, to make sure there is sufficient recreation area for its use.

Mr. ELLENDER. Mr. President, I yield only for questions.

Mr. HUMPHREY. I wish to ask a question.

Mr. ELLENDER. Very well.

Mr. HUMPHREY. Is it not true that 85 percent of the total national forest is in the public domain?

Mr. ELLENDER. That may be; I cannot state the exact amount.

Mr. HUMPHREY. Mr. President, will the Senator from Louisiana permit a request to be made at this time?

Mr. ELLENDER. Yes; a request for insertion of some matter in the RECORD.

Mr. HUMPHREY. I ask unanimous consent to have printed at this point in in the RECORD a table which appears on pages 32 and 33 of the statistical appendix of the annual report of the Bureau of

Land Management, giving the summary of federally owned land, by State and major agency.

Mr. ELLENDER. I have no objection.

Mr. HUMPHREY. I thank the Senator.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 10.—*Summary of federally owned land, by State and major agency, 1959*

Area	State	Department of the Interior				Department of Agriculture			
		Bureau of Indian Affairs		Other		Forest Service		Other	
		Public domain	Acquired	Public domain	Acquired	Public domain	Acquired	Public domain	Acquired
		Acres	*Acres*	*Acres*	*Acres*	*Acres*	*Acres*	*Acres*	*Acres*
1	California		837.3		12.5	19,668,564.0	295,275.0		628.0
	Oregon		1,518.9	40.0	1,348.8	14,403,742.0	534,811.3	14,598.8	
	Washington		56.4		6,559.5	9,447,525.0	241,082.3	160.0	229.4
	Total, area 1		2,412.6	40.0	7,920.8	43,519,831.0	1,071,168.6	14,753.8	857.4
2	Arizona	22,415.0	8,674.6		1.4	11,381,243.0	298.9		70.9
	Idaho	330.0	42,066.4		67.4	19,951,955.4	389,183.8	27,840.0	3,872.6
	Nevada		7,641.8		4.5	5,037,861.0	20,206.0	18,372.4	.5
	Utah		360.6	12,650.0	15.0	7,716,780.0	210,653.4		
	Total, area 2	22,745.0	58,743.4	12,650.0	88.3	44,087,839.4	620,342.1	46,212.4	3,944.0
3	Colorado		573.0		169.3	13,727,324.0	631,594.0		71.6
	Kansas		320.9		205.1		107,039.0		181.7
	Montana		128,228.1			16,623,091.6	12,396.5	72,447.2	422.3
	Nebraska	152.5	170.0			197,578.0	142,138.0	21,325.6	175.8
	New Mexico	391.4	85,353.2		4.7	8,489,981.0	514,227.0	200,413.5	325.0
	North Dakota	1,662.2	6,122.0		11.7	103,530.0	1,001,002.0		1,118.7
	Oklahoma		40,872.3		235.4	440.0	266,668.0	8,363.0	4,837.7
	South Dakota		140,451.6			1,201,224.0	802,449.0		360.0
	Texas				12,498.1		775,262.0		3,056.4
	Wyoming		1,127.3		2.2	8,671,202.0	470,596.0		16,476.8
	Total, area 3	2,206.1	403,218.4		13,126.5	49,014,430.6	4,723,371.5	302,549.3	27,026.0
4	Alaska	4,072,146.3		36,961.4	1,804.4	20,742,273.0	7.0	6.9	15.9
	Eastern States Office:				2.6				
	Alabama				20.7	25,319.0	606,651.0		105.1
	Arkansas					1,030,772.0	1,400,665.0		
	Connecticut								
	Delaware								
	District of Columbia								411.9
	Florida					162,193.0	912,549.0		5,750.7
	Georgia						785,678.0		1,565.6
	Illinois					420.0	210,593.0		29.1
	Indiana						121,086.0		
	Iowa		40.0				5,695.0		364.3
	Kentucky						458,523.0		
	Louisiana					435.0	591,291.0		1,336.3
	Maine				12.9		50,281.9		5.0
	Maryland								11,647.8
	Massachusetts						1,651.0		.3
	Michigan		4,016.8			266,390.0	2,292,771.0		50.0
	Minnesota		28,667.4		57.2	1,140,477.0	1,645,910.0		16.9
	Mississippi		213.6		3.0	1,590.0	1,132,222.0		383.7
	Missouri				63.3	1,796.0	1,372,290.0		642.0
	New Hampshire						677,583.3		
	New Jersey								34.9
	New York						13,747.0		1,319.9
	North Carolina		401.0				1,124,371.0		1,673.5
	Ohio						106,266.0		639.8
	Pennsylvania				264.3		470,862.0		32.5
	Rhode Island								
	South Carolina						587,274.0		464.2
	Tennessee				6.0		595,982.0		554.2
	Vermont						230,954.0		
	Virginia						1,449,481.0		4,217.8
	West Virginia				45.3		903,878.0		
	Wisconsin		39,446.7			7,948.0	1,460,621.1		.7
	Total, Eastern States		72,785.5		475.3	2,637,340.0	19,208,826.3		31,246.2
	Grand total	4,097,097.4	537,159.9	49,651.4	23,415.3	160,001,714.0	25,623,715.5	363,522.4	63,089.5

Mr. HUMPHREY. Is it not true that only 13,000 acres out of the 14 million acres, as tabulated on the sheet to which I referred a moment ago, entitled "Land Area Subject to Inclusion in the Wilderness System," are what might be called acquired land, and therefore are subject to the jurisdiction of the Committee on Agriculture and Forestry?

May I add that I was a member of that committee for 6 years, and I was a rather diligent member.

Mr. ELLENDER. Well, I do not like to go over the ground time and time again; but the 14 million acres to which I referred a while ago, and which this bill will recognize as wilderness areas, have been carved out of lands under the jurisdiction of the Department of Agriculture, and subject——

Mr. HUMPHREY. Out of the public domain.

Mr. ELLENDER. I know that, and I understand that—but out of lands under the jurisdiction of the Department of Agriculture. That is what I am talking about.

Mr. HUMPHREY. Will the Senator yield for a question? If the bill were amended so as to include a provision that the Committee on Agriculture and Forestry shall have some joint jurisdiction when the recommendations are made by the President and the Secretary of Agriculture, would the Senator be satisfied with such a provision?

Mr. ELLENDER. It may be that after holding hearings the committee may report the bill as written. But I should like to look into the bill and, as the Senator from Vermont suggested, report back on March 1. In my humble judgment when the bill is reported by the Committee on Agriculture and Forestry—and I am sure it will be—it will then have a better chance of passing the House of Representatives than if the Senate were to act now on the bill as it now stands.

Mr. DWORSHAK. Mr. President, will the Senator yield so that I may ask a question on this point of the Senator from Minnesota?

Mr. ELLENDER. I yield, without losing the floor.

Mr. DWORSHAK. I ask the Senator from Minnesota if, in his very charitable and broadminded support of the bill, he would agree to the deletion, on page 15, of subdivision (3), which I un-

derstand gives preferential treatment to areas in the northern part of his State, so that they will not be subjected to an equitable and fair interpretation and application of the bill. Would he agree to the deletion of that section?

Mr. HUMPHREY. Would the Senator read the language? I did not get the point.

Mr. DWORSHAK. The language on page 15, line 18, and following on to the next page of the bill, sets up a preferential status for the Senator's own State which is not accorded the other 49 States.

Mr. HUMPHREY. All this does is sustain existing law. I have not heard any great uproar about repealing existing law. If it will make the Senator any happier to make such a motion, I will be glad to have him come into the State of Minnesota and explain it.

Mr. DWORSHAK. I wonder if the Senator from Minnesota will explain to this body why that provision is in the bill——

Mr. HUMPHREY. I did not put it in.

Mr. DWORSHAK. The Senator from Idaho cannot divulge the information which was given to the chairman of the committee, whom I respect. Otherwise he would tell the able Senator.

Mr. HUMPHREY. Nothing in this bill repeals any law relating to any canoe or wilderness area. If the Senator wants me to educate him on this subject, I shall be glad to do so.

Mr. DWORSHAK. Will the Senator concede that the other 49 States do not receive the preferential treatment which is asked for in this subsection by his State?

Mr. HUMPHREY. If there is an existing law on it, any Senator is entitled to invoke it. Congress already passed the law to which the Senator refers, and any other wilderness areas provided for under existing law are covered by this bill. The Senator knows that.

Mr. ELLENDER. Mr. President, I will yield hereafter only for questions. I am supposed to be before the Appropriations Committee. I have a short statement yet to make.

I yield now to the Senator from Florida [Mr. HOLLAND].

Mr. HOLLAND. Mr. President, the Senator knows that all of the national forests in the eastern part of our country, east of the Mississippi River, and some west of the river are made up of lands purchased, and not of lands in the public domain of the United States. Is that correct?

Mr. ELLENDER. The Senator is correct.

Mr. HOLLAND. Does the Senator know why any reasonable consideration of the interests of that great part of the United States to have some wilderness areas seems to have been excluded from this bill?

Mr. ELLENDER. I do not know why, but it strikes me that would be an argument and a reason why the committee of which I am chairman should consider the bill, so that all parts of the country can be treated similarly, if they can be.

Mr. HOLLAND. If the Senator will yield for just one brief statement, I should like to say that, for one, I do not appreciate the suggestion that everyone who is opposed to the bill as written or wants at least a chance to look at it is influenced by some ulterior interests which are vaguely mentioned. The Senator from Florida has not been approached by any lumber, mining, or grazing interests. The Senator from Florida headed up the movement in his own State to set aside more than 1 million acres of land as the Everglades National Park, which, of course, is a wilderness. He knows something of the kind of opposition which arises under those conditions. The Senator from Florida supported, in the Committee on Agriculture and Forestry but a few months ago, a bill to make possible the rounding out of an important forest area in the State of Minnesota. The Senator from Florida has no ulterior motives, but he feels the people in the eastern part of this country and the national forests in the eastern part of this country, such as Osceola, Ocala, Apalachicola, in Florida, and Nantahala and Mount Pisgah Forest in North Carolina, every one of which the Senator from Florida has enjoyed and hopes to enjoy many times more, are entitled to consideration in this field, and the committee which has jurisdiction over those areas is entitled to some consideration in this matter.

The Senator from Florida hopes the distinguished chairman of the committee will so amend his motion as to include an early date for reporting. The Senator from Florida is willing to attend hearings during the recess in order to have ample time for action at the second session of this Congress; but the Senator from Florida is insistent that our committee have some chance to look at this bill.

Mr. ELLENDER. Mr. President, at this point I ask unanimous consent to have printed in the RECORD as a part of my remarks a short explanation of S. 174, with particular emphasis on the fact that the national forest areas will be the only areas included in the wilderness system upon the enactment of the bill. These, as has been stated on the floor, were set aside by the various Secretaries of Agriculture and the bill would make them permanent—legalize them, in other words.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

SHORT EXPLANATION OF S. 174 (THE WILDERNESS BILL)

S. 174, with the committee amendments, creates a National Wilderness Preservation System consisting of:

1. National forest areas classified on the effective date of the act by the Secretary of Agriculture or the Chief of the Forest Service as wilderness, wild, primitive, or canoe.

2. Such national park system roadless areas of 5,000 acres or more as may be recommended by the President and not disapproved by either House of Congress.

3. Such portions of the wildlife refuges and game ranges under the jurisdiction of the Secretary of the Interior as the President may recommend and are not disapproved by either House of Congress.

Commercial enterprise, roads, motorized equipment, mechanical transport, and structures or installations are excluded from the system. Exceptions are made for existing private rights; needs for system administration including health and safety; use of aircraft and motorboats in national forest areas where already established; prospecting, mining, reservoirs, water-conservation works, transmission lines, and other necessary facilities when authorized by the President; and established livestock grazing.

National forest areas would be the only areas included in the wilderness system upon enactment of the act. At present, 14,664,053 acres have been classified as wilderness, wild, primitive, or canoe, consisting of 4,888,173 acres in 14 wilderness areas, 998,234 acres in 29 wild areas, 886,673 acres in 1 canoe area, and 7,890,793 acres in 39 primitive areas. The primitive areas would be reviewed by the Secretary of Agriculture within 10 years after enactment, and might be (1) included or excluded from the system on Presidential recommendation not disapproved by either House of Congress; (2) excluded on the lapse of 2 years without further recommendation after a Presidential recommendation to include or exclude has been disapproved by either House of Congress; and (3) excluded by the lapse of 14 years without a recommendation of continued inclusion becoming effective.

National park and wildlife refuges and game ranges areas might be included in the system upon recommendation of the Secretary of the Interior within 10 years after enactment of the bill and upon Presidential recommendation not disapproved by either House of Congress. Special provision is made for wildlife refuges and game rangelands added to the Secretary's jurisdiction within 15 years after enactment of the bill.

The boundaries of the system may be modified at any time upon public notice and hearing (on sufficient demand), recommendation of the appropriate Secretary, and Presidential recommendation not disapproved by either House of Congress.

Additional lands might be added to the system through act of Congress, acquisition of private lands within the system, and gift or bequest.

Section 9 of the bill provides for a Presidential Land Use Commission for any State where 90 percent of the land is federally owned (Alaska) to advise the Secretary of the Interior. Its recommendation would be included in any recommendations to Congress.

Mr. ELLENDER. Mr. President, the pending bill establishes a national policy of wilderness preservation with respect to lands in the national forests, the national park system, wildlife refuges, and game ranges, and would, by legislative action, limit the uses which may be made of those lands. National forest lands are the only lands which would be automatically covered by the bill. Parks, refuges, and rangelands might be added later. Because of its jurisdiction with respect to national forests, the Committee on Agriculture and Forestry is therefore concerned with the provisions of the bill.

From the committee report on this bill, it would appear that at least 14,664,053 acres of national forest lands would be directly affected by the bill and withdrawn from general forest use. That number of acres has already been classified. Any additional areas within the national forests which might be classified "on the effective date of this act" by the Secretary of Agriculture or the Chief of the Forest Service as wilderness, wild, primitive, or canoe would also be directly affected and withdrawn from general forest use. There is no limit on the number of acres of national forest lands which might be so classified between today and the date upon which this bill

becomes effective. It may be that no new areas will be so classified. However, the authority is there, and I note that between February 24, when the Department of Agriculture furnished the table on page 30 of the committee report, and July 17, the date of the tables beginning on page 51 of the report, one primitive area had apparently been reclassified as a wild area. It may be that no additional changes in classification will be made. However, the authority is broad enough to include any or all national forest lands in the wilderness restricted use system. The authority is very broad.

The Secretary and the Chief of the Forest Service have no legislative criteria or guidelines imposing any limits on their authority. Between the date this bill might pass Congress and the date of its approval by the President, the Chief of the Forest Service, who is not of Cabinet rank, could classify all national forests as canoe areas and thereby place them in the wilderness restricted use system. Neither the House nor the Senate would have even the opportunity to disapprove in any fashion. It would require full legislative action to undo what this bill authorizes the Chief of the Forest Service to do. I believe our committee has a very real interest in any legislation which contains authority for such a profound effect on the national forests.

The only legislative guidelines or restrictions imposed upon the Chief of the Forest Service are contained in section 2(b) of the bill. Section 2(b) of the bill contains two differing definitions of wilderness. The bill does not contain any definitions of "wild," "primitive," or "canoe." These are no restrictions at all.

Section 3(e) of the bill provides for the modification or adjustment of boundaries of the wilderness system. The committee report states that the act does not include a specific acreage limit on areas which may be involved in a modification of boundary under section 3(e) since such modifications are subject to disapproval by either the House of Representatives or the Senate; and that it is not intended that the authority of section 3(e) should be used to achieve a change primarily for the purpose of adding to or eliminating an area of land from the wilderness system.

Whatever may be the intention expressed in the committee report, section 3(e) does provide authority for adding additional national forest lands to the wilderness system and, as pointed out in the committee report, there is no restriction on the area which may be added. We do not know how some future Secretary might use this authority, but our committee has such an interest in national forest legislation as should require our full examination of any bill containing such authority. Any national forest lands classified by the Secretary of Agriculture or the Chief of the Forest Service as wilderness, wild, or canoe on the effective date of this act—and again I point out that their discretion in making such classification is practically unlimited—would become a part of the wilderness area permanently without further action by Congress. Any area classified on that date as primitive would be required to be reviewed within 10 years; and if the President, after such review, determined that the primitive area should be continued as part of the wilderness system, Congress would be given only a veto power to prevent such continued inclusion.

According to the committee report on the bill, it is contemplated that over 14½ million acres of national forest lands would be included in the wilderness system immediately; about 22 million acres of national park lands might eventually be included in the system; and large areas of the 22 to 23 million acres of wildlife refuge or game rangelands might also eventually be included in the system. As I have pointed out, authority exists under the bill for the inclusion of over 185 million acres of national forest lands, although nobody expects that to be done. However, even though all of the national forest lands are not included, the setting up of a restricted wilderness system will affect national forest areas not included in the system. Uses prohibited in, or precluded from, the restricted areas, such as recreation for people unable to hire guides and horses, grazing, mining, logging, and so on, would be concentrated on other national forest areas.

Our committee, of course, has had no opportunity to determine what the impact would be on the national forests as a whole, either at the present time or in the future, as our population and our needs for outdoor recreation, range, timber, watershed, and wildlife and fish uses increase. Our committee also has jurisdiction over forestry generally, and restrictions on the use of Federal areas as provided by this bill may well have an effect on private forestry that should be the concern of our committee.

Last year the Committee on Agriculture and Forestry reported S. 3044, and the Congress adopted a companion bill, H.R. 10572, providing for the administration of national forests for multiple use and sustained yield. The purpose of S. 3044 was to provide a congressional policy that the national forests are established and shall be administered for outdoor recreation, range, timber, watershed, and wildlife and fish purposes, to thereby continue the Forest Service policy that the national forests shall be administered for the greatest good of the greatest number in the long run. In the minority views on the pending bill, it is stated as follows:

> As a matter of fact, S. 174 is class legislation in that it proposes to set aside vast tracts of public land for the exclusive use of a small minority of well-endowed citizens, while excluding from its vaunted recreational delights the great numbers of citizens who probably need it most—those retired men and women who, having completed their contributions to their country, now have time to travel and see the natural beauties of that country, but who have not the physical stamina nor the rather considerable funds necessary to indulge in arduous, expensive pack trips; the families who want to take the children and drive into the country to enjoy the great outdoors; and all others except the favored few who can ride horses or hike for long distances.

The minority views also said that the measure "would deny to all but an infinitesimal fraction of the people of this country—less than 2 percent—their rights to land which belongs to them all." The authority is in the bill to cover the entire national forest. It is anticipated that millions of acres would be covered. By precluding all but an infinitesimal fraction of our people from these restricted areas, the bill should have an impact upon the national forests and forestry in general of legitimate concern to the Committee on Agriculture and Forestry.

In addition to diverting recreational users from the restricted areas to other national forest areas, the permanent legislative restrictions of the bill on mining, range, timber, and other uses may result in increased use of other areas of the national forests for these purposes. We do not know what the effect may be now or in the future, but in view of the concern of the Committee on Agriculture and Forestry with the national forests, the Committee on Agriculture and Forestry should be given an opportunity to study this bill and report such recommendations as it may have to the Senate.

In conclusion, the only lands immediately affected by the bill would be the national forests. Authority is contained in the bill broad enough to cover any or all national forest areas, depending solely on the judgment of the Chief of the Forest Service, and to completely change the use of the national forests. The multiple-use policy enacted last year on the recommendation of the Committee on Agriculture and Forestry would be discarded in such case. The Committee on Agriculture and Forestry should be given an opportunity to study the bill.

Mr. President, I wish to modify my motion that the bill be committed to the Committee on Agriculture and Forestry, to add that a report from the Committee on Agriculture and Forestry be made on the bill not later than March 1 of 1962.

The PRESIDING OFFICER. The Senator has a right to modify his motion.

Mr. HOLLAND and Mr. MANSFIELD addressed the Chair.

Mr. ELLENDER. I yield first to the Senator from Florida.

Mr. HOLLAND. Mr. President, I strongly suggest to the Senator from Louisiana that he change the date to February 1, because I think we shall have to do this work in the time of adjournment anyway.

It may be that upon reading the very voluminous records and reports we would decide not to have hearings. I certainly do not wish to take a position that would be regarded as precluding action at the next session of Congress. I am sure that the Senator from Louisiana would not.

Would he be willing to change the date upon which the committee report would be expected to February 1, 1962?

Mr. MANSFIELD. Mr. President, I join the Senator from Florida in that request.

Mr. ELLENDER. A 30-day period seems short.

Mr. AIKEN. May I add to what has been said that I think the bill could be reported by February 1. Last year in

the committee we considered the subject in connection with a multiple-use bill for national forests. We wrote into the purposes of the bill considered last year the words:

> The establishment and maintenance of areas of wilderness are consistent with the purposes and provisions of this act.

So we did have in mind the establishment of wilderness areas. I believe that wilderness areas will be very important for the preservation of the wildlife and wildflowers of this country as well as to provide areas in which people who wish to live in absolute silence in natural surroundings may do so. I think we must use good judgment in the establishment of such areas. It seems to me that we in the East need more such areas, although probably not as large ones as there are in the Western States.

I do not want to see the Committee on Agriculture and Forestry bypassed on matters relating to forestry or to national forests which have been established from other than the national domain.

It seems to me that a bill could be reported by February 1. We probably have been remiss in not asking for it sooner, and to that extent perhaps there could be some justification for not granting the request now. But on the whole it seems to me that there would be greater harmony and in the long run we would be more likely to get a good bill through Congress after having had more opportunity to consider it in the Committee on Agriculture and Forestry. There are some very able new members of the committee, including the junior Senator from Oregon [Mrs. NEUBERGER], who have not had an opportunity to consider the proposed legislation as members of that committee. I think we would probably do better to bring the bill back from the Committee on Agriculture and Forestry on the 1st of February. If no deadline were stated, I would be inclined to vote against the motion, even though I am the ranking minority member of the committee. But if the Senator includes in his motion the reporting of the bill by February 1, I think the committee could do so, and I shall be glad to support such a motion.

Mr. ELLENDER. Mr. President, I am looking for a 1962 calendar to see exactly on what day February 1 falls.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. DWORSHAK. Under the law the Outdoor Recreation Resources Review Commission is to make its report not later than January 31 of next year. It seems to me that the committee should have at least a 2-, 3-, or 4-week interval after that time so that the report might be studied by the Committee on Agriculture and Forestry.

Mr. ELLENDER. Mr. President, I wish further to modify my motion by making the date for the report of the Committee on Agriculture and Forestry to the Senate February 5 of next year.

Mr. HOLLAND. May I ask what day of the week February 5 will be?

Mr. ELLENDER. That will be a Monday.

The PRESIDING OFFICER (Mr. HICKEY in the chair). The Senator has a right to so modify his motion.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MANSFIELD. I thank the Senator for his courtesy on this question. Of course, he is acting entirely within his rights in making a motion to commit the wilderness area bill to the Committee on Agriculture and Forestry, which, in my opinion, has a limited interest in it. However, I point out that for more than 5 years the bill has been before the Committee on Interior and Insular Affairs, hundreds of witnesses have been heard, and thousands of pages of testimony have been taken. While I understand the realities of the practical situation as it exists at the present time, I think the bill which the Committee on Interior and Insular Affairs has reported is a good one. I shall vote against the motion to commit, and I hope that the motion to commit will be defeated.

Mr. KUCHEL. Mr. President, during the last half dozen years, proposed legislation on wilderness areas, similar to the bill which is now before us, has been introduced in the Senate. On every occasion, the Presiding Officer of the Senate has referred such bills to the Committee on Interior and Insular Affairs. No one ever arose to dispute or question such referral.

Today, at the time set for the debate on the proposed wilderness legislation before us, my good friend the able senior Senator from Louisiana [Mr. ELLENDER], chairman of the Committee on Agriculture and Forestry, made a motion to commit the bill to the Committee on Agriculture and Forestry. Under the rules, he has a right to make such a motion. Under the rules, I believe the Senate ought to vote the motion down.

When the Presiding Officer of the Senate, not once or twice, but several times, referred proposed wilderness legislation to the Committee on Interior and Insular Affairs, he did so under the rules of the Senate. Earlier today those rules were referred to. With respect to the jurisdiction of the Committee on Agriculture and Forestry, what do the rules state in respect to its sitting in judgment on proposed legislation introduced in the Senate? The rules are fairly clear.

Rule XXV, section 1(a), subsection 6, in respect to the Committee on Agriculture and Forestry sitting in judgment on proposed legislation provides:

> Forestry in general, and forest reserves other than those created from the public domain.

With respect to the jurisdiction of the Committee on Interior and Insular Affairs, as has been previously iterated in the debate today, the rules prescribe that the committee shall sit in judgment on proposed legislation relating—and I refer to subsection 4 of subdivision (m):

> Forest reserves and national parks created from the public domain.

Several Senators have demonstrated not only that the Parliamentarian and the Presiding Officer were within their rights, but that they were logical in the decision that was made.

Of some 14 million acres under the jurisdiction of the Department of Agriculture operated upon in the bill, only a few thousand are not related to the public domain but, as has been suggested, have become private property. Thus, only 99-plus percent of the forest lands dealt with by the bill are created from the public domain, and come specifically under jurisdiction of the Interior Committee.

The distinguished Senator from Florida has suggested that if the proposed legislation were enacted into law, there would be some reason for fear or trepidation on the part of Senators representing Eastern States that forest areas within their States not created from the public domain and under the jurisdiction of the Department of Agriculture, could not be made primitive or could not become a part of the wilderness system. I deny it.

If the proposed legislation were enacted, it would merely provide, as has already been clearly indicated in debate, that the area of the public domain classified by the Secretary of Agriculture today as primitive shall be deemed wilderness until the Secretary and then the President of the United States and then either House of Congress makes a determination to the contrary.

If the distinguished senior Senator from Florida [Mr. HOLLAND] wishes to introduce proposed legislation creating a wilderness out of any of the area owned by the Government of the United States in his own State, let him do so. That would be what would be required of him, if he so desired. That would be precisely what would be required of him if the proposed wilderness legislation were enacted into law or whether it were not enacted into law. After a half-dozen years, during which some of us have tried to fashion a decent piece of legislation, avoiding the extremes of either side in this argument, we have finally been able to do so. The proposed legislation would affect 2 percent of the lands in the United States, and something less than 5 percent of the areas under the jurisdiction of the Department of Agriculture. Now that the time has been set for debating and voting the bill up or down, I do not believe we ought now to say, "Let us send the bill to the Committee on Agriculture and Forestry." It may well be that the proposed legislation before us touches or impinges slightly upon the jurisdiction of the Committee on Agriculture and Forestry.

I assert, nevertheless, as a positive fact, that the Presiding Officer and the Parliamentarian were completely correct in their prior decisions, because in the great bulk of land areas operated on by the bill before us it is the Committee on Interior and Insular Affairs, under the precise rules of the Senate, which has and which ought to have jurisdiction over this legislation.

Some years ago I introduced some legislation in the Senate dealing with the subject of air pollution. A question arose as to which committee ought to

have jurisdiction. Some contended that it ought to be referred to the Committee on Labor and Public Welfare; others contend that it ought to be sent to the Committee on Public Works. There was the question of legislation which was in the same area and which had previously been considered by the Committee on Public Works. That concerned the contamination or pollution of waters. The bill referring to water pollution went to the Committee on Public Works. It seemed to me that that was the committee that should handle the subject of air pollution. I went to the chairman of the Committee on Labor and Public Welfare, and he agreed that no objection would be made to such a referral. The Committee on Public Works sat in judgment on air pollution legislation; it passed the Senate and the House, and it became the law of the land. Congress performed a high public service on that occasion when it relied on the wisdom and judgment and recommendations of the Committee on Public Works.

Here today is a piece of legislation that has run the gamut of thousands of pages of testimony in many Congresses, on which the Committee on Interior and Insular Affairs has sat for long days in long sessions of Congress in trying to fashion a reasonable bill. Here is a piece of legislation in the public interest. It is also in the public interest for the Senate to vote down the motion of the Senator from Louisiana to send the bill to the Committee on Agriculture and Forestry. Let us proceed to vote on the proposed legislation on its excellent merits, at the end of which I am sure can be honorable and constructive debate.

Mr. CHURCH. I commend the distinguished Senator from California for what I believe are cogent reasons for opposing the motion to commit the pending bill to the Committee on Agriculture and Forestry. Ordinarily such a motion would be accepted without debate in the Senate, if there was any evidence at all that the committee to which the referral was to be made had any jurisdictional interest in the subject matter of the bill. It is conceded that the Committee on Agriculture and Forestry has some jurisdictional interest in the subject matter of the bill. If the motion had been made in a timely way, according to the normal procedures of the Senate, then I believe no argument would have arisen. However, the wilderness bill is not an obscure piece of legislation pulled from a pile of noncontroversial bills and suddenly sprung on the Senate floor without any previous publicity or previous hearings or previous argument.

As has been well pointed out, the wilderness bill is exceedingly well known in all parts of the country. This is not the first Congress that has had the bill before it. It was before two previous Congresses. It has been before the Committee on Interior and Insular Affairs in one form or another for the past 5 years. During all that time no member of the Committee on Agriculture and Forestry suggested that it was not an appropriate bill for the Committee on Interior and Insular Affairs, either to hold hearings on, or to report to the Senate for action. Not once in the 5 years, through the course of all these public hearings and all this publicity, was such a motion ever made or such a suggestion ever tendered on this floor. Once again, extensive hearings were held on the bill this year, and never once was the suggestion made that the bill was not fully within the competence of the Interior Committee. Not once, Mr. President, was that done. Not until now, 5 years later, 500 witnesses later, 2,500 pages of recorded testimony later, when the bill comes to the floor of the Senate for legislative action, and without prior notice of any kind to the leadership or to the members of the Interior Committee is the motion made to refer the bill to the Committee on Agriculture and Forestry.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. METCALF. It could not be said that the Committee on Agriculture and Forestry was unaware of the existence of the bill, because that committee performed a great service to the wilderness bill and to the whole wilderness program by providing an amendment to the multiple-use bill which was sent to the Senate by the Committee on Agriculture and Forestry, by providing that multiple use was not inconsistent with the wilderness system. That amendment was reported to the floor today.

Mr. CHURCH. The Senator is correct. The bill has been well known to the Committee on Agriculture and Forestry and to all its members. There were endless opportunities, consistent with the best practices of the Senate, to make a motion to bring the bill properly before the Committee on Agriculture and Forestry.

This is a very poor time and a very late hour, just as the Senate, after 5 years of hearings and deliberations is about to work its will, to come in, without any kind of prior notice, and say, "We want the bill in the Committee on Agriculture and Forestry, and we will report it back some time next year."

We all know what this means. Reporting the bill on February 6 to the Senate means that the difficulties in getting the bill finally enacted into law are going to be greatly multiplied. It has taken 5 years to bring the bill to the Senate floor. The House will not act on it in committee, even, until after the Senate has passed the bill. Only after the Senate has passed the bill, can we have any reasonable expectation that the House will begin to act on it. Any further delay will compound the difficulty of ever getting the wilderness bill enacted into law. Therefore I say this motion comes too late.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. PASTORE. Does the distinguished Senator from Idaho understand that the desire of the members of the Committee on Agriculture and Forestry to have the bill referred to that committee is predicated upon academic jurisdiction of the committee, or will the farmers of America be hurt by the bill if it is enacted into law?

Mr. CHURCH. I would say that the farmers of America have very little connection with the bill other than their enjoyment of the wilderness areas along with other citizens of the country.

Mr. PASTORE. I have been sitting here for a long time, and I have heard the dissertations on the question of jurisdiction, like that of my friend from Colorado, who like myself has engaged in some practice of the law. I was trying to discover for my own satisfaction whether this involves a question of academic jurisdiction or whether the enactment of the bill would ruin the farmers of America.

Mr. AIKEN. Mr. President, will the Senator yield on that point?

Mr. CHURCH. I yield to the Senator from Vermont.

Mr. AIKEN. The bill, I am sure, would apply to the 10,000 farmers of Vermont as equally as it would apply to the 24 or more farmers of Rhode Island.

Mr. PASTORE. Mr. President, may I ask a further question?

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CHURCH. First I should like to yield to the distinguished Senator from Rhode Island.

Mr. PASTORE. I should like to know from my distinguished friend whether the garden clubs of America are in favor of the bill?

Mr. CHURCH. They are.

Mr. PASTORE. Then I would be inclined to weigh the 24 farmers of Rhode Island in the balance with the people who belong to the garden clubs of America.

Mr. AIKEN. If the 24 farms in Rhode Island failed to be financial successes, their operators would not go on relief.

Mr. HOLLAND. I call the attention of the distinguished Senator from Rhode Island to something which he has probably overlooked; that is, that the jurisdiction of the Committee on Agriculture and Forestry, as is stated on page 25 of the Senate Manual, specifically extends to:

> Forestry in general, and forest reserves other than those created from the public domain.

Every national forest east of the Mississippi, and some to the west, were created not from the public domain, but from bought or acquired land. There is no argument, then, about the jurisdiction of the Committee on Agriculture and Forestry over those areas.

So far as the interest of the Senator from Rhode Island is concerned, I wish him to know that the Senator from Florida is enough interested in wilderness areas that he was very actively the leader in setting up the Everglades National Park, comprising more than a million acres, more than the area of the State of Rhode Island. This park is, of course, preserved forever as a wilderness area. So the Senator from Florida, in supporting the motion, is in no sense forgetting both the jurisdiction of the Committee on Agriculture and Forestry—and the fact that the bill was reported on July 22, any time for recommittal, of course, has transpired since

that time and not in earlier periods—and that the Senator from Florida has been instrumental in asking that the report time be moved up, so there can be no question about the chance for both Houses to act last year. I understand now that the motion of the distinguished Senator from Louisiana calls for a report time of February 5, 1962.

The Senator from Florida also reminds the distinguished Senator from Idaho that there is no ban whatever upon the consideration of this measure by the appropriate committees of the House of Representatives in the vacation period, just as the Senate Committee on Agriculture and Forestry would itself expect to have to consider it.

The question remains, then, Which is the desirable way to act:

Without considering the jurisdiction of the committee which has jurisdiction over national forests in all the eastern area of the Nation, the national forests which are visited by vastly more people and enjoyed by vastly more people than those in other areas of the country? Or by ramming the bill through without the appropriate recommendations of the Committee on Agriculture and Forestry?

The motion is not dictated by some ulterior interest or malignant desire, but simply by the desire to know what is in the bill and to report it back at a time when action can be taken much more harmoniously than it could be taken today.

Mr. PASTORE. Mr. President, will the Senator from Idaho yield, so that I may make an observation in response to the Senator from Florida?

Mr. CHURCH. I yield for that purpose.

Mr. PASTORE. I understand that a million acres of wilderness in Florida may be larger than the entire State of Rhode Island; but we in Rhode Island rejoice in quality more than we do in quantity. I am not being critical of anyone; I am merely wondering if this is an academic objection of jurisdiction, or whether the farmers of America will be affected by a bill which, as I understand from the distinguished Senator from Idaho, has been pending for 5 years, with this question never having been raised before. The Senator from Rhode Island simply wishes to ask the question, as diplomatically as he can: Why?

Mr. CHURCH. My answer to the Senator's question is simply that the approval of the motion will entail additional delay. Additional delay will place the enactment of the bill in jeopardy. It is as simple as that. That is why 5 years have gone by, and no question has ever been raised until today. For that reason, I feel constrained to oppose the motion; for normally it would be accepted as an act of courtesy to any committee of the Senate that felt it had jurisdiction.

Mr. AIKEN. Why does the Senator say that the bill should be considered only by a committee which took 5 years to bring it out, when another committee which should consider a part of the bill, has guaranteed to report it to the Senate by the 1st of February of next year? If it had been referred to the Committee on Agriculture and Forestry in the first place, the bill would probably be law now.

Mr. CHURCH. The Committee on Interior and Insular Affairs reported the bill in July. It is a controversial matter, which required many hearings. The bill is a revision upon a revision upon a revision. If the Senate could pass the bill now in this form, which I think is a very reasonable and constructive form, the House of Representatives would have a fair chance to act upon it, and the bill might become law before the end of the second session of this Congress. If that is not done, the chances of the bill's passage will be placed in very serious doubt.

Mr. AIKEN. I notice that the forest lands in Minnesota are exempt from the general provisions of the law. Is there any particular reason why motorboats are exempt in the Minnesota national forests, and are not exempt throughout the whole country? Why should one State be exempt from the provisions of the law?

Mr. CHURCH. The bill attempts to conform to the provisions of all existing laws. In the case of Minnesota, there was a combination of particular laws relative to the establishment of primitive areas in the northern part of that State. Those laws are spelled out in the text of the bill for that reason. As for motorboats, wherever the practice has been established to permit the use of motorboats or airplanes in wilderness areas that practice may be continued under the bill.

Mr. AIKEN. Why not apply that provision to the whole country, instead of only to Minnesota?

Mr. CHURCH. With respect to motorboats and aircraft, the bill applies equally to all areas where the practice has been established.

Mr. AIKEN. I was wondering why a special exemption was spelled out for one State.

Mr. CHURCH. The only answer I can give the Senator is that this particular area involved special enactments of Congress, which are merely referred to in the text of the bill.

Mr. President, the question which now faces the Senate is on the motion to refer the bill to the Committee on Agriculture and Forestry. Since I feel strongly that the motion ought not to be approved, and therefore am obliged to oppose it, the matter of jurisdiction as between the two committees is brought into question.

When Congress passed the Legislative Reorganization Act, it attempted to set forth in the law of the land a rule which applies when a jurisdictional dispute arises concerning any measure pending before the Senate.

Section 137 of the Legislative Reorganization Act clearly provides that the criteria for determining which committee shall have jurisdiction, whenever a dispute arises, is to be based upon the predominating subject matter in the bill. The subject matter in proposed legislation determines the jurisdictional question whenever a dispute arises between two or more committees of the Senate.

Using the criteria in the law, I think it is perfectly clear that the Committee on Interior and Insular Affairs has full jurisdiction in this matter, because the predominant subject matter lies in the Committee on Interior and Insular Affairs, not in the Committee on Agriculture and Forestry.

Mr. MANSFIELD. Mr. President, will the Senator from Idaho yield that I may propound a unanimous-consent request, without his losing his right to the floor?

Mr. CHURCH. I yield for that purpose.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate vote at 12:30 p.m. on the Ellender motion to commit the wilderness bill to the Committee on Agriculture and Forestry.

The PRESIDING OFFICER. Is there objection?

Mr. HOLLAND. Reserving the right to object—and I probably shall not object—has the distinguished majority leader notified the Senator from Louisiana of his proposal?

Mr. MANSFIELD. It meets with his approval.

Mr. HOLLAND. I have no objection.

Mr. KUCHEL. Mr. President, reserving the right to object—and I do not object—have the yeas and nays been ordered on the motion of the distinguished Senator from Louisiana?

The PRESIDING OFFICER. They have not.

Mr. MANSFIELD. The request for the yeas and nays can be made after the agreement has been entered into.

Mr. DWORSHAK. Mr. President, reserving the right to object, did the majority leader confer with the Senator from Louisiana as to the time proposed for the vote—12:30? That is only about 30 minutes from now, and several Senators wish to speak.

Mr. MANSFIELD. The Senator from Idaho will have time in which to speak.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. CHURCH. Mr. President, on the motion to commit, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CHURCH. Mr. President, the rule with respect to standing committees of the Senate makes it clear beyond any question that the subject matter of the bill belongs in the Committee on Interior and Insular Affairs. Rule XXV(m)4, on page 34 of the Senate Manual, reads: "Forest reserves and national parks created from the public domain." Thus such areas are within the jurisdiction of the Committee on Interior and Insular Affairs.

Mr. HOLLAND. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I yield.

Mr. HOLLAND. The Senator does not contend for a moment, does he, that the national forests created from bought or acquired lands are within the jurisdiction of the Committee on Interior and Insular Affairs?

Mr. CHURCH. I do not. The point of my argument is that the subject matter in the bill—the predominating subject matter in the bill—rests in the Committee on Interior and Insular Affairs.

Let me spell that out: I do not for a moment maintain that there is no claim at all on the part of the Committee on Agriculture.

Mr. CARROLL. Mr. President, will the Senator from Idaho yield for a brief question?

Mr. CHURCH. I yield.

Mr. CARROLL. I am informed that the Secretary of Agriculture has jurisdiction not only over the lands acquired and purchased but also over the national forests in the public domain. Therefore, notwithstanding the concurrent jurisdiction of the Committee on Agriculture and Forestry, under the Senate rules there is no question that the Interior Committee has jurisdiction over the public-domain lands. Is not the Secretary of Agriculture included by the bill?

Mr. CHURCH. He is.

Mr. CARROLL. I was very much impressed with the argument presented by the able Senator from South Dakota, to the effect that the Secretary of Agriculture would report—I refer to page 18 of the bill—to the Senate Interior Committee. I think the committee would certainly accept a simple amendment providing that the Secretary of Agriculture also shall report to the Senate Committee on Agriculture and Forestry. I would see no objection to that.

But I think the argument of the able Senator from Idaho is absolutely unanswerable.

Mr. CHURCH. I thank the Senator from Colorado.

I would also point out that under the bill it is clear that the predominant subject matter relates to the jurisdiction of the Interior Committee. The wilderness system which would be established by the bill is based upon three categories of public lands: The first are the national parks and national monuments, and clearly they fall entirely within the jurisdiction of the Interior Committee.

The second are game refuges. As to these, it is clear that the Committee on Agriculture has no jurisdiction, and that the committee which does have jurisdiction—the Committee on Commerce—is raising no objection.

So we are left with the third category, which is forest lands. It is clear, under the rules, that forest lands taken from the public domain come within the jurisdiction of the Interior Committee; and of the national forest lands, 160 million acres have been taken out of the public domain, compared with only 25 million acres which have been acquired through purchase.

So who can argue that the predominant interest does not lie within the jurisdiction of the Interior Committee?

That is why the Interior Committee has been able to hold hearings on the bill for 5 years; and the question of jurisdiction has not been raised until this morning—because under the established Senate rules the bill belongs to the Interior Committee.

So on the merits of the matter before us, I submit that the motion of the Senator from Louisiana should be rejected.

But when we consider the legislative situation—which can only mean that the motion has been made here, this morning, for a purpose of working a further delay in connection with enactment of the bill—and when we add to that the fact that the bill has been given more exhaustive hearings than any other bill I can remember, and the further fact that the entire record of the hearings is today before the Senate, together with the committee report, and all the facts concerning the bill, certainly there is no reason why the Senate should not now work its will on the bill.

As I have said, Mr. President, the motion to refer comes too late, and its effects would be only to postpone the time when the bill may be enacted into law.

Therefore, I submit that all who wish to see a wilderness system established should oppose the motion to commit, and the Senate should go forward with its legislative duty.

So, Mr. President, I hope the motion to commit will be rejected.

Mr. CARROLL. Mr. President, will the Senator from Idaho yield again to me?

Mr. CHURCH. I yield.

Mr. CARROLL. Will not the Senator from Idaho agree that there is no disposition on the part of any Senator who is a member of the Interior Committee to interfere with any of the jurisdiction of the Agriculture Committee with reference to acquired lands? For example, the able Senator from Florida and the able Senator from Vermont have said that if acquired lands are affected, those in the eastern part of the Nation desire that they be conserved for the benefit of posterity. But that has absolutely nothing to do with the lands affected by this bill or with any change of existing law, other than to strengthen the position we take.

I do not like to get into a conflict in regard to committee jurisdiction, because we need the help of able Members such as the Senator from Florida, the Senator from Vermont, and the Senator from Louisiana, if the bill is to be passed.

I should like to stress the point which was made so ably by the Senator from Idaho; namely, that out of almost 15 million acres which compose public domain land, only 15,000 or 18,000 acres came from the national forest reserve, under the jurisdiction of the Committee on Agriculture. So why would we wish to commit the bill to the Agriculture Committee, even though a few thousand acres of the land fall within its jurisdiction, when the bill deals with almost 15 million acres?

I think no more need to be said on our side. The able Senator from Idaho has stated the matter lucidly, cogently, and pointedly; and I am sure that if the bill were put over until February 1 or March 1, nothing would be gained.

I can say that powerful economic forces have been working against this bill for 10 years. I remember that in the 80th Congress a request was made of the Legislative Reference Service of the Library of Congress for studies on a program of this type. However, the bill lay dormant for 6 or 7 years. But, as the able Senator from Idaho has said, then the bill began to move, and it has been well worked over. I do not know that I approve of every provision of the bill. After all, my State has cattle, mining, oil, and lumber. This is not an easy bill for Senators from the West to accept. There are many conflicting economic forces that are moving against the bill, and on the other hand the conservation groups in my State are not very strong. As a legislator representing the people of my State, I have to balance all things concerned.

But in my opinion, this is a very modest bill. It is not an extreme, radical piece of proposed legislation on the conservationist side; and, by the same token, we have not yielded everything to those on the special interest side. This is a good, central piece of legislation, I believe, in the national interest, and I agree with the Senator from Idaho that the motion to commit should be rejected.

Mr. CHURCH. I thank the Senator very much. I wish to say to him that I, too, come from a State in which many persons earn their livelihood through the permissive use of Federal land, and I am aware of the importance of lumbering, grazing, mining, and other business interests which depend on the use of public land. If this bill, which our committee has so carefully considered, constituted any real threat to these interests, I would oppose the bill.

But we have arrived at this bill after long deliberation, after careful trimming, and after having worked revision upon revision upon revision, and what is now before the Senate is, in my judgment—and, indeed, in the judgment of the overwhelming majority of the members of the Interior Committee, a measure which establishes for the future wilderness preserves which the entire country needs and can enjoy; and yet does so in a way that is not in conflict with the economic interests of the Western States.

Mr. CARROLL. Mr. President, will the Senator from Idaho yield again to me?

Mr. CHURCH. I yield.

Mr. CARROLL. I have another worry about the bill—entirely apart from lumber, entirely apart from grazing and mining, entirely apart from conservation. The Senator from Idaho and I come from a semiarid area, where water is our lifeblood. I have to be very careful with the provisions of the bill as they affect future water development. I do not want the Secretary of Agriculture, or the Secretary of the Interior, or any conservationist groups, interfering with the future development of water in our area. As I have indicated, water is our lifeblood. I do not want interference in these primitive areas with development of a watershed. We must have water for a growing, thriving, populated area.

As the Senator from Idaho has said, let us not turn our backs on the progress we have been making. If there are imperfections in the bill, we can correct them next year, or 2 years from now, if modifications become necessary. This

is a step in the right direction. I hope we will not take a backward step and refer this bill to the Agriculture Committee, when the Interior Committee has been studying the subject for many years.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. CHURCH. I yield to the Senator from Washington.

Mr. JACKSON. Mr. President, I associate myself with the able Senators who have been speaking in behalf of the pending wilderness bill. Our committee has been engaged for several years in a rather grueling, if I may use that word, study of the problem. We have had opportunity to hear witnesses from all over the country. In addition, as our colleagues know, we have held hearings in the field. I am sure the request that the bill be referred to the Committee on Agriculture and Forestry comes as a rather late move. As the lawyers would say, laches should apply in this particular situation. We could at least have had joint hearings, if that is what the committee desired.

In view of the fact that the bill has been pending before the Senate all this time, it seems to me it is most unusual that this kind of parliamentary move is made in an effort to prevent the Senate from voting on the bill this year. It has been announced time and time again that we anticipated a vote this year on the bill.

I may add, in conclusion, that, like the distinguished Senator from Idaho [Mr. CHURCH] and the distinguished Senator from Colorado [Mr. CARROLL], I come from a State rich in all the resources involved in the pending bill. I think our people are reasonable and sensible about the question. We believe we have made the kind of legislative compromise that will help the multiple-use requirements of my State and the country as a whole. After all, these resources belong to the people of all 50 of the States, and not merely those of 1 State. I certainly hope the Senate will vote down the motion to refer the bill to the Committee on Agriculture and Forestry.

Mr. CHURCH. I thank the Senator. I want to note that, with this bill, it is possible to create a wilderness system without adversely affecting anyone. The bill has been carefully drafted with that objective in mind. The wilderness system is based upon areas which have already been withdrawn either as primitive areas into national forests or as national parks, monuments, or game refuges. In these areas lumbering is already prohibited. Such grazing as presently exists may continue as before. It is not affected by the bill. Insofar as mining is concerned, in all the area covered by the bill there are only six mines in operation today, and those mines would continue in business, because the bill expressly provides that any restrictions that may apply in a wilderness area are made subject to existing rights.

So we can pass the bill without adversely affecting anyone's rights, if we act now. That is how the committee approached its task. It was with this objective that the committee drafted the legislation so carefully and so cautiously. That is why we held such extensive hearings. That is why it is now time for us to face up to the need to vote, and not delay action further, which would put the whole measure into extreme jeopardy.

I now yield to the distinguished Senator from West Virginia [Mr. RANDOLPH].

Mr. ALLOTT. Mr. President, will the Senator yield for a parliamentary inquiry?

The PRESIDING OFFICER. Does the Senator from Idaho yield for the purpose of a parliamentary inquiry?

Mr. CHURCH. I yield for that purpose, subject to the approval of the Senator from West Virginia.

Mr. ALLOTT. The inquiry is this. I had just stepped out of the Chamber for a moment. It is my understanding that, by unanimous consent, the Senate will vote at 12:30. The opposition to the motion has now consumed 17 minutes of that time. I inquire as to what the situation is with respect to the time for the proponents of the motion.

The PRESIDING OFFICER. There is no provision in the unanimous-consent agreement about the division of time.

Mr. CHURCH. Mr. President, I suggest that the proponents could take 10 minutes. I would like a little time to conclude. Would that meet with the approval of the Senator?

Mr. ALLOTT. If that is the situation, I ask unanimous consent that the previous unanimous-consent agreement be set aside.

The PRESIDING OFFICER. Is there objection?

Mr. PASTORE. Mr. President——

Mr. ALLOTT. I do not see the majority leader on the floor, but my understanding, when he spoke to me about it was, that the time would be equally divided. The opponents have utilized some 17 minutes of the 32 minutes that were left at the time the unanimous consent was given. I do not think it would be proper that the Senator from Idaho would hold the floor—I am sure it was not the intention of the majority leader—during all the time until a vote came. I will wait until the majority leader comes into the Chamber, and then make my request.

Did I understand the Senator from Rhode Island objected to my unanimous-consent request?

Mr. PASTORE. No. I was merely going to suggest that the Senator withhold his request until such time as the majority leader entered the Chamber.

Mr. CHURCH. Mr. President, I yield to the Senator from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. President, I congratulate the Senator from Idaho [Mr. CHURCH] on his cogent remarks in reference to S. 174, of which I am a cosponsor. The Senator's comments on the aspects of the measure having to do with mining, exploration for oil and gas, and related items were timely and pertinent.

On February 28, I presented a statement before the Interior and Insular Affairs Committee when this legislation was a matter for hearings. I read briefly from that presentation:

> I am gratified that the basic multiple purposes of the national forests would be maintained under the provisions of the bill and that the areas comprising the national wilderness system are already within Federal ownership. And, further, that sufficient controls and safeguards for industrial interests are contained in the drafting. Prospecting and mining, including exploration for oil and gas, the establishment and maintenance of reservoirs, water conservation works, and other facilities needed in the public interest within specific sections of national forest areas in the wilderness system could be authorized by the President upon his determination that such uses would better serve the interests of the United States than would their denial. Provision is also made for the periodic review of areas included in the wilderness system, based on sound procedures applicable to both the executive and legislative branches of the Government.

In urging prompt enactment of this wilderness bill—S. 174—I am not unaware of the arguments that we should wait until after the Outdoor Recreation Resources Review Commission has made its report.

In the course of working out the 10-year program that this wilderness bill sets up for the establishment of a wilderness system, we shall receive much benefit from the results of the outdoor recreation resources review now nearing completion.

One area of its helpfulness will be in appraising the importance of our areas of wilderness in terms of their size and number for meeting our recreational needs, and in terms of their relationship to and with the needs for other outdoor recreation areas.

Some persons, however, have so misunderstood or misconstrued the nature of the undertaking of this review as to argue that its being underway is a reason for delaying action on this wilderness bill.

Many who have advanced this argument have actually been more concerned with opposing or delaying the wilderness bill than they have been with either the success of the outdoor recreation resources review or with the development of a better wilderness-preservation program.

Nevertheless, others may have been misled or confused by this argument, and some who advance the argument may actually fear some disadvantage to the review if this wilderness bill now passes.

I clarify this question and emphasize that enactment of this wilderness bill will help—not hinder—the review.

The distinguished chairman of the Committee on Interior and Insular Affairs [Senator ANDERSON], who introduced S. 174, was also the author of the measure that established the Outdoor Recreation Resources Review Commission. He has emphasized that the outdoor recreation review has not been an occasion for delaying wilderness legislation. I noted that when Senator ANDERSON, himself a member of the Outdoor Recreation Resources Review Commission, was reporting on congressional activity to that Commission's March 12 and 13, 1961, meeting with its advisory

council, he spoke of the February hearings held on the wilderness bill and reported:

> Persons appearing in opposition spoke often of the work of this (Outdoor Recreation Resources) Commission, urging a delay in the wilderness bill until the final report was available.

Then Senator ANDERSON said, and I quote him:

> My comment has been that the enactment of the wilderness bill would help our Commission in its deliberations.

The wilderness bill would make wilderness preservation a national policy. This is a decision of the Congress for which recommendations of the Outdoor Recreation Commission are not needed. Yet it will be helpful to the Commission in making its recommendations to have this policy definitely established.

The proposal makes wilderness preservation a responsibility of existing land-administering agencies as an aspect of the administration of our already existing national forests, parks, and refugees—rather than the responsibility of a new agency with a new category of land. Such a decision is not a concern of the Outdoor Recreation Commission but of Congress, yet when made it will facilitate the drafting of the Commission's report.

The measure prescribes the proper uses of areas of wilderness and determines such special provisions as are to be made with regard to economic and other nonconforming uses of these areas. This too is a concern of the Congress that is not a responsibility of the Outdoor Recreation Commission but if settled will help the Commission in its deliberations and recommendations.

We would, in this legislation, determine procedures and requirements regarding records and reports and other matters that are of no concern to the Outdoor Recreation Commission yet perhaps of some guidance value in the preparation of recommendations by the Commission.

We provide for a 10-year review program for the prescribed potential areas from which the permanent National Wilderness Preservation System will be constituted. This obviously, too, is a provision properly to be made by Congress that can furnish the Commission a framework within which to present its recommendations.

The recommendations of the Outdoor Recreation Resources Review Commission will indeed be of importance to us in establishing our Wilderness System, as well as in our providing for all other kinds of outdoor recreation.

The Commission's inventory of all our outdoor recreation resources and its recommendations regarding our various needs for such resources will be of great significance during the decade following the enactment of the bill. It will be during this 10-year period that the land-management agencies, the Secretaries of Agriculture and the Interior, and the President will be determining the recommendations to Congress as to the exact areas to be preserved in the wilderness system, and the Congress will be scrutinizing these recommendations and taking action as may be deemed necessary.

This is the kind of help for which the outdoor recreation resources review was established. We shall profit from it greatly, the more so as our wilderness policy and program are established and set going.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a letter to the editor of the Washington Post of this city which appeared in this morning's newspaper over the signature of Michael Nadel, of Arlington, Va.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> I hasten to point out how fallacious is Mortimer R. Doyle in his criticism in behalf of the National Lumber Manufacturers Association of Julius Duscha's accurate report in the Washington Post that the lumber industry opposition to the wilderness bill is based purely on dollar-and-cents economic grounds.'"
>
> Mr. Doyle's justification of the lumber interest's opposition—"because there are no jobs in the wilderness"—is based by him on his deduction that "the wilderness bill, as presently drafted, would deprive more than a million and a half workers of the assurance of continued employment."
>
> It may possibly be that NLMA hopes to exploit soon the areas now being preserved (in which case the enactment of the wilderness bill is all the more urgent), but unless it does so hope, its concern for the workers cannot be immediate. There is not a single acre involved in the wilderness bill that is now available for timber cutting.
>
> The report of the Senate's Committee on Interior and Insular Affairs on the wilderness bill says (on page 17):
>
> "There is no timber harvest today from the lands being considered for inclusion in the wilderness system under S. 174. Parks and wildlife lands are restricted from extensive timber exploitation by the basic legislation creating them. The national forest lands affected by S. 174 are not now subject to exploitation for timber."
>
> This report also points out that the available timber outside preserved areas is not being anywhere nearly fully utilized. Says the report of the committee:
>
> "The States with national forest wilderness areas have 65.9 million acres of commercial national forest lands, outside wilderness, with an allowable annual cut, on a sustained basis, of 8,475 million board feet. In 1960 only 7,835 million board feet were cut."
>
> "The commercial timberlands in the wilderness-type areas," the report emphasized, "are not a significant portion of our timber resource for future years."
>
> The heart of the wilderness bill is that Congress shall have the opportunity to review recommendations with regard to de facto wilderness areas that are already in Federal ownership, and that are already included in portions of our national forests, national parks, and national wildlife refuges.
>
> At present administrators can make significant changes on our national lands without such review by Congress. It is wise that Congress, which represents the people, should have a say in what becomes of the people's lands.
>
> Not one of the 1.5 million workers in the forest products industry, as I have already noted, will be hurt by this bill.
>
> MICHAEL NADEL.

Mr. RANDOLPH. Mr. President, it is my hope that the Senate will act affirmatively on this bill. We should, in my opinion, discharge our obligation in this important matter. The measure is in the national interest.

Mr. CHURCH. Mr. President, in order that the proponents may have time on the motion I yield the floor.

Mr. ALLOTT. Mr. President, I ask unanimous consent, since the Senator who made the motion is now in attendance at an Appropriations Committee hearing, that there be a quorum call and that the time necessary for the call of the roll not be taken from the time of the proponents.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado? The Chair hears none, and it is so ordered.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DWORSHAK. Mr. President, I regret that the Senator from Louisiana is not present to carry on in behalf of the motion to commit, which he made. I shall use only a few minutes at this time.

Reference frequently has been made to the possibility that the Secretary of Agriculture might have some interest in this proposed legislation. I have a reprint of a colloquy at hearings before the Senate Commtitee on Interior and Insular Affairs on a water resources bill held July 26 of this year. I wish to quote a question, and an answer by Secretary Freeman.

After reference had been made to the wilderness preservation system and other aspects of our water resources development, I made this comment:

> Of course, wilderness areas safeguard and preserve watersheds, but at the same time you can certainly envisage the possibility that recreational uses of these locked up areas may provide very serious problems and difficulties for these water resource boards and commissions because when we consider watershed management, soil moisture conservation, building reservoirs for storage of water, then certainly there could be a very decisive conflict.

Secretary Freeman replied:

> There could be. You are absolutely right, sir.

Mr. President, I believe an unreasonable position has been taken by some of my colleagues on the Committee on Interior and Insular Affairs, who contend that we must move forward at this precise time to approve the proposed legislation. There is not a Member of this body who does not know the House does not plan to act on this bill this session. What is the hurry on our side?

Mr. President, as I pointed out earlier in the debate, there is not a member of our committee who does not realize that the action today in the Senate, in considering the wilderness bill, is a virtual repudiation of action taken a few years ago by this body when it voted to establish the National Outdoor Recreation Re-

sources Review Commission, which will make a report not later than January 31, 1962, to this body.

I have an excerpt from the CONGRESSIONAL RECORD of June 26, 1957, when the bill to establish the National Outdoor Recreation Resources Review Commission was announced for consideration on the call of the calendar. The Senator from New Mexico [Mr. ANDERSON], who is presently the chairman of the Committee on Interior and Insular Affairs, made this comment:

I recognize that it is entirely proper to object to a bill of this nature on the call of the calendar, but I wish to make a brief statement.

Nearly all the wildlife and conservation organizations with which I am acquainted have been working steadily on this matter for some years. The chairman of the Interior and Insular Affairs Committee, the Senator from Montana, Mr. Murray; the Senator from Colorado, Mr. Carroll; the Senator from Oregon, Mr. Neuberger; and I, from the Democratic side, have jointed in sponsoring the bill, along with the Senator from Utah, Mr. Watkins; the Senator from Wyoming, Mr. Barrett; the Senator from California, Mr. Kuchel; the Senator from Colorado, Mr. Allott, and the Senator from Arizona, Mr. Goldwater, from the Republican side. There is nothing political about this measure.

I read further from the comments of the Senator from New Mexico [Mr. ANDERSON], on the Senate floor June 26, 1957:

As the number of people who visit our national parks increases, there is involved a very definite problem of properly accommodating them, for example, Yellowstone Park, which belongs to all the people of the country, and not merely to rich people. Priorities are needed in order to get inside the park. The number of people visiting the western lands and parks of America is increasing tremendously. It would be the sheerest kind of folly to fail to pass the bill which provides only for a survey to determine what is needed in order to accommodate persons who will visit our parks in increasing numbers.

That is the comment made June 26, 1957, when the Senate considered the bill to establish the National Outdoor Recreation Resources Review Commission.

Mr. President, I have pointed out many times in the past few weeks that more than $2 million has been appropriated in the past 3 years to enable the Commission and its staff to conduct extensive surveys and studies, with the help of properly qualified universities and other bodies throughout this country.

The Commission is composed of 15 members; 7 laymen, 4 Senators, and 4 Representatives. One of the Senators is the chairman of the Committee on Interior and Insular Affairs, who has played a prominent part in the monthly meetings and in the negotiations and discussions of the Commission. I know when the final report is drafted and submitted to the Congress in January, the distinguished Senator from New Mexico will play a very vital part in drafting the report which will be submitted.

Mr. President, in making these comments today I have been consistent, because I objected to reporting the bill at this particular time, since there will be no action concluded in this session of Congress, because the House has indicated it would be impossible for that body to consider the bill. Certainly, final action cannot be taken until sometime during 1962.

Mr. President, I repeat, as vigorously as I can, that when an effort is made to take action on the wilderness preservation bill prior to the receipt of the report which will be presented to the Congress in January, there is involved a virtual repudiation of action which was taken June 26, 1957, when this body referred to the importance of creating the National Outdoor Recreation Resources Review Commission.

I reiterate that I have no desire to try to delay unnecessarily consideration of the bill, but I point out the impractical aspects of trying to complete action today, within a few weeks of the adjournment of this session, when we know the bill will lie over on the House side until next year. I support the Ellender motion to commit the bill to the Committee on Agriculture and Forestry.

Mr. CHURCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ELLENDER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ELLENDER. What is the pending question?

The PRESIDING OFFICER. The question before the Senate is the motion of the Senator from Louisiana to refer the bill to the Committee on Agriculture and Forestry, with the provision that it be reported back to the Senate on or before February 5, 1962.

Mr. ELLENDER. I thank the Chair.

The PRESIDING OFFICER. Does the opposition yield back the 2 minutes remaining?

Mr. KUCHEL. Mr. President, I understood that all time had been yielded back.

Mr. MANSFIELD. Mr. President, are there 2 minutes remaining?

The PRESIDING OFFICER. There was a quorum call, during which the time was not taken from the time available to either side. The time may be used or yielded back.

Mr. CHURCH. Mr. President, the opposition yields back its remaining time.

The PRESIDING OFFICER. All time having been yielded back, the question is on the motion of the Senator from Louisiana. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Michigan [Mr. HART], the Senator from Ohio [Mr. LAUSCHE], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from Lousiana [Mr. LONG], the Senator from Virginia [Mr. ROBERTSON], the Senator from Washington [Mr. MAGNUSON], the Senator from Florida [Mr. SMATHERS], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Massachusetts [Mr. SMITH], the Senator from Michigan [Mr. MCNAMARA], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Maine [Mr. MUSKIE] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON] and the Senator from New Mexico [Mr. CHAVEZ] are absent because of illness.

On this vote, the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the Senator from New Mexico would vote "nay," and the Senator from Mississippi would vote "yea."

On this vote, the Senator from Michigan [Mr. HART] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Michigan would vote "nay," and the Senator from Nebraska would vote "yea."

On this vote, the Senator from Maine [Mr. MUSKIE] is paired with the Senator from Louisiana [Mr. LONG]. If present and voting, the Senator from Maine would vote "nay," and the Senator from Louisiana would vote "yea."

I further announce that, if present and voting, the Senator from Michigan [Mr. MCNAMARA], the Senator from Minne- [Mr. GOLDWATER], and the Senator from Washington [Mr. MAGNUSON], the Senator from Ohio [Mr. LAUSCHE], the Senator from Massachusetts [Mr. SMITH], the Senator from Wisconsin [Mr. PROXMIRE], and the Senator from Virginia [Mr. BYRD] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. CARLSON] are absent because of illness.

The Senator from Indiana [Mr. CAPEHART] and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

The Senator from New Jersey [Mr. CASE] is absent because of death in the family.

The Senator from Nebraska [Mr. HRUSKA] is absent on official business.

The Senator from New Hampshire [Mr. COTTON], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Massachusetts [Mr. SALTONSTALL] are detained on official business.

If present and voting, the Senator from Arizona [Mr. GOLDWATER] would vote "yea."

On this vote, the Senator from Indiana [Mr. CAPEHART] is paired with the Senator from New Jersey [Mr. CASE]. If present and voting, the Senator from Indiana would vote "yea," and the Senator from New Jersey would vote "nay."

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Michigan [Mr. HART]. If present and voting, the Senator from

Nebraska would vote "yea," and the Senator from Michigan would vote "nay."

Mr. DODD (after having voted in the affirmative). On this vote I have a pair with the distinguished Senator from New Mexico [Mr. ANDERSON]. If he were present, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withdraw my vote.

The result was announced—yeas 32, nays 41, as follows:

[No. 184]

YEAS—32

Aiken	Dworshak	Prouty
Allott	Ellender	Russell
Beall	Fong	Schoeppel
Bennett	Hickey	Smith, Maine
Boggs	Holland	Stennis
Butler	Johnston	Talmadge
Cannon	Jordan	Thurmond
Case, S. Dak.	Kerr	Tower
Cooper	McClellan	Young, N. Dak.
Curtis	Morton	Young, Ohio
Dirksen	Mundt	

NAYS—41

Bartlett	Hayden	Miller
Bible	Hickenlooper	Monroney
Burdick	Hill	Morse
Bush	Humphrey	Moss
Byrd, W. Va.	Jackson	Neuberger
Carroll	Javits	Pastore
Church	Keating	Pell
Clark	Kefauver	Randolph
Douglas	Kuchel	Sparkman
Engle	Long, Mo.	Symington
Ervin	Long, Hawaii	Wiley
Gore	Mansfield	Williams, Del.
Gruening	McGee	Yarborough
Hartke	Metcalf	

NOT VOTING—27

Anderson	Eastland	McNamara
Bridges	Fulbright	Muskie
Byrd, Va.	Goldwater	Proxmire
Capehart	Hart	Robertson
Carlson	Hruska	Saltonstall
Case, N.J.	Lausche	Scott
Chavez	Long, La.	Smathers
Cotton	Magnuson	Smith, Mass.
Dodd	McCarthy	Williams, N.J.

So Mr. ELLENDER'S motion was rejected.

Mr. CHURCH. Mr. President, I move that the Senate reconsider the vote by which the motion was rejected.

Mr. KUCHEL. I move to lay that motion on the table.

The motion to table was agreed to.

AUTHORIZATION OF APPROPRIATIONS FOR ATOMIC ENERGY COMMISSION—CONFERENCE REPORT

Mr. PASTORE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7576) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of Wednesday, Sept. 13, 1961, pp. 19209–19213.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. PASTORE. Mr. President, the report is signed by six of the eight members of the conference group.

As the Senate will recall, the principal item in issue between the House and the Senate on this bill was project 62–a–6, electric generating facilities for the new production reactor, Hanford, Wash., $95 million. This project was included in H.R. 7576, as reported by the Joint Committee on Atomic Energy, but was deleted by the House in their action on the bill. The Senate, acting on the House bill, amended it to include the Hanford project and, in addition included a project 62–e–4, providing $5 million for nuclear research in connection with the development of new uses for coal.

The substitute project agreed upon by the conferees provides for a 400,000-kilowatt electrical plant to be used exclusively to supply the power requirements of the AEC's Hanford plutonium production site. Although this project does not have all of the economic advantages of the originally proposed 800,000-kilowatt plan as approved by the Senate, it does have the potential for lowering the Government's cost in connection with the operation of the Hanford site.

The economic justification for the 400,000-kilowatt plant is based upon data supplied to the Joint Committee by the Atomic Energy Commission. These data indicate that this proposed $58 million plant can be paid off by savings on the cost of electrical power at Hanford over a period of about 9 years of operation. It should be noted that these payout estimates include a 4-percent annual interest charge on the plant investment. As such, this project is a sound economic investment for the Government.

It should be emphasized that all of the electrical power produced at the facility will be used for national defense purposes in connection with the operation of the AEC Hanford installation which produces material for the manufacture of nuclear weapons. Since the electrical power is limited to use at the Hanford installation, the question of whether or not the AEC will be entering the commercial power business may be discarded as a consideration.

Finally, even though the plant as agreed upon by the conferees will have one-half the rated capacity of the originally proposed project, it will still be the world's largest atomic powerplant from a single reactor.

Mr. President, I believe that the position agreed upon by the conferees is a sensible compromise in the best interests of the Government, and accordingly I urge Senate approval of this conference report.

Mr. HICKENLOOPER. I did not sign the conference report because of the one item contained in it for the development of a single generator to utilize the steam from the plutonium reactor at Hanford. I do not expect to oppose the general adoption of the report, but I wish to make my objection a matter of record.

The Senate passed the bill authorizing the construction of two generators at a total cost, I believe, of $95 million, to utilize the steam from the reactor and for the production of 800,000 kilowatts of electricity, most of which would be sold. I felt that that violated the basic provisions of the Atomic Energy Act and would put the Atomic Energy Commission into the direct commercial sale of electricity.

It must be borne in mind, however, that about 2 years ago Congress authorized, the Committee on Appropriations approved, and Congress appropriated $25 million to convert the heat from this reactor into steam. That money has already been spent. The $95 million which was originally authorized in the bill was an additional amount to produce this electricity. I felt it was uneconomic, and I think the figures show that it was an uneconomic, high-cost electricity. I opposed it in the authorization bill.

This provision in the conference report provides for the installation of one generator or one unit to produce about 400,000 kilowatts of electricity, practically all of which will be used at the plant itself. I still feel this is expensive electricity and that the proposal is unwarranted. I feel that if the full, actual costs of the electricity were assessed to the kilowatts, if the full costs were included, one could determine that it would be possible to build a steamplant to produce electricity cheaper than this expenditure will produce it.

Therefore, because I could not approve of this item, I did not sign the conference report. However, a majority in each House approved the report on the authorization bill.

The provision for the electricity to be produced by this generator also includes a substantial amount of money, is nevertheless a minor part of the total appropriations authorized by the bill and which are essential. I do not object to any other provisions of the conference report.

Simply for the record, I suggest that this steam will be available, but, so far as I know, no private or public body is willing to buy the steam or to build the generator to generate the electricity. I think that is definite proof that the electricity to be generated at the Hanford plant is uneconomic. If it were economic, then I think there would be a scramble on the part of private and public bodies to take over the steam and to build generators themselves. Significantly, they will not do it; and, so far as I know, there is no attempt on the part of anyone to take the steam and build a generator as a part of a private operation.

Again I say that this operation will put the Atomic Energy Commission into the business of manufacturing electricity commercially. Although Congress can change the act at any time, basically the Atomic Energy Act places the Atomic Energy Commission in the business of experimentation and development. There is nothing in the plutonium plant which adds to the knowledge of the art of manufacturing electricity in any material degree. We know what kind of plant it is. Plants like it have been built before. This op-

eration will not add to the general advanced knowledge of the production of plutonium. There is nothing in the generator or in the transmission of the steam which will add anything to the advanced knowledge of the production of electricity. It is all standard procedure.

To extend the operations of the plant to the manufacturing of electricity will violate the basic provisions of the Atomic Energy Act as it now exists. As I say, Congress can change the provisions of the act any time it wishes to do so, and apparently intends to do so. But it is my contention that the Atomic Energy Commission has no more business operating a commercial electric powerplant than the Civil Aeronautics Commission has operating an airline, or the Securities and Exchange Commission has operating a bucketshop or any other kind of securities disposal enterprise. But apparently that is what the Atomic Energy Commission will be expected to do. Evidently we are moving into that area.

While most of the electricity—about 350,000 kilowatts—can be used at the Hanford plant, there will still be, under present circumstances, about 50,000 kilowatts which will be sold or otherwise disposed of. My personal opinion is that it will not be sold at a price which will reflect the cost of the production of the electricity. So the Government will be subsidizing that production; the Government will be placed squarely into the production of power on a subsidized basis, through a Commission which never was established to enter into commercial enterprise operations.

Let me emphasize again that, in my opinion, if this electricity could be economically or competitively produced, private and public bodies in that area would be bidding for the steam and building their own generators to make and sell the electricity. However, that is not the case. No; the Government will subsidize the production of that electricity.

As is true of some of the other operations of the Government, all the costs will not appear in the final rate structure on which the charges for the electricity will be made. I think it will be subsidized electricity, and the difference in cost will come out of the Federal Treasury as a subsidy. I think some of the costs will be concealed, just like the sheriff's hat.

There is an old story about a sheriff who submitted an expense account and included the cost of a hat in which some bullet holes had been shot. The board of supervisors refused to pay for the hat, saying it would not pay for a hat or other articles of personal clothing, even though they were destroyed in line of duty. They therefore denied the claim for the hat.

The next month the sheriff submitted another bill but did not include the cost of the hat at all. However, at the bottom of the bill was a little note which said, "The hat is in here, but you can't find it."

That is the way with the price structure for the electricity which will be developed at the Hanford plant. The Government will establish a cost structure, but the whole cost will not be shown in it. The $25 million which has already been included for convertibility will not, in my judgment, be included in the cost structure. Neither will many other additions and deductions be included. The electricity will be subsidized at Government expense. This will be a new program, an innovation in putting the Government directly into the production and sale of electricity through the Atomic Energy Commission.

I will not try to prevent the adoption of the conference report, because, in the main, with this exception, the items contained in the report are essentially for the continued development and operation of atomic energy. I only make an exception with respect to this one item, and have given my reason for not signing the conference report.

Mr. BENNETT. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Utah?

Mr. PASTORE. I yield, of course.

Mr. HICKENLOOPER. I am sorry; I thought I had been yielded the floor.

Mr. BENNETT. Does the Senator from Iowa believe that next year or another year we will have before us a proposal to utilize the remainder of the steam and build other generators, so that eventually we will end with the original proposal to use all the steam?

Mr. HICKENLOOPER. I anticipate that next year the Commission will come before us with a proposal to build the other unit. There is a reason for that. The only unit which they are proposing to build can probably be used from 65 to 70 or 75 percent of its time capacity. If there were two units, because of the particular situation with respect to dump power out there, they probably could not use two units on an overall basis of more than 35 percent of their capacity. That would send the cost away up. But they will use the figures now—those who are advocating the complete utilization of the steam—based upon the high percentage of utilization for one generator, in order to try to sell the second one next year or the year after.

No; I do not believe there is any question that the public power people will come before Congress, having had this much success with respect to one generator, and will want a second generator next year.

Mr. BENNETT. So instead of really facing the whole problem now, this is simply a foot-in-the-door method, and the Commission will be back next year. That is what worries the Senator from Utah.

Mr. HICKENLOOPER. I feel so, and that is why I am opposed to this plan. I believe it is uneconomic and unsound. That is why I wish to make my own position clear.

Mr. President, I do not care to delay the action of the Senate on the conference report; and I thank the Senator from Rhode Island for yielding to me at this time.

Mr. BENNETT. Mr. President, will the Senator from Rhode Island yield 1 minute to me?

Mr. PASTORE. I yield.

Mr. BENNETT. I should like to associate myself with the entire statement made by the Senator from Iowa. I, too, signed the minority views when this proposal came from the committee, and I take the same position that the Senator from Iowa does. I feel that this provision constitutes a foot in the door. I am not sure whether it justifies a vote against the entire conference report, but I am sorry this provision is included in it.

Mr. PASTORE. Mr. President, I should like to make several observations.

First, let me say that the very light which illuminates this Chamber at this moment is being generated through the operation of a Government-owned plant. We do not propose that anything new be done at Hanford. But a tremendous amount of steam is being wasted there at the present time. It will be developed and generated there, regardless of whether it is used in the way now proposed. We only propose to harness the steam and make good use of it. The electricity thus generated will not be sold commercially, but will be used exclusively at the Hanford plant. If that is not economical use, I should like to know what economical use is.

Second, I should like to state that an important letter in connection with this matter is dated August 18, 1961, and was addressed by A. R. Luedecke, General Manager of the U.S. Atomic Commission, to James T. Ramey, executive director of the Joint Committee on Atomic Energy, Congress of the United States; and the letter proves the economics of the proposed use of this plant. I ask unanimous consent to have the letter printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APPENDIX A

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., August 18, 1961.

Mr. JAMES T. RAMEY,
Executive Director, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. RAMEY: In accordance with your request of August 16, we have calculated the duration of the dual-purpose period at the Hanford NPR necessary to pay off the investment in a powerplant consisting of one turbine-generator unit. The unit assumed was sized at the 400-electric-megawatt level now under study for a two-unit project. The budget estimate is $58 million.

As requested, the calculations have been performed on three different bases:

1. FPC's primary evaluation.
2. FPC's secondary evaluation.
3. FPC's secondary evaluation including credit for advanced power sales.

The results are as follows:

1. On the basis of the primary evaluation, a 12-year dual-purpose period (14-year production campaign) would pay off the plant.
2. On the basis of the secondary evaluation, a 10-year dual-purpose period (12-year production campaign) would pay off the plant.

3. On the basis of the secondary evaluation including credit for advanced power sales, a 9-year dual-purpose period (11-year production campaign) would pay off the plant.

You will recall that current studies have assumed an 8-year dual-purpose period, 10-year production campaign.

Sincerely yours,

A. R. LUEDECKE,
General Manager.

Mr. PASTORE. Mr. President, beyond that, I have nothing further to say. This compromise had to be effected. I am sorry we did not succeed in providing for generation in this way of the entire 800,000 kilowatts. The compromise means we shall have to waste one-half of the potential, but that was the decision at which the conference committee arrived. But I maintain that the decision was a wise one in view of the opposition in the House of Representatives. I think the proposed use is economic, and is the right thing to do, and is the best that can be achieved in view of the attitude of all concerned.

Mr. JACKSON. Mr. President, will the Senator from Rhode Island yield to me?

Mr. PASTORE. I yield.

Mr. JACKSON. Mr. President, I wish to associate myself with the remarks of the Senator from Rhode Island. I, too, rise in support of the conference report on the AEC authorization bill, H.R. 7576.

It seems to me the question before the Congress is a very simple one. The Atomic Energy Commission is constructing a large reactor at its Hanford installation, to produce plutonium, which is one of the essential ingredients in atomic weapons, particularly small tactical weapons. From the present status of international affairs it would appear that the Government will require the production of this plutonium for an extended period—at least 15 years. In the operation of this plutonium reactor, large quantities of steam will be produced in connection with the secondary cooling of the reactor.

The issue before the Congress is simply this: Should we utilize a part of the 11 million pounds of steam per hour which will be produced by this reactor, or should it be wasted into condensors and dumped into the Columbia River?

I am supporting the conference proposal to cut the plant down to one generator which will produce approximately 400,000 kilowatts, to be used exclusively for the AEC Hanford installation. I do this in the spirit of compromise and as a means of avoiding the question of whether the Atomic Energy Commission would be in the commercial power business.

It should be clear that the electric power produced under this compromise amendment will be devoted to the Hanford national defense installation which is producing one of our essential weapons materials—plutonium.

Considerable savings will be achieved in the AEC power costs at the site by utilizing the byproduct steam of this plutonium reactor. Every dollar invested in these facilities will be paid back with interest in terms of power savings. This has been attested to by the Atomic Energy Commission, based on reports by the Federal Power Commission, the General Electric Co., and their architect-engineers. The Joint Committee has requested that there be undertaken an optimization study on the single generator which should indicate that even greater savings can be achieved if the use of a single generator is optimized.

It has been stated that the construction of the one generator at Hanford would release an equivalent amount of power supplied by the Bonneville Power Administration and further increase the alleged surplus in the Northwest. It is true that this would release power that Bonneville would otherwise supply to the Hanford installation. The joint committee has testimony, however, that Bonneville would supply this power to private utilities and private industries in the Northwest who are in urgent need of additional power supplies.

It has been alleged that the 400,000-kilowatt generator would not make Hanford self-sufficient, because of standby power required from Bonneville. As indicated in the report by the managers of the House, this would be true in any event, whether AEC produced its own power or obtained power from Bonneville. The present power supply from Bonneville to the Hanford installation obviously has to have backup power, and so would any other alternative arrangement, including AEC-produced power.

In conclusion, Mr. President, I want to emphasize that this is an economic project. It will serve the national defense, and it is a sincere compromise effort to work out a solution between the desires of the Senate and the House.

Mr. AIKEN. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. AIKEN. I should like to compliment the Senator from Rhode Island, who is in charge of this measure. I believe that in view of the circumstances, which he has brought out, the conference report is as good a measure as it was possible to achieve. It would have been shortsighted indeed for the U.S. Government to have continued to purchase nearly 400,000 kilowatts of electricity, while at the same time permitting its own potential power to go to waste at the very spot where the power being purchased is being used. I would even have voted for development of the entire amount of power, all of which is now going to waste there—approximately 800,000 kilowatts. But I understand it was not possible to obtain an agreement in regard to the entire amount.

Certainly the Senator from Rhode Island has done a remarkably fine job in bringing to us the conference report we are about to adopt.

Mr. PASTORE. I thank the Senator from Vermont.

Mr. HICKENLOOPER. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. HICKENLOOPER. Mr. President, so far as the production of steam at reactors is concerned, let me point out that every reactor in the United States produces heat. At Hanford enough heat has been produced to raise the temperature of the Columbia River by 2°, but turbines or generators to produce electricity from that steam have not been installed all these years. In the opinion of some, that has been wasted. However, that has not been done, because the production of electricity in that way would be uneconomic. As I said the other day, a great deal of water runs down the Potomac River; and, according to that theory, all that water is being wasted, and we should have constructed many dams, to produce electricity, regardless of the cost, because all the water is being wasted. But the question is one of efficiency and the cost per kilowatt and whether the electricity which could be produced and acquired in other ways would be cheaper for the Government than electricity produced in that way. I merely wish to make that point clear.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

MEDICAL CARE—THE FORGOTTEN ISSUE

Mr. JAVITS. Mr. President, as we approach the close of the session some time this month, I have in mind winding up the issue of medical care insurance for the aged, on which I wish to speak briefly, but to the point.

Mr. President, medical care insurance for the aged is obviously the forgotten issue; and if we have forgotten to call it the forgotten issue, we are reminded of it by the President's sudden interest in the subject, as evidenced by the exchange of letters with the Senator from Michigan [Mr. MCNAMARA], the chairman of the Special Committee on the Aging, of which I am also a member. The exchange only emphasizes the default of the administration in regard to medical care insurance for the aged at this session.

Mr. President, we may just as well call a spade a spade. The issue has been deferred until 1962, out of choice, because apparently it is deemed more advisable to have it debated and brought to a decision in the 1962 congressional campaign year than in 1961.

All this does is to spend another year with this issue—another year during which the aged, about whom all of us are deeply concerned, will not have the protection they might very well be given by this legislation, which I hope very much will be enacted. They could have had it in 1961, in my opinion, and they would have been very much more likely to have it in 1961 than in 1962, although of course I hope we shall still do in 1962 what we should have done this year.

But I would be less than honest and devoted to my duty, and fair to the other Senators who joined me in the effort to get something done in this field this year, if I did not make this statement.

Together with 10 of my colleagues—and I wish to give their names: Senators COOPER, of Kentucky; SCOTT, of Pennsylvania; AIKEN, of Vermont; FONG, of Hawaii; COTTON, of New Hampshire; my own colleague, Mr. KEATING, of New York; KUCHEL, of California; PROUTY, of

Vermont; and SALTONSTALL, of Massachusetts—I am the sponsor of a bill to provide health care insurance for the aged, a bill for which I have fought for a long time, and which was introduced on February 13, 1961.

Subsequently, I tried, by amendment of one of the pending bills, to bring about some action, but knowing we did not have the votes and that, unless the majority side wished to bring it up, it would not be adopted, I consulted with the very distinguished Senator from New Mexico [Mr. ANDERSON], who has had the leadership in this matter, and he gave us various assurances on the floor that something would be done, that hearings would be held, and a real effort would be made to bring the matter to an issue and determination this year.

Of course, nothing has been done. My amendment did not have a chance, as we all knew, and I would not prejudice it by forcing it to a vote under those circumstances.

So here we are, near the end of the session, with the statement of President Kennedy in a letter to the Senator from Michigan [Mr. MCNAMARA] in which the President said, "I intend to recommend that this legislation be given the highest priority at the next session of Congress."

The President of the United States will have to do more than give it the highest priority, because he had given it the highest priority in 1961, and it became the forgotten issue of 1961.

Medical care insurance for the aged represents an even more inept example of administration leadership than Federal aid to education. At least, on Federal aid to education, an effort—however weak—was made to rescue the legislation. On medical care for the aged, not even a word was uttered by the President from the day he placed it on his "must" list of legislation at this session as one of the 16 measures he said had to be passed.

I am not too convinced that even in 1962 there is going to be action on this measure. I am not given to making aimless speeches on the floor, or speeches of partisan protest, for all the good that they do. However, I think it is essential that the record should be kept straight, in view of the fact that those who took such a strong position in the 1960 campaign that medical care for the aged would get attention, that it was very high on the list, and would have the strong support of the administration—they are the ones who are laying it aside. And, what is more important than the affairs of the aged is that the issue may also become the forgotten issue of the 1962 campaign. It is being tossed into that controversy, with strong opposition from doctors of medicine, in a congressional campaign year, when it may suffer expressly on that account.

Therefore, the point of my speech today is that the President should lend his encouragement to an agreement on a bill between the Republicans and Democats. He cannot pass such a bill without some strong support on this side of the aisle, as he knows, and as he knew when he stood in this Chamber as a Senator and asked for support, and, as he knows, he has not been able to pass any real welfare measure in this session without Republican support. Nothing will endanger this program more in 1962 than the failure to call now for an effort to have an agreement between Republican and Democratic Senators for this type of legislation, as well as in the other body, on a compromise bill before we get together in 1962. That is the purpose of my speech.

I urge the President of the United States to ask the Special Committee on the Aging to use the congressional recess of 1961 to reach a compromise between the Democratic and Republican plans on medical care—the Democratic plan being the Anderson-King bill, and the Republican plan being the bill which I introduced and referred to a moment ago. At least there we will have some chance of avoiding the enmeshing of the legislation in 1962 politics.

If the President is realistic, he knows that he will need Republican support to adopt a medical care for the aged plan, just as he needed Republican support for every major legislative success he has had at this session.

So, having sponsored, with other Republicans, the alternative to the administration plan, I am convinced that a satisfactory compromise is available to the administration which will make medical care for the aged a reality for 12 million to 14 million citizens 65 and over in 1962, and not a political will-o'-the-wisp, as it has been in 1961.

What are the lines the settlement can follow? I believe there are four proposals in which there is a real possibility of getting together.

One is to cover all the aging, not merely those on social security, which is a very important element of the plan which the other Republican Members of the Senate and I propose.

The second is to provide for preventive care. There is no doctor's care provided in the Anderson-King plan or in the administration plan, but it is a critically essential plan for us to avail ourselves of the different facilities which the States have for the care of the aged, instead of centralizing and making uniform a Federal plan which tries to conform, but utilizing all the available medical facilities in every State, and allowing the States to better and improve their plans.

Finally, beneficiaries of voluntary health plans should be given the opportunity to continue their health plans, or health insurance, or participation in a trade union plan or a pension and welfare plan, as an alternative to accepting the benefits under the Federal bill.

Those are the four areas in which, I am convinced, it is possible to work out a compromise.

As to the general situation, Mr. President, it is getting worse, not better. It is for this reason that the administration must bear the full responsibility for failing to push the legislation at this session of Congress.

What has happened so far with the Kerr-Mills bill, which we passed in the absence of an ability to agree on either my program, which was, incidentally, backed by Vice President Nixon and which received the overwhelming support of Republicans in the Senate, and the plan which was then Senator Kennedy's program? We passed the Kerr-Mills bill, but it has proved to be utterly inadequate to the purpose for which it was adopted by Congress.

Little change in the provision of medical care for the aged has occurred, but the major net effect of this legislation in its first 6 months of operation was to shift a sizable share of the costs from the States to the Federal Government. Only a little over 10,000 new people have gotten the benefit of any medical care plan by virtue of the so-called Kerr-Mills bill. Indeed, only 12 States and 2 possessions; namely, the Virgin Islands and the Commonwealth of Puerto Rico, are thus far actively participating in the program, and in these virtually all the cases handled have been transferred from the old age assistance program, because the Federal participation under the Kerr-Mills bill is much larger than it was under the old age assistance program. Only 10,229 persons, to be exact, have received medical assistance for the first time under the Kerr-Mills bill in the period between October 1960 and April 1961, the last date for which we have figures.

Since the Kerr-Mills program has an income ceiling ranging from $1,000 a year per person in Kentucky to $1,800 in New York, and $2,600 a year per couple, many people who would be eligible will not make use of its benefits because they will not submit to the "means" test.

Taking my own State, we estimated 800,000 eligible under the Kerr-Mills bill. There is a potential reach of that number of people over 65. Actually, 16,337 have received benefits of the program, and a great majority of those are persons who were being cared for under the old age assistance program and now are being cared for under the Kerr-Mills bill.

Mr. President, the forecast is not very auspicious, either. Twelve States and 2 possessions, as I said, are actively participating in the program. What have we to look forward to? Four States have passed appropriate legislation which is under consideration by the Department of Health, Education, and Welfare. Eight States have passed bills and are now in the planning stage for their programs. Four States are in the process of passing legislation; perhaps the legislation has been passed by one house or another, or is in some other legislative stage.

As we look forward well into 1962 we observe that about half of the States will be participating; 28 out of a total of 50.

Mr. President, the need, which was so much talked about on the floor in the debate and in the campaign of 1960, has not decreased. It has materially increased. The number of citizens over 65 has materially increased. Indeed, it is estimated that the number will double in the next 40 years, by the end of this century.

Costs for doctors, drugs, and hospitalization have materially increased. Incomes of the aged have remained inadequate to meet these costs.

I cite one figure. Two-thirds of our senior citizens live in family units which have incomes of under $4,000 per annum. That is just about the breaking point at which an individual might conceivably be viable in terms of medical care if not stricken with some catastrophe.

Unless we have any illusions about the income figures, 53 percent of those who are over 65 live in family units with family incomes of under $3,000 a year. This is markedly inadequate and very close to the standard under which assistance is extended under the program of the Kerr-Mills bill.

What do we find? We find that the Kerr-Mills bill has not done the job which needs to be done. That is the first point.

The second point is that the problem has, if anything, grown rather than decreased.

The third point is that the administration, out of choice, I think as a strictly political decision, has deferred the whole problem for another year.

Mr. President, this is a pretty tragic situation. I have strongly urged in this speech, therefore, that the administration, at the very least, try to redeem its fault of omission by encouraging, supporting, backing, and requesting that there be agreed upon a bill, as between both sides of the aisle, or those of us on both sides of the aisle in any position to agree as to this type of proposed legislation, so that at least when the Congress comes back into session in January we can be ready to "go to town" with a bill which has been agreed upon, which would not require hearings and a reconciliation of varying points of view as between various people who are in favor of this type of legislation.

In respect to that particular subject, I wish to make a few observations, because the hearings before the Ways and Means Committee of the other body have shown why it is necessary to do far more than we have yet done, or, apparently, than the administration has in contemplation doing.

There developed in the hearings before the Committee on Ways and Means on the other side of the Capitol a very strong difference on the question of cost. There were cost estimates of the program under a social security scheme offered by the administration, related to the so-called Anderson-King bill, and they ranged from $152 million in 1962 to $2,640 million annually at the end of the century. The effort to finance the program was to be based upon 1½ percent of payroll, three-quarters of 1 percent each from the employer and the employee, with an increase of the social security tax base from $4,800 to $5,200 per annum.

These figures were very sharply challenged by the insurance companies, which estimated the cost as early as 1963 at $2,179 million per annum, a level not expected to be reached, according to the Government witnesses, until sometime between 1975 and 1990. The estimated cost in 1964 is $2,483 million, almost the same cost as was calculated by the Federal Government witnesses for the year 2000.

These are very marked and very alarming differences. Indeed, the question of cost is a very critical one in this regard.

We already observe the difficulty which is created on the question of cost by an estimate made by the Special Committee on Aging. Whereas we thought the Kerr-Mills medical assistance program would cost an aggregate of $600 million in its first full year of national operation, in all the States, the estimate of cost now has been raised to $800 million, roughly half of which will be provided by the Federal Government.

Indeed, expenditures under the Kerr-Mills program are getting within "shooting range" of the expenditures which my Republican colleagues and I predicted would be adequate for a general revenue plan for medical care for the aged. We had estimated overall costs in the area of $1 billion to $1.2 billion, with Federal participation of about $600 million, to relieve us of all the arguments and difficulties inherent in the social security approach.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. AIKEN. I should like to ask the Senator some questions for information.

Can the Senator advise us how many States have qualified to participate in the program authorized by the Kerr-Mills bill which was enacted a year ago?

Mr. JAVITS. Only 12 States, plus Puerto Rico and the Virgin Islands. Even when one projects everything ahead optimistically to 1962, including the legislation in progress, the plans being made, and so on, one can reach a grand total of only 28.

Mr. AIKEN. I am happy to say that my own State has put itself in a position to cooperate with the Federal Government under the Kerr-Mills program, but I am disappointed and somewhat discouraged by the infrequency with which States indicate interest. When Congress is about to pass a bill some States say, "This is our business. There should not be a Federal program."

Congress passes a bill, and leaves it to the States to qualify and to cooperate under the program set up by the bill. I well recall the amendment to the Social Security Act passed last year. Only two or three States qualified. An unemployment compensation act was passed by the Congress, and only three or four States put their houses in order.

Thereafter it becomes necessary, in order to extend the benefits at all, to enact Federal legislation. I fear that is what is about to happen in regard to the Kerr-Mills program, which the Congress authorized last year. While it was not a complete program by any means, it did take a step toward the ultimate goal of adequate medical care for the older people.

I am disappointed to learn that only 12 States have put their houses in order, so as to take advantage of the law.

This may lead to the argument that the Federal Government will have to provide the benefits, that one cannot rely on the States to do so. Sooner or later the Federal Government will do it. Then it will be said, "You are federalizing things which ought to be under the jurisdiction of the States."

When the States will not provide what is needed, I do not know what else can be done. I can visualize the same thing occurring in regard to medical care for the aged. The States apparently are not going to put themselves in a position to care for their own aged people, even with the cooperation of the Federal Government. Eventually, although I had hoped it would not be necessary, I can see us enacting Federal legislation to supervise the program and to provide the medical care and hospital care for the older people of the country which is needed, regardless of the State of residence of the people.

Mr. JAVITS. Not only has the State participation been relatively disappointing—and I shall furnish for the RECORD the complete chart of the situation in all of the States—but also I point out that only some 10,229 have actually participated under the Kerr-Mills program. That is all, notwithstanding the assertions on the floor of the Senate, which the Senator may remember, that 10 million of the aged were eligible to be considered under the Kerr-Mills program.

Mr. AIKEN. Under the program which my own State has established, there will be in the State 6,000 or 7,000 elderly people who will qualify under the Kerr-Mills program. If that ratio were applied to all the States, several million people in those States might be made eligible. If the other States take no action, we shall find ourselves enacting Federal legislation which will cover all of them.

Mr. JAVITS. In my own State of New York there is a potential of 175,000 New York citizens over 65 who might become eligible under the Kerr-Mills bill, but we need a Federal program that would reach an estimated 1,325,000 persons over 65 who would fall in the general category of needing some help with their medical problems. This point is emphasized by the fact that there are about 16½ million people over 65 in the country—incidentally, every day 3,000 more people join the ranks of those over 65—and about three-quarters of those have chronic ailments. As we all know, people over 65 on the average spend twice as many days in the hospital as the rest of the population. Their hospital bills are twice those of persons under 65, and their average income is only half as much.

Mr. AIKEN. Mr. President, will the Senator yield so that I may add to what I have already said?

Mr. JAVITS. I yield.

Mr. AIKEN. In the United States there are 16½ million people over 65 years of age. They are very fortunate that they have someone in the U.S. Senate like the senior Senator from New York to put their case before the public and before the Congress. Otherwise they would be in a very deplorable situation indeed. I think it is also deplorable in some States the people who complain

about the situation make no move, or little move, to correct it.

Mr. JAVITS. I thank the Senator. The Senator from Vermont may not have been in the Chamber when I started. The purpose of my speech is to point out that notwithstanding the weeping and wailing which went on in 1960, at the time of the great national campaign, about the fact that we had to do something for the aged—at that time medical care insurance for the aged was one of the big measures on the President's "must" list for 1961—the session of 1961 has come and gone without anything being done about the problem. In fact, between the time it was put on the President's "must" list and last week, when he wrote a letter to the Senator from Michigan [Mr. MCNAMARA] saying he wanted it to have the "highest priority" at the next session of Congress, not a word was said about it. It was the big forgotten issue of 1961. I point out that people like myself, the Senator from Vermont [Mr. AIKEN], and other Senators have been trying to stimulate some interest in the problem. It is pretty tough when those who made medical care for the aged their big campaign issue studiously neglected it and did nothing about it. They felt they had to talk us out of an effort to present an amendment on this subject to another bill when we did not have the votes to bring the issue directly to the floor of the Senate.

Mr. AIKEN. It is unfortunate when the President sees fit to put this important issue off until just before another election. No one knows in how many elections medical care insurance for the aged would prove to be a good issue, but sooner or later the people of this country will realize that some of us tried to do something to correct the situation by providing for the needs of these 16½ million older people more than a year ago. I join with the Senator from New York in saying that we must continue this work. I should like to get it out of politics. I do not like to see this subject brought up as a party issue every 2 or 4 years. There would be much greater satisfaction in seeing this objective reached than in having an issue left over to be used for political purposes every 2 years.

Mr. JAVITS. I am extremely proud of the fact that I have been able to exercise a role on this question, and that the Senator from Vermont, for whom I have the greatest respect, has seen fit to join in it.

I feel we are very close to agreements with those who represent the views espoused by the Senator from New Mexico [Mr. ANDERSON]. In colloquy in the Senate Chamber in February 1961 and in colloquy a few weeks ago again in the Chamber, the Senator from New Mexico and I both indicated that we were close together, and the only restraint upon coming to the kind of agreement which could result very quickly in legislation that would be far less controversial than the wilderness bill, we are taking up today, is the fact that the administration has been unwilling to give the bill the green light for 1961.

I have been with the President in connection with many things he has tried to do. I have suffered a good deal of criticism, even from my own side of the aisle, when I have been on his side, because I thought to do so was right in the interest of the country, the free world, or my own State. But I would be less than honest, when criticism is justly and richly deserved, if I failed to make such criticism with the same vigor and conviction with which I have evidenced my agreement on other occasions.

I think it is sad and unfortunate—and the country should mark it well—that a whole year has gone by and, notwithstanding all the protestations of concern, absolutely nothing has been done on this subject except to have a hearing over in the other body.

If the President cannot succeed in the effort, that is a failure of leadership which the country must mark. If the President can do it, that is all the more reason why it should have been done in the year 1961.

I ask unanimous consent that I may have printed as a part of my remarks a number of charts to show the rate of progress, which is extremely small, under the MAA program—the Kerr-Mills program—and also an analysis of the costs of the Anderson-King social security bill, and an article from the Journal of Commerce, which sums up the principle points of our own alternative bill on this side.

There being no objection, the information was ordered to be printed in the RECORD, as follows:

TABLE I.—*States participating in Kerr-Mills*

States with program in effect:[1] Idaho (July), Kentucky, Maryland, Massachusetts, Michigan, New York, Oklahoma, Puerto Rico, S. Carolina (July), Tennessee (July), Utah (July), Virgin Islands, Washington, West Virginia.

States with plans submitted to HEW (not in effect): Arkansas (approved)[2], Oregon (approved). In regional office: Louisiana (effective Oct. 1, 1961), North Dakota (effective July 1, 1961).

Legislation enacted but no plans submitted: California (effective Jan. 1, 1962), Connecticut (effective April 15, 1962), Hawaii (effective July 1, 1961), Illinois (effective July 1, 1961), Maine (effective July 1, 1961), New Hampshire (effective October 10, 1961), Pennsylvania,[3] Vermont (1962).

Legislation in process to give basis for program or to provide appropriation: Passed one house: Alabama, Wisconsin; bill introduced: Delaware,[4] New Jersey.[5]

Considering possible legislation: District of Columbia.

Need legislation: No action anticipated: Alaska,[4] Arizona,[4] Colorado, Florida, Guam,[4] Indiana, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, North Carolina, Ohio, Rhode Island, South Dakota, Texas,[4 6] Wyoming, Mississippi (session in 1962), Virginia (session in 1962).

States that have authority for MAA, but not implemented: Georgia,[4] enacted 1961 but no funds available; Iowa, enacted 1961 but no appropriation; New Mexico, enacted but plan withdrawn; no appropriation.

[1] Plans of these States are approved but not all in operation.
[2] Funds expected in September 1961.
[3] Effective month following approval.
[4] Do not have in operation vendor payment for medical care under OAA.
[5] Intermittently in session; now in recess.
[6] Constitutional amendment proposed.

TABLE 2.—*Medical assistance for the aged: Recipients and payments for recipients, by State, May 1961*[1]

State	Number of recipients	Payments for recipients	
		Total	Average
Total	41,388	$8,295,631	$200.44
Kentucky	38	1,587	(2)
Massachusetts	15,272	[3] 3,019,037	197.68
Michigan	3,115	791,041	253.95
New York	*16,337*	*3,931,676*	*240.66*
Oklahoma	176	33,672	191.32
Virgin Islands	[4] 204	1,972	9.67
Washington	[4] 875	174,770	199.74
West Virginia	5,371	341,876	63.65

[1] Figures italicized represent program under State plan not yet approved by the Social Security Administration. All data subject to revision.
[2] Average payment not computed on base of fewer than 50 recipients.
[3] Excludes $95,152 in money payments not subject to Federal participation.
[4] Estimated.

COST OF ANDERSON-KING BILL (H.R. 4222)

The cost of the administration's medicare bill was initially estimated at 0.60 percent of covered payroll. It was subsequently estimated at 10 percent higher because of increased cost factors (largely higher pay by hospitals for nonmedical staff) and higher estimates on costs of nursing homes and other services. Thus it was estimated that 0.66 percent of covered payroll (at $4,800) would be necessary to cover all increased social security costs including medicare (0.65 percent, if $5,200 is the base).

In dollars, H.R. 4222 is estimated by social security to cost:

	Millions
Social security:	
1962	$152
1963	1,062
1964	1,098
1965	1,134
1975	1,557
1990	2,308
2000	2,640
Insurance companies:	
1963	2,179
1964	2,483
1983	5,438

In the testimony of H. Lewis Reitz on behalf of the major insurance associations, the costs of H.R. 4222 were estimated as above. Level premium was estimated at 1.73 percent on a $5,000 base. (See H.R. 4222 level premiums above.)

Please note that the estimate for the health care bill S. 937 in which Senator JAVITS was joined by 10 other Republican Senators and which provided for Federal-State financing out of general revenue was at the annual cost of $1.1 billion.

It is likely that both sets of statistics are substantially correct, because the sources differ from which they are derived. The administration's statistics were established by Robert J. Myers, Chief Actuary of the Social Security Administration, on the basis of National Health Survey reports, which include the experience of the entire aging population in the country.

The insurance company basis is much more selective. Its tables are based on the actual claim experience under Blue Cross-Blue Shield plans. It estimates hospital costs in 1963 at $37 per diem, while the administration figure is $32. It includes railroad retirees; H.R. 4222 does not. The probabilities are that in its estimates—and some of these statistics are based on estimates—the insurance companies err on the

generous side; the social security figures are likely to be on the low side.

[From the New York Journal of Commerce, June 16, 1961]

HEALTH CARE FOR THE AGING

(By JACOB K. JAVITS, U.S. Senator from New York)

There is substantial agreement that the Federal Government must help provide adequate health care for our senior citizens, most of whom cannot afford it. The fact that a majority of the 16 million who are 65 and over have incomes of less than $1,000 annually is a major factor in the mounting demand on Congress and on State legislatures to enact legislation to help assure the aged of adequate medical care. I firmly believe that there must be a Federal program to make this care available.

An adequate program to meet the needs of our senior citizens should give top priority to preventive medical care. Medical experts agree that adequate preventive medical care would lead to a sharp reduction in the occurrence of chronic illness and long stays in the hospital. This can best be done by a first cost program, making physician's care readily available at home or in the office.

The administration proposal which Senator CLINTON ANDERSON, Democrat, New Mexico, embodied in the bill he introduced in this 87th Congress does not meet the objections to the Kennedy-Anderson bill which the Senate defeated last August. It fails to include the millions over 65 not covered under the social security system; it does not emphasize the preventive care that senior citizens need most; it fails to enable individual States to use their medical resources to provide more than minimum care; and it makes no suitable provision for voluntary health plans.

WORK DIFFERENTLY

Americans live and work differently from each other, and what may be a first-class health care plan for one person does not necessarily fill the bill for another man in another State. A satisfactory program should make provision for freedom of choice among health insurance programs including existing private nonprofit and cooperative health plans.

In the bill which I presented to the Congress, there were three options from which the individual could choose one. One was the minimum preventive medicare program which includes 12 physician's visits, 21 days of hospital care, 63 days of nursing home care less any days of hospitalization at the ratio of 3 nursing home days to 1 day in hospital, 24 home nurse service calls as prescribed and the first $100 of ambulatory diagnostic laboratory or X-ray services.

SECOND OPTION

The second option is a catastrophic illness program for those who can afford to pay for their own preventive care but want to be insured against long-term high-cost illnesses. Its benefits form the most complete and comprehensive medical and hospitalization program so far devised after the insured person has incurred the first $250 of cost.

The third option would help those who prefer a private health insurance plan or—as in the case of many retired workers—are already covered by a group plan. This option calls for payment of the premium cost of such a noncancellable insurance plan up to a maximum per year of the per capita cost of the program.

Similar freedom and flexibility must be offered to our States in a satisfactory health care insurance program. Our States are not all 50 identical miniatures of the Federal Government. Geography, history, resources, and experience have all gone into the creation of substantial differences, particularly with respect to medical facilities, costs, and care. There must be a margin of flexibility for each of the States to work from and in any sound medicare plan this must be taken into account.

GENERAL REVENUE

The funds to pay for this program would come from general revenue to which all taxpayers contribute. This is a sound and equitable manner of financing and has the merit of letting all the taxpayers share the cost of the medical care program for the senior citizen who has given his best years to the community.

We have a responsibility toward the growing number of senior citizens to help them meet the high costs of adequate medical care with dignity. I intend to continue my effort to develop a satisfactory program that can be enacted into law. Even if the program takes the social security tax method of financing in order to get a final result, the other considerations I have set forth are essential to enlisting the needed Republican support.

Mr. JAVITS. I close on the same note upon which I opened. There is not too much use in crying over spilled milk, in the sense that a year has gone by and nothing has been done. The thing to do is to improve the present occasion if we can. It is for that reason that I urge the following:

First, that the President not only give his support in a letter to the Senator from Michigan [Mr. MCNAMARA] saying, "We give highest priority," but that the President give his support audibly, and in view of the entire country, about the fact that the Special Committee on the Aging, on which both Republican and Democratic Members are adequately represented, should now do its utmost, in the intervening period between now and the time Congress returns in January, to agree upon a program of medical care insurance for the aged which will solve some of the problems between the social security proponents and the general revenue proponents.

Again I say that everything I have said, everything the Senator from New Mexico [Mr. ANDERSON] has said, and everything we have heard on the floor of the Senate indicates that we are very close to agreement. We need some support from the White House. I think this program can be successful with the support of a great majority of the Members of Congress.

Second, that the program be given the highest priority by being the subject of the first bill called up in January 1962. I think it can be made ready to be called up within a week after we return.

Third, that the President himself recognize the fact that the measure cannot be passed except on a bipartisan basis. As I said, when he was a Senator he saw that point evidenced on the floor of the Senate; and, therefore, the Republicans should be invited to make their contribution to the effort by agreeing upon a bill for medical care for the aged which we can pass at the very opening of the 1962 session.

I yield the floor.

EXPANSION AND EXTENSION OF SALINE WATER CONVERSION PROGRAM

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 7916) to expand and extend the saline water conversion program being conducted by the Secretary of the Interior, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BIBLE. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agree to; and the Presiding Officer appointed Mr. JACKSON, Mr. BIBLE, Mr. CARROLL, Mr. KUCHEL, and Mr. ALLOTT conferees on the part of the Senate.

ESTABLISHMENT OF NATIONAL WILDERNESS PRESERVATION SYSTEM

The Senate resumed the consideration of the bill (S.174) to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes.

Mr. METCALF. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as thus amended be considered as original text for the purpose of further amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MOSS. Mr. President, I call up my amendment 8–23–61—A.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 9, line 2, beginning with ", and" strike out all to the period in line 8.

Mr. MOSS. Mr. President, the purpose of the amendment is to bring into line the other types of land that are being considered for wilderness purposes, lands of wildlife refuges and game ranges.

In the evolution of the bill in committee, the forest lands that are already in public ownership and have the classification of wilderness, wild, primitive, or canoe, and lands that are in national parks and monuments had a limitation placed on them, providing that no additional land can be added by the Executive between the date of the enactment of the bill and the time when the review period would run. However, with respect to national wildlife refuges and game ranges, this limitation was not presented.

So the bill as it is now written would permit the President, after the enactment of the bill, to continue to add acreage to our wildlife refuges and game ranges, and that area might be presented as wilderness and might go into the wilderness system.

One of the objections of some people, particularly in the western part of our country, has been the fear that great additional blocks of land might go into the wilderness system through this executive procedure.

If the amendment is adopted there will be no way to enlarge the amount of land that can be considered beyond the land already classified under the statute in existence. Therefore I believe it is a desirable and worthwhile limitation. If we enact the pending bill and it becomes law, we will know precisely the lands about which we are talking and those that will become a part of the wilderness system.

If after the bill becomes law, at a future date, there is a desire to add an area to the wilderness system, or to take an area out of the wilderness system, we must proceed by regular congressional act being enacted just as any other law is enacted. Therefore I urge strongly that the amendment be adopted to make the bill restrictive in the area of wildlife refuges and game ranges, as it is in other areas of the public land.

Mr. CHURCH. I thank the Senator for his statement. His amendment is a constructive one. It helps to implement the purposes of the committee in reporting the bill. As the Senator knows and as he has so well stated, we have tried in the bill to confine the wilderness system to certain existing categories of land. We confine it to the wilderness areas within the national parks and national monuments, and provide a method for bringing these areas into the system. We confine it, secondly, to primitive areas in national forests, and provide a method for permanently retaining such portions of these areas as are finally reviewed and approved, in the wilderness system.

The same thing is true of the national wildlife refuges and game ranges. The language in the bill beginning at page 8, line 21 reads:

> There shall be incorporated into the wilderness system, subject to the provisions of and at the time provided in this section, such portions of the wildlife refuges and game ranges under the jurisdiction of the Secretary of the Interior as he may recommend for such incorporation to the President within 10 years following the effective date of this act.

That language alone is sufficient for purposes of the bill. It makes it perfectly clear that the game ranges and wildlife refuges are meant to be those existing at the date of the enactment of the bill, and then such portions of these as the Secretary of the Interior might recommend for incorporation into the system to the President, and the President to the Congress.

The Senator's amendment is consistent with the purposes of the bill. We did not mean to extend this particular provision beyond the effective date of the act. It is inconsistent with the treatment that we have given to the primitive areas and to the national parks and monuments in the bill.

I commend the Senator. He has offered a constructive amendment. I see no objection to it. I hope the Senate will adopt it.

Mr. ALLOTT. Mr. President, I should like to speak to this matter very briefly. I believe I understand what effect is intended. I propose an amendment to the amendment of the Senator from Utah, which I believe is in accord with the statement the Senator from Idaho has just made. I propose on page 8, line 24, after the word "ranges" to add the words "established prior to the effective date of this act".

I believe this would make the intent very clear. As I understand the feeling of the Senator who is in charge of the bill at the present time, this would be in accordance with the objectives of the amendment. I offer my amendment to the Senator's amendment.

Mr. MOSS. I see no objection at all to the amendment. I am glad to accept it as an addition to my amendment.

Mr. CHURCH. I believe the Senator's amendment to the amendment makes the point emphatically clear and eliminates any possibility of ambiguity. I thank the Senator from Colorado for his contribution.

Mr. MOSS. Mr. President, I ask unanimous consent that I may accept the additional wording proposed by the Senator from Colorado and that it be incorporated as a part of my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. Does the Senator need unanimous consent for that purpose?

The PRESIDING OFFICER. The language refers to another place in the bill, and, therefore, unanimous consent is required.

The question is on agreeing to the amendment, as modified, offered by the Senator from Utah [Mr. Moss].

The amendment, as modified, was agreed to.

Mr. MOSS. Mr. President, I call up my amendment designated "8–28–61—A," and ask that it be stated.

The LEGISLATIVE CLERK. On page 20, after line 8, it is proposed to add the following:

> SEC. 10. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.

Mr. MOSS. Mr. President, this is an additional section and is simply by way of clarification and rounding out of the bill.

When the wilderness bill was being considered in committee, a provision of this sort was included. It was stricken, I think, rather inadvertently in the making of other amendments. At least, as I recall the discussion in committee, there was no discussion of this particular section or about taking it out. That is why I conclude that it was rather by inadvertence than by design that it was taken out. I believe the language should be restored to the bill because it provides a worthwhile requirement that an annual report shall be made to the President and to Congress by the Secretaries who are concerned with the public lands and would be concerned with the wilderness system. This would enable the committees of the Senate and House to be informed each year of the management of the system, any regulations which were promulgated, and of any information concerning the operation of the wilderness system. The committees would be enabled to receive regular, annual information, and would be in a position to take affirmative action, if need be, by way of legislation to regulate the wilderness system or to suggest additions or deletions that might be made in the system.

I urge the adoption of the amendment, so that information concerning the operation of the wilderness system may be submitted regularly to Congress.

Mr. CHURCH. Mr. President, will the Senator from Utah yield?

Mr. MOSS. I yield.

Mr. CHURCH. Is it not true that the text of the Senator's amendment was originally contained in the bill as introduced?

Mr. MOSS. It is my recollection that this identical language was in the bill.

Mr. CHURCH. It is not the Senator's feeling that the language was dropped through inadvertence, by virtue of an amendment which was made to section 8 of the bill, which replaced the original section 8, but which did not contain the language of this amendment?

Mr. MOSS. That is correct. The bill was amended extensively in committee. It is more of an aside right now to mention that the bill as finally reported was changed so greatly from the bill on which we started our consideration that it is sometimes difficult to recognize original sections of it. It is my firm conviction that the elimination of this language occurred simply through inadvertence or oversight. It was eliminated from one of the very extensive amendments which the committee adopted.

Mr. CHURCH. That is my recollection, as well. The language of the amendment was omitted inadvertently, but it ought now to be restored. The amendment would provide that "At the opening of each session of Congress, the Secretaries of Agriculture and the Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and description of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make."

I think this language will enable Congress to keep fully and currently advised as to the status of the system, and also will be a useful method of furnishing the public with information concerning the current status of the wilderness system.

I do not know of any opposition to the amendment. So far as I am concerned,

is is perfectly acceptable. I hope the Senate will approve it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah.

The amendment was agreed to.

Mr. METCALF. Mr. President, a little more than 2 years ago the State of Montana placed in Statuary Hall a statue of Charles M. Russell. My venerated predecessor, Senator James E. Murray, accepted the statue, and the majority leader also participated in the ceremony. One of the tributes placed in the CONGRESSIONAL RECORD by the late Senator Neuberger was an editorial published in the Portland Oregonian. A part of the editorial is as follows:

> Congress took a few minutes off this week to pay tribute to a great American, Charles Russell, the Montana cowboy whose paintings are unsurpassed as a record of the Old West.
>
> Charlie Russell's work hangs in saloons as well as the most exclusive museums. He was no impressionist, no abstractionist. But like all great artists he painted his subjects as he saw them through an artist's eye. And his eye could see things hidden from the best of cameras—the tragedy of the American Indian, the loneliness and ruggedness of the life of the cattle range, the majesty of the common features of a western landscape, the poetry in the flowing lines of a fine animal.

Charlie Russell painted people, Indians, cowboys, hunters; he painted animals, cow ponies, grizzly bears, deer, and elk. The only manmade things Russell liked to paint were the working clothes, the saddles, the guns, and bows and arrows. He hated the influx of the homesteaders, the trails plowed under, the railroads, and the automobiles.

One time Charlie Russell was prevailed upon to make a speech to some chamber of commerce gathering. The toastmaster introduced him as a pioneer. Charlie responded:

> I have been called a pioneer. In my book a pioneer is a man who comes to a virgin country, traps off all the fur, kills off all the wild meat, plows the roots up, and strings 10 million miles of barbed wire. A pioneer destroys things and calls it civilization. I wish to God that this country was just like it was when I first saw it and that none of you folks were here at all.

If Charlie Russell could come to life today and get down off that plinth in Statuary Hall, he would be lobbying for the wilderness bill.

If we are going to be able to understand the work of men like Charlie Russell, and preserve the spiritual values that inspired our ancestors, we must save the few remaining areas where the mountains and the trees, the grass and the streams are as God made them.

Therefore I support this bill today. I can recall when the first wilderness bill was introduced 5 years ago here in the Senate by the late Senator Murray and I was one of the cosponsors in the House of Representatives. The bill was introduced late in the session for study and there were features in the original text with which I disagreed. But we left them in for discussion purposes. As the Senator from Idaho has pointed out, subsequently other versions have been introduced, and the bill before the Senate today is a vastly different bill from that presented then. Such things as the Wilderness Council and the Indian wilderness have been deleted. Constructive criticisms of the Departments of Agriculture and Interior and other administrative agencies have been received and the bill reflects the changes. Objections voiced by the mining, the lumbering, the grazing industries have been received and considered and many of the changes in the bill were made to reasonably meet these objections. Every effort has been made to meet particular needs and avoid disruption of established practices and at the same time preserve a small portion of our undeveloped area as a living museum for the future.

Chief credit for the present bill must go to its principal author, the chairman of the Committee on Interior and Insular Affairs, the junior Senator from New Mexico [Mr. ANDERSON].

The Senator from New Mexico was one of the first men in Congress to recognize the urgency of planning intelligently to meet our growing needs for outdoor recreation facilities. In 1957, he proposed and Congress enacted the Outdoor Recreation Resources Review Commission bill. Pursuant to that measure, the Commission, in January of next year, will give Congress a documented study and recommendations to meet the outdoor recreation resource needs in the decades ahead.

Mr. President, it has been said on the floor of the Senate today that the passage of the bill will operate as a slap in the face at that Commission, which the Senator from New Mexico played so important a part in sponsoring, and of which he is so important a member.

I have been reading the hearings of both the Senate and the House with respect to the Outdoor Recreation Resources Review Commission. The men who favored the establishment of the Commission testified unanimously before the committees in support of the bill. The great service organizations, including the Wildlife Federation, the Izaak Walton League, the Garden Clubs of America, and others, were for both. Their representatives testified that there was no conflict between the creation and establishment of the Outdoor Recreation Resources Review Commission and the principle of the wilderness bill.

The Senator from Oregon [Mr. MORSE] said on the floor of the Senate at the time the Outdoor Recreation Resources Review Commission bill was passed that there was no conflict. One of the noted sponsors of the wilderness bill, in his testimony before the House committee, stated that both bills were wanted; both the wilderness bill and the Outdoor Recreation Resources Review Commission bill were desired. That was Mr. Howard Zahniser, of the Wilderness Association.

So today, when it is said that we are slapping the face of that Commission, the history of the legislation and the testimony before the committees before the legislation was enacted, and the activities of the members of the Commission themselves, have demonstrated that there is no conflict, and that this very specialized part of the bill can go forward while we are awaiting the report of the Outdoor Recreation Resources Review Commission next January.

With his usual thoroughness, the chairman of the Interior Committee has followed up his successful Commission proposal with this bill to move ahead, in an orderly way, programs which are sorely needed and should not be permitted to lag.

It is going to cost a great deal of money to acquire the shorelines, the national park areas, and other recreational areas that are being considered. But this bill requires no expenditure of money. We merely set aside for wilderness use some of the land that Uncle Sam now owns. Had we been as farsighted in the past, we would have retained some of the seashores that we are now having to buy back. We would have retained some of the scenic areas in the national parks and national monuments that we are buying back at considerable cost.

We owe the Senator from New Mexico a vote of confidence for the work he is doing and the contribution he has made to outdoor recreation. We owe him a great deal for his patience and his wisdom in working out the details of the bill now before the Senate. I think he is going to get it in the vote on his wilderness bill, which will give the Nation a wilderness preservation system without cost to the Treasury.

I yield the floor.

The PRESIDING OFFICER. (Mr. BURDICK in the chair). The bill is open to further amendment.

Mr. MOSS. Mr. President, in his comprehensive opening address on this bill, last week, the Senator from New Mexico [Mr. ANDERSON] clearly made the points that true wilderness is not a renewable resource; that once altered, it can never be restored to its original state; that today we have a very limited number of wilderness areas; and that we must take immediate action if we are to preserve any of these for the use of future generations.

Under these circumstances, and in view of the increasing pressure on our lands, it is the obligation of responsible statesmanship to take immediately the steps provided by this bill.

I came to the Senate in 1959, and began to participate in official consideration of the wilderness bill after it had been before the Senate Interior Committee for several years. I have been most impressed with the careful consideration the committee has given every phase of this question, and particularly impressed with the detailed attention paid to the vital resource industries of the West—lumbering, grazing, and mining.

The bill as presented provides as little disturbance of the present status of these industries as is possible if we are to establish a wilderness system. In addi-

tion, we are assuring future stability to these industries by removing authority of the executive to classify forest and public land areas as "wilderness," "wild," and "primitive."

In his opening address, Senator ANDERSON discussed clearly the question of congressional authority over the public lands. He showed how, rather than abrogate any portion of our constitutional authority, we are, under S. 174, instituting a review of actions which the executive branch may take under previous delegations of authority.

Senator ANDERSON said:

The widespread effort of some of the critics of the wilderness bill to alarm the people with charges that it bestows new and unusual dictatorial powers on the executive branch could not be further from the fact than it is.

S. 174 does not extend any new powers to the executive branch. It recaptures for Congress a right to review what has been done in the past and full authority and initiative over establishment of any new wilderness system areas.

I call attention to these statements of the chairman because the irresponsible and inaccurate charges of which he spoke have been widely circulated in my State of Utah.

I believe that by now most of the people of Utah know the facts about this bill. I am sure that the bill will pass; that the wilderness areas will be set aside; and that, within a few years, the wisdom of its passage will be apparent to all.

I do feel, however, that some of the intemperate and alarming statements that have been made on this legislation should be made a part of the record of this debate, and I ask unanimous consent that a number of newspaper articles and other items be printed at this point in the RECORD.

There being no objection, the articles and items were ordered to be printed in the RECORD, as follows:

[From the Ogden Standard-Examiner, July 13, 1961]

BENNETT SINKS BARB IN WILDERNESS BILL

WASHINGTON.—Utah Senator WALLACE F. BENNETT says the wilderness bill which cleared the Senate Interior Committee Thursday is a power grab by the Kennedy administration, and he'll oppose it.

Senator BENNETT, a Republican, thus finds himself ranged against Utah's other Senator, Democrat FRANK E. MOSS. Senator MOSS is a member of the Interior Committee and favors the bill.

The measure would establish a wilderness preservation area covering about 35 million acres.

Senator BENNETT called it a threat to the future of the Western public land States, including Utah.

He added, in a statement:

LOCK UP

"The bill provides that wilderness proposals made by the Secretaries of Agriculture or Interior shall become the law of the land unless either the Senate or the House rejects them.

"In Utah, over 70 percent of our land area belongs to the Federal Government. The bill gives Agriculture Secretary Orville L. Freeman and Secretary of the Interior Stewart L. Udall power to lock up immense sections of the State. * * *

"I shall oppose this power grab by the Kennedy administration on the floor of the Senate.

"I will not entrust any bureaucrat with such life-and-death control over the future of Utah and the West.

"However, if an amendment correcting this giveaway of our public lands is adopted, together with others, I shall support the bill."

[From the Salt Lake Tribune, July 28, 1961]

CLYDE'S STAND GAINS

(By Jerome K. Full)

Gov. George D. Clyde Thursday took his case for opposing large, new single-purpose Federal reserves to a Capitol Hill audience of nearly 160 Utahans.

He won their nearly unanimous endorsement. Representatives of the Utah Wildlife Federation and the Wasatch Mountain Club supported in large part the measures Governor Clyde opposed.

But the Governor won backing from stockmen, farmers, bankers, industrialists, mining company officials, local government officials, chambers of commerce, lawyers, and others.

At issue were a bill before the U.S. Senate which would allow creation by Presidential order of wilderness areas as Federal lands, requiring an adverse resolution of Congress to block; a proposal of Interior Secretary Stewart L. Udall that a mammoth national park of up to 1 million acres be created in southern Utah.

Governor Clyde said his opposition to both measures was one of degree. Wilderness areas are needed, he said. And so is a national park in the area described by Mr. Udall.

But they must be controlled in area, in location, and in administration so that their resources may be developed, he said. Wilderness areas which limit roads and facilities, the Governor stated, will serve only the few who have time and money for pack trips or boat trips.

Before resources are irrevocably contained in wilderness areas which preclude their development, we should think in terms of the needs of the people 2,000 and 5,000 years from now.

The Governor made his presentation to the invited audience representing groups concerned with land use. A resolution offered in support of Governor Clyde's position was passed over a scattering of "no" votes.

A resolution calling for appointment of a committee by the Governor to seek the State's objectives was passed without dissent.

The Governor said later he would name a committee of seven or nine persons representing divergent interests to frame a position for the State to take in dealing with Congress and the Federal executive departments.

The committee will then seek the State's objectives through petition, personal contact, committee testimony and other means.

Speakers compared the State's position in opposition to expansion of Federal enclaves dedicated to single purposes as similar to the State's fight for authorization by Congress of the upper Colorado River storage project.

Utah's position, as presented by the Governor in his hour-long talk, is made acute because the Federal Government already owns about 37 million of the State's 54½ million acres.

Additions to Federal holdings, and closure of Federal land to water and mineral resource development threaten the future of the State's economy and the rights of its citizens, he said.

The wilderness proposal in its present form constitutes an abrogation of congressional authority by limiting its role to a veto power, Governor Clyde said. He criticized Senator FRANK E. MOSS, Democrat, of Utah, for his role in supporting the bill in that form.

Mr. Udall, the Governor reported, had offered concessions in the administration of lands by the National Park Service—indicating that multiple use might be allowed in some areas.

"His compromises are not enough," the Governor said. "We must retain the right to development of our resources."

The Governor's presentation brought these comments from his State office building auditorium audience:

James A. Hooper, Utah Woolgrowers' secretary: "There is nothing in the proposed wilderness law that can't be accomplished by existing law."

Frederick P. Champ, Logan banker: "Federal parks and wilderness areas should be limited in size so they may be controlled in use." The result of unlimited expansion, he said, might be for Yellowstone Lake to become an irrigation reservoir.

J. P. O'Keefe, general manager, Utah Copper Division, Kennecott Copper Corp.: "There's just no way to get into these wilderness areas for development. The proposed law would result in denying ourselves jobs and a tax base."

Charles Redd, LaSal rancher: "The extension of single-purpose Federal areas is sinister and dishonest."

Gale Dick, representing the Wasatch Mountain Club: "We advocate the preservation of priceless and irreplaceable land through a wilderness system and the development of a new national park in southern Utah."

Miles P. Romney, manager of the Utah Mining Association: "We object to a lockout of these wilderness areas before we know what's in them. Provision should be made so resources may be developed under the multiple-use philosophy."

Jack Allshouse, president, Utah Wildlife Federation: "There should be changes in the National Park Service administration to allow for multiple use under controlled conditions, but as to wilderness areas, there should be places in the State which we and our children and our children's children will have the right to enjoy."

Mitchell Melich, Moab lawyer: "A national park should be created in the Needles area, but the philosophy of the wilderness bill is wrong."

E. M. Naughton, Utah Power & Light Co., president, proposed the motion for the Governor to create a special committee supporting the Governor's position.

[From the Ogden Standard-Examiner, Aug. 6, 1961]

CASE AGAINST THE WILDERNESS BILL

Strong arguments against the proposed wilderness bill are voiced by Gov. George D. Clyde and Senator WALLACE F. BENNETT. Even casual study of the bill turns up ample evidence to support their case.

While the bill has some appealing phrases it is rife with serious dangers that should worry every Utah citizen. Among the more serious dangers are these:

The President could turn any national forest, park or monument into a wilderness area without approval of Congress or the people.

Legislative power would be transferred from Congress to the President.

Every national park or monument of 5,000 acres or more without roads would automatically become a wilderness area.

The Secretary of the Interior could turn any wildlife refuge or game range into a wilderness. He could enlarge wilderness areas as he wishes.

Picnic grounds, overnight facilities, roads, trails or boats are forbidden in the wilderness areas—you have to go in on foot or horseback.

Supporters of the bill point to provisions that do not prevent multiple use of a wilderness area or development of its natural resources. But there are other provisions that make beneficial use of the resources of such areas practically impossible.

For example, the bill permits continuation of present timber and grazing rights but stipulates these rights must not interfere with the basic principle of the legislation—that of preserving an area as a wilderness. And these rights would expire on the death of the present permitholder.

Prospecting with modern equipment and methods would not be permitted. Prospectors would have to revert to the burro and hand pick. The Aneth oilfield or Moab potash mines—so important to Utah's overall economic growth—would not have been discovered under these conditions.

And if a prospector did make an important mineral discovery, he would have to get special permission from the President himself to develop it.

In effect, the bill says man can enter a wilderness area only as a visitor and must leave it as he found it. A zealous administrator could interpret this as no hunting, fishing, camping or other recreational activities.

The wilderness area bill would restrict, if not completely prevent, use or development of the natural or mineral resources our State must have to continue and expand its economic and industrial growth.

Utahans could prevent the President from turning a part of the State into a wilderness area only by getting Congress to pass a resolution against such an order. Past experience indicates this would be extremely difficult to accomplish.

There is a boobytrap hidden in the provision giving the President authority to turn any national forest, park or monument into a wilderness area.

The President already has authority to designate any Federal land as a national monument. The Federal Government owns 72 percent of the land area of Utah. Of Utah's 83 million acres, only about 12 million acres are privately owned and 10 million of these are desertland belonging to the railroads.

Therefore approval of the wilderness bill would in effect give one man power to turn 72 percent of our State into a wilderness.

We do not imply that a President would ever designate all Federal land in Utah as a monument and then turn it into wilderness area, although such would be possible.

But this is not the basic issue. The issue is, Should one man have such vast power? Should we give one man—even our President—powers that he must never use?

Seriously, can we give one man that much power and still call our United States a Republic?

[From the Salt Lake Tribune, July 30, 1961]

BENNETT SLAPS PARK PLANS

WASHINGTON, July 29.—The proposed wilderness bill and plans to establish a new national park in southeastern Utah were described Saturday as "a threat to the future of the State of Utah" by the State's Republican Senator.

Senator WALLACE F. BENNETT made the statement in a telegram he sent to Gov. George D. Clyde, congratulating the Governor on a meeting held Thursday in Salt Lake City regarding the two proposals.

The Senator's message declared that "if the present Kennedy administration policies had been adopted even so recently as one decade ago, there would now be no upper Colorado River project, no Aneth and McCracken oil developments, no uranium industry and there would be no $30 million potash plant on the Colorado near Moab."

[From the Salt Lake Tribune, Aug. 24, 1961]

BENNETT ANALYZES WILDERNESS MEASURE

EDITOR, TRIBUNE: The wilderness bill now before the Senate is of special concern to the people of Utah. Unfortunately, much misinformation has been circulated about the bill and about my position on it. I think the people of the State are entitled to know the facts.

The wilderness concept is a sound one, and I support it completely.

Last year I voted for the bill which gave congressional approval to the wilderness program of the Forest Service, and I support congressional wilderness designation for all existing wilderness, wild, or canoe areas administered by the Forest Service.

In addition, I intend to sponsor an amendment to the wilderness bill making the 241,000-acre High Uintas Primitive Area in Utah a wilderness area immediately, rather than requiring an extensive review period.

With respect to national parks, I certainly do not wish to lower their standards, and of course 90 percent of the land area in national parks and national monuments is administered as wilderness. But I do feel that in certain parks, and under certain circumstances, carefully controlled big game hunting should be permitted, particularly where deer herds are so large that the existing forage is inadequate. The alternative is starvation of the animals, and erosion of the watershed through overgrazing.

I also feel that the Dinosaur National Monument should be excluded from the wilderness bill; otherwise a statutory barrier will be erected to construction of the Echo Park and Split Mountain Dams. The 1938 Executive order creating Dinosaur expressly provided for such dams within the monument.

The wilderness bill has several serious defects. One of the foremost is a loophole permitting the Secretary of Interior to bypass Congress in adding new areas to the wilderness system through the creation of national wildlife refuges and game ranges. Before such permanent and far-reaching actions are taken, Congress should give its affirmative approval, in keeping with the Constitution. I have cosponsored the Allott amendment to the bill which would close this loophole.

Virtually unlimited authority given to the Secretary of the Interior under the present version of the bill is not a matter of idle concern, in view of several recent developments.

First of all, former Secretary of Interior Seaton withdrew 11 million acres by Executive order in 1960 for wildlife ranges. Secondly, by unilateral action, Secretary Stewart Udall suspended virtually all of the public laws of the United States for an 18-month period on 180 million acres without notice, without hearings, and without consulting Congress. Thirdly, Secretary Udall has indicated that he is prepared to withdraw by Executive order from 1 million to 6 million acres in southern Utah as a national monument if the people of Utah refuse to support the new national parks he wants.

So congressional control over creation of new wilderness areas is necessary if the interests of the West are to be protected, and if we are to have something to say about the administration of public lands.

We must not surrender this control to unfettered bureaucratic discretion.

WALLACE F. BENNETT,
Senator From Utah.

[From the Ogden Standard-Examiner, Aug. 23, 1961]

WILDERNESS BILL COULD HURT UTAH'S FUTURE, GOVERNOR SAYS IN OGDEN

Gov. George D. Clyde said today Utah's biggest challenge is accelerating its industrial-economic development to provide opportunity for its youth.

He said this can be done if the natural resources the State must have to continue its industrial development are not locked up in huge wilderness areas and national parks.

Governor Clyde explained his stand on proposed Federal wilderness areas and national parks at a chamber of commerce sponsored meeting on the development of Utah natural resources.

The Governor said he is not opposed to all wilderness areas or national parks and monuments.

But these areas should be large enough only to preserve the unique historical, scenic, or geological features of our State, Governor Clyde declared.

BACKS BUREAU

He told the group he favors the Forest Service and Bureau of Land Management concept of multipurpose use of Federal lands for the greatest benefit of the people.

"The limitation of use placed on Federal lands is important to the future of our State," he said. "What we do with our resources today will affect the State even 100 years from now.

"That is why it is time to stop, take stock of the present situation, and plan for the distant as well as immediate future."

Governor Clyde said the State's agricultural and livestock potential are almost fully developed, leaving only its natural and mineral resources for development to create the jobs to support the "population explosion we are experiencing which it has been estimated will increase our population 200,000 in the next decade.

"Our mineral and natural resources are largely on Federal lands which comprise about 72 percent of the State's total land area," that is why we must guard so zealously what happens to these lands and how they are controlled and administered.

"The people of Utah ought to be apprised of the plans and proposals being put forth for the use of these lands by people outside the State, many of whom have never set foot inside Utah."

GO TOO FAR

Governor Clyde said that while he favors wilderness areas and national parks where they are needed, present proposals go far beyond any need.

For instance, he said the Dinosaur National Monument is a unique feature that ought to be preserved. "The dinosaur beds cover 80 acres, yet the President, with no thought of the people, increased this monument to 209,000 acres.

"It is now proposed to increase the National Bridges Monument from 160 acres to 360,000 acres," Governor Clyde said.

Mr. MOSS. Mr. President, these statements include a few references to another matter, the proposed new Canyonlands National Park in Utah. This is because these two measures—the proposed park and the wilderness—have been lumped together by Utah opponents.

It is remarkable that such strong attacks have been mounted by Utahans against the wilderness proposal, for the wilderness bill concerns less than 1 percent of the area of my State. Of the 11 continental Western States, only 1

other—Nevada—will also contribute to the wilderness areas less than 1 percent. The other nine States will provide from 2 to 7 percent of their area for the wilderness system.

There has also been in Utah, of course, much factual discussion of the bill. The Salt Lake City Tribune, while it has not agreed with my position in every detail, has uniformly urged objective consideration of the proposal. It has suggested that citizens write for the bill and study it before making up their minds or issuing statements concerning it. I ask unanimous consent that an editorial from the Salt Lake City Tribune be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WAIT FOR OUTDOOR RESOURCES REPORT

The wilderness debate continues with the fury of a California forest fire, and some of the arguments are just about as senseless.

Now that a compromise bill to establish a national wilderness system has passed the Senate Interior Committee by a 12-to-3 vote, we urge again that all interested persons acquire a copy of Senate bill 174 from a Member of Congress and study it.

Many of the most vociferous opponents of the bill are still battling against provisions of the measure as introduced 6 years ago and amended many times. And the advocates too often imply that no wildernesses and national areas exist now or that they are bound to disappear unless this particular legislation is quickly adopted.

John Bird suggested in the Saturday Evening Post recently that the issues in the wilderness foray could be simplified by taking extreme views on either side and moving toward the middle. Unhappily the middle view is extremely unpopular with the zealots of both sides.

Some facts to keep in mind:

More than 160 wildernesses and related areas are already being administered reasonably well in the United States today.

The major part of national parks and monuments are managed as wilderness or roadless areas. Except under special circumstances, grazing, hunting, mining, timbering, dam building, and other uses hostile to recreation and preservation of natural conditions are already generally forbidden in national parks and monuments. Hence most of the controversy involves national forests and their multiple-use concept.

Of the 180 million acres currently in the 151 national forests, some 14 million acres are already managed as wildernesses, primitive, wild, and roadless areas. Of these, 42 areas totaling 5,800,000 acres are in the highest classification—wilderness.

Gradually, after extensive studies and public hearings, classification of certain areas are changed by the Forest Service. For example, within the past year the 383,300-acre Bridger Primitive Area in western Wyoming was raised to wilderness status by administrative fiat. No doubt the 240,717-acre High Uintas Primitive Area east of Kamas eventually also will be given the higher classification.

This, by the way, is the only primitive area in Utah outside of national parks and monuments.

Along with other existing primitive areas in the country, it would be taken into the national system initially under S. 174.

Timbering, mining, roads, and construction are generally barred from wilderness areas, but existing livestock grazing would be continued in national forest wilderness areas. State water laws and State jurisdiction over fish and wildlife would continue. Hunting and fishing would be permitted. If the President found an overriding public need existed, he could open specific areas for mining, oil drilling, and dams in wilderness areas. Water production would not be adversely affected.

Thus the main difference between the present system and the new proposal is that wilderness areas would be uniformly controlled by law instead of by administrative order of the Secretaries of Interior and Agriculture, as at present. The bill also would speed the process of upgrading natural areas and facilitate boundary adjustments.

Under the bill, the Secretaries of Agriculture and Interior would designate each year, for 10 years, recommended additions to or exclusions from the wilderness system. Congress would have power to veto the action by concurrent resolution within a year after the designation.

An amendment whereby affirmative action by Congress was required to add or subtract from the wilderness areas lost by a narrow vote in the Senate Interior Committee.

We urge that the House give thoughtful consideration to this practical amendment.

The need for protection of unspoiled natural areas in this rapidly urbanizing society should be clear to everybody. The therapeutic, educational, and esthetic values of quiet natural museums is almost universally recognized.

The Tribune is not convinced, however, that an emergency exists calling for pushing this measure through Congress now. We think it would be unseemly to pass the wilderness bill before the Outdoor Recreation Review Commission makes its report to Congress next January 31. The vast amount of information on needs and resources being collected on the total outdoor-recreation picture needs to be digested before Congress takes such an important step.

Meantime, however, spokesmen for the Intermountain West would do well to present a positive face toward the wilderness issue. We need—must have—natural areas. They are vital to our economy as well as to our general welfare, but they shouldn't be frozen into unreasonably hard patterns and boundaries.

Mr. MOSS. Mr. President, I believe it should be pointed out that this bill is only one facet of a comprehensive program of land conservation and classification that is vitally needed, and on which the Congress and the administration are moving forward.

We are making widespread improvement in our existing national park system, and have under consideration several new park areas. We are, after many years of costly delay, setting aside some irreplaceable national seashore areas, and are investigating the feasibility of setting aside more lake and seashore areas. In this bill we establish a permanent wilderness system. And, while making all these improvements, we shall provide greater congressional control over the determination of the uses of our public lands.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. ALLOTT obtained the floor.

Mr. DWORSHAK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Colorado yield for that purpose?

Mr. ALLOTT. Yes, provided I retain my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The absence of a quorum has been suggested, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALLOTT. Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, in his message to Congress on December 3, 1907, President Theodore Roosevelt said:

To waste, to destroy our natural resources, to skin and exhaust the land instead of using it so as to increase its usefulness will result in undermining in the days of our children the very prosperity which we ought by right to hand down to them amplified and developed.

Fifty-four years later, these words serve as a timely reminder that we must never cease taking stock of the resources upon which we have drawn to establish this county in its preeminent position in our present community of nations. Our national wealth, gaged today in terms of the gross national product, is forceful evidence that a careful, selective and conscientious application of our coal, water, timber, mineral and other resources, translates itself into an economy which today reflects an index of $516.1 billion.

Speaking as the man who, at the turn of the century, launched the conservation movement, President Teddy Roosevelt set forth the true meaning of conservation in a message to the 57th Congress. He said:

Public opinion throughout the United States has moved steadily toward a just appreciation of the value of forest whether planted or of natural growth. The great part played by them in the creation and maintenance of national wealth is now more fully realized than ever before. The practical usefulness of the forest reserve to the mining, grazing, irrigation and other interests of the regions in which the reserves lie has led to a widespread demand by the people of the West for their protection and extension. The forest reserves will inevitably be of still greater use in the future than in the past. Additions should be made to them whenever practicable and their usefulness should be increased by thoroughly businesslike management.

In the same message he also stated:

The forest reserve should be set apart forever for the use and benefit of our people as a whole and not sacrificed to the shortsighted greed of a few.

S. 174 seeks to apply the wilderness concept and superimpose it upon lands which are now located either within the jurisdiction of the national parks or the national forests. Therefore, it behooves us to reexamine these agencies in order to have clearly in mind the purpose for which each was established. By the act of June 4, 1897, the national forests were created for the following purpose:

To improve and protect the forest within the boundaries, or for the purpose of securing favorable condition of water flows and to furnish a continuous supply of timber

for the use and necessities of citizens of the United States.

The National Park Service was established by act of August 25, 1916:

To conserve the scenery and the national and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

Bearing in mind, then, that the forests are a living stockpile, cut as the need obtains and as sound conservation practice dictates, and that the national parks are primarily a showcase to display this country's scenic wares for the use and enjoyment of all the people, the bill before us represents a use and a purpose inconsistent with the objectives of either agency. S. 174 is exclusively a measure intended to meld lands within the national parks and the national forests into a vast timeless vacuum known as wilderness. It is a fact that, as of the moment, portions of the national forests are classified by the Forest Service as "wilderness," but this bill goes much further and eventually will place in a wilderness inventory, locked up and available in only a limited way, 65 million acres of land. Urged upon the Congress in the name of conservation, heralded in the name of recreation, wilderness legislation, unamended, represents a giant step backward. In its present form it is neither conservation nor recreation.

In examining the bill, I am able to find the word "conservation" on only one page, page 13. In another place the phrase "water conservation" is used in a restricted sense. So let us not be mistaken—this is not a conservation bill.

In its present form it is neither a conservation nor a recreation measure. Those of us who strongly oppose S. 174 as offered emphatically deny that it is a conservation measure. In the Western States, which are annually plagued by literally dozens of destructive forest fires, this bill would effectively prohibit adequate fire prevention and firefighting measures in some of the wilderness areas by prohibiting the construction of roads in areas within the wilderness system. It would also forbid the use of machinery except under certain emergency conditions.

Mr. President, I clipped from the Washington Evening Star last night an article, the headline of which is "Three Die as California Fires Sweep 142,000 Acres."

I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THREE DIE AS CALIFORNIA FIRES SWEEP 142,000 ACRES

SAN FRANCISCO, September 4.—Grime-covered firefighters were warned today to be prepared for a new wave of explosive brush and timber fires which already have burned 142,000 acres in California and resulted in the deaths of three men.

More than 1,000 men on firelines from the famed Mother Lode mining country in the north to San Diego near the Mexican border appeared to be gaining the upper hand on the first outbreak of fires. Since Saturday, 165 fires have been reported.

But a State division of forestry spokesman said high temperatures and low humidity, combined with severe drought and a swarm of Labor Day vacationers, put the danger of new fires at a critical level.

TWELVE OUT OF CONTROL NOW

Early today at least 12 major fires were burning out of control. The State spokesman said, "Our overall situation is nip and tuck. The north may be clearing up, but the southern part of the State is expected to get higher winds that can carry fires out of control quickly.

"We're overextended (on manpower) everywhere, but so far we are not contemplating calling for out-of-State help."

The biggest fire covered 25,000 acres in the Sierra near the gold rush towns of Sutter Creek, Amador City, Volcano and Fiddletown. Earlier, the fire briefly entered Sutter Creek and Amador City, but was beaten back.

At last word it was 80-percent controlled and burning toward an uninhabited wilderness area 100 miles northeast of San Francisco.

Potentially one of the most dangerous fires roared out of control near Lakeside, 15 miles northeast of San Diego. More than a dozen homes were threatened and several were evacuated. Winds up to 30 miles an hour fanned the fire, which quickly spread over almost 1,200 acres. More than 200 men fought the blaze and got it about 50-percent controlled today as the wind slackened.

MUSHROOM CLOUD

Residents said the fire sent up a mushroom of smoke that looked like the cloud from a nuclear blast when borate solution was dumped on it by planes.

In the Challenge-Brownsville area 120 miles north northeast of San Francisco, Waldo John Hackman, 40, of Red Bluff, was killed when his plane crashed yesterday while on a mission to drop borate into twin fires totaling 1,300 acres.

Two motorists were killed when their cars collided with fire equipment.

Firefighters had about 80-percent control of the Guerneville fire, which drove hundreds of vacationers from the resort area on the Russian River, about 55 miles north of San Francisco.

An unknown number of homes burned, but the immediate threat to major resorts was at least temporarily ended, an official at the scene said.

With the exception of the Lakeside blaze, no fires were heading uncontrolled for populated areas, the division of forestry said.

Mr. ALLOTT. Mr. President, land treatment and flood prevention measures are precluded. Water conservation structures are virtually prohibited, making the utilization of water resources impossible. Insect, disease, and weed control measures are either prohibited or severely restricted. All development of timber, minerals, gas and oil, and water will be banned except that on very urgent demand it might be possible to obtain a Presidential order making an exception in a special case. Despite the contentions of the proponents of this bill, S. 174 as presently drafted, is a lock-up measure, and not a conservation measure.

To oppose S. 174 in its present form is in reality to favor recreation, and there is, and will continue to be, a growing national need for outdoor recreational participation by the American people. The contention, widely circulated, that S. 174 is a measure to encourage outdoor recreation belies the facts. The facts are that the restrictions now contained in this bill would preclude the development of designated wilderness areas for mass recreation, such as fishing lakes, camping grounds, ski areas, and other facilities. By prohibiting even the construction of temporary roads, the bill would deny to all but an infinitesimal fraction of the people of this country—less than 1 percent by actual count—their rights to land which belongs to them all. In my own State of Colorado, the people are not opposed to the concept of preserving the primitive and wilderness aspects of certain public lands in our State for the permanent enjoyment of future generations of Americans. In this I join. We know that throughout vast areas of rugged terrain in the Western States at least a semi-wilderness environment will prevail no matter what man might do. Nevertheless, we favor active steps to preserve the vast public lands which will comprise over 50 percent of the 11 Western States and Alaska. Vigorous conservation activities are favored in order to preserve these lands and their natural resources for present and future generations.

Mr. President, probably one of the very significant features about the great State of Colorado and, in fact, the entire West, is its abundance of natural beauty. The fame of many of our State's scenic attractions has long been well-known throughout the world. We in Colorado have never sought to reserve this heritage to ourselves alone. Since the earliest settlements in Colorado over 100 years ago visitors not only have been welcome but also have been vigorously encouraged to share with us the enjoyment of the State's 54 mountain peaks which tower above 14,000 feet—to view the Royal Gorge, the Black Canyon, the San Juan, the Rocky Mountain National Park, Mesa Narde and all of the rest, to enjoy our numerous mountain streams—or to experience the isolation and stillness of the endless wilderness which extends throughout the State's rugged terrain. The response has been very gratifying, and millions have accepted our invitation and experienced the enjoyment of these majestic surroundings. In these surroundings and in this climate, national parks, national forests, recreation, and conservation have coexisted.

At this point, one might ask whether in light of my remarks, I am opposed to wilderness, to which I am prepared to reply unequivocally and vociferously, "No." Albeit the figures indicate that such wilderness areas as presently exist are used by less than 1 percent of our total population, I feel that there is a place for such a concept and that it can exist in harmony with, and alongside, our national parks and forests. In fact, as I have indicated, many areas embraced within park and forest lands are such as to constitute a wilderness simply by virtue of their location, the fact that they are inaccessible or removed from the main arteries of travel and are enjoyed by those who have an interest in packing in by horseback or on foot. But my word of caution is simply this: S. 174, as presently drawn, will set apart

vast areas, render them impenetrable, henceforth, save by the foot of man or a beast of burden, before the Departments of Interior and Agriculture have the opportunity to survey them and inventory them to determine their potential worth in terms of resources. This would be a tragic mistake.

In the national forests today the principle of sustained yield is in practice, the doctrine of multiple use prevails, as well as the Mineral Leasing Act. Geological and geophysical exploration is permitted in order to establish the use to which such land ought properly to be put. But not so in the case of wilderness. Once these areas are "locked" up—and that word accurately describes the fate of these 65 million acres—they will be forever barred insofar as any use is concerned, with a slight exception which I will cover very carefully in my discussion of the bill. Suffice it to say that before we set this enormous area aside and render it untouchable, would it not be wise for us to know exactly what we are relegating to this status?

My position is unalterably opposed to the measure as it now stands. For that reason, I have offered and will urge the adoption of the amendments which attempt to clarify that particular situation, and they will be treated later. Suffice it to say that before we create a haven for the use and enjoyment of approximately half a million people annually, we should also consider the needs of the remaining 180 million people of this country. The national parks are for the benefit of everyone to enjoy, the national forests are for the welfare of the Nation, but wilderness is for only a handful to use and for many to deplore unless tempered by the amendments which I feel are vital. I can, and will, vote for passage of wilderness legislation when the requisite amendments are adopted.

Mr. President, I turn now to a discussion of the bill itself. The wilderness bill, essentially, proposes to set aside as much as 65 million acres of land in a wilderness system. I shall discuss in a few moments how it is proposed and to what extent it is proposed to lock up the areas in the wilderness system.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a table entitled "Land Areas Subject to Inclusion in the Wilderness System."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Land area subject to inclusion in the wilderness system

[Acres]

State	Lands permanently withdrawn from resource use		Lands not now permanently withdrawn from resource use		Total area subject to wilderness classification
	National forest wild, wilderness, and canoe areas [1]	National park system areas [2]	National forest primitive areas [1]	National wildlife refuges and game areas [3]	
Alabama				34,988	34,988
Alaska		6,911,206		18,980,032	25,891,238
Arizona	422,990	1,391,008	287,519	1,596,428	3,697,945
Arkansas				126,193	126,193
California	463,658	4,026,457	1,094,164	194,155	5,778,434
Colorado	207,079	518,429	592,313	11,581	1,329,402
Delaware				13,810	13,810
Florida		1,301,291		245,872	1,547,163
Georgia				374,080	374,080
Hawaii		246,748			246,748
Idaho		69,492	3,294,874	46,960	3,421,326
Illinois				78,723	78,723
Iowa				61,035	61,035
Kansas				17,280	17,280
Kentucky		61,374		65,759	127,133
Louisiana				235,494	235,494
Maine		30,847		22,566	53,413
Maryland				11,216	11,216
Massachusetts				6,403	6,403
Michigan		539,339		95,531	634,870
Minnesota	886,673			144,102	1,030,775
Mississippi				44,765	44,765
Missouri				39,134	39,134
Montana	978,562	1,151,812	651,980	1,095,665	3,878,019
Nebraska				142,279	142,279
Nevada	64,667	115,240		2,854,053	3,033,960
New Hampshire	5,400				5,400
New Jersey				12,854	12,854
New Mexico	678,661	233,992	298,826	138,491	1,349,970
New York				6,777	6,777
North Carolina	7,655	271,479		71,558	350,692
North Dakota		68,681		205,124	273,805
Oklahoma				108,070	108,070
Oregon	662,527	160,290	86,700	438,069	1,347,586
South Carolina				160,826	160,826
South Dakota		127,127		44,573	171,700
Tennessee		236,828		59,911	296,739
Texas		698,621		113,822	812,443
Utah		289,045	240,717	96,852	626,614
Virginia		196,232		9,030	205,262
Washington	583,196	1,136,751	801,000	94,252	2,615,199
Wisconsin				148,390	148,390
Wyoming	1,812,012	2,307,060	542,880	70,131	4,732,083
Total	[4] 6,773,080	[5] 22,099,349	[6] 7,890,973	[7] 28,316,834	[8] 65,080,236

[1] As of July 17, 1961. Source: S. Rept. 635, 87th Cong., 1st sess., July 27, 1961.
[2] As of Dec. 31, 1957. Source: Conservation Yearbook, 1958. Erle Kauffman.
[3] As of Jan. 20, 1961. Source: Directory, National Wildlife Refuges. U.S. Department of the Interior (January 1961) as supplemented by addendum sheet of Jan. 20, 1961.
[4] State of comparable size: Maryland.
[5] State of comparable size: Maine.
[6] States of comparable size: Connecticut and New Jersey combined.
[7] State of comparable size: Pennsylvania.
[8] States of comparable size: Washington and Indiana combined.

Mr. ALLOTT. Mr. President, this table was discussed this morning. The figures have been checked for accuracy.

As the table shows the lands now permanently withdrawn from resource use consist of two kinds; national forest wild, wilderness, and canoe areas; and national park system areas.

I might say, the wild, wilderness, and canoe areas are each in a separate category.

The national forest wild, wilderness, and canoe areas now set aside as wilderness areas total 6,773,080 acres. The national park system areas now total 22,099,349 acres.

The primitive areas in the national forests now total 7,890,973 acres. The national wildlife refuges and game areas now total 28,316,834 acres.

All of these total 65,080,236 acres.

It will be seen that we are not talking about only the area now locked up in wilderness, which comprises about 8 percent of the public land and which is used by 1 percent of the people visiting the national forest and park land, but we are talking about locking in 65 million acres of land permanently.

The Department of Agriculture presented to the Committee on Interior and Insular Affairs a letter dated September 10, 1959, shown on page 67 of the hearings, setting out the source of its authority over these lands. The letter contains the following:

The regulation provides that upon recommendation of the Chief, Forest Service, the Secretary may designate tracts of national forest lands as "wilderness areas."

This is the authority for the wilderness areas themselves.

Later in the same letter it is stated:

We have no record of any formal opinion of this office as to the legal power of the Secretary to designate a wilderness area, but regulation U–1 was approved by this office for legal sufficiency. Likewise, we know of no formal opinion of the Attorney General or decision of any court passing upon the specific question.

I ask unanimous consent that the letter from the Department of Agriculture contained on pages 67 and 68 of the hearings be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
OFFICE OF THE GENERAL COUNSEL,
Washington, September 10, 1959.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
U.S. Senate, Washington, D.C.
(Attention Mr. Stewart French, Chief Counsel.)

GENTLEMEN: This is in response to Mr. French's letter of August 4, 1959, in which he stated that the committee has requested that this Department furnish a statement as to the basis of the asserted authority of the Secretary of Agriculture to set aside and declare certain areas of the lands of the United States to be "wilderness areas."

The action of the Secretary of Agriculture in designating wilderness areas within the national forests is not based upon statutory

authority expressly covering such areas. The action is taken under the broad general authority vested in the Secretary in connection with the administration of the national forests.

The general authority stems from article IV, section 3, clause 2 of the U.S. Constitution, the act of March 3, 1891, as amended (16 U.S.C. 471), and the act of June 4, 1897, as amended (16 U.S.C. 551). Briefly it may be outlined as follows:

The constitutional authorization gives Congress the power to dispose of and make needful regulations respecting property belonging to the United States. Accordingly, no appropriation of public land can be made for any purpose except by authority of Congress. The act of March 3, 1891, as amended, vested in the President authority to appropriate or reserve national forest lands from the public domain. With respect to the administration and regulation of lands so appropriated or reserved, Congress vested authority in the Secretary of Agriculture by the act of June 4, 1897, as amended.

Pursuant to this general authority the Secretary of Agriculture, on September 19, 1939, promulgated a regulation designated by the Forest Service as "regulation U–1" (36 CFR 251.20). The regulation provides that upon recommendation of the Chief, Forest Service, the Secretary may designate tracts of national forest lands as "wilderness areas."

The action taken by the Secretary of Agriculture to designate a "wilderness area" is not considered an appropriation or disposition of land within the meaning of the constitutional provision mentioned above. Instead, it is considered an action with respect to land which has previously been appropriated by the President, pursuant to authority granted by Congress, within that meaning. It is a designation of the appropriated land for purposes determined by the Secretary to be proper in carrying out the responsibilities given him to regulate the occupancy and use of the national forests.

We have no record of any formal opinion of this Office as to the legal power of the Secretary to designate a wilderness area, but regulation U–1 was approved by this Office for legal sufficiency. Likewise, we know of no formal opinion of the Attorney General or decision of any court passing upon the specific question.

With respect to a very similar situation, however, consideration was given by the court in *United States* v. *Perko*, 133 F. Supp. 564 (D.C., D. Minn., 1955), to rights relative to use of a roadless area. The action was one to enjoin the defendants from operating motor vehicles and otherwise trespassing on the Superior Roadless Area within the Superior National Forest. A temporary injunction was granted and later made permanent. *United States* v. *Perko*, 141 F. Supp. 372 (D.C., D. Minn., 1956). The Superior Roadless Area had been established by the Secretary of Agriculture under authority of the act of June 4, 1897, supra, and his regulation U–3 (36 CFR 251.22). In reviewing the action for injunction and commenting on the authority of the Secretary, the court recognized the authority under the 1897 act, as amended, and also commented that there seemed to be nothing unconstitutional about the methods used in establishing the Superior Roadless Area, the action being one in which the Secretary was pursuing the dictation of Congress in ordering him to carry out a policy for the use and occupancy of the Superior National Forest.

We trust that the above will satisfactorily serve as an outline of the basis on which wilderness areas are designated by the Secretary of Agriculture.

Sincerely yours,

FRANK A. BARRETT,
General Counsel.

Mr. ALLOTT. Mr. President, with respect to the question of where the authority comes from, I refer also to a letter from the Secretary of Agriculture, dated February 24, 1961, which is found on pages 13, 14, and 15 of the record of the hearings. I ask unanimous consent that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 24, 1961.

Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate.

DEAR SENATOR ANDERSON: This is in response to your request of January 17 for a report on S. 174, a bill to establish a national wilderness preservation system for the permanent good for the whole people, and for other purposes.

We strongly recommend that the bill be enacted insofar as it affects this Department.

The bill would declare a policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For that purpose, the bill would establish a national wilderness preservation system, which would include national forest areas, national park system areas, and national wildlife refuge and game range areas. The bill would provide that the federally owned lands within areas of the wilderness system would be administered in such a way as to leave them unimpaired and to provide for the protection and preservation of their wilderness character. It would provide for the gathering and dissemination of information regarding their use and enjoyment as wilderness.

The bill would include in the national wilderness preservation system all areas within the national forests classified on the effective date of the act as wilderness, wild, primitive, or canoe. The areas classified at that time as primitive would be reviewed within 15 years as to their suitability for continued inclusion in the wilderness system. Recommendations of the Secretary of Agriculture following such review would be reported to the President and each year the President would submit to the Congress his recommendations with respect thereto. Provision would be made for including in such recommendations appropriate adjustments in primitive area boundaries.

The President would be authorized to recommend modifications or adjustments of boundaries of areas in the wilderness system.

The recommendations of the President with respect to the continued inclusion of primitive areas in the wilderness system and for modifications or adjustments of boundaries of areas in the wilderness system would take effect if not disapproved by the Congress by concurrent resolution within a full session of Congress following the date the recommendation was received.

The bill would provide that the addition of any area to, or the elimination of any area from, the wilderness system which is not specifically provided for in the bill could be made only after specific authorization by law. It is understood that this would apply to the addition of a completely new wilderness-type area to the system or the complete elimination of a wilderness-type area from the system, and not to additions or eliminations of land areas to an existing wilderness-type area in the system by a modification or adjustment of boundaries.

With respect to national-forest areas included in the wilderness system, the bill would permit the use of aircraft or motorboats where well established to continue, and measures for fire, insect, and disease control could be taken. Prospecting and mining and the establishment and maintenance of reservoirs, water conservation works, and other facilities needed in the public interest within specific portions of national forest areas in the wilderness system could be authorized by the President upon his determination that such uses would better serve the interests of the United States than would their denial. The grazing of livestock, where well established on national-forest areas in the wilderness system, could be permitted to continue.

Otherwise, with respect to national-forest areas, subject to existing private rights, commercial enterprise, permanent roads, use of motor vehicles and equipment, and mechanized transport within areas of the wilderness system would be prohibited, and temporary roads and structures in excess of the minimum required for the administration of the area for the purposes of the act would be prohibited within areas of the wilderness system. Emergency measures for the health and safety of persons would be permitted within such areas.

The Boundary Waters Canoe Area in the Superior National Forest would continue to be administered under this and other applicable acts for the general purpose of maintaining the primitive character of the area without unnecessary restrictions on other uses, including that of timber.

Commercial services proper for the realization of recreational and other purposes of the wilderness system could be performed within areas of the system. The bill would not affect the present situation as to the application of State water laws, nor the jurisdiction or responsibilities of the States with respect to wildlife and fish.

The bill would authorize the acquisition by the Secretaries of the Interior and Agriculture of lands within areas of the wilderness system under their respective jurisdictions and would provide for the acceptance and use of contributions of money to further the purposes of the act. Each Secretary would maintain public records pertaining to the portions of the wilderness system under his jurisdiction and would make annual reports to the Congress.

This Department believes that the establishment and maintenance of wilderness-type areas is a proper use of the national forests and has steadfastly maintained continuity of policy in this regard for over 35 years. In 1924, the first area for the preservation of wilderness in the national forests was established. It comprised a large part of what is now the Gila Wilderness Area in Gila National Forest in New Mexico. In 1926, parts of the Superior National Forest in northern Minnesota were given special protection. These areas later became parts of areas designated as roadless areas and which are now designated as the Boundary Waters Canoe Area. The first primitive area in the national forests was established in 1930 under regulations of the Secretary of Agriculture. By 1939, there were 73 primitive areas and 2 roadless areas, totaling 14.2 million acres.

In 1939, new secretarial regulations were issued providing for the establishment of wilderness and wild areas in the national forests. The term "wilderness area" originated on the national forests. These regulations provided for somewhat more stability and protection to the areas established thereunder than did the earlier regulation for the establishment of primitive areas issued 10 years previously. Wilderness and wild areas provided for in these regulations meet essentially the same criteria except that wilderness areas exceed 100,000 acres in area, and wild areas range from 5,000 to 100,000 acres. Wilderness areas are established by the Sec-

retary of Agriculture, whereas the Chief of the Forest Service may establish wild areas.

No new primitive areas were established after 1939. Since that time, primitive areas have been managed in accordance with the regulations applicable to wilderness areas. The Department has been restudying primitive areas and reclassifying those areas or parts of areas which are predominantly valuable for wilderness as wilderness areas. We are continuing that study and plan to complete the study as to all remaining primitive areas. As of this date, there are the following wilderness-type areas within the national forests:

Kind of area	Number	Acreage
Wilderness	14	4,888,173
Wild	28	979,154
Primitive	40	7,907,416
Canoe	1	886,673
Total	83	14,661,416

In the restudy and reclassification of primitive areas, boundary adjustments have been made to eliminate portions not predominantly of wilderness value or add to adjacent national forest lands that are predominantly of wilderness value. Some new areas have been established, including two established within the last year. Taking into consideration the transfers to national parks of lands previously within primitive or wilderness areas in the national forests and corrections in area calculations, the total area of national forest land classified for administration as wilderness has remained about the same as it was in 1939.

The wilderness, wild, primitive, and roadless areas of the national forests include some of the most remote and scenic areas of the Nation. They have unique and special values, which have long been recognized by wilderness enthusiasts, and by the Forest Service. They comprise valuable and essential parts of the national forests.

The wilderness-type areas within the national forests have been established and are administered pursuant to administrative action under the regulations of the Secretary of Agriculture. Until last year, they had no specific statutory recognition. The establishment and maintenance of such areas has long been maintained by this Department to be within the concept of multiple-use management, which this Department has applied to the national forests for over half a century. For the first time the Multiple Use-Sustained Yield Act of June 12, 1960, Public Law 86-517 (74 Stat. 215), which directs the Secretary of Agriculture to administer the renewable surface resources of the national forests for multiple use and sustained yield, gave statutory recognition to wilderness areas. In this act, the Congress declared the establishment and maintenance of wilderness areas to be consistent with the principles of multiple use and sustained yield. In inserting this provision as a committee amendment to the bill which became that act, the Senate Committee on Agriculture and Forestry made it clear that the enactment of that provision was not intended as a substitute for the enactment of legislation to establish a national wilderness preservation policy and program.

There was pending before the Senate at the time the Multiple Use-Sustained Yield Act was passed, the so-called wilderness bill, S. 1123 (86th Cong.). This Department, in its report of June 19, 1959, recommended enactment of that bill, with certain amendments. The substance of these amendments are accommodated for the most part in S. 174. We have consistently recommended the enactment of wilderness legislation insofar as it would affect the national forests ever since our first report on such legislative proposals in the 85th Congress. We strongly believe that not only should wilderness areas be established and maintained in the national forests, but also enactment of S. 174 would be desirable resource legislation and in the national interest.

The Bureau of the Budget advises that the enactment of this proposed legislation would be in accord with the President's program.

Sincerely yours,

ORVILLE L. FREEMAN.

Mr. ALLOTT. Mr. President, the letter states:

The areas classified at that time as primitive would be reviewed within 15 years as to their suitability.

Then further along the letter states:

The bill would provide that the addition of any area to, or the elimination of any area from the wilderness system which is not specifically provided for in the bill could be made only after specific authorization by law.

Further on the Secretary of Agriculture says:

This Department believes that the establishment and maintenance of wilderness-type areas is a proper use of the national forests and has steadfastly maintained continuity of policy in this regard for over 35 years. In 1924, the first area for the preservation of wilderness in the national forests was established. It comprised a large part of what is now the Gila Wilderness Area in Gila National Forest in New Mexico. In 1926, parts of the Superior National Forest in northern Minnesota were given special protection. These areas later became parts of areas designated as roadless areas and which are now designated as the Boundary Waters Canoe Area. The first primitive area in the national forests was established in 1930 under regulations of the Secretary of Agriculture. By 1939, there were 73 primitive areas and 2 roadless areas, totaling 14.2 million acres.

Skipping a little, the Secretary says further:

No new primitive areas were established after 1939. Since that time, primitive areas have been managed in accordance with the regulations applicable to wilderness areas. The Department has been restudying primitive areas and reclassifying those areas or parts of areas which are predominantly valuable for wilderness as wilderness areas.

Any logical person must immediately ask himself the following question: If the power to establish such areas has existed over all these years, and if since 1939 primitive areas have not been classified into wilderness areas, why, without any action on the part of the Secretary of Agriculture, should Congress suddenly transfer approximately 8 million additional acres into wilderness? The primitive areas are set aside now but not classified as wilderness areas.

I invite attention to the two maps which are on the east side of the Senate Chamber. The large map standing on the floor, for the convenience of Senators, shows in green all the park areas in the United States. As anyone examining the black and white map can see, not only is the total amount of Federal land in the various States of the West shown, but also the location of wilderness and wild areas. The wild areas, of course, are those under 100,000 acres. The wilderness areas are those over 100,000 acres.

At this time, I should like to have printed in the RECORD table No. 1, shown on page 96 of the hearings entitled "Federal Ownership or Management of Land in 11 Western States."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 1.—*Federal ownership or management of land in 11 Western States*

	Total land area (thousand acres)	Federally owned land [1] (thousand acres)	Percent of total land area	Managed by Federal Government Indian tribal lands (thousand acres)	Percent of total land area	Federally owned or managed lands (thousand acres)	Percent of total land area
Arizona	72,688	32,396	44.6	19,383	26.7	51,779	71.3
California	100,314	45,071	44.9	496	.5	45,567	45.4
Colorado	66,510	24,156	36.3	746	1.1	24,902	37.4
Idaho	52,972	34,050	64.3	409	.8	34,459	65.1
Montana	93,362	27,815	29.8	1,557	1.7	29,372	31.5
Nevada	70,265	60,726	86.4	1,662	1.5	61,788	87.9
New Mexico	77,767	27,300	35.1	5,815	7.5	33,115	42.6
Oregon	61,642	31,580	51.2	1,208	2.0	32,788	53.2
Utah	52,701	36,466	69.2	2,253	4.3	38,719	73.5
Washington	42,743	12,666	29.6	1,813	4.2	14,479	33.8
Wyoming	62,404	30,219	48.4	1,753	2.8	31,972	51.2
Total	753,368	362,445	48.1	36,405	4.8	398,940	52.9

[1] Excludes trust properties, Indian tribal lands.

Source: Statistical Abstract of the United States, 1960.

Mr. ALLOTT. The table shows that the percentage of federally owned land in the 11 Western States runs from a high of 87 percent for Nevada down to 31 percent for Idaho. This is why the wilderness bill is so significant to the Western States.

I ask unanimous consent that table 2 on page 96 entitled "National forest receipts and disbursements to counties in 11 Western States, fiscal year 1960," be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD.

TABLE 2.—*National forest receipts and disbursements to counties in 11 Western States, fiscal year 1960*

	National forest total receipts	25-percent fund disbursed to States
Arizona	$2,245,735	[1] $700,356
California	23,203,580	5,800,895
Colorado	1,567,860	391,965
Idaho	7,628,592	1,907,148
Montana	5,167,296	1,291,824
Nevada	238,660	59,665
New Mexico	1,322,394	[1] 331,402

[1] Includes school section fund, act of June 20, 1910.

TABLE 2.—*National forest receipts and disbursements to counties in 11 Western States, fiscal year 1960*—Continued

	National forest total receipts	25-percent fund disbursed to States
Oregon	$50, 516, 828	$12, 629, 207
Utah	757, 512	189, 378
Washington	25, 954, 844	6, 488, 711
Wyoming	890, 448	222, 612
Total	119, 493, 749	30, 013, 163

Source: U.S. Forest Service.

Mr. ALLOTT. In that table, both the total forest receipts and the 25-percent fund which is disbursed to the States is shown in detail for each of the States. I ask unanimous consent that table 3, on page 97 of the hearings, entitled "Bureau of Land Management Receipts Under Mineral Leasing Act, 1959," which shows the receipts for the various Western States, together with the share to the State and the share to the reclamation fund, be printed at this point in the RECORD, together with the footnotes to the table.

There being no objection, the table was ordered to be printed in the RECORD.

TABLE 3.—*Bureau of Land Management receipts under Mineral Leasing Act, 1959*

	Total receipts	Share to State [1]	Share to reclamation fund [1]
Arizona	$413, 000	$154, 875	$216, 825
California	7, 552, 000	2, 832, 000	3, 964, 800
Colorado	9, 690, 000	3, 633, 750	5, 087, 250
Idaho	296, 000	111, 000	155, 400
Montana	4, 694, 000	1, 760, 250	2, 464, 350
Nevada	400, 000	150, 000	210, 000
New Mexico	14, 787, 000	5, 545, 125	7, 763, 175
Oregon	38, 000	14, 250	19, 950
Utah	6, 908, 000	2, 590, 500	3, 626, 700
Washington	1, 000	375	525
Wyoming	32, 015, 000	12, 005, 625	16, 807, 875
Total	76, 794, 000	28, 797, 750	40, 316, 850

[1] Receipts under the Mineral Leasing Act are distributed 37½ percent to States, 52½ percent to reclamation fund, and 10 percent to U.S. Treasury.

Source: Statistical Abstract of the United States, 1960.

Mr. ALLOTT. I ask unanimous consent that table 4, entitled "Projection of Population of 11 Western States," appearing on page 97 of the hearings, be printed at this point in the RECORD, together with the footnotes to that table.

There being no objection, the table was ordered to be printed in the RECORD.

TABLE 4.—*Projection of population of 11 Western States*

[Thousands]

	1960 [1]	1970 projection [2]	Percent increase, 1960-70
Arizona	1, 302	1, 802	38. 4
California	15, 717	20, 296	29. 1
Colorado	1, 754	2, 197	25. 3
Idaho	667	700	4. 9
Montana	675	755	11. 9
Nevada	285	453	58. 9
New Mexico	951	1, 126	18. 4
Oregon	1, 769	2, 317	31. 0
Utah	891	1, 151	29. 2
Washington	2, 853	3, 459	21. 2
Wyoming	330	379	14. 8
Total	27, 194	34, 653	27. 4

[1] Source: 1960 Census of Population—Final Population Counts, Nov. 15, 1960, Bureau of Census.
[2] Source: Current Population Reports—Population Estimates, Aug. 9, 1957. Series P-25, No. 160, Bureau of Census.

Mr. ALLOTT. The figures in the table were taken from the 1960 census. The projection of population shows that in the 11 Western States, from 1960 to 1970 a growth of 27.4 percent is expected.

I point out that almost everyone in the West knows that the great pressures upon the West at this time are not only for the use of its resources in timber and minerals, but particularly for the use of its water and its water resources. When I come to that part of my remarks in which I shall discuss the bill, I shall point out again that the bill is not a conservation bill, although the people who want it most vociferously call it a conservation bill. At only one place in the entire bill is the word "conservation" used. It is not a conservation bill. With the great population explosion which is expected to take place in the Western States, I think it is perfectly obvious that we must utilize every resource we can, and particularly our water resources, so as to develop our Western States.

Mr. President, I ask unanimous consent that the table appearing on page 98 of the hearings entitled "Value of Farm, Mine, and Forest Products of 11 Western States, 1958," be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 6.—*Value of farm, mine, and forest products of 11 Western States, 1958*

	Value, all farm products sold	Value, all mineral production [1]	Estimated value, all forest products [2]
Arizona	$440, 700, 000	$314, 520, 000	$55, 000, 000
California	2, 852, 800, 000	1, 502, 660, 000	890, 000, 000
Colorado	589, 000, 000	305, 284, 000	35, 000, 000
Idaho	414, 100, 000	64, 456, 000	210, 000, 000
Montana	453, 800, 000	177, 240, 000	125, 000, 000
Nevada	53, 300, 000	68, 293, 000	10, 000, 000
New Mexico	238, 600, 000	558, 866, 000	30, 000, 000
Oregon	407, 000, 000	45, 053, 000	1, 100, 000, 000
Utah	166, 900, 000	365, 960, 000	10, 000, 000
Washington	579, 600, 000	60, 897, 000	820, 000, 000
Wyoming	173, 600, 000	369, 938, 000	15, 000, 000
Total	6, 369, 400, 000	3, 833, 167, 000	3, 300, 000, 000

[1] Including oil and gas.
[2] Industrial Forestry Association.

Source: Statistical Abstract of the United States, 1960.

Mr. ALLOTT. The table shows the value of all farm products sold in 1958 was $6.369 billion. The table shows further that the value of all mineral production was $3.833 billion. The table shows also that the estimated value of all forest products was $3.3 billion.

So we in the West have a vested interest in the conservation of our resources, and we have an interest in the development of our resources. We cannot permit the West to cling on the vine and stagnate. We must develop our mines, our mineral potential, and our resources, which the bill would deny, and we must develop our forests if we expect to go forward.

Mr. Hagenstein testified in the hearings before the committee with these words, at page 98:

MR. HAGENSTEIN. The West, with few exceptions, is the most rapid growing part of our Nation. We believe any proposal to create a blanket, single-use land system ignores the problems posed by the steady rise of our western population. More people need more jobs. More people need more food. More people need more water. More people need more wood. More people need more hides. More people need more gas and oil. More people need more minerals. And yet it is proposed to lock up and prohibit development, management, and use of a large area of unsurveyed, unexplored, and virtually unknown Federal lands when all studies indicate we are going to need more of everything. The 1960 census reveals a population in the 11 Western States of more than 27 million. The most recent projections for the year 1970 show an increase of 7.5 million more (table 4). This is an increase of more than 27 percent in the next decade. How can we provide the jobs and essential commodities from these lands if we limit their productiveness?

On June 16, 1958, the chairman of the Committee on Interior and Insular Affairs, the former Senator from Montana, Mr. Murray, published a Memorandum of the Chairman entitled "Full Development of Public Resources."

In the transmittal letter of this document he makes some very realistic statements. I ask unanimous consent that the letter may be included in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MEMORANDUM OF THE CHAIRMAN

To Members of the Committee on Interior and Insular Affairs:

The Federal Government today is the proprietor of 21 percent of the land in the continental United States. In 10 Western States its average ownership equals about one-half of the land area. The greater part of this land has always been in Federal ownership. The Forest Service, Bureau of Land Management, Park Service, and other natural resource management agencies have the responsibility for most of this land. These lands are the resource base for about 9 percent of the gross national product. The policies that are pursued in the development of these lands and resources in large measure guide the economic destiny of the West.

Over the years the Federal Government has not followed a realistic course in furthering the development of these lands. Investments needed to assure economic development of the timber, grass, recreation, water, and minerals, have been made within the criteria used for normal governmental operations. No effort has been made to consciously distinguish between investment and operating requirements. Business-type financial presentations and economic analyses have been lacking.

The spark of the idea that the Government could and should develop these great public resources was kindled by Theodore Roosevelt some 60 years ago. Yet, today, well-conceived investments in forest and range as well as in mineral and water resources are sorely needed. Frequently we have economized on public resource budgets without regard to consequent deterioration of our resource assets, loss of revenue, or losses in economic growth.

As a first step to exploring more adequate planning, budgeting, and accounting for resources, the three agencies with prime resource and land management functions were selected. The Forest Service administers 180 million acres which contain three-fourths of a trillion board-feet of timber. Last year these lands produced a sustained yield harvest of almost 7 billion board-feet of timber, 3,800,000 livestock grazed on the range, 3,400,000 big-game animals roamed these forests, over 55 million people enjoyed the recreational facilities on these forest lands. Substantial mineral operations were con-

ducted and vast amounts of watershed were protected to assure water for millions of people.

The Bureau of Land Management administers 468 million acres and mineral resources on another 242 million acres including the Outer Continental Shelf. The mineral resources produced total, among other things—135 million barrels of petroleum; 330 million cubic feet of gas; 100 million gallons of gasoline. There are over 5,500,000 tons of coal; 9 million tons of potassium and sodium sales; and 1 million tons of phosphate rock. Over 11,800,000 livestock and 1 million big-game animals grazed the range, and 781 million board-feet of timber were contributed to the Nation's economy.

The national parks, containing 17 million acres attracted over 55 million visitors in 1957. Included in this total are participants in a variety of special recreational programs including mountain climbing, river runs, and cave explorations. Special historic areas attracted 13 million people to see shrines of democracy.

In order to get the financial facts in focus, I asked the Comptroller General "to develop an initial financial statement, laid out on a business basis" for these agencies, pointing out that "without good knowledge of the assets the Federal lands and their resources represent, the Congress and the Executive lack a base for gaging proper investment levels, earning capacity, and opportunities for improved management."

The result is the attached report. It reveals clearly how little these agencies do know about reporting the total worth of the great resources they administer. The statements of financial conditions, or balance sheets, show that the fixed assets of these agencies exclude from consideration any value of the public domain land under their jurisdiction. The agencies have reported what is supposed to be "market value" for public domain land to the House Government Operations Committee. The Comptroller General has pointed out that in the report to the House the entire national forest holdings were valued at $6.5 billion, Bureau of Land Management lands at $2.7 billion, and national park lands at about $642 million. The reports understate the value of the real property assets under the jurisdiction of these agencies by about $9 billion. In addition, the agencies have not valued minerals, water, and recreation which, in all probability, have a capitalized value of an even greater amount.

A second deficiency in accounting is the failure to fully utilize depreciation and depletion, thus, improperly stating net worth. Accrual and cost accounting are not equally and fully applied, but such records are being developed.

These reports show that the agencies do not have a business-type report indicating revenue potentialities or even properly matching expenditures and revenues. For example, funds allocated to activities such as watershed management, recreation and timber use are not matched to revenue. The Forest Service excludes payments to States from its statements of receipts and expenditures, while the Bureau of Land Management includes these payments. The Forest Service capitalizes roads constructed by timber purchasers in its financial statement, but does not report these as noncash income.

Recognizing these deficiencies, I submitted the material supplied by the agencies to the Comptroller General to Mr. Marion Clawson, a land management specialist with Resources for the Future, a research foundation. He has been kind enough to amplify the financial report and set forth some considerations deserving attention. His comments appear after the Comptroller General's report.

The authority placed in our committee for matters affecting public lands requires that we keep informed, and that we keep the public informed, on matters which affect these lands. The growing need to develop our public lands resources requires more adequate information. We need to acquaint the people of our Nation with the tremendous value of the Federal assets belonging to them so amounts budgeted to protecting resources, and amounts of investment made to expand use of the public lands can be related to the value of the assets with which we are dealing and potential revenues and benefits.

It is my hope that this report will stimulate interest in adequate financial support to enhance the value of our public lands to our economy.

This report is transmitted in a form suitable for limited distribution to enable us to lay the situation, factually, before people interested in resource development, and to encourage comments from the public and agencies of Government on steps that should be taken to better inform the Nation on the development potential and needs for our public natural resources.

We might later publish comments received from all sources and then discuss steps which will secure the adoption of improvements.

JAMES E. MURRAY,
Chairman.

Mr. ALLOTT. I point out that in the letter the chairman said:

These lands are the resource base for about 9 percent of the gross national product. The policies that are pursued in the development of these lands and resources in large measure guide the economic destiny of the West.

Then at another point in the letter he said:

The spark of the idea that the Government could and should develop these great public resources was kindled by Theodore Roosevelt some 60 years ago.

Again, he says, in another place:

Last year these lands produced a sustained yield harvest of almost 7 billion board-feet of timber, 3,800,000 livestock grazed on the range, 3,400,000 big game animals roamed these forests, over 55 million people enjoyed the recreational facilities on these forest lands. Substantial mineral operations were conducted and vast amounts of watershed were protected to assure water for millions of people.

Again, he said:

The mineral resources produced total—among other things—135 million barrels of petroleum; 330 million cubic feet of gas; 100 million gallons of gasoline. There are over 5,500,000 tons of coal; 9 million tons of potassium sales—

The point is that in this letter the chairman of the Committee on Interior and Insular Affairs in 1958 specifically set forth in a very dramatic fashion why we must properly protect and develop the land of the West. If we do not do it, we will be responsible for a throttling of progress in the West which might never be overcome.

I wish to comment about the feeling of the people in the West regarding this matter. If I may use a colloquial term, it is our ox that is being gored. This despite the fact that some Senators from the West, in good faith, are in favor of the bill.

I am not opposed to a limited wilderness area or the inclusion of more areas, provided they are classified and studied, and provided Congress has a right to act affirmatively in establishing them.

I have before me letters from State officials in Alaska of February 1961, relating to S. 174 in the 87th Congress, registering opposition to the bill.

I have in my hand a memorial from the year 1959 relating to S. 1123 in the 86th Congress, passed by the Arizona Legislature. S. 1123 is not the same bill as the one before the Senate, but it contained many of the significant features of the present bill.

I have in my hand a resolution from California, dated April 1960, relating to S. 1123 in the 86th Congress. It is a resolution of the California State Board of Forestry.

I have in my hand, also, a joint resolution of the Legislature of the State of Colorado, dated March 1961, relating to S. 174 in the 87th Congress. My recollection is that this is the third unanimous memorial from the State of Colorado in opposition to this bill.

I have in my hand a joint memorial of the Idaho House of Representatives dated February 1961, in opposition to S. 174 in the 87th Congress.

I have in my hand a memorial of the State of Nevada, dated May 1961, in opposition to S. 174.

I have in my hand a memorial from the State of New Mexico adopted in March 1959, relating to the previous bill, S. 1123 of the 86th Congress, many provisions of which are incorporated in S. 174.

I have in my hand a resolution from the State of Utah of March 1961, in opposition to S. 174.

I have in my hand a letter dated February 1961, concerning S. 174 of the 87th Congress, which comes from the Department of Natural Resources of the State of Washington, and is in opposition to the present bill.

I have a memorial from the State of Wyoming, adopted in January 1961, opposing S. 174 of the 87th Congress. I also have a memorial which was passed by the Oregon House of Representatives, in opposition to S. 174. The memorial, so far as I know, did not pass the Senate of the State of Oregon.

I ask unanimous consent that all of these memorials, resolutions, and letters in opposition to the bill may be placed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ALLOTT. I suppose we wonder sometimes how significant these matters are with respect to our economics. On page 211 of the hearing there is a table, offered by Mr. Richard E. McArdle, Chief of the Forest Service, entitled "National Forests, Commercial Forest Land, Allowable Annual Cut, and Fiscal Year 1960 Volume of National Forest Timber Cut in States Which Have Wilderness, Wild, Primitive, and Canoe Areas." The table continues from that page to page 213. I ask unanimous consent that the table, together with the footnotes explaining the various items, be included

as a part of my remarks at this point in the RECORD.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield for a question.

Mr. METCALF. Mr. President, the Senator from Colorado has just asked to have placed in the RECORD a table which was supplied to me by Mr. McArdle, Chief of the Forest Service. There is also a second table, which shows what the wilderness areas would produce. They are both a part of the same correspondence. I ask the Senator if he will place the second table, also, in the RECORD.

Mr. ALLOTT. I have no objection.

Mr. President, I ask unanimous consent that the entire table referred to, which continues through page 215, be printed at this point in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

National forests, commercial forest land, allowable annual cut, and fiscal year 1960 volume of national-forest timber cut in States which have wilderness, wild, primitive, and canoe areas

State and National forest	National forests, commercial forest area, exclusive wilderness, etc., areas [1]	Allowable annual cut [2]	Cut in fiscal year 1960 [1]
Arizona:			
Apache [3]	530	69.7	49.7
Coconino	687	56.8	47.1
Coronado [3]	51	6.0	2.4
Kaibab	501	44.3	43.3
Prescott	66	6.0	3.6
Sitgreaves	415	56.2	49.8
Tonto	136	7.0	7.9
Subtotal	2,386	246.0	203.8
California:			
Angeles [4]			3.2
Cleveland [4]			
Eldorado [5]	401	93.1	138.0
Inyo [5]	150	19.2	11.6
Klamath [6]	1,129	170.8	194.7
Lassen	669	101.5	98.3
Los Padres [4]			3.2
Mendocino	344	75.3	58.1
Modoc	573	50.7	56.4
Plumas	859	160.0	166.2
San Bernardino [4]			11.9
Sequoia	453	85.6	45.4
Shasta-Trinity	1,455	203.9	289.9
Sierra	451	87.4	117.7
Six Rivers	756	162.3	115.6
Stanislaus	477	94.2	96.3
Tahoe	568	95.0	99.9
Subtotal	8,285	1,399.0	1,506.4
Colorado:			
Arapaho	450	21.5	17.7
Grand Mesa-Uncompahgre	336	17.5	20.7
Gunnison	737	29.5	9.2
Pike	346	4.7	3.4
Rio Grande	803	28.8	16.8
Roosevelt	595	21.0	7.4
Routt	552	26.9	22.2
San Isabel	427	9.0	1.5
San Juan	1,225	50.0	43.3
White River	791	9.0	14.4
Subtotal	6,272	217.9	156.6
Idaho:			
Boise	1,353	129.9	129.2
Caribou [7]	176	8.0	3.0
Challis	742	10.0	3.8
Clearwater	1,026	170.9	137.8
Coeur d'Alene [8]	958	141.5	114.9
Kaniksu [9]	1,227	148.9	113.6
Nezperce	1,230	150.0	88.4
Payette	690	91.5	83.0
Salmon	663	30.0	23.5
Sawtooth [10]	327	21.0	12.0
St. Joe	760	73.4	66.7
Targhee [11]	894	50.0	14.7
Subtotal	10,046	1,025.1	790.6
Minnesota:			
Superior	1,662	176.0	101.9
Chippewa	531	48.0	38.7
Subtotal	2,193	224.0	140.6
Montana:			
Beaverhead	1,069	88.5	3.6
Bitterroot [12]	581	61.0	29.4
Custer [13]	328	12.0	4.6
Deerlodge	829	65.7	6.0
Montana—Continued			
Flathead	1,135	134.0	98.7
Gallatin	783	69.0	24.8
Helena	722	68.1	12.9
Kootenai [12]	1,758	236.0	171.7
Lewis and Clark	1,149	76.9	16.1
Lolo [12]	1,772	191.1	110.0
Subtotal	10,126	1,002.3	477.8
Nevada:			
Humboldt	39	.1	.1
Toiyabe [14]	165	7.0	5.4
Subtotal	204	7.1	5.5
New Hampshire: White Mountain [15]	503	23.0	19.6
New Mexico:			
Carson	676	21.9	13.1
Cibola	743	18.0	5.9
Gila	621	30.3	23.4
Lincoln	450	11.0	6.0
Santa Fe	464	43.6	38.2
Subtotal	2,954	124.8	86.6
North Carolina: North Carolina	975	40.6	42.0
Oregon:			
Deschutes	1,335	140.0	184.9
Fremont	928	120.0	106.5
Malheur	1,091	120.0	136.6
Mount Hood	854	314.8	365.8
Ochoco	660	95.0	134.4
Rogue River [16]	642	180.2	170.0
Siskiyou [16]	778	153.0	228.8
Siuslaw	549	315.0	355.7
Umatilla [17]	1,120	100.0	89.0
Umpqua	882	303.0	377.5
Wallowa-Whitman	1,361	123.0	126.2
Willamette	1,083	529.0	578.9
Subtotal	11,283	2,493.0	2,854.3
Utah:			
Ashley	602	24.2	15.6
Cache [18]	132	8.0	2.3
Dixie	657	38.0	24.1
Fishlake	215	3.0	1.8
Manti-LaSal [19]	318	7.5	1.5
Uinta	22	3.5	10.7
Wasatch [20]	300	20.0	9.6
Subtotal	2,246	104.2	65.6
Washington:			
Colville	824	95.0	62.0
Gifford Pinchot	909	395.0	440.0
Mount Baker	696	222.0	256.9
Okanogan	815	47.5	76.0
Olympic	528	346.0	317.9
Snoqualmie	714	206.2	146.1
Wenatchee	763	105.0	103.5
Subtotal	5,249	1,416.7	1,402.4
Wyoming: [21]			
Bighorn	580	15.0	4.3
Bridger	728	54.8	15.5
Medicine Bow	802	50.0	51.3
Shoshone	386	15.0	11.3
Teton	611	20.0	2.7
Subtotal	3,107	154.8	85.1

[1] Thousands of acres.
[2] Millions of board feet.
[3] Includes part of forest in New Mexico.
[4] Estimates of the commercial area and allowable cuts not available.
[5] Includes part of forest in Nevada.
[6] Includes part of forest in Oregon.
[7] Includes part of forest in Utah and Wyoming.
[8] Includes part of forest in Montana.
[9] Includes part of forest in Washington and Montana.
[10] Includes part of forest in Utah.
[11] Includes part of forest in Wyoming.
[12] Includes part of forest in Idaho.
[13] Includes part of forest in South Dakota.
[14] Includes part of forest in California.
[15] Includes part of forest in Maine.
[16] Includes part of forest in California.
[17] Includes part of forest in Washington.
[18] Includes part of forest in Idaho.
[19] Includes part of forest in Colorado.
[20] Includes part of forest in Wyoming.
[21] Excludes part of Black Hills National Forest which is largely in South Dakota.

Wild, wilderness, primitive, and canoe areas

State and forest	Area	Area in thousand acres: Total national forest	Reserved commercial forest land	Noncommercial forest land
Arizona:				
Apache	Blue Range Primitive Area [1]	180	34.5	3.0
Do	Mount Baldy Primitive Area	7	6.4	.7
Coconino, Kaibab, Prescott.	Sycamore Canyon Primitive Area.	46	.2	5.7
Coronado	Chiricahua Wild Area	18	8.8	9.0
Do	Galiuro Wild Area	55		.8
Prescott and Tonto	Pine Mountain Primitive Area	18		1.0
Tonto	Mazatzal Wilderness Area	205		.7
Do	Sierra Ancha Wild Area	21	3.0	7.1
Do	Superstition Wilderness Area	124		1.3
Total		674	52.9	29.3
California:				
Angeles	Devil Canyon-Bear Canyon Primitive Area.	36	1.0	3.0
Cleveland	Agua Tibia Primitive Area	26	.6	4.5
Eldorado	Desolation Valley Primitive Area.	41	3.3	6.6
Inyo, Sierra	Mount Dana-Minarets Primitive Area.	82	2.2	15.9
Inyo, Sierra, Sequoia	High Sierra Primitive Area	394	10.2	108.6
Klamath	Marble Mountain Wilderness Area.	213	109.6	78.3
Klamath, Shasta-Trinity.	Salmon Trinity Alps Primitive Area.	223	71.4	57.3
Lassen	Caribou Peak Primitive Area	16	1.0	10.5
Do	Thousand Lakes Wild Area	16	3.0	5.4
Los Padres	San Rafael Primitive Area	74		3.6
Do	Ventana Primitive Area	52		1.0
Mendocino, Shasta-Trinity.	Yolla Bolly-Middle Eel Wilderness Area.	109	39.9	27.5
Modoc	South Warner Primitive Area	69	21.0	7.6
San Bernardino	Cucamonga Wild Area	9		6.5
Do	San Gorgonio Wild Area	34	20.0	5.0
Do	San Jacinto Wild Area	21		8.6
Stanislaus	Emigrant Basin Primitive Area	97	1.1	4.2
Toiyabe, Inyo	Hoover Wild Area	43	2.2	5.1
Total		1,555	286.5	359.2
Colorado:				
Arapaho, White River.	Gore Range-Eagle Nest Primitive Area.	61	9.9	24.4
Gunnison	West Elk Wild Area	62	8.0	34.0
Rio Grande	LaGarita-Sheep Mountain Primitive Area.	38	5.0	14.6
Do	Upper Rio Grande Primitive Area.	57	22.1	7.1
Roosevelt	Rawah Wild Area	26	9.8	2.2
Routt	Mount Zirkel Dome Peak Wild Area.	53	2.6	32.9
San Juan	San Juan Primitive Area	238	53.1	58.0
San Juan, Uncompahgre.	Wilson Mountains Primitive Area.	27	10.4	.7
Uncompahgre Primitive Area.	Uncompahgre Primitive Area	53	12.5	2.1
White River	Flat Tops Primitive Area	118	39.3	5.4
Do	Maroon Bells-Snowmass Wild Area.	66	20.0	17.9
Total		799	192.7	199.3
Idaho:				
Boise, Challis, Sawtooth.	Sawtooth Primitive Area	201	63.2	86.3
Challis, Salmon, Payette.	Idaho Primitive Area	1,225	935.3	175.1
Clearwater, Nezperce, Lolo, Bitterroot.	Selway-Bitterroot Primitive Area.[2]	1,578	568.0	732.0
Total		3,004	1,566.6	993.4
Minnesota: Superior	Boundary Waters Canoe Area	887	648.0	13.1
Total		887	648.0	13.1
Montana:				
Beaverhead, Bitterroot, Deerlodge.	Anaconda Pintlar	145	89.4	30.0
Bitterroot, Lolo	Selway-Bitterroot Primitive Area.[2]	291	132.0	185.0
Flathead	Mission Mountains Primitive Area.	73	16.0	50.0
Montana—Continued				
Flathead, Lewis and Clark.	Bob Marshall Wilderness Area	950	500.0	200.0
Gallatin	Absaroka Primitive Area	64	29.4	20.5
Gallatin, Custer	Beartooth Primitive Area	230	4.6	69.0
Gallatin	Spanish Peaks Primitive Area	50	20.0	21.6
Helena	Gates of the Mountains Wild Area.	28	2.0	18.0
Kootenai, Lolo Kaniksu.	Cabient Mountains Primitive Area.	90	38.0	33.9
Total		1,921	831.4	628.0
Nevada: Humboldt	Jarbidge Wild Area	65		20.0
Total		65		20.0
New Hampshire: White Mountain.	Great Gulf Wild Area	5	0.6	2.7
Total		5	.6	2.7
New Mexico:				
Apache	Blue Range Primitive Area [1]	37	6.8	.7
Carson	Wheeler Peak Wild Area	6		2.1
Gila	Black Range Mountain Area	169	49.0	99.0
Do	Gila Primitive Area	130	30.0	34.8
Do	Gila Wilderness Area	438	50.0	213.0
Lincoln	White Mountain Wild Area	28		8.0
Santa Fe	San Pedro Parks Wild Area	41	12.0	22.1
Santa Fe, Carson	Pecos Wilderness Area	165	54.5	56.8
Total		1,014	202.3	436.5
North Carolina: Pisgah	Linville Gorge Wild Area	8	4.6	
Total		8	4.6	
Oregon:				
Deschutes, Mount Hood, Willamette.	Mount Jefferson Primitive Area	87	4.6	61.3
Deschutes, Willamette.	Diamond Peak Wild Area	35	11.4	22.2
Do	Three Sisters Wilderness Area	197	143.0	30.2
Do	Mount Washington Wild Area	47	23.9	11.6
Fremont	Gearhart Mountain Wild Area	19	13.9	4.3
Malheur	Strawberry Mountain Wild Area.	33	12.1	17.9
Mount Hood	Mount Hood Wild Area	14	4.5	2.7
Rogue River	Mountain Lakes Wild Area	23	16.9	4.7
Siskiyou	Kalmiopsis Wild Area	78	21.2	37.3
Wallowa-Whitman	Eagle Cap Wilderness Area	216	.5	127.2
Total		749	252.0	319.4
Utah: Ashley, Wasatch	High Uintas Primitive Area	241	76.5	4.0
Total		241	76.5	4.0
Washington:				
Gifford Pinchot	Mount Adams Wild Area	42	8.3	11.1
Gifford Pinchot, Snoqualmie.	Goat Rocks Wild Area	83	47.0	17.9
Mount Baker, Wenatchee.	Glacier Peak Wilderness Area	458	93.7	120.8
Okanogan, Mount Baker.	North Cascade Primitive Area	801	50.7	474.1
Total		1,384	199.7	623.9
Wyoming:				
Bighorn	Cloud Peak Primitive Area	94	7.5	17.5
Bridger	Bridger Wilderness Area	383	14.0	8.0
Shoshone	Glacier Primitive Area	177		43.4
Do	North Absaroka Wilderness Area.	360	55.0	153.7
Do	Popo Agie Primitive Area	70		19.0
Do	South Absaroka Wilderness Area.	506	79.0	161.3
Do	Stratified Primitive Area	202	8.9	56.6
Teton	Teton Wilderness Area	563	212.5	57.7
Total		2,355	376.9	517.2
Grand total		14,661	4,690.7	4,146.0

[1] Blue Range Primitive Area lies in both Arizona and New Mexico.

[2] Selway-Bitterroot Primitive Area lies in both Idaho and Montana.

Mr. ALLOTT. Mr. President, I think one of the questions we must consider in connection with the entire bill is that of power. We hear much said in the West about the development of power. Most of the big power development has taken place under the reclamation statutes. However, on page 16 of the hearings is a report by the Federal Power Commission to the 87th Congress. The report states, in part:

Section 4(e) of the Power Act provides that licenses shall be issued within reserved lands of the United States "only after a finding by the Commission that the license will not interfere or be inconsistent with the purpose for which such reservation was created or acquired, and shall be subject to and contain such conditions as the Secretary of the Department" having jurisdiction "shall deem necessary for the adequate protection and utilization of such reservation."

The report further states:

Based upon the available but incomplete information concerning wild, wilderness, or primitive areas, the hydroelectric generating capacities of the sites, licensed and potential, which would be affected in those areas are as follows:

	Kilowatts
Capacity under license:	
Existing	748,900
Under construction	257,000
Other potential capacity	2,870,300
Total	3,876,200

It further appears that about 265,000 acres of powersite lands would be included in wilderness-type areas that would be established by the bill. The total area of lands withdrawn for power purposes is approximately 7,217,000 acres as of June 30, 1960.

I skip a paragraph and quote as follows:

It is clear from provisions in sections 3(a) and 6(b), which preserve existing private rights in lands placed in the wilderness system, that the bill would not adversely affect a licensee's right to continue use of such lands under authority of a license previously issued by this Commission. Furthermore, it is noted that the bill contains no language which would expressly vacate or rescind any power withdrawal or power reservation created prior to enactment or which would expressly modify, repeal, or otherwise affect the Commission's authority to issue licenses in the future to use lands in the wilderness system for power purposes provided the above-discussed finding of consistency and noninterference can be made under section 4(e) of the Federal Power Act with respect to the use of reserved lands.

In order to safeguard the public interest in the development of waterpower resources on lands belonging to the United States through licenses under the Federal Power Act, and to eliminate any misunderstanding that may otherwise exist, the Commission recommends that the bill be amended by adding a new subsection 6(c)(8) to read as follows:

"Nothing in this act shall be construed as superseding, modifying, repealing, or otherwise affecting the provisions of the Federal Power Act (16 U.S.C. 792–825r)."

Mr. President, I shall offer an amendment at the appropriate time to correct that situation.

In order to understand exactly what we are dealing with in the bill, I call attention to the Forest Manual, a part of which is reprinted beginning on page 51 of the hearings. I shall refer to it briefly, in order to conserve space in the RECORD. The entire section is quite lengthy. One paragraph refers to the wilderness areas; namely, areas in excess of 100,000 acres, and provides that they may be set aside by the Chief of the Forest Service. In these areas—

There shall be no roads or other provision for motorized transportation, no commercial timber cutting, and no occupancy under special-use permit for hotels, stores, resorts, summer homes, organization camps, hunting and fishing lodges, or similar uses: *Provided*, That roads over national forest lands reserved from the public domain and necessary for ingress and egress to or from privately owned property shall be allowed under appropriate conditions determined by the forest supervisor, and upon allowance of such roads the boundary of the wilderness area may be modified to exclude the portion affected by the roads.

(b) Grazing of domestic livestock, development of water-storage projects which do not involve road construction, and improvements necessary for the protection of the forest may be permitted subject to such restrictions as the Chief deems desirable. Within such designated wildernesses when the use is for other than administrative needs and emergencies, the landing of airplanes and the use of motorboats are prohibited on national-forest land or water, unless such use by airplanes or motorboats has already become well established; and the use of motor vehicles is prohibited unless the use is in accordance with a statutory right of ingress and egress.

The wild areas, those of less than 100,000 acres and more than 5,000 acres, are prescribed under regulation U–2. The areas comprising more than 100,000 acres come under regulation U–1.

Under section 2321.21, the manual describes primitive areas as follows:

All existing primitive areas established under former regulation L–20 will be managed under regulation U–1 just as though they actually established under regulation U–1 or U–2.

Further, the manual provides for occupancy and use. That section contains the same restrictive covenants as are now in the bill.

Further, we find that grazing may be permitted under certain restrictions, and mineral exploration and development, as well. I read:

Since mineral development in wilderness and wild areas would be contrary to the purpose for which they were set aside, the Forest Service will not approve or recommend approval of any applications to lease minerals in established wilderness, wild, and primitive areas.

That states pretty clearly for anyone what we mean when we say that the bill will lock up a good portion of the West.

I have just referred to certain regulations contained in the U.S. Forest Service Manual. I think it is obvious to anyone that with the lockup powers of the U.S. Forest Service there is really no need for the bill at all. However, I do not object to there being a wilderness bill, provided certain precautions are afforded us, precautions which we need.

Mr. CURTIS. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I am happy to yield.

Mr. CURTIS. In reference to the area proposed to be included in the wilderness bill, what disposition will be made of the private property rights of various kinds which may exist in the areas, or are there any existing in such areas?

Mr. ALLOTT. Yes, some private property rights exist in these areas; and in my opinion there is no doubt that it is the intention of the Secretary of Agriculture and, of course, of the Secretary of the Interior, to extinguish these private property rights as rapidly as they can, by condemnation.

Mr. CURTIS. Would that include a valuable right which had vested but perhaps had not been developed?

Mr. ALLOTT. If the right has vested, I would say the bill could not divest the owners of the right without a condemnation suit. But the question would be whether the right had vested.

Mr. CURTIS. Suppose the value of the property right—and I shall not attempt to particularize, because there are various kinds—were dependent to a considerable extent on accessibility. If the bill were enacted, what would be the measure of damages: the value after the land was surrounded by wilderness which no man could cross, or the value before the enactment of the bill?

Mr. ALLOTT. The Senator from Nebraska, who is a very able lawyer, has asked me a very technical question. I am not sure that I can answer it immediately.

Mr. CURTIS. But this relates to a matter the Senator has been discussing; namely, that this point is vital from the standpoint of public opinion throughout the West.

Mr. ALLOTT. Yes, and such situations exist in many places. I am under the impression that the bill includes a sentence which protects ingress and egress——

Mr. METCALF. Mr. President——

Mr. ALLOTT. Does the Senator from Montana wish to refer to this point?

Mr. METCALF. Yes.

Mr. ALLOTT. Very well; I yield.

Mr. METCALF. Let me point out that on page 3 of the bill, section 3(a) provides:

SEC. 3. (a) The National Wilderness Preservation System (hereafter referred to in this Act as the wilderness system) shall comprise (subject to existing private rights) such federally owned areas as are established as part of such system under the provisions of this Act.

It applies to such federally owned areas—the areas Senators have described—and they are to be subject to existing private rights—in other words, private rights for grazing—which are in existence in some of the primitive areas, and also the six mining rights which are in existence in the vast area the Senator has mentioned. The private rights are protected, and the intention is to protect them as these areas are converted into wilderness.

Mr. ALLOTT. I thank the Senator from Montana.

I may say that the part I had in mind a moment ago is on page 14, beginning in line 2:

(b) Except as specifically provided for in this Act and subject to any existing private rights, there shall be no commercial enterprise within the wilderness system—

And so forth. I do not see that that guarantees them a road—although I believe the regulations do provide for roads through the national forests to private lands. But there is no question that if a man owns land in the middle of one of these areas and if he has not used it, he cannot, after the bill is enacted, put on it a commercial enterprise of any kind. Or let us assume he had used it for himself and his friends, by perhaps having a small home or lodge there. After enactment of the bill, he could not expand that use. In other words, this program would prevent any expansion of such use; the bill would forever shut it off. I think that is a fair statement in regard to that point.

Mr. DWORSHAK. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I am glad to yield.

Mr. DWORSHAK. The Committee on Interior and Insular Affairs, of which the Senator from Colorado and I are mem-

bers, has been greatly concerned for several years with trying to stabilize the domestic minerals industry and to solve some of the problems which have caused widespread distress and unemployment throughout the mining industry. Will the Senator from Colorado state what is proposed to be done by this bill to safeguard mining interests?

Mr. ALLOTT. In my opinion the bill would do nothing to preserve mining. I propose to discuss that point in connection with my analysis of the bill.

Mr. DWORSHAK. Very well; I shall wait until then to ask my questions.

Mr. ALLOTT. Mr. President, in further answer to the Senator from Idaho, I recall that during the hearings there was considerable discussion—and I am sure the Senator recalls it, because he participated in it—which illustrates how confused are some of those in the Department of Agriculture. I shall read part of the hearings into the RECORD at this time:

Senator DWORSHAK. Mr. McArdle, you said since 1924 the Department of Agriculture has steadfastly maintained its policy of administering selected areas of national forest land for their wilderness values and that you have always considered this policy consistent with the principle of administering the national forests for multiple use and sustained yield. Do you believe that any changes in this concept of multiple uses will be made if S. 174 is enacted?

Mr. MCARDLE. No, Senator DWORSHAK, I do not.

I wish to say that is an absolute contradiction, because there is no question that the wilderness concept itself violates multiple use. Those areas in wilderness would be confined to wilderness use as the only use. So there would be no multiple use; the land could not be used for watershed production or conservation or mining or forestry. So there would be no multiple use. Thus, the witness' first answer to the question is a contradiction in itself.

I read further from the hearing:

Senator DWORSHAK. It will preserve intact the same principles of multiple use which your Department has followed in the past?

Mr. MCARDLE. We believe that, Senator.

Again I call attention to the contradiction. I read further from the hearing:

Senator DWORSHAK. Even in mining?

Mr. MCARDLE. Mining is included in a broad general way in multiple use, but I would assume that you are talking about the sustained yield and multiple use act which Congress passed last year.

Senator DWORSHAK. Yes, and also your multiple use theory which has been in effect since 1924 under which I am sure mining has been carried on in wilderness areas.

Mr. MCARDLE. That is correct and this bill would limit mining. It would also limit the use of water. It would limit timber cutting.

Senator DWORSHAK. How would it limit the use of water?

Mr. MCARDLE. Through the prohibition of construction of reservoirs, to be specific on one point, unless the President declared that it was in the public interest.

Senator DWORSHAK. Then you are not entirely accurate when you say that you feel that the multiple use theory will be continued under S. 174.

Mr. MCARDLE. Senator, perhaps this is our difficulty here. The concept of multiple use which the Forest Service has held for so long, and also the formal definition of multiple use on the national forest which Congress wrote into the multiple use bill last summer, specifies that not all uses are required to take place simultaneously on the same area, but it does require two or more uses.

Although the land could be used only as wilderness, at the same time an attempt is made to state that the bill serves the multiple-use purpose.

I read further from the hearing:

Senator DWORSHAK. You permit all mining activity within wilderness areas now, or primitive areas?

Mr. MCARDLE. Congress permits it. We have nothing to say about it in wilderness areas and outside as long as it is public domain land.

So that is a prime example of the confusion which has existed even in the Department of Agriculture, which for many years has been administering these areas, for the witness contradicted himself when he replied to the questions asked by the Senator from Idaho.

Mr. DWORSHAK. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I yield.

Mr. DWORSHAK. The Senator from Colorado has enumerated many prohibitions in connection with the multiple use of our forests, which would be made under the concept of the wilderness preservation system. He did not state specifically, as I recall, that no roads would be permitted to be constructed, to penetrate these areas.

Although I do not know exactly the forest-fire situation in Colorado during the past year, I wish to state that in Idaho we had the most devastating forest fires that we have had in many decades—with losses in excess of $5 million, four lives lost, and many other problems resulting from the inability effectively to fight and control forest fires, because no roads penetrated the wilderness areas. That situation would be even more greatly aggravated under the concept of the wilderness system which is now included in the bill. Is that correct?

Mr. ALLOTT. There is no question about it, and I must say, in this respect, the proponents of the bill are totally unrealistic, because a little while ago I placed in the RECORD a news clipping concerning a 142,000-acre fire in California, which resulted in the death of three persons. Somewhere in our thinking we must decide whether it is better to preserve an absolute wilderness area for those few people to commune with their own souls and be by themselves, as against the necessity of having access to the areas in order to fight fires and preserve lives such as were lost in the last week or two in Idaho, and in California this week.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. METCALF. As the Senator from Idaho [Mr. DWORSHAK] has suggested, we have had one of the most disastrous fire seasons in Montana, Idaho, and the Northwest, almost the worst in history. Tens of thousands of acres have been burned in western Montana, especially, and in the panhandle of Idaho. But I think, if the Senator will look over the locations of those fires, he will see that only two small fires were in the Selway primitive area, which would be incorporated into the Wilderness System, one of the large fires was at the Salmon River area where there is an access road, and the largest fire was in the Sleeping Child-Hot Springs area, across the border in Montana, where 60,000 acres burned, and it was not in any primitive or wilderness, or wild area.

There are millions of acres in Idaho and Montana, as well as other parts of national forests, that are inaccessible, and that are not in primitive or wilderness areas, and which will never be incorporated in the areas contemplated by the bill, and which have not been tapped for lumber because they are too remote and inaccessible. The national forests have 160,000 miles of road. Outside the proposed Wilderness System the access roads in the forests need to be increased by 380,000 miles to a total of 540,000 miles.

The fires this season have pointed out how difficult it is to get into many areas which are primitive or wilderness areas. But it is provided in the bill that for the purposes of this act such measures as are necessary will be taken for the control of fire, insects, and disease, subject to such conditions as the Secretary of Agriculture deems desirable. If the Secretary of Agriculture deemed it desirable to have an access road in order to control fires, he could do it under section 14 of the bill.

Mr. ALLOTT. If the Secretary of Agriculture were to construct an access road into any of the wilderness areas for fire protection, he would be attacked by the proponents of the bill for having violated the sanctity of those areas. I believe the Senator will agree that once the fire starts, a road cannot be built into the area.

Mr. METCALF. That is correct, but we have not been able to build roads into millions of acres that are not in any of the primitive areas or national forests.

Mr. ALLOTT. That is correct. One does not know where fire may come next, because fires do not result from careless campers alone.

Mr. METCALF. That is correct. Most of the fires this year were the result of lightning striking in the very dry, tinderlike forests.

Mr. ALLOTT. I do not think the Department of Agriculture will ever build a road into any of these areas, and if a fire were sparked by lightning, it would be too late to build a road then, even if it were in an area where one could be built. Many of these primitive areas are places which are not susceptible to roadbuilding.

Mr. METCALF. I merely wanted to point out, since the Senator from Idaho had pointed out that we had experienced one of the worst fire seasons in years, that most of them have not occurred in primitive areas or wilderness areas, and would not have been affected by the bill, except for two small areas.

Mr. ALLOTT. But I merely point out that an act of God caused those fires, and the next time they can happen there.

Mr. METCALF. Most of the inaccessible fires that occurred this year occurred in areas that were not wilderness or primitive areas.

Mr. ALLOTT. I repeat, it was an act of God, and we do not know where it will occur next.

Mr. DWORSHAK. Mr. President, if the Senator will yield, I would like to read from an article published in the Clearwater Tribune, of Orofino, Idaho, which refers to an area specifically mentioned by the Senator from Idaho. It is from the issue of Thursday, August 10, 1961:

Second big fire was the Surprise Creek blaze high in the Lochsa-Selway primitive area where lack of any roads made it a 16-mile walking chance for 300 men. They were supplied by packmules and helicopters. Louis Hartig, fire boss, said dead spruce was chief fuel burned in this 2,700-acre blaze.

Mr. METCALF. That was one of the two fires I commented upon, but the most serious fire was on 60,000 acres. A 2,700-acre fire is a serious one, but with our smokejumpers and modern firefighting equipment being developed in the laboratory we fortunately have in Missoula, Mont., we are finding ways to fight fire in remote areas. It was not in the wilderness areas that we have had the disastrous fire season this year.

Mr. ALLOTT. The response, in my opinion, does not necessarily prove the case. The Senator has said these fires were the result of lightning in most cases. Just because they happened not to strike in wilderness areas this year does not mean they will not next time. It did happen in one or two cases.

Mr. President, I want to move on to a brief analysis of the bill.

First, I ask unanimous consent to have printed in the RECORD at this point a section-by-section analysis of the bill.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

ANALYSIS OF THE WILDERNESS BILL

Section 1 is the title, "The Wilderness Act."

Section 2(a) contains a statement of congressional policy of securing for present and future generations an enduring "resource" of wilderness through the establishment of a national wilderness preservation system.

Section 2(b) provides a definition of wilderness which is actually more obscure than the term being defined. This definition is as follows: "A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where, etc."

Section 3 describes in a general way, the area to be included in the wilderness system.

Section 3(b) deals with areas in the National Forest Service which have previously been designated by administrative action under four separate categories; i.e., wilderness, wild, canoe, and primitive. These areas, totaling over 14,600,000 acres of our national forests, would be included in the wilderness system. These lands would all be included in the wilderness system notwithstanding the fact that the 39 primitive areas, which comprise more than 50 percent of all these lands, have admittedly not been sufficiently studied by the Secretary of Agriculture to warrant a wilderness classification.

This section does provide that, once included within the wilderness system, these primitive areas comprising almost 8 million acres must be reviewed within 10 years and a recommendation for either the continued inclusion or the exclusion of such areas from the wilderness system shall be submitted to Congress. Any such executive recommendation would have force of law subject to veto rights reserved by Congress and described in a later section, 3(f).

I might say at this point that some of my colleagues and I feel quite strongly that until the Secretary of Agriculture has completed his study of these areas and is ready to make a recommendation with respect to their classification, Congress should not at this time blindly throw 8 million acres of our national forests into a wilderness system which would have the effect of imposing almost complete restrictions against any normal use of such lands.

For this reason, we will propose an amendment to section 3(b) providing that primitive areas would not be included in the wilderness system until they have first been studied and the President is in a position to make a recommendation for their inclusion.

Section (c) provides that each area, within each national park, monument, or other unit in the national park system, which contains a continuous area of 5,000 acres or more without roads, shall be incorporated into the wilderness system upon recommendation of the President, again subject to a veto right reserved by Congress.

Section 3(d) provides for incorporation into the wilderness system, upon recommendation of the President, of areas within the wildlife refuges and game ranges, which are not only presently under the jurisdiction of the Secretary of the Interior, but also those added to his jurisdiction within the next 15 years. Again, a recommendation of the President would have the effect of law, subject to a veto right reserved by Congress.

I feel that this section should also be amended so as to apply only to wildlife refuges and game ranges presently in existence and should not relate to those that may be created within the next 15 years.

Section 3(e), dealing with modification or adjustment of boundaries within a wilderness area, again provides that the recommendation of the President shall become law, subject to a veto right reserved by Congress.

Section 3(f) is the description of the veto power reserved by Congress. This section provides:

"(f) Any recommendation of the President made in accordance with the provisions of this section shall take effect upon the day following the adjournment sine die of the first complete session of the Congress following the date or dates on which such recommendation was received by the United States Senate and the House of Representatives; but only if prior to such adjournment, neither the Senate nor the House of Representatives shall have approved a resolution declaring itself opposed to such recommendation: *Provided*, That in the case of a recommendation covering two or more separate areas, such resolution of opposition may be limited to one or more of the areas covered, in which event the balance of the recommendation shall take effect as before provided. Any such concurrent resolution shall be subject to the procedures provided under the provisions of sections 203 through 206 of the Reorganization Act of 1949 (5 U.S.C., secs. 133z-12—133z-15) for a resolution of either House of Congress."

In my opinion, this is one of the most objectionable features of the entire bill. It represents a further example of congressional delegation of power to the executive branch. Several of my colleagues and I will propose an 8-18-61—D to this section which will provide that the recommendations of the President will be effective only if approved by a concurrent resolution of Congress.

Section 3(g) provides that any area proposed for incorporation into the wilderness system shall be segregated and withdrawn from the operation of the public land laws.

Section 3(h) provides that the addition or elimination of any area not provided for in this act could be made only by affirmative congressional action.

Section 4 pertains to acquisition of certain privately owned lands within the wilderness system.

Section 5 pertains to gifts or bequests of land.

Section 6(a) provides that any agency administering an area within the wilderness system shall administer it so as to preserve the wilderness character of the area.

To the extent that they are consistent with the basic goal of preserving the wilderness environment, the "public purposes of recreational, scenic, scientific, educational, conservation, and historical use" would be permitted.

Section 6(b) contains the broad prohibition of uses within the wilderness which would make the impact of the bill so drastic when it is considered that over 65 million acres of public lands are potentially involved in such prohibition. This section provides:

"(b) Except as specifically provided for in this Act and subject to any existing private rights, there shall be no commercial enterprise within the wilderness system, no permanent road, nor shall there be any use of motor vehicles, motorized equipment, or motorboats, or landing of aircraft nor any other mechanical transport or delivery of persons or supplies, nor any temporary road, nor any structure or installation, in excess of the minimum required for the administration of the area for the purposes of this Act, including such measures as may be required in emergencies involving the health and safety of persons within such areas."

Section 6(c) contains a few very limited exceptions to the prohibited uses, the most significant of which are found in section 6(c)(2). This subsection would authorize the President to permit certain activities in wilderness areas "upon his determination that such use or uses in the specific area will better serve the interest of the United States and the people thereof than will its denial."

These uses, which may be permitted by the President, upon such determination, include prospecting, mining, and the establishment and maintenance of reservoirs, water conservation works, and transmission lines.

In view of the tremendous pressures that will likely be brought to bear to prevent any such uses within an area designated as wilderness, and because of the great responsibilities already falling upon the President, some of my colleagues and I feel that this authority to permit excepted uses should lie with the appropriate Secretary, rather than with the President, and we propose to offer an amendment to that effect.

Section 6(c)(3) contains an interesting exception which relates only to the boundary waters canoe area in Minnesota. This subsection provides that the area shall be managed under regulations of the Secretary of Agriculture in accordance with the general purpose of maintaining the primitive character of the area "without unnecessary restrictions on other uses, including that of timber."

I do not wish to be critical of this particular language. I think it is a decided improvement upon the general language of the bill. But, if it is good for Minnesota to have an area managed "without unnecessary restrictions upon other uses," then why isn't it good for areas in Colorado, or in Montana, or in Idaho?

In addition to the amendments which I have already mentioned and discussed to some extent, there are a few additional amendments which I think should be adopted if this bill is to become law. Briefly, these amendments are as follows:

Amendment 8-18-61—C: This amendment would permit within the wilderness

areas activity designed to gather information relating to water resources and would permit the construction of tunnels which are completely underground in wilderness areas or under portions of wilderness areas. This amendment will be necessary in order to permit cities like Denver, in the State of Colorado, to construct water tunnels, parts of which might pass underneath wilderness areas, without the necessity of obtaining permission from the President.

Amendment 8-18-61—F: This is an amendment which would provide for obtaining the views of the Governor with respect to inclusion of any area within his State in the wilderness system. It would provide also that the views of the Governor, if so obtained, would accompany the recommendations of the President to the Congress, with respect to an area within that State. In view of the fact that Congress will have only limited time in which to exercise its "veto right" on such recommendations, it is extremely important that the views of the people within the State involved be obtained at an early date.

Amendment 8-25-61—C: This amendment would provide that nothing in this act would affect the authority of the Federal Power Commission. During the hearings there was a conflict of opinion between officials from the Department of Agriculture on the one hand and those of the FPC on the other as to the effect of this bill upon the licensing authority of the FPC. This amendment would clarify that ambiguity.

Amendment 8-25-61—D: This is just a clarifying amendment which is made necessary because of a language change made by the committee in subsection (f) on page 10 of the bill.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. GOLDWATER. Before the Senator from Colorado moved on to a general analysis of the entire bill, I wanted to try to clear up one point which he mentioned, the fact that there has been no appreciable increase in the desire of people to spend their time in the type of wilderness area this bill envisions. I believe the Senator made some kind of remark like that.

Mr. ALLOTT. I did not quite say it that way. I said I felt that half a million people were affected and less than 1 percent of the people were using 8 percent of the public lands for these particular purposes.

Mr. GOLDWATER. Does the Senator from Colorado recall that the Director of the National Park Service said that "90 percent of the national park system qualifies under a reasonable definition of wilderness and it is the National Park Service's plan to keep it that way"?

Mr. ALLOTT. I recall that testimony.

Mr. GOLDWATER. The Senator is intimately acquainted with national parks, national monuments, and national recreation areas in his own State, as I am with those in mine. Can the Senator visualize an individual wanting to get "away from it all" more than he could by going into Estes National Park or Grand Canyon?

Mr. ALLOTT. It would be quite difficult to do.

I was handed a copy of the Saturday Evening Post, the issue of September 2, 1961, in which Richard Thruelsen wrote an article on Utah's spectacular and little known southeast corner, common to the States of Arizona, New Mexico, Utah, and Colorado. I propose to quote from the article a little later, but it concerns the conservationist from Utah, Mr. Fabian. He emphasizes time and again that the trouble with this area is that there are no roads by which people can gain access.

Mr. GOLDWATER. Mr. President, will the Senator yield further?

Mr. ALLOTT. I yield.

Mr. GOLDWATER. I am intimately acquainted with the land described in the Saturday Evening Post article, which is a very excellent article and which should be read by Members of this body.

Most of the area is in Utah, but some is in Colorado and some in northern Arizona. In that area there are about 50,000 square miles of land. If we should exclude the trips down the Colorado River, which have become quite popular since the war, I would seriously doubt if more than 100 men in the history of this country know that area in a way to be intimate with it.

I would say that there are literally dozens of unexplored canyons, undiscovered natural bridges, and undiscovered Indian ruins. This is an area in which a man can get away from it all, if he wishes to do so, but he has to do a lot of walking or he has to get a mule, because there are no roads. In fact, I would not like to have the Government undertake to build roads in that area. I do not think there is enough money in the United States Treasury to build roads through that red sandstone canyon country.

My position all along with respect to the bill has been that I am a great believer in camping and in getting away from things, but I think there is a lot of land on which one can do that now, without putting the Federal Government more and more into the business.

The moment we set aside the wilderness areas, roads will be cut into them. That will remove so far as this particular person who is interested in the outdoors is concerned, the existence of a wilderness area, because it will open it up. The next thing to happen will be that other individuals will come—those we call dudes—who will not drive on any highway unless it is paved. They will complain. Then there will be paved highways. Then what was once a beautiful section of the United States will be overrun by people who have no desire at all to go into a wilderness.

This is that type of area. There are 50,000 square miles with only the Henry Mountains and the Blue Mountains and the peak of Navajo Mountain, where one can find any timber growth. The rest is all desertland. Many of us like desertland. We do not wish to see it defiled. The quickest way to spoil an area is to put it under this kind of protection.

For many, many years I visited and fished the Middle Fork of the Salmon River. The senior Senator from Idaho is on the floor. I am sure he is well acquainted with this area. It was a delightful place. One could get away from things. It was necessary to pack in for a day and a half, and if one wished to fish, one had to pack down the river or go in a rubber boat or a wooden boat.

When areas such as those are made into wilderness areas they are completely changed. I have seen more dead fish and whisky bottles and beer cans left by people who have no business going out of doors than I could count. These people ruin what was once a beautiful area of the United States.

I think we ought to proceed very cautiously. As a westerner who loves the West, I thank my friend from Colorado for what he is trying to do to make the bill a workable bill, acceptable by all of us. I do not think the time has yet come when a handful of people in this country can dictate what we must do with many millions of acres of land of the Far West. I think this whole program should come under the positive control of this body for a determination as to what should be done with these lands, and what lands should be taken in or left out.

I am simply trying to buttress the point the Senator made, that there are ample lands in the national parks and monuments, if a person really wishes to get away from it all and has a willingness to do so—the ambition and the willingness to make a special effort, to suffer a few sore muscles, to skin his shins a bit and to skin his hands a bit. Anyone willing to make the effort can live in the great outdoors.

These are not Abercrombie & Fitch excursions. However, if a man sincerely wishes to get away from things, out in the West, he can get away from it all. I can show him a few places to go, and if he goes there he will find he has never been happier in his life.

I dread the day when the Federal Government will start putting sewerlines, gaslines, waterlines, and paved roads into some of the canyon lands in the general area about which I have been speaking.

Mr. ALLOTT. I thank the Senator from Arizona. I do not believe there is a more ardent conservationist in the entire U.S. Senate than the Senator from Arizona. Certainly there is no other Senator who has a deeper esthetic appreciation for the great Southwest country, in which he was born and in which he has lived most of his life—which he has photographed, flown over, driven over, and walked over—than the Senator from Arizona. There are probably few men in the United States who know this country as well as he. He knows of what he speaks.

I could not help thinking, while the Senator was talking, how utterly ridiculous it would be if we got into a situation of trying to put a complete "tenderfoot" into some of this country, such as Monument Valley or any of that great territory. We could supply him with all of the canteens possible, yet he would probably be dead in a couple of days, no matter what we did for him.

Mr. GOLDWATER. Mr. President, will the Senator yield further?

Mr. ALLOTT. I yield.

Mr. GOLDWATER. One of the great problems in the Grand Canyon National Park today is the problem of taking care of the people who go into the wilder parts of the park without permission and, more important, without knowledge

of how to camp out or to stay out of doors.

I think in the past year or 2 years at least three people have died of thirst in the Grand Canyon, where there is water available if one knows where to look for it.

A helicopter is kept on duty at Luke Air Force Base, Ariz., for the purpose of dragging people out of the Grand Canyon. Those people have no business going in, because they have not learned how to enjoy the wilderness, which it is now proposed be set up all over the West.

My argument coincides with that of the Senator from Colorado. We already have enough of these areas. We have far, far more than we could ever use.

I remember a statistic, which may not be correct, but which is a typical chamber of commerce statistic. It is that one could put all of the people in the world in the Grand Canyon. That is rather difficult to believe, but I think it is true. If 10 times the number of people who like to do these things were put into the Grand Canyon, they would not run into each other. They could get lost in several of these areas.

In Colorado there are many beautiful areas, on the western slopes of the Rockies, from which we get water, and for which we thank Colorado for its generosity.

Mr. ALLOTT. I merely say, it is not always willingly given.

Mr. GOLDWATER. Fortunately, water flows downhill. We are fortunate in that regard.

Many of these areas are today protected for the use of people all over the States of Utah, Idaho, Nevada, California, Oregon, and Washington; the entire Far West. The whole Rocky Mountain West is available. For some peculiar reason—probably the ingenuity of God—the beauties of the United States were concentrated in the Rocky Mountain West. There are people who wish to take more and more of this land away from us.

In my own State we have faced the rather horrendous task of developing taxes to take care of the fastest growing population of the country, based upon only 12 percent of the land area of the State. I think Arizona is still the fifth largest State in the Union, without pineapples or glaciers; way up near the top.

The Western States should be able to look forward to an opportunity to develop themselves. Instead, each Western State is faced with the problem of what to do about a tax base, when the Federal Government and State governments own from 75 percent to as high as 99 percent of the land area, as is true in the case of Alaska.

This is the problem of which I think we must be cognizant. People from other parts of the country look to our area and say, "We wish to take more of your land." We soon will reach the point that perhaps we shall not be able to handle our own problems, as we have been able to do.

This perhaps is made as an economic plea, but certainly one can look at a map of my State and see plenty of wilderness areas and wildlife areas, enough to satisfy everybody who wishes to take advantage of the natural beauty of those areas. I see no need for expanding the areas, and particularly not in the way suggested by the bill, which would require a negative action rather than a positive action of the Congress in order to accomplish anything.

Mr. ALLOTT. I thank the Senator. I agree with what he says.

I had printed in the RECORD a few moments ago five tables which showed not only the growth of population but also the economic impact, the relative number of acres owned by the Federal Government in the Western States, and certain other items which I think gave a pretty clear picture of that particular problem.

While I am engaged in this colloquy with my good friend from Arizona, I should like to quote a few statements from an article which was published recently in the Saturday Evening Post, and to which I have already referred. In the first paragraph of the article the following statement appears:

> Fabian wants to find ways and means to introduce the traveling, recreation-minded public to a solid block of wilderness large enough to swallow nearly half a dozen of our smaller States.

The article continued:

> Utah's earnest but belated drive to move in on its wide-open spaces—it was the last State to establish a park and recreation area, in 1957—is the product of fewer frustrations. As a State with 75 percent of its territory owned by the Federal Government, Utah has always been, in a manner of speaking, a guest in its own house. The result was a general state of immobility in developing land for public use; what the Federal Government wouldn't do, the State couldn't do.

I see the senior Senator from Utah [Mr. BENNETT] in the Chamber. I am happy that he is present. I was happy to have had an opportunity to participate in the long conference committee report which enabled Utah to get part of these public lands for its State parks.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. BENNETT. Over the weekend I have been in Utah and heard our Governor talk about this entire problem. He coined a phrase that has remained in my mind. He said, "Utah is only three-quarters of a State since the other one-quarter belongs to the Federal Government, and the State of Utah has no control over it—certainly no power to tax."

Mr. ALLOTT. That is true. I should like to quote a few more portions of the article by Mr. Fabian, whom I am sure the Senator from Utah knows. He said:

> Fabian believes that improved access roads and trails and provision for water-storage points, guide signs, and rescue facilities will encourage amateur explorers to prowl where perhaps no man has ever prowled before.

I think it is necessary to point out here that what he is saying is that we must have roads and access to those places. It is perfectly logical that in this day and age when most of us spend our time in sedentary jobs, few people will be able to put 50-pound packs on their backs, march very far into a wilderness area, and spend a night. They might go 10 miles, but that is about the limit.

Further in the article the author stated:

> Here, once the access problems are solved, lie hundreds of square miles of exploring for the vacationer who can take care of himself in a wilderness.
>
> * * * * *
>
> Opening up the country to modern travel is the biggest single problem.

The article continues:

> In most cases, this first big step involves convincing the Federal Bureau of Land Management (BLM), which owns 50 percent of Utah, or the National Forest Service, which controls about 16 percent of the State, to part with a piece of the empire or, alternatively, develop it for public recreational use. The course of sweet reason in either case is generally beset by legal and contrived obstacles.

I thought that the article, which portrays my neighboring State of Utah, an area which I think is the most fantastic I have ever seen in my life—was worthy of reference to show that we are not really serving the people in their recreational needs by freezing and locking up in wilderness 65 million acres of land where the people are already very generously treated.

I wish to discuss briefly some of the provisions of the bill. Section 2 contains a statement of policy. Actually there are seven criteria stated within the paragraph, but there are only four set out by number. If someone wishes to get an idea what wilderness is, the bill states:

> An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's works substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

Then the next main section of the bill, which is section 3, provides:

> SEC. 3. (a) The National Wilderness Preservation System (hereinafter referred to in this Act as the wilderness system) shall comprise (subject to existing private rights) such federally owned areas as are established as part of such system under the provisions of this Act.

The next section is the national forest areas section, which provides that all wilderness, wild, primitive, or canoe areas be included within the wilderness section.

Later in this section the bill provides how the primitive areas shall be included by the President. The bill provides that the President shall advise the Congress of his recommendations with respect to the continued inclusion within the wilderness system, or the exclusion thereof, of any of the primitive areas.

The bill also provides for the effective date of this action.

The next provision refers to the national wildlife refuges and provides how those may be included in a wilderness area and how they shall be handled.

On page 9 is a provision for modification of boundaries.

On page 10 is set forth the effective date of the President's recommendation. It is stated that the action will be effective after the next session of Congress has concluded.

Then on page 11 is the effect of a public notice of a proposed addition to the wilderness system.

Then we come to some of the really tough parts of the bill. I wish to discuss briefly the use of the wilderness, which is covered in section 6, of the bill, as follows:

SEC. 6. (a) Nothing in this Act shall be interpreted as interfering with the purposes stated in the establishment of, or pertaining to, any park, monument, or other unit of the national park system, or any national forest, wildlife refuge, game range, or other area involved, except that any agency administering any area within the wilderness system shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes as also to preserve its wilderness character.

Except as otherwise provided in this Act, the wilderness system shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

If we refer to a wilderness use, I do not know where history comes in, because if it is a true wilderness, the area can be considered to be untrammeled by man, under the definition contained in the bill. So I do not know where history would come in. But introducing history would probably bring in a few people to support the measure who otherwise would not do so.

I am happy to see that the proponents of the bill finally got into this one paragraph the word "conservation," because it is the only place in the bill that there is a thing done about conserving the natural resources of our country.

I say unequivocally that the bill is not a conservation measure. It never was intended to be and it never will be.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. ALLOTT. I am happy to yield.

Mr. BENNETT. If the areas which are wooded and covered with forests are locked up, in the spirit of the bill, the policies and programs for the conservation of the growing timber in those forests, which have been developed over many years and are in use in our national forests, would in fact be denied. Is that true?

Mr. ALLOTT. That is true. I recall Mr. McArdle coming before the Appropriations Committee 2 years ago and again last year for the purpose of justifying the expenditure of money for a sustained yield of the national forests, and explaining to us how we actually increase growth by cutting timber in these places. Yet what we are trying to do is to take not just the 8 million acres here, but to expand the area, with no sustained yield and no new growth and no cutting, and nothing being done that would preserve it.

Mr. BENNETT. With no protection against the pests that have come into our forests as a result of the natural imbalance that has been created.

Mr. ALLOTT. There is no protection against pests, except as one might get it under the emergency provisions of the bill.

Mr. BENNETT. Ordinarily, these stands of timber would be left there for the beetles and porcupines and the other things that injure our growing forests.

Mr. ALLOTT. That is entirely correct.

We come now to what I believe is one of the particularly unfortunate portions of the bill. On page 14, there appears a section headed "Special Provisions." It reads:

(c) The following special provisions are hereby made:

(1) Within national forest areas included in the wilderness system the use of aircraft or motorboats where these practices have already become well established may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary of Agriculture deems desirable.

Then the next section provides:

(2) Within national forest and public domain areas included in the wilderness system, (A) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting (including exploration for oil and gas), mining (including the production of oil and gas), and the establishment and maintenance of reservoirs, water-conservation works, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial;

Mr. President, that is the biggest joker in the bill, because we are actually holding out to the people of the country the idea that the bill does authorize all of these things. This would really appear to be a multiple use, if we do not read that the President may do these things. In other words, we are holding out prospecting—including the exploration for oil and gas—and mining—including the production of oil and gas—and the establishment and maintenance of reservoirs, water conservation works, and so forth, as permissible uses.

This means that if people in Colorado want to construct a system for the storage of water for the use by the people of the State of Colorado, or if we want to undertake other development in the wilderness system, we must come to the President of the United States to get the specific authority to do it. Mr. President, let us be practical. Let us take the case of a man who thinks he has found beryllium in a Western State. The bill provides that he must get the consent of the President to mine it. Beryllium is one of the new ores. It is one of the many new fantastic ores we are finding in this country, and on which a great deal of research work is being done. It is only one of many. Yet, how would an individual miner ever get to the President of the United States to get the President's permission to go in and prospect or mine it? The answer is that this is just another piece of sugar held out to make people believe that we are not going to suffer under the bill.

As a practical matter, only in rare situations would an individual ever get to the President of the United States to get the President's consent. Even some Senators I am sure, have found it is pretty hard at times to do that. So a State, city, or county, or any of these people who need water conservation works—who need transmission lines—would all be forbidden to go in wilderness areas for that purpose without special Presidential authority.

We have a situation in Colorado where it is probable that a transmission line might have to go over a part of the wilderness area. Yet in order to put the transmission line through that area—and the line would be owned by the REA people or by the public—we would have to come to the President to get his express consent in order to do it.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. GOLDWATER. The new transmission lines proposed from Glen Canyon up into Colorado travel almost exclusively over wilderness area land. From the four corners of the distribution points to the general central area, and to Denver itself, and back into northeastern Utah and Wyoming, the lines will travel about 50 percent of the time over the type of land we are discussing now.

Mr. ALLOTT. I am now pointing, on the chart in the rear of the Chamber, to the southwestern corner of Colorado. Some of those lines would come up to the San Juan Primitive Area. There is no question that the bill will produce a problem in the construction of the transmission system for Glen Canyon. I intend later to offer an amendment to prevent an actual conflict in the State of Colorado, where it would be impossible for the city of Denver to develop its water system unless we adopt the amendment, without coming to the President and getting his special permission to do so. I shall talk about this a little later, but we should note that when we get to the canoe area—the Boundary Waters Canoe Area—in Minnesota, the bill would abandon the concept of single use for wilderness, and it would give the State of Minnesota special treatment in this respect. The bill would permit continued use of the timber resources in Minnesota, as long as there is made some effort to keep the primitive character of the area, particularly in the vicinity of lakes, streams, and portages.

I do not know why what is sauce for the goose is not also sauce for the gander. I do not know why we should continue to permit lumbering in Minnesota and not permit it to other areas. We also have timber areas in the West that are valuable to us.

The bill generally forbids commercial enterprises in these areas, although

within national parks there is a limitation on that to some extent.

Various States preserve their rights that govern hunting and fishing. The provision of the bill pertaining to this subject states:

> Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

We come now to another great paradox in the bill, and that is represented by the committee amendment on page 18, which provides that "the Secretary of the Interior and the Secretary of Agriculture shall each maintain available to the public, records of portions of the wilderness system under his jurisdiction."

People wonder why some of us have objected to the hasty passage of this bill. After considering the bill for 4 years, the former Senator from Wyoming, Mr. O'Mahoney, and I prepared a substitute bill which set forth, after many months of research, what purported to be the exact descriptions of the wilderness areas which we were going to put into the bill. To the best of our knowledge and according to the best figures that we could get from the Department of Agriculture, these were the areas that were to be within the wilderness system. Now we come to the hearings this year, and counsel for the committee, or one of them, was informed that there were no less than 75 separate errors in those descriptions. So instead of the exact descriptions of what is to be put into the wilderness system, we have here a general provision that the Secretary of Agriculture and the Secretary of the Interior shall keep maps and legal descriptions at various points.

The record shows that after they worked on it for months, even the Department of Agriculture and the Department of the Interior do not know today what lands will be frozen into the wilderness system by the bill.

Mr. HICKEY. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. HICKEY. Could the Senator from Colorado speak a little more completely about the objections which were raised to specifically describing and permitting those interested in the wilderness to have an exact description of the wilderness in their own States, if it could be adequately ascertained?

Mr. ALLOTT. Do I correctly understand the Senator's question to mean the reason which was given why the descriptions could not be given?

Mr. HICKEY. Yes.

Mr. ALLOTT. The reason given was that there is not always a legal description available where an area ends on a mountain or a stream. It is a very peculiar situation, and those who attempted to get the descriptions for us, including the Department of Agriculture, still have never informed the Senator from Colorado that there were any errors in that description. I learned through the back door that there were alleged errors, but it seems to me that the least the Department of Agriculture could have done, if there were actually errors in the descriptions they worked out for the former senior Senator from Wyoming, Mr. O'Mahoney, and me, was to have notified us of such errors. I do not know that there were any such errors in the description, because no one besides committee counsel has told me that this has been charged. The present language of the bill—the committee amendment—is probably the best that has been suggested. However, I say unequivocally that this demonstrates how foolish it would be to lock up in a wilderness system areas the boundaries of which we do not even know. We cannot even get legal descriptions of the areas.

If we were to stop the proceedings on the bill today, right at this hour, or right at this minute, and simply set it aside for some other business, I would guarantee that within the next 4 months it would not be possible to get from the Department of the Interior or the Department of Agriculture a legal description of the land which is proposed to be frozen and locked in a wilderness system by the bill.

Mr. DWORSHAK. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I yield.

Mr. DWORSHAK. The Senator from Colorado has referred to the vagueness which pervades several sections of the bill. I have listened with great interest to the Senator's analysis of the various sections of the bill. I do not recall that he referred to section 4, on page 12, which deals with the acquisition of certain privately owned lands within the wilderness system.

Section 4 provides:

> The Secretary of the Interior and the Secretary of Agriculture are each authorized to acquire as part of the wilderness system any privately owned land within any portion of such system under his jurisdiction * * *.

That was the language of the original bill. I ask the Senator if his interpretation of that language would not be that the sky would have been the limit; that as we talk about deficits and expanded Federal spending, it is conceivable that the two Secretaries might have purchased hundreds of millions of dollars' worth of land for incorporation within the wilderness area.

Mr. ALLOTT. There is no doubt about that. As a matter of fact, this provision goes further than I would like to go now. It is, however, subject to the necessary appropriations by Congress.

Mr. DWORSHAK. That amendment was offered by the Senator from Idaho.

Mr. ALLOTT. That is correct. I think the appropriations will be hidden by the Department of Agriculture and the Park Service, so that we will never really be aware of the lands which will be purchased under the authority of the act. Of this I have no doubt.

Mr. DWORSHAK. Is it not possible that the entire area of the United States might be incorporated within the vast wilderness preserve area; and that then Americans could locate in Australia or some far-removed continent, and on weekends might commute in jetplanes to the United States to enjoy some of the bounties of the wilderness area?

Mr. ALLOTT. I do not believe the bill goes quite that far. We have large wilderness areas, and this creates a problem. I have sympathy for those who wish to have access to the great natural scenic areas of this country. However it seems to me that the bill goes a little too far.

Mr. BENNETT. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I yield.

Mr. BENNETT. Before the Senator leaves that subject, the Senator from Utah wishes to point out 14 weaknesses in the bill. If the Senator from Colorado would be willing, I should like to ask permission that I might place them in the RECORD at this point, without the Senator from Colorado losing his right to the floor; or, if he prefers, I will wait until I can obtain the floor in my own right.

Mr. ALLOTT. How long does the Senator from Utah think he will take?

Mr. BENNETT. Ten minutes.

Mr. ALLOTT. Mr. President, I ask unanimous consent that, without losing my right to the floor, I may yield to the Senator from Utah for that purpose.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BENNETT. Mr. President, on August 28, the junior Senator from Utah [Mr. Moss] voiced criticism of an amendment to the wilderness bill, S. 174, which I had submitted to the Senate for consideration. On August 25, 3 days prior to the speech of my colleague, I wrote Senator ANDERSON, chairman of the Senate Interior Committee, advising him that I did not intend to call up my amendment when S. 174 was debated. On the morning of August 28, the day on which my colleague from Utah spoke, I issued a public statement to the same effect.

The objection of my colleague to the amendment was well founded, as I had already discovered. It related to the point which the Senator from Colorado made; namely, that the departments did not know the boundaries of the land which they were including.

The amendment was based upon inaccurate information furnished me by a Forest Service official from region four in Odgen, Utah. I was told that only "minor" boundary changes were contemplated for the High Uintas Primitive Area in Utah. This misinformation was swiftly corrected; so I withdrew my amendment which would have made the High Uintas a wilderness area. As a matter of fact, many thousand additional acres would have been included, under the statement of "minor" boundary changes.

In the course of his remarks, the junior Senator from Utah [Mr. Moss] made the following comments:

> Under the provisions and procedure of S. 174, the establishment of wilderness is going to be carefully done, with Congress right to pass on expansion of the total areas carefully guarded.
>
> This situation illustrates the wisdom of proposed wilderness legislation, and gives the Senate an example of the care with which it has been drafted.

In my opinion, these two statements of my colleagues are not borne out by the facts. There are serious loopholes in

S. 174 which deprive Congress of any meaningful control over creation of wilderness areas. Moreover, there are at least 13 other defects in the bill. I hope that my colleague from Utah and other Senators will recognize the validity of my comments on S. 174, for which he voted as a member of the Interior Committee, just as I recognized the validity of his views on my amendment.

A summary of some of the principal loopholes in S. 174 follows:

The first loophole is the big one, as to which the Senator from Colorado [Mr. ALLOTT] will offer his amendment to correct the situation.

First. Section 3(f) bypasses Congress and the Constitution by giving the Secretaries of Agriculture and Interior the power to create wilderness areas. The executive branch would, in effect, propose wilderness legislation while the Senate or the House would retain only a weak, inadequate veto over executive proposals. But the Constitution clearly provides that Congress shall control our public lands, not the President, and that Congress shall legislate, not bureaucrats in the executive branch. Yet, 54 million acres could be included within the wilderness system with no hearings and without positive approval of Congress under section 3(f) of S. 174.

Second. Section 3(d) gives the Secretary of Interior power to unilaterally withdraw millions of acres of public land in the future for national wildlife refuges and game ranges, and then blanket the areas into the wilderness system under section 3(f), thus bypassing Congress. In other words, Congress would abdicate its control of the public lands to the Secretary of Interior, a man not elected by nor responsible to the people. Over 46 percent of the land area of Utah could be locked up under this shockingly loose procedure.

Mr. MOSS. Mr. President, will my colleague yield?

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). Does the Senator from Utah yield to his colleague?

Mr. BENNETT. I yield.

Mr. MOSS. Perhaps my colleague was not on the floor when the Senate adopted my amendment to section 3(d), which has to do with national wildlife refuges and game ranges. The amendment was adopted unanimously, and it limits the area which may be considered wilderness to the existing game ranges and wildlife refuges as they exist on the effective date of the bill. So there is no possibility that additional lands could be brought in, if they are not already included in these ranges.

Mr. BENNETT. Mr. President, I am in the same fix that my colleague was in when he commented on my amendment. I had not known that his amendment had been offered. Was it adopted today?

Mr. MOSS. Yes.

Mr. BENNETT. I am very happy to know that, because that closes an important loophole which had been repeatedly called to the attention of the Interior Committee prior to the reporting of S. 174. However, there are still other loopholes to which I wish to call attention.

Mr. MOSS. I agree that that was a possible loophole whereby additional acreage might have been brought in. The purpose of the amendment was to prevent the inclusion of any land other than that already classified as land in the parks or wildlife refuges or the game ranges.

Mr. BENNETT. I am glad the amendment was adopted, and I congratulate my colleague on taking that action in this situation. If the amendment had not been adopted, over 46 percent of the land in Utah could have been locked up under this procedure.

Third. Section 3(b) permits the inclusion within the wilderness system of 7,890,973 acres of national forest lands now designated as "primitive" areas without positive approval by Congress. A majority of the Senate or the House would have only an inadequate veto power over the inclusion of these "primitive" areas which have never been reviewed by Congress to determine whether or not they are suitable for wilderness purposes, and few have been reviewed by the Forest Service.

Fourth. There is no provision in the bill for consultation with the affected State governments except for Alaska. Federal bureaucrats are given life-or-death control over the future of the western public land States, without any voice given to the States. This constitutes wilderness creation without representation.

Fifth. Section 3(c) makes it possible to blanket into the wilderness system "each portion of each park, monument, or other unit in the national park system which on the effective date of this act embraces a continuous area of 5,000 acres or more without roads." Thus, nearly every acre now embraced within the national park system in Utah and nearly all the other States could be declared wilderness without affirmative congressional approval. Little thought is given to 99 percent of the people who visit our national parks who either cannot afford or do not wish to rough it in a wilderness area. The wilderness bill may therefore retard, not enhance, tourist development.

The Senator from Colorado discussed this point very fully.

Sixth. As noted in loophole 5 above, all units of the national park system could be made wilderness without congressional approval. Under the definition, "continuous area of 5,000 acres or more without roads," almost the entire land area of the Glen Canyon and Flaming Gorge National Recreation Area which are "units" of the national park system could be blanketed into the wilderness system without affirmative congressional approval. They were never intended to be wilderness areas; rather, they were intended to be recreation areas. This provision could effectively stifle tourist and recreational development in both national recreation areas.

Likewise, a bureaucrat with a wilderness monomania could easily interpret S. 174 and conclude that both Lake Powell and the lake created by the Flaming Gorge Dam are wilderness areas, since each of them consist of a continuous area of 5,000 acres or more without roads.

Seventh. Under 3(c) the 209,000-acre Dinosaur National Monument could also be made a wilderness area without affirmative congressional approval. No provision whatever is made for subsequent water conservation projects in units of the national park system. S. 174 could therefore create a major barrier to the eventual construction of the vital Echo Park and Split Mountain Dams. The Executive order setting aside the Dinosaur Monument area expressly provided that the order would not interfere with future reclamation and power projects within the borders of the monument. If water-parched Utah is ever to develop its precious share of the waters from the Green, Yampa, and Colorado Rivers, these two dams someday will have to be built.

Eighth. Section 3(c) cited in No. 5 above states that the areas in the national park system "on the effective date of the act" can be blanketed into the wilderness system. Between the time when the Senate passes the bill and the time when the President signs it, millions of acres of public land could be withdrawn through Executive order by the Secretary of Interior for national monument purposes. He could then blanket the areas into the wilderness system without congressional approval under section 3(f). The Secretary has already threatened to withdraw by Executive order from 1 to 6 million acres in Utah for such purposes if our people do not support his vast national park proposals. Again, over 46 percent of Utah could be locked up in this fashion.

Ninth. The same "on the effective date of the act" provision applies in the case of wilderness-type areas in the national forests, with the same opportunity for abuse. A potential 15 percent of Utah's land area is thus involved in section 3(b).

Tenth. Section 3(e) allows the affected Cabinet member to modify the boundaries of wilderness areas without the affirmative approval of Congress. Moreover, there is no limitation on the size of the proposed modifications. The committee report does say such revisions shall be "relatively small." But what does that mean?

In contrast, a specific limit is placed on the size of boundary revisions for primitive areas in section 3(b). This is just another of the inconsistent provisions of the bill.

Eleventh. While section 3(b) limits the size of revisions in the boundaries of primitive areas in national forests, there could still be over a 99-percent change in the land area finally included in the area under the loose language of the bill. This again could be done without hearings or congressional approval.

Twelfth. Section 3(g) permits the Secretaries of Agriculture and Interior to lock up proposed new wilderness areas for up to 5 years. Such recommendations could be made repeatedly for the same area. Congress could only reject such proposals if a resolution were passed by both Houses. This is even

worse than the end run around Congress and the Constitution already described in section 3(f). In the latter section, either the Senate or the House may veto; but in 3(g), both bodies of Congress must pass resolutions of rejection. These sections are hardly consistent. Moreover, both are dangerous.

Mr. METCALF. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I yield.

Mr. METCALF. I believe the Senator from Colorado [Mr. ALLOTT] is prepared to submit an amendment to make them consistent, and it was intended by the committee that they be consistent. This provision was inadvertent, and the members of the committee are prepared to accept such an amendment.

Mr. BENNETT. I am happy to know that the committee recognizes that loophole in the bill as it has come to us.

Mr. METCALF. That was omitted when the amendment was made in section 3(f), changing to the new kind of ratification and veto power.

Mr. BENNETT. I am glad to know the committee is prepared to go that far in making the provisions of the bill consistent.

Mr. METCALF. As soon as the Senator from Colorado returns to the floor, I am sure the members of the committee now handling the bill will accept the amendment.

Mr. BENNETT. Very well.

Thirteenth. No provision is made in S. 174 to preserve the right of access to State school sections or other lands. This should certainly be done or, alternatively, the States should be permitted to choose Federal lands in another location in lieu of the land isolated within wilderness areas.

Fourteenth. As the Senator from Colorado has pointed out, water and soil conservation are conspicuously ignored by S. 174. The possibility of such conservation activities is so circumscribed by limitations and redtape that it would require a miracle to obtain consideration for them. The same is true for prospecting, mining, and oil and gas activity. I favor protecting existing wilderness-type areas, but the limitations also apply to areas brought into the wilderness system under the loopholes that I have described above.

After carefully studying the bill, the report and the committee hearings, I am convinced that S. 174 is not carefully drafted; that little or no thought is given to the future of the western public land States; that the only interests considered are those of the less than 2 percent of our population who can afford the great expense of visiting isolated wilderness areas; and that the interests of the remaining 98 percent are ignored.

It can hardly be said that the right of "Congress to pass on expansion" of wilderness areas is "carefully guarded." Rather, it is "carefully" given away. S. 174 seems to me to call for Congress to abdicate its constitutional responsibility over the public lands to bureaucrats in the executive branch who are not elected and who are not responsible to the people.

The bill as it stands is a menace to the future of Utah and of the West, and I cannot support it unless the loopholes I have cited are removed from the bill. I am sponsoring or cosponsoring amendments to do so and urge the Senate to adopt them.

Mr. MOSS. Madam President, will my colleague yield?

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Does the Senator from Utah yield to his colleague?

Mr. BENNETT. I yield.

Mr. MOSS. I am sure my colleague is aware of the procedure by which wild, wilderness, and primitive areas are now created in the national forests—by simple order of the Department.

Mr. BENNETT. That is right.

Mr. MOSS. So it seems to me that the bill provides an extra step which must be taken, because if the Secretary then proposes to keep in the wilderness any lands he has now classified as primitive, he must submit that to Congress, and it must stay before Congress for a full session—from the first day to the last—during which time either House may by resolution overrule him. Therefore, we have taken away from the Secretary some of the power he now has over these areas.

But at the same time we are giving him vast new powers. I think it is time that we looked at the whole problem and determined whether Congress should pass initially on these programs, rather than continue in the present situation. That is the position I take. I see no reason for Congress to continue to abdicate its powers even though the abdication may be slightly less than it was before.

It is not clear to me what new powers the Secretary of Agriculture would be given. The Secretary of Agriculture presently has the power to classify parts of national forests in certain ways. Barring some action by Congress, that power goes on. How would we give him any more power under this bill?

Mr. ALLOTT. If the Senator will permit me, I believe we give the Secretary of Agriculture new powers. Some time ago, when I was discussing the general act, I pointed out there was a real question as to whether he has all the powers he has assumed under regulations U–1 and U–2. This was pointed out in the letter of the counsel of the Secretary of Agriculture, in which he said there was no clear decision on this matter. We would expand the powers of the Secretary by the bill.

Also, in this respect, whereas the Secretary may have previously assumed that he had the power to designate wilderness areas, this bill, which would permit him to include all this land in wilderness areas, would give him more than a mere regulatory power, which he had been utilizing under a previous act. This bill would give him a confirmed statutory authority which is made specific. Heretofore, it was only a power which he assumed he had.

Mr. MOSS. Is it not a fact that we shall be exercising our congressional authority to classify lands by saying we now, as the Congress, classify the land in this manner? Up to now the authority has been with the Secretary. There has been no appeal from his decision or any way to get at it. Now the Congress steps in and says, "We will classify it by reason of putting this language in the bill."

Mr. ALLOTT. That is the exact reason for the opposition. Although the Secretary has claimed this power for many years, between 1939 and this date, which is 22 years, the remaining 39 primitive areas have not been reclassified as wilderness areas. He has had that power all this time. Therefore, there has not been sufficient study upon the subject so that all the land could properly be blanketed into the wilderness system. This is one of the main points to which the objection of the senior Senator from Colorado goes with respect to his amendments. I shall offer such amendments later and discuss those matters more fully.

Mr. METCALF. Madam President, will the Senator from Utah yield to me on that point?

Mr. BENNETT. I yield.

Mr. METCALF. One of the complaints many of us have had with respect to the primitive areas is that, under the present law, they are not being incorporated into the wilderness areas rapidly enough or that adjacent areas have been discarded. At my suggestion, the Secretary of Agriculture has held a hearing on the very important area of Selway-Bitter Root Primitive Area to determine whether or not that area should be incorporated into the wilderness system.

Many of us believe a good many thousand acres should be left out of the primitive areas and should be returned to national forests for the benefit of some small reclamation projects, development of timber, and perhaps some mining operations; but such activity has not been going along fast enough. One of the advantages I see in the bill is that it will require, in the next 10 years, an orderly reclassification and appraisal and a request to Congress to cut back and chop off some of these areas that have been for some 20 years classified as wilderness areas, and set aside out of remote, high, scenic land, wilderness areas.

I am sure the Senator from Idaho will agree with me that thousands of acres of Selway-Bitter Root area should be carved up and removed from the classification of primitive area and returned to national forest management.

Mr. ALLOTT. Madam President, will the Senator yield?

Mr. BENNETT. The Senator from Utah has the floor at the sufferance of the Senator from Colorado.

Mr. ALLOTT. No; I yielded to the Senator for this purpose.

I will say to the Senator from Montana that this will probably result in eliminating some areas, I hope, but I do not think it will eliminate many. If the Senator really wants to eliminate areas, he can vote for one of my amendments, which will strike out the initial blanket inclusion of primitive areas into the wilderness system. We can then bring each such area in as Congress desires. We can do it by direct legisla-

tion. I do not think many primitive areas will be eliminated by the process provided in the bill, although, strangely enough that has been one of the arguments for the bill.

Mr. MOSS. Madam President, if the Senator will yield, the senior Senator from Colorado indicated earlier that all the primitive areas had been created by 1939 and nothing had happened since then, that there had been a long period of blank activity. As a matter of fact, since 1939, when 83 areas were created, 34 have been reclassified as either wild or wilderness by the Secretary of Agriculture. Since the first wilderness bill was introduced, there has been one such reclassification. So the Secretary of Agriculture is going along, using his power at this time. If the bill does not pass, and the status quo is maintained, we can assume that matters will continue as they have been going since 1939.

Mr. BENNETT. Under the present regulations, the Department holds hearings before these wilderness or wild areas are established. So far as I know, there is no requirement that these hearings be continued.

Mr. METCALF. Yes, there is.

Mr. ALLOTT. I was not talking off the top of my head. If the Senator will refer to page 15 of the hearings, which contains the letter from the Secretary, it is stated in the top paragraph:

> Taking into consideration the transfers to national parks of lands previously within primitive or wilderness areas in the national forests and corrections in area calculations, the total area of national forest land classified for administration as wilderness has remained about the same as it was in 1939.

On the previous page it is stated specifically that there have been no new classifications of primitive areas since 1939. In fact, the last paragraph on page 14 of the hearings begins:

> No new primitive areas were established after 1939.

Mr. METCALF. Madam President will the Senator yield?

Mr. BENNETT. I yield.

Mr. METCALF. On page 3 of the bill, beginning on line 24, it is stated:

> Following enactment of this Act, the Secretary of Agriculture shall, within ten years, review, in accordance with paragraph C, section 251.20, of the Code of Federal Regulations, title 36, effective January 1, 1959, the suitability of each primitive area,

And so forth. That provision states that for the creation of a wilderness area 90 days' notice must be given, there must be publication of the notice, and, upon demand of any individual, a hearing must be held.

Mr. BENNETT. Where is that in the bill?

Mr. METCALF. The reference is paragraph C, section 251.20 of the Code of Federal Regulations, title 36, effective January 1, 1959. It appears on page 4, lines 1 and 2 of the bill.

Mr. BENNETT. Does this refer only to areas already in the primitive area system?

Mr. METCALF. That is correct. The bill refers to the creation of wilderness areas from primitive areas. It requires the hearing the Senator from Utah suggested would be needed. That can be called upon the demand of any person. It would be a public hearing, after a 90-day notice.

Mr. BENNETT. I am surely happy to know that is behind the language on this page. To a person who is not a member of the committee and not familiar with section 251.20, this reference to a hearing is buried pretty deep.

Mr. METCALF. Especially since it is a reference not to the statutes but to the Code of Federal Regulations.

Mr. BENNETT. That is correct.

Madam President, I express appreciation to my friend from Colorado.

Mr. ALLOTT. Madam President, before concluding my remarks on the bill I wish to refer briefly to two things. I do not wish to discuss them in detail at this time, because I propose to do so later.

On page 10 of the bill a method is provided for making additional primitive areas wilderness. This is my greatest objection to the bill, that the Congress is permitted to act only in a negative way. The Secretary of Agriculture and Secretary of the Interior have full power to act, and the bill provides that a Presidential recommendation based upon such action will become law if neither House of Congress adopts a resolution of disapproval. I do not intend to go beyond this statement now, other than to say that to me this seems a further surrendering of the legislative power of the Congress. It is impossible for me to imagine that we would surrender congressional authority to this extent and not retain control over the areas which have failed to be recognized as wilderness areas after so many years.

On page 14 of the bill there is a prohibition of uses which I think ought to be read into the RECORD, and I shall do that:

> Except as specifically provided for in this Act and subject to any existing private rights, there shall be no commercial enterprise within the wilderness system, no permanent road, nor shall there be any use of motor vehicles, motorized equipment, or motorboats, or landing of aircraft nor any other mechanical transport or delivery of persons or supplies, nor any temporary road, nor any structure or installation, in excess of the minimum required for the administration of the area for the purposes of this Act, including such measures as may be required in emergencies involving the health and safety of persons within such areas.

I do not know what the latter portion means. I presume it means the Secretary, in case a person were dying in the middle of a wilderness, could authorize a helicopter to go in to pick the person up. Certainly a jeep, truck, or car could not get into these areas without roads.

Mr. METCALF. Madam President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. METCALF. The Senator has read the first half of page 14, which says what cannot be done.

Mr. ALLOTT. I have already read the remainder.

Mr. METCALF. The remainder of page 14, all of page 15, all of page 16, and half of page 17, provide what can be done.

Mr. ALLOTT. I have already discussed those.

Mr. METCALF. It seems to me the Senator should discuss both the prohibitions and what is allowed, in context.

Mr. ALLOTT. I think I have a right to follow the trend of my own argument.

Mr. METCALF. The Senator certainly does.

Mr. ALLOTT. I certainly do not object to the allowing of aircraft or motorboats where they have already been used.

I discussed in great detail subparagraph (2) of that provision. I pointed out what a golden lily was being dangled before the eyes of western people, when the only way some of the other uses in wilderness areas could be obtained was by going to the President personally.

The grazing of livestock, when it is well established, is provided for.

I have already pointed out that special treatment is provided for the Minnesota canoe area, where the people will be permitted to continue lumbering, although that is prohibited in all other wilderness areas of the country.

I have discussed all these things at some length.

Mr. BENNETT. Madam President, will the Senator yield to me so that I may address a question to the Senator from Montana?

Mr. ALLOTT. I yield to the Senator, provided I do not lost my right to the floor by so doing, Madam President.

Mr. BENNETT. When we were talking about a hearing, the Senator referred to the language on the top of page 4. This of course was an unexpected situation, so far as I was concerned.

I should like to ask whether the hearing referred to, made possible by section 251.20, will happen in advance of a declaration of the areas to be wilderness areas, or whether it will be a review after the Secretary has set the area aside, to give people an opportunity to come in to express themselves?

Mr. METCALF. The hearings must be held in advance. When the Secretary decides to set aside an area as a wilderness area he must give a 90-day notice. During that 90-day period, in advance of the final decision on the wilderness area, public hearings will be held on demand.

I wish I had brought along the hearings which took place on the Selway. There were several thousand pages of hearings, held in three different areas, upon demand of the people of those areas, as to what should be incorporated in the wilderness and what should be left out.

Mr. BENNETT. The thing which puzzles the Senator from Utah is the word on the first line of page 4, "review." One does not "review" in advance. One reviews after the fact. The language says:

> Following enactment of this Act, the Secretary of Agriculture shall, within ten years, review, in accordance with paragraph C, section 251.20, of the Code of Federal Regulations, * * * the suitability of each primitive area.

That is what makes it difficult for the Senator from Utah to understand how one can review in advance.

Mr. METCALF. I wish I had with me—I shall try to get it before the debate is over—the Code of Federal Regulations, to show the Senator there must be a 90-day notice, so that people will have an opportunity to know what is contemplated.

Mr. BENNETT. I can understand a 90-day notice of hearing. The question is whether it is a hearing to review something which has already happened. That is the way I read the language.

Mr. METCALF. It is my understanding of the bill that the primitive area will be incorporated into the wilderness system subject to the review as provided in the bill.

When the Senator from Louisiana this morning talked about the national forest areas, he was quite correct in saying that the only areas which are to be incorporated into this group are the national forest areas. Under the provisions of the bill, they are subject to the review. In the next 10 years the Secretary of Agriculture must, under the provisions in the bill, hold hearings and decide what will be in the wilderness system, and then make the recommendation to the Congress.

I wish to read paragraph (C) of section 251.20.

Wilderness areas will not be modified or eliminated except by order of the Secretary.

Mr. BENNETT. That does not say "created." It says "modified or eliminated."

Mr. METCALF. May I read all of the section:

Except as provided in paragraph (a) of this section, notice of every proposed establishment, modification, or elimination will be published or publicly posted by the Forest Service for a period of at least 90 days prior to the approval of the contemplated order—

I repeat:

prior to the approval of the contemplated order and if there is any demand for a public hearing, the regional forester shall hold such hearing and make full report thereon to the Chief of the Forest Service, who will submit it with his recommendations to the Secretary.

Mr. BENNETT. That would seem to be a provision which permits a hearing in advance of the establishment, modification, or elimination of the area.

Mr. METCALF. I should think so. It is the understanding of the Senator from Montana that it would. I hope that is the legislative history we are writing.

Mr. ALLOTT. Madam President, may I intervene? What the Senator has stated is not a proviso of the bill.

Mr. METCALF. Yes, it is a proviso of the bill.

Mr. ALLOTT. The bill might contain that language, but the facts are that on page 3, line 19 of the bill, the statement appears that—

The wilderness system shall include * * * wilderness, wild, primitive, or canoe.

Mr. METCALF. The Senator is correct.

Mr. ALLOTT. So it is all frozen in.

Mr. METCALF. That provision in the bill, "wilderness, wild and canoe areas," is incorporated automatically.

Mr. ALLOTT. As well as "primitive."

Mr. METCALF. To be kept frozen in and incorporated under the bill, the primitive areas must be subject to the procedure outlined in the proviso beginning on line 23.

Mr. ALLOTT. That is true, but only partially true. On page 3, line 22, of the bill primitive areas are frozen into the wilderness system.

Mr. METCALF. Subject to the proviso beginning on line 23.

Mr. ALLOTT. Subsequently a review is provided. The area must be reclassified one way or the other by the Secretary during the next 10 years.

Mr. METCALF. On every recommendation the President makes to Congress there must be a hearing in the area if a demand therefor is made, under the provisions of the first three lines on page 4.

Mr. ALLOTT. The Senator is correct. But it would still be a review after the fact, because we are already putting the primitive areas into the wilderness system.

Madam President, I should like to talk about two or three other things that the bill might do. One of the things that it is contended the bill would do is to preserve wild game and animal life. I wish to add at this point only that in my opinion the bill would bring about the reverse. I think most people are acquainted with present-day practices of wildlife management whereby most of our wildlife are counted through the use of either a helicopter or an airplane. We must have a continuous cropping, because various side effects of civilization permit wild animals to grow and to reproduce themselves to a point at which they can constitute an actual conservation hazard.

For example, we do not have tribes of Indians roaming our mountains and deserts shooting wild animals, and thus constantly cropping them, as was the case at one time.

In addition, through the inroads of civilization there has been a great killing off of wildcats, mountain lions, and wolves, which are the natural enemies of game animals. So we have a constantly increasing crop of deer, elk, and moose. These animals must be continually cropped so that they will not constitute a hazard.

To use an analogy, the Forest Service has very stringent regulations with respect to grazing upon forest lands. Why do they have such regulations? They have them because they do not want the lands overgrazed. If sheep or cattle are permitted to graze vegetation to its very roots, the foliage is destroyed. Water cannot be held back. Consequently, erosion of the land by both wind and water is increased.

In order to maintain and keep adequate counts of herds within the wilderness area, it is necessary that helicopters be used. Unless they are used, there will be an increase in herds which, in the long run, will create a very definite conservation problem.

I should like to turn to another phase of this proposed program, which is the subject of recreation and tourism. For whom would the wilderness areas be created? I have already pointed out that 8 percent of our public land has been set aside for the use of 1 percent of our people. So upon the basis of equity those people already have eight times as much land for their use as others have. I do not object to setting aside a certain amount of land for wilderness use, because one enjoying such an area would require more land than would a person who uses an automobile or some like means of getting into an area. But let us remember that there would be no roads into the areas covered by the bill. For whom would we set aside the wilderness areas? We would set them aside for a selected and privileged few of our population. First, we would set aside the wilderness areas for the wealthy—men who can take their families, hire pack trains, horses, and guides for a period of 10 days or 2 weeks. That is one group for which we would set aside wilderness areas.

Secondly, we would set aside wilderness areas for a relatively small group of people who have led a fairly rugged outdoor life all of their lives. They are the ones who can put a pack on their backs and walk into an area for 15, 20, 30, or 40 miles.

But whom would we eliminate? We would eliminate the great bulk of Americans—those in the middle and lower income class, who do not have the money to afford the facilities of a pack train and riding horses to go into wilderness areas. First, we would eliminate such people, with their children, who cannot afford to go into wilderness areas under those circumstances because they cannot afford to equip and outfit themselves to go into wilderness areas. We would eliminate the great bulk of Americans.

Who else would be eliminated? We would eliminate all people over 60 years of age, or the great bulk of them, because in that entire group of people only a relatively small number have the physical stamina to pick up a 50-pound pack, which is about what would be needed to sustain themselves for a week or two—put it on their backs, and hike 20, 30, or 40 miles into an area. We would eliminate those people.

Through this bill in its present form, we would set aside, and lock up the most beautiful areas of our country for a few.

Those of us who oppose the bill are told that we are unreasonable and that we are trying to defeat conservation. Conservation is not involved. We are not unreasonable. But when the most beautiful sections of our country are locked up for a handful of people, we have a right at least to think about the other people in the United States, those who do not have the wealth to outfit themselves extravagantly, to hire horses for themselves and their families, and to hire guides. We must think about those people. We must think about the older people. More and more people are retiring all the time. What becomes of a

man who has worked on an assembly line all his life? Is he able to put a 50-pound pack on his back, and a 50-pound pack on the back of his wife, and walk 15 or 20 miles into a wilderness area? By locking up such areas we would deny them to the people I have described.

Then there is another great segment of our population that is denied the wilderness area also. That is the group of people who are physically incapacitated. There will be no roads, there will be no airplanes, there will be no helicopters, and there will be no boats or motors in this area; so all the people who are incapacitated—and these of course will include a great many of the elderly citizens of the country—will also be refused the opportunity to use these areas.

I should like, Madam President, because there have been so many remarks about this matter, to insert in the RECORD an article which appeared in the Forestry Digest. I ask unanimous consent to have printed in the RECORD at this point an article entitled "Advocates of Wilderness Already Receive Lavish Treatment, Conservationist Says." In it Virlis L. Fischer, a member of the Sierra Club and former president of the Mazamas, an outdoor mountaineering club headquartered in Portland, Oreg., makes that statement.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ADVOCATES OF WILDERNESS ALREADY RECEIVE LAVISH TREATMENT, CONSERVATIONIST SAYS

[A Las Vegas, Nev., outdoor conservationist says that wilderness advocates already have received lavish recreational treatment by the very nature of the rugged terrain of western forests.

[The statement was made in a speech to the 50th Western Forestry and Conservation Association conference by Virlis L. Fischer, a member of the Sierra Club and former president of the Mazamas, an outdoor mountaineering club headquartered in Portland, Oreg.]

"Between the wilderness portions of the national parks and the wilderness system of the national forest, I would say that no other segment of the American public is receiving so much for so little," Fischer told more than 800 delegates and wives representing private and public forestry and conservation agencies.

Fischer took exception to wilderness recommendations advanced by some groups and contended that some of the methods used to advance these recommendations have been "unscrupulous."

"Multiple use and national forests are in danger and need your help," he said. "I appreciate the recreational opportunities that multiple use makes possible, as well as the access it provides to the back country, which I and my fellow hikers have never been known to refuse," Fischer said.

Keynote Speaker John L. Aram, vice president of the Weyerhaeuser Co., Tacoma, said the forest industries' greatest opportunity during the next 50 years would be developing methods for extracting and using new materials from forest crops.

Mr. ALLOTT. Madam President, I ask unanimous consent to have another article published in the Forestry Digest printed in the RECORD at this point. The article points out, as I have stated several times, in quoting Mr. McArdle, that 8 percent of the national forests had only eight-tenths of 1 percent of the overall recreation visits for the year.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WILDERNESS VISITS TO NATIONAL FORESTS LESS THAN 1 PERCENT OF TOTAL

A total of 68.4 million recreation visits to the nearly 181 million acres of national forests in 1958 has been reported by R. E. McArdle, Chief of the U.S. Forest Service.

Of that number, McArdle's report showed, there was a total of 556,100 visits to 14 million acres preserved as wilderness.

That means that wilderness areas—totaling nearly 8 percent of the national forests—had only eight-tenths of 1 percent of the overall recreation visits for the year.

Thus more than 99 percent of the year's recreation visits to national forests were made to areas managed by the Forest Service under the multiple use concept.

The 14 million wilderness acres are in 82 areas on 73 national forests in 13 States. California had the largest number of wilderness visits, 197,400; Minnesota was second with 104,000. Each of the other 11 States tallied less than 50,000 visits. Nevada had the smallest number, 100.

McArdle said the total number of recreation visits is a 12-percent increase over 1957—and an increase of 100 percent over the last 8 years. The wilderness area visits represented a 4-percent increase over the 534,500 visits in 1957.

"Demand for more facilities has been growing much faster than anticipated," he said. "In 1955 it was estimated that by 1962 there would be 66 million annual visits. But the 1958 total topped that figure by more than 2 million.

"A conservative revised forecast now indicates that recreation use will be 92 million visits by 1962, or 36 percent higher than the original estimate."

Mr. ALLOTT. Madam President, a very eminent gentleman, professor of forestry emeritus of the University of California, Emanuel Fritz, made a statement from which I wish to read portions into the RECORD. He says:

Our western wilderness areas are administered and protected by the Federal Government. In the Eastern United States the only large public wilderness area is the great Adirondack Preserve in New York. All the people of the United States have to pay for the extravagant area of wilderness set aside in the West. For the Adirondack Preserve, New Yorkers alone, without Federal help, must pay for the luxury. And yet, despite the concentrated population of that State and its neighbors, the Adirondack Preserve is used by a very small segment of their population. How long will the people east of the Rockies stand for footing the bill for our millions of acres of wilderness areas in the West and the protection of the watersheds from which we get our water, while they have to pay for their own in addition?

What is a wilderness? If it is an area of hundreds of thousands of acres without roads and trails it is a luxury for a very small number paid for by many. If steps should be taken to entice out into the wilderness the many people who need outdoor recreation, the wilderness area ceases to be a wilderness. If additional people are not so encouraged then the locking up of our present wilderness areas to use by more people can be described only as selfishness. One wilderness enthusiast wrote: "These areas are in jeopardy not only from exploitation—but also from development for recreation, even from efforts to protect and manage them as wilderness." This statement lets the cat out of the bag. The present constituted wilderness areas are not for the many but exclusively for a few who want no other human being within 50 miles of them. If wilderness areas are a real need, and they are, then they must be made accessible to those who should use them but cannot spare the time and money for extended time away from their work.

Then he goes on to speak about Switzerland and how that country has not suffered from development even though roads have been built in them. I ask unanimous consent that the balance of the quotations, as marked, be printed in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

What is the situation in Europe? In Switzerland, for example, there are mountains the equal of ours, yet they are made as accessible as the terrain permits. If some of our mountain valleys were in Switzerland, they doubtless would hold permanent villages. Many of the Swiss mountain valleys support villages and the lower slopes are intensively grazed or used for commercial tree farming. Yet, the scenery remains superb, while accessibility draws people from the world over.

Since we have, in the West, such unsurpassed opportunities for areas specifically set aside as wilderness, let's take advantage of them. But let us not be selfish. Let us be reasonable as to their extent and the resources they lock up, and as to making them accessible to millions rather than only a few hundred. Let us have a few summer access roads and stopping places, so that those who desire to enjoy a wilderness but have not the time to go afoot can drive to a central spot, park their cars and take a day or 2-day hike. Such a road, wisely located, cannot damage the area. In fact, it might become a necessity for protection purposes. May I cite the famous Blue Ridge Parkway in Virginia and North Carolina. That parkway has made an inspiring wild area accessible to millions and it has not taken away from the wilderness enthusiast the pleasure of using the old Appalachian Trail if he wishes.

Something important would be lost to America should we permit the extinction of our wilderness. More will be lost if we do not make it possible for more of our people to enjoy it. In a high-pressure civilization we need the inspiration of the great outdoors.

Mr. CHURCH. Madam President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. CHURCH. The Senator has made reference, I believe, to the Adirondack preserve in the quoted material from which he has read.

Mr. ALLOTT. That is correct.

Mr. CHURCH. Does the Senator know that each time the question of the repeal of the Adirondack wilderness has come up, the people of New York have rejected it overwhelmingly?

Mr. ALLOTT. I am quite well aware of that.

Mr. CHURCH. Does not the Senator feel that the people by their vote have thus indicated their approval of the Adirondack wilderness?

Mr. ALLOTT. Yes. If the Senator had listened to all of my statement, he would have heard me say that Dr. Fritz also approves of wilderness, but he thinks it cannot be locked up for a few. With him I agree.

Mr. DWORSHAK. Madam President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. DWORSHAK. Reference has been made to the interest of the people of New York State in wilderness areas. In the statement which was prepared at the request of the Senator from Colorado, I note that while the State of Idaho has a total of 3,421,326 acres of total area subject to wilderness classification, the great Empire State of New York has a total of only 6,777 acres. When we think about the millions of people who live in New York State having an interest in recreational facilities it would appear that they are unwilling to create new areas within the confines of their State, but prefer to lock up areas in the State of Idaho and in other States of the West, so they can come out to the West and enjoy the recreational facilities out there, while at the same time they are stagnating the economic development of the Western States.

Mr. CHURCH. Will the Senator yield for a correction? I believe a correction needs to be made here.

Mr. ALLOTT. I will yield in a moment. I wanted to say something first. I think the point should be made, that, as I understand the situation, the Adirondack preserve is entirely purchased for and paid for by the State of New York.

Mr. JAVITS. Madam President, will the Senator yield?

Mr. CHURCH. It is my understanding that the Adirondack and Catskill preserves comprise some 2½ million acres.

Mr. JAVITS. That is correct. The tourist industry is such a happy, good industry for States, we mean to encourage it, and we would not like to discourage it.

Mr. DWORSHAK. The statement to which I have referred is in a column headed "Total area subject to wilderness classification." I presume that is under Federal supervision. The State of New York has 6,777 acres. Is that correct?

Mr. ALLOTT. Yes; that is correct. This is an entirely different situation. The Adirondack and Catskill wilderness areas, if my recollection is correct, were purchased by the State of New York and established as such. The 6,777-acre figure in the statement included in the RECORD is also correct, because that comes under the national wildlife refuge and game areas, and under the bill they are subject to classification as wilderness areas.

Mr. JAVITS. Madam President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. JAVITS. The constitution of the State of New York contains the so-called forever wild clause, protecting these State-owned areas. It has been one of the most dearly defended provisions of the constitution of the State of New York against attack for decades.

Mr. CASE of South Dakota. Madam President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. CASE of South Dakota. At pages 14 and 15 of the bill, the bill reads:

(2) Within national forest and public domain areas included in the wilderness system, (A) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting (including exploration for oil and gas), mining (including the production of oil and gas).

The junior Senator from South Dakota feels that that might be susceptible to interpretation, by specifying exploration for oil and gas and specifying production of oil and gas, that it would limit the prospecting to oil and gas, and mining to oil and gas.

I think the Senator from Colorado, much more than the Senator from South Dakota, is familiar with the general rule of interpretation that when something is specified, all other things are excluded.

Mr. ALLOTT. Madam President, will the Senator from South Dakota yield at that point?

Mr. CASE of South Dakota. I yield.

Mr. ALLOTT. The Senator has raised a question, and the legislative history should be made perfectly clear. The parenthetical language, "including exploration for oil and gas," and "including the production of oil and gas," relates to prospecting and mining, which includes the other activities. So it is an inclusive clause, rather than an exclusive clause. The Senators in charge of the bill are on the floor. I am sure they would agree with this interpretation. This is what the language is intended to mean.

Mr. CASE of South Dakota. On page 8 there is a similar situation in lines 14 and 15, where the phrase occurs, "including, but not limited to."

I was about to suggest that similar language be inserted on page 15. After the word "including", in both instances, insert a comma and the words "not limited to,".

I have discussed this proposal with the Senator from Idaho [Mr. CHURCH] and the Senator from Montana [Mr. METCALF]. I had hoped that to avoid any possibility of misinterpretation, it might be agreed that the words "but not limited to" might be inserted after the word "including" in lines 1 and 2.

Mr. CHURCH. I appreciate the suggestion which has been made by the distinguished Senator from South Dakota. However, I feel that there is no ambiguity in the language; that the parenthesized words in each case are meant to make it clear that the exploration for oil and gas is included in the term "prospecting"; while the production of oil and gas is included in the term "mining."

I should think this colloquy on the floor of the Senate, if there is any ambiguity in the language of the bill, would make the congressional intent plain and thus eliminate the possibility that any court might misconstrue the language.

Mr. CASE of South Dakota. I think it would be helpful if the court ever went back to the debate in the Senate. However, the debate in the House might not cover this point. Someone might argue to the contrary there.

Since the general rule of construction is that where there is specification, what is not specified is excluded, I should think the surest way would be to insert, on page 8, on lines 1 and 2, the words "but not limited to." Then we would have avoided any possibility of misinterpretation.

Mr. CHURCH. Has the Senator from South Dakota prepared an amendment to this effect?

Mr. CASE of South Dakota. Yes. I have sent such an amendment to the desk.

Mr. CHURCH. I would have no objection to the adoption of such an amendment.

Mr. ALLOTT. Madam President, I ask unanimous consent that I may yield to the Senator from South Dakota for the purpose of enabling him to present his amendment, provided I do not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASE of South Dakota. Madam President, I ask to have my amendment stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 15, lines 1 and 2, after the word "including", where it twice appears, it is proposed to insert, in each instance, a comma and "but not limited to,".

Mr. CASE of South Dakota. Madam President, the purpose of the amendment has been clearly stated. It would make the language then read:

(2) within national forest and public domain areas included in the wilderness system, (A) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting (including, but not limited to, exploration for oil and gas), mining (including, but not limited to, the production of oil and gas),

And so forth.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota.

The amendment was agreed to.

Mr. CASE of South Dakota. I thank the Senator from Colorado and the Senators who are in charge of the bill for their willingness to accept the amendment.

Mr. ALLOTT. Madam President, I am about to conclude my remarks on the bill, but there are one or two items I think should be discussed a little further.

Previously Congress passed a bill providing for an Outdoor Recreation and Resource Review Commission, which includes several Members of the Senate. We are asked in the bill to lock up approximately 65 million acres in a wilderness system. Yet the Outdoor Recreation and Resource Review Commission is to meet this month in Colorado Springs to prepare its final report, after having worked on it for some 3 years. The report is due in January 1962. This is another case of putting the cart before the horse, because in the proceedings of the third joint meeting of this advisory council, in August 1960, there appears, on pages 23 and 24, a paragraph with respect to the wilderness studies, which reads:

Work has been underway several months at Wildland Research Center, University of California. The contract study should fur-

nish: (1) Basic information on purposes of wilderness preservation; (2) an inventory of wilderness-type areas; (3) an analysis and projection of wilderness use—both recreational and nonrecreational; (4) an analysis of problems of wilderness preservation; (5) a compilation and evaluation of legislation and administrative regulations relating to wilderness preservation; and finally (6) an appraisal of the place of wilderness in the national pattern of outdoor recreation.

On pages 107 through 120 there is a discussion of the report of Study Group II, "Wilderness as a National Recreation Source." Here again, another study group discusses wilderness as a national recreation source. They say:

We have a wilderness study set up in one of our (ORRRC) budgets. We have had before the Congress this wilderness bill. We have had a hard time trying to pin down what wilderness ought to be and what it ought to include.

On page 118 the statement occurs:

But I believe we ought to have something come from these studies so that when Congress tackles the wilderness bill again, which I hope will be after this committee reports, it may have clearly in mind what is the thought, at least, of most of the people who are devoted to conservation and devoted to recreation.

I may say that it was the distinguished Senator from New Mexico [Mr. ANDERSON], chairman of the Committee on Interior and Insular Affairs, who made the statement I last quoted.

The progress report of this committee speaks again about the integration of all uses. On page 11, the same report discusses the essential, fundamental questions involved.

Chapter III deals with "Inventory and Evaluation Studies," including wilderness preservation.

Chapter IV provides information on "Forecasts and Economic Studies," including each type of outdoor recreation.

Chapter V, page 61, relates to "Policy and Program Considerations." Again there is a discussion of wilderness recreation.

So there can be no question that we are putting the hind end to, so far as the Outdoor Recreation and Resource Review Commission is concerned.

The fact is that Congress has authorized $2,500,000 and has appropriated about $2 million for this study. Three years have been spent in making this study. Contracts have been made with universities and other State groups all over the country on the selfsame problem. Yet here we are rushing to legislate on the bill in the last few days of the session, when the very last meeting, or at least the meeting which is supposed to formulate the final report of the Commission, will occur in Colorado Springs within just a few days from now. We are bent on legislating in this area before the Commission ever has a chance to make its report. I cannot understand this procedure. It is one of those things that goes on constantly. Certainly it should not be condoned.

Mr. CASE of South Dakota. Madam President, will the Senator from Colorado yield?

Mr. ALLOTT. I yield.

Mr. CASE of South Dakota. On page 3 of the bill, under the heading "National Wildlife Preservation System, National Forest Areas," I read from line 19:

The wilderness system shall include all areas within the national forests classified on the effective date of this act by the Secretary of Agriculture or the Chief of the Forest Service as wilderness, wild, primitive, or canoe.

Does the committee have, to the Senator's knowledge, any understanding from or statement by the Secretary of Agriculture or the Chief of the Forest Service as to whether there might be included, between the time the bill is considered by the Senate or Congress and the effective date of the act, which would be the date the President signed the bill, some additional areas to be designated for the wilderness system by the Secretary of Agriculture or the Chief of the Forest Service?

Mr. ALLOTT. I shall yield to the floor manager of the bill, so that he may answer for himself. But, before doing so, I should like to address myself to that question. I have never had such an understanding, and I do not believe there is such an understanding. If there has been, it has not been disclosed to me.

Now I am happy to yield to the Senator in charge of the bill.

Mr. CHURCH. I will say that no primitive area has been created in more than 20 years. The last one was created in 1939. And there has been no indication from either the Department of Agriculture or the Forest Service that there is any intention to add additional primitive areas before the effective date of the bill.

Mr. CASE of South Dakota. I raise the question because earlier in the day, when the distinguished chairman of the Committee on Agriculture and Forestry, the Senator from Louisiana [Mr. ELLENDER], was reading an analysis he had made of the bill, he stated this as a possibility—in other words, that theoretically there would be a possibility that between the time when Congress acted and the time when the President signed the bill, additional areas might be classified as wilderness, wild, primitive, or canoe. I thought that in order to establish the legislative history, if the committee believes that the Secretary does not have that in mind, it would be well for the managers of the bill to have an opportunity to state that.

Mr. CHURCH. I appreciate that very much. It is a theoretical possibility only. In view of the stated position of the Department and the fact that no new primitive areas have been created in more than 20 years, I think there is no basis for alarm.

But I believe this colloquy is helpful, because it makes clear the understanding of the members of the Interior Committee who have dealt with the bill.

Mr. CASE of South Dakota. I thank the Senator.

Mr. METCALF. Madam President, the Senator from Colorado has already inserted in the RECORD the sections of the Forest Service handbook which state the regulations in regard to how primitive areas may be changed into wilderness areas, and how they are to be administered. But nothing in that connection calls for the creation of new primitive areas. The only regulation at the present time is in connection with the administration of the existing primitive areas and for the creation of wilderness areas out of primitive areas. It is our understanding, and also the understanding as stated in conversations with members of the Forest Service, who have stated this as their understanding, that they wish to eliminate completely the classification of primitive areas, and that no new primitive areas will be created between the present time and the effective date of this measure.

Mr. CASE of South Dakota. I think this colloquy is important in connection with establishing the legislative history of the bill. In view of what has been stated, I judge that there will be no intent on the part of the Department of Agriculture to slip in something of the sort after Congress has acted and before the effective date of the bill. I would not expect that to be done in any case, because the Secretary of Agriculture and the Chief of the Forest Service, whoever they may be at any given time, are certain to be responsible public officials who would not attempt to slip something in in the course of a few days. But I raised the question because the Senator from Colorado has pointed out that a study is now being made, and we do not know what recommendations will result from it.

But if the managers of the bill state that it is not anticipated or intended that there be any immediate or sudden classification of that sort between the time of the action by Congress and the effective date of the act, I would think that statement in all good faith is all that is necessary.

Mr. ALLOTT. I agree; and I do not think it is likely to occur, especially in view of the circumstances. However, by keeping silent we might have been understood as agreeing with the Senator in one respect. In other words, I believe that additional primitive areas could be designated under existing law, although I do not think that will be done. But under the law of 1897, primitive areas were designated, and more could be, if that were desired.

Mr. METCALF. I agree with the Senator; by publishing it in the directory, they could create a new regulation. But I wished to point out that they have no regulation for the creation of primitive areas; the regulation is merely for their administration.

Mr. CASE of South Dakota. And during the hearings there was no suggestion or indication that they anticipate creating new ones?

Mr. METCALF. That is correct; none at all.

Mr. ALLOTT. Yes, none at all.

Mr. METCALF. In fact, today when the Senator from Utah submitted his amendment, it forestalled the making of any effort, during the period between the time of the passage of the bill and its effective date, to create additional fish

and wildlife areas; and during the course of the colloquy which was had it was stated that the only purpose of the committee is to maintain the status quo of the areas known at the time of the debate—the primitive areas, the national forest areas, and so forth—so that we know what is going into the system.

Mr. CASE of South Dakota. I was under the impression that the amendment of the Senator from Utah related more particularly to lands under the administration of the Department of the Interior; and therefore I wished to raise this question in regard to the national forest lands, which would be under the Secretary of Agriculture.

Mr. METCALF. That is correct, and in this way I think the Senator from South Dakota has made a real contribution to the debate on the bill.

Mr. ALLOTT. Madam President, in concluding my remarks, I wish to refer to two arguments made by the chairman of the Interior Committee in his statement on the floor of the Senate on August 24. The first related to the fact that if there is to be affirmative review by the Congress, Congress will never get through with its work. I should like to point out that there are only 39 primitive areas, and, under the provisions of the bill, they could be dealt with by Congress in blocs or groups. There are at present 29 national parks, all created by affirmative action of Congress. In addition Congress established 22 of the 83 national monuments. So, all in all, Congress seems to have been able to handle this work. In the latter part of his argument the Senator referred to the cost of the seashore areas, and used that point in a rather reverse way. It is true that we shall spend considerable sums of money on the seashore areas, but I merely wish to point out that we are not going to have to pay for the areas which are dealt with by this bill. So the point that the cost later on might be great is not a valid argument, because the areas which are the subject of this bill already belong to the Federal Government and cannot be disposed of. So they will cost the Federal Government no more 5 years from now than they cost it today. This is an important point.

Madam President, in conclusion I wish to state that I believe one of the most important statements made in regard to this matter was the one made by Mr. Hagenstein, during his appearance before our committee, as follows:

It is our opinion that the issue at stake in the wilderness bill is not wilderness itself but the idea of establishing a blanket wilderness system on millions of acres of Federal lands which as yet have not been inventoried as to their highest contribution to society. In these days when we plan everything else, how can we ignore the imperative necessity of inventories before deciding how to manage land? That is the crux of the wilderness bill. We think it entirely unnecessary because of the job which both the Forest Service and National Park Service are doing through formal means on the national forests, by the Secretary of Agriculture under his administrative regulations, and by administrative decisions of the Secretary of the Interior with respect to which portions of national parks are left roadless and otherwise undeveloped. As circumstances change, these officials, to discharge their obligations under the laws which established management policies for the national forests and national parks, must have flexibility to decide what use is to be made of what lands.

Madam President, I repeat that the issue before us is not the wilderness concept itself, but is the idea of establishing a blanket wilderness over which Congress would have only a veto power.

EXHIBIT I

ALASKA

Letters of February 1961 relating to S. 174 in the 87th Congress:

JUNEAU, ALASKA,
February 25, 1961.

Hon. E. L. BARTLETT,
U.S. Senator,
Washington, D.C.:

Re S. 174 State of Alaska is concerned that lacking positive action by the Congress in the form of a concurrent resolution opposing such recommendations, 46 million acres of national forests, parks, monuments, wildlife refuges and game ranges in Alaska could be committed to the wilderness system by administrative action of the Secretaries of Interior and Agriculture. Request provision that nature and boundaries of area considered for inclusion in the system be subject to cooperative study and classification of the land on the local State level prior to recommendations to the President and the Congress. Would urge your presentation of these views at Senate committee hearings February 27–28.

WILLIAM A. EGAN, *Governor.*

STATE OF ALASKA,
DEPARTMENT OF NATURAL RESOURCES,
DIVISION OF MINES AND MINERALS,
Juneau, February 24, 1961.

Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR SENATOR ANDERSON: The pending measure is contrary to the expressed intent of Congress in a number of acts passed in recent years for the multiple use of public lands wherever possible. Mineral production need not destroy wilderness values, and will not under proper safeguards. Even though the proposed act may specify that the circumstances under which an area to be included will not be interferred with, we have found through actual experience that governmental restrictions have destroyed the multiple use concept and will continue to do so under the administration of measures such as the proposal.

In Alaska, where we are particularly desperate for the establishment of industry to support an economy which Federal defense spending has largely created and is now apparently leaving, we stand to lose much by such legislation. Over 80 million acres are presently withdrawn or highly restricted to the development of mineral resources in our State already. This legislation would tighten the restrictions in these areas and add more areas to the same category, not even allowing for prior evaluation of the areas to learn if mineral possibilities exist. It is not in the public interest to close off areas for a single use before an effort is made to determine what uses might be most beneficial and compatible. I have personally worked in one mining camp in a wild area that contributed large amounts of copper to the World War II effort, and that camp did not affect the wilderness values of the surrounding country.

For the good of the Nation and of the State of Alaska, we urge that this bill be not enacted or else amended to provide for true multiple use after a study of each area by all interested persons or a representative commission or other body established for that purpose.

Sincerely,

JAMES A. WILLIAMS,
Director.

ARIZONA

Memorial of 1959 relating to S. 1123 in the 86th Congress:

"Arizona Senate Joint Memorial 3

"A joint memorial requesting the Congress of the United States to prevent enactment of a proposed bill establishing a national wilderness preservation system and designating certain areas to be maintained as a wilderness

"To the Congress of the United States of America:

"Your memorialist respectfully represents:

"A bill has been introduced into the Congress of the United States providing for the designation and maintenance of wilderness areas within the States, and such areas shall be supervised and maintained by the Federal Government.

"It is acknowledged that the Government of the United States now owns approximately 70 percent of the land in Arizona. The enactment of this oppressive legislation would have the tendency to either increase the Federal lands within this State or to cause the Federal Government to exercise more stringent regulations over the land it already owns and controls.

"Federal lands within this State now include an abundant supply of wilderness reservations. It is entirely possible that rigid regulations, which might well be imposed, would deny the scenic wonders of these areas to many thousands of visitors annually. Moreover, such regulation might make fire protection difficult or more expensive or it might encroach upon the water rights of the State of Arizona. All these factors would retard the economic development of this State.

"Wherefore your memorialist, the Legislature of the State of Arizona, prays:

"That the Congress of the United States consider carefully the impact of the proposed legislation relating to a national wilderness system since it appears to the Legislature of the State of Arizona that enactment of such a measure will unduly restrict the use of the wilderness areas and retard the economic development of this State. Moreover, the U.S. Government now controls vast areas of land within this State and any approach to this problem should be in the direction of relinquishing control rather than subjecting additional areas of land within this State to Federal control or cumbersome regulations."

CALIFORNIA

Resolution of April 1960 relating to S. 1123 in the 86th Congress:

"Resolution of the California State Board of Forestry pertaining to national wilderness preservation systems

"Whereas section 505 of the Public Resources Code of the State of California states in part 'the board is charged with the responsibility to represent the State's interest in Federal land matters pertaining to forestry and to maintain an adequate forest policy'; and

"Whereas it has come to the attention of this board that there has been introduced, in the current session of the Congress, S. 1123, H.R. 5523, and numerous other bills for the establishment of a national wilderness preservation system; and

"Whereas the State of California contains the largest area of federally owned lands which would be affected by such legislation; and

"Whereas the act of 1897 creating the national forests provides for the reservation of

forest preserves for the protection and production of timber and water; and

"Whereas such administration has been carried on through the years under the principle of multiple use to the end that such areas are adequately administered under this system, including the setting aside of special areas as wild areas, wilderness areas, and primitive areas; and

"Whereas the National Outdoor Recreation Resources Review Commission has contracted with the University of California for an exhaustive study and report on wilderness areas: Now, therefore, be it

"*Resolved*, That the California State Board of Forestry hereby declares it to be to the best interests of the State of California to oppose the passage of S. 1123 and other similar so-called wilderness bills, and does hereby maintain the position that legislation establishing a national wilderness preservation system is unnecessary and particularly that such legislation should not be given consideration until sufficient time has been allowed for the completion of studies now in progress and a mature consideration of the problem including the constitutionality of the proposals now made; and be it further

"*Resolved*, That the State forester, secretary of this board, be and he is hereby directed to transmit copies of this resolution to the California delegation in Congress, the Senate Committee on Interior and Insular Affairs, and to other interested persons.

"Dated, Sacramento, Calif., April 22, 1960."

COLORADO

Resolution of March 1961 relating to S. 174 in the 87th Congress:

"A joint resolution of the Legislature of the State of Colorado; to the Committee on Interior and Insular Affairs:

"'*House Joint Memorial 10*

"'Joint memorial memorializing the Congress of the United States not to enact any legislation which establishes a blanket policy of single use for Federal lands which would result in lessening the State of Colorado's resource base and preclude recreation for the multitudes

"'Whereas the Federal Government owns in excess of 1 out of every 3 acres of land in the State of Colorado; and

"'Whereas forestry, agriculture, mining, water development, oil and gas drilling, and recreation are the six basic industries of the State of Colorado; and

"'Whereas Federal lands are of great importance to our forest industry and provide a significant proportion of its raw material; and

"'Whereas Federal lands are an important source of water for our agriculture, industry, and domestic use; and

"'Whereas Federal lands provide countless opportunities for outdoor recreation; and

"'Whereas Federal lands are important present and potential sources of minerals and oil and gas; and

"'Whereas there is legislation now pending in the Congress of the United States which would establish a national wilderness preservation system and which would establish single purpose use for 50 million acres of western Federal lands; and

"'Whereas such legislation would preclude forestry, mining, grazing, and water development, and motorized recreation and other resource development, use and management: Now, therefore, be it

"'*Resolved by the House of Representatives of the 43d General Assembly of the State of Colorado (the Senate concurring herein)*, That this general assembly hereby petitions the Members of the Congress of the United States not to enact any legislation which establishes a blanket policy of single use for our Federal lands which would result in lessening the State of Colorado's resource base, and preclude recreation for the multitudes; and be it further

"'*Resolved*, That copies of this memorial be sent to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and Members of Congress from the State of Colorado.

"'ALBERT J. TOMSIC,
"'*Speaker of the House of Representatives.*
"'ROBERT L. KNOUS,
"'*President of the Senate.*
"'GENE MANZANARES,
"'*Chief Clerk of the House of Representatives.*
"'LUCILE L. SHUSTER,
"'*Secretary of the Senate.*'"

IDAHO

Memorial adopted in February 1961 relating to S. 174 in the 87th Congress:

"*Idaho House Joint Memorial 6*

"A Joint Memorial

"*To the Honorable Senate and House of Representatives of the United States in Congress Assembled:*

"We, your memorialists, the Legislature of the State of Idaho, respectfully represent that:

"Whereas the economy of the State of Idaho is based upon its agriculture, lumber, mining, sheep and cattle industries, and the use of its waters for irrigation and hydroelectric power; and

"Whereas approximately two-thirds of the land area of the State of Idaho is federally owned and contains approximately 3 million acres set aside for primitive and wilderness areas; and

"Whereas these designations are restrictive to full utilization and deny to the natural resources industries of the State of Idaho the right to wisely develop the natural resources contained in these large primitive and wilderness areas of the State and further deny ready access to these areas to millions of American citizens, all to the detriment of said industries and to the people of the State of Idaho; and

"Whereas one of the great potential industries of the State of Idaho is its tourist trade and wildlife attractions: Now, therefore, be it

"*Resolved by the House of Representatives, State of Idaho (the Senate concurring)*, That we are most respectfully opposed to the dedication of additional lands as primitive or wilderness areas in the State of Idaho and respectfully request that all primitive and wilderness areas in the State of Idaho be reviewed and studied with the view of eliminating all lands which have a higher or greater multiple use potential than that of single use dedication as primitive or wilderness; and be it further

"*Resolved*, That we oppose Federal enactment of future wilderness legislation embodying the principle of locked-up areas for single-purpose use which would deny to the natural resources industries the right to wisely develop such natural resources and would also be to the detriment of said industries and to the people of the State of Idaho; and be it further

"*Resolved*, That the present agencies administering all Federal lands do so with the view of developing the full multiple use of the lands to further the general welfare and the economy of the State of Idaho; be it further

"*Resolved*, That the secretary of state of the State of Idaho be authorized and he is hereby directed to immediately forward certified copies of this memorial to the Senate and the House of Representatives of the United States of America, the Secretary of Interior, the Secretary of Agriculture, and to the Senators and Representatives in Congress from this State; be it further

"*Resolved*, That the secretary of state of the State of Idaho be authorized and he is hereby directed to immediately forward certified copies of this memorial to the speaker of the house and to the president of the senate of the following States: Washington, Oregon, California, Montana, Utah, Wyoming, Colorado, Nevada, Arizona, New Mexico, North Dakota, and South Dakota, and that these States are hereby urged to take similar action in this respective legislative bodies."

NEVADA

Resolution of May 1961 relating to S. 174 in the 87th Congress:

"A joint resolution of the Legislature of the State of Nevada; to the Committee on Interior and Insular Affairs:

"'*Senate Joint Resolution 6*

"'Joint resolution memorializing the Congress of the United States to prevent the designation of any Federal lands in Nevada as primitive or wilderness areas

"'Whereas the economy of the State of Nevada is based upon its agriculture, mining, sheep and cattle industries, and the use of its waters for irrigation and related purposes; and

"'Whereas more than 86 percent of the land area of the State of Nevada is federally owned; and

"'Whereas the designation as wilderness or primitive areas of any of such federally owned lands would restrict the full utilization of natural resources and deny to the natural resources industries of the State of Nevada the right to develop wisely the natural resources contained in such areas within the State, and would also deny ready access to these areas to millions of American citizens, all to the detriment of such industries and to the people of the State of Nevada; and

"'Whereas one of the great potential industries of the State of Nevada is its tourist trade and wildlife attractions: Now, therefore, be it

"'*Resolved by the Senate and Assembly of the State of Nevada (jointly)*, That the Legislature of the State of Nevada respectfully memorializes the Congress of the United States to prevent the designation of any lands in Nevada as primitive or wilderness areas and the creation of locked-up areas for a single-purpose use which would deny to the natural resources industries the right to develop wisely the natural resources of such areas and would be to the detriment of such industries and to the people of the State of Nevada; and be it further

"'*Resolved*, That all agencies administering Federal lands do so with the view of developing the full multiple use of the lands to further the general welfare and the economy of the State of Nevada; and be it further

"'*Resolved*, That certified copies of this resolution be prepared and transmitted forthwith by the legislative counsel to the Vice President of the United States, Speaker of the House of Representatives, each member of Nevada's congressional delegation, the Secretary of the Department of the Interior and the Secretary of the Department of Agriculture.

"'Passed by the assembly March 13, 1961.

"'CHESTER S. CHRISTENSEN,
"'*Speaker of the Assembly.*
"'NATHAN. T. HURST,
"'*Chief Clerk of the Assembly.*

"'Passed by the senate March 2, 1961.

"'REX BELL,
"'*President of the Senate.*
"'LEOLA H. ARMSTRONG,
"'*Secretary of the Senate.*
"'GRANT SAWYER,
"'*Governor of the State of Nevada.*'"

NEW MEXICO

Memorial adopted in March 1959 relating to S. 1123 in the 86th Congress:

"House Joint Memorial 3

"Memorializing the Congress of the United States to decline passage of a bill establishing a national wilderness preservation system and designating certain areas to be maintained as a wilderness

"Whereas a bill is now under consideration by the Congress of the United States, which provides for useless and expensive regulations concerning the maintenance of wilderness areas and is generally burdensome upon the people of New Mexico and of the United States; and

"Whereas there is already an abundant supply of wilderness reservations in the Federal lands; and

"Whereas maintenance of lands as a wilderness area would make scenic wonders of the West inaccessible to many millions of people, and, as well, make such areas prey for insect pests and diseases, and, as well, make fire protection difficult and expensive; and

"Whereas it would encroach upon the water rights of the Western States, and retard their economic development; and

"Whereas the proposed National Wilderness Preservation Council does not seem necessary because it would duplicate and complicate existing services now capably administered; and

"Whereas the proposed legislation is premature until the Recreation Resources Review Commission has made its study of outdoor recreation needs and resources; and

"Whereas the proposed national wilderness preservation system is especially detrimental to New Mexico because of the unusually vast amount of federally controlled land within its boundaries; and

"Whereas this legislature and the responsible officials of the State of New Mexico recognize—

"That the social and economic welfare of New Mexico is best served by the present uses allowed of federally controlled land;

"That New Mexico has an abundance of scenic wonders of which access would be deprived by the proposed legislation;

"That the proposed legislation is burdensome and expensive to administer and will cause great inconvenience and financial hardship to the people of New Mexico;

"That the proposed legislation unduly restricts the use of federally controlled lands, and encroaches upon the water rights of New Mexico: Now, therefore, be it

"Resolved, That the 24th Legislature of the State of New Mexico does hereby memorialize the Congress of the United States to take such steps as are necessary to insure that the proposed legislation or similar legislation relating to establishing a national wilderness system and designating certain areas to be maintained as a wilderness does not become law; be it further

"Resolved, That copies of this memorial be sent to the President of the United States, the President of the U.S. Senate, the Speaker of the House of Representatives of the United States, and the Members of Congress, and to such other officials as the Governor of the State of New Mexico shall deem advisable."

UTAH

Resolution of March 1961 relating to S. 174 in the 87th Congress:

"Senate Concurrent Resolution 6

"Concurrent resolution memorializing the Congress of the United States to oppose national preservation acts

"Whereas a bill (S. 174) in its original form was introduced in the Senate of the United States of America, 87th Congress, 1st session, to establish a national wilderness preservation system, and it is anticipated that an identical bill will be introduced in the House of Representatives of the United States of America during the same session; and

"Whereas said bills, each to be known as a wilderness act authorize the withdrawal of large areas of federally owned lands and the continued withdrawal of federally owned or controlled lands in the future, upon decision of Federal officials into a national wilderness preservation system to be so protected and administered as to preserve the wilderness character of the lands withdrawn and contained therein; and

"Whereas approximately 72 percent of the land in the State of Utah is owned and controlled by the Federal Government; and

"Whereas any development of lands withdrawn inconsistent with the preservation of said lands for the single purpose of wilderness area is prohibited by the act; and

"Whereas Utah stands at the threshold of a new era of prosperity through the multiple development of mineral, water, agricultural, industrial, recreational and wilderness resources of its federally owned lands as presently permitted under law; and

"Whereas there was in fact legislation enacted in 1957 by the Congress of the United States establishing an Outdoor Recreation Resources Review Commission to inventory our wilderness resource and report to the Congress in 1961: Now, therefore, be it

"Resolved by the 34th Legislature of the State of Utah (the Governor concurring therein), That the 87th Congress of the United States of America be and is hereby memorialized to oppose and vote against S. 174 in its original form as inimical to the future development of the State of Utah and the prosperity of those U.S. citizens residing therein, and as premature and unnecessary legislation; and be it further

"Resolved, That certified copies of the above be transmitted to the President and Vice President of the United States, the President of the Senate of the Congress, the Speaker of the House of Representatives of the Congress, U.S. Senator WALLACE F. BENNETT, U.S. Senator FRANK E. MOSS, Representative DAVID S. KING, Representative M. BLAINE PETERSON, Senate Committee on Interior and Insular Affairs, and the Governors and legislatures of the following States: Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Washington, and Wyoming."

WASHINGTON

(Letter of February 1961 relating to S. 174 in the 87th Cong.)

STATE OF WASHINGTON,
DEPARTMENT OF NATURAL RESOURCES,
Olympia, Wash., February 24, 1961.

Hon. CLINTON P. ANDERSON,
Chairman, Senate Committee on Interior and Insular Affairs, Senate Office Building, Washington, D.C.

DEAR SENATOR ANDERSON: With reference to hearings on the wilderness system bill (S. 174), I regret that due to demands of our current Washington State legislative session, I will be unable to appear before your committee on February 27 and 28.

I do wish, however, to include in the record of your hearings, my statement of opposition to the enactment of S. 174 or any similar wilderness proposals prior to a complete analysis and report of our recreational needs by the Outdoor Recreation Resources Review Commission. Furthermore, the land managers and professional technicians within existing Federal agencies are adequately prepared and have available legal machinery to assess area demands on land use and to determine such use for the greatest good for the greatest number of people.

Due to the tremendous adverse economic implications in the establishment of oversize wilderness areas in Washington State, I cannot urge too strongly the need to refrain from any premature legislation on this matter. It appears entirely unwise and illogical to rush action on S. 174 while the Resource Review Commission is studying the circumstance involved.

As a matter of record, I wish to point out that in the State of Washington, the following groups have voiced opposition to the enactment of wilderness system legislation:

Washington State Grange.
Washington State Cattlemen's Association.
West Coast Mineral Association.
Northwest Mining Association.
Society of American Foresters.
State game department.
State department of commerce and economic development.
Chambers of commerce.
Western Washington Resources Council.
State department of natural resources.
Public power groups.
Various forest products associations.
County commissioners.
Washington State School Directors' Association.
Various sportsmen's clubs.
Western States Land Commissioners' Association.
Railway companies.

Further, I wish to call your attention to Senate Joint Memorial 17, a copy of which is attached. This memorial is now under consideration in the regular session of the Washington State Legislature.

Yours very truly,

BERT L. COLE,
Commissioner of Public Lands.

"Proposed Washington Senate Joint Memorial 17

"To the Honorable John F. Kennedy, President of the United States, the President of the Senate, and Speaker of the House of Representatives, and to the Senate and the House of Representatives of the United States, in Congress assembled:

"We, your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, most respectfully represent and petition as follows:

"Whereas the Federal Government owns approximately 3 out of every 10 acres of land in the State of Washington; and

"Whereas forestry, agriculture, mining, water developing, and all types of recreation are the basic industries of our State; and

"Whereas Federal lands are especially important to our forest industry for a significant proportion of its raw materials; and

"Whereas Federal lands are an important source of water for our agriculture, industry, and domestic use; and

"Whereas Federal lands provide countless opportunities for outdoor recreation; and

"Whereas Federal lands are important present and potential sources of minerals; and

"Whereas S. 174 and other bills now pending in the 87th Congress would establish a national wilderness preservation system which would require single purpose use for 50 million acres of western Federal lands which would preclude forestry, mining, grazing, water development, motorized recreation, and other resource development, use and management: Now, therefore,

"Your memorialists petition to the Congress of the United States not to enact S. 174 or any other bill which establishes a blanket policy and single use for our Federal lands which tend to lessen the State of Washington's resource base and to preclude recreation for the multitudes; and be it.

"Resolved, That the Secretary of State send copies of this memorial to the Honorable John F. Kennedy, President of the United States, to the U.S. Senate, the Speaker of the House of Representatives, and to each Member of Congress from the State of Washington."

WYOMING

Memorial adopted in January 1961 relating to S. 174 in 87th Congress:

"Wyoming House Joint Memorial 7

"A joint memorial memorializing the Congress of the United States concerning wilderness legislation and opposing the creation or extension of wilderness areas within the State of Wyoming

"Whereas, bills have been introduced in the last two sessions of the U.S. Congress to establish a national wilderness preservation system; and

"Whereas, these bills would create wilderness areas in Wyoming; and

"Whereas, the creation of such wilderness areas would interfere with the development of the State's water resources, and would jeopardize the multiple-use concept of the areas for the projection of water, forage, timber, minerals, and recreational opportunities, which multiple-use concept policy has been in effect for over 50 years, and has shaped the economy of the West; and

"Whereas, the welfare and interest of the citizens of Wyoming demand that there shall not be any further extension of wilderness areas in Wyoming: Now, therefore, be it

"Resolved by the House of the 36th Legislature of the State of Wyoming (the Senate of such legislature concurring), That the President and Congress of the United States of America be and they are hereby memorialized to consider fairly and diligently the welfare and interest of the people of the State of Wyoming, who oppose the creation or extension of wilderness areas in Wyoming; that, furthermore, if such wilderness areas are necessary and desired in other States, that areas adjacent to centers of population be purchased and returned to the wilderness state, believing that such a program would make wilderness areas available to more people of the country than the creation of such areas in the West; be it further

"Resolved, That certified copies hereof be promptly transmitted to the President and Vice President of the United States, the Speaker of the House of Representatives of said Congress, U.S. Senator GALE MCGEE, U.S. Senator J. J. HICKEY, and Representative in Congress WILLIAM HENRY HARRISON."

Passed only Oregon House of Representatives relating to S. 174:

"HOUSE JOINT MEMORIAL 12

"To the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:

"We, your memorialists, the 51st Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent that:

"Whereas there has been proposed in the Congress of the United States, Senate bill 174 to create a national wilderness preservation system, the effect of which would be to establish policies and procedures whereby existing wild, wilderness, primitive and roadless areas, as now established under Administrative regulations, would be made more rigid and inflexible in management, and under which vast acreages of other Federal lands could be added to existing wilderness areas without regard for the necessity or desirability of reserving such large acreages for the single purpose of wilderness use; and

"Whereas the establishment and maintenance of such inflexible restrictions on the use of federally owned lands denies access to vast areas which can and should be made accessible or developed for use by the vast majority of hunters, fishermen, and the vacationing public; and

"Whereas maintenance of such areas as proposed makes protection of these areas against destruction by fire and other natural and manmade hazards difficult and expensive; and

"Whereas any extension of existing wilderness areas, or the establishment of more stringent regulation of existing areas will unnecessarily and unwisely restrict the development and economic strength of many essential western industries including the forest products, mining, agricultural, oil and gas, tourist and other industries; and

"Whereas American wilderness is currently receiving the most thorough study in history by the Outdoor Recreation Review Commission established by Public Law 85-470 of the U.S. Congress whose findings will provide answers to how much and what kind of wilderness is needed to meet increasing population demands on America's limited land resources; and

"Whereas it is the policy of the people of the State of Oregon, speaking through the elected representatives, to seek the wise and beneficial development of God-given resources for the greatest benefit of the people: Now, therefore, be it

"Resolved by the House of Representatives of the State of Oregon (the Senate jointly concurring)—

"1. We urge the Congress of the United States to:

"(a) Decline passage of Senate bill 174;

"(b) Decline passage of any legislation which would encourage extension of, or increase the rigidity of regulation of existing wilderness, wild, or primitive areas;

"(c) Decline passage of any legislation which would set aside any area of federally owned land for a limited and restricted use regardless of the need of such areas for other wise and beneficial use.

"2. Copies of this memorial shall be sent to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, the members of the Oregon congressional delegation, and to all interested agencies and departments of the State of Oregon."

Mr. ALLOTT. Madam President, at this time I wish to call up my amendment.

Mr. METCALF. Before the Senator from Colorado calls up his amendment, will he yield, so that I may make a unanimous consent request?

Mr. ALLOTT. Yes; provided I do not lose the floor.

Mr. METCALF. Madam President, the Senator from Colorado has discussed the bill, and has stated that he does not believe it is a conservation measure. I ask unanimous consent to have printed at this point in the RECORD, immediately after the remarks of the Senator from Colorado, a statement made by the chief sponsor of the bill, the Senator from New Mexico [Mr. ANDERSON], which points up the relationship between conservation and multiple use and the relationship between wilderness and conservation, as he understands it, in connection with the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Statement of conservation philosophy by Senator CLINTON P. ANDERSON, Democrat, of New Mexico, chairman of the U.S. Senate Committee on Interior and Insular Affairs, prepared for the use of the Arizona Game Protective Association.

When your association asked me to make a statement of philosophy on conservation, I thought at first that it would be an easy task. But as I started to write, I realized that your request reached into almost every area of my background and into most of my present interests. I hope you will find acceptable these few words that I have sorted out and attempted to organize into this general statement.

There is a spiritual value to conservation, and wilderness typifies this. Wilderness is a demonstration by our people that we can put aside a portion of this which we have as a tribute to the Maker and say—this we will leave as we found it.

Wilderness is an anchor to windward. Knowing it is there, we can also know that we are still a rich Nation, tending to our resources as we should—not a people in despair searching every last nook and cranny of our land for a board of lumber, a barrel of oil, a blade of grass or a tank of water.

In my boyhood on a South Dakota farm I learned from my father the true meaning of conservation. This philosophy was instilled in me daily by him as he sought to make land on the Dakota prairies, and the philosophy I hold today reflects those early formative years in a family that loved the soil and all of nature's wonders.

Conservation is to a democratic government by free men as the roots of a tree are to its leaves. We must be willing wisely to nurture and use our resources if we are going to keep viable the inner strengths of democracy.

For as we have and hold dear our practices of conservation, we say to the other peoples of the world that ours is not an exploitive society—solely materialistic in outlook. We take a positive position—conservation means we have the faith that our way of life will go on and we are surely building for those who we know will follow.

The materialistic philosophy denies aspirations for the future. It would destroy the economic base upon which a successful society must rest.

It was close to 40 years ago that Aldo Leopold explained to me his wilderness ideas and helped me bring into focus my philosophy on conservation.

As I proceeded through life, and in particular when I was Secretary of Agriculture, I learned most forcefully that the practice of conservation involves some hard choices.

Many well intentioned citizens, honestly and sincerely motivated, make powerful and persuasive cases for following their suggestions to achieve conservation goals.

I believe that we have as our basic responsibility the preservation of a fertile mantle of soil on our Nation. To do this I believe that we must protect our water resources by controlling runoff and conserving its use.

I believe we must carefully harvest our renewable resources so that the amount we remove over any period balances the growth. The timber, the grass and the wildlife are rich examples.

I believe we must do more than just balance growth and harvest. We must replace what we take with a new crop high in quality and utility to mankind.

For the sportsmen this means wildlife whose species, size, and number provide a sound biologic grouping. For the stockmen, this means that the grass cover must feed his cattle and sheep so that their time on the range is profitable—not only this year but every year. For the forester this means the harvest of timber in a way that assures a new growth of usable wood.

Conservation applies also to nonrenewable resources such as our minerals. Here the choices are even harder because our knowledge of what more lies beneath the earth's huge surface is so woefully deficient.

Over a century ago there crossed the American scene a man from Massachusetts. He was an educator who achieved a national stature based upon the work he did in his native State. His name was Horace Mann. The admonition he passed on was to "be ashamed to die until you have done something for humanity."

A dedication to the cause of conservation is the highest cause to which we can dedicate our interest.

In so doing we dedicate ourselves to mankind's future and the full realization of our fondest hopes not only for ourselves but also for our fellow man.

Mr. ALLOTT. Madam President, on behalf of the Senator from Utah [Mr. BENNETT], the Senator from North Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. CASE], and the Senator from Wyoming [Mr. HICKEY], and myself, I call up my amendment 8–18–61—C.

The PRESIDING OFFICER. The amendment of the Senator from Colorado, offered for himself and other Senators, will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 17, to strike out all of lines 6 through 11 and insert in lieu thereof the following:

(8) Nothing in this Act shall be construed to prevent, within national forest and public domain areas included in the wilderness system, any activity, including prospecting, for the purpose of gathering information about mineral or water resources or to prevent the completely subsurface use of such areas, if such activity or subsurface use is carried on, in a manner which is not incompatible with the preservation of the wilderness environment.

Mr. ALLOTT. Madam President, the amendment would merely permit within wilderness areas the gathering of information about water resources and would authorize the construction of underground tunnels under portions of a wilderness area where such facilities in no way disturb the surface.

In the bill as presently written, such activity is not permitted. There is actually a case today in the State of Colorado in which a tunnel should be built under a proposed wilderness area, although both portals would be outside the wilderness area. I refer to a tunnel to provide water for the city of Denver.

Under a literal interpretation of the bill, such activity would not be permitted. The amendment is to cure that specific situation and others like it. I think we may have to do more of this kind of thing later, but the amendment will improve the situation now.

Mr. CHURCH. Madam President, the amendment which has been offered by the Senator from Colorado has much to commend it. In the course of the committee's deliberations on the pending bill, we discussed and added the very section which the Senator from Colorado seeks now to amend. We added the provision in order that it might be possible for limited prospecting to take place within wilderness areas, without the need to secure permission of any kind.

We took care to provide that such prospecting should be for the purpose of gathering information about mineral resources and that it should take a form not incompatible with the preservation of the wilderness environment.

As I understand, the Senator from Colorado seeks to add "water resources" to "mineral resources." I see no reason why the addition should not be made.

He also seeks to add any activity confined to subsurface use which is not incompatible with the preservation of the wilderness environment. Here again I can see no objection to the addendum.

I think on the whole the amendment improves the original section by broadening it sufficiently to cover water resources, and by allowing subsurface activities that would not interfere with the wilderness environment on the surface, and therefore would constitute no intrusion upon the wilderness character of the area.

Therefore, Madam President, I hope the amendment offered by the Senator from Colorado will be accepted by the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado for himself and other Senators.

The amendment was agreed to.

Mr. ALLOTT. Madam President, on behalf of the Senator from Utah [Mr. BENNETT], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. CASE], the Senator from Idaho [Mr. DWORSHAK], the Senator from Wyoming [Mr. HICKEY], the Senator from Florida [Mr. HOLLAND], and myself, I call up my amendment 8–18–61—F.

The PRESIDING OFFICER. The amendment offered by the Senator from Colorado for himself and other Senators will be stated.

The LEGLISLATIVE CLERK. It is proposed, on page 12, between lines 6 and 7, to insert a new subsection as follows:

ADDITIONAL REQUIREMENTS WITH RESPECT TO RECOMMENDATIONS

(I) (1) The Secretary of Agriculture and the Secretary of the Interior shall each, in submitting any recommendations to the President with respect to any area's retention in or incorporation into the wilderness system, include with such recommendations the independent views of the Governor of the State in which such area is located with respect to the Secretary's recommendations generally, unless no reply is received from such Governor within ninety days after such recommendations are submitted to him and his views thereon requested.

(2) Views submitted to the President under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to Congress with respect to such area.

Mr. ALLOTT. Madam President, the amendment relates to that portion of the bill which specifies the procedure to be followed when a new area is brought under the wilderness bill. The amendment provides—and it was a provision that was in a former proposed draft—that the views of the Governor shall be obtained, if possible, and shall accompany any recommendations by the President to Congress for the designation of an area within that particular State as a part of the wilderness system.

Because this bill gives Congress a limited time in which to veto a Presidential recommendation for locking up additional areas in the wilderness, Congress should at the earliest opportunity have the benefit of the view of the affected State on such matters as:

First. The desirability and need for additional wilderness areas within the State.

Second. The nature and extent of any adverse effect upon existing or prospective development of all the resources of the area.

Third. The necessity for special provisions to accomplish special local situations, if any.

Therefore, Madam President, the amendment is offered to accomplish that purpose.

In my substitute bill there were other provisions for securing the advice of various departments of Government, most of which the committee discarded, on the basis that they were too unworkable and time consuming.

I think this amendment is wholly reasonable. It would be unwise not to solicit the views of the Governor of a State to be affected by a proposal for an addition to the wilderness system. He should be entitled, and properly so, to state the official position of his State.

Mr. CHURCH. Madam President, the case for the pending amendment has been well stated by the Senator from Colorado. The majority view of the Committee on Interior and Insular Affairs would not in any way conflict with the submission of recommendations on the part of Governors of those States affected by the bill. On the whole we think this recommendation would be both pertinent and desirable. Therefore I see no reason to object to the pending amendment, and I express the hope the Senate will see fit to adopt it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. CHURCH. Madam President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 9, line 19, after the word "proposed" it is proposed to insert the word "minor."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Idaho.

Mr. CHURCH. Madam President, I have discussed the amendment with those opposing the bill on the other side of the aisle, who are members of the Committee on Interior and Insular Affairs. No objection has been raised to the amendment. It is essentially intended to clarify section (e) of the bill, beginning at line 19 of page 9. The present language reads:

Any proposed modification or adjustment of boundaries of any portion of the wilderness system established in accordance with this Act shall be made by the appropriate Secretary after public notice of such proposal by publication in a newspaper having general circulation in the vicinity of such boundaries and public hearing to be held in such vicinity not less than ninety days after such notice if there is sufficient demand dur-

ing such ninety days for such hearing. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recommendations shall become effective subject to the provisions of subsection (f) of this section.

This provision was intended by the committee to make it possible to work minor adjustments in the boundaries of a wilderness area once established, so as to make it unnecessary to come to the Congress and obtain a special bill any time a minor alteration of a boundary became necessary or desirable. It is not the intention of the committee that this should be an escape hatch to permit the addition of large new tracts to the wilderness system, once established under other applicable provisions of the bill. Indeed, the committee took the precaution to expressly require in the bill an affirmative enactment of the Congress for the addition of new areas once the wilderness system is established. The purpose of the amendment is merely to make certain that this provision of the bill will not become an escape hatch, and to confine it to such minor adjustments of boundaries as time may make necessary.

The amendment would accomplish this purpose by inserting the word "minor" after the word "proposed" on line 19, page 9, of the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Idaho.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. CHURCH. Madam President, I offer another amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 14, line 15, it is proposed to strike the words "national forest areas included in"; on line 18 after the word "the" it is proposed to insert the word "appropriate"; on line 19 it is proposed to strike the words "of Agriculture"; and on line 22 it is proposed to insert the word "appropriate" at the beginning of the line and strike the words "of Agriculture".

Mr. CHURCH. Madam President, the purpose of this amendment will be at once clear if I read the section proposed to be amended in its present form and explain how the amendment will affect the language as it now exists.

The provision reads:

Within national forest areas included in the wilderness system the use of aircraft or motorboats where these practices have already become well established may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable.

It is my feeling, and I think the feeling is shared by most members of the committee—I have discussed the amendment with the distinguished Senator from Colorado and other interested Senators on the opposite side of the aisle—that there is no reason to confine the stated exception to wilderness areas which are carved out of national forests.

In the Yellowstone National Park, for example, wilderness areas will be established as the result of enactment of the bill. In some of these wilderness areas the practice of motorboating, on some arms of Jackson Lake, for instance, may have become well established. There is no reason why the stated exception in the bill should not extend to wilderness areas in national parks as well as to wilderness areas carved out of the national forests.

There is no purpose here to open up the wilderness areas to uses which have not already become established. The only purpose is to permit the continuation of use of aircraft or motorboats when the practice has been clearly established.

The effect of the amendment is to extend such an exception to the general rule to all of the wilderness areas equally, rather than to confine it to the wilderness areas carved out of national forests.

I think the provision is equitable. I think it accords with the majority view of the committee. I have not heard any objection to the amendment. I hope there will be none, and that the amendment will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Idaho.

The amendment was agreed to.

Mr. BENNETT. Madam President, I offer an amendment to S. 174 which would give the States access to State lands within wilderness areas established under the bill, or indemnify the States for loss of such access.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 12, between lines 6 and 7, it is proposed to insert the following:

STATE SELECTION OF LANDS

(i) The incorporation into the wilderness system of any land otherwise available for selection by a State under Federal law shall not be deemed to prevent such selection.

STATE LANDS SURROUNDED BY WILDERNESS SYSTEM

(j) In any case where State-owned land is completely surrounded by lands incorporated into the wilderness system such State shall be given (1) such rights as may be necessary to assure adequate access to such State-owned land by such State and its successors in interest, or (2) land in the same State, not exceeding the value of the surrounded land, in exchange for the surrounded land. Exchanges of land under the provisions of this subsection shall be accomplished in the manner provided for the exchange of lands in national forests except that there shall be no reservation of minerals in any land patented to a State under the provisions of this subsection.

Mr. BENNETT. Madam President, the Western Association of State Land Commissioners unanimously adopted a resolution calling for indemnification to the States which will lose access to State lands in wilderness areas established under S. 174. Where State school sections or other State lands are isolated by wilderness areas, the State should be given an opportunity, if access is denied, to make in lieu selections of Federal lands in other areas.

My amendment would accomplish this objective, and I urge its immediate adoption. I ask unanimous consent that the resolution passed by the Western State Land Commissioners be included following my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION A

Whereas the Western States Land Commissioners Association has reviewed the purposes of S. 174, 87th Congress, 1st session, relating to the establishment of a wilderness system of lands; and

Whereas it appears that the adoption of this legislation as introduced could result in administrative difficulties for the respective affected States: Now, therefore, be it

Resolved, That the Western States Land Commissioners Association in convention in Seattle, Wash., on August 10, 1961, hereby recommends in the best interest of the 18 western member States that the aforesaid S. 174, 87th Congress, 1st session, be amended as follows:

1. Add subsection (i) to section 3:

"(i) The incorporation into the wilderness system of lands, otherwise available for selection by the States under the provision of applicable U.S. statutes, shall not be deemed such an appropriation as to foreclose or impede State selection thereof."

2. Add subparagraph (1) to subsection (g) of section 6:

"(1) Whenever an area including State-owned land is incorporated in the wilderness system, provision shall be made for access to such land adequate for the reasonable exercise of its rights therein by the State and those claiming under it, and the agencies administering lands within the wilderness system are hereby directed to cooperate with the State in establishing such access and authorized to grant, for reasonable consideration, the easements necessary therefor: *Provided, however*, That, if the recommendation by which an area including State-owned land is incorporated in the wilderness system shall fail to provide for access to the State-owned land therein, then the owning State may, at its election, use the included State land as base in making indemnity selection of lands including the mineral rights therein as provided in applicable U.S. statutes."

3. Add:

"Prior to permanent establishment of wilderness area boundaries, Federal, State, and private technicians shall be directed to make a detailed study of proposed boundaries in order to prevent inclusion therein of areas which have value for public benefits higher than wilderness use."

Resolution A was approved by the following land commissioners at their annual conference in Seattle, Wash., on August 10, 1961:

Alaska: Roscoe E. Bell, director, division of lands.

Arizona: Obed M. Lassen, land and water commissioner.

California: Frank J. Hortig, executive officer, State lands commission.

Colorado: A. M. Ramsey, president, Colorado State Land Board.

Hawaii: James J. Detor, chief, land management division.

Idaho: John G. Walters, commissioner, State land department.

Montana: Mons L. Teigen, commissioner, department of State lands and investments.

Nebraska: Elmer H. Mahlin, secretary, board of educational lands and funds.

Nevada: Joyce Maddaford, deputy State land register, representing Hugh A. Shamberger.
New Mexico: E. S. Walker, commissioner of public lands.
North Dakota: Anton J. Schmidt, commissioner, State land department.
Oklahoma: Woodrow George, secretary, commissioners of the land office.
Oregon: E. T. Pierce, clerk, office of State land board.
South Dakota: Bernard Linn, commissioner of school and public land.
Texas: Not represented.
Utah: Lee Young, director, State land office.
Washington: Bert L. Cole, commissioner of public lands.
Wyoming: Ken Bell, commissioner of public lands.

Mr. BENNETT. Madam President, it is important for all the public-land States in the West to have this privilege, and I hope the manager of the bill is willing to accept the amendment.

Mr. METCALF. Madam President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. METCALF. As I read the amendment hastily, it applies only to State-owned land.

Mr. BENNETT. That is correct. It is the land now owned by the States which, because of the pattern of school section selection, lies largely within wilderness areas.

Mr. METCALF. No other privately owned land would be affected.

Mr. BENNETT. The amendment is not concerned with privately owned land.

Mr. CHURCH. Madam President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. CHURCH. This is the first time I have seen the amendment. I really have not had an opportunity to study it. I should like to ask the Senator a question relating to the last sentence in the proposed amendment:

Exchanges of land under the provisions of this subsection shall be accomplished in the manner provided for the exchange of lands in national forests, except that there shall be no reservation of minerals in any land patented to a State under the provisions of this subsection.

Now, I am personally sympathetic with the acquisition of mineral rights by the States, wherever "in lieu" lands may be involved. I am hopeful that we can work such changes as may be necessary in the Federal laws to permit the States to acquire such mineral rights. But the provision in the Senator's amendment is contrary to the present law and policy. I think it would be far better if proposed legislation of this kind were presented to the appropriate committee where it could be studied in the context of the whole problem, and where appropriate remedial legislation could be considered in the proper way.

I am concerned about the last sentence of the Senator's amendment and wonder if the part that refers to the reservation of mineral rights might not be stricken from the amendment so that this subject could come up in the ordinary course before the proper Senate committee?

Mr. BENNETT. The problem is that there may be land inside an area which is to be added or included in the wilderness area which is known as mineral land, and under those circumstances I think a State should have the right to obtain mineral land in exchange for it, rather than leaving the Federal Government the right to say, "Take this land, whether it has any mineral in it or not."

The theory of the State school sections is, of course, that the State has such a right, and unless the State were given an opportunity to exchange land for land or value for value, we could have a situation in which State land with mineral value is locked up inside a wilderness area; and the State, though it would retain title to the land, would be denied access to it.

The proposed language, even though it may be different from existing law, would change the language in the new wilderness bill. I think a requirement for special consideration would be set up.

Mr. CHURCH. I do not argue the merits of the Senator's proposal. If a State is denied land with mineral content and must exchange that land for Federal land, I think the State is entitled to receive from the Federal Government land of comparable mineral content. But such will not necessarily be the case in every instance. There may be State land with no mineral value relinquished to the Federal Government, and under the terms of the amendment of the Senator from Utah it would be necessary for the Federal Government to exchange land without reserving mineral rights, and so we would have an unequal exchange, which I am not sure would serve the public interest.

I believe the amendment serves to point out the propriety of bringing a subject of this kind, which goes to a question of general policy, to the appropriate committee of the Senate in which it can be given the necessary study.

While I might be willing to accept the amendment of the Senator from Utah and take it to conference, without the last sentence, I feel I would have to oppose the amendment unless that sentence were omitted, because it relates to a question that should properly be brought before a Senate committee and given the necessary study.

Mr. BENNETT. The State land commissioners, from whose resolution the Senator from Utah drew this idea, are anxious to be protected in their right to acquire mineral rights.

The Senator from Utah does not feel that any point would be served in agreeing to set up an exchange of lands without preserving that right. So if the manager of the bill feels that he cannot accept the amendment, perhaps the Senate should vote on it.

Mr. CHURCH. Existing law fully protects the rights of States wherever land involving mineral rights has been lost to them. They have the right of selection. It is based upon careful surveys. There is no reason to assume that existing law is deficient. If changes in existing law are needed, the way to obtain them is not by tacking onto an amendment a sentence that otherwise is not related to the bill.

I urge the Senator from Utah to conclude his amendment at the point at which it reads:

Exchanges of land under the provisions of this subsection shall be accomplished in the manner provided for the exchange of lands in national forests.

That would relate the question to existing law. Changes proposed in existing law can then be taken up at the proper time by the proper committee.

Mr. ALLOTT. Madam President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. ALLOTT. I have had no opportunity until now to study the amendment. I believe I see the situation with which the Senator is concerned. Under present law, in the case of such an exchange as is proposed, the State would not get the minerals under the land it would receive; is that correct?

Mr. BENNETT. The Senator is correct, though there may be minerals under the land the State acquired under the school section law.

Mr. ALLOTT. If the State exchanged such land, it might exchange land with minerals under it, but would not receive the minerals under the land exchanged by the Federal Government.

Mr. BENNETT. The Senator is correct.

Mr. ALLOTT. Mr. President, will the Senator yield further?

Mr. BENNETT. I yield.

Mr. ALLOTT. I suggest to the distinguished junior Senator from Idaho, who is in charge of the bill, that I believe a problem has been presented. I do not believe the specific question was raised in the committee. At least I do not recall it. Does the Senator recall it?

Mr. CHURCH. No, I do not recall the particular question arising in the committee.

Mr. HICKEY. Madam President, will the Senator yield?

Mr. ALLOTT. I ask the Senator from Wyoming to permit me to finish, if I may.

I really see no objection to the amendment. It would merely guarantee that in an exchange a State would obtain the minerals on any land that it received. If there were serious objection, we could certainly iron it out in conference.

Mr. CHURCH. I should like to state my position on the amendment. In the first place, the wilderness bill in no way affects States rights in the matter of selection of Federal lands. Therefore it is inappropriate to attempt in an amendment to the wilderness bill to change existing policy. If we are to change existing law and policy, we ought to do it in a proper way. We ought to take it up, carefully consider it in committee, and bring to the Senate a bill designed to accomplish that objective.

I might take the amendment as far as it goes without injection of a question that really is unrelated to the wilderness bill. I suggest to the proponent, the distinguished Senator from Utah, that he accept a modification of this amendment that would substitute in place of the final sentence two sentences, the first to read:

Exchanges of land under the provisions of this subsection shall be accomplished in the

manner provided for the exchange of lands in national forests.

The second sentence would read:

Nothing in this bill shall defeat the State's right to select lands under the applicable land laws.

Such a provision would make perfectly clear that States would have all the rights they have under existing law, and it would leave the question of changing fundamental Federal law and policy to the consideration of the appropriate committee having jurisdiction. I believe that, if so amended, the amendment proposed by the Senator from Utah might then be acceptable.

Mr. BENNETT. I appreciate the Senator's comment. I should like to hear from the Senator from Wyoming.

Mr. HICKEY. I discussed this problem with the chairman of the committee, the Senator from New Mexico [Mr. ANDERSON]. Certain lands located in wilderness areas in Wyoming are surrounded by wilderness areas, and I discussed the subject with the chairman of the committee. He took up the question with the Department of the Interior. The letter he received from the Department was then forwarded to me. As I recall, the analysis was that the problem which the Senator from Utah has confronting him in connection with the amendment, and which is disturbing to him, is the very problem that we in the West have had over a number of years.

We have been permitted in connection with these lands to make an exchange of lands, but this has never been accomplished. There is the problem of the State agreeing with the Federal Government as to the value of the exchange. It was the opinion of the Department of the Interior at that time that this could not be accomplished by legislation; that it was a problem of administration, that is, the determination between the State agency and the Federal agency of the exchange value.

I do not know how this could effect an equitable exchange, but I believe the problem the Senator from Utah is confronted with is the problem of all of our Western States, where we have lost some State lands by virtue of some acquisition on the part of the Department of the Interior. Our remedy is an exchange. However, the exchange is never effected, because there can never be agreement upon the value between the State agency and the Federal agency. Is that the basic problem, in the Senator's opinion?

Mr. BENNETT. Yes. The State land commissioners of the Western States feel that if the law provides that they shall have a right to exchange mineral lands for mineral lands, they will be in a better position than they are in now.

Mr. HICKEY. I am sure that is true.

Mr. BENNETT. However, in this situation we lock up the State land. The situation is different if it is in open territory and accessible. Here the land would be locked up in the middle of a wilderness area. If an obdurate department head says, "We will not exchange mineral lands for the mineral lands you have," the State is effectively deprived of some of the values which in our State of Utah help support our educational system.

I have sympathy for the position of the Senator from Idaho, who is in charge of the bill on the floor of the Senate. I am wondering whether there is any way by which this can be accomplished through the conference process. If I accept the language he suggests, then, of course, there is no problem for the Federal Government, but the State problem remains. The State is still unable to get value for value unless the Federal Government is willing to provide it.

Mr. CHURCH. If we were to amend the amendment as I have suggested, the amendment would accomplish the principal objective the Senator has in mind, for it would read:

The incorporation into the wilderness system of any land otherwise available for selection by a State under Federal law shall not be deemed to prevent such selection.

It would further provide:

In any case where State-owned land is completely surrounded by lands incorporated into the wilderness system such State shall be given (1) such rights as may be necessary to assure adequate access to such State-owned land by such State and its successors in interest, or (2) land in the same State, not exceeding the value of the surrounded land, in exchange for the surrounded land.

That is the objective. But with respect to retaining mineral rights, I respectfully suggest to the Senator that this is a question for appropriate legislative action, after careful study by the appropriate committee, and has no place in this wilderness bill. The modification I propose would merely leave the States in statu quo, and would make it clear that there is no diminution of States rights in any way resulting from the enactment of the pending bill.

Mr. BENNETT. The first choice, providing that the State shall have adequate access, would in fact defeat the value of the wilderness bill, assuming there were a very valuable mineral in a State school section, and the State were to decide that it was worth money to drive a road through the wilderness to get to it. This would change the situation with respect to existing law, because we would be imposing particular restrictions, in spirit, at least, with respect to access to the land.

Mr. ALLOTT. I appreciate this discussion. I suggest that the following language might resolve the problem, and would provide a permissive situation. I suggest that after "(2)" and following the word "land" we insert a comma and add the words: "which may include minerals in the same State," then follow the suggestion of the Senator from Idaho by putting a period after the word "forests," and by striking the rest of the language. That would accomplish the purpose, I believe.

Mr. BENNETT. How would the language then read?

Mr. ALLOTT. It would read:

(1) Such rights as may be necessary to assure adequate access to such State-owned land by such State and its successors in interest, or (2) land, which may include minerals, in the same State, not exceeding the value of the surrounded land, in exchange for the surrounded land. Exchanges of land under the provisions of this said section shall be accomplished in the manner provided for the exchange of lands in national forests.

I would strike the rest of the language.

Mr. BENNETT. If we do that we are simply moving the words up further in the sentence, it seems to me.

Mr. CHURCH. I believe the proposed revision of the amendment does not reach the situation where the State relinquishes land that has no mineral value and seeks Federal land with mineral value in exchange.

Mr. ALLOTT. It is permissive.

Mr. CHURCH. My modification makes it clear that the present law continues in this situation. We ought not to write a change into the present law except by the appropriate committee processes and on an appropriate bill. The pending bill is not an appropriate bill for that purpose. Therefore, I ask the the Senator to accept the modification I have urged, because under the modification the major objectives he seeks are accomplished, and we do not have the other problem at all.

Mr. ALLOTT. Would the Senator read his suggestion?

Mr. CHURCH. The suggestion I have made is that the last sentence of the proposed amendment be stricken and that in lieu thereof two new sentences be added. The first one would read:

Exchanges of land under the provisions of this subsection shall be accomplished in the manner provided for the exchange of lands in national forests.

The second sentence would read:

Nothing in this Act shall defeat the State's rights to select lands under the applicable land laws.

I believe that would accomplish the major purposes of the amendment, but it would not involve us in the other difficult question.

Mr, ALLOTT. If I am mistaken, I would like to be corrected, but I understand at the present time the applicable State laws to which the Senator's last sentence refers would not in any instance give the State the right to any of the minerals under the act.

Mr. CHURCH. The law that I have referred to is the applicable Federal law.

Mr. ALLOTT. That is correct. However, under that law, if they received a patent from the Federal Government, they would not receive the minerals. The State may have lands with respect to which it has no mineral title. If it were seeking to trade such lands for lands which do involve a mineral title, this might be fair or unfair to the Federal Government. On the other hand, if the State has a piece of land with minerals under it, what the Senator from Utah and I are trying to suggest is that it should be entitled to trade for land with minerals under it. However, the present applicable law would not permit it to do so.

Mr. CHURCH. I am in disagreement with that statement. I have studied this field rather carefully, because I am interested in legislation which would relate to it.

My understanding of the present Federal law is that where a State has been deprived of lands having mineral content, the State may select "in lieu" lands which have mineral content, and that in such a case neither the present law nor regulations prevent the State from acquiring mineral lands. This only points up the extent of the complexity in this whole field, and the importance of legislating on it in a proper way.

The modification I propose eliminates this vexing question, yet accomplishes the principal objectives which the Senator from Utah [Mr. BENNETT] has in mind. I urge him to accept my proposed revision.

Mr. BENNETT. In view of the statement made by the Senator from Idaho, let me pursue the question from the point of view of making a little legislative history? Do I correctly understand the Senator from Idaho to say that under the present Federal law and policy, if there is mineral under a piece of State land, the Federal Government may undertake, in exchange, to see that the land taken in exchange also is mineralized?

Mr. CHURCH. The selection of any "in lieu" land is left to the State. But under present Federal law and policy, it is my understanding that, where the Federal Government has acquired State land which has mineral value, it is permissible for the State to select "in lieu" lands having comparable mineral values. This has not always been Federal policy, but it has been the Federal policy for a number of years.

There may be a need for further correction in the Federal law to take care of earlier cases, but that is a proper subject for careful committee inquiry. I favor bringing a separate bill to the floor of the Senate to accomplish that purpose.

Mr. BENNETT. So far as I am concerned with respect to this amendment—and I am not concerned now with the exact language—if in the case of State school sections surrounded by wilderness area the land which now belongs to the State inside the area is mineralized, the State should have the right to select mineral land in its place. If it is not mineralized, I do not think the State wants the right to select mineral land in its place. If it were possible to write words at the end of this section which would indicate that it is the purpose of the amendment to protect both the law and the policy, the Senator from Utah would be glad to accept such language. I am not trying to give the State something it does not have. I am trying to protect the State in the value it now has.

Mr. METCALF. Madam President, will the Senator from Utah yield?

Mr. BENNETT. I yield.

Mr. METCALF. It seems to me that as the amendment is written it makes new law, because it allows the States to go into the primitive areas and make selections, and then in lieu of that land in the primitive area——

Mr. BENNETT. No.

Mr. METCALF. Yes. The language in paragraph (1) reads "otherwise available for selection." The State could say that it wanted to make a selection in the primitive area, and then in the exchange the reservation of minerals would not be applicable. So they exchange land outside the primitive area or outside the wilderness area, and there would be no exchange of minerals or reservation of minerals, which is a departure from the present law and a departure from the agreement which the Senator from Utah [Mr. BENNETT] and the Senator from Idaho [Mr. CHURCH] have reached.

Mr. BENNETT. Madam President, rather than continue the discussion, I suggest that I be allowed to withdraw my amendment temporarily. The Senator from Idaho, the Senator from Montana, and I can confer between now and some time tomorrow to see if we can devise language which will more effectively protect the present rights of the States.

Mr. CHURCH. I appreciate that suggestion. I wish to cooperate with the Senator in any way I can. I must say, though, in order that the RECORD may be clear, that the first part of the amendment also is objectionable. I had not had sufficient time to study it carefully enough, in the first instance, to raise objection, but I must say that I think the first part of the amendment would not be acceptable, and we would have to discuss that question, too, between now and tomorrow.

Mr. BENNETT. I shall be happy to discuss the entire amendment.

Madam President, I ask permission to withdraw my amendment from consideration at this time.

The PRESIDING OFFICER. The Senator from Utah has the privilege of withdrawing his amendment, and the amendment is withdrawn.

The bill is open to further amendment.

Mr. METCALF. Madam President, during the discussion of the hearing procedure, the Senator from Utah outlined some procedure by which the Selway-Bitterroot Wilderness Area would be taken out of the present primitive area. I ask unanimous consent to have printed at this point in the RECORD a brochure which was prepared by the Forest Service describing the land to be taken, and also the public notice of hearings concerning the proposed establishment of the Selway-Bitterroot Wilderness Area.

There being no objection, the brochure and public notice were ordered to be printed in the RECORD, as follows:

SELWAY-BITTERROOT WILDERNESS PROPOSAL

The proposed plan is in accord with the U.S. Department of Agriculture's policy of reviewing all national forest primitive areas and establishing as wilderness those portions predominately valuable for that purpose.

The proposed wilderness boundaries for the Selway-Bitterroot area will eliminate weaknesses posed by existing roads and by the established use of motor vehicles on those roads. For the most part, the changes in boundaries are required because of roads which penetrate parts of the present primitive area or which cross it completely.

Under the proposal, a 1,163,555-acre wilderness area, encompassing the major features of the present primitive area, will be established from the existing 1,876,000-acre area heretofore classified as a primitive area.

The Forest Service proposal will establish boundaries which include the logical parts of a wilderness. For the most part these boundaries are placed on well defined topographic features which are easily identifiable on the ground. The proposed boundaries are also located to eliminate or minimize the threat of future conflict with other land uses.

The proposed Selway-Bitterroot Wilderness Area includes much of the Bitterroot Mountains, a 45-mile roadless section of the Selway River, and a portion of the Lochsa River drainage. It lies in four national forests: The Lolo, Bitterroot, Nez Perce, and Clearwater in Idaho and the Lolo and Bitterroot in Montana. It averages nearly 50 miles long from north to south and 40 miles wide from east to west.

The purpose of the proposal may be better understood against a brief background of history. In 1929 the Secretary of Agriculture put into effect regulation L–20. It provided for experimental forests and ranges and for a "series of areas to be known as primitive areas within which will be maintained primitive conditions of environment transportation, habitation, and subsistence with a view to conserving the value of such areas for purposes of public education and recreation." The regulation prohibited construction of permanent improvements other than for administrative needs and certain types of occupancy. It allowed continued use of roads and of improvements in place.

During the next 10 years, 73 primitive areas totaling 13½ million acres were established under regulation L–20. Many of these areas, including the Selway-Bitterroot, were selected with the idea that further study and possible changes would be necessary before some could be completely qualified as having true primitive conditions.

Boundaries were drawn to include all parts of an area which might qualify. The boundary lines were, of necessity, based on then existing general knowledge of the area rather than on thorough, on-the-ground surveys. Also, at that time, there was less activity near the borders; little thought was given to establishing boundary lines that would protect the primitive environment from nearby developments.

In 1939, after 10 years of experience in administering primitive areas, the Secretary of Agriculture issued new regulations. These provided for studies of existing primitive areas and directed that portions which qualified and whose greatest values were as wilderness be classified as either wilderness or wild areas under the new regulations, U–1 and U–2. These regulations defined "wilderness" more clearly and they require higher standards of wilderness areas. They also give added assurance of permanence.

In 1934, just 2 years before the primitive area was set aside, two fires burned nearly a quarter of a million acres. These fires had been preceded by huge burns in 1919 and 1910. Considering the fire history of the area at a time before aerial fire control had become effective, the Forest Service had planned a network of fire roads. When the area was set aside, it was decided that roads already in the area would be used and maintained. Roads under construction would be finished, at least to logical stopping places. This was done except for the roads in Running Creek and below Paradise along the Selway River which were never completed. Plans for additional fire control roads were canceled in keeping with the new designation of the area.

Since the road over Nez Perce Pass to the Magruder Ranger Station and Elk City, Idaho, completely traversed the head of the Selway drainage, it was considered by some to be the logical south boundary of the primitive area. But, because of the undeveloped country south of the road and the desire to keep that country undeveloped pending fur-

ther studies, it was included in the primitive area.

When the primitive area was established in 1936, there were 46 irrigation reservoirs in use on the east face of the Bitterroot Mountains within the boundaries. Twenty-five are still under special use permits. However, history indicates that a number of those still in use, especially the very small ones high up in the inaccessible canyons, will be abandoned. Reservoir users are entitled to reasonable access. If a permanent road should be needed to service a reservoir, the part of the drainage affected by the road would be removed from the proposed wilderness area by boundary adjustment. Even though several drainages could be affected in this manner, the east face of the Bitterroot Range remains highly desirable as wilderness.

Much of the Selway River drainage is covered by power withdrawals. The only project included in the latest Corps of Engineers' recommendations is the Penny Cliffs Dam. This would back water a short distance inside the proposed wilderness. A simple boundary adjustment could remove this part of the reservoir from the proposed wilderness area. This project is not considered serious in its possible impact on the proposed wilderness area.

One of the largest elk herds in the United States is found in the proposed wilderness. Large fires in 1910 and 1919 created large brush fields which were further increased by the fires in 1934. As a result of increased food supplies in the burns, the number of elk in the area increased considerably. Most of the old burns serve as summer range for the elk. There is a shortage of winter range, especially along the Selway River, where heavy losses of elk occur during severe winters.

Increased harvest, limited now by inaccessibility, is needed in order to maintain a healthy and reproductive elk herd, to insure adequate winter forage, and to prevent soil damage and erosion. The proposed boundary adjustments should help make a more adequate harvest possible. The connecting links between the road at Paradise and the Running Creek road will provide areas for packer base camps and jumping off points for general public hunting in the wilderness area. A part of the present primitive area lying along the south side of the Lochsa is excluded from the proposed wilderness because of the proximity of the highway. This excluded land will provide access to additional hunting area. The Idaho Department of Fish and Game and the Forest Service are working together to manage and protect the elk range and the highly important herd which depends on it.

The proposed Selway-Bitterroot Wilderness Area is also the home for other big game such as moose, mountain goats, white tail deer, mule deer, and black bear.

The greatest recreation use in the proposed wilderness is hunting, largely for elk on the side drainages of the Selway and Lochsa Rivers. While much of the area has light recreation use, fishing is increasing on the Selway River and in the high Bitterroot lakes. There are many miles of trout streams and numerous lakes which provide good fishing. There is a small but steady increase in the number of persons whose main purpose in visiting the area is simply to enjoy wilderness atmosphere, or to indulge in photography or other esthetic or educational interests.

Visitors seeking a wilderness atmosphere can find numerous and varied opportunities among the variety of land forms in the proposed area. There is little similarity between a trip along the 45-mile roadless stretch of the Selway River and a trip along the backbone of the Bitterroot Range. Mountain climbers can find many challenging peaks, while the canyons on the east face of the Bitterroot Range are readily accessible in relatively short walks or rides. One-day trips into these canyons from Highway 93 can be enjoyable wilderness experiences. A 3-day trip permits a full day at one of the high lakes, while visitors with more time can spend an interesting week in such drainages as Big Creek, Blodgett, Rock or Tin Cup Creeks. Trails connecting some of these drainages make interesting loop trips possible. The Lewis and Clark Highway down the Lochsa River will make more country accessible for short trips similar to those up the east face of the Bitterroots. The area is large enough that a year of exploration would still leave many parts of it unseen. Except during the elk hunting season, there are few encounters with other persons and few evidences of the presence of men.

Livestock grazing, except for the horses and mules of wilderness visitors, is confined to one permit for 100 head of cattle which graze only part time in the proposed wilderness. Recreation users require horses for the most desirable enjoyment of the wilderness and horse feed for this use is a high priority need.

There are about 3½ billion board feet of commercial timber which, if not reserved by wilderness classification, would eventually be merchantable. Because of the long distances to market, however, and the expensive logging roads needed for harvest, little of the timber can be considered marketable at present.

There are no known mining claims within the proposed wilderness area that might pose a threat to its classification. Seven tracts of private land totaling 1,161 acres lie along the Selway River and lower Moose Creek within the proposed wilderness. Two of these holdings are operated as guest ranches. Two are commercial camps which serve as bases for hunting. The operators of these four tracts depend on airplanes for most of their transportation and supply. While these holdings now serve an important place in facilitating the needed elk harvest, it is imperative that they be acquired in order to assure wilderness preservation.

Administrative facilities in the proposed wilderness consist of a ranger station and airfield at Moose Creek, a guard station, landing strips at Shearer, and Fish Lake, and trails, lookouts, telephone lines, and helicopter landing spots. These helicopter spots, used for fire control, are mostly on ridgetops and are inconspicuous and generally not noticeable.

The following table gives the major boundary adjustments:

Selway-Bitterroot Primitive Area:	*Acres*
Primitive area to be classified as wilderness	1,137,295
South Fork Lolo-Storm Creek addition	10,700
East face Bitterroot additions	15,560
Total of Selway-Bitterroot Wilderness Area (area A)	1,163,555
Area B, Salmon River face (retain as primitive area)	188,796
Total to be managed as wilderness or primitive area	1,352,351
Areas not qualifying for inclusion in the Selway-Bitterroot Wilderness Area:	
Area E, upper Selway	310,412
Area D, east face Bitterroot	54,331
Area F, Lochsa face	71,129
Area G, Buck Lake Creek	7,424
Area H, Fog Mountain	32,709
Area I, White Sand-Hoodoo Creek	73,210
Total	549,215
Total area studied	1,901,566
Less additions listed above	−26,260
Total	1,875,306

You will note that the table shows an addition of 10,700 acres in the South Fork Lolo-Storm Creek area and a total addition of 15,560 acres along the east face of the Bitterroot Range. The former contains 2,200 acres of Northern Pacific Railroad land which the company has indicated a willingness to exchange. If this proposal is adopted, action will be started to carry out this exchange. This will be a highly valuable addition to the wilderness.

The other additions are near the south end of the proposed area and are valuable additions uncomplicated by conflicts with established rights and uses. The largest part of this additional acreage is in the vicinity of Boulder Point and Watchtower Creek.

Figure 1 also shows the southern part of the present primitive area. The road from near Darby, Mont., to Elk City, Idaho, traverses this portion of the area and influences future plans for it. Management recommendations are as follows:

Area B, Salmon River face, 188,796 acres: This is the part of the primitive area which drains into the Salmon River. It is separated from the proposed wilderness by roads. It is a logical unit for study with the rest of the Salmon River drainage. The large Idaho primitive area lies across the river to the south. The Forest Service recommends that the undeveloped part of the Selway-Bitterroot Primitive Area in the Salmon drainage be held in primitive status pending a joint study with the adjoining forest region of both sides of the Salmon River.

Area E, upper Selway, 310,412 acres: Figure 1 (not printed in RECORD) illustrates how this area is separated from the proposed wilderness by existing roads and a much-needed and long-considered connecting link down Running Creek and up the Selway River to Paradise guard station. This area has many recreation values but does not qualify for inclusion in the proposed wilderness area. Multiple-use plans for the area will recognize:

1. Recreation values including wilderness-type recreation.

2. Management of commercial forest lands for timber production.

3. Need for an access corridor through the Bitterroot Mountains for transmission lines and other possible uses.

Area D, East Face Bitterroot, 54,331 acres: This includes the Lost Horse and Fred Burr drainages which have public roads. It also includes minor adjustments which place the boundary on topographic features where the wilderness is removed from the possibility of disturbing influences.

Area F, Lochsa face: This area on the south side of the Lochsa River is adjacent to the new Lewis and Clark Highway. The strip of land along the south side of the river is nonwilderness in character because of the presence of a transcontinental highway in sight and hearing distance. There will also be a need for facilities for the traveling public and takeoff points for wilderness travel for which space is too limited on the north side of the river. There are advantages as far as administration goes but the main reason for moving the boundary back to the first easily identified ridge is that this area lacks wilderness qualification.

Area G, Buck Lake Creek, 7,424 acres: The logical boundary of the proposed wilderness is the ridgetop separating the Selway River from Meadow Creek.

Area H, Fog Mountain, 32,709 acres: This boundary adjustment would remove the Fog Mountain road and its influence from the proposed wilderness and place the boundary on a more logical and more easily identifiable location.

Area I, White Sand-Hoodoo Creek, 73,210 acres: This area lies south of Powell Ranger Station. It is traversed by several roads which are heavily used by hunters and other recreation visitors. The area supports heavy stands of timber and includes 2,520 acres of

Northern Pacific Railroad land, some of which was logged during the spruce bark beetle epidemic. This area has about 420 million board feet of merchantable timber, all within reasonable hauling distance to established mills. Because of the established roads and the benefits of timber production, the Forest Service recommends that this area be managed according to the multiple-use plans that will be prepared for it.

Further specific information concerning the proposal to alter the boundaries and change the classification of the Selway-Bitterroot Primitive Area may be obtained from the following:

Forest supervisor, Lolo National Forest, Missoula, Mont.

Forest supervisor, Bitterroot National Forest, Hamilton, Mont.

Forest supervisor, Clearwater National Forest, Orofino, Idaho.

Forest supervisor, Nez Perce National Forest, Grangeville, Idaho.

Regional forester, Federal Building, Missoula, Mont.

Persons wanting to submit oral or written views may do so in person at hearings at Missoula, Mont., on March 7, or at Lewiston, Idaho, on March 9, 1961. Written comments may be sent to the regional forester, Federal Building, Missoula, Mont., before March 27, 1961, with the request that they be included in the official hearing record.

PUBLIC NOTICE—HEARINGS ON PROPOSED ESTABLISHMENT OF SELWAY-BITTERROOT WILDERNESS AREA

Public hearings on the proposed establishment of the Selway-Bitterroot Wilderness Area referred to in the public notice posted August 29, 1960, will be held as follows:

Missoula, Mont., Yellowstone Room, University Lodge, Tuesday, March 7, 1961, 9 a.m., m.s.t.

Lewiston, Idaho, Lewis and Clark Hotel, Thursday, March 9, 1961, 9 a.m., p.s.t.

An additional hearing has been scheduled as follows: Grangeville, Idaho, armory, Tuesday, March 14, 1961, 9 a.m., p.s.t.

Persons desiring to express their oral or written views may do so in person at these hearings, or they may submit their written comments to the regional forester, Federal Building, Missoula, Mont., not later than March 27, 1961, with the request that their statements be included in the official hearing record.

JANUARY 25, 1961.

CHAS. L. TEBBE,
Regional Forester.

Mr. ALLOTT. Madam President, on behalf of the Senator from Utah [Mr. BENNETT], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. CASE], the Senator from Idaho [Mr. DWORSHAK], the Senator from Hawaii [Mr. FONG], the Senator from Wyoming [Mr. HICKEY], the Senator from Florida [Mr. HOLLAND], and myself, I call up my amendment designated "8-18-61—D" and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 10, line 12, it is proposed to strike out all through line 7 on page 11 and insert in lieu thereof the following:

(f) Any recommendation of the President made in accordance with the provisions of this section shall take effect upon the day following the adjournment sine die of the first complete session of the Congress following the date or dates on which such recommendation was received by the United States Senate and the House of Representatives; but only if prior to such adjournment Congress approves a concurrent resolution declaring itself in favor of such recommendation: *Provided*, That, in the case of a recommendation covering two or more separate areas, such resolution may be limited to one or more of the areas covered or parts thereof.

Mr. DWORSHAK. Madam President, the Senator from Arizona [Mr. GOLDWATER] has asked that his name be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT, 1962, AMENDMENT

Mr. MANSFIELD. Madam President, after consulting with interested Senators on the minority side and on this side of the aisle, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 845, S. 2481.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (S. 2481) to amend the National Aeronautics and Space Administration Authorization Act for the fiscal year 1962.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed at this point in the RECORD a statement of the purposes of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to amend the National Aeronautics and Space Administration Authorization Act of the fiscal year 1962 (Public Law 87-98) by increasing the amount allotted to "Various locations" (part of "Construction of facilities") in that act by $60 million to a new total of $206,186,000.

The following table summarizes the differences:

	Public Law 87-98	S. 2481	Difference
Salaries and expenses	$226,686,000	$226,686,000	
Research and development	1,305,539,000	1,305,539,000	
Construction of facilities	252,075,000	312,075,000	$60,000,000
Total	1,784,300,000	1,844,300,000	60,000,000

EXPLANATION OF THE BILL

In his appearance before the committee on the authorizing bill for fiscal year 1962, Maj. Gen. Don R. Ostrander, former director of launch vehicle programs for NASA, testified that development of facilities for the Nova vehicle would constitute one of the major "pacing" items for the entire vehicle development program. He also testified that "in view of the unique requirements that will be encountered in launch operations for vehicles of this size, it is essential that site surveys and criteria studies be initiated at the earliest possible date."

SURVEY TEAM ANALYZED LAUNCH REQUIREMENTS

In accordance with this policy, a survey team jointly headed by the Director, Launch Operations Directorate (NASA), and the Commander, Air Force Missile Test Center (DOD), was directed to analyze launch requirements to implement a manned lunar landing program and to establish a basis for the selection of a launching site for the new, very large launch vehicles required in the execution of the program.

In the conduct of its study, this team established the technical criteria required of the launching site. First of all, launchings must be made in an easterly direction to take advantage of the rotation of the earth. Other criteria were as follows:

1. National ownership.
2. Launch vehicle impact hazard.
3. Overflight hazard.
4. Water transportation.
5. Interruption of Intracoastal Waterway.
6. Proximity to existing facilities.
7. Relative facilities cost.

Initially, the survey team considered a great many sites. Through application of the above criteria, it was possible to narrow these down to seven sites that received intensive analysis.

In alphabetical order these were: (1) Site on the mainland of the gulf coast near Brownsville, Tex.; (2) an area adjacent to the existing launch site at Cape Canaveral, Fla.; (3) Christmas Island in the mid-Pacific south of Hawaii; (4) Cumberland Island, Ga.; (5) a site at South Point, island of Hawaii; (6) Mayaguana Island in the Bahamas group; and (7) White Sands Missile Range, N. Mex. The evaluation of each site as compared with the criteria is indicated in table 1 and the conclusions for each criterion are discussed below.

TABLE 1.—*Evaluation of launch sites*

	National ownership	Launch vehicle impact hazard	Overflight hazard	Water transportation	Interrupt intracoastal waterway	Proximity to existing facilities	Relative facilities cost
Brownsville, Tex	United States	Yes	Yes	Yes	Yes	No	1.07
Cape Canaveral, Fla	do	No	No	Yes	No	Yes	1.02
Christmas Island	United Nations	No	No	Yes		No	3.00
Cumberland Island, Ga	United States	No	No	Yes	Yes	No	1.07
Hawaii	do	No	No	Yes		No	1.87
Mayaguana, Bahama Islands	Great Britain	No	No	Yes		No	2.41
White Sands Missile Range	United States	Yes	Yes	No		Yes	1.00

1. National ownership

The question of national ownership was considered in terms of the speed with which necessary land acquisition for site development could be consummated. The only potential problem areas exist at Christmas Island, which is under United Nations trusteeship, and at Mayaguana Island which is

owned by Great Britain. In these two cases, international agreements would have to be achieved before site development work could actually proceed.

2. Launch vehicle impact hazard

The study considered the normal booster impact hazards associated with fallout of first and second stage launch vehicles. It was considered that launch azimuths from 60° to 120° would be desirable to accommodate various mission profiles and the booster impact zones were considered for this entire launch fan. The impact hazard was not considered a serious problem for any of the sites except for (a) Brownsville, Tex., site where the launch azimuth would have to be limited to between approximately 80° and 90° in order to minimize land impact of the first and second stages and (b) the White Sands Missile Range where it was determined that the first stage for both the Saturn C–3 and the Nova vehicles would impact on land regardless of the launch azimuth within the fan desired. Several cities such as Big Spring, Midland, Fort Worth, Dallas, Austin, Galveston, and Houston, Tex., are included within this fan. To minimize land impact hazards, it would be necessary to severely limit the launch azimuth in order to avoid highly populated areas. Although the second stage of the Nova vehicle would for normal flight be expected to impact in the Atlantic Ocean, the Saturn C–3 second stage impact zone could include portions of the Eastern United States.

3. Overflight hazard

In addition to considering the normal impact zones for the booster stages, it is necessary to consider possible impact areas resulting from launch vehicle malfunctions. It was determined that there was no serious overflight hazard for any of the launching sites except—

(a) Brownsville, Tex., where large portions of the United States, and in some cases Cuba, would be overflown through second stage burnout. With the possibility of abort during first or second stage burning, especially during the early phases of the program, some sizable population centers, such as Tampa, St. Petersburg, Palm Beach, and Miami, Fla., might be endangered.

(b) A hazard also existed for launches from the White Sands Missile Range where each flight mission would have to be carefully reviewed on a case-by-case basis to minimize endangering population centers such as Memphis, Tenn.; Birmingham, Ala.; Atlanta, Ga.; New Orleans, La.; Jacksonville, Fla.; and Dallas or Fort Worth, Tex., in the event of booster malfunction.

4. Water transportation

The study considered as desirable the present concept for transporting large launch vehicles and spacecraft on a transport barge from the missile assembly plant to the launch area. This procedure is economical and allows flexibility of location of the fabrication and test sites relative to the launch site. All of the sites considered would allow water access except the White Sands Missile Range. Use of the White Sands Missile Range would require some other method of vehicle transportation and, more importantly, would probably dictate that the launch vehicle assembly plant and static test stands be located near the launch site.

5. Interruption of Intracoastal Waterway

Three of the sites evaluated are contiguous to the Intracoastal Waterway. In these cases an evaluation was made to determine if the necessary blast damage and sound exclusion zones would interrupt the waterway and thereby require closure of the waterway during launch operations. At Cape Canaveral, Fla., it was determined that such interruption would not be necessary. However, at Brownsville, Tex., and Cumberland Island, Ga., it would be necessary to interrupt waterway access. In the case of Cumberland Island there is an annual traffic rate through the waterway of about 16,000 vehicles or approximately 50 per day on the average. Over 20 miles of the waterway would have to be closed for considerable periods of time at each launching operation.

6. Proximity to existing facilities

Primarily launching operations are now conducted at the three national missile ranges—Atlantic Missile Range, Pacific Missile Range, and White Sands Missile Range. The study team considered that the most direct utilization of the manpower and physical resources now existing at these sites would be advantageous. Of the sites evaluated, Cape Canaveral and the White Sands Missile Range would yield the greatest advantage in terms of utilizing or expanding existing physical plants and technical organizations. In particular, many missions within the overall manned lunar landing program will be conducted from Cape Canaveral using Atlas-Agena, Centaur, and Saturn C–1 launch vehicles. These missions will in many cases utilize the same contractors and supporting NASA personnel as the missions involving the Saturn C–3 and Nova launch vehicles. It was therefore concluded that important economy of resources could be achieved through a site near present Cape Canaveral.

7. Relative facilities cost

The survey team made detailed estimates of the total capital costs at each site including land acquisition costs for an operational facility with three Saturn C–3 and three Nova launch complexes including launch pads, assembly and checkout facilities, and transport facilities; spacecraft assembly operations and support facilities; industrial support area; centralized communication facilities; and range support facilities of the sites considered, the White Sands Missile Range, an expansion of Cape Canaveral, the site at Brownsville, Tex., and the site at Cumberland Island, Ga., were all at a comparable cost level for the total project. (The costs were within 7 percent of the lowest estimate which was for White Sands Missile Range.) The sites at Hawaii, Mayaguana Island, and Christmas Island would all be considerably more expensive for final development.

From a consideration of the foregoing criteria, it was concluded by the Administrator that the selection of the launching site adjacent to the existing Cape Canaveral area would be the most advantageous choice. There are no unsuitable features within the evaluation criteria. The eventual site development cost including land acquisition is a minimum. These costs by principal category are:

Mission facilities	$700,000,000
Launch support facilities	125,000,000
Real estate	60,000,000
Total	885,000,000

The mission facilities are the six launching complexes and required supporting facilities. The launch support facilities are of the extensions to existing AMR facilities required for the launch and tracking through injection of the spacecraft. The $60 million real estate cost is the cost, estimated by the Army Corps of Engineers, of acquiring approximately 80,000 acres of land necessary at this site.

It is this $60 million that the current request for authorization is now being made. Postponement of this authorization until the regular fiscal year 1963 might seriously delay the success of the manned lunar program within the desired target dates.

The site selection has been concurred in by the Secretary of Defense and the current request has been approved by the Bureau of the Budget.

Mr. KERR. Madam President, I support S. 2481. The purpose of the bill, which was reported unanimously by the Space Committee, is to authorize the appropriation to the NASA of $60 million for land acquisition adjacent to Cape Canaveral to provide a site for the launch complexes for the large Saturn and Nova vehicles.

The location of this site was decided after an intensive survey by a joint NASA-Department of Defense team. Their findings are covered in the accompanying report.

NASA stated that they were unable to include this item in the general authorization bill because it was hoped that DOD might already own a suitable area; if not a site would have to be found and approved. The immediate consideration of the bill is necessary to enable NASA to proceed to acquire the land so that construction can commence within the next 6 to 12 months.

I ask unanimous consent to place in the RECORD the statement of Mr. Webb, Administrator of NASA, before the committee in support of this measure, and I urge the passage of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF JAMES E. WEBB, ADMINISTRATOR, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, BEFORE THE SENATE COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES, SEPTEMBER 1, 1961

Mr. Chairman and members of the committee, in order to accomplish the missions of the expanded national space program, it will be necessary that we employ launch vehicles much larger than those currently in use or under development. The technical specifications for these vehicles are now under intensive study, but it is already obvious that we will have to use boosters having as much as 12 to 20 million pounds of thrust, or more than 8 to 13 times as large as the Saturn C–1.

One of the most serious problems that confronts us in the utilization of these very large boosters is the selection of an adequate launching site. In addition to considering the hazards that would accompany explosions of the vehicles on or near the launch pads, we must consider the hazards from the tremendous noises that will be generated in the early stages of flight. These considerations have led to a determination that exclusion zones of 7 to 10 miles will be necessary in the vicinity of the launch pads—zones which must be under strict control and in which the general public cannot be present. The existing launching areas at Cape Canaveral cannot accommodate the necessary exclusion zones.

A survey team was established early this summer under the joint direction of NASA and the Department of Defense to analyze these and other launch requirements for the manned lunar landing program, to establish criteria for the selection of an adquate launch site, and to evaluate potential launching sites. This team established general criteria for guidance of their study activities. These criteria included the requirements:

(a) that it be possible to launch in an easterly direction in order to make maximum utilization of the earth's rotation;

(b) that the impact areas for the first and second stage boosters be uninhabited;

(c) that the initial flight path not be over areas that could suffer severe life and property damage in the event of vehicle malfunction during the boost phase of flight;

(d) that the launch site be accessible to water transport of the very large booster components that are to be fabricated and static-tested elsewhere; and

(e) that the launching sites make maximum utilization of existing NASA and DOD resources.

The survey team initially considered a great many sites. Through application of the above criteria, it was possible to narrow these down to seven sites that received intensive analysis. From this analysis, and considering the costs required to bring the launch site to a full operational capability, it was concluded that the most advantageous location would be immediately adjacent to the existing Cape Canaveral missile test area.

The bill before you is a request for authorization for appropriations of $60 million to acquire the approximately 80,000 acres determined to be necessary for the expanded launching area.

The 1962 authorization act enacted by the Congress earlier this year provided initial authorizations for the launch site. There was no request at that time for funds to acquire the launch site because, in the absence of definitive criteria and site evaluations, it was thought that the Department of Defense might be able to furnish the required area as part of their national missile range facilities. This was not possible and it was, therefore, decided that NASA should acquire and develop the necessary area.

The acquisition of the proposed launching site adjacent to Cape Canaveral is an urgent requirement for the timely conduct of the expanded space program. It is estimated that construction of the launch facilities for the very large launch vehicles will require as much as 4 years or more. This construction must proceed in the very near future if we are to be ready to flight test the new vehicles at the earliest possible time. Passage of the bill before you will allow NASA to proceed at once with the acquisition of land for the launching area so that the facility construction can be initiated in the near future. We can temporarily finance the early land acquisition costs within our present appropriation. I indicated, however, in my letter to the Congress that NASA will seek a supplemental appropriation for the land acquisition in January.

The PRESIDING OFFICER. The bill is open to amendment. If there no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction of facilities, and for other purposes", approved July 21, 1961 (75 Stat. 216), is amended by:

(1) striking out, in section 1 thereof, the figure "$1,784,300,000", and inserting in lieu thereof the figure "$1,844,300,000";

"(2) striking out, in subsection 1(c) thereof, the figure "$252,075,000", and inserting in lieu thereof the figure "$312,075,000";

(3) striking out, in paragraph 1(c)(10) thereof, the figure "$146,186,000", and inserting in lieu thereof the figure "$206,186,000"; and

(4) striking out, in section 2 thereof, the figure "$252,075,000", and inserting in lieu thereof the figure "$312,075,000".

Mr. MANSFIELD. I thank the Senator from Idaho.

Mr. KERR. I thank the distinguished Senator from Idaho.

Mr. HOLLAND. Madam President——

The PRESIDING OFFICER. The Senator from Idaho has the floor.

Mr. HOLLAND. Will the Senator from Idaho yield briefly to me?

Mr. DWORSHAK. Yes, if I may do so without losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. Madam President, I wish to make a brief comment. I desire to express my appreciation to the Senator from Oklahoma [Mr. KERR] for handling the bill so expeditiously. While it does involve my State, it also involves in a much greater way the entire Nation; and I think the speed of the Senator from Oklahoma in getting the measure to the floor of the Senate and getting the measure passed is to be greatly commended by all of us who know him intimately. This measure is involved with the matters of tremendous import which our Nation is undertaking in the field of space activities, guided missiles, and the like; and I want the record to show my appreciation and deep respect for the Senator from Oklahoma.

Mr. KERR. I thank the Senator from Florida. Praise is due to all the other members of the committee and to the committee staff for the fine work they have done in making it possible to bring the bill to the floor of the Senate.

Madam President, I move that the vote by which the bill was passed be reconsidered.

Mr. HOLLAND. I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

ESTABLISHMENT OF NATIONAL WILDERNESS PRESERVATION SYSTEM

The Senate resumed the consideration of the bill (S. 174) to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes.

Mr. DWORSHAK. Madam President. As we discuss the merits of S. 174, the wilderness preservation system bill, I find that many persons have little knowledge of the measure and what it would do. This, I am certain, will be cleared up by the debate today. However, another point that I think should be made clear is the attitude of the people who live in and near the areas that will be affected by the provisions of this bill.

Concerning the latter point, I have been deluged with letters and petitions from local unions, individual workers, recreation enthusiasts, farmers, and small and large businesses in the Western States. All have one point in common: they oppose the locking up of such a large area of land as is now proposed in the wilderness bill.

Madam President, as illustrative of the protests I have received, I hold in my hand a petition signed by 1,737 woodworkers and loggers in Nez Perce, Latah, and Clearwater Counties, in Idaho. The signers of the petition take the following position:

We respectfully urge that before any area is included in the wilderness system, it must be specifically approved by an act of Congress.

In addition, we urge that public hearings be held in the locality of the area proposed to be set aside as a wilderness area before any action is taken by Congress.

Madam President, I am calling attention to these petitions primarily because although it is all very well to make claims about the esthetic need to create more wilderness areas for recreational purposes, basically the people who reside in these areas must first earn a livelihood; and the signers of these petitions point out that their livelihood is almost entirely dependent upon the multiple use of our national forests, because they rely upon the lumber and timber industry to make a living.

Madam President, I should like to read a letter I have received from Bert L. Cole, secretary of the Western States Land Commissioners, which include the top land administrators of 18 Western States where much of the proposed wilderness area is located. The letter reads as follows:

THE WESTERN STATES LAND COMMISSIONERS ASSOCIATION,
Olympia, Wash., August 21, 1961.

Hon. HENRY C. DWORSHAK,
Senate Office Building,
Washington, D.C.

DEAR SENATOR DWORSHAK: The Western States land commissioners, in their annual conference in Seattle, Wash., on August 10, 1961, passed the enclosed Resolution A unanimously.

We State officials who have a land management responsibility feel very keenly about setting aside excessive acreages of public land for single purpose usage. We strongly feel that there is no urgency to pass S. 174 until the O.R.R.R.C. report is made to Congress. Certainly a few more months will not be detrimental to the public's interest in determining the wisest and best use of our public domain lands in the interests of all of the people.

We are very hopeful that you will delay passage of this bill until we have had the benefit of the study made by technicians which will be incorporated in the O.R.R.R.C. report.

Yours very truly,

BERT L. COLE,
Commissioner of Public Lands, State of Washington, and Secretary, Western States Land Commissioners Association.

Madam President, I ask unanimous consent to have Resolution A printed at this point in the RECORD. It was adopted unanimously by these Western States land commissioners; and I also ask unanimous consent to have printed in the RECORD a brief statement showing the names of the land commissioners and their respective offices.

There being no objection, the resolution and the statement were ordered to be printed in the RECORD, as follows:

RESOLUTION A

Whereas the Western States Land Commissioners Association has reviewed the purposes of S. 174, 87th Congress, 1st session, relating to the establishment of a wilderness system of lands; and

Whereas it appears that the adoption of this legislation as introduced, could result in administrative difficulties for the respective affected States: Now, therefore, be it

Resolved, That the Western States Land Commissioners Association in convention in Seattle, Wash., on August 10, 1961, hereby recommends in the best interest of the 18 western member States that the aforesaid S. 174, 87th Congress, 1st session, be amended as follows:

1. Add subsection (i) to section 3:

"(i) The incorporation into the wilderness system of lands, otherwise available for selection by the States under the provisions of applicable United States statutes shall not be deemed such an appropriation as to foreclose or impede State selection thereof."

2. Add subparagraph (1) to subsection (g) of section 6:

"(1) Whenever an area including State-owned land is incorporated in the wilderness system, provision shall be made for access to such land adequate for the reasonable exercise of its rights therein by the State and those claiming under it, and the agencies administering lands within the wilderness system are hereby directed to cooperate with the States in establishing such access and authorized to grant, for reasonable consideration, the easements necessary therefor;

"Provided, however, That, if the recommendation by which an area including State-owned land is incorporated in the wilderness system shall fail to provide for access to the State-owned land therein, then the owning State may, at its election, use the included State land as base in making indemnity selection of lands including the mineral rights therein as provided in applicable U.S. statutes."

3. Add:

"Prior to permanent establishment of wilderness area boundaries, Federal, State, and private technicians shall be directed to make a detailed study of proposed boundaries in order to prevent inclusion therein of areas which have value for public benefits higher than wilderness use."

Resolution A was approved by the following land commissioners at their annual conference in Seattle, Wash., on August 10, 1961:

Alaska: Roscoe E. Bell, director, division of lands.

Arizona: Obed M. Lassen, land and water commissioner.

California: Frank J. Hortig, executive officer, State lands commission.

Colorado: A. M. Ramsey, president, Colorado Etate Land Board.

Hawaii: James J. Detor, chief, land management division.

Idaho: John G. Walters, commissioner, State land department.

Montana: Mons L. Teigen, commissioner, department of State lands and investments.

Nebraska: Elmer H. Mahlin, secretary, board of educational lands and funds.

Nevada: Joyce Maddaford, deputy State land register, representing Hugh A. Shamberger.

New Mexico: E. S. Walker, commissioner of public lands.

North Dakota: Anton J. Schmidt, commissioner, State land department.

Oklahoma: Woodrow George, secretary, commissioners of the land office.

Oregon: E. T. Pierce, clerk, office of State land board.

South Dakota: Bernard Linn, commissioner of school and public land.

Texas: Not represented.

Utah: Lee Young, director, State land office.

Washington: Bert L. Cole, commissioner of public lands.

Wyoming: Ken Bell, commissioner of public lands.

Mr. DWORSHAK. Madam President, at this point I should like to remind my colleagues that there will be no roads or other habitation in these proposed vast wilderness areas. I am in agreement with proponents of the wilderness measure that we should have some areas kept in their natural state, for study of our heritage and enjoyment by future generations. And we have some such areas in Idaho—in fact, more than 3 million acres, and many more acres in other Western States. But to blanket in areas as large as the States of Washington and Indiana combined to get this type of area is sheer folly.

Madam President, I ask unanimous consent to have printed in the RECORD an article from the Lewiston (Idaho) Tribune of July 14, 1961, which sums up some of the economic factors involved.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WILDERNESS BILL POOR FOR IDAHO

BOEHL'S CABIN.—Idaho is hardest hit of all States by the wilderness system bill as now written, said H. R. Glascock, Jr., Portland, forest counsel for Western Forestry and Conservation Association.

Of the State's 3 million acres of primitive areas, more than one-half are commercial forest land, according to U.S. Forest Service data, and would be put into the currently proposed national wilderness preservation system.

Glascock made these statements during the Idaho Land Board tour Thursday.

He said Idaho, like other Western States, is dependent upon the most productive uses of its renewable natural resources for the creation of basic wealth.

The wilderness system bill as written puts Idaho's wealth-producing potential in a straitjacket and leads to a future deficit of commercial forest lands, he said.

WOULDN'T THRIVE

"Neither the counties nor the State of Idaho nor the Nation can long thrive under an artificial shortage of renewable resources due to failure to assign significant tracts of forest lands to their most productive uses," Glascock asserted. This is what would happen if current wilderness system legislation is enacted, he said.

"Fortunately," he said, "there are generous reaches of land in Idaho and other States which are valuable primarily as roadless wilderness without zoning together with them lands more valuable for other uses.

"In Western States, such as Idaho, having a high percentage of public land, the mineral, water, grazing, timber, and motoring recreation potentials will be curtailed needlessly if due care is not taken in the permanent assignment of such lands to highest use," he said.

Glascock said the Forest Service estimates the Nation will require double the present volume of timber resources by the year 2000.

Mr. DWORSHAK. Madam President, I also wish to call attention to some of the other protests which I have received from very important groups in Idaho.

First, I should like to call attention to House Joint Memorial No. 6, adopted unanimously in February 1961, by both the Senate and the House of the Idaho State Legislature. I shall read one of the paragraphs of the memorial, but I ask unanimous consent to have the entire memorial printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DWORSHAK. Madam President, I now read one of the paragraphs of the House joint memorial:

Now, therefore, be it resolved by the House of Representatives, State of Idaho, (the Senate concurring), That we are most respectfully opposed to the dedication of additional lands as primitive or wilderness areas in the State of Idaho and respectfully request that all primitive and wilderness areas in the State of Idaho be reviewed and studied with the view of eliminating all lands which have a higher or greater multiple-use potential than that of single use dedication as primitive or wilderness.

The resolution submitted by Senator DWORSHAK is as follows:

HOUSE JOINT MEMORIAL 6

Joint memorial to the honorable Senate and House of Representatives of the United States in Congress assembled

We, your memorialists, the Legislature of the State of Idaho, respectfully represent that:

Whereas the economy of the State of Idaho is based upon its agriculture, lumber, mining, sheep and cattle industries, and the use of its waters for irrigation and hydroelectric power; and

Whereas approximately two-thirds of the land area of the State of Idaho is federally owned and contains approximately 3 million acres set aside for primitive and wilderness areas; and

Whereas these designations are restrictive to full utilization and deny to the natural resources industries of the State of Idaho the right to wisely develop the natural resources contained in these large primitive and wilderness areas of the State and further deny ready access to these areas to millions of American citizens, all to the detriment of said industries and to the people of the State of Idaho; and

Whereas one of the great potential industries of the State of Idaho is its tourist trade and wildlife attractions: Now, therefore, be it

Resolved by the House of Representatives, State of Idaho (the Senate concurring), That we are most respectfully opposed to the dedication of additional lands as primitive or wilderness areas in the State of Idaho and respectfully request that all primitive and wilderness areas in the State of Idaho be reviewed and studied with the view of eliminating all lands which have a higher or greater multiple use potential than that of single use dedication as primitive or wilderness; and be it further

Resolved, That we oppose Federal enactment of future wilderness legislation embodying the principle of locked-up areas for single purpose use which would deny to the natural resources industries the right to wisely develop such natural resources and would also be to the detriment of said industries and to the people of the State of Idaho; and be it further

Resolved, That the present agencies administering all Federal lands do so with the view of developing the full multiple use of the lands to further the general welfare and the economy of the State of Idaho; and be it further

Resolved, That the secretary of state of the State of Idaho be authorized and he is hereby directed to immediately forward certified copies of this memorial to the Senate and the House of Representatives of the United States of America, the Secretary of Interior, the Secretary of Agriculture, and to the Senators and Representatives in Congress from this State; and be it further

Resolved, That the secretary of state of the State of Idaho be authorized and he is

hereby directed to immediately forward certified copies of this memorial to the speaker of the house and to the president of the senate of the following States: Washington, Oregon, California, Montana, Utah, Wyoming, Colorado, Nevada, Arizona, New Mexico, North Dakota, and South Dakota, and that these States are hereby urged to take similar action in their respective legislative bodies.

Mr. DWORSHAK. Madam President, I also wish to read several telegrams from economic groups in Idaho, so that Senators will know of the intense interest being taken in this proposed legislation.

I hold in my hand a telegram sent to me by A. J. Teske, secretary of the Idaho Mining Association. The telegram is dated August 27, 1961; and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

BOISE, IDAHO, *August 27, 1961.*
Senator HENRY DWORSHAK,
Senate Office Building,
Washington, D.C.:

We have been advised that wilderness bill S. 174, amended, will be brought up for consideration before the Senate early in the week of August 28.

The Idaho mining industry is strongly opposed to this legislation on the grounds that its enactment into law would be extremely detrimental to the future development of the basic natural resource economy of Idaho and other western public land States. A similar view has been expressed by Governor Smylie, the State legislature and practically all other interests which with mining represent the backbone of the State's economy, including the timber products industry, the livestock and farming industry, the State chamber of commerce and numerous local chambers. Opposition has also been recorded by unanimous vote of the Western Governors' Conference and by the legislatures or natural resources officials of most of the Western States.

We respectfully and earnestly urge that you support this view and oppose this legislation unless further amended to: (1) preserve the right of mineral entry into all public lands adjudged by competent geological authorities to have potential for mineral deposition; (2) assure that no areas would be permanently set aside for single-purpose wilderness use without affirmative action by both Houses of Congress; and (3) require that the citizens of the State in which the public lands are located, either through their Governor, legislature or other officials, have a voice in the determination of what constitutes the best and highest use or uses of these lands.

Idaho has a tremendous stake in this legislation. More than 20 percent of the 14 million acres of national forest land that it would immediately close to all uses except wilderness use are in this State.

A. J. TESKE,
Secretary, Idaho Mining Association.

Mr. DWORSHAK. Madam President, I have received a telegram from the acting president of the Idaho State Reclamation Association, Tom Olsted. The telegram was sent from Twin Falls, Idaho, and reads as follows:

TWIN FALLS, IDAHO, *August 15, 1961.*
Hon. HENRY DWORSHAK,
Senator from Idaho, Senate Office Building,
Washington, D.C.:

Idaho State Reclamation Association at its annual meeting last fall adopted a resolution opposing so-called wilderness legislation. At a meeting of the board of directors on August 12 this position was reaffirmed and the board went on record in opposition to Senate bill 174. In the event Congress does take any action on S. 174 the board respectfully urges that it be amended to provide that before any area is included in the wilderness systems that it be specifically approved by act of Congress.

TOM OLSTED,
Acting President, Idaho State Reclamation Association.

Madam President, I have received a telegram from Ira Anderson, secretary of the Idaho Resource Development Council. The telegram is dated August 25, 1961, and was sent from Boise, Idaho. It reads as follows:

BOISE, IDAHO, *August 25, 1961.*
Senator HENRY DWORSHAK,
Senate Office Building,
Washington, D.C.:

Firmly believe it should require congressional action to include any primitive area lands in wilderness in the future. Congress should not be deprived of its present powers. Also, primitive areas should be out of wilderness system. Forest Service finds about half of the 3 million acres in Idaho to be commercial forest land, very important to this State.

IRA ANDERSON,
Secretary, Idaho Resource Development Council.

I have also received a telegram signed by I. H. Harris, president, Idaho State Chamber of Commerce, dated August 28, from Boise, Idaho, which reads as follows:

Understand S. 174, wilderness bill, scheduled for Senate action today. Idaho State chamber reaffirms its opposition to this legislation and respectfully urges you, as Senators representating a State whose economy based on full use of all of its natural resources, to oppose this bill to favor a single use for a limited group.

Proposal defeats its purpose when it sets aside vast areas that would be inaccessible to the great majority of those who rely on the family car for transportation to outdoor vacations.

We repeat Idaho State chamber position that we do not oppose wilderness use for certain areas of public land, but to allow any area to be set aside for single use without complete inventory and full utilization of its potential is a waste that is contrary to the public interest.

Madam President, I have a telegram signed by Wilbur F. Wilson, president, Idaho Wool Growers Association, under date of August 26, from Boise, Idaho, which reads as follows:

Informed Senate will consider wilderness legislation. May we urge you to support Senator ALLOTT's amendment if impossible to delay Senate action. Idaho should be accorded the same privilege as that provided for Alaska because if it is fair to one area, it should be fair to all. Thank you for all the help you can give in delaying action on this bill.

Madam President, I have a telegram signed by Royce G. Cox, chairman, Inland Empire Multiple Use Committee, under date of August 26, from Lewiston, Idaho, which reads as follows:

Congratulations on your participation in minority report on S. 174. Understand bill coming to floor next week. We still oppose S. 174 as amended because of adverse effect on Western States. Urge delay until ORRRC report on two amendments, one to exclude existing national forest primitive areas from wilderness system until after adequate study and to provide positive congressional action on President's recommendations. Present amendments inadequate. Recent fires in Idaho and Montana demonstrate that inaccessibility is severe handicap in suppression. This problem would be amplified under S. 174 as proposed.

I have another telegram, signed by S. G. Merryman, manager, Timber and Western Lands, under date of August 24, which reads as follows:

Disastrous fires now burning in wilderness-type country in Montana, Idaho, and Washington are vivid illustrations of high cost in life and money to protect undeveloped areas. Study and positive action by Congress is essential before any large areas are dedicated to limited use. Greatest danger to wilderness is from fire and insects, not man's activities. Experience indicates fire and insects are best controlled when access roads are available. S. 174 is not in the best interest of the people or economy of the State or Nation. There is no demonstrated need for hasty action as nearly all such areas are now being managed to preserve wilderness values.

Madam President, much has been said today during the debate about the tragic and rather devastating forest fires which have ravaged millions of acres of valuable timberland owned by the Federal Government in some of the Western States, with particular emphasis upon western Montana and eastern Idaho. I referred to those fires in remarks I made earlier today, pointing out that when we prevent the building of roads into wilderness areas, we make it extremely difficult for the Forest Service to fight fires and to prevent the loss of valuable timberlands.

In recent fires four persons lost their lives while fighting fires in some of the remote and inaccessible areas of my State and of Montana.

Recently I received a letter from A. B. Curtis, of Orofino, Idaho, who is the State fire warden, with responsibility to prevent, control, and fight fires on State, Federal, and privately owned land.

I read his letter, which was received on August 14, as follows:

I am sending you herewith a front page of Werner's Clearwater Tribune which tells of the raging forest fires in the Selway-Bitterroot primitive area.

The point here is that wilderness areas may not always be wilderness areas unless they are maintained and managed. Without accessibility these vast areas will surely burn and create large acreages of snags instead of valuable forest crops for the good of our State and Nation. Unless wilderness areas have maintenance they cease to be wilderness areas. You cannot have maintenance without accessibility. In this instance the Selway-Bitterroot area is very vast and too large for men to hike into for forest protection. They are virtually impossible to protect from fire. I thought that this front page of Werner's paper brings out a very significant point which you may wish to place before the committee or perhaps into the RECORD.

I call attention to the clipping from the Clearwater Tribune which was enclosed with the letter, the newspaper being dated August 10, 1961, and the headline being "Remote Fires Sear 7,000 Acres of Forest Lands."

The article points out the difficulties encountered in combating costly and

devastating forest fires in some of the primitive areas which do not have roads that make it possible to have forest fire fighters engage in their work without being flown into the area by helicopter and, in a few instances, by airplanes.

I ask unanimous consent to have printed in the RECORD at this point the article from the Clearwater Tribune concerning the devastating forest fires to which I have referred.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REMOTE FIRES SEAR 7,000 ACRES OF FOREST LANDS—WILDERNESS BURNS PUT CRITICAL LOAD ON FOREST SERVICE MANPOWER

(Late bulletins from fire front: Horseshoe Lake fire has probably burned half of the 70 million feet in the Gravy Creek area for a loss of over $350,000, forest officials said Wednesday. Kelly Creek district hopes to have control of this mammoth blaze and of the Never Creek fire by 10 a.m. today if decent weather holds. A lightning storm missed the north end of the forest last night by a few miles heading toward the St. Joe. Supervisory personnel has been flown to the Clearwater from nearly every region west of the Mississippi and some farther away.)

Lightning played a disastrous sequel to the man-caused fires that plagued the Clearwater Forest last week and before 1,700 men could hold three broad fire fronts, another 7,000 acres of woodlands had burned.

Supervisor Ralph Space said new high area burns on the Lochsa and Kelly districts brought the Clearwater the worst fire loss since 1934 when many thousands of acres of forest were on fire.

Another 300 men were being added to the fire lines last night to bring the total operations to 2,000.

A lightning storm Friday afternoon hit the Clearwater with 12 strikes and although eight were brought under immediate control, three turned into "project" fires and a fourth on Boulder Creek in the primitive area gave a lot of trouble.

Biggest fire of the year was the 3,000-acre Horseshoe Lake blaze near Gravy Creek, north of the Lolo trail.

By Monday it had spread through a bug-infested spruce area, too remote for salvage action when the spruce bark beetle hit here in 1953 and 1954. Although the dead spruce had no value, substantial white pine stumpage was lost in the stand. Seven dozers were hauled in up the Squaw Creek Road from the Lewis Clark Highway and then walked in 6 miles on the old Lolo trail to the fire area.

WILDERNESS TOO BIG

Second big fire was the Surprise Creek blaze high in the Lochsa-Selway primitive area where lack of any roads made it a 16-mile walking chance for 300 men. They were supplied by packmules and helicopters. Louis Hartig, fire boss, said dead spruce was chief fuel burned in this 2700-acre blaze.

Both this and the Higgins Ridge fire dramatized the senselessness of "too big" wilderness areas where nature often conspires to leave blackened ruins instead of a usable outdoors.

This fire of over 1,200 acres is 8 miles east of Moose Creek. Another smaller fire at Boulder Creek is under control in the Lochsa wilds.

Third big fire was on Never Creek 3 miles above Cayuse landing field which has spread to more than 1,200 acres and has 600 men and 5 dozers in the fray.

Initial efforts at control were just beginning to show success on the lightning fires Saturday when a forecast predicted up to 70 mile winds on a stretch from Boise to Helena, and the forest officers ordered men back from the fronts to wait out the 6-hour-long holocaust. The wind hit about 40 miles an hour in gusts.

By dark, the three fires had tripled in size with the Never Creek fire spotting up to three-fourths mile. Men moved back into action as the wind died down and both Saturday night and Sunday brought cool humid weather and less spreading.

Orofino's official 116° temperature Friday reflected almost impossible working conditions but the high winds brought a temporary respite from the heat wave and cooler air.

By Wednesday the firefighters had built 18 miles of line but sustained a major setback when sharp winds Tuesday spread the fires to an additional 2,500 acres.

Forest personnel were confronted with the task of building over 15 miles of fire line on the big fires, much in country without roads and trails.

Orofino's new forest warehouse was brought into active use to relay food from Spokane and crews and clerks were working around the clock shifts in the dispatcher's office and in payroll control.

Biggest success of the mobilization effort was control of another fire on Brady Creek which spread to 180 acres before it was stopped Tuesday. Ranger Ted Hay used 300 men and had Mick Koppang of the CTPA supply extra tankers and other mobile equipment to hold the lines during critical wind periods.

Mr. METCALF. Madam President, will the Senator yield?

Mr. DWORSHAK. I yield.

Mr. METCALF. I called the attention of the Senator from Idaho to the notice of a hearing for the creation of a wilderness area from the Selway-Bitterroot primitive area to point out that one of the questions that was a subject of public hearing was the accessibility of some of these areas. There is before the hearing a proposal to carve out of that area about 600,000 acres and return it to access roads, lumbering, and so forth.

It seems to me such an orderly procedure would encourage the development and carving out of lands in many other primitive areas and at the same time secure high, remote, and rather sparsely forested lands for primitive areas.

I also point out that the reason why many of the fires are not in the wilderness areas is that the latter are the highest and most remote, and therefore the least subject to fire. They do not dry out as fast as the low areas. The snows there last longer. Moisture is retained longer. By virtue of the very fact that the timber is damper, smaller, and not subject to the same diseases and same effects as is timber at lower levels, which is more accessible, the same dangers are therefore not involved.

(At this point Mr. CLARK took the chair as Presiding Officer.)

Mr. DWORSHAK. I assure the Senator from Montana that both he and I, who come from States with large and extensive U.S. forest areas, are in accord on the primary objective of multiple use of our forests and public domain. The Senator from Montana takes a strong position in favor of the wilderness preservation system, I assume, because he sincerely believes that is the best way to cope with the problem. The Senator from Idaho takes the opposite position in the belief that we should not delegate additional authority to the Department of the Interior or to the Department of Agriculture to set up the wilderness areas. I strongly believe in the constitutional power granted to the legislative branch, and I do not think we would be advancing in any way the multiple purpose use of our forest lands in the Western States by following the course proposed.

Mr. President, I reaffirm what I said earlier in the debate. Four years ago the Congress enacted legislation establishing the Outdoor Recreation Resources Review Commission, with 16 members: 7 laymen, 4 Senators, and 4 Representatives. More than $2 million has been appropriated and expended during the past 3 years by the Commission, its staff, qualified university groups, and other economic groups throughout the country in making extensive and thorough surveys of the recreation potential of our country.

It has been pointed out that later this month the Commission will hold a meeting at Colorado Springs, Colo., to draft its final report which, under the law, will be submitted to the Congress in January of 1962.

I can see no defensible arguments for contending that the wilderness area bill should be passed during the remaining weeks of the 1st session of the 87th Congress, when we know the other body has not even considered the proposal and could not take any action during the remaining weeks of this session. It seems to me to be more desirable and more logical in every way to defer action until early next year, when the Senate and House committees will have available the report of the Outdoor Recreation Resources Review Commission. We can then utilize to the best advantage all the information which will be contained in the studies which have been made during 3 years and in the final report which will be submitted by the Commission to the Congress.

Mr. HICKEY. Mr. President——

The PRESIDING OFFICER (Mr. CLARK in the chair). The Senator from Wyoming is recognized.

THE WEST IS CONCERNED ABOUT WILDERNESS AREAS

Mr. HICKEY. A review of the discussion and debate before the Senate today indicates that history shows the public lands States are extremely similar in background. It indicates the various industries which show concern in this bill are livestock raising and farming, mineral exploration and development, oil and gas development, transportation facilities, the forest and timber industries, and recreation and tourism.

My State is a public lands State. Basically, as indicated in the discussion today, the Rocky Mountain States, with the exception of perhaps three, are the States in which are located large areas of public lands.

The area has been for many years the great frontier, the new frontier for an ever-expanding population in this country; this is evidenced by the westward movement of the center of population.

As the debate on this bill goes into its final stages I think it is only reasonable to invite attention to the fact that

the people in my State particularly recognize there is a wilderness area in the great Rocky Mountain region.

It has been well stated by a publication in my State which directs itself to the history of the industries of the State, "Wyoming has virtually every requisite except population to become one of the greatest industrial States in the Union. Population will be attracted as the opportunities offered by the State become better known throughout the Nation."

The basic understanding I have described has directed all the industries I have enumerated to express themselves with regard to the wilderness bill. I should like to offer for the RECORD some of the statements of these groups. The first industry I mentioned, which was basically the first industry in the State, resulted from a historic accident. Some early pioneers traveling across what was to be Wyoming, were caught in a storm and were forced to turn their oxen loose and to camp for the winter. They expected to find the animals dead in the spring, but found, instead, that they had fared well on the lush pasture of the land. Thus began the great livestock grazing industry of Wyoming.

WYOMING RESOURCES BOARD SPEAKS

I ask unanimous consent to have printed in the RECORD at this point the testimony of Mr. Sam C. Hyatt, one of the leading livestock growers and operators in the State, and who testified before the Senate Interior Committee as a representative of the State natural resource board.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

TESTIMONY OF WYOMING NATURAL RESOURCE BOARD ON S. 174, A BILL TO ESTABLISH A NATIONAL WILDERNESS PRESERVATION SYSTEM, BEFORE THE SENATE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, FEBRUARY 27–28, 1961, WASHINGTON, D.C.

Mr. Chairman and members of the committee, may I extend my appreciation and that of our board for the privilege of appearing before your committee today.

My name is Sam C. Hyatt, my address is Worland, Wyo. I am a member of the Wyoming Natural Resource Board.

May I briefly explain the history and duties of the natural resource board. The natural resource board was created by an act of the State legislature in 1951, and is a department of the executive branch of government. The natural resource board is composed of nine members, representing each of the seven judicial districts, plus two members at large. Ex-officio members of our board are the Governor, State engineer, State highway commissioner, commissioner of agriculture, the game and fish commissioner, and the president of the University of Wyoming. The board is charged with the fullest development of our State's natural resources and maintains a full-time office and staff at 215 Supreme Court Building, Cheyenne, Wyo.

PRINCIPLE OF MULTIPLE USE IS VITAL TO WYOMING

When our board was established, the first, and for a time the sole, responsibility was for water resources development.

Wyoming is a unique State in regard to water resources. Significant tributaries of three great river systems, the Columbia, the Colorado, and the Missouri rise in Wyoming and flow all four directions across its borders. The full development of the use of the water which arises in Wyoming's mountains not only is a necessity to the future welfare and growth of our State but has a direct bearing on the well-being of the river basin States. Naturally as a board we are concerned with any legislation which would place the multiple-use concept in danger and which might in any manner postpone or deny us the opportunity to make full development of our water which we will need to have in the years ahead.

Our board has endorsed the principle of multiple use, the management of each acre for the highest uses for which it is suitable, for we consider that a balance of uses is the most effective utilization of our resources. These practices on Federal domain lands are of direct and indirect benefit to each person who resides in the United States.

To the stockman, multiple use means grass upon which to graze his cattle and sheep. To the man on the street, it means a place to picnic, fish, hunt, hike, and ski. To the merchant, it means added sales in sporting goods. To the filling station operator, it means extra sales of gasoline to the local man and the ever-increasing number of tourists. To the hotel and motel operator these tourists are a livelihood. To the mining and timber men, multiple use means a potential reservoir of raw materials. To those concerned with present and future water needs of families, industry, and agriculture, it means water development programs to meet an ever-increasing demand.

What are the principal objections to the present administration of our wilderness areas? The best wilderness lands are in the National Park System where they are protected from commercial development of their natural resources, for only 5 percent of our national park area is developed at all. The 1916 National Park Act directs the service to "conserve the scenery and the natural and historical objects and the wildlife therein and to provide for the enjoyment of the same by such means as will leave them unimpaired for the enjoyment of future generations."

The administration of the wilderness areas in the national forests and wildlife refuges is based on recognition that their primeval character represents their optimum use, and other uses are allowed only when they do not unduly interfere with this wilderness character.

WILDERNESS SYSTEM WOULD HAMPER LOCAL JURISDICTION

The administration of Federal lands should be sufficiently flexible to allow for changing conditions, and we should not freeze the administration, and remove local jurisdiction, so that desirable changes would be difficult if not impossible as would be the case if lands administered by three Federal agencies for different purposes, as is now the case, are lumped together in a new huge wilderness system. This system would be, moreover, fair game for a future Congress to logically place under one agency specialized in wilderness.

Wilderness areas, then, are not going to disappear, as the agencies now administering them are going to continue to preserve them. Our opposition to this bill does not mean opposition to the maintenance of existing wilderness areas under the present administrative agencies. Passage of this bill could, however, mean that we jeopardize the interests of all by enacting legislation without due consideration, for it is folly to remove actual multiple use from large areas before an adequate study can be made.

Nature and natural resources are dynamic—not static. Even in areas now classified and used in wilderness sense, catastrophic happenings are entirely possible, such as devastating storms, fires from natural or human causes, insect epidemics, and serious overpopulation of animal life.

BILL NEGLECTS PROTECTION OF AREAS

Preparation for, prevention of, and control of such happenings are of vital concern. For example, the Bridger National Forest wilderness area, one of the areas involved in this matter, had, in 1960, one of its most severe fire seasons that it has ever experienced. In their report, they state that roads, trails, radio communications, fences, and buildings are vital in protecting forest resources. In this bill under special provisions, it establishes two separate procedures to provide for protection and future possible multiple use. First it states that within national forest areas included in the wilderness system such measures may be taken as may be necessary in the control of fire, insects, and diseases subject to such conditions as the Secretary of Agriculture deems desirable. Then it states that the President may within national forests and public domain areas included in the wilderness system, within specified areas, authorize mining, reservoir and road construction, and other activities if the specified area will serve the interests of the people of the United States. However, these special provisions are, interestingly enough, in direct conflict with the rest of the bill. But, nowhere in the bill do I find where there is a proviso to take care of fire, insects, diseases, or overpopulation of wildlife within the national parks or national wildlife refuges and game ranges that are incorporated into the wilderness system.

WYOMING OPPOSES EXTENSION OF WILDERNESS IN STATE

This legislation affects the West more than any other section of the country because the lion's share of the lands involved are situated in the 11 Western States. The feelings of one of the Western States has already been expressed by the signing on February 7 of a memorial to the President and the Congress by Governor Gage, of Wyoming. The text of the memorial is as follows:

"This memorial proposes to memorialize the President and Congress of the United States to the effect that the people of Wyoming oppose the creation or extension of wilderness areas in Wyoming and that if such areas are necessary and desired in other States that wilderness areas be created in such other States to make the same available to more people of the country than can be the case with wilderness areas only in the West."

The economy of Wyoming is closely tied to the future of forest, grazing, mineral, or water resources in the presently undeveloped primitive and wilderness areas within its boundaries, such areas now totaling about 1,430,000 acres classified as wilderness and 871,000 acres as primitive. And further, there are 2,349,637 acres in national parks and monuments.

The board, representing the State of Wyoming, believes that adequate recognition is now given to the wilderness concept through existing departmental regulations and through legislation already in existence which has established national forests, national parks and monuments, and wildlife refuges and ranges. We feel, and I repeat this, that there is no present need for additional legislation, and that any consideration of a bill such as S. 174 should at least await the report to come out of the National Outdoor Recreation Resources Review Commission, created by the 85th Congress to study this issue and due to report later this year. Too often, as past experience shows, have areas been assigned to a certain category without sufficient study and investigation. We do not wish to see this happen again.

AN EXAMPLE OF SUCCESSFUL MULTIPLE USE

Mr. HICKEY. Mr. President, I ask unanimous consent to have printed in

the RECORD at this point an article entitled "Are Oil and Wildlife Compatible?" published in a recent issue of The Link. It is a two-page account of the historical compatibility of the development of our wilderness areas.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARE OIL AND WILDLIFE COMPATIBLE?

John Muir, back in 1898, wrote:

"Thousands of nerve-shaken, overcivilized people are beginning to find out that going to the mountains is going home; that wilderness is a necessity; and that mountain parks are useful not only as fountains of timber and irrigating rivers but as fountains of life."

In 1872, Yellowstone was officially set aside as a "pleasure ground for the benefit and enjoyment of the people." In 1959, an estimated 60 million persons flocked to Yellowstone and other national vacation areas. Currently, the oil industry is supporting generously the National Park Service Mission 66 program to provide new and better park roads, trails, parkways, museums, campsites and other services by 1966.

The conservation and wise use of these natural resources and wildlife have long been recognized as essential to the well-being of America. Every responsible citizen appreciates this necessity and the broad objectives of America's conservation activities.

Consequently, the American Petroleum Institute advocates that the petroleum industry conduct its operations on both public and private lands in a manner which will preserve wildlife, recreational, and scenic values. It is the policy of the institute to cooperate actively with other organizations and agencies devoted to this purpose.

While there is universal agreement as to the need for resource conservation, there exist honest differences of opinion between Government, industry, and conservation groups regarding the means of achieving the desired goals.

An example of these differences is found in a bill (S. 174) now pending in Congress which would bar oil exploration from an estimated 35 to 40 million acres of U.S. land. This vast area, where there are known possibilities for oil production, would be legally off limits.

Now, oilmen don't oppose reasonable legislation designed to preserve portions of this country in their primitive state for purposes of recreation, education, and research.

The American Petroleum Institute, however, firmly believes in and strongly supports the concept of multiple use of publicly owned lands under which two or more functions may be carried on compatibly. This policy will provide the greatest benefit to the greatest number of people. The institute further affirms that exploration for and development of petroleum reserves, when properly conducted, are fully compatible with other uses of public lands, including recreation, wildlife preservation and water management.

The institute supports enactment and enforcement of appropriate statutes and regulations necessary to assure that in the orderly development of petroleum and other natural resources on public lands, these lands will be protected from pollution, and from damage to wildlife, wildlife habitat and other natural values.

As speakers on the political platform often say: "Let's look at the record." Just how compatible are petroleum exploration and producing operations and wildlife?

Oil actually is one of the most conservation-minded industries in the United States. Oil companies take prompt and effective action to preserve and protect wildlife in areas adjacent to drilling.

Nor is this surprising. Oilmen are outdoor people. Their work takes them close to nature and to remote and faraway places. From the drillers and pumpers in the field to executives behind office desks a heavy percentage of them are either hunters or fishermen or both. They have a deep personal interest in preserving our streams and our forests, not only for the present but for their children in the future.

The Bayou Choctaw field near Plaquemine, La., provides a good example of the compatibility of wildlife and oil drilling and production. Oil production and drilling operations have gone on continuously in the field since 1929, and yet alligators, fish and other wildlife abound in the bayous and canals which interlace the field. C. F. Mosely, a Humble district foreman, has even made pets of alligators in the bayous. He has had several so tame they would come out on the bayou bank at his call of "Gros cocodrie," and take hunks of beef off a pointed stick. One small 'gator even spent a winter in the Mosely garage recovering from a puny spell.

During recent years there has been considerable controversy over the opening of Federal lands for oil exploration in Alaska. Some sportsmen charged that exploration and oil production on the moose range on the Kenai Peninsula would cause irreparable damage to wildlife.

What happened?

The facts, attested to by Alaskan officials, prove otherwise. Oilmen's roadbuilding projects, for example, have actually benefitted the moose by opening up forage areas and migration routes. And timber clearance has enabled the moose to get at the very young and tender vegetation on which they thrive.

The erection of offshore oil rigs along the gulf coast and the California shoreline brought a barrage of complaints from professional and amateur fishermen. Today the complaints have changed to compliments. Not only have the rigs failed to cause damage, they have actually lured fish into areas they once ignored.

Small fish have been attracted by the barnacles which grow on the legs of the oil rigs. Small plants grow at the base and rock chips brought up by the drilling form shelter. When there are small fish the big fish come after them.

When Louisiana oystermen claimed that offshore drilling was destroying their oysterbeds, oil companies hired marine biologists to make an exhaustive investigation. Universities and colleges undertook separate studies to determine what was depopulating the beds. Six years and $2 million later, the scientists were able to prove that a microscopic ocean parasite, not the drilling, was causing the oyster woes.

In 1959 this company had some well locations which fell in a Colorado duck club lake. Instead the locations were moved back away from the lake and holes drilled directionally to bottom under the lake. Tanks and roads and quiet gas lift pumps were installed so as to avoid interference with duck hunters' shooting.

And speaking of ducks, the most impressive example of the compatibility of wildlife and oil can be found in Louisiana, the Nation's second largest oil producing State. Much of the petroleum produced comes from the State's coastal marshes and tidal flats, the sites of one of the Nation's greatest concentrations of migratory waterfowl.

Avery Island is known throughout the world as a wildlife sanctuary. It is also a prolific oilfield. The man who started Avery Island was Edward Avery McIlhenny, hunter, explorer, naturalist, author, philanthropist, and sportsman. Some years ago, when Florida was concerned over the entrance of oilmen in wildlife areas, McIlhenny said:

"Oil is found only under small areas, and these can be completely protected if the proper regulations to ward against damage are enforced. I don't think there is any oil company in existence which would knowingly allow any damage to wildlife or scenic beauty. The oil development at Avery Island has not in the least disturbed the wildlife sanctuary."

In the field of forestry, Humble, in 1956 began an extensive reforestation program on 46,000 acres of company land in Louisiana. Humble bought the cutover and burned-over property in 1932 from a large lumber company. A multiphase forest management program was set up to remove and sell pine stumps and prepare the land for aerial seeding and planting of pine seedlings by more conventional plow methods. Fire protection and control, timber stand improvement and selective harvesting were other phases of the program. Someday, parts of this reforested tract also may prove productive of oil and gas.

The whole idea of Humble's woodland project was to make the land green and productive—not for timber alone, but for a variety of worthwhile purposes: to build a better soil, prevent erosion, protect watersheds, provide a haven for fish and game and establish recreational areas. Hunters and picnickers are welcome. In deadening hardwoods to encourage growth of pines, den trees of squirrels and coons were left untouched.

The so-called wilderness bill does not take facts like these into account. For all practical purposes it would remove millions of acres of land from oil and gas exploration.

Nobody in this country can predict to what heights the Nation's future energy needs may arise. More oil and gas have been used in the United States in the last 20 years than in all of mankind's previous history.

A sensible balance between our country's recreational and wildlife needs and its economic and defense requirements should be maintained. Petroleum exploration and production and wildlife conservation can coexist happily, side by side. This has been demonstrated over and over again in recent years. Oil and wildlife are compatible.

VIEWS OF SPORTSMEN'S ORGANIZATION

Mr. HICKEY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD two letters I received from Mr. Burton W. Marston, the president of the Izaak Walton League of America, with regard to the pending bill. One letter is dated May 25, 1961, and the other August 20, 1961.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

IZAAK WALTON LEAGUE OF AMERICA, INC.,
Laramie, Wyo., May 25, 1961.

Hon. JOSEPH J. HICKEY,
U.S. Senator from Wyoming,
Washington, D.C.

DEAR SENATOR HICKEY: This will acknowledge your letter of May 16, written in reply to my letter of May 7 pertaining to the wilderness bill. May I also thank you for sending me a copy of the publication on the hearings held on S. 174 by the Senate Interior Committee on February 27 and 28. This is very interesting reading although some of the extremely narrow viewpoints outlined by some who testified before the committee are, to me, quite distressing. I appreciate your remarks about your concern for what may happen to Wyoming and the Rocky Mountain region under this legislation and if you will permit me I would like to comment briefly on some of them.

As to the extremists, who may be somewhat identifed with the east coast and the west coast, I think we all know pretty much who they are and their background and I am confident that any efforts they may try to make in locking up the whole Rocky Mountain region and make it an area devoid of people, industry, homes, and property is something that would be totally impossible of coming about. I am inclined to consider that an extreme view of what the extremists would or could do. Under the carefully thought out provisions and the safeguards that are already in S. 174 I cannot see how any such a lockup could possibly take place. Actually the wilderness, primitive and wild areas which are designated in our national forests here in Wyoming and in other Western States with which I am familiar, are so presently inaccessible one can hardly conceive of anyone being locked out as a place to live, operate a business other than a resort or have other kinds of property.

As to your receiving a map of the wilderness, primitive or wild areas, I could not venture an opinion as to what the problem may be unless it might be the difficulty involved in preparing a single map that would be large enough to show the details necessary to give a clear picture. Individual maps of each national forest and national park are of course available. I have on my desk as I am writing this letter maps of the Shoshone, Bridger, Teton, and Big Horn National Forests in Wyoming, each of which shows the boundaries of the wilderness, primitive and wild areas within the respective forests. These of course are irregular and do not follow township lines, rather they follow the divides and drainages or the topography of the high mountain areas. I am sure that detailed descriptions of these boundaries and the lands included are on file in the local and regional forestry offices, as established under the Forest Service regulations. I am confident you could get these separate maps if you requested them.

As to the matter of access of these wilderness areas to motor transportation I think you will find that there are very few places now classified as wilderness, primitive or wild areas where a person could go on a picnic with his family in an ordinary motorcar, at the present time. They are mostly that inaccessible. Of course, it is true, that with modern four-wheel-drive jeeps a person can go almost anywhere there is a trail and he can still keep four wheels on the ground and there may be a few places where rough roads are needed for forest fire and insect protection, but under the present bill these exceptional situations are provided for. In the main, we can hardly have a true wilderness if we are going to allow every possible kind of access and use. The people who are opposing this legislation all seem to profess that they are in favor of having wildernesses, but their interpretation of wilderness is something where each may still pursue his own special interest, uninterrupted, whatever it may be. They say we must have "multiple use," but their interpretation of "multiple use" is, after all, a "single use."

As to your second and last objection, in which you state your belief that the Congress should have the positive right to include or exclude designated areas in the wilderness system I can go along with you, although I think we all must realize that Congress itself is sometimes subject to pressures and influences that do not work for the best interests of the people of a particular State or region. I am afraid that if some leeway is not given to the departments which administer these areas to take the initiative in studying and determining what are the best and most practical allocations or designations we are apt to have an unworkable law. Under the present bill Congress does have the initial determination of the wilderness areas when it passes the bill, and if the Congress wants each area specifically outlined and described in the bill as they are not set up by department regulations that could be done, although I personally feel that it is needless detail to be added to the bill.

Again, may I express my appreciation of your taking time to answer my letter and for your very frank statement of your position. I will appreciate your taking time to consider the points I have reiterated in this letter and that you may see your way clear to help us get this bill enacted into a law at this session of Congress. I shall be very happy to have any further comment you may care to make on this matter or to receive any further information you feel will be helpful to me.

Sincerely yours,

BURTON W. MARTSON,
President, Wyoming Division, IWLA.

IZAAK WALTON LEAGUE
OF AMERICA, INC.,
Laramie, Wyo., August 20, 1961.

The Honorable J. J. HICKEY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HICKEY: Your letter of August 15 has been received and I want to thank you for taking time from a busy schedule to reply to my inquiry and give your reasons for your stand against S. 174, the wilderness bill. I also thank you for sending a copy of the amended bill as it has been introduced—or rather reported back to the Senate—and the copy of the printed committee report, which I have read with much interest, particularly the minority report included and to which you and the three other Senators have subscribed.

I am indeed sorry that you are in opposition to the bill. I still feel that it is a good piece of legislation, perhaps much better, as you stated, than the original bill. I do feel that its possible impact on competitive industries such as lumbering, mining, mineral exploration, grazing, and power development is considerably overdrawn, that the amended provisions of the bill do take care of these interests in such a way that the public is adequately protected, and we can still have wilderness, despite the light which the minority group makes of its definition.

As to the amendment which your group on the committee states would make the bill acceptable to you, I am sorry to state that I cannot agree that it deprives Congress of any Constitution-given authority when, under provisions now in the bill, either the Senate or the House can separately disapprove of any recommendations the President may make for inclusion of more areas in the wilderness system and thereby prevent such inclusion. To require affirmative action of Congress on every piece and parcel of land proposed for inclusion, no matter how small, would so seriously hamstring the additions to the wilderness system that it is doubtful if any expansion could ever be accomplished.

I do not doubt the sincerity of your minority group in your contention, but one cannot help but feel that no better way could be devised of preventing any future expansion than by adding such an amendment to the bill. With the difficulty that is encountered nowadays in getting bills onto the calendar in either Senate or House, and of having them considered on the floor, it is doubtful if Congress would ever get around to taking positive action on such bills. The only possible justification for such an amendment might be to apply to tracts of not less than 100,000 acres, and even that would be of doubtful value.

You state that you have no objection whatsoever to that part of S. 174 which would incorporate into the wilderness system the nearly 7 million acres already classified as "wilderness," "wild," and "canoe," which statement I am indeed glad to see. However, if these acres presently classified as such are satisfactory, what objection could there reasonably be to taking from 10 to 15 years, or any years up to that amount, as provided for in this bill, to study additional areas now held in primitive or similar status (a large part of which is in Alaska) which may be found to have equal value as wilderness areas and perhaps be best suited to serve in that status. We do not maintain that all these primitive areas should be necessarily put into the wilderness system, but, from my knowledge of these areas in Wyoming, I am confident that some of them might be favorably considered in the future. Are we ready for a four-lane highway to circle Cloud Peak in the Big Horns? Under present setup I don't think it would be too difficult to get such a highway built. But I, for one, would certainly hate to see it.

Congress is jealous of its prerogatives, and perhaps rightly so, but one cannot help but be reminded that we also elect a President of the United States, by popular vote, who as a candidate runs on a platform of his party, carefully thought out and well stated. Incidentally, I am reminded that both political parties had platforms including planks dealing with conservation, natural resources, recreation, etc., which were quite similar, during the last election.

Under these circumstances it is not likely that a President will go far off base in making recommendations affecting our public lands and their resources. These recommendations have to be carefully thought out in the executive department prior to such recommendations. It has been my experience and observation that a high percentage of the people who staff these departments are sincere, conscientious, and dedicated people working for the public good. As such they are unlikely to come up with and try to push through the President or anyone else, any half-baked recommendations. So, there are a number of checks and balances that operate to provide good legislation, good administration, and, it might be added, not all of them are within the Government itself.

Your minority group also makes a point that only a limited number of people, particularly those that are well heeled, can utilize a wilderness area, and that oldsters (and I realize that I am fast getting into this group) will be deprived of pleasures and benefits they might otherwise enjoy if they cannot have mobile access to all the wilderness areas. For one, I am not at all concerned about this and I think it is beside the issue.

In this connection, I do feel that there is need to be concerned about a much larger segment of our population, the youth and the middle aged, which is fast losing the use of its legs through the dependency on the motorcar, the motorboat, and the airplane—in other words, their physical fitness. Might there not be some justification for our taking strong measures to encourage vigorous outdoor exercise, such as hiking, mountain climbing, and other outdoor living involving considerable physical exercise? The provision of an adequate amount of wilderness and other outdoor recreation areas seems to be one of the answers to this serious problem.

Senator HICKEY, I regret burdening you with such a long letter at this time, but I do want you to know my reactions to the stand of yourself and the others in your minority group on the committee and of how important we feel this legislation is. I am confident I am speaking also for all members of our Wyoming division. I do hope that you may still find a way in which you can support this legislation in its pres-

ent form and help to bring about its passage at this session of Congress. I shall be pleased to keep in touch with you on its progress.

Sincerely,

BURTON W. MARSTON,
President, Wyoming Division.

STATE DEPARTMENT ADVOCATES MULTIPLE USE

Mr. HICKEY. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD, a letter directed to me by W. T. Kirk, commissioner of the Wyoming Department of Agriculture, pointing out the concern of the State soil and water conservation committee with the wilderness bill.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE STATE OF WYOMING,
DEPARTMENT OF AGRICULTURE,
Cheyenne, Wyo., March 14, 1961.

Hon. J. J. HICKEY,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR JOE: I want to thank you for your reply to our wire sent in from the meeting at Rock Springs a week ago.

There was considerable discussion with reference to Senate file No. 174 when the State soil and water conservation committee met at Rock Springs. I am of the opinion that many people realize there is legislation needed in this area, but how it can best be carried on for the multiple-use interests, as well as the agricultural interests, is a different question.

You may be sure that we appreciate your interest and sincerity in this legislation.

Sincerely yours,

W. T. KIRK,
Commissioner.

Mr. HICKEY. Mr. President, I have asked that these particular statements be printed in the RECORD in order that the Senators may review them and come to the conclusion at which I have arrived that the people in my State desire moderation in consideration of the wilderness bill.

QUESTION IS: WHO SHALL CONTROL PUTTING LAND IN WILDERNESS AREA?

It has become crystal clear to me that the various segments of our society recognize that there is a God-given wilderness in the Rocky Mountain area; no matter what we attempt to do by way of legislation or control, the wilderness areas will remain. So the question seems to me to be twofold. First, there is the question of the degree of control. Second, there is the question of who will control the expansion or diminution of wilderness areas?

On these questions I find no violent disagreement between the groups whose communications have been made a part of the RECORD. They respect the views of one another, and it occurs to me that the basic concern which so directly attracts the attention of the people in the West is the question of who shall have the authority to determine the diminution or expansion of a wilderness system?

TO PROTECT WESTERN STATES CONGRESS MUST RETAIN CONTROL

With those who presented minority views I must say that in its present form the bill has gone a step toward giving the Congress of the United States control over the expansion or diminution of the wilderness system. But it is not a long enough step. It is my contention that if we are to consider including in a wilderness system some of our great primitive areas—the great frontier that for years has provided for the expansion of our country—then the Congress of the United States should determine what these areas are to be.

I make that statement for the reason that those of us from States that are large in area and small in population have the honor of representing a small number of people in a great body in which we have equality. My State has two representatives in the Senate, and there are two representatives from the State of the distinguished occupant of the Chair [Mr. CLARK]; yet there is a far greater population in his State than there is in mine.

Recognizing that fact, it is essential, in order to protect the interests of the people in my State, that the Senate of the United States have an opportunity to take positive action when the question of an increase or decrease of a wilderness area in that State, or in any of the various Rocky Mountain States, is contemplated.

ONLY A VERY FEW PEOPLE CAN ENJOY WILDERNESS AREAS

It is true that tourism and recreation in our State and in the Rocky Mountain region represent a growing industry, and it is noteworthy that when we look at the studies made of tourism and recreation we find that the purpose for which most people go into the West is basically vacationing.

This year we had prepared in the State of Wyoming, under the auspices of the Division of Business and Economic Research, College of Commerce and Industry, University of Wyoming, a study of the tourists who come to our State.

It is interesting to note that most of the people who come to our State for vacations seek to go into our national forests. They seek camping facilities; they want to fish; and to go horseback riding. The records indicate that those who come into our State to vacation, to drive in our forests, to set up their tents in the campgrounds, come back year after year, because they can bring their families and enjoy all these pleasures. However, when we consider the statistics on packing into wilderness areas, we find that an extremely small number of people seek to do that. And those who do come to go into the wilderness area, either to pack in on a saddle horse or walk in on foot, come once in a lifetime.

I have had the rare privilege of going into two of our wilderness areas. I went in on a saddle horse, and I took a pack train with me. I doubt seriously that again in my lifetime I will have the opportunity of doing that. Nevertheless, it was a great experience, and this great experience is recognized by all segments of society in our State.

However, like all others, we are concerned about who is going to control the setting aside of areas in Wyoming as wilderness. I am sure that an examination of the statements which are a part of this record will indicate that many of us in the Rocky Mountain area do take a moderate view, and that we want the elected representatives of the people to have an opportunity to determine whether the wilderness area should be increased or diminished.

AMENDMENT OF LAW ESTABLISHING THE INDIAN REVOLVING LOAN FUND

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1540) to amend the law establishing the Indian revolving loan fund, which was, to strike out all after the enacting clause and insert:

That the appropriation authorization in section 10 of the Act of June 18, 1934 (48 Stat. 986), is hereby amended by increasing it from $10,000,000 to $15,000,000.

Mr. CHURCH. I move that the Senate disagree to the amendment of the House, that it agree to the conference requested by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CHURCH, Mr. GRUENING, Mr. BURDICK, Mr. GOLDWATER, and Mr. ALLOTT conferees on the part of the Senate.

FAVORABLE REACTION TO EICHMANN TRIAL

Mr. JAVITS. Mr. President, the magazine Editor & Publisher for August 26, 1961, contains an article entitled "Favorable Reaction to Eichmann Trial." The conclusion of favorable reaction to the Eichmann trial was drawn by the Anti-Defamation League following a survey which was made of 1,800 newspapers all over the world. The survey included the reaction of newspapers behind the Iron Curtain and gave a report of the unfavorable reaction of some of those newspapers. Generally, the survey gave a balanced picture of world opinion concerning the Eichmann trial.

I ask unanimous consent that the report published in the magazine Editor & Publisher of August 26, 1961, be printed in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FAVORABLE REACTION TO EICHMANN TRIAL

A large segment of the Western World's mass media reacted favorably to the conduct of the Adolf Eichmann genocide trial, despite their earlier criticism of the circumstances and legality to Israel's capture of the former Nazi.

This was the conclusion drawn by the Anti-Defamation League of B'nai B'rith following a just-completed survey made by a team of researchers headed by Arnold Forster, general counsel and civil rights director of ADL. The survey studied editorial viewpoints of some 1,800 newspapers in the United States, Western Europe, the Soviet Union and Eastern Europe, the Middle East, and Latin America, plus news coverage of 400 dailies in this country.

A separate check was made of magazines, radio, television, and the religious press.

The survey was made public this week in Facts, a periodic report of ADL, and covered

the period from April 11, when the trial began, to July 31, just before it closed. The Israeli court is scheduled to return its verdict in November.

A breakdown of 1,033 editorials in American newspapers during the trial showed:

Seven hundred and fifty-five (73.1 percent) generally in favor of the trial.

Two hundred and fifteen (20.8 percent) despite what they believed to be irregularities, thought the trial should take place.

Sixty-three (6.1 percent) opposed to the trial or unconvinced that Israel had a right to hold the trial.

Said the ADL report: "It is significant, perhaps, that as the trial began to unfold, negative editorials began to disappear from the press. Not a single negative editorial could be found in June or July."

SPACE IN MAGAZINES

The report said that just before and in the week following the start of the trial, American magazines devoted substantial amounts of space to the subject. The overwhelming number of articles about Eichmann's capture and subsequent trial were highly favorable in their approach.

But a number of magazines were editorially opposed to the trial, among them the Reporter and U.S. News & World Report. Among those favorably inclined editorially was Newsweek.

"Only after the trial began," said Facts, "did editorial comment become slightly more favorable. Many magazines seemed to generalize and moralize about the situation avoiding the hard facts of the case."

The most consistent television coverage, according to the report, was a half hour every week night to local stations within the New York City radius. It was put on by the American Broadcasting Co., and was in a prime evening spot with a real estate corporation as a sponsor. The program featured tapes of the trial and attracted a wide audience.

ABC also put on a Sunday afternoon network program over 60 stations, the report continued. This did not attract a sponsor. In the first days of the trial the station asked its New York audience to request a copy of the full indictment. It received 10,000 responses the first week; 8,000 the second week; and 6,000 the third week.

Four weeks after the trial began the National Broadcasting Co. gave an hour, from 10 to 11 p.m. on a Monday, to a special trial broadcast. About 180 stations in the country picked up the program. NBC, in addition, carried a number of special programs.

Newscasts of all stations devoted spot coverage to the trial, the report said, adding "but TV officials seemed to feel that the public was either uninterested or unwilling to watch the resurrected horrors of the Nazi atrocities. Advertisers, by their response, were in accord. No one offered to sponsor a national network show on the trial."

The ADL survey country by country is as follows:

CANADA

The reaction was similar to that in the United States, with the bulk of press, radio, television, and letters to the editor overwhelmingly in favor of the trial.

An estimated 90 percent of the Canadian press was favorable in editorial comment, but there were a number of publications which voiced criticism over the manner in which Eichmann was brought to trial and the basis in which legal charges were brought against him.

ISRAEL

Newspapers gave a considerable proportion of their total space to the trial. The Israel broadcasting service, Kol Yisrael, relayed the trial from the courtroom on opening day, and a survey showed that 60 percent of the population over the age of 14 listened in. A number of subsequent sessions were also broadcast, and each evening at the peak listening hour, Kol Yisrael provided a 30-minute review of the proceedings.

Facts reported that extensive coverage by the mass media produced a feeling of profound unity among the people—a unity not experienced since the establishment of the state. Equally significant was the impact on the youth of the country who for the first time learned what their parents had experienced in Hitler Europe.

WEST GERMANY

Extensive coverage by the press spared readers none of the details. Twice a week the West German television network gave summaries and commentaries.

The barrage of press reports and comments together with the radio and TV coverage had a great initial shock effect on the youth of Germany.

A poll taken in West Germany showed that the trial elicited a strong interest and wasn't taboo among the West German people. It also showed that practically every German family had to concern itself with the past because of the extensive German press, television, and radio coverage of the trial.

The majority of the press considered as the central issue the moral responsibility of the German people for the crimes of the Nazi regime which were symbolized in the figure of Eichmann. Practically without exception, they appealed to their readers' consciences to face the facts as they were revealed by the trial.

Facts noted that up to the conclusion of the survey the German press continued to devote to the Eichmann trial much space and editorial comment. Fifty German journalists attended the proceedings, including such highly qualified historians as Dr. Albert Wucher, who reports for the Sudeutsche Zeitung of Munich.

Leading periodicals and illustrated weeklies also published extensive studies of the Eichmann case.

The West German nationalist press, representing the views of neo-Nazis and Nazi apologists, attempted to play down the evidence and the impact of the trial. But, the report noted, the total circulation of these newspapers was only about 75,000 to 80,000.

EAST GERMANY

The press used the trial to embarrass the West German Government. They played up alleged former Nazis still or again in the service of the Bonn government, particularly Dr. Hans Globke, Konrad Adenauer's state secretary.

ENGLAND

The reaction was similar to that of the American press. Extended and comprehensive coverage was given to the trial, and legalisms which had taken up considerable space before the trial, diminished and disappeared after it began.

As the trial wore on, editorial comment dropped off.

Television provided substantial coverage with one channel showing films flown from Jerusalem two or three times a week.

One important development, the report noted, was the reversal of position by many who had been critical of Israel's seizure of Eichmann and the competence of the Israeli court to try him.

FRANCE

The reaction of the press was one of utter repugnance for Eichmann and the Nazis and the warmest sympathy for Israel in its effort to bring Eichmann to justice and to make the world once more aware of the Nazi system.

The French press, from the time of Eichmann's capture, gave extensive coverage to the pretrial developments and to the trial itself, Facts said, even with the major difficulties of its own: Algeria, military mutinies, public service strikes, etc.

HOLLAND

Wide coverage of the trial in all its aspects was given in the press. There was a great deal of opinion which maintained that Israel more than any other nation had the right to try Eichmann.

ITALY

Reports of the trial were given full distribution. The semiofficial news agency and all leading newspapers assigned their best correspondents to Jerusalem. Condemnation of Eichmann was virtually unanimous in the Italian press.

SPAIN

Spanish press accounts were superficial, giving the impression that the Franco government (since the press was state controlled) didn't want to reveal to Spaniards, the full horror of the Hitler era. There were publicized and officially condoned pro-Fascist outbursts but they made no impact on Spaniards in general, who were neither Fascists nor anti-Semitic. One such report claimed the wrong side won the Second World War.

SOVIET RUSSIA

The press charged Israelis with acting as accomplices of the Bonn government by suppressing evidence about supposed Eichmann relations concerning present-day Bonn leaders, particularly Dr. Globke. The Western governments were also accused of protecting Nazi war criminals.

There was a general minimizing of Eichmann's crimes against Jews as compared to his crimes against humanity.

POLAND

The press gave the trial and its preliminaries extensive documentary reporting. Eichmann's role was elaborated upon in considerable detail. While criticism of the current West German Government was found in the press coverage, Jewish martyrdom was a dominant theme.

Some papers defended Israel's right to try Eichmann.

HUNGARY

Press and radio coverage was as affirmatively impressive as in Poland, concentrating on Jewish martyrdom but adding its indictment of the West German Government. Criticism was also directed against Austria as a hiding place for war criminals.

At the trial's beginning, the press carried extensive, factual reporting with a minimum of editorializing. As the trial wore on, the amount of space given it diminished and the criticism of West Germany grew.

CZECHOSLOVAKIA

Press coverage, while extensive and revealing (in that additional documentation of Eichmann's activities against both Jews and Czechs was provided), focused principally on alleged interconnections between Eichmann and high West German officials. Jewish martyrdom was played down. The Vatican was also singled out for alleged connections with Nazi war criminals.

BULGARIA AND RUMANIA

Both gave little attention to the trial, although the Rumanian press was more anti-Israel than the Bulgarian press.

(Facts, commenting on the Soviet bloc countries, said: "It is obvious that external considerations—the strategic placement of each country in relation to West Germany and the particular attitude of each to Israel—controlled the decision of each in its handling of the Eichmann case.")

THE ARAB NATIONS

Everything in the way of anti-Jewish comment was forthcoming, ranging from bitter attacks on Ben-Gurion as a Jewish prototype of Adolf Eichmann, to a glorification of the defendant as a Nazi hero.

LATIN AMERICA

In spite of initial strong resentment and criticism of Israel for her method of apprehension of Eichmann, extensive and favorable press coverage was given to the trial.

The Argentine press featured the proceedings prominently on the front pages, and even the Cuban invasion and Algerian uprisings failed to push the story into the background.

In Colombia, on the opening day of the trial, all reports were favorable to Israel. Bitterly critical articles on the Nazis and Eichmann continued to appear although information reaching the press was generally poor.

TRIBUTE TO REPRESENTATIVE CARL ALBERT OF OKLAHOMA

Mr. MONRONEY. Mr. President, one of my colleagues on the House side manages to work hard and produce amazing results most of the time without any fanfare, but occasionally his efforts are discovered and he receives headlines. It happened this week to CARL ALBERT, Democratic whip of the House, who is serving during Speaker SAM RAYBURN'S temporary absence as acting majority leader of the other body. This is the highest office an Oklahoman has attained in the Congress, and all of us are proud of CARL ALBERT.

I am happy that Roy Stewart, who writes a "Country Boy" column for the Daily Oklahoman in Oklahoma City, refused to be quieted by CARL'S modesty. He has written a story about "The Little Giant from Little Dixie," which rated bold headlines and which gives Representative ALBERT of the Third Oklahoma District part of the honor he deserves. I ask unanimous consent that the story be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Daily Oklahoman, Sept. 3, 1961]

SOUTHEASTERN HILLS TURN OUT LITTLE GIANT TO TACKLE BIG JOB

(By Roy P. Stewart)

The hilly coal country down southeast has produced two most unusual people—Pat Hurley and CARL ALBERT.

One of them, partially because of his own swashbuckling mannerisms, you have heard more about. The other, being a complete opposite in personal characteristics, you may know little about.

Hurley is a dismounted Patton. His early ambition went much further than popping a whip at a mine mule. It carried him into a President's Cabinet and into international councils.

A distinguished looking fellow, you always know when he is in a group, for he is that sort of person. Nature endowed him also with intelligence and a broad streak of humanness.

ALBERT is small in size but far taller by stature in the Congress of the United States than most of his constituents are aware. He would be the last one to tell them about it—how his newest job of acting majority leader of the House is the highest yet held by an Oklahoman—or of steps on the long road to that chair.

CARL is stuck with his 5-feet, 4-inch height just like I'm stuck with my face. In the cruel days of childhood, when teasing was overdone, it meant nothing at all to him to know that Napoleon was no taller. He did learn early that except for some physical encounter, brain can outpoint brawn.

These days when he is referred to as "the Little Giant of Little Dixie" there is a mixture of truth, respect, and admiration for him in the label. There has grown up around him on Capitol Hill a reputation unequaled by any 6-footer in the Congress.

There must have been some predestination in all this. CARL was looking for something a long time, perhaps without knowing exactly what he sought except a chance to prove himself, but in being elected to Congress in 1946 he found it.

ALBERT and the Congress fit each other like biscuits and molasses. In the drudging work of committees he worked as long as he once hoed cotton in the Flowery Mound community near McAlester. This is the real work of the House and often about as spectacular as chopping cotton.

It can, in time, give a Member a fine reputation among his fellows. But unless he tends to his knitting in the home district at the same time, he can be the most eager needleworker on the hill and get beat at home. CARL knows this—that is why he always runs scared—those Washington laurels might look wilted by the time he gets home.

In 1954 when ALBERT was named Democratic whip of the Congress it was obvious that the selection had the approval of Speaker SAM RAYBURN, even though it is an elective post. Mr. SAM didn't set the record for longevity as Speaker without knowing people pretty well.

The whip has little glory outside the cloakroom and little publicity anywhere. He has to have one velvet glove and one imaginary club. He has to count, check, sense, and feel sentiment among Members for particular measures, then on occasion beg, plead, threaten, backscratch, trade, or make fast chess play moves to win a teller vote.

The whip must know everyone and they must know him—but he does little work on the cocktail circuit. He must know which Member likes to duck out Thursday afternoon and go home, or habitually overstay a weekend on Monday. He has to know their hideouts, their habits, their pets, and sacred cows in legislation. Above all he must have their confidence.

Since Representative JOHN MCCORMACK, the Massachusetts Catholic and experienced majority leader, is taking RAYBURN'S post as Speaker for a time, it was natural that CARL moved up when the past 7-year record is scanned.

Since he is 17 years younger than MCCORMACK you can make book now that when RAYBURN eventually steps down—and he is 79 now—CARL will be leading contender for the speakership—providing of course, that Democrats are in command of the House at that time and that the Third District continues to send CARL to Congress. Even in a Republican administration the minority leadership is extremely important.

This is all a long way from that country school at Flowery Mound. It's a long way, too, from the high school days at McAlester when CARL worked to the point of physical strain developing an oratorical style. That eventually was to make him "The Boy Orator of Bug Tussle" and national oratorical champion.

His first try in a district meeting was a flop. He came back to win two State titles in a contest on the U.S. Constitution, sponsored by the Daily Oklahoman, to win at the regional in Kansas City and place in the national. He won a trip to Europe in 1927 as an 18-year-old senior.

Backed enthusiastically by the late Ted Beaird, of Norman, and others, CARL won the national intercollegiate as a freshman at the University of Oklahoma.

The $1,500 prize helped put him through school, with other self-aid, and the honors of Phi Beta Kappa and outstanding student followed a 4-year top average. He was awarded a Rhodes scholarship to Oxford and added two more degrees.

Although he took ROTC in university CARL did not have a Reserve commission in mid-1941 and was drafted. He spent 8 months as an enlisted man before starting toward officer rank, did 2 years in the humid Pacific campaigns, came out in 1946 with a Bronze Star and a light colonel's leaves.

ALBERT'S mother (Leona Scott Albert) died when he was a high school senior. His father, Ernest, a farmer and coal miner, was deep in the ground working the day CARL won the national oratorical championship. CARL married the former Mary Harmon. They have a daughter, Mary Frances, 13, and a son, David, 7.

THE GOOD SIDE OF THE SOUTH

Mr. TALMADGE. Mr. President, the Sunday issue of the New York Times magazine features a timely and illuminating article by the articulate and dedicated senior Senator from South Carolina [Mr. JOHNSTON]. Entitled "The Good Side of the South," it was written by the able Senator after that publication accepted his challenge to the newspapers of the North and West to lift their "paper curtain which has been shrouded around the good side of the South."

In his scholarly and thoroughly documented presentation, the distinguished chairman of the Senate Committee on Post Office and Civil Service presents in historical and economic perspective the factors which have shaped the modern South. He makes out a compelling case for the right of southern people, who raised themselves from defeat to prosperity by their own bootstraps, to enjoy the fruits of their labors without outside interference.

The Senator is fair and objective in his facts and conclusions and his thesis cannot help but be persuasive to those outside the South who, being unfamiliar with those facts, will read it with open minds before reaching their own conclusions.

The Senator from South Carolina has performed a great public service in writing this article, Mr. President, as has the New York Times magazine done likewise in printing it. I hope the example will be emulated by other news media outside the South, and I ask unanimous consent that the text of this particular article be printed herewith in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 3, 1961]

THE GOOD SIDE OF THE SOUTH

(By OLIN D. JOHNSTON)

(EDITOR'S NOTE.—In a speech recently, Senator OLIN D. JOHNSTON, Democrat, of South Carolina, challenged northern newspapers to lift "the paper curtain which has been shrouded around the good side of the South," and "start telling the world of our wonderful works." Therefore, Senator JOHNSTON was invited by the New York Times magazine to describe the South's "good side" as he sees it. The following is his response.)

"And ye shall know the truth, and the truth shall make you free."—John viii: 32.

The truth is that 84 years ago the South was a burned-out, broken, starving, conquered land, ruled by bayonets and carpetbag governments, carrying around its neck the mass of freed slaves who depended upon this barren area for subsistence along with millions of destitute whites. Out of the rubble and chaos of the Civil War emerged the Nation's No 1 economic and social problem.

The truth is that today, 84 years after the end of the postwar area of so-called Reconstruction, there live in the South millions of Negroes who, together with millions of whites, enjoy a growing economy, an educational system for both races, and a social and cultural life which not only is held with great pride by southerners of both races, but also is the envy of many people in other areas of our Nation and the world.

One hundred years ago the Negro in the South was in slavery. One hundred years after the opening of the Civil War the Negro is free, prospering, with every opportunity for education, and enjoying a standard of living in many instances far above that of Negroes in some other areas of our Nation—certainly far superior to the Negroes in many African lands now just emerging from colonialism.

From abject poverty and in the face of a multiplicity of handicaps, ranging from freight rate, tariff, and other commercial differentials, through extravagant carpetbag governments which left it financially prostrate, the South has raised itself back into the national picture by its own bootstraps. The South is stepping forward at a phenomenal pace and today is cited by industrialists and investors as one of the foremost "lands of opportunity" in our Nation. In achieving that, the South has uplifted not only the whites but also the Negroes.

The truth is the progress that has been made, in the absence of anything from the outside but criticism, has been one of the most glorious stories of perseverance, humanitarianism, and sacrifice ever told.

The carpetbaggers and Federal troops did not uplift the Negro in the South; the Abolitionists and Reconstructionists did nothing for the welfare of the Negro after the glory of the movement had passed following the war. There was no Marshall plan; there was no foreign aid; and there was no mutual security program.

It was not the freedom riders, the Yankee industrialists, nor the U.S. Government which helped the Negro to progress financially, educationally, and culturally in the South through those dark years. It was the white southerner who shrugged off his bitterness of the Civil War and his humiliation of the Reconstruction period, and worked with the Negro to help the Negro.

The Reconstruction period, with its excesses of corrupt carpetbag government, left an extremely bitter legacy with white southerners who were disenfranchised of all rights and systematically robbed of their property. Many of the critics of the South today berate us because of our system of education, which calls for segregated schools. Ironically, the Freedmen's Act of 1865, enacted by a vengeful Republican Congress, by its very essence solidified the practice of racial segregation in schools. The Freedmen's Bureau was directed at aiding the Negro at a time when the white southerners were being exploited and robbed at the point of Federal bayonets. The Freedmen's Bureau launched a project to establish 4,000 elementary schools for Negroes in the South, but allowed nothing for white southerners.

Following Reconstruction, when whites regained their right to vote and the governmental processes were recaptured by southern whites, the natural reaction was to build a school system for whites. But despite the bitterness which existed during this period, southern whites continued, long after the Freedmen's Act went out of existence, to provide schools for Negroes.

I do not wish to use the Reconstruction era as a wailing wall for the South. But it is impossible to point up our progress unless we go back to the watershed of Reconstruction as a basis for comparison.

Readers, to understand what the South has been through, should know that by 1870 the total value of farm property had declined 48 percent; not a single bank or insurance company was solvent; the transportation system was in a state of collapse; and starvation was imminent in certain areas.

During Reconstruction, according to Morison and Commager, in "The Growth of the American Republic," "State treasuries were systematically looted and credit of the States pledged to the railroad companies and other corporations while taxes and debts mounted to dizzy figures. In South Carolina, for example, the radicals raised the State property tax until it was confiscatory, increased State debts from $7 to $29 million, multiplied legislative expenditures sixfold and sold charters to corporations. * * * Under the head of legislative supply, members were furnished at public expense with such articles at Westphalia hams, perfumes, wines and whiskies, Brussels carpets, gold watches, carriages, and ornamental cuspidors."

These are some of the truths which should set free from prejudice the minds of those who today write about the "backward" South, the "reactionary" South, and the "problem" of the South.

Throughout the 19th century and into the 20th the South still had to contend with one of the major problems that had been a source of friction since 1832 and a major contributing factor to the South's move toward secession in 1860–61. That is, the South had to cope with extraordinary tariff rates which protected the manufactured products of the North to the detriment of southern farmers who were forced to buy their finished products on the most protected market in the world, and sell their agricultural products on a free market.

These tariff rates, which mounted higher and higher through the years, added to discriminatory freight rates, placed the southern farmer at the mercy of forces beyond his control. Considering that the South was practically all agricultural at that time, it meant the entire South was at the mercy of Republican exploitation.

For at least two generations, every Governor of South Carolina has fought to get freight rates equalized for the South. Even today freight differentials still stand like ghostly memories of the Reconstruction era, handicapping industrial growth in the South.

There grew up an agricultural crop lien system under which farmers pledged their unplanted crops for credit in the form of supplies—pork, plow points, calico, hay, etc. It was practically universal in the South that there were two sets of prices—cash and credit. The credit price ranged from 30 to 70 percent higher than the cash price which, of course, actually constituted a huge increase in the interest rates on the loans. It is said that agricultural creditors in the South would have laughed off as relatively low the 43.5 percent interest then being charged by English creditors to Irish peasants.

The 11 States that were to become the Confederacy had a white population in 1860 of roughly 5.5 million, and a slave population of roughly 3.5 million. The four border States of Delaware, Maryland, Kentucky, and Missouri had a white population of roughly 2.5 million and a slave population of 0.5 million. Thus, in round figures, the 8 million white people of the South, after years of war, exploitation and depression, had to take over the job of the economic development and education of roughly 4 million Negroes who, for the most part, were both illiterate and without property holdings. The Abolitionists and northern radicals tended to lose interest in the South after Reconstruction.

It should be remembered by everyone who would judge the South that one of our good works and one of our basic points of progress has been the overcoming of handicaps, together with the Negro. The white southerners at no point in history, after the bitterness of the Reconstruction era wore off, ever left the Negro by the wayside to starve and die off neglected.

Southerners who had regained control of the State legislatures and governments could have easily turned to a spirit of revenge, and excluded Negroes from education, jobs, and any number of things. But, to the contrary, the Negro has grown with the South, economically, educationally, and culturally.

The people of the South in every State have spent billions of dollars through the years repairing, regenerating, improving, and rebuilding their public school systems to meet the demands of a growing white and Negro population. The sole bone of contention of many critics of the South has been that the South harbors a system of separate-but-equal facilities for schools. It should be pointed out that after the Civil War and well into the 20th century the Supreme Court was not one of the institutions which felt that the educational systems of the States were its business. As a matter of fact, in 1896, the Supreme Court upheld, in Plessy against Ferguson, the doctrine of separate-but-equal facilities.

It was not until May 1954 that the Supreme Court rendered its sociological decision declaring it was unconstitutional for a school system to compel students to go to separate-but-equal facilities. Many of the writers who have waged war against the South's separate-but-equal doctrine in education have, in fact, misinterpreted the Supreme Court's 1954 ruling to mean that the Supreme Court had declared that segregation was unconstitutional.

This is not the case. Actually, the Supreme Court only said that compulsory segregation was unconstitutional. It did not specifically forbid people in a State to continue a voluntary system of separate-but-equal facilities for the races.

I believe the Supreme Court had no business reversing its historic separate-but-equal doctrine. I hold the practice or nonpractice of segregation is a matter for local people to determine for themselves. As the Republican educator William Graham Sumner once said: "State ways cannot change folkways."

When the Government forces people of different races to mix against their will in educational or social areas, then it takes on a risky role. When people are left alone to integrate voluntarily if they desire, then that is their business. The results, in some instances, are harmonious, as we can find in the State of Hawaii where probably every race known to man has integrated.

But when people of an area, such as the South, have lived for generations on a basis of separate-but-equal facilities and then are forced to turn their society upside down and reverse every practice they have ever known, trouble can be the only result.

Even before there was any Supreme Court ruling, the people of the South in every State had maintained a reasonable educational system for Negroes under then-existing circumstances. For example, between 1916 and 1928 the number of Negro high schools in the South increased from 67 to 1,860. But, not satisfied, the people began a great school-rejuvenation program in the 1930's and again in 1951.

When this latest school-rejuvenation program began in South Carolina, the State education finance commission agreed to

spend on Negro schools a vast majority of its income from a special school sales-tax levy. Priority for construction of Negro schools has been the policy of the commission in spending $205,744,112 since 1951. There is many a school district where school facilities for Negroes are far more modern, roomy, and better equipped in every way than the schools in the same district for white students. The requirements for teaching and the pay received by teachers in South Carolina are the same for Negroes as for whites.

One of the problems the South has faced up to uncomplainingly has been the educating of nonresident Negro pupils. Thousands of northern Negro children attend South Carolina public schools at the expense of South Carolina taxpayers. As an example, one school district in my State—and I am assured by school officials that similar conditions exist in many of the school districts of the Deep South—is Marlboro County.

This school district in the 1950–51 session had 4,550 Negro children enrolled. In the 1960–61 session the Negro children numbered 4,587, demonstrating an actual increase in Negro children in the schools of this district while at the same time, according to the census, the Negro population of the district has decreased by approximately 2,500.

Where are many of these Negro children coming from? They are coming to the segregated schools of the South from districts in the North where schools are integrated. Of the present Negro school population of Marlboro County, 1,009 children are listed whose parents live in Northern States and who are being educated in this school district at the expense of local school funds. In this one district alone the presence of these children requires 30 additional teachers, not to mention the classroom space, the school lunches, the school buses, and the other expenses involved in educating them.

The school board chairman of this county told me that he was advised by a local leader of the NAACP that parents of these northern schoolchildren were sending them to schools in the South partially because of an economic problem but more particularly because of the "immoral conditions of the northern integrated schools" to which they did not want their children exposed. This is something for the critics of the South to chew on.

If integration is such an all-fired important aspect of education, then why, I ask our northern critics, do these parents continue to send these children southward to segregated schools? It would seem, if southern Negroes were as unsatisfied with segregation as the northern critics would lead us to believe, southern Negro children would be traveling northward to attend the integrated schools of that area. Regardless, southerners continue to pay the cost of educating northern Negro school children who are leaving something they do not want or who are migrating to obtain something they lack.

There has been the question of voting rights in the South. I would not be honest if I did not admit right here that there have been some instances in the past 84 years where Negroes (and whites) have been disenfranchised. But looking at the South during the past 20 years, there is not much evidence of discrimination against voters. In South Carolina, with which I am, of course, most familiar, there has not been one case where a Negro has been denied the right to register or vote since records have been maintained showing the race of voters.

Two years ago, with great fanfare, the Republican U.S. Attorney General announced a probe of alleged disenfranchisement of Negroes in several South Carolina counties. For months this probe was conducted. Time and time again I called on the Attorney General to file his report publicly. Time and time again the Justice Department said it was confidential. No report was ever filed, to my knowledge, and no case ever resulted from this probe.

Much of the talk about voting discrimination is politics, designed to influence the passions of minority groups and promote bloc voting. Certainly progress has been made in this field from the days of carpetbaggers, red shirts, and Klansmen. This progress, it should be pointed out, was achieved by the people of the South and not by outside agitators. I, for one, think every qualified citizen should have, and exercise, the right to vote.

We of the South do not claim perfection, but we do claim honesty of belief, integrity of principle, and candor of conviction. When in our travels we observe the teeming slums, the high crime rates, and the shortcomings in other parts of our own Nation which were never handicapped with defeat in war, we are convinced that the story of the South—with its millions of white and Negro people living together in peace and prosperity—is a story of progress unsurpassed. We have come a long way, and we intend to go further into an even better life for all of our people.

We cannot measure the progress of the South only by boasting of our textile industries in the Carolinas, the steel mills in Alabama, the productive fields of cotton and other crops, the vast oilfields of Texas and Louisiana, or the bustling seaports of which we are so proud. The progress of the South must be judged by the fact that such achievements have been accomplished by a people who emerged from humiliating and devastating circumstances only a relatively short time ago in our national history.

ROBERT E. GROSS

Mr. TALMADGE. Mr. President, the people of Georgia are particularly saddened by the death of the illustrious industrialist and financier, Robert E. Gross.

As founder and board chairman of Lockheed Aircraft Corp., Mr. Gross demonstrated a faith in Georgia and Georgia people which has given our State its largest industrial employer—the Georgia division of Lockheed Aircraft Corp., at Marietta, Ga.

While I did not have the privilege of knowing Mr. Gross intimately, I had long been profoundly impressed by his sound philosophy of business and his progressive attitude which are reflected in the good citizenship practiced by Lockheed plants wherever they are located. His vision for the future of aviation, his adherence to free enterprise economics and his dedication to worthy civic and religious causes made him an outstanding example of the American ideal of success through one's own efforts.

The contribution which Mr. Gross, his brother, Lockheed President Courtland S. Gross, and their associates in the Lockheed Aircraft Corp. made to the economic advancement of the State of Georgia will long be remembered in deepest gratitude.

For myself and all Georgians I extend to his family sincerest sympathy in the great loss which they and the Nation have suffered in his passing.

PROPOSED AGENCY FOR DISARMAMENT AND WORLD PEACE

Mr. HUMPHREY. Mr. President, on Friday, August 25, 1961, the Minneapolis Star published an editorial entitled "One Road to Peace." The editorial relates to President Kennedy's proposal to establish a permanent U.S. Agency for Disarmament and World Peace and Security. The editorial favors the proposed legislation and makes some constructive suggestions.

I am happy to say that the Committee on Foreign Relations has been holding hearings on the bill, as has the Committee on Foreign Affairs of the other body. In the past week the Committee on Foreign Relations has held several sessions to mark up the bill and make refinements. Today we completed our basic work on the bill. It is hoped that tomorrow morning, at 10 o'clock, the Committee on Foreign Relations will report favorably the bill to establish a permanent U.S. Agency for Disarmament and World Peace and Security.

It was my privilege, along with many cosponsors, to introduce the bill in the Senate. I believe the passage of the bill would be a distinct contribution to U.S. foreign policy and to the Nation's overall program of national security.

There will be those who will ask, "Why do we talk about establishing a U.S. Disarmament Agency at the very time we are calling upon our people to pay more for national defense and security in the form of modern weapons?"

It appears to me that if ever there was a time when we ought to look forward to the hope of peace and ought to be planting our steps in pursuit of peace carefully and methodically, it is now. The arms race does not offer a solution to the world's programs. The arms race may offer a way to dissolve the world through combustion, heat, and explosion, but it does not offer a way to solve the problems which confront mankind.

I believe the Government of the United States will be taking a very worthy and notable step if it pioneers in the field of searching for a workable, effective system of disarmament. I am happy to say that our country will be the first to establish such an agency. One of the real weaknesses in U.S. foreign policy in recent years has been our lack of adequate preparation for the negotiations which have been underway for several years with the Soviet Union on the subject of disarmament.

It should be noted that the officials of this administration, including the Secretary of Defense, the Secretary of State, the Chairman of the Atomic Energy Commission, and other prominent persons, have strongly supported the proposed legislation.

It should be noted also that the former President of the United States, Dwight D. Eisenhower, has supported such legislation. Former Secretary of State Christian Herter, former Secretary of Defense Gates, the former U.S. Ambassador to the United Nations, Mr. Lodge, the former U.S. representative to the United Nations and to the Geneva Conference on Nuclear Test Suspension,

Mr. Wadsworth, all have supported the proposed legislation.

Also, General Gruenther, the former commander of the NATO forces, and General Lemnitzer, the present Chairman of the Joint Chiefs of Staff, support the proposed legislation.

One of the most moving pieces of testimony was that of General Gruenther, who testified as to the importance of the United States of America not only equipping itself to defend itself by means of an adequate national defense, but also equipping itself to search relentlessly, effectively, and perseveringly for peace through disarmament, through effective programs of inspection and control over disarmament.

I had the privilege of sitting through the hearings and found them to be one of the most reassuring expressions of public policy on the part of the leading citizens of our country that I have heard in recent years.

Mr. President, I ask unanimous consent to have the editorial from the Minneapolis Star printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Minneapolis Star, Aug. 25, 1961]

ONE ROAD TO PEACE

With the Soviet Union stepping up its pressures against the United States and the West, some people have questioned the wisdom of President Kennedy's proposal to set up a permanent U.S. Disarmament Agency for World Peace and Security.

They argue that the proposal appears to be a defensive move at the very time that the United States is under new Soviet pressure and propaganda attacks in West Berlin and in other crisis areas.

It is true that prospects for peace and disarmament are not very bright in times of tension, but the United States must be ready for peace as well as war. President Kennedy in his May 25 message to Congress said, for example:

"Our arms do not prepare for war. They are efforts to discourage and resist the adventures of others that could end in war. That is why it is consistent with these efforts that we continue to press for properly safeguarded measures."

Under the current proposal—offered in the Senate by Senator HUBERT HUMPHREY and several colleagues and in the House by a group of Congressmen including Minnesota Representatives WALTER JUDD, JOHN BLATNIK, and JOSEPH KARTH—the new U.S. Disarmament Agency would be concerned not only with ways and means of controlling and limiting armaments. It would be part of an overall peace program, and its Director would sit in on National Security Council meetings reaching decisions on disarmament and related issues.

Arthur Dean, one of America's current disarmament negotiators, recently pointed out that since 1945 at least 19 different people have had the responsibility at one time or another for America's disarmament negotiations. The result has been a lack of consistency, a lack of continuity, a lack of expert advice, a lack of research, and a general lack of information that hurt the United States when negotiations were undertaken.

The new Agency would be a concrete expression of the American Government's continuing efforts to examine every possible route to peace. It also would be a permanent Agency with its own appropriation, its own employees, and its own specialists, scientists, and technical personnel to deal with the technical, political, economic, and legal problems involved. These people would have a dedication and responsibility to a permanent Agency that those who have been "on loan" from other Government agencies to the temporary disarmament office never have had.

Former President Eisenhower, in supporting the proposal, said in a letter to President Kennedy:

"While any progress toward real disarmament can be achieved only where the opposing sides genuinely pursue the ideal of peace, yet it is futile to speculate as to whether progress toward peace or disarmament should take priority in such effort. It is clear that they must progress in step-by-step coordination, as otherwise nothing will be accomplished."

With the arms race continuing, with the Communists keeping their pressure on the non-Communist world, with weapons becoming increasingly destructive and complex, the danger of an accidental beginning to a new world war increases day by day. The United States can take the lead in showing its responsible concern for peace and disarmament by making the Disarmament Agency a permanent arm of Government. Congress ought to do so before winding up its current session.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

RESOLUTION

SAFEGUARDS AGAINST ACCIDENTAL WAR

Mr. HUMPHREY submitted a resolution—Senate Resolution 203—relative to safeguards against accidental war, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. HUMPHREY, which appears under a separate heading.)

SOVIET RESUMPTION OF NUCLEAR TESTS UNDERLINES NEED FOR SOVIET REPORT TO U.N. ON SAFEGUARDS AGAINST NUCLEAR WAR

Mr. HUMPHREY. Mr. President, the Tass announcement of Soviet plans for resumption of nuclear tests contains a deeper and grimmer significance to mankind than first analysis might indicate.

For one thing, the Soviet decision adds immense complications to the problem of avoiding accidental thermonuclear war.

Why? Because now, the sheer number of Soviet nuclear explosions, and the immense, complex preparations for their tests will multiply the number of possibilities that someone, somewhere, may press the wrong button, or forget to do the right thing, or misinterpret radar blips, infrared, or other signals.

The whole international atmosphere has become charged by the Soviet announcement in a way that puts nerves on edge to a dangerous degree.

Meanwhile, there remains worldwide hair-trigger balance of early warning systems. These systems involve man-to-man, machine-to-machine, machine-to-man communication. The systems could be upset by unforeseen contingencies which are now multiplied by the regrettable Soviet decision.

It is for this reason, among others, that I am introducing today for appropriate reference a resolution to achieve a goal which I cited to the Senate on July 31. The resolution would express the sense of the Senate that the U.S. representative to the United Nations ask each of the major powers possessing capability of nuclear and thermonuclear warfare to report on measures which they have taken as safeguards against accidental conflict.

Since my statement of July 31, the intensification of the Berlin crisis has itself underlined the danger of accidental war by "escalation."

MY REQUEST TO DEFENSE DEPARTMENT

Since then, too, at hearings conducted on the pending legislation to establish a U.S. Disarmament Agency for World Peace and Security, I asked that the Department of Defense supply certain information—which might be available in the open literature. I asked what has been reported, if anything, as regards steps the Sino-Soviet bloc may have taken to prevent unauthorized or accidental use of nuclear weapons.

In the subsequent reply from Deputy Secretary of Defense Roswell Gilpatric, I was informed—as I anticipated:

> The Soviet Union has characteristically cloaked in secrecy any technical procedures or other measures it may have adopted to control and prevent unauthorized or accidental use of nuclear weapons.

The same letter stated with respect to fail-safe procedures:

> The Soviets have not disclosed whether they employ any such control and safety procedures themselves.

This letter will be printed in the hearings of the Foreign Relations Committee on the U.S. Disarmament Agency, shortly to be released.

ONE-TIME REPORT WILL NOT SUFFICE

Now, let me stress this fact: The type of report which I believe should be made to the United Nations cannot be assumed to consist of only a one-time statement. Actually, safeguard procedures which might be reported and which might be regarded as adequate in, say, September 1961, may prove utterly futile within a few months from now because of technologial developments.

Updating the reports to the U.N. will therefore be essential. The fundamental situation which disturbs others and myself is that, right now, the world does not have the slightest notion as to any safeguards whatsoever—whether obsolete or up to the minute—on the Sino-Soviet bloc's part.

THE DILEMMA OF AN OVERELABORATE SYSTEM OF BALANCE

The plain fact, too, is that the United States itself faces a critical and chronic dilemma: how to build sufficient safeguards so as to avoid accidental triggering of an international holocaust, while at the same time not encumbering reasonable speed of response to a genuine attack in such a way as to result in national suicide.

To resolve this dilemma, the United States must constantly reevaluate its own safeguard system. To build in so safe a system that it is overelaborate might mean that we deprive ourselves of the capacity to retaliate promptly. Yet, to permit too unsafe a system would be to run the risk of accidental triggering of war.

This is a fearsome problem. It demonstrates that we will probably be living for the rest of our lives in a situation of particularly delicate balance in which both sides adapt their system of precautions so as to cope with unforeseen technological breakthroughs.

Does not mankind have the right to know about the safeguards which both sides have already instituted?

Does the world only want to know about the safeguards which have already been revealed in such large measure—wholly voluntarily—by this open society of the free world?

Should mankind be silent while a closed system—the Communist system—denies mankind even the most elementary data as to its safeguards?

PRECEDENT FOR U.N. REQUEST OF REPORT

There is ample precedent for the type of report which I suggest.

The United Nations and its specialized agencies request of all member states a great many types of information, concerning activities within the latter's respective borders. For example, trusteeship information is required on trust territories. Health information, data on education and a wide variety of other information is requested routinely by WHO, UNESCO, and so forth.

Does the world believe that the United Nations should be interested in requesting routine data for, say, the "U.N. Demographic Yearbook," but that the U.N. should not be interested in requesting life-or-death data, which may help determine whether the human race may be accidentally blown to pieces?

MEANING OF FAILURE TO ACT

Let me point out that if the Senate were to fail to act on this resolution, or if we acted favorably and the United Nations were thereafter to fail to act, such failure might in effect be regarded as tacit acquiesence in the present silence of the Sino-Soviet bloc on this crucial subject.

By contrast, if this resolution were to be favorably acted upon both in the Senate and the United Nations, it would attest to mankind's right to know, indeed, its insistence on knowing.

RESOLUTION IS NOT UNREALISTIC

Now, I well recognize that the reaction of some individuals to my resolution may be that it is allegedly unrealistic to expect the Soviet Union to report on even a portion of its safeguards.

That negative appraisal does not, however, constitute an argument against enactment of the resolution. Indeed, the chances may not really be favorable for this or a great many other worthy objectives which we seek for the safety of the human race. But that is no argument against making the effort.

National and international survival are too crucial for us to hold back on any sound effort for peace, regardless of its chances of success.

A point which I wish to stress, too, is that, the very act of asking the United Nations that a report be requested on this subject is itself a constructive contribution to mankind's safety.

For Senate passage of the resolution would put all powers on notice that the Senate feels that the substantive issue of safeguards had best receive undivided attention on both sides, whether or not the Sino-Soviet bloc ever chooses to make a report.

EXCERPTS FROM HERMAN KAHN BOOK

Now, as I reported on July 31, I have made a diligent search of the literature and find no facts bearing upon Sino-Soviet bloc precautions. There has not even been much discussion or speculation as to what the Sino-Soviet bloc may or may not have done.

One of the relatively few analyses of the problem may be found in the book "On Thermonuclear War," by the distinguished observer, Herman Kahn, published by the Princeton University Press.

I ask unanimous consent that there be printed in the RECORD the text of my resolution, followed by a few excerpts from Mr. Kahn's notable volume.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution and excerpts will be printed in the RECORD.

The resolution (S. Res. 203) was referred to the Committee on Foreign Relations, as follows:

Whereas the people and the Government of the United States are unalterably committed to exploring every possible means to prevent the holocaust of war; and

Whereas a third world war might involve incalculable destruction by nuclear and thermonuclear weapons, resulting in widespread loss of life and suffering among not only the combatant powers but among vast additional sections of the human race; and

Whereas a danger exists that such a war could occur by accident, as through mechanical error, faulty human interpretation of warning signals, issuance of irreversible commands by an undesignated individual, or through a wide variety of other unplanned possibilities; and

Whereas localized conflict by conventional weapons might, without the decision of supreme authority, start a chain reaction leading unintentionally to a combatant's use of nuclear and thermonuclear weapons; and

Whereas the United States Government has taken elaborate precautions against any deficiency or error which could lead to accidental nuclear war and has voluntarily informed the people of this Nation and of the world through press, radio, television, and other means concerning many of these safeguards; and

Whereas other governments of the free world have similarly released information concerning safeguards against accidental nuclear conflict; and

Whereas the Union of the Soviet Socialist Republics, Communist China, and states within the Communist bloc have released no information concerning their precautions to prevent accidental conflict: Now, therefore, be it

Resolved, That the Senate respectfully recommends that the President instruct the United States representative to the United Nations to propose in the Security Council, and to press for adoption by the Council, a resolution calling upon the member states which possess weapons or capabilities in nuclear warfare to report at the earliest possible date, to the extent consistent with the reasonable requirements of national and international security, on the organizational, procedural, mechanical, and other precautions or safeguards which they have taken to prevent accidental nuclear conflict.

The excerpts presented by Mr. HUMPHREY are as follows:

EXCERPTS FROM BOOK, "ON THERMONUCLEAR WAR," BY HERMAN KAHN, MEMBER OF THE PHYSICS DIVISION, THE RAND CORP.

(P. 205:)

AN "ACCIDENTAL" ACCIDENT

Let us now turn to the second of our eight basic situations. There may be an appreciable possibility of an accidental or otherwise unpremeditated war even when the situation is not tense. Almost all military planners believe that unless forces are much more alert and dispersed in the future than they have been in the past they will be extremely vulnerable to surprise attacks. As a result, there are all kinds of proposals to use extremely quick reaction or extreme dispersal with correspondingly dispersed control as a protection. But many who have studied the situation think that some proposals calling for forces of this kind can make us dangerously prone to accidents. For example, many studies indicate that unless a strategic force occasionally reacts in some appropriate way to false alarms, it runs a risk of not reacting at all when the real thing comes along. Some of the proposals advocated for quick-reacting or dispersed control systems could not survive many false alarms without some appreciable risk of setting off an accidental war. Even the current relatively reliable fail-safe or positive control systems may become dangerous if the Soviets adopt similar measures and either of the two sides is so careless in his operating practices that a self-fulfilling prophesy is set into motion.

* * * * *

Therefore in some sense the Russians have a legitimate right to ask certain kinds of questions about our operations, and we should be willing to answer these questions. Insofar as our system depends on things which cannot be explained to the Russians and which they may worry about, the system has a serious inadequacy. It is to our interest to convince the Russians that they do not have to be trigger happy. (They ought to do the same with us.) To the extent that they raise serious issues, they should be treated seriously, and we should even give careful consideration to their relatively clumsy propaganda campaigns. Unfortunately, the Soviets do not seem to be as interested in this problem as they ought to be. The U.S. technical experts at the 1958 Geneva Conference on Safeguards against Surprise Attack tried to discuss with the Soviet delegates measures that would reduce the risk of misunderstandings that might lead to an accidental war, but the Soviet delegates stressed the larger issues and refused to look at narrow technical problems. (However, our own position may have been excessively narrow.)

Fortunately, if proper preparations have been made, it is not necessary to take off on a false alarm just because the other side has done so. On the other hand, unless both sides make preparations for some kind of "hold" ability—for example, by refueling the airborne planes or bringing reserve planes to an alert status—it could be dangerous to call back the bombers unless it were certain that the triggering signal was a false alarm. Even with preparations, there may be some degradation if the timing is interrupted. Once this force has turned back or tried

some temporizing measure, schedules are deranged. Some bombers will lack fuel to turn back again. A large number of those planes that land may for some time be unavailable for a coordinated strike for various reasons connected with maintenance, crew fatigue, timing, and so on.

Unless we are properly prepared, fear of accidental war may lead to crippling restraints. Most people, when asked to choose between (1) a force which is invulnerable but achieves this invulnerability by having (every year) one chance in a hundred of starting a war accidentally, or (2) a force which is nonaccident prone, but at a result is so handicapped that it is vulnerable to clever attacks, will choose the second. They do not believe anyone would be so insane as to launch a deliberate attack, but the thought of accidental war is all too real. (A psychologist friend tells me that if one asks a 10 year old what he expects to be he will often answer, "An engineer, unless some fool accidentally presses a button, in which case I'll be nothing.") Therefore, unless non-accident-prone reactions are designed into the system, this could mean that the buttons will not be fully connected. If a surprise attack actually occurs, an appreciable portion of the offense may be destroyed on the ground. While this would not disturb the facade school, the possibility does disturb those who believe that as much of the offensive force as possible should play a role in punishing the enemy or in limiting damage.

* * * * *

(Pp. 227–228:)

It will be well at this point to list systematically ways in which a war could arise. This will remind us of some of the specifics that have to be considered. Table 36 covers basically the same area covered by the five classes of wars in table 33, but this time the viewpoint is that of the arms controller rather than the strategist. While the two viewpoints should be much closer than they have been in the past since both are trying to enhance security, it is almost inevitable in this world of parochial interests and bureaucratic specialization that they should differ. Table 36 tries to take account of the differences. The strategist is mainly trying to improve his nation's military position and international influence; the arms controller is trying to reduce the risks of war. However, the best members of both occupations may find their outlooks quite close, and in some ways, perhaps identical.

TABLE 36.—*The arms controller's view of war*

1. Accident:
   - (a) False preemption.
   - (b) Unauthorized behavior.
   - (c) True mechanical or human error.
2. Miscalculation:
   - (a) Escalation.
   - (b) Rationality of irrationality.
   - (c) Overconfidence.
3. Calculation:
   - (a) Reciprocal fear of suprise attack.
   - (b) Type II deterrence situation.
   - (c) Other crisis (internal or external).
   - (d) Preventive war.
   - (e) World domination.
4. Catalytic:
   - (a) Ambitious third nation.
   - (b) Desperate third nation.

The foregoing list is neither exhaustive nor disjoint. It is not exhaustive because our weapons systems are so new and their impact on each other and on international relations are so unknown that it would not be surprising if a war could start in some unforeseen manner. They are not disjoint because the causes of a war can occur in series or overlap in subtle ways. The four major topics are listed in the author's personal order of decreasing probability of actually being a cause of war in the next decade or so.

The first item on table 36, "False preemption," is the most publicized possibility and one difficult to consider objectively. I have pointed out that in a properly designed system it is most unlikely that this could be caused by a simple false alarm, but such an attack could be triggered by a series of false alarms if a chain of self-fulfilling prophesies should be set into motion. The prevention of this last possibility may be one of the most important objectives of arms control. It is also conceivable that a pathological individual will deliberately try to start a war. The Soviets have made much of the possibility that a deranged American pilot on airborne alert would take it in his head to attack the Soviet Union. However, there are many safeguards against this behavior. Also it is most unlikely that an attack by a lone plane would touch off a war. Another possibility is given by Peter Bryant (in "Red Alert," Ace Books, Inc., New York, 1958). He discusses how a determined SAC general, who, unknown to his superiors, is incurably ill and whose judgment and sense of discipline are affected by this knowledge, decides to end the Soviet problem. Bryant is most interesting when he discusses the clever way the general negates the elaborate system set up to prevent unauthorized behavior. And last there is the possibility of a genuine accident—a switch failing, some ICBM's being launched through some mechancial or human error, some stockpile weapons accidentally exploding—any of which might, in spite of the safeguards, set off a self-fulfilling prophesy. These possibilities (unauthorized behavior and true mechanical or human error) can be influenced by collaboration with potential enemies in the sense that the degree of alertness or decentralized control that is required for one's force may be dependent on the overall strategic environment. Basically, however, the problem of unauthorized behavior or true mechanical or human error must be handled by unilateral action. Accident proneness may increase somewhat simply as a byproduct of the number of alert weapons. However, the really dangerous intensification is likely to come from the proliferation of independent capabilities, each with its own standards of training, reliability of personnel, and safety practices.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, if there is no other business to be transacted, I move that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 55 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Wednesday, September 6, 1961, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 5, 1961:

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Raymond F. Lynn, Brewton, Ala., in place of W. H. Schad, transferred.

William F. Salter, Evergreen, Ala., in place of M. R. Cunningham, retired.

Margaret E. Matthews, Gallion, Ala., in place of G. L. Collins, retired.

ALASKA

Marjorie L. Sharnbroich, Wrangell, Alaska, in place of E. R. Sharnbroich, deceased.

ARKANSAS

Lucille U. Mink, Bay, Ark., in place of M. L. Cherry, retired.

Cleveland L. Hodges, Earle, Ark., in place of L. F. Harris, retired.

Mary E. Ingram, Hazen, Ark., in place of L. A. Tyson, resigned.

Elizabeth A. Anderson, Monticello, Ark., in place of G. W. Stephenson, retired.

Vivian R. Craig, Newark, Ark., in place of R. M. Craig, retired.

John S. Buttry, Pea Ridge, Ark., in place of F. F. Wood, retired.

CALIFORNIA

Carl C. Courtney, Alhambra, Calif., in place of H. P. Dowdell, deceased.

Charles W. Spencer, Aptos, Calif., in place of A. L. Weiser, resigned.

Robert N. Kisner, Buena Park, Calif., in place of M. F. Inskeep, transferred.

John Santana, Cloverdale, Calif., in place of P. S. Kinsey, removed.

Dolores L. Sprague, Fulton, Calif., in place of Stella Sprague, retired.

Elbridge W. Skeahan, Grass Valley, Calif., in place of W. J. Wieger, retired.

Ruby M. Ambrosini, Korbel, Calif., in place of M. M. Morrison, retired.

E. Howard Stinson, Lindsay, Calif., in place of E. M. Bandy, retired.

Leslie S. Brown, Monterey, Calif., in place of K. U. Brown, retired.

Vernon G. Dingley, Monterey Park., Calif., in place of A. J. O'Sullivan, retired.

H. Norman Green, Shell Beach, Calif., in place of G. L. Mays, retired.

Richard T. Higgins, Truckee, Calif., in place of Elizabeth Bavier, retired.

Clifford J. Sorem, Ventura, Calif., in place of E. C. Ortega, retired.

COLORADO

Dale E. Pralle, Burlington, Colo., in place of M. E. Vogt, retired.

William H. Farnum, Jr., Glenwood Springs, Colo., in place of J. B. Schutte, retired.

Clara W. Dennison, Hesperus, Colo., in place of Ethel Dunn, retired.

Hugh L. Grauerholz, Yuma, Colo., in place of P. L. Kohlmeier, transferred.

CONNECTICUT

Walter M. McGinniss, Brookfield, Conn., in place of V. C. Geddes, resigned.

Eugene D. Lynch, New Milford, Conn., in place of J. J. Berger, resigned.

DELAWARE

Hazel D. Grier, Woodside, Del., in place of H. M. Jones, deceased.

FLORIDA

V. Paige Pinnell, Gainesville, Fla., in place of J. G. Davis, retired.

Mabel J. Wolfe, Key Largo, Fla., in place of G. H. Brown, retired.

Roy C. Arnold, Okeechobee, Fla., in place of H. L. Stokes, retired.

Clestelle W. Wadsworth, Wimauma, Fla., in place of A. A. Wadsworth, retired.

GEORGIA

James M. Groover, Boston, Ga., in place of D. R. Adams, retired.

Lois B. Bryan, Brooklet, Ga., in place of T. R. Bryan, Jr., removed.

Fred H. Tanner, Commerce, Ga., in place of L. L. Ward, retired.

Oscar M. Roberts, Donalsonville, Ga., in place of C. W. Beardsley, retired.

Leonard E. Smith, Lyerly, Ga., in place of J. C. Williams, deceased.

Susie G. Ellington, Montrose, Ga., in place of J. E. Custer, retired.

ILLINOIS

Hazel M. Craig, Alma, Ill., in place of Myron Craig, retired.

Henry T. Verfurth, Morris, Ill., in place of J. T. Donahoe, retired.

Theodore C. Geocaris, Mount Prospect, Ill., in place of Joseph Knuth, retired.

Thomas D. Neal, Sandoval, Ill., in place of M. M. Hawley, retired.
Warden D. White, Wayne City, Ill., in place of Ira Dezouche, retired.
Clifford L. Shipman, Fowler, Ind., in place of P. J. Lockhart, retired.

INDIANA

Howard K. Sundheimer, Wabash, Ind., in place of A. E. Reynolds, deceased.
S. Wayne Hillyer, Williamsport, Ind., in place of L. J. Etnire, retired.

IOWA

Leo W. Dodd, Conrad, Iowa, in place of J. F. Alexander, retired.
Eleanora B. Sofranko, Lovilia, Iowa, in place of W. F. Gaddis, deceased.
Joseph C. Chervenka, Tama, Iowa, in place of G. J. Svacina, transferred.

KANSAS

Norbert F. Eisenbarth, Corning, Kans., in place of L. E. Kempin, retired.
Isaac M. Wilson, Easton, Kans., in place of B. M. Stafford, retired.
Paul J. O'Connell, Jr., Shawnee Mission, Kans., office established August 1, 1960.
Thomas B. Tichenor, Brandenburg, Ky., in place of T. W. Wilson, resigned.
Lawrence H. Framme, Jr., Carrollton, Ky., in place of S. R. Hill, retired.
Fay J. Hampton, McRoberts, Ky., in place of M. B. Johnson, deceased.

LOUISIANA

Ivy J. Miller, Church Point, La., in place of Stephen Bellard, retired.
Mary Jo McCutcheon, Clinton, La., in place of H. H. Phares, retired.
Lonnie J. Cryer, De Quincy, La., in place of M. A. Kent, retired.

MARYLAND

James E. Gault, Bishopville, Md., in place of H. R. Ringler, retired.
Rebecca T. Groton, Glencoe, Md., in place of T. C. Groton, deceased.
William L. Harbstreet, Lutherville-Timonium, Md., in place of E. W. Sperry, resigned.
Sylvia L. Golden, Nanjemoy, Md., in place of M. C. Ward, retired.
Elma K. Goodhand, Queenstown, Md., in place of M. S. Cross, retired.
Charles H. Ross, Smithsburg, Md., in place of E. L. Bachtell, deceased.

MASSACHUSETTS

Irene F. Christian, Cataumet, Mass., in place of M. N. Bowman, retired.
Daniel N. McCarthy, Groton, Mass., in place of W. H. Folkins, retired.
James W. Griffin, Swansea, Mass., in place of H. E. Lenon, deceased.

MICHIGAN

Victor Batt, Allen, Mich., in place of W. Z. Todd, transferred.
Thomas A. Dowell, Battle Creek, Mich., in place of J. O. Curry, retired.
James V. Baese, Elsie, Mich., in place of C. S. Goodrich, retired.
Arlene B. Dolehanty, Gaines, Mich., in place of E. R. Stevenson, retired.
Donald E. Fish, Grand Blanc, Mich., in place of M. M. Blower, removed.
Peter V. Pini, Lake Linden, Mich., in place of R. S. Eddy, retired.
Eugene J. Jones, Mendon, Mich., in place of M. C. Travis, removed.
Evar J. Villemure, Newberry, Mich., in place of Joseph Villemure, retired.
Leonard E. VanSickle, Prudenville, Mich., in place of L. L. Malcomson, retired.
Richard L. Finkbeiner, Wayland, Mich., in place of M. R. Ehle, removed.

MINNESOTA

Arol D. Hansen, Askov, Minn., in place of Svend Petersen, deceased.
Oliver A. Herrick, Austin, Minn., in place of Elmer Requa, deceased.
Gerald J. Den Ouden, Edgerton, Minn., in place of A. F. Bolluyt, transferred.
Ione A. Slattery, Kilkenny, Minn., in place of Alice Gillespie, retired.
Clayton C. Linn, Kimball, Minn., in place of R. W. Adkins, deceased.
John G. Askew, Wadena, Minn., in place of R. H. Ireland, retired.

MISSISSIPPI

J. Kyle Lindsey, Booneville, Miss., in place of F. J. Fugitt, retired.
John M. McGowan, Sr., Camden, Miss., in place of S. L. Mansell, transferred.
Travis N. Holman, Tishomingo, Miss., in place of J. R. Trimm, retired.

MISSOURI

Ward Dennis, Huntsville, Mo., in place of C. E. Burkhart, transferred.
Robert L. Hurst, Rushville, Mo., in place of A. N. Cooper, retired.

MONTANA

Harry M. Halverson, Glasgow, Mont., in place of E. B. Pease, retired.
Dorothy Lechner, Winifred, Mont., in place of M. J. Lechner, deceased.

NEVADA

Ernest J. Arch, Reno, Nev., in place of Pete Petersen, retired.

NEW JERSEY

Richard M. Johnson, Ridgefield, N.J., in place of H. J. Formon, deceased.

NEW YORK

John P. Frey, Atlantic Beach, N.Y., in place of Catherine Damme, retired.
John M. Edwards, Chester, N.Y., in place of J. J. Diffily, deceased.
Donald F. Andrews, Conklin, N.Y., in place of N. S. Andrews, retired.
Helen S. Victor, Grand Gorge, N.Y., in place of A. V. Joslyn, retired.
John W. Carroll, Jr., Great Neck, N.Y., in place of E. F. Higgins, retired.
George F. Longyear, La Fayette, N.Y., in place of I. B. Locke, retired.
Gerard R. T. O'Grady, Malverne, N.Y., in place of K. R. Brewer, retired.
James D. Donahue, North Creek, N.Y., in place of M. R. Rattigan, retired.
Kessler B. Baldwin, South Otselic, N.Y., in place of C. B. Baldwin, deceased.

NORTH CAROLINA

Lester I. Carpenter, Belmont, N.C., in place of J. M. Armstrong, retired.
Robert E. Williams, Black Mountain, N.C., in place of H. A. Kerlee, removed.
Belle Cable, Fontana Dam, N.C., in place of B. Q. Cable, transferred.
Willis Q. Moore, Hayesville, N.C., in place of F. R. Jones, retired.
Daniel A. Swindell, Robbins, N.C., in place of G. E. Walker, deceased.
Stanley L. West, Weaverville, N.C., in place of Kate Reagan, retired.

NORTH DAKOTA

Donald A. Supler, Verona, N. Dak., in place of A. F. Jones, retired.
Dale C. Nesemeier, West Fargo, N. Dak., in place of K. A. Peterson, deceased.

OHIO

Erva L. Sibrel, Gypsum, Ohio, in place of J. A. Wierzba, removed.
Richard L. Rizor, Mount Victory, Ohio, in place of Helen Shilts, retired.
Kenneth W. Bailey, New Albany, Ohio, in place of V. E. Clouse, retired.
Paul Sutch, Painesville, Ohio, in place of J. J. Cawley, retired.
George G. Walters, Reynoldsburg, Ohio, in place of C. G. Roshon, retired.
Harold M. Brown, Waverly, Ohio, in place of E. H. Jackson, retired.

OKLAHOMA

Volney B. Howell, Fort Gibson, Okla., in place of L. B. Rogers, deceased.
Billy L. Humphreys, Grandfield, Okla., in place of H. N. Patterson, retired.
Wendall D. Berry, Granite, Okla., in place of J. C. R. Boyd, transferred.
Anna J. Stepp, Headrick, Okla., in place of W. W. Stepp, deceased.

OREGON

Frederick L. Langston, Cottage Grove, Oreg., in place of K. V. Richards, retired.
Robert M. Buck, Lake Oswego, Oreg., in place of G. H. Carl, deceased.
Gerald J. McGlinn, St. Helens, Oreg., in place of C. W. Wickman, deceased.

PENNSYLVANIA

John C. McCurdy, Adamsville, Pa., in place of J. H. Neese, retired.
Howard V. Strasser, Albion, Pa., in place of M. A. Rood, retired.
Joseph R. Walsh, Carbondale, Pa., in place of John Nally, retired.
Agnes M. Smith, Dunlo, Pa., in place of M. J. Musilek, retired.
Bertram L. Ream, Elizabethtown, Pa., in place of E. M. Miller, retired.
W. Armour Fegely, Fleetwood, Pa., in place of W. M. Bauscher, retired.
Ross P. Petrone, Jr., Wildwood, Pa., in place of E. C. Hardt, retired.

PUERTO RICO

Pascasio Vidal-Chacon, Ensenada, P.R., in place of Julia Chacon de Vidal, retired.

RHODE ISLAND

Harry Kizirian, Providence, R.I., in place of R. A. Creekan, retired.
John E. Conley, Warren, R.I., in place of Fred Beauchaine, retired.

SOUTH CAROLINA

William O. Callahan, Columbia, S.C., in place of E. C. Goza, retired.

TENNESSEE

Hybernia C. McMillan, Charlotte, Tenn., in place of H. B. Crow, removed.
Edward A. Riordan, Dickson, Tenn., in place of H. N. Reeves, retired.
Hazel E. Seward, Eads, Tenn., in place of J. K. Tynes, removed.
Lucille J. Lovell, Hampshire, Tenn., in place of S. A. Leftwich, transferred.
Guilford S. Ligon, Mount Pleasant, Tenn., in place of M. S. Stewart, retired.
Raymond B. Gibson, Spring City, Tenn., in place of C. G. McCuistion, resigned.

TEXAS

Thomas M. Yarrell, Belton, Tex., in place of E. L. Upshaw, removed.
Elvin C. Moehlman, Bryan, Tex., in place of J. P. Carroll, deceased.
Laura B. Stringer, Buda, Tex., in place of J. M. Barber, retired.
Ernest Gregg, College Station, Tex., in place of T. O. Walton, retired.
M. Forrest Brooks, Columbus, Tex., in place of A. I. Chapman, retired.
Thomas F. Calhoon, Jr., Liberty, Tex., in place of Tom Calhoon, deceased.
James H. Mecklin, Marfa, Tex., in place of A. L. Logan, retired.

UTAH

Ethel N. Jones, Corinne, Utah, in place of M. C. Hatch, retired.

VIRGINIA

T. Coleman Musgrove, Bedford, Va., in place of W. L. Skinnell, retired.
Virginia L. Fowler, Burke, Va., in place of R. R. Carter, retired.
Walter R. Hines, Jonesville, Va., in place of W. F. Cox, removed.
William E. Doxey, Portsmouth, Va., in place of S. F. Kirby, retired.
Will R. Wilson, Raphine, Va., in place of W. S. Wilson, retired.
Melvin S. Raikes, Roanoke, Va., in place of R. L. Via, retired.

WASHINGTON

Elizabeth L. Goodpaster, Hoodsport, Wash., in place of W. A. Oliver, retired.
Joseph Fosnick, Sumner, Wash., in place of W. L. Barnard, retired.

WEST VIRGINIA

Mary J. Hafer, Elkview, W. Va., in place of J. E. Hafer, retired.

Robert H. Blackwood, Milton, W. Va., in place of D. J. Blackwood, retired.

Stanley A. Hehle, Parsons, W. Va., in place of Myrtle Blackman, retired.

J. Eugene Knowlton, Ravenswood, W. Va., in place of W. S. Myers, resigned.

WISCONSIN

Lillian A. Newton, Augusta, Wis., in place of T. F. Boehrer, retired.

Walter A. Post, Mount Horeb, Wis., in place of C. J. Sorenson, retired.

WYOMING

Reginald J. O'Neill, Basin, Wyo., in place of O. R. Booker, retired.

CALIFORNIA DEBRIS COMMISSION

Col. Arthur H. Frye, Jr., Corps of Engineers, to be president and senior member of the California Debris Commission, under the provisions of section 1 of the act of Congress approved March 1, 1893 (27 Stat. 507) (33 U.S.C. 661), vice Brig. Gen. Robert G. MacDonnell, U.S. Army, reassigned.

DIPLOMATIC AND FOREIGN SERVICE

Robert F. Corrigan, of Ohio, now a Foreign Service officer of class 2 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

Sidney Schmukler, of Virginia, for appointment as a Foreign Service officer of class 3, a consul, and a secretary in the diplomatic service of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

James H. Brown, Jr., of New Jersey.
David J. Carpenter, of Vermont.
Charles W. Lyons, of Massachusetts.

The following-named persons for appointment as Foreign Service officers of class 5, consuls, and secretaries in the diplomatic service of the United States of America.

John B. Perkey, Jr., of West Virginia.
Robert C. Texido, of Rhode Island.

The following-named Foreign Service officers for promotion from class 8 to class 7:

James T. Doyle, of Florida.
George W. Heatley, of California.
Edward G. Ruoff, of Ohio.

The following-named persons for appointment as Foreign Service officers of class 7, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

John D. Blacken, of Washington.
Donald C. Lautz, of Illinois.
Michael B. Peceri, of Florida.
Miss Jeanette M. Rebuth, of New York.

The following-named persons for appointment as Foreign Service officers of class 8, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Miss Jolahna D. Ballard, of California.
Richard Irving Burnham, of New York.
Stephen W. Bosworth, of Michigan.
Hobart Harrington Cleveland, of Florida.
John S. Davison, of Michigan.
Dale Alan Diefenbach, of Ohio.
Jerrold Mark Dion, of Minnesota.
David A. Engel, of New Jersey.
Jonathan W. Ewing, of Pennsylvania.
Anthony G. Freeman, of New Jersey.
Frank Ralph Golino, of Pennsylvania.
Donald Keith Guthrie, of New Mexico.
Frank G. Helman, of Pennsylvania.
Herbert A. Hoffman, of Pennsylvania.
Kenneth C. Keller, of Idaho.
Edmund H. Kelly, of Ohio.
William L. Lee, of California.
John J. MacDougall, of Massachusetts.
Robert S. McClellan, of New York.
William H. Metzger, of Ohio.
Glenn A. Munro, of Maryland.
Robert F. Ober, Jr., of Illinois.
Charlton M. Pettus, of Missouri.
Ralph C. Porter III, of New Jersey.
Jerrold C. Rodesch, of Wisconsin.
Leon Morange Selig, of New York.
Merle W. Shoemaker, of Pennsylvania.
N. Shaw Smith, of Virginia.
Robert R. Strand, of Ohio.
Gerry Eastman Studds, of Massachusetts.
Peter A. Sutherland, of Massachusetts.
Elroy Thiel, of Wisconsin.
John William Warnock, Jr., of Ohio.
Keith W. Wheelock, of Maryland.
Theodore S. Wilkinson III, of the District of Columbia.
Thomas Edward Williams, of Kansas.
Miss Hanna W. H. Woods, of Arkansas.
Ronald E. Woods, of Arizona.

The following-named Foreign Service Reserve officers to be consuls of the United States of America:

Clarence H. Alspaugh, Jr., of Virginia.
Phillips Bradley, of Maine.
John DeNoia, of New Jersey.
Richard Erstein, of Massachusetts.
Evan Fotos, of Massachusetts.
Carl L. Gebuhr, of Iowa.
Edwin P. Kennedy, Jr., of Ohio.
Mortimer C. Love, of Pennsylvania.
Jack H. Mower, of California.
James G. Rogers, of California.
Terry T. Shima, of the District of Columbia.
Fred W. Trembour, of Virginia.
Neely G. Turner, of the District of Columbia.
Charles S. Whitehurst, of Florida.
Throop M. Wilder, Jr., of the District of of Columbia.

The following-named Foreign Service Reserve officers to be Vice Consuls of the United States of America:

Miss Stella E. Davis, of Georgia.
David W. Doyle, of the District of Columbia.
Douglas S. Elleby, Minnesota.
Stuart P. Lillico, of the District of Columbia.
Malcolm McLean, of Minnesota.
Donald E. McNertney, of Iowa.
Charles T. Magee, of Michigan.
William G. Meader, Jr., of Vermont.
Martin Prochnik, of Colorado.
John W. Shirley, of Maryland.
Charles G. Waters, of Minnesota.

The following-named Foreign Service Reserve officers to be secretaries in the diplomatic service of the United States of America:

Robert D. Aitken, of New Jersey.
Robert L. Brown, of Tennessee.
George S. Gerhard, of Pennsylvania.
Vasia C. Gmirkin, of California.
James J. Halsema, of Pennsylvania.
William J. Handley, of the District of Columbia.
William S. Harrington, of Florida.
Albert H. Kline, Jr., of New Jersey.
Wallace W. Littell, of Maryland.
Leslie A. Squires, of Hawaii.
Donald J. Venute, of New Jersey.
Richard T. Whistler, of Florida.

Sam B. Southwell, of Texas, a Foreign Service staff officer, to be a consul of the United States of America.

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

To be senior surgeon

Harold C. Woodworth

To be senior assistant surgeon

Winsor V. Morrison

To be senior sanitary engineer

Morris L. Shoss

To be assistant sanitary engineer

James H. Eagen

To be assistant pharmacist

Gerald R. Stowe

To be scientist director

Trygve O. Berge

To be senior veterinary officer

U. S. Grant Kuhn III

To be dietitian

Mildred Kaufman

To be senior assistant therapist

Lamont B. Smith

IN THE MARINE CORPS

The following-named officers of the Marine Corps for temporary appointment to the grade of colonel, subject to qualification therefor as provided by law:

Campbell, Robert A.	Wolverton, George D.
Payne, John S.	Peters, Herbert A.
Maguire, James B., Jr.	Walter, Howard L.
Prowell, James P.	Richards, Samuel, Jr.
Peltzer, Vernon A.	Hollowell, George L.
Sachs, Carl A.	Dawes, George M.
Hahn, Peter H.	Blackmun, Arvid W.
Baughman, Lewis D.	Mahon, John L.
Hay, Hardy	Hill, Homer S.
Doswell, Gelon H.	Lemke, Willard C.
Maas, John B., Jr.	Read, Robert R.
Teller, Robert W.	Moore, Clarence H.
Irish, Hugh J.	Nehf, Arthur N., Jr.
Leineweber, Thomas M.	Herzog, Lawrence L.
	Johnson, James E.
Fisher, Thell H.	Pierce, Richard H.
Matsinger, Henry	Cook, Milton M., Jr.
Grady, Thomas T.	Grow, Lowell D.
Curtis, William W.	Winters, Jack B.
Wolf, George P., Jr.	Dukes, William P.
Hood, Webster R.	Noble, John D.
Anderson, Robert W.	Babashanian, John G.
Bartram, Vernon L.	McDonald, Jay E.
Neville, Robert B.	Hood, Harlan E.
Codrea, George	Wagner, Joseph F., Jr.
Dutton, Thomas C.	Etheridge, James A.
Fairburn, Robert R.	Schutt, Richard W.
McBroom, Robert B.	Joslin, Henry V.
Reynolds, Walter E., Jr.	London, Lyle K.
	Cuenin, Walter H.
Juett, James G.	Hadd, Harry A.
Barrett, Drew J., Jr.	Johnson, Floyd M., Jr.
Cochran, Robert L.	Douglass, Graham T.
Barrett, Charles D., Jr.	Hoffman, Carl W.
Armitage, Gerard T.	Weir, Robert R.
Lawrence, James F., Jr.	Bale, Edward L., Jr.
	Thomas, Robert L.
Ridlon, Walter J., Jr.	Hartley, Dean S., Jr.
Bright, Cruger L.	McCombs, Grant W.
Sims, William J.	

U.S. DISTRICT JUDGES

T. Emmett Clarie, of Connecticut, to be U.S. district judge for the district of Connecticut, vice a new position.

Elmer Gordon West, of Louisiana, to be U.S. district judge for the eastern district of Louisiana, vice a new position.

Richard J. Putnam, of Louisiana, to be U.S. district judge for the western district of Louisiana, vice a new position.

George C. Young, of Florida, to be U.S. district judge for the northern and southern districts of Florida, vice George W. Whitehurst, retired.

U.S. ATTORNEYS

Alexander Greenfeld, of Delaware, to be U.S. attorney for the district of Delaware for the term of 4 years, vice Leonard G. Hagner.

Hosea M. Ray, of Mississippi, to be U.S. attorney for the northern district of Mississippi for the term of 4 years, vice Thomas R. Ethridge.

U.S. MARSHAL

Donald F. Miller, of Washington, to be U.S. marshal for the western district of Washington for the term of 4 years, vice William B. Parsons.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 5, 1961:

PUBLIC HEALTH SERVICE

The following-named persons to the office indicated:

Dr. Norman Q. Brill, of California, to be a member of the Board of Regents, National Library of Medicine, Public Health Service, for a term of 4 years expiring August 3, 1965.

Dr. Saul W. Jarcho, of New York, to be a member of the Board of Regents, National Library of Medicine, Public Health Service, for a term of 4 years expiring August 3, 1965.

UNITED NATIONS

The following-named persons to the office indicated:

Adlai E. Stevenson, of Illinois, to be a representative of the United States of America to the 16th session of the General Assembly of the United Nations, to serve no longer than December 31, 1961.

OMAR BURLESON, U.S. Representative from the State of Texas, to be a representative of the United States of America to the 16th session of the General Assembly of the United Nations, to serve no longer than December 31, 1961.

MARGUERITE STITT CHURCH, U.S. Representative from the State of Illinois, to be a representative of the United States of America to the 16th session of the General Assembly of the United Nations, to serve no longer than December 31, 1961.

Francis T. P. Plimpton, of New York, to be a representative of the United States of America to the 16th session of the General Assembly of the United Nations, to serve no longer than December 31, 1961.

Arthur H. Dean, of New York, to be a representative of the United States of America to the 16th session of the General Assembly of the United Nations, to serve no longer than December 31, 1961.

Charles W. Yost, of New York, to be an alternate representative of the United States of America to the 16th session of the General Assembly of the United Nations, to serve no longer than December 31, 1961.

Clifton R. Wharton, of California, to be an alternate representative of the United States of America to the 16th session of the General Assembly of the United Nations, to serve no longer than December 31, 1961.

Philip M. Klutznick, of Illinois, to be an alternate representative of the United States of America to the 16th session of the General Assembly of the United Nations, to serve no longer than December 31, 1961.

Jonathan B. Bingham, of New York, to be an alternate representative of the United States of America to the 16th session of the General Assembly of the United Nations, to serve no longer than December 31, 1961.

Mrs. Gladys A. Tillett, of North Carolina, to be an alternate representative of the United States of America to the 16th session of the General Assembly of the United Nations, to serve no longer than December 31, 1961.

HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 5, 1961

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. MCCORMACK.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

II Peter 3:13: *Nevertheless we, according to His promise, look for new heavens and a new earth, wherein dwelleth righteousness.*

O Thou Eternal God, whose treasury of grace and goodness is inexhaustible, fill us with a humble spirit and a contrite heart as we now turn to Thee in prayer.

We penitently confess that our faith is frequently very feeble and we are tempted to lose hope when our labors and endeavors for world peace seem to end in frustration.

Grant that our President and all who counsel with him may be richly blessed with clear judgment and wise decision as they seek to solve the difficult international problems.

May our Speaker and the Members of Congress feel Thy presence in this Chamber, girding them with confidence and courage as they strive to build our shattered and storm-tossed civilization on the foundation of righteousness and good will.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, September 1, 1961, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 2457. An act to amend title V of the Merchant Marine Act, 1936, in order to clarify the construction subsidy provisions with respect to reconstruction, reconditioning and conversion, and for other purposes; and

H.R. 4539. An act to amend section 723 of title 38 of the United States Code to provide for immediate payment of dividends on issuance heretofore issued under section 621 of the National Service Life Insurance Act of 1940 which has been converted or exchanged for new insurance under such section, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 32. An act authorizing the establishment of the Fort Smith National Historic Site, in the State of Arkansas, and for other purposes;

H.R. 4317. An act to amend the Internal Revenue Code of 1954 and incorporate therein provisions for the payment of annuities to widows and certain dependents of the judges of the Tax Court of the United States;

H.R. 4998. An act to assist in expanding and improving community facilities and services for the health care of aged and other persons, and for other purposes;

H.R. 6309. An act to amend title VI of the Merchant Marine Act, 1936, as amended, in order to increase certain limitations in payments on account of operating-differential subsidy under such title;

H.R. 6732. An act to amend the Merchant Marine Act, 1936, as amended, to encourage the construction and maintenance of American-flag vessels built in American shipyards; and

H.R. 6974. An act to amend section 607(b) of the Merchant Marine Act, 1936, as amended.

The message also announced that the Senate had passed bills, a joint resolution, and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 235. An act for the relief of Evagelos Mablekos;

S. 486. An act to provide for the appointment of two additional judges for the juvenile court of the District of Columbia;

S. 557. An act to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes", approved March 1, 1899, as amended;

S. 560. An act to amend the act entitled "An act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes," approved February 4, 1925;

S. 653. An act to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes", approved May 1, 1906, as amended;

S. 902. An act to amend the Small Business Investment Act of 1958, and for other purposes;

S. 1037. An act to amend the provisions of the Perishable Agricultural Commodities Act of 1930, relating to practices in the marketing of perishable agricultural commodities;

S. 1123. An act to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes;

S. 1132. An act to provide for the establishment of a Council to be known as the "National Advisory Council on Migratory Labor";

S. 1328. An act to authorize the establishment of a junior college division within the District of Columbia Teachers College, and for other purposes;

S. 1368. An act to amend the Shipping Act, 1916, to provide for licensing independent ocean freight forwarders, and for other purposes;

S. 1529. An act to amend the act entitled "An act to regulate the height of buildings in the District of Columbia," approved June 1, 1910, as amended;

S. 1537. An act for the relief of Mrs. Renee Deri;

S. 1762. An act to regulate the practice of physical therapy in the District of Columbia;

S. 1846. An act for the relief of Pedro Adan Generao;

S. 2070. An act for the relief of Kabalan Farris;

S. 2085. An act to amend section 511(h) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds;

S. 2132. An act to approve the revised June 1957 reclassification of land for the Fort Shaw division of the Sun River project, Montana, and to authorize the modification of the repayment contract with Fort Shaw Irrigation District;

S. 2135. An act to authorize the Securities and Exchange Commission to delegate certain functions;

S. 2236. An act to authorize the Secretary of Commerce to employ aliens in a scientific or technical capacity;

S. 2321. An act to encourage and aid the development of reconstruction medicine and surgery and the development of medic-surgical research by authorizing the licensing of tissue banks in the District of Columbia, by facilitating antemortem and postmortem donations of human tissue for tissue bank purposes, and for other purposes;

S. 2356. An act to amend the act known as the "Life Insurance Act" of the District of Columbia, approved June 19, 1934, and the act known as the "Fire and Casualty Act" of the District of Columbia, approved October 3, 1940;

S. 2395. An act to amend the Railroad Retirement Act of 1937 to provide reduced annuities to male employees who have attained age 62, and for other purposes;

S. 2422. An act concerning the White House and the care and preservation of its historic and artistic contents;

S.J. Res. 21. Joint resolution to authorize the Secretary of Commerce to sell 10 Liberty-type merchant vessels to citizens of the United States for conversion into barges; and

S. Con. Res. 39. Concurrent resolution to print 3,000 copies of a compilation of the hearings, reports, and committee prints of the Subcommittee on National Policy Machinery.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 856. An act to amend section 704 of title 38, United States Code, to permit the conversion or exchange of policies of national service life insurance to a new modified life plan.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD of Virginia, Mr. KERR, Mr. LONG of Louisiana, Mr. SMATHERS, Mr. WILLIAMS of Delaware, and Mr. CARLSON to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 8102. An act to amend the Federal Airport Act so as to extend the time for making grants under the provisions of such act and for other purposes.

The message also announced that the Senate insists on its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. MONRONEY, Mr. SMATHERS, Mr. COTTON, and Mr. SCHOEPPEL to be the conferees on the part of the Senate.

SUBCOMMITTEE ON ELECTIONS OF THE COMMITTEE ON HOUSE ADMINISTRATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Elections of the Committee on House Administration may be permitted to sit today during general debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SUSPENSIONS IN ORDER TOMORROW

Mr. ALBERT. Mr. Speaker, I should like to announce that the suspensions in order tomorrow may not necessarily be called in the order in which they are printed in the RECORD.

SALINE WATER CONVERSION PROGRAM

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7916) to expand and extend the saline water conversion program being conducted by the Secretary of the Interior, with a Senate amendment thereto, disagree to the Senate amendment, and ask for a conference with the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

Mr. GROSS. Mr. Speaker, reserving the right to object, will the gentleman explain what is proposed?

Mr. ASPINALL. Mr. Speaker, if the gentleman will yield to me, the House bill provided for a basic and applied science research program. The other body saw fit to enlarge the authorizations in the bill, and provided for additional demonstration plants, small and large, at the will of the Secretary of Interior. The Senate amendment provides also for a loan and grant program. The House conferees intend to stand, as nearly as we can, on the provisions of the House bill.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

The Chair hears none, and appoints the following conferees: Messrs. ASPINALL, O'BRIEN of New York, ROGERS of Texas, SAYLOR, and HOSMER.

FORT SMITH NATIONAL HISTORIC SITE, ARK.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 32) authorizing the establishment of the Fort Smith National Historic Site, in the State of Arkansas, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 17, after "Register" insert: ": *Provided further*, That lands purchased by the Secretary for the purposes of this Act shall be within the exterior boundaries of the following described tracts of land:

"A three-sided, approximately 0.3-acre tract about 250 feet eastward of the easterly abutment of the Missouri Pacific Railroad bridge over the Arkansas River, bounded on all sides by railroad right-of-way 100 feet wide, approved by the Department of the Interior May 2, 1887, as delineated on the plat of West Fort Smith (Choctaw Nation), approved by the Acting Secretary of the Interior August 3, 1904, and filed June 24, 1911, and being block 2 thereon.

"A tract of land beginning at the intersection of the easterly right-of-way line of the Saint Louis and San Francisco Railroad and the northerly line of Garland Avenue; thence easterly along the northerly line of Garland Avenue to its intersection with the westerly line of Third Street; thence northerly along the westerly line of Third Street to its intersection with the southerly line of Rogers Avenue; thence westerly along the southerly line of Rogers Avenue to its intersection with the westerly line of Second Street; thence northerly along the westerly line of Second Street to the northeasterly corner of property of the Arkansas Warehouse Company; thence westerly along the northerly property lines of the Arkansas Warehouse Company and of the city of Fort Smith (known as the commissary) to the easterly right-of-way line of the Saint Louis and San Francisco Railroad; thence southerly along the easterly right-of-way line of the Saint Louis and San Francisco Railroad to the point of beginning."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PRIVATE CALENDAR

The SPEAKER pro tempore. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

MIN-SUN CHEN

The Clerk called the bill (S. 316) for the relief of Min-sun Chen.

Mr. WALTER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CERTAIN ALIENS

The Clerk called the bill (H.R. 4797) for the relief of certain aliens.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Ignacio Eiguren Gabiola, Manuel Lopez Gonzales, Antonio Iglesias Fernandez, Enrique Izaguirre Iturbe, Martin Madarieta Arregui, Eusebio Mendiola Ycaran, Savino Navarro Arriaga, Francisco Uribe Asteinza, Pedro Uruchurtu Urrutia, Mrs. Maria Luisa Iglesias Fernandez, Juan Prada Ramos, and Esperanza Martin Prada shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

With the following committee amendments:

On page 1, line 8, after the name "Mrs. Maria Luisa Iglesias Fernandez," insert the name "Jose Antonio Iglesias Fernandez,".

On page 1, line 11, and page 2, line 1, strike out the following language: "of the enactment of this Act," and substitute the following: "of the last admission of each alien herein named, respectively,".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. WALTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, in the course of the last reading of the Private Calendar, the gentleman from Kansas [Mr. AVERY] requested that a statement be included in the RECORD regarding H.R. 4797, the bill for the relief of certain Basque sheepherders who in the past were beneficiaries of Private Law 936 of the 83d Congress under which they were permitted to remain in the United States without any legal status. This was achieved by vesting in the Attorney General the authority to cancel their deportation.

Prior to an investigation undertaken by the Committee on the Judiciary in the 83d Congress for the purpose of devising a program under which the woolgrowing industry would be supplied with alien sheepherders, it was customary to permit this category of skilled aliens to remain in the United States in an indefinite status or bring more of those sheepherders under special legislation. Since the investigation was concluded and specific recommendations were made, the Attorney General is implementing the recommendations by permitting the skilled sheepherders to come to the United States under an appropriate provision of the Immigration and Nationality Act and accept employment for a 3-year term. Whereupon, each alien so admitted is returned to his country and a new similarly qualified sheepherder takes his place on our mountain ranges.

The instant legislation, H.R. 4797, completes the process of granting permanent residence in this country to sheepherders who have been admitted prior to the change of the system of their admission. All aliens who will benefit from this legislation have demonstrated their good moral character, they have been under a certain type of probation for upward of 8 years and, in the opinion of the committee, they deserve the relief granted to them and their immediate families under the bill.

RELATING TO CERTAIN LAND IN MARENGO COUNTY, ALA.

The Clerk called the bill (S. 1012) to direct the Secretary of the Interior to adjudicate a claim of the Greif Bros. Cooperage Corp., to certain land in Marengo County, Ala.

Mr. ANDERSON of Illinois. Mr. Speaker, in behalf of the gentleman from Kansas, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

DOCUMENTATION FOR THE "ACADIA"

The Clerk called the bill (S. 513) to authorize and direct the Secretary of the Treasury to cause the vessel *Acadia*, owned by Robert J. Davis, of Port Clyde, Maine, to be documented as a vessel of the United States with coastwise privileges.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 4132 of the Revised Statutes of the United States, as amended (46 U.S.C. 11), the Secretary of the Treasury shall cause the vessel Acadia, owned by Robert J. Davis of Port Clyde, Maine, to be documented as a vessel of the United States, upon compliance with the usual requirements, with the privilege of engaging in the coastwise trade so long as such vessel is owned by a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYING PROPERTY TO CAROLINA POWER & LIGHT CO.

The Clerk called the bill (H.R. 3840) to provide for the conveyance of certain real property of the United States to the Carolina Power & Light Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall convey to the Carolina Power and Light Company, Raleigh, North Carolina, all right, title, and interest of the United States in and to the real property described in section 2 of this Act, upon payment to the United States by such company of the fair market value of such property, as determined by the Secretary of the Interior.

SEC. 2. The real property referred to in the first section of this Act is more particularly described as follows:

All that tract of land situate, lying and being in Alligator Township, Chesterfield County, South Carolina, containing one hundred and twelve acres, bounded north by Johnson lands; east by lands of Peoples and Pat Polson; south by lands of Pat Polson; west by Black Creek and Alligator Branch, which separates these lands from lands of Morrison, and being more particularly described as follows:

South 24 degrees 12 minutes west 4.87 chains; thence south 26 degrees 46 minutes east 6.10 chains; thence south 46 degrees 16 minutes west 7.95 chains; thence south 15 degrees 49 minutes east 3.11 chains; thence south 19 degrees 30 minutes west 11.08 chains;

Thence down Black Creek south 36 degrees 15 minutes east 3.72 chains; thence down Black Creek south 50 degrees 58 minutes west 7.14 chains; thence down Black Creek south 10 degrees 32 minutes east 6.56 chains; thence down Black Creek south 50 degrees 53 minutes west 6.89 chains; thence to a point;

Thence north 52 degrees 57 minutes east 38.15 chains to a point; thence north 59 degrees 27 minutes east 4.82 chains to a point; thence north 55 degrees 05 minutes east 27.68 chains to a point; thence north 81 degrees 24 minutes west 42.83 chains to the beginning point, as shown on map thereof made by the General Land Office, Sand Hills agricultural demonstration project, McBee, South Carolina, filed as Atlas sheet numbered 32–C–2.

This being the land deeded to I. S. Hoffman and W. F. Hoffman by J. A. Hoffman by his deed dated August 21, 1919, recorded in deed book 50 at page 28 in the office of the clerk of court for Chesterfield County, South Carolina, and by W. F. Hoffman by his deed dated November 12, 1919, recorded in deed book 53 at page 175 in the office of the clerk of court for Chesterfield County.

With the following committee amendments:

On page 2, line 8, at the beginning of the paragraph insert the following: "Beginning at the northwestern corner at the intersection of the north boundary with Alligator Branch; thence down said Branch,".

On page 2, line 8, delete "South" and insert in lieu thereof "south".

On page 2, line 19, delete "52" and insert in lieu thereof "53".

On page 3, line 4, delete "J. A. Hoffman" and insert in lieu thereof "J. H. Hoffman".

On page 3, line 7, delete "any" and insert in lieu thereof "and".

On page 3, line 9, at the end of the line, add the following: "This land was conveyed to the United States by I. S. Hoffman by his deed dated January 19, 1938, recorded in deed book 85 at page 251 in the office of the clerk of court for Chesterfield County, South Carolina."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WALTER J. JOHNSON

The Clerk called the bill (H.R. 4795) for the relief of Walter J. Johnson.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time contained in section 1905 of title 38, United States Code, are hereby waived in favor of Walter J. Johnson (Veterans' Administration claim numbered C–6048500), and his application for benefits under chapter 39 of title 38, United States Code, shall be acted upon under the remaining provisions of such chapter if he applies for such benefits within the six-month period which begins on the date of enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH A. WORKMAN

The Clerk called the bill (S. 888) to authorize the Secretary of the Interior to lease certain lands in the State of Utah to Joseph A. Workman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to enter into agreements with Joseph A. Workman, of Roosevelt, Utah, leasing the following described tracts of lands to the said

Joseph A. Workman for the sole purpose of prospecting for, and the mining of, gilsonite:

(a) Beginning at a point (numbered 1), 1,300 feet north of section corner common to sections 15, 16, 21, and 22; thence north 645 feet to point numbered 2; thence south 50 degrees 30 minutes east 3,500 feet to point numbered 3; thence south 645 feet to point numbered 4; thence north 50 degrees 30 minutes west 3,500 feet to point of beginning, sections 15 and 22, township 10 south, range 20 east, Salt Lake meridian, Uintah and Ouray Reservation, Uintah County, State of Utah, and containing 40 acres, more or less.

(b) Beginning at point numbered 1, 2,230 feet south of section corner common to sections 16, 17, 20, and 21; thence north 55 degrees west 2,750 feet to point numbered 2; thence north 51 degrees west 1,540 feet to point numbered 3; thence north 71 degrees west 2,100 feet to point numbered 4; thence north 510 feet to point numbered 5; thence south 71 degrees east 850 feet to point numbered 6; thence north 51 degrees west 1,050 feet to point numbered 7; thence north 650 feet to point numbered 8; thence south 51 degrees east 4,440 feet to point numbered 9; thence south 55 degrees east 2,440 feet to point numbered 10; thence south 590 feet to point of beginning, sections 17 and 20, township 9 south, range 20 east, Salt Lake meridian, Uintah and Ouray Reservation, Uintah County, State of Utah, and containing 96 acres, more or less.

SEC. 2. Any agreement entered into pursuant to the first section of this Act shall provide (1) for the leasing of the lands described in paragraphs (a) and (b) of the first section in accordance with the same terms and conditions, except as otherwise provided in this Act, as those provided for in the leases numbered 14–20–462–325 and 14–20–462–325(a), respectively, dated January 26, 1959, entered into between (A) the Ute Indian Tribe of the Uintah and Ouray Reservation and the Affiliated Ute Citizens of the State of Utah, and (B) Joseph A. Workman; (2) that all rents and royalties payable under any such agreements shall be paid to the Secretary of the Interior and deposited by him in the general fund of the Treasury of the United States; and (3) that such lands described in paragraphs (a) and (b) of the first section shall be leased for a term of ten years beginning January 26, 1959, and as long thereafter as gilsonite is produced in paying quantities.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GIUSEPPE ANIELLO

The Clerk called the bill (H.R. 1352) for the relief of Giuseppe Aniello.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

ALBERTO LUCIANO (ROCCHI) ROSASCO

The Clerk called the bill (H.R. 3007) for the relief of Alberto Luciano (Rocchi) Rosasco.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Alberto Luciano (Rocchi) Rosasco shall be held and considered to be the natural-born alien child of Mr. and Mrs. Albert Leopold Rosasco, citizens of the United States: *Provided,* That the natural mother of Alberto Luciano (Rocchi) Rosasco shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

On page 1, line 7, after the words "of the United States" change the colon to a period and strike out the remainder of the bill.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALESSANDRO BOTTERO

The Clerk called the bill (H.R. 4211) for the relief of Alessandro Bottero.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Alessandro Bottero shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DIMITRI ELIAS SARTAN

The Clerk called the bill (H.R. 4280) for the relief of Dimitri Elias Sartan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dimitri Elias Sartan shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARIA GONZALEZ FERNANDEZ LONG

The Clerk called the bill (H.R. 7873) for the relief of Mrs. Maria Gonzalez Fernandez Long.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Maria Gonzalez Fernandez Long, the widow of a United States citizen, shall be deemed to be within the purview of section 101(a)(27)(A) of the Immigration and Nationality Act, and the provisions of section 205 of that Act shall not be applicable in this case.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARGARET JEAN DAUEL

The Clerk called the bill (S. 415) for the relief of Margaret Jean Dauel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of paragraph (3) of section 212(a) of the Immigration and Nationality Act, Margaret Jean Dauel may be issued an immigrant visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act: *Provided,* That this Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act: *And provided further,* That if the said Margaret Jean Dauel is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALVATORE CAIRO

The Clerk called the bill (H.R. 3401) for the relief of Salvatore Cairo.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(23) of the Immigration and Nationality Act, Salvatore Cairo may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELATING TO THE ADMISSION OF CERTAIN ADOPTED CHILDREN

The Clerk called the joint resolution (H.J. Res. 542) relating to the admission of certain adopted children.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor children, Jozef Woloszynek, Krystyna Woloszynek, and Wladyslaw Woloszynek, shall be held and considered to be the natural-born alien children of Mr. and Mrs. Henry Woloszynek, citizens of the United States.

SEC. 2. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Domenico Tallarita Pelle, shall be held and considered to be the natural-born alien child of Mr. Ferdinando Pelle, a citizen of the United States.

SEC. 3. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Georgios Efthymiou Dastamanis, shall be held and considered to be the natural-born alien child of Mr. and Mrs. George Manos, citizens of the United States.

SEC. 4. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Maria Varkanis, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Emmanuel Varkanis, citizens of the United States.

SEC. 5. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Wladyslawa Golas Romankiewicz, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Antoni Romankiewicz, citizens of the United States.

SEC. 6. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Doroteja Kosich, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Peter Kosich, citizens of the United States.

SEC. 7. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Alicia Kut Dixon, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Alfred Dixon, citizens of the United States.

SEC. 8. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Kwan Suck Park, shall be held and considered to be the natural-born alien child of Lieutenant Colonel and Mrs. Bert Perrin, citizens of the United States.

SEC. 9. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Domenico Carola, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Luigi Carola, citizens of the United States.

SEC. 10. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Stanislawa Kazimiera Florkowski, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Antoni Florkowski, citizens of the United States.

SEC. 11. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Zofia Dusak, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Stanishlaw Dusak, citizens of the United States.

SEC. 12. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Persephoni (Laoutaze) Sekas, shall be held and considered to be the natural-born alien child of Mr. and Mrs. George A. Sekas, citizens of the United States.

SEC. 13. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Masumi (Theresa Ann) Morishita, shall be held and considered to be the natural-born alien child of First Lieutenant and Mrs. Harvey L. Lakey, citizens of the United States.

SEC. 14. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Basilia Okal, shall be held and considered to be the natural-born alien child of Mr. and Mrs. William Homiak, citizens of the United States.

SEC. 15. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Henryk Partyka, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Ignacy Partyka, citizens of the United States.

SEC. 16. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Jadwiga Rozalia Hoffman, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Walter J. Hoffman, citizens of the United States.

SEC. 17. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Maria Gronek, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Anthony Gronek, citizens of the United States.

SEC. 18. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Jan Binkowski, shall be held and considered to be the natural-born alien child of Mr. and Mrs. John Binkowski, citizens of the United States.

SEC. 19. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Anna Jaskolka, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Frank Jaskolka, citizens of the United States.

SEC. 20. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Vicko Beusan, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Steve Beusan, citizens of the United States.

SEC. 21. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor children, Kikuko Ikeda and Satoru Ikeda, shall be held and considered to be the natural-born alien children of Mr. and Mrs. Harry Ikeda, citizens of the United States.

SEC. 22. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor children, Krystyna Teresa Kornak and Jan Kornak, shall be held and considered to be the natural-born alien children of Mr. and Mrs. Edward Kornak, citizens of the United States.

SEC. 23. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Jadwiga Osetek, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Emil Frank Osetek, citizens of the United States.

SEC. 24. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor children, Panagiota G. Mitchell and Paraskevas G. Mitchell, shall be held and considered to be the natural-born alien children of Mr. and Mrs. George P. Mitchell, citizens of the United States.

SEC. 25. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Ligaya P. Reyes, shall be held and considered to be the natural-born alien child of Mr. Felicisimo C. Reyes, a citizen of the United States.

SEC. 26. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Teresa Coluccio Ieraci, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Vincenzo Ieraci, citizens of the United States.

SEC. 27. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Stojan Vuckovic, shall be held and considered to be the natural-born alien child of Ljubodrag and Dusanka Vuckovic, citizens of the United States.

SEC. 28. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Zofia Maschek, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Theodore R. Maschek, citizens of the United States.

SEC. 29. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Terica Ehrhorn, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Jack W. Ehrhorn, citizens of the United States.

SEC. 30. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Nicolita Boonos, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Nickolaos A. Boonos, citizens of the United States.

SEC. 31. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor children, Danuta Poremba and Maria Poremba, shall be held and considered to be the natural-born alien children of Mr. and Mrs. Walter Poremba, citizens of the United States.

SEC. 32. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Kazimierz Sadkowski Kwast, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Frank Kwast, citizens of the United States.

SEC. 33. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Nicolo Campagna, shall be held and considered to be the natural born alien child of Mr. and Mrs. Michele Campagna, citizens of the United States.

SEC. 34. The natural parents of the beneficiaries of this Act shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TERESA DEL VECCHIO CIPOLLONE

The Clerk called the bill (H.R. 2344) for the relief of Teresa Del Vecchio Cipollone.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Teresa Del Vecchio Cipollone, who lost United States citizenship under the provisions of section 401(e) of the Nationality Act of 1940, as amended, may be naturalized by taking prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said Act. From and after naturalization under this Act, the said Teresa Del Vecchio Cipollone shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MISS LIU LAI CHING

The Clerk called the bill (H.R. 4484) for the relief of Miss Liu Lai Ching.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Miss Liu Lai Ching shall be held and considered to be a nonquota immigrant.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Liu Lai Ching shall be held and considered to be the natural-born alien minor child of Mr. and Mrs. Beecher Yan Yip Wong, citizens of the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. VICTOR WANG TA NG AND ALICE SIU HAR NG

The Clerk called the bill (H.R. 2615) for the relief of Dr. Victor Wang Ta Ng and his wife, Alice Siu Har Ng.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Victor Wang Ta Ng and his wife, Alice Siu Har Ng, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOM HONG HING, ALSO KNOWN AS TOMMY JOE

The Clerk called the bill (H.R. 3008) for the relief of Hom Hong Hing, also known as Tommy Joe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Hom Hong Hing, also known as Tommy Joe, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARGARET RUDA DANIEL

The Clerk called the bill (H.R. 4499) for the relief of Mrs. Margaret Ruda Daniel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Margaret Ruda Daniel, who lost United States citizenship under the provisions of section 401(a) of the Nationality Act of 1940, may be naturalized by taking prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of such Act. From and after naturalization under this Act, the said Mrs. Margaret Ruda Daniel shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. This concludes the call of the Private Calendar.

GREIF BROTHERS COOPERAGE CORP.

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Calendar No. 339, the bill (S. 1012) to direct the Secretary of the Interior to adjudicate a claim of the Greif Bros. Cooperage Corp. to certain land in Marengo County, Ala.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is directed to adjudicate a claim of the Greif Brothers Cooperage Corporation, of Delaware, Ohio, under the Color of Title Act of December 22, 1928 (45 Stat. 1069), as amended by the Act of July 28, 1953 (67 Stat. 227; 43 U.S.C. 1068–1068b), to the lands described in section 2 of this Act. If the Secretary shall determine that the Greif Brothers Cooperage Corporation has otherwise satisfied the requirements of the Color of Title Act, he may issue a patent under this Act to those lands without regard to the acreage limitation imposed in that Act.

SEC. 2. The lands subject to this Act are the following-described tracts of land situated in Marengo County, Alabama.

(a) East half of southwest quarter; northwest quarter of northwest quarter, and north half of southwest quarter of northwest quarter, and north half of south half of southwest quarter of northwest quarter of section 11, township 12 north, range 2 east, Saint Stephens meridian; and

(b) Northwest quarter of northeast quarter of section 18, township 12 north, range 2 east, Saint Stephens meridan.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REREFERENCE OF BILL ON GEORGE WASHINGTON UNIVERSITY HOSPITAL

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the bill (H.R. 8916) to authorize grants for planning and carrying out a project of construction for the expansion and improvement of the facilities of George Washington University Hospital in the District of Columbia, which was referred by the Speaker to the Committee on Interstate and Foreign Commerce be rereferred to the Committee on the District of Columbia.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

CALL OF THE HOUSE

Mr. TABER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 182]

Adair	Gray	Minshall
Alger	Griffin	Monagan
Ashley	Hall	Moore
Baker	Harrison, Va.	Morse
Blitch	Harsha	Mosher
Bolling	Harvey, Ind.	Moulder
Boykin	Harvey, Mich.	O'Brien, N.Y.
Brooks, La.	Healey	O'Hara, Mich.
Broyhill	Hébert	O'Konski
Buckley	Hoeven	Pilcher
Carey	Holland	Powell
Chenoweth	Karth	Price
Clancy	Kee	Rabaut
Cook	Keith	Rains
Corbett	Kilburn	Reece
Dague	Kluczynski	Rousselot
Dawson	Landrum	Santangelo
Delaney	Lesinski	Siler
Dingell	McIntire	Slack
Dooley	McSween	Staggers
Edmondson	Mailliard	Thompson, N.J.
Evins	Martin, Mass.	Van Pelt
Fogarty	Michel	Wharton
Frelinghuysen	Miller, N.Y.	Widnall
Giaimo	Milliken	Wright

The SPEAKER pro tempore. On this rollcall 362 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL ACT

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 256) to amend the District of Columbia Alco-

holic Beverage Control Act, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 4, line 22, strike out "for" and insert "or".

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATION BILL, 1962

Mr. PASSMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9033) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1962, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 4 hours, one-half of the time to be controlled by the gentleman from New York [Mr. TABER] and one-half by myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisana?

Mr. GROSS. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GROSS. Mr. Speaker, I make a point of order against consideration of the bill.

Mr. Speaker, I call the attention of the Chair to the Rules of the House of Representatives, 87th Congress, rule XXI, paragraph 5, which reads as follows:

No general appropriation bill or amendment thereto shall be received or considered if it contains a provision reappropriating unexpended balances of appropriations; except that this provision shall not apply to appropriations in continuation of appropriations for public works on which work has commenced.

Mr. Speaker, the language is explicit and there is only one exception; that is for public works bills. I submit that this is not a public works bill.

Mr. Speaker, I call attention of the Chair to the language contained in H.R. 9033 for which consideration is asked, on page 3 of that bill, lines 8 through 24.

Unobligated balances (not to exceed $50,000,000) as of June 30, 1961, of funds heretofore made available for military assistance under the authority of the Mutual Security Act of 1954, as amended, are, except as otherwise provided by law, hereby continued available for the fiscal year 1962 for the same general purposes for which appropriated.

Further, Mr. Speaker, section 101 on the same page reads:

Amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated against appropriations heretofore made under the authority of the Mutual Security Act of 1954, as amended, for the same general purpose as any of the subparagraphs under "Economic assistance" except the subparagraph of this title for "Administrative expenses," are hereby continued available for the same period as the respective appropriations in such subparagraphs for the same general purpose.

Mr. Speaker, the language which I have read relates to funds not in the bill and clearly reappropriates unexpended balances of appropriations in violation of the rules of the House.

The SPEAKER pro tempore. Does the gentleman from Louisiana [Mr. PASSMAN] desire to be heard?

Mr. PASSMAN. Mr. Speaker, section 645 in Public Law 87–195 was signed yesterday, and subsequent to the adoption of the House rules. Therefore, it is in order to this bill to carry the provisions to which the gentleman is referring.

Mr. GROSS. Mr. Speaker, may I be heard further on the point of order?

The SPEAKER pro tempore. The Chair will hear the gentleman.

Mr. GROSS. Mr. Speaker, I was well aware of section 645 of the Foreign Assistance Act of 1961 when I made the point of order. The determination must be made whether a provision in a bill from the Committee on Foreign Affairs can be used to change the rules of the House; whether the committee can, I say, capriciously abrogate, and violate the rules of the House in this mad rush to dispense the taxpayers' money all over the world.

Mr. PASSMAN. Mr. Speaker, if I may make one further observation, there would be only a small part of the bill subject to a point of order if the bill is subject to a point of order.

Mr. GARY. Mr. Speaker, may I read section 645 of the Foreign Assistance Act which was signed on yesterday. It reads:

Unexpended balances of funds made available pursuant to the Mutual Security Act of 1954, as amended, are hereby authorized to be continued available for the general purposes for which appropriated, and may at any time be consolidated, and, in addition, may be consolidated with appropriations made available for the same general purposes under the authority of this act.

That is exactly what has been done in this bill. Therefore, the gentleman's point of order should be overruled.

The SPEAKER pro tempore. The Chair is prepared to rule.

Section 645 of the Foreign Assistance Act of 1961, which was passed by both Houses of Congress and signed by the President yesterday, and is now Public Law 87–195, specifically authorizes:

Unexpended balances of funds made available pursuant to the Mutual Security Act of 1954, as amended, are hereby authorized to be continued available for the general purposes for which appropriated, and may at any time be consolidated, and, in addition, may be consolidated with appropriations made available for the same general purposes under the authority of this act.

That is the will of both branches of the Congress as expressed very recently. The language in the pending appropriation bill is identical and consistent with the authority contained in section 645.

The Chair overrules the point of order, for the reason that the recent act of the Congress makes the actions of the Committee on Appropriations pursuant to law.

Is there objection to the request of the gentleman from Louisiana that the time for general debate be limited to not to exceed 4 hours, the time to be equally divided between the gentleman from New York [Mr. TABER] and himself?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 9033, with Mr. MILLS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Louisiana [Mr. PASSMAN] will be recognized for 2 hours and the gentleman from New York [Mr. TABER] will be recognized for 2 hours.

The Chair recognizes the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I think I should state at the outset that I have promised the leadership that so far as we are concerned we would conclude this bill today. It will be a long, hard day, but that is the goal and one that we will do everything within our power to accomplish.

Mr. Chairman, this is the seventh year it has been my privilege and responsibility to report the mutual security bill for your consideration.

Without a doubt, this is the most controversial, complicated, complex money bill that you are called upon to consider. During the 7 years in which it has been my responsibility to conduct investigations, hold lengthy hearings, travel hundreds of thousands of miles inspecting projects and endeavoring to write a fair bill, I have yet to satisfy either side, the opponents or proponents of this legislation. It is too much for many and too little for others. But I hasten to assure you that each and every year the committee has recommended funds in excess of the actual needs.

As we come to you today, asking you to support the recommendations of the subcommittee and the full committee, we do so assuring you that we have again recommended ample funds for every program envisioned by the administration. Should I not indicate at this point in the RECORD that the cost of foreign aid since the end of World War II now exceeds $106 billion, and it is now, past, present, and planned, into 97 of the 110 nations of the world. Even after reducing the President's requests in the past 6 years in the amount of $4½ billion we still left the program overfunded.

Mr. Chairman, I can say frankly and factually that the committee is fully fortified with facts to protect its action. We have had to fortify ourselves with

these facts in face of the almost unbelievable opposition, such as, to put it mildly, pressure, promises, pleading, propaganda, persuasion, and political plum pulling.

Can you imagine this, Mr. Chairman, and I have nothing but admiration for people with such enthusiasm. While I was reporting the bill to the full committee, they were making telephone calls to get members of the full committee to vote against the subcommittee's recommendations. And believe me this, the Assistant Secretary of State was passing letters in for distribution to the full committee.

The bill before you is the committee's bill. This year, as in previous years, I shall to some extent vacate my personal views and support the committee's views. I do not find it too difficult to face up to my responsibility and present the bill as the committee has approved it, and that is, fairly and factually. On that basis, I ask for your sympathetic understanding and your unanimous support, realizing if you will that it would have been impossible to have gotten this bill past the 12-man subcommittee and the 50-man full committee without being fortified with facts.

First. This is the largest foreign aid bill that has been presented to the committee in 7 years. Putting together all facets of the foreign aid funds available for fiscal 1962 for expenditure and/or obligation, the total amounts to:

Bill before you	$3,555,245,000
Unexpended prior years	5,334,134,000
Foreign currencies applicable	1,917,400,000
Total	10,806,779,000
Recommended increase	175,000,000
Total	10,981,779,000

Now, we must take into account that just recently we approved $600 million for the Inter-American Bank. Also, the Export-Import Bank is authorized to make development loans up to $600 million. So that makes a grand total in the foreign aid item, as such, of $12,181,771,000.

Mr. Chairman, these figures are fantastic and stupendous, but that is the way it is.

Second. Explain public debt: Exceeds by $23,710,500,000 the public debts of all other nations of the world combined. So great has been our generosity and so great the demands for domestic and foreign aid this year that we have already withdrawn from the Treasury during the first 1 month and 28 days of this fiscal year, $3 billion more than was withdrawn during the same period last year.

Third. Gold reserves.

Fourth. Dollars.

Fifth. Gold being drawn off by recipient nations.

Sixth. Explain in detail each item in the bill from the committee report.

Gold holding of United States and rest of free world Dec. 31, 1960

	United States	Rest of free world
End of calendar 1952	$23,252,000,000	$13,028,000,000
End of calendar 1960	17,766,000,000	19,400,000,000
Total	−5,486,000,000	+6,372,000,000

U.S. balance-of-payments position, 1950–60

[In billions of dollars]

Year:	Balance
1950	−3.6
1951	−0.3
1952	−1.1
1953	−2.1
1954	−1.5
1955	−1.1
1956	−1.0
1957	+0.5
1958	−3.4
1959	−3.7
1960	−3.8
Total dollar deficit (11 years)	−21.5

Foreign-held short-term dollar assets

End of calendar 1952	$10,546,100,000
End of calendar 1960	21,430,600,000
Increased by	10,884,500,000

Mutual security appropriation bill

Fiscal year 1956: House bill	$2,701,275,000
Fiscal year 1957: House bill	3,665,920,000
Fiscal year 1958: House bill	3,191,810,000
Fiscal year 1959: House bill	3,078,092,500
Fiscal year 1960: House bill	3,186,500,000
Fiscal year 1961: House bill	[1] 3,584,500,000

[1] $200,000,000 more or less?

Item	Authorization act	Committee recommendations	Reduction below authorization
Development loans	$1,200,000,000	$1,025,000,000	−$175,000,000
Development grants	380,000,000	259,000,000	−121,000,000
Investment surveys	5,000,000		−5,000,000
Development research			
International organizations	153,500,000	153,500,000	
Supporting assistance	465,000,000	400,000,000	−65,000,000
Contingency fund	300,000,000	175,000,000	−125,000,000
Administrative expenses	50,000,000	45,000,000	−5,000,000
Military assistance	1,700,000,000	1,300,000,000	−400,000,000
Inter-American Bank	110,000,000	110,000,000	
International Development Association	61,656,000	61,656,000	
Total	4,425,156,000	3,529,156,000	−896,000,000

NOTE.—Plus $50,000,000 of unobligated funds and $100,000,000 of deobligated or dereserved funds for the military assistance program.

Mr. Chairman, may I also once again bring to the attention of the House the strange occurrence of an international incident that happens almost every year at the time when we are about to pass the foreign aid bill. It seems almost as if international events conspire to occur at certain strategic times. If it is not a foreign submarine lurking in our waters, it is the Chinese shelling of Matsu and Quemoy, or our Marines landing in Lebanon, or the Russian sputnik, or the Nixons in Latin America, Haggerty being attacked in Japan, Khrushchev canceling Eisenhower's invitation to visit Russia, Khrushchev insulting our President in Paris, or the U–2. Yes, and even the Korean war. This year it is the crisis of Berlin.

Next year it will probably be some other crisis such as the Russians setting up a rocket screen at the North Pole. The strange incidence of these recurring crises is that we allow ourselves to be unduly influenced by them in our thinking on foreign aid. These unnatural phenomena should not be allowed to influence us to such an extent that we think that by appropriating more dollars we can set aside those things that worry us.

In my opinion, foreign aid should not be a makeshift response to a sudden demand.

Mr. Chairman, this is the seventh year in which it is my privilege to be chairman of the Foreign Operations Appropriation Subcommittee. During the past 6 years our subcommittee members have conducted our hearings diligently, have made our appraisals impartially and have always attempted to bring before the full committee and the House a recommendation that would give the program an even chance of passage while taking cognizance of the overall demands of our national interest. Our full Appropriations Committee has always supported the totals we proposed for each year.

Before laying before this House the 1962 appropriation bill for foreign aid, I wish to draw the attention of the House once again to the stupendous totals of our foreign aid program; the greatest giveaway program of all history. In 21 years, from 1940 through 1961, we have assisted 104 nations of earth to the tune of $131 billion. This works out at about $850 for every man, woman and child in the United States during the whole period. Since the end of World War II the total is just under $91 billion. These stupendous sums stagger the imagination.

Our American Nation seems gradually to have fallen into the delusion that we are building up a free world fortress, with our military aid, economic grants and credits. The activities of our foreign aid program have become so widespread and complicated that few bureaucrats administering the program have any comprehensive idea of all the aspects of our aid projects currently being carried out in 90 nations and in 30 other colonial territories.

Repeatedly I have been cast in the role of the man who would jeopardize the foreign aid program because I criticize the waste, the extravagance, the unnecessary disbursements, the excessive buildup of personnel, the foolish planning and programed needs, the uncompleted programs, the entrenched officialdom, as well as the perpetuation of their concepts.

Once again I am being called to play the part of Joshua, to blow down the illusionary fortress of aid whereas my primary function, as is the duty of our subcommittee, is to cut and prune this ever-growing foreign aid plant of ours, so as to contain it, to train its branches

aright and by this very process to insure that fruit will result. Sometimes our pruning knife may cut deep, but the purpose is to cut our wasteful growth and insure proper results commensurate to the purpose and nature of our planting. As any good husbandman knows, without this pruning, the best of plants runs wild, loses its vigor, and dies off.

I have been, and still am, working toward the goal of controlled aid; aid given with a purpose, controlled by dedicated administrators, and checked continually for fulfillment of its basic purposes. This responsibility we should not relinquish, as we are also responsible to our electorate in this regard.

I do not speak in frustration, although many people write to me in deep frustration because they do not see many tangible results from our giveaway programs. Many may think we have cause to be frustrated because of our unremitting efforts to keep the foreign aid program within reasonable channels and not succeeding. During the last 6 years the committee has cut over $4.5 billion from the administration requests, but each year new requests are put forth for more money and newer methods of financing; all this in spite of the fact that year by year the uncommitted total of appropriated funds grows larger and larger. On June 30, 1961, this carryover fund totaled $5,443,412,000.

Here is our proposal to the House for funds to be appropriated against the authorization as passed by this House:

Item	Authorization, 1962	Recommended in bill, 1962	Bill compared with authorization
Development loans	$1,200,000,000	$1,025,000,000	−$175,000,000
Development grants	380,000,000	259,000,000	−121,000,000
Investment surveys	5,000,000		−5,000,000
Development research			
International organizations and programs	153,500,000	153,500,000	
Supporting assistance	465,000,000	400,000,000	−65,000,000
Contingency fund	300,000,000	175,000,000	−125,000,000
Administrative expenses	50,000,000	45,000,000	−5,000,000
Military assistance	1,700,000,000	1,300,000,000	−400,000,000
Total	4,253,500,000	3,357,500,000	−896,000,000

This appropriation request envisions a reduction of $896 million in the total as authorized. Our reasons for the cut of 21 percent of the authorization total can be explained briefly:

Section 202: We feel that although $1.2 billion was accepted by this House under the Saund amendment and also by the Executive, our proposal of $1,025 million for this fiscal year will be closer to the mark for loans that can be fruitfully made. On June 30, 1961, our Development Loan Fund and unexpended funds totaling nearly one and a half billion dollars, of $1,488,758,000. Granted that most of these funds might have been obligated or tentatively committed pending this current legislation some time will elapse before all the contracts can be consummated.

Our proposal that the Development Credit Fund be cut to $1,025 million stems from the fact that only a few countries will receive relatively the major percentage of these loan funds—notably India, Pakistan, and Brazil. It has been stated that only those countries could rightfully absorb these development credits where the preconditions of economic growth are such that capital investment can take place. Such preconditions concern education, social reform, public and fiscal administration and also a responsible corps of officials in the public services. It is said that these three countries mentioned above will be primarily eligible for development credits because they are committed to realistic developmental plans. Yet, in India we have several hundred million of unspent rupees, resulting from our surplus farm products disposal plan, which we are already lending them as long-term loans. Brazil is one of the countries that will benefit substantially from our Inter-American Bank.

By cutting our current appropriation for development credit funds to $1,025 million, we will still give the development program a leeway of over $2½ billion to be spent during the remaining 10 months of this fiscal year. This is an enormous sum of money for this purpose, and I sincerely doubt whether arrangements could be finalized whereby all the funds will be committed in credits. By cutting the total we lessen the temptation to grant impractical and ill-conceived loans.

Section 212: I come now to development grants. The authorization is for $380 million; our proposal is that this total be cut to $259 million. We arrived at this total by carefully weighing the needs of the developing nations, nations whose economies are such that even long-term credits could create a repayments hardship. One project loan must be very large in all its aspects to contribute to economic growth. In this instance, the greatest necessity is for small projects that will gradually help to build up the preconditions so very necessary to economic growth. Here again it is far better to proceed slowly. The very nature of the hundreds of small projects in the 50 different developing nations demand the planning, supervision, and execution of thousands of AID employees. Rather than disperse our attack on illiteracy, disease, and lack of technical facilities over too wide a field of projects, let us keep the programs within bounds. In the past we have seen how many thousands of projects were ill-planned, ill-executed and finally left without completion in the rush to obligate funds. To obviate the continuance of such slipshod planning, especially where we give the money by grants, let us not tempt our AID officialdom by too much money. Unexpended development and special assistance funds totaled $243,803,000 on June 30, 1961. Adding another $259 million to that total will create an availability fund of over $500 million to be given away during fiscal year 1962. Accustomed as are our AID bureaucrats to the disbursement of large sums, I doubt whether even they could find enough projects on which to squander this total during the next 10 months.

Section 232: The next item concerns $5 million for investment surveys. This is an entirely new departure for the use of aid funds. The recommendation is that nothing be given for this purpose as we already have trade, commercial, and investment officials in our foreign representation offices. In addition, the present ICA office is adequately staffed to relay investment opportunities found in foreign countries to our American business community. In our estimation, this sum will merely provide a good holiday for many people at Government expense. Any businessman seriously interested in investing in foreign ventures is quite willing to invest money in such surveys. If any company or association of companies is too small to be able to afford to do so then our Department of Commerce is always willing to supply the leads in the country selected.

Section 302: The conference total for international organizations was for $153,500,000. This total is ample for our participation.

Section 402: As passed by the House, we allowed an authorization of $465 million for supporting assistance. Defense support assistance is supposed to provide supplemental economic resources which countries receiving U.S. military aid require to maintain a healthy rate of economic growth. We suggest that the total be cut to $400 million. As of June 30, 1961, the unexpended funds in this category amounted to $673,491,000. In other words, over $1 billion in defense support funds will be available during fiscal year 1962. May I point out to my colleagues that it is in this category that in our subcommittee hearings and in the audits of the Comptroller General it was discovered that the grossest mismanagement of funds took place. The largest percentage of the available funds has gone to Korea, Turkey, Cambodia, and Laos. In the latter two countries immense sums of money were squandered on luxury imports on behalf of political functionaries who were subject to graft and corruption. We know what a reputation we got in Cambodia and Laos when this type of foreign aid was disclosed.

Section 451: President Kennedy requested $500 million for his emergency fund. The House authorization cut this down to $300 million. We recommend that appropriation of $175 million be made. On June 30, 1961, this unexpended total of the President's contingency fund consisted of $252,106,000 plus $50,757,000 in his Asian fund. By appropriating the total as suggested the fund will rise to over $457 million. Surely this total will be sufficient for any exceptional needs in the immediate future. In addition, the President has

access to several billion dollars of counterpart funds for emergency relief and famine.

Section 504: The House authorized $1,700 million in military assistance for fiscal year 1962. Our recommendation is that an appropriation of $1,475 million be made. On June 30, 1961, unexpended funds in this category amounted to $2,519,643,000. The new appropriation will bring the total to over $4 billion. I submit that this category is oversupplied with funds for it is largely a bookkeeping transaction. Much of the military material shipped overseas came from our surplus military stockpile. It is merely a bookkeeping entry whether we charge $1, $20,000, or $2 million for a surplus tank or plane.

It has been proved time and again that an appalling wastefulness has occurred in this category—just one example concerns the building of the latest type of Army barracks for soldiers in Iran, with most modern kitchen and dining facilities and washrooms, whereas the simple soldiers preferred to cook their food over an open fire and sold the bathroom fixtures in the nearest towns.

In some cases, our military assistance has assumed the form of a prestige buildup, for example, in our supplying the latest jet fighters to the Emperor of Ethiopia. The question has arisen whether we should supply military aid to any members of the neutralist bloc of nations. They themselves decry such aid and unless such aid is for our oversea military security, such as airfields, bases, and pipelines, we should be extremely careful not to antagonize any other of our free world friends. Where military aid in the form of the latest rockets or other missiles is demanded, it would be extremely detrimental to our own interests to supply these. In any case, most of the industrialized nations are now on their economic feet as it were, and are quite capable of bearing their own defense costs, rather than having these paid by the American taxpayer.

May I also point out that in the past there has been a continuous sequence of transfers between the defense support funds, military assistance funds, and the President's contingency funds. By cutting the military assistance funds to $1,300 million, leeway for any military emergency will still be allowed by the availability of funds in the other categories, funds that can easily be transferred for exceptional needs.

Section 635: The House authorized $50 million for administrative expenses. We have cut this total to $45 million. On June 30, 1961, over $8 million in unexpended funds were available. In any case we suggest that the new AID agency be staffed by capable men and that much of the deadwood or holdovers from the previous alphabetical agencies be dropped. Too many of the intermediate echelons are there merely to protect their jobs and have not kept abreast of the dynamic changes in our national policies or methods to achieve our aims.

Peace Corps: It has been estimated that $40 million be appropriated for the Peace Corps for the first year. Since the program is in its infancy and there is much doubt as to its effectiveness, our proposal is that $20 million be appropriated as a start. Should this program succeed during the first year, assurances can be given that Congress will always lend a sympathetic ear for expansion the next year. Instead of starting off with a huge bang or running as it were toward maturity, let us first learn to crawl and then as we grow stronger, increase our capability and pace.

Mr. Chairman, I have said in the beginning that the pruning knife has to hurt to produce the best results. Even with all the pruning that our subcommittee has done, and which has been approved by the full Committee on Appropriations, a most substantial sum is proposed for fiscal year 1962 and I hope that our proposals will be accepted by the House.

Mr. ANDREWS. Mr. Chairman, I make the point of order that the Committee is not in order. The gentleman is making a very important and interesting statement. He has worked hard on this bill and is entitled to be heard.

The CHAIRMAN. The Committee will be in order.

The gentleman from Louisiana may proceed.

Mr. PASSMAN. This is your bill, Mr. Chairman and Members, and I am sure you would like to have a factual report on it.

We have had to fortify ourselves with these facts in the face of the almost unbelievable opposition, to put it mildly, the pressure, the promises, the pleading, the propaganda, the persuasion and the political plum pulling. Can you imagine this, Mr. Chairman—and I have nothing but admiration for people with such enthusiasm—but while I was presenting the bill to the full Committee on Appropriations last week, from downtown they were making telephone calls to get the members of the full committee to vote against the subcommittee's recommendations. And while the committee was meeting, the Secretary of State was trying to distribute a letter of appeal to the full committee asking it to reverse, in full, every reduction brought in by the subcommittee. They insisted on every dollar authorized.

The bill before you is the committee's bill. This year, as in previous years, I shall to some extent subordinate my personal views and support the views of the committee. I do not find it too difficult to face up to my responsibility and present the bill to you as the committee has approved it. On that basis, I ask for your sympathetic understanding and your support. I ask you to realize that it would have been impossible for 1 man to have gotten this bill past a 12-man subcommittee and a 50-man full committee without being fully fortified with the facts.

Mr. Chairman, this is the largest foreign aid bill presented in 7 years, putting together all facets of foreign aid funds available for the fiscal year 1962, for expenditure and/or obligation. The total amounts to:

Bill before you	$3,555,245,000
Unexpended prior years	5,334,134,000
Foreign currencies applicable	1,917,400,000

I might say at this time that I shall, Mr. Chairman and members of the committee, when we reach that part of the bill dealing with military assistance, request that the members of the committee support me in recommending that what the full committee recommended be increased by $175 million. While many of you were enjoying a brief respite from your labors here in Washington, I remained on the job Saturday, Sunday, and yesterday in my office to consult with those who felt that maybe this item should be increased. I could not speak for the full Committee on Appropriations. I discussed it with our distinguished Speaker pro tempore, the great majority leader, the gentleman from Massachusetts [Mr. McCORMACK]. I discussed it with the very top echelon people in Government, and I reached the decision that I would recommend an increase in the military even before most of you returned from your brief vacations. I would like to state that it was my own conclusion, after praying over the matter and thinking over the crises in the world that we are presently experiencing, and for fear that some may feel we were cutting the military item too much, I reached this conclusion, and I so indicated to our distinguished Speaker pro tempore. I am in the position of vacating my own thinking when higher authority seems to think there is justification for it.

That means that what we have carried over and are recommending in this bill will be $10,981,779,000, including the $175 million I mentioned.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Florida.

Mr. SIKES. I consider the statement that the distinguished gentleman from Louisiana, the chairman of the subcommittee [Mr. PASSMAN] has just made to be but one of many indications we have had of his statesmanship and his great contributions to the Congress and the Nation. It is his very earnest desire to see that the money that is spent for foreign aid is properly spent; and I am equally convinced that he has an earnest desire to provide enough money to do the essential job. After proper deliberation he is now volunteering a substantial increase in the area of expenditures which is most important to our foreign program at this time. The gentleman from Louisiana has thought well on this and he has the courage to act on his convictions. He is a big man in every sense of the word and I personally applaud him for his action today.

Mr. PASSMAN. I appreciate the fine remarks of my distinguished friend, the gentleman from Florida [Mr. SIKES]. Mr. Chairman, on other occasions I have not failed to rise to the occasion to bring out a bill that in my opinion should have been reduced. It was not pressure or propaganda or lack of faith that prompted me to bring out the Latin American bill earlier this year. This is my country, and I am willing to face up to my responsibility and do everything that is necessary, because I have never been embarrassed by being honest.

As I stated a moment ago, I discussed the military assistance item with the top echelon people, the minority members, and the very distinguished majority leader, and I finally decided I should come in and ask the members of the committee to reverse the decision of last Friday and vote unanimously to raise the military assistance item by $175 million. My will will not necessarily prevail unless there is some justification for it.

Mr. Chairman, earlier this year we approved $600 million for the Latin American program. There is, in the pending bill $600 million for development loans under the Export-Import Bank, so that makes the grand total of $12,181,771,000 in the foreign aid item. I have enumerated, almost $3 billion ahead of this time 2 years ago. The administration says we must have it, that it is an absolute must, so I am facing up to my responsibility in bringing up a bill that is higher than any of the prior 6 years. Even so, as I said earlier, we have not satisfied all of the members with that increase.

Mr. Chairman, these figures are fantastic, but they are the facts.

I might state that our public debt exceeds by $23,710,500,000 the public debt of all the other nations of the world combined. So great has been our generosity—and thank God we are a Christian and charitable nation—but so great has been our generosity, and so great have been the demands, domestic and foreign, that at this time this year we have already withdrawn from the Treasury during the first 1 month and 23 days of the fiscal year 1962, $3 billion more than was withdrawn during the same period last year.

We should also note at this point that our gold reserves are still to some extent declining. The record discloses that in 1950 we had gold reserves in the amount of $23,212 million. They had been reduced on December 31, 1960, to $17,766 million. During that same period the other free nations of the world increased their gold reserves from $13,028 million to $19,400 million. For the first time in many years the other free nations of the world have a gold reserve larger than our gold reserve.

We should also indicate that from 1900 to 1960 inclusive, the dollar deficit amounted to $21,500 million. The average dollar credit held by foreign nations usually would go in a range from $8 billion to $9 billion. In 1932 it moved up to $10,547 million. During this period not only did the recipient nations, the free nations, the foreign free nations export sufficient money to increase their gold reserve by $6,372 million, but during the same period it moved up to where they had a dollar credit to their accounts here in America of $21,430 million.

You know and I know that it requires about $11 billion in gold to support our own monetary system. When you take $11 billion from our present gold holding of $17 billion, it leaves only $6 billion. How in the world could we meet the dollar commitments we have of $21 billion if called upon to do so? I fail to understand. There has been a complete breakdown.

Now, Mr. Chairman, so that all Members, whether for or against the bill, will recognize that this is a verifact bill and that when you put the facts together all should be satisfied, whether you are for or against, when we take into account the conditions that we are confronted with in this world. For 6 consecutive years, when we brought the foreign aid bill before you, you supported not only the recommendations of your subcommittee but of your full committee, the only exception being last year when you exceeded our recommendation for military assistance by increasing that item by $200 million. If the House had supported the committee on that occasion it would have been on sound ground, because as we bring the bill to you today we find they had an excess in the military assistance item last year; that if they had had no more money they still would have had sufficient funds. Last year they transferred out of the military into the President's contingency and from the President's contingency into the grant aid, and after transferring out of military into grant aid they still found themselves with $65,100,000 unobligated funds. And we found in our hearings that they will have $100 million of deobligated or dereserved funds. So the $200 million you gave them last year was not needed and you could have supported the committee.

They will have $50 million in reappropriated unobligated funds and $100 million of dereserved funds, and there are other amounts you can add to that.

Now, if I may very briefly, in 1956 at this stage of the game—pardon me for saying "game," although sometimes I think it is a game we are playing—the House recommended $2,701 million.

In 1957 the committee recommended $3,665 million.

In 1958 the committee recommended $3,191 million.

In 1959 the committee recommended $3,878 million.

In 1960 the committee recommended $3,186 million.

In 1961, last year, the committee recommended $3,384 million.

We are back in this year with the largest foreign aid bill we have had in 7 years. Make no mistake about that.

I will discuss the individual items with you very briefly, and this is important. We are dealing with $3½ billion and, if, please remember, before this legislation is signed into law, 25 percent of this fiscal year will have elapsed. We are already in September, and practically one-quarter of the year will be gone before we have this money bill signed into law.

DEVELOPMENT LOANS

But notwithstanding that fact, your committee is recommending $1,235, million for development loans. Last year, the appropriation was only $600 million. This is an increase of 70 percent over last year.

DEVELOPMENT GRANTS

For development grants the administration asked for $380 million. This is the successor to the original bilateral U.S. technical aid fund. Last year the administration requested $175 million. The committee provided $150 million and prior to passage they indicated they had overstated their needs.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Virginia.

Mr. GARY. The gentleman is discussing development loans?

Mr. PASSMAN. Development grants.

Mr. GARY. The gentleman was discussing development loans just before.

Mr. PASSMAN. I said we recommended $1,025 million.

Mr. GARY. That does not include the $600 million appropriated recently for South America; is that correct?

Mr. PASSMAN. That is true. In addition to that you have $600 million this year in the Export-Import Bank for development loans.

Mr. Chairman, this thing is fantastic. You have $1,200 million in just those two items.

Mr. CONTE. Mr. Chairman, will the gentleman yield for a correction?

Mr. PASSMAN. I yield.

Mr. CONTE. The gentleman from Virginia said $600 million to Latin America. It was $500 million. A hundred million dollars went for Chilean relief.

Mr. PASSMAN. Yes.

Mr. CONTE. The other $500 million was for grants.

Mr. PASSMAN. I appreciate the gentleman's statement. It is still all Latin America. I know and the gentleman knows it was $600 million for Latin America.

Mr. GARY. Is not Chile still in Latin America?

Mr. PASSMAN. Yes.

Mr. GARY. I thought it was.

Mr. PASSMAN. I insisted on bringing that $600 million out intact for my President. You know that they had unused credits, but I insisted on bringing it out. I am not the worst enemy this bill ever had.

Now, Mr. Chairman, if I may get back to development grants.

Development grants, heretofore referred to as technical aid projects. Last year the administration requested $175 million. We gave them $150 million. They admitted they had asked for too much money.

This year they said they wanted $380 million for technical aid projects, and we are taking out of special assistance technical aid projects. We are taking the technical aid projects out of the defense support funds. They testified that $259 million was needed to continue existing projects. It is all set forth in the committee report.

In discussing this, we asked "What is the additional $130 million for?" They said, "We have no programs, we have no projects, we cannot tell you what country that is going to."

They also stated there would be capital grants in this item.

In other words, capital grants or grant aid was being mixed with the technical aid. We asked them if they had any projects, and they said "No." We asked them if they had any programs, and they said "No." We asked them "Do you know what countries are getting

it?" and they said "No, but we have a reservoir that we are going to dip into, and we will come up with certain programs."

We thought they should be more definite than that. We have recommended every dime for all existing phases of the technical aid program. But we denied $121 million—make no mistake about it—of capital-grant aid that they had mixed up with technical aid.

Mr. Chairman, if we were to put grant aid in with technical aid, none of us would know how much money is in the bill for technical aid. We denied them $121 million, but allowed $259 million.

INVESTMENT SURVEYS

With reference to "Investment surveys," $5 million. They sought to justify that item but we have not allowed. For the previous fiscal year, we said, "Did you not spend $2 million for surveys?" They said "Yes." We asked them "Did you read the report?" The witness responded "No, we did not read your report."

That was an affront to the committee. Last year we wrote in language prohibiting them from making these investment surveys, and the House supported us. This year they came back for $5 million for investment surveys. They changed the formula a little bit. It can mean that a retired American businessman who may want to take a vacation and go abroad, looking for a $1 million investment, he can do so and the Government pays half of it, and the individual pays half of it. I think they would be more sincere about it if they would pay it all. The committee denied that. This type of expenditure is not necessary to encourage such surveys.

INTERNATIONAL ORGANIZATIONS

Mr. Chairman, with reference to "International organizations," I have always been one to defend the U.N. I have some misgivings, and so do many of you. But the U.N. is a good sounding-off place. Without the U.N., we could have gotten into more serious troubles. Mr. Chairman, I may disagree with some of the items in the U.N., but I must admit that this is a program which is operated on a matching basis. It was the conclusion that we should not make one dime's reduction in any account in the U.N.; that this would be the one place, if we are going to have lasting peace, we are going to have to look to the U.N. Your committee recommended $153.5 million, all of the money that you need for the U.N. It is the amount specifically authorized in section 302 of the authorization act.

SUPPORTING ASSISTANCE

Mr. Chairman, with reference to "Supporting assistance," again they have changed the name of the program. Heretofore we referred to that item as "defense support" and "special assistance." In reality, it is economic aid.

The authorization is $465 million. Your committee recognized that there were many other places in the bill where recipient countries could receive grant aid and decided to make a small cut. The committee recommended $400 million, a reduction of only $65 million. But, Mr. Chairman, if we take all of the categories of the bill, you find that there is more money for grant aid this year than we have had before; $1.025 billion that we have recommended for development credits. Somewhere along the way some Member may make reference to that as a loan program. We asked the Secretary of the Treasury, Mr. Dillon, when he came before our committee, this question: "Do you call this thing a loan?" He said "No; n-o." He said "This is development credit." We asked him, "How does this account operate?" He said:

> For example, the maximum loan which we may make to a nation is $1 million. They may pay no interest at all. We give them 10 years before they pay anything back on the loan. After the first free 10 years on this $1 million, they pay $10,000 a year—1 percent a year for 10 years—which simply means that after the free years of this loan, with no interest, they have only paid back $100,000. Then they are to pay 3 percent in each of the succeeding 30 years, subject to cancellation along the way.

You and I know that is not a very attractive investment proposition.

CONTINGENCY FUND

Now the contingency fund. With all due respect to our great executives downtown—and they are all great, or they would never have reached the positions they held, whether it was President Truman, President Eisenhower, or President Kennedy—we refer to this as the President's contingency fund. I do not know why they stick in the word "President's", because it is just a contingency fund. It is supposed to be used if there should happen to be an emergency develop during the year, so the President could finance the project out of what is called the contingency fund. But in the past, with few exceptions, this contingency fund has been used to initiate new projects that had never been justified to the Congress; projects in which they make a very small allocation out of the contingency fund, but which in subsequent years may require hundreds of millions of dollars to complete. We had so much money in there last year that it was overfunded.

One interesting thing about use of the contingency fund, they went down to Brazil and bought a nice housing unit. They paid $446,000 for an American-owned housing project in Brazil. There are even more ridiculous projects that were provided out of the contingency fund.

ADMINISTRATIVE EXPENSES

Now, let us go to administrative assistance. The authorization is for $50 million. Last year they asked for $42 million and we gave them $38 million. This year they asked for $51 million, $50 million was authorized, and we give them $45 million.

MILITARY ASSISTANCE

As to military assistance, that is the item that we spoke of earlier. This year and in previous years we overfunded that item, because it is a sensitive item and they usually complain about it if there are any reductions. They say it is going to embarrass the country if cuts are made. But your committee, Mr. Chairman, examines and moves on facts. If you do not move on facts, you might foul up the program somewhere along the way. The committee recommends an appropriation of $1,300 million plus a reappropriation of $50 million of the unobligated, unreserved funds available on June 30, 1961.

Originally the Eisenhower administration asked for $1.8 billion. Subsequent to that, President Kennedy said they wanted $1.6 billion. Then, that figure was changed to $1,885 million. Along the way we wound up with an authorization—one figure in the House of $1,800 million, one in the Senate of $1,550 million, and in conference they authorized $1.7 billion.

We could not find any need for more than $1.3 billion. But over the weekend, while you were enjoying a brief respite, I talked to people downtown because I wanted to have the best information. I did not want to be accused of crippling the bill. I should like to say further that I talked with the Speaker pro tempore and I said to him, "All right, I am going to vacate my own views and accept your views." But what do you have with regard to this item? You have about $2.615 million on hand, unexpended. You will have $100 million of deobligated dereserved funds available for new use. You have $50 million in unobligated funds that we are reappropriating. And it was stated before our committee that we have now given nearly $20 billion in military equipment to recipient nations. Sixty-six percent of the equipment is on hand available for use.

The bill recommends the $1,300 million. Add to that the $50 million, and then the $100 million, and that brings it up to $1,450 million.

In addition to that, there is this year a new authority available. We have met all the emergencies throughout the world, Lebanon, Matsu, and Korea, out of this account through the military, but this year, something new was added in the authorization bill. If the President should deem it advisable, he may, under section 510, withdraw from Defense Department stocks $300 million worth of articles and supplement this assistance program. So if you add that, you are up to about $1,750 million. They have the machinery there if they need it.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Ohio.

Mr. FEIGHAN. I would like to know how much if any money or appropriations in any form whatever are contemplated to go to Communist-controlled governments.

Mr. PASSMAN. I should like to answer the gentleman. I trust my President, as you do. I trust the administration, as you do. I am perfectly willing to leave it up to the President to make the decision. I elected not to press that point and insist on language as to just where the allocations would be made. I am very sorry I am unable to answer the gentleman's question directly, because that is in the hands of the President. I am willing to leave it up to the President to make that decision. I am

sure he would not make that allocation unless he thought there was some good reason for it.

I might state that in the hearings and in the report you can find there are 55 recipient nations to get military aid in fiscal 1962.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Virginia.

Mr. GARY. I rise to answer the question the gentleman propounded. It is provided in the authorization legislation, which was signed yesterday, Public Law 87–195, that no aid shall be offered under this act to the government of any country unless the President determines that such country is not dominated or controlled by the international Communist movement.

Mr. PASSMAN. Yes, but I say again, and I think the gentleman agrees with me, that we should leave it up to the President.

Mr. FEIGHAN. You are making a very fine line of demarcation between domination or control by the international Communist movement or conspiracy and governments unquestionably controlled and dominated by Communists, such as the Communist regime of Tito of Yugoslavia, for one. Khrushchev said so-called national communism is nonsense. All Communists are part of the international Communist movement.

Mr. GARY. The President has complete control.

Mr. PASSMAN. That is true. We must trust our President. He is not going to make any allocations unless he finds there is very good reason for them.

INTER-AMERICAN DEVELOPMENT BANK

The Inter-American Bank, $110 million. The committee decided not to make any reduction there. The full request is allowed.

INTERNATIONAL DEVELOPMENT ASSOCIATION

The International Development Association, $61,656,000. Again we felt that we should fund the account in the full amount requested.

CONCLUSION

Mr. Chairman, may I say this in closing. This is a somewhat typical bill. To get a bill out, you cannot go too high or too low. That is why we elected to move along on the basis of the testimony presented to the committee.

Mr. Chairman, I have tried to be fair. I think you know that. I do not think there has ever been a Member of the House of Representatives who could so completely divorce himself from his own ideas when it became necessary to do so, if the administration was able to make a case for their ideas. I am going to face up to my responsibility now, as I have in the past. Otherwise, I would pack up and go home because I could no longer consider that I could contribute to the work of the House of Representatives. Mr. Chairman, I am not a contrary individual, but I do try to know something about my bill. We have brought you a good bill. Will you not indicate that you have some confidence in your subcommittee and that you have some confidence in your full committee. Over 7 long years not one time have I ever misled you, not one time have we underfunded a bill; not one time have I refused to yield to higher authority if that higher authority had something that appeared to be factual. So, Mr. Chairman, I ask my colleagues to support the subcommittee and to support the full committee.

I think it is desirable and I believe that the Committee on Foreign Affairs wants to see us go into these bills in detail and look for the fat and look for the places where we can take money out that is not needed. I will say that the great Committee on Foreign Affairs deals with policy. I think they do a good job. But I trust that you will support the Appropriations Committee. I think I can say, Mr. Chairman, that there is not going to be too much unhappiness along the way, if you support the committee in its recommendations.

Mrs. KELLY. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I am happy to yield to my colleague.

Mrs. KELLY. I would like to ask the gentleman concerning foreign currencies which is referred to on page 2 of the report. Do you mean that the amount mentioned there of $1,917,-400,000 is added to the amount recommended in the bill which will be available for the President to use?

Mr. PASSMAN. That is correct.

Mrs. KELLY. In other words, this amount of foreign currencies could be used in any manner that the President sees fit without further appropriation?

Mr. PASSMAN. That is my understanding, yes. It was so represented to the committee and that is why it is included in the report.

Mrs. KELLY. Has it ever happened that foreign currency funds have been waived by the President in recent years? In other words, has the requirement for appropriation been waived in recent years on these foreign currencies?

Mr. PASSMAN. This year we were somewhat searching in our examination and we reached the conclusions that Members would like for us to indicate in the report what funds would be available. That makes a better legislative history than merely an exchange on the floor of the House; does it not?

Mrs. KELLY. You and I are aware of the fact that the appropriation for foreign currencies can be waived, if the Bureau of the Budget so desires.

Mr. PASSMAN. That is my understanding, yes.

Mrs. KELLY. Then do you believe if we could save money for the United States by the use of these foreign currencies, the requirement for the appropriation should be waived?

Mr. PASSMAN. I think we should use foreign currencies in every instance that we can to meet our obligations, because as I indicated earlier, we had a dollar deficit of $21.5 billion in the past 10 years, and our friends, the recipients of this money today have dollar holdings about double in the past 8 years and they now have more gold than we do. So, in every instance we should use foreign currencies. Does not the gentlewoman agree?

Mrs. KELLY. I thoroughly agree.

Mr. PASSMAN. So, if I may be repetitious for 30 seconds, support the committee. I spend 360 days a year on this bill. I think I know a little something about it, because I have traveled and traveled and traveled. We have studied the requests. And we have the facts to back us up.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. On page 2 of the bill, economic assistance, development loans and development grants, how much money do you allow for new work in Africa?

Mr. PASSMAN. Well, to be frank with you, we allowed all of the funds requested, every dime of the funds requested for Africa in all technical aid projects.

As I stated in the beginning, it is a little hard for the committee to understand why the administration would take a purely technical aid program and limit to 8 percent that amount of money that could be used for capital improvements for labor, insecticides, or seeds. But now they are trying to throw this capital grant program into the technical aid program. So, we allowed every dime that the administration requested to continue foreign aid projects now under commitment with all of the nations.

Mrs. BOLTON. That is not what I asked.

Mr. PASSMAN. I am answering the question so that the Members will understand. They said, "We have no programs, we have no projects, we have no countries, we do not know where the $121 million will be spent," so therefore your committee denied it: No country, no project, no program. They did not know where it would be spent.

Mrs. BOLTON. That interests me very much, because I have spent a good deal of time in Africa, and I think I understand the situation.

Mr. PASSMAN. I thank the gentlewoman.

Mrs. BOLTON. Unless we have some leadership to make new projects moving, in the countries that are just coming out of the primitive areas, unless we do that, we will have nothing in Africa and we will see the Chinese and the Russians moving in hand over fist.

Mr. PASSMAN. I thank the gentlewoman.

May I refer the gentlewoman to page 4 of the report. We have allowed all the money requested for technical aid projects in tropical Africa. We do not deny 1 dime. It was only $121 million of capital projects that they intended to put in, and they said they had no project, no program, no country. They did not know where it would be spent, so we cut that out.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Virginia.

Mr. GARY. Is it not true that we do not earmark any money in this bill for any particular country?

Mr. PASSMAN. That is correct.

Mr. GARY. The appropriations are based on estimates that the Department

has furnished us as to how they are going to spend the money, but we do not require them to spend that money in any particular country.

Mr. PASSMAN. That is true.

Mrs. BOLTON. Mr. Chairman, may I interrupt the gentleman from Louisiana and say I understand there are programs and that they can be submitted, which we will do before the day is out.

Mr. PASSMAN. Of course, I can only go by what the people say who administer the program, and I will have to refer you to the statement that they had no projects, no programs; they did not know what country it would go in.

Mr. TABER. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I am going to tell you just exactly what I think about this bill. I have been trying to go along with the foreign relief program the best I could for the last 8 years. Sometimes I have been for some of their gyrations, and sometimes I have hard work compelling myself to go along. This time when we were faced with a request for $1,200 million for development loans, it gives me a great deal of concern. To my mind, development loan is a misnomer. It is of absolutely no value to the United States. I have studied the subject as closely and carefully as I could, spent hours and hours on it, even gave up having a Labor Day holiday which I would like to have taken, but I have been unable to find where it does a particle of good, and I know in a great many places, I would say the vast majority, it does no good at all.

In days gone by I supported the military assistance program. When I returned last fall $200 million had been transferred out of what we had fought to put across, transferred to a development that was absolutely unnecessary and ridiculous.

The military assistance program is presented to us in this manner: An appropriation of $1,300 million in cash; the reappropriation of about $100 million in unobligated and unexpended funds; the right to withdraw from the U.S. military authority $300 million on credit; that makes a total of $1,700 million. The committee cut $400 million off the budget estimate, but that is replaced by other figures that are in the hearings, and there is more than $1,700 million available, or $100 million more than was used—nearly $200 million more than was used—last year.

There is talk of adding $175 million to that. This would give them a total of $1,875 million. Frankly, the thing is so mixed up that it is impossible, just as it was with the bill before us last year, to tell what we are doing.

When you get to boiling down these appropriations for such things as technical aid, you find they turn out to be not technical aid at all, except in rare instances. Once in a while there is a little bit that gets in there, but not a big lot.

They had schools conducted by different universities where they paid the people salaries for going to school, and on top of that paid something like $800 apiece for tuition over a year's time.

The biggest part of the money went to some such operation as that. It is not anything we can be proud of.

I recognize that there is a very considerable sentiment on the part of people who wish to have themselves accorded favors. When they got to this development loan business, scattered all over the world, sending groups of people down to different places in South America and the Far East, to stir up trouble, and sending people to other places to do the same sort of thing, that is too much for me.

I could see nothing last winter when we had that aid to South America bill up but to vote against the bill.

Frankly, it is the tail wagging the dog, so far as this bill is concerned. Their approach to the thing being so difficult and so almost impossible, I frankly do not see how I can vote for the bill and maintain my self-respect at the same time.

Mr. Chairman, that is about all I have to say about it at this time.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. TABER. Mr. Chairman, I yield 20 minutes to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Chairman, I will limit my comments at this point to the military assistance portion of the mutual security program. Other speakers on both sides of the aisle, as I understand it, will make comments in reference to the other portions of the bill. It is my understanding that these comments will point out the seriousness of the reductions which have been proposed by the subcommittee and the full Committee on Appropriations.

At the outset I would like to compliment the chairman of the subcommittee for the decision over the weekend to increase the military assistance fund by $175 million. In the markup of the bill last Thursday the chairman of the subcommittee recommended for military assistance $1,300 million.

As the gentleman knows, I offered an amendment in the subcommittee to increase the military assistance funds by $200 million. The gentleman and I differed on this particular amendment. The amendment which I offered was defeated. Because I felt that in this area we needed more money than he had proposed, I am pleased to have the chairman now indicate that when we get to the reading of the bill he will propose an amendment to increase it by $175 million.

Mr. Chairman, I would like to say at this point, however, that I do not think $175 million additional is adequate.

Mr. Chairman, I would like to trace the history of this area for fiscal 1962 so that the Members of the House have a full understanding of what the facts are.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield so I can state why I will recommend the increase of $175 million?

Mr. FORD. I heard the gentleman state that during his time. If the gentleman has anything more to add to that I would be glad to hear it.

Mr. PASSMAN. As I stated previously, I did this only after conferring with the leaders, both here in the House and in the administration, and this is what the administration asked for.

Mr. FORD. I am only going by what the administration—both the Kennedy administration and the Eisenhower administration—wanted. They are on record for a program considerably larger than even the military assistance program as amended upward by the chairman of the subcommittee.

Mr. Chairman, let us go back a minute in history. In 1959 former President Eisenhower established what was called the Draper Committee, a committee composed of high-ranking, experienced military and civilians, to determine what course our military assistance program should take in the future. The Draper Committee came up with a recommendation in 1959 to the effect that we ought to have a military assistance program of approximately $2 billion per year. In the years before that we had been appropriating on the average of about $1.6 billion for military assistance. The Draper Committee also recommended that we establish our military assistance program on a long-term basis. However the Draper Committee did not make the mistake of asking that the program be financed by debt transactions on back-door financing. They said we could have a long-term program for military assistance and still have an annual authorization and an annual appropriation. As a result of the Draper Committee report, the Eisenhower administration and, subsequently, the Kennedy administration within the executive branch of the Government in the Pentagon made a recommendation that the military assistance for fiscal 1962 should be $2.397 billion. Subsequently, the Eisenhower administration, before it went out of office, in the submission of its budget for fiscal 1962, recommended for military assistance $1.8 billion, a $597 million reduction below the Draper Committee guidelines. President Kennedy, when he took office, after reviewing the military assistance program in March of this year, recommended a reduction of $200 million below the Eisenhower figure. The new administration at this point proposed $1.6 billion for military assistance. Between March and May of this year the new administration made another reevaluation of the military assistance program.

On the basis of this reevaluation the new administration amended its March proposal and recommended $1,885 million. This figure was submitted to the authorizing committees of the House and the Senate. The Senate authorization ended up $1,550 million, the House authorization $1.8 billion. The final law which was signed yesterday by President Kennedy authorized $1.7 billion. This bill before us in its present form is $1.3 billion.

The chairman of our committee, the gentleman from Louisiana, has just indicated on the floor of the House that he intends to offer an amendment adding $175 million. This is still inadequate. I propose to offer an amend-

ment to the chairman's amendment to increase the amount to $1.6 billion. This is the lowest figure recommended by either President Kennedy or President Eisenhower.

In March of this year President Kennedy recommended $1.6 billion. He subsequently amended it upward but I think that the people on my right, of all the people, ought to support the minimum figure recommended by the President, and I think we as Republicans on our side ought to support this figure, because it is the minimum, in my opinion, that can be justified if we are going to get real benefits in the military assistance program. May I say again this figure is $200 million less than the amount proposed by President Eisenhower before he left office on January 20.

Mr. Chairman, I would like to turn to some testimony in the hearings this year which I think is somewhat significant. On page 77 of part 1 of the Committee on Appropriations hearings, you will find the testimony of Secretary of Defense McNamara. Let me quote from it.

> Let me emphasize the care that we used in arriving at this final figure. The items in the program were carefully selected, first by me and then by the President, from a much longer list which consisted of items for which our military advisers had certified that a high priority military requirement existed. In paring the list, I myself took particular pains to eliminate items of sophisticated equipment where in my judgment the recipient countries would not be capable of using this equipment effectively at least at the present time. In short, the $1,885 million figure represents a rigorous selection by the new administration.

Then on page 84 of the hearings Secretary of Defense McNamara, again testifying, said:

> In conclusion, Mr. Chairman, in making this statement I am speaking not only for myself, but also on behalf of all the members of the Joint Chiefs of Staff. They join me in unanimously endorsing the essentiality of the military assistance program. The Joint Chiefs of Staff regard the mutual security program as a cornerstone of our total defense effort and of our national security.

On page 102 of these same hearings, General Lemnitzer was testifying.

General Lemnitzer, of course, is Chairman of the Joint Chiefs. He says the following:

> We have evaluated the program for fiscal year 1962 in relationship to the plans of our unified commanders overseas. We have examined force objectives to be sure that allied forces will complement our own forces. The force levels which have been set as program objectives have been studied at all levels, and the program details have been prepared to support those forces. The Joint Chiefs of Staff believe that the fiscal year 1962 program is a minimum program.

General Lemnitzer went on to say this:

> The Joint Chiefs of Staff regard the two programs as complementary. While the program cannot be precisely compared, we believe that dollar for dollar we do get a greater amount of defense through this program than we could get by putting an equivalent amount of money into our own defense programs.

He further had this to say, and I think this is the crux of the matter. This is my question and his response:

> In other words, you defend this part of the mutual security program budget as ardently as you defend the Defense budget of the United States?
>
> General LEMNITZER. I do.

In other words, it is almost beyond my belief that after hearing this testimony the committee would reduce the military assistance program $585 billion below the amount requested by the new administration. This testimony actually would justify a greater amount than Congress authorized by law. It certainly would justify the minimum figure recommended to the Congress in March by President Kennedy, an amount of $1,600 million.

As I indicated a few minutes ago, I intend to offer either as a substitute to the chairman's amendment or as an amendment to his amendment a figure of $1,600 million, so the House can go at least to the minimum figure recommended by President Kennedy in March of this year.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. Is it not true that the authorization bill authorizes $1,700 million?

Mr. FORD. That is correct. My amendment would still be $100 million less than the figure in the authorization bill.

Mr. SCRANTON. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Pennsylvania.

Mr. SCRANTON. Perhaps the gentleman can clear up for me the confusion in my mind. In the report they point out that one of the reasons they reduced the $1,700 million by $400 million was that in the authorization bill there was a $300 million provision for the President to take down defense items when and if he needed. This, as I understand it, is a reimbursable item. Is that correct?

Mr. FORD. Section 510 (a) and (b) provide that in fiscal 1962 on a decision by the President the military assistance program can use up the $300 million in our own Defense Department stocks. This section 510 was included in the authorization bill for the first time. It is in effect a military assistance contingency provision. Under this section of the law, the executive branch can add to whatever figure they get for military assistance up to $300 million.

I personally disapproved section 510. I do not think it is a good way to handle the program. It is with us, however. The committee in the report says that if $1,300 million is not enough they can dip into this military contingency fund, section 510. In effect the committee report asks the executive branch, if I read the language correctly, to use this unsound procedure. I think the section is wrong. I think it is bad to start this practice. I do not believe we should let them handle the military assistance program on a contingency basis. They ought to come up with hard justification and either get the money or not get the money based on facts submitted. Section 510 is really poor fiscal management from the point of view of the country.

Mr. SCRANTON. But there is no justification in the report as to why they cut out the other $100 million. In reference to what the gentleman just said previously, I wonder, was the theory that the administration had set that minimum at $1,600 million and that is why they cut out the other $100 million?

Mr. FORD. No; do you mean my suggestion about the $1,600 million?

Mr. SCRANTON. Yes.

Mr. FORD. I am trying to be realistic and practical about it. I think we ought to get the figure up as close as we possibly can to the justifications submitted by Secretary of Defense McNamara and General Lemnitzer on behalf of the Joint Chiefs of Staff.

Mr. SCRANTON. What I am getting at is that they have cut out from the authorization bill $400 million; is that correct?

Mr. FORD. Yes; that is correct. It was cut from $1,700 million to $1,300 million.

Mr. SCRANTON. Three hundred million dollars of that cut was justified on the basis of this contingency fund. What was the other $100 million?

Mr. FORD. I would ask the gentleman to ask the people who made the cut rather than to ask me.

Mr. SCRANTON. All right then, I will hold the question.

Mr. FORD. I suspect the answer will be that there was $100 million in deobligations which would now be available in fiscal year 1962. Therefore, they could make another cut of $100 million. However, it is my understanding that the Department of Defense had contemplated this availability from deobligations and had figured that in at the time they had submitted their budget.

Mr. SCRANTON. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. Can the gentleman tell us how much has been spent for military assistance since this program began?

Mr. FORD. About $20 billion has been spent.

Mr. GROSS. Twenty billion dollars?

Mr. FORD. That is correct.

Mr. GROSS. Is there any place where we can find to what countries this money went?

Mr. FORD. Yes, in the tables on the desk there is, I will say, to the gentleman from Iowa, a specific cumulative total of the money that has been made available to all countries in the military assistance area.

Mr. GROSS. Where are those armies today that we are supposed to have bought through the use of this money?

Mr. FORD. I mention a few. I personally think they have done a good job for us. For example, there are 500,000 men plus under arms in Korea. There are 500,000 to 600,000 men under arms in Formosa. In Turkey there are

approximately 300,000 to 400,000 men, as I remember the figures. These troops are doing a good job for themselves, for us, and the rest of our allies. The money that we are discussing has in the past trained and equipped these forces, and in some instances is helping to maintain them. We are fortunate to have them on the side of freedom.

Mr. GROSS. Referring to the airbase in Saudi Arabia that we have been ordered to get out of and where we are still going to spend millions of dollars to complete, is this one of the places where the money is going?

Mr. FORD. There is a base called Dhaharan in Saudi Arabia which was built in 1951 or 1952, as I remember. At that time that base was highly important to our own mutual security. It is true within the next year or so we may have to give up that base. It is all fine and good to look back and say in retrospect that it was a bad decision. But in 1951, 1952, 1953, and 1954, it was mighty handy to have that base for our own mutual security.

Mr. GROSS. I would like to quarterback the Korean war for just about 30 seconds. How many foreign troops did we have supporting us over there?

Mr. FORD. We did not have as many as I thought we should have. I am not sure that the war was conducted as well as I would have liked to have seen it conducted, but nevertheless today we have 500,000-plus troops in the South Korean forces who are at the front facing the North Koreans, doing a good job. I think we are getting a good return on our investment in that area and in other similar areas.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. Referring to the airbase in Saudi Arabia, I have visited the airfield there. That airbase has served very useful purposes so far as America is concerned. One of the things we were doing was to train Arabs to be flyers, mechanics, and so on. Besides serving a useful purpose for our own mutual security, it has been a most invaluable contribution to the entire Arabian people.

Mr. FORD. I thank the gentlewoman. I agree with her.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Massachusetts.

Mr. CONTE. Is it not true that last year we appropriated $1.8 billion for military assistance and that crises throughout the world have intensified greatly in that time with the Berlin blockade, the Soviets resuming nuclear testing, Laos, and later Cuba, and we need a minimum at least of $1.6 billion here to meet our obligations throughout the free world?

Mr. FORD. The gentleman has stated my position precisely. Last year, when conditions were better from the point of view of the free world, we made available $1.8 billion for this program. I do not understand why at the present time, with international problems more serious today than they were before, that as a legislative body we want to cut this program to a figure of $1.3 billion.

Such a decision does not make sense. I do not think we are acting responsibly, and I do not believe that we are giving to the executive branch of the Government the tools they need to do the job if we cut the program this deeply.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Massachusetts.

Mr. BOLAND. First I want to commend the gentleman on a very forceful talk with respect to this item. There are few men in this Hall that know more about military assistance or about a military appropriations bill than does the gentleman from Michigan. I think that you will agree with me when he talks on these particular subjects, he talks commonsense; he talks reasonableness, and he knows what he is talking about, and I, for one, as a Democrat, want to commend him for his suggestion on the amendment he is going to offer, where he is going to increase this item by $300 million. I am going to follow his leadership in this matter, because I think he knows more about this than any other Member of this body.

I would like to quote from a letter that Secretary of State Dean Rusk and Defense Secretary McNamara sent to all of the members of the Committee on Appropriations. Incidentally, this bill did not come out of the full Committee on Appropriations unanimously. There was some rather violent dissent on the part of some of the members of the committee in respect to many items, not only on military matters but many other issues. And, I hope this House will go along on every item because I think we have to show to the world that we are interested in more than military assistance. I think we should give these nations around the world more than military assistance. I think we should increase the Development Loan Fund and the development grants. These are dangerous times; these are critical times, and I think that we have a responsibility to live up to our problem here.

But let me quote from the letter of Secretary Rusk and Defense Secretary McNamara with respect to the items that the gentleman wants to increase:

> The $585 million cut, from the $1,885 million requested by the President, would in fact reduce by more than 50 percent the amount available for improving the forces of key threatened allies on the flanks of NATO and in southeast Asia, whose resources are inadequate. This is so because $1 billion must in any event be used to maintain existing forces and meet fixed charges. Thus, these cuts would mean, quite literally, that NATO and Far East countries could not achieve adequate military forces—at the very time when both areas confront a crisis in confidence, and when NATO has agreed on the need for a firm posture to meet the Berlin situation.

I think in an area like this we ought to listen to people like the President of the United States and former President Eisenhower. We ought to pay some attention to Secretary of State Dean Rusk. We ought to pay heed to Defense Secretary McNamara. We ought to listen with a great deal of attention to the gentleman who is now on his feet in the well, and I think we ought to go along on this item here, and I think we ought to go along with other amendments when they are offered this afternoon to this committee.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Chairman, the bill which you have before you is, in my opinion, a reasonably adequate bill for the purposes which have been stated in the authorization act and in consideration of the position in which this country finds itself right now, vis-a-vis the rest of the world.

Mr. Chairman, I have been a member of this committee for approximately 3 years now; I have done what I could to make sure that this program was adequately funded, but not overly funded. I still have that idea in legislating today. I think, however, that as we read the newspapers today it might be well to have another look at some of the philosophies which we have expressed in times past. I look at mutual security—at least parts of it—as items which we accentuate in days when we can afford them and cut down in times when we cannot afford them. In the Korean war we continued mutual security but we did cut it down as far as the economic side was concerned. I think that in this particular time where we have crises in Berlin, where we have crises in south Asia, where we have crises in other parts of the world, it behooves this great Nation to take another look at mutual security to try to determine whether or not it is more important to the free world that the economy of America be strong, that the military might of this country be strong, or that we carry on some of these very desirable projects to help underdeveloped countries; whether or not it is more important that we keep the sinews of the United States flexed and in shape, or that we expand our present effort to help in developing some of the countries which are emerging into nationhood. This is a question the answer to which will have to be supplied by each Member of the House for himself. As for me, I think the future of the free world is completely dependent upon the future of the United States of America.

I think that the future of the free world will best be assured by assuring that this Nation is powerful not only physically, morally, but also economically; and it is in this spirit that I will vote and have voted upon this piece of legislation ever since I have been a member of this subcommittee.

Let us look at the type of program we have here. This is not like any other appropriation bill we consider in this House, because it is based on items furnished as illustrations. We are furnished justifications which are illustrations; they are illustrations only. We do not know exactly in which countries money will be spent; we do not know exactly for what purposes money will be spent. We know that the departments have come to the committees of Con-

gress and have said to the committees: "We would like to do something about this; we would like to do it about here, but we reserve the right to change the plan from time to time." So there is nothing sacrosanct about figures in this particular appropriation bill. I submit that there is no Member of this body, nor of the other body, and nobody downtown who has anything but an educated guess as to the proper amount of money which should be spent on this program; and I submit, as I have tried to before, that in all educated guesses you have an element which must be taken into account: How much the economy of the United States can afford in this day and time; how much can we afford to spend for this purpose when we must spend much money for the purpose of keeping ourselves, and therefore the free world physically strong? How much will this result in aggravating the balance-of-payments situation?

How much will this result in increasing taxes, deficits, or in increasing inflation in the United States of America? These are part of the imponderables which we must equate when we determine how much money shall be appropriated for mutual security.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Florida.

Mr. HALEY. The gentleman has been here a long time, he has heard these arguments time and time again that you cannot cut this program, you cannot reduce these figures. The actual truth of the matter is that over a period of years we have approximately $5 billion left unexpended in this fund; and, if the gentleman will permit me to say so, I think the people of America now are beginning and should justly begin to think: What have the expenditures of $106 billion brought to the United States of America? I say it has brought very little, and I think the American people are beginning to find out about this. If this program is continued, we ought to have some justification for the program. Let us see where we have been, let us see where we are going, let us see what we have out of it. If that is done, the people of this country, if a necessity is shown for this money, probably would give a little more consideration to it.

Mr. RHODES of Arizona. I thank the gentleman from Florida for his contribution. His constituents, as well as my constituents, are worried also about what we have bought with $106 billion and what we are buying with the money which presumably we will appropriate today.

As far as this bill is concerned, I am disappointed due to the fact that I know full well that part of the money which we appropriate will go to countries that are dominated by Communist governments. Let there be no doubt in anybody's mind about that. This will occur because of the fact that the amendment offered by the gentleman from Texas [Mr. CASEY] to the authorization bill, and adopted by the House, did not appear in the bill as it came out of conference authorizing this program; therefore, because of the present wording, which is broad, the President can and presumably will, because it has been done in the past, see that aid is given to certain countries which are dominated by Communist governments. It may very well be true that these governments are not part of the international Communist conspiracy, at least covertly. However, I am sure many people in this House and many people in the country will agree with me when I say that a Communist is a Communist and it is unthinkable that a real Communist is not dedicated to the propagation of communism throughout the world.

It bothers me considerably when, as has happened in the past, there will be funds which will be appropriated by this bill which will go to the aid and comfort of a Communist government.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from California.

Mr. McDONOUGH. I notice on page 5, section 107, that there is a recital or repetition of the resolution which passed the other day opposing the seating of Red China as a part of the United Nations. It states:

> The Congress hereby reiterates its opposition to the seating in the United Nations of the Communist China regime as the representative of China.

It is further stated:

> In the event of the seating of representatives of the Chinese Communist regime in the Security Council or General Assembly of the United Nations, the President is requested to inform the Congress insofar as is compatible with the requirements of national security, of the implications of this action upon the foreign policy of the United States.

Does that mean that the United States with its power and authority in the United Nations is unable to prevent the seating of Red China in the United Nations or the Security Council?

Mr. RHODES of Arizona. The gentleman feels as I do that this Government should exercise every bit of its ingenuity and every bit of its strength to keep Red China from being admitted to the United Nations. The gentleman also feels as I do that if we do this wholeheartedly, with the idea of winning this fight, then we will win it; but if we go into it halfheartedly and with the idea that we may lose the fight, as unfortunately has been expressed by certain high officials of the Government, then we will probably lose the fight.

Mr. McDONOUGH. To pursue the question a little further, there is stated in section 107 of the bill the following:

> In the event of the seating of representatives of the Chinese Communist regime in the Security Council or General Assembly of the United Nations—

Do we not have a veto power to prevent them from being seated in either one of those two bodies?

Mr. RHODES of Arizona. I am satisfied, as I think the gentleman from California is satisfied, that there are ways available to this Government to not allow the seating of the Chinese Communist government in the United Nations.

Mr. Chairman, if I may proceed to one additional point, the gentleman from Louisiana [Mr. PASSMAN] has already stated that he will offer an amendment to increase the military assistance appropriation by $175 million. I want to share with the committee the figures which I have, which will indicate the magnitude of the military assistance program as it will appear in this bill, if the amendment of the gentleman from Louisiana is adopted. The amount in the bill is $1.3 billion. The amendment which is to be proposed would increase that by $175 million. There is $100 million unobligated and available to the military assistance program. There is $50 million which has been deobligated and which has been authorized for reobligation. There is $300 million in the authorization bill which can be used as a transfer of stocks. Incidentally, it can also be used to pay people the salaries which they earn in teaching other nations how to use their stocks and can also be spent for packaging and crating, to ship goods abroad, and the like. Therefore this $300 million, a new military assistance contingency fund, must be added to other funds which are available for military assistance under this program.

Mr. Chairman, this adds up to $1.925 billion as being available under the legislation which we will have adopted this year for military assistance. This compares with an authorization of $1.7 billion in the public law which has just been signed on yesterday by the President, and the request by the administration of $1.885 billion.

In other words, if all of the matters which I have mentioned as contingencies should actually come to fruition, we will have appropriated or authorized the expenditure of $40 million more for military assistance than was requested by the administration, and $225 million more than was authorized.

Mr. FORD. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. CEDERBERG].

Mr. CEDERBERG. Mr. Chairman, I rise today as one who would sincerely and honestly like to be able to support this mutual security appropriation. However, I have to say in all candor that in its present situation I cannot. I cannot, because as I read the press reports coming out of Belgrade, Yugoslavia, where nations are meeting—so-called neutral nations—who have been accepting money from the U.S. Government have at the same time said that we are imperialistic.

The definition of "imperialistic" or "imperialism" from Webster's dictionary is simply this:

> The policy, practice, or advocacy of seeking to extend the control, dominion, or empire of a nation.

Mr. Chairman, I submit that the mutual security program is designed to assist these people, and that it is not imperialistic.

Mr. Chairman, the question before us today in my opinion is not so much the

dollars in this bill, although it would appear to some reading the newspapers that we had cut the appropriation. The simple facts are that the appropriation for the mutual security program is higher this year than it was in the last fiscal year.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman.

Mr. FORD. I agree that that is true, but in the case of military assistance that is not the case.

Mr. CEDERBERG. I recognize that. I am speaking of the overall amount in the bill. I do not wonder that the American people are somewhat confused. As I looked at one of the Washington newspapers, in the middle cartoon, I saw the picture of the chairman of the Appropriations Committee cutting the mutual security bill.

The facts are the bill is increased over what it was last year. Authorization-wise it is true it is less, but authorizations have always been ceilings and it is not a precedent not to grant everything that has been authorized.

In the left-hand column I read in this newspaper "A Great Day for Mr. K." referring to the action of the full Appropriations Committee. But then I want to refer the Members to another article which I believe is very significant, and I want to take the time to read it to you. It is an article by Crosby S. Noyes and it is entitled "Neutralism Shows Double Standard." The dateline is Belgrade and here is what it says:

NEUTRALISM SHOWS DOUBLE STANDARD

(By Crosby S. Noyes)

BELGRADE.—The business of listening to some two dozen unalined world leaders airing their opinions on world affairs may become a little tiresome, but at least it provides an American plenty of practice in keeping his temper.

The speeches, of course, have varied greatly from one another.

In tone, they have ranged all the way from the rantings of Indonesia's Sukarno and Ghana's Nkrumah through the carefully calculated cynicism of Yugoslavia's Tito to the relatively temperate statements of India's Nehru and Burma's U Nu.

In virtually all of them, however, there is for the westerner painful mental readjustment to be made. To accept—or even begin to understand—the neutralist point of view of things one must first accept the whole series of neutralist values and myths which often strain the credulity of the listener to the breaking point. Beyond this he must accept, as between the West and the Communist bloc, a double standard of morality in international affairs so monstrously distorted as to make any real basis for comparison impossible.

WEST IS THE BAD BOY

He must learn, for example, that while virtually everything that the Communists do in Berlin or elsewhere must be accepted with resignation as what Nehru calls "the facts of life," any defensive counteraction by the West is deplored as an unwarranted contribution to the cold war. In a general protest against the armaments race, it is inevitably American budget figures that are cited as a frightful example of what is going on. In the chorus of appeals for "general and complete disarmament," it is always the Western "fetish" for inspection and control that stands in the way of humanity's hope.

The Russians, to be sure, have done their best to help the West at this Conference. Without the explosion of their latest nuclear bombs, there would probably have been no criticism whatever of Kremlin policy. As it was this criticism has consisted mostly of mild regrets that Russia should have felt "compelled" to resume testing. And with this brief aside the speakers have returned briskly to their sustained attack on the West.

All westerners have heard quite a bit, of course, about the wicked ways of colonialism and have heard it denounced in thundering terms by a succession of orators here. They may be somewhat surprised to learn, however, that in the opinion of a good many of these leaders colonialism and imperialism still lie at the root of virtually every important world problem. They will wait in vain for any hint that the vast majority of these new nations achieved their independence peacefully with the assistance of former colonial powers or the smallest suggestion that "self-determination" might be applied with equal justice in countries under Communist domination.

The westerner will also be lectured at length on something known as "neocolonialism," which Tito defined yesterday as a policy of "maintaining a formally liberated country in a state of economic dependence on the metropolitan country." Tito's thesis—shared by many of his colleagues here—is that political and economic independence go hand in hand and that both must be provided by the "most developed countries."

BILATERAL COOPERATION

On the other hand, countries providing economic assistance on a bilateral basis have to watch their step carefully. So far as Tito is concerned "bilateral cooperation frequently embodies a considerable number of negative elements such as rivalry, interference in internal affairs, the imposing of political influence and the like." The result of such cooperation, he thought, sometimes "does more harm than good."

Tito, of course, should know, having accepted something in the neighborhood of $2 billion in American aid over the last several years. But if the result of this aid has had the slightest effect on his own independence, it was not perceptible in anything he has had to say at this conference. Indeed there was no mention of any American aid by Tito—or by any of the other unalined leaders, all of whom have shared liberally in the American program over the years.

From what was said here an American might well conclude that Tito was right and that the effort to date has in fact done more harm than good. From all evidence here the West still faces a desperate uphill struggle for the minds and hearts of uncommitted nations. It is a struggle in which the problem of communication—to say nothing of persuasion—remains unsolved. And in which the present currents of opinion are set in the most ominous course.

Mr. DEVINE. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from Ohio.

Mr. DEVINE. I wish to commend the gentleman for his remarks. It is very appropriate at this time, in mentioning Tito, that I read in my local newspaper yesterday in Columbus, Ohio, the fact that the U.S. Government has just sold to Yugoslavia, again, to Tito, 70 Navy jet airplanes. The thing about it is that they sold them to Yugoslavia for $17,000 each, whereas they cost the U.S. Government $200,000 each.

Mr. CEDERBERG. I have the item right here, and I intended to read it:

The last 20 of 70 Navy jet trainers the United States is selling to Communist Yugoslavia will start arriving in San Diego this month.

Then it goes on to bear out what the gentleman said. If these people are so neutral, what do they need our jets for? There are some very serious questions to be answered here. I believe in mutual security because I believe in some areas it has done well. I have voted for it and I have voted against it. I have been in opposition more often than for it. We are often told that we are not getting our story across. If the leaders of these countries haven't understood our aims, how can we expect the people to understand our aims and motives?

It seems to me the time has come for a reappraisal of this program and I am worried not so much about the dollars involved as I am the direction it is taking. As a member of the Appropriations Committee, although I am not a member of the subcommittee, there is nothing in this bill as I understand it that does not give the administration everything it needs. It has received all the money it has requested from the Appropriations Committee. It is my understanding that in some of these areas it is more money than they had expected.

If I were the President of the United States, the first thing I would do is say, "Any country that calls my country an imperialist country, send your ambassador to my office. We want to find out if you think we are an imperialist country." We are dedicated to doing something good for people. I am tired of having my country kicked around by so-called neutrals. If we as a nation are considered to have ulterior motives in mind as we give them aid then I say they are not worthy of our assistance.

Mr. PASSMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, I rise to advise the committee that when we start reading the bill I intend to offer an amendment to restore the greater portion of the funds for development grants. When the bill was before the full committee last Friday, I offered an amendment, and I intend to offer a similar amendment today. It would provide for the appropriation of $350 million for development grants.

One reading the report would gain the impression that no justification was made for the development program beyond the amount that was authorized by the subcommittee itself. Page 4 of the report lists the various projects that make up the $259 million that was approved by the subcommittee, and then the following appears:

Testimony developed during the hearings indicated that the administration has not programed the new development grant money of approximately $130 million by purpose or project. In response to a question as to whether the administration was requesting the Congress to appropriate this amount of money prior to the agency's development of specific programs or projects under this category of aid, the response by an administration witness was: "That is true, Mr. Chairman."

The impression is given that no justification was made, therefore, for the new programs. I suggest that Members may

want to refer to page 1087 of the hearings in order to show that the administration does have a programing for the development grant program.

In the interrogation by the gentleman from New York [Mr. ROONEY] the following appears:

Mr. ROONEY. A while ago I listened to your colloquy with the chairman concerning the unprogramed $130 million of the development grant program of $380 million, and I understood you to say that you could not tell the committee at this time exactly where that $130 million would go?

Mr. COFFIN. That is correct.

Mr. ROONEY. And I think I heard someone say that you had requests in the amount of approximately $190 million?

Mr. COFFIN. Yes.

Mr. ROONEY. Toward which this $130 million would be used?

Mr. COFFIN. Yes.

Mr. ROONEY. How far have these requests totaling $190 million been firmed up?

Mr. COFFIN. They are programs for projects. They are not just a request from another country that this be done.

Mr. Chairman, I would like to point out what the development grant program is. This is the point 4 program, the program that actually provides for good programs for the people. It gets down to the people of the grassroots. When an attempt was made to cut this program in the House by an amendment offered by the gentleman from Indiana [Mr. ADAIR] who presented an amendment to reduce it by $50 million, the House rejected the amendment and said, "No, this is the type of program we want to approve." I think if we are to have any impact at all among the underdeveloped nations of the world—if we are to assist them in taking measures to eradicate disease, filth, and poverty and all the enemies of mankind at a local level, this is where the help must come, from the technical assistance of the point 4 program.

Mr. Chairman, I propose to offer an amendment covering this later.

Mr. Chairman, in passing I want to say, too, that just last year I supported an amendment offered by the gentleman from Michigan [Mr. FORD] to increase the amount of money for the military assistance program. I expect to support him this year as well.

It is unbelievable to me that the majority party of which I am a member should appropriate less money this year than was appropriated last year under a Republican President. This, to my mind, is a subject which should be nonpartisan and, yet, I cannot believe that we should jeopardize, and I say that deliberately, jeopardize the security of our country by refusing to appropriate an adequate amount of money for the military assistance program.

Mr. Chairman, I read from a statement issued by General Eisenhower a few days ago. Former President Eisenhower said:

I am gravely concerned to learn that after the long struggle over the financing method to be used in connection with the mutual security program and after we receive assurances on the part of Democrats and Republicans of continuing support of the program itself, an attempt is now underway to slash the program's appropriation.

These slashes are incomprehensible to me, especially in the light of present world tensions. I am sure that the large majority of thinking American citizens, Democrats and Republicans alike, will join me in urging vigorous support of efforts to remedy the damage that would result from these reported committee recommendations.

Mr. PASSMAN. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, it is always difficult, of course, to follow the distinguished chairman of the subcommittee on foreign aid. There is not a question about the fact that he does his homework. He does it well. He comes here every year with cuts that I think are too deep in this bill, and then, of course, at the last moment, he capitulates on one particular item and asks the House to go along with that capitulation, but "do not change the rest of the bill."

Mr. Chairman, there is an obligation on the part of the membership of this House to pay some attention to those who are closer to the program than he is. I think there is a responsibility on the part of the Members of this House to heed the words of those who are operating this program. I think we have the responsibility of at least giving some consideration to the statements, to the wishes, and to the desires of the President of the United States who, in the final analysis, is responsible for our foreign policy. And, of course, all of us know this is an integral part of our foreign policy, and our foreign policy could not operate without this particular program. He says he needs the money. His predecessor, President Eisenhower, says that the money is needed in these areas. The Secretary of State says so. The Secretary of Defense says so. And just because the gentleman from Louisiana says we do not need it, that we have had enough, does not leave much of an impression upon me. He says in this particular regard that there are always telephone calls that come at the last moment or letters that come up from downtown. What is wrong with that? These people know the program. They have a right to express their views to all of us, whether we sit on this subcommittee, the full Committee on Appropriations, or whether we sit as a Member of this House.

As I say, these people are close to the situation, and I think we ought to listen to what they have to say. The gentleman from Louisiana says that this is the most expensive and the largest foreign aid bill in the past 7 years. Well, what of it? It ought to be. In this particular time in our history I think perhaps we are in greater danger than we have ever been in the past 7 years. So, we ought to go a little slow with this take-it-or-leave-it attitude on what we ought to accept in this bill. But, that is the way it has always been. We come here with this bill and we have to take it or leave it according to the dictates and the wishes of the gentleman from Louisiana. But, we ought to exercise our own judgment here.

Sure, it is an expensive bill, a costly bill. Some people say it is a bill that buys peace. The problem here as I see it—and I think the Members will see it likewise—is that you must spend money to stop some of the things that are going on around the world. Should we spend the money to implement the foreign policy that the President of the United States says we need in these very perilous times? I think we should. It is costly, but it is not nearly as costly as the loss of 53,000 killed and 204,000 wounded and with an expenditure of $25 billion in World War I. In World War II there were 293,000 killed and 670,000 wounded with an expenditure of over $350 billion in that war. In the Korean war there were 33,000 killed and 103,000 wounded, and we spent about $35 billion in that war. Here all the administration asks is $4.2 billion. Is it not worth spending that amount of money to protect our Nation, to protect our boys and to see to it that the telegrams no longer arrive which spread tragedy in the homes of the American people? I say it is, and I say the cuts here have been too deep, and I hope that the House will not just go along with increasing the military assistance program by $300 million, as the gentleman from Michigan envisages. I hope we go along increasing other items as well. I think it would be wrong for this House to send out to the world the news that we are only interested in increasing the military assistance and not those items such as development loans and development grants and the contingency funds. I think this is terribly important. I think we would be making a tragic mistake if all we did was to increase the item for military assistance.

Mr. ROONEY. I am in thorough agreement with the distinguished gentleman from Massachusetts, and I should like to call attention to what former President Eisenhower had to say upon learning of the drastic cuts made in the Appropriations Committee last Friday on this bill:

These slashes are incomprehensible to me, especially in the light of present world tensions. I am sure that the large majority of thinking American citizens, Democrats and Republicans alike, would join me in urging victorious support of efforts to remedy the damage that would result from these reported committee recommendations.

So I agree that amendments should be offered to substantially increase this pending bill.

Mr. BOLAND. I appreciate the remarks of the gentleman from New York, who is a member of the subcommittee. He knows of the pleas that were made before the subcommittee and the full committee for more funds, not only for military assistance, but especially in the other fields. The gentleman from New York [Mr. ROONEY] is one of those who has done his utmost to make this a workable bill.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from Michigan.

Mr. FORD. I agree with the observations of the gentleman from Massachusetts. In certain areas there were cuts

other than the military where the reductions were too far, and in particular in the contingency fund where I believe the President, whether he be Democrat or Republican, ought to have enough money to meet emergencies which are bound to occur every year.

Mr. BOLAND. I appreciate the remarks of the gentleman from Michigan who is always nonpartisan in this particular area and who has always made a great contribution to the membership of this House not only in this field but in other categories as well.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from California.

Mr. McDONOUGH. The gentleman just recited the Korean war losses. I would remind the gentleman that this program was in operation during the Korean war, and I would ask him if it did anything to stop the casualties or to cut down the $36 billion that war cost us?

Mr. BOLAND. The gentleman from California knows that this is part of our foreign policy; this is an integral part of our foreign policy.

Mr. McDONOUGH. I admit that it is a part of our foreign policy, but there are other things that are far more beneficial.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. PASSMAN. Mr. Chairman, I yield myself such time as I may use.

The CHAIRMAN. The gentleman from Louisiana is recognized.

Mr. PASSMAN. Mr. Chairman, I think it is very important to keep this in context. This is not a Passman bill. I do not set myself up as an expert. This bill came first from the subcommittee which heard the testimony, backed by the full committee comprised of 50 Members of the House. I do not recall any amendments being offered in the full committee to replace the military reductions; and, as stated, I was in touch with the top echelons in Government, including our distinguished majority leader.

It was indicated and agreed upon that they would like to see $150 million restored to the military item. All hands agreed that this was sufficient. The gentleman from Virginia [Mr. GARY], understood it. I said: "Let us put in an additional $25 million, so there can be no misunderstanding whatsoever."

When you have satisfied the people downtown and satisfied the leadership on either side of the aisle, why all the pressure now?

To be perfectly candid with you, we are giving them in excess of what the minimum requirements would be.

After we reported the bill last year you put $200 million back in the military item here on the floor only to find they did not need it. This year we recommended $1,300 million. I am going to recommend $175 million more, after these consultations, which is more than the people downtown agreed they would be satisfied with. We are reappropriating $50 million of unobligated funds. They will also have $100 million available in deobligated or dereserved funds. They also have available authority to draw $300 million from Defense Department military stocks. These sums total $1,925 million.

So, who are we trying to satisfy here? Is it the leadership on either side of the aisle? The Secretary of State is satisfied, the White House is satisfied. Who else is there to satisfy?

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Illinois.

Mr. YATES. Does the gentleman declare to the House because of his intention to raise military assistance by $175 million that the White House is satisfied on every other part of this bill?

Mr. PASSMAN. I am not going to say that the White House is satisfied with every other part of the bill. I can only say that the gentleman should consult with the majority leader, the gentleman from Massachusetts [Mr. McCORMACK]. I am not prepared to make any other statement.

Mr. YATES. Does the gentleman say with the $175 million the gentleman is going to put in the bill for military assistance that the White House is satisfied with that provision?

Mr. PASSMAN. I will ask the gentleman to go to the distinguished majority leader, the gentleman from Massachusetts [Mr. McCORMACK]. If he does not tell you he is satisfied, I will offer an amendment to increase it further.

Mr. YATES. Is the gentleman saying he has no agreement with downtown?

Mr. PASSMAN. I am saying you are going to have to check with the majority leader. I am not the majority leader. I can only say that you should consult the majority leader, and whatever views he gives you on appropriations for the military assistance program I will abide by.

Mr. HAYS. Mr. Chairman, I make the point of order a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and five Members are present, a quorum.

Mr. TABER. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman, at the outset, in answer to my chairman, the amendment to the military assistance item was not offered in full committee Friday, that is true; but it was offered in subcommittee and the individual who offered it in the subcommittee had to go home to his district on Friday. That is the reason it was not offered, but he reserved his right to offer it on the floor of the House today.

It is only 2 weeks since I spoke on this measure which is before us today, but I hope the House will bear with me in what I have further to add to this legislation which is of equal importance to the United States as it is to her allies throughout the free world.

The most important problem of the mid-20th century world is the growing gap between the living standards of the people residing in the third of the world that is fairly highly developed, and those living in the two-thirds that is still underdeveloped. We enjoy a position in the first group of nations where the rates of growth in our developed economies are rapid so that our people can look forward to considerable increases in their material standards in the course of a generation.

In many countries in the second group economic development is slow, if at all and often population growth outstrips expansion of the economy which results in an actual fall in individual standards of life. The inequality then, between the prosperous nations and the underdeveloped two-thirds is increasing and the differences in relative rates of growth insures that this will be so. Certainly, the national incomes of the underdeveloped countries will grow, but they are like cripples in a race—they cover some ground, but all the time the leaders are strengthening their lead and it becomes more and more hopeless for them to try to catch up.

We must not fool ourselves into believing that the peoples of the underdeveloped nations are living in seclusion. The means of communication today makes it impossible for them to live on their side of the world in ignorance of what is happening in the highly developed nations—rather there is a growing awareness of the relative wealth of the Western World which has led to the conclusion that techniques exist to create affluent societies in which all people can participate. With this growing awareness, the traditional resignation of the poor to their poverty breaks down because it is one thing to accept the inevitable, but it is quite another to accept what can be changed. Therefore, the greater becomes the technical achievement of the developed world, the greater grow the expectations of the underdeveloped peoples. Tension arises as fulfillment lags behind promise, and out of such tension revolutionary situations can be created.

No political leader in Asia, Africa, or Latin America can do other than promise his people higher standards of life soon. The challenge is sharpened by the example of the Soviet Union—a state that has industrialized itself in 40 years. And while we of the West look at the fantastic price in terms of human life and happiness that has been paid for that industrialization, it is understandable if people who are desperately poor and who live in regions where life is relatively cheap, look at the economic achievement rather than at the political price to be paid. That is why I see the economic rivalry between free India and Communist China as being vitally important. If India lags behind, many Asians may draw the conclusion that democracy is too expensive a system for them. I am merely using India as an example, but I do believe this feeling may be prevalent throughout many regions in the underprivileged parts of the world.

In the newly emerging nations, the aim is not one of restoration—as there is no past framework with which to work. At this stage, their needs go far beyond the construction of factories, dams, and all the economic resources

which create a prosperous society. Their need is the establishment of a new society itself, a society which affords its citizens a substantial measure of social justice, a society which recognizes that unless the ordinary individual is guaranteed participation in the economic advance, he will make no willing contribution to it. Quite apart from the task of bringing about a degree of social justice, the greatest problem facing the underdeveloped countries is an economic one. It is lack of capital in every sense, and in our foreign relations since the end of World War II we have attempted to meet this need as well as to provide the military assistance necessary for the protection of these nations and the maintenance of the sovereignty of the United States against those who, if they could, would infringe upon it in order to bring about our destruction.

This item of legislation before us today, I consider to be the most important measure we are being asked to deliberate upon during this session of the 87th Congress. It comes at a time of great difficulty and distress overseas. It comes at a time of crisis in South America, southeast Asia, and Europe. It comes at a time when our participation in world affairs should be more emphatic rather than less. But at this particular time of world crisis, we find that our mutual security program—the instrument essential to a better way of life for two-thirds of the world's population as well as to our security—is to be dramatically slashed. It is an incredible situation when power and flexibility is needed to assure our preeminence, we find that by our own actions we are attempting to limit this power and influence in the world.

We have, at this particular period in world politics, reached a watershed. We are in a period when the Soviet Union has shocked world opinion by first announcing its intention to recommence the testing of nuclear weapons and immediately following up this threat with, not one, but two tests. This action on the part of the Soviet Union has made the cold war grow warmer. But despite this knowledge we are here today attempting to reduce our military assistance by $400 million. With crises in Berlin, Laos, Cuba, and South Vietnam, I can see no evidence whatsoever that would make me think there will be need for less military assistance in fiscal year 1962 than there was last year.

So far as the Development Loan Fund is concerned, the reduction disregards essential parts of the testimony presented by the Director of the Fund in support of the full authorization. It disregards the case presented by the Secretaries of State and Defense in their joint letter which affirmed the Director's testimony that the amount of $1,200 million is a conservative estimate. Clearly anticipated requirements from India, Pakistan, and Brazil will amount to between $700 and $800 million. Ten other key countries will need between $300 and $400 million. These countries include only two or three in Latin America. But under the committee bill there would be available for development loans to other countries in Latin America and elsewhere no more than $25 million. It is as obvious as the nose on one's face that the full $1,200 million is needed. I will offer an amendment to restore a great portion of the funds.

Over the years, our foreign policy has been aimed at keeping the uncommitted nations free and uncommitted, and to assist these nations in developing a particular philosophy, not necessarily producing the same conclusions to specific international problems as ourselves, but nevertheless, a philosophy acceptable to their peoples and not alien to our way of life. The final curtain has descended today on the Belgrade Conference of the uncommitted nations—these nations geographically arranged in various parts of the world are key countries politically. As a result of their increasing role in world affairs and the prestige they command, they are bound to exert a powerful influence on other countries who are economically underdeveloped and politically uncommitted. Yet, by the ax we are attempting to use, these nations will no longer look to the West for help and guidance in the process of developing their democracies and their economies—their sights may be turned to the Soviet Union if we are inconsistent in our desire to continue assisting them. As I pointed out earlier, these are the nations we must not allow to lag behind because they might well conclude that the democratic process is too expensive a system for them to adopt.

We are all of us keenly aware of the fight we have just waged against Treasury financing of funds for development loans in the foreign-aid program. We prevailed in our insistence that development loan funds be provided by annual appropriations and we won that fight. This was no hollow victory—we pledged to our colleagues in the Congress and to the American people that the appropriating power would be exercised responsibility. I do not believe this measure now honors our pledge of responsibility either to this assembly or to the American people and I do not believe it is in accord with the conference agreement made by our agents.

I can hardly comprehend the reasoning behind these extraordinary reductions, for they take out all the substance in the measure and make it almost impossible for us to achieve our objective in this vital field of foreign relations. To put the best construction on the action of the committee, one can only assume that they have acted with some haste; but if their actions are endorsed, it is the United States who may repent at leisure. We have won our fight for fiscal responsibility. It was fought with sincerity and in the desire to see the appropriating power of Congress maintained while still discharging our obligations to ourselves and the world. We must now demonstrate that we are equally sincere and responsible in the discharge of our duties and provide the funds essential for the success of this vital foreign-aid policy program.

Mr. Chairman, papers throughout the United States have commented editorially on the action of the subcommittee and of the full Committee on Appropriations. I would like to quote from the Washington Post editorial of September 2, "an exhibition of indifference and irresponsibility that is shocking."

I would like to quote from the Evening Star editorial of September 4, "A great day for Mr. K."

I would like to quote from the Washington Post editorial of September 5, "unaccountable cuts."

Mr. Chairman, I hope that today we will live up to our responsibility and restore some of these cuts that were made in the military assistance program, which items are so vitally needed for our allies throughout the world, at a time of crisis. We should restore some of these cuts in the Development Loan Fund. We promised on the floor of this House that if you gave us the right to get this money and not go through Treasury financing we would live up to our responsibility. Secretary Rusk and others who appeared before that committee said that they needed a minimum of $1,300 million to carry out our commitments to the free world. I hope today we will live up to our responsibilities in this House.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from New York.

Mr. LINDSAY. I should like to compliment the gentleman on the excellent statement he has just made. I appreciate his emphasis on the development loan program, which is the most important part of the whole bill, in my opinion.

Mr. TABER. Mr. Chairman, I yield 15 minutes to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Chairman, I have found it very difficult to believe that the Appropriations Committee of this House can be so unaware of the situation in which humanity stands today. I am appalled that they have so little realization of the vital survival issues that are affected by the items in this bill.

I have not been to the Far East, I have not been to South America, so I am going to confine my remarks to the items on Africa. I have been there, and I have kept in close touch with what is going on in Africa ever since.

I have been troubled for a long time at the attitude we have often taken. When Guinea broke with France, France took even the screws out of the walls, we did not recognize her for months and months and months. We did not send them an ambassador for 10 months. Naturally she did not think much of us for that. She had to have help, even to get a few screws. Naturally she took it from those who offered it. Perhaps we have been pennywise and pound foolish since then, which may be one of the reasons she seems to be leaning more and more toward the East.

Mr. FEIGHAN. Mr. Chairman, will the gentlewoman yield?

Mrs. BOLTON. I yield to the distinguished gentleman from Ohio.

Mr. FEIGHAN. It is my impression that Guinea made appeals to the U.S. Ambassador for assistance but was turned down.

Mrs. BOLTON. The gentleman is quite correct. Not only did we not give help, but, and this is incredible, one reason we did not give any help was that this House had passed a law that nothing could be given by ICA until there was a firmed-up, signed contract. What does a country that comes out of colonial desperation know about signed contracts? Finally a year later they found what it meant that they signed. By that time they knew what they meant, and they were glad to do it, but it was a year late.

That has happened a good many times in different ways all over this world. I wonder what we expect of human nature. I wonder what they think of our human nature. I do not think it measures up too well, do you?

Why do we not recognize the fact that many of the countries of Africa do not know how to set up technical schools, nor to learn how to grow good chickens? They all eat plenty of chickens, but the poor things have pretty rough going—no one knows how to feed them, so they are pretty scrawny birds.

It just happens that a couple of young friends of mine have put $20,000 into a chicken farm.

Already the neighbors are learning how to grow better chickens and the knowledge is spreading like wildfire. That is private enterprise. That is good. We want to encourage it, but we cannot leave the future of this particular country or any country to a group of young enthusiasts who give $20,000 out of their own pockets to start a chicken farm to teach people of other lands how to grow good chickens, and so on to many other basic programs.

Mr. Chairman, it is surprising to me that we seem to have so little understanding of these things. Not much money is being asked for any particular country. Furthermore, what is the money being asked for? Have you been in Morocco? Have you been out in the country there? Do you realize how much they need technicians and supervisors? Where are they going to get them?

Have you been in Tunisia into the country there? A public health nurse went to one little hovel after another. I did not wonder that they had all kinds of diseases. You should have seen them sitting on the floor, wet and sloppy, and the food was unbelievable. It was being fed to the baby. The nurse quietly said to me, "The baby has been sick since it was born." Why not? They do not know anything about health and about health measures as we understand them. That has begun in the cities because our public health people have been working with their health departments.

They need a nursing school. Of course, they do not need one like the Presbyterian Hospital has in New York City, but they need a school where young women and older women can be taught how to take care of the sick and where they can be taught how to teach others not to carry infection—infection that can become a national menace.

The Belgians down in the Congo, south of Leopoldville, had set up a public health facility in a very large area. It was wonderful. A doctor who went to Africa with me spent a week in the area with the Belgian doctor in charge. His report was a picture of what can be done if there can be help. They had determined, on the basis of what they had actually done, that in one generation they could wipe out leprosy. Have you ever seen lepers? If you cannot go to Africa, I suggest you had better go to some of our leper institutions because we do have a few of them. Go and look at them and see what you would think if your child became a leper. Go and look at them and find out for yourself what it means. Well, the Belgians got that all started and they were doing a beautiful job before this thing blew up down there—because the Belgians were a little dull in other directions. But alone, the Congolese could not have done it.

In the Cameroons, as in the other countries, they had a great deal of communicable disease. Should we not help them to do something about it? Those countries are agricultural countries. They need help to grow better corn. The women stand all day long pounding their manioc, pounding their maize to make flour for biscuits. In only one place did we find they added a little protein to this flour, and that was up in the Masai area in Kenya. There they had the good sense not to kill their cows because a cow is the visible evidence of how much money they have. So what do the people do? They put a porcupine quill into the neck of the cow and draw out blood and mix it up with the maize. This supplies more protein than most Africans have. So many of these sick babies, youngsters who start out in life black and beautiful; but, lacking protein, the black fades out, their hair turns gray and straight, and the little ones look like little wizened old men. If you ever saw my motion pictures, you would have seen them. These are the things that we should be trying to help with. These are the things that it is going to be impossible to do anything about, if this amendment fails. The money in this bill merely continues the existing work; it leaves no money for more of such assistance as will make it possible for these people to help themselves.

Africa is pretty big. You have got to go into Africa. You have got to go into the new countries; you have got to go into the new areas, because the Chinese and the Russians are getting there awfully fast.

Now, of course, it makes a difference who is going to be the influence in those countries. The U.S.S.R. will dominate. The U.S.S.R. will tell them how, when, where, and why. They will take every scrap of freedom away from them, but the poor things do not know it yet. They have not realized the meaning of democracy. Semantics, friends. The definition of English words is so very different in different areas, even in different areas of this country. I frankly say to some of you very charming gentlemen from the South—none of you happen to be on the floor just now—there are some of you I cannot understand when you speak. So, I hope that we will teach just the kind of, well, maybe a little West English. It is at least plain.

Some of these things are needed: We need educational development. We need schools over there. In Ghana they have some schools, but in reviewing their educational system they have asked us to do something about more schools for them. We have helped them with a university, but we must help them expand their educational system. We know what education means. Oh, I wish you could hear those thousands of children that I have seen, with little white shirts and little khaki pants, coming in droves, hundreds of thousands, to these little schools, some of them outside. They are much better outside because they can sit around under a tree, and everybody that listens, everybody that can hear, can learn something if they are not beyond the voice of the speaker. But, they do not have these things. So, there is a limit to those who can even hear, much less learn. I went to one school, kind of out in the desert, a big, open place. It had a few walls left from some bombings. They were having three sessions a day, and those children were so proud of the fact that they knew a few English words, and they were so proud that when they saw a picture of an elephant they could say "elephant." They hunger for knowledge, for education, and that is going to be satisfied, my friends, some way. Are we going to let it be the U.S.S.R. way? Are we going to stop all progress now by cutting off every new bit, every penny?—and, it is only pennies at that—to help these people get into a situation where they can help themselves and build something? Do you not want the world to be a little better for your children and your grandchildren than it is now? Well, how do you think they feel? I made it my business to talk to all of the women I possibly could. They wanted just what I wanted for their children and grandchildren; a little better life, a little more understanding, each of the other. It was not much, but it was the same thing.

Take Uganda, they need some agricultural help. They are an agricultural country.

Tanganyika: Wonderful sisal plantations. They want more help. They want to get away from a one-crop economy; they want a little diversification. There is coffee there, but they suffer from a one-crop economy. When the coffee crop goes bad in Ghana they have an awful time.

In Zanzibar they would like to have a little bit of development, community development, a training center.

The CHAIRMAN. The time of the gentlewoman from Ohio has expired.

Mrs. BOLTON. Can the gentleman from New York yield me additional time?

Mr. TABER. I yield the gentlewoman from Ohio 1 additional minute.

Mrs. BOLTON. I thank the gentleman from New York very much.

Mr. PASSMAN. Mr. Chairman, I yield the gentlewoman from Ohio 2 additional minutes.

The CHAIRMAN. The gentlewoman from Ohio is recognized for 3 additional minutes.

Mrs. BOLTON. Mr. Chairman, I am not saying we must have $100 million here, $200 million there, $500 million some other place; I am trying to make Africa and its need a deep reality to you, something that will be just as real as the slums over here that we ought to be so ashamed of. We ought to be ashamed of slums anywhere, and we ought to be ashamed not to do everything we can to eradicate them. When I was a little girl I sold red flannel petticoats for missionaries in Africa. When I got over to Africa I found that red flannel petticoats were not popular, but that Americans and what they could do were deeply wanted. This is probably so in Burma and all the Far East, in Africa, in South America. Oh, how much it is true in South America. I do not know about those things, but I have been in Africa and I do know and I want to say to each and every one of you, please put back the cut in the development end of this bill and the grant end.

Mr. O'HARA of Illinois. Mr. Chairman, will the gentlewoman yield?

Mrs. BOLTON. I so gladly yield to my chairman.

Mr. O'HARA of Illinois. I wish to join with the gentlewoman from Ohio in her statement and to say it has been a great pleasure and privilege to work with her on the subcommittee on Africa. Of this cut of $121 million in the development grants, $100 million comes from Africa.

Mrs. BOLTON. From Africa?

Mr. O'HARA of Illinois. That is, if the cut in the appropriation for development grants is not restored, there will be no new starts on the entire continent of Africa, and of the $121 million in scheduled programs that are eliminated, $100 million are African programs to meet an immediate and urgent requirement.

Mrs. BOLTON. I had a feeling that it was only $90 million, Mr. Chairman, but I will take the gentleman's word for it. It is 31 percent of the whole business.

Mr. O'HARA of Illinois. Unless this money is restored we have lost the continent of Africa. Will the gentlewoman agree with that?

Mrs. BOLTON. It will be very hard to save it.

Mr. BARRY. Mr. Chairman, will the gentlewoman yield?

Mrs. BOLTON. I yield to the gentleman from New York.

Mr. BARRY. I am sure my colleague will join in what I will be unable to say but just suggest, how deeply we appreciate your having brought your rich experience and deep convictions to all of us here, and to say that when the gentleman from Massachusetts offers his amendment he will have many supporters.

Mrs. BOLTON. Thank you very much. What is the figure in the gentleman's amendment?

Mr. CONTE. One hundred and twenty-one million dollars.

CALL OF THE HOUSE

Mr. McDOWELL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Eighty-nine Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 183]

Baker	Harrison, Va.	Pilcher
Barrett	Harvey, Ind.	Powell
Bass, N.H.	Hébert	Rabaut
Bolling	Hoeven	Rains
Boykin	Holland	Reece
Brooks, La.	Johnson, Md.	St. Germain
Broyhill	Kee	Santangelo
Buckley	Kilburn	Shelley
Celler	Landrum	Siler
Chenoweth	McIntire	Steed
Corbett	McMillan	Teague, Tex.
Dague	McSween	Thomas
Davis, Tenn.	Mailliard	Van Pelt
Dawson	Miller, N.Y.	Westland
Edmondson	Milliken	Wharton
Evins	Minshall	Wright
Fogarty	Mosher	
Hall	O'Konski	

Accordingly, the Committee rose and the Speaker pro tempore [Mr. McCORMACK] having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 9033) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1962, and for other purposes, and finding itself without a quorum, he had directed the roll to be called, when 384 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon [Mr. DURNO].

Mr. DURNO. Mr. Chairman, I appear before this body today not as a member of the subcommittee or of the full committee. I think the premise of my remarks should be something like this: I do not feel that the United States of America at this time should be the missionary for the non-Soviet world.

Mr. Chairman, I sat through 1 week recently listening to the debate and the amendments offered on foreign aid. I admire and respect the very able Americans who spoke both in favor of and in opposition to this important bill. I was particularly impressed by the sincerity, the honesty, and the forthrightness of those who so clearly delineated the problem. The entire debate was nonpartisan and quite properly above politics.

In supporting H.R. 9033, I would read into the RECORD my own views as reported to a constituent who urged me to support foreign aid.

The following are excerpts taken from the letter:

There are a few facts that I think you should be aware of in this overall program.

1. We have given, loaned or expended $106 billion since World War II to more than 90 nations.

2. In providing them money, machinery, buildings and technicians for their renascence, we have returned some of them to a solid economic foundation and made them our industrial competitors. Actually we are no longer able to compete with their cheap labor.

3. This program of exporting jobs has resulted in the paradox of a very high unemployment rate and in the largest number of people employed in the history of this country.

4. To compound this problem we have seriously unbalanced our own budget and have transfused our economy with billions of dollars in domestic programs and at the same time have created no new taxes to siphon off our high money supply. The inevitable result of this irrational financial procedure will be inflation.

5. I am going to finally enumerate the agencies and bureaus of Government that are presently involved in foreign aid, militarily, economically, and developmentally.

(a) Export-Import Bank.
(b) Inter-American Development Bank.
(c) World Bank.
(d) Development Loan Funds.
(e) United Nations.
(f) The ICA (now AID).
(g) The Organization of American States.
(h) The International Monetary Fund.
(i) $600 million previously appropriated by this Congress this year for Latin American aid.
(j) Presidential contingency funds, of which there are several.
(k) Peace Corps.
(l) The $8 billion in foreign currency that we control lying within those nations that we have assisted.
(m) There is presently $5.4 billion unexpended and unobligated money available now and presently in the pipeline for commitment.
(n) Today we will probably approve approximately $11 billion of additional money for the foreign aid program.
(o) Finally, there is the commitment that Secretary Dillon made on the President's behalf at Punta del Este, which proposes to provide $20 billion in the next 10 years for aid in this hemisphere.

Some of these overlap to a degree but I submit to you that we are a generous, compassionate Nation. With all of this effort on our part and the expenditure of all of this money we are nearer war today than we have been since World War II.

I would have you know that we are presently spending $1 million an hour, day and night, more than we are taking in.

Sincerely,

EDWIN R. DURNO.

May I add a few additional observations during the balance of my time?

I want to say I am not opposed to foreign aid; I am opposed to the amount of foreign aid. I am shocked at the way this program has been handled in the past. I am fearful of the future.

I urge you all to read the reports, No. 795 (87th Cong., 1st sess., July 26, 1961) on Peru, No. 546 (86th Cong., 1st sess., June 15, 1959) on Laos, and No. 2012 (85th Cong., 2d sess., June 26, 1958) on Cambodia. These are hearings conducted by our House Government Operations Committee and any of you who have not read those reports I urgently urge to read them.

Clearly this bureaucratic bungling must be corrected. We have got to stop this business of cutting up Cadillacs and dropping them in wells, dropping heavy machinery on beaches without roads, building roads into the side of a mountain with no end, and developing irrigation districts where there is no water.

I am opposed to the corpulent and opulent Uncle Sam loaning money to our Latin neighbors, and permitting agencies of those governments to charge 12 to 25 percent interest to the poor peons of

those countries. Our taxpayers would pay some $25 billion in interest alone, before the loans would be repaid, if they could or would ever be repaid.

I do not own a share of stock of American corporations which have had $3 billion of property expropriated in Cuba. Thousands of Americans do, however, and there has not been one word of objection by our Government.

The end result is the loss of dividends to stockholders, the writing off of losses by American firms, and the ultimate loss of tax revenues from private income tax and from corporate taxation.

Nine billion dollars more is privately invested south of the border, and propaganda pleasantries of our Government are urging our citizens to invest more capital. This, as the Government loans money to state monopolies to compete against private enterprise.

Finally, if we have 20 million substandard homes, if hundreds of thousands of our children are improperly educated and need schoolhouses, if our citizens are going hungry and more than 5 million are unemployed, and if countless thousands are unable to pay for medical care, then I think our first obligation is at home.

Mr. Chairman, gold is running out of our country, foreign currency running out of our ears in other lands, everybody owing us and hating us, and who will pay the bill? The American taxpayer.

Let us be realistic, let us develop fiscal responsibility.

Cuba, Brazil, France, and Tunisia and the Belgrade Conference should teach us something.

Military aid to those who can help us and developmental loans to our friends, yes; to the world, no.

These are precious, precarious moments. Our economic and military survival are at stake.

Mr. PASSMAN. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Chairman, I have supported the mutual security program during my entire career in Congress and expect to continue supporting it because I recognize that we are in a very precarious position throughout the world and a great deal of assistance is needed if we are to win the great struggle against international communism. However, I could support this program a great deal more enthusiastically if those in charge would incorporate into this assistance, which extends all over the world, policies that would encourage the concept that private capital, which has worked so successfully in our country, has demonstrated a deep concern for the welfare of the individual by incorporating the principle of minimum wage standards into our free enterprise philosophy. In looking over the program for underdeveloped countries, beginning on page 3 of the committee report, I see six items listing how the majority of this money is to be spent in foreign countries, but nowhere do I find any mention made of the fact that we are actually trying to improve the economic standing of individuals in those countries with American economic assistance.

This program has been criticized as one that makes the rich richer and the poor poorer in many of these recipient nations. It seems to me that if the people who administer this program would incorporate into our foreign policy a strong insistence, or at least a strong prodding, among the respective nations we are trying to aid, that they give serious consideration to adopting fair labor standards for the working masses of these nations, we would help create an image among the people we are trying to get to our side of the fact that private enterprise and private capitalism as manifested in the United States does show a deep concern for the individual.

Yesterday 3½ million more Americans began enjoying additional fair labor standards when our minimum wage bill went into effect. As of today some 30 million Americans are covered by fair labor standards which means that they must earn at least $1 an hour for their labor.

I am not suggesting that we can reach very soon a position where these underdeveloped countries we are helping will be able to pay the sort of salaries that we pay our workers in America, but certainly a beginning should be made.

You will recall in 1938, when this Nation adopted the Fair Labor Standards Act, we started with a meager 25 cents an hour. Yesterday we went to $1.15 an hour for those already covered and $1 an hour for the 3½ million newly covered. Over the ensuing 23 years we perfected the program.

It would seem to me if we could show the people of these undeveloped nations of the world that we are willing to help them develop their industry, that we are willing to help them develop their economy, but we want them to recognize the fact that the people who work for these industries must be given an opportunity to benefit from the wealth that is produced with these investments, we will be putting the lie to the Communists, who make all sorts of false promises, because we will be there with a program the common man can understand and immediately benefit from. We would prove to these people that we are sincerely concerned about the individual, that we are trying to improve his lot.

For this reason, I hope, regardless of what you do with the amendments, whether we restore the cuts or do not restore them, the administrators of this foreign aid program will incorporate a strong prodding of the recipient nations for the development of fair labor standards. Only then will we have a policy that will be appealing to these people. I wonder how the Kremlin would meet this challenge if we, as a Nation, persuaded those nations receiving our aid to adopt legislation guaranteeing their people minimum wage standards competible with the respective country's economy. With such a program, we would be able to demonstrate to the people of these respective nations that while the Communists deal only in false promises, we actually produce programs which help the average workingman in these nations provide a more decent standard of living for his family.

I say, Mr. Chairman, that our State Department fails to use all the tools at its disposal in fighting for the minds of men. It does us little good to finance projects all over the world if the masses of people in these countries must continue to live in poverty and see their labors exploited. The minimum wage law in the United States has been one of the most successful measures ever adopted by a free people. We should point with pride to the fact that 30 million Americans enjoy the benefits of minimum wage and maximum hours. This law has gone a long way toward helping millions of Americans retain their dignity and improve the standard of living for their families. Yet, in all these discussions about the foreign aid programs, I have never heard anyone tell us that the State Department has helped this concept get a foothold in the nations we are trying to help develop. I have seen no evidence that those who are responsible for carrying this program out are even aware of our Fair Labor Standards Act.

Last year I had a delegation of Japanese representatives visit me and urge continued support for the cultural exchange program. They told me the program was needed to stop the dangerous gains which the Communists are making in Japan. I told them the Communists always make headway in countries where the working people are exploited with low wage standards as they are in Japan. I suggested Japan give consideration to adopting minimum wage standards. They told me this is impossible; that Japan's economy could not stand such a philosophy. I reminded them there were similar misgivings about our own program in 1938. Yet, our country's economy has flourished in the ensuing years.

I am certain fair labor standards can work in other countries. We should encourage such a program if this foreign aid program is to win us sincere friends and supporters throughout the world. Communism would be hard pressed to meet this challenge because the entire Soviet economy is based on forced labor at slave-labor wages.

Mr. PASSMAN. Mr. Chairman, I yield 5 minutes to the distinguished and very able Member from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, may I say at the beginning that there is no one in this body for whom I have a higher respect or a warmer affection than the gentleman from Louisiana. He is sincere. He is a prodigious worker.

I doubt if any of his colleagues puts in more hours of hard, grinding labor, working at night as well as by day, Sundays and holidays included. I am sure if he had realized what he was doing to his friend BARRATT O'HARA, who is chairman of the Subcommittee on Africa, in cutting the appropriation for the development grants, he would not have done it.

In all sincerity, I say if this cut is made by the Congress, as the bill comes from conference, you can say goodby to Africa.

We can win Africa by proving our friendship to the peoples of the new emerging nations. The situation in Af-

rica is tense. Of course it is. How could it be otherwise when, the need is so pressing and immediate, for education, for health measures, for training in the fight against poverty. The gentlewoman from Ohio [Mrs. BOLTON] has presented the situation in this well with the moving eloquence that reflects deep emotions. But every minute counts. Unless we can proceed as is now planned, we will lose Africa. Out of a cut of $120 million, or $130 million, the sum of $100 million affects Africa. We can do nothing for Africa in the year 1962 except to continue on the small and feeble programs that have proved inadequate.

The situation in Africa is critical. We almost lost in Guinea, as the gentlewoman from Ohio [Mrs. BOLTON] told you. We almost lost in Ghana, but American business is still operating in Guinea and in Ghana with confidence. If we show the same confidence, if we go on with the wise self-help programs that have been planned, we can win the hearts and the minds of all the peoples of Africa and the confidence of all the governments of Africa.

What are these programs you are cutting out?

One is to bring more Africans—African young men and young women—to study at American universities so they can go back to Africa prepared to carry on the work of the destiny of Africa in their respective countries, and to aid the new nations in building new and strengthening old institutions of learning in their own countries.

Mr. Chairman, malaria eradication is a part of this. As my colleague, the gentleman from Illinois [Mr. YATES], so well pointed out, this is a program to help people. This is a point 4 program. It is a program based upon self-help.

What you are doing is to strike down Africa. If we lose Africa we have lost the world. What do I mean by that? With the growing number of seats of the new nations of Africa on the General Assembly of the United Nations, and the potential wealth of Africa, the great population of Africa—and Africa today is being wooed as never before by Red China and Russia—even a child should figure out what I mean. I have faith in the people of Africa to work out the destiny of this great continent and to build great enduring bastions of freedom. But now is the hour of need. We shall lose the last vestige of hope of bringing Africa to our side if in her hour of need we give an icy stare instead of a warm handclasp.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Chairman, we are all aware that democracy is at a fundamental disadvantage when it confronts an authoritarian power on a matter of grave international importance. The strength of our democracy, however, is that the divisions which are our fundamental source of strength at home vanish when the Nation's very existence has been challenged. In times of challenge, such as both World Wars, the Marshall plan, the Korean incident and the crisis in Lebanon, our ranks closed in support of a positive initiative by the President.

It was only a few days ago that this body differed sharply with the President on his proposal for financing development loans. As I listened to the debate, however, I was struck by the number of speakers on both sides who, although opposed to Treasury borrowing, nevertheless endorsed the need for long-range planning and the funding levels requested by the President. Only a few days ago the conference report on the Foreign Assistance Act of 1961 gave strong endorsement to the level of funds authorized in the bill. The report referred to these amounts as a floor, rather than a ceiling, and it went on to say that the Executive's authority in the bill to make commitments "will be honored by the Congress unless there is evidence of obvious bad management or the other country has failed to meet its responsibilities." However, despite these strong endorsements during the last 2 weeks, we now find before us a recommendation to begin a retreat from them.

Like it or not, we have been thrust into a position of leadership among free nations throughout the world. In the Foreign Assistance Act of 1961, we enunciated a policy of support for the economic and social advancement of the less developed countries in strong terms. That legislation authorized $1.2 billion in development loans for fiscal year 1962. What kind of an impression are we conveying of the unity, solidity, and purposefulness of this country if only a few days later we repudiate this fundamental decision? Can those of us who voted for the bill and the conference report now believe in good conscience that the amounts that seemed valid only a few days ago are no longer so? Just 4 days ago former President Eisenhower said: "Those slashes are incomprehensible to me, especially in the light of present world tensions."

What seems even more incredible about the $175 million reduction in development loan appropriations proposed by the Appropriations Committee is that the committee appears clearly to have misunderstood the proposals made by the executive branch under both the Eisenhower and Kennedy administration. The committee report suggests that the requirements estimated by the executive branch reflected the needs of only 13 countries. What the report does not make clear is that these 13 countries are priority nations which are expected to use $1.1 billion or more of the $1.2 billion requested. In addition, witnesses before the committee cited needs in more than 30 other countries. These witnesses also pointed out, on pages 269 and 804 of the committee hearings, that 22 of these countries now have pending before the Development Loan Fund over $300 million in applications. They were saying, in short, that requirements actually exceed the $1.2 billion requested and involve activities in between 40 and 50 countries rather than the 13 cited by the committee.

If the committee action is allowed to stand, the consequences will be grave not only for the development of many of the more than 30 countries which have simply been omitted from possible loan transactions, but to our current foreign policy position in several critical areas.

For example, many of the countries in this orphaned group lie in Latin America. The $175 million reduction by the committee would reduce the loan program's contribution to the alliance for progress by as much as a third or more. Yet it was only a year ago in a heartening bipartisan demonstration that this body took the first step toward endorsement of what was begun under the last administration and is now known as the alliance for progress. Now we are asked to support a half-heartened response to this all important aspect of our foreign policy—indeed one of the few positive and consistent aspects of foreign policy that we have.

There are those who may feel that a 15-percent reduction is not large enough to be a matter of concern. A reduction in this amount is not unusual for many programs and certainly not for the development components of the foreign assistance program. Viewed in these terms and in terms of the total Federal budget, of which the proposed reduction would save two-tenths of 1 percent, the cut does not seem too drastic. But viewed in terms of what it could do for peoples whose average annual income is substantially less than $100, it can mean the difference between a substantially better life or continued abject poverty. Imagine what five 100,000-ton nitrogen fertilizer plants would contribute to increased food production anyplace in north Africa, the Middle East, and south Asia.

The committee's cut would make available these plants. Imagine how many primitive villages throughout Africa, Asia, and Latin America would be lighted by an additional 700,000 kilowatts of power. The proposed reduction would make available this added thermal power. Imagine how many small farmers who do not have access to markets would have a new life opened to them, and imagine how many landless peasants would at least have access to their own soil if 8,000 miles of farm-to-market feeder roads were built throughout these same areas. The committee's cut would make available these roads. So, in terms of the lives that will feel the effect of development loans, the committee's cut would be considerable indeed.

Mr. Chairman, I spoke at length on the subject of the development loan program when the Foreign Affairs Committee brought the authorization to the floor. I shall not repeat those comments here. But for those reasons and the reasons I have given here today, I urge that this cut be restored.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa, [Mr. GROSS].

Mr. PASSMAN. Mr. Chairman, will the gentleman yield so I may make a brief statement?

Mr. GROSS. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Mr. Chairman, we have made a promise to the leadership

that we will finish this bill today; we will vote on it today.

Mr. GROSS. Mr. Chairman, the slogan for today ought to be, Ask not what you can do for the American taxpayers but how much money you can ladle out to foreigners all over the world.

I have 100 questions I would like to ask but time is not going to permit. I have listened carefully to most of the debate this afternoon. We have heard about how the women in Africa are compelled to propel some kind of a grinding device up and down to grind meal. I can remember many years ago when, as a boy on a farm, I used to watch my mother churn butter that way.

Mrs. BOLTON. I churned some myself.

Mr. GROSS. I do not recall that there were any foreigners rushing to the aid of the farmers of this country or anybody else in this country with billions of dollars of foreign aid in those days. As I remember it, at one time this country borrowed some money abroad. The British at one time burned down the capitol of this country, but we went right on paying the principal and interest on the loan to the British, despite the fact that they invaded Washington and wrought heavy destruction. Our record has been pretty good as far as the foreigners are concerned in the past.

Mr. Chairman, I would like to ask the gentleman from Michigan [Mr. FORD] by how much he expects to increase this bill for so-called military assistance.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield.

Mr. CONTE. $300 million, from $1.3 billion to $1.6 billion.

Mr. GROSS. He intends to offer an amendment to increase it by $300 million?

Mr. CONTE. So I understand.

Mr. GROSS. Is that in addition to the increase which the gentleman from Louisiana is going to propose by way of amendment?

Mr. CONTE. No.

Mr. GROSS. That includes the $175 million he proposes in his amendment?

Mr. CONTE. That is included. It will be a $300 million increase from the present $1.3 billion.

Mr. GROSS. I was under the impression they were having a rather difficult time in the State of Michigan with their finances. I do not know how the finances are in the State of Massachusetts, but I was under the impression that Michigan was having a rather difficult time meeting its obligations.

Mr. CONTE. I do not know what the situation is in Michigan, but I am sure that if we are unable to stop this wave of communism throughout the world you will not have to worry about the finances in Michigan or any of the other 49 States.

Mr. GROSS. Since the gentleman has raised the issue of communism, how many nations are involved in the so-called uncommitted nations meeting in Belgrade at the present time?

Mr. CONTE. Just about all, 30, I believe.

Mr. GROSS. Thirty or thirty-six nations that are uncommitted?

Mr. CONTE. About that.

Mr. GROSS. Why should there be any uncommitted nations, at the rate we have been shoveling out money all over the world?

Mr. CONTE. I do not think this foreign aid should be a question of bribery. I do not think we should buy anyone.

Mr. GROSS. What is the purpose of this so-called foreign aid?

Mr. CONTE. The purpose of it is to help the underdeveloped and the underprivileged people of the world. It is a twofold program. It is like a two-edged sword. It is for the security of the free world and also a humanitarian program to help those less fortunate throughout the world.

Mr. GROSS. Such as Ghana, and Nkrumah, the head of that Government? Is that an independent nation?

Mr. CONTE. I think it is very important to keep these nations friendly to us.

Mr. GROSS. Does the gentleman know that Nkrumah is one of the worst dictators in the world today?

Mr. CONTE. There are a lot of dictators throughout the world, such as in the Dominican Republic and other nations.

Mr. GROSS. It is very fitting that these uncommitted nations that have been the beneficiaries of billions of dollars of our money, including Nehru in India, should now be over in a Communist country, Belgrade, throwing brickbats at us.

Mr. CONTE. It is better to have them independent than under the Communists.

Mr. GROSS. How could we get any help from the uncommitted nations?

Mr. CONTE. I hope that they will be on the side of the free if the chips are ever down.

Mr. GROSS. The gentleman knows where they are going to be if the chips are ever down. They are going to be neutral. The gentleman knows these uncommitted nations did nothing for us over in Korea, when Americans were fighting and dying, and we were financing all the war in Korea. Where were the uncommitted nations then? All India ever produced for Korea was a hospital unit, and the gentleman knows it.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I was very much intrigued during the debate on the authorization bill when we were told by some of the Democrats that we ought to listen to the gentleman from Minnesota because of the fine keynote speech the gentleman made at the Republican National Convention a year ago. If the gentleman will remember, after that speech I said to him, "Yes, you made a good speech, and the reason why it was a good speech was the fact that you barely mentioned foreign aid."

Yes, the gentleman certainly gave the foreign handout program the once-over treatment, but lightly, when he made that keynote speech, because he knows that if this proposition could ever be put to a vote of the American people they would defeat it overwhelmingly.

Mr. JUDD. The evidence is against that. You cannot make me believe the overwhelming majority of the American people would vote year after year for a program which the majority of their own constituents is opposed to. I have had polls of those in my district which consistently show that 80 percent of the people see the importance of this program, as a matter of our Nation's survival. The gentleman asks, What will these countries do when the showdown comes? The purpose of the program is to prevent such a showdown coming.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I cannot yield further to the gentleman from Minnesota; I yield to the gentleman from Michigan.

Mr. JUDD. I thought that the gentleman did not want an answer to his question.

Mr. GROSS. I have your answer.

Mr. HOFFMAN of Michigan. Mr. Chairman, I demand the regular order.

Mr. GROSS. Mr. Chairman, I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. If the gentleman from Minnesota would give anyone an answer without so much talk, we would be glad to listen. I will tell you the answer as to the purpose of the bill from the disciple who sits at the gentleman's feet, the gentleman from Michigan [Mr. BROOMFIELD]. Here it is, quoting from the RECORD:

> In this bill before us today, we are not offering bigger and better bombs with more killing power.

You see there is nothing for defense. But continuing—

> We are offering those who are without opportunity, a chance to improve themselves.

That is the missionary's job.

> We are not offering total destruction. We are offering a tomorrow to man which will be better for him and his children.

You see, it is all in the future. It is all visionary.

And they are spending somebody else's money. Furthermore, there is no assurance that we will not go to war.

Mr. GROSS. The taxpayers of Minnesota may have all kinds of money, but I am sure the taxpayers of Iowa are getting tired of watching their dollars go down the drain in this foreign boondoggle.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. No, the gentleman from Minnesota can get time to speak.

Mr. JUDD. I just want to say something about the taxpayer's money.

Mr. HOFFMAN of Michigan. Mr. Chairman, I demand the regular order. I make the point of order that the gentleman from Minnesota is continually interrupting without first securing the gentleman's permission.

The CHAIRMAN. The gentleman from Iowa [Mr. GROSS] is recognized.

Mr. GROSS. Mr. Chairman, now I would like to ask the gentleman from Louisiana a question or two. Just how much money is in this bill to take care of the refugees still in the camps in the Middle East?

Mr. PASSMAN. I think there are adequate funds.

Mr. GROSS. Well, how much are the citizens of this country contributing to take care of those 1,100,000 refugees?

Mr. PASSMAN. I think it is $16 million.

Mr. GROSS. We have heard so much today about the downtrodden and underdeveloped. Are these refugees going to die in those filthy camps in the Middle East?

Mr. PASSMAN. Of course, that is a question that has to do with policy. I am very much in sympathy with the people over there. The least we can do is to give them a bare existence. I think we are contributing something like $30 a year—per individual.

Mr. GROSS. Who is responsible for these people?

Mr. PASSMAN. Of course, I am not able to answer that question, but I think it is part of our responsibility and that is why we are helping them.

Mr. GROSS. Are they the responsibility of the United Nations, the occupants of the Tower of Babel in New York?

Mr. PASSMAN. I join the gentleman from Iowa in hoping that sooner or later this situation will be corrected and that it will no longer be necessary to make this contribution.

Mr. GROSS. In the meantime, we are going to continue to provide millions of dollars to give them a bare subsistence, and apparently with no one else interested in their fate.

Mr. PASSMAN. We are cutting back to some extent. The figure for fiscal 1962 will be about $13,350,000. That is our contribution.

Mr. GROSS. Does the gentleman know of any more cruel chapter in history than the moving of those people into these camps, and then, with the exception of this Government, virtually deserting them?

Mr. PASSMAN. That is a very bad situation. Of course, I wish we could move them into apartments like they have at the Mayflower here in Washington, D. C., but I do not think we have sufficient funds to do that so all we can do is to help them to have a bare existence.

Mr. GROSS. Let me ask the gentleman another question. I did not hear a word uttered on the floor of the House when the authorization bill was before us, about this new fangled loan deal that has been concocted. I discovered it in reading the Appropriation Committee hearings. Let us take a hypothetical case of a $50 million loan to Argentina, for example.

For the first 10 years they pay nothing on the money that they borrow; not a dime of the principal. In the second 10 years they pay 1 percent on the principal, and in the next 30 years, if there is another 30 years, it is 3 percent each year on the principal. In other words, on a 50-year loan they pay not 1 dime of interest.

Mr. PASSMAN. I might state that of course in previous years we had the Development Loan Fund, and the people that supported that legislation claimed it was necessary to have the repayment in local currency, and the local currency would be used in the countries on projects mutually agreed upon between our country and the recipient nation. And, I should like to say that we accumulated so much local currency that it was beginning to interfere with the economies of those countries. So, they came up with a new proposal that called for loans. And, I am sure the gentleman wants the facts. We asked the distinguished Secretary of the Treasury, Mr. Dillon, "Do you call these things loans?" And he said, "No, they are development credits." Now we have maximum terms. The maximum terms would be 50 years with no interest. There is a small service charge but no interest. You give the recipient nations under maximum terms a 10-year grace period, so they pay nothing back for the first 10 years. Then the following 10 years they pay 1 percent per year on the principal and the remaining 30 years 3 percent per year on the principal, and in 50 years they will have liquidated the loan, provided the loan is not canceled somewhere along the way.

Mr. GROSS. And, of course, at any time they refuse to pay and tell us to jump in the lake, and the only way we could get anything for our money would be to send an army and take over some of the assets of that country.

Mr. PASSMAN. Of course, these loans are subject to cancellation.

Mr. GROSS. When the gentleman from Louisiana [Mr. PASSMAN] said to Secretary of the Treasury Dillon, "What would you do if I came to your bank and asked for a loan of $1 million on this same basis?" The gentleman from Louisiana answered his own question by saying, "You would kick me out or you would have one of your assistants kick me out of your bank." Is that about correct?

Mr. PASSMAN. I would like to state to the gentleman again that you are dealing with policy. Republicans and Democrats alike know that this is part of our foreign policy, and as long as they think it is part of our foreign policy I think it is the responsibility of this committee to provide sufficient funds to support our foreign policy and, as I said before, I usually yield up my own thinking and support the administration with sufficient funds to carry out our commitments.

Mr. GROSS. I wonder how stupid this Government can get in this business of pouring out money all over the world?

Mr. PASSMAN. Our stupidity also would be a question of policy, I am afraid.

Mr. GROSS. Here is an example of what we have gotten into: The British today are paying not one red cent on the $4 billion they borrowed from us after World War II; no payment of interest or principal. And still we devise new schemes to drain the people of this country of their money. I ask again, How much more of this stupidity?

Mr. PASSMAN. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Chairman and members of the Committee of the Whole, I should like at the outset to pay tribute to the distinguished gentleman from Louisiana [Mr. PASSMAN] for his faithfulness to details in connection with this annual foreign aid appropriations bill. There is no more hard-working Member of the House, and I would be the first to admit that as far as knowledge of the details of the pending bill is concerned, I confess I do not know 10 percent of what the gentleman from Louisiana knows.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield to the gentleman from Louisiana.

Mr. PASSMAN. I want to thank the distinguished gentleman for his support and I thank him for his very fine compliment.

Mr. ROONEY. No thanks are due me for my support as I opposed the gentleman from Louisiana on a great many of the items in this bill.

I feel myself confronted with this proposition, and this was my position in the subcommittee and in the full committee on appropriations last Friday morning. It was only recently and during the week of August 14 that for 5 days this House of Representatives debated the foreign aid authorization bill, and great attention was then given to every detail of that bill. It was only last Thursday that that same foreign aid authorization bill was brought back here to the House of Representatives by way of the conference report resulting from the conference with the other body, and that conference report and the amounts contained in it were adopted in this House by a vote of 260 to 132 and in the other body by a vote of 3 out of every 4 Members. Then what happened? The very next morning, or rather that very same afternoon, the gentleman's subcommittee marked up the bill, and the following morning, Friday morning, produced before the full Committee on Appropriations a bill that cut the funds approved the day before by $896 million. I do not think this is the way to run a railroad. I feel that some moral commitments were made on the part of the Appropriations Committee that it would be reasonable in view of the fact that the back-door spending provisions were taken out of the foreign aid authorization bill.

As it stands, Mr. Chairman, if you were to take the figures that are proposed by a majority of the full Committee on Appropriations and by the distinguished gentleman from Louisiana, restore to the bill the $175 million additional proposed for military assistance, the bill would still be $721 million, almost three-quarters of a billion dollars below the amount that was decisively decided by this House only on last Thursday.

What has happened since the full committee meeting on Friday? Why put back $175 million? Had a mistake been made with regard to this? Apparently. But in my opinion a much greater mistake has been made.

What about the item in this bill for development loans, one of the important

items in the bill? What about the cut in supporting assistance? What about the cut in the President's contingency fund? And as far as the President's contingency fund is concerned, let me say to you that on last Thursday the authorization was agreed upon at $300 million. The following morning the President's contingency fund was cut almost half in two, to $175 million.

I say this is not fair treatment of President Kennedy and the present administration. Last year in the annual appropriation bill for foreign aid, President Eisenhower was allowed $250 million as his contingency fund. Why cut it this year to $175 million? There has not as yet in this administration been a breath of scandal, or proof of any wasteful expenditures of money; no incidents of that sort have occurred in this new administration, yet right at the outset we clip, so to speak, President Kennedy's contingency fund. Whatever events there were of wastefulness and gross overspending were made in the previous administration and over the years, and I know we all deplored them.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield for a clarification?

Mr. ROONEY. I yield to the gentleman from Louisiana.

Mr. PASSMAN. I might state to the gentleman and to the committee that the Congress last year really authorized only $150 million for the President's contingency fund. It was during the conference, about 3 o'clock in the morning, that we got mixed up with some Senate figures and added another $100 million. That was done by mistake and misunderstanding. This year we appropriated the full $150 million, the amount actually authorized by Congress, and in fact we actually raised it to $175 million.

Mr. ROONEY. My friend misses the point; you give the present administration less than was given to President Eisenhower. This discriminates unfairly against President Kennedy right at the outset of his program.

Mr. PASSMAN. We are going to work toward holding as much of the House bill as we can, but we will leave the House with a larger figure for President Kennedy than we left the House for Mr. Eisenhower last year.

Mr. ROONEY. The gentleman surely does not mean that the bill we passed on last Thursday by a 2-to-1 vote, which has now been slashed moneywise to the tune of $896 million, is better?

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Is it also true that the President requested for his contingency fund $500 million?

Mr. ROONEY. He most certainly did.

Mr. BOLAND. And the authorization committee cut this to $300 million?

Mr. ROONEY. Yes.

Mr. BOLAND. And this committee emasculated it down to $175 million?

Mr. ROONEY. That is correct.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Is it not also true that every year we have the same complaint we are having this year, and every year we follow the authorization in the bill. I think the authorizing committee, or some members of it, recognize it is left up to the Appropriations Committee to find some of the facts. What we are doing this year is no different than other years. You get a higher authorization than is necessary, and the committee that is charged with the responsibility of finding the facts find them and take that out. Is that not a matter of record?

Mr. ROONEY. I do not agree with the gentleman. I think the officials of the administration came before the subcommittee and fairly and concisely presented the best possible program for the coming fiscal year 1962 that it could. The gentleman has previously stated with regard to development grants that insofar as they are concerned there was no plan on the part of the administration for the use of $130 million of these funds. The fact is, as was ably pointed out by the gentleman from Illinois [Mr. YATES], who read a page of the testimony, that they have information and books indicating in detail projects totaling $193 million.

Mr. PASSMAN. The gentleman is my friend and I am his friend. Is it not the same fight we have every year? Is it not true we have had this same fight for the past 14 years on this foreign aid bill? Is there any difference?

Mr. ROONEY. No, I do not agree with the gentleman. I have served on this Committee on Foreign Aid for 14 years and I have never seen anything like what is going on this year. I must say that in all fairness. I served as No. 2 member to the gentleman from Virginia [Mr. GARY] and I cannot recall any such difficulties as we have had this year. I have served since the beginning of the Marshall plan and know that many of those dollars were very well spent. Time has proven this. If this administration is given the chance to do the job, with the right people, they will carry on and see that the taxpayer gets a fair show for every dollar that is appropriated in this program.

Incidentally, in this connection, let me point out to the members of the Committee of the Whole that it is a fact that 80 percent of every American dollar contained in this appropriation bill will be spent in the United States and with American citizens. That is the fact, is it not, may I ask the gentleman?

Mr. PASSMAN. No, I wish to disagree with the gentleman.

Mr. ROONEY. Was not that the testimony?

Mr. PASSMAN. I wish to disagree with the gentleman. It is not 80 percent, it is 100 percent; but those invoices are picked up and paid with the money of the taxpayers of the United States.

Mr. ROONEY. The idea is that eventually it will be 100 percent; it will all come back. I recall specifically asking the question with regard to how much of this money will be spent in the United States and for American products, and I was advised it was at least 80 percent.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PASSMAN. Mr. Chairman, I yield the gentleman from New York 5 additional minutes.

Will the gentleman yield?

Mr. ROONEY. I yield to the gentleman from Louisiana.

Mr. PASSMAN. I want to state it is 100 percent, not 80 percent. That was later cleared up in the committee, and I want it to be well understood that we pay those invoices with the money of the taxpayers of America, all the money ending up in the foreign recipient nations. If it is good for the American economy to appropriate $5 billion, I would like to get together with the gentleman, and if it will make for that great prosperity, I can bring out a bill next year for $8 billion, because I do like prosperity.

Mr. ROONEY. Mr. Chairman, in conclusion I would like to point out to the members of the Committee of the Whole that only today the Soviets have detonated a third nuclear device. These are hazardous times. These are not times when this House of Representatives in its responsibility should arrive at a figure on Thursday last and then come back on the following Tuesday and agree to a cut of $896 million. I do not believe that this House of Representatives will use that kind of judgment. I am confident a good part of the funds will be restored to this bill.

Mr. Chairman, reference was made to the fact that everybody was happy with this bill. Let me read this morning's newspaper for the benefit of those who may have not read it. This statement has not been changed in the slightest up to this very moment:

> Mr. Kennedy said he was "hopeful that the Congress will provide the funds necessary to fulfill the commitments it undertook in enacting this legislation."

Meaning the foreign aid authorization bill passed last Thursday and signed into law by the President on yesterday.

I am particularly concerned over the proposal in the pending bill which would drastically reduce, by over 22 percent, the amount authorized for supporting assistance. Such reduction would be contrary to our national security interests in the time of great and worsening crises.

The foreign aid legislation which the Congress enacted last week reflects our country's stern determination to strengthen the collective security efforts of ourselves and other free peoples and to stem the Communists' intensive drive to extend their influences and domination worldwide. But mere words are not enough. We must translate this determination into vigorous and effective action. To deny ourselves the tools necessary to do this would be foolhardy and render our carefully considered action of last week an empty gesture. It would be a dangerous gamble—with our own national security the real stake.

Supporting assistance is one of the key tools for assuring that our vital foreign policy needs are met. It is the aid essential to meet those short-term requirements which are dictated primarily by interdependent political and military

considerations. This assistance is addressed to four basic national security objectives:

First. It enables certain countries to continue to maintain military forces—greater than their own economy can possibly support—which defend against external aggression, contribute to regional defenses, and preserve their internal security;

Second. It enables our own country to maintain access to vital oversea bases;

Third. It enables preservation of stability in countries whose economic collapse would threaten U.S. political interests; and

Fourth. It provides countries with an alternative to Sino-Soviet bloc aid where complete dependence on such aid would destroy their independence.

Supporting assistance is generally comparable to the foreign aid programs carried on in recent years under the titles of "Defense Support" and "Special Assistance." The President requested a total of $610 million for this purpose in fiscal year 1962, of which $581 million was for new obligational authority. This request represented a reduction of more than $200 million below the comparable programs of defense support and special assistance in the last fiscal year for the same 22 countries and 2 regional organizations to which such assistance is planned for fiscal year 1962.

The authorizing legislation we enacted last week reduced the President's request from $581 million to $515 million, $465 million of new funds and $50 million of carryover of unobligated balances of prior-year funds. The Secretaries of State and Defense have voiced their grave concern over this reduction and emphasized the serious dangers which must inevitably result from any further cuts. The majority of the Appropriations Committee is now asking that we reduce this vital category to $400 million—a slash of $115 million. I cannot support any such reduction.

About two-thirds of the originally proposed supporting assistance amount was needed for eight countries on the immediate perimeter of the Sino-Soviet empire. These are Greece, Turkey, and Iran in the northeastern area; Pakistan in south Asia, and Thailand, Cambodia, Vietnam, and Korea in the Far East. Several of these are members of free world security alliances. Turkey and Greece are NATO members; Turkey, Pakistan, and Iran are in CENTO; and Pakistan and Thailand are in SEATO. These eight have been maintaining larger military forces than they can afford to support from their own resources. Together they have more than 2 million men under arms. It is vital that they continue to maintain adequate military forces which contribute in important measure to our free world defenses.

The supporting assistance required for these eight countries alone amounts to approximately $400 million. In addition to these, are the urgent requirements in the other 14 countries for which supporting assistance is needed to assure U.S. access to essential military bases and to prevent the absorption of weak nations into the Communist bloc through economic dependence.

This type of assistance in the past has succeeded in most cases in preventing the weakening and loss of free world countries. Overall, the line has been held. The cost of such assistance has, of course, been considerable, but it is clear that the costs of maintaining additional American military forces at home and abroad, of losing important bases, and of containing new intrusions of unfriendly forces would be much higher.

No one who is intelligently following the course of world events today would suggest that this is a time for us to reduce our efforts to maintain the military and economic strength of the free world. The recent Soviet actions regarding Berlin and the resumption of nuclear testing with three detonations are but two more manifestations of the clear intention of the Communists to proceed with their plan for world domination and of their supreme confidence in their ability to do so. Mr. Khrushchev has time and again made it clear that he does not believe we have the will to do what it takes—to fight or to make the necessary sacrifices.

The ability of our Government through the foreign aid program to combat the inroads of Communist economic and military penetration must not be impaired. I believe that any reduction in the amount authorized by this Congress just last week for supporting assistance would jeopardize this ability seriously.

The peoples of the free world are looking to us for leadership we must not fail them.

Mr. TABER. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, we have heard a great deal about what was in the bill and what was not in the bill. We have heard a great deal about the things and considerations that ought to be given to other countries. It has brought me to the point where I feel that it is my patriotic duty to say something for and on behalf of the United States and the American taxpayer in this situation.

Let me say to you that last Saturday morning I spent some time going over the Treasury statement for August 29. That statement showed that for the first 2 months, or one-sixth of a year, the expenditures out of the U.S. Treasury were $18.7 billion. When that is multiplied by 6, you get $112 billion for the year. In other words, last year the budget estimate came within $1 billion of being balanced.

This year, with the same revenues, it will run in the red at least $30 billion. Now, does that make you think? Does it make you think you ought to have an idea of what the situation of the United States is, and what we can afford to do? That means in my opinion that we must not go into the things that people have been unable to explain to us. I feel that is the situation. I am just going to refer for a minute to page 4 of the report. There in the amounts that are listed for the Far East, Near East, south Asia, for Africa, as well as for Europe—and that includes Yugoslavia—and for Latin America, you will find that provision is made for practically all of those countries.

I do not believe there is anything left. You will find that the rest of the items contained in the bill were fixed upon that kind of approach to the bill. We provided for things that needed to be done, and we were very liberal, too liberal, in fact, with all of them. I wonder if this country is ever going to come to and realize what its own situation is and protect the people of the United States, and cut out trying to do things that we cannot afford to do. In my opinion we cannot afford to spend money where the parties asking for it do not know how to explain it. I hope that the Congress will wake up.

Mr. Chairman, I yield the balance of the time on this side to the gentleman from New York [Mr. BARRY].

Mr. BARRY. Mr. Chairman, it is always difficult to rise after my colleague from New York [Mr. TABER] has spoken. And it is with great regret that I must in this instance differ with him in regard to the foreign aid bill this year.

First of all we have heard from our distinguished colleague from Ohio [Mrs. BOLTON], and from the subcommittee chairman, the gentleman from Illinois [Mr. O'HARA], who told us of the absolute essentiality of restoring the cuts on development grants at this time.

With regard to the $300 million restoration for military assistance, an amendment for which will be offered by the gentleman from Michigan [Mr. FORD] I do not believe I would be telling any secrets to say to you that the Committee on Foreign Affairs went back to some of our commanders in farflung areas of the world, such as our NATO commander, and asked them to submit a revised budget of what they could do under different circumstances. This was done. Cuts have already been made and we have been pled with by some of our commanders, including our NATO commander not to reduce these any further amount. And when I say a further amount, that budget was based on $1,885 million for military assistance, not the $1.6 billion which will be the case if the amendment of the gentleman from Michigan [Mr. FORD] survives; and certainly not the $1.3 billion which is in the bill before us at the present time.

With regard to the development loan aspects we have heard that these are not loans, but I submit that this entire program of foreign aid is one where we have to learn to crawl before we walk and, of course, before we run. And certainly we have just crawled. Now we are changing our loan program from repayment in soft currency to one in hard currency. We now have to find a way to extend for 10 years in certain areas the first payment to be paid in hard currency. Maybe in the future we will be able to make loans where there is repayment in a much shorter time than 10 years.

I suggest this entire program deserves the earnest consideration of all of you, and that we should restore some of the cuts we have heard about this afternoon.

Mr. PASSMAN. Mr. Chairman, I yield 3 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, I have asked for this time in order to ask a question, for information, of the distinguished chairman of the subcommittee. I should like to know the overall total of educational items included in the pending appropriation and, if the chairman can do so, I would appreciate it if he would give us a breakdown in as much detail as possible.

Mr. PASSMAN. I should like to refer the gentleman to page 358 of the hearings, volume II:

AID PROGRAMS OF EDUCATIONAL ASSISTANCE

Proposed activities in the field of educational assistance under the Act for International Development are listed below by country with indication of costs in fiscal year 1961 and projected continuing costs for fiscal year 1962.

This is itemized by countries, and because it covers most of the nations of the world I should like to give these figures to the gentleman by regions. Then he can refer to the page which I have just mentioned for more detail. The total for Africa is $45,519,000; the Far East, $12,908,000; the Near East, $7,038,000; south Asia, $15,717,000; and Europe, $2,070,000. The grand total is $83,252,000.

Mr. BAILEY. I should like to make the observation if at some time in the future you do have to consider again a general education bill, it is my considered hope that you will be as kindly disposed to the boys and girls of America as you are to the boys and girls of the rest of the world.

Mr. PASSMAN. I am sure the gentleman is referring to the House.

Mr. Chairman, I yield to the distinguished former chairman of this committee, the gentleman from Virginia [Mr. GARY], my remaining time.

The CHAIRMAN. The gentleman from Virginia is recognized for 30 minutes.

Mr. GARY. Mr. Chairman, we do not face an unusual situation here today. This is the 13th year it has been my privilege to serve on this committee. I have served through many vicissitudes any many emergencies.

We are told of the great emergency we face at the present time. I can assure you that under no circumstances would I minimize that emergency. It is a great emergency. But we have faced an emergency every single time a foreign aid bill has come before this House during the past 13 years to my certain knowledge.

First England was about to collapse, and we had to go to help England. Second it was Greece and Turkey. They were in dire circumstances, and we went to their help. Then came the voting in Italy, and we were told that Italy was certainly going to embrace communism. We had to save Italy. We were told that if one of these countries went down all the rest of the countries of Europe would go down like blocks of dominoes, and I agreed. Then came the airlift. Certainly we have faced no more serious emergency in America than when the Russians closed off the traffic into Berlin.

In my judgment, one of the greatest feats in all history was the supplying of the city of Berlin by airlift. Then came the Korean war. Then the Cuban situation. And, I might go on. But we have faced emergency after emergency practically every year that this bill has been under consideration.

Mr. PASSMAN. If the distinguished gentleman will yield so that we might have a record of these emergencies in the RECORD, you remember the bombing of Matsu and Quemoy. You remember the bombing of the islands in the Pacific and the Taipei incident.

You remember the incident in Latin America of the spitting on Vice President Nixon and Mrs. Nixon.

You remember the Jim Hagerty incident in Japan.

I am sure you remember the Russian sputnik incident with Khrushchev canceling the invitation to President Eisenhower to visit Russia.

Of course, you remember the insult to our great President in Paris.

Then came the incident of the landing of troops in Lebanon. Then there was the incident of the unidentified submarine lurking off the east coast.

Now, of course, we have the Berlin crisis.

So, you see, there has been crisis after crisis, one after another, for years and years and there will continue to be such crises in all probability. While we should not discount them, we should not let them panic us into giving away the wealth of this country.

Mr. GARY. These emergencies will continue just so long as the Communists can stir up trouble throughout the world. If it is settled in one place, we can rest assured they will work night and day to find other places where they can create emergencies to embarrass and harass us. In fact, it may be a part of the strategy which has been proclaimed from time to time, that they will cause our country to spend itself into bankruptcy so that they will take us over without firing a single shot.

Mr. Chairman, I want to say this is a difficult bill to handle. I had the privilege of handling it as chairman for 4 years. We have been told, to my certain knowledge, every year for the past 10 years when we cut this bill, that we were wrecking the program. Yet, during the 13 years of the foreign aid program, we have succeeded in spending $106 billion and the program is still going strong. I think you will agree that we have not at any time wrecked this program by the cuts that have been made by the Congress upon the recommendation of our committee.

In addition to that, notwithstanding the cuts we have made, we have had the Comptroller General of the United States appear before our committee time and again, and the Comptroller General is reviewing these programs all over the world and is auditing the accounts, and his statement time and again before our committee has been that the greatest trouble with the program has been that they have had too much money to spend.

Mr. PASSMAN. Is it not also true that some of the executive branch witnesses have indicated that we made a better program by the reductions that we made?

Mr. GARY. They have so stated from time to time.

Mr. Chairman, we have differences of opinion on our own committee. There are those who do not think we should give one penny to foreign aid. On the other hand, there are those who feel we should give every penny requested without questioning any expenditures.

Mr. HAYS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and eighteen Members are present, a quorum.

Mr. GARY. Mr. Chairman, as I was saying, there are many differences of opinion within our own committee. During the years I have not agreed with those who feel that the foreign aid program is a giveaway program. I consider it a part of our national defense. But, I have been one of those who has tried to keep it within due bounds and to place it in its proper place in our entire defense program, because if we spend ourselves into bankruptcy, then we cannot defend ourselves.

I want to say to you, that in my judgment, the chairman of our committee, the gentleman from Louisiana [Mr. PASSMAN], is one of the most efficient chairman in the entire Congress of the United States. I do not believe that there is any Member of the Congress who comes before this body better informed, better prepared, with more actual facts, or who spends as much time in ascertaining the facts. He has traveled the world over in order to get information firsthand. He studies day and night, and I know that from my personal knowledge, because he has called me at various hours of the day and night to discuss various problems with which he was wrestling. He has done an excellent job in following this program and trying to make it a successful program and at the same time keep it within reasonable limits.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Alabama.

Mr. ANDREWS. I want to join in the tribute that the gentleman from Virginia paid to the gentleman from Louisiana. I have served on the committee for 4 years, and I have never served with a chairman who knew his subject matter better than the gentleman from Louisiana.

Mr. GARY. Time and again when we have been told on this floor that we were wrecking this program, they could not convince this House of that fact because he had the facts and was prepared to answer the charges.

Now, in connection with the world situation we have before us today, I want to say that I sympathize with the President of the United States. My heart goes out to him. He stepped into the Presidency in one of the most difficult periods in all history. I have the

very highest regard for the President. It was my privilege to serve with him here in the House of Representatives. I worked with him on several bills here in the House in which we were mutually interested. I always found him intelligent, resourceful, and in every instance measuring up to his responsibility and to the demands of the occasion. He has had a difficult situation to face. In my judgment, thus far, he has handled it admirably well.

We were told today that we should listen to the people downtown; and I agree with that, but the President of the United States cannot handle this position alone. The Presidency is such a job today that no man living can handle it alone; he needs help, and the help of the Congress of the United States. He has appointed some very brilliant, able, and conscientious aids to assist him in his work, and I think they are doing a conscientious and efficient job; they are doing the very best they can under difficult circumstances. But, Mr. Chairman, most of them have been in office now about 8 months. There are Members of the Congress who have been here for many years, and they have the experience which some of the new administrators lack. This experience fortunately is available to the administration.

In my humble judgment, and I think I have made the statement on this floor several times before, but I make it again, in my judgment, one of the greatest documents ever penned by man is the Constitution of the United States of America; and I think the creation of three separate and independent but coordinate branches of the Government is one of the basic and most important provisions of that instrument. We have the administrative branch, the legislative branch, and the judicial branch. Each has its special functions to perform but they are all of equal dignity. However, unless there is cooperation, unless there is coordination of activity, we will not continue with the success in this country we have had in the past.

I understand that one of the people downtown said the other day when discussing this bill: "We ought not to have to go up and hassle with the Congress every year in order to obtain this money." Hassle. Is that what we are doing up here? Mr. Chairman, I have seen no hassling. What I have seen is a very serious inquiry into these matters and an exchange of ideas; and that is as it should be.

I know it is difficult for college professors to have to talk with Members of Congress and ask them for advice, because they are used to the classroom where they are master and tell the students what to do, and they are accustomed to giving rather than receiving instruction. But you cannot handle the Congress that way. However, if they will come prepared for a mutual exchange of ideas then we can reach settlements that will be to the best interest of the United States of America.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Louisiana.

Mr. PASSMAN. I believe the distinguished gentleman from Virginia has served on this subcommittee for 14 years, 4 years as chairman. It has been my privilege to serve 7 years as chairman. The gentleman from New York served 3 years. That is a total of 14 years. Is it not true that without exception during these 14 years we have had the same type of resistance we are having in this instance?

Mr. GARY. What the gentleman is stating is absolutely correct.

Mr. PASSMAN. And is it not true that in the past I have discussed this matter with you as former chairman, that I also discussed it with the ranking minority member, the gentleman from New York, and after we have reached some tentative agreement we usually put in some extra money in order that there will be no question about there being sufficient funds?

Mr. GARY. I will say to the gentleman that is true, that the chairman of our committee has sought information and assistance everywhere he could find it, and he has tried to be eminently fair in handling the work of our committee.

Mr. PASSMAN. Is it not also true that I have been flexible? Where there has been an indication that maybe they needed more money, I would give them more money, but still we have been criticised for cutting the bill? Every year we have overfunded the bill.

Mr. GARY. The gentleman is correct. In this particular instance I am delighted that the gentleman has, in an effort to be fair, decided to increase military assistance.

Mr. PASSMAN. Is it not true this is the largest request for foreign aid funds we have had in 7 years?

Mr. GARY. Certainly it is the largest.

Mr. PASSMAN. Does the gentleman feel that this program is sufficiently financed with our recommendations?

Mr. GARY. With the increase the gentleman has suggested, I think it is ample.

Mr. PASSMAN. I thank the gentleman.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. May I say that last year the committee, headed by the gentleman from Louisiana, cut the foreign aid authorization by $699 million, but before the year was up 60 percent of the $699 million cut was restored. $200 million was restored on the floor in military assistance, $65 million was restored in a supplemental appropriation bill in defense support, $100 million was provided for the Congo, and $50 million was restored to the Development Loan Fund, making a total of $415 million of the cut being restored before the year was out.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Louisiana.

Mr. PASSMAN. I am inclined to keep this on the basis where we can compliment each other. But look closely at this bill; you will note the reappropriated unobligated funds of $50 million plus an additional $100 million available from deobligated or dereserved funds. That brings it up to $150 million. The bill recommends the new obligational authority of $1,300 million, to make a grand total of $1,450 million.

Mr. GARY. That is correct. But may I say in answer to the distinguished chairman of the Committee on Foreign Affairs that he has advanced the very best argument that can be advanced before this House for not adding any additional money to the bill. That is, if you have an emergency that demands more money, this Congress can meet and appropriate that money at any time.

Mr. MORGAN. I think it is unrealistic to make a massive cut when we face the conditions in the world that we face now. It is not realistic to try to operate on a piecemeal basis especially when it will create urgent deficits as we go along. I think if we need the money we should appropriate it at the present time and not by a series of inadequate amounts.

Mr. GARY. I do not think you need it at the present time. We are told about an emergency that might arise. If it does arise then we can take care of the emergency.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Louisiana.

Mr. PASSMAN. I think the gentleman understands it would be a lot easier, a lot less agony, if we simply gave the people downtown all the money they request. I certainly would be in better favor in certain quarters if I could overlook facts. I am sure the gentleman agrees with that. We try to do what the American people expect the Congress to do, and that is to recommend essential and adequate amounts but not rubberstamp the requests.

Is it not true that during the past 6 years the Congress in its wisdom has reduced the Executive requests for this program by $5,400 million but, even after making those substantial reductions during the same 6 years, the aggregate total of unobligated funds amounted to $1,006,653,000?

The administration, past, present, and future, would be no different than an individual—the more money they have, the more money they will spend. So, it is a serious mistake to overfund programs.

Does the gentleman from Virginia agree with that statement?

Mr. GARY. I agree thoroughly with that statement.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. GARY. I gladly yield to the gentleman from Minnesota.

Mr. JUDD. Does not the statement by the gentleman from Louisiana [Mr. PASSMAN] show that there is no recklessness or waste in appropriating the amount of funds authorized, because, when they have not been able to use them soundly, they did not spend them foolishly; instead they allowed them to remain as unobligated or unexpended balances? In the kind of world in which we live, I would rather err, if one is to err, on the side of providing more rather than less. We know that if the funds

are not needed they will not be used. Therefore, there is no danger in our adding the additional funds requested and authorized, according to the statement made by the gentleman from Louisiana [Mr. PASSMAN] and the gentleman from Virginia themselves.

Mr. PASSMAN. If the distinguished gentleman will yield further, I have a very high regard for the very able gentleman from Minnesota [Mr. JUDD], but in a reprint from the Reader's Digest, on page 5 of a recent issue, the gentleman says this, and with his permission I should like to quote:

Says Representative JUDD: "We are doing too many things, and we are trying to do them too fast. In countries that are hanging by a thread, why not simplify the program to essentials? If the country makes headway in 5 years, then we can proceed with more elaborate developments. The immediate need is for basic programs. Too much beyond that only scatters our efforts, complicates our operations, and confuses the people."

Is the gentleman from Louisiana quoting the gentleman from Minnesota correctly?

Mr. JUDD. The gentleman is. That is a part of a statement I made here in the House of Representatives in 1956. I think the members of my committee will testify that I have been trying my best all these years, every step of the way, to cut out waste and reduce this program to simpler terms.

Mr. PASSMAN. I am complimenting the gentleman.

Mr. JUDD. Thank you. Therefore, I trust that you will do the right thing and provide the funds authorized. There is no risk that way, and greater assurance of success.

Mr. PASSMAN. I am quoting from the statement in the Reader's Digest of May 1961.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Ohio.

Mr. HAYS. I have not written articles for the Reader's Digest, so there are not any quotations from those articles. However, I would like to make this point: I sit on the Committee on House Administration, and have for a good many years. We have a principle there that when a chairman comes in and asks for money to run his committee—and many of them ask for as much as $1 million a year for one of the committees—if he has been a chairman who has been careful and who has turned money back, he is more likely to get the $1 million than if he spent every dime he got every year, and has been escalating the figure.

Mr. Chairman, it seems to me that in all sincerity the statement by the gentleman from Louisiana [Mr. PASSMAN] does put a premium on getting rid of money. He says, "We gave you so much, and you did not use it." I do not think you ought to put a premium on the getting rid of it. I think if they did not use it you ought to give them a little pat on the back and say, "This looks as if this fellow has used a little judgment, and we can give him what he asked for this year, knowing this background information."

Mr. GARY. I agree with the gentleman from Ohio, but I also agree that is one of the things that the Congress is here for—to determine what is needed and to try to get at what is needed. When we give the departments more than is needed then the Congress has erred in its responsibility.

Mr. PASSMAN. If the gentleman will yield further. What does the gentleman think would have happened had this Congress recommended the $4.5 billion that we took out of the bill in past years? Can the gentleman envisage how many more programs might have been started throughout the world which we did not need that would call for possibly billions more in the future?

Mr. GARY. Mr. Chairman, let me say this: This illustrates the remark that I made at the beginning. This is a difficult bill. The views of the members of our committee, the views of the Members of the Congress, and the views of the people of the United States differ widely on this program. There are people who do not want to give one penny to this program, there are those who would give every penny requested. I personally am one of those who has tried through the years to be reasonable and fair. I think that this bill, when the amendment which the chairman has said he will offer is added, will be a fair and reasonable bill, and I trust that the Members of this House will accept it and that we will vote these amendments down and go home in the not too distant future.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Page 2, line 7:

"ECONOMIC ASSISTANCE

"Development loans: For expenses authorized by section 202(a), $1,025,000,000, to remain available until expended."

Mr. CONTE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CONTE, of Massachusetts: On page 2, line 9, strike out "$1,025,000,000" and insert in lieu thereof "$1,200,000,000."

Mr. CONTE. Mr. Chairman, I hope this amendment will be adopted. I shall not trespass upon the patience of the House. I think I explained this amendment in the general remarks I made today on the bill. I feel that in this great debate that took place here on the authorization bill during the past 2 weeks many of us who took the case against Treasury financing stated to the Members of the House of Representatives that if we had a bill with a long-time authorization and annual appropriations we were sure that the Committee on Appropriations of this House would be a responsible committee, a responsible agent of the House, and would report back a bill to the House with the money requested by the Congress.

Furthermore, Mr. Chairman, the gentleman from California [Mr. SAUND] offered an amendment in the House for $1.2 billion for the Development Loan Fund. That amendment carried by an overwhelming majority. Then the bill went over to the Senate and after the conference it came out with a long-term authorization and an annual appropriation of $1.2 billion. Only last Thursday, Mr. Chairman, the House of Representatives voted on that conference report by a vote of 260 to 132.

I think if we do anything but give $1.2 billion this year to the Development Loan Fund we will be indifferent and irresponsible toward the statements we made here and the votes taken here in the House. I think that the dignity of the House is at stake, the responsibility of the House and of the Committee on Appropriations is at stake here. I say to the House let us give them the $1.2 billion this year. They have shown in their justifications that they need $1.2 billion. They have shown that they need more than $1.2 billion in order to meet our commitments to the free world.

If these funds are abused, if they are mismanaged during this year, then next year when they come up before the Committee on Appropriations we can cut those funds. But this year we ought to demonstrate to the people of the United States, to the people of the free world, that we will stand by our word, therefore we ought to vote the entire $1.2 billion.

I hope this amendment will carry.

Mr. PASSMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we are dealing here with classified material, but I have this document which any Member of this House is privileged to see. The item under discussion, "Development credits," is a successor to the Development Loan Fund. The most that this House has ever appropriated in the past for this particular item is $600 million. So far as actual justification before the committee is concerned, they justified only $700 million. I might mention there is $500 million for India, $100 million for Brazil, and $100 million for Pakistan. Those are minimum amounts. If we take the low scale on this chart—it is classified and I cannot put it in the RECORD—the total is $990 million. It was agreed that $990 million was all the money that they needed for a 1-year program, and that is provided that the recipient nations meet the legislative criteria.

So we are very definitely overfunding this program. It is 70 percent more than we had in previous years. That is one disadvantage we have, that so much of the information is classified. Those who might question my statement will please come to the desk and you will ascertain for yourselves that even if we were operating on a full-year basis, on the minimum established, it would require only $990 million. When it was suggested we limit this appropriation to $990 million, I asked the committee if they would support me so I could bring out a bill that is greater than the amount they justified before the committee.

In addition, one quarter of the year will have elapsed even before this bill is signed. So again we are being generous. In addition, keep in mind the $500 million provided for Latin America earlier this year. That would, on a replacement basis, reduce the request of the old De-

velopment Loan Fund to $425 million. And there is the $600 million for development loans under the Export-Import Bank. This particular item is probably the most overfunded item in the bill.

I trust you will vote down the amendment.

Mr. JUDD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, perhaps all of the concrete facts and figures given by my friend, the gentleman from Louisiana, are correct. I freely grant that this cut in funds for loans will probably be less crippling to the actual operations of the development programs in the remainder of this fiscal year than some of the other cuts which will be dealt with later—if one considers only the construction of fertilizer plants, roads, industrial mills, and so on.

But psychologically, this cut may be more damaging than any other reduction except perhaps the one for military assistance. What is involved here is a matter of principle. Will the Congress prove itself responsible?

Earlier, some have asked, Why are so many nations uncommitted? One reason is because they read what is said about them in the debates on the floor of the House, and because they see that sometimes the Congress does not prove itself wholly dependable If I were of another country, I would have some doubts about the steadfastness of the United States and the House of Representatives itself, after witnessing our reversals on occasion. That is an awfully hard thing to say.

Last week we came back from a conference with the Senate when the Representatives, three Democrats and two Republicans, of this body stood their ground unitedly against the conferees of the other body on this very point. When the Senators said:

> Whatever figure we adopt as authorization, the House will cut below it. If we make it the full $1.9 billion, they will go below it. And if we make it only $800 million, they will cut below that.

We said:

> That is not so. We are setting up a different program for long-term lending in which we accept responsibility for authorizing the Executive to negotiate agreements with conditional commitments, and then submit them to us for us to approve or reject, just as the Executive negotiates and signs a treaty and submits it to the Senate for ratification.

But what the House is doing here, before the Executive has a chance to work out the agreements, is to cut the funds below the amounts authorized. Such action is bound to raise questions in the minds of other countries.

Only last Thursday we provided that the Executive could negotiate agreements and submit them to the Appropriations Committees which would review them and vote them up or down on the basis of their merits or lack of merits. Last Thursday we voted almost 2-to-1 for such a program. Now the committee cuts down the funds authorized, before the Executive has had opportunity to make plans and negotiate agreements to use the funds. If we make available $1.2 billion, as the amendment would provide, it may well be that no more than $1 billion will be loaned this year because 2 months of it already are gone. No tangible harm may result from the committee's cut, but psychologically it is seriously damaging to our position of leadership.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Massachusetts.

Mr. CONTE. I should like to point out to the House in regard to the statement of the gentleman from Louisiana [Mr. PASSMAN] about justifying only $900 million. He ignores the fact that the testimony repeatedly refers to the fact that on pages 269, 803, 804, 886, and 887 of the hearings Frank Coffin, of the Development Loan Fund agency, stated he needed $800 million for India, Pakistan, and Brazil. He needed another $300 to $400 million for 10 countries in the Middle East and Far East. Then there were 30 or 40 additional countries who have applications for loans amounting to $300 million. This figure of $1.2 billion is a conservative figure.

Mr. JUDD. I thank the gentleman. We have been saying all these years that we cannot get development by hand-to-mouth programs. All of us are in agreement that when aid has been given for 1 year at a time, more of it has been wasted. Now we are trying to develop a system where we can give our own Government and recipient countries a little certainty. We voted last Thursday to give the Executive continuity in the handling of long-range developments while keeping in the hands of the Congress its proper responsibility for the final say on how much shall be loaned and for what projects. That is the kind of program that has the best chance of success, and it is the kind of program where we can use our taxpayers' funds most efficiently and most economically. I believe you should do today what a large majority of you voted for in the Saund amendment. Give them $1,200 million this year. Each agreement has to come to the Committee on Appropriations and to the Congress to be examined. It will not go into effect if we disapproved. So I see no danger whatsoever in making $1,200 million available. I see a lot of danger for us, right after we have told the people of the world that they can count on us, to show the world that apparently they cannot count on us. There is far more involved here than money.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Where are you going to spend this money? Will the gentleman please look at this confidential, classified statement? Tell the committee where you are going to spend the money. If they want $990 million for a full year, and that is the minimum, and you are familiar with this, where can they spend $1,025 million? We have brought in a bill and we fattened it up for you and we are giving you more than you need. Now you are not even satisfied with that. I cannot understand the gentleman's argument. Have you checked this statement?

Mr. JUDD. I am aware of the plans already proposed. If they cannot find good places or ways to spend the full amount, they will not spend it. You will have a chance to pass on each agreement that they enter into.

Mr. PASSMAN. No, we do not have that opportunity.

Mr. JUDD. If they do not need all the money, it will not be drawn out of the Treasury. But, to provide the full amount is to tell the world—our enemies, our friends, and those on the fence—that the American Congress is and will be responsible. I think that is a rather important consideration, with the third atomic weapon just having been detonated.

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I talked to my colleagues a little while ago about the necessity of waking up and realizing our responsibilities to the United States of America. Anyone who feels that we should throw caution to the winds when it comes to meeting our own problems and who believes that we should vote to give the department more money than they say they can use intelligently, is not living up to his responsibility to the people of the United States of America. When you have something like that before you, if the Congress of the United States does not assert itself and do what we really ought to do—and that is to change that $1,025 million to $990 million, then we are going to be irresponsible and not meet our responsibilities and it will be just too bad. We will never be able to pull the United States out of the kind of mess that we are now in. The only way we can survive is by being prudent and careful and honest in our approach to these problems. If the Congress of the United States does not vote on the recommendation of the Committee on Appropriations to give these people what they say they need rather than to what they kind of imagine they would like to get their fingers on, then we will not be meeting our responsibility at all. If the chairman had not been exceedingly liberal—as a matter of fact, if the chairman had not been altogether too liberal in view of our situation and in view of our responsibilities, it would be better. But, the chairman having voted that far, it is absolutely ridiculous if we allow the entire $1,200 million to be appropriated when there is no need for it and no reason to do it except to satisfy some kind of whim of some fellows downstairs who did not seem to be able to prove and protect their own estimates.

Mr. Chairman, I hope this amendment is defeated.

Mr. McDOWELL. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I have listened all afternoon to the distinguished chairman of the Subcommittee on Appropriations, the gentleman from Louisiana [Mr. PASSMAN] quoting statistics; in fact, I think he must have worn out several adding machines during the afternoon. He has talked about obligated funds, unobligated funds, deobligated funds, and I

am sure that many of the Members are just as confused today at this point as I am. I think that is his main objective, as a matter of fact, to so confuse the Members that they are not exactly sure where they stand at this point and how they are going to vote on these amendments.

Now, most of the opponents who have spoken so far this afternoon are those who have opposed foreign aid over many years. They have not changed their position, and I compliment them for being so steadfastly sure that foreign aid with sufficient funds over the past years and at this time are not necessary for the internal security and the best interests of this country. But, I do not happen to agree with them. I did not agree with them last year or the year before; I do not agree with them this year. For all of the arguments heard this afternoon, the fact remains that in the proposals of the Subcommittee on Appropriations in cutting this foreign aid appropriation, they are in many instances, and in most instances, cutting funds double the amount that was given heretofore to past administrations. I do not think there is any justification for that. It has been pointed out here that in this administration there has not been time of even testing its possibility of accomplishment. This would be entirely premature and premature judgment to say that a new administration should not be given the tools which it has declared are necessary for them to adequately carry out the foreign policy of this country at a time when certainly we are in much more dire circumstances than we have been at any time in the last 10 years.

Mr. Chairman, I hope the Members will consider carefully their votes before they go along with those who would never have given this country a foreign aid program in the very beginning and who would be very much in favor, apparently, of discontinuing the foreign aid program at a time when every single responsible member of the Government of this country has testified time and time again before more than one committee of this body and in the other body that in their considered judgment this program is necessary; necessary in the amounts that have been recommended to the House by the Committee on Foreign Affairs in the authorization bill.

Mr. Chairman, the United States cannot fight communism with hackneyed phrases and attitudes, and statistics that do not square with the times nor in any way deter the advance of the totalitarian schemers in Russia and Communist China.

The United States cannot fight communism by disarming the President, who has full public and constitutional responsibility for the conduct of foreign policy, and by providing him only with foreign aid appropriations on an installment basis and in dribbles.

The United States cannot fight communism by standing by and observing a feud between the Congress and the entire executive branch of our National Government. It is of fundamental importance at this serious hour in our history and world relations that the Congress provide the appropriate administrative mechanisms and finances to the President so that the United States can effectively foster, encourage, and support freedom for those millions of peoples who choose to stand with us and work with us for liberty, peace, and economic well being. Certainly, these are the gains and benefits that greatly overshadow the bombastic and irrational arguments of a few in and out of the Congress who would gut and destroy our very ability to arm the United States and her allies.

I quote as part of my remarks an editorial and a news article from the Washington, D.C., Post:

SAVING FOREIGN AID

The most important business before Congress is the rescue of the foreign aid program that Congress already has authorized from the drastic surgery of the House Appropriations Committee.

Most unaccountable of all the cuts in the authorized program are those made in the appropriations for development loans and grants. The Appropriations Committee seemed bent on demonstrating the validity of the arguments which the administration made for financing these programs by Treasury lending instead of annual appropriations. Appropriations for development loans were cut from $1,200 million to $1,025 million, or a total of $175 million, or 15 percent; those for development grants were reduced from $380 million to $259 million, or 32 percent.

The committee explains the $175 million cut in the loan program by suggesting that no more countries will be able to qualify than the 13 who can be provided for by the reduced appropriation. In its testimony before the committee the administration carefully explained that the countries involved are in three categories. The first includes India, Pakistan, and Brazil to whom conditional commitments already have been made. The second category includes 10 countries where the requirements were sufficiently well established to justify an approximation to the committee. The committee report treats these known requirements as the limit of the program and takes the view that this is the extent of need. The administration was careful to point out in testimony that there are 22 additional countries that have applications for development loan funds amounting to $300 million, and all told there are perhaps some 40 countries beyond the 13, for which funds will be required in the 1962 fiscal year. The commitments to Pakistan and India, made in concert with other powers, are hard to touch; those to Brazil almost inescapable under present foreign policy. The loan program can be kept to the Appropriations Committee figure only by very uncomfortable and dangerous changes in Asia or by equally disastrous retreats from planned steps in South America and elsewhere.

The committee seems to have misread or misunderstood the case which the executive department has made for the development loan appropriations. One cannot believe that in a time of such national peril either the chairman of the subcommittee, Congressman OTTO PASSMAN, or the chairman of the Appropriations Committee, Congressman CLARENCE CANNON, would wilfully and deliberately misrepresent the amounts earmarked for the 13 programs already in final form as the total requirements for the 53 countries, or even more, who are likely to need help out of these appropriations.

This is a reduction that must be attributed to honest error or sincere misunderstanding and surely the members of the committee themselves will wish to have the amounts altered in the House itself once this misconception is called to their attention. They are all honorable men and whatever their views on foreign aid they cannot wish to have the House, and the whole Congress, take a fateful step that may jeopardize our position abroad on a plain misconception of the administration's presentation.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. McDOWELL. I yield to the gentleman from Virginia.

Mr. GARY. I hope the gentleman was not referring to me when he was speaking against those who would never have given us a foreign aid program. I was for this program long before the gentleman ever came to the Congress. I supported it on the floor. I fought for it in the most difficult days when it was just being started, and certainly I want the gentleman to make it absolutely plain that he was not referring to me in that list.

Mr. McDOWELL. I certainly was not referring to the gentleman. I am glad to note his past support. I am sorry that he has indicated he is not supporting the program at this time.

Mr. GARY. I am supporting it now. I am supporting the committee bill which I think is a reasonable program.

Mr. McDOWELL. Well, we all have the right to say what we think is reasonable.

Mr. GARY. Each person has his own ideas as to what is reasonable.

Mr. McDOWELL. I would not for one moment question anybody's judgment on this point.

Mr. GARY. I am not insisting my judgment is right, but I certainly did not want the gentleman to infer that I was against the program, because it is not true.

Mr. McDOWELL. I would be glad to withdraw any such suggestion, because it was not my intention to leave any such implication as to the position of the gentleman from Virginia.

Mr. Chairman, it is sometimes alleged that mutual security requirements annually are overstated and that the inflated character of mutual security program budget estimates is made evident by the appreciable amounts of unexpended balances remaining at the close of each fiscal year. It is also sometimes alleged that the existence of these unexpended balances precludes the necessity for additional new obligational authority.

Recently, a statement was prepared within the legislative branch—undoubtedly based upon data supplied by ICA—which listed the estimated unexpended balances at the close of fiscal year 1961, totaling $5.443 million. The existence of unexpended balances at the end of a fiscal year is entirely a normal phenomenon and the foreign assistance program is not unique in this respect. Such balances are common throughout the Government. With respect to the mutual security program estimate of unliquidated obligations mentioned above, one should note that these funds were approximately 98 percent obligated at the end of the year and thus only about

$150 million could be made available for new obligational activity.

The existence of unpaid obligations is inevitable. Obligation and expenditure, of course, do not occur simultaneously in a typical fiscal transaction. Generally speaking, an obligation exists when an order is placed for goods or services or when a contract is negotiated.

Expenditures are made only after the goods or the services are delivered. In some cases, such as, for example, a contract for a large construction project or for the fabrication of capital type equipment, the intervening time period could be 2 years or more. A lag between obligations and expenditures, commonly called the pipeline, generally exists in all types of Government operations and private commercial businesses. This pipeline cannot be eliminated without disrupting program operations through the discontinuance of an orderly flow of goods or services.

The statement referred to above compared the $5,443 million unexpended balances at the close of fiscal year 1961 with an unexpended amount at the end of fiscal year 1960 of $4,714 million, thus indicating an increase of $729 million in the level of unexpended balances during the past fiscal year. While there was a rise in this balance during 1961, it should be noted that the comparison mentioned above is not entirely valid. The fiscal year 1961 figure included both unliquidated obligations and unobligated balances, while the 1960 figure represented unliquidated obligations only and excluded an unobligated balance. If unobligated balances were to be eliminated from the fiscal year 1961 in order to relate comparable figures, an increase of $611 million is involved.

This increase in unexpended balances can be explained. Such balances necessarily are greater in those appropriations of which a substantial portion is used for capital type projects, than in those accounts which preponderantly are used to finance operational expenses, consumables and the like.

The greater portion of the increase in the level of the pipeline during fiscal year 1961 occurred in the development lending segment of the program, and, we believe, is wholly justifiable. To begin with, the DLF is a relatively new activity. Its operations have steadily expanded since its inception in fiscal year 1958; and its unexpended balances necessarily have followed the same upward trend. This is a natural development for the following reasons: One, obligations are established as loans are approved; but expenditures occur only as increments of the loan are drawn down by the borrowers; two, the activities for which loans are made consist largely of construction projects for which obligations are required considerably in advance of payments; three, loans often are utilized by borrowers in conjunction with, and as a supplement to, their own funds, in which case, the borrowers tend to apply their own funds first, in order to minimize interest liability, thus deferring the drawdown of approved loans until their own resources have been used—without the U.S. loan commitment; however, the borrower would not initiate the project nor invest equity capital.

A sizable portion of the remaining part of the increase in unexpended balances during fiscal year 1961 was experienced in the military assistance program and is attributable primarily to the fact that the pipeline at the close of fiscal year 1960 was dangerously low and an increase in new obligational authority was appropriated in fiscal year 1961 in order that deliveries of such equipment could be made as required. Such procurement requires a large leadtime because of the nature of the equipment involved.

It should be noted that in 1953 the overall unexpended balance for mutual security programs amounted to $10.1 billion as compared with roughly half that amount at the close of fiscal year 1961. Considerable effort has been devoted during these years to reducing the lag between obligation and expeditures to the smallest practical time. It is believed that these lags have now been reduced to the minimum and that such balances reflect a normal leadtime between obligation and disbursement. The foreign assistance program—particularly the development lending activity—includes a much greater proportion of capital type financing than do many other appropriations such as those for the operation of the Treasury, the Civil Service Commission, and so forth. Even so, the House Committee on Foreign Affairs determined and reported—Report No. 851, August 4, 1961—as follows:

> Considering the magnitude of the program and its global character, the committee believes that the fiscal side of the mutual security program compares favorably with that of other Government agencies. In many cases it is considerably better.

The CHAIRMAN. The time of the gentleman from Delaware has expired.

Mr. RHODES of Arizona. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, lest anyone believe that the amount which is set forth in the appropriation bill for the development loan category is niggardly, let me point out to you that this $425 million grant is an increase of some 70 percent over the amount which was made available last year, and this disregards the amount which was voted for the Latin American program last year; so this is a very large increase in the development loan category.

I think also it might be well to review very briefly the function of the appropriation process here. We have had speakers in the well of the House indicate that perhaps the legislative committee felt when it reported out its bill that the $1,200 million authorized in this category was a floor. I submit to the members of the committee that it could not have been a floor, that it had to be a ceiling, because this is the way we have worked traditionally in the House. The legislative committee goes through the hearings, evaluates the evidence before it, and tries to determine the amount of money which is the ceiling that the committee could possibly justify as far as the activity is concerned. Then it is up to the Appropriations Committee to determine how much of the money can be spent in that particular year, and that is the amount which is made available.

I submit to you that this is exactly what has happened in the appropriating process applied to this bill. Also I would like to make this point. It is provided in the authorization that if money is not appropriated in this fiscal year up to the amount authorized, the money remains available for the next 5 years. So if the money is not appropriated it can be appropriated at a later date if the need becomes apparent. This, in other words, is not something which will lapse, it is not money which you have to grab hold of now in order to have it remain available; it will be available.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. YATES. In the matter of the appropriating process, is it not the usual procedure that witnesses first come before the legislative committee, and once the Congress approves the bill the same witnesses appear before the Appropriations Committee with a basis of knowledge of what their authorization is? They then justify their request before the Appropriations Committee on the basis of the authorization; and does not the gentleman agree with me that this year we had a most unique situation, that the hearings for both the authorization bill and appropriation bill were going on simultaneously, so that with respect to the appropriations for this development loan and for the development grants, it was almost impossible for the witnesses for the executive branch to come forth with a specific list of projects. They did not know how much money the Congress was going to approve.

Mr. RHODES of Arizona. I will say to the gentleman two things: The first is that the condition the gentleman describes is not unusual in this bill. Many times the authorization bill has not been adopted at the time the hearings have taken place; also I would say to the gentleman that the justifications given by the departments both in the legislative committee and the Appropriations Committee are illustrative only; therefore, this again points up the reason why we should not be too much worried about trying to get an itemization. Nobody really knows where or for what this money is going to be spent. We can only take an educated guess.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. PASSMAN. Is it not true that on one or two occasions in the past we have had to present the bill under a rule for the reason that we were considering the bill even before the legislative bill was signed by the President?

Mr. RHODES of Arizona. That is absolutely the situation.

Mr. Chairman, to me it is very obvious that both of these great committees have worked hard and long in trying to come up with a reasonable figure. I do not think it is a slap in the face for either committee if the House decides on

the other amount. Each committee works for a different objective. The objective of the legislative committee is and ought to be to establish a ceiling for a program. The objective of the Appropriations Committee is and ought to be to establish the proper sum of money which can or should be spent by law in any given year. That is what we have tried to accomplish in this bill.

Mr. HOLIFIELD. Mr. Chairman, I move to strike the last word, and I ask unanimous consent to proceed out of order for 2 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, I have asked to proceed out of order for 2 minutes in order to bring to the House information that has just now been announced at the White House. I will give the announcement made in the name of the President, as follows:

In view of the continued testing by the Soviet Government, I have today ordered the resumption of nuclear tests in the laboratory and underground with no fallout.

In our effort to achieve an end to nuclear testing we have taken every step that reasonable men could justify.

In view of the acts of the Soviet Government, we must now take those steps which prudent men find essential.

We have no other choice in fulfillment of the responsibilities of the U.S. Government to its own citizens and to the security of other free nations. Our offer to make an agreement to end all fallout tests remains open until September 9.

In conclusion, I would like to say I am sure I am joined by all members of the Joint Committee on Atomic Energy who have long felt it was necessary that we do this very thing. We have felt it is necessary because many of us, while not having proof, were convinced that secret testing was going on underground in the Soviet Union. In the last 3 days three tests in the atmosphere have taken place behind the Iron Curtain. The Soviets have now taken a position completely opposite to their professed concern about the welfare of humanity and have deliberately again started testing and bringing radioactive contamination into the atmosphere.

I think the President has taken the right step and I wish to commend the President for his statement on the resumption of nuclear weapons testing.

In a speech I gave in the House on June 14 of this year, I recommended that the United States resume weapons testing. However, I was careful to state that the timing of such a decision should be up to the President because of the many factors involved.

I reviewed the history of our futile negotiations with the Soviets. I pointed out that in view of Soviet intransigence, we should reappraise our position on testing. At that time I stated:

Of course, the key question is what effect the test ban is having on our weapons development program relative to the Soviet program.

Undoubtedly, any weapons development program as sophisticated as the United States or Russian could be improved in various significant respects, if weapons testing of various sorts were undertaken. Thus, it has been publicly stated that the U.S. program could be assisted by testing through: (1) getting lighter weight to yield ratios for warheads for our missiles; (2) developing an antimissile missile; (3) developing improved small yield weapons; and (4) improving safety features of weapons.

But, more important, in my judgment, is the ultimate general effect on weapons technology of a continuing test ban. It will inevitably stifle developments undreamed of at the present time. Concepts are now being considered by our scientists which could be as revolutionary as the H-bomb in 1949.

I then reviewed a number of factors affecting our decision to resume testing. Many of these considerations have become moot in view of the Soviet unilateral decision to resume atmospheric testing, despite their protestation to the contrary in the past.

I believe the sober consideration given by the President and his advisers to the resumption question—both before and after the recent Soviet decision—has done much to improve the U.S. posture in world opinion. However I must say that the comments of most of the neutral leaders were somewhat restrained to say the least. Does anyone believe they would have been as restrained with the United States, if we had unilaterally resumed testing?

In conclusion I would like to quote the last brief paragraphs of my June 14 address:

In his message to Congress on May 25, 1961, President Kennedy stated that "we intend to go the last mile in patience to secure this gain (a test ban treaty) if we can."

But there comes a time when our extended inaction may be taken as a sign of weakness, by our friends as well as our adversaries.

In my personal opinion we have about "gone the last mile." I am hopeful that the President will arrive at a wise judgment on this important matter within a few weeks. He has access to all the national and international information on this problem. In the last analysis it is his responsibility to make the final decision. He must be the judge as to the timing and the method of procedure. People who are less well informed and less responsible for the effects of this grave decision should exercise restraint in this period of somber consideration. I believe the Congress and the people are ready to support the President at a time and in a method of his choosing.

Mr. Chairman, the President has now made his decision. I feel certain that the Congress and the people of the United States and the free world will support this decision.

Mr. Chairman, we have indeed gone the last mile.

Mr. CURTIS of Massachusetts. Mr. Chairman, I rise in support of the amendment.

The House won a great victory for sound fiscal management when back-door financing, or Treasury borrowing to finance development loans was taken out out of the foreign aid bill.

But the present proposal to cut the Development Loan Fund by $175 million is inconsistent with that great victory. It is exactly what those who favored back-door spending said would happen if that method of financing was refused. They said that the only way to be assured of having the needed funds was to use back-door financing.

Some of us, and I was one, stood in this well and said, No, we have confidence that the Congress will act fairly and responsibly, even if we have to go through the annual appropriations process.

The back-door request was for $8.8 billion, of which $1.2 billion was for fiscal year 1962. That figure of $1.2 billion for fiscal year 1962 was the administration request. It was the Byrd amendment in the Senate. It was the Saund amendment in the House. It was the amount agreed upon by the conference committee.

We who were fighting back-door spending assured the public that it could expect responsible action from the Congress even if annual appropriations remained necessary; that the amounts would not be cut unless something was shown to be out of order. Now, we are cutting down a program before it has got started. We are cutting the program for fiscal year 1962. Nothing has been shown to be out of order.

This action undercuts the fight that we won a short while ago when back-door spending was defeated. We who took part in that fight will now have to defend that action. People will say "I told you so; I told you so. I knew that there would be haggling and bickering, and that amounts needed for the program would be in danger."

Mr. Chairman, I hope the House will refuse this cut and support the amendment of my good friend from Massachusetts.

Mr. GALLAGHER. Mr. Chairman, I rise in support of the amendment, hoping that we can exercise the responsibility that the gentleman from Massachusetts [Mr. CURTIS] so ably pointed out.

Mr. Chairman, the debate last week was on the method of financing. It was a fair fight on the principle as to where the funds could be gotten. But the entire basis of the argument was that without Treasury financing this Congress could exercise in its liberality the consciousness necessary to put a workable program into effect.

Mr. Chairman, I know that it is considered unsophisticated to point out that we live in one of the most crucial hours of our history; that it is unsophisticated to say that the extremity of the situation required our President to renew testing of the atom bomb. It is unsophisticated to point out the absolute need for this program. Yet, we do have a responsibility that we must exercise here today. That exercise of responsibility calls for us to remember what we did here last Thursday. Can all of the facts change so rapidly from last Thursday that we can come here today and follow a suggestion that was put forth 24 hours later to rip $1 billion out of this necessary program?

What we need is the exercise of our responsibilities. The facts that prevailed last week remain the same today.

Under the new 5-year authorization the executive branch must return each year for a new appropriation within the annual authorization limit. There is,

therefore, no point to be served in seeking out further ways of dramatizing this body's control over Development Loan expenditures. Our task is now to appropriate those amounts required to do the job, giving due consideration to our economy's ability to foot the bill.

What is needed to do the job? Clearly, funds must be adequate to finance in countries of high priority the many sound activities for which funds cannot elsewhere be found. Appropriations must be sufficient to finance such investments when they are ready, not several years beyond that point or even a year after. Unless we can make a timely response to the demand for development, we risk losing what advantage we may already have or stand to gain in the battle for men's minds. We are dealing with societies where the luxury of delay often unexpectedly becomes the target of antidemocratic forces. We are dealing with a world which can overnight create a Brazil, a Laos, a Cuba, or a Berlin.

There is, in this battle, just as much danger in acting too late as there is in acting with too little.

During fiscal year 1962 Development Loan requirements will well exceed the $1.2 billion requested by the administration and authorized less than a week ago. This fact was amply demonstrated in the hearings before the Appropriations Committee and supported in detail in the classified country volumes presented to the committee. The facts support the contention of witnesses that the $1.2 billion requested by the executive branch was not based on development requirements alone, but reflected an adjustment to fit loans within an overall budgetary ceiling.

In recommending an appropriation smaller by $175 million than the authorized and requested figure, the committee apparently was relying on a partial picture of these requirements. It suggests that $1,025 million will be adequate for 13 countries where proposals will be ready, and implies that proposals will be ready only in these 13 countries. In fact, witnesses before the committee outlined requirements in 40 to 50 countries and simply dwelt on these 13 as those with the highest priority and requiring the bulk of the funds.

For example, on pages 269 and 804 of the committee hearings, Mr. Labouisse, Director of ICA, and Mr. Coffin, Managing Director of the Development Loan Fund, both outlined requirements in countries whose number far exceeds those mentioned in the committee report.

They pointed out that about $800 million will be required in three countries alone—India, Pakistan, and Brazil—and that $700 million of this total had already been committed, subject to congressional action. They also outlined requirements in 10 other priority countries—for which many of the details must be treated as classified information—which are expected to range between $300 and $400 million. Thus, it was the judgment of the executive branch that in the 13 priority countries, those to which the committee report refers, between $1,100 million and $1,200 million will be required, rather than the $1,025 million proposed by the committee.

But what the committee report does not mention is a third category of more than 30 countries, 22 of whom have more than $300 million in applications now pending before the Development Loan Fund. We also know, from past experience, that at least an equivalent amount of new proposals will be presented by these countries during the year.

Thus, even if we accept the committee's judgment that the administration will be able to do less in the 13 priority countries than it estimates, we must make allowance for a large omission in the committee's thinking, an omission which would leave the executive branch without tools for coping with capital development problems, not to mention the more immediate requirements of foreign policy, in more than a score of countries.

If we adopt the committee's recommendation, loan funds may not be available for projects in critically placed, friendly nations in Africa, Asia, and Latin America. In many of these countries, the executive branch is proposing a drastic reduction in other forms of economic aid. It intended to make fiscal year 1962 the year of the significant shift from grants to loans and from annual, recurring subsidies in many countries to sound investment programs. If the committee action is sustained, not only will there be small or no grant programs for these nations, there will also be no loans. They will, in short, be left high and dry. If it were diplomatically possible to mention some of these countries on this floor today, I am sure you would agree that the committee action will hurt many of our closest allies whose development needs are urgent and substantial.

The committee's action will also deal a severe blow to the alliance for progress. Many of the countries in the more than 30 which the committee neglects to mention lie in South America. On the basis of the administration's estimates, it appears that the committee's loan figure would reduce this program's contribution to the alliance by as much as a third or more. The effect of such a halfhearted response to our long-range security needs in this area of major importance would be serious indeed. Moreover, this body would have begun what could only be considered a retreat from the bipartisan initiative under which it launched the alliance 1 short year ago.

Mr. TABER. Mr. Chairman, will the gentleman yield for a question?

Mr. GALLAGHER. I yield to the gentleman from New York.

Mr. TABER. Is it not an absolute fact that the Congress threw out the back-door spending with the idea that there would be some consideration given to the needs? The Appropriations Committee, having seen what the need was, put in the bill the proper and intelligent way to approach it.

Mr. GALLAGHER. I do not agree that is the proper and intelligent way to approach it. I say that the executive department—the President of the United States, reinforced by the opinion of the former President of the United States—said that this program is necessary. The House of Representatives last week confirmed that judgment by finding it necessary. Now we are once again being called upon to capriciouly change our mind and say that through this action, as opposed to our action last week, we can have a program with $1 billion less in it. I say that the need existed last week, and it does today.

Mr. TABER. Mr. Chairman, will the gentleman yield further?

Mr. GALLAGHER. I yield to the gentleman from New York.

Mr. TABER. Is it not a fact that no one has attempted in any way to establish any higher ceiling than $990 million, based on the evidence that was produced before the committee?

Mr. GALLAGHER. No; that is not the fact. The fact of the matter is that in the committee report evidence was adduced to the effect that that amount was necessary as it pertained to 13 countries.

The fact of the matter is that there are over 30 countries defined within the bill that need this type of development. There was a failure to include all of them in the committee report. I think we should consider the report as pertaining to all of the countries. It created an unwarranted in that inference by citing merely 13 programs. I say that the necessity still remains for the rest of the countries that are in the report of the Foreign Affairs Committee. I feel it would be ridiculous for us merely to conclude that this body and the Committee on Foreign Affairs for 3 months went through an idle exercise of futility that must now be subordinated to what I feel is the judgment of a gentleman who has said that he does not have confidence in the program at all. So all the facts are not only the facts contained in the report that you mention. Those were some of the facts, but the report stopped at a point short of the necessities of the program, when it failed to include all the facts.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Minnesota.

Mr. JUDD. Is it not true that the executive branch could not properly develop firm plans for a larger amount than roughly $900 million because that was the amount they expected when they came before us? Only last Thursday did we authorize $1.2 billion. They had plans for $990 million ready, and it takes some time to develop and refine and present additional plans. If they are not able to develop good plans for the additional $200 million, then no money will be wasted. But they should be given the capacity to carry out what we have authorized them to make plans for and to execute agreements for.

Mr. GALLAGHER. The gentleman is absolutely right. I hope we will exercise our responsibility and support the amendment. I hope we will not subordinate the national interest to appease

what sometimes carries all the appearances of a personal fetish.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CONTE and Mr. PASSMAN.

The Committee divided, and the tellers reported that there were—ayes 110, noes 132.

So the amendment was rejected.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

SHALL THE CONGRESS OR THE EXECUTIVE MAKE APPROPRIATIONS?

Mr. Chairman, we are considering the mutual security appropriations bill for 1962.

Thursday last, the House by a vote of 260 to 132 approved the conference report on a bill "to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic development and internal and external security, and for other purposes."

The legislation authorized an appropriation of $4,200 million. The House Committee on Appropriations reduced the amount by $896 million. Amendments will be offered to restore a part if not all of the cut.

The issue before us today is whether the executive department or the Congress, which is charged by the Constitution with making appropriations, shall determine the amount which we will appropriate.

Did the supporters of the conference report hoodwink the opponents of back-door spending?

Should we continue our foreign policy when it has failed to give us adequate results, when we have not the money to finance it and its continuance will bring us inflation and bankruptcy?

It might be helpful in arriving at a decision to determine the purpose of the basic legislation, its result, the desirability of pursuing the objectives under the present program and our ability to do so.

The purpose just quoted from the bill is the purpose and policy which the appropriation is to implement.

When the mutual security bill was before the House, a more recent statement of the purpose of the legislation was made by our colleague from Michigan [Mr. BROOMFIELD], who went on the Committee on Foreign Affairs on February 13, 1961, and who came here as successor of our former colleague, George Dondero. He may have more accurate knowledge of what the people desire than some of those who have been here longer. Undoubtedly the bill will be passed by a more than 2-to-1 vote.

The gentleman said:

> In this bill before us today, we are not offering bigger and better bombs with more killing power. We are offering those who are without opportunity a chance to improve themselves. We are not offering total destruction and annihilation. We are offering a tomorrow to man which will be better for him and his children.

Many assumed that at least one purpose of the bill was to keep us superior in military strength to the Communist nations.

We all agree that our own existence, secure as a Christian nation, must be our objective. That we will, to the utmost of our ability, consistent with our own security, aid those wherever they may be who are less fortunate than are we.

It does not follow, however, that we are the sole possessors of all knowledge of what is best for all people. As our people number but 182,719,000 of a total world population of 2,972 million, it might be well for us to pause momentarily before we assume that what we think, believe, or desire is either wanted or acceptable to other people, other nations.

It is all very well for the internationalists to attempt to bring about the world situation which they desire and few would object if they alone carried the burden or made the sacrifices, but there are millions of Americans who consider the task impossible of accomplishment, who sincerely believe that pursuit of our present policy is futile, that it will not only make it impossible for us to help others but eventually will destroy us as a free people. That it will not prevent another war. Some remember the "war to end all war" was followed by another war.

THE RESULT

We have had our present policy for something like 14 years. We have spent or have authorized the spending of some $106 billion. The result is that today we are in grave danger, greater trouble than ever before. That, at least, is the substance of the statement of the gentleman from Minnesota, Dr. JUDD, a long-time and perhaps the most persistent advocate of this program.

Nor, as the world situation is viewed today, have we the support of many of the nations we have aided. Many are neutral—some like Yugoslavia and Poland, referred to by the gentleman from Michigan [Mr. HARVEY]—are actually hostile.[1]

How the gentleman will vote after amendments are adopted I do not know.

OUR ABILITY

The chairman of the House Appropriations Committee, the gentleman from Missouri [Mr. CANNON], from the well of the House on August 16, said:

> We are spending, and we have been spending during this entire year, every hour, $1 million more than we are taking in. Ever since this session began we have been spending in the red at the rate of $1 million every hour, day and night.

Moreover, not long ago, the chairman of the Senate Committee on Foreign Affairs, Senator FULBRIGHT, another ardent supporter of this program, stated that if a national referendum were held on foreign aid, handouts would lose.

HOODWINKED

Last Thursday, when the conference report was before the House, it was adopted because the House was assured that the administration would not attempt back-door spending.

The gentleman from Pennsylvania [Mr. MORGAN] said—CONGRESSIONAL RECORD, page 17852:

> The predominating issue in the conference was the issue of Treasury borrowing to finance development loans * * *.
>
> In order to get agreement to the complete elimination of Treasury borrowing, it was necessary for the House to make concessions on other points.
>
> The bill we bring back upholds the position of the House.
>
> * * * * * *
>
> The language adopted in the conference makes it possible for the United States to make commitments for future financing of development programs of the less-developed countries which will be helpful and reassuring to these countries while at the same time preserving the normal congressional procedures with annual appropriations.

Note the inconsistency of the statement that the executive department can make commitments and yet asserts the Committee on Appropriations would have a discretion as to whether those commitments should be met.

The language which it was said would prevent that method was this—section 202(a):

> It is understood that the conferees regard the language in the bill as authority for the executive to make commitments which will be honored by the Congress unless there is evidence of obvious bad management or the other country has failed to meet its responsibilities.

There were several opinions as to the effect of that language.[2]

---

[1] On the weakening of opposition to assistance to Communist countries, Mr. HARVEY, of Michigan, said, CONGRESSIONAL RECORD, p. 17853:

"Mr. HARVEY of Michigan. Mr. Speaker, I also voted for the bill when it was passed by the House. But I was concerned about section 619, assistance to Communist countries and the fact that the committee depart from the original Casey amendment as it passed the House. It occurs to me that the language now is considerably weaker than the language which enumerated the 17 Communist countries, as the House spelled it out. I wonder if the gentleman would care to comment on that?

"Mr. Speaker, when H.R. 8400, the foreign aid bill, passed the House, section 619(a) of the House amendments specifically provided that no assistance should be furnished to any country or area dominated or controlled by the international Communist conspiracy, and some 17 countries, including Yugoslavia and Poland were enumerated."

He also added: "The language in the bill as it now reads leaves the determination of furnishing aid to Communist countries to the President. Under the State Department view, we can expect aid to continue to Yugoslavia and Poland, both Communist nations. This makes no sense to me in the perilous position that we find ourselves in Berlin, and particularly in view of the announcement from the Soviet Union today that it intends to resume nuclear testing. If we were attacked by the Soviet Union, are any of us silly enough to think that we will be assisted by any Communist government, Yugoslavia or Poland included? I think not."

[2] The gentleman from Michigan [Mr. FORD], referring to the President's news conference, said (CONGRESSIONAL RECORD, p. 17852):

"First he was asked if this language in section 202(b) is put in the basic law, would he think there was at least a kind of a moral

The language quoted—section 202a—would authorize back-door spending unless there was evidence "of obvious bad management or the country has failed to meet its responsibility." Today the executive department's vigorous condemnation of the proposed cut of $896 million made by the Appropriations Committee is proof positive that those in control of our foreign policy are determined to get every last dollar which they desire. Do not intend to follow the Appropriations Committee. The appearance of doing so got the votes to adopt the conference report.

Those who opposed the legislation last Thursday will ultimately learn to their regret that, while there may be no legal obligation for the Appropriations Committee to comply with the wishes of the administration—more accurately, the State Department—in effect, notwithstanding the many disclaimers made from the floor of the House in an effort to get votes in support of the conference report it will be argued we are obligated to support every commitment which may be made and which cannot be rejected because of bad management or the failure of some other country to meet its responsibilities.

---

obligation upon the Appropriations Committee to honor those commitments with appropriations?

"The President replied:

" 'No. I would think that the Appropriations Committee would have to make their own—meet their own responsibility.'

"The President seems to say that although conditional commitments can be made, they are subject to the appropriations process and in no sense is there a moral obligation across the board to supply the funds."

As to bypassing the Appropriations Committee, the gentleman from Iowa [Mr. GROSS] cited sec. 202(a) (CONGRESSIONAL RECORD, p. 17852):

"It is understood that the conferees regard the language in the bill as authority for the Executive to make commitments which will be honored by the Congress unless there is evidence of obvious bad management or the other country has failed to meet its responsibilities."

In answer to the gentleman's question as to whether the language was written downtown the gentleman from Minnesota [Mr. JUDD] said:

"Mr. JUDD. Part of the agreement that was finally reached when the conferees receded from their long and determined insistence on Treasury borrowing was that the managers on the part of the House put that statement in our report to the House, which we did."

The chairman of the subcommittee [Mr. PASSMAN] asked (CONGRESSIONAL RECORD, p. 17854):

"Under the development credit program authorizing $1.2 billion for this year and $1.5 billion for each of the following 4 years, what would be the effect of a difference in opinion between the committees of the Congress and the executive branch as to the actual need for a particular program or programs? How would the difference be resolved?"

The chairman of the Foreign Affairs Committee [Mr. MORGAN] replying (CONGRESSIONAL RECORD, p. 17854):

"Mr. MORGAN. I just want to read the gentleman a sentence from the conference report:

" 'It is understood the conferees regard the language in the bill as an authority for the Executive to make commitments which would be honored by the Congress unless there is evidence of obvious bad management or the country has failed to meet its responsibilities.' "

As to whether Appropriations Committee or executive department prevails as to the amount (CONGRESSIONAL RECORD, p. 17855) the following occurred:

"Mr. PASSMAN. Suppose the administration should decide $1.3 billion is needed, and the committee should decide to appropriate $1.2 billion as being adequate to meet the needs? Which viewpoint would prevail in such a situation, that of the committee or the executive branch?

"Mr. JUDD. The committee action would prevail. But it should be clearly understood that the conference committee expects that appropriations will be made for commitments within the $1,500 million authorization unless there is evidence of bad management or obvious bad judgment. They can ask for more than the $1.5 billion authorized but they would have to justify such requests first, before our committee and then your committee.

"Mr. PASSMAN. After the commitment was made, the Congress would have no alternative.

"Mr. JUDD. No, that is not the understanding of the conferees. All commitments would be conditional, subject to the annual appropriation of such funds. The language does not require you to supply the amount conditionally committed unless you agree with the basic soundness of the arrangements they have made.

* * * * *

"Mr. JUDD. I do not think we are morally bound to provide money for individual projects, if we do not think they are sound. While I do not like the word, 'morally,' I do think that the Congress in adopting this report—there should not be any uncertainty on this point—is adopting a policy of authorizing the executive to make long-range plans and conditional commitments within the limits of $1,500 million a year, subject to review and the provision of funds by the Appropriations Committee and the Congress."

The inevitable practical result is that the authorization will be urged as a commitment that is binding upon the Appropriations Committee; that those who so loudly and so vigorously sought the votes of those who objected to back-door spending and assured them that such was not the purpose will not be heard urging the present or any future Appropriations Committee to restore any reduction in the amount asked to carry out the Executive's commitments.

When the conference report was here last Thursday the gentleman from Virginia [Mr. HARDY] said—CONGRESSIONAL RECORD, page 17854:

I have always supported foreign aid. I would like to support this foreign-aid bill, but the language which the conferees have agreed to with respect to the furnishing of information to the Congress and the GAO convinces me that this bill ought not to be passed as it is. What it would do is provide statutory authority for the President to withhold any information he sees fit from the Congress. To permit the executive branch complete control over the information which it will provide the Congress could effectively remove from Congress its control over appropriated funds. This is particularly dangerous because of the flexibility and discretionary authority with which foreign-aid funds are expended. This flexibility really necessitates a freer flow of information to Congress.

* * * * *

The original withholding of this information, in my judgment, was accomplished on dubious legal grounds—in fact, I think it was illegal. But if we adopt this conference report we will have provided legal basis on which the executive branch can refuse to give the Congress anything.

It is my intent to support an amendment which he will offer to correct that situation and perhaps if that amendment is adopted he will vote for the bill though he will find the waste and worse continuing in future years.

The gentleman from Michigan [Mr. MEADER] when the conference report was here opposed the report because it eliminates the annual review and gives "a free hand to the administrators of the program for the next 5 years, subject only to such checks as the Congress may exercise in the appropriation process."

Also, because the President's "escape clause effectively nullifies the action solemnly taken unanimously by the House of Representatives designed to uphold the power of Congress to find out how foreign-aid funds are being spent."

Also, page 17857, CONGRESSIONAL RECORD:

This provision aids, upholds, and enhances bureaucratic secrecy and its immunity from accounting for the discharge of trust of public funds and public authority. This denial of congressional access to information about the public business—knowledge indispensable to the formation of sound legislative judgments—coupled with the vast increase in authority and funds, and a greater latitude of discretion and flexibility vested in the bureaucracy, renders this measure one which I cannot support.

Mr. Speaker, April 17, 1961, in a speech on the floor of the House—CONGRESSIONAL RECORD, pages 6015–6019—I praised President Kennedy for ordering Secretary of State Rusk to reverse instructions he had given witnesses not to provide documents and information concerning misconduct. That information was requested by the Hardy committee, pursuant to provisions in existing law, which, by this conference report, would in effect be repealed.

It appears I was premature in this praise and that the bureaucracy has now been successful in inducing the conferees to restore their immunity from effective congressional scrutiny of their acts.

I urge the House to vote down the conference report.

Perhaps he, too, will vote for the bill if the Hardy amendment is adopted—then he, too, will probably once again discover that his expression of good faith is premature.

The past history of our foreign-aid policy indicates it has been a waste of money—given us no national security—no promise of aid from any nation other than Great Britain, France, and West Germany and more than once we have displeased both Great Britain and France.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JONAS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, may I have the attention of the distinguished gentleman from Louisiana, the chairman of the subcommittee. Can the gentleman tell the committee whether the Secretary of the Treasury, Mr. Dillon, committed the

United States in the recent conference to the expenditure of $20 billion, over a period of 10 years?

Mr. PASSMAN. I should like to state to the distinguished gentleman that his interpretation would be just as good as mine. You read in the paper what he said. I read the same article. I would certainly say it would not be a legal commitment. It may be something that could be considered a commitment. I would not think Mr. Dillon's statement would be legally binding on the Congress or the country at this time.

Mr. JONAS. I thank the gentleman.

I think we ought to know that the Voice of America is broadcasting radio messages throughout Latin America stating that we have offered this $20 billion in aid over the next 10 years. And may I, for the information of the committee, read the following quotation from a Voice of America broadcast to Latin America on August 14:

> A vast effort for the well-being of the peoples of this continent is what has been planned, during 2 weeks, in this hotel in Punta del Este, Uruguay. The ministers of finance of the American Republics, together with their technicians, their economists, and their sociologists have studied the measures which can aid in reforming the social structure of Latin America and speeding up its progress.
>
> The United States has offered $20 billion in aid within 10 years. One billion dollars will be allocated between now and next March, in accordance with the offer made by President Kennedy in his alliance for progress program.

Now, I think the representatives of the people of the United States in Congress assembled ought to know specifically whether the good faith of the United States has been committed by the Secretary of the Treasury to the extent of $20 billion and, if that is so, upon whose authority.

I am not opposed to aid for Latin America. I voted for the $600 million appropriation item. I am in favor of helping our friends on this continent and our friends around the world, but if a Cabinet officer of this Government can go to any place in the world and commit this country to spend $20 billion over the next 10 years, I think we, the representatives of the people, ought to know under whose authority and by what right he commits this Government to that amount of expenditure.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Illinois.

Mr. MASON. It is impossible under our Constitution for any Secretary of the Treasury to legally bind this Nation to any amount.

Mr. JONAS. What about the people who heard these broadcasts from the Voice of America in which they are told that the United States "has offered $20 billion in aid within 10 years?" Now, that is the question I am raising before the Committee, and I think we, as responsible representatives, ought to find out to what extent this Government has been obligated to $20 billion.

Mr. PASSMAN. Mr. Chairman, if the gentleman will yield. I did not mean to be evasive. I am trying to handle this bill and not trying to displease anybody, but it is not a legal commitment. But in all probability the statement will lead to many billions of dollars of requests to meet the commitment.

Mr. JONAS. I do not think it is a legal commitment. I do not think we are legally obligated to supply the funds, but when the Voice of America tells the people of Central and South America that the United States "has offered $20 billion in aid within 10 years," some of the people who heard the broadcast will believe it is a binding obligation and will have a right to so believe because the Voice of America is an official agency of the United States. When the funds are requested here, the argument will be made that our Government has been obligated, and the people in Latin America will have been misled unless we put up the money. And unless Congress votes the money, the chances are that we will have lost many friends in this hemisphere.

The Clerk read as follows:

> Development grants: For expenses authorized by section 212, including $2,673,000 for ocean freight, $1,139,000 for Atoms for Peace, and $24,925,000 for the malaria eradication program, $259,000,000.

Mr. YATES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. YATES: Page 2, line 13, strike out "$259,000,000" and insert "$350,000,000".

Mr. YATES. Mr. Chairman, I dislike very much finding myself in disagreement with my colleagues on the Appropriations Committee, particularly those on the Subcommittee on Foreign Operations. I know how hard they have worked, how many hours they have put in on this bill, and it is with some trepidation that I disagree. However, I feel very strongly that the bill that they have approved cannot be designated a foreign aid bill. This is not the bill the House authorized. When one considers the drastic reductions made by this committee it becomes clear that the intent of the Congress as was expressed in the authorization bill was not carried out.

Mr. Chairman, the deep reductions made in this bill have been made in no other appropriation bill I am aware of. The cut in military assistance amounted to 23 percent; the cut in support assistance amounted to 13 percent; the cut in development grants amounted to 31 percent; the cut in development loans amounted to 14 percent; the contingency fund was cut 41 percent; the administrative expenses were cut by 10 percent. The Investment Service was cut 100 percent; the Peace Corps was cut by 50 percent. The overall cut in this bill was 21 percent. These reductions are foolhardy at this critical time.

My amendment is directed to an essential part of the program, the point 4 program, the technical assistance program. This is the program that is directed toward helping people help themselves, to providing assistance where they need help most: to eradicate disease, to provide schools, to help improve their standard of living from its present pitiable state, to do the things necessary to be done to help people in underdeveloped countries. When this particular part of the bill was before the House during debate on the authorization bill the gentleman from Indiana [Mr. ADAIR] offered an amendment which would reduce the same by $50 million. That amendment was rejected. The gentleman from Ohio during debate had this to say, and I read from the CONGRESSIONAL RECORD of August 17, page 16191:

> There has been a lot of criticism in the way foreign aid has been administered, and a lot of that criticism has been justified, and I have been one who has criticized it. But, much of the criticism finally has been directed at the fact that the money has been applied to the wrong places. The money has been spent in many cases to provide great arms equipment for underdeveloped countries who were in no position to support such a program. The development grant section proposes to attack the problem at the grassroots. It is that part of the bill where you go into underdeveloped countries and you attack the problem of disease, illiteracy, all of the things which cause these countries to be a fertile ground for communism.
>
> Now, there is no question that in years past we have spent too much money on arms, and I am not going to mention the countries by name, because that would not do any good. But we have seen a situation where we have poured arms into an underdeveloped country to the extent that the military machine became the dictator and thwarted and destroyed exactly what we were trying to do. This is the program that attacks it by democratic principles. It is the program that tries to show these people how democracy works.

Mr. Chairman, the gentleman from Minnesota supported the gentleman from Ohio in his argument. He said he wanted to express entire agreement with the gentleman from Ohio. This is the money for carrying out the technical assistance program. This is the money that will help programs of education, health, and so on.

If the Appropriations Committee standard is maintained there will not be one program in this bill for the continent of Africa, not one solitary program for the entire continent of Africa.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield.

Mr. TABER. Would the gentleman please look at page 4 of the report where he can see at least 15 projects for Africa.

Mr. YATES. The gentleman is entirely right in correcting me. I meant to say that there will not be one new program for the continent of Africa. This bill winds up the program. The Appropriations Committee allowed $259 million to carry on programs which have been established over the past few years. What we are doing if we sustain the action of the Appropriations Committee is to say that this is as far as we will go, we will complete these programs but we will go no further with respect to this very important activity.

Mr. Chairman, I suggest that this is the most vital activity of the entire foreign aid program.

I hope my amendment will be agreed to.

Mr. PASSMAN. Mr. Chairman, I rise in opposition to the amendment offered

by the gentleman from Illinois [Mr. YATES].

Mr. Chairman, your committee has worked hard. We tried to get even meager information that would justify any funds for a capital grant program under the development grant appropriation. This is the first time, so far as I know, since we have had this program, that the committee did not recommend a single dollar cut in the technical assistance program.

On page 4 of the committee report you will discover that there are 68 nations of the world listed to participate in the $259 million in the bill. We allowed every dime that the administration requested to continue existing projects. This is the first time that I recall where we failed to make a reduction in the technical aid program. Almost every country in Africa is included. None of these funds are earmarked in the bill as to countries or areas. They could spend the entire $259 million in Africa if they should elect to do so.

We should go to the record. On page 1037 of the hearings, under the heading "Funds Requested Without Information on Projects or Country Programs," there appears the following:

Mr. PASSMAN. How much of the present estimate is to be used for the purpose of financing surveys of resource potentials?

Mr. COFFIN. We have not programed the new development grant money by purpose or project.

On page 1038 there appears the following:

Mr. PASSMAN. Then, did I make a statement of fact that you are asking us to appropriate prior to having any specific programs or projects?

Mr. COFFIN. That is true, Mr. Chairman.

Should you not actually throw us off the floor if we brought a bill out recommending funds when they had set out no program or projects? I repeat, we have fully financed every existing program in the technical aid field, including technical assistance projects in the defense support, and the special assistance program. Many of these projects will be deobligated and reobligated. There is no restrictive language in the bill. This is grant aid for highways, water tanks, or railroads. This is not technical aid. We took out this grant aid.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Illinois.

Mr. YATES. Should not the gentleman call the attention of the committee to page 1087 of the record, in which the gentleman from New York, interrogating Mr. Coffin on the aid program, brought out the fact that there is a great list of projects available and they had a whole list of them in the book that was made available to the committee of new programs under consideration?

Mr. PASSMAN. They said they had a reservoir. They did not know what programs or projects they would go ahead with. Would you not ridicule the committee had we recommended funds for this program when there is no justification? You would not expect the committee to ignore the ordinary processes by which the Congress operates. If you did not ridicule us, the country would.

Mr. Chairman, there is no justification for the pending amendment.

Mr. HAYS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, last week an amendment to cut this section by a much less amount was defeated pretty substantially. It seems to me that if there is any part of this bill, as I said then, that has a chance to do some good, this section would probably be it.

Mr. Chairman, I realize, as well as anybody, and I am sure I feel the same way, that we have had a long session. As I said last week, we have become frustrated and we tend to do things sometimes hastily. But I cannot, for the life of me, see why we cannot trust the administration with this extra money that they are going to need before the year is out for these rapidly emerging nations.

Mr. Chairman, let me put it this way: I do not think if some of these nations that are becoming independent turn to the Communist bloc for assistance that any single Member of this body is going back home and say, "Oh, well, I helped them to do that." You are going to find somebody to blame. It is a human tendency. Sure, there are 60-some odd nations involved here, but there are more than 100 nations that belong to the U.N., and not all of the nations of the world belong there.

Mr. Chairman, I will say this about the Communists: When they get rebuffed they do not quit. When an uncommitted country turns them down they keep trying. I made speeches as long as 7 or 8 years ago saying that I thought, at the time we had the crisis in the Middle East, that the Communists were not as much interested in the Middle East as such as they were interested in the Middle East as a land bridge to Africa. I have not changed my mind. The proof of the pudding, as the old saying goes, is in the eating. They have agents operating in Africa by the hundreds and the thousands. Why are they interested in Africa? Because Africa, while not the most productive continent agriculturally in the world, is the world's greatest source of undeveloped raw materials. Khrushchev has said many times, and he said it in my hearing once, "We are not going to have to fight you people. We are going to pursuade the countries of the world, one by one, to adopt our philosophy and when we have you isolated on your North American Continent, along with the Canadians, we will shut off your raw materials and we will reduce your standard of living to the point that your people will be glad to make 'book' with us on our terms."

Mr. Chairman, the House rejected a $50 million cut in this amount last week. For my part, I said in this well that I was willing to trust the Eisenhower administration to judiciously spend money, and I am just as willing to trust this administration. I am just as willing to trust our former colleague, Frank Coffin, who served on the Committee on Foreign Affairs for 4 years, who is conscientious, who is careful, who is exacting, with the supervision of these funds, and know that they will not be wasted.

Mr. Chairman, last week we talked about flexibility. Well, you cannot have flexibility if you have only the amount of money you have committed. Suppose something comes up in one of these nations in Africa where the approval of a project will do us some good? Are we going to slam the door in the face of these people today and say "If you are not in now, you are not going to get in?" Are we going to say to these newly emerging nations "Oh, the Congress took a look at the books and this is how much there were contracts for, and there are not going to be any more?"

Mr. Chairman, I do not think that is the kind of flexibility that is going to help the administration do the right thing. As I said here last week, when we are spending $46 billion a year to try to defend ourselves against an atomic attack, is this Congress, is this House going to insist on chopping out of this bill $100 million, or a little less, which conceivably—not probably, but possibly—could make the difference between having to use the $46 billion, and not having to use it?

Mr. Chairman, I urge that the amendment be adopted.

Mr. JOELSON. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, we have heard tributes here today to the subcommittee chairman and his hard work. But I would like to pay a tribute to two forgotten men today, two great Americans who have had the awful responsibility of being charged with the conduct of our foreign affairs—Dwight D. Eisenhower and John F. Kennedy. They have told the American people that they cannot go forth into the fray with one arm tied behind their back. We are telling them today that they must do so.

I have heard this called a great day for the taxpayer. Well, almost every adult American is a taxpayer and I do not see how a black day for American foreign policy can be a great day for the taxpayer. I do not want to be one of those "dollar diplomats" who want to play pocketbook politics with our mutual security. It is all right to talk about a great day for the taxpayer and to celebrate, but just remember that we may wake up tomorrow with a king-sized hangover if we do not support the President's foreign policy.

I urge support of this amendment.

Mr. O'HARA of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have a great interest in this amendment. That interest springs from the fact that mine is the responsibility as the Chairman of the Subcommittee on Africa. That subcommittee is a dedicated subcommittee. The ranking minority member is the great Congresswoman from Ohio, Mrs. BOLTON. The distinguished gentleman from Indiana, Mr. ADAIR, serves with Mrs. BOLTON as representative of the minority. On the Democratic side are Mr. DIGGS of Detroit, Mr. NIX of Philadelphia and Mr. MURPHY of the district adjoining mine in the city of Chicago. The subcommittee has worked hard. I doubt

that there is any subcommittee that has worked harder. We are united in our thinking and our conclusions, and included is the one member of the subcommittee, the gentleman from Indiana, Mr. ADAIR, who, frankly, is against foreign aid entirely, and yet he very much subscribes to the conclusions as regards Africa of the other members of the subcommittee.

I think I am speaking with accuracy when I say that our subcommittee is convinced that if we lose Africa, freedom has received a setback from which it will be all but impossible to recover.

It is not only the large number of members of the General Assembly of the United Nations that come from Africa; and the number is increasing all the time. It is not only in the great population of Africa, and in the great wealth of minerals and timbers and strategic materials in Africa. The wealth of Africa is untold and it is untouched. More than all this, are the spirit, the determined drive, the dedication of men and women, freed at long last from colonalism, to meet their rendezvous with destiny.

Events in Africa are happening very rapidly. Mrs. BOLTON mentioned Guinea. Every member of our subcommittee is convinced that had we acted promptly as we should Guinea would have been stoutly on our side. What is the situation today? American capital has a larger investment in Guinea than all the money that has been given by Russia. And American capital in Guinea has confidence.

What is the situation in Ghana? I heard a good friend of mine from Iowa say things of the President of Ghana that I know do not reflect the thinking of Americans with both investments and confidence in Ghana.

The leader in Tanganyika is one of the great leaders of these times. He came here. He needs money. Certainly there are immediate problems. These problems must be solved in some way and immediately. He says, "Why, certainly, I am your friend; but if I have got to have help and you will not give it to me I must take it from any source I can get it."

There is not a country of Africa that wishes to go Communist. They know the risks they are taking, but they are determined to remain free and independent.

I have affection and admiration for the gentleman from Louisiana and I know how busy he has been, but he is mistaken when he says there are no programs for Africa that have been firmed up. The fact is that provided in the appropriation cut is $74 million for Africa for education, to help their schools, to help bring Africans to this country. This is a $74 million program firmed up for Africa.

They have programs that amount to $193 million, $100 million in Africa. Here is a collection of programs, from which the best will be taken. They are all firmed up. What more could you want?

Mr. PASSMAN. Has the gentleman referred to the page showing the amount of money in this bill for Africa? I believe there is more for Africa on a per capita basis that any other part of the world in the technical aid fields. These people told us they had no funds and no projects for agriculture. That is what they told me.

Mr. O'HARA of Illinois. The gentleman from Louisiana has the last word. I am left no time for reply. Even to my last word, I gave to my friend, even though on this issue we are in disagreement.

Mr. JUDD. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, many of us in this House have been hesitant to support some of the expensive construction of steel mills, dams, powerplants, roads, and bridges that have been built in semiprimitive countries. It is in these big programs that the waste has taken place, partly because frequently the people have not been trained to operate successfully the facilities built with our taxpayers' money. This amendment restores funds for the development of human resources, helps people acquire the necessary skills. It teaches them to read and write, to raise more food, to handle their sewage and water and food supplies out in the villages. One basic reason for the failures about which complaints have been made is that in building more elaborate projects, we frequently got the cart ahead of the horse. We did not put enough manpower and money and effort into the development of agricultural and educational skills and abilities. They need elementary knowledge and the know-how first. They need to acquire the capacity to work together, and the maturity that comes from managing their own affairs cooperatively.

We should support this amendment in order to make a maximum effort at developing first, the human resources in these new countries. For it is what the people of Africa and Asia believe that counts—their hopes for the future, whether they can better their chances for better lives by going with the free world, or by turning, in doubt and perhaps even in despair, to the other side. No matter how backward they may be at this time, it is what they think, it is what they believe and want and feel, that will determine the way their countries and their continents go. It is not necessary to remind anyone here that which way these countries and continents go that will be decisive for them and in the end will determine how and where the United States of America also comes out in its fight today for survival.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Delaware.

Mr. McDOWELL. Is it not a fact that this is the part of our foreign-aid program, that is technical aid and the point 4 program which, from the very beginning, has been that part which has been under severe criticism for any faults?

Mr. JUDD. That is certainly true. This is the part where we get the most for what we spend and do. The committee has given just enough money to continue existing programs, but nothing to use with imaginative building on our experiences of the past, to expand and improve the programs that exist today and to initiate new ones. Nobody denies that on the whole these technical assistance programs have been well handled. We need more in this field, not less.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Louisiana.

Mr. PASSMAN. I do not know how Africa got into this debate. We funded every program, we did not reduce it one dime. For the first time since you have this bill, did we provide money for all the technical aid projects throughout the world. You could spend the entire $259 million in Africa. The committee only denied that part where they had no program and no projects and no country. How did Africa get into the bill as being discriminated against?

Mr. JUDD. Africa is the place where new countries are just coming into being, and are the least developed. It is where there has not previously been opportunity to develop the kind of point IV programs we are talking about.

Mr. PASSMAN. But Africa is in the bill for $73,310,000.

Mr. JUDD. The point has been made at least five times this afternoon that you have given those funds, and the total of $259 million to carry on existing programs worldwide. But, you have not given anything more to permit the development of new programs in the newly independent countries which need help most urgently just now. We should be developing new concepts and new approaches, not just continue what we now have in operation. I hope the amendment offered by the gentleman from Illinois [Mr. YATES] will prevail.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, if I understand this situation correctly, the committee gave them all the money necessary to fund the programs which they advanced before your committee; is that correct?

Mr. PASSMAN. That is correct and this is the first time in the history of this bill that your committee recommended every dime that they asked for in the technical aid field. The amount that the committee denied was grant aid that they had put over in the technical aid. You have grant aid in several different packages. We removed $121 million simply because they told us they had no projects and no programs and they did not even know what countries they would be used in. I asked Mr. Coffin a question and he said: "That is true, Mr. Chairman." There is no justification for this.

Mr. GROSS. Then what the gentleman is doing in opposing this amendment is saying to the gentleman from Minnesota [Mr. JUDD]—I will say it for him—that he wants to save him from getting up on the floor of the House, as he did a few minutes ago, to apologize for all the mistakes that have been made in this program in the past by overloading it with money.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. During the questioning before the Committee on Appropriations, the gentleman from New York [Mr. ROONEY] asked some questions. The record of the hearings is as follows:

Mr. ROONEY. These are programs in which some investigation has already been made?
Mr. COFFIN. Yes.
Mr. ROONEY. And have you a list of these?
Mr. COFFIN. Yes.
Mr. ROONEY. And have you details in regard to each of them?
Mr. COFFIN. Yes.
Mr. ROONEY. Is that the book there?
Mr. COFFIN. This is the book, Mr. Rooney; yes.
Mr. ROONEY. And in this book, which looks to be quite voluminous, we will find the details with regard to the various projects which come to $190 million?
Mr. COFFIN. One hundred and ninety-three million dollars.
Mr. ROONEY. That is all. Thank you gentlemen.

Mr. Chairman, I would like to remind our colleagues that when the gentleman from Illinois [Mr. YATES] was speaking, he showed you the book. There are at least 3½ or 4 pages of a single-spaced list contained in the book, and I hope you look at the book.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. YATES].

The question was taken; and on a division (demanded by Mr. YATES) there were—ayes 106, noes 122.

Mr. YATES. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. PASSMAN and Mr. YATES.

The Committee again divided and the tellers reported that there were—ayes 131, noes 144.

So the amendment was rejected.

The Clerk read as follows:

International organizations and programs: For expenses authorized by section 302, $153,500,000.

Mr. JONES of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of Missouri: On page 2, line 15, strike out the period, insert a semicolon, and add the following proviso:

"*Provided*, That contributions to any international organization or program shall not exceed 50 percent of the total amount of contributions to such organization or program."

Mr. JONES of Missouri. Mr. Chairman, this is a very simple amendment. When we passed the authorization bill the contributions to two funds, the United Nations expanded program on Technical Assistance and the United Nations Special Fund were limited to contributions not to exceed 40 percent. That is, our contribution to these two funds may not exceed 40 percent. A few years ago we had a limitation of one-third on the various programs to which we contributed in the United Nations. It seems that we have gotten back in the old groove. Today we are contributing as much as 70 percent or more to some of the programs under the United Nations.

Mr. Chairman, I had originally intended to offer this amendment limiting contributions to any program to 40 percent, but on the theory that when you get up to 50 percent, and when you are contributing more than half you should have the entire control over the program. If it is to be an international program all of the other members of the United Nations together should contribute an amount at least equal to what we are contributing. If we are going to contribute more than 50 percent, let us make it a U.S. program and have complete control over it and run it ourselves. That is how simple my amendment is.

If you want a United Nations program, this amendment would limit the United States to not more than 50 percent of the cost. If you want to contribute more than that, you do not want to vote for my amendment.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Iowa.

Mr. GROSS. There is no way that you can say you are going to control the program if we contribute 50 percent.

Mr. JONES of Missouri. If we contribute more than 50 percent. I want to pay it all and let the United States run the program. But if we are going to contribute 70 percent, as we are doing at the present time, and other people contributing 30 percent—they say they are getting their help from the United Nations, they do not give the United States any credit for it—it is a United Nations program, and if it is a United Nations program, let us limit our contribution to not more than 50 percent.

Mr. GROSS. You have already put up 50 percent.

Mr. JONES of Missouri. No. That is the top. This would keep us from going up to the 70 percent as we are now in some instances.

Mr. GARY. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Missouri [Mr. JONES].

Mr. Chairman, our committee sat in two sections in order to speed up the hearings and present this bill as speedily as possible to the House. The chairman asked me to conduct the hearings on the United Nations funds. I think there is just one program in which we are giving today approximately 70 percent. That is the refugee program. It is a United Nations program, and it seems to me if there ever was a time when we should not do anything to disturb our relations with the United Nations, it is today.

The United Nations has not accomplished, I will admit, all that we had hoped for, but it has been fruitful in its accomplishments. We might be in greater trouble today had it not been for their action in the Congo and in some of the other places. At least, it is the only world organization that we have today where we can attempt to solve our problems. If we disturb our relations with the United Nations it will cost us far more than the few dollars we are paying into this one program.

Let me say in addition, and we have this situation with one or two of the programs. We contribute to the United Nations program. Then the United Nations requires the recipient nation to match the United Nations funds. Therefore, when you consider the funds put up by the United Nations, and in addition the funds put up by the recipient nations, our percentage drops perceptibly and we are not contributing as high as would appear from the record of our contributions to the United Nations itself.

I think this is a very bad time to disturb any relations that we have with the United Nations. I hope that we will vote this amendment down.

Mr. Chairman, with all due respect to my good friend, the gentleman from Missouri [Mr. JONES], I love him dearly, I know he is trying to do what is right, and I have a great deal of sympathy with his position, but I cannot go along with him at the present time.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Mr. Chairman, I certainly want to concur in the statement made by my distinguished colleague from Virginia [Mr. GARY]. At present we are putting up about 33 percent. This is only a $13 million item. It goes to those poor, unfortunate refugees in the Middle East. Even with this meager amount of money we are only providing about $30 per year. This represents a starvation existence at best. I hope the humanitarian aspect of this will prevail and that we will vote down the amendment.

Mr. GARY. May I say, Mr. Chairman, we were told that they were working on getting greater contributions from the other nations. They hope this year they can get it down to 40 percent. The administration representatives told us that they were working on that problem, and they are trying to get the other nations to put up more money.

Mr. Chairman, I do not think this is going to be a problem very long.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask the gentleman a question. Is it true that with all of this financing we are contributing from 33 percent up? I do not know of any contribution that is being made at less than 33.3 percent to the various United Nations funds. Does the gentleman from Virginia know differently?

Mr. GARY. I think that is probably the lowest.

Mr. GROSS. In other words, it starts at 33.3 percent and goes on up.

Mr. GARY. Most of them are around 33.3 percent. When you consider both the funds put up by the recipient nation and the funds put up by the United Nations, in some of them we drop down as low as 12 and 15 percent.

Mr. GROSS. Mr. Chairman, this subject has been before the House before, and I do not think there has been any

change in it, although we were promised there would be a change.

I notice in the hearings that there are 1,378 United Nations technicians floating around all over the world. Of the 1,378 technicians exactly 134 are Americans. Why has not this situation been changed?

Why should we pay the lion's share of the salaries and expenses of all these foreign technicians?

Mr. GARY. The United Nations is an organization of the nations of the world, and our representatives to that body have tried to remedy these conditions. I think they are doing the very best they can under the circumstances. It is just a question of whether we want to be in the United Nations, or whether we want to be out of the United Nations.

Mr. GROSS. I will say to the gentleman if that is the best explanation we can get, it is about time that we cut out the funds and tell the United Nations we are through.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. I want to ask the chairman of the subcommittee a question, Mr. GARY or Mr. PASSMAN. When we contribute 70 percent of the cost of a program do we also furnish 70 percent of the technicians which operate that program?

Mr. PASSMAN. Not necessarily so. It may be 100 percent, and in another instance it may be 20 percent.

Mr. JONES of Missouri. Wait just a moment. Do you know of any program in which we have 100 percent of the technicians?

Mr. PASSMAN. I do not think I could answer right now specifically.

Mr. JONES of Missouri. I know you could not.

Do you know the reason I brought this up? Because I have said on this floor so many times with reference to this refugee program we are talking about that the United States pays 70 percent of the cost, the United Kingdom 18 percent of the cost and the rest of the nations 12 percent of the cost. They use our money to buy surplus agricultural commodities from other countries which do not have as much surplus as we do.

That is what I am trying to get. If we are going to pay 70 percent of the cost and permit our money to be used for buying surpluses from other countries I say let us pay 100 percent of the cost and send our own commodities over there and get credit for the whole thing instead of being a part of a so-called international organization that we are supporting and getting no credit for.

Mr. ROONEY. Mr. Chairman, will the distinguished gentleman yield?

Mr. GROSS. I yield to the gentleman from New York.

Mr. ROONEY. Is it not a fact that if this pending amendment were adopted it would mean the immediate collapse of the Belgian Congo operations military as well as otherwise; does the gentleman realize that?

Mr. GROSS. I have not said that I support this amendment. I am asking why we have only 134 out of 1,378 technicians although we are paying the lion's share of the bill. As far as the Congo operation is concerned, I noticed in the paper a day or two ago that a couple of British soldiers were killed and eaten by the natives in one of those countries.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. PASSMAN. Of course, the gentleman understands that of the $135 million only $13 million is for the refugee program and that is the only one which runs up to 70 percent.

Mr. ABERNETHY. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, only a few days ago there were quite a number of Members of this body passing through the well literally tearing at the throat of Fidel Castro. If those who were so doing—and I was in sympathy with their remarks—are still of the same feeling and attitude here is one opportunity for them to do a little bit of something about Mr. Castro. You will not have the opportunity of doing much, but you will have the opportunity of doing just a little bit of something. I hold in my hand a story which I clipped from the papers just a few days ago. It reads as follows:

WASHINGTON, August 20.—Fidel Castro may soon be receiving U.S. foreign aid money. The gimmick is the United Nations Special Fund—

Which my colleague and friend from Missouri [Mr. JONES] is attempting to amend—

which was established a few years ago to help underdeveloped countries. It draws on the U.S. Treasury for 40 percent of its money. Cuba has applied to the fund for approval of a $1 million project to help the country diversify its agriculture.

Now, it is just as simple as this: I do not want to pay any of it, and I am not going to vote to pay any of it. But the best opportunity I have here today to pay the least possible amount of it is to vote for the amendment of the gentleman from Missouri. Those of you who want to pay 70 percent of it—and incidentally, the fallacy of the news story is that the writer thought it was only 40 percent, but they have been slipping 30 percent more through the side door, making 70 percent in all. Those of you who want to finance 70 percent of this U.N. fund to help Fidel Castro finance his agriculture projects for the purpose of elevating his own economy, to eventually knife the United States, then vote against the amendment of the gentleman from Missouri. Those of you who want to do just a little bit of something, particularly those who paraded through the well of this House the other day screaming about Castro, vote for this amendment.

I hope it will be adopted.

Mr. PASSMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I trust you will vote down this amendment. It is a matter of policy, the programs we enter into with other nations are handled by the United Nations. Your committee elected not to make any reduction on any United Nations programs. I am willing to trust the President to see that these funds are administered fairly. Inasmuch as you are in the field of policy, you would upset the agreements we have already entered into. I hope you will vote down the amendment, then possibly next year you can appear before the committee and make your case. But do not ask us to upset a commitment already in effect.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. Is it true that if this bill passes without this amendment in it Fidel Castro will get any money from the United Nations?

Mr. PASSMAN. We have no particular power over what nations will or will not get funds from the United Nations. It may be Castro will not get a dime. I do not know what will be the policy of the United Nations. I am not any happier than the gentleman from Mississippi about that situation.

Mr. ABERNETHY. But if he gets any money at all we will contribute to what he gets?

Mr. PASSMAN. The committee report states:

The committee endorses the language of section 620 of the Foreign Assistance Act of 1961 which proposes to restrict U.S. funds to the Government of Cuba or other Communist-dominated countries.

Mr. ABERNETHY. I understand it has already been approved.

Mr. PASSMAN. The report further states:

The Secretary of State and the U.S. representatives to international organizations are urged to use every reasonable means to prevent the continuation or initiation of multilateral projects or programs in Cuba or other Communist-dominated countries which are funded, in part, by contributions from the United States.

We gave you a very strong report, and that should be sufficient. I hope it will.

Mr. ABERNETHY. The gentleman does not favor the giving of this money to Castro?

Mr. PASSMAN. I certainly do not.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Virginia.

Mr. GARY. Is it not true that an amendment was offered in the committee to put language in the bill to prohibit payments to Castro, and after long deliberation the committee decided the language properly should be in the report rather than in the bill, and the committee has expressed itself very strongly in the report against any contributions to Castro?

Mr. PASSMAN. The gentleman is absolutely correct. It is in the report. We hope the report will be sufficient to express the views of this Congress. I hope you will vote down the amendment.

Mr. BOW. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to inquire of the author of the amendment relative to its operation. I might say to the gentleman I am in favor of the amendment, but there is something that worries me a little bit. We do have legislation that puts the contributions of the United States at not more than 33⅓ percent. Would the gentleman's amend-

ment in any way change that limitation, which is already in the law, so that those contributions that now are limited to 33⅓ percent by law would be raised to perhaps 40 or 50 percent?

Mr. JONES of Missouri. I hope it would not. I tried to put a limitation on the law. I would think this amendment the way it is written would take into account the participation of the other contributing nations. Certainly when we do not want to contribute more than 50 percent to any program I think the total amount of the contribution should be considered, which means the contribution of the United States and the contribution of the participating nations.

Mr. BOW. The gentleman from New York [Mr. ROONEY] is the chairman of the subcommittee of which I am a member. We make some of these appropriations. I would be for the gentleman's amendment if it does not do that. I would not want to have it raise the ceiling.

Mr. ROONEY. If the distinguished gentleman from Ohio will take some good advice, he will follow me in voting against the pending amendment which would wreck the very important Palestinian refugee program, and that situation there in the Middle East is the worst in the world, as well as the Belgian Congo operation of the United Nations.

Mr. BOW. I do not yield any further to my distinguished chairman.

Mr. ROONEY. The gentleman may be sure that this is going to create a floor and not a ceiling, and will be more costly in the end.

Mr. BOW. I would like to point out in support of the gentleman's amendment that I am still concerned about the other question. On page 183 of the hearings of the Foreign Operations Subcommittee, the matter of the worldwide water supply is taken up, and you will note from that that of the $400,000 the United States is contributing 100 percent. Not 70 percent but 100 percent. May I point out to you that this is on page 183 of your hearings. May I say further in support of the gentleman's amendment that of that 100 percent, we are contributing in 1960, $13,756 went to Cuba. In 1961 that was not reduced, but it was a higher amount in 1961 when $16,200 went to Cuba. So I think the gentleman's amendment has merit, if we are not going to lose the limitations that are already on this. I wish the gentleman could assure us that his amendment does not affect the limitations already established by law.

Mr. LIPSCOMB. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish I could support the amendment submitted by the gentleman from Missouri [Mr. JONES], but we do not know how this amendment would accomplish the purpose which he intends. If we could be assured it would, I would give it my support. The only way we are going to get at the problem is to cut the appropriation. At the present time, we have certain commitments that we must keep and, regretfully, we have to support this appropriation for the time being. When this bill was before the full Committee on Appropriations, I offered an amendment to reduce this item of $153,500,000 by $700,000. This amount was the closest that I could estimate as being the amount of U.S. contributions to international organizations going to the Castro Communist Cuba regime.

Mr. Chairman, the report which accompanies the bill making appropriations for foreign assistance for fiscal year 1962 (H.R. 9033) sets forth on page 6 a clear-cut request which should be given immediate attention by the administration. The committee report states:

> The committee endorses the language of section 620 of the Foreign Assistance Act of 1961 which proposes to restrict United States funds to the Government of Cuba or other Communist-dominated countries.
>
> The Secretary of State and the U.S. representatives to international organizations are urged to use every reasonable means to prevent the continuation or initiation of multilateral projects or programs in Cuba or other Communist-dominated countries which are funded, in part, by contributions from the United States.

It is vital, Mr. Chairman, that the Secretary of State and the U.S. representatives take action immediately as urged by the committee.

U.S. contributions for fiscal year 1961, both assessed and voluntary, amounted to $241,799,522 to over 50 international organizations and their related activities. In the appropriation bill for foreign assistance for fiscal year 1962 is the amount of $135,500,000. Additional substantial amounts are contained in the State Department and in the Inter-American Social and Economic Cooperation Program Appropriation Acts for fiscal 1962.

It appears that very few, if anyone, have ever attempted to figure out where this money actually goes, and actually what it is used for. International organizations have grown over the years so rapidly that they appear to be an administrative monster and a financial nightmare to the U.S. taxpayer.

The fact that we are giving aid to the Castro Communist Cuban regime through various international organizations to which the United States contributes brought about the need for Congress to express its deep concern as stated in the commitee report. It is vital that our contributions to international organizations are not diverted to the Communist Castro regime or any other Communist-dominated countries.

The taxpayer is well aware of the well publicized agriculture research grant to Cuba made on May 24, 1961, by the United Nations special fund in the amount of $1,157,600, to which the United States contributed 40 percent.

But does the taxpayer know he is indirectly buying Russian 4-wheel drive jeeps for Castro?

Does the taxpayer know his dollars are sending young Cuban Communists throughout the Western Hemisphere under a so-called fellowship program? I doubt it.

During the recent hearings before the Foreign Affairs Committee, Deputy Assistant Secretary of State for International Organization Affairs, the Honorable Richard N. Gardner, testified as to the goals of the necessity of our contributing to these international organizations. He said:

> Let me reaffirm our basic conviction that the national interest of the United States is served by continued support of international organizations at both the universal and regional levels. The goal of our foreign policy is an open world society of independent states in which people everywhere can realize their aspirations for prosperity and freedom. This is also the goal laid down in the United Nations Charter. It is a goal utterly inconsistent with the achievement of a monolithic world Communist state.

If it is the policy of our Nation to contribute heavily to these international organizations to accomplish the goals of which Secretary Gardner speaks, is it not logical to demand an accounting of our dollars? To see that these organizations do not continue or initiate projects to build up Communist-dominated regimes such as Cuba?

The taxpayers have been told by the administration that they will have to make tremendous investments in Latin America in accordance with the alliance for progress program which Secretary of the Treasury Dillion signed last month. But there seems to be a distinct difference between what we preach, and what we practice. Secretary Dillon has said that the United States dollars involved in the alliance for progress program are not destined for Cuba. In his closing speech, he said that Cuba will not benefit from the huge economic alliance, "as long as the Government of Cuba remains under the control of a foreign power; namely, the Soviet Union."

It seems strange that the Secretary could make such a promise when international organizations which will handle portions of these programs are already dealing to a great extent with the Castro Communist regime.

I have had occasion to become concerned with just one of these organizations, and I believe its operations might well be indicative of others. One of this organization's recent contributions to Cuba is Soviet jeeps. This example, on which I will talk further later, is only one example of the mysterious workings of the Pan American Health Organization.

THE PAN AMERICAN HEALTH ORGANIZATION (PAHO)

The Pan American Health Organization, commonly known as PAHO, is described in the 1960 Organization of American States' annual report of the Secretary General on page 79 as follows:

> The Pan American Sanitary Bureau (PASB), the Secretariat of the Pan American Health Organization (PAHO), is the oldest international health agency in the world, having been established in 1902. Steady expansion since that time, including reorganization in 1947, has placed the PAHO in a position to strengthen national health programs individually and to coordinate health activities internationally throughout the Western Hemisphere. The organization serves in the dual capacity of the OAS Inter-American Specialized Organization, in the field of public health, and regional organization of the World Health Organization for the Americas. The PAHO comprises four bodies: (1) The Pan American Sanitary Conference, the supreme governing body of

the organization; (2) the Directing Council; (3) the Executive Committee, and (4) the Pan American Sanitary Bureau, the operating arm of the organization.

PASB programs are carried out through a headquarters establishment in Washington, D.C., and a system of zone and field offices. By the end of 1960, the regular staff of the organization totaled 837, of which 407 were international staff members and 430 locally recruited. There were 229 persons at headquarters and 608 in zone offices and field projects. It is significant that the regular budget of the organization has increased 80 percent since 1955, the greatest expansion being in field activities. The Pan American Health Organization's regular budget for 1959 was $3,600,000 and for 1960 was $4,100,000; for 1961 its budget is $4,700,000. On the face of it, it would appear that the regular budget of $4,700,000, is rather a modest budget for the ambitious program that PAHO seems to participate in, but over and above the so-called regular budget, additional substantial amounts are received from other sources.

From records available to Members of Congress, it is practically impossible to arrive at the actual amount of their entire budget, or their actual operations. Some of the financial transactions of the Pan American Health Organization are traceable through the hearings of various congressional committees.

For contributions to the regular budget of PAHO, the United States is assessed at 66 percent of the total assessed budget, or $2,640,000. The United States contributes to the malaria eradication program in the amount of $1,500,000. The United States participates in the water supply program in the amount of $125,000. Besides these direct U.S. contributions, other international organizations in turn contribute to the Pan American Health Organization. The World Health Organization's malaria eradication program, to which the United States has been contributing 90 percent, contributes to PAHO. The United States contributes to the United Nations Childrens' Fund; it in turn contributes to the PAHO. The U.S. Department of Health, Education, and Welfare recently made a grant to PAHO in the amount of $120,750. So the list goes—on and on.

The situation becomes, as can be seen, a financial nightmare, with funds commingled and agency responsibilities overlapped and lost.

It should be pointed out that only 4 out of the 21 member countries of the Pan American Health Organization have no unpaid contributions due. The last date for which a financial report of the Director is available, Cuba was in arrears for a period of 2 years; in 1959 in the amount of $64,400 and for 1960 in the amount of $73,600. As of January 1, 1961, an additional assessment in the amount of $86,010 was due, making a total of $224,010 unpaid or due. The total unpaid contributions to the Pan American Health Organization as of December 1960 was $1,483,693.

The growth of PAHO–WHO expenditures in Cuba and how these expenditures have grown since Castro took over, can be seen by the following:

In 1958, expenditures were $37,045; in 1959, expenditures were $99,081, and in 1960, the expenditures were $169,767. The approved budget for 1961 was $373,871, an increase over 1960 in excess of $200,000.

The 1961 estimated budget which has been approved for allocation is estimated to go to the following projects: Yellow fever eradication, $63,211; malaria eradication, $178,766; public health administration fellowships, $12,900; public health services, $73,064; nursing education, $25,650; promotion of community water supply, $14,580; environmental sanitation, $4,800. It should be remembered that these budgeted figures for Cuba do not include administrative personnel, both in Washington, D.C., and in Cuba. If these amounts could be determined, the Cuban expenditures would be much greater.

It can clearly be seen from the figures that in 1958, when there was no Communist Fidel Castro government in Cuba, only $37,045 was expended. However, after Castro came to power at the beginning of 1959, the projected funds proved insufficient. Allotments of funds for Cuba continue to rise and budgets are revised again and again and more money is allocated for the support of the Castro Communist regime at the expense of U.S. taxpayers.

Certainly we must realize that Castro is not going to praise the United States for paying over 66 percent of the cost of the so-called health plan contributed by PAHO.

THE MALARIA ERADICATION PROGRAM

The project to best demonstrate the increased activity in Cuba since Castro took over is the malaria eradication program. According to a recent survey in 1940 there were 1,105 cases of malaria, or 24.2 cases per 100,000 people, and there were 194 deaths, or 4.2 deaths per 100,000 people. The incidence rate has steadily decreased since this 1940 figure. For 1959, there were 140 malaria cases, or 2.2 cases per 100,000 people. There were 11 deaths, or 0.2 death per 100,000 people.

During 1958, PAHO–WHO approved a proposed budget for malaria eradication in the amount of $14,321. The actual expenditure for 1958 turned out to be only $3,521. In 1959, the PAHO–WHO apparently decided that malaria presented a serious menace to the Cuban population and launched an all-out campaign to eradicate the malaria in Cuba. What official report caused the increase or the necessity to launch an all-out program for malaria eradication in Cuba at this time is unknown. In 1959, PAHO–WHO spent $31,471, almost 10 times as much as in the previous year. In 1960, $25,749 was spent on the campaign. For 1961, PAHO–WHO has allocated $79,766 to the Cuban malaria eradication program, over 20 times as much as in 1958.

The figure of $79,766 does not include an additional allotment approved May 29, 1961, in the amount of $99,000 for 32 four-wheel-drive jeeps for purchase from WHO malaria eradication special account, using the Soviet Russia ruble account. This brings the Cuban malaria eradication allotment total to $178,766 for 1961.

SOVIET JEEP PURCHASE

The purchase of 32 Russian-made jeeps to be used in the malaria program in Cuba, 19 on delivery now and 13 more to be delivered by the end of the year, a total fleet of 32 Russian jeeps, presents a most interesting example of the type of aid being given to Castro's Communist government.

The Russian jeeps which are being procured have a Russian designation of GAZ–69. They are eight-passenger, four-wheel-drive vehicles, and are designed for transport of passengers and freight. These jeeps are said to have a high ability for traveling over all kinds of terrain. It has, according to the Soviets, the capability of traversing various obstacles such as canals, ditches, rocky and roadless terrain. It is obvious that these vehicles could very well have a military potential and capacity.

According to information I have been able to gather, high-ranking officers of PAHO–WHO were given to understand that the U.S.S.R. would be willing to provide 19 of its jeeps to the World Health Organization special malaria eradication account provided they were allocated to Cuba. After the offer was made, Dr. Escalona, Subsecretary of Health of Cuba under the Castro Communist regime, was contacted regarding the possibility of the Government obtaining spare parts for Russian-made vehicles should these be furnished for malaria eradication programs. Dr. Escalona assured PAHO that this would be possible for his government to do. The Washington office then informed the World Health Organization in Geneva, Switzerland, that the Cuban Government was anxious to begin what they termed "geographical reconnaissance activities," and that the full complement of international staff was selected and ready to begin work. The date was December 16, 1960. In January, Dr. Oswaldo J. de Silva, chief of the malaria program for PAHO–WHO, made it clear that the GAZ–69 model offered by Russia could not be used for spraying as previously planned, but nevertheless the jeeps could be used for supervising the operations and transporting the evaluating personnel.

In April 1961 the request was made to WHO special malaria eradication account for 19 Russian jeeps for immediate delivery in the amount of $43,752, and the request was made for 13 additional vehicles for the program, to be supplied in the third quarter of 1961, bringing the total jeeps to 32. WHO notified Pan American Health Organization in April that an allotment of $44,000 had been granted for the purchase from the U.S.S.R. rubles account and then on May 29, 1961, PAHO was notified that the allotment would be increased from $44,000 to $99,000. This action clearly indicates the entire request is being honored.

It is paradoxical that the United States participates in the Pan American Health Organization which makes an all-out effort to obtain four-wheel-drive vehicles

for use in the Castro Communist regime without it appears making an effort to find out specifically what their use is really going to be, or the need. I doubt whether our State Department knows how the malaria eradication program is organized or operating, by permitting this action.

At the same time these arrangements were being made an announcement on June 9, 1961, was made that the United States was tightening regulations against export to the Congo of four-wheel-drive vehicles which could have military use. The State Department at that time said it was asking U.S. allies to take the same action. At that time, the Commerce Department issued new regulations effecting banning shipment of such vehicles to the Congo, except to United Nations forces or in cases where they would clearly not be used for military purposes.

When the United States took this action it said that four-wheel-drive vehicles capable of going across country could be extremely dangerous.

It seems to me that the request for the 13 additional jeeps for Cuba should be canceled immediately, and if the 19 that were allowed to be ordered so far have not been shipped, they should also be stopped immediately. I have sent a telegram to the Secretary of State urging him to use his influence to see that this is done.

In February of 1959, an agreement was signed between the Pan American Sanitary Bureau and Cuba for a plan of operations for the program to investigate eradication of malaria in Cuba. Part 4 of this plan is entitled "Commitments of the Government," and states as follows:

> The Government [Cuba] agrees to provide materials, equipment, transports, and other facilities necessary for the efficient development of the project.

Part 5 of the agreement, entitled "Commitments of Pan American Sanitary Bureau and WHO," states:

> Equipment and supplies required to enable international personnel to carry out their functions.

It appears that, according to the agreement, Cuba is not entitled to receive a contribution of vehicles for transportation.

An official booklet intended primarily for prospective candidates and staff members of WHO, entitled "Basic Facts About the World Health Organization," states the following in explaining the malaria eradication special account (MESA):

> For the region of the Americas, PAHO has set up its own special malaria fund, on similar lines; the funds of MESA are used for work in the other five regions.

If this is the way MESA is supposed to operate, why were Soviet jeeps sent to Castro's Communist Cuba from WHO malaria eradication special account?

It should be pointed out that the U.S. contribution to the WHO malaria eradication account—MESA—has been 90 percent.

The U.S. Government has repeatedly requested other governments, including the U.S.S.R., to contribute more to the worldwide malaria eradication program. The U.S.S.R. contributed these jeeps as part of their contribution in kind. No matter how you approach it, the United States is contributing to a program to send four-wheel-drive vehicles to the Communist-dominated Castro government which can be used not only for malaria eradication, but could well serve a military purpose.

CANTEENS, COMPASSES, AND FLASHLIGHT BATTERIES

In connection with this same program, PAHO–WHO has fulfilled other questionable requests from Cuban authorities for supplies and equipment. They have requested and received 143 open-faced-dial magnetic compasses. They have requested and received 270 aluminum canteens with a 1-quart capacity, with carrying strap. They have requested and received 6,000 flashlight batteries. Now, Mr. Speaker, maybe four-wheel-drive jeeps, compasses, canteens, and flashlight batteries are needed for a malaria eradication program, but at the same time, let us face up to the fact that they can also be used for military purposes. Is it not about time that we evaluated and took a look at the programs which we are supporting with our contributions?

It is possible that the malaria eradication campaign in Cuba has opened a terrific front for the Communists to operate in and out of Cuba. The PAHO–WHO not only provides a well-organized apparatus to promote international communism, but its funds are also being used to equip a Communist country with vehicles and equipment that could be used to repel any attempt of the free world to liberate Cuba, and the U.S. taxpayer is contributing heavily toward footing the bill.

PAHO FELLOWSHIP PROGRAM

Another program that has received a great increase under the Cuban PAHO program is the fellowship program. It should be remembered that in accordance with the rules of PAHO–WHO, the fellowships are awarded to the persons, "on the recommendation of his government." Knowing that Cuba is a Communist regime and knowing how the Communists operate, it is obvious that the persons endorsed by the Minister of Health are persons who deserve his utmost confidence.

The fellowship program for public health administration is budgeted for 1961 in the amount of $12,900. A significant example of how the fellowship program operates was the sending of four fellows to the WHO training course on polio control in Prague, Czechoslovakia, the 29th of May through the 24th of June 1961. Its purpose, it has been stated, was to afford virologists advanced training in diagnostic procedures, tissue culture techniques for vaccine production, and control and evaluation of vaccine in field use. The meeting was part of a program of the European region of the World Health Organization which is comprised of the countries of both Eastern and Western Europe, not including, however, unrecognized regimes such as East Germany. The meeting was listed in the world health program and budget for 1961 which was first published in 1959 and approved in May of 1960. The budget for the meeting itself was $7,000, about one-third of which was contributed by the United States.

There were to be no participants from the United States. Virologists from the following European countries were to take part: Austria, Bulgaria, Italy, Greece, Spain, Yugoslavia, Portugal, Switzerland, the Federal Republic of Germany, Rumania, and Poland. Strangely enough, four fellowships were offered by the Pan American Health Organization to attend this meeting in Czechoslovakia at a cost of $6,885, 60 percent of which was contributed by the United States. For what reason were they sent to this meeting when it was not for Western Hemisphere participation? One of these fellows was a Cuban. He received $1,560 for the trip—$440 stipend, $900 travel, $220 tuition, total $1,560. The other three fellowships went to men from Mexico, Brazil, and Chile.

As every Member of the House knows, Czechoslovakia on May 9 pledged their support to back Fidel Castro's revolution with economic aid and if need be, military assistance.

PAHO-WHO, UN/TA INTERRELATIONS

In November of 1960, a request was made by the Cuban Government for a consultant to serve a period of no less than 3 months to advise on the disposal of garbage and refuse for the city of Havana. At that time, the Washington office of the Pan American Health Organization advised the Cuban office that there were no funds available to provide for a consultant service in the field of garbage and refuse disposal. PAHO indicated that they had explored the possibility of utilizing savings for this purpose for the balance of 1960, and found that this could not be considered either. Then they told the Cuban office that for 1960 and the balance of this year there was no possibility of Washington meeting this particular request and called attention to the fact that in 1961 funds had been proposed for a short time consultant for 2 months in this particular field. However, it was their intention that the consultant would serve several countries because it would be rather inequitable to allot all of the 2 months' service to one government. Because of this refusal, Cuba evidently submitted the request to WHO; it in turn submitted it to the technical assistance board of the United Nations and they granted the request to Cuba. The executive chairman, it is said, recognized the urgency of the request and therefore gave his approval to an allocation of $4,800 from the capital in the reserve fund for this purpose.

It is interesting to note that in the latest 1961 PAHO-approved budget, there is an item entitled "Cuba 14 Environmental Sanitation," $4,800, which indicates that the request is now a permanent part of the 1961 budget.

EMERGENCY REVOLVING FUND

Another interesting operation of the Pan American Health Organization is the emergency revolving fund. The emergency revolving fund is available according to their own manual for the purposes of providing immediate relief

in cases of unforeseen emergency health problems. From the best information available, it appears that out of this emergency revolving fund Cuba has received more than $13,000 which is over and above the other items set forth previously. What this expenditure represents is unknown. This fund is maintained at $50,000 and is administered by the PAHO Director. Whether or not all of the requirements, fiscal or otherwise, are followed in making payments from the emergency fund is not known, but it certainly is one area that should be looked into as to whether or not the emergency fund is being used for proper purposes and is being administered in a proper fashion.

The items set forth are only a few that I have been able to develop. It is, as I said at the outset, practically impossible for anyone who is not closely associated with the Organization to delve completely into all of the details. It seems that if the United States is asked to contribute the largest portion of the operation of this international agency and others, we have a right to know whether or not the funds which we contribute are being handled in a prudent and wise manner which will benefit the free world. For some unknown reason which needs to be fully explained, the Pan American Health Organization has been increasing the programs in Cuba to a considerable degree since Fidel Castro put the yoke of communism on the Cuban people. If the Pan American Health Organization or its associated organizations can justify in any way helping a regime which goes contrary to the goals of free peoples all over the world, I would like to have their explanation. If the State Department can in any way justify imposing upon the American taxpayers the responsibility of supporting the Communist programs in Cuba, I would like to have their explanation. I believe we all want to help unfortunate people throughout the world maintain the best health standards and to develop their countries for better living and a fuller life. But at the same time, there is no excuse for helping the advancement of international communism.

Mr. Chairman, I completely agree with the request in the committee report and urge the Secretary of State and the U.S. representatives to international organizations to use every reasonable means to prevent the continuation or initiation of multilateral projects or programs in Cuba by the Pan American Health Organization and its affiliated organizations.

Let us not continue to go down the road of using our resources to help countries who are out to see our downfall. There is no time to waste. It should be done now before our deep involvement in the alliance for progress $20 billion program. The American taxpayer is entitled to more than another costly mistake.

Mr. Chairman, I believe the Committee on Appropriations performed a real service by placing language in the committee report, pertaining to funds being contributed to international organizations. I hope that the committee will follow through on these international organizations and see if there is some way that Congress can either cut the funds contributed or find out where the money is going, what it is being used for, and whether it is being used in the interests of the free people all over the world. That is the purpose that we are appropriating all these great, vast amounts of money.

Mr. PASSMAN. Mr. Chairman, if the gentleman will yield, I promise the gentleman we will do the very best and will try to give you more information on it the next time we consider the bill.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from New York.

Mr. LINDSAY. I just take this time to point out—and I do so only for fear that out of emotional anti-Castroism this amendment might pass—that one danger is in the Middle East. This country contributes 70 percent, as has been pointed out, for UNRRA, and if it was not for this Agency, at this moment that whole area would blow up like a tinderbox explosion. If there is one thing that keeps the lid on that dangerous and sensitive situation of 7½ million refugees in teeming camps, it is the work of UNRRA, and the best thing we can do, if we want to trigger off an explosion in that part of the world, which could trigger off an explosion in other parts of the world, would be to vote for this amendment right now.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. JONES].

The amendment was rejected.

The Clerk read as follows:

Contingency fund: For expenses authorized by section 451(a), $175,000,000.

Mr. BOLAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOLAND: On page 2, line 19, strike out "$175,000,000" and insert "$275,000,000".

Mr. BOLAND. Mr. Chairman, the President has the direct responsibility for the conduct of the Nation's foreign policy and foreign relationships. In the years following World War II, many situations have arisen which required an immediate response by America if we were to have any influence at all on the outcome of history. America cannot afford to play the role of spectator in this game if we are to discharge our responsibilities to ourselves, to other nations, and to our children and our children's children. We must be prepared at all times to be active participants.

America has shown over her history a willingness to respond to every kind of contingency. We have been generous with our resources; we have been unsparing in our willingness to meet crises in the face of the awful tragedies of global war. America has produced monumental contributions of material, of manpower, to sweep back the tides of tyranny.

Every one of us knows that "an ounce of prevention is worth many pounds of cure." The history of the past 15 years is studded with evidence of the successful use of American power. Because we have given the President the power, in the past, to respond quickly, we have undoubtedly avoided far more serious consequences in many parts of the world. This power is conveyed in the contingency fund which we give the President.

Last year the President required $274 million of that contingency fund. With the benefit of the hindsight of the past several weeks the President appears to have been amply justified in asking that, this year, he be given $500 million for use to meet contingencies wherever they may arise, be it in Berlin or Laos, in Vietnam or the Congo, in Brazil or Iran. We cannot know now the exact nature of the challenges that will arise, nor their extent, but we certainly cannot afford to leave America stripped, helpless, and handcuffed in the face of the many contingencies that are already visible to the thoughtful citizen. The Congress has already reduced in the aid bill just enacted the President's contingency fund from the $500 million requested to an authorization of only $300 million. We know that the President will not spend this money if he does not need to do so; but it is far better to have the power and not need it than to need it and not have it.

The Congress is shortly planning to go home until January. Surely the prudent course was not the course of the Appropriations Committee which cut the appropriation to $175 million, which is $100 million less than last year's funds. Surely no Member of this House believes that the risks we face with the contingencies that will arise will be less in fiscal year 1962 than they were in fiscal year 1961. This is a time when tens of thousands of our Reserves are being called to duty; when more of our troops are moving to battle lines in Berlin; when the Soviets are threatening Greece with reprisals if she does not withdraw from NATO military exercises; when the cold war, unfortunately, is coming closer to the brink of a hot war with each passing week.

I ask the House to support the amendment to restore $100 million to the contingency fund. And it is my fervent prayer that the events of the coming year will be such as to make that a sufficient sum. Certainly every Member knows that if our response is inadequate, the risk is far greater that we will be here on some future date appropriating not $275 million but, as in World War II, $300 billion to deal with the tragedies that will have befallen us.

Mr. Chairman, let me tell you what Secretary of State Rusk and Secretary of Defense McNamara say relative to the item:

We view with deep concern the cut in this item, particularly in view of the extensive cut already made in the administration's request by the authorizing legislation. The coming months will be most difficult ones and it is likely that there will be several occasions where there will be a paramount need for having funds available on short notice. This need will unquestionably be accentuated because of the reductions in supporting assistance already made by the authorizing legislation.

Mr. PASSMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. TABER. I just wanted to say that I believe the $175 million provided by the committee is ample for the contingency fund. It does not include any money for the Peace Corps.

Mr. PASSMAN. Mr. Chairman, I hope Members will listen. I shall be brief. We have yet to find any real emergency project that has ever been started out of the contingency fund, although I can say that in one specific instance they took money out of the contingency fund to nullify reductions that the Congress had made in the regular items. They merely transferred money out of the contingency fund in order to offset the cuts we had made in other grant-aid programs. They admit that.

I will cite some of the things for which the contingency fund has been used. If you will refer to page 962 of the hearings you will get an idea: In Liberia, government reorganization and management; in Pakistan, a transport feasibility survey; in Afghanistan, control of African horse sickness; in Brazil, the purchase of a complete apartment house in Brasília to house American personnel. For roads, an engineering analysis survey. That was in British Guiana; and in Ecuador a low-cost housing program.

Then they have a list of gifts they made out of the contingency fund to some of the newly independent states.

But you do not want this fund to be such that they can spend $460,000 to buy a complete apartment house down in Brasília; you want a fund sufficient to meet emergencies—real emergencies.

In talking about the President I am not talking about him personally, but those to whom is delegated the power to allocate the funds. They may spread it thin and then we wake up to find that a small sum has been used in this way for a project that in subsequent years will require millions or hundreds of millions to complete.

We are giving more at this stage than the House recommended last year. We are $25 million ahead of what the House recommended last year for President Eisenhower for fiscal 1961.

There is no justification for any increase. This is a place where we should be very careful because the matter can easily get out of hand.

I hope the amendment will be voted down.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Indiana.

Mr. ADAIR. Is it not true this money is entirely for economic purposes?

Mr. PASSMAN. I would like to say to the gentleman that the officials can allocate the money for any purpose they want to.

Does the gentleman realize they can transfer out of all the other funds into the President's contingency fund? They transfer out of military assistance, for instance. We gave the military more money than they needed last year. They transferred out of the military into the contingency fund, then from the contingency fund they made allocations to grant-aid projects. This is the most flexible item in the bill.

Mr. ADAIR. Is it not true that in the authorization legislation there are $300 million of military equipment that can be drawn on?

Mr. PASSMAN. Yes, but we will cross that bridge when we get to it.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. Is it not true also as a matter of time, quite often the administration delegates funds from the contingency right after they become available? In other words, it seems that the funds are used for the different projects which were refused by the Appropriations Committee and the House and Senate immediately after the bill passes. It seems to me—I think the gentleman will agree—the only contingency to guard against is the contingency that the House and Senate might not vote as much as they want.

Mr. PASSMAN. It is a rather open and loose proposition—as wide as the discretion of the Executive.

Mr. Chairman, I hope the amendment will be voted down.

Mr. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I personally support this amendment. The President asked for a contingency fund of $500 million. The authorization reduced that from $500 million to $300 million. This amendment would still leave the contingency $25 million less than the authorization.

Mr. Chairman, world conditions as we can best see them for the next 12 months indicate we are going to have more problems rather than less. If that is a true assumption, and I believe it is, we ought to give more flexibility, not less, to the President in this category.

The question has been raised, Is this $275 million or $175 million limited to nonmilitary contingencies? Someone has indicated there is another $300 million available for military contingencies. I would like to set the record straight once and for all, that you cannot use the military contingency fund or section 510 both ways. The argument has been made, I am sure it will subsequently be made, that section 510 of the authorization bill can be used to make up any deficiency in military assistance funds and to justify the cut in that account. At the same time some people are saying now we can use that program to help the nonmilitary contingencies.

I do not think you can have it both ways. You have to have it one way or you have to have it the other way. You cannot have both barrels. I say that because of the unforeseeable circumstances which will face the President in the next 12 months, circumstances which in my opinion are going to be worse rather than better. We in this body ought to give the President a greater amount of money to meet these critical emergencies and conditions.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Indiana.

Mr. ADAIR. Is it not true that heretofore the contingency fund has been for both military and economic purposes?

Mr. FORD. That is true.

Mr. ADAIR. In other words, last year's contingency fund of about $275 million was both economic and military?

Mr. FORD. That is correct.

Mr. ADAIR. As now provided in the legislation there is $175 million for the economic portion of this bill, and there is another $300 million which can be drawn from military supplies and services. So, it is my contention that there is more money here for contingency purposes than we have heretofore provided.

Mr. FORD. The gentleman from Indiana [Mr. ADAIR] is correct, unless you follow the reasoning that some have put forth, that the military contingency fund is used to justify the reductions in the military assistance portion of this bill.

Mr. ADAIR. No; I am simply saying——

Mr. FORD. You are not saying that, but there are some people who say that. My point is that you cannot have it both ways. The gentleman from Indiana is accurate, fair, and frank but there are some who talk both ways.

Mr. ADAIR. If the gentleman will yield further, I think one can look at the total and see what we have for contingency purposes with respect to this section of the bill.

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this kind of a setup that permits such things to be done as the Peace Corps, let us not have any more such projects as that. Let us wake up and realize that we have been given warning that we should not have too liberal a contingency fund. I hope the amendment offered in this case will be rejected.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Is it not true that at this same period and at the same stage of the handling of the bill last year we only had $150 million in the bill for the contingency fund?

Mr. TABER. That is right.

Mr. PASSMAN. And is it not also true that when we got through conference with the other body, we came back with $250 million?

Mr. TABER. That is right.

Mr. PASSMAN. And is it not also true—and I want the gentleman to verify this—they had so much money in the contingency fund that they went down to Brasília and bought an entire apartment unit and paid cash for it for the use of American personnel?

Mr. TABER. That is correct.

Mr. PASSMAN. Mr. Chairman, I hope that the amendment is voted down.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman.

Mr. CONTE. I would like to straighten out the record in respect to this entire housing project in Brasília. This is not so. When the government moved up to Brasília they had to have housing and office space for American technicians who are working in that part of the country. They fully justified the project before our committee this year on page 1022 of the foreign operations appropriations hearings.

Mr. PASSMAN. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Louisiana.

Mr. PASSMAN. They did not justify this project to the committee prior to obligation of the funds.

Mr. TABER. I have never heard of it before.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. I should like to say to the distinguished gentleman from New York and the distinguished gentleman from Massachusetts [Mr. CONTE] that I am quite familiar with this Brasília housing situation. I was in Brasília in December last, and I say that the withdrawal of almost half a million dollars from the President's contingency fund for a purpose such as that almost borders on the criminal. It was utterly ridiculous to have withdrawn those funds from the contingency fund. However, it should be remembered that these funds were not withdrawn within the period of the Kennedy administration. They were withdrawn in the previous administration.

Mr. TABER. What difference does it make?

Mr. ROONEY. That is a good question. I say to my distinguished friend from New York that whether it was done in the Kennedy administration or the Eisenhower administration, it was ridiculous.

I shall vote for the so-called Boland amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. BOLAND].

The question was taken; and on a division (demanded by Mr. BOLAND) there were—ayes 104, noes 109.

Mr. BOLAND. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. BOLAND and Mr. PASSMAN.

The Committee again divided, and the tellers reported that there were—ayes 127, noes 152.

So the amendment was rejected.

The Clerk read as follows:

MILITARY ASSISTANCE

Military assistance: For expenses authorized by section 504(a), including administrative expenses authorized by section 636(g)(1), which shall not exceed $24,000,000 for the current fiscal year, and purchase of passenger motor vehicles for replacement only for use outside the United States, $1,300,000,000.

Mr. PASSMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PASSMAN: On page 3, line 7, strike out "$1,300,000,000" and insert "$1,475,000,000".

Mr. PASSMAN. Mr. Chairman, as I indicated this morning, while many of my colleagues were enjoying a respite from their labors in Washington I remained here over the weekend. I have discussed this matter with the leadership of the administration downtown and the leadership on the Democratic and Republican sides. I discussed it with the majority leader. I can assure you he told me there would be no opposition if I would reinstate $150 million. After we reached that agreement, I said to the leadership on this side, I said: "Now I want to be generous because there is some opposition on the floor. Let me recommend $25 million more than the figure on which you have reached an agreement." They said, "Well, we will not object." So I am actually recommending more than was agreed upon by the top-echelon people downtown and the leadership on either side of the aisle.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I am happy to yield to the gentleman.

Mr. HALLECK. The gentleman speaks of the leadership. I am the minority leader, but the gentleman did not discuss the matter with me until after his announcement had been made as to what he was going to do.

Mr. PASSMAN. With the gentleman's permission, may I say I did discuss it with the majority leader on this side of the aisle. I did not get to you on two occasions, so I discussed it with the gentleman from Illinois [Mr. ARENDS], and he is rather high in the echelon on your side. I also discussed it with the gentleman from New York [Mr. TABER], who is the ranking minority member of the Committee on Appropriations. I did not mean I had cleared it with the leaders. My majority leader was very glad to talk with me and he would have been happy with $150 million.

As I said this morning, you just cannot please everybody. If you get it too low, then some want it higher, if you go too high, some want it lower.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield? Did you discuss it with the gentleman from Iowa [Mr. GROSS]?

Mr. PASSMAN. I did not get around to discussing this with the gentleman from Iowa [Mr. GROSS]. Now what is the situation? Mr. Eisenhower asked for $1,800 million. President Kennedy reduced it to $1,600 million. Later, he put it at $1,885 million. I think the House passed $1,800 million. Then it went over to the other body, and they passed $1,550 million. Then it went to conference and they raised it to $1,700 million. When it came to our committee we pinned the record down and we finally recommended $1,300 million. But we noted some language in the authorizing bill that stated that if the President considers it vital for the security of the country, he may borrow $300 million from Department of Defense stocks and at a subsequent date ask the Congress to make an appropriation to reimburse the Defense Department. In addition to the $1,475 million—the $1,300 million and the $175 million—remember that we are reappropriating $50 million which brings it to $1,525 million. Likewise, you have $100 million in the dereserved funds that automatically carry over. That is a total of $1,625 million. Remember, we still have a conference to contend with. If there ever was an amendment that has no justification—or rather above this there is certainly no demonstrated justification, but I hope you support this amendment and I hope it will be unanimous. I hope for one time every Member of this body will be satisfied that the chairman of this subcommittee can likewise be flexible and yield in his thinking to higher authority. I hope you will support the amendment.

Mr. FORD. Mr. Chairman, I offer an amendment as a substitute for the amendment offered by the gentleman from Louisiana.

The Clerk read as follows:

Amendment offered by Mr. FORD as a substitute for the amendment offered by Mr. PASSMAN: On page 3, line 7, strike out "$1,300,000,000" and insert "$1,600,000,000".

Mr. FORD. Mr. Chairman, the amendment just offered by the gentleman from Louisiana [Mr. PASSMAN] would add $175 million to the amount recommended by the House Committee on Appropriations, making a total of $1,475 million. This amendment offered by the gentleman from Louisiana is $225 million less than the 1962 authorization which this Congress approved 72 hours ago. Has anything in the last 72 hours improved to justify a $225 million reduction? Of course not. There have been three nuclear tests conducted by the Soviet Union in this interval. Does that make anyone feel better to reduce the military assistance appropriations?

This figure recommended by the gentleman from Louisiana is $325 million less than the Congress appropriated a year ago. Have conditions improved in the last 12 months to justify this kind of a reduction in military assistance? The answer obviously is "No."

Now the next question is, Is my amendment, which increases the committee's recommendation $300 million, too much? The answer is "No." This $1.6 billion, the amount which I have proposed, is the minimum recommended by either President Kennedy or former President Eisenhower.

In March of 1961, President Kennedy recommended for military assistance $1.6 billion. This was $200 million less than former President Eisenhower had submitted in his January budget message. Subsequently President Kennedy made a recommendation for $1,885 million. In other words, we have had a Republican President and a Democratic President, two highly respectable authorities, say that we need more than this amount, and as a bare minimum $1.6 billion.

I do not see how in the world we can honestly contend that we can help to

solve the Berlin question with less military funds, which means less guns, less aircraft, less trainees, less heavy equipment across the board. I do not see how we can honestly say we can help solve the problem of southeast Asia, Laos, Vietnam, with less money, which, of course, means less guns, less tanks, less ammunition, less military equipment across the board. How in good conscience can we say to our constituents, to the Nation, and to our allies that we are going to help resolve the critical problems today, next month, and for the next 12 months with less military assistance rather than more?

We follow the military budget recommendations of our own Army, Navy, and Air Force experts, our Secretaries of Defense, whether they are Tom Gates or Robert McNamara. We just appropriated $6 billion for fiscal 1962 more than we appropriated for fiscal 1961 for our own Army, Navy, and Air Force. We followed their advice when they asked us for money for our own Army, our own Navy, and our own Air Force, and then we do not follow the same advice they give us for military assistance for our allies, for our own mutual security.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. I congratulate the gentleman and say that I am going to support his amendment. Our top military experts have consistently testified that dollars spent on our military assistance programs were just as important as those expended on our own military budget. It is time we stood up to our responsibilities under our military assistance program and I urge the House to adopt the gentleman's amendment.

Mr. FORD. I thank the chairman of the Committee on Foreign Affairs.

Mr. Chairman, I think this is one of the most important issues that we have had on the floor in many months. It is too little, in my judgment, but it is a minimum figure recommended by either President Eisenhower or President Kennedy.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Minnesota.

Mr. JUDD. Did we not have testimony that it will take about $1 billion just to maintain the armed forces that we are presently assisting around the world? To appropriate only $1.3 billion would hardly allow a beginning of the urgently needed modernization of many of those forces. Khrushchev boasts about his land forces, and they have put more into their land forces than we have. Such a drastic cut would make it impossible to improve the forces allied with us so that those who might have to fight alongside our boys in Germany or elsewhere would have decent equipment. Do we dare take such a chance with our own security as this committee bill involves? I urge that the gentleman's amendment be adopted.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. LAIRD. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. FORD] may proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield.

Mr. LAIRD. The gentleman from Michigan has made reference to the request made by former President Eisenhower for $1,800 million in that particular item. It is my understanding there was no separate $300 million contingency fund which there was in this authorization bill when it was signed into law this past week. In this bill in addition to the regular appropriation there is a new contingency fund set up for the military alone of $300 million. Does the gentleman anticipate that if his amendment is adopted the $300 million contingency fund will not be used?

Mr. FORD. It would be my hope and expectation. As the gentleman knows I personally opposed section 510 in the authorization bill. I though it was unwise. I hope they will not use it. If we take the figure of the gentleman from Louisiana it will be inevitable that they would have to use that fund, which is another back-door financing method as bad as that we struck out in the authorization bill.

Mr. LAIRD. The gentleman does anticipate that with his amendment it will not be necessary to use the contingency fund.

Mr. FORD. I hope not, and I would personally recommend against the use of it if my amendment is approved.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. I think I can say it will not be used unless we get into some military emergency.

Mr. FLOOD. Mr. Chairman, will the gentleman yield ?

Mr. FORD. I yield.

Mr. FLOOD. Mr. Chairman, there is no man on the Republican side of this House who is as well versed, who knows the military posture of this Nation and the military problems of this Nation as does the gentleman from Michigan.

I challenge any or all Members on that side to deny my statement. This gentleman is not only one of the best versed men on your side, he is one of the best versed men in the Nation on this subject, and to deny support to a Republican spokesman of such recognized leadership dealing with the subject is difficult indeed to understand.

Mr. FORD. In conclusion may I simply say that in many of the programs discussed here today we have heard the criticism that there was no justification for the dollars. Some of them, it was alleged, are vague recommendations for economic assistance without specifics. Here is the justification book for the military program, and every one of the programs for each country is laid out as to the number of guns, tanks, munitions, aircraft, training, and so forth. This is hard, concrete information. I think on this basis if on no other we ought to support this amendment.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Virginia.

Mr. GARY. May I say to the gentleman that I was one of those who felt that the amount originally recommended for this item was insufficient. I do feel, however, that the amendment offered by our chairman is a very fair compromise on this item.

Mr. FORD. Much as I respect the gentleman from Virginia, I must say that in this instance I honestly and sincerely believe the larger figure, which is still $200 million less than what we appropriated last year and which is still less than what either President Kennedy or former President Eisenhower recommended, is necessary.

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I just want the membership of the House to have a picture of what the situation is. The expenditures for 1961 were $1,600 million, or at least the obligations were, but a little over $100 million can be deobligated and put back into the obligations available. On top of that there is this $300 million that might be used if there is any reason for it; but it does not look as if there were going to be.

A year ago I led the fight to raise the money—I have forgotten what the figure was—from one billion six to one billion eight. That amendment was agreed to.

Frankly, I have become completely disgusted with this program because of the development loan business which I believe is a menace to and a terrible drain on our economy. Ever since the program has been in effect I have voted for the authorization bill and most of that time for the appropriation bill. But this business completely upsets things, as far as I am concerned, and I shall have to vote "no" against the bill.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Is it not true that the amendment I proposed met with approval all along the way, so far as the gentleman knows? I did not know there would be any opposition to it. Most Members were out of town. I can tell you this was discussed at the top echelon downtown and it met with no opposition. I discussed it with our distinguished majority leader. The record is abundantly clear, and what we recommend is in excess of the amount of money that the military spent last year. They spent only $1,465 million. That is all they spent last year, even though they had the money available. At that time they had $1.8 billion and they spent $1.465 billion. My proposal is to bring it up to $1,475 million, plus $100 million from the dereserved fund, plus $50 million unobligated funds

reappropriated, which would bring it up to $1,625 million.

Mr. TABER. It would.

Mr. PASSMAN. This is one item a vast majority of Members should be willing to support.

Mr. TABER. On top of that, the $300 million transfer authority from military stocks is available?

Mr. PASSMAN. Yes.

Mr. CONTE. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Michigan.

Mr. Chairman, for the life of me I cannot understand why last year, the same hearings, the same committee, with world tensions not as grave as they are this year, under a Republican President, a Democratic House and a Democratic Senate, a Democratic chairman, giving a Republican President $1,800 million and depriving the present Democratic President of the same amount of money.

World tensions have intensified all over the world. There have been the three nuclear tests, the Berlin situation, the situation in South Vietnam and Laos.

Mr. Chairman, I do not speak here today as SILVIO CONTE, the Republican, or as SILVIO CONTE, member of the Committee on Appropriations. I speak here as an American citizen, worried not only about the welfare of my wife and children and the people I represent in the First Congressional District of Massachusetts but all the people of the United States and the free world.

Mr. Chairman, we had before our committee the top generals, the top admirals, stating that the situation is grave, that they needed this money for new weapons, ammunition, new guns, and new airplanes.

I wish I could disclose some of the evidence that was presented before our committee in respect to the situation in South Vietnam involving millions and millions of dollars for the stepped-up program that we have in that country in order to save it for the free world.

Mr. Chairman, I hope that the substitute amendment offered by the gentleman from Michigan [Mr. FORD] is adopted, and that the amendment offered by the gentleman from Louisiana [Mr. PASSMAN] is defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. FORD], as a substitute to the amendment offered by the gentleman from Louisiana [Mr. PASSMAN].

The question was taken; and on a division (demanded by Mr. FORD) there were—ayes 133, noes 112.

Mr. PASSMAN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. FORD and Mr. PASSMAN.

The Committee again divided, and the tellers reported that there were—ayes 164, noes 125.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. PASSMAN] as amended by the amendment offered by the gentleman from Michigan [Mr. FORD].

The amendment, as amended, was agreed to.

The Clerk read as follows:

SEC. 107. The Congress hereby reiterates its opposition to the seating in the United Nations of the Communist China regime as the representative of China, and it is hereby declared to be the continuing sense of the Congress that the Communist regime in China has not demonstrated its willingness to fulfill the obligations contained in the Charter of the United Nations and should not be recognized to represent China in the United Nations. In the event of the seating of representatives of the Chinese Communist regime in the Security Council or General Assembly of the United Nations, the President is requested to inform the Congress insofar as is compatible with the requirements of national security, of the implications of this action upon the foreign policy of the United States and our foreign relationships, including that created by membership in the United Nations, together with any recommendations which he may have with respect to the matter.

Mr. ROONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROONEY: On page 5, after line 23, insert the following:

"SEC. 108. It is the sense of Congress that any attempt by foreign nations to create distinctions because of their race or religion among American citizens in the granting of personal or commercial access or any other rights otherwise available to United States citizens generally is repugnant to our principles; and in all negotiations between the United States and any foreign state arising as a result of funds appropriated under this title these principles shall be applied as the President may determine."

And renumber the section that follows:

Mr. ROONEY. Mr. Chairman, this amendment is identical with one that was included in the mutual security appropriations bill passed by the Congress last year as section 113 thereof. I offer it in a bipartisan manner in behalf of the distinguished gentleman from New York [Mr. HALPERN] and myself. I do not feel there need be any debate on it. As you have heard, it is an antidiscrimination amendment protecting American citizens against distinctions because of their race or religion by foreign nations. I am confident that the distinguished chairman of the Subcommittee on Foreign Operations Appropriations will not oppose this pending amendment.

Mr. PASSMAN. Under the rules of the House, Mr. Chairman, I cannot accept the amendment on behalf of the committee, but I am certainly not going to oppose the amendment. In fact, as an individual I am going to vote for it.

Mr. ROONEY. I sincerely thank the gentleman.

Mr. HALPERN. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield to the distinguished gentleman from New York, and thank him for his invaluable assistance in connection with the pending amendment which was omitted from the pending bill by inadvertence.

Mr. HALPERN. Mr. Chairman, this amendment is identical with the one I have at the desk and which I discussed with the gentleman from New York. I heartily urge its adoption.

Nothing short of this amendment to the Foreign Assistance Appropriations Act is satisfactory to carry out the sense of Congress as expressed heretofore in previous appropriations bills and it fulfills the principle espoused by the President linking social justice and morality to our foreign aid program.

To omit this provision as did the bill as reported, would have been interpreted as a retreat on the part of Congress—an appeasement—which could only lead to more flagrant violations of decency and dignity, not to mention international law, on the part of certain nations receiving our foreign aid.

There can be no question here as to the sense of Congress. The language in this amendment—the same as that which we enacted in the appropriations bill last year—is unqualified and unequivocal. It is a clear declaration of principle and a concomitant of American aid.

I trust it will be approved and then, of vital importance, that it will be implemented by the executive department.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

The Clerk read as follows:

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $3,010,000 (to be computed on an accrual basis) shall be available during the current fiscal year for administrative expenses, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a) at rates not to exceed $75 per diem for individuals, and not to exceed $9,000 for entertainment allowances for members of the Board of Directors; and, in addition, not to exceed the equivalent of $200,000 of the aggregate amount of foreign currencies made available to the Export-Import Bank for loans pursuant to the Agricultural Trade Development and Assistance Act of 1954, as amended, shall be available during the current fiscal year for expenses incurred by the Export-Import Bank incident to such loans: *Provided*, That (1) fees or dues to international organizations of credit institutions engaged in financing foreign trade, (2) necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Bank or in which it has an interest, including expenses of collections of pledged collateral, or the investigation or appraisal of any property in respect to which an application for a loan has been made, and (3) expenses (other than internal expenses of the Bank) incurred in connection with the issuance and servicing of guarantees, insurance, and reinsurance shall be considered as nonadministrative expenses for the purposes hereof.

Mr. HOFFMAN of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN of Michigan: On page 8, line 23, after the comma, strike out the balance of line 23 and the first seven words in line 24.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Do I understand this $9,000 is for entertainment?

Mr. PASSMAN. That is correct.

Mr. GROSS. This is an international financing activity, that is, the Export-Import Bank; is that correct?

Mr. PASSMAN. That is correct.

Mr. GROSS. And this $9,000 for entertainment is necessary in order to dish out our money all over the world; is that correct.

Mr. PASSMAN. No, I will not agree that that is correct. The Export-Import Bank is a good organization and one that has paid substantial dividends and returned money to the Treasury of the United States. How do you expect these people to talk to applicants about a loan if we do not provide them with a little representation allowance to give them maybe a steak or a hamburger. This has been in the bill every year.

Mr. GROSS. You mean that that is necessary in order to get rid of our money; is that right?

Mr. PASSMAN. I would not say that is true. These are hard dollar loans.

Mr. GROSS. What other function does this financing activity have except to dispense our money all over the world?

Mr. PASSMAN. These are hard dollar loans.

Mr. GROSS. Up to this point perhaps they are hard dollars.

Mr. PASSMAN. No; I am speaking about this particular item in the bill.

Mr. GROSS. We have not really been confronted with the problem of trying to collect any of this money; have we?

Mr. PASSMAN. I think the record will show that the Export-Import Bank has paid back into the Treasury of the United States good hard dividends amounting to many millions of dollars.

Mr. GROSS. Let me ask the gentleman this question. As long as we keep dishing out money in so-called soft loans and outright grants, they are likely to pay something back on the so-called hard loans; are they not? But there may come a day when the taxpayers demand an end to putting out their money all over the world and then will come the testing time as to whether we are going to get anything back on what you call these hard money loans.

Mr. PASSMAN. I would suggest to the gentleman from Iowa that is the Export-Import Bank and these are hard loans.

Mr. GROSS. I know what it is.

Mr. PASSMAN. Money is coming back all the time. They have had a very successful operation for many years.

Mr. GROSS. Yes, but some day the taxpayers of this country may not be able to take care of all of this international WPA that supports all too many foreign governments.

Mr. PASSMAN. Remember, you are going to entrust to these people the handling of some $1,500 million and you do not want to give them $9,000 for representation allowance.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. May I ask the gentleman if the duties of these gentlemen are so burdensome and grievous that they need entertainment? Is that the idea?

Mr. PASSMAN. It is for entertainment allowance. I think this is necessary so that they can give a person a drink of scotch or bourbon or wine or a bottle of beer. But let us get to the point. It is for a representation allowance and, as the gentleman from New York [Mr. ROONEY] has said many times, these are the tools of the trade. They need this money and I trust that the Committee will vote the amendment down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was rejected.

The Clerk read as follows:

TITLE V—PEACE CORPS

Funds appropriated to the President

Peace Corps

For expenses necessary to enable the President to carry out the provisions of the Peace Corps Act, including purchase of not to exceed sixteen passenger motor vehicles for use outside the United States, $20,000,000: *Provided*, That this paragraph shall be effective only upon enactment into law of S. 2000 or H.R. 7500, Eighty-seventh Congress, or similar legislation to provide for a Peace Corps.

Mr. HIESTAND. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HIESTAND. Title V, which has just been read, has not yet been authorized and therefore is subject to a point of order.

The CHAIRMAN. Does the gentleman from Louisiana desire to be heard on the point of order?

Mr. PASSMAN. We concede the point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Louisiana concedes the point of order and the Chair sustains the point of order made by the gentleman from California [Mr. HIESTAND].

The Clerk read as follows:

TITLE VI—GENERAL PROVISIONS

SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

Mr. HARDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARDY: On page 10, after line 24, insert the following:

"SEC. 602. None of the funds herein appropriated shall be used for expenses of the Inspector General, Foreign Assistance, after the expiration of the 35-day period which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering foreign assistance legislation, appropriations, or expenditures, has delivered to the office of the Inspector General, Foreign Assistance, a written request that it be furnished any document, paper, communication audit, review, finding, recommendation, report, or other material in the custody or control of the Inspector General, Foreign Assistance, relating to any review, inspection, or audit arranged for, directed, or conducted by him, unless and until there has been furnished to the General Accounting Office or to such committee or subcommittee, as the case may be, the document, paper, communication, audit, review, finding, recommendation, report or other material so requested."

Mr. HARDY. Mr. Chairman, the purpose of this amendment is simply to provide a means by which the Congress can secure the information it needs concerning foreign aid programs. We need such a provision in order that we can understand what has been done with the money, and this is the only way I know that we can find out.

Mr. Chairman, this amendment does not seek to obtain additional authority for the Congress, but is designed and intended to do no more than retain that which we already have.

Existing law prevents the activities of the Office of Inspector General and Comptroller to be cloaked in secrecy by providing that funds for the operation of that office shall be available only so long as it honors requests for information by GAO and designated congressional committees. This statutory requirement has not caused any operating problems in the executive branch, but it has given Congress access to necessary and valuable information which, in all probability, would not have been available otherwise. It is this condition which my amendment will preserve.

Because of the broad discretionary powers granted in the new foreign aid law, it is more important than ever that we maintain at least minimal authority to obtain the information we need to carry out our constitutional duties and to do what we can to see that foreign aid funds are expended with the utmost economy and efficiency.

I urge adoption of the amendment.

We must have this amendment to assure access to information. Without it, the Subcommittee on International Operations of the Committee on Government Operations would not have been able to make the factual reports which we periodically make to Congress, the last of which was our recent report on deficiencies in the administration of aid in Peru.

Mr. PASSMAN. Mr. Chairman, the RECORD indicates that the chairman of the Committee on Foreign Affairs accepted an amendment quite similar to this in the foreign aid authorization bill when it was considered in the House.

Mr. HARDY. Mr. Chairman, if the gentleman will yield, the chairman of the Committee on Foreign Affairs did accept an amendment similar to this in the authorization bill. However, it was changed by the Senate to the point where it is no longer effective. That is why this amendment is now necessary. We must have it for access to information.

Mr. PASSMAN. Then the chairman of the Committee on Foreign Affairs did accept the amendment?

Mr. HARDY. That is correct.

Mr. PASSMAN. Of course, I do not have the right under the rules of the House to accept an amendment for the committee, but personally with that statement on the part of the gentleman from Virginia I certainly do not oppose the amendment.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. Of course, we accepted the gentleman's amendment, but in conference a provision was added

putting it up to the personal certification of the President. I think the gentleman from Virginia can certainly trust the President of the United States to furnish all essential information required by his committee. The President has already given the gentleman evidence of his good faith on this question. There is no use having an Inspector General if you are going to automatically shut off his funds. The Inspector General is going to be the foreign aid policeman in this bill, and we certainly do not want him to become the whipping boy. He should not have his funds cut off because a higher authority might forbid the furnishing of information to the subcommittee headed by the distinguished gentleman from Virginia.

I think you can trust the President of the United States to do what is right under the personal certification provision.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. HARDY. Just permit me to make this observation: We have been through this before. It is not a question of trusting the President of the United States. Actually we had a similar situation under the previous administration when the President of the United States personally denied us the information. The information was subsequently released to us by the present President of the United States. It was information which had been withheld last year and subsequently ordered furnished by President Kennedy which showed the improprieties in the administration of the aid program in Peru, including a serious conflict of interest by the former mission director. Mr. Chairman, we need this language in order to get information.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. MORGAN. This goes back to the old question of Executive privilege and the historic doctrine of separation of powers. If the President wished to he could still refuse, despite the gentleman's amendment, under Executive privilege. This has been argued back and forth over a period of years. The President, of course, can exercise the right of Executive privilege and still deny the information to the gentleman.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this is the old, old question we have had before us for so many years—in fact, since Washington's administration. For more than 5 years a subcommittee of the Committee on Government Operations headed by the gentleman from California [Mr. Moss] has been trying to get across just exactly what the gentleman from Virginia is asking. Ever since 1952 the gentleman from Virginia [Mr. HARDY] has been working on this proposition and trying to prevent this waste and extravagance and worse connected with the expenditure of funds in the foreign aid program. He cannot get anywhere. It is just as he said, unless the Congress can get this information we have no way at all of stopping the abuse of which he complains.

I have always defended the President's constitutional right to refuse to disclose information as to his reason for the performance of duties imposed on him by the Constitution. As for example why he grants a pardon, but here is something that Congress itself is entitled to know.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. HARDY. I have no quarrel with the present administration. This administration has given us the information we needed, but we need to preserve that right, and that is what my amendment seeks to do.

Mr. HOFFMAN of Michigan. That is right. It is not a question of trusting the President, but it is the men under the President, and human nature being what it is, individuals will not give any information which shows they have been concealing or wasting or doing something they should not do. It is time we supported the gentleman from Virginia.

I find myself in a terrible situation. Think of it. Trying to help a Democrat from Virginia get what is coming to him.

As I understand, the chairman of the subcommittee, the gentleman from Louisiana [Mr. PASSMAN] personally has no objection to this amendment; it is only the gentleman from Pennsylvania [Mr. MORGAN], who objects.

Mr. MORGAN. If the gentleman from Michigan will yield, I have objected to the amendment because if you will read the language in the authorization bill just passed we narrowed it down to a personal certification of the President.

Mr. HOFFMAN of Michigan. No one distrusts the President; that is not the issue at all; the issue is whether or not Congress is to learn how their money is spent.

Mr. MEADER. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. MEADER. I would just like the RECORD to show there is no such a thing as Executive privilege.

Mr. HOFFMAN of Michigan. With that I cannot agree. Where the Constitution confers a power or imposes a duty upon the President exclusively, he need not give his reasons for his action.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. REUSS. Mr. Chairman, it is ironic that the huge proposed cut in aid appropriations comes when it does.

It is ironic because this House, just last week, by a 2-to-1 majority authorized an appropriation of a scope which John F. Kennedy and Dwight D. Eisenhower believed essential. We all joined in praising the distinguished chairman of the House Committee on Foreign Affairs, the gentleman from Pennsylvania [Mr. MORGAN], for his responsible leadership. In the exquisitely polite language of the floor debate, we talked of Treasury borrowing and back-door spending. So far as I know, no one urged adoption of Treasury borrowing by saying, "Look, unless we do this, the Appropriations Committee will slash the program to shreds, and it is very difficult to restore it on the floor, because you cannot get Members present, or even a record vote if the attempt to restore the cut on the floor fails." But that is the position we are in now.

The proposed appropriations cut comes at an odd time in world history, too. Russia has again exploded the bomb. From Berlin to Laos to Cuba to the Congo—wherever you turn—our enemies are on the march.

But a third reason why the appropriations cut is ironic is that this year we have succeeded in reforming the defects that have bothered us so much about the foreign-aid program in the past. As a member of the Hardy subcommittee of the House Committee on Government Operations, I have joined in condemning our foreign operations in a variety of places—from Peru to Cambodia, from Iran to Laos. This year's aid legislation comes to grips with the defects in the program. It provides for congressional follow-through on administration. It endeavors to see that aid will get through to the people, and that it be accompanied by programs of land and social reform. We are demanding a much higher degree of self-help on the part of those we aid. And we are asking our allies, at last, to bear a fairer share of the burden.

Perhaps the most encouraging addition to this year's aid package is the Peace Corps. This House had a very real role to play in the creation of the Peace Corps. It was this House which first directed that a study be conducted of its possibilities, and appropriated money to do so. This very morning the House Committee on Foreign Affairs—without substantial dissent, I am informed—approved legislation to sanction the Peace Corps, and to permit it to proceed in its first year with 2,700 volunteers overseas.

Through the Peace Corps, we can help make our foreign policy human. We can draw on the idealism of the generation of young Americans that wants to pitch in when their country needs them.

And what has the Committee on Appropriations done with the hardheaded and well-documented $40 million request for the Peace Corps? Cut it by 50 percent, to $20 million. This, Mr. Chairman, is the most unkindest cut of all.

Even those who have opposed foreign aid have been heartened by the way young Americans have responded to the Peace Corps.

The 2,700 volunteers which the appropriations request would support abroad is a tiny number in relation to the vast and urgent needs of the underdeveloped world. It is a tiny number in relation to the tens of thousands of young Americans who have responded to their country's call to work in far-off places, at a soldier's pay.

The Peace Corps ought to be given the funds to do its job.

Mr. ASHMORE. Mr. Chairman, I have voted against our country's foreign

aid program each year during my service in Congress. I shall vote "no'" again today, because the $106 billion we have appropriated and spent for foreign aid since World War II has been of little or no value to the United States. It has gained us little if any prestige and probably no real, stanch allies in our never-ending struggle with communism.

The bill that we are considering, H.R. 9033, is the largest foreign aid appropriation within the past 7 years. My colleague, the gentleman from Louisiana, Hon. OTTO E. PASSMAN, chairman of the Subcommittee on Appropriations, tells me that the total amount provided for in this bill is $10,981,799,000. We are called upon to appropriate this vast sum of money at a time when our national debt is in excess of $290 billion. I, and millions of other Americans, believe that it is unwise and economically unsound to attempt to buy friends with borrowed money.

The Library of Congress advises that for more than 20 years the U.S. Government has appropriated an average of about $40 in foreign aid expenditures for every man, woman, and child in this country. Out of each $40, $32 has been given either as a gift or for military and economic grants. Therefore, only $8 of the $40 spent each year for every person in this country is committed as a loan to be repaid. Almost every year Congress is called upon by the President and the Secretary of the Treasury to increase the debt ceiling in order to permit the Government to meet its operating cost, and now not only has our national debt increased but our foreign aid expenditures have also become larger and more burdensome to our taxpayers.

Mr. Chairman, I believe that it is time for Congress to pause and reflect upon a few basic facts of life if we are to remain economically sound in this country. I believe it is time for Congress to reduce the national debt, at least in some degree, each year. We have become so addicted to deficit spending that apparently we forget the damage we are doing, not only to our economic structure, but to the future of our children, grandchildren, and even great-grandchildren. By making the American dollar the chief arm of diplomacy, we are undermining the economic stability of the United States. History has proven that we cannot solve the problems of the world through the expenditure of money, particularly the expenditure of money which we do not have but must borrow with the hope and expectation that future generations might repay.

By this method of absolute fiscal irresponsibility, we are slowly, but surely, falling into the economic trap which Lenin and his successors in the communistic hierarchy have so long prophesied would be our ultimate end. Consistently, Communist leaders have said that the United States would spend itself into bankruptcy and then the only course of action left open for the American people would be socialism, and ultimately communism. The mad Communist dictators have warned us but we refuse to heed the danger signals. Hitler also revealed his plans to the world, but no one believed him until it was too late.

Foreign aid is a vast and complex matter which is not understood by the American people. We have spent large sums of money in foreign aid programs in more than 90 of the 110 nations of the world. This money has been spent on almost every conceivable type of project. We have literally taken billions of dollars of our resources to provide our foreign competitors with modern facilities to strengthen the competitive effort. This effort is further strengthened by low wage scales. For example, in Europe, labor cost to these competitors is approximately one-sixth of ours, and labor cost is approximately one-tenth of ours in the Far East. Even with our American industrialists and workmen confronted with such a tremendous differential between American and foreign wages, some people are still advocates of more imports from foreign lands. This is all a part of the so-called American foreign aid program. As a direct result we are destroying one American industry after another and in some instances literally creating ghost towns. At the same time we are subsidizing unemployment through unemployment insurance at the taxpayers' expense. May God help the poor, neglected, mistreated, hard-pressed American taxpayer.

Our taxpayers' money is being used to build a textile mill in Ethiopia, a cement plant in Korea, a steel mill in Turkey, a nylon plant in Korea at a cost of more than $3 million, another textile mill in the United Arab Republic costing $1 million, and countless other smaller industrial plants throughout the world. The so-called neutral nations receive millions of our dollars. Both India and Indonesia are accepting our money and then invariably vote with Russia and China in the United Nations. But American aid to Poland and Yugoslavia is simply unbelievable. Of course, Poland is directly under the control and authority of Khrushchev and every dollar sent to Poland is, to say the least, indirect aid to communism. And anyone who believes that Tito would permit Yugoslavia to fight on the side of the United States or any other freedom-loving nation is most unrealistic, if not completely blind to the facts of life. Tito is a Communist and has openly and boldly stated that his troops would march with the troops of Russia in a war against the free peoples of the Western bloc. I am, and always have been, unalterably opposed to any foreign aid and assistance to Poland or Yugoslavia.

These are glaring examples of how unrealistic our foreign aid program has been in the past, and I find no reason to believe that it will be any better in the future. Certainly, there is nothing in the present bill to make it worthy of my support. I would like to call to the attention of the House a grave situation existing in the United States due to our refusal to recognize the danger to some of our basic industries caused by the increasing amount of imports into our country. Many of us in Congress have pointed out to the Tariff Commission and the Chief Executive the fact that foreign aid dollars have gone to construct and rehabilitate textile plants abroad. These plants have in time shipped tremendous amounts of textile products to the United States and thus entered into direct competition with thousands of Americans who work in our textile plants. The result of any such arrangement is bound to be most detrimental to the American textile industry. Not only are we importing low-wage textiles, but the impact of foreign competition on the U.S. metalworking industries is also causing thousands of American workmen to become unemployed and the Government to lose millions of dollars in taxes. This rising tide of imports and loss of exports must be stopped if we are to maintain our high standard of living in this country. The foreign aid program of this Government is largely responsible for this situation. In certain areas of the world we have fostered, promoted and financed a lush growth of industries in direct competition with American industries. In many instances, we have provided the most modern machinery and processes known to man for our foreign competitors. With this equipment, plus low-cost labor, foreign goods of every description have flooded the American market.

Mr. Chairman, the United States must get down to the economic and political realities of life if our freedom is to survive. Somehow we must come to the realization that dollars will not buy friends nor insure our survival. We were told in the beginning when the Marshall plan was adopted that foreign aid was a temporary program to restore the war-ravaged economy of Europe. Year after year, however, we have been called upon to further extend foreign aid operations. What in the beginning was to be a temporary economic tool against communism has in reality become, I am afraid, a permanent fixture in our Government.

I fear that sometimes we do not give the American people credit for keeping up with what is going on in their Government. On the question of foreign aid I sincerely believe that they are ahead of many of their public officials. The American people are not satisfied with the way their tax dollars have been spent abroad. They have found it hard to understand why our prestige has slipped and why there has been an upsurge in Communist strength during a period in which their Government has taxed and borrowed billions of dollars for foreign aid programs.

Mr. Chairman, I cannot support H.R. 9033, because, in my opinion, it will further weaken the economic structure of the United States, accelerate our staggering national debt, and fail, as have our other foreign aid programs, in winning friends for the United States and in halting the spread of communism. A strong United States, financially, militarily, spiritually, and morally is the best hope of mankind in the struggle against communism.

Mr. PASSMAN. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. McCORMACK] having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 9033) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1962, and for other purposes, had directed him to report the same back to the House with sundry amendments adopted in the Committee of the Whole with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. PASSMAN. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

Mr. HAYS. Mr. Speaker, I demand a separate vote on the Ford amendment.

Mr. HALLECK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HALLECK. Mr. Speaker, is it not the Passman amendment?

Mr. HAYS. The Passman amendment, as amended by the Ford substitute.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Page 3, line 2, strike out "$1,300,000,000" and insert "$1,600,000,000".

Mr. HAYS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 243, nays 151, not voting 43 as follows:

[Roll No. 184]

YEAS—243

Addabbo	Celler	Finnegan
Addonizio	Chamberlain	Fino
Albert	Chenoweth	Flood
Anfuso	Chiperfield	Fogarty
Arends	Clark	Ford
Ashley	Coad	Frazier
Aspinall	Cohelan	Frelinghuysen
Auchincloss	Conte	Friedel
Avery	Cook	Gallagher
Ayres	Corman	Garland
Bailey	Curtin	Garmatz
Baldwin	Curtis, Mass.	Giaimo
Barry	Daddario	Gilbert
Bass, Tenn.	Daniels	Glenn
Bates	Davis, Tenn.	Goodell
Beckworth	Delaney	Granahan
Bell	Denton	Gray
Bennett, Fla.	Diggs	Green, Oreg.
Blatnik	Dingell	Green, Pa.
Boggs	Dominick	Griffin
Boland	Donohue	Griffiths
Bolling	Dooley	Gubser
Bolton	Doyle	Hagen, Calif.
Bonner	Dulski	Halleck
Brademas	Durno	Halpern
Breeding	Dwyer	Hansen
Brewster	Elliott	Harding
Brooks, Tex.	Ellsworth	Hardy
Broomfield	Everett	Harris
Burke, Ky.	Fallon	Harvey, Mich.
Burke, Mass.	Farbstein	Hays
Byrne, Pa.	Fascell	Healey
Cahill	Feighan	Hechler
Carey	Fenton	Hemphill
Herlong	Moeller	Saylor
Holifield	Monagan	Schneebeli
Holtzman	Montoya	Schweiker
Hosmer	Moorehead, Ohio	Schwengel
Ichord, Mo.	Moorhead, Pa.	Scott
Ikard, Tex.	Morgan	Scranton
Inouye	Morris	Seely-Brown
Jarman	Morrison	Selden
Joelson	Morse	Shelley
Johnson, Calif.	Moss	Sheppard
Johnson, Wis.	Multer	Shriver
Jones, Ala.	Murphy	Sibal
Judd	Nelsen	Sikes
Karsten	Nix	Sisk
Karth	O'Brien, Ill.	Slack
Keith	O'Brien, N.Y.	Smith, Iowa
Kelly	O'Hara, Ill.	Smith, Miss.
Keogh	O'Hara, Mich.	Spence
Kilday	Olsen	Springer
King, Calif.	O'Neill	Stafford
King, N.Y.	Osmers	Staggers
King, Utah	Ostertag	Stratton
Kirwan	Patman	Stubblefield
Kluczynski	Pelly	Sullivan
Kunkel	Perkins	Teague, Calif.
Lane	Peterson	Thomas
Lankford	Philbin	Thompson, N.J.
Lesinski	Pike	Thompson, Tex.
Libonati	Pirnie	Thornberry
Lindsay	Powell	Toll
Loser	Price	Trimble
McCormack	Pucinski	Tupper
McDowell	Quie	Udall, Morris K.
McFall	Randall	Ullman
Macdonald	Reuss	Vanik
MacGregor	Rhodes, Pa.	Van Zandt
Machrowicz	Riehlman	Vinson
Mahon	Rivers, Alaska	Wallhauser
Marshall	Robison	Walter
Martin, Mass.	Rodino	Watts
Mathias	Rogers, Colo.	Weis
May	Rooney	Whalley
Merrow	Roosevelt	Wickersham
Miller, Clem	Rostenkowski	Wilson, Calif.
Miller, George P.	Ryan	Yates
Miller, N.Y.	St. Germain	Zablocki
Mills	Saund	Zelenko

NAYS—151

Abbitt	Findley	Michel
Abernethy	Fisher	Moore
Adair	Flynt	Moulder
Alexander	Forrester	Murray
Alford	Fountain	Natcher
Andersen, Minn.	Fulton	Norblad
Anderson, Ill.	Gary	Norrell
Andrews	Gathings	Nygaard
Ashbrook	Gavin	Passman
Ashmore	Goodling	Pfost
Baring	Grant	Pillion
Bass, N.H.	Gross	Poage
Battin	Hagan, Ga.	Poff
Becker	Haley	Ray
Beermann	Harrison, Wyo.	Reifel
Belcher	Harsha	Rhodes, Ariz.
Bennett, Mich.	Harvey, Ind.	Riley
Berry	Henderson	Rivers, S.C.
Betts	Hiestand	Rogers, Fla.
Blitch	Hoeven	Rogers, Tex.
Bow	Hoffman, Ill.	Roudebush
Bray	Hoffman, Mich.	Roush
Bromwell	Horan	Rousselot
Brown	Huddleston	Rutherford
Bruce	Hull	St. George
Burleson	Jennings	Schadeberg
Byrnes, Wis.	Jensen	Schenck
Cannon	Johansen	Scherer
Casey	Jonas	Shipley
Cederberg	Jones, Mo.	Short
Chelf	Kastenmeier	Smith, Calif.
Church	Kearns	Smith, Va.
Clancy	Kilgore	Steed
Collier	Kitchin	Stephens
Colmer	Knox	Taber
Cooley	Kornegay	Taylor
Corbett	Kowalski	Teague, Tex.
Cramer	Kyl	Thompson, La.
Cunningham	Laird	Thomson, Wis.
Curtis, Mo.	Langen	Tollefson
Davis, James C.	Latta	Tuck
Davis, John W.	Lennon	Utt
Derounian	Lipscomb	Weaver
Derwinski	McCulloch	Whitener
Devine	McDonough	Whitten
Dole	McMillan	Williams
Dorn	McVey	Willis
Dowdy	Mack	Wilson, Ind.
Downing	Martin, Nebr.	Winstead
	Matthews	Young
	Meader	Younger

NOT VOTING—43

Alger	Brooks, La.	Dawson
Baker	Broyhill	Dent
Barrett	Buckley	Edmondson
Boykin	Dague	Evins
Hall	Madden	Rains
Harrison, Va.	Magnuson	Reece
Hébert	Mailliard	Roberts
Holland	Mason	Santangelo
Johnson, Md.	Milliken	Siler
Kee	Minshall	Van Pelt
Kilburn	Mosher	Westland
Landrum	O'Konski	Wharton
McIntire	Pilcher	Widnall
McSween	Rabaut	Wright

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Pilcher against.

Mr. Santangelo for, with Mr. Brooks of Louisiana against.

Mr. Madden for, with Mr. Harrison of Virginia against.

Mr. Johnson of Maryland for, with Mr. McSween against.

Mr. Holland for, with Mr. Mason against.

Mr. Dent for, with Mr. Westland against.

Mr. Kilburn for, with Mr. Hall against.

Mr. Mosher for, with Mr. Minshall against.

Mr. Broyhill for, with Mr. McIntire against.

Mr. Buckley for, with Mr. Alger against.

Mrs. Kee for, with Mr. Siler against.

Mr. Widnall for, with Mr. O'Konski against.

Mr. Barrett for, with Mr. Van Pelt against.

Mr. Rabaut for, with Mrs. Reece against.

Mr. Rains for, with Mr. Baker against.

Until further notice:

Mr. Dawson with Mr. Mailliard.

Mr. Magnuson with Mr. Wharton.

Mr. Wright with Mr. Curtis of Massachusetts.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. TABER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. TABER. I am, Mr. Speaker.

The SPEAKER pro tempore. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. TABER moves to recommit the bill to the Committee on Appropriations.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. CLANCY. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 270, nays 123, not voting 44, as follows:

[Roll No. 185]

YEAS—270

Addabbo	Beckworth	Byrne, Pa.
Addonizio	Bell	Byrnes, Wis.
Albert	Bennett, Fla.	Cahill
Anfuso	Blatnik	Cannon
Arends	Boggs	Carey
Ashley	Boland	Celler
Aspinall	Bolling	Chamberlain
Auchincloss	Bolton	Chelf
Avery	Brademas	Chenoweth
Ayres	Breeding	Chiperfield
Bailey	Brewster	Clark
Baldwin	Bromwell	Coad
Barry	Brooks, Tex.	Cohelan
Bass, N.H.	Broomfield	Conte
Bass, Tenn.	Burke, Ky.	Cook
Bates	Burke, Mass.	Cooley

Corbett	Joelson	Philbin
Corman	Johnson, Calif.	Pike
Cramer	Johnson, Wis.	Pillion
Curtin	Jones, Ala.	Pirnie
Curtis, Mass.	Jones, Mo.	Powell
Daddario	Judd	Price
Daniels	Karsten	Pucinski
Davis, Tenn.	Karth	Quie
Delaney	Kastenmeier	Randall
Denton	Keith	Reifel
Derounian	Kelly	Reuss
Diggs	Keogh	Rhodes, Ariz.
Dingell	Kilday	Rhodes, Pa.
Dominick	King, Calif.	Riehlman
Donohue	King, N.Y.	Rivers, Alaska
Dooley	King, Utah	Robison
Downing	Kirwan	Rodino
Doyle	Kluczynski	Rogers, Colo.
Dulski	Kornegay	Rooney
Durno	Kowalski	Roosevelt
Dwyer	Kunkel	Rostenkowski
Elliott	Laird	Ryan
Ellsworth	Lane	St. Germain
Everett	Langen	Saund
Fallon	Lankford	Schenck
Farbstein	Lesinski	Schneebeli
Fascell	Libonati	Schweiker
Feighan	Lindsay	Schwengel
Fenton	Loser	Scott
Finnegan	McCormack	Scranton
Fino	McDowell	Seely-Brown
Flood	McFall	Selden
Fogarty	Macdonald	Shelley
Ford	MacGregor	Sheppard
Fountain	Machrowicz	Shriver
Frazier	Mahon	Sibal
Frelinghuysen	Marshall	Sisk
Friedel	Martin, Mass.	Slack
Fulton	Mathias	Smith, Iowa
Gallagher	Matthews	Smith, Miss.
Garland	May	Spence
Garmatz	Meader	Springer
Gary	Merrow	Stafford
Gathings	Miller, Clem	Staggers
Giaimo	Miller, George P.	Steed
Gilbert	Miller, N.Y.	Stratton
Glenn	Moeller	Stubblefield
Goodell	Monagan	Sullivan
Granahan	Montoya	Taylor
Gray	Moorhead, Pa.	Teague, Calif.
Green, Oreg.	Morgan	Thomas
Green, Pa.	Morrison	Thompson, Tex.
Griffin	Morse	Thornberry
Griffiths	Moss	Toll
Gubser	Multer	Tollefson
Hagen, Calif.	Murphy	Trimble
Halleck	Natcher	Tupper
Halpern	Nelsen	Udall, Morris K.
Hansen	Nix	Ullman
Harding	Norblad	Vanik
Hardy	Nygaard	Van Zandt
Harvey, Mich.	O'Brien, Ill.	Vinson
Hays	O'Brien, N.Y.	Wallhauser
Healey	O'Hara, Ill.	Walter
Hechler	O'Hara, Mich.	Watts
Henderson	Olsen	Weis
Herlong	O'Neill	Whalley
Holifield	Osmers	Wickersham
Holtzman	Ostertag	Wilson, Calif.
Horan	Passman	Yates
Hosmer	Patman	Younger
Huddleston	Pelly	Zablocki
Ikard, Tex.	Perkins	Zelenko
Inouye	Peterson	
Jarman		

NAYS—123

Abbitt	Collier	Hoffman, Mich.
Abernethy	Colmer	Hull
Adair	Cunningham	Ichord, Mo.
Alexander	Curtis, Mo.	Jennings
Alford	Davis, James C.	Jensen
Andersen, Minn.	Davis, John W.	Johansen
Anderson, Ill.	Derwinski	Jonas
Andrews	Devine	Kearns
Ashbrook	Dole	Kilgore
Ashmore	Dorn	Kitchin
Baring	Dowdy	Knox
Battin	Findley	Kyl
Becker	Fisher	Latta
Beermann	Flynt	Lennon
Belcher	Forrester	Lipscomb
Bennett, Mich.	Gavin	McCulloch
Berry	Goodling	McDonough
Betts	Grant	McMillan
Blitch	Gross	McVey
Bonner	Hagan, Ga.	Mack
Bow	Haley	Martin, Nebr.
Bray	Harris	Michel
Brown	Harrison, Wyo.	Mills
Bruce	Harsha	Moore
Burleson	Harvey, Ind.	Moorehead, Ohio
Casey	Hemphill	Morris
Cederberg	Hiestand	Moulder
Church	Hoeven	Murray
Clancy	Hoffman, Ill.	Norrell
Pfost	St. George	Thompson, La.
Poage	Saylor	Thomson, Wis.
Poff	Schadeberg	Tuck
Ray	Scherer	Utt
Riley	Shipley	Weaver
Rivers, S.C.	Short	Whitener
Rogers, Fla.	Sikes	Whitten
Rogers, Tex.	Smith, Calif.	Williams
Roudebush	Smith, Va.	Willis
Roush	Stephens	Wilson, Ind.
Rousselot	Taber	Winstead
Rutherford	Teague, Tex.	Young

NOT VOTING—44

Alger	Holland	Pilcher
Baker	Johnson, Md.	Rabaut
Barrett	Kee	Rains
Boykin	Kilburn	Reece
Brooks, La.	Landrum	Roberts
Broyhill	McIntire	Santangelo
Buckley	McSween	Siler
Dague	Madden	Thompson, N.J.
Dawson	Magnuson	Van Pelt
Dent	Mailliard	Westland
Edmondson	Mason	Wharton
Evins	Milliken	Widnall
Hall	Minshall	Wright
Harrison, Va.	Mosher	
Hébert	O'Konski	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Pilcher against.

Mr. Santangelo for, with Mr. Brooks of Louisiana against.

Mr. Madden for, with Mr. Harrison of Virginia against.

Mr. Johnson of Maryland for, with Mr. McSween against.

Mr. Holland for, with Mr. Mason against.

Mr. Kilburn for, with Mr. Hall, against.

Mr. Mosher for, with Mr. Minshall against.

Mr. Broyhill for, with Mr. McIntire against.

Mr. Buckley for, with Mr. Alger against.

Mrs. Kee for, with Mr. Siler against.

Mr. Widnall for, with Mr. O'Konski against.

Mr. Wright for, with Mr. Van Pelt against.

Mr. Dent for, with Mrs. Reece against.

Mr. Westland for, with Mr. Baker against.

Until further notice:

Mr. Rains with Mr. Mailliard.

Mr. Roberts with Mr. Wharton.

The vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

RESIGNATION OF CONFEREE ON THE BILL S. 1653

The SPEAKER pro tempore laid before the House the following letter of resignation of a conferee:

SEPTEMBER 9, 1961.

The Honorable JOHN MCCORMACK,
Speaker pro tempore,
House of Representatives.

DEAR MR. SPEAKER: I desire to be relieved of my assignment as a conferee on the part of the House on the differences between the House and the Senate on S. 1653.

WILLIAM E. MILLER.

The SPEAKER pro tempore. Without objection, the resignation will be accepted

There was no objection.

The SPEAKER pro tempore. The Chair appoints the gentleman from Michigan, Mr. MEADER, as a manager on the part of the House at the conference on S. 1653, vice the gentleman from New York, Mr. MILLER, who has been excused; and the Clerk will notify the Senate thereof.

LEGISLATIVE PROGRAM FOR SEPTEMBER 6

Mr. BARRY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BARRY. Mr. Speaker, I take this time to inquire of the majority whip concerning the legislative program for tomorrow.

Mr. ALBERT. The legislative program is as was previously announced; the Consent Calendar and 24 suspensions, not necessarily to be called in the order in which they appeared in the RECORD.

Mr. BARRY. I thank the gentleman.

HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 o'clock a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma.

There was no objection.

ATOMIC ENERGY AUTHORIZATION BILL

Mr. HOSMER. Mr. Speaker, may I inquire of the majority whip the schedule with respect to the report of the conferees on the atomic energy authorization bill.

Mr. ALBERT. Mr. Speaker, it is now pretty certain that the conference report will not be called up tomorrow; but I will advise the gentleman that we are going to program that just as early as we possibly can.

Mr. HOSMER. Mr. Speaker, I thank the gentleman.

BISHOP McNAUGHTON RECEIVES MITER AND CROSIER OF HIS HIGH OFFICE AT THE YOUNG AGE OF 34

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, at impressive ceremonies held in St. Mary's Church of his native city, Lawrence, Mass., the Most Reverend William J. McNaughton, M.M., D.D., was consecrated Maryknoll bishop of the vicariate of Inchon, Korea.

He was born in Lawrence on December 7, 1926, and was educated at St. Augustine's parochial school and Central Catholic High School.

He entered Maryknoll Minor Seminary in 1944 to begin his studies for the foreign missionary priesthood. On June 13, 1953, he was ordained at Maryknoll, N.Y. In the following year he studied the Korean language at Yale University. From 1954 to 1961, he served in Maryknoll missions of South Korea, becoming, in 1959, the vicar delegate of Chongju, Korea; and in 1961, the titular bishop of Tuburbo Minor.

On August 24, 1961, in St. Mary's Church, 17 members of the Catholic hierarchy, over 230 prelates and clergy, and 140 religious joined with the family, relatives, and hundreds of friends in the memorable services of consecration conducted by His Eminence Richard Cardinal Cushing.

The apostolic mandate of Pope John XXIII, authorizing the elevation of the Lawrence native to the high ecclesiastical office of bishop notes:

Not only do you shine with innate piety, but you are distinguished in talent as well, and you excel in the zeal for the spread of religion, in which single virtue all the praises of a good pastor are comprised.

I include, under unanimous consent, in the RECORD the following article from its extensive coverage of the consecration titled "Becomes Youngest Maryknoll Bishop," that was published in the August 24, 1961, edition of the Lawrence Eagle-Tribune together with part of the sermon delivered by Bishop Raymond A. Lane, superior general, Maryknoll missions.

BECOMES YOUNGEST MARYKNOLL BISHOP

Bishop McNaughton, at 34, becomes the youngest Maryknoll bishop in this, the society's golden jubilee year, and one of the youngest prelates in the Catholic Church today.

Canonically, he has been named the titular bishop of Tuburbo Minore, a defunct see in north Africa.

His appointment to the vicariate of Inchon was announced in Vatican City on June 20. At the time he was serving as vicar delegate of Chong Ju, Korea, as pastor of 2,000 Catholics.

He is the third Maryknoller from Lawrence to be named a bishop. Most Rev. John W. Comber, M.M., superior general of Maryknoll, was consecrated a bishop April 9, 1959, and Most Rev. Raymond A. Lane, M.M., former superior general of Maryknoll, now at Glen Ellyn, Ill., was consecrated on June 11, 1940.

With this elevation to the episcopacy, Bishop McNaughton is now Maryknoll's 12th living bishop and the 17th in the society's 50-year history. One of Maryknoll's other bishops in Korea was Bishop Patrick J. Byrne, of Washington, D.C., who, as a captive of the Communists, died in the forced march to the Yalu River during the Korean war.

Ordained to the priesthood on June 13, 1953, the Lawrence-born missioner first sailed to Korea—"Land of the Morning Calm"—in 1954 after completing a year of Korean language studies at Yale University. For the past 7 years the new bishop has served in the missions of South Korea.

The scene of General MacArthur's famous landing during the Korean war, Korea's new vicariate of Inchon, with its offshore islands, contains an estimated 650,000 persons. He will be spiritual head of 22,000 Catholics in 9 parishes. The vicariate was entrusted to Maryknoll in October 1958. Some of the islands are perilously close to Red-held North Korea, the nearest to land being only 1 mile from Communist troops. The furthermost island is 280 miles out in the Yellow Sea near the China mainland.

At present 66 Maryknollers staff missions in South Korea. Seven newly ordained priests are on board ship bound for Korea. The other Maryknoll vicariate in Korea is Chong Ju, headed by Bishop James V. Pardy, M.M., of Brooklyn, N.Y.

In addition to his parents, Mr. and Mrs. William J. McNaughton, 61 Florence Avenue, Bishop McNaughton has a brother, John McNaughton, 51 18th Avenue, Haverhill; three sisters, Mrs. Raymond L'Italien, 9 Madison Avenue, Methuen; Mrs. Norman J. MacLeod, 8 Tilton Street, Methuen, and Miss Ruth McNaughton, 61 Florence Avenue.

Bishop McNaughton will have 19 Maryknoll priests and 1 Chinese priest serving under him.

SERMON BY BISHOP LANE

In his sermon, Bishop Lane termed it significant that Lawrence, which has suffered so much from so many troubles, should have another of her sons chosen for the front lines.

He recalled, as did many in the congregation, how the enemy made his first big attack on our factories and in our streets and how it was the then pastor of St. Mary's parish, the late Father James T. O'Reilly, who, more than any other, saw in the impassioned oratory a diabolical attack on all that is sacred in our lives.

"It was this intrepid Augustinian," he said, "who organized the protest march with others, in which 30,000 people braved the taunts and insults to parade under the banner of "For God and for Country."

"Now, another native son is being sent into the midst of the battle, which the pastor foresaw so clearly in the days of Ettor and of Haywood, of Thompson and of Flynn.

"The Battle of Lawrence in 1912 and 1913 has spread throughout the world," Bishop Lane continued. "The hardship, the suffering, the bloodshed and, interesting to note, the best opportunities for the spread of Christ's kingdom, are in the places once far away but now only a few hours distant—Vietnam and Hong Kong, Berlin and Korea, to mention but a few."

He referred to his own consecration 21 years ago in St. Mary's Church and asked who knows what the new bishop is facing. Three of the participants at that ceremony, one of whom is a prisoner at this moment in Shanghai, little realized the nature of the burdens they would be called upon to bear.

"These are glorious times," he stressed, "when Christians should give example to the world of Christian hope and spiritual joy, to counteract the discouragement and the melancholy of those without faith. For out of all of this will come better days for this poor world.

"But better or not, faith tells us that it is the will of God, that once men rejected the Creator, it is in the order of divine providence that disorder should be in the universe—if men choose that it should be.

"Man made the choice that threw the whole of creation out of harmony. God did not will this, but He permitted it, as a result of the abuse of free will; and He permits all the consequences that flow from it.

"In His mercy He has given us the means to rise above the effects of this revolt. He has given us His Son, whose death gained for us an infinite source of grace and of merit, and infinite satisfaction for all sin. We have far more than we need in the continuing sacrifice of the mass, and in the sacraments.

"This new bishop will bring these blessings to thousands. He will ordain native priests, he will build the church in new areas.

PEACE TO HIS FLOCK

"People cry for peace, pray for peace, yearn for peace. And the only true peace comes from submission to God's will as evidenced in His commandments, and in the mysterious play of His providence.

"Bishop McNaughton will bring this peace to his flock, the peace of obedience, that meets the supreme test of Christ: 'If you love Me, keep My commandments.'

"There is a false sense of peace that comes from security and plenty. The dangers imminent today are gradually weaning our people away from this dangerous and very selfish attitude, which Pope John calls the 'idleness of peace.'

"This new bishop will be mindful of the soil north of his mission, reddened by the blood of so many martyrs, and of so many of our young soldiers He will be mindful of the heroic decision of Bishop Byrne, who chose to remain at his post, loyally and stubbornly resisting to the end.

"He receives the first great grace by the imposition of hands of the consecrating prelate and of the assisting bishops. Ask the Holy Spirit that with this imposition of the hands that this new bishop receive some of the spirit of the presiding prelate, some of his worldwide vision, some of his generosity and kindness, some of his zeal, some of his untiring energy. And, incidentally, pray that he will receive some of your own spirit of sacrifice that has made it possible for your cardinal archbishop, and you, to be known all over the world for your outstanding interest in the whole church of Christ.

"The task awaiting Bishop McNaughton is no child's play. He will need all we can procure for him, by our prayers, so that in this ceremony the Holy Spirit will fill him abundantly with His gifts.

"Ask the Holy Spirit, then to replace with His life, all inertia and fear; with His light, all darkness and uncertainty; with His love, all coldness and indifference; with His peace, all anger and resentment; with His strength, all weakness and indecision; with His joy, all sadness and discouragement."

WHERE DOES CONGRESS STAND ON THE BERLIN ISSUE?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 60 minutes.

Mr. FEIGHAN. Mr. Speaker, there are growing signs that the position of the West on the Berlin crisis has begun to slip since the forthright reply on July 17 of President Kennedy to the Russian aide memoire on Berlin and East Germany and President Kennedy's firm, realistic, and rallying address to the Nation on July 25. The sequence of these two Presidential actions crystallized the deeply held feelings of the American people to meet the Russian challenge on Berlin and East Germany with all the resources, courage, and determination our Nation could muster. For too long our people had borne the burden of Russian insults and provocations, slanderous lies, blackmail, and cleverly implied threats of war, all emanating in an endless stream from Moscow. A high point in determination to act was registered by the American people in response to President Kennedy's position on Ber-

lin and East Germany. The voices of appeasement, dignified retreat, and graceful concession, had been chilled as the Nation united for the long-delayed confrontation with the Russians.

In analyzing the Berlin crisis and its meaning to all the people of the world, President Kennedy concluded on this note:

> But above all it has now become—as never before—the great testing place of Western courage and will, a focal point where our solemn commitments and Soviet ambitions now meet in basic confrontation.

This statement left no doubt that President Kennedy had accepted the challenge of the Russians on Berlin and East Germany. There would be no retreat from responsibility, there would be no graceful concessions to the Russians. The West could not be blackmailed into weakness by the Russians. At least, none of these evils would be engaged in, so far as President Kennedy is concerned.

In analyzing courses of action open to us and our associated allies President Kennedy stated:

> We intend to have a wider choice than humiliation or all-out nuclear action.

To that end, the President made it clear he was taking immediate steps to strengthen our military capabilities and to provide the kind of diversity required to back up our political objectives. In calling for this stepup in our defense capabilities the President gave firm assurances that "while we will not let panic shape our policy, neither will we permit timidity to direct our program."

There can be no doubt in the minds of responsible men that President Kennedy seeks a peaceful solution to the crisis of Berlin and East Germany. He made this clear to the Russian leaders in his response to the Russian aide memoire on Berlin and East Germany. He concurred with the Russian leaders in their claim that a peaceful settlement on Germany was long overdue. President Kennedy called for change in the present partition of Germany, that is change for the better, change that would be consistent with the freely expressed will of the people directly concerned.

President Kennedy warned the Russian leaders that so long as they delayed a peaceful settlement on the German problem, the dangers of war would be increased along with an increase of tensions throughout that vast area of central and eastern Europe now under Russian military occupation. He crystallized the issue in this meaningful statement:

> The U.S. Government continues to believe that there will be no real solution of the German problem, nor any real tranquillity in central Europe, until the German people are reunified in peace and freedom on the basis of the universally recognized principle of self-determination.

The position of the Government of the United States on Germany is clear. Our policy calls for a free and united Germany. We prefer that this political objective be accomplished by peaceful means through the exercise of the universally accepted principle of self-determination. President Kennedy has left no doubts on these crucial issues.

However, the voices of appeasement are beginning to unfreeze. In the last 3 weeks certain prominent columnists have been working overtime trying to convince the American people that the Russians will never accept anything but a permanently divided Germany. They argue that since the Russians have made up their minds on a permanently partitioned Germany and that since the Russians are in physical control of the area in dispute, there is nothing we can do about it. They suggest that if we try to change the present unnatural situation in Berlin and East Germany war will surely result. These are classic examples of the kind of negative, unimaginative, timid thinking that swamped the Eisenhower administration and produced the sterile policy toward the Russians which over the past several years earned us the disrespect of many nations of the world. This same kind of thinking is an open invitation to international gangsters and ruffians to heap additional insults, degradation, and threats against the interests of the United States in all quarters of the world.

Some columnists have been so bold as to make public claims that France and Great Britain do not favor a united Germany, because they feel a united Germany will dominate Europe. If these claims are true, this is startling news, since the American people have been led to believe the Western Powers were in harmony on the need for a free and united Germany. The terms—France and Great Britain—are loose terms, often loosely used in the political sense. As used, do they mean the Governments of those countries? This seems unlikely since both France and Great Britain have called for a free and united Germany in their respective responses to the Russian aide memoire. If these columnists mean the people of Great Britain and France, the question arises, by what means were the opinions of the peoples of these countries ascertained. It is always possible to report the opinions held by a relatively small group of people who are vocal, but whose noisy activities are no reflection of their relative strength to the sentiments of the general population. This is especially true with regard to the appeasers and the professional pacifists.

Still another columnist reports that "we will suffer some humiliations in Berlin. We will be under constant pressures. We can hang on without losing face. But humiliations must be expected." This suggests that our position in Berlin is precarious, that we are hanging on by the skin of our teeth, and that we are about to be forcibly ejected from that beleaguered city. It also suggests that all we can expect is a revised status quo, revised in a manner to feather the Russians' nest, which would surely end up as being a great deal worse than humiliation for the United States. It is inept and inaccurate reporting such as this which encourages the Russians to be more aggressive, more demanding, and bolder in their brinkmanship. It also invites the American people to oppose President Kennedy's program which rejects both humiliation and nuclear war.

It would seem that for some people fear of a strong and united Germany is greater than fear of a strong Russian empire that not only threatens the peace of the world, but threatens the very existence of free society. It is strange that when the chips are down with the Russians extraneous arguments such as "fear that Germany will dominate Europe" are propagated by some elements of the free press. It is equally strange that at this moment of crisis the free press appears to forget if not ignore the tremendous gains that have been made over the past 12 years toward a united Europe, the reconciliation of differences between the leaders of France and Germany based upon their common European heritage, and the manner in which the German Federal Republic has won a respected place in the councils of NATO.

It is both illogical and divisive to question the right of the German people to hold membership in the European community of nations or to warn that a free and united Germany would bring harmful effects to the long-range interests of free Europe. Such arguments deny the self-evident values of the Marshall plan, discredit the right of the European peoples to unite for common defense, and cast doubt upon the desirability of the free world community pushing ahead to develop its economic, political, and military strength to a point capable of discouraging the Russian imperialists from carrying out their well-laid plans of world domination. Yet these views are advanced in the free press of the United States. Perhaps their appearance is a testament to the fact that our press is free. I would like to think so because it is difficult to find any justification in fact for them.

The whittling away of President Kennedy's firm and positive position on Berlin and East Germany is not a reflection of the deeply held feelings of the American people. It does violence to their highest hopes. But this whittling away will continue until the announced negotiations with the Russians takes place. Khrushchev will be persuaded by the whittlers that he was right in his first estimates of the Kennedy administration—that it would fold up in the face of an early and tough test of will and courage. This will make the Russians bolder in their threats and more demanding at the conference table—a situation which could lead to the most serious miscalculations on the leadership of President Kennedy.

The real issue of Berlin and East Germany is becoming more confused with each passing day. Russian propaganda taken together with the activities of the whittlers in the free press are playing a major role in creating this confusion. In these circumstances, Congress can provide a needed service by helping President Kennedy to clear the atmosphere before negotiations with the Russians begin. Congress has yet to go on record as supporting the firm, positive political

position taken by President Kennedy in his reply to the Russian aide memoire and in his rallying speech to the Nation. The issue remains whether Congress will support President Kennedy in his call for a peaceful solution to the problem of Berlin and East Germany through exercise of the principle of self-determination for the people directly concerned.

I trust that Congress will not adjourn before taking action on House Concurrent Resolution 351, as revised. The Members of the House were prepared to act on such a resolution as far back as Monday, August 7. As the Members know, there was a difference of opinion on the language of House Concurrent Resolution 351 as originally introduced. The distinguished chairman of the House Foreign Affairs Committee took the initiative and reconciled the differences between Members and caused to be printed for the committee a revised resolution which expressed meaningful support for the position taken by President Kennedy on Berlin and East Germany. But that resolution was not acted on as scheduled. It was held over. I am not aware of any definite plans that have been made by the leadership to bring this resolution before the House for a vote.

I have been given to understand that the Department of State has no objection to the language of the resolution as revised. I am also advised that President Kennedy has left to Congress the decision as to whether it will express support for the position he has taken and how it will express such support. It is now up to Congress to act.

ADMINISTRATION AND EFFECTIVENESS OF THE NEW EMERGENCY FEED GRAINS PROGRAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Oklahoma [Mr. ALBERT] is recognized for 30 minutes.

Mr. ALBERT. Mr. Speaker, during consideration by this body last week of a program for the eradication of hog cholera, my good friend, the gentleman from Illinois [Mr. ARENDS] raised certain questions regarding the administration and effectiveness of the new emergency feed grains program. I regret that I was not on the floor when the gentleman delivered his speech. I have since read it in the RECORD.

This is at least the second time to my personal knowledge that the gentleman has undertaken to criticize the administration of the feed grain program in speeches on the floor of the House.

The gentleman should take a leaf from the book of one of the most distinguished members of his party and one of the most distinguished Members of the House, the gentleman from Iowa [Mr. HOEVEN].

In his debate on the farm bill, the gentleman from Iowa said:

> I find that in my section of the Corn Belt, the feed grain program is a very popular program. The degree of participation in the program certainly indicates that. The participation in Iowa is 65.4 percent; Minnesota, 50.2; Missouri, 58.9; North Dakota, 73.5; and Nebraska, 71.5—all in the great feed grain area of this country.

This is not my language; this is the language of the distinguished and able ranking Republican member of the Committee on Agriculture, the gentleman from Iowa, Mr. HOEVEN.

The gentleman from Illinois has taken exception to the role of the Commodity Credit Corporation and, in particular, Secretary of Agriculture Freeman in regulating the flow of surplus corn into the commercial market.

Much of the 1959 corn crop was high in moisture content and much of it was placed in storage last fall under policies adopted by the previous administration to avoid a sudden break in the corn market.

Consequently, it has been necessary to make space for the alltime record absorption of corn under the 1960 unlimited production corn program and space at country points for storage of the 1961 corn crop.

CCC did not "dump" stocks; it moved from country storage points corn that was either out of condition or in danger of going out of condition.

Except for limited lots marketed to date with feed grains program certificates, any No. 1 or No. 2 corn sold at less than the CCC minimum price contained moisture in excess of 13½ percent and was not acceptable for continued storage for that reason.

The implication that this No. 1 or No. 2 corn was sold at an unjustifiable discount from the statutory price carried in the CCC monthly sales list is incorrect. These corn sales involved only nonstorable corn priced through competitive bids as compared with the statutory minimum price for storable corn. Secretary Freeman has not violated the intent of Congress by these administrative acts.

At no time did he say the CCC would not sell corn. He did state that he would adminster the program in such a manner that producers of corn would not realize less income from their 1960 production than if there had been no program. And he has abided by that statement in complete accord with the administration's efforts to maintain farm income at a reasonable level while gaining every possible saving for the taxpayer.

Regardless of charges to the contrary, the program is accomplishing this goal.

The simple fact is that for every bushel of corn not produced and not acquired by CCC, a saving of $1.10 per bushel in storage, handling, transportation, and interest charges accrues to the Government, and hence to the taxpayer, over the period CCC would have to hold the corn until it could be reached for disposition. At the same time, net farm income is 10 percent greater this year than it was last year. Apparently, what cannot be done is being done under this program.

The gentleman from Illinois charges that the program has scarcely made a dent in the feed grain surplus, and that this will become more and more apparent as the September and October reports become available.

September 1 estimates of the Department of Agriculture indicate that in point of fact the corn crop under the new program will be about 650 million bushels less than it would have been had the feed grains law not been enacted and that it will be some 540 million bushels under the 1960 production figure. This, to use a well-understood colloquialism, is not "hay." It is corn and corn to the tune of over one-half billion bushels which will not have to find its way into CCC stocks.

The lack of interest of the corn processors in buying and holding inventory supplies of corn, alleged by the gentleman from Illinois, is not a new development and can hardly be attributed to the feed grains program. CCC presently holds 1.2 billion bushels of corn and is acquiring more than 500 million bushels this fall. Corn processors have had ample opportunity to purchase stocks from the 1960 crop if they so desired. The size of CCC inventories indicate that they have not been unwilling over the years for CCC to carry stocks at Government expense.

The specific instance cited of corn sold to an "eastern distillery" must be taken in the context of the circumstances. Made in the interest of general public policy, it was to prevent the use by the processor of Cuban molasses. The sale constituted a small quantity of the lowest grade corn available in CCC inventories and was sold under severe restrictions as to gain by the processor.

When these two facts are considered, I doubt there is any quarrel with the transaction.

On the other hand, the plight of the drought-stricken farmers of the northern Great Plains States is without the jurisdiction of this program.

The price at which corn may be sold for livestock feed in drought-stricken areas is set by law. Public Law 87–127 sets the price for such sales at not less than 75 percent of the current support price.

At the same time he is charging the Secretary of Agriculture with refusing to sell corn below the established price to drought-stricken farmers—something he cannot do under existing law—my colleague states that CCC is "dumping" grain sorghums on the market. If this were true such action certainly would force down the cost of grain sorghums to these same farmers, perhaps easing their burden. But it would place other producers and consumers in equal jeopardy.

CCC is not "dumping" grain sorghums on the market. It has offered to sell grain sorghums at the market price to assure reasonable and stable prices to producers and to users of feed grains and to consumers of livestock products; and to help maintain a reasonable relationship between livestock and feed prices during the period of transition to a more realistic balance of feed grain supplies. The offer to sell at market was in part to honor the obligation under which CCC would assist program compliers in marketing their payment-in-kind certificates so that, incomewise, they will not be at a disadvantage to noncompliers. Nor

will noncompliers benefit from the purchase of "phantom corn acres"—those either nonexistent or which previously were not devoted to corn production.

It is true that nonparticipants could exceed their 1960 acreage; the best estimates indicate that some additional acres were planted to corn by nonparticipants. It is true that some producers who signed up changed their minds and later did not divert all the acres originally anticipated. The Department expected this from the beginning.

But conservation payments are being made only to those producers who actually divert acreage. The Department estimates that the total payment for land diverted will be about $730 million, if all producers live up to their stated intentions. However, it will pay only for acreage determined by actual measurement to be diverted. Final payments now being made will be limited to that amount due to complete the total compensation on the acreage actually diverted, not in excess of the intended diversion listed on the original application sheet.

As for creating a surplus of soybeans by giving farmers the incentive of higher price supports for beans, the Department anticipates little difficulty in making effective use in domestic and foreign outlets of any soybeans that CCC will actually acquire. There is no question the program has tended to discourage possible further increases in corn acreage. Many acres which otherwise might have gone to corn, without the feed grains program and the higher bean support, undoubtedly went in large part to soybeans. And the large bean crop plus the $2.30 support price will increase farm income.

In discussing the wheat program my friend from Illinois quoted, as a goal of the new program, from the "Factsheet—1962 wheat stabilization program," the following:

> Save the taxpayers about $258 million—$50 million during the 1962 crop year; the remainder during the period that the Government probably would have had to hold wheat added to present stocks.

He challenged this statement on the basis that increased export subsidies would offset the saving in reduced wheat stocks held by the Government. The figures cited relate only to the one factor, "carrying charges." Present estimates are that the wheat program will result in savings of $52 million in carrying charges the first year and $319 million during the entire period that the wheat would have been held.

The export subsidy cost will increase on wheat exported—about $135 million in the first year. However, the primary outlet for wheat in CCC stocks is the export market. Hence, the ultimate disposition of wheat which would have been produced on diverted acreage must be assumed to be through export channels. This would require a subsidy of at least 80 cents per bushel on 237 million bushels or $190 million. This is an ultimate saving, just as much as carrying charges.

There has been no embargo or boycott on Public Law 480 sales of Soft Red Winter wheat.

Earlier in the season, Public Law 480 sales were low because of the unavailability of Soft wheat for such export movement from CCC stocks. However, with the new crop at hand, 13 million bushels of Soft Red Winter wheat have now been allocated for current programing under title I of Public Law 480 and negotiations are in progress with some of the major importing countries.

Beginning under the previous administration, it has been the policy to maintain allocation control over Public Law 480 commitments so as to guard against excessive diversions from domestic needs and from export outlets offering dollar payment. This policy is in line with the law authorizing the Public Law 480 program.

I hope this brief discussion will serve to clarify some of the questions raised by my distinguished colleague with regard to the feed grains program. It is working.

In view of present crop prospects, it is apparent that had there been no program, feed grain prices today would be much lower than they are. Instead, farm income has increased while costs of surplus stockpiling to the Government and the public are decreasing.

SOCIAL SECURITY PROGRAM

Mr. BARRY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, I am placing in the RECORD the report of the Department of Health, Education, and Welfare, dated August 17, 1961, on my bill, H.R. 4817, to make social security a voluntary program to the extent that it would permit our citizens to provide for their retirement and support of their legal dependents through a program of their own selection.

I believe that this amendment provides the salvation of the social security program upon which the great bulk of our citizens have today based their retirement. In a speech appearing in the CONGRESSIONAL RECORD, March 6, 1961—pages 3293–3294—"Politics Will Destroy Social Security," I tried to point up the reasons the social security system as it presently stands and is programed to develop has within it the seeds of destruction. In essence, it is the old chain letter formula which looks good for those who are the early participants, but bogs down as it reaches maturity. The passing generation, those over 65, and the working generation, those over 21 are still among the early participants. So things still look good. The oncoming generations, those who become 21 after 1970 will not be among the early participants and the basic flaws in the system will become more and more apparent.

I have had two purposes in introducing H.R. 4817, which I introduced in previous Congresses. The first purpose is to try to preserve the integrity of the social security program for those who are presently counting upon it and to keep it available to those people—perhaps 5 percent of our population—who would not take out retirement programs for themselves otherwise.

The second purpose is to expose the false statements made by the promoters of the social security system and let the people know the truth of what has been done and what the present program really is.

The August 17, 1961, report of Health, Education, and Welfare on my bill H.R. 4817 has fulfilled this second purpose to a large degree.

This report clearly dispels the false doctrine that the contributions of the individual match the benefits paid to him on an insurance basis. As the report accurately states:

> The people electing coverage under private benefit plans would, in general, be those who could expect to get proportionately lower returns from the Federal system and thus would represent proportionately lower benefit costs. The people who would remain under the Federal system would thus consist of a relatively large number of people who are already near retirement age, who have large families, or for some other reason could expect to get more out of the system.

This is clearly a share the wealth plan, not an insurance plan, and was never designed to be anything else. The use of language to create the impression that this program was insurance was deliberately designed to deceive the people as to what the program really was.

Now this does not mean that share the wealth is per se wrong, or that a social program of this sort is wrong. Certainly, though, the people rightly can be concerned by the fact that it was sold to them under false premises. Why was it sold under false premises? If share the wealth is proper, in this field, or any field, why not advance the program openly without shame?

I believe the answer is that share-the-wealth programs, though at first blush may seem to be sound and charitable, are upon analysis destructive of human welfare, human freedom, and human progress. Certainly history is full of share-the-wealth plans that failed and to date no one can point to one which has been successful over any reasonable period of time.

We had the logic of this situation before the Congress in a rather compact form when we went into the merits of flood insurance. Why is flood insurance not well developed in the private sector, so people come to the Federal Government to promote it? The answer is quite obvious, a person can tell for himself whether his property is subject to floods. If he builds on high ground he has no need of flood insurance. If he builds right next to a riverbank he has great need. Should the person who builds on high land pay part of the cost of the person who chooses to build on

a riverbank? Well, if there were no choice perhaps, but certainly if such a system were established there would be no cause for people to exercise judgment about building on flood-free areas. This would encourage economic waste from floods.

So it is in any field of human endeavor. Insurance is valuable against risks to which all of us are subject in spite of the reasonable precautions we can take; for example, windstorms, fire, disease, early death, accident, theft. Then, indeed, the risk can be spread among many people equally because they share the risk with some measure of equality. But to spread risk through the insurance process to people who do not have the risk or have it inequally because of precautions human beings can take for themselves is to destroy the process of human beings taking precaution.

The full report of HEW follows:

AUGUST 17, 1961

Hon. WILBUR D. MILLS,
Chairman, Committee on Ways and Means, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in response to your request of February 27, 1961, for a report on H.R. 4817, a bill to encourage the use of private benefit plans in lieu of social security by providing that individuals who are eligible for certain benefits under such plans shall not be entitled to social security benefits or subject to social security taxes.

The bill provides that an individual whose services would otherwise be covered by the Federal old-age and survivors insurance program could choose to be covered by a private insurance policy or public or private retirement plan giving protection equivalent in type and amount to that provided under the Federal program, in lieu of coverage of his services under that program. In any case where the individual's protection under such a policy or plan was terminated, the equivalent of old-age and survivors insurance taxes would be transferred by the insurer to the Federal Old-Age and Survivors Insurance Trust Fund and the individual's rights under the Federal program would be determined as though he had been under its coverage during the period when he had been covered by the policy or plan. (The bill does not take into account the benefits for disabled workers and their families provided by the 1956 and 1958 amendments and the establishment of a Federal Disability Insurance Trust Fund.)

The Department of Health, Education, and Welfare recommends against enactment of H.R. 4817.

In order to provide protection at a reasonable cost to the workers of the Nation and their families against the insecurity and destitution that can result from loss of earnings upon retirement, disability, or death, it is essential that the Federal old-age, survivors, and disability insurance program be compulsory. Under this program the contributions of an individual do not necessarily match the value of the benefits paid to him. The program contains eligibility and benefit provisions under which workers nearing retirement age when their jobs were brought under the program, and those with large families, often receive benefits considerably in excess of the contributions they have made. With such a benefit structure the system would be susceptible to adverse selection if people were allowed to elect to be covered under private benefit plans instead of the Federal system. The people electing coverage under private benefit plans would, in general, be those who could expect to get proportionately lower returns from the Federal system and thus would represent proportionately lower benefit costs. The people who would remain under the Federal system would thus consist of a relatively large number of people who are already near retirement age, who have large families, or who for some other reason could expect to get the most out of the system. The high contribution rate required to support a system composed in considerable part of people in these groups would place the insurance beyond the reach of people with moderate or low incomes—those who need it most. In order to keep the cost of the Federal program at reasonable levels, the continued participation under the program by all covered workers—those who stand to get relatively little in benefits, in relation to their contributions, as well as those who stand to get a great deal—needs to be assured.

A further point is that the bill would create administrative difficulties for insurance companies, employers, and the Government out of all proportion to its possible effectiveness. Private benefit plans, to qualify as benefit plans in lieu of social security, would have to be almost completely revised. These plans are now designed to supplement benefits under the Federal program rather than to substitute for them. Similarly, private insurance companies do not now generally issue policies providing protection equivalent in type and amount to that provided by the Federal program. Moreover, it would appear that they would have great difficulty in doing so. If the policies were made identical with the provisions under the Federal program, the companies would have to provide protection related to the individual's earnings. They would also have to make determinations of family relationship, dependency, and current earnings of the retired worker or other beneficiary—determinations that would be difficult and costly for individual companies to make. If they were to provide benefits without regard to the beneficiary's current earnings, their administrative costs would be lower but benefit costs—and therefore premiums—would be substantially higher.

If the protection of the Federal program were improved, the policies and plans previously approved might no longer qualify unless they also made comparable changes. The necessary adjustments could probably be made if the improvements in the Federal program were limited to future beneficiaries. If, however, benefits for people already on the rolls were increased to keep the program in line with changes in wage and price levels, as has been done several times in the past and in all likelihood will be done in the future, the insurance company or staff retirement plan would also have to increase payments to its current beneficiaries; it is hard to see how it could do so. The virtual impossibility of keeping alternative plans in line with a dynamic program such as old-age, survivors, and disability insurance has constituted a strong argument against enactment of the plan proposed by H.R. 4817.

Another administrative consideration is that even though an individual was covered under an insurance policy or retirement plan in lieu of social security, complete records of his employment or self-employment that would otherwise be covered under the Federal program would have to be maintained. The Department of Health, Education, and Welfare would need such records in case the person later came under the Federal program, as might happen in many cases under the proposal. The Treasury Department would need the records to determine whether the individual's protection was equivalent to that provided by the Federal program. The insurer would need the records in order to determine its obligations under the policy or plan. The administrative burden of making the records continually available to whichever agency needed them at any given time would be substantial, even if the actual recordkeeping were centralized.

The proposal would also create a serious administrative burden for the Federal Government. For example, the Treasury Department would be required to ascertain that every policy issued and every benefit plan set up under the proposal provided protection equivalent in type and amount to that which would be provided by the Federal program on the basis of the wages and self-employment income of the individual and that it provided the required cash surrender value. A continuing check would be required because the potential protection would vary with changes in family situations, benefit levels, and other factors, and the potential contributions would vary with tax rates and earnings levels. And of course if the Federal program were revised the policies and plans previously approved would have to be reexamined.

In view of the very harmful effects the bill could have on the old-age, survivors, and disability insurance program we recommend that it not be enacted by the Congress.

We are advised by the Bureau of the Budget that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,

WILBUR J. COHEN,
Assistant Secretary.

STRATOVISION AND EDUCATION

Mr. BARRY. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CONTE. Mr. Speaker, this month there is being inaugurated in the Middle West an experiment in education which could revolutionize the American classroom and some day help solve the tremendous educational needs in underdeveloped nations throughout the world. It is an experiment which proves also that the money and effort spent in industrial research and development pays off in unforeseen ways.

On Monday, September 11, nearly 1 million schoolchildren in the States of Indiana, Illinois, Kentucky, Ohio, Michigan, and Wisconsin will begin to receive regular instruction through educational television programs beamed to them from a "flying schoolroom" 25,000 feet in the air. The "flying schoolroom" is a DC–6 airplane specially equipped to transmit television programs which have been prepared by the Midwest Council on Airborne Television Instruction.

This technique of airborne telecasting, called stratovision, was invented 17 years ago by a young Texas-born electronics engineer of the Westinghouse Electric Corp. He knew that a television signal transmitted from high above the earth would travel much farther than a signal transmitted from near the ground which is limited by the curvature of the earth.

This young engineer, named Charles E. Nobles, convinced Westinghouse that the idea was worth researching, and for 3 years he directed an experimental program using a modified B–29 bomber as his flying laboratory. In June 1948, before there was any east-west coaxial

cable in service, viewers as far away as Michigan were surprised to find themselves watching the Republican National Convention in Philadelphia.

His stratovision system was technically successful but when the coaxial cable solved the commercial need for long-distance transmission of television programs, stratovision was put on the shelf.

But the fruits of research never die. Just 2 years ago, a Westinghouse colleague of Mr. Nobles—Mr. Reuben Lee—saw in stratovision an answer to one of the most difficult problems facing our schools—how to get expert instruction in many varied or advanced courses into the thousands of schools which otherwise could not offer such variety or advanced teaching.

Mr. Nobles and Mr. Lee talked with Dr. John A. Hutcheson, vice president in charge of engineering for Westinghouse, and he, in turn, approached the Ford Foundation. As a result, the Midwest Council on Airborne Television Instruction was formed to carry out this historic venture and Westinghouse agreed to provide the technical know-how and assistance.

This extraordinary educational program now is centered at Purdue University where the Midwest Council makes its headquarters and where the university's television studio facilities and its airport are used. So it is, that a big four-engined airplane will be circling over Montpelier, Ind., for 4 days a week from September 11 through May.

Educators from many foreign countries already are looking into this totally new program. Imagine what could be done with this technique in such a land as India where millions could be taught to read and write, taught sanitation or agricultural methods at very low expense. Some day the programs may be beamed not from high-flying airplanes but from satellites.

And all this because an imaginative electronics engineer and a research-minded company were willing to devote time and money on a "blue sky" idea nearly two decades ago.

HITLER'S INVASION OF POLAND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RYAN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RYAN. Mr. Speaker, September 1 marked the 22d anniversary of a sad, tragic, and fateful event. Twenty-two years ago Hitler's war-hungry armies marched into Poland in a manner almost unprecedented in modern world history: Germans were ordered without a formal declaration of war, early in the morning of that day, to attack Poland with all the forces at their disposal. This they did in flagrant violation of international law, and also in defiance of the elemental laws of the civilized world. In swift and successive moves Hitler attained his immediate objective: he defeated Poland. In the course of a month's ferocious fighting the sovereign and independent Poland ceased to exist, and the unhappy people of Poland experienced the worst tragedy in their long and turbulent history.

It is hardly necessary to mention even the most important world-shaking events that followed Hitler's attack on Poland. By his unjust and unprovoked attack Hitler let loose forces of evil, forces of destruction and death, which, after causing veritable havoc to most of the world and death to tens of millions and rendering other tens of millions homeless and helpless, still haunt and harass us today. The attack on Poland 22 years ago heralded the coming of the most destructive of wars that caused more misery and misfortune to more human beings than any war in known history.

In observing this fateful anniversary we pay tribute to the gallant and helpless people of Poland who, like the unknown soldier of every war, fought and died for the glory of Poland and for human freedom.

THE LATE ROBERT E. GROSS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Georgia [Mr. JOHN W. DAVIS] was recognized for 60 minutes.

Mr. JOHN W. DAVIS. Mr. Speaker, it is with deep regret that I call the attention of this body to the passing of Mr. Robert E. Gross, who was chairman of the board of the Lockheed Aircraft Corp., and who died at Fairmount Hospital, Santa Monica, Calif., on September 3, at the age of 64.

Mr. BELL. Mr. Speaker, will the gentleman yield?

Mr. JOHN W. DAVIS. I yield to the gentleman from California.

Mr. BELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and also that all Members who desire to do so might extend their remarks following mine.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BELL. Mr. Speaker, it is with considerable sorrow that I report to this House the passing of my friend and constituent, Robert Gross, who was chairman of the board of the Lockheed Aircraft Corp., and one of the pillars of community life where he lived as well as one of the most important industrialists in the Nation.

Beginning with the purchase of the Lockheed Corp. in 1932, Bob was largely responsible for the growth of this company to the point where it now has more than 66,000 employees and ranks 28th in terms of net assets among all of the commercial enterprises in the Nation. His philosophy and vision have carried Bob Gross and his company to international renown in aviation and airspace findings.

To give you a sample of this philosophy, I quote, from a talk he made to his employees:

> There is a certain feeling of courage and hope when you work in the field of the air. You instinctively look up and not down. You look ahead and not back. You look ahead where the horizons are absolutely unlimited.

In the course of his years at Lockheed, Bob Gross participated in what we recognize now to be an almost revolutionary change in the whole economic structure of southern California. He was a leader. He was a gentle, wise, and thoughtful and kind man who will be missed by his many friends in every area of our society. I know I express the wish of every Congressman to extend to the Gross family our sadness at his passing and our profound respect for all that he accomplished in life.

His philosophy—and vision—have carried Bob Gross and his company to international renown in aviation and the aerospace sciences.

> There is a certain feeling of courage and hope when you work in the field of the air. You instinctively look up, not down. You look ahead, not back. You look ahead where the horizons are absolutely unlimited.

So spoke Robert E. Gross to employees of the Lockheed Aircraft Corp. on the 25th anniversary of the company in 1957.

Robert Ellsworth Gross was born in Roxbury, Mass., on May 11, 1897. His parents were Robert Haven Gross, a prominent figure for a quarter century in the Nation's coal and copper industries, and Mabel Bowman Gross.

Throughout his career Gross has been guided by faith in aviation's inevitable growth. He attended Newton High School in Newton, Mass., St. George's—preparatory—and Harvard College—1916–19—where he played on the hockey and baseball teams and was active in other campus affairs.

He looked instinctively to the skies 33 years ago and he continues to look up—and ahead—to unlimited horizons.

Gross has guided the development of Lockheed Aircraft Corp. from a small establishment with less than 60,000 square feet of rented factory space to a 16-million-square-foot industrial giant with yearly sales of better than $1 billion, 66,500 employees, and a record of leadership in commercial and military aviation, missiles, spacecraft, electronics, propulsion, shipbuilding, heavy construction, complex transportation, and communications systems and related activities.

Last March 22 at the University of California's Charter Day ceremonies, Gross was awarded an honorary doctor of law degree. The citation described him as a "businessman, builder, patriot, whose life has been dedicated to giving reality to dreams of the future," and a man "who built a small depression-broken business into one of the world's industrial giants."

Conferring the degree, University of California President Clark Kerr noted not only Gross' efforts in laying the foundation of international aviation for bringing the people of the world closer together and his leadership in aerospace activities for a strengthened defense for America, but also his work as a "civic leader with a deep sense of human values who continues to concentrate on new

projects for a peaceful, better world of tomorrow."

His record of public service and an active business life included membership on the boards of the Good Samaritan Hospital in Los Angeles and the Children's Hospital in Boston.

He was southwest area chairman and vice chairman of the united community campaigns of America and chairman of the U.S. savings bond campaign in 1957.

Active in the affairs of St. Alban's Episcopal Church and the Los Angeles diocese, Mr. Gross was awarded an honorary doctoral degree by the University of Redlands for his religious and civic work. He served as a trustee for the Boys Club of Southern California, and as a member of the board of the Arthritis and Rheumatism Foundation.

In June—June 22—of this year he received one of four National Brotherhood Awards at the 13th annual brotherhood testimonial dinner in Los Angeles.

Demonstrating a continuing interest in the education of America's youth, he is a member of the Art Council of the University of California at Los Angeles. He served as overseer of Harvard University during the 1950's and is now helping direct the Lockheed leadership fund in assisting worthy students studying for careers related to the aerospace industry.

In 1955 he served as president of the Institute of Aeronautical Sciences and was named "California Industrialist of the Year" in 1959.

Gross began his business career in Boston with Lee, Higginson & Co., a banking firm, shortly after his graduation from Harvard. Later he served in New York, then London, traveling widely on the continent, where he received liberal training in international banking and corporate finance.

In 1928 Lee, Higginson dispatched Gross, who had become a specialist in aviation investments, to study the growth possibilities of the Stearman Airplane Co. in Wichita, Kans. Impressed with Stearman's prospects, Gross invested $20,000 of his own money in Stearman.

At that time Gross made another sally into the airplane business when he and his younger brother, Courtlandt S. Gross, launched the Viking Flying Boat Co. at New Haven, Conn. The world market collapse wiped out the demand for private flying boats, but his faith in aviation's future remained high.

Becoming interested in Varney Speed Lines, a small, swift California airline, Gross was impressed by the speed and performance of Varney's Lockheed-built low-wing Orion transports on his Los Angeles-San Francisco run. Believing that in the Lockheed Aircraft Co., then in bankruptcy, there lay the nucleus of a successful aviation enterprise, he and a group of associates—including Walter T. Varney, Lloyd Stearman, and Cyril Chappellet, now a Lockheed senior vice president—purchased assets of the Burbank, Calif., company in June 1932.

In the middle of the most severe economic setback the United States had yet experienced, they formed the present Lockheed Aircraft Corp. with Stearman as president and Gross as treasurer and chairman of the board.

No one knew better than Gross the difficulties that lay ahead in building a strong business from what was at best a speculative investment. Gross retained the board chairmanship and took on added responsibilities as president in 1934. He became chief executive officer and chairman in 1956 when Courtlandt S. Gross was elected president of Lockheed and assumed active management of the corporation.

At the same time, D. J. Haughton assumed the post of executive vice president previously held by Courtlandt Gross.

Under this management team Lockheed has devoted itself to massive scientific and engineering endeavors. It has grown to America's 28th largest industrial firm. Its interests have spread over the free world, with offices and facilities on five continents.

Among the achievements of Lockheed under the Gross brothers' leadership: The Agena, first satellite to achieve polar orbit; the Polaris, first successful missile ever developed for underwater launching; the Starfighter, first production airplane to fly twice the speed of sound.

Hercules transports continue to come from Lockheed plant in Marietta, Ga., to fly at the top and bottom of the world, and from the same factory are coming the world's first compact jet transports for corporate and governmental uses.

Neptunes, America's longest lived production airplanes, flow even yet from Burbank assembly lines, along with newer Orions for meeting the antisubmarine menace.

Today Lockheed employs 66,556 persons, all devoted to new advances in aviation, electronics, shipbuilding, space sciences, and related fields. The company's net assets come to $548 million.

Gross was honored by France and the Netherlands with awards as Chevalier of the Legion of Honor and the Order of Orange-Nassau for his contributions to the development of the Constellation series of airliners which made intercontinental movement of people and cargo practicable. Today he is convinced that space activities offer yet new opportunities to the world.

> We have soared above into the clear colorless regions of space where the "white radiance of eternity" is unstained and where truth may be found pure and undistorted—

He told a group of San Francisco industrialists in February.

> It is my hope that our penetration of space will bring this white radiance into the lives of all of us and that our expanding knowledge of the universe will be matched by an increasing knowledge of how to live with each other.

Gross and the former Mary Bradford Palmer were married in 1920. They have one daughter, Palmer—Mrs. Charles E. Ducommun—and two grandchildren, Electra and Robert. They live in Bel-Air, Los Angeles, and have a beach home near Carpenteria, Calif. His mother, Mabel Bowman Gross, lives in Los Angeles. Gross' hobbies include fishing, cooking, and playing the piano. He likes baseball, football, dancing, and art.

Mr. CORMAN. Mr. Speaker, I join my colleagues in expressing both my personal sorrow and my deepest sympathy to the family on the passing of a great industrialist, a great American, Robert E. Gross, president of Lockheed Corp.

Among the vast, farflung activities of the corporation he served as president is Lockheed's Missile & Space Co. installation at Van Nuys, Calif., which I have the honor to represent.

In 1954, in keeping with Mr. Gross' farsighted vision of future needs of this Nation, this plant was converted to space-age research and development. It is presently one of Lockheed's prime missile centers, employing 4,000 people in such space projects as Polaris, Discoverer, Agena, and Midas.

Just last February in San Francisco, Mr. Gross made observations which may well serve as a guideline to our future efforts in this field. He stated:

> We have soared above into the clear, colorless regions of space where the white radiance of eternity is unstained and where truth may be found pure and undistorted. It is my hope that our penetration of space will bring this white radiance into the lives of all of us and that our expanding knowledge of the universe will be matched by an increasing knowledge of how to live with each other.

Immortality of man is many things. A part of these is that impact which he leaves on his fellow men after his parting. Robert E. Gross' capacity as an industrialist, a visionary, and a great humanitarian now commit him to enduring immortality in the hearts of his fellow Americans.

Mr. JOHN W. DAVIS. Mr. Speaker, I include at this point in the RECORD an article which appeared in Forbes magazine of September 1, 1961. The heading of the article is "Good as His Word." The subheading says, "Thanks to Chairman Gross' Big Decision Last Year, There Will Be No Drag on Lockheed's Healthy Defense Profits This Year."

The article then proceeds to give an account of courage, integrity, and of sound judgment which was exercised only recently by Chairman Gross, and which demonstrates what can be done in a major company of the United States when a bad situation is recognized for what it is and when it is faced unflinchingly and when a man makes good on the word that he has given.

Mr. Speaker, the entire article is as follows:

GOOD AS HIS WORD—THANKS TO CHAIRMAN GROSS' BIG DECISION LAST YEAR, THERE WILL BE NO DRAG ON LOCKHEED'S HEALTHY DEFENSE PROFITS THIS YEAR

There are just two ways to lose money when a major corporate venture goes sour: piecemeal, or the way Chairman Robert E. Gross of Lockheed Aircraft Corp. did it last year. In one horrifying second-quarter plunge, Gross dropped his longstanding dividend and wrote off $67.5 million in commercial airplane costs—one of the biggest quarterly losses ever taken by a U.S. corporation. Said Gross at the time: "We decided to take everything at once, then be off to the races."

ON COURSE AGAIN

Last month, Bob Gross turned out to be as good as his word. Lockheed was indeed off

to the races. In each of the four quarters since the big writeoff, Lockheed has been solidly in the black and the company's earnings for the 12 months ended in June (of $2.92 a share) were better than anything Gross produced since 1955. With no small amount of satisfaction, Gross looked at his record first-half sales ($679 million) and earnings ($1.24 a share) and decided that Lockheed could well afford to restore its 30-cent quarterly dividend.

By contrast with Gross' drastic writeoff, both Douglas Aircraft and General Dynamics have taken their jet program losses in partial doses. Douglas took its DC-8 losses over seven straight quarters, is just getting out of the woods, and has announced no plans to restore its dividend. General Dynamics has been losing money because of its jet writeoffs for a full year now, and the end is not yet in sight.

Gross still has problems with the Electra, but that ill-starred jet liner no longer can affect Lockheed's total operations, thanks to Gross' big plunge last year. Lockheed, it is true, made no money this year delivering 27 written down, modified Electras, but neither, emphasized finance chief Dudley Browne, did it suffer any out-of-pocket losses. The company sold the planes for what it cost to produce them. For that reason, Gross probably has washed his hands of the program in more ways than one. He is not particularly interested in selling any more of the planes. "We would not say no to an order for 50 Electras," says Browne now, "but I do not know about an order for 25."

NO DRAG NOW

At any rate, with only five Electras still to be sold, there is not much that even that distressed merchandise could do to drag on Lockheed's future earnings. What with its Polaris program in high gear and work begun on the big new contract to build more than 100 jet transports, Gross can look forward this year to sales that should reach a record of $1.4 billion.

Best of all he can again expect to make the defense contractor's normal net profit of 2 cents to 3 cents on the sales dollar after two extremely lean years. Almost assuredly, that would not be the case if Bob Gross had decided, like his rivals, to stretch out his predictable losses a year ago.

Mr. Speaker, Robert E. Gross brought to the State of Georgia and in particular to the Seventh District of the State of Georgia, which I represent, probably the largest single enterprise ever brought to our State which I would say has meant more than any other single enterprise in terms of the economic well being of our State. As a citizen of Georgia, I know I speak on behalf of all those citizens when I say that Mr. Gross took a deep interest in our welfare not only in our economic welfare but all other aspects of our community life. I knew Mr. Gross personally and admired him greatly. As a fitting tribute to his memory, I take this occasion to quote from an address Mr. Gross made following an airplane ride which I was privileged to take with him from Washington to Marietta, Ga., on April 6, 1961, which led to an address on that evening to the Cobb County Chamber of Commerce at a civic dinner commemorating the 10th anniversary of Lockheed's Georgia division at Marietta, Ga.

Mr. Gross concluded with these words:

When I was riding down in the plane this afternoon, I looked out the window and I saw those green fields and those rivers going under the wing, and I realized we were passing over a wonderful territory of a great country with wonderful, marvelous people. I thought to myself, what is the temper of the world tonight? Does everybody feel about it the way I do, as confident as I do or not?

Now, I know if you look around this world tonight you could easily look at it with apprehension, and you also could look at it with promise and with hope.

The people that look upon this world with apprehension look upon it because there is a recklessness in this world today that could, if it would, destroy us.

HOPE, PROMISE, CONFIDENCE

It is not enough that we find this recklessness disagreeable, rather it becomes our solemn duty to restrain and detain it and put the power of man's strength to work for him and not against him. And for those who look to the world with promise and hope, and I am one of these, I feel we can take great confidence in the kind of people that make up this gathering tonight. The kind of people that are in the company, that's working here with you and for you, and working with you hand in glove, day and night. And I think on this kind of reliance we can all place our faith.

For me, I choose to look upon this world with hope and promise and confidence, and with many thanks, I encourage all to do the same.

Mr. SMITH of California. Mr. Speaker, as a former member of the Lockheed Aircraft Corp. team, and as a personal friend of Robert E. Gross, I wish to express my sincere sorrow on his passing, September 3.

Robert Gross was one of the finest examples of American ingenuity—a man of foresight, courage, and integrity. It was my privilege to work with him in the years 1942 through 1944 as manager of plant protection, in the organization he rescued from bankruptcy in 1932 and has since built into the 28th largest industrial company in the United States. Under his direction, Lockheed grew and prospered, and as it grew and prospered it contributed immeasurably to the growth of the communities surrounding it, particularly the cities of Burbank and Glendale, Calif., two of the major cities in the district which I have the privilege to represent.

It is extremely difficult to adequately convey the sense of loss that his family, his friends, and his loyal employees feel at this time. May I simply state that he will be greatly missed, and that my sincere sympathy is extended to his wife, his mother, his daughter, and his brother, as well as the entire Lockheed family.

PLIGHT OF OUR DOMESTIC SHRIMP INDUSTRY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Louisiana [Mr. WILLIS] is recognized for 15 minutes.

Mr. WILLIS. Mr. Speaker, I have been encouraged by letters from prominent individuals and resolutions adopted by public bodies and civic clubs in my congressional district joining in the fight to do something about the plight of our domestic shrimp industry.

The groups who have recently contacted me are the Lafourche Parish Police Jury, the Louisiana Shrimp Association, the Young Men's Business Club of Golden Meadow, La.; the Young Men's Business Club of Delcambre, La., and the Young Men's Business Club of Breaux Bridge, La.

These communications suggest that the parishes affected should be declared distressed or disaster areas; that low-rate interest loans through the Small Business Administration be made available to those affected, and so forth. That should be done and I am pressing for this immediate relief. But I have also been thinking in terms of developing two specific long-range programs conducive to a good and sound domestic shrimp industry in the future.

The first has to do with scientific research and the second with foreign shrimp imports.

There has been a sharp drop in the shrimp crop or production this year. This is, no doubt, due to some kind of a physiological or biological phenomenon, or both. But it is one of the sad commentaries of our scientific age that we cannot pinpoint the exact reason. The answer is that research efforts must be expanded in certain fields to provide enough information so that the shrimp resources can be wisely managed.

To that end, I have been soliciting the combined aid of Congressmen from all shrimp areas to get behind an appropriate research program.

It is estimated that this program will cost $500,000 over the amount now being spent. I was glad that we were able to receive an appropriation of $175,000 during this session of Congress, over and above the amount of $318,000 now on hand by the Bureau of Commercial Fisheries, making a total of $493,000 available for research at this time.

I would like to make part of my remarks at this point an analysis of the scope and purposes of the research program prepared by the appropriate Federal agency:

BIOLOGICAL STUDIES ON SHRIMP IN THE GULF OF MEXICO

The Bureau of Commercial Fisheries' biological studies on shrimp in the Gulf of Mexico, like most of its biological research, is designed to provide basic knowledge of the life history and environment of these animals. Ultimately, this knowledge aids the States, international commissions, and the industry to manage the resource for the mutual benefit of all. The Federal Government, except in special cases, does not have the authority for the management of any fishery. Research of this type is costly and requires specialized scientific talent that other agencies usually cannot afford. The national interest of the problems also make this a Federal responsibility.

The Bureau has been conducting biological research on shrimp at its Galveston, Tex., laboratory for several years. These studies have concentrated on larval studies, commercial catch sampling, physiological requirements, migration, growth, and mortality. The larval studies determine the movements of the young, develop methods for identifying the larvae of the three species of shrimp, and study the relation of numbers of larvae to abundance of commercial-size shrimp. Commercial catch sampling supplies information on the species, size, sex, and numbers of shrimp caught in various areas at various times of year.

Studies of physiological requirements develop knowledge of the effect of such environmental characteristics as temperature, salinity, oxygen, vitamins, and minerals on

the shrimp. Migration studies determine the pattern of movement of shrimp from offshore grounds to inshore growing area and the contribution various inshore areas make to the commercial fishery. Growth and mortality studies determine periods in life cycle of rapid and slow growth and survival of animals at various periods from spawning to old age.

The present Bureau program has shown that research efforts must be expanded in certain fields to provide enough information so that the shrimp resources can be wisely managed. The decreased 1961 landings adds emphasis to this need. The most serious problems are to determine how many shrimp can be safely taken each year without endangering the future of the resource and to determine the stage in their life history at which shrimp should be caught to provide the greatest return.

The problem is complicated because three species of shrimp are involved and the fisheries for them are located in different areas. Research must, therefore, be conducted on the Tortugas shrimp beds off the Florida Keys, the middle Gulf of Mexico off Louisiana, and the Continental Shelf off Texas and northern Mexico. The expanded research will also provide information useful in dealing with this resource in international waters off Mexico, Central and South America, where a substantial part of the U.S. fishery is conducted.

The research program which is required in addition to present efforts will involve several phases and would require 5 to 10 years of intensive study. Some of these phases will just augment present studies, but are necessary to increase the reliability of the data.

1. Sampling of shrimp populations at sea and measurement of the shrimp landed by the fishermen: These data would be used to analyse shrimp populations to determine facts concerning their life history, growth, and mortality rates. Vessels must be chartered for collecting shrimp at sea and for measuring salinity, temperature, currents, and other factors of the environment. Shore based scientists and technicians would sample shrimp from catches of commercial fishermen.

2. Migration studies: Bureau scientists have developed techniques for staining individual shrimp so that they can be identified when they are recaptured. These methods, with some refinement, can be used to determine migrations of shrimp as well as their growth rate. Shrimp would be captured at sea or along the shore, marked and released for later recapture.

3. Natural mortality studies: Perhaps the most difficult problem is to determine mortality rates of shrimp at sea. Application of statistical techniques as well as recovery of tagged or stained shrimp would give information concerning natural mortality. Further research would be conducted to determine factors such as depredation and diseases and environmental conditions which cause mortality.

4. Population dynamics: Sophisticated statistical analyses of all available data would be used to develop a thorough understanding of the life history of shrimp and the effects of environment and fishery upon their numbers. Once this is understood the management of shrimp fishery could be placed upon a sound scientific basis.

We estimate that this program will cost $500,000 over the amount we are now spending. The 87th Congress has appropriated $175,000 of this amount.

I am sure that the facilities of the University of Southwestern Louisiana at Lafayette, and Francis T. Nicholls State College at Thibodaux, La., could be utilized to a very good advantage for these studies.

I am confident that these studies will result in a constant production and wise management of this valuable natural resource. But it will not do much good to our domestic shrimp catchers, packers, and canners unless we protect them against the onslaught of unfair foreign imports.

Accordingly, we introduced double-barrel legislation dealing with both a reasonable system of shrimp import quotas and a duty on imported shrimp.

I am very grateful to Congressman WILBUR MILLS, of Arkansas, the chairman, and Congressman HALE BOGGS, of Louisiana, a high ranking member of the House Committee on Ways and Means, for arranging hearings on our bills a few days ago. The importance of this legislation was brought out in the statement I made before the committee, a copy of which follows:

STATEMENT OF HON. EDWIN E. WILLIS, THIRD DISTRICT, LOUISIANA, BEFORE THE HOUSE COMMITTEE ON WAYS AND MEANS, ON SHRIMP IMPORT LEGISLATION

Mr. Chairman, I am very grateful to you for giving me an opportunity to testify on identical bills introduced by Congressman HALE BOGGS and me on April 11 of this year, dealing with our serious shrimp import problems.

Our proposal would impose a duty of 35 percent ad valorem on canned, prepared, or processed shrimp. Fresh, frozen, or unprocessed shrimp could come in duty free up to the volume imported in 1960, but the same duty would apply on the quantity in excess of the 1960 volume. The Secretary of the Interior would be authorized to allocate this duty-free quota among countries supplying imports of shrimp to the United States in the year 1960. In other words, there would be a country-by-country quota in accordance with the volume of imports of shrimp received from each country in that year.

The bills introduced by Congressman BOGGS and me and others approach our shrimp import problems along the lines of the Sugar Act. For example, we produce less sugar than we consume. The same is true with shrimp. Many foreign countries have always wanted to share in our domestic sugar market. That has always been the case in connection with our domestic shrimp market. The fact of the matter is that our Government has encouraged foreign competition. Thus, through our various foreign aid programs our Government has made it possible for foreign producers to build larger and larger shrimp fleets and placed them in a position to demand a higher and higher share of our domestic shrimp market. In a very real sense, therefore, our domestic shrimp industry is the victim of our official foreign policy, and I submit that we have the right to expect corrective legislation.

The Sugar Act was first enacted in the mid-1930's. Over the years this act has been recognized as a valuable instrument of foreign policy, and I think the same would be true under the shrimp legislation we now propose. The underlying philosophy of the Sugar Act is to provide fair treatment to and protect both the domestic producers of sugar and at the same time to fairly allocate the difference between our domestic production and consumption to foreign producers. That is the underlying philosophy of the proposal of the domestic shrimp industry.

Shrimp is the No. 1 U.S. seafood industry. It is estimated that there are over 7,000 vessels engaged in shrimp fishing in the South Atlantic and Gulf areas alone. The investment in the larger crafts or trawlers is estimated to be over $250 million. When we add to that the investment in shore plants, canning factories, and other equipment we realize that the domestic shrimp industry represents investments of over one thousand million dollars.

Annually our shrimp catch amounts to over $70 million.

The impact of foreign imports over the last few years, brought about in part as the result of our foreign policy, as above indicated has dealt a staggering blow to our domestic shrimp industry. For example, in 1951 approximately 42 million pounds came from only 18 countries, while in 1958 approximately 86 million pounds came from over 50 countries, and I am advised that since that time the imports have reached an ever greater volume.

Both the Tariff Commission and the Department of the Interior recognize that something should be done to alleviate the plight of our important shrimp industry, and I hope that this committee will report out this legislation promptly.

In connection with the legislation, Congressmen BOGGS, THOMPSON, and I and our two Senators have been working very closely with interested, prominent people and associations, including the Louisiana Shrimp Association, through their members and president, James H. Summersgill, of Golden Meadow, La.; the Louisiana Shrimp Canners Association, through their members and president, Gordon M. Millet, of Houma, La.; the Twin City Fisherman's Cooperative Association, Inc., through their members and president, Jack Lewis, of Morgan City; the Louisiana Wild Life and Fisheries Commission, and the Gulf States Marine Commission, as well as national associations, including the National Shrimp Congress, through their members and executive director, William R. Neblett, of Florida, and many others.

At the hearings before the House Committee on Ways and Means statements were made by some 35 individuals, including Members of Congress, representatives of seafood organizations, and others, and additional material was supplied by some 52 other people.

Among those from Louisiana who attended the hearings or testified, in addition to myself, were Congressman T. A. Thompson, Dr. Lyle St. Amant, chief marine biologist, Louisiana Wildlife and Fisheries Commission, representing Governor Davis; John Lewis, Morgan City, president, Twin City Fisherman's Co-op Association, Louisiana and Texas, and vice president, Louisiana Shrimp Association; Ford Thibodeaux, Morgan City; and H. R. Robinson, Metarie, La., for Gulf Shrimp Canners Association.

Mr. Speaker, with this formidable backing, I am hopeful that appropriate action will be taken and I am certainly urging the Ways and Means Committee to report out our bills.

Mr. THOMPSON of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman from Louisiana.

Mr. THOMPSON of Louisiana. Mr. Speaker, I would like to associate myself with the remarks being made by my distinguished colleague, the gentleman from Louisiana [Mr. WILLIS]. And, I

wish to say that it has been enlightening to work with him over the years in the development of a solution to the problem that we have in the fisheries industry. I know that the fishermen have invaded a frontier which one day will feed our Nation. I hope that this body will assist us in our mutual endeavors to bring in all of the scientific assistance possible, because we know that in the future this is going to be one of the most important things for America, in the feeding of our people.

THE GOOD SIDE OF THE SOUTH

The SPEAKER pro tempore. Under previous order of the House, the gentleman from South Carolina [Mr. HEMPHILL] is recognized for 5 minutes.

Mr. HEMPHILL. Mr. Speaker, I take this time today to salute a magnificent contribution to the understanding of race relations in the Nation made by the distinguished senior Senator from my State, the Honorable OLIN D. JOHNSTON, in an article which appeared in the New York Times magazine section of Sunday, September 3, 1961.

Senator JOHNSTON told the good side of the South, describing facts which have been maligned or mistreated by those who use the South as a whipping boy in order to gain political advantage. We in the South do not practice the hypocrisy we see practiced in so many parts of the Nation. Our stand on all matters of race relations are honest, forthright, and open.

I had planned to insert the article by Senator JOHNSTON at this point, but the distinguished Senator from Georgia, Mr. TALMADGE, has already done so, in the Senate earlier this morning, and I invite your attention to his remarks and the article. See pages 18119–18121 of today's CONGRESSIONAL RECORD.

COLONIALISM, IMPERIALISM, AND A SPECIAL COMMITTEE ON CAPTIVE NATIONS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 15 minutes.

Mr. FLOOD. Mr. Speaker, I am advised that this week the Rules Committee will finally take a vote on the 40 resolutions which have been submitted to create a Special House Committee on Captive Nations. This is all to the good. It could not come at a more propitious moment than this, particularly in view of the developments of this past week.

I am certain that I express the sentiments and thoughts of all the sponsors of these resolutions and also of the majority of this body when I say that we, the Representatives of the American people, have an unusual and glorious opportunity to serve them, the interests of this Nation, the security of the free world, and the hopes of all the captive peoples by the creation of this committee and the successful fulfillment of its designated tasks. An expeditious and favorable report by the Rules Committee is expected by all who recognize the strategic importance of the captive nations to the national security of our country.

Mr. Speaker, what has happened this past week makes the formation of this committee imperative and utterly necessary. As the original sponsor of this resolution, House Resolution 211, I have time and time again given substantial reasons justifying such action. Only last week I pointed out in this Chamber that it is grossly untrue and misleading to think that the activities and operations of a Special House Committee on Captive Nations would in any way be inconsistent with the policies of our Government.

On the contrary, its creation and its work would, as I showed, strengthen and reinforce our enunciated policies. But now with the heavy stress placed on colonialism and imperialism by most of the so-called nonalined states in Belgrade, with Moscow calling upon the United Nations General Assembly to establish a deadline for the abolition of colonialism, and with Moscow's show of weakness in resuming nuclear tests, it should be clearly evident that such a committee—in truth a watchdog on Moscow's colonialism and imperialism within and outside the Soviet Union—is absolutely necessary.

It does not require much imagination to envisage the impact of this committee and its systematic work on the so-called unalined nations and among the captive peoples from the Danube to the Pacific. Could you imagine the reaction of a Moslem representative in Belgrade to the detailed and popularized facts of Moscow's colonial domination and exploitation of over 30 million Moslem brothers in the Soviet Union? Could you imagine the completely defensive position that the cynical Russian delegates in the United Nations would be forced to assume under a heavy attack of facts and figures on Moscow's imperio-colonialism inside and outside the Soviet Union? We had a glimmer of this in last year's U.N. Assembly when the Canadian Prime Minister merely alluded to this vital subject. These and many other related questions indicate the new frontiers of knowledge and understanding open to us on this crucial and ultimately determining subject of Soviet Russian colonialism and imperialism. These and many other aspects are the aspects our people want to know; they are the aspects the uncommitted peoples must know; they are the aspects the suppressed captive nations want the world to know. These are the fundamental reasons why we, the American people's representatives, in this chamber of freedom, must establish this necessary vehicle of enlightenment on the subject of all the captive nations. We cannot fail in this.

Mr. Speaker, House Resolution 211, to establish a House Committee on Captive Nations states in its preamble that the observance of the Captive Nations Week in 1959 and 1960 had caused Moscow to display before the whole world—I quote from the resolution—"its profound fear of growing free world knowledge of, and interest in, all of the captive nations, the occupied non-Russian colonies within the Soviet Union as well as the satellite states of Europe."

May I take a brief look at what has been Moscow's reaction to the proclamation of the Captive Nations Week by President Kennedy this year?

In a dispatch from New York, dated July 18, Soviet news agency Tass termed President Kennedy's action "provocative hullabaloo," "malicious campaign," "fanning of cold war," and "poisoning of international atmosphere," started by the "most inveterate cold war drummers from among the Congressmen, yellow press, and immigrant scum."

The Russian yellow sheet, Izvestia, the very next day heaped buckets of refuse on "American hypocrites," "demagogs," "shameless imperialists," "provocateurs," and so forth. We shall not compete with Izvestia in this respect. This is one field where Moscow indeed has overtaken and left us far behind. Nor shall we engage in argument with either Tass or Izvestia on the merits of their contentions. For it is utterly useless to discuss color with someone who is color-blind, who calls slavery freedom, misery prosperity, and dictatorship democracy.

Adept as always in its propaganda tricks, Moscow also supplied some national hue to the vituperation campaign against the Captive Nations Week and its promoters. For, after all, it would be suspicious if the "big brother" alone spoke in defense of the entire happy family of Socialist nations. Hence, Soviet Lithuanian Radio Vilnius was ordered to play its part. This it did on July 20 by vociferously attacking the "remnants of bourgeois nationalists" who escaped beyond the ocean and supposedly were still dreaming of restoration of capitalist rule in their old countries of "people's democracies."

Such has been the Soviet reaction—to quote but a few samples—to this year's Captive Nations Week. In view of thousands upon thousands of East Germans who managed to escape from under the Kremlin's boot this year, do we need a better proof that we in Congress were right when we spoke of "the myth of Soviet unity"? A barbed-wire and concrete-block fence in Berlin serves as eloquent testimony that the Soviet Union today remains what czarist Russia was—a prison of nations.

But the East Germans are not the only captive people trying to escape from the Soviet land of milk, honey, and sputniks. We read daily of diplomats, sailors, officers, and dancers asking asylum in the free world. Defection of two Ukrainian scientists, Drs. Klochko and Sereda, is the freshest example.

Little information has been divulged to the public, and even to the Congress, regarding the number of escapees and the reasons for their risking life and limb. Mr. Speaker, I believe we should know that. I also believe we must insist that the whole story be given in full detail to the world, including the captive nations. Let us invite the most prominent escapees to step before the Voice of America microphones and tell, in their own words, why they could no longer live as slaves.

We must study the reasons which drive the people to such a desperate

struggle. What about mass deportations, forcible resettlement, labor camps, virgin land help, and other more refined, but just as deadly forms of genocide? We must study and analyze them, too. We must place the facts of inhuman treatment before the world opinion. And this also goes for Soviet-Russian colonialism, to which all captive nations are subjected.

Mr. Speaker, when we look back at the angry Russian reaction to this year's Captive Nations Week, we must pledge not to abandon them. Only world opinion can save them from total cultural and physical annihilation. Our duty is—I quote again from the House Resolution 211—"to study new approaches and fresh ideas for victory."

To document further the solid case for a Special House Committee on Captive Nations, I request that the following be printed in the RECORD at this point:

First. The New York Times, August 30, 1961, report on "Soviet Urges U.N. Ban Colonialism."

Second. An article in the Foreign Service Courier on House Resolution 211.

Third. An article in Draugas titled "A Decision on the Committee on Captive Nations Nears."

Fourth. A letter to the New York Herald Tribune, "A Captive Nation Resents Being Ignored."

Fifth. An address by Dr. Lev E. Dobriansky of Georgetown University, Washington, D.C., on "The Non-Russian Nations in the U.S.S.R. and America's National Strategy."

[From the New York Times, Aug. 30, 1961]

SOVIET URGES U.N. BAN COLONIALISM—RENEWS PLEA TO ASSEMBLY TO ESTABLISH DEADLINE

(By Seymour Topping)

Moscow, August 29.—The Soviet Union called upon the United Nations General Assembly today to establish a deadline for the abolition of colonialism.

In a message to the United Nations Secretariat, Foreign Minister Andrei A. Gromyko requested that the colonialism issue be placed on the agenda of the Assembly's 16th session, which opens in New York September 19.

The Soviet message asked the Assembly to examine the progress made in carrying out its resolution of December 13, 1960, urging "immediate steps" toward complete independence for United Nations trust territories and others.

Mr. Gromyko charged that the colonial powers had challenged the United Nations and caused a threat to universal peace and security by blocking implementation of the resolution.

In the vote on the 1960 resolution, put forward by the 28 Asian and African nations and approved 80 to 0, the United States abstained with colonial powers such as Britain and France.

The Assembly at the time also rejected a number of Soviet proposals, including an amendment for a 1-year deadline on the carrying out of the resolution and a request that the colonialism issue be debated at the coming Assembly session.

In attempting to resurrect its proposals, Moscow apparently feels that there is a fresh opportunity to persuade the Asian and African nations to support its initiative, to the propaganda benefit of the Soviet Union.

The Asian and African nations have become more restless on the issue of colonialism as a result of the African rebellion in the Portuguese territory of Angola, the failure to achieve a settlement of the revolt in Algeria and the recent clash between France and Tunisia over the French air and naval base at Bizerte.

The Soviet bid to revive the colonialism issue in the United Nations may put the Kennedy administration in the dilemma that confronted the Eisenhower administration in the 1960 session. A choice may have to be made again between bruising the sensitivities of U.S. allies that are colonial powers or possibly alienating the Asian-African countries.

The U.S. abstention on the 1960 resolution evoked dissension with the U.S. delegation. James W. Wadsworth, then chief delegate, said the United States had abstained, although reluctantly, because the resolution contained "difficulties in language and thought."

The Soviet Union reaped a propaganda harvest in the 2-week debate that preceded the vote. At one point, however, Moscow suffered a stinging reverse when the West countered with an attack on Soviet colonialism in Eastern Europe and among the minority peoples of the Soviet Union.

In his message to the Secretariat, Mr. Gromyko proposed that the Assembly, during its discussion of the colonialism issue, take the following steps:

Work out specific measures to implement the immediate carrying out of the resolution adopted in 1960.

Establish a deadline for its implementation.

Take measures for supervision and control by the United Nations over the progress of its implementation.

THREAT TO PEACE CITED

Citing a demand in the resolution for a "speedy and unconditional end to colonialism," Mr. Gromyko said:

"The actions by the colonial powers, designed to frustrate the United Nations declaration on granting independence to the colonial countries and peoples, constitute a challenge to the United Nations and create a threat to universal peace and security."

Mr. Gromyko charged that more than 70 million inhabitants of colonies were deprived of "elementary democratic rights and freedoms."

He also accused the colonial powers of using armed force on an ever-broadening scale to suppress independence movements and added:

"This is borne out, for instance, by the continuation of the colonial war against the people of Algeria, the bloody atrocities perpetrated by Portugal in Angola, the massacres of the indigenous population of South and South-West Africa, the mass reprisals by the colonial administration against the people of Kenya and Northern Rhodesia, and by many other actions of the colonialists."

Gromyko said the United Nations must not remain indifferent to what he described as "an intolerable situation."

[From the Foreign Service Courier, March 1961]

A CHALLENGE—DR. DOBRIANSKY URGES SUPPORT OF CAPTIVE NATIONS RESOLUTION

(By Mary Jo Bane)

A "challenge to constructive political action" was recently issued by Dr. Lev Dobriansky to the students of Georgetown University. This challenge concerns a resolution submitted to the House of Representatives on March 8—a resolution establishing a Special Committee on the Captive Nations. Dr. Dobriansky urges the students to voice their support of the resolution in the form of letters to their own Congressmen and to Congressman DANIEL J. FLOOD, of Pennsylvania, the introducer of the bill.

The resolution on the captive nations is largely the creation of Dr. Dobriansky, a member of the economics department of Georgetown and a specialist on the Soviet Union. Dr. Dobriansky was also primarily responsible for the Captive Nations Week resolution of July 1959, which called for the annual observance of a week in July—corresponding with our own Independence Day—to attempt to apply our ideology of freedom to the captive nations of the world. The observance of Captive Nations Week has brought into the public arena the blatant hyprocrisy of Moscow on the colonial question. Moscow has reacted with vehemence and vituperation, manifesting a fear that this observance will become traditional and that its effect will be felt in our policy and actions.

The new resolution carries on the intention of Captive Nations Week. In its preamble the resolution calls on the American people to "study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of the people of those captive nations." It goes on to state the necessity of basic knowledge and interest to explode current myths on Soviet unity, national economy, and military might, and to openly expose the depths of imperialists totalitarianism and economic colonialism throughout the Red Russian empire. With the weapons of truth, fact, and ideas, it would be possible to overwhelm and defeat Moscow's worldwide propaganda campaign in the newly independent and underdeveloped nations.

To accomplish these purposes House Resolution 211 proposes the establishment of a Special Committee on Captive Nations. Its function would be to:

"Conduct an inquiry into and a study of all the captive non-Russian nations, which includes those in the Soviet Union and Asia and also of the Russian people, with particular reference to the moral and legal status of Red totalitarian control over them, facts concerning conditions existing in these nations, and means by which the United States can assist them by peaceful processes in their present plight and in their aspirations to regain their national and individual freedoms."

After its introduction by Representative FLOOD, the resolution was referred to the Committee on Rules where it is now pending hearing. To secure passage of the resolution, Dr. Dobriansky urges that students write their own Congressman, enclosing a carbon of their letter to Representative FLOOD. These letters will be most effective if they are mailed from the student's home town, instead of from Washington.

[From Draugas, July 29, 1961]

A DECISION ON THE COMMITTEE ON CAPTIVE NATIONS NEARS

(By Dr. Albert Tarulis from Washington)

There has already been an article in Draugas about the efforts to form a Special Committee on Captive Nations. Today this matter has progressed so much that we are expecting a decision: yes or no.

A bill for the formation of such a committee was proposed by the good friend of Lithuanians, Representative DANIEL J. FLOOD, of Pennsylvania, on March 8 of this year. As of today this bill has acquired several dozen official sponsors.

In Representative FLOOD's bill it is planned that the Special Committee on Captive Nations would investigate the totalitarian Soviet oppression, crushing the satellite and enslaved non-Russian nations of Europe and Asia; it would study the present conditions in those nations; and propose appropriate measures, which this Nation could use in its attempts to better the present state of such oppressed nations and to help their efforts for national and personal freedom.

Being of a special nature, this committee would be constituted for a limited time only, perhaps 2 or 3 years. In part it would continue the same work once so successfully started by the Kersten committee.

Today this whole matter is still in the House Rules Committee. It is expected that the committee will reach a decision shortly. Its chances of success are not small. If it were approved, no opposition in Congress is expected. Most likely the bill would be passed without debate (under rules suspension). In the House the bill was already debated on March 8, May 10, and June 9.

It is expected that the author of the bill and its tireless supporter, Representative FLOOD, will be appointed committee chairman. Indiana's Representative MADDEN, who is a member of other influential committees (the Rules Committee, for example) also strongly supports the bill.

[From the New York Herald Tribune, February 3, 1961]

A "CAPTIVE NATION" RESENTS BEING IGNORED

To the New York Herald Tribune:

The U.S. Congress has authorized the President to issue a proclamation designating the third week in July as a yearly "Captive Nations Week" until all captive nations of the world have achieved their freedom. The list of nations who have lost national independence through Communist Russia's imperialistic policies omit northern Caucasus.

We are convinced that the above omission is not the result of lack of good will. Leaving, however, the question of responsibility for this oversight, we would like to draw your attention to the following points:

None of the oppressed peoples of the Soviet Union has fought harder or longer against Muscovite Russian colonial aggression than the peoples of the northern Caucasus. No nation has suffered heavier casualties in this struggle, which persisted now for more than 100 years and ended with the liquidation of part of the Circassians, Chechens, Ingushes, and other nations of the northern Caucasus and the forcible deportation of most of the remainder to Ottoman Turkey.

Consequently, the Circassians, who should now number 7 to 8 million, do not exceed a total of 1 million in the Caucasus area. Pursuing the Tsarist Government's policy, the Bolsheviks set about liquidating the remainder of the North Caucasian population; in late 1943 and early 1944 the Bolsheviks forcibly deported 800,000 Checheno-Ingushes and Karachai-Balkars to Kazakhstan and central Asia. Those who resisted were interned in special camps in Siberia. The Bolsheviks therefore fulfilled Nicholas I's decree to "pacify or wipe out the Caucasian peoples." On September 1, 1957, the Soviet Government approved a decree for the repatriation of the deported Caucasians, but according to the 1959 census the vast majority of these peoples still remain in their places of exile.

The endless campaigns of liquidation and deportation of North Caucasian peoples is based on the fact that they have most stubbornly resisted aggression.

On May 11, 1918, during the revolution, the North Caucasians reestablished their independence. In 1920 under the onslaughts of the White and Red Armies and after the occupation of the northern Caucasus by the Bolsheviks, there once more began a bloody struggle and endless armed uprisings: 1922–27 for the restoration of their lost independence; 1928–30 against forced collectivization; 1936–38 against Stalin's dictatorship; 1939–41 against the slave labor of the collective and state farms. In these uprisings Soviet state security forces wiped out tens of thousands of North Caucasians. The struggle of the North Caucasian peoples, while pausing occasionally, has never ended.

Therefore none should be surprised to learn that 2 million or more North Caucasians living in exile in Europe, America, and the Near and Middle East react so sharply to the omission of their country in the U.S. Congress' "captive nations" resolution.

Our countrymen play a major role in the political, military, and administrative life of Turkey, Jordan, Syria, and Egypt. This should be taken into account when the defenses against Communist imperialism are being organized. For this reason the Bolsheviks flood these countries with pamphlets and radio propaganda in the North Caucasian languages.

The governments of the Caucasus in exile seeking unity, in 1936, concluded a treaty providing for a Caucasian Federation consisting of four republics. The treaty was signed by representatives of Azerbaidzhan, Georgia, and the northern Caucasus. At the 1952 Paris Conference of Caucasians, Armenia subscribed to the thesis of a Caucasian Federated State. Those who confuse public opinion in America by publishing maps on which the northern Caucasus is swallowed up by the Ukraine or by "Kazakia" are perpetrating a hostile act toward the whole of the Caucasus.

It would really be strange should the American people, which regards itself as Caucasian, forget the people who have given it this name.

We believe our just sentiments will be taken into consideration. That the oversight in Congress' resolution on Captive Nations Week will be corrected to include the North Caucasus.

A. NAMITOK,
President, North Caucasian National Center in Istanbul.

B. BATIRHAN,
Secretary.

ERENKÖY, ISTANBUL.

THE NON-RUSSIAN NATIONS IN THE U.S.S.R. AND AMERICA'S NATIONAL STRATEGY

(By Dr. Lev E. Dobriansky)

One could scarcely hope for a more fitting occasion than this to present the tragically neglected case of the non-Russian nations in the U.S.S.R. for America's national strategy in the cold war. Throughout the Nation, as Americans, we honor today one of our greatest patriots who fought with fearless determination for the freedom and independence of our country and who in the earliest years of the Republic defended it with an unswerving conviction in the natural and universal principles on which it was securely founded. However, the undying greatness of Washington as a human monument to truth, justice, charity, and victorious hope has been an object of veneration not only to successive generations of Americans but also, for over a century, to many of the tyrannized peoples of the world. So human and inspirational is the practical idealism of Washington that among the non-Russian peoples in Eastern Europe, the most celebrated Bard of Ukraine, Taras Shevchnko, drew heavily on it in the 19th century to inflame the aspirations of his people for the dignity of their national independence as so magnificently symbolized by the "Land of Washington" which this immortal figure called America. The tremendous significance of this and similar facts must certainly not be allowed to escape our deliberation here on America's national strategy in the cold war.

In the context suggested by these opening remarks the concept of national strategy itself assumes an all-embracing character, and necessarily presupposes a trained capacity in knowledge, judgment, and perspective that is indispensable to the successful fulfillment of the strategy of victory itself. On sober reflection, it involves considerably more than simply trite elements of mere psychological appeal devoid of moral power and direction. Rather, as in the qualitative scope of Washington's greatness, its full meaning and criteria are ultimately grounded in truth, justice, charity, and a victorious hope seeking realization in a factually established framework of historical development. It follows, therefore, that it would be grossly inadequate to restrict the development of this strategy to a shallow, shortsighted fashioning of tangible or intangible techniques and instruments which in the nature of means require for their decisive and maximized use the determination of objective ends to which they can be prudently adapted and thereby reinforce their own striking power. Up to now, unquestionably with respect to the captive non-Russian nations in the Soviet Union, we have concentrated our energies largely on the means, to the sad relative neglect of the objective principled ends.

These basic points underlying a genuine concept of psychological strategy bear beyond any question of doubt unusual significance in relation to the issue of the non-Russian nations in the Soviet Union. If our strategy is to be girded to truth, then the undiluted facts about these peoples, their glorious histories and their valiant struggles of the present, must be made widely known and duly appreciated. Without a working knowledge, a guiding perspective, and a warm feeling toward the centuries-old struggle for national freedom on the part of these first victims of Soviet Russian imperialism, our efforts in effective psychological strategy will be perilously impaired. If our strategy is to be oriented toward justice, then a more appropriate field of application cannot possibly be found than in the direction of these peoples who for centuries have sacrificed lives and blood to realize the very principles that have made our Nation great and prosperous. If our strategy is to be blessed with genuine Christian charity, then the incredible sufferings of these unbefriended peoples under the weight of foreign Moscovite rule and its genocidal oppressions render them most deserving. And if our strategy is to bathe in victorious hope, then by penetrating the weakest sector in the structure of the Soviet Empire, America may well strike on the determining key to the defeat of Soviet Russian imperialism. All four of these sources of motivation for sound strategy find their remarkable point of confluence in the non-Russian nations in the Soviet Union.

A HISTORICAL SKETCH OF THE INVINCIBLE NON-RUSSIAN WILL FOR FREEDOM

Obviously within the limits of this address only the essential highlights of the composite non-Russian picture can be treated here. First, as to the majority status of the non-Russian population in the Soviet Union. In conservative accord with G. M. Chekalin's disclosures in 1941, a carefully prepared analysis by our governmental demographers revealed in 1951, on the basis of reasonable extrapolations of the 1939 Soviet census, that of the estimated total population of 202 million, over 54 percent, or 110.5 million are non-Russians. In 14 of the then 16 Soviet Republics the significant majority was non-Russian. No doubt, with the current mass deportations from central Europe, the non-Russian aggregate is being further augmented. Despite the 1959 census, the basic pattern has not radically changed since then.

It must be emphasized, therefore, that there is no such breed as "the Russian peoples" or any ethnically valid political designation as "the peoples of Russia." Instead, there are in reality Russians, Ukrainians, Byelorussians, Lithuanians, Georgians, Azerbaijani, and numerous other non-Russian peoples with their respective and distinct histories, languages, national cultures and traditions nurtured, even under the most oppressive conditions, in their individual countries. For our purposes it must also be stressed that in those non-Russian parts of the Soviet Union, where meaningfully large nations consciously aspire to independence, the richest and most valuable economic assets exist. Coal and iron in

Ukraine, Turkestan, and Caucasia; manganese almost entirely in Georgia and Ukraine; almost all the oil in Azerbaijan, Turkmenistan, and Uzbekstan, and so with copper, lead, zinc, mercury, sulfur, and other goods.

In the basic framework of historical development and from the experienced viewpoint of the non-Russian peoples in the Soviet Union, the series of Soviet Russian imperialist aggression did not commence at the end of World War II, nor in 1939–40, but at the very inception of Bolshevism over 34 years ago. Their large independent and democratic states, for which some fought for centuries, were ruthlessly crushed by the imperialist hordes of Russian Bolshevism in the period of 1918–22. Under the force of cold and bloody events, for them the institutional continuity of traditional Russian imperialism was well and unmistakably established years before many statesmen, scholars, and writers of the West came to realize along with that venerable Russian philosopher, N. Bersheyev, that Bolshevism is essentially the third form of Russian imperialism. But the most significant context of sound understanding, which finds abundant validation in the histories of the non-Russian peoples down to the very present, was offered on June 26, 1951, by our Secretary of State, the Honorable Dean Acheson, when among other things he forthrightly declared:

"Historically, the Russian state has had three great drives—to the west into Europe, to the south into the Middle East, and to the east into Asia. Historically also the Russian state has displayed considerable caution in carrying out these drives. The Politburo has acted in the same way. It has carried on and built on the imperialist tradition. What it has added consists mainly of new weapons and new tactics * * * the ruling power in Moscow has long been an imperial power and now rules a greatly extended empire. This is the challenge our foreign policy is required to meet. It is clear that this process of encroachment and consolidation by which Russia has grown in the last 500 years from the duchy of Muscovy to a vast empire has got to be stopped."

Let us take a glance, then, at those relatively unknown but important non-Russian nations that fell under this process of encroachment generated by Muscovy, then extended by czarist Russia, and later revived by Soviet Russia. The Georgian nation which numbers today about 3 million people in the Caucasus region extends back 4,000 years in a land, as its poet Wakjeli put it, "of eternal strife, a garden under a sun whose rays were Georgian blood, shed in the cause of freedom." This Christian nation was subjugated by Russia in 1801, regained its long-sought independence on May 26, 1918, and 1 month after its recognition by the Entente Powers in January 1921, Trotsky's Red Army invaded the Georgian state to inaugurate a new chapter in Georgia's fight for freedom which manifested itself strongly in the uprisings of 1929 and 1930, the purges of 1935 and 1937, desertions in World War II, and passive resistance to this day.

A similar story is witnessed in the history of the Byelorussian nation of some 10 million whose national and cultural background is distinct from the Russian. Victimized by Russian imperialism at the end of the 18th century, it seized the opportunity to determine its independence on March 25, 1918, only to lose it in 1920 under the force of Bolshevik aggression. The extensive purges and deportations of 1944–46 have not curbed its present underground activities about Lida, Minsk, and Grodno near the Baltic region. The Moslem Turk peoples of former Turkestan, which was divided by their Soviet imperialist rulers into the five Republics of Uzbekistan, Turkmenistan, Tdajikistan, Kazakhstan, and Kirghisistan, have a colorful history and culture of 1,500 years, marred in modern times by the dark intervention of Russian imperialism in 1730 until the entire process of encroachment was completed by 1842. After a long and courageous struggle for its independence, this major area of 25 million Moslems seized upon it in December 1917, but with only a tenuous hold in the face of marauding Red army forces, it quickly succumbed in February 1918, renewed its fight and redeclared its independent Turkestanian-Turkish-Islamic Republic on April 4, 1922, only to be overwhelmed again by 1924. This strategic region bordering on the Caspian Sea, Iran, and India has been a cauldron of unrest seething with large uprisings in 1933–36, the flight of thousands of young Turkestani into the mountains to join the underground Besmachi during 1935–41, revolts in 1950, and recent peasant hostilities and open resistance in the Pamir Mountains.

The proud history of the 3 million Moslem people of Azerbaijan relates the same gory record of imperialist Russian aggression and tyranny begun in 1828, ended momentarily on May 28, 1918, when Azerbaijanian independence was proclaimed, and renewed under Soviet auspices in 1920, soon after the Allied Powers recognized this hard-won freedom. The picture of national resistance, especially the armed revolts of 1922, 1925, 1929–30, and 1933 and the widespread passive resistance of the present, repeats itself in this extremely vital area of the Baku oilfields. The over 1 million people of adjacent Armenia with its rich and noble background paid dearly for the independence won on May 28, 1918, after six centuries of foreign rule. And tragic indeed was its further enslavement by Soviet Russian imperialism in May 1920. Yet similar evidences of passive resistance demonstrate Armenia's determination to declare again its independence when the proper moment affords itself.

The non-Russian Cossack peoples of some 10 million who are derived from the Slavonic tribes that inhabited the steppe areas between the Volga and the Don during Kievan Rus have likewise asserted their desire for national freedom. The political independence lost by the Cossack Republics in 1708 was regained on December 10, 1917, and the Don, Kuban, and other Cossack peoples formed a state union named Cossackia on January 5, 1920, which along with the other democratic states proved short lived. The Cossack uprisings in the 1920's and 1930's and the desertions in the last war attest to their conscious national sense aspiring for freedom. The Tatars and Baschkirs of the Idel-Ural Republic established in 1917 also have a tradition of struggle against traditional Russian imperialism. Their revolts in the early 1920's against their new masters, the peasant rebellions of 1929–32, the heavy liquidation of national Communists in 1936–37, and the some 50,000 Tartar-Bashkirs armed against Moscow in World War II punctuate their anti-Soviet record for freedom.

As we know, Lithuania, Latvia, and Estonia, along with Poland, escaped in those postwar years the tragic fate of these other non-Russian peoples. Today, after the events of the past decade and more, the plight of the Baltic peoples is identical with that imposed earlier on the other non-Russian peoples of the Soviet Union. And the best indication of this is the shoulder-to-shoulder struggle of the Lithuanian underground with Ukrainian insurgents against a common traditional scourge.

UKRAINE: THE ACHILLES HEEL OF THE SOVIET UNION

Ukraine, as the second largest nation in the Soviet Union as well as behind the European Iron Curtain, has come to be the Achilles Heel of the Soviet Union. The long history of the over 40 million Ukrainians has been one continuous struggle against foreign rule and oppression. As Voltaire described it, "They always aspire to freedom, though they are still dragging the chains of subjugation." After its period of independence from the 9th to the 14th century, Ukraine began its fight for national freedom and realized it in the Ukrainian Kozak State in 1648. Its freedom was crushed by Russia in the 18th century, but as "They always aspire to freedom," the Ukrainian people realized it again in the establishment of the democratic and independent Ukrainian National Republic in 1917. The heroic war to preserve this independence against the imperialist forces of both Russian Bolshevism and reactionary monarchism was lost by 1920.

Senate Document No. 41 on "Tensions Within the Soviet Union" accurately states: "The Politburo does not seem to favor leaders of the national groups in its midst. This has been especially true for the Ukraine, long a trouble spot. Most key party and police personnel in Ukraine are Russians." How powerfully true this is. For, in the words of that able analyst of East European affairs, William Henry Chamberlin, "No people in Europe have a better fighting anti-Communist record than the Ukrainians."

Let us scan the highlights of this imposing record. This record began in 1918 with the Ukrainian people as one of the first to fight the brutal aggressions of Soviet Russian imperialism. In 1926 the long period of purges of nationalist sentiment commenced. In 1930 the famous monster trial was staged in the Ukrainian city of Kharkiv where 45 eminent Ukrainian intellectuals were charged with undermining the regime. The brief phase of so-called cultural concessions had passed, and phenomena with no conceivable relation to the meaning or unrealistic objectives of world communism swiftly enveloped the Ukrainian nation. The most horrible features of traditional Russian imperialism—Russification, cultural evisceration, state terrorism, Siberian exile, and national genocide—were now being magnified to destroy every live fiber in the Ukrainian national movement. The pattern of planned Soviet genocide and cultural liquidation witnessed today in Central Europe has its model in Ukraine and other non-Russian areas in the Soviet Union. I urge you to examine the massive data on these monstrous events, with specific dates and names, as they appear in the volume on genocide hearings of the Senate Foreign Relations Committee. Among them, the mass deportations, the criminal manmade famine of 1932–33, and the mass murder at Vinnitsia in 1937–38, where 9,432 corpses were discovered with 3 or 4 bullet holes in the back of the heads, significantly just as in the Katyn massacre, all of these constitute evidence of the vicious and determined attacks made against the sources of Ukraine's traditional spirit for national independence. Little wonder that the Communist Kossier blurted out in 1933, "Ukrainian nationalism is our chief danger."

In this period, disillusionment engulfed leading Ukrainian Communists who could no longer stomach the rapid perversion of ideologic communism and, as Mr. Acheson intimated, recognized in the Trojan horse of world communism the naked force of traditional Russian imperialism. Ukrainian "Titoism" spread but was unsuccessful as M. Khvylovy, Skrypnyk, Shumsky, Chubar, Richetsky, and countless others went to their graves rather than to serve as quislings. In Georgia, Erdely, in Turkestan, Faisul Khodajew, in the Volga Tatar area and elsewhere honor and integrity of principle was similarly defended.

Despite the ferocity and villainy of these onslaughts against Ukraine's fight for freedom, the record of this undying struggle continued to be written in blood with even greater glories. In 1937 it contributed with other non-Russian peoples a General Yakir,

Colonels Prymakiv and Kryvoruchko in the plot to overthrow the Georgian quisling, Stalin. Elsewhere, in 1938, the spontaneous creation of independent Carpatho-Ukraine reflected the same struggle, as certainly did the widely heralded declaration of independence in Lviv of Western Ukraine in 1941. Of great significance was the willful mass surrender in 1941–42 of over 2 million Soviet Ukrainians and other non-Russian soldiers about Kiev to take up arms in the centuries-old fight for the independence of their homelands. This, as we well know, failed to materialize due to the arrogant stupidity of the Nazis in what may be truly regarded as the colossal political blunder of the century. But, as a result, what did materialize in 1943 was the Ukrainian Insurgent Army which throughout the war fought against both Nazi and Soviet imperialism.

It is not possible to recount here the inimitable record of underground Ukrainian insurgence down to the present day. The assembled information is readily available, but for a concise account of its year-to-year exploits and achievements, may I refer you to my address on "The Anti-Soviet Underground" in the January 15, 1952, issue of Vital Speeches. In brief, the UPA, as it is called, whose composition is equally divided between eastern and western Ukrainians, carried on from its terrain-conditioned headquarters in the Carpathian Mountains sporadic guerrilla warfare against Soviet MVD and MGB troops, infiltrated the fertile Red Army of which about 42 percent is non-Russian, and fomented peasant resistance to collectivization plans. It spreads also masses of anti-Soviet propaganda stamped with the Trident, which, to resolve any bred confusion, bears the figure of a pitchfork and has been the centuries-old emblem of the Ukrainian national state, and is today the recognized symbol of UPA. Also, it collaborated intimately with the known Slovak, Lithuanian, and Polish underground systems, and in its friendly proclamations to the ever-exploited masses of the Russian people has even attempted to stimulate organized Russian resistance. The threat of UPA was best illustrated during the last war when to secure the safety of their rear lines in the push westward, the Russians stationed close to 2 million soldiers in Ukraine.

For the past 10 years the Kremlin's attacks on bourgeois nationalism in area upon area of the wide non-Russian periphery of the Soviet Union have been increasingly intense. Since the spring of 1951 vast purges of the proportions of 1935–38 had taken place in Ukraine, Azerbaijan, Turkmenistan, Kazakhstan, and Uzbekistan, and the most intensive campaign at Russification is under way. Reliable reports filter through almost daily on this score. In Uzbekistan, the poet Zulfia is condemned for her work "My Uzbekistan," admiring its national traits; in Azerbaijan, writers like Shirvan and Akhundla are upbraided for their nationalism; the histories of the Azerbaijanis, Uzbeks, and Kirghizes are distorted to dim the memories of their past independence; in Turkmenistan, writers are severely reproved for writing in the spirit of its national heroes: in Ukraine, a simple poem entitled "Love Ukraine" and written by V. Sossuyrs in 1944 suddenly comes under heavy censure, and Pravda, on November 25, 1951, sweepingly attacks Ukrainian writers for the use of nationalist words and their attempt to wrench the already mutilated Ukrainian language from the Russian language. Similar tragedies have now befallen the non-Russian peoples of the so-called satellite area of the Soviet Empire. For the occupied non-Russian countries of the Soviet Union they measure the ever-burning passion of just nationalism without which any nation could not endure, without which the unity of its history, its traditions, its freedom would perish. The entire decade is filled with such repressions.

MEANS AND ENDS IN AMERICAN NATIONAL STRATEGY TOWARD THE NON-RUSSIAN NATIONS IN U.S.S.R.

The concrete means and ends in an intelligent and winning American psychological strategy toward the non-Russian peoples in the U.S.S.R. must be realistically adapted to the persistent historical forces and political actualities that prevail in the areas from the Baltic to the Black and Caspian Seas over to the Pacific. The keynote for the formation of these means and ends has already been sounded in the prophetic words of Mr. Acheson that the Soviet Empire "cannot escape the difficulties that, history teaches us, befall all empires." And, as the evidence shows, its foremost difficulty is the long-attempted extinction of the will of the non-Russian peoples for a free and independent national existence. Here is the powder keg at the very doorstep of the Kremlin that can serve as one of the strongest deterrents against the outbreak of a hot war and, in the tragic event of one, can serve as the most potent means to victory with the least possible cost in American lives. As so often in the past, so in the future, these non-Russian nations in the U.S.S.R. will fight in their tradition of freedom.

The means to concretize the unique identity of interest that exists between America and these peoples are many. Here I would urge that full support be given to House Resolution 211 which seeks to assist in an objective and scholarly manner the national liberation movements of these non-Russian peoples. Second, every pressure should be brought to bear for an effective implementation of the Captive Nations Week resolution, through the Voice of America, through the United Nations, through diplomatic and other means. Third, with over 60 free nations having already ratified it, it is high time that we give full expression to our moral leadership in the world by ratifying the genocide convention and indicting the Soviet Government for the perpetration of genocide in the non-Russian areas of its empire.

Fourth, an "American Committee for the Liberation of the Non-Russian Peoples in the Soviet Union" should be formed to assist materially and with intelligent understanding the heavily organized anti-Communist unity of non-Russian groups in Western Europe and in Ankara. Another vitally needed means is the creation of a fully independent psychological strategy agency in our Government, responsible on the executive level only to the President and efficiently equipped with functional control over the Voice of America and other necessary instruments devised to capitalize on the major weaknesses of the illusory Soviet monolith.

But far more important are the ends toward which these and other instrumental means are applied. To simply situate ourselves on an endless defensive with the sure prospect of impairing seriously our own free institutions or to merely "coexist with Khrushchev" betrays not only a callous indifference to universal moral values but also an intellectual myopia as to the realities of history. Our future will indeed prove insecure on a mere biologic version of self-preservation and practical expediency. The hour urgently calls for a powerful reassertion of those principles and values treasured in our Declaration of Independence and nurtured in the great American tradition. Not only for our survival, but for the freedom of others. The histories of the non-Russian nations in the Soviet Union are in essence a heroic struggle of a substantial segment of humanity seeking the realization of these selfsame rights of national freedom, self-government, and responsible independence. As before, so now, they look hopefully to the living expression of these principles, the "land of Washington."

SPECIAL HOUSE COMMITTEE ON CAPTIVE NATIONS

Mr. BARRY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, I join the distinguished gentleman from Pennsylvania [Mr. FLOOD] in urging that the House Rules Committee take affirmative action on the resolution to establish a special House Committee on Captive Nations, so that we can organize this vitally important committee prior to the adjournment of the Congress. So much has been said, with proper statistics and documentation added, that it is my opinion the issue is thoroughly familiar to the Members of the House, and it has been under consideration by the majority party leaders in consultation with the State Department and the White House. It seems obvious to me that a policy decision on this subject has been reached. I am most hopeful that it is, as I have indicated, affirmative support for the creation of this Captive Nations Committee.

Mr. Speaker, at this point in the RECORD I wish to insert an article that appeared in the summer 1961 edition of the Ukrainian Quarterly, by the distinguished American scholar and chairman of the National Captive Nations Week Committee, Prof. Lev E. Dobriansky, of Georgetown University. The article is entitled "The Viennese Dance and the Cold War":

THE VIENNESE DANCE AND THE COLD WAR

(By Lev E. Dobriansky)

The summit meeting of President Kennedy and Khrushchev in Vienna will very likely go down in history as the Viennese dance of the cold war. In short time there was much movement of bodies and tongues, some of it polite and graceful and even colorful, but after the swift rendition of culturalistic pomp and palaver there was really nothing to record but the motion itself. What was well known prior to the meeting was in no way altered or supplemented by the diplomatic dance. From a propaganda and cold war viewpoint the gain, as usual, was Moscow's, not ours.

For what reason did the President accommodate the head of the greatest empire in the world with this meeting? Following the Cuban fiasco, the Lao retreat, and the lowering of U.S. prestige to the lowest level yet, the timing of this fruitless meeting was the worst conceivable. Moreover, many Americans have not forgotten the words of Candidate Kennedy last October 21 when he boldly stated, "I believe we should not go to the summit until there is some reason to believe that a meeting of minds can be obtained on either Berlin, outer space, or general disarmament—including nuclear testing." On empirical grounds alone the value of this campaign statement is obvious. Indeed, as will be shown below, the increasing marked discrepancies between overflowing words and expected deeds by this administration are causing grave concern in many quarters of this Nation with regard to the matter of sheer integrity of the word, not to mention competence in cold war conduct and activity.

MOSCOW PROPAGANDA GAIN

Many observers, including this writer, anticipated that Moscow would gain in terms of propaganda from this inconsequential conference. On the very eve of the meeting the propaganda drums of Moscow and its puppets began beating the familiar tunes. Radio Sofia in Bulgaria let it be known to the captive peoples that "President Kennedy knows from his own experience—exactly 100 days after his inauguration—whose actions from a position of strength may lead." Sarcastically, it had in mind Cuba and Laos.

This theme of Kennedy being compelled to shift from a position of strength policy to one of peaceful coexistence—and all that this implies from the Red totalitarian viewpoint—was repeated throughout the Red radio and press networks. For example, the Czech newspaper Rude Pravo wrote, "The time has come for Washington to realize that things do not work out with the present kind of policy." The net effect of this kind of propaganda on the audience within the captive world and also in several areas of the free world should not be difficult to perceive. The image cast is one of increasing weakness in the position of the United States and thus, relatively, one of enhanced strength in that of the Russian totalitarian empire. With this and the platform provided by the meeting itself, Khrushchev was afforded a good vantage point from which to launch again his pressing campaign on Berlin.

Under close examination none of the reasons offered for Kennedy's meeting with Khrushchev has any actual validity. One would have to be quite naive to believe that a face-to-face meeting was necessary to impress upon Khrushchev the dangers of miscalculation. In the past, as now, Russian cold war policy has been firmly based on such an awareness. Logically, the only guarantee against the incurrence of a mistake is the cessation of this policy, but in the nature of things Moscow qua Moscow neither can allow it nor has any intention of changing it. As a matter of fact, since the beginning of the year down to a few weeks prior to the summit meeting when the Russian leader addressed the Georgians in Tiflis, Khrushchev has been predicting victory of what he calls communism. And this, naturally, can only mean the permanent cold war.

The other reasons given, such as personally sizing up his opponent and reaffirming our positions on a variety of subjects, are equally specious. If the President by now hasn't had a working knowledge and understanding of Khrushchev, his background, ways, and motives, then surely a brief meeting was inadequate to meet this deficiency. Transient impressions acquired in such a situation, no matter how informal, are hardly the basis of knowing the policies and aims of an adversary. As to reaffirming our positions, Khrushchev can and does read translations of our newspapers and periodicals in which these positions are plainly expostulated. He's far more familiar with them than many seem to realize.

For substantiation of these critical observations one need only turn to the President's report on his trip.[1] A close and careful reading of the report shows nothing more than a repetition of these reasons with the usual and rather overdone stress placed on his "responsibility of the Presidency of the United States." Aside from the ever-present danger of concluding secret agreements which a favorite predecessor of his indulged in, he asserts that "No new aims were stated in private that have not been stated in public on either side." Without revealing anything new we are also told that the Soviets—whoever they are—attach different meanings to the words of war, peace, democracy, and so forth, even intimating in a following paragraph that the rational, thinking processes of the Russian totalitarians are different from ours. The extent to which the President still fails to comprehend the nature and character of the enemy is seen in his references to the U.S.S.R. as a nation and to the myth of the dynamic concept of world communism which he imputes to Khrushchev. Finally, as is becoming more and more appreciated, his pontifical remarks on self-determination and independence await concrete deeds, and the policy of patched-up containment that he advocates in this report scarcely indicates a working comprehension of the nature of the cold war. The continued shell-out of billions for foreign aid is certainly not the answer in this type of war.

PROTRACTED CONFUSION

In this report the President makes the point that he "wanted to make certain Mr. Khrushchev knew this country and its policies, that he understood our strength and our determination, and that he knew that we desired peace with all nations of every kind." This obviously is an old record that was played over and over again to justify Khrushchev's visit to this country 2 years ago. In fact, as indicated above, quite a number of old records are being played in the statements and outlooks of the Kennedy administration. What is most disturbing is not only the widening gap between word and deed but also an accented protraction of confusion regarding the cold war, as seen in the President's conception of the enemy and the Soviet Union, his reaffirmation of the containment policy, the lack of a cold war strategy and the absence of a cold war apparatus, and the administration's almost total neglect of support for projects pertaining to the captive nations.

When viewed against the background of confusion and attitudes in this country during the past 2 years and in terms of certain basic essentials of cold war concept, the secular Russian cold war policy, and the Captive Nations Week resolution, the Vienna meeting cannot but be regarded as a puny dance. It symbolizes the quasi-appeasement that continues to afflict us. We are ready to abstain from creating and generating any troubles for Khrushchev in the domain of his imperial realm and wishfully hope that he would abstain likewise in the area of the free world. This is the level of our blissful naivete, not to say ignorance, of the nature of Russian totalitarianism and its cold war coefficient. This is the protracted state of our confusion and quasi-appeasement.

Let us survey, then, this background of confusion, attitudes, and quasi-appeasement. It can be said quite truthfully that since the Mikoyan visit to this country in 1959 many quasi-appeasement forces have been pressing on with increasing confidence. When one looks back over these months, one finds, for instance, some openly stating that there were no or are no slave labor camps in the Soviet Union; others telling us that Khrushchev was simply appalled by the crimes committed by Stalin, as though Khrushchev had never committed a crime.[2]

At the same time we have numerous other Americans in economics, in science, and in education—who are actually peddling, whether they are aware of it or not, the very things that Moscow seeks to peddle. Many of them are really doing Moscow's propaganda work at no cost to Khrushchev. Khrushchev has so effectively administered tranquilizing cold war pills to major segments of our society that an increasing number of Americans aren't even aware of the great strides made by imperialist Moscow in this perilous phase of the permanent cold war. For instance, the singular victory of exacting an invitation to this country in itself produced confusion and doubt in this country. It entrenched the power of Khrushchev with new airs of respectability and legitimacy while it depressed the freedom of millions of patriots in Moscow's empire. It also impressed the newly independent nations with Moscow's inflated power and at the same time has caused uneasiness among our most loyal allies situated about the periphery of the new Russian Empire.

In this period we also heard a great deal about peace and friendship. One of our officials used it at great length on a tour of the Soviet Union. However, before we uncritically accept this particular slogan, we should look also at its significance, not only at this time but in the course of history. A sober American would say: "Yes, peace and friendship, but first, justice and freedom" The traditional Russian political slogan of peace and friendship has for centuries been used to seduce neighboring non-Russian nations into captivity. It was indicative of our lack of cold war insight and imagination that we failed to turn this slogan to our account in whatever sphere of human existence. Peace and friendship are and can only be the consequence of justice and freedom, not their cause. The harmony implied by peace and friendship is logically predicated on the dictates of justice and freedom. The Russians, with typical deception, put the cart before the horse, and some of us were uncritically amenable to be taken for a ride in the cart. And this wasn't the first time in the course of these past 40 years.

When one looks back at these evidences of error and confusion, he should begin to reflect on certain essential points. The first point is that the cold war is not new. It's not a new institution. It wasn't started in 1947, despite the fact that it began then to affect the United States. Actually, it didn't even commence in 1917. Historically and analytically, one could show Russian cold war techniques going as far back as the 16th century. The second point is that the development and refinement of these techniques have been linked with the expansion of an empire. These techniques have a tradition and have served to build an empire, with military power always kept in secondary reserve. The third point is that unless we develop a perspective and an understanding of these techniques, to see the whole background to what we now call protracted conflict or the cold war, we can only hope to make all sorts of transient shift, makeshifts, executed in a haphazard and aimless manner, constantly reacting to the perpetual initiative shown by the enemy. In such a case, we will find much to our surprise and also dismay that military power will virtually be neutralized. Even superior military power, in such a case, could really prove to be of little avail. And in exposing ourselves in this way we truly risk an eventual hot war with greater probability of defeat.

FIVE DOMINANT U.S. ATTITUDES

In the United States, at this time, there seems to be five dominant attitudes toward the world struggle. These are: (1) Wishful cold war cessationism; (2) accommodationism to Moscow's empire; (3) military hardwarism; (4) evolutionism; and (5) cold war realism.

The first, the wishful cessationists, erroneously believe that understanding and cultural exchange will secure peace.[3] They argue as though the two did not prevail in far greater degree with regard to Nazi Germany prior to World War II. We had cul-

[1] "Text of President's Report on European Talks," the Washington Post, June 7, 1961.

[2] For these crimes see, Campaigne, Jameson, G., "American Might and Soviet Myth," pp. 143–144.

[3] See the excellent article by Philip E. Mosely, "Soviet Myths and Realities," Foreign Affairs, New York, April 1961.

tural exchange and a very close and intimate understanding with the German people prior to World War II, and yet these factors were not sufficient to avert the outbreak of a Second World War. The plain fact is that the cold war is at Moscow's instigation and, contrary to what they now say, it certainly has never been at our instigation. Understanding and people-to-people programs are important, but if you begin to understand that the cultural exchange program in itself continues to be an instrument carefully manipulated and used by Moscow for its own benefits, then this could hardly produce that kind of understanding which presumably will pave the road to permanent peace.

The second group consists of the accommodationists. They never learn from historical experience that this form of appeasement only encourages the enemy to bolder ventures. We have many of them in this country, in official circles and outside. They'll say, "Well, if we can only accommodate them. They've expanded far enough. We could make a deal with them. This is your sphere, and this is ours"—which is, curiously enough, the very thing that Khrushchev has been seeking and demanding for his own advantage.

A third group is made up of the military hardwarists. These hardwarists obtusely ignore the forces of spirit, will, and ruse which, so often in the past, have undermined a mighty fortress. In the Armed Forces there are those, of course, like Admiral Burke, who recognize that actually the decision of tomorrow will not rest in the military, especially in the period of mutual deterrence, but, instead, in the area of the nonmilitary, the psychological, propaganda or what we properly call the cold war.

Then, fourthly, there are the evolutionists. Many, without declaring whether they are random or selective evolutionists, are equally wishful in their desire that history will for some inscrutable reason be on our side. This position certainly stimulates a passivity, a wishful hoping that somehow there'll be a strong liberalizing process at work in the U.S.S.R., either through consumer goods production or education and the rest of it, followed eventually by an institutional blend. This, too, fails to recognize the nature of what we call the protracted conflict and only contributes to what is the protracted confusion.

The fifth, the cold war realists, are guided by the evidence not only of today, of yesterday, or even of 40 years of Russian Communist conquests, but also of centuries of established Russian cold war techniques. The evidence precedes any act of hope.

THE COLD WAR CONCEPT

Now, in some circles of our Government and elsewhere there is no firm general grasp of what a cold war means. Lacking a working concept, it is no wonder that there is scarcely any appreciation of its long background of methods and techniques. However, on the other hand, it is plainly comprehensible why we continue to operate in aimless, haphazard, makeshift, and piecemeal fashion, incurring losses as we hobble along. The imposing irony of our current situation is that while Moscow carefully plans its cold war tactics and maneuvers in the broad context of its fixed cold war strategy and objectives—including even the lessening-of-tensions maneuver—we are engaged in no such cold war gaming and don't even possess the apparatus for it. In a hot war we wouldn't think twice about immediately creating such an apparatus.

Yet, definitionally, a cold war is a twilight condition of neither peace nor hot war, where all the basic elements of a hot war—predatory design, aggressive strategy, tactics and techniques—are present, except for open military combat between states. A cold war is really the very soul and spirit of a hot war, with the massive body of military conflict in secondary reserve. A cold war entails objectives and the will to realize them. It entails all the techniques of ruse, subversion, infiltration, cunning, treachery, plotting, fraud, bluster, blackmail and indirect aggression. It includes every conceivable thing as an instrument—the psychological, the economic, the ideological, demographic, the political, scientific, education. And it also allows for action on two levels: the level of official pretext, like Khrushchev coming here as head of state and, second, the level of subofficial cold war operation; viz, Khrushchev as the head of a world conspiracy.

Many of us rightly lean on the authority of Clausewitz to gain insight into the nature of the cold war. Lenin studied him closely and quoted him often. And Khrushchev, a professed Leninist, must see himself in the mirror of Clausewitz' words: "A conqueror is always a lover of peace; he would like to make his entry into our state unopposed." But few of us realize that Clausewitz gained his cold war knowledge in Russia's military service. With Russia's military position much weaker than Prussia's at the beginning of the 19th century and, yet, the czar extending his domination over nations, Clausewitz asked himself, "How could this be?" He entered Russia's military service to obtain the answers, in order to save his own Prussia. When he returned in 1814, he rejoined the Prussian Army and in 1818 was already commandant of the General War School in Berlin. Lenin studied him and many of us turn to Clausewitz to gain insights into the nature of the cold war.

TRADITIONAL RUSSIAN COLD WAR

In essence, the cold war methods employed by Khrushchev today are no different from those developed by Ivan the Terrible, Peter the Great, Catherine the Great, and other Russian tyrants. In looking at these techniques, one has to bear in mind a traditional and institutional nexus, the nexus between internal, totalitarian tyranny and external, imperialist expansionism. The two have always worked hand-in-hand, one leaning upon the other, in the past as well as in the present. Substantially, the techniques have not changed. In content, by virtue of technological changes over the centuries, and especially in the recent period, marked changes have, of course, taken place. But this fact of technologic change shouldn't blind us, as it appears to do for some,[4] to the basic continuity of cold war policy in imperial Russian politics.

The methods are in substance psychological, propagandistic, political and of numerous other veins. The military, on the other hand, has always been kept in reserve, marching in, if you will, at the climax to a situation. In this respect there is a work by which many of us could profit immensely. We cannot quote too often this work written by a French cultural traveler in the czarist empire, the Marquis de Custine. It provides his diary notes on the Russian Empire of 1839. Their timelessness will amaze you. With changes for a few characters, you would believe that he is describing the present Russian situation. He says, for example, in one place: "I try to analyze the moral life of the inhabitants of Russia. The Russian thinks and lives as a soldier * * * a conquering soldier."[5] In another passage, which is very appropriate to the Khrushchev exchange visits and the hospitality involved, he says, "Once again I say, everything is deception in Russia, and the gracious hospitality of the czar, gathering together in his palace his serfs and the serfs of his courtiers, is only one more mockery."[6]

The cold war methods we want to observe for every century since the 16th—the methods of ruse, subversion, infiltration, indirect aggression, fraud, bluster, blackmail—were adroitly employed to build up an unprecedented empire. The tyrants of the past left a wealthy legacy of cold war techniques for the Red Russian totalitarians, including Nikita the Sanguine. By these methods the contemporary tyrants of Moscow have extended the empire and are now threatening the independence of our own Nation. The spurious ideologies of the Third Rome and Pan-Slavism were used in the same deceptive way that the mythical ideology of communism is manipulated today. It would do well for our people to learn more of the growth of the Russian Empire, both past and present, than to learn the Russian language. Such learning would reveal the secrets of empire building, which are the cold war techniques. Frontal military aggression was always secondary.

RUSSIAN COLD WAR CASES

A full cold war perspective requires an historical appreciation of traditional Russian cold war techniques. Let us just quickly review this, taking one illustrative case for each century. In the case of Basil III and Ivan the Terrible, the groundwork for the swift expansion of Muscovy was laid in the 16th century. The real starting point was 1519; the target and victim was Kazan, the citadel of the great Golden Horde. For 33 years Moscow worked at it in "peaceful coexistence," using infiltration, subversion, and intervening support, as it does now, for a contender (Shah Ali) against the possessor of the throne. Finally, in October 1522, the Muscovite forces simply walked in when Kazan itself was so weak it couldn't even defend itself.

There's a definite similarity here between this technique and the one employed by Khrushchev in connection with the Middle East. Khrushchev first builds up a man—Nasser—and hopes that through Nasser he would be able to neutralize the area and thus exclude the influences of the United States, Britain and others. Then, later, he builds up a contender in the area in order to provide the contention and the clash that would lead to division and chaos. Ultimately, like a ripe apple, the area drops into the laps of Moscow.

Following this first case, 4 years later, in 1556, by the same techniques and support of the contender Derbish Ali, Moscow managed to take over Astrakan. The entire area of Siberia and also the Middle East was at that time opened up to further aggression.

Here is a representative case for the 17th century. This case is very appropriate in view of the fact that 7 years ago in the Soviet Union and throughout Moscow's empire, a whole year of celebration was conducted in observance of the Pereyaslav Treaty of 1654. Theses were produced, and these had to be taught and learned in cells throughout the Soviet Union and also in the so-called satellite states. These glorified the alleged union of two Slav nations; namely, Russia and Ukraine. One not knowing the history of the Pereyaslav Treaty would certainly not be in a position to evaluate the reason why, in 1954, a 300th anniversary of this event was put on. Of what significance, of what value to Moscow was there in putting on such a gala event throughout the empire?

Well, the fact is that Moscow twisted the meaning of the treaty to show today an indissoluble union between these two nations. Yet historical facts show that when the treaty was consummated in 1654, it was only a military alliance, a mutual security pact,

[4] For example, Karpovich, Michael M., "Russian Imperialism or Communist Aggression?" in Soviet Conduct in World Affairs, Columbia University, New York, 1960, pp. 186–195.

[5] "Journey for Our Time," New York Times, 1951, p. 150.

[6] Ibid., p. 5.

between Muscovy and Ukraine against hostile Polish or Turkish forces. In 4 years that pact was violated by Moscow. We speak of treaties being violated by Moscow in our day. When one looks at the history of the growth of this empire, he finds the same gross violations. As a further example in 1559, a war took place—an inevitable war—between Ukraine and Muscovy. Hetman Vyhovsky, who was the head of the Ukrainian forces, declared: "The treacherous action of Moscow was apparent in preparing for us a slavery primarily by means of instigating a civil war in Ukraine." How many instances do we know of instigated civil wars, many that are currently going on, indirectly if you will, in Laos and numerous other places? Again, a precedent for the present.

Let's now look into the case of Poland in the 18th century. We know of the Polish partitions. But how many of us know, for example, the operation of the Russian "Smiling Mike" of that day. The Russian Ambassador Repnin, in Warsaw, employed the religious issue of orthodoxy to divide the Catholics against the Orthodox in Poland until, finally, he managed successfully to bring about the first partition in 1772. Immediately thereafter, his successor, Ambassador Steckelberg, operated just as Vishinsky had in 1940 when he entered Latvia and by ultimatum legalized the situation. Steckelberg had the Polish Sejm legalize the first partition. Then, in 1793, with the second partition, a new issue was infused, 50 years before Marx even made his name. Discord was sown between the social classes of the boyars and the peasants. Obviously these are old techniques, no matter how you attempt to grace them and perhaps seek to change them.

Another interesting case in point of illustration was that preparatory to the conquest of Georgia. From 1768 on, Russia was at war with Turkey and allied itself with Georgia. In this case Catherine the Great placed the Russian forces in agreement with the Georgians to thwart the Turks. On the eve of battle, the Russian forces withdrew, leaving the Georgians exposed. Let us recall that a century or more later an agreement between the Polish underground and Moscow's forces was consummated to destroy the Nazis in Warsaw. The agreement designated a certain time of uprising to wage together a war against the common enemy, only to be deceitfully broken by Moscow.

As one goes through these cases, one cannot help but be impressed by the techniques that have been used to build up an empire, least of all that of frontal military assault. Numerous other examples can be given. One is reminded of the case in Persia toward the close of the 19th century because of the operations of Moscow surrounding Iran today. You might have noticed on the economic level where Moscow is offering Iran 85 percent of the oil profits. The highest is about 60 to 65 percent in mutual engagement for oil exploitation in the Middle East. Moscow is even willing to build dams and numerous other things, so long as Iran refuses to set up any missile bases.

In the 1880's, the Russian Ambassador in Persia played a very instrumental role that led to the bombing of the Parliament, to the abdication of the Shah, and the withdrawal of the constitution. The division of the country between the Russians and the British soon followed. A repetition of such division occurred in Iran in the 1940's. The old borderlands policy of using non-Russian peoples within the Russian Empire against adjoining territories is a standard one for Moscow. Just as it is attempting to use the Kurds in Iraq and elsewhere, so with the Azerbaijani Moscow seeks to divide Iran.

Even in this century many of us don't realize what transpired immediately prior to World War I and in that very fateful period of 1917–20. In the postwar period many of the so-called republics in the Soviet Union today were independent states. Georgia entered into a mutual security pact with Soviet Russia. Ukraine was promised that its sovereignty would be respected. One by one, through infiltration, subversion, and ideological deception, they were raped and have since been kept in a submerged state within the Soviet Union.

KHRUSHCHEV AND THE CAPTIVE NATIONS WEEK

The passage of the Captive Nations Week resolution in July 1959, disclosed two indisputable facts: one, the sensitivity of Moscow about the weakest and most vital nerve in its empire and, two, the lack of understanding in many sections of our Nation with regard to the significance and content of this resolution. Khrushchev's rantings against the resolution and in his foreign affairs article released in August 1959, and once again, at the end of October before the Supreme Soviet, clearly demonstrated how deeply the resolution penetrated Moscow's cold war armor. Khrushchev fears this resolution more than anything else. And the reason for this is that the resolution is fraught with enormous and even decisive cold war possibilities, particularly on the colonialist issue.[7]

For the first time, our Government took official cognizance of the majority of captive non-Russian nations within the Soviet Union itself. Without the captive Baltic nations, Ukraine, the Caucasian nations, Turkestan, and others mentioned in the resolution, Russia, with its 100 million population and its own resources, could hardly be called—as the Moscow propaganda machine now does—the greatest power in the world. It would be no more comparable in power to the United States than a reunited Germany would be. A cold war development of this crucial weakness in the synthetic state known as the Soviet Union would seriously deflate all the bluster, bluff, and sham of Moscow's economic prowess, military might, scientific achievements, and cultural attainments. Parasitic growth on the basis of captive resources is not exactly alluring in propaganda or otherwise. Khrushchev has the vision to see this and thus continues to bellow against this resolution. Unfortunately, the possibilities inherent in the resolution escape most of us.

The low level of our understanding about the Soviet Union and its ersatz political character was shown at the time of the resolution's passage. Many reporters and writers inquired to know where Turkestan or White Ruthenia are located. Some wrote as though the minority captive nations in Central Europe were the only nations listed in the resolution. What can one expect when on the highest levels of our Government, the U.S.S.R. is referred to as the Soviet nation and the different nations within the Soviet Union are arbitrarily and somewhat insularly called the Soviet people or the Soviets. Aside from the historical and demographic untruths of these usages, the suggestion of a united, integrated, and monolithic power in the U.S.S.R. is not even intelligent from a cold war point of view.[8] Our many economic, military, scientific, and other comparisons between the U.S.S.R. and the United States of America are drawn on false premises. The U.S.S.R., in essence an empire within an empire, is not at all qualitatively comparable to the United States which is a nation-state.

In short, if you don't know the nature of your opponent, how could you expect to convert his weaknesses into real vulnerabilities? We are like the fighter entering the ring with an obscurantist disregard of the information given him that his opponent has several loosely patched-up broken ribs. More, like him, we even refuse to test it. Khrushchev fears such a test and virtually paralyzes some of us with his coexistence or codestruction propaganda, while at the same time his cold war activities continue undiminished in every quarter of the globe. And these activities include every conceivable instrument—political, diplomatic, psychological, demographic, economic, cultural, scientific, military. Certain recent developments show conclusively how the Russians can be easily thrown on the defensive.[9]

If we are not to be cornered into a hot war we must face up to the realities of the cold war. An unparalleled empire was built up over 500 years by cold war techniques. With modern technology and communications, it could expand in short time. A sound basis for necessary cold war gaming is provided in the Captive Nations Week resolution. With an indispensable apparatus, such as a Freedom Commission, the possibilities suggested by the resolution could be developed peaceably and victoriously in the name of justice and freedom first.[10] The captive nations throughout the totalitarian Russian empire, and particularly in the Soviet Union, constitute our most powerful weapon in this period of mutual deterrence.

AMERICA'S OPPORTUNITY, 1960–76

We are really on the eve of an important decade and a half. Last year, 1960, we celebrated the 100th anniversary of the Presidency of the Great Emancipator. As he stated, no nation can be half slave and half free. With the global international significance of our daily doings today, we can paraphrase that and say the world certainly can't be half free and half slave. But we must also look to 1976, the period of the 200th anniversary of our own Declaration of Independence. It seems that in these 16 years we should face a period of moral and political rededication to show the tremendous will and the stubborn patriotism of the American people, not the old age that Khrushchev ascribes to us now. It is a period for us to prepare for the many challenges that will certainly present themselves.

In terms of our own moral and political principles, as enshrined in our Declaration of Independence, the Constitution, and the Bill of Rights—not to speak of the importance of preserving our own national independence—we have a global field for the most successful endeavor, provided we are able to express these principles adroitly, skillfully, and in a peaceful manner. The entire Red Empire, including even the Russian people, is ripe for the spirited drive of independence. For the Russians, independence from centuries of tyranny, oppression, and slavery—for the non-Russian nations, both within and outside the Soviet Union, national independence and freedom. These objectives constitute a tremendous opportunity for America, and with the proper kind of rededication, we can then begin to implement the means whereby we can seize this opportunity. No team, on any football field, has ever won a game playing on its own side of the 50-yard line. We've been doing that now for over a decade. It is not a winning proposition; and there are many avenues—many feasible

[7] See "Colonialism in the Soviet Empire," Neue Zuericher Zeitung, Switzerland, Nov. 20, 1960.

[8] An example of this is "Russia," Charles W. Thayer, Life World Library, New York, 1960.

[9] Parkhomenko, M., "Taras Shevchenko and Champions of the Cold War," Sovietskaya Kultura, Moscow, Dec. 24, 1960.

[10] E.g., Gill, William, "Dead Poet Becomes Live Issue," Pittsburgh Family magazine, May 7, 1961, pp. 4-5.

avenues—for this kind of pressure for freedom.[11] As it was once said, si vis pacem para bellum—if you wish peace, prepare for war. And the war we have to prepare for in the case of Russia is primarily a cold war. The Vienna meeting, in the light of all this, was simply a Viennese dance.

Mr. Speaker, Dr. Dobriansky in his remarks points out very effectively pertinent issues which have been discussed from time to time in the discussion of the Captive Nations Committee. To speak as plainly as possible on this subject, may I sum up the entire issue by stating that a special House Committee on Captive Nations would produce a progressive, practical, tremendously effective service; would strengthen our foreign policy position; would point out the basic weaknesses in the Soviet Union; would provide material for our United Nations staff, and could only result in a direct vital contribution to our freedom and help achieve the freedom of peoples behind the Iron Curtain of which they are now deprived.

AFL–CIO PARADE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, yesterday, one of the most colorful parades in Gotham's history marched down Fifth Avenue. Over 200,000 working men and women, all members of the AFL–CIO, proudly stepped out in a dedicated, enthusiastic demonstration of a wonderful, meaningful old custom. Hundreds of bands and colorful floats marked what unquestionably was one of the Nation's most impressive demonstrations of solidarity and pride in achievement.

While parades and demonstrations signified this great day in many other sections of the United States as well, the spectacular display in New York was the largest of its kind ever held and it is interesting to note that this symbolic tradition was resumed in New York only 2 years ago after a lapse of 20 years. The last such parade was held in 1939 until this demonstration was renewed in 1959. The fact that the participants have doubled in 2 years is heartening. The intervention of the war years and the gradual drifting away from the custom were responsible for the abandonment of the parade in the city.

With the lapse of the parade, and with similar waivering of overt demonstrations in other cities and towns, Labor Day was beginning to lose its true significance. It was a day that America began taking for granted. For too many Americans the day had come to mean little more than a day off, the last fling to mark the end of summer, the time when families trek back from vacation, the beginning of a new school year.

But going back to first principles, Harry Van Arsdale, president of the New York City Central Labor Council, remembered the spirit in which the day was founded.

Thanks to him and to the New York City Central Labor Council the parade was returned in 1959 to New York City. Now organized labor of this great city is given the opportunity once again to display its dedication to the theme of this historic day—a theme which Mr. Van Arsdale so aptly applied to the parade—"A strong, free labor movement means a strong free America."

It is a theme that over 200,000 men and women joined in yesterday. They represented the unions affiliated with the American Federation of Labor and Congress of Industrial Organizations ranging in skills from acting to welding.

This was truly a dedication of labor unity and pride in its role in the Nation's economic and social life. It was echoed in cities, in towns, in villages throughout the breadth of our land in many forms—parades, meetings, services, statements, articles, and other means of public expression.

Let us hope in the years to come, more observance, more dedication, more respect for this day will be realized.

It follows the true spirit of the man who is recognized as the founder of Labor Day—Peter J. McGuire—whose inspiration gave rise to the observance of this day. He wrote:

> Pagan feasts and Christian observances have come down to us through the long ages. But it was reserved for the American people to give birth to Labor Day. In this they honor the toilers of the earth, and pay homage to those who from rude nature have delved and carved all the comfort and grandeur we behold.
>
> More than all, the thought, the conception, yes, the very inspiration of this holiday, came from men in the ranks of the working people—men active in uplifting their fellows, and leading them to better conditions.

Today marks the 79th anniversary of the first Labor Day. Labor truly has great reason for pride in accomplishment. It is not only the solid betterment in living conditions for so many Americans which labor has helped to achieve, but the strengthening of our democracy and the giving of deeper meaning to our incomparable individual rights—national acceptance of the belief that every man has the right to earn a living and provide for his loved ones under decent conditions—to receive a remuneration worthy of his efforts. These are rights of modern American men and labor's role in attaining them has been a magnificent one.

Our American civilization—for that matter, all civilization—has never seen an equal throughout all of history. The individual has been afforded greater significance and greater protection than in any other society. Labor has helped to make this possible. That was the real meaning of its march up Fifth Avenue, its parade on Main Street, its meetings and its tributes.

Because it has so great an importance for all Americans—and to the world—I want to join in this tribute to those who initiated the idea of Labor Day so many years ago, and to those who have contributed so much through the years and to those who are now doing so much to transform the American dream into reality.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MADDEN (at the request of Mr. YATES), on account of death in the family.

Mr. JOHNSON of Maryland (at the request of Mr. FALLON), indefinitely on account of death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. JOHN W. DAVIS, for 1 hour, today.

Mr. ALBERT, for 30 minutes, today.

Mr. HEMPHILL (at the request of Mr. ALBERT), for 5 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. FLOOD (at the request of Mr. ALBERT), for 15 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. HALPERN (at the request of Mr. BARRY), for 10 minutes, today.

Mr. SAYLOR, for 60 minutes, on Thursday, September 7, 1961.

Mr. WILLIS, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. SIKES and to include extraneous matter.

Mr. JONES of Alabama and to include a newsletter.

Mr. LANE and to include extraneous matter.

Mr. JOHNSON of Wisconsin.

Mr. ALGER.

(The following Members (at the request of Mr. BARRY) and to include extraneous matter:)

Mr. HOSMER.

Mr. ROBISON.

Mr. BERRY.

Mr. SAYLOR.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. GARMATZ.

Mr. CAREY.

Mr. ALFORD.

SENATE BILLS, JOINT RESOLUTION, AND CONCURRENT RESOLUTION REFERRED

Bills, a joint resolution, and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 235. An act for the relief of Evagelos Mablekos; to the Committee on the Judiciary.

S. 486. An act to provide for the appointment of two additional judges for the juvenile court of the District of Columbia; to the Committee on the District of Columbia.

S. 557. An act to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes," approved March 1,

[11] "Russian Colonialism and the Necessity of a Special Captive Nations Committee," the CONGRESSIONAL RECORD, Mar. 8, 1961, pp. 3518–3544.

1899, as amended; to the Committee on the District of Columbia.

S. 560. An act to amend the act entitled "An act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes," approved February 4, 1925; to the Committee on the District of Columbia.

S. 563. An act to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes," approved May 1, 1906, as amended; to the Committee on the District of Columbia.

S. 1037. An act to amend the provisions of the Perishable Agricultural Commodities Act of 1930, relating to practices in the marketing of perishable agricultural commodities; to the Committee on Agriculture.

S. 1123. An act to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes; to the Committee on Education and Labor.

S. 1132. An act to provide for the establishment of a council to be known as the "National Advisory Council on Migratory Labor"; to the Committee on Education and Labor.

S. 1328. An act to authorize the establishment of a junior college division within the District of Columbia Teachers College, and for other purposes; to the Committee on the District of Columbia.

S. 1368. An act to amend the Shipping Act, 1916, to provide for licensing independent ocean freight forwarders, and for other purposes; to the Committee on Merchant Marine and Fisheries.

S. 1529. An act to amend the act entitled "An act to regulate the height of buildings in the District of Columbia," approved June 1, 1910, as amended; to the Committee on the District of Columbia.

S. 1537. An act for the relief of Mrs. Renee Deri; to the Committee on the Judiciary.

S. 1762. An act to regulate the practice of physical therapy in the District of Columbia; to the Committee on the District of Columbia.

S. 1846. An act for the relief of Pedro Adan Generao; to the Committee on the Judiciary.

S. 2070. An act for the relief of Kabalan Farris; to the Committee on the Judiciary.

S. 2085. An act to amend section 511(h) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds; to the Committee on Merchant Marine and Fisheries.

S. 2132. An act to approve the revised June 1957 reclassification of land of the Fort Shaw division of the Sun River project, Montana, and to authorize the modification of the repayment contract with Fort Shaw Irrigation District; to the Committee on Interior and Insular Affairs.

S. 2135. An act to authorize the Securities and Exchange Commission to delegate certain functions; to the Committee on Interstate and Foreign Commerce.

S. 2236. An act to authorize the Secretary of Commerce to employ aliens in a scientific or technical capacity; to the Committee on Interstate and Foreign Commerce.

S. 2321. An act to encourage and aid the development of reconstructive medicine and surgery and the development of medico-surgical research by authorizing the licensing of tissue banks in the District of Columbia, by facilitating ante mortem and post mortem donations of human tissue for tissue bank purposes, and for other purposes; to the Committee on the District of Columbia.

S. 2325. An act to amend the Export-Import Bank Act of 1945; to the Committee on Banking and Currency.

S. 2356. An act to amend the act known as the Life Insurance Act of the District of Columbia, approved June 19, 1934, and the act known as the Fire and Casualty Act of the District of Columbia, approved October 3, 1940; to the Committee on the District of Columbia.

S.J. Res. 21. Joint resolution to authorize the Secretary of Commerce to sell ten Liberty-type merchant vessels to citizens of the United States for conversion into barges; to the Committee on Merchant Marine and Fisheries.

S. Con. Res. 39. Concurrent resolution to print three thousand copies of a compilation of the hearings, reports, and committee prints of the Subcommittee on National Policy Machinery; to the Committee on House Administration.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore:

H.R. 206. An act to facilitate administration of the fishery loan fund established by section 4 of the Fish and Wildlife Act of 1956, and for other purposes;

H.R. 1098. An act to amend section 901 of title 38, United States Code, to provide that a flag shall be furnished to drape the casket of each deceased veteran of Mexican border service;

H.R. 1337. An act for the relief of Amelia Andreoli D'Attorre;

H.R. 1627. An act for the relief of the Princess Anne County School Board, Virginia;

H.R. 2111. An act for the relief of Benjamin Schoenfeld;

H.R. 2429. An act to prohibit destruction of, or injury to, certain property moving in interstate or foreign commerce, and for other purposes;

H.R. 2457. An act to amend title V of the Merchant Marine Act, 1936, in order to clarify the construction subsidy provisions with respect to reconstruction, reconditioning and conversion, and for other purposes;

H.R. 3159. An act to permit certain foreign-flag vessels to land their catches of fish in the Virgin Islands in certain circumstances, and for other purposes;

H.R. 3222. An act to amend section 4(a) of the act of April 1, 1942, so as to confer jurisdiction on the municipal court for the District of Columbia over certain counterclaims and cross-claims in any section in which such court has initial jurisdiction.

H.R. 3296. An act to authorize the Secretary of the Interior to nominate citizens of the Trust Territory of the Pacific Islands to be cadets at the U.S. Merchant Marine Academy;

H.R. 4539. An act to amend section 723 of title 38 of the United States Code to provide for immediate payment of dividends on insurance heretofore issued under section 621 of the National Service Life Insurance Act of 1940 which has been converted or exchanged for new insurance under such section, and for other purposes;

H.R. 4639. An act for the relief of Rear Adm. Carl H. Cotter;

H.R. 5054. An act for the relief of Wolfgang Stresemann;

H.R. 5180. An act for the relief of Dr. Ferene Domjan and others;

H.R. 5321. An act for the relief of American President Lines, Ltd., Nitto Shosen Co., Ltd., and Koninklijke Java-China-Paketvaart Lijnen N.V. (Royal Interocean Line);

H.R. 5647. An act for the relief of David C. Thomas, Robert W. Barber, Milton A. Chace, and Richard F. Turner;

H.R. 5656. An act to provide for reasonable notice of applications to the U.S. courts of appeals for interlocutory relief against the others of certain administrative agencies;

H.R. 6495. An act to amend the Life Insurance Act of the District of Columbia;

H.R. 6798. An act to amend the act incorporating the Washington Home for Foundlings and to define the powers of said corporation;

H.R. 7044. An act to amend section 35 of chapter III of the Life Insurance Act for the District of Columbia;

H.R. 7154. An act to authorize the Commissioners of the District of Columbia to regulate the keeping and running at large of dogs;

H.R. 7265. An act to amend the code of law for the District of Columbia so as to provide a new basis for determining certain marital property rights, and for other purposes;

H.R. 7707. An act for the relief of Andrew Telesfor Kostanecki;

H.R. 8032. An act to amend the Healing Arts Practice Act, District of Columbia, 1928, and for other purposes; and

H.R. 8033. An act to amend section 17 of the Interstate Commerce Act so as to authorize the delegation of certain duties to employee boards.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On August 31, 1961:

H.R. 566. An act authorizing the establishment of a national historic site at Fort Davis, Jeff Davis County, Tex.

On September 1, 1961:

H.R. 4785. An act to provide specific authority for Federal payments of the employer's share of the cost of retirement systems for civilian employees of the National Guard and to extend the authority for withholding employee contributions to State retirement systems by permitting deductions of employees' contributions to State-sponsored plans providing retirement disability or death benefits;

H.R. 7809. An act to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel; and

H.R. 7934. An act to authorize the Secretaries of the military departments to make emergency payments to persons who are injured or whose property is damaged as a result of aircraft or missile accidents, and for other purposes.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 42 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, September 6, 1961, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1281. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 9, 1961, submitting a report, together with accompanying papers and an illustration on a review of report on Pawtuxet

Cove, R.I., requested by resolution of the committee on Public Works, House of Representatives, adopted April 5, 1949 (H. Doc. No. 236); to the Committee on Public Works and ordered to be printed, with one illustration.

1282. A letter from the Administrator, General Services Administration, transmitting a notice of a proposed disposition of approximately 50,000 long tons of pig tin now held in the national stockpile, pursuant to (50 U.S.C. 98b(e)); to the Committee on Armed Services.

1283. A letter from the Chief of Naval Material, Department of the Navy, transmitting the Department of the Navy's Semiannual Report of Research and Development Procurement Actions for the period January 1 through June 30, 1961, pursuant to 10 U.S.C. 2357; to the Committee on Armed Services.

1284. A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting the June 1961 report on Army, Navy, and Air Force prime contract awards to small and other business firms, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

1285. A letter from the Secretary of State, transmitting the fiscal year 1961 report of gifts and bequests received and accepted by the U.S. National Commission for the United Nations Educational, Scientific, and Cultural Organization, pursuant to Public Law 85–477; to the Committee on Foreign Affairs.

1286. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of a proposed bill entitled "A bill to amend section 15 of the Administrative Expenses Act of 1946; to provide for regulation by the President of the employment of experts or consultants or organizations thereof; and for other purposes"; to the Committee on Government Operations.

1287. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

1288. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

1289. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order suspending deportation in the case of Constantinos Tsangaris, A8039129, pursuant to Public Law 863, 80th Congress; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WILLIS: Committee on the Judiciary. H.R. 4333. A bill to amend the act entitled "An act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes"; approved July 5, 1946, as amended; with amendment (Rept. No. 1108). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. S. 302. An act to amend the act of June 22, 1948, as amended, relating to certain areas within the Superior National Forest, in the State of Minnesota, and for other purposes; without amendment (Rept. No. 1109). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. S. 1040. An act to abolish the Federal Farm Mortgage Corporation, and for other purposes; with amendment (Rept. No. 1110). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. S. 1107. An act to provide a 2-year extension of the existing provision for a minimum wheat acreage allotment in the Tulelake area of California; with amendment (Rept. No. 1111). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. S. 1927. An act to amend further the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, and for other purposes; without amendment (Rept. No. 1112). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. H.R. 7855. A bill granting the consent of Congress to an amendment to a compact ratified by the States of Louisiana and Texas and relating to the waters of the Sabine River; without amendment (Rept. No. 1113). Referred to the House Calendar.

Mr. NORBLAD: Committee on Armed Services. H.R. 8924. A bill to amend section 207 of the Military Construction Act of 1960 in order to clarify the authority granted under such section to the Secretary of the Navy to exchange certain lands owned by the United States for lands owned by the State of Oregon; with amendment (Rept. No. 1114). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORGAN: Committee on Foreign Affairs. H.R. 7500. A bill to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower; with amendment (Rept. No. 1115). Referred to the Committee of the Whole House on the State of the Union.

Mr. JARMAN: Committee on Interstate and Foreign Commerce. H.R. 5978. A bill to amend section 202(c) of the Interstate Commerce Act to provide for partial exemption from the provisions of part II of such act of terminal area motor carrier operations performed by or for common carriers by water in interstate commerce subject to the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933; with amendment (Rept. No. 1116). Referred to the House Calendar.

Mrs. PFOST: Committee on Interior and Insular Affairs. S. 2272. An act to disclaim interest in certain rights in certain lands in the State of Nevada; without amendment (Rept. No. 1117). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BYRNES of Wisconsin:

H.R. 9034. A bill to amend section 4216 (relating to definition of price) of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mrs. CHURCH:

H.R. 9035. A bill to amend section 172 of the Internal Revenue Code of 1954 to permit taxpayers to elect to use net operating losses only as carryovers; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 9036. A bill to prohibit exports to Communist countries; to the Committee on Interstate and Foreign Commerce.

By Mr. DOMINICK:

H.R. 9037. A bill to amend the Internal Revenue Code of 1954 to provide a 50-percent credit against the individual income tax for certain expenses incurred by a taxpayer in the construction of a civil defense shelter of approved type and design; to the Committee on Ways and Means.

By Mr. FLOOD:

H.R. 9038. A bill to amend title 38, United States Code, to provide vocational rehabilitation, education and training, and loan guarantee benefits for veterans of service after January 31, 1955; to the Committee on Veterans' Affairs.

By Mr. HARRISON of Wyoming:

H.R. 9039. A bill to deny the use of the U.S. postal service for the carriage of Communist political propaganda; to the Committee on Post Office and Civil Service.

By Mr. RYAN:

H.R. 9040. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

By Mr. BRADEMAS:

H.R. 9041. A bill to provide an exemption from participation in the Federal old-age and survivors insurance program for individuals who are opposed to participation in such program on grounds of conscience or religious belief; to the Committee on Ways and Means.

By Mr. FULTON:

H.R. 9042. A bill to amend the act of September 6, 1958, relating to expansion of teaching in the education of mentally retarded children so as to make it applicable to the other areas of exceptionality, and for other purposes; to the Committee on Education and Labor.

By Mr. INOUYE:

H.R. 9043. A bill to appropriate funds for the U.S.S. *Arizona* Memorial at Pearl Harbor; to the Committee on Appropriations.

By Mr. KEARNS:

H.R. 9044. A bill to amend title 23 of the United States Code to authorize parts of the National System of Interstate and Defense Highways to be constructed underground, to provide adequate public shelters in case of nuclear and germ warfare, and for other purposes; to the Committee on Public Works.

By Mr. HARRIS:

H.R. 9045. A bill to amend the Trading With the Enemy Act, as amended; to the Committee on Interstate and Foreign Commerce.

H.R. 9046. A bill to permit the application of the bulk commodity exemption when other commodities are concurrently transported in the same vessel; to the Committee on Interstate and Foreign Commerce.

By Mr. BERRY:

H.R. 9047. A bill to amend the act of April 6, 1937, as amended, to provide for the effective control of grasshoppers and other insect pests on land idled under the conservation reserve program; to the Committee on Agriculture.

By Mr. FINNEGAN:

H.R. 9048. A bill to establish a U.S. Disarmament Agency for World Peace and Security; to the Committee on Foreign Affairs.

By Mr. FISHER:

H.R. 9049. A bill to provide for the regulation by the Secretary of Agriculture of persons engaged in the business of core sampling and testing of wool; to the Committee on Agriculture.

By Mr. GLENN:

H.R. 9050. A bill to amend the act of July 13, 1946, to authorize the construction, maintenance, and operation of certain additional toll bridges over or across the Delaware River and Bay; to the Committee on Public Works.

By Mr. GUBSER:

H.R. 9051. A bill to create a new judicial district for the State of California and to

provide for the appointment of one additional district judge for the State of California; to the Committee on the Judiciary.

By Mr. LESINSKI:

H.R. 9052. A bill to adjust postal rates, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. O'HARA of Michigan:

H.R. 9053. A bill to amend title II of the National Defense Education Act of 1958 with respect to the periods for which loans under that title are made; to the Committee on Education and Labor.

By Mr. GLENN:

H.J. Res. 562. Joint resolution granting consent of Congress to the State of Delaware and the State of New Jersey to enter into a compact to establish the Delaware River and Bay Authority for the development of the area in both States bordering the Delaware River and Bay; to the Committee on the Judiciary.

By Mr. WALTER:

H. Con. Res. 384. Concurrent resolution authorizing the printing of additional copies of the report "Communist Target—Youth—Communist Infiltration and Agitation Tactics"; to the Committee on House Administration.

By Mr. HAYS:

H. Con. Res. 385. Concurrent resolution authorizing the printing of a manuscript entitled "History of the House of Representatives"; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FARBSTEIN:

H.R. 9054. A bill for the relief of Dilys Evans; to the Committee on the Judiciary.

By Mr. INOUYE:

H.R. 9055. A bill for the relief of Mrs. Kiyo Inamura; to the Committee on the Judiciary.

H.R. 9056. A bill for the relief of Graciano Cabuena Camello; to the Committee on the Judiciary.

H.R. 9057. A bill for the relief of Mrs. Visitacion L. Lopez; to the Committee on the Judiciary.

By Mr. JARMAN:

H.R. 9058. A bill for the relief of Jin Tze Chen; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 9059. A bill for the relief of Maj. Leonard H. Potterbaum, U.S. Air Force; to the Committee on the Judiciary.

By Mr. SCHENCK:

H.R. 9060. A bill for the relief of Rhea G. Burgess; to the Committee on the Judiciary.

By Mr. SIBAL:

H.R. 9061. A bill for the relief of Gianvincenzo Marsili; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

A Small Voice in a Noisy World

EXTENSION OF REMARKS
OF
HON. ROBERT E. JONES
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 5, 1961

Mr. JONES of Alabama. Mr. Speaker, under leave to extend my remarks, I include my news report of August 25, 1961:

A SMALL VOICE IN A NOISY WORLD

The other day the House of Representatives opened its session exactly as it did the first time on March 4, 1789, in New York City. The Speaker rapped for order and asked the Chaplain to pray.

As Members of the House, the many clerks, and hundreds of visitors in the galleries bowed their heads, a rich baritone flowed to every nook of the big Chamber. Quoting from Daniel 11: 32, the voice intoned: "The people that know God shall be strong and do exploits."

It was the voice of the Reverend Bernard Braskamp, D.D., the House Chaplain. As he prayed, I was struck again by the thought of how much good one dedicated man can accomplish. Among scores of strong personalities, who really are world famous, Dr. Braskamp is a humble, retiring minister.

He is completing his 12th year as Chaplain. Most of the clergymen before him held pastorates in active churches as well as the duties of House Chaplain. So did Dr. Braskamp. He came here from Princeton Seminary in 1911 and was on the staff of the National Presbyterian Church, now known as "Ike's Church." In 1952, he resigned his pastorate of Gunton-Temple Church, because his Capitol Hill duties were requiring most of his time. He is the first House Chaplain to devote full time to Members of Congress, their staffs, and their families.

Dr. Braskamp has one of the biggest parishes in Washington. He not only opens the sessions with prayer every day, but is available day and night to anyone who wants his services. He performs baptisms, weddings, funerals, visits the sick and dying in their homes and hospitals, and is a tower of strength and comfort for hundreds who seek his counsel. He estimates that he has over 3,000 persons in his pastoral care.

The youngest and newest file clerk in a Capitol Hill office or the chairman of some powerful congressional committee get equal time, attention, and help from Dr. Braskamp. The demands on him for counseling and other services are growing constantly. He rejoices in this, for he sees it as a general trend toward religion in troubled times. His reward is to see people gain inner peace and strength.

It is no exaggeration that what Members of Congress do today affects not only Americans, but humanity itself.

We are bedeviled on every side by harsh, cruel enemies, who scorn the ethics and mandates of any religion and openly jeer at even the rules of decency. In dealing with them, it would be the human tendency to match them in injustice and hatred. But day after day, the calm voice rolls over the House and with fervor reminds the lawmakers of the things that are God's and of His justice.

Nobody could calculate what influence for good Dr. Braskamp has on our world today. But it can be appreciated and many thousands do.

Soviet Nuclear Policies Threaten Peace

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Tuesday, September 5, 1961

Mr. WILEY. Mr. President, the resumption of nuclear testing by the Soviet Union represents a serious threat to peace and a new danger to our security and a hazard for human life.

Reflecting "about-face" changes in Soviet policy, I would like to quote remarks from Mr. Khrushchev's earlier statements regarding nuclear testing:

First. Speech at the U.N. General Assembly, September 23, 1960:

We shall do everything in our power to make general and complete disarmament a reality, to rid humanity of the arms race and the threat of a new war of annihilation.

Second. February 15, 1958:

The Soviet Government stands firmly for the complete and unconditional cessation of atomic and nuclear-weapons tests. Three years ago the Soviet Union was the first of the great powers to propose an agreement to end these tests and in that way take the first step toward the complete prohibition of nuclear weapons and their elimination from national armament.

Third. On January 14, 1960, he said:

Should any side violate the obligations [to refrain from testing] to which it has committed itself, the instigators of such violations will cover themselves with shame, and they will be condemned by the peoples of the world.

With characteristic "doubletalk", the Soviet Union is now attempting to justify its change in nuclear policy and to blame the United States for its action.

On Sunday, September 3, I was privileged to discuss major aspects of this new situation in a broadcast over Radio Station WGN, Chicago. I ask unanimous consent to have excerpts from this address printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

WILEY URGES WESTERN ANTIDOTE TO NUCLEAR TESTS BY COMMUNISTS

This week Soviet Premier Khrushchev, once again, undercut the world's hopes for progress toward peace. How? By declaring that the Soviet Union will resume testing of nuclear bombs. In my judgment, the resumption of such tests could be a dangerous step toward man's destruction.

Provocatively it represents—

A threat to the security of the United States—which has suspended nuclear testing since 1958;

A heightening of world tensions;

A serious hazard—that could have not only immediate, but long-range effects—to the health of the nearly 3 billion people of earth, by further saturation of the air we breath with radioactive fallout.

The resumption of testing, too, will result in higher costs of armaments for both East and West.

Moreover, it may hasten the day when Red China—a grave threat to peace in the Far East—will possess nuclear bombs to support its aggressive policies.

By experience, we know that such major changes in strategy do not happen accidentally in Red policy.

Around the globe, then, the question is being asked: Why should Khrushchev choose

this time to resume testing of nuclear bombs? The range of answers includes the following:

1. He wants an opportunity to test and show off the 100-megaton superbomb—about which he has been bragging.

2. Unsatisfied with present tactics, attempts at nuclear blackmail again will become a major aspect of Communist policy. Specifically, this includes, as we have witnessed, threats of annihilation against countries cooperating with the West for common defense—particularly those in NATO.

3. A further heightening of world tensions—including raising the specter of nuclear war—may be necessary to keep the dominated people mobilized against the West.

Following the ominous, provocative declaration, Mr. Khrushchev is now busy trying to justify the decision. Around the globe, the Red propaganda machine is cranking out lame excuses—including engaging in double-talk aimed at blaming the United States for the Red decision to resume testing.

In the face of such false charges, however, the United States must be alert to speak up in self-defense.

The peace-shaking provocation, too, is making its own dramatic impact upon world thinking. Reactions of nations have been crystallized in such terms as: "dangerous action;" "bad news;" "setbacks to progress toward reduction of armaments;" "a fateful decision that seriously threatens world peace."

In the face of this new aggressive tactic by the Soviet Union, then what can be done?

First, and foremost, I believe that—

1. The nations attending the Conference in Belgrade should demonstrate their mettle by speaking out against resumption of nuclear testing:

2. The U.N., opening September 19, should take vigorous action to discourage further nuclear tests, as well as to establish a system of arms reduction and control—including test bans.

Overall, the prevention of nuclear war is a matter of great concern, not just to the opposing East-West nations, but to all the countries of the world.

Despite the magnitude of the dangers, let me stress this: This is no time for hysteria, paralysis by fear, or adopting of an attitude of peace at any price by nations. Rather, we—confident in the rightness of our cause—must fearlessly take steps to meet the challenges, including the following:

A solemn evaluation of the danger;

Further strengthening Western deterrent power—including taking the necessary steps to protect ourselves with a nuclear antidote;

Exertion of a greater effort for halting the arms race; and

A mobilization of world opinion against Red tactics, which threaten to endanger the lives of all people—either by war, or by oversaturating the atmosphere with radioactive fallout.

Hanford Project—Statesmen's Dilemma

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 1961

Mr. HOSMER. Mr. Speaker, the controversial public/private power issue has plagued Congress for decades.

Irrespective of merits on either side, the heated controversy it generates inescapably scorches whatever it contacts.

This has become the case with the Nation's nuclear science program—because of the Hanford project dispute.

It is immaterial whether the public/private power issue logically belongs in the Hanford dispute—either in its original $95 million, 800,000-kilowatt form or its current $58 million, 400,000-kilowatt conference report form.

It has, in fact, become involved and its adverse affects are apparent to the extent some legislators are talking of a "bare-bone" Atomic Energy authorization bill unless the House agrees to the conference report.

This would mean many research projects necessary to maintain our country's lead in nuclear science would be stripped out at this critical time in world history.

Yet, in the end, accepting the conference report would not bring a better result.

Accepting it would establish atomic energy authorization bills as a legitimate battleground of the public/private power controversy. Next year, the following year and in the years beyond this controversy repeatedly would plague the Nation's nuclear science efforts.

These annual controversies would accumulate delays in our nuclear science program in the aggregate as stifling as those involved in a "bare-bone" bill this year.

There is a way to avoid this dilemma. It is by keeping power projects such as Hanford out of atomic energy bills entirely—fighting them out on some less critical battleground. This can be done simply, but it will require a high order of statesmanship.

It amounts to adopting and adhering to a policy of placing nuclear-electric facilities, other than experimental, prototype, and demonstration facilities in the public works authorization bill rather than the atomic energy authorization bill.

Thereby the public/private power issue will not be permitted to impede our nuclear science programs.

Nor, in the public works bill as independent items of appropriation to power administrations such as TVA and BPA, should the controversy unduly impede progress with other, nonrelated public works items.

Labor Day 1961

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 1961

Mr. SAYLOR. Mr. Speaker, since 1961 is the 100th anniversary of Abraham Lincoln's first annual message to Congress, this Labor Day is the appropriate time to recall this passage from that brilliant communication:

Labor is prior to, and independent of, capital. Capital is only the fruit of labor, and could never have existed if labor had not first existed. Labor is the superior of capital, and deserves much the higher consideration. Capital has its rights, which are as worthy of protection as any other rights.

Setting aside a day in recognition of America's working people did not come about for more than two decades after this excellent expression of labor's proper status, and another twoscore years elapsed before the full membership of our States began to observe the first Monday of September as Labor Day. Thus this honor to the men and women who are the predominant force in the Nation's population and character was long in coming into being, but in recent years the event has had increasingly more significance.

While labor must still devote considerable effort to organizational work, general recognition of the union movement as a component of the Nation's economic structure permits leaders to give more attention to the union's role in society's overall development. Energy once devoted to defending the right to organize and bargain collectively may now be used, in cooperation with management, toward attaining the objectives necessary to proper economic and social balance.

The holiday also has its unhappy aspects. Neither labor, management, nor Government can overlook the necessity of returning job opportunities to the millions of workers who are unemployed through no fault of their own. On the contrary, all elements must join hands in seeking whatever adjustments are required in the economic order to eliminate the surplus labor conditions that are prevalent in so many regions of our country.

Labor Day is the proper time to renew our dedication to the task of making the realignments essential to provide work for everyone who wants to work. In common cause, and with the help of God, we must all devote ourselves to the fulfillment of that ideal.

Nixon Hole in One Not an Ace, Just Par for the Course

EXTENSION OF REMARKS

OF

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 1961

Mr. CAREY. Mr. Speaker, former Vice President Nixon is reported to have scored his first hole in one at Bel Air, Calif., this Labor Day weekend. I submit that the report is possibly in error on two counts:

First. This is not the first day that Mr. Nixon has executed a bold stroke at the expense of labor.

Second. He did not reach this hole with one blow. I would recount two other whiffs or mulligans or shanks which he indulged this week before he rose to the tee for a sporting shot at Bel Air. He made the first pass when

he took a fast backswing and scored a clean miss. I refer to the report which I heard over a nationwide radio network this morning stating that the erstwhile presidential candidate saw fit to chide the members of the Washington press on their White House coverage because they did not know, according to Mr. Nixon, that the wife of our President, Mrs. John F. Kennedy, was pregnant. As usual, Mr. Nixon would appear to be presently untimely, characteristically incorrect, and unbecomingly improper.

I too much respect the offices of Representative, Senator, and the Vice Presidency to suggest that one who has held all three might not have the stature necessary to stand more than eye level with a bedroom keyhole. However, I urge that in this instance Mr. Nixon seek out a more reliable 19th hole, if not a more manly locker room. I am sure that Mr. Nixon will agree that his wife, mine, and Mrs. John F. Kennedy must remain inviolate from the low-level pitch from the trap which scatters sand and fails to move the ball, politically or otherwise.

On his second shot, Mr. Nixon's approach from the rough terrain of sour grapevines was no more accurate. Evidently reminiscent of the three-putt, repeat putt, putt, putt, results of our foreign policy of the past 8 years he tried to shave a stroke and attempted to use a wedge to pitch into a situation which he did little to solve in those 8 years. His criticism of the Berlin situation with respect to the use of the 1,500-troop task force directed by President Kennedy is just so much yapping at the dogleg, out of bounds, and wide of the pin.

As a military man who once stood within 110 kilometers of Berlin in our Armed Forces I would remind the former Vice President that reinforcements always strengthen, never weaken, and are much respected by the enemy. In fact even one American going in the right direction at this time should give pause to the thinking of the Communist dictator.

I submit the editorial from today's New York Journal American from the same edition which carried the report of Mr. Nixon's hole in one:

NIXON'S CRITIQUE

Our readers may recall that in the presidential campaign last year we supported Vice President Nixon because we thought he was more experienced in foreign affairs, particularly in combination with Henry Cabot Lodge.

However, that does not preclude observing that in his recent criticism of President Kennedy, regarding the strengthening of our garrison in Berlin, Mr. Nixon seemed to be speaking more from personal politics than international sagacity. He called the addition of 1,500 more troops "an empty gesture."

As the victor in the 1960 contest pointed out at his press conference last week, the purpose in sending in the troops was not to make Berlin impregnable, since from the military point of view it is untenable.

The purpose was (a) to emphasize to the Russians that we mean to defend our position there and (b) to remind Berliners that we are standing by our commitment to them.

"I don't see really how that weakens our commitment," said the President. "If troops were withdrawn, would that strengthen it?"

It was a pretty good tag line. Anyway, perhaps Mr. Nixon might better occupy himself by deciding whether he's going to run for Governor of California.

In conclusion no, Mr. Nixon, your latest was a decent shot but the last two were slices or hooks from bad lies or worse. I respectfully suggest that you stand up to the ball, take a firm grip, a slow backswing and follow through. If you do all these you will understand the game that our President is playing. As far as I am concerned, for the past eight months, President John F. Kennedy has been shooting for eagles all the way. These are the eagles of course with the olive branches in one claw and the arrows in the other. You may look good on the par threes but for the long ones the big hitter, President John F. Kennedy is doing a grand job without hitting too far down or taking too much divot in the process.

Special Stamp Conveys Tribute to Wisconsin Workmen's Compensation Law

EXTENSION OF REMARKS

OF

HON. LESTER R. JOHNSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 1961

Mr. JOHNSON of Wisconsin. Mr. Speaker, on August 31, it was my privilege to attend the White House ceremony that introduced the commemorative stamp honoring the 50th anniversary of the enactment of Wisconsin's Workmen's Compensation Act. During the ceremony, Postmaster General J. Edward Day gave an inspiring speech, which I would like to include in the RECORD under leave to extend my remarks:

REMARKS OF POSTMASTER GENERAL J. EDWARD DAY AT CEREMONIES INTRODUCING THE WORKMEN'S COMPENSATION LAW COMMEMORATIVE STAMP, THE WHITE HOUSE, THURSDAY, AUGUST 31, 1961

Mr. President, distinguished guests, ladies and gentlemen, the Post Office Department is highly honored that this ceremony is being held at the White House, with the President and so many significant leaders of government and of the labor movement participating.

Fifty years ago tomorrow, the Nation's first constitutional State workmen's compensation law became effective.

Enacted by the Wisconsin State Legislature in early 1911, and signed into law by that State's Governor, this statute became the forerunner of legislation now in effect in each of the 50 States of the Union.

Because of the humanitarian convictions of that generation of State legislators, millions of American families are insured today against those unfortunate and unforeseeable circumstances which might, through injury or death, remove their breadwinners from the payrolls of American industry.

The passage of workmen's compensation laws represented the starting point for a series of major enactments, State and Federal, which over these 50 years have given increasing recognition to the dignity of the workingman.

It is a privilege, Mr. President, that through your auspices this commemoration takes the form of a U.S. stamp, which will convey our tribute to the four corners of the world.

Because it is our policy to honor only a very few highly significant people or subjects each year through our commemorative stamp program, this occasion has increased importance.

The stamp which we are unveiling here today will first be placed on sale at Milwaukee, Wis., on Labor Day—September 4.

One hundred million of the stamps will be printed. They will be on sale in every one of our 35,000 post offices from Point Barrow to Key West and from Maine to Pago Pago.

The design of the new workmen's compensation law stamp is essentially abstract, seeking to communicate the ideal of law—perfect justice.

Printed in blue and gray, it features the scales of justice and equality, with a workman and his family balancing a representation of industry.

We can assume that this stamp will find a place in the albums of many of the millions of stamp collectors of all ages and in all parts of the world as a permanent reminder of a great milestone in social progress.

You Can Help Save America's Historic Treasures

EXTENSION OF REMARKS

OF

HON. THOMAS J. LANE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 1961

Mr. LANE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following very interesting article by the Honorable FRANCES P. BOLTON, of Ohio, which appeared in This Week magazine of the Boston Herald Traveler on Sunday, September 3, 1961:

YOU CAN HELP SAVE AMERICA'S HISTORIC TREASURES

(By the Honorable FRANCES P. BOLTON, Congresswoman, 22d Ohio District)

WASHINGTON, D.C.—A few years ago grieving Charlestonians watched a wrecking crew tear down the beautiful, 152-year-old Orphan's Chapel to make room for five more cars in a parking lot.

The city of Bridgeport, Conn., recently sent wreckers across a picket line of angry preachers and housewives to tear down the Harral-Wheeler mansion, a 115-year-old landmark and example of the Gothic revival in America.

Despite the unanimous plea from the New Jersey assembly and senate to save the building, the Stevens Institute of Technology has just demonlished Castle Stevens, a 105-year-old Victorian landmark on New Jersey's Hudson River shore.

All over our land the bulldozer is pushing over some of the most charming and important reminders of our past. To make room for service stations, parking lots, superhighways, and the other structures demanded by a machine civilization, we have already razed 4 out of 10 of the historic buildings that were standing in 1941.

The destruction is not, I have learned, inevitable. Vigorous and organized protests can save irreplaceable historic buildings threatened with demolition. Charlestonians, for instance, have put aside their grief over the Orphan's Chapel to fight for the 112-year-old customhouse, a superb example of the classic revival of a century ago.

All these struggles may be hard, but it is far harder to restore a building once it has

been destroyed. Right now, for example, a struggle is going on in Philadelphia to rebuild the house in which Jefferson wrote the Declaration of Independence. Today the site of the original building is occupied by a hotdog stand. Independence Hall Association is working at the task of raising $475,000 to restore the handsome brick house—far more than to preserve the original.

If you are afraid that your community will lose a legacy from the past—a neoclassical mansion soon to be razed for a trailer sales park, a log-cabin schoolhouse to be torn down for a concrete cloverleaf, a battlefield to be buried under a housing development—then speak up, and loudly. As a veteran of many successful preservation battles, I know it can be done.

In 1957, for example, the woodland on the Potomac River's Maryland shore opposite Mount Vernon was threatened by the spread of Washington's suburbs. I helped found the Accokeek Foundation to save the unspoiled river bank and the view from Washington's home. I was heartened by the help that came from many quarters once the work was started, but somebody had to make the first move.

If you need encouragement to make that vital first move, consider these battles that were won by determined citizens:

Louisiana antiquarians angrily and stubbornly resisted when the local government tried to build a sewage plant on the battlefield where Andrew Jackson stood off the British at New Orleans. The plant site was finally changed. And the battlefield is now part of the Chalmette National Historical Park.

When a 100-year-old upstate New York church was threatened, a Cornell student who had worshiped there as a child bought it with $675 from his own pocket and saved it for a civic meeting hall.

Four citizens of Savannah have saved the houses in historic Marshall Row by buying them; they will resell at the same price to anybody who will restore the buildings and put them to good use.

One determined woman in Tombstone, Ariz., sold shares in a frankly played-out mine to find money to preserve the town's frontier appearance.

In Massachusetts the Walden Citizen's Committee of Concord, is a stubborn body of citizens who refused to admit the fight was lost even after Thoreau's Walden Pond had been made into a public swimming hole. They kept on fighting in the courts and recently the Massachusetts Supreme Judicial Court ordered the county to change the pond back to the forest lake it was in the time of Emerson and Thoreau.

If you want to save an historic site in your community, remember this: The law is on your side. The courts have held that a community has a right to protect itself from loss of its historic heritage.

But before you spend your energy, be sure that the fight is worthwhile. Just because a building is old does not mean that it is worth saving.

Ask yourself these questions before you try to save a threatened structure or area:

1. Does it have true historic or cultural worth?

2. Is it still in good enough condition to be worth restoring?

3. Can the public get to it, and will it be useful after restoration?

4. Can we pay for the restoration, and can we maintain the building in good condition afterward?

If you can answer "Yes" to these questions, your next step is to enlist help. Look for help close about you: Not to distant foundation or Federal departments. Nobody will listen to you until you have a well-organized program at home. You can find help at the chamber of commerce, local newspapers, civic groups, patriotic associations, historical societies, or any of the local institutions interested in public matters.

Shrewd organizers will get powerful help by pointing out to local businessmen that U.S. tourists will spend more than $26 billion this year.

After you have organized a local preservation group, you can ask for help from larger groups, most notably the National Trust for Historic Preservation, a group chartered by Congress to help save historic "sites, buildings, and objects significant in American history and culture." Write them at 815 17th Street NW., Washington, D.C. They will help you by:

1. Providing suggestions to help you decide if the project is worth your effort.

2. Judging your chances for success.

3. Advising on organization and fundraising.

4. Telling you how best to spend the money you raise and use the building you save.

If you think a speaker from the national trust would help impress the importance of your project on local civic clubs, or if you think an experienced staffer would help to guide a legal effort to save your project, the trust will send you a troubleshooter for the price of his travel ticket.

Trust staffers know all the tricks on both sides. They can tell you from hard experience how not to be stabbed in the back; they can show you how to use every legal weapon in the book—and there are legal weapons strong enough to win most preservation battles if you are stubborn enough to keep fighting.

Sometimes you think that nobody cares, that the fight is not worth the cost—but when you finally win, when the bulldozer is turned aside and your historic building is saved, you feel a tremendous surge of pride in a job well done.

Address by Congressman Holifield at Fort Belvoir, Va.

EXTENSION OF REMARKS

OF

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 1961

Mr. GARMATZ. Mr. Speaker, one of our best informed colleagues both on atomic energy, its hazards and potentialities, and on civil defense, who is serving as chairman of the Joint Committee on Atomic Energy and the chairman of the Military Operations Subcommittee, Congressman CHET HOLIFIELD, was the speaker at the graduation exercises for shelter program personnel at the U.S. Army Engineer School at Fort Belvoir, Va., on September 1.

Since his subject is of great interest to all of us, I am pleased to insert in the RECORD, his remarks on that occasion, and recommend them for your careful perusal.

Gentlemen, I am honored to be here at the U.S. Army Engineer School and to attend your graduation exercises. You are taking an important first step in the civil defense shelter program as it begins operations under the Department of Defense.

It is good for the future of the program that Army, Navy, and Air Force engineers, civilian and military, have been drawn into this first phase of the training program. Your experience will be useful to you personally; I know it will contribute much to the success of the program.

These are short training weeks. But you have a background in the engineering profession. This is a reorientation course.

I trust that you are ready to proceed with all speed and diligence into the job ahead. As I understand it, you are to begin training the pyramid organization of personnel needed to take the program into all parts of the country. You are to train them well and to train them fast.

We don't have any shelters yet, so accomplishments are still ahead of us. The President, the Congress, and the public are interested. After years of talking about shelters, our Government proposes to do something specific about getting them, and you are going to help.

This graduation exercise marks a transition in public and official thinking. I like to put it this way: "America is coming of age in the thermonuclear age." We have a pledge of action, and today is the first downpayment on a program. Some of us have been calling for this kind of action for a long time, and we are very happy to see it begin.

Not all of those who watch with interest will have friendly eyes. I don't need to remind you of that. There is still a wide range of opinion about civil defense among the American people. And even those of us who recognize the dimensions and the difficulties of the problem, will keep on debating the merits of particular plans and activities.

As far as our committees are concerned—I refer here to the Military Operations Subcommittee and the Joint Atomic Energy Committee—we will maintain a friendly but critical regard for your efforts. We will do so because we work for a better and better program. The knowledge you gain here will help the Congress and it will help the country to understand what is needed in the future.

The first mistakes or misdirected efforts will beget you criticism from all sides; you might as well be prepared for that. Don't let that knowledge make you overcautious or dismayed. You must simply be professionally concerned and conscientious.

There are many people who will look on this survey and marking program as a necessary first step, but not much more. This may be disheartening, perhaps, to some of you who are engaged in a large and demanding job. But everyone will be interested in the final results, and in their accuracy and significance for many parts of this great country, and for the Nation as a whole.

I look upon your immediate job as undertaking a technical building census for survival. I say "technical" because this will be a professional job, not a mere counting procedure. It is not glamorous, but it is important for national survival.

As Department of Defense personnel no doubt you are accustomed to being satisfied with a well-done message from your superiors who know your problems. We want to assure you that those of us who understand the need, and the importance of your work, will be very gratified to see the completion of the urgent mission entrusted to you.

Let me talk about efficiency for a minute. I hope your training here does not suggest a too-rigid approach to what is new, and what is perhaps a one-time problem. I hope that each of you will be ready and able to jump on every new idea and shortcut that may be suggested—either by yourselves, the persons you train, or others who have competence and knowledge. Undoubtedly you will find great regional and special problems that must be tackled with individual initiative and effort.

If this job can be done in less time, or for less money, the country will have great cause to thank those who make it possible. The benefits may be far more important than the specific savings. I charge you all with the responsibility of seeking shortcuts which

will hasten the work without impairing its value.

The time is late. Programs along this line should have been started some years ago. Fallout was known to the scientists and weapon specialists from the time the first bombs went off. They knew a lot more about it in 1953–54, when the winds shifted in the Bikini Atoll and showed the dimensions of the fallout hazard.

So, I congratulate you, and commend you on your new assignments, and convey to you without their knowledge the thanks of millions of Americans who will be given the chance of survival in the event of a nuclear war.

Washington Report

EXTENSION OF REMARKS
OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 1961

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following Newsletter of September 2, 1961:

WASHINGTON REPORT BY CONGRESSMAN BRUCE ALGER, FIFTH DISTRICT, TEXAS, SEPTEMBER 2, 1961

THE ENEMY WITHOUT AND WITHIN THE UNITED STATES [1]

Communism today [2]

Current events, Berlin, Cuba, Brazil, the nuclear-test ban, disarmament talk, relative military strengths, may obscure the basic struggle, largely undercover, going on through which the United States will nobly win or meanly lose the last great hope of men for peace on earth. Current legislative efforts and current events are overshadowed by this titanic struggle in which only one side will win. This is not and cannot be a stalemate. Ignorance of this is possible, remaining personally unaffected by it is not.

The Communists ceaseless efforts to subvert the remaining free nations, including the United States reached a turning point in last December's Communist meeting. The Red manifesto then issued recognized the success of U.S. anti-Communist forces in understanding the Red plan of conquest. Their new doctrine, obligatory on all Communists, is to discredit and smear the United States anti-Communists, simultaneously pushing the new line which is "there is no danger of communism in the United States, but abroad." A gigantic effort, a "psywar" or mind warfare, brainwashing, and indoctrination, is to lull all Americans into complacency thus facilitating the infiltration and subversion of our country, while the people sleep, a calculated effort to destroy our patriotism through a corrupting trance. By suppressing criticism of communism the people will think the danger is gone. Khrushchev brutally explained it "you spit in their faces and they call it dew."

To accomplish this there must be a double standard as they see it, that is, suppress criticism of communism as antisocial and violative of various civil liberties, but simultaneously step up criticism against the United States. An attempt to monopolize all news and communications media will be made, in which past success has been the rule. Anti-Communist material must be eliminated in schools, public meetings, and the military—more and new agents will infiltrate the Government to influence, stall, and frustrate Government policy and directives. Anti-Communist personnel in Government key spots must be squeezed out whenever possible. Character assassination, smears, rumors, even blackmail are to be used on any and all influential anti-Communists in and out of Government to discredit and remove them.

The success of their effort is chronicled by Senator THURMOND as he lists the tough, but accurate, anti-Communist material removed from use by the military, such films as "Operation Abolition" and "Communism on the Map." Articles furthering this line have appeared in the Worker, the U.S. Communist paper, the New York Times, Washington Post, the Reporter, and others.

Senator THURMOND's strongest criticism is directed at the so-called Fulbright memorandum which he says, "candidly expresses as its major fear not the Communist menace but a grave distrust of the American people to govern themselves" and that, "the American people need to be restrained in their desire 'to hit the Communists with everything we've got, particularly if there are more Cubas and Laos.'"

The criticism of the memorandum lists these dangers: (1) the repeal of the directive which authorized the military anti-Communist seminars; (2) increased censorship of military speeches and others. Such muzzling further limits the widespread understanding of communism by our people. Their knowledge is what the Communists fear the most. To correct all this Senator THURMOND, and I agree, suggests an immediate full-scale investigation, now, before further success crowns the Communists in their determination to socialize and then communize the United States. To meet this danger we must know about communism and Communists. My effort here is directed toward that end. In knowledge, there is strength, without it we are easy prey. Let's look at what the Communists are up to:

"YOU CAN TRUST THE COMMUNISTS TO DO EXACTLY AS THEY SAY

"(By Dr. Fred Schwarz)

"Communists can be trusted to do exactly as they say once you understand their beliefs. They are dedicated, of deep conviction, superbly organized. Communists know they will conquer the world, it's only a matter of time. In keeping with their beliefs—not ours—they are predictable and understandable. Marx preached class warfare. Lenin proclaimed the Communist Party the instrumentality to win this worldwide war. Marx joined Feuerbach's materialism with Hegel's dialectic reasoning to provide dialectic materialism, the philosophic basis for communism's blueprint of conquest and enslavement of man's mind and badge.

"Class warfare exists between the bourgeois and proletariat, that is between the owner and worker, the wage payer and wage receiver, capital and wages, capitalism and socialism, hence between United States and Russia. The war is thus between nations as well as within nations not yet socialized. The war is to total victory and defeat with all weapons to be used, of the pen and the sword. Education, language, trade, diplomacy, negotiation, religion, cultural exchange, economic—in every field and in every way the battle is fought. The war will end with world domination.

"Peace then is the great goal. They believe in peace, everything is for peace, the peace following world victory. Every violent murder, the thousands and millions slain—these are acts of peace. No lie detector test of any Communist would show otherwise. Beyond rational argument and conviction, paranoic as it seems to us—peace is their definition for violence.

"Truth is whatever the Communists say it is. Once the top command, the 'politburo' has decreed a statement as true, it is the truth. Communists never lie by their definition. There are no absolutes in morals, only as relative to the class struggle; that is, war. Any statement that furthers communism's success is true, the contrary a lie. Their truth is that wherever communism comes to power there is happiness, health, prosperity, and good, and that American and capitalism are evil, degenerate, poor, and unhappy. The facts do not alter this truth, in their minds. They can murder and blame us for their misdeeds, divorced apparently from their senses and this is to them the truth.

"Righteousness is to work, sacrifice, and die for the party. Torture, murder, pillage, even their confessing to crimes uncommitted and accepting fellow Communist imposed execution is righteousness since by definition this advances the Communist [Party] clause.

"Love can be manifested by promising military officers no punishment if they surrender, and protection for their families, and then after surrender murdering the officers and disposing viciously of the women and children. To Communists this lying duplicity is unquestionably love for mankind, since it brings the glorious day of world communism closer to fruition. A lie detector test would so confirm their belief.

"What brings human beings to such a strange about face of morals? "Dialectical materialism" the basis for all communism holds that man is only matter in motion, as is everything, no more than an animal, although with more complex conditioned reflexes. Action is automatic and compulsory, no free will. Ultimate reality is material, not mental. Oddly enough, Hegel's dialectics brought to materialism devotion, sacrifice, initiative, and dedication so that the Communist has an intense passionate dedication to make the inevitable happen. The dialectic teaches that progress is inherent in change, and everything changes constantly (this to be accepted by faith) so that what is seen is not so important as what will be. The future belongs to the Communist not because of evidence (as overcoming U.S. great strength) but because of faith in dialectics' what must be.

"The nature of progress is go forward then back a little, then forward. Communists believe in abolishing the family. Yet now they strengthen the family to accomplish world takeover. Then they'll abolish it. The logic or illogic here is fantastic. Religion the same. They will use it until they can abolish it, after conquering.

"The nature of conflict in dialectics is shown as thesis (communism) meets antithesis (capitalism) which clash results in synthesis (socialism). Socialism then evolves into communism. All matter in the world is likewise engaged in comparable clashes. So violent revolution is needed to change capitalism to socialism. Some Communists have held that capitalism will evolve into socialism, then communism.

"The ultimate goal of 'dialectical materialism,' world conquest, without God or deity, is to permit the Communist Party to so alter man's environment as to change human nature. Then there will be scientific regeneration of human beings into perfect beings. They will love to work and give their effort and proceeds to others. No hand will be lifted in anger. No crime, no violence, no police, no tax—only mutual cooperation.

"To accomplish this the world must be freed of capitalism and the profit motive. Those who are not agreeable will be killed, by the millions, if necessary. Those remaining will be reeducated. Children will be trained by Communists. Public prostitution will replace family life.

---

[1] Supplementary to last week's newsletter.

[2] Recap of—

1. Senator THURMOND statements.

2. Senate Internal Security Subcommittee Report, "The New Drive Against the Anti-Communist Program."

3. Dr. Fred Schwartz' "You Can Trust the Communists To Do Exactly as They Say."

"Communists are recruited largely through appeal to student intellectuals, feeding on discontent. Four ideas are utilized: (a) Disenchantment with capitalism, which causes depressions and war, through imbalance of goods and money (this reasoning fails to recognize (1) the dynamic nature of money and credit, (2) advertising and psychology, (3) expanding market, (4) people's capitalism, individuals' enlarging ownership of property, (5) role of government (antitrust, etc.) and the facts which further show that capitalism has produced more prosperity than ever known, and is accompanied by freedom, not enslavement); (b) materialist philosophy, a substitute for those who have doubts about religion and Deity, and are materialistic in leaning; (c) intellectual pride, an appeal to youthful learners who are delighted at freedom from family and old ideas, it appeals to the curious and those seeking new experiences; (d) unfulfilled religious need: A replacement for religion in sacrifice of oneself in a cause.

"A Communist is molded by the Communist Party, as a prerequisite to membership, through work, discipline, and complete obedience under observation. An intellectual elite is the core of the party who are able to control masses by superior knowledge and organization. The membership price is giving oneself completely, foreswearing all else, including dying happily for the party, as did Bukharin, who said death is preferable than life outside the party.

"The organization is controlled from the top down. Local units or cells send a representative to the district council, whose representatives go to higher councils, ending finally in the presidium or politburo. Here decisions are reached by vote (although in practice those disagreeing with top leaders usually are later purged), votes always become unanimous. This is reported then to the Central Committee, and then to the lower echelons and all decisions are binding and without appeal. Any violation, as reported by secret police and informers, who are everywhere, is punishable by expulsion or death.

"Communists work through front organizations they established or through captive organizations they have infiltrated and captured. Communists work secretly or covertly usually. They work through fellow travelers who are not party members, who in turn work through sympathizers, who use pseudo-liberals, who rely on dupes, the latter being well-meaning patriotic citizens who give the money and the respectability. The techniques for seizing power stem from Lenin's belief in violent revolution to destroy the bourgeois and government, rather than use the existing government.

"Seizure of control can be accomplished by (1) internal revolt through control of labor unions, (2) military conquest, or (3) military blackmail forcing peaceful surrender.

"Successful techniques for seizing power can be seen in (1) Russia, after the Czar was overthrown, Lenin's party of 40,000 promising peace and land (promises contradictory to Lenin's basic Communist doctrine but anything is permissible to come to power), beat out other parties, gave land to the peasants, took back the harvests, killed the peasants, starved out the complaining Ukraine (7 million), liquidated all opposing groups, collectivized the farms and enslaved everyone. (2) China: communism won over the students, and promised land, freedom from debt, and exclusion of white people. Troops were trained and a brilliant combination of political infiltration followed by military conquest, plus guerrilla warfare, reduced the people still living to complete subjugation and enslavement. (3) Czechoslovakia (likened to technique being used on America): The Communists with massive military power ever present at a threat exacted a series of small concessions from the Czechs, each a small one, with war as an alternative. Meanwhile, Communist agents infiltrated the Government in key spots. In 3 years the takeover was complete.

"The consolidation of power is necessary after initial takeover. The people are disarmed. All potential leaders are killed. Communication media are monopolized, likewise education. The party has an economic monopoly, controlling all jobs. The secret police and informers spy on everyone. Revolts are stopped aborning and revolters killed. Promises and fear keep people in check. Freedom of movement and association are stopped. Mass trials and executions. Children are set against adults. Harvests are taken, and collective farms operated with a new slavery system as labor. This is a complete dictatorship. The Communist Party is supreme, controlled by the top man or men.

"Allies of communism are responsible for communism's success. The party is very small in number. The success is through getting others to do the work. What permits this? How is it possible?

"(a) Intellectual dishonesty: People believe what they want, and they refuse to believe that Communists are Communists and that they really intend to enslave the world. The evidences of Communist success are fivefold: (1) Numerical: Communists numbered 17 in 1903; 40,000 in 1917; 1 billion in 1959, 6 times the population of the United States, more than those who have ever heard of Christ. Five children are learning about communism now to one learning about Christ. How long then before the 2¾ billion in the world are under Communist control? (2) Military: Communists may have military superiority by 1965. (3) Educational: Communists graduating 3 times the scientists (10 times including China) 100 times the language specialists. They stress science, mathematics, and language and learn without freedom. (4) Economic: The gap economically is closing. A greater percent of their national production goes into economic warfare since they control production and don't need profit. They can undersell us in any world market by choice, to create chaos and infiltrate agents. (5) Communications: Their literary crusade of books is directed toward the uncommitted nations of Asia and Africa and South America to tip the balance their way (another 1 billion people). Their children's books are good literature. In propaganda they seek to convey communism's goodness and capitalism's evil. They are reaching 100 people to our 1. (The truth of people fleeing from communism is never told.)

"(b) Cultural exchange: Since there is no freedom of movement or communication in Russia our visitors to Russia come back unwitting Communist agents.

"Brainwashing: Communist technique is accurate and destructive of the mind. Through exhaustion, confusion, chronic pain, and fear the person's established mental patterns are shattered. New memories, a guilt complex, and love for their tortures are replaced in new patterns. Indoctrination outside of brainwashing occurs through repetition of the big lie and good advertising techniques. Result is the creation of a false image of the United States throughout the world. They know it is not what we do that counts but what people believe we do. The fact that people flee communism and go to America is never told.

"For the United States to survive confronted with communism our people must have knowledge. We must render our anti-Communist program effective and Russia's anti-anti-Communist program ineffective. Thus far, we are victims, not of their hypocrisy, but of our own ignorance. Our success will hinge on three things: Our motivation, knowledge, and organization.

"Motivation: For the United States to survive this attack our citizens must understand communism and its terrible danger to the United States. We must reaffirm our beliefs in willingness to expend time, money, and effort. We won't be hypnotized or lulled into slavery through apathy or failure to realize our great strengths—spiritual and moral—nor will we be so stupid as to be fooled into believing communism is no threat, so that infiltration and subversion can prepare us for the takeover. Our motivation is love of God and our fellow man—that means preserving our country and freedom.

"The knowledge we need is simply the realization that communism is not just another economic system; it is tyranny, slavery, not freedom. We must study and know the tactics of the enemy and then abort his plans.

"The organization required is at the grassroots, not a super group or nationwide organization, just the dedicated perseverance of our many diversified religious, civic, and educational groups. We need not adopt regimentation. Self-discipline is the only discipline needed. Everyone fights communism right where he is.

"Conclusion

"We categorically reject this claim. We are not the helpless victims of our environment, doomed to destruction. The fault lies not in our environment but in ourselves. The political, judicial, educational, and cultural organizations of a free society can function only when the individual citizens have enlightened minds and are dedicated to the foundations of freedom. The basic responsibility rests on each one. The success of this book can be measured by the number of readers whose attention has been redirected from the responsibility of others to their own responsibility; who are asking the question, 'What can I do?' Upon such a foundation, the political, legislative, and cultural programs necessary can be built.

"Material forces alone do not determine the destinies of men. The resources of an infinite God can change the balance of material assets. These resources are liberated through the prayer, the sacrifice, and the intelligent organization of people filled with the love of God. Fundamentally, the problem is a moral and spiritual one. The foundations of freedom must be girded with a moral and spiritual revival. As free men humbly seek God and present their bodies, minds, and hearts to their country and the cause of all mankind, we may well believe that tyranny shall not triumph and freedom shall not perish from the earth."

Address by Hon. John Tower, of Texas, Brookings, S. Dak., August 27, 1961

EXTENSION OF REMARKS

OF

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 1961

Mr. BERRY. Mr. Speaker, under unanimous consent, I include in the CONGRESSIONAL RECORD the address of the Honorable JOHN TOWER, a junior Senator from the State of Texas, given at the picnic during the Young Republican convention in Brookings, S. Dak., Sunday, August 27.

I am certain that the remarks, the thought and the philosophy of Senator TOWER will be of special interest not only to every conservative, but to every Member of Congress:

ADDRESS BY HON. JOHN TOWER, OF TEXAS

Fellow Republicans, discerning Democrats, fellow Americans, it's a great privilege and

pleasure for me to be in South Dakota, particularly in these exciting days when we are celebrating the centennial of the Dakota Territory. I've had the opportunity to participate in some of the festivities, and I must say that you Dakotans are better than Texans in extending warm hospitality, and I am deeply grateful to you, and I'm enjoying myself immensely here.

We Republicans sometimes have been likened unto a family that I knew of in east Texas. Down in east Texas we have quite a lot of sharecroppers—they live in little shacks on little patches of land, and the whole family sleeps together. One night outside one of the little shacks the old hound dog was just a howlin' and howlin'. Indoors the family was asleep on the pallet, and papa woke up and rolled over and said, "Mama, go out thar and see what is wrong with the old hound dog. I would go myself, but I'm just too tired to move." Mama rolls over and shakes the son. "Son, get up and go out thar and see what is wrong with the old hound dog. I would go myself, but I'm just too tired to move." He rolls over and shakes his sister. He says, "Sister, go out thar and see what's wrong with the old hound dog. I would go myself, but I'm too tired to move." Sister rolls over to little brother, and says, "Little brother, go out thar and see what's wrong with that hound dog. I would go myself, but I'm just too tired to move." Little brother rolls over and there wasn't anybody else there, so he had to go outdoors to see what was wrong with the dog. Pretty soon he came back in the house and his daddy said, "Son, just what was wrong with the old hound dog?" And he said, "Well, daddy, he was a settin' on a cocklebur and he was just too tired to move."

But, I don't think this is characteristic of the Republican Party any more and of Republicans at the grassroots level generally because we have come to realize that instead of sitting around and griping about what is going on in Washington, it is high time we did something about it.

There is a great resurgence of conservative feeling in the United States today, and if we Republicans don't win some elections next year, it's our own fault. Now, next year's elections are elections that not only Republicans but discerning Democrats have a stake in. I know that there are a number of Democrats who appreciate America's fundamental institutions, who recognize our basic strengths as free people, who espouse the principles of Thomas Jefferson, who believe that that government is best that governs least; and I know that there are a lot of dissatisfied Democrats today. Maybe all the dissatisfied Democrats have already seen the light and joined the Republican Party in South Dakota; they're still in the process of enlightenment in Texas. It may take a little time, but eventually we have high hopes. Actually, they are not leaving the Democrat Party, the Democrat Party has left them; and the Democrat Party as presently led nationally does not espouse the traditional principles of that once great party—the party of Jefferson, the man who believed that the people should have the responsibility of governing themselves—because the present administration and the present leadership of the national Democrat Party has the idea that the people should not have the responsibility for governing themselves, that the people are too stupid to make their own decisions.

The men who now surround the President—his covey of advisers for whom he has denuded the faculty of Harvard University—are men who have made some statements that if implemented into the law and into public policy, will mean the end, I believe, ultimately, of self-government as you and I know it. They hold, for example, that the people have too much money and that they spend it foolishly. They spend it on automobiles, TV sets, boats, and personal pleasure—"personal indulgence," as Mr. Kennedy calls it. I don't know where he dreamed up that phrase—I guess it was while he was on his yacht off Hyannis Port. So, since we're so stupid and can't exercise freedom of choice wisely, they're going to take our money away from us and spend it in a manner that the Harvard professors know is best for us. As a matter of fact, one of them—Mr. Schlesinger—says, with ecstasy in his eyes, "There are new potential sources of taxation we haven't even explored yet." Heaven help us. I thought they had just about gotten to us every way they can, but apparently they're trying to figure out some new ways.

You ought to sit up there in the Senate of the United States day after day and watch how we're spending your money—just like it's going out of style, and at the rate they're spending it, there won't be any to be in style after a while.

Now, I personally believe that the American people do have the confidence to make their own decisions. The essence of self-government, the essence of liberty is freedom of choice. We are allowed to make our own decisions, and freedom of choice should be limited by laws and regulations and rules only to the extent necessary to preserve order in the society, to protect us in the enjoyment of our rights as individuals, and to provide for the national defense. And these are the only limitations that it should have.

Our people, I think, over a period of years have been reduced to a state of dependency on the National Government to the extent that many of them think that it is the function of the Government to afford everybody a minimum standard of living. Now, my friends, you can't have cradle-to-the-grave security and freedom of choice—you've got to choose between them, because whenever you abdicate your responsibility for the preservation of your own welfare to the National Government, it may take a load off your back, but it also takes away from you freedom of choice and individual liberty, and remember that.

Think about what is happening to the Republic. The more the Government takes away from you and spends, the less freedom of choice you have. You know there is no democracy like the democracy at the marketplace. Here is some Federal currency. This bill represents a great number of things to a great number of people. It may represent groceries or automobiles or a new television set or some personal security. The one thing else that it represents is freedom of choice. There is no democracy like the democracy at the marketplace because this dollar bill is in effect a ballot. You take it into the marketplace, you place it on the counter, and in so doing, you are voting for goods and services that American industry produces for you. Now, the more of this that the Government takes away from you, the less freedom of choice you have, the less democracy there is.

The Communists advocate a system in which the state will wither away eventually. They say, "We won't use currency any more, we won't use money. This is certainly an instrumentality of capitalism." And the Communists feel that someday they'll be able to get rid of it. But, of course, when that day comes, if it comes, all the people who live in such a society will only be cogs in a machine. The only incentive they will have to produce is some vague thing called the good of society.

We are individuals, and because we have for centuries adhered to the Christian ethical system, we believe that as individuals we have a great deal of value and worth, and we believe that as individuals we should make as much individual progress as we can; but we cannot hope to achieve anything, we cannot hope to make progress unless we have a climate of liberty. I may be a common man, and I dislike that term "common man," but I want to preserve the type of system that will allow me, however common I am, to aspire to be better.

The fact that a man has been allowed to own property and to develop it, to better himself economically, to better his community and business steadiness—it has been the genius and the dynamism behind the very great growth of our America, it has not come as a result of a bunch of New Frontiersmen taking our money away from us and spending it for us.

Now, for the most part, I oppose virtually all of the domestic programs of the New Frontier. The liberals always say to me, "Well, TOWER, you oppose everything; what are you for?" I will tell you what I am for. I am for the preservation of the American Constitution and political system. I am for the preservation of the capitalist economy. I am for the preservation of the recognition that every individual has his worth. I am for freedom of choice and freedom of association. I am for personal progress. And, because I am for these things, I must necessarily oppose that which I know to be destructive of these things. This is no more a negative approach than that of the man who stops a runaway horse that threatens to trample down your children in the streets.

I think we can take pride in opposing those things which go against the American tradition. I am a conservative, I wear the badge of conservatism proudly, I will make no apologies for it. I am a conservative, not because I am a stick-in-the-mud, not because I am antiquated in my ideas, not because I resist progress; quite to the contrary. I am a conservative because I recognize the great progress that our people have made historically, I should like for us to continue to make progress, I believe that conservatism is synonymous with progress because it seeks to preserve those things that history and experience have proven will make us progress as a people.

Now, the liberals very sneeringly call us cavemen and Neanderthals, and they say that BARRY GOLDWATER is so good looking that he ought to be in the movies; namely, 18th Century Fox. This, of course, is dirty pool. It is misrepresentation of the worst type, because it paints an image of conservatism that is completely false.

You think BARRY GOLDWATER is not a progressive? This guy flies jet airplanes—he's a product of the jet age. Have you ever been inside his automobile? It takes a graduate engineer to operate the thing—it's got more gadgets in it than you can shake a stick at. Here is a man who is vitally interested in new things, and he knows that a free and dynamic people will continue to afford worthwhile change and a better life for us all.

I've been accused of being dragged, kicking and screaming, into the 20th century. As somebody said, TOWER is slightly to the right of McKinley and slightly to the left of Alfred the Great. But it is the New Frontiersmen who are medieval in their outlook. Back in the Middle Ages in our Anglo-Saxon society, it was the king and his court who made all the decisions for the society. I seem to see a striking resemblance between the king and his court and the bunch that is running Washington now.

I don't believe that the American people think that a handful of people in Washington are more capable of making their decisions and ordering their lives and their destinies than they are themselves. I don't believe that the American people believe that the wealth and resources of the country should be marshaled by the Government and redistributed in the form of welfare benefits. I don't believe that the farmers of this country feel that the production of food and fiber should be nationalized. But all of these things have been advocated by the men who surround the President now.

These are perilous times for America. We face the grave threat of Communist imperialism from without. My friends, we also face a threat from within—a very insidious threat—because its false front is a political program that appeals to all that is weak and selfish within us.

I remember Harry Truman campaigning on the platform, "You never had it so good." I know the New Frontier promises to do everything for us. They say, "Here is a crying need and the Federal Government must go in and fulfill that need." I will concede that there are needs in many areas, but the fulfillment of these needs is our responsibility, and historically, as a people, we have, as a free people, disciplined ourselves to do for ourselves the things that need to be done.

I went to church here in Brookings this morning—the Methodist Church. I noticed they have under discussion the possibility of building a new church. There is church building going on all over the United States. I've never seen anything like it—old churches being refurbished. Does the Federal Government tell us we must build churches? Does the Federal Government levy on us and take the money and build churches? No. This to me is proof that the American people, recognizing their spiritual obligations, will do by themselves without any Government intervention the thing that needs to be done. And I think the same thing would apply to education, to roads, to old-age assistance, to almost anything if the Government would just let us alone.

My friends, freedom is a hard-bought thing. You young people have enjoyed the benefits of a free society. I think the reason you are turning conservative is because you realize you may not enjoy them for long. Our American democracy has evolved over a period of centuries—it is not something we have come by overnight, and we must fight now to preserve it because although we have not come by it overnight, we can certainly lose it overnight if we are not careful.

The enemy could lay waste our cities, our factories, and our farms, and in a generation we could rebuild them. But if our free institutions are destroyed, generations yet unborn will live in an absolute state. I want to preserve the blessings of liberty for my three little girls. I know that we all value our liberty. Let's recognize the threat to it, and let's go forth now to resolve that we shall turn them back at the polls in 1962.

Message From the President of the National Rivers and Harbors Congress

EXTENSION OF REMARKS

OF

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 1961

Mr. SIKES. Mr. Speaker, I attach herewith for reprinting in the CONGRESSIONAL RECORD a message from the President of the United States to the National Rivers and Harbors Congress at its 48th annual convention here. The president's great interest in waterway and harbor improvement and his recognition of their importance to the Nation's economy are well known:

THE WHITE HOUSE,
Washington, May 25, 1961.

Mr. HENRY H. BUCKMAN,
President, National Rivers and Harbors Congress, Washington, D.C.:

I appreciate very much this opportunity to offer a message to the 48th Annual Convention of the National Rivers and Harbors Congress.

This administration shares your view that accelerated investment in water resources is essential. In assuring water supplies, in providing energy and low-cost transportation, in production of needed food and fiber, in making saline water sweet, in controlling floods, in maintaining recreation and fish and wildlife values—in wisely managing our water resources, we are meeting the needs of the Nation today and creating the conditions for economic growth to meet the needs of tomorrow. The end of the "no new starts" policy has invigorated the dedication of Federal water development agencies to meeting the Nation's needs in water and water management, use, and control.

The very useful report of the Senate Select Committee on Water Resources provided a basis for reevaluation of national policies in the light of threatened future shortages.

The recent National Conference on Water Pollution, inspired by congressional efforts to strengthen the Federal role in the struggle against pollution, made it clear that the people want and are determined to have clean water.

The maintenance of our national strength and our obligation to future generations, will require staying power as well as strength. We must husband and wisely use our resources, following an investment policy that is neither skinflint nor extravagant, but properly balances our interests in water resource development with our interests in other aspects of national development. And it is to this long-term national interest that I ask you to dedicate your deliberations.

I know you will grasp the opportunity with vigor, and that a sense of responsibility to all the people and the future will guide your judgments.

With the enlightened support of public and private agencies and individuals, we can build imaginatively and soundly to provide the maximum benefits from our national water resources.

JOHN F. KENNEDY.

Control of the Military and General Walker

EXTENSION OF REMARKS

OF

HON. DALE ALFORD

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 1961

Mr. ALFORD. Mr. Speaker, last Sunday, I spoke to the residents of my district over radio station KLRA in Little Rock on the subject of control of our military men. Because this topic is of such great importance at the moment, under leave to extend my remarks, I include a copy of this address in the RECORD:

RADIO BROADCAST BY CONGRESSMAN DALE ALFORD, OF ARKANSAS, RADIO STATION KLRA, LITTLE ROCK, ARK., SEPTEMBER 3, 1961

One of the topics receiving the most attention in debate in the halls of Congress recently has been that of civilian control of the military services of our country. It is strange, indeed, that this subject should be up for debate when world tensions are now focused near the boiling point. The military of our country have always been and are at this present moment distinctly different from the military of other nations in that our military is unmistakably subservient to civilian control. The officers and men of our Armed Forces take an oath to defend our beloved land against all enemies, foreign and domestic. Please note that the wording of this oath is to defend our country against domestic enemies as well as foreign enemies. Our military leaders have led us, our brothers, and our sons into bloody battles against the Communist enemy. It is the duty of every military leader to know the nature of the enemy so that he and his men can be better equipped to defend our Nation against the enemy. America's enemy today is international communism.

Despite the fact that the United States is in a so-called cold war, economic, political, and psychological, against communism, there is increasing evidence that many persons of high political position are not properly informed as to the nature of our enemy, international communism—or, what is infinitely worse, they are completely duped by the psychological warfare methods of our socialist enemy. The Honorable J. Edgar Hoover, Director of the Federal Bureau of Investigation, stated that "we cannot hope to successfully meet the Communist menace unless there is a wide knowledge and understanding of its aims and designs." In a recent address in the U.S. Senate, Senator STROM THURMOND said: "The events of recent years provide unimpeachable proof that we do not understand the nature or methods of Communists and communism. Had we understood and appreciated the menace of communism, we would not today be suffering from the losses of our blind negotiations at Yalta and Potsdam. Had we understood and recognized communism when we saw it, we would never have made the mistake of officially characterizing the Red Communist Chinese as agrarian reformers. Senator THURMOND continued: "Had we the ability to detect a Communist and a Communist movement, Castro would never have had our support in establishing a Communist dictatorship over the Cuban people 90 miles from our shores." Recently, however, the American people have shown real evidence of their awakening to the web that is being woven around us to destroy our Constitution, our economy of free enterprise, and our very way of life, Western Christian civilization.

There is definitely a campaign now on foot to destroy the strong anti-Communist crusade that is, at long last, sweeping our land. In other words, we are now witnessing from the leftwing element, political as well as press, an anti-anti-Communist campaign. This anti-anti-Communist campaign is particularly directed at the military. The Communists have for years made no secret of their campaign to discredit our military leaders. Recently, I placed in the CONGRESSIONAL RECORD a copy of a resolution by the Communist International of 1921 meeting in New York City calling upon members of the Communist Party to launch a campaign against the military leaders. As Senator THURMOND has pointed out in recent addresses, this "gag the military line" is cogently illustrated by the space devoted to the subject in the August 13, 1961, edition of the Communist Party, U.S.A., organ, the Worker. Among the articles devoted to the anti-anti-Communist propaganda effort is one headlined on page 1, entitled "Rightist Plotters Open Attack in Senate." This article consists of a perverted account of the discussion which has taken place in the Senate concerning the use of military officers and facilities for alerting military personnel and the public to the menace of the cold war under the 1958 National Security Council directive.

The most glaring example of purging the military for their efforts to inform their troops and all Americans of the true nature of our enemy was the reckless recall of Maj. Gen. Edwin A. Walker from his post as commander of the 24th Infantry Division in Germany. I am proud to say that there

is a group now forming on Capitol Hill in Washington known as the Congressional Committee for Justice for General Walker. I have the honor of being temporary chairman of this group for both parties of the House of Representatives who are working to secure justice for an American soldier whose only crime was patriotism.

Recently, the Patrick Henry League, Box 383, Main Post Office, Yonkers, N.Y. published release No. 18 with the topic, "General Walker." Because their review of this situation is so concise and to conserve time, I shall quote extensively from this publication by the Patrick Henry League:

"Maj. Gen. Edwin A. Walker was born in 1909 at Center Point, Tex. He was appointed to the U.S. Military Academy on July 1, 1927, and gave his life from then on to the service of his country.

"He served in the following campaigns: Aleutian Islands, Naples-Foggia, Anzio, Rome, Arno, south France, Rhineland, central Europe, U.N. summer-fall offensive in Korea, second Korean winter, Korea summer-fall 1952, and third Korean winter.

"He won military honors fighting up the Italian boot and into southern France and Germany during World War II. Later he was decorated during the Korean war. As commander of the 2d Division Artillery at Heartbreak Ridge, he led his men in firing a record of 22,000 rounds every 24 hours for 14 days.

"General Walker's awards include the Silver Star, the Bronze Star with Oak Leaf Cluster, the Combat Infantryman's Badge, the Senior Paratrooper Badge, the French Croix de Guerre, the Norwegian Order of St. Olav, and the Order of the British Empire.

"A bachelor, Walker has had the single-minded devotion to the combat effectiveness and welfare of his troops. After the dismaying spectacle of some American prisoners of war in Korea succumbing to communism, he set his mind and energies to the task of trying to do something about the moral and spiritual stamina of our fightingmen.

"What was General Walker's crime? A staff officer was commenting on a map which showed Communist countries in red, and America and her allies in blue. The officer referred to the free world as anti-Red. 'That's defensive thinking,' Walker responded. 'We're problue.' Thus was the name given to General Walker's problue program for his 24th Infantry Division in Augsburg, Germany. Initiated in October 1960 the program was, in the general's own words, 'designed to develop an understanding of the American military and civil heritage, and the facts and objectives of those enemies who would destroy it.'

"The problue program brought to our soldiers in Germany the best education in American citizenship and anticommunism that could be found in print. Also, religion was stressed. The general's outline for the problue program stated: 'One of the basic areas of problue is the individual's relation to God. When the individual has the right relation with God he belongs to the family of God and, as such, conducts himself as a child of God.' The program undertook to raise soldier morale, and to stress discipline, law, and order.

"General Walker is well known for his desire to surround GI's under his command with a climate of morality and clean living. He and his problue program ran head on into conflict, therefore, with a filthy tabloid sold on European military bases, Overseas Weekly.

"The first and last pages of Overseas Weekly usually carry nude-type pictures. Many of the headlines are so lurid as to be unrepeatable. Lt. Gen. Charles Bolte, commanding general of the Army in Europe in 1953, banned Overseas Weekly as unfit for American servicemen. It was later reinstated when the chief owner and publisher, a Mrs. Marion von Rospach, agreed to 'clean it up'; a promise she never kept.

Overseas Weekly is represented by Pan American Publishers Representatives (PABCO). PABCO also represents Swank, an obscene publication which features work of notorious Communist fronters. Parent publishing firm for Overseas Weekly is the International Media Co. (IMC). "An IMC director, Gene Bernald, is a participating operator of a CIA-linked radio station in the Caribbean, radio SWAN, which aided in the failure of the recent Cuban invasion by mysterious failure to broadcast a prearranged signal to Cuban freedom fighters."

Remember, I am quoting from the Patrick Henry League. Since there has been so much erroneous information in the local morning paper relative to my statements on radio SWAN, let me repeat this statement from this publication from Yonkers, N.Y.:

"An IMC director, Gene Bernald, is a participating operator of a CIA-linked radio station in the Caribbean, radio SWAN, which aided in the failure of the recent Cuban invasion by mysterious failure to broadcast a prearranged signal to Cuban freedom fighters."

Now, I continue to quote from the Patrick Henry League:

"News editor of Overseas Weekly is John Dornberg who has undertaken a one-man anti-West Germany campaign with his disgusting book, "Schizophrenic Germany." An owner of Overseas Weekly, along with Marion von Rospach, is Harold Melahn. Melahn was a delegate to the Communist World Youth Festival in Prague in 1947. When Owner Rospach went to the Pentagon to appeal the 1953 suspension of Overseas Weekly by General Bolte, she was accompanied by Samuel W. Yorty. Yorty has been identified under oath as a Communist by former Party Member Arthur J. Kent. In her writings, Marion von Rospach has betrayed herself as fond of Communist-front joiners and anti-Catholics.

"General Walker did not like what Overseas Weekly was trying to do to his troops and he said so. Further, he barred Overseas Weekly Reporter Siegfried Naujocks from all of the 24th Division's installations. Naujocks had been caught seeking a pipeline into the command headquarters. A native of Danzig, Poland, Naujocks is recorded as a former Nazi mercenary living in Germany and doing the bidding of Overseas Weekly.

"As apparent retaliation against General Walker, the Overseas Weekly ran an attack by John Dornberg on April 16, 1961. The 'exposure' of the general and his problue program was repeated later on by (of course) the New York Times. And the scene was set for another witch hunt by the lunatic left.

"New stories accused General Walker of indoctrinating his troops with John Birch Society materials. This, because he made available 'The Life of John Birch,' (a Baptist missionary and soldier in China) an inspiring biography which makes no mention at all of the John Birch Society. The book was only one of many generally accepted works made available to men under Walker.

"When this charge against the general seemed to be falling through, new protests were made. Walker was 'reported to have said' that Mrs. Roosevelt is 'pink' and was 'quoted as being of the opinion' that America's TV and newspapers are greatly infiltrated * * * these vague accusations against General Walker were even further obscured by the Overseas Weekly style of innuendo.

"Finally, on June 12, 1961, Secretary of the Army, Elvis J. Stahr, Jr., a recent Kennedy appointment, announced that Maj. Gen. Edwin A. Walker was being officially admonished for having 'made derogatory remarks' and for 'participating in controversial activities.' The Pentagon announcement made no mention of Overseas Weekly, but an Army spokesman did say that the John Birch books were being barred from Army newsstands in Europe.

"Following the admonishment, the general was removed from orders assigning him to head the VIII U.S. Army Corps in Texas.

"On May 31, 1961, all members of the staff of the Special Warfare Office in the 24th Infantry Division in Germany were transferred to other duties and the problue program, left without any staff, was destroyed.

"On June 18, 1961, the New York Times quoted an unnamed Pentagon civilian official as stating that he hoped 'the extremists' in the Army would 'get the message' from what had just happened to General Walker and 'use good judgment in what they say and do.'" End of quotes from a publication of the Patrick Henry League, Box 383, Main Post Office, Yonkers, N.Y.

Yes, my fellow Americans, your patriotic officers and men of our Armed Forces, our military, have gotten the message. They are afraid to stand up and speak out against the mortal enemy of our very American way of life, afraid to make any more talks to their fellow Americans alerting them to the nature of international communism. What on earth goes on here in the land of the free and the home of the brave? The matter of control of the military cannot be taken lightly. Do you realize the men and women throughout the land that are serving not only in our Regular Army, Navy, Marine, and Air Force, but all Americans serving in any Reserve unit or National Guard are brought under the broad scope of gagging the military? What better way for our domestic enemies to gain victories within our border than putting a clamp on the freedom of speech on those who are authorities as to the nature of communism?

However, the Communist Party's Daily Worker, in its August 13 issue, was not limiting its poisonous pen to the military. On page 5 there is a slanderous article directed at the anti-Communist efforts of our own Harding College, an outstanding Church of Christ school, located at Searcy, Ark. This article entitled, "Poisonous Web Spun From Arkansas Town" is filled with abuses and untruths. A review of such articles is adequate demonstration that no issue of civilian control of the military is really and truly involved. Military leaders have shown no evidence of violating their oath to uphold the Constitution of the United States against all enemies, foreign and domestic. But, alas, a few notable examples of individuals high in official and political circles have recommended a revision of that greatest of all legal instruments, the Constitution of the United States. I join with the distinguished Senator from South Carolina, the Honorable STROM THURMOND, in carrying the message throughout the land that we must not allow the real purpose of the anti-anti-Communist campaign to be camouflaged behind a smokescreen of the question of civilian control over the military. Instead, we should be thankful for military men of courage who are godly men, men of integrity and the determination to fight the psychological war for the minds and hearts of men as well as fighting the war for materialism. The Communists fear an upsurge of patriotism in America more than anything else today. What the Commies really fear is a widespread understanding by the American people, both civilian and military, of the nature of communism and the tactics used by them to infiltrate every facet of our lives, our religions, our schools, our clubs, and our homes. When all Americans reassert once again the principles laid down by our Founding Fathers, the system of less government and more freedom of speech and more freedom of enterprise, a tremendous wave of patriotism to our American Republic will mean the complete destruction and stamping out in our land of the precancerous socialism

which results in a totalitarian atheistic state.

My fellow Americans, let our prayers be this day: "God give America a new breath of patriotism."

Role of Labor in 1960's

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Tuesday, September 5, 1961

Mr. WILEY. Mr. President, yesterday our Nation observed Labor Day. The observance not only offered an opportunity to pay tribute to the indispensable role of labor to our security and progress, but also to reassess the role of labor in the ever-greater challenges of the future.

Privileged to review these and other aspects of the labor picture in a broadcast over Wisconsin radio stations, I ask unanimous consent to have excerpts of my remarks printed in the RECORD.

There being no objection, the excerpts were order to be printed in the RECORD, as follows:

WILEY SEES LABOR AS VOICE OF FREEDOM

Labor Day, September 4, offers an opportunity to:

Pay tribute to the 73.6 million men and women in our labor force—including more than 1.6 million in Wisconsin; and

Create a greater understanding, and respect for, the unique, indispensable contribution of our workers to the Nation's progress.

Today, the Nation is experiencing a high rate of employment—estimated at more than 68 million. Regrettably, however, there are still far too many unemployed—more than 5 million, or about 7 percent of the labor force. This includes approximately 70,000 in Wisconsin.

In Labor Day observations, then, we—in addition to paying recognition to the role of labor in our economy—must also face the challenges of—

Finding new jobs for the unemployed;

Creating more effective machinery to minimize the up-and-down economic cycles—particularly the down—that too often result in our rate of unemployment;

Promote peace in the labor field; and

Generally find ways to further improve the economic status of the workers—although now at the highest level in the history of the world.

Within our free system, workers in the vineyard of our national life—and that includes all of us, one way or another—enjoy all too often taken for granted opportunities and privileges, as well as responsibility. These include—

The right of selecting one's own vocation—not having it dictated by the State;

The right to bargain for a just share of the fruits of labor;

The opportunity to advance—according to one's ability and the worth of his contribution to progress;

The choice even of changing jobs—in the midstream of life—if this best serves our personal needs;

The opportunity—occurring to an ever-larger degree—of having a voice in both management and national economic policies.

ROLE OF UNIONS

Historically the voice of working men and women has not always been proportionate to their contributions to progress. Advancement by the trade union movement, however, has changed this picture.

Throughout the United States union membership has increased from 3 million in 1953 to more than 17 million. As a result, today the worker through his union represents a great and growing force in American life.

Traditionally, workers and their unions have, for example, concentrated their efforts toward attaining a fair share of the rewards of production efforts, including better wages, greater job security, improved working conditions, retirement, and other benefits.

With a powerful collective voice, the worker is now also "speaking up" and helping to design policies for economic progress, as well as national security. With such power, of course, goes, hand-in-hand, a greater responsibility, not only for serving the labor force, but the welfare of the country.

Naturally, labor has its special interests—as does management, the consumer, and others. The challenge, however, is to attain—and exercise—the maturity and perspective which will allow each interest to pursue its special purposes. At the same time, we must not lose sight of the impact which such actions—particularly if powerful and far reaching—can have upon the overall interests of the Nation and its people.

Fortunately, the labor movement in America, with some exceptions, has benefited from sound, responsible leadership. Particularly in Wisconsin, we have reaped the rewards of good, levelheaded, hard-working forward-looking leaders.

In the world of tomorrow, our Nation will demand, and require, an even greater sense of public responsibility from the leaders and rank-and-file members of labor, management, and all walks of life. The purpose: To assure our Nation the capability to meet the challenges of its security and fulfill the needs of its people.

Without this creative, farsighted, dedicated sense of civic and national responsibility, we may not survive. With it, we, as a nation, shall—I am confident—win victory over communism and create an ever-better life for our people—and, yes, mankind around the globe.

RESPONSIBILITY GOES HAND IN HAND WITH POWER

Within our free system, we must then carefully and vigilantly protect, preserve, and perpetuate the rights of workers to speak—to organize—to bargain.

In such bargaining—a process fundamental to labor-management cooperation and economic progress in our system—however, there is also a larger responsibility for—

Consideration of the effect of wage-price boosts on consumer buying and living costs;

Evaluation of the effect of higher production costs on ability of U.S. products to compete on the domestic and world markets;

Keeping abreast of the impact of technology and automation on production and employment, and devising ways to cope with such problems;

Assuring that labor benefits result from proportionately greater productivity;

And other broad scope considerations—which, if neglected, may, in the long run, adversely affect our future.

In our closely integrated economy, no great segment—labor, industry, professional groups, or others—can adopt a wholly self-serving attitude—ignoring the public interest.

We recall, of course, regrettable circumstances in which it has been necessary to take disciplinary action for a minority. However, this should not, and must not reflect unfairly on the vast majority of able, competent leaders and members of any labor force. Rather, the aim must be to provide a climate in which abuses can be curbed, but, at the same time, the rights and legitimate aims of workers and unions can be fully protected.

Today, we are engaged in a great global battle. The struggle will determine whether freedom or communism rules the world.

Around the globe there is a strong, common bond among workers of all nations. As powerful forces, unions have ever-greater opportunity and responsibility to serve as voices of peace, progress, and freedom. As dynamic transmitters of the ideas and ideals of freedom, U.S. labor can demonstrate—

How free trade unionism best serves a working people;

How free collective bargaining can create a workers-share-in-the-rewards kind of economy—not a trickle-down benefit system from either a cartel-like business system or a state-controlled dictatorship;

How under freedom the worker enjoys respect for his rights and integrity, including the maximum degree of freedom allowable within an organized society; and finally,

How participation in government, of, by, and from the people, has created the best standards of living in the history of the world and promises ever-better living for the future.

If freedom is to survive, we must more effectively mobilize our people and resources. The working men and women of America, I believe, can be a real strategic force in the fight against the Red global conspiracy.

CHALLENGES OF THE FUTURE

Now, what about the future?

Generally, it would appear that the American worker can look forward to real—not just promissory—improvements in his economic life. Among other things, this may well include—

A further refinement, and, as warranted, improvement of wage scales to reflect value and expansion of productivity;

Liberalization of retirement benefits;

Greater job security; and

Ever-better working conditions.

In times of peace, also, our workers could probably look forward to a shorter workweek. In these critical days, however, the Nation may well require greater—not lesser—effort to meet the threats to our security.

Of great significance, also, is the need to encourage maximum exercise of the ingenuity, creativity, and enterprising spirit—by free Americans working in a free climate. Upon this foundation, we, as a people—and our forefathers—have created the greatest nation in the history of the world. Upon this resource, too, we will depend for the new ideas to meet the complex, difficult challenges ahead.

On the responsibility side, the public, I believe, has the right to expect of our workers—particularly in times of crisis—extra dedication, devotion, and willingness to work and sweat to create the tools of progress and security. In the past, this record has been outstanding. I am confident this will be true for the future.

Senator Keating Highlights Berlin Crisis in Dedicating Endicott Municipal Building

EXTENSION OF REMARKS
OF
HON. HOWARD W. ROBISON
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 5, 1961

Mr. ROBISON. Mr. Speaker, it was my pleasure recently to participate with the junior Senator from New York,

Senator KENNETH B. KEATING, in ceremonies marking the dedication of the magnificent new civic administration center conceived and built by the dynamic and forward-looking community of Endicott, N.Y., which I am proud to state lies in my home district. Senator KEATING was the principal speaker at the Endicott dedication ceremony.

His address was at once so pertinent to the occasion and so significant in the broader area of the present world crisis that I feel its message should be made more widely known. Therefore, under leave previously granted, I include the address in the RECORD:

ADDRESS OF SENATOR KENNETH B. KEATING, OF NEW YORK, AT DEDICATION OF CIVIC ADMINISTRATION CENTER, ENDICOTT, N.Y., AUGUST 27, 1961

Mr. Chairman, Mayor Lee, reverend clergy, Dr. Kerr, Congressman Robison, distinguished civic and State officials, members past and present of the board of trustees, my friends of the Endicott area, it is a genuine pleasure and a privilege to be with you on this occasion so memorable, so meaningful in the long history of this fine and progressive community.

Khrushchev talks about the wave of the future. Here in America we're not talking about it. We're living it, experiencing it. And what better example than this memorable occasion that brings us together today. For the future is happening before our eyes. Progress is not on the drawing board. It is in production. You good people here in the Endicott community didn't stop with dreams. You gave architects the blueprints of those dreams—and today, in this magnificent fulfillment we see those dreams translated into brick and steel.

Now I don't need to take off my shoe and pound it to get that point across—because the evidence is right here—all around us.

Speaking of shoes at a spot like this, of course, is a little like talking about home runs to Mickey Mantle or Roger Maris. I mean I'm talking to the pros of the business—for the brand names that have made this area famous are known the length and breadth of our land.

Then, of course, this is IBM country, too. You know, the way IBM has been perfecting its machines might result in some interesting developments. We may see the day when one of these machines will get elected to public office, to the Senate, perhaps. Well, I'll admit I'd hate to have to debate with one. They have all the facts and figures. The only danger is that they might tend to get heated up in those rough and tumble Senate debates, and maybe blow fuses all over the place. Seriously, though, I think our elected officials are safe—until IBM teaches its machines to kiss babies and eat hotdogs at a political picnic.

At this point I want to say how deeply I am impressed by the fact that the site for this magnificent center was donated by the Endicott-Johnson Shoe Corp. This is a unique and most praiseworthy gesture of civic mindedness. It is, of course, less a source of surprise to those who know the long, long history of Endicott-Johnson's identification with the growth and with the progress of this entire community. This great and honored firm has once again shown that it is not merely located here. It was born here. It lives here. And Endicott couldn't ask for a nicer neighbor.

You know, there are constant comparisons of the Soviet system and our own—and we talk always in terms of either relative military power or gross economic product, with breakdowns in such heavy industry categories as steel, oil, and electric power.

There's one thing this kind of comparison overlooks. And the point is vital in any true comparison. What I refer to is the fact that our economy is achieving two objectives—while the Soviet is dedicated to one. Their concentration is on raw power—on the building of military and industrial muscle.

We on the other hand are committed to two simultaneous objectives—to creating and strengthening the military potential we must have—and at the same time—in a modern miracle too often overlooked—to providing our people with consumer goods unparalleled in quality and in quantity, with no Government-imposed ban on their possession and enjoyment.

This modern industrial miracle of having both guns and butter—of equating our military needs with the advanced consumer needs and desires of our entire population—constitutes living proof of the superiority of the free enterprise system.

I would say to you that what stands before us here today is more than a complex of superbly planned and constructed municipal buildings. What stands before us is a reflection of the very spirit of our people here in America—a reflection of the drive and the daring, the energy and the imagination of a free nation. The America we know today wasn't created under the orders of a tyrant. It was created by free men, taking orders from their own consciences, from their own sense of what is good and what is true, and mindful that God gave every man nobility by the mere act of creation—and made human dignity a common possession, not a prerogative of power.

Now Khrushchev has said that he's going to bury us. That's one of his singing commercials—one of many—for believe me, in Khrushchev we are dealing with one of the great salesmen of history. Keep that in mind when he makes his pitches. He's trying to sell a product. He's trying to sell it on a worldwide scale—and there are no holds barred—no better business bureau to say that he's an out-an-out con man, and take away his peddler's license.

When I use the term "con man," I'm calling the shot on this traveling salesman.

Any man who strokes the dove of peace with one hand and holds a bomb behind his back—any man who assails imperialism; when he, himself, is the master imperialist of all time, any man who cries that a nation like Cuba must be free—so that he can be free to swallow it—such a man is running the biggest confidence game the world has ever been swindled by.

With this in mind, let's take a good, hard look at Berlin. When a salesman has his merchandise rejected, when it becomes public knowledge that his product isn't moving, that salesman is frustrated and he will do his best to save face.

That's exactly what the story is in Berlin. This mass flight from communism—this human hemorrhage that has been bleeding East Germany white—is about as dramatic and eloquent a denial of communism as we can find anywhere in the world. It isn't German real estate that's involved here. It's Russian prestige. It's not the fate and future of West Berlin. It's the fate and future of communism. Khrushchev knows that. He knows that East Germany is a showcase, not of Red victory but of Red defeat—and the sooner he pulls down the lid in that showcase the better for the world sale of his product.

The United States and our Western allies have made clear—crystal clear—to Khrushchev that West Berlin is the chalkline we do not erase. This is the end of the line. Freedom cannot keep on fighting a rear-guard action. It must make a stand—for every backward step is a step towards defeat.

There has been much talk of negotiation in this Berlin crisis. In all solemnity I would say this—freedom is not negotiable. It is not negotiable here. It is not negotiable anywhere in the world.

We may sit down with the Communists and talk about ground rules on Berlin, we may discuss details of occupation and of garrison strength and deployment—but the basic principles here involved are not up for bargaining. Freedom has no mark-down price-tag—because freedom is not a matter of price but of value—and when you try to sell it short you've sold it, period.

For Berlin is more than a place on the map. It is the symbol of man's right to be free—and of his will to be free. It is not only a German city.

It is the hometown of humanity's best hopes and highest aspirations—a voice that must not be stilled, a sovereignty that must not be diminished. All the world watches—for the world's fate may well be at stake in this tiny but historically critical geographical area.

Freedom has had its heroes and martyrs. One of them was killed only several days ago. You read about him—an East German attempting to swim the canal that divides free Berlin from slave Berlin. None of us knew this man—yet, he is not a stranger to us. He is indeed a brother—for he chose the side of freedom—our side—and died trying to reach it. His supreme sacrifice should not go unmourned and unremembered.

It is to be assumed that his body was recovered by West German frogmen. I would therefore suggest that the free world he died to reach grant him the tribute of a full state funeral—and more, that throughout the free world memorial services be held in his memory and in his honor. Let this martyr be no victim of communism. Let his courageous death proclaim to the world the brutality of a system that must imprison its citizens in order to hold them.

In this regard, I think there is one readily available means of getting to the world the true picture of what West Berlin represents.

If we are to judge from the recent statements of neutralist leader Premier Nehru, of India, there is indeed some fuzzy thinking on the subject of our rights in Berlin as related to the Soviets. For this reason, I would suggest that the cause of truth might well be served on a global level, if the United Nations would authorize the sending to Berlin of a group of observers—specifically from the uncommitted nations—to study the entire question on the spot and to report their findings on this whole matter of legality and right. I believe this would not only open the eyes of certain nations and leaders, but would give the truth the circulation it should have.

Moreover, if East Berlin is building walls against people, it seems to me that the least we can do is to build walls against trade with this satellite nation. I therefore strongly urge that consideration be given to the imposition of economic sanctions on the East German puppet state. Let not the West continue to support an economy directed toward a struggle against the West. East Germany needs these economic transfusions from the West because it is suffering from pernicious anemia—Communist style. Why should we help them build up their resistance to the forces of freedom?

In closing, may I make this observation. Berlin is at once the moment of truth for the free world, and the point of no return. We are in a time of national crisis, of world crisis, and we must soberly face this cold, hard reality that we have faced so often before in our history.

I am confident that if we face it squarely and boldly, sure of our cause, and sure of our strength to defend that cause, we shall not only maintain the freedom of Berlin, but we shall remain true to the great heritage of our past—and to all the Americans in our history who loved freedom enough to fight for it and to die for it.

